

Mike Castellucci
Chair

Steve Anselmo
Vice Chair



Yvonne Lujan-Slak
Secretary

Lisa Bailey

Sarah French

Minutes for February 25, 2020

City Council Chambers, 1 City Hall Place

The meeting was called to order at 6:58 p.m. with Chair Castellucci presiding.

Board Members Present: Mike Castellucci, Yvonne Lujan-Slak, and Elizabeth (Lisa) Bailey, Sarah French, Steve Anselmo

Board Members Absent: none

Staff Members Present: Beritt Odom, Principal Planner; Daniel Kogovsek, Board Attorney; Chelsea Stromberg, Planner, Bart Mikitowicz

~ Approval of Minutes

Motion to approve the minutes from the meeting of January 28, 2020, by Bailey second by Lujan-Slak.
Motion passed 5 - 0

~ Approval of Agenda

Bailey moved to approve the agenda. The motion was seconded by Lujan-Slak.
Motion passed 5 - 0

REGULAR AGENDA

Each case that follows proceeded in a uniform process as directed by Chair Castellucci. Beginning with a staff report presented by Planner Chelsea Stromberg, then questions, if any, from the Board to staff members. Next, the applicant is sworn in by Board Attorney Daniel Kogovsek, then the applicant states his or her name and address. The Board questions the applicant and confirms understanding of staff report and conditions for approval. Applicant may add further information, followed by further questions, if any, from the Board. Then the Board asks if anyone present in the audience will state support for the applicant, followed by those who state opposition. Then the Board closes the public hearing and reviews findings of fact. Then the Board may motion to approve or deny the application for permit. In some cases, permits may be conditionally approved.

1. **ZBA-19-20 1347 E. 4TH Street Special Use Permit (Lauro Esquivel, LE Roofing, LLC) A Special Use Permit to allow a banquet hall in Sub-regional Business (B-2 Zone) District.**

Castellucci asked whether the applicant was in the audience to represent the request. Once the applicant confirmed, from the audience, that they were present, Castellucci asked for the staff presentation, which was given by Ms. Stromberg. Castellucci then asked for the applicant to come forward and be sworn in. **Lauro Esquivel and Chris Pettigrew** were sworn in by Mr. Kogovsek, who also asked them to sign in. Following such actions, the applicant introduced themselves and offered to answer any questions. **Mr. Pettigrew** summarized the proposed Special Use Permit. Castellucci asked the applicants if they read the staff report, understand the conditions, and can comply with the staff conditions. **Mr. Esquivel** stated that he read the staff report and can comply with the conditions. Mr. Castellucci asked if there was anyone in the audience wishing to speak in favor of the application, there were none. Mr. Castellucci asked if there was anyone wishing to speak in opposition of the application, there were none. The public hearing was then closed.

Commission Action:

Motion to grant by Bailey, second by Anselmo.

Motion passed 5-0.

2. **ZBA-20-02 1721 S Pueblo Blvd Special Use Permit (Tyler Robinson, CAGE Civil Engineering) A Special Use Permit to allow Outdoor Storage in a Highway and Arterial Business (B-3 Zone) District.**

Castellucci asked whether the applicant was in the audience to represent the request. Once the applicant confirmed, from the audience, that they were present, Castellucci asked for the staff presentation, which was given by Ms. Stromberg. Castellucci then asked for the applicant to come forward and be sworn in. **Andrew Lay** was sworn in by Mr. Kogovsek, who also asked him to sign in. Following such actions, the applicant introduced themselves and offered to answer any questions. **Mr. Lay** summarized the proposed Special Use Permit. Castellucci asked the applicants if they read the staff report, understand the conditions, and can comply with the staff conditions. **Mr. Lay** asked for clarification of the groundcover required and it was clarified that gravel will be adequate but that the applicant will need to consult with the stormwater department for further requirements. **Mr. Lay** stated that he read the staff report and can comply with the conditions. Mr. Castellucci asked if there was anyone in the audience wishing to speak in favor of the application, there were none. Mr. Castellucci asked if there was anyone wishing to speak in opposition of the application, there were none. The public hearing was then closed.

Commission Action:

Motion to grant by Bailey, second by Lujan-Slak.

Motion passed 5-0.

3. **ZBA-20-03 100 Lincoln St. Variance (Dan Fritz, Texas Tires) A Variance to allow two shipping containers in a Subregional Business (B-2 Zone) District.**

Castellucci asked whether the applicant was in the audience to represent the request. Once the applicant confirmed, from the audience, that they were present, Castellucci asked for the staff presentation, which was given by Ms. Stromberg. Castellucci then asked for the applicant to come forward and be sworn in. **Dan Fritz** was sworn in by Mr. Kogovsek, who also asked him to sign in. Following such actions, the applicant introduced himself and offered to answer any questions. **Mr. Fritz** summarized the proposed Special Use Permit. Castellucci asked the applicants if they read the staff report, understand the conditions, and can comply with the staff conditions. **Mr. Fritz** stated that he read the staff report and can comply with the conditions. Mr. Castellucci asked if there was anyone in the audience wishing to speak in favor of the application, there were none. Mr. Castellucci asked if there was anyone wishing to speak in opposition of the application, Tom Rose was sworn in and testified in opposition. Mr. Rose indicated that his property has full view of the southern unscreened portion of the containers. The public hearing was then closed.

Commission Action:

Motion to grant with the added condition that the containers be completely screened by Bailey, second by Lujan-Slak.

Motion passed 5-0.

4. **ZBA-20-04 121 Olney Ave Variance (Sam Spicola) a Variance to reduce the side and front yard setbacks for an attached accessory structure (garage) in a multiple-residential and office (r-5 zone) district.**

Castellucci asked whether the applicant was in the audience to represent the request. Once the applicant confirmed, from the audience, that they were present, Castellucci asked for the staff presentation, which was given by Ms. Stromberg. Castellucci then asked for the applicant to come forward and be sworn in. **Sam Spicola** was sworn in by Mr. Kogovsek, who also asked him to sign in. Following such actions, the applicant introduced himself and offered to answer any questions. **Mr. Spicola** summarized the proposed Special Use Permit. Castellucci asked the applicants if they read the staff report, understand the conditions, and can comply with the staff conditions. **Mr. Spicola** stated that he read the staff report and can comply with the conditions. Mr. Castellucci asked if there was anyone in the audience wishing to speak in favor of the application, there were none. Mr. Castellucci asked if there was anyone wishing to speak in opposition of the application, there were none. The public hearing was then closed.

Commission Action:

Motion to grant by Bailey, second by Lujan-Slak.

Motion passed 5-0.

5. **ZBA-20-05 1024 E Routt Ave Variance (Dominga Jimenez-Garcia) A Variance to allow an expansion of an existing legal non-conforming residence greater than forty percent (40%) of the gross floor area.**

Castellucci asked whether the applicant was in the audience to represent the request. Once the applicant confirmed, from the audience, that they were present, Castellucci asked for the staff presentation, which was given by Mr. Mikitowicz. Castellucci then asked for the applicant to come forward and be sworn in. **Dominga Jimenez-Garcia and Ignacio Garcia** were sworn in by Mr. Kogovsek, who also asked them to sign in. Following such actions, the applicant introduced themselves and offered to answer any questions. **Mrs. Jimenez-Garcia** summarized the proposed Special Use Permit. Castellucci asked the applicants if they read the staff report, understand the conditions, and can comply with the staff conditions. **Mrs. Jimenez-Garcia** stated that she read the staff report and can comply with the conditions. Mr. Castellucci asked if there was anyone in the audience wishing to speak in favor of the application, there were none. Mr. Castellucci asked if there was anyone wishing to speak in opposition of the application, there were none. The public hearing was then closed.

Commission Action:

Motion to grant by Lujan-Slak, second by Bailey.

Motion passed 5-0.

OLD/NEW BUSINESS

1. ELECTION OF OFFICERS

Chair

A motion to appoint Yvonne Lujan-Slak to the position of Chair of the Zoning Board of Appeals was made by Yvonne Lujan-Slak and seconded by Sarah French

The motion passed 5-0

Vice-Chair

A motion to appoint Steve Anselmo to the position of Vice-Chair of the Zoning Board of Appeals was made by Mike Castellucci and seconded by Yvonne Lujan-Slak

The motion passed 5-0

Secretary

A motion to appoint Mike Casellucci to the position of Secretary of the Zoning Board of Appeals was made by Lisa Bailey and seconded by Yvonne Lujan-Slak. Mr. Castellucci declined the nomination.

A motion to appoint Lisa Bailey to the position of Secretary of the Zoning Board of Appeals was made by Steve Anselmo and seconded by Mike Castellucci.

The motion passed 4-1 with Bailey opposed.

Zoning Board of Appeals, Minutes for February 25, 2020

~ **Adjourn:** Meeting adjourned at 8:30 p.m.

Minutes respectfully submitted by Chelsea Stromberg.