

Mike Castellucci
Chair

Weston Burrer
Vice Chair

PUEBLO

Zoning Board of Appeals

Allison Ernst
Secretary

Rudy Martinez

Yvonne Lujan-Slak

Minutes for ZBA Hearing, March 26, 2013

Interim City Council Chambers, 301 West "B" Street

MEETING CALLED TO ORDER

The meeting was called to order at 7:00 p.m. with Chairperson Mike Castellucci presiding.

Board Members Present: Allison Ernst, Rudy Martinez, Yvonne Lujan-Slak

Board Members Absent: Weston Burrer

Staff Members Present: Jeff Bailey, P.E., Assistant City Manager for Development Services; Katie Carleo, Planner; Wade Broadhead, Planner; and Paul Willumstad, Board Attorney.

APPROVAL OF MINUTES

Motion to approve the minutes from the February 26, 2013 meeting by Ernst, second by Martinez.

Motion: Ernst

Motion passed 4-0

APPROVAL OF AGENDA

Motion by Ernst to move one item, ZBA 016-2013 to be heard with case ZBA 009-2013 but to be voted on separately, second by Martinez.

Motion passed 4-0

CONSENT AGENDA

None

REGULAR AGENDA

Special Use Permits

None

Variances

ZBA 009-2013

16 Posada Dr. (Chuck McArthur, Dreamscape Custom Homes) R-1

A **Variance** requesting a reduction of side yard setback requirements.

Staff Report by Wade Broadhead.

Applicant, Chuck McArthur, and owner were present. Applicant testified in support of the variance and explained the hardship of the location of window wells against the house and limited space in the area.

Recommendation:

Staff recommends **APPROVAL** of a 1'6" encroachment into the required side yard setback with the following conditions.

Should the Zoning Board of Appeals decide to grant a different variance, Staff suggests the same conditions should apply:

1. Standard permit conditions 1-12.
2. If the variance for architectural incompatibility is not approved the structure has to be architecturally compatible with the primary structure.

Commission Action:

Motion to **APPROVE** by Lujan, second by Martinez with the following condition(s):

1. Standard permit conditions 1-12.
2. Maintain 3'6" from property line along side of structure

Motion passed 4-0

ZBA 010-2013

621 W 9th Street (Ken Hayworth) I-2

A **Variance** requesting a reduction in landscaping and parking requirements.

Staff Report by Katie Carleo

Applicant, Ken Hayworth, and owner were present. Applicant testified in support of the variance.

Recommendation:

Staff recommends **APPROVAL** with the following conditions:

1. Standard permit conditions 1-13.
2. The proposed parking must include one handicap parking space
3. Obtain minimum 3'-6" wide access easement adjacent to west side of property from Lot 11

Commission Action:

Motion to **APPROVE** by Ernst, second by Martinez with the following condition(s):

1. Standard permit conditions 1-13.
2. The proposed parking must include on handicap parking space
3. Obtain minimum 3'-6" wide access easement adjacent to west side of property from Lot 11

Motion passed 4-0

ZBA 012-2013

1650 W. US HWY 50 (Joseph Gagliano, ABBA Real Estate Inc.) B-3

A **Variance** requesting a reduction in landscaping requirements.

Staff Report by Katie Carleo

Applicant, Joe Gagliano, was present. Applicant testified in support of the variance.

Recommendation:

Staff recommends **APPROVAL** with the following conditions:

1. Standard permit conditions 1-13.
2. Rearrangement of northeast parking spaces to comply with Section 17-4-44(i)
3. Parking lot island located at northwest corner of property to maintain water quality.
4. Rear landscape to maintain 3 required trees.
5. Extension of paved lot in rear will require full landscape buffer and parking lot islands along the rear.

Commission Action:

Motion to **APPROVE** by Ernst, second by Martinez with the following condition(s):

1. Standard permit conditions 1-13.
2. Rearrangement of northeast parking spaces to comply with Section 17-4-44(i)
3. Parking lot island located at northwest corner of property to maintain water quality
4. Rear landscape to maintain 3 required trees
5. Extension of paved lot in rear will require full landscape buffer and parking lot islands along rear

Motion passed 4-0

ZBA 016-2013

16 Posada Dr. (Chuck McArthur, Dreamscape Custom Homes) R-1

A **Variance** from architecture compatibility requirements.

Staff Report by Wade Broadhead.

Applicant, Chuck McArthur and owner were present. Applicant testified in support of the variance and gave examples of the materials to be used on the structure.

Recommendation:

Staff recommends **DENIAL**.

Should the Zoning Board of Appeals decide to grant a different variance, Staff suggests the same conditions should apply:

1. Standard permit conditions 1-12.
2. The applicant provided specification sheets of the siding to be used and a color swatch matching the house to be filed in the record.

Commission Action:

Motion to **APPROVE** by Lujan, second by Martinez with the following condition(s):

1. Standard permit conditions 1-12.
2. Use of siding and roofing per provided specification sheets with colors to match primary structure.

Motion passed 4-0

ADJOURN

There being no further business the meeting was adjourned at 7:45 p.m.