

Mike Castellucci
Chair

Weston Burrer
Vice Chair

PUEBLO

Zoning Board of Appeals

Allison Ernst
Secretary

Rudy Martinez

Yvonne Lujan-Slak

Minutes for ZBA Hearing, 5/21/2013 Interim City Council Chambers, 301 West "B" Street

MEETING CALLED TO ORDER

The meeting was called to order at 7:08 p.m. with Chairperson Mike Castellucci presiding.

Board Members Present: Mike Castellucci, Allison Ernst, Yvonne Lujan-Slak

Board Members Absent: Weston Burrer and Rudy Martinez

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

APPROVAL OF MINUTES

Motion to approve the minutes from the April 23, 2013 meeting by Ernst, second by Lujan-Slak

Motion passed 3-0

APPROVAL OF AGENDA

Motion to approve agenda for May 21, 2013 Zoning Board of Appeals Hearing by Ernst, second by Lujan-Slak

Motion passed 3-0

REGULAR BUSINESS

Consent Agenda

Commission Action:

Motion to approve Consent agenda (cases ZBA 061-2012 and ZBA 019-2013) subject to staff conditions, by Ernst, seconded by Lujan-Slak

Motion passed 3-0

Regular Agenda

Appeal

ZBA 017-2013

Appeal for Notice of Violation in regards to an accessory structure located in a setback and not architecturally compatible. PMC Section 17-4-23(c)(3) and 17-4-23(c)(5)

Testimony from Mr. Daniel Ramos showed pictures (personal zip drive provided, Exhibit 1) in support that he is burdened with an unsafe neighborhood and a small house on a non conforming lot. Mr. Ramos stated that he is using the enclosed carports to work on his business plan and prototypes for developing a new business. He also stated that he has individuals, models, come to the home to model his products while he photographs them. Sewing of clothing takes place at the home as a prototype to his business.

Staff (Jeff Bailey and Katie Carleo) gave testimony from the City Planning and Zoning Department in support of the Notice of Violation and Order to Correct. Staff supports the action taken in regards to the regulations of the Pueblo Municipal Code.

Mr. Ramos again addressed the board with confusion of how the process for correcting this violation should have taken place. He further decided to retract his appeal.

Commission Action:

Motion for a stay of enforcement for the current standing against Mr. Ramos, 510 Floyd Ln., until June 30, 2013 by Ernst, second by Lujan-Slak

Motion passed 3-0

Special Use Permits

ZBA 025-2013

A **Special Use Permit** to allow outdoor bulk storage of recycling containers

Staff Report by Katie Carleo

Mr. Pratt was in attendance. He stated he fully understood the status and conditions of his application. He stated the existing fence would be finished to fully enclose the property and that there would be no trash trucks on the property for an extended amount of time and all cleaning of containers would be done on the property.

Commission Action:

Motion to approve by Ernst, second by Lujan-Slak with the following condition(s):

1. Standard Permit conditions 1-13.
2. 6 FT opaque screening on all sides of property

Motion passed 3-0

Variance

ZBA 020-2013

A **Variance** to allow additional signage for an electronic variable message sign

Staff Report by Wade Broadhead

Mr. Wendell Lueders was present and gave testimony on the new technologies and the need to standardize these signs across the board to further not endure a hardship on the company.

Commission Action:

Motion to approve by Ernst, second by Lujan-Slak with the following condition(s):

1. Standard Permit conditions 1-13.
2. Comply with all sign requirements including those relating to temporary signs

Motion passed 3-0

ZBA 021-2013

A **Variance** to allow additional signage for an electronic variable message sign

Staff Report by Wade Broadhead

Commission Action:

Motion to approve by Ernst, second by Lujan-Slak with the following condition(s):

1. Standard Permit conditions 1-13.
2. Comply with all sign requirements including those relating to temporary signs

Motion passed 3-0

ZBA 022-2013

A **Variance** to allow additional signage for an electronic variable message sign

Staff Report by Wade Broadhead

Commission Action:

Motion to approve by Ernst, second by Lujan-Slak with the following condition(s):

1. Standard Permit conditions 1-13.
2. Comply with all sign requirements including those relating to temporary signs

Motion passed 3-0

ZBA 023-2013

A **Variance** for architectural compliance with Medium Scale Development requirements

Staff Report by Katie Carleo

Mr. Dan Carlson was in attendance. He stated he fully understood the status and conditions of this application.

Commission Action:

Motion to approve by Ernst, second by Lujan-Slak with the following condition(s):

1. Standard Permit conditions 1-13.

Motion passed 3-0

ZBA 024-2013

A **Variance** to allow a reduction in front yard setback requirements

Staff Report by Katie Carleo

Mr. Donald Sanchez was in attendance. He stated he fully understood the status and conditions of his application.

Commission Action:

Motion to approve by Ernst, second by Lujan-Slak with the following condition(s):

1. Standard Permit conditions 1-13
2. Any access gained off Moore Street will require compliance with Public Works curb, gutter, and sidewalk improvements along Moore Street and is to be completed before building permit is issued for the garage
3. Maintain minimum 25' from back of sidewalk to garage from Moore St. and a minimum of 5' from property line
4. Garage is to be architecturally compatible with primary structure, home.

Motion passed 3-0

ADJOURN

There being no further business the meeting was adjourned at 8:40 p.m.