

Mike Castellucci
Chair

Weston Burrer
Vice Chair

PUEBLO

Zoning Board of Appeals

Allison Ernst
Secretary

Steve Anselmo

Yvonne Lujan-Slak

Minutes for ZBA Hearing, August 27, 2013

City Council Chambers, 1 City Hall Place

MEETING CALLED TO ORDER

The meeting was called to order at 7:04 p.m. with Chairperson Mike Castellucci presiding.

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

Board Members Absent: Weston Burrer

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

APPROVAL OF MINUTES

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

Motion passed 4-0

APPROVAL OF AGENDA

Motion to approve agenda; with the change to hearing case ZBA 031A-2013 and case ZBA 031B-2013 together; for August 27, 2013 Zoning Board of Appeals Hearing by Ernst, second by Anselmo

Motion passed 4-0

REGULAR BUSINESS

Consent Agenda

Commission Action:

Motion to approve Consent agenda (cases ZBA 035-2013 and ZBA 038-2013) subject to staff conditions, by Ernst, seconded by Lujan-Slak

Motion passed 4-0

Regular Agenda

ZBA 033-2013

A **Variance** to allow a reduction in side yard setback requirements, encroaching into the side yard setback two (2) feet.

Staff Report by Katie Carleo

Mr. Simony 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. Maintain three (3) foot side yard setback on southern property boundary.

Motion passed 4-0

ZBA 034-2013

A **Variance** to allow an eighteen (18) foot reduction in front yard setback requirements.

Staff Report by Katie Carleo

Mr. Fuentes, the applicant, was present along with an attorney, Mr. Cawfield. Mr. Cawfield spoke on behalf of Mr. Fuentes in support of the variance; showing his testimony of no negative impact of the carport to the neighborhood.

Commission Action:

Motion to deny by Ernst, second by Anselmo.

Motion passed 4-0

ZBA 037-2013

A **Variance** to allow a reduction in side yard setback requirements, encroaching into the side yard setback three (3) feet.

Staff Report by Katie Carleo

Mr. Molina was in attendance, but does not speak English. Communication was limited. The board recognized this challenge and further added a condition that Mr. Molina would fully understand the variance and conditions.

Commission Action:

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

1. Standard Permit conditions 1-13.
2. Maintain two (2) foot side yard setback on western property boundary along carport.
3. All stormwater runoff must be diverted away from neighboring properties.
4. The carport must be architecturally compatible with the house.
5. Comply with Pueblo Regional Building Department regulations and obtain proper building permits.

6. It is the responsibility of the applicant to fully understand the conditions of approval for this variance in the language they are prepared through the Planning Department.

Motion passed 4-0

ZBA 031A-2013 (heard in conjunction with ZBA 031B-2013)

A **Special Use Permit** to allow a church and religious building in an R-1, Single Family Residential zone district.

Staff Report by Katie Carleo

In attendance in support for the application were: Charlie Jones, Pastor at Fellowship of the Rockies Church; Mr. Mike Cuppy, Northstar Engineering; Mr. Charles Bollar, architect; and Mr. David Lytle, attorney representing Fellowship of the Rockies. Mr. Lytle gave testimony on behalf of Fellowship of the Rockies for the support of the application and steps taken within the community to address any issues with planning this development. Ruby Wilde was in attendance in opposition of the application and stated concerns with the development.

Commission Action:

Motion to approve by Ernst, second by Anselmo with the following condition(s):

1. Standard Permit conditions 1-13.
2. With the building permit for construction of Phase 1 of the church complex, the applicant must comply with all requirements normally associated with a commercial development.
3. Because the ultimate building size will exceed 40,000 SF, Phase 1 of the building must comply with the large scale development standards for architecture (Section 17-4-46 PMC)
4. The Special Use Permit is for the use of a church and religious building only; therefore, if the applicant would like to use the property for a school or daycare facility in the future they must be granted a special use permit for the expansion of the use.

Motion passed 4-0

ZBA 031A-2013 (heard in conjunction with ZBA 031A-2013)

A **Variance** to allow two (2) monument and one (1) building sign.

Staff Report by Katie Carleo

Commission Action:

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

1. Standard Permit conditions 1-13.
2. Signs must comply with Chapter 10 of Title XVII of the PMC.

Motion passed 4-0

ADJOURN

There being no further business the meeting was adjourned at 8:24 p.m.