



Ms. Castle gave a PowerPoint presentation and noted Staff received a revised site plan from the contractor indicating the 5' on the side as requested by Mr. Estala (copies of revised site plan provided to Board Members prior to the meeting). Staff did not receive any telephone calls, emails or letters in favor of or opposition to the request. **STAFF RECOMMENDS APPROVAL OF THE REQUEST FOR THE SPECIAL EXCEPTION C, WITH THE CONDITION THAT THE PORCH SHALL NEVER BE ENCLOSED.**

Mr. Michael Olivas, contractor, understood he must apply for building permit(s) and that he may have to reduce a portion of the already existing structure. He explained there is no patio on the east side of the property.

Chair Cordova asked if Board Members had any questions for Staff or the representative. There were none.

Chair Cordova asked if members of the audience were present to speak in favor of or in opposition to the application. There were none.

**MOTION:**

Motion made by Mr. Perez, seconded by Mr. Mendez and **UNANIMOUSLY CARRIED TO APPROVE WITH THE CONDITION THAT THE PORCH NEVER BE ENCLOSED.**

**AYES:** Ms. Jorgensen and Messrs. Perez, Garland, Bray, Cordova, Melendez, Mendez and Skarda

**NAYS:** N/A

**NOT PRESENT FOR THE VOTE:** Mr. Aguilar

Motion passed. (8-0)

**Other Business:**

- 2. Approval of Minutes: December 13, 2010

Chair Cordova asked Board Members if they had any corrections/revisions to the minutes. There being none.

**MOTION:**

Motion made by Ms. Jorgensen and **UNANIMOUSLY CARRIED TO APPROVE THE DECEMBER 13, 2010 MEETING MINUTES.**

**AYES:** Ms. Jorgensen and Messrs. Garland, Cordova, Melendez, Mendez and Skarda

**NAYS:** N/A

**ABSTAIN:** Messrs. Perez and Bray

**NOT PRESENT FOR THE VOTE:** Mr. Aguilar

Motion passed. (6-0)



3. Discussion and action regarding Chapter 2.16, Zoning Board of Adjustment.

Copies of the revised Section 2.16.050, Zoning Board of Adjustment were distributed to Board Members prior to the meeting.

Board Members and Staff discussed Chapter 2.16, Zoning Board of Adjustment, Section 2.16.050 K (Carport over a Driveway) in detail.

Regarding Section 2.16.050 C.2. Rear yard setback, single-family residence.

*“The maximum square footage allowed shall not exceed the result of multiplying one-third of the average width of the lot by three-fifths of the required rear yard”;*

- Staff will research whether or not the word “setback” should be added to the end of the sentence.

Regarding Section 2.16.050 D. Rear yard setback, duplex.

- Staff will ensure the language is consistent with Section 2.16.050 K. Carport over a driveway.

Regarding Chapter 2.16 – Zoning Board of Adjustment, Section 2.16.050 – Special exception., K. Carport over a driveway.

Ms. Osborn suggested Board Members postpone the item to allow Staff time to research and determine the following:

1. Legal interpretation of the meaning of Special Exception K.6.;
2. Legal interpretation how Special Exception K.6. should be applied;
3. When/why Staff changed the interpretation of Special Exception K.6. language;
4. Are Unit A/Unit B considered two separate units or considered one unit as a whole?;
5. What is considered the width of the duplex?
6. Define “unit”;

Existing and Proposed Language Revision – Section 2.16.050 K.6.

*“For a duplex, the total of all extensions granted shall not exceed one-third the average width of the site, (Board Members suggested the word “lot” instead of site) and the total of all extensions for either unit of the duplex (Board Members suggested the word “site” instead of duplex) shall not exceed two-thirds of the average width of that unit.*

*(Board Members requested Staff define the word “unit” and suggested the following definition “unit means center of the property”, furthermore, Board Members suggested adding the following language to unit, “unit plus the inside setback” or “unit plus the required setback” and requested Staff define the word “unit”)*

Mr. Bray suggested Staff draw up different carport scenarios.



**MOTION:**

Motion made by Mr. Melendez, seconded by Mr. Skarda and **UNANIMOUSLY CARRIED THAT RESEARCH BE DONE:**

1. **What is a unit**
2. **Ensuring the term "duplex" is consistent for Sections 2.16.050 D. and Section 2.16.050 K.**
3. **Including "Side Setback" in the definition of "unit"**
4. **What is the intent of the language**

**AYES:** Ms. Jorgensen and Messrs. Perez, Garland, Bray, Cordova, Aguilar, Melendez, Mendez and Skarda

**NAYS:** N/A

Motion passed. (9-0)

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**MOTION:**

Motion made by Mr. Cordova and **UNANIMOUSLY CARRIED TO ADJOURN THE MEETING AT 2:47 P.M.**

**AYES:** Ms. Jorgensen and Messrs. Perez, Garland, Bray, Cordova, Aguilar, Melendez, Mendez and Skarda

**NAYS:** N/A

Motion passed. (9-0)

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Linda Castle, Senior Planner

