



CITY DEVELOPMENT DEPARTMENT – PLANNING  
ZONING BOARD OF ADJUSTMENT MEETING MINUTES

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**Mayor**  
Oscar Leeses

**City Council**

*District 1*  
Ann Morgan Lilly

*District 2*  
Larry Romero

*District 3*  
Emma Acosta

*District 4*  
Carl L. Robinson

*District 5*  
Dr. Michiel R. Noe

*District 6*  
Claudia Ordaz

*District 7*  
Lily Limón

*District 8*  
Cortney C. Niland

**City Manager**  
Tommy Gonzalez

ZONING BOARD OF ADJUSTMENT MEETING MINUTES  
COUNCIL CHAMBERS, CITY HALL BUILDING  
SEPTEMBER 8, 2014  
1:30 P.M.

Chairman Concha called the meeting to order at 1:32 p.m., quorum present.

The following Board Members answered roll call:

Mr. Robert Concha, Chairman  
Mr. Robert Garland, Vice-Chairman  
Mr. Roy Gilyard  
Mr. Luis De La Cruz  
Mr. Rick Cordova  
Mr. Sam Barela  
Mr. Lamar Skarda  
Mr. James Graham

The following City Staff were present:

Ms. Linda Castle, City Development Department, Senior Planner  
Mr. Alex Hoffman, City Development Department, Lead Planner  
Ms. Kristen Hamilton, Assistant City Attorney, City Attorney's Office  
Mr. Tony De La Cruz, Building & Development Permitting, Senior Plans Examiner

**CHANGE(S) TO THE AGENDA**

*None.*





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**PUBLIC HEARING**  
**REGULAR AGENDA:**

*Prior to the meeting, Staff distributed copies of the revised site plan submitted by the applicants.*

**ITEM 1:**

PZBA14-00029                      11185 Quintana Drive                      Ingo Voss & Monica M. Batalla Morell  
Applicants request Special Exceptions under Sections 2.16.050 C (Rear Yard Setback) and 2.16.050 K (15 Years or More) in an R-4/sp (Residential/special permit) zone. This would allow a new 14' by 10' addition (140 sq. ft.) which is proposed to encroach into the required rear yard setback and to be located to within 10 feet of the rear property line. Further, this would allow an 11.3' by 22.5' covered patio which is built to within 0 feet of the easterly side property line. The required front and rear yard cumulative setback total in the R-4 zone district is 45 feet; the required side yard setback is 5 feet. The applicants are requesting the Special Exception C for a new addition which will encroach in the required rear yard setback. In addition, the applicants purchased the home in January 2014 (see warranty deed) with a covered patio in the east side setback which is built to 0 feet of the side property line. An aerial photo from 1996 shows a roof in the east side yard setback. Staff review notes that the underside of a roof of an unenclosed structure located within 3 feet of a side property line shall be of fire-rated construction.

**STAFF RECOMMENDS APPROVAL OF THE REQUEST AS THE REQUIREMENTS FOR THE SPECIAL EXCEPTIONS C AND K ARE MET, WITH CONDITIONS:**

- 1) THAT THE STRUCTURE IN THE EAST SIDE YARD SETBACK IS NEVER ENCLOSED; AND**
- 2) THAT THE STRUCTURE SHALL BE OF FIRE-RATED CONSTRUCTION, TO INCLUDE THE UNDERSIDE OF THE PATIO ROOF.**

Ms. Castle gave a presentation and noted Staff did not receive any phone calls in favor of or in opposition to this request.

Chairman Concha, Vice-Chairman Garland and Board Members Mr. Bray, Mr. De La Cruz and Mr. Cordova commented.

Ms. Monica M. Batalla Morell Voss, applicant, responded to comments and/or questions from the Board.

**MOTION:**

*Motion made by Mr. De La Cruz TO APPROVE. Motion died for lack of second.*

Mr. Cordova noted the request to fire rate the structure on the side would also require gutters, as the roof would have some type of sheet rock or metal.









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**Other Business – Discussion and Action:**

*Zoning Board of Adjustment Board Terms – 2014 were included in the Board Member’s packets.*

- 4. Review of Board Members’ terms which are expiring October 1, 2014.

Ms. Castle explained as of October 1, 2014, four Board Members terms will expire. The Zoning Board of Adjustment Board Member’s terms are two-year, staggered terms. Four Representatives appointees’ terms expire in even years; four Representatives, and the Mayor, appointees’ terms end in odd years.

Ms. Castle noted which Representatives’ Regular and/or Alternate Board Members were eligible for re-appointment or perhaps appointed by another Representative. She also noted which Representatives have not appointed either a Regular or Alternate Board Members.

**NO ACTION WAS TAKEN.**

*Copies of the revised sample plot plan were included in the Board Member’s packets for review.*

- 5. Review of requested revisions to sample plot plan provided to ZBA applicants.

Ms. Castle explained Staff revised the sample plot plan as requested by the Board. She stated the revised application, along with the fee increases approved by Council, will be posted online.

**NO ACTION WAS TAKEN.**

- 6. Approval of Minutes: August 11, 2014

Chairman Concha asked Board Members if they had any additions, corrections, and/or revisions for staff. *There were none.*

**MOTION:**

*Motion made by Mr. De La Cruz, seconded by Mr. Cordova AND UNANIMOUSLY CARRIED TO APPROVE THE AUGUST 11, 2014 MEETING MINUTES.*

**ABSTAIN:** Mr. Gilyard





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**MOTION:**

*Motion made by Mr. De La Cruz, seconded by Mr. Graham AND UNANIMOUSLY CARRIED TO ADJOURN.*

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Linda Castle, Senior Planner

