



PLANNING AND INSPECTIONS DEPARTMENT – PLANNING DIVISION
ZONING BOARD OF ADJUSTMENT MEETING MINUTES

COUNCIL CHAMBERS, CITY HALL BUILDING

DECEMBER 8, 2014

1:30 P.M.

Chairman Concha called the meeting to order at 1:31 p.m., quorum present.

The following Board Members answered roll call:

Mr. Robert Concha, Chairman

Mr. Sam Barela

Mr. Roy Gilyard

Mr. Luis De La Cruz

Mr. Rick Cordova

Ms. Bertha Miecowski

Mr. Lamar Skarda

Mr. James Graham

INTRODUCTION – WELCOME

Ms. Castle introduced newly appointed Regular Board Member Ms. Bertha Miecowski.

CHANGES TO THE AGENDA – POSTPONE ITEM 1. PZBA14-00040, FOR FOUR (4) WEEKS

Ms. Castle explained the applicant’s representative for PZBA14-00040, 9005 Montana Avenue, requested a four (4) week postponement until the next regularly scheduled meeting, January 12, 2015.

MOTION:

Motion made by Mr. Cordova, seconded by Mr. Barela AND UNANIMOUSLY CARRIED TO APPROVE THE CHANGES TO THE AGENDA.

PUBLIC HEARING

REGULAR AGENDA:

ITEM 1: (see CHANGES TO THE AGENDA ABOVE)

PZBA14-00040

9005 Montana Avenue

Seisa Investments LP

POSTPONED FOUR (4) WEEKS TO THE NEXT REGULARLY SCHEDULED MEETING, JANUARY 12, 2015.

Mayor

Oscar Leeser

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





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ITEM 2:

PZBA14-00041 6621 Southwind Drive Martha Ricci
Applicant requests a Special Exception under Section 2.16.050 C (Rear Yard Setback) in an R-3 (Residential) zone. This would allow a two-story addition, attached to the house, of which a 23' by 15' portion (345 square feet footprint) is proposed to encroach into the required rear yard setback and to be located to within 10 feet of the rear property line. The required front and rear yard cumulative setback total is 50 feet in the R-3 zone district. The owner is proposing to build a two-story addition to her home. She operates an adult care facility at this location; the addition is for living quarters for the owner. A site visit shows an old foundation and plumbing from 2003 (Permit #BLD03-07677) which will require an inspection prior to being used for the proposed project.

STAFF RECOMMENDS APPROVAL OF THE REQUEST AS IT MEETS THE REQUIREMENTS OF THE SPECIAL EXCEPTION C.

Ms. Castle gave a presentation and noted Staff received no phone calls from neighbors regarding the request.

Ms. Martha Ricci, property owner, was present.

Mr. Cordova asked Staff if there were any utility easements on the front of the property.

Ms. Castle responded utility easements are in the front, unfortunately, the easements were not shown in the site plan. There will not be any construction over the utility easements. Typically, utility easements are ten feet in the front.

Mr. Cordova added there are utility easements in the rear of properties, as well.

Ms. Castle reiterated the contractors must observe the ten feet rear yard setback. For compliance, if any portion of that already existing foundation is within the ten feet of the rear property line, it will have to be removed.

MOTION:

Motion made by Mr. De La Cruz, seconded by Mr. Barela AND UNANIMOUSLY CARRIED TO APPROVE.





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Mr. Barela explained 4.8' from 5.1' is 2/10th of a foot, so if you would have moved over, you would have still had 1/10th of a foot still encroaching. The house is too big for that lot and the required setback.

Mr. Montiel stated there might be an error on the survey that the Board is reviewing. The plan is 40" wide, the lot is 50' wide and we have built it, many times, on the 50' lot, normally in the right place. So many there is an error on the survey, but it is a 40' plan on a 50' lot which should have had 5' and 5' on each side.

Mr. Barela asked Mr. Montiel if the 40' plan from outside of stud to outside of stud.

Mr. Montiel responded that is from stud to stud, yes sir.

Mr. Barela clarified that is where the 1/10th is your you're sheathing, your stucco.

Mr. Montiel replied it could be, yes, the overhang on the stucco, you are correct.

Mr. Barela added with the sheathing and stucco ...

Mr. Montiel agreed with Mr. Barela.

MOTION:

Motion made by Mr. Graham, seconded by Mr. Barela AND UNANIMOUSLY CARRIED TO APPROVE.

Other Business – Discussion and Action:

5. Approval of Minutes: November 10, 2014

MOTION:

Motion made by Mr. Luis De La Cruz, seconded by Mr. Roy Gilyard AND UNANIMOUSLY CARRIED TO APPROVE THE NOVEMBER 10, 2014 MEETING MINUTES.

ABSTAIN: Mr. Cordova and Ms. Mieczkowski

Prior to adjourning, Ms. Castle thanked and appreciated the Board Members for their service in 2014 and wished everyone a happy Holiday Season.

Mr. Luis De La Cruz wished everyone a Merry Christmas.

Chairman Concha wished everyone a Merry Christmas, we'll see you all next year.





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MOTION:

Motion made by Mr. Cordova, seconded by Mr. Skarda AND UNANIMOUSLY CARRIED TO ADJOURN THE ZBA MEETING.

Linda Castle, Senior Planner

