

ZONING BOARD OF ADJUSTMENT

MINUTES

January 24, 2005

The Zoning Board of Adjustment held a public hearing in the City Council Chambers, 2nd Floor of the City Hall Building, on Monday, January 24, 2005, at 1:30 p.m., with the following board members present:

Board Members

Vicente Ordoñez (Chair)
Charles Marquez
James Major
Robert Veliz
John Taylor
Bradley Roe
Jose Melendez

Staff Members

Kimberly Forsyth, Zoning Administrator
Robert Peña, ZBA Secretary
Linda Castle, Planner
Javier de la Cruz, Plan Examiner
Margie Barajas, Recording Secretary

Robert Peña, Planning Department, opened the meeting and read the Statement of Authority and Limitations on the Laws and Ordinance governing the Board. Vicente Ordoñez swore in all who wished to testify.

Item 1 01-012-05 3128 Hector Jesus Diaz

Applicant requests a Special Exception under Section 2.16.050 G (Rear Yard Setback) R-4 Zone of the City of El Paso Zoning Ordinance. Pebble Hills, Block 36, Lot 1. This would permit the construction of a 30' by 8' portion of a structure located to within 15' of the rear property line. A 25' rear yard setback is required in an R-4 zone.

Robert Peña read the case into the record and made a slide presentation of the property. He stated that this application had been previously presented to the board but there was a conflict between the representative and the owner. Mr. Hernandez, the representative and the owner are now in agreement to leave the open porch in between the two sides.

Mr. Melendez made a motion to **APPROVE** this request on the basis that the application meets all the requirements for this special exception. Mr. Roe seconded the motion. Board was polled and motion passed unanimously. (7-0)

Item 2 01-013-05 12436 Tierra Inca GMF Homes, Inc.

Applicant requests a Special Exception under Section 2.16.050 G (Rear Yard Setback) R-5 Zone of the City of El Paso Zoning Ordinance. Tierra Del Este Unit 23, Block 34, Lot 23. This would permit the construction of a 14'8" by 4' addition located to within 20' of the rear property line. A 25' rear yard setback is required in an R-5 zone. (7-0)

Mr. Robert Peña read the case into the record and made a slide presentation of the property. He stated that it meets all the requirements and he has not received any calls from any of the neighbors. The applicant is not going to do the screen door at all because it does not meet the requirements.

Frank Torres from GMF Homes, was present to represent the case.

Mr. Roe made a motion to **APPROVE** this request on the basis that the application meets all the requirements for this special exception. Mr. Major seconded the motion. Board was polled and motion passed unanimously. (7-0)

Item 3 01-014-05 811 N. Estrella El Divino Redentor UMC

Applicant requests a Special Exception under Section 2.16.050 X (Rear & Side Yard Setbacks) R-5 Zone of the City of El Paso Zoning Ordinance. East El Paso, Block 83, Lots 1-6 and 19-22. This would permit the construction of a 50' by 76.3' addition located to within 0' of the rear property line and 0' of the side property line. A 25' rear yard and 5' side yard are required in an R-5 zone.

Robert Peña read the case into the record and made a slide presentation of the property. He said that there are two or more buildings that are up to the property line and that it meets the requirements for the special exception being sought at this meeting.

Kimberly Forsyth, Zoning Administrator, stated that the aerial photo showed other structures on the block that are up to the property line.

Samuel Blanco, Pastor for Divino Redentor, was present to represent the case.

Richard Roman, attorney for Divino Redentor, addressed the board stating that the building is over 50 years old and the congregation meets in a fellowship hall that is roughly 20 x 30 and they have to fit about 50 to 70 people in it and that is why they need this fellowship hall.

Kimberly Forsyth noted that there should be a correction to the staff report. In addition to the special exception "X" it should read special exceptions "W" and "X". The "W" is for the side yard and the "X" is for the rear yard. The requirements are the same for both.

Mr. Major made a motion to **APPROVE** this request on the basis that the application meets all the requirements for this special exception. Mr. Roe seconded the motion. Board was polled and motion passed unanimously. (7-0)

Item 4 01-015-05 1580 Billie Marie Gustavo Urquiza

Applicant requests a Special Exception under Section 2.16.050 G (Rear Yard Setback) R-3 Zone of the City of El Paso Zoning Ordinance. Vista Del Sol Unit 42, Block 234, Lots 17 & 18. This would permit the construction of a 24' by 15' addition located to within 10' of the rear property line. A 25' rear yard setback is required in an R-3 zone.

Robert Peña read the case into the record and made a slide presentation of the property. He stated that this application had previously been presented to the board for an addition to the front and to the rear but staff inadvertently only granted them the exception to the front.

Javier De La Cruz, Plan Reviewer from Development Services stated that there were no structural plans because they are not required until after it has been approved by the ZBA.

Joel Ramos from J.R. Homes was present to represent the case. He stated that they have a copy with all the structural on it but it is on the job site. He gave a copy to Mr. Peña but has not given anything to the Plan Checkers. The last time he came for these permits there was a mistake because the back part was not submitted.

Mr. Major made a motion to **APPROVE** this request on the basis that the application meets all the requirements for this special exception. Mr. Marquez seconded the motion. Board was polled and motion passed unanimously. (7-0)

APPROVAL OF MINUTES

Kimberly Forsyth stated that minutes for January 10, 2005, were not distributed with the packets and requested they be postponed for 2 weeks until the next meeting.

Mr. Roe made a motion to **POSTPONE** approval of the minutes for January 10, 2005, until the next meeting. Mr. Major seconded the motion. Board was polled and motion passed unanimously. (7-0)

ADJOURNMENT:

Motion was unanimously made to adjourn the meeting at 2:10 p.m.



Robert Pena, Zoning Board Secretary