ZONING BOARD OF ADJUSTMENT MINUTES
2ND FLOOR – CITY COUNCIL CHAMBER
JUNE 12, 2006
1:30 P.M.

The Z oning B oard o f Adj ustment met at 1:30 p.m., City Council Chamber, 2nd Floor, on Monday, June 12, 2006.

Meeting was called to order at 1:30 p.m. by Chair Anna Gill. The following Board Members answered roll call:

Ms. Anna Gill
Mr. Larry Nance (Vice-Chair)
Mr. Robert Veliz
Mr. Servando Hernandez
Mr. David Marquez
Mr. Jose Melendez
Mr. James Major
Mr. Arturo Duran
Mr. Robert Bustamante

AGENDA

Discussion and action on postponing Items #3, #4, #11, and #16 for two weeks, to the meeting of June 26, 2006. There was a correction made to the legal description on Item #7. The legal description should be corrected to read: Lancaster Unit 2, Block 11, Lot 10

ITEM 3:
05-098-06 11313 Lindenwood Avenue Hector & Yolanda Hinojos
Applicants request a Special Exception under Section 2.16.050 G (Rear Yard Setback) R-3 Zone of the City of El Paso Zoning Ordinance.

This item was postponed for two weeks, to the meeting of June 26, 2006, due to the applicant not submitting a revised site plan for staff's review prior to the meeting.

ITEM 4:
05-100-06 919 Hunter Drive El Paso Community College
Applicant requests a Variance from Section 20.66.275 (Signs, Schools) R-F Zone of the City of El Paso Zoning Ordinance.

This item was postponed for two weeks, to the meeting of June 26, 2006, due to the applicant not submitting a revised site plan for staff's review prior to the meeting to show proposed modifications to the application.

ITEM 11:
06-112-06 114 Miller Circle Jesus & Maria Mireles
Applicants request a Special Exception under Section 2.16.050 Q (Carport over a Driveway) R-3 Zone of the City of El Paso Zoning Ordinance.

This item was postponed for two weeks, to the meeting of June 26, 2006 for staff to obtain and review additional information regarding structural and engineering concerns.

ITEM 16:
06-117-06 3740-3744 Prairie Rose Street Frank & Margarita Pryor

Applicants request a Special Exception under Section 2.16.050 N (Minimum Lot Depth) in an A-M Zone of the City of El Paso Zoning Ordinance.

This item was postponed for two weeks, to the meeting of June 26, 2006, pending reconsideration of the proposed zoning change.

Motion made by Mr. Robert Veliz, seconded by Mr. Larry Nance, to postpone Items #3, #4, #11, and 16, for two weeks, to the meeting of June 26, 2006. Motion carried unanimously.

Kimberly Forsyth, Zoning Administrator, stated that items #1 and #2 are on the agenda as reconsideration items to correct an error on the public notices that were sent out. A vote from the board is needed to reconsider these items.

Motion made by Mr. James Major, seconded by Mr. Larry Nance, to reconsider items #1 and #2. Motion carried unanimously.

ITEM 1:
05-093-06 6004 Sinclair Drive Santiago & Guillermina Chavira
Applicants request Special Exceptions under Section 2.16.050 G (Rear Yard Setback) and Section 2.16.050 U (Existing Encroachment for more than Fifteen Years) R-4 Zone of the City of El Paso Zoning Ordinance.

Santiago Chavira, owner, was present to represent the case.

Motion was made by Mr. James Major, seconded by Mr. Larry Nance, to approve the request for a special exception G (Rear Yard Setback) subject to the condition that the portion of the structure that is more than the allowable encroachment be removed or changed to an open patio of no more than 180 square feet. Motion carried unanimously.

Motion was made by Mr. James Major, seconded by Mr. Larry Nance to deny the request for a special exception U (Encroachment for 15 years or more). Motion carried unanimously.

ITEM 2:
05-097-06 3121 Matagorda Drive Galen Chang
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.

Galen Chang, owner, was present to represent the case.

Michael Lawson, residing at 3133 Matagorda, wants to ensure that provisions that were established in the last agenda are met

Motion made by Mr. David Marquez, seconded by Mr. Larry Nance to approve this request subject to the portion of the structure that is more than the maximum allowable encroachment be removed (180 square feet of open patio is permitted), and that the outside of the approved portion of the structure must be bricked or stuccoed to match the remainder of the existing house.

ITEM 5:
05-101-06 3017 Ernesto Serna Place Arcelia Beltran
Applicant requests a Special Exception under Section 2.16.050 G (Rear Yard Setback) R-3A Zone of the City of El Paso Zoning Ordinance.

The applicant was not present to represent the case.

Motion made by Mr. Larry Nance, seconded by Mr. James Major, and unanimously carried to move this item to the end of the agenda to allow the applicant time to be present at the meeting.

ITEM 6:
05-104-06 1302 Cynthia Farah Place Albert and Norma Baird
Applicants request a Special Exception under Section 2.16.050 G (Rear Yard Setback) R-3A/sc Zone of the City of El Paso Zoning Ordinance.

Alberto Rangel, manager of the construction company working on this project, was present to represent the case.

Motion made by Mr. Larry Nance, seconded by Mr. James Major, and unanimously carried to approve this request.

ITEM 7:
06-108-06 604 Haverhill Road Jose and Socorro Muñoz
Applicants request a Special Exception under Section 2.16.050 G (Rear Yard Setback) R-3/sc Zone of the City of El Paso Zoning Ordinance.

Socorro Muñoz, owner, was present to represent the case.

Motion was made by Mr. James Major, seconded by Mr. Jose Melendez, and unanimously carried to approve this request subject to the removal of portions of the existing structure to leave a minimum 10' rear yard setback and a 5' side yard setback and removing the metal accessory structure. The applicant must verify that the second accessory structure is not more than 120 square feet.

ITEM 8:
06-109-06 5520 Milray Drive Juhani Y.A. Alaned
Applicant requests Special Exceptions under Section 2.16.050 G (Rear Yard Setback) and V (Front Yard Setbacks) R-1 Zone of the City of El Paso Zoning Ordinance.

Felix Triana, represented the owner of the case.

Motion made by Mr. Arturo Duran, seconded by Mr. Robert Veliz, and unanimously carried to approve both requests.

ITEM 9:
06-110-06 9928 Taj Mahal Street Iglesia Apostolica De La Fe En Cristo Jesus
Applicant requests a Special Exception under Section 2.16.050 U (Rear Yard Encroachment existing more than Fifteen Years) R-4 Zone of the City of El Paso Zoning Ordinance.

Jesus Jaime, representing the applicant, was present to represent the case.

Motion made by Mr. Larry Nance, seconded by Mr. Servando Hernandez, and unanimously carried to approve this request.

ITEM 10:
06-111-06 3400 Rising Sun Street Robert M. and Gloria H. Narro
Applicants request a Special Exception under Section 2.16.050 K (Side Street Setback) R-3A/sc Zone of the City of El Paso Zoning Ordinance.

There are no traffic concerns with the proposed side street setbacks.

Robert Narro, owner, was present to represent the case.

Motion made by Mr. James Major, seconded by Mr. David Marquez, and unanimously carried to approve this request subject to the accessory structure located at the side of the property be removed or relocated to the rear of the property.

ITEM 12:
06-113-06 3204 Tomahawk Street Hilda M and Alfredo Chavarria Jr.
Applicants request a Special Exception under Section 2.16.050 G (Rear Yard Setback) R-3 Zone of the City of El Paso Zoning Ordinance.

Alfredo Chavarria, Jr., owner, was present to represent the case.

Motion made by Mr. Larry Nance, seconded by Mr. Jose Melendez, and unanimously carried to approve this request subject to the accessory structure currently located in the side yard be removed or relocated to the rear yard of the property.

ITEM 13:
06-114-06 6236 Antelope Court Jose and Leticia Chavez
Applicants request a Special Exception under Section 2.16.050 G (Rear Yard Setback) R-3 Zone of the City of El Paso Zoning Ordinance.

Jose Chavez, owner, was present to represent the case.

Motion made by Mr. Larry Nance, seconded by Mr. David Marquez, and unanimously carried to approve this request.

ITEM 14:
06-115-06 519 S. Oregon Street Luis Hernandez
Applicant requests a Special Exception under Section 2.16.050 C (Front, Rear & Side Street Setbacks) in a C-4/sp Zone of the City of El Paso Zoning Ordinance.

Mr. Robert Peña stated that on January 10, 2005, these encroachment requests had been presented and approved by this board, however, the one year period to obtain a permit has expired and therefore had to be presented as a new application.

Alfredo Bocanegra, representing the owner, was present to represent the case.

Motion made by Mr. Larry Nance, seconded by Mr. Servando Hernandez, and unanimously carried to approve this request.

ITEM 15:
06-116-06 281 Atlantic Road Humberto Moreno
Applicant requests a Special Exception under Section 2.16.050 N (Minimum Lot Area) in an R-5 Zone of the City of El Paso Zoning Ordinance.

David Aber, representing the owner, was present to represent the case.

Motion made by Mr. James Major, seconded by Mr. David Marquez, and unanimously carried to approve this request.

ITEM 17:
06-118-06 5533 Woodfield Drive Tropicana Homes, Inc.
Applicant requests Special Exceptions under Section 2.16.050 G (Rear Yard Setback) and Q (Carport Over a Driveway) R-1 Zone of the City of El Paso Zoning Ordinance.

There are no traffic concerns for special exception Q (Carport over a Driveway).

Gus Loy, representing Tropicana Homes, Inc., was present to represent the case.

Motion made by Mr. James Major, seconded by Mr. Arturo Duran, and unanimously carried to approve these requests.

ITEM 18:
06-119-06 194 Canyon Terrace Drive Larry and Denise Nichols
Applicants request a Variance from Section 20.12.090 (Front Yard Setback) R-3 Zone of the City of El Paso Zoning Ordinance.

Larry Nichols, owner, was present to represent the case.

Cindy Crosby, Assistant City Attorney, suggested that to avoid a challenge to this case in the future, this item should be postponed for 2 weeks, to the meeting of June 26, 2006, to advertise both front and back setbacks, since the notice that was sent out only stated the front setback.

Mr. James Major requested some measurements be shown on the drawings.

Motion made by Mr. Larry Nance, seconded by Mr. Servando Hernandez, and unanimously carried to postpone this item for 2 weeks, to the meeting of June 26, 2006, to advertise both front and back setbacks.

ITEM 5:
05-101-06 3017 Ernesto Serna Place Arcelia Beltran
Applicant requests a Special Exception under Section 2.16.050 G (Rear Yard Setback) R-3A Zone of the City of El Paso Zoning Ordinance.

This item had been moved to the end of the agenda to allow the applicant time to arrive at the meeting, however the applicant did not arrive.

Motion made by Mr. Larry Nance, seconded by Mr. James Major, and unanimously carried to postpone this item for two weeks, to the meeting of June 26, 2006, to allow the applicant to attend the meeting.

ITEM 19:
APPROVAL OF MINUTES:
Motion was made by Mr. David Marquez and unanimously carried to postpone the minutes for May 8, 2006, for two weeks, to the meeting of June 26, 2006, for staff to make some corrections before the board can act on them.

Motion was made by Mr. Robert Veliz, seconded by Mr. Servando Hernandez, and unanimously carried to approve the minutes of May 22, 2006, as presented.

ITEM 20:
PLANNING REPORT

There was no report to be presented at this time by the Planning Department.

ITEM 21:
BUILDING PERMITS AND INSPECTIONS REPORT

There was no Building Permits & Inspections report to be presented at this time.

ITEM 22:
LEGAL REPORT

There was no report to be presented at this time by the Legal Department.

ADJOURNMENT:
Motion was made and unanimously carried to adjourn the meeting at 2:35 p.m.

Robert Peña, Zoning Board Secretary