# ZONING BOARD OF ADJUSTMENT MEETING MINUTES
## 2ND FLOOR – CITY COUNCIL CHAMBER
## JULY 24, 2006
## 1:30 P.M.

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

Mrs. Anna Gill (Chair)
Mr. Larry Nance
Mr. Robert Veliz
Mr. Roberto Bustamante
Mr. David Marquez
Mr. James Major
Mr. Oscar Perez
Mr. John Taylor
Mr. Bradley Roe

**CHANGES TO THE AGENDA**
Discussion and action on postponing Item #14 for three weeks, to the meeting of August 14, 2006.

**ITEM 14:**
07-152-06 3213 Orkney Street Essic Hands
Applicant requests a Special Exception under Section 2.16.050 G (Rear Yard Setback) in an R-3 zone of the City of El Paso Zoning Ordinance.

Motion was made by Mr. Bradley Roe, seconded by Mr. Robert Veliz, and unanimously carried to postpone Item #14 for three weeks, to the meeting of August 14, 2006 to re-notify and add Special Exception V (Front Yard Setback).

**EXTENSIONS OF TIME**
**ITEM 1:**
08-125-06 9912 Saigon Drive Graciela G. Najera
Applicant is requesting an Extension of Time for a Special Exception G (Rear Yard Setback) in an R-3 zone of the City of El Paso Zoning Ordinance.

This Special Exception was approved by the Zoning Board of Adjustment at the August 8, 2005 meeting but the applicant was unable to construct during this time and is now requesting an extension for this Special Exception.

Graciela Najera, owner, was present to represent the case.

Motion was made by Mr. Oscar Perez, seconded by Mr. Larry Nance, and unanimously carried to approve a twelve month Extension of Time for this Special Exception G (Rear Yard Setback).

**ITEM 2:**
08-135-05 113 Chip Chip Street Victor and Lupe Prieto
Applicants are requesting an Extension of Time for a Special Exception C (Front, Rear, and Side Yard Setbacks) in an R-F zone of the City of El Paso Zoning Ordinance.

This Special Exception was approved by the Zoning Board of Adjustment at the August 22, 2005 meeting but the applicant was unable to construct during this time and is now requesting an extension for this Special Exception.

Lupe Prieto, owner, was present to represent the case.

Motion was made by Mr. Larry Nance, seconded by Mr. Bradley Roe, and unanimously carried to approve an Extension of Time for this Special Exception C (Front, Rear, and Side Yard Setbacks).

**DISCUSSION AND ACTION ITEMS**

**ITEM 3:**
04-079-06 Salas Street Phillips Homes of El Paso, Inc.
Applicants request a Variance from Section 20.14.090 (Side Yard Setback) in an R-5 zone of the City of El Paso Zoning Ordinance.

Staff was unable to contact the applicant and therefore is requesting that this item be postponed for three weeks, to the meeting of August 14, 2006.

Motion was made by Mr. James Major, seconded by Mr. Larry Nance, and unanimously carried to postpone this request for a Variance (Side Yard Setback) for three weeks, to the meeting of August 14, 2006 so that the applicant may be present at 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) in an R-F zone of the City of El Paso Zoning Ordinance.

David Mena, Director of Engineering for the El Paso Community College, was present to represent the case.

Melvin Patridge also from El Paso Community College requested approval of the sign.

Motion was made by Mr. John Taylor, seconded by Mr. Bradley Roe, and passed with a 7-2 vote to approve this request for a Variance (Signs, Schools) with the condition that the total height of the sign be 20' and three existing signs be removed.

AYES: Mr. Oscar Perez, Mr. Roberto Bustamante, Mrs. Anna Gill, Mr. John Taylor, Mr. Bradley Roe, Mr. Robert Veliz, Mr. David Marquez
NAYS: Mr. James Major, Mr. Larry Nance

It was determined that a literal enforcement of the ordinance would result in an unnecessary hardship due to exceptional physical conditions of the land being surrounded by four streets but being limited to 2 signs, size of campus and the existing dogleg in Hunter, along with the topographic condition of existing vegetation and homes in the area that would visually block the sign. The motion would limit the height of the sign to 20' and three existing signs would be removed.

**ITEM 5:**
06-117-06 3740-3744 Prairie Rose Street Frank and Margarita Pryor
Applicants request a Special Exception under Section 2.16.050 N (Minimum Lot Depth) in an R-5 zone of the City of El Paso Zoning Ordinance.

Frank Pryor, owner, was present to represent the case.

Motion was made by Mr. James Major, seconded by Mr. Larry Nance, and unanimously carried to approve this request for a Special Exception N (Minimum Lot Depth).

**ITEM 6:**
06-126-06 4216 Hampshire Lane Scott Emmerich
Applicant requests a Special Exception under Section 2.16.050 Q (Carport over a Driveway) R-3 zone of the City of El Paso Zoning Ordinance.

Scott Emmerich, owner, was present to represent the case and stated that he is willing to comply with staff's recommendations.

Traffic Department has no objections to this request.

Motion was made by Mr. Larry Nance, seconded by Mr. James Major, and unanimously carried to approve this request for a Special Exception Q (Carport over a Driveway).

**The following conditions must be met:**

1. **The accessory structure must be relocated to the rear yard of the property or removed.**
2. **The building permit for the carport must also include the rear yard addition and rock wall in front of the side carport**
3. **The rock wall in front of side carport must be lowered to a height of no more than 6 feet.**

**ITEM 7:**
07-134-06 671 Bluff Canyon Circle Jose Padilla
Applicant requests a Special Exception under Section 2.16.050 G (Rear Yard Setback) and L (Builder Error, Front Yard Setback) in an R-3 zone of the City of El Paso Zoning Ordinance.

George Golden, representing the owner, was present to represent the case. He stated that the error was inadvertent and not intentional.

Motion was made by Mr. Bradley Roe, seconded by Mr. Larry Nance and unanimously carried to approve this request for a Special Exception G (Rear Yard Setback).

**ITEM 8:**
07-146-06 3103 Findley Avenue Antonio Salgado, Jr.
Applicant requests a Special Exception under Section 2.16.050C (Side Yard Setback) A-3 zone of the City of El Paso Zoning Ordinance.

Antonio Salgado, Jr., owner, was present to represent the case.

Motion was made by Mr. James Major, seconded by Mr. Oscar Perez and unanimously carried to approve this request for a Special Exception C (Side Yard Setback).

**The following conditions must be met:**

1. **There has to be a two and a half feet side setback from the overhang on each side.**

**ITEM 9:**
07-147-06 961 Bennett Place Gerardo and Maria Valenzuela
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.

Motion was made by Mr. Bradley Roe, seconded by Mr. Oscar Perez and unanimously carried to approve this request for a Special Exception Q (Carport over a Driveway).

**ITEM 10:**
07-148-06 1033 Broadmoor Drive Jerry and Marcia Odom
Applicants request a Special Exception under Section 2.16.050 G (Rear Yard Setback) in an R-2 zone of the City of El Paso Zoning Ordinance.

Gary Lucke, representing the applicants, was present to represent the case.

Motion was made by Mr. Oscar Perez, seconded by Mr. Bradley Roe, and unanimously carried to approve this request for a Special Exception G (Rear Yard Setback).

**ITEM 11:**
07-149-06 5852 Coronado Ridge Drive Jerry and Marcia Odom
Applicants request a Special Exception under Section 2.16.050 V (Front Yard Setback) PR-1/sc zone of the City of El Paso Zoning Ordinance.

Gary Lucke, representing the applicants, was present to represent the case.

Motion was made by Mr. Larry Nance, seconded by Mr. Bradley Roe, and unanimously carried to approve this request for a Special Exception V (Front Yard Setback).

**ITEM 12:**
07-150-06 3716 Tierra Isela Drive Parral Homes, Inc.
Applicant requests a Special Exception under Section 2.16.050 G (Rear Yard Setback) in an R-5 zone of the City of El Paso Zoning Ordinance.

The applicants were approved for a Special Exception K (Side Street Setback) at the May 22, 2006 Zoning Board of Adjustment meeting; however, as a condition of this application, the applicants must comply with the 10" side street setback required in an R-5 zone.

Salvador Corral, representing the owner, was present to represent the case.

Motion was made by Mr. Bradley Roe, seconded by Mr. James Major, and unanimously carried to approve this request for a Special Exception G (Rear Yard Setback).

**ITEM 13:**
07-151-06 6160 Sand River Place Julia Amaya
Applicant requests a Special Exception under Section 2.16.050 G (Rear Yard Setback) in an R-3A zone of the City of El Paso Zoning Ordinance.

Julia Amaya, owner, was present to represent the case.

Motion was made by Mr. John Taylor, seconded by Mr. Bradley Roe, and unanimously carried to approve this request for a Special Exception G (Rear Yard Setback).

**ITEM 15:**
07-153-06 11003 Art Wall Drive Manny and Araceli Rocha
Applicants request a Special Exception under Section 2.16.050 G (Rear Yard Setback) in an R-3 zone of the City of El Paso Zoning Ordinance.

Adrian Zamarripa, representing the owner, was present to represent the case.

**ITEM 15:**
07-153-06 11003 Art Wall Drive Manny and Araceli Rocha
Applicants request a Special Exception under Section 2.16.050 G (Rear Yard Setback) in an R-3 zone of the City of El Paso Zoning Ordinance.

Adrian Zamarripa, representing the owner, was present to represent the case.

Motion was made by Mr. Larry Nancy, seconded by Mr. James Major, and unanimously carried to approve this request for a Special Exception G (Rear Yard Setback)

**ITEM 16:**
07-154-06 3112 Sea Breeze Drive Fernie and Lupe Gonzalez
Applicants request a Special Exception under Section 2.16.050 G (Rear Yard Setback) in an R-4 zone of the City of El Paso Zoning Ordinance.

Adrian Zamarripa, representing the owner, was present to represent the case.

Motion was made by Mr. James Major, seconded by Mr. Larry Nance, and unanimously carried to approve this request for a Special Exception G (Rear Yard Setback)

**ITEM 17: APPROVAL OF MINUTES**
Kimberly Forsyth stated that the minutes for the meetings held on June 26, July 10 and July 24, 2006 will be brought before the board at the August 14, 2006 meeting.

The vote was unanimous to postpone the minutes for June 26, July 10 and July 24, 2006 for three weeks, to the August 14, 2006 meeting.

**ITEM 20: PLANNING REPORT**
Kimberly Forsyth noted that Linda Castle has been promoted to Senior Planner and will be taking over the ZBA meetings. Ms. Forsyth will be working on sub-divisions. Joel Guzman, Chief Plan Examiner, was introduced to the board and will also be attending the ZBA meetings.

**ITEM 21: BUILDING PERMITS AND INSPECTIONS REPORT**
There was no report to be presented at this time by the Building Permits and Inspections Department.

**ITEM 22: LEGAL REPORT**
Cindy Crosby, Assistant City Attorney, announced that this would be the last ZBA meeting that she would be attending since she will be moving to Austin and a new assistant city attorney will be assigned to work with this board.

**ADJOURNMENT:**
Motion was made and unanimously carried to adjourn the meeting at 2:40 p.m.

Robert Peña, Zoning Board Secretary