ZONING BOARD OF ADJUSTMENT MEETING MINUTES
2ND FLOOR – CITY COUNCIL CHAMBER
AUGUST 28, 2006
1:30 P.M.

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

Mr. Larry Nance (Vice-Chair)
Mr. Bradley Roe
Mr. Jose Melendez
Mr. David Marquez
Mr. Oscar Perez
Mr. John Taylor
Mr. Bradley Roe
Mr. Samuel Barela

CHANGES TO THE AGENDA
Discussion and action on postponing Items 1, 5, and 11 for two weeks, to the meeting of September 11, 2006, per the request of the applicants.

ITEM 1:
04-079-06 Salas Street Phillips Homes of El Paso, Inc.
Applicant requests a Variance from Section 20.14.090 (Side Yard Setback) R-5 Zone of the City of El Paso Zoning Ordinance.

ITEM 5:
08-166-06 1810 Murchison Drive Ready One Industries, Inc.
Applicant requests a Special Exception under Section 2.16.050 O (Off-Street Parking Reduction) in an A-O/sc zone of the City of El Paso Zoning Ordinance.

ITEM 11:
08-174-06 2500 Robert Wynn Street Alvin Dorbard
Applicant requests a Special Exception under Section 2.16.050 Q (Carport over a Driveway) in an R-3 zone of the City of El Paso Zoning Ordinance.

Motion was made by Mr. Bradley Roe, seconded by Mr. James Major, and unanimously carried to postpone Items 1, 5, and 11 for two weeks, to the meeting of September 11, 2006.

ITEM 2:
08-155-06 7910 Artcraft Road CLK Newstar R.E.
Applicant requests Special Exceptions under Section 2.16.050 B1 (Sign Height) and B3 (Sign Area) in a C-4 zone of the City of El Paso Zoning Ordinance.

No one was present to represent the case.

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

At this point, Hillary McGinnes, Assistant City Attorney, asked if the board would accept the agenda as a whole.

Motion was unanimously carried to accept the agenda as presented.

ITEM 3:
08-156-06 12489 Robert David Drive Carlos Robledo
Applicant requests a Special Exception under Section 2.16.050 G (Rear Yard Setback) in an R-3A/sp zone of the City of El Paso Zoning Ordinance.

Joe Parra, representing the owner, was present to represent the case.

Motion was made by Mr. Bradley Roe, seconded by Mr. John Taylor, and unanimously carried to approve this request for a Special Exception under Section 2.16.050 G (Rear Yard Setback) in a R-3A/sp zone of the City of El Paso Zoning Ordinance.

ITEM 4:
08-165-06 1406 Likins Drive Roberto & Graciela Romero
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.

Santos Betancis, representing the owners, was present to represent the case. He is willing to comply with the board's recommendation.

Motion was made by Mr. James Major, seconded by Mr. John Taylor, and unanimously carried to approve this request for 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, subject to the removal or relocation of the accessory structure.

ITEM 6:
08-167-06 811 Mission Road Martin J. Reynolds
Applicant requests a Special Exception under Section 2.16.050 C (Side and Rear Yard Setbacks) in an R-3 zone of the City of El Paso Zoning Ordinance.

Martin Reynolds, owner, was present to represent the case.

Motion was made by Mr. Bradley Roe, seconded by Mr. John Taylor, and unanimously carried to approve this request for a Special Exception under Section 2.16.050 C (Side and Rear Yard Setbacks) in an R-3 zone of the City of El Paso Zoning Ordinance.

ITEM 7:
08-168-06 10840 Aquamarine Street Fernando L. and Celia Ramos
Applicants request a Special Exception under Section 2.16.050 Q (Carport over a Driveway) in an R-3 zone of the City of El Paso Zoning Ordinance.

The Engineering Department-Traffic Division has no apparent traffic concerns with carport.

Andres Lopez, representing the owners, was present to represent the case. Fernando Ramos, homeowner, was also present.

Motion was made by Mr. Bradley Roe, seconded by Mr. David Marquez, and unanimously carried to approve this request for a Special Exception under Section 2.16.050 Q (Carport over a Driveway) in an R-3 zone of the City of El Paso Zoning Ordinance.

ITEM 8:
08-170-06 11425 Jim Ferriell Drive Wayne & Ingrid M. Cartwright
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.

Joel Ramos, representing the owners, was present to represent the case.

Motion was made by Mr. Jose Melendez, seconded by Mr. Bradley Roe, and unanimously carried to approve this request for 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.

ITEM 9:
08-171-06 2016 Diciembre Drive Manuel and Olga Mendoza
Applicants request a Special Exception under Section 2.16.050 Q (Carport over a Driveway) in an R-3 zone of the City of El Paso Zoning Ordinance.

The Engineering Department-Traffic Division has no apparent traffic concern with the carport.

Manuel Mendoza, owner, was present to represent the case. He noted that the carport will conform with the existing roof.

Motion was made by Mr. Bradley Roe, seconded by Mr. James Major, and unanimously carried to approve this request for a Special Exception under Section 2.16.050 Q (Carport over a Driveway) in an R-3 zone of the City of El Paso Zoning Ordinance.

ITEM 10:
08-172-06 7317 Bellrose Drive Salvador Soto
Applicant requests a Special Exception under Section 2.16.050 Q (Carport over a Driveway) in an R-3 zone of the City of El Paso Zoning Ordinance.

The Engineering Department-Traffic Division has no apparent traffic concerns with the proposed carport.

Tomas Delgado, representing the owner, was present to represent the case. He stated the carport will conform with the structure of the existing house.

Motion was made by Mr. Bradley Roe, seconded by Mr. Oscar Perez, to approve this request for a Special Exception under Section 2.16.050 Q (Carport over a Driveway) in an R-3 zone of the City of El Paso Zoning Ordinance subject to the applicant providing revised drawings at the time of permitting that include the overhang of the carport. The beams on the carport are over spanned at the patio and at the carport and will need to be corrected prior to obtaining a building permit. Motion passed with a 7-1 vote.

AYES: Mr. Oscar Perez, Mr. Jose Melendez, Mr. John Taylor, Mr. Larry Nance, Mr. Bradley Roe, Mr. Samuel Barela, Mr. David Marquez
ABSTAIN: James Major

ITEM 2:
08-155-06 7910 Artcraft Road CLK Newstar R.E.
Applicant requests Special Exceptions under Section 2.16.050 B1 (Sign Height) and B3 (Sign Area) in a C-4 zone of the City of El Paso Zoning Ordinance.

The Engineering Department-Traffic Division has no apparent traffic concerns with the proposed sign.

Carlos Peralta, in partnership with CLK Newstar, R.E., was present to represent the case.

Hillary McGinnes, Assistant City Attorney, clarified that Section 2.16.050 B1 recommends that the board make certain findings.

Mr. Bradley explained that the only finding would be topography.

Linda Castle, Senior Planner, stated that the second special request was deleted per the request of the applicant.

Motion was made by Mr. James Major, seconded by Mr. John Taylor, to approve the submission request for the sign of a height of 55 feet. Motion was taken off the table by Mr. Major.

Motion was made by Mr. James Major, seconded by Mr. John Taylor, to approve a sign with the height of 55' and a square footage of 255 square feet to permit greater visibility from the freeway due to topographical and unusual conditions of the property.

AYES: Mr. James Major, Mr. Larry Nance, Mr. John Taylor
NAYS: Mr. Oscar Perez, Mr. Jose Melendez, Mr. Bradley Roe, Mr. David Marquez
ABSTAIN: Mr. Samuel Barela

Motion fails.

Motion was made by Mr. Bradley Roe, seconded by Mr. David Marquez, to consider the height of 55' and the square footage of 200 because of topographical conditions.

AYES: Mr. James Major, Mr. Larry Nance, Mr. Bradley Roe, Mr. John Taylor, Mr. David Marquez
NAYS: Mr. Oscar Perez, Mr. Jose Melendez,
ABSTAIN: Mr. Samuel Barela

Motion fails.

APPROVAL OF MINUTES:
Motion was made and carried to approve the minutes for August 14, 2006 as presented. The following board members were not present at the meeting and abstained from voting: Mr. James Major, Mr. Samuel Barela and Mr. Oscar Perez.

DISCUSSION AND ACTION ITEMS
Linda Castle introduced Mr. Samuel Barela, a new board member, to the board.

ITEM 15: DEVELOPMENT SERVICES REPORT

- **Open Meetings Training**

Hillary McGinnes, Assistant City Attorney, advised that those board members that did not attend the Open Meetings Training can contact her and set up a time and date for the training.

She mentioned some concerns about the posting of the agenda. She requested that the Legal Report be removed from the agenda and feels that if there is a legal report in the course of the meeting the board can call for an executive session.

Linda Castle advised the board that staff will be making some changes to the cover sheets to reflect the recommendations or any staff comments so that the public will be able to see that information on the internet.

ADJOURNMENT:

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

Robert Peña, Zoning Board Secretary