

**ZONING BOARD OF ADJUSTMENTS
JANUARY 20, 2016
CITY HALL'S COUNCIL CHAMBERS**

MEMBERS PRESENT

Ned Sheats
Sam Rodio
Kathy Olivarez
Jaime Gutierrez

MEMBER ABSENT

Mike Friedrichs

STAFF PRESENT

Jaime Acevedo
Annette Zavala
Patricio Martinez

GUEST PRESENT

Alfonso Villasama
Ruben Martinez
Nancy Gutierrez

CALL TO ORDER

Vice-Chairman Sheats called the meeting to order at 4:35 p.m.

CITIZENS PARTICIPATION

Vice-Chairman Sheats asked if there was anyone in the audience that had anything to present or express that was not on the agenda. The audience remained un-responsive.

APPROVAL OF MINUTES FOR NOVEMBER 18, 2015

Chairman Sheats asked if there were any corrections to the minutes. There being none, Mr. Rodio moved to approve the minutes. Mr. Gutierrez seconded the motion. Upon a vote, the motion passed unanimously.

ITEM #1.1

APPOINTMENT OF ZONING BOARD OF ADJUSTMENTS CHAIRMAN AND VICE CHAIRMAN FOR 2016

Chairman Sheats stated that the appointment of Chairman and Vice-Chairman is up for consideration.

Mr. Rodio moved to keep the present officers, Mr. Sheats as Chairman Mr. Gutierrez seconded the motion. Upon a vote, the motion passed unanimously. And Mr. Sheats moved to consider Mr. Rodio as Vice Chairman, Chairman Sheats entertained a motion. Mr. Gutierrez moved to approve the motion. Mrs. Olivarez seconded the motion. Upon a vote, the motion passed unanimously.

ITEM #1.2

CONSIDER A VARIANCE REQUEST TO KEEP A 10' FRONT YARD SETBACK INSTEAD OF THE REQUIRED 20' FRONT YARD SETBACK AT 125 TECATE DRIVE, LOT 26, BLOCK 12, TIERRA DORADA SUBDIVISION, AS REQUESTED BY MR. ALFONSO VILLASANA

Mr. Acevedo mentioned that the site is located at the SW corner of Tecate Drive and Tierra Dorada St. The corner lot has 70' of frontage to Tecate Dr by a 100' lot depth of (7,000 sq. ft.). The applicant has expanded an open porch without first obtaining a Building Permit and is requesting a variance to keep a 10' front setback instead of the required 20' front setback. Since the residence fronts Tierra Dorada the required front setback along Tierra Dorada is 20'. Had the front entrance faced Tecate Drive, the corner side building setback would be 10' along Tierra Dorada.

Similar requests have been awarded by ZBA where a 10' front setback was approved in place of the 20' front setback required along a higher usage collector street. Like those similar, the applicant has his front door facing Tierra Dorada Street for aesthetic reasons. The proposal will not be determined to the neighborhood.

RECOMMENDATION: Approval

Staff recommended approval for variances.

Chairman Sheats asked if there was any opposition.

The audience remained un-responsive.

Chairman Sheats asked if the applicant or representative was present.

Mr. Ruben Martinez the property owner mentioned that they lived there 33 years, and their plan was only to replace the front door only but the door did not fit so they decided to remove and remodel without obtaining a permit, he did hire a contractor.

Mr. Alfonso Villasma mentioned that he has been a contractor for 15 yrs and he didn't think he needed a permit for a small project that turned into a remodeling, and he did pay the fee for the variance and the double permit fee for the permit.

Mr. Rodio mentioned that he did not have a problem with the construction, but was upset because they still had contractors doing work without obtaining permits.

Chairman Sheats mentioned all contractors should have a permit, he mentioned that the board has the alternative to have it removed and meet the setbacks.

Mrs. Olivarez mentioned that they can write a story about the issues of getting permits on the Progress Times.

There being no further discussion, Chairman Sheats entertained a motion. Mr. Rodio moved to 'Approve' the variance request. Mr. Gutierrez seconded the motion. Upon a vote the motion to table the variance passed unanimously.

**ITEM #2.0
OTHER BUSINESS**

There was no other business.

**ITEM #3.0
ADJOURNMENT**

There being no further business, Chairman Sheats entertained a motion to adjourn. Mr. Rodio moved to adjourn. Mrs. Olivarez seconded the motion. Upon a vote, the motion passed unanimously at 4:47 p.m.

Ned Sheats, Chairman
Zoning Board of Adjustments