

City of Alamosa
Planning Commission
May 28, 2014
6:00 p.m.
Minutes of the Meeting

The regular meeting of the Planning Commission was called to order on the above date at 6:00 p.m. by Chairperson Shirley White. Present were the following members: Debbie Clark, Barbara Kruse and Robert McWhirter. Excused: Farris Bervig, Mark Manzanares and Don Martinez. A quorum was declared. Staff present: Pat Steenburg, Harry Reynolds and Julie Scott.

Agenda Approval: M/S/C. Kruse, Clark. Motion was made to approve the agenda as presented. (Unanimous)

Approval of the Minutes: M/S/C. Clark, Kruse. Motion made to approve the minutes of the April 23, 2014 meeting as presented. (Unanimous)

Conduct Public Hearings

Regular Business- Zoning Board of Adjustments

The request of Joshua Hudson for a variance from the City Code of Ordinances. The applicant seeks relief from the allowed side yard setback of 7ft. to 3.5 ft. to allow an addition to a single family dwelling. The property affected is Lot 7, Washington Addition, Block 213 also known as 1418 West 7th St.

The public hearing opened at 6:01p.m.

White: Is there someone here to speak for the request? Please step up to the podium and state your name and address for the record.

Hudson: Joshua Hudson, 1418 W. 7th St. I would like to put an addition one bedroom, one bath on a small house to make the property a little bit nicer. The existing house is three ft. from the property line and would like to continue on the line.

White: Thank you. Is there anyone else to speak for the request? Against? We will close the public hearing. Are there any other questions?

The public hearing closed at 6:04 p.m.

Clark: The memo says one ft. but we have 3.5 ft. on the agenda?

Reynolds: On the application it wasn't specific on the exact setback. I drove by and it appeared to be one ft. It might be three ft.

Hudson: From the foundation to the fence it's a little over two ft., about two and a half.

Clark: If he were to put up rain gutter would it help with the moisture issue?

Reynolds: It would and would be an ongoing maintenance issue.

White: Have you talked to the adjacent property owners?

Hudson: I have talked to several neighbors and they have no issue with it.

Clark: Have you looked into changing the roofline?

Hudson: It would make the addition really small. To go to the east, there is a gas line which I would have to move. There is no room to the south, I am at the limit. I would have no problem installing gutter and heat tape. I have permission from the adjacent property owner to be on his property to maintain the fence. The runoff does fall on my property if I remember correctly.

For the record all adjacent property owners were notified of the public hearing.

Staff pulled up the area in question on Google map for the commission to view.

White: Any other questions? Is there a motion?

M/S/C. Clark, Kruse. Motion made to approve the variance request of Joshua Hudson for a variance from the City Code of Ordinances The applicant seeks relief from the allowed side yard setback of 7ft. to 1 ft. to allow an addition to a single family dwelling. The property affected is Lot 7, Washington Addition, Block 213 also known as 1418 West 7th St. (2 yeas-Clark, Kruse, 2 nays-White, McWhirter.) Motion fails.

M/S/C. Clark, Kruse. The following amended motion was made and passed. The variance be granted with the following conditions: There would be heat tape installed in the gutters on the side of the home and continuously maintained throughout the winter months to address run off as to not affect the adjacent property. (Unanimous)

Staff informed the applicant this was final action on the request and a building permit must be obtained before work begins.

Planning Issues

1B. The request John and Beverly Mozzetti for a lot line adjustment. The property affected is Fractions of Lots 8,9, and 10, Grandview Subdivision located in the Northeast ¼ of the Southwest ¼ of Section 4, Township 37 North, Range 10 East, New Mexico Principal Meridian, City of Alamosa, Alamosa County.

The public hearing opened at 6: 13 p.m.

White: Is there anybody here to speak for this? Please state your name and address for the record and tell us about your proposal.

Mozzetti: John Mozzetti, 513 Bell Court. We are requesting a lot line adjustment to square up the property. The change is on the west side of the studio and the west line would be parallel to Bell Court.

White: Is there anyone else that would like to speak?

Yund: Jennifer Yund, 13050 County Rd AA, La Jara, CO 81140 and we bought property near this about a year ago. We were notified of the hearing and I am curious on how it would affect us.

Staff showed Ms. Yund on the plat the exact change and after clarification, she had no objection to the request.

White: Is there anyone else that would like to speak? We will close the public hearing. Is there a motion?

The public hearing closed at 6:17 p.m.

M/S/C. Kruse, McWhirter. Motion made to recommend approval of the request of John and Beverly Mozzetti for a lot line adjustment. The property affected is a Fraction of Lots 8, 9, and 10, Grandview Subdivision located in the Northeast ¼ of the Southwest ¼ of Section 4, Township 37 North, Range 10 East, N.M.P.M. (Unanimous)

The applicant was informed that this was final action on the request.

Next item:

2B. The request of Dell and Frank Duran for renewal of a Permitted Use by Special Review to allow outdoor sales in a Commercial Business zone (Use Group C-23). The property affected is Duran Real Estate, located in the north ½ of Section 10, Township 37 North, Range 10 East, N.M.P.M., lying generally west of Ross Ave. and south of Sixth St.

The public hearing opened at 6:18 p.m.

White: Please step up to the podium and state your name and address for the record.

Smith: Jerry Smith 518 Bell. To be honest, we're still trying to figure out what we are going to do, we are trying to contact the Farmers Market about locating there. We currently still have last year's permission in place to have a current permitted use and are trying to stay on top of it.

White: All right. Anyone else like to speak for this? Against this? We will close the public hearing and discuss.

The public hearing closed at 6:19 p.m.

White: We have received this letter regarding your request from adjacent property owners. Have you seen this?

Mr. Smith received a copy of the correspondence from F and V Enterprises opposing the renewal of the permitted use. It is attached as Exhibit A.

White: Do you plan on installing connex storage units on the property?

Smith: No, not as I know of right now. If we would, they would be a single color and wouldn't have anything that isn't aesthetically pleasing.

White: This is the drawing that we were given and it shows six on here. Maybe you better talk to Dell.

Steenburg: The original approval included no temporary structures would be placed and that still holds true for any renewal. This wouldn't be an option.

White: So you want to renew what you have now with the current restrictions?

Smith: Yes. We do not want the permitted use to expire.

Clark: What about the current structure?

Smith: We are waiting for the owner to remove it.

McWhirter: You understand what was approved last year? My biggest concern is to have barriers in place to keep kids off those tracks.

Smith: Yes, I do.

M/S/C. McWhirter, Clark: Motion made to grant the renewal of the request of Dell and Frank Duran for renewal of a Permitted Use by Special Review to allow outdoor sales for one year in a Commercial Business zone (Use Group C-23) The renewal is granted only with the original conditions in place. The property affected is Duran Real Estate, located in the north ½ of Section 10, Township 37 North, Range 10 East, N.M.P.M., lying generally west of Ross Ave. and south of Sixth St.

(three yes's, McWhirter, White, Kruse, one nay-Clark.) Motion passes.

The recommendations for the renewal will go to City Council on July 2, 2014.

Next item:

3B. The request of Frances Eigenberg for review of a subdivision plat. The property affected is the Murphy Theatres Subdivision, Lot 1, Block 1, City of Alamosa, Alamosa County, also known as 3507 Carroll St.

The public hearing opened at 6:27 p.m.

White: Is there someone here to speak for this request?

Eigenberg: Fran Eigenberg, P.O. Box 1199, Alamosa, is my mailing address.

Russell: Dan Russell, 6820 S. Hwy 17, Alamosa. What's before you is a division of Fran's property, the theater property with all the improvements is what she would like to put on a single tract and separate that from the larger tract.

Thompson: Carol Thompson and I had a question. I see there is a retention easement is that already here? Do you drain into the Wal Mart retention pond? The reason I'm asking the question because we could do only so many acres because of the Wal Mart pond. For us to expand one day at the Bridge Assisted Living Center, we cannot use the existing. I thought maybe you were building a pond. This may be for a different discussion.

Russell addressed her concern away from the microphone.

White: The properties are completely separate and do not affect this action.

M/S/C. McWhirter, Kruse. Motion made to accept the plat as presented. The property affected is the Murphy Theatres Subdivision, Lot 1, Block 1, City of Alamosa, Alamosa County, also known as 3507 Carroll St. (Unanimous)

We will be prepared to give final recommendations on June 25th.

The applicant was informed that the revised plat showing dedications and easements would need to be presented to the Commission at the next regular meeting on June 25, 2014.

Other Business: Pat Steenburg was welcomed as the new Public Works Director.

It was questioned that chairs were outside at the Habitat Store, but are on their property. It will be verified by staff that they are in compliance.

The landscaping at the School solar array is being installed. The Commission requested verification on locations of landscape material required.

Correspondence: Distributed.

After no further business, the meeting was adjourned at 6: 32 p.m.

Respectfully submitted,

Julie Scott
Recording Secretary