BOARD OF APPEALS
ACTION SUMMARY MINUTES

Tuesday, October 25, 2016
9:00 a.m.

Plaza Del Sol Hearing Room, Lower Level
600 Second Street NW
(505) 924-3860

MEMBERS:
Kim Seidler, Chair
Steve Karman, Vice-Chair
Richard Hix - ABSENT
Susan Henderson - ABSENT
LeeAnn Werbelow

PLANNING STAFF:
Catalina Lehner, Senior Planner
Christopher Tebo, Legal Department
Ernie Gomez, Administrative Assistant

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THE PROCEDURE FOR PRESENTATIONS IS AS FOLLOWS: Appellant - 10 minutes, Opposition/Public - 15 minutes, Appellant rebuttal - 5 minutes. Please note that Opposition/Public presentations share a 15 minute block of time. The same rule also applies if there is more than one Appellant named on the Appeal application.

INDIVIDUALS WITH DISABILITIES who need special assistance to participate in this meeting should contact the Planning Department at (505) 924-3860.

1. Call to Order - 9:02am
2. Additions and/or changes to the agenda - NONE

3. **Project# 1010752 16BOA-20011/16ZHE-80053 -** Randy & Cynthia Price appeals the Zoning Hearing Examiner's **Approval with Conditions** of a special exception to Pg. 108, Nob Hill SDP and 14-16-3-19(A)(2)(a): a Variance of 1 ft. to the maximum 3 ft. height allowed in the front yard setback for an existing fence for all or a portion of Lot 18, Block 30, University Heights Addn. zoned R-1, located on 313 Dartmouth Dr. SE (K-16).
   A motion was made by Board Member Werbelow to DEFER the Appeal. Board Member Karman seconded the motion.
   Motion carried 3-0.

4. **1A. Project# 1010769 16BOA-20015 / 16ZHE-80066** - San Jose Neighborhood Association (Deanna M. Baca) appeals the Zoning Hearing Examiner's **Approval with Conditions** of a special exception to Section 14-16-2-23(A) and Pg. 45 South Broadway SD (I)(A)(1)(a): a Conditional Use to allow R-2 uses in a SU-2 MR zone for all or a portion of Lot A, Hanily Subdivision, zoned SU-2 MR, located on John St. SE, between Thaxton Ave. SE and Englewood Dr. SE (L-14).
   A motion was made by Board Member Karman to DENY the Appeal. Board Member Seidler seconded the motion.
   Motion carried 2-1.

5. **1B. Project# 1010769 16BOA-20014 / 16ZHE-80067** - San Jose Neighborhood Association (Deanna M. Baca) appeals the Zoning Hearing Examiner's **Approval** of a special exception to Section 14-16-3-1(H)(1): a Variance of 2ft. to the 6ft. width for a pedestrian sidewalk for all or a portion of Lot A, Hanily Subdivision, zoned SU-2 MR, located on John St. SE, between Thaxton Ave. SE and Englewood Dr. SE (L-14).
   A motion was made by Board Member Karman to GRANT the Appeal. Board Member Werbelow seconded the motion.
   Motion carried 3-0.

6. **1C. Project# 1010769 16BOA-20012/16ZHE-80068** - San Jose Neighborhood Association (Deanna M. Baca) appeals the Zoning Hearing Examiner's **Approval with Conditions** of a special exception to Section 14-16-3-1(A)(24)(b): a Variance of 1 space to the required 1 and ½ spaces per unit for a proposed new development for all or a portion of Lot A, Hanily Subdivision, zoned SU-2 MR, located on John St. SE, between Thaxton Ave. SE and Englewood Dr. SE (L-14).
   A motion was made by Board Member Karman to GRANT the Appeal. Board Member Werbelow seconded the motion.
   Motion carried 3-0.

7. **2A. Project# 1010770 16BOA-20017/16ZHE-80069** - San Jose Neighborhood Association (Deanna M. Baca) appeals the Zoning Hearing Examiner's **Approval with Conditions** of a special exception to Section 14-16-2-23(A) and Pg. 45 South Broadway SDP (I)(A)(1)(a): a Conditional Use to allow R-2 uses in a SU-2 MR zone for all or a portion of MRGCD Map 41, Lot 328, zoned SU-2 MR, located on John St. SE, between Thaxton Ave. SE and Englewood Dr. SE (L-14).
   A motion was made by Board Member Karman to DENY the Appeal. Board Member Seidler seconded the motion.
   Motion carried 2-1.

8. **2B. Project# 1010770 16BOA-20016/16ZHE-80070** - San Jose Neighborhood Association (Deanna M. Baca) appeals the Zoning Hearing Examiner's **Approval** of a special exception to Section 14-16-3-1(H)(1): a Variance of 2ft. to the 6ft. width for a pedestrian sidewalk for all or a portion of MRGCD Map 41, Lot 328, zoned SU-2 MR, located on John St. SE, between Thaxton Ave. SE and Englewood Dr. SE (L-14).
   A motion was made by Board Member Karman to GRANT the Appeal. Board Member Werbelow seconded the motion.
   Motion carried 3-0.

9. **2C. Project# 1010770 16BOA-20013/16ZHE-80071** - San Jose Neighborhood Association (Deanna M. Baca) appeals the Zoning Hearing Examiner's **Approval with Conditions** of a special exception to Section 14-16-3-1(A)(24)(b): a Variance of 1 space to the required 1 and ½ spaces per unit for a proposed new development for all or a portion of MRGCD Map 41, Lot 328, zoned SU-2 MR, located on John St. SE, between Thaxton Ave. SE and Englewood Dr. SE (L-14).
   A Motion was made by Board Member Karman to GRANT the Appeal. Board Member Werbelow seconded the motion.
   Motion carried 3-0.

10. Other Matters

    A. Public comment – 3 minutes per individual

    B. Approval of June 28, 2016 & September 27, 2016, Action Summary Minutes
       DEFFERED

    C. Next BOA hearing date November 22, 2016

11. Adjourn – 11:13am