

BOARD OF ADJUSTMENT & APPEALS

Council Chambers

September 13, 2016

Present: Charles Block, Donna Amandus, Tim Wondra  
Absent: Council Liaison Chris Greenwald  
Staff: Doug Krogmeier, Emily Britton  
Visitors: City Councilman Mark Lair, Larry Wright, Arnulfo Becerra, Darlene Becerra

**Charles Block called the meeting to order at 6:00.** A quorum was declared with three members.

**Minutes from the July 13, 2016 meeting were approved as written on a motion by Wondra; seconded by Amandus. Approval was unanimous.**

**NON-AGENDA ITEMS: none**

-----  
**Case File 16-07: Special Use Permit request to allow an expired nonconforming use to be converted to a special use for Salvador Gonzales to operate an event center, catering business, part time restaurant, and potentially reuse the apartments at 3525 Ave Q,**

**Staff reviewed case report and minutes from Planning and Zoning Commission.**

Krogmeier explained that since the Planning and Zoning Commission held a public hearing on this matter, Mr. Gonzales emailed him to withdraw his request. Krogmeier continued to say it makes sense to finish out the process to close the case and he will have to re-apply for the special use and start the process over if he chooses to do so.

**Block opened public hearing at 6:03 pm.**

Darlene Becerra, 1506 36<sup>th</sup> St, spoke against the request. She explained that on multiple occasions Gonzales has used the alley for parking making it impossible to pass so she had to go all the way around. She continued to say she is concerned about the possible parking and traffic issues.

Arnulfo Becerra, 1506 36<sup>th</sup> St, also spoke against the request. He said he found a screw in his tire after Gonzales had done some work near the alley and did not use a magnet to clean up.

Amandus asked about the building permit issued and Krogmeier explained that Gonzales was issued a building permit for installation of new windows and doors. Amandus asked if that's all the permit covers and Krogmeier said yes, it would only cover windows/doors and is completely separate from the structures that were recently build there. Amandus then asked what the purpose of the buildings would be and Krogmeier said Gonzales was asked that but he never gave an answer he just kept saying they arrived earlier than expected. Wondra asked where parking would be available if events were held there and Krogmeier said that is something the board would need to consider if he resubmits his request. Block asked how many apartments are located in the building and Krogmeier said there used to be 4 but he believes only one or two are usable now. Amandus asked if the apartments have been inspected and Krogmeier said no because they are not registered with the Rental Inspection Program. Amandus said they should be since someone is living in one of them now and has for years. Krogmeier said the rental program will look into that and take the appropriate steps to get the building in compliance.

**Block closed the public hearing at 6:10 pm.**

Completion of the finding of fact. Block mentioned Planning and Zoning Commission's recommendation based on the noncompliant structures being removed and the property being otherwise in compliance to consider approval which it is not at this time.

**Amandus moved, seconded by Wondra, to deny the Special Use Permit to allow an expired nonconforming use to be converted to a special use for Salvador Gonzales to operate an event center, catering business, part time restaurant, and potentially reuse the apartments at 3525 Ave Q.**

**Vote: 3-yes, 0-no. Motion passed.**

---

**Old Business:** None

**Other/New Business:** None

**Amandus moved, seconded by Block, to adjourn the meeting.**

**Vote: 3-yes, 0-no.**

**Meeting adjourned at 6:13PM.**

-----  
**Charles Block**