

Vacant
Mayor

Rene Rodriguez
At Large/
Mayor Pro Tem

Maria Reyes
District 1



Alejandro Garcia
District 2

Victor Perez
District 3

Yvonne Colon-Villalobos
District 4

Adriana Rodarte
City Manager

NOTICE OF A REGULAR MEETING
OF THE
BOARD OF ADJUSTMENTS
OF THE
CITY OF SOCORRO, TEXAS

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretative services must be made 48 hours prior to this meeting. Please contact the City Clerk's office at (915) 858-2915 or fax (915) 858-9288 for further information.

Notice is hereby given that a regular meeting of the Board of Adjustments of the City of Socorro, Texas will be held **Thursday, May 25, 2017** at 6:00 p.m. at City Council Chambers, 860 N. Rio Vista, Socorro, Texas at which time the following will be discussed:

1. Call to order.
2. Establishment of quorum.
3. Excuse absent commission members.
4. Open Forum.
5. Consider and Take Action:
On the approval of meeting minutes for April 27, 2016.
6. Consider and Take Action:
On the proposed variance of the minimum setbacks for a Shade Structure to be built on the back of the primary residence on Lot 7, Block 5, Jardin De Flores #1 located at 11425 Flor Liatris Drive, Socorro, Texas 79927
7. Consider and Take Action:
On the proposed variance request on Municode Chapter 46-348 Permitted Uses and Chapter 45-350 Developments for Leight Clark Survey Tract 7 located at 1112 Horizon Blvd. Space 4 to allow a mobile home to remain placed without a HUD label.
8. Consider and Take Action:
On the Bi-laws and Procedures for Board of Adjustments Meetings, Attendance and Meeting Procedures.

REGULAR MEETING AGENDA – CITY OF SOCORRO BOARD OF
ADJUSTMENTS

May 25, 2017 at 6:00 PM

9. Consider and Take Action
On Training of the Open Meeting Act.
10. Consider and Take Action:
On the election of Board of Adjustments Officers.

EXECUTIVE SESSION

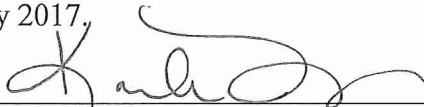
The Board of Adjustments of the City of Socorro may retire into EXECUTIVE SESSION pursuant to Texas Government Code, Section 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the Board of Adjustments of the City of Socorro may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meeting Act.) The Board of Adjustments will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071	CONSULTATIONS WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFT
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT

11. Adjournment:

I, the undersigned authority hereby certifies that the above notice of meeting of the Board of Adjustments of Socorro, Texas is a correct copy and that I posted this notice at least seventy-two (72) hours preceding the scheduled meeting at City Council Chambers, 860 N. Rio Vista, Socorro, Texas.

Dated this 22nd day of May 2017,



Karla Montalvo, Board of Adjustments Secretary

DATE & TIME POSTED: 5/22/17 3:00pm BY: AM

**REGULAR MEETING OF THE
BOARD OF ADJUSTMENTS COMMISSION OF THE
CITY OF SOCORRO**

Minutes for April 27, 2017

Members Present	Members Absent	Staff Present	Others Present
Juan Castaneda Ralph Duran Oscar Gutierrez Cynthia Gutierrez Miguel Martinez Eugene Trujillo	Cristhyan Guzman	Sonia Olivas Job Terrazas John Birkelbach Adriana Rodarte Karla Montalvo	

Items for discussion and action:

1. Call to order:

Mr. Trujillo called the meeting to order at 6:04 p.m.

2. Establish quorum:

Quorum was established with 6 members present.

3. Excuse absent commission members:

A motion was made by Mr. Duran second by Mr. Gutierrez to not approve the absence of Board Member Christhyan Guzman, with all members voting aye. Motion carried.

4. Open forum:

Mr. Birkelbach suggested that the swearing in of the audience be brought to attention during open forum. Mr. Trujillo advised for everyone to stand and raise their right hand and introduce themselves one at a time. Included Mr. & Mrs. Betancourt; Mr. & Mrs. Robles; Reymundo Resendez; Jorge Valdez.

5. Approval of meeting minutes of September 22, 2016.

A motion to approve meeting minutes of September 22, 2016 was made by Mr. Duran 2nd by Ms. Gutierrez with all members voting aye. Motion carried.

6. Consider and Take Action:

On the approval of the 2017 Scheduled Meetings Calendar. It was made clear that November 2007 meeting will be held on November 30, 2017 if any cases are needed to be heard. It was made clear that December 2017 meeting will be held on December 28, 2017 if any cases are need to be heard. A motion was made to approve by Mr. Duran 2nd by Mr. Gutierrez, with all members voting aye. Motion carried.

7. On the proposed variance of the minimum setbacks for Garage to be built in front of the primary residence on Ely Part of Lot 27, Block 5, Lynn Park Replat located at 10704 Donna Marie, Socorro, Texas 79927.

Mr. Terrazas presented case and explained that an enclosed structure would be built 6' from the front property line. A motion to deny was made by Mr. Duran 2nd by Mr. Gutierrez with all members voting aye. Motion carried.

- 8. On the proposed variance of the minimum setbacks for an Existing Accessory Structure on TR 1-J-1, Block 1, Socorro Grant located at 690 Anderson Road, Socorro, Texas 79927.**
Mr. Job Terrazas presented case. Ms. Rodarte advised the property is a fire hazard due to the fact that the property owner is using a propane tank outside with hose going in through a window. Since the Accessory Structure (portion of a Metal Recreational Vehicle) does not meet city codes and minimum setbacks it is best that the Metal Recreational Vehicle be removed and the case be denied. A motion to deny was made by Mr. Duran and 2nd by Mr. Martinez, with all members voting aye. Motion carried.
- 9. On the proposed variance of the minimum setbacks for an Existing Shade Structure on TR 4-C, Block 26, Socorro Grant located at 485 F E Jackson Road, Socorro, Texas 79927.**
Mr. Terrazas presented case. A motion was made to approve with the condition that plans are submitted to Planning & Zoning Dept. and a permit is paid with a fine and was made by Mr. Duran 2nd by Mr. Gutierrez, with all members voting aye.
- 10. On the proposed variance of the minimum setbacks for a Shade Structure to be built on the back of the primary residence on Lot 7, Block 5, Jardin De Flores #1 located at 11425 Flor Liatris Drive, Socorro, Texas 79927.**
Mr. Terrazas presented case. Mr. Trujillo suggested for the owner to meet with their District Representative to go before City Council. A motion to table item was made by Mr. Trujillo 2nd by Mr. Gutierrez, with all members voting aye. Motion carried.
- 11. On the proposed variance of the minimum setbacks for Primary Residence being built on Lot 8, Block 11, Friedman Estates #2, located at 11460 Datsun Drive, Socorro, Texas 79927.**
Mr. Terrazas presented case. Since the plans were stamped and approved by the inspector of the City of Socorro, Texas, a motion to approve was made by Mr. Duran 2nd by Mr. Gutierrez, with all members voting aye. Motion carried.
- 12. On the proposed variance of the minimum setbacks for the Primary Residence being built on Lot 2, Block 1, El Campestre located at 748 Dindinger Road, Socorro, Texas 79927.**
Mr. Terrazas presented case. Since the plans were stamped and approved by the inspector of the City of Socorro, Texas, a motion to approve was made by Mr. Duran 2nd by Mr. Gutierrez, with all members voting aye. Motion carried.
- 13. On the designation of the new secretary for the Board of Adjustments Commissio, Karla Montalvo.**
A motion to approve was made by Mr. Duran 2nd by Mr. Trujillo, with all members voting aye. Motion carried.
- 14. On the Bi-laws and Procedures for Board of Adjustments Meetings, Attendance and Meeting Procedures.**
Mr. Birkelbach presented case, recognized typos and changes made on proposed Bi-laws and Procedures in detail. Mr. Duran suggested that on the next agenda that there be an item for the election of officers and training on the Open Meetings Act. Mr. Duran requested to table item to allow more time to be reviewed 2nd by Mr. Trujillo, with all members voting aye. Motion carried.

15. Adjournment:

A motion was made to adjourn at 8:39 pm was made by Mr. Trujillo 2nd by Mr. Martinez, with all members voting aye. Motion carried.

ATTEST:

EUGENE TRUJILLO, CHAIRPERSON

SONIA OLIVAS, SECRETARY

Vacant
Mayor

Rene Rodriguez
At Large
Mayor Pro-Tem

Maria Reyes
District 1



Alejandro Garcia
District 2

Victor Perez
District 3

Yvonne Colon-Villalobos
District 4

Adriana Rodarte
City Manager

DATE: May 25, 2017
TO: BOARD OF ADJUSTMENTS
FROM: Job Terrazas, Admin. Assistant
CC: Adriana Rodarte, City Manager

SUBJECT:

Variance request on Municode Chapter 46-293 (2) related to the minimum required yard setbacks, for Lot 7, Block 5, Jardin de Flores #1 at 11425 Flor Liatris Dr. to build a shade structure.

SUMMARY:

The property matter of this request is southeasterly located at 65' feet from the Passmore Rd. This property has an estimated area of 7,841 sf., and it is owned by Edgar Segura, 11425 Flor Liatris Dr., Socorro, TX 79927.

BACKGROUND:

This case was heard by the Board of Adjustments on April 27, 2017 and the Board decided to table and the applicant was advised to contact their District representative to present a case to City Council.

STATEMENT OF THE ISSUE:

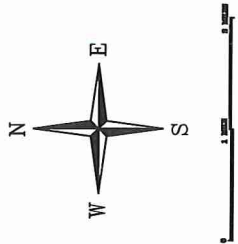
According to the information provided by the applicant, the proposed shade structure will be 3'ft from the rear and the side property lines. The minimum required setback for R-3 is 5'ft from the side and 15'ft from the rear.

ALTERNATIVE:

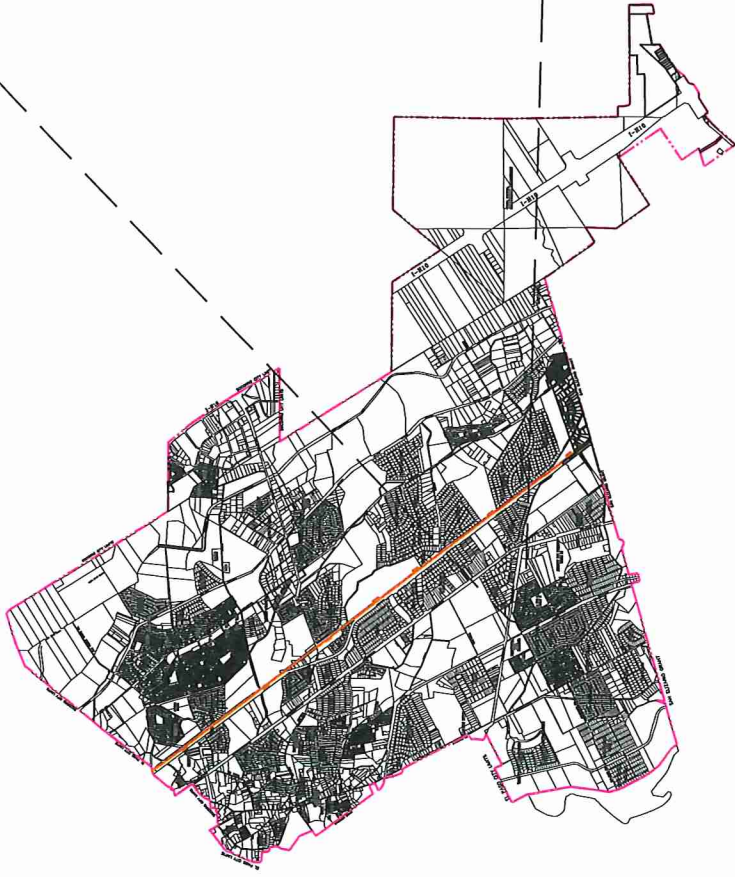
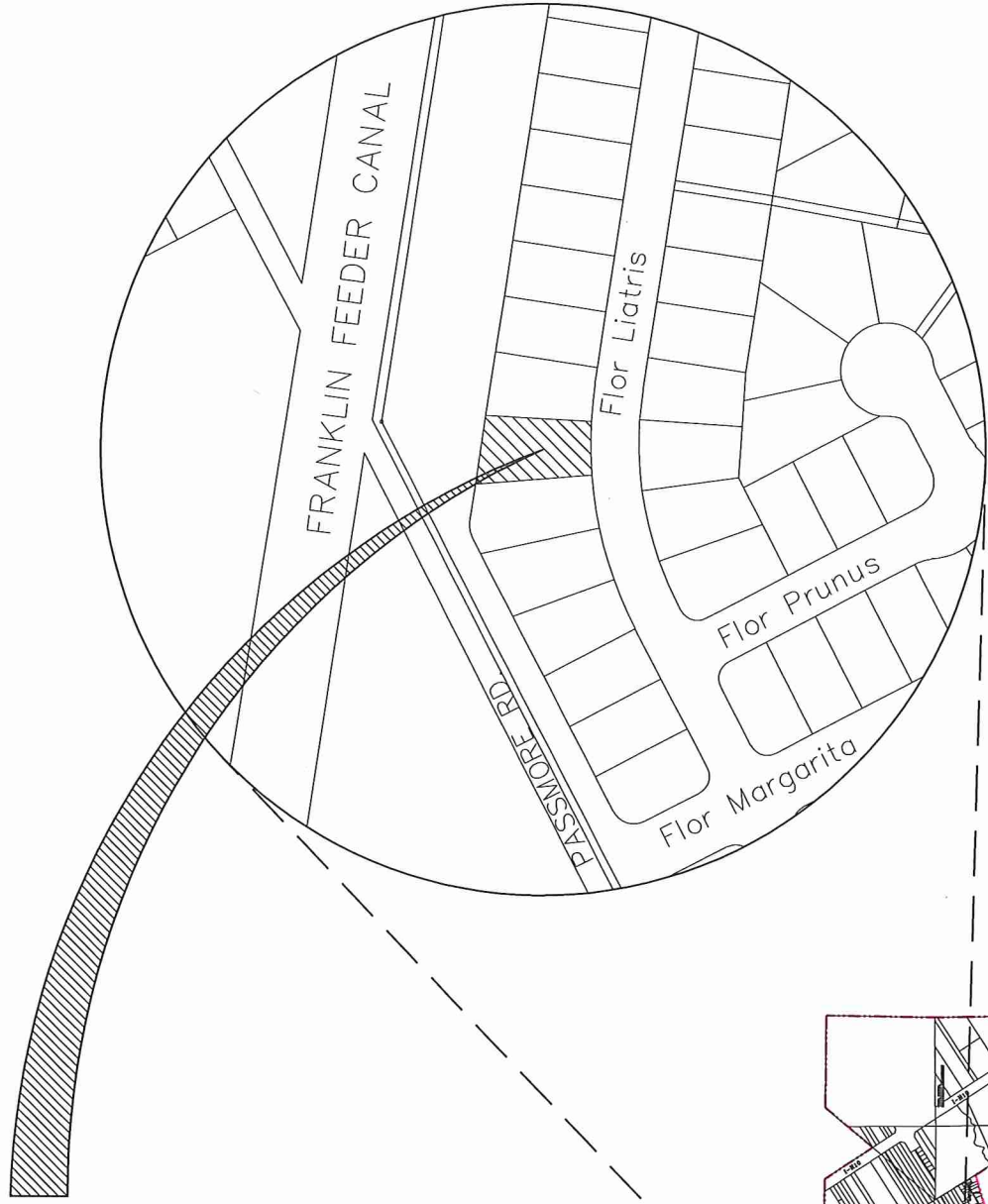
Due to the fact that several other residents are going through the same situation with the minimum required setbacks for shade structures, an Ordinance needs to be created by the City.

STAFF RECOMMENDATION:

The Planning and Zoning Department is currently working on an Ordinance to adjust the setbacks required for shade structures. The recommendation for this case is DENIAL until a resolution is acquired from City Council.



PROJECT SITE;
11425 Flor Liatris
Lot 7, Blk. 5
Jardin De Flores



CITY OF SOCORRO

LOCATION MAP

Scale: AS SHOWN



DIVISION 5. - R-3 - HIGH DENSITY RESIDENTIAL DISTRICT

Sec. 46-290. - Purpose.

The purpose of this zone is to accommodate single-family and multifamily dwelling units, to accommodate a maximum density of 30 dwelling units per acre.

(Ord. No. 76, § 8, 5-1-1989; Ord. of 12-21-1992, § II; Ord. of 7-6-1993, §§ I, II; Ord. of 10-8-1996, § II; Ord. of 11-7-2002, § 8; Ord. of 5-2-2007; Ord. of 11-17-2008; Ord. of 1-13-2011, § II; Ord. of 6-30-2011, § 3)

Sec. 46-291. - Permitted uses.

Permitted uses in this zone shall include:

- (1) Single-family detached dwellings. Only conventional building material listed in the approved building codes will be used for structural and finish materials.
- (2) Multifamily dwellings, including duplexes, townhouses, row houses, and other dwellings with a maximum of four attached or detached dwelling units per lot.
- (3) Boardinghouses, fraternity and sorority houses.
- (4) Accessory structures and uses including garages, carports, private workshop, greenhouses, home occupations, and other structures that are customarily incidental to the principal structures.
- (5) Public parks, playgrounds, ball fields.
- (6) A private swimming pool is permitted only when a protective fence four feet in height is provided around the yard, lot or pool area. The pool shall be no closer than ten feet from any property line and approval from all utilities is required to ensure overhead safety.
- (7) Real estate sales offices in conjunction with a specific development, allowable only as a renewable conditional use for six months at a time for a maximum of three years. Use shall discontinue upon completion of the development or within three years from the date of original permit, whichever is sooner.

(Ord. No. 76, § 8, 5-1-1989; Ord. of 12-21-1992, § II; Ord. of 7-6-1993, §§ I, II; Ord. of 10-8-1996, § II; Ord. of 11-7-2002, § 8; Ord. of 5-2-2007; Ord. of 11-17-2008; Ord. of 1-13-2011, § II; Ord. of 6-30-2011, § 3)

Sec. 46-292. - Conditional uses (requires permit).

Conditional uses in this zone shall include:

- (1) Child cares homes, childcare group homes, and day care centers. Play areas shall be in accord with state licensing requirements and enclosed with a solid wall or fence five feet in height. A stacking lane for autos shall be provided at least 15 feet in width and a minimum length of 27 feet for each ten children of maximum enrollment.
- (2) Construction yard or building (temporary use). Such yard or building shall be removed upon the completion of construction or within three years from date of permit, whichever is sooner. All such areas will be enclosed by a fence five feet in height.

- (3) Club buildings shall not be located within 100 feet of an R-1 or R-2 zone. Private clubhouses and game rooms are also permitted when used as part of an apartment, condominium, or city house complex, provided such building shall not be located within 50 feet of an R-1 or R-2 zone.
- (4) Churches.
- (5) Community buildings.
- (6) Cemetery and mausoleums.
- (7) Halfway houses, assisted living facilities, community homes, group homes, hospices, and nursing homes.
- (8) Schools (public, private).
- (9) A private swimming pool is permitted only when a protective fence four feet in height is provided around the yard, lot or pool area. The pool shall be no closer than ten feet from any property line and approval from all utilities is required to ensure overhead safety.
- (10) Public and private utility services, excluding sanitary landfills, incinerators, refuse and trash dumps.

(Ord. No. 76, § 8, 5-1-1989; Ord. of 12-21-1992, § II; Ord. of 7-6-1993, §§ I, II; Ord. of 10-8-1996, § II; Ord. of 11-7-2002, § 8; Ord. of 5-2-2007; Ord. of 11-17-2008; Ord. of 1-13-2011, § II; Ord. of 6-30-2011, § 3)

Sec. 46-293. - Area requirements.

Area requirements for this zone shall include:

- (1) Minimum lot area:
 - a. 5,000 square feet for areas with public ponding.
 - b. 10,000 square feet for areas without public ponding.
- (2) Minimum yard setbacks:
 - a. Front: 15 feet;
 - b. Side (interior): five feet;
 - c. Side (exterior): ten feet;
 - d. Rear: 15 feet.
- (3) Minimum front setbacks for all properties facing:
 - a. Collector streets: 35 feet;
 - b. Minor arterials: 55 feet;
 - c. Major arterials: 60 feet.

(Ord. No. 76, § 8, 5-1-1989; Ord. of 12-21-1992, § II; Ord. of 7-6-1993, §§ I, II; Ord. of 10-8-1996, § II; Ord. of 11-7-2002, § 8; Ord. of 5-2-2007; Ord. of 11-17-2008; Ord. of 1-13-2011, § II; Ord. of 6-30-2011, § 3)

Sec. 46-294. - Accessory structures.

- (a) No accessory structure, excluding fences, patios, porches or walls, shall be closer to any property line than the required yard setback; however, an accessory structure may be as close as ten feet to any rear property line.
- (b) An accessory structure shall not exceed the interior square footage of the principal structure.

(Ord. No. 76, § 8, 5-1-1989; Ord. of 12-21-1992, § II; Ord. of 7-6-1993, §§ I, II; Ord. of 10-8-1996, § II; Ord. of 11-7-2002, § 8; Ord. of 5-2-2007; Ord. of 11-17-2008; Ord. of 1-13-2011, § II; Ord. of 6-30-2011, § 3)

Sec. 46-295. - Height limitations.

No building or structure shall exceed 45 feet in height, except that accessory objects which are usually required to be placed above the roof level, that do not consume more than one-third of the total roof area, and are not intended for human occupancy, may exceed this height.

(Ord. No. 76, § 8, 5-1-1989; Ord. of 12-21-1992, § II; Ord. of 7-6-1993, §§ I, II; Ord. of 10-8-1996, § II; Ord. of 11-7-2002, § 8; Ord. of 5-2-2007; Ord. of 11-17-2008; Ord. of 1-13-2011, § II; Ord. of 6-30-2011, § 3)

Secs. 46-296—46-323. - Reserved.

Sec. 46-294. - Accessory structures.

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Sec. 46-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abate means to eliminate by removal, repair, rehabilitation or demolition.

Accessory building or use means a subordinate building or use, the use of which is incidental to and customarily found in connection with the principal or use, and located on the same lot with the principal building or use.

Adult business includes, but is not limited to: adult arcade, adult bookstore, adult cabaret, adult drive-in theater, adult mini motion picture theater, adult model studio, adult motel, adult motion picture theater, adult theater, body painting studio, massage parlor, or any other commercial enterprise, the primary business of which is the offering of a service or the selling, renting or exhibiting of devices or any other items intended to provide sexual stimulation or sexual gratification to the customer.

Alley means a right-of-way that affords only a secondary means of access to adjacent property.

Amusement enterprise (temporary) means a commercially operated amusement facility park or enterprise, which is located on one site for less than 90 days.

Amusement park or enterprise means a profit-oriented, commercially operated business with various devices for entertainment whether permanent or temporary.

Apartment means a dwelling unit used exclusively for lease or rent as a residence.

Arterial street means a street that accommodates large volume of comparatively high-speed traffic from one area of the city to another and is labeled as such on the city's future land use plan or streets and highways plan.

Artificial obstruction means any obstruction, other than a natural one, that is capable of reducing the flood-carrying stream or may accumulate debris and thereby reduce the flood carrying stream.

Attached means any structure or building having a common wall with another structure or building.

Base flood, also known as the 100-year flood, is the flood having a one percent chance of being equaled or exceeded in any given year.

Basement means the lowest habitable story of a building below ground level.

Billboard means a freestanding pole sign at least 128 square feet in size, and eight feet above the ground surface, which advertises or directs attention to a business, product, service, or event, not appurtenant to the uses of the property on which it is located.

Boardinghouse means a residence consisting of at least one dwelling unit with more than two rooms that are rented or intended to be rented to longer term residents on a monthly basis, as distinct for transient residents staying overnight or on a weekly basis.

Body shop means a shop where vehicle exteriors are replaced and reconditioned. Waxing, prefabrication, stripping, or similar activity shall not be considered bodywork.

Build means to erect, convert, enlarge, reconstruct, or structurally alter a building.

Buildable depth means the depth of the lot remaining to be built upon after the required front and rear yards are provided.

Buildable width means the width of the lot remaining to be built upon after the required front and rear yards are provided.

Building means any structure having a roof supported by columns or walls for the shelter or enclosure of persons or property.

Building area means that area of a lot that is or may be occupied by buildings or structures pursuant to the requirements of this chapter.

School, vocational/technical, means a secondary or higher educational facility primarily teaching skills that prepare students for jobs in a trade and meeting the state requirement for a vocational facility such as a barber/beauty college, or electrical training.

Screening and buffering means the use of walls, thick shrubbery, or similar materials to minimize the potentially adverse impact of one land use on another.

Setback means the distance between a wall or any projection of a building and the property line excluding steps and unenclosed porches.

Small animals means goats, sheep, fowl, miniature horses, domestic animals, and other such comparably-sized animals distinguished from those described as large animals, and from domestic animals which live inside the dwelling.

Stall or parking space means the area set for parking one vehicle.

Story means a single-level area between a floor and its ceiling, excluding all subterranean building area.

Street means a public or private thoroughfare that affords principal means of access to adjacent property.

Street, arterial, means a street that accommodates a large volume of comparatively high-speed traffic from one area of the city to another.

Street, collector, means a street which carries moderate volumes of traffic from local to minor residential streets to the major arterial streets and highways.

Street, cul-de-sac, means a street that terminates in a vehicular turnaround.

Street, residential, means a street of relatively short length and width that provides direct access to a limited number of abutting residential properties, and is designed to discourage its use for through traffic.

Street line means the outermost boundary or property line of a street right-of-way.

Structure means anything constructed or erected.

Tower means any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers or monopole towers. The term "tower" includes radio and television transmission and reception towers, microwave towers, common carrier towers, cellular telephone towers, and the like, but shall not include towers accessory to residential uses. The term "tower accessory to residential uses" means amateur radio equipment not used for commercial purposes, including ham radio and citizen's band radio (CB) equipment.

Townhouse means one of a group of attached dwelling units divided from each other by common walls and each having a separate entrance leading directly to the outdoors at ground level.

Use means the activity or function that actually takes place or is intended to take place on a lot.

Variance means a relaxation of the terms of this chapter where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions of the applicant, a literal enforcement of this chapter would result in unnecessary and undue hardship. As used in this chapter, a variance may be authorized only for area, height, dimension, distance, setback, off-street parking, and off-street loading requirements or as elsewhere specifically authorized by the chapter.

Vehicle accommodation area means the portions of a lot that are used by vehicles for access, circulation, parking, loading and unloading. The vehicle accommodation area comprises all circulation areas, loading and unloading area, and parking areas.

Veterinary hospital means any establishment maintained and operated by a licensed veterinarian for surgery, diagnosis, and treatment of diseases and injuries of animals.

Warehouse means a building used primarily for storage of products or wares, in conjunction with retail stores, not including accessory uses such as storerooms or stockrooms. Mini-storage or self-storage of household goods and similar uses shall not be construed as a warehouse use.





CITY OF SOCORRO, TEXAS

Application for Board of Adjustments

FOR OFFICE USE ONLY

Submittal Date: 3/31/2017

Received By: Km

Case Number: _____

Receipt Number: 26670

Fee: \$100.00

Please type or print

Description of property the following information shall be provided:

Legal Description: Subdivision: Jardin De Flores

Block: 5 Lot/Tract: 7

Property survey: Attach a current survey plat or a metes and bounds description and survey if property is currently not platted.

Address of property: 11425 Flor liatris Socorro, Tx, 79927

General location of property: _____

Please type or print

Owner(s): Edgar Segura

Applicant: _____

Address: 11425 Flor liatris
Socorro, Tx, 79927

Address: _____

Phone #: (915) 2159491

Phone #: _____

APPEAL OF AN ADMINISTRATIVE DECISION

(Check appropriate request)

- { } 1.) Variance (Non-Use)
{ } 2.) Non-Conforming Use or Structure

Existing condition vs proposed condition:

Solicito una variacion ala
Regla de 10ft de separado dela parte trasera de
mi propiedad para construir una estructura desombra,
y poderla hacer a 3FT

In lieu of representing this request myself as owner of the property, I hereby authorize the person designated below to act in the capacity as my agent for the application, processing, representation and/or presentation of this request. The designated agent shall be the principal contact person with the City (and vice versa) in processing and responding to requirements, information, and/or issues relative to this request.

Edgar Segura
Printed or Typed Name

Signature of Owner

Printed or Typed Name of Agent

Signature of Agent

Address of Agent: _____

Telephone Number of Agent: _____

I understand that it is necessary for me or my authorized agent to be present at the public hearing.

Printed or Typed Name

Signature of Owner

Vacant
Mayor

Rene Rodriguez
At Large
Mayor Pro-Tem

Maria Reyes
District 1



Alejandro Garcia
District 2

Victor Perez
District 3

Yvonne Colon-Villalobos
District 4

Adriana Rodarte
City Manager

DATE: May 25, 2017
TO: BOARD OF ADJUSTMENTS
FROM: Job Terrazas, Admin. Assistant
CC: Adriana Rodarte, City Manager

SUBJECT:

Variance request on Municode Chapter 46-348 Permitted Uses and Chapter 46-350 Development Requirements for Leigh Clark Survey Tract 7 at 1112 Horizon Blvd. to allow a mobile home to remain placed without a HUD Label on Space 4.

SUMMARY:

The property matter of this request is located at 150' feet from the intersection of Horizon and Robin Rd. This property has an estimated area of 183,387 sf. (4.21 acres), owned by Gonzalo & Margarita Pinedo 1112 Horizon Blvd., Socorro, TX. 79927.

BACKGROUND:

A tenant installed a 12x49 mobile home in space 4 without a placement permit and was detected by a code enforcement officer as part of the ongoing systematic approach. Several violations have been detected within the mobile home park and have been addressed.

STATEMENT OF THE ISSUE:

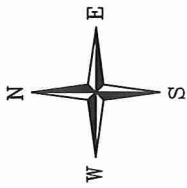
The petitioner is asking for a variance on the permitted uses to allow a mobile home to remain placed on space 4. The City's Municode requires that mobile homes comply with the National Manufactured Housing Construction and Safety Standards Act of 1974. The title that was provided with the application states that the mobile home was built in 1976. Since there is no HUD Label, the actual manufacture date can't be determined.

ALTERNATIVE:

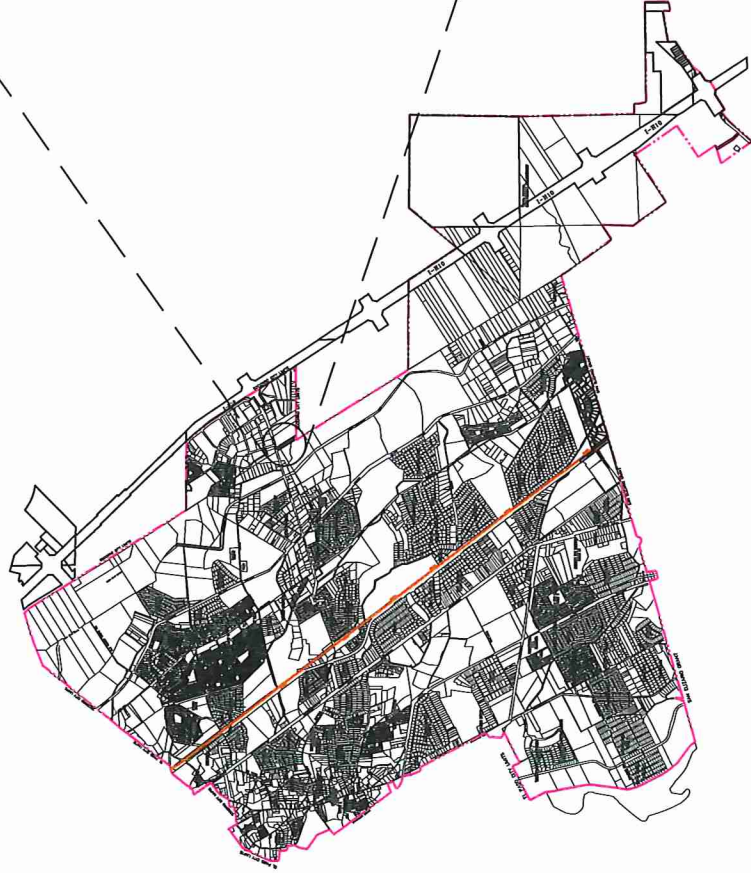
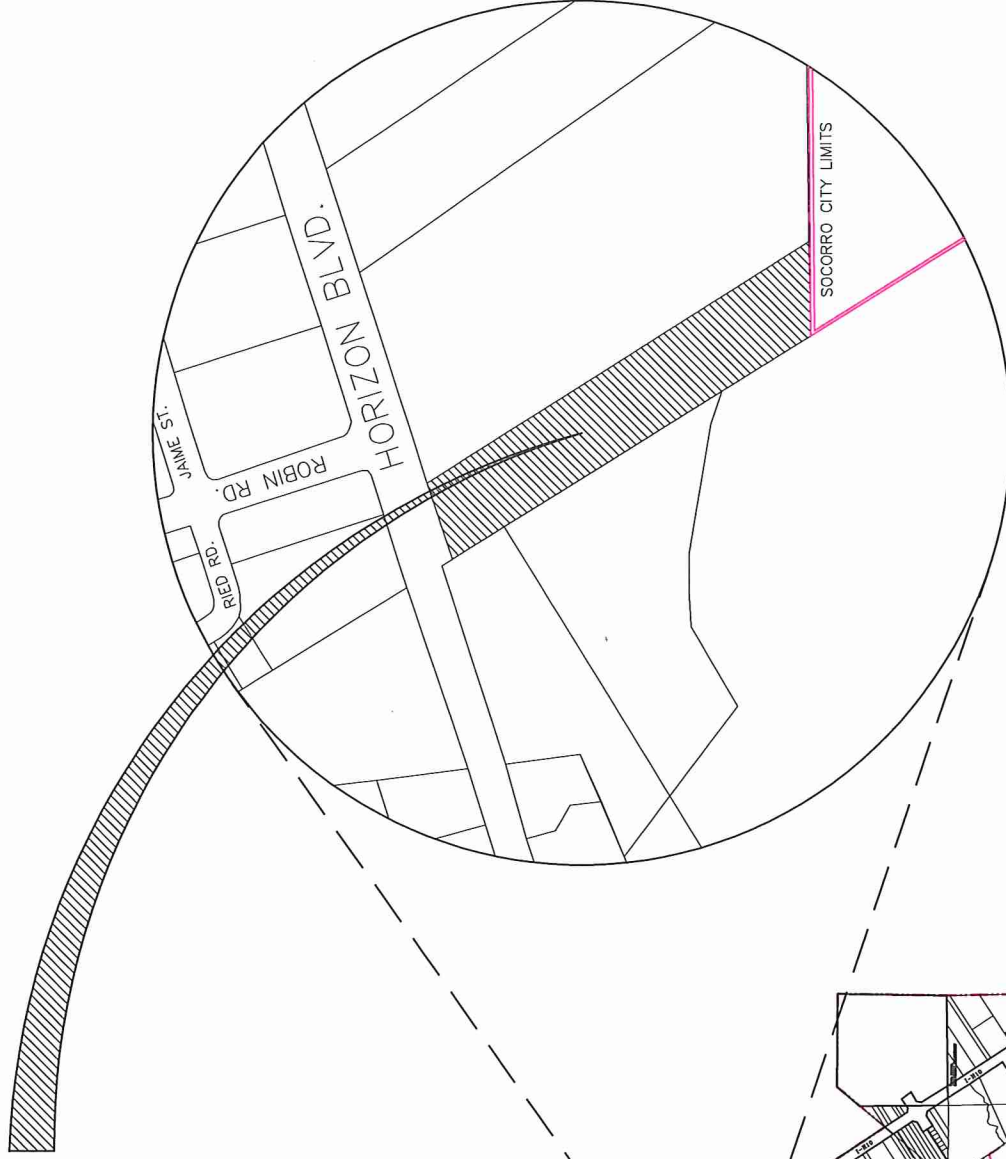
The mobile home was removed from another lot due to the same violations. The only alternative is to remove it from the existing location.

STAFF RECOMMENDATION:

A field inspection of the mobile home revealed several electrical and fire hazards. The Planning and Zoning Department recommends DENIAL.



PROJECT SITE;
1112 Horizon Blvd.
Tr.7, ABST 6257
Leigh Clark Surv. 293



CITY OF SOCORRO



LOCATION MAP

Scale: AS SHOWN

Sec. 46-350. - Development requirements.

Mobile and manufactured homes used as dwellings shall comply with the following standards:

- (1) Minimum square footage of the mobile or manufactured home: 500 square feet and not less than ten feet in width.
- (2) The wheels and tongue of the mobile or manufactured home shall be removed prior to the tie-down process.
- (3) Mobile or manufactured home undercarriages shall be skirted within 30 days of placement upon the lot. The skirt or apron shall be continually and properly maintained between the bottom of the unit and the ground.
- (4) Utility connections, foundation specifications, tie-down specifications, and all other installation requirements shall be done at time of placement in accordance with the state department of labor and standards' state mobile home tie-down standards.
- (5) All mobile and manufactured homes shall be constructed according to the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 USC 5401 et seq.

(Ord. No. 76, § 8, 5-1-1989; Ord. of 12-21-1992, § II; Ord. of 7-6-1993, §§ I, II; Ord. of 10-8-1996, § II; Ord. of 11-7-2002, § 8; Ord. of 5-2-2007; Ord. of 11-17-2008; Ord. of 1-13-2011, § II; Ord. of 6-30-2011, § 3)

Sec. 46-351. - Area requirements.

Area requirements for this zone shall include:

- (1) Minimum park size: Ten acres for areas with ponding; maximum density: 12 units per acre; minimum lot area: 3,600 square feet.
- (2) Minimum setback from park boundaries at public street: 35 feet.
- (3) Minimum front setbacks for all properties facing:
 - a. Collector streets: 35 feet;
 - b. Minor arterials: 55 feet;
 - c. Major arterials: 60 feet.
- (4) Minimum horizontal distance between mobile home/recreational vehicle:
 - a. Side to side: 20 feet;
 - b. End to end: 20 feet;
 - c. Side to end: 20 feet.

(Ord. No. 76, § 8, 5-1-1989; Ord. of 12-21-1992, § II; Ord. of 7-6-1993, §§ I, II; Ord. of 10-8-1996, § II; Ord. of 11-7-2002, § 8; Ord. of 5-2-2007; Ord. of 11-17-2008; Ord. of 1-13-2011, § II; Ord. of 6-30-2011, § 3)

Sec. 46-352. - Accessory structures.

- (a) No accessory structure, excluding fences, patios, porches or walls, shall be closer than three feet.
- (b) An accessory structure shall not exceed 50 percent of the square footage of the principal building.

(Ord. No. 76, § 8, 5-1-1989; Ord. of 12-21-1992, § II; Ord. of 7-6-1993, §§ I, II; Ord. of 10-8-1996, § II; Ord. of 11-7-2002, § 8; Ord. of 5-2-2007; Ord. of 11-17-2008; Ord. of 1-13-2011, § II; Ord. of 6-30-2011, § 3)

Secs. 46-353—46-377. - Reserved.

CERTIFICATE OF TITLE

VEHICLE IDENTIFICATION NUMBER
WNX649122K014347

TYPE OF TITLE
ORIGINAL

TITLE NUMBER
00159403A582859

ENGINE OR OTHER I.D. NUMBER

PREVIOUS TITLE NUMBER AND STATE | 1st REG. | DATE OF ISSUE
97022103N010181 NM1976 | 06/07/2000

YEAR	MAKE	MODEL	BODY	CYLS.	DGVW	WT./WHEELS	TYPE OF FUEL	LIENS
1976	NASH	NAS	MH			12049		0

1st LIENHOLDER (OR OWNER(S) IF NO LIEN)

LICENSE PLATE NUMBER(S)

BELLO MACARIO R OR

7020MHW

206 N 4TH PO BOX 382

VEHICLE CLASS

CLERK

LOVING
FILE DATE

NM 88256
MATURITY DATE

MOBILE HOME
ODOMETER & CODE

SMH
MH SIZE | CNTY.

NO LIEN

NO LIEN

12 049 03

REGISTERED OWNER(S)

BELLO MACARIO R OR

BELLO SONIA L

206 N 4TH PO BOX 382

LOCATION OF MANUFACTURED HOME
206 N 4TH LOVING

LOVING

NM 88256

ODOMETER CODES: AM = ACTUAL VEHICLE MILEAGE; EL = MILEAGE IN EXCESS OF MECHANICAL LIMITS OR NM = NOT ACTUAL MILEAGE: WARNING-ODOMETER DISCREPANCY.

SECOND LIENHOLDER

NOT A TITLE NO.

10582859

FILE DATE

MATURITY DATE

DO NOT CARRY IN VEHICLE - KEEP IN SAFE PLACE, IMPORTANT: THERE IS AN ADDITIONAL STATUTORY FEE FOR FAILURE BY PURCHASER TO APPLY FOR TRANSFER WITHIN 30 DAYS FROM DATE OF SALE.

I hereby certify, that interest in the vehicle described above on this Certificate of Title is hereby released.

RELEASE Name of
OF LIEN Lienholder: _____

Date: _____

Full Signature of Authorized Agent

THIS CERTIFICATE OF TITLE IS EVIDENCE OF LEGAL OWNERSHIP OF THE VEHICLE DESCRIBED ABOVE. UPON SALE OF THIS VEHICLE, THIS CERTIFICATE MUST BE PROPERLY ASSIGNED ON THE BACK AND PRESENTED BY THE PURCHASER TO THE MOTOR VEHICLE DIVISION FOR TRANSFER. THE DIVISION IS NOT RESPONSIBLE FOR FALSE OR FRAUDULENT STATEMENTS MADE IN CONNECTION WITH THIS CERTIFICATE OF TITLE OR HELD LIABLE FOR RECORDING ERRORS.

DIRECTOR MVD

MVD-10030 REV. 12/99

NEW MEXICO MOTOR VEHICLE DIVISION

VOID IF ALTERED
HOLD TO LIGHT TO VIEW EAGLE WATERMARK

VOID IF ALTERED



CITY OF SOCORRO, TEXAS

Application for Board of Adjustments

FOR OFFICE USE ONLY

Submittal Date: 4/26/2017

Received By: Kun

Case Number: _____

Receipt Number: _____

Fee: \$100.00

Please type or print

Description of property the following information shall be provided:

Legal Description: Subdivision: Leight Clark Survey

Block: _____ Lot/Tract: 7

Property survey: Attach a current survey plat or a metes and bounds description and survey if property is currently not platted.

Address of property: 1112 Horizon

General location of property: _____

Please type or print

Owner(s): Blanca F Reyes & c

Applicant: _____

Address: 1112 Horizon

Address: _____

Phone #: 915 920 58 35

Phone #: _____

APPEAL OF AN ADMINISTRATIVE DECISION

(Check appropriate request)

- { } 1.) Variance (Non-Use)
{✓} 2.) Non-Conforming Use or Structure

Existing condition vs proposed condition: Permiso para dejar
trailer mobil año 1976 En mobile home park
En 11/2 Horizon

In lieu of representing this request myself as owner of the property, I hereby authorize the person designated below to act in the capacity as my agent for the application, processing, representation and/or presentation of this request. The designated agent shall be the principal contact person with the City (and vice versa) in processing and responding to requirements, information, and/or issues relative to this request.

BLANCA E REYES

Printed or Typed Name

N/A

Printed or Typed Name of Agent

Blanca E Reyes

Signature of Owner

N/A

Signature of Agent

Address of Agent: _____

Telephone Number of Agent: N/A

I understand that it is necessary for me or my authorized agent to be present at the public hearing.

BLANCA E REYES

Printed or Typed Name

Blanca E Reyes E.

Signature of Owner

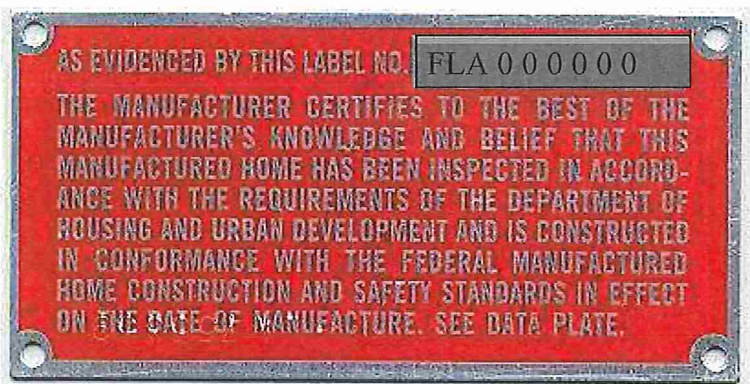
Requirement for a Production Inspection and Primary Inspection Agency (IPIA)

In addition, manufacturers are held accountable for building homes that are compliant with HUD's standards by agents of HUD which are referred to as Production Inspection and Primary Inspection Agencies (IPIA) pursuant to 24 CFR, Section 3282.351. The Bureau of Mobile Home and Recreational Vehicle Construction (BMHRVC) is such an agent. The IPIA is responsible for certifying manufacturing plants before they can begin operations and for routinely inspecting manufacturing in the plants to ensure that they are in compliance with the Manufactured Housing Construction and Safety Standards. There are 10 states in which a state agency acts as the IPIA. In the other states where mobile/manufactured home manufacturing occurs, the IPIA is a private company. There are five such companies.

Mobile/Manufactured Home Labels

HUD Label Display: Every mobile/manufactured home must receive a HUD label certifying that it was built in accordance with the Federal Manufactured Housing Construction and Safety Standards. Pursuant to 24 CFR, Section 3280.11, the label shall be approximately 2 inches by 4 inches in size and shall be permanently attached to the home by means of 4 blind rivets, drive screws, or other means that render it difficult to remove without defacing it. It shall be etched on 0.32 inches thick aluminum plate. The label number shall be etched or stamped with a 3 letter designation which identifies the Production Inspection and Primary Inspection Agency (IPIA) for the state in which the home is manufactured. Each label shall also be marked with a 6 digit number which the label supplier will furnish. The label shall be located at the tail-light end of each transportable section of the home approximately one foot up from the floor and one foot in from the road side.

HUD LABEL



Color: Red Metal

BYLAWS OF THE BOARD OF ADJUSTMENT

Socorro, Texas

Article 1. Purpose

The purpose of these bylaws is to provide general guidance to the Board in the performance of its duties as defined in the Code of Ordinances of Socorro, Texas, Chapter 2, Division 3 (the "Ordinance"). As such, these bylaws shall be considered supplementary to the Ordinance. No action of the Board which is otherwise valid shall be invalidated solely by reason of the Board's failure to follow these bylaws.

Article 2. Membership

The Board shall consist of seven (7) regular members and two (2) alternate members. The regular members of the Board shall be appointed by City Representatives, Places 1, 2, 3, 4 and 5; and two (2) board members shall be appointed by the mayor. Two (2) alternate members may be appointed by the mayor and shall serve in the absence of regular members when requested. Each regular member and each alternate member shall serve for a term of two (2) years, unless removed by the City Council, on a written charge after a public hearing. Vacancies shall be filled for the unexpired term of any member which may become vacant in the same manner as for such member's original appointment.

Article 3. Officers

A. As the officers of the Board shall be a Chair and a Vice-Chair. Their duties shall be those usually pertaining to their respective offices. The Chair shall preside at all meetings of the Board. In the absence of the Chair, the Vice-Chair shall preside. In the absence of the Chair and Vice-Chair, any regular member elected by the majority of the board members present and voting will act as Chair Pro-Tem. Officers shall be regular members of the Board. Officers shall serve one (1) year terms. Officers may serve consecutive terms without limit. The election of officers will take place at the first meeting in January of each year and shall be determined by a majority vote of those members present and voting. The Chair and Vice-Chair may be removed from office by a 2/3 majority vote of the entire Board. Vacancies in the Chair or Vice-Chair position shall be filled by a simple majority vote of the Board present and voting at any regular meeting.

B. The Secretary for the Board shall be staffed by the City Planning Department as designated by the Director for the City Planning Department and approved by the Board. The Secretary shall: (a) provide all members with a meeting schedule as established by the Board; (b) keep a written record of all meetings, examinations, resolutions, transactions, findings and determinations of the Board and other official actions; (c) prepare and post notices of meetings; and (d) keep appropriate forms for persons to file an application for a variance or special exception or to file an appeal of a decision of an administrative official.

Article 4. Meetings

A. Regular meetings of the Board shall be scheduled on the third Thursday of each month, beginning at 6:00 p.m., in the City Council Chambers, 860 N. Rio Vista, Socorro, Texas, unless otherwise determined by the Board.

B. Special meetings may be called by the Chair, or in the absence of the Chair, by the Vice-Chair at the request of two or more regular members on five (5) days notice (oral or written) to all regular members.

C. All cases presented to the Board shall be heard by at least six (6) members or alternates.

D. All meetings shall be open to the public and shall be held in compliance with the Texas Open Meetings Act.

E. The minutes of the Board shall show the vote of each member on each question, or if absent or failing to vote, indicating such fact. The written records of the Board shall be public records and shall be available for inspection at the City Planning Department.

F. The presiding officer of the Board shall read the following statement at the meeting:

"The Zoning Board of Adjustment of the City of Socorro is now in session. This Board is established under Article 211.008 of the Texas Local Government Code and Chapter 2, Division 5 of the Code. In appropriate cases and subject to appropriate conditions and safeguards, this Board is empowered to make special exceptions or grant variances to the terms of the Zoning Ordinance that are consistent with the general purpose and intent of the ordinance and in accordance with any applicable rules contained in the ordinance and to hear appeals that allege an error on an order, requirement, decision or determination made by an administrative official in the enforcement of the Code.

Your application or appeal will be decided only after you have had the opportunity to present evidence before the Board for its consideration. Other parties interested in your case may also be heard at this time. No consultation among Board members has been held in advance regarding your case. This Board does not act in an arbitrary manner.

You may be sure full consideration will be given to your case and following this hearing you will be promptly notified of the Board's decision."

G. Following the reading of the statement in F above, the presiding officer shall (1) request that all persons who will give testimony or present evidence on any agenda item to please stand and raise your right hand; and (2) shall administer the following oath to such person(s):

“Do you swear to tell the truth and nothing but the truth?”

H. Items scheduled for public hearing at a regular or special meeting of the Board shall be presented in the following manner:

1. The staff shall present the issue to the Board and may provide a recommendation. Following the staff presentation, questions may be raised by the Board and directed to staff.
2. The presiding officer will then ask the applicant to present a concise statement of the request and submit any evidence in support of the request. Following the applicant's presentation, questions may be raised by the Board and directed to the applicant or staff.
3. The presiding officer will then ask other individuals interested in doing so to address the Board on the issue. Following these presentations, questions may be raised by Board members and directed to the individuals, the applicant or staff.
4. The presiding officer may then call on the applicant for a rebuttal. Following the applicant's rebuttal, questions may be raised by Board members and directed to the applicant or staff.
5. At the completion of the discussion, the presiding officer shall then request a motion and a vote on the issue.

I. The presiding officer shall preserve strict order and decorum at all regular and special meetings of the Board, shall restate questions coming before the Board as necessary for clarity, and shall announce the decision of the Board on all actions taken. All questions of order shall be decided by the presiding officer.

Article 5. Voting

A. Each regular member shall be entitled to one vote on any matter that may come before the Board. In the absence of the regular member, an alternate member shall serve in the regular member's stead when requested to do so by the City Manager or designee. Each qualified member of the Board, including the Chair and any alternate member serving in the absence of a regular member shall be entitled to vote on matters before the Board. A member may change his/her vote after the roll has been completed and before announcement of the result, but not thereafter.

B. The concurring vote of six (6) members of the Board shall be necessary to reverse any order, requirement, decision or determination of any administrative official; decide in favor of an applicant on a matter on which the Board is required to pass under a zoning ordinance; or, authorize a variation from the terms of a zoning ordinance.

- C. Proxies shall not be allowed.

Article 6. Procedural Rules

The Board hereby adopts the following procedural rules which shall govern meetings of the Board whenever procedure is not regulated by these Bylaws or by City Ordinance:

1. Every person desiring to speak shall address the presiding officer, shall be recognized by the presiding officer, and shall confine themselves to the question under consideration.
2. Every person shall have a reasonable opportunity to be heard at all public hearings of the Board in regard to matters to be considered at such hearings whose comments are germane and relative to the subject matter before the Board; provided, however, that the time allowed for each citizen's appearance before the Board may be limited to a fixed number of minutes at the discretion of the presiding officer.
3. A motion to table shall take precedence over all other motions, except the motion to adjourn, and a motion to table shall not be debatable.
4. A motion to reconsider any action taken by the Board may be made at any time prior to adjournment of the same meeting at which such action was taken.
5. The Board shall keep records of its examinations and other official actions.
6. The minutes and records of the Board actions shall be filed immediately in the Board's office and are public records.
7. All witnesses shall testify under oath administered by the presiding officer and are subject to cross-examination.
8. All applications and appeals shall be decided within a reasonable time.

Article 7. Ethics

A. Any voting member of the Board who has a personal, professional or financial interest in any matter presented shall make full disclosure before the Board and may not participate in the discussion, or vote on that specific matter.

B. Any voting member of the Board who has a substantial interest in a matter before the Board as defined by Section 171.002 of the Texas Local Government Code shall file an affidavit so stating with the City Clerk before a vote on the matter is taken as is required by Section 171.004 of the Texas Local Government Code. Additionally, such voting member shall leave the room for discussion and action on the item in question.

C. All actions taken by the Board shall be in accordance with Chapter 2, Division 3 of the Code.

D. In the interest of fairness to the applicants and appellants appearing before the Board and those appearing in opposition to the same, no communication, direct or indirect, shall be held by a regular or alternate member of the Board with the applicant, appellant, or opposition concerning the application or other matter involving an applicant or appellant before the Board at any location or by any means, including, but not limited to in person, by telephone, letter or electronic communication. All such discussions shall be held during a meeting at which the item is posted for discussion so that all voting members shall have the full benefit of such a discussion. Nothing herein shall prevent a voting member from gathering information regarding pending matters from City staff.

E. When a regular or alternate member is called upon to voice opinions at public or private functions, he/she shall indicate whether he/she is speaking for himself/herself and not representing the Board unless a final action by the Board has been taken on the specific issue.

F. All actions taken by the Board members shall be in accordance with the Ethics Ordinance of the City of Socorro.

Article 8. Conflicts

To the extent that any of these Bylaws is in conflict with Section 2-176 of the Ordinance, the provisions of these Bylaws shall control.

Article 9. Amendments

The Board, by a majority vote of its regular members may adopt, amend, or rescind these bylaws, after fourteen (14) days notice of the proposed change has been provided each regular and alternate member.

Article 10. Prior Bylaws

These Bylaws supersede and replace any and all prior Bylaws of the Board.

ADOPTED this the ____ day of _____, 2017.

_____, Chair
Eugene Trujillo

_____, Vice-Chair
Ralph Duran

_____, Secretary
Karla Montalvo