

*Elia Garcia*  
Mayor

*Rene Rodriguez*  
At Large

*Cesar Nevarez*  
District 1



*Ralph Duran*  
District 2

*Victor Perez*  
District 3/ Mayor Pro-Tem

*Yvonne Colon-Villalobos*  
District 4

*Adriana Rodarte*  
City Manager

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

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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.

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Notice is hereby given that a regular meeting of the Board of Adjustment of the City of Socorro, Texas will be held **Thursday, August 22, 2019** 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. Reading of the Board of Adjustment Statement.
5. Swearing of all persons giving testimony.
6. Consider and Take Action:  
Approval of meeting minutes for April 25, 2019.
7. Consider and Take Action:  
On the proposed variance request to Ordinance 76 Amendment 1A Section 8(c)(2) related to the minimum required yard setbacks for Lot17, Block 4, Cielo Del Rio Unit II Subdivision at 1149 Cielo Rojo Street for the construction of a storage.
8. Consider and Take Action:  
On the proposed variance request to Municode 46-415(3)(c) setback required from Major Arterial and Section 46-238 (2)(d) rear setback required from a residential zone for Lot 9, Block 1, Marylou Park, at 10835 North Loop Drive from 60' feet to 30' feet along North Loop and from 25' feet to 20' from the residential zone for the construction of a new commercial building.

**EXECUTIVE SESSION**

**REGULAR MEETING AGENDA - CITY OF SOCORRO BOARD OF ADJUSTMENTS**

**August 22, 2019 at 6:00 PM**

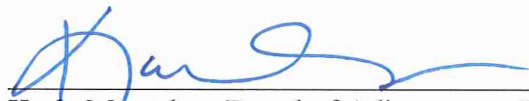
The Board of Adjustments of the City of Socorro may retire into EXECUTIVE SESSION pursuant to Texas Government Code, Section 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the Board of Adjustments of the 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

9. 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 19<sup>th</sup> day of August 2019.



Karla Montalvo, Board of Adjustments Secretary

DATE & TIME POSTED: 8/19/2019 @ 4:39 /BY: kw

Elia Garcia  
Mayor



Karpi Duran  
District 2

Rene Rodriguez  
At Large

Victor Perez  
District 3/ Mayor Pro-Tem

Cesar Nevarez  
District 1

Yvonne Colon-Villalobos  
District 4

CITY OF SOCORRO BOARD OF ADJUSTMENT COMMISSION *Adriana Rodarte*

Regular Meeting Minutes

*City Manager*

April 25, 2019

Members Present	Members Absent	Staff Present	Others Present
Robert Renteria Oscar Gutierrez Eugene Trujillo Rodolfo Cruz Cynthia Gutierrez Juan Castaneda	Miguel Martinez David Oropeza	Job Terrazas Karla Montalvo	

**Items for discussion and action:**

**1. Call to order:**

Mr. Trujillo called the meeting to order at 6:07 p.m.

**2. Establishment of quorum:**

Quorum was established with *six (6)* members present.

**3. Excuse absent commission members:**

*Approved* with all commissioners in favor

**4. Reading of the Board of Adjustment Statement by Eugene Trujillo**

**5. Wearing of all persons giving testimony by Eugene Trujillo**

**6. Consider and Take Action:**

Approval of meeting minutes for April 25, 2019.

Motion to approve made by Robert Renteria, seconded by Eugene Trujillo. *Motion Carried*

**Ayes:** Robert Renteria, Oscar Gutierrez, Eugene Trujillo, Rodolfo Cruz, Cynthia Gutierrez, Juan Castaneda

**Nays:**

**7. Consider and Take Action:**

Consider and Take Action:

On the proposed variance request to Municode Section 46-238(2)(b) related to the minimum required yard setback, for Lot 3, Block 3, Rio Vista Subdivision located at 117 Rio Vista Rd., from 25' feet to 5' feet for an addition.

Owners where advice to contact their city representative to sponsor the idea about changing the ordinance regarding non-conforming structures.

Motion to table for 5 months made by Eugene Trujillo, seconded by Oscar Gutierrez. *Motion Carried*

**Ayes:** Robert Renteria, Oscar Gutierrez, Eugene Trujillo, Rodolfo Cruz, Cynthia Gutierrez, Juan Castaneda

Nays:

8. **Consider and Take Action:**

On the proposed variance request to Municode 46-238(1)(b) related to the area requirement and section 46-626 related to the minimum frontage for Lot 6, Block 16, Bauman Estates Unit Three located at 11351 Hovey Drive for a proposed lot split.

Motion to delete made by Oscar Gutierrez seconded by Robert Renteria. *Motion Carried*

Owner requested for item to be deleted from agenda.

**Ayes:** Robert Renteria, Oscar Gutierrez, Eugene Trujillo, Rodolfo Cruz, Cynthia Gutierrez, Juan Castaneda

**Nays:**

9. **Consider and Take Action:**

On the proposed variance request to Municode Section 46-238(2)(b) related to the minimum required yard setback, for Lot 4, Block 3, Alameda Estates located at 10396 Sandia Way, from 25' feet to 8' feet for the construction of a porch.

A motion to approve made by Eugene Trujillo seconded by Oscar Gutierrez with the condition that car port stays free standing with no modification to the existing building. *Motion Carried*

**Ayes:** Robert Renteria, Oscar Gutierrez, Eugene Trujillo, Rodolfo Cruz, Cynthia Gutierrez, Juan Castaneda

**Nays:**

10. **Consider and Take Action:**

On the proposed variance request to the minimum required yard setbacks for Lot 1, Block 1, Frank Subdivision at 631 Winn Road, from 25' front to 17'- 4" and from 25' rear to 13'-7" for an existing construction.

A motion to approve made by Oscar Gutierrez seconded by Eugene Trujillo. *Motion Carried*

**Ayes:** Robert Renteria, Oscar Gutierrez, Eugene Trujillo, Rodolfo Cruz, Cynthia Gutierrez, Juan Castaneda

**Nays:**

11. **Adjournment.**

A motion to approve made by Oscar Gutierrez seconded by Cynthia Gutierrez. *Motion Carried*

**Ayes:** Robert Renteria, Oscar Gutierrez, Eugene Trujillo, Rodolfo Cruz, Cynthia Gutierrez, Juan Castaneda

**Nays:**

*Elia Garcia*  
Mayor

*Rene Rodriguez*  
At Large

*Cesar Nevarez*  
District 1



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District 2

*Victor Perez*  
District 3  
Mayor Pro-Tem

*Yvonne Colon-Villalobos*  
District 4

*Adriana Rodarte*  
City Manager

**DATE:** August 22, 2019  
**TO:** BOARD OF ADJUSTMENTS  
**FROM:** Job Terrazas, Building Official  
**CC:** Adriana Rodarte, City Manager

**SUBJECT:**

Variance request to Ordinance 76 Amendment 1A Section 8(C)(2) related to the minimum required yard setbacks, for Lot 17, Block 4, Cielo del Rio Unit II Subdivision, at 1149 Cielo Rojo St. from 5' feet to 2' feet for a new building for storage.

**SUMMARY:**

The property matter of this request is about 4000' feet Northwesterly of Horizon Blvd. This property has an estimated area of 6,139 sf. (0.14 ac.). It is owned by Michael & Veronica Juarez

**BACKGROUND:**

There is a home that was built in 2018 according to our records.

**STATEMENT OF THE ISSUE:**

The accessory building setback required distance is 10' feet from the rear of the property. Petitioner is asking for 3' variance to allow them to build closer to the property line and use up the open space required since they have no use for it.

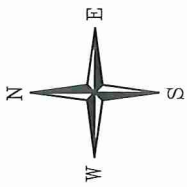
**ALTERNATIVE:**

An alternative is to design a smaller building to comply with the required setbacks or move the proposed structure to fit within the required setbacks.

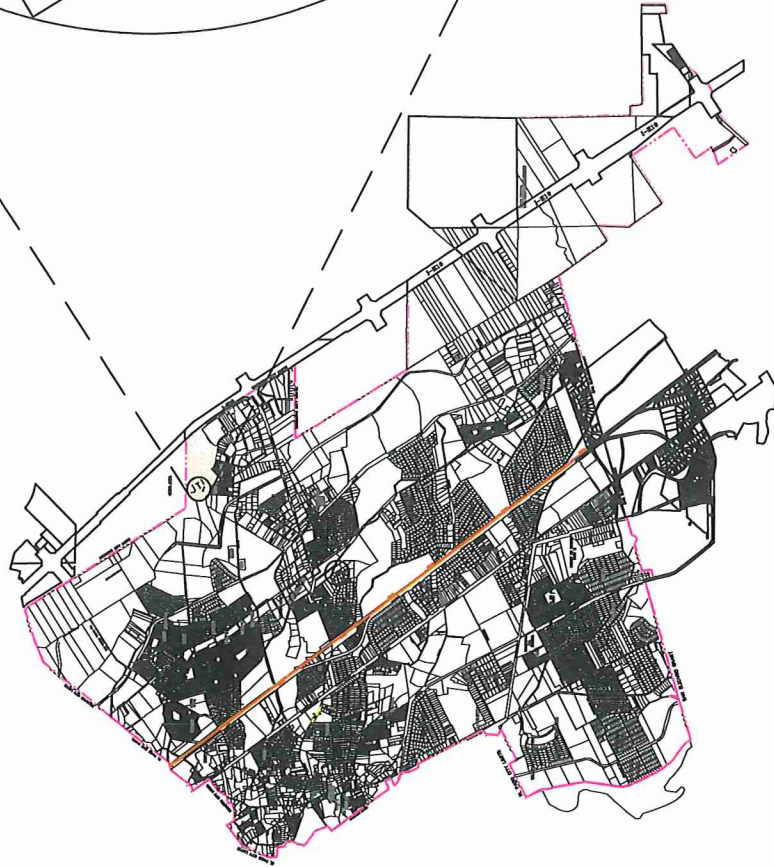
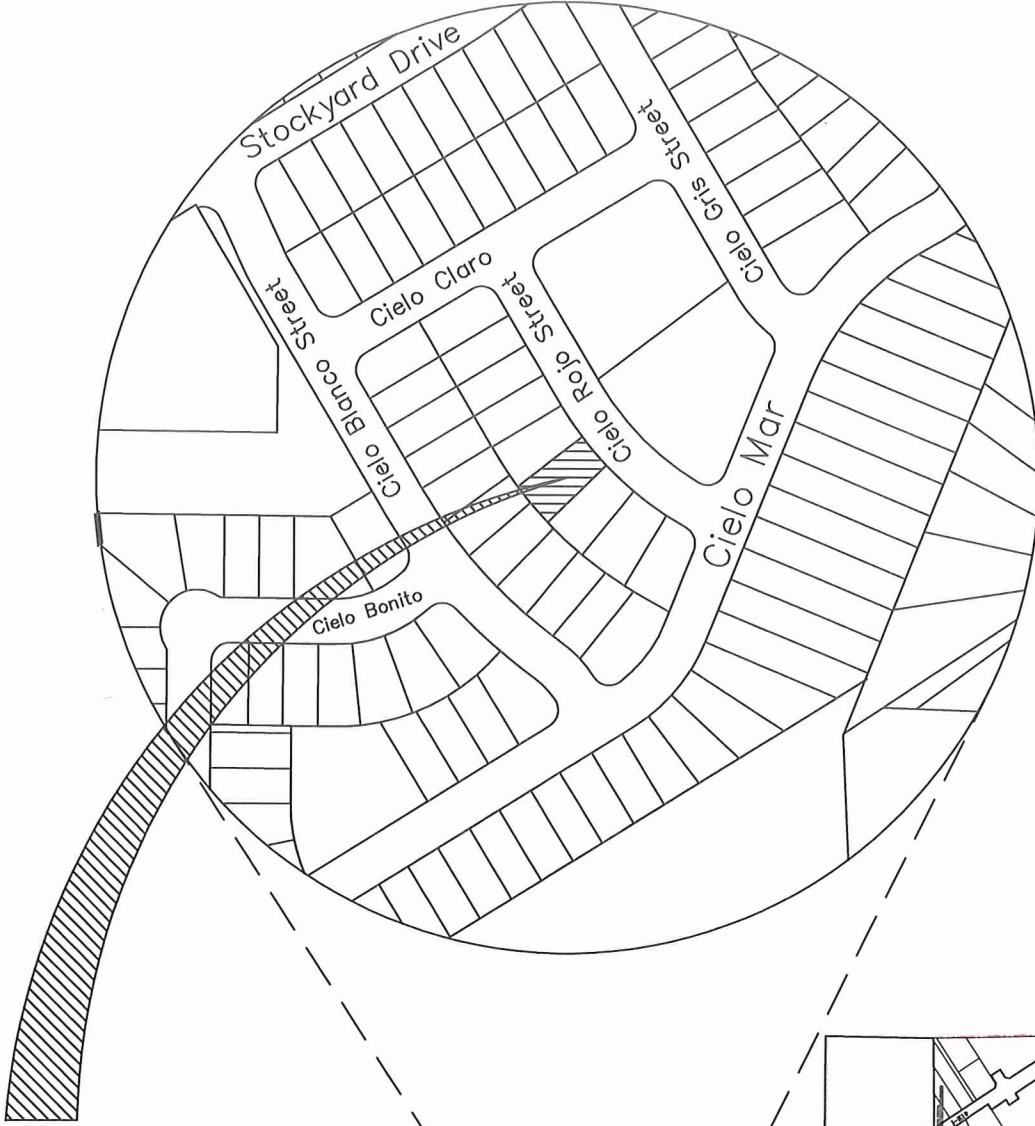
**STAFF RECOMMENDATION:**

The Planning and Zoning Department recommends DENIAL because the following reasons:

1. Contrary to the public interest,
2. Literal enforcement *of* the ordinance will NOT result in unnecessary hardship
3. The spirit *of* the ordinance is NOT observed, and substantial justice is NOT done



PROJECT SITE;  
1149 Cielo Rojo St.  
Lot 17, Block 4  
Cielo Del Rio # 2 Amending

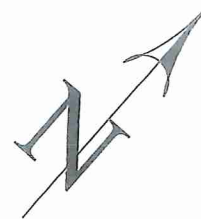
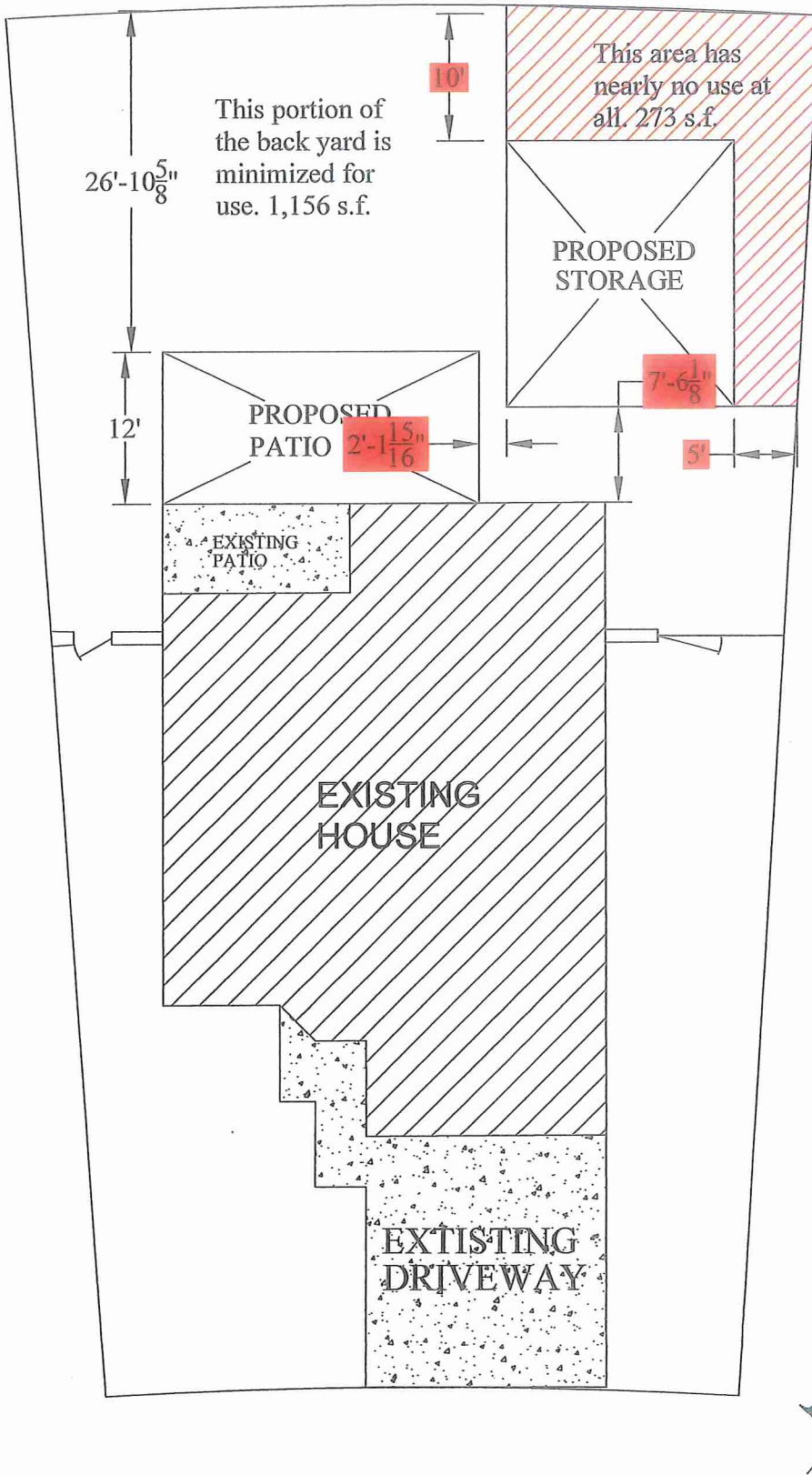


CITY OF SOCORRO

# LOCATION MAP

Scale: AS SHOWN

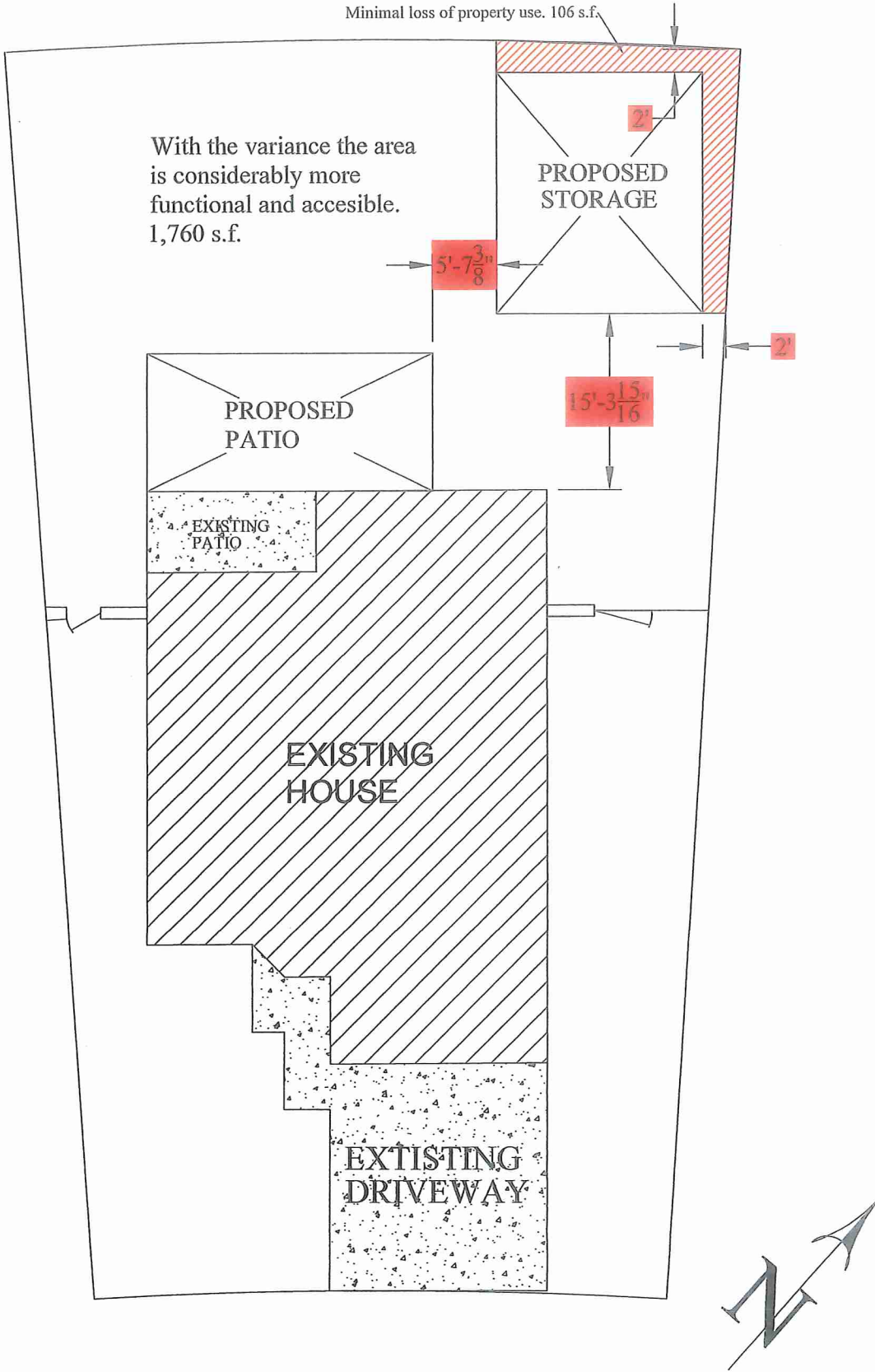




1149 CIELO ROJO ST.

OWNER: Michael & Veronica Juarez	Residential Improvements	Sheet: C.01
ADDRESS: 1149 Cielo Rojo St., Socorro TX 79927	LOT: 17 BLOCK: 4 Unit 2	SCALE: 3/32" = 1'-0"

Minimal loss of property use. 106 s.f.

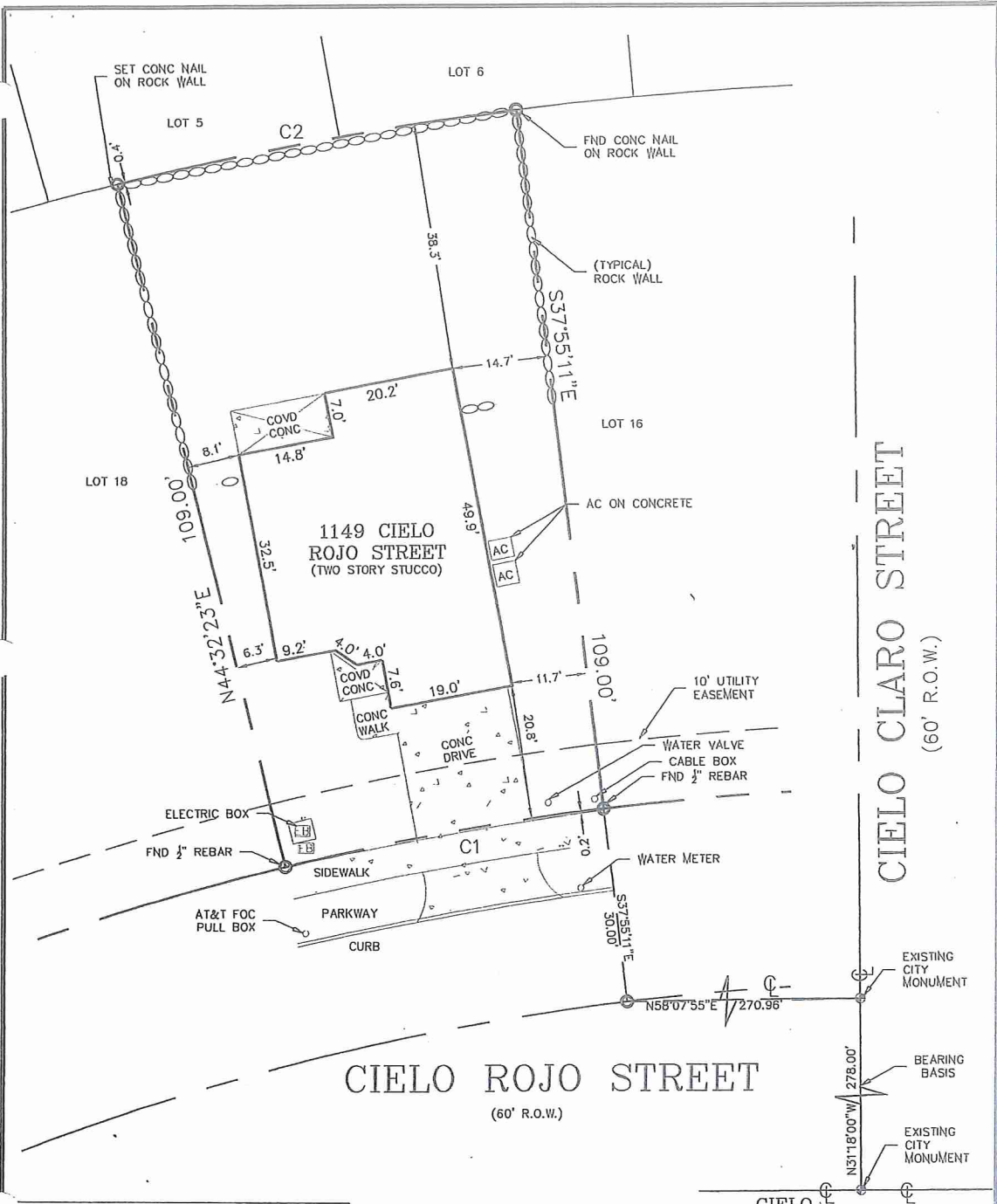


With the variance the area is considerably more functional and accessible. 1,760 s.f.

1149 CIELO ROJO ST.

OWNER: Michael & Veronica Juarez	Residential Improvements	Sheet: C.01
ADDRESS: 1149 Cielo Rojo St., Socorro TX 79927	LOT: 17 BLOCK: 4 Unit 2	SCALE: 3/32"= 1'-0"





CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C1	433.00'	50.03'	50.00'	S48°46'13"W	06°37'11"
C2	542.00'	62.62'	62.59'	N48°46'13"W	06°37'11"

**CERTIFICATION**  
 I HEREBY CERTIFY THAT THE FOREGOING BOUNDARY AND IMPROVEMENT SURVEY WAS MADE BY ME OR UNDER MY SUPERVISION AND THAT THERE ARE NO ENCROACHMENTS EXCEPT AS SHOWN. ONLY PLATTED EASEMENTS ARE SHOWN.

*[Signature]*  
 RON R. CONDE R.P.L.S #5152

JOB # i1018-32	DATE: OCTOBER 25, 2018	FIELD: W.B.	OFFICE: C.C.
LOCATED IN ZONE X	PANEL # 480212-0236B	DATED SEPT. 4, 1991	
RECORDED IN FILE NO. 20170045087, REAL PROPERTY RECORDS OF EL PASO COUNTY, TEXAS			



LOT 17, BLOCK 4  
 CIELO DEL RIO UNIT 2, AMENDING PLAT  
 EL PASO COUNTY, TEXAS

CONDE INC.  
 6080 SURETY SUITE 100  
 EL PASO, TEXAS 79905, FIRM#10078100

SCALE: 1" = 20'

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CADD FILE: S:\SU\10\i101832



CITY OF SOCORRO, TEXAS  
Application for Board of Adjustments

FOR OFFICE USE ONLY

Submittal Date: 08/16/2019  
Case Number: BOA-003  
Fee: 100

Received By: KW  
Receipt Number: 31574

Please type or print

Description of property the following information shall be provided:

Legal Description: Subdivision: CIELO DEL RIO UNIT 2  
Block: 4 Lot/Tract: 17

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

Address of property: 1149 CIELO RIVERO ST.

General location of property: SOUTH OF I-10, ± 1 mile WEST OF HORIZON BLVD.

Please type or print

Owner(s): MICHAEL & VERONICA JUAREZ \* Applicant: \_\_\_\_\_

Address: 1149 CIELO RIVERO ST. Address: \_\_\_\_\_

Phone #: (915) 867-3660 Phone #: \_\_\_\_\_

APPEAL OF AN ADMINISTRATIVE DECISION

(Check appropriate request)

- \* 1.) Variance ( Non Use )
- 2.) Non-Conforming Use or Structure

Existing condition vs proposed condition: 10' REAR PROPERTY OFFSET AND 5'  
SIDE PROPERTY OFF VS. 2' OFF SET REAR AND SIDE  
PROPERTY

In lieu of representing this request myself as owner of the property, I hereby authorize the person designated below to act in 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 the request.

Veronica Juárez  
Printed or Typed Name

Veronica Juárez  
Signature of Owner

JOSE LUIS JIMENEZ  
Printed or Typed Name of Agent

Jose Luis Jimenez  
Signature of Agent

Address of Agent: 12221 KANSASGATE CT. EL PASO, TX

Telephone Number of Agent: (915) 328-4456

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

Veronica Juárez  
Printed or Typed Name

Veronica Juárez  
Signature of Owner

Fee. Non Refundable

860 N. Rio Vista Rd. \* Socorro, Texas\* Office (915) 872-8531

*Elia Garcia*  
Mayor

*Rene Rodriguez*  
At Large

*Cesar Nevarez*  
District 1



*Ralph Duran*  
District 2

*Victor Perez*  
District 3  
Mayor Pro-Tem

*Yvonne Colon-Villalobos*  
District 4

*Adriana Rodarte*  
City Manager

**DATE:** August 22, 2019  
**TO:** BOARD OF ADJUSTMENTS  
**FROM:** Job Terrazas, Building Official  
**CC:** Adriana Rodarte, City Manager

**SUBJECT:**

Variance request to Municode Section 46-415(3)(c) setback required from a Major Arterial and Section 46-238(2)(d) rear setbacks required from a residential zone for Lot 9, Block 1, Mary Lou Park, at 10835 North Loop Dr. from 60' feet to 30' feet along North Loop and from 25' feet to 20' from the residential zone for a new building.

**SUMMARY:**

The property matter of this request is about 600' feet Southeasterly of Horizon Blvd. This property has an estimated area of 9,230 sf. (0.21 ac.). It is owned by Raul R. Dozal.

**BACKGROUND:**

There is a building and a canopy that were built in 2014 according to our records. The subject property was affected by the widening of North Loop. This property can be improved by recording a replat to include the adjacent lot for parking space and the required ponding area.

**STATEMENT OF THE ISSUE:**

Petitioner is asking for 30' variance to allow them to build within the required separation from a major arterial. The setback required is 60' from the front of this property. In addition, the petitioner is asking for a 5' foot variance to reduce the required separation from the rear to 20' feet.

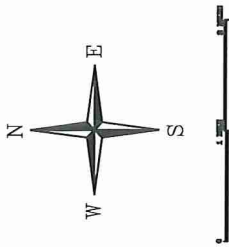
**ALTERNATIVE:**

An alternative is to design a smaller building to comply with the required setbacks or move the proposed structure to fit within the required setbacks.

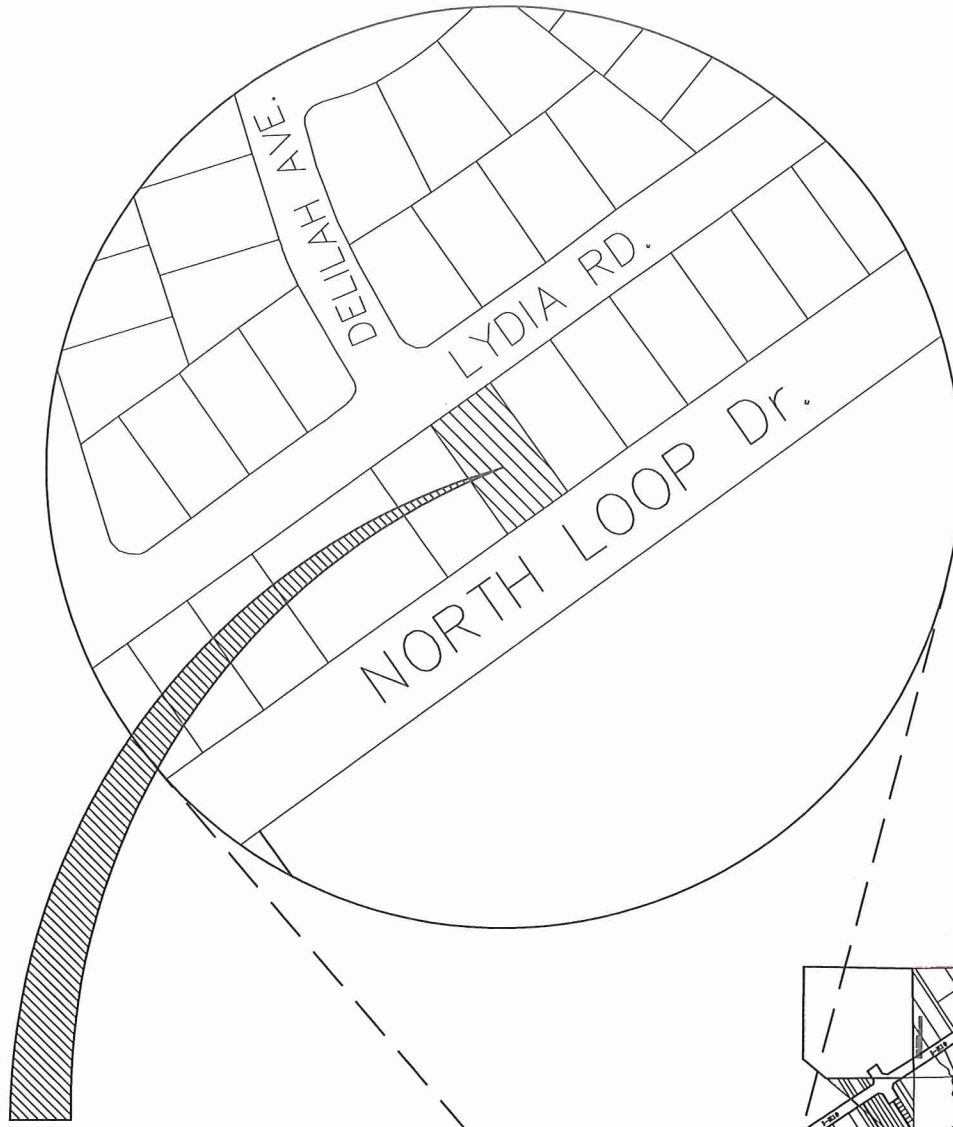
**STAFF RECOMMENDATION:**

The Planning and Zoning Department recommends DENIAL because the following reasons:

1. Contrary to the public interest,
2. Literal enforcement of the ordinance will NOT result in unnecessary hardship,
3. The spirit of the ordinance is NOT observed, and substantial justice is NOT made since the construction has not started.



PROJECT SITE;  
10835 North Loop Dr.  
Lot 9, Block 1  
Mary Lou Park



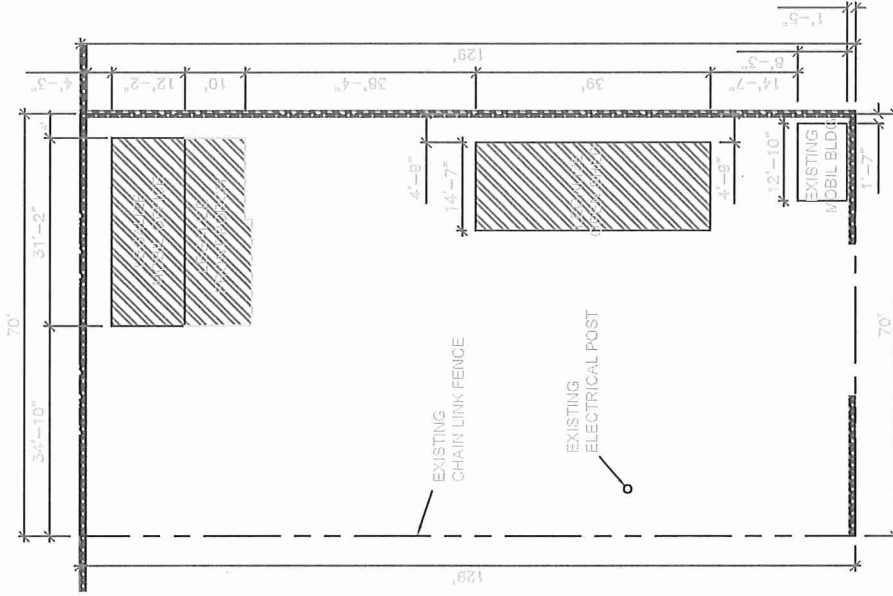
CITY OF SOCORRO

## LOCATION MAP

Scale: AS SHOWN



LIDYA ROAD



NORTH LOOP DRIVE

# CODE DATA

## APPLICABLE CODE

2009 INTERNATIONAL EXISTING BUILDING CODE  
2000 NATIONAL FIRE PROTECTION ASSOCIATION 101 (LIFE SAFETY CODE)

## LEGAL DESCRIPTION

1 MARY LAOU PARK MOBILE HOME ONLY ON LOT 9 1989 BENDIX  
14X66 SERIAL # JB0207A

## ZONING

C-2

## OCCUPANCY

GROUP B - BUSINESS

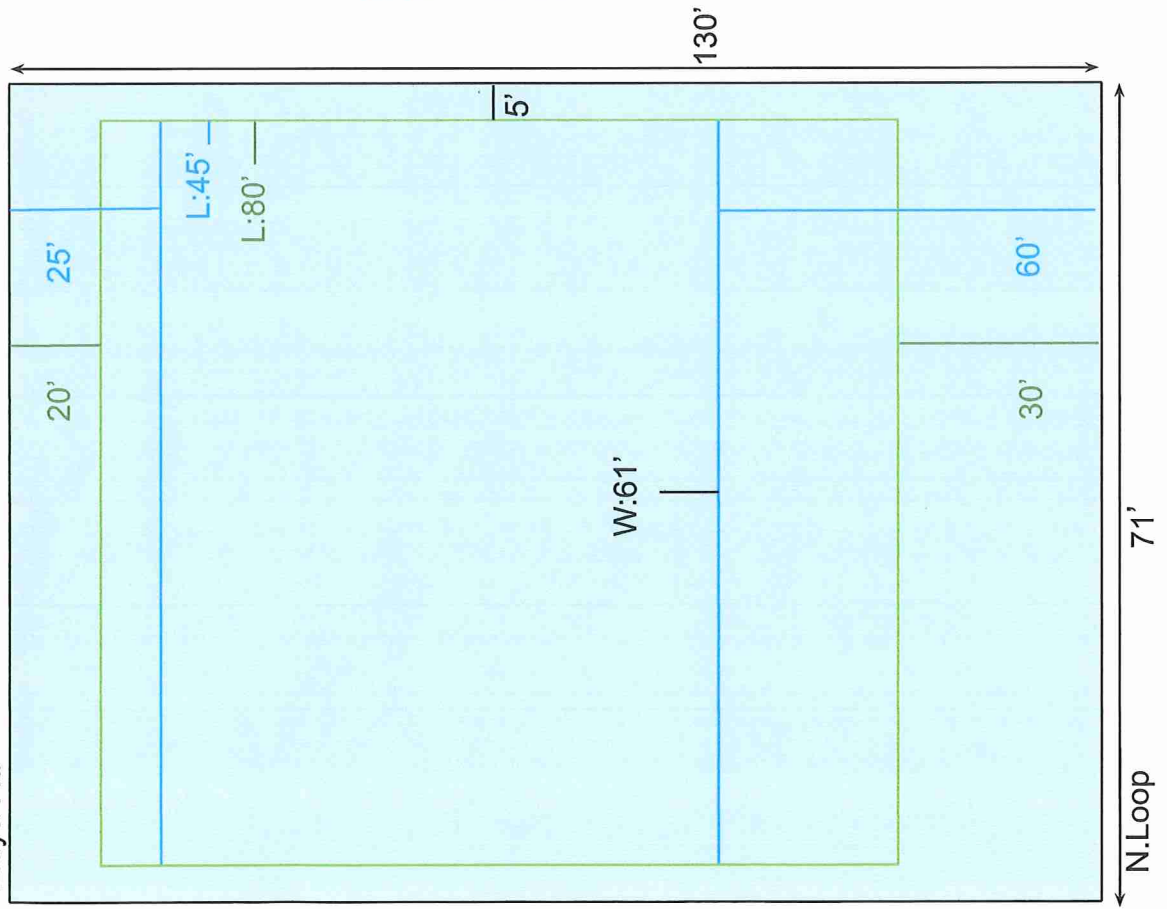


# SITE PLAN

SCALE: 1" = 20'-0"

~~10000~~ N.Loop  
(0835

Lidya Rd



Total Land:  
W:71' L:130 T.Area: 9,230

W/set restrictions:  
W:61' L:45' T.Area: 2,745

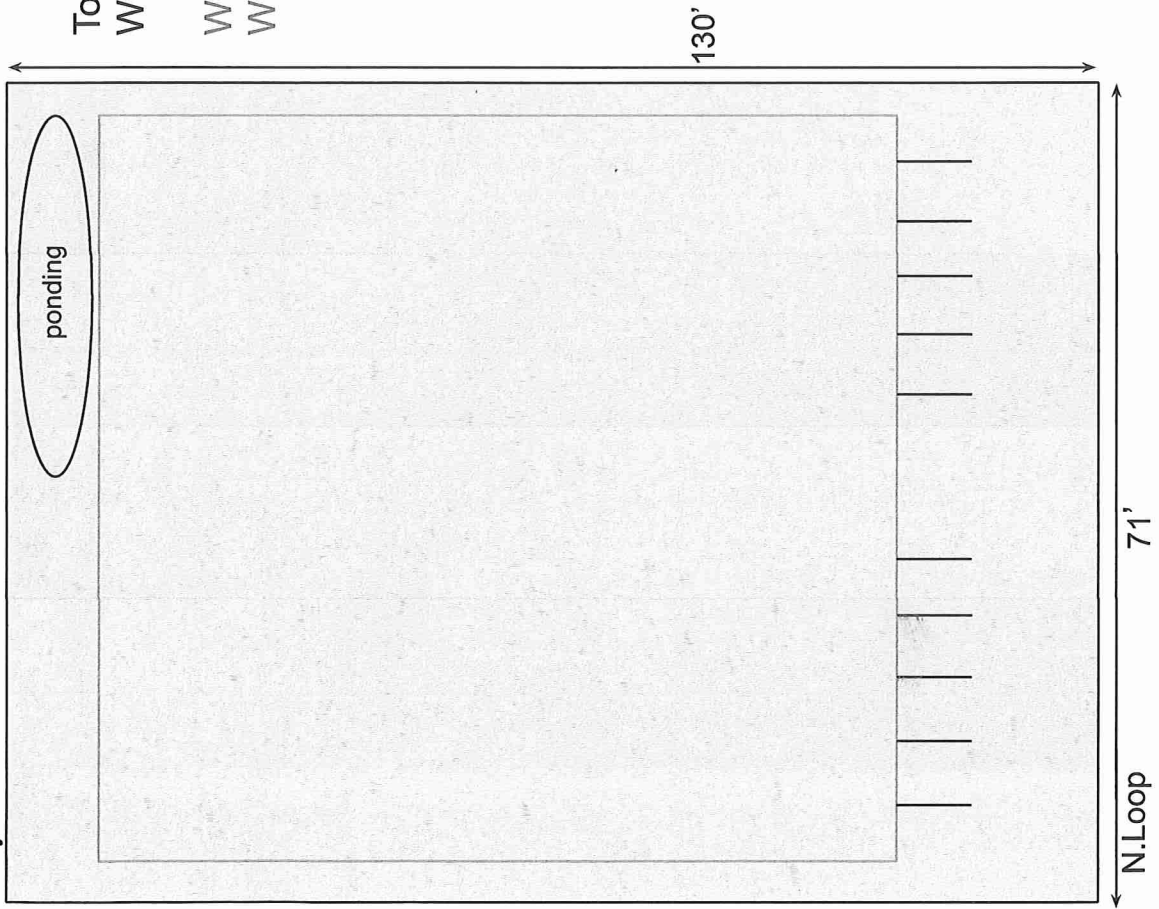
W/proposed restrictions:  
W:61' L:80' T.Area: 4,880

10839 N.Loop  
10835

Total Land:  
W:71' L:130 T.Area: 9,230

W/revised restrictions:  
W:61' L:80' T.Area: 4,880

- 50% of T.area is 4,615. After revised measurements there is only a difference of 265'. Totaling of a 50.5/51% increase.
- After measurements we still have applicable space for parking and pondage area. (not to include street public parking)
- Front entrance can be moved to the left side of the building to optimize parking space.
- Eventual plan is to increase overall size and area by incorporating 10728 N.loop (neighboring plot).
- Back of building has access to Lydia rd, but according to ordinance it cannot be used for public entrance or exit therefore using it other options.





\$200 Commercial

- Bring in before Aug 13.

- meeting is tu 23<sup>rd</sup>  
(Boa)



CITY OF SOCORRO, TEXAS

Application for Board of Adjustments

FOR OFFICE USE ONLY

Submittal Date: \_\_\_\_\_  
Case Number: \_\_\_\_\_  
Fee: \_\_\_\_\_

Received By: \_\_\_\_\_  
Receipt Number: \_\_\_\_\_

Please type or print

Description of property the following information shall be provided:

Legal Description: \_\_\_\_\_  
Subdivision: Mary Lou Park  
Block: 1 Lot/Tract: 9

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

Address of property: 10835 North Loop, Socorro TX 79927

General location of property: \_\_\_\_\_

Please type or print

Owner(s): Raul R. Dozal

Applicant: Raul S. Dozal

Address: 328 Rancho Viejo

Address: 328 Rancho Viejo

Phone #: (915) 540-3095 (call)

Phone #: (915) 328-0715

APPEAL OF AN ADMINISTRATIVE DECISION

(Check appropriate request)

- 1.) Variance ( Non Use ) \_\_\_\_\_
- 2.) Non-Conforming Use or Structure \_\_\_\_\_

Existing condition vs proposed condition: The proposition we intend to make is to change the requirements set by City Ordinance in order to build a larger building. City setback states we must build 60ft from Wiloop and 25ft from Lydia, we would propose to change these to 30ft from Wiloop and 20ft from Lydia Rd.

In lieu of representing this request myself as owner of the property, I hereby authorize the person designated below to act in 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 the request.

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 my authorized agent to be present at the public hearing

Printed or Typed Name

Signature of Owner

Fee, Non Refundable

860 N. Rio Vista Rd. \* Socorro, Texas\* Office (915) 872-8531