

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

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 Adjustment of the City of Socorro, Texas will be held **Thursday, September 26, 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 August 22, 2019.
7. Consider and Take Action:
On the proposed variance request to Ordinance 76 Amendment 1A Section 8.4(e)(2) codified in the City of Socorro's Municode Chapter 46-623, related to the minimum required yard setbacks for an accessory building on Lot 13, Block 11, Valle Del Sol Unit 1 subdivision, located at 10405 Valle Fertil Drive to allow a storage to remain 2.5' feet from the rear and side of property.
8. Consider and Take Action:
On the proposed variance request to Municode Chapter 46-238 (2)(d) related to the minimum required yard setback for Lot 3, Block 3, Rio Vista Subdivision located at 117 Rio Vista Road from 25' feet to 5' feet for an addition.

REGULAR MEETING AGENDA - CITY OF SOCORRO BOARD OF ADJUSTMENTS

September 26, 2019 at 6:00 PM

- 9. Consider and Take Action:
On the appeal to the requirements of the City of Socorro's Municode Chapter 46-631, related to parking spaces required for Idea Public School on Lot 1, Block 1, Rio Vista subdivision located at 210 Rio Vista Road.

- 10. Consider and Take Action:
On the appeal to the requirements of the City of Socorro's Municode Chapter 46-91, related to the required affidavit from an engineer or architect for shade structure built without a building permit on Lot12, Block 15, El Gran Valle located at 11540 Valle Frondoso Road.

EXECUTIVE SESSION

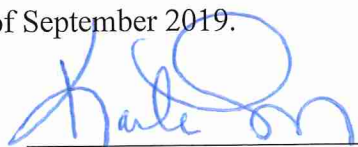
The Board of Adjustments of the City of Socorro may retire into EXECUTIVE SESSION pursuant to Texas Government Code, Section 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the Board of Adjustments of the 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 23th day of September 2019.



Karla Montalvo, Board of Adjustments Secretary

DATE & TIME POSTED: 9/23/19@4:11pm /BY: Ken

Elia Garcia
Mayor



Victor Perez
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
Regular Meeting Minutes

Adriana Rodarte
City Manager

August 22, 2019

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

Items for discussion and action:

1. Call to order:

Mr. Trujillo called the meeting to order at 6:00 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. Swearing 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 Rodolfo Cruz, seconded by Oscar Gutierrez. *Motion Carried*

Ayes: Robert Renteria, Oscar Gutierrez, Eugene Trujillo, Rodolfo Cruz, David Oropeza, Miguel Martinez

Nays:

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.

Motion to deny made by Eugene Trujillo, seconded by Rodolfo Cruz. *Motion Carried*

Ayes: Robert Renteria, Oscar Gutierrez, Eugene Trujillo, Rodolfo Cruz, David Oropeza, Miguel Martinez

Nays:

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.

Motion to deny made by Eugene Trujillo seconded by Robert Renteria. *Motion Failed*

Ayes: Robert Renteria, Oscar Gutierrez, Eugene Trujillo, Rodolfo Cruz, David Oropeza,
Nays: Miguel Martinez

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

Ayes: Robert Renteria, Oscar Gutierrez, Eugene Trujillo, Rodolfo Cruz, David Oropeza, Miguel Martinez
Nays:

9. Adjournment.

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

Ayes: Robert Renteria, Oscar Gutierrez, Eugene Trujillo, Rodolfo Cruz, David Oropeza, Miguel Martinez
Nays:

Elia Garcia
Mayor

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Mayor Pro-Tem

Yvonne Colon-Villalobos
District 4

Adriana Rodarte
City Manager

DATE: September 26, 2019
TO: BOARD OF ADJUSTMENTS
FROM: Job Terrazas, Building Official
CC: Adriana Rodarte, City Manager

SUBJECT:

Variance to Ordinance 76 Amendment 1A, Section 8.4(E)(a) codified in the City of Socorro's Municode Chapter 46-623 related to the minimum required yard setbacks for an accessory building on Lot 13, Block 11, Valle del Sol Unit 1, at 10405 Valle Fertil Dr. to allow a storage to remain 2.5' feet from the rear and the right side of the property.

SUMMARY:

The property matter of this request is about 1,000' feet southwesterly located from North Loop. This property has an estimated area of 5,949 sf. (0.14 ac.). It is owned by Robert and Irma Contreras.

BACKGROUND:

There is a home that was built in 2002 according to the EPCAD records. A storage shed and a porch were built in the rear in 2014. No permits were found for this construction within the City's records.

STATEMENT OF THE ISSUE:

The existing condition of the storage is not in compliance with the required setbacks. The building is 2.5' feet from the rear and the right side of the property. The improvements are in violation of section 46-623 of the City's Municode. The required setbacks under this chapter are 10 feet in the rear and 5 feet on the right side.

Petitioner is asking for a variance to allow the existing storage to remain as built.

ALTERNATIVE:

The only alternative to comply with the setbacks is to cut the storage to remain within the allowed area.

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 does not result in unnecessary hardship.
3. The spirit of the ordinance is not observed, and substantial justice is not made.



City of Socorro

STAND ALONE AND BUILDING APPLICATION

H.L.C. APPROVAL: _____ PERMIT RENEWAL #: _____

BUILDING PERMIT NUMBER: _____

- Applicant's/Contractor's Name: Robert CONTRERAS
- Applicant's/Contractor's Address: 10405 VALLE FERTIL
City: SOCORRO State: TX Zip: 79928
- Phone numbers: 915-667-2907
- Construction/demolition address: 10405 VALLE FERTIL
- Legal description:
Lot: 13 Block: 11 Tract: _____
Subdivision: VALLE DE SOL UNIT ONE
- Name of general contractor: Robert CONTRERAS
- Type of Construction: Home ADDITION
- Zoning: _____ Square footage: 967
- One dwelling per lot: _____ Setbacks: _____ ft. sides/ _____ ft. front & back (initials)
Demolition

10. _____ A copy of the asbestos survey for the area(s) to be renovated/demolished has been included with this permit application. This survey has been prepared in accordance with the Texas Asbestos Health Protection Rules (TAHPR) and the National Emission Standards for Hazardous Air Pollutants (NESHAP), if applicable.

11. If the **Homeowner** pulls the permit, they will be liable for all aspects of the construction to include but not limited to inspection scheduling and/or repairs needed. If the **Contractor** pulls the permit, they will be liable for all aspects of the construction to include but not limited to inspection scheduling and/or repairs needed.

This permit is issued on the express condition that the work allowed shall conform to the statements specified in the building & site plans. All work shall be performed in compliance with the provisions set forth in the ordinances of the City of Socorro, Texas.

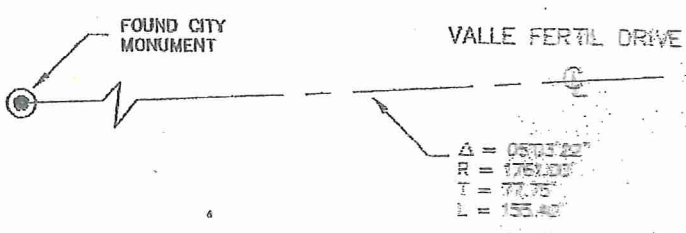
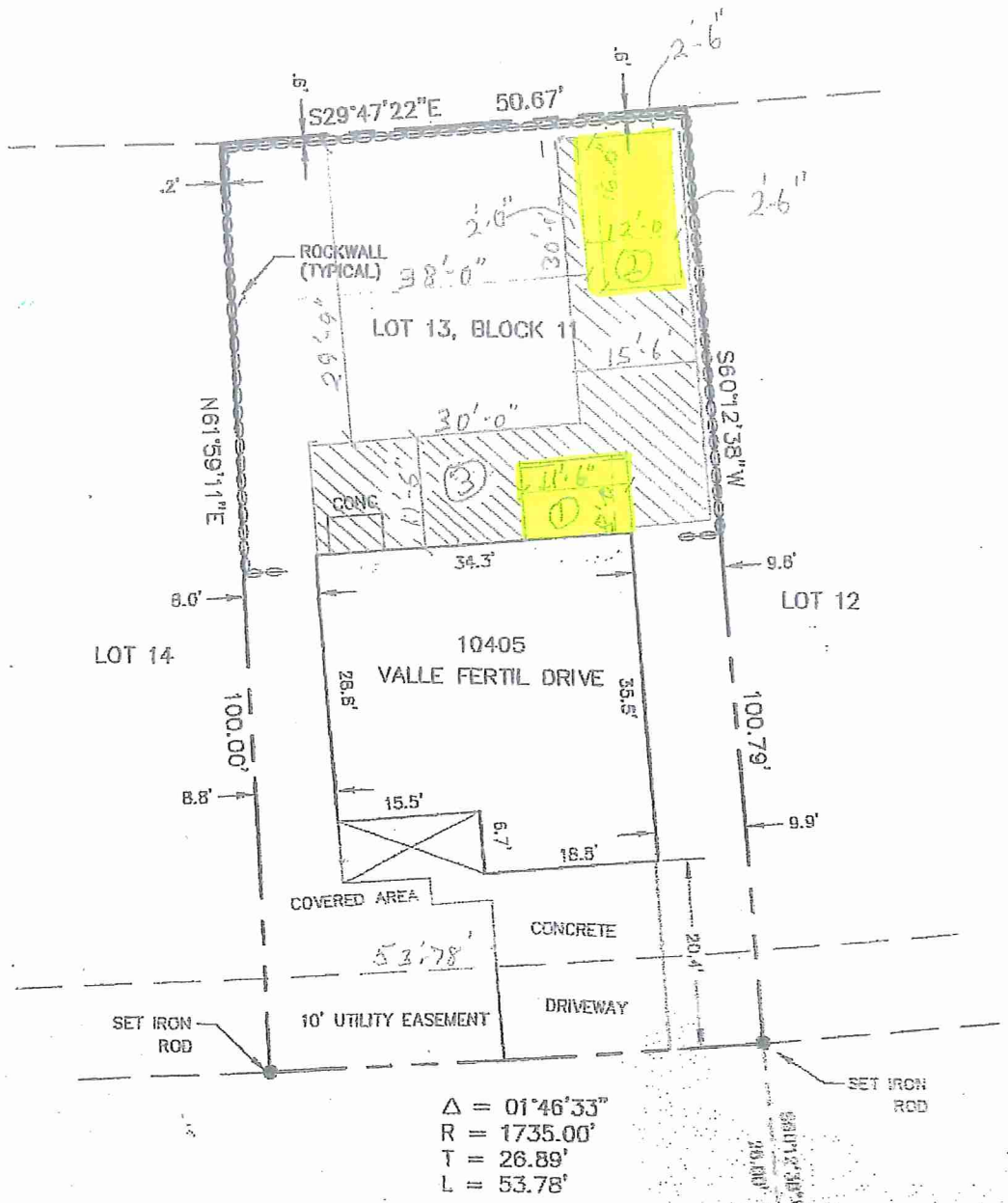
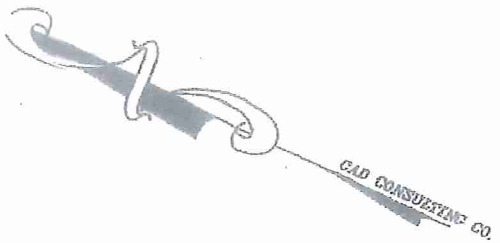
Applicant's Signature

\$ _____
Permit Fee

Planning Department

Date

PERMIT EXPIRES AFTER ONE YEAR FOR COMMERCIAL AND TWO YEARS FOR RESIDENTIAL APPLICATIONS
ALL FEES ARE NON-REFUNDABLE / PERMIT TO BE POSTED ON JOB SITE
FEES ARE NON-REFUNDABLE



2'-0"

30'-0"

8.4 R-3 High Density Residential. The purpose of this zone is to accommodate single family and multi-family dwelling units, to accommodate a maximum density of 30 dwelling units per acre.

A. PERMITTED USES:

- a). Single-family detached dwellings. Only conventional building material listed in the Approved Building Codes will be used for structural and finish materials.
- b). Multi-Family dwellings, including duplexes, townhouses, row houses, and other dwellings with a maximum of 4 attached or detached dwelling units per lot.
- c). Boarding houses, fraternity and sorority houses
- d). Accessory structures and uses including garages, carports, private workshop, greenhouses, home occupations, and other structures that are customarily incidental to the principal structures.
- e). Public park, playground, ballfield;
- f). A private swimming pool is permitted only when a protective fence four (4) feet in height is provided around the yard, lot or pool area. The pool shall be no closer than ten (10) feet from any property line and approval from all utilities is required to insure overhead safety.
- g). Real Estate sales Office in conjunction with a specific development, allowable only as a renewable conditional use for 6 months at a time for a maximum of 3 years. Use shall discontinue upon completion of the development or within three (3) years from the date of original permit, whichever is sooner.

B. CONDITIONAL USES (Requires permit):

- a). 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 (5) feet in height. A stacking lane for autos shall be provided at least fifteen (15) feet in width and a minimum length of twenty seven (27) feet for each ten (10) children of maximum enrollment.
- b). Construction yard or building (temporary use). Such yard or building shall be removed upon the completion of construction or within three (3) years from date of permit, whichever is sooner. All such areas will be enclosed by a fence five (5) feet in height.

- c). Club building 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.
- d). Churches
- e). Community buildings
- f). Cemetery and mausoleums
- g). Halfway houses, assisted living facilities, community homes, group homes, hospices, and nursing homes
- h). Schools (public, private)
- i). A private swimming pool is permitted only when a protective fence four (4) feet in height is provided around the yard, lot or pool area. The pool shall be no closer than ten (10) feet from any property line and approval from all utilities is required to insure overhead safety.
- j). Public and private utility services, excluding sanitary landfills, incinerators, refuse and trash dumps.

C. Area requirements:

1. Minimum lot area: 5,000 square feet; areas with ponding
Minimum lot area: 10,000 square feet areas without public ponding
2. Minimum yard setbacks:
 - a. Front - 10 feet;
 - b. Side, interior - 7 feet,
 - c. Side, street 10 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

E. 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.

- G. 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, do not consume more than 1/3 of the total roof area, and are not intended for human occupancy, may exceed this height.

Sec. 46-623. - Accessory building.

All accessory buildings must comply with the street right-of-way and side lot boundary setbacks, but (subject to the remaining provisions of this chapter) shall be required to observe a ten-foot setback from rear lot boundary lines.

(Ord. No. 76, § 9, 5-1-1989; Ord. of 1-19-1995, § II; Ord. of 11-7-2002, § 9; Ord. of 10-5-2010)



CITY OF SOCORRO, TEXAS
Application for Board of Adjustments

FOR OFFICE USE ONLY

Submittal Date: 9/3/2019

Received By: JT

Case Number: _____

Receipt Number: _____

Fee: 100

Please type or print

Description of property the following information shall be provided:

Legal Description: Subdivision: VALLE DEL SOL UNIT ONE

Block: 11 Lot/Tract: 13

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

Address of property: 10405 VALLE FERTIL DR.

General location of property: 10405 VALLE FERTIL DR.

Please type or print

Owner(s): Robert & IRMA CONTRERAS

Applicant: Robert CONTRERAS

Address: 10405 VALLE FERTIL

Address: 10405 VALLE FERTIL

Phone #: 915-667-2907

Phone #: 915-667-2907

APPEAL OF AN ADMINISTRATIVE DECISION

(Check appropriate request)

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

Existing condition vs proposed condition: VARIANCE TO THE REQUIRED
SIT BACKS FOR R-3 TO ALLOW A BUILDING 2.6 FROM
THE CRAY ROAD RIGHT SIDE

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.

Robert Contreras
Printed or Typed Name

[Signature]
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

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: September 26, 2019
TO: BOARD OF ADJUSTMENTS
FROM: Job Terrazas, Building Official
CC: Adriana Rodarte, City Manager

SUBJECT:

Variance request to Municode Chapter 46-238(2)(d) related to the minimum required yard setback, for Lot 3, Block 3, Rio Vista Subdivision, at 117 Rio Vista Rd. from 25' feet to 5' feet for an addition.

SUMMARY:

The property matter of this request is about 420' feet west of Alameda. This property has an estimated area of 11,718 sf. (0.27 ac.). It is owned by Erica Esparza.

BACKGROUND:

There is a home that was built in 1986 according to the EPCAD records. This petition was presented to the Board of Adjustments April 25, 2019 and was tabled to allow the P&Z Department time to present an amendment to an Ordinance to reduce the required setbacks for all zoning districts. The proposed amendment has not been presented to council.

STATEMENT OF THE ISSUE:

The existing condition of the home is not in compliance with the required setbacks. The building is 7' feet from the rear of the property. Petitioner is asking for 18' variance to connect an existing room to the side of the home.

The proposed improvements are considered a violation of section 46-137(a). This building can't be enlarged, extended, constructed, reconstructed, moved or structurally altered.

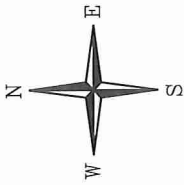
ALTERNATIVE:

The only improvements allowed are to modify the building to comply with the setbacks. Once this condition is met, building permits can be issued for the expansion of the existing structure.

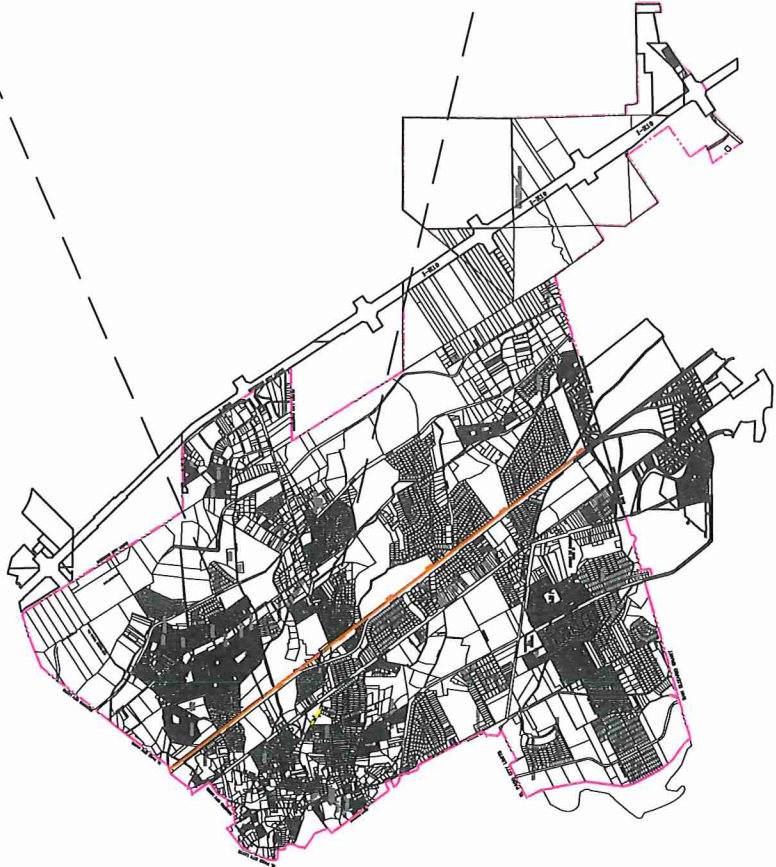
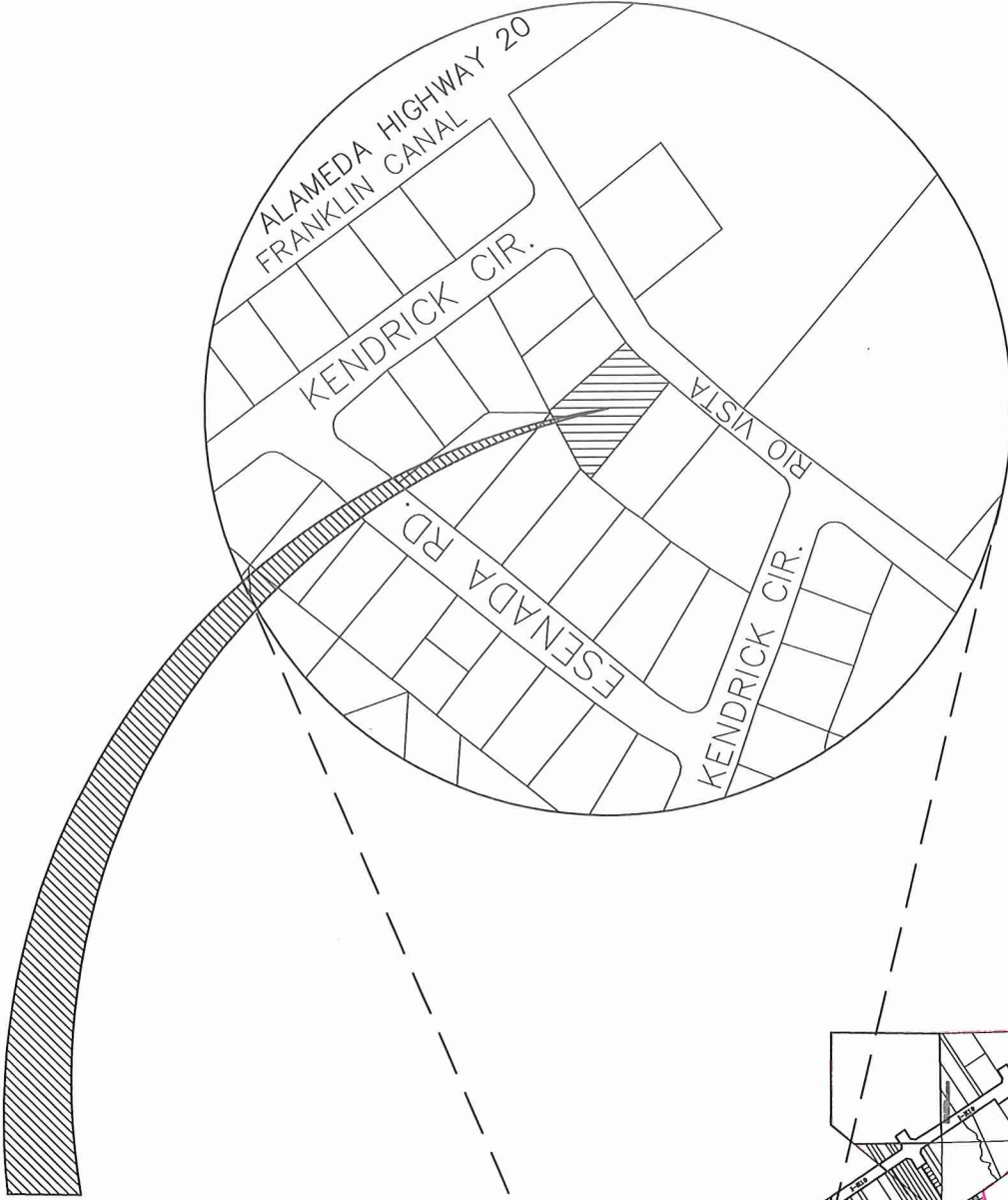
STAFF RECOMMENDATION:

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



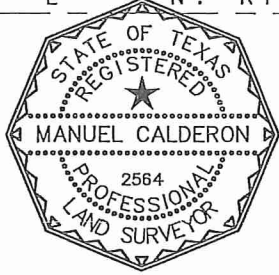
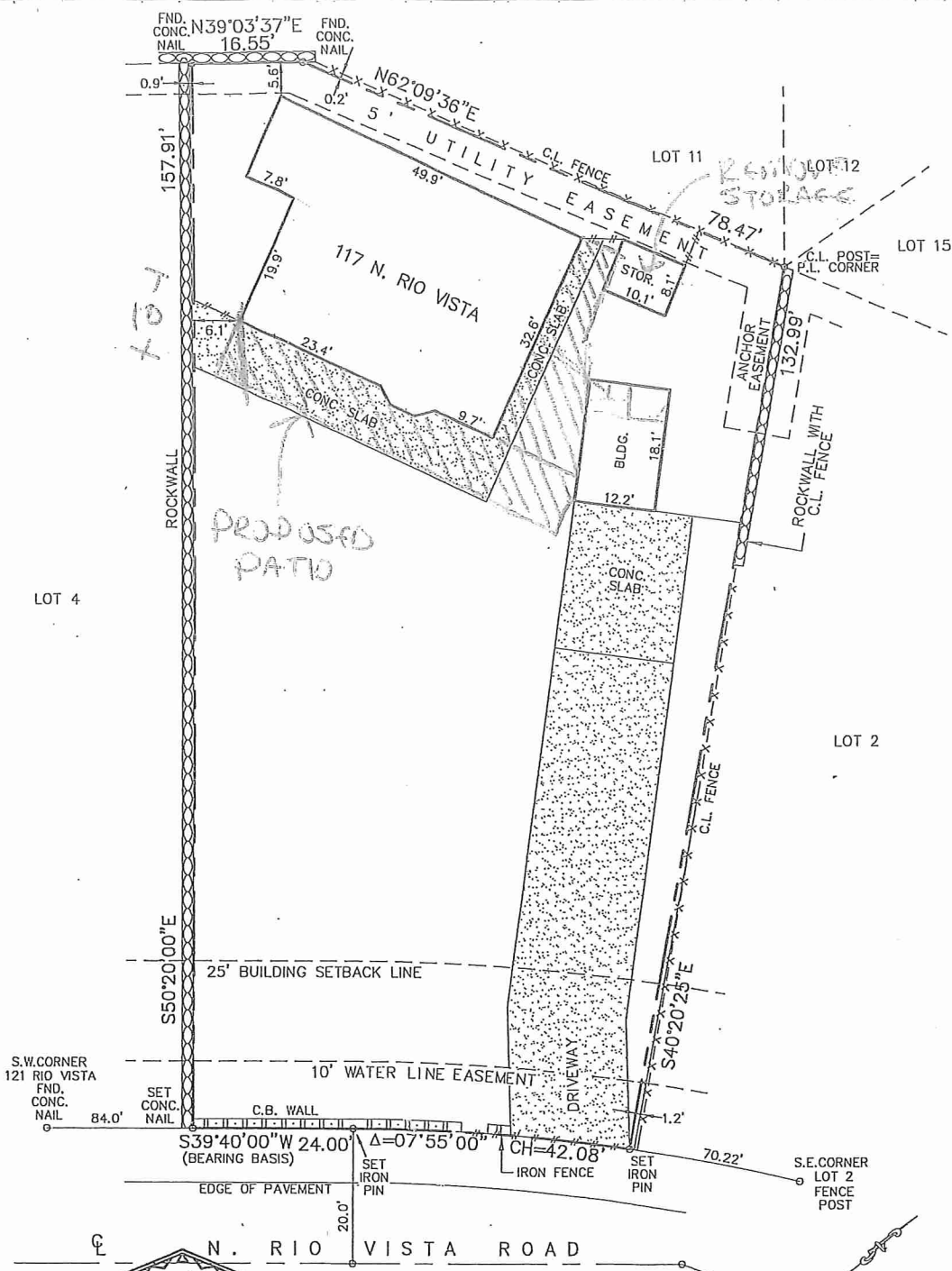
PROJECT SITE;
117 Rio Vista Rd.
Lot 3, Block 3
Rio Vista Subdivision



CITY OF SOCORRO

LOCATION MAP

Scale: AS SHOWN



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.

Manuel Calderon

Manuel Calderon

Registered Professional Land Surveyor No. 2564
 Texas Surveying Firm Reg. No. 100200-00
 Texas Registered Engineering Firm No. F-3788

504-256

E-Mail: CalderonEngineering@elpbizclass.com

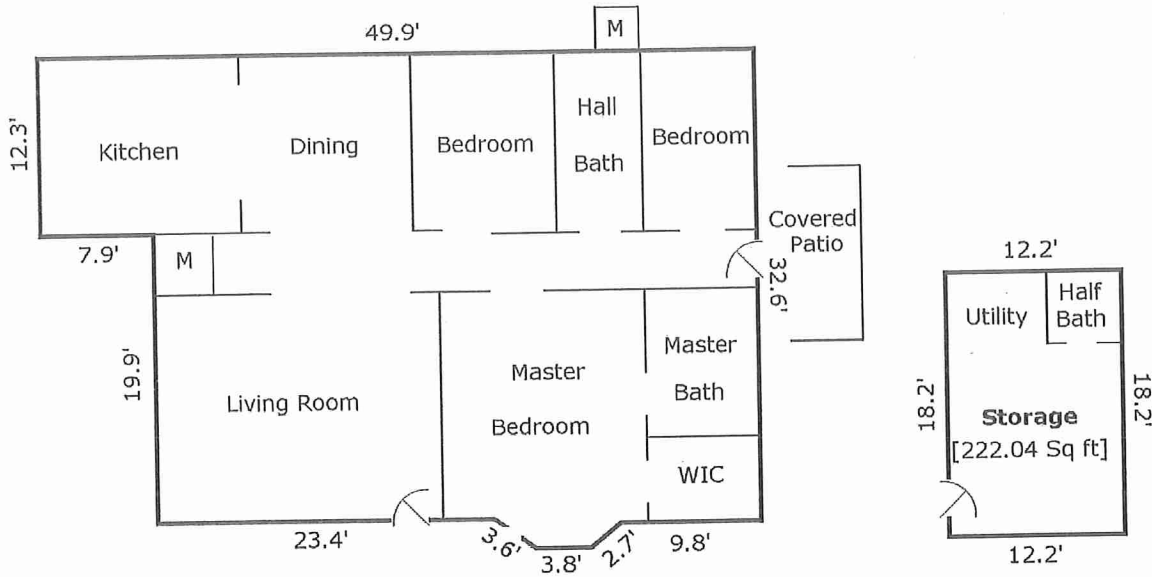
Book 34 Page 24 Job No. 219-26

117 N. RIO VISTA ROAD
 LOT 3, BLOCK 3.
 RIO VISTA ADDITION
 CITY OF SOCORRO
 EL PASO COUNTY, TEXAS

Field BD Office LS-C2 Date 02/06/19 Scale 1"=20'

CALDERON ENGINEERING

3031 TRAWOOD DR.
 EL PASO, TEXAS 79936. (915) 855-7552
 E-Mail: CalderonEngineering@elpbizclass.com

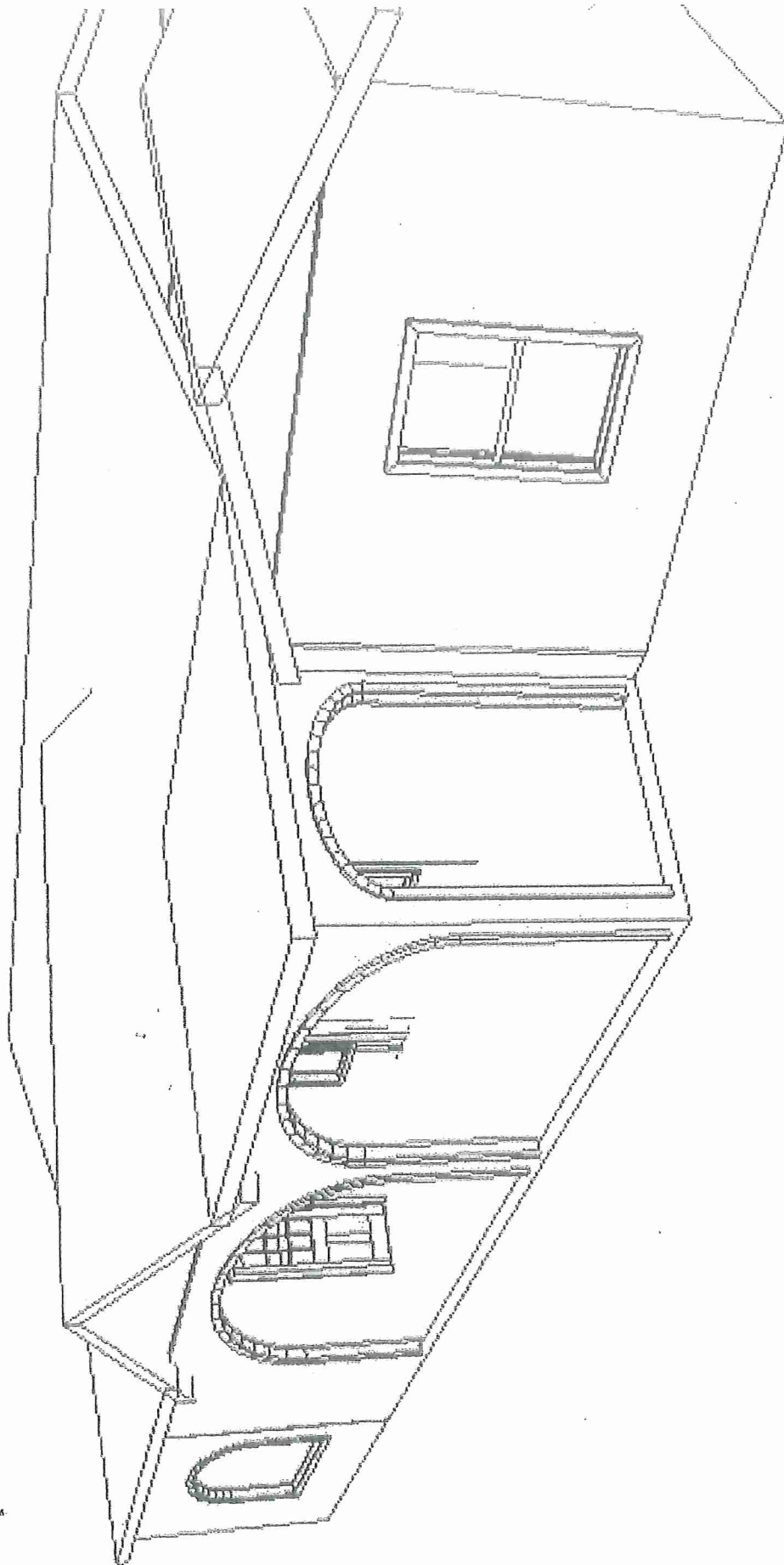


First Floor
[1467.24 Sq ft]

TOTAL Sketch by a la mode, inc.

Area Calculations Summary

		Calculation Details	
Living Area			
First Floor	1467.2 Sq ft	12.3 × 7.9 =	97.2
		42 × 32.2 =	1352.4
		0.4 × 9.8 =	3.9
		0.4 × 2.1 =	0.8
		0.5 × 1.7 × 2.1 =	1.8
		2.1 × 3.8 =	8
		0.5 × 2.1 × 2.9 =	3.1
Total Living Area (Rounded):	1467 Sq ft		
Non-living Area			
Storage	222 Sq ft	18.2 × 12.2 =	222





Removal of existing home

8'-1" x 14'-1"
113 sq ft

41'-8" x 32'-6 15/16"
879 sq ft

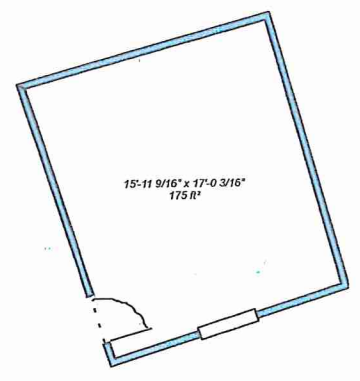
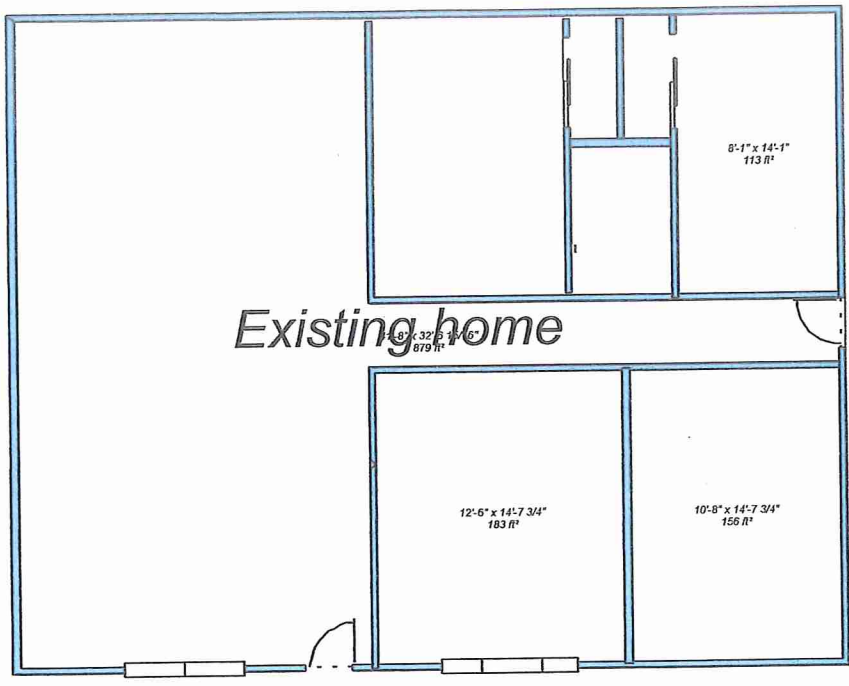
12'-6" x 14'-7 3/4"
183 sq ft

10'-8" x 14'-7 3/4"
155 sq ft

15'-11 9/16" x 17'-0 3/16"
175 sq ft

64'-8 1/4" x 38'-2 15/16"
1394 sq ft

Proposed new addition



EPCAD - Print View for Property 134125

Property

Account

Type:	R	Geo ID:	R5500000030003
Prop ID:	134125	Legal Description:	3 RIO VISTA LOT 3 (11718 SQ FT)
Agent Code:	-	Property Use	-
Property Use Code:	-	Description:	

Location

Address:	117 N RIO VISTA RD SOCORRO, TX
Neighborhood:	-
Neighborhood CD:	NR55016120
Mapsco:	800V
Map ID:	SEA98

Owners

Name:	ESPARZA ERICA
Mailing Address:	117 S RIO VISTA RD EL PASO TX 79927-1641
Owner ID:	1003785
Ownership (%):	100.00
Exemptions	-

Values (2019)

No values are currently available for this property for the selected year.

Taxing Jurisdiction (2019)

No tax information exists for this property for the currently selected year.

Improvements/Building (2019)

Type:	Residential	State Code:	A1
Living Area:	1493.00 sqft	Value:	N/A

Type CD:	Description:	Class CD:	Exterior Wall:	Year Built:	Square Footage:
MA	MAIN AREA	R01+	D	1986	1237.00
M+	ADDITION	*	-	0	256.00
S	STORAGE/UTILITY RM	2	-	0	216.00

Land (2019)

#	Type:	Description:	Acres:	Square Footage:	Eff Front:	Eff Depth:	Market Value:	Prod Value:
1	R550R16120	R550R16120	0.27	11718.90	0.00	0.00	N/A	N/A

Roll Value History

Year:	Improvements:	Land Market:	Ag Valuation:	Appraised:	HS Cap:	Assessed:
2019	N/A	N/A	N/A	N/A	N/A	N/A
2018	\$35,678.00	\$13,242.00	\$0.00	\$48,920.00	\$0.00	\$48,920.00

Sec. 46-137. - Defined; policy, purpose and intent.

- (a) Lots, structures, uses of land and structures and characteristics of use that were lawful before this chapter was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this chapter or future amendment, are nonconforming. It is the intent of this chapter to permit these nonconformities to continue until they are removed, but not to encourage their survival. It is further the intent of this chapter that nonconformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district. It is not the intent of this chapter to authorize, and this chapter shall not be construed to authorize, uses which constitute public or private nuisances or are otherwise prohibited by law or regulations.
- (b) Nonconforming uses are declared by this chapter to be incompatible with, or not within the meaning of, permitted uses in the district in which located a nonconforming use of a structure, a nonconforming use of land, or a nonconforming use of structure and land in combination shall not be extended or enlarged after passage of this chapter by attachment or additions on a building or premises or by placement of additional signs intended to be seen from off premises or by the addition of other uses, of a nature which would not be permitted generally in the district involved.

(Ord. No. 76, § 6(1), 5-1-1989; Ord. of 12-21-1995, § I; Ord. of 11-7-2002, § 6)

DIVISION 3. - R-1 - SINGLE-FAMILY RESIDENTIAL DISTRICT

Sec. 46-235. - Purpose.

The purpose of this zone is for single-family dwelling units and other uses which maintain the low-density residential nature of the district.

(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. 46-236. - Permitted uses.

Permitted uses in this zone shall include:

- (1) One single-family dwelling unit per lot. Only conventional building materials listed in the approved building codes will be used for structural and finish materials.
- (2) Accessory structures and uses including garages, carports, private workshop, greenhouses, home occupations, and other structures that are customarily incidental to the principal structures.

(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; Ord. No. 76, Amd. 1A, Amd. No. 1, § 1, 11-17-2008)

Sec. 46-238. - Area requirements.

Area requirements for this zone shall include:

- (1) Minimum lot area:
 - a. 8,500 square feet [for] areas with ponding.
 - b. 10,000 square feet [for] areas without public ponding.
- (2) Minimum yard setbacks:
 - a. Front: 25 feet;
 - b. Side ([interior]): five feet;
 - c. Side ([exterior]), street: ten feet;
 - d. **Rear: 25 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; Ord. No. 76, Amd. 1A, Amd. No. 1, § 4, 11-17-2008)

Sec. 46-239. - 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. 46-240. - Height requirements.

No building or structure shall exceed 35 feet in height; except, however, accessory objects usually required to be placed above the roof level and 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. 46-241—46-258. - Reserved.

Sec. 46-141. - Continuance of nonconformities.

Until the compliance date, the nonconformity may continue so long as it remains otherwise lawful, subject to the following provisions:

- (1) No existing structure devoted to a use not permitted by this chapter in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.
- (2) Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption of this chapter, but no such use shall be extended to occupy any land outside such building.
- (3) Any structure, or structure and land in combination, in or on which a nonconforming use is superseded by a permitted use shall thereafter conform to the regulations for the district, and the nonconforming use may not thereafter be resumed.
- (4) When a nonconforming use of a structure, or structure and premises in combination, is discontinued or abandoned for six consecutive months or for 18 months during any three-year period (except when government action impedes access to the premises), the structure, or structure and premises in combination, shall not thereafter be used except in conformity with the regulations of the district in which it is located.
- (5) Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land. Destruction for the purpose of this subsection is defined as damage to an extent of more than 50 percent of the replacement cost at time of destruction.

(Ord. No. 76, § 6(4), 5-1-1989; Ord. of 12-21-1995, § I; Ord. of 11-7-2002, § 6)



CITY OF SOCORRO, TEXAS

Application for Board of Adjustments

FOR OFFICE USE ONLY

Submittal Date: 3/19/2019
Case Number: BOA0319-1
Fee: \$100

Received By: Km
Receipt Number: 30653

Please type or print

Description of property the following information shall be provided:

Legal Description: _____
Subdivision: Rio Vista Addition
Block: 3 Lot/Tract: 3

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

Address of property: 117 Rio Vista

General location of property: 117 Rio Vista

Please type or print

Owner(s): Erica Esparza

Applicant: Erica Esparza

Address: 117 Rio Vista

Address: _____

Phone #: (915) 525-4209

Phone #: (497-3100)

APPEAL OF AN ADMINISTRATIVE DECISION

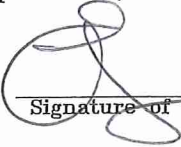
(Check appropriate request)

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

Existing condition vs proposed condition: Home built in 1986
connecting existing room and adding towards the
front of home. Requesting allowance to Rear setback

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.

Erica Esparza
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

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: September 26, 2019
TO: BOARD OF ADJUSTMENTS
FROM: Job Terrazas, Building Official
CC: Adriana Rodarte, City Manager

SUBJECT:

Discussion and Action on the appeal to the requirements of the City of Socorro's Municode Chapter 46-631 related to the parking spaces required for the IDEA School on Lot 1, Block 1, Rio Vista, located at 210 Rio Vista.

SUMMARY:

The property matter of this request is about 1,000' feet northeasterly located from Alameda Ave. This property has an estimated area of 769,269 sf. (17.66 ac.). It is owned by Idea Public Schools.

BACKGROUND:

This property has a school that is being built in two phases. The second phase is currently under construction. The total parking spaces required for the two phases of construction are:

- Phase I = 264 spaces. (There are 136 spaces provided with Phase I)
- Phase II = 290 spaces. (There are still 78 spaces missing for Phase II)

STATEMENT OF THE ISSUE:

Petitioner is asking for a waiver to the additional parking spaces required for this project.

ALTERNATIVE:

N/A

STAFF RECOMMENDATION:

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

1. Literal enforcement of the Ordinance doesn't result in unnecessary hardship. The architect has already provided a plan showing that the parking can be added within the area available.

Conde			City of Socorro		
Phase 1	Amount	Parking required	Phase 1	Amount	Parking required
Classrooms, offices	62	62	Classrooms/offices	56	56
Cafeteria	6016 sf.	30	Cafeteria	6016 sf.	30
Gym	8962 sf.	44	Gym	8962 sf.	44
Library not shown	N/A		Library	3914 sf.	16
Phase II			Phase II		
Classrooms	32	128	Classrooms	36	144
Total parking required		264	Total parking required		290

Sec. 46-631. - Off-street parking requirements.

The following minimum number of off-street parking spaces are required for the following uses in all districts:

- (2) Public and semi-public educational and institutional uses:
 - a. Elementary and junior high schools: one space for each classroom, workshop, laboratory, or office, plus one space per 200 square foot of auditorium, gymnasium, and cafeteria.
 - b. Senior high school: four spaces for each classroom, workshop, laboratory, or office, plus one space per 200 square foot of auditorium, gymnasium, and cafeteria.
- (3) City neighborhood, community buildings: one space per 250 square feet of net leasable area.
- (4) Libraries or museums: one space per 250 square feet of net leasable area.
- (6) Auditoriums: one space per 100 square feet of net leasable area.
- (10) Gymnasiums, stadiums, field houses, grandstands, and related facilities: one space per each four seats or spectator spaces.

(Ord. No. 76, § 9, 5-1-1989; Ord. of 1-19-1995, § II; Ord. of 11-7-2002, § 9; Ord. of 10-5-2010)

Sec. 46-633. - Parking spaces.

(a) Handicapped parking. The minimum number of designated parking spaces are as follows:

Total Spaces in Parking Lot	Minimum Designated Parking Spaces
0—14	0
15—25	1
26—35	2
36—50	3
51—100	4
101—300	8
301—500	12
501—800	16
801—1,000	20
More than 1,000	20 + 3 for each additional 1,000





CITY OF SOCORRO, TEXAS

Application for Board of Adjustments

Submittal Date: 9/11/19
Case Number: _____
Fee: 200

FOR OFFICE USE ONLY

Received By: KW
Receipt Number: 31754

Please type or print

Description of property the following information shall be provided:

Legal Description: Subdivision: Rio Vista School
Block: 1 Lot/Tract: 1

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

Address of property: 210 N. Rio Vista Drive

General location of property: E. of Rio Vista Drive north of Alameda

Please type or print

Owner(s): Idea Public Schools LLC

Applicant: Conde Inc.

Address: 2115 W. Pike Blvd.

Address: 6080 Surety Dr. St. 100

Phone #: 956-377-8000

Phone #: 915-592-0283

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

APPEAL OF AN ADMINISTRATIVE DECISION

(Check appropriate request)

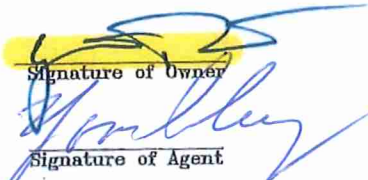
- 1.) Variance (Non Use) X
2.) Non-Conforming Use or Structure

Existing condition vs proposed condition: Variance request Section 46.631 paragraph b,
 Variance request for reduced Offstreet Parking Spaces requirements as required by
 staff count of parking spaces required.

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.

Wyatt Truscheit

Printed or Typed Name


Signature of Owner

Yvonne C. Curry, P.E.

Printed or Typed Name of Agent

Signature of Agent

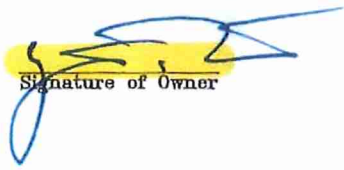
Address of Agent: 6080 Surety Drive, Suite 100, El Paso, TX 79905

Telephone Number of Agent: 915-592-0283

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

Wyatt Truscheit

Printed or Typed Name


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: September 26, 2019
TO: BOARD OF ADJUSTMENTS
FROM: Job Terrazas, Building Official
CC: Adriana Rodarte, City Manager

SUBJECT:

Discussion and Action on the appeal to the requirements of the City of Socorro's Municode Chapter 46-91 related to the affidavit from an engineer or architect required for a shade structure built without a permit on Lot 12, Block 15, El Gran Valle, at 11540 Valle Frondoso Rd.

SUMMARY:

The property matter of this request is about 4,800' feet southwesterly located from Socorro Rd. This property has an estimated area of 21,931 sf. (0.50 ac.). It is owned by Rogelio and Maria Vazquez and represented by Martha Vazquez.

BACKGROUND:

This property has a shade structure that was built in the rear. There are no permits or inspections found related to this property.

STATEMENT OF THE ISSUE:

Petitioner is asking for a waiver of the affidavit required for the shade structure that was built without a permit.

ALTERNATIVE:

The only alternative to comply with the setbacks is to cut the storage to remain within the allowed area.

STAFF RECOMMENDATION:

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

1. Literal enforcement of the aforementioned Ordinance results in unnecessary hardship.
 - a. The reason is because the structure is open from the bottom and can still be inspected for code compliance.

Sec. 46-91. - Architect or engineer's affidavit in lieu of permit.

Structures constructed without permits, required inspections or plans shall require affidavits. The building official may accept a sworn affidavit and plans from a registered architect or engineer stating that the structure conforms to the technical codes for buildings. The affidavit shall state that the plans conform to the laws as to egress, type of construction and general arrangement and shall show the structural designs that conform to strength, stress, strains, loads and stability. The building official may accept such affidavit, provided the architect or engineer who made such affidavit agree to certify all components of the structure already built.

(Ord. No. 76, § 4(2), 5-1-1989; Ord. of 5-2-1993, § II; Ord. of 10-6-1994, §§ II, III; Ord. of 2-2-1997(1), § II; Ord. of 2-4-2000, § II; Ord. of 9-20-2001, §§ II, III; Ord. of 11-7-2002, § 4)

Sec. 46-92. - Application; fees.

- (a) Applications for building permits must be in strict compliance with the provisions of this division.
- (b) All applications for building permits shall be accompanied by plans in triplicate, drawn to scale, showing the actual dimensions and shape of the lot to be built upon, the exact sizes and locations on the lot of all structures already existing, if any, and the location and dimensions of the proposed structure or alteration. The application shall include such other information as lawfully may be required by the building official, including, without limitation:
 - (1) Existing or proposed buildings or alterations;
 - (2) Existing or proposed uses of the building and land;
 - (3) The number of families, housekeeping units, or rental units the building is designed to accommodate;
 - (4) Conditions existing on the lot; and
 - (5) Such other matters as may be necessary to determine compliance with, and provide for the enforcement of, this chapter.
- (c) Permits fees shall be in the amount provided in the city fee schedule. Fees for permits issued shall not be refundable. Waiver of fees may be approved only by action of city council.

(Ord. No. 76, § 4(3), 5-1-1989; Ord. of 5-2-1993, § II; Ord. of 10-6-1994, §§ II, III; Ord. of 2-2-1997(1), § II; Ord. of 2-4-2000, § II; Ord. of 9-20-2001, §§ II, III; Ord. of 11-7-2002, § 4; Ord. No. 467, § 18, 6-6-2019)



City of Socorro

BUILDING OR DEMOLITION APPLICATION BUILDING PERMIT NUMBER: _____

1. Applicant's Name: Maria T. Varquez
2. Applicant's Address: 11540 Valle Fronadoso Rd
3. City: Socorro State: Texas Zip: 79927
4. Phone numbers: 915-490-6361 / 915-706-1095 Martha V.
5. Construction/demolition address: 11540 Valle Fronadoso Rd
5. Legal description:
 Lot: _____ Block: _____ Tract: _____
 Subdivision: _____
6. Name of general contractor: Maria T. Varquez
7. Approximate value of building: \$ _____
8. Building will be used as: Gazebo
9. Zoning: _____ Square footage: _____
10. One dwelling per lot: _____ Setbacks: _____ 5 ft sides/25 ft front & back (initials)

Demolition

11. _____ A copy of the asbestos survey for the area(s) to be renovated/demolished has been included with this permit application. This survey has been prepared in accordance with the Texas Asbestos Health Protection Rules (TAHPR) and the National Emission Standards for Hazardous Air Pollutants (NESHAP), if applicable.

This permit is issued on the express condition that the work allowed shall conform to the statements specified in the building & site plans. All work shall be performed in compliance with the provisions set forth in the ordinances of the City of Socorro, Texas.

Note: The property owner is responsible for verifying all utility easements within their property. Failure to do so could result in permit revocation (if issued) or problems with the affected utility companies. All fees are non-refundable.

Maria T. Varquez
 Applicant's Signature

\$ _____
 Permit Fee

 Planning Department

 Date

All Fees are Non-Refundable

ALL FEES ARE NON-REFUNDABLE / PERMIT TO BE POSTED ON JOB SITE

Permit expires after one year for commercial and residential applications.



CITY OF SOCORRO, TEXAS

Application for Board of Adjustments

FOR OFFICE USE ONLY

Submittal Date: 9/5/19
Case Number: _____
Fee: _____

Received By: _____
Receipt Number: _____

Please type or print

Description of property the following information shall be provided:

Legal Description: _____ Subdivision: _____

Block: _____ Lot/Tract: _____

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

Address of property: 11540 Valle Frondoso Rd

General location of property: _____

Please type or print

Owner(s): Martha Vazquez Applicant: _____

Address: 11540 Valle Frondoso Address: _____

Phone #: 915-490-6361 Phone #: _____
* 915 706-1095 Martha V.

APPEAL OF AN ADMINISTRATIVE DECISION

(Check appropriate request)

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

Existing condition vs proposed condition:

*Variance to section 46-91
Require affidavit for a structure Build
w/out a permit
Waiver of double fee please?*

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