

Ivy Avalos
Mayor

Ruben Reyes
At Large

Cesar Nevarez
District 1



Alejandro Garcia
District 2/ Mayor Pro Tem

Rudy Cruz, Jr.
District 3

Yvonne Colon- Villalobos
District 4

Adriana Rodarte
City Manager

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

THE FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATION FOR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY CLERK'S OFFICE AT (915) 858-2915 FOR FURTHER INFORMATION.

LA INSTALACION ES ACCESIBLE PARA SILLAS DE RUEDAS Y HAY PLAZAS DE ESTACIONAMENTOS DISPONIBLES. LAS SOLICITUDES DE ADAPTACION PARA SERVICIOS DE TRADUCCION DEBEN HACERSE 48 HORAS ANTES DE ESTA REUNION. COMUNIQUESE CON LA OFICINA DEL SECRETARIO DE LA CIUDAD AL (915) 858-2915 PARA OBTENER MAS INFORMACION.

NOTICE IS HEREBY GIVEN THAT A SPECIAL BOARD OF ADJUSTMENT MEETING OF THE CITY OF SOCORRO, TEXAS WILL BE HELD ON THURSDAY THE 26TH, DAY OF JANUARY 2023 AT 6:00 P.M. AT THE CITY HALL CHAMBERS, 860 N. RIO VISTA RD., SOCORRO, TEXAS AT WHICH TIME THE FOLLOWING WILL BE DISCUSSED:

THIS WRITTEN NOTICE, THE MEETING AGENDA, AND THE AGENDA PACKET, ARE POSTED ONLINE AT [HTTP://COSTX.US/BOARD-OF- ADJUSTMENTS/](http://costx.us/board-of-adjustments/)

THE PUBLIC MUST CALL IN 844-854-2222 ACCESS CODE 579797 BY 5:30 PM MOUNTAIN STANDARD TIME (MST) ON JANUARY 26TH, 2023, TO SIGN UP FOR PUBLIC COMMENT AND THE AGENDA ITEM THEY WISH TO COMMENT ON. THE PUBLIC THAT SIGNED UP TO SPEAK WILL BE CALLED UPON BY THE PRESIDING OFFICER DURING THE MEETING.

Notice is hereby given that a regular meeting of the Board of Adjustment of the City of Socorro, Texas will be held **January 26th, 2023**, at 6:00 p.m. at Council Chambers, 860 N. Rio Vista, Socorro, Texas at which time the following will be discussed:

1. Call to order.
2. Establishment of quorum.

**REGULAR MEETING AGENDA- CITY OF SOCORRO BOARD OF ADJUSTMENTS
JANUARY 26TH, 2023, at 6:00 PM**

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:
On the Approval of meeting minutes for JULY 29, 2021.
7. Consider and Take Action:
On the proposed variance request to Municode Chapter 46-293(2)D related to the minimum rear setback required on 10714 Shady Valley, Socorro Texas, 79927.
8. Consider and Take Action:
On the proposed variance request to Municode Chapter 46-293(2)D related to the minimum side setback required on 10425 Ethyl Hart, Socorro Texas, 79927.
9. Consider and Take Action:
On the proposed variance request to Municode Chapter 46-293(2)D related to the minimum side and rear setback required on 11661 Yamaha Dr., Socorro Texas, 79927.
10. Consider and Take Action:
On the Election of officers for Board of Adjustment.
11. Consider and Take Action:
On the Bylaws of the Board of Adjustment Commission.
12. Consider and Take Action:
On the 2023 Meeting Calendar.

EXECUTIVE SESSION

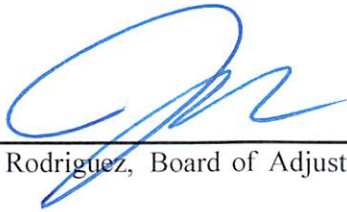
The Board of Adjustments of the City of Socorro may retire into EXECUTIVE SESSION pursuant to Texas Government Code, Section 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the Board of Adjustments of the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

13. 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 January 23, 2023.



Judith Rodriguez, Board of Adjustments Secretary

DATE & TIME POSTED: 1/23/23 3pm /BY: JR

Ivy Avalos
Mayor

Ruben Reyes
At Large

Cesar Nevarez
District 1



Alejandro Garcia
District 2/ Mayor Pro-Tem

Rudy Cruz, JR.
District 3

Yvonne Colon-Villalobos
District 4

Adriana Rodarte
City Manager

CITY OF SOCORRO BOARD OF ADJUSTMENT
Regular Meeting Minutes
July 29, 2021

Members Present	Members Absent	Staff Present	Others Present
Jorge Dominguez Robert Renteria David Oropeza Jesus Miguel Chaidez Eugene Trujillo Jasmin Mendoza Emanuel Nevarez Ben Arras	None	Judith Rodriguez Eunice Marquez Anthony Sida Diana Rodriguez Carlos Gallinar	Merwan Bhatti

Items for discussion and action:

- 1. Call to order:**
Mr. Trujillo called the meeting to order at 6:12 p.m.
- 2. Establishment of quorum:**
Quorum was established with *eight (8)* members present.
- 3. Excuse absent commission members:**
There was nobody absent.
- 4. Reading of the Board of Adjustment Statement.**
Eugene Trujillo (chairperson) read the statement out loud.
- 5. Swearing of all persons giving testimony.**
All Applicants were sworn in.
- 6. Consider and Take Action:**
Approval of meeting minutes for February 25,2021.

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

Ayes: Ben Arras, Jesus Miguel Chaidez, David Oropeza, Jorge Dominguez, Roberto Renteria, Jasmin Mendoza, Eugene Trujillo, and Emanuel Nevarez.

Nays: None

7. **Consider and Take Action:**
On the proposed variance request to Municode Chapter 46-236(7)(a) related to the type and age of mobile homes allowed in Lot 6, Block 11, El Gran Valle, at 11551 Riverside Rd. to allow the installation of a 2011 double-mobile home.
- Speaker:** Ms. Lydia Bueno
- Motion to *deny* by Eugene Trujillo, seconded by Roberto Renteria. *Motion carried.*
- Ayes:** David Oropeza, Roberto Renteria, Jasmin Mendoza, Eugene Trujillo, and Emanuel Nevarez.
Nays: Ben Arras, Jesus Miguel Chaidez, and Jorge Dominguez.
8. **Consider and Take Action:**
On the proposed variance request to Municode Chapter 46-238(2)(d) related to the rear property setbacks required for Lot 13, Block 2, Socorro Village, at 744 Ortiz Ln. to allow an addition.
- Speaker:** Julian Urbina
- Motion to *deny* made by Ben Arras, seconded by Roberto Renteria. *Motion carried.*
- Ayes:** Ben Arras, Jesus Miguel Chaidez, David Oropeza, Jorge Dominguez, Roberto Renteria, Jasmin Mendoza, Eugene Trujillo, and Emanuel Nevarez.
Nays: None
9. **Consider and Take Action:**
On the proposed variance request to Ordinance 76, Amendment 1A, Amendment 1, Section 3 Area Requirements (2)(b) related to the side property setbacks required for Tract 5C12 & 6D1, Block 27, Socorro Grant, at 420 Figueroa to allow existing horse stalls to remain as built.
- Speaker:** Elizabeth Morales
- Motion to *deny* by Jasmin Mendoza, seconded by David Oropeza. *Motion carried.*
- Ayes:** Ben Arras, Jesus Miguel Chaidez, David Oropeza, Jorge Dominguez, Roberto Renteria, Jasmin Mendoza, and Emanuel Nevarez.
Nays: None
10. **Consider and Take Action:**
On the proposed variance request to Municode Chapter 46-236(7)(a) related to the age of mobile homes allowed in Lot 2, Block 8, El Gran Valle, at 11611 Valle Bonito Rd. to allow an existing 2003 mobile home to remain installed.
- Speaker:** Daniel Lopez
- Motion to *deny* by Jasmin Mendoza, seconded by Roberto Renteria. *Motion carried.*
- Ayes:** Ben Arras, Jesus Miguel Chaidez, David Oropeza, Jorge Dominguez, Roberto Renteria, Jasmin Mendoza, Eugene Trujillo, and Emanuel Nevarez.
Nays: None

11. Consider and Take Action:

On the proposed variance request to Municode Chapter 46-238(2)(c) related to the property setbacks required for Lot 22, Block 3, Hillcrest Manor & Tract 4C6D, Block 3, Socorro Grant, at 901 Horizon Blvd. to allow an accessory structure to remain in the existing location.

Speaker: Carlos Lazo

Motion to *deny* made by Roberto Renteria, seconded by David Oropeza. *Motion carried.*

Ayes: Ben Arras, Jesus Miguel Chaidez, David Oropeza, Jorge Dominguez, Roberto Renteria, Jasmin Mendoza, Eugene Trujillo, and Emanuel Nevarez.

Nays: None

12. Consider and Take Action:

On the proposed variance request to Municode Chapter 46-415(3)C and 46-238(3)C related to the minimum front setback required on Tract 13A1E, Socorro Grant, Block 8.

Speaker: Conrad Conde

Motion to *deny* made by Jasmin Mendoza, seconded by Eugene Trujillo. *Motion carried.*

Ayes: Ben Arras, Jesus Miguel Chaidez, David Oropeza, Jorge Dominguez, Roberto Renteria, Jasmin Mendoza, Eugene Trujillo, and Emanuel Nevarez.

Nays: None

13. Adjournment:

A motion to *adjourn at 7:21 p.m.* made by David Oropeza, seconded by Eugene Trujillo. *Motion Carried*

Ayes: Ben Arras, Jesus Miguel Chaidez, David Oropeza, Jorge Dominguez, Roberto Renteria, Jasmin Mendoza, Eugene Trujillo, and Emanuel Nevarez.

Nays: None

_____, 1st Vice Chairman
Robert Renteria

_____, 2nd Vice Chairman
David Oropeza

_____, Secretary
Judith Rodriguez



**CITY OF SOCORRO
BOARD OF ADJUSTMENT
MEETING DATE: January 26, 2023**

**VARIANCE REQUEST TO THE REAR YARD
SETBACK
STAFF REPORT**

SUBJECT:

VARIANCE REQUEST TO ALLOW A REDUCTION IN THE REAR YARD SETBACK.

PROPERTY ADDRESS: 10714 Shady Valley

SUMMARY:

Property located at 10714 Shady Valley. The applicant is requesting a variance from the required rear yard setback. The code requires 15' setback. The applicant is requesting a variance to allow a 12'8" setback.

BACKGROUND:

The property contains a single family house. It is a 5,000 SQFT lot in an R-3 zoning district. The rear setback contains an encroachment from an addition to the house. Applicant bought the house with the addition. She bought the house in March 2017. Central Appraisal Districts records show the addition built in 2004.

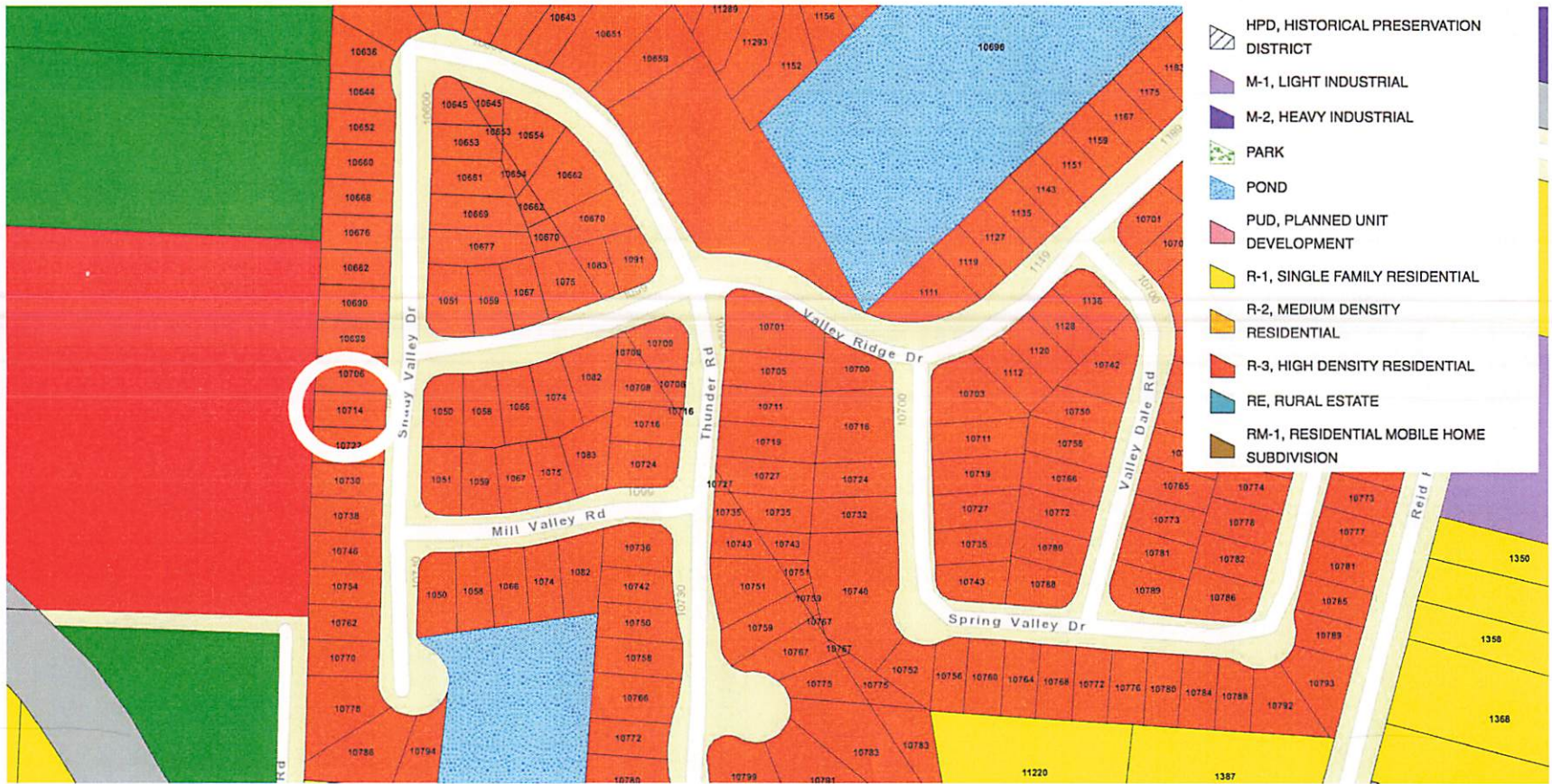
STATEMENT OF THE ISSUE:

The R-3 zoning district requires a 15' rear setback. The house addition encroaches onto the 15' setback. Applicant is seeking to remedy the encroachment through the Board of Adjustments.

ALTERNATIVE:

The alternative is for the applicant to tear down the structure.

ZONING MAP



SITE PICTURE

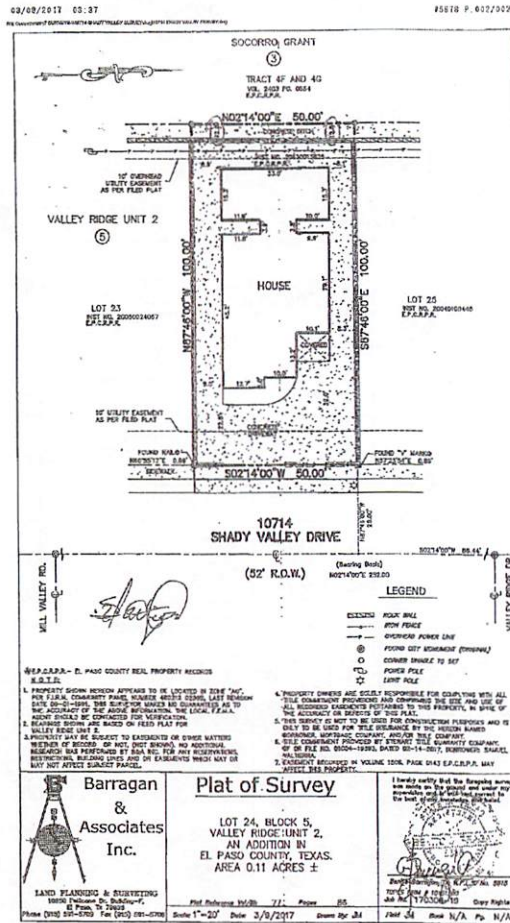


DOCUMENTATION

Improvements/Building (2021)

Type: Residential State Code: A1 Living Area: 1867.00 sqft Value: \$105,332.00

Type CD:	Description:	Class CD:	Exterior Wall:	Year Built:	Square Footage:
O	OPEN PORCH	.	-	2004	80.00
MA	MAIN AREA	R2	%W	2004	1328.00
M-	ADDITION (NO HEAT OR AIR)	.	-	2004	539.00



R-3-20
 19-12
 19-10
 07-11

APPLICATION



BOARD OF ADJUSTMENT APPLICATION

APPEAL SPECIAL EXCEPTION VARIANCE TODAY'S DATE: _____

****CONTACT INFORMATION****

PROPERTY LOCATION*: 10714 Shady Valley Socorro TX 79927

Subdivision: _____ (Street address) Lot: _____ Block: _____

*Application not applicable in the ETJ (Extra Territorial Jurisdiction)

Property Owner: _____ (Name) _____ (Address) _____ (City, State, & Zip Code)

_____ (Email) _____ (Phone)

Property Owner is giving Hilda L. Valtierra authority to represent him/her at meeting.
(Applicant Name)

Property Owner Printed Name: Samuel Valtierra Property Owner Signature: _____

Applicant: Samuel Valtierra 10714 Shady Valley Socorro TX 79927
(Name) (Address) (City, State, & Zip Code)
hvertacarla85@gmail.com (940) 205 7172
(Email) (Phone)

****REQUEST****

Please list types requested:

Description	Ordinance Requirements	Requested Dimensions	Variance from Ordinance
Lot Size			
Lot Width			
Lot Depth			
Side Yard			
Side Yard			
Side at Corner			
Front Yard			
Rear Yard	20'	12' 8"	7' - 4"
Driveway			
Other			

PLEASE DESCRIBE THE REASON(S) YOU ARE REQUESTING TO BE HEARD BY THE BOARD OF ADJUSTMENT. YOU MAY ATTACH ADDITIONAL INFORMATION TO SUPPORT YOUR REQUEST.

REASON FOR PETITION: En el mes de marzo de 2017 realice la compra de mi casa en el domicilio 10714 Shady Valley, en Socorro Tx, en el mes de noviembre de 2020 me llego una carta donde se me notificaba que el cuarto de la parte de atras de la casa no tenia permiso de construccion, por lo cual debia buscar la manera de arreglar dicha situacion, no poseo los recursos economicos para hacer esas arreglos y por otro lado mi salud no me permite estar de un lado para otro, mi ex marido da los pagos de la casa pero es toda la ayuda que poseo que ^{si hubiese pedido} la casa tenia ese problema ~~pero~~ hubiese pedido

APPLICATION

WILL THIS REQUEST SERVE A PUBLIC INTEREST?

No es interes público

WILL LITERAL ENFORCEMENT OF THE CODE CREATE A HARDSHIP?

Si, porque no tengo recursos para solventar un gasto extra tan grande como la demolición de una habitación

* DOES THIS REQUEST MEET THE SPIRIT OF THE CODE?

no se cumple con el código pero necesito que se me apruebe esta variante

* WILL SUBSTANTIAL JUSTICE BE MADE WITH THIS REQUEST?

La verdad que yo compre la casa así como esta nunca me imagine que tenía este problema de construcción puesta que supuestamente todo estaba en regla y el banco aprobó

Items Submitted: Completed application and fee Plot/Site Plan or Survey drawn to scale

I hereby certify that the above statements are true and correct to the best of my knowledge.

Property Owner Signature (If different from Applicant)

Applicant's Signature

STATE OF TEXAS

COUNTY OF El Paso

Subscribed and sworn to before me this 6th day of August 20 21

(seal)



Notary Public

My Commission expires: 03/21/2025

NOTICE:

This application can be made available upon request. Requests can be made by calling (915) 872-8531 (Voice) or email jterrazas@ci.socorro.tx.us Please allow at least 48 hours for your request to be processed.

OFFICE USE ONLY

Seeking an appeal from the Municode, City of Socorro Zoning Ordinance, Section No:

BOA Number:

TOTAL FEE DUE: \$ (non-refundable)

Received by:

Signature:

Date:



**CITY OF SOCORRO
BOARD OF ADJUSTMENT
MEETING DATE: January 26, 2023**

**VARIANCE REQUEST TO THE SIDE AND
FRONT YARD SETBACKS**

STAFF REPORT

SUBJECT:

VARIANCE REQUEST TO ALLOW A REDUCTION IN THE SIDE AND FRONT YARD SETBACKS.

PROPERTY ADDRESS: 10425 Ethyl Hart

SUMMARY:

Property located at 10425 Ethyl Hart. The applicant is requesting a variance from the required side AND front yard setbacks. The property is zoned R-3. The code requires 5' side setback and 15' front setback. The applicant is requesting a variance to allow 0' on both the side and front setbacks.

BACKGROUND:

The property contains a single family house. It is a 5,000 SQFT lot in an R-3 zoning district. The applicant has built shading structures to the side and front of the house.

STATEMENT OF THE ISSUE:

The R-3 zoning district requires a 5' side setback and a 15' front setback. The shade structures encroach on both of these two setbacks. Applicant is seeking to remedy the encroachment through the Board of Adjustments.

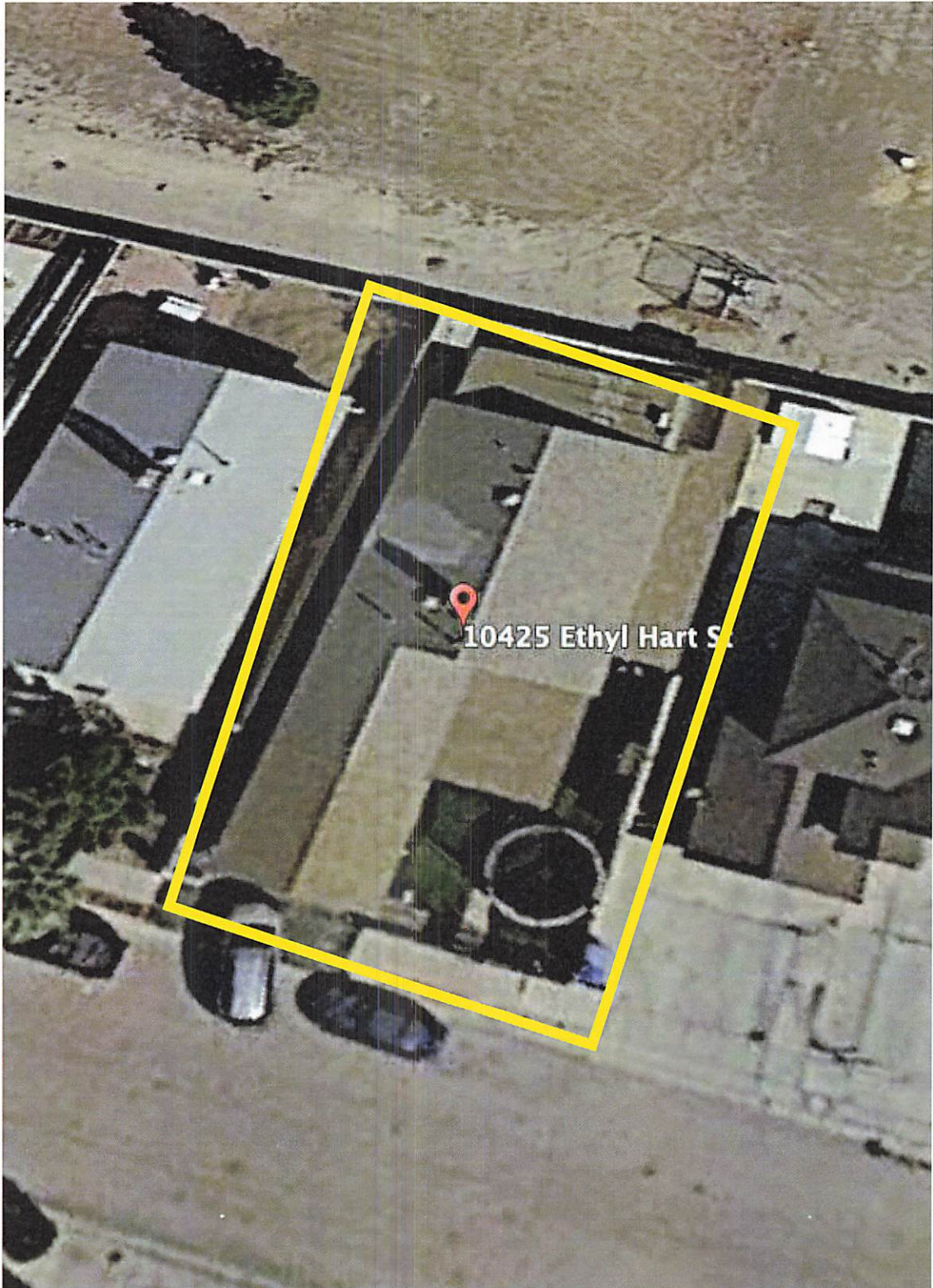
ALTERNATIVE:

The alternative is for the applicant to tear down the structures.

SITE PICTURE



AERIAL PHOTO



APPLICATION



BOA21-010

BOARD OF ADJUSTMENT APPLICATION

APPEAL SPECIAL EXCEPTION VARIANCE TODAY'S DATE: 11-09-2021

****CONTACT INFORMATION****

PROPERTY LOCATION*: ↓ Los Robles del Valle Lot 13 Socorro TX 79927
(Street address)

Subdivision: _____ Lot: 13 Block: _____
*Application not applicable in the ETJ (Extra Territorial Jurisdiction)

Property Owner: Hector Vasquez Fernandez 10425 Ethyl Hart Socorro TX 79927
(Name) (Address) (City, State, & Zip Code)

Hector V0714@Gmail.com 915 540 8091 (915) 433 3577
(Email) (Phone)

Property Owner is giving Hector Vasquez authority to represent him/her at meeting.
(Applicant Name)

Property Owner Printed Name: Hector Vasquez Property Owner Signature: Hector Vasquez

Applicant: Hector Vasquez 10425 Ethyl Hart Socorro TX 79927
(Name) (Address) (City, State, & Zip Code)

Hector V0714@Gmail.com (915) 540 8091
(Email) (Phone)

****REQUEST****

Please list types requested:

Description	Ordinance Requirements	Requested Dimensions	Variance from Ordinance
Lot Size			
Lot Width			
Lot Depth			
#3 Side Yard	5'	0	5
Side Yard			
Side at Corner			
Front Yard			
Rear Yard			
Driveway			
Other			

PLEASE DESCRIBE THE REASON(S) YOU ARE REQUESTING TO BE HEARD BY THE BOARD OF ADJUSTMENT. YOU MAY ATTACH ADDITIONAL INFORMATION TO SUPPORT YOUR REQUEST.

REASON FOR PETITION: La Razon de mi peticion para que me permitan una audiencia es para explicar que yo desgraciadamente confie en una persona que en ese tiempo trabajaba dentro del sistema aqui en Socorro y depuse mi confianza entregandole planos y dinero en sus manos y pues pasaron estos 6 años y yo confie porque nunca hubo ningun reclamo ni nada ahora llegaron a pedirme planos y resulta que esos planos que yo pague no aparecen y tampoco Mr. Leon que fue la persona que tuve la confianza de entregarle y la razon que se le entrego y el fue porque me dijo que el tenía que modificar esos planos y arreglarlos de manera que no hubiera problema. Y como pasaron 6 años nunca desconfie que fue un fraude.



CITY OF SOCORRO
BOARD OF ADJUSTMENT MEETING
DATE: January 26, 2023
VARIANCE REQUEST TO REAR YARD
SETBACK

STAFF REPORT

SUBJECT:

VARIANCE REQUEST TO ALLOW A REDUCTION IN THE REAR YARD SETBACK.

PROPERTY ADDRESS: 11661 Yamaha Drive

SUMMARY:

Property located at 11661 Yamaha Drive. The applicant is requesting a variance from the required rear yard setback. The property is zoned R-1. The code requires 25' rear yard setback. The applicant is requesting a variance to allow 0' setback.

BACKGROUND:

The property contains a single family house. The applicant has built a detached garage encroaching on the rear yard setback.

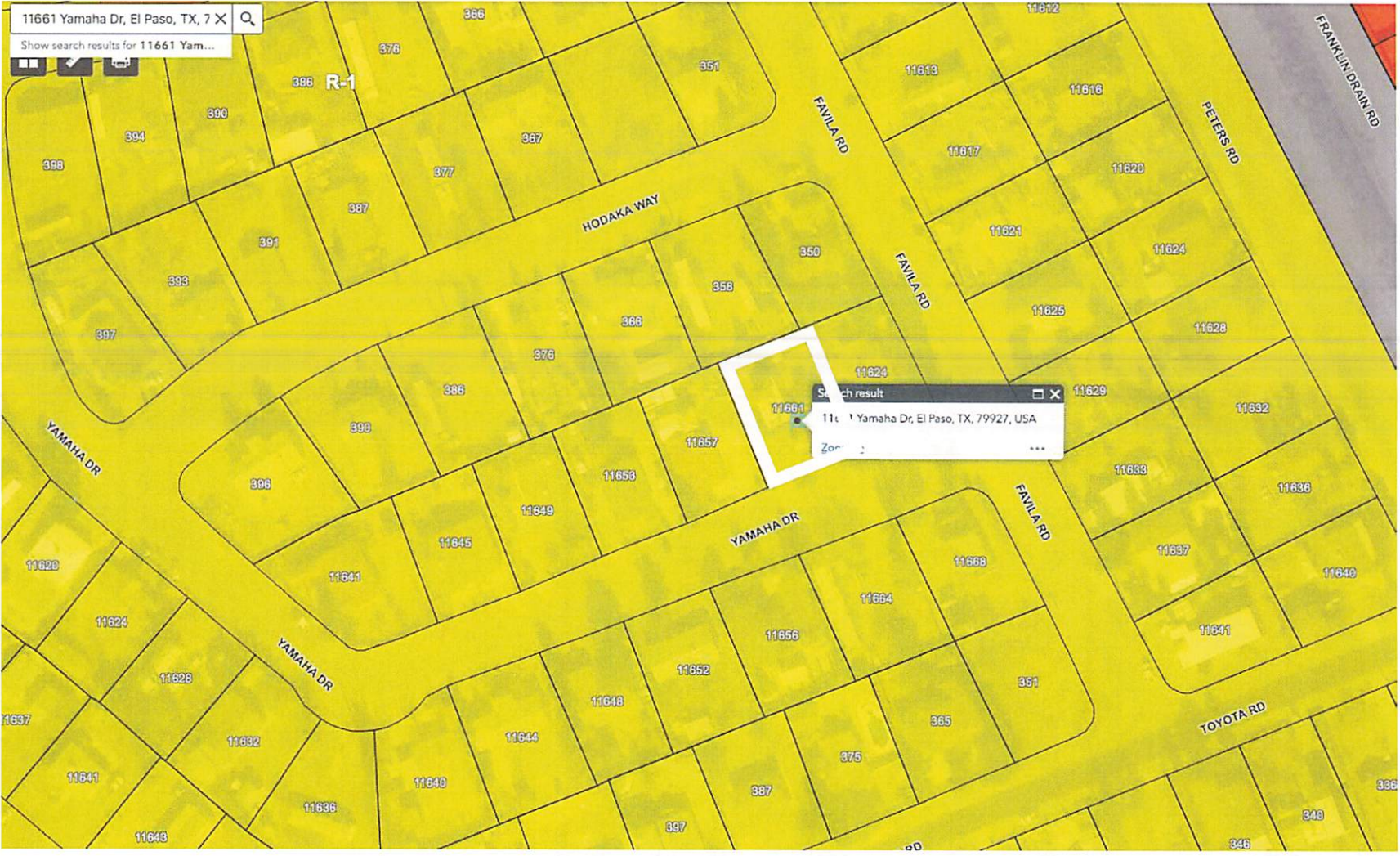
STATEMENT OF THE ISSUE:

The R-1 zoning district requires a 25' rear yard setback. The garage encroaches on the setback. Applicant is seeking to remedy the encroachment through the Board of Adjustments.

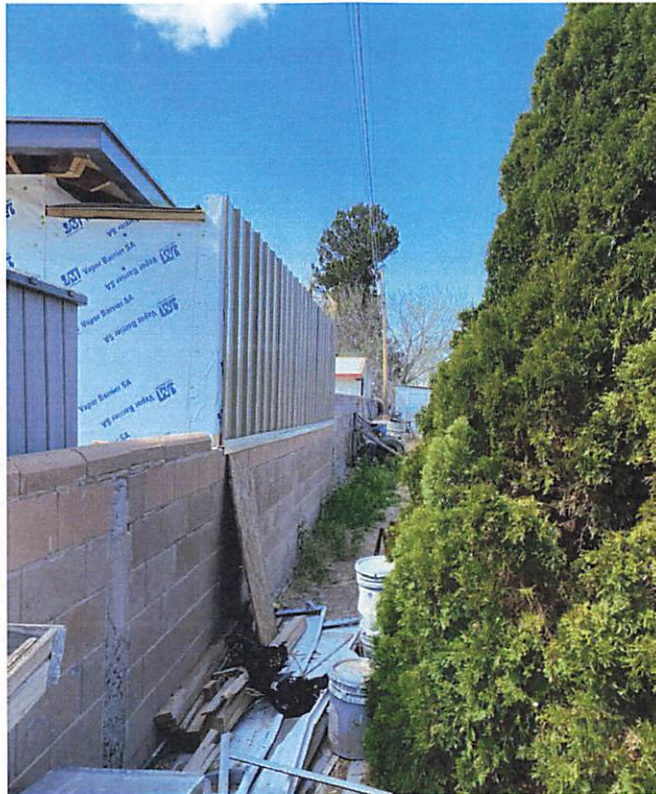
ALTERNATIVE:

The alternative is for the applicant to tear down the structures.

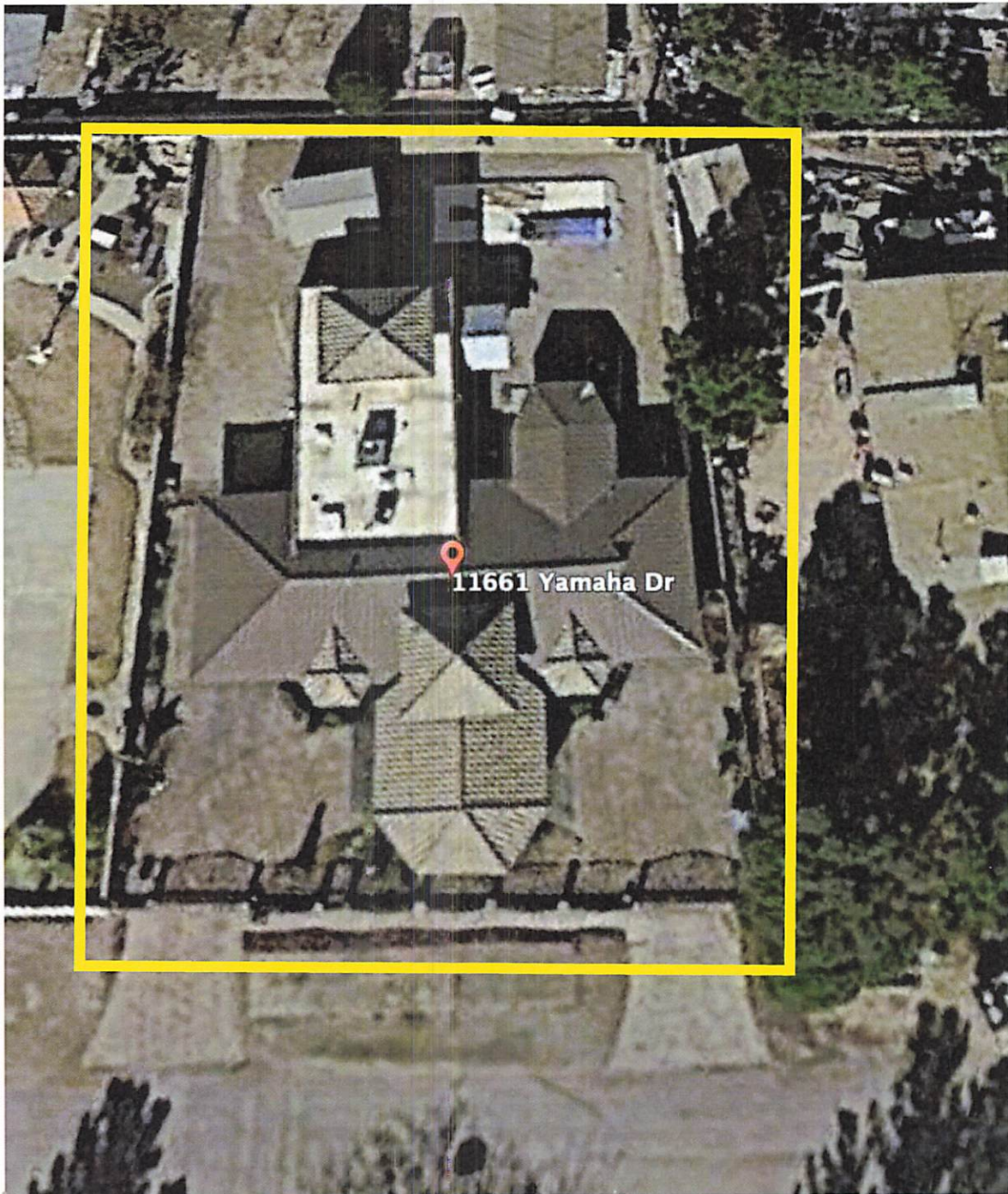
ZONING MAP



SITE PICTURE



AERIAL PHOTO



APPLICATION



BOARD OF ADJUSTMENT APPLICATION

APPEAL SPECIAL EXCEPTION VARIANCE TODAY'S DATE: 4-7-22

CONTACT INFORMATION

PROPERTY LOCATION*: 11661 Yamaha Dr Socorro TX 79927
(Street address) Lot: _____ Block: _____

Subdivision: _____
 *Application not applicable in the ETJ (Extra Territorial Jurisdiction)
 Property Owner: Jose A. Gandorilla / Clara Campuzano 11661 Yamaha Dr. Socorro TX 79927
(Name) (Address) (City, State, & Zip Code)
clara05campuzano@hotmail.com 9156918145
(Email) (Phone)

Property Owner is giving _____ authority to represent him/her at meeting.

Property Owner Printed Name: Clara / Jose A Gandorilla (Applicant Name) Property Owner Signature: _____

Applicant: Jose/Clara Gandorilla 11661 Yamaha Dr. Socorro TX. 79927
(Name) (Address) (City, State, & Zip Code)
clari05campuzano@hotmail.com 9156918145
(Email) (Phone)

REQUEST

Please list types requested:

Description	Ordinance Requirements	Requested Dimensions	Variance from Ordinance
Lot Size			
Lot Width			
Lot Depth			
Side Yard			
Side Yard			
Side at Corner			
Front Yard			
Rear Yard	No Permiso	5' del Borde	
Driveway			
Other			

PLEASE DESCRIBE THE REASON(S) YOU ARE REQUESTING TO BE HEARD BY THE BOARD OF ADJUSTMENT. YOU MAY ATTACH ADDITIONAL INFORMATION TO SUPPORT YOUR REQUEST.

REASON FOR PETITION: Solicitamos a esta junta nos permita mantener nuestro garaje construido en donde quedo. No tenemos ningun interes de ser vecinos conflictivos ni molestos ignoramos los pasos que debimos tomar para pegarnos al borde en nuestra barda pero estamos en toda la disposicion de hacer los arreglos que mas necesite a peticion de no causar ningun disturbio basura etc. a nuestro vecino pero a removerlo seria un costo muy alto para nosotros y ademas desperdiciamos que es algo muy bien hecho y esta presentable

Planning & Zoning Department

860 N. Rio Vista Rd. • Socorro, Texas 79927 • Tel: (915) 872-8531 • Fax (915) 872-8746

Website: www.ci.socorro.tx.us

Poroi nuestra Comunidad no tratamos de hacer nada que afete solo de hacer un lugar digno para nosotros /vecinos.

Updated: 9/16/2020

APPLICATION

WILL THIS REQUEST SERVE A PUBLIC INTEREST?

pues claro q' ayudaría a un interes público de ver que son cosas que suelen pasar y todos tenemos derecho a una oportunidad si no nos esforzamos en vivir decentemente

WILL LITERAL ENFORCEMENT OF THE CODE CREATE A HARDSHIP?

si, sería una gran dificultad ya que fue un esfuerzo muy grande de jornadas intensas sin descanso para lograrla y no de un costo alto y no contamos para removerlo aparte el desperdicio de nuestro esfuerzo

DOES THIS REQUEST MEET THE SPIRIT OF THE CODE?

Claro que cumple con su propósito el código. Se supone que este comité fue creado para establecer una comunidad limpia, progresiva y en armonía.

WILL SUBSTANTIAL JUSTICE BE MADE WITH THIS REQUEST?

Es lo que sus servidores deseamos y esperamos ya que no fue nada fácil reunir para lograr como todas las familias un sueño de tener una casa digna y limpia para nuestros hijos y verlo derrumbado por un pequeño error q' tiene solución

Items Submitted: Completed application and fee Plot/Site Plan or Survey drawn to scale

I hereby certify that the above statements are true and correct to the best of my knowledge.

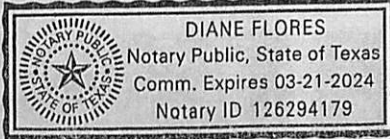
Jose A. Oantavilla
Property Owner Signature (If different from Applicant)

[Signature]
Applicant's Signature

STATE OF TEXAS

COUNTY OF Texas

Subscribed and sworn to before me this 24 day of May, 2022



[Signature]
Notary Public

(seal)

My Commission expires: 3/21/2024

NOTICE:

This application can be made available upon request. Requests can be made by calling (915) 872-8531 (Voice) or email jterrazas@ci.socorro.tx.us Please allow at least 48 hours for your request to be processed.

OFFICE USE ONLY

Seeking an appeal from the Municode, City of Socorro Zoning Ordinance, Section No:

BOA Number:

TOTAL FEE DUE: \$ (non-refundable)

Received by:

Signature:

Date:

RULES AND BYLAWS OF THE BOARD OF ADJUSTMENT

Socorro, Texas

Article 1. Purpose

The purpose of these rules and 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, Article IV, 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 rules and 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. 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 fourth 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, Article IV, Division 3 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 or affirm 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 or the owner or representative of the owner of the property that is the subject of this decision, or the owner of real property within 200 feet of the property that is the subject of the decision, or the office, department, board or bureau of the City that is affected by the decision (“Appellant”) to present a concise statement of the request and submit any evidence in support of the request. Following the Appellant’s presentation, questions may be raised by the Board and directed to the Appellant 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 Appellant for a rebuttal. Following the Appellant’s rebuttal, questions may be raised by Board members and directed to the Appellant 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 appeals shall be decided at the next Board meeting for which notice can be provided following the meeting in which the hearing was conducted, but not later than the 60th day after the date the appeal is filed with the Board and the official from whom the appeal is taken.

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, Article IV, Division 3 of the Ordinance.

D. In the interest of fairness to the 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 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 Rules & 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 Rules & Bylaws shall be effective January 26, 2023 and at such time shall supersede and replace any and all prior Bylaws of the Board.

ADOPTED this the ____ day of _____, 2023.

_____, Chair

_____, Vice-Chair

_____, Secretary

Judith Rodriguez



CITY OF SOCORRO 2023 SCHEDULED MEETINGS CALENDAR



<p>2 New Year's Day Observed</p> <p>3 P & Z</p> <p>5 City Council</p> <p>11 HLC</p> <p>16 M. Luther King Jr.</p> <p>17 P & Z</p> <p>19 City Council</p> <p>23 Civil Service</p> <p>25 CSCI Nonprofit</p> <p>26 BOA</p>	<p>JANUARY '23</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>S</th><th>M</th><th>T</th><th>W</th><th>Th</th><th>F</th><th>S</th> </tr> </thead> <tbody> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td></tr> <tr><td>8</td><td>9</td><td>10</td><td>11</td><td>12</td><td>13</td><td>14</td></tr> <tr><td>15</td><td>16</td><td>17</td><td>18</td><td>19</td><td>20</td><td>21</td></tr> <tr><td>22</td><td>23</td><td>24</td><td>25</td><td>26</td><td>27</td><td>28</td></tr> <tr><td>29</td><td>30</td><td>31</td><td></td><td></td><td></td><td></td></tr> </tbody> </table>	S	M	T	W	Th	F	S								1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31					<p>FEBRUARY '23</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>S</th><th>M</th><th>T</th><th>W</th><th>Th</th><th>F</th><th>S</th> </tr> </thead> <tbody> <tr><td></td><td></td><td></td><td>1</td><td>2</td><td>3</td><td>4</td></tr> <tr><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td><td>11</td></tr> <tr><td>12</td><td>13</td><td>14</td><td>15</td><td>16</td><td>17</td><td>18</td></tr> <tr><td>19</td><td>20</td><td>21</td><td>22</td><td>23</td><td>24</td><td>25</td></tr> <tr><td>26</td><td>27</td><td></td><td></td><td></td><td></td><td></td></tr> </tbody> </table>	S	M	T	W	Th	F	S				1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27						<p>2 City Council</p> <p>7 P & Z</p> <p>8 HLC</p> <p>16 City Council</p> <p>20 Presidents Day</p> <p>21 P & Z</p> <p>22 CSCI Nonprofit</p> <p>23 BOA</p> <p>27 Civil Service</p>
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