

**AGENDA**

Regular Meeting  
Wednesday, July 9, 2008 @ 5:30 PM

**NEW APPEALS**

**1. 147 S. 6<sup>th</sup> St. (Appeal 2008-21) (Interpreter required)**

Hear the appeal of Carmen Cruz for Variance under §27-804 proposed use as family oriented social hall to conduct private parties, family reunions and birthday parties are not permitted uses in the R-3 district; 27-607.2.F nonconforming use shall only be replaced by more intensive use by variance since the property previously housed a restaurant and beauty salon; 27-1603 parking requirements not met – undetermined amount of people however might require 1 space per 4 seats. Applicant indicates a letter of agreement to park 24-25 cars for Saturday and Sunday events. The facility has a bar located within the site but applicant indicates there will be no alcohol served or brought to the facility.

**2. 1600 N. 10<sup>th</sup> St. (Appeal 2008- 22) (Interpreter required)**

Hear the appeal of Victor M. Espinal (applicant) for Variance under §27-607.4 existing nonconforming uses extended; 27-804 use not permitted by right in R-3 zone; 27-1105 motor vehicle service stations permitted in C-H zones; 27-607.4.A nonconforming use limited to one time extension equal to 10% of existing building. The applicant proposes construction of addition to increase building size by 90% to accommodate growing business; this proposed increase will encroach into the required rear yard setback (20' required). The proposed addition will provide a 10'4" rear yard setback therefore the variance requested is 9'6" (rear yard). Applicant indicates the current building size does not provide enough area for the customer base.

**3. 905 N 9<sup>th</sup> St. (Appeal 2008-23)**

Hear the appeal of Samuel Delacruz for Variance under §27-804 Use not permitted by right in a residential district; §27-607.6 Abandoned non-conforming use in residential district; and §27-1603 Off-street parking requirements are provided with agreement with Al Shuman. Applicant proposes to establish a barber shop with 3 chairs and waiting area.

**4. 1142 N Front St. (Appeal 2008-24) (Interpreter required)**

Hear the appeal of Paul Rodriquez for Variance under §27-804 use as an auto body collision center is not permitted by right in the residential district. The auto body work will include a high-tech paint spray booth. Property previously housed an automobile repair shop.

**5. 912-914 Lancaster Ave. (Appeal 2008-25)**

Hear the appeal of Michael Beres for Variance under §27-810 use not permitted in C-H zone; 27-406.C(3) ZHB hear appeals from determination of Zoning Administrator; 27-810 proposed use of "Tanning Salon and Therapeutic Massage" is not equal to fitness center/recreational facility/athletic club as defined in the ordinance. Applicant proposes to utilize the facility for therapeutic massage to those 18 years and older with hours of operation from 9 AM to 11 PM, 7 days per week. The property previously housed the "Sports Spa" that was shut down due to illicit activities.

**DECISIONS RENDERED:**

**1. 701 Lancaster Ave ( 2008-14)**

Rev. Frank Gonzalez-Sepulveda Special Exception Place of Worship not permitted in C-H zone

**2. 556 N 13<sup>th</sup> St. ( 2008-15)**

Leo McKenna variance continuation of previous nonconforming use as sandwich shop; off street parking.

**3. 349 N 13<sup>th</sup> St. (2008-16)**

Ramon H. Cortes variance required for nonconforming use previously abandoned.

**4. 100 N 3<sup>rd</sup> St (2008-17)**

Gary Mengel variance toward signage for financial service institution

**5. 816-820 Bingaman St. (2008-18)**

Elsie Sanon for variance use of place of worship and multiple uses not permitted

**6. 706 Lehigh St. (2008-19)**

Berkshire Greens Inc for Special Exception /variance Billboard signs in R1 district.

**7. 925 South St. (2008-20)**

Hear the appeal of James Polyak for Special Exception Place of Worship.