

**Administrative Review Board
Meeting Minutes
July 9, 2020 – 6:00 P.M.**

The Administrative Review Board met in regular session via Zoom Virtual Platform on Thursday, July 9, 2020 at 6:00 p.m. in the City Council Chamber, 800 Municipal Drive, Farmington, New Mexico.

Members present: Brian Erickson
Vice Chair Cindy Lopez
Paul Martin

Members absent: Chair James Dennis
Jeff Johanson

Staff present: Beth Escobar
Andrea Jones
Elizabeth Sandoval
Anita Vigil

Others addressing the Board (Via Zoom Virtual Platform): Joseph Sanchez

Call to Order

The meeting was called to order at 6:04 p.m. by Vice Chair Lopez and there being a quorum present the following proceedings were duly had and taken.

Approval of the Agenda

A motion was made by Board Member Erickson and seconded by Board Member Martin to approve the agenda. The motion passed unanimously by a vote of 3-0.

Approval of the Minutes from the March 5, 2020 and June 4, 2020 Regular Meetings

Board Member Martin made a motion to approve the minutes of the March 5, 2020 and June 4, 2020 regular meetings. The motion was seconded by Board Member Erickson and passed unanimously by a vote of 3-0.

Swearing in of Witnesses

All parties that wished to speak on behalf of any agenda item were sworn in by Elizabeth Sandoval, Administrative Assistant.

Discussion of Petition No. ARB 20-22 on July 9, 2020

Beth Escobar, Planning Manager, presented the staff report for Petition No. ARB 20-22 a request from Joseph Sanchez, owner of property at 2901 Marquette Ave, for a variance to Section 2.8.C.(3).c of the Unified Development Code requiring a 10-foot separation from the primary residence and side property yard for an accessory structure.

The request is for a replacement of an existing shed that has been in place for over forty years. The shed is 2.5 feet from roofline of petitioner's residence and 7 feet from the roofline of the neighbor's house. The Building Code, which is not subject to a variance procedure, requires a fire wall be installed on the wall parallel to the property line if it is less than 3 feet from the property line.

No public input in opposition to this request has been received.

A special condition relative to this petition is that the existing shed has been in place for over forty years. A literal interpretation of the code would deprive the petitioner of a right he has enjoyed since 1979. The granting of this variance will not change any current uses on the property and is a minimum easing of the code.

The Community Development Department concludes that approval of ARB 20-22 is a minimum easing of the code meets the intent of the code and is a property that has characteristics unique enough to allow for replacement of an existing shed.

The Community Development Department recommends **approval** of Petition ARB 20-22 from Joseph Sanchez for a variance from Section 2.8.C.(3).c of the Unified Development Code allowing for installation of a replacement shed less than 10 feet from the primary residence and side property yard with the following stipulation.

The interior wall parallel to the side property line of the new accessory structure shall be required to have 2 layers of 5/8-inch type 'X' drywall installed on the inside of the new shed if the new shed is closer than 3 feet to the side property line. A building permit shall be required for this construction.

Ms. Escobar asked if there were any questions.

Vice Chair Lopez asked if the petitioner or representative were present. Mr. Joseph Sanchez answered he was present via Zoom. Mr. Sanchez stated his name and address as: Joseph Sanchez, 2901 Marquette Ave., Farmington New Mexico. Vice Chair Lopez asked Mr. Sanchez if he had read the staff report and the recommendation. Mr. Sanchez said, yes he did. Vice Chair Lopez asked Mr. Sanchez if he had any questions or wanted to add anything further. Mr. Sanchez said he did not.

Vice Chair Lopez asked if there were any questions for the petitioner by the board. There were none.

Vice Chair Lopez asked Ms. Escobar what the distance from the wall of the shed to the property line. Mr. Sanchez stated that it was 2 ½ ft.

Vice Chair Lopez asked if there were any questions or concerns from anyone within 100 feet of the property that received a letter regarding the petition. There was no one present with questions or concerns.

Administrative Review Board Action for Petition No. ARB 20-17 on June 4, 2020

A motion was made by Board Member Erickson and seconded by Board Member Martin to **approve** Petition No. ARB 20-22, a request from Joseph Sanchez, owner of property at 2901 Marquette Ave, for a variance to Section 2.8.C.(3).c of the Unified Development Code requiring a 10-foot separation from the primary residence and side property yard for an accessory structure.

AYE: Vice Chair Lopez, Board Member Erickson and Board Member Martin.
 NAY: None
 ABSTAIN: None
 ABSENT: Chair Dennis and Board Member Johanson

APPROVED 3-0

Business from the Floor: There was no business from the Floor.

Business from the Chair: There was no business from the Chair.

Business from the Members: There was no business from the Members.

Business from Staff: Ms. Escobar stated that the first phase of the Main Street Project was complete. The Mayor would be holding a soft opening from Orchard Ave. east, Friday morning at 8:00 am. All were invited to attend and to wear a mask.

Adjournment: The July 9, 2020 meeting of the Administrative Review Board was adjourned at 6:21 p.m. A motion to adjourn was made by Board Member Martin and seconded by Board Member Erickson and passed unanimously by a vote of 3-0.


 Cindy Lopez – Vice Chair

11/5/20


 Elizabeth Sandoval - Administrative Assistant