# Agenda

**Administrative Review Board**  
City Council Chambers  
800 Municipal Drive, Farmington, NM  
September 5, 2019 at 6:00 p.m.

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Call Meeting to Order</td>
</tr>
<tr>
<td>2</td>
<td>Approval of the Agenda</td>
</tr>
<tr>
<td>3</td>
<td>Approval of the Minutes from the June 6, 2019 Meeting</td>
</tr>
<tr>
<td>4</td>
<td>Petition No. ARB 19-72— a request from Victor Prado for a variance to reduce the required side yard setback from 15 feet to 6 feet in the SF-10, Single Family Residential District, for property located at 5608 Ravella Drive. (Beth Escobar)</td>
</tr>
</tbody>
</table>
| 5 | Business from:  
  Floor:  
  Chairman:  
  Members:  
  Staff: |
| 6 | Adjournment |

All decisions of the Administrative Review Board are final unless appealed in writing to the City Clerk’s office within 15 days.

**ATTENTION PERSONS WITH DISABILITIES:**  
The meeting room and facilities are fully accessible to persons with mobility disabilities. If you plan to attend a meeting and need an auxiliary aid or service, please contact the City Clerk's office at 599-1101 or 599-1106, prior to the meeting so arrangements can be made.
DESCRIPTION OF PETITION
Petition No. ARB 19-72 is a request from Victor Prado, property owner of 5608 Ravella Dr., for a variance to reduce the side yard setback of 15 feet for a fence six feet in height. The request is to reduce the setback to 6 feet. The property is legally described as:

Lot 8, in Block 5, of the Ravella Plaza Subdivision, in the City of Farmington, San Juan County, New Mexico, as shown on the Plat of said Subdivision filed for record July 26, 1961.

Otherwise located at 5608 Ravella Drive

GENERAL INFORMATION
Applicant ......................... Victor Prado
Property Owner .................. Victor Prado
Location of Property .......... 5608 Ravella Dr. – R0023269
Nature of Petition ............ The subject property is a corner lot that abuts the interior side yard of the residential property to the rear. The applicant is requesting a variance to allow a reduction in the required 15-foot setback for a fence six feet in height. The request is to reduce the setback to six feet.

Applicable Regulations .. City of Farmington Unified Development Code (UDC): Section 5.4.4.4 “Where a corner lot abuts an interior side yard of the property to the rear, there shall be a front yard setback on both streets with the street side yard being equal to the front yard of the lot to the rear, but in no case less than 15 feet. Fences must adhere to the location and height requirements of subsection 5.4.4A. (1) which states: Fences and walls located in required front yard (setback) shall be limited to a height of three feet at the front right-of-way line, rising evenly to a maximum of 54 inches at setback line, and thereafter a maximum of six feet; provided...”

Zoning ......................... SF-10 Single-family Residential
Existing Use ..................... Residential.
Surrounding Zoning/ District/Ravella Plaza Subdivision
Land Use .................................. South: SF-10, Single-family Residential District/Ravella Plaza Subdivision
.......................................... East: SF-10, Single-family Residential District/Ravella Plaza Subdivision
.......................................... West: SF-10, Single-family Residential District/Ravella Plaza Subdivision

Public Notice ............... Publication of Notice of this petition appeared in the Daily Times on Sunday, August 18, 2019. Property owners within 100 feet were sent notice by certified mail on Wednesday August 14, 2019. A sign was posted on the property on Friday, August 23, 2019.

Staff
Beth Escobar, Planning Manager

BACKGROUND
The applicant is requesting a variance to allow a six-foot fence to encroach into the required 15-foot side setback. The applicant states this is the best location of the fence and wishes to store a car trailer and have a secure area for grandchildren and dogs.

The subject property is located in the Ravella Plaza subdivision on a corner lot. Per the UDC code fence height in the required 15-foot side setback is limited to three feet.

There is a 10-foot wide strip of City right-of-way along the east side of the subject property. If this variance request were granted, the six-foot high fence would begin at a distance of sixteen feet from the curb along Lee Lane.

Approximate starting point of six-foot fence.
ISSUES

Farmington Fire Marshall

- Expressed a concern about visibility, specifically for the driveway for the property directly to the north.

Qwest Corporation/Century Link

- The applicant has secured an Encroachment Agreement with this utility to construct the proposed fence across the existing utility easement on the east side of the property.

No additional comments have been received and no input from the notified neighbors has been submitted.

ANALYSIS

Variance Criteria – Section 8.12.4, UDC

A variance may be granted only where a literal enforcement of the Code provisions would result in unnecessary hardship for a particular property. In order to grant a variance, the ARB must make a positive finding of fact concerning each of the following or, if a positive finding of fact cannot be made that the ARB specifically describes the circumstance that would outweigh the strict requirement for a positive finding of fact and determine that the variance will not be a public detriment:

1. That special conditions and circumstances exist, which are peculiar to the land, structure or building involved and are not applicable to other lands, structures or buildings in the same district; and, furthermore, that they are not self-imposed, self-created or otherwise the result of actions by the applicant.

5608 Ravella is a corner lot. The majority of the outdoor area for this lot is along the western edge parallel to Lee Lane. The applicant’s wish to fence this area in is comparable to a six-foot fenced back yard area.

This criterion IS met.

2. That a literal interpretation of the provisions of the Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the Code.

Per Sec. 5-4 – Fences and walls of the UDC, a six-foot high fence would be allowed along the rear and side property lines of this property if it were not a corner lot.

This criterion IS met.
3. The applicant demonstrates that the request is a minimum easing of the Code requirements, making possible the reasonable use of the land, building or structure.

The requested variance is a minimum easing of the UDC. The proposal is to allow a six-foot high fence starting six feet from the side property boundary. This is a variance request of nine feet.

This criterion IS met.

4. That the granting of the variance is in harmony with the general interest, the general purpose and intent of the Code, and is not injurious to the neighborhood or otherwise detrimental to the public welfare.

The requested variance is in harmony with the general interest, the general purpose and intent of the Code. The intent of the required 15-foot setback is to provide visibility protection for the neighboring property abutting the corner lot. With the 10-foot wide City right-of-way adjacent to the east side of the subject property, plus the proposed six-foot setback before the fence begins, this protection is accomplished.

In addition, allowance of a six-foot high fence would screen the proposed car trailer storage from the view of pedestrians and vehicles travelling along Lee Dr.

This criterion IS met.

5. That the proposed variance will not permit a use not otherwise allowed in the underlying district.

The granting of this variance will not allow a use not otherwise allowed in the SF-10 District.

This criterion IS met.

6. That no nonconforming use of neighboring lands, structures or buildings in the same district and no permitted use of lands, structures or buildings in other districts has been or shall be considered grounds for the issuance of a variance.

No nonconforming uses, structures or buildings in the same district have been considered as grounds for this variance request.

This criterion IS met.
7. That the applicant would suffer an unnecessary hardship if the variance requested were denied.

The applicant would not suffer an unnecessary hardship if the variance request were denied. However, the approval of the request will provide a better quality of life for this applicant by allowing him to take full advantage of his exterior yard area.

This criterion IS met.

CONCLUSION

The Community Development Department concludes that approval of ARB 19-72 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 a reduction in the side yard setback requirement for a six-foot fence.

RECOMMENDATION

The Community Development Department recommends approval of Petition ARB 19-72 from Victor Prado, for a variance to allow for a reduction in the required side setback from 15 feet to six feet to allow for installation of a six-foot high fence subject to:

1. Upon submittal of the building permit for the fence, a field inspection by staff will be completed ensuring visibility for vehicles exiting the property to the north is protected.
2. The new fence shall be constructed on the south side of the existing railroad ties.
PLANNING MEMO COMMENTS SUMMARY
ARB 19-77 5608 RAVELLA DR.
Deadline: 8/22/19

City of Farmington Departments

<table>
<thead>
<tr>
<th>City of Farmington Departments</th>
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<tbody>
<tr>
<td>CD</td>
<td>Director –</td>
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<tr>
<td>CD</td>
<td>Addressing – Planning Division</td>
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<tr>
<td>CD</td>
<td>Chief Building Official – D. Childers \nNo comment</td>
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<tr>
<td>CD</td>
<td>Long Range Planner</td>
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<td>CD</td>
<td>MPO</td>
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<td>CD</td>
<td>Oil &amp; Gas Inspector – L. Simms</td>
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<tr>
<td>CITY</td>
<td>City Manager’s Office – J. Baird \nNo comment</td>
</tr>
<tr>
<td>ELEC</td>
<td>Customer Care Manager – L. Richardson</td>
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<td>ELEC</td>
<td>Electrical Engineering – L Aligarbes</td>
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<tr>
<td>ELEC</td>
<td>T &amp; D – R. Romero</td>
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<tr>
<td>FIRE</td>
<td>Fire Captain – D. Doudy</td>
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<td>FIRE</td>
<td>Fire Marshall – B. Vega \nExpressed concerns about visibility</td>
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<tr>
<td>LEGAL</td>
<td>City Attorney – J. Breakell</td>
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<td>LEGAL</td>
<td>Deputy City Attorney – E. Wayne</td>
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<tr>
<td>POLICE</td>
<td>Code Compliance – M. Romero \nNo comment</td>
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<tr>
<td>POLICE</td>
<td>Sergeant – P. Flores</td>
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<tr>
<td>PRCA</td>
<td>S. Reeves/ R. Crosby</td>
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<tr>
<td>PRCA</td>
<td>ORII – C. Styron \nNo comment</td>
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<tr>
<td>PW</td>
<td>City Engineer – N. Westerling</td>
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<tr>
<td>PW</td>
<td>Engineering – T. Sitta \nNo comment</td>
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<tr>
<td>PW</td>
<td>Streets Superintendent</td>
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<tr>
<td>PW</td>
<td>Traffic Engineer – I. BlueEyes \nNo comment</td>
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<tr>
<td>PW</td>
<td>Water/Waste Water – M. Tso</td>
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<td>Other Entities</td>
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<tr>
<td>New Mexico Gas Company – R. Castillo \nNo comment</td>
<td></td>
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<tr>
<td>CenturyLink – D. Willato \nProvided easement access agreement</td>
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<tr>
<td>Enterprise Field Services</td>
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<td>Comcast Cable – M. Johnson</td>
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<tr>
<td>CH2MHILL OMI</td>
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<td>Surface Land Negotiator for BP – M. Venzara</td>
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<td>Farmington School District – C. Lyons</td>
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</tr>
</tbody>
</table>
**PETITION APPLICATION**

Incomplete applications will not be accepted. Return completed application to:

Planning Division
City of Farmington
800 Municipal Drive
Farmington, NM 87401
(505) 599-1317
(505) 599-1299 (fax)

**PROJECT TYPE (Check Those Applicable)**

- [ ] Annexation and / or Zoning
- [ ] Preliminary Plat
- [ ] Summary Plat
- [ ] Final Plan
- [x] Special Use Permit
- [ ] Variance (ARB)
- [ ] Zone Change to ________ District
- [ ] Temporary Use Permit
- [ ] Proposed Length of Use: ________
- [ ] Well site equipment modification

**INFORMATION**

Applicant's Name: **Victor Prado**  
Address: 5608 Ravella Dr.  
E-Mail: VictorFidelAPrado@me.com  
Telephone: 505-427-9933 or 321-6931  
Relationship to Property Owner: **I am the owner**  
Assessor's Parcel I.D. and/or Tax I.D. Number:  
Existing Use: Residential  
Proposed Use:  
Current Zoning: SF-10  
Legal Description of Subject Property: Ravella Plaza 50 Lot 1 Block 5 Blk 91 Sec P 392  

Is Property subject to deed restrictions, covenants, or homeowners' association agreements? **Yes X No [ ]**  
If Yes, please provide copy with application.

**REPRESENTATIVE / CONTACT PERSON (if other than applicant)**  
Name:  
E-Mail:  
Phone:  
Address:  

**OWNERSHIP**

PROPERTY OWNER (Identify General Partners, Managing Partner, Corporation President and Secretary. Specify type of ownership interest. Fee, Real Estate Contract, Option to Purchase)  
MORTGAGE HOLDERS (if any)  
Name: Victor Prado  
Phone: 505-427-9933  
Address: 5608 Ravella Dr. City  

**OWNER CERTIFICATION**

I certify that I am an owner and the information and exhibits herewith are true and correct to the best of my knowledge in filing this application. I am acting with the knowledge and consent of all persons in interest and understand that without the consent of all persons in interest the requested action cannot lawfully be accomplished. I give my permission for authorized officials of the City of Farmington or Planning and Zoning Commission to enter the premises described in this application. Understanding applications will generally be reviewed by City Council at their first regular session following the P&Z review.

Name: Victor Prado  
Owner's Signature:  
Address: 5608 Ravella Dr. City  
Phone / Email: 427-9933

**STAFF USE ONLY**

- [ ] Blueline Copies of Plans
- [ ] Ownership Report (subject and surrounding properties)
- [ ] Legal Description
- [ ] Detailed Statement of Proposed Use

Received By:  
Date: 7/6/19  
Fee Received: 76  
Project File No.: ARB 19-72  
Date of Hearing/Meeting: 8/8/19
JUSTIFICATION OF VARIANCE

A variance may be granted only where a literal enforcement of the Code provisions would result in unnecessary hardship for a particular property. In order to grant a variance, the ARB must make a positive finding of fact concerning each of the following or, if a positive finding of fact cannot be made that the ARB specifically describes the circumstances that would outweigh the strict requirement for a positive finding of fact and determine that the variance will not be a public detriment:

1. That special conditions and circumstances exist, which are peculiar to the land, structure or building involved and are not applicable to other lands, structures or buildings in the same district; and, furthermore, that they are not self-imposed, self-created or otherwise the result of actions by the applicant.
   Need To Store a Park Car Trailer

2. That a literal interpretation of the provisions of the Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the Code.
   Play Ground for Grand Kids, Dog Run, Storage Shed, Garden Spot

3. The applicant demonstrates that the request is a minimum easing of the Code requirements, making possible the reasonable use of the land, building or structure.
   Variance is for fence

4. That the granting of the variance is in harmony with the general interest, the general purpose and intent of the Code, and is not injurious to the neighborhood or otherwise detrimental to the public welfare.
   My neighbor says its OK with him

5. That the proposed variance will not permit a use not otherwise allowed in the underlying district.
   The Variance will not permit use not otherwise allowed
6. That no non-conforming use of neighboring lands, structures or buildings in the same district and no permitted use of lands, structures or buildings in other districts has been or shall be considered grounds for the issuance of a variance.

   No non-conforming use of neighboring land has or shall be considered for issuance of a variance.

7. That the applicant would suffer an unnecessary hardship if the variance required were denied.

   This is the best orientation of the fence for the best use of the land, appearance from the street and best future use of property.

Signature of Petitioner: [Signature]

Date: 7/24/2019

Attach additional sheets if necessary or use the space below.
(ARB) ADMINISTRATIVE REVIEW BOARD
NOTICE OF HEARING

Notice is hereby given that the following application has been filed with the Administrative Review Board of the City of Farmington.

Petition No. ARB 19-72: a request from Victor Prado for a variance to reduce the required side yard setback from 15 feet to 6 feet in the SF-10, Single Family Residential District, for property located at 5608 Ravella Drive, in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION:
Lot 8, in Block 5, of the Ravella Plaza Subdivision, in the City of Farmington, San Juan County, New Mexico, as shown on the Plat of said Subdivision filed for record July 26, 1961. Otherwise located at 5608 Ravella Drive

A public hearing will be held before the Administrative Review Board of the City of Farmington on Thursday, September 5, 2019, at 6:00 p.m., in the City Council Chambers at City Hall, 900 Municipal Drive, Farmington, New Mexico to consider this variance request. All persons in interest are invited to attend said hearing and shall have an opportunity to be heard on why said application should be granted or denied.

Karen Walker
Administrative Assistant

NOTICE OF PUBLIC HEARING
VARIANCE REQUEST
PETITION NO. ARB 19-72

August 14, 2019

Dear Property Owner:

Notice is hereby given that an application has been filed with the Administrative Review Board of the City of Farmington, New Mexico, a request from Victor Prado for a variance to reduce the required side yard setback from 15 feet to 6 feet in the SF-10, Single Family Residential District for property located at 5608 Ravella Drive, in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION
Lot 8, in Block 5, of the Ravella Plaza Subdivision, in the City of Farmington, San Juan County, New Mexico, as shown on the Plat of said Subdivision filed for record July 26, 1961.

Otherwise located at 5608 Ravella Drive

A public hearing will be held before the Administrative Review Board of the City of Farmington on Thursday, September 5, 2019 at 6:00 p.m., in the City Council Chambers at City Hall, 800 Municipal Drive, Farmington, New Mexico to consider this variance request. All persons of interest are invited to attend said hearing and shall have an opportunity to be heard on why said application should be granted or denied.

You are receiving this letter because you may own property within 100 feet (excluding public right-of-way) of the proposed change. You are invited to attend the hearing noted above or submit written comments prior to the meeting to the Community Development Department – Planning Division at 800 Municipal Drive, Farmington, New Mexico 87401. Please be advised that all submitted comments will become public record and that there is the possibility that any petition may be withdrawn before the hearing date.

If you have any questions or would like additional information regarding this notice or the petition, please contact Beth Escobar at 505-599-1285 or bescobar@fmtn.org.

Sincerely,

Karen Walker
Administrative Assistant
Names and Tax-Roll Addresses of Owners Within One Hundred (100) Feet (excluding roadways and easements) of the Following Described Property Referenced as TRACT 1:

Lot Eight (8), in Block Five (5), of the RAVELLA PLAZA SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, as shown on the Plat of said Subdivision filed for record July 26, 1961.

TRACT 1
Victor A. Prado and Fidelia Prado
5608 Ravela Drive
Farmington, NM 87402

Lot 8, in Block 5, of the RAVELLA PLAZA SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record July 26, 1961.

Book 926, page 387

TRACT 2
Austin Craig Mobley and Sheila R. Mobley
6825 Highpoint Drive
Farmington, NM 87402

Lot 9, in Block 5, of the RAVELLA PLAZA SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record July 26, 1961.

Book 1571, page 67

TRACT 3
Richard A. Wulfert and Patricia L. Wulfert
5604 Ravela Drive
Farmington, NM 87402

Lot 10, in Block 5, of the RAVELLA PLAZA SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record July 26, 1961.

Book 1583, page 649

TRACT 4
Eric Tolbert
41 Road 2650
Aztec, NM 87410

Lot 12, in Block 5, of the RAVELLA PLAZA SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record July 26, 1961.

Book 1632, page 154

TRACT 5
Lori Boettler
5104 Foothills Drive
Farmington, NM 87402

Lot 13, in Block 5, of the RAVELLA PLAZA SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record July 26, 1961.

Book 1339, page 910
Book 1568, page 815
TRACT 6
Louis Vigil and Mary S. Vigil
5103 Lee Lane
Farmington, NM 87401

Lot 7, in Block 5, of the RAVELLA PLAZA SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record July 26, 1961.

Book 1084, page 44

TRACT 7
William W. Harmon and Marianne M Harmon
5105 Lee Lane
Farmington, NM 87401

Lot 6, in Block 5, of the RAVELLA PLAZA SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record July 26, 1961.

Book 1429, page 219

TRACT 8
John D. Cogan and Karen Cogan
5102 Lee Lane
Farmington, NM 87402

Lot 9, in Block 4, of the RAVELLA PLAZA SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record July 26, 1961.

Book 1167, page 826

TRACT 9
Gaylene Duncas
5700 Ravella Drive
Farmington, NM 87402

Lot 8, in Block 4, of the RAVELLA PLAZA SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record July 26, 1961.

Book 1637, page 298

TRACT 10
Davin J. Leboeuf
5703 Ravella Drive
Farmington, NM 87402

Lot 3, in Block 6, of the RAVELLA PLAZA SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record July 26, 1961.

Book 1512, page 853

TRACT II
David H. Wood and Tawny E. Wood
5701 Ravella Drive
Farmington, NM 87402

Lot 4, in Block 6, of the RAVELLA PLAZA SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record July 26, 1961.

Book 1570, page 53
TRACT 12
Dean A. Wolfe
5607 Ravella Drive
Farmington, NM 87401

Lot 5, in Block 6, of the RAVELLA PLAZA SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record July 26, 1961.

Book 1323, page 891

TRACT 13
Eloy Montano and Dee J. Montano
5605 Ravella Drive
Farmington, NM 87402

Lot 6, in Block 6, of the RAVELLA PLAZA SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, filed for record July 26, 1961.

Book 1309, page 42

TO: July 16, 2019, 4:30 p.m.

LIABILITY LIMITED TO THE AMOUNT PAID FOR THIS CERTIFICATE.

SAN JUAN COUNTY ABSTRACT & TITLE COMPANY

[Signature]

By: Lorraine Bahena, Abstracter
MINUTES
ADMINISTRATIVE REVIEW BOARD
June 6, 2019 – 6:00 P.M.

The Administrative Review Board met in regular session on Thursday, June 6, 2019 at 6:00 p.m. in the City Council Chamber, 800 Municipal Drive, Farmington, New Mexico.

Members present
Vice Chair-Paul Martin
Brian Erickson
Jeff Johanson
Oliver Roe

Members absent: Chair-James Dennis

Staff present: Cindy Lopez
Karen Walker

Others addressing the Board: Dennis Ivie
Chad Waite

Call to Order
The meeting was called to order at 6:00 p.m. by Acting Chair Paul Martin 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 Roe and seconded by Board Member Johanson to approve the agenda. The motion passed unanimously by a vote of 4-0.

Approval of the Minutes from the May 9, 2019 Regular Meetings
Board Member Roe made a motion to approve the minutes of the May 9, 2019 regular meeting. The motion was seconded by Board Member Johanson and passed unanimously by a vote of 4-0.

Swearing in of Witnesses
All parties that wished to speak on behalf of any agenda item were sworn in by Karen Walker.

Petition No. ARB 19-40
Variance to allow for accessory structures of more than the required 2,000 square feet in the buildable area of the property
634 W. Apache Street

Discussion of ARB No. 19-40 on June 6, 2019
Senior Planner Cindy Lopez presented the staff report for ARB 19-40, a request from Chad Waite, represented by Dennis Ivie, for a variance to allow a second detached 24 foot by 46-foot garage (1,104 sq. ft.) in the allowed buildable area of a 1.47-acre parcel in the SF-7, Single-family Residential District located at 634 W. Apache Street. The minimum lot area for the SF-7 zoning district is 7,000 square feet.
The petitioner has an existing detached garage of approximately 2,327 square feet. An accessory structure built on a residential property cannot exceed 2,000 square feet or 50% of the principle structure, whichever is greater, according to the UDC, Unified Development Code.

The petitioner is requesting to add an additional garage. There are two smaller existing outbuildings on the property. The petitioner intends to remove the outbuilding behind the house and the new garage will replace the outbuilding.

The Glade Arroyo runs along the west side of the property. The petitioner also owns the 1.46-acre vacant property to the east.

The properties across Apache Street from the Glade Arroyo to Schwartz Avenue include eight residences, ranging in property size from 0.17 acres to 0.2 acres and totaling 1.41 acres. Each of those residences can have up to three accessory buildings.

The intent of the SF-7 zoning district is to control the density of properties. Mr. Waite has a large property. There is a severe grade change between the front of the property where the residence and existing detached garage are located. The additional proposed garage will not be seen from the road due to the grade change.

The Community Development Department concludes that approval of ARB 19-40 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 a second garage of over the 2,000 square foot maximum without adversely affecting the neighbors or the neighborhood.

Board Member Johanson asked to have the outbuildings clarified. Chad Waite, 634 Apache Street, said the shed that will be torn down is actually behind the house. Ms. Lopez asked that one of the conditions be changed to “the removal of one of the outbuildings “.

Dennis Ivie, 201 Taylor Drive, said he agrees with the conditions with the change.

**Administrative Review Board Action of June 6, 2019**

A motion was made by Board Member Roe and seconded by Board Member Johanson to **approve** Petition No. ARB 19-40, a request from Chad Waite, represented by Dennis Ivie, for a variance to allow a second detached 24 foot by 46-foot garage (1,104 sq. ft.) in the allowed buildable area of a 1.47-acre parcel in the SF-7, Single-family Residential District located at 634 W. Apache Street, subject to:

- Meeting all floodplain requirements, construction and documentation, which shall be completed and submitted to the City Floodplain Manager prior to the issuance of a building permit or a certificate of occupancy; and,
- The removal of one of the outbuilding below the hill behind the house.

**AYE:** Acting Chair Martin, Members Erickson, Johanson, and Roe.

**NAY:** None

**ABSTAIN:** None

**ABSENT:** Chair Dennis
**APPROVED 5-0**

**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:** Cindy Lopez introduced the new ARB Board Member Brian Erickson.

**Adjournment:** The June 6, 2019 meeting of the Administrative Review Board was adjourned at 6:17 p.m.

_________________________________                   ________________________________
Paul Martin-Acting Chair       Karen Walker-Administrative Assistant