

**MINUTES**  
**ADMINISTRATIVE REVIEW BOARD**  
**November 7, 2019 – 6:00 P.M.**

The Administrative Review Board met in regular session on Thursday, November 7, 2019 at 6:00 p.m. in the City Council Chamber, 800 Municipal Drive, Farmington, New Mexico.

Members present	Chair-James Dennis Brian Erickson Jeff Johanson
Members absent:	Paul Martin
Staff present:	Beth Escobar Karen Walker
Others addressing the Board:	Sarina Miller Robin Porter

**Call to Order**

The meeting was called to order at 6:00 p.m. by Chair James Dennis 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 Johanson and seconded by Chair Dennis to approve the agenda. The motion passed unanimously by a vote of 3-0.

**Approval of the Minutes from the October 3, 2019 Regular Meetings**

Board Member Johanson made a motion to approve the minutes of the October 3, 2019 regular meeting. The motion was seconded by Board Member Erickson and passed unanimously by a vote of 3-0.

**Swearing in of Witnesses**

Karen Walker swore in all parties that wished to speak on behalf of any agenda item.

**Petition No. ARB 19-85**

**Variance to waive the requirement for a paved driveway and installation of a sidewalk in City right-of-way prior to placement of a new manufactured home**

**Discussion of ARB No. 19-85 on November 7, 2019**

Planning Manager Beth Escobar presented the staff report for ARB 19-85, a request from Robin Porter for a variance from Section 5.3.3.A requiring a paved driveway, and Section 6.4.8.C.1.A of the Unified Development Code, UDC, requiring installation of a sidewalk prior to placement of a new manufactured home for property located at 6007 McCarty Avenue.

The requirement to install a sidewalk is part of Article 6-Subdivision Standards of the UDC. This subdivision was originally located in San Juan County and was annexed into the City in 1978. The original developer of the subdivision did not install sidewalks. The property is located in the Park Lane Estates Subdivision, which was recorded with San Juan County in 1959. It is located in the SF-MH, Single-family Mobile Home District, and is surrounded mostly by undeveloped RA, Rural Agriculturally zoned property.

The petitioner is replacing an older model mobile home that has been removed from the property. The permit for the new home triggered the requirements for a paved driveway and installation of a sidewalk. The majority of properties in the subdivision do not have sidewalks or paved driveways.

Per the applicant, the cost to pave a driveway and install a sidewalk will prohibit her from going ahead with the project.

Staff determined the requested variance is a minimum easing of the code. It is in harmony with the general intent of the code and would not be injurious to the neighborhood. The granting of this request would not allow a use not otherwise allowed in the SF-MH District. Therefore, Staff recommends approval.

Chair Dennis questioned that the intent of the code is to have paved driveways and sidewalks in subdivisions that were developed before the code was written. Mr. Dennis said he would like to

see a change in the code to waive this requirement for these types of subdivision. He said the intent of the code is not to require people to do things that were not required prior to the writing of the code. Beth Escobar said revisions for these types of issues are currently being discussed.

Robin Porter, 6007 McCarty Avenue, said it does not make sense to require sidewalks for her property when it is not a requirement for the other properties in the subdivision.

Sarina Miller, 6004 McCarty Avenue, said Ms. Porter has been making several improvements to her property and the extra expense of a paved driveway and installation of sidewalks does not make sense.

**Administrative Review Board Action of November 7, 2019**

A motion was made by Board Member Johanson and seconded by Board Member Erickson to **approve** Petition No. ARB 19-85, a request from Robin Porter for a variance from Section 5.3.3.A requiring a paved driveway, and Section 6.4.8.C.1.A of the Unified Development Code, UDC, requiring installation of a sidewalk prior to placement of a new manufactured home for property located at 6007 McCarty Avenue.

AYE: Chair Dennis, Members Erickson, and Johanson.

NAY: None

ABSTAIN: None

ABSENT: Board Member Martin

**APPROVED 3-0**

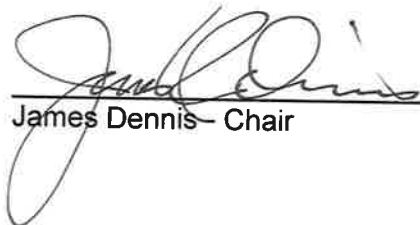
**Business from the Floor:** There was no business from the Floor.

**Business from the Chair:** Chair Dennis stated that he had questions concerning the ordinance to allow food trucks at various sites around Farmington. Ms. Escobar said she will email the food truck ordinance to each of the Board Members and will add the discussion to the December 55, 2019 ARB agenda.

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

**Business from Staff:** Beth Escobar announced Karen Walker's promotion to Assistant Planner.

**Adjournment:** The November 7, 2019 meeting of the Administrative Review Board was adjourned at 6:20 p.m.

  
James Dennis - Chair

  
Karen Walker - Administrative Assistant