

**BOARD OF APPEALS
MINUTES OF CITY COUNCIL MEETING
ARTESIA, NEW MEXICO
May 9th, 2017**

The City Council of the City of Artesia, New Mexico met at the Artesia Recreation Center, 612 North 8th Street, Artesia, New Mexico, on Tuesday, May 9th, 2017 at 6:15 p.m. in regular session with Mayor Phillip Burch presiding, and the following present to wit:

Luis Florez	Bill Rogers
Terry Hill	Nora Sanchez
Manuel Madrid Jr.	Jeff Youtsey
Raul Rodriguez	Kent Bratcher

The following were absent:

None

Also present:

Aubrey Hobson, City Clerk
John Caraway, City Attorney

Community Development Director Jim McGuire presented:

- a. Case No. 17-02, a variance to Subsection 9-9-2.A. of City Code, Required Front Yard Setback of 30 ft. in the SA-2 District, 2608 W. Menefee Avenue; a Replat of a part of Lot 40, Block 2 of Waller Subdivision. Owner-Jessica and Jason Huggins

Director McGuire reported that the Planning and Zoning Committee met on April 19th, 2017 and that the recommendation of the committee was to approve the variance. The committee felt it would be an improvement to the neighborhood, however, this request for variance does not meet the normal standard requirements needed for a variance approval as there are no exceptional or unusual physical conditions to the lot itself.

Councilor Bill Rogers requested clarification on whether the variance was for a front setback only. Director McGuire answered that the rear setback would not be affected.

Mayor Phillip Burch inquired as to whether neighbors had been advised. Director McGuire stated that an advertisement had been run in the Artesia Daily Press.

Mayor Pro Tem Hill stated that the committee report alluded that an adjacent lot may not be in compliance and requested clarification on that matter. Director McGuire stated that the adjacent lot is an existing non-conforming lot and that it was only shown in the report for comparison purposes.

Mayor Burch inquired as to whether there were any other double wide trailers in the neighborhood. Director McGuire stated that he did not know.

A citizen currently residing in the neighborhood at 2603 Menefee asked to speak at this time. He inquired as to whether his current single wide trailer that was on the lot when he purchased it

would be affected. Director McGuire assured him that it would not as his existing trailer was an existing non-conforming property.

Councilor Rogers asked Director McGuire to explain the term existing non-conforming. Director McGuire explained that anything that was already on the properties when the new code came into effect did not have to comply with the new code, however, anyone wanting to buy or change anything on the property would have to abide by the new code.

Councilor Rogers moved to approve the variance requested in:

- a. Case No. 17-02, a variance to Subsection 9-9-2.A. of City Code, Required Front Yard Setback of 30 ft. in the SA-2 District. 2608 W. Menefee Avenue; a Replat of a part of Lot 40, Block 2 of Waller Subdivision. Owner-Jessica and Jason Huggins

The motion was seconded by Councilor Sanchez and upon vote, the motion passed.

There being no further business, the meeting was adjourned at 6:24 p.m. on May 9th, 2017.



Mayor

ATTEST:

City Clerk

