

**BOARD OF APPEALS**  
**MINUTES OF CITY COUNCIL MEETING**  
**ARTESIA, NEW MEXICO**  
**August 8<sup>th</sup>, 2017**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, August 8<sup>th</sup>, 2017 at 6:04 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  
Jay Francis – filling in for John Caraway, City Attorney

Community Development Director Jim McGuire presented:

- a. Case No. 17-04, A variance from meeting the requirements of Subsection 9-9-4.B.2.a. of Artesia City Code, by occupying more than thirty (30) percent of the rear yard space with an accessory structure. 1601 W. Bullock Avenue; Lot 11, Block 19 of Murphy Addition Replat. Owner-Jerron and Celica Madrid

Director McGuire presented Case No. 17-04 and reported that the Planning and Zoning Committee recommended approval of the variance however, staff recommended denial of the variance as they did not see the lot as unusual. Director McGuire went over the different options for building placement and how it would affect the variance request.

Mayor Phillip Burch inquired as to whether the neighbors had been informed and what their response was. Director McGuire stated that letters had been sent but no responses had been received.

The applicant, Jerron Madrid, spoke at this time and explained his request and the processes he has gone through up to this point.

Councilor Jeff Youtsey asked Mr. Madrid if the structure was a manufactured structure to which Mr. Madrid replied that it was a pre-engineered structure.

There was discussion regarding the positioning of the structure and how it would affect compliance with the City Code. There was also discussion regarding how different positioning would affect alley access and would still create a variance.

The Council had questions regarding the Planning and Zoning Committee recommendation and the reasons this request was before Council. Many Council members expressed gratitude to Mr. Madrid for taking the correct steps regarding his request for a variance approval.

Councilor Florez moved to approve the variance requested in:

- a. Case No. 17-04, A variance from meeting the requirements of Subsection 9-9-4.B.2.a. of Artesia City Code, by occupying more than thirty (30) percent of the rear yard space with an accessory structure. 1601 W. Bullock Avenue; Lot 11, Block 19 of Murphy Addition Replat. Owner-Jerron and Celica Madrid

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

There being no further business, the meeting was adjourned at 6:27 p.m. on August 8<sup>th</sup>, 2017.

  
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Mayor

ATTEST:

  
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City Clerk