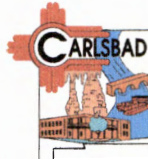


MINUTES OF THE REGULAR MEETING OF THE

**City of Carlsbad
Planning & Zoning Commission**

Monday, July 6, 2020, at 5:00 p.m.

**Meeting Held in the Annex Planning Room
114 S. Halagueno**



**CITY OF CARLSBAD
CARLSBAD, NEW MEXICO**

PLANNING AND ZONING COMMISSION

**Monday, July 6, 2020 at 5:00 PM
Municipal Annex 114 S. Halagueno Street
Council Chambers**

1. Roll call of voting members and determination of quorum
2. Approval of Agenda
3. Approval of Minutes from the Meeting held June 1, 2020
4. Consider approval of a Variance request to allow a 5' side setback located at 116 S. Fifth St., zoned "R-1" Residential 1 District
5. Consider a recommendation to Council for a Zone Change request from "R-1" Residential 1 District to "R-R" Rural Residential District for approximately 0.16 acres located at 2414 Avenue B
6. Report regarding Summary Review Subdivisions
7. Adjourn

FOR INFORMATION ONLY

Agendas and Planning and Zoning Commission meeting minutes are available on the City web site:

cityofcarlsbadnm.com

or may be viewed in the Office of the City Clerk or at the Carlsbad Public Library during normal and regular business hours

PLANNING AND ZONING COMMISSION MEETING SCHEDULE

Regular meeting – Monday, August 3, 2020 at 5:00 p.m.

If you require hearing interpreter, language interpreters or auxiliary aids in order to attend and participate in the above meeting, please contact the City Administrator's office at (575) 887-1191 at least 48 hours prior to the scheduled meeting time.

**MINUTES OF A REGULAR MEETING OF THE CITY OF CARLSBAD PLANNING &
ZONING COMMISSION HELD IN THE MUNICIPAL ANNEX PLANNING ROOM, 114 S.
HALAGUENO STREET, JULY 6, 2020, AT 5:00 P.M.**

VOTING MEMBERS PRESENT:

**JAMES McCORMICK
BRIGIDO GARCIA
BRAD NESSER**

**COMMISSIONER
COMMISSIONER
COMMISSIONER**

VOTING MEMBERS ABSENT:

**LASON BARNEY
VACANT**

EX-OFFICIO MEMBERS PRESENT:

**JEFF PATTERSON
TRYSHA ORTIZ**

**PLANNING DIRECTOR
DEPUTY PLANNING DIRECTOR**

SECRETARY PRESENT:

JUDITH WEBSTER

**PLANNING AND REGULATION
DEPARTMENT SECRETARY**

OTHERS PRESENT:

**JEANNIE BARTLETT
JUSTIN BARTLETT
AMY LEYVA
RAQUEL LEYVA**

**116 S. 5th ST.
116 S. 5th ST.
2414 AVENUE B**

Time Stamps and headings below correspond to recording of meeting and the recording is hereby made a part of the official record.

0:00:02 Start Recording [5:01:46 PM]

0:00:07 **1. Roll call of Voting Members and Determination of Quorum.**

Roll was called, confirming the presence of a quorum of commission members. The following members were present—**Mr. McCormick, Mr. Garcia, Mr. Nesser** Absent- **Mr. Barney**.

0:00:37 **2. Approval of Agenda**

Mr. Nesser made a motion to approve the Agenda; **Mr. Garcia** seconded the motion. The vote was as follows: **Yes-- Mr. Garcia, Mr. McCormick, Mr. Nesser.** No—None; Abstained—None; Absent- **Mr. Barney**; The motion carried.

0:01:52 **3. Approval of Minutes from the regular Meeting held June 1, 2020**

Mr. Nesser made a motion to approve the minutes from the regular meeting held June 1, 2020; **Mr. Garcia** seconded the motion. The vote was as follows: **Yes-- Mr. Garcia, Mr. McCormick, Mr. Nesser.** No—None; Abstained—None; Absent- **Mr. Barney**; The motion carried.

0:02:22 **4. Consider approval of a Variance request to allow a 5' side setback located at 116 S. Fifth St., zoned "R-1" Residential 1 District**

Justin Bartlett and **Ella Jean Bartlett** come to the podium; **Mr. Patterson** explains this request. The applicants want to build a two-story metal shop building, which will be 30' wide with a 12' wide porch equaling 42' total in width. This will be their primary residence. The lot is approximately 50' wide; and the applicant is requesting the side setback be reduced to 5' instead of the 7.5' required by City Code. The Planning staff recommends denial. **Mr. Bartlett** states he has purchased 2' from the neighbor on the north side, which would allow the 5' side setback he is requesting. Floor opened for public comment. There was none. **Mr. Bartlett** confirms that the porch will be 12' with the concrete and the roof being the same width. The supports will be 6" off the edge of the concrete. **Mr. Nesser** suggests amending the drawings to have a 7'6" side setback on the south, and a 5'6" side setback on the north. **Mr. Bartlett** says he will look at this, it may work.

Mr. Nesser made a motion to approve with condition that the plans be amended; **Mr. Garcia** seconded the motion. The vote was as follows: **Yes-- Mr. Garcia, Mr. McCormick, Mr. Nesser.** No--None; Abstained--None; Absent- **Mr. Barney**; The motion carried.

Mr. Patterson states this does not need to go on to City Council; and the applicant needs to work with the Building department as he moves forward.

0:26:55 **5. Consider a recommendation to Council for a Zone Change request from "R-1" Residential 1 District to "R-R" Rural Residential District for approximately 0.16 acres located at 2414 Avenue B**

Amy Leyva comes to the podium. **Mr. Patterson** explains this request, noting that Planning staff recommends denial as the lot does not meet the minimum size required for the R-R Rural Residential zoning, and it would create a spot zone. The applicant would like to locate a dog training and boarding business at this location, and as such would need the Rural Residential zoning. **Ms. Leyva** explains she will only have 2 clients at a time. **Raquel Leyva** comes to the podium in support of the applicant. Floor closed for public comment. **Mr. Garcia** asks for clarification of the minimum requirement for Rural Residential zoning. **Mr. Patterson** replies that it is .25 acres; and the applicant has .16 acres. The Planning staff has received no negative comments from the letters that were sent out.

Mr. Garcia made a motion to approve; **Mr. Nesser** seconded the motion. The vote was as follows: **Yes-- Mr. Garcia, Mr. McCormick, Mr. Nesser.** No--None; Abstained--None; Absent- **Mr. Barney**; The motion carried.

Mr. Patterson tells the applicant this item will go before City Council on August 25, 2020.

0:39:09 **6. Report regarding Summary Review Subdivisions.**

Nothing unusual was noted.

0:42:16 **7. Adjourn.**

There being no other business, the meeting was adjourned.

0:42:20 Stop Recording [5:44:06 PM]



Chairman

9-14-2020
Date