

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

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

Members present Chair-James Dennis  
Jeff Johanson  
Paul Martin  
Oliver Roe

Members absent: None

Staff present: Mary Holton  
Karen Walker

Others addressing the Board: Bob Echols

**Call to Order**

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

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

Board Member Roe made a motion to approve the minutes of the January 3, 2019 regular meeting. The motion was seconded by Board Member Martin 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.

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**Petition No. ARB 18-99  
Appeal of an Administrative Decision**

**Discussion of ARB No. 18-99 on February 7, 2019**

Director Mary Holton presented the staff report for ARB 18-89, a request from Gary McCutchen, represented by Robert Echols with Cheney-Walters-Echols, for a variance to the setbacks to provide legal compliance with the requirements in the LNC, Local Neighborhood District, for the existing buildings located at 2015 Knudsen Avenue.

The minimum setback standards for the LNC District are 30-feet for the front, 30-feet for the rear, 20-feet for the interior side, and 30-feet for the street side setback. The front of the building is facing Knudsen Avenue. The existing setbacks include 14-feet on the front, 3-feet on the rear for the shed and 30-feet for the primary building, 68-feet on the north side where the parking lot is, and on the south side both buildings encroach onto another property owner's lot. Ms. Holton said the owner has submitted a summary plat which includes a lot line adjustment to move the southern lot line 28-feet to the south to an existing fence line located 4-feet south of the principal and accessory buildings to eliminate the encroachment. Ms. Holton noted that this review and staff recommendation is based on the conditions that will exist after the recordation of the summary plat.

The principal building was built in 1979 according to the San Juan County Tax Assessors records. At the time of its construction, the site appears to have been zoned C-2, General Commercial District. C-2 did not require setbacks as long as the tract was not adjoining a residential use. The minimum setbacks for that district included 0-feet for the front, 0-feet for the rear, and 0-feet on the north and south sides. The site was apparently rezoned LNC when the UDC became effective. The buildings were in compliance when constructed.

The Community Development Department recommends approval of Petition ARB 18-99, a request from Gary McCutchen, represented by Robert Echols, Cheney-Walters-Echols, for

variances to the front (14 feet), to the rear (3 feet for the shed only), and south side (4 feet for both buildings) setbacks to provide legal compliance with the requirements in the LNC Local Neighborhood District for the existing building and shed located at 2015 Knudsen. This recommendation is conditioned on the recordation of the new plat as proposed in SP 18-98.

Bob Echols of Cheney-Walters-Echols, 909 W. Apache Street, said he has no problems with staff recommendations. Mr. Echols said the issues with this petition actually began in 2014 with a dispute on where the property line was. The issue resurfaced recently when it was discovered that the property was zoned LNC. Mr. Echols said the summary plat will correct the property line issue for the building and the variances needed for the setbacks.

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

A motion was made by Board Member Roe and seconded by Board Member Martin to **approve** Petition No. ARB 18-99, a request from Gary McCutchen, represented by Robert Echols, Cheney-Walters-Echols, for a variance to the setbacks to provide legal compliance with the requirements in the LNC Local Neighborhood District for the existing buildings located at 2015 Knudsen.

AYE: Chair Dennis, Board Members Johanson, Martin, and Roe.

NAY: None

ABSTAIN: None

ABSENT: None

**APPROVED 4-0**

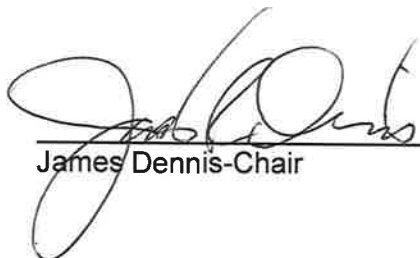
**Business from the Floor:** There was no business from the Floor.

**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:** There was no business from Staff.

**Adjournment:** The February 7, 2019 meeting of the Administrative Review Board was adjourned at 6:11 p.m.

  
James Dennis-Chair

  
Karen Walker-Administrative Assistant