

**LINKED MINUTES OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CARLSBAD, NEW MEXICO, HELD IN THE JANELL WHITLOCK MUNICIPAL COMPLEX BUILDING ON APRIL 6, 2026, AT 5:00 P.M.**

Present:	James McCormick	Chairperson
	Valerie Branson	Commissioner
	Linda Wilson	Commissioner
	Denise Madrid-Boyea	Commissioner
Absent:	Trent Cornum	Commissioner
Also Present:	Jeff Patterson	Planning Director
	Trysha Ortiz	Deputy Planning Director
	Barbara Hodgson	City Attorney
	Ken Ahrens	Deputy City Manager
	Stephan Brown	Compliance Clerk
	JoAnne Jaure	Deputy City Clerk
	Scott Richardson	3802 North Pat Garret Rd
	Lupe Ornelas	2305 West Jackson
	Vanessa Ornelas	2305 West Jackson
	Josh Campbell	Fire Department

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

0:00:00      **Call Meeting to Order**

0:00:26      **1. ROLL CALL AND DETERMINATION OF QUORUM**

Roll was called, determining a presence of a quorum.

0:01:11      **2. APPROVAL OF MEETING MINUTES -- MARCH 2, 2026**

0:01:30      **MOTION**

The motion was made by Commissioner Madrid-Boyea and seconded by Commissioner Wilson to approve meeting minutes from March 2, 2026

0:01:37      **VOTE**

The vote was as follows: Yes - McCormick, Branson, Wilson, Madrid-Boyea; No - None; Absent - Cornum; the motion carried

0:01:52      **3. CONSIDER APPROVAL OF A VARIANCE FROM ORD. 56-90(B) TO ALLOW A FIVE-FOOT (5') REAR SETBACK INSTEAD OF THE**

**REQUIRED TWENTY-FOOT (20') REAR SETBACK FOR THE PROPERTY  
LOCATED AT 3802 NORTH PAT GARRETT ROAD, ZONED "R-1" RESIDENTIAL  
1 DISTRICT**

**Mr. Patterson** stated that the request is for a variance to allow a five-foot rear setback instead of the required twenty-foot rear setback. He said after reviewing the application materials and city staff comments, the Planning Department recommends denial of the request.

**Scott Richardson** explained that he would like to place a 10ft by 20ft temporary shed on sliders. He said he was unaware of the setback requirement and only learned of it when he called to obtain a permit.

**Chairman McCormick** clarified that the shed would be temporary. **Mr. Richardson** confirmed that it would not be placed on a concrete foundation and would instead be slid into the backyard. **Chairman McCormick** then asked whether the shed would be made of metal. **Mr. Richardson** responded that it would be a wooden shed. **Chairman McCormick** asked if the shed had electricity. **Mr. Richardson** said no.

**Commissioner Madrid-Boyea** asked if there were any other buildings or structures on the property. **Mr. Richardson** stated that, aside from his home, there are no permanent structures, noting that the overview image may show his trailer. **Commissioner Madrid-Boyea** asked whether any obstacles required the shed to be placed five feet from the rear property line rather than twenty feet. **Mr. Richardson** explained that placing the shed at the required twenty-foot setback would position it in the middle of the yard and limit usable space, whereas a five-foot setback would allow for better use of the yard.

0:08:21 **Chairman McCormick** asked if anyone would like to speak regarding this item. No one appeared and the Chairman declared the public hearing closed and reconvened the Planning and Zoning Commission into regular session.

0:08:44 **Commissioner Wilson** stated that the shed is portable and can be moved if any issues arise.

**Commissioner Madrid-Boyea** noted that variances are sometimes granted before the adoption of current zoning regulations and may be grandfathered in when new zoning ordinances are enacted. **Mr. Patterson** responded that there are no existing variances on the property that predate the current zoning ordinance. He added that in the "R-1" Residential District, the required rear setback is ten feet.

**Commissioner Madrid-Boyea** asked whether **Mr. Richardson** would be willing to accept a ten-foot setback instead of the requested five-foot setback. **Mr. Richardson** indicated that he would be agreeable to that adjustment.

0:11:30        **MOTION**

The motion was made by Commissioner Wilson and seconded by Commissioner Madrid-Boyea to approve a Variance from Ord. 56-90(b) to allow a ten-foot (10') rear setback instead of the required twenty-foot (20') rear setback for the property located at 3802 North Pat Garrett Road, zoned "R-1" Residential 1 District

0:12:15        **VOTE**

The vote was as follows: Yes - McCormick, Branson, Wilson, Madrid-Boyea; No - None; Absent - Cornum; the motion carried

0:12:49        **4. CONSIDER A RECOMMENDATION TO CITY COUNCIL REGARDING A REQUEST TO CHANGE THE ZONING TO APPROXIMATELY 0.28 ACRES LOCATED AT 2305 WEST JACKSON STREET, LEGALLY DESCRIBED AS TRACT 2, JACKSON REPLAT SUBDIVISION, FROM "C-2" COMMERCIAL 2 DISTRICT TO "R-1" RESIDENTIAL 1 DISTRICT**

Mr. Patterson stated that the request is to rezone the property located at 2305 West Jackson Street from "C-2" Commercial 2 District to "R-1" Residential 1 District. He explained that properties to the north and west are zoned "R-1" Residential 1 District, while properties to the east and south are zoned "C-2" Commercial 2 District; therefore, the proposed change would not result in spot zoning. He said after reviewing the application materials and city staff comments, the Planning Department recommends approval of the request.

Lupe Ornelas stated that the property is currently for sale and noted that some lenders will not approve loans for properties zoned commercial. Chairman McCormick asked whether he was aware that the property was zoned commercial before listing it for sale. Mr. Ornelas responded that he was aware, but did not understand why the property was designated as commercial when it is being used as a residence.

0:16:04        **Chairman McCormick asked if anyone would like to speak regarding this item. No one appeared and the Chairman declared the public hearing closed and reconvened the Planning and Zoning Commission into regular session.**

0:16:25        **MOTION**

The motion was made by Commissioner Wilson and seconded by Commissioner Madrid-Boyea to approve a recommendation to City Council regarding a request to change the zoning to approximately 0.28 acres located at 2305 West Jackson Street, legally described as Tract 2, Jackson Replat Subdivision, from "C-2" Commercial 2 District to "R-1" Residential 1 District

0:16:30        **VOTE**

The vote was as follows: Yes - McCormick, Branson, Wilson, Madrid-Boyea; No - None; Absent - Cornum; the motion carried.

0:17:17      **5. CONSIDER A RECOMMENDATION TO CITY COUNCIL REGARDING A REQUEST FOR TEMPORARY HOUSING AT 3501 HIDALGO RD, A PROPERTY APPROXIMATELY 2.5 ACRES IN SIZE, LEGALLY DESCRIBED AS TRACT 2, SUMMARY REPLAT OF A TRACT OF LAND LOCATED IN THE SW1/4, NW1/4, SECTION 26, TOWNSHIP 22 SOUTH, RANGE 26 EAST**

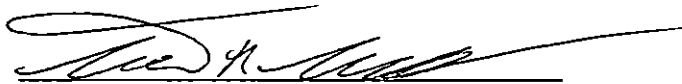
Chairman McCormick stated that this item has been removed from the agenda.

0:17:28      **6. REPORT OF SUMMARY REVIEW SUBDIVISIONS**

None to report.

0:17:53                      **ADJOURNED**

With no further business to discuss, Chairman McCormick declared the meeting adjourned at 5:17 PM.



James McCormick, Chairperson

*FRANK CORNUM*

5-4-26

Date