



Approved May 24, 2016

## VALENCIA COUNTY PLANNING & ZONING COMMISSION

### M-I-N-U-T-E-S

March 22, 2016

3:00 PM

Valencia County Courthouse Commission Chambers

444 Luna Ave, Los Lunas, NM 87031

#### Present

Chairman Michael McCartney

Vice-Chairman LeRoy Baca

Commissioner Frank A. Gurule

Commissioner Robert Q. Louie

Jacobo Martinez, Community Development Director (not Voting)

#### Absent

Commissioner Sue Moran

- 1) The meeting was called to order by Chairman McCartney at 3:00 p.m.
- 2) Commissioner Gurule led the Pledge of Allegiance
- 3) Commissioner Baca motioned to approve the Agenda. Commissioner Gurule seconded the motion. Motion passed unanimously.
- 4) Commissioner Baca motioned to approve the minutes of February 23, 2016. Commissioner Louie seconded the motion. Motion passed unanimously.
- 5) Chairman McCartney swore in participants.

#### 6) Action Item(s)

##### A) Request for Zone Change from Rural Residential-1 (RR-1) to Community Commercial (C-2)

Application: ZC #2016060

Applicant: Luis and Deborah Tellez

Purpose: General Mechanic Shop

**Legal Description:** T7N, R3E, Section 28, N.M.P.M.; Subdivision: Mesa View Addition: Block: 1; Tract: 8E3; Consisting of 1.125 AC: Zoned Rural Residential -1 (RR-1); Filed in Plat Book D-4, Page Number 20 in the office of the Valencia County Clerk; Also Known as 221 Meadow Lake Road, Los Lunas, NM. 87031

*This property is located in approximately 1 mile NE of Manzano Expressway and Meadow Lake Road  
This property is the first property on the NE side of Meadow Lake Road after the Manzano Expressway*

*This property falls within District II*

*County Commissioner Alicia Aguilar ♦ P&Z Commissioner Michael McCartney*



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Commissioner Baca made a motion to table the request until the next meeting as the applicants requested the use be an automobile car sales as opposed to the original request of a general mechanic shop. Commissioner Gurule seconded the motion.

### **Roll Call Vote:**

Commissioner Gurule-Yes  
Commissioner Baca-Yes  
Commissioner Louie-Yes  
Chairman McCartney-Yes

### **B) Request for Zone Change from Rural Residential-2 (RR-2) to Rural Residential-1 (RR-1)**

Application: ZC #2016063  
Applicant: Roberto Garcia  
Purpose: To allow for lot split for residence for family member

**Legal Description:** T4N, R2E, Section 29, Map 116; N.M.P.M; Lands of William D & Joann Covington; Tract: 18A1A; Consisting of 2.63 AC: Zoned Rural Residential -2 (RR-2); Filed in Plat Cabinet K, Plat Number 1339 in the office of the Valencia County Clerk; Also Known 1563 Highway 304, Belen, NM 87002.

*This property is located in approximately 0.10 miles NE of Highway 346 off Highway 304 and approximately 0.80 miles west of Upper Dairy Road*

*This property falls within District III*

*County Commissioner David Hyder ♦ P&Z Commissioner Sue Moran*

Mr. Martinez showed an aerial view of the property via projector to the Planning & Zoning Commission which shows the property sandwiched between Agricultural Preserve and Rural Residential-1 parcels and stated the applicant is applying for the zone change in order to split the property so that a second family dwelling can be placed on the land.

Chairman McCartney asked if the applicant's son is the one putting a home on the property.

Mr. Martinez stated yes.

Commissioner Louie asked Mr. Martinez where the driveway would be for the property.

Mr. Martinez stated it will be on the west side.

Commissioner Baca asked where the driveway in existence is now.



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Mr. Martinez stated that in the packet there is an aerial view of the property and showed the Commissioners via projector that it is on the North side of the property. Mr. Martinez also stated since they driveway will be coming off of Highway 304 which is a state maintained road, the applicants will have to obtain a residential driveway permit.

Commissioner Louie stated the access to the present building is off of Highway 304 and looks as if it goes through another property.

Mr. Garcia stated the access is on a piece of property the family owns and they use that access to get to the home. Mr. Garcia also stated he and his father just learned they need to obtain a driveway permit for each property.

Commissioner Louie asked if the zone change is approved and the property is split would each property need a driveway permit off of Highway 304.

Mr. Martinez stated each piece of property, regardless of the zoning, needs a driveway permit if it is off of a state highway and the only way to obtain that permit is through the New Mexico Department of Transportation. Mr. Martinez it is not very cumbersome to get a residential driveway permit.

Chairman McCartney asked if the property split would be equal or if they want to split just one acre off.

Mr. Martinez stated that is a question for the applicant, however according to the Ordinance the minimum size split for an RR-1 zone is one acre.

Mr. Garcia stated he relocated from Los Angeles, California a couple of years ago to help take care of his aging father and would like to have his own home on a separate piece of property. Mr. Garcia stated he does work from home for Blue Cross and Blue Shield which allows him to be available full time to look out for his father. Mr. Garcia stated he wants to do everything legally and get all the necessary permits required and did find a driveway permit in his father's paperwork for the property that currently has a structure.

Commissioner Gurule stated the department reviews do not show any violations or negative remarks.

Commissioner Louie asked if he is wanting to split off one acre and leave the other 1.6 acres on his father's property.

Mr. Garcia stated that is correct, whatever the law allows.

Chairman McCartney asked how old his father is.

Mr. Garcia stated he is 70.



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Chairman McCartney asked Mr. Garcia if he planning on placing a manufactured home on the property?

Mr. Garcia stated he will put whatever he is allowed to place on there.

Chairman McCartney asked Mr. Garcia if he is aware that the manufactured home will have to be placed on a permanent foundation.

Mr. Garcia stated he is aware and will obtain all required permits.

Commissioner Gurule made a motion to approve recommendation of the zone change to the County Commission. Commissioner Louie seconded the recommendation.

Chairman McCartney stated he would prefer the case not go to the BOCC without the driveway permit in place.

Mr. Garcia stated he is fine with the condition.

Mr. Martinez stated the NMDOT may not provide the driveway permit for the second property until the lot is split.

Mr. Martinez stated there has been a motion to recommend approval of the zone change from RR-2 to RR-1 on the condition that the applicant does at least get a letter from NMDOT stating that he is following the permitting process for a driveway permit and there has been a second on that motion so I will now call for a vote.

### **Roll Call Vote:**

Commissioner Gurule-Yes

Commissioner Baca-Yes

Commissioner Louie-Yes

Chairman McCartney-Yes

Mr. Martinez told Mr. Garcia this is the first step in the zone change process and the next step will be to go in front of the Board of County Commissioners and they will make the final decision and it will probably go up in May and we will notify you of the time and date.

### **7) Discussion**

### **8) Next Meeting**

April 26, 2016 @ 3:00 pm

### **9) Adjournment**

Commissioner Baca motioned to adjourn.

Commissioner Gurule seconded the motion.

Motion passed unanimously.