



VALENCIA COUNTY PLANNING & ZONING COMMISSION MINUTES

May 23, 2012

4:00 PM

Valencia County Courthouse Commission Chambers
444 Luna Ave, Los Lunas, NM

1. CALL TO ORDER

Commissioner Lane

2. PLEDGE OF ALLEGIANCE

Commissioner Gaudette

3. APPROVAL OF AGENDA

Commissioner Artiaga

Commissioner Gaudette

4. APPROVAL OF AMENDED MINUTES: April 25, 2012

Commissioner McCartney

Commissioner Artiaga

5. SWEARING IN OF PARTICIPANTS

Commissioner Lane

6. ACTION ITEMS

A. REQUESTS CONDITIONAL USE-HOME OCCUPATION: Roger L Harrison: Legal Description: T6N, R2E, Section 14, Map 84; NMPM; Lands of Roger Harrison; Tract 2 & Tract 1A2B; Zoned RR-1; Filed in Book 365, Page 1230; of the office of the Valencia County Clerk; Also known as 411 La Entrada, Los Lunas, NM.

Mr. Harrison stated that his name is Roger and his address is 411 La Entrada and he is requesting a conditional use so that he could obtain a Federal Fire arms license, he is going to be selling the guns on the internet and some sales out of his house and he does not anticipate high volume of traffic.

Commissioner Lane asked if he was going to store the guns at his house.

Mr. Harrison stated that he has a safe and all the guns would be kept there.

Commissioner Lane asked if he was going to have any ammunition.

Mr. Harrison stated that he did not want to get into having ammunition at his home, he only wants to deal with the guns.

Commissioner Lane asked if Mr. Harrison was going to be at the property everyday or if he had a different job.

Mr. Harrison stated that he is retired and is going to be on site every day.

Commissioner Lane asked if the commissioners had any questions for Mr. Harrison.

Commissioner McCartney asked if Mr. Harrison knew that this was just the first step in a long process.

Mr. Harrison stated yes he understood that.

Commissioner Artiaga stated that she drove by the property and that it was very nice and kept up, and she had no questions for him.



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Commissioners had no other questions for Mr. Harrison.

Commissioner Lane asked if there was anyone in favor of this request that would like to speak, no one in favor, and then he asked if there was anyone in opposition of the request, no one in opposition of the request.

Commissioner Lane asked Mr. Harrison to please come back to the podium, and stated that he would like to entertain a motion.

Commissioner Gaudette made a motion to approve the home occupation.

Commissioner McCartney seconded the motion.

Mr. Martinez called for a vote.

Commissioner Artiaga stated yes.

Commissioner Gaudette stated yes.

Commissioner McCartney stated yes.

Commissioner Lane stated yes.

Mr. Martinez stated to Mr. Harrison that his request for Conditional use home occupation was approved and he will be sending out a letter and to note that the date on the letter is the official date of approval and there is a 15 day appeal process.

Mr. Harrison thanked the commission for their time.

B. REQUEST FOR VARIENCE: David Scroggins Legal Description: T7N, R2E, Section 28, Map B-7-29; NMPM; Meadow Lake Subdivision, Unit 3, Tract 1 & 121; Zoned C-1; Filed in Book 336, Page 7631; Of the office of the Valencia County Clerk.

Mr. Scroggins stated his name is David and he is a developer for Family Dollar and they are looking at this site in Meadow Lake that is zoned C-1 that only allows for a 5,000 square foot building and the building that they are looking at building is around 8,300 square feet.

Commissioner Lane asked if they were going to combine the two lots to make it into one big lot.

Mr. Scroggins stated that is correct.

Commissioner Lane asked Mr. Martinez to please read the allowed uses under the C-1 zoning.

Mr. Martinez stated that the allowed uses are as follows: *Permitted uses*. In the C-1 District, the following uses shall be permitted subject to the standards and limitations set forth in division (F) below and pursuant to §§ [154.035](#) through [154.040](#) for site design review: (1) Restaurant (with or without a liquor license) or refreshment stand; (2) Retail stores not exceeding 5,000 square feet of floor space; (3) General or professional offices; (4) Convenience food store, maximum floor area of 5,000 square feet of floor space; (5) Business services offices; (6) (a) Dwelling in conjunction with a permitted use (b) If a dwelling is a mobile home, it shall, in addition to the requirements of this section, also be subject to the mobile home standards set forth in § [154.172](#); (7) Accessory uses; (8) Temporary structures as may be required during construction of an authorized permanent structure. The temporary structure shall be removed upon final inspection of the permanent structure by the Building Inspector; (9) Community or municipal water supply system; (10) Community or municipal sewer system; (11) Public facilities; (12) Flea markets, subject to site design review; (13) Churches, subject to site design review; (14) Signs, pursuant to the sign provisions set forth in § [154.166](#); (15) Permitted uses allowed in RR Districts; and (16)



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Similar uses, similar in character, scale and performance, or with similar noise, odor, traffic, air and water quality impacts on neighboring properties.

Commissioner Lane thanked Mr. Martinez, and asked if there was anyone that would like to speak in favor of this request.

Mr. Mraz stated that his name is Tom and his address is 11 American Way in Meadow Lake, and he is in favor of this request and thinks that it is going to be a great thing for this community.

Commissioners thanked Mr. Mraz for his comments.

Mr. Knauber stated that his name is Kenneth and his is in favor of this request, but he did have some concerns about the lighting at the end of that road and if they get graffiti on the walls or on the building how long would it take them to clean it all up.

Commissioner Lane stated that he will ask the applicants about his concerns and have them answer them when it is their turn to speak, and then asked if there was anyone that wanted to speak against this request.

Mr. Najithid stated that his name is Naresh and his address is 758 Meadow Lake Rd and he is against the request because he owns Meadow Lake Market that is across the street from the site in question and he is worried that he is going to be put out of business, he did have a concern about the Family Dollar stores selling cigarettes to under aged kids and if they would be selling liquor in these stores.

Commissioner Lane stated to Mr. Najithid that he would ask the applicants about his concerns and they would have a chance to address them when they have a chance to speak. And then asked if there was anyone else that would like to speak against this application to please come forward. No one else came forward against the application.

Mr. Scroggins came back to the podium and stated that the Family Dollars will not sell liquor at all in the stores and that he cannot speak about the cigarette sales because that would be up to the managers of each store. He said that they are willing to do whatever the commissioners think is right for the community because they want to work with the community and they do what is best for it. He stated that if there was graffiti on the fences or on the walls of the building that they would take care of that problem as soon as possible.

Commissioner Lane stated that he would like to entertain a motion.

Commissioner Artiaga stated that she would like to make a motion to approve the variance with the condition that they install a 6 foot blind fence to separate the business from the residences.

Commissioner McCartney seconded the motion.

Mr. Martinez called for a vote.

Commissioner Edeal stated yes.

Commissioner McCartney stated yes.

Commissioner Gaudette stated yes.

Commissioner Artiaga stated yes.

Commissioner Lane stated yet.



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Mr. Martinez stated to Mr. Scroggins that his request for the building size variance has been approved the Planning office will send out a letter and to note that the date on the letter is the office date of approval and there is a 15 day appeal process.

Mr. Scroggins thanked the commissioners for their time.

7. DISCUSSION:

There was very limited discussion. Commissioner Gaudette stated that he will not be attending the next couple of meetings.

8. NEXT MEETING: June 27, 2012

9. ADJOURN