



Approved 06/28/2016
Unanimously

VALENCIA COUNTY PLANNING & ZONING COMMISSION

May 24, 2016 @ 3:00 p.m.

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

Valencia County Courthouse County Manager's Conference Room
444 Luna Ave, Los Lunas, NM 87031

Present

Chairman LeRoy Baca
Vice-Chairman Robert Q. Louie
Commissioner Frank A. Gurule
Commissioner Michael McCartney
Commissioner Sue Moran
Jacobo Martinez, Community Development Director (not Voting)

The hearings were conducted in the County Manager's conference room as the County Commission chambers were being used for voting. As such, a portable recorder was used for the hearing and that recorder failed and only these written minutes are available.

1) Call the meeting to order

Chairman McCartney

2) Pledge of Allegiance

Commissioner Gurule

3) Approval of Agenda

Agenda amended to table item 6) A-Request for Zone Change

Motioned by Commissioner Baca

Seconded by Commissioner Gurule

Approved 5-0

4) Approval of Minutes

March 22, 2016, April 26, 2016

Motioned by Commissioner Moran

Seconded by Commissioner Baca

Approved 5-0

5) Swearing in of participants

Chairman McCartney

6) Action Item(s)

A) Request for Zone Change from:

Outland District (OD) to Mineral Resource District (MR)

Application: ZC #2016157

Applicant: El Paisano Ranch-Ron B. Chavez as Agent

Purpose: To allow for mineral resource extraction operations

Legal Description: T5N, R4E, Sections: 9, NMPM; Land of J.R. Chavez; N ½ of Section 7 thru 10 & 11; 5N 4N 1600 AC That Part of N ½ & W of Forrest Reservation 266 AC 12 5N 4N the Southern 515 AC of Section 2 thru 4; Zoned Outland District (OD); Filed in Book 9, Page 150 of the office of the Valencia County Clerk.



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This property is located approximately 2.5 miles NE of Navajo Loop

This property falls within District III

County Commissioner David Hyder ♦ P&Z Commissioner Sue Moran

Mr. Martinez informed the Board the applicant has requested the application be tabled until further notice as they felt they needed to collect more information for their application.

B) Request for Zone Change from:

Rural Residential-2 (RR-2) to Rural Residential-1 (RR-1)

Application: ZC #2016158

Applicant: Lois Rivera

Purpose: To allow for property split to allow for two family dwellings

Legal Description: T5N, R2E, Section: 5, Map 95, N.M.P.M.; Lands Lucy Padilla; Tract(s) 84B1 & 85A aka Tract C; Zoned Rural Residential-2 (RR-2); Also known as 28 Acequia Rd., Belen, NM 87002

This property is located 0.13 miles North of Padilla Rd.

This property falls within District IV

County Commissioner Charles Eaton ♦ P&Z Commissioner LeRoy Baca

Mr. Martinez presented the following: **Request Description:** The applicant is requesting to amend the Zoning Map from Rural Residential-2 (RR-2) to Rural Residential-1 (RR-1) to allow a lot split for a family member. **Background:** Packets were handed out for department reviews on May 1, 2016. There were no issues from departments. **Financial Impact of this Request:** The applicant is requesting to amend the Zoning Map from Rural Residential-2 (RR-2) to Rural Residential-1 (RR-1) to allow a lot split for a family member. The current zone is RR-2 which allows for 2 acre minimum lots. The lot size is approximately 2.63 acres. The surrounding lots are RR-2 and RR-1. With the current acreage, she would have enough land to split into two parcels. Assessing the surrounding lands of the subject property, there are properties that are RR-2 and C-1.

Mr. Sam Gallegos, the applicant's son-in-law, was present for the hearing and served as the petitioner's agent. Mr. Gallegos informed the Board the family would like to split the property so that Mrs. Rivera and her husband could live in a home on the back eastern portion of the property and he and his wife and children would live on the front western portion. Mr. Gallegos stated his mother and father in-law were getting older and this would allow for them to be cared for. Mr. Gallegos also stated any permits needed would be acquired should the zone be approved.

Chairman McCartney asked if there was any body to speak in favor of the application. There was nobody.

Chairman McCartney asked if there was anybody to speak against the application. There was nobody.



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Unanimously

VALENCIA COUNTY PLANNING & ZONING COMMISSION

Commissioner Baca motioned to approve recommendation of the zone change to the Board of County Commissioners. Commissioner Louie seconded the motion.

Mr. Martinez: There has been a recommendation and a second of that recommendation for approval for a Zone Change to the Board of the County Commission for application number ZC 2016158 and I will call for a vote on that.

Commissioner Moran:	Yes	Commissioner Baca:	Yes
Commissioner Gurule:	Yes	Commissioner Louie:	Yes
Commissioner McCartney:	Yes		

C) Request for Variance: Mobile Home Size

Application: Variance #2016159
Applicant: Gilberto Marquez
Purpose: To allow building of an addition onto manufactured home to meet minimum size requirements.

Legal Description: T7N, R4E, Section: 29, N.M.P.M.; Mesa Farms Subdivision; Lot: 11-C; Zoned Rural Residential-1 (RR-1); Filed in Plat Cabinet I, Page 699 in the office of the Valencia County Clerk, also known as 12 Mesita Lane.

This property is located 0.08 South of Mesa Estates Rd.

This property falls within District II

County Commissioner Alicia Aguilar ♦ P&Z Commissioner Michael McCartney

Mr. Martinez presented the following: **Request Description:** The applicant is requesting mobile home size variance in a RR-1 Zoning District. The applicant is willing to build an addition to the mobile home in order to meet Valencia County Standards. **Background:** Department Reviews were handed out on May 1, 2016; There were no outstanding issues. **Financial Impact of this Request:** There are no foreseen long-term financial impacts associated with this request. **Analysis:** The applicant is requesting mobile home size variance in a RR-1 Zoning District. The applicant is willing to build an addition to the mobile home in order to meet Valencia County Standards. The Marquez's were issued a permit by New Mexico Manufacturing Mobile Home Division (NMMHD). Unfortunately, NMMHD did not meet with Valencia county and the mobile home was placed without a mobile home permit from the County. Also, the mobile home does not meet the required size of a mobile home in our ordinance. However, the applicant is willing to build an addition to the mobile home so that it meets size requirements.

Mr. Gilberto Marquez stated in Spanish that he had Ayala Company to move the mobile home from Torrance County to Valencia County two years ago and was under the impression the mover was getting all of the necessary permits. **Mr. Marquez** stated he wanted to correct the situation and be in compliance since he and his wife would be moving back here to Valencia County from Phoenix, where he is currently working.



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VALENCIA COUNTY PLANNING & ZONING COMMISSION

(There were questions asked by the Commission which I failed to write down)

Chairman McCartney asked if there was any body to speak in favor of the application. There was nobody.

Chairman McCartney asked if there was anybody to speak against the application. There was nobody.

Commissioner Moran motioned to approve the request for a variance with conditions.
Commissioner Gurule seconded the motion.

Mr. Martinez: There has been a recommendation and a second of that recommendation for approval of a Variance on a mobile home size number V 2016159 with the following conditions: (1) Applicant shall obtain mobile home permits and no residence shall be permitted until final approval of mobile home permits. (2) Valencia County Zoning Permit for addition shall be obtained. (3) Applicant shall obtain framing inspection from Construction Industries Division within six months of this decision and provide such inspection to the Planning and Zoning administration. I will now call for a roll call vote:

Commissioner Moran:	Yes	Commissioner Baca:	Yes
Commissioner Gurule:	Yes	Commissioner Louie:	Yes
Commissioner McCartney:	Yes		

D) Request for Variance: Set-Backs for ground mount solar unit

Application: Variance #2016155
Applicant: Ramona Fernandez
Purpose: To allow for maximal utilization of ground mount solar unit

Legal Description: T7N, R2E, Section: 34, Map 76, N.M.P.M.; Lands of Julian and Bernice Silva; Tract E; Zoned Rural Residential-2 (RR-2); Filed in Plat Book 19, Page 181 in the office of the Valencia County Clerk, also known as 86 Edeal Rd.

This property is located off of Edeal Rd.

This property falls within District V

County Commissioner Jhonathan Aragon ♦ P&Z Commissioner Robert Q. Louie

Mr. Martinez presented the following: **Request Description:** The applicant is requesting a Setback Variance setback in a RR-2 Zoning District to allow for the construction of a ground mount solar. **Background:** Department Reviews were handed out on May 1, 2016; there were no outstanding issues. **Financial Impact of this Request:** There are no foreseen long-term financial impacts associated with this request. **Analysis:** The applicant owns a parcel of land that is very narrow. The parcel is approximately 120 feet in width. There is an existing residence that is 11.11 ft. from the side yard setback. This does not meet our current standards of 15 ft. but has



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VALENCIA COUNTY PLANNING & ZONING COMMISSION

been considered a non-conforming use. The applicant would like to place a ground mount solar system that would sit 11.6 ft. from the side yard setback.

Mrs. Fernandez stated she was requesting this variance to allow for proper placement of the solar panels for her property. She stated that due to the way the solar panels needed to be placed as well as other structures and easements on the property the variance was necessary.

Mr. Nathan Slemboski with Zing Solar, the company doing the installation of the solar panels also explained to the Board in more detail the type of solar panels and why they needed to be placed where the company is proposing allowing Mrs. Fernandez maximum utilization of the solar panels.

Chairman McCartney asked if there was any body to speak in favor of the application. There was nobody.

Chairman McCartney asked if there was anybody to speak against the application. There was nobody.

Commissioner Louie motioned to approve the request for a variance without conditions.

Commissioner Moran seconded the motion.

Mr. Martinez: There has been a recommendation and a second of that recommendation for approval of a Variance number V 2016155 on setbacks for a ground mount solar unit from 15 ft. to 11.6 ft. from the side yard and I will now call for a roll call vote on that.

Commissioner Moran:	Yes	Commissioner Baca:	Yes
Commissioner Gurule:	Yes	Commissioner Louie:	Yes
Commissioner McCartney:	Yes		

7) Discussion

8) Next Meeting

July 26, 2016 @ 3:00 pm

9) Adjournment

Motioned by Commissioner Gurule.

Seconded by Commissioner Moran.