



## **VALENCIA COUNTY PLANNING & ZONING COMMISSION**

### **MINUTES**

**May 28, 2014**

**4:00 PM**

**13<sup>th</sup> Judicial District Court**

**Visiting Judges Chambers Room #203**

**1835 Highway 314 SW**

**Los Lunas, NM 87031**

#### **Roll Call:**

**Present: Chairwoman Artiaga**

**Commissioner Baca**

**Commissioner Huey**

**Jacobo Martinez (Not Voting)**

**Absent: Vice-Chairman Greg Gaudette**

**Commissioner Garcia-Schaffner**

#### **1. CALL THE MEETING TO ORDER**

Chairwoman Artiaga

#### **2. PLEDGE OF ALLIGANCE**

Commissioner Baca

#### **3. APPROVAL OF AGENDA**

**Action:** Approve

**Moved By:** Commissioner Baca

**Seconded By:** Commissioner Louie

**Motion Passed:** Unanimously

#### **4. APPROVAL OF MINUTES:**

**Action:** Tabled

**Moved By:** Commissioner Louie

**Seconded By:** Commissioner Baca

**Motion Passed:** Unanimously

#### **5. SWEARING IN OF PARTICIPANTS**

Chairwoman Artiaga

#### **6. ACTION ITEM(S):**

##### **A. REQUEST FOR A ZONE CHANGE FROM RR-2 TO RR-1:**

**Applicant:** Russell E. Alexander

**Purpose:** To Sell Back Half of Property

**Address:** 29 Cottonwood Lane, Los Lunas, NM 87031

Legal Description: T7N, R3E, Section 35, N.M.P.M.; Land of William Bacon; Tract 43 B 1 D; Zoned RR-2; Filed in Book 306, Page 1835 of the office of the Valencia County Clerk; Also known as 29 Cottonwood Ln., Los Lunas, NM 87031.

***Property is located 0.05 miles South of Garley Lane***

*If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Valencia County Planning & Zoning Office at the Valencia County Courthouse, Los Lunas, New Mexico, (505) 866-2050 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Valencia County Manager's Office at the old Valencia County Courthouse if a summary or other type of accessible format is needed.*



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**Mr. Martinez** stated the applicant is requesting zone change from rural residential 2 to rural residential 2 zoning district in order to sell off a one acre tract to his neighbor, the property is 2.3 acres, and RR-1 would allow for a lot split of one acre lot and with the current acreage the applicant would have enough property to complete a one acre lot split into two lots. **Mr.**

**Martinez** stated most of the surrounding properties are zoned RR-2 and many of the lots are less than two acre lots. **MR. Martinez** also stated about a quarter mile to the west of that lot is some commercial property and about half a mile east of that lot is zone changed to RR-1 as well but for the most part most of the lots in that area are RR-2.

**Commissioner Artiaga** stated for the record the lots to the north are three quarter acre lots and the lots to the south are one acre lots, which were grandfathered or designated as RR-2 even though they are smaller than two acres.

**Mr. Martinez** stated that is correct and those lots were probably sub-divided before the current 2000 zoning laws which required two acre minimum.

**Commissioner Baca** asked if the properties to the east of the subject properties were also three quarter acres lots.

**Mr. Martinez** stated the lots off Blackberry to the east of the subject property were two acre lots.

**Commissioner Artiaga** asked which neighbor wanted to buy the property.

**Mr. Martinez** stated the applicant is available to answer that question.

**Commissioner Louie** asked if there were any easements.

**Mr. Martinez** stated the plat map shows a twenty foot road easement on the north side of the property, ten feet for a road easement and ten feet for a utility easement on the subject property.

**Commissioner Louie** asked Mr. Martinez if public works would require a twenty five foot road easement for the property.

**Mr. Martinez** stated that as the road is a private road and not maintained by the County it is not required, unless Public Works were to take over the road and maintain it.

**Mr. Alexander** stated his name is Russell and he would be selling the property to the neighbor to the west of him, to her father.

**Commissioner Artiaga** asked if they would be combining the properties.

**Mr. Alexander** stated they would not be combining the two properties-it would be left as a separate lot.

**Commissioner Baca** asked how the buyers would access the properties.

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**Mr. Alexander** stated there is an existing road between the two properties that would allow access.

**Commissioner Baca** asked why the buyer wants to buy the property.

**Mr. Alexander** stated the buyer wants to build a home there so he can be closer to his daughter as he is currently residing in Albuquerque.

**Commissioner Baca** stated that he wonders if there is any opposition from the neighbors off of Cottonwood Lane who have two acre lots.

**Commissioner Artiaga** asked if there was anybody who would like speak in favor of the zone change.

**Mrs. Alexander** stated her name is Aldoca and has lived there for about sixteen years and spoke with the potential buyer and also knows he wants to live next to his daughter and really didn't want to sell the property to just any one.

**Commissioner Artiaga** asked there was anybody else who would like to speak in favor of the zone change. There were none.

**Commissioner Artiaga** asked if there was anybody who would like to speak in opposition of the zone change. There were none.

**Commissioner Artiaga** stated there was a letter of opposition from Kathy and James Brown of 22 Cottonwood Lane, who are out of town at this time, and their opposition is due to the possibility of increased traffic on Cottonwood Lane.

**Commissioner Baca** asked if that would increase traffic that much, as he comes to visit his daughter any way.

**Commissioner Artiaga** stated not really.

**Commissioner Artiaga** stated that this is an area that subdivided many years ago and that the properties were split up into one acre lots or less and feels it would be appropriate.

**Commissioner Baca** stated he agrees.

**Commissioner Louie** stated he agrees as well.

**Action:** Approved  
**Moved By:** Commissioner Baca  
**Seconded By:** Commissioner Louie  
**Motion Passed:** Unanimously

**Roll Call Vote:** Commissioner Baca-Yes  
Commissioner Louie-Yes  
Chairwoman Artiaga-Yes

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### **B. REQUEST FOR A CONDITIONAL USE-SECOND DWELLING**

**Applicant:** Christine Whale & Stacy Baca

**Purpose:** To Care for Medically Disabled Family Member

**Address:** 65 B Lopez Road, Belen, NM 87002

Legal Description: T5N, R1E, Section 1, N.M.P.M.; Land Division of Tract 14B; Tract A1; Zoned RR-2; Filed in the office of the Valencia County Clerk; Also known as 65 B Lopez Rd, Belen, NM 87022.

*Property is located at the NW corner of Mando Lane and Lopez Road to the West of N Mesa Road*

**Action:** Approved

**Moved By:** Commissioner Baca

**Seconded By:** Commissioner Louie

**Motion Passed:** Unanimously

**Roll Call Vote:** Commissioner Baca-Yes  
Commissioner Louie-Yes  
Chairwoman Artiaga-Yes

### **7. DISCUSSION**

### **8. NEXT MEETING: June 25, 2014 @ 4:00 P.M.**

### **9. ADJOURNMENT**

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