



## VALENCIA COUNTY PLANNING & ZONING COMMISSION

### MINUTES

Tuesday September 22, 2015

4:00 PM

Valencia County Courthouse Commission Chambers

444 Luna Ave, Los Lunas, NM 87031

#### Roll Call

#### Present:

Chairman LeRoy Baca  
Vice-Chairman Robert Q. Louie  
Commissioner Carlos Montoya  
Commissioner Michael McCartney  
Commissioner Sue Moran  
Jacobo Martinez (Not Voting)

#### 1. CALL THE MEETING TO ORDER

Chairman Baca

#### 2. PLEDGE OF ALLEGIANCE

Commissioner McCartney

#### 3. APPROVAL OF AGENDA

Action: Approve  
Moved By: Commissioner Moran  
Seconded By: Vice-Chairman Louie  
Motion Passed: Unanimously

#### 4. APPROVAL OF MINUTES

August 25, 2015 (Tabled)

Action: Approve  
Moved By: Commissioner Moran  
Seconded By: Vice-Chairman Louie  
Motion Passed: Unanimously

#### 5. SWEARING IN OF PARTICIPANTS

Chairman Baca

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

##### A. REQUEST FOR A VARIANCE

Application: V #2015237  
Applicant: Pete Candelaria  
Purpose: To allow for 6 foot setback for 21 foot x 22 foot garage.

**Legal Description:** T7N, R2E, Section 25, Map 71, N.M.P.M.; Lands of Arthur & Evelyn Togami; Tract 1D2; Zoned RR-2; Filed in Plat Cabinet I, Plat Number 987 in the office of the Valencia County Clerk, also known as 4 Sandia.

*This property is located 0.15 miles SE of Calle Melon off of Togami Farm Rd.*

*This property falls with District V*

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



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**Mr. Martinez** read the legal description of the property and stated Mr. Candelaria is requesting a set-back Variance from 15 feet to 6 feet. Mr. Martinez stated Code Enforcement discovered there was a building and found there was not a permit on file for the building and cited Mr. Candelaria who immediately ceased working on the building and came in to apply for a building permit at which time it was noticed the building did not meet the set-back requirements and therefore requires a variance. Mr. Martinez stated Fire went to check the property and they did not find any issues with where the structure is at. Mr. Martinez stated there are also other structures in the neighborhood that are not within the fifteen foot setback and are grandfathered in with the current zoning laws and this structure does fit within the community itself and does not bring any aesthetic detriment to the community.

**Commissioner McCartney** stated for the board clarification, when the initial variance was put into the ordinance, it was based on the thought process of what is the environmental impact, what is the financial impact on the applicant and how does it affect its neighbors.

**Mr. Martinez** stated there is a review criteria for variances under 154.058 .

**Commissioner McCartney** asked Mr. Martinez if the original thought process in the setbacks was for access for a fire fighter.

**Mr. Martinez** stated that was correct.

**Commissioner Montoya** asked if this is in Togami Farms or Sandia.

**Mr. Martinez** stated it is not in the Togami Farm subdivision but is just south of it so it does not fall within the restrictive covenants.

**Commissioner McCartney** asked if there had been any phone calls from neighbors in opposition to this.

**Mr. Martinez** stated notification letters of the hearing were sent out to the neighboring properties and has not received any phone against or for support of the project.

**Mr. Candelaria** stated his name is Pete and when he started pouring the foundation for the garage a year ago he referred to his covenants and did not find anything about setbacks in them. Mr. Candelaria stated the use is just for storage for hay, a tractor etc., and was under the assumption that if you were building a building for storage only a permit was not required, and when Mr. Tarry from Code Enforcement contacted him he stopped what he was doing and immediately came in to see what he needed to be in compliance.

There was not anyone in opposition or in favor of the petition.

**Action:** Approve  
**Moved By:** Vice-Chairman Louie  
**Seconded By:** Commissioner Moran  
**Motion Passed:** Unanimously

<b>Roll Call Vote:</b>	Commissioner Montoya	Yes
	Vice-Chairman Louie	Yes
	Commissioner McCartney	Yes
	Commissioner Moran	Yes
	Chairman Baca	Yes



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7. **DISCUSSION**
8. **NEXT MEETING**  
Tuesday October 27, 2015 @ 4:00 PM
9. **ADJOURNMENT**  
Moved by: Commissioner Moran  
Seconded by Commissioner McCartney