



VALENCIA COUNTY PLANNING & ZONING COMMISSION

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

Tuesday December 17, 2024 @ 3:00 pm
Valencia County Administration Building
444 Luna Ave, Los Lunas, NM 87031

PRESENT	ABSENT
Philip Sublett, Chair	
Ralph Freeman, Vice Chair	
Sue Moran, Member	
Mark Aguilar, Member	
Jerrie Romero, Land Use Planner Assistant	
Melissa Jaramillo, Community Development Director	

Also present were: Gary Kessler and Michael Everett

1) CALL THE MEETING TO ORDER

A. At 3:02 PM Chair Sublett brought the meeting to order.

2) PLEDGE OF ALLEGIANCE

B. Sublett lead the Planning & Zoning Commission and the audience in the Pledge of Allegiance.

3) APPROVAL OF AGENDA

C. Planning & Zoning Commissioners reviewed the Agenda;

APPROVAL: Motion to approve agenda
MOVED: Commissioner Aguilar
SECONDED: Commissioner Freeman
CARRIED: Motion PASSED on a Vote of **4 FOR and 0 AGAINST (Commissioner Aguilar – YES; Commissioner Moran-YES; Commissioner Freeman-YES; Commissioner Sublett-YES).**

4) APPROVAL OF MINUTES November 19, 2024 County Planning & Zoning Minutes.

D.

APPROVAL: Motion to approve Minutes as presented.
MOVED: Commissioner Freeman
SECONDED: Commissioner Moran
CARRIED: Motion PASSED on a Vote of **3 FOR and 0 AGAINST (Commissioner Aguilar – Abstained; Commissioner Moran – YES; Commissioner Freeman-YES; Commissioner Sublett-YES).**



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5) STAFF REPORT: Community Development Director **Melissa Jaramillo** reported on the Board of County Commissioners meeting. There will be 4 cases that will go forth to the board on Dec. 18th. On December 2nd The Annual Valencia County Tree Lighting was a success and proud to report the Community Development Dept. helped it come together under the leadership of Jerrie Romero and she did a great job, the Dept. were instrumental and introduced to the community a Grinch game, they also assisted other depts. with the set up and take down, it was well attended by the county. The County Staff celebrated Christmas on December 19th at the Tierra Del Sol and the dept. Staff had a party on Monday Dec. 23rd. while the Senior Centers had their Christmas parties on Dec. 17th

6) SWEARING IN OF PARTICIPANTS

Chairman Sublett swore in participants who would be speaking during hearing.

7) ACTION ITEM(S)

A. Conditional Use #2024-140 (District II, P&Z Commissioner Freeman, BoCC Richardson

Gary Kessler requests a Conditional Use for a temporary secondary dwelling for a family member requiring special care. Legal Description: Legal Description: Tract: 38B1B S: 35 T: 7N R: 2E 2.00 ACRES MAP 76; also known as 9 Gall Rd, Los Lunas, NM 87031; UPC 1-011-037-315-070-000000; Zoned Rural Residential District 2 (RR-2)

Background: Mr. Kessler requested a zone change back in October from RR-2 to RR-1, since then he has decided not to pursue that zone change and is here today to request a conditional use to preserve pasture land and this time constructing a permanent home would be costly for the family and unnecessary for a member with temporary means. The Planning & Zoning Department did not receive any correspondence in opposition or in support.

Discussion ensued: Gary Kessler mentioned after the Planning & Zoning Hearing for a zone change he met with the Land Use Planner, Ryan Baca on some of the easements and the impact of those. The initial intent was to take care of a family member who currently resides in a mobile home is already temporary. They both came to the conclusion to apply for a conditional use and preserve pasture land. This conditional use permit will help to provide for the ailing Brother- in-law

P & Z/Public Line of Questioning: **Freeman**, Is there a mobile home on the property? **Kessler**, yes **Freeman**, questioned Kessler on building a permanent home. **Kessler**, yes because when his Brother- in-law no longer needs the mobile home or can support himself, they will remove the mobile home. **Freeman**, questioned the time frame of having the mobile home on the property. **Kessler**, mentioned the Brother-in-law was not doing well. **Freeman**, asked staff for clarification on the time set for a conditional use. **Staff**, the conditional use is good for two years. **Kessler**, mentioned at his meeting with Ryan that question came up and the plan is after two years, if the condition(s) do not change, Kessler will reapply and submit a new letter, and if the condition changes and the application for a conditional use does not get approved then new living arrangements for his Brother- in-law will be made. **Freeman**, asked if the property was equipped with a domestic well and a septic system for the pre-



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existing mobile home? **Kessler**, yes there is currently a shared well that will support the mobile home and the new home. And the mobile home and the new home will have its own septic system. **Sublett**, asked when the care taking of the Brother- in-law is over, will the mobile home be vacated off the property? **Kessler**, yes, the conditional use will be negated. **Moran**, mentioned to Kessler in the conditional use approval involving construction shall be null and void one year from the date of the final approval unless completion or substantial construction has taken place and asked Kessler if he understood this condition? **Kessler**, replied yes he understood and the planning of the new construction will begin in February 2025. **Sublett**, so by Feb. 2026 the home build should be completed? **Kessler**, agreed the new home will be completed by then and the mobile home will remain until his brother In-law no longer needs it and if the conditional use permit is approved, he will wait 15 days before applying for the building permit. No members of the public were in favor of this request, and no members of the public were in opposition of this request.

APPROVAL:

Motion to Approve CU #2024-140

PASSED

MOVED:

Commissioner Freeman

SECONDED:

Commissioner Aguilar

CARRIED:

Motion passed on a Vote of 4

FOR and 0 AGAINST (Commissioner Aguilar—YES;

Commissioner Moran— YES; Commissioner Freeman-YES;

Commissioner Sublett-YES).

B. Variance #2024-142 (District IV, P&Z Commissioner Sublett, BoCC Bizzell)

Texas Republic Signs, LLC requests a Variance of 30 feet to the 45-foot maximum structure height to construct a 75-foot pole sign. Legal Description: Subd: LAND OF VALENCIA FAIR ASSOC INC Tract: D .12 AC MAP 96 D-5-6; located at the corner of I-25 Bypass and Highway 314; UPC 1-007-030-374-435-000000; Zoned Resource Industrial District (I-1)

C. Variance #2024-143 (District IV, P&Z Commissioner Sublett, BoCC Bizzell)

Texas Republic Signs, LLC requests a Variance of 176 square feet to the 200 square foot maximum sign area to construct a 376 square foot pole sign. Legal Description: Subd: LAND OF VALENCIA FAIR ASSOC INC Tract: D .12 AC MAP 96 D-5-6; located at the corner of I-25 Bypass and Highway 314; UPC 1-007-030-374-435-000000; Zoned Resource Industrial District (I-1)

D. Variance #2024-144 (District IV, P&Z Commissioner Sublett, BoCC Bizzell)

Texas Republic Signs, LLC requests a Variance of 15 feet to the 20-foot property line setback to construct a pole sign with a 5-foot setback. Legal Description: Subd: LAND OF VALENCIA FAIR ASSOC INC Tract: D .12 AC MAP 96 D-5-6; located at the corner of I-25 Bypass and Highway 314; UPC 1-007-030-374-435-000000; Zoned Resource Industrial District (I-1)



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Background: These requests are for a Variance for the following:

- 30 feet to the 45-foot maximum structure height in the Resource Industrial District (I-1).
- 176 square feet to the 200-square foot maximum sign area in all zoning districts.
- 15 square feet to the 20-foot sign setback in all zoning districts.

Discussion ensued: Michael Everett, representative for Texas Republic Signs requested to Table the Variance requests. No discussion followed.

8) Next Meeting: Tuesday January 28, 2025 at 3:00 p.m.

9) Adjournment:

MOVED:

Motion to adjourn made by Commissioner Aguilar

SECONDED:

Motioned second by Commissioner Freeman

CARRIED:

Motion PASSED on a Vote of **4 FOR and 0 AGAINST (Commissioner Aguilar - YES; Commissioner Moran-YES; Commissioner Freeman – YES; Commissioner Sublett-YES).**

Minutes are not verbatim. The complete audio file from this meeting can be requested from P&Z Dept. contact Jerrie Romero at (505) 866-2054