

**EXTRA-TERRITORIAL ZONING AUTHORITY
MEETING**

January 25, 2012

THESE ARE NOT VERBATIM MINUTES, THESE ARE SUMMARY MINUTES

MEMBERS PRESENT:

Miguel Silva, Chairman
Karen Pérez, Vic-Chairwoman
Scott Krahlung, Commissioner
Nathan Small, Councilor
Leticia Benavidez, Commissioner

OTHERS PRESENT:

Chuck McMahon, Director
Janine Divyak, Chief Planner
Steve Meadows, Planner
Jonathan Kesler, Planner
Dave Medeiros, DAC Attorney
David Weir, Director, CLC Comm. Development

1. **CALL TO ORDER:** Chairwoman Pérez called the Regular Meeting of the Extra-Territorial Zoning Authority to order at 5:39 p.m., Wednesday, January 25, 2012 in the County Commission Chambers of the Doña Ana County Government Center, 845 N Motel Blvd., Las Cruces, NM.

2. **ROLL CALL:**

Commissioner Benavidez	Here
Councilor Silva	Here
Councilor Small	Here
Commissioner Krahlung	Here
Chairwoman Pérez	Here

3. **ANNOUNCEMENTS: NONE**

4. **APPROVAL OF MINUTES:** December 14, 2011
Commissioner Silva moved to approve the minutes.
Commissioner Krahlung seconded the motion.

Roll call:

Commissioner Benavidez	Abstain
Councilor Silva	Yes
Councilor Small	Abstain
Commissioner Krahlung	Yes
Chairwoman Pérez	Yes

By a vote of 3-0-2, minutes were **APPROVED**.

5. **ELECTION OF OFFICERS: CHAIRPERSON AND VICE-CHAIRPERSON**

Commissioner Benavidez moved to elect Councilor Silva as Chairman.
Commissioner Krahlung seconded the motion.
Chairwoman Pérez stated that Councilor Silva is the new Chairman by acclamation.

Commissioner Krahlung moved to elect Commissioner Pérez as Vice-Chairwoman.
Commissioner Small seconded the motion.
Chairwoman Pérez stated that Commissioner Pérez is the new Vice-Chairwoman by acclamation.

6. **CHANGES TO THE AGENDA:** None.

7. **PUBLIC INPUT:** None.

**OLD BUSINESS
REVIEW/DISCUSSION/ACTION**

8. **MINOR SUBDIVISIONS AND LARGE LAND AREA SUBDIVISIONS REPORT UPDATE FROM THE CITY OF LAS CRUCES COMMUNITY DEVELOPMENT DEPARTMENT:**

David Weir, **CLC Community Development** stated there was one minor subdivision on the East Mesa compared to 14 requests submitted last year made up of 1 sketch plan, 1 preliminary plat, 6 minor subdivisions, and 6 re-plats. Mr. Weir introduced Mr. Robert Kyle, who will be in charge of Building and Development Services. He also introduced new Senior Planner, Katherine Harrison Rogers, who will be supervising planners who deal with subdivisions and zoning in the City and ETZ.

**NEW BUSINESS
REVIEW/DISCUSSION/ACTION**

9. **CASE #V11-012/Winters:** The applicant, Robert Winters, Saul Jaramillo, Agent, is requesting a Variance from the required twenty-five (25) feet to ten (10) feet for the front and rear yard setbacks within the ER3M (Residential, 1.0-acre minimum new lot size, single family site-built and mobile homes) Zoning District to permit a 16' x 80' (1,280 sq. ft.) mobile home on a 0.14-acre subject property. The parcel is located northwest of the City of Las Cruces, north of Picacho Ave, and is addressed as 34 14 Winterhaven Dr., Las Cruces, NM 88007. The parcel is located within Section 10, Township 23 South, Range 1 East, and is described as Lot 20, Block 1 of the Winterhaven Subdivision as recorded in the office of the Doña Ana County Clerk on October 30, 1973, in Book 11, Page 69. It can be further identified by Map Code #4-004-134-461-380.

Steve Meadows, **Planner, sworn in** and presented case. Based on the findings, Staff recommended **APPROVAL**.

Saul Jaramillo, **Applicant, sworn in**. He stated that they have had problems in find a lot sized for the mobile home and places with a sewer system in place. He said that this property would seem to work for them.

Commissioner Krahling stated that this was not a case of special privilege since looking at the map of the area is no different; and it is not issue that would be detrimental to the public health considering the fact that he is going through the regular processes and getting all necessary permits; and that strict interpretation of the enforcement would result in unnecessary physical hardship because of the size of the homes. He moved to approve the variance.

Councilor Small seconded the motion.

Roll call:

Commissioner Benavidez	Yes
Commissioner Pérez	Yes
Councilor Small	Yes
Commissioner Krahling	Yes
Chairman Silva	Yes

By a vote of 5-0-0, the motion for Variance of Case #V11-012/Winters was **APPROVED**.

10. REVIEW OF THE BY-LAWS:

Jonathan Kesler, sworn in. He stated that there were no changes to the by-laws and that it was just a review.

Commissioner Pérez asked who was the designated alternate for the City.

Chairman Silva stated that it was Councilor Pedroza.

11. REVIEW OF THE REASONABLE NOTICE OF MEETING REQUIREMENTS AND THE 2012 CALENDAR YEAR SCHEDULE OF MEETINGS:

Jonathan Kesler stated that there were no changes and noted that the November meeting would be on the 2nd Wednesday due to 3rd Wednesday being the eve of Thanksgiving.

Commissioner Pérez asked if there was any conflict with the MPO meeting.

Commissioner Benavidez stated that the MPO would meet in the winter months of November and December at 9:00 a.m. on the 2nd Wednesday of the month.

Commissioner Pérez moved to accept the Reasonable Notice of Meeting Requirements and the 2012 Calendar Year Schedule of Meetings.

Commissioner Benavidez seconded the motion.

Roll call:

Commissioner Benavidez	Yes
Commissioner Pérez	Yes
Councilor Small	Yes
Commissioner Krahling	Yes
Chairman Silva	Yes

By a vote of 5-0-0, the motion was **APPROVED**.

12. ADMINISTRATIVE APPROVALS:

Janine Divyak, sworn in. She stated that there were 20 single-family new construction applications, 3 Claim of Exemptions to the County subdivision ordinance and 1 commercial building permit. The County also issued 25 mobile home permits in December.

13. STAFF INPUT:

Janine Divyak stated that the packet included the ETZ amendment that was currently under review by the public and will be under consideration in the February 15, 2012 meeting. At the meeting, Staff will present the comments and hear from the public as well.

Commissioner Pérez asked that clarification was needed as she had received a call from a resident who expressed his gratitude for being able to have a wine-tasting room under a home occupation. She will clarify this in the Talavera Homeowners meeting on February 11 and would appreciate assistance with emails.

Janine Divyak stated that the packets would be delivered on Thursdays this year.

Commissioner Krahling asked if the packets could be emailed.

Commissioner Pérez noted that an objection to emails would be the maps included in the packets because pdf files are enormous.

Chuck McMahon stated that both can be done.

Commissioner Krahling stated that a PDF document would be ideal.

Commissioner Pérez stated that she preferred paper.

Chairman Silva stated he would like both.

Commissioner Benavidez stated she preferred paper.

Councilor Small stated he could do with both.

14. AUTHORITY INPUT:

Chairman Silva welcomed Commissioner Benavidez to the Commission.
Commissioner Benavidez stated that she looking forward to working with the Commission.

15. ADJOURMENT:

Commissioner Pérez moved to adjourn.
Commissioner Benavidez seconded the motion.

Chairman Silva adjourned the meeting at 6:18 p.m.

Officer: Extra-Territorial Zoning Authority

Submitted by: Isabel De La Rosa, Recording Secretary