

**MINUTES OF THE DOÑA ANA COUNTY
PLANNING AND ZONING COMMISSION
REGULAR MEETING OF
February 28, 2019**

CALL TO ORDER

09:02:19

Chair Acosta called the Regular Meeting of the Planning and Zoning Commission to order at 9:02 a.m., Thursday, February 28, 2019 in the County Commissioners Chambers, Doña Ana County Government Center, 845 N. Motel Blvd., Las Cruces, New Mexico.

1. ROLL CALL

Time: 09:02:42

Mel Acosta –Chair – Present
Robert Czerniak-Vice Chair – Present
Tom Phillips – Secretary - Present
Ken Thurston – Commissioner - Present
Bruce Jackson – Commissioner - Present
Bill Shattuck – Commissioner - Present
John Townsend –Commissioner – Present

2. APPROVAL OR CHANGES TO THE AGENDA

Time: 09:03:03

Mel Acosta: Any changes, Commissioners? No changes, if it is approved everybody by say Aye, all those opposed? The ayes have it.

The motion passed by a vote of “ayes” from all Commissioners present.

3. APPROVAL OF MINUTES:

09:03:18

Tom Phillips: There was one confusing statement and I did not bring a copy of it but it references Chairman Phillips but you are the Chairman. It seems like our names were interchangeable and we probably ought to correct that. I move we accept the minutes with that change.

Motion: Tom Phillips
Second: John Townsend

The motion passed by a vote of “ayes” from all Commissioners present.

4. Old Business:

09:04:09

None.

5. New Business:

09:04:12

- a. **Case # Z19-001 / Carson:** Submitted by Melissa Carson, a request for a Zone Change on a 4.00-acre parcel from an I3 (Heavy Industrial) zone to a T2 (Rural) zoning district to build a single-family site

built home. The parcel is addressed at 3257 Railroad Road in Rincon, NM within Section 7, Township 19 South, Range 2 West and was recorded in the Office of the Doña Ana County Clerk on January 16, 2019 with Instrument #1901080. The subject parcel can be further identified as part of Parcel # R1200498.

Albert Casillas: Presented Agenda Item 5A to the Commission.

09:07:51

Mel Acosta: For the record, Dr. Czerniak is now present.

Time: 09:53:48

Ken Thurston: I will make a motion that we agree to rezone Track 6 and Track 5 [*and Track 4*] to T2 and move forward with the zone change.

Motion: Ken Thurston

Second: Bill Shattuck

Robert Czerniak: I just want it on the record that Mr. Warren and Mr. Carson agree to this.

Mel Acosta: They did. Am I correct, you are both in agreeance, right? If you are in agreeance we are ready to go. Okay.

	Yes	No	Abstain
Commissioner Bruce Jackson	x		
Commissioner Ken Thurston	x		
Commissioner Bill Shattuck	x		
Commissioner John Townsend	x		
Commissioner Tom Phillips	x		
Vice-chair Robert Czerniak	x		
Chair Mel Acosta	x		

The motion passed by a vote of 7-0 from all Commissioners present.

- b. **Case # V19-001 / Stokes:** Submitted by Nicolle Stokes, a request for a Variance to the side yard setback standards on a residential property for an addition. The applicant is proposing a 2' 6" side setback, where 5' is required in order to build a 100 sq. ft. addition to an existing dwelling within the D2-L Zone. The 0.33-acre parcel is addressed at 3825 Stoney Brook Circle in Las Cruces, NM and is identified as Lot 13, Block A of the Rios Encantados Phase IV subdivision, recorded in the Doña Ana County Clerk's Office on September 3, 2004, in Book 20, Pages 779-780. The subject parcel can further be identified as Parcel # R0324552.

Albert Casillas: Presented Agenda Item 4A to the Commission.

Time: 11:15:55

Robert Czerniak: I am going to move that we approve the variance with the following requirements and/or conditions. The five conditions from staff's recommendations be included in the motion. I do not think it should be a triple fee though. I do not think this is their issue. The four conditions from staff recommendations should be included in the motion.

Motion: Robert Czerniak

Second: John Townsend

Janine Divyak: Mr. Chair, Staff would prefer if Commissioner Czerniak reiterates that the hardship is no fault to the property owner as part of the findings.

Robert Czerniak: For the motion. Based on findings of facts, the hardship is not the fault of the owner.

	Yes	No	
Commissioner Bill Shattuck	x		
Vice Chair Robert Czerniak	x		
Commissioner Tom Phillips	x		
Commissioner Bruce Jackson	x		
Commissioner John Townsend	x		
Commissioner Ken Thurston	x		
Chair Mel Acosta	x		

The motion passed by a vote of 7-0 from all Commissioners present.

6. Committee Reports

11:19:48
None.

7. Administrative Approvals

11:19:53

Janine Divyak: Presented January 2019 Administrative Approvals.

8. Staff Input

11:22:40

Janine Divyak: Introduced and welcomed the new Community Development Director, Christina Ainsworth to the County.

9. Commission Input

11:25:22
No cases for the next P&Z Meeting.

10. ADJOURNMENT

11:25:56

Officer: Planning and Zoning Commission

The minutes contained herein are not verbatim. They summarize the actions and decisions of the Planning and Zoning Commission. For full verbatim minutes, please reference the recording on the County website located at: <https://donaanacounty.org/pz/video>.