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MINUTES
VILLAGE OF LOS RANCHOS
Planning and Zoning Commission
6718 Rio Grande Blvd. NW
Warren J. Gray Hall
June 14, 2016
7:00 P.M.

Present:

STAFF

Administrator: Kelly Ward

Attorney: Bill Chappell

Planning Staff: Tim McDonough, Director

1. **CALL TO ORDER – Chairman** called the meeting to order at 7:05p.m...

A. ROLL CALL - Commissioner Craig, Commissioner Riccobene, Commissioner Brawley, Commissioner Phillips, Commissioner Colman, Commissioner Tourville. Commissioner Eby was excused.

Chairman Brawley stated there was a quorum present for the meeting.

B. APPROVAL OF THE AGENDA

Chairman Brawley asked Planner McDonough if there were any changes to the agenda.

Planner McDonough stated there were no changes.

Chairman Brawley called for a motion.

MOTION: Commissioner Tourville moved approval of the agenda as presented.

SECOND: Commissioner Craig seconded the motion.

VOTE: The motion carried unanimously (6-0).

2. **PUBLIC COMMENT PERIOD**

There was no public comment.

3. **CONSENT AGENDA**

A. APPROVAL OF CONSENT AGENDA

Approval of minutes – May 10, 2016 meeting.

1
2 **Chairman Brawley** asked if there were any changes or corrections to the
3 minutes of the May 10, 2016 meeting. Seeing none he called for a motion.
4

5 **MOTION: Commissioner Riccobene** moved approval of the May 10, 2016
6 minutes as presented.
7

8 **SECOND: Commissioner Colman** seconded the motion.
9

10 **VOTE:** The motion carried unanimously (6-0).
11

12 **4. PUBLIC HEARINGS AND APPLICATIONS**
13

14 **Chairman Brawley** asked Attorney Chappell to swear those present who will
15 speak before the Commission.
16

17 **Attorney Chappell** swore in those present who would be speaking before
18 the Commission.
19

20 **Item A. V-16-02 A request by Joseph and Bethany Hunt for a Variance**
21 **from §9.2.7(H)(5) no solid wall or fence located within the side or rear**
22 **setback area shall be more than six (6) feet in height to allow for a**
23 **height of 10 ft. (rear) and 6 ft. 4 in. (front/side) in the A-1 Zone of the**
24 **Village West Character Area. The property is at 4072 Dietz Farm Circle**
25 **NW and is legally known as Lot number twenty-nine A-1 (29A-1) in**
26 **Block number (6) Unit No. 2 of Dietz Farm, being a replat of of Lot 29A**
27 **Block 6 Village of Los Ranchos de Albuquerque, Bernalillo County, New**
28 **Mexico, as the same is shown and designated on the plat filed in the**
29 **Office of the County Clerk of Bernalillo County, New Mexico filed on**
30 **December 14, 2015. The property contains .75 acres more or less.**
31

32 **Speakers for this discussion were:**

33 **Bethany Hunt, 4072 Dietz Farm Circle NW, Village of Los Ranchos.**

34 **Joseph Hunt, 4072 Dietz Farm Circle NW, Village of Los Ranchos.**

35 **Alexi Bakhireva, 4068 Dietz Farm Circle NW, Village of Los Ranchos.**

36 **Greg Sever, 4084 Dietz Farm Circle NW, Village of Los Ranchos.**

37 **Todd Mittleman, 4060 Dietz Farm Circle NW, Village of Los Ranchos.**

38 **Marron Lee Nelson, resident of Albuquerque, NM**

39 **Elizabeth Gordon, 4059 Dietz Farm Road NW, Village of Los Ranchos.**

40 **Helen Whitesides, 4059 Dietz Farm Road NW, Village of Los Ranchos.**

41 **Kathleen Burniak, 4077 Dietz Farm Circle NW, Village of Los Ranchos.**

42 **Joni MacCornak 4143 Dietz Farm Circle NW, Village of Los Ranchos.**

43 **Nancy Robinson 2425 Dietz Farm Road NW, Village of Los Ranchos.**
44

45 Chairman Brawley asked Planner McDonough for his planning report.
46 Planner McDonough gave the planning report with recommendations of
47 denial with findings, and stood for questions. The first question asked was
48 what was the difference between the Bernalillo County permit and the Village
49 of Los Ranchos permit. Clarification was that the Village does the zoning
50 review, which determines if the permit is in compliance with the ordinances.
51 The Bernalillo County permit is to make sure the building is accurate to the

1 International Building Code. Then the applicants were asked to come forward
2 and state why they are asking for this variance. Bethany & Joseph Hunt
3 proceeded to explain that they wanted the wall for security reasons. They
4 were uncomfortable with the amount of people that walk the ditch and looked
5 into the yard and a pet rabbit and some chickens had been killed by a coyote.
6 They depended on their contractor to get the permits. They were confused
7 with the statement that it is a ten (10) foot wall because they feel it was
8 supposed to be eight (8) foot tall. Jerome Maldonado the contractor came
9 forward stating he was partially responsible for the mistake on the permit as
10 there was a communication problem. He assumed that his staff had received
11 the permit. Then gave a presentation on how the wall was built.
12 Then everyone who wanted to speak in opposition came forward. Stating that
13 it was too big for the neighborhood, looked like a prison wall, lacked
14 character, was aggressive, would not deter coyotes, and gave transients a
15 warm place to camp out. There was concern that this set a precedence that
16 anyone can do something and have it approved afterward. Concern was also
17 given that had they had the Fire Department out to see if the ditch, which was
18 cut into had enough width for access for fire equipment. When public
19 comment was closed there was more material given to the Commission to
20 review by both sides. Then a discussion proceeded with the Commission as
21 to how the motion was to be stated.

22
23 **MOTION: Commissioner Craig** recommended denial of the variance to
24 §9.2.7(H) FENCES AND WALLS. (2) No solid wall or fence located within the
25 rear or side setback area shall exceed six (6) feet in height.

26
27 **SECOND: Commissioner Colman** seconded the motion.

28
29 **ROLLCALL VOTE:** Commissioner Craig yes, Commissioner Riccobene yes,
30 Commissioner Phillips yes, Commissioner Colman yes, Commissioner
31 Tourville yes, Commissioner Brawley yes.

32
33 The request for the variance was formally closed.

34
35 **HOUSEKEEPING NOTE: There was a 5-minute recess called at 9:00pm**
36 **and the meeting was called to order by Chairman Brawley at 9:05pm.**

37
38
39 **5. OLD BUSINESS- There was no old business.**

40
41 **6. NEW BUSINESS- There was no new business**

42
43 **7. REPORTS**

44
45 **A. PLANNING DEPARTMENT REPORT**

46
47 **Planner McDonough** gave his report on the Planning Department, which
48 included working on the code violation, the Site Development plan for Peterson
49 properties, coordinated the completion of the drainage plan for Los Poblanos
50 Inn, and noted that there had been soil borings on 4th Street and executed a
51 contract with Placemakers Planning to assist with editing the Zone Code.

1
2 **9. COMMISSIONER'S INFORMAL DISCUSSION**
3

4 The informal discussion was about the procedure of making the denial and
5 making the correct wording for the motion. Commissioner Craig asked that the
6 other Commissioners really think about the question "What is the Village of Los
7 Ranchos" before the next time they get together to talk about the zoning
8 issues. Number two "What is the Village Center" and third "What is the
9 Planning and Zoning Commission". Attorney Chappell gave the definitions and
10 what the Planning and Zoning Commission are required to do and what that
11 entails. There was discussion of the medical marijuana farm going in at
12 Alameda and 4th Street and what that means for the Village. There was some
13 discussion of the revitalization of 4th Street and how that is moving along.
14

15 **10. ADJOURNMENT**
16

17 **Chairman Brawley** called for a motion to adjourn.
18

19 **MOTION: Commissioner Phillips** moved to adjourn.
20

21 **SECOND: Commissioner Tourville** seconded the motion.
22

23 **VOTE:** carried unanimously (6-0).
24

25 **The meeting adjourned at 9:47pm**
26

27 **APPROVED by the Planning and Zoning Commission of the Village Los**
28 **Ranchos de Albuquerque this _____ day of _____, 2016.**
29

30 **ATTEST:**
31

32 _____
33 Tim Tourville, Secretary
34 Planning and Zoning Commission
35