

PUBLIC HEARING

City of Anthony, NM Planning and Zoning Commission
Municipal Building / 820 Hwy 478
Anthony, NM 88021

Wednesday, February 26th, 2020
6:30 P.M.

MINUTES

1. **CALL TO ORDER** by Chairwoman Janny Brumlow

2. **PLEDGE OF ALLEGIANCE** led by Commissioner Cameron

3. **ROLL CALL**

Present: Commissioner Jose Terrones

YES NO

Commissioner Andres Borunda

YES NO

Commissioner Barbara Cameron

YES NO

Commissioner Sarah Holguin

YES NO

Chairwoman Janny Brumlow

YES NO

Quorum established

YES NO

Chairwoman.- This hearing will be recording. Ok, you are on tape.

4. **APPROVAL OF AGENDA ORDER**

1ST motion: Comm. Holguin

2ND motion: Comm. Borunda

AIF

5. **ITEMS FROM THE FLOOR – PUBLIC COMMENT**

- Chairwoman – thank you, any public comments that have to be considered tonight in this meeting. No? no nobody signed out, ready to proceed.

6. **DISCUSSION AND ACTION**

a) Consideration and Action to approve a variance request to divide two existing lots into two separate lots, located at **957 Lincoln Street and ID R18-06988** and is in CR-1 Zone (Community Residential).

- Chairwoman – in this time move to the public hearing. Mr. Roman, has a legal notice for tonight's meeting been published?
- Mr. Roman – yes
- Chairwoman – ok, this case is been heard provision recall for the New Mexico court of the bills, including to protect the rights of our parties to proceed requirements, includes identification of parties and the witnesses and then swearing of the parties giving testimony that affect parties we have the right to cross-examine the person giving testimony.
- Chairwoman – ok Mr. Roman you read the case.
- Chairwoman – I'll read. Consideration and action to approve a variance request to divide two existing lots into three separate lots. Two with 54 frontage one with 60ft located on Polk St. ID- R18-14616, R18-14615 CR-1 zone communities residential. One single-family per dwelling
- Chairwoman: is there a commissioner here have a Conflict of Interest.
- Chairwoman: no, none
- Chairwoman- has there been any outside or ex parte communication with any community member?
- All commissioners. - no
- Chairwoman – will staff determine the presence of all parties.
- Chairwoman -If you tell us who is here. No, you sit down sir.
- Mr. Roman – I don't know how the parties.
- Chairwoman – ok

- Mr. Roman- we did electronic back and forth on email.
- Chairwoman- ok ah! Ok
- Comm. Cameron – identify themselves.
- Chairwoman- all right is you prepared to present the case.
- Mr. Roman – yes.
- Chairwoman- ok but you don't have any information on it.
- Mr. Roman - this case, I had a call about a possible person interested in buying those two lots into three lots according to the Ordinance the lot hat to the width of 60ft. is with the variance requesting coming from these two that is 50. So, it didn't meet the zoning ordinance that's why it was referred to planning and zoning. Is a lot of required width 60 lot 70 by the survey tow lots into three their measurement width and theft are different from the ordinance said.
- Chairwoman- any questions
- Chairwoman- what is the total area of the property.
- Mr. Roman – the information is in the front.
- Janny – ok
- Chairwoman- who is the applicant
- Toby Alvarado - good evening commissioners. My name is Toby Alvarado I am an engineer Tec. For Sky Line Engineers. The applicant is Mr. Marcos Rivera who is building homes at this side also is Ron King's professional engineers for sky Line Engineers.
- Chairwoman- ok
- Toby Alvarado – I have the pictures of the lots that will be divided at the 60ft is minor compared to theft because this lot is very thin over 24D consequently has 12000 squares foot a piece that is after is divided which is the twice that minimum 6000 is required. We believe it is only one single-family home for each lot. I got pictures of the home to identify or plans.
- Chairwoman- you need to swear then by the secretary
- Comm. Cameron- Do you swearing this statement you give me is true.
- Toby Alvarado – yes mam.
- Chairwoman- ok am do you think I can look at them, do you have enough copies.
- Toby Alvarado – yes, I got two big ones we can share.
- Chairwoman- this is the space
- Mr. Roman – yes this is too small
- Chairwoman- it to smallest
- Mr. Roman – yes Hacienda give a trail challenge
- Chairwoman- what is the question?
- Toby Alvarado – well the only thing we required the variance is the 50-foot because the minimum lot is 60 and the square foot is meet by theft.
- Mr. Roman – surprise
- Toby Alvarado – yes
- Chairwoman- so this is 60ft.
- Mr. Roman – yes
- Toby Alvarado – yes sir
- Chairwoman- and the ordinance said 50, you see that?

The ordinance supposed to said 60 ft.

- Toby A.- I check with all utility providers already, and they ask me to include the easement on the side of that they don't have a problem in serving the division.
- Chairwoman- what is not on the sides.
- Mr. Roman – 2500
- Chairwoman- 25 on the back and 50 on the front. It is supposed to be 50 in the front?
- Mr. Roman – The Ordinance said 20
- Comm. Terrones- may I share something with Mr. Alvarado.

- Chairwoman: yes
- Comm. Terrones – are they current utilities on this lots, on these two lots.
- Toby A. – there are two services
- Comm Terrones- and those two services are water and sewer and electricity.
- Toby A – Electricity is having not a service jet that has to be extended. I understand extended from the northwest corner along the back.
- Comm. Terrones – I am the superintendent at the Anthony Water and Sanitation District, and I am honest with you and I never saw this. When do you meet?
- Toby Alvarado – our representative send it like a month and a half ago.
- Comm. Terrones- to the District or to the City.
- Toby Alvarado – to the City. The District type just email.
- Comm. Terrones – do you recall where the services are in relation can you, my concerned Mr. Alvarado is making sure the sewer star about for water service is not gone be share Exactly that we need east may order running to issues where the staff when its back off when we need service in there we are validating the other person that is already subdividing.
- Toby Alvarado – Sir that I understand Developer install a new service required. A new staff by the house to measure each individual yes eliminated
- Marcos Rivera-We mentioned zone is back is 25ft. not 15 each. The utility will be in the front yard.
- Janny B.-the minimum is 25ft.
- Marcos Rivera- yes mam, so I think is minimum 20 lot is so D 225
- Toby A. - and this lot has slope do it is in the sloping right to back, so the house will be built at the path on the front but the slow in the left as it is.
- Toby A. the lot was not greater flat of the back only the house at
- Comm. Terrones – I m not sure Mr. Alvarado is there currently the structures of this lots.
- Toby A. No
- Chairwomanwhat’s the address.
- Mr. Roman – no address yet.
- Chairwomanok Polk St. and what?
- Marcos Rivera -Very close to Lee
- Marcos Rivera-To me Polk and lee
- Chairwoman: this is kalar?
- Person 4- Its sure lee right here
- Toby A. Is surely right here
- Those empties lots right here
- Chairwoman those two that you wanted to subdivide to three.
- Yes mam
- Mr. Roman – think the only thing those two don’t have septic tank sticking out
- We saw that we don’t know what is that.
- Mr. Roman – back then septic tanks were required to have ventilation but this person is exaggerated.
- Toby A-Was in old irrigation well relief for irrigation on the fields that's what it looks like
- Comm. Terrones: Was filled with sand or taken out?
- Chairwoman: either or
- Chairwoman: The water department would make the determination all right.
- Comm. Terrones – well is the thing, my obligation is----our system they should go----- to in order to build on that is my next question. Mr. Alvarado do you have the-----of the propose wellness-----well go there how much room is there

- Toby A.- ok is---- minimum of 7 ft ---- because is the required and we will have ten one side and seven in the other, and case will be exit for what ever reasons. -----
- Marcos Rivera-----I prefer to take it off ---connection with the city. Is what I propose. -----and the home that we will build is one single store, three berth room. Two bathrooms-----style roof-----
- Comm. Terrones – what is the square ft. got each other.
- Marcos Rivera - ah, 1416 is one of the models that I had, 1400 square ft.
- Comm. Terrones- Madam Chair
- Chairwoman– yes
- Comm. Terrones - ----- do we have any comments or concerns.
- Chairwomanyeah, we will see it on the moment.
- Chairwomanso what is your name again?
- Marcos Rivera- I’m Sorry my name is Marcos Rivera; I am the owner of the construction I’m -----
- Chairwoman– you need swore with the secretary.
- Comm. Cameron – do you swore this statement is truth nothing by the truth.
- Marcos Rivera – yes mam
- Chairwoman– ok now let’s talk more about this.
- Marcos Rivera – ok
- Chairwoman– you got the plans for that buildings
- Marcos R. – yes
- Janny B.- and you exceeding set back on the side.
- Marcos R. – no I’m -----myself---- minimum is 7ft. ah my house is so is 50ft. by lot. My house is 35ft wide
- Chairwomanso ok you are dividing the different between the two sides.
- Marcos R. yes
- Chairwomanyou are ----- there-----
- Marcos R. – so-----probably building between the 50ft.
- Chairwomanyeah can we maybe see the plans.
- -----
- Chairwoman– all the plans are the same
- Marcos R, - no they are different totally different each -----those of two we decided----
- Chairwoman- -----three bedroom and 4bedroom. 35ft. wide.
- Marcos R. this is the 3rd model I am sorry.
- -----
- Comm. Cameron -----
- Chairwoman1995 square ft.
- Janny B.-are three model.
- Person 5- -----model
- Comm. Comeron. -this one is how many square ft.
- Chairwoman-1995- 1484----- this is the biggest
- -----
- -----
- -----205ft-----16x100
- Chairwoman– Mr. Terrenos do you need to see this? ok nothing that we looking -----for 60ft. measurement on front. Ok do you have more questions. Commissioners, and Mr. Roman. You can question.
- Mr. Roman- my only concern all about this is that ---is putting -----that’s will be slow
- Person 4- -----corresponding-----will be on the back
- Comm. Terrones – on outside pounding ---for each

- Chairwoman– for each lot
- Comm. Terrones – yes for each lot whatever is into the property will bin into the property not running on the street.
- Chairwoman– ok anything else.
- Comm. Terrones – Mr. Alvarado, -----why the 505059-----535350
- Marcos R. – is one a year from here may be like good sale point----- you know I actually waiting for that.
- Comm. Terrones or Toby? – you have a nice house and a bid house that will go on 60. And is 1900 square ft.
- Chairwoman– is 1900 Square ft.
- Marcos R. Yeah
- Toby A. if we do that big ones it will be to small
- Chairwoman– for the 3rd one.
- Toby A. yeah for the 3rd.
- Marcos R. - -----what I'm doing target people with individual needs so two of the homes will be 50ft. and 50ft will be for older people so they don't want as much lot in frontage to maintenance ----- -- 0 scaping 0 land scaping for using ----- that's why I put it the smallest home on those two lots. That's why we divided in that way because
- Toby A. – if we divide the two in big ones will be smallest for the 3rd one.
- Marcos R. - when I bought these two lots 80 by205. Its to much lot for an older family when I talking this way ready to see if is approved. It's because I was sitting down with my costumer talking with one of my customers what they were looking for and they like Anthony area and they want to stay in one is in Anthony. And we want it to build something nice at the Anthony Community, I'm think one of the houses of our product is a high standard quality material we got the -----finished. Granite on the top, tile in the whole house. ----- but the main razon why ----- those families are looking for something smaller. ----- I'm sorry----
- Janny B.- yeah
- Marcos R. – I been around of the area in Anthony and we----- 50ft. lots its not. I am not asking for 30ft. or 35 or 40ft. this is it50ft. is kind of standard ----- subdivision lot to building ----- living where else area. And the homes will be 185, 000.
- Chairwoman– oh! wow. Ok is any body its against?
- Comm. Terrones. - what for
- Chairwoman– What for this project.
- Person 5 – thank you -----
- Chairwoman– you can come here
- Person 5.- Thank you for let it know what's going on
- Comm. Terrones. -yeah, we are traying present this-----
- Chairwoman– we want to catch up in records.
- Person 5 – ah ok
- Monica – hi I live in Acosta, I'm Monica.
- Janny B.- you need swore.
- Monica Reyes -
- Comm. Cameron – do you swore this statement is true.
- Monica R.– yes
- Chairwoman– what is the purpose you are here?
- Monica R.– I got a letter; we want to know what's going on in subdivision. I though was something interesting thank you for let it know what's going on.
- Chairwoman– so you don't have objection?
- Monica R. no no, I just want to know what it's about.
- Chairwoman- – Thank you for coming.

- Monica R. - no, thank you for invited us.
- Chairwoman– Sir do you have comments?
- Comm. Terrones -
- Monica R. – ok thank you, Nice to meet you
- Person 7 – my name is Santiago Lara yo vivo por la Kalar y Polk y pos vine aqui -----
- Chairwoman– sir you need to sower.
- Comm. Holguin – Jura que lo que dice es verdad.
- Mr. Lara – es verdad.
- Chairwoman– ok entonces sigale
- Mr. Lara – por eso vine por que me mandaron una carta, que me
- Chairwoman– aja ok
- Mr. Lara - a qui la triago.
- Comm. Holguin. - entendio lo que esta sucediendo Señor?
- Mr. Lara – pos entiendo poco, pero si entiendo
- Comm. Holguin. – la propiedad va hacer subdividida es el intento que ellos buscan tener, por eso vinieron hoy, en particularment por por el tamaño de la propiedad que era lo que los estaba deteniendo. Pero su usted no tiene objection sobre la subdivision o algun otro comentario que quiera dar. Puede hacerlo ahora.
- Mr. Lara – no pos yo estoy de acuerdo la ley es la ley.
- Comm. Holguin. –gracias, pues que bueno que vino a informarse, entonces muchas gracias.
- Comm. Borunda – Gracias, buenas noches.
- Chairwoman– anybody else wants to speak? Ok no -----comments. Ok Commissioners any questions? Mr. Terrones any questions,
- Comm. Terrones. Yes, madam chair,
- Chairwoman- -----we can't definitely answer --septic thing.
- Mr. Roman. – not jet -----
- Chairwoman– can we remove it?
- Comm. Borunda -I will remove it -----annex to the city.
- Chairwoman-ok
- Comm. Terrones -I have only one question, it's a lot of homes----- and subdivision the standard what you see 50 ft after.
- Marcos R. yes sir. We just finished that, 10 acter subdivision at Sunland Park NM. And the Standard lot was 50 by 105. So most lots

1st Motion: Comm. Borunda 2nd Motion: Comm. Holguin

Roll Call vote:

Commissioner Jose Terrones	YES	NO
Commissioner Andres Borunda	YES	NO
Commissioner Barbara Cameron	YES	NO
Commissioner Sarah Holguin	YES	NO
Chairwoman Janny Brunlow Tie Breaker	YES	NO

7. ADJOURNMENT

1ST motion: Comm. Borunda 2ND motion: Comm. Holguin **AIF**

ATTEST:



Esther Motongo, City Clerk




Diana Murillo-Trujillo, Mayor