

**MINUTES OF THE  
EXTRA-TERRITORIAL ZONING COMMISSION (ETZ) MEETING**

**September 18, 2014  
6:00 p.m.**

*(Note: These are not verbatim minutes; these are summary notes unless marked otherwise.)*

**MEMBERS PRESENT:**

Kenneth Allin, Commissioner  
Robert Hearn, Commissioner  
Tim Sanders, Commissioner  
John Villescas, Chair

**OTHERS PRESENT:**

Daniel Hortert, Director, Community Development  
Steve Meadows, Planner, Community Development

**MEMBERS ABSENT:**

Douglas Hoffman, Commissioner  
John Townsend, Commissioner  
Janet Acosta, Secretary

**1. CALL TO ORDER**

**Chair Villescas** called the Regular Meeting of the Extra-Territorial Zoning Commission to order at 6:08 p.m. Thursday, September 18, 2014 in the Doña Ana County Government Center, 845 N. Motel Blvd., Las Cruces, NM.

**2. ROLL CALL**

Kenneth Allin, Vice-Chair	Here
Douglas Hoffman, Commissioner	Absent
John Townsend, Commissioner	Absent
Janet Acosta, Secretary	Absent
Tim Sanders, Commissioner	Here
Robert Hearn, Commissioner	Here
John Villescas, Chair	Here

**3. ANNOUNCEMENTS**

None.

**4. APPROVAL OF MINUTES:** April 17, 2014 Meeting Minutes

**Commissioner Allin** made a motion to approve the minutes with **Commissioner Hearn** seconding the motion.

Commissioner Allin	Yes
Commissioner Sanders	Yes
Commissioner Hearn	Yes
Chair Villescas	Yes

The vote was 4-0-0 to **APPROVE** the minutes.

**5. CHANGES TO THE AGENDA**

None.

**OLD BUSINESS  
REVIEW / DISCUSSION / ACTION**

**6. CASE #SU14-002 – Peña, 6773 Fox Road, Las Cruces**

The applicants, Joaquin and Librada Peña, are requesting a Special Use Permit, per Section 7.2 of the ETZ Ordinance, to place a 588 sq. ft. mobile home on the property as an accessory dwelling. The 1.26 acre parcel, zoned ER3M, is located at 6773 Fox Road in Las Cruces. The property was recorded in the Doña Ana County Clerk's Office on January 24, 2002, in Book 315, Pages 6-8. The subject property can be further identified by Map Code #4-015-127-110-193.

**Steve Meadows, Planner**, was sworn in and presented the case.

**Commission Comments:**

- a) Are there two abandoned vehicles on the property?
- b) Explain the Fire Marshal's comments.
- c) With regards to renting the property, is it that they didn't plan to rent it or they can't rent it?
- d) Why wasn't this an administrative approval?

**Steve Meadows' Responses:**

- a) There was a fairly new car up on blocks being repaired and one in the rear that has been covered. I did not see two abandoned vehicles.
- b) The Fire Marshall's said that if they have to go in excess of 150 feet from the road, the driveway would need hammerheads for turnarounds. The site plan only shows 60 feet from the road so the applicants don't need to worry about this comment.
- c) The applicant cannot rent out the mobile home they wish to place on their property.
- d) This wasn't an administrative approval because a letter of opposition was received.

**John Moore, 6773 Fox Road**, representative for the applicants, was sworn in and gave a brief presentation on the request for a Special Use Permit.

**Commissioner Sanders** made a motion to approve the Special Use Permit with the condition that the permit has a five year limit and the applicant would need to reapply for the SUP 60 days before the expiration of that five year limit. **Commissioner Hearn** seconded the motion.

Commissioner Allin

Yes

Commissioner Sanders	Yes
Commissioner Hearn	Yes
Chair Villegas	Yes

The motion was **APPROVED** by a vote of 4-0-0.

**7. CASE #SU14-008 – Anderson, 1915 Burke Road, Las Cruces**

The applicant, Vicki Anderson, is requesting a Special Use Permit for an Open Recreational Use to hold an annual Halloween “Haunted House” for charity on the subject property. The 1.0 acre parcel, zoned ER3M, is located at 1915 Burke Road in Las Cruces. The property was recorded in the Doña Ana County Clerk’s Office on April 13, 2007, in Book 805, Pages 385-386. The subject property can be further identified by Map Code #4-004-134-356-280.

**Steve Meadows, Planner**, was sworn in and presented the case.

**Commission Comments:**

- a) Would it be better to say that the SUP expires in five years rather than “submit a new SUP application before the 2019 Halloween season”?
- b) Why couldn’t this permit be done administratively?

**Steve Meadows’ Responses:**

- a) Yes, we will reword the condition to reflect the expiration of the Special Use Permit in five years and that the Applicant must reapply 60 days before the end of the 5-year period.
- b) An open recreational use permit must go through a public hearing.

**Vicki Anderson, 1915 Burke Road**, the applicant, was sworn in and gave a brief presentation.

**Michelle Muñay, 2612 Ridge Road**, Director of Action Programs for Animals (APA), gave a brief presentation on what her non-profit organization does.

**Andrea Sparcabages, 4433 Levante Drive**, was sworn in and added that the APA also takes animals from the Doña Ana County Sheriff’s Office, the Animal Cruelty Taskforce as well as animals from the shelters. The funds that the APA receives from the Haunted House go a long way to helping with the animals that they take in.

**Commissioner Hearn** made a motion to approve the Special Use Permit for an Open Recreational Use with the conditions of: 1) The event can only be held on Friday and Saturday before Halloween and on Halloween night during each of the Halloween seasons; 2) Applicant shall meet all fire code conditions and have a final inspection by the Fire Marshal prior to opening the event to the public; 3) Applicant shall remove the temporary structure completely within one week of the end of Halloween; and 4) The

SUP will be valid for five years and Applicant will need to submit a new SUP application 60 days before the end of the five year period. **Commissioner Sanders** seconded the motion.

Commissioner Allin	Yes
Commissioner Sanders	Yes
Commissioner Hearn	Yes
Chair Villescas	Yes

The motion was **APPROVED** by a vote of 4-0-0.

**8. ADMINISTRATIVE APPROVALS**

**Steve Meadows, Planner**, reported on administrative approvals for the month of August.

**9. PUBLIC INPUT**

None.

**10. STAFF INPUT**

None.

**11. COMMISSION INPUT**

None.

**12. ADJOURNMENT**

**Commissioner Hearn** made a motion for adjournment, with **Commissioner Sanders** seconding the motion. A vote of all “ayes” was heard from the Commissioners. The meeting was adjourned at 7:28 p.m.

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Officer: Extra-Territorial Zoning Commission