

# **RUIDOSO-LINCOLN COUNTY EXTRATERRITORIAL ZONING COMMISSION**

**Ruidoso Village Hall  
313 Cree Meadows Drive**

**Special Meeting Agenda  
August 3, 2009, 6:30 p.m.**

## **1. CALL TO ORDER, ROLL CALL & CERTIFICATION OF COMPLIANCE WITH RESOLUTION 2009-01**

Chairwomen Barnett called the meeting to order. Roll call was taken and those members present were Commissioners Higgins, Aguilar, Gunn, Cornelius and Johnson. Commissioner Romero was absent.

Planning and Zoning staff present were Planning Director Robert Decker and Staff Planner Jennifer Williams.

Mr. Decker certified compliance with Resolution 2009-01.

## **2. APPROVAL OF AGENDA**

**A motion was made by Commissioner Higgins to approve the agenda as written. The motion was seconded by Commissioner Cornelius. The motion passed with all ayes.**

## **3. APPROVAL OF MINUTES – July 20, 2009**

**A motion was made by Commissioner Higgins to approve the minutes of July 20, 2009. The motion was seconded by Commissioner Johnson. The motion was passed with all ayes.**

## **4. PUBLIC HEARING**

- A. RLCEZPV09-001 –Variance –Lot 1, Fawn Ridge Subdivision, Lincoln County, NM – Randy Sims, Applicant – D.T. Collins & Associates, Agent

Eric Collins approached the podium and was sworn in. He explained that this property is in the ETZ in the Fawn Ridge Subdivision. He stated that there is an existing mobile home on the lot now. He stated that they are asking for a variance so that the applicant can bring a newer, much nicer mobile home onto the property. He added that the lot is substandard. He stated that there are a lot of trees on the lot that will screen the neighbors. He added that all along the street there are homes that sit within the setbacks.

*If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Planning Administrator or Village Clerk at least one week prior to the meeting or as soon as possible. Public documents, including the draft agenda and minutes, can be provided in various accessible formats. Please contact the Planning Administrator or Village Clerk if a summary or other accessible format is needed.*

Commissioner Aguilar stated that the closest encroachment would be adjacent to Lot 2. Mr. Collins stated that they had not personally talked to the neighbors but that he believed they were notified through the Planning Departments process. Commissioner Higgins confirmed that they should have been notified in this way. Mr. Decker added that everyone had been notified and that we received no responses from the neighbors.

Commissioner Cornelius stated that he suspected that the neighbors would like to see a new one rather than what's there. Commissioner Johnson asked the applicant if he could guarantee that they were bringing in a new one. Mr. Sims confirmed that they were going to purchase a brand new mobile home.

Mr. Decker stated that the single family setbacks in that area are called out at 5 feet and 7 feet making this proposed variance similar to those setback requirements. Mr. Collins stated what the ordinance allowed for setbacks. Commissioner Higgins asked what the ETZ was. Mr. Decker stated that the ETZ called for 25 on the front and side and 20 in the rear.

Commissioner Aguilar asked if approve this would create a problems now or in the future for any sort of expansion for the roads near the property. Mr. Decker stated that there is plenty of ROW width. Commissioner Aguilar asked if it would change the use at all. Mr. Decker stated that it would not.

Commissioner Higgins stated that he just had a comment. He stated that he didn't have a problem with this but just wanted to mention that if this lot was a vacant lot that his decision might have been different. He stated that if someone purchased the neighboring lot with the anticipation that nothing would ever be built on that lot, then he would have some sympathy for that individual. Commissioner Aguilar stated that he agreed with Mr. Higgins. He added that the plat probably should have been denied. Commissioner Cornelius stated that it was actually the ETZ that created the problem. The lot meets all of the subdivision requirements.

Commissioner Johnson stated that Fawn Ridge is probably one of the nicest mobile home subdivisions in town. He added that he felt like moving a new mobile home onto this lot would only continue to improve the area.

**Commissioner Johnson made a motion to approve the variance as request. Commissioner Higgins seconded the motion. The motion passed with all ayes.**

## **5. REGULAR ITEMS**

None scheduled

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## **6. PUBLIC INPUT**

No public input was expressed

## **7. STAFF REPORTS**

None

## **8. COMMISSIONER COMMENTS**

Commissioner Higgins stated that perhaps he should have saved his comments for this part of the meeting. Mr. Decker thanked Commissioner Higgins and said that he thought it was important to keep those issues in mind.

There was discussion among the Commissioners and staff about ways that the community, realtors and others could become more aware of what the setbacks are throughout and what the covenants of each subdivision are.

## **9. ADJOURNMENT**

**Meeting was adjourned at approximately 7:15 PM**

**These minutes prepared October 7, 2009**

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**Jennifer Williams, Staff Planner**

**These minutes approved and accepted October 19, 2009**

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**Phillis Barnett, Ruidoso Lincoln County ETZ Commission Chair**

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