

AG E N D A
CITY OF AZTEC
CITY COMMISSION MEETING
April 23, 2019
201 W. Chaco, City Hall
6:00 p.m.

I. CALL TO ORDER

II. INVOCATION AND PLEDGE OF ALLEGIANCE

United States Pledge of Allegiance

New Mexico Pledge of Allegiance

I Salute the Flag of the State of New Mexico and the Zia Symbol of Perfect Friendship among United Cultures

III. ROLL CALL

IV. APPROVAL OF AGENDA ITEMS

V. CONSENT AGENDA

- A. Commission Workshop Meeting Minutes April 9, 2019
- B. Commission Meeting Minutes April 9, 2019
- C. Resolution 2019-1131 Authorizing the Opening and Closing of Time Certificates of Deposit for City of Aztec
- D. Resolution 2019-1132 Authorizing Investment of Monies in Local Short-Term Investment Fund for City

Items placed on the Consent Agenda will be voted on with one motion. If any item proposed does not meet the approval of all Commissioners, a Commissioner may request that the item be heard under "items from Consent Agenda"

VI. ITEMS REMOVED FROM CONSENT AGENDA

VII. PROCLAMATION

VIII. PRESENTATIONS

- A. San Juan County Historical Society Annual Report (Patricia Tharp)
- B. Aztec Boys and Girls Club (Mike Patch)

IX. CITIZENS INPUT (3 Minutes Maximum)

ATTENTION PERSONS WITH DISABILITIES: The meeting room and facilities are fully accessible to persons with mobility disabilities. If you plan to attend the meeting and will need an auxiliary aid or service, please contact the City Clerk's Office at 334-7600 prior to the meeting so that arrangements can be made.

Note: A final agenda will be posted 72 hours prior to the meeting. Copies of the agenda may be obtained from City Hall, 201 W. Chaco, Aztec, NM 87410.

X. BUSINESS ITEMS

XI. QUASI JUDICIAL HEARINGS (LAND USE)

- A. VAR 19-01 A Request to Reduce the Front Setback from Twenty-Five (25) feet to Twenty-One (21) feet in the R-2 Multiple-Family Dwelling District
- B. ZC 19-01 Zone Change request from MH Mobile Home Zoning District to the R-2 Multiple Family Zoning District
- C. CUP 19-01 – Conditional Use Permit for Dog Grooming - Kennel at 1603 W. Aztec Blvd.

XII. COMMISSIONER, CITY MANAGER, DEPARTMENT REPORTS

XIII. ADJOURNMENT

ATTENTION PERSONS WITH DISABILITIES: The meeting room and facilities are fully accessible to persons with mobility disabilities. If you plan to attend the meeting and will need an auxiliary aid or service, please contact the City Clerk's Office at 334-7600 prior to the meeting so that arrangements can be made.

Note: A final agenda will be posted 72 hours prior to the meeting. Copies of the agenda may be obtained from City Hall, 201 W. Chaco, Aztec, NM 87410.

1 CITY OF AZTEC
2 WORKSHOP MEETING MINUTES
3 April 9, 2019
4

5 **I. CALL TO ORDER**
6

7 Mayor Snover called the Workshop to order at 5:15 pm at the Aztec City
8 Commission Room, City Hall, 201 W. Chaco, Aztec, NM.
9

10 MEMBERS PRESENT: Mayor Victor Snover; Mayor Pro-Tem Fry;
11 Commissioner Sherri Sipe; Commissioner,
12 Mark Lewis; Commissioner Randall
13

14 MEMBERS ABSENT: NONE
15

16 OTHERS PRESENT: City Manager Steve Mueller; Finance Director
17 Kathy Lamb; City Attorney Nicci Unsicker;
18 Community Development Director Steven
19 Saavedra; Project Manager Ed Kotyk; City
20 Clerk Karla Saylor; see attached sign in sheet
21

22 **A. Comprehensive Plan Overview**

23 City Manager Steve Mueller explained that the comprehensive plan was
24 adopted in 2002 and comprehensive plans should be reviewed every 10 to
25 15 years. The plan includes the future direction for the City, land use
26 development, affordable housing, neighborhood and subdivision design,
27 parks and open space, transportation, aesthetic design for commercial
28 structures just to name a few. A lot of grant applications look at the
29 Comprehensive plan to determine eligibility.

- 30 • Look at existing plan and move forward from there
- 31 • Put Arterial and North Main in the Plan
- 32 • Work with Vision Plan
- 33 • Have a business plan in place
- 34 • Look for grants
- 35 • Plan for the future
- 36 • Growth Management Goals
- 37 •

38
39 **II. ADJOURNMENT**
40

41 Moved by Mayor Snover to adjourn the meeting at 5:46 p.m.
42
43

44 _____
45 Mayor, Victor C. Snover

46 ATTEST:

1 _____
2 Karla Sayler, City Clerk
3
4 MINUTES PREPARED BY:
5
6 _____
7 Sherlynn Morgan, Administrative Assistant

CITY OF AZTEC
COMMISSION MEETING MINUTES
April 9, 2019

I. CALL TO ORDER

Mayor Victor Snover called the Meeting to order at 6:00 pm at the Aztec City Commission Room, City Hall, 201 W. Chaco, Aztec, NM.

II. INVOCATION

The Invocation was led by Judge Gray

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led John Faverino

IV. NEW MEXICO PLEDGE

I Salute The Flag Of The State Of New Mexico And The Zia Symbol Of
Perfect
Friendship Among United Culture's.

The New Mexico pledge was led by John Faverino

V. ROLL CALL

Members Present: Mayor Victor Snover; Mayor Pro-Tem Fry;
Commissioner Sipe; Commissioner Mark
Lewis; Commissioner Austin Randall

Members Absent: NONE

Others Present: City Manager Steve Mueller; City Attorney Nicci
Unsicker; Project Manager Ed Kotyk; City Clerk Karla
Saylor (see attendance sheet)

VI. AGENDA APPROVAL

MOVED by Commissioner Randall to Approve the Agenda as given
SECONDED by Commissioner Lewis

All voted Aye: Motion passed five to zero

VII. PRESENTATION

Sandra Harbor with the Chamber of Commerce wanted to share their current position. She explained that they have a full board and are back up and running. They are getting away from large event planning and putting more focus on the businesses.

VIII. CITIZEN RECOGNITION

NONE

IX. EMPLOYEE RECOGNITION

City Manager Steve Mueller recognized Library Director Angela Watkins for her hard work in getting grants for the Library. Commissioner Sipe recognized the Parks Department for the ways the parks and planters look.

X. CITIZENS INPUT (3 Minutes Maximum)

Joe Hubbard mentioned that there would be free asset management training on Saturday April 20th at the Bloomfield Library from 9-4.

Sabrina Riles mentioned that she was concerned about trees dying with the tree thinning at Riverside Park.

Bill Dees talked about the second amendment issue from last meeting.

Monty Shalley came to follow up on McWilliams Road.

XI. CONSENT AGENDA

- A. Commission Workshop Meeting Minutes March 26, 2019
- B. Commission Meeting Minutes March 26, 2019
- C. Four Corners Economic Development Letter of Support
- D. Resolution 2019-1126 Municipal Surplus
- E. 2020 Senior Center Funding Application
- F. RFP 2017-608 Annual Financial Audit Contract for FY2019
- G. FY20 Municipal Fire Protection Fund Distribution Application
- H. Airport Maintenance Grant
- I. Resolution 2019-1127 USDA Grant Application
- J. Resolution 2019-1128 BLM Water Pipeline Right of Way Application and Signatory
- K. Resolution 2019-1129 Authorizing Closing of Time Certificates of Deposit for City
- L. Resolution 2019-1130 Animas River Habitat Enhancement and Bank Stabilization

Moved by Commissioner Randall to approve the consent agenda as given,
SECONDED by Commissioner Sipe

All Voted Aye: Motion Passed Five to Zero

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XII. ITEMS FROM CONSENT AGENDA

NONE

Moved by Commissioner Randall, SECONDED by Commissioner Sipe to Approve Resolution 2019-1123 Accepting and Approving the FY2018 Audit

A Roll Call was taken: All Voted Aye: Motion Passed Five to Zero

XIII. BUSINESS ITEMS

A. Intent to Adopt Ordinance 2019-490 Amending Chapter 2, Administration, Division 6 Municipal Judge

City Manager Steve Mueller explained that this is what was discussed at the last workshop. He explained that annual compensation for the Municipal Judge will be established by City Code at a fifty percent (50%) of the State Magistrate's salary, this change would be examined and adjusted every election cycle.

Moved by Commissioner Randall, SECONDED by Commissioner Sipe to Approve Intent to Adopt Ordinance 2019-490 Amending Chapter 2, Administration, Division 6, Municipal Judge

A Roll Call was taken: All Voted Aye: Motion Passed Five to Zero

XIV. CITY MANAGER/COMMISSIONERS/ATTORNEY REPORTS

City Manager Steve Mueller mentioned that he attended the NMML District meeting and it was very informative.

Commissioner Sipe mentioned that she attended the NMML District meeting as well. She attended MPO to approve the extending of the arterial money. She has Northwest NM Seniors tomorrow. Congratulated the team effort on the funding for the arterial and North Main.

Commissioner Lewis attended the San Juan Water Commission Meeting and we are coming to the end of the payments on the Animas La Plata Project after 30 years. He mentioned that 2018 is now the drought on record.

Commissioner Randall mentioned that he attended the first Library board meeting. LTAB approved funding for Steamers and Dreamers, Alien Run and Motocross events.

Mayor Pro-Tem Fry attended the NMML District meeting as well and excited about the funding for North Main and the arterial. She has San Juan Safe Communities meeting on Thursday.

45 Mayor Snover reported the he attended ECHO. He was able to give out
46 certificates of appreciation for Sykes, Isreal and Frizzel for their work with the Talon. He
47 has an Airport Advisory meeting on the 15th, he attended San Juan Citizens Alliance.
48

49 **XV. DEPARTMENT REPORTS**

50 NONE
51

52
53 **XVI. ADJOURNMENT**

54
55 Mayor Snover adjourned the meeting at 6:30 pm.
56

57
58 _____
59 Mayor, Victor Snover

60 ATTEST:

61 _____
62 Karla Sayler, City Clerk
63

64 MINUTES PREPARED BY:

65 _____
66
67
68 Sherlynn Morgan, Administrative Assistant

Staff Summary Report

MEETING DATE: APRIL 23, 2019
AGENDA ITEM: V. CONSENT AGENDA (C)
AGENDA TITLE: Resolution 2019-1131 Authorizing Opening and Closing of Time Certificate of Deposit for City

ACTION REQUESTED BY: Finance Department
ACTION REQUESTED: Approve Resolution 2019-1131 Authorizing Opening and Closing of Time Certificate of Deposit for City
SUMMARY BY: Kris Farmer

PROJECT DESCRIPTION / FACTS

- The banks and independent auditors have asked that formal action be taken to open and close investments.
- The Finance Department solicited all approved depositories (Resolution 2018-1095) for interest rates on Monday, April 15, 2019, for 12 month certificate of deposit in the amount of \$1,000,000.00.
- Rate quotes received

Financial Institution	Term	Rate	Earnings Projection
Citizens Bank	12 month	2.21%	\$22,100.00
Vectra Bank	12 month	1.75%	\$17,500.00
Four Corners Community Bank	12 month	1.85%	\$18,500.00
Bank of Southwest	No Response		
Wells Fargo	No response		
High Desert Credit Union	No response		
LGIP	30 day net yield	2.418%	

PROCUREMENT

- None

FISCAL IMPACTS

- Estimated interest earned at 2.21% for 12 months on \$1,000,000.00 is \$22,100.

SUPPORT DOCUMENTS: Resolution 2019-1131

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve Resolution 2019-1131
Authorizing Opening and Closing of Time Certificates of Deposit for City

**CITY OF AZTEC
RESOLUTION 2019-1131**

**AUTHORIZING OPENING AND CLOSING OF TIME CERTIFICATES OF DEPOSIT
FOR CITY**

WHEREAS, the City Commission of the City of Aztec, New Mexico, is the authorized Board of Finance of said City of Aztec, and as such has control of the manner and method that monies belonging to the City shall be handled; and

WHEREAS, the City Commission of the City of Aztec, New Mexico, passed, approved and adopted Resolution 2018-1095 Authorizing signatures for city accounts on August 14, 2018 and identified approved depositories for city funds; and

WHEREAS, City of Aztec, New Mexico, Finance department solicited all banks authorized as designated depositories of said City per Resolution 2018-1095, for the term of 12 months; Citizens Bank, Aztec, New Mexico offered an interest rate of 2.21% for 12 months.

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY of the City of Aztec, New Mexico, to open time certificate of deposit 0235815826 at Citizens Bank, Aztec, New Mexico, in the amount of \$1,000,000.00, interest rate of 2.21% for a 12 month period, beginning April 24, 2019, and to close this time certificate of deposit on its maturity date, April 24, 2020, at Citizens Bank, Aztec, New Mexico.

PASSED, APPROVED, SIGNED AND ADOPTED this 23rd day of April 2019, by the Aztec City Commission, City of Aztec, New Mexico

Mayor Victor C. Snover

ATTEST:

Karla Sayler, City Clerk CMC

Staff Summary Report

MEETING DATE: APRIL 23, 2019
AGENDA ITEM: V. CONSENT AGENDA (D)
AGENDA TITLE: Resolution 2019-1132 Authorizing Investment of Monies in Local Short-Term Investment Fund for City

ACTION REQUESTED BY: Finance Department
ACTION REQUESTED: Approve Resolution 2019-1132 Authorizing Investment of Monies in Local Short-Term Investment Fund for City
SUMMARY BY: Kris Farmer

PROJECT DESCRIPTION / FACTS

- The banks and independent auditors have asked that formal action be taken to open and close investments.
- The Finance Department solicited all approved depositories (Resolution 2018-1095) for interest rates, for investment of funds in the amount of \$2,000,000.
- Local Government Investment Pool Participant 30-Day net rate is 2.418% (rates can change daily) as of April 17, 2019. Excess funds of \$2,000,000 will be deposited into LGIP fund and remain there until need for money arises or local interest rates rise.
- Rate quotes received

Financial Institution	Term	Rate	Earnings Projection
Citizens Bank	12 month	2.21%	\$44,200.00
Vectra Bank	12 month	1.85%	\$37,000.00
Four Corners Community Bank	12 month	1.85%	\$37,000.00
Bank of Southwest	No Response		
Wells Fargo	No response		
High Desert Credit Union	No response		
LGIP	30 day net yield	2.418%	\$48,360.00

PROCUREMENT

- None

FISCAL IMPACTS

- Estimated interest earned at 2.418% on \$2,000,000.00 for 12 months is \$48,360

SUPPORT DOCUMENTS: Resolution 2019-1132

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve Resolution 2019-1132
Authorizing Investment of Monies in Local Short-Term Investment Fund for City

**CITY OF AZTEC
RESOLUTION 2019-1132**

**AUTHORIZING INVESTMENT OF MONIES IN LOCAL SHORT-TERM INVESTMENT
FUND FOR CITY**

WHEREAS, the City Commission of the City of Aztec, New Mexico, is the authorized Board of Finance of said City of Aztec, and as such has control of the manner and method that monies belonging to the City shall be handled; and

WHEREAS, the City Commission of the City of Aztec, New Mexico, adopted Resolution 96-327 Authorizing Investment of Monies in Local Short-Term Investment Fund Participation on February 6, 1996; and

WHEREAS, the City Commission of the City of Aztec, New Mexico, adopted Resolution 2018-1095 Authorizing signatures for city accounts on August 14, 2018 and identified approved depositories for city funds; and

WHEREAS, City of Aztec, New Mexico, Finance department solicited all banks authorized as designated depositories of said City per Resolution 2018-1095, New Mexico State Treasurer's Local Government Investment Pool (LGIP) offered a 30 day Net interest rate of 2.418%.

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY of the City of Aztec, New Mexico, to deposit excess funds at NM State Treasurer's Local Government Investment Pool (LGIP), Santa Fe, New Mexico, on April 25, 2019, in the amount of \$2,000,000.00, interest rate of 2.418%.

PASSED, APPROVED, SIGNED AND ADOPTED this 23rd day of April 2019, by the Aztec City Commission, City of Aztec, New Mexico

Mayor Victor C. Snover

ATTEST:

Karla Sayler, City Clerk CMC

Staff Summary Report

MEETING DATE:	April 23, 2019
AGENDA ITEM:	XI. Quasi-Judicial Hearings (Land Use) (Item A)
AGENDA TITLE:	VAR 19-01 - A request to reduce the front setback from Twenty-five (25) feet to twenty-one (21) feet in the R-2 Multiple-Family Dwelling District.

ACTION REQUESTED BY:	Helen Srader
ACTION REQUESTED:	A request to reduce the front-yard setback from Twenty-five (25) feet to zero (21) feet in the R-2 Multiple Family Dwelling District
SUMMARY BY:	Steven M. Saavedra – CFM

PROJECT DESCRIPTION / FACTS

Applicant	Helen Srader
Representative	N/A
Date of Application	February 13, 2019
Requested Action	Front setback reduction
Location	1405 Parkland Cir
Existing Land Use	Single-Family Residential
Existing Zoning	R-2 Multiple-Family Dwelling District
Surrounding Zoning and Land Use	North: R-2 : Multiple -Family Residential Dwelling / Residential South: R-2 : Multiple -Family Residential Dwelling / Residential East: R-2 : Multiple -Family Residential Dwelling / Residential Commercial District / Commercial Use West: R-2 : Multiple -Family Residential Dwelling / Residential
Floodplain / Flood zone	No

SUMMARY

Petition No. VAR 19-01 is a request from Helen Srader, to reduce the front-yard setback for property located at 1405 Parkland Cir in the R-2 Multiple-Family Dwelling District. Pursuant to COA 26-2-45 (1) of the Land Use Requirements, the minimum front yard setback is 25 feet. Ms. Srader is requesting a 21 front-yard setback to construct a garage on the said property. The attached garage enables direct access from the dwelling unit. In addition, it protects her personal property. The R-2 Multiple-Family Dwelling District allows for a permit single-family residential development. In addition, no building, structure, or land use shall be used, altered, or created for any purpose other than those designated for this district. Any structure that does not satisfy the Uniform Building Code adopted by the City of Aztec and enforced in Aztec by inspectors is prohibited from being erected or stored in this district. Therefore, if the variance is approved, the applicant needs a San Juan County Building permit for the garage.

R-2 Setback requirements & Height

- Front: 25-feet
- Side: 5-feet or 7.5-feet for two-story structures
- Street Side Yard: 15-feet
- Rear: 30-feet.
- Height: 35-feet

The City of Aztec Land Use requirements states a variance is a departure from the strict application of area, height or setback requirement of this Ordinance, which is the result of the physical characteristics of the lot. Additionally, no variance shall be granted unless the City Commission is presented with sufficient evidence to find that the variance will not be contrary to the public interest and that special conditions exist such that a literal enforcement of the Code will result in an unnecessary hardship. The Code also states that a variance should not be approved unless the spirit and intent of the Code is observed, and substantial justice is done to the application and surrounding neighborhood. Furthermore, no variance shall be granted where economics are the basis for the application or to serve merely as a convenience to the property owner.

ANALYSIS & RECOMMENDATION

That the variance will not allow a use other than a use permitted for the district;

The Multiple-Family Dwelling District allows for residential uses in this district.

Is met

That under exceptional and extraordinary circumstances having to abide by literal enforcement of the provisions of this ordinance will result in unnecessary hardship;

If denied, there is a slight hardship to the applicant. The applicant is seeking a garage for the protection of her property and personal safety.

Is met

That the circumstances presented were not created by the owner of the property and are not due to or the result of general conditions in the district in which the property is located;

The owner of the property and not by the zoning district or the subject property created the circumstance.

Is not met

That the development or use of the property for which the variance is sought, if limited by literal enforcement of the provisions of this ordinance, cannot yield a reasonable return in service, use or income as compared to adjacent conforming property in the same district;

The property owner could continue the residential use without the variance.

Is partially met

That the variance will not substantially or permanently injure the appropriate use of adjacent property in the same district and conforming to the designated Land Development district;

Granting of this variance is in harmony with the general interest, general purpose, and intent of the code and the neighborhood. The applicant's addition will add value to the property and the overall neighborhood. The encroachment of 4-feet should not cause any safety issues.

Is met

That the variance will not alter the essential character of the Land Development district in which the property is located within and for which the variance is sought;

The variance will not alter the essential character of land development in this district.

Is met

That the variance will not weaken the general purposes of this ordinance or the regulations established for the specific district;

This variance will not weaken the general purposes of this ordinance or the regulations of this district.

Is met

That the variance will not adversely affect the public health, safety, or welfare;

This variance should not adversely affect the public health, safety, or welfare of the neighborhood or the City of Aztec.

Is met

COMMUNITY DEVELOPMENT RECOMMENDATION

The Community Development Department recommends approval of application VAR 19-01, an application for Helen Srader, for a variance to reduce the dimensional setback requirements for property at 1405 Parkland Cir, Aztec, NM 87410

SUPPORT DOCUMENTS:

1. Application
 2. Vicinity Map
 3. Applicant Notification Letter
 4. Adjacent Property Owner Notification Letter
 5. List of Adjacent Property Owners
-

DEPARTMENT'S RECOMMENDED MOTION: Move to approve Variance 19-01, a request from Helen Srader, to reduce the frontyard setback to 21-feet for property located at 1405 Parkland Cir, Aztec, NM, 87410.

Subject Property



North



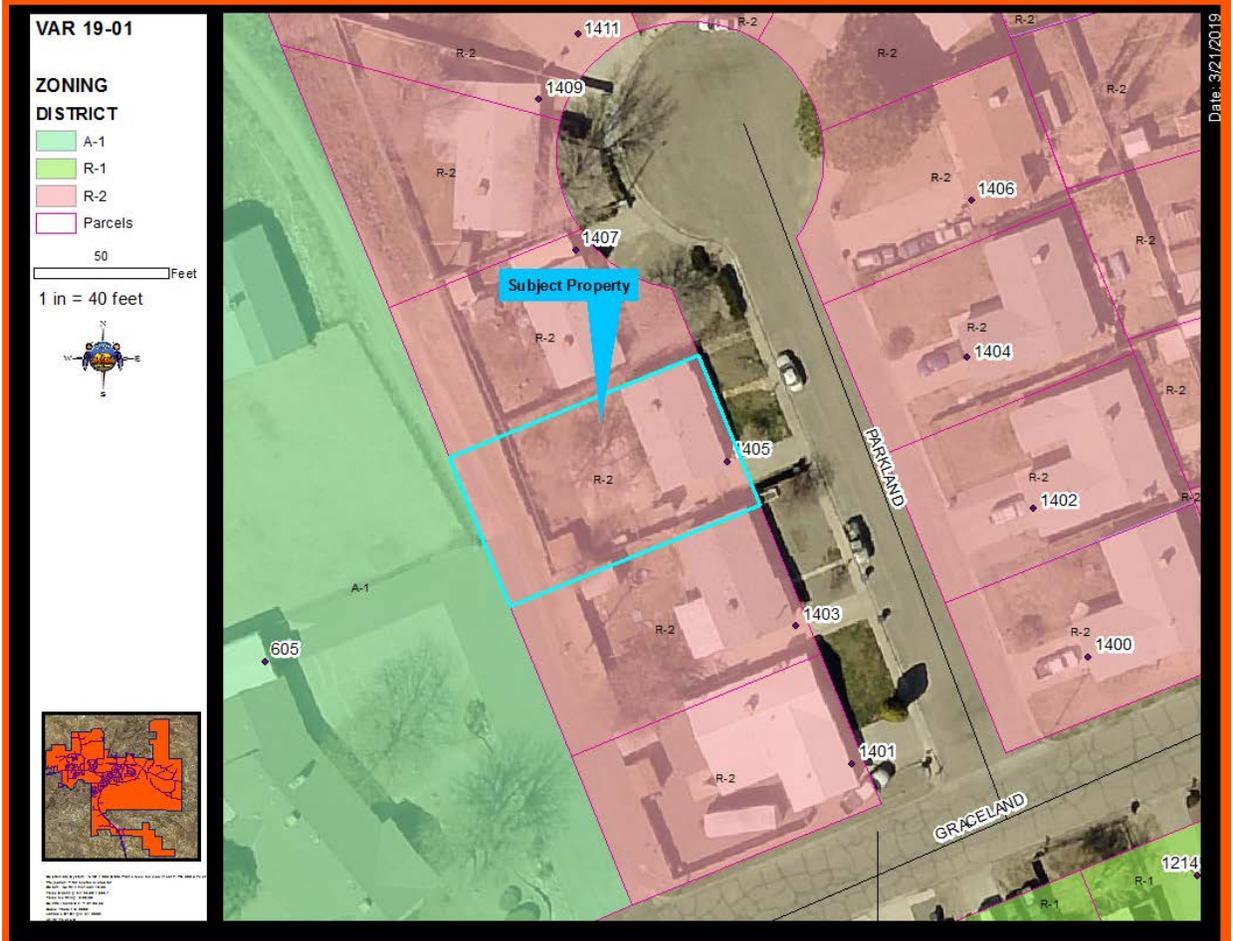
South



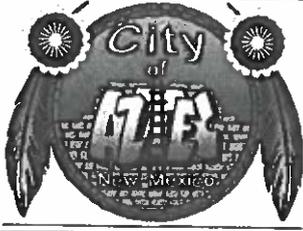
East



Zoning Map



PETITION APPLICATION



Community Development Department
 City of Aztec
 201 W. Chaco St.
 Aztec, NM 87410
 (505) 344-7605
 (505) 344-7609 (fax)



PROJECT TYPE (Check Those Applicable)

<input type="checkbox"/> Annexation <input type="checkbox"/> Alt/Summary Plat <input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plan	<input checked="" type="checkbox"/> Variance <input type="checkbox"/> Residential/Commercial Development	<input type="checkbox"/> Zone Change to _____ District <input type="checkbox"/> Conditional Use Permit <input type="checkbox"/> Well site equipment modification <input type="checkbox"/> Sign Permit <input type="checkbox"/> Other
--	---	--

RECEIVED

FEB 13 REC'D

CITY OF AZTEC
COMMUNITY DEVELOPMENT

INFORMATION

Applicant's Name: <u>HELEN PATRICIA SRADER</u>	Project Location: <u>1405 PARKLAND CIRCLE</u>
Address: <u>1405 PARKLAND CIRCLE</u>	Existing Use: <u>HOME</u>
E-Mail: <u>hpsrade@msn.com</u>	Proposed Use: <u>GARAGE ADDITION</u>
Telephone: <u>580-301-2324</u>	Current Zoning:
Relationship to Property Owner: <u>OWNER</u>	Assessor's Parcel I.D. and/or Tax I.D. Number: <u>R0000912</u>
Legal Description of Subject Property:	

Is the Property in a Flood Zone? Yes No

Is Property subject to deed restrictions, covenants, or homeowners' a
 If Yes, please provide copy with application.

REPRESENTATIVE / CONTACT PERSON (if other than applicant)

Name: <u>John Holman Const.</u>	E-Mail:
Phone: <u>505-330-5575</u>	Address:

TY OF AZTEC	CI
02/13/2019	16:14 (02)
CITY OF AZTEC COMMUNITY DEVELOPMENT	
CITY OF AZTEC COMMUNITY DEVELOPMENT	
U-889/563	AMOUNT
FMSD CH DEV LAND USE PERMITS	250.00
FMSD CH DEV ADMIN FEE (CALL IN)	10.00
PAYMENT RECEIVED	AMOUNT
CHECK: 3650	260.00
TOTAL	260.00

OWNERSHIP

PROPERTY OWNER (Identify General Partners, Managing Partner, Corporation President and Secretary. Specify type of ownership interest: Fee, Real Estate Contract, Option to Purchase)	MORTGAGE HOLDERS (If any)
Name: <u>H.P. SRADER</u> Phone: <u>580-301-2324</u>	<u>NO</u>
Address: <u>1405 Parkland Cir</u>	Name: _____ Phone: _____
Address: _____	Address: _____

OWNER CERTIFICATION

* (Physical and Mailing)

I certify that I am an owner and the information and exhibits herewith are true and correct to the best of my knowledge in filing this application. I am acting with the knowledge and consent of all persons in interest and understand that without the consent of all persons in interest the requested action cannot lawfully be accomplished. I give my permission for authorized officials of the City of Aztec to enter the premises described in this application. I understand applications will generally be reviewed by City Commission at their first regular session following City staff review.

Name: <u>HELEN PATRICIA SRADER</u>	Address: <u>1405 Parkland Cir</u>
Owner's Signature: <u>Helen Patricia Srader</u>	Phone / Email: <u>580-301-2324</u>

****All sections of this application need to be completed**
***This application accompanies the project/request**



CITY OF AZTEC
VARIANCE APPLICATION

Permit #: VAR 19-01 Date Started: Feb. 13. 19 Date Approved: _____ Fees Paid: 260.00

PROPERTY OWNER CONTACT INFORMATION

Name: Helen Patricia Srader
Mailing Address: 1405 Parkland Circle
Phone: 580-301-2324
Email: hpsrader@msn.com

PROPERTY INFORMATION / DEVELOPMENT SITE

Address: 1405 Parkland Circle
Tax ID: R0000912 Parcel Size (ac): _____
Zone District: R-1
Current Use: Single Family Home
Proposed Use: Same / Garage Addition
Flood Zone Designation: N/A

REASON FOR REQUESTING A VARIANCE

Garage Addition

APPLICANT SIGNATURE

I, _____ representing _____ hereby certify that I have read this application and hereby dispose and state under penalty of perjury that all statements, proposals, and documents submitted with this application are true and correct and that I shall adhere to the Municipal Regulations of the City of Aztec.

Signature: Helen Patricia Srader Date: 2/13/19

CITY of AZTEC USE ONLY

City Commission Meeting Date: _____

City Commission Action: _____ APPROVED _____ DENIED

FEES ARE DUE PRIOR TO COMMISSION MEETING

Fees are: \$10 Administration Fee + \$250 Variance Fee = Total \$260

October
2018



CITY OF AZTEC VARIANCE EVALUATION

Permit #: _____

1. Does the Variance allow for a use not permitted within the district? No Yes
2. Without the Variance is there undue hardship imposed? No Yes
3. Without the Variance are there practical difficulties imposed? No Yes
4. Are the circumstances created by the owner of the property? No Yes
5. Is the Variance detrimental to the property? No Yes
6. Is the Variance detrimental to surrounding property? No Yes
7. Does the Variance alter the character of the surrounding neighborhood? No Yes
8. Does the Variance set a precedent which may alter the intent of the regulations? No Yes
9. Does the Variance impose a health issue on the public? No Yes
10. Does the Variance impose a safety issue on the public? No Yes
11. Does the Variance have the approval of surrounding neighbors? No Yes



CITY OF AZTEC VARIANCE CHECKLIST



Applicable Fees

Administrative Fee	\$10
Variance Fee	\$250

Detailed site map which includes the following:

- Address of property and adjacent properties
- Property boundary (all sides)
- Existing or proposed street(s) adjoining property (labeled)
- North arrow and scale
- All utility easements
- All utility lines
- All utility meters
- Existing and/or proposed structures
- Location of improvement(s)
- Setbacks for front, side and rear yards
- Driveway location (required for new addresses)
- Proposed parking area (if different than driveway)
- Location of all drainages

Ownership

A document that verifies ownership or legal interest in the property (copy of abstract, title certificate, insurance, or contract).

Legal Description

Includes the legal description or physical address of the property.

Proposed Use

Statement describing the proposed use of the buildings, structures, premises, etc.

Dorothy Jaquez
1407 Parkland Circle
Aztec, NM 87410

Dorothy Jaquez
1407 Parkland Circle
Aztec, NM 87410

Dorothy Jaquez
1407 Parkland Circle
Aztec, NM 87410

Michael & Roberta Gordon
1409 Parkland Circle
Aztec, NM 87410

Michael & Roberta Gordon
1409 Parkland Circle
Aztec, NM 87410

Michael & Roberta Gordon
1409 Parkland Circle
Aztec, NM 87410

Robert F Johnston Trust
605 Parkland Drive
Aztec, NM 87410

Robert F Johnston Trust
605 Parkland Drive
Aztec, NM 87410

Robert F Johnston Trust
605 Parkland Drive
Aztec, NM 87410

James Peace
1401 Parkland Circle
Aztec, NM 87410

James Peace
1401 Parkland Circle
Aztec, NM 87410

James Peace
1401 Parkland Circle
Aztec, NM 87410

Linnean Valroy
1400 Parkland Cir
Aztec, NM 87410

Linnean Valroy
1400 Parkland Cir
Aztec, NM 87410

Linnean Valroy
1400 Parkland Cir
Aztec, NM 87410

Cynthia Stangby
6650 Cimмерon Circle
Farmington, NM 87402

Cynthia Stangby
6650 Cimмерon Circle
Farmington, NM 87402

Cynthia Stangby
6650 Cimмерon Circle
Farmington, NM 87402

Joshua & Torie Simpson
1402 Parkland Circle
Aztec, NM 87410

Joshua & Torie Simpson
1402 Parkland Circle
Aztec, NM 87410

Joshua & Torie Simpson
1402 Parkland Circle
Aztec, NM 87410

Charles Wells
1404 Parkland Cir
Aztec, NM 87410

Charles Wells
1404 Parkland Cir
Aztec, NM 87410

Charles Wells
1404 Parkland Cir
Aztec, NM 87410

Jeremy Cain Et Al
1406 Parkland Cir
Aztec, NM 87410

Jeremy Cain Et Al
1406 Parkland Cir
Aztec, NM 87410

Jeremy Cain Et Al
1406 Parkland Cir
Aztec, NM 87410

Douglas Doane
1408 Parkland Cir
Aztec, NM 87410

Douglas Doane
1408 Parkland Cir
Aztec, NM 87410

Douglas Doane
1408 Parkland Cir
Aztec, NM 87410

Variance 19-01

Notice is hereby given that an application has been filed with the City of Aztec - Community Development Department for a Variance of 4 ft with a 21 foot setback (COA 26-2-45) for property located at 1405 Parkland Circle, in the City of Aztec, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION

ESTES ADDITION SUBDIVISION LOT 2 BLOCK 1

Otherwise located at 1405 Parkland Circle

Zone Change 19-01

Notice is hereby given that an application has been filed with the City of Aztec-Community Development Department for a zone change from the Mobile Home (MH) District to Multi-Family Dwelling (R-2) District (COA 26-4-521,COA 26-2-22) for property located in Hampton Canyon under Tax ID R0000724 , in the City of Aztec, San Juan County New Mexico as described below:

LEGAL DESCRIPTION

RIVERVIEW SUBDIVISION REPLAT OF LOTS 4 AND 5 BLOCK 5 E 1/2 OF LOTS
4, 5 BLK 5 AND W 1/2 OF LOTS 4,5

Otherwise located at 1509 Martin Avenue

Conditional Use 19-01

Notice is hereby given that an application has been filed with the City of Aztec - Community Development Department for a conditional use permit to allow a boat parked in the front yard (COA 26-2-32(6)(1) at 1107 Cimarron Ave, in the City of Aztec, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION

BEG S0-38-0W 656.61 FT, S0-38-0W 542.26 FT AND N89-22-0W 40 FT FROM NE COR
SESW OF SEC 08 30 11. THENCE S0-38-01W 144 FT, W 126.71 FT, N0-55-56W 145 FT,
S89-33-58E 130.67 FT TO BEG.

Otherwise located at 1603 W Aztec Blvd.

*Pursuant to the provisions of Section 3-21-6, New Mexico Statutes Annotated, 1978 Compilation, notice is hereby given that Aztec's City Commission will hear the petitions in a public hearing on **Tuesday, April 23, 2019 at 6:00 p.m.** in the City Commission Chambers at City Hall, 201 W. Chaco Street, Aztec, NM, 87410.*

Mayor
Sally Burbridge

Mayor Pro-Tem
Sherri A. Sipe



Commissioners
Austin R. Randall
Katee McClure
Sheri L. Rogers

A desirable place to live, work and play; rich in history and small town values!

**NOTICE OF PUBLIC HEARING
VARIANCE REQUEST
PETITION NO. 2019-01**

April 3, 2019

Dear Property Owner,

Notice is hereby given that a Variance Application has been filed with the City of Aztec, New Mexico, a request from Helen P Srader for a Variance of 4 ft with a 21ft setback at 1405 Parkland Circle a property located in City of Aztec, San Juan County, New Mexico, as described below.

LEGAL DESCRIPTION

Lot Three (3), Block One (1), of the Estes Addition Subdivision, in the City of Aztec, San Juan County, New Mexico.

Otherwise located at 1405 Parkland Circle

Pursuant to the provisions of Section 26-2-45, New Mexico Statutes Annotated, 1978 Compilation, notice is hereby given that the City Commission will hear the petitions in a public hearing on **Tuesday, April 23, 2019 at 6:00 p.m.** in the City Commission Chambers at City Hall, 201 W. Chaco St., Aztec, New Mexico. All persons shall have an opportunity to hear why said application should be granted or denied. All persons in interest and citizens are incited to attend said hearing.

You are receiving this because you may own property within 100 feet (excluding public right-of-way) of the proposed change. You are encouraged to attend the hearing noted above or submit written comments or concern prior to the meeting to the City Clerk at ksayler@aztecnm.gov or 201 W. Chaco St., Aztec, NM 87410. Please be advised that this petition could be canceled or withdrawn prior to the meeting date. If you have any questions regarding this notice, or would like addition information regarding this notice, or would like additional information regarding this petition, please call me at (505) 334-7605.

Sincerely,

Steven M. Saavedra

Steven M. Saavedra
Community Development Director

Staff Summary Report

MEETING DATE: April 23, 2019

AGENDA ITEM: XI. Quasi-Judicial Hearings (Land Use) (Item B)

AGENDA TITLE: ZC 19-01 - Zone Change request from MH Mobile Home Zoning District to the R-2 Multiple Family Zoning District

ACTION REQUESTED BY: Arin Fishburn

ACTION REQUESTED: ZC 19-01 - Zone Change request from MH Mobile Home Zoning District to the R-2 Multiple Family Zoning District.

SUMMARY BY: Steven Saavedra, CFM

PROJECT DESCRIPTION / FACTS

Applicant	Arin Fishburn
Representative	AMC
Date of Application	February 27, 2019
Requested Action	ZC 19-01 - Zone Change request from MH Mobile Home Zoning District to the R-2 Multiple Family Zoning District.
Location	1509 Martin Ave, 1507 Martin, 1505 Martin
Dimensions	Tax ID # R0000724
Existing Land Use	Residential
Existing Zoning	MH Mobile Home District
Surrounding Zoning / Land Use	North: MH Mobile Home / Residential South: MH Mobile Home / Residential East: MH Mobile Home / Residential West: MH Mobile Home / Residential
Notice	Property owners within 100 feet were sent notice by certified mail on April 2, 2019, and a classified ad was placed with the Daily Times on April 02, 2019.
Floodplain Area	No
Access	Martin Ave

Summary

The petitioner requests a zone change from the MH Mobile Home District to the R-2 Multiple-Family Residential Zoning District for approximately 0.28 acres located at 1509, 1507, & 1505 Martin Ave, Aztec, NM 87410. The petitioner seeks the zone change in order to comply with Chapter 26 land use regulations. Currently, there are two

residential dwellings units located on the said property: a site built house and a duplex. The subject property consists of three (3) addresses located on the parcel: 1509, 1507, and 1505 Martin. Pursuant to COA 26-2-102(1) one mobile home is allowed on each lot. Rezoning the lot allows multiple dwelling units in the R-2 district.

MH: Mobile Home District

This district is regulated to permit one mobile home and normal residential accessory uses, but not another dwelling in each lot, or lot of record provided setback requirements could be met. Each lot must be served by community water and sewer service.

The following uses are permitted without prior approval of the Commission:

1. Mobile Home Subdivision. Provided that: (1) One mobile home will be allowed on each lot (not in addition to another dwelling) in this zoning district subject to the following provisions:

(a) That each mobile home complies with the application codes and standards as provided the Manufactured Housing Act (Chapter 60, Article 14, NMSA 1978) and/or Housing and Urban Development Zone Code II, and/or the Uniform Building Code.

(b) A land use permit is first obtained from the City of Aztec before placing the mobile home on the lot.

(c) Within 90 days following placing the mobile home on the lot, said mobile home shall be equipped with skirting extending from the bottom of the home to the ground level.

(d) A subdivision plat has been approved by the City Commission in accordance with the City of Aztec Subdivision Regulations and all improvements are built or assurances are provided that improvements will be built in accordance with the standard construction specifications adopted by the City of Aztec.

(e) Accessory building or structure such as a canopy, carport, garage, or storage building, provided said structures are of two-hour fireproof construction as specified by the applicable building code and conform to setbacks specified by the mobile home. Additions to the principle structure shall resemble the exterior of the mobile home.

(f) Accessory uses such as a private swimming pool for residents of the lot, patio, parking, private antenna, wall, fence, bench, and landscaping.

R-2: Multiple-Family Dwelling District

This district is regulated to permit all uses permitted in the R-1 district, multi-family dwellings, apartments, condominiums, and town houses. No building, structure or land use shall be used, altered or created for any purpose other than those designated for this district

The following uses are permitted without prior approval of the Commission.

1. Single Family Dwelling. The dwelling unit must contain at least eight hundred (800) square feet of floor space on a permanent foundation. Trailer houses, mobile homes and motor homes are not permitted unless they comply with the application codes and standards as provided in the Manufactured Housing Act (Chapter 60, Article 14, NMSA 1978), Housing and Urban Development Zone Code II, and the Uniform Building Code.
2. Apartments or Multi-family Dwellings or Dwelling Groups. Apartments, multi-family dwellings or dwelling units are permitted provided that the buildings do not occupy over one-half (1/2) of the total lot area and each contains a minimum of six hundred (600) square feet of floor area.
3. Condominiums or Town Houses. Attached single family dwellings known as Condominiums or Town Houses are permitted provided that each dwelling unit must contain a minimum of eight hundred (800) square feet of floor space of a permanent nature. Trailer houses, mobile homes and motor homes are specifically excluded whether or not the wheels have been removed.
4. Accessory Structure. Accessory structure for garage, storage, recreation, sauna, hobby, greenhouse, bathhouse, or for the keeping or housing of domestic pets, so long as the accessory structure is not being used for commercial use. Antennas (non-commercial) are permitted.

Analysis

Pursuant to Chapter 26 Land Use Regulation, the regulations, restrictions, and requirements of this ordinance have been made in accordance with the Comprehensive Plan of the City of Aztec (July 2002), and are intended to promote the general health, safety, and welfare of the residents of Aztec. Such regulations, restrictions, and requirements are deemed necessary in order to regulate and restrict within the Corporate Limits of the City of Aztec, as they exist at any given time (Code 2007, 26-3). Community Development notes all public notice requirements have been made in advance of the hearing and no comments related to the requested application were received. The determination of appropriateness for granting or denying the zone change rests with the consistency of applicable statutes, codes, policies and with the Commission's analysis of the impacts to the surrounding properties and the community at large.

▪ **Consistency with the Comprehensive Plan:**

The Comprehensive Plan encourages multi-family housing in Aztec. Therefore, the requested application is consistent with Aztec's 2002 Comprehensive Plan. Increasing the supply of housing units mitigates the cost of housing in Aztec with other conditions remaining the same. In addition, the Comprehensive plan recommends limiting mobile homes throughout Aztec.

▪ **Creation of adverse impacts and the ability to mitigate these impacts:**

The change from MH to R-2 District should not create any adverse impacts to the surrounding area, considering similar uses exist at and near the subject property; the

R-2 District is not expected to create any significant adverse impacts to the surrounding neighborhood. The subject property needs to adhere to Sec. 12-252 Noise Control (Performance) Regulations.

- **The ability of the proposed use to be accomplished by the proposed zoning district:**

The R-2 District allows the petitioner to accomplish the proposed residential use and will permit the proposed dwelling units by right.

- **The suitability of the land for the proposed development:**

The subject property was operating as a nonconforming use, as the mobile home district does not allow more than one unit per lot. The R-2 district allows multiple dwelling units on one lot.

- **The existence of or the applicant's ability and willingness to provide adequate public facilities:**

The residential dwelling units are required to connect to water, sewer, and electric utilities.

- **Whether the proposed zoning constitutes a spot zone:**

A spot zoning is, where a particular tract within a larger area is specifically zoned to impose upon it restrictions not imposed upon the surrounding lands, or grant to it special privileges. The proposed zone change does constitute a spot zone, as the requested zone change is not adjacent or in close proximity to other R-2 Districts.

- **Compatibility of the proposed zoning and land uses with the present zoning and conforming uses of nearby property and the character of the neighborhood:**

Various dwelling units surround the said property. These residential units include mobile homes, doublewides, and site built home. The requested zone change is compatible with the character of the neighborhood.

COMMUNITY DEVELOPMENT CONCLUSION

The Community Development Department understands the petitioner's desire to utilize the property. The current zoning of MH Mobile Home limits the property owner's ability to expand or further develop the lot. Therefore, the Community Development Department is recommending the rezone to R-2 Multiple-Family.

SUPPORT DOCUMENTS:

1. Application
 2. Map
 3. List of Adjacent Property Owners
 4. Adjacent Property Owner Notification Letter
-

DEPARTMENT'S RECOMMENDED MOTION: Move To approve Zone Change 19-01, a request from Arin Fishburn, for a zone change from the MH Mobile Home District to the R-2 Multiple-Family District for property located at 1509, 1507, 1505 Martin Ave, Aztec, NM 87410.

North



South



West



East





CITY OF AZTEC PETITION APPLICATION

Community Development Department
201 W. Chaco St.
Aztec, NM 87410
(505) 334-7605
(505) 334-7609 (fax)

PROJECT TYPE (Check those that Apply)

- | | | |
|---|--|---|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Sign Permit | <input type="checkbox"/> Conditional Use Permit |
| <input type="checkbox"/> Alternate Summary Plat | <input type="checkbox"/> Variance | <input type="checkbox"/> Special Use Permit |
| <input type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Commercial Development | <input type="checkbox"/> Well Site Permit |
| <input type="checkbox"/> Final Plat | <input type="checkbox"/> Residential Development | <input checked="" type="checkbox"/> Zone Change |
| | | <input type="checkbox"/> Other |

INFORMATION

Applicant's Name: Arin Fishburn Project Location: 1509 Martin Ave
 Address: 8180 E Main St, Farmington, NM 87402 Existing Use: Multi-Family Residential
 E-Mail: arin@amfcleanup.com Proposed Use: Multi-Family Residential
 Telephone: 505-330-5471 Current Zoning: MH
 Relationship to Property Owner: Member of LLC Tax I.D. Number: R0000724

Legal Description of Subject Property: RIVERVIEW SUBDIVISION REPLAT OF LOTS 4 AND 5 BLOCK 5 E 1/2 OF LOTS 4, 5 BLK 5 AND W 1/2 OF LOTS 4, 5 BLK 5 B1430 P165

Is the Property in a Flood Zone? Yes No

Is Property subject to deed restrictions, covenants, or homeowners' association agreements? If Yes, please provide copy with application. Yes No

REPRESENTATIVE / CONTACT PERSON (if other than applicant)

Name: _____
Address: _____ Phone: _____

OWNERSHIP Scot Fishburn, Managing Member

Property Owner Northbank LLC

(Identify General Partners, Managing Partner, Corporation President and Secretary. Specify type of ownership interest: Fee, Real Estate Contract, Option to Purchase)

Mortgage Holders

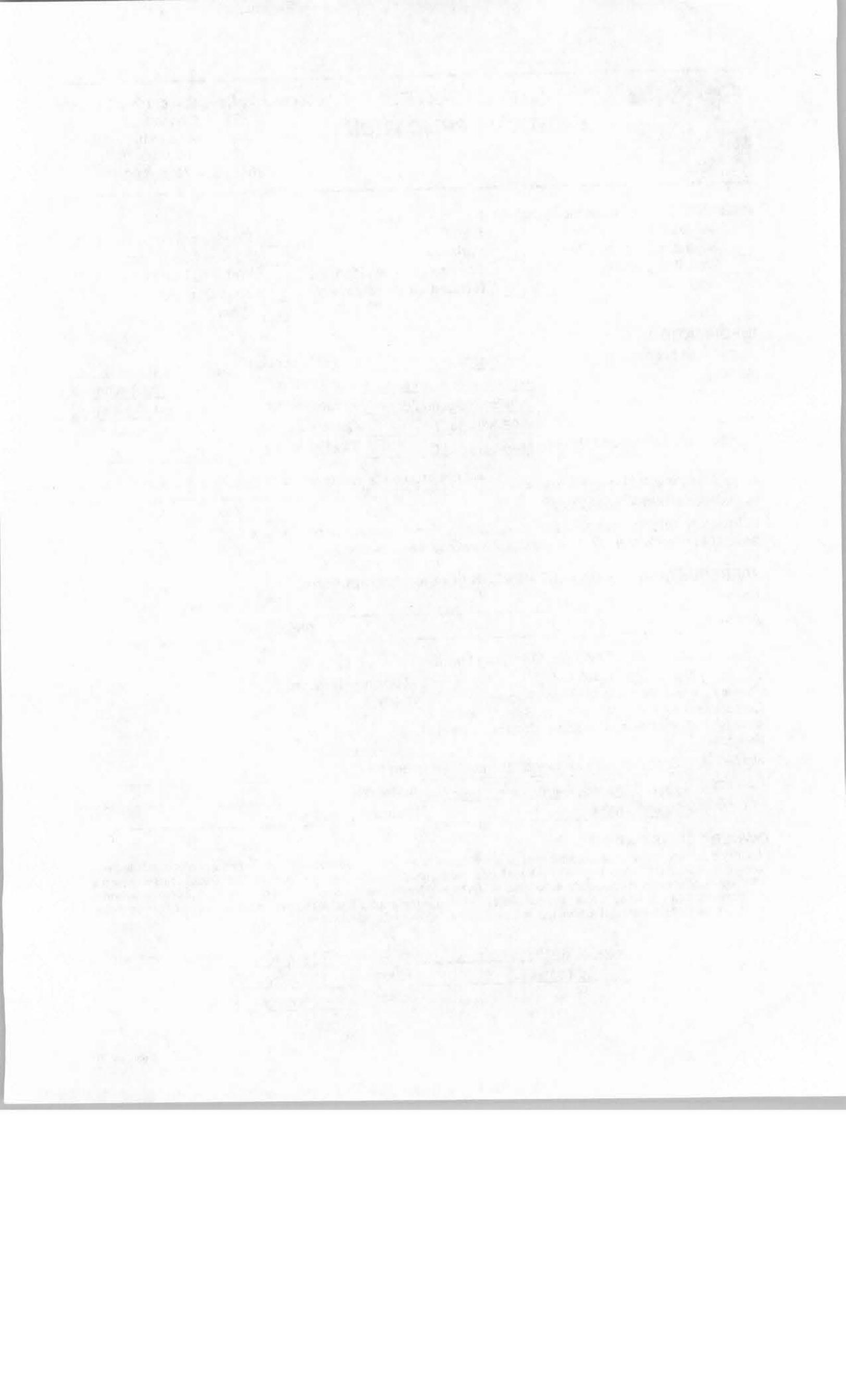
(If any)

Name: <u>Scot Fishburn for Northbank LLC</u>	Name: _____
Address: <u>1816 E Mojave, Farmington, NM 87401</u>	Address: _____
Phone: <u>505-325-6515</u>	Phone: _____

OWNER CERTIFICATION

I certify that I am an owner and the information and exhibits herewith are true and correct to the best of my knowledge in filing this application, I am acting with the knowledge and consent of all persons in interest and understand that without the consent of all persons in interest the requested action cannot lawfully be accomplished. I give my permission for authorized officials of the City of Aztec to enter the premises described in this application. I understand applications will generally be reviewed by City Commission at their first regular session following City staff review.

Name: NORTHBANK, LLC Address: 779 NM 170, FARMINGTON, NM 87401
 Owner's Signature: [Signature] Phone: 505 330-5515
 Email: scot@JLGRAY.COM



Addresses for 1509 Martin Ave.

R0001621
Lorenzo Valdez
1008 Rio Hondo
Aztec, NM 87410

R0001232
Mike and Marlene Anderson
219 Sumner Pl
Aztec, NM 87410

R0001660
D P Limited Partners
c/o Doyl and Melanie Jones
115A Simonds Rd
Aztec, NM 87410

R0001341
Sonja Ulibarri
1516 Martine Ave
Aztec, NM 87410

R0001054
William and Ramona New Et AL
113 Simonds Rd
Aztec, NM 87410

R0001303
Richard and Loretta Gill
c/o Donald and Georgianna Long
PO Box 671
Flora vista, NM 87415

R0001205
Nicholas Foss
6017 Castlegate Dr West F 21
Castle Rock, CO 80104

R0001658
Raymond Rhodes Et Al
1512 Martin Ave
Aztec, NM 87410

R0000496
Ronald and Debora Malone
207 Sumner Pl
Aztec, NM 87410

R0000497
Ronald and Debora Malone
207 Sumner Pl
Aztec, NM 87410

R0001495
Michael Schropp
211 Sumner Pl
Aztec, NM 87410

R0000700
Charlie Martinez
Attn: Regina Martinez
213 Sumner Pl
Aztec, NM 87410

R0000310
Christopher Morgan
217 Sumner Pl
Aztec, NM 87410

Mayor
Victor C. Snover

Mayor Pro-Tem
Rosalyn A. Fry



Commissioners
Austin R. Randall
Sherri A. Sipe
Mark E. Lewis

A desirable place to live, work and play; rich in history and small town values!

Hampton Canyon (R0015951) Legal Ad

Zone Change 18-03 Hampton Canyon R0015951

Notice is hereby given that an application has been filed with the City of Aztec-Community Development Department for a zone change from the Single-Family Dwelling (R-1) District Agricultural Or Rural (A-1) District (COA 26-4-521,COA 26-2-22) for property located in Hampton Canyon under Tax ID R0015951, in the City of Aztec, San Juan County New Mexico as described below:

Legal Description

W1/2 of NESW 133011 B. 1397 P. 487. Tract Sixteenth NE Quarter SW Section 13 Township 30 Range 11. Otherwise known as ***Hampton Canyon Tax ID R0015951 in the City of Aztec, San Juan County, New Mexico.***

*Pursuant to the provisions of Section 3-21-6, New Mexico Statutes Annotated, 1978 Compilation, notice is hereby given that Aztec's City Commission will hear this petition in a public hearing on **Tuesday, September 11, 2018 at 6:00 p.m.** in the City Commission Chambers at City Hall, 201 W. Chaco Street, Aztec, NM 87410.*

Mayor
Victor C. Snover

Mayor Pro-Tem
Rosalyn A. Fry



Commissioners
Austin R. Randall
Sherri A. Sipe
Mark E. Lewis

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**NOTICE OF PUBLIC HEARING
ZONE CHANGE
PETITION NO. ZC 19-01**

March 7, 2019

Dear Property Owner:

Notice is hereby given that an application has been filed with the City of Aztec - Community Development Department for a Zone Change from the Mobile Home (MH) District to the Multi-Family (R-2) District (COA 26-4-521, COA 26-2-22) for property located at 1509 Martin Avenue under Tax ID R0000724, in the City of Aztec, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION

Riverview Subdivision Replat of Lots 4 & 5, Block 5 E ½ of Lots 4 & 5 Block, W ½ of Lots 4 & 5 Block 5, in the City of Aztec, San Juan County, New Mexico.
Otherwise known as 1509 Martin Ave, Tax ID R0000724, Aztec, NM.

Pursuant to the provisions of Section 3-21-6, New Mexico Statutes Annotated, 1978 Compilation, notice is hereby given that the petition will be heard in a public hearing by Aztec's City Commission on Tuesday, March 26, 2019 at 6:00 p.m. in the City Commission Chambers at City Hall, 201 W. Chaco Street, Aztec, New Mexico. All persons shall have an opportunity to be heard why said application should be granted or denied. All persons are invited to attend said hearing.

You are receiving this letter because you may own property within 100 feet (excluding public right-of-way) of the proposed request. You are invited to attend the hearings noted above or submit written comments prior to the meeting to the Community Development Department at 201 W. Chaco Street, Aztec, New Mexico 87410. Please be advised that this petition could be canceled or withdrawn prior to the meeting date.

If you have any questions regarding this notice or would like additional information regarding this petition, please contact the Community Development Department at 505-334-7604.

Sincerely,

Community Development Department
City of Aztec
Erikka A. Martinez.\

Mayor
Victor C. Snover

Mayor Pro-Tem
Rosalyn A. Fry



Commissioners
Austin R. Randall
Sherri A. Sipe
Mark E. Lewis

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**NOTICE OF PUBLIC HEARING
ZONE CHANGE
PETITION NO. ZC 19-01**

April 3, 2019

Dear Property Owner:

Notice is hereby given that an application has been filed with the City of Aztec - Community Development Department for a Zone Change from the Mobile Home (MH) District to the Residential 2 (R-2) District (COA 26-4-521, COA 26-2-22) for property located at 1509 Martin Avenue, under Tax ID R0000724, in the City of Aztec, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION

RIVERVIEW SUBDIVISION REPLAT OF LOTS 4 AND 5 BLOCK 5 E 1/2 OF LOTS 4, 5 BLK 5 AND W 1/2 OF LOTS 4, 5 BLK 5

Pursuant to the provisions of Section 3-21-6, New Mexico Statutes Annotated, 1978 Compilation, notice is hereby given that the petition will be heard in a public hearing by Aztec's City Commission on Tuesday, April 23, 2019 at 6:00 p.m. in the City Commission Chambers at City Hall, 201 W. Chaco Street, Aztec, New Mexico. All persons shall have an opportunity to be heard why said application should be granted or denied. All persons are invited to attend said hearing.

You are receiving this letter because you may own property within 100 feet (excluding public right-of-way) of the proposed request. You are invited to attend the hearings noted above or submit written comments prior to the meeting to the Community Development Department at 201 W. Chaco Street, Aztec, New Mexico 87410. Please be advised that this petition could be canceled or withdrawn prior to the meeting date.

If you have any questions regarding this notice or would like additional information regarding this petition, please contact the Karla Saylor, City Clerk at 505-334-7603.

Sincerely,

Erikka A. Martinez
Community Development Department
City of Aztec

Mayor
Victor C. Snover

Mayor Pro-Tem
Rosalyn A. Fry



Commissioners
Austin R. Randall
Sherri A. Sipe
Mark E. Lewis

A desirable place to live, work and play; rich in history and small town values!

**NOTICE OF PUBLIC HEARING
ZONE CHANGE
PETITION NO. ZC 19-01**

February 28, 2019

Dear Property Owner:

Notice is hereby given that an application has been filed with the City of Aztec - Community Development Department for a Zone Change from the Mobile Home (MH) District to the Residential 2 (R-2) District (COA 26-4-521, COA 26-2-22) for property located at 1509 Martin Avenue, under Tax ID R0000724, in the City of Aztec, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION

RIVERVIEW SUBDIVISION REPLAT OF LOTS 4 AND 5 BLOCK 5 E 1/2 OF LOTS 4, 5 BLK 5 AND W 1/2 OF LOTS 4, 5 BLK 5

Pursuant to the provisions of Section 3-21-6, New Mexico Statutes Annotated, 1978 Compilation, notice is hereby given that the petition will be heard in a public hearing by Aztec's City Commission on Tuesday, March 26, 2019 at 6:00 p.m. in the City Commission Chambers at City Hall, 201 W. Chaco Street, Aztec, New Mexico. All persons shall have an opportunity to be heard why said application should be granted or denied. All persons are invited to attend said hearing.

You are receiving this letter because you may own property within 100 feet (excluding public right-of-way) of the proposed request. You are invited to attend the hearings noted above or submit written comments prior to the meeting to the Community Development Department at 201 W. Chaco Street, Aztec, New Mexico 87410. Please be advised that this petition could be canceled or withdrawn prior to the meeting date.

If you have any questions regarding this notice or would like additional information regarding this petition, please contact the Karla Saylor, City Clerk at 505-334-7603.

Sincerely,

Erikka A. Martinez
Community Development Department
City of Aztec

Staff Summary Report

MEETING DATE: April 23, 2019
AGENDA ITEM: XI. Quasi-Judicial Hearings (Land Use) (Item C)
AGENDA TITLE: CUP 19-01 – Conditional Use Permit— Dog Grooming -
Kennel 1603 W. Aztec Blvd

ACTION REQUESTED BY: Jill Cox
ACTION REQUESTED: CUP 19-01 – Conditional Use Permit— Dog Grooming -
Kennel 1603 W. Aztec Blvd
SUMMARY BY: Steven Saavedra, CFM

PROJECT DESCRIPTION / FACTS

Applicant	Jill COX
Representative	N/A
Date of Application	March 25, 2019
Requested Action	CUP 19-01 – Conditional Use Permit— Dog Grooming - Kennel 1603 W. Aztec Blvd
Location	1603 W. Aztec Blvd
Dimensions	Tax ID # R0002511
Existing Land Use	Commercial
Existing Zoning	C-2 General Commercial
Surrounding Zoning / Land Use	North: C-2 General Commercial / Commercial South: C-2 General Commercial / Commercial East: C-2 General Commercial / Commercial West: C-2 General Commercial / Commercial
Notice	Property owners within 100 feet were sent notice by certified mail on April 02, 2019, and a classified ad was placed with the Daily Times on was placed on April 02, 2019.
Floodplain Area Access	No Aztec Blvd (NM Highway 516)

Summary

This request seeks the approval from City Commission to establish a Dog & Cat Grooming & Day Care/ Boarding business on Aztec Blvd. The property is zoned C- 2 General Commercial & Wholesale District. Pet Grooming is a permitted use in C- 2 Commercial; however, the inclusion of the services for overnight boarding falls into the

category as a kennel. In the Aztec zoning ordinance kennels are a permitted use in A- 1 Agricultural or Rural Districts. However, there is no mention of a kennel in the C-2 Zoning District.

Previous, the Aztec Animal Clinic severed as the only one active kennel in the city of Aztec. There was not special use permits, conditional use permits, or variances on file for property located at 1603 W. Aztec Blvd. Therefore, a conditional use permit is needed, so animal boarding is in conformity with the City of Aztec's zoning and land use requirements. A dog & cat grooming & day care/ boarding business does not significantly deviate from the previous veterinary clinic located on the said property. Therefore, Community Development recommends approval of the conditional use permit for a dog & cat grooming & day care/boarding business.

C-2 General Commercial & Wholesale District

Sec. 26-2-71. In General. This district is established to permit the uses specified under the C-1 District, plus commercial activities of both retail and wholesale nature, designed to serve the community or tourists. This district includes those uses normally adjacent to a central business district, and of a magnitude not normally compatible with residential areas. Some minor industrial usage not associated with objectionable noise and activities are permitted.

COMMUNITY DEVELOPMENT CONCLUSION

Community Development understands the petitioner's desire to utilize the building, which pervious boarded animals (dogs and cats) at the said property. Therefore, the Community Development Department is recommending approval of a conditional use permit for a dog and cat grooming and boarding business for property located at 1603 W. Aztec Blvd with the following conditions:

1. San Juan County's Building Division and Fire Marshall need to be aware of any changes or alterations to the buiding structure.

SUPPORT DOCUMENTS:

1. Application
2. Map
3. List of Adjacent Property Owners
4. Adjacent Property Owner Notification Letter

DEPARTMENT'S RECOMMENDED MOTION: Move To approve CUP 19-01, a request from Jill Cox, for a conditional use permit to allow a dog grooming and kennel, for property located at 1603 W. Aztec Blvd, with the following conditions:

1. San Juan County's Building Division and Fire Marshall need to be aware of any changes or alterations to the buiding structure.

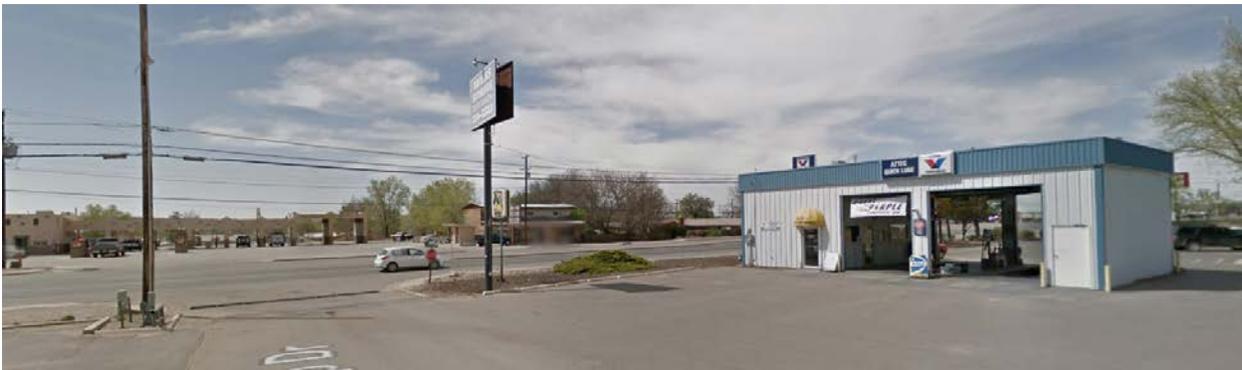
Subject Property



North



South



East



West





CITY OF AZTEC CONDITIONAL USE APPLICATION

Permit #: CUP 19-01 Date Started: _____ Date Approved: _____ Fees Paid: 60.00

PROPERTY OWNER CONTACT INFORMATION

Name: Jill Cox
Mailing Address: 1603 W. Aztec Blvd Aztec NM 87410
Phone: 505-609-5770
Email: Jillcox38@yahoo.com

PROPERTY INFORMATION / DEVELOPMENT SITE

Address: 1603 W. Aztec Blvd. Aztec NM
Tax ID: 442076 Parcel Size (ac): _____
Zone District: _____
Current Use: _____
Proposed Use: _____
Flood Zone Designation: _____

REASON FOR REQUESTING A CONDITIONAL USE

was informed that it was required for my business

APPLICANT SIGNATURE

I, Jill Cox representing Grooming & Boarding ^{By Jill} hereby certify that I have read this application and hereby dispose and state under penalty of perjury that all statements, proposals, and documents submitted with this application are true and correct and that I shall adhere to the Municipal Regulations of the City of Aztec.

Signature: Jill Cox Date: 3/25/19

CITY of AZTEC USE ONLY

City Commission Meeting Date: _____

City Commission Action: _____ APPROVED _____ DENIED

FEES ARE DUE PRIOR TO COMMISSION MEETING

Fees are: \$10 Administration Fee + \$50 Conditional Use Fee = Total \$60

Sept 2016

60.00

1875

Received of Mr. J. H. ...
the sum of ...
for ...

Witness my hand and seal
this ... day of ...
1875

J. H. ...
Secretary

1875

La Plata Mini Storage
PO Box 2408
Durango, CO 81302

La Plata Mini Storage
PO Box 2408
Durango, CO 81302

La Plata Mini Storage
PO Box 2408
Durango, CO 81302

Aztec School District 2
1118 W Aztec Blvd
Aztec, NM 87410

Aztec School District 2
1118 W Aztec Blvd
Aztec, NM 87410

Aztec School District 2
1118 W Aztec Blvd
Aztec, NM 87410

Townsend Living Trust
5324 Bridget Ave SE
Auburn, WA 98092

Townsend Living Trust
5324 Bridget Ave SE
Auburn, WA 98092

Townsend Living Trust
5324 Bridget Ave SE
Auburn, WA 98092

J and S of Aztec Inc
1620 W Aztec Blvd
Aztec, NM 87410

J and S of Aztec Inc
1620 W Aztec Blvd
Aztec, NM 87410

J and S of Aztec Inc
1620 W Aztec Blvd
Aztec, NM 87410

AE Edgerton LLC
1549 W Aztec Blvd
Aztec, NM 87410

AE Edgerton LLC
1549 W Aztec Blvd
Aztec, NM 87410

AE Edgerton LLC
1549 W Aztec Blvd
Aztec, NM 87410

Holgate Oilfield Service Inc
16 Road 2957
Aztec, NM 87410

Holgate Oilfield Service Inc
16 Road 2957
Aztec, NM 87410

Holgate Oilfield Service Inc
16 Road 2957
Aztec, NM 87410

Jill Cox
1603 W Aztec Blvd
Aztec, NM 87410

Jill Cox
1603 W Aztec Blvd
Aztec, NM 87410

Jill Cox
1603 W Aztec Blvd
Aztec, NM 87410

Mayor
Victor C. Snover

Mayor Pro-Tem
Rosalyn A. Fry



Commissioners
Austin R. Randall
Sheri A. Sipe
Mark E. Lewis

A desirable place to live, work and play; rich in history and small town values!

**NOTICE OF PUBLIC HEARING
CONDITIONAL USE PERMIT REQUEST
PETITION NO. 2019-01**

April 3, 2019

Dear Property Owner:

Notice is hereby given that an application has been filed with the City of Aztec - Community Development Department for a Conditional Use Permit to allow Pet Grooming & Boarding at 1603 W. Aztec Blvd., Aztec, NM located in the C-2 : General Industrial/ Wholesale Commercial Zoning District.

LEGAL DESCRIPTION: BEG S0-38-0W 656.61 FT, S0-38-0W 542.26 FT AND N89-22-0W 40 FT FROM NE COR SENW OF SEC 08 30 11. THENCE S0-38-01W 144 FT, W 126.71 FT, N0-55-56W 145 FT, S89-33-58E 130.67 FT TO BEG.

Otherwise known as: 1603 W. Aztec Blvd.

Pursuant to the provisions of Section 3-21-6, New Mexico Statutes Annotated, 1978 Compilation, notice is hereby given that the petition will be heard in a public hearing by Aztec's City Commission on **Tuesday, April 23, 2019 at 6:00 p.m.** in the City Commission Chambers at City Hall, 201 W. Chaco Street, Aztec, New Mexico. All persons shall have an opportunity to be heard why said application should be granted or denied. All persons are invited to attend said hearing.

You are receiving this letter because you may own property within 100 feet (excluding public right-of-way) of the proposed request. You are invited to attend the hearings noted above or submit written comments prior to the meeting to the Community Development Department at 201 W. Chaco Street, Aztec, New Mexico 87410. Please be advised that this petition could be canceled or withdrawn prior to the meeting date.

If you have any questions regarding this notice or would like additional information regarding this petition, please contact the Community Development Department at 505-334-7604 or ssaavedra@aztecnm.gov

Sincerely,

Steven M. Saavedra

Steven M. Saavedra
Community Development Director