



City of Rio Communities Planning and Zoning Meeting
City Council Chambers - 360 Rio Communities Blvd
Rio Communities, NM 87002
Thursday, November 07, 2024 4:00 PM
Minutes

Please silence all electronic devices.

Call to Order

Chair Good called the meeting to order at 4:05 pm.

Pledge of Allegiance

Commissioner Henderson led the pledge of allegiance.

Roll Call

Commission

Melodie Good
Jimmie Winters
Richard Henderson

Staff

Deputy Clerk Lalena Aragon
City Manager Dr. Moore
City Attorney Randy Van Fleck

Approval of Agenda

Commissioner Winters made a motion to approve the agenda as presented. Seconded by Commissioner Henderson. With a 3-0 vote the agenda was approved as presented.

Approval of Minutes September 05, 2024 & September 26, 2024

Commissioner Winters made a motion to approve the minutes for September 05, 2024 & September 26, 2024. Seconded by Commissioner Henderson. With a 3-0 vote the minutes for September 05, 2024 and September 26, 2024 were approved.

Public Comment

Barbara Herrera stated she was asked to attend this meeting regarding a zone violation from the neighbor behind them at 304 Brugg that has been there for four years. She stated that she put up a horse stable with a corral up against the fence without a permit. She initially wanted to put a horse in the yard, but the requirement is that you have to have an acer to have a horse. She stated that her concerns have not been answered, they have been asking for answers for four years and they are not getting any. She stated that they even hired an attorney to get public information. She asked as a homeowner would this lower the vale of our home to have a horse structure in a residential driveway, she then stated there were no permits it was red tagged and she was instructed to remove it and here we are four years later, and the structure is still up. She explained that I understand that there was Covid, and she wants to know if this issue will be addressed.

Mr. Irvin stated that the City will hold their first Veterans Day Ceremony on Monday November 11, 2024, at 9:00 am and invited everyone to attend. He went over the agenda of the Ceremony. Mr. Irvin then talked about vehicles parked on the road on western Drive and stated that they are making it difficult to get out of his driveway. He then talked about the potholes on the Western Drive.

Discussion – Review of a Variance Denial on 304 Brugg Dr.

Chair Good stated that the Commission has been asked to look at a code violation on Brugg regarding a horse corral. She stated that the property owners were sent a letter in 2021 about a variance violation. She explained that the property owner applied for a variance that was denied by planning and zoning at that time.

City Manager Dr. Moore explained that there are a couple of options one it goes to Municipal Court right now the City doesn't have an active Judge the other one is the City can sue in district court.

Chair Good asked Police Chief Nunez if anyone has talked to the property owners lately.

Police Chief Nunez started that he has taken over code enforcement this last year and is looking into pending violations. He explained that this issue has been brought to our attention and we have been out and looked at that property. He explained that Dr. Moore was correct on the options we have as a City.

Commissioner Winters explained that the property owners have a certain number of days to appeal any decision by planning and zoning and they had not taken any action to do so. He stated that further action should be by Council not by Planning and Zoning.

City Manager Dr. Moore stated that would have to go to Council and our City Attorney. He explained that the Planning and Zoning commission could send a letter to the City Council about this violation.

City Attorney Van Vleck stated the problem is the City doesn't have a functioning Court at the moment and Magistrates Court will not take this case and the City would have to wait until there is a functioning Court if the City wanted to use resources and take this to Civil Court that decision would have to be made by Council. He then explained that zoning violations are criminal and that is the quickest way to get this taken care of. If we take it to Civil court, it can take years. He explained that the City needs to get the Court up and running.

There was a discussion.

Discussion – Review of Zone Code Ordinance

Commissioner Winters made a motion to postpone the discussion review of Zone Code Ordinance until the next meeting. Seconded by Commissioner Henderson. With a 3-0 vote motion was passed.

General Commission Discussion/Future Agenda Items

The Commission talked about reviewing the subdivision ordinance and making some amendments.

Adjourn

Motion made by Commissioner Winters to adjourn. Seconded by Commissioner Henderson. Motion carried at 4:40 pm.

Respectfully submitted,



Dr. Martin Moore (Acting), Municipal Clerk
(Taken and transcribed by Lalena Aragon)

Date: 11/25/2024

Approved:



Melodie Good, Chairman



Chad Good, Vice Chairman

Vacant, Secretary



Richard Henderson, Commissioner



Jimmie Winters, Commissioner