Town of Mesilla, New Mexico

PUBLIC HEARING and MEETING of the BOARD OF ADJUSTMENT AGENDA

BOA PUBLIC HEARING

THE TOWN OF MESILLA BOARD OF ADJUSTMENT, WILL HOLD A PUBLIC HEARING ON TUESDAY, MARCH 26, 2019 AT 9:00 A.M. IN THE BOARD ROOM OF THE MESILLA TOWN HALL, 2231 AVENIDA DE MESILLA TO OBTAIN PUBLIC INPUT ON THE FOLLOWING:

V19-001: Submitted by Christina DeMatteo, a request for a Variance to lot size to allow a lot line adjustment to combine a 0.18 acre property at 3066 Snow Road with a 0.30 acre property immediately to the south, and to adjust the western lot line of the two properties to create a single 0.69 acre property that will allow a domestic well to be on the same property as the dwelling it serves. (The Rural-Agricultural (RA) zoning of the property requires a 3 acre minimum for new properties.)

ADJOURNMENT OF THE PUBLIC HEARING

BOA MEETING

THE TOWN OF MESILLA BOARD OF ADJUSTMENT, WILL HOLD A PUBLIC HEARING ON TUESDAY, MARCH 26, 2019 IMMEDIATELY AFTER THE PUBLIC HEARING IN THE BOARD ROOM OF THE MESILLA TOWN HALL, 2231 AVENIDA DE MESILLA.

PLEDGE OF ALLEGIANCE

ROLL CALL AND DETERMINATION OF A QUORUM

BOARD OF ADJUSTMENT BUSINESS

Variance Decision:

V19-001: Submitted by Christina DeMatteo, a request for a Variance to lot size to allow a lot line adjustment to combine a 0.18 acre property at 3066 Snow Road with a 0.30 acre property immediately to the south, and to adjust the western lot line of the two properties to create a single 0.69 acre property that will allow a domestic well to be on the same property as the dwelling it serves. (The Rural-Agricultural (RA) zoning of the property requires a 3 acre minimum for new properties.)

ADJOURNMENT OF THE MEETING

BOA PUBLIC HEARING MARCH 26, 2019

BOARD OF ADJUSTMENT PUBLIC HEARING MARCH 26, 2019 CASE V19-001

V19-001: Submitted by Christina DeMatteo, a request for a Variance to lot size to allow a lot line adjustment to combine a 0.30 acre property at 3066 Snow Road with a 0.18 acre property immediately to the south, and to adjust the western lot line of the two properties to create a single 0.69 acre property that will allow a domestic well to be on the same property as the dwelling it serves. (The Rural-Agricultural (RA) zoning of the property requires a 3 acre minimum for new properties.)

Summary of Request:

The applicant currently resides in a dwelling on the 0.30 acre parcel. According to Dona Ana County records, this dwelling, which partially straddles the property line with the 0.18 acre parcel immediately to the south, was originally built in the 1890's and was subsequently added onto to create the current dwelling. Leach lines from the septic system for the dwelling currently extend onto the smaller parcel to the south. The two small parcels, which are both owned by the applicant, appear to date back to at least 1980. The applicant would like to combine these two parcels to form one parcel so that the septic system for the dwelling is on the same parcel as the dwelling.

Additionally, the dwelling is supplied with domestic water from a domestic water well that is located on another larger property to the west that is owned by the applicant. The applicant would also like to relocate the western property lines of the two parcels about 35 to 40 feet to the west to include an existing domestic water well on the same property as the dwelling, rather than to have the water line cross property lines. The resulting parcel will be about 0.69 acres in size and will result in the dwelling, the septic system for the dwelling, and the domestic well for the dwelling all being on the same parcel.

Consistency with the Code:

The following sections of the Code apply specifically to this request:

18.25.010 Purpose.

This zone is intended to encourage a suitable environment for single-family residential use on large parcels of land on the periphery of the built-up portions of the town and to provide for a low density of population. [Ord. 94-06 § 1; prior code § 11-2-11.2.A]

The current use of the property for a dwelling and agricultural storage will not change as a result of this variance or the subsequent lot line adjustment. The variance will not result in any new uses being added to the property.

18.25.050 Development standards.

A. Lot Area. Each lot shall have a minimum of three acres for each dwelling unit except cluster development.

Even though the 0.69 acre lot is smaller than the required three acres, it is a result of combining two much smaller lots to create one substantially larger lot, thereby eliminating one lot. The net result of combing the two lots and moving the western lot lines is to create a lot in which the existing water and septic lines are now located on the same property as the dwelling they serve.

Also, the location of the zoning boundary across the lot to the west does not provide enough area on the lot to allow a three acre lot to be created by combing the subject lots with the larger lot to the west.

18.85.040 Required showing for variance.

Before any variance may be granted, it shall be shown:

- A. That there are exceptional or extraordinary circumstances or conditions applicable to the property.
 - The domestic well that provides water to the dwelling and the septic system for the dwelling are on properties that are separate from the dwelling. To avoid potential future legal issues, they need to be on the same property.
- B. That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone, and denied to the property in question.
 - Currently, most small properties that contain dwellings systems and domestic wells that are on the same property as the dwelling. (EBID now does not allow septic leach lines to cross property lines.)

- C. That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity.
 - Allowing the two lots to be combined and the lot line to be adjusted will not have any affects that are detrimental or injurious to the public welfare. Actually, the results would be would be a benefit by eliminating a small lot, and enabling the septic system and the water well to be on the same lot. (This variance will not result in the locations of the two systems being changed in any way, it will merely allow the lot line to be eliminated or changed to expand the lot size to include the dwelling and the systems on the same lot.)
- D. A nonconforming use of neighboring lands or structures shall not be considered grounds for the issuance of a variance. [Ord. 94-06 § 1; prior code § 11-2-7.4]
 - This variance is not being requested because of any precedents set by any other lots, nor is it being requested to allow any special privileges to the applicant.

18.85.150 Setting hearings.

All applications for variances, or special use permits as provided in this title, shall be set for public hearing by the planning commission or board of adjustment. The date of the first hearing shall be not less than 30 days nor more than 45 days from the time of filing the application. [Ord. 94-06 § 1; prior code § 11-2-9.5]

The application was accepted by Staff as complete on February 19, 2019 (35 days prior to this hearing).

18.85.160 Notices.

Notice of time and place of public hearings for variance or special use permit may be given by posting one sign in front of the property and posting additional signs at 300-foot intervals for large properties with 600 feet or more frontage. The posted notice shall contain the heading "Notice of Proposed Variance," "Special Permit" or "Notice of Proposed Special Permit," in letters at least one inch in height. The notice shall also contain information about the location of the property, the proposed use and the time and place at which the public hearing will be held. All owners of property located within 100 feet radius of the external boundaries of the property shall be notified by registered mail. [Ord. 94-06 § 1; prior code § 11-2-9.6]

A sign meeting the requirements listed above was posted at the front of the property on March 11, 2018. Additionally, there were seven property owners within 100 feet of the subject property (see attached notification map and letter) that were notified by Certified Main of the variance request. (There have been no negative responses from any of the notified property owners.)

Impacts on the Surrounding Area:

It does not appear that the requested variance will result in any changes to the use of the property, nor will it result in any negative impacts to the surrounding area.

Of the seven different property owners notified because they own property within one hundred feet of the properties involved in this variance (as required by Code Section 18.85.160 - Notices), there have been no negative responses to the request.

Required Findings (in addition to other possible Findings resulting from the Public Hearing):

- The Board of Adjustments (BOA) has jurisdiction to hear this request.
- Notification requirements of the MTC have been met.
- The requested variance to lot size is allowed by the MTC.
- Approval of the requested variance will not be detrimental to the Town of Mesilla.
- The requirements of the MTC have been met with respect to granting variances.
- Granting the variance will be consistent with the MTC.
- Approval of the requested variance will not be detrimental to the Town of Mesilla.

Attached is a resolution that may be used by the BOA if it is determined that the requested variance meets the requirements for approval. If the request does not meet the requirements listed, or there are issues or negative Findings brought up during the Public Hearing that negatively affect approval, then the request may be denied and a new resolution addressing any such new findings will be drafted.

The applicant and her surveyor will be present to provide any further details needed, and to answer any questions that might arise.

BOARD OF ADJUSTMENTS RESOLUTION NO. 2019-01

A RESOLUTION RECOMMENDING TO THE BOARD OF TRUSTEES APPROVAL OF A VARIANCE PER ORDINANCE REGULATIONS OF THE MESILLA TOWN CODE.

WHEREAS, the BOARD OF ADJUSTMENTS held a Public Hearing on March 26, 2019, to receive public input on a proposed Variance for a 0.69 acre parcel to be created at 2066 Snow Road; and

WHEREAS, staff sent certified notifications of the Variance request to the property owners within 100 feet of the property; and

WHEREAS, staff posted an orange public notice sign for the Variance request on the property as required per MTC Section 18.85.160; and

WHEREAS, the BOARD OF ADJUSTMENTS took input from the public about the proposed Variance at a Public Hearing held March 2, 2019; and

WHEREAS, the applicant, Christina DeMatteo, would like to combine a 0.18 acre property at 2066 Snow Road with a 0.30 acre property immediately to the south, and to adjust the western lot line of the two properties to create a single 0.69 acre property that will allow a domestic well and a septic system to be on the same property as the dwelling they serve; and

WHEREAS, the Rural-Agricultural (RA) zoning of the property requires a 3 acre minimum for new properties; and

WHEREAS, the BOARD OF ADJUSTMENTS found that the proposed Variance would eliminate one very small lot and result in the creation of a larger lot than currently exists; and

WHEREAS, the creation of the new lot by combining two smaller lots will result in a lot in which existing water and septic lines will be located on the same property as the dwelling they serve; and

WHEREAS, the residential use of the property, which is allowed by the RA zoning of the property, will not be changed; and

WHEREAS, the BOARD OF ADJUSTMENTS found that the proposed Variance is not detrimental to the Town of Mesilla;

NOW THEREFORE, BE IT RESOLVED by the BOARD OF ADJUSMENTS for the Town of Mesilla that the recommendation is made to the Board of Trustees for approval of the proposed Variance for a 0.69 acre lot to be created at 2066 Snow Road.

PASSED, ADOPTED AND APPROVED on this 26th day of March, 2019.

	Carlos Arzabal, Chairman TOWN OF MESILLA
ATTEST:	BOARD OF ADJUSTMENTS
Larry Shannon Community Development Coordinator	

Doña Ana County, NM

General Reference Maps

2014 Aerial Addresses

County Address Points

Select Search Type:

Maps

Legend

Map Themes

Parcels

UDC Zoning

Roads and Transportation

NM House Districts

NM Senate Districts

County Commission Districts

City Council Districts

Median Household Income

General Land Ownership

Account Number: R0400122 Parcel Number: 4005138423518 Owner: GARCIA CHRISTINA &

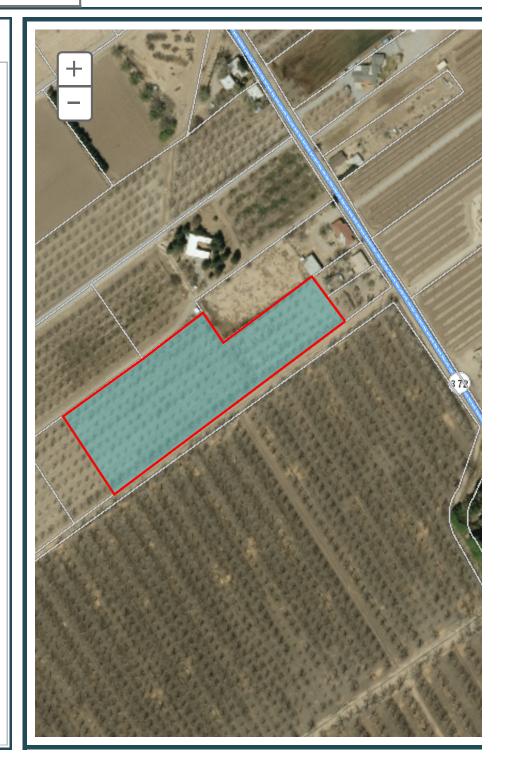
CHRISTINA DIMATTEO FKA C GARCIA

Mail Address: 3066 SNOW RD

Subdivision:

Property Address: SNOW RD

Acres: 5



Doña Ana County, NM

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Select Search Type:

Maps

Legend

Map Themes

Parcels

UDC Zoning

Roads and Transportation

NM House Districts

NM Senate Districts

County Commission Districts

City Council Districts

Median Household Income

General Land Ownership

Account Number: R0400138 Parcel Number: 4005138526458 Owner: GARCIA CHRISTINA Mail Address: 3066 SNOW RD

Subdivision:

Property Address: 3066 SNOW RD

Acres: 0.18000001



Doña Ana County, NM

General Reference Maps

2014 Aerial Addresses

County Address Points

Select Search Type:

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Legend

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NM House Districts

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City Council Districts

Median Household Income

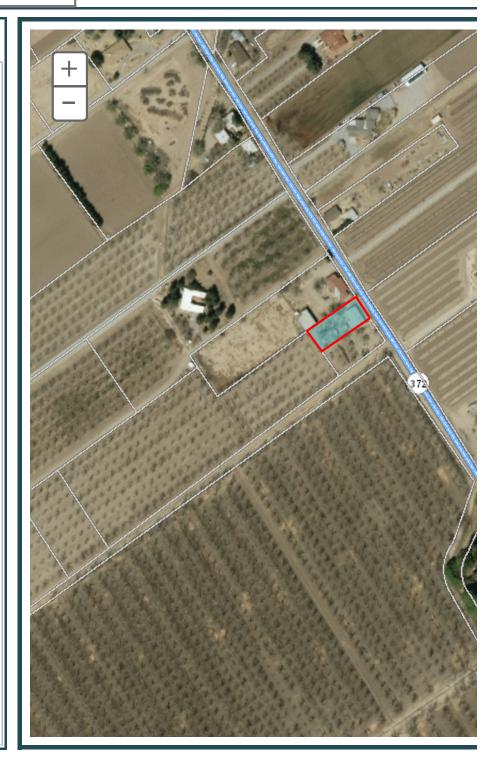
General Land Ownership

Account Number: R0400137 Parcel Number: 4005138522450 Owner: GARCIA CHRISTINA Mail Address: 3066 SNOW RD

Subdivision:

Property Address: 3066 SNOW RD

Acres: 0



in Section 35, T.23S. R.IE., and Section 2, T.24S., R.IE. of the U.S.R.S. Surveys within the Town of Mesilla, Doña Ana County, New Mexico, a Replat of U.S.R.S. Tract 6-Al, 6-A2, -B, 6-C, 6-D, and 6-E DiMattee Summary Subdivision Scale: 1"=200"

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THENCE leaving DiMattoo Road N. 33'03'00" W., 252.63 Feet to the northwest corner of the tract herein described;

THENCE N 54"02"10" E, 1313.06 feat to an angle point.

THENCE 5, 32*44'51" E., 104.00 fast to an engle point,

THENCE N. 54'54'00' E., 508.38' to a point on the west right-of-way of Show Road for the northeast comer of the tract hanein described;

THENCE along Show Road S 35'55'172" E, 187.72' (vet to the point of beginning containg 10,80's acres of land more of less.

All rights of way and public strates shown hereon are dedicated to the Town of Marsia.
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granted for the uses indicated. No encreationment that will interfere with the uses of exactments
as shown on this pile, is allowed.

The subdivision has been declicated in accardance with the wishos of the undersigned owners. If the Reptal shall be forsive as "Distantes Summay Subdivision".

Portsonal Representative's Deed Instrument # 151058 July 29, 2015 Instrument of Ownerskip: Special Warranty Deed Instrument # 6001788 Ferbruary 26, 1980 Special Warranty Deed Instrument # 8001734 Februaru 25, 1990 We, the undersigned owner, hereby set our hands and socie this of Christina DiMelloro SOBS Snow Road Las Chuces, NM, 23005 Owner of Record: Christina Dilitatia

Notery Public

The foregoing instrument was acknowledged before me this day of 2012 by My Commission expines.

STATE OF NEW MEXICO DOUNTY OF DOÑA ANA

Surveyor's Certification.

This is to certify that I am a Licensed Protessional Surveyor that this plat was pressed from field utilises of an action survey made by me and that it is trost and correct, mostling the Minimus Standards for Land Genority in Nam Mexico as redopted by the Mexico Board of Utilises the Professional Englishers and Professional Eurwayshs, to the boat of my Wowledge and peliet.

Gilbort Chavez, NMPS 6832 P.O. Box 682 Mexillo, NM 88046

Date of Survey.

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UTILITY APPROVALS
THIS PLAT SEEN APPROVED FOR EASEMENT PURPOSES ONLY:
THE SIGNME OF THE SLAT DOES NOT IN ANY WAY GHARANTEE
LITLITY SERVICE BY THE UNDERSIGNED UTILITY COMPANYS.

November, 2018

El Poso Electric Company.

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City of Los Crucos Approvals

This Plat has been approved by the City of Las Chicca, and all the requirements. the approved for the plat have been excepted to the adjustation of the City of Las Chicus, subject to any and all conditions required by the Plensing Authority for the approves of the plat.

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Date Sacretary

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I hereby certify that this instrument was find for record on this

STATE OF NEW MEXICO) COUNTY OF DOMANA 2018 all

recorded in Plat Record Dofis Ans County Clork Dofa County Clerk Daña Ana Dounty Deputy Clerk

Vista Grande Surveya P.O. Bar 602 Monta, All Beseddar Press (\$75) 527-5205 Emil: plkwe@gazn Glibert Chavez Retented Spreet

VG 18-070

in Section 35, T.23S. R.1E., and Section 2, T.24S., R.1E. of the U.S.R.S. Surveys November, 2018 within the Town of Mesilla, Doña Ana County, New Mexico, a Replat of U.S.R.S. Tract 6-Al, 6-A2, -B, 6-C, 6-D, and 6-E DiMatteo Summary Subdivision Scale: 1"=200"

KNOW ALL MEN BY THESSE PRESENTS: A citip of land altuma within the Thom Chiller (Methells, Dato County, New Methors in Section 27 TAZES, R. F.E., tand Section 2, TASES, R. J. ASES, of the U.S.R.S. Stropys, a require of U.S.R.S. Tracte. 6-M.; B-AZ G-C o-D and G-E aird being more particularly as follows. In WE. DEDICATION

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THENCE is awing Dilviation Road N. 33*00'00" W., 292.90 Foat to the northwest comes of the track herein described:

THENCE N 54"02"10" E, 13.13.05 feet to an angle point.

THENCE 5, 32*44'51" E., 104.00 fast to an angle point.

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Personal Representative's Deed Instrument # 151056 July 29, 2015 instrument of Ownership Spocial Warranty Depd Instrument # 800 1794 Februaru 28, 1950 Special Werrany Deed Instrument # 8001758 Ferbruary 26, 1980 Ohristina DiMeltaro 3086 Snow Road Las Crubes, NM, 88805 Dwner of Record

We, the undersigned owner, hereby set our hands and seals this of

day of statement before me this The foregoing instrument was 2812 by STATE OF NEW MEXICO COUNTY OF DORA ANA My Commission expires: Cortetina DiMattoc

Notice Public

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I handby certify that this instrument was thed for record on this. 2015 21 Dolla Ana County Deputy Clerk DONA ANA COUNTY CLERK Reception STATE OF NEW MEXICO COUNTY OF DONA ANA recorded in Plat Record Dofia Ana County Clerk Dona County Clerk Plat No. Gilbert Chavez, NMPS 6832 P.D. Box 882 Meslin, NM 88046

UTILITY APPROVALS
THIS FLYTHS SEEMENT PURPOSES ONLY.
THIS EXT, HAS SEEMEN FLYTHOSES ON IN ANY WAY GURANTEE
UTILITY SERVICE BY THE UNDERSIGNED UTILITY COMPANYS.

El Paso Electrio Company:

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SUBJECT

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Comcast Cable Communications, Inc.

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City of Lae Cruces Approvals

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Sent Total

Director of Community Development.

Director of United

Date Director of Public Works

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Vista Grande Surveys
Ro, bax 802
Nesta, NV 8040-082
Penes (ITS) 527-082
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VG 18-070

Date of Survey:

in Section 35, T.23S. R.IE., and Section 2, T.24S., R.IE. of the U.S.R.S. Surveys within the Town of Mesilla, Doña Ana County, New Mexico, a Replat of U.S.R.S. Tract 6-Al, 6-A2, -B, 6-C, 6-D, and 6-E DiMatteo Summary Subdivision Scale: 1"=200"

KNOW ALL MEN BY THESE PRESENTS: A strip of and stitutio within the "Timer Linkle (Mellall, Dane Charty, New Merco in Section \$2.725s, R.1E., and Section 2, T245s, 1245s, 1245s, 161to US.R.S. Sturveys a repair of US.R.S. Traces B-M.I. B-MS B-C s-O and S-E and being more perflexibility as follows, 19 MR. DEDICATION

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THENCE along Snow Road S 35*52*172* E, 157.72 feet to the point of beginning containg 10,801 acres of land more or loss.

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The additionable has been dealteaked in accordance with the wishes of the undersigned owners of the and deem haves. The Repfat shall be known as "Dieratino Summany Buddyslam".

VICINITY MAP

Personal Representative's Deep Instrument # 151056 July 29, 2015 Special Warranty Deed Instrument # 8001788 Ferbruary 25, 1980 Special Warranty Deed Instrument # 9001794 February 28, 1950 instrument of Dwner We, the undersigned owner, hereby set our hands and easie this of Ohrlstna Othellero 3066 Snow Road Las Gruces, NM, 88005 Owner of Record:

Christina DiMatieo

The faragoing incrument was acknowledged before me tris 2012 by STATE OF NEW MEXICO DOUNTY OF DONA ANA My Commission expline: Notary Public

18.

Surveyor's Certification

This is to smally that have a Licensed Professional Surveyor, that this pail was responsed from filed of the most of the company made by many for the the town and contact meaning the Ministra of the server that the surveyor in New Marica as excepted by the New Marican Board of License and the professional Engineers and Professional Surveyors, to the base of my financing and basels.

Date of Survey:

Gilbert Chavez, NMPS 6832 P.O. Box 652 Mesilla, NM 69045

UTLITY SERVICE SY THE UNDERSIGNED TOR EASEMENT PURPOSES ONLY. THIS PLAT HAS SEEN APPROVED FOR EASEMENT PURPOSES ONLY. THE SIGNING OF THIS PLAT DOES NOT BARN WAY GLARANTEE. UTLITY SERVICE BY THE UNDERSIGNED UTLITY COMPANYS.	El Paso Bischic Company.	Essembnis ancium forcion, copies of which have boen pres El Peso Electric Company, any adification to meet the nee and matherance of overnead and designated overnead to	Sys	PROPOSED	Eleasmonts shown hoveon, capide of which have been pred Overst Chormunication, CREM, CARLOW, Inter a state most the noots for the facilities on and markenance of un overfread, undergranted and/or overfread fleeber undergrant designated overfread fleeber telephone company utilities.
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November, 2018

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City of Les Grubes Approvais

10400 E

This Plat has boon approved by the City of Las Crucus, and all the requirements for approval of the plat have been completed to the satisfaction of the City of Las Chuces, addoct to any and all conditions lequilled by the Planting Authority for the approval of this plat.

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100 Date Director of Community Development Director of Public Works Director of Utilities Secretary

Vista Grande Surveys Ro, bis att Peres (178) 57-420 Frank (178) 57-430 Frank (178) 57-430 Glibert Chavez

in the necessis of o'clock and duly

hereby certify that this instrument was filed for record on this

Reception No

Plat No.

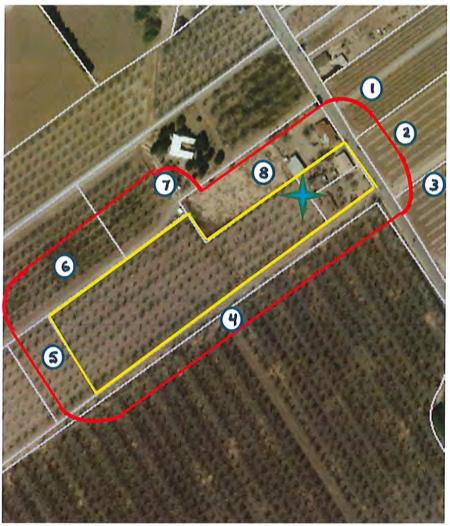
DOMA ANA COUNTY CLERK STATE OF NEW MEXICO COUNTY OF DONA ANA 20 (8 of Follo

> recorded in Plat Record Dofie And County Clork Dofia County Clerk

Doña Ana County Deputy Clerk,

VG 18-070

V19-001 NOTIFICATION MAP



Christina DeMatteo – 2066 Snow Road, Las Cruces, NM 88005 (Applicant)

PROPERTY OWNERS:

- 1. Van C. and Susan D. Wamel, PO Box 303, Mesilla Park, NM 88047
- 2. Thomas and Minerva Belczak, PO Box 814, Mesilla, NM 88046
- 3. Thomas and Minerva Belczak, PO Box 814, Mesilla, NM 88046
- 4. Stahmanns Inc., PO Box 70, San Miguel, NM 88058-0070
- 5. Christina DeMatteo, 2066 Snow Road, Las Cruces, NM 88005
- 6. Willliam F. and Lisa F. Mufich, 7528 Poncha Drive, Larkspur, CO 80118
- 7. San C. Shields, 3000 Snow Road, Las Cruces, NM 88005
- 8. Beatrice S. Perez, 250 Clary Court, Buda, TX 78610

Town of Mesilla, New Mexico

DATE: March 11, 2019

Dear Property Owner:

In accordance with the Town of Mesilla regulations regarding variances, I am notifying you as, a neighboring property owner within 100 feet of the subject property, the Town of Mesilla Board of Adjustments will be holding a Public Hearing on:

Tuesday March 26, 2019 at 9:00 AM at: Town of Mesilla 2231 Avenida de Mesilla Mesilla, NM 88046

To obtain input on an application for a Variance to lot size to allow a lot line adjustment to combine a 0.18 acre property at 3066 Snow Road with a 0.30 acre property immediately to the south, and to adjust the western lot line of the two properties to create a single 0.69 acre property that will allow a domestic well to be on the same property as the dwelling it serves. (The Rural-Agricultural (RA) zoning of the property requires a 3 acre minimum for new properties.)

Anyone who is concerned with this matter may address the Board of Adjustments at the Public Hearing, or send a written response to:

Town of Mesilla
Community Development Department
PO Box 10
Mesilla, NM 88046.

Letters must be received before the Public Hearing. In addition to mailing the letter, a copy may be faxed to Larry Shannon at 575-541-6327 or e-mailed to larrys@mesillanm.gov to ensure timely receipt.

Sincerely,

Larry Shannon Community Development Coordinator Town of Mesilla



PHOTO OF 0.18 ACRE PROPERTY FROM SNOW ROAD



PHOTO OF WELL FROM DEMATTEO ROAD



PHOTO OF DWELLING FROM DEMATTEO ROAD



PHOTOS OF NOTIFICATION SIGN DWELLING FROM SNOW ROAD





Town of Mesilla, New Mexico

Phone (575) 524-3262

P.O. Box 10

2231 Avenida de Mesilla, Mesilla, NM 88046



Variance

Case #_Christina DeMatteo	Date Submitted FEG. 19, 2019
Discussed by: DOARD OF ADJUSTMENTS (BOA) Section 1:	Date (s) NAR. 26, 2019
Name (s) of Property Owner (s) <u>Christina DeM</u>	atteo
Address 3066 Snow Road	Phone <u>575-652-2062</u>
Name of Applicant (s) <u>(Same as above)</u>	
Address (Same as above)	Phone(Same as above)
Section 2: Property Description: Address3066 Snow Ro_	ad
Legal Description Lot (s) <u>(See attached survey</u>	Block N/A
Subdivision N/A	
If legal description is in metes and bound; is it at	cached to the application? Yes <u>N/A</u> No
Survey Plat attached: Yes <u>X</u> No	
Area (sq. ft. or acres) <u>0.69</u> Present Zone <u>R</u>	A Present Land Use Residential
Proposed Land Use: No change	

Section 3:

Why is this variance being requested?

that will allo Agricultural	(RA)	And the second		-	property				HARM	minimum	100	new
properties.)	M. N			- mig				- 60	4.07			-
Signatures:	Prop	erty Own	er_				_					
	Appl	icant										
NOTICE: NO	APPLICA	ATION WI	LL BE	ACCE	PTED WITHO	OUT THE SIG	SNAT	rur	E OF TH	IE OWNER (:	s) OF	
NOTICE: NO A												

BOA MEETING MARCH 26, 2019

BOA DECISION
VARIANCE V19-001

BOARD OF ADJUSTMENT ACTION FORM MARCH 26, 2019 CASE V19-001

(Decision to be based on information presented by Staff and input from the Public Hearing)

V19-001: Submitted by Christina DeMatteo, a request for a Variance to lot size to allow a lot line adjustment to combine a 0.30 acre property at 2066 Snow Road with a 0.18 acre property immediately to the south, and to adjust the western lot line of the two properties to create a single 0.69 acre property that will allow a domestic well to be on the same property as the dwelling it serves. (The Rural-Agricultural (RA) zoning of the property requires a 3 acre minimum for new properties.)

Staff Analysis:

The proposed request was presented during the Public Hearing held earlier, as well as discussed during this meeting.

If it is determined that the proposed variance will be acceptable and will not result in negative impacts to the Town or the surrounding properties, the BOA should approve the request based on the Findings stated below.

If, on the other hand, it is determined that the proposed variance will not be acceptable, or will result in negative impacts to the Town or surrounding properties, and no other solution can be reached, then the BOA should either postpone the request further until the applicant can return with a proposal that meets the standards set forth by the BOA; or the BOA should deny the request based on the request not meeting any or all of the Findings as listed.

Consistency with the Code:

The PZHAC will need to determine that the proposed variance will be consistent with the Code for granting variances, as well as meeting the zoning requirements for this property.

Findings:

- The PZHAC has jurisdiction to review and approve this request.
- The request consists of a variance to lot size to allow to a 0.30 acre property at 2066 Snow Road to be combined with a 0.18 acre property immediately to the south, and to adjust the western lot line of the two properties to create a single 0.69 acre property that will allow a domestic well to be on the same property as the dwelling it serves.
- The BOA has determined that the proposed work meets all applicable Code requirements.

BOA OPTIONS:

- 1. Approve he variance as requested.
- 2. Approve the variance with conditions.
- 3. Reject the variance request.

PZHAC ACTION: