

VILLAGE OF CLOUDCROFT

Minutes of the **ZONING REQUEST / PUBLIC HEARING** of the Governing Body for the Village of Cloudcroft, held on Tuesday, August 16, 2022, at 5:30 p.m., in the Village Council Chambers, 201 Burro Avenue, Cloudcroft, NM.

Mayor William Denney called the meeting to order at 5:53 p.m. with the following Council members present:

John Tieman – Mayor Pro Tem
George Mitchell - Trustee
Gail McCoy – Trustee

James Maynard – Trustee (was present at the hearing by recused himself due to being the application for the zoning request)

The following guests were present for the Zoning Request / Public Hearing: David Larsen, Mario Romero, Mark Carter, Greg & Kathy Switzer, Debbie Tate, Maria Zamorano and Shelley Hughes.

The pledge of allegiance to the US and NM flags was led by Mayor Denney.

APPROVAL OF AGENDA

Mayor Denney entertained a motion to approve the Agenda for the Public Hearing of August 16, 2022. Trustee Tieman made such motion, Trustee McCoy seconded the motion and upon vote of Trustees Tieman, McCoy and Mitchell all voting “aye” the motion passed.

ZONING REQUEST

Mayor Denney informed the Council and those in attendance that the Public Hearing would be for the purpose of approving or disapproving a zoning request submitted by All Family Partners, LLC, for their property located at 1308-1314 Victoria and 202-208 Skywater, Legal Description: Subd: Skywater, Blk: 6, Lots: 1,2,3,4,5,6,7 & 8, in Cloudcroft, NM, and that the Public hearing would be conducted under procedures mandated by the NM Court of Appeals, in *Battershell v. the City of Albuquerque*; he also read the rules of conducting a Public Hearing. Mayor Denney asked each of the Council members in attendance if they personally had any “conflicts of interest” regarding the zoning request, and they all stated “no”. Mayor Denney asked each of the Council members if they have had any “outside or ex-parte communications” concerning the request and they all stated “no”.

To begin the Public Hearing, the Village Clerk swore in those who wished to speak; James Maynard, Mark Carter, Greg Switzer, David Larsen, Maria Zamorano and Mario Romero.

James Maynard, Managing Partner of All Family Partners, LLC, made a presentation to the Council requesting that the current zone of their property located at 1308-1314 Victoria and 202-208 Skywater, Legal Description: Subd: Skywater, Blk: 6, Lots: 1,2,3,4,5,6,7 & 8, be changed from of R-1 (single family dwellings) to R-2 (Multiple dwellings, townhomes, condominiums, etc.) Mr. Maynard presented that due to the irregular shape and steep topography of the lots, the lots have more options for use as R-2 instead of R-1.

The Mayor asked if Council had any questions for the Applicant, there were none.

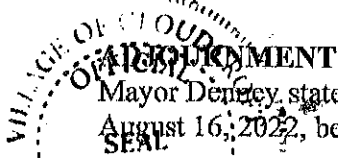
The Mayor asked if there were any parties who wished to cross-examine the Applicant. There weren't any questions; but there were comments from two surrounding property owners and four non-surrounding property owners in opposition of the zoning request.

Surrounding and non-surrounding property owners expressed to the applicant their concerns regarding increase in traffic activity, high density of the area and water supply. There were not any questions from staff.


The Mayor asked Council if they had any questions for the staff. The Council stated "no".


Staff reported that 8 letters were sent to surrounding property owners. Four certified mail receipts were returned and four were not. One letter and one e-mail stating opposition to the zoning change was received.

Mayor Denney entertained a motion to approve or disapprove the zoning request. Trustee Tieman made a motion to disapprove, and Trustee Mitchell seconded the motion. The Mayor called for a roll call vote and upon vote of Trustee Tieman voting to disapprove; Trustee Mitchell voting to disapprove and Trustee McCoy voting to disapprove, the motion passed. The zoning request was denied.



Mayor Denney stated that having reached the end of the Agenda, the Public Hearing of August 16, 2022, be adjourned at 6:35 p.m.


Barbara K. Garcia
Village Clerk/Treasurer


William Denney
Mayor