

From: JD Domenick <jddomenick@msn.com>

Sent: Tuesday, February 10, 2026 7:15 AM

To: P&ZComm <P&ZComm@sandovalcountynm.gov>; VictorEMT@yahoo.com; ShConra@gmail.com; DRTrujillo@windstream.net; Sue Harrelson <sharrelson@sandovalcountynm.gov>; Shelton.Kevin@live.com; James G. Maduena <JMaduena@sandovalcountynm.gov>; Meathead401@gmail.com

Cc: Wayne Johnson <wjohnson@sandovalcountynm.gov>; Michael Eshleman <Meshleman@sandovalcountynm.gov>; Eric Masterson <EMasterson@sandovalcountynm.gov>; tips@searchlightnm.org

Subject: ZNCH-25-005/Appeal. Request by Appellant Martha Christopher for a reversal of the Zoning Officer's Administrative Decision

Dear Planning and Zoning Commissioners,

Under your Rules of Procedure and Conduct, Chairman Rodriguez or a majority of the Planning and Zoning (P+Z) Commissioners can add an item to the agenda (Resolution 8-25-20.66, Section J.1). This note is to respectfully ask you to add an item to the next available agenda to demand a report on the P+Z Staff's handling of notification to Martha Christopher of the October 14, 2025 P+Z Commission hearing on ZNCH-25-005.

By now, most or all of you are aware that the County violated Martha Christopher's civil right to due process in the runup to the October 14, 2025 P+Z Commission hearing. Based on Section 19 of the Comprehensive Zoning Ordinance (CZO), she had the right to advance notification of the meeting, but that was denied. In response to a question from a Commissioner, P+Z Planner Janet Cunningham-Stephens informed you at the January 13, 2026 P+Z Commission hearing that Ms. Christopher was not sent notification "because her property was determined to lie outside the 100 feet." You should ask her how she determined that. The language in the statute is very clear in #3 below (**emphasis added**):

C. *Notice of Public Hearing.* Notification of the time and place of any public hearing held pursuant to this Section shall be published in a newspaper of general circulation in the County at least fifteen (15) days prior to the hearing. In addition, notice of the public hearing shall be mailed by certified mail, return receipt requested, to:

1. The applicant(s);
2. The owner(s), as shown by the records of the County Treasurer, of the land for which the approval is requested, if different from the applicant(s); and
3. The owners, as shown by the records of the County Treasurer, of land within one hundred (100) feet, **excluding public right-of-way**, of the land for which the approval is requested.

The maps and the plain language of the ordinance do not lie:



CZO Section 17C(3):

“The owners, as shown by the records of the County Treasurer, of land within one hundred (100) feet, **excluding public right-of-way**, of the land for which the approval is requested.”



Official P&Z Dept. map in *Staff Report* for ZNCH-25-005 truncated Martha Christopher’s lot, hoping no one would notice. That lot was improperly excluded from the **100’ buffer** !!

Ms. Christopher did not discover that her right to due process and notification under the CZO were denied until after your October 14, 2025 hearing was held. Once she found out, she made an appeal of the decision (the Joint Appeal with Thomas Coulter) of that meeting in good faith, timely, and based on recent precedents that joint appeals had been commonly accepted. She tried to follow the rules, and there was no reason why she would expect that appeal to be denied. But that is when the cover-up became apparent. On Nov 17, 2025, the Zoning Officer denied that appeal administratively, based on a variety of factors that ignored precedents. Then, on December 16, 2025, Ms. Christopher appealed that Staff administrative decision to you - the P+Z Commission. (Just as Tom Coulter did, for the appeal that you heard last month.) Again, Ms. Christopher made a timely appeal in good faith. In the January 13, 2025 hearing, your Staff told you that you would address Ms. Christopher’s appeal in the February hearing. Chairman Rodriguez and then-Chairman Trujillo understandably assumed that was the truth. When Tom Coulter tried to bring up the discrepancy in the notification requirements, Chair Rodriguez and then-Chair Trujillo cut him off, with Chair Rodriguez even stating “That’s coming before us next month.”

¡Sorpresa! It is now “next month,” and Ms. Christopher’s appeal is not coming before you today.

On January 20, 2026 (more than 30 days after Ms. Christopher submitted the second appeal), the P+Z Director advised her by email that he rejected this second appeal because it was more than 30 days after the Oct 14, 2025 P+Z Commission hearing. She was not appealing the October 14, 2025 decision; she was appealing his November 17, 2025 administrative decision to deny her first appeal - the Joint Appeal filed with Mr. Coulter. The P+Z Director knew that she was appealing his administrative decision to the P+Z Commission. Her appeal was on time. The P+Z Commission has the right and the obligation to hear that appeal. The P+Z Director does not have the authority to deny that. Please remember, the P+Z Director and the Deputy County Attorney work for you, not the other way around.

There is no question that Martha Christopher's due process rights were violated in the proceedings leading to your Oct 14, 2025 hearing. We don't know why or how Staff decided not to notify her, but we do know that she has suffered damage from this decision, and that attempts to cover it up have made things worse. None of you P+Z Commissioners knew anything about this at your Oct 14, 2025 meeting. But you all do know about it now - even new Commissioners Shelton and Mangham. The only question now for each of you is whether you will choose to participate in the cover-up. I hope not. I hope that some of you will have the courage and integrity to use your positions of authority to restore Ms. Christopher's right to due process.

It is easy and inexpensive to fix this now. The County could simply declare the October 14, 2025 decision invalid based on procedural errors leading up to that P+Z Commission hearing. Then you could hold a new Public Hearing on the matter in compliance with the CZO. If this ends up going to District Court, things get much more expensive and complicated for all parties, with additional damages, depositions under oath, and discovery.

Thank you for your voluntary service to the citizens of Sandoval County.

Sincerely,

JD Domenick
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