

MINUTES OF THE
SANTA FE COUNTY
DEVELOPMENT REVIEW COMMITTEE

Santa Fe, New Mexico

June 16, 2011

This meeting of the Santa Fe County Development Review Committee (CDRC) was called to order by Vice Chair Juan José Gonzales, on the above-cited date at approximately 4:00 p.m. at the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

Roll call preceded the Pledge of Allegiance and indicated the presence of a quorum as follows:

Members Present:

Juan José Gonzales, Vice Chair
Frank Katz
Susan Martin
Ivan Pato
Sef Valdez

Member(s) Excused:

Maria DeAnda, Chair
Phil Anaya

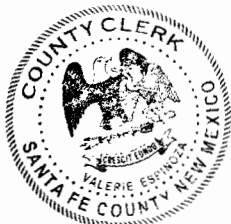
Staff Present:

Shelley Cobau, Building & Development Manager
Wayne Dalton, Building & Development Services Supervisor
Jack Kolkmeier, Land Use Administrator
Jose Larrañaga, Commercial Development Case Manager
Linda Trujillo, Assistant County Attorney

IV. APPROVAL OF AGENDA

Ms. Cobau advised the Committee that there were no changes to the published agenda.

Upon motion by Member Martin and second by Member Katz the agenda was unanimously [5-0] adopted.



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss
CDRC MINUTES
PAGES: 6
I Hereby Certify That This Instrument Was Filed for
Record On The 19TH Day Of August, 2011 at 01:00:57 PM
And Was Duly Recorded as Instrument # 1643054
Of The Records Of Santa Fe County
Witness My Hand And Seal Of Office
Deputy Marcella Valerie Espinoza
County Clerk, Santa Fe, NM

SFC CLERK RECORDED 08/19/2011

V. **APPROVAL OF MINUTES: May 19, 2011**

The following correction was noted: Page 5: Member Katz moved to approve the home occupation with the condition the self-serve not be used, since that appears to be the part that doesn't ~~mean~~ meet the Code.

Member Katz moved to approve the May minutes as amended. Member Martin seconded and the motion passed by unanimous [5-0] voice vote.

VI. **FINAL ORDERS**

- A. **CDRC CASE # MIS 11-5110 Ron Fares Accessory Structures.** Ron Fares, Applicant, requests approval of a 4,000 square foot accessory structure to be used as tool and equipment storage, and a 4,800 square foot accessory structure to be used as a barn and hay storage on 124 acres. The property is located at 82 Wagon Trail, within Sections, 3, 4 and 9, Township 13 North, Range 8 East (Commission District 3)

Member Martin moved to approve the final order as prepared. Member Valdez seconded and the motion passed by unanimous [5-0] voice vote.

- B. **CDRC CASE # APP 10-5270 Windmill Water Business License Appeal.** Leon and Diana Richter, Appellants, Joseph M. Karnes (Sommer, Karnes & Associates, LLP), Agent, request an Appeal of the Land Use Administrators decision to deny a modification of a Home Occupation Business License. The property is located at 2042 Hwy 333 in Edgewood, within Sections 34 & 35 Township 17 North, Range 7 East (Commission District 3)

Member Martin moved to approve the final order as prepared. Member Katz seconded and the motion passed by unanimous [5-0] voice vote.

VII. **OLD BUSINESS**

No cases were presented.

VIII. **NEW BUSINESS**

- B. **CDRC CASE # V 11-5150 Jose Chris Tercero Variance.** Jose Chris Tercero, Applicant, requests a variance of Ordinance # 2007-2 (Village of Agua Fria Zoning District), Section 10.6 to allow three dwelling units on 0.962 acres. The property is located within the Agua Fria Traditional Community Zoning District (AFTCZD) at 2227 Paseo De Tercero, within Section 5, Township 16 North, Range 9 East, (Commission District 2) [*Exhibit 1: Agua Fria Village Assoc. letter in support of the applicant*]

Mr. Dalton read the case caption and his staff report as follows:

“The Applicant requests a variance of Ordinance # 2007-2, Section 10.6 to allow three dwelling units on 0.962 acres. There is currently a residence which was constructed in 1972, and a storage shed on the property. The property is served by the Agua Fria Community Water Association and sanitary sewer service is provided by the City of Santa Fe. The property is located within the Agua Fria Traditional Community Zoning District. Ordinance # 2007-2 states the minimum lot size in this area is 0.75 acres per dwelling unit. Lot size can be reduced to 0.33 acres with community water and sewer.

“The Applicant has provided a letter from the Agua Fria Community Water Association stating they will provide water for two additional homes. The Applicant has also provided a letter from the City of Santa Fe stating that sanitary sewer service is available to serve the property and the two additional homes, therefore, the minimum lot size can be reduced to 0.33 acres per dwelling unit. The Applicant’s property contains 0.962 acres and it is approximately .028 acres, which is 12,000 square feet shy of being able to contain three dwelling units.

“The Applicant states he has four children and would like to provide places for them to reside so they can live close to him and his wife who are getting up in age and are dealing with numerous medical issues.

“Staff has reviewed this submittal and has found the following facts to support this Application: Ordinance 2007-2 states the density in this area is 0.75 acres per dwelling unit; lot size can be further reduced to 0.33 acres with community water and sewer. This property is served with both community water and sewer. Staff feels this could be considered a minimal easing of Ordinance 2007-2 due to the property being within 12,000 square feet of the required size which would achieve the purpose of Ordinance 2007-2; therefore, staff recommends approval of the Applicant’s request.”

Mr. Dalton requested that following conditions be imposed on the applicant:

1. The Applicant must obtain development permits from the Building and Development Services Department for the proposed homes.
2. Compliance with minimum standards for Terrain Management as per the Land Development Code and compliance with Ordinance 2003-6 Water Harvesting.
3. The placement of additional dwelling units on the property is prohibited.

Duly sworn, Jose Chris Tercero, 2227 Paseo de Tercero said his daughter has been unemployed for 18+ months and recently returned to Santa Fe. He desires the lot division to help his children. The property was given to him by his parents and he described traditional lots in Agua Fria as narrow and long with 500 linear feet and 70 feet in width. The property can hold mobile homes. He said his son will also need a place to live within the next few years.

Chair Gonzales observed that a letter of support was received from the Agua Fria Village Association, and the local water association and the City have agreed to provide services.

The applicant said he was not acquainted with the conditions. Mr. Dalton read them and Mr. Tercero said he agreed.

There was no one in the audience wishing to speak regarding this case.

Member Valdez moved to approve CDRC Case #V 11-5150 with staff-imposed conditions. Member Katz seconded and the motion passed by unanimous [5-0] voice vote.

Ms. Cobau advised the applicant that this case will be forwarded to the BCC with the CDRC's recommendation for approval.

C. CDRC Case #Z/S 02-4325 La Pradera Master Plan Amendment, Plat and Development Plan.

The applicant was not yet present and Ms. Lucero said she understood they were on route to the Chambers. The Committee recessed for 15 minutes.

Reconvening from recess, the applicant had not arrived.

Attorney Chris Graeser indicated that he represented several neighbors and would be presenting an argument that the case should be tabled.

Member Katz moved to table this case until the next CDRC meeting. Member Martin seconded and the motion passed by unanimous [5-0] voice vote.

IX. PETITIONS FROM THE FLOOR

None were offered.

X. COMMUNICATIONS FROM THE COMMITTEE

None were offered.

X. COMMUNICATIONS FROM THE ATTORNEY

None were presented.

XI. COMMUNICATIONS FROM STAFF

The next meeting was scheduled for July 21, 2011.

XII. ADJOURNMENT

Upon motion by Member Martin and second by Member Katz, Vice Chair Gonzales declared this meeting adjourned at approximately 4:30 p.m.



Approved by:

Juan José Gonzales, Vice Chair
CDRC

Before me, this ____ day of _____, 2011.

My Commission Expires: _____

Notary Public

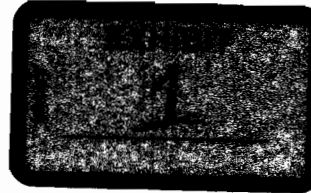
Submitted by:

Karen Farrell
Karen Farrell, Wordswork

SFC CLERK RECORDED 08/19/2011

Agua Fria Village Association

2073 Camino Samuel Montoya
Santa Fe, NM 87507



Jack Kolkmeier
Land Use Administrator
Land Use Planning Department
Santa Fe County
P.O. Box 276
Santa Fe, N.M. 87504-0276

June 6, 2011

Dear Mr. Kolkmeier:

The Agua Fria Village Association (AFVA) on behalf of the Agua Fria Village Traditional Historic Community (THC) is formally issuing this letter of support for the approval of Case # V 11-5150 requesting a variance to allow three dwelling units on 0.962 acres. This is a property owned by Jose Chris and Maria Tercero, 2227 Paseo De Tercero.

This matter was approved at the June 6th AFVA meeting by a unanimous vote of attendees who felt that it was in substantial compliance with land use requirements. Further, the issue was published in our monthly Community Update newsletter and no complaints were received.

We feel that this approval is in the spirit of the Agua Fria Community Plan adopted in Resolution 2006-116 by the Santa Fe Board of County Commissioners on March 13, 2007 (located at website: http://www.santafecounty.org/find/documents/Agua_Fria_Community_Plan_as_adopted_by_Resolution_2006_116.pdf), prohibits such development densities as proposed by BCC Case # MIS 05-5502.

Thank you for your attention to this matter.

Sincerely,

William Henry Mee, President AFVA
(505) 473-3160
WilliamHenryMee@aol.com

CC: Wayne Dalton, County Case Planner.

SFC CLERK RECORDED 08/19/2011