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Valerie Espinoza  
County Clerk, Santa Fe, NM

**MINUTES OF THE**

**SANTA FE COUNTY**

**DEVELOPMENT REVIEW COMMITTEE**

**Santa Fe, New Mexico**

**June 21, 2012**

This meeting of the Santa Fe County Development Review Committee (CDRC) was called to order by Maria DeAnda, 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:**

Maria DeAnda, Chair  
Juan José Gonzales, Vice Chair  
Phil Anaya  
Dan Drobnis  
Frank Katz  
Sef Valdez

**Member(s) Absent:**

Susan Martin (Excused)

**Staff Present:**

Penny Ellis-Green, Interim Land Use Administrator  
Wayne Dalton, Building & Development Services Manager  
Vicki Lucero, Building & Development Supervisor  
Jose Larrañaga, Development Review Specialist  
Rachel Brown, Deputy County Attorney  
Buster Patty, Fire Captain

**IV. APPROVAL OF THE AGENDA**

Wayne Dalton announced that the New Business item D, Jay Shapiro Variance, has been tabled.

Member Katz moved to approve the agenda as amended. His motion was seconded by Chair DeAnda and the motion carried unanimously [6-0].



SPC CLEARLY RECORDED 07/23/12

V. APPROVAL OF THE MINUTES: May 17, 2012

Member Anaya said the minutes inaccurately showed his absence as unexcused; it was an excused absence.

Chair DeAnda moved to approve the minutes as corrected. Her motion was seconded by Member Gonzales and passed by unanimous [6-0] voice vote.

VI. OLD BUSINESS

- A. CDRC CASE # V 12-5090 Lawrence Maes Variance. Lawrence Maes, Applicant, requests a variance of Article III, §10 (Lot Size Requirements) of the Land Development Code to allow three dwelling units on 10.21 acres. The property is located at 85A County Road 44, in the vicinity of Southfork, within Section 31, Township 15 North, Range 9 East (Commission District 5)

Wayne Dalton read the caption and staff report as follows:

“This Application was submitted on April 6, 2012. On May 17, 2012, the CDRC met and acted on this case. The decision of the CDRC was to table this case in order for the Applicant to obtain additional information.

“There are currently two dwelling units on the property and an accessory structure which is a garage. The applicant has submitted an aerial of the properties which does identify multiple structures were located on the property in 1981 and up to the time the applicant purchased the property in 1989. However, only two dwelling units have been on the property since 1989 and grandfather status has been lost for any additional dwellings that existed in 1981.

“The property also contains two uninhabitable mobile homes in addition to the existing dwellings. The Applicant intends to remove the uninhabitable structures from the property.

“The Applicant states, as a result of a physically and mentally traumatizing accident, along with other medical conditions his daughter and family have been through, a variance is needed for the financial and trauma burdens accompanied by this accident. The Applicant further states his daughter’s family passes the scene of the accident that took their grandmother and is traumatizing for his daughter’s family. His son-in-law and grandchildren suffer physically and mentally and both her husband and oldest son suffer with PTSD. The youngest child suffered a brain injury and has been diagnosed with ADD as a result of this accident.”

Mr. Dalton stated that staff recommends denial of the variance from Article III, §10, Lot Size Requirements, of the Land Development Code. If the decision of the

CDRC is to recommend approval of the Applicant's request, staff recommends imposition of the following conditions:

1. Water use shall be restricted to 0.25 acre-feet per year per home. A water meter shall be installed for each residence. Annual water meter readings shall be submitted to the Land Use Administrator by January 1<sup>st</sup> of each year. Water restrictions shall be recorded in the County Clerk's Office (As per Article III, § 10.2.2 and Ordinance No. 2002-13).
2. The Applicant must obtain a development permit from the Building and Development Services Department for the additional dwelling unit. (As per Article II, § 2).
3. The Applicant shall provide an updated liquid waste permit from the New Mexico Environment Department with Development Permit Application (As per Article III, § 2.4.1a.1 (a) (iv)).
4. The placement of additional dwelling units on the property is prohibited. The two uninhabited mobile homes on the property must be removed prior to building permit (As per Article III, § 10).
5. The Applicant shall comply with all Fire Prevention Division requirements at time of development permit application (As per 1997 Fire Code and NFPA Life Safety Code).

Member Katz requested additional information on "grandfathering." Mr. Dalton said the grandfather date is 1981 so anything on the property prior to 1981 would be grandfathered. However, if structure has not been in continuous use for a period of a year the grandfather status is lost. Therefore, two dwelling units are permissible on this property. He explained that if a structure was removed from the property and replaced within one year, the grandfather status is still applicable.

Duly sworn, Lawrence Maes, applicant and property owner and his daughter Anna Marie Maes Hernandez were duly sworn.

Mr. Maes said each of the units has its own meter.

Chair DeAnda asked for details of the current number of dwellings on the property. Mr. Maes said he and his wife live in one of the structures and his other daughter and grandson in the other one. The need for a third unit is to house his other daughter, Anna Marie Maes Hernandez.

Ms. Maes Hernandez said she was recently diagnosed with a brain tumor. She said she is the wife and mother of those involved in the car accident which happened on Airport Road. She outlined her health problems and the difficulties arising out of the accident, which have led to the need for the variance.

Member Gonzales asked about the structures that were no longer on the property but were there in 1989. Mr. Maes said the individual he purchased the property from was in foreclosure on two of the mobile homes. Mr. Maes said he tried to purchase them but was unable to. He purchased a mobile home and moved onto the property and sometime

later purchased an additional one for his daughter. Eventually they purchased a double-wide and moved the old single wide to a different site on the property. The uninhabitable mobile unit is a 40-foot self-contained trailer which he moves on and off the property for employment purposes. Neither of the two unused units is hooked up to utilities.

Responding to a series of questions posed by Member Gonzales, Mr. Maes said his property is walled in and none of his neighbors have complained. Most of the immediate neighbors are on 2.5 acres and many have two units. In fact, one of his neighbors received a variance to create two lots on 2.5 acres and has since sold both lots. Mr. Maes said he has a well on his property.

Member Anaya asked whether the two mobile homes were permitted and Mr. Maes said they were from DOT.

There was no one from the public wishing to speak on this case.

Member Anaya asked whether the new code had variance provisions for financial or medical situations. Mr. Dalton said no.

Interim Land Use Administrator Ellis-Green said density-wise the new code will not differ from the existing code. She said medical and/or financial hardships are not grounds for a variance.

Member Anaya moved to approve the variance request for V 12-5090 with staff conditions. His motion was seconded by Member Valdez and passed by majority [4-2] voice vote with Chair DeAnda and Member Katz voting in the negative.

Mr. Dalton said this case will go to the Board of County Commissioners on August 14<sup>th</sup>.

**VII. NEW BUSINESS**

- A. CDRC CASE # MIS 12-5190 Kevin Hart Accessory Structure: Kevin Hart, Applicant, requests approval of a 3,750 Square Foot Accessory Structure to be utilized as personal storage on 2.5 acres. The Property is located at 17 Los Cielos Lane in the vicinity of La Cienega, Within Section 27, Township 16 North, Range 8 East, (Commission District 3)**

Mr. Dalton recited the case caption and provided the staff report as follows:

“On March 11, 1997, the Board of County Commissioners adopted Ordinance No. 1997-4 which states that the CDRC is required to review for approval, any accessory structure which is greater than 2,000 square feet.

“The Applicant requests approval to construct an accessory structure totaling 3,750 square feet to be utilized for personal storage. The proposed structure is a

Muller steel building and will be constructed on a concrete slab. There is currently a residence on the property.

“Growth Management staff has reviewed this Application for compliance with pertinent Code requirements and finds the project is in compliance with County criteria for this type of request.”

Mr. Dalton said staff recommends Approval for a 3,750 square foot accessory structure to be utilized for personal use subject to the following conditions:

1. The Applicant must obtain a development permit from the Building and Development Services Department for the accessory structure. (As per Article II, § 2).
2. The Applicant shall comply with all Fire Prevention Division requirements at time of development permit Application (As per 1997 Fire Code and NFPA Life Safety Code).
3. Compliance with minimum requirements for water harvesting (As per Ordinance 2003-6).

Duly sworn, Kevin Hart, stated he has several recreational vehicles that he wishes to house under one roof and that’s the reason the structure is so large. Mr. Hart said he has reviewed the staff-imposed conditions and is in agreement with them.

There was no one in the public wishing to speak to this issue.

Member Anaya moved to approve MIS 12-5190 with staff conditions. His motion was seconded by Chair DeAnda and passed by unanimous [6-0] voice vote.

Vicki Lucero, Building & Development Supervisor, advised the applicant and Commission that this item did not require BCC action.

**B. CDRC CASE # MIS 12-5170 Eisenstein Height of Radio Antenna. Robert Eisenstein, Applicant, requests approval of a non-commercial radio antenna, to be constructed 43 feet in height, to be utilized for an amateur radio station on 2.76 acres. The property is located at 115 East Sunrise Drive, within Section 8, Township 17 North, Range 9 East, (Commission District 2)**

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

“The Applicant requests approval to allow an existing 43-foot vertical antenna to be used for non-commercial amateur radio communications. The antenna is a single aluminum tube which is 3 inches at its widest point. The antenna can be reclined to a horizontal position when not in use. The Applicant states he has consulted with his neighbors about the installation of the antenna, has taken steps to address their concerns by selecting the least visible functional antenna possible, painting the antenna to reduce visibility and reclining the antenna when not in use.

“Ordinance 2001-9, Wireless Communications, § 5.C, Applicability, states: ‘this ordinance does not apply to private Wireless Communication Facilities. These facilities are regulated by the Land Development Code.’

“The County Development Review Committee shall consider: whether the requested structure is reasonably necessary to be on the proposed site; whether the Applicant has demonstrated that the requested height is the minimum height necessary for the proposed structure to function properly, not to exceed a maximum height of forty-five feet; and the size of the lot and impact on neighboring properties.”

Mr. Larrañaga said Growth Management staff has reviewed this project for compliance with pertinent Code requirements and finds the project is in compliance with County criteria for this type of request. Staff recommends approval to allow the vertical height of an antenna at 43 feet to be used for non-commercial amateur radio communications as an accessory use to the residence.

If the decision of the CDRC is to approve the Applicant’s request, staff recommends imposition of the following conditions:

1. The Applicant shall obtain a development permit from the Building and Development Services Department for the placement of the antenna (As per Article II, § 2).
2. The Applicant shall paint the Antenna to reduce visibility and shall recline the antenna to a horizontal position when not in use.

Mr. Larrañaga confirmed that the antenna is considered an accessory structure and the application does not require BCC approval.

Member Gonzales noted from staff’s report that the antenna has already been installed and he asked how long it has been in use. Mr. Larrañaga said this application is coming before the Committee because a complaint was filed regarding the structure. When the applicant was contacted by code enforcement he came directly to the County to remedy the permit issue. The applicant did not know a permit was required for an antenna.

Duly sworn, Robert Eisenstein, applicant, appeared before the Committee. He stated that as a young person he was an avid ham radio operator and some 50 years later he has decided to do it again. He said he was unaware of the permit requirements and would surely have applied for one had he known. There was no antenna in place prior to the current one which was erected November 2011.

Chair DeAnda asked whether the applicant has met with the complainant and addressed those concerns. Mr. Eisenstein said he did not know who made the complaint; however, he met with his nearest nine neighbors and they appeared okay with his antenna. One of his neighbors, Mr. Lanmon, has registered his concerns and Mr. Eisenstein said he operates the antenna precisely in the manner Mr. Lanmon has specified

– when not in use it is residing on the ground and it is painted black. Mr. Eisenstein said the antenna is 2 inches wide and likened it to a toothpick.

Mr. Eisenstein said he uses the antenna two hours every other day and the remainder of the time it is on the ground.

Mr. Eisenstein justified the height as being the commercially available to access the necessary bands. A shorter antenna would limit the band applicability. He noted there were quite a few radio operators in Santa Fe and over 700,000 in the country.

Speaking in favor of the request and duly sworn, Donald Sandstrom, E. Sunrise, Santa Fe, said he is the applicant's neighbor and has never noticed the antenna. He walks by the applicant's house twice a day and has never noticed the antenna.

Duly sworn, Kris Michaelis, 117 E. Sunset, an immediate neighbor of the applicant said she sees the antenna. She identified herself as a member of the Salva Tierra Homeowners Association Roads & Grounds Committee; however, the views she shared were her own.

Ms. Michaelis said Mr. Eisenstein did not speak to her – although he did speak to her husband – and she opposes the radio tower because it specifically violates the Salva Tierra covenants (Article 8.10). She recited the appropriate covenant and continued to state she sees the tower when she walks her dog and also from her backyard.

Ms. Michaelis said the covenants should prevail. She suggested there may be other neighbors that oppose the request but it is difficult for people to come and speak. She provided an example of a dog in the subdivision that was attacking people and no one, but she, spoke out.

Ms. Michaelis said she was not the individual who filed the complaint.

Chair DeAnda said the County has no authority to enforce the covenants of an HOA and recommended that Ms. Michaelis raise her concerns with the HOA board.

Rachel Brown, Deputy County Attorney, said the HOA has authority over their covenants regardless of any County action.

Member Drobnis said he was a retired electrical and computer engineer and noted the 1934 Federal Communications Act regarding antennas.

Returning to the podium, Mr. Eisenstein emphasized that the antenna was a matchstick. He said he talked to the president of the HOA and she raised no objections. Further, he did speak to both Ms. Michaelis and her husband. He advised the Committee that he provided copies of State and Federal law regarding antennas to staff.

There were no other speakers.

Member Katz moved to approve MIS 12-5170 with staff-imposed conditions. His motion was seconded by Member Anaya and passed by unanimous [6-0] voice vote.

**C. CDRC CASE # V 12-5140 Charles & Ernestina Martinez Variance  
Charles and Ernestina Martinez, Applicants, request a variance of Article III, §10 (Lot Size Requirements) of the Land Development Code to allow two dwelling units on 1 acre. The property is located at 13 Carlson Road, within the Carlson Subdivision, in the vicinity of the East Frontage Road, within Section 34, Township 16 North, Range 8 East, (Commission District 3) [Exhibit 1: Letter of opposition]**

Mr. Dalton recited the case caption and provided the staff report as follows:

“The Applicants request a variance of Article III, § 10, Lot Size Requirements, of the Land Development Code to allow two dwelling units on 1 acre. There is currently a residence and a studio on the property. After trying to refinance their property, it came to the County’s attention that there was a possible violation on the property. The studio was permitted on February 22, 2001, permit # 01-224, and had been converted into a dwelling with kitchen and bathroom facilities. On April 27, 2012, staff conducted an inspection on the property and verified the kitchen had been removed from the structure and has now been brought back into compliance with the original permit. The Applicant now wants to convert the studio back into a dwelling unit.

“The Applicants state the property was originally purchased by their parents/in-laws in 1981, and was developed in 1983, with multiple dwelling units. The Applicants purchased the property in 2002, with multiple dwelling units on the property. The Applicants have submitted an aerial photo from 1987 showing three dwelling units on the property.

“The Applicants also state that they are the parents of two daughters and would like to be able to leave each of their daughters with a place to live in the future.”

Mr. Dalton staff reviewed the application for compliance with pertinent Code requirements and finds the project is not in compliance with County criteria for this type of request based on Article III, §10 of the Land Development Code.

If the decision of the CDRC is to recommend approval of the Applicants’ request, staff recommends imposition of the following conditions:

1. Water use shall be restricted to 0.25 acre-feet per year per home. A water meter shall be installed for each residence. Annual water meter readings shall be submitted to the Land Use Administrator by January 1st of each year. Water restrictions shall be recorded in the County Clerk’s Office (As per Article III, § 10.2.2 and Ordinance 2002-13).
2. The Applicant must obtain a development permit from the Building and Development Services Department for the second dwelling unit (As per Article II, § 2).
3. The Applicant shall provide an updated liquid waste permit from the New Mexico Environment Department with Development Permit Application (As per Article III, § 2.4.1a.1(a) (iv).



4. The placement of additional dwelling units or Division of land is prohibited on the property (As Per Article III, Section 10).
5. The Applicant shall comply with all Fire Prevention Division requirements (As per 1997 Fire Code and 1997 Life Safety Code).

The applicants, Charles and Ernestina Martinez, were duly sworn and appeared before the Committee. Mr. Martinez said he understood that a studio apartment would include a kitchen and when he learned that he was incorrect he removed the kitchen. At this time they would like to reconnect the kitchen because his daughter has two kids and they would like to let her live in the studio.

Mr. Martinez said they use low-flow toilets and have the septic tank cleaned twice a year. He went on to state that the aerial photo of 1987 shows three dwelling on the property and since he has owned the property they have had two units.

Ms. Martinez said the property was purchased from her parents and they have always done what was required of them.

Mr. Martinez added that the units have separate meters for gas and electric.

Ms. Martinez said she understood the second dwelling was grandfathered in.

There were no other speakers from the public on this case.

Member Drobnis asked whether there was any proof that the property contained two dwelling units. Mr. Dalton said there are permits for the studio as well as a mobile home replacement permit from the County. He said an aerial photo from 1983 shows three units on the property and they are not the current structures.

Ms. Martinez pointed out that the second dwelling unit has been there since 1983.

Stating there are no statutory or regulatory grounds for the request, Member Katz moved to deny V 12-5140. His motion was seconded by Member Drobnis and passed by majority [4-2] voice vote with Members Valdez and Anaya voting against.

Chair DeAnda advised the applicants that the CDRC is a recommending body and this case will be presented to the BCC on August 14<sup>th</sup>.

**D. CDRC Case #V 12-5060 Jay Shapiro Variance - Tabled**

**E. CDRC CASE # V 12-5120 Elia Gutierrez Variance: Elia Gutierrez, Applicant, requests a variance of Article III, Section 10 (Lot Size Requirements) of The Land Development Code to allow two dwelling units on 1.24 acres. The property is located at 13B North Horizon Lane, Within Section 36, Township 17 North, Range 8 East, (Commission District 2) [*Exhibit 2: Unsigned, undated letter of opposition*]**

Mr. Dalton recited the case caption and provided the summary as follows:

“The Applicant requests a variance of Article III, § 10 of the Land Development Code to allow two dwelling units on 1.24 acres. There is currently a residence on the property. The subject lot were created in 2002, by way of a Small Lot Family Transfer and were intended to be created as a gift from a grandparent, parent or legal guardian to his or her natural or adopted child or grandchild or legal ward. These lots were then sold in 2003 and 2005 to non-family members.

“The Applicant states, her daughter is a single 20-year-old mother of two children and is having a hard time with high rent which she currently pays on a mobile home space. The Applicant also states she has currently had to take time off work due to an injury and has fallen into debt. The Applicant claims providing her daughter with an affordable place to reside would eliminate the need to lend her daughter money for the high rent space and would help her and her daughter with the financial and health burdens that have set them back.

Mr. Dalton reviewed Article II, § 3, Variances and Article III, §10, Lot Size Requirements, of the Land Development Code. Staff reviewed the application and recommended denial.

If the decision of the CDRC is to recommend approval of the Applicant’s request, staff recommends imposition of the following conditions:

1. Water use shall be restricted to 0.25 acre-feet per year per home. A water meter shall be installed for each residence. Annual water meter readings shall be submitted to the Land Use Administrator by January 1st of each year. Water restrictions shall be recorded in the County Clerk’s Office (As per Article III, § 10.2.2 and Ordinance No. 2002-13).
2. The Applicant must obtain a development permit from the Building and Development Services Department for the additional dwelling unit. (As per Article II, § 2).
3. The Applicant shall provide a liquid waste permit from the New Mexico Environment Department with the Development Permit Application (As per Article III, § 2.4.1a.1 (a) (iv).
4. The placement of additional dwelling units or Division of land is prohibited on the property. (As per Article III, § 10).

5. The Applicant shall comply with all Fire Prevention Division requirements at time of development permit Application (As per 1997 Fire Code and NFPA Life Safety Code).

Duly sworn, the applicant Elia Gutierrez and her daughter Noemi Castillo appeared before the Committee. Ms. Castillo translated for her mother and the following facts were gleaned for the record. The second home would be placed on the property to help her daughter who has two small children. The applicant injured her back at work and having her daughter nearby would be helpful financially and emotionally.

Mr. Dalton advised the Committee that currently there is only one dwelling unit on the property.

Chair DeAnda advised the applicant that there are only certain conditions that the Committee can consider. Unfortunately, stated the Chair, personal hardships are not within the conditions. The applicant verified that staff has advised her of this.

Duly sworn, Dennis Ortiz of North Horizon Lane said he was not necessarily opposed but wanted the Committee to know there were four lots sharing one well and an additional residence will further stress the well. He was one of the well users. He said there are separate water meters but he could not verify there was an executed shared well agreement.

There were no other speakers on this case.

Member Katz stated this tract was split below the minimum acreage through a family transfer and then sold. He said the lot did not fulfill the purpose of the family transfer and to further increase the density is not appropriate.

Member Katz moved to recommend denial of #V 12-5120. Member Valdez seconded and the motion to deny passed by unanimous [6-0] voice vote.

Chair DeAnda advised the applicant that her case will be forwarded to the Board of County Commissioners for action on August 14.

**F. CDRC Case # V 12-5180 Joseph and Hope Roybal Variance  
Joseph and Hope Roybal, Applicants, James Siebert (James W. Siebert and Associates, Inc.), Agent, request a variance of Article III, § 4 (Commercial and Industrial Non-Residential Districts), of the Land Development Code, to allow commercial zoning outside of a designated commercial district on 3.98 acres. The property is located southeast of the Village of Cuyamungue, east of the US 84-285 frontage Road, between Exit 176 and Buffalo Thunder Road, at 22 B Mystic Lane, within Section 28, Township 19 North, Range 9 East, (Commission District 1)**

Mr. Larrañaga recited the case caption and provided staff summary as follows:

“The Applicants request a variance to allow commercial uses to be located outside a designated commercial node. The Applicants state that this site is suitable for commercial uses for the following reasons: the Buffalo Thunder interchange could be considered a qualifying intersection as a Major Center District; a significant portion of the property is located within the required 2,500 foot radius used for inclusion in a Major Center Node; commercial businesses have consistently operated on the site; the site is contiguous or in close proximity to properties that are used for commercial or non-residential activity.

Staff’s response: Ordinance No. 2008-5, Pojoaque Valley Traditional Community District, vacated the existing commercial nodes and designated mixed use districts. The creation of a Major Center District at the Buffalo Thunder interchange would encompass a portion of the Traditional Residential District as designated by the Pojoaque Valley Traditional Community District. A County Business Registration was assigned to the property for New Mexico Trees in 1996 and expired in 2007, no other Business Registrations have been issued to this site. The neighboring properties with commercial or non-residential activities are State and Pueblo owned and the County has no zoning jurisdiction on these parcels.”

Mr. Larrañaga said staff has reviewed this Application for compliance with pertinent Code requirements and finds the project is not in compliance with County criteria for this type of request. Therefore, staff recommends denial of a variance from Article III, § 4 Commercial and Industrial Non-Residential Districts, of the Land Development Code, to allow commercial zoning outside of a designated commercial district on 3.98 acres.

If the decision of the CDRC is to approve the Applicant’s request, staff recommends imposition of the following condition:

1. The Applicant shall submit, in a timely manner, a request for Master Plan Zoning to the Building and Development Services Department (As per Article III, § 4.1.1.6).

Chair DeAnda asked whether there had been an opportunity to renew the business registration on the site. Mr. Larrañaga said the permit was closed for any number of reasons.

Member Katz asked why the property was not included in a major center district. Mr. Larrañaga said the surrounding properties are either state or pueblo land. An amendment to the Pojoaque Community Ordinance would be required to create the node.

Member Katz said he understood some of the vicinity property was not within the County's jurisdiction but designating the property as commercial seemed appropriate.

Referring to a site map, Mr. Larrañaga delineated the site in question and noted the surrounding residential area. He indicated that the property was outside of Pojoaque's ordinance mapping area

Member Katz asked why if the property is outside the mapping area couldn't it be designated as commercial. Mr. Larrañaga said creating that node will overlap into the Pojoaque mapping area.

Chair DeAnda said it was difficult to understand why this property was not now appropriate for commercial use. Mr. Larrañaga referred to Article III, § 4.1 which states that commercial and industrial non-residential land uses are permitted only in zone districts of various sizes and locations which this property does not meet. The Code strives to avoid strip commercial and industrial patterns of development patterns along highways, arterials, collectors and local roads.

Responding to Member Anaya's question, Mr. Larrañaga said the County has jurisdiction over the property in question. He said the County will probably forward the master plan to the pueblo.

Appearing for the applicant and duly sworn was agent/planner Jim Siebert. He displayed a vicinity map and stipulated that the map was accurate. The node is established from the center of the interchange and using an aerial photograph he located the Pojoaque Pueblo hotel, golf course, Nambe Pueblo's gas station and convenience store and NMDOT storage yard – none of which are under County jurisdiction. Regardless of the jurisdiction, two sides of commercial activities neighbor the Roybal's property. Joseph Roybal has been operating in this locale since 2001 and has a good relationship with his neighbors noting there was a home business on one of the neighboring lots.

Mr. Siebert noted that the property was within Section 28, which is not listed in the ordinance, related to Pojoaque.

Mr. Siebert said the question is whether the major center district or the node applies. Some of the property is subject to the Pojoaque Valley District Plan and that plan recommended the elimination of all nodes. He asked where that leaves property that is outside of the district plan and he further questioned the rationale of eliminating one section of the code and imposing another.

Given all the ambiguities, Mr. Siebert asked that the Committee look at the merits of the request – that it is basically surrounded by commercial development, had been used as a tree nursery and retail nursery since 1975. Thompson Wells moved in after 2001.

Responding to a series of questions posed by Member Gonzales, Mr. Siebert offered the following information: There is a business license from 2007, Thompson Wells has been operating from the site since 2001 and there is a residence on the property that the Roybals do not live in. In regards to equipment on the property, Mr. Siebert said there is a mechanics shop on the property and equipment is generally parked at the operation site, not on the property.

Mr. Siebert said the property owner is drills and repairs wells.

There was no one in the public wishing to speak regarding this request.

Mr. Larrañaga said if approved the property would be eligible for zoning which occurs with the master plan. He indicated that Mr. Siebert has reviewed the conditions and staff has not received any concerns from area residents.

Mr. Katz moved to approve the variance with the condition imposed by staff. Mr. Anaya seconded and the motion passed by unanimous [6-0] voice vote.

**G. CDRC CASE # V 12-5230 Joseph and Anna Garcia Variance. Joseph & Anna Garcia, Applicant's, request a variance of Article III, Section 10 (Lot Size Requirements) of the Land Development Code to allow a Small Lot Family Transfer Land Division of 2.516 acres into two lots. The property is located at 3 Avenida Pita, within Section 10, Township 15 North, Range 10 East, (Commission District 4) [This case is presented verbatim per staff request]**

MR. DALTON: Thank you, Madam Chair. Joseph and Anna Garcia, applicants, request a variance of Article III, Section 10, Lot Size Requirements of the Land Development Code to allow a Small Lot Family Transfer Land Division of 2.516 acres into two lots. The property is located at 3 Avenida Pita, within Section 10, Township 15 North, Range 10 East, Commission District 4.

The applicants request a variance of the Land Development Code to allow a small lot family transfer of 2.516 acres into two lots. The subject lot was created on February 11, 1985, under development permit number 85-96. There is currently one dwelling unit on the property.

The Applicants state they are requesting a variance for many reasons. Their son and daughter- in-law were born and raised in Santa Fe where they received their education. They are both active members of the working community and their son is an active member in the Army National Guard. The Applicants would like to be able to share something that was worked hard for with their son, daughter-in-law and grandchildren. The Applicants further state their son and daughter-in-law pay high rent

and live in an unsafe neighborhood and would like his daughter-in-law to live close, so they are looked after while his son is deployed and away on trainings. Furthermore, the Applicants state that they can help with childcare and later on in life will need assistance of their own.

Recommendation: Staff recommends denial of a variance from Article III, Section 10 of the Land Development Code. If the decision of the CDRC is to recommend approval of the Applicant's request, staff recommends imposition of the following conditions. Madam Chair, condition number two really doesn't apply to this case but I do have a condition that should be applied to this case. And that condition should read: [see condition two]

1. Water use shall be restricted to 0.25 acre-feet per year per home. A water meter shall be installed for each residence. Annual water meter readings shall be submitted to the Land Use Administrator by January 1st of each year. Water restrictions shall be recorded in the County Clerk's Office (As per Article III, § 10.2.2 and Ordinance No. 2002-13).
2. The Applicant shall submit a plat of survey to the Building And Development Services Department in accordance of all Code requirement (As per Article II, subsection 2.4.28)
- ~~2. The Applicant must obtain a development permit from the Building and Development Services Department for the additional dwelling unit. (As per Article II, § 2).~~
3. Further division of either tract is prohibited; this shall be noted on the Plat. Only one dwelling unit shall be permitted on each lot (As per Article III, § 10).
4. The Applicant shall comply with all Fire Prevention Division requirements at time of Plat review (As per 1997 Fire Code and NFPA Life Safety Code).
5. All litter, debris and junk vehicles shall be removed from the property prior to Plat recordation (As per Ordinance No. 1993-6 and 1993-11).

CHAIR DeANDA: So you've amended the conditions. Any questions of staff? No. Is the applicant present? Why don't you come forward and be sworn in.

[Duly sworn, Joseph and Anna Garcia testified as follows]

CHAIR DeANDA: Would you like to make a presentation?

JOSEPH GARCIA: Yes, Madam Chair and Board members.

CHAIR DeANDA: Please could you speak closer to the mike?

MR. GARCIA: Okay. We're requesting a variance so that we can – my wife and I have a small house on 2.5 acres. We live on approximately ¼ of an acre, on one end of it leaving over 2 acres vacate. And we'd like to request a variance because where my son and his family currently live they've been burglarized several times, they've been – they've had their vehicles vandalized. They live in a trailer court and my son, of course, is in the military and get deployed for long periods of time and for security for his family and other reasons that's why we're requesting this variance.

He'll eventually inherit the property. He was raised on the property and that's about what I have to say.

CHAIR DeANDA: Did you want to add anything?

MS. GARCIA: No.

CHAIR DeANDA: Thank you. Any questions from the Committee to the applicant? No. Then this is a public hearing. I'll see if there is anyone here to speak in favor or in opposition. Is there anyone here to speak in favor of the applicant's request? [No one responded.] Anyone here to speak in opposition to it? [No one responded.]

No, then I'm going to close it and bring it back to the Committee. Did you have something Mr. Anaya?

MEMBER ANAYA: Sorry, my mike was off. The subject property is 2.516 and not the adjacent property but the property just across from it are 1.25, so by them being allowed to - are they asking to divide the property in half, exactly in half?

MR. GARCIA: Yes.

MEMBER ANAYA: With no easement between the two?

MR. GARCIA: No, it will loop one end of our property throughout the area it's our property that has the easements.

MEMBER ANAYA: So you probably won't know this answer, but I'm going to ask it anyhow. You're probably going to get netted about 1.25 acres per each one if you just cut it in half; is that correct?

MR. GARCIA: Yes.

MEMBER ANAYA: Thank you.

CHAIR DeANDA: No one else has a question? Mr. Dalton, I understand your recommendation is based on the fact that the minimum lot size in this particular zone is 80 acres per dwelling unit and you can reduce it to 20 acres per dwelling unit with signed and recorded plat restrictions and you can reduce it further to 10 acres via a small lot family transfer. So my question is how did we end up with a 2.516-acre lot in this district in this zone?

MR. DALTON: Madam Chair, the original subdivision was called the Miller Subdivision and that was created in 1984. There was 13 lots created and they were all 5 acres lots and one 7 acre lot. In 1984 or '85 this lot was created. I don't know how this lot was recreated. Regulations may have been different back in 1985. But this lot is well below the minimum lot size for today's criteria.

CHAIR DeANDA: Okay, thank you. Did you understand what he just explained to us?

MR. GARCIA: Yes.

MS. GARCIA: Yes.

CHAIR DeANDA: You realize that that has to do with the minimum lot -

MS. GARCIA: Yes, but our neighbors across the street have a 1-acre lot, 1.25 or something.

MR. GARCIA: When we purchased it there was about all the 13 lots were 2.5-acre lots and we purchased it as 2.5. All that happened before that actually we don't really know.

CHAIR DeANDA: So you don't have any other history on it other than when you purchased it and the size of the lot?

MR. GARCIA: Yes.

CHAIR DeANDA: Thank you. Any other questions from the Committee? Is there a motion?

MEMBER ANAYA: Madam Chair.

CHAIR DeANDA: Mr. Anaya.



MEMBER ANAYA: Madam Chair, I'd like to make a recommendation, a motion to approve the family lot transfer with recommendations from the staff.

CHAIR DeANDA: Is there a second to the motion?

MEMBER VALDEZ: I second.

The motion tied with a 3-3 vote as follows: Voting for were Members Anaya, Gonzales and Valdez. Voting against were Member DeAnda, Katz and Drobnis.

CHAIR DeANDA: We have a tie vote: 3 to 3 which means that, Mr. Dalton, it comes back to the next meeting.

MR. DALTON: Madam Chair, that is correct. That means this case is automatically tabled until the next meeting.

CHAIR DeANDA: We have someone who is absent today so that person will likely be here and we'll be able to resolve the tie. Thank you.

**H. CDRC CASE # MP/PDP/FDP 12-5210 Ravens Ridge Bed and Breakfast: Phyllis Johnson, Applicant, requests Master Plan Zoning, Preliminary and Final Development Plan approval for a Bed and Breakfast within an existing residence on 2.78 acres. The property is located at 22 B Ravens Ridge Road, within Sections 17 & 18, Township 16 North, Range 10 East, (Commission District 4)**

Mr. Larrañaga recited the case caption and provided staff report as follows:

“The Applicant requests Master Plan Zoning, Preliminary and Final Development Plan approval to allow an existing residence to operate as a Bed and Breakfast. There will not be any structural changes to the 6,500 square foot residence. The request is to utilize three of the four bedrooms for the Bed and Breakfast. The Applicant is not proposing any expansion for the use on the 2.78-acre site. The Applicant states: ‘this request is to offer overnight lodging and breakfast for visitors coming into the Santa Fe area. Three bedrooms would be used for this purpose.’

“Building and Development Services staff has reviewed this project for compliance with pertinent Code requirements and has found that the facts presented support this request: the Application is comprehensive in establishing the scope of the project; the Preliminary Development Plan substantially conforms to the proposed Master Plan; the Application satisfies the submittal requirements set forth in the Land Development Code.

“The review comments from State Agencies and County staff has established findings that this Application is in compliance with state requirements, Article III, § 4.4, Development and Design Standards, Article V, § 5, Master Plan Procedures and Article 5, § 7 Development Plan Requirements of the Land Development Code.”

Mr. Larrañaga said staff recommends approval with the following conditions:

1. The Applicant shall comply with all review agency comments and conditions, Article V, § 7.1.3.c.
2. Master Plan, Preliminary and Final Development Plan, with appropriate signatures, shall be recorded with the County Clerk, as per Article V, § 5.2.5.

Chair DeAnda asked whether the property is currently or ever had been used as a bed and breakfast. Mr. Larrañaga responded that the applicant is using the residence as a bed and breakfast and is coming forward for the appropriate zoning. He indicated that because a bed and breakfast integrates well in residential areas, it is permitted throughout the County.

Member Anaya asked whether the property was properly licensed for the business. Mr. Larrañaga said it is not and this is zoning request is part of the application process.

Mr. Larrañaga said the applicant will be required to update the septic permit and the Fire Department has a few conditions. Mr. Larrañaga said the water use will be limited and he was unaware of any impact to or opposition of neighbors.

Duly sworn, Phyllis Johnson, applicant, said they attempted to do the bed and breakfast right from the beginning. The process of getting licensed for a home-based business has taken over a year. She indicated that she participated on the new Code rewrite task force. The Fire Department inspected the property and approval was granted. She said the B&B has been in operation and she estimated the occupancy is 10 days a month. The guests are usually out for the entire day and come back to sleep and then leave again after breakfast. She said she was unaware of any impact on her neighbors.

Ms. Johnson said local people in the industry advised them to operate under the radar, she said they have wanted to do it above board since the beginning.

Responding to the Chair, Ms. Johnson said they have been operating as Ravens Ridge since March of 2011.

There was no one from the public wishing to speak on this case.

Chair DeAnda assured Ms. Johnson that the letters of support were included in the Committee's packet material.

Mr. Larrañaga said that bed and breakfasts are permitted in the County; however, the applicant is required to meet the requirements of master plan zoning, preliminary and final development plan approval.

Captain Buster Patty said the roadway and driveway meet Code requirements. The gate is 14 feet, which meets the minimum requirement. The driveway is 16 feet.

Chair DeAnda moved to approve MP/PDP/FDP 12-5210, Ravens Ridge Bed and Breakfast with the staff-imposed conditions. Member Anaya seconded and the motion passed by unanimous [6-0] voice vote.

- I. **CDRC CASE # V 12-5200 Robert and Bernadette Anaya Variance**  
**Robert and Bernadette Anaya, Applicant's, Talia Kosh (The Bennett Firm), Agent, request a variance of Ordinance No. 2007-2 (Village of Agua Fria Zoning District), § 10.5 (Village of Agua Fria Zoning District Use Table), to allow a Towing Business as a Special Use under the Zoning Use Table on 0.70 acres. The property is located at 2253 Ben Lane, within the Traditional Community of Agua Fria, within Section 31, Township 17 North, Range 9 East, Commission District 2 [Exhibits 3, 4 and 5: Neighbor letters in opposition to the request]**

Mr. Larrañaga read the case caption and provided the staff report as follows:

“The Applicants request a variance to allow a towing business as a Special Use under Ordinance No. 2007-2, § 10.5, Village of Agua Fria Zoning District Use Table. The use as a towing company falls under the category of “Vehicle service not listed” and is not allowed as a use as outlined in the commercial use category within the Traditional Community Zoning District. A Special Use is an allowed use which is subject to Master Plan and Development Plan approval by the Board of County Commissioners.

The Applicants state that ‘the towing business has been in operation since 1989 at the current location and the property has been in the family for generations. The

ability to operate the business with eight towing vehicles on the site provides a community service in response time to emergencies.’

The Applicants were issued a notice of violation of Ordinance No. 1992-3, Business Registration and Licensing Ordinance, on February 9, 2012, for operating a business without a County Business Registration. It was determined by staff that this type of business activity was not allowed within the Agua Fria Traditional Community under Ordinance No. 2007-2.

Article II, § 3 of the County Code states: ‘Where in the case of proposed development, it can be shown that strict compliance with the requirements of the code would result in extraordinary hardship to the applicant because of unusual topography or other such non-self-inflicted condition or that these conditions would result in inhibiting the achievement of the purposes of the Code, the applicant may submit a written request for a variance.’ This Section goes on to state ‘In no event shall a variance, modification or waiver be recommended by a Development Review Committee, nor granted by the Board if by doing so the purpose of the Code would be nullified.’ The variance criterion does not consider financial or medical reasons as extraordinary hardships. Article II, § 3.2 states: ‘In no case shall any variation or modification be more than a minimum easing of the requirements.’”

Mr. Larrañaga said Growth Management staff reviewed the Application for compliance with pertinent Code requirements and found the Application is not in compliance with County criteria for this type of development. Staff has conceptually reviewed the site for zoning requirements as a Special Use and has determined that further variances may be required for this site to meet Master Plan/Development Plan criteria. Staff recommends denial of this variance from Ordinance 2007-2, Village of Agua Fria Zoning District, Section 10.5 Village of Agua Fria Zoning District Use Table, to allow a Towing Business as a Special Use under the Zoning Use Table.

Member Gonzales asked how this case came before the CDRC without a recommendation from the Agua Fria Village local review committee. Mr. Larrañaga said that committee was disbanded with the other local review committees with the CDRC providing the overall review. If the variance is approved, the Agua Fria Village Association will have an opportunity to review the master plan.

Member Gonzales noted that the towing company has used the subject site since 1989. He asked what circumstances have changed requiring this variance application to come forward. Mr. Larrañaga said the ordinance was established in 1981 and the 1989 business cannot be grandfathered or receive non-conforming status. A notice of violation was issued to the applicant and further the applicant has never had a County business license at this location.

Member Gonzales was surprised the business was able to operate for over 20 years in the location without any complaints and under the radar. Mr. Larrañaga said it is

the applicant's assertion that the business has been operated at the site since 1989. He noted that the County has three code enforcement officers and basically work from a complaint-driven perspective.

Responding to Member Valdez's question regarding prior actions on this business, Mr. Larrañaga said the EZC heard and denied the applicant's previous request to store vehicles on the property. The vehicles were removed from the property.

*[Exhibit 6: Applicant prepared notebook in support of the application]*

Merit Bennett, counsel for the applicant, confirmed that the case is before the CDRC as a result of a complaint from the Anaya's cousin, Henry Romero. Mr. Bennett said one of Anaya's trucks knocked down a portion of Romero's wall resulting in \$500 of damage and Romero demanded \$7,000, Anaya refused and this case is now before the CDRC.

Mr. Bennett said he has known the Anaya family for 25 years and said "you cannot find anybody more honest and hardworking than these people." He said the business has been in operation since 1989 at this location out of their home. He explained that the business has the capacity to tow, pull and lift vehicles which according to Mr. Bennett makes them unique. The business is used by DOT, State and City police to respond to emergency situations. There are eight vehicles, each with unique abilities. The vehicles are parked on the back end of the applicant's property on Ben Lane.

Referring to the booklet *[Exhibit 6]*, Mr. Bennett said it contains a variance request as well as a special use request. It is his belief that the variance is not necessary and instead the business should be issued a special use permit. The packet includes an overhead map of the vicinity, a listing of 10 other vehicle-related businesses in the vicinity with a site map, and letters of appreciation to the Anayas. He said there were actually 29 businesses with ¼ miles of the Anaya property and that information was also outlined in the report.

The presence of 29 businesses in the area verifies the business patterns in the Agua Fria community of which the Anaya's have been members of for over 23 years.

Mr. Bennett said there is no increased traffic or signage of the business on Agua Fria. Mrs. Anaya works the dispatch from within their home on the property and the vehicles need to be on the property because they serve as emergency responders. Vehicles are not stored on the Anaya property.

Mr. Bennett isolated the Larrañaga property in the booklet, which is a stable/rodeo facility and at an event this past weekend, he testified there were 200 attendees. He said the Anaya operation is of a lesser impact to the area. As an aside he identified that case manager Larrañaga was related to this facility.

Mr. Bennett said the only reason this case is before the CDRC is because cousin Romero did not receive the compensation he deemed he deserved.

Mr. Bennett referred to the second tab 7 which contained 119 signatures “from their neighbors” who support and understand the service that the Anayas provide to their own neighborhood. Mr. Bennett asked those present in support of the application to stand. [Approximately six individuals stood.] Mr. Bennett added it was difficult for people to attend.

With respect to the issue of fire emergency response, Mr. Bennett said there is a fire hydrant within 500 feet of the property. He also pointed out that this is not a commercial development. The only activity is parked vehicles. Mr. Bennett said the applicant is not bothering anybody, “certainly the complainant has not been bothered for 23 years.”

Mr. Bennett said this was an appropriate case to be granted a variance. He said the applicant has licenses from the City and DOT and applied for a license with the County but was told to wait until this variance process was over.

Member Valdez said there appear to be vehicles parked beyond the Anaya’s property line in a photograph provided within the County-prepared packet. Mr. Larrañaga said those photos were supplied by the applicant as part of their submittal and they date back to 2008.

Staff and the applicant’s counsel clarified the property lines for Member Valdez.

Duly sworn, applicant Robert Anaya, appeared before the Committee and answered a series of questions posed by the Chair. He indicated that he bought his business in 1989 with five trucks that were considered Class A-B tow trucks. Over the years the business has expanded to a Class A-B, C-D which includes semis and tractor trailers, etc. The impound lot is located 2.3 miles from his home off Siler on Industrial Road within the City limits. There are approximately 100 vehicles in the lot and he estimated its size as 1.5 to 2 acres. When he bought the business the license was transferred to him. He likened the license to that of a liquor license having a limited number available within the state. There is no expiration date on the license/permit.

Mr. Anaya discussed the different classifications of towing services.

Chair DeAnda asked what options the applicant had for storing his tow trucks. Mr. Anaya said being on the emergency call list there are no options. He said he always carries a pager and responds automatically to incidents.

Chair DeAnda asked whether the immediate vicinity has changed much since Mr. Anaya has had his business. He said it has, noting on the east there is a body shop. She asked whether any nearby businesses operate 24/7. Mr. Anaya mentioned a few wrecker services within a few blocks of his home, stating “you’ve got wrecker services all over the place.”

Chair De Anda said it seems at some point a business grows too big to be in a residential area. Mr. Anaya responded that they didn’t want that. In fact, the business

has all the tow trucks it needs and there is no reason to expand. He discussed the cost of the trucks and the sacrifices his family has made to pay for them.

Mr. Anaya said including himself, the business employees three people – his son and another person. During the winter he hires contract labor because the calls increase.

Member Drobnis asked what made Agua Fria an attractive location for towing companies. Mr. Anaya's response implied Agua Fria provides a good central location for a fast response time. He mentioned access to 599 and went on to say that his personnel are highly trained.

Mr. Bennett clarified that the off-site impound lot is not a possibility to park the trucks and access them to respond to a call. He said the lot cannot be adequately locked and the trucks would be vandalized. The location of the trucks at the Anaya residence is best because it is down at the end of a lane, out of sight and provides immediate access to the driver.

Chair DeAnda informed the applicant that letters of opposition were provided to the Committee [*Exhibits 3-6*] and she asked Mr. Bennett when he thought a business becomes a nuisance in a residential neighborhood particularly a 24/7 business.

Mr. Bennett responded that all of the tow truck companies would have to be cleaned out of the neighborhood. Further, Mr. Anaya stated he has not expanded and has attained the capacity that serves the community to his maximum ability. Mr. Bennett said the use is consistent with the character of the neighborhood by virtue of the 29 businesses within a quarter mile of the Anaya's driveway.

Member Gonzales asked whether the other towing companies the applicant has cited are properly licensed. Mr. Larrañaga said some are non-conforming with licenses, others have licenses, and others the County is checking on. The County has required business licenses since 1981. Mr. Larrañaga confirmed that had Mr. Anaya been operating out of the property prior to 1981 the use could be grandfathered. Reviewing an aerial photo Mr. Larrañaga said trucks are not shown in the Anaya property.

Referring to the photo, Mr. Bennett said there are vehicles that belong to Mr. Anaya apparent and a photo is one moment in time. Mr. Anaya has testified under oath that his business has been ongoing for 23 years.

Duly sworn, Robert Anaya, the applicant's son, said the trucks are diesel and plugged in during cold nights; the trucks are not running throughout the night. Having lived on the property since he was 5, Mr. Anaya said he is well aware of children in the area. He explained that for many years they parked their trucks on an adjacent property owned by his mother's aunt. When the aunt died the property was subdivided and his mother inherited the piece they now live on. Technically, the trucks have been parked on the property since the beginning because it originally was one lot.

The applicant, Mr. Anaya, said they have been paying taxes to Santa Fe County for parking the trucks on the property. Chair DeAnda asked when they started paying taxes and Mr. Anaya was unable to answer that question.

Duly sworn, Bernadette J. Anaya, said she submitted to their attorneys her tax information and it was under Anaya's Roadrunner Wrecker and was only \$3 or \$4. The last time she received a tax bill was 2009 and that was the last time she paid. She recalled paying taxes from 1989 or 1990 to 2009. Applicant Robert Anaya said that proves the County acknowledged via the tax bill that trucks were parked on the property.

Applicant Anaya said he was confused by the fact the County sent a tax bill yet now, 23 years later, the County contends he needs a business license.

Speaking in opposition to the variance and duly sworn were Felipe and Georgia Romero. Ms. Romero identified themselves as the Romeros Mr. Bennett referred to. She said they live on the northern side of the property and they built the privacy wall to control the weeds, contamination and rodents. She said in 1989 they appeared before the County because one day the Anayas cut their fence and towed in 20 cars onto the Anaya yard through their property. She said at that time Mr. Anaya was aware of the fact they were in violation of County law because the County denied him "right here in this same room."

Ms. Romero said she worked for Taxation and Revenue Division for 25 years, eight of those years as an auditor in property tax and there was no way the Anayas paid \$3 or \$4 yearly to Santa Fe County for that many trucks. Their office, backhoe, trucks and other equipment are all taxable.

Ms. Romero said they are living with the pollution that is generated from the applicant's property. "It never, ever stops," she stated. If they do have block heaters for their trucks as stated by the applicant's son, Ms. Romero said they don't use them because the trucks run for hours.

Ms. Romero said Anaya is being investigated by DOT because it's dangerous for those big trucks to turn off of Lopez Lane onto Agua Fria. She said there are school buses and children on Lopez Lane. She said Anaya is registered to do business with the PRC in the City not Santa Fe County. She said he also parks trucks off of Perry Lane near the Nancy Rodriguez Community Center and another site on Airport Road. Ms. Romero said the company is more a salvage company than a tow company.

Ms. Romero said people looking for Mr. Anaya come to her gate in the middle of the night.

Ms. Romero said one of Anaya's tow trucks that was last registered in 2006 and was not insured knocked down her wall in January 2012. She said Ben's Lane is a narrow dirt road and not safe for the tow truck traffic. Because Anaya is family the norm on Agua Fria is to "keep your mouth shut and not do anything" but it's got to stop. Returning to her damaged wall, Ms. Anaya said her insurance company gave the estimate of over \$7,000. She said they did not extort money from the Anayas, they have insurance and the proper abstract and can fix it. She said other businesses in the area stop working at 5, are respectful of the neighbors with the appropriate fencing and lighting. Returning to the wall, Ms. Romero said they had to get a restraining order to keep Anaya off her property, in fact, she said she checked with DMV and the registration number of the vehicle that hit the wall is not the same vehicle that hit the wall.

Ms. Romero questioned Mr. Anaya's business ethics and was concerned that he has not been paying taxes while he contributes to the deterioration of Agua Fria and is a



hazard to other traffic. She said she was tired of it and while many of her neighbors will not speak up because Mr. Anaya intimidates them, she will not be intimidated by him.

Chair DeAnda asked why after the applicant was denied a permit in 1989 has Ms. Romero waited to come forward about this violation. Ms. Romero said their 6'4" wall affords them tremendous privacy. She had reservations about the assertion Anaya has been running his business there for 23 years. According to PRC documents he was working in the City.

Mr. Romero said he was unsure how many trucks were parked on Anaya's property. He said he and his wife don't bother anybody.

Ms. Romero said it wasn't until the wall came down that they were made aware of the number of trucks on the property. She repeated that if he has been doing business at the subject property for 23 years it was appalling that he has not paid appropriate taxes. And as far as other towing services on Agua Fria, Ms. Romero said her immediate concern was what was happening in her backyard and not the other businesses. She mentioned that on the internet it states Anaya's business does mechanical work.

Duly sworn, Robert and Diane Roybal testified before the Committee. Ms. Roybal said she neighbored the Anaya property and her kitchen window looks out to their trucks. She respected Mr. Anaya's right to have a business but also wanted her rights to live in safety and have a home respected. She said there is a fence that divides their property but the fence is down now.

Ms. Roybal said "we all need to get along" and shouldn't be in fear of speaking out.

Mr. Roybal said they have known the Anayas for many years and understands they have to make a living. He said his son got in trouble when Anaya had salvaged cars on the property and that was a difficult situation. The lanes in the Agua Fria area are all very narrow and safety needs to be considered. The applicant has a crane and other equipment on his property.

Ms. Roybal said she did not know what plans were being made to improve access onto Agua Fria but she clearly stated that she and her husband were not willing to give up any of her land for access. She asked for a copy of the petition the applicant referenced that was supposedly signed by 100 supporting neighbors.

Ms. Roybal said the neighbors provided a petition in 1989 to the County and the Board at that time sided with the neighbors.

Staff presented the CDRD with a letter [*Exhibit 7: County Land Use Administrator letter dated 9/16/1989*] and Mr. Larrañaga said this letter is the County's formal response following the EZA action advising Mr. Anaya that his request to operate a small scale commercial vehicle impound yard was denied and to discontinue all commercial activity in 45 days.

Mr. Dalton said the EZA's decision was made at a public hearing where the applicant was present.

Fire Captain Patty explained his recommendation for denial having to do with the 1997 Uniform Fire Code required access and turnaround size required. The road and turnaround do not meet UFC requirements. Measuring distance to a hydrant is done by roadway as a hose would be laid not by a bird's flight. He offered to recheck the distance from the hydrant to the commercial operation which per the applicant's request included a shop.

Mr. Anaya said he measured with a County employee the driveway entrance at Ben Lane and Agua Fria to the end of the property and it is 30 feet which exceeds the requirements. He said there is a hydrant installed by the water association at the end of Ben Lane. The heaviest truck is probably 38,000 pounds and the lightest 8,000 pounds. The bigger trucks were purchased in 1997. He explained how the licensing for the industry has changed.

In regards to where he has parked his trucks over the years, Mr. Anaya said all of the property had belonged to his wife's aunt and he parked in front of his home. Following the aunt's death the property was subdivided and where they had been parking belonged to another relative. He said they have no trouble turning camper trailers on the property.

Ms. Anaya stated they have paid taxes and she has record proving everything is up to date.

Duly sworn, Patrick C de Baca, a resident of Ben Lane stated he would not give up any of his property to improve the cul-de-sac.

Chief Patty said there is a requirement for a turnaround on any roadway of 150 feet.

Mr. C de Baca said the Anaya trucks are not always parked on the Anaya's property. He repeated that he would not give any of his property to address the turnaround issue.

Returning to the podium, Mr. Bennett said in 23 years there has not been one accident or complaint regarding the safety issues. He repeated a statement made by Ms. Romero that, "we didn't realize he was parking all those trucks there until they hit our wall" which evidenced Mr. Anaya's business is not a nuisance.

Member Gonzales asked why there wasn't follow-up on the commercial activities following the 1989 letter from the County. Having not been with the County in 1989, Mr. Dalton apologized that he was unable to answer the question.

The applicant said he complied with the County and removed the vehicles to the impound lot and rented a location in the City. The variance before the Committee is to allow him to park his tow trucks on his property for fast, easy access to address emergencies.

Mr. Anaya said parking his trucks on his property is not commercial activity. Member Anaya said the 1989 letter [*Exhibit 7*] states very clearly that all commercial activity is to cease.

Member Valdez asked why the wall became an issue: Why wasn't it just fixed? Mr. Anaya responded that there had been some deaths in his family, it got complicated with the contractor who owed him favors and now wasn't available, and the Romeros were unreasonable with restraining orders and all.

Chair DeAnda said the problem is the business has outgrown its location.

Prefacing his motion that he is not related to the applicant, Member Anaya said he felt strongly that emergency response was important and moved to approve the variance request. His motion failed without a second.

Stating he too valued emergency response but that was not the question before the Committee, Member Katz moved to deny the variance. Member Gonzales seconded and the motion passed by majority [4-1] voice vote with Member Anaya voting against and Member Valdez abstaining.

The case will be forwarded to the BCC.

**VIII. PETITIONS FROM THE FLOOR**

None were offered.

**IX. COMMUNICATIONS FROM THE COMMITTEE**

None were offered.

**X. COMMUNICATIONS FROM THE ATTORNEY**

None were presented.

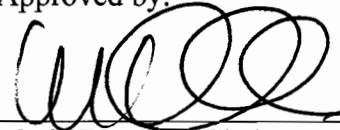
**XI. COMMUNICATIONS FROM STAFF**

None were presented.

**XII. ADJOURNMENT**

Having completed the agenda and with no further business to come before this Committee, Chair DeAnda declared this meeting adjourned at approximately 8:05 p.m.

Approved by:



7/19/12

Maria DeAnda, Chair  
CDRC

ATTEST TO:

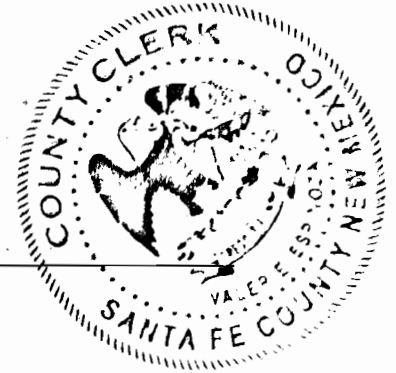


COUNTY CLERK

Before me, this \_\_\_\_ day of \_\_\_\_\_, 2012.

My Commission Expires:

\_\_\_\_\_  
Notary Public



Submitted by:

  
Karen Farrell, Wordswork



TO THE COUNTY DEVELOPMENT COMMITTEE.

CDRC CASE #V 12-5140

On the matter of a Variance artical 111. section 10 on the  
Carlson subdivision: East Frontage RoadSection 34

We are OBJECTING to this proposal.

Sincerely;

Adolph Narvaiz

A handwritten signature in cursive script that reads "Adolph Narvaiz".

Eleanor Narvaiz

A handwritten signature in cursive script that reads "Eleanor Narvaiz".

CLERK RECORDED 07/23/2012

Santa Fe County  
Land Use Administrator  
P.O. Box 276 SF.

Re: CDRC CASE # V12-5120

As an interested party I am writing to express opposition to this variance request.

Allowing this second unit on 1.24 will set a precedent beyond what can be sustainably supported by the restricted water use allowed.

Most lots in this area are 2.5 ac. and some have been split to 1.25 thru family transfer.

Allowing this request will increase density to four (4) times what is permitted by the land use code, and is much more than a minimum relaxing of code requirements.

Thank you

CLERK RECORDED 07/23/2012

June 18, 2012

County Land Use Administrator  
P. O. Box 276  
Santa Fe, N.M. 87504-0276  
June 18, 2012

Re: CDRC Case # V 12-5200 Robert and Bernadette Anaya Variance

Reference above case allowing a towing business, Anaya's Roadrunner Wrecker Service Inc. & Bob's Towing be allowed at named address located in the Agua Fria is hereby objected.

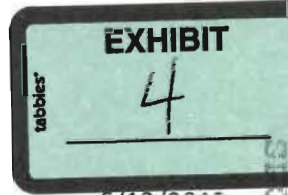
There are too many homes near and around that location with small children. The tow trucks are oversized and much too dangerous to be near residents, make too much noise during all hours of the night and morning, the fumes from the trucks enter homes through air conditioners in the summer and heating system in the winter which is also hazardous to everyone, children and adults living in the area.

For reasons stated above I hereby request the towing business **NOT** be approved.

Thank you,



Elaine Roybal Saavedra  
2256 Floral Dr.  
Santa Fe, NM



6/13/2012

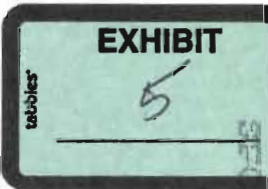
FILED CLERK RECORDED 07/23/2012

In the case #V12-58200 regarding Robert, Bernadette, and Bob Anaya the wrecker service known as The Roadrunner, Anaya's Towing, and Bobs Towing have been good neighbors of ours for several years and in the towing business for a number of years. However, the towing business has affected us by the noise, honking of the horns, the unloading of the cars and the lights flashing at night. This is all year round. The Anaya's leave the trucks on in the winter because they are diesel and have to keep them warm is what I was told by OSHA, but when it gets warmer, leaving them running 2 to 3 hours? I have to close the windows, screen doors, and turn off the air conditioner due to the fumes. I have Asthma, Bronchitis, Emphysema, and have a toddler in my house. My concern is not only for my grandchild and myself, but for the surrounding neighbors as well.

Thank You

The Roybals





June 7, 2012

County Land Use Administrator

P.O. Box 276

Santa Fe, NM 87504-0276

Attn: Jose Larranaga

Re: CDRC Case #V 12-5200, Request for a Variance of Ordinance No. 2007-2  
(Village of Agua Fria Zoning District)

This letter is in response to the Notice to Property Owners regarding a public hearing for a variance of Ordinance No. 2007-2 (Village of Agua Fria Zoning District) etc. to allow a Towing Business as a Special Use under the Zoning use Table. We are writing to formally record our opposition to the request for a variance.

Our concerns are many, but for now I can think of at least Nine important ones.

Please, seriously consider the following:

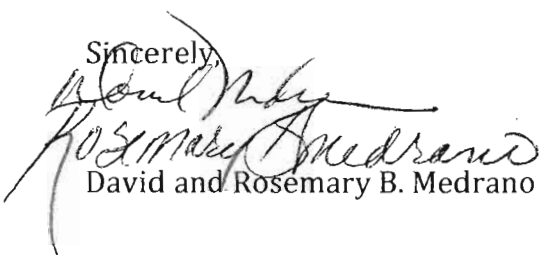
- Increased Traffic Congestion - Granting a variance will result in more in-out traffic flow to the Business from the narrow Agua Fria Street by both business operation vehicles and personal vehicle inquiries.
- Safety and Life Saving Events - Increased traffic flow to the Business will cause increased interruption and delay of the already congested Agua Fria traffic causing safety issues for Law Enforcement and life saving Emergency Vehicle Response Teams.
- Current and Future Property Values - Granting a variance will no doubt negatively impact property values now and in the future.
- Area is Designated as Residential - Homes for families, children and the elderly. Allowing this variance will result in degrading its intended purpose.
- Increased Noise and Light Pollution - Granting this variance will create noise, light pollution, undesirable disruption to living standards and unrest to the immediate neighborhood. Generally, a towing business is a 24 hr. operation. As such, allowing the variance will increase activity and create undesirable loud noises, wondering vehicle night lights, and Tow Truck flashing lights at all times during the night and the daytime. Not to mention the disruption it creates to neighborhood animals and dogs at night.
- Granting Variance is Contrary to Traditional Community of Agua Fria Neighborhood Goals - The purpose of the Traditional Community of

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Agua Fria is to maintain and nurture a comfortable and peaceful family neighborhood environment.

- Dangerous and Unhealthy Environment - Granting this variance will create an unhealthy and dangerous environment for curious neighborhood children and adults.
- Junk Metal - Storage of vehicles brings safety and metal junk concerns. Storage of vehicles and Junk Metal is an ideal place to breed rodents, snakes, diseases and hazards normally not controlled by easy means.
- Storage of Junk Vehicles - Vehicles that are not claimed and/or abandoned become an eyesore and/or become ignored. These vehicles become orphans and are likely never removed from the area for years because of various reasons.

Sincerely,



David and Rosemary B. Medrano



# COUNTY DEVELOPMENT REVIEW COMMITTEE PUBLIC HEARING

Anaya's Roadrunner Wrecker Service  
Request for Variance

June 21, 2012

FILED  
CLERK  
RECORDED  
07/23/2012

# TABLE OF CONTENTS

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SUPPORTING PETITIONS .....	Tab 7

May 11, 2012

**Re: LETTER OF REQUEST for Variances for Robert and Bernadette Anaya, 2253 Ben Lane, Santa Fe, New Mexico 87507**

To Whom It May Concern:

Robert and Bernadette Anaya, owners and residents of 2253 Ben Lane, Santa Fe, New Mexico 87507, hereby submit this letter of request as a part of their application for variance, with regard to the above-referenced property.

This letter will serve two purposes: (1) to demonstrate that the Anayas' current use of the property is a conditional or special use permitted by the Agua Fria Ordinance that would not require a variance and (2) in the alternative, if it is determined that the Anayas' current use of their property does not fall within one of the conditional or special uses of the Agua Fria Ordinance, that the Development Review Committee and the Board grant the Anaya family a variance, modification or waiver of the requirements of the Code and the Agua Fria Ordinance, in order to allow the Anayas to park their 8 tow vehicles at the back of their property.

Without a granting of this variance, the inability of the Anayas to park their tow vehicles at the back of their property will result in an arbitrary and unreasonable taking of property and will exact a hardship upon the Anayas.

Further, this letter of request will serve to demonstrate that the current use of the Anayas' property has not resulted and will not result in any conditions that are injurious to health or safety. *See* Article II, Section 3.1, Land Development Code.

Statement of Facts:

The Anayas have been longstanding residents and small business owners at 2253 Ben Lane, Santa Fe, New Mexico. Mrs. Anaya's family has owned the property in question for generations, and a majority of surrounding properties are, in fact, owned by the Anaya's family or extended family members who have witnessed the Anayas dutifully operate their tow truck business-which consists, in part, of parking their towing vehicles at the back of their property for decades, since 1989. Since 1989, the Anayas have had up to 8 tow vehicles park periodically, throughout the day, at the back of their property. These tow vehicles are parked there between dispatch calls until they are needed for the special purpose each is capable of accomplishing. *See* List of tow vehicles and employees. attached as **Exhibit H**.

The Anayas have a business license with the City of Santa Fe, under "Anayas' Roadrunner Wrecker Service, Inc." but did not understand, until this year, that they were in violation of Santa Fe County zoning ordinances for parking multiple tow vehicles at the back of their property. *See* City of Santa Fe Business License, Warrant for Transportation Services, Certificate of Liability Insurance, Certificate of Good Standing, attached as **Exhibit A**.

A discussion of the history of the Anayas' Towing business ("ARWS") is relevant to this letter of request. The Anayas' family towing business has created many relationships with emergency

SEC. CLERK RECORDED 05/23/2012

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responders over the years and stand ready to respond at any hour of the day or night to such community emergencies, including calls from New Mexico State Police Department, the Santa Fe Police Department, the Bureau of Indian Affairs, the NM Department of Transportation, Tesuque Tribal and other governmental organizations. See List of References for Anaya's Towing Services provided to governmental facilities, attached as **Exhibit B**. See also Professional Services Agreement between Anaya's Roadrunner Wrecker and Towing Services for Santa Fe County DWI Seizure Lot, attached as **Exhibit C**; See also, Letter from Department of Public Safety, confirming tow log with New Mexico State Police, attached as **Exhibit D**.

It is necessary that the Anayas be permitted to continue to park up to 8 tow vehicles on their property, as they have done since 1989, in order to be able to respond to any emergency call in a timely fashion. Should the Anayas store their tow trucks off site, the time it takes to travel to retrieve these towing vehicles could mean the difference between whether or not a life is saved or important government property is preserved. Often, emergency responders, such as the fire department and various law enforcement agencies, cannot get to victims or those in exigent and dire circumstance without the assistance of a tow truck company with the versatile capability offered by the Anayas.

The ability of a towing service, which has written and verbal agreements with several governmental agencies as do the Anayas, to respond quickly to emergencies (within 30 minutes), is a public interest concern. Over the last several decades, there have been hundreds of calls placed by various city agencies and emergency responders requesting emergency assistance from the Anaya family for their towing capacity.

In fact, the Anaya's have a very unique towing capacity that only a few other tow truck companies in the entire State of New Mexico possess. In all of Northern New Mexico, only the Anayas have the unique capacity to tow and/or recover very heavy loads, which means they are the first towing company called by several government agencies, to respond to unique emergency situations. The quick access to their vehicles at the back of the Anaya's home makes their vehicles available for emergency calls at any time of day or night. Should the Anaya's store their vehicles away from their home, this would effectively destroy their ability to respond to such emergency situation and make it impossible for them to carry out their contracts and agreements with these governmental agencies. This would injure and effectively destroy the Anaya's towing business.

Further, to find a site to lease and park most of these 8 towing vehicles off-site from their property would be prohibitively expensive to find a place for these tow vehicles, and would effectively destroy their ability to make a living in the tow truck business after over 20 years of service.

The services that the Anayas provide because they are able to park their towing vehicles on their own property serves a very important community service and interest that would not exist without the Anaya's Towing and Wrecker Service. This long-standing community service provided by the Anayas is indelibly and intricately a part of the Agua Fria Zoning District community.

The Anayas must emphasize that this letter of request IN NO WAY involves a request that the subject property be utilized as an "impound lot" or "a lot for storing vehicles." The Anaya's have complied with many of the requests from Santa Fe County to remove PERSONAL vehicles owned by the Anaya family that were considered to be "junk vehicles" that the Anayas were storing for parts to repair other vehicles. In attempting to work with the County regarding certain zoning violations, the Anayas have removed 10-11 personal vehicles as requested by the County and have registered

SEC. CLERK RECORDED 07/23/2012

several other private vehicles, in order to fully comply with all possibly applicable legal requirements.

The Anayas also must emphasize that this request IN NO WAY is a request that the subject property be used for "storing vehicles" temporarily *that have been towed by the Anayas in the course of their business*. The Anayas utilize an impound lot away from their property to provide temporary storage for all vehicles that have been towed. However, this impound lot is vulnerable to weekly vandalism and is not an appropriate site to park the Anaya's tow vehicles. Any towing vehicle left there overnight has been and would be vandalized. The security measures that would have to be in place for the Anayas to be able to park their towing vehicles at the impound lot would be so prohibitive that the Anayas would simply no longer be able to conduct their business. Further, as discussed above, this does not address the issue that the impound lot is far enough away from the Anayas' residence that they would still not be able to effectively respond to emergency dispatch calls and would effectively be put out of business if forced to park their vehicles somewhere else.

Further, in support of this letter of intent and request:

1. The parking of 8 tow vehicles on the subject property may be considered a conditional or permitted use pursuant to Santa Fe County, Ordinance No. 2007-2, Section 10.

Section 10.1 states that "The Santa Fe County Land Development Code, Ordinance 1996-10 (as amended) shall be applicable to all property within the Village of Agua Fria Zoning District, except those specifically set forth in this Ordinance." Therefore, both the Land Development Code and the Ordinance governing the Village of Agua Fria Zoning District are applicable.

The Village of Agua Fria Zoning District is intended, in part, "to implement the planning policies of the Growth Management Plan's 'Traditional and Contemporary Communities' land use designation." See ordinance No. 2007-2, Section 10.3

The Anayas are very much a part of "the traditional and contemporary community" of the Agua Fria Zoning District and have been a part of it for generations. Their children and their children's children now live on the property and so the Anayas will continue to be a part of this community for generations.

Conditional Uses are allowed if a Development Plan is reviewed and approved by the Agua Fria Development Review Committee (AFDRC) OR the County Development Review Committee (CDRC). See Santa County Ordinance No. 2007-2, Sec. 10.5. Currently, the Anayas have requested that the AFDRC review and approve the current uses of the Anaya's property with regard to the 8 tow vehicles parked at the back of their property. Should the AFDRC approve this use as a conditional use, then a variance would not be required. Parking 8 tow vehicles at the back of Anaya's property as they have for over two decades may fall under the conditional and allowable use of "Vehicle Sales And Service: Vehicle service, general.

The parking of 8 tow vehicles would fall under the category of vehicle services for the following reasons: these towing vehicles are in the business of on-call dispatch to respond to emergency and non-emergency requests for vehicle tows either to impound lots or service centers. The towing business is an integral part of vehicle service, in general.

2) The parking of 8 tow vehicles on the subject property may also be considered a specific permitted use pursuant to Santa Fe County, Ordinance No. 2007 2, Section 10

Certain Specific Uses are allowable if a Development Plan is reviewed and approved by the Agua Fria Development Review Committee (AFDRC) OR the County Development Review Committee (CDRC). Currently, the Anayas have requested that the AFDRC review and approve the current uses of the Anaya's property with regard to the 8 tow vehicles. Should the AFDRC approve this use as a specific use, then a variance would not be required. Parking 8 tow vehicles at the back of Anaya's property as they have for over two decades may fall under the specific and allowable use of "Industrial Sales and Service" category.

3) Should AFDRC and/or CDRC find that the storing of 8 tow vehicles on the Anaya's property is not a conditional or specific use allowable under the Ordinance, the Anaya's hereby request that variance of the Ordinance and/or Code be review and approved.

The proposed and requested variance for commercial activities would, in no way, increase the intrusion upon the existing, surrounding properties. There is no "further development" that would be planned. No structures are to be constructed, no new business to be conducted. The only vital part of this variance request would be to allow the Anayas to park up to 8 tow vehicles at the back of their property. This would be the maximum number of tow vehicles that would be parked on the Anayas' property at any given time. However, most of the time, only half of this number would actually be parked on the subject property, as most often these tow vehicles are out on jobs and are utilized daily.

Only one neighbor, the Romeros, have brought issue with the Anaya's conducting their towing business on their property. However, the Romeros are mis-using this process, the Code and the personnel of the County in order to further their own vicious personal goals that are not directly related to the Anayas' towing business. This is obvious because of how long the Romeros, have had no issue with the Anayas parking their towing vehicles on their property until a neighbor dispute arose earlier this year.

Variances are intended to afford relief from the strict letter of the Ordinance requirements to protect against individual hardships related to unique circumstances of a particular property. Each case of a variance therefore depends upon its own facts. The purpose of variances is not to effect amendments to what are perceived to be flaws in the zoning ordinance, nor to effect rezonings. This application for a variance in this special exceptional circumstance is the appropriate mechanism in these circumstances. *Gould v. Santa Fe County*, 37 P.3d 122, 131 N.M. 405 (N.M. App. 2001).

The Land Use Development Code does not specify a maximum amount of commercial vehicles that can be on the property at any given time, so on its face, there is no specific violation of the Code. This then turns to the procedure developed out of the Code. However, the first rule is that the plain language of a statute is the primary indicator of legislative intent. *See San Pedro Neighborhood v. Board of County Commissioners of Santa Fe County*, 206 P.3d 1011, 2009 NMCA 45, 146 N.M. 106 (N.M. App., 2009). The court will not read into a statute or ordinance language which is not there, particularly if it makes sense as written. *Id.*

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The Commission's authority for granting the variance requested and applied for in this case is found in Article II, Section 3 of the Santa Fe County Land Development Code. Section 3.1, which addresses variances related to proposed development, reads:

"Where in the case of proposed development, it can be shown that strict compliance with the requirements of the Code would result in extraordinary hardship to the applicant because of unusual topography or other such non-self-inflicted conditions or that these conditions would result in inhibiting the achievement of the purposes of the Code, an applicant may file a written request for a variance. A Development Review Committee may recommend to the Board and the Board may vary, modify or waive the requirements of the Code and upon adequate proof that compliance with [the] Code provision at issue will result in an arbitrary and unreasonable taking or [sic] property or exact a hardship, and proof that a variance from the Code will not result in conditions injurious to health or safety. In arriving at its determination, the Development Review Committee and the Board shall carefully consider the opinions of any agency requested to review and comment on the variance request. In no event, shall a variance, modification or waiver be recommended by a Development Review Committee, nor granted by the Board if by doing so the purpose of the Code would [be] nullified." Santa Fe County Land Development Code, (N.M.1980). Further, Article II, Section 3.2 provides: "In no case shall any variation or modification be more than a minimum easing of the requirements."

Further, looking at the purpose of the Ordinance in question, to preserve the traditional and contemporary community of Agua Fria Village, putting the Anayas out of business would run counter to preserving the traditional and contemporary community, of which the Anayas are an integral part. The Anaya's towing services serves to keep our community safe and a majority of their neighbors value them as essential residents and business owners of Agua Fria Village.

Multiple factors may be considered in deciding whether to grant a variance, "including the economic detriment to the applicant if the variance was denied, the financial hardship created by any work necessary to come into strict compliance with the zoning requirements and the characteristics of the surrounding neighborhood." *Hertzberg v. Zoning Bd. Of Pittsburgh*, 554 Pa. 249, 721 A.2d 43 (1998) at 50. Relying on these factors, there would be significant cost and economic detriment to the Anayas if they are forced to park their towing vehicles off of their property.

The characteristics of the surrounding area make it appropriate for the Anayas to continue to park their tow vehicles on their property. For example, the Anayas' neighbors are comprised of multiple commercial businesses with heavy traffic, and industrial, mixed uses, including, but not limited to:

- (1) The Rodriguez' Sand and Gravel Business-which utilizes multiple large commercial trucks to tow and store sand and gravel
- (2) The Padillas Commercial Bus business-which utilizes multiple large commercial buses daily with constant shuttling in and out of their property
- (3) Ce de Baca's Mechanic Business, L & G Automotive-which parks dozens of vehicles on its property for repair and maintenance, including larger vehicles

These commercial businesses surround the Anayas' property and have, over time, evolved to alter the nature of the community in that particular area, making it an area filled with mixed use properties. The Anayas parking their tow trucks at their property would be one of the more minimal mixed uses in their immediate community.

Further, in order to access the Anayas' property, one must drive down a long driveway accessible only from Agua Fria. It is a unique piece of land in the fact that the road the tow trucks use to get to the back of Anayas' property is lined with Anaya family members who have no issues with the Anayas' parking their vehicles at the back of the property. These neighbors are the only neighbors who would be affected by the traffic of the Anayas' tow trucks.

The Romeros, who are the ones who brought the complaint against the Anayas, utilize a completely different road to access their house and cannot see any vehicle enter or exit the Anayas property, so this activity does not affect the Romeros or their property in any way.

Further, should this variance not be granted, the Anayas would be denied a fundamental use of their property and a fundamental right to make a livelihood on that property and would render much of their property valueless. The only conceivable use of the part of the Anaya's property used for parking their tow vehicles would be for parking tow vehicles. The Anaya's have an unusual single lot that is connected by a narrow driveway away to their home. See Plat and Vicinity Map, attached as **Exhibit G**.

Granting this variance would result in a net public benefit. Benefit to the public is another factor that may be considered in the granting of a variance. Kenneth H. Young, *3 Anderson's Am. Law of Zoning* § 20.52, at 597 (4th ed. 1996). In this application evidence is provided showing that the public would benefit from the granting of this variance. The ability for the Anayas to continue to park their emergency dispatch tow vehicles on their property would continue to support and improve safety, economic development, and quality of life, through necessary and enhanced tow services.

The Code provides that a variance may be granted if there is sufficient evidence that the variance "will not result in conditions injurious to health or safety." At the case in issue, the Anayas have parked their vehicles at the back of their property for over two decades and it has never resulted in any single condition that has been injurious to health or safety of the residents or surrounding community. The variance will not authorize activities in any other zone or district, but only on the back of Anaya's property, which is in no way visible from any roadway.

Also, the Anayas' current use of the property does not generate noise levels greater than would be expected for the surrounding mixed use area. Further, the use is not incompatible with the character of the surrounding area. The use requires no more parking than can be provided by existing parking on the site.

The variance will not authorize activities in any other zone or district, but only on the back of Anaya's property, which is in no way visible from any roadway.

Along with the Development Review Application submitted with this letter of request/variance request, other such items hereby submitted consist of:

Fees: check for \$275

Warranty Deed: **Exhibit D**

Survey Plat (also services as Existing Site Data and Site Plan): **Exhibit E**

Taxes Paid: **Exhibit F**

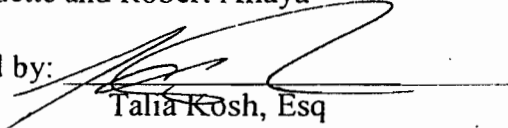
Vicinity Map (also serves as Site Plan and Existing Site Data): **Exhibit G**

Thank you for your consideration of this letter of support.

Sincerely,

Bernadette and Robert Anaya

Signed by:

  
Talia Kosh, Esq  
Attorneys for Applicants  
460 Saint Michaels Drive, Ste 703  
Santa Fe, NM 87505  
(505) 983-9834



MDC  
04-27-05

- 2 - Ranch
- 3 - Rodri
- 4 - Gemi
- 5 - Flores
- 6 - Body
- 7 - L&G
- 8 - Scott
- 9 - Padil
- 10 - Rod
- 11 - Ana  
Wr

8

10

3

6

11

7

1

5

4

9

2

Co Rd 62

DelRos Ln

ANB Ln

Entrada Fabian

Ben Ln

Floral Dr

Ranchitos De Baca

Ave De Seario

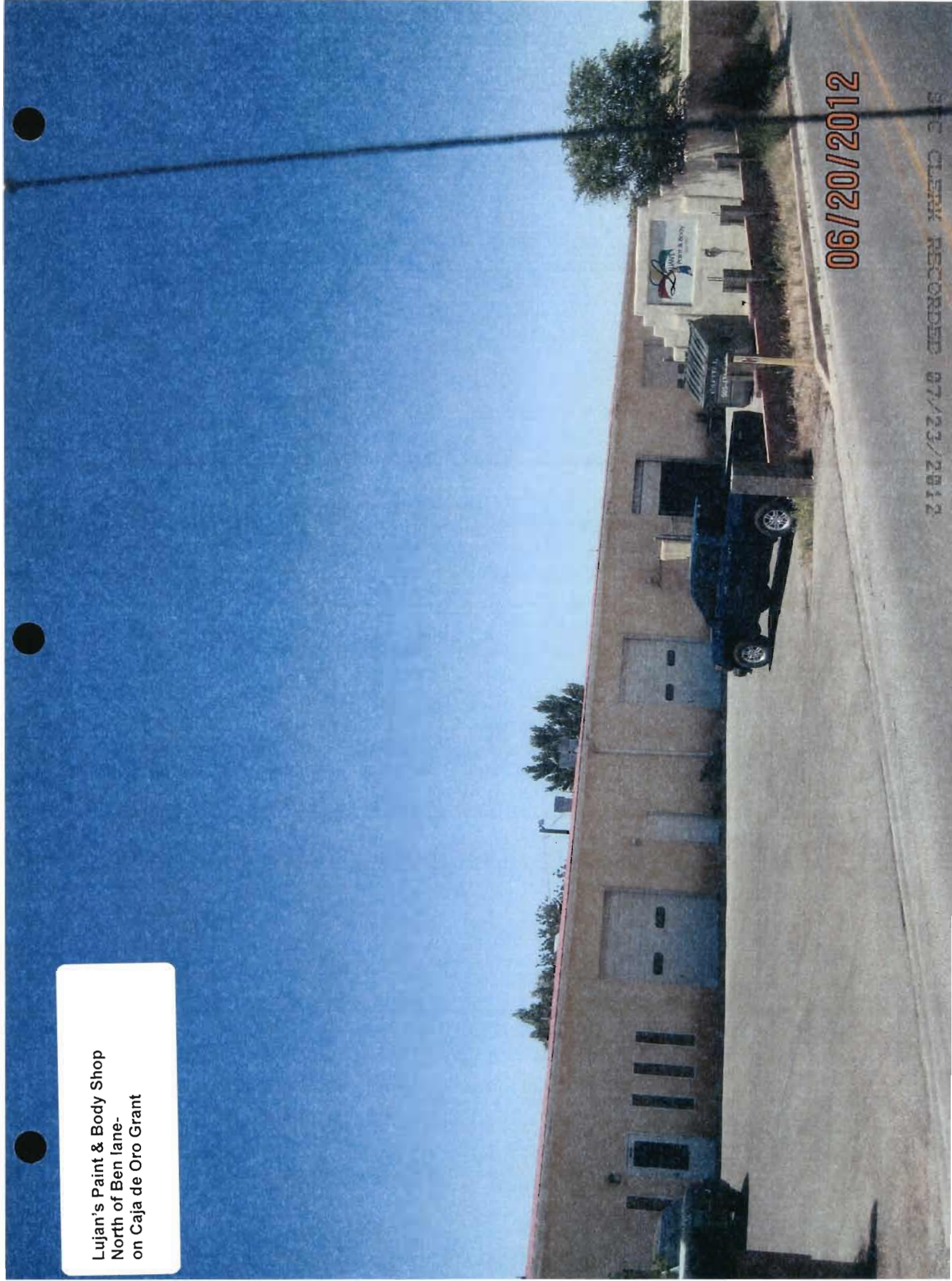
## Businesses Within ¼ Mile of Anaya's Driveway

<u>Tab Number</u>	<u>Business</u>	<u>Photo Number</u>
1	Lujan Paint & Body Shop	1-2
2	Ranchitos de Baca	3-6
3	Rodriguez Brothers Inc.	7-8
4	Gemini Hair Salon	9-10
5	Flores Construction Inc.	11
6	Body Shop	No photo
7	L&G Auto Mechanic	12
8	Scott's Garage	No photo
9	Padilla's Bingo Buses	13-14
10	Rodriguez Brothers Inc.	15-16
11	Anaya's Roadrunner Wrecker	No photo
12	Santa Fe Concrete Company	17-19
13	Random Construction Equipment	20-22
14	Ramon's Gas & Diesel	23
15	Cassidy's Landscaping	24-28
16	Phillip Padilla's Commercial Lot	29
17	Living World Church	30
18	GK Accounting, Bookkeeping and Tax Service	31

## Businesses Within ¼ Mile of Anaya's Driveway

<u>Tab Number</u>	<u>Business</u>	<u>Photo Number</u>
19	Danny's Upholstery	32
20	Goodrich Roofing	33
21	Casa Builders	34
22	Puertas de Santa Fe	35-36
23	Larranga Property	37-39
24	Albert Montano Sand and Gravel	40
25	Stone Forest	41
26	Padilla's, Quality, Tony's and A-1 Towing	42-44
27	Flores, Five Star Wrecker Service	45-46
28	Chavez Septic	47-48
29	Romero Home	49-52

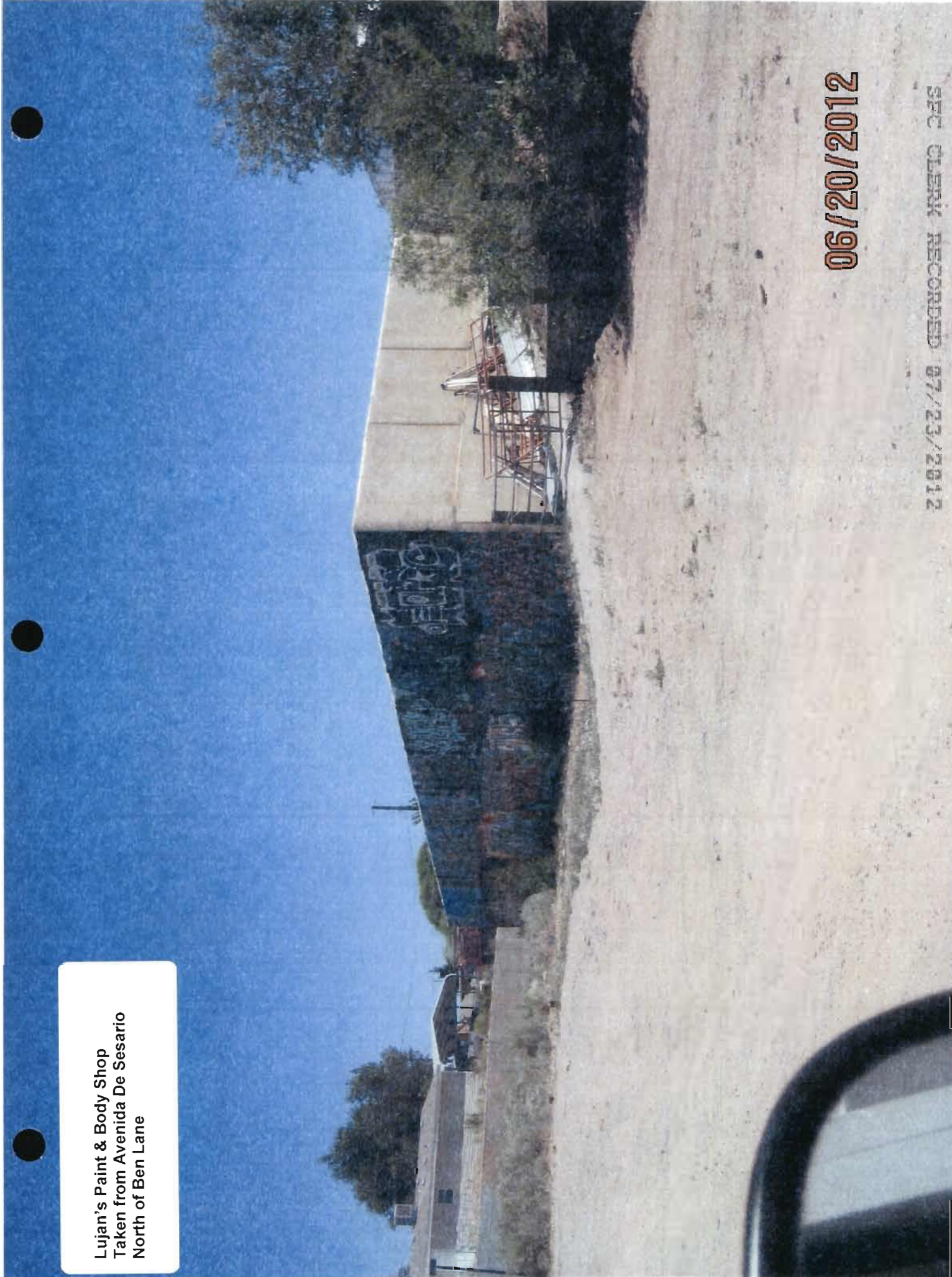
Lujan's Paint & Body Shop  
North of Ben lane-  
on Caja de Oro Grant



06/20/2012

BTC CLIENT RECORDED 07/23/2012

Lujan's Paint & Body Shop  
Taken from Avenida De Sesario  
North of Ben Lane

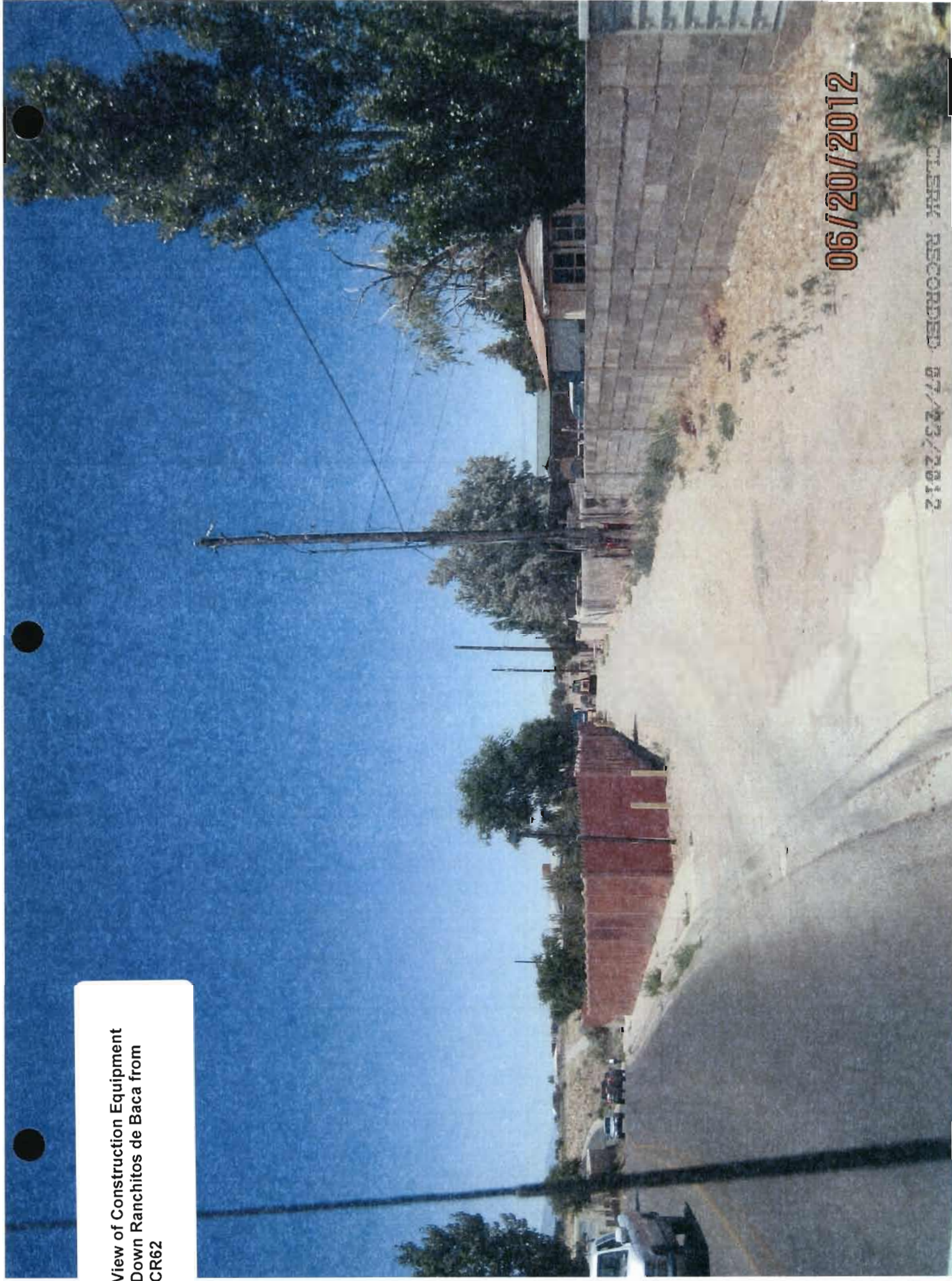


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SPC CLEAN RECORDED 07/23/2012



View of Construction Equipment  
Down Ranchitos de Baca from  
CR62



06/20/2012

2102/02/10 DEGRONEN WNET

Backhoe & Graffiti across CR62  
At entrance to Avenida de Sesario



06/20/2012

Dump truck across CR62 at  
Entrance to Avenida de Sesario

AVENIDA SESARIO

06/20/2012

2182/02/18 GEORGE WHEAT 0613

Construction Equipment at end  
Of Ranchitos de Baca from CR62

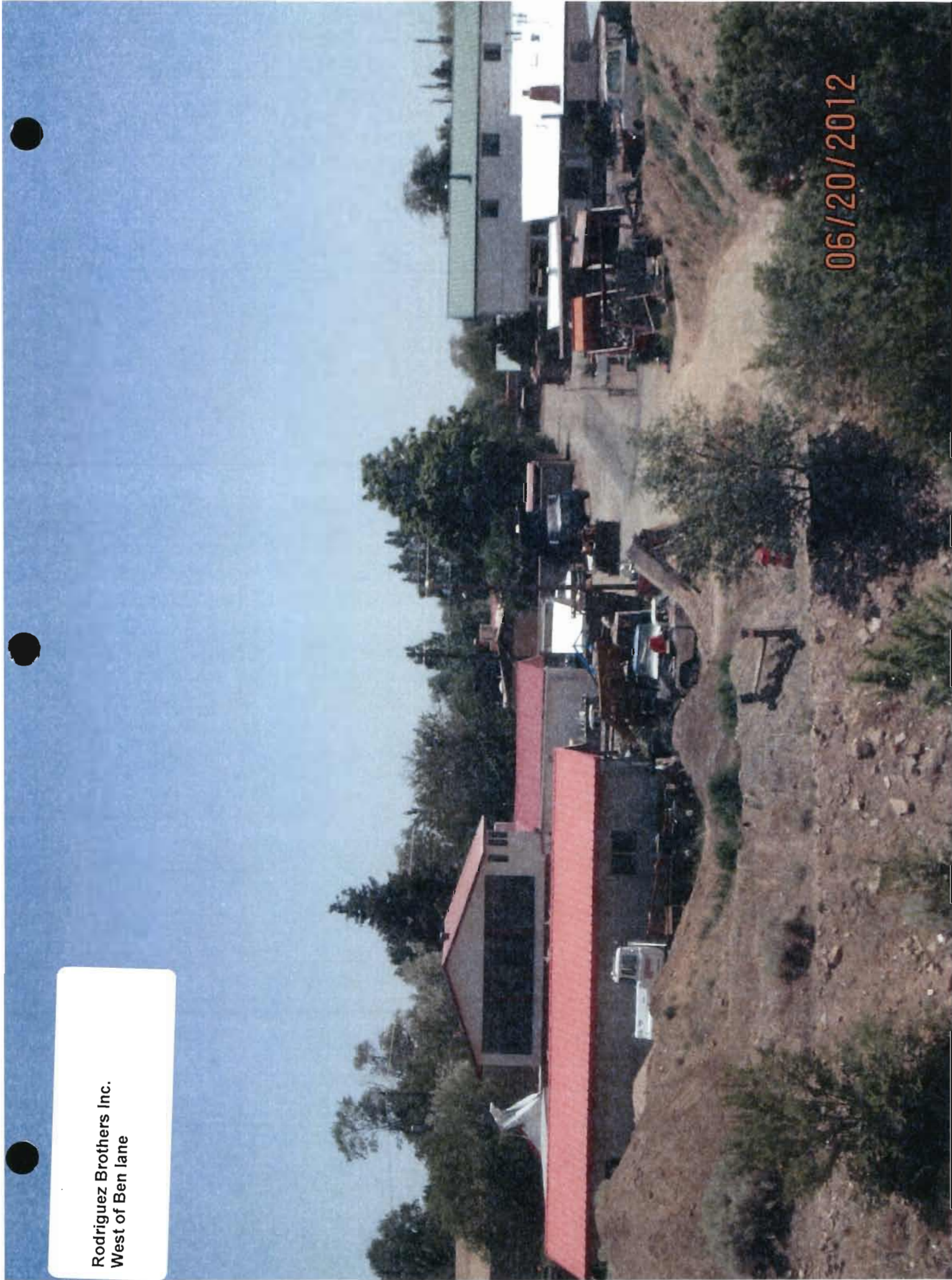


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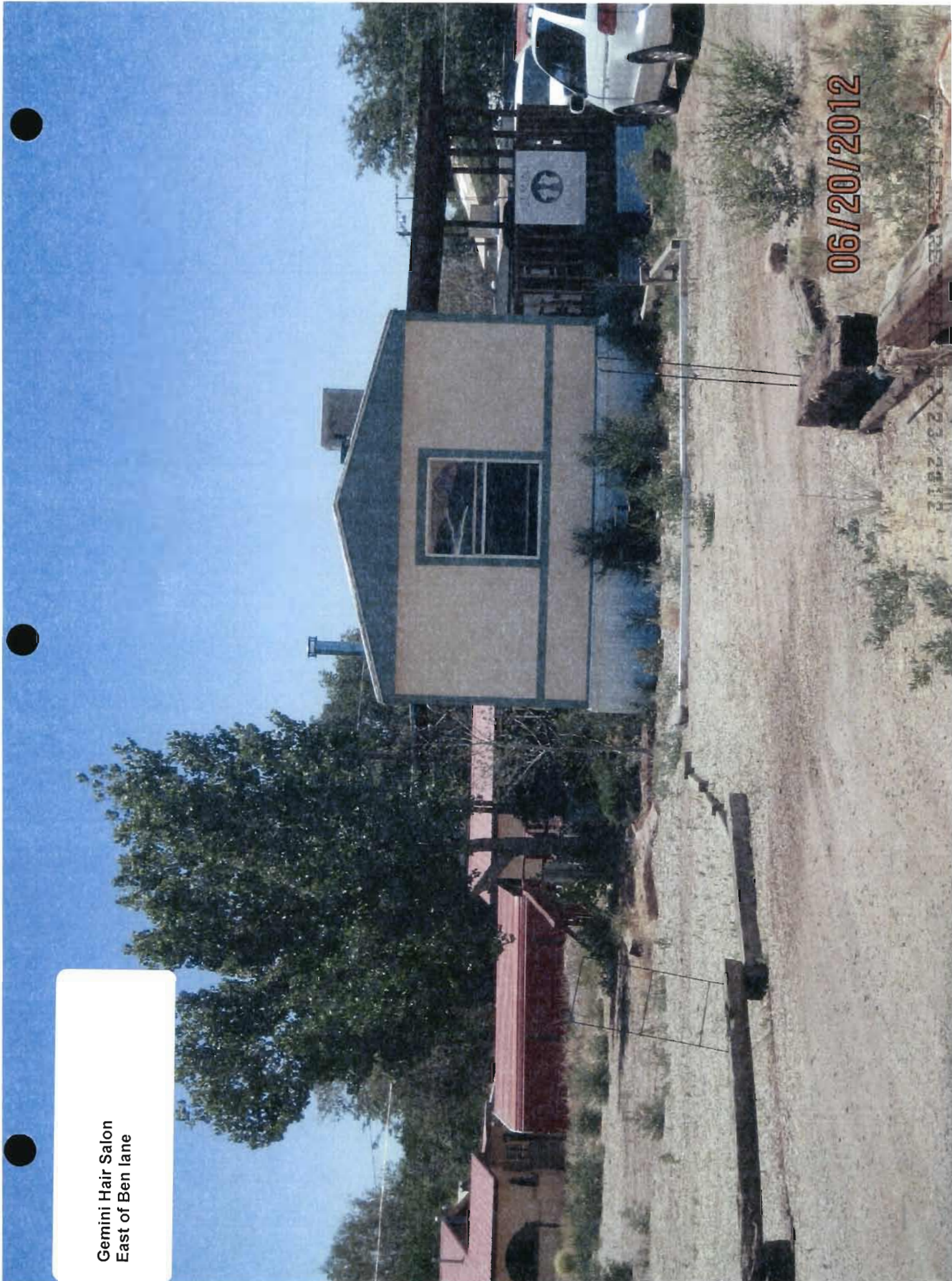
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Rodriguez Brothers Inc.  
West of Ben lane

06/20/2012



Gemini Hair Salon  
East of Ben lane



06/20/2012

Gemini Hair Salon  
East of Ben lane

06/19/2012

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Flores Construction Inc.  
Across Ben Lane



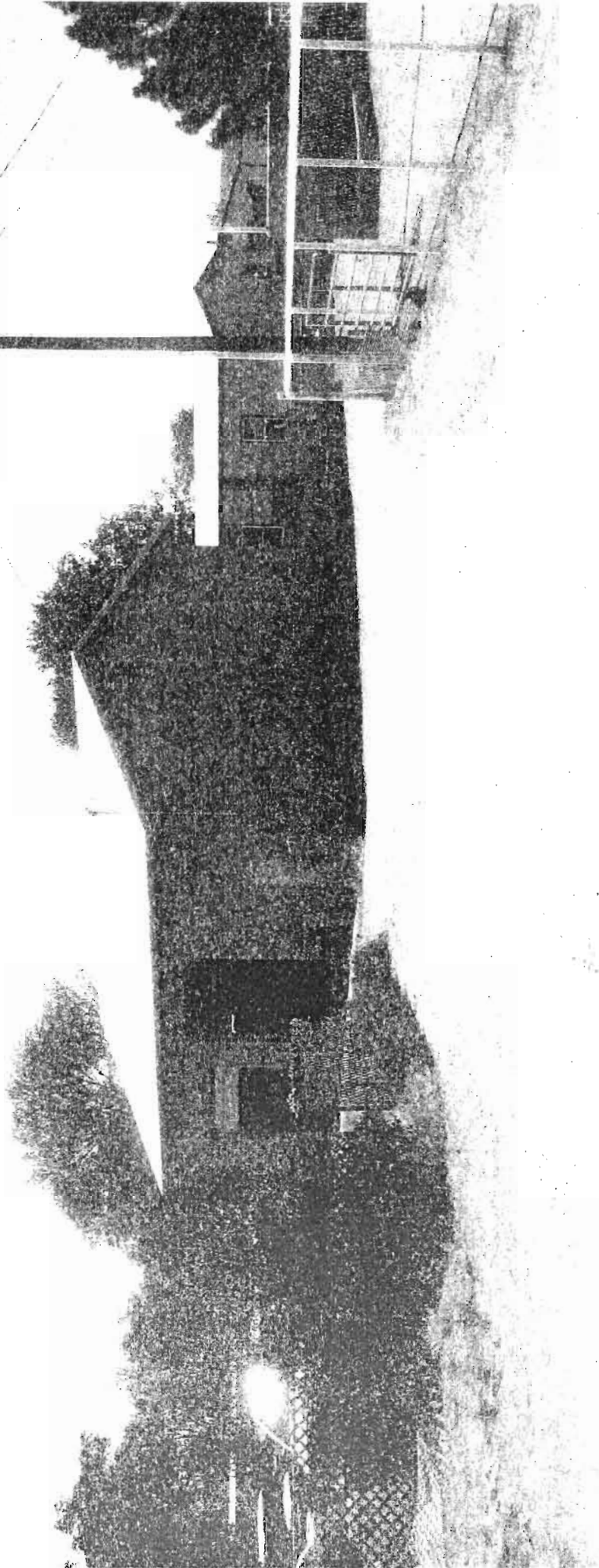
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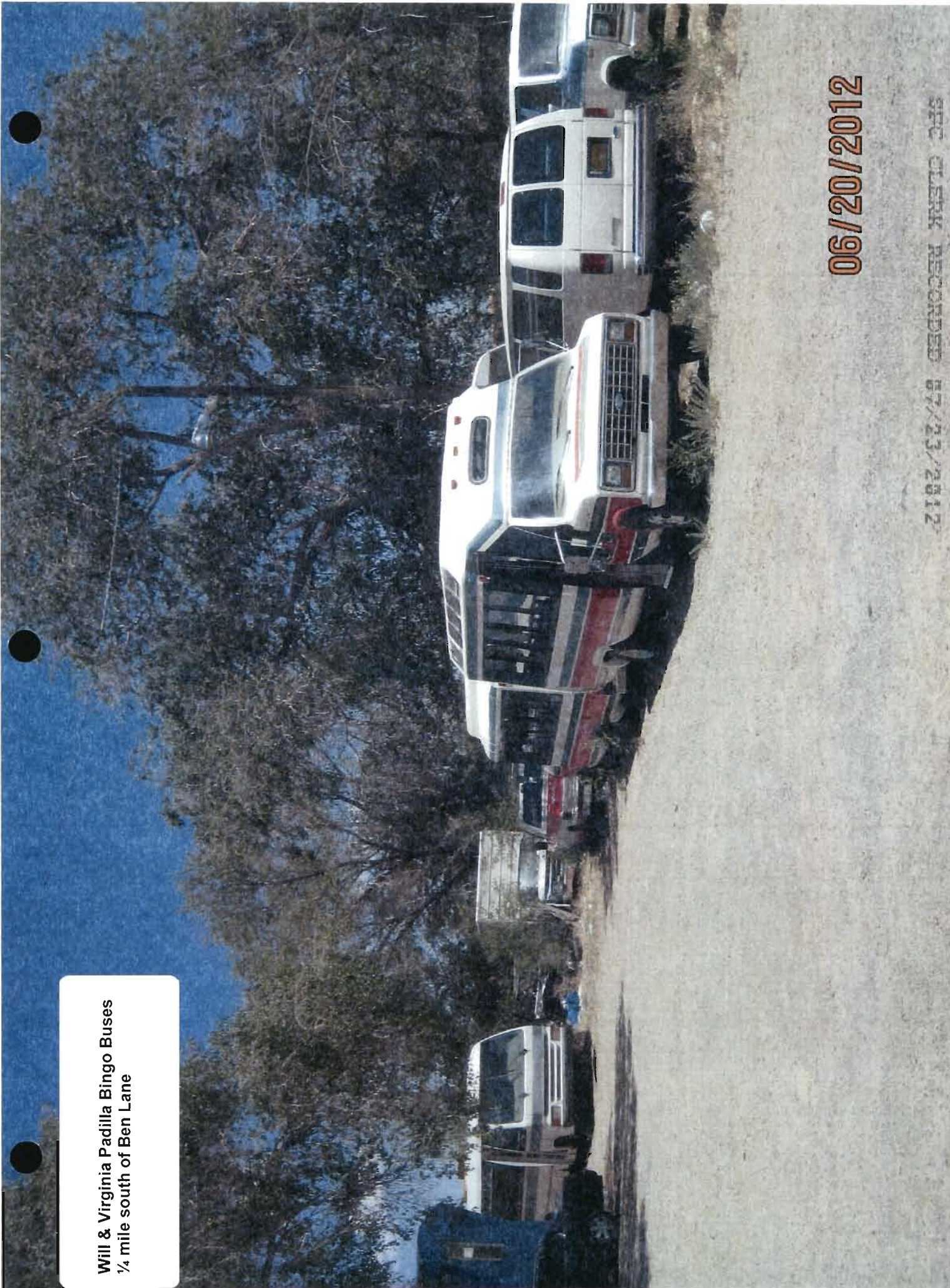
Ben Lane @ 200 feet in

(4)



06/19/2012

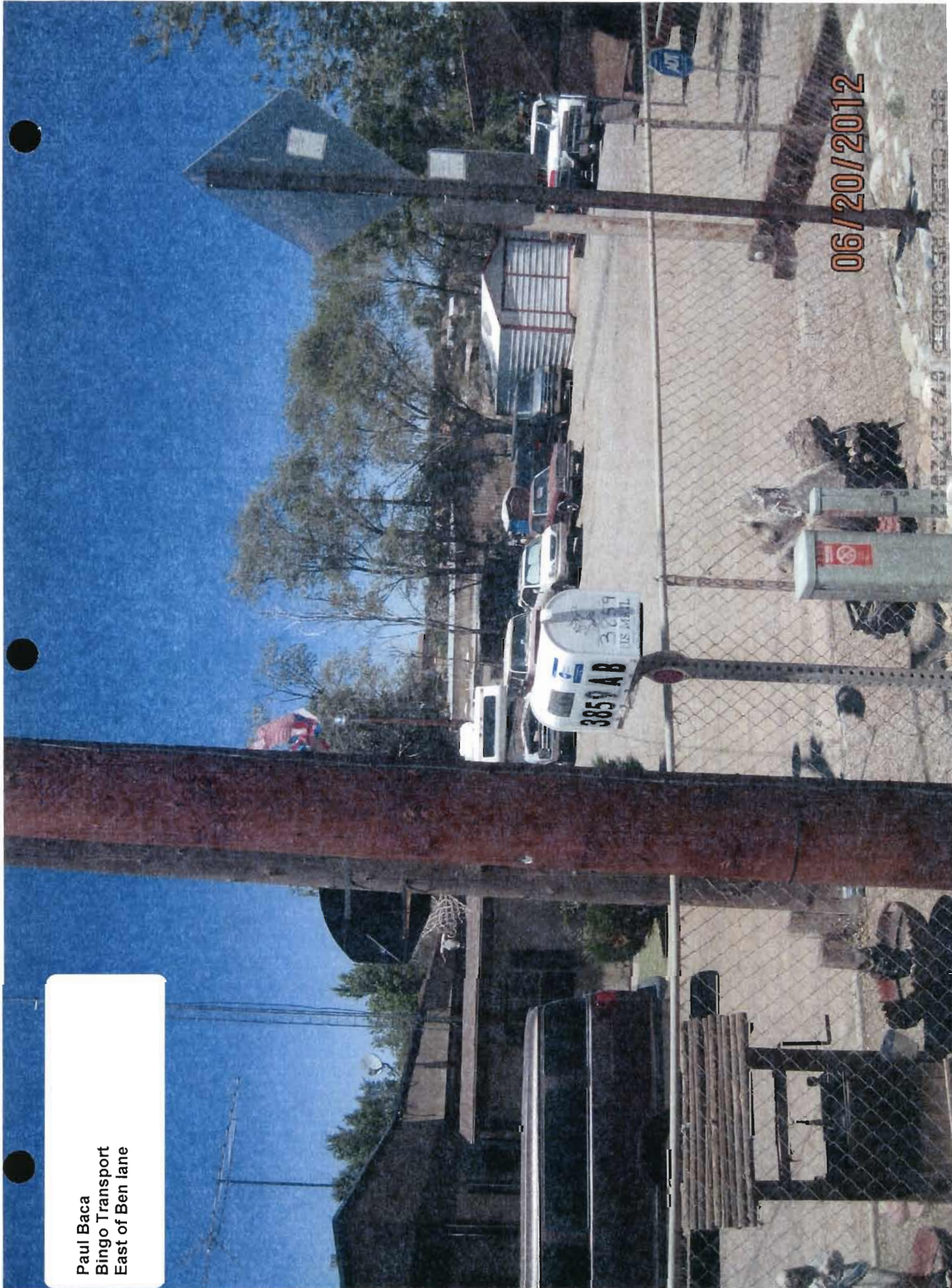
Will & Virginia Padilla Bingo Buses  
1/4 mile south of Ben Lane



06/20/2012

SVC CLERK RECORDED 87/23/2012

Paul Baca  
Bingo Transport  
East of Ben lane



Rodriguez Brothers Inc.  
View from CR 62

RODRIGUEZ BROS  
SAND & GRAVEL  
LANDSCAPE & CONSTRUCTION  
MATERIALS  
474-88-97

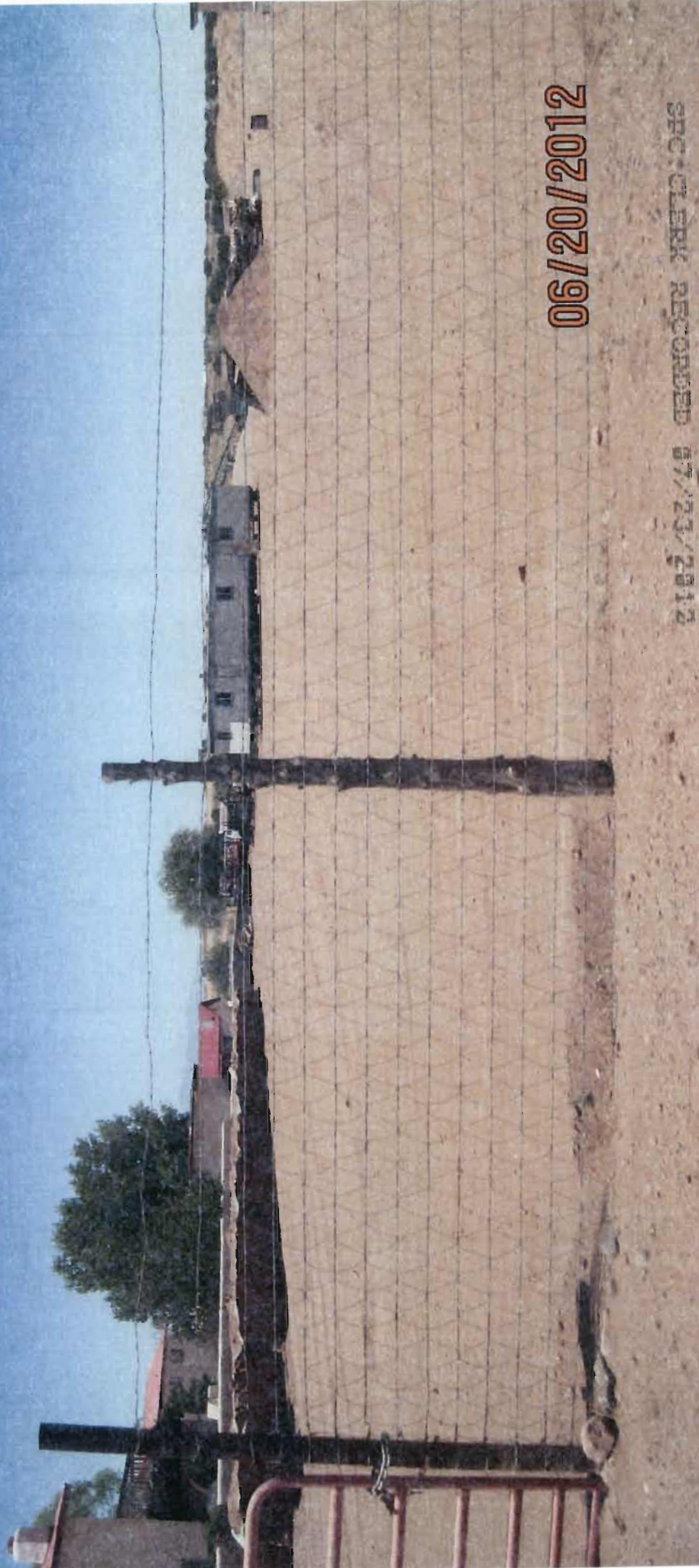
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2193/07/20 03:00:00

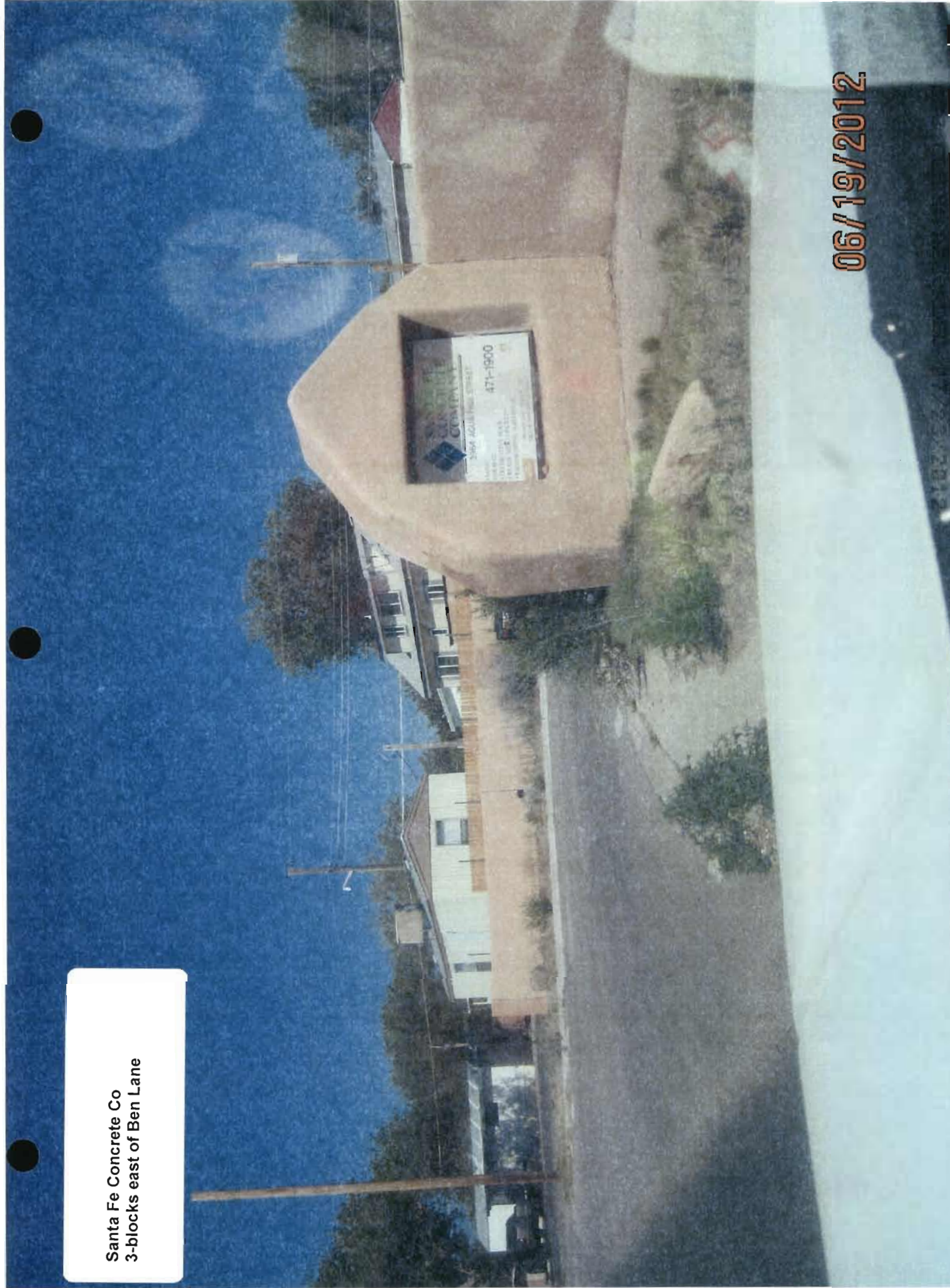
Rodriguez Brothers Inc.  
West of Ben Lane

06/20/2012

SFC-CLERK RECORDED 07/23/2012



Santa Fe Concrete Co  
3-blocks east of Ben Lane



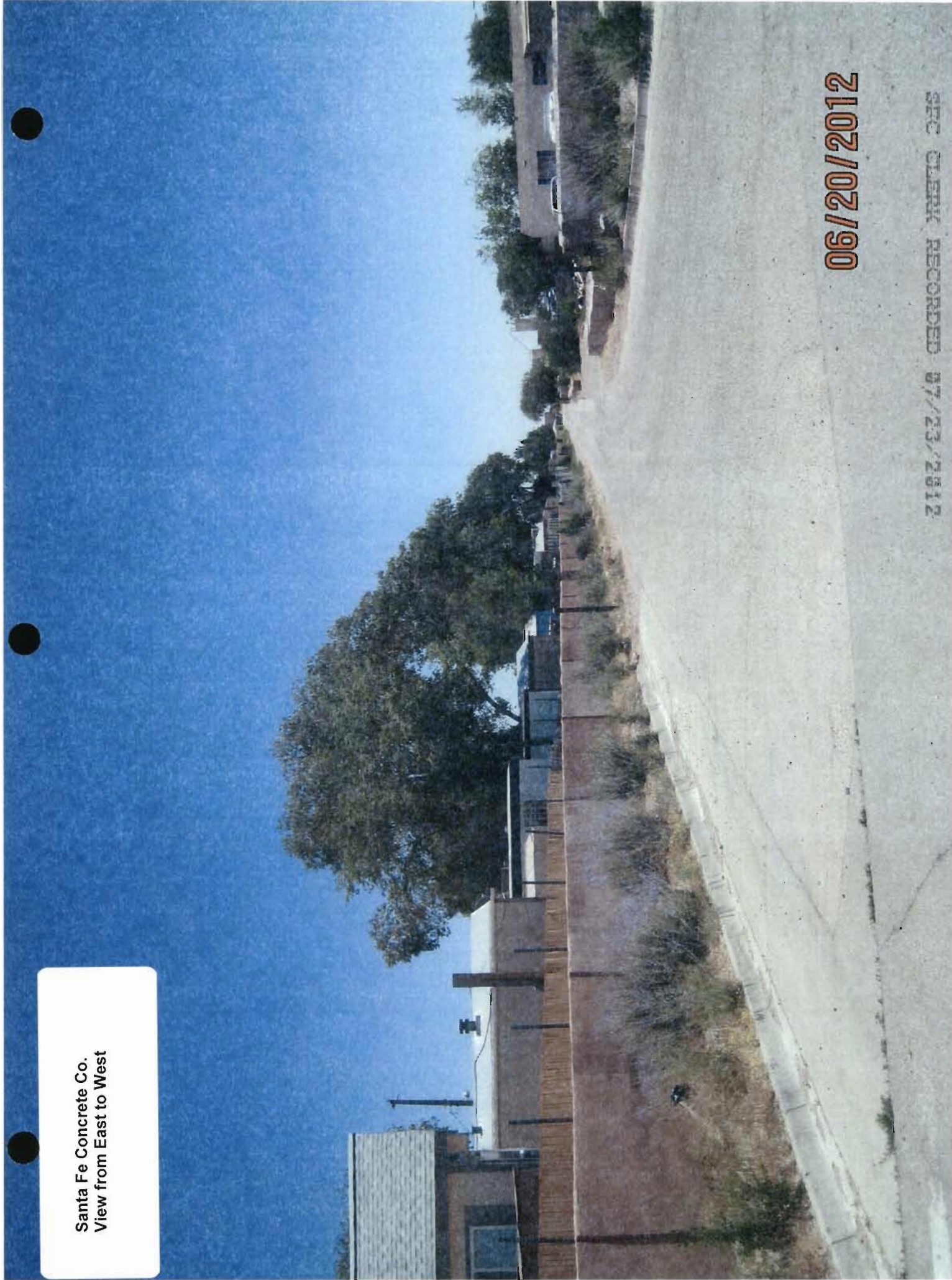
06/19/2012

Santa Fe Concrete Co.  
Heading west on Agua Fria

06/20/2012

SFC CLIENT RECORDED 07/23/2012

Santa Fe Concrete Co.  
View from East to West

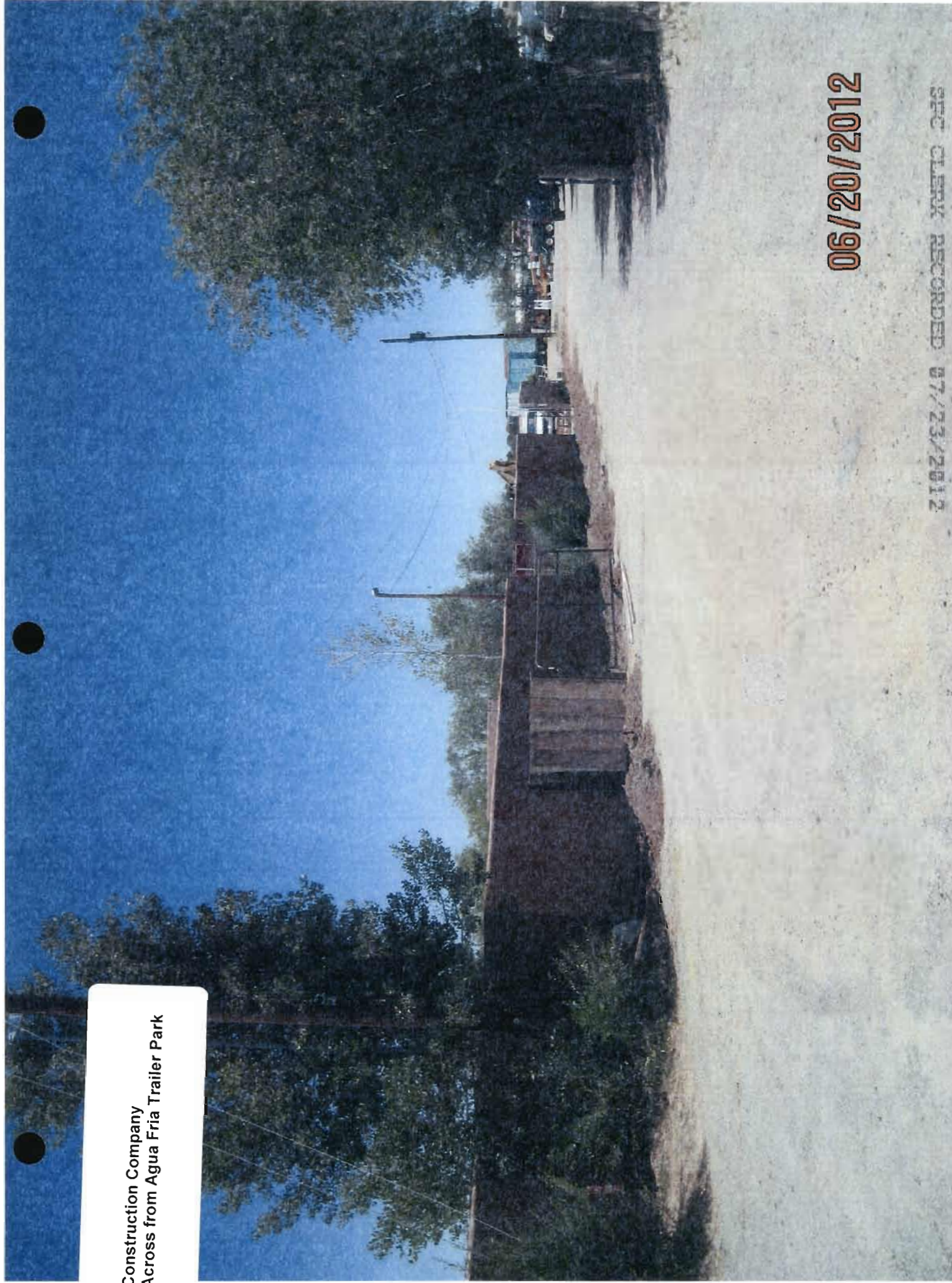


06/20/2012

2182/23/18 DECEMBER 07/23 2012



Construction Company  
Across from Agua Fria Trailer Park

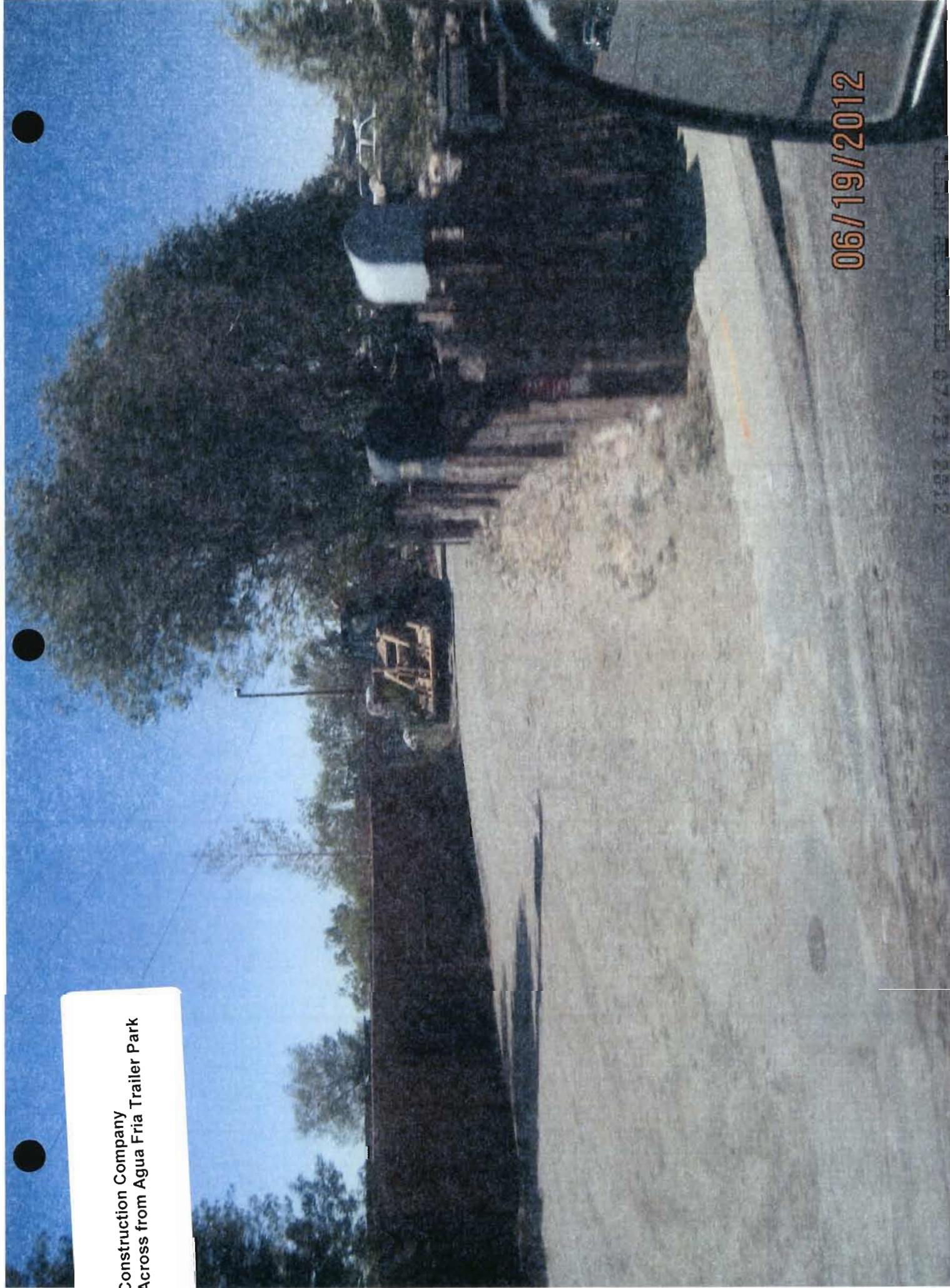


06/20/2012

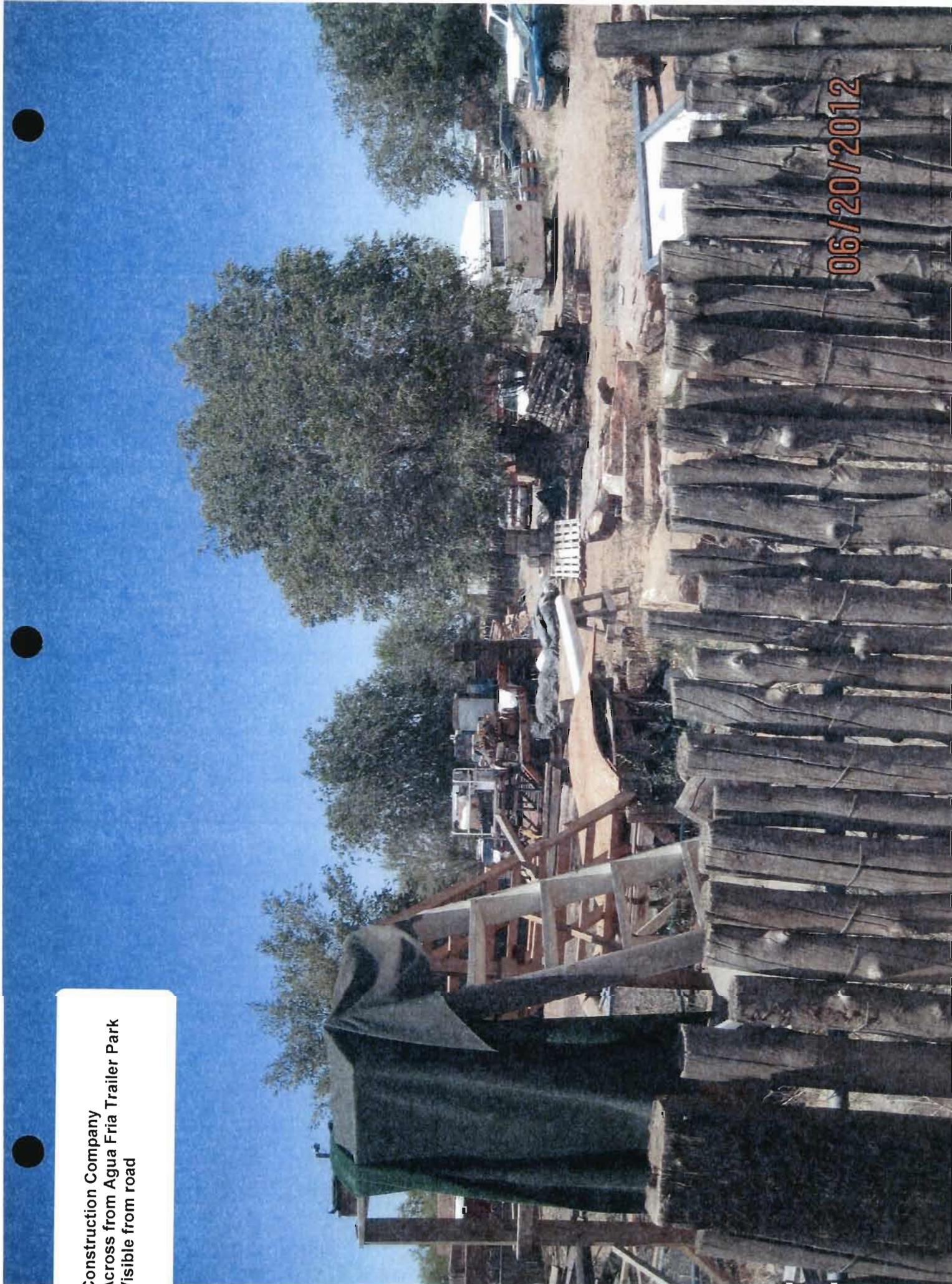
SFC CLERK RECORDED 07/23/2012

Construction Company  
Across from Agua Fria Trailer Park

06/19/2012

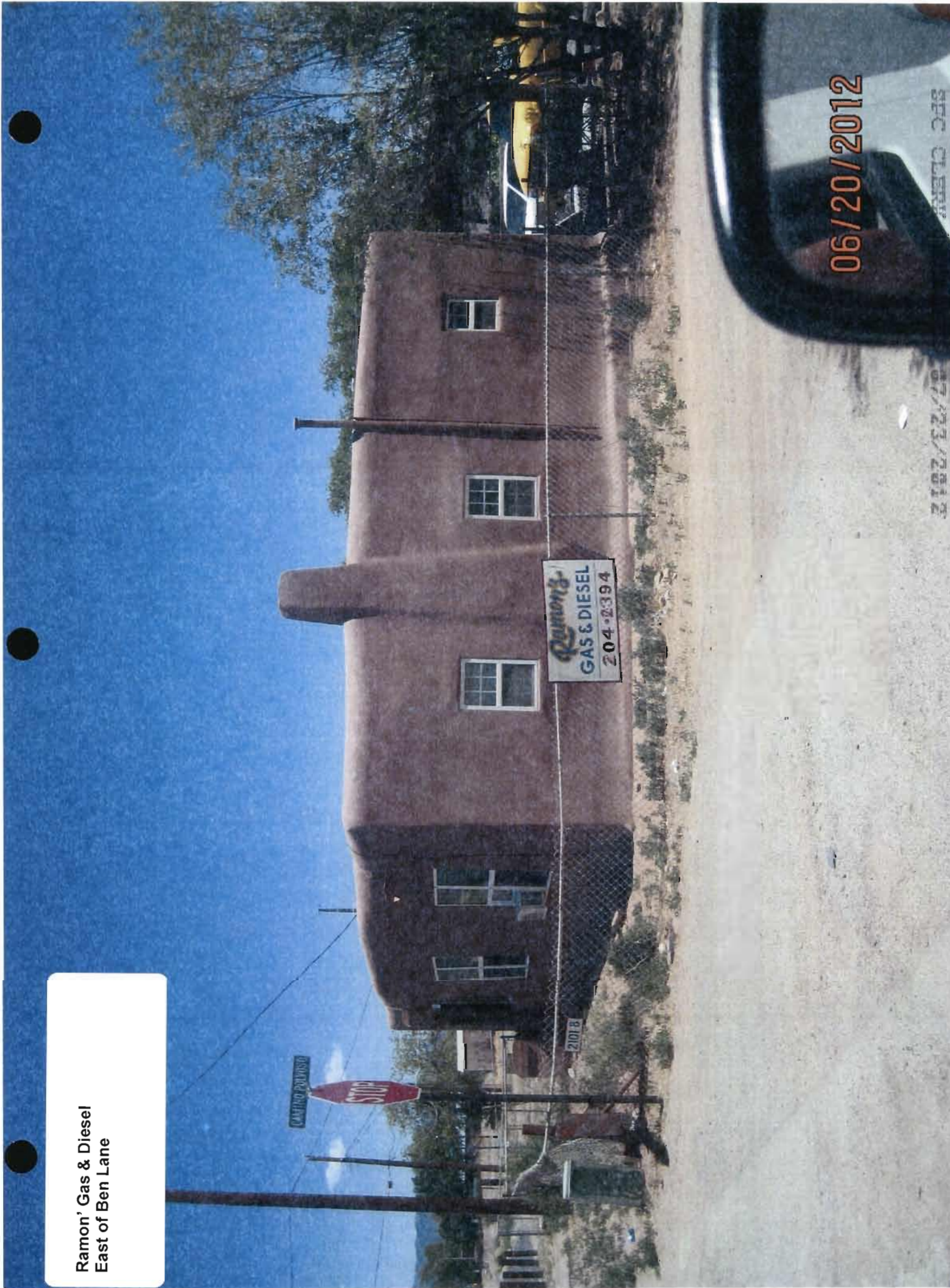


Construction Company  
Across from Agua Fria Trailer Park  
Visible from road



06/20/2012

Ramon' Gas & Diesel  
East of Ben Lane



06/20/2012

SFC CLEVER  
3182/52/48

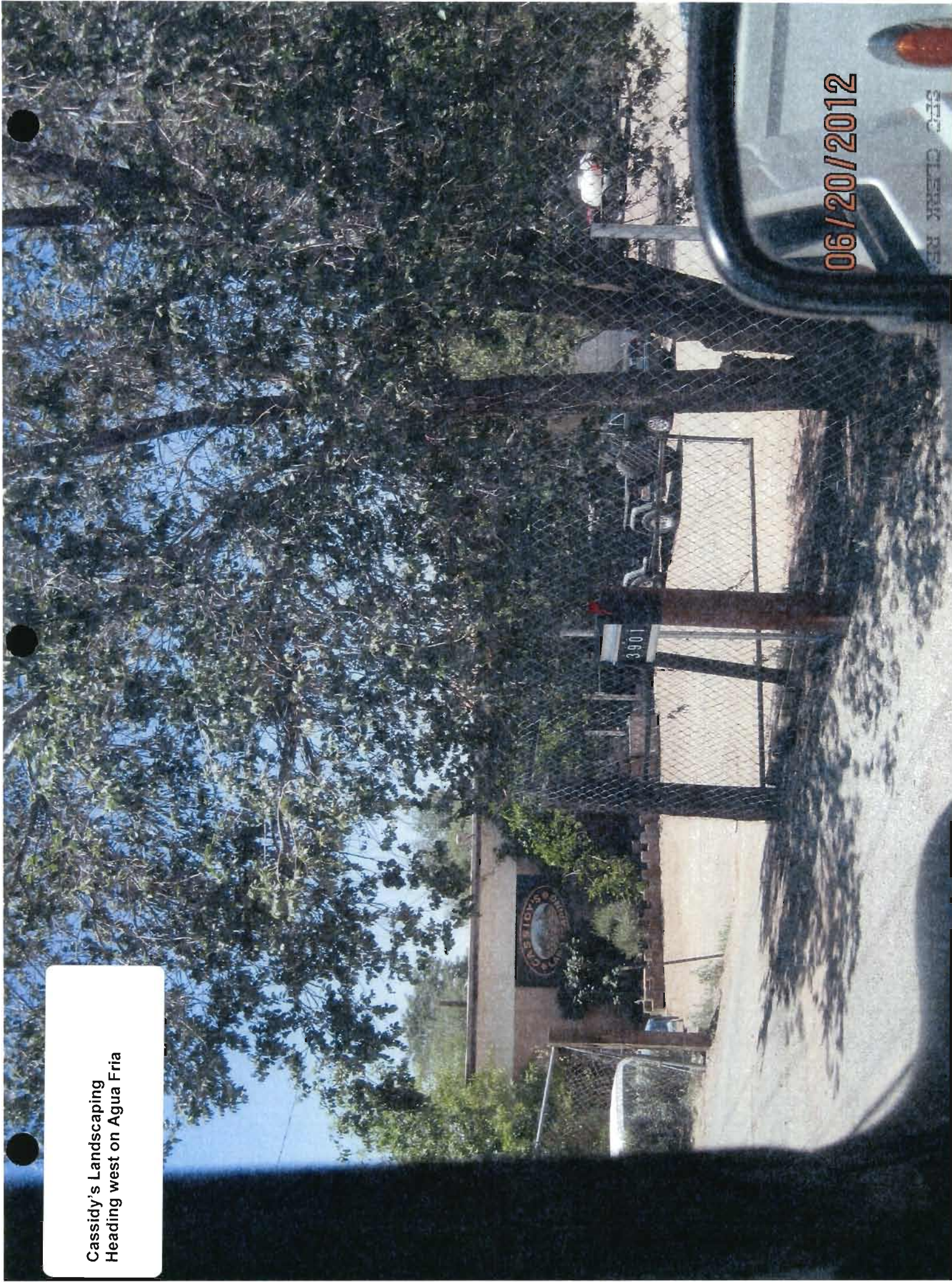
Cassidy's Landscaping  
East of Ben Lane (Sign)



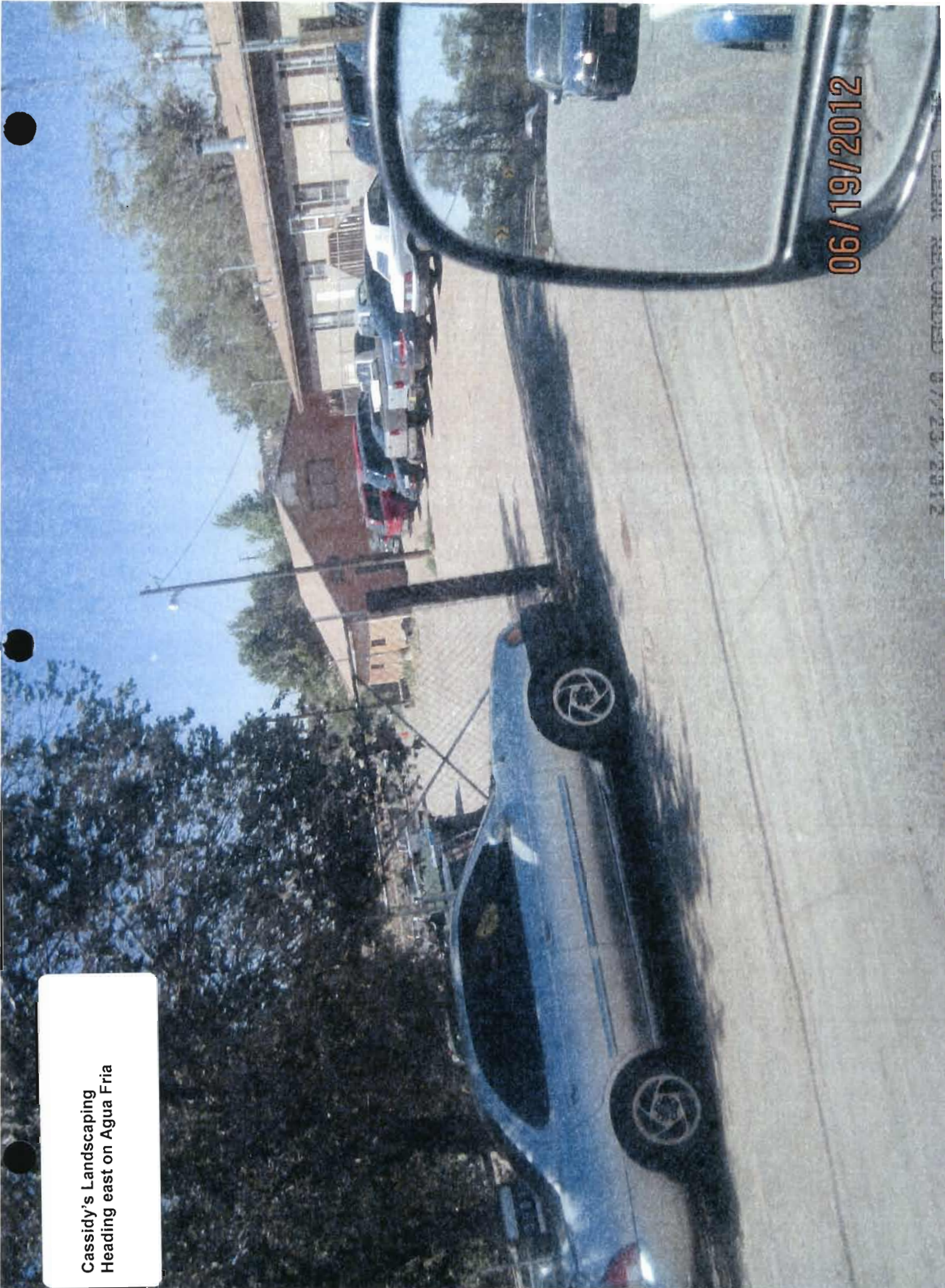
06/20/2012

REC'D CLERK RECORDED 07/23/2012  
2102/02/10 DECORATED 2012

Cassidy's Landscaping  
Heading west on Agua Fria



Cassidy's Landscaping  
Heading east on Agua Fria

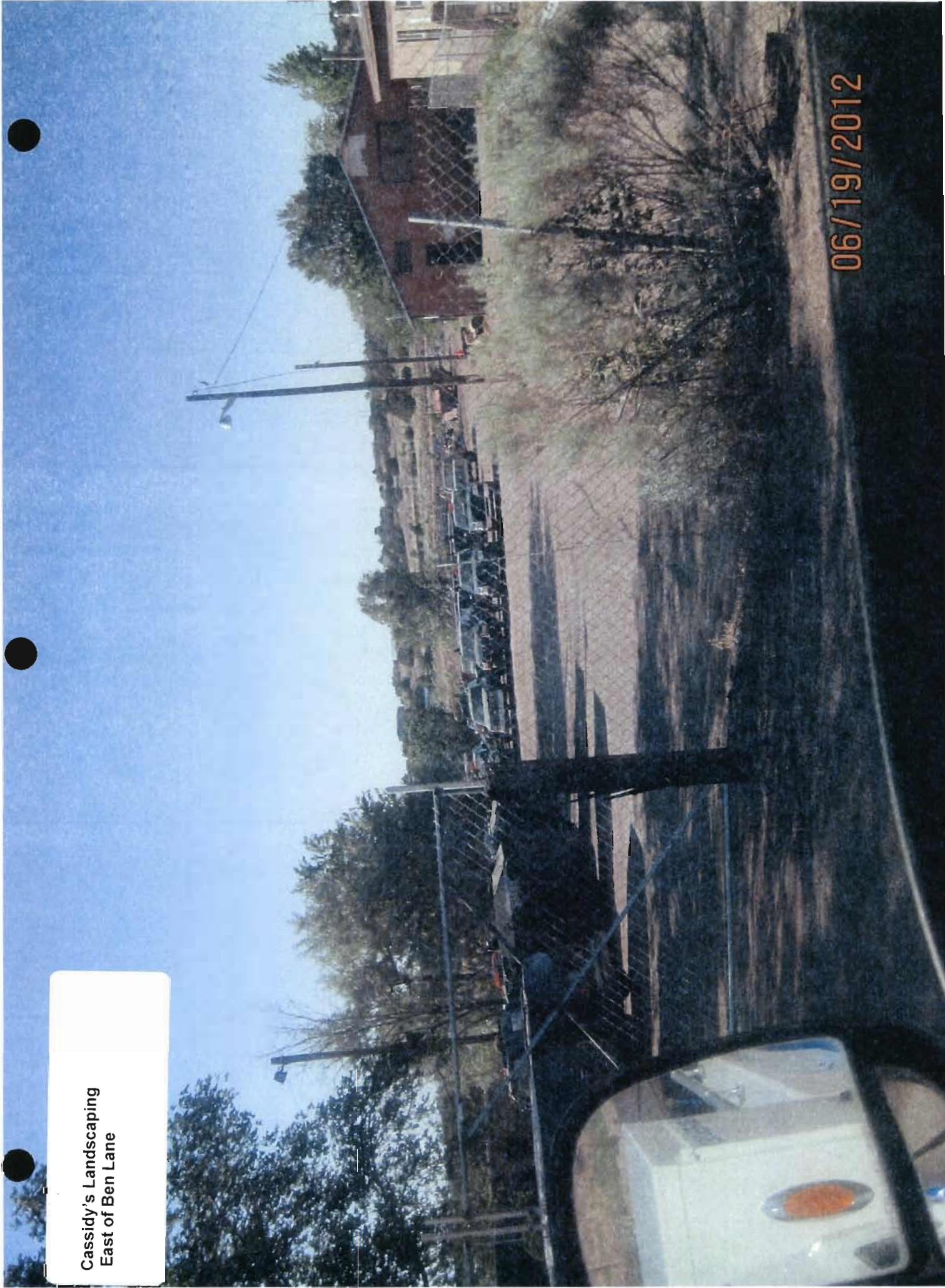






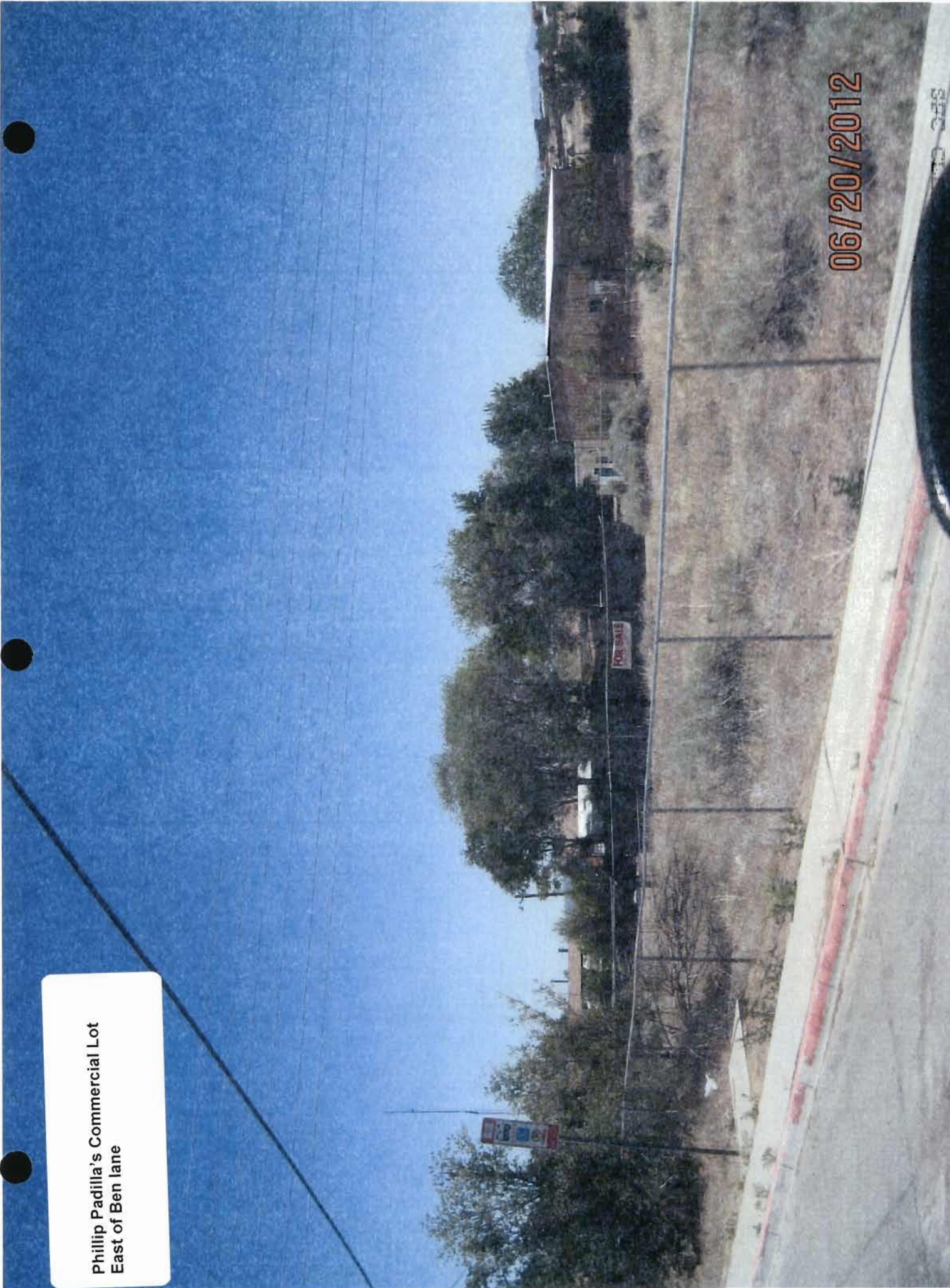
Cassidy's Landscaping  
East of Ben Lane

06/19/2012

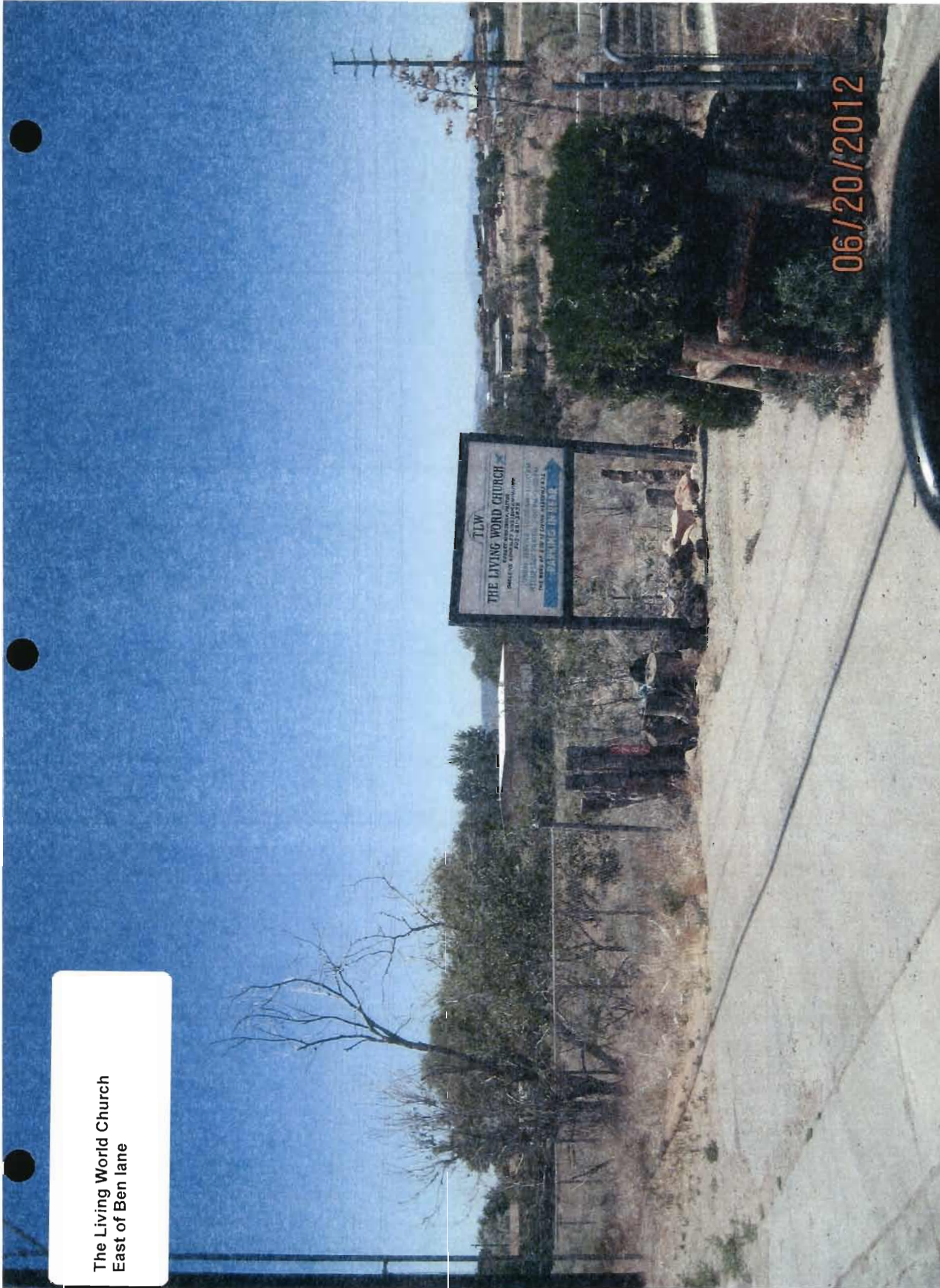


Phillip Padilla's Commercial Lot  
East of Ben lane

06/20/2012



The Living World Church  
East of Ben lane



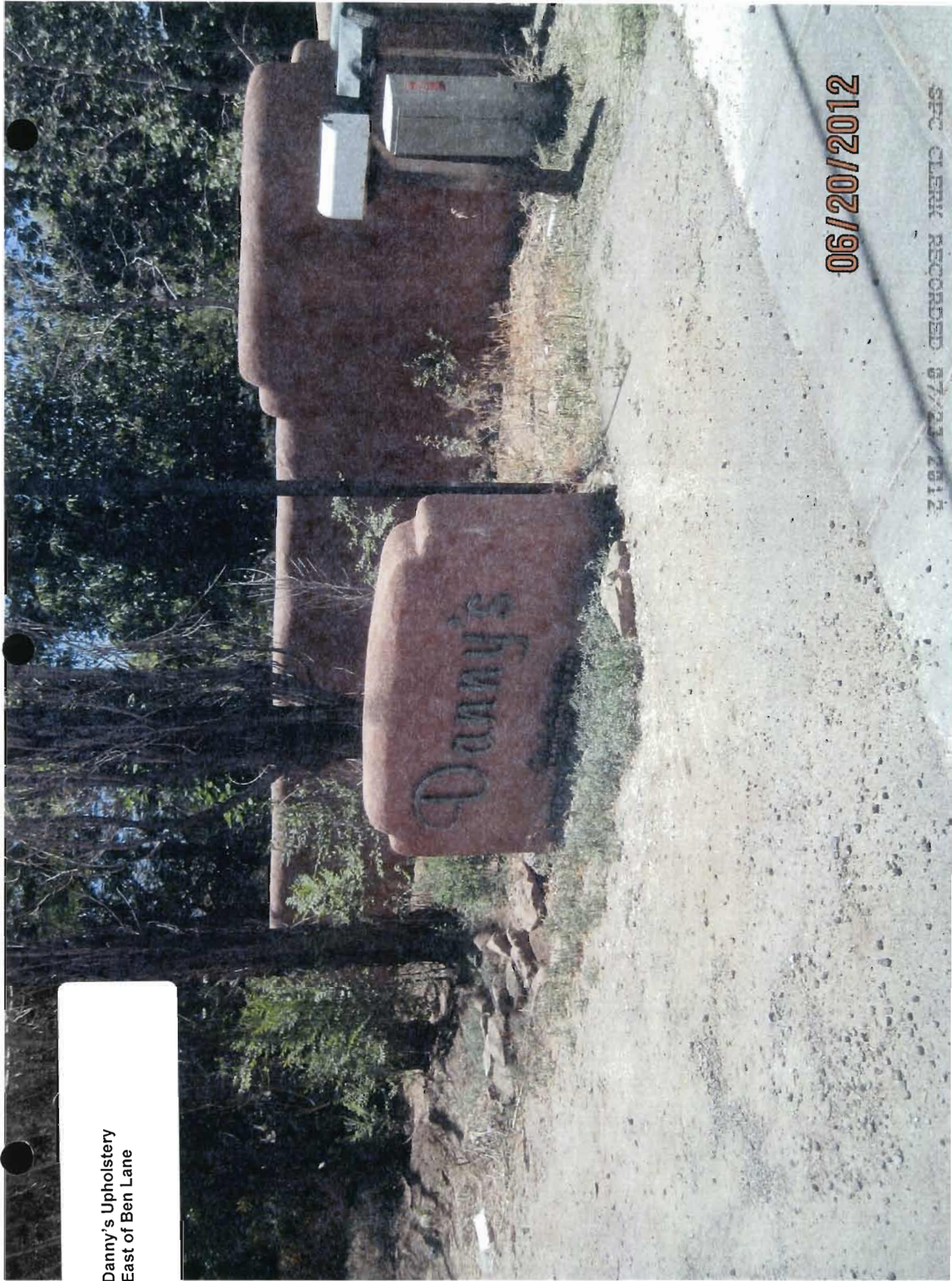
GK Accounting, Bookkeeping Tax  
Across of San Isidro Church  
East of Ben Lane

GK  
GONZALES & KINGSBURY  
ESTABLISHED IN 1965  
ACCOUNTING BOOKKEEPING  
TAX SERVICE  
CALL TODAY FREE CONSULTATION 905-458-4775

06/20/2012

2192/02/10 060000

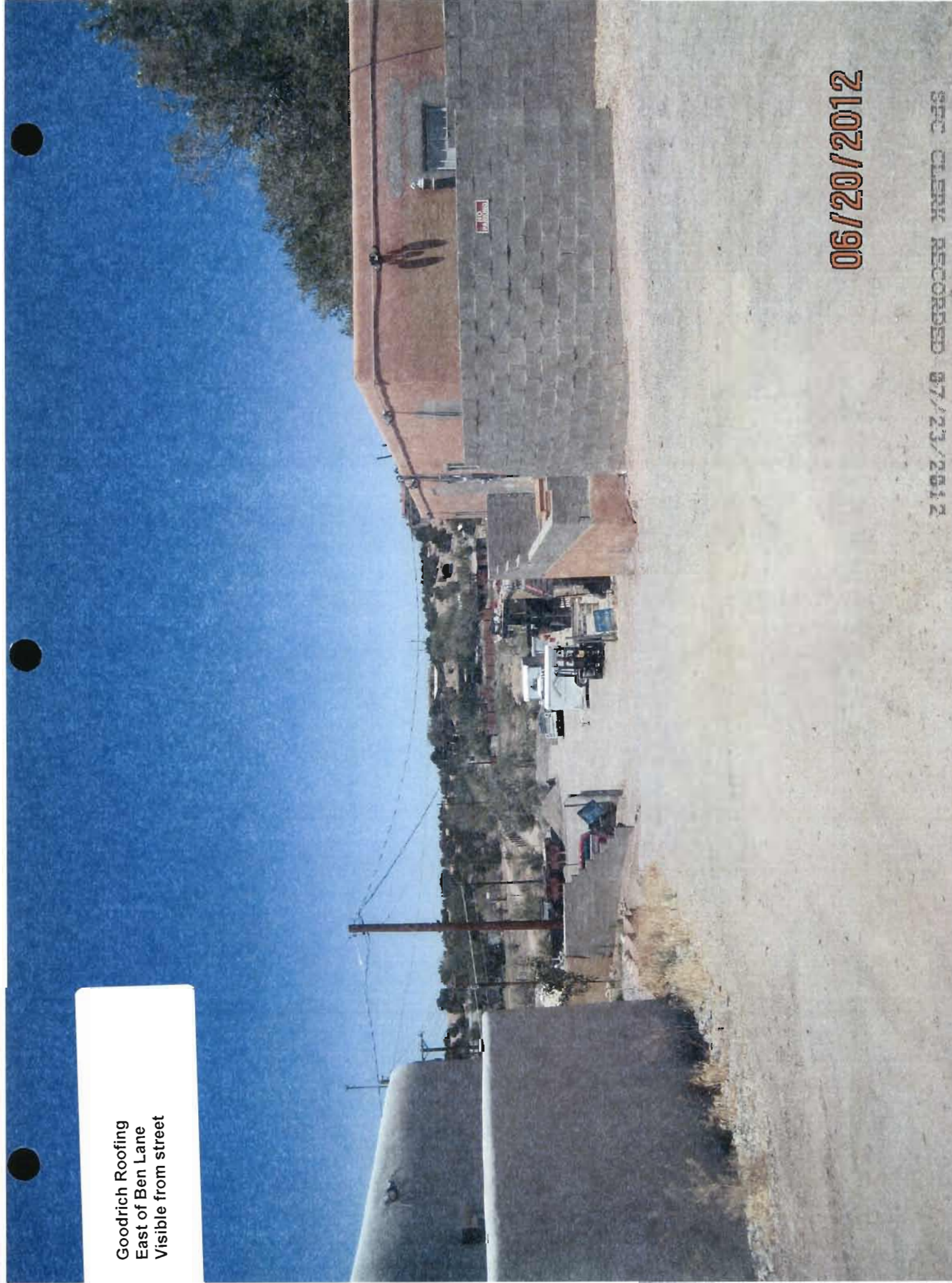
Danny's Upholstery  
East of Ben Lane



06/20/2012

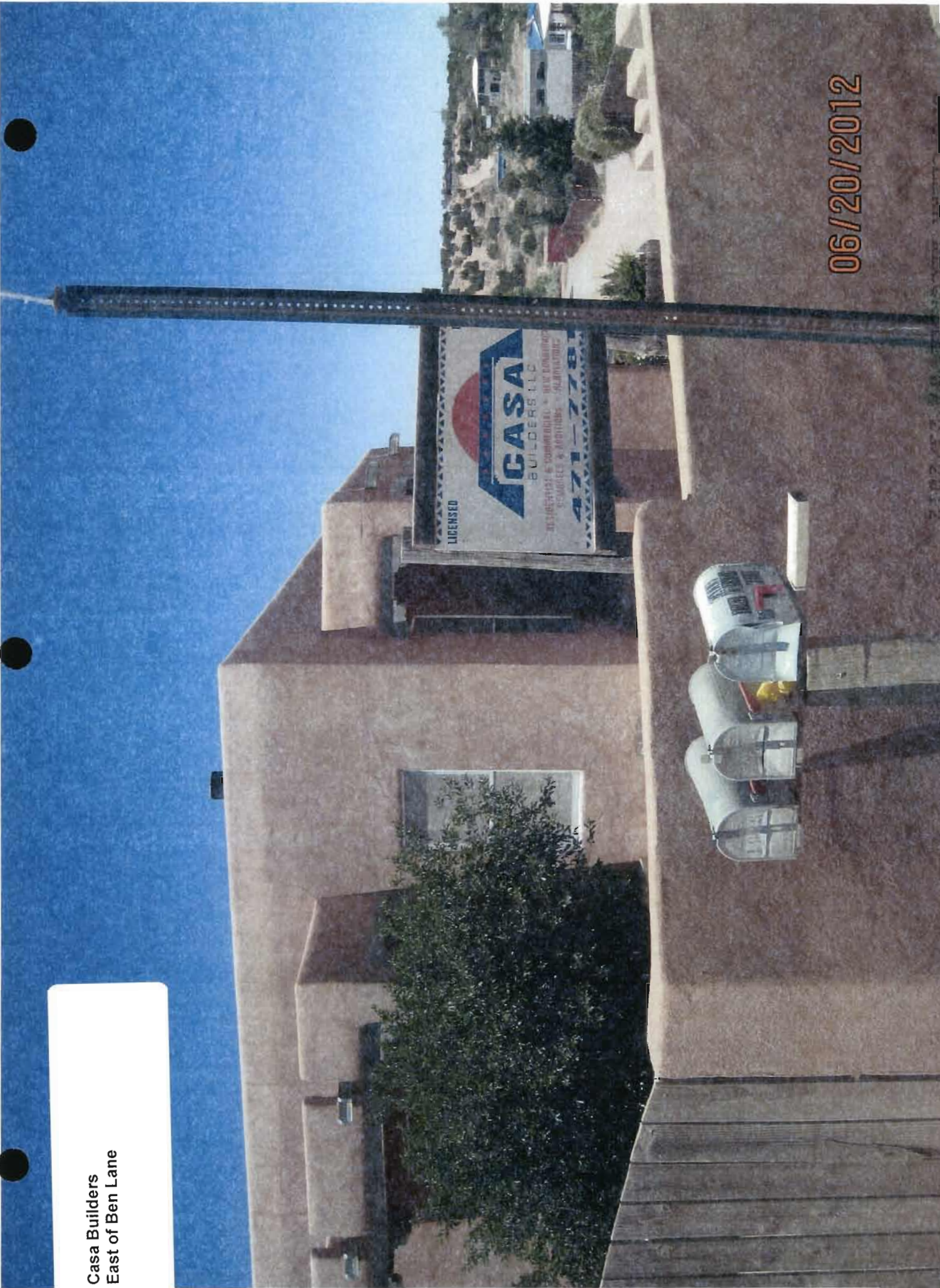
SFC CLERK RECORDED 07/23/2012  
2107 02/19 RECORDER MPTC 246

Goodrich Roofing  
East of Ben Lane  
Visible from street



06/20/2012

Casa Builders  
East of Ben Lane

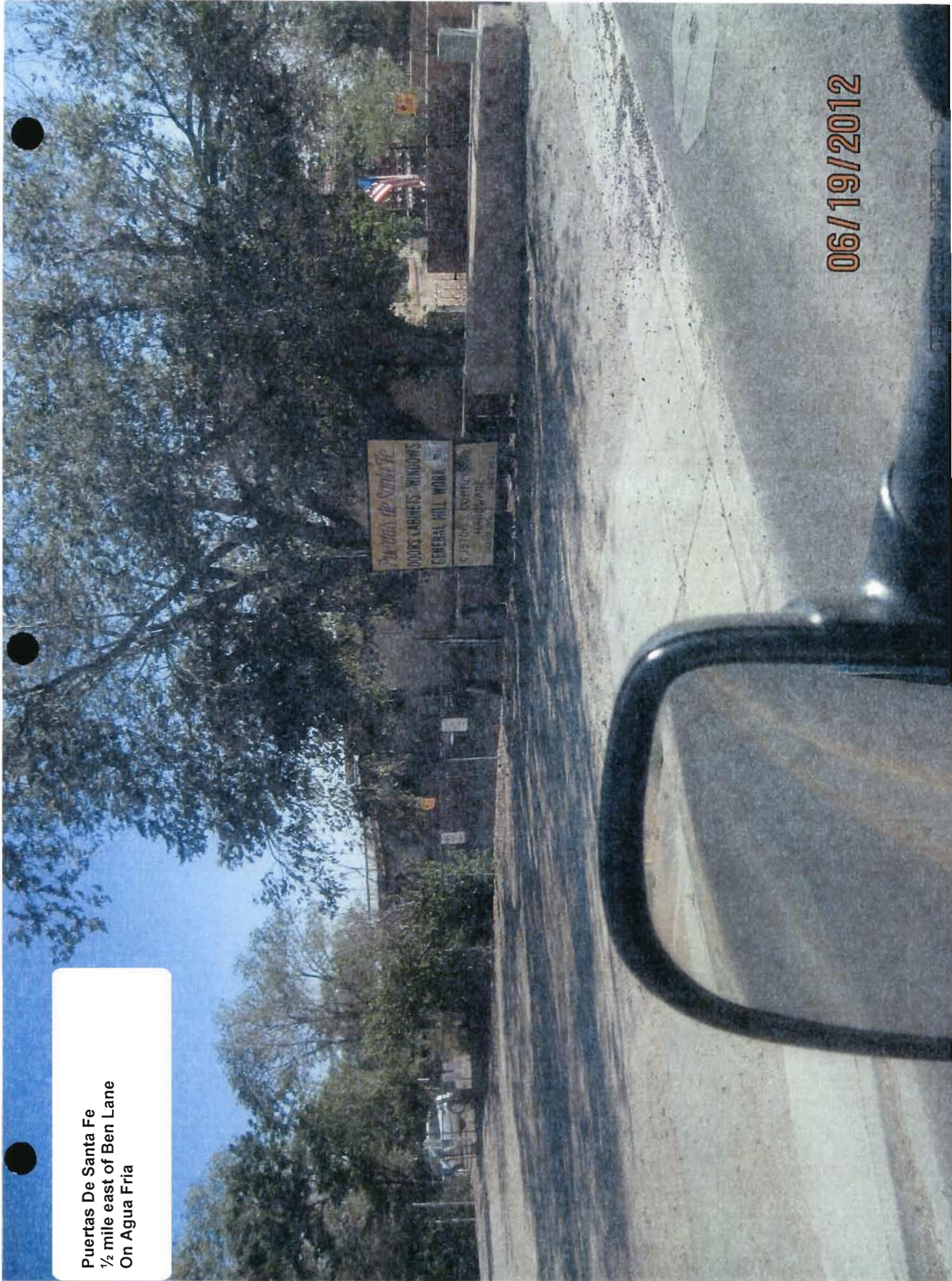


06/20/2012

Puertas De Santa Fe  
1/2 mile east of Ben Lane  
On Agua Fria

Puertas de Santa Fe  
DOORS CABINETS WINDOWS  
GENERAL MILL WORK  
5150 W. BENTLEY BLVD  
AGUA FRIA, NM 87510

06/19/2012





Puertas de Santa Fe  
1/2 mile east of Ben Lane  
On Agua Fria

*Puertas de Santa Fe*  
DOORS CABINETS & WINDOWS  
GENERAL MILL WORK  
CUSTOM & COMMERCIAL  
HARDWARE  
(505) 471-2876  
SINCE 1962



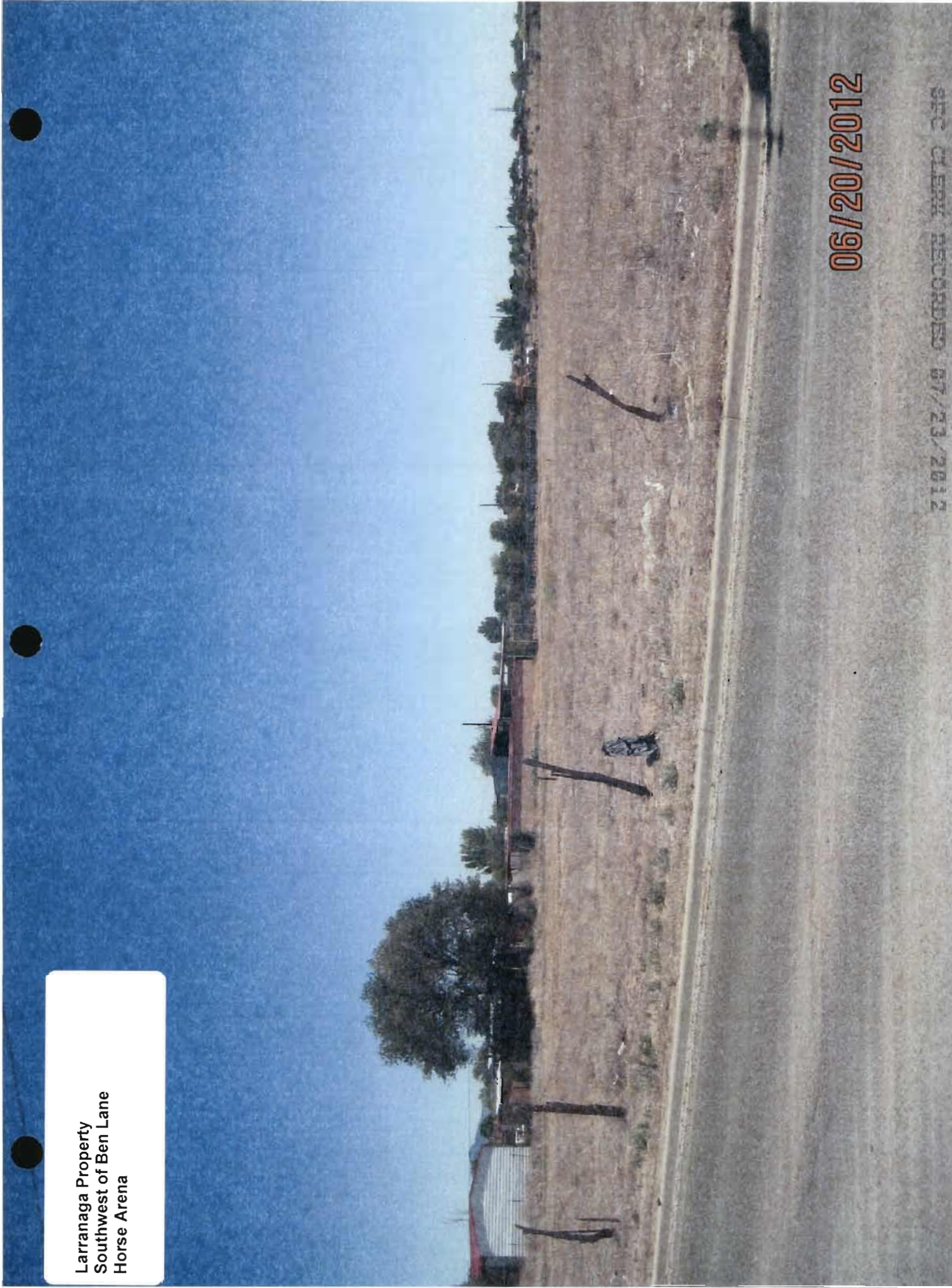
06/20/2012

Rodriguez Brothers Inc.  
West of Ben Lane

06/20/2012

SEC CLERK RECORDED 07/23/2012

Larranaga Property  
Southwest of Ben Lane  
Horse Arena

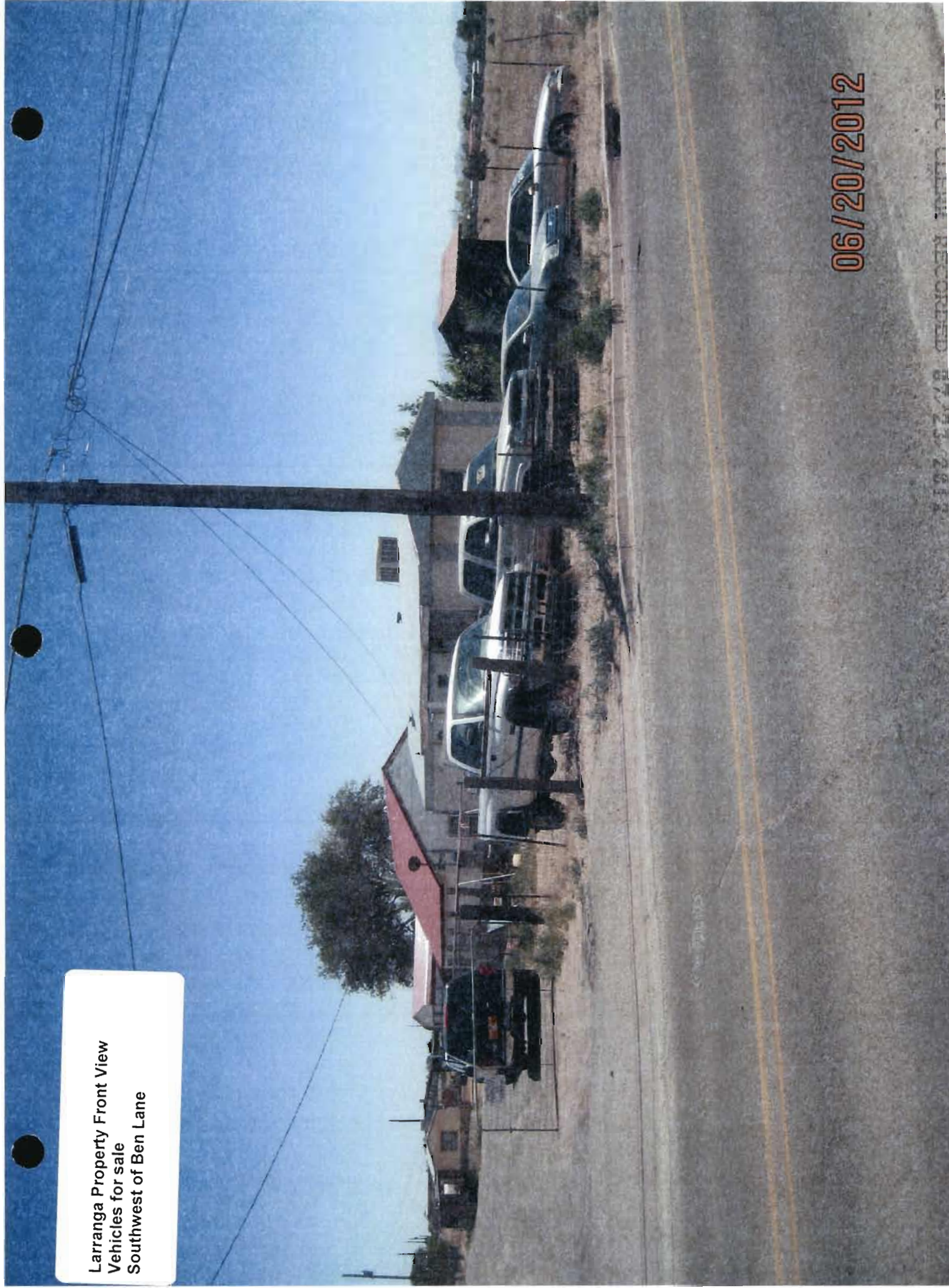


06/20/2012

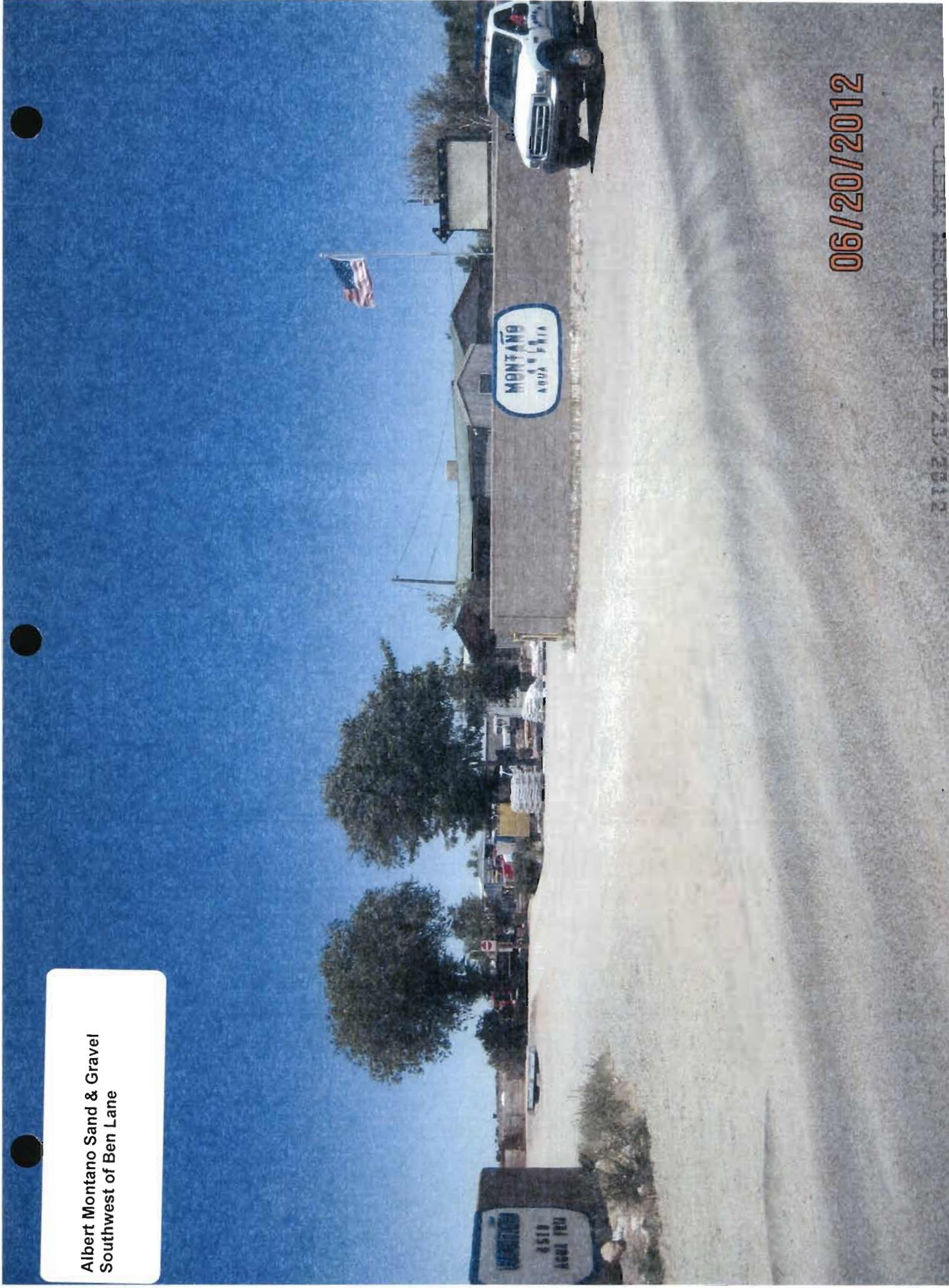
REC'D 06/20/12 06:00:00 AM

Larranga Property Front View  
Vehicles for sale  
Southwest of Ben Lane

06/20/2012



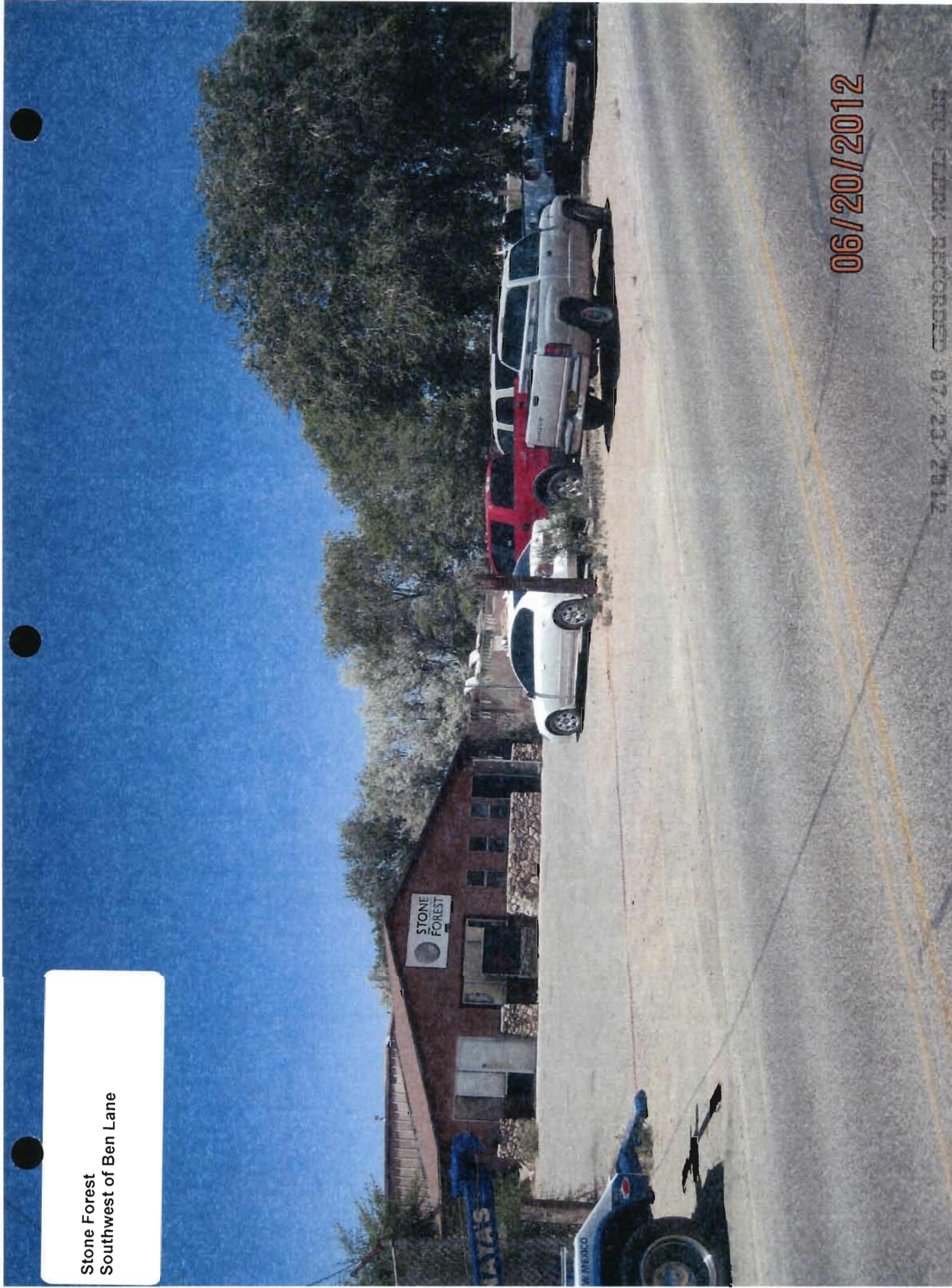
Albert Montano Sand & Gravel  
Southwest of Ben Lane



06/20/2012

REC. CLERK RECORDED 6/23/2012

Stone Forest  
Southwest of Ben Lane



06/20/2012

REC. CLERK RECORDED 07/23/2012

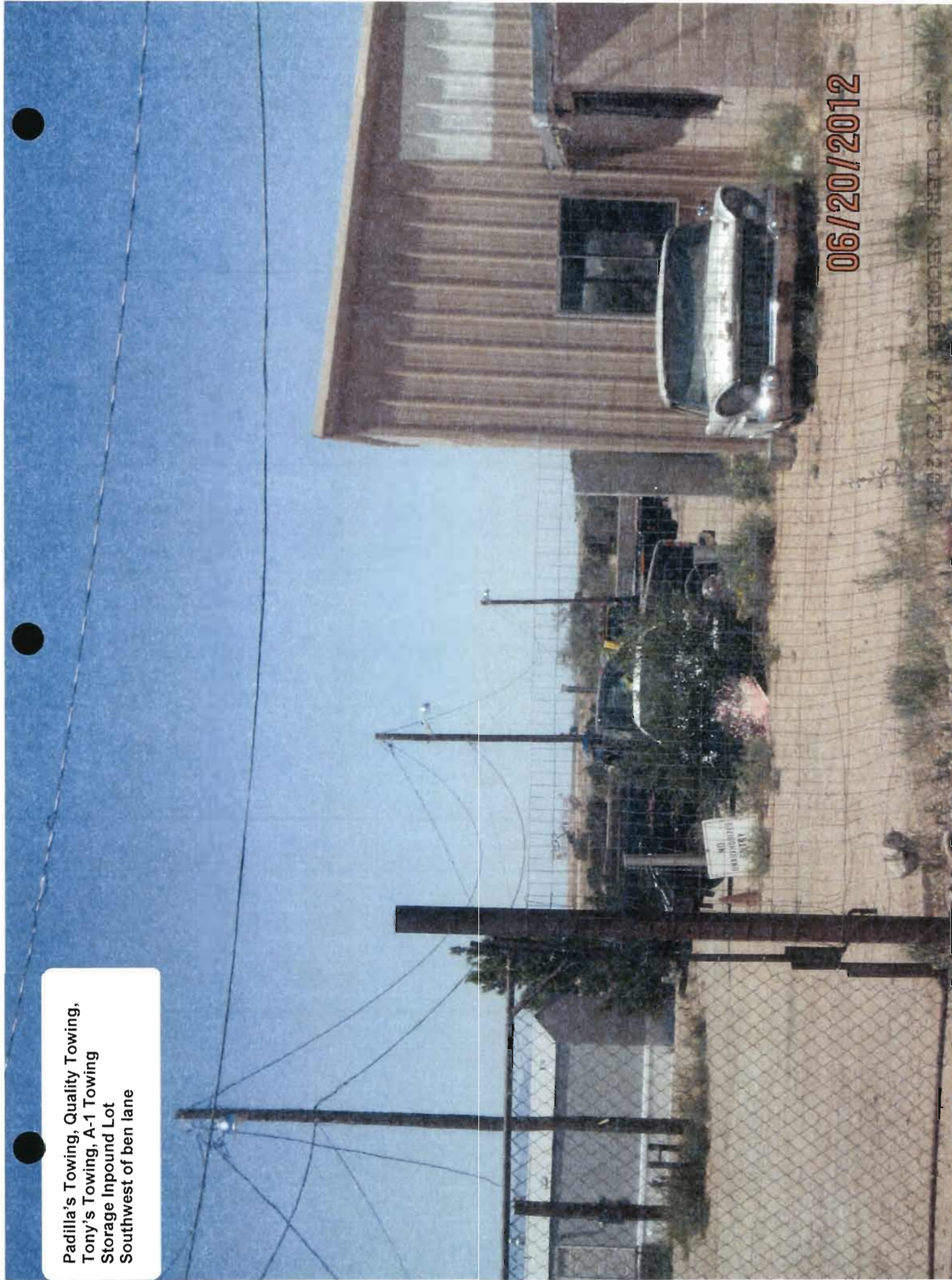
Quality Towing, Tony's Towing,  
A-1 Towing, Padilla' Towing  
Storage Inpound Lot

PADILLAS  
471 2685  
WRECKER SERVICE  
USED PARTS

06/20/2012

REC'D CLERK RECORDED 07/23/2012

Padilla's Towing, Quality Towing,  
Tony's Towing, A-1 Towing  
Storage Inpound Lot  
Southwest of ben lane

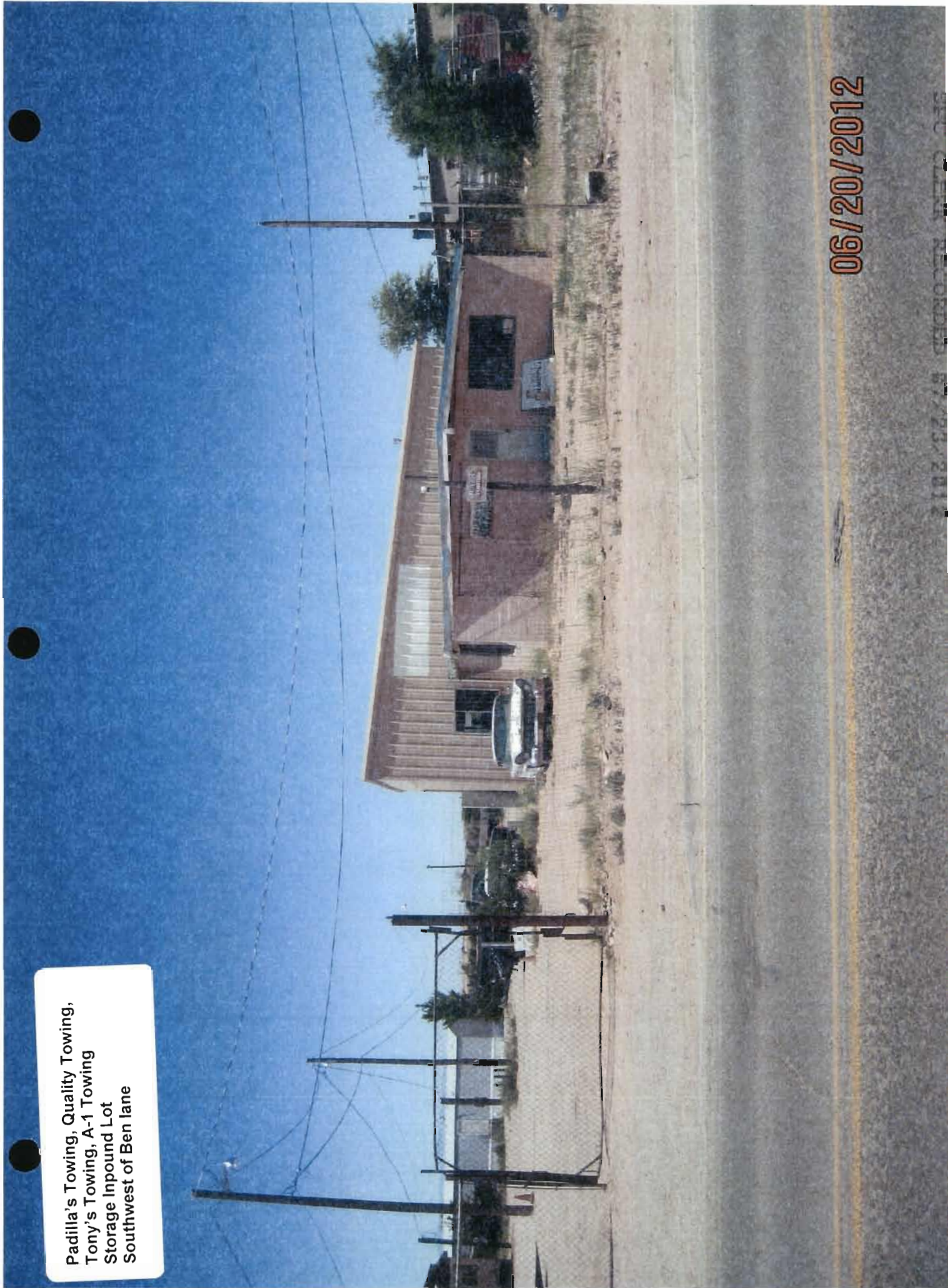


06/20/2012

REC'D ELECTRONIC MAIL 06/20/2012 11:52 AM

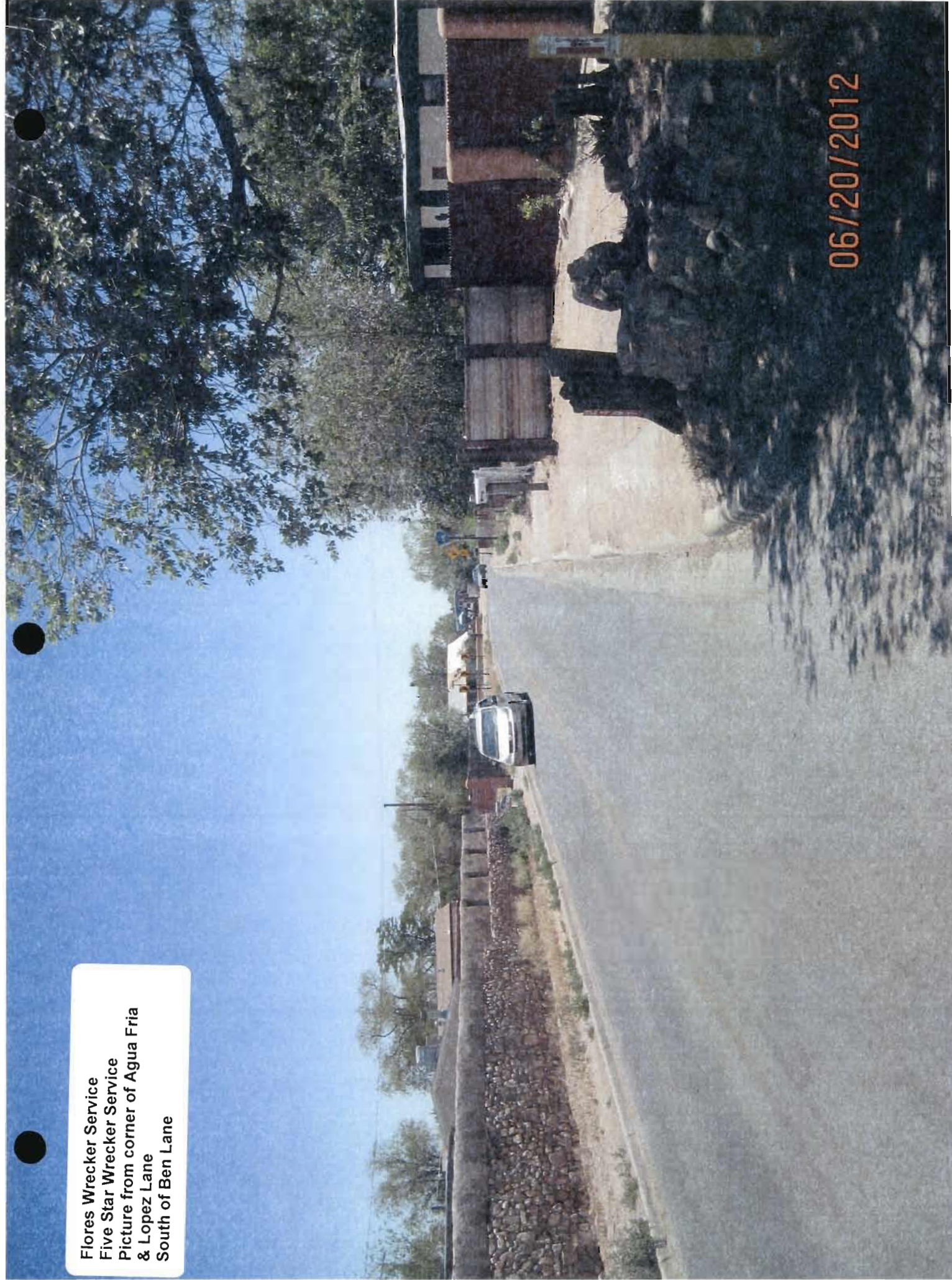


Padilla's Towing, Quality Towing,  
Tony's Towing, A-1 Towing  
Storage Inpound Lot  
Southwest of Ben lane



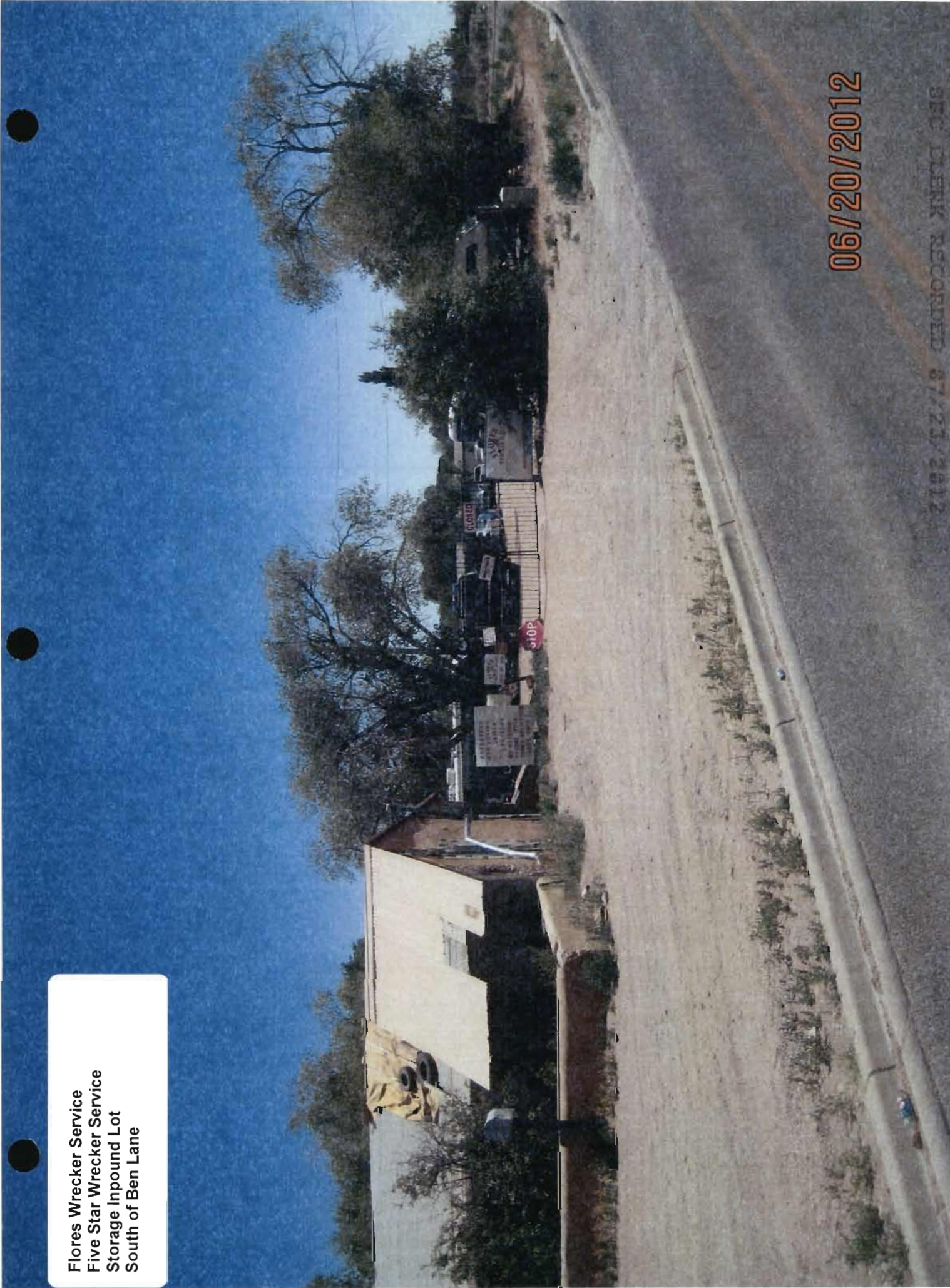
06/20/2012

Flores Wrecker Service  
Five Star Wrecker Service  
Picture from corner of Agua Fria  
& Lopez Lane  
South of Ben Lane



06/20/2012

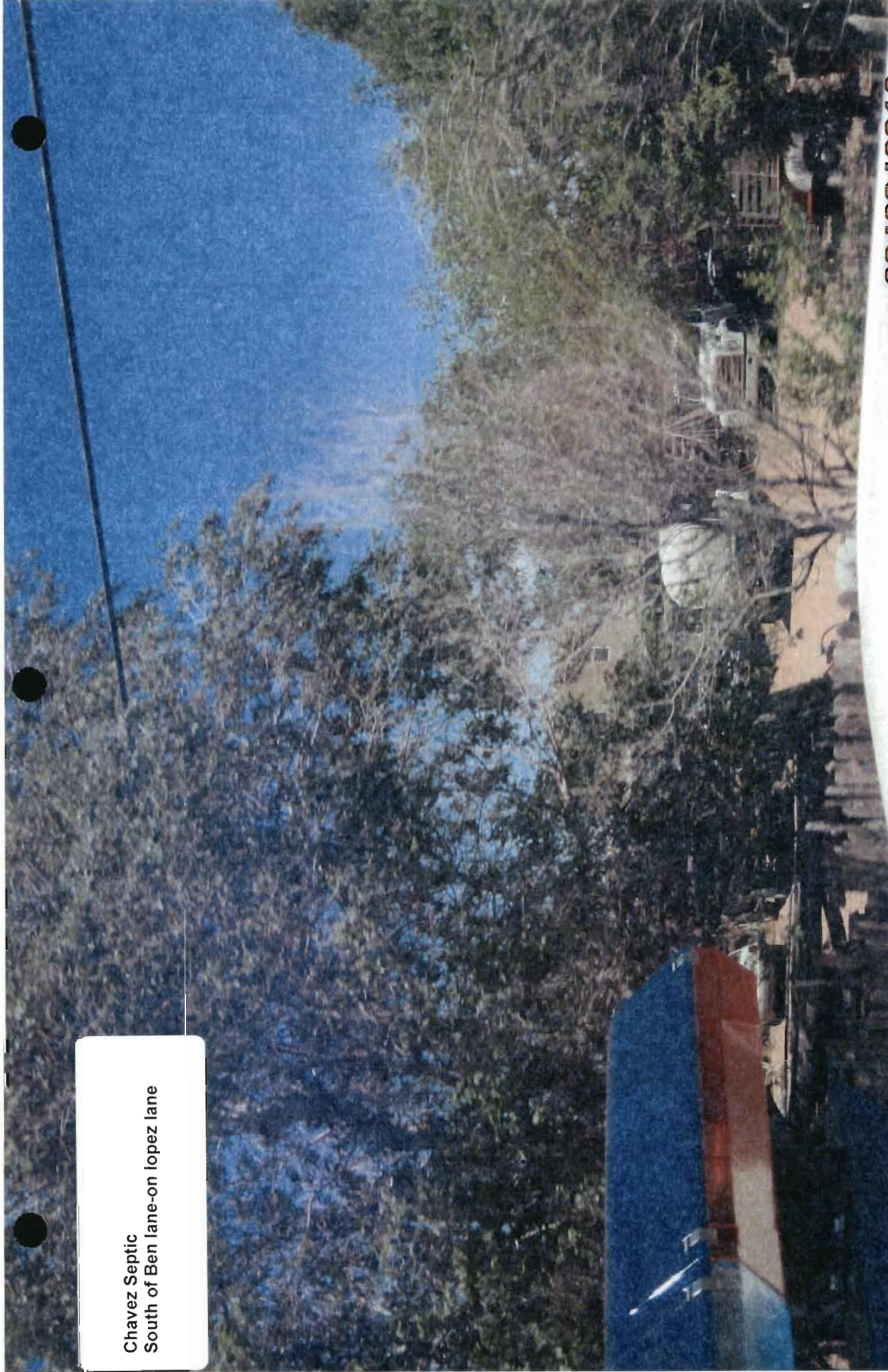
Flores Wrecker Service  
Five Star Wrecker Service  
Storage Inpound Lot  
South of Ben Lane



06/20/2012

2192/12/18 CENADENY PHOTO 188

Chavez Septic  
South of Ben lane-on Iopez lane



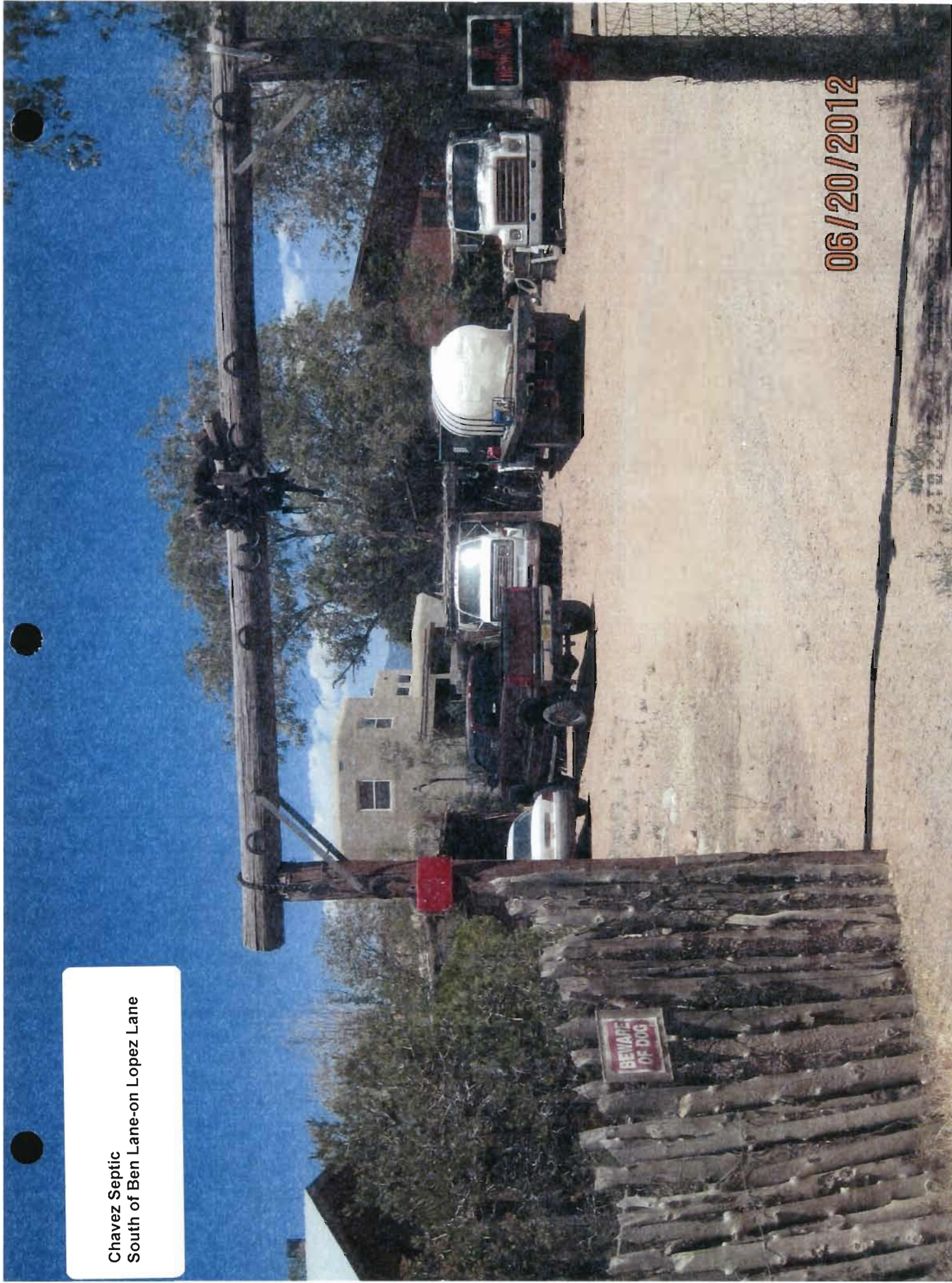
06/20/2012

SFC CLERK RECORDED 87/23/2012

Chavez Septic  
South of Ben Lane-on Lopez Lane

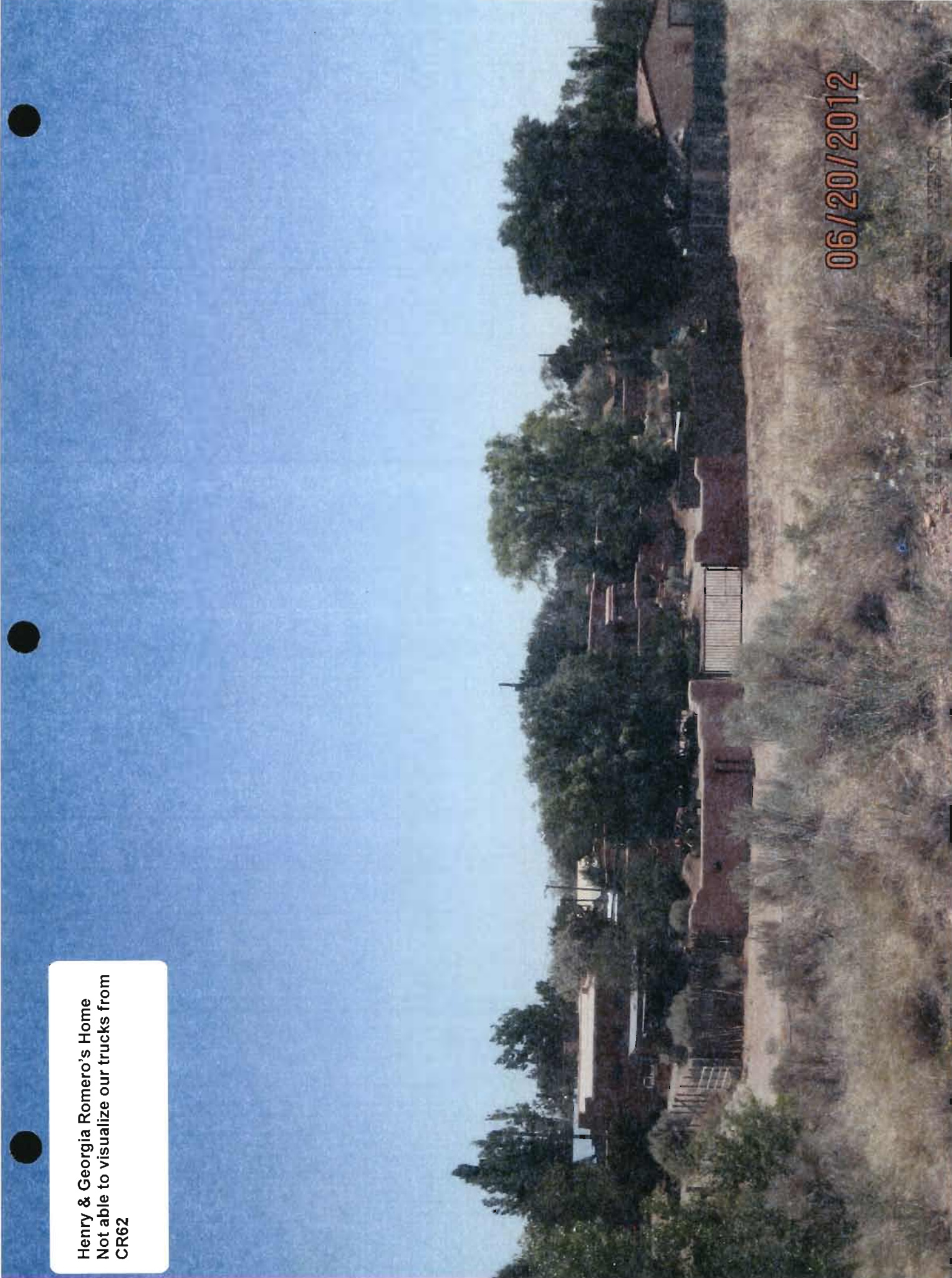
BEWARE  
OF DOG

06/20/2012



Henry & Georgia Romero's Home  
Not able to visualize our trucks from  
CR62

06/20/2012



Henry & Georgia Romero's Home  
Not able to visualize our trucks from  
La Familia Medical Center Parking lot

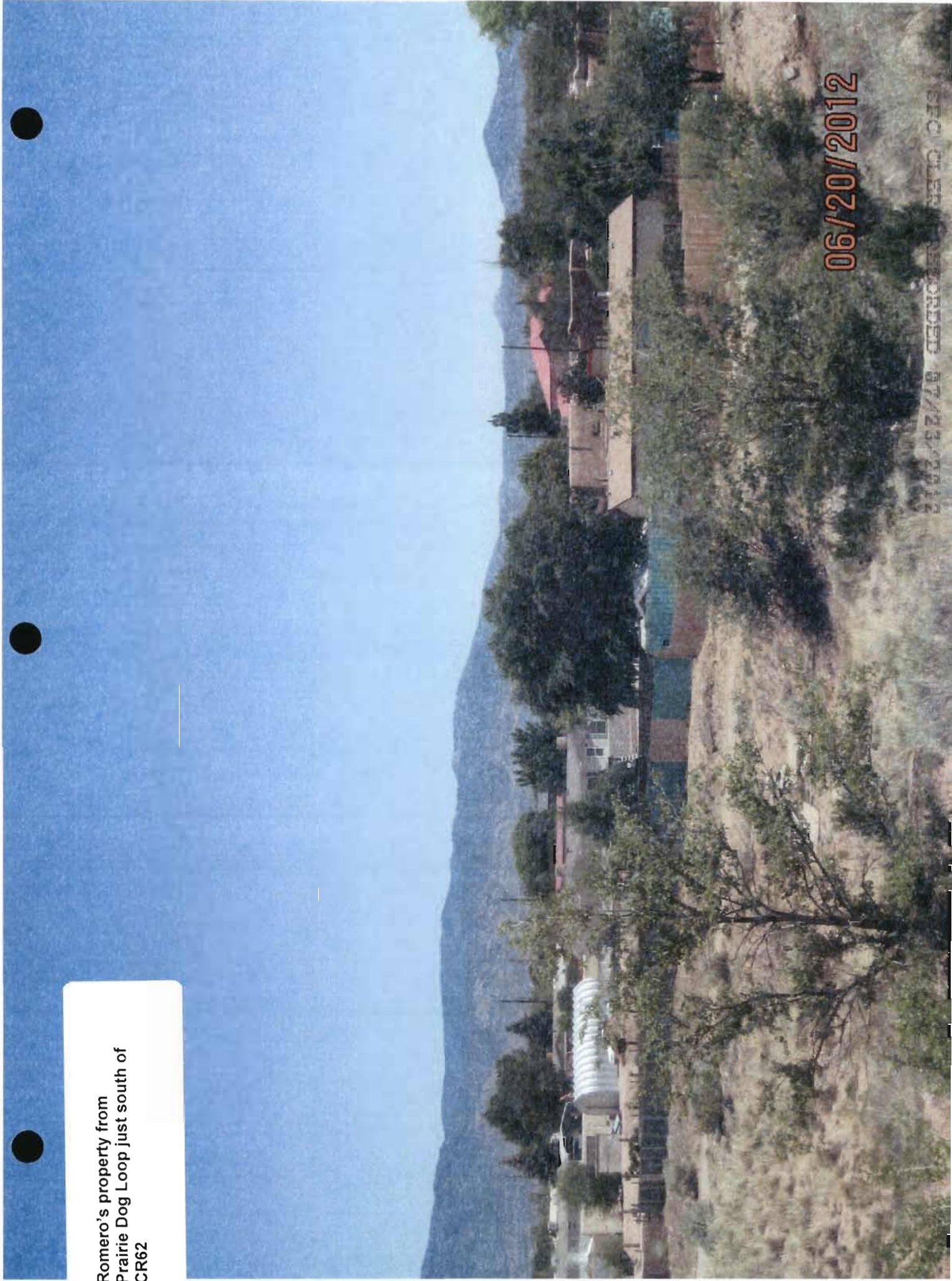
06/20/2012



Romero's property from  
Prairie Dog Loop just south of  
CR62

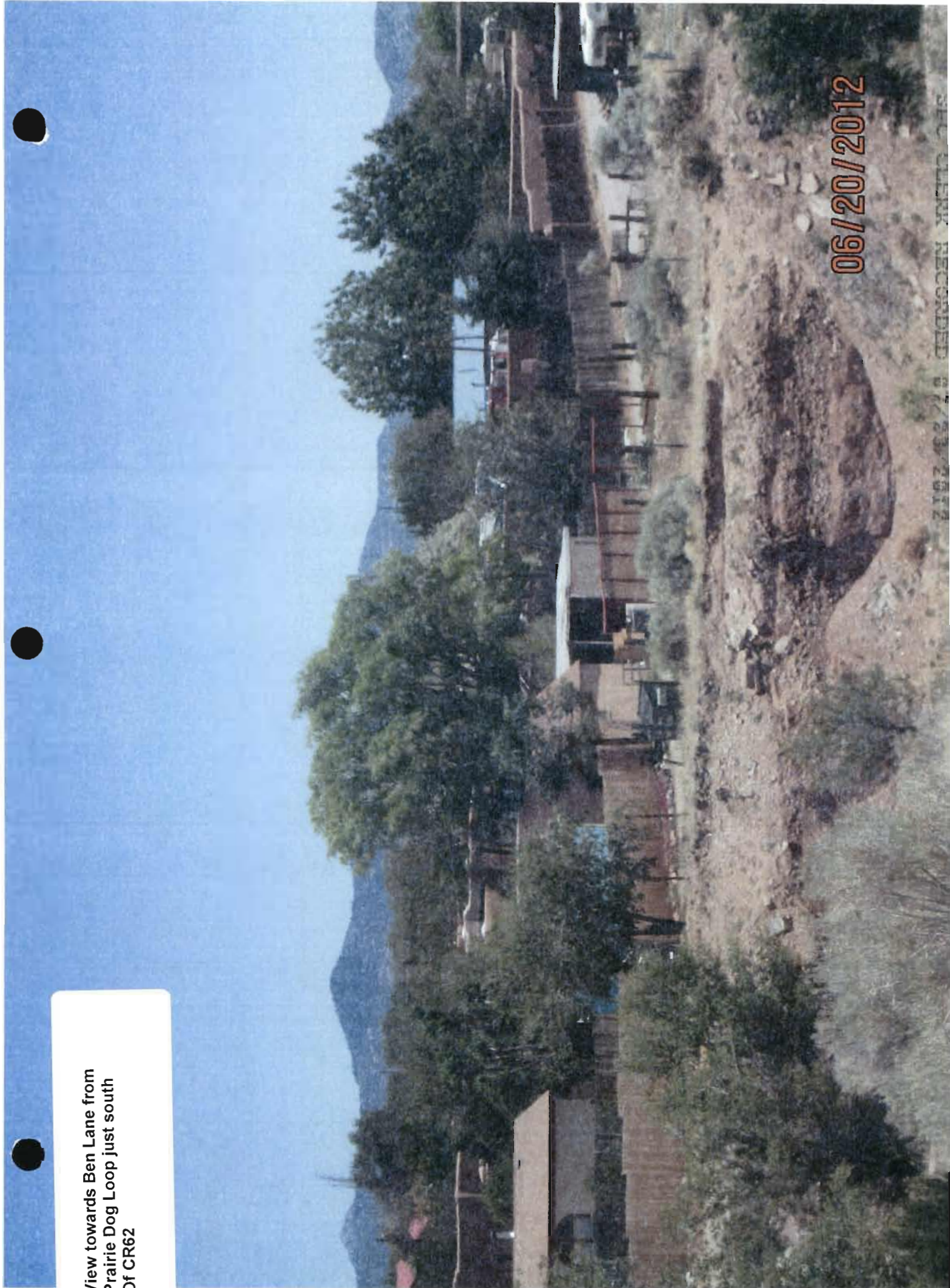
06/20/2012

2143/12/15 05:00:00 PM





View towards Ben Lane from  
Prairie Dog Loop just south  
Of CR62



06/20/2012

2162 462748 DEERHORN VILLAGE

Agua Fria & Ben Lane

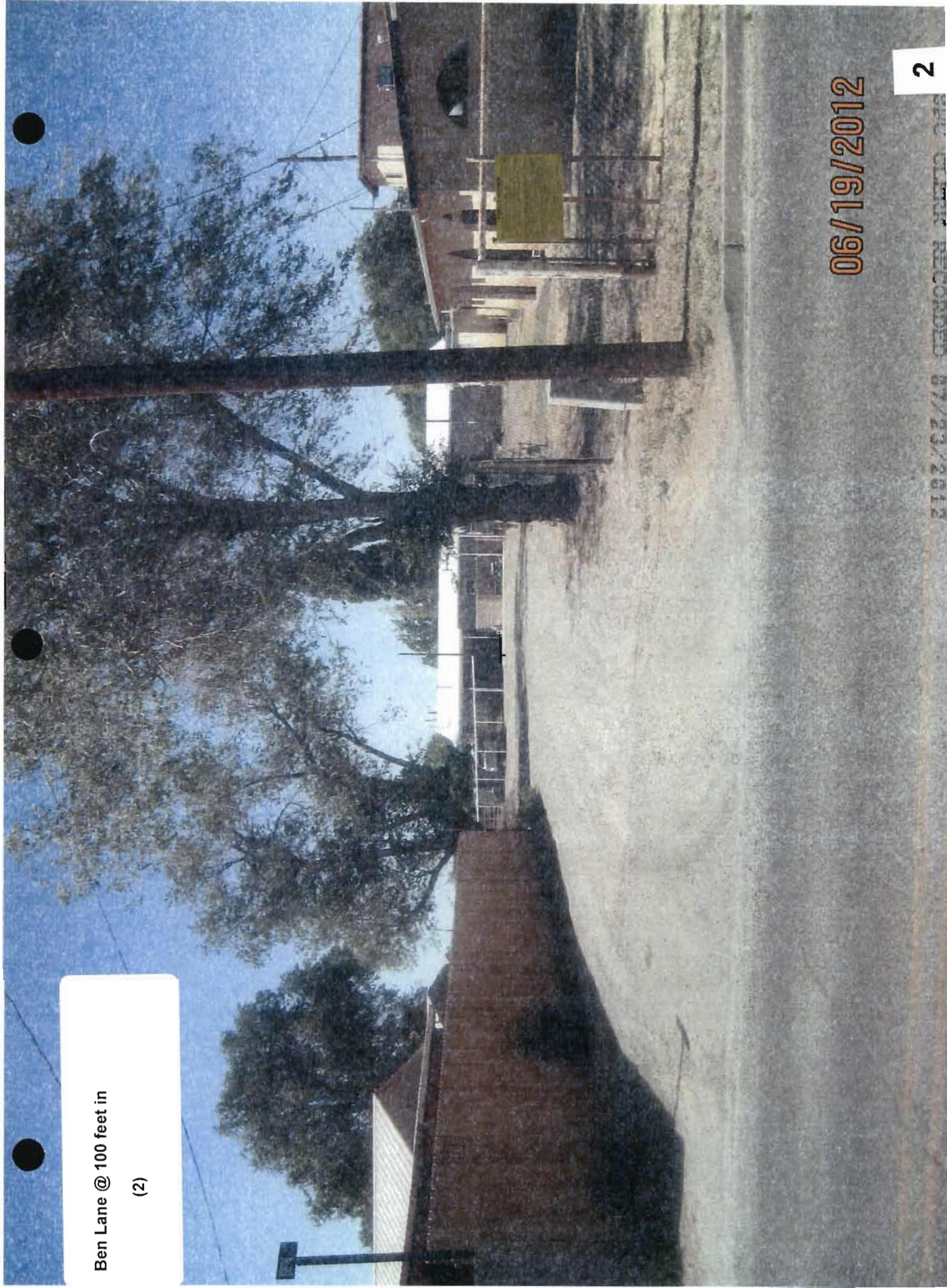
(1)

WELCOME  
TO THE  
TRADITIONAL VILLAGE  
OF  
AGUA FRIA

06/19/2012

Ben Lane @ 100 feet in

(2)



06/19/2012

Ben Lane @ 150 feet in

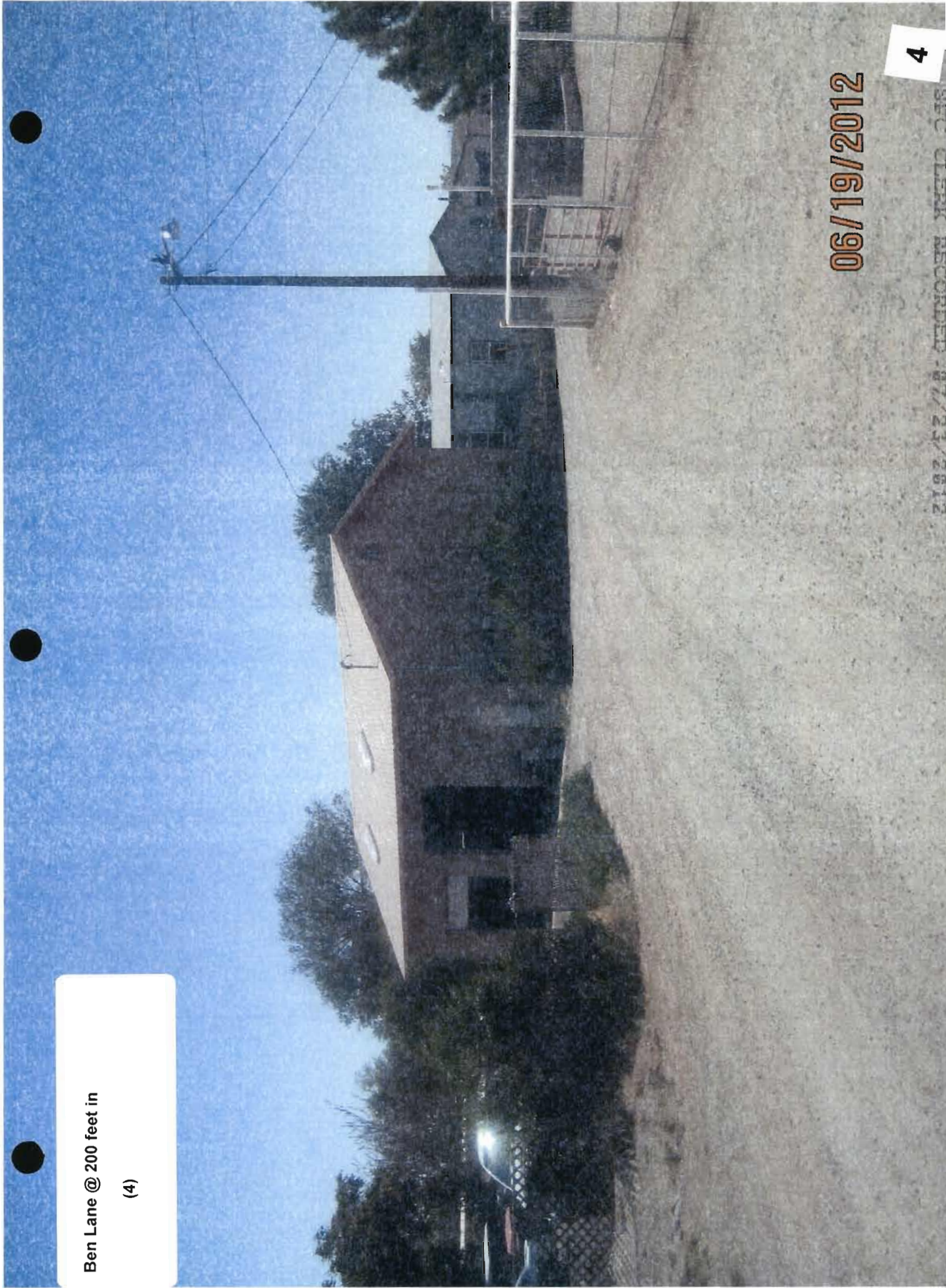
(3)

06/19/2012



Ben Lane @ 200 feet in

(4)



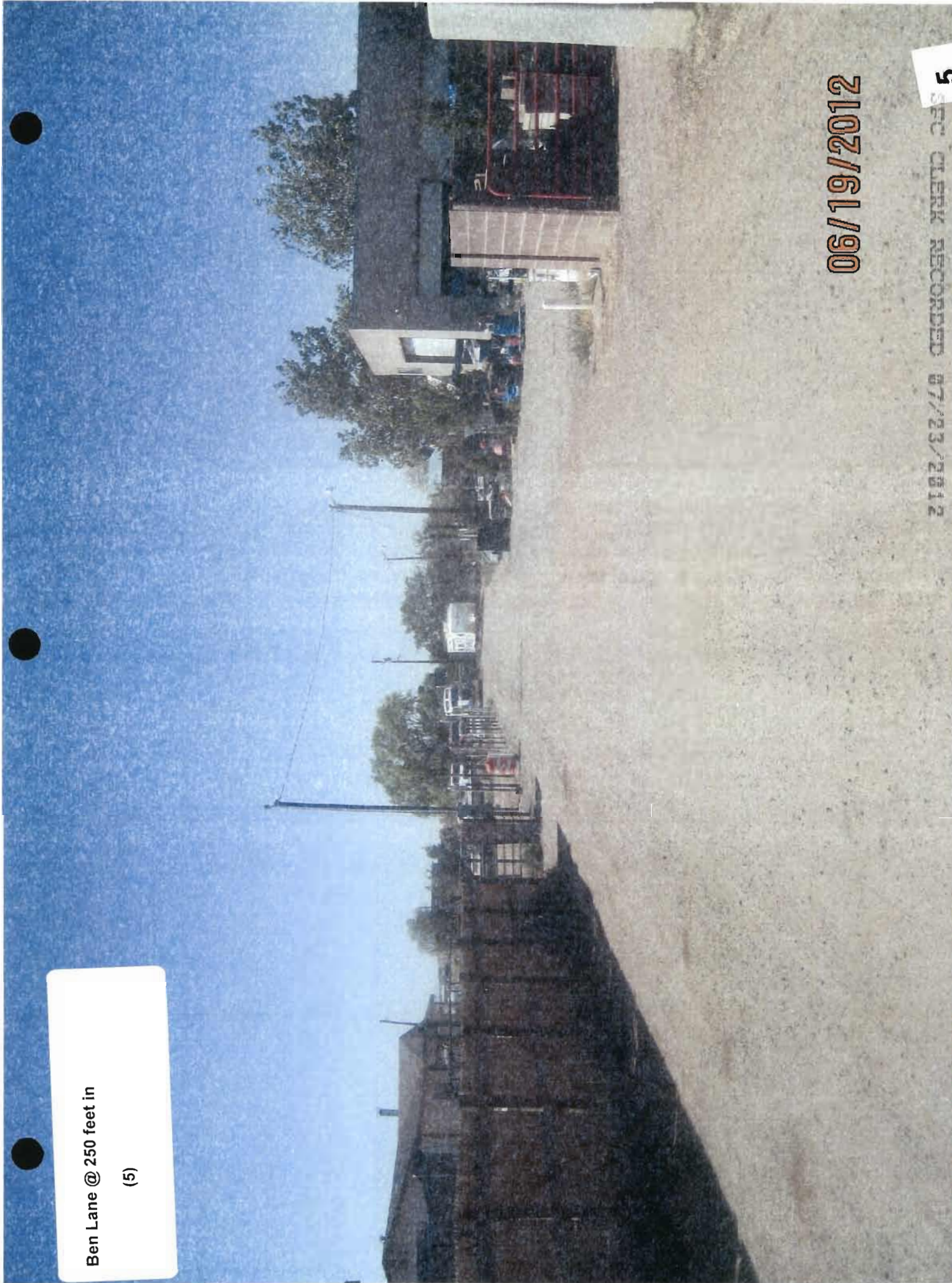
06/19/2012

4

2192/12/28- GEORGE W. METZ CAS

Ben Lane @ 250 feet in

(5)



06/19/2012

2182/22/11 DECEMBER 2011 5

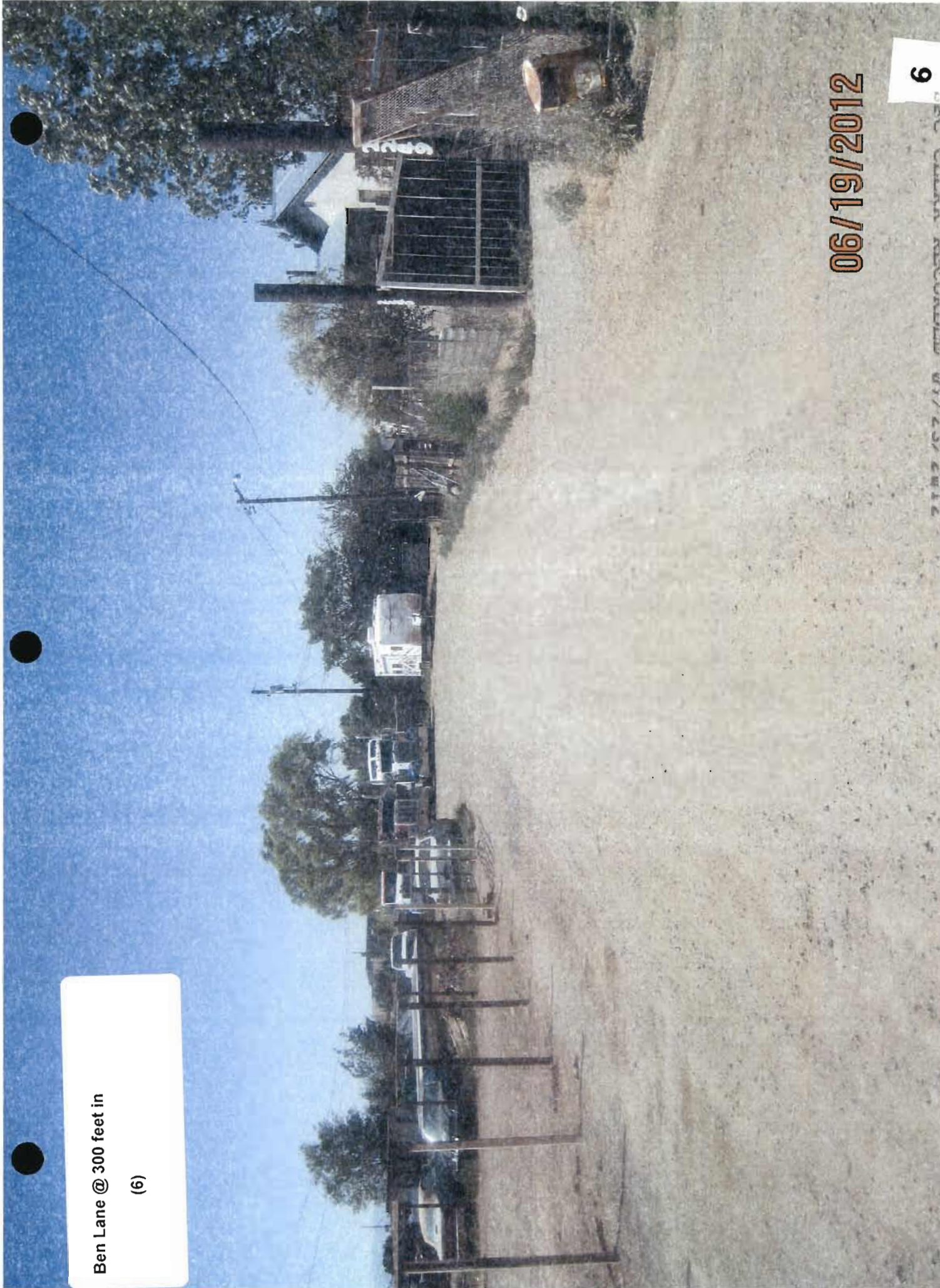
Ben Lane @ 300 feet in

(6)

06/19/2012

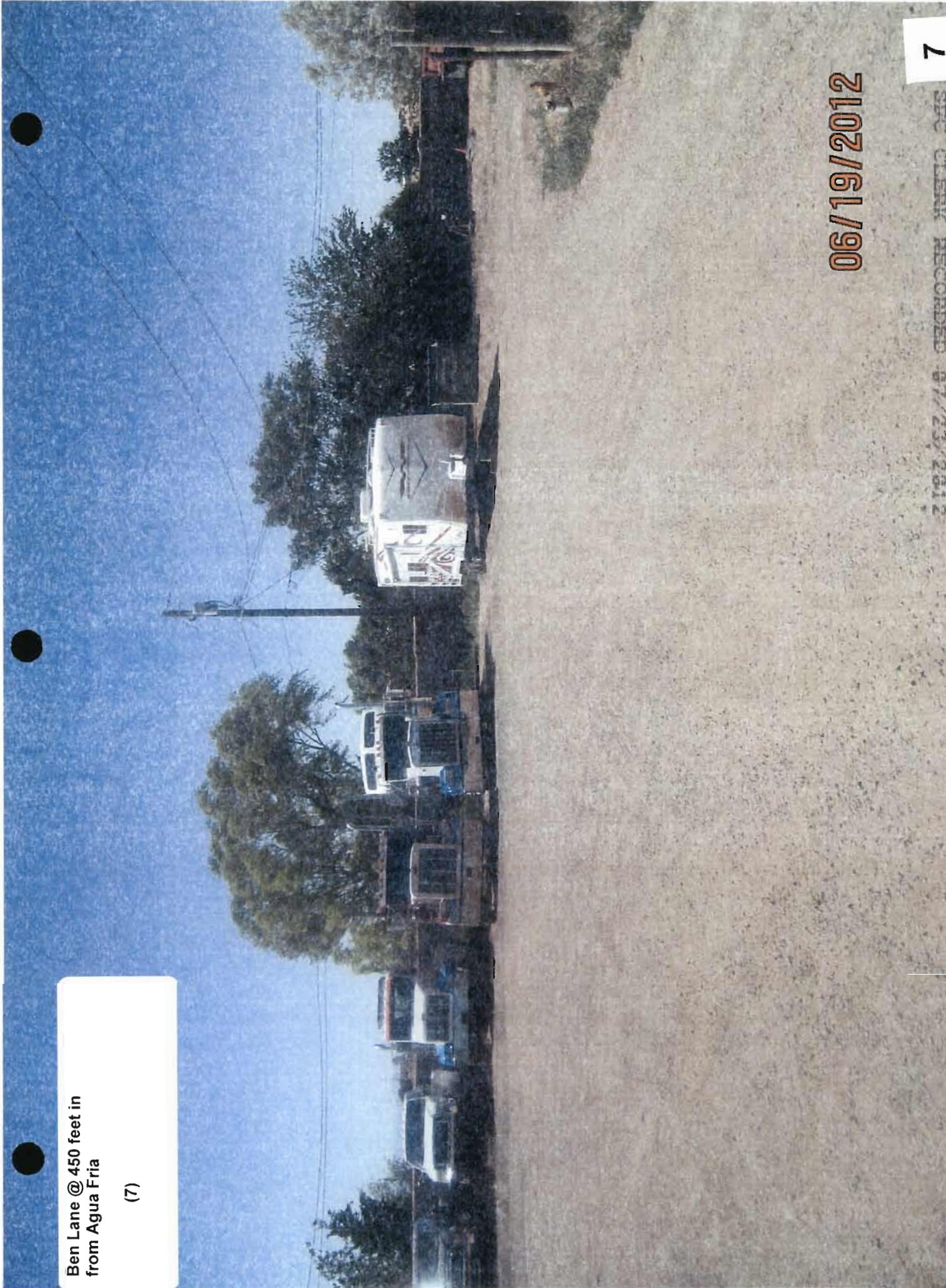
6

2182/52/18 DECEMBER 1970



Ben Lane @ 450 feet in  
from Agua Fria

(7)



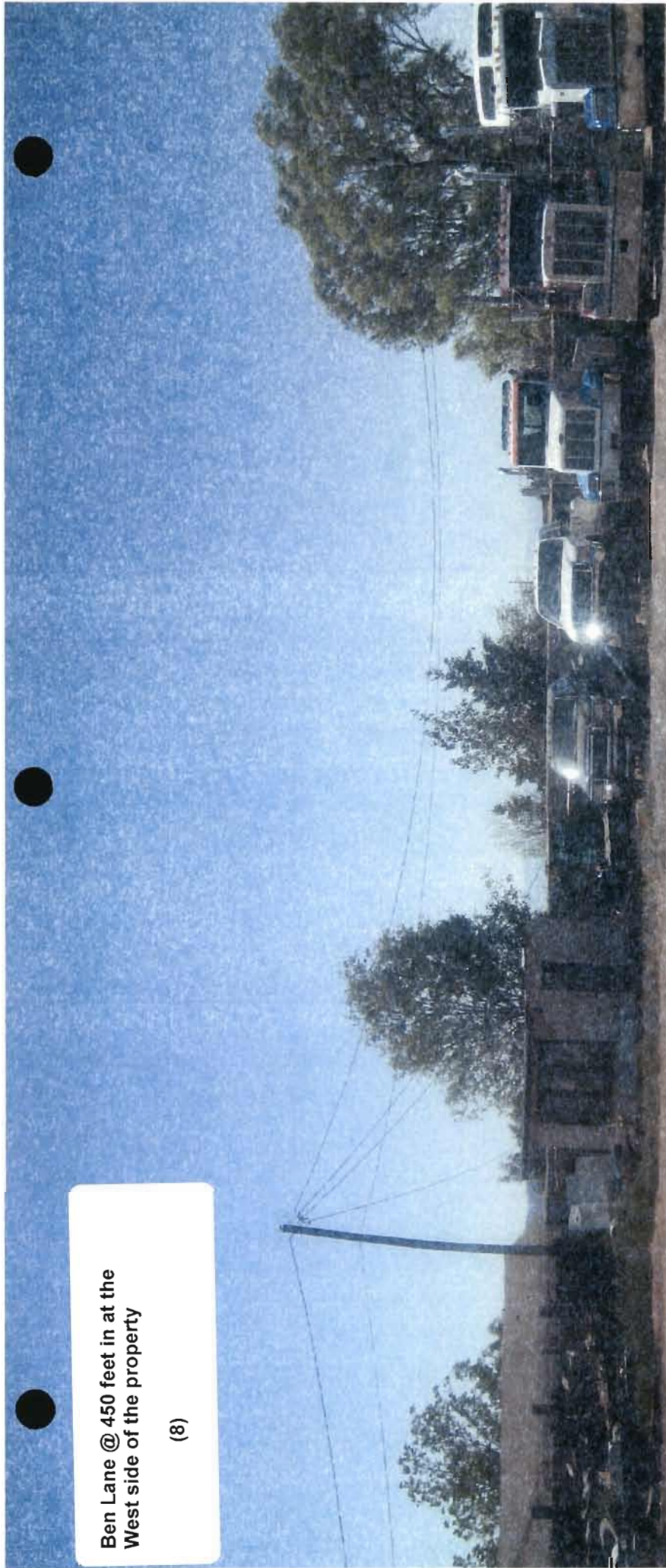
06/19/2012

2192/22/18 GEORGE W. WHEAT, 2012



Ben Lane @ 450 feet in at the  
West side of the property

(8)

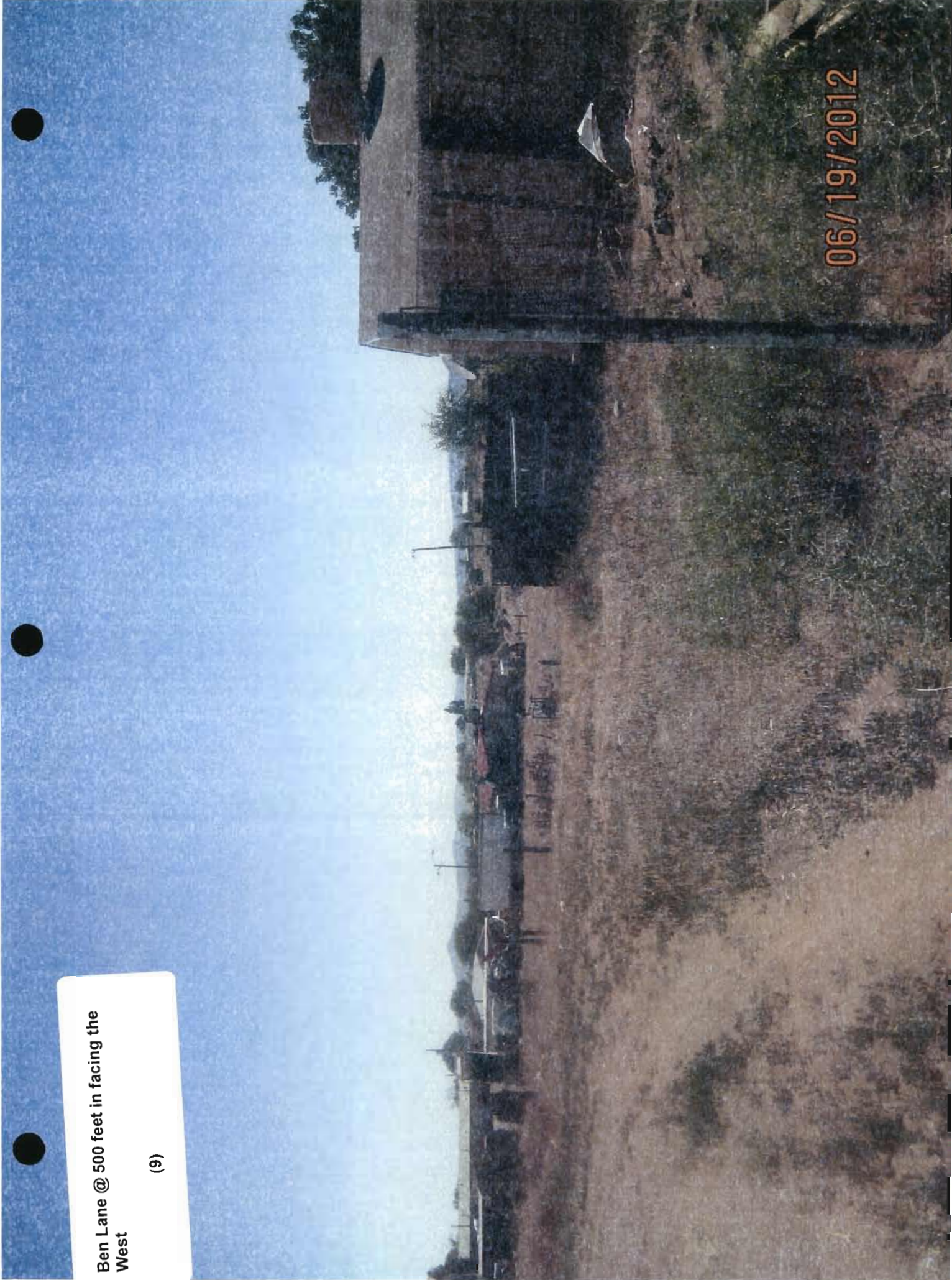


06/19/2012

Ben Lane @ 500 feet in facing the  
West

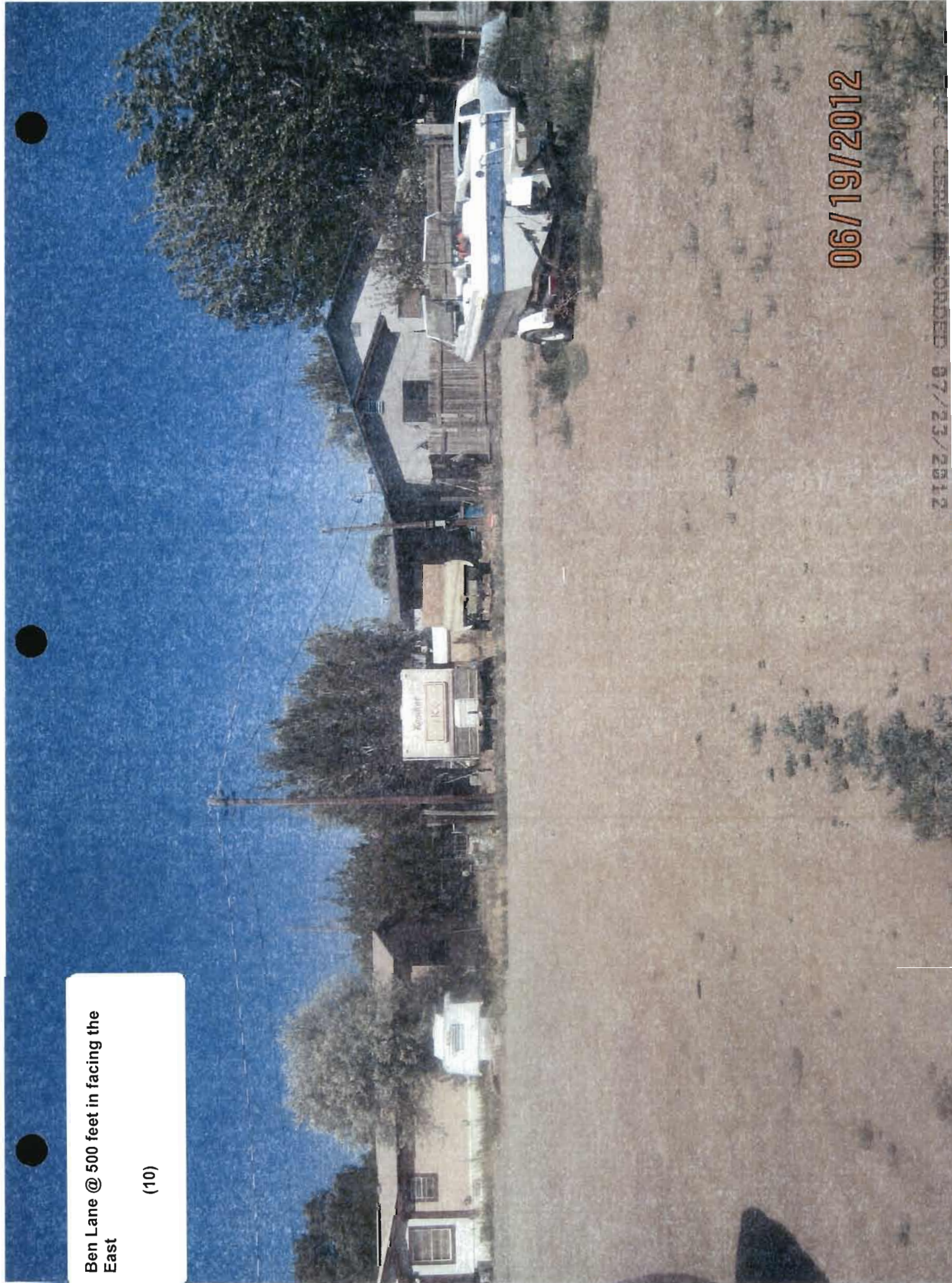
(9)

06/19/2012



Ben Lane @ 500 feet in facing the East

(10)

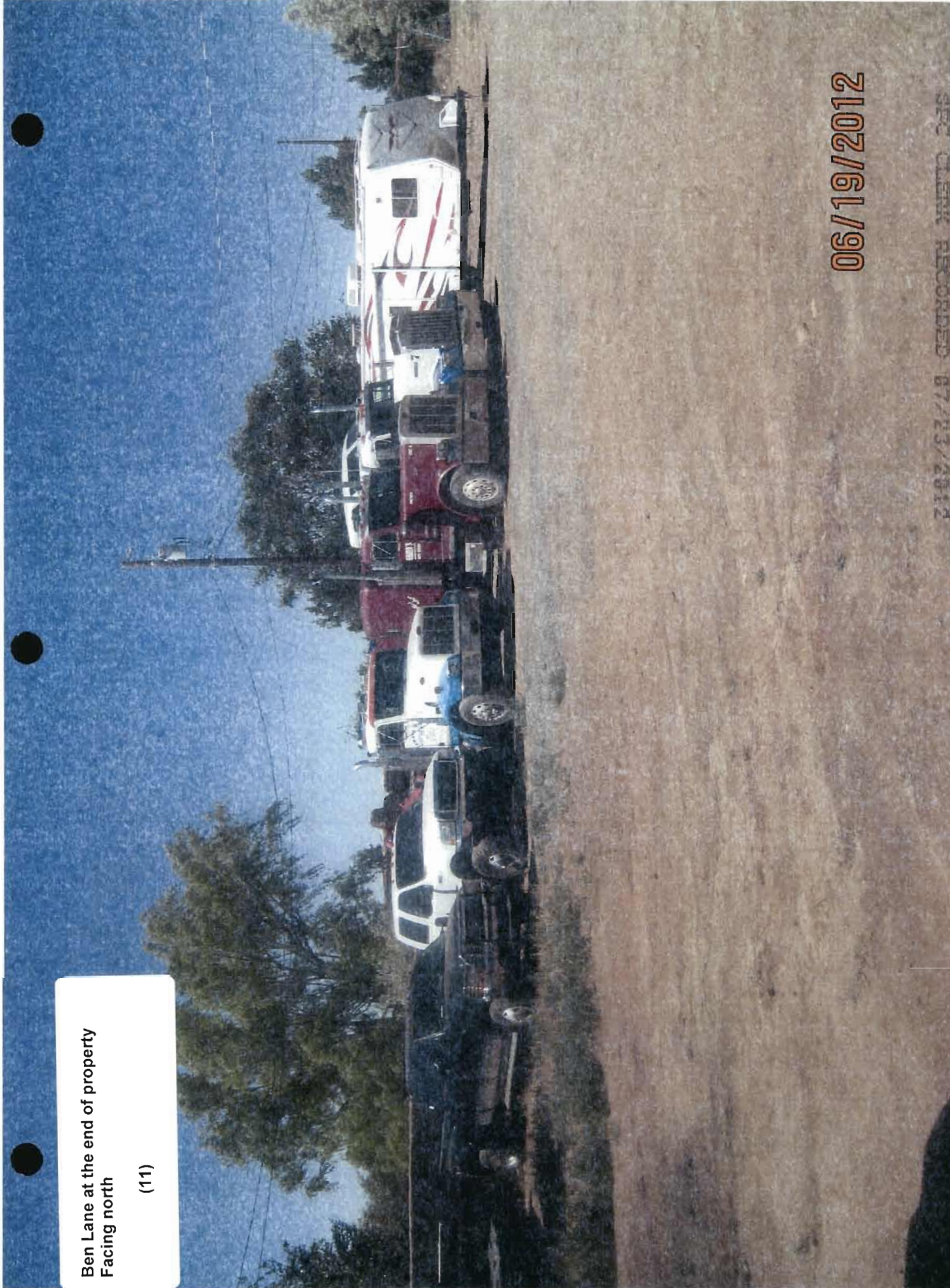


06/19/2012

2182/22/29 RECORDED 57/23/2012

Ben Lane at the end of property  
Facing north

(11)



06/19/2012

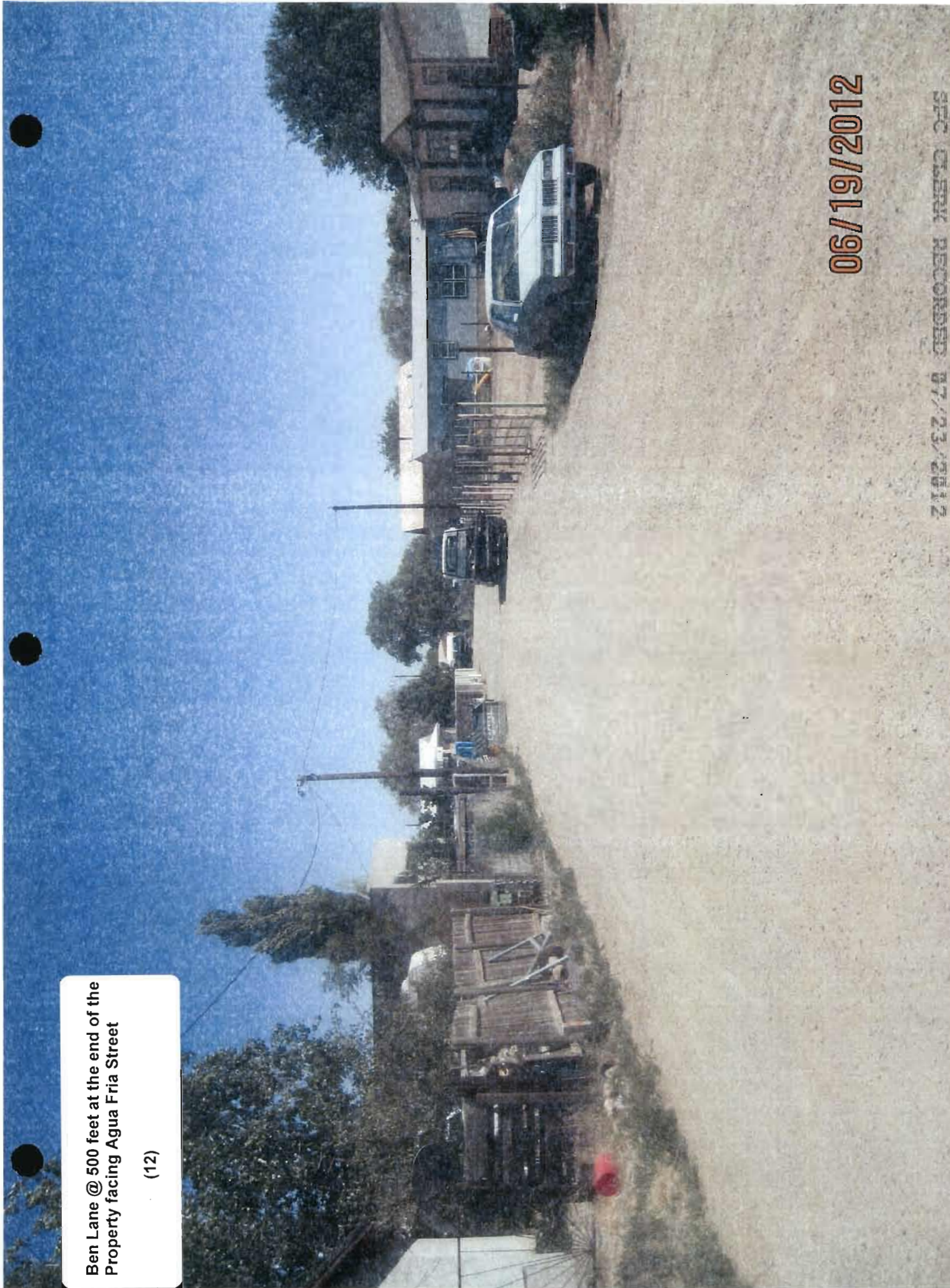
2162/8378 GEORGE W. HENRY 248

Ben Lane @ 500 feet at the end of the  
Property facing Agua Fria Street

(12)

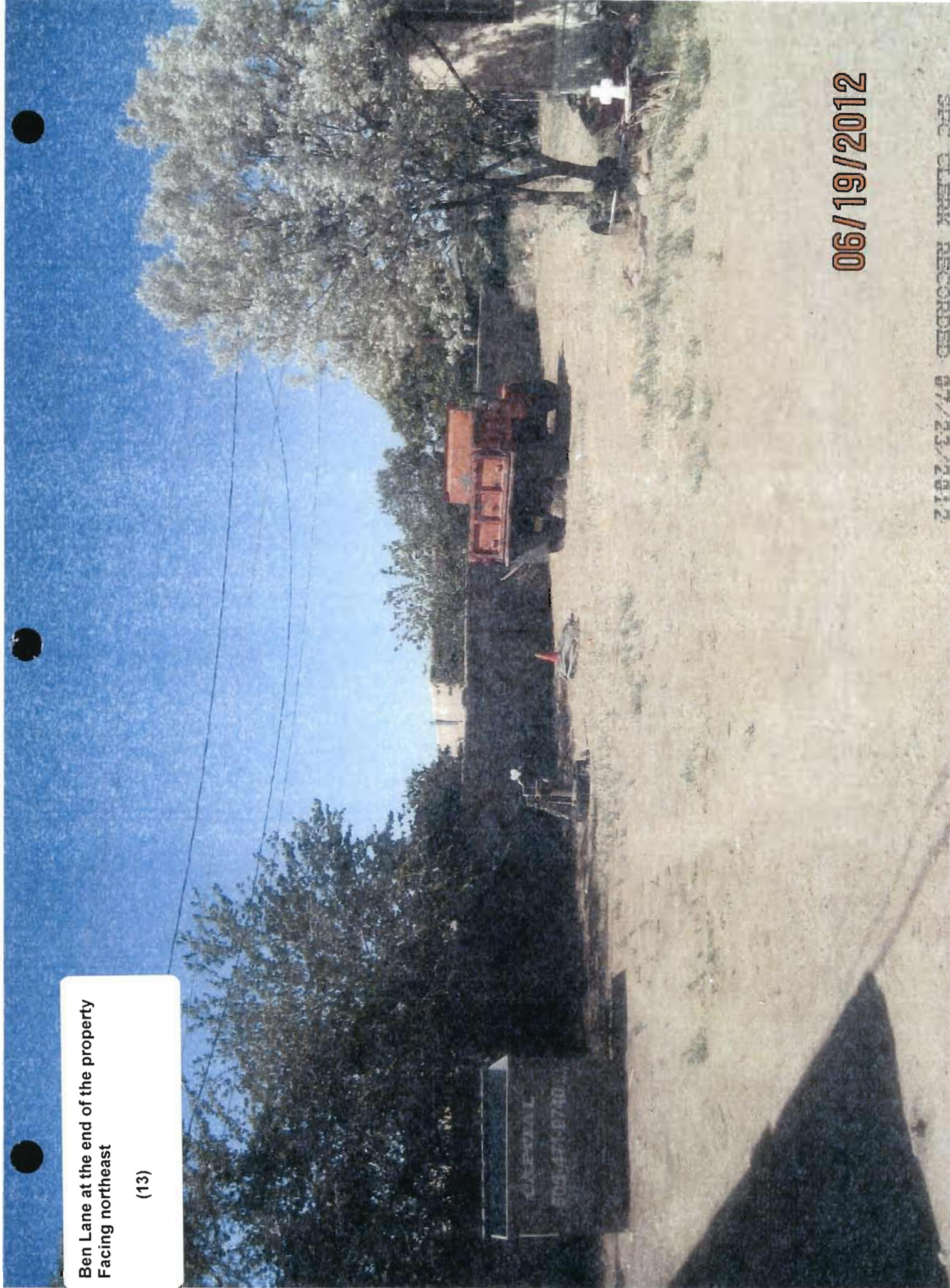
06/19/2012

2102/02/10 CERRITOS AREA 246



Ben Lane at the end of the property  
Facing northeast

(13)



06/19/2012

2:12:52/78 GEORGE WHEAT 215

Ben Lane at the end showing the  
8 foot wall to the north

(14)

CAPITAL  
505-471-0740

06/19/2012

SFC CLERK RECORDED 07/23/2012

Ben Lane at the end facing north  
Showing a different angle of the  
8 foot wall

(15)



06/19/2012

SEC CAMERA RECORDED: 07/23/2012



Ben Lane at the end facing northwest  
Of the 8 foot wall

(16)

06/19/2012



The wall repaired by Henry Romero

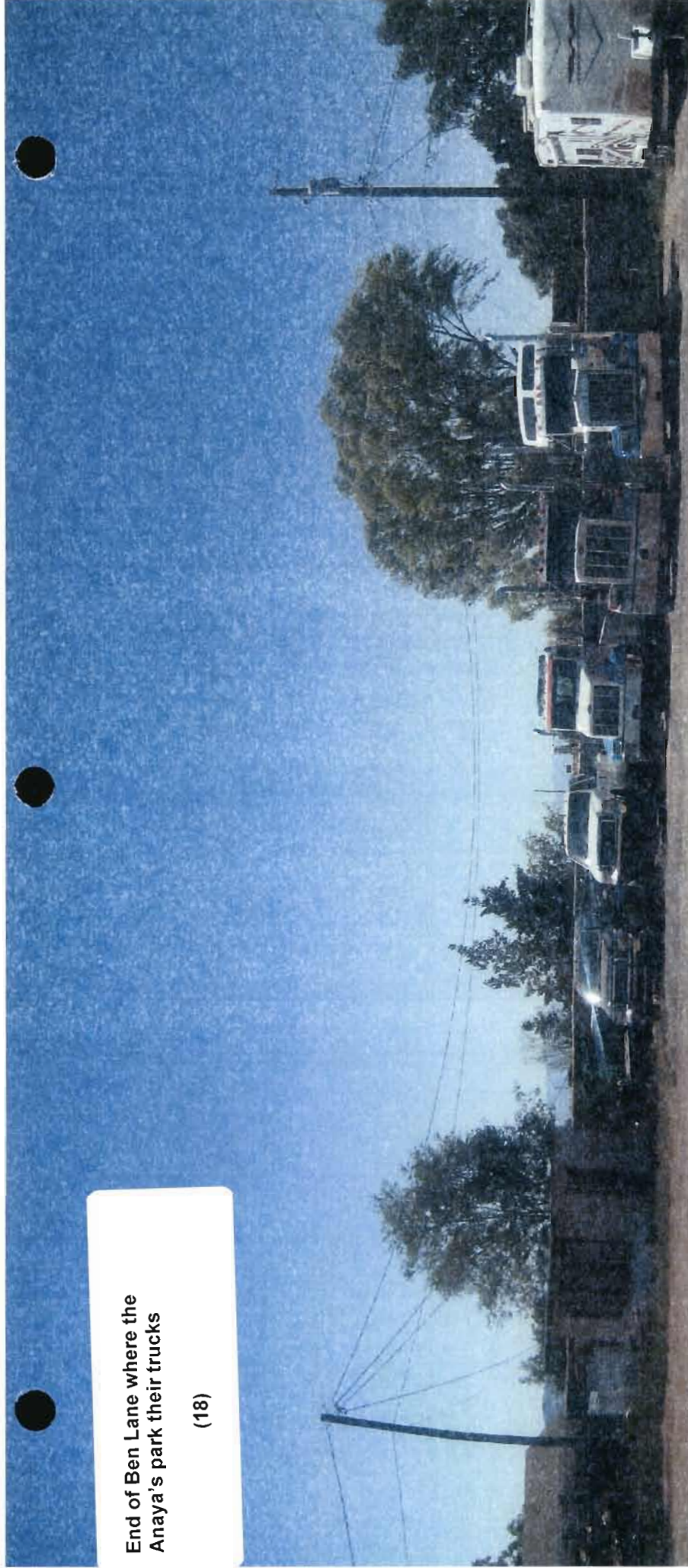
(17)

06/19/2012



End of Ben Lane where the  
Anaya's park their trucks

(18)



06/19/2012

REC'D CLERK RECORDED 6/23/2012

Subj: **FW: Santa Fe Business Award**  
Date: 5/23/2012 2:54:05 P.M. Mountain Daylight Time  
From: [bridget@santafechamber.com](mailto:bridget@santafechamber.com)  
To: [anayabrighteyes@aol.com](mailto:anayabrighteyes@aol.com)

**Congratulations, your Business has be nominated for a 2012 Business Award!!!**

The 2012 Business Awards event hosted by the Chamber will recognize some of the best businesses in Santa Fe that have thrived in spite of a difficult economic environment. The Awards event presented by Daniels Insurance will bring together VIP's and business and community leaders, and will recognize some of the people and organizations that have helped strengthen the Chamber and its mission this year.

Over 90 local businesses were nominated this year and everyone is invited to attend, celebrate and dress to impress!

- Red Carpet Photo Ops
- Networking, Refreshments and Entertainment
- Hors d'Oevres from Santa Fe Finest Restaurants
- Volunteers of the Year Recognition
- BizMIX Finalists
- Leadership Santa Fe Graduating Class Recognition
- Century Bank Business Excellence Awards
- Santa Fe Community College Green Business of the Years Award
- Family Friendly Business of the Year
- City of Santa Fe Small Business of the Year
- Transfer of the Gavel

**What: Daniels Insurance Business Awards Red Carpet Gala**  
**When: Thursday, June 7 from 5:30 – 7:30 pm**  
**Where: Santa Fe Farmers Building**  
**Cost: \$30 at the door or in advance at [www.santafechamber.com](http://www.santafechamber.com)**  
**Dress: To impress**  
**More info: 988-3279**

**Presenting Sponsor**  
**DANIELS INSURANCE**

**Red Carpet Sponors**  
**Santafe.com**  
**Chalmers Captiol Ford Lincoln**  
**City of Santa Fe**  
**Los Alamos National Labs**  
**Berardinelli Family Funeral Service**

SFC CLERK RECORDED 07/23/2012

# 2012 EVENT SPONSORS



**DANIELS INSURANCE INC.**  
... an Assurex Global Partner

**CENTURY BANK**

People • Relationships • Community

# RED CARPET SPONSORS



SANTA FE CHAMBER  
OF COMMERCE

**DII**

**DANIELS  
INSURANCE**

**DANIELS INSURANCE INC.**  
... an Assurex Global Partner

2012 SANTA FE CHAMBER OF  
COMMERCE BUSINESS AWARDS

BUSINESS  
EXCELLENCE  
AWARDS

# 2012 SANTA FE BUSINESS AWARDS

5:30 - 6:30 - Networking and Refreshments

6:30 - Welcome by Simon Brackley, Chamber President and CEO & Anne Sperling, Daniels Insurance

6:35 - Volunteers of the Year Recognition

*Simon Brackley and Fred Cisneros, Chair of the Board*

6:45 - BizMIX Finalists Recognition

*Connor Wilson, Thornburg Investment Management and Kate Noble, City of Santa Fe*

6:55 - Leadership Santa Fe Class of 2012 Recognition

7:00 - Century Bank Business Excellence Awards - *Chip Chippeaux*

7:10 - Santa Fe Community College Green Business of the Year Award - *Randy Grissom*

7:15 - Family Friendly Business of the Year - *Councilor Carmichael Dominguez*

7:20 - City of Santa Fe Small Business of the Year - *Mayor David Coss*

7:25 - Transfer of the Gavel - *Fred Cisneros and Scott Hutton Incoming Chair*

## 2012 BUSINESS AWARDS NOMINEES

### 1-4 EMPLOYEES

Frogurt  
Absolute Entertainment  
Anaya's Roadrunner Wrecker Service  
Anytime Fitness Santa Fe Southside  
Blush Boutique  
Chavez Fine Jewelers  
Chop Shop  
Chopstix Oriental Food  
Christine's Bridal & Formal Wear  
Copelli Chocolatier

Eldorado Biofuels  
Elevate Media  
Food Tour NM  
Indigo Baby  
Kool Stuff by Doreen  
La Tienda at Eldorado  
Labor Ready  
Pooch Pantry Bakery & Boutique  
Rockin' Rollers Event Arena  
Roger Williams Fine Art  
Santa Fe Hair Studio

### Signs Today

The Backhoe Lady  
The Gilded Page  
The Indigo Baby  
The Travelers Annex  
The Vapor Store  
We Do Windows

### 5-20 EMPLOYEES

317 Aztec (formerly Aztec Cafe)  
A Sound Look  
Acoma Optical  
Air Conditioning & Heating Service Co.  
Amigo Tire and Automotive  
Auto Care 2000  
Barker Realty  
Barraclough & Associates  
Beehive Homes of Santa Fe  
C.G. Higgins Confections  
Constellation Home Electronics  
DBC Inc. Concrete Products & Supply  
Dulce Bakery  
Green Owl Cafe  
High Desert Landscape Maintenance, Inc.  
HK Advertising, Inc  
Kimberly's Hallmark  
Land Rover Santa Fe  
Las Chivas (Coffee House and Roaster)  
Los Amigos  
Lujan's Paint & Body Shop  
Mucho Sandwich Shoppe  
New Mexico Golf Limited  
New Mexico Sports & Fitness Center, LLC

### Queen's Ransom

Reynolds Insurance  
Santa Fe Tails  
Snowy River  
Subway on the Plaza  
The Auto Angel  
The Candyman Strings & Things  
The Outdoorsman of Santa Fe  
Tin-Nee-Ann Trading Co  
Together Strong LLC  
Tumbledown Studios

### 21+ EMPLOYEES

Applebee's Neighborhood Grill and Bar  
Berardinelli Family Funeral Service  
Bicycle Technologies International  
Blue Corn Cafe  
Chalmers Capital Ford Lincoln  
Cowgirl BBQ  
Daisy Lay LLC DBA The Ranch House  
El Rey Inn  
Joe's Dining  
Kokopelli Property Management  
Modrall Sperling  
Newman's Nursery  
Positive Energy  
Premier Motor Cars  
Rocky Mountain Business Systems Inc  
Santa Fe Greenhouses  
Ten Thousand Waves  
The Santa Fe New Mexican  
Tomasita's Restaurant

Someone you know has sent you a  
one of a kind, handmade gift basket full of  
award-winning, critically acclaimed ingredients!

To:  
Robert Anaya  
Anaya's Roadrunner Wrecker  
Service  
2253 Ben Lane  
Santa Fe NM 87507  
505-328-9262

From:  
Robert Shilling  
Robert Shilling  
4553 Camino San Juan  
Santa Fe NM 87507  
505-328-9262

Anaya's Towing...ROBERT!!!!

Thanks so much for the tow and taking care of me last week. You're  
a great guy, and run a great company!!!! Enjoy, and thanks for  
taking care of my troops out there.

Robert Shilling  
Chief - New Mexico State Police

GourmetGiftBaskets.com  
"Only the best gourmet gifts."



To: Robert Anaya  
From: Robert Shilling

May 6, 2012

Re: Support of Request for Variances for Robert and Bernadette Anaya  
2253 Ben Lane, Santa Fe, New Mexico 87507

This letter is to express the support of the members and residents of Agua Fria Village Association for the variance requested by residents of Agua Fria Village, Robert and Bernadette Anaya, to continue to be able to park their towing vehicles at their residence, as they have done for over two decades.

We do not oppose the variance that the Anayas are requesting in order that they may continue to operate their business out of their home and park their towing vehicles at the back of their property.

This variance would in no way increase the intrusion upon the existing, surrounding properties. The Anayas have been parking their towing vehicles on their property since 1989 and require quick and immediate access to these vehicles in the event of an emergency dispatch for calls from Santa Fe County Sheriff's Department, SF Police Department, BIA, NM State Police, NM DOT and Tesuque Tribal Government. The Anaya's towing business serves to keep our community safe and we value them as residents and business owners of Agua Fria Village.

Thank you for your consideration of this letter of support.

Sincerely,

Residents and Members of Agua Fria Village Association:

General De la Jara  
Mary Ann  
\_\_\_\_\_  
\_\_\_\_\_  
Josie Ortiz  
Viola Ortiz

2252 Ben Lane SF, NM, 8750  
286 Prairie Dog Loop  
2253 Ben Lane  
3548 Quail View Ln  
2250 Rumbold AL Sur 8750  
2246 Rumbold Sur 8750

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

SFC CLERK RECORDED 07/23/2012



Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

To Whom It May Concern:

I am writing to express my strong support for the current application before you dealing with the above referenced property.

The Anayas, who are requesting the variance at issue have been longstanding residents and small business owners at 2253 Ben Lane, Santa Fe, New Mexico, 87507, since 1989. Mrs. Anaya's family has owned the property in question for generations, and a majority of surrounding properties are, in fact, the Anaya's family or extended family members who have witnessed the Anayas dutifully operate their tow truck business and park their towing vehicles at the back of their property for decades.

The Anaya family has created many relationships with emergency responders over the years and stand ready to respond at any hour of the night to such emergencies, whether from the Fire Department, the Police Department or other governmental agencies. The variance is necessary, in part, so that the Anaya's have quick access to their towing vehicles in the event of emergency dispatch. Should the Anaya's store their tow trucks off site, the time it takes to go retrieve these towing vehicles could mean the difference between whether or not a life or important government property is saved. Often, such emergency responders cannot get to victims or those in need during an accident without the assistance of a tow truck company such as the Anaya's.

I feel that the services that the Anaya's conduct and their ability to park their tow vehicles on their own property supports a very important community service that would not exist without the existence of the Anaya's. The proposed variance would in no way increase the intrusion upon the existing, surrounding properties. The Anaya's towing services serves to keep our community safe and we value them as residents and business owners of Agua Fria Village.

Thank you for your consideration of this letter of support.

Sincerely,

Name:

*REBECCA LUGAR*

Address:

*4159 J. Meadows #127  
Santa Fe, NM 87507*

SEE CLERK RECORDED 07/23/2012

SPC CLERK RECORDED 07/23/2012

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

To Whom It May Concern:

I am writing to express my strong support for the current application before you dealing with the above referenced property.

The Anayas, who are requesting the variance at issue have been longstanding residents and small business owners at 2253 Ben Lane, Santa Fe, New Mexico, 87507, since 1989. Mrs. Anaya's family has owned the property in question for generations, and a majority of surrounding properties are, in fact, the Anaya's family or extended family members who have witnessed the Anayas dutifully operate their tow truck business and park their towing vehicles at the back of their property for decades.

The Anaya family has created many relationships with emergency responders over the years and stand ready to respond at any hour of the night to such emergencies, whether from the Fire Department, the Police Department or other governmental agencies. The variance is necessary, in part, so that the Anaya's have quick access to their towing vehicles in the event of emergency dispatch. Should the Anaya's store their tow trucks off site, the time it takes to go retrieve these towing vehicles could mean the difference between whether or not a life or important government property is saved. Often, such emergency responders cannot get to victims or those in need during an accident without the assistance of a tow truck company such as the Anaya's.

I feel that the services that the Anaya's conduct and their ability to park their tow vehicles on their own property supports a very important community service that would not exist without the existence of the Anaya's. The proposed variance would in no way increase the intrusion upon the existing, surrounding properties. The Anaya's towing services serves to keep our community safe and we value them as residents and business owners of Agua Fria Village.

Thank you for your consideration of this letter of support.

Sincerely,

Name:

Address:

*Bernadette Anaya*  
*2253 Ben Ln.*  
*SF NM 87507*

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Christa Marti 

Address: 56 Avenida Aldea

SP2 CLERK RECORDED 07/23/2012

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2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Robert Anaya

Address: 48 PASEO VISTA, SF, NM

REC'D CIVIL RECORDS 07/23/2012

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Mark Madrid

Address: 131 N. Paseo De Angel S.F.

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
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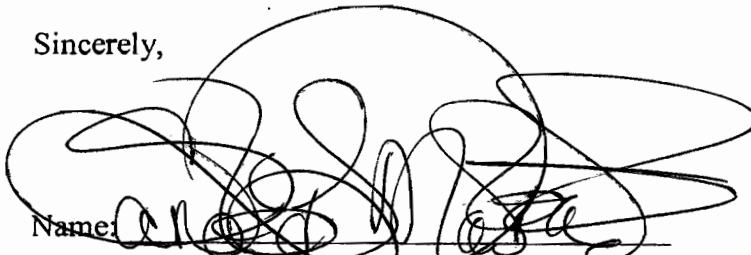
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Sincerely,

Name:

Address:

  
3300 James Ave  
Santa Fe NM

87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: 

Address: 2521 Rancho Sirena Rd SF NM 87505

SPC CLEAR RECORDED 07/23/2012

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2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Gabriel Garcia

Address: 2742 Camino Lopez

SFC CLERK RECORDED 07/23/2012



Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name:

Alman Garcia

Address:

2742 Camino Lazo

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Christy Guin

Address: 2742 Camino Largo

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
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Thank you for your consideration of this letter of support.

Sincerely,

Name:

Randy Long

Address:

3283 Primo Colores

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
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Sincerely,

Name:

Antonio Lopez

Address:

1317 Arcevia Borrada



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Sincerely,

Name: Robert Mayones

Address: 6696 Camino Rojo

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Sincerely,

Name: Robert & Bernadette Anaya

Address: 5305 CIRCHA DEL NORTE

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
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Sincerely,

Name: *Cathy Webb*

Address: *3019 Camino Cojones*



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Sincerely,

Name:

April Manaya

Address:

3019 Pima Colores  
Santa Fe, NM 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: 

Address: 1019 Velarde Rd

SFC CLERK RECORDED 07/23/2012

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Melanie Clayton

Address: 973 Calle Carmelita

REC CLERK RECORDED 07/23/2012

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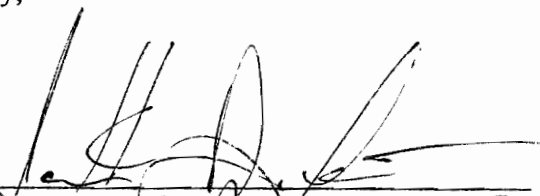
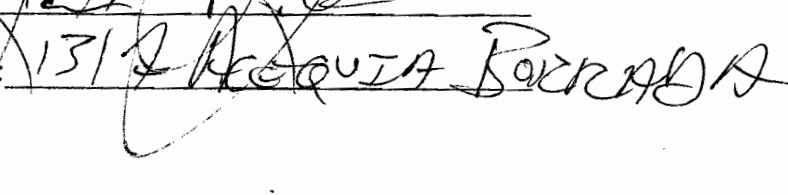
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Thank you for your consideration of this letter of support.

Sincerely,

Name:

Address:

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

To Whom It May Concern:

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Thank you for your consideration of this letter of support.

Sincerely,

Name:

Patricia A. Anaya

Address:

2200 Brillante St.  
Santa Fe, NM 87505

SFC CLERK RECORDED 07/23/2012

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: George M. Anaya

Address: 3255 Primo Colores

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Eric F. Ortiz / E.F.O.

Address: #4 Camino Real Glencoe N.M.

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: 

Address: 1707 W. Alameda



Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
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Thank you for your consideration of this letter of support.

Sincerely,

Name: 

Address: 17 Mott Nelson Rd

FILED CLERK RECORDED 07/23/2012

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2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Carla Manzanares

Address: 4501 Country Club Rd  
SF NM 87507.

SFC CLERK RECORDED 07/23/2012

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name:

Michelle T. Baez

Address:

1401 Zuni St.

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Alan P. Mangano  
Address: 1406 Zoni St

2012/07/23/2012 REC'D CLEAR RECORDED

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Thank you for your consideration of this letter of support.

Sincerely,

Name:

Address:

Jesse Anaya  
4501 Cly Rd

SPC CLERK RECORDED 07/23/2012

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Lawrence Quintana

Address: 1180 Harriser Road

SEC CLERK RECORDED 07/23/2012

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2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Raymond Dominguez

Address: 109 Vista del Norte

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
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Thank you for your consideration of this letter of support.

Sincerely,

Name:

Address:

  
391 Camino Soliana # 812

SPC CLERK RECORDED 07/23/2012



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2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name:

*JULIE L. APPOLDT*

Address:

*803 11<sup>th</sup> Ave NW  
RIO RANCHO N.M. 87144*

SFC CLERK RECORDED 07/23/2012

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
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Thank you for your consideration of this letter of support.

Sincerely,

Name: Anita Larranaga

Address: 510 Alicia St SE, NM 87501

SEC CLERK RECORDED 07/23/2012

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2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Mary Mastas

Address: 2413 Avenida de las Estrellas  
SF NM 87507

SFC CLERK RECORDED 07/23/2012

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Udrea Baca

Address: 2255 Calle de Arce, Santa Fe, NM

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
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Thank you for your consideration of this letter of support.

Sincerely,

Name: Miranda Bacon  
Address: 2255 Calle de Arce

SPC CLEAR RECORDED 07/23/2012

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

To Whom It May Concern:

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Berly Newberry  
Address: 73034 Dr SFO NM  
87508

SPC CLERK RECORDED 07/23/2012

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2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Alana Stolar

Address: 7033 Vuelta Vistoso  
Santa Fe, 87507

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name:

Ramiro Andazola

Address:

6309 Jaguar Dr.

2025/07/18 09:53:21



Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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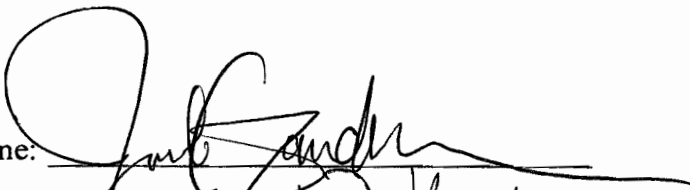
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Thank you for your consideration of this letter of support.

Sincerely,

Name:

Address:

  
7248 Via Verde

FILED CLERK RECORDED 07/23/2012

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2253 Ben Lane, Santa Fe, New Mexico 87507

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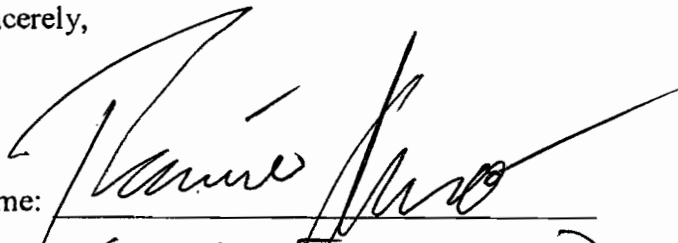
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Thank you for your consideration of this letter of support.

Sincerely,

Name:

Address:

  
6304 Jaguar Dr.

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
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Thank you for your consideration of this letter of support.

Sincerely,

Name: Sara Garcia

Address: 81707 W. Alameda Unit D SF, NM 87501

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: David R. Boy

Address: 4808 Agua Fria St.

SPC CLERK RECORDED 07/23/2012

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Desiree Ortega

Address: 619 Paulina St

SFC CLERK RECORDED 87/23/2012

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Alice Garcia

Address: 1949 Hans Road

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Sincerely,

Name: Mark Garcia

Address: 1949 Hance Road

SFC CLERK RECORDED 07/23/2012

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Name: \_\_\_\_\_

Address: \_\_\_\_\_

SPC CLERK RECORDED 07/23/2012



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Sincerely,

Name: Berra Griego

Address: 1707 W. Alameda Unit A  
Santa Fe, NM 87501

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Sincerely,

Name: Sonia Griego

Address: 1017 Calle La Resplandana  
Santa Fe, NM 87507

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Sincerely,

Name: Ernest Ortiz

Address: 2262 Ben Ln

2003/03/18 10:00 AM

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Carlos Garcia

Address: 331 Uridoste St  
Santa Fe, NM 87501

SFC CLEAR RECORDED 07/23/2012

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Thank you for your consideration of this letter of support.

Sincerely,

Name: [Signature]

Address: 1104 S. Lincoln Ct. #8  
Santa Fe NM 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Mary M. Gonzales  
Address: 1963 Skeeter Ln, SF

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

To Whom It May Concern:

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Thank you for your consideration of this letter of support.

Sincerely,

Name: David F. McCann

Address: 2261 Ben Lane  
Santa Fe, NM

SFC CLERK RECORDED 07/23/2012

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name:

*Roy Lerea*

Address:

*3357 Avenida de San Marcos  
Santa Fe, New Mexico 87507*



Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Mona Pinto

Address: 1057 CALLE MIRA VISTA

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Cynthia Loera

Address: 651 Airport Rd #1  
Santa Fe NM 87507

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: KIM Gonzales

Address: County Rd 59 #11  
CERRILLO NM 87010

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name:

Rose G. Romero

Address:

2807 Calle de Romero  
S.F. N.M.

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
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Thank you for your consideration of this letter of support.

Sincerely,

Name:

  
\_\_\_\_\_

Address: 2828 Don Quixote  
SF, NM 87505

SFC CLERK RECORDED 07/23/2012

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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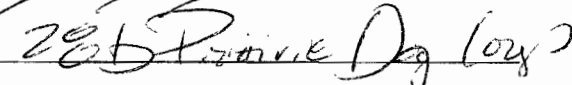
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Sincerely,

Name:

Josef C De Jace

Address:

2252 Ben Lane, Santa Fe, NM, 87507

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2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: PABLO MONTANA

Address: 3548 Que! View Ln



Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Sincerely,

Name: Rebecca Wilkins

Address: 2254 Calle De Arce SF 87505

REC. CLERK RECORDED 07/23/2012

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Derek Archuleta

Address: 3628 Gunnison

2012/07/23/2012  
REC'D CLERK RECORDED

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2253 Ben Lane, Santa Fe, New Mexico 87507

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Sincerely,

Name: Abraham Carbaya

Address: 3631 Gunnison Rd.

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Sincerely,

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Address: 14120 West San Francisco

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
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Sincerely,

Name:

John Archuleta

Address:

729 West Alameda

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Sincerely,

Name:

Address:

*Joseph Valley*  
*2740 Rowell*

REC CLERK RECORDED 07/23/2012

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Joe Vigil

Address: 734 West San Francisco

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

To Whom It May Concern:

I am writing to express my strong support for the current application before you dealing with the above referenced property.

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Jolio Gonzalez

Address: 3671 Riverside dr.

2012/07/23/2012



Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Tommy Jr Archuleta  
Address: 313 Zippo Rd.

SPC CLEAR RECORDED 07/23/2012

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Manoel Archuleta

Address: West Alameda

FILED CLERK RECORDED 07/23/2012

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Justyna Ortiz

Address: 2911 Rufina St

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: FRED ORTIZ JR

Address: 2711 RUFINA ST  
SANTA FE  
NEW MEXICO

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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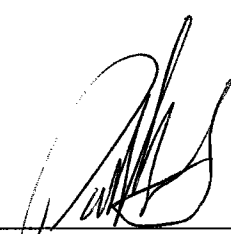
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Thank you for your consideration of this letter of support.

Sincerely,

Name: \_\_\_\_\_

Address: \_\_\_\_\_

  
2911 RUFINA ST.

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Thank you for your consideration of this letter of support.

Sincerely,

Name:

Tommy Archuleta

Address:

3028 Gunnison Rd.

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Bernadette Salazar

Address: 3628 Gunnison rd Santa Fe. Nm. 87507

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name:

*Eric R. Rivera*

Address:

*30 Estrellas Rd, North*



Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Daniel Hess Jr

Address: 3956 Agua Fria

SFC CLERK RECORDED 07/23/2012

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Pedro Gaudero

Address: 729 WEST ALAMOSA

SPR CLERK RECORDED 07/23/2012

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2253 Ben Lane, Santa Fe, New Mexico 87507

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Sincerely,

Name:

ANDRES QUEZADA

Address:

2126 RUTINA 87507

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name:

Amanda Rodriguez

Address:

2786 KANE KRISHANA 87508

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Lydia Salazar

Address: P.O. Box 91 Espanola n.m. 87532

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Sincerely,

Name:

Paul Padella

Address:

PO Box 91 Espanola NM 87532

SEE CLERK RECORDED 07/23/2012

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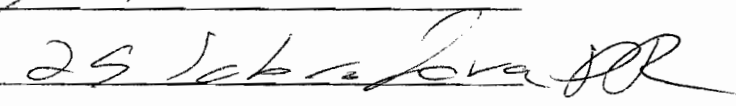
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Sincerely,

Name: 

Address: 

SEC CLERK RECORDED 07/23/2012

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Thank you for your consideration of this letter of support.

Sincerely,

Name:

*Frank Ordway*

Address:

*729 West Alameda*

2107/07/18 09:00 AM



Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

To Whom It May Concern:

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Thank you for your consideration of this letter of support.

Sincerely,

Name: \_\_\_\_\_

*Ryan Fernandez*

Address: \_\_\_\_\_

*204 Sunrise Rd 87507*

2012 FEB 23 07:23 RECORDED CLERK SEC

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Bob [Signature]

Address: 2800 Arillos Santa Fe, NM

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

To Whom It May Concern:

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Thank you for your consideration of this letter of support.

Sincerely,

Name: *Paula Z. A.*

Address: *6332 Larrabee*

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

To Whom It May Concern:

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Thank you for your consideration of this letter of support.

Sincerely,

Name:

Address:

*Darica Quintana*  
*29 Camino La Cueva*  
*Glorieta, NM 87535*  
*(505) 757-8974*

SPC CLEAR RECORDED 07/23/2012

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: *Marissa Montano*

Address: *2874 Prairie Dog Loop*  
*805-234-9971*

SFC CLERK RECORDED 07/23/2012

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name:

*Chamique Montano*

Address:

*2000 Corralito Rd Santa Fe, New Mexico*

*505-204-5474*

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name:

Gusto Quintana

Address:

2800 Cerrillos Rd  
Apt. 24 Santa Fe  
N. M.  
87507

SFC CLEAR RECORDED 07/23/2012

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Loretta GoKey  
Address: 1714 3rd St. Santa Fe  
New Mexico  
87504



Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Erica Gokey

Address: 1714 3rd St.  
Santa Fe, N.M.  
87504

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Ernie R. Rinko

Address: 2800 Cerrillos Rd

Apt 15

Santa Fe, N.M.

87507

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name:

Krystal Carter

Address:

P.O. Box 865

Santa Cruz NM

87567

2025 RELEASE UNDER E.O. 14176

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Sincerely,

Name: Veronica Vazquez  
Address: 2800 Cerillos Rd. Apt. 15  
Santa Fe, N.M.  
87507

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Juacinto Torres

Address: 1719 3rd St

SFC CLERK RECORDED 87/23/2012

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
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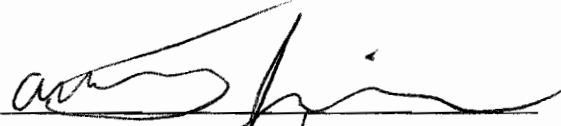
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Sincerely,

Name:



Address:

1719 3rd str.

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Roxanne Hein

Address: 804 Alrid St Santa Fe  
NM 87508.

OFFICE OF THE COUNTY CLERK  
RECORDED 07/23/2012

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
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Thank you for your consideration of this letter of support.

Sincerely,

Name: Raymond L.

Address: 3029 Jemez Rd.

2012 07/23/2012 RECORDED



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Thank you for your consideration of this letter of support.

Sincerely,

Name:

*Alicia Quintana*

Address:

*4201 Airport Rd #2*

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Sincerely,

Name: Theresa Montano

Address: 28 A parier Dog loop  
Santa Fe, N.M.  
87505

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
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Thank you for your consideration of this letter of support.

Sincerely,

Name:

Ayuda Ramirez

Address:

421 Orchard dr.

Santa Fe, N.M.

82507

SFC CLERK RECORDED 07/23/2012

Re: Support of Request for Variances/Business License for Robert and Bernadette Anaya,  
2253 Ben Lane, Santa Fe, New Mexico 87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: William

Address: 1224 Lujan St SE, Santa Fe, N.M. 87507

SFC CLERK RECORDED 07/23/2012

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Samantha Ellis  
Address: 1299 Vegas Verdes #79  
Santa Fe NM 87507

SFC CLEAR RECORDED 07/23/2012

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2253 Ben Lane, Santa Fe, New Mexico 87507

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Sincerely,

Name:

Mario J. Montano

Address:

2800 CERRILLIOS RD B-17  
SANTA FE N.M 87505

SFC CLERK RECORDED 07/23/2012

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Sincerely,

Name: Michael Montoya

Address: 2521 Rancho Siringo Ct  
Santa Fe, N.M.  
87507

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Thank you for your consideration of this letter of support.

Sincerely,

Name: \_\_\_\_\_

Address: \_\_\_\_\_

2012/07/23/RECORDED 07/23/2012



SPC CLERK RECORDED 07/23/2012

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Thank you for your consideration of this letter of support.

Sincerely,

Name: Robert Anaya  
Address: 2120 RANCH

EXHIBIT  
7



BOARD OF COUNTY COMMISSIONERS

Raymond M. Chavez  
District No. 1

Nancy Rodriguez  
District No. 2

Linda Grill  
District No. 3

GIL D. TERCERC  
COUNTY MANAGE

September 26, 1989

Mr. Robert Anaya  
Rt. 6 Box 17  
Santa Fe, NM 87501

Re: A request for a special exception of the EZO to operate a small scale commercial vehicle impound yard on .41 of an acre.

Dear Mr. Anaya:

Corrected letter of September 21, 1989.

The Extraterritorial Zoning Authority at its regularly scheduled meeting of August 28, 1989, met and acted upon the above referenced case.

The decision of the Authority was to deny your request. You have 45 days to discontinue all commercial activity starting August 29, 1989 and ending October 14, 1989.

If you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,

TOM WILSON  
Land Use Administrator

TW:mlj

CLERK RECORDED 07/23/2012