

**Village of Angel Fire
3388 Mountain View Blvd.
PO Box 610
Angel Fire NM 87710
(575) 377-1389**

**Public Notice
Planning and Zoning Commission
Regular Meeting Agenda
August 7, 2014 at 5:00PM Village Hall Meeting Room**

- I. Call to Order**
- II. Pledge of Allegiance**
- III. Roll Call**
- IV. Approval of Agenda**
- V. Approval of Minutes**
 - A. Minutes of the July 10, 2014 Regular Meeting**
- VI. Requests and Responses from the Audience (Limit to 3 minutes)**
- VII. Announcements and Proclamations**
- VIII. New Business**
 - A. VAR 02-14 Rear Setback of 9'**
 - B. VAR 03-14 Side Setback of 0**
 - C. CUP 01-14 Brewery**
- IX. Adjournment**

Next Regular Planning & Zoning Meeting will be: Thursday, September 4, 2014

The Public is welcome and Invited to Attend

Terry Cordova, Village Clerk
Post: 7-31-14

Barbara Cottam, Mayor

AGENDA MAY BE PICKED UP AT VILLAGE HALL
3388 MOUNTAIN VIEW BLVD, ANGEL FIRE NM 87710
AGENDA MAY ALSO BE VIEWED AT OUR WEBSITE: www.angelfirenm.gov.
IF YOU ARE AN INDIVIDUAL WHO IS IN NEED OF ANY AUXILLARY AID OR SERVICE TO
ATTEND THE MEETING, PLEASE CONTACT THE VILLAGE CLERKS OFFICE 48 HOURS PRIOR TO
THE MEETING

**VILLAGE OF ANGEL FIRE
PLANNING AND ZONING COMMISSION
REGULAR MEETING
July 10, 2014**

I. CALL TO ORDER

Chairman Stille called the meeting to order at 5:00 PM.

II. PLEDGE OF ALLEGIANCE

Chairman Stille called for the flag salute.

III. ROLL CALL

Present were Chairman Stille, Vice Chairman Davis , Commissioner Larson, Commissioner Lanon, Commissioner May, Commissioner Lindsey, and Commissioner Guentner. Commissioner Orndorff was absent.

IV. APPROVAL OF AGENDA

Vice Chairman Davis made a motion to approve the Agenda for the July 10, 2014 Regular Meeting. Commissioner Lanon seconded the motion. Motion passed.

V APPROVAL OF MINUTES

A. Minutes of the February 6, 2014 Regular Meeting

Commissioner Lanon made a motion to approve the minutes from the February 6, 2014 Regular Meeting. Vice Chairman Davis seconded the motion. Motion passed.

VI. REQUESTS AND RESPONSES FROM THE AUDIENCE

None.

VII. ANNOUNCEMENTS AND PROCLAMATIONS

Introduced the new Code Enforcement Officer Frank Salois.

VIII. NEW BUSINESS

A. VAR 01-14

Commissioner Lanon made a motion to approve VAR 01-14 to add ten feet onto the existing monopole at 12 Aspen Street. Commissioner Lindsey seconded the motion. Commissioners explained they were concerned with the look since it does not look the way it was rendered and it is not very stealth now. Jay Mitchell explained that the new tower that Commnet had received the Conditional Use Permit for was moving forward and has nothing to do with this request. This request is to help with capacity issues in and around the core area. The Commissioners wanted to know if there was any way to address the appearance issues. Nancy Calderon of Commnet and Julie, one of the engineers for the project explained this is for capacity purposes only. The originally submitted drawings did have the dimensions and that is what was built and no new base size would be required so it would only be taller. It could be painted a different color. A smaller pole could be placed but that would cause the antennas to look much more obtrusive and a set of coaxial would need to be run up the outside of the pole so they would not be hidden. Commissioner Lindsey asked about new technology for making it look like a tree. Julie explained that since there were no trees there it would still stand out and a palm tree is the only one that looks somewhat real. Vice Chairman Davis asked why the new tower to the south could not cover the capacity issue. Julie explained that it would not be able to help with capacity because of the distance from this location and there would be two weak signals and poorer service. Chairman Stille asked if a few color choices and a different more appropriate sized light fixture could be added. Nancy said they would put together some renderings for the Commission. Commissioner Lindsey amended the motion to include final approval of color and light fixture would rest with the Commission. Commissioner Guentner seconded the amendment. Motion with amendment approved.

B. Title 9 Amendments

Commissioner Guentner made a motion to approve the Title 9 Amendment. Commissioner Lanon seconded the motion. Burl Smith, Certified Building Official for the Village, explained this amendment is a

1 house keeping issue to give this section of the code some teeth. He does not currently have the ability to
2 site someone into court for building without permits. Motion approved.
3

4 **IX. ADJOURN:** Chairman Stille adjourned the meeting at 5:45 PM
5 **Passed and Approved this Thursday, August 7, 2014 @ 5:00 PM.**
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10 Mike Stille-Chairman
11 ATTEST:

12 Terry Cordova, Village Clerk

13 TRANSCRIBED:

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20 Christine Breault

Village of Angel Fire
P.O. Box 610
Angel Fire, New Mexico 87710
(575) 377-3232 FAX: (575) 377-3280



Memorandum

Date: 30 July 2014

To: Planning & Zoning Commission
From: Christine Breault, Administrative Assistant
Subject: VAR 02-14, variance of 11' for a 9' setback

John and Gail Goodson are requesting a variance of 11' to the required 20' rear setback to build an addition to their house.

The Goodson's have completely looked at the options on the lot and find this is the most logical placement for the addition. Attached is a letter from them as well as a rendering showing the location of the current home and the addition they would like to build.

Staff recommends the following findings of fact:

1. All of the required submittals have been made by the applicant; and
2. That the required notice has been complied with by the applicant; and
3. An exceptional situation exists whereby the strict application of this zoning code would result in practical difficulties or undue hardship to the owner of such property.

Staff further recommends that the Commission send a positive recommendation to Council for the variance request.

Village of Angel Fire
Variance Application

Owner Name: John and Gail Goodson
 Owner Street Address: 221 El Camino Real
 Owner Mailing Address: P O Box 977, AF, NM 87710
 Owner Phone: 575-377-6211

Zoning District: R1
 Subdivision: Chalets 2A Lot#: 215 Block: _____

Requested Variance Details:

Variance Type	Ordinance Requirements	Application Request
Lot Area		
Front Setback		
Rear Setback	20'	9'
Side Setback		
Floor Area		
Height		
Open Space		
Parking:		
Number of spaces:		
Size of spaces:		
Other:		

Reason for Variance Request: [On a separate sheet of paper, type or print the reason (s) for the variance request, and attach it to this application]

CRITERIA FOR VILLAGE COUNCIL DECISION, Section 9.3.5.C.

In considering a Variance application, the Council shall consider any recommendations of the Commission and the Director and determine whether:

- A. An exceptional situation exists whereby the strict application of this Code would result in practical difficulties or undue hardship to the owner of such property; or
- B. Such Variance will result in a public benefit to the citizens of the community; and
- C. The variance is consistent with the objectives and purposes of this Code and the applicable Zoning Districts of the Village.

Fee: \$100.00

To Planning and Zoning Committee, Village of Angel Fire, N.M.

Reasons for renovation and addition,

- 1) Need for additional storage space, enlarge living and dining space, and a garage that can hold both autos.
- 2) Current deck receives the snow burden from approximately 1/3 of the roof.
- 3) Renovation and expansion should raise property values on surrounding property.

The current structure is located at the rear setback which is the most level portion of the lot. Immediately down slope is the leach field and the common driveway and R.O.W for same. Below the drive the property is very steep all the way to El Camino Real.

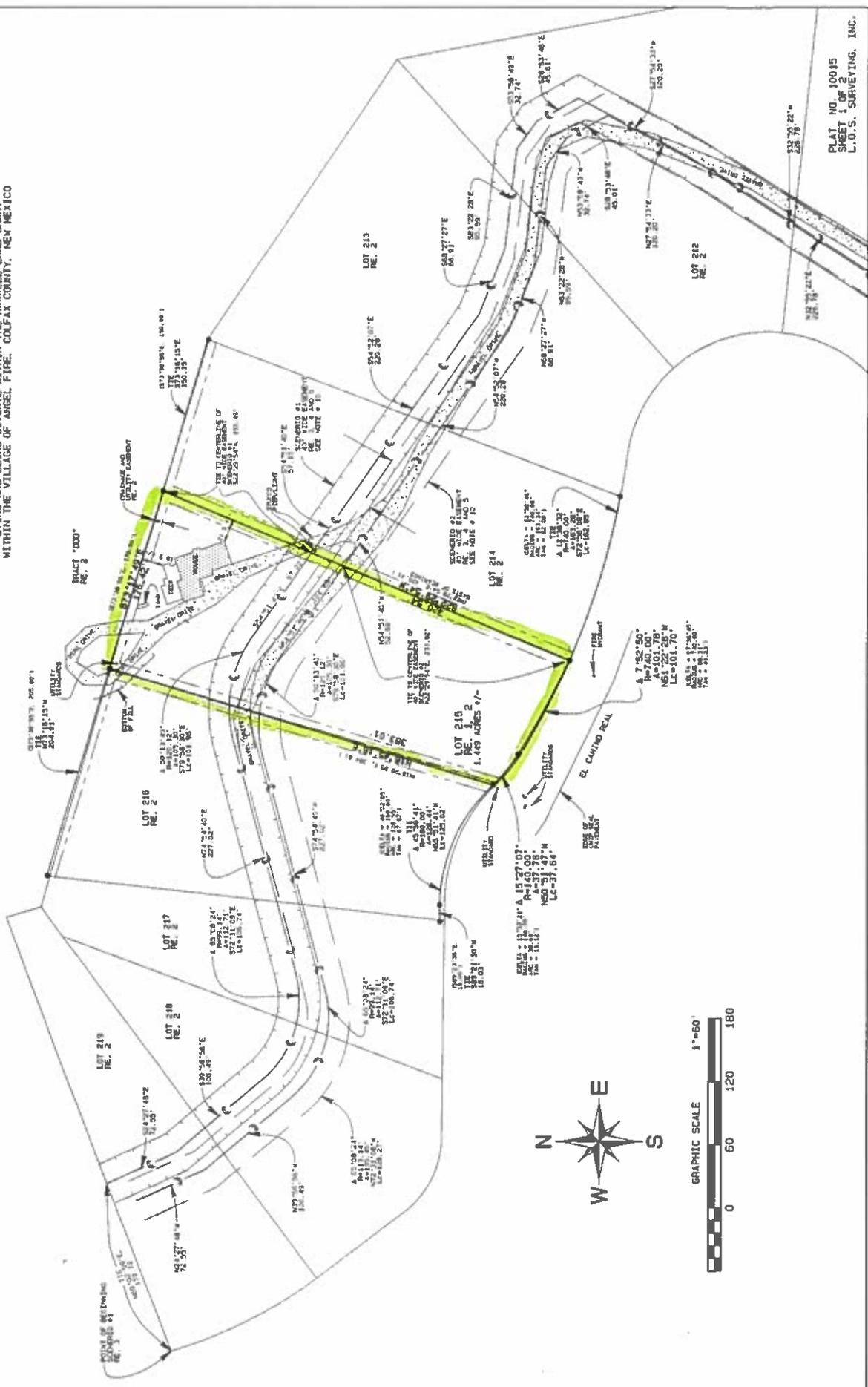
We request a variance to the setback as this is the only place on the property we can add on.

PRELIMINARY PRINT

BOUNDARY SURVEY PLAT
OF
LOT 215, ANGEL FIRE CHALETS UNIT TWO A-AMENDED

A PLAT OF SAID SUBDIVISION HAVING BEEN FILED IN
THE OFFICE OF THE COLFAX COUNTY CLERK
IN PLAT BOOK B, PAGE 7

LYING AND BEING SITUATE WITHIN THE MAXWELL LAND GRANT
WITHIN THE VILLAGE OF ANGEL FIRE, COLFAX COUNTY, NEW MEXICO



26

9000



40' contours

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Memorandum

Date: 30 July 2014

To: Planning & Zoning Commission
From: Christine Breault, Administrative Assistant
Subject: VAR 03-14, variance of 10' for a 0' setback on a retaining wall

Craig and Carol Kemper are requesting a variance of 10' to the required 10' rear setback to build a retaining wall along the lot line for 20'.

The Kemper's have completed a retaining wall along the back of the house to help stop water damage to the home. Attached is a letter from them as well as a map showing the location of the current home.

Staff recommends the following findings of fact:

1. All of the required submittals have been made by the applicant; and
2. That the required notice has been complied with by the applicant; and
3. An exceptional situation exists whereby the strict application of this zoning code would result in practical difficulties or undue hardship to the owner of such property.
- 4.

Staff further recommends that the Commission send a positive recommendation to Council for the variance request.

Exhibit A

Village of Angel Fire
Variance Application

Owner Name: CRAIG / CAROL KEMPER
 Owner Street Address: 64 LAKEVIEW PARK DR, ANGEL FIRE, N.M.
 Owner Mailing Address: 11500 CARMEL N.E. ALB, N.M. 87122
 Owner Phone: 505-249-8890

Zoning District: _____
 Subdivision: MONTE VERDE I Lot#: 16 Block: D

Requested Variance Details:

<u>Variance Type</u>	<u>Ordinance Requirements</u>	<u>Application Request</u>
Lot Area		
Front Setback		
Rear Setback		
Side Setback	10'	0'
Floor Area		
Height		
Open Space		
Parking:		
Number of spaces:		
Size of spaces:		
Other:		

Reason for Variance Request: [On a separate sheet of paper, type or print the reason (s) for the variance request, and attach it to this application]

- CRITERIA FOR VILLAGE COUNCIL DECISION, Section 9.3.5.C.**
 In considering a Variance application, the Council shall consider any recommendations of the Commission and the Director and determine whether:
- A. An exceptional situation exists whereby the strict application of this Code would result in practical difficulties or undue hardship to the owner of such property; or
 - B. Such Variance will result in a public benefit to the citizens of the community; and
 - C. The variance is consistent with the objectives and purposes of this Code and the applicable Zoning Districts of the Village.

Fee: \$100.00

REASON FOR VARIANCE REQUEST:

The existing home was built in the mid 1970's with the driveway built at the left property line accessing the carport at the rear of the home. The elevation of the lot was cut down from 0' to 6' at the rear left lot line and 4' to 6' at the rear of the home. There have never been any provisions to maintain the soil at the left lot line nor the rear of the home. Consequently, the home has suffered water damage over the years. I have permitted and built a 4' tall retainer wall along the rear of the house which has been inspected by Burl Smith and Bubba Davis. I wish to extend the wall to the left lot line with a 6' radius and along the property line for approximately 20' to retain the soil of the adjacent lot.

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Account: R007188

<u>Location</u>	<u>Owner Information</u>	<u>Assessment History</u>		
Situs Address 64 LAKEVIEW PARK DRIVE	Owner Name KEMPER, CRAIG L ; KEMPER, CAROL L	Actual Value (2014)	\$190,983	
Account Number R007188	Owner Address 11500 CARMEL NE ALBUQUERQUE, NM 87122 UNITED STATES OF AMERICA	Primary Taxable	\$63,661	
Economic Unit		Tax Area: 1502H_R	Mill Levy: 20.697000	
Account Group Number 993436		Type	Actual	Assessed SQFT
Tax Area 1502H_R - 03-B RES.		Residential Land	\$46,864	\$15,621 23432.000
Parcel Number 1-087-148-461-251		Residential Improvement	\$144,119	\$48,040 1650.000
Legal Summary Subd: MONTE VERDE LAKE #1 - 3B Lot: 17 Block: D UPC 1087148461251 LAND 1 WD 200803465				
Code				

Transfers

Sale Date

Images

<u>Tax Year</u>	<u>Taxes</u>
*2014	\$1,317.60
2013	\$1,317.60
* Estimated	

- [GIS](#)



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Memorandum

Date: 30 July 2014
To: Planning & Zoning Commission
From: Christine Breault, Administrative Assistant
Subject: CUP-01-14, Micro-Brewery

Steve Larson has submitted a Conditional Use Permit application for the installation of a micro-brewery and tasting room at 20 Sage Lane.

The proposed location for this micro-brewery is in a C-1 district which allows for restaurants and bars. There is no specific allowance or disallowance for a micro-brewery in the C-1 district. Locating of this micro-brewery at this site would be appropriate.

Mr. Larson will be required to follow all state laws regarding liquor license and environmental requirements.

Staff supports this application and recommends that the Planning & Zoning Commission send a positive recommendation to the Village Council.

Village of Angel Fire
Conditional Use Application

Owner Name: STEVE H. LARSON
Owner Mailing Address: PO Box 876, Angel Fire, NM 87710
Owner Street Address: 20 Sage Lane
Owner Phone: (505) 507-8688

Zoning District: C-1
Subdivision: Marengo Valley 32 SADD Lot#: Portion 50 Block: _____
Use of Structure: Brewery

Reason for Conditional Use Request:

Intended purpose of the building is for
A MICRO BREWERY AND TAP/TASTING ROOM AND OUTSIDE
AREA.

Although the code for zone C-1 Does not
Specifically Restrict the use of the
Area for Brewing, it does not include
it in the classification.

This Conditional Use Application is to
clarify that the subject property can
be used as a Brewery.

Owner Signature  Date July 7th 2014

Conditional Use Fee: \$100.00 per Resolution 2001-01

