

Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

DATE: March 31, 2015

TO: Board of County Commissioners

FROM: Miguel "Mike" Romero, Development Review Specialist Sr. 

VIA: Katherine Miller, County Manager
Penny Ellis-Green, Growth Management Director *✓*
Vicki Lucero, Building and Development Services Manager *✓*
Wayne Dalton, Building and Development Services Supervisor *✓*

FILE REF.: CDCR CASE # V 14-5330 Francisco and Arlene Tercero Variance

ISSUE:

Francisco and Arlene Tercero, Applicants and the Amarante Romero Trust (Arlene Tercero, Trustee), Applicant, request a variance of Ordinance No. 2007-2 (Village of Agua Fria Zoning District), Section 10.6 (Density and Dimensional Standards) to allow a small lot family transfer of 1.53 acres (Frank and Arlene Tercero parcel) into two lots, each consisting of 0.75 acres more or less and approval of an additional small lot family transfer on the adjacent 2.549 acre lot (Amarante and Emma Romero parcel) to create 2 lots, each consisting of 1.25 acres more or less. The Applicants also request a variance of Article V, Section 8.2.1c (Local Roads) and Article III, Section 2.4.2b 3 (a)(1) (Roads and Access) of the Land Development Code to serve the 4 proposed lots and one existing lot, for a total of five lots. The road that services the properties (Calle De Quivido) does not meet the specifications of local lane, place or cul-de-sac roads being that the road is too narrow and does not have adequate drainage control necessary to insure adequate access for emergency vehicles. The properties are located at 1443 and 1645 Calle De Quivido, within Section 32, Township 17 N, Range 9 East (Commission District 2).

Vicinity Map:



SUMMARY:

On March 19, 2015, the CDRC met and acted on this case. The decision of the CDRC was to recommend approval, with staff conditions of the Applicants request by a unanimous 6-0 vote.

The subject lot was created in 1985, via Division of Land, and is recognized as a legal lot of record. Currently there is a residence on the property which was permitted by Santa Fe County (Permit# 99-1369), that the Applicant's son and his family reside in.

The Applicants request a variance of Ordinance No. 2007-2 (Village of Agua Fria Zoning District), Section 10.6 (Density and Dimensional Standards) to allow a Family Transfer of 1.53 acres into two (2) lots; both lots consisting of 0.75 acres +/- . The Applicants state a variance is needed in order to leave their children with a piece of property of their own. The minimum lot size in this area is 2.5 acres with 0.25 acre foot water restrictions as per Ordinance No. 2007-2 Village of Agua Fria Zoning District, Section 10.6 (Density and Dimensional Standards).

On November 20, 2014 this request went before the CDRC to allow a Family Transfer to divide 1.53 acres into two lots (Exhibit 12). At that time the Applicant stated that they were not in agreement with County Road Standards, and the CDRC tabled the request to allow the Applicant to work with staff to address their issues or request appropriate variances.

Since that time the Applicants have modified their request and in addition to the variance to allow the Family Transfer the Applicants are now also requesting approval of an additional Small Lot Family Transfer on the adjacent 2.549 acre lot (Amarante and Emma Romero Parcel) to create two (2) lots, each consisting of 1.25 acres more or less. The Applicant applied for the Small Lot Family Transfer (Amarante Romero Trust) on March 26, 2014. Since the Amarante and Emma Romero Parcel met density requirements and the Applicant agreed to the required thirty-eight (38') foot wide easement, the Application could have been approved administratively. However since the Applicant stated they were opposed to the required thirty-eight (38') foot easement, they are also requesting a variance of Article V, Section 8.2.1c (Local Roads) and Article III, Section 2.4.2b 3 (a)(1) (Roads and Access) to allow an easement less than thirty-eight (38') feet wide. The property is accessed from Calle de Quiquido; the portion of Calle de Quiquido that will service the proposed lots (5 lots in total) is approximately 1400 ft. in length and ranges from 10-18 ft. in width and is a dirt driving surface with a fifteen foot access and utility easement.

The Applicants request that a maximum twenty-four (24') foot easement and an eighteen (18') foot all weather driving surface be approved for the entire length of Calle de Quiquido, beginning at West Alameda to the end of Calle de Quiquido. The Applicants state that the required thirty-eight (38') foot access and utility easement is excessive and may cause problems in the future for the Applicants water wells which would be within the required thirty-eight foot access and utility easement.

Article III, Section 2.4.2b 3 (a)(1) states "All onsite and offsite roads shall meet the design standards for Local Road, except that the minimum width of any easement created for access purposes shall be no less than twenty (20) feet for access to two (2) lots and no less than thirty-eight (38) feet for access to three (3) or more lots. However, for off-site roads the Code Administrator may reduce the road easement width to no less than (20) feet if adequate drainage control is provided and may allow the road surface to be hard packed dirt with a compaction of 95%." Calle

102 Grant Avenue · P.O. Box 276 · Santa Fe, New Mexico 87504-0276 · 505-986-6200 · FAX:

505-995-2740 www.santafecountynm.gov

de Quiquido does not have adequate drainage control necessary to insure appropriate access for emergency vehicles. Therefore, the roadway easement cannot be reduced. The Applicants intention is to create two additional lots by subdividing the adjacent 2.549 acre parcel. If approved, Calle de Quiquido will service a total of 5 lots, which will require a thirty-eight (38) foot easement. Calle de Quiquido does not meet the specifications of Article V, Section 8.2.1c, Local Lane, Place or Cul-de-sac roads, which requires two ten foot driving lanes and six inches of base course in a thirty-eight (38') foot right-of-way.

Article II, Section 3 (Variances) 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 criteria does not consider financial or medical reasons as extraordinary hardships**

This Application was submitted on December 30, 2014.

On March 19, 2015, the CDRC met and acted on this case. The decision of the CDRC was to recommend approval, with staff conditions of the Applicants request by a unanimous 6-0 vote.

The Applicant has provided sufficient noticing by providing notice in the New Mexican, which was published on January 29, 2015. The Applicant has also provided certified mail receipts (dated January 28, 2015) and certification of posting acknowledgment that the public notice has been posted for 21 days on the property.

Growth Management staff have 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.

APPROVAL SOUGHT:

Approval of a variance of Ordinance No. 2007-2 (Village of Agua Fria Zoning District), Section 10.6 (Density and Dimensional Standards), a variance of Article V, Section 8.2.1c (Local Roads) and Article III, Section 2.4.2b 3 (a)(1) (Roads and Access).

GROWTH MANAGEMENT AREA: SDA-2

HYDROLOGIC ZONE:

Agua Fria Low Density Urban Zone (AFLDUZ), minimum lot size in this area is 2.5 acres per dwelling unit with water restrictions. Through a Small Lot Family Transfer minimum lot size requirements can be reduced to 1.25 acres. Lot size can be reduced to 1 acre with community water or community sewer. Lot size can be further reduced to 0.5 with community water and community sewer. The request does not meet the

minimum lot size requirement for this area. However, the lot would meet lot size requirements with community water and sewer.

FIRE PROTECTION:

Agua Fria Fire District.

WATER SUPPLY:

Domestic Well; the closest Santa Fe County waterline is approximately 2,000 feet from the subject property.

LIQUID WASTE:

Conventional Septic System; the closest sewer line (City line) is approximately 2,000 feet from the subject property.

VARIANCES:

Yes

AGENCY REVIEW:

<u>Agency</u>	<u>Recommendation</u>
Fire Prevention Division	Approved with Conditions

STAFF RECOMMENDATION:

Denial of a variance of Ordinance No. 2007-2 (Village of Agua Fria Zoning District), Section 10.6 (Density and Dimensional Standards), Article V, Section 8.2.1c (Local Roads) and Article III, Section 2.4.2b 3 (a)(1) (Roads and Access).

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 lot. A water meter shall be installed for each lot. 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).
2. A Plat of Survey meeting all County Code requirements shall be submitted to the Building and Development Services Department for review and approval (As per Article III, § 2.4.2).
3. Further division of either tract is prohibited; unless all lots are served by community water and sewer. This shall be noted on the plat (As per Article III, Section 10).
4. A Development Permit will be required for all grading and clearing of roadways (As per Article II, Section 2). The Applicant shall construct all necessary road improvements prior to plat recordation or submit a financial guarantee (As per Article II, Section 5.5)

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

EXHIBITS:

1. March 19, 2015, CDRC Meeting Minutes
2. Letter of Request
3. Ordinance No. 2007-2 (Village of Agua Fria Zoning District), Section 10.6 (Density and Dimensional Standards).
4. Article V, Section 8.2.1c (Local Roads)
5. Article III, Section 2.4.2b 3 (a) (1) (Roads and Access)
6. Site Photographs
7. Recorded Survey Plat
8. Recorded Warranty Deed
9. Permit # 99-1369
10. Site Plan/Proposed Plat
11. Aerial of Site and Surrounding Area
12. Letter of Support
13. November 20, 2014 CDRC Minutes
14. Public Noticing
15. Fire Prevention Letter

Member Anaya said he was in favor of approval given the applicant's willingness to do what is required. He said he can see the possibilities, although he understand the neighbors' point of view as well. Member Booth noted they just approved a case that did not have prior permits. She said she was swayed by the fact there was nowhere else to build on this lot.

The motion carried by majority [4-2] voice vote with Members Anaya, Booth, Lopez and Gonzales voting in favor and Chair Katz and Member Martin voting against.

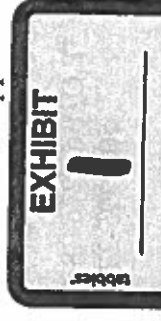
B. CDRC CASE # V 14-5330 Francisco and Arlene Tercero. Francisco and Arlene Tercero, Applicants and the Amarante Romero Trust (Arlene Tercero, Trustee), Applicant, Requests a Variance of Ordinance No. 2007-2 (Village of Agua Fria Zoning District), Section 10.6 (Density and Dimensional Standards) to Allow a Small Lot Family Transfer of 1.53 Acres (Frank and Arlene Tercero Parcel) into Two Lots, Each Consisting of 0.75 Acres More or Less and Approval of an Additional Small Lot Family Transfer on an Adjacent 2.549-Acre Lot (Amarante and Emma Romero Parcel) to Create two Lots, Each Consisting of 1.25 Acres More or Less. The Applicants Also Request a Variance of Article V, Section 8.2.1c (Local Roads) and Article III, Section 2.4.2b 3 (a)(1) (Roads and Access) of the Land Development Code to Serve the Four Proposed Lots and one Existing Lot, for a Total of Five Lots. The Road that Services the Properties (Calle de Quiquido) Does Not Meet the Specifications of Local Lane, Place or Cul-de-Sac Roads Being That the Road is Too Narrow and Does Not Have Adequate Drainage Control Necessary to Insure Adequate Access for Emergency Vehicles. The Properties Are Located At 1443 and 1645 Calle de Quiquido, within Section 32, Township 17 North, Range 9 East (Commission District 2)

Mr. Romero read the caption and the following report:

"The subject lot was created in 1985, via Division of Land, and is recognized as a legal lot of record. Currently there is a residence on the property which was permitted by Santa Fe County, Permit# 99-1369, that the Applicant's son and his family reside in.

"The Applicants request a variance of Ordinance No. 2007-2, Section 10.6 to allow a Family Transfer of 1.53 acres into two lots; both lots consisting of 0.75 acres +/- . The Applicants state a variance is needed in order to leave their children with a piece of property of their own. The minimum lot size in this area is 2.5 acres with 0.25 acre-foot water restrictions as per Ordinance No. 2007-2 Village of Agua Fria Zoning District, Section 10.6, Density and Dimensional Standards.

"On November 20, 2014 this request went before the CDRC to allow a Family Transfer to divide 1.53 acres into two lots. At that time the Applicant stated that



they were not in agreement with County Road Standards, and the CDRC tabled the request to allow the Applicant to work with staff to address their issues or request appropriate variances.

“Since that time the Applicants have modified their request and in addition to the variance to allow the Family Transfer the Applicants are now also requesting approval of an additional Small Lot Family Transfer on the adjacent 2.549-acre lot, the Amarante and Emma Romero Parcel, to create two lots, each consisting of 1.25 acres more or less. The Applicant applied for the Small Lot Family Transfer, Amarante Romero Trust, on March 26, 2014. Since the Amarante and Emma Romero Parcel met density requirements and the Applicant agreed to the required 38-foot wide easement; the Application could have been approved administratively. However, since the Applicant stated they were opposed to the required 38-foot easement, they are also requesting a variance of Article V, Section 8.2.1c, Local Roads, and Article III, Section 2.4.2b 3 (a)(1), Roads and Access, to allow an easement less than 38-feet wide. The property is accessed from Calle de Quiquido; the portion of Calle de Quiquido that will service the proposed lots –5 lots in total – is approximately 1400 feet in length and ranges from 10 to 18 feet in width and is a dirt driving surface with a 15-foot access and utility easement.

“The Applicants request that a maximum 24-foot easement and an 18- foot all weather driving surface be approved for the entire length of Calle de Quiquido, beginning at West Alameda to the end of Calle de Quiquido. The Applicants state that the required 38-foot access and utility easement is excessive and may cause problems in the future for the Applicants’ water wells which would be within the required 38-foot access and utility easement.”

Mr. Romero indicated staff was recommending denial of a variance of Ordinance No. 2007-2, Village of Agua Fria Zoning District, Section 10.6, Density and Dimensional Standards, Article V, Section 8.2.1c, Local Roads, and Article III, Section 2.4.2b 3 (a)(1), Roads and Access. 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 lot. A water meter shall be installed for each lot. 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).
2. A Plat of Survey meeting all County Code requirements shall be submitted to the Building and Development Services Department for review and approval (As per Article III, § 2.4.2).
3. Further division of either tract is prohibited; unless all lots are served by community water and sewer. This shall be noted on the plat (As per Article III, Section 10).
4. A Development Permit will be required for all grading and clearing of roadways (As per Article II, Section 2). The Applicant shall construct all necessary road

improvements prior to plat recordation or submit a financial guarantee (As per Article II, Section 5.5)

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

Chair Katz asked if the Fire Department was comfortable with this width of road. Mr. Romero said Fire Marshal Patty indicates they are. Chair Katz referred to a letter from the Agua Fria Village Association expressing satisfaction with variance and asked if any other neighbors had expressed their opinion. Mr. Romero said he had received no communications on the proposal.

Member Gonzales asked what the minimum lot size is in the Village of Agua Fria and Mr. Romero explained that the low-density urban zone has a minimum lot size of 2.5 acres per dwelling unit with water restrictions. Therefore, with a small-lot family transfer lot size can be reduced to 1.25 acres. Additionally, with community water or sewer lots can go down to one acre, or .5 acre with both community water and sewer. This lot has neither community water nor sewer and these services are approximately 2,000 feet away.

Member Booth asked if the existing wells are within the 38-foot easement. Karl Sommer, counsel for the applicant said they are.

Mr. Sommer stated Amarante and Emma Romero established a trust for the property. Their daughter, Ms. Tercero is the trustee and owns the adjoining property. He explained the lots are long and narrow, following the traditional style of division common in Agua Fria. The original easement ran along the east side of the property. The road and utilities were put in before the County established the 38-foot requirement. There is a bridge over a culvert on the road which has an 18-foot basecourse driving service which can accommodate emergency vehicles. Mr. Sommer visited the property with the Fire Marshal and demonstrated turnarounds and they voiced no opposition to the roads.

They are requesting a 24-foot easement in order to avoid the future possibility of having to move existing utilities which would be expensive and unnecessary. The 38-foot requirement is not compatible with the traditional *linea* style of land division. Twenty-four feet would allow for an 18-foot driving surface and two two-foot bar ditches for drainage. The new standards create a hardship.

Mr. Sommer mentioned the support of the community for family transfers and for this request. They have committed to 18 feet subject to the provision that Fire Marshal Patty's inspection.

There was no one from the public wishing to speak.

Member Lopez moved approval of CDRC Case #14-5330 with staff conditions, and the additional provision that the Fire Marshal approve the road. Member Booth seconded and the motion passed by unanimous [6-0] voice vote.

SOMMER, KARNES & ASSOCIATES, LLP

Mailing Address

Post Office Box 2476
Santa Fe, New Mexico 87504-2476

Street Address

200 West Marcy Street, Suite 139
Santa Fe, New Mexico 87501

Telephone:(505)989.3800

Facsimile:(505)982.1745

Karl H. Sommer, Attorney at Law

khs@summer-assoc.com

Joseph M. Karnes, Attorney at Law

jmik@summer-assoc.com

Mychal L. Delgado, Certified Paralegal

mld@summer-assoc.com

James R. Hawley, Attorney at Law

jrh@summer-assoc.com

Of Counsel

Licensed in New Mexico and California

March 2, 2015

VIA E-MAIL TO
mromero@santafecountynm.gov
and VIA HAND DELIVERY

Miguel "Mike" Romero
102 Grant Avenue
P. O. Box 276
Santa Fe, New Mexico 87504-0276

Re: Amaranite Romero Trust #14-3023
Tereco #14-5330

Dear Miguel:

In accordance with our conversation last Thursday, February 26, 2015, I am writing to confirm that the request for a variance to the required easement standards and roadway surfaces in the referenced matter are as follows:

1. An 18-foot "all weather" driving surface from end and on Calle Quiguide; and
2. A 24-foot easement for the same road end to end.

Because we are asking for less of a variance that originally requested, it is my understanding that we do not have to re-notice or re-post. Please confirm that this is the case.

I am delivering with this letter the return receipts for the certified mailings Ms. Tercero sent for the last scheduled hearing. I understand the cases will be heard at the March 19, 2015, CDRC meeting.

Finally, this will confirm that I met with Buster Patty and Tim Gilmore at the site last Thursday. They have confirmed that the roadway in place is acceptable to them provided it is extended to the end of the roadway and the turnaround is similarly constructed. I made it clear that the existing roadway is an 18-foot driving surface. All told there will be an 18-foot driving surface with 2-foot borrow ditches on each side.

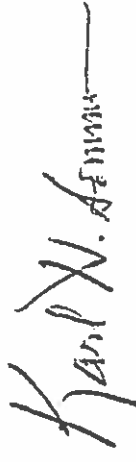


SOMMER, KARNES & ASSOCIATES, LLP

Romero, Miguel
March 2, 2015
Page 2 of 2

Please feel free to call me if you have any questions or comments. Thank you for your attention to this matter.

Sincerely,



Karl H. Sommer

Cc: Arelene Tercero
Diego Zamora

Miguel Romero

From: Arlene Tercero <arlenetercero@yahoo.com>
Sent: Tuesday, February 10, 2015 4:21 PM
To: Miguel Romero
Subject: Re: CDRC Case

I just got off the phone with Karl Sommer. He is acting as my attorney to represent both cases, Amaranite Romero Trust and Francisco & Arlene Tercero Family transfer and variance applications scheduled to be heard before the CDRC next week. We are requesting that our applications be tabled until next month.

Thank you for your assistance and patience in this matter.

Arlene Tercero

On Monday, February 9, 2015 1:52 PM, Miguel Romero <miromero@santafecountytnm.gov> wrote:

Mr. and Mrs. Tercero,

Per our phone conversation this afternoon. If you decided to hire an attorney and he is going to act on your behalf I will need a letter from you stating that. Your attorney will also need to provide me a letter stating that he is acting on your behalf. CDRC packet material is due February 11th by 1200. I need your noticing material ASAP and any letters pertaining to agents etc. If you decide to request to table this case until the following month, I will need something in writing requesting that ASAP. If you wish to withdraw your variance I will need something in writing as well ASAP. Thank you.

Mike Romero, Senior Development Review Spec.
Santa Fe County Land Use
Building and Development Services Dept.
505-986-6382

Miguel Romero

From: Arlene Tercero <arlenetercero@yahoo.com>
Sent: Tuesday, February 10, 2015 4:16 PM
To: Miguel Romero; Armijo Surveys
Subject: Amarante Romero Trust Family Transfer application and Francisco & Arlene Family Transfer application

Miguel,

I just spoke to Karl Sommer who is acting as my attorney for both these applications. We would appreciate it if you would table our applications for this upcoming public hearing before the CDRC. Thank you.

Arlene Tercero.

10.6 Density and Dimensional Standards

The following table illustrates the dimensional standards that apply in the Village of Agua Fria Zoning District. Measurements and exceptions to the standards of this schedule are listed in the table notes.

Commentary: The density and dimensional standards set forth in this section are not a guarantee that stated development density and intensities can be attained. Other factors—water and other public facility availability, infrastructure capacity, building layout, physical limitations, and parking configuration to name a few—may have the effect of limiting development intensity more than the stated standards.

Village of Agua Fria Zoning District														
	Minimum Lot Area/Principal Use (acres) (1)					Max. Coverage (%)	Max. Height (ft)	Min. Setbacks (ft)						
	Base Density/Intensity	Non Res Uses		Water Cons.	Long Term Water					Community Services				
		Water	Sewer							Both W&S	Residential Uses	Non-Residential Uses		
Sub districts	Res Uses	Non Res Uses	Water Cons.	Long Term Water	Water	Sewer	Both W&S	Residential Uses	Non-Residential Uses	Front & Street	Interior Side	Rear Side		
AFTCZD	.75	.75			.75	.75	0.33	40	123	24	0	5	5	
AFIDBUZ	2.5	2.5			1	1	0.5	20	24	24	0	20	20	

Notes:

(1) Where adequate water is available, minimum lot area may be reduced by employing water conservation measures and reducing water use. Further reductions may be achieved by submitting proof of adequate long term water availability, connecting to community water, community sewer or both (W&S), all in accordance with Article III, Section 10, Lot Size Requirements of the Code or, such additional density bonus and lot size provisions of County Ordinance 2006-02, Affordable Housing.

(2) Setbacks shall be measured from the property line or from the edge of the road easement where the property line is inside the road easement.



which schedule is on file at the Office of the Public Works Director and the Land Use Office.

8.1.12 Construction of roads or other required improvements may be phased according to a schedule that is part of an approved master or development plan.

8.1.13 Local roads shall be laid out so that their use by through traffic will be discouraged.

8.2 Road Design

Construction and design standards shall be according to sound engineering practice as follows:

8.2.1 Classification of Highways, Streets and Roads

8.2.1a Arterial Roads and Highways

A major arterial road or highway has from two to six driving lanes, may be divided with a median, and has sufficient additional right-of-way to provide for turning lanes and additional width at major intersections. Major arterials have an average daily traffic of more than 5000 vehicles and a minimum right-of-way of one hundred feet (100'). A minor arterial road has an average daily traffic of 2000 to 5000 vehicles, serves 200 to 1000 dwelling units or lots, and has a minimum right-of-way of sixty six (66) feet. Asphalt paving is required for major arterials at a minimum depth of five (5) inches and for minor arterials to a minimum depth of four (4) inches. Separated driving lanes or park-ways are encouraged. See Appendices A, B.1, B.2 and B.3 for further detail.

8.2.1b Collector Roads

A collector road has two (2) twelve (12) foot driving lanes. It serves 61 to 199 dwelling units or lots and has an average daily traffic volume of 601 to 1999 vehicles and a minimum right-of-way of fifty (50) feet; paving shall achieve a minimum depth of three (3) inches. See Appendices A, B.1, B.2 and B.3.

8.2.1c Local Roads

A local subcollector road has two (2) twelve (12) foot driving lanes, serves 31 to 60 dwelling units or lots, and carries an average daily traffic volume of 301 to 600 vehicles with a minimum right-of-way of fifty (50) feet. A local subcollector road has a six (6) inch minimum surface thickness of crushed gravel base course material, provided it can be shown that such minimum thickness is adequate based on subgrade soil conditions; a plasticity index of eight (8) to twelve percent (12%) shall be provided. A local lane, place or cul-de-sac road serves 0 to 30 dwelling units or lots and carries an average daily traffic volume of 0 to 300 vehicles with two (2), ten (10) foot driving lanes with a minimum right-of-way of fifty (50) feet. Local lanes, places and cul-de-sac roads shall be constructed with the same sub-grade and base course specifications as the subcollector road. See also Appendices A, B.1, B.2 and B.3 and Section 8.3 of this Article.

8.2.1d Cul-de-sacs

Cul-de-sacs (dead end roads) shall not be longer than five hundred (500) feet. At the closed end there shall be a turn around having a minimum driving surface radius of at least forty-two (42) feet for roads under 250 feet long and of at least fifty (50) feet for roads 250 feet and longer. A suitable alternative, such as a hammerhead turn around, may be acceptable if approved by the Code Administrator and the Fire Marshal. All turn around areas shall be designed to protect existing vegetation and steep terrain. There shall be a minimum right-of-

which cannot meet the terrain management performance standards shall not be further subdivided or replatted in a manner which creates an additional number of non-conforming lots or parcels. Additionally, lot line adjustments shall not result in a conforming lot becoming non-conforming based on terrain management performance standards.

2. Reviews

(a) Lot Size Requirement Review.

The Code Administrator shall review the application for compliance with the density regulations in Article III, Section 10 of the Code. If the application is for a Small Lot Inheritance Transfer or a Small Lot Family Transfer, the lot size standards in Article II, Section 4 shall apply.

(b) Special District Review

The Code Administrator shall review the location of the lots indicated on the plat and, if a lot is located in a Special Review District, pursuant to Article VI of the Code, will inform the applicant of any additional submittals or reviews required and make the applicable review.

(c) Environmental Review.

The Code Administrator shall inform the applicant of any additional submittals and make the reviews required under Article VII, Environmental Requirements.

(d) Other Reviews

For summary review subdivisions, the Code Administrator shall review the disclosure statement to determine whether the subdivider can fulfill the proposals contained therein, and whether the disclosure statement is consistent with this Code.

3. Required Improvements and Standards

(a) Roads and Access - On-site and Off-site

(1) Except as provided below in paragraphs (6) - (9) of this Subsection, all lots created under this Section shall be provided with adequate access for ingress and egress, utility service, fire protection, and emergency services whether by a road meeting county requirements constructed within an easement and utility easement or by direct access to a public right-of-way. All on and off-site roads shall meet the design standards for a local road as set forth in Appendix 5.B.3, except that the minimum width of any easement created for access purposes shall be no less than twenty (20) feet for access to two (2) lots and no less than thirty-eight (38) feet for access to three (3) or more lots. However, for off-site roads the Code Administrator may reduce the road easement width to no less than twenty (20) feet if adequate drainage control is provided and may allow the road surface to be hard packed dirt with a compaction of ninety-five percent (95%) of the maximum density. All roadways and access shall be subject to the provisions of Section 10.207 of the Uniform Fire Code and to the policy established by the County Fire Marshal regarding fire apparatus access roads under Section 10.207. Provision of easements may also be accomplished by contiguous access easements



along property line of adjacent parcels or lots which, when added together, provide the total required width.

- (2) Roads serving two (2) or fewer lots may be treated as driveways and do not have to be constructed until the time of building construction. The number of driveways accessing a public road shall be minimized. The use of shared driveways is encouraged.
- (3) When a tract to be developed borders an existing road having a right-of-way insufficient to conform to the minimum standards required by these regulations, which right-of-way will be used by the proposed development, sufficient right-of-way shall be platted, and dedicated or reserved in such a way as would make the resulting right-of-way or road conform with Code requirements.
- (4) The maximum grade of built roads shall be eleven percent (11%). Installation of culverts, where applicable, shall be required at intersections of driveways with County roads.
- (5) Road Construction and/or Road Cut Permits must be obtained if road or driveway construction is to precede any other development on any lot.
- (6) Divisions of land for grazing or farming as identified in Article II, Section 2.3.1.a.ii(c) are exempt from on-site and off-site road requirements.
- (7) Divisions of land that create no parcel smaller than one hundred forty (140) acres as identified in Article II, Section 2.3.1.a.ii(e) are exempt from on-site and off-site road requirements, except when more than one (1) such parcel is created in an area of land, the Code Administrator may require on and off-site road improvements.
- (8) Other land divisions as listed in Article II, Section 2.3.1.a.ii. (a) through (h) may be exempt from road construction standards at the discretion of the Code Administrator.
- (9) In addition to the requirements of this Section, summary review subdivisions shall meet the road improvements of Article V, Section 5.5.6.

(b) Other Off-Site Improvements

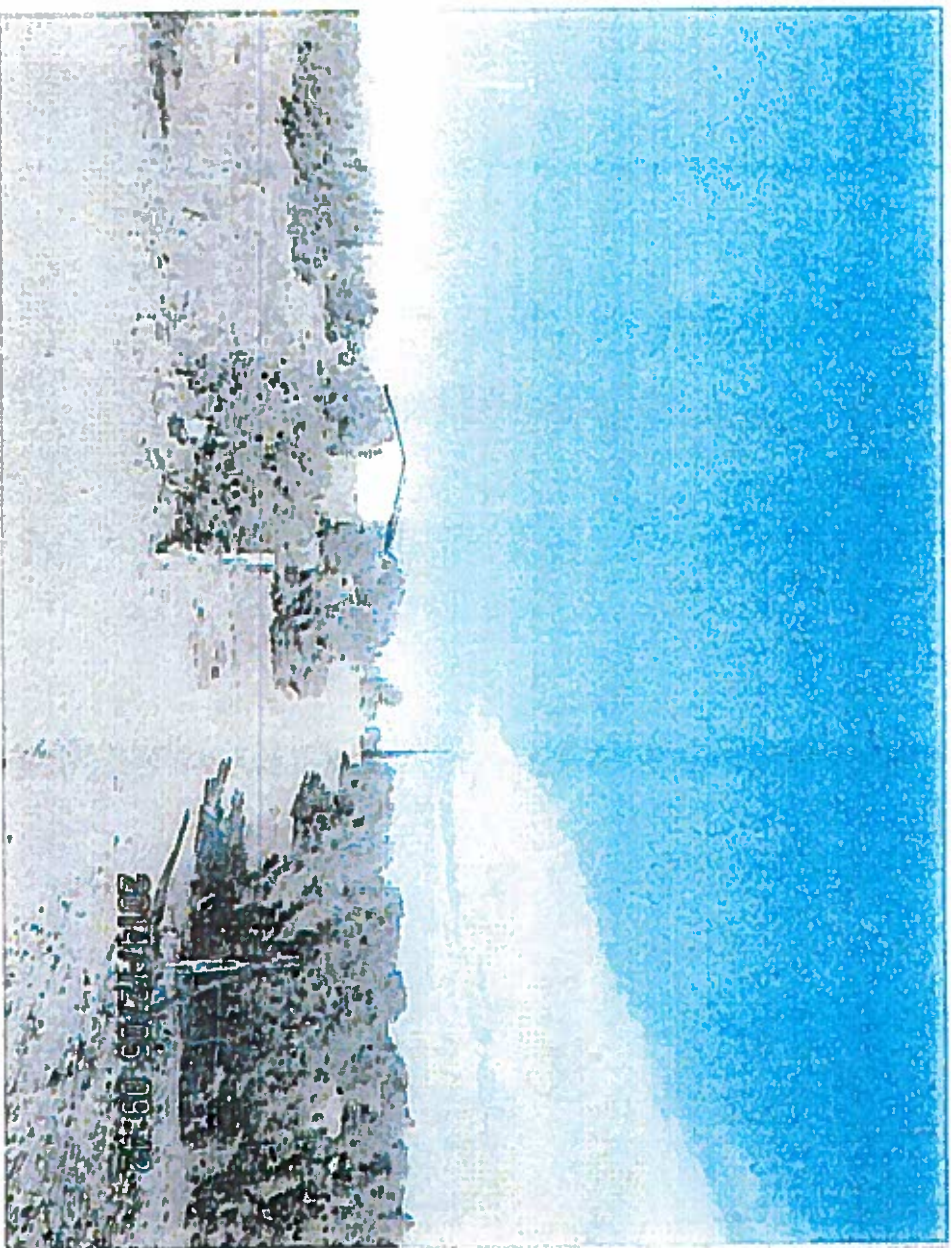
If the Code Administrator determines that it is necessary for health, safety, or welfare reasons, the applicant may be required to construct improvements to existing off-site facilities or to construct planned facilities or portions of planned facilities which can provide relief to existing facilities. The purpose of requiring such improvements is to assure that such facilities which may be negatively impacted, either individually or cumulatively, by the addition of new development, will function efficiently. For the purposes of this Section, off-site facilities include but are not limited to, water systems and sewer systems.

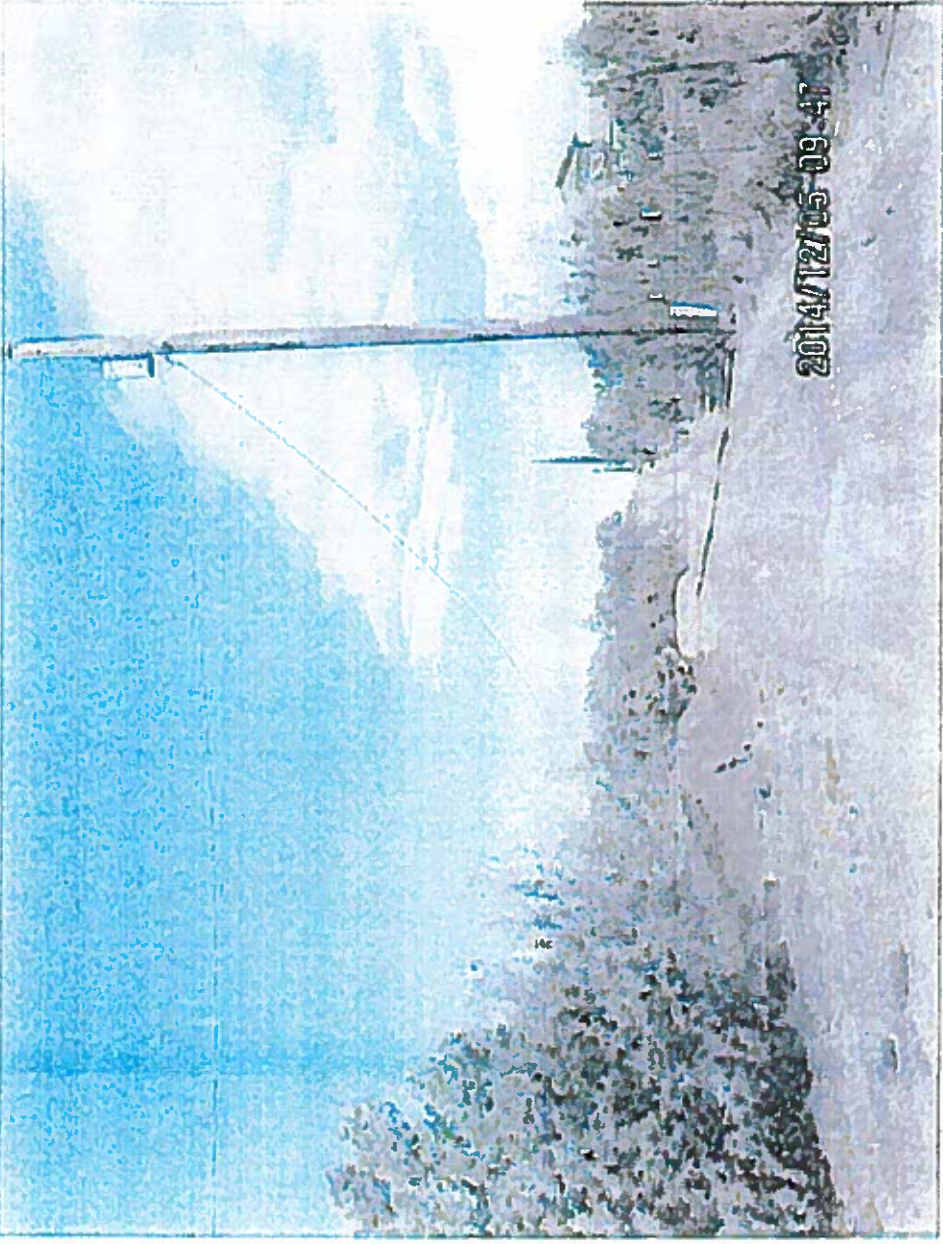
(c) Special Provisions for Family Transfer Improvements

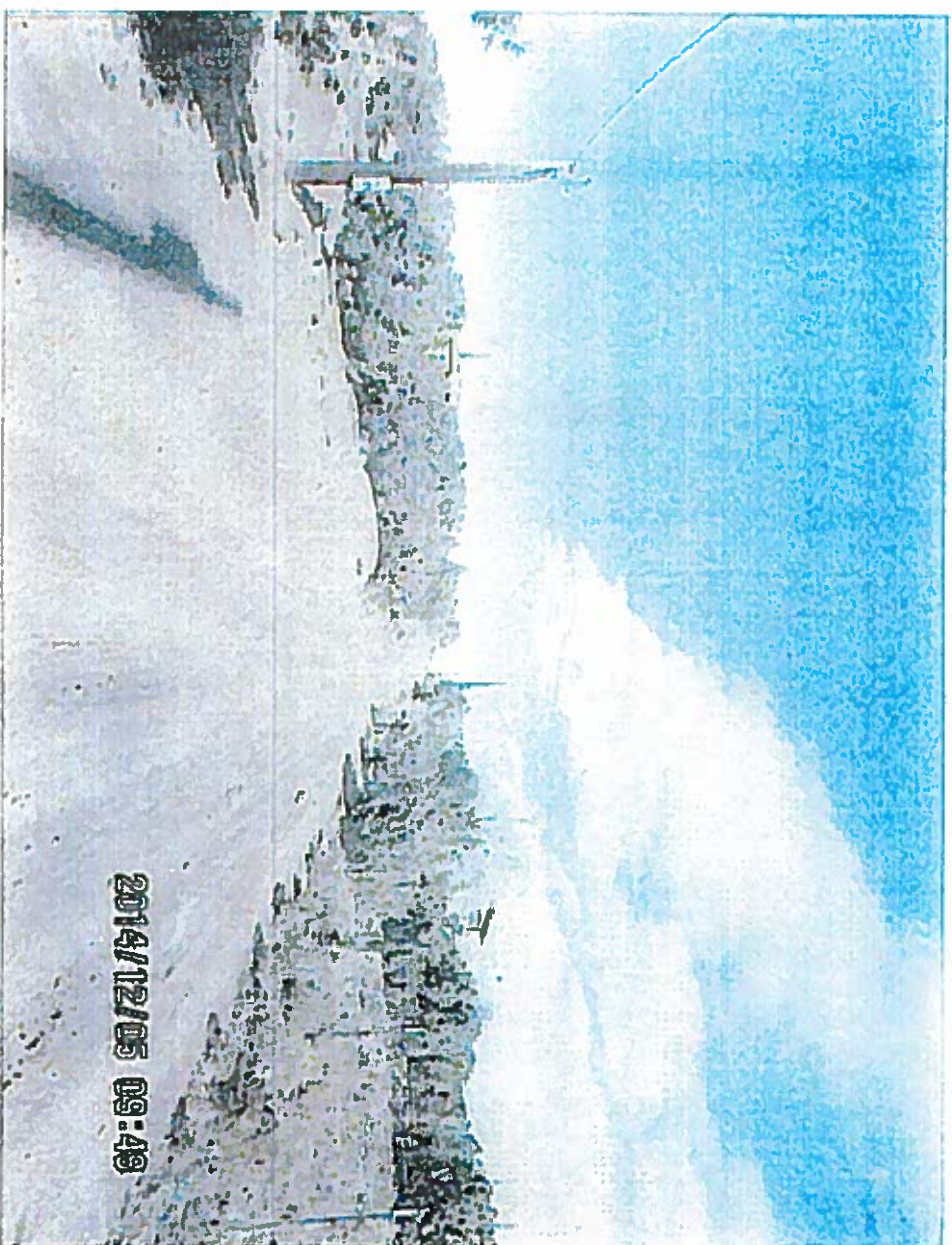
Off-site improvement requirements do not apply to lots created by Family Transfer for the first lot per immediate family member, Small Lot Family Transfer, or Small Lot Inheritance Transfer provided that the recipient does not sell or transfer such lot for three years from the time the plat is recorded. For second and subsequent lots and for lots sold or transferred by the recipient prior to such three year period off-site improvement requirements of this Code shall be met at the time of sale. For Family Transfers to be exempt



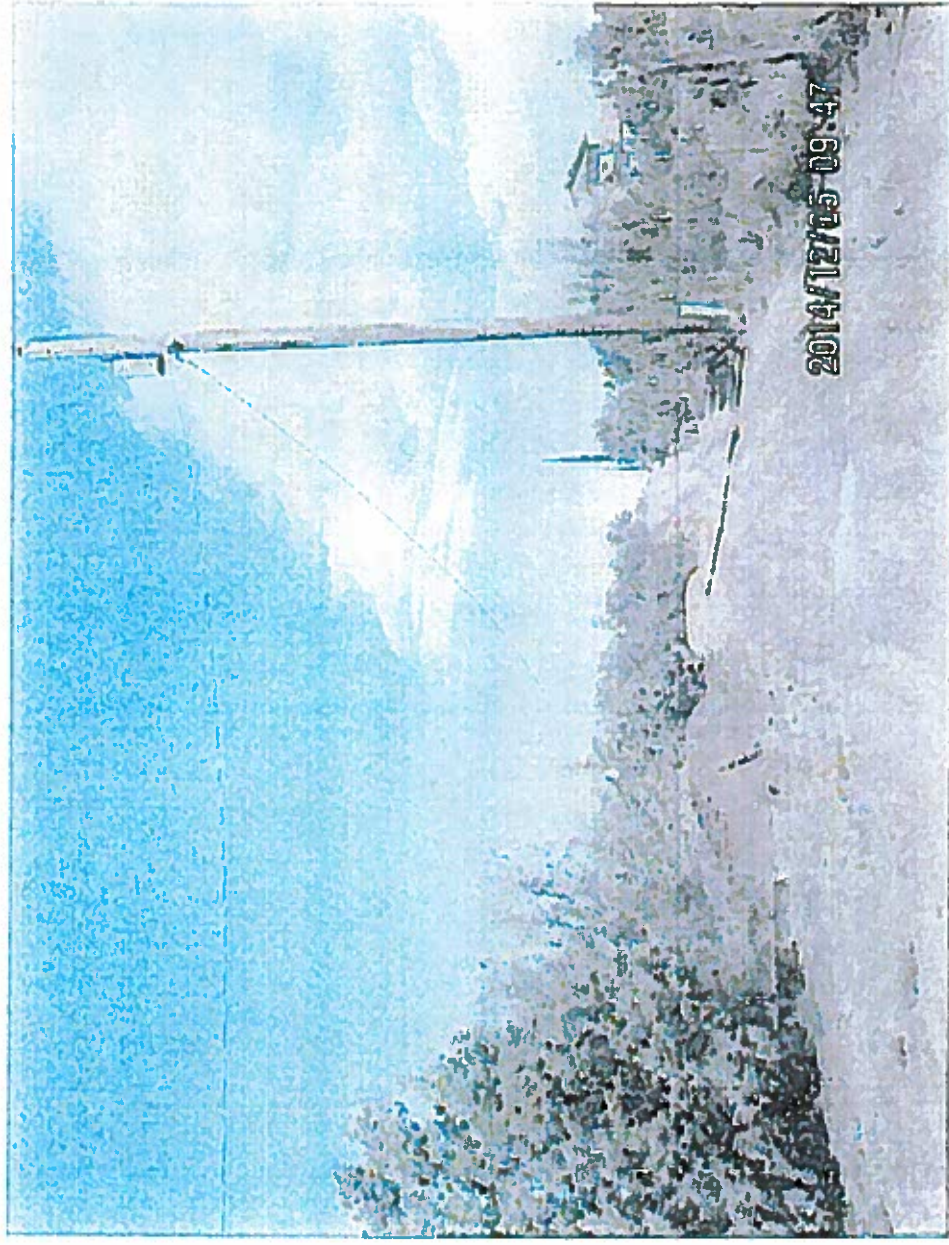


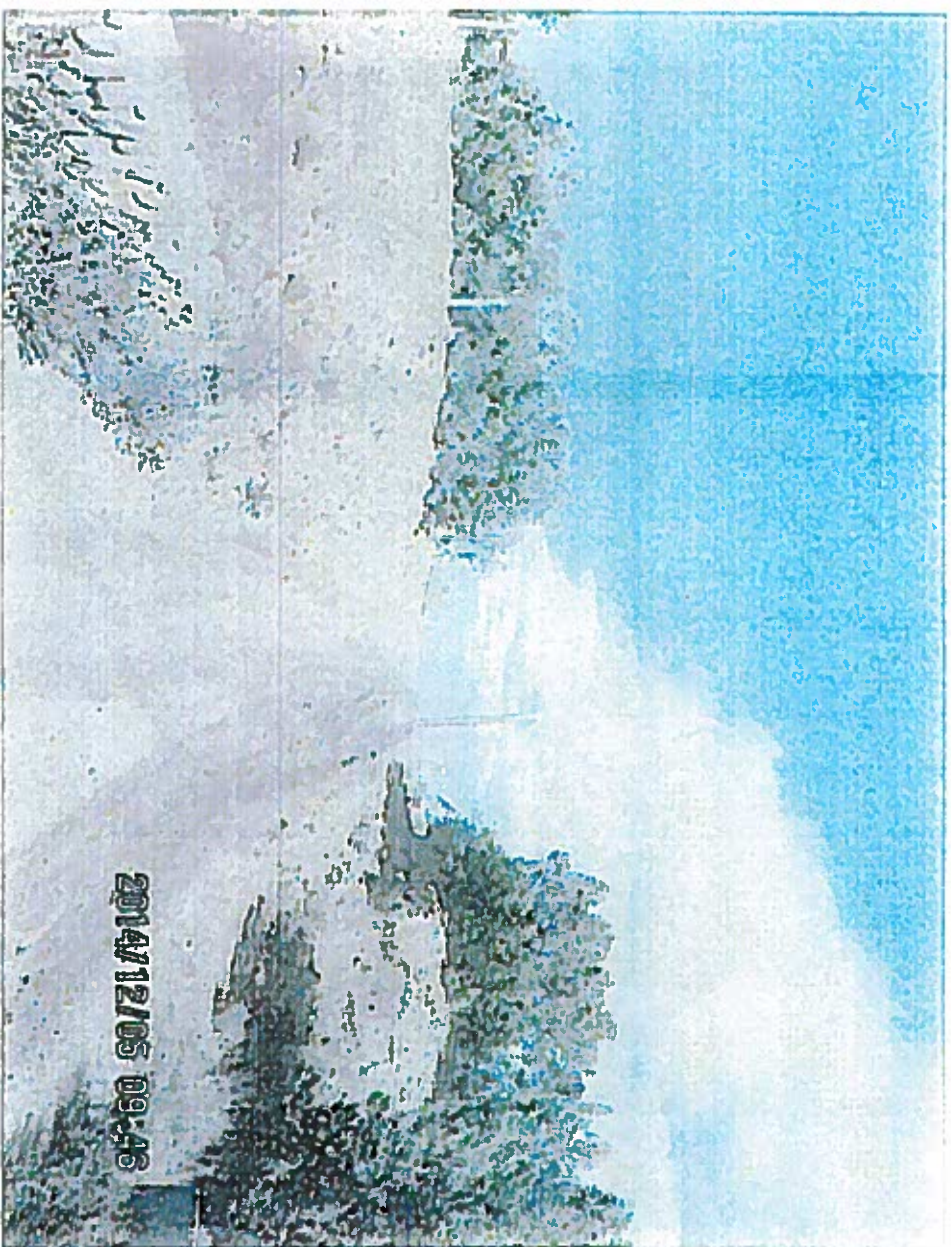




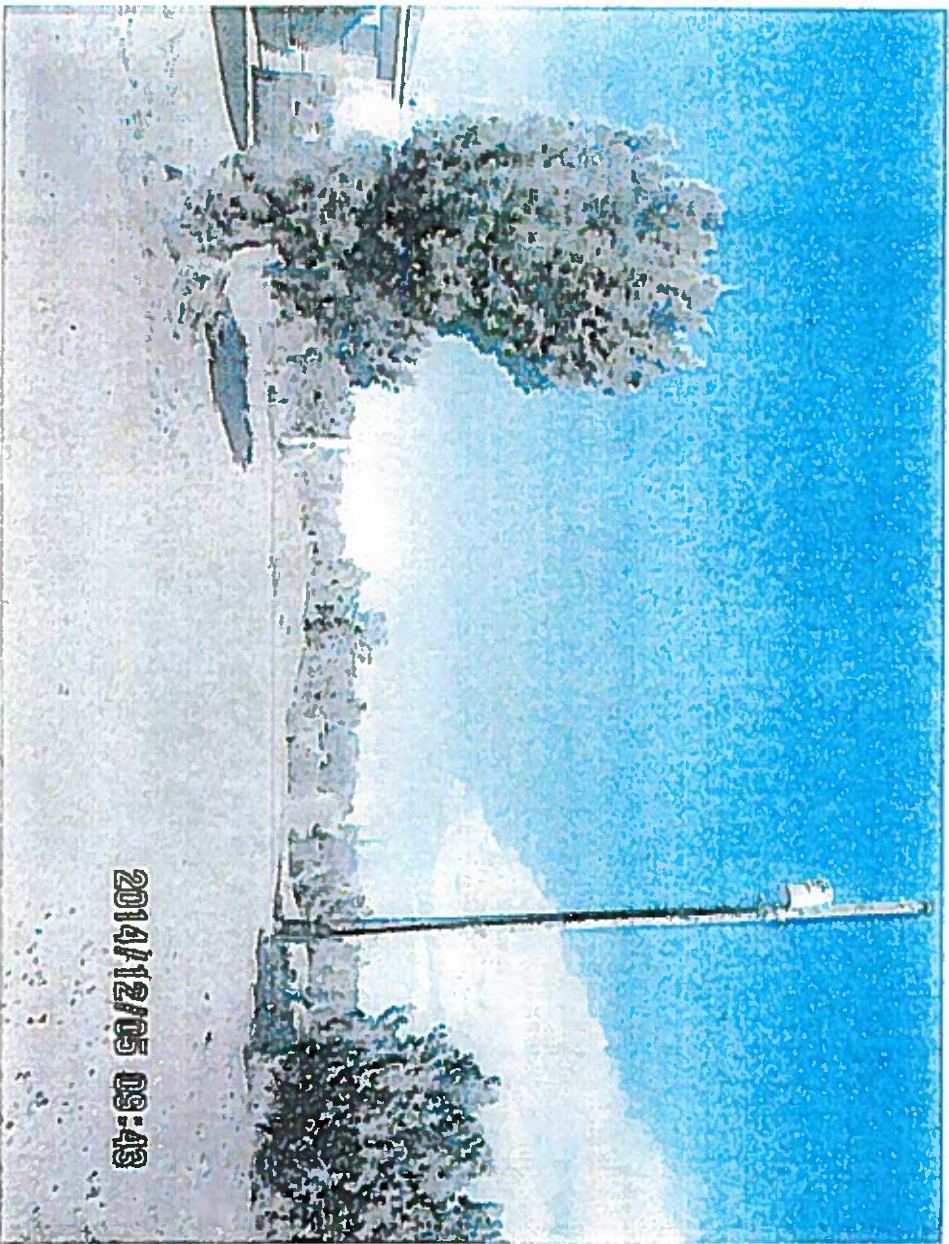


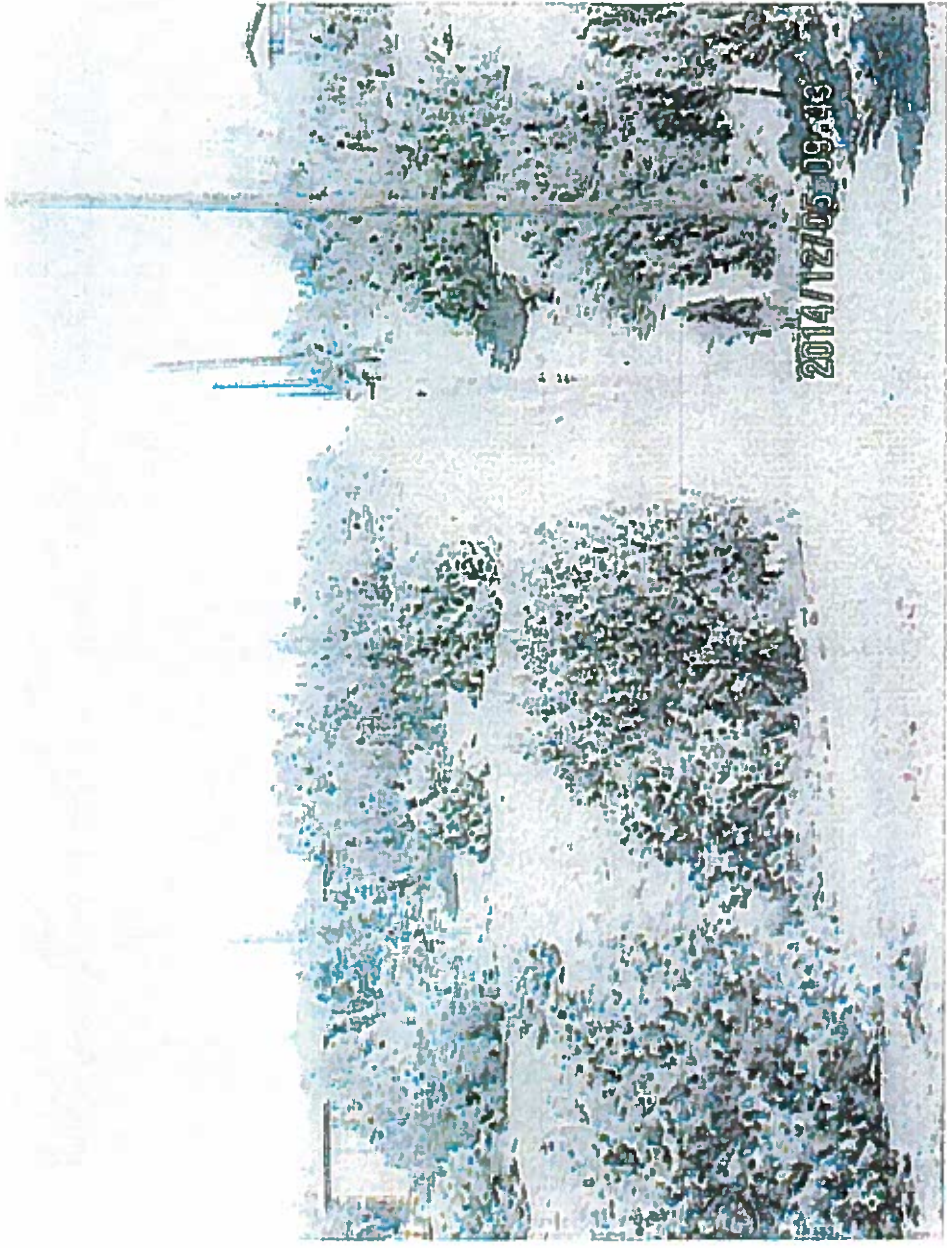
2014/12/05 09:49











Enma C. Romero

[illegible]

Enrico C. Corio

State of New Mexico ss
County of Santa Fe)

The Kozlovskii plant was established in 1952, by Com. order no. 747.

1954

Appends

Approved by the Ethics Committee of the University of

Chittenden

44-38861-100

Accepted for publication
1994
C. H. E. G. H. G.

Utilities

10-1-80
Public Service Community New Haven

УДК 62-50

Files

[illegible]

SECRET

[illegible]

2000

[illegible][illegible]

100

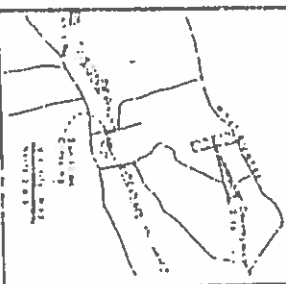
[The page contains faint, illegible markings or bleed-through from another document.]

2

Anaconda Romeo

Ernest C. Porcilio

27



T.17M R9E.
Section 29
Section 32
T.17M R9E.

N/F Lind
 S.H.C 433 Lot 2
 11/11/19

N/F Real Controls
S.H.C. 454 1011--
-2100

545

Soil & Cover Development Form; Private

County Land Use Administrator

1. 7. R. R. R.
 2. 7. R. R. R.
 3. 7. R. R. R.
 4. 7. R. R. R.
 5. 7. R. R. R.
 6. 7. R. R. R.
 7. 7. R. R. R.
 8. 7. R. R. R.
 9. 7. R. R. R.
 10. 7. R. R. R.
 11. 7. R. R. R.
 12. 7. R. R. R.
 13. 7. R. R. R.
 14. 7. R. R. R.
 15. 7. R. R. R.
 16. 7. R. R. R.
 17. 7. R. R. R.
 18. 7. R. R. R.
 19. 7. R. R. R.
 20. 7. R. R. R.
 21. 7. R. R. R.
 22. 7. R. R. R.
 23. 7. R. R. R.
 24. 7. R. R. R.
 25. 7. R. R. R.
 26. 7. R. R. R.
 27. 7. R. R. R.
 28. 7. R. R. R.
 29. 7. R. R. R.
 30. 7. R. R. R.
 31. 7. R. R. R.
 32. 7. R. R. R.
 33. 7. R. R. R.
 34. 7. R. R. R.
 35. 7. R. R. R.
 36. 7. R. R. R.
 37. 7. R. R. R.
 38. 7. R. R. R.
 39. 7. R. R. R.
 40. 7. R. R. R.
 41. 7. R. R. R.
 42. 7. R. R. R.
 43. 7. R. R. R.
 44. 7. R. R. R.
 45. 7. R. R. R.
 46. 7. R. R. R.
 47. 7. R. R. R.
 48. 7. R. R. R.
 49. 7. R. R. R.
 50. 7. R. R. R.
 51. 7. R. R. R.
 52. 7. R. R. R.
 53. 7. R. R. R.
 54. 7. R. R. R.
 55. 7. R. R. R.
 56. 7. R. R. R.
 57. 7. R. R. R.
 58. 7. R. R. R.
 59. 7. R. R. R.
 60. 7. R. R. R.
 61. 7. R. R. R.
 62. 7. R. R. R.
 63. 7. R. R. R.
 64. 7. R. R. R.
 65. 7. R. R. R.
 66. 7. R. R. R.
 67. 7. R. R. R.
 68. 7. R. R. R.
 69. 7. R. R. R.
 70. 7. R. R. R.
 71. 7. R. R. R.
 72. 7. R. R. R.
 73. 7. R. R. R.
 74. 7. R. R. R.
 75. 7. R. R. R.
 76. 7. R. R. R.
 77. 7. R. R. R.
 78. 7. R. R. R.
 79. 7. R. R. R.
 80. 7. R. R. R.
 81. 7. R. R. R.
 82. 7. R. R. R.
 83. 7. R. R. R.
 84. 7. R. R. R.
 85. 7. R. R. R.
 86. 7. R. R. R.
 87. 7. R. R. R.
 88. 7. R. R. R.
 89. 7. R. R. R.
 90. 7. R. R. R.
 91. 7. R. R. R.
 92. 7. R. R. R.
 93. 7. R. R. R.
 94. 7. R. R. R.
 95. 7. R. R. R.
 96. 7. R. R. R.
 97. 7. R. R. R.
 98. 7. R. R. R.
 99. 7. R. R. R.
 100. 7. R. R. R.

21 57
22 1
23 1
24 10
25 1
26 10

LAND SURVEYING COMPANY INC.

EXHIBIT 7

WARRANTY DEED (Joint Tenant)
CORRECTED WARRANTY DEED (JOINT TENANTS) 2707216

Amarante Romero and Emma C. Romero
Francisco E. Tercero
for consideration paid, grant

whose address is Rt. 6 Box 91-B, Santa Fe, New Mexico

and Arlene Y. Tercero

whose address is Rt. 6 Box 91-B, Santa Fe, New Mexico

as joint tenants the following described real estate in Santa Fe County, New Mexico:

A certain tract of land, lying and being situate in a portion of Small Holding Claim No. 454, Lot 1, in Section 32, T.17N., R.9E., N.M.P.M., County of Santa Fe, State of New Mexico, being more particularly described as follows, to wit:

Beginning at a point on the Rejected North Boundary line of the Cinegulla Grant, marked by a U.S.G.L.O. S. brass cap for the corner common to P.C. 433 Tract 3 and P.C. 454 Tract 1; thence N.89° 45'E. along the Rejected North Boundary line of the Cinegulla Grant a distance of 4.47 feet; thence N.17° 15'W. along the West Boundary line of S.H.C. 454 Lot 1 a distance of 307.45 feet to the true point and place of beginning, the southwest corner of the tract described hereon; thence continuing N.17° 15'W. a distance of 466.08 feet, the northwest corner of the tract described hereon; thence N.41° 49'09"E. along the center line of an arroyo a distance of 26.47 feet; thence N.47° 01'59"E. a distance of 60.07 feet; thence N.33° 03'E. a distance of 60.58 feet; thence N.78° 12'26"E. a distance of 9.46 feet, the northeast corner of the tract described hereon; thence S.17° 15'E. a distance of 543.55 feet, the southeast corner of the tract described hereon; thence S.72° 45'W. a distance of 132.85 feet to the true point and place of beginning.

Containing an area of 1.538 acres, more or less, subject to a 15.0 foot wide ingress, egress and utility easement, lying parallel with and adjacent to the east boundary of the tract described herein above.

Together with the rights of ingress and egress through a 15.0 foot wide ingress, egress and utility easement to and from West Alameda, said easement extends northerly from the northeast corner of the tract described herein above, lying adjacent to and parallel with the east boundary line of the lands of Amarante and Emma C. Romero.

All as shown on a plat of survey entitled, "Heirs of Amarante and Emma C. Romero", certified by Salvador E. Vigil, a registered professional land surveyor, said plat bears the project No. D1-354, with warranty covenants.

This "Corrected Warranty Deed" corrects the middle initial for Arlene Tercero from a "G" to a "Y", and it corrects a distance on the seventh (7th) line of the original deed from 397.45 feet to 307.45 feet, as shown on that Warranty Deed recorded in Book 523, Page 112, on June 11, 1985.

with warranty covenants

Witness _____ hand _____ and seal _____ this 3rd day of January 1997
i. Amarante Romero (Seal) Emma C. Romero (Seal)
(Seal) (Seal)

ACKNOWLEDGEMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO)
COUNTY OF SANTA FE)
I, Amarante Romero and Emma C. Romero, ss. January 3, 1997
do hereby certify that the foregoing instrument was acknowledged before me on _____
P.U.M. Commission expires 2-22-97

ACKNOWLEDGEMENT FOR CORPORATION

STATE OF NEW MEXICO)
COUNTY OF _____) ss.
This instrument was acknowledged before me on _____ 19____
FOR RECORDERS USE ONLY
COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss.
I HEREBY CERTIFY THAT THE INSTRUMENT WAS RECORDED IN BOOK 523, PAGE 112, ON JUNE 11, 1985.
AND WAS RECORDED IN BOOK 523, PAGE 112, ON JUNE 11, 1985.

WITNESS MY HAND AND SEAL OF OFFICE
REBECCA BUSTAMANTE
COUNTY CLERK, SANTA FE COUNTY, N.M.
Deputy



COPY

WARRANTY DEED
(JOINT TENANTS)

523112

Amarante Romero and Emma C. Romero, for consideration paid, grant to Francisco E. Tercero whose address is Rt. 6 Box 91, Santa Fe, New Mexico and Arlene Y. Tercero whose address is Rt. 6 Box 91, Santa Fe, New Mexico as joint tenants the following described real estate in Santa Fe County, New Mexico.

A certain tract of land, lying and being situate in a portion of Small Holding Claim No. 454 Lot 1 in Section 32, T.17N. R.9E., N.M.P.M., County of Santa Fe, State of New Mexico, being more particularly described as follows, to wit:

Beginning at a point on the Rejected North Boundary line of the Cieneguilla Grant, marked by a U.S.G.L.O.S. brass cap for the corner common to P.C. 433 Tract 3 and P.C. 454 Tract 1; thence N.89°45'E. along the Rejected North Boundary line of the Cieneguilla Grant a distance of 4.47 feet; thence N.17°15'W. along the West Boundary line of S.H.C. 454 Lot 1 a distance of 397.45 feet to the true point and place of beginning, the southwest corner of the tract described hereon; thence continuing N.17°15'W. a distance of 466.08 feet, the northwest corner of the tract described hereon; thence N.41°49'09"E. along the center line of an arroyo a distance of 26.47 feet; thence N.47°01'59"E. a distance of 60.07 feet; thence N.33°03'E. a distance of 60.58 feet; thence N.78°12'26"E. a distance of 9.46 feet, the northeast corner of the tract described hereon; thence S.17°15'E. a distance of 543.55 feet, the southeast corner of the tract described hereon; thence S.72°45'W. a distance of 132.85 feet to the true point and place of beginning.

Containing an area of 1.538 acres, more or less, subject to a 15.0 foot wide ingress, egress and utility easement, lying parallel with and adjacent to the east boundary of the tract described herein above. Together with the rights of ingress and egress thru a 15.0 foot wide ingress, egress and utility easement to and from West Alameda, said easement extends northerly from the northeast corner of the tract described herein above, lying adjacent to and parallel with the east boundary line of the lands of Amarante and Emma C. Romero.

All as shown on a plat of survey entitled, "Heirs of Amarante and Emma C. Romero" certified by Salvador E. Vigil, a registered professional land surveyor, said plat bears the project No. D1-364, with warranty covenants.

WITNESS my hand and seal this 23rd day of October 1987
Amarante Romero (Seal) Emma C. Romero (Seal)

ACKNOWLEDGEMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO)
COUNTY OF Santa Fe)

The foregoing instrument was acknowledged before me this 23rd day of October 1987, by Amarante Romero and Emma C. Romero.

My commission expires: October 1, 1991
Notary Public (Seal)

569,132
COUNTY OF SANTA FE JS
I hereby certify that this instrument was filed for record on the 11 day of January A.D. 1987 at 1:12 o'clock PM and was duly received in book 523 page 112 of the records of Santa Fe County.
Witness my Hand and Seal of Office
ANGIE VIGIL PEREZ
County Clerk, Santa Fe County, N.M.
Mary Mty Deputy

COPY-29

SANTA FE COUNTY

DEVELOPMENT PERMIT APPLICATION

CONTROL # 79-1369

APPLICATION DATE 8-20-99

ISSUE DATE

OWNER NAME: TECECO

APPLICANT INFORMATION

(LAST)

FRANCIS

(FIRST)

E.

(MIDDLE)

MAILING ADDRESS: Box 91-H

STREET OR P.O. NUMBER

CITY

STATE

ZIP

HOME PHONE (505) 424-0745

WORK PHONE (505) 827-6108

AGENT - CONTRACTOR NAME:

(LAST)

(FIRST)

(MIDDLE)

Solitaire Homes of Albuquerque

AGENT CONTRACTOR ADDRESS:

STREET OR P.O. NUMBER

CITY

STATE

ZIP

AGENT HOME PHONE (505)

WORK PHONE (505) 294-5555

COUNTY RURAL ADDRESS:

PROPERTY INFORMATION

PROPERTY LOCATION ID: 058601723

This address is identical to the Santa Fe County Rural Address Page number

LEGAL DESCRIPTION: Township 17N Range 9E Section 32 Q1 Q2 Q3

Subdivision

Grant/Claim SHC 454

Unit: 1

Tract: 1

Block: 1

Lot: 1

DEED RECORDED AS - Deed Book 523 Page: 112

PLAT RECORDED AS: Plat Book 150 Page 047

Date Recorded JUNE 11, 1985

DESCRIPTION: Double wide Manufactured House

PROJECT INFORMATION

TOTAL NEW ROOFED AREA TO BE CONSTRUCTED: 1848 Sq. Ft.

BUILDING MATERIAL: FRAME

PROJECT VARIATION (from applicable): 4000

EXISTING STRUCTURES: 0

TOTAL EXISTING BLDG. SQ. FT. 0

EXISTING LOTS: 1/4 ACRES

IF THE ABOVE INFORMATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE:

APPLICANT SIGNATURE: Francis E. Francis

EXHIBIT

DATE 8-19-99

1-050-040-225-424

9

SANTA FE COUNTY TREASURER

Santa Fe County

*** CANCELED RECEIPT ***

BATCH 20: CLORIA 8/30/99 00 RECEIPT: 0000374

DESCRIPTION CITY AMOUNT PAYMENT DESC PT SV

99 1369 1 \$541.35 PLANNING & ZONING PZ CR

OK 2006 TOTAL DUE \$541.35

Tender Details \$541.35

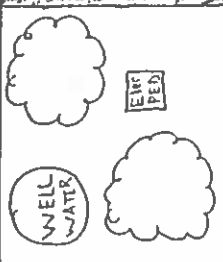
DATE: 8/30/99 TIME: 9:50:46

51490584.

N ↑

WEST ALAMEDA

Groundwater flow
Slope Down



PROPANE

28'

sewer drop

49 1/2'

Gas
Electric
WATER

66'

57 1/2'

42'

36' to proposed fence
to be built

PRIVATE ROAD

Groundwater flow
Slope Down

Septic System
to well = 127'

Septic System

40'

SS

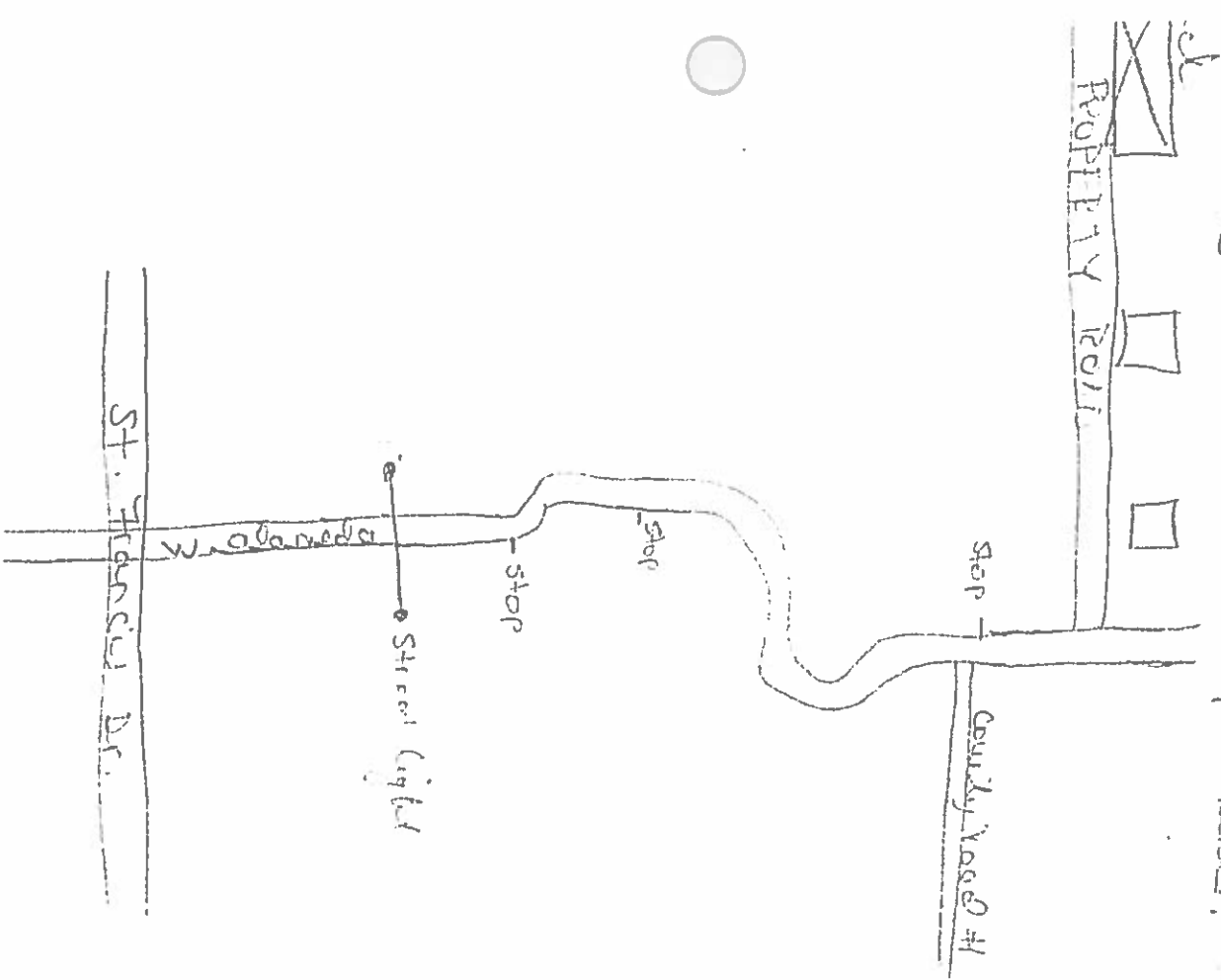
Directions & map from St. Francis and West Alameda. 80

Turn West Alameda. Pass 1 stop light, 2 stop signs.

1st road (County Pass stop sign. Drive 1/10 of a mile.

Left sign "DO NOT ENTER", see closed gate. Left turn

to property. Pass 2 small apartments. Property is 1/10 of a mile





APPLICATION FOR A
LIQUID WASTE PERMIT

NMED Permit Number: SF 990389

NMED Inspection Required ☐ No ☒ Yes, Call 476-8537 for Appointment

Date NMED Received: _____

SYSTEM OWNER'S NAME: Last, First, MI Home Phone: Business Phone:
Tercego, Sr Francisco E. 466-2547 438-6073

MAILING ADDRESS: Street/PO Box, City, State, Zip Code
Rt. 6 Box 91-B Santa Fe NM 87501

SYSTEM LOCATION: Street Address, City, State, Zip Code, County:
Rt. 10 Box 94-1 Santa Fe NM 87501 SF

West Alameda - Right - approx 3 1/2 mile on right (closed gate)

SUBDIVISION BLOCK LOT UNIFORM PROPERTY CODE

TOWNSHIP RANGE SECTION QTR QTR QTR LATITUDE LONGITUDE

INSTALLER'S NAME & FIRM: PHONE:

Homeowner 434-0745

MAILING ADDRESS: Street/PO Box, City, State, Zip Code

Rt. 6 Box 91-H Santa Fe NM 87501

CID License No./ Certification MM-1 MM-98 MS-1 MS-3 Homeowner

I. PERMIT APPLICATION (Instructions on back of pink copy)

- A. Proposed Liquid Waste System is for: ☒ New construction
☐ Replacement of an existing system ☐ Modification to an existing system
B. Manufactured Housing (mobile) ☒ Yes ☐ No
C. Proposed System is: ☒ Conventional ☐ Mound ☐ Holding Tank
☐ Evapotranspiration ☐ Other, Describe: _____

II. WASTEWATER SOURCES & DESIGN FLOWS IN GALLONS PER DAY (gpd)

- A. Proposed liquid waste system use and design flow:
☒ Single family residence with 4 no. of bedrooms 450 gpd
☒ Multiple family units; 2 no. of units; 3 no. bedrooms per unit _____ gpd
☐ Other (type) _____ Flow sizing units _____ gpd

B. Are there other sewage sources on this property? ☐ Yes ☒ No _____ gpd

TOTAL WASTEWATER FLOW ON PROPERTY = 450 GPD

III. SITE INFORMATION

- A. Lot Size: 1.53 Acres Date of Record: 4/2/85
(nearest 0.01 acre) (Plat Date or Subdivision Date)

B. Depth from Ground Surface to:

Seasonal High Water Table 90 feet
Bedrock, Caliche, Tight Clay 13 feet
Gravel, Cobbles, Highly permeable soil 12 feet

C. Soil Description: (NMED may require both texture description and percolation)

Texture:
☒ Coarse sand or gravel; (give percolation rate below)
☐ Sand; (give percolation rate below) ☐ Fine Sand
☐ Sandy Loam; ☐ Loam; ☐ Silty Loam;
☐ Clay Loam; ☐ Clay;
☐ Other, (describe) _____

Soil Percolation Rate: 6.82 10 min/inch (attach percolation test record) SA

- D. Domestic Water Source: ☒ On-site ☐ Off-site;
☒ Private ☐ Public ☐ Shared
Irrigation Well or Flood Irrigated Area on the lot ☐ Yes ☒ No

IV. SYSTEM DESIGN

- A. Treatment Unit:
☒ Septic Tank Capacity 1,250 Gallons
Manufacturer: Montano's Certification No.: 98-11-309B
☐ Other (specify): _____

- B. Disposal System: ☒ Trench ☐ Bed ☐ Seepage Pit ☐ Mound
☒ Evapotranspiration ☒ Other, specify: INFILTRATOR System
Materials: ☐ Pipe and gravel ☒ Gravelless (specify) _____

- C. Minimum required absorption area 455 square feet
Trench or Bed width 3 ft. Gravel depth below distribution pipe NA ft.
Total Trench or Bed length 90 ft. Number of trenches: 1
Number of gravelless units 15

- D. Depth from ground surface to bottom of absorption area 3-4 ft.

NMED Representative

Date _____

The system described above _____ was _____ was not inspected.

VIII. NMED FINAL APPROVAL:

WATER SYSTEM

Y

✓

NMED Representative

Date _____

NMFD Inspection History

504711260

0051

incomplete information, or for failure to notify NMBL) that the system is completed.

TO OUR HONORABLE SENATOR, JOHN J. HENNINGSEN, JR.,

failure to complete the system within one year for providing inaccurate or

Date _____

UNITED REPRESENTATIVE

88.9

SANTAFE FIELD OFFICE



STATE OF NEW MEXICO
ENVIRONMENT DEPARTMENT
87001

130	Property line	130	Property line
140	Property line	140	Property line
150	Buildings	150	Buildings
160	Structures	160	Structures
170	Wells	170	Wells
180	Irrigation	180	Irrigation
190	Arroyos	190	Arroyos
200	Surface water	200	Surface water

Treatment Unit to: _____
Disposal System to: _____

How. - Give distances from:

V. SITE PLAN: Diagram the lot and liquid waste system. Show setbacks to the objects listed below within 200 feet of system and the direction of groundwater.

1000

57990389

VI. The foregoing information is correct and true to the best of my knowledge, I understand that the issuing of this permit does not relieve me from the responsibility of complying with all applicable provisions of the New Mexico Plumbing Code and the New Mexico Liquid Waste Disposal Regulations. Obtaining this permit does not relieve me from the responsibility of obtaining any permit required by state, city or county regulation or ordinance or other requirements of state or federal law.

OXFORD

Contractor _____ Other _____

VII. **IMBED PERMIT** A permit for construction of the liquid waste disposal

Conditions _____ Reasons for Denial:

Denied

Wrote call to INST. PRIOR to COVERTLY SYSTEM.



Fax

To:	Francisco E. Tercero, II	From:	Francisco E. Tercero, Sr.
Fax:	(505) 827-4692	Pages:	1
Phone:	(505) 827-6108	Date:	08/19/99
Re:	Permission to use Property on Alameda CC: [Click here and type name]		

Dear Frank,

This is to formalize the arrangement you and I have made concerning my property off West Alameda.

You have my permission to park a double-wide mobile home on the property and to live there with your family, and to make improvements to the property as needed.

Your Dad,

A handwritten signature in cursive script that reads "Francisco E. Tercero, Sr.".

Francisco E. Tercero, Sr.

DEVELOPMENT PERMIT #

DATE: 8/28/99

NAME OF APPLICANT: Francis E. Torero II

ADDRESS: 216 Bor 91st Santa Fe, Walldorf 87581

PHONE: (505) 434-0745 / 827-6108

PROPERTY LOCATION: 4007 11th Ave

ZONING DISTRICT: E-2

COUNTY COMMISSION DISTRICT: 1 0 2 0 3 0 4 0 5

CODE ENFORCEMENT DISTRICT: ☐ SOUTH ☒ SANTA FE ☐ NORTH

DATE OF INSPECTION (MM/DD/YY): 8/26/99

DOES STRUCTURE(S) MEET WITH SET BACK REQUIREMENTS?
(EZA 25 FT., UFC 20 FT. FROM STRUCTURE TO STRUCTURE) YES ☒ NO ☐

SITE CONDITIONS:

- A. ARE THERE JUNK VEHICLES ON PROPERTY? YES ☐ NO ☒
B. IS THERE LITTER OR DEBRIS ON PROPERTY? YES ☐ NO ☒
C. OTHER: PLEASE SPECIFY: _____

IS THERE ANY DEVELOPMENT ON PROPERTY? YES ☐ NO ☒

IF YES, PLEASE LIST AND DESCRIBE ALL DEVELOPMENT. SPECIFY WHETHER MOBILE OR SITE BUILT STRUCTURE, CONDITION OF STRUCTURE, AND SIZE OF STRUCTURE? _____

DOES STRUCTURES EXCEED MAX. HEIGHT REQUIREMENTS? YES ☐ NO ☒

IS THIS PROPERTY IN A ☐ COMMERCIAL OR ☒ RESIDENTIAL AREA?

IS A CULVERT REQUIRED? YES ☐ NO ☒ SIZE _____
SPECIFY COUNTY ROAD _____

TERRAIN MANAGEMENT OK ☒ CHECK _____

NUMBER OF UTILITY METERS? _____ WELLS? _____

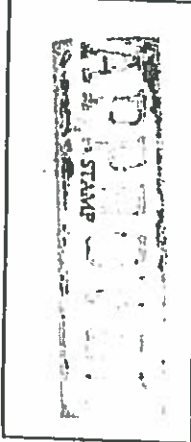
- NOTE: ALL PRECODE STRUCTURES COMMERCIAL OR RESIDENTIAL, MUST REGISTER SEPTIC SYSTEM WITH ENVIRONMENTAL IMPROVEMENT DIVISION PRIOR TO ISSUANCE OF ANY DEVELOPMENT PERMITS.

DOES SITE PLAN CONFORM WITH APPLICANTS SUBMITTAL? YES ☒ NO ☐

IF NO, SEE REVISED SITE PLAN:

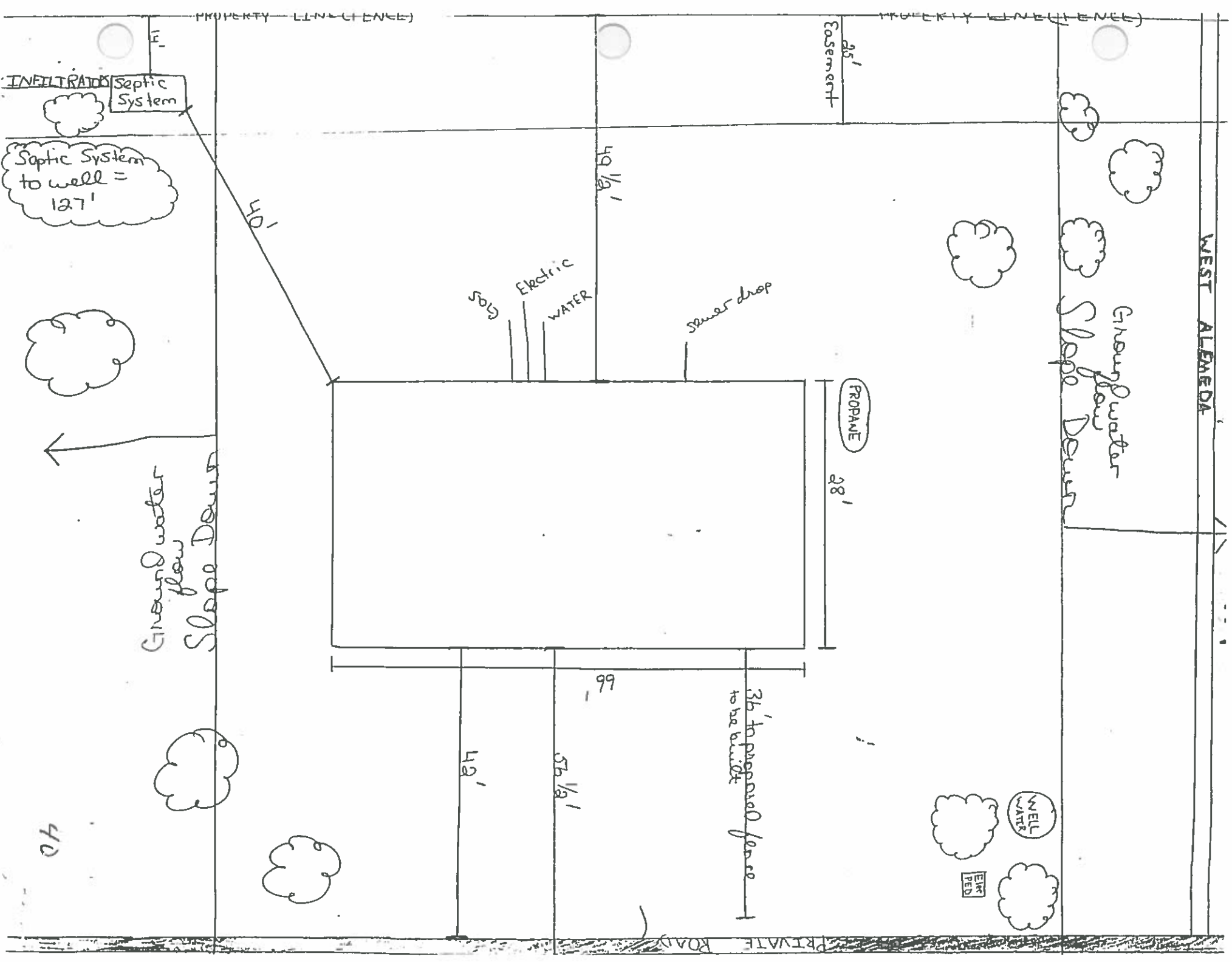
☒ CONDITIONS

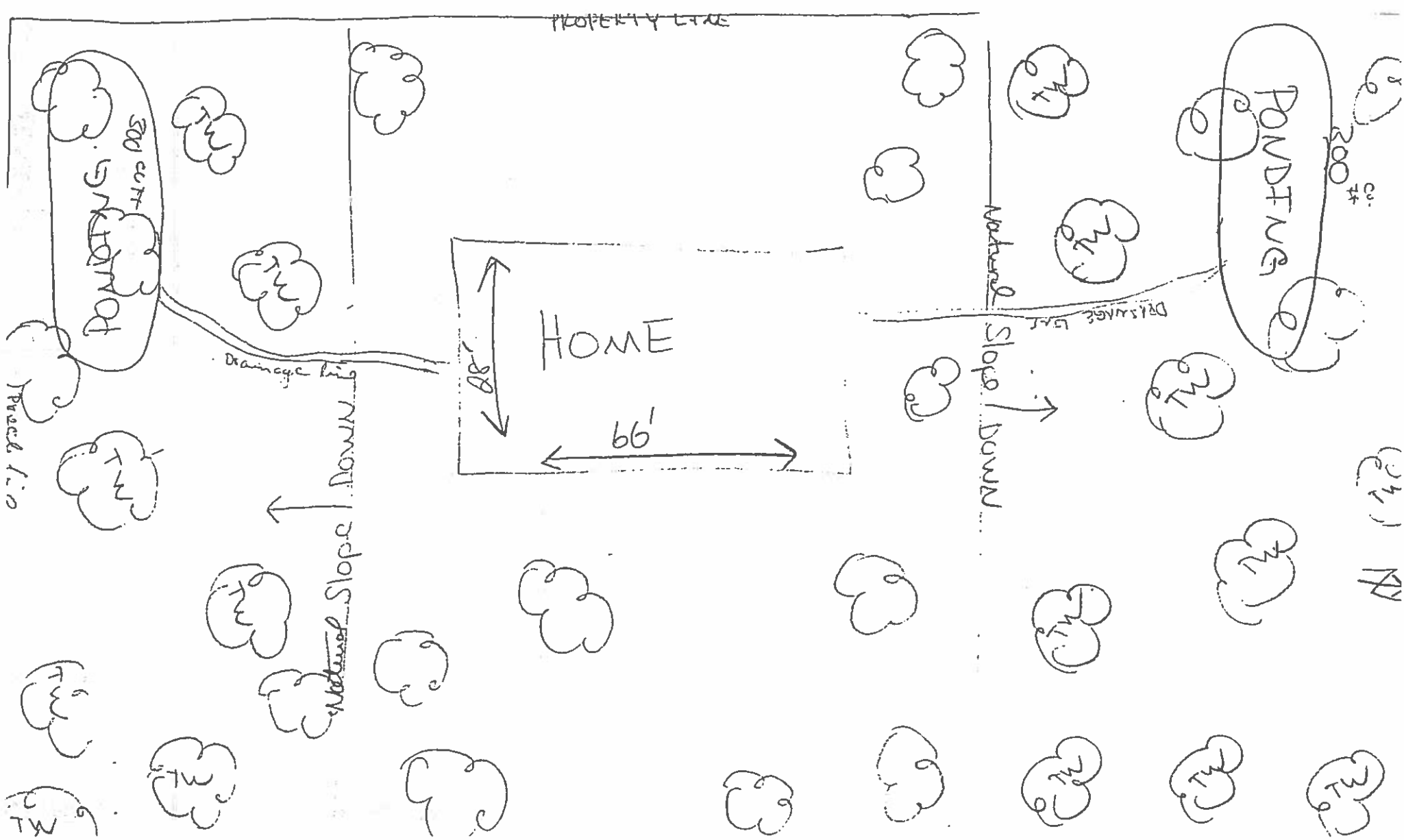
COMMENTS: OK



SEE
ATTACHED

APPLICANT CONTACTED TO PICK-UP PLANS:	DATE	TIME
PERSON CONTACTED:		
INITIALS OF OFFICE PERSON WHO CONTACTED APPLICANT:		
<i>W. J. H. H. H.</i>		
NAME OF INSPECTOR AND BADGE NUMBER (PLEASE PRINT)		
<i>W. J. H. H. H.</i>		
SIGNATURE OF INSPECTOR (INITIAL INSPECTION)	DATE	
<i>W. J. H. H. H.</i>	<i>8/26/99</i>	
SIGNATURE OF INSPECTOR (FINAL INSPECTION)		
DATE		
DENIED SIGNATURE		
DATE		





WARRANTY DEED (Joint Tenant)

CORRECTED WARRANTY DEED (JOINT TENANTS)

Amarante Romero and Emma C. Romero

for consideration paid, grant

Francisco E. Tercero

Rt. 6 Box 91-B, Santa Fe, New Mexico

Arlene Y. Tercero

Rt. 6 Box 91-B, Santa Fe, New Mexico

Santa Fe County, New Mexico

A certain tract of land, lying and being situate in a portion of Small Holding Claim No. 454, Lot 1, in Section 32, T. 17N., R. 9E., N.M.P.M., County of Santa Fe, State of New Mexico, being more particularly described as follows, to wit:

Beginning at a point on the Rejected North Boundary line of the Cieneguilla Grant, marked by a U.S.G.L.O. S. brass cap for the corner common to P.C. 433 Tract 3 and P.C. 454 Tract 1; thence N 89° 45'E. along the Rejected North Boundary line of the Cieneguilla Grant a distance of 4.47 feet; thence N 17° 15'W. along the West Boundary line of S.H.C. 454 Lot 1 a distance of 307.45 feet to the true point and place of beginning, the southwest corner of the tract described hereon; thence containing N. 17° 15'W. a distance of 466.08 feet, the northwest corner of the tract described hereon; thence N. 41° 49'09"E. along the center line of an arroyo a distance of 26.47 feet; thence N. 47° 01'59"E. a distance of 60.07 feet; thence N. 33° 03' E. a distance of 60.58 feet; thence N. 78° 12'26"E. a distance of 9.46 feet, the northeast corner of the tract described hereon; thence S. 17° 15'E. a distance of 543.55 feet, the southeast corner of the tract described hereon; thence S. 72° 45'W. a distance of 132.85 feet to the true point and place of beginning.

Containing an area of 1.538 acres, more or less, subject to a 15.0 foot wide ingress, egress and utility easement, lying parallel with and adjacent to the east boundary of the tract described herein above.

Together with the rights of ingress and egress through a 15.0 foot wide ingress, egress and utility easement to and from West Alameda, said easement extends northerly from the northeast corner of the tract described herein above, lying adjacent to and parallel with the east boundary line of the lands of Amarante and Emma C. Romero.

All as shown on a plat of survey entitled, "Heirs of Amarante and Emma C. Romero", certified by Salvador E. Vigil, a registered professional land surveyor, said plat bears the project No. D1-354, with warranty covenants.

This "Corrected Warranty Deed" corrects the middle initial for Arlene Tercero from a "G" to a "Y", and it corrects a distance on the seventh (7th) line of the original deed from 397.45 feet to 307.45 feet, as shown on that Warranty Deed recorded in Book 523, Page 112, on June 11, 1985.

with warranty covenants.

Witness hand and seal this 3rd day of January, 19 97.
Emma C. Romero (Seal) Emma C. Romero (Seal)
(Seal) (Seal)

ACKNOWLEDGEMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO)
COUNTY OF Santa Fe) ss.

This instrument was acknowledged before me on January 3, 19 97

by Amarante Romero and Emma C. Romero
My commission expires: 2-22-97
(Seal)

ACKNOWLEDGEMENT FOR CORPORATION

STATE OF NEW MEXICO)
COUNTY OF Santa Fe) ss.

This instrument was acknowledged before me on January 3, 19 97

by Amarante Romero and Emma C. Romero
(NAME OF OFFICER)
of Santa Fe (CORPORATION ACKNOWLEDGEMENT)
a STATE OF INCORPORATION corporation, on behalf of said corporation.
My commission expires: 2-22-97
(Seal) NOTARY PUBLIC

FOR RECORDERS USE ONLY

WARRANTY DEED
(JOINT TENANTS) 523112

Amarante Romero and Emma C. Romero, for consideration paid, grant to Francisco E. Tercero whose address is Rt. 6 Box 91, Santa Fe, New Mexico and Arlene V. Tercero whose address is Rt. 6 Box 91, Santa Fe, New Mexico as joint tenants the following described real estate in Santa Fe County, New Mexico.

A certain tract of land, lying and being situate in a portion of Small Holding Claim No. 454 Lot 1 in Section 32, T.17N. R.9E., N.M.P.M., County of Santa Fe, State of New Mexico, being more particularly described as follows, to wit:

Beginning at a point on the Rejected North Boundary line of the Cieneguilla Grant, marked by a U.S.G.L.O.S. brass cap for the corner common to P.C. 433 Tract 3 and P.C. 454 Tract 1; thence N.89°45'E. along the Rejected North Boundary line of the Cieneguilla Grant a distance of 4.47 feet; thence N.17°15'W. along the West Boundary line of S.H.C. 454 Lot 1 a distance of 397.45 feet to the true point and place of beginning, the southwest corner of the tract described hereon; thence continuing N.17°15'W. a distance of 466.08 feet, the northwest corner of the tract described hereon; thence N.41°49'09"E. along the center line of an arroyo a distance of 26.47 feet; thence N.47°01'59"E. a distance of 60.07 feet; thence N.33°03'E. a distance of 60.58 feet; thence N.78°12'26"E. a distance of 9.46 feet, the northeast corner of the tract described hereon; thence S.17°15'E. a distance of 543.55 feet, the southeast corner of the tract described hereon; thence S.72°45'W. a distance of 132.85 feet to the true point and place of beginning.

Containing an area of 1.538 acres, more or less, subject to a 15.0 foot wide ingress, egress and utility easement, lying parallel with and adjacent to the east boundary of the tract described herein above. Together with the rights of ingress and egress thru a 15.0 foot wide ingress, egress and utility easement to and from West Alameda, said easement extends northerly from the northeast corner of the tract described herein above, lying adjacent to and parallel with the east boundary line of the lands of Amarante and Emma C. Romero.

All as shown on a plat of survey entitled, "Heirs of Amarante and Emma C. Romero" certified by Salvador E. Vigil, a registered professional land surveyor, said plat bears the project No. DL-354, with warranty covenants.

WITNESS my hand and seal this 23rd day of October 1984
Amarante Romero (Seal) Emma C. Romero (Seal)

ACKNOWLEDGEMENT FOR NATURAL PERSONS

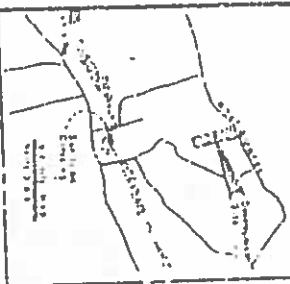
STATE OF NEW MEXICO)
COUNTY OF Santa Fe)

The foregoing instrument was acknowledged before me this 23rd day of October 1984, by Amarante Romero and Emma C. Romero.

My commission expires: [Signature]

Notary Public

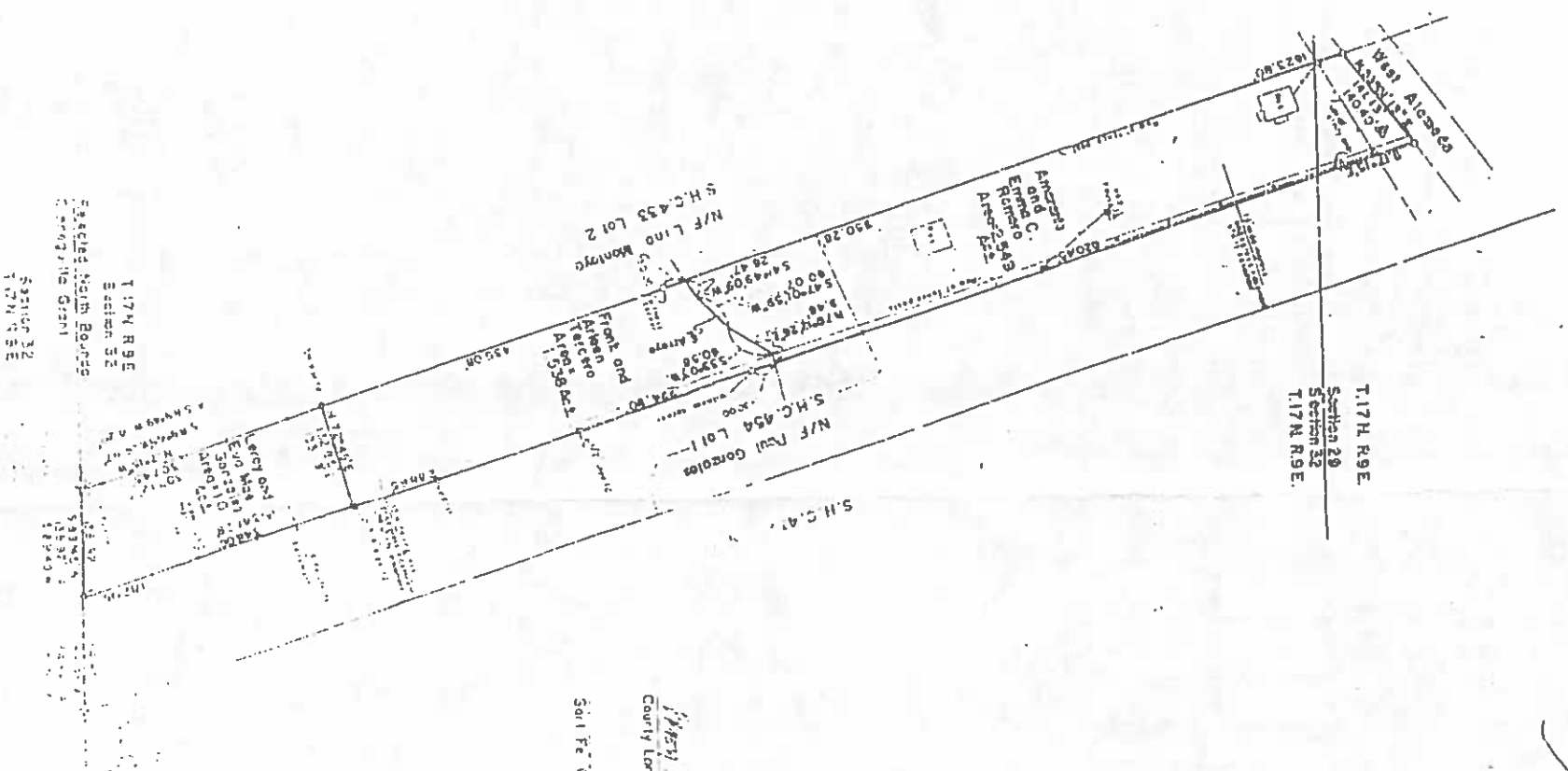
569,132
COUNTY OF SANTA FE
Witness my Hand and Seal of Office
ANGIE VIGIL PEREZ
County Clerk, Santa Fe County, N.M.
I hereby certify that this instrument was recorded on the 11 day of January A.D. 1985 at 1:12 o'clock p.m. and was duly recorded in book 523 page 112 of the records of Santa Fe County.



100



LAND SURVEYING COMPANY INC.



Soil Fe. County Development Permit Number

Heirs of
Amarante Romero
and
Emma C. Romero

Know all men by these presents that the foregoing division of lands for the purpose of the above and being a part of the land of the County of Santa Fe, New Mexico, is hereby acknowledged by the undersigned parties to this instrument.

Emma C. Romero

State of New Mexico) ss
County of Santa Fe) ss

The foregoing instrument was acknowledged by me this 20th day of 1994

My Commission expires 2/2/97

Approved by the Extra Territorial Zoning Commission of its meeting at

City Engineer

Approved on the 20th day of 1994

Approved on the 20th day of 1994

Approved on the 20th day of 1994

Approved on the 20th day of 1994

Approved on the 20th day of 1994

Approved on the 20th day of 1994

Approved on the 20th day of 1994

Approved on the 20th day of 1994

Approved on the 20th day of 1994

Approved on the 20th day of 1994

Approved on the 20th day of 1994

Approved on the 20th day of 1994

Approved on the 20th day of 1994

Approved on the 20th day of 1994

Approved on the 20th day of 1994

Approved on the 20th day of 1994

Approved on the 20th day of 1994

Approved on the 20th day of 1994

Approved on the 20th day of 1994

Approved on the 20th day of 1994

Approved on the 20th day of 1994

44

[illegible]

This map shows the area around the intersection of Highway 100 and Highway 101 in the City of Los Angeles. The map is oriented with North at the top. The main roads shown are Highway 100 (running vertically) and Highway 101 (running horizontally). Other streets include Santa Anita Avenue, Santa Anita Street, Santa Anita Road, Santa Anita Drive, Santa Anita Lane, Santa Anita Court, Santa Anita Place, Santa Anita Way, Santa Anita Circle, Santa Anita Loop, Santa Anita Turnpike, Santa Anita Expressway, Santa Anita Freeway, Santa Anita Boulevard, Santa Anita Mall, Santa Anita Plaza, Santa Anita Park, Santa Anita Garden, Santa Anita Field, Santa Anita Stadium, Santa Anita Arena, Santa Anita Amphitheater, Santa Anita Theater, Santa Anita Concert Hall, Santa Anita Convention Center, Santa Anita Exhibition Center, Santa Anita Sports Center, Santa Anita Recreation Center, Santa Anita Community Center, Santa Anita Senior Center, Santa Anita Youth Center, Santa Anita Family Center, Santa Anita Health Center, Santa Anita Medical Center, Santa Anita Veterinary Center, Santa Anita Animal Center, Santa Anita Plant Center, Santa Anita Nursery Center, Santa Anita Greenhouse Center, Santa Anita Farm Center, Santa Anita Ranch Center, Santa Anita Estate Center, Santa Anita Country Center, Santa Anita Golf Center, Santa Anita Tennis Center, Santa Anita Equestrian Center, Santa Anita Hunting Center, Santa Anita Fishing Center, Santa Anita Boating Center, Santa Anita Skiing Center, Santa Anita Snowboarding Center, Santa Anita Water Skiing Center, Santa Anita Water Slides Center, Santa Anita Water Parks Center, Santa Anita Amusement Center, Santa Anita Casino Center, Santa Anita Gambling Center, Santa Anita Entertainment Center, Santa Anita Nightclub Center, Santa Anita Bar Center, Santa Anita Restaurant Center, Santa Anita Hotel Center, Santa Anita Motel Center, Santa Anita Inn Center, Santa Anita Lodge Center, Santa Anita Resort Center, Santa Anita Spa Center, Santa Anita Wellness Center, Santa Anita Day Spa Center, Santa Anita Massage Center, Santa Anita Yoga Center, Santa Anita Pilates Center, Santa Anita Fitness Center, Santa Anita Gym Center, Santa Anita Sports Center, Santa Anita Recreation Center, Santa Anita Community Center, Santa Anita Senior Center, Santa Anita Youth Center, Santa Anita Family Center, Santa Anita Health Center, Santa Anita Medical Center, Santa Anita Veterinary Center, Santa Anita Animal Center, Santa Anita Plant Center, Santa Anita Nursery Center, Santa Anita Greenhouse Center, Santa Anita Farm Center, Santa Anita Ranch Center, Santa Anita Estate Center, Santa Anita Country Center, Santa Anita Golf Center, Santa Anita Tennis Center, Santa Anita Equestrian Center, Santa Anita Hunting Center, Santa Anita Fishing Center, Santa Anita Boating Center, Santa Anita Skiing Center, Santa Anita Snowboarding Center, Santa Anita Water Skiing Center, Santa Anita Water Slides Center, Santa Anita Water Parks Center, Santa Anita Amusement Center, Santa Anita Casino Center, Santa Anita Gambling Center, Santa Anita Entertainment Center, Santa Anita Nightclub Center, Santa Anita Bar Center, Santa Anita Restaurant Center, Santa Anita Hotel Center, Santa Anita Motel Center, Santa Anita Inn Center, Santa Anita Lodge Center, Santa Anita Resort Center, Santa Anita Spa Center, Santa Anita Wellness Center, Santa Anita Day Spa Center, Santa Anita Massage Center, Santa Anita Yoga Center, Santa Anita Pilates Center, Santa Anita Fitness Center, Santa Anita Gym Center.

[illegible]



Legend

- ROADS
- DRIVEWAYS
- PARCELS

1:786
1 inch represents 65,500898 feet

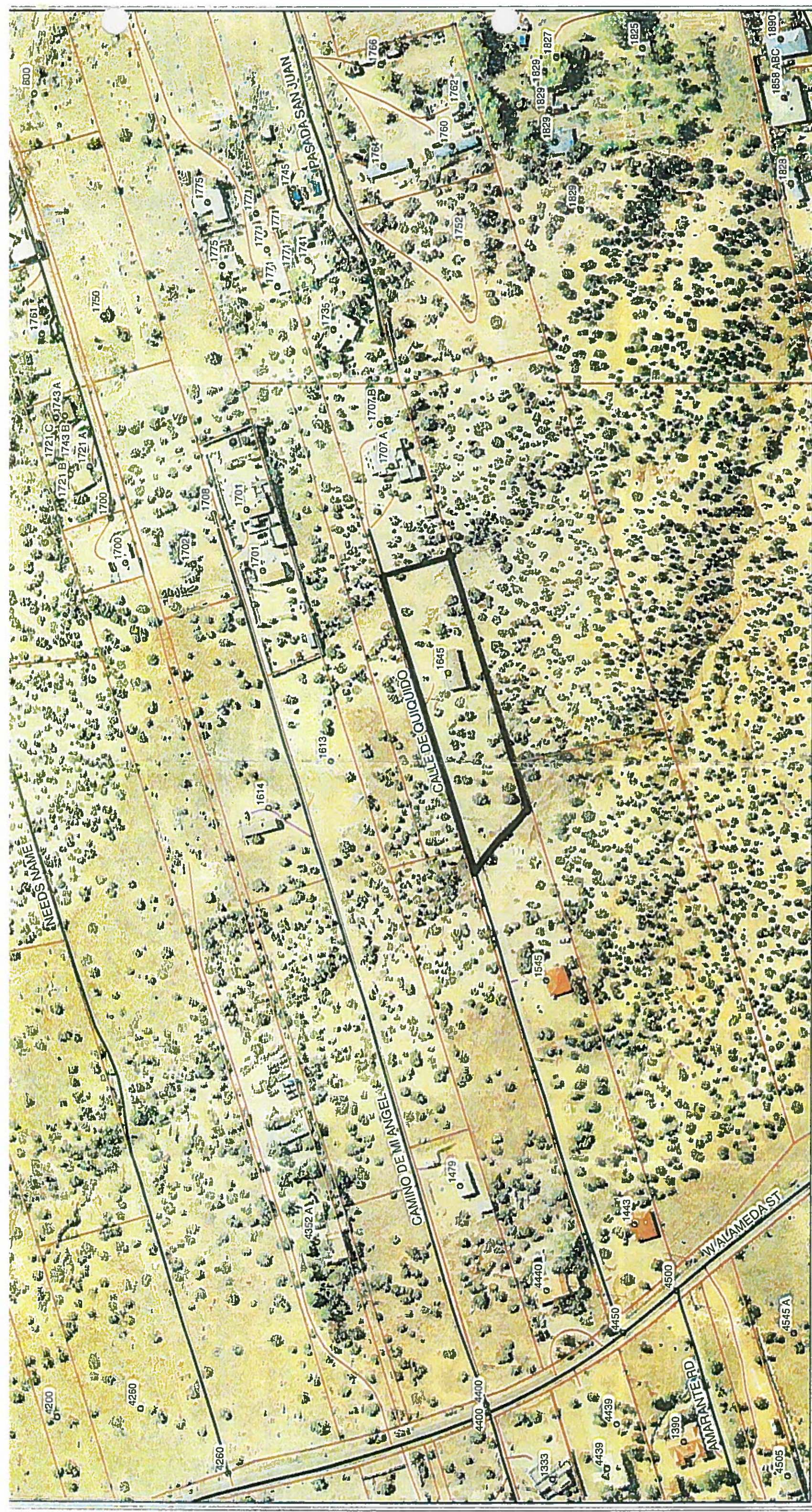


2008 Imagery
2 FOOT CONTOURS

This information is for reference only.
Santa Fe County assumes no liability for errors associated with the use of this information.
User are solely responsible for confirming data accuracy.



September 25, 2014



Legend

- ROADS
- DRIVEWAYS
- PARCELS



2008 Imagery
2 FOOT CONTOURS

This information is for reference only.
Santa Fe County assumes no liability for
errors associated with the use of these data.
User are solely responsible for
confirming data accuracy.



March 11, 2015

Aqua Fria Village Association

.J73 Camino Samuel Montoya
Santa Fe, NM 87507



February 27, 2015

Penny Ellis-Green, County Land Use Administrator
Santa Fe County
P.O. Box 276
Santa Fe, N.M. 87504-0276

Dear Ms. Ellis-Green:

The Agua Fria Village Association (AFVA), on behalf of the Agua Fria Village Traditional Historic Community (THC), supports the variance for a "small lot family transfer" of 1.53 acres and an additional "small lot family transfer" of 2.549 acres for Case #V-14-5330 Frank and Arlene Tercero at 1645 Calle de Quikido just off West Alameda.

Sincerely,

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

Email CC:

COUNTY OF SANTA FE:
Santa Fe County
P.O. Box 276
Santa Fe, N.M. 87504-0276
pengreen@santafecountynm.gov,
Miguel Romero, mromero@santafecountynm.gov,
Commissioner Miguel Chavez, mchavez@santafecountynm.gov,
Tessa Jo Mascarenas, tjMascarenas@santafecountynm.gov,

AGUA FRIA ASSOCIATION MEMBERS:

Charlie Gonzales, Vice President, cdGonzales@comcast.net,
Catherine Baca, Treasurer, catsfe@msn.com,
Gilda Montaño, Secretary AFVA, gjmontano@msn.com,
Jose Chris Tercero, mteducator@yahoo.com,
Lois Mee, LoisBrmee@aol.com,
Arlene Tercero, franciscotercero@aol.com,



All Emails:

pengreen@ santafecountynm.gov, miromero@santafecountynm.gov, mchavez@santafecountynm.gov
co, tjMascarenas@santafecountynm.gov, cdGonzales@comcast.net, catsfe@msn.com,
gjmontano@msn.com, mcteducator@yahoo.com, loisbmee@aol.com, franciscotercero@aol.com,

~~“The Applicant requests approval for a 2,600 square foot accessory structure to be utilized as a garage/storage building. The purpose of the structure is to store and protect the Applicants recreational vehicles, sports equipment, and personal vehicles. The proposed structure is steel framed, and will be constructed on a concrete slab. There is currently a residence on the property.~~

~~“On October 16, 2014, the CDRC met and acted on this case. During the meeting it was discovered that there was a discrepancy in the square footage on the plan’s 2,600 square feet versus the written requests submitted by the applicant – 2,184 square feet. The decision of the CDRC was to table this case for clarification of the discrepancy. The applicant has submitted a letter requesting a 2,600 square foot accessory structure as depicted on the proposed plans.”~~

~~Mr. Martinez stated staff was recommending approval of an accessory structure greater than 2,000 square feet to be utilized as a garage/storage building subject to the following conditions:~~

- ~~1. Compliance with minimum standards for Terrain Management as per the Land Development Code and compliance with Ordinance No. 2003-6 Water Harvesting.~~
- ~~2. The structure shall not be utilized for commercial use.~~
- ~~3. The height of the accessory structure shall not exceed 24 feet.~~

~~Member Gonzales clarified that the discrepancy arose from the roof area of the portal.~~

~~Counsel for the applicant, Karl Sommer, stated the new square footage amount had been republished and renoticed. There was no response to the posting.~~

~~There was no one from the public wishing to speak.~~

~~Member Katz moved to approve CDRC Case #MIS 14-5360 with staff conditions. Member Anaya seconded the motion which carried unanimously 5-0.~~

VII. NEW BUSINESS

B. CDRC CASE # V 14-5330 Francisco and Arlene Tercero. Francisco and Arlene Tercero, Applicants, request a variance of Ordinance No. 2007-2 Village of Agua Fria Zoning District), Section 10.6 (Density and Dimensional Standards) to allow a Family Transfer of 1.53 acres into two lots; Both lots consisting of +/-0.75 acres. The property is located at 1645 Calle de Quiguído, within Section 32, Township 17, North, Range 9 East (Commission District 2)

Mike Romero gave the staff report as follows:

“The subject lot was created in 1985, via Division of Land, and is recognized as a legal lot of record. Currently there is a residence on the property which was



permitted by Santa Fe County as Permit# 99-1369, that the Applicants' son and his family reside in. The Applicants wish to give their son the portion of the property that he resides on and the other lot will be given to the Applicants' other child. The Applicants request a variance of Ordinance No. 2007-2 (Village of Agua Fria Zoning District), Section 10.6 (Density and Dimensional Standards) to allow a Family Transfer of 1.53 acres into two lots; both lots consisting of 0.75 acres +/- . The Applicants state a variance is needed in order to leave their children with a piece of property of their own.

"The minimum lot size in this area is 2.5 acres with 0.25 acre-foot water restrictions, Ordinance No. 2007-2 Village of Agua Fria Zoning District, Section 10.6 Density and Dimensional Standards. According to the Office of the State Engineer, the owner of the well on the property is Francisco and Arlene Tercero (Permit RG-64227), which was approved on December 4, 1998. The well permit provides the maximum amount of water that may be appropriated under this permit is three acre-feet in any year. At this time the subject property has no water restrictions.

Mr. Romero indicated staff was recommending denial of a variance of Ordinance No. 2007-2, Village of Agua Fria Zoning District, Section 10.6, Density and Dimensional Standards. 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 lot. A water meter shall be installed for each lot. 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).
2. A Plat of Survey meeting all County Code requirements shall be submitted to the Building and Development Services Department for review and approval (As per Article III, § 2.4.2).
3. Further division of either tract is prohibited; unless all lots are served by community water and sewer. This shall be noted on the plat (As Per Article III, Section 10).
4. The Applicant shall comply with all Fire Prevention Division requirements at time of Plat review (As per 1997 Fire Code.)

Member Katz asked what the NMED lot size requirement was for a septic system. Ms. Lucero said .75 acres was the minimum.

Arlene and Francisco Tercero were placed under oath. Ms. Tercero said they have eight children and this is one piece of property they hope to divide in order to give it to their children. She said this has been a drawn out process and they have been working with staff to eliminate some of the conditions. Staff requires a 38-foot utility easement which would conflict with the location of the two wells which are close to the existing roadway. She asked about the repercussions: Would they be able to redrill the wells if necessary? Would they be forced to abandon the wells when community water is near?

Member Anaya asked if there were any utilities within the easement. Mr. Tercero stated the gas line is in the 38-foot proposed easement along with the well. The gas line is within 20 feet. He said there is only one family past the lot which already has all utilities within the original 15-foot easement. No one would be landlocked by what they propose.

Member Gonzales noted that the plat makes mention of an emergency vehicle turnaround. He suggested making provisions for a turnaround at the end rather than having the entire road widened. Member Gonzales noted the report says water and sewer are both 2,000 feet away. He asked if they would be willing to hook up when they are nearer. Ms. Tercero stated they invested heavily in having the wells drilled and she did not want to cause problems for their children in the future. The lot is not amenable to having greater density than two lots due to the presence of arroyos.

Mr. Tercero described the acreage of the nearby properties.

Member Katz asked for staff clarification on the easement requirements. Ms. Lucero said the code requires a 38-foot easement for any roads that are accessing three or more lots, however, that could be reduced to 20 feet with adequate drainage control. Member Katz suggested these issues should be clarified before the CDRC makes a decision.

Mr. Romero said hooking up to community water and sewer were triggered when they were within 200 feet. Ms. Lucero recommended tabling the case to clear up the various issues.

Member Katz moved to table and Member Anaya seconded. The motion passed unanimously [5-0]

~~F. CDRC CASE # Z 06-5033 Village at Galisteo Basin Preserve ("Trenza")
Master Plan Amendment. Commonweal Conservancy (Ted Harrison),
Applicant, requests a Master Plan Amendment to a previously approved Master Plan to reconfigure the Planning Envelope from 10,360 acres to 3,560 acres, to reduce the size of the development from 965 dwelling units and 150,000 square feet of commercial and civic land uses to 450 dwelling units and 88,500 square feet of mixed use, commercial and civic land uses, a green cemetery and a 60-seat outdoor amphitheater. The Applicant also requests a modification of the original five-phase development to six phases that would take place over a period of 12 years. The property is located south of Eldorado, west off US 285, south of the railroad tracks, within Sections 1, 3, 11-14 23 and 24, Township 14 North, Range 9 East; Sections 5-7 and 18, Township 14 North, Range 10 East; Sections 34-36, Township 15 North, Range 9 East; and Sections 30 and 31, Township 15 North, Range 10 East (Commission District 5)~~

~~Vicente Archuleta read the case caption and gave the following staff report:~~

The newspapers of New Mexico make public notices from their printed pages available electronically in a single database for the benefit of the public. This enhances the legislative intent of public notice - keeping a free and independent public informed about activities of their government and business activities that may affect them. Importantly, Public Notices now are in one place on the web (www.PublicNoticeAds.com), not scattered among thousands of government web pages.

County: Santa Fe
Printed In: Santa Fe New Mexican
Printed On: 2015/01/29

Legal #12620152

CDRC CASE
V 14-5330

NOTICE OF
PUBLIC HEARING

Notice is hereby given that a public hearing will be held to consider a request by Francisco and Arlene Tercero, Applicants and the Amarante Romero Trust (Arlene Tercero, Trustee), Applicant, for a variance of Ordinance No. 2007-2 (Village Of Agua Fria Zoning District), Section 10.6 (Density and Dimensional Standards) to allow a small lot family transfer of 1.53 acres (Frank and Arlene Tercero parcel) into two lots, each consisting of 0.75 acres more or less and approval of an additional small lot family transfer on the adjacent 2.549 acre lot (Amarante and Emma Romero parcel) to create 2 lots, each consisting of 1.25 acres more or less. The Applicants also request a variance of Article V, Section 8.2.1c (Local Roads) and Article III, Section 2.4.2b 3 (a) (1) (Roads and Access) of the Land Development Code to serve the 4 proposed lots and one existing lot, for a total of five lots. The road that services the properties (Calle De Quiquido) does not meet the specifications of local lane, place or cul-de-sac roads because it is too narrow and does not have adequate drainage control necessary to insure adequate access for emergency vehicles. The properties are located at 1443 and 1645 Calle De Quiquido, Within Section 32, Township 17N, Range 9 East (Commission District 2).

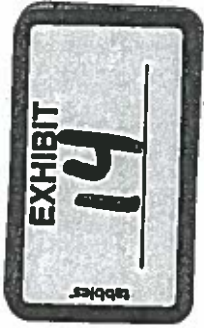
A public hearing will be held in the County Commission Chambers of the Santa Fe County Courthouse, corner of Grant and Palace Avenues, Santa Fe, New Mexico on the 19th day of February 2015, at 4:00 p.m. on a petition to the County Development Review Committee, and on April 14, 2015, at 5:00 p.m. before the Board of County Commissioners.

Please forward all comments and questions to the County Land Use Administration Office at 986-6225.

All interested parties will be heard at the Public Hearing prior to the Commission taking action. All comments, questions and objections to the proposal may be submitted to the County Land Use Administrator in writing to P.O. Box 276, Santa Fe, New Mexico 87504-0276; or presented in person at the hearing.

Legal Published in The Santa Fe New Mexican on January 29, 2015.

Public Notice ID: 22129216

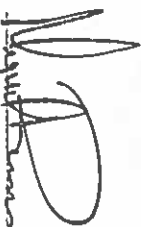


CERTIFICATION OF POSTING

I herby certify that the public notice posting regarding Land Development

Case # V14-5330 was posted for 21 days on the property beginning

The 28 day of January 2015 . **


Signature

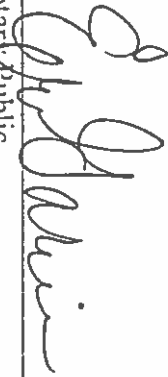
*Photo of posting must be provided with certification

****PLEASE NOTE:** Public notice is to be posted on the most visible part of the property. Improper legal notice will result in re-posting for an additional 21 days. It is the applicant's responsibility to ensure that the notice is on the property for the full 21 days.

STATE OF NEW MEXICO }
 }
COUNTY OF SANTA FE }

The foregoing instrument was acknowledged before me this 9th day of

February 2015 By Miguel Romero.


Notary Public

My Commission Expires:

4/29/17



[illegible][illegible][illegible]

2015701/28-14-14

SANTA FE
NEW MEXICAN

Founded 1849

ROMERO, ARLENE
11 APACHE RIDGE RD
SANTA FE, NM 87507

ACCOUNT: 4444
AD NUMBER: 0000107155
LEGAL NO T12620152 P.O. #:
1 TIME(S) 100.10
AFFIDAVIT 20.00
TAX 9.01
TOTAL 119.11

AFFIDAVIT OF PUBLICATION

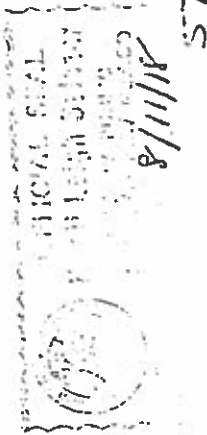
STATE OF NEW MEXICO
COUNTY OF SANTA FE

I, W. Barnard, being first duly sworn declare and say that I am Legal Advertising Representative of THE SANTA FE NEW MEXICAN, a daily newspaper published in the English language, and having a general circulation in the Counties of Santa Fe, Rio Arriba, San Miguel, and Los Alamos, State of New Mexico and being a newspaper duly qualified to publish legal notices and advertisements under the provisions of Chapter 167 on Session Laws of 1937; that the Legal No T12620152 a copy of which is hereto attached was published in said newspaper 1 day(s) between 01/29/2015 and 01/29/2015 and that the notice was published in the newspaper proper and not in any supplement; the first date of publication being on the 29th day of January, 2015 and that the undersigned has personal knowledge of the matter and things set forth in this affidavit.

/s/ W. Barnard
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 29th day of January, 2015

Notary Notary Public
Commission Expires: August 14, 2018



VILLA LINDA POSTAL STORE
SANTA FE, New Mexico
815019211

01/28/2015 (505)471-0652 05:15:15 PM
3401500587-0097

Sales Receipt

Product	Sale Unit	Final Price
Description	Qty	Price
SANTA FE NM 87507 Zone-0		\$0.49
First-Class Mail Letter		
0.50 oz.		
Expected Delivery: Sat 01/31/15		\$2.70
Return Rcpt (Green		
Card)		\$3.30
09 Certified		
USPS Certified Mail #:		
701306000018697814		

Issue Postage: \$5.49

SANTA FE NM 87505 Zone-1	\$0.49
First-Class Mail Letter	
0.50 oz.	
Expected Delivery: Sat 01/31/15	\$2.70
Return Rcpt (Green	
Card)	\$3.30
08 Certified	
USPS Certified Mail #:	
7013060000186978107	

Issue Postage: \$8.49

SANTA FE NM 87507-7553	\$0.49
Zone-0	
First-Class Mail Letter	
0.50 oz.	
Expected Delivery: Sat 01/31/15	\$2.70
Return Rcpt (Green	
Card)	\$3.30
08 Certified	
USPS Certified Mail #:	
7013060000186978091	

Issue Postage: \$9.49

SAN JOSE NM 87565 Zone-1	\$0.49
First-Class Mail Letter	
0.50 oz.	
Expected Delivery: Sat 01/31/15	\$2.70
Return Rcpt (Green	
Card)	\$3.30
08 Certified	
USPS Certified Mail #:	
7013060000186978094	

Issue Postage: \$9.49

SANTA FE NM 87501 Zone-1
First-Class Mail Letter \$0.49
0.60 oz.
Expected Delivery: Sat 01/31/15
Return Rpt (Green Card) \$2.70
00 Certified \$3.30
USPS Certified Mail #: 7013060000166978077

Issue Postage: \$5.49

SANTA FE NM 87507-3218
Zone-0 \$0.49
First-Class Mail Letter
0.60 oz.
Expected Delivery: Sat 01/31/15
Return Rpt (Green Card) \$2.70
00 Certified \$3.30
USPS Certified Mail #: 7013060000166978060

Issue Postage: \$5.49

SANTA FE NM 87507-8459
Zone-0 \$0.49
First-Class Mail Letter
0.60 oz.
Expected Delivery: Sat 01/31/15
Return Rpt (Green Card) \$2.70
00 Certified \$3.30
USPS Certified Mail #: 7013060000166978121

Issue Postage: \$5.49

Total: \$45.43

Paid by: \$45.43
Personal Check

00 For tracking or inquiries go to
USPS.com or call 1-800-222-1811.

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com

Postage \$ \$0.49
Certified Fee \$3.30
Return Receipt Fee (Endorsement Required) \$2.70
Restricted Delivery Fee (Endorsement Required) \$0.00
Total Postage & Fees \$ \$6.49

0507
08
Postmark Here
JAN 28 11
01/28/2015

Sent to *Agua Fria Village Association*
Street Apt. No. *3104 Williams Ave*
or PO Box No. *2073 Camino Samuel Montoya*
City, State, ZIP+4 *Santa Fe NM 87507*
PS Form 3800, August 2005

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com

Postage \$ \$0.49
Certified Fee \$3.30
Return Receipt Fee (Endorsement Required) \$2.70
Restricted Delivery Fee (Endorsement Required) \$0.00
Total Postage & Fees \$ \$6.49

0507
08
Postmark Here
JAN 28 11
01/28/2015

Sent to *Jose A. Therese + Raquel Gonzalez*
Street Apt. No. *4440 West Alameda*
or PO Box No. *5046 NM 87501*
City, State, ZIP+4 *Santa Fe NM 87501*
PS Form 3800, August 2005

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com

Postage \$ \$0.49
Certified Fee \$3.30
Return Receipt Fee (Endorsement Required) \$2.70
Restricted Delivery Fee (Endorsement Required) \$0.00
Total Postage & Fees \$ \$6.49

0507
08
Postmark Here
JAN 28 11
01/28/2015

Sent to *Josie Gonzalez*
Street Apt. No. *1707 Calle de Arroyo*
or PO Box No. *5046 NM 87507*
City, State, ZIP+4 *Santa Fe NM 87507*
PS Form 3800, August 2005

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com

Postage \$ \$0.49
Certified Fee \$3.30
Return Receipt Fee (Endorsement Required) \$2.70
Restricted Delivery Fee (Endorsement Required) \$0.00
Total Postage & Fees \$ \$6.49

0507
08
Postmark Here
JAN 28 11
01/28/2015

Sent to *Delvina + Stefania Gonzalez*
Street Apt. No. *3366 Agua Fria St*
or PO Box No. *5046 NM 87507*
City, State, ZIP+4 *Santa Fe NM 87507*
PS Form 3800, August 2005

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com

Postage \$ \$0.49
Certified Fee \$3.30
Return Receipt Fee (Endorsement Required) \$2.70
Restricted Delivery Fee (Endorsement Required) \$0.00
Total Postage & Fees \$ \$6.49

0507
08
Postmark Here
JAN 28 11
01/28/2015

Sent to *Dennis Montoya*
Street Apt. No. *HC 73 Box 10*
or PO Box No. *5046 NM 87565*
City, State, ZIP+4 *Santa Fe NM 87565*
PS Form 3800, August 2005

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com

Postage \$ \$0.49
Certified Fee \$3.30
Return Receipt Fee (Endorsement Required) \$2.70
Restricted Delivery Fee (Endorsement Required) \$0.00
Total Postage & Fees \$ \$6.49

0507
08
Postmark Here
JAN 28 11
01/28/2015

Sent to *Alba + Pamela Melendez + Maria*
Street Apt. No. *1390 Amarante Rd*
or PO Box No. *5046 NM 87504*
City, State, ZIP+4 *Santa Fe NM 87504*
PS Form 3800, August 2005

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com

7 0114
SANTA FE NM 87507

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
☒ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ☒ Print your name and address on the reverse so that we can return the card to you. ☒ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Signature <i>[Signature]</i> ☒ Agent ☐ Addressee	
1. Article Addressed to: <i>Elizaida Esquivel</i> <i>1998 Paradise Lane</i> <i>Santa Fe, NM 87507</i>		B. Received by (Printed Name)	
		C. Date of Delivery <i>2-3-11</i>	
D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No		3. Service Type ☐ Certified Mail® ☐ Priority Mail Express™ ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ Collect on Delivery	
2. Article Number (Transfer from service label) <i>7013 0600 0001 8697 8114</i>		4. Restricted Delivery? (Extra Fee) ☐ Yes	
PS Form 3811, July 2013 Domestic Return Receipt			

SENDER, COMPLETE THIS SECTION

- ☒ Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- ☐ Print your name and address on the reverse so that we can return the card to you.
- ☒ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Deiris Morfaya
HC 73 Box 10
San Jose, NM 87565

COMPLETE THIS SECTION ON DELIVERY

A. Signature *Deiris Morfaya* ☒ Agent
 B. Received by (Printed Name) *Deiris Morfaya* ☒ Address

D. Is delivery address different from Item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Certified Mail® ☐ Priority Mail Express®
- ☐ Registered ☐ Return Receipt for Merchandise
- ☐ Insured Mail ☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number

7013 0600 0001 8697 8084

(Transfer from service label)

PS Form 3811, July 2013

Domestic Return Receipt

SENDER, COMPLETE THIS SECTION

- ☒ Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- ☐ Print your name and address on the reverse so that we can return the card to you.
- ☒ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Agua Fria Village Association
P.O. Box 111
2073 Camino Samuel Morse
Santa Fe, NM 87507

COMPLETE THIS SECTION ON DELIVERY

A. Signature *[Signature]* ☐ Agent
 B. Received by (Printed Name) *[Signature]* ☐ Address

C. Date of Delivery

D. Is delivery address different from Item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Certified Mail® ☐ Priority Mail Express®
- ☐ Registered ☐ Return Receipt for Merchandise
- ☐ Insured Mail ☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number

7013 0600 0001 8697 8121

(Transfer from service label)

PS Form 3811, July 2013

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
☐ Complete Items 1, 2, and 8. Also complete Item 4 if Restricted Delivery is desired. ☐ Print your name and address on the reverse so that we can return the card to you. ☐ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Signature ☒ Agent ☐ Addressee X <i>Antencia Alameda</i>	
1. Article Addressed to: <i>Deluvina Antencia Gonzales 3366 A. Agua Fria St. Santa Fe, NM 87507</i>		B. Received by (Printed Name) C. Date of Delivery	
2. Article Number (Transfer from service label) 7013 0600 0001 8697 8060		D. Is delivery address different from Item 1? ☐ Yes If YES, enter delivery address below: ☐ No	
PS Form 3811, July 2013 Domestic Return Receipt		3. Service Type ☐ Certified Mail® ☐ Registered ☐ Insured Mail ☐ Priority Mail Express™ ☐ Return Receipt for Merchandise ☐ Collect on Delivery ☐ Yes	
SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
☐ Complete Items 1, 2, and 8. Also complete Item 4 if Restricted Delivery is desired. ☐ Print your name and address on the reverse so that we can return the card to you. ☐ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Signature ☐ Agent ☐ Addressee X <i>Rachel</i>	
1. Article Addressed to: <i>Jose A. Theresa + Rachel Gonzales 4440 West Alameda Santa Fe, NM 87501</i>		B. Received by (Printed Name) <i>Rachel Gonzales</i> C. Date of Delivery <i>1-31-15</i>	
2. Article Number (Transfer from service label) 7013 0600 0001 8697 8077		D. Is delivery address different from Item 1? ☐ Yes If YES, enter delivery address below: <i>None</i> ☐ No	
PS Form 3811, July 2013 Domestic Return Receipt		3. Service Type ☐ Certified Mail® ☐ Registered ☐ Insured Mail ☐ Priority Mail Express™ ☐ Return Receipt for Merchandise ☐ Collect on Delivery ☐ Yes	

Daniel "Danny" Mayfield
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Araya
Commissioner, District 3



Kathy Holman
Commissioner, District 4

Liz Stefanel
Commissioner, District 5

Katherine Miller
County Manager

Santa Fe County Fire Department

Fire Prevention Division

Official Development Review

Date	01/22/2015		
Project Name	Francisco & Arlene Tercero		
Project Location	1645 Calle de Quilquido, Santa Fe, New Mexico 87507		
Description	Family Transfer – lot split 1 to 2	Case Manager	Mike Romero
Applicant Name	Francisco & Arlene Tercero	County Case #	VAR14-5330
Applicant Address	11 Apache Ridge Road Santa Fe, New Mexico 87505	Fire District	Agua Fria
Applicant Phone	505-577-7195		
Review Type:	Commercial ☐ Master Plan ☐ Wildland ☐	Residential ☒ Preliminary ☐ Variance ☐	Sprinklers ☐ Final ☒ Inspection ☒ Lot Split ☒
Project Status:	Approved ☐ Wildland ☐	Approved with Conditions ☒ Denial ☐	

The Fire Prevention Division/Code Enforcement Bureau of the Santa Fe County Fire Department has reviewed the above submittal and requires compliance with applicable Santa Fe County fire and life safety codes, ordinances and resolutions as indicated: (See underlined)

Fire Department Access

Shall comply with Article 9 - Fire Department Access and Water Supply of the 1997 Uniform Fire Code inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal

Fire Access Lanes

Section 901.4.2 Fire Apparatus Access Roads. (1997 UFC) When required by the Chief, approved signs or other approved notices shall be provided and maintained for fire apparatus access roads to identify such roads and prohibit the obstruction thereof or both.

Roadways/Driveways

Shall comply with Article 9, Section 902 - Fire Department Access of the 1997 Uniform Fire Code inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal.



Per case # V14-5330 a new plat dated 2015 shall have s20' wide roadway driving surface for the calle de Quiquido road from West Alameda through the Tercero properties that meet the county standards for a roadway accessing multiple residences. Plan dated 2015 shall show an approved hammerhead turnaround on Lot B and shall be installed as noted on plat. For the new lots, driveways shall meet the minimum County standards for fire apparatus access within this type of proposed development at the time of building permits. Driveways shall be County approved all-weather driving surface of minimum 6" compacted basecourse or equivalent. Minimum gate and driveway width shall be 14' and an unobstructed vertical clearance of 13'6".

- **Street Signs/Rural Address**

Section 901.4.4 Premises Identification (1997 UFC) *Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property.*

Section 901.4.5 Street or Road Signs. (1997 UFC) *When required by the Chief, streets and roads shall be identified with approved signs.*

All access roadway identification signs leading to the approved development area(s) shall be in place. Said signs shall remain in place in visible and viable working order for the duration of the project to facilitate emergency response for the construction phase and beyond.

Properly assigned legible rural addresses shall be posted and maintained at the entrance(s) to each individual lot or building site within 72 hours of the commencement of the development process for each building.

- **Slope/Road Grade**

Section 902.2.2.6 Grade (1997 UFC) *The gradient for a fire apparatus access road shall not exceed the maximum approved.*

There are no slopes the exceed 11%.

- **Restricted Access/Gates/Security Systems**

Section 902.4 Key Boxes. (1997 UFC) *When access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life-saving or firefighting purposes, the chief is authorized to require a key box to be installed in an accessible location. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the chief.*

Fire Protection Systems

- **Automatic Fire Protection/Suppression**

This office highly recommends the installation of an automatic fire suppression system as per 1997 Uniform Fire Code, Article 10 Section 1003.2.1 and the Building Code as adopted by the State of New Mexico and/or County of Santa Fe. Required automatic fire suppression systems shall be in accordance with NFPA 13 and 13D Standard for automatic fire suppression systems. It is recommended that the homeowner contact their insurance carrier to find their minimum requirements.

- **Fire Alarm/Notification Systems**

Automatic Fire Protection Alarm systems are highly recommended per 1997 Uniform Fire and Building Codes as adopted by the State of New Mexico and/or the County of Santa Fe. Required Fire

Alarm systems shall be in accordance with NFPA 72, National Fire Alarm Code for given type of structure and/or occupancy use. Said requirements will be applied as necessary as more project information becomes available to this office during the following approval process.

• Fire Extinguishers

Article 10, Section 1002.1 General (1997 UFC) *Portable fire extinguishers shall be installed in occupancies and locations as set forth in this code and as required by the chief. Portable fire extinguishers shall be in accordance with UFC Standard 10-1.*

Portable fire extinguishers are highly recommended to be installed in occupancies and locations as set forth in the 1997 Uniform Fire Code. Portable fire extinguishers shall be in accordance with UFC Standard 10-1.

• Life Safety

Fire Protection requirements listed for this development have taken into consideration the hazard factors of potential occupancies as presented in the developer's proposed use list. Each and every individual structure of a private occupancy designation will be reviewed and must meet compliance with the Santa Fe County Fire Code (1997 Uniform Fire Code and applicable NFPA standards) and the 1997 NFPA 101, Life Safety Code, which have been adopted by the State of New Mexico and/or the County of Santa Fe.

General Requirements/Comments

Inspections/Acceptance Tests

Shall comply with Article 1, Section 103.3.2 - New Construction and Alterations of the 1997 Uniform Fire Code, inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal.

The developer shall call for and submit to a final inspection by this office prior to the approval of the Certificate of Occupancy to ensure compliance to the requirements of the Santa Fe County Fire Code (1997 UFC and applicable NFPA standards) and the 1997 NFPA 101, Life Safety Code.

Permits

As required

Final Status

Recommendation for Final Development Plan approval with the above conditions applied.

Renee Nix, Inspector
Code Enforcement Official

Date 1-22-15

Through: Chief David Sperting

File: DEV\FranciscoArleneTercero\012215AF

Cy: Buster Patten, Fire Marshal
Caleb Menic, Land Use
Applicant
District Chief Agua Fria
File

66

