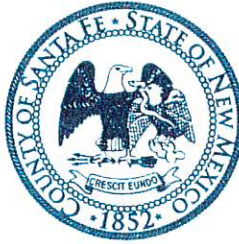


Henry P. Roybal
Commissioner, District 1

Anna Hansen
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Anna T. Hamilton
Commissioner, District 4

Ed Moreno
Commissioner, District 5

Katherine Miller
County Manager

DATE: June 22, 2017

TO: SLDC Hearing Officer

FROM: John Lovato, Development Review Specialist Sr. *VZ for JL*

VIA: Penny Ellis-Green, Growth Management Director *VZ for PG*
Vicki Lucero, Building and Development Services Manager *VZ*

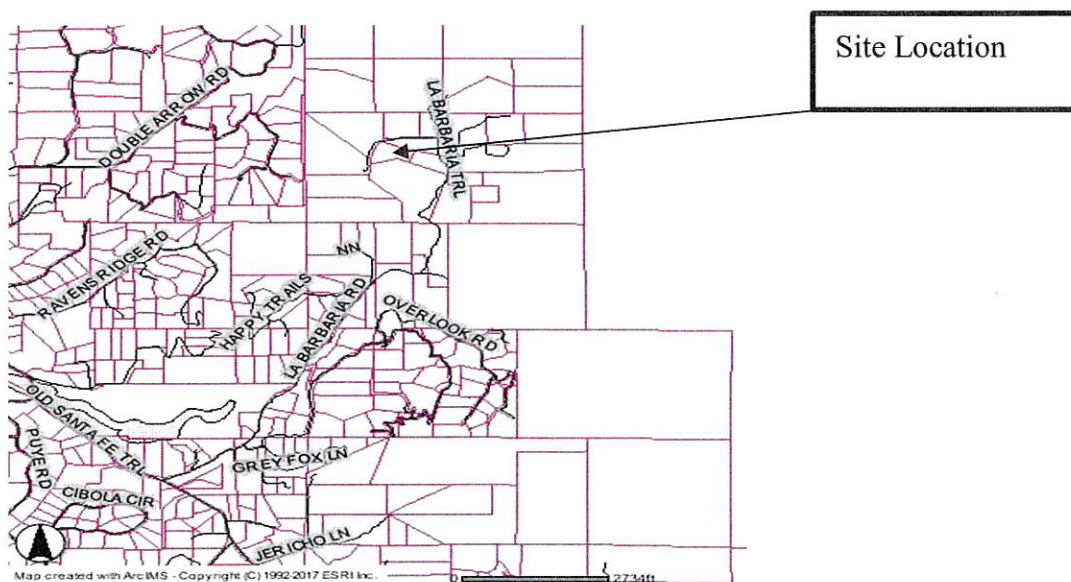
FILE REF.: CASE # V 17-5110 Willa Shalit Variance

ISSUE:

Willa Shalit, Applicant, Craig Hoopes, Agent, requests a variance of Chapter 7.17.9.2.3.2 height of a structure to exceed 18' on a ridgetop and allow a two story residence on a ridgetop.

The property is located at 63C La Barbaria Trail within, Section 9, Township 16 North, Range 10 East, (Commission District 4).

Vicinity Map:



SUMMARY:

The Applicant is the owner of the property as evidenced by warranty deed recorded in the records of the Santa Fe County Clerk on May 24, 1990, as recorded in Book 682 Pages 848-849. The Applicants are represented by their architect Craig Hoopes to pursue the request for a variance to allow a proposed 3,679 square foot residence to be 21'-4" in height on a ridgetop and to allow a second floor.

On March 3, 2017, the Applicant obtained a (permit #16-656) to demolish a 928 square foot residence and reconstruct a 3,679 square foot residence/ studio. Currently, there are two other accessory structures on the property. The permitted residence contains a great room, a bedroom, a kitchen, an office, a powder room, and a pantry. The max height on the permitted residence is 18'. The Applicant is now requesting a variance to place a second floor within the previously permitted structure. The garage contained a high ceiling and the Applicant is now proposing a second story within the garage. The Applicant intends to add 325 square feet to be utilized as a master bedroom and bathroom.

This addition is directly above the garage area and is 18' in height from final cut grade. In addition to the master bedroom and bathroom, the Applicant intends to add a series of clear story windows to allow for light to enter the house. This addition is located on the main portion of the house above the great room and this section of the house is 18' in height. However, the grade on this portion of the house is 3'-4" above grade of the garage and increases the height on the south and west elevation at 21'-4".

The property consists of 5.07 acres within the Residential Fringe Zoning District as defined by Ordinance 2016-9, Sustainable Land Development Code (SLDC). Chapter 7. Section 7.17.9.3.1.2, states, structures on ridges, ridgelines and shoulders shall not exceed fourteen (14') in height and shall be limited to one story. This section further states, a structure on a ridge or ridgeline that is a one story pitched roof shall not exceed (18) feet in height so long as it is screened from view from an arterial or major arterial road.

Height Variance

The Applicants response to the height request variance review criteria is as follows:

1. Where the request is not contrary to the public interest;

Applicant's Statement: This request is not contrary to the public interest. At no point along the perimeter of the house will the proposed structure visibility exceed the 18' height limit for sloped roofs in a ridgetop zone. Nor will the height of the structure be able to be seen from surrounding properties.

Staff Response: The definition of height in the SLDC in Appendix A- Rules and interpretation, Definitions, and Acronyms states, the vertical dimension of a structure measured from any point on any upper surface of a structure to the natural grade or finished cut grade on any building elevation, whichever is lower, directly below that point. The previous plan showed a total height

of 18' on the south elevation from upper elevation to lower final cut grade. The proposed addition of clear story windows shows a total height of 21'-4" from the uppermost to final cut grade. This makes the site more visible from surrounding properties from the western portion of the property.

2. Where due to extraordinary and exceptional situations or conditions of the property, the strict application of the code would result in peculiar and exceptional practical difficulties or exceptional and undue hardship on the owner:

Applicant's Statement: The homeowner is requesting this variance as they cannot build elsewhere on the site due to the steep terrain surrounding the house and the fact that it is in the ridgetop zone.

Staff Response: This response is not about height. Staff has been to the site and has identified buildable areas for additions elsewhere. However, the permit set Permit (#16-656) allowed for a height of 18'. The SLDC allows for a structure to be placed on a ridgetop but has design and height criteria that only allows for 18' pitched roof. Only one story structures are allowed on ridges, ridge tops, and shoulders. The Applicants agent has not submitted a slope analysis to prove there is no other room to add more square footage to support the claim that there is nowhere else they could build on the ridgetop.

3. so that the spirit of the SLDC is observed and substantial justice is done.

Applicant's Statement: The Spirit of the SLDC is upheld since there is no angle from which the combined heights of the various levels can be seen in combination with each other

Staff Response: The March 3, 2017, permitted plans Permit (#16-656) were approved at a height of 18'. With the increase and change in the plan, the proposed variance set of plans show an elevation which exceeds height requirements and is now 21'-4". Chapter 7.17.9.3.2 Height States that Structures on ridges, ridgelines, and shoulders shall not exceed (14) feet in height and shall be limited to one story. However, a structure on a ridge or ridgeline that is a one story pitched roof structure shall not exceed eighteen (18) feet in height so long as the structure is screened from view from an arterial or major arterial road. The increased height adds to the already approved plans and increases visibility from surrounding areas.

Two Story Variance

The Applicant's response to Chapter 4.9.7.4 Review Criteria is as follows:

1. where the request is not contrary to the public interest

Applicant's Statement: This request is not contrary to the public interest. The plan is to insert a second floor within the existing approved volume of the house. There is no added height associated with this variance.

Staff Response: Although inserting the second floor into the already approved height of 18' will not increase the height of the structure over the garage, the Applicant placed a minimum pitch

which allows room for the second floor, and has added a clear story. When the Applicant submitted the original permit, it showed a second story above the garage. The Agent was informed by staff that this did not comply with the SLDC. The Agent then revised the plans to show a single story garage of 18' in height, that meets the SLDC and was permitted. Granting of the variance would set a precedent that would allow other property owners to circumvent the Code in this manner.

2. Where due to extraordinary and exceptional situations or conditions of the property, the strict application of the code would result in peculiar and exceptional practical difficulties or exceptional and undue hardship on the owner:

Applicant's Statement: The homeowner is requesting this variance to allow more light into their home due to the constraints of not being able to spread the house out along the ridgetop.

Staff Response: The Applicants response is a response to the height requirements and not the second floor added into the residence. The property already contains two accessory structures and a third one (studio) that is permitted and under construction. The Applicant states there is no other room to build, so they are forced to build a 2nd story. The approved permit is for a large (3679 sq. ft.) home and includes a 3rd accessory structure. If more square footage was required for the home, it should have been designed where the buildable area for the studio is. The Applicant could eliminate the need for a second story by converting the studio accessory structure behind the residence into a master bedroom and bathroom and attaching it to the house, and utilize one of the other existing accessory structures as a studio.

3. so that the spirit of the SLDC is observed and substantial justice is done.

Applicant's Statement: This action minimizes development on this ridgetop and therefore supports the spirit of the SLDC.

Staff Response: The Applicant The second level will not impact the ridgetop requirements as the roof is pitched slightly. However, the additional height of the clear story effects the surrounding properties.

The applicable requirements under the Santa Fe County Sustainable Land Development Code, Ordinance No. 2016-9 (SLDC), which govern this Application are the following:

Chapter 7, Section 7.17.9.3, (Height) Structures on ridges, and ridgelines, and shoulders (Exhibit 7)

Chapter 4, Section 4.9.7.1, Variances (Purpose) states:

The purpose of this section is to provide a mechanism in the form of a variance that grants a landowner relief from certain standards in this Code where, due to extraordinary and exceptional situations or conditions of the property, the strict application of the Code would result in peculiar and exceptional practical difficulties or exceptional and undue hardship on the owner. The granting of an

area variance shall allow a deviation from the dimensional requirements of the Code, but in no way shall it authorize a use of land that is otherwise prohibited in the relevant zoning district. (Exhibit 8)

Chapter 4, Table 4-1, Procedural Requirements by Application, defines the review/approval process for a variance request. (Exhibit 7)

As required by the SLDC, the Applicants presented the Application to the Technical Advisory Committee (TAC) on April 6, 2017, at the regularly scheduled monthly meeting, which satisfied the requirements set forth in Chapter 4, TAC Meeting Table 4-1.

Notice requirements were met as per Chapter 4, Section 4.6.3., General Notice of Application Requiring a Public Hearing, of the SLDC. In advance of a hearing on the Application, the Applicants provided an affidavit of posting of notice of the hearing, confirming that public notice posting regarding the Application was made for fifteen days on the property, beginning on June 2, 2017. Additionally, notice of hearing was published in the legal notice section of the Santa Fe New Mexican on June 7, 2017, as evidenced by a copy of that legal notice contained in the record. Notice of the hearing was sent to owners of land within 500' of the subject property and a list of persons sent a mailing is contained in the record.

This Application was submitted on April 21, 2017

RECOMMENDATION:

Height:

Staff recommends denial of the requested variance. The SLDC in Appendix A- Rules and Interpretation, Definitions, and Acronyms states, the vertical dimension of a structure measured from any point on the upper surface of a structure to the natural grade or finished cut grade on any building elevation, whichever is lower, directly below that point. The previous plan showed a total height of 18' on the south elevation from upper elevation to lower final cut grade. The proposed change/variance request shows a total height of 21'-4" from the uppermost of the building to the final cut grade to allow for clear story windows. The Applicant's existing permit meets Code, and they should construct in accordance with their permit. The proposed increase in height makes the site more visible from surrounding properties from the western and southern portion of the property.

Two Story: The Applicant could use the buildable area where the proposed 3rd accessory structure is to increase the home's square footage by converting the studio next to the house into a master bedroom/bath and connecting it to the main residence, rather than having another studio in addition to the 2 other accessory structures on the property. This would eliminate the need for the second story. Staff recommends denial of the Applicants request.

Staff requests the Hearing Officer memorialize findings of fact and conclusions of law in a written order. The Santa Fe County Planning Commission (SFCPC) will be holding a public hearing on this matter on August 17, 2017.

EXHIBITS:

1. Applicants Request
2. Approved plans
3. Proposed plans
4. Photo of demolished House
5. Aerial Photo of Site
6. Chapter 7, Section 7.17.9.3.2
7. Chapter 4, Table 4-1, Procedural Requirements.
8. Chapter 4, Section 4.9.7.4, Variance review criteria
9. Chapter 4, Section 4.9.7.4, Conditions of approval
10. Notice
11. Letters in favor

H+A

May 22, 2017

Ms Vicki Lucero
Santa Fe County
102 Grant Avenue
Santa Fe, NM 87501

Re: The Shalit/Heynen Residence

Dear Ms. Lucero,

We are requesting a 'back-to-back' review for the variances for the Shalit/Heynen Residence at La Barbara Trail. We understand that the hearing officer's findings may not be finalized at the time of the Planning Commission's hearing but feel that the issues in this case are simple and are likely to be ready. As stated in our application

Variance Request # 1 -- two story.

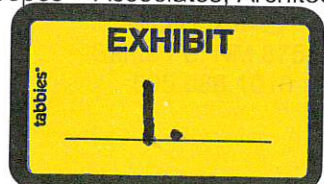
1. This request is not contrary to the public interest. The plan is to insert a second floor within the existing approved volume of the house. There is no added height associated with this variance.
2. The homeowner is requesting this variance as they cannot build elsewhere on the site due to the steep terrain surrounding the house and the fact that it is in the ridgetop zone.
3. This action minimizes development on this ridgetop and therefore supports the spirit of the SLDC.

The second variance is a request to build a clerestory window on the east half of the house. Due to the surrounding terrain the house is on two levels. While the clerestory will cause the overall height from the lowest point to the highest point to exceed the 18' height limit, there will be no point at which the house will exceed 18' along its perimeter. Therefore we feel that this request supports the spirit of the SLDC.

Variance Request #2 -- exceeding height

1. This request is not contrary to the public interest. At no point along the perimeter of the house will the proposed structure visibly exceed the 18' height limit for sloped roofs in a ridgetop zone. Nor will the height of the structure be able to be seen from surrounding properties.

Hoopes + Associates, Architects Ltd. Co.

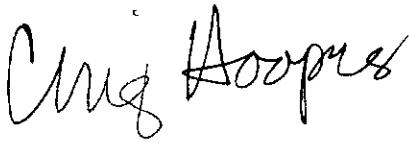


B-7

2. The homeowner is requesting this variance to allow more light into their home due to the constraints of not being able to spread the house out along the ridgetop.
3. The spirit of the SLDC is upheld since there is no angle from which the combined heights of the various levels can be seen in combination with each other.

Thank you for your consideration of the 'back-to-back'.

Sincerely,

A handwritten signature in black ink that reads "Craig Hoopes". The signature is written in a cursive, flowing style.

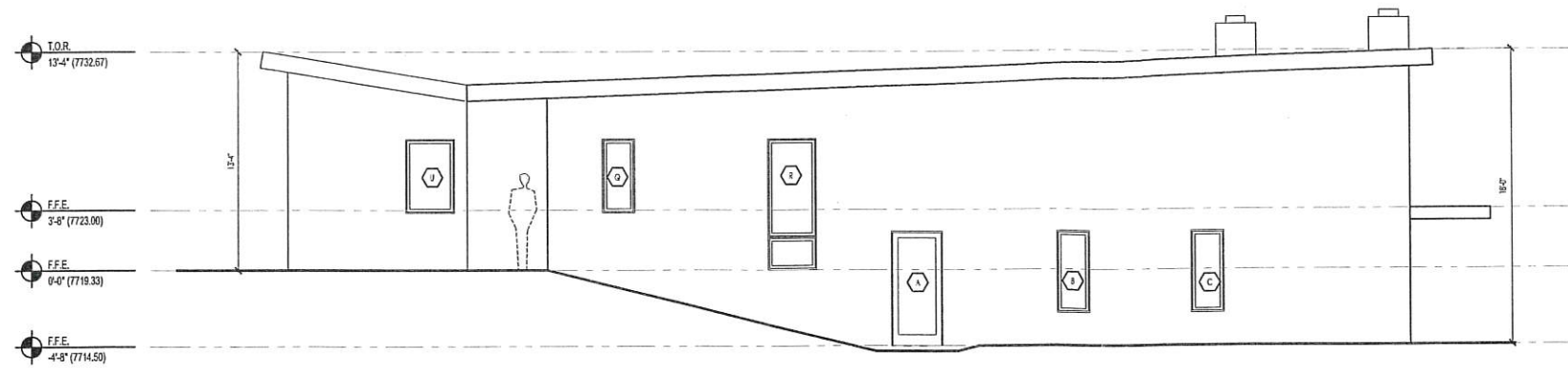
Craig Hoopes, AIA

Cc: Ms. Willa Shalit, Mr. Jim Heynen

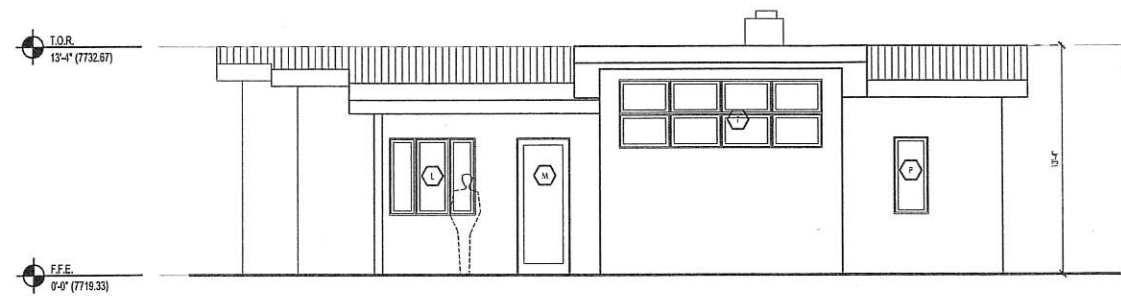
Hoopes + Associates, Architects Ltd. Co.
PO Box 9427
Santa Fe, NM 87504
505.986.1010

B-8

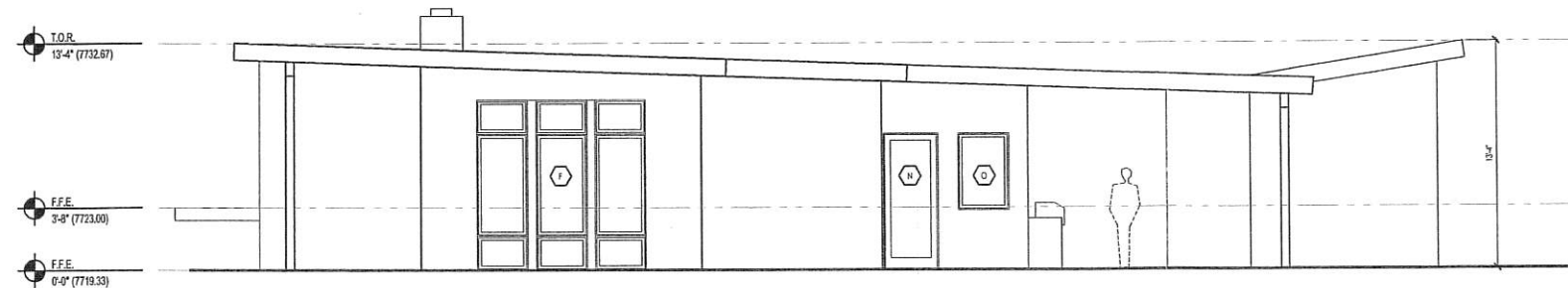
PREVIOUSLY APPROVED PLAN ELEVATIONS



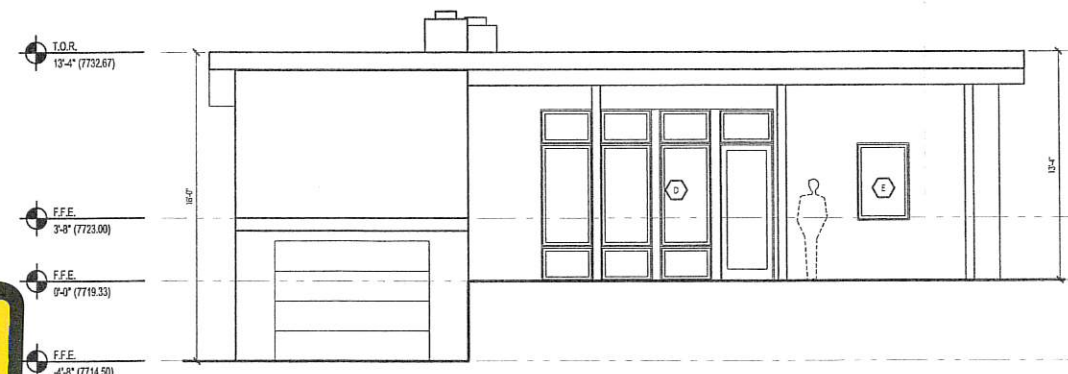
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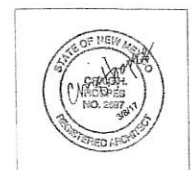
03 EXTERIOR ELEVATION - NORTH
scale: 1/4" = 1'-0"



02 EXTERIOR ELEVATION - EAST
scale: 1/4" = 1'-0"



01 EXTERIOR ELEVATION - SOUTH
scale: 1/4" = 1'-0"



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PO Box 9427
SANTA FE, NM 87504-9427
PHONE 505.986.1010
www.hoopesarchitects.com

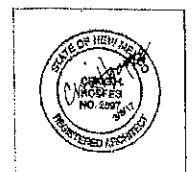
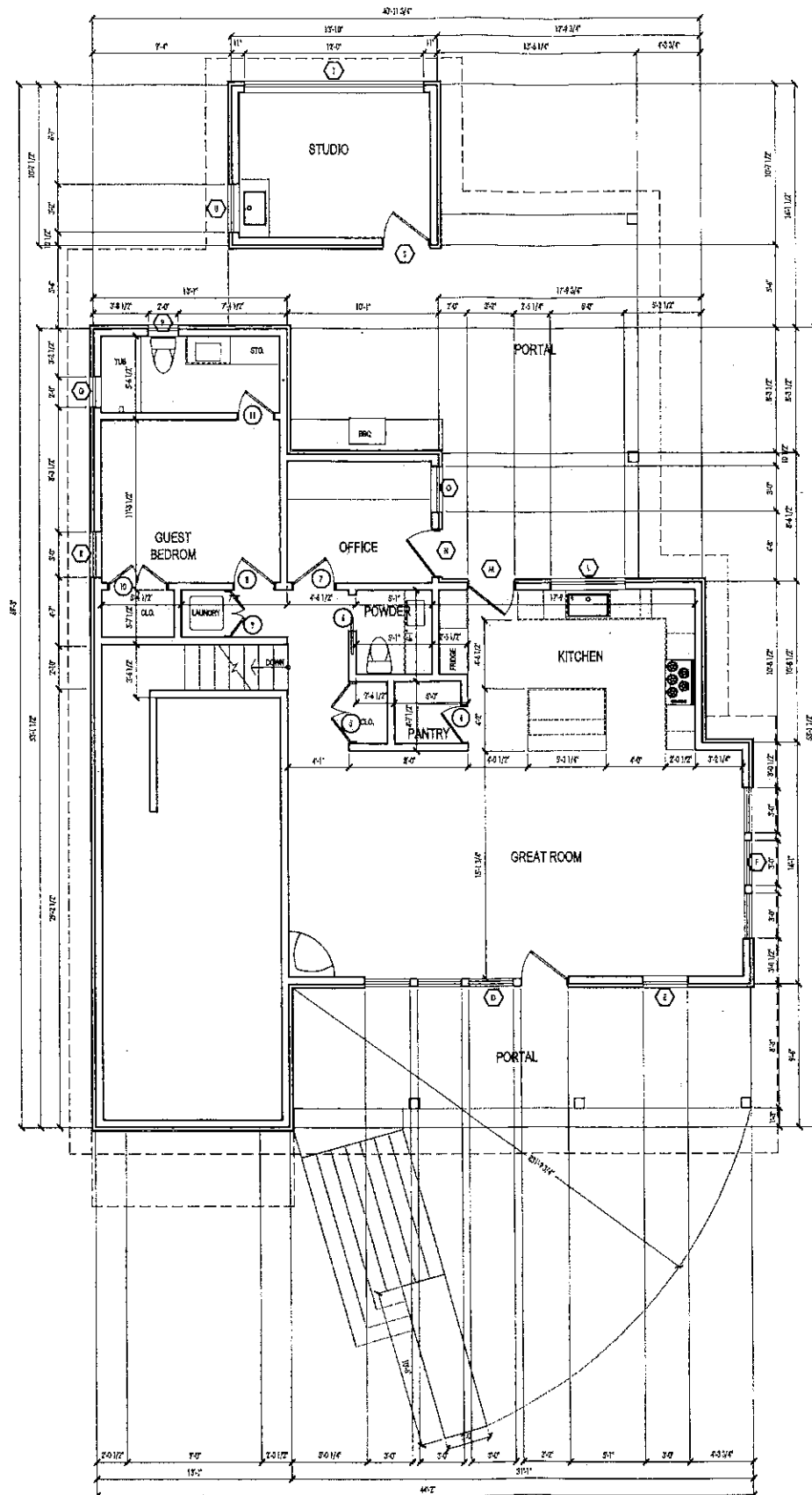
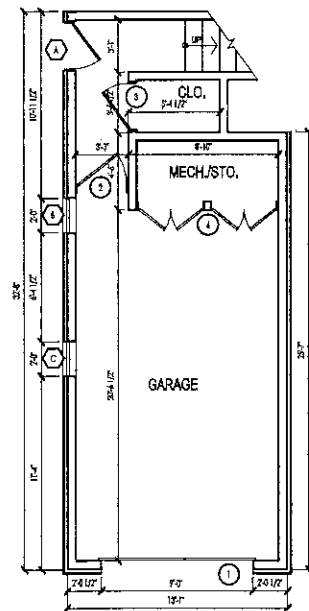
PROJECT:
MEYNER - SHALIT RESIDENCE
83 C LA BARBERIA TRAIL
SANTA FE, NM

DRAWING TITLE:

EXTERIOR ELEVATIONS

ISSUE DATE:
2017.03.08

A200 B-9.



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PO Box 9427
SANTA FE, NM 87504-9427
Phone: 505.966.1010
www.hoopesarchitects.com

PROJECT:
SEYMEN - SHALT RESIDENCE
85 CILIA BARBERIA TRIL
SANTA FE, NM

DRAWING TITLE:
FLOOR PLANS

DATE:
2017.03.08

A101 B-10

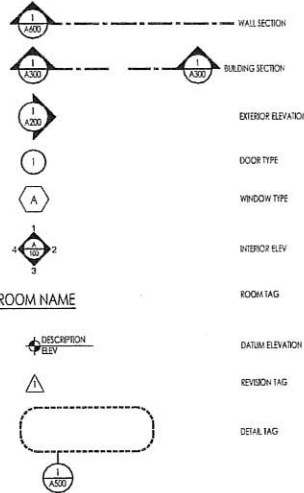
HEYNEN SHALIT RESIDENCE
63 C LA BARBERIA TRL.
SANTA FE, NEW MEXICO

PROJECT ADDRESS: 63 C La Barberia Trl.	AREA CALCULATIONS:
PROJECT DESCRIPTION: Single Residence	HEATED AREA: 1,799 SQ. FT. UNHEATED AREA: 340 SQ. FT. PORTALS, OVERHANGS, PERGOLAS: 1,144 SQ. FT. TOTAL ROOF AREA: 2,943 SQ. FT.

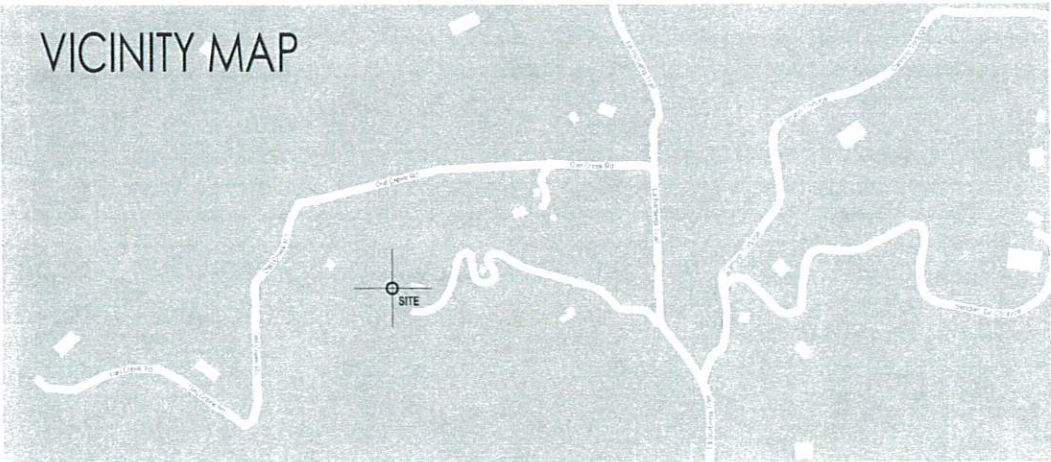
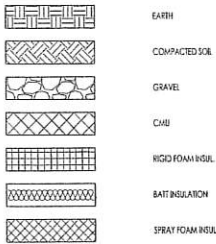
DRAWING LIST

- A000 COVER SHEET
---- SURVEY
C100 GRADING AND DRAINAGE PLAN
A100 ARCHITECTURAL SITE PLAN
S100 FOUNDATION PLAN
S101 FRAMING PLAN
A101 FLOOR PLAN
A102 ROOF PLAN
A200 EXTERIOR ELEVATIONS
A300 BUILDING SECTIONS
A400 WALL SECTIONS
A800 SCHEDULES
M100 MECHANICAL PLAN
E100 LIGHTING AND POWER PLAN

REFERENCE SYMBOLS



ARCH. SYMBOLS



Home Energy Rating Certificate

Property: Heynen - Shalit, 63 C La Barberia Trl., Santa Fe, NM 87505
HERS Rating Type: Projected Rating, Rating Date: 2017-01-25, Registry ID:
Certified Energy Rater: David Best, Rating Number:

Projected Rating: Based on Plans - Field Confirmation Required.
HERS Index: 67

General Information

Conditioned Area	1820 sq. ft.	House Type	Single-family detached
Conditioned Volume	21266 cubic ft.	Foundation	More than one type
Bedrooms	2		

Mechanical Systems Features

Heating:	Fuel-fired hydronic distribution, Natural gas, 95.0 % EFF.
Water Heating:	Integrated, Natural gas, 0.95 EF, 40.0 Gal.
Duct Leakage to Outside:	NA
Ventilation System:	Exhaust Only: 70 cfm, 17.0 watts.
Programmable Thermostat:	Heat-No; Cool-No

Building Shell Features

Ceiling Flat	NA	Slab	R-20.0 Edge, R-10.0 Under
Sealed Attic	NA	Exposed Floor	R-30.0
Vaulted Ceiling	R-49.0	Window Type	U-Value: 0.350, SHGC: 0.300
Above Grade Walls	R-32.0	Infiltration Rate	Htg: 5.00 Clg: 5.00 ACH50
Foundation Walls	R-20.0	Method	Blower door test

Lights and Appliance Features

Percent Interior Lighting	75.00	Range/Oven Fuel	Natural gas
Percent Garage Lighting	100.00	Clothes Dryer Fuel	Natural gas
Refrigerator (kWh/yr)	1000	Clothes Dryer EF	2.67
Dishwasher (kWh/yr)	270	Ceiling Fan (cfm/Watt)	0.00

Estimated Annual Energy Cost

Use	MMBtu	Cost	Percent
Heating	17.0	\$66	9%
Cooling	0	\$0	0%
Hot Water	14.6	\$82	11%
Lights/Appliances	22.1	\$420	55%
Photovoltaics	-0.0	\$-0	-0%
Service Charges		\$192	25%
Total	53.7	\$760	100%

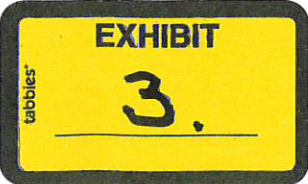
Criteria

This home meets or exceeds the minimum criteria for the following:
ASHRAE Standard 90.2 - 1992
2009 International Energy Conservation Code

Provider: Energy Logic
Rating Company:
EverGreen Bldg Solutions

David Best

REM/Rate - Residential Energy Analysis and Rating Software v15.3
This information does not constitute any warranty of energy cost or savings. © 1985-2016 Norelco, Boulder, Colorado.
The Home Energy Rating Standard Disclosure for this home is available from the rating provider.



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P.O. Box 9427
SANTA FE, NM 87504-9427
PHONE: 505.986.1010
www.hoopesarchitects.com

PROJECT:
HEYNEN - SHALIT RESIDENCE
63 C LA BARBERIA TRL.
SANTA FE, NM

DRAWING TITLE:
COVER SHEET

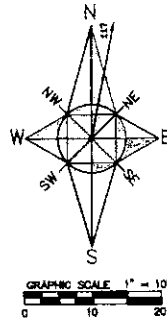
ISSUE DATE:
2017.05.04

A000

B-11

TOPOGRAPHIC SURVEY OF A TRACT OF LAND LOCATED AT 20 OWL CREEK ROAD

LYING AND BEING SITUATE WITHIN THE NORTHWEST 1/4 OF SECTION 9,
TOWNSHIP 16 NORTH, RANGE 9 EAST, N.M.P.M. SANTA FE COUNTY, NEW MEXICO

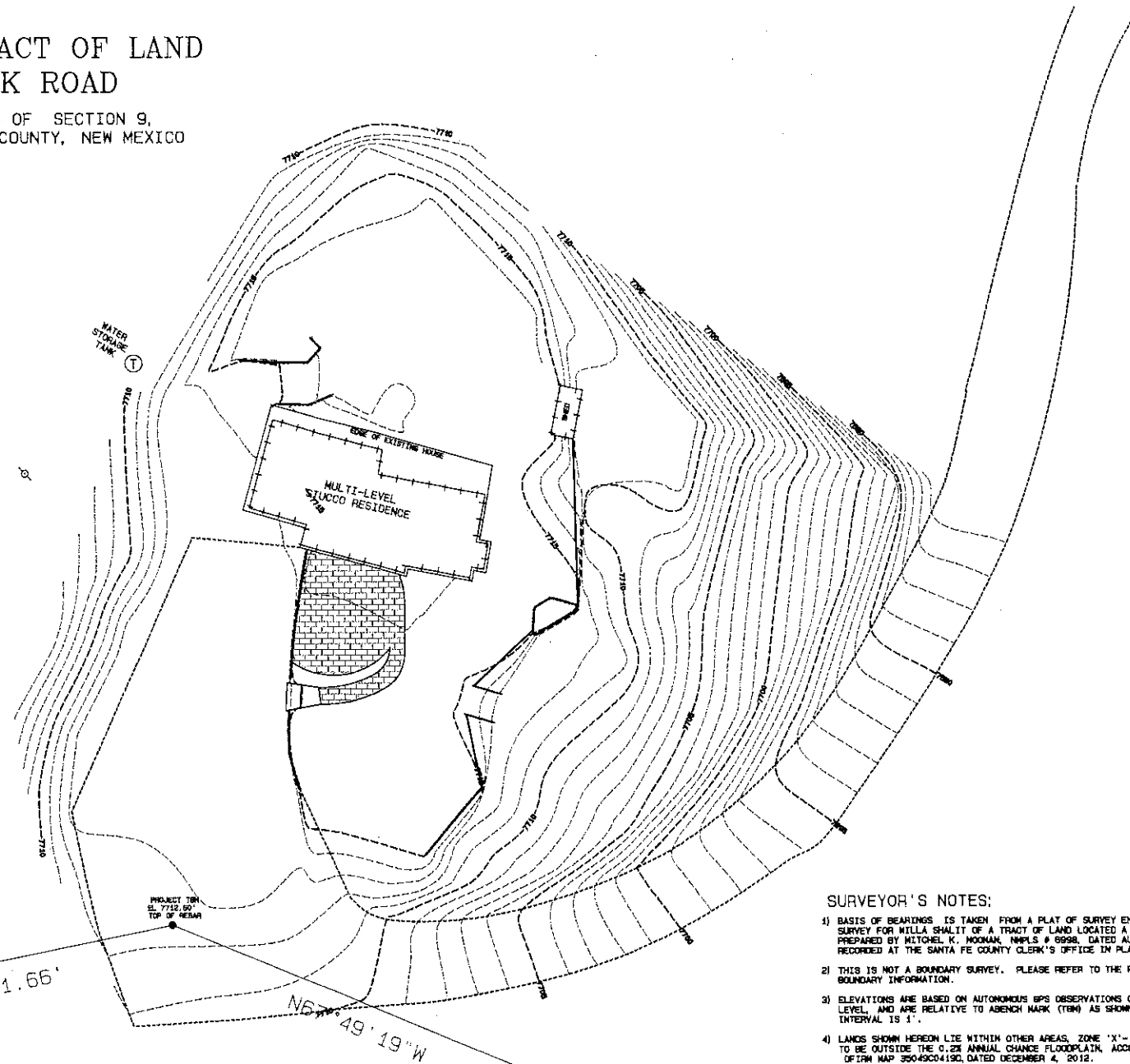


LEGEND:

- SURVEY MONUMENT FOUND (AS NOTED)
- 1/2" REBAR W/ CAP 6998 SET
- ⊙ WATER METER
- ⊙ SPIGOT
- ⊙ WATER VALVE
- ⊙ ELECTRIC METER
- ⊙ ELECTRIC TRANSFORMER
- ▲ WELL CAP
- BOUNDARY LINE
- - - ADJOINER BOUNDARY LINE
- - - EASEMENT LINE
- - - COYOTE FENCE
- - - FENCE LINE
- ▨ GRAVEL SURFACE
- ▨ CONCRETE SURFACE

TRACT OF LAND

5.077 ACRES?
(221,175 SQ. FT.)
20 OWL CREEK RD.
UPC 1-057-095-168-431



SURVEYOR'S NOTES:

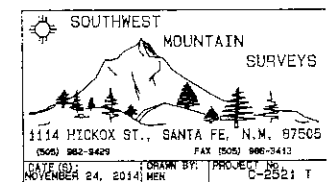
- 1) BASIS OF BEARINGS IS TAKEN FROM A PLAT OF SURVEY ENTITLED "BOUNDARY SURVEY FOR WILLA SHALIT OF A TRACT OF LAND LOCATED A 20 OWL CREEK RD", PREPARED BY MITCHEL K. NOONAN, NMPLS # 6998, DATED AUGUST 4, 2014, AND RECORDED AT THE SANTA FE COUNTY CLERK'S OFFICE IN PLAT BOOK 777 PAGE 4.
- 2) THIS IS NOT A BOUNDARY SURVEY. PLEASE REFER TO THE PLAT OF NOTE 1 FOR BOUNDARY INFORMATION.
- 3) ELEVATIONS ARE BASED ON AUTONOMOUS GPS OBSERVATIONS OF MEAN SEA LEVEL, AND ARE RELATIVE TO BENCHMARK (TBM) AS SHOWN HEREON. CONTOUR INTERVAL IS 1'.
- 4) LANDS SHOWN HEREON LIE WITHIN OTHER AREAS, ZONE 'X' - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, ACCORDING TO THE FEMA OFIRM MAP 35043C0419C, DATED DECEMBER 4, 2012.

SURVEYOR'S CERTIFICATE

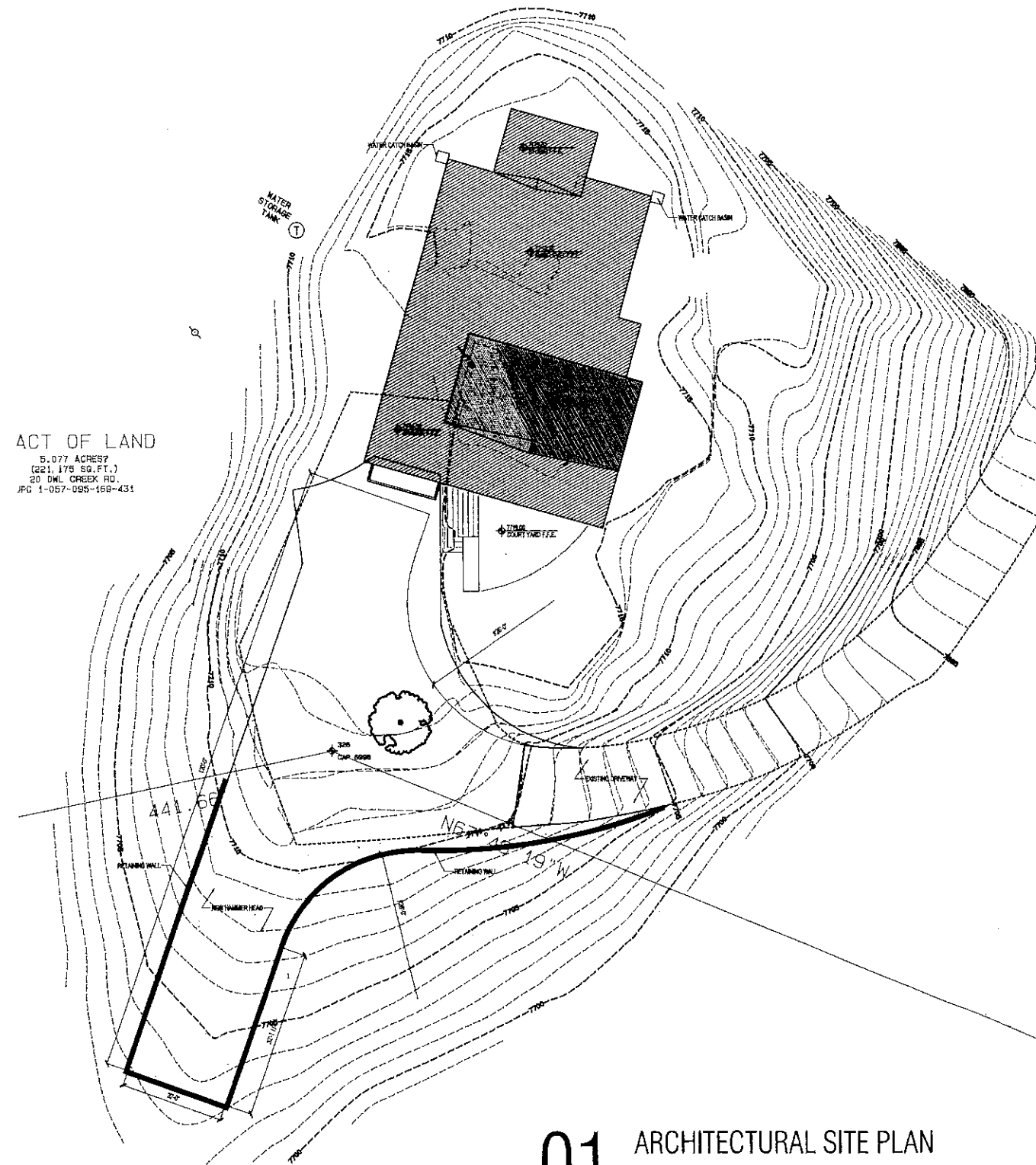
I, MITCHEL K. NOONAN, NMPLS NO. 6998, DO HEREBY CERTIFY THAT THE TOPOGRAPHY AND THE SLOPE ANALYSIS DELINEATED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, IS AN ACCURATE COPY OF A FIELD SURVEY PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION ON NOVEMBER 24, 2014, AND THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO.

MITCHEL K. NOONAN

N.M.P.L.S. NO. 6998

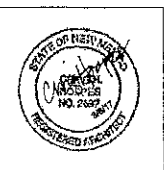
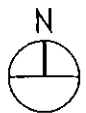


ACT OF LAND
5.077 ACRES?
(221,176 SQ. FT.)
20 DML CREEK RD.
JPG 1-057-085-168-431



LEGEND:

- SURVEY MONUMENT FOUND (AS NOTED)
- 1/2" REBAR w/ CAP 6998 SET
- ⊙ WATER METER
- ⊙ SPIGOT
- ⊙ WATER VALVE
- ⊙ ELECTRIC METER
- ⊙ ELECTRIC TRANSFORMER
- ▲ WELL CAP
- BOUNDARY LINE
- - - ADJOINER BOUNDARY LINE
- - - EASEMENT LINE
- ⋯ COYOTE FENCE
- FENCE LINE
- ▨ GRAVEL SURFACE
- ▩ CONCRETE SURFACE



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SANTA FE, NM 87504-9427
Phone: 505.966.1010
www.hoopesarchitects.com

PROJECT:
MEYNER - SHALIT RESIDENCE
85 G LA BARBERIA TR.
SANTA FE, NM

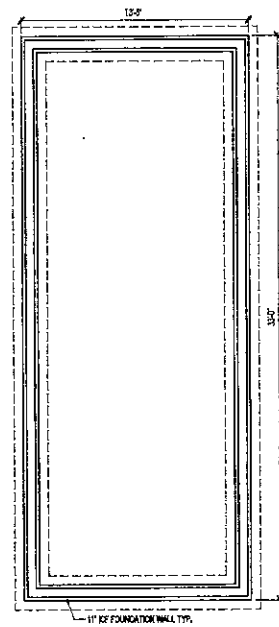
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ARCH. SITE PLAN

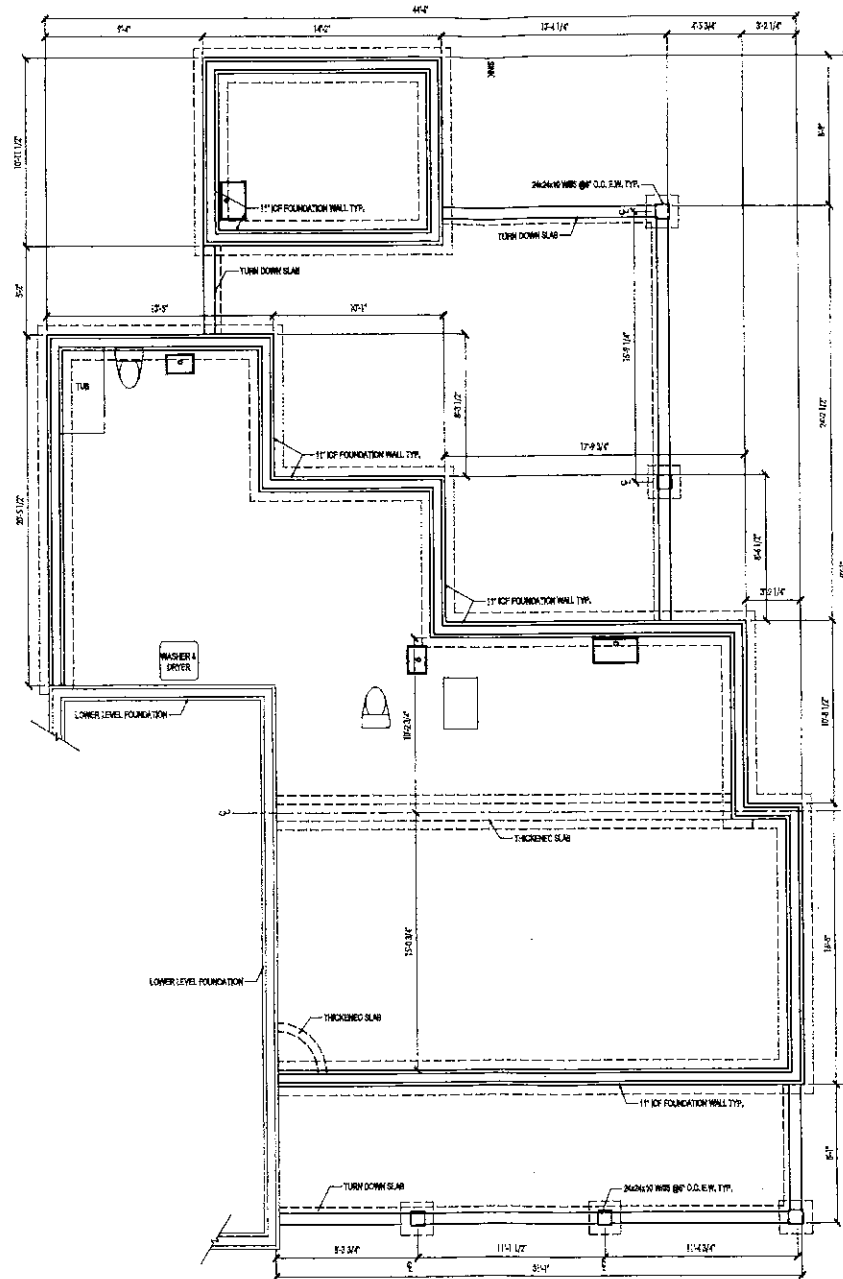
ISSUE DATE:
2012 05 04

01 ARCHITECTURAL SITE PLAN
scale: 1" = 10'-0"

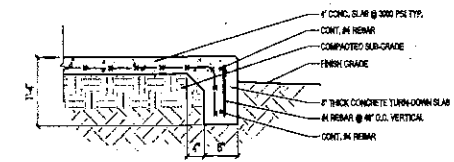
A100 B-14



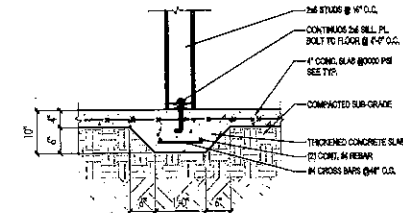
01 LOWER LEVEL FOUNDATION PLAN
scale: 1/4" = 1'-0"



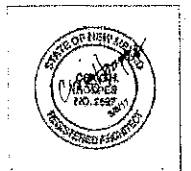
02 MAIN LEVEL FOUNDATION PLAN
scale: 1/4" = 1'-0"



03 TURN DOWN SLAB DETAIL
scale: 3/4" = 1'-0"



04 THICKENED SLAB DETAIL
scale: 3/4" = 1'-0"



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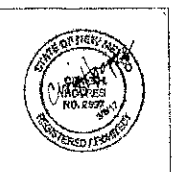
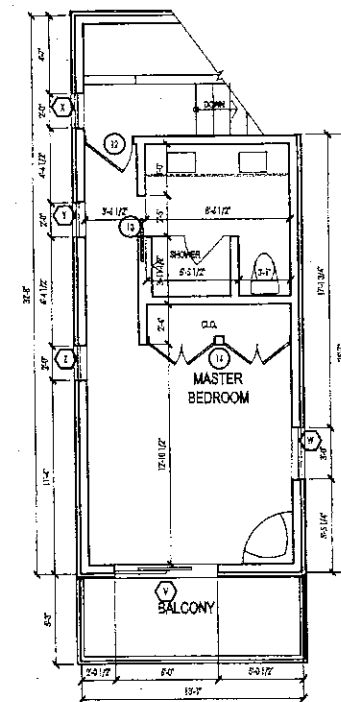
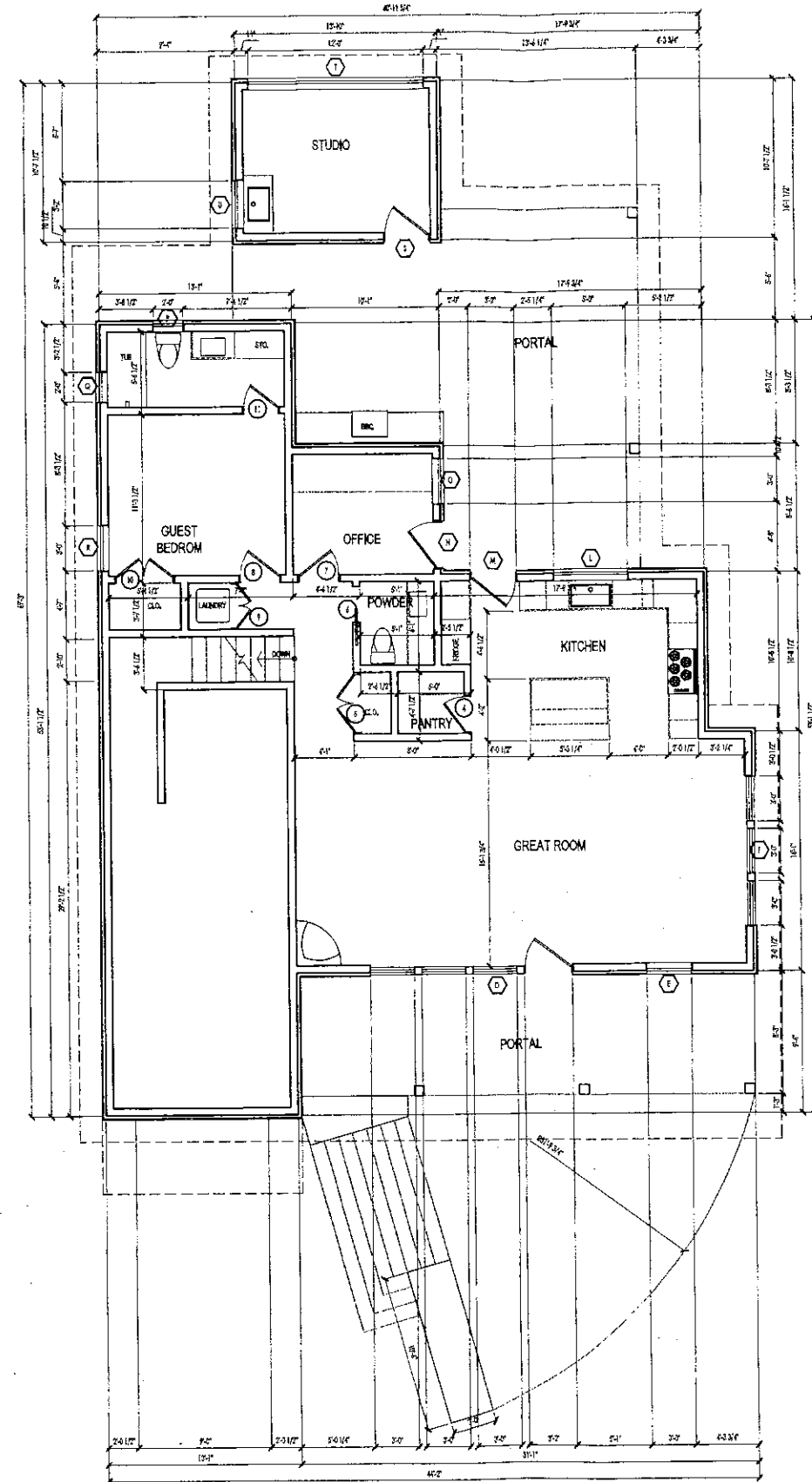
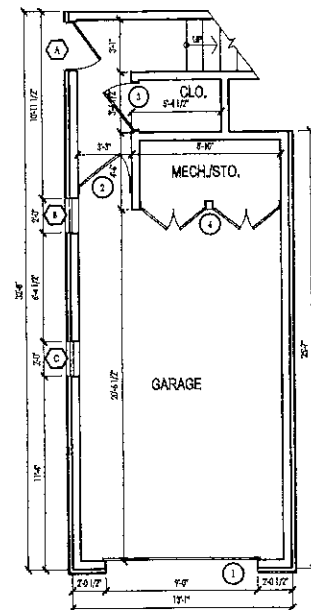
PROJECT:
HEYMAN - BHALT RESIDENCE
35 C LA BARBERIA TR.
SANTA FE, NM

DRAWING TITLE:

FOUNDATION PLAN

ISSUE DATE:
2017.06.04

S100 B-15



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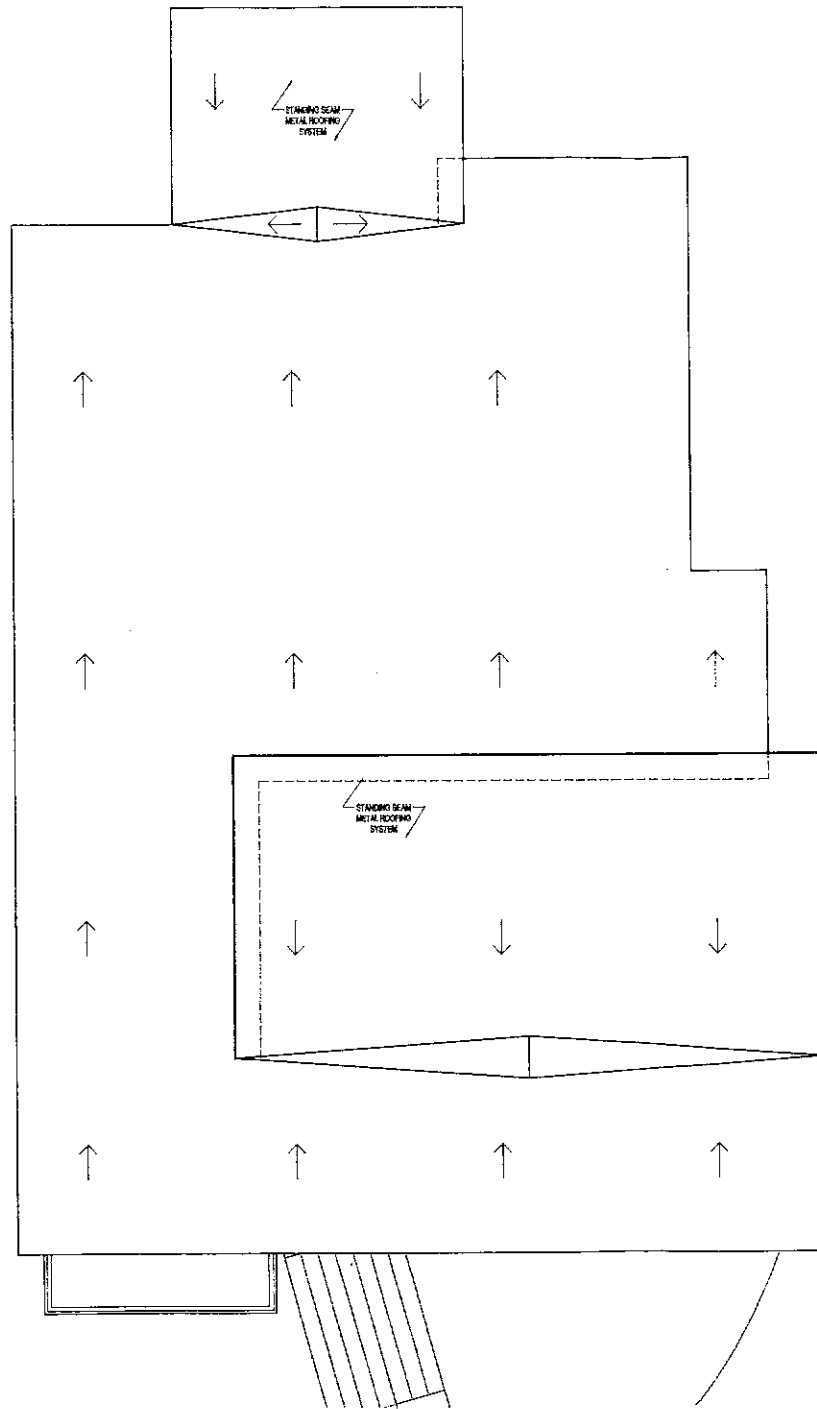
PO Box 9427
San Francisco, CA 94108-9427
Phone: 555.866.3010
www.hoopesarchitects.com

PROJECT:
MEYER - SHULTZ RESIDENCE
40 C LA BARBERA, TRL.
SANTA FE, NM

DRAWING TITLE:
FLOOR PLANS

ISSUE DATE:
2017.08.04

A101 B-17



01 ROOF PLAN
scale: 1/4" = 1'-0"



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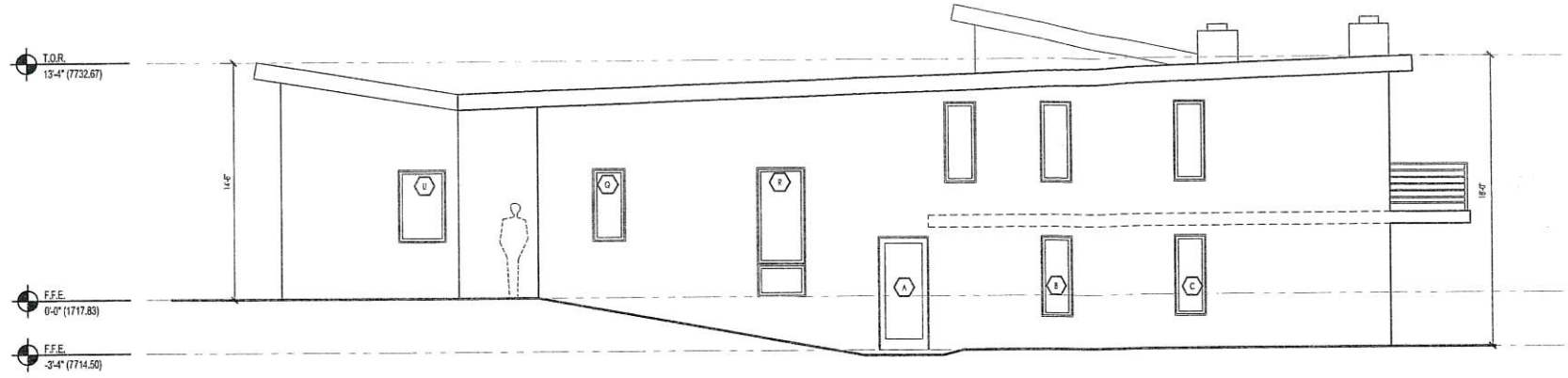
PO Box 9427
SANTA FE, NM 87504-9427
PHONE: 505.986.1010
www.hoopesarchitects.com

PROJECT:
HEYEN - SHULTZ RESIDENCE
83 O LA BARBERIA TR.
SANTA FE, NM

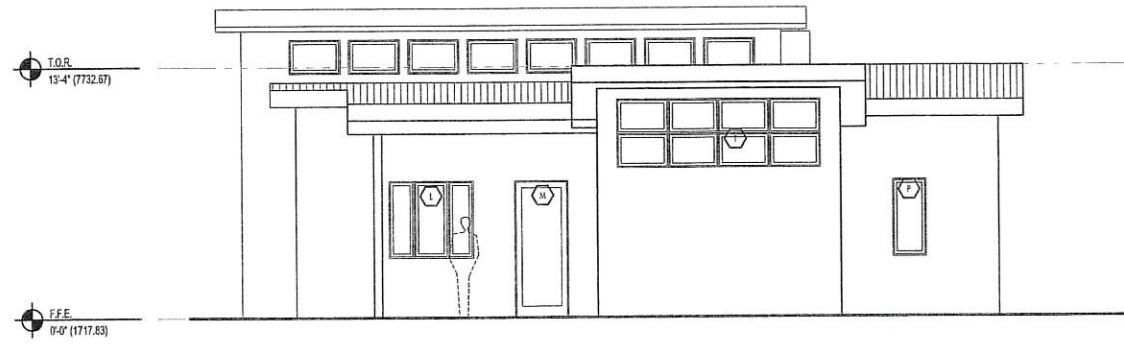
DRAWING TITLE:

ROOF PLAN
Issue Date:
26.17.05.04

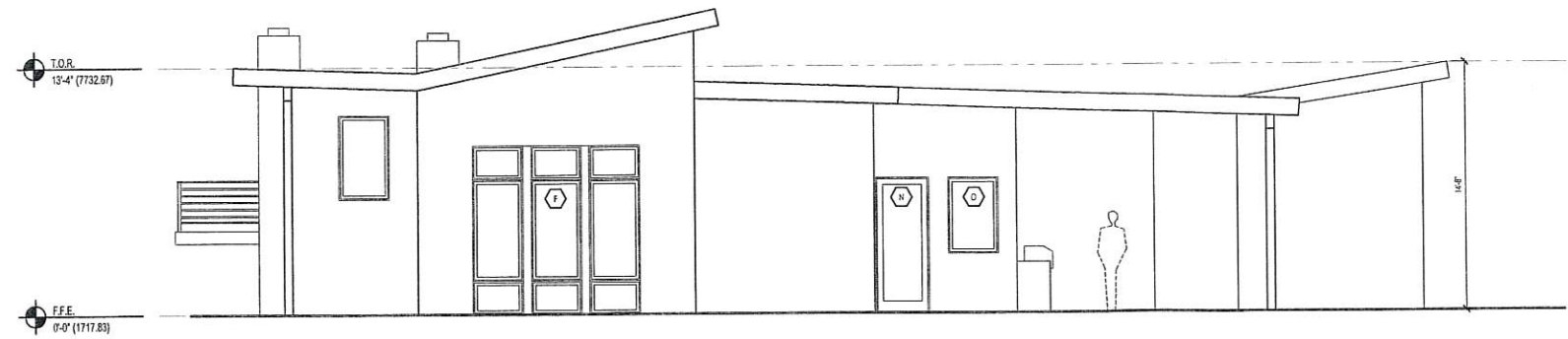
VARIANCE REQUEST PLAN ELEVATIONS.



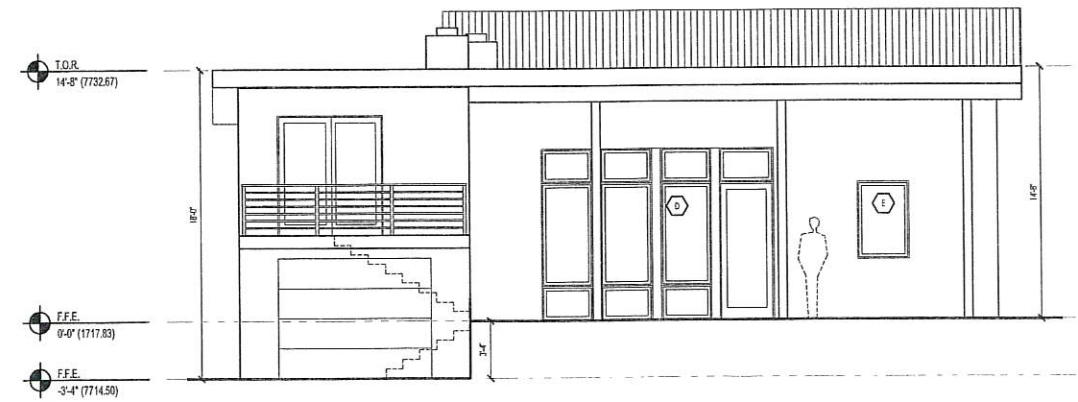
04 EXTERIOR ELEVATION - WEST
scale: 1/4" = 1'-0"



03 EXTERIOR ELEVATION - NORTH
scale: 1/4" = 1'-0"



02 EXTERIOR ELEVATION - EAST
scale: 1/4" = 1'-0"



01 EXTERIOR ELEVATION - SOUTH
scale: 1/4" = 1'-0"

18'-0"
3'-4"
18' + 3'-4" = 21'-4" Total Height.



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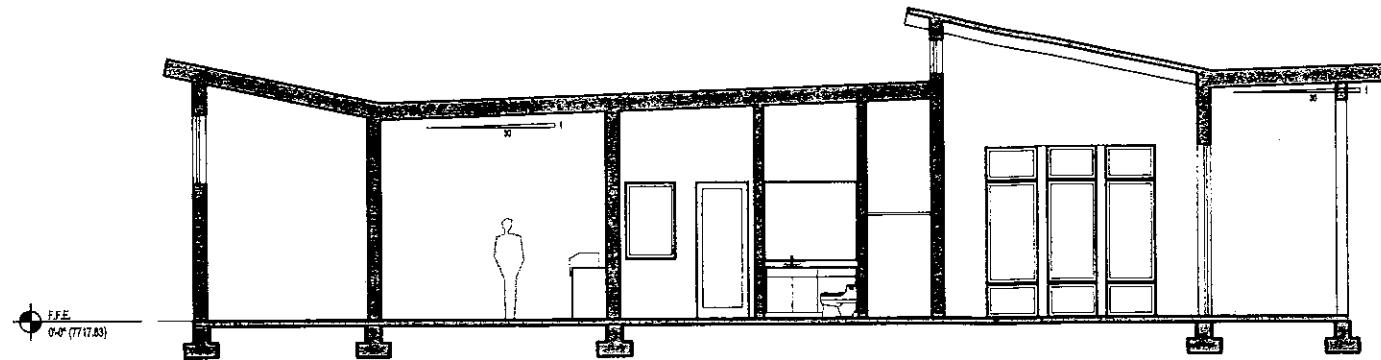
PO Box 9427
SANTA FE, NM 87504-9427
PHONE: 505.936.1010
www.hoopesarchitects.com

PROJECT:
HEYHEN - SHALIT RESIDENCE
63 C LA BARBERIA TRIL
SANTA FE, NM

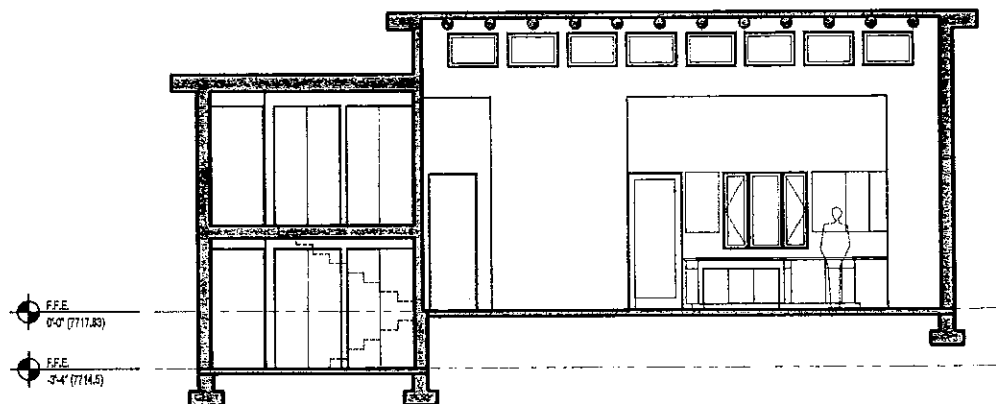
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EXTERIOR ELEVATIONS

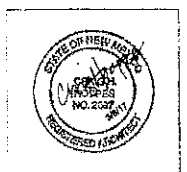
ISSUE DATE:
2017.05.04



02 BUILDING SECTION
scale: 1/4" = 1'-0"



01 BUILDING SECTION
scale: 1/4" = 1'-0"



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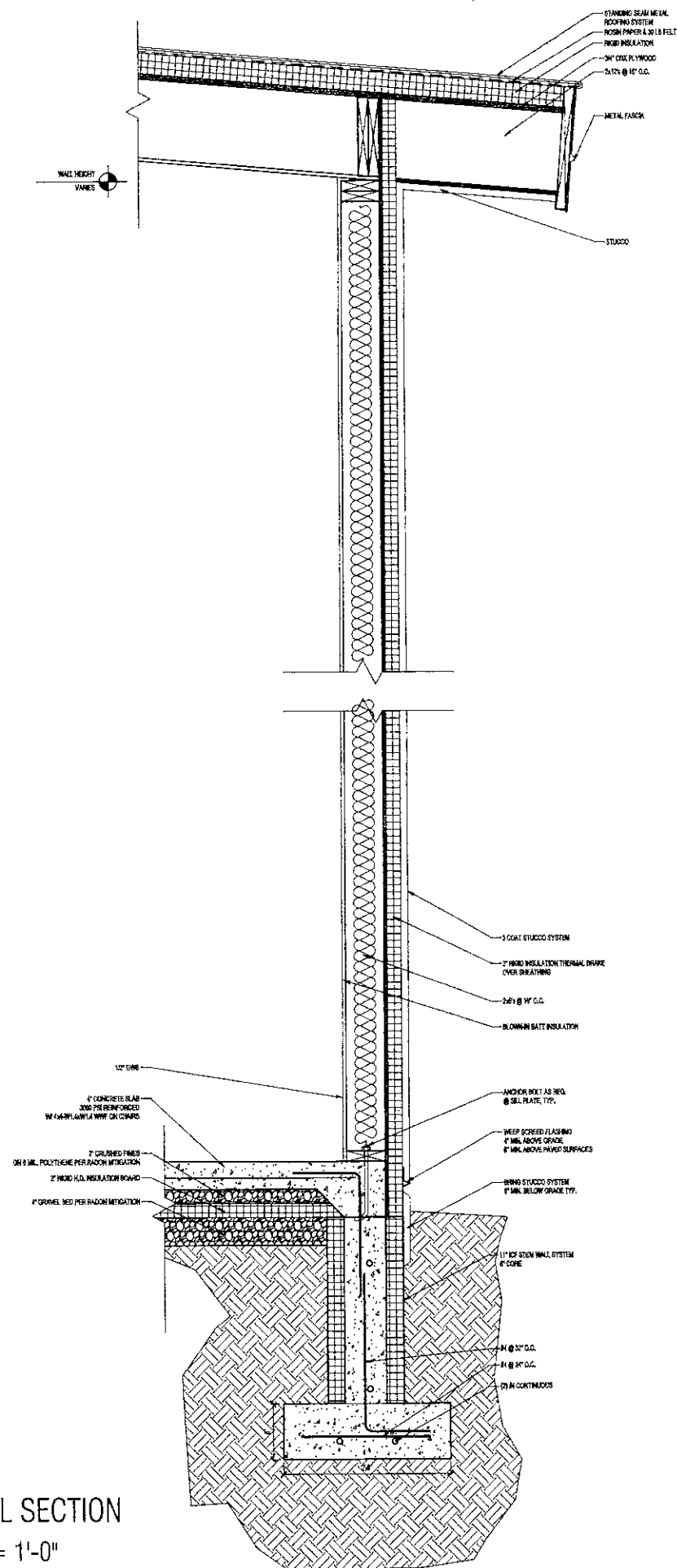
PROJECT
MEYER - SHULTZ RESIDENCE
3501 LA BARBERA TRAIL
SANTA FE, NM

DRAWING TITLE

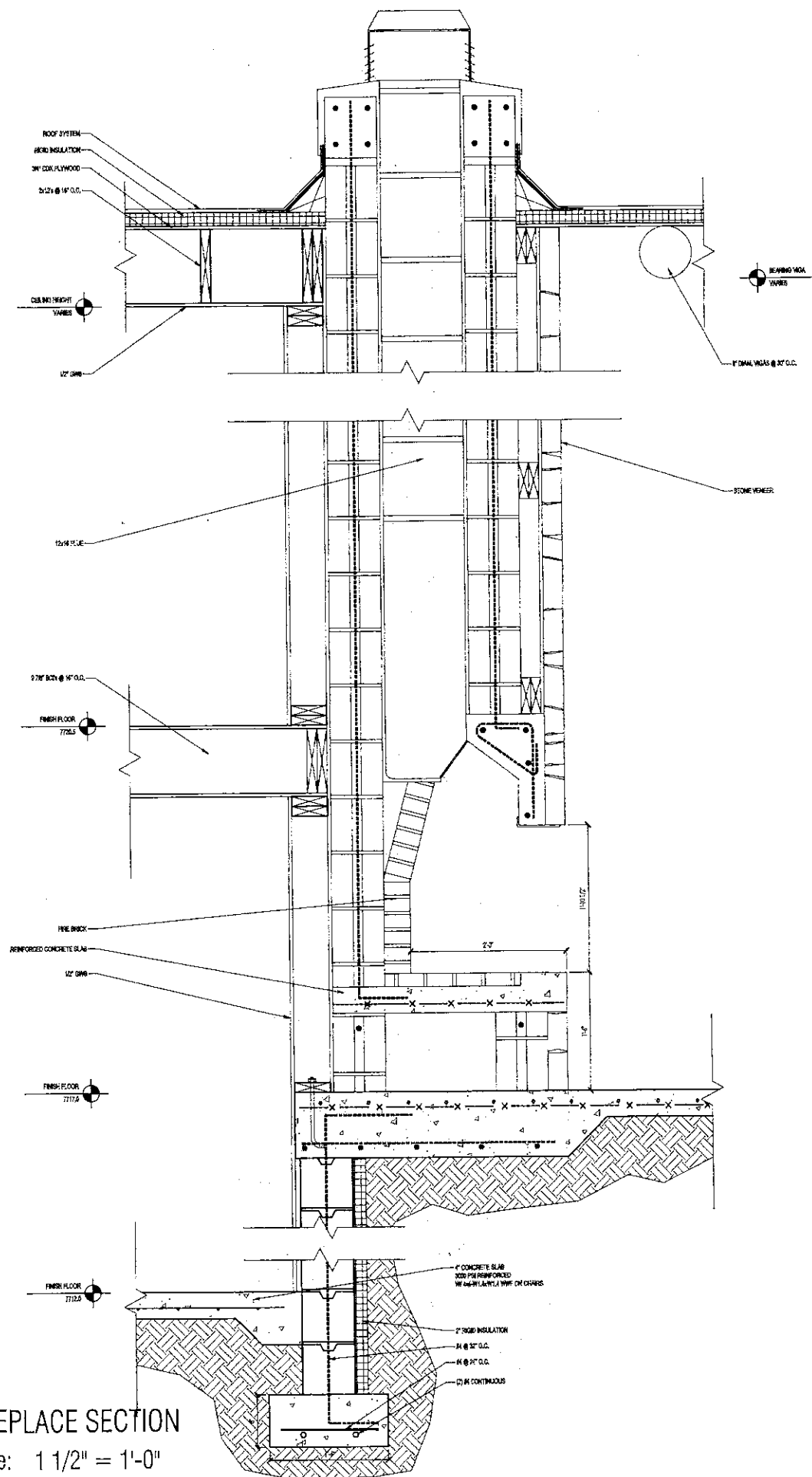
BUILDING SECTIONS

ISSUE DATE:
2017 06 04

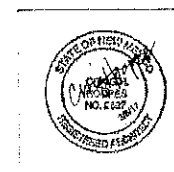
A300 B-20



01 TYPICAL WALL SECTION
scale: 1 1/2" = 1'-0"



03 FIREPLACE SECTION
scale: 1 1/2" = 1'-0"



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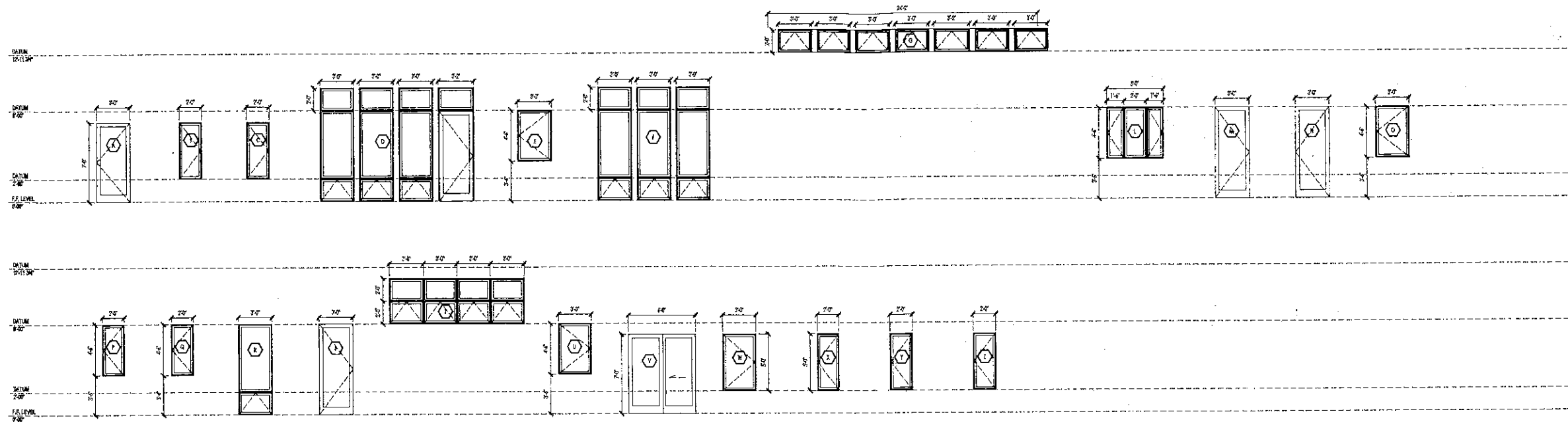
PO Box 9427
SANTA FE, NM 87504-9427
PHONE 505.966.1010
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PROJECT:
HEYNER - QUALITY RESIDENCE
55 OLJA SANBERRIA TRL.
SANTA FE, NM

DRAWING TITLE:

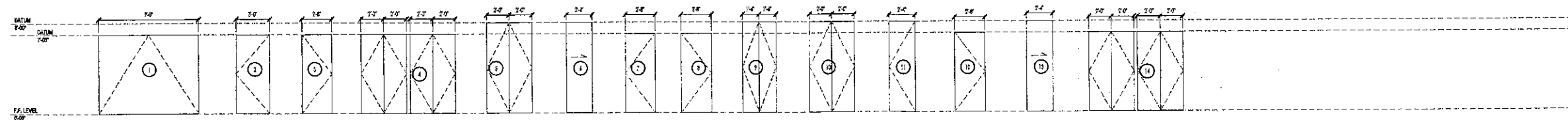
WALL &
FIREPLACE SECTION
DATE: 04/04
2017-05-04

A400 B-21



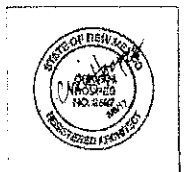
02 WINDOW SCHEDULE

scale: 1/4" = 1'-0"



01 DOOR SCHEDULE

scale: 1/4" = 1'-0"



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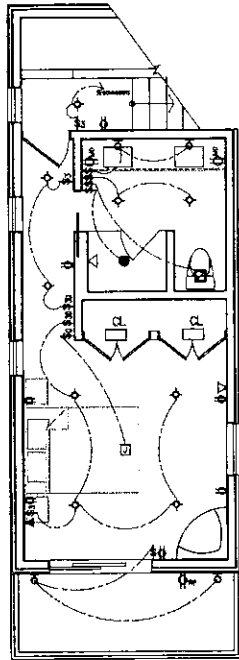
PO Box 3422
SANTA FE, NM 87504-3422
PHONE: 505.386.1010
www.hoopesarchitects.com

PROJECT:
HEYNEN + SHULTZ RESIDENCE
20 C LA BARBERA TR.
SANTA FE, NM

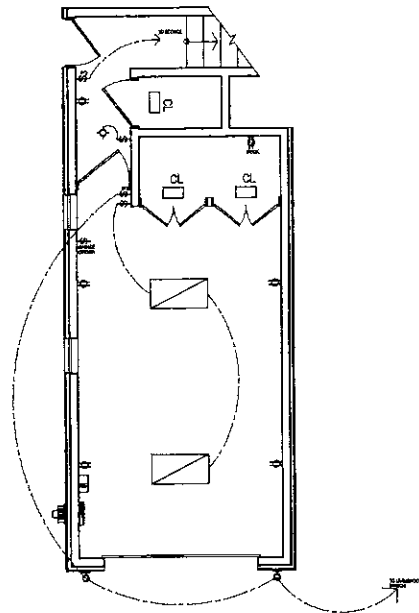
DRAWING TITLE:

WINDOW AND DOOR
SCHEDULES
ISSUE DATE:
2017.05.04

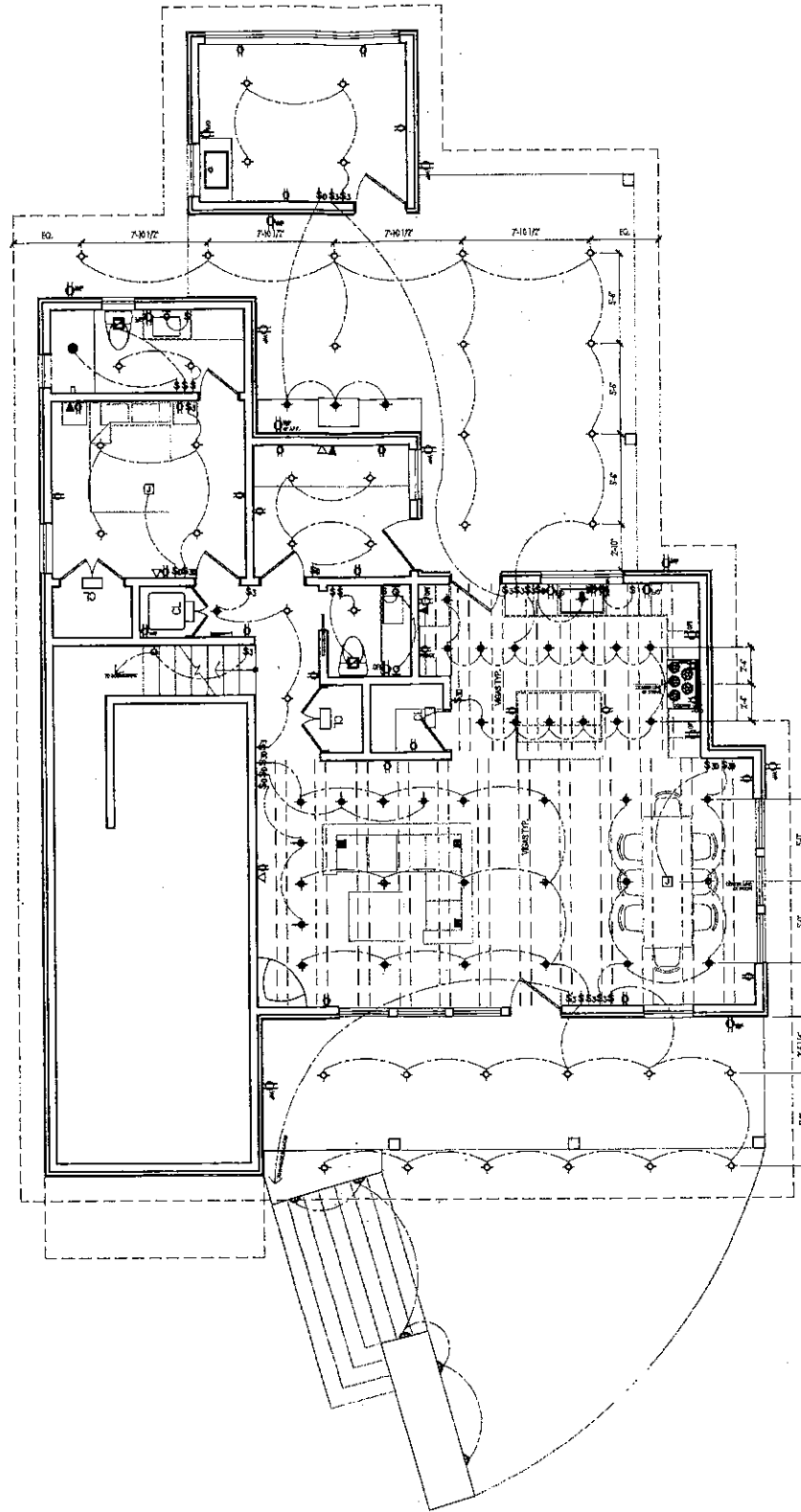
A800 B-22



03 LIGHTING & POWER PLAN - UPPER LEVEL
scale: 1/4" = 1'-0"



01 LIGHTING & POWER PLAN - LOWER LEVEL
scale: 1/4" = 1'-0"



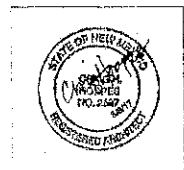
02 LIGHTING & POWER PLAN - MAIN LEVEL
scale: 1/4" = 1'-0"

SYMBOL LEGEND	
⚡ LIGHT SWITCH	🔔 DOOR BELL
⚡ 3-WAY LIGHT SWITCH	🌀 EXHAUST FAN
⚡ LIGHT SWITCH W/ DIMMER	📦 JUNCTION BOX
⚡ 3-WAY LIGHT SWITCH W/ DIMMER	▧ SURFACE MOUNTED 2' X 4' OR 8' UTILITY LIGHT
📦 PUSH BUTTON SWITCH	▬ ELECTRICAL PANEL OR SUB-PANEL
⬢ RECESSED CAN LIGHT FIXTURE	⚡ DUPLEX OUTLET RECEPTACLE - TYPICAL 14" AFF. U.L.D.
⬢ SURFACE MOUNTED LIGHT FIXTURE	⚡ STAND OUTLET RECEPTACLE - TYPICAL 14" AFF.
⬢ RECESSED WALL WASHING LIGHT FIXTURE	⬢ RECESSED FLOOR MOUNTED DUPLEX RECEPTACLE
⬢ WALL SCONCE LIGHT FIXTURE	⚡ GROUND FAULT INTERRUPTER 42" A.F.A. U.L.D.
⬢ WALL SCONCE LIGHT FIXTURE WITH MOTION SENSOR	⚡ WATER PROOF OUTLET 14" AFF. U.L.D.
● RECESSED TYPICAL LIGHT FIXTURE	○ COUNTER TOP POP UP OUTLET
⬢ LOW LEVEL OUTDOOR FOOT LIGHTING FIXTURE	▷ DATA (CAT-5E ETHERNET) AND/OR CABLE TV OUTLET
● RECESSED SHOWER LIGHTING FIXTURE	▶ PHONE JACK WALL MOUNTED
▬ UNDER CABBINET LIGHTING FIXTURE	⚡ ELECTRICAL METER
📦 CLOSET LIGHT ON JAMB SWITCH	📦 PERMAGATION CONTROL BOX
📦 WALL RECESSED CLOSET LIGHTING FIXTURE	

NOTES:
ALL RECESSED CANS TO BE 4" UNLESS NOTED OTHERWISE.
INSTALL VOLUME LIGHTING TO ADDRESS MOISTURE.

LIGHTING, ELECTRICAL AND DATA NOTES:

- All electrical work shall be performed according to NEC and the State of New Mexico Electrical Codes.
- Ground shall be installed in strict accordance with article 250 of the NEC.
- All conductors shall be copper, (12 GA. Wire min. at outlet circuits).
- Coordinate with mechanical for heating system and thermostat locations.
- Contractor to install television jacks with plugs and with coaxial cable terminated at the satellite equip. and antenna. Extend to conduit to roof for placement of satellite (verify location).
- Contractor to install telephone jacks, wiring and junction boxes ready for owners telephone final hook-up.
- Contractor shall coordinate with alarm contractor and location required power and telephone jack.
- All dimmers to be sized per wattage required by the incandescent, LED or low voltage lighting fixtures.
- Contractor to install conduit to the bottom of the driveway for future gate installation.
- Provide Solar Power to monument sign.



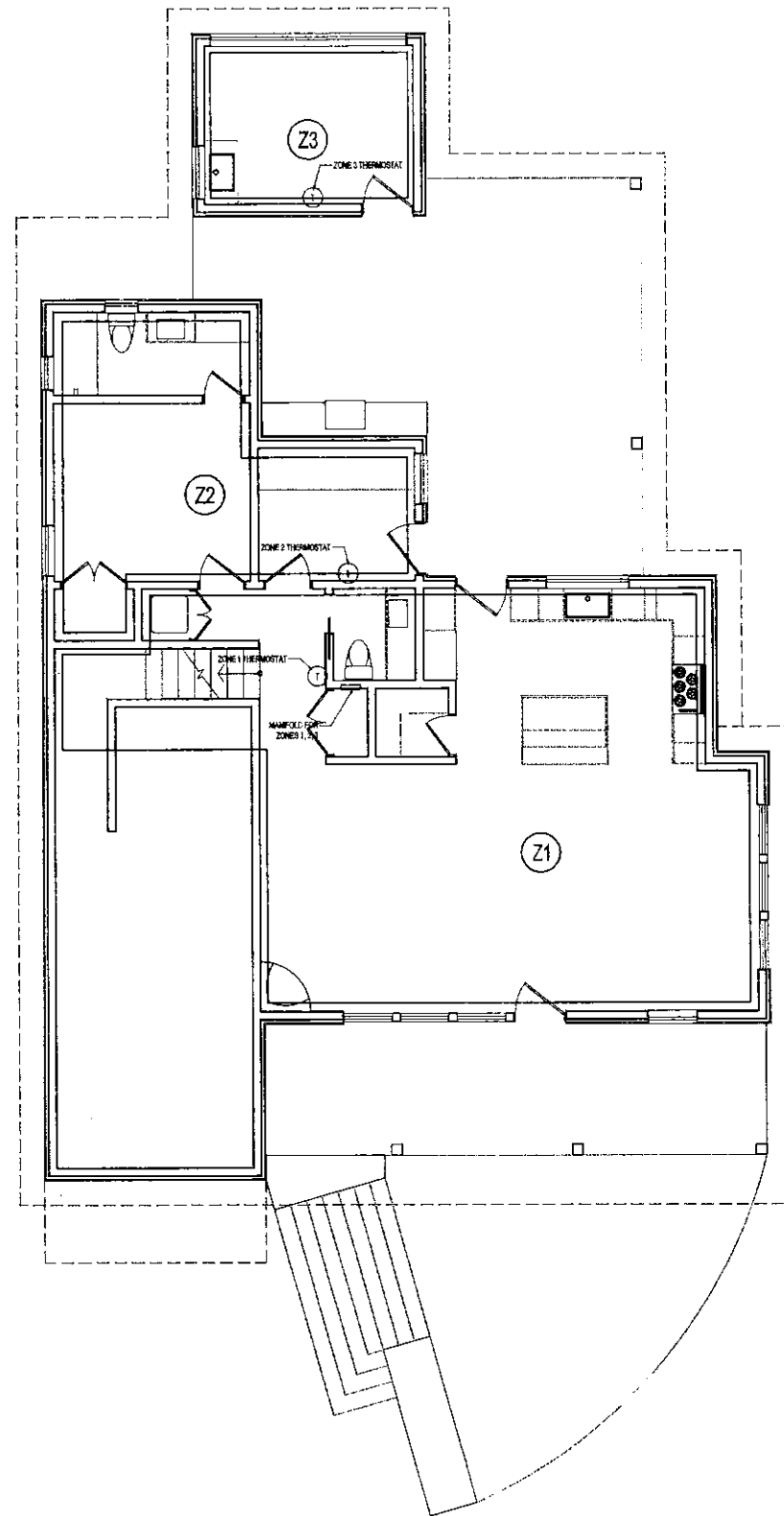
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ARCHITECTS**

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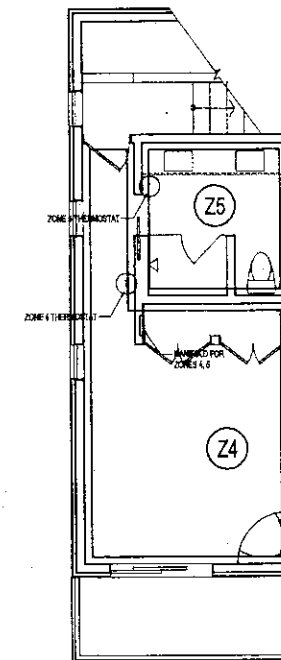
PROJECT:
HEYNEH - GHAIJI RESIDENCE
63 O LA BARBERIA TR.
SANTA FE, NM

DRAWING TITLE:

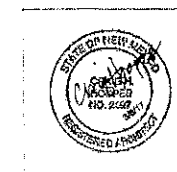
LIGHTING AND POWER
PLAN
JANUARY
2017 05 04



01 MAIN LEVEL - HEATING
scale: 1/4" = 1'-0"



02 UPPER LEVEL - HEATING
scale: 1/4" = 1'-0"



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PROJECT:
HEYNEN-SHALIT RESIDENCE
83 C LA BARBERA TR.
SANTA FE, NM

DRAWING TITLE:

MECHANICAL PLAN

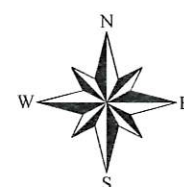
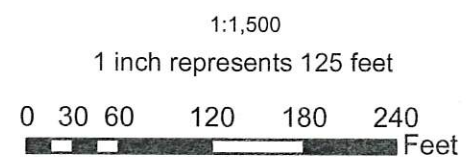
ISSUE DATE:
2017.05.04

M100 B-24



Legend

- ROADS
- DRIVEWAYS
- Parcels

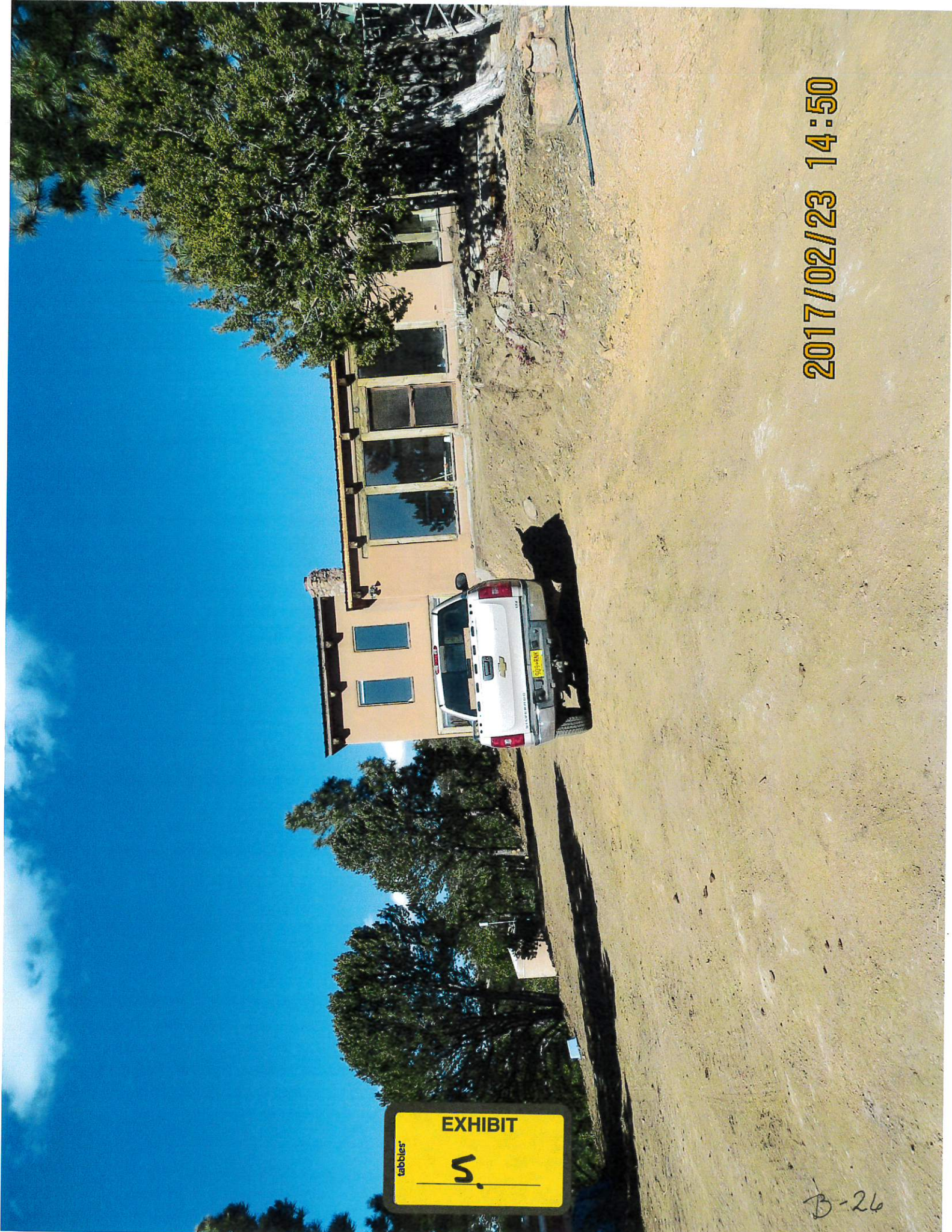


2015 Orthophotography
2 FOOT CONTOURS

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.



June 12, 2017



tabbles®
EXHIBIT
5

2017/02/23 14:50

B-26

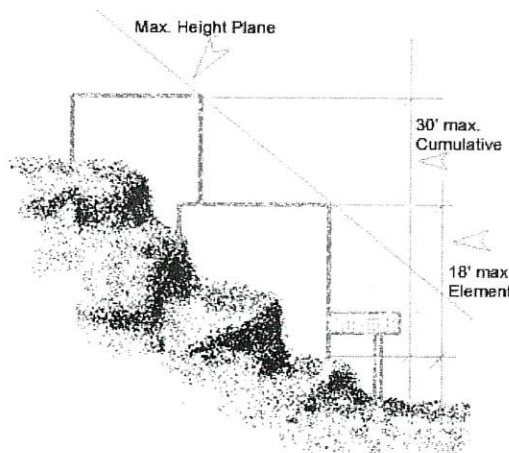
6. The finished floor elevation of any structure built on a natural slope between fifteen percent (15%) and thirty percent (30%) shall not exceed five feet above the natural grade at any point.

7. No significant tree may be removed from slopes greater than thirty (30) percent.

7.17.9.3 Height.

1. The height of any structure located on land that has a natural slope of fifteen percent (15%) or greater shall not exceed eighteen feet (18'). The distance between the highest point of the structure and the lowest point at the natural grade or finished cut shall not exceed thirty (30) feet, unless the portion of the slope over fifteen percent (15%) is incidental to the entire site.

Figure 7.6: Height of Structures in Steep Slope Areas.



2. Structures on ridges, ridgelines, and shoulders shall not exceed fourteen (14) feet in height and shall be limited to one story. However, a structure on a ridge or ridgeline that is a one story pitched roof structure shall not exceed eighteen (18) feet in height so long as the structure is screened from view from an arterial or major arterial road.

7.17.9.4. Architectural and Appearance Standards.

1. A Structure located on a slope in excess of fifteen percent (15%) shall be designed to conform to the natural terrain by following contours to minimize cuts and fills, fitting into existing landforms and solidly meeting the ground plane. Any pier foundations shall be enclosed so that exterior walls appear to meet the ground and such a foundation system shall not exceed five vertical feet above the natural grade.

2. Buildings should be designed within variations in height and orientation, and within offset walls to reduce the visible mass or bulk.

3. Roof colors, windows, walls and facade colors visible from adjacent properties or from arterial or collector roads shall be muted and of non-reflective or non-glossy material with a Light Reflectance Value (LRV) of less than 40

Table 4-1: Procedural Requirements by Application Type

Application Type	Discretionary review?	Application Requirements			Review/Approval Process				
		Pre-application TAC meeting	Pre-application neighborhood meeting	Studies, reports, assessments	Agency review	Approval by Administrator	Hearing required?		
							Hearing Officer	Planning Commission	BCC
Development permit: residential	no	no	no	no	as needed	yes	no	no	no
Development permit: non-residential, mixed use & multi-family	no	yes	as needed	see Table 6-1	as needed	yes	no	no	no
Land divisions, subdivision exemptions and other plat reviews	no	no	no	no	as needed	yes	no	no	no
Family transfer	no	no	no	no	as needed	yes	no	no	no
Temporary use permit	no	no	no	no	as needed	yes	no	no	no
Minor subdivision - final plat, 5 or fewer lots	no	yes	no	see Table 6-1	as needed	yes	no	no	no
Minor subdivision - final plat, more than 5 lots	yes	yes	no	see Table 6-1	as needed	no	no	no	yes
Major subdivision - preliminary plat	yes	yes	yes	see Table 6-1	yes	no	no	no	yes
Major subdivision final plat	yes	yes	No	no	no	no	no	no	yes
Conceptual plan for subdivision - phased or over 24 lots, phased MU, I, IL, CG, CN	yes	yes	Subdivision - yes Others - no	see Table 6-1	as needed	no	no	no	yes
Conceptual plan PDD, CCD	yes	yes	yes	see Table 6-1	yes	no	yes	yes	yes
Vacation of subdivision plat	yes	no	no	no	as needed	no	no	no	yes
Conditional use permit	yes	yes	as needed	see Table 6-1	as needed	no	yes	yes	no
DCI Conditional use permit	yes	yes	yes	yes	yes	no	yes	yes	no
Variance	yes	yes	as needed	no	as needed	no	yes	yes	no
Time extension	yes	no	no	as needed	as needed	no	no	no	yes
Planned development district	yes	yes	yes	see Table 6-1	yes	no	yes	yes	yes
Overlay zones	yes	yes	yes	no	as needed	no	yes	yes	yes
DCI overlay zones	yes	yes	yes	yes	yes	no	yes	yes	yes
Zoning map amendment (rezoning)	yes	yes	yes	see Table 6-1	as needed	no	yes	yes	yes
Text amendment	yes	yes	no	no	as needed	no	no	yes	yes
Area, district community plan, or plan amendment	yes	yes	yes	no	as needed	no	no	yes	yes
Beneficial use determination	yes	yes	no	no	no	no	yes	no	yes
Appeals	See Sec. 4.5	no	no	no	no	no	no	See Sec. 4.5	See Sec. 4.5

EXHIBIT

7.

c. the proposal conforms to the SLDC and is consistent with the goals, policies and strategies of the SGMP.

2. Minor Amendments Causing Detrimental Impact. If the Administrator determines that there may be any detrimental impact on adjacent property caused by the minor amendment's change in the appearance or use of the property or other contributing factor, the owner/applicant shall be required to file a major amendment.

3. Major Amendments. Any proposed amendment, other than minor amendments provided for in Section 4.9.6.9.1, shall be approved in the same manner and under the same procedures as are applicable to the issuance of the original CUP development approval.

4.9.6.10. Expiration of CUP. Substantial construction or operation of the building, structure or use authorized by the CUP must commence within twenty-four (24) months of the development order granting the CUP or the CUP shall expire; provided, however, that the deadline may be extended by the Planning Commission for up to twelve (12) additional months. No further extension shall be granted under any circumstances, and any changes in the requirements of the SLDC, or federal or state law shall apply to any new CUP development approval application.

→ **4.9.7. Variances.**

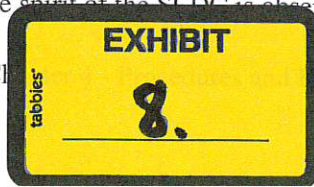
4.9.7.1. Purpose. The purpose of this Section is to provide a mechanism in the form of a variance that grants a landowner relief from certain standards in this code where, due to extraordinary and exceptional situations or conditions of the property, the strict application of the code would result in peculiar and exceptional practical difficulties or exceptional and undue hardship on the owner. The granting of an area variance shall allow a deviation from the dimensional requirements and standards of the Code, but in no way shall it authorize a use of land that is otherwise prohibited in the relevant zoning district.

4.9.7.2. Process. All applications for variances will be processed in accordance with this chapter of the Code. A letter addressing Section 4.9.7.4. review criteria must accompany the application explaining the need for a variance.

4.9.7.3. Applicability. When consistent with the review criteria listed below, the planning commission may grant a zoning variance from any provision of the SLDC except that the planning commission shall not grant a variance that authorizes a use of land that is otherwise prohibited in the relevant zoning district.

→ **4.9.7.4. Review criteria.** A variance may be granted only by a majority of all the members of the Planning Commission (or the Board, on appeal from the Planning Commission) based upon the following criteria:

1. where the request is not contrary to the public interest;
2. where due to extraordinary and exceptional situations or conditions of the property, the strict application of the code would result in peculiar and exceptional practical difficulties or exceptional and undue hardship on the owner; and
3. so that the spirit of the SLDC is observed and substantial justice is done.



4.9.7.5. Conditions of approval.

1. The Planning Commission may impose conditions on a variance request necessary to accomplish the purposes and intent of the SLDC and the SGMP and to prevent or minimize adverse impacts on the general health, safety and welfare of property owners and area residents.
2. All approved variances run with the land, unless conditions of approval imposed by the Planning Commission specify otherwise.
3. All approved variances automatically expire within one year of the date of approval, unless the applicant files a plat implementing the variance or substantial construction of the building or structure authorized by the variance occurs within that time.

4.9.7.6. Administrative minor deviations. The Administrator is authorized to administratively approve minor deviations upon a finding that the deviation is required, that the result is consistent with the intent and purpose of this SLDC, and that the deviation is not detrimental to adjacent or surrounding properties as follows:

1. minor deviations from the dimensional requirements of Chapters 7, 8 and 9 of the SLDC not to exceed ten percent (10%) of the required dimension; and
2. minor deviations from the density dimensional standards of Chapter 8 of the SLDC not to exceed five tenths of a percent (0.5%) of the gross acreage allowed in the zoning district.

4.9.8. Beneficial Use and Value Determination (BUD).

4.9.8.1. Purpose. The intent of the SLDC is to provide, through this Section, a process to resolve any claims that the application of the SLDC constitutes an unconstitutional regulatory taking of property. This Section is not intended to provide relief related to regulations or actions promulgated or undertaken by agencies other than the County. The provisions of this Section are not intended to, and do not, create a judicial cause of action.

4.9.8.2. Application. In order to evaluate whether, and if so, the extent to which, application of the SLDC unconstitutionally creates a regulatory taking without just compensation, or other constitutional deprivation, an applicant, once denied development approval or granted conditional development approval, or as otherwise provided in Section 7.16.3.1, may apply to the Administrator for a beneficial use and value determination, the application for which shall describe:

1. the extent of diminution of use and value with respect to the entirety of the owner's, or lessee's real property interests in common ownership;
2. the distinct and reasonable investment backed expectations of the owner, lessee, or predecessors in interest, in common ownership;
3. the availability of cluster development, phased development, tax incentives, or transfers of development rights;
4. any variance or relief necessary or available to relieve any unconstitutional hardship or regulatory taking.



CERTIFICATION OF POSTING

I herby certify that the public notice posting regarding Sustainable Land Development Code.

Case # SVAR 175110 was posted for 15 days on the property beginning

The 2ND day of JUNE
2017. **

Craig Hoppe
Signature

*Photo of posting must be provided with certification

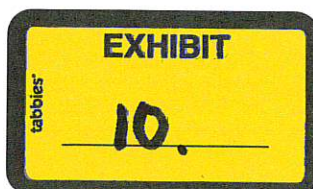
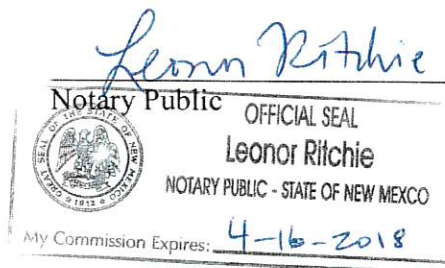
****PLEASE NOTE:** Public notice is to be posted on the most visible part of the property. Improper legal notice will result in re-posting for an additional 15 days. It is the applicant's responsibility to ensure that the notice is on the property for the full 15 days.

STATE OF NEW MEXICO }
COUNTY OF SANTA FE }

The foregoing instrument was acknowledged before me this 7th day of
June, 2017, By Craig Hoppe.

My Commission Expires:

4-16-2018



6
3
A
B
C

PUBLIC NOTICE

Notice is hereby given that an application has been filed with Santa Fe County for A VARIANCE OF CHAPTER 7.17.9 2.3.2
HEIGHT OF A STRUCTURE TO EXCEED 18' (FEET) ON A RIDGETOP AND ALLOW
A TWO STORY RESIDENCE ON A RIDGETOP.

Name of Applicant WILIA SHALIT

Address of Request 63C LA BARBARA TR

Legal Description: Section 9 Township 16 NORTH

Range 10 EAST NMPM Santa Fe County, New Mexico.

A PUBLIC HEARING will be held made at the

Old Santa Fe County Courthouse, corner of Palace and Grant Avenues, Santa Fe, New Mexico on after the 22ND day of

JUNE, 2017, at 3:00 PM before the SF COUNTY HEARING OFFICER

AND ON THE 17TH DAY OF AUGUST, 2017, AT 4:00 PM before the SF County Planning Commission

Further information can be obtained by contacting,

the Land Use Department, P.O. Box 276, Santa Fe, NM 87504

Phone (505)986-6225. Development Permit # V 17-5110

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SANTA FE NEW MEXICAN

Founded 1849

LEGAL#82733

CASE#SVAR 17-5110
Shalit Variance.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held to consider a request by Willa Shalit, Applicant, Craig Hoopes, Agent, for a variance of Chapter 7.17.9.2.3.2 height of a structure to exceed 18' on a ridgetop and allow a two story residence on a ridgetop. The property is located at 63C La Barbaria Trail within, Section 9, Township 16 North, Range 10 East, (Commission District 4).

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 June 22, 2017, at 3 p.m. on a petition to the Santa Fe County Hearing Officer and on August 17, 2017, at 4 p.m. on a petition to the Santa Fe County Planning Commission.

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 Hearing Officer/Planning 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.

Published in the Santa Fe New Mexican on Wednesday June 7, 2017

Continued...

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SANTA FE NEW MEXICAN

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HOOPES AND ASSOCIATES.
333 MONTEZUMA AVENUE STE
200
SANTA FE, NM 87501

ACCOUNT: 21864
AD NUMBER: 0000199385
LEGAL NO 82733 P.O. #:
1 TIME(S) 65.80
AFFIDAVIT 20.00
TAX 6.30
TOTAL 82.10

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 82733 a copy of which is hereto attached was published in said newspaper 1 day(s) between 06/07/2017 and 06/07/2017 and that the notice was published in the newspaper proper and not in any supplement; the first date of publication being on the 7th day of June, 2017 and that the undersigned has personal knowledge of the matter and things set forth in this affidavit.

/S/

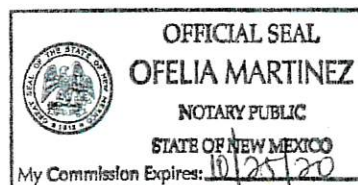
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 7th day of June, 2017

Notary

Commission Expires:

Ofelia Martinez
10/25/20



B-34

50B La Barbaria Trail

From: Daniel Welch <dojundw@icloud.com>

Date: June 9, 2017 at 9:30:05 AM MDT

To: Willa Shalit <willashalit@gmail.com>

Cc: Jay Shelton <jshelton@newmexico.com>

Subject: your variance request

Hi Willa,

I support your variance request in accord with Jay's comments.

Best of luck/good fortune with this!

<image001.jpg>



B-35

50A La Barbaria Trail

From: jshelton@newmexico.com

Subject: Willa's variance request

Date: June 9, 2017 at 7:40:29 AM MDT

We support Willa's variance request.

As we understand it, there are two requests. One is to be allowed to put in a floor in a part of the home that is two stories high so that it can be useful as two stories. This has no impact on roof height – the height on that part of the home is already approved. Hence it has no impact on neighbors.

As we understand it, the other part of the variance request involves increasing the roof height over a different part of the structure by 4 feet over what is already approved.

Our overall desire is to live in a peaceful and supportive neighborhood. If a variance has negligible impact on the neighborhood, we are inclined to support it, as part of being kind to and supportive of our neighbors. An increase of 4 feet in roof height at Willa's house strikes us as having negligible impact on neighbors.

Jay and Katherine Shelton

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Ellen Souberman
63A La Barbaria Trail
Santa Fe, New Mexico 87505
(505) 988-1896

June 14, 2017

Santa Fe County
Growth Management Department
Attention Jon Lovato, Case Planner
102 Grant Avenue
Santa Fe, NM 87501

Re: Letter of Support – Case #17-5110
Shalit Variance, 63C La Barbaria Trail

Dear Mr. Lovato:

I am a neighbor of Jim and Willa, the applicants. I live at 63A La Barbaria Trail. I share a driveway with Jim and Willa.

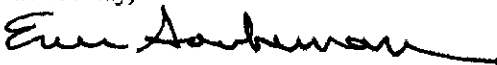
I am writing in support of their variance application referenced above and urge the Planning Commission to approve Jim and Willa's variance request. I understand that they are making a substantial investment in their property which will be of benefit to the neighborhood as a whole.

I understand that the County has already granted a building permit allowing replacement of the existing house with a new house and that the variance application will not result in any perceptible change in the shape or size of the already-approved house. I support the inclusion of a second story within the already-approved interior space and inclusion of a clerestory window, which will add light to the house.

Replacing the existing house that Willa has lived in for almost 30 years with a new house of the same size and footprint is an improvement, and I fully support Jim and Willa's investment in their property and the community.

Thank you for your consideration.

Sincerely,



Ellen Souberman

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John F. Lovato

From: cjc@lobo.net
Sent: Wednesday, June 14, 2017 10:15 AM
To: John F. Lovato
Cc: Willa Shallit
Subject: Shallit Variance, 63 La Barbaria Trail

Dear Mr. Lovato,

I am a contiguous neighbor of Willa Shallit (Case #17-5110) who lives at 63 C La Barbaria Trail.

I support her Variance for a higher roof line as I cannot see that it will impact the area in any way. The house will be the same size and Willa is a good neighbor.

Sincerely,

Catherine Joyce-Coll
83 La Barabaria Trail
Santa Fe NM 87505
505-982-4349