

# Legend

- CT Carport
- CP Covered porch
- GM Gas Meter
- RW Retaining wall
- W Well & Spigot
- NS New Septic System
- ES Existing Septic System
- EP Electric panel box
- C Conc. Pad
- RB Rain Barrel
- S Shed

## Site Plan

Angelo Ortega  
120 Paseo de Angel N.

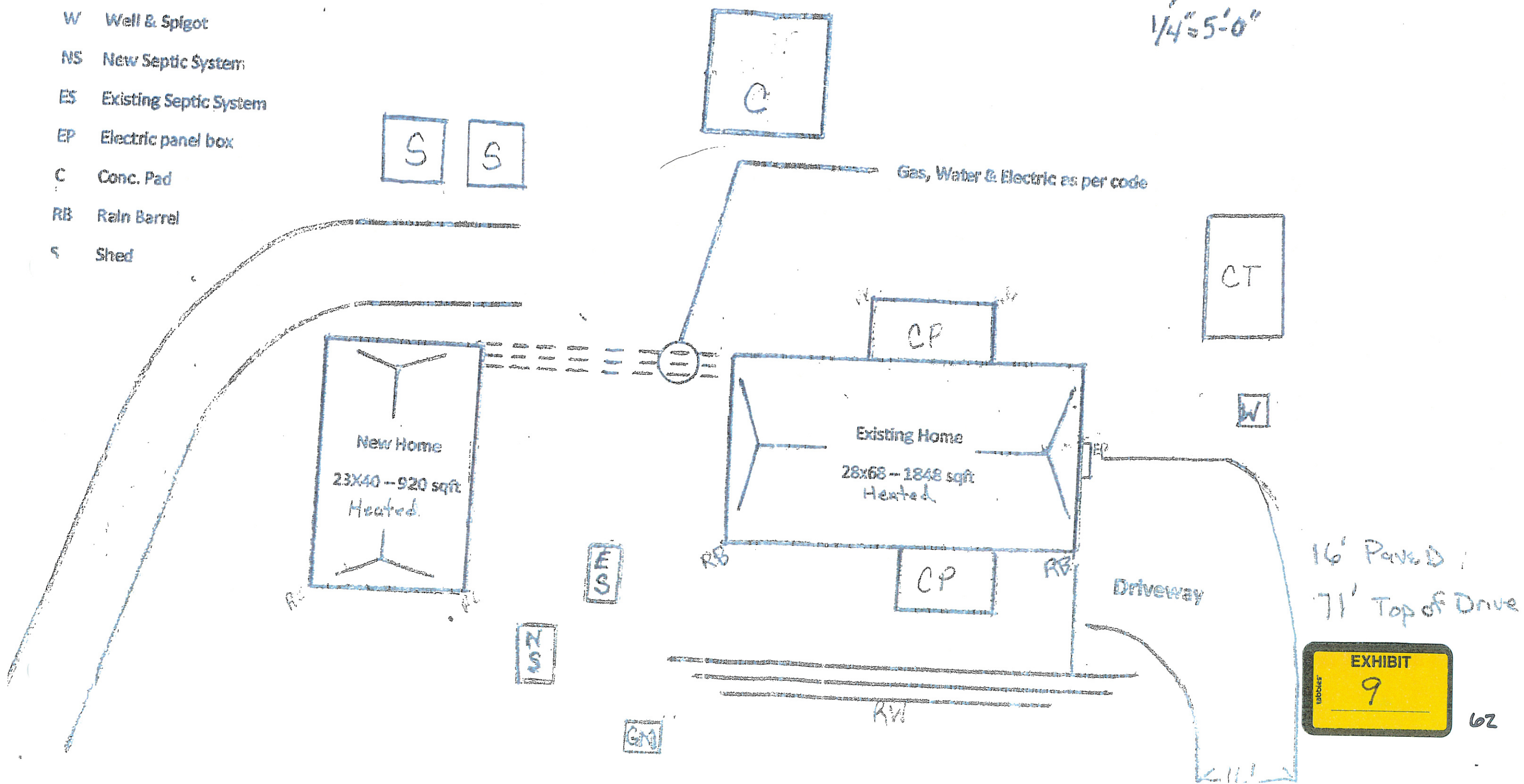


EXHIBIT  
9



**5.10.6. Failure to Complete Improvements.** If the applicant or the applicant's contractor fails to install and construct the public improvements pursuant to the terms and conditions of the final development order, the construction plans and the development and subdivision improvement agreements, the Administrator shall:

**5.10.6.1.** declare the agreements and final plat approval to be in default and require that all public improvements be installed regardless of the extent of completion of the development at the time the agreements are declared to be in default;

**5.10.6.2.** obtain the escrow funds deposited for security, enforce the performance and payment surety bond or letter of credit and complete the public improvements by the County or through a third party contractor;

**5.10.6.3.** assign the County's right to receive funds pursuant to the deposit of escrow funds, any performance and payment bond or letter of credit, in whole or in part to any third party, in exchange for an agreement of the third party to provide a new performance and payment bond, escrow funds or a letter of credit in sufficient amount to complete the required public improvements; or

**5.10.6.4.** exercise any other rights available under the SLDC, the voluntary development agreement, the subdivision improvement agreement and state law.

## **5.11. SPECIAL PROCEDURES.**

**5.11.1. Succeeding Subdivisions.** Any proposed subdivision may be combined and upgraded for classification purposes by the Board with a previous subdivision if the proposed subdivision includes:

**5.11.1.1.** a part of a previous subdivision that has been created in the preceding seven (7) year period; or

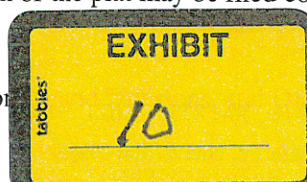
**5.11.1.2.** any land retained by an applicant after creating a previous subdivision when the previous subdivision was created in the preceding seven (7) year period.

### **5.11.2. Vacation of Approved Plat.**

**5.11.2.1. Applicability.** Any final plat filed in the Office of the County Clerk may be vacated, or a portion of the final plat may be vacated, if:

1. the owners of the land proposed to be vacated sign an acknowledged statement, declaring the final plat or a portion of the final plat to be vacated;
2. the statement is approved by the Board; and
3. if the plat, or portion of plat, to be vacated was initially approved through an administrative process, the Administrator may approve the vacation or partial vacation of the plat.

**5.11.2.2. Application.** The owners of all or a portion of the lots in any approved subdivision or land division, may initiate a plat vacation by filing an application with the Administrator. The application shall include the acknowledged statement required by Section 5.11.2.1.1. The application requesting vacation of the plat and an application requesting a re-subdivision of the plat may be filed concurrently.





# SANTA FE NEW MEXICAN

Founded 1849

LEGAL # 85010

CASE # APP 18-5071  
Angelo Ortega Appeal

## NOTICE OF PUBLIC HEARING

Notice is hereby given that a Public Hearing will be held to consider a request by Angelo Ortega, Appellant, James W. Siebert & Associates, Agent, for an appeal of the Santa Fe County Planning Commission's decision to deny a variance of the Sustainable Land Development Code (SLDC), of Chapter 10, Section 10.4.2.1 to allow an accessory dwelling within a major subdivision. If the appeal is approved by the Board of County Commissioners (BCC), the Appellant requests a partial plat vacation to modify a plat note that prohibits guest houses within the Vista de Sandia Subdivision to allow lot 10 to have an accessory dwelling unit. The property is located at 120 North Paseo De Angel, within the La Cienega and La Cieneguilla Community District Overlay (LCLCCD) (RES-E), within Section 22, Township 16 North, Range 8 East (Commission District 3).

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 13th day of November 2018, at 5:00 p.m. on a petition to 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 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.

Pub.: Oct. 23, 2018



64





**JAMES W. SIEBERT  
AND ASSOCIATES, INC.**

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**915 MERCER STREET \* SANTA FE, NEW MEXICO 87505**  
**(505) 983-5588 \* FAX (505) 989-7313**  
**jim@jwsiebert.com**

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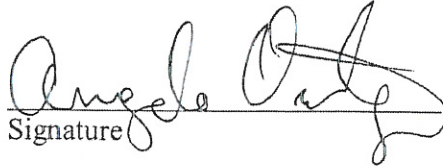
Please forward affidavit of publication to the County Land Use Administrator, P.O. Box 276, Santa Fe, New Mexico 87504-0276.

## CERTIFICATION OF POSTING

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

Case # 18-5071 was posted for 15 days on the property beginning

The 18 day of OCTOBER  
2018. \*\*

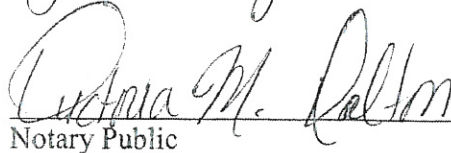
  
Signature

\*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.

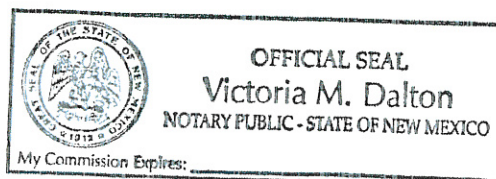
STATE OF NEW MEXICO    }  
  }  
COUNTY OF SANTA FE    }

The foregoing instrument was acknowledged before me this 18<sup>th</sup> day of  
October, 2018, By Angelo Ortega.

  
Notary Public

My Commission Expires:

5/23/19











Monica & Melissa Sisneros  
PO Box 22215  
Santa Fe, NM 87502

Monica K. Vigil  
4 Rancho Sin Vacas  
Santa Fe, NM 87507

John & Manuelita Martinez  
4 Corriente Circle  
Santa Fe, NM 87507

Mark & Michelle Madrid  
131 Paseo De Angel  
Santa Fe, NM 87501

Frank Martin Vigil  
1615 Brae Street  
Santa Fe, NM 87505

Homero Arras  
12 N Paseo De Angel  
Santa Fe, NM 87507-2598

Dorothy & Norman Montoya  
33 Paseo De Angel  
Santa Fe, NM 87507

Adalberto Juarez Parea & Maria  
Trinidad De Juarez  
32 N Paseo De Angel  
Santa Fe, NM 87507

Gerardo & Theresa Rodriguez  
98 B Paseo De Angel  
Santa Fe, NM 87507

Martin Marquez & Vilma Salinas  
Marquez  
Santa Fe, NM 87507-4336

Guillermo Nuno & Maria Lozoya  
26 N Paseo De Angel  
Santa Fe, NM 87507

Maria Arguello  
26 Cuerno De Vaca  
Santa Fe, NM 87505

Julian & Peggy Gonzales  
27 Cuerno De Vaca Dr  
Santa Fe, NM 87507

Perpetuo & Beatriz Benjarano  
17 N Paseo De Angel  
Santa Fe, NM 87507

Mary Jane Roybal & Michele  
Madrid  
21 N Paseo De Angel  
Santa Fe, NM 87507

Daniel & Becky Nottke  
13 Cuerno De Vaca Dr  
Santa Fe, NM 87505

Dolores Anaya  
120 Paseo De Angel  
Santa Fe, NM 87507

Janice Maez  
33 Cuerno De Vaca Dr  
Santa Fe, NM 87505

Louis & Beatrice Gallegos  
11 Ranchos Sin Vaca  
Santa Fe, NM 87507-3721

Cesiah Eunise Juarez  
130 N Paseo De Angel  
Santa Fe, NM 87507

Carl & Emma Goldenberg  
12 Cerrado Dr  
Santa Fe, NM 87508-8833

Siomara Sican  
3 Courtney Ln,  
Santa Fe, NM 87507

Elmer Perez  
60 Reata Rd  
Santa Fe, NM 87507

Federico Gutierrez  
11 B Cuerno De Vaca  
Santa Fe, NM 87507

Martin Najera Lopez  
103 N Paseo De Angel  
Santa Fe, NM 87507

Ileana R. C/O Artemio Franco  
8 Courtney Ln.  
Santa Fe, NM 87507

Jourdan Elterman & Ana Enriquez  
124 N Paseo De Angel  
Santa Fe, NM 87507

Carlos Evan Solis  
41 Paseo De Angel  
Santa Fe, NM 87507

Jaime Perez Dominguez  
38 B N Paseo De Angel  
Santa Fe, NM 87507

Jaime & Bernadette Villegas  
39 Paseo De Angel  
Santa Fe, NM 87505

Armando Perez Dominguez  
38 A N Paseo De Angel  
Santa Fe, NM 87507

Carl Dickens  
PO Box 23554  
Santa Fe, NM 87502

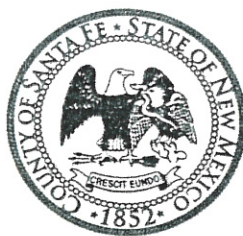
Jose Villegas  
10 Camino Torcido Loop  
Santa Fe, NM 87508



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

## Santa Fe County Fire Department

### Fire Prevention Division

### Fire Plans Review

Date	04/23/2018	Reviewer	D. Otero
Project Name	Ortega – Variance – Accessory Dwelling Unit		
Project Location	120 North Paseo de Angel, Santa Fe, NM.		
Description	Variance – Accessory Dwelling Unit		
Applicant Name	Angelo Ortega	Case Manager	M. Romero
Applicant Address	120 North Paseo de Angel, Santa Fe, NM.	County Case #	V18-5070
Applicant Phone	505-316-3445	Fire District	La Cienega

Project Status:    Approved ☒    Approved with Conditions ☐    Denied ☐    Incomplete ☐

#### Compliance with the Santa Fe County Fire Code

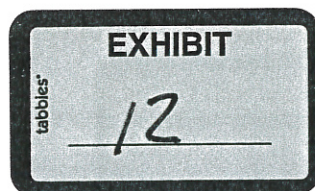
The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of the ordinances of the jurisdiction. The issuance of a permit based on construction documents and other data shall not prevent the fire code official from requiring the correction of errors in the construction documents and other data. Any addition to or alteration of approved construction documents shall be approved in advance by the fire code official, as evidenced by the issuance of a new or amended permit.

*Please note that any deviation to the submitted and approved plans without the consent of the Office of the Fire Marshal will render this approval null and void.*

Reviewed & Approved by:

**Dominic Otero**

Fire Protection Specialist I



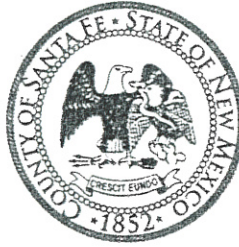
04/23/2018

Date

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

**PUBLIC WORKS DIVISION  
MEMORANDUM**

**Date:** April 25, 2018

**To:** Miguel Romero, Senior Development Review Specialist

**From:** Johnny P. Baca, Traffic Manager Public Works 

**Re:** Case # V 18-5070 Angelo Ortega, Variance of Chapter 10, Section 10.4.2.1 and Section 10.4.2.4.

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The referenced project has been reviewed for compliance of the Santa Fe County Sustainable Land Development Code (SLDC), and shall conform to roads and driveway requirements of the Sustainable Design Standards **Chapter 7.4 (Access and Easements)** and **Chapter 7.11 (Road Design Standards)**, in which the roadway/driveway needs to conform. The referenced project is within the La Cienega and La Cieneguilla Community District Overlay (LCLCCD) Residential Estate (RES-E). The site is located at address 120 North Paseo De Angel. (Commission District 2), within Section 22, Township 16 North, and Range 8 East.

**Access:**

The applicant is proposing to utilize the existing 16 ft. wide paved driveway at 120 N Paseo De Angel to access the proposed 920 sf accessory dwelling.

Chapter 10 Section 10.4.2.3.3 *Building and Site Design* states that "an accessory dwelling shall be accessed through the same driveway as the principal residence". SFCPW supports the use of the pre-existing driveway access for the proposed accessory dwelling ingress/egress.

**Conclusion:**

SFCPW has reviewed this submittal and can support this development as proposed.

