Danny Mayfield
*Commissioner, District 1*

Virginia Vigil
*Commissioner, District 2*

Robert Anaya
*Commissioner, District 3*

Kathy Holian
*Commissioner, District 4*

Liz Stefanics
*Commissioner, District 5*

Katherine Miller
*County Manager*

# MEMORANDUM

**DATE:** December 13, 2011

**TO:** Board of County Commissioners

**FROM:** Wayne Dalton, Building and Development Services Supervisor WD

**VIA:** Jack Kolkmeyer, Land Use Administrator JK
Shelley Cobau, Building and Development Services Manager WD SC

**FILE REF.:** CDRC CASE # V 11-5240 Dale McDonnell Variance

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## ISSUE:

Dale McDonnell, Applicant, Carol Everett, Agent, request a variance of Article V, Section 8.1.3 (Legal Access) of the Land Development Code to allow an access of less than twenty feet (20') in width and road grade to exceed 11% for the construction of a residence on 20 acres.

The property is located off Rogersville Road near Madrid, at 14 Mesa Viento, within Section 26, Township 14 North, Range 7 East, (Commission District 3).

## SUMMARY:

On November 17, 2011, the CDRC met and acted on this case. The decision of the CDRC was to recommend approval of the Applicant's request for a variance by a 3-2 vote. (Refer to Meeting Minutes Attached as Exhibit "A").

The Applicant requests a variance of Article V, Section 8.1.3 (Legal Access) of the Land Development Code to allow an access easement of less than twenty feet in width and grade to exceed 11% in order to construct a 1,125 square foot residence on a legal lot of record created prior to 1981.

The subject property is located approximately 4.2 miles from Highway 14. The property receives access from three roads, which are Rogersville Road, Old Madrid Road and Old Windmill Road. Rogersville Road varies in width from 9' to 18'feet and has three areas of 11% road grade. There are also four low water crossings which do not meet County standards for emergency access. Old Madrid Road varies in width from 7' to 11'feet with one low water crossing and has a section of

road grade ranging from 11% to 22%. Old Windmill Road is a two track road and has a width of approximately 8' feet. Rogersville Road, Old Madrid Road and Old Windmill Road do not have an all weather driving surface which is also necessary for emergency vehicle access.

On August 19, 2011, staff and the Fire Prevention Division met with the Applicant and determined that if the variance is approved there will be other fire protection requirements that the Applicant must comply with. **These improvements will include a turnaround on the property, a water storage tank, sprinkler system, a vegetation management plan, and compliance with the Urban Wild Land Interface Code for building materials for any proposed structures on the property.**

This Application has also been reviewed by the Fire Prevention Division. The road leading to the proposed building site does not conform to the 1997 Uniform Fire Code which requires a 20' foot all weather driving surface, no grades exceeding 11% and no low water crossings. Upon a site inspection it was found that there are road widths as narrow as 7' feet and at one point grade exceeding 11% and several low water crossings. The roads do not have an all weather driving surface conforming to County Code requirements and no water supply for fire protection for the area within 5 miles. (Refer to Memo Attached as Exhibit "H").

Article V, Section 8.1.3 states "Legal access shall be provided to each lot and each lot must directly access a road constructed to meet the requirements of Section 8.2 of the Code. Parcels to be accessed via a driveway easement shall have a twenty (20) foot all weather driving surface, grade of not more than 11%, and drainage control as necessary to insure adequate access for emergency vehicles."

The Applicant states that the building site itself is flat land, as is the immediate land leading to the property. The issue is the steep grade of the access road to get up to the property owned by the Applicant and other adjoining property owners.

Article II Section 3 (Variances) of the County Code states that "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."

**REQUIRED ACTION:**

The BCC should review the attached material and consider the recommendation of staff; take action to approve, deny, and approve with conditions or table for further analysis of this request.

**RECOMMENDATION:**

Staff has reviewed this Application and has found the following facts **to deny** this request: Article V, Section 8.1.3 states parcels to be accessed via a driveway easement shall have a twenty (20) foot all weather driving surface, grade of not more than 11% and drainage control as necessary to insure adequate access for emergency vehicles; the Applicant is requesting a variance to allow an access to be less than twenty feet and grade to exceed 11%, which is not allowed by the Code; the purpose of the Code would be nullified; the Applicant has not justified a hardship, as contemplated by the Code, therefore, staff recommends **denial** of the Applicant's request.

If the decision of the BCC is to approve the Applicant's request, staff recommends the following condition be imposed.

1. The Applicant shall comply with all Fire Marshal requirements.

**ATTACHMENTS:**

Exhibit "A"- CDRC Meeting Minutes
Exhibit "B" - Letter of Request
Exhibit "C"- Article II, Section 3 (Variances)
Exhibit "D" - Article V, Section 8.1.3
Exhibit "E"- Photos of Site and Access Roads
Exhibit "F"- Plat of Survey
Exhibit "G"- Aerial of Site and Surrounding Area
Exhibit "H"- Fire Prevention Division Memo
Exhibit "I"- Proposed Site Plan
Exhibit "J"- Aerial of Access Roads and Lots in the Area
Exhibit "K"- Vicinity Map

## VI. APPROVAL OF MINUTES: October 20, 2011

Member Gonzales moved to approve the October minutes as submitted. Chair DeAnda seconded and the motion passed by unanimous [4-0] voice vote with Member Katz abstaining.

## VII. CONSENT CALENDAR

**Final Order:**

**A. CDRC CASE # MIS 11-5330 Woodrow Elmore Accessory Structure. Woodrow Elmore, Applicant, Requested Approval Of A 2,400 Square Foot Accessory Structure To Be Used As Personal Storage On 2.63 Acres. The Property Is Located At 18 Chavez Lane In Edgewood, Within Section 19, Township 10 North, Range 7 East, (Commission District 3). Approved 4-0 Wayne Dalton**

Member Gonzales moved approval and Member Valdez seconded. The motion carried unanimously [5-0].

## IX. NEW BUSINESS

**A. CDRC CASE # V 11-5240 Dale McDonnell Variance. Dale McDonnell, Applicant, Carol Everett, Agent, request a variance of Article V, Section 8.1.3 (Legal Access) of the Land Development Code to allow an access of less than twenty feet (20') in width and road grade to exceed 11 percent for the construction of a residence on 20 acres. The property is located off Rogersville Road near Madrid, at 14 Mesa Viento, within Section 26, Township 14 North, Range 7 East, (Commission District 3)**

Wayne Dalton gave the staff report as follows:

"The Applicant requests a variance of Article V, Section 8.1.3,Legal Access, of the Land Development Code to allow an access easement of less than twenty feet in width and grade to exceed 11 percent in order to construct a 1,407 square foot residence on a legal lot of record.

"The subject property is located approximately 4.2 miles from Highway 14. The property is accessed by Rogersville Road, Old Madrid Road and Old Windmill Road. Rogersville Road varies in width from 9 feet to 18 feet and has three areas of 11 percent road grade. There are also four low water crossings which do not meet County standards for emergency access. Old Madrid Road varies in width from 7 feet to 11 feet with one low water crossing and has a section of road grade ranging from 11 percent to 22 percent. Old Windmill Road is a two-track road and has a width of approximately eight feet. Rogersville Road, Old Madrid Road



EXHIBIT
A

and Old Windmill Road do not have an all-weather driving surface which is also necessary for emergency vehicle access.

"On August 19, 2011, staff and the Fire Prevention Division met with the Applicant and determined that if the variance is approved there will be other fire protection requirements that the Applicant must comply with. These improvements will include a turnaround on the property, a water storage tank, sprinkler system, a vegetation management plan, and compliance with the Urban Wild Land Interface Code for building materials for any proposed structures on the property.

"This Application has been reviewed by the Fire Prevention Division. The road leading to the proposed building site does not conform to the 1997 Uniform Fire Code which requires a 20-foot all weather driving surface, no grades exceeding 11 percent and no low water crossings. Upon a site inspection it was found that there are road widths as narrow as 10 feet and at one point grade exceeding 11 percent and several low water crossings. The roads do not have an all-weather driving surface conforming to County Code requirements and no water supply for fire protection for the area within five miles.

"The Applicant states that the building site itself is flat land, as is the immediate land leading to the property. The issue is the steep grade of the access road to get up to the property owned by the Applicant and other adjoining property owners."

Mr. Dalton gave the following recommendation: Staff has reviewed this Application and has found the following facts to deny this request: Article V, Section 8.1.3 states parcels to be accessed via a driveway easement shall have a twenty-foot all-weather driving surface, grade of not more than 11 percent and drainage control as necessary to insure adequate access for emergency vehicles; the Applicant is requesting a variance to allow an access easement to be less than twenty feet and grade to exceed 11 percent, which is not allowed by the Code; the purpose of the Code would be nullified; the Applicant has not justified a hardship, as contemplated by the Code, therefore, staff recommends denial of the Applicant's request.

If the decision of the CDRC is to recommend approval of the Applicant's request, staff recommends the following condition be imposed.

1. The Applicant shall comply with all Fire Marshal requirements.

Noting there were several other lots in the vicinity, Member Gonzales asked how those lots were created and how they have access. Mr. Dalton explained that all the lots are accessed by the same three roads. Most were created pre-1981 code and thus are legal non-conforming, as is this lot.

Member Gonzales said it was troubling that property owners were being forced to comply with regulations that were not in place when the lot was created.

Shelley Cobau said the same is true of many lots in Santa Fe County. When someone purchases a lot they are made aware of the fact they may be required to improve their access to make it comply with code. "In a perfect world" the costs could be shared among all the landowners in the area.

Member Katz asked if widening is even possible. Ms. Cobau said if easement width is not sufficient more would have to be acquired.

Member Katz asked what the crucial issues are to the Fire Department. Fire Marshal Buster Patty said the concern with non-compliance is that neither fire equipment nor ambulance service may be able to access the property. Without water service, in the event of a fire, a tanker shuttle would be necessary which is very heavy equipment. One grade is 22 percent and they lack the horsepower to climb the grade with tankers. He added if the variance is granted the Fire Department will work with the applicant to ensure the best possible scenario but they cannot guarantee they can get out there.

Member Katz asked if a water tank would be required and Fire Marshal Patty said that and sprinklering, which buys time for the Fire Department. The fact that the property is more than five miles from the station could change the ISO rating for the district.

Member Katz asked if this would be considered a taking if the request is denied. Deputy Attorney Rachel Brown said it would not be a case of denying the right to build a house, but rather requiring code compliance. Member Katz pointed out that the lot was compliant when it was created and in view of the offsite improvements, it might be impossible to comply. Ms. Brown said those facts are currently not before the committee.

Chair DeAnda got clarification on how the pictures correspond to the 4.2-mile road layout. She noted it would be more equitable if the burden were not placed on one landowner.

Member Drobnis asked if any other lots in the area are developed and Mr. Dalton said there are residences adjacent to the property.

Duly sworn, Carol Everett, agent for the applicant, said they have been working on the project for about a year, have reduced the size of the dwelling, and are willing to work with the Fire Department within reason. She felt it was unreasonable to request the applicant to improve 4.2 miles of road. She said there are between 100 and 200 people living on Rogersville Road. Most of the houses were built in compliance with County regulations at the time. She said the area could be a candidate for an assessment district followed by dedication to the County for maintenance.

Ms. Everett said the applicant is willing to re-grade and possibly widen the area near the property making it less steep and safer. She read from a letter by the applicant explaining that when the land was purchased there was no mention of a problem with access.

Member Gonzales asked who maintains the road and Ms. Everett said it is a joint effort on the part of the landowners in the area who get together periodically for

maintenance. She said the land grant specified that all roads are legal whether they meander from the easements or not. The steep area they anticipate improving is on someone else's land but those owners have no objections. Most of the people out there are residents rather than renters, but she had no idea how many would be willing to pitch in for major improvements.

Member Katz asked how many undeveloped lots are in the area, and Ms. Everett stated she did not know.

Chair DeAnda agreed with Ms. Everett that an assessment district might resolve the Fire Department's concerns and she suggested meeting with the neighbors. Ms. Everett said some of the nearest neighbors are not there year-round and she would have no problem approaching the neighbors. However, there are some narrow areas that are not amenable to much widening.

There was no one from the public wishing to provide testimony.

Ms. Cobau pointed out that the provisions regarding 11 percent grades are not new to the code having been there since 1996. She estimated thousands of dollars in improvements are needed.

Member Katz asked for clarification of the condition, and Mr. Dalton explained that the Fire Department can require fire protection improvements including such things as a water storage tank, a sprinkler system, a turnaround, a vegetation management plan and that building materials comply with the Wildland Interface Code.

Member Gonzales moved to deny CDRC Case #V 11-5240 and Chair DeAnda seconded.

Member Katz said he would be more inclined to support a denial if there were a large number of undeveloped lots to whom this would send a signal. However, in this case it does not appear fair to the landowner to deny him the right to build simply because he's building later than his neighbors. Chair DeAnda said it was unknown when those residents built.

The motion failed by a 2-3 vote with Members Gonzales and DeAnda voting with the motion and Members Drobnis, Katz and Valdez voting against.

Member Katz moved to approve the case with the condition. Member Valdez seconded and the motion passed 3-2 with Members Drobnis, Katz and Valdez voting in favor and Members Gonzales and DeAnda voting against.

Mr. Dalton said this case will be on the December 13th BCC agenda.

SOUTH POINT BUILDERS

26 East Pine Ext.
Santa Fe, NM 87508
(505) 438-0248
(505) 470-6981 C

WAYNE DALTON
BUILDING & DEV. SVC. SUPERVISOR
LAND USE DEPT.
SANTA FE COUNTY

AUGUST 1, 2011

LETTER OF INTENT FOR VARIANCE

WE ARE HEREBY APPLYING FOR A VARIANCE FOR THE 20 ACRES OFF OLD WINDMILL ROAD, NEAR MADRID, N.M., OWNED BY DALE MCDONNELL. THE BUILDING SITE ITSELF IS FLAT LAND, AS IS THE IMMEDIATE LAND LEADING TO THE PROPERTY, THE ISSUE IS THE STEEP GRADE OF THE ACCESS ROAD TO GET UP TO BOTH THE PROPERTY OWNED BY MR. MCDONNELL AND OTHER ADJOINING LANDOWNERS.

LEGAL DESCRIPTION: S 1/2 OF NW 1/4 OF NW 1/4 OF PROJECTED SEC. 26 T.14N, R.7E., N.M.P.M.

THANK YOU FOR YOUR CONSIDERATION

CAROL EVERETT
AUTHORIZED REPRESENTATIVE OF
DALE MC DONNELL
LAND OWNER

EXHIBIT
B

2.5 Zoning

In connection with the review of an application for a development permit with respect to matters described in the New Mexico Statutes concerning zoning, the procedures concerning zoning matters set forth in the New Mexico Statutes, as amended from time to time, shall apply in addition to the review procedures provided in the Code. The time limits established in this Article II may be extended if required, in order to comply with the procedures concerning zoning matters.

2.6 Subdivisions

In connection with review of an application for a development permit with respect to matters described in the New Mexico Subdivision Act, as it may be amended from time to time, the procedures for review provided for in Article V of the Code and the New Mexico Subdivision Act shall apply in addition to the review procedures provided in this Article II of the Code. The time limits established in this Article II shall be extended if required in order to comply with the procedures concerning subdivision matters.

2.7 Other Requirements

The time limits set forth in this Article II shall be extended in order to comply with other provisions of the Code providing for time limits in connection with reviews and requirements under the Code.

## SECTION 3 - VARIANCES

3.1 Proposed Development

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

3.2 Variation or Modification

In no case shall any variation or modification be more than a minimum easing of the requirements.

3.3 Granting Variances and Modifications

In granting variances, and modifications, the Board may require such conditions as will, in its judgment, secure substantially the objectives of the requirements so varied or modified.

3.4 Height Variance in Airport Zones

All height variance requests for land located with approach, Transitional, Horizontal and Conical surfaces as described within Map #31 A, incorporated herein by reference, shall be reviewed for compliance with Federal Aviation Administration Regulations. The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the

EXHIBIT C

8.1.2 The Santa Fe County Master Plan For Roads

a. Pursuant to 3-19-9 N.M.S.A., 1978, the Santa Fe County Master Plan for Roads establishes the general location of existing and proposed highway and arterial roads for the purpose of assuring a coordinated system of roads in Santa Fe County.

b. The Santa Fe County Master Plan for Roads may be amended by resolution from time to time to accommodate changing or changed conditions.

8.1.3 Legal access shall be provided to each lot and each lot must directly access a road constructed to meet the requirements of Section 8.2 of this Article. Parcels to be accessed via a driveway easement shall have a twenty (20) foot all weather driving surface, grade of not more than 11%, and drainage control as necessary to insure adequate access for emergency vehicles.

8.1.4 Dead end roads may not serve more than thirty (30) dwelling units, except that the Code Administrator with the concurrence of the Fire Marshal may approve the development of more than thirty (30) lots on a dead end road. The Code Administrator may require a second access for any development with fewer than thirty (30) dwelling units where issues of public health, safety and welfare exists.

8.1.5 Coordination of Roads With Surrounding Property

a. The arrangement of roads in a development shall provide for the continuation or appropriate projection of existing or proposed highway or arterial roads in surrounding areas according to the Santa Fe County Master Plan for Roads, and shall provide reasonable means of ingress and egress to surrounding property.

b. Where land is subdivided into large tracts or where there is a potential for further subdivision or development of subsequent phases exists, the proposed development shall be designed to provide for a coordinated road system for the entire tract.

c. Where it is in the public interest to establish a right-of-way or access to property which adjoins a proposed development, the right-of-way shall be extended to the boundary of the property which is the subject of a development application. The right-of-way shall either be dedicated to the County or granted to the Owner's Association, subject to a conditional dedication governed by Article V, Section 8.1.9. Such right-of-way shall be designated on the master or phase development plan and on the plat as a public access.

8.1.6 Access to highways and arterials; buffering requirements

a. Where a proposed subdivision contains lots abutting or adjacent to an arterial or highway, it shall be planned so as to avoid having lots having frontage on said thoroughfares.

b. The subdivision shall be laid out to have a minimum number of intersections with arterials or highways, and where appropriate, shall provide at least two separate points of ingress and egress to assure adequate access, and shall be designed for all weather conditions. Driveways from lots shall access local roads and may access collector roads on a limited basis as approved by the County Development Review Committee.

c. Where the subdivision is traversed by or is adjacent to a state or federal highway, and in addition to these regulations, the subdivision must satisfy the New Mexico State Highway Department Regulations Covering Design and Construction of Driveways on Non-Controlled Access Highways in New Mexico, a copy of which is on file in the office of the Code Administrator for public inspection.

d. Where a subdivision borders on or contains a railroad right-of-way or a limited access highway right-of-way, a parallel road or frontage road may be required at a distance suitable for the appropriate use of the intervening land. Such distances shall also be

EXHIBIT
tabbies
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Dale McDonnell

14 Mesa Viento

8/19/2011

EXHIBIT

E

Dale McDonnell

14 Mesa Viento

8/19/2011

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Dale McDonnell

14 Mesa Viento

8/19/2011

N

120 80 40 0 120

SCALE: 1"=120'

LEGEND

- 1/2" REBAR W/CAP "M.TRUJILLO, LS12130" SET THIS SURVEY
- FOUND POINTS AS NOTED
- COMPUTED POINT NOT SET
- U.S.G.L.O. BRASS CAP FOUND AS NOTED

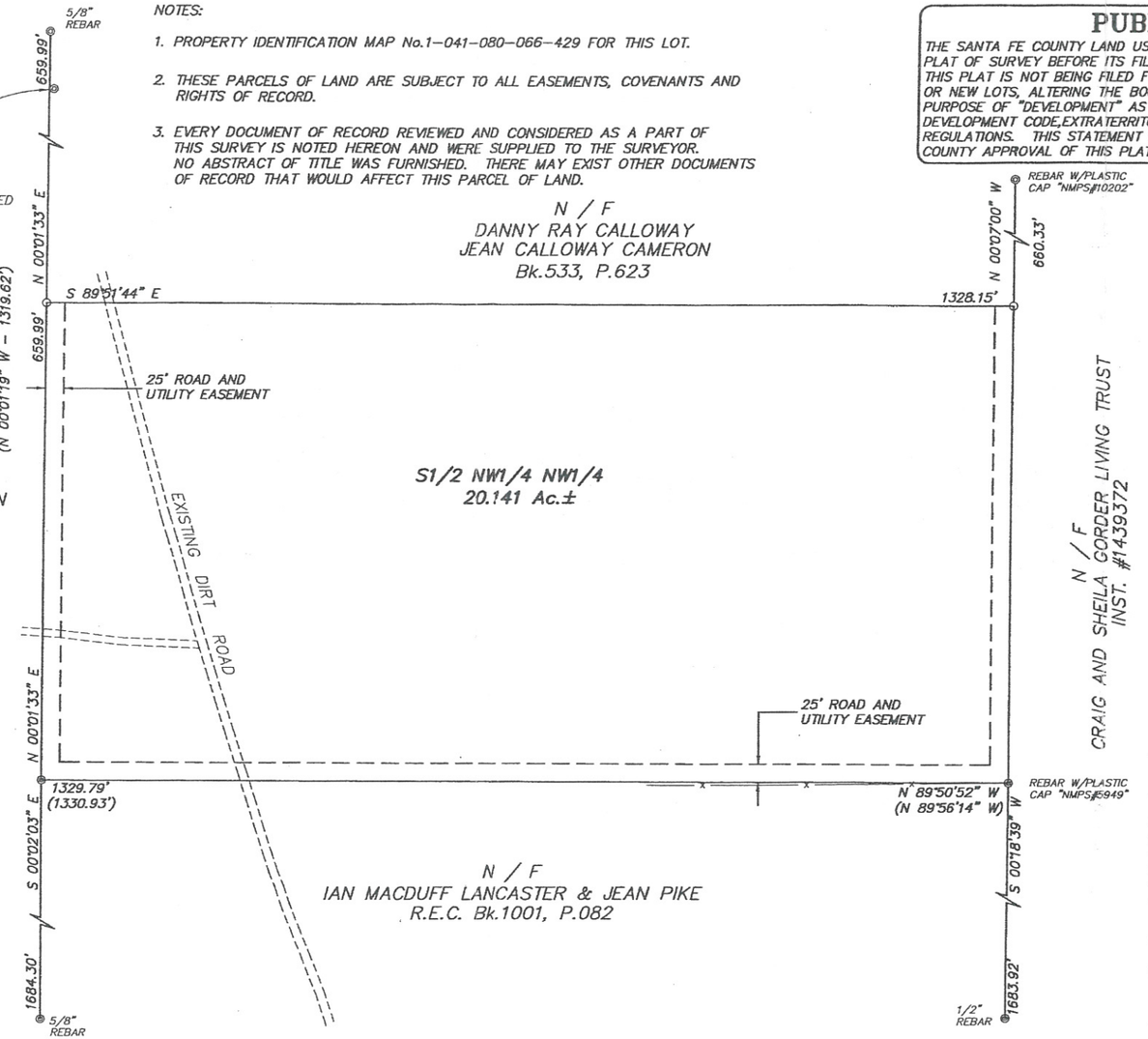
NOTES:

1. PROPERTY IDENTIFICATION MAP No.1-041-080-066-429 FOR THIS LOT.
2. THESE PARCELS OF LAND ARE SUBJECT TO ALL EASEMENTS, COVENANTS AND RIGHTS OF RECORD.
3. EVERY DOCUMENT OF RECORD REVIEWED AND CONSIDERED AS A PART OF THIS SURVEY IS NOTED HEREON AND WERE SUPPLIED TO THE SURVEYOR. NO ABSTRACT OF TITLE WAS FURNISHED. THERE MAY EXIST OTHER DOCUMENTS OF RECORD THAT WOULD AFFECT THIS PARCEL OF LAND.

## PUBLIC NOTICE

THE SANTA FE COUNTY LAND USE ADMINISTRATOR HAS NOT REVIEWED THIS PLAT OF SURVEY BEFORE ITS FILING IN THE OFFICE OF THE COUNTY CLERK. THIS PLAT IS NOT BEING FILED FOR THE PURPOSE OF CREATING A SUBDIVISION OR NEW LOTS, ALTERING THE BOUNDARIES OF ANY EXISTING LOTS OR FOR THE PURPOSE OF "DEVELOPMENT" AS DEFINED IN THE SANTA FE COUNTY LAND DEVELOPMENT CODE,EXTRATERRITORIAL ZONING ORDINANCE OR EXTRATERRITORIAL REGULATIONS. THIS STATEMENT DOES NOT IN ANYWAY REPRESENT OFFICIAL COUNTY APPROVAL OF THIS PLAT.

714040




REFERENCE AND BASIS OF BEARINGS:

BEARINGS BASED ON GPS OBSERVATIONS USING TRIMBLE 5800 RECEIVERS, RTK MODE, WGS84 LOCAL

BEARINGS AND DISTANCES IN PARENTHESIS FROM PLAT OF SURVEY BY MITCHEL K. NOONAN, N.M.P.S. No.6998, TITLED "PLAT OF SURVEY FOR BILL NEAL & JOANN NEAL, WITHIN SW1/4 OF THE NW1/4 OF PROJECTED SECTION 26, T14N, R7E, N.M.P.M., LYING & BEING SITUATE WITHIN THE MESITA DE JUANA LOPEZ GRANT, SANTA FE COUNTY, NEW MEXICO", FILED IN THE OFFICE OF THE COUNTY CLERK, SANTA FE COUNTY, NEW MEXICO ON DECEMBER 15, 1993, IN PLAT BOOK 261, PAGE 050, AS DOCUMENT No.841,947, AND AMENDED AND RE-RECORDED ON MAY 25, 1994, IN PLAT BOOK 275, PAGE 020, AS DOCUMENT No.864,034.

Inst 1592910
COUNTY OF SANTA FE } SS
STATE OF NEW MEXICO

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD ON THIS 10 DAY OF March A.D. 2010, AT 9:45 O'CLOCK A.M., AND WAS DULY RECORDED IN BOOK 714, PAGE 040 OF THE RECORDS OF SANTA FE COUNTY

WITNESS MY HAND AND SEAL OF OFFICE
VALERIE ESPINOZA
COUNTY CLERK, SANTA FE COUNTY, NM

Cecilia Montoya
DEPUTY

THIS PLAT SUPERCEDES A PLAT OF SURVEY FILED IN PLAT BOOK 695, PAGE 003, RECORDS OF SANTA FE COUNTY, NEW MEXICO

SURVEYOR'S CERTIFICATION

I, MICHAEL V. TRUJILLO, NEW MEXICO PROFESSIONAL SURVEYOR No. 12130, DO HEREBY CERTIFY THAT THIS BOUNDARY SURVEY PLAT AND THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION; THAT I AM RESPONSIBLE FOR THIS SURVEY; THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO; AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SURVEY IS NOT A LAND DIVISION OR SUBDIVISION AS DEFINED IN THE NEW MEXICO SUBDIVISION ACT AND THAT THIS INSTRUMENT IS A BOUNDARY SURVEY PLAT OF AN EXISTING TRACT OR TRACTS.

MICHAEL V. TRUJILLO, N.M.P.S. No.12130

MICHAEL V. TRUJILLO NEW MEXICO 12130 PROFESSIONAL SURVEYOR

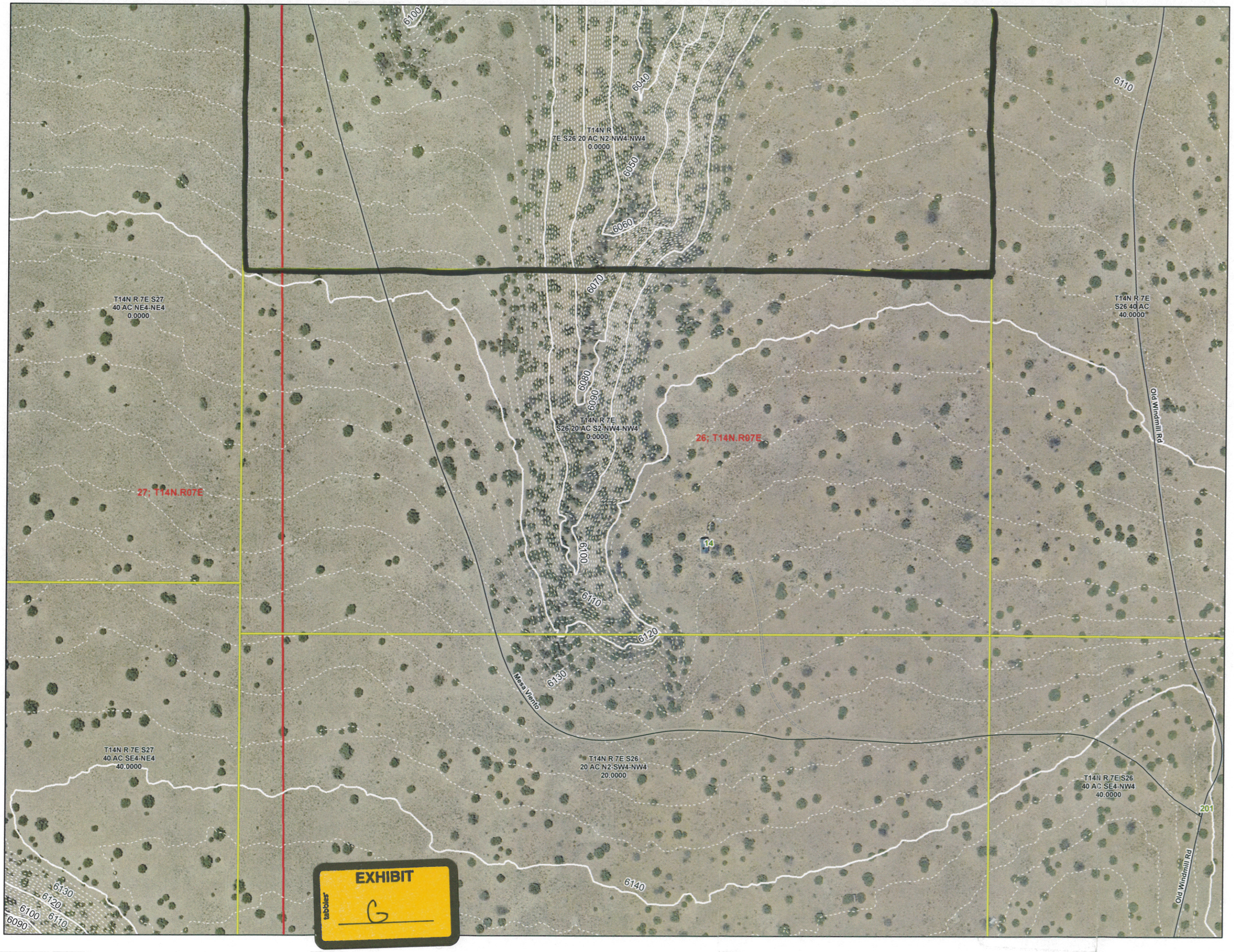
EXHIBIT F

INDEXING INFORMATION FOR COUNTY CLERK

| | | | |
|---|---|---|---|
| ASSOCIATED SURVEYS<br>MICHAEL V. TRUJILLO<br>NMPS No.12130<br><br>1120 CAMINO CONSUELO<br>SANTA FE, NEW MEXICO 87505<br>PH. 424-1395 | SECTION(s)<br>26 (PROJECTED)<br>TOWNSHIP<br>T. 14 N.<br>RANGE<br>R. 7 E.<br>GRANT<br>ORTIZ MINE AND MESITA DE JUANA LOPEZ<br>N.M.P.M. | BOUNDARY SURVEY PLAT FOR<br>DALE McDONNELL<br>S1/2 NW1/4 NW1/4<br>PROJECTED SECTION 26<br>T.14N., R.7E., N.M.P.M.,<br>SANTA FE COUNTY, NEW MEXICO | SCALE<br>1" = 120'<br>DATE<br>JAN. 11, 2010<br>DRAWN-BY<br><br>CHECKED-BY<br>M.V.T.<br>PROJECT No.<br>M08-290R M-493R |

46

# Map of Property in Santa Fe County




## Legend

- driveways
- Minor Roads
- Major Roads
- Parcels_sde
- Section Lines

1:1,800

1 inch represents 150 feet

N W E S

WARNING:
Two (2) foot contour data sets are NOT SUITABLE FOR ENGINEERING WORK. These data are appropriate for PLANNING PURPOSES ONLY.

Orthophoto from 2008

Contour Interval 2 Feet

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

SANTA FE COUNTY

August 15, 2011

Daniel "Danny Mayfield
*Commissioner, District 1*

Virginia Vigil
*Commissioner, District 2*

Robert A. Anaya
*Commissioner, District 3*

Kathy Holian
*Commissioner, District 4*

Liz Stefanics
*Commissioner, District 5*

Katherine Miller
*County Manager*

# Santa Fe County Fire Department

## Fire Prevention Division

## Official Submittal Review

| | | | | | |
|---|---|---|---|---|---|
| **Date** | 9/7/2011 | | | | |
| **Project Name** | Dale Mcdonnell and Denham Residence | | | | |
| **Project Location** | 14 Mesa Viento off Rogersville Rd. Madrid | | | | |
| **Commercial** ☐ | **Residential** ☒ | **Sprinklers** ☐ | **Wildland** ☐ | **Hydrant Acceptance** ☐ | |
| **Description** | New House | | | **Case Manager** | Wayne Dalton |
| **Applicant Name** | Dale McDonnell | | | **County Case #** | V 11-5240 |
| **Applicant Address** | 111 Marquette Ave. S. Apt 1608<br>Minneapolis, MN 55401 | | | **Fire District** | Madrid Fire |
| **Applicant Phone** | 612-201-2317 | | | | |
| **Review Type** | **Master Plan** ☐ | **Preliminary** ☒ | **Final** ☐ | **Inspection** ☐ | **Lot Split** ☐ |

**Project Status** **Approved** ☐ **Approved with Conditions** ☐ **Denial** ☒

**The Fire Prevention Divison/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 *(Note underlined items)* :**

- **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.*

- **Slope/Road Grade**

Section 902.2.6 Grade (1997 UFC) *the gradient for a fire apparatus access road shall not exceed the maximum approved.*

Slope shall not exceed 11%.

EXHIBIT
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Rogersville Road leading to this proposed building submittal does not conform to the 1997 Uniform Fire Code which requires a 20' wide all weather driving surface, no grads to exceed 11% and no low water crossing.

Upon the site visit it was found there were road widths as narrow as 10'. Grades at one point were 18% and a total of 7 low water crossings. This road is not an all weather driving surface conforming to county code.

## Fire Protection Systems

- **Water Storage/Delivery Systems**

Section 903.2 Required Water Supply for Fire Protection. *An approved water supply capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction. When any portion of the facility or building protect is in excess of 150 feet from a water supply on a public street, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the chief.*

Section 903.3 Type of Water Supply (1997 UFC) *Water supply is allowed to consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems capable of providing the required fire flow. In setting the requirements for fire flow, the chief may be guided by Appendix III-A.*

There is no water supply for fire protection for this area within 5miles.

## Final Status

Recommendation for Preliminary Development Plan approval is Denied for this project.

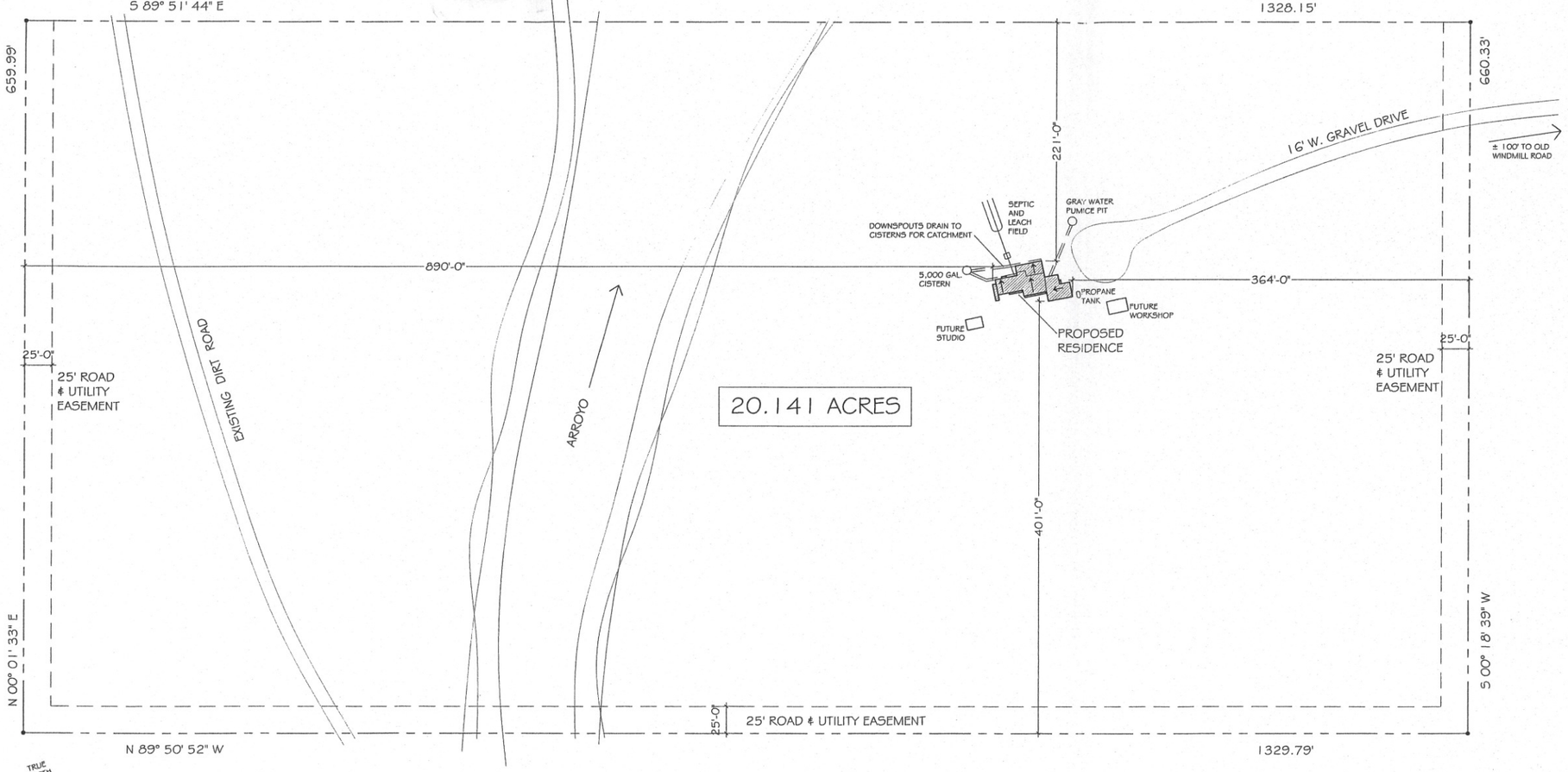
**Inspector**

**Buster Patty, Captain fire prevention** **Date**

Through: David Sperling, Interim Chief/Fire Marshal

File: Landuse/Distr./ Project name/mdy

Cy: Applicant
District Chief




| AREAS | |
|---|---|
| HEATED SPACE | 1125 SF |
| COVERED PORTAL | 234 SF |
| UNHEATED SPACE (BELOW STAIR) | 48 SF |

TRUE NORTH
N

## SITE PLAN 1" = 60'-0"

NOTES:
ARROWS INDICATE DIRECTION OF ROOF SLOPE. SLOPE AT ¼" PER FOOT, MINIMUM.
GRADE AROUND HOUSE TO SLOPE ¼" PER FOOT AWAY FROM THE HOUSE.
CONNECT ALL GUTTERS TO DOWNSPOUTS. CONNECT DOWNSPOUTS TO CISTERNS.

## INDEX OF DRAWINGS


1. SITE PLAN, INDEX & AREAS
2. FLOOR PLAN
3. FOUNDATION PLAN
4. FOUNDATION DETAILS & WALL SECTION
5. FRAMING PLAN & ROOF PLAN
6. ELEVATIONS
7. ELECTRICAL PLAN


EXHIBIT
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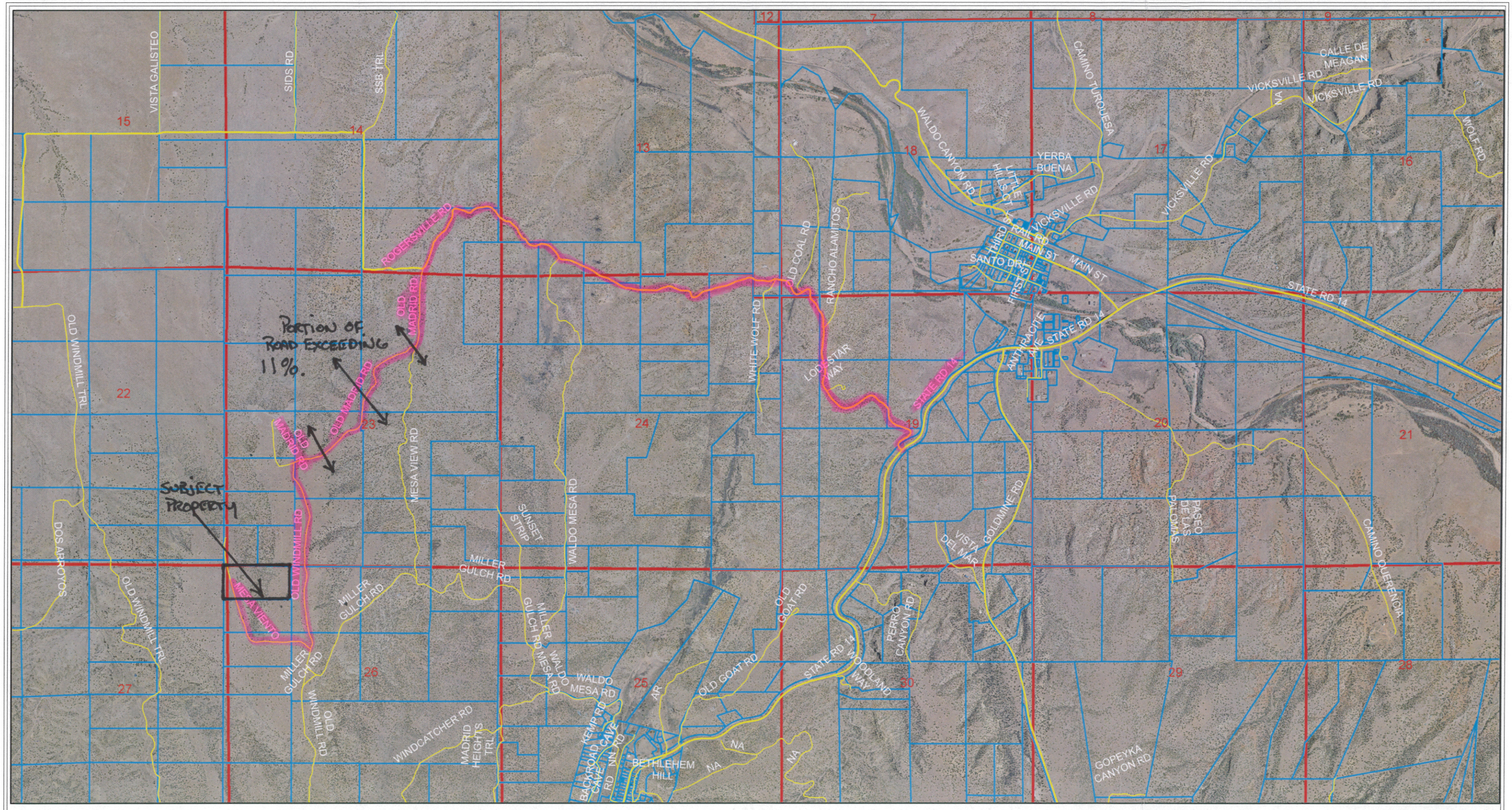
# McDONNELL AND DENHAM RESIDENCE
OLD WINDMILL ROAD CERRILLOS, NM SANTA FE COUNTY

SITE PLAN, VICINITY MAP, INDEX & AREAS


CHRIS FAIRCHILD STUDIO
WWW.FAIRCHILDRESIDENTIALDESIGN.COM
PHONE 575-770-2341




## Legend

- Major
- Minor
- Parcels

1:21,385

1 inch = 1,782.096357 feet

875 0 1,750 Feet

N W E S

2008 Orthophotography

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.

SANTA FE COUNTY

November 29, 2011

EXHIBIT

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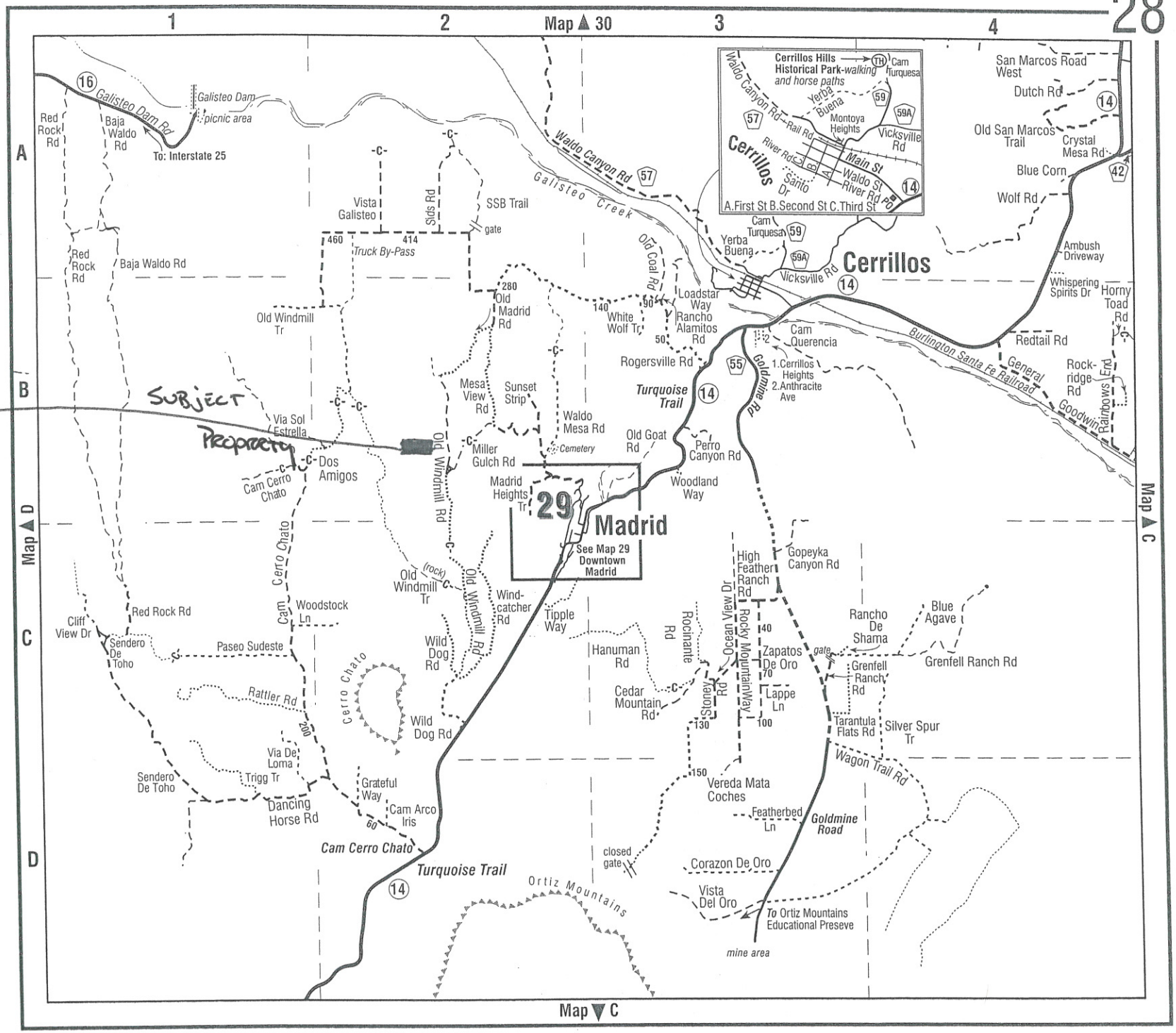
Map ▲ 30
Map ▼ C
Map ▲ C
Map ▲ D
Cerrillos Hills Historical Park-walking and horse paths
A.First St B.Second St C.Third St
Cerrillos
Madrid
See Map 29 Downtown Madrid
Galisteo Dam Rd
Galisteo Dam picnic area
To: Interstate 25
Baja Waldo Rd
Red Rock Rd
Waldo Canyon Rd
Galisteo Creek
Vista Galisteo
Sids Rd
SSB Trail
gate
Truck By-Pass
Old Coal Rd
Old Madrid Rd
Old Windmill Tr
Loadstar Way
Rancho Alamitos Rd
White Wolf Tr
Rogersville Rd
Cam Querencia
Golden Rule Rd
Turquoise Trail
Mesa View Rd
Sunset Strip
Waldo Mesa Rd
Cemetery
Old Goat Rd
Perro Canyon Rd
Woodland Way
Miller Gulch Rd
Madrid Heights Tr
Old Windmill Rd
Via Sol Estrella
Dos Amigos
Cam Cerro Chato
Cerro Chato
Woodstock Ln
Cliff View Dr
Sendero De Toho
Paseo Sudeste
Rattler Rd
Via De Loma
Trigg Tr
Dancing Horse Rd
Grateful Way
Cam Arco Iris
Wild Dog Rd
Windcatcher Rd
Tipple Way
Hanuman Rd
Cedar Mountain Rd
Rocinante Rd
Ocean View Dr
Rocky Mountain Way
Stoney Rd
High Feather Ranch Rd
Gopeyka Canyon Rd
Zapatos De Oro
Lappe Ln
Rancho De Shama
Blue Agave
Grenfell Ranch Rd
Tarantula Flats Rd
Silver Spur Tr
Wagon Trail Rd
Vereda Mata Coches
Featherbed Ln
Goldmine Road
Corazon De Oro
Vista Del Oro
To Ortiz Mountains Educational Preseve
mine area
closed gate
Ortiz Mountains
Cam Turquesa
Yerba Buena
Vicksville Rd
Montoya Heights
Main St
Waldo St
River Rd
Santo Dr
Rail Rd
River Rd
Burlington Santa Fe Railroad
General Goodwin
Rainbows End
Rock-ridge Rd
Redtail Rd
Horny Toad Rd
Whispering Spirits Dr
Ambush Driveway
Wolf Rd
Blue Corn
Crystal Mesa Rd
Old San Marcos Trail
Dutch Rd
San Marcos Road West
1.Cerrillos Heights
2.Anthracite Ave
SUBJECT PROPERTY

EXHIBIT

K