

# Alto Lakes Special Zoning District

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## MINUTES – 7 February 2013

1. Call to order: 8:59am
2. Roll call: Porter, Santos present; Abbott on leave of absence
3. Pledge of Allegiance
4. Approval of Meeting Agenda: Santos moved to approve, Porter seconded
5. Approval of Meeting Minutes for 24 Jan 2013 Regular Meeting: Santos moved to approve, Porter seconded
6. VARIANCE/PERMIT REQUESTS (Part 1)

### A. Variance Hearing:

Open Public Hearing: 9:02am

Discussion: Representative Collins presented rationale, clarification by Porter

Any interested parties that have not been heard? None

Close Public Hearing – 9:15am

Vote on Variance

- Motion to approve/deny: Santos
- Second: Porter
- Voice vote from each Commissioner: Porter – aye; Santos - aye

Signed/notarized Variance given to Collins to file with County.

1) OWNER: Derrick CONTRACTOR: Collins \$300.00  
LEGAL: ALGCC; U4; B14; L18 STREET: (Lot on Pinehurst Dr)  
REQUEST: Requesting variance to rear setback (which adjoins golf course 20-30 ft in proposed building footprint.)  
MOTION: Santos SECOND: Porter  
COMMENTS: Supporting argument in favor found at Attachment 2

### B. Zoning Permits:

1) OWNER: Ratliff CONTRACTOR: Ratliff \$598.70  
LEGAL: DPV; U8; L 149 STREET: 113 (111?) Reindeer  
REQUEST: NEW CONSTRUCTION  
MOTION: Santos SECOND: Porter  
COMMENTS: Pending: VoR; rural address; NMED/septic (FU: Porter)

2) OWNER: Brininstool CONTRACTOR: ZiaScapes \$55.00  
LEGAL: ALGCC; U2, B6, L12 STREET: 120 French Dr  
REQUEST: Landscaping – terracing; borders; creek bed; river rock; berm circular drive; drip irrigation; mulch; synthetic turf  
MOTION: Santos SECOND: Porter  
COMMENTS:

3) OWNER: Yule CONTRACTOR: Cyclone Constr TABLED  
LEGAL: DPM; U2; L2 STREET: 1305 High Mesa  
REQUEST: Add porch railing  
MOTION: SECOOND:  
COMMENTS: Tabled to 21 Feb pending additional information/description. Originally permitted 24 Jan 13 to replace 5 windows – low E glass; stucco repair; no color change (FU: Santos)

4) OWNER: Stelzer CONTRACTOR: Adam Rogers \$50.00  
LEGAL: AL; U2; B4; L27 STREET: 811 High Mesa  
REQUEST: Replace windows w/new – no change in coverage; Addition of asphalt drive along front of house; paint existing stucco (elastomeric); re-stain deck same as existing. Pergola/arbor over front deck.  
MOTION: Santos SECOND: Porter  
COMMENTS: Pending LC road permit and VoR permit for pergola. (FU: Porter)

C. Short-term Rental Permits: None

D. Re-plats: None

7. OLD BUSINESS (Part 2)

A. Sample Book Of Documentation: (On-Going)

Following Ordinance re-write, documentation to be compiled to facilitate paperwork completion by Owners/Contractors. In the meantime, any particularly exemplary paperwork will be identified and extracted by Hasteley for the book.

B. Issues/Concerns/Complaints –

C. Past Actions: None

D. Permit Follow-Up: See Attachment 1.

8. New Business (Part 3)

A. New topics:

1) Review of Section 29 rewrite concerning Special Use permit and replat procedures – Tabled for review by counsel.

2) OWNER: Robert Mays, Pioneer Bank CONTRACTOR: Eric Collins  
LEGAL: LS; B3; L 7 STREET: 196 Crown Ridge  
LEGAL: LS; B3; L 8 STREET: vacant lot Crown Ridge  
LEGAL: LS; B3; L 9 STREET: 200 Crown Ridge

REQUEST: Gegenheimer (owner of 200 Crown Ridge) to sell a portion of his vacant lot (Lot 8) to Pioneer Bank (owner of 196 Crown Ridge) in order to incorporate the non-conforming drive that encroaches on Lot 8 into Lot 7.

COMMENTS: Driveway intrusion onto neighboring property. Had been referred to legal counsel for resolution approx. Jul '11. Follow-up in light of new information regarding replats/ lot subdivision.

BACKGROUND: At present the four violations for non-conforming issues listed below, against both 196 and 198 Crown Ridge, need to be brought into compliance before ALSZD could consider the signing of a replat.

1. Survey/slope/drainage plan of present drive
2. Engineered retaining wall for slope erosion control
3. Drainage plan for discharge water on east side of Lot 7
4. Lincoln County Excavation permit

Eric Collins opened discussion of Pioneer Bank's request for ALSZD approval of above-mentioned replat. Collins explained that original permitted owner/contractor (Rogers) did in fact proceed with driveway pour and structural elements deemed necessary for construction of drive to the new home at 196 Crown Ridge. Collins explained the contractor/owner "accidentally" constructed a portion of the drive onto the adjoining lot (198 Crown Ridge, owned by L. Gegenheimer.) This action burdened the Gegenheimer lot with a non-

conforming, non-permitted drive, with ALSZD taking action to notify Gegenheimer of the violation (via letter dated 25 Jan 2011, 18 Oct 2011, and again on 25 Jan 2013). Collins suggested that summary approval by ALSZD to approve a lot adjustment (replat) would correct the issue, and the remaining issues of non-conformity would rest with the Bank's Lot at 196 Crown Ridge.

Porter asked why ALSZD would be asked to sign on the replat when the current ALSZD Ordinance did not require such approval.

Collins stated that the Enforcement Officer (Porter) had stated to Gegenheimer and the Bank that at this point ALSZD would consider this replat as a lot split (illegal per the Lincoln County Subdivision Act). Porter stated that would be the position until a letter of exemption from Lincoln County Planning/Zoning Director was presented validating the exemption to the Act.

Collins was given the following advice received from ALSZD legal Counsel (Nancy Nickerson of Coppler & Coppler) along with the pertinent extract of Counsel's email regarding the need to apply for a Variance to rectify the non-conformance.

ALSZD Counsel advised that, per ALSZD Ordinance (Section 15 – Nonconforming Improvements and Use;)

- Para A. 4. a – notification of nonconformance by the Commission to the owner (Gegenheimer; Eric Collins of DT Collins; Robert Mays of Pioneer Bank) has been made.
- Para A 5 c – nonconforming use shall require a Zoning District Permit.
- Para B 1 – owner may seek relief from the provisions by applying for a Variance.

Porter confirmed that notice of letters of correction of non-conforming issues had been provided to both Gegenheimer and the Bank.

#### PROPOSED RESOLUTION:

- A. LETTER OF EXEMPTION: Collins to file with Lincoln County a letter of exemption to Section 7 of the Subdivision Act, (there is an agreement “of conveyance” that 198 will sell this portion of his lot to 196 for a sum of monies), and copy the ALSZD (per Section 8.5 of the Lincoln County Ordinance).
- B. VARIANCE TO ALLOW REPLAT: Notification to adjacent properties of the replat to rectify the non-conformance. (Collins was given the pertinent extract of counsel's email regarding the need to apply for a Variance to rectify the non-conformance.)
- C. PERMIT: To bring retaining walls at 196 Crown Ridge into compliance.

Discussion was closed.

- 3) Per NMOMA Section 10-15-34(B) and the NM AG Letter, January 25, 2013, addressing an Open Meeting Act (OMA) violation on 31 October 2011:
  - a. A letter from the New Mexico Attorney General, dated 25 Jan 13 was presented and reviewed.
  - b. The Commission addressed the State stated violation of non-conforming meeting Oct 31 11
  - c. Commission will describe the violation: The violation consisted of closing the Special Meeting (scheduled for review of administrative changes, suggestions, comments, and updates to the Ordinance concerning grammar, content, consistency, “document flow” and other miscellaneous concerns) to the Public.
  - d. Commission will summarize the discussion that occurred during the improperly closed meeting Oct 31 11: During the 31 Oct 11 Special Meeting, discussion was held concerning grammar, consistency in the various Ordinance Sections, conflicts in language was resolved and ambiguities were corrected. The format of various forms was discussed for ease of use and consistency. All changes were to be

compiled, and further content discussion to be had and voted on during future meetings/Public Hearing.

- e. Public comments were solicited: None
- f. Vote of Approval of new minutes developed after discussion. Revised/newly developed minutes of the 31 Oct 11 meeting will be voted on for approval at the 21 Feb 13 meeting of the ALSZD

**B. Public Comments:**

Early in the meeting, resident Earl Hobbs questioned whether the Commission had met the requirements for a Quorum. Commissioner Porter explained that while the Commission may consist of up to five Commissioners, only three Commissioners were elected at the last election as members of the Commission. Commissioner James Abbott is currently on a leave of absence, leaving Commissioners Porter and Santos to attend meetings, and that so long as both Commissioners were in agreement, the business of the District could be conducted. An exception would be if there would be an appeal to a decision – in which case there would need to be a vote of three Commissioners (Sec 29 – Variances and Conditional Use Permits – Para H 5). The Commission has been attempting to fill vacancies on the Commission for quite some time – and a candidate in attendance at this meeting will make a decision later in the meeting on whether or not to join.

**C. Commissioner Comments:**

- 1) Accept letter of resignation from Lori Gibson, pending final bill.
- 2) Acknowledge Nancy Nickolson of Coppler and Coppler as new ALSZD attorney.
- 3) Santos moved, Porter seconded the appointment of Stuart Bass to fill a vacancy on the ALSZD Commission. Stuart owns a lot in ALG&CC, and has worked in the construction and real estate industries, has been a developer in Texas, and manages a local construction business.
- 4) Discuss ALSZD file retention/storage and disposition (see Attachment 3 for NM legal requirements regarding file retention / disposition).

**D. Informal Discussions: None**

**E. Treasurer's Report.**

- 2) Permit Fees:
  - a. Total of permit fees received = \$1,003.70
  - b. Additional fees received = \$50.00 (R Brown permit 6 Dec 12); \$50.00 (Boone permit 24 Jan)
- 3) Bank account: \$19,140.80 as of 6 Feb 13
- 4) Invoice Approvals:
  - a. Santos moved, Porter seconded payment of \$750 to ALG&CC for past meetings.
  - b. Porter to investigate insurance renewal – Tabled to 21 Feb 13 meeting

**F. Announcement of Upcoming Meetings:**

Next Regular meeting: 21 February 2013 at 9:00; Stag Room of ALG&CC; 1 Mulligan Drive, Alto, NM

**G. Adjournment: 1:24pm**

/S/ Marti Santos

Secretary

*The agenda for the meeting can be revised and published up to twenty-four hours prior to the meeting and will be posted on the public bulletin board at ALG&CC, Alto, NM. At any time during the Open Meeting the Commission may close the meeting to the public to discuss matters not subject to the New Mexico Open Meetings Act. The Commission may revise the order of Agenda items considered at this Open Meeting.*

# ATTACHMENT 1

## Follow-up Items from Previous Meetings

- 1) OWNER: Jungers CONTRACTOR: Express Stucco Permitted 18 Oct 12  
LEGAL: SB; U1; B1; L40 STREET: 162 Crown Ridge  
REQUEST: Replace existing tie wall with CMU wall  
COMMENTS: As of 22 Jan: Underway. (FU: Porter)
- 2) OWNER: Walker CONTRACTOR: Moebus Permitted 1 Nov 12  
LEGAL: LS; B3; L12 STREET: 206 Crown Ridge  
REQUEST: Waterproof existing front courtyard to prevent leakage to space below. Tile portion of the flooring using rock & artificial grass; add metal roof over existing back deck  
COMMENTS: As of 19 Dec: Not started. (FU: Porter)
- 3) OWNER: Hall CONTRACTOR: Right Angle (J, Needham) Permitted 1 Nov 12  
LEGAL: SB; U2; B4; L20 STREET: 165 Brentwood Dr  
REQUEST: Demo/replace ext deck (750 sq ft) & stairs with no change in footprint or look. (Paint/stain home same as existing)  
COMMENTS: COMPLETE
- 4) OWNER Ordish / James CONTRACTOR JDP Contractors Permitted 21 Jun/16 Aug 12  
LEGAL SB; U2, B4, L10 STREET 217 Brentwood Dr.  
REQUEST NEW CONSTRUCTION  
COMMENTS: As of 5 Feb: Not started. Cert of Occ (upon completion). (FU: Porter)
- 5) OWNER: Hawkins CONTRACTOR: Bass Brothers Permitted 24 Jan 13  
LEGAL: LS; U2; B4; L21 STREET: 337 Lake Shore Dr  
REQUEST: Remove & replace asphalt shingles  
COMMENTS: As of 5 Feb: Underway. (FU: Santos)
- 6) OWNER: Harrell CONTRACTOR: Eagle Creek Constr Permitted 3 May 12  
LEGAL: ALG&CC; U4, B14, L10A STREET: 101 Greenbrier Ct  
REQUEST: New addition; all stone, roof, decking, finishes to be same as existing.  
COMMENTS: As of 5 Feb: Almost complete; rear roofing to be finalized (FU: Santos)
- 7) OWNER: Neal CONTRACTOR: Dancing Bear Permitted 18 Oct 12  
LEGAL: ALGCC, U4, B12, L29 STREET: 101 Grapevine Ct  
REQUEST: Carport attached to existing deck (color & roofing to match existing)  
COMMENTS: As of 5 Feb: Underway. (FU: Porter)
- 8) OWNER: Damron CONTRACTOR: Owner Permitted 6 Dec 12  
LEGAL: ALG&CC; U4; B12; L45 STREET: 230 Fort Stanton Road  
REQUEST: Downsize and rebuild deck; redwood; treated lumber; footing  
COMMENTS: As of 5 Feb: Underway. (FU: Santos)
- 9) OWNER: McConnell CONTRACTOR: Tower Construction Permitted 15 Mar 12  
LEGAL: AL; U7, B17, L37 STREET: 166 Del Monte Dr  
REQUEST: Storage Addition within Carport; underneath house  
COMMENTS: As of 5 Feb: Not started. (FU: Santos)

- 10) OWNER: Hicks CONTRACTOR: Owner Permitted 6 Dec 12  
 LEGAL: ALGCC; U5; B14; L25 STREET: 221 Midiron Dr  
 REQUEST: Construct exterior deck directly underneath existing entry-level deck - for access to crawl space/heating, and plumbing. (no excavation); redwood; stain to match existing deck & stairs.  
 COMMENTS: As of 5 Feb: Underway. (FU: Santos)
- 11) OWNER: Brininstool CONTRACTOR: Cowen Permitted 20 Dec 12  
 LEGAL: ALGCC; U2, B6, L12 STREET: 120 French Dr  
 REQUEST: Additions: Dining Room, Laundry Room, Expand Kitchen, Concrete Porch, Covered Bar-B-Que, Deck, Master Bath, Guest Bath, & 2nd Level Guest Suite  
 COMMENTS: (FU: Porter)
- 12) OWNER: Keener CONTRACTOR: Ratliff Permitted 7 Jun 12  
 LEGAL: DPW, U1, L20 STREET: 141 Deer Park Dr  
 REQUEST: NEW CONSTRUCTION  
 COMMENTS: As of 5 Feb: Underway. Cert of Occ (upon completion). (FU: Porter)
- 13) OWNER: Winston CONTRACTOR: Chandler Builders Permitted 4 Oct 12  
 LEGAL: DPW; U1, L137 STREET: 112 Bull Elk Ct  
 REQUEST: Re-build deck; add cover. All new finishes (deck, rails)  
 COMMENTS: (FU: Porter)
- 14) OWNER: Kelley CONTRACTOR: Owner Permitted 20 Dec 12  
 LEGAL: DPW; U2; B; L56 STREET: 172 Deer Park Dr  
 REQUEST: NEW CONSTRUCTION; fence  
 COMMENTS: As of 5 Feb: Underway (FU: Porter)
- 15) OWNER: Wright CONTRACTOR: Owner (A.D. Powers) Permitted 1 Nov 12  
 LEGAL: HM; U3; B12; L19 STREET: 166 Stable Road  
 REQUEST: Build shaft and install a 5x6 elevator on south side of home between main & second floors. Add 8 x 16 deck to main floor, and 8 x 8 deck to lower level of east side of home.  
 COMMENTS: As of 5 Feb: Underway. (FU: Santos)
- 16) OWNER: Bramblett CONTRACTOR: Alto Mesa Builders, Inc. Permitted 19 Apr 12  
 LEGAL: DPW; U6, L167 STREET: 101 Porcupine Ct  
 REQUEST: NEW CONSTRUCTION  
 COMMENTS: COMPLETE. **OBTAIN Cert of Occ**
- 17) OWNER: Schultz CONTRACTOR: Ratlif Permitted 18 Oct 12  
 LEGAL: DPV; U8; L229A STREET: 174 Antler  
 REQUEST: Install Girard roof over rear courtyard; install stamped concrete floor in existing rear courtyard  
 COMMENTS: As of 5 Feb: Underway. Block & lumber on ground. (FU: Porter)
- 18) OWNER: Buechter CONTRACTOR: Alto Mesa Builders **EXT EXPIRED**  
 LEGAL: DPV; U9 L240 STREET: 210 Saddleback Rd.  
 REQUEST: Add 41x 6' covered walkway at west side of house  
 COMMENTS: As of 13 Nov: Underway (cover complete; needs walkway). (FU: Porter)
- 19) OWNER: Stewart CONTRACTOR: GNC Investments, Inc Permitted 6 Sep 12  
 LEGAL: DPV, U8, L201 STREET: 237 Saddleback  
 REQUEST: NEW CONSTRUCTION  
 COMMENTS: As of 5 Feb: Underway. Cert of Occ (upon completion). (FU: Porter)

- 20) OWNER: Yule CONTRACTOR: Cyclone Constr Permitted 24 Jan 13  
 LEGAL: DPM; U2; L2 STREET: 1305 High Mesa  
 REQUEST: Replace 5 windows – low E glass; stucco repair; no color change  
 COMMENTS: (FU: Santos)
- 21) OWNER: Sherman CONTRACTOR: Cornelius Constr Permitted 6 Dec 12  
 LEGAL: DPM; U8; L12A STREET: 107 Sunflower  
 REQUEST: Addition & new roof structure over existing house  
 COMMENTS: As of 5 Feb: Underway. (FU: Santos)
- 22) OWNER: Fisher CONTRACTOR: Prewitt Constr Permitted 4 Oct 12  
 LEGAL: DPM; U13; L5A STREET: 108 Paint Brush  
 REQUEST: NEW CONSTRUCTION  
 COMMENTS: As of 5 Feb: Underway. Cert of Occ (upon completion). (FU: Santos)
- 23) OWNER: Starnes/Lindsey CONTRACTOR: SB Ent. (P. Fanning) Permitted 1 Nov 12  
 LEGAL: DPM; U12; L8 STREET: 125 Water Spirit Trail  
 REQUEST: Convert existing b/r to media room; add 19 x 24 sq ft addition to increase size; replace b/r & ba. Roof & stucco colors to match existing. Expand deck; move deck stairs and replace landing. Deck restrain to match existing. Revise landscaping to go around addition.  
 COMMENTS: As of 5 Feb: Underway.. (FU: Santos)
- 24) OWNER: Pettis CONTRACTOR: Permitted 21 June 12  
 LEGAL: HM; U1, B3, L20 STREET: 127 Mira Monte  
 REQUEST: Addition of attached storage; repair/replace rotten soffits, kitchen window  
 COMMENTS: As of 5 Feb: Underway.: Underway (FU: Santos)

**ATTACHMENT 2**  
**Derrick Variance – Supporting Documentation**



November 29, 2012 - Lot 18, Block 14, Alto Lakes Golf and Country Club, Unit 4

1. Type and extent of variance requested

Applicant is requested a setback variance on the rear lot line adjoining the golf course from 30 feet to 20 feet in the proposed building footprint as shown on attached exhibit and Building Permit.

2. Identify specific physical characteristics that distinguish this site from surrounding sites

This lot is the last full lot going north on Pinehurst. The depth of the lot has been "squeezed" between the road and the golf course and is considered to be an irregular shaped lot. The adjoining lots to the South of this lot (specifically lots 12 through 16A) on Pinehurst has a setback depth of greater than 49'6". Each lot's setback going south grow based on the distance from the street to the Golf Course. The setback depth for the subject lot is ten (10) feet less than the next smaller setback depth in all these lots. The proposed house has a width of 47.5 feet (includes the eaves) which would fit on every adjoining lot on Pinehurst. Another distinguishing physical characteristic of this lot is that it is located between the #11 Green and the 12 Tee Box. Each of the adjoining lots front on a part of the golf course that would be considered to be part of the effective golf playing area. This lot's frontage on the "golf course" is located on a transition area between green and tee.

3. Does this request represent the minimum deviation necessary from the Ordinance and Covenants?

This represents the minimum deviation from the ordinance as necessary. As stated in Section 29.E.2.e. of the Variance Section, the variance requested is limited to the specified intrusion of the proposed building into the rear setback and not the entire setback. (See Building Permit Exhibit)

4. Legal basis upon which the Zoning Commission may grant your variance.

Lot 18, Block 14, of Alto Lakes Golf and Country Club, Unit 4 is an irregularly shaped lot that was platted in 1968. The depth of the lot measured from the Pinehurst Road right-of-way to the rear lot line along the Golf Course is very shallow. The length of the lot along the road frontage is sufficient in size but the depth of this lot causes issues with proposed construction. With the minimum setbacks along the front being 15 feet and the rear being 30 feet, the building envelope between the setbacks is less than 38 feet wide. This is shorter than the depth of two typical parking spaces. In order to construct a reasonable size house on this particular piece of property and meet the current setbacks on this lot, the design would be limited to a long rectangular house that would not be an efficient or functional use of space. It would also be an aesthetically unpleasing design that would not match the intent of Alto's architectural community. The proposed house would fit on any other lot on this street if it weren't for the "squeezing" effect described in Note #1 above. This lot meets the requirements of a variance because this specific lot's diminishing size and lack of setback depth deprives the property of privileges enjoyed by other properties in the vicinity and in under the identical zoning classification (Section 29.E.3.a). Each other lot in the vicinity has a setback depth of greater than 49 feet. This forty-nine (49) foot depth would satisfy the proposed construction of this house and thus the variance is requested.

There is an existing rough graded driveway off of the paved road that will be re-graded to use for the entrance to this property. This is the only available entrance off the road since there is a large road cut along the rest of the frontage of the property. The applicants want to keep the home-site to the south end of the lot close to this entrance to keep down the length of driveway to the garage and also to allow for some distance between the north deck of the house and the #12 Tee Box. The more the house is moved northward, the less privacy the house will have. There is a large area between the Hole #11 Green and the #12 Tee Box in which the lot is situated between. Moving the setback 10 foot closer to the Golf Course Boundary would not affect the golf course or its users since the area in which the house will set is in this "transition" area. In closing, the variance requested is justified because of the lot's inconsistent setback depth and irregular shape (Section 29.E.1.aL is an unnecessary hardship (Section 29.E.1.b), and is necessary to enjoy the basic property right available to other similarly zoned properties in the vicinity (Section 29.E.3.b). The physical lot's location within the "transition" area between tee box and green will also cause no adverse impacts (Section 29.E.3.d) to the adjoining properties or to the golf course itself.

We respectfully request that the Variance be approved by the Alto Lakes Special Zoning District and the Alto Lakes Golf and Country Club Architectural Control Commission.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Eric E. Collins".

Eric Collins

NMPLS #18077

President of D.T. Collins & Associates, PC Agent for subject property

6 = 52"37'57"  
 R = 191.67' F&R  
 L = 176.07'  
 CH = S 21.37'40" W  
 CH = 169.94' F  
 CH = 172.63' R

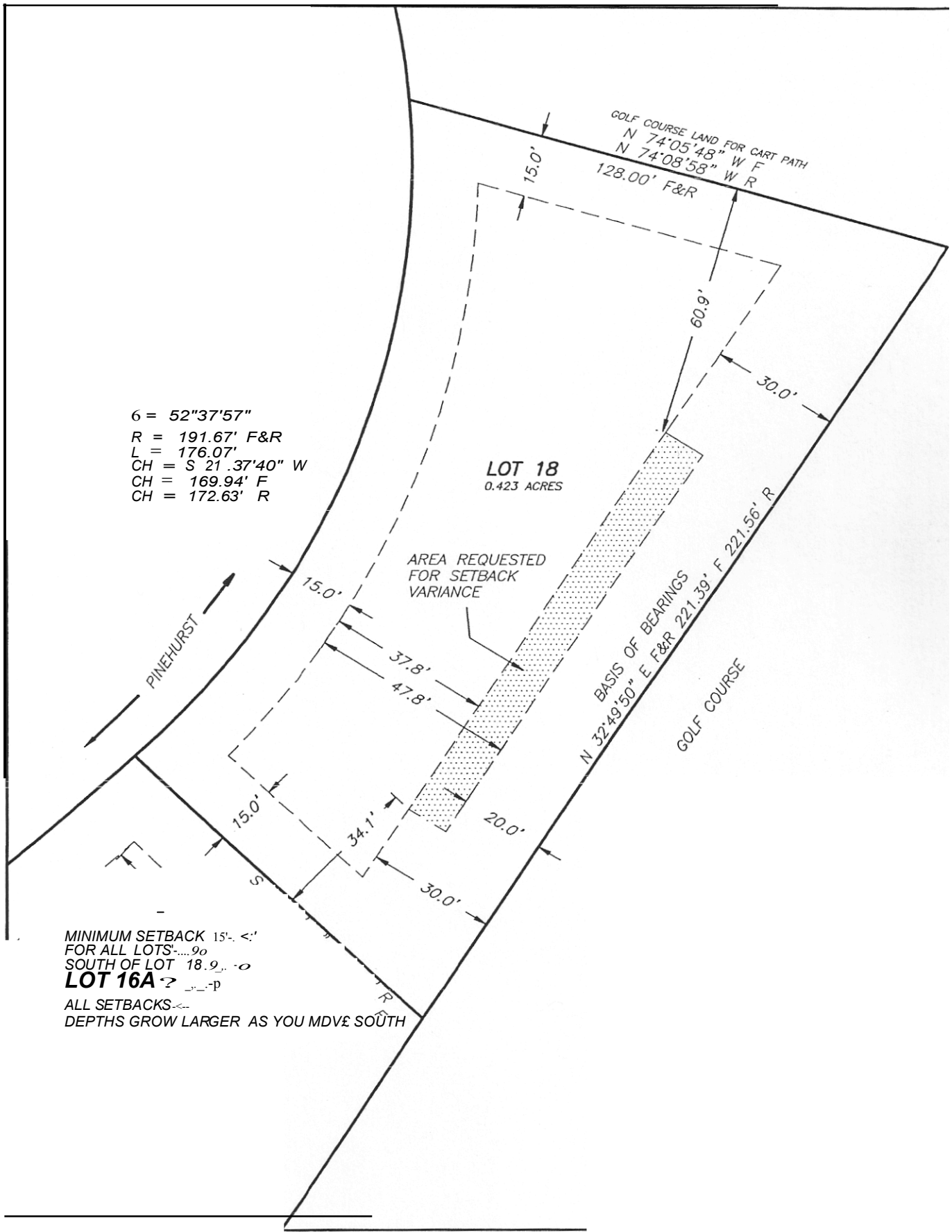
**LOT 18**  
 0.423 ACRES

AREA REQUESTED  
 FOR SETBACK  
 VARIANCE

BASIS OF BEARINGS  
 N 32°49'50" E F&R 221.39' F 221.56' R

GOLF COURSE LAND FOR CART PATH  
 N 74°05'48" W F  
 N 74°08'58" W R  
 128.00' F&R

MINIMUM SETBACK 15'-0" <'  
 FOR ALL LOTS SOUTH OF LOT 18.9  
**LOT 16A**  
 ALL SETBACKS <--  
 DEPTHS GROW LARGER AS YOU MOVE SOUTH



## ATTACHMENT 3

### **File Retention info – from NM admin code**

Summary: Basically the retention requirement is for 1 year; however timeframe is discretionary on records that the Commission deems special. Commission can elect to determine how long those 'special records are to be maintained.

All Applications below are for:

**Program:** zoning and land use department

**Maintenance system:** local government preference

#### **1.19.4.161 APPLICATION FOR SPECIAL ZONING EXCEPTION**

**A. Description:** shows name of applicant, address, type of exception wanted, legal description of property, location of property, zoning of property, area of property, reason for request and signature of applicant, notice of public hearing.

**B. Retention:** one year from the date of public hearing

[1-10-97; 1.19.4.161 NMAC - Rn, 1 NMAC 3.2.94.300.35.101, 1-6-02]

#### **1.19.4.162 APPLICATION FOR CERTIFICATE OF OCCUPANCY**

**A. Description:** shows name of applicant, lot owner, lot dimensions, legal descriptions, character of use, etc.

**B. Retention:** one year from the date of application

[1-10-97; 1.19.4.162 NMAC - Rn, 1 NMAC 3.2.94.300.35.102, 1-6-02]

#### **1.19.4.163 CERTIFICATE OF ZONING**

**A. Description:** certificate showing certain property has been zoned.

**B. Retention:** one year from date of issue of certificate

[1-10-97; 1.19.4.163 NMAC - Rn, 1 NMAC 3.2.94.300.35.103, 1-6-02]

#### **1.19.4.164 BUILDING PERMIT APPLICATION**

**A. Description:** shows owners address, contractor, license number, building address, lot size, proposed and use, date of construction, etc. (permit log retained at construction industries of commerce and industry department).

**B. Retention:** one year from date of application

[1-10-97; 1.19.4.164 NMAC - Rn, 1 NMAC 3.2.94.300.35.104, 1-6-02]

#### **1.19.4.165 APPLICATION FOR SPECIAL USE PERMITS FOR ZONE CHANGES**

**A. Description:** none

**B. Retention:** one year from date of application

[1-10-97; 1.19.4.165 NMAC - Rn, 1 NMAC 3.2.94.300.35.105, 1-6-02]

#### **1.19.4.166 CONSTRUCTION PLANS**

**C. Description:** includes building plans, foundation plans, roofing plans, etc.

**B. Retention:** six months after completion of project, then return to applicant

[1-10-97; 1.19.4.166 NMAC - Rn, 1 NMAC 3.2.94.300.35.106, 1-6-02]