

- 6) OWNER: Bishop CONTRACTOR: self
 LEGAL: AL, U1; B4; L25 STREET: 903 High Mesa
 REQUEST: Landscaping (repair, replace)
 MOTION SECOND:
 COMMENTS:
- 7) OWNER: Jeffreys CONTRACTOR: Kyle Legasse
 LEGAL: HM; U3, B5, L23 STREET: 105 El Sendero Tr
 REQUEST: Landscaping
 MOTION SECOND:
 COMMENTS:
- 8) OWNER: Strange CONTRACTOR: ZiaScapes
 LEGAL: DPW; U2; L 43 STREET: 157 Deer Park Dr
 REQUEST: Landscaping
 MOTION SECOND:
 COMMENTS:
- 9) OWNER: Sherman CONTRACTOR: Cornelius
 LEGAL: DPM; U8, L2A STREET: ~~409 Pinon Cir~~ 109 Sunflower
 REQUEST: Change paint & roof
 MOTION SECOND:
 COMMENTS:
- 10) OWNER: Crawford CONTRACTOR: ZiaScapes
 LEGAL: DPV; U5, B1, L30 STREET: 126 Antler
 REQUEST: Landscaping
 MOTION SECOND:
 COMMENTS:

C. Short-term Rental Permits:

D. Re-plats:

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 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:

Review of Section 29 rewrite concerning Special Use permit and replat procedures (See Attachments 2 and 3 for major changes; entire compiled changes as well as Table of Amendments to be posted on the ALSZD website: www.alszd.org.)

B. Public Comments:

C. Commissioner Comments:

D. Informal Discussions: None

E. Treasurer's Report.

1) Permit Fees:

a. Total of permit fees received =

b. Additional fees received =

2) Bank account:

3) Invoice Approvals:

a. Porter to investigate insurance renewal:

b. GoDaddy (payment approved on 7 Mar 13):

F. Announcement of Upcoming Meetings:

Next Regular meeting: 4 April 2013 at 9:00; Stag Room of ALG&CC; 1 Mulligan Drive, Alto, NM

G. Adjournment:

/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 5 Mar: Underway. (FU: Porter)
- 2) OWNER Ordish / James CONTRACTOR JDP Contractors Permitted 21 Jun/16 Aug 12
LEGAL SB; U2, B4, L10 STREET 217 Brentwood Dr.
REQUEST NEW CONSTRUCTION (Access from Pine Cone)
COMMENTS: As of 5 Mar: Staked and clearing started. Cert of Occ (upon completion). (FU: Porter)
- 3) OWNER: Kahn CONTRACTOR: Ray Montes, Pers Touch Constr Permitted 21 Feb 13
LEGAL: LS; U1; B3, L26A STREET: 283 Lake Shore
REQUEST: refresh and additional gravel parking area; riprap to support parking area on step slope
COMMENTS: As of 5 Mar: Underway (FU: Porter)
- 4) 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 Mar: Almost complete (FU: Santos)
- 5) 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 Mar: Underway. (FU: Porter)
- 6) 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 Mar: Underway. (FU: Santos)
- 7) OWNER: McConnell CONTRACTOR: Tower Construction **EXPIRED: 15 Mar 12**
LEGAL: AL; U7, B17, L37 STREET: 166 Del Monte Dr
REQUEST: Storage Addition within Carport; underneath house
COMMENTS: As of 5 Mar: Not started. (FU: Santos)
- 8) 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 Mar: Underway. (FU: Santos)
- 9) OWNER: Stelzer CONTRACTOR: Adam Rogers Permitted 7 Feb 13
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.
COMMENTS: As of 5 Mar: Underway. (FU: Porter)

- 10) 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. Landscaping – terracing; borders; creek bed; river rock; berm circular drive; drip irrigation; mulch; synthetic turf – permitted 7 Feb 13
 COMMENTS: As of 20 Feb: Almost complete. (FU: Porter)
- 11) OWNER: Keener CONTRACTOR: Ratliff Permitted 7 Jun 12
 LEGAL: DPW, U1, L20 STREET: 141 Deer Park Dr
 REQUEST: NEW CONSTRUCTION
 COMMENTS: As of 5 Mar: Almost complete. Cert of Occ (upon completion). (FU: Porter)
- 12) 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 Mar: Underway (FU: Porter)
- 13) 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 20 Feb: Underway. (FU: Santos)
- 14) OWNER: Anderson CONTRACTOR: Myers Permitted 21 Feb 13
 LEGAL: DPW; U6; L168A STREET: 103 Porcupine
 REQUEST: Landscaping Amendment for utility enclosure/wall w/stucco/rock veneer to match house (to screen electric, water, gas, meters, etc.)
 COMMENTS: (FU: Porter)
- 15) OWNER: Schultz CONTRACTOR: Ratliff 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)
- 16) OWNER: Ratliff CONTRACTOR: Ratliff Permitted 7 Feb 13
 LEGAL: DPV; U8; L 149 STREET: 113 (111?) Reindeer
 REQUEST: NEW CONSTRUCTION
 COMMENTS: (FU: Porter)
- 17) 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)
- 18) 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; add 5' x 26' rear redwood deck w/fortress metal rails (to be adjacent and separate from existing); add 5' privacy wall on front patio w/stucco to match existing home exterior
 COMMENTS: As of 5 Mar: Underway. (FU: Santos)

- 19) OWNER: Pope CONTRACTOR: Tim Gibson Permitted 21 Feb 13
LEGAL: DPM; U4, L3 STREET: 1316 High Mesa Rd
REQUEST: Asphalt paving over existing drive
COMMENTS: As of 5 Mar: Underway. (FU: Santos)
- 20) 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 20 Mar: Underway. (FU: Santos)
- 21) OWNER: Fisher CONTRACTOR: Prewitt Constr Permitted 4 Oct 12
LEGAL: DPM; U13; L5A STREET: 108 Paint Brush
REQUEST: NEW CONSTRUCTION
COMMENTS: As of 20 Mar: Underway. Cert of Occ (upon completion). (FU: Santos)
- 22) 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 20 Mar: Underway.. (FU: Santos)
- 23) 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 20 Mar: Underway (FU: Santos)

ATTACHMENT 2

Proposed Amendment to Section 5 – Definitions - of the ALSZD Ordinance

Sec 5 – Definitions; Arroyo		Added definition: A water course which conducts intermittent or ephemeral flow, providing primary drainage for an area of flow from 40 acres or larger
Sec 5 – Definitions; Easement of Conveyance		Added definition: Conveyance of surface property by easement, noted by metes and bounds description.
Sec 5 – Definitions; Easement – Express grant		Added definition: “Express grant” easements are created by virtue of some instrument of conveyance or a mortgage. The conveyance may involve an actual deed or grant of easement or the easement may be created by reservation.
Sec 5 – Definitions; Injunctive Relief (mandamus)		Addition of definition: <ul style="list-style-type: none"> A. Injunction relief to prohibit replat applicant from selling, leasing or otherwise conveying any interest in the subdivided land until compliance has been made with the ALSZD Ordinance B. Injunctive relief to compel compliance by any person with the provisions of the ALSZD Ordinance
Sec 5 – Definitions; Lot Split		Added “Lot split” Lot split or replat of a previously approved subdivision plot which increases the number of lots, plots, or parcels – and thus decreases the size of one or more of the plots - shall not be allowed per Lincoln County Subdivision Act 2008-01 .
Sec 5 – Definitions; Property Boundary Adjustment		Added “Property Boundary Adjustment” Usually involves movement of a very small amount of land (i.e., boundary line moves a few feet) to correct a non-conforming issue (e.g. construction of home, improvement, or driveway). Adjusts the property line around the non-conforming issue.
Sec 5 – Definitions; Replat		Added “Replat” A change in the map of an approved or recorded subdivision plat, if such changes affect any street layout or frontage, or any lot line, or it affects any plan legally recorded prior to the adoption of any regulation controlling subdivision.
Sec 5 – Definitions; Subdivision (uppercase)		Add “Subdivision (uppercase)” “Subdivision” means an area of land within New Mexico, including land within a previously approved Subdivision, the surface of which has been divided into two or more parcels for the purpose of sale or lease, or other conveyance: or for building development whether immediate or future.

Sec 5 – Definitions; subdivision (lowercase)		Add “Subdivision (lowercase): The division of land resulting in the alteration of parcel boundaries where parcels are altered for the purpose of increasing or reducing the size of contiguous parcels and where the number of parcels is not increased.
Sec 5 – Definitions; Surveyor		Add “Surveyor:” A person who is engaged in the practice of surveying and is qualified to so practice as attested by legal registration as a professional surveyor in the State of New Mexico.

ATTACHMENT 3

Proposed Amendment to ALSZD Ordinance regarding Section 29 – Variances, Conditional or Special Use Permits, Replats

G. Replat Permits (lot combinations, adjacent property boundary adjustments, easements, etc.)

1. **Generally.** All replats, adjacent property boundary adjustments, and/or conveyances of surface property by easement shall be presented in writing and submitted to the Alto Lakes Special Zoning Commission.
 - a. Allowed lot combinations within ALSZD:
 - (1) The combining of one or more contiguous adjacent lots, all with common ownership, into a single lot, such that only one larger lot will remain.
 - (2) The combining of a vacant lot, by division between two adjacent lot owners, with the middle vacant lot divided in any proportion that equals 100 percent (*i.e.*, 50/50, 60/40, 70/30, etc.) with the adjacent lots thereby forming two larger lots.
 - (3) Combinations may result in the expansion of the District, however a combination may not result in the decrease of the size of the ALSZD District.
 - (4) All replat fees are the responsibility of the owner(s) combining lots. No lot may be combined resulting in less than a 100% combination. No lot may be subdivided into a smaller parcel, nor sold in less than 100% of the original size.
 - b. Set back restrictions:
 - (1) The more restrictive lot setbacks of the two lots shall apply to the replat of the combined lots. Reduction of setbacks due to lot combination is not allowed.
 - c. Zoning Restrictions:
 - (1) The more restrictive zoning designation will apply to the replat combination.
 - (2) If lot adjustment involves an adjoining lot having zoning other than R-1, (*i.e.*, R-2 Multi-Family Residential Zone, C-N Neighborhood Commercial Zone, C-CC Country Club Commercial Zone, or CS Community Services Zone), and the division percentage of that lot (*i.e.*, 50/50, 60/40, 70/30) is requesting a higher zoning use, the replat must be presented to ALSZD per the "Variance" process as outlined in Section 29 of the ALSZD Ordinance.
 - (3) If lot is zoned R-1 Single-Family Residential, and the other lot is otherwise zoned, the new lot combinations would both be Zoned as R-1, or application may additionally be made for a change in Zoning via the Variance process as outlined in Section 29 of the ALSZD Ordinance.
 - d. Adjacent Property Boundary Adjustments.
 - (1) May be used to resolve boundary line disputes, correct physical encroachments, provide reasonable access, or meet buffer or setback requirements.
 - (2) May not be used to create any new parcel(s), nor result in the potential to create a new parcel(s) or residential development in excess of the maximum density allowed by the ALSZD Comprehensive Zoning and Land Use Ordinance Zoning Map
 - (3) The adjustment shall not allow previously approved parcels or developments to violate conditions of approval, or to become out of compliance or further out of compliance with existing land use.

2. The Replat Special Use and Review Process shall be as follows:

a. Applications

- 1) Each application shall be filed in accordance with the requirements and schedules set forth in Commission's Application Handbook
- 2) While the Commission will provide assistance to the applicant in filing applications, the applicant is solely responsible for meeting the requirements of the ordinance
- 3) No replat survey, lot splits, and or conveyance of surface property by easement shall be filed of record with Lincoln County Clerk without application and approval of the ALSZD Commission.
- 4) Inaccurate or incomplete information may cause a delay in the Approval process

b. **Plats.** All applications for Zoning District Permits shall be accompanied by a plat, showing with dimensions the lot lines, side, front, and rear setbacks, both in existence and proposed, utility easements, building or buildings, and their location on the lot, improvements such as drives, decks, and other information as may be necessary to provide for the enforcement of this ordinance, including, if necessary, a boundary survey and the staking of the lot by a competent surveyor or engineer.

c. **Signatories.** It is recommended the replat have the following signature blanks, and that approval should be in the following order of presentation:

- 1) **Dedication.** Claim of exemption approval from Lincoln County Sub Division Act, all related signatures shall be on replat survey or attached letter of exemption approval from Lincoln County. Claim of exemption from the Lincoln County Subdivision Ordinance will be provided and signed by the Lincoln County Director of Zoning (see Exemptions to Lincoln County Subdivision Ordinance 2008-01).
- 2) **Utilities** (example)
 - a) Wind stream communication
 - b) Baja Broadband
 - c) Otero Electric Coop
 - d) Alto Water District
- 3) Zoning/Club
 - a) Alto Lakes Special Zoning District (ALSZD)
 - b) Alto Lakes Golf & Country Club (ACC)
- 4) **Village of Ruidoso.** After all above signatures have been acquired:
 - a) Village Clerk
 - b) Village Mayor
 - c) Village Planning Director
- 5) Lincoln County
 - a) Planning Director
 - b) County Manager
 - c) Others as a New Mexico professional surveyor or Lincoln County Planning Director may feel are needed.

d. ALSZD Commission Review

- 1) The District Zoning Commission will review the application, and if found to be conforming, comment from the public will be solicited. The replat application shall be approved by Commission vote at a regularly scheduled meeting.
- 2) Permitting by the Zoning District of Replat or Adjacent Property Boundary Adjustment shall be accomplished by signing the presented replat, if the District Zoning Commission has approved the application.
- 3) If the District Zoning Commission finds that the application is nonconforming, adverse to the general welfare of the residents and real property owners, the application will be denied and resent to applicant in writing with Commission comments as to adverse findings. At that time the applicant may withdraw the application, or file an application for a Variance in light of the Commission's comments. Variance application will conform to Section 29 of the ALSZD Ordinance.