

# Alto Lakes Special Zoning District

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## MINUTES – 16 July 2015

1. Call to order: 8:58am
2. Roll call: Kranz, McDonald, McMasters, Meunier, Santos all present
3. Pledge of Allegiance
4. Approval of Meeting Agenda: McDonald moved to approve, seconded by Kranz
5. Approval of Meeting Minutes for 18 June 2015 and 2 July Regular Meetings: 18 Jun: McDonald moved to approve, seconded by Meunier; 2 Jul – Meunier moved to approve, seconded by Kranz
6. VARIANCE/PERMIT REQUESTS: None

### A. Variance Hearing:

### B. Zoning Permits:

- 1) OWNER: Schmidt CONTRACTOR: Ascent Builders \$50  
LEGAL: SB; U1; B1; L53 STREET: 131 Pine Cone  
REQUEST: Remove & replace old decking & rails; add 6' x 29' deck to existing deck; 2x10 treated joist w/redwood deck. 42" high redwood rails.  
MOTION: Meunier SECOND: Kranz  
COMMENTS: (FU: ) Pending VOR
- 2) OWNER: Adkins CONTRACTOR: Paint Pros no fee  
LEGAL: ALGCC; U7; B17; L46A STREET: 130 Alto Drive  
REQUEST: Paint house as existing; white trim  
COMMENTS: No need for permit; no fee
- 3) OWNER: Harvey CONTRACTOR: Noel Bowley Constr \$  
LEGAL: ALGCC; U4; B4; L21 STREET: 150 Broadmoor  
REQUEST: Add 7 x 22 closet to existing deck  
MOTION: Meunier SECOND: Kranz  
COMMENTS: (FU: ) Pending \$150 Payment, VOR
- 4) OWNER: Munson CONTRACTOR: Elias Rue Unl Constr Inc \$50  
LEGAL: DPW; U6; L177 STREET: 242 Deer Park Dr  
REQUEST: Pave existing gravel drive – only from road to garage along side of house.  
MOTION: Meunier SECOND: McDonald  
COMMENTS: (FU: )
- 5) OWNER: Ramage CONTRACTOR: ReCom TABLED  
LEGAL: DPW AV TH; U4; L31 STREET: 144 Crooked Stick  
REQUEST: Re-roof (repair, finish) 200 sq ft of plywood & roof; torchdown tan  
MOTION: SECOND:  
COMMENTS: (FU: )
- 6) OWNER: Amparan CONTRACTOR: Younger \$25  
LEGAL: DPW; U2; B54; L42A STREET: 102 Wild Turkey  
REQUEST: Re-roof (remove asphalt shingle; install timberline laminated asphalt shingle)  
MOTION: Meunier SECOND: McDonald  
COMMENTS: (FU: ) Pending VOR

- 7) OWNER: Faulkner CONTRACTOR: Spruce It Up \$  
LEGAL: DPW; U3, L81 STREET: 201 Flicker Ct  
REQUEST: Landscaping?  
MOTION: McMasters SECOND: McDonald  
COMMENTS: (FU: ) Pending \$25 fee.
- 8) OWNER: Gwyn CONTRACTOR: Owner no fee  
LEGAL: DPV; U1; L28 STREET: 106 Valley Court  
REQUEST: PERMIT EXTENSION for work permitted 7 Aug (for 15 x 34 back deck; rough cut  
lumber over specs. 7.7 x 10.1 front deck; rough-cut lumber over spec. Both decks to be  
stained (Australian oil) same as existing front deck. Roofing coco brown by Mueller.  
MOTION: McMasters SECOND: McDonald  
COMMENTS: Six month extension granted with new expiration 6 Feb 16 (FU: McDonald)
- 9) OWNER: Pool CONTRACTOR: Paint Pros no fee  
LEGAL: HM; U1; B4; L37 STREET: 1391 High Mesa Rd  
REQUEST: Paint exterior new color (quiver tan - body, latte - trim, superior bronze – base, garage)  
COMMENTS: No need for permit; no fee
- 10) OWNER: Pool CONTRACTOR: Mark Warren Constr \$150  
LEGAL: HM; U1; B4; L37 STREET: 1391 High Mesa Rd  
REQUEST: Shed-style deck roof over rear exterior deck; approx. 92” out from house, 28’ wide;  
asphalt shingles to match roof; 3 electrical boxes for lighting fixtures and switches to be  
located inside.  
MOTION: Meunier SECOND: McDonald  
COMMENTS: (FU: )
- 11) OWNER: Wilkes CONTRACTOR: Owner \$50  
LEGAL: HM; U2; B6; L25A STREET: 1411 High Mesa  
REQUEST: Install French Drain  
MOTION: McDonald SECOND: Kranz  
COMMENTS: (FU: )
- 12) OWNER: Ragland CONTRACTOR: Glen Remington \$150  
LEGAL: HM; U1; B1; L18 STREET: 134 Eagle Ridge  
REQUEST: Cover existing deck (20x20); roof and stucco to match existing  
MOTION: Meunier SECOND: Kranz  
COMMENTS: (FU: ) Pending VOR
- 13) OWNER: Baize CONTRACTOR: Barney Rue \$  
LEGAL: HM; U2; B7; L59 STREET: 177 Eagle Ridge Rd  
REQUEST: Re-gravel existing area; cut 3 cedars to extend off road parking. Install canvas triangular  
sails to cover back porch; landscape upper parking area (20’ x 10’) with rocks and native  
plants & trees. Repaint house same as existing by Paint Pros (no fee, no permit required).  
MOTION: Kranz SECOND: McMasters  
COMMENTS: Discussion held concerning the “triangular canvas sails.” Decided this was not an item of  
concern to the Commission. (FU: ) Pending \$25 Payment.
- 14) OWNER: Miller CONTRACTOR: Owner no fee  
LEGAL: HM; U4; L9A STREET: 185 Mira Monte  
REQUEST: 25’ x 25’ concrete inside of courtyard  
MOTION: Kranz SECOND: Meunier  
COMMENTS: (FU: ) Discussion held concerning ambiguous dimensions on application. Decision of  
the Commission was that work was a like to like replacement of courtyard interior  
flooring, with no fee to be assessed.

C. Short-term Rental Permits: None.

D. Re-plats: None.

7. OLD BUSINESS (Part 2)

A. Issues/Concerns/Complaints:

B. Past Actions:

1) Forest Health –

a. Forest health Committee Report re status – no report

b. Spaniel/Meunier Report re Homeowner Insurance

i. Glen Chang (Farmer's) and Greg Carey (State Farm) attended and spoke to how their respective insurance companies handle claims.

ii. Basically if a home/property is damaged, the homeowner must pay the deductible, and the insurance company "makes whole" any additional damage. IF there is documentation of notification to a "negligent" neighbor of a real/perceived problem, the insurance company will subrogate and pursue expenses from the "negligent" neighbor/their insurance company. This results in a win-win for the insurance companies as the premiums for both homeowners could be raised – although certainly the premiums of the owner whose company ends up paying the damages go up most.

iii. ACC Administrator had been tasked to review previous Board of Director's Legal Opinions, and presented his findings. ACC will ask the Board for their support & guidance based on the past rulings.

iv. Meunier will compose an educational piece to be disseminated (Avalanche, Echo, Ruidoso News, email blast, ALSZD website).

v. A homeowner at the meeting volunteered to be a "forest advocate" to assist residents in identifying various means of assistance (contractors, grant monies).

c. Simonson/Santos Report re database – no report to date

d. McDonald Report re BoD meeting/their support – BoD has not yet met.

C. Permit Follow-Up: See Attachment 1.

8. New Business (Part 3)

A. New topics:

1) NON-COMPLIANT CONSTRUCTION – 201 (203?) Lake Shore Dr (owner Welch)

Owner's son, Tom Welch, attended and was heard on the status of construction at 201/203 Lake Shore Drive. Discussion was held concerning owner/contractor

- a) surpassing the scope of the permit granted in October 2014,
- b) permits not being posted,
- c) and especially concerning the height.

Representative reiterated that the new construction

- a) WOULD be connected to the original structure,
- b) That actually two RETAINING WALLS have been constructed behind the new construction to route drainage away from neighboring properties, and
- c) That while the new construction would have the capability to add plumbing at a future time, that NO PLUMBING was to be installed or connected to the existing septic. Representative explained that in October the NMED had been contacted regarding the septic at the original structure being non-permitted, and that upon advisement of NMED, the owner had a plumber dig up and make

repairs and updates. NMED issued a document to “register the unpermitted septic system” to the existing 3-bedroom home, with the caveat that “any modification or failure of the current 3-bedroom home would require an update to the septic to bring it up to current code.”

Bill Powers of the Village of Ruidoso Planning & Zoning department had previously told Santos that the block foundation (the bottom-most part of the structure for the 2-car garage) had been inspected by an engineer and found to be sufficient to support the structure as it is being built.

Discussion continued regarding how to bring the existing structure into compliance concerning height.

- a) The owner had sent the original plans to an off-site company to create structurally engineered panels.
- b) The company revised the original blueprint to make use of existing templates, not taking into account the 26’ height requirement in ALG&CC. (The Ordinance states Height is NTE 26’ – as did the original permit issued for construction of the ancillary building. In Section 7, F., 3., b., the Ordinance states Height is measured “Where front footings will be located below the road, the height shall be measured from the average of the original grade along the front footings of the dwelling.”)

It was the interpretation of the Commission that due to the unique nature of this lot when facing Lake Shore that compliance may be obtained by the granting of a Variance addressing the structure’s height. Santos is to send emails containing information concerning the Variance process, and the owner/representative will proceed.

The representative was advised that in addition to a Variance, a Joint Permit Application along with the Joint New Construction Addendum would need to be approved before construction could continue.

2) Possible non-compliant construction – 177 Saddleback.

A complaint was received concerning the home being constructed at 177 Saddleback. McDonald and Santos spoke with the neighbor who is concerned the home intrudes into the 30’ front & back setback, and also into the 20’ side setback. The Commission will ask ALGCC employee Eddie Candelaria to investigate and contact the owner/contractor for details.

B. Public Comments: None.

C. Commissioner Comments: None.

Meunier sent signed Budget Resolution to Tom Dixon.

9. Informal Discussions: None.

10. Treasurer’s Report.

A. Permit Fees:

- 1) Total of permit fees received: \$475.00 (3 fees totaling \$100 pending)
- 2) Additional fees received: None.

B. Bank account: \$

C. Invoice Approvals:

- 1) Kranz moved, Meunier seconded payment of \$595.35 to Attorney Liam Griffin for advice and retainer.
- 2) Meunier moved, Kranz seconded payment of \$100 to ALG&CC for monthly room rental.

11. Announcement of Upcoming Meetings:

Next Regular meeting: 6 August 2015 at 9:00; Stag Room of ALG&CC; 1 Mulligan Drive, Alto, NM. Submission deadline for permit applications is 3:00pm 30 July 2015.

12. Adjournment: Kranz moved, Santos seconded adjournment at 12:32pm.

/S/ Marti Santos  
Secretary

*The agenda for the meeting can be revised and published up to seventy-two 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: Hancock                      CONTRACTOR: Rocky Mtn Constr                      Permitted 7 May 15  
LEGAL: SB; U3; B10; L19                      STREET: 114 Brentwood Dr  
REQUEST: Sound abatement wall (road noise from Mechem) to rise from ground level to 10' above existing deck floor. Walls will be painted and built to match house, sitting inside the deck dimensions. Will appear to be part of existing home.  
COMMENTS: COMPLETE
  
- 2) OWNER: Threadgill                      CONTRACTOR: Ascent Builders                      Permitted 7 May 15  
LEGAL: SB; U3; B10; L13                      STREET: 138 Brentwood Dr  
REQUEST: 16' x 46' 12" block-filled retaining wall to create a parking area at street level. Wall will be stucco, with 2' redwood railing. Parking area will be gravel. Four 6'-wide redwood steps from parking to deck to access home. (Letter from Engineering Company included)  
COMMENTS: As of 15 Jul 15: Underway. (FU: )
  
- 3) OWNER: Hamilton                      CONTRACTOR: Gabe Gilmore Constr                      Permitted 2 Jul 15  
LEGAL: SB; U3; B9; L9                      STREET: 111 Sunset Dr  
REQUEST: Remove deck handrails & replace with new to meet code. Replace existing redwood surface; extend deck under covered area; add 66 sq ft; underpin deck to match house  
COMMENTS: COMPLETE
  
- 4) OWNER: Bodin                      CONTRACTOR: Rocky Mtn Constr                      Permitted 5 Mar 15  
LEGAL: SB, U1, B1, L81                      STREET: 151 Crown Ridge  
REQUEST: NEW CONSTRUCTION  
COMMENTS: As of 15 Jul 15: Underway. (FU: Meunier)
  
- 5) OWNER: Turberville                      CONTRACTOR: Rocky Mtn Const                      Permitted 21 May 15  
LEGAL: SB; U1; B1; L38                      STREET: 166 Crown Ridge  
REQUEST: Replace hail-damaged deck flooring same as existing (evergrain weathered wood synthetic decking)  
COMMENTS: COMPLETE
  
- 6) OWNER: Wood                      CONTRACTOR: Fred Cowan                      Permitted 2 Jul 15  
LEGAL: ALGCC; U4; B13; L5                      STREET: 126 Broadmoor  
REQUEST: Remove approx. 580 sq ft of existing lattice under back deck; repl w/hardiplank siding to match house. Paint to match existing.  
COMMENTS: As of 15 Jul 15: Underway. (FU: )
  
- 7) OWNER: Kirby                      CONTRACTOR: Slick Graham Constr                      Permitted 7 May 15  
LEGAL: SB, U2, B7, L16                      STREET: 123 Tanglewood Ln  
REQUEST: Remove existing and build larger covered deck (all natural redwood) – 10-14' off ground. Repair siding. Re-roof (metal, deep river blue)  
COMMENTS: As of 15 Jul 15: Underway. (FU: )
  
- 8) OWNER: Foote                      CONTRACTOR: Alto Mesa Constr                      Permitted 16 Apr 15  
LEGAL: ALGCC; U4; B13; L13                      STREET: 129 Pinehurst  
REQUEST: NEW CONSTRUCTION (stucco exterior; asphalt roof; 3300 sq ft heated with 5944 under roof)  
COMMENTS: As of 15 Jul 15: Underway. (FU: ) Pending VOR

- 9) OWNER: Adkins CONTRACTOR: Permitted 18 Dec 14  
 LEGAL: ALGCC; U7; B17; L46A STREET: 130 Alto Drive  
 REQUEST: Asphalt driveway  
 COMMENTS: As of 19 May 15: Possibly underway. (FU: Meunier)
- 10) OWNER: Gore CONTRACTOR: Damian Hernandez Permitted 5 Mar 15  
 LEGAL: ALGCC; U2; B9; L4 STREET: 142 Midiron  
 REQUEST: Replace wood siding damaged by woodpeckers with Hardie Plank siding (same color as existing)  
 COMMENTS: As of 1 Jul 15: Not started. (FU: )
- 11) OWNER: Humes CONTRACTOR: Maldonado Constr Permitted 28 Jun 15  
 LEGAL: ALGCC; U5; B15; L20 STREET: 186 Midiron  
 REQUEST: Repl rotten areas; rebuild guard rails; paint same as existing; repair sheetrock inside garage  
 COMMENTS: (FU: ) Pending VOR
- 12) OWNER: Veytia CONTRACTOR: Rocky Mtn Const Exp 15 Nov 15  
 LEGAL: ALGCC, U5, B14, L27 STREET: 217 Midiron  
 REQUEST: Deck repair extension (originally permitted on 15 May '14; expiration now 15 Nov 15)  
 COMMENTS: As of 3 June 15: Underway. (FU: )
- 13) OWNER: Bowling CONTRACTOR: Beuchter Permitted 18 Jun 15  
 LEGAL: ALGCC, U3, B12, L5 STREET: 323 High Mesa  
 REQUEST: NEW CONSTRUCTION  
 COMMENTS: As of 15 Jul 15: Underway. (FU: )
- 14) OWNER: Vuicich CONTRACTOR: Owner Permitted 4 Jun 15  
 LEGAL: ALGCC; U1; B2; L5 STREET: 908 High Mesa Rd  
 REQUEST: Remove existing deck; replace with concrete block courtyard wall with one opening (4' gate. Wall to total 100' long, no higher than 5', conform to Ordinance requirements, and stuccoed to match home. 90% of area to be flooring pavers (Setbacks are Front: 30; Back: 15; Side: 5')  
 COMMENTS: As of 15 Jul 15: Underway. (FU: ) Pending VOR
- 15) OWNER: Alcorn-Pierce CONTRACTOR: Frank VanderVeen Permitted 16 Apr 15  
 LEGAL: HM; U1; B4; L43 STREET: 1379 High Mesa  
 REQUEST: Courtyard enclosure – 40' wide x 18' deep. Deck and planters/planting area will satisfy the 50% non-growing area. 5' high with stucco pillars and black wrought iron inserts; one gate.  
 COMMENTS: As of 15 Jul 15: Underway. (FU: )
- 16) OWNER: Turner CONTRACTOR: Spruce It Up Permitted 7 May 15  
 LEGAL: HM; U1; B3; L6 STREET: 1384 High Mesa  
 REQUEST: Light landscaping (turf in rear of home; relocate existing flagstone; add ¾" desert tan rock. North elevation will dig watershed trench, directing water westward away from home. Some tree trimming, dead tree removal)  
 COMMENTS: As of 15 Jul 15: Not started. (FU: ) Pending \$25 Payment
- 17) OWNER: Gray CONTRACTOR: ~~Peralta~~ Gabe Gilmore Permitted 7 May 15  
 LEGAL: HM; U4; L22 STREET: 1442 High Mesa Rd  
 REQUEST: Add 16 x 16 room (pergola?) (256 sq ft); roof & stucco same as existing.  
 COMMENTS: As of 15 Jul 15: Underway. (FU: )

- 18) OWNER: Welch CONTRACTOR: TBD Permitted 2 Oct 14  
 LEGAL: SB; U3, B8, L7A STREET: 203 Lakeshore Dr  
 REQUEST: Addition of garage, living area, balcony – to match existing  
 COMMENTS: **PERMIT REVOKED.**
- 19) OWNER: Sanford CONTRACTOR: Herrera Installation Permitted 2 Jul 15  
 LEGAL: LS; U1; B3; L53A STREET: 326 Lakeshore  
 REQUEST: Minimal dirt work to level out area, base coarse already existing. New drive & parking area installation, with 3000 psi concrete; heavy broom finish.  
 COMMENTS: (FU: )
- 20) OWNER: Mundy CONTRACTOR: Arquette Constr Permitted 4 Jun 15  
 LEGAL: AV TH; Site C; L3 STREET: 104 Pinetop  
 REQUEST: Repl cement patio with slightly raised wood decking for more comfortable egress.  
 COMMENTS: As of 15 Jul 15: Cannot see. (FU: )
- 21) OWNER: Golder CONTRACTOR: BAC Enterprises Permitted 2 Jul 15  
 LEGAL: DPW; U3; L95 STREET: 211 Deer Park Dr  
 REQUEST: Re-roof (white membrane)  
 COMMENTS: As of 15 Jul 15: Underway. (FU: )
- 22) OWNER: McBride CONTRACTOR: Younger Permitted 18 Jun 15  
 LEGAL: DPW; U1; L3A STREET: 102 Wolf Run  
 REQUEST: Re-roof (26 gauge R-panel metal roof; coco brown); on 2 Jul: Repl existing wrought iron between rock columns to same specs & color as existing.  
 COMMENTS: As of 15 Jul 15: Underway.
- 23) OWNER: Hacker CONTRACTOR: Cyclone Constr Extended to 19 Dec 15  
 LEGAL: DPW; U2; L17B STREET: 104 Quail Run Rd  
 REQUEST: Extend permit granted 6/19/14 to Enclose existing carport into garage. Add room over garage w/deck on sides and front. Roofing and deck to match existing house.  
 COMMENTS: (FU: )
- 24) OWNER: Gwyn CONTRACTOR: Owner Permitted 7 Aug 14  
 LEGAL: DPV; U1; L28 STREET: 106 Valley Court  
 REQUEST: 15 x 34 back deck; rough cut lumber over specs. 7.7 x 10.1 front deck; rough-cut lumber over spec. Both decks to be stained (Australian oil) same as existing front deck. Roofing coco brown by Mueller.  
 COMMENTS: As of 15 Jul 15: Underway. (FU: McDonald)
- 25) OWNER: Reed CONTRACTOR: Owner Permitted 18 Sep 14  
 LEGAL: DPV, U1, L40 STREET: 156 Deer Valley Dr  
 REQUEST: NEW CONSTRUCTION (2116 sq ft; slab; comp roof; Hardi lap siding); CO upon completion  
 COMMENTS: As of 15 Jul 15: Underway. (FU: McDonald)
- 26) OWNER: Barreras CONTRACTOR: KimCon (Pat Kimbrough) Permitted 18 Jun 15  
 LEGAL: DPV; U8; L214 STREET: 177 Saddleback  
 REQUEST: NEW CONSTRUCTION  
 COMMENTS: As of 15 Jul 15: Underway. CO upon completion (FU: )
- 27) OWNER: Mace CONTRACTOR: Owner Permitted 19 Mar 15  
 LEGAL: ALGCC; U2; B6; L31 STREET: 106 Bent Tree  
 REQUEST: Add additional 20 x 16 redwood deck; same color as existing  
 COMMENTS: As of 15 Jul 15: Can't see. (FU: Santos)



- 28) OWNER: Maldonado                      CONTRACTOR: All About Spas                      Permitted 18 Jun 15  
 LEGAL: DPM; U10; L2A                      STREET: 103 Purple Sage  
 REQUEST: Solara Adjustable patio cover over existing patio pergola; repl door framing (office & garage exterior doors); repaint front door as existing.  
 COMMENTS: As of 15 Jul 15: Not started. (FU: )
- 29) OWNER: Stone (rep = Vadner)                      CONTRACTOR: Owner (?!?)                      Permitted 5 Mar 15  
 LEGAL: DPM; U6; L6A                      STREET: 112 Larkspur Loop  
 REQUEST: NEW CONSTRUCTION  
 COMMENTS: As of 15 Jul 15: Underway. (FU: Santos)
- 30) OWNER: Fisher                      CONTRACTOR: Seasons Nursery                      Expires 19 Dec 15  
 LEGAL: DPM; U13; L5A                      STREET: 108 Paintbrush  
 REQUEST: Extend landscaping permit granted 19 Jun 14 (to 19 Dec 15)  
 COMMENTS: As of 15 Jul 15: Underway. (FU: )
- 31) OWNER: Olson                      CONTRACTOR: Owner                      Permitted 18 Dec 14  
 LEGAL: HM; U1; B3; L26                      STREET: 115 Mira Monte  
 REQUEST: Add additional 4 feet to ground-level back deck. No set back infringement will occur.  
 COMMENTS: As of 15 Jul15: Underway. (FU: Santos)
- 32) OWNER: Meeks                      CONTRACTOR: Rudy Lopez                      Permitted 2 Jul 15  
 LEGAL: HM; U2; B8; L37                      STREET: 153 Mira Monte Rd  
 REQUEST: Courtyard wall  
 COMMENTS: As of 15 Jul 15: Underway. (FU: ) Possibly pending VOR