



*Planning & Zoning Commission  
of the  
Village of Los Ranchos de Albuquerque*

## **AGENDA**

**January 14, 2020 Regular Meeting  
7:00 p.m. Warren J. Gray Hall**

**Commission:**

Chairman Jeff Phillips  
Vice Chair --  
Secretary Lynn Eby  
Commissioner Al Park  
Commissioner Gil Benavides  
Commissioner Drew Seavey  
Commissioner Dan Gay

**Staff:**

Tim McDonough - Director, Acting Administrator  
Tiffany Justice - Planner  
Jennifer Schilling – Admin. Assistant  
Nann Winter – Village Attorney

### **1. CALL TO ORDER**

- A. Roll Call
- B. Approval of the Agenda

### **2. PUBLIC COMMENT PERIOD**

Residents may address the Planning and Zoning Commission to comment on issues, problems, or successes on **topics that do not appear elsewhere on the agenda.** Audience members will be given an opportunity to comment on agenda items as they come up. **Speakers must register with Village Staff prior to the beginning of the meeting.**

### **3. CONSENT AGENDA**

All matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- A. **Approval of the minutes** – November 12, 2019 regular meeting.

### **4. PUBLIC HEARINGS & APPLICATIONS**

- A. **HO B&B Permit #546** A request by Jesse Kalapa, Zhenya Novareign, Jill Logan, and Larry Garcia for a Bed and Breakfast Permit as required by §9.2.25(E)(1) in the A-1 Zone of the Guadalupe Trail Character Area. The property is located at 723 Chavez Rd NW and is legally known as Lot B Plat of Land of Clifford B. Wood, within the Village of Los Ranchos, Bernalillo County, New Mexico as the same is shown on the plat thereof recorded in the records of the Bernalillo County Clerk, New Mexico on August 29, 1984. The property contains 2.0505 acres more or less.
- B. **V 20-01** A request by Eryn and Meredith Houx Remiger for a Variance from §9.2.7(H)(2) and (3) No solid wall or fence located within the rear or side setback area shall exceed six (6) feet in height

and no solid wall or fence located within the front setback area shall be more than four (4) feet in height to allow for a 6.25 foot high solid wall for a property in the A-1 Zone in the Guadalupe Trail Character Area. The property is located at 1015 El Pueblo Road NW and is legally known as Tract E-1 Lands of Balduino and Whipple, Section 16, T. 11. N, R. 3 E., N.M.P.M., Village of Los Ranchos de Albuquerque, Bernalillo County, New Mexico, filed in the Office of the Bernalillo County Clerk on May 15, 1996. The property contains 1.0000 acres more or less.

**5. OLD BUSINESS**

*There is no Old Business*

**6. NEW BUSINESS**

*There is no New Business*

**7. REPORTS**

- A. Planning Department Report
  - I. 2019 Fourth Quarter Business Report

**8. COMMISSIONER’S INFORMAL DISCUSSION**

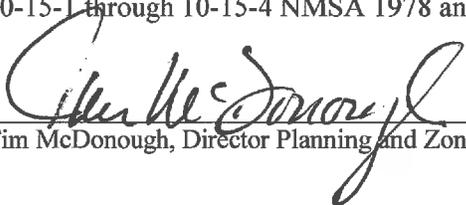
**9. ADJOURNMENT**

A COPY OF THE AGENDA MAY BE OBTAINED AT THE VILLAGE OFFICE, 6718 RIO GRANDE BLVD. NW, DURING REGULAR BUSINESS HOURS OF 8:00 AM – 5:00 PM. THE PLANNING DEPARTMENT HOURS ARE FROM 8:00 AM TO NOON, AND BY APPOINTMENT FROM NOON UNTIL 5:00 PM.

**THE NEXT REGULAR MEETING WILL BE HELD TUESDAY FEBRUARY 11, 2020**

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Village Clerk at 505-344-6582 at least one week prior to the meeting or as soon as possible.

I certify that notice of the Public Meeting has been given in compliance with the Open Meetings Act, Section 10-15-1 through 10-15-4 NMSA 1978 and Open Meetings Resolution 2019-1-P&Z.

  
 \_\_\_\_\_  
 Tim McDonough, Director Planning and Zoning

12/19/2019  
 \_\_\_\_\_  
 Date

**1. CALL TO ORDER- Chairman Phillips**

**A. ROLL CALL**

**COMMISSIONER PARK  
COMMISSIONER BENAVIDES  
COMMISSIONER EBY  
COMMISSIONER PHILLIPS  
COMMISSIONER SEAVEY  
COMMISSIONER GAY**

**B. APPROVAL OF THE AGENDA**

## 2. PUBLIC COMMENT PERIOD

Residents may address the Planning and Zoning Commission to comment on issues, problems, or successes on topics that do not appear elsewhere on the agenda. Audience members will be given an opportunity to comment on agenda items as they come up. Speakers must register with Village Staff prior to the beginning of the meeting. If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Village Clerk at 505-344-6582 at least one week prior to the meeting or as soon as possible.

### **3. CONSENT AGENDA**

**All matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.**

**A. Approval of minutes– November 12, 2019 regular meeting.**



*Planning & Zoning Commission*  
of the  
Village of Los Ranchos de Albuquerque

**MINUTES**  
**November 12, 2019**

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<b>Commissioners Present:</b>	<b>Staff Present:</b>
Chairman Jeff Phillips	Tim McDonough - Director, Acting Administrator
Vice Chair Sandra Pacheco	Tiffany Justice - Planner
Secretary Lynn Eby	Jennifer Schilling – Admin. Assistant, Scribe
Commissioner Al Park	Juan Flores – Village Attorney
Commissioner Gil Benavides	
Commissioner Drew Seavey	
Commissioner Dan Gay	

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### 1. CALL TO ORDER

The regular meeting of the Planning & Zoning Commission was called to order at 7:00 p.m., November 12, 2019 at the Warren J. Gray Hall, by Chairman Jeff Phillips. A quorum was present. The agenda was approved, as read.

### 2. PUBLIC COMMENT

There were no speakers for the Public Comment period.

### 3. CONSENT AGENDA

#### A. Approval of the Consent Agenda

1. Minutes of the October 8, 2019 Planning & Zoning Regular Meeting

**Motion:** Vice Chair Pacheco moved to approve the minutes as read.

**Second:** Commissioner Gay seconded the motion.

**Vote:** The motion carried unanimously (7-0).

### 4. PUBLIC HEARINGS & APPLICATIONS

- A. **SDP 19-03** A request by Tom White for a preliminary review and recommendation to the Board of Trustees of a Commercial Site Development Plan for a redevelopment in the Fourth Street Corridor and Character Area. The property is located at 8225 Fourth Street NW and is legally known as Lot 1 of Busch Addition, a tract of land lying and situated within Section 16, T. 11 N., R. 3 E., N.M.P.M., Village of Los Ranchos de Albuquerque, Bernalillo County, New Mexico, filed in the Office of the County Clerk of Bernalillo County on August 1, 1972. The property contains 0.500 acres more or less.

1 **Resident Speakers for the Discussion:**

2  
3 **SPEAKER:**

**POSITION:**

4 *In order of presentation*

5  
6 Tom White, 8225 4<sup>th</sup> Street NW, ABQ, NM 87114

Applicant

7 Richard D. Burd, P.O. Box 90118, ABQ, NM 87114

Applicant: Builder.

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9 **Planner McDonough** gave the planning report with recommendation to forward the item to  
10 the Board of Trustees a recommendation for the approval of SDP 19-03.

11  
12 **Discussion:**

- 13 • Mr. White, applicant, explained the air filtering system installed on the building and  
14 the necessary changes to the building to stay in compliance with the national standards  
15 of his discipline.
- 16 • Mr. White spoke to the nature of his business, and in response to questions by the  
17 Commissioners, explained what a compound pharmacy does and how long he has been  
18 practicing in pharmaceuticals.
- 19 • A brief discussion took place on the project having been built before the Site  
20 Development Plan had been conducted.
- 21 • Conditions placed on the application were discussed.
- 22 • There were no comments made in favor or in opposition to the application.

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24 The floor was closed for comments.

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26 **Motion:** Commissioner Park moved to forward the application, SDP 19-03, to the Board of  
27 Trustees with recommendation to approve the application with the existing conditions in the  
28 Planner's Report.

29 **Second:** Vice Chair Pacheco seconded the motion.

30 After brief discussion, a vote was called for.

31 **Vote:** The motion carried unanimously (7-0).

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33 **Chairman Philips** stated that the public hearing on item 4-A in the request by Tom White for  
34 a Preliminary Site Development Plan review was formally closed.

- 35  
36 **B. SDP 19-04** A request by Amanda Thais for a preliminary review and recommendation  
37 to the Board of Trustees of a Commercial Site Development Plan for a development in  
38 the Fourth Street Corridor and Character Area. The property is located at 8830 Fourth  
39 Street NW and is legally known as a certain tract of land designated as Tract 102A-1,  
40 Middle Rio Grande Conservancy District Map No. 24 situated in Projected Section 16,  
41 Township 11 North, Range 3 East, N.M.P.M., as projected into the Alameda Grant,  
42 Bernalillo County, New Mexico. The property contains 0.5356 acres more or less.

1 **Resident Speakers for the Discussion:**

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3 **SPEAKER:**

**POSITION:**

4 *In order of presentation*

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6 Amanda Thais (Ng), 1505 San Patricio SW

Applicant.

7 Ted Argeanas, 304 Ortega Rd. NW

Spoke in favor w/ traffic concerns.

8 Audrey Taylor, 229 Ortega Rd. NW

Spoke in favor w/ traffic concerns.

9 Robert Aranda, 2531 Elfego Rd. NW

Spoke in favor.

10 Richard Sanchez, 8826 4<sup>th</sup> St. NW

Spoke in favor w/ traffic concerns.

11 Sylvia Carriaga, 214 Ortega NW

Spoke in opposition w/ traffic concerns.

12 Ben Chavez, 910 Ortega NW

Spoke in opposition w/ traffic concerns.

13 Beth Dillingham, 309 Ortega NW

Write in comment: Concerned about traffic and landscaping.

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16 **Planner Justice** gave the planning report with recommendation to forward the item to the Board of Trustees for approval of the Site Development Plan with conditions.

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19 **Discussion:**

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- The applicant, Amanda Thais, spoke to the nature of her business. She also addressed questions from Vice Chair Pacheco concerning hours of operation.
- There were several comments made both in favor and in opposition of the application. Every comment made from residents, but one, was centered on the traffic concerns at 4<sup>th</sup> and Ortega, with several speakers noting they would like a traffic light at that intersection.
- Ms. Thais responded to comments made and agreed a light would be nice at the intersection.
- The traffic and intersection were discussed as a valid concern; however, the traffic and a light are not the onus of the applicant. Traffic design standards and processes to warrant a traffic light were briefly discussed.
- Residents were encouraged to bring the traffic concerns to the Board of Trustees and to Village Administration.

The floor was closed for comments.

**Motion:** Commissioner Park moved to forward the Site Development Plan to the Board of Trustees a recommendation to approve the plan with the conditions contained in the Planner's Report.

**Second:** Commissioner Eby seconded the motion.

After discussion, including the traffic concerns and next phases of the Fourth Street Project, a call for a vote was made.

**Vote:** The motion carried unanimously (7-0).

**Chairman Philips** stated that the public hearing on item 4-B in the request by Amanda Thais for a Preliminary Site Development Plan was formally closed.

1       **5. OLD BUSINESS**

2       There was no Old Business

3       **6. NEW BUSINESS**

4       There was no New Business

5       **7. REPORTS**

6       Planner Justice gave the Planning Department Report:

7       • **The Festival on 4<sup>th</sup> Street** took place on November 1, 2019 and was a great success.  
8       Planner Justice, Jennifer Schilling, and María Rinaldi, the Fourth Street Project  
9       Manager, worked with businesses on 4<sup>th</sup> Street to host the festival. There were about  
10      30 businesses who participated and several outside vendors from the Arts and Grower's  
11      Market also participated.

12     • **General:** Dominic Tomba has contacted business to enforce the Sign Ordinance and  
13      continues transitioning into the Code Enforcement position. Jennifer Schilling has sent  
14      out business renewals for all businesses in the Village and has started issuing 2020  
15      licenses. Tiffany Justice is finalizing revisions to the film policy and working to address  
16      short-term rentals.

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18     **8. COMMISSIONERS' INFORMAL DISCUSSION**

19     • The Commissioners held brief informal discussion.

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21     **9. ADJOURNMENT**

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23     **Chairman Phillips** adjourned the meeting at 8:18 p.m.

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26                     **Approval of the November 12, 2019 Minutes**

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28     These minutes have been **APPROVED** by the Planning & Zoning Commission of the  
29     Village of Los Ranchos de Albuquerque this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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31     ATTEST:

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40     Lynn Eby, Secretary  
41     Planning & Zoning Commission

#### 4. PUBLIC HEARING

**A. HO B&B Permit #546** A request by Jesse Kalapa, Zhenya Novareign, Jill Logan, and Larry Garcia for a Bed and Breakfast Permit as required by §9.2.25(E)(1) in the A-1 Zone of the Guadalupe Trail Character Area. The property is located at 723 Chavez Rd NW and is legally known as Lot B Plat of Land of Clifford B. Wood, within the Village of Los Ranchos, Bernalillo County, New Mexico as the same is shown on the plat thereof recorded in the records of the Bernalillo County Clerk, New Mexico on August 29, 1984. The property contains 2.0505 acres more or less.

PLANNING AND ZONING COMMISSION  
**PLANNING REPORT**

Village of Los Ranchos • 6718 Rio Grande Blvd. NW • (505) 344-6582 Fax 344-8978

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**DATE ISSUED:** December 20, 2019

**REPORT NO.** PZ-20-02  
File: BB #546

**ISSUED BY:** Planning and Zoning Department

**SUBJECT:** A request for a Bed and Breakfast Permit as required by §9.2.25(E)(1) in the A-1 Zone of the Guadalupe Trail Character Area.

**APPLICANTS:** Jesse Kalapa, Zhenya Novareign, Jill Logan, Larry Garcia

**LOCATION AND LEGAL:**

The property is located at 723 Chavez Rd. NW and is legally known as Lot B Plat of Land of Clifford B. Wood, within the Village of Los Ranchos, Bernalillo County, New Mexico as the same is shown on the plat thereof recorded in the records of the Bernalillo County Clerk, New Mexico on August 29, 1984. The property contains 2.0505 acres more or less.

**PROJECT:**

The applicants intend to operate a B&B on the subject property. This is a reapplication of the Bed and Breakfast application for this property held before the Planning and Zoning Commission on March 12, 2019.

There is a considerable amount of history which we will attempt to describe.

Currently the property allows the single-family dwelling unit and two (2) legally non-conforming rental units, all of which are occupied. The property consists of a single-family unit; an additional dwelling unit that was designed to be a duplex, but which has been operating as a single dwelling unit; and a barn, which also operates as dwelling unit. The property was purchased in 2014 by Ruth and Kenneth Gilbert but was occupied by Mr. Kalapa and the Gilbert's son. Prior to that purchase the owner, Mr. Black, (the grandfather of Jesse Kalapa) felt that he, Mr. Black, had rights to have four dwelling units. Upon Village review, the dwelling units were reduced to three (the main house and two additional dwelling units) based on one unit having been unoccupied for more than 180 days, creating an abandonment of the legally non-conforming status (see attached letter).

In 2015, the Village received a complaint that the property was being used as an AirBnB, creating some issues in the neighborhood. The Village contacted Mr. Kalapa about the use, and he confirmed that it was being used as an AirBnB. In discussions with Mr. Kalapa, he indicated that his desire was to operate a B&B on the property. At that time Mr. Kalapa was not the legal owner of the property and therefore could not operate a B&B without the owner being "in residence" (§9.2.25(E)(1)(b)(1)). Mr. Kalapa ceased operating the AirBnB but continued to rent the additional rental units.

Over the following years there were several complaints regarding activity at the property. In 2018, a complaint was filed with the Village that occupants of the property were constructing "tiny houses" and making loud noises late into the night. The Village contacted Mr. Kalapa about the complaint, and he took action to minimize the disturbance, although the construction continued for the next several weeks. The "Tiny Houses" were trailer mounted and removed from the property. Attached

to this report are letters from neighbors regarding issues from the property from the prior application and the applicants' letter in response to the issues.

In discussing these issues with neighbors there are a variety of complaints from over the years. In the last application, a neighbor asked that we contact the BCSO and get a record of the calls for service to that address. As an update to that, the Village contacted BCSO through our Public Safety Officer. Three calls for service were in the record over the past four years, one for a suspicious vehicle, one for a welfare check, and one for a cover/assist. Only the cover/assist occurred in 2019, the two others were in prior years. It should be noted that only calls directed to that specific address are recorded as calls for service. Calls of concern in the general neighborhood are not connected to any specific address.

Mr. Kalapa et. al. are listed as Owner 2 on 2019 tax records and would be operating as the owners of the home living in residence, as is required. At this time Mr. Kalapa, Ms. Novareign, Ms. Logan, and Mr. Garcia are again requesting a permit to operate a B&B. As part of their request they intend to have a maximum of four guest rooms occupied at any one time, all as rooms in the primary single-family dwelling. Mr. Kalapa, Ms. Novareign, and their family will reside on the property in the building previously described as an intended duplex, which is a single-family unit shown on the site plan labeled as the casita. The casita is not a conditionally approved guest house. The applicants will be applying for Conditional Use Permits for a Guest House for the grandparents, and a Caretakers Unit for the parents (also applicants) who will assist in operating the B&B and farm. The applicants intend to further improve the property prior to full operation of the B&B, which will allow time for the Conditional Use requests to be addressed. Should those uses be denied they reserve the right to turn down the B&B permit and continue operating the multiple units.

Summary of uses:

	<u>Current</u>	<u>Proposed</u>
Main House -	SFR Dwelling Unit	4 room B&B
Duplex	Single Rental Unit	SFR Dwelling Unit Owner-Occupied
Barn	Single Dwelling Unit	1-Guest House, 1- Caretaker Unit
		<i>Both limited to 1,000 SF heated and cannot be rented</i>

Village staff inspected the property on January 2, 2020. See attached photos for the current condition of the property and photos from the last application. Since the previous application the applicants have cleaned up the property.

**RELEVANT CODE LANGUAGE:**

**§9.2.7 A-1 AGRICULTURAL/RESIDENTIAL ZONE (1 residential unit/one acre)**

**(B) PERMISSIVE USES.** A building or premise shall be used only for the following purposes:

- (7) Bed and Breakfast Establishments.

**§9.2.25 APPLICATION AND APPROVAL PROCESS**

**(E) COMMISSION/BOARD ISSUED PERMITS.** The following permits and any appeal of the Planning Director's decision may be approved by the Commission according to the Matrix, or considered by the Commission for approval and forwarded to the Board with a recommendation for approval.

**(1) Bed and Breakfast Facilities**

**(a)** Bed and Breakfast establishments are allowable in all zones of the Village with initially approved

permit and license, providing the premise has access to city water and sewer or obtains a wastewater permit from the NMED stating the maximum flow rate on the parcel.

(b) Approval is by the Planning and Zoning Commission at a regularly scheduled hearing with public notice as per §9.2.25(F).

1. Bed and Breakfast establishments must be operated by the owner of the home, living in residence. Up to two additional employees may be employed by the business.
2. It shall be conducted entirely within the residence or accessory buildings on the residential property.
3. Not more than four guestrooms may be utilized to provide lodging in other than the C-1, AC or VC Zone.
4. Parking for guests must be off street.
5. Meals may or may not be served.
6. Noise must be mitigated according to §7.4.2. Nuisances, Misconduct and Common Offenses.
7. One lighted sign not to exceed four (4) square feet is permitted on premises and must meet the Dark Skies provisions of §9.2.20.
8. Bed and Breakfast establishments must have published rules of operation, approved by the Planning Director.
9. Every permittee shall comply with all federal, state, county, and municipal laws and regulations applicable and the failure to do so shall constitute grounds for revocation. Each license shall be posted on the premises where it is visible at all times.
10. Upon request by the Planning Director, the permittee shall completely and fully cooperate with any investigation of any complaint or suspected code violation, including allowing a complete on premises inspection by Village designated personnel.
11. Bed and Breakfast permits shall be subject to such different and additional conditions as the Planning and Zoning Commission deems reasonable.
12. Bed and Breakfast establishments shall be inspected annually by the Fire Department for fire safety.

(c) Revocation procedure shall follow §9.2.25(E)(3) Home Occupation Revocation.

### **§9.2.7 A-1 AGRICULTURAL/RESIDENTIAL ZONE (1 residential unit/one acre)**

#### **(C) CONDITIONAL USES.**

(5) Guest house or additional dwelling.

(f) Upon lots with at least twice the minimum lot area, one (1) dwelling per minimum lot area, but limited to a maximum of three (3) dwellings per lot. One (1) dwelling shall be the principal single family dwelling and any additional dwelling shall be for use as a guest and/or caretaker's house limited to one thousand (1,000) square feet of heated floor area with facilities for cooking (not necessarily a full kitchen i.e. microwave, coffee pot, etc.), sleeping and sanitation and providing the structures have access to public water and sewer or obtains a wastewater permit from the NMED stating the maximum flow rate on the lot.

#### **ANALYSIS:**

The four joint owners will live in residence on the property in two separate dwelling units and will operate the business as a Limited Liability Corporation (LLC). Mr. Kalapa and Ms. Novareign will live in the duplex/casita with their family and Ms. Logan and Mr. Garcia currently live in the barn as caretakers for the grandmother.

The applicants have stated that the number of vehicular traffic increased per day will be zero, as the traffic should stay the same. The applicants have included a justification of this, stating that they currently rent out to two others who have their own vehicles and commute daily. They state that the traffic to their property may decrease, as the trips would not occur on a daily basis since they would not likely have guests every day of the month. (See attached.)

The applicant has listed walking, feeding chickens, and gardening as outside activities that will occur.

**(a)** Bed and Breakfast establishments are allowable in all zones of the Village with initially approved permit and license, providing the premise has access to city water and sewer or obtains a wastewater permit from the NMED stating the maximum flow rate on the parcel.

The property has access to city water and has a wastewater permit from NMED that states the maximum flow rate on the property (see attached). The applicants also have a recent letter from NMED affirming that the current use of seven bedrooms is well below the maximum allowed average daily flow (see attached).

**(b)** Approval is by the Planning and Zoning Commission at a regularly scheduled hearing with public notice as per §9.2.25(F).

1. Bed and Breakfast establishments must be operated by the owner of the home, living in residence. Up to two additional employees may be employed by the business.

The applicants have listed on their application that zero employees will be employed at their B&B, as it will be owned, managed, and operated jointly by the four applicants, all who currently live on the property and own the property.

2. It shall be conducted entirely within the residence or accessory buildings on the residential property.

The site plan shows that all of the rooms of the B&B will be in the main house, "Hacienda," and the owners will be living in the other buildings on site. The outside activities, walking, feeding chickens, and gardening will not involve lodging.

3. Not more than four guestrooms may be utilized to provide lodging in other than the C-1, AC or VC Zone.

The site plan shows that there will be up to four rooms available in the main house, as is allowed in the A-1 Zone. The applicants intend to begin the operation in two rooms, starred on the Hand Drawn Floorplan, and will have the maximum allowed four rooms over time.

4. Parking for guests must be off street.

The site plan shows six parking spaces for guests at the main house. The property is large enough to accommodate more parking if needed.

5. Meals may or may not be served.

Meals will not be served. If the applicants choose to serve meals in the future, they will need

to go through a procedure with the New Mexico Environment Department (NMED) to ensure proper food preparation and distribution. See attached letter from NMED.

6. Noise must be mitigated according to §7.4.2. Nuisances, Misconduct and Common Offenses.

The attached rules of operation state that loud activities must be focused inside or cut off by 9:30 pm, compliant with §7.4.2, which does not allow excessive noise greater than 40 decibels between 10:00 pm to 6:00 a.m.

7. One lighted sign not to exceed four (4) square feet is permitted on premises and must meet the Dark Skies provisions of §9.2.20.

The applicants have requested two signs, one at their gate (on-premises) and one on Chavez Road where the road T's (off-premises), to help direct guests to their home. The applicants would be required get a Variance for the off-premises sign prior to its installation. The applicants request the second sign to aid in traffic direction to alleviate concerns from neighbors but will not request the off-premises sign if there are those that are opposed to it. The on-premises sign must obtain a sign permit.

8. Bed and Breakfast establishments must have published rules of operation, approved by the Planning Director.

The Rules of Operation are attached. The owners have drafted a list of rules of operation that reflect concerns from neighbors from the previous application and that address §9.2.25(E)(1)(b)(6) Noise must be mitigated according to §7.4.2. Nuisances, Misconduct and Common Offenses and that address §9.2.20 Dark Skies. The Rules also have traffic guidelines for speed and proper driving etiquette. Impromptu gatherings will not be allowed and will be approved by the B&B. (See attached.)

9. Every permittee shall comply with all federal, state, county, and municipal laws and regulations applicable and the failure to do so shall constitute grounds for revocation. Each license shall be posted on the premises where it is visible at all times.
10. Upon request by the Planning Director, the permittee shall completely and fully cooperate with any investigation of any complaint or suspected code violation, including allowing a complete on premises inspection by Village designated personnel.

To update the status of the property from the prior application, Village employees inspected the property prior to this hearing. Photos are attached.

11. Bed and Breakfast permits shall be subject to such different and additional conditions as the Planning and Zoning Commission deems reasonable.
12. Bed and Breakfast establishments shall be inspected annually by the Fire Department for fire safety.

#### **DEPARTMENT RECOMMENDATIONS AND FINDINGS:**

The Department recommends **approval** of HO B&B #546, A request for a Bed and Breakfast Permit as required by §9.2.25(E)(1) in the A-1 Zone of the Guadalupe Trail Character Area.

The Department is sensitive to the issues brought forth by the neighbors relative to past problems. The applicant makes the argument that use of the property by short term occupants provides a better means of controlling behavior than a long-term rental situation where eviction is a lengthy and complicated process. The applicants intend to advertise via AirBnB where renters are rated by prior property owners, and property owners are rated by prior renters. The complaints from the neighbors have generally been directed to the renters of the property and not to the owners themselves, hence a better mechanism for evaluating short term renters appears to be an equitable solution. In preparation for the Bed and Breakfast, the applicants have ceased renting the barn, which now houses two of the applicants and their grandmother, and have improved their property to address concerns from the previous application.

Should the behavior of the renters or owners continue to create situations which violate the Village Code §9.2.25(E)(3) addresses the Home Occupation Revocation where the B&B Permit may be revoked.

A B&B provides an opportunity for travelers to experience the Village and support the local businesses. Further, as described by the applicants this B&B will allow a multigenerational experience to the family where the applicants can live together on a property and support one another in the operation of the B&B and farm. Multigenerational living situations are valued in the Village.

With that said, the benefits should not come at the expense of the neighbors who came to this area to experience peace, quiet, and a tranquil environment. The benefits of the B&B should not come at a price for the neighbors and, if approved, the Village must be fair and vigilant in ensuring the neighborhood is not noticeably impacted by the operation of the B&B.

**The Department recommends the following conditions:**

1. **With the approval and acceptance of the B&B Permit the applicants agrees to vacate one dwelling of the two current “legally non-conforming use” dwelling units, that being the dwelling unit in the barn. This barn unit may be utilized as a Guest House and/or Caretaker unit (both limited to 1,000 SF heated), with approved conditional use, under the conditions of those approvals.**

**Findings:**

The Home Occupation presented complies with §9.2.25(E)(1)(b) Approval is by the Planning and Zoning Commission at a regularly scheduled hearing.

The application for the B&B complies with the following conditions:

1. Bed and Breakfast establishments must be operated by the owner of the home, living in residence. Up to two additional employees may be employed by the business.
2. It shall be conducted entirely within the residence or accessory buildings on the residential property.
3. Not more than four guestrooms may be utilized to provide lodging in other than the C-1, AC or VC Zone.
4. Parking for guests must be off street.
5. Meals may or may not be served.

6. Noise must be mitigated according to §7.4.2. Nuisances, Misconduct and Common Offenses.
7. One lighted sign not to exceed four (4) square feet is permitted on premises and must meet the Dark Skies provisions of §9.2.20.
8. Bed and Breakfast establishments must have published rules of operation, approved by the Planning Director.
9. Every permittee shall comply with all federal, state, county, and municipal laws and regulations applicable and the failure to do so shall constitute grounds for revocation. Each license shall be posted on the premises where it is visible at all times.
10. Upon request by the Planning Director, the permittee shall completely and fully cooperate with any investigation of any complaint or suspected code violation, including allowing a complete on premises inspection by Village designated personnel.
11. Bed and Breakfast permits shall be subject to such different and additional conditions as the Planning and Zoning Commission deems reasonable.
12. Bed and Breakfast establishments shall be inspected annually by the Fire Department for fire safety.

## **Village of Los Ranchos 2035 Master Plan**

### **1.2 Overall Village Goals**

#### **1.2.4 Sustain the Village as a multigenerational community.**

#### **8.1 Residential Development Goal .**

The goal is to sustain the Village as a semi-rural multigenerational community through residential development in keeping with Village scale and character, in particular the agricultural, historic, and open expanses characteristics of the Village.

#### **Objectives**

- Investigate and pursue alternatives to single-family residential development to provide more choice for current and potential residents while maintaining Village values and scale

#### **9.1 Economic Development Goal**

The goal is to sustain and enhance economic activity throughout the Village through public and private efforts and based on Village identity and scale, in particular along the commercial corridor of Fourth Street, including the Village Center and Gateway District.

#### **Objectives**

- Support and promote the Village as a destination closely tied to its identity.

#### **Policy E**

Support home occupations and telecommuters in residential zones keeping with Village character.

#### Action Steps:

- Support the creation of home occupations
- Enforce home occupation conditions of approval

#### **Policy F**

Support agricultural commercial activities as agriculture is highly valued and tied to the identity of the Village.

#### Action Steps:

- Utilize agriculture and agri-tourism as economic development techniques

Public notice requirements have been met by publication in the Albuquerque Journal on December 20, 2019. The Public Notice was sent by mail to all neighbors within 300 feet of the property on December 17, 2019.



Tiffany Justice  
Planner, Planning and Zoning Department

Date: January 2, 2020

Attachments:

- Application
- Ortho
- Zone Map
- Non-Conforming Status Letter
- NMED Letter & Attachments
- Tax Records
- Site Plan
- Rules of Operation
- No Increase in Traffic Explanation
- Applicants' Letter Submitted with this Application
- Letters Referenced in Applicants' Letter from Previous Application
- Letters of Support from Previous Application
- Calls on Property
- Inspection Photos January 2, 2020 (#21)
- Previous Inspection Photos (#22)

Village of Los Ranchos  
BED AND BREAKFAST

Zhenya Norgareign, Jill Logan,

Los Ranchos

NAME: Jesse Kalapa, Larry Garcia ADDRESS 723 Chavez Rd NW De Albuquerque

TELEPHONE 505 803 6097 CELL 505 948 8840 ZIP CODE 87107

EMAIL ADDRESS jesse.kalapa@gmail.com WEBSITE \_\_\_\_\_

CRS # \_\_\_\_\_ please attach copy of CRS # Certificate

LAST 4 DIGITS OF FEIN # AND SS# \_\_\_\_\_

Applicant is:

Individual

Partnership

Corporation NMSCC # \_\_\_\_\_

LLC

THE STATE OF NEW MEXICO REQUIRES A LICENSE FOR THIS OCCUPATION

Please attach copy of NMED INSPECTION

NUMBER OF ROOMS FOR B&B 4 or less

NUMBER OF VEHICULAR TRAFFIC INCREASE PER DAY:  
0 Zero, traffic should stay the same

LIST ANY EQUIPMENT: (trucks, heavy equipment, trailers, etc.)  
\_\_\_\_\_  
\_\_\_\_\_

INCLUDE RULES FOR OPERATION (HOURS, MEALS, NUMBER OF ROOMS, ETC.)  
See attached

NATURE OF ANY EXPLOSIVE, FLAMMABLE, TOXIC, OR HAZARDOUS MATERIALS-(Paint, lacquer, cleaning supplies, etc.)  
N/A

LIST OUTSIDE ACTIVITES: Walking, feeding chickens, gardening

NUMBER & TYPE OF EMPLOYEES: 0

SIGNS REQUESTED: (Sign permit required) one sign on Chavez Residents where road T's and one at our gate  
A diagram must accompany application showing area

I swear that the above information is true and correct to the best of my knowledge. I have read the Bed and Breakfast Ordinance and agree to the conditions and terms contained therein.

Jesse Kalapa  
PRINT NAME

[Signature]  
SIGNATURE

**JURAT**

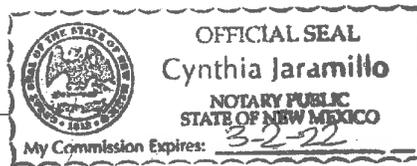
STATE OF NEW MEXICO)  
COUNTY OF BERNALILLO)

Subscribed and sworn to (or affirmed) before me on this the 6th day of December, 2019

BY: Jesse Kalapa

My Commission Expires: 3-2-22

[Signature]  
NOTARY PUBLIC



OFFICE USE ONLY	
DATE: <u>12/6/19</u>	TYPE: _____
B&B # _____	
CHECK # _____	<u>CASH</u>
RECEIPT # <u>607392</u>	
AMOUNT <u>\$100.00</u>	
STAFF INITIALS <u>15</u>	



# 723 Chavez Rd



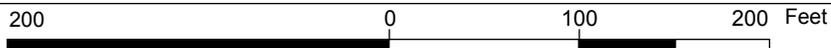
Legend 21 of 129

-  Bernalillo County Parcels
- Municipal Limits**
  -  Corrales
  -  Edgewood
  -  Los Ranchos
  -  Rio Rancho
  -  Tijeras
  -  UNINCORPORATED



**LOS RANCHOS**

Notes

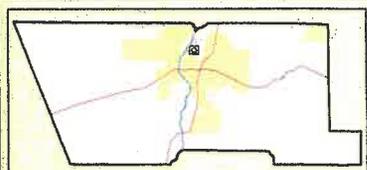
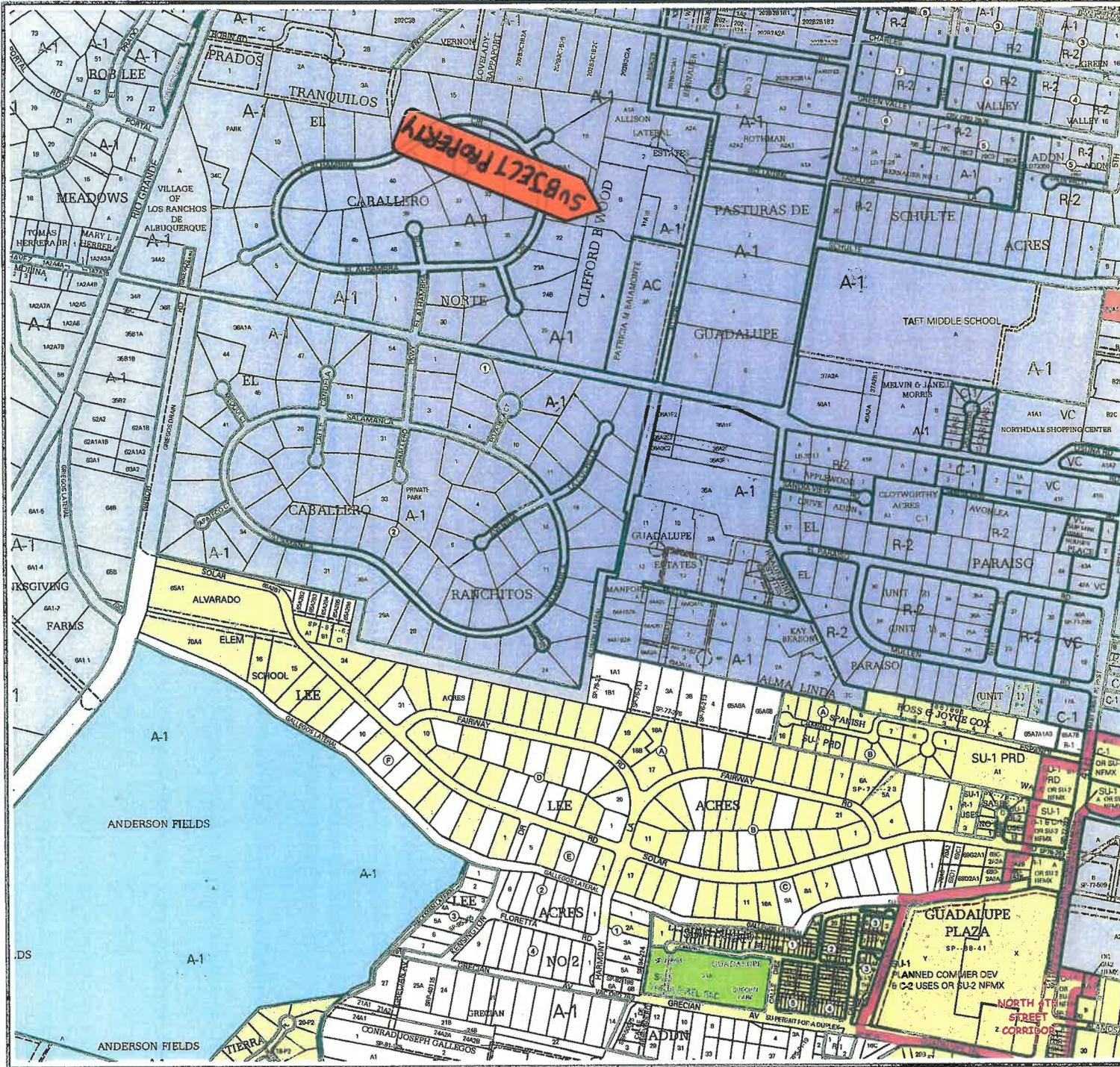


WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
12/18/2019 © City of Albuquerque

1: 1,200

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**THIS MAP IS NOT TO BE USED FOR NAVIGATION**



**LEGAL DESCRIPTION**  
 T11N  
 R3E  
 SEC 29

**UNIFORM PROPERTY CODE**  
 1-014-062



Map amended through July 2014



**PUBLIC WORKS DIVISION**  
**GIS PROGRAM**

This information is for reference only. Bernalillo County assumes no liability for errors associated with the use of these data. Users are solely responsible for confirming data accuracy when necessary. Source data are from Bernalillo County and the City of Albuquerque. For current information visit [www.bernco.gov/gis-program](http://www.bernco.gov/gis-program).

**E-14-Z**



MAYOR  
LARRY P. ABRAHAM

ADMINISTRATOR  
KELLY S. WARD

TRUSTEES  
DON LOPEZ  
MAYOR PRO-TEM

PABLO RAEI  
MARY HOMAN  
ALLEN LEWIS

May 13, 2014

Mr. Scott Black  
P.O. Box 332  
Glenwood Springs CO 81602

RE: 723 Chavez Rd. NW  
Non-Conforming uses

Dear Mr. Black:

Over the past several days the Village has received several requests, on behalf of the investor, to verify and clarify the non-conforming uses at the referenced address that will be transferable to the new owners. The original response was that the non-conforming uses were transferable unless they had been vacated. In order to address the subsequent questions the Village requested records to document that the non-conforming uses had not been vacated per ordinance.

Responding to the request we were provided two rental agreements, one for the main dwelling, a second agreement for one of the duplex dwellings and were told that there was an apartment in the upper level of the barn where Mr. Black lived. We asked to view the dwelling unit above the barn and were told that, due to the condition of the space we could not go in. We were also told that the second half of the duplex had not been used as a dwelling.

Based on the information received it appears that, at this time, the property contains two active dwelling units, the main house and one half of the duplex, and potentially a third unit assuming it is inhabitable. This would define the non-conforming use status.

If you have any questions, please call 344-6582.

Sincerely,

Tim McDonough  
Director, Planning and Zoning Department

Cc: Kelly S. Ward, Administrator  
Christine Lohkamp, CNE  
John Freeman, First Mortgage Company



MAYOR  
LARRY P. ABRAHAM

ADMINISTRATOR  
KELLY S. WARD



TRUSTEES  
DON LOPEZ  
MAYOR PRO-TEM

PABLO RAEL  
MARY HOMAN  
ALLEN LEWIS

September 1, 2015

Ruth & Kenneth Gilbert  
3202 Lakeshore Dr.  
Champaign IL 61822

RE: 723 Chavez Rd. NW, Los Ranchos, NM

Dear Mrs. & Mr. Gilbert,

It has come to our attention that the referenced property is operating a Bed and Breakfast, as evidenced by the advertisement on the AIRBNB web site (attached). This was brought to our attention by one of your neighbors who was concerned with the traffic coming down the private road. Village Code requires a Home Occupation License, approved by the Planning and Zoning Commission for the operation of a Bed and Breakfast, as stated in **§ 9.2.25 E.(1) Bed and Breakfast Facilities** (attached).

You are directed to cease the operation of the Bed and Breakfast business, and cease all advertising for the Bed and Breakfast, until such time as you apply for and receive a Home Occupation License for said use.

If you have any questions concerning this matter please contact me at (505) 344-6582.

Sincerely,

Tim McDonough  
Director, Planning & Zoning Department

CC: Ryan Gilbert, 723 Chavez Rd. NW

Enclosures



*Michelle Lujan Grisham*  
Governor

*Howie C. Morales*  
Lt. Governor

**NEW MEXICO  
ENVIRONMENT DEPARTMENT**

Springer Building  
121 Tijeras Ave. NE, Suite 1000  
Albuquerque, NM 87102  
Telephone (505) 222-9500  
[www.env.nm.gov](http://www.env.nm.gov)



*James C. Kenney*  
Cabinet Secretary

*Jennifer J. Pruett*  
Deputy Secretary

December 3, 2019

Mr. Jesse Kalapa  
723 Chavez Road,  
Los Ranchos, NM 87107

**RE: Bed and Breakfast located at 723 Chavez Rd. Los Ranchos, NM 87107**

Mr. Kalapa:

Based on the information you have provided to the New Mexico Environment Department on December 2, 2019, it has been determined that at this time there is no requirement for a food permit for the bed and breakfast proposed at 723 Chavez Road, Los Ranchos New Mexico. If you choose to serve meals in the future, you should check with us for regulations and application procedures prior to implementing or conducting any food preparation or distribution.

The liquid waste system on the property is sized for a 4-bedroom home (440 gpd), a 2-bedroom home (300 gpd) and a 1-bedroom home (150 gpd). This comes out to a total of 890 gpd allowable flow in the current system. Based on your yearly flow from water bills submitted from the Water Utility Authority it is determined the average daily flow for the property is approximately 360 gpd, which is well below the total potential flow for the property of 900 gpd and well below the 890 gpd, which the system is currently permitted for.

You stated there will be no on-site food preparation and "meal tickets" will be redeemed at a nearby restaurant. Calculated daily average flow for the waste treatment system is well below what the current system is sized for. Therefore, your facility currently would not be regulated by NMAC 7.6.2 New Mexico Food Code and is currently in compliance with NMAC 20.7.3 Liquid Waste Treatment and Disposal regulations.

If you have any questions or concerns with this property, please contact me at (505) 222-9500 or [dominicr.romero@state.nm.us](mailto:dominicr.romero@state.nm.us)

Sincerely,

Dominic Romero  
ESSO  
New Mexico Environment Department  
Albuquerque Field Office

Monday, March 4, 2019 at 8:54:55 PM Mountain Standard Time

---

**Subject:** 723 Chavez Road, Los Ranchos  
**Date:** Tuesday, December 18, 2018 at 11:10:35 AM Mountain Standard Time  
**From:** Cole, Levi, NMENV  
**To:** Timothy McDonough, Marcella Bissell  
**CC:** jessekalapa@gmail.com, Romero, Dominic, NMENV

Tim,

We met today, 18 December 2018, with Jesse Kalapa who owns the property at 723 Chavez Rd. in Los Ranchos.

He told us of his plan to use the current 4 bedroom home as a bed and breakfast. He will not be required to get a food permit through NMED because he is not serving any meals at this time. If he chooses to serve meals in the future, he should check in with us to see if he will be required to obtain a permit at that time.

Overall the LW system on the property is sized for a 4 bedroom home (440 gpd), a two bedroom home (300 gpd) and a one bedroom home(150 gpd). This comes out to a total of 890 gpd allowable flow into the current system.

Based on his lot size, he could expand his drainfield by approximately 270 square feet to get to a total allowable flow on the property of 1025 gpd. This would give him the option to expand some facilities in the future.

With his changing the 4 bedroom home into a bed and breakfast, the flow for this would change to 450 gpd vs. the current 440 gpd.

For us to allow him to essentially have a total potential flow for the property of 900 gpd vs. what is allowed into the current system at 890 gpd, we are requiring that he submit to NMED a copy of his water bills for 2018 as well as 2019. If we discover that the discharge into the system is consistently above the allowed 890 gpd, he may have to modify the usage of the facilities or modify the LW system to accommodate the actual flows.

Please let me know if you have any questions or concerns with this property.

Thank you,

Levi T. Cole  
D1 EHB Staff Manager  
New Mexico Environment Department  
Cell # 575-562-9149  
[Levi.cole@state.nm.us](mailto:Levi.cole@state.nm.us)  
<https://www.env.nm.gov/>

**Service Address: 723 CHAVEZ RD NW - 87107**

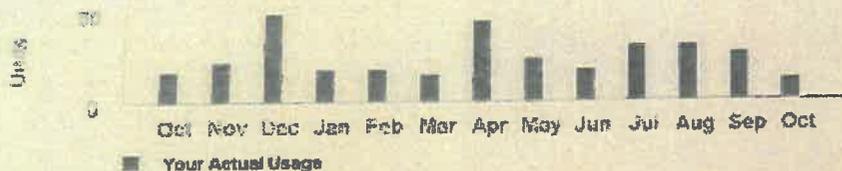
**Water Multi-Family Los Ranchos**

**Service 2018-09-26 - 2018-10-26 ID 3812289180**

Meter Number	Billing Size	Cons Average	Winter Average	Current Meter Read Date	Current Meter Read Reading	Previous Meter Read Date	Previous Meter Read Reading	Usage Units	Gallons Consumed
71769	1	24	24	10/26/2018	415 Reg	09/26/2018	404 Reg	11	8,228

*Reg = Regular Reading Est=Estimated Reading Unit = 748 Gallons*

**Conservation information**



Base Charge	12.03
Commodity Charge (Units x \$1.626)	17.89
State Surcharge (Units x \$0.024)	0.26
Facility Rehab	11.83
Franchise Fee	1.67
Tax	2.18
<b>Subtotal</b>	<b>45.86</b>

See reverse for additional charges

AMENDMENT

**COPY**

APPLICATION FOR A LIQUID WASTE PERMIT OR REGISTRATION



Date NMED Received: 11 June 2014

NMED Processing Number: AT1140001

NMED Use Only:  
 Call 980 3657 to schedule an inspection a minimum of 2 working days prior to the inspection. Permit Fee: \$50<sup>00</sup>  
 Permit Approved for (circle one): 1 2 3 4 5 6 Bedrooms  Multiple dwellings  Other: \_\_\_\_\_

**\$ PAID**

SYSTEM OWNER'S NAME: Last, First, MI Home Phone: Business Phone:

Black, John W., Black, Scott H.

MAILING ADDRESS: Street/PO Box, City State Zip Code  
723 Chavez Rd NW Albuquerque NM 87107

SYSTEM LOCATION: Address, City, ZIP, County - (if needed, attach directions)  
723 Chavez Rd NW Albuquerque, NM. 87107

SUBDIVISION UNIT/PHASE BLOCK LOT/TRACT  
Land of Clifford B Wood- Village of Los Ranchos B

UNIFORM PROPERTY CODE: 101406227342020320

TOWNSHIP RANGE SECTION QTR QTR QTR LATITUDE LONGITUDE ELEV  
T11N R3E

INSTALLER'S NAME & FIRM: PHONE:  
Benavidez Ent. Inc. DBA Rio Grande Septic Systems 505-898-2017

MAILING ADDRESS: Street/PO Box City State Zip Code  
P.O. Box 45983 Rio Rancho NM 87174

CID License No./Class MM-1 MM-98 MS-1  MS-3 Homeowner  
 No.: 354182

B. Depth from Ground Surface to:  
 Seasonal High Water Table 10+ feet  
 Bedrock, Caliche, Tight Clay 10+ feet  
 Gravel, Cobbles, Highly permeable soil 10+ feet  
 C. Soil Description:  
 USDA Soil Class Methodology & Verification Submitted? Yes  No  
 Type Ia=1.25 sf/gal/day Type Ib=2 sf/gal/day  Type II=2 sf/gal/day  
 Type III=2 sf/gal/day Type IV=5 sf/gal/day  
 D. Domestic Water Source:  
 On-site  Off-site  Private  Public  Shared  
 Irrigation well or flood irrigated area on lot?  Yes  No  
 State Engineer Well Permit #: RG93675  
 Name of Public Water System: City of Los Ranchos

IV. SYSTEM DESIGN

A. Treatment Unit:  Experimental System  
 Septic tank Manufacturer: Rio Grande Septic Systems Capacity: 1500/1000  
 Certification No: NM12-8-150 & NM12-8-100  
 ATS (Advanced Treatment System)  Secondary  Tertiary  Sand filter  
 Disinfection  Other (specify): \_\_\_\_\_  
 Manufacturer: \_\_\_\_\_ Model: \_\_\_\_\_  
 Voluntary ATS

B. Disposal System:  Trench  Leaching Bed  Seepage Pit  
 Privy  Holding tank  Elevated Bed  Wisconsin Mound  
 Vault  Lined Evapotranspiration (ET) Bed  Unlined ET Bed  
 Irrigation  Low pressure dosed  Drip  Gray water  
 Other (specify): \_\_\_\_\_  
 Materials:  Pipe & Gravel  Gravelless (type): \_\_\_\_\_  
 Distribution box:  Yes  No

C. Minimum required absorption area:  
 AR 2 x Q 890 = 1780 SQ FT  
 (AR - Application Rate) (Q - Design Flow)  
 Trench or Bed width = 2 ft.  
 Gravel depth below pipe = 2.5 ft.  
 Total Trench or Bed Length = 255  
 Length of Trenches = (1) 100; (2) 100; (3) 55; (4) \_\_\_\_\_  
 Number of Gravelless Units = n/a  
 Proposed Absorption Area of System = 1785 SQFT

D. Depth from ground surface to bottom of absorption area = 4 ft.

I. PERMIT APPLICATION (instructions available on request)

Application is for:  New Permit  Registration - existing unpermitted system  
 Modification of an existing system  ATS ownership transfer  
 Existing Permit No.(if applicable): non-permitted

II. WASTEWATER SOURCES & DESIGN FLOWS IN GALLONS PER DAY (gpd)

A. Proposed liquid waste system use and design flow:  
 Single family residence 4 no. of bedrooms 440 gpd  
 Multiple family units     no. of units;     no. bedrooms per unit     gpd  
 Seasonal residence     gpd  
 Commercial/Institutional (type):     gpd  
 Other (type): Guest House+Barn Fixture units: 300/150 gpd  
 B. Are there other sewage sources on this property?  Yes  No  
 TOTAL WASTEWATER FLOW ON PROPERTY - 890 gpd

III. SITE INFORMATION

A. Lot Size: 2.3 Acres Date of Record: 8/29/1984  
 (nearest 0.01 acre) (Plat Date or Subdivision Date)  
 Ownership and lot size documentation attached:  Warranty deed  Property tax receipt  
 Recorded survey  Recorded plat  Other, specify: \_\_\_\_\_

NMED Processing Number: AD14001

V. **SITE PLAN:** Attach plat, diagram or picture file of the lot and liquid waste system. Show setback distances from both the tank and disposal field to property lines, buildings, structures, wells, water lines, irrigation ditches, arroyos and surface waters within 200 feet of the system, and the direction of groundwater flow.

NMED Use: A plat, drawing or picture, including setback distances, in accordance with 20.7.3.302:        IS attached

VI. The foregoing information is correct and true to the best of my knowledge. I understand the issuing of this permit does not relieve me from the responsibility of complying with all applicable provisions of the New Mexico Plumbing Code and the New Mexico Liquid Waste Disposal and Treatment Regulations. Obtaining this permit does not relieve me from the responsibility of obtaining any permit required by state, city or county regulation or ordinance or other requirements of state or federal law.

Print Name Lori Eldredge per Rio Grande Septic Systems

*Lori Eldredge* 11-Jun-14  
 Signature Date

       Owner        Owner's Authorized Representative X Owner's Authorized Representative and Contractor

**NMED USE ONLY**

VII. **NMED PERMIT TO CONSTRUCT** (For Registrations, ATS Ownership Transfer, or Permitting of Existing Unpermitted Systems installed after February 1, 2002 skip this section and go to Section VIII):

A permit for CONSTRUCTION ONLY of the liquid waste disposal system described herein is hereby:  
       Granted  Granted subject to conditions        Denied NMED Permit to Construct No. AD14001

Permit Conditions or Reasons for Denial: Must maintain 4 feet of separation between bottom of drain field & seasonal high water table

*DL* 12 June 2014  
 NMED Representative Date



NOTE: This permit may be canceled for failure to meet any condition specified: failure to complete the system within one year; for providing inaccurate or incomplete information; or for failure to notify NMED to schedule an inspection, a minimum of 2 working days prior to the inspection. If you have questions call: \_\_\_\_\_

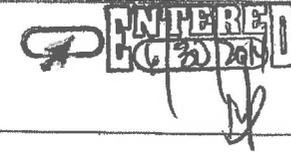
VIII. **NMED FINAL APPROVAL TO OPERATE LIQUID WASTE SYSTEM:**

The system described above:  was inspected by NMED        Contractor photo inspection authorized

NMED Inspection History	NMED Representative	Date
<u>Initial</u>	<u>Deborah Carpenter</u>	<u>27 June 2014</u>
<u>Final</u>	<u>Deborah Carpenter</u>	<u>30 June 2014</u>

A permit for operation of the liquid waste disposal system described herein is hereby:  
 Granted        Granted subject to conditions        Denied NMED Permit to Operate No. AD14001

Conditions of Approval: \_\_\_\_\_  
*DL* 30 June 2014  
 NMED Representative Date





STATE OF NEW MEXICO ENVIRONMENT DEPARTMENT ENVIRONMENTAL HEALTH DIVISION ONSITE LIQUID WASTE SYSTEM INSPECTION Revised 07/08



NMED Permit No: AD140001 Applicant's Name John & Scott Black 723 Chavez Los Ranchos Address Type of Inspection: [ ] INITIAL [x] FINAL [ ] REINSPECTION [ ] COMPLAINT [ ] OTHER

1. BUILDING SEWER EX

- a. [x] Correct Size and Material 20.7.3.813.C b. [ ] Required Cleanouts Present, Installed Correctly & to Finish Grade 20.7.3.813.B c. [ ] Pipe at Correct Grade (1/8" to 1/4" per foot) 20.7.3.813.A

2. PRE-TREATMENT

- a. [ ] Type: b. [ ] Installed as per Plans or Manufacturer's Instructions 20.7.3.401.1 c. [ ] Other:

3. SEPTIC TANK / SEC./TERT. TREATMENT UNIT

- Type [ ] Concrete [ ] Plastic/Fiberglass [ ] Sec./Tert. Treatment Unit a. [ ] Located as per Site Plan 20.7.3.401.1 b. [ ] Correct Setbacks 20.7.3.302, Table 302.1 c. [ ] Tank Certified; Correctly Labeled 20.7.3.501; 20.7.3.501.B.4 d. [ ] Tank Correctly Oriented, Level & Depth Below Grade 20.7.3.501.J.7 e. [ ] Inlet / Outlet Pipes Sealed & Watertight f. [ ] Inlet / Outlet Baffle or Tee with Branch Extending 12" Minimum Below Liquid Level g. [ ] Effluent Filter Installed, Riser to Grade h. [ ] Tank & Fittings Correctly Vented i. [ ] Concrete Tank: Coated & Material Correct OR Type V Concrete j. [ ] Outlet Pipe Correct Size & Material k. [ ] Manholes Correctly Sized & Located l. [ ] Manhole Risers at Grade, Diameter, Secure Lids & Coated m. [ ] Tank Installed per Manufacturer's Instructions n. [ ] Advanced Treatment Unit Installed per Manufacturer's Instructions o. [ ] Water Tightness Test Conducted p. [ ] Water Softener Discharge Bypassing ATU q. [ ] Other:

4. SURGE, PUMP AND HOLDING TANKS x 2

- Type [ ] Surge Tank [x] Pump Tank [ ] Holding Tank [ ] Other a. [x] Correct Size b. [x] Inlet/Outlet Sealed Correctly c. [x] Pump(s) & Alarms installed on separate circuits, properly set and located d. [x] Manholes, Risers, Lids Correct and Water Tight

5. TEE/DISTRIBUTION BOX/HEADER

- a. [ ] 4" Diameter b. [ ] Tee Level/Header c. [ ] "D" Box Level and on Concrete Slab or Stable Soil d. [ ] "D" Box Inlet Baffled and 1" Above Outlets e. [ ] "D" Box Outlets at Same Height; Equal Flow to Outlets f. [ ] Tee or "D" Located a Min. of 5' From Disposal Field. g. [ ] Other:

6. DISPOSAL TRENCH OR BED

- Type [ ] Trench [ ] Chamber [ ] Bed [ ] Seepage Pit(s) [ ] Other a. [ ] Soil Type Verified b. [ ] Correct Clearance to Ground Water or Limiting Layer

Additional comments:

- c. [ ] Correctly sized disposal area d. [ ] Correct Setbacks e. [ ] Excavation at Correct Grade f. [ ] Correct Spacing Between Trenches or Beds g. [ ] Smeared Soils Not Present on Trench or Bed h. [ ] Correct Aggregate; Type, Size, Clean and Amount i. [ ] Correct Depth of Aggregate Above and Below Pipe j. [ ] Correct Pipe; 2-hole, 4" Minimum Diameter, End Caps k. [ ] Aggregate Covered with Approved Material l. [ ] Pipe Covered with Geotextile Fabric in Place of Aggregate m. [ ] Inspection Port(s), Capped n. [ ] Other: Seepage Pits: a. [ ] Underside of lid coated; riser provided as required b. [ ] Domed covers covered with minimum 2" concrete c. [ ] Brick or block laid end to end with staggered tight joints d. [ ] Side wall inlet properly vented e. [ ] Inlet/outlet fittings sealed f. [ ] Locking or secured lid

Other Disposal Methods:

- a. [ ] Type: b. [ ] Installed per Plans or Manufacturer's Instructions c. [ ] Other:

7. ON-SITE WELL MEASUREMENTS

- a. [ ] Nitrate-N: (mg/L) b. [ ] Iron: (mg/L) c. [ ] Fluoride: (mg/L)

8. GIS COORDINATES

Well: lat long Elev Sys: lat long Elev

9.

COMMENTS/VIOLATIONS

[ ] Continued on attached Sheet(s)

- [x] Installation Approved [ ] Installation Approved w/conditions (See Comments/Violations) [ ] Installation Not Approved (See Comments/Violations)

10.

- Final Approval [x] Granted [ ] Not Granted

BL 30 June 2014

NMED Inspector, Date

I certify that this liquid waste system was installed in accordance with the permit approved by NMED, unless otherwise noted in in Comments Section above.

Installer, Date

Table with 2 columns: Legend for OK, N/I, N/C, N/A, A/P, N/V, N/T, EX - Existing



STATE OF NEW MEXICO ENVIRONMENT DEPARTMENT ENVIRONMENTAL HEALTH DIVISION ONSITE LIQUID WASTE SYSTEM INSPECTION Revised 07/08



NMED Permit No: AD14001 Applicant's Name John e Scott Black 723 Chavez Address Type of Inspection: [X] INITIAL [ ] FINAL [ ] REINSPECTION [ ] COMPLAINT [ ] OTHER

- 1. BUILDING SEWER NA a. EX Correct Size and Material 20.7.3.813.C b. EX Required Cleanouts Present, Installed Correctly & to Finish Grade 20.7.3.813.B c. EX Pipe at Correct Grade (1/8" to 1/4" per foot) 20.7.3.813.A 2. PRE-TREATMENT NA a. Type: b. Installed as per Plans or Manufacturer's Instructions 20.7.3.401.1 c. Other:

- 3. SEPTIC TANK / SEC./TERT. TREATMENT UNIT Type [X] Concrete [ ] Plastic/Fiberglass [ ] Sec./Tert. Treatment Unit a. OK Located as per Site Plan 20.7.3.401.1 b. OK Correct Setbacks 20.7.3.302, Table 302.1 c. OK Tank Certified; Correctly Labeled 20.7.3.501; 20.7.3.501.B.4 d. OK Tank Correctly Oriented, Level & Depth Below Grade 20.7.3.501.J.7 e. OK Inlet / Outlet Pipes Sealed & Watertight f. OK Inlet / Outlet Baffle or Tee with Branch Extending 12" Minimum Below Liquid Level g. OK Effluent Filter Installed, Riser to Grade h. OK Tank & Fittings Correctly Vented i. OK Concrete Tank: Coated & Material Correct OR Type V Concrete j. OK Outlet Pipe Correct Size & Material k. OK Manholes Correctly Sized & Located l. OK Manhole Risers at Grade, Diameter, Secure Lids & Coated m. OK Tank Installed per Manufacturer's Instructions n. NA Advanced Treatment Unit Installed per Manufacturer's Instructions o. NT Water Tightness Test Conducted p. NA Water Softener Discharge Bypassing ATU q. Other:

- 4. SURGE, PUMP AND HOLDING TANKS x 2 Type [ ] Surge Tank [X] Pump Tank [ ] Holding Tank [ ] Other a. NC Correct Size b. NC Inlet/Outlet Sealed Correctly c. NC Pump(s) & Alarms installed on separate circuits, properly set and located d. NC Manholes, Risers, Lids Correct and Water Tight

- 5. TEE/DISTRIBUTION BOX/HEADER a. OK 4" Diameter b. OK Tee Level/Header c. NA "D" Box Level and on Concrete Slab or Stable Soil d. NA "D" Box Inlet Baffled and 1" Above Outlets e. NA "D" Box Outlets at Same Height; Equal Flow to Outlets f. OK Tee or "D" Located a Min. of 5' From Disposal Field. g. Other:

- 6. DISPOSAL TRENCH OR BED Type [X] Trench [ ] Chamber [ ] Bed [ ] Seepage Pit(s) [ ] Other a. OK Soil Type Verified b. OK Correct Clearance to Ground Water or Limiting Layer

Additional comments:

- c. OK Correctly sized disposal area d. OK Correct Setbacks e. OK Excavation at Correct Grade f. OK Correct Spacing Between Trenches or Beds g. OK Smeared Soils Not Present on Trench or Bed h. OK Correct Aggregate; Type, Size, Clean and Amount i. OK Correct Depth of Aggregate Above and Below Pipe j. OK Correct Pipe; 2-hole, 4" Minimum Diameter, End Caps k. OK Aggregate Covered with Approved Material l. NA Pipe Covered with Geotextile Fabric in Place of Aggregate m. OK Inspection Port(s), Capped n. Other: Seepage Pits NA a. Underside of lid coated; riser provided as required b. Domed covers covered with minimum 2" concrete c. Brick or block laid end to end with staggered tight joints d. Side wall inlet properly vented e. Inlet/outlet fittings sealed f. Locking or secured lid

Other Disposal Methods: NA a. Type: b. Installed per Plans or Manufacturer's Instructions c. Other:

- 7. ON-SITE WELL MEASUREMENTS NA a. Nitrate-N: (mg/L) b. Iron: (mg/L) c. Fluoride: (mg/L)

- 8. GIS COORDINATES Well: lat long Elev Sys: lat long Elev

9. COMMENTS/VIOLATIONS [ ] Continued on attached Sheet(s)

- [ ] Installation Approved [ ] Installation Approved w/conditions (See Comments/Violations) [ ] Installation Not Approved (See Comments/Violations)

- 10. Final Approval [ ] Granted [X] Not Granted

DC 27 June 2014 NMED Inspector, Date

I certify that this liquid waste system was installed in accordance with the permit approved by NMED, unless otherwise noted in in Comments Section above.

Installer, Date

Table with 4 columns: OK - If installed and meets Requirements, NI - Not inspected, N/C - Not Compliant, N/A - Not applicable, A/P - As Proposed, N/V - Not Verified, N/T - Not Tested, EX - Existing



AD 140001

NMED Processing Number: \_\_\_\_\_

V. **SITE PLAN:** Attach plat, diagram or picture file of the lot and liquid waste system. Show setback distances from both the tank and disposal field to property lines, buildings, structures, wells, water lines, irrigation ditches, arroyos and surface waters within 200 feet of the system, and the direction of groundwater flow.

NMED Use: A plat, drawing or picture, including setback distances, in accordance with 20.7.3.302:  IS attached

VI. The foregoing information is correct and true to the best of my knowledge. I understand the issuing of this permit does not relieve me from the responsibility of complying with all applicable provisions of the New Mexico Plumbing Code and the New Mexico Liquid Waste Disposal and Treatment Regulations. Obtaining this permit does not relieve me from the responsibility of obtaining any permit required by state, city or county regulation or ordinance or other requirements of state or federal law.

Print Name Lori Eldredge per Rio Grande Septic Systems

Lori Eldredge Signature Date 2-Jun-14

Owner  Owner's Authorized Representative  Owner's Authorized Representative and Contractor

**NMED USE ONLY**

VII. **NMED PERMIT TO CONSTRUCT** (For Registrations, ATS Ownership Transfer, or Permitting of Existing Unpermitted Systems installed after February 1, 2002 skip this section and go to Section VIII):

A permit for **CONSTRUCTION ONLY** of the liquid waste disposal system described herein is hereby:  
 Granted  Granted subject to conditions  Denied NMED Permit to Construct No. \_\_\_\_\_

Permit Conditions or Reasons for Denial: \_\_\_\_\_

\_\_\_\_\_  
NMED Representative Date

NOTE: This permit may be canceled for failure to meet any condition specified: failure to complete the system within one year; for providing inaccurate or incomplete information; or for failure to notify NMED to schedule an inspection, a minimum of 2 working days prior to the inspection.  
If you have questions call: \_\_\_\_\_

VIII. **NMED FINAL APPROVAL TO OPERATE LIQUID WASTE SYSTEM:**

The system described above:  was inspected by NMED  Contractor photo inspection authorized

NMED Inspection History	NMED Representative	Date

A permit for operation of the liquid waste disposal system described herein is hereby:  
 Granted  Granted subject to conditions  Denied NMED Permit to Operate No. \_\_\_\_\_

Conditions of Approval: \_\_\_\_\_

\_\_\_\_\_  
NMED Representative Date

**Service Address: 723 CHAVEZ RD NW - 87107**

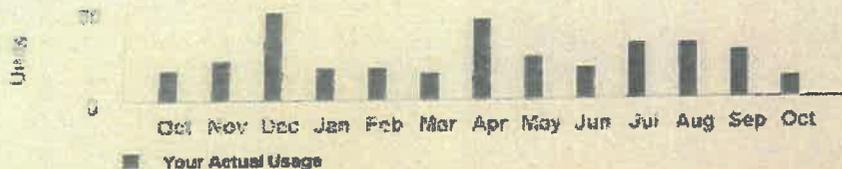
**Water Multi-Family Los Ranchos**

**Service 2018-09-26 - 2018-10-26 ID 3812289180**

Meter Number	Billing Size	Cons Average	Winter Average	Current Meter Read Date	Current Meter Read Reading	Previous Meter Read Date	Previous Meter Read Reading	Usage Units	Gallons Consumed
71769	1	24	24	10/26/2018	415 Reg	09/26/2018	404 Reg	11	8,228

*Reg = Regular Reading      Est = Estimated Reading      Unit = 748 Gallons*

**Conservation information**



Base Charge	12.03
Commodity Charge (Units x \$1.626)	17.89
State Surcharge (Units x \$0.024)	0.26
Facility Rehab	11.83
Franchise Fee	1.67
Tax	2.18
<b>Subtotal</b>	<b>45.86</b>

See reverse for additional charges

AMENDMENT

**COPY**

APPLICATION FOR A LIQUID WASTE PERMIT OR REGISTRATION



Date NMED Received: 11 June 2014

NMED Processing Number: AT1140001

NMED Use Only: Call 980 3657 to schedule an inspection a minimum of 2 working days prior to the inspection. Permit Fee: \$50<sup>00</sup>  
 Permit Approved for (circle one): 1 2 3 4 5 6 Bedrooms  Multiple dwellings  Other: \_\_\_\_\_

**\$ PAID**

SYSTEM OWNER'S NAME: Last, First, MI Home Phone: Business Phone:

Black, John W., Black, Scott H.

MAILING ADDRESS: Street/PO Box, City State Zip Code  
723 Chavez Rd NW Albuquerque NM 87107

SYSTEM LOCATION: Address, City, ZIP, County - (if needed, attach directions)  
723 Chavez Rd NW Albuquerque, NM. 87107

SUBDIVISION UNIT/PHASE BLOCK LOT/TRACT  
Land of Clifford B Wood- Village of Los Ranchos B

UNIFORM PROPERTY CODE: 101406227342020320

TOWNSHIP RANGE SECTION QTR QTR QTR LATITUDE LONGITUDE ELEV  
T11N R3E

INSTALLER'S NAME & FIRM: PHONE:  
Benavidez Ent. Inc. DBA Rio Grande Septic Systems 505-898-2017

MAILING ADDRESS: Street/PO Box City State Zip Code  
P.O. Box 45983 Rio Rancho NM 87174

CID License No./Class MM-1 MM-98 MS-1  MS-3 Homeowner  
 No.: 354182

B. Depth from Ground Surface to:  
 Seasonal High Water Table 10+ feet  
 Bedrock, Caliche, Tight Clay 10+ feet  
 Gravel, Cobbles, Highly permeable soil 10+ feet  
 C. Soil Description:  
 USDA Soil Class Methodology & Verification Submitted? Yes  No  
 Type Ia=1.25 sf/gal/day Type Ib=2 sf/gal/day  Type II=2 sf/gal/day  
 Type III=2 sf/gal/day Type IV=5 sf/gal/day  
 D. Domestic Water Source:  
 On-site  Off-site  Private  Public  Shared  
 Irrigation well or flood irrigated area on lot?  Yes  No  
 State Engineer Well Permit #: RG93675  
 Name of Public Water System: City of Los Ranchos

IV. SYSTEM DESIGN

A. Treatment Unit:  Experimental System  
 Septic tank Manufacturer: Rio Grande Septic Systems Capacity: 1500/1000  
 Certification No: NM12-8-150 & NM12-8-100  
 ATS (Advanced Treatment System)  Secondary  Tertiary  Sand filter  
 Disinfection  Other (specify): \_\_\_\_\_  
 Manufacturer: \_\_\_\_\_ Model: \_\_\_\_\_  
 Voluntary ATS

B. Disposal System:  Trench  Leaching Bed  Seepage Pit  
 Privy  Holding tank  Elevated Bed  Wisconsin Mound  
 Vault  Lined Evapotranspiration (ET) Bed  Unlined ET Bed  
 Irrigation  Low pressure dosed  Drip  Gray water  
 Other (specify): \_\_\_\_\_  
 Materials:  Pipe & Gravel  Gravelless (type): \_\_\_\_\_  
 Distribution box:  Yes  No

C. Minimum required absorption area:  
 AR 2 x Q 890 = 1780 SQ FT  
 (AR - Application Rate) (Q - Design Flow)  
 Trench or Bed width = 2 ft.  
 Gravel depth below pipe = 2.5 ft.  
 Total Trench or Bed Length = 255  
 Length of Trenches = (1) 100; (2) 100; (3) 55; (4) \_\_\_\_\_  
 Number of Gravelless Units = n/a  
 Proposed Absorption Area of System = 1785 SQFT

D. Depth from ground surface to bottom of absorption area = 4 ft.

I. PERMIT APPLICATION (instructions available on request)

Application is for:  New Permit  Registration - existing unpermitted system  
 Modification of an existing system  ATS ownership transfer  
 Existing Permit No.(if applicable): non-permitted

II. WASTEWATER SOURCES & DESIGN FLOWS IN GALLONS PER DAY (gpd)

A. Proposed liquid waste system use and design flow:  
 Single family residence 4 no. of bedrooms 440 gpd  
 Multiple family units     no. of units;     no. bedrooms per unit     gpd  
 Seasonal residence     gpd  
 Commercial/Institutional (type):     gpd  
 Other (type): Guest House+Barn Fixture units: 300/150 gpd  
 B. Are there other sewage sources on this property?  Yes  No  
 TOTAL WASTEWATER FLOW ON PROPERTY - 890 gpd

III. SITE INFORMATION

A. Lot Size: 2.3 Acres Date of Record: 8/29/1984  
 (nearest 0.01 acre) (Plat Date or Subdivision Date)  
 Ownership and lot size documentation attached:  Warranty deed  Property tax receipt  
 Recorded survey  Recorded plat  Other, specify: \_\_\_\_\_





STATE OF NEW MEXICO ENVIRONMENT DEPARTMENT ENVIRONMENTAL HEALTH DIVISION ONSITE LIQUID WASTE SYSTEM INSPECTION Revised 07/08



NMED Permit No: AD140001 Applicant's Name John & Scott Black 723 Chavez Los Ranchos Address Type of Inspection: [ ] INITIAL [x] FINAL [ ] REINSPECTION [ ] COMPLAINT [ ] OTHER

1. BUILDING SEWER EX

- a. [x] Correct Size and Material 20.7.3.813.C
b. [ ] Required Cleanouts Present, Installed Correctly & to Finish Grade 20.7.3.813.B
c. [ ] Pipe at Correct Grade (1/8" to 1/4" per foot) 20.7.3.813.A

2. PRE-TREATMENT

- a. [ ] Type:
b. [ ] Installed as per Plans or Manufacturer's Instructions 20.7.3.401.1
c. [ ] Other:

3. SEPTIC TANK / SEC./TERT. TREATMENT UNIT

- Type [ ] Concrete [ ] Plastic/Fiberglass [ ] Sec./Tert. Treatment Unit
a. [ ] Located as per Site Plan 20.7.3.401.1
b. [ ] Correct Setbacks 20.7.3.302, Table 302.1
c. [ ] Tank Certified; Correctly Labeled 20.7.3.501; 20.7.3.501.B.4
d. [ ] Tank Correctly Oriented, Level & Depth Below Grade 20.7.3.501.J.7
e. [ ] Inlet / Outlet Pipes Sealed & Watertight
f. [ ] Inlet / Outlet Baffle or Tee with Branch Extending 12" Minimum Below Liquid Level
g. [ ] Effluent Filter Installed, Riser to Grade
h. [ ] Tank & Fittings Correctly Vented
i. [ ] Concrete Tank: Coated & Material Correct OR Type V Concrete
j. [ ] Outlet Pipe Correct Size & Material
k. [ ] Manholes Correctly Sized & Located
l. [ ] Manhole Risers at Grade, Diameter, Secure Lids & Coated
m. [ ] Tank Installed per Manufacturer's Instructions
n. [ ] Advanced Treatment Unit Installed per Manufacturer's Instructions
o. [ ] Water Tightness Test Conducted
p. [ ] Water Softener Discharge Bypassing ATU
q. [ ] Other:

4. SURGE, PUMP AND HOLDING TANKS x 2

- Type [ ] Surge Tank [x] Pump Tank [ ] Holding Tank [ ] Other
a. [x] Correct Size
b. [x] Inlet/Outlet Sealed Correctly
c. [x] Pump(s) & Alarms installed on separate circuits, properly set and located
d. [x] Manholes, Risers, Lids Correct and Water Tight

5. TEE/DISTRIBUTION BOX/HEADER

- a. [ ] 4" Diameter
b. [ ] Tee Level/Header
c. [ ] "D" Box Level and on Concrete Slab or Stable Soil
d. [ ] "D" Box Inlet Baffled and 1" Above Outlets
e. [ ] "D" Box Outlets at Same Height; Equal Flow to Outlets
f. [ ] Tee or "D" Located a Min. of 5' From Disposal Field.
g. [ ] Other:

6. DISPOSAL TRENCH OR BED

- Type [ ] Trench [ ] Chamber [ ] Bed [ ] Seepage Pit(s) [ ] Other
a. [ ] Soil Type Verified
b. [ ] Correct Clearance to Ground Water or Limiting Layer

Additional comments:

- c. [ ] Correctly sized disposal area
d. [ ] Correct Setbacks
e. [ ] Excavation at Correct Grade
f. [ ] Correct Spacing Between Trenches or Beds
g. [ ] Smeared Soils Not Present on Trench or Bed
h. [ ] Correct Aggregate; Type, Size, Clean and Amount
i. [ ] Correct Depth of Aggregate Above and Below Pipe
j. [ ] Correct Pipe; 2-hole, 4" Minimum Diameter, End Caps
k. [ ] Aggregate Covered with Approved Material
l. [ ] Pipe Covered with Geotextile Fabric in Place of Aggregate
m. [ ] Inspection Port(s), Capped
n. [ ] Other:
Seepage Pits:
a. [ ] Underside of lid coated; riser provided as required
b. [ ] Domed covers covered with minimum 2" concrete
c. [ ] Brick or block laid end to end with staggered tight joints
d. [ ] Side wall inlet properly vented
e. [ ] Inlet/outlet fittings sealed
f. [ ] Locking or secured lid

Other Disposal Methods:

- a. [ ] Type:
b. [ ] Installed per Plans or Manufacturer's Instructions
c. [ ] Other:

7. ON-SITE WELL MEASUREMENTS

- a. [ ] Nitrate-N: (mg/L)
b. [ ] Iron: (mg/L)
c. [ ] Fluoride: (mg/L)

8. GIS COORDINATES

- Well: lat long
Elev
Sys: lat long
Elev

9. COMMENTS/VIOLATIONS

- [ ] Continued on attached Sheet(s)
[ ] Installation Approved
[ ] Installation Approved w/conditions (See Comments/Violations)
[ ] Installation Not Approved (See Comments/Violations)

- 10. Final Approval
[x] Granted [ ] Not Granted

BL 30 June 2014 NMED Inspector, Date

I certify that this liquid waste system was installed in accordance with the permit approved by NMED, unless otherwise noted in in Comments Section above.

Installer, Date

Table with 2 columns: Legend for inspection results (OK, N/I, N/C, N/A, A/P, N/V, N/T, EX - Existing)



STATE OF NEW MEXICO ENVIRONMENT DEPARTMENT ENVIRONMENTAL HEALTH DIVISION ONSITE LIQUID WASTE SYSTEM INSPECTION Revised 07/08



NMED Permit No: AD14001 Applicant's Name John e Scott Black 723 Chavez Address Type of Inspection: [X] INITIAL [ ] FINAL [ ] REINSPECTION [ ] COMPLAINT [ ] OTHER

- 1. BUILDING SEWER NA
a. EX Correct Size and Material 20.7.3.813.C
b. EX Required Cleanouts Present, Installed Correctly & to Finish Grade 20.7.3.813.B
c. EX Pipe at Correct Grade (1/8" to 1/4" per foot) 20.7.3.813.A
2. PRE-TREATMENT NA
a. Type:
b. Installed as per Plans or Manufacturer's Instructions 20.7.3.401.1
c. Other:

- 3. SEPTIC TANK / SEC./TERT. TREATMENT UNIT
Type [X] Concrete [ ] Plastic/Fiberglass [ ] Sec./Tert. Treatment Unit
a. OK Located as per Site Plan 20.7.3.401.1
b. OK Correct Setbacks 20.7.3.302, Table 302.1
c. OK Tank Certified; Correctly Labeled 20.7.3.501; 20.7.3.501.B.4
d. OK Tank Correctly Oriented, Level & Depth Below Grade 20.7.3.501.J.7
e. OK Inlet / Outlet Pipes Sealed & Watertight
f. OK Inlet / Outlet Baffle or Tee with Branch Extending 12" Minimum Below Liquid Level
g. OK Effluent Filter Installed, Riser to Grade
h. OK Tank & Fittings Correctly Vented
i. OK Concrete Tank: Coated & Material Correct OR Type V Concrete
j. OK Outlet Pipe Correct Size & Material
k. OK Manholes Correctly Sized & Located
l. OK Manhole Risers at Grade, Diameter, Secure Lids & Coated
m. OK Tank Installed per Manufacturer's Instructions
n. NA Advanced Treatment Unit Installed per Manufacturer's Instructions
o. NT Water Tightness Test Conducted
p. NA Water Softener Discharge Bypassing ATU
q. Other:

- 4. SURGE, PUMP AND HOLDING TANKS x 2
Type [ ] Surge Tank [X] Pump Tank [ ] Holding Tank [ ] Other
a. NC Correct Size
b. NC Inlet/Outlet Sealed Correctly
c. NC Pump(s) & Alarms installed on separate circuits, properly set and located
d. NC Manholes, Risers, Lids Correct and Water Tight

- 5. TEE/DISTRIBUTION BOX/HEADER
a. OK 4" Diameter
b. OK Tee Level/Header
c. NA "D" Box Level and on Concrete Slab or Stable Soil
d. NA "D" Box Inlet Baffled and 1" Above Outlets
e. NA "D" Box Outlets at Same Height; Equal Flow to Outlets
f. OK Tee or "D" Located a Min. of 5' From Disposal Field.
g. Other:

- 6. DISPOSAL TRENCH OR BED
Type [X] Trench [ ] Chamber [ ] Bed [ ] Seepage Pit(s) [ ] Other
a. OK Soil Type Verified
b. OK Correct Clearance to Ground Water or Limiting Layer

Additional comments:

- c. OK Correctly sized disposal area
d. OK Correct Setbacks
e. OK Excavation at Correct Grade
f. OK Correct Spacing Between Trenches or Beds
g. OK Smeared Soils Not Present on Trench or Bed
h. OK Correct Aggregate; Type, Size, Clean and Amount
i. OK Correct Depth of Aggregate Above and Below Pipe
j. OK Correct Pipe; 2-hole, 4" Minimum Diameter, End Caps
k. OK Aggregate Covered with Approved Material
l. NA Pipe Covered with Geotextile Fabric in Place of Aggregate
m. OK Inspection Port(s), Capped
n. Other:
Seepage Pits NA
a. Underside of lid coated; riser provided as required
b. Domed covers covered with minimum 2" concrete
c. Brick or block laid end to end with staggered tight joints
d. Side wall inlet properly vented
e. Inlet/outlet fittings sealed
f. Locking or secured lid

- Other Disposal Methods: NA
a. Type:
b. Installed per Plans or Manufacturer's Instructions
c. Other:
7. ON-SITE WELL MEASUREMENTS NA
a. Nitrate-N: (mg/L)
b. Iron: (mg/L)
c. Fluoride: (mg/L)

- 8. GIS COORDINATES
Well: lat long
Elev
Sys: lat long
9. Elev

COMMENTS/VIOLATIONS [ ] Continued on attached Sheet(s)

- [ ] Installation Approved
[ ] Installation Approved w/conditions (See Comments/Violations)
[ ] Installation Not Approved (See Comments/Violations)

- 10. Final Approval [ ] Granted [X] Not Granted

DC 27 June 2014
NMED Inspector, Date

I certify that this liquid waste system was installed in accordance with the permit approved by NMED, unless otherwise noted in in Comments Section above.

Installer, Date

Table with 4 columns: OK - If installed and meets Requirements, NI - Not inspected, N/C - Not Compliant, N/A - Not applicable, A/P - As Proposed, N/V - Not Verified, N/T - Not Tested, EX - Existing



Received  
APPLICATION FOR A LIQUID WASTE PERMIT OR REGISTRATION  
JUN 3 2014

Date NMED Received: \_\_\_\_\_ NMED Processing Number: AD140001  
NMED Use Only: District 1  
Call \_\_\_\_\_ to schedule an inspection a minimum of 2 working days prior to the inspection. Permit Fee: \_\_\_\_\_  
Permit Approved for (circle one): 1 2 3 4 5 6 Bedrooms Multiple dwellings Other: \_\_\_\_\_

(E) 6/3/14  
MAP

SYSTEM OWNER'S NAME: Last, First, MI Home Phone: Business Phone:  
Black, John W., Black, Scott H.  
MAILING ADDRESS: Street/PO Box, City State Zip Code  
723 Chavez Rd NW Albuquerque NM 87107  
SYSTEM LOCATION: Address, City, ZIP, County - (if needed, attach directions)  
723 Chavez Rd NW Albuquerque, NM. 87107  
SUBDIVISION UNIT/PHASE BLOCK LOT/TRACT  
Land of Clifford B Wood- Village of Los Ranchos B  
UNIFORM PROPERTY CODE: 101406227342020320  
TOWNSHIP RANGE SECTION QTR QTR QTR LATITUDE LONGITUDE ELEV  
T11N R3E  
INSTALLER'S NAME & FIRM: PHONE:  
Benavidez Ent. Inc. DBA Rio Grande Septic Systems 505-898-2017  
MAILING ADDRESS: Street/PO Box City State Zip Code  
P.O. Box 45983 Rio Rancho NM 87174  
CID License No./Class MM-1 MM-98 MS-1 X MS-3 Homeowner  
No.: 354182

I. PERMIT APPLICATION (instructions available on request)  
Application is for: X New Permit Registration - existing unpermitted system  
X Modification of an existing system ATS ownership transfer  
Existing Permit No.(if applicable): non-permitted

II. WASTEWATER SOURCES & DESIGN FLOWS IN GALLONS PER DAY (gpd)  
A. Proposed liquid waste system use and design flow:  
X Single family residence 7 no. of bedrooms 600 gpd?  
Multiple family units no. of units; no. bedrooms per unit \_\_\_\_\_ gpd  
Seasonal residence \_\_\_\_\_ gpd  
Commercial/Institutional (type): \_\_\_\_\_ gpd  
Other (type): \_\_\_\_\_ Fixture units: \_\_\_\_\_ gpd

B. Are there other sewage sources on this property? Yes X No  
TOTAL WASTEWATER FLOW ON PROPERTY - 600 gpd

III. SITE INFORMATION  
A. Lot Size: 2.3 Acres Date of Record: 8/29/1984  
(nearest 0.01 acre) (Plat Date or Subdivision Date)  
Ownership and lot size documentation attached: X Warranty deed Property tax receipt  
Recorded survey X Recorded plat Other, specify: \_\_\_\_\_

B. Depth from Ground Surface to:  
Seasonal High Water Table 100+ feet  
Bedrock, Caliche, Tight Clay 100+ feet  
Gravel, Cobbles, Highly permeable soil 100+ feet

C. Soil Description:  
USDA Soil Class Methodology & Verification Submitted? Yes X No  
Type Ia=1.25 sf/gal/day Type Ib=2 sf/gal/day X Type II=2 sf/gal/day  
Type III=2 sf/gal/day Type IV=5 sf/gal/day

D. Domestic Water Source:  
X On-site Off-site Private X Public Shared  
Irrigation well, or flood irrigated area on lot? X Yes No  
State Engineer Well Permit #: RG93675, Irrigation  
Name of Public Water System: City of Los Ranchos

IV. SYSTEM DESIGN Experimental System  
A. Treatment Unit: \*\*installing two septic tanks\*\*  
X Septic tank Manufacturer: Rio Grande Septic Systems Capacity: 1500/1000  
Certification No: NM12-8-150 & NM12-8-100  
ATS (Advanced Treatment System) Secondary Tertiary Sand filter  
Disinfection Other (specify): \_\_\_\_\_  
Manufacturer: \_\_\_\_\_ Model: \_\_\_\_\_  
Voluntary ATS

B. Disposal System: X Trench Leaching Bed Seepage Pit  
Privy Holding tank Elevated Bed Wisconsin Mound  
Vault Lined Evapotranspiration (ET) Bed Unlined ET Bed  
Irrigation Low pressure dosed Drip Gray water  
Other (specify): \_\_\_\_\_  
Materials: X Pipe & Gravel Gravelless (type): \_\_\_\_\_  
Distribution box: Yes X No

C. Minimum required absorption area:  
AR 2 x Q 600 = 1200 SQ FT  
(AR - Application Rate) (Q - Design Flow)  
Trench or Bed width = 2 ft.  
Gravel depth below pipe = 2.5 ft.  
Total Trench or Bed Length = 172  
Length of Trenches = (1) 86; (2) 86; (3) \_\_\_\_\_; (4) \_\_\_\_\_  
Number of Gravelless Units = n/a  
Proposed Absorption Area of System = 1204 SQFT

D. Depth from ground surface to bottom of absorption area = 4 ft.

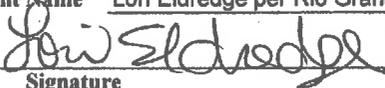
NMED Processing Number: AD 140001

V. **SITE PLAN: Attach plat, diagram or picture file of the lot and liquid waste system. Show setback distances from both the tank and disposal field to property lines, buildings, structures, wells, water lines, irrigation ditches, arroyos and surface waters within 200 feet of the system, and the direction of groundwater flow.**

NMED Use: A plat, drawing or picture, including setback distances, in accordance with 20.7.3.302:  IS attached

VI. The foregoing information is correct and true to the best of my knowledge. I understand the issuing of this permit does not relieve me from the responsibility of complying with all applicable provisions of the New Mexico Plumbing Code and the New Mexico Liquid Waste Disposal and Treatment Regulations. Obtaining this permit does not relieve me from the responsibility of obtaining any permit required by state, city or county regulation or ordinance or other requirements of state or federal law.

Print Name Lori Eldredge per Rio Grande Septic Systems

 2-Jun-14  
Signature Date

Owner  Owner's Authorized Representative  Owner's Authorized Representative and Contractor

**NMED USE ONLY**

VII. **NMED PERMIT TO CONSTRUCT (For Registrations, ATS Ownership Transfer, or Permitting of Existing Unpermitted Systems installed after February 1, 2002 skip this section and go to Section VIII):**

A permit for CONSTRUCTION ONLY of the liquid waste disposal system described herein is hereby:

Granted  Granted subject to conditions  Denied NMED Permit to Construct No. \_\_\_\_\_

Permit Conditions or Reasons for Denial: \_\_\_\_\_

\_\_\_\_\_  
NMED Representative Date

NOTE: This permit may be canceled for failure to meet any condition specified: failure to complete the system within one year; for providing inaccurate or incomplete information; or for failure to notify NMED to schedule an inspection, a minimum of 2 working days prior to the inspection.  
If you have questions call: \_\_\_\_\_

VIII. **NMED FINAL APPROVAL TO OPERATE LIQUID WASTE SYSTEM:**

The system described above:  was inspected by NMED  Contractor photo inspection authorized

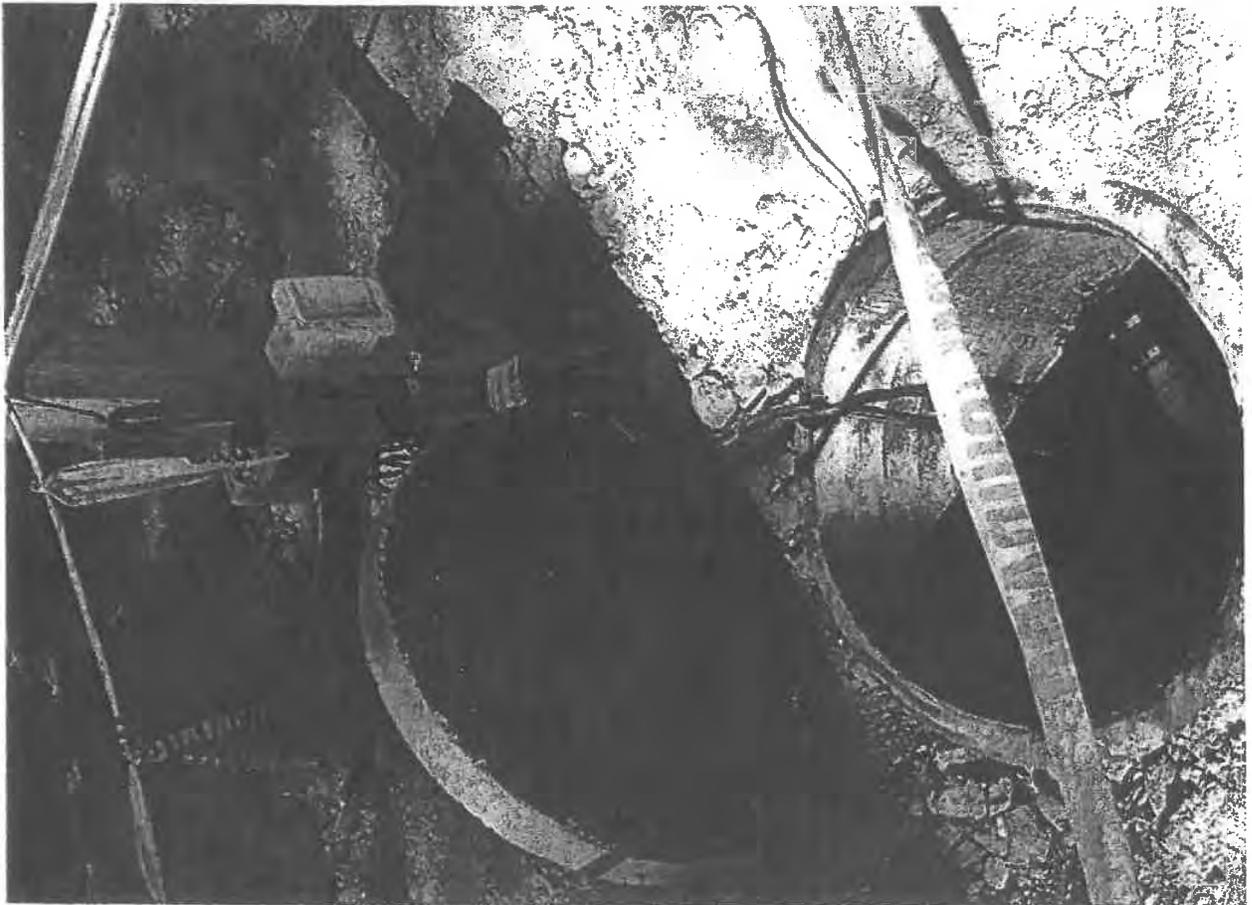
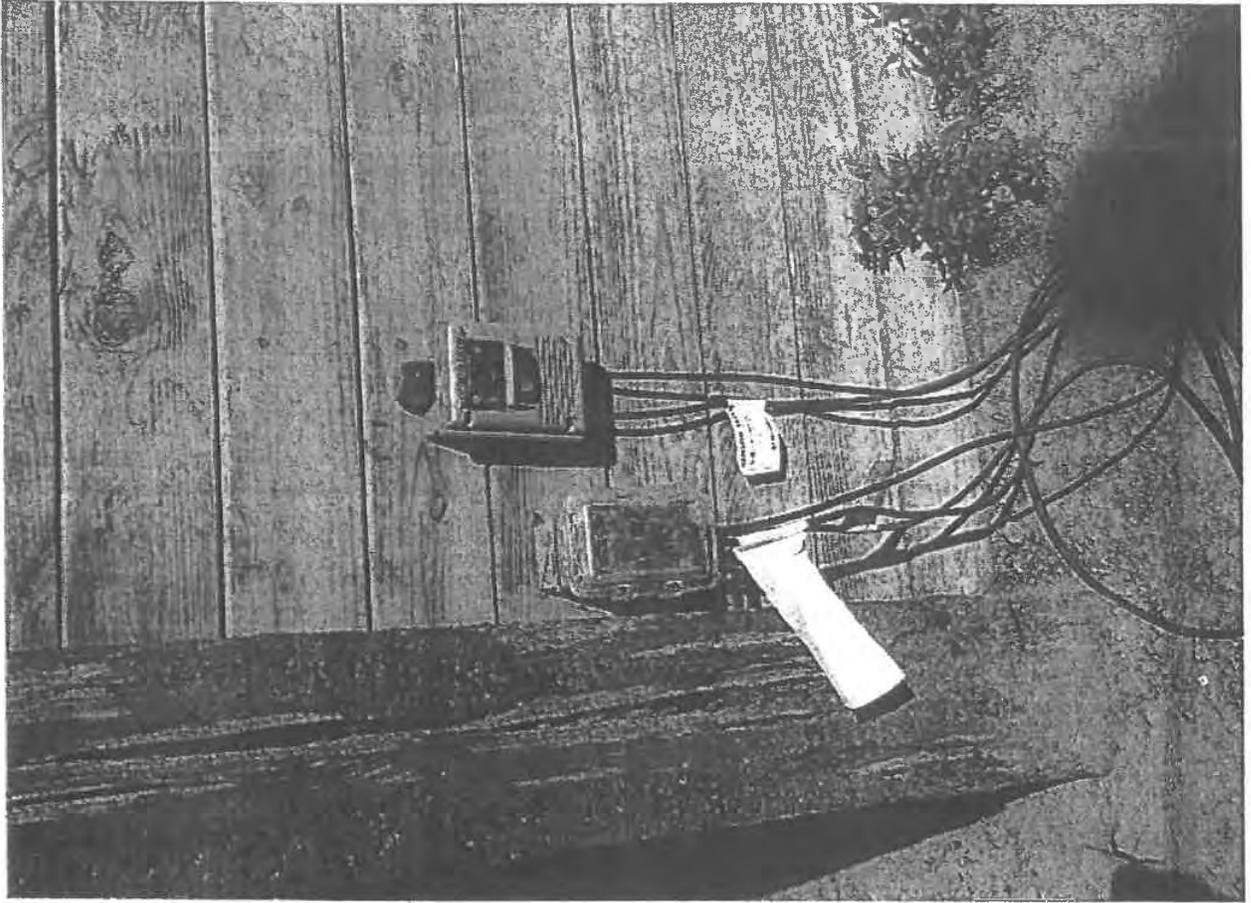
\_\_\_\_\_  
NMED Inspection History NMED Representative Date

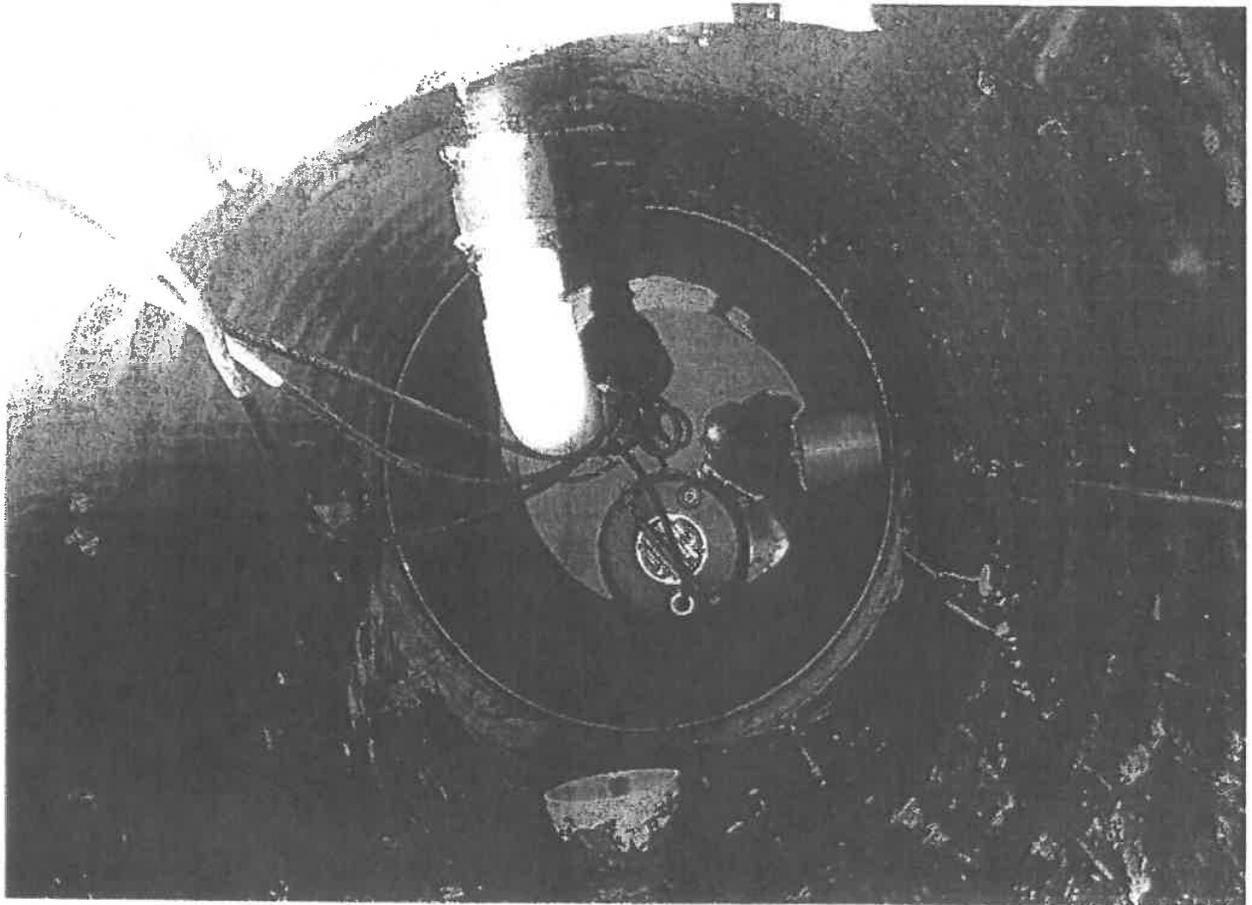
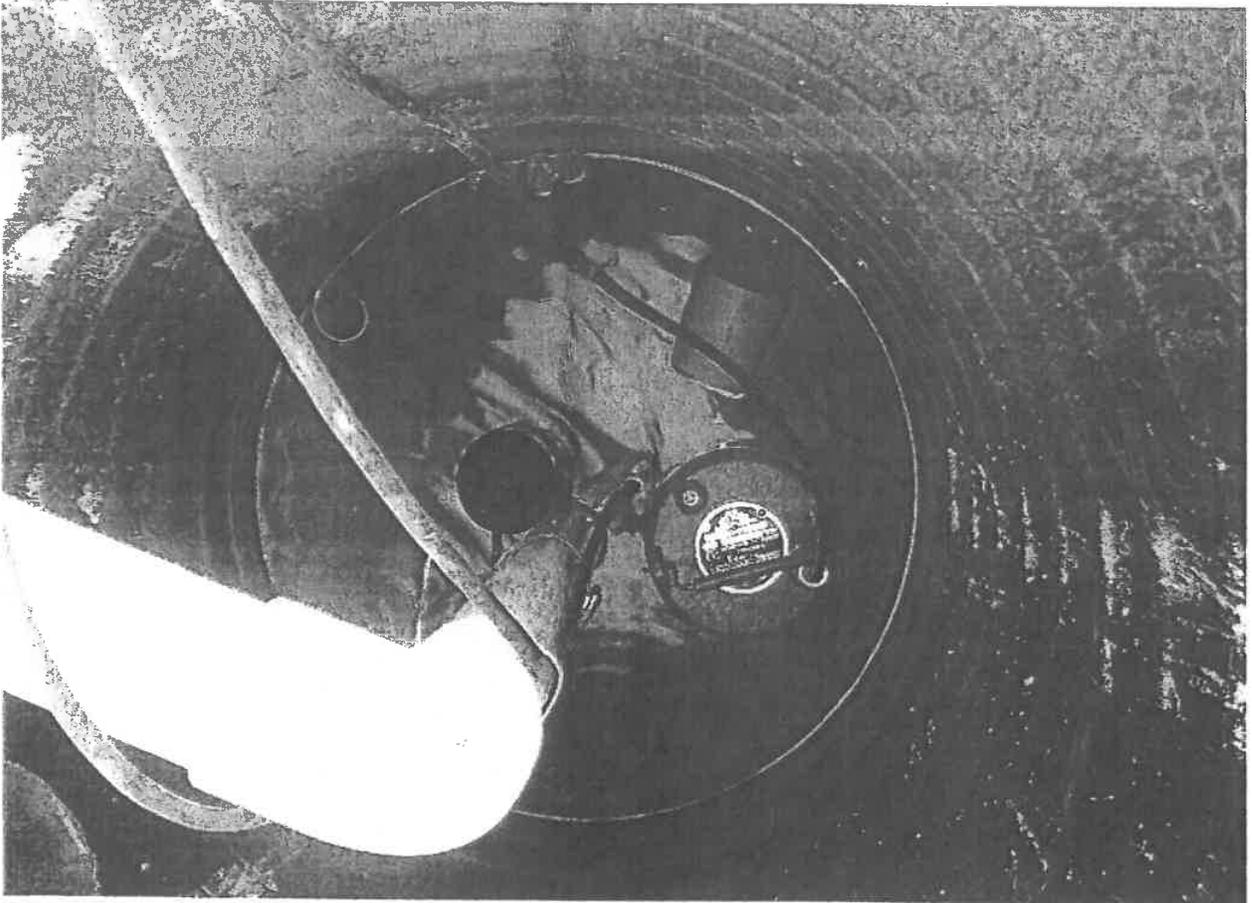
A permit for operation of the liquid waste disposal system described herein is hereby:

Granted  Granted subject to conditions  Denied NMED Permit to Operate No. \_\_\_\_\_

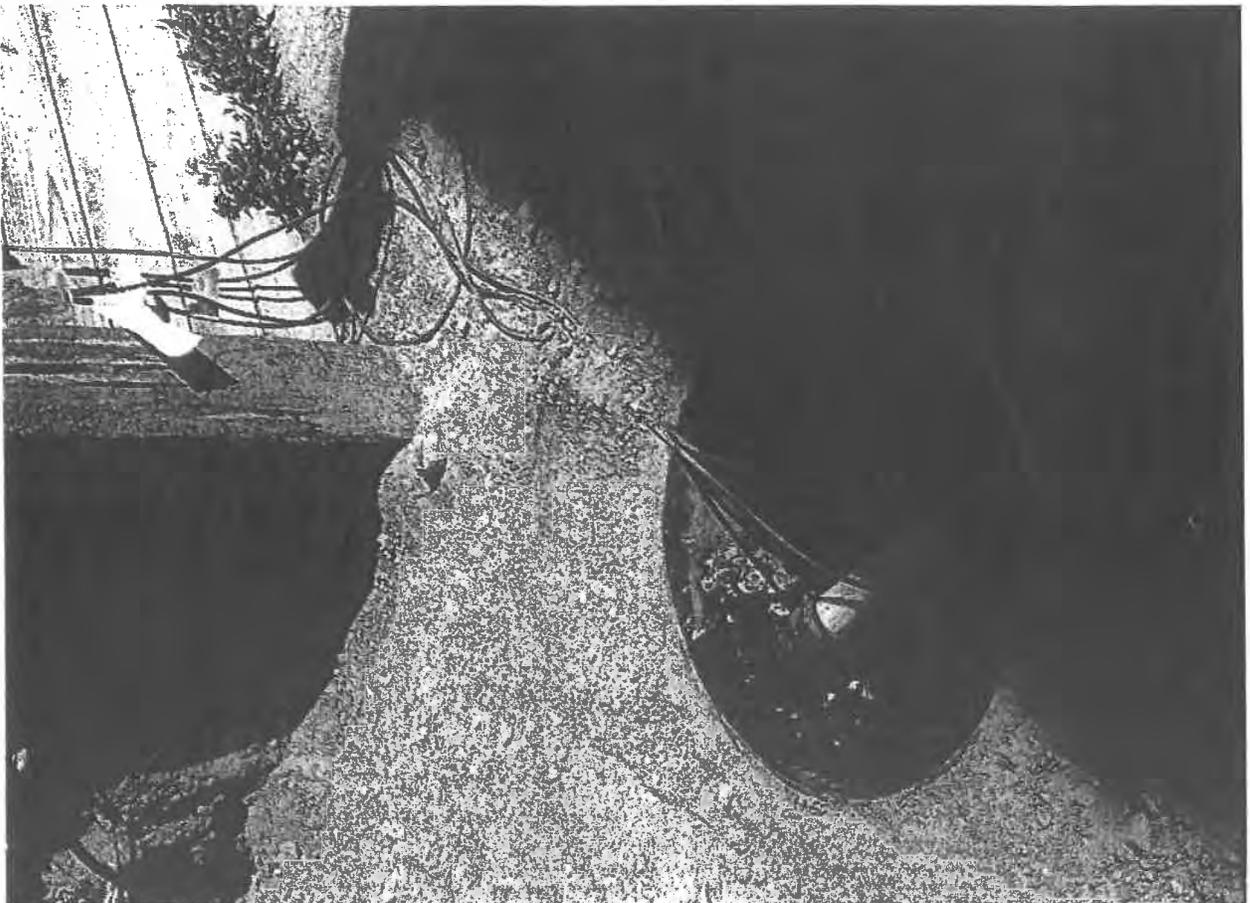
Conditions of Approval: \_\_\_\_\_

\_\_\_\_\_  
NMED Representative Date





44



2  
10  
1

**PROPERTY ADDRESS AND DESCRIPTION PARCEL**

723 CHAVEZ RD NW  
 \* B PLAT OF LAND OF CLIFFORD B WOOD WITHIN  
 THE VILLAGE OF LO  
 S RANCHOS CONT 2.0505 AC

PARCEL NUMBER: 101406227342020320



TREASURER BERNALILLO  
 COUNTY  
 PO BOX 627  
 ALBUQUERQUE, N.M. 87103-0627  
 (505) 468-7031  
 TREASURERS OFFICE  
 E-MAIL: TREAS@BERNCO.GOV

AFC MRGB

1 014 062 273 420 20320  
 GILBERT RUTH H & KENNETH G  
 C/O KALAPA JESSE & ETAL  
 723 CHAVEZ RD NW  
 ALBUQUERQUE NM 87107 5600

**2019 TAX BILL**

SENT TO MGC # 1952  
 RUSHMORE LOAN MANAGEMENT  
 SERVICES, LLC

LIAM TAX DISTRICT

PROPERTY	CODE	VALUE
ASSESSED VALUE LAND		133,400
ASSESSED VALUE IMPROVEMENTS		1,459,300
ASSESSED VALUE PERS PROP		0
TAXABLE VALUE LAND		44,462
TAXABLE VALUE IMPROVEMENTS		486,385
TAXABLE VALUE PERS PROP		0
TOTAL VALUATION		530,847
STATUTORY EXEMPTION		0
VETERAN EXEMPTION		0
<b>NET TAXABLE VALUE</b>		<b>530,847</b>

AGENCIES	TAX RATE	NET TAXABLE VALUE	AMOUNT DUE
STATE	1.360	530,847	721.95
COUNTY	8.574	530,847	4,551.48
LOS RANCHO	1.000	530,847	530.85
SCHOOL APS	10.588	530,847	5,620.61
CNM	3.823	530,847	2,029.43
UNMH	6.400	530,847	3,397.42
AMAFCA	0.849	530,847	450.69
MRGCD	5.069	530,847	2,690.87
<b>TOTAL RATE</b>	<b>37.663</b>	<b>2019 TAX &gt;&gt;</b>	<b>19,993.30</b>

1st half payment becomes delinquent after Jan. 19, 2020  
 2nd half payment becomes delinquent after May 10, 2020  
 Postmark by these dates for each half is on time...

[CLICK HERE TO SEE TAX & PAYMENT HISTORY](#)

OTHER TAX DUE:

YEAR	TAX	INTEREST	PENALTY	FEES	AMOUNT DUE
------	-----	----------	---------	------	------------



JURISDICT: 02    PARCEL ID: 1 014 062 273 420 20320		TAX YEAR: 2019
ROLLTYPE: RP    PROTEST DEADLINE: 30-APR-19		
TAX DISTRICT L1 MRG: M    AFC: A    CLASS: RES		
OWNER 1: GILBERT RUTH H & KENNETH G OWNER 2: C/O KALAPA JESSE & ETAL ADDRESS: 723 CHAVEZ RD NW ALBUQUERQUE NM 87107-5600 LOCATION: 723 CHAVEZ RD NW DOCUMENT #: 2018110027 123118 RC - ENTRY BY LR 011019 CODED BY LV 122118	FULL LAND VALUE: 133,400 AGRIC. LAND: 0 FULL IMPV. VALUE: 1,459,300 TOTAL FULL VALUE: 1,592,700 TAXABLE (1/3 FULL): 530,847 EXEMPTIONS HEAD OF FAMILY: 0 VETERAN: 0 OTHER (J): 0 NET TAXABLE VALUE: 530,847	
PROPERTY DESCRIPTION LEGAL <ul style="list-style-type: none"> <li>* B PLAT OF LAND OF CLIFFORD B WOOD WITHIN THE VILLAGE OF LO</li> <li>S RANCHOS CONT 2.0505 AC</li> </ul>		
COMMENTS		

Quitclaim Deed

This Quitclaim Deed made September 24, 2010, by  
Scott H Black ("Transferor")  
PO Box 332  
Glenwood Springs, Colorado  
81602

Doc# 2010096317  
09/24/2010 01:25 PM Page: 1 of 1  
SCL R:89.89 N. Toulouse Silver, Bernalillo County

to:  
John W. Black and Scott H Black ("Transferee")  
PO Box 6508  
Albuquerque, NM  
87197

Transferor, remises, releases, and forever quitclaims to Transferee all of the interest of Transferor, if any, in an to that real property located in the County of Bernalillo and State of New Mexico, and more certainly described as follows: Lot Lettered "B" of the Plat of Land of Clifford B. Wood within the Village of Los Ranchos, as the same is shown and designated on said Plat, filed in the Office of the County Clerk of Bernalillo County, New Mexico, on august29, 1984 in volume C24, Folio 185.

To have and to hold, all and singular the described property, together with the tenements, hereditaments, and appurtenances belonging to such property, or in anywise appertaining, and the rents, issues, and profits of such property to Transferee, and Transferee's heirs and assigns forever.

IN WITNESS WHEREOF, Transferor has executed this Quitclaim Deed on the date first above written.

  
\_\_\_\_\_  
Scott H Black

Acknowledgment

State of Colorado )  
                                  ) ss  
County of Garfield )

acknowledged before me by Scott H Black  
on September 22<sup>nd</sup> 2010

  
\_\_\_\_\_

ANNA FALK  
NOTARY PUBLIC  
STATE OF COLORADO

ACKNOWLEDGMENT

State of New Mexico

County of Bernalillo

On this 10<sup>th</sup> day of Aug 2002 before me, the undersigned Notary Public, personally appeared Scott H Black - marcia Gortiz Black

known to me to be the individual(s) who executed the foregoing instrument and acknowledged the same to be his(her)(their) free act and deed.

My Commission Expires: 8/5/04

Rachael Counts  
Notary Public



2002163349  
5776223  
Page: 2 of 2  
12/09/2002 01:56P  
Bl-046 Pg-2522

Rary herrera

Sann. Co. DEED

R 11.00

FORM AT-220

Authentisign ID: E2836D7D-265F-4100-8EB8-30BB321E9C94  
5/27/2014

about:blank

**PROPERTY ADDRESS AND DESCRIPTION PARCEL**  
723 CHAVEZ RD NW  
\* B PLAT OF LAND OF CLIFFORD B WOOD WITHIN  
THE VILLAGE OF LO  
S RANCHOS CONT 2.0505 AC

2013

PARCEL NUMBER: 101406227342020320

AFC MRGB

1 014 062 273 420 20320  
BLACK JOHN W & BLACK JERRY W & BLACK  
SCOTT H TRUSTEES BLACK FAMILY TRUST  
723 CHAVEZ RD NW  
LOS RANCHOS DE ALBUQUERQUE NM 87107 5600

LIAM TAX DISTRICT



TREASURER BERNALILLO  
COUNTY  
PO BOX 627  
ALBUQUERQUE, N.M. 87103-0627  
(505) 468-7031  
TREASURERS OFFICE  
E-MAIL: TREAS@BERNCO.GOV

### 2013 TAX BILL

SENT TO MGC # 3020  
WASHINGTON MUTUAL HOME  
LOANS

PROPERTY	CODE	VALUE	AGENCIES	TAX RATE	NET TAXABLE VALUE	AMOUNT DUE
ASSESSED VALUE LAND		247.202	STATE	1.360	150,487	204.66
ASSESSED VALUE IMPROVEMENTS		210.305	COUNTY	8.579	150,487	1,291.03
ASSESSED VALUE PERS PROP		0	LOS RANCHO	1.000	150,487	150.49
TAXABLE VALUE LAND		82.392	SCHOOL APS	10.465	150,487	1,574.85
TAXABLE VALUE IMPROVEMENTS		70.095	CNM	3.392	150,487	510.45
TAXABLE VALUE PERS PROP		0	UNMH	6.400	150,487	963.12
TOTAL VALUATION		152.487	AMAFCA	0.854	150,487	128.52
STATUTORY EXEMPTION		2.000	MRGCD	3.970	150,487	597.44
VETERAN EXEMPTION		0				
<b>NET TAXABLE VALUE</b>	<b>HOHX</b>	150.487	<b>TOTAL RATE</b>	<b>36.020</b>	<b>2013 TAX &gt;&gt;</b>	<b>5,420.56</b>

1st half payment becomes delinquent after Dec 10, 2013  
2nd half payment becomes delinquent after May 10, 2014  
Postmark by these dates for each half is on time...

[CLICK HERE TO SEE TAX & PAYMENT HISTORY](#)

OTHER TAX DUE:

YEAR	TAX	INTEREST	PENALTY	FEES	AMOUNT DUE
------	-----	----------	---------	------	------------

F2A51BE8-ED7C  
*Scott H Black*  
5/27/2014 3:40:34 PM

FLOORPLAN SKETCH

Borrower: Ruth H. and Kenneth G. Gibert	File No.: 14-214
Property Address: 723 Chavez Rd NW	Case No.:
City: Los Ranchos	State: NM
Lender: First Mortgage Company	Zip: 87107-5600

150

Barn

375

300

SAB

1  
675  
150  
-----  
825

Drawn by Ann Mathis™

Comments: The sketch is provided solely to assist the client in visualizing the layout of home. Client may wish to have a professional architect or engineer analyze the floor plan to verify absolute geometric precision in determination of the exact square footage. Because some home designs, especially some custom homes, can be quite complex architecturally, re-creating them for visualization purposes is expected to include a margin of error of +/- 5%.

AREA CALCULATIONS SUMMARY				LIVING AREA BREAKDOWN			
Code	Description	Net Size	Net Totals	Breakdown		Totals	
GLA1	First Floor	2825.1	2825.1	First Floor			
BSMT	Basement	1155.6	1155.6	5.8	5.8	289.4	
GAR	Garage	667.8	667.8	3.5	46.4	162.4	
OTH	Guest House	504.0		8.2	21.5	176.3	
	Guest House	827.3		23.0	75.5	1736.5	
	Storage	90.0	1421.3	3.3	86.9	220.8	
				11.2	21.4	239.7	
	Net LIVABLE Area	(rounded)	2825	6 items	(rounded)	2825	

ZONE ATLAS E-14-COUNTY

APPROVE AND ACCEPTANCE BY THE VILLAGE OF LOS RANCHOS

84 88436

Signature: *Marion J. Gray* 2/27/84  
Signature: *Janette V. Fin* 2/27/84

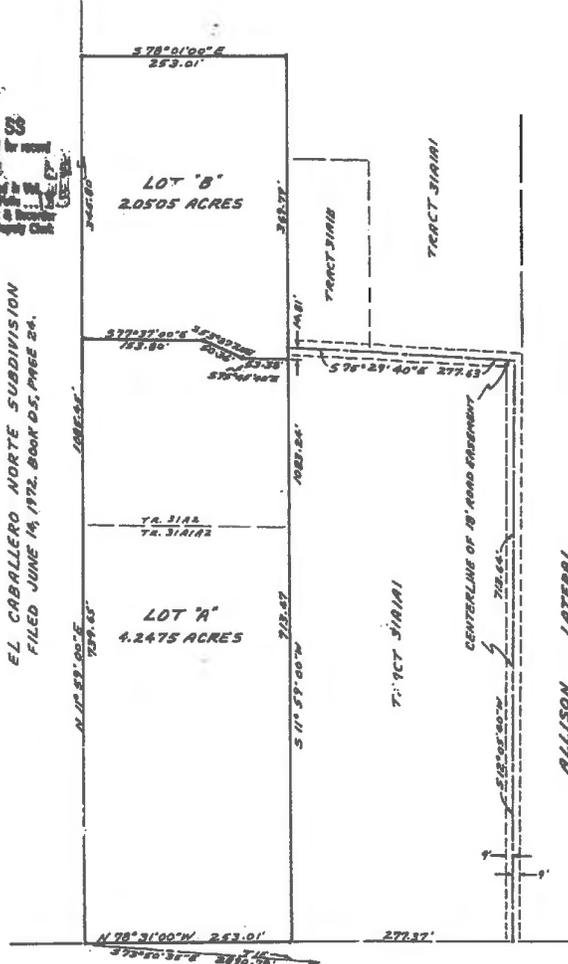
Notary Public Seal: *Janette V. Fin*, Notary Public, Commission Expires 12-12-86

STATE OF NEW MEXICO  
COUNTY OF BERNALILLO ) SS

ON THIS 27<sup>th</sup> DAY OF AUGUST, 1984, THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY CHARLES T. SCANNELL.

MY COMMISSION EXPIRES *12-12-86*

EL CABALLERO NORTE SUBDIVISION  
FILED JUNE 14, 1972, BOOK D-5, PAGE 24.



SCALE 1"=100'

I, Charles T. Scannell, New Mexico Registered Land Surveyor No. 3244, do hereby certify that the plat shown hereon was made by me, or under my direct supervision, and the same is true and correct to the best of my belief and knowledge, and shows all easements of record, and meets the minimum requirements for monuments and surveys of the Village of Los Ranchos.

Signature: *Charles T. Scannell*  
CHARLES T. SCANNELL



CHAVEZ AVENUE N.W.

PLAT OF  
LAND OF CLIFFORD B. WOOD  
WITHIN THE VILLAGE OF LOS RANCHOS  
BERNALILLO COUNTY, NEW MEXICO  
JULY 17, 1984

A certain parcel of land situate within Section 29, Township 11 North, Range 3 East of the New Mexico Principal Meridian, Bernalillo County, New Mexico; and being identified as Tract 31A1A2 (Also identified as L.B.-79-191, recorded April 8, 1969, in Volume D-858, Folio 822) and Tract 31A2 as the same are shown and designated on the Middle Rio Grande Conservancy District Property Map No. 29, Bernalillo County, New Mexico. Being more particularly described as follows: Beginning at the Southwest Corner of the parcel herein described and common Southwest Corner of said Tract 31A1A2, and also being a point on the Northerly right-of-way line of Chavez Avenue N.W., whence the East Quarter Corner of Section 29, T 11 N, R 3 E, N.M.P.M., as shown on Bernalillo County Survey Sheet No. 16, bears S 73° 50' 35" E, 2890.79 feet distance; thence, running from said beginning corner, N 11° 59' 00" E, 1085.45 feet distance along the west boundaries of said Tracts 31A1A2 and 31A2 and common east boundary of El Caballero Norte Subdivision, to the Northwest Corner of the parcel herein described, and common Northwest Corner of said Tract 31A2; thence, S 78° 01' 00" E, 253.00 feet distance to the Northeast Corner of the parcel herein described, and common Northeast Corner of said Tract 31A2; thence, S 11° 59' 00" W, 1083.24 feet distance to the Southeast Corner of the parcel herein described, and common Southeast Corner of said Tract 31A2, being a point on the Northerly right-of-way line of said Chavez Avenue N.W.; thence, N 78° 31' 00" W, 253.01 feet distance along said Northerly right-of-way line of Chavez Avenue N.W. to the Southwest Corner and place of beginning, and containing 6.2980 acres, more or less.

OWNER: *Clifford B. Wood*  
CLIFFORD B. WOOD

STATE OF NEW MEXICO ) SS  
COUNTY OF BERNALILLO )

On this 18<sup>th</sup> day of July, 1984, the foregoing instrument was acknowledged before me.

My commission expires *12-12-86*

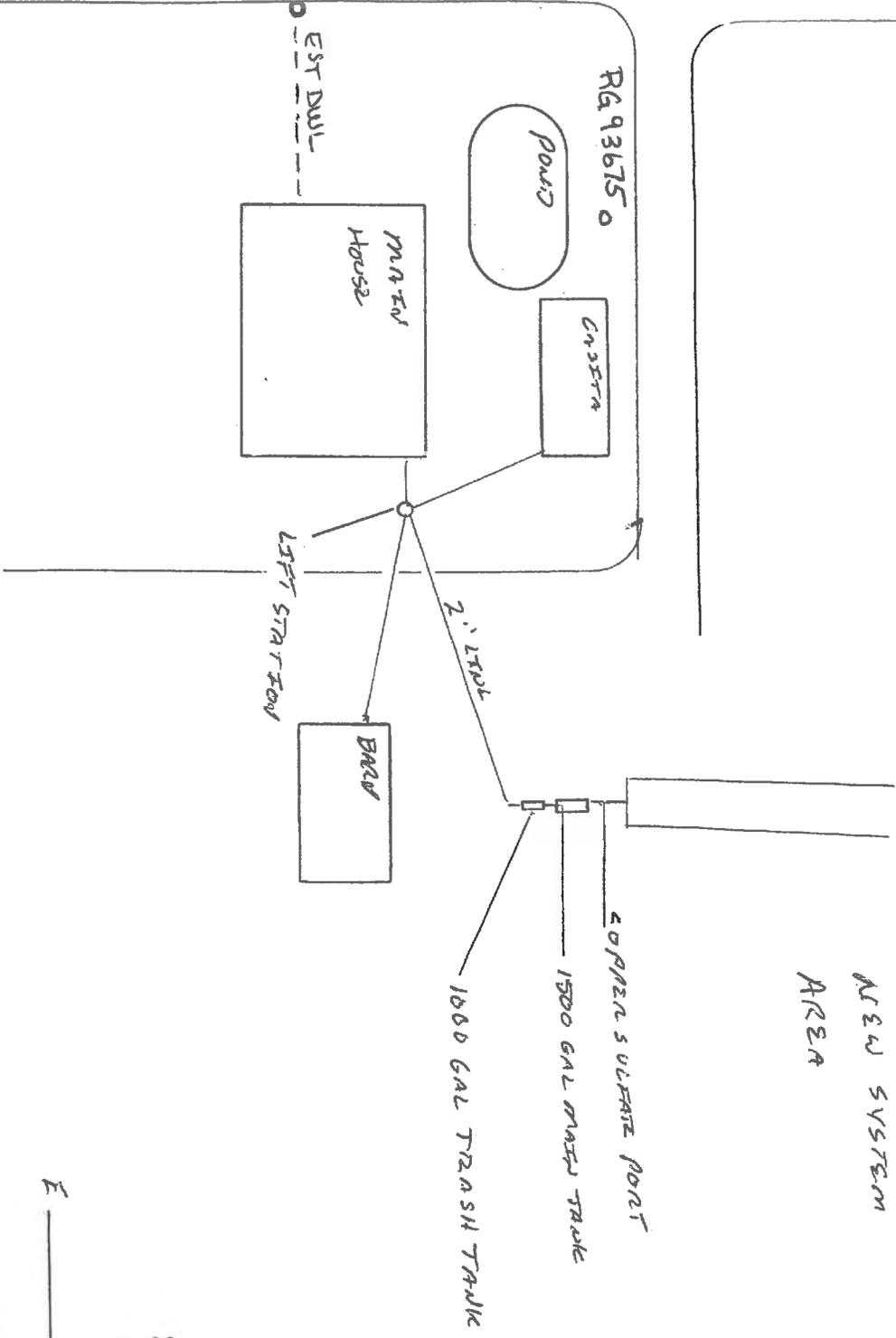
CHARLES TIM SCANNELL  
2108 PAJARITO ROAD S.W.  
ALBUQUERQUE, NEW MEXICO 87105  
JULY 17, 1984. 877-3558.

C24-185

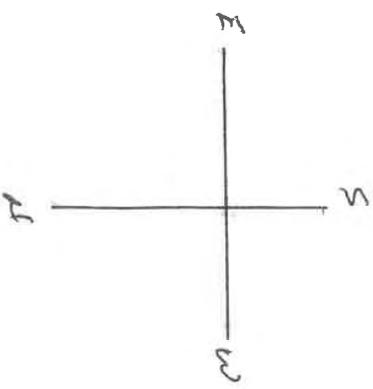
CHAVEZ Rd.

223 CHAVEZ RD. N.W.  
Proposed site plan  
minimal slope

No Neighboring  
wells within  
100ft.



NOT TO SCALE

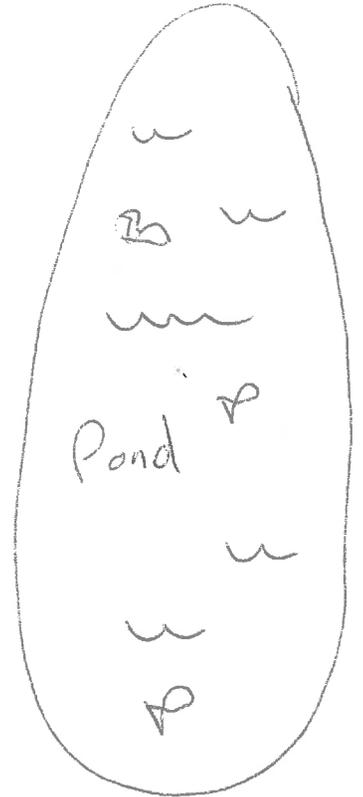
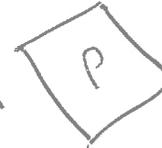
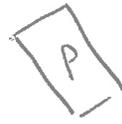
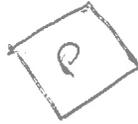
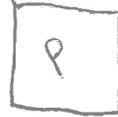
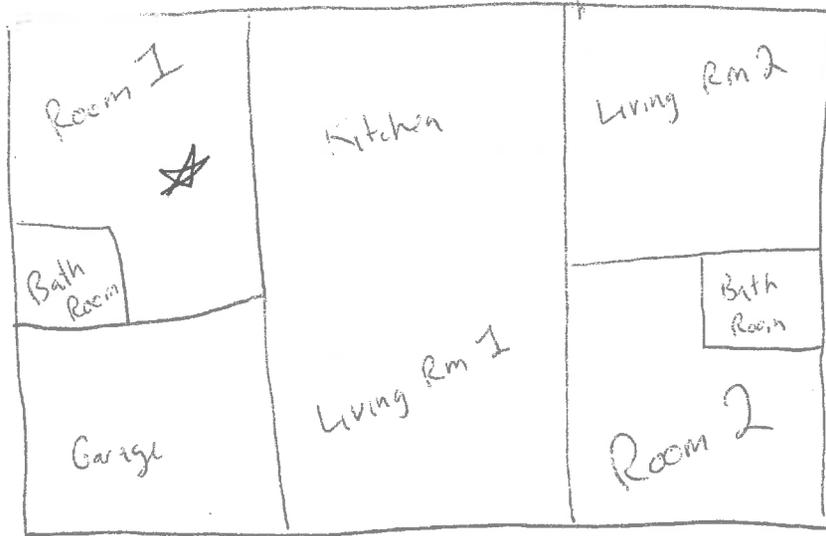




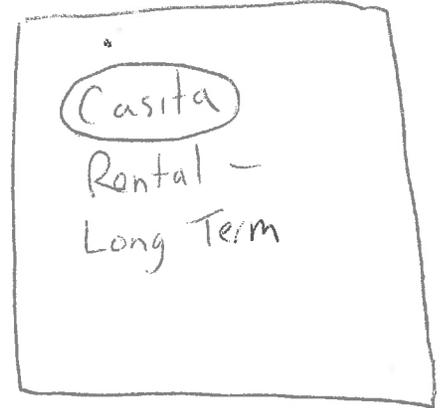
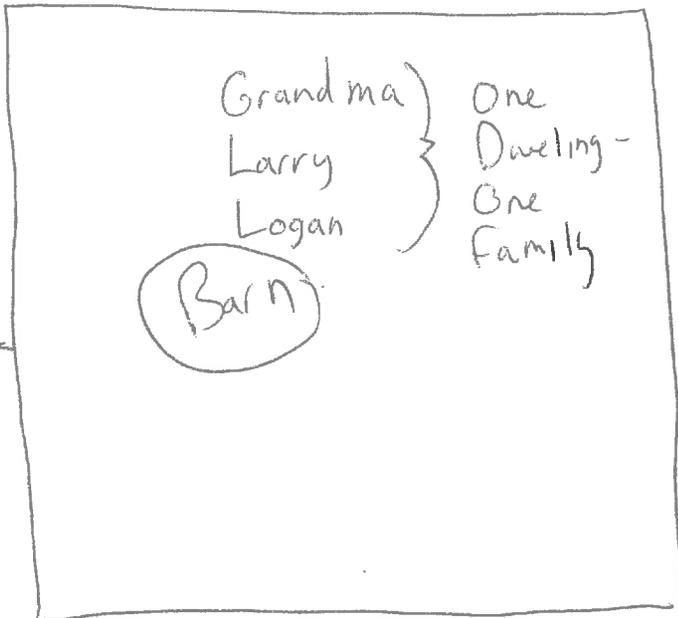
# Hacienda

Upstairs

Downstairs



Turn around  
Large enough  
for fire truck



Stables

**Rules of Operation for 723 Chavez Rd NW "Oasis B&B"**

- 1) **No smoking on the grounds or in the buildings, No smoking PERIOD.**
- 2) **Respect the neighbors.**  
**Sound and light travel, PLEASE turn off all lights when exiting a room not in use. All outdoor lights should be turned off by 10pm and indoor lights should be off by the time you retire.**
- 3) **Noise ordinance calls for sound to be cut out at 9:30 PM if it is audible by the neighbors. We at Oasis B&B require that loud activities are focused inside or cut off by 9:30 PM sharp.**
- 4) **Guests that wish to host a gathering on the property that would include those not lodging at the B&B must request approval in writing 2 weeks in advance.**
- 5) **Respect the wildlife and natural surroundings.**  
**Do not skip stones or throw rocks in the pond and do not allow your children to throw rocks or skip stones either. Move slow, take in the nature, & enjoy!**
- 6) **No climbing trees.**
- 7) **Drive Slow! You must drive 8 mph or less on the driveway leading up to the property along the ditch and on the grounds themselves. Keep our neighbors happy, keep our kids and wildlife safe. STOP at the T when you exit the gate as you approach the fire hydrant.**
- 8) **Recycling and composting is required. Please use the clearly marked bins and ask if you need help or have a curiosity.**

**Thank you!**

**No Vehicular Traffic Increase Per Day:**

As promised I am sending you a note to further explain the aspect of our application that states we do not anticipate an increase in traffic on the property by running a Bed and Breakfast. We believe the traffic should stay about the same because we currently have two housemates that we share the big hacienda with and we will initially be renting those two rooms on the short term rental. This means that the housemates that are currently coming and going from our property daily with their personal vehicles will be replaced by the vehicles of the individuals who would rent our space on a short-term basis. Furthermore we don't expect to rent our rooms out 30 days per month, we anticipate something closer to 10 or 15 days per month and if this is the case the traffic might slightly decrease.

Jesse Kalapa

# Oasis Eco Lodge and Food Forest

---

723 Chavez Rd NW  
Albuquerque, NM 87107  
(505) 803-6097  
jesseka@apa@gmail.com

December, 06 2019

Dear Village of Los Ranchos Planning and Zoning Committee,

It is our intention to create a wheelchair accessible farm and lodge at 723 Chavez Rd. We believe that our property perfectly fits the beautiful agricultural character that visitors love about the Village. We believe that being an owner occupied B & B will allow us to provide lodging to our guests without disturbing the peace and beauty of our neighborhood. In addition to providing lodging, we are excited about the opportunity to support further beautification and improvement of our acreage and structures. In addition to having a Bed & Breakfast, we are excited to continue to develop our property using agri-forestry techniques to grow fruit trees, mushrooms, vegetables and eggs. Our grandfather bought this property in the 1980's and Jesse has enjoyed coming to this property since he was a kid. We care about the village and our neighbors. Four generations of our family live here and we intend to keep it a safe and beautiful place to be.

Providing an attractive quaint place for visitors to lodge also helps to support economic growth along the 4th Street corridor.

We want to highlight that our most immediate neighbor who would be most impacted by our B & B have no objection to our permit being approved.

When we applied for a bed and breakfast permit in December of 2018 and were met with opposition from some of our other neighbors. We would like to address the concerns that the neighbors expressed from our first application below:

1. Bill and Sylvia Spence called the P and Z department about noise from one of our tenants who was building tiny houses on the property. The call was made to the P and Z before calling us directly, and this after approximately 2 years of this project going on without our knowledge of it negatively affecting them.

The very next day after we were informed of their grievances, we moved the site of his building project. The tenant was told to finish the house he was working on and that was it. He moved off the property two months later.

2. Bill and Sylvia Spence were under the impression that we had less than 2 acres and were only allowed to have one family living on site.

Our property is actually 2.02 acres and we have 3 allowable dwellings that were "grandfathered in" and are considered "permissive nonconforming use" which we are allowed to dwell in and rent on a month by month basis.

3. Alleged late night gun fire.

We have children and we are not gun owners. We did light loud fireworks from our balcony one night, which may have been the source of the misunderstanding. In the past, we have also heard gunshots fired around the vicinity of our neighborhood which was unsettling for us as well.

4. Chainsaw carving. One of our farmers was running a chainsaw for the carvings that she sold at the farmer's market for approximately 2-3 hours, 1 day a week for 2-3 months.

The very day that Bill and Sylvia told us of their frustration with this, we gave the farmer a one week notice to stop using our yard for her project. Once our neighbors talked with us, we addressed the issue immediately.

5. Confrontations between tenants.

We have had some problem tenants that have disturbed the peace of the neighborhood and took effort to get rid of them. We are sorry for their negative impact.

As of August 2019, our elderly grandmother lives with on the property. It is important to us as her caretakers that the traffic and noise on the property is limited. We are just as interested in maintaining peace on the property as our neighbors.

(Mckee)

6. Previous short-term rental through Airbnb without notice to neighbors or the village authorities. Strangers honked horns and flashed car headlights at the gate of Randy and Linda Mckee as late as 11pm.

When we first moved in 6 years ago we started renting space on Airbnb without knowing that a permit was required because we had done so at our previous property in Albuquerque. We posted our phone number on the gate. Linda and Randy never once called us about any issue they had directly. They informed the village and we received a cease and desist letter and we took the rental offline immediately. We allowed the last 2 guests who had booked their stay weeks in advance to stay with us that week. We have not since rented our space in a short-term agreement.

7. Property rented to multiple tenants in multiple buildings in violation of village ordinances.

The trailers were not inhabited. One trailer and one car was being stored by a friend who works in the film industry (this was the Airstream trailer that was parked behind the garden shed in the southwest corner of the property). This trailer was moved off the property in March of 2019.

The other tiny house trailers were the construction project of a friend and former tenant, who lived in one of the three allowable dwellings, the casita. The tenant who was doing the tiny home projects

used a portion of the “stable area” (the northern side wing of the barn) for his workshop.

Randy and Linda claimed that the barn, titled “building 2” in their letter, has four apartments. This has always been one dwelling, and we have rented it to multiple housemates at a time. However now it is occupied by my parents and my elderly grandmother, as one dwelling.

8. Areas of debris, construction materials, trash and weeds.

We acknowledge that in the past, the property grounds may have appeared “unkempt”. When we purchased the property, it was in great disrepair and it has taken us a lot of effort to remove years of debris, trash and wood that was here when we purchased the property. It takes a lot to maintain a property of this size. We have worked hard to clean up the grounds and will continue to do so. The approval of our B & B permit will make it much easier for us to be able to afford major landscaping as well as other esthetic improvements to the property grounds and structures. We see this as a benefit to our immediate neighbors.

We do have multiple compost areas for the agricultural activities on the property. These mounds are known as “Hugelkultur”, which are a slow decomposition method for producing compost for the purpose of gardening. Other than this compost, we have cleaned up a lot of timbers from all the trees that we have been pruning and we’ve taken several loads to the dump to clear the areas. We intend to retain useful fence and animal stall building materials, and materials useful in the upkeep of our garden.

9. Traffic, road maintenance and turnaround for waste management/emergency services. In Randy and Linda’s letter they claim that they witnessed as many as twenty cars coming and going from the property within a 60 minute period.

If the above is true, it likely happened during a private gathering. Our immediate neighbor, Jane says that the traffic has

actually decreased over the past year. We have 3 dwellings on our property so there is standard traffic from these three units. Zhenya works close by and often comes home between clients. We take our kids to school nearby and come and go before and after school. Furthermore, the main entrance to the parking for the winery club employees is in front of our gate which they use 6 days per week. There are also events hosted at the winery on occasion where many vehicles park on Chavez Residence drive as well as the regular lost patron of the winery who comes to our property looking for their cup to be filled.

Randy and Linda's letter also states that many vehicles speed on the road making it unsafe for residents and neighbors who walk the area. We agree that people speed on the Chavez residents's drive, however this can no longer be blamed on tenants that live here. We walk the road daily and have children and pets. When we have visitors come and we notice them going faster, we always remind them to slow down on the way out and the next time they visit. We cannot speak for cars coming to and from the winery. In our B & B Rules of Operation, you will see that we will require our guests abide by a 10 mph limit.

Road maintenance - In good faith we will be doing some road repairs on the shared drive and would like to create a working agreement with the neighbors who share the drive to also share the upkeep of the road. The most erosion occurring is on the side of the drive next to the winery, at the main entrance to Chavez Residence Drive and at the T where the lane turns toward our property, Jane's property and the Casa Rondena back entrance. It is true that the trash truck that services both our property and Jane's property backs out of the drive to turn around and we are happy to contribute to road maintenance.

While there is no turn around in front of the property there is turn-around access on the property for emergency vehicles.

We had a former problem tenant who received a ride home from a non resident one day last January and the driver hit the cable box and scraped the winery's exterior wall. We were not aware of this being caused by one of our tenants or right away however we do intend to repair the minor scratches in the stucco of the winery when the temperature warms up again allowing for proper curing of

stucco. Again We never were contacted by the neighbors about this or their concerns directly. The tenants were evicted after this disturbance and now my elderly grandmother lives with us instead.

Tiny house trailers were addressed above and we have given our contact information directly to our neighbors to let us know if they have any concerns about anything. We welcome their direct feedback and have everyone's best interests at heart.

We have done 2 open burns in the past 6 years of branches weeds and untreated scrap wood from the property and have NEVER burned anything hazardous.

A claim of a rotting pond is unsubstantiated. When we acquired this property the well pump was broken and there was no water. Since then we have invested thousands of dollars and countless hours improving the ecology of the pond, which continues to be a stop for migratory birds and other wildlife since the 1930's. We have beautiful, large Koi fish in our pond and a recirculation pump running 24/7 along with an air stone running 24/7. We have several thousand Gambusia fish that propagate quickly and eat mosquito larvae. There are other ponds nearby that may not have as rich of an ecology.

A claim was made by Randy and Linda that we use this property as an extension of our yoga business affiliation.

We had one private event last year that brought some international practitioners who were traveling to our property and we did yoga and chanting over the course of a few days. We have the right to occasionally host and this was a private event and is a rare occurrence.

There has been a provision by the Village for a homeowner to apply for a bed and breakfast permit since 1990. Our property being directly adjacent to the winery lends itself nicely to have an owner-occupied multi-generational Lodge. We appreciate the Planning and Zoning committee for taking into consideration our family heritage in the area and the desire to uphold the values of family, community and agriculture. We believe that we actually have more in common with our neighbors than differences. This will be apparent moving forward. We ask

that the P and Z department consider this request, which is in line with village principles and values, for our residential agricultural property.

Sincerely,

Jesse Kalapa, Zhenya Novareign, Jill Logan, Larry Garcia

January 28, 2019

**To: Planning and Zoning Village of Los Ranchos**

**From: Bill and Sylvia Spence**

**743 Chavez Rd. NW**

Los Ranchos, NM 87107

505-344-1006

Bill's Cell: 505-269-0992

Sylvia's Cell: 505-269-1199

Bill's email: [bspence56@aol.com](mailto:bspence56@aol.com)

Sylvia's email: [sylspence@aol.com](mailto:sylspence@aol.com)

The enclosed letter was sent to Jesse and Zhenya Kalapa in response to the letter they sent to us, and some other neighbors, regarding their intention of applying for a permit to operate a BNB on their property at 723 Chavez Rd. NW. I also hand delivered a copy of my response letter to the Village Planning and Zoning Office on December 19, 2018.

**Sylvia and I are against allowing the granting of their BNB permit** because of the history of disruption that Jesse and his many tenants have caused the neighborhood over the last few years, since he moved onto the property at 723 Chavez Rd. NW.

These disruptions include: late night gunfire, manufacturing of trailers, chainsaw carving, and violent confrontations between his tenants. The Bernalillo County Sheriff's Dept. has advised us that they have received 6 separate calls of complaints of activity at their property in just the last 3 years. There is no reason to expect that a BNB operation will be run with any more consideration of the neighbors.

There is a hearing scheduled at the Village to discuss the Kalapa's permit request on Tuesday, February 12, 2019 at 7:00 PM at the Warren J. Gray Hall. Unfortunately, Sylvia and I will be in Australia, visiting our daughter, from January 30, 2019 to March 3, 2019. We will have family members housesitting while we are away, but they are unable to represent us. This trip was scheduled many months ago and is not flexible, so we would greatly appreciate it if you could postpone the hearing until sometime after March 4, 2019, so we might be allowed to voice our serious concerns.

Thank you for your attention,


Bill and Sylvia Spence (25 year residents of the Village of Los Ranchos)

December 19, 2018

**To: Jesse and Zhenya Kalapa**  
723 Chavez Rd. NW  
Los Ranchos, NM 87107  
505-803-6097  
[jessekalapa@gmail.com](mailto:jessekalapa@gmail.com)

**From: Bill and Sylvia Spence**  
743 Chavez Rd. NW  
Los Ranchos, NM 87107  
505-344-1006  
[bspence56@aol.com](mailto:bspence56@aol.com)

**Re: Proposed BNB @ 723 Chavez Rd. NW**

Sylvia and I have lived here at 743 Chavez Rd. NW, in the Village of Los Ranchos, since Oct. 2003. Most of those 15 years have been peaceful. Then you moved in a few years ago. That started the constant sawing and hammering related to the manufacturing of several small houses on trailers just across our common fence. Your property is not zoned for manufacturing (M-1), it is residential (A-1).

A-1 zoning allows for one family per acre. Since you have less than 2 acres, you are only allowed to have one family living there. Instead, you have developed what we call the Gypsy Camp. Dozens of people coming and going through your 12 foot high gate (also against zoning).

We are friends with a couple, Dave and Carol, who lived for 20 years in a house in the Old Town area. A few years ago, the neighboring house was sold and the new owner converted it into an Airbnb rental. After a short time they (Dave and Carol) were forced to sell their house to escape the nightmare of living next to a Short-Term-Rental Property (Airbnb).

What was so horrible? People who stay at a BNB are usually on vacation and not working. People on vacation/not working tend to stay up late and like to "party". Dave and Carol went from 20 years of peace and quiet to 7 days a week of constant whooping, hollering and partying. They now live in a different neighborhood, where their house is not as nice, but the neighbors are owner/occupiers and quiet. They were literally driven from their home by the BNB next door.

This is the purpose of zoning laws. When you purchase (expensive) property in the Village of Los Ranchos, you can expect that the zoning laws for A-1 Zoning will be enforced. We are **VERY** much against any change of zoning to allow short term rentals just across our fence on your property.

Sincerely,  
Bill and Sylvia Spence

**CC: Village of Los Ranchos Zoning**

December 12th, 2018

Dear Neighbor,

This is Jesse and Zhenya Kalapa, your neighbors at 723 Chavez Rd. NW.

We are writing this letter to inform you that we are going to be applying for a bed & breakfast home occupation permit. We wanted to contact you to give you the opportunity to voice any concerns you may have about this. Please know that we are open to your feedback and hope that you will contact us directly with any matter.

We are requesting permission to put up signage at the fire hydrant and on our gate so that guests looking for our place will clearly see where to turn.

We are also drafting a set of rules and guidelines, that will accompany our application for the B&B. In drafting this, we would like to take your suggestions into consideration.

As some of you may know, my grandfather owned this property before he passed and we consider it a real blessing to have it in our care. It has been a huge undertaking and we have been taking small steps towards our ultimate dream of having a bed & breakfast, a beautiful gathering space where people can take in the picturesque beauty of this special place. We are working very hard to clear up the exteriors and interiors of the property, including roofs, pond, trees and landscape. We are thrilled that things are coming together and soon we will begin the major improvements that we have been dreaming of.

Imagine being able to pick up farm fresh fruit, berries, mushrooms, eggs and fresh vegetables just down the road from where you live! This is just part of what we wish to create. Know that we are very grateful to be part of this special part of Los Ranchos and our relationship and connection to you all is a top priority for us as we move forward. Once our home occupation permit is approved, we would like to invite you as well as your friends and family to lodge with us at an exclusive discounted rate!

We encourage you to contact us and to come over and see the place, take a tour, have a glass of wine by the pond or talk to us about your thoughts and concerns regarding our plans. You can also reach us by telephone and email as well.

Happy Holidays,



Jesse, Zhenya & Family  
505-803-6097  
[Jessekalapa@gmail.com](mailto:Jessekalapa@gmail.com)

G. Randy and Linda McKee  
 747/749 Chavez Road NW  
 Los Ranchos, NM 87107

March 4, 2019

Village of Los Ranchos de Albuquerque  
 6718 Rio Grande Blvd NW  
 Los Ranchos, NM 87107

Re: Bed and Breakfast Home Occupation Permit/Airbnb rental permit at 723 Chavez Road NW submitted by Jesse and Zhenya Kalapa

Dear Mr. McDonough,

This letter is submitted to request the Village Planning and Zoning Commission:

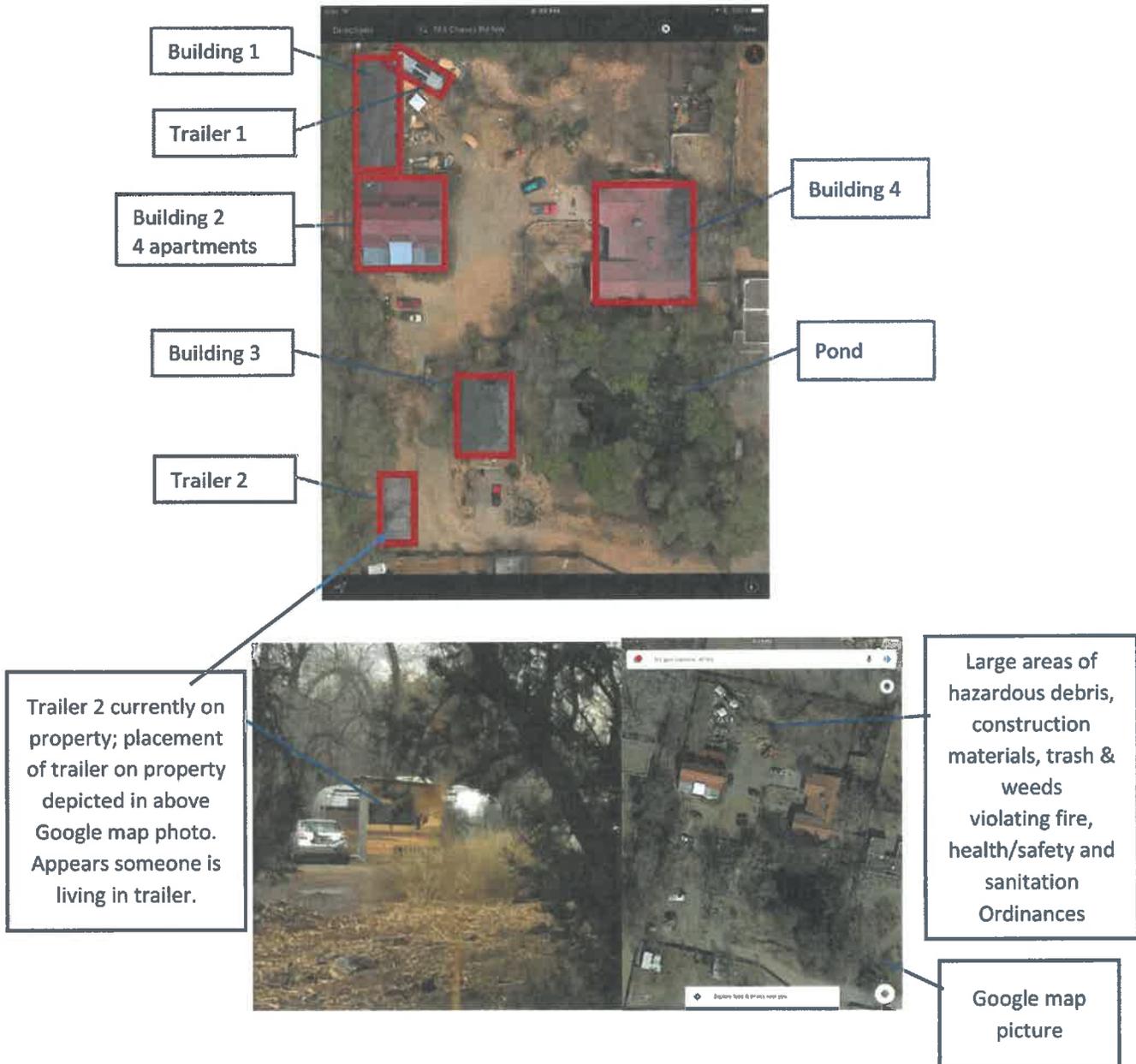
- ***Terminate the Kalapas' current rental variance and require they bring their property back into alignment with the A1 zoning requirements before additional permits are considered.***
- ***Deny the Kalapas' application for a Bed and Breakfast Home Occupation/Airbnb rental property permit as long as they have a variance for rental property and until they comply with Village Ordinances.***

The property known as ***723 Chavez Road has an existing variance*** allowing the rental of 4 apartments and a second home *beyond* the standard 1 dwelling per lot, as stipulated by Village of Los Ranchos Ordinance §9.2.7(B)(1). Allowing 4 additional rentals through the Home Occupation Bed and Breakfast variance is an extraordinary request significantly impacting a neighborhood which has already experienced extensive impact due to the current variance.

To date, the Kalapas ***have not complied with the Village Ordinances***, as follows:

- **Zoning Laws** – 723 Chavez Road NW is zoned as A-1, agricultural/residential.
  - **Kalapas use property as Airbnb rental**
    - The Kalapas rented their property through Airbnb with no notice to neighbors or the Village authorities. Airbnb strangers have honked horns and flashed car headlights at our entry gate as late as 11:00 at night, demanding to know the location of the Airbnb property described as a “red barn.” Having Airbnb strangers create a disturbance at this late hour is upsetting and frightening. It is difficult to feel safe in our neighborhood when agitated strangers demand directions to an Airbnb.
- **Property rented to multiple tenants in multiple buildings in violation of Village Ordinances.**
  - **Renting to too many tenants in 4 buildings and 2 trailers.** The Kalapas rent dwelling space to multiple tenants at one time in 4 buildings and 2 trailers, in violation of

Village zoning regulations allow (1 dwelling per 1 lot). Below picture from Google Maps shows multiple buildings on 1 lot. Additional picture of trailer, below the Google Map, taken January 12, 2019 - **4 buildings and 2 trailers on 1 lot.**



- **Traffic, Road Maintenance and Turnaround for Waste Management/Emergency Services**
  - **Increased traffic and speeding.**
    - We have witnessed as many as 20 cars coming/going from this property within a 60-minute period, while walking between the hours of 7:30 – 8:30 pm and 9:00 – 10:00 am. Many speed in excess of 30 mph on the small

neighborhood easement road, presenting a safety hazard for village residents and neighbors who use the road to walk with their families and enjoy the peace of a rural lifestyle.

- On the morning of January 2, 2019, while walking on the icy road directly east of the winery, a car exiting the 723 Chavez Road property sped down the icy road with little regard for us as we were walking. We had to quickly slip and slide our way off the road to get out of the way of the speeding vehicle.
- **Road maintenance.**
  - With the increased traffic originating from this property, the road has significantly deteriorated. The Kalapas, with their construction crews and renters, have never offered to maintain the road. Below is a picture of one area of road deterioration caused by traffic from the Kalapas' property where vehicles cut the corner sharply, breaking down the side of the road.

Road erosion due to traffic from 723 Chavez cutting corner sharply



- **No Turnaround for Waste Management and Emergency Services as required by §9.1.10 (A)(2)(a) Cul de Sacs/Dead Ends (requires 40 ft. radius turnaround)**
  - ***There is no turnaround*** at the entrance to 723 Chavez Rd NW for Waste Management and Emergency Services. Currently Waste Management drives down the road to the entrance of 723 Chavez Rd NW and then ***must drive backwards to exit the property because there is no turnaround.*** While backing out, the trucks drive onto property belonging to the neighbor on the corner. This neighbor erected several large posts so Waste Management trucks would not drive on the landscaping. The Kalapas ***should be required to adhere to the Turnaround Ordinance.*** For years, we have personally maintained the section of the road in the picture below. Now the deterioration, caused by large trucks backing out/down from the Kalapas' property, is too much for us to adequately maintain the road.

Excessive road deterioration due to Waste management and other large vehicles backing down the road due to lack of a required turnaround



Posts installed to keep trucks from hitting stucco wall and running over landscape

- Violence and Property Destruction.** On the evening of Tuesday, January 15, 2019, a member of the Kalapas family drove into the neighborhood with a second car following. Both cars stopped twice while on Chavez easement road. Both times the ***occupant in the first car stopped (assumed to be family member), got out of the car, and began smashing the car window of the 2<sup>nd</sup> car with a hammer.*** This violent behavior was witnessed by a terrified neighbor going home at the end of the day and was reported to the police. ***The violence resulted in injuries to the family member, damage to the Comcast line, damage to the winery wall and broken glass all over the road.*** Kalapas did not repair the ruts left in the road, did not pick up the broken glass, did not report the damage caused to the winery wall and did not report the Comcast box destruction to Comcast. The outage left a neighbor without Xfinity service for 5 days.

Broken windshield glass in road a week after the incident



Car ran over and destroyed Comcast cable box. Neighbor's Comcast service was out for 5 days. Damage not reported by the Kalapas, per Comcast repairman

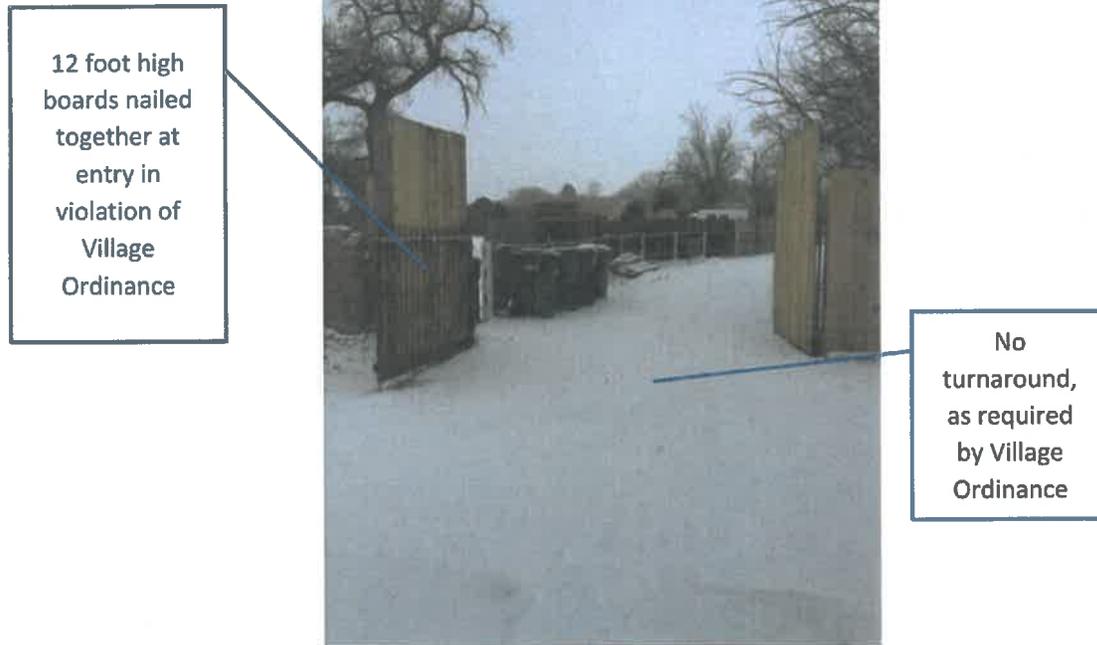
Comcast repairing cable box on 1/19/2019. Repair man stated no one reported the damage to their equipment



Damage to winery wall, left of grating. New Comcast cable box installed to replace damaged box

- **Construction Site and Excessive Noise Pollution**
  - **Property is a construction site for trailers. *There have been 4 trailers built within the last 18 months.*** When neighbors complained to the Village authorities about the property being used as a construction site for trailers, the Village investigated the complaint. The Kalapas denied they were operating a construction site and stated they were building trailers as a hobby. The Village investigation subsequently concluded that nothing could be done to prevent the Kalapas from enjoying their hobby. Next, a neighbor complained directly to the Kalapas about the constant construction noise. The Kalapas subsequently moved the construction activity from the north side of their property to the south side of their property and erected the gate constructed of boards nailed together in an apparent attempt to conceal the construction activity. There are many workers and construction trucks coming and going daily. ***These construction trucks drop construction materials such as nails and debris on the road which are left for the rest of us to pick up.*** Unfortunately, the Kalapas have been able to hide the fact that ***they are violating the Village Ordinances by operating an unlicensed construction business on their property.***
  - **Excessive noise, violating §7.4.2 (B)(3).**
    - Neighbors complained directly to the Kalapas about excessive noise caused by the daily construction activities. The noise continued.
    - We have heard gunshots from this property. Neighbors reported gunshot noise to Bernalillo County Sheriff's Office multiple times.
- **Landscaping** – Village Ordinances state that landscaping should improve the appearance of the neighborhood from adjacent properties and that no solid wall or fence located within the front setback area shall be more than four (4) feet in height.

- **Fencing at the entry to the property consists of 12-foot boards nailed together.** The fence was erected after neighbors complained about the construction activity. The 12-foot high board fence at the property entrance **violates Village Ordinances** and is an eyesore. Below photo taken 1/2/2019.



- **Dogs running at large**
  - Dogs belonging to property residents roam outside of the property unaccompanied by owners. I caught one dog running free and returned the dog to the property.
  - Dogs are not on leashes when the Kalapas walk their dogs outside of their property.
- **General Maintenance/Unsafe Buildings, Sanitation, Health Offenses, Fire Hazard**
  - **Buildings appear to be unsafe; excessive property debris presents a fire hazard, violating Village Ordinances §7.4.2 (B)(1), §9.2.4 (D) and (G)**
    - **The property grounds are in a state of disrepair and neglect, with hazardous construction materials, demolition debris, dead weeds and trash on the ground, presenting an extreme fire, safety, and health hazard to adjacent properties.** In the last 18 months, a **serious rodent problem has emerged** in the neighborhood due to this neglect. The fire department has responded several times to complaints of open burning of waste materials. Photos below taken 1/6/2019.

Trash, weeds, debris creating fire, health and safety concerns



Run down building, construction materials, weeds posing a fire/safety hazard and a rodent problem



Building in disrepair, trash and construction materials on grounds, creating fire, health and safety hazard



Occupied trailer on property posing sanitation issues.



Trash and construction materials throughout grounds creating rodent problems, fire, health and safety issues



Building in disrepair, trash, debris, building materials and toilet on grounds, creating fire, health, safety and rodent issues



- **General Maintenance, Sanitation and Health Offenses (continued)**
  - **Rotting pond is a health and safety issue in violation of §7.4.3 (A)**
    - The pond on the property is not consistently maintained. Last summer, it was full of sludge and debris attracting so many mosquitoes that the neighbors called the County to request the area be sprayed for mosquitoes. ***The Kalapas did nothing to prevent mosquito infestation nor did they take care of the hazardous health situation once the mosquitos infested the area.*** We have a family member who is a West Nile virus survivor, so we are particularly sensitive to the health issues associated with mosquito infestations and the safety hazards this presents to the entire community.
  - **Kalapas use property as an extension of their Yoga business affiliation.** Sounds of chanting and drumming regularly come from this property. It appears that this activity is linked to their affiliation with High Desert Yoga. ***They appear to be operating another business (besides rental, Airbnb and construction) on their property.*** Link below to High Desert Yoga. Picture below includes Jesse Black. <https://www.highdesertyoga.com/workshops>



A second bath, with  
Asha Kushi, Ayana

Register Now

Property owners have the right to use their property as they see fit, compliant with the Village Ordinances, if that right does not negatively impact neighboring property owners or endanger the health, safety and wellbeing of the community. A thriving Village and neighborhood are built on the strength of citizens who practice good community relations, demonstrate respect for one another and do their part to ensure a safe neighborhood.

The Kalapas have not lived in this neighborhood long and do not share these values. They operate several illegal businesses on their property, and violate many Village Ordinances, putting neighbors' health and safety at risk. They currently have a variance for rental property, and they are asking for an allowance *over and above* the rental variance. We anticipate additional disruption to our neighborhood with landlords who already have a property variance and demonstrate a disregard for Village Ordinances.

***Based upon the current rental property variance and multiple violations of Village Ordinances outlined in this letter, we ask that the Village Planning and Zoning Commission:***

- ***Terminate the Kalapas' current rental variance and require they bring their property back into alignment with the A1 zoning requirements before additional permits are considered.***
- ***Deny the Kalapas' application for a Bed and Breakfast Home Occupation/Airbnb rental property permit as long as they have a variance for rental property and until they comply with Village Ordinances.***

Thank you for consideration.

Randy and Linda McKee  
Village property owners since 2003

December 21st, 2018

To: Bill and Sylvia Spence  
743 Chavez Rd NW  
Los Ranchos De Albuquerque NM 87107  
505-344-1006

From: Jesse and Zhenya Kalapa  
723 Chavez Rd NW  
Los Ranchos De Albuquerque NM 87107  
505-803-6097

Re:Re: Proposed B & B @ 723 Chavez Rd NW

Thank you very much for your letter of response.

First, I want to acknowledge the can of worms that I opened by saying yes to a couple of friends who asked me if they could build their tiny homes here. I certainly see how the noise from their project was a bother to you, and myself at times, and I am especially regretful that we didn't hear your complaints until it had become unbearable for you. I appreciate tiny homes and I like my friends Lenn and Elena who lived here in the casita at the time they were building their tiny homes. I apologize for not thinking through how the noise was going to impact the community beforehand. I am glad we finally did get to open a line of communication across the fence about the issues it was causing for you. Again, had we heard from you earlier, we could have made the necessarily changes much sooner.

Zhenya and I arranged the purchase of this property from my Grandads Family Trust shortly after he passed away about 5 years ago. I grew up coming to this place and dropping a line in the pond for catfish when I was a young boy. When I first considered the prospect of purchasing this property, my intention was to establish it as a fully wheelchair accessible farm and B&B. The place is too beautiful to keep to myself, I want to share it specifically with folks who have challenges with getting around. This is still my long term goal and getting permitted as a B&B is the next step. Did you read David Bexfield's article in the Los Ranchos Vision this summer about the garden tour? I hope to be on the tour in a couple years with wide stone paths for him to ride his bike on.

According to the survey that was conducted during the purchase of our property, 723 Chavez is 2.02 Acres and currently has 3 allowable dwellings. They were grandfathered in. It used to have 4 allowable dwellings however 1 of them was revoked at the time of sale because it had not been occupied for over 2 years.

Zhenya and I have had numerous housemates over the years to help cover the cost of such a large property, however, that had been overwhelming and was never part of our long-term goal. We believe that establishing the B&B will actually reduce the daily traffic. We have already

reduced the number of tenants on the property to prepare for the transition and as the B&B is not expected to be occupied every day of the month, the car traffic would be effectively reduced. In addition, there is now only one dog on the property, our dog Jampa. As noted by our neighbor Jane, directly to the east of us, the traffic has already been significantly reduced with the recent changes we have made.

We want to clarify that our application was for a home occupation permit for a owner occupied B & B is not a request for a zoning change. This will not be a commercial B&B. The Village of Los Ranchos only allows four rooms to be rented so this regulation protects the community from a flooding of people. We will also remain on the property as owner occupants and be on site to help to keep the peace. The peace and nature elements is the niche we intend to fill. My grandad called property "the Country Close In" and over the past year we have really been working to embrace this sentiment and reduce the hustle and bustle that you may have observed as we were gaining our bearings. We are also happy to share with you that the other long-term renters are going to be my parents! Logan and Larry Garcia. They too have long-term appreciation for this property and its continued preservation as a peaceful oasis.

Now that our vision is solidifying we have the resources and time to make the many improvements that this property requires, not just to the buildings, but the landscape as well. We have been working on the ecology of the pond by adding new aeration and recirculating equipments along with fish that help to combat the mosquito larvae. We have regularly seen a great blue heron as well as a crane on the grounds, an owl, 2 hawks and a night haring! We want to encourage the party people to go elsewhere and invite the nature and peace lovers to come here. Acquiring this property and preserving its agricultural heritage feels like a way to honor both the history of this rich land and our own families' heritage. Our place is different from your friend's neighbor in that we will remain owner occupied, we are also governed by the Village and have rules of operation that all guests will be required to read and adhere to. These rules highlight our desire to be good neighbors and to embrace the "nature preserve" mentality. We have included a copy of the rules we submitted with our application.

Lastly, I am very interested in being a good neighbor and getting to know you both better. Thank you for your quick communication on the matter. Please feel free to call or email us with any further concerns.

We look forward to hearing from you again.  
Zhenya and Jesse Kalapa

CC: The Village of Los Ranchos P&Z and 4 Chavez residents that were sent Zhenya and Jesse's original letter.

reduced the number of tenants on the property to prepare for the transition and as the B&B is not expected to be occupied every day of the month, the car traffic would be effectively reduced. In addition, there is now only one dog on the property, our dog Jampa. As noted by our neighbor Jane, directly to the east of us, the traffic has already been significantly reduced with the recent changes we have made.

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We look forward to hearing from you again.  
Zhenya and Jesse Kalapa

CC: The Village of Los Ranchos P&Z and 4 Chavez residents that were sent Zhenya and Jesse's original letter.

## Letters of Support

March 1, 2019

Village of Los Ranchos  
6718 Rio Grande Blvd., NW  
Los Ranchos, NM 87107

To Whom it may Concern:

My name is (Carol)Jane Wiggins and I live at 741 Chavez Rd, Los Ranchos and have lived here since 2017. I am writing this letter because I will not be able to attend the Planning and Zoning meeting on March 12.

Jesse Kalapa, his family and tenants are my immediate next door neighbors to the west. Since I moved in, I have found them to be friendly, polite and easygoing. We have not really had any issues that haven't been resolved. He has lowered the height of the large gate to his property, installed new pumps to keep the pond aerated and free from odor and is installing shades on the east side windows so lights from his living room and kitchen don't shine into my bedroom. He continues to

I chose to live in Los Ranchos after 30 years in Alaska because I sought green space, peace and quiet and not a lot of artificial light or traffic. My home and property do meet these needs. I have only minimally been impacted by the noise of the construction projects next door because it has occurred on the far side of their property. There has never been a large volume of traffic coming and going, although combined with people trying to find the winery parking lot there can be. Their current and past tenants have all been very respectful and friendly. I have never felt like there is anything we couldn't resolve. I have felt very safe and secure here.

With all this said, I understand that my other neighbors are concerned. They were impacted by construction noise because their homes back right up to Jesse's property. They are also concerned about safety, security and increase in noise and traffic.

I am hopeful that an amicable agreement can be reached that allows Jesse to develop and improve his property without changing the character of the neighborhood. I believe that he truly wants to

make this work for everyone.

If you have any questions I can be reached at [cjwiggins@me.com](mailto:cjwiggins@me.com) or 907-229-0726.

Sincerely,

Jane Wiggins

Monday, March 4, 2019 at 8:58:51 PM Mountain Standard Time

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**Subject:** Slight revision  
**Date:** Monday, March 4, 2019 at 8:03:26 AM Mountain Standard Time  
**From:** Carol Wiggins  
**To:** Timothy McDonough  
**Attachments:** Los Ranchos hearing.pdf

I realized I needed to add the fact that Jesse is continuing to clean up and improve his property as he has time and money to do so. Having an avenue to increase his income would help him continue to do so.

Monday, March 4, 2019 at 5:16:29 PM Mountain Standard Time

---

**Subject:** 723 Chavez

**Date:** Wednesday, February 13, 2019 at 9:12:44 AM Mountain Standard Time

**From:** Public Safety

**To:** Timothy McDonough

Good Morning Tim,

I followed up with Captain Sharp on 723 Chavez road. According to Captain Sharp there have only been two calls at 723 Chavez. The first in February of 2015 and it was in reference to a suspicious vehicle. The second was in January of 2019 and it was a welfare Check.

Please let me know if you need me to look into this any further.

Fred Radosevich

Sent from my iPhone

**Subject:** Re: Property Calls - 723 Chavez Rd  
**Date:** Monday, December 16, 2019 at 10:19:18 AM Mountain Standard Time  
**From:** Public Safety  
**To:** Tiffany Justice

Tiffany,  
It usually means a deputy was dispatched to assist another deputy or other agency who is there on some type of call or other matter.  
I am not sure if that helps.

Fred Radosevich  
Sent from my iPhone

On Dec 16, 2019, at 10:05 AM, Tiffany Justice <tjustice@losranchosnm.gov> wrote:

Thank you!  
Could you clarify what "cover/assist" means for a call?

Best,  
Tiffany

---

**From:** Public Safety <PublicSafety@losranchosnm.gov>  
**Date:** Monday, December 16, 2019 at 10:03 AM  
**To:** Tiffany Justice <tjustice@losranchosnm.gov>  
**Subject:** Re: Property Calls - 723 Chavez Rd

Tiffany,  
The only call for service at 723 Chavez Road this year was on September 17. The call type listed is "cover/assist"  
Please let me know if you need anything further.

Fred Radosevich  
Sent from my iPhone

On Dec 16, 2019, at 8:27 AM, Tiffany Justice <tjustice@losranchosnm.gov> wrote:

Thank you!  
Tiffany

---

**From:** Public Safety <PublicSafety@losranchosnm.gov>  
**Date:** Monday, December 16, 2019 at 8:27 AM  
**To:** Tiffany Justice <tjustice@losranchosnm.gov>  
**Subject:** Re: Property Calls - 723 Chavez Rd

Tiffany,  
I will get the total number of call this year from January 1,2019 and send it to you.

Fred Radosevich  
505-991-3990  
Sent from my iPad

On Dec 16, 2019, at 8:24 AM, Tiffany Justice  
<tjustice@losranchosnm.gov> wrote:

Hi Fred,

Could you reach out to BCSO to check the number of calls for a property in Los Ranchos? We did this last year and I'm trying to make sure to include any updates since then.  
The property is 723 Chavez Road.

Thank you,  
Tiffany Justice  
tjustice@losranchosnm.gov  
505-344-6582  
Planner, Planning and Zoning Department  
Village of Los Ranchos de Albuquerque  
www.losranchosnm.gov

Monday, March 4, 2019 at 5:09 PM Mountain Standard Time

---

**Subject:** 723 Chavez

**Date:** Wednesday, February 13, 2019 at 9:12:44 AM Mountain Standard Time

**From:** Public Safety

**To:** Timothy McDonough

Good Morning Tim,

I followed up with Captain Sharp on 723 Chavez road. According to Captain Sharp there have only been two calls at 723 Chavez. The first in February of 2015 and it was in reference to a suspicious vehicle. The second was in January of 2019 and it was a welfare Check.

Please let me know if you need me to look into this any further.

Fred Radosevich

Sent from my iPhone

HO B&B Permit #546

Inspection Photos  
Taken January 2,  
2020 (Pages 87 – 98)

















01/02/2020 11:32



01/02/2020 11:34



01/02/2020 11:48



01/02/2020 11:48







HO B&B Permit #546

Inspection Photos  
Taken During the Initial Application – Early  
2019 (Pages 100-108)



















#### 4. PUBLIC HEARING

**B. V 20-01** A request by Eryn and Meredith Houx Remiger for a Variance from §9.2.7(H)(2) and (3) No solid wall or fence located within the rear or side setback area shall exceed six (6) feet in height and no solid wall or fence located within the front setback area shall be more than four (4) feet in height to allow for a 6.25 foot high solid wall for a property in the A-1 Zone in the Guadalupe Trail Character Area. The property is located at 1015 El Pueblo Road NW and is legally known as Tract E-1 Lands of Balduino and Whipple, Section 16, T. 11. N, R. 3 E., N.M.P.M., Village of Los Ranchos de Albuquerque, Bernalillo County, New Mexico, filed in the Office of the Bernalillo County Clerk on May 15, 1996. The property contains 1.0000 acres more or less.

PLANNING AND ZONING COMMISSION  
**PLANNING REPORT**

Village of Los Ranchos • 6718 Rio Grande Blvd. NW • (505) 344-6582 Fax 344-8978

---

**DATE ISSUED:** December 16, 2019

**REPORT NO.** PZ-20-04  
 File: V-20-01

**ISSUED BY:** Planning and Zoning Department

**SUBJECT:** A request by Eryn and Meredith Houx Remiger for a Variance from §9.2.7(H)(2) and (3) No solid wall or fence located within the rear or side setback area shall exceed six (6) feet in height and no solid wall or fence located within the front setback area shall be more than four (4) feet in height to allow for a 6.25 foot high solid wall for a property in the A-1 Zone in the Guadalupe Trail Character Area.

**APPLICANT:** Eryn & Meredith Houx Remiger

**LOCATION AND PROPERTY DESCRIPTION:**

The property is located at 1015 El Pueblo Road NW and is legally known as Tract E-1 Lands of Balduini and Whipple, Section 16, T. 11. N, R. 3 E., N.M.P.M., Village of Los Ranchos de Albuquerque, Bernalillo County, New Mexico, filed in the Office of the Bernalillo County Clerk on May 15, 1996. The property contains 1.0000 acres more or less.

**Background:**

The existing solid wall was built prior to the applicant owning the property and measures 5 feet high. Based on satellite images from Google Earth, it appears to have been built in its current form between 2007-2009. There is no fence permit for the current wall.

The property has been burglarized in the past, Bernalillo County Sheriff's Office case number 13-13-0621621, and the applicant desires a taller wall to deter such activity in the future. The applicant intends to add two cinderblocks to the wall, adding 16 inches (1.25 feet) to the front and most of the west side wall. With the cinderblocks, the entire wall will be solid. Stucco will be over the cinderblocks to match the existing wall.

The property also sits lower than the adjacent road, El Pueblo, to varying degrees. The current wall is built between 13 inches and 23 inches lower than the edge of the road.

**SURROUNDING LAND USES:**

The properties to the north, south, east, and west are zoned A-1, all within the Guadalupe Trail Character Area.

**RELEVANT CODE LANGUAGE:**

**§9.2.7 A-1 AGRICULTURAL/RESIDENTIAL ZONE (1 residential unit/one acre)  
 (H) FENCES AND WALLS.**

(2) No solid wall or fence located within the rear or side setback area shall exceed six (6) feet in height.

(3) No solid wall or fence located within the front setback area shall be more than four (4) feet in height.

### §9.2.25 APPLICATION AND APPROVAL PROCESS

**(7) Variance.** A variance may be granted from the terms of this Section if:

**(a)** The variance is in conformance with the goals and policies of the Village Master plan;

1. It is not contrary to the public interest; and
2. Owing to special conditions, a literal enforcement of this Section will result in unnecessary hardship.
3. Use of premises shall never be changed via a variance.

**(b)** For the purposes of this section, enforcement of this Section shall be deemed to cause unnecessary hardship if:

1. When compared with other land in the vicinity subject to the same provisions, the parcel is exceptional by reason of physical characteristics of the land that existed when the provisions were adopted or which were created by natural forces or by government action for which no compensation was paid;
2. When compared to other land in the vicinity subject to the same provisions, the parcel is exceptional by reason of the condition or use of the parcel or of other land in the vicinity which condition or use existed when the provisions were adopted;
3. The parcel is irregular or unusually narrow in shape, and the condition existed when provisions were adopted or was created by natural force or government action for which no compensation was paid;
4. Circumstances have created a condition under which no reasonable use can be made of the land without the requested variance, provided however, that the fact that the affected parcel might have a greater value with the variance is not sufficient or justification in itself to authorize a variance. Financial gain or loss shall never be the deciding factor in granting a variance unless the property owner would be deprived of all economically feasible use of the property.
5. The development proposed in the variance differs from that allowed in this Ordinance only enough to relieve the alleged hardship; or
6. The alleged hardship is such that relief is justifiable in accordance with the goals and policies of the Master Plan.

**(c)** An application for a variance for the same property has not been filed within six (6) months from the date of the final action on a prior application.

#### **Analysis:**

In accordance with §9.2.25(7)(a)(1), this variance is not contrary to the public interest as it has only minimal visual impact to the public than the current wall, does not affect public welfare, and the increase in wall height is related to a safety incident.

§9.1.3 Land Use Regulation Purpose states that “These Regulations are intended to create orderly, harmonious, and economically sound development of land in order to establish conditions favorable to the health, safety, convenience, and general welfare of citizens of the Village and its area of jurisdiction...” In the interest of personal and property safety, the applicant desires to increase the height of the wall.

In accordance with §9.2.25(7)(a)(2), the property meets the hardship criteria with §9.2.25(7)(b)(2), (5), and (6).

(2) The condition or use of the parcel is exceptional by the reason of past burglary. To continue normal use and not be affected by the common offenses in §7.4.1 Common Offenses Enumerated (K) Willful and malicious destruction of or injury to public or private property and (P) Trespassing on private property in person or by motor vehicle, the applicant desires a taller wall.

(5) This proposed variance differs from the A-1 zone fence height requirement only enough to relieve the alleged hardship. The additional height will be outside the allowance by 0.25 feet on the side and will be 2.25 feet outside the allowance on the front, though the applicant will be adding 1.25 feet to an existing 1 foot difference. The current solid wall varies from the requirement to account for some of the difference in grade from the road and was not permitted. This wall existed prior to the applicant's ownership of the property.

#### (6) Village of Los Ranchos 2035 Master Plan

### 11.1 Community Facilities & Services Goal

The goal is to ensure the existence and availability of all facilities and services necessary to the health, safety, and welfare of all Village citizens to maintain a high quality of life for residents while recognizing the scale and resource limitations of the Village government, and to seek all possible resources available to develop, maintain, and connect to those facilities and services.

**Policy C:** Ensure the means to enforce Village laws and aid in compliance to state and federal laws to protect the health, safety, and welfare of Village residents.

In accordance with §9.2.25(7)(a)(3), the use of the premises is not changing.

In accordance with §9.2.25(7)(c), no application for a variance has been filed for the same property in the past six months.

### DEPARTMENT RECOMMENDATION:

The Department recommends **approval** of V-20-01 for a Variance from §9.2.7(H)(2) and (3) No solid wall or fence located within the rear or side setback area shall exceed six (6) feet in height and no solid wall or fence located within the front setback area shall be more than four (4) feet in height to allow for a 6.25 foot high solid wall for a property in the A-1 Zone in the Guadalupe Trail Character Area with the following conditions:

1. The variance from the height requirement is for 6.25 feet for this south front and west side wall only.
2. Any extension of this wall's height will require another variance request.

### Findings:

(a) The variance is in conformance with the goals and policies of the Village Master Plan;

- 1) It is not contrary to the public interest; and
- 2) Owing to special conditions, a literal enforcement of this Section will result in unnecessary hardship.

(b) 2. When compared to other land in the vicinity subject to the same provisions, the parcel is exceptional by reason of the condition or use of the parcel or of other land in the vicinity which condition or use existed when the provisions were adopted.

The condition or use of the parcel is exceptional by the reason of past burglary. To continue normal use and not be affected by the common offenses in §7.4.1 Common Offenses Enumerated (K) Willful and malicious destruction of or injury to public or private

property and (P) Trespassing on private property in person or by motor vehicle, the applicant desires a taller wall.

5. The development proposed in the variance differs from that allowed in this Ordinance only enough to relieve the alleged hardship.

This proposed variance differs from the A-1 zone fence height requirement only enough to relieve the alleged hardship. The additional height will be outside the allowance by 0.25 feet on the side and will be 2.25 feet outside the allowance on the front, though the applicant will be adding 1.25 feet to an existing 1 foot difference. The current solid wall varies from the requirement to account for some of the difference in grade from the road and was not permitted. This wall existed prior to the applicant's ownership of the property.

6. The alleged hardship is such that relief is justifiable in accordance with the goals and policies of the Master Plan.

### **Village of Los Ranchos 2035 Master Plan**

#### **11.1 Community Facilities & Services Goal**

The goal is to ensure the existence and availability of all facilities and services necessary to the health, safety, and welfare of all Village citizens to maintain a high quality of life for residents while recognizing the scale and resource limitations of the Village government, and to seek all possible resources available to develop, maintain, and connect to those facilities and services.

**Policy C:** Ensure the means to enforce Village laws and aid in compliance to state and federal laws to protect the health, safety, and welfare of Village residents.

Therefore, the variance request meets the requirements of §9.2.25(7) (a) and (b)(2), (5), and (6).

No prior application for a variance has been submitted on this property in the prior six months.

Public notice requirements have been met by publication in the Albuquerque Journal on December 20, 2019. The public notice was sent by mail to all neighbors within 300 feet of the property on December 17, 2019.



\_\_\_\_\_  
Tiffany Justice  
Planner, Planning and Zoning

Date: January 2, 2020

#### Attachments:

Application  
Applicants Submittal  
Ortho Map  
Zone Map  
Police Report Number

Village of Los Ranchos de Albuquerque  
6718 Rio Grande Boulevard NW  
Los Ranchos de Albuquerque, NM 87107  
Phone: (505) 344-6582

FOR OFFICIAL USE		114 of 129
Zone <u>A-1</u>	V # <u>20-01</u>	Date: <u>12-12-19</u>
Related Cases <u>ZRP #</u>	Receipt # <u>894915</u>	
Character Area _____	_____	

**THE FEE FOR THIS APPLICATION IS \$150.00 DUE AT SUBMITTAL**

**APPLICATION FOR VARIANCE**

Address of Property 1015 El Pueblo Rd NW Zip 87114  
Los Ranchos de Albuquerque

Closest Cross Streets \_\_\_\_\_

Subdivision \_\_\_\_\_ Block \_\_\_\_\_ Lot No. \_\_\_\_\_

Tract No. \_\_\_\_\_ MRGCD Map No. \_\_\_\_\_ Acreage of Property 1.0002

**PROPERTY OWNER** Eryn + Meredith Houx Remiger

Mailing address 1015 El Pueblo Rd NW Zip 87114

Telephone \_\_\_\_\_ Cell 505-250-8649

email address unmercyn@hotmail.com

**CONTRACTOR/AGENT OR FIRM**

Agent: \_\_\_\_\_ License NO. \_\_\_\_\_

Business Name: \_\_\_\_\_

Mailing address: \_\_\_\_\_ Zip \_\_\_\_\_

Telephone \_\_\_\_\_ Street \_\_\_\_\_ City \_\_\_\_\_ Cell \_\_\_\_\_

email address \_\_\_\_\_

Nature of variance: Fence/wall height extension

\_\_\_\_\_  
\_\_\_\_\_

[Signature] 12/12/19  
Signature of Property owner (Or submit affidavit of agent). Date

\_\_\_\_\_  
Signature of Applicant (Contractor/Agent). Date

The Village of Los Ranchos de Albuquerque does not take responsibility for information on or enforcement of, restrictive covenants on said property. All Fees generated by this application are the responsibility of the applicant, due and payable upon notification of fees by the Village.

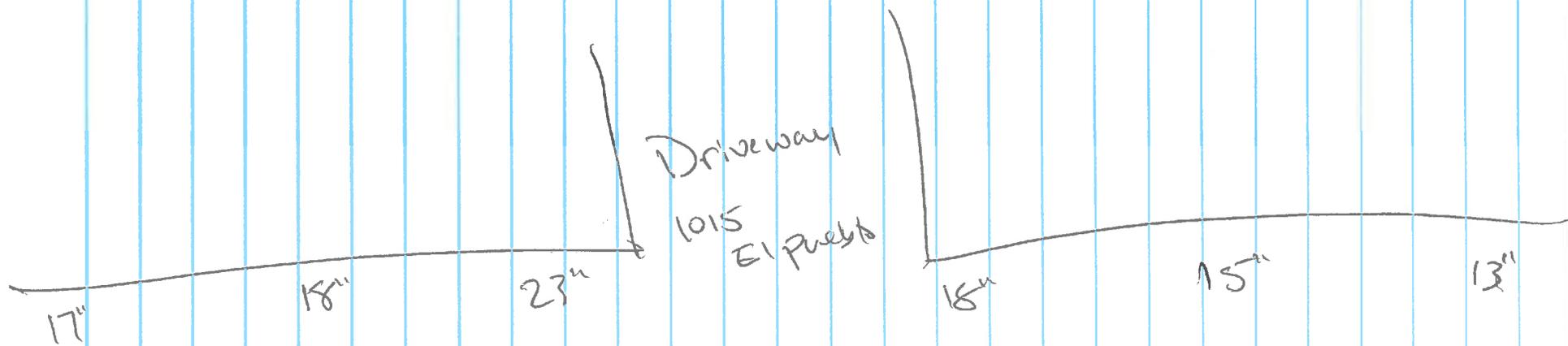
# 1015 El Pueblo Rd NW - Remiger Wall Extension



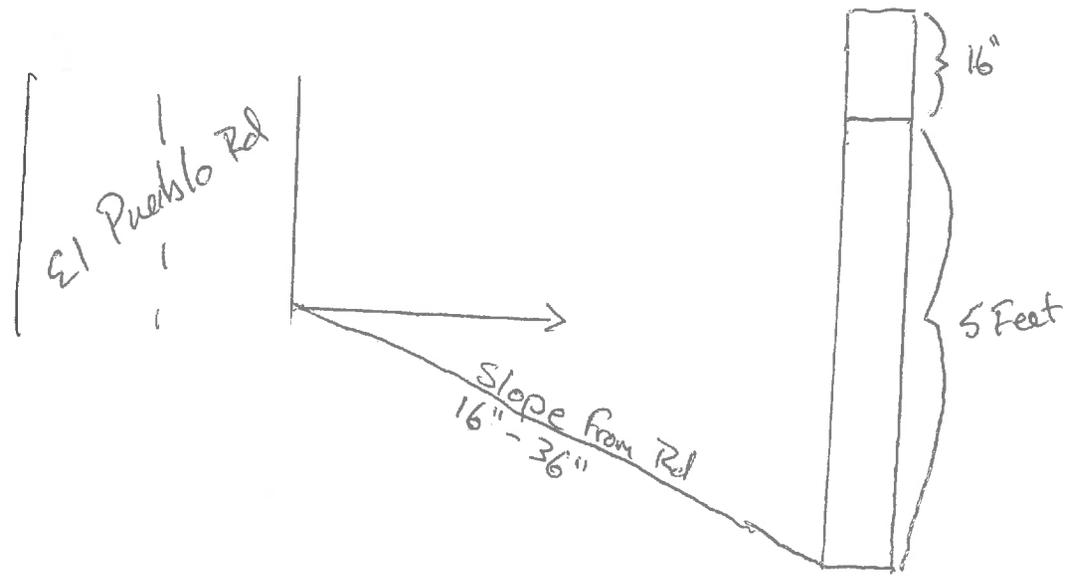
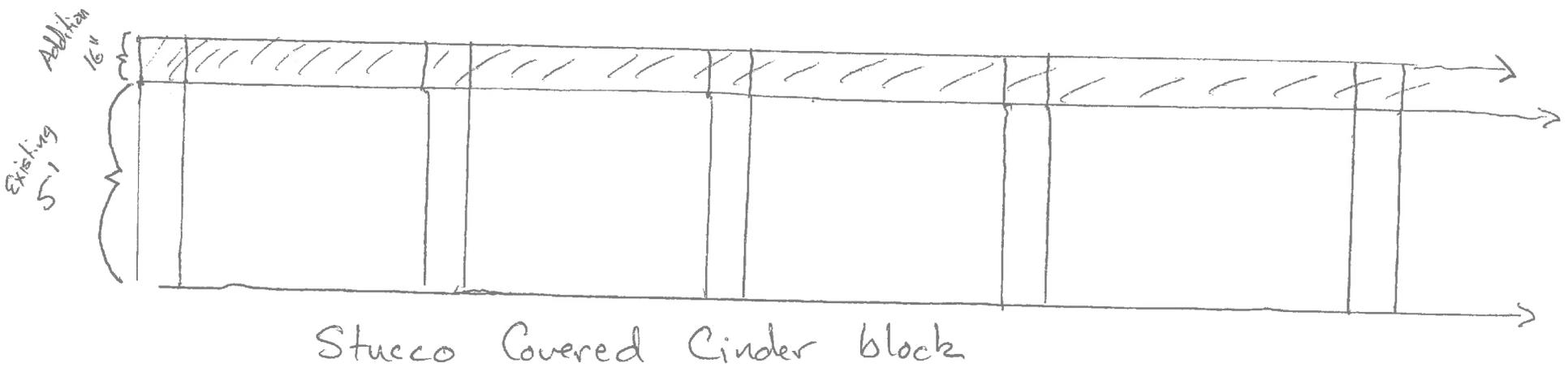
We are looking to raise the height of the wall around the exterior of our property located at 1015 El Pueblo Rd NW by 16 inches. The existing wall is well below the level of the road. The slope from El Pueblo to the existing wall ranges from 16 inches to 34 inches. This allows for a nearly unobstructed view into our home and yard. We are looking to raise the wall by the lowest of those slope measurements, 16 inches. In addition a couple years ago we had a group of men pull off the road and jump the wall, kick in the front door and burglarize our home in the middle of the day. When my wife arrived home to turn off the alarm she found 5 men passing our televisions and electronics over the wall. We are seeking this wall height extension to add some reasonable privacy and much needed security to our wonderful home in The Village of Los Ranchos.



Eryn & Meredith Houx Remiger  
505-250-8649  
[unmeryn@hotmail.com](mailto:unmeryn@hotmail.com)



Two Connected Sections Totaling 321.14 Feet (183.81 El Pueblo frontage 157.33 w. field) 117 of 129





# 1015 El Pueblo



Legend 118 of 129

- Bernalillo County Parcels
- Municipal Limits**
- Corrales
- Edgewood
- Los Ranchos
- Rio Rancho
- Tijeras
- UNINCORPORATED



### Notes

Fence variance shown in black

200 0 100 200 Feet

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
12/13/2019 © City of Albuquerque

1: 1,200

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THIS MAP IS NOT TO BE USED FOR NAVIGATION



# 1015 El Pueblo



Legend 119 of 129

- Bernalillo County Parcels
- Municipal Limits**
  - Corrales
  - Edgewood
  - Los Ranchos
  - Rio Rancho
  - Tijeras
  - UNINCORPORATED



LOS RANCHOS

Notes



WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
12/13/2019 © City of Albuquerque

1: 1,200

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THIS MAP IS NOT TO BE USED FOR NAVIGATION



**Subject:** Re: 1015 Police Report

**Date:** Thursday, January 2, 2020 at 10:56:16 AM Mountain Standard Time

**From:** Public Safety

**To:** Tiffany Justice

Tiffany,

I checked with BCSO and they do have a report dated 3-29-13 at 10-15-2013. The case # is 13-13-0621621.

Fred Radosevich

Sent from my iPhone

On Dec 31, 2019, at 1:13 PM, Tiffany Justice <tjustice@losranchosnm.gov> wrote:

Hi Fred,

The police report I am trying to get is for an incident that happened on March 29, 2013. They said that they've been trying to get in touch with the state to get a copy of the report but they haven't been communicating back. They believe that it was a state vehicle that responded (black and gold) so they haven't been in touch with Bernalillo County yet.

Hope this information helps and if we can't get the report we'll just make sure to get the testimony under oath at the commission meeting.

Thank you,

Tiffany Justice

tjustice@losranchosnm.gov

505-344-6582

Planner, Planning and Zoning Department

Village of Los Ranchos de Albuquerque

www.losranchosnm.gov

## **5. OLD BUSINESS**

*There is no Old Business*

## 6. NEW BUSINESS

*There is no New Business.*

## **7. REPORTS**

### **A. Planning Department Report**

DEPARTMENT REPORT  
(for January P&Z and BOT meetings)

**General**

Dominic Tomba continues to address resident concerns and write letters for properties to come into compliance.

Jennifer Schilling continues to handle business license renewals. As of now, businesses who have not yet renewed for 2020 will be charged the \$10 late fee. The 2019 fourth quarter business report is attached. As the business renewals wrap up, she is starting on a larger project to address our digital and physical records—namely organization and aligning with our retention schedule.

Tiffany Justice is working on addressing short-term rentals. On December 3, we hosted a public workshop on short-term rentals and we will have a follow-up meeting to continue that discussion on Tuesday, January 28, 2020 from 6:30-9 pm at Village Hall. The format will involve presentation, small group discussion, and whole group discussion. We encourage those interested in the topic to attend and we have information on the workshops and on short-term rentals on the Village website at [losranchosnm.gov/shortterm-rentals](http://losranchosnm.gov/shortterm-rentals).

We are saying farewell to Administrator/Planning and Zoning Director Tim McDonough. He has served the Village as Planning and Zoning Director for six years and Administrator for almost one year. He was the first Administrator to be a Village resident and was involved in the Village prior on the Board of Trustees. He was an incredible asset to the Planning and Zoning Department and the Village as a whole in his positions and will be sorely missed.

At the January 15, 2020 Board of Trustees meeting the new Village Administrator will be appointed. We look forward to working with them on the Village's planning and zoning matters.

**2019 Planning & Zoning Items**

In 2019 the Planning and Zoning Department wrote 37 planning reports on 24 issues.

- (CU) Conditional Use: 6
- (HO) Home Occupation: 3
  - (BB) Bed & Breakfast: 2
- (LL) Liquor License: 3
- (SDP) Site Development Plan: 4
- (S) Subdivision: 5
- (ZMA) Zone Map Amendment: 1

A couple subdivisions and site development plans will rollover into the new year for their final actions.

**FOURTH QUARTER 2019**  
**COMMERCIAL BUSSINESS REGISTRATIONS**  
 October 2019 – December 2019

<b>NEW BUSINESSES</b>	<b>NATURE OF BUSINESS</b>	<b>OPENED</b>
Cosas Bonitas	Retail – Antiques	10/01/2019
Otra Vez	Retail – Antiques	10/01/2019
Henrietta M. Christmas	Retail – Antiques	10/15/2019
Susan Brooke Karath	Retail – Antiques	10/16/2019
Active Chiropractic Spine and Joint Center, LLC	Service – Chiropractic Care	11/11/2019

<b>CLOSURES</b>	<b>NATURE OF BUSINESS</b>	<b>CLOSED</b>
Eaton Law, PC	Professional – Law Office	December 2019
Christian Counseling & Psychotherapy, LLC	Professional - Psychotherapy	July 2019
Intuitouch	Service – Massage Therapy	October 2019
Parnassus Books	Retail - Antiques	Spring 2019
Louie’s Auto Repair	Service – Auto Repair	Mid 2019
Spirit Rising Natural Therapies	Service – Massage Therapy	Mid 2019
La Bella Vino Winery	Manufacturing - Winery	Early 2019
Health Innovations, LLC	Professional - Pharmacy/Clinician	November 2019
Angry Boos	Retail - Antiques	November 2019
Barber Gabes Fades	Service – Barber	December 2019
Montano Land, LLC	Professional Office - Developer	December 2019
Jer’s Magic Carpets	Retail – Carpet Sales	December 2019

**TOTAL NEW COMMERCIAL BUSINESSES: 5**

**TOTAL CLOSED COMMERCIAL BUSINESSES: 7**

**CLOSED OUTSIDE THE FOURTH QUARTER: 5\***

*\* Renewals for the 2020 calendar year had begun in November 2019. During this time the Village is made aware of businesses that had closed earlier in the year. This list contains closed businesses from previous quarters, not recorded until the fourth quarter.*

Business Report  
 Fourth Quarter 2019  
 Village of Los Ranchos de Albuquerque

**FOURTH QUARTER 2019**  
**HOME OCCUPATION BUSSINESS REGISTRATIONS**  
 October 2019 – December 2019

<b>NEW BUSINESSES</b>	<b>NATURE OF BUSINESS</b>	<b>OPENED</b>
Hard Pipe Plumbing & Heating, LLC	Service – Plumbing	10/11/2019
Chile del Sol	Wholesale – Spices/Jams	12/13/2019
New Mexico Tax Credit Alliance	Service – Tax Broker	12/10/2019

**TOTAL NEW HOME OCCUPATIONS: 3**

<b>CLOSED BUSINESSES</b>	<b>NATURE OF BUSINESS</b>	<b>CLOSED</b>
Phase One Design, LLC	Architectural Design	Mid-2019
Siren Audio	Production Studio	December 2019

**TOTAL CLOSED HOME OCCUPATIONS: 2**

## 8. COMMISSIONERS INFORMAL DISCUSSION

## 9. ADJOURNMENT