

**SUMMARY INDEX
BOARD OF ADJUSTMENT MEETING
Tuesday, April 5, 2016**

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
CALL TO ORDER & ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved	
APPROVAL OF MINUTES – MARCH 1, 2016	Approved [amended]	
FINDINGS/CONCLUSIONS	None	
<u>NEW BUSINESS</u>		
<u>CASE #2016-19. JUNIPER TERRACE CONDOMINIUM SPECIAL USE PERMIT. JENKINS GAVIN, INC, AGENT FOR JOHN SUMERLIN, REQUESTS A SPECIAL USE PERMIT TO CONSTRUCT A THIRD DWELLING UNIT AT 505 JUNIPER DRIVE, WITH A DENSITY GREATER THAN TEN DWELLING UNITS PER ACRE. THE PROPERTY IS A 0.171 ACRE LOT LOCATED AT THE NORTHEAST CORNER OF JUNIPER DRIVE AND RIO GRANDE AVENUE, AND IS ZONED R-21 (RESIDENTIAL MAXIMUM DENSITY OF 21 DWELLING UNITS PER ACRE</u>	Approved with all conditions	
STAFF COMMUNICATIONS	Information/discussion	
MATTERS FROM THE BOARD	Information/discussion	
ADJOURNMENT		

**MINUTES OF THE
CITY OF SANTA FE
BOARD OF ADJUSTMENT
City Councilor Chambers
200 Lincoln Avenue
April 5, 2016**

A. CALL TO ORDER

A regular meeting of the City of Santa Fe Board of Adjustment was called to order by Gary Friedman, Chair, at approximately 6:00 p.m., on Tuesday, April 5, 2016, in the City Council Chambers, 200 Lincoln Avenue, Santa Fe, New Mexico.

B. ROLL CALL

Members Present

Gary Friedman, Chair
Coleen Dearing
Patricia Hawkins
Douglas Maahs
Donna Reynolds
Daniel H. Werwath

Members Excused

Rachel L. Winston, Vice-Chair

Others Present

Dan Esquibel, Staff
Zachary Shandler, Assistant City Attorney
Melessia Helberg, Stenographer

B. PLEDGE OF ALLEGIANCE

C. APPROVAL OF AGENDA

MOTION: Douglas Maahs moved, seconded by Daniel Werwath, to approve the Agenda, as presented.

VOTE: The motion was approved unanimously on a voice vote.

D. APPROVAL OF MINUTES – MARCH 1, 2016

The stenographer noted that Ms. Dearing’s first name is misspelled, and should be Coleen.

MOTION: Daniel Werwath moved, seconded by Patricia Hawkins, to approve the minutes of the meeting of March 1, 2016, as amended.

VOTE: The motion was approved unanimously on a voice vote.

E. FINDINGS/CONCLUSIONS: NONE

There were no Findings/Conclusions for approval.

F. NEW BUSINESS

1. **CASE #2016-19. JUNIPER TERRACE CONDOMINIUM SPECIAL USE PERMIT. JENKINS GAVIN, INC, AGENT FOR JOHN SUMERLIN, REQUESTS A SPECIAL USE PERMIT TO CONSTRUCT A THIRD DWELLING UNIT AT 505 JUNIPER DRIVE, WITH A DENSITY GREATER THAN TEN DWELLING UNITS PER ACRE. THE PROPERTY IS A 0.171 ACRE LOT LOCATED AT THE NORTHEAST CORNER OF JUNIPER DRIVE AND RIO GRANDE AVENUE, AND IS ZONED R-21 (RESIDENTIAL MAXIMUM DENSITY OF 21 DWELLING UNITS PER ACRE) (DAN ESQUIBEL, CASE MANAGER)**

A Memorandum dated March 30, 2016 for the April 5, 2016 Meeting, to the Board of Adjustment, from Daniel A. Esquibel, Land Use Planner, Senior, Current Planning Division, in this matter, is incorporated herewith to these minutes as Exhibit “1.”

Daniel Esquibel presented information regarding this case. Please see Exhibit “1,” for specifics of this presentation.

Public Hearing

Presentation by the Applicant

Hillary Welles, JenkinsGavin, 130 Grant Avenue, Suite 101, Agent for the owner, was sworn. Ms. Welles said the property owner is in attendance this evening. She said she hasn't much to add, noting that Mr. Esquibel summed up the application very nicely in the Staff Report, and noted that the Applicant is in agreement with all staff conditions. She said she has nothing further to add and will stand for questions.

Ms. Reynolds asked if the homeowners in Units #1 and #2 are comfortable with the addition, and were part of the ENN effort.

Ms. Welles said the owners of those units were notified about the ENN, and they have been in communication all along with the property owners. She said they have been aware that Unit #3 was part of the condominium all along, "so yes, this is something they're well aware of, yes."

Speaking to the Request

There was no one speaking to this request.

The Public Testimony Portion of the Public Hearing was Closed

MOTION: Daniel Werwath moved, seconded by Douglas Maahs, moved, to approve Case #2016-19, Juniper Terrace Condominium, request for a Special Use Permit to construct a third dwelling unit at 505 Juniper Drive with a density greater than ten dwelling units per acre, with all conditions of approval as recommended by Staff in Exhibit A of the Staff Report.

VOTE: The motion was approved unanimously on a voice vote.

G. STAFF COMMUNICATIONS

Zachary Shandler, Assistant City Attorney, said in one of the Board's prior meetings a Special Use Permit was issued for the Sanbusco Center, noting the Board may have read in the newspaper that it has been appealed by one of the citizens, Miss Monroe. It will be heard at the next Governing Body meeting on April 13, 2016, and he and Ms. *[inaudible]* will present, as well as the Applicant and the Appellant. He said he will keep the Board apprised of the results.

Chair Friedman asked if anyone from the Board needs to be in attendance, and Mr. Shandler said no.

Ms. Hawkins asked how likely it is that the Appeal will be upheld by the Governing Body.

Mr. Shandler said, "There are lawyers in the room, so I will say that you never know, "but I think the record that you built is very strong."

Ms. Dearing asked if the person who filed the appeal is a person who spoke at the meeting.

Mr. Shandler said, "Yes. Ms. Monroe was one of the 4 people to speak in opposition and she's the one that filed the appeal."

Chair Friedman asked if Ms. Monroe lives in the neighborhood.

Mr. Shandler said, "Mr. Chair, she lives in the neighborhood."

H. MATTERS FROM THE BOARD

Chair Friedman asked Mr. Esquibel if there will be a case for consideration by the Board at its next meeting.

Mr. Esquibel said, "I don't think so, but I did speak with somebody today, and if that person does move forward with their idea, this body is going to have a very exciting case moving forward."

Chair Friedman asked if that will be in May.

Mr. Esquibel said it will be sometime this year, depending on what they do. He said, "It probably will be the most exciting case this Board has seen yet."

Ms. Dearing said she believes the next meeting will be May 3rd.

Mr. Esquibel said that is correct, but he doesn't have anything moving forward for that meeting at this time.

Ms. Dearing said if something comes up she will be out of the country at that time and won't be able to attend the meeting.

Ms. Hawkins said she won't be able to attend the June meeting.

Chair Friedman said he may be out of town in early May.

Mr. Esquibel reiterated that he doesn't think we have anything for a May meeting, but if we do, he will send everyone an email to let everybody know what's coming down the pike.

I. ADJOURNMENT

There was no further business to come before the Board, and the meeting was adjourned at approximately 6:10 p.m.

Gary Friedman, Chair


Melessia Helberg, Stenographer