



Los Alamos County
Community Development Department

PLANNING & ZONING COMMISSION STAFF REPORT

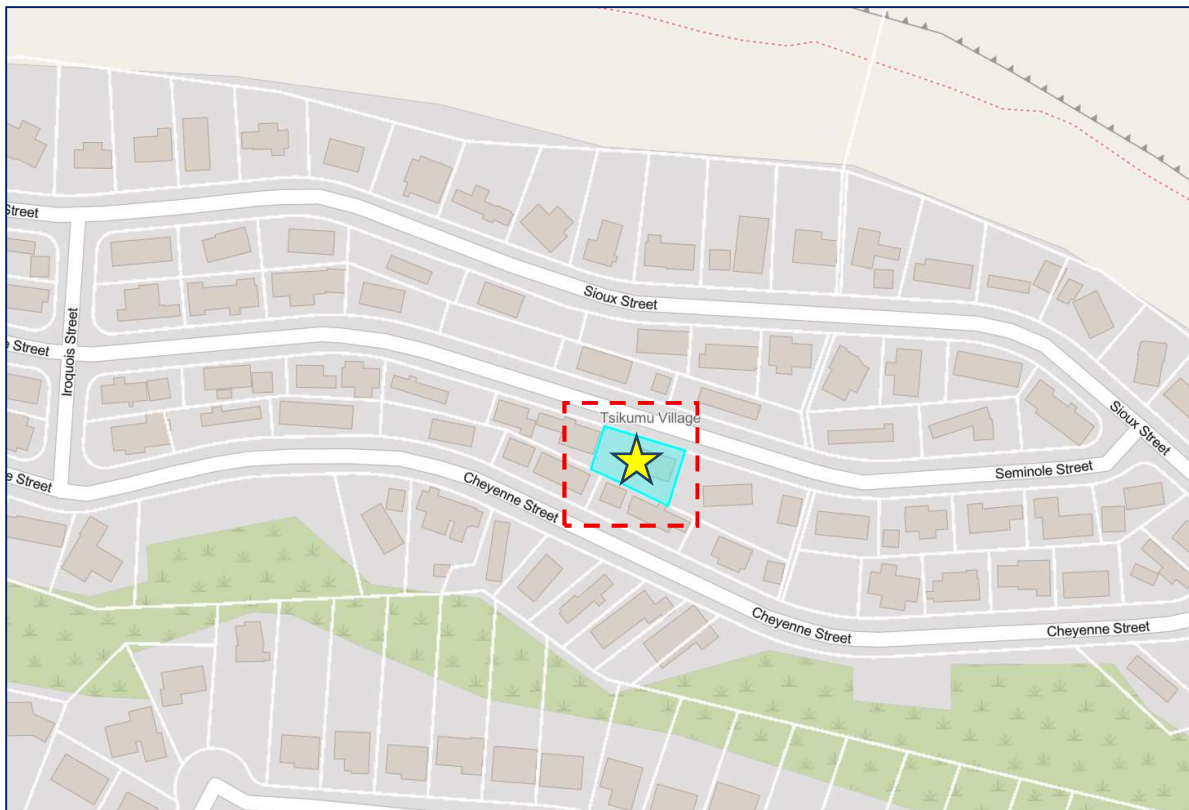
Public Hearing Date: November 12, 2025
Subject: Case No. VAR-2025-0017
Owners/Applicants: Geraldine Lopez Keane
Case Manager: Desirae J. Lujan, Senior Planner

Professional Background:

Associates Architectural & Civil Drafting; 17 years in Planning and Land Use, Local Government, with six years in Case Management of Development Applications.

Case No. VAR-2025-0017. Property owner Geraldine Lopez Keane requests a variance from Manufactured Home Community (MHC) Zone District dimensional standards to allow a porch to encroach into the 15-ft front setback, reducing it to 9.3-ft. The property, TSV 131, is located in the Tsikumu Village subdivision at 1177 Seminole, Los Alamos, NM.

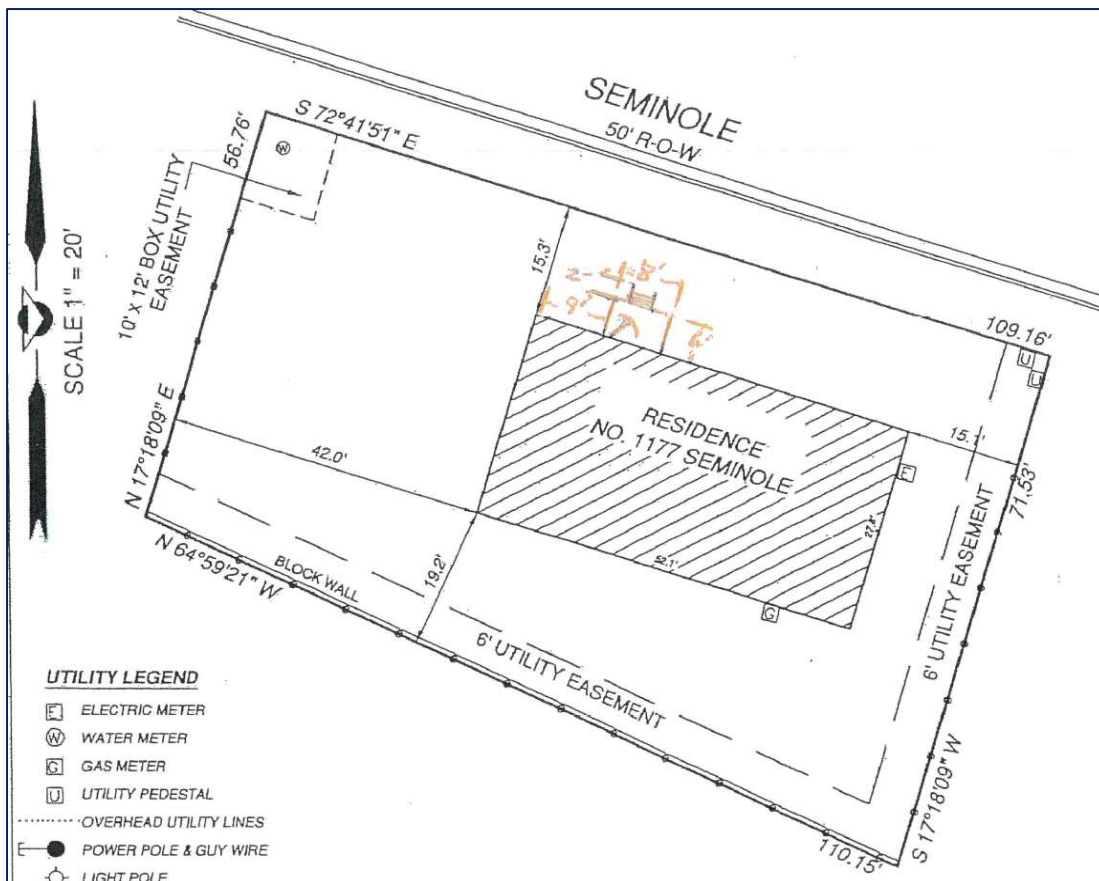
Figure 1: Location Area Map, Google Airbus Imagery from 5/8/2023–5/28/2023; North Community1, Diamond Drive/40th Street area, Los Alamos, NM.



Summary

Geraldine Keane requests approval of a variance to allow construction of a freestanding covered front porch measuring 48 sq. ft. (6'X8'). The proposed porch would reduce the required 15-ft front setback to 9.3-ft. The variance applies only to the covered portion of the porch. Per Los Alamos County Development Code (Development Code), section 16-22, uncovered walkways, driveways, steps, patios, or courtyards may extend into required setback areas without limitation, therefore the associated steps are excluded from this request.

Figure 2: Propose location creating a 9.3 front setback (submitted site plan)



Property Information

The subject property ("Property") is approximately 0.17 acres ($\leq 7,002$ sq. ft.) and is located within the Tsikimu subdivision of the Los Alamos Townsite, North Mesa. Figure 2 shows that the lot is generally rectangular, with a slight angle at the southeast corner. The lot width along Seminole is 109.16-ft. Its depth varies from 56.76-ft on the west side to 71.53-ft on the east side. County Assessor records indicate the property is developed with a 1,568 sq. ft. manufactured home positioned 15.3-ft from the front property line. Utilities are located within the public right-of-way, and 6-ft utility easements along the south and east property lines.

Zoning Dimensional and Development Standards

According to the County's Official Zoning Map, the property is zoned Manufactured Home Community (MHC). The Development Code, section 16-5(h) describes the intent of the zone district as:

"to accommodate manufactured home communities as the predominant residential use alongside other complementary accessory and non-residential activities, which primarily serve residents of manufactured home communities."

The MHC dimensional standards are provided in Table 13 of the Development Code and summarized below. Aside from the requested variance to the front setback, the proposed project complies with all other standards, including maximum lot coverage, building height, and rear and side setbacks.

Table 1: MHC Dimensional Standards & Proposal

	Standard	Proposed	Variance
Front Setback	15'	9.3'	62%
Side Setback (closest)	5'	≥5'	N/A
Rear Setback	10'	N/A	N/A
Primary Structure Height	20'	11'-4"	N/A
Total Lot Coverage	60%	24%	N/A

Figure 3: Setbacks (15' dimensional standards (yellow), variance area (red highlight), proposed 9.3' setback (red), steps permitted to project (black dashed line)



Interdepartmental Review Committee (IDRC) Review

The IDRC reviewed the application independently and provided comments via email. The Department of Public Utilities and Fire Marshal communicated no objections or concerns. Public Works, Engineering, noted drainage aspects that will be evaluated during the building permit process, such as grading away from adjacent lots/structures and maintaining existing drainage areas/easements/structures as applicable. The Chief Building Official did not respond to the review, however, building code standards will be applied during the permitting process.

Public Notice

The Development Code, Section 16-71: Procedures Summary Table, sets forth the notification requirements. Section 16-72(c): Notifications, establishes the notice requirements for a public hearing:

- *Published and Posted Notice [16-72(c)(4)]:*
 - Notice published in a newspaper of general circulation within the County at least 14-calendar days before the meeting or hearing. ***Published on October 23, 2025.***
 - The posting of at least one sign on a street abutting the property that is the subject of the application – visible from the street – for at least 14-calendar days before the public meeting or hearing. ***Posted on October 28, 2025.***
- *Mailed Notice [16-72(c)(5)c]:*
 - Mailed notice 14 days prior to the public hearing to all owners of record as identified in the records of the County Tax Assessor or occupants of properties within 300 ft., excluding public rights-of-way, of exterior lot lines of the subject property. ***Mailed on October 20, 2025.***

Variance

The purpose of a variance is to permit property to be used in a typical and reasonable way—while still meeting the community’s vision—when zoning and development standards do not fit perfectly. It considers flexibility of standards while still supporting the health, safety, and overall welfare of the community. The variance process is suitable when hardships are caused by the property’s unusual physical characteristics that make complying with the zoning and development standards difficult. The process creates a balance between protecting property rights while still supporting the health, safety, and welfare of the community.

The Los Alamos County Development Code, section 16-73(a), provides an administrative deviation that allows relatively minor modifications from dimensional standards or numeric standards. Requests that exceed the thresholds of Table 52 are required to receive variance approval from the Planning and Zoning Commission.

Variance Decision Criteria

Section 16-74(g)(3) of the Development Code states that an application for a Variance shall be approved if it meets all the decision criteria. The Planning and Zoning Commission shall approve, approve with condition, or deny based solely on the decision criteria:

a. The variance will not be contrary to public safety, health, or welfare.

Applicant Response: The porch which is the reason for this variance is for the purpose to improve safety for myself, family and public for safe entrance and exit to my home. It does not pose any threat to safety, health, or welfare.

Staff Response: In the staff's expert opinion, this criterion has been satisfied. The Fire Marshal and County Engineer reviewed the proposed front setback and identified no concerns related to public safety, health, or welfare. The proposed porch will remain fully within private property and will maintain a safe and appropriate separation from the county right-of-way that is consistent with existing neighborhood conditions. Compliance with the Building Code through the required permit process will ensure that the porch is constructed to current safety standards. The addition of a covered entry will also improve safe access for residents and visitors, particularly given the home's north-facing orientation and potential for snow and ice.

b. The variance request will not undermine the intent of the Development Code, the applicable zone district, other County adopted policies or plans, or violate the Building Code.

Applicant Response: The request does not undermine the intent of the code because it keeps the integrity of the code. The request is for a porch 8.5' and still has 7.5' on homeowner setback and 11.5' to street. The height of the structure is approximately 11'-4".

Staff Response: In the staff's expert opinion, this criterion has been met because the requested front setback does not violate the intent of the Development Code ("Code"). In summary, the purpose of the Code as outlined in Article I, Division 4, is to implement adopted community plans, protect public health and safety, guide compatible development, and preserve neighborhood character. The porch and its proposed setback aligns with these goals by maintaining safe sight lines, and an appropriate scale and appearance of the neighborhood character.

Additionally, the proposal does not undermine the MHC zone district. It continues to be a residential use that maintains all functional and safety objectives and reflects the minimum necessary adjustment to allow a typical residential feature that is enjoyed by others along Seminole.

Lastly, if approved, the applicant will apply for a building permit. At that time, plans will be reviewed, and a permit will only be issued if it meets the Building Code.

c. Granting of the variance will not cause an intrusion into any utility or other easements unless approved by the owner of the easement.

Applicant Response: This will not cause intrusion of any utilities or easement.

Staff Response: In the staff's expert opinion, this criterion has been met because there are no utilities or easements within the project vicinity. The Department of Public Utilities (DPU) has reviewed the application and affirmed that the request caused no issues or concerns with utilities or easements.

d. The variance request is caused by an unusual physical characteristic or hardship inherent in the lot or lot improvements and that the peculiarity or hardship is not self-imposed.

Applicant Response: Due to the placement of the home we are requesting a porch to be placed 15' setback because we have a wide and shallow property.

Staff Response: In the staff's expert opinion, this criterion has been satisfied. The home was situated roughly 4" behind the 15-ft minimum front setback, not allowing sufficient distance for the addition of a covered porch to appropriately meet the MCH dimensional standards. Lots along Seminole are unusual because they were designed with wide frontages to accommodate typical manufactured home lengths, which reduced overall lot depth. This narrow configuration creates a physical constraint that limits lot improvement options. The hardship is inherent to the lot's design and improvements, and not self-imposed by the owner.

e. The variance will not create any significant adverse impacts on properties within the vicinity.

Applicant Response: This is well within the property line and will not create any adverse impact on any other property.

Staff Response: In the staff's expert opinion, this criterion has been met because the reduced setback will not create negative impacts on nearby properties. The property is an interior lot, and the location of the porch maintains clear sight lines for surrounding homes. During the building permit review, roof drainage will be evaluated to ensure water flows properly and does not affect neighboring properties.

f. Granting of the approved variance is the minimum necessary easing of the Code requirements making possible the reasonable use of the land, structure, or building.

Applicant Response: Yes, we are requesting a porch with step of 8.5' and this is within the 15' setback and/or 19' of open space to the street. (*6 feet for porch, approx. 2.5 for steps – allow projection into setback).

Staff Response: In the staff's expert opinion, this criterion has been met because the existing home was constructed only 15.3-ft from the property line, which leaves insufficient space for a functional front porch under current code standards. Even with the maximum 15% administrative deviation, the porch could only extend by approximately 2.5-ft, which is not a reasonable or usable depth for a

covered entry. The requested variance for a 9.3-ft setback is the minimum relief needed to provide a typical residential feature that supports safe and practical access to the home.

Similar front setbacks exist throughout the neighborhood, including properties along Seminole shown in Figures 4 and 5, demonstrating that this adjustment remains consistent with existing development patterns. The variance does not compromise the Development Code's purpose and allows the property owner to reasonably use the lot and structure while maintaining compatibility with surrounding homes.

Figure 4: Setbacks (15' dimensional standards (yellow), proposed 9.3' setback (red), demonstrating the following properties improved outside of required setback: 1116, 1105, 1117, 1129, and 1144,

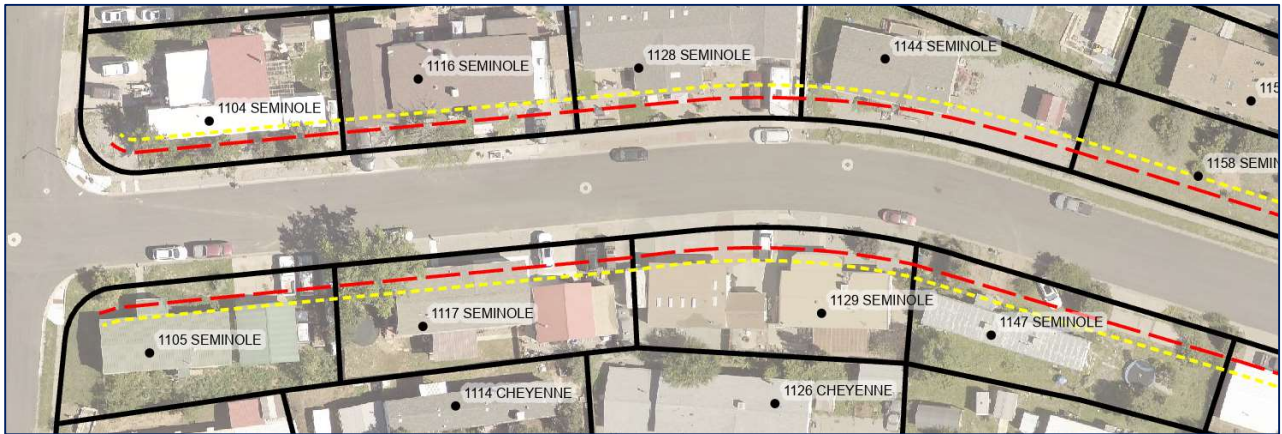


Figure 5: Setbacks (15' dimensional standards (yellow), proposed 9.3' setback (red), demonstrating the following properties improved outside of required setback: 1165, and 1172.



Draft Motions

Recommended Motion, Approval:

I move to **approve** Case No. **VAR-2025-0017**, a request by property owner Geraldine Lopez Keane, for a Variance from the MHC dimensional standards. Approval allows the construction of a 48 sq. ft. (6'X8') freestanding, covered front porch to be located 9.3-ft from the front property line at 1177 Seminole, Los Alamos, NM.

Approval is based on the Findings of Fact established at the hearing and the determination that the Applicant has met the decision criteria for a variance per Section 16-74(g)(3) of the Los Alamos County Development Code. The Commission acts under the authority of Section 16-69(b)(2) and (6) of the Development Code.

I further move to authorize the Chair to sign the Findings of Fact and Conclusions of Law for this case that reflects the decision of the Commission. This document will be prepared by county staff based on this decision.

Alternative Motion 1, Approve with Conditions:

I move to **conditionally approve** Case No. **VAR-2025-0017**, a request by property owner Geraldine Lopez Keane, for a Variance from the MHC dimensional standards. Approval allows the construction of a 48 sq. ft. (6'X8') freestanding, covered front porch to be located 9.3-ft from the front property line at 1177 Seminole, Los Alamos, NM. Approval is made under the following conditions:

1. ...

Approval is based on the Findings of Fact established at the hearing and the determination that the Applicant has met the decision criteria for a variance per Section 16-74(g)(3) of the Los Alamos County Development Code. The Commission acts under the authority of Section 16-69(b)(2) and (6) of the Development Code.

I further move to authorize the Chair to sign the Findings of Fact and Conclusions of Law for this case that reflects the decision of the Commission. This document will be prepared by county staff based on this decision.

Alternative Motion 2, Deny:

I move to **deny** Case No. **VAR-2025-0017**, by property owner Geraldine Lopez Keane, for a Variance from the MHC dimensional standards.

Denial is based on the Findings of Fact established at the hearing and the determination that the Applicant has not met the decision criteria for a variance per Section 16-74(g)(3) of the Los Alamos County Development Code. The Commission acts under the authority of Section 16-69(b)(2) and (6) of the Development Code.

I further move to authorize the Chair to sign the Findings of Fact and Conclusions of Law for this case that reflects the decision of the Commission. This document will be prepared by county staff based on this decision.

References

1 – Los Alamos County, Chapter 16, Development Code: <https://lacnm.com/MunicipalCode>