



Los Alamos County
Community Development Department

**PLANNING & ZONING COMMISSION
STAFF REPORT**

Public Hearing Date: October 22, 2025
Subject: Variance; Case No. VAR-2025-0016
Applicants/Owners: Phillip and Monica Noll, Property Owners
Case Manager: Danyelle Valdez, Planning Manager

Professional Background:

Bachelor's degree in business administration; 12 years' experience in Real Estate Development, Project Management, Planning and Land Use.

Case No. VAR-2025-0016 - Property owners Phillip and Monica Noll request a variance from Los Alamos County Code, Chapter 16, Article II, Division 3 (Base Zone District Dimensional Standards) for 114 Piedra Loop, White Rock. The request seeks to reduce the required 25-foot side yard setback in the Residential Agricultural (RA) zone district to 14.5 feet to allow replacement of an existing garage.



Figure 1: Aerial Image - Subject Property & Proposed Location

EXECUTIVE SUMMARY

Phillip and Monica Noll, owners of 114 Piedra Loop in White Rock, request a variance to reduce the required 25-foot side setback in the Residential Agricultural (RA) zoning district to 14.5 feet to allow construction of a new garage and workshop structure in the same location as the existing, deteriorated garage.

The new project proposes a two-car garage, with one bay sized for RV storage and an attached music room. The applicants identified the existing garage location as the most cost-effective and functional option due to existing utility connections and home and driveway access. As proposed, the new structure would add 1,460 square feet of coverage, increasing total lot coverage from 3,369 square feet (3.87%) to 4,829 square feet (5.54%), which remains below the 10% lot coverage limit allowed in the RA zone.

Because the proposed structure location would encroach 10.5 feet into the required side setback, a variance is required under Chapter 16, Section 16-74(g) of the Los Alamos County Development Code. Setback standards for the RA zone are established in Table 2 of Section 16-5.

PROPERTY INFORMATION & BACKGROUND

The subject property, located at 114 Piedra Loop in White Rock, consists of ±2.0 acres and is developed with a single-family residence. The property has an existing lot coverage of 3,369 square feet (3.9%). The property is legally described as La Senda A, Block 3, Lot 4, Section 5, Township 18N, Range 7E.

The applicants met with Community Development staff to discuss their proposal to remove an existing 25-year-old dilapidated garage workshop and construct a new two-car garage, with one bay designed for RV storage, and an attached music room. The existing garage location was identified as the most economical and functionally feasible site for the new structure, providing optimal access to existing utilities and driveway connections. The proposed garage would add approximately 1,460 square feet, resulting in lot coverage of 4,829 square feet (5.54%), remaining below the 10% maximum lot coverage permitted in the RA zoning district.

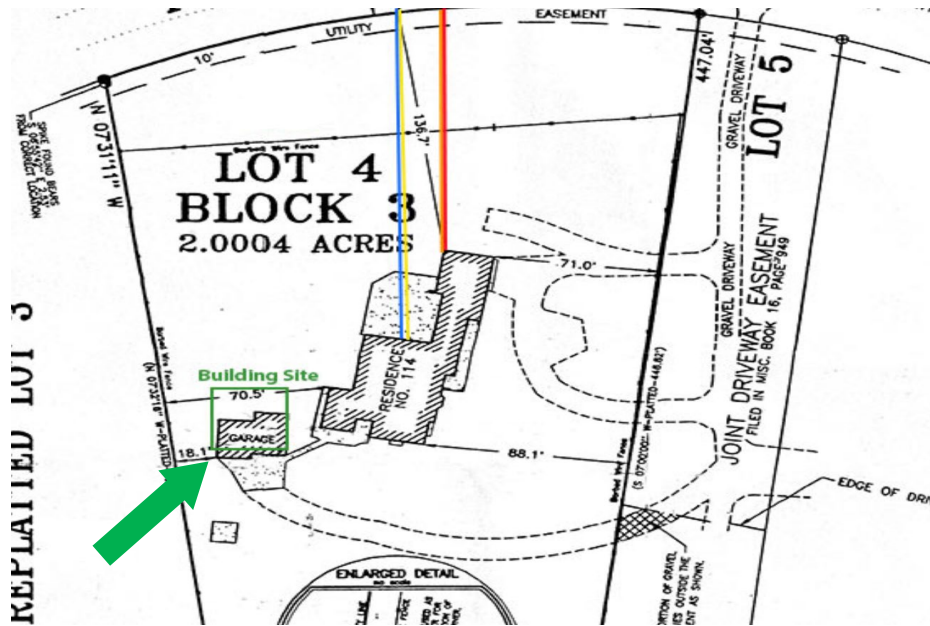


Figure 2: Proposed Project Site

INTERDEPARTMENTAL REVIEW COMMITTEE (IDRC) REVIEW

On September 25, 2025, the Interdepartmental Review Committee (IDRC) convened to review the variance application. The Committee discussed the proposal and recommended that the application move forward for consideration by the Planning and Zoning Commission.

IDRC Members Present:

Danyelle Valdez, Planning Manager / Case Manager
Desirae Lujan, Senior Planner
Eric Ulibarri, County Engineer, Public Works
Jennifer Morrow, Senior Engineer, Public Works
James Martinez, DPU Engineering
Colorado Cordova, Fire Marshal
Adrienne Lovato, Senior Management Analyst, Building Division

The following was noted:

- A drainage mitigation strategy is required by Public Works Engineering, as the addition of 1,460 square feet of impervious surface is expected to increase stormwater runoff. The proposed improvements must ensure that runoff does not negatively impact adjacent properties or the County right-of-way.

Compliance with building code requirements and drainage will be enforced through the building permit review process if the variance is approved.

PUBLIC NOTICE

The *Los Alamos County Code of Ordinances, Chapter 16 – Development Code, Sec. 16-72(c) Notifications*, sets forth the requirements for proper notice to the public 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 October 2, 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 October 7, 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 October 2, 2025.**

VARIANCE DECISION CRITERIA

Section 16-74(g)(3) of the Los Alamos County Development Code states that an application for a Variance shall be approved if it meets all the following criteria:

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

Applicant Response: The proposed structure will be designed by a qualified, professionally licensed architect, following all applicable safety and building codes, and will be constructed by a fully licensed and insured local contractor. Removing the existing 25+ year old garage/workshop and constructing a modern 2-car garage in the same location will not cause any new detriment to public safety, health, or welfare that hasn't existed for the last 25+ years.

Staff Response: It is the expert opinion of staff that this criterion has been met. The proposed project will not introduce any conditions detrimental to public safety, health, or welfare. The structure will comply with current building and safety standards, representing an overall improvement in design and construction quality compared to the existing condition. Additionally, drainage mitigation measures will be required as part of the building permit review to ensure that runoff from the new structure does not adversely impact adjacent properties or the County right-of-way.

b. The variance will not undermine the intent of this Code, the applicable zone district, other county adopted policies or plans, or violate the building code.

Applicant Response: The existing 25+ year old garage/workshop and the proposed 2-car garage encroach upon a side setback. This variance will allow us to replace old structures in poor condition with a new, up-to-code, 2-car garage in the most logical and cost-effective location on our lot (see discussion below). The variance request will not undermine the intent of the Development Code, the applicable zone district (RA), other County adopted policies or plans, or violate the Building Code.

Staff Response: It is the expert opinion of staff that this criterion has been met. Approval of this variance would not undermine the intent of the Development Code. The proposed location maintains the established development pattern on the property and is consistent with the intent of the Residential Agricultural (RA) zone district. The replacement of the existing, nonconforming garage with a modern, code-compliant structure improves safety and design quality without intensifying the degree of nonconformity. The proposed use and placement align with the purpose and character of the surrounding neighborhood and do not conflict with any adopted County plans or policies.

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

Applicant Response: There are currently only two easements for this property. A 10' Utility Easement is located at the north end along Piedra Loop. A Joint Driveway Easement is located along the east side of the lot. Neither of these easements are near the proposed construction site, which is located at the middle of the west side of the property. There are no easements in the area of the proposed construction site.

Staff Response: It is the expert opinion of staff that this criterion has been met. The proposed structure is not located within or adjacent to any recorded utility or access easements. Review by the Interdepartmental Review Committee (IDRC), including the Los Alamos County Department of Public Utilities, confirmed that the proposed structure does not intrude upon any public or private utility easements.

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

Applicant Response: The most logical location for the new 2-car garage is where the old garage/workshop currently sits. The current driveway servicing the old garage/workshop is lined with large piñon pines. We would greatly prefer not removing these trees! The area south of the existing garage/workshop is large enough (and has no trees) to allow one to maneuver a truck and trailer in such a way that the trailer can then be easily backed into one of the bays of the new 2-car garage. Locating the new 2-car garage anywhere else on the lot will require altering/re-routing the existing driveway, will make running utilities to the new structure more expensive, and will require the removal of old, large piñon trees.

Staff Response: It is the expert opinion of staff that this criterion has been met. The hardship is related to the physical characteristics of the lot and existing site improvements rather than any self-imposed condition. The existing driveway alignment, mature piñon trees, and established access patterns constrain feasible building locations. Requiring relocation of the garage would necessitate significant site alteration, tree removal, and additional utility infrastructure, creating unnecessary cost and environmental disturbance. The proposed placement represents the most practical and least impactful location for the replacement structure while maintaining consistency with surrounding development patterns.

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

Applicant Response: There has been a garage/workshop in the proposed building location for well over 25 years. Removing these old dilapidated structures and building a new 2-car garage (with a building style matching the residence) in the same location will not introduce any new adverse impacts to the adjoining lot. The adjoining lot is a 5+ acre lot and the house that sits on that lot is approximately 100+ feet from the property line in question. The area between our neighbor's house and the lot line is currently ~~used as a pen for our neighbor's goats and chickens. There are no other properties near~~ the proposed building site.

Staff Response: It is the expert opinion of staff that this criterion has been met. The proposed structure replaces an existing structure in the same location and will not introduce any new visual, noise, or environmental impacts to surrounding properties. The adjacent property to the west is a large lot with substantial separation between dwellings, and existing vegetation and fencing provide additional buffering. Given the low density and rural character of the area, the proposed variance will not create any significant adverse impacts on nearby properties or the surrounding vicinity.

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. The most efficient and cost-effective location for the new 2-car garage is where the old garage/workshop currently sits. Running utilities to this location will be more cost-effective than other locations. This location will also preserve the use of the existing driveway and will eliminate the need to remove large, old piñon trees. It is also the best location from a maneuverability standpoint, allowing us to easily park our RV in one of the garage bays. Once the new 2-car garage is constructed, our lot coverage will only be 5.5%. The maximum height of the new garage will be 16 ft., which is below the 20 ft. maximum. Granting a variance for the side setback is the only easing of Code requirements necessary.

Staff Response: It is the expert opinion of staff that this criterion has been met. The variance request represents the minimum necessary deviation from the Code to allow reasonable use of the property. The proposed 10.5-foot reduction in the side yard setback accommodates replacement of an existing structure in its current location, thereby minimizing site disturbance and maintaining established access and circulation patterns. Approval of the variance provides a practical and proportionate remedy that remains consistent with the intent and purpose of the Development Code.

DRAFT MOTIONS

Recommended Motion, Approval:

I move to **approve** Case No. VAR-2025-0016, a request submitted by Philip and Monica Noll, property owners of 114 Piedra Loop, White Rock, for a variance from Los Alamos County Code, Chapter 16, Article II, Division 3 (Base Zone District Dimensional Standards). The request seeks to reduce the required 25-foot side yard setback in the Residential Agricultural (RA) zone district to 14.5 feet to allow for the replacement of an existing garage.

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-2025-0016, a request submitted by Philip and Monica Noll, property owners of 114 Piedra Loop, White Rock, for a variance from Los Alamos County Code, Chapter 16, Article II, Division 3 (Base Zone District Dimensional Standards). The request seeks to reduce the required 25-foot side yard setback in the Residential Agricultural (RA) zone district to 14.5 feet to allow for the replacement of an existing garage.

Approval is based on the findings established at the hearing and the and the conclusion that the Applicant has met the decision criteria for a variance per Section 16-74(g)(3) of the Los Alamos County Development Code, subject to the following conditions:

1. ...

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-2025-0016, a request submitted by Philip and Monica Noll, property owners of 114 Piedra Loop, White Rock, for a variance from Los Alamos County Code, Chapter 16, Article II, Division 3 (Base Zone District Dimensional Standards). The request seeks to reduce the required 25-foot side yard setback in the Residential Agricultural (RA) zone district to 14.5 feet to allow for the replacement of an existing garage.

Denial is based on the findings established at the hearing and the conclusion 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.

REFERENCE

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