


[EXTERNAL]Fwd: [EXTERNAL]

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To: ~County Council <~CountyCouncil@lacnm.us>; LACManager <lacmanager@lacnm.us>;patrick.moore@dca.nm.gov <patrick.moore@dca.nm.gov>; Sayeda, Sobia <sobia.sayed@lacnm.us>; Planning <Planning@lacnm.us>; Barela, Anita <anita.barela@lacnm.us>; Wheeler, Mike <wheels@newmexico.com>; Colleen Olinger (ce.olinger@gmail.com) <ce.olinger@gmail.com>; James O'Donnell <odonnell455@gmail.com>; Kate O'Donnell <katelou3@aol.com>; bart.olinger@gmail.com <bart.olinger@gmail.com>; Olinger, Barton W <olingerb@lanl.gov>; MILES OLINGER <molingerr@msn.com>

 2 attachments (40 KB)

LAC 1 (8023).docx; Concerns (3023).docx;

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Los Alamos County Council and Los Alamos Preservation Advisory Board,

We would like to thank Patrick Moore and Sobia Sayeda for taking time from their busy schedules to talk to us on Tuesday 8/22/23 about our concerns over the possible Historic Protection Overlay Zone around the Lodge as well as the privately owned and Los Alamos Historical Society properties (the attached email from Jim and Kate O'Donnell captures the private homeowners' concerns). As also stated in a joint letter dated 3/27/23 (also attached), the private homeowners are concerned about the specific wording in the Los Alamos County's Code of Ordinances, specifically in 16-73. While we understand that the Historic Protection Overlay Zone and the Los Alamos County Code of Ordinances documents are controlled and voted on separately, the wording in the Code of Ordinances (specifically 16-73) is what the private home owners are concerned about.

Specifically, all the private land owners are concerned about the following:

16-73-(h)(1)b: "Any construction, alteration, relocation or demolition of any fence or other landscape feature including, **without limitation**, any deck, wall, berm, garden structure, exterior lighting, driveway, or landscaping that has the potential for affecting historic structures or features shall also require and approved Historic Property Alteration Certificate per this section."

16-73-(h)(4)b: "The proposed work is compatible with the relevant historic, cultural, or architectural qualities characteristic of the structure, site or district including, **but not limited to**, elements of size, scale, massing, proportions, orientation, materials, surface textures and patterns, details and embellishments and the relation of these elements to one another."

While the initial intent of these statements may have been harmless, the language as written could be taken to the extreme against the private homeowners who want the very same thing as the county – to preserve and maintain their private historical homes without having their homeowners' rights dictated by the county.

During the meeting on 8/22/23, it was mentioned that the four private lots (1984 Peach St, 1974 Peach St, 1300 Bathtub Row, (1964 Juniper St, and 1152 Bathtub Row – one lot for some reason)) could be removed from the historic overlay at this time while we come to a *cooperative* agreement per the LEGAL NOTICE, Case No. 13-ZCA-002. All three landowners (and 4 lots) agree with this approach. We understand that there is significant pressure to create the overlay and we don't wish to stand in the way for the existing businesses and county owned properties.

While we understand that if the Historical Society votes with the County, the County will have the majority votes to create and force the overlay on the private homeowners against their will, we hope that that County per their LEGAL NOTICE, Case No. 13-ZCA-002 truly wants a cooperative agreement with the private homeowners on Bathtub Row so that we can work together to determine the appropriate mutually agreed upon wording for the County Code of Ordinances 16-73.

Thank you for your time,

Miles Olinger (1984 and 1974 Peach St)  
 Jim O'Donnell (1300 Bathtub Row)  
 Kate O'Donnell (1300 Bathtub Row)  
 Colleen Olinger (1964 Juniper St and 1152 Bathtub Row)  
 Bart Olinger (1964 Juniper St and 1152 Bathtub Row)  
 Seth Olinger (1964 Juniper St and 1152 Bathtub Row)

ATTACHMENT E

**Los Alamos District Historical Ordinance**

**To: Los Alamos Historic Advisory Committee from residents of the proposed historic overlay**

**03/2023**

Thank you for inviting us to your March monthly meeting of the Los Alamos Historic Advisory Committee.

We are residents of the proposed historical overlay. We have, over years, carefully preserved our homes' historic value. Indeed, it was largely this historic charm that induced us to buy these expensive properties. We understand the necessity of caring for, and about, our residences. But as it now stands, we do not favor the Los Alamos Historic Overlay. It apparently differs little from what we rejected in 2016 - threatening undue oversight.

This concern is exemplified by Los Alamos County Historic Ordinance and Draft Application Sec. 16-73(h)(4)b Decision Criteria [*italics added*]:

“An application for a Minor Historic Property Alteration Certificate shall be approved if it meets *all* of the following criteria.

The proposed work is compatible with the relevant historic, cultural, or architectural qualities characteristic of the structure, site or district *including, but not limited to*, elements of size, scale, massing, proportions, orientation, materials, surface textures and patterns, details and embellishments and the relation of these elements to one another.”

What does this mean under normal household practice? For example, will permission be required for yardwork and garden enhancements? (These features can easily be changed.) The same goes for trim painting (again easily changed). How does our property integrate with adjoining County landscapes?

Should the Advisory Committee include a voting resident affected by the oversight under consideration? Should Planning and Zoning refer a proposal for Committee consideration rather than requiring it of the resident?

We all need to know more.

Thank you,

Bart Olinger

Jim O'Donnell

Miles Olinger

Colleen Olinger

Kate O'Donnell

Seth Olinger