



# County of Los Alamos

## Minutes

### Board of Adjustment

1000 Central Avenue,  
Suite 110, BCC Room

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Monday, December 28, 2020

5:30 PM

Suite 110, BCC Room  
Municipal Building

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**Due to COVID concerns, this meeting will be conducted remotely, via Zoom.**  
**Proceedings can be viewed at: <https://losalamos.legistar.com/Calendar.aspx>. If you**  
**wish to participate as an attendee use: [https://zoom.us/j/96724128297?](https://zoom.us/j/96724128297?pwd=N1E0RWVwOURsL1ZFYVRKMm5)**  
**pwd=N1E0RWVwOURsL1ZFYVRKMm5**

#### **1 CALL TO ORDER/ROLL CALL**

**Present 2 - Board Member Martin, and Board Member Neal-Clinton**

**Absent 1 - Board Member Dewart**

#### **2 PUBLIC COMMENT**

This section of the Agenda is reserved for comments from the public on items not otherwise included on this Agenda.

#### **3. APPROVAL OF AGENDA**

**A motion was made by Commissioner Craig Martin that the agenda be approved.**  
**Chair Neal-Clinton seconded the motion. The motion passed unanimously.**

#### **4. PUBLIC HEARING (S)**

- A.** Case No. WVR-2020-0096. A request for waiver approval from the required front setback. If approved the Waiver will allow for an attached garage to be constructed 6.5-feet from the front property line, where the Los Alamos County Code of Ordinances, Chapter 16, Development Code, requires a 25-foot front setback within all R-1-10 zoning districts. The property, LV 05004, is located at 111 Yosemite Drive within the La Vista Subdivision and is zoned Single-Family Residential District (R-1-10).

Member Craig Martin moved and Chair Neal-Clinton seconded the motion to approve Case No. WVR-2020-0096 – A request for waiver from 25' front yard setbacks to construct an attached garage 6.5' from the front property line. The property, LV 05004, is located at 111 Yosemite Drive within the La Vista Subdivision and is zoned Single-Family Residential District (R-1-10).

Approval is based on the reasons stated within the staff report and per testimony entered at the public hearing, subject to the following condition(s):

1. The Applicant shall ensure that the proposed structure does not encroach into public right of way or easements when constructed; and
  2. When constructed, roof drainage from the proposed structure shall not adversely impact structures on this lot or adjacent lots/structures:
    - a. Grade to drain away from the structure and adjacent lots/structures so as not to create a nuisance (Code Section 18-57).
    - b. Maintain drainage to existing drainage easements/structures as applicable.
    - c. Note: Building Code Section R 401.3. stipulates that the grade must fall away at a minimum of 6" within 10'. Exception: Where lot lines, walls, slopes or other physical barriers prohibit 6 inches of fall within 10 feet, drains or swales shall be constructed to ensure drainage away from the structure. Impervious surfaces within 10 feet of the building foundation shall be sloped a minimum of 2% away from the building—check with Chief Building Official for additional details.
- I further move to authorize the Chair to sign Findings of Fact for this case and, based on this decision, to be prepared by County staff.

Yes: 2 - Board Member Martin and Board Member Neal-Clinton

Absent: 1 - Board Member Dewart

## **5. BOARD OF ADJUSTMENT BUSINESS**

### **A.**

Commissioner Craig Martin moved to approved the minutes for October 26, 2020. Chair Neal-Clinton seconded the motion. Motion carries 2-0.

### **B.**

Commissioner Craig Martin moved to approve the Board of Adjustment calendar for the upcoming year of 2021. Chair Neal-Clinton seconded the motion. Motion carried 2-0.

## **6. BOARD/STAFF COMMUNICATIONS**

### **A.**

Board of Adjustment

### **B.**

Staff

## **7. PUBLIC COMMENT**

## **8. ADJOURNMENT**

PLEASE NOTE: Any action by the Board of Adjustments in granting approval, conditional approval or disapproval of an application may be appealed by the applicant, or by the persons who have a personal or pecuniary interest adversely affected by the decision as defined by Section 16-454 of the County Code. Such appeals must be filed with the Community Development Department within 15-days of the action in accordance with Section 16-492.

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 County Human Resources Division at 662-8040 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes can be provided in various accessible formats. Please contact the personnel in the Community Development Department at 505-662-8006 if a summary or other type of accessible format is needed.

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