



**COUNTY OF LOS ALAMOS
BEFORE THE LOS ALAMOS COUNTY COUNCIL**

**IN THE MATTER OF AN APPEAL OF)
PLANNING AND ZONING) APL-2025-0024
COMMISSION DENIAL OF)
VARIANCE REQUEST VAR-2025-0014)
2339 35TH STREET,)
LOS ALAMOS COUNTY, NEW MEXICO)**

JOINT MOTION TO SUSPEND TIME FOR BRIEFING

The Community Development Department (“CDD”), through the undersigned attorney, jointly with Jacoby and Heather Baker, Appellants, respectfully request that the Chair of the Los Alamos County Council (“Council”/“Council Chair”) suspend the time for briefing in this matter on appeal, pursuant to Section 16-72(g)(5)(b)(6) of the County’s Code of Ordinances (“Code”).

As grounds for this request, CDD asserts, uncontested by Appellant:

1. On November 13, 2025, the Planning and Zoning Commission (“Commission”) issued a Final Written Order denying Appellant’s Application for a Variance, VAR-2025-0014, which was presented at a public hearing held on October 22, 2025. As stated in the Order, the basis for the denial was Section 16-72(f)(5)(b)(9) of the Code: The Commission failed to issue a final decision or recommendation prior to the close of the hearing by an affirmative vote of at least four (4) of the majority of the members present.

2. The parties are collaborating on an alternative resolution in this matter. Such a resolution would likely negate the need for an appeal hearing before Council. Suspension of the timelines for this appeal contained in Section 16-72(g)(5)(b) of the Code until further order of the Council Chair will allow the parties to determine if alternative resolution can be reached.

3. If no alternative resolution is reached between the parties within THIRTY (30) days of the entry this order, the Parties shall file a status update with the Council Chair so the Council Chair can determine whether to lift the suspension of timelines

WHEREFORE, the parties respectfully request that the Council Chair issue an Order Suspending Timelines for this Appeal Contained in Section 16-72(g)(5)(b) until further order of the Council Chair or any other time period the Chair deems appropriate.

Submitted this the 13th day of January 2026



J. Alvin Leaphart
County Attorney
1000 Central Avenue, Suite 350
Los Alamos, NM 87544
Telephone: (505) 662-8020

Joining in this request:



Jacoby Baker, Appellant



Heather Baker, Appellant