

NOTICE OF WORKSHOP MEETING

Notice is hereby given that Dean Holman, Mayor of the City of Ruidoso Downs, has called a Workshop Meeting of the Governing Body of the City of Ruidoso Downs for **Monday, April 8, 2024 at 3:00 PM**. The Workshop Meeting will be held at City Hall Hubbard Room, 123 Downs Drive, Ruidoso Downs, NM 88346. The purpose of the Workshop Meeting is as follows:

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. NON-ACTION ITEM(S)
 - A. Discussion on Change Order No. 1 for the All American Park Drainage Improvement Project in the amount of \$55,899.56.
 - B. Discussion on Miriam Maske – Applicant of the Planning Commission’s Case #2024-V3, approving request for a Special Humanitarian Variance Request to allow a placement of a manufactured home at the property located at 205 Griffith Dr, Ruidoso Downs, NM 88346, located in a R-1 Zoning District.
5. ADJOURNMENT

If you are an individual 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 City Clerk at least one week prior to the meeting or as soon as possible.

AGENDA MEMORANDUM

CITY OF RUIDOSO DOWNS

NON-ACTION ITEM(S) - A.

To: Mayor Holman and Councilors

Presenter(s):

Meeting Date: April 8, 2024

Re: Discussion on Change Order No. 1 for the All American Park Drainage Improvement Project in the amount of \$55,899.56.

Item Summary:

Change Order No. 1 will allow us to use the remaining funds to do earthwork and install curbing for the north baseball field parking lot. The city will still need to find funds to place basecourse and asphalt to complete the parking lot. This change order will be covered by grant funds.

Approx. 45k in Asphalt, and 6k in Basecourse to complete.

Financial Impact:

Recommendations:

To Discuss Change Order No. 1 for the All American Park Drainage Improvement Project in the amount of \$55,899.56.

ATTACHMENTS:

Description

23-ZH5053-44 Change Order No.1

Contract Change Order			
No.		1	
Contractor: Renegade Construction, LLC 200 Crawford Blvd. Las Cruces, NM 88007		Project: All American Park Drainage Improvements	
Owner: City of Ruidoso Downs 123 Downs Drive Ruidoso Downs, NM 88346		CSLFRF 23-ZH5053-44	
Date of Issue: 03 / 27 / 2023		Effective Date: Date of Owner's Signature	
The Contractor is hereby directed to make the following changes in the Contract Documents			
Amount (w/o GRT)	Description		
\$52,151.19	Additive Bid Schedule I: North Parking Lot Earthwork, Concrete and work related thereto, excludes preparation		
	of parking lot subgrade, base course and asphalt.		
\$52,151.19	Sub Total		
\$55,899.56	Including NMGR @ 7.1875%		
Reason for Change Order			
Incorporate earthwork and concrete for Additive Bid Schedule I: North Parking Lot into the project			
Attachments: (List documents supporting change and justifying cost and time)			
Change Order Detail Sheet			
Change in Contract Price:		Change in Contract Times:	
Original Contract Price (w/ GRT):		Original Contract Times: Calendar Days <input checked="" type="checkbox"/> Working Days <input type="checkbox"/>	
\$778,381.67		Substantial Completion (days):	
		74	
Increase or Decrease from Previously Approved Change Orders:		Ready for Final Payment (days):	
		74	
Increase:		Increase or Decrease from Previously Approved Change Orders:	
\$0.00		Substantial Completion (days):	
Decrease:		Ready for Final Payment (days):	
\$0.00		0 increase	
Contract Price Prior to this Change Order:		Contract Times Prior to This Change Order:	
\$778,381.67		Substantial Completion (days):	
		74	
Increase or Decrease of this Change Order:		Increase or Decrease of this Change Order:	
Increase:		Substantial Completion (days):	
\$55,899.56		Ready for Final Payment (days):	
Decrease:		0	
\$0.00		0	
Contract Price with all Approved Change Orders:		Contract Times with all Approved Change Orders:	
\$834,281.23		Substantial Completion (days):	
		Ready for Final Payment (days):	
		74	
RECOMMENDED: DENNIS ENGINEERING COMPANY		ACCEPTED: City of Ruidoso Downs	
By:		By:	
Date:		Date:	
ACCEPTED: Renegade Construction, LLC		APPROVED BY FUNDING AGENCY: (if applicable)	
By:		By: N/A	
Date:		Date:	

Change Order Detail Sheet									
City of Ruidoso Downs- All American Park Drainage Improvements						Change Order No. 1			
Base Bid Schedule I: Main Parking Lot									
Item	Description	Unit	Contract Quantity	Unit Price	Extended Amount	Adjusted Contract Quantity	Quantity Change	Cost Change	To-Date Amount
203000	UNCLASSIFIED EXCAVATION	LS	1	\$23,183.47	\$23,183.47				\$23,183.47
207000	SUBGRADE PREPARATION	SY	7,510	\$3.50	\$26,285.00				\$26,285.00
304010	BASE COURSE 4", IN PLACE	CY	10	\$159.69	\$1,596.90				\$1,596.90
304020	BASE COURSE 6", IN PLACE	CY	1,240	\$100.30	\$124,372.00				\$124,372.00
423270	3" HOT MIX ASPHALT (HMA) SUPERPAVE, SP-IV, INCLUDING BITUMINOUS MATERIAL	SY	7,510	\$37.04	\$278,170.40				\$278,170.40
601110	REMOVAL OF SURFACING BY COLD MILLING, INCLUDING HAUL TO SITE FOR EXCESS SOIL	SY	1,399	\$4.93	\$6,897.07				\$6,897.07
602060	RIPRAP CLASS G	SY	4	\$87.34	\$349.36				\$349.36
603000	TEMPORARY EROSION AND SEDIMENT CONTROL	LS	1	\$6,023.42	\$6,023.42				\$6,023.42
608004	CONCRETE THICKENED EDGE SIDEWALK, 4"	SY	230	\$96.90	\$22,287.00				\$22,287.00
608106	CONCRETE DRIVEPAD, 6"	SY	30	\$123.99	\$3,719.70				\$3,719.70
609100	CONCRETE PARKING BLOCK, WITH REBAR ANCHORS, COMPLETE IN-PLACE	EA	31	\$121.14	\$3,755.34				\$3,755.34
609318	CONCRETE APRON CURB AND GUTTER, TYPE "F" 6" X 24"	LF	10	\$48.02	\$480.20				\$480.20
609424	CONCRETE BARRIER CURB AND GUTTER, TYPE "B" 6" X 24"	LF	1,250	\$36.67	\$45,837.50				\$45,837.50
609624	CONCRETE VALLEY GUTTER, 6" X 24"	LF	310	\$41.39	\$12,830.90				\$12,830.90
609706	CONCRETE LAYDOWN CURB AND GUTTER, TYPE "E" 6" X 24"	LF	40	\$48.02	\$1,920.80				\$1,920.80
618000	TEMPORARY TRAFFIC CONTROL AND MANAGEMENT	LS	1	\$2,124.56	\$2,124.56				\$2,124.56
621000	MOBILIZATION	LS	1	\$22,672.71	\$22,672.71				\$22,672.71
662400	MANHOLE ADJUSTMENT	EA	2	\$556.21	\$1,112.42				\$1,112.42
701000	ALUMINUM PANEL SIGN	SF	16	\$32.23	\$515.68				\$515.68
701100	STEEL POST AND BASE POST FOR PANEL SIGNS	LF	88	\$36.82	\$3,240.16				\$3,240.16
704000	REFLECTORIZED PAINTED MARKINGS	LS	1	\$13,257.65	\$13,257.65				\$13,257.65
704310	REFLECTORIZED THERMOPLASTIC ARROW	EA	35	\$564.70	\$19,764.50				\$19,764.50
704530	REFLECTORIZED THERMOPLASTIC HANDICAPPED SYMBOL	EA	12	\$602.34	\$7,228.08				\$7,228.08
801000	CONSTRUCTION STAKING BY CONTRACTOR	LS	1	\$10,643.14	\$10,643.14				\$10,643.14
901000	CONTRACTORS QUALITY CONTROL CONSTRUCTION TESTING	ALL	1	\$24,387.27	\$24,387.27				\$24,387.27
Sub-Total: Base Bid Schedule I: Main Parking Lot					\$662,655.23	Net Change:		\$0.00	\$662,655.23
Gross Receipt Tax @				7.1875%	\$47,628.34				\$47,628.34
Total: Base Bid Schedule I: Main Parking Lot					\$710,283.57				\$710,283.57

Change Order Detail Sheet									
City of Ruidoso Downs- All American Park Drainage Improvements						Change Order No. 1			
Additive Bid Schedule I: North Parking Lot									
Item	Description	Unit	Contract Quantity	Unit Price	Extended Amount	Adjusted Contract Quantity	Quantity Change	Cost Change	To-Date Amount
203000	UNCLASSIFIED EXCAVATION	LS		\$6,359.54	\$0.00	1	1	\$6,359.54	\$6,359.54
207000	SUBGRADE PREPARATION	SY		\$3.56	\$0.00				\$0.00
304010	BASE COURSE 6", IN PLACE	CY		\$100.30	\$0.00				\$0.00
423270	3" HOT MIX ASPHALT (HMA) SUPERPAVE, SP-IV, INCLUDING BITUMINOUS MATERIAL	SY		\$37.04	\$0.00				\$0.00
601110	REMOVAL OF SURFACING BY COLD MILLING, INCLUDING HAUL TO SITE FOR EXCESS SOIL	SY		\$4.93	\$0.00	466	466	\$2,297.38	\$2,297.38
602060	RIPRAP CLASS G	SY		\$87.34	\$0.00	8	8	\$698.72	\$698.72
608004	CONCRETE THICKENED EDGE SIDEWALK, 4"	SY		\$96.90	\$0.00	210	210	\$20,349.00	\$20,349.00
608106	CONCRETE DRIVEPAD, 6"	SY		\$123.99	\$0.00	10	10	\$1,239.90	\$1,239.90
609318	CONCRETE APRON CURB AND GUTTER, TYPE "F" 6" X 24"	LF		\$36.19	\$0.00	160	160	\$5,790.40	\$5,790.40
609424	CONCRETE BARRIER CURB AND GUTTER, TYPE "B" 6" X 24"	LF		\$35.99	\$0.00	150	150	\$5,398.50	\$5,398.50
609624	CONCRETE VALLEY GUTTER, 6" X 24"	LF		\$41.39	\$0.00	80	80	\$3,311.20	\$3,311.20
704000	REFLECTORIZED PAINTED MARKINGS	LS		\$752.93	\$0.00				\$0.00
801000	CONSTRUCTION STAKING BY CONTRACTOR	LS		\$3,547.71	\$0.00	1	1	\$3,547.71	\$3,547.71
901000	CONTRACTORS QUALITY CONTROL CONSTRUCTION TESTING	ALL		\$12,784.69	\$0.00	0.24708	0.24708	\$3,158.84	\$3,158.84
Sub-Total: Additive Bid Schedule I: North Parking Lot						Net Change: \$52,151.19			\$52,151.19
Gross Receipt Tax @ 7.1875%									\$3,748.37
Total: Additive Bid Schedule I: North Parking Lot									\$55,899.56

Change Order Detail Sheet									
City of Ruidoso Downs- All American Park Drainage Improvements						Change Order No. 1			
Additive Bid Schedule II: West Parking Lot									
Item	Description	Unit	Contract Quantity	Unit Price	Extended Amount	Adjusted Contract Quantity	Quantity Change	Cost Change	To-Date Amount
203000	UNCLASSIFIED EXCAVATION	LS	1	\$2,217.22	\$2,217.22				\$2,217.22
207000	SUBGRADE PREPARATION	SY	690	\$3.56	\$2,456.40				\$2,456.40
304010	BASE COURSE 6", IN PLACE	CY	120	\$100.30	\$12,036.00				\$12,036.00
423270	3" HOT MIX ASPHALT (HMA) SUPERPAVE, SP-IV, INCLUDING BITUMINOUS MATERIAL	SY	690	\$37.04	\$25,557.60				\$25,557.60
602060	RIPRAP CLASS G	SY	4	\$87.34	\$349.36				\$349.36
609318	CONCRETE APRON CURB AND GUTTER, TYPE "F" 6" X 24"	LF	20	\$36.19	\$723.80				\$723.80
609424	CONCRETE BARRIER CURB AND GUTTER, TYPE "B" 6" X 24"	LF	300	\$35.99	\$10,797.00				\$10,797.00
704000	REFLECTORIZED PAINTED MARKINGS	LS	1	\$752.93	\$752.93				\$752.93
704530	REFLECTORIZED THERMO PLASTIC HANDICAPPED SYMBOL	EA	1	\$602.34	\$602.34				\$602.34
801000	CONSTRUCTION STAKING BY CONTRACTOR	LS	1	\$2,128.63	\$2,128.63				\$2,128.63
901000	CONTRACTORS QUALITY CONTROL CONSTRUCTION TESTING	ALL	1	\$5,910.47	\$5,910.47				\$5,910.47
Sub-Total: Additive Bid Schedule II: West Parking Lot					\$63,531.75	Net Change: \$0.00			\$63,531.75
Gross Receipt Tax @ 7.1875%					\$4,566.34				\$4,566.34
Total: Additive Bid Schedule II: West Parking Lot					\$68,098.09				\$68,098.09

Change Order Subtotal \$52,151.19

Current Contract Amount Subtotal		\$726,186.98	Revised Contract Amount Subtotal	\$778,338.17
Gross Receipt Tax @ 7.1875%		\$52,194.69	Gross Receipt Tax @ 7.1875%	\$55,943.06
Current Contract Amount Total		\$778,381.67	Revised Contract Amount Total	\$834,281.23

AGENDA MEMORANDUM
CITY OF RUIDOSO DOWNS

NON-ACTION ITEM(S) - B.

To: Mayor Holman and Councilors

Presenter(s):

Meeting Date: April 8, 2024

Re: Discussion on Miriam Maske – Applicant of the Planning Commission’s Case #2024-V3, approving request for a Special Humanitarian Variance Request to allow a placement of a manufactured home at the property located at 205 Griffith Dr, Ruidoso Downs, NM 88346, located in a R-1 Zoning District.

Item Summary:

The Planning and Zoning Commission approved the request and has placed the following conditions upon this approval;

1. To report the status of use annually from the date of approval.
2. If the second home is no longer needed for mother, the applicant will need to apply for an Accessory Dwelling Unit Conditional Use.
3. Place manufactured home according to City and State specifications.

Financial Impact:

Recommendations:

To Discuss, Miriam Maske – Applicant of the Planning Commission’s Case #2024-V3, approving request for a Special Humanitarian Variance Request to allow a placement of a manufactured home at the property located at 205 Griffith Drive, Ruidoso Downs, NM 88346, located in a R-1 Zoning District.

ATTACHMENTS:

Description

Notice of Public Hearing- Variance 2024-V3

Discussion on Planning and Zoning Case 2024-V3, Special Humanitarian Variance

CITY OF RUIDOSO DOWNS
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Governing Body of the City of Ruidoso Downs has scheduled a Public Hearing in conjunction with their regular scheduled meeting on April 22, 2024, beginning at 5:30 p.m. The hearing will be held in the Council Chambers, the Hubbard Room, 123 Downs Drive, Ruidoso Downs, New Mexico.

The purpose of the public hearing is to hear Miriam Maske – Applicant of the Planning Commission’s Case #2024-V3, approving request for a Special Humanitarian Variance Request to allow a placement of a manufactured home at the property located at 205 Griffith Drive, Ruidoso Downs, NM 88346, located in a R-1 Zoning District.

Members of the public may appear at the hearing, but evidence for or against the variance must be provided prior to the Public Hearing. Anyone having questions concerning the variance should contact the Planning and Zoning Department Monday through Friday between hours of 8:00 am -5:00 pm.

WITNESS my hand and the seal of the City of Ruidoso Downs on this 2nd day of April 2024.

(SEAL)

Alejandra L. Giron, MMC
City Clerk/Treasurer

Published Ruidoso News
Friday, April 5, 2024

**AMENDED
PLANNING & ZONING COMMISSION
REGULAR MEETING AGENDA
CITY OF RUIDOSO DOWNS
THE HUBBARD ROOM CITY COUNCIL CHAMBERS
123 DOWNS DRIVE, RUIDOSO DOWNS, NM
MONDAY, APRIL 1, 2024 4:30 pm**

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. APPROVAL OF AGENDA**
- 5. APPROVAL OF MINUTES**

A. March 4, 2024, Regular Minutes.

6. PUBLIC COMMENTS

(All concerns to be addressed to the Planning and Zoning Commissioners as a whole with a 3-Minute time limit)

7. UNFINISHED BUSINESS

- A. Discussion and Possible Action on proposed Amendments to the City of Ruidoso Downs Code of Ordinance Title XV Land Usage, Chapter 155. Zoning, Section 155.041 R-1 Single-Family Residential District.
- B. Discussion and Possible Action on an Amendment to the City of Ruidoso Downs Code of Ordinance Title XV Land Usage, Chapter 155.025, Variances, Special Humanitarian Variance.

8. NEW BUSINESS

- A. Public Hearing; Planning and Zoning Case 2024-V3, Special Humanitarian Variance Request to allow a placement of a manufactured home at the property located at 205 Griffith Dr, Ruidoso Downs, NM 88346, located in a R-1 Zoning District.
- B. Discussion and Possible Action; Planning and Zoning Case 2024-V3, Special Humanitarian Variance Request to allow a placement of a manufactured home at

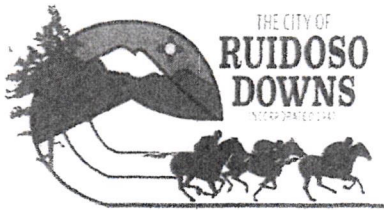
the property located at 205 Griffith Dr, Ruidoso Downs, NM 88346, located in a R-1 Zoning District.

9. Discussion and Possible Action on an Amendment to the City of Ruidoso Downs Code of Ordinance Title XV Land Usage, Chapter 155.047, M1-Low Density Mobile Home District.

10. ADJOURNMENT

I certify that notice of the Public Meeting has been given in compliance with Section 10-15-1 through 10-15-4 NMSA 1978 and Resolution 2023-01. Agendas are available at City of Ruidoso Downs, City Hall, 123 Downs Drive, Ruidoso Downs, NM 88346. If you are an individual 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 Clerk at City of Ruidoso Downs City Hall at least one week prior to the meeting or as soon as possible.

Jennet Recendez, Planning Services Director
Posted City Bulletin Board: March 28, 2024
City of Ruidoso Downs Website: www.ruidosodowns.us
Time: 11:30AM



Application for Planning Commission Hearing

City of Ruidoso Downs
Planning & Zoning Commission
PO Box 348, 123 Downs Dr., Ruidoso Downs, NM 88346
Phone: (575)378-1342 Fax: (575)378-4586

Case: 2024-V3
Fee \$: 100⁰⁰

APPLICANT INFORMATION

Property Owner:

Name: Miriam Maske Phone #: 915-861-7424
Mailing Address: 205 Griffith Dr, Ruidoso Downs, NM

If a business:

Name of Business: _____
Type of Business: _____ Business License #: _____

If not owner, complete the following:

(Check one or more) ☐ Applicant ☐ Developer ☐ Agent

Name: _____ Phone #: _____

Mailing Address: _____

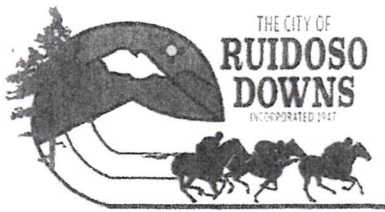
PROPERTY INFORMATION

Physical Address of Property: 205 Griffith Dr. Ruidoso Downs
Zoning District: R-1
Lot #: 4
Block: 4
Subdivision: Agua Fria

Acknowledgement by Applicant:

I acknowledge that I have been informed of the next available dates, times and locations of the meetings of the Planning and Zoning Commission, and that my agent or I must attend in order to fulfill the requirements of this application. I understand and agree to provide all requested required documentation in conjunction with this application.

Applicants Signature: [Signature] Date: 3-1-24



Application for Planning Commission Hearing

VARIANCE REQUEST



Request



Appeal

Variances may only be granted for hardships related to the physical characteristics of land and should normally be limited to regulations pertaining to height or width of structures or the size of yard. The Planning Commission may vary or adjust the strict application of the requirements of this chapter in the case of an irregular, narrow, shallow or steep lot or other physical condition applying to a lot or building where strict application of the chapter would result in practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of the property involved. Use variances shall not be permitted.

Variance Request located in Zoning District: R-1

Setback Requirements: Back: 20 Side: 10 Front: 20 Corner 20

Reason(s) for request: _____

I would like to place a small home
on the back of my property for my mom.
She is 80yo and needs looking after on a
daily basis.

(Attach additional sheets if necessary.)

Documentation for hearing requirements:

- ☒ : Letter of Intent; Give a detailed description of your request.
- ☐ : Site Plan; Follow Zoning and Land Use §155.026 and application requirements.
- ☐ : Fees; The fee assessed depending on the application request:
Check: _____ Cash: _____ Amount: _____
- ☐ : Written permission from the property owner (if applicable)
- ☐ : ~~16 copies are required by applicant for each of the following:~~

~~*Letter of Intent~~

☒ *Application

*Site Plan

Property Owner's Signature _____

Applicant's or Agent's Signature _____

To: City of Ruidoso Downs, NM

Letter of Intent

This letter is to inform you of the reasons I would like to place a small home in my backyard, at 205 Griffith Dr., in Ruidoso Downs, NM.

My mom is 80 YO and she has many health issues. I have opted to be her primary caretaker. In order to do this, she would need to live very close to me. I have more than enough space on my property to add a small home for her to live in. My property has over a third of an acre and a concrete slab that will become available once I tear down the existing garage that is located on it. The garage is in bad shape and needs a lot of repairs that I cannot afford.

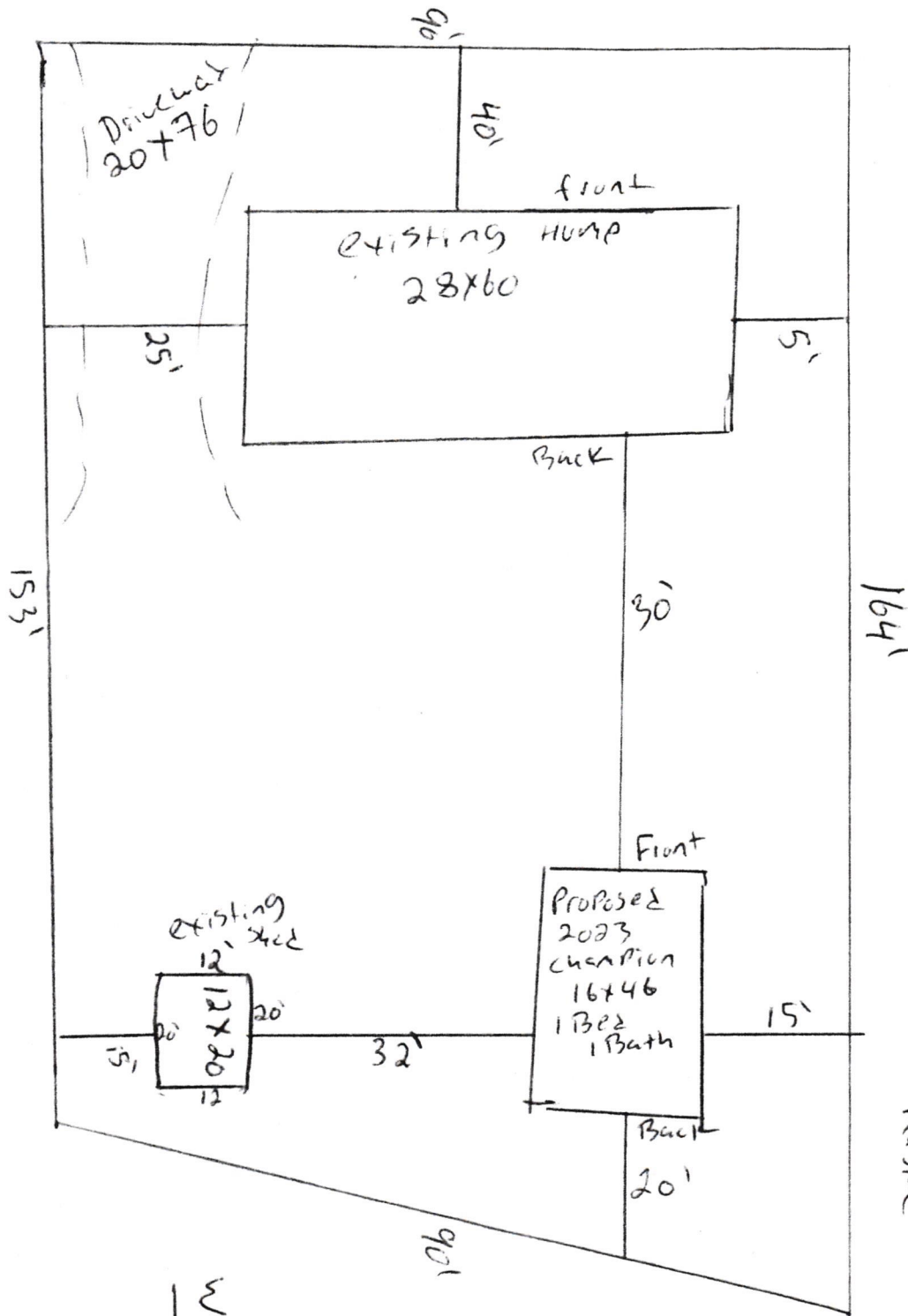
My mom's well being is very important to me. She needs to have someone close by that understands her and knows her needs. I have always been very close to my mom and she is very comfortable with letting me know what she needs. Having her reside just a few feet from me would be the best option for her.

Your consideration is very much appreciated.

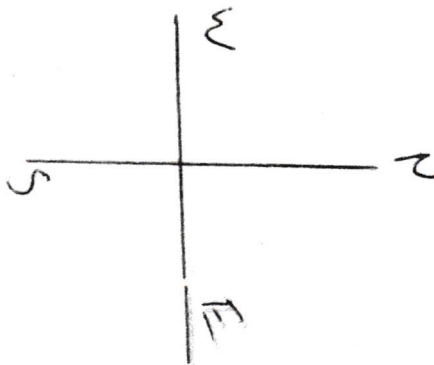
Sincerely,
Miriam Maske

A handwritten signature in cursive script, appearing to read 'Miriam Maske', written in dark ink.

Griffith



Subject Address:
205 Griffith Dr
Riverside Downs
WA 98346
Owner - Griffith Masile



Proposed HOME-2023 16x46
1 Bed 1 Bath w/Perch

SN-130-000-H-A000756A
Mike-Champion Model-D1646A

the same parcel of land six months after a previous action has been taken; provided that such application for a different zoning district change shall be permitted only on payment of a double fee.

(1988 Code, § 9-10-35) (Am. Ord. 2022-06, passed 7-11-2022)

§ 155.025 VARIANCES.

(A) *Generally.* The Commission may vary or adjust the strict application of the requirements of this chapter in the case of an irregular, narrow, shallow or steep lot or other physical condition applying to a lot or building where strict application of this chapter would result in practical difficulty or unnecessary hardship that would deprive the owner of reasonable use of the property involved. Granting of variances shall be done in accord with the requirements and procedures established in this chapter. Variances may only be granted for hardships related to the physical characteristics of the land and should normally be limited to regulations pertaining to the height or width of structures or the size of yards and open spaces where a departure from the literal interpretation of this chapter will not be contrary to the public interest or establish a precedent that would undermine the purpose and intent of this chapter as described in § 155.001. Use variances shall not be permitted. No variance or adjustment in the strict application of any provisions of an ordinance may be granted unless:

(1) Special circumstances or conditions, fully described in the Commission's findings, are peculiar to the land or building for which the adjustment is sought and do not apply generally to land or buildings in the neighborhood, and have not resulted from any act of the applicant subsequent to the adoption of this chapter. Substandard lot size shall be considered a special circumstance in accordance with § 155.078(J);

(2) For reasons fully set forth in the Commission's findings, the circumstances or conditions are such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of the land or building, the

granting of the variance is necessary for the reasonable use thereof and the variance as granted is the minimum adjustment that will accomplish this purpose; and

(3) The granting of the variance is in harmony with the purpose and intent of this chapter and will not be harmful to the neighborhood or otherwise detrimental to the public welfare.

(B) *Special Humanitarian Variance.*

(1) A request for the placement on residential property of a secondary housing arrangement specifically for the care and supervision of a family member, relative, or other, must receive the approval of the Commission and City Council prior to use. The secondary housing arrangement may include a recreation vehicle, manufactured and mobile home, including single section homes, and any construction on site. All procedural application and notification requirements contained within this section must be followed. A Special Humanitarian Variance may have conditions for approval applied such as, but not limited to, duration of approval, size restriction, and location of any secondary housing units placed on the property. The applicant must demonstrate that the placement of any secondary housing arrangement on the same lot as the principal residence will:

- (a) Not be used for rental income;
- (b) Not require an additional sewer or water tap;
- (c) Not exceed 50% of the principal structure in square footage;
- (d) Not require an additional address;
- (e) Meet all-district setback and development requirements;
- (f) Provide a conforming parking space; and
- (g) Meet all Flood Hazard regulations.

(2) A request to place a recreational vehicle or single section mobile home not allowed by Chapter 155 Zoning and district regulations on an undeveloped lot will require the same approvals as the secondary housing request and must follow all applicable development requirements as set forth in Chapter 155 Zoning.

(C) *Application.* A request for a variance shall be made by filing a completed application with the Director at least 30 days prior to the Commission meeting. The application shall be accompanied by a development plan showing such information as the Director may reasonably require for purposes of this chapter. The plans shall contain sufficient information for the Commission to make a proper decision on the matter. The request shall state the exceptional conditions and the peculiar and practical difficulties claimed as a basis for a variance. In all cases, the application shall include:

- (1) The name and address of the applicant;
- (2) The legal description of the property involved in the request for variance, including the street address, if any, of the property;
- (3) The names and addresses of the owners of the property;
- (4) Drive accesses, driveways, access roads, parking spaces, off-street loading areas and sidewalks as applicable;
- (5) An improvement survey prepared by a registered New Mexico surveyor showing the property dimensions, setbacks, existing and proposed structures, easements, rights-of-way, utilities and, if applicable, grading and landscaping. Abutting walls and distances from the property line of structures on adjoining properties shall be shown along any property line where variance is requested;
- (6) The variance requested and the reasons for the request;
- (7) The names and addresses of all property owners within 100-feet of the property boundary excluding rights of way and alleys; and

(8) Justification, in writing, in accordance with division (A) of this section.

(D) *Notice of hearing.* Notice of the time, date, place, and purpose of the variance hearing shall be published once in a newspaper of general circulation in the City and posted in a conspicuous place on the property affected at least 15 days prior to the hearing, and shall be mailed at least seven days prior to the Commission meeting to each owner of property situated wholly or partly within 100 feet of the property boundary, excluding rights of way and alleys, to which the variance relates.

(E) *Review and decision by the Commission.* In considering applications for variance, the Commission shall consider the effect of the proposed variance upon the health, safety, and welfare of the community, traffic conditions, light and air, danger of fire, the risk to the public safety, and the safety and the effect on values of property in the surrounding area. The Commission shall hear oral or written statements from the applicant, the public, City staff or its own members. If the Commission determines by motion that the special conditions applying to the structure or land in question are peculiar to such property or the immediately surrounding area and do not apply generally to other land or structures in the district in which the land is located, that granting the proposed variance will not in any way impair health, safety or welfare or in any other respect be contrary to the intent of this chapter and the City Comprehensive Plan, and that the granting of such variance will not merely serve as a convenience to the applicant, but is necessary to alleviate demonstrable hardship or difficulty, the Commission may grant such variance and impose conditions and safeguards therein. A variance shall not be approved except upon the majority vote of the Commission. The Commission shall be required to make findings supporting its decision based on divisions (A) through (D) of this section.

(F) *Hearing and decision by City Council.* A variance which has been recommended for denial by the Commission shall not be reviewed by the City Council except upon written request by the applicant. The City Council may, at its next regular meeting

LEGAL NOTICE

NOTICE OF MEETING

NOTICE IS HEREBY GIVEN that the Planning and Zoning Commission for the City of Ruidoso Downs will hold its regular meeting on **Monday, April 1st 2024 at 4:30 p.m.** in the City Council Room, at the City of Ruidoso Downs, New Mexico.

CONSIDERATION and REVIEW of P/Z Case #2024-V3, Miriam Maske, request for a VARIANCE to allow for placement of a Manufactured Home at the address, located at 205 Griffith Dr., Lot 4 Block 4 of the Agua Fria SD.

All citizens will have the opportunity to make written and/or verbal comments at this time.

I certify that notice of the Public Meeting has been given in compliance with Resolution 2022-02. If you are an individual 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 Clerk at City of Ruidoso Downs City Hall at least one week prior to the meeting or as soon as possible.

Jennet Recendez
Planning Services Director

100 FT 205 GRIFFITH

TERRANCE & LINDA PROCTOR, 211 Parkway, PO BOX 1649 RUIDOSO
DOWNS

Randall Neal & Patty Young, 202 Griffith, 4140 Apodaca Hobbs, NM
88290

Dudley & Stella Dudley ,200 Griffith, 26994 14th St Highland, CA 92346

C&S Resort Properties, Inc., Escondido Dr., Po Box 60509 Midland, TX
79711

Ann Cottis & Kathleen Wilmont, 203 Griffith Dr, Ruidoso Downs, NM

Stacy Atwell 207 Griffith Dr. Ruidoso Downs, NM

Gomez, Eduardo & Aide Valdez, 204 Griffith Dr, Ruidoso Downs, NM

Harris, Francis & Kirkpatrik, Carol, 206 Griffith Dr. Ruidoso Downs, NM

Watson, Glen & Patricia, PO Box 82 Ruidoso Downs, NM



Planning and Zoning Department

19 March 2024

TERRANCE & LINDA PROCTOR

PO BOX 1649

RUIDOSO DOWNS, NM 88346

**RE: Variance-To Place a Manufactured Home in the back of property at 205 Griffith Dr.
Ruidoso Downs, NM**

Dear Property Owner,

The City of Ruidoso Downs has received a request for a Variance to place a Manufactured Home on East side of property, at 205 Griffith Dr. located in a R-1 Single-Family Residential District, Block 4, Lot 4 in the Agua Fria SD. Discussion and consideration of the request is scheduled at the Planning and Zoning Commission meeting on April 1st, 2024 at 4:30 pm in the Council Chambers at City Hall located at 123 Downs Drive, Ruidoso Downs , New Mexico.

All property owners within a 100 ft. radius will have the opportunity to make verbal comments at this time, or you may send a letter to our office with any comments or concerns.

Sincerely,

Jenet Recendez, Planning Services Director

Dean Holman Mayor

CITY COUNCILORS* JUDY R. MILLER * JODY LACEWELL* TERENCE L. PROCTOR * WALTER G. BABER

P.O. Box 348 Ruidoso Downs, NM 88346~ 123 Downs Drive~ (575)378-1342~ Fax (575)378-4586

WWW.RUIDOSODOWNS.US



Planning and Zoning Department

19 March 2024

Randall Neal & Patty Young

4140 Apodaca

Hobbs, NM 88290

**RE: Variance-To Place a Manufactured Home in the back of property at 205 Griffith Dr.
Ruidoso Downs, NM**

Dear Property Owner,

The City of Ruidoso Downs has received a request for a Variance to place a Manufactured Home on East side of property, at 205 Griffith Dr. located in a R-1 Single-Family Residential District, Block 4, Lot 4 in the Agua Fria SD. Discussion and consideration of the request is scheduled at the Planning and Zoning Commission meeting on April 1st, 2024 at 4:30 pm in the Council Chambers at City Hall located at 123 Downs Drive, Ruidoso Downs , New Mexico.

All property owners within a 100 ft. radius will have the opportunity to make verbal comments at this time, or you may send a letter to our office with any comments or concerns.

Sincerely,

Jennet Recendez, Planning Services Director

Dean Holman Mayor

CITY COUNCILORS* JUDY R. MILLER * JODY LACEWELL* TERENCE L. PROCTOR * WALTER G. BABER

P.O. Box 348 Ruidoso Downs, NM 88346~ 123 Downs Drive~ (575)378-1342~ Fax (575)378-4586

WWW.RUIDOSODOWNS.US



Planning and Zoning Department

19 March 2024

Dudley & Stella Dudley

26994 14th St

Highland, CA 92346

**RE: Variance-To Place a Manufactured Home in the back of property at 205 Griffith Dr.
Ruidoso Downs, NM**

Dear Property Owner,

The City of Ruidoso Downs has received a request for a Variance to place a Manufactured Home on East side of property, at 205 Griffith Dr. located in a R-1 Single-Family Residential District, Block 4, Lot 4 in the Agua Fria SD. Discussion and consideration of the request is scheduled at the Planning and Zoning Commission meeting on April 1st, 2024 at 4:30 pm in the Council Chambers at City Hall located at 123 Downs Drive, Ruidoso Downs , New Mexico.

All property owners within a 100 ft. radius will have the opportunity to make verbal comments at this time, or you may send a letter to our office with any comments or concerns.

Sincerely,

Jenet Recendez, Planning Services Director

Dean Holman Mayor

CITY COUNCILORS* JUDY R. MILLER * JODY LACEWELL* TERENCE L. PROCTOR * WALTER G. BABER

P.O. Box 348 Ruidoso Downs, NM 88346~ 123 Downs Drive~ (575)378-1342~ Fax (575)378-4586

WWW.RUIDOSODOWNS.US



Planning and Zoning Department

19 March 2024

C&S Resort Properties, Inc.

Po Box 60509

Midland, TX 79711

**RE: Variance-To Place a Manufactured Home in the back of property at 205 Griffith Dr.
Ruidoso Downs, NM**

Dear Property Owner,

The City of Ruidoso Downs has received a request for a Variance to place a Manufactured Home on East side of property, at 205 Griffith Dr. located in a R-1 Single-Family Residential District, Block 4, Lot 4 in the Agua Fria SD. Discussion and consideration of the request is scheduled at the Planning and Zoning Commission meeting on April 1st, 2024 at 4:30 pm in the Council Chambers at City Hall located at 123 Downs Drive, Ruidoso Downs , New Mexico.

All property owners within a 100 ft. radius will have the opportunity to make verbal comments at this time, or you may send a letter to our office with any comments or concerns.

Sincerely,

Jennet Recendez, Planning Services Director

Dean Holman Mayor

CITY COUNCILORS* JUDY R. MILLER * JODY LACEWELL* TERENCE L. PROCTOR * WALTER G. BABER

P.O. Box 348 Ruidoso Downs, NM 88346~ 123 Downs Drive~ (575)378-1342~ Fax (575)378-4586

WWW.RUIDOSODOWNS.US



Planning and Zoning Department

19 March 2024

Ann Cottis & Kathleen Wilmont

203 Griffith Dr.

Ruidoso Downs, NM 88346

**RE: Variance-To Place a Manufactured Home in the back of property at 205 Griffith Dr.
Ruidoso Downs, NM**

Dear Property Owner,

The City of Ruidoso Downs has received a request for a Variance to place a Manufactured Home on East side of property, at 205 Griffith Dr. located in a R-1 Single-Family Residential District, Block 4, Lot 4 in the Agua Fria SD. Discussion and consideration of the request is scheduled at the Planning and Zoning Commission meeting on April 1st, 2024 at 4:30 pm in the Council Chambers at City Hall located at 123 Downs Drive, Ruidoso Downs , New Mexico.

All property owners within a 100 ft. radius will have the opportunity to make verbal comments at this time, or you may send a letter to our office with any comments or concerns.

Sincerely,

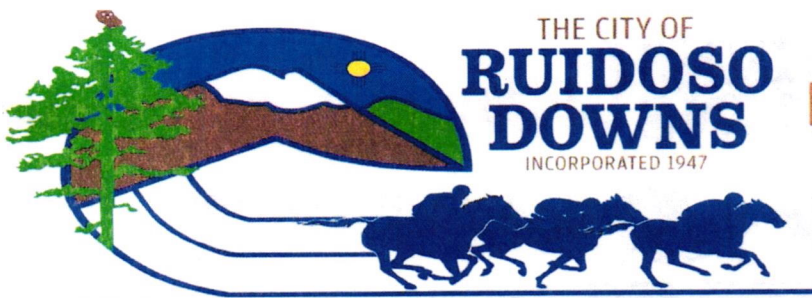
Jennet Recendez, Planning Services Director

Dean Holman Mayor

CITY COUNCILORS* JUDY R. MILLER * JODY LACEWELL* TERENCE L. PROCTOR * WALTER G. BABER

P.O. Box 348 Ruidoso Downs, NM 88346~ 123 Downs Drive~ (575)378-1342~ Fax (575)378-4586

WWW.RUIDOSODOWNS.US



Planning and Zoning Department

19 March 2024

Stacy Atwell

207 Griffith Dr.

Ruidoso Downs, NM 88346

**RE: Variance-To Place a Manufactured Home in the back of property at 205 Griffith Dr.
Ruidoso Downs, NM**

Dear Property Owner,

The City of Ruidoso Downs has received a request for a Variance to place a Manufactured Home on East side of property, at 205 Griffith Dr. located in a R-1 Single-Family Residential District, Block 4, Lot 4 in the Agua Fria SD. Discussion and consideration of the request is scheduled at the Planning and Zoning Commission meeting on April 1st, 2024 at 4:30 pm in the Council Chambers at City Hall located at 123 Downs Drive, Ruidoso Downs , New Mexico.

All property owners within a 100 ft. radius will have the opportunity to make verbal comments at this time, or you may send a letter to our office with any comments or concerns.

Sincerely,

Jennet Recendez, Planning Services Director

Dean Holman Mayor

CITY COUNCILORS* JUDY R. MILLER * JODY LACEWELL* TERENCE L. PROCTOR * WALTER G. BABER

P.O. Box 348 Ruidoso Downs, NM 88346~ 123 Downs Drive~ (575)378-1342~ Fax (575)378-4586

WWW.RUIDOSODOWNS.US



Planning and Zoning Department

19 March 2024

Gomez, Eduardo & Aide Valdez

204 Griffith Dr.

Ruidoso Downs, NM 88346

**RE: Variance-To Place a Manufactured Home in the back of property at 205 Griffith Dr.
Ruidoso Downs, NM**

Dear Property Owner,

The City of Ruidoso Downs has received a request for a Variance to place a Manufactured Home on East side of property, at 205 Griffith Dr. located in a R-1 Single-Family Residential District, Block 4, Lot 4 in the Agua Fria SD. Discussion and consideration of the request is scheduled at the Planning and Zoning Commission meeting on April 1st, 2024 at 4:30 pm in the Council Chambers at City Hall located at 123 Downs Drive, Ruidoso Downs , New Mexico.

All property owners within a 100 ft. radius will have the opportunity to make verbal comments at this time, or you may send a letter to our office with any comments or concerns.

Sincerely,

Jennet Recendez, Planning Services Director

Dean Holman Mayor

CITY COUNCILORS* JUDY R. MILLER * JODY LACEWELL* TERENCE L. PROCTOR * WALTER G. BABER

P.O. Box 348 Ruidoso Downs, NM 88346~ 123 Downs Drive~ (575)378-1342~ Fax (575)378-4586

WWW.RUIDOSODOWNS.US



Planning and Zoning Department

19 March 2024

Harris, Francis & Kirkpatrick, Carol

206 Griffith Dr.

Ruidoso Downs, NM 88346

**RE: Variance-To Place a Manufactured Home in the back of property at 205 Griffith Dr.
Ruidoso Downs, NM**

Dear Property Owner,

The City of Ruidoso Downs has received a request for a Variance to place a Manufactured Home on East side of property, at 205 Griffith Dr. located in a R-1 Single-Family Residential District, Block 4, Lot 4 in the Agua Fria SD. Discussion and consideration of the request is scheduled at the Planning and Zoning Commission meeting on April 1st, 2024 at 4:30 pm in the Council Chambers at City Hall located at 123 Downs Drive, Ruidoso Downs , New Mexico.

All property owners within a 100 ft. radius will have the opportunity to make verbal comments at this time, or you may send a letter to our office with any comments or concerns.

Sincerely,

Jennet Recendez, Planning Services Director

Dean Holman Mayor

CITY COUNCILORS* JUDY R. MILLER * JODY LACEWELL* TERENCE L. PROCTOR * WALTER G. BABER

P.O. Box 348 Ruidoso Downs, NM 88346~ 123 Downs Drive~ (575)378-1342~ Fax (575)378-4586

WWW.RUIDOSODOWNS.US



Planning and Zoning Department

19 March 2024

Watson, Glen & Patricia

PO Box 82

Ruidoso Downs, NM 88346

**RE: Variance-To Place a Manufactured Home in the back of property at 205 Griffith Dr.
Ruidoso Downs, NM**

Dear Property Owner,

The City of Ruidoso Downs has received a request for a Variance to place a Manufactured Home on East side of property, at 205 Griffith Dr. located in a R-1 Single-Family Residential District, Block 4, Lot 4 in the Agua Fria SD. Discussion and consideration of the request is scheduled at the Planning and Zoning Commission meeting on April 1st, 2024 at 4:30 pm in the Council Chambers at City Hall located at 123 Downs Drive, Ruidoso Downs , New Mexico.

All property owners within a 100 ft. radius will have the opportunity to make verbal comments at this time, or you may send a letter to our office with any comments or concerns.

Sincerely,

Jennet Resendez, Planning Services Director

Dean Holman Mayor

CITY COUNCILORS JUDY R. MILLER * JODY LACEWELL* TERENCE L. PROCTOR * WALTER G. BABER*

P.O. Box 348 Ruidoso Downs, NM 88346~ 123 Downs Drive~ (575)378-1342~ Fax (575)378-4586

WWW.RUIDOSODOWNS.US

Planning and Zoning Case # 2024-V3
Variance
Planning and Zoning Meeting April 1, 2024

Request Variance to place a manufactured home on backyard to take care of older mother, at the location of 205 Griffith, R-1 Zoning, Ruidoso Downs, NM.

Date of Request: 3/1/2024

Type of Request: Special Humanitarian Variance

Applicant: Miriam Maske

City Exhibit: 1. Variance Request Application
2. Letter of Intent
3. Copy of Letter Sent to Contact List
4. Contact List
5. Site Plan

Posting and Legal notice: March 15, 2024

Property Owners within 100': Letters mailed March 19, 2024

Approved ☒ Denied ☐

Record of Planning and Zoning Members Vote:

John Banks	Aye X	No
Brian Roberts	Aye X	No

City Council approval Yes ☒ No ☐

Planning and Zoning Commission approves the request and has placed the following conditions upon this approval;

1. To report the status of use annually from the date of approval.
2. If the second home is no longer needed for mother, the applicant will need to apply for an Accessory Dwelling Unit Conditional Use.
3. Place manufactured home according to City and State specifications.