



**BEFORE THE PLANNING AND ZONING COMMISSION  
OF THE INCORPORATED COUNTY OF LOS ALAMOS, NEW MEXICO**

**Case No. VAR-2025-0017, a request for a Variance from the dimensional standards to allow a porch to encroach into the fifteen (15')-foot setback. The subject property, designated as TSV 131, is located within the Tsikumu Village Subdivision and is addressed as 1177 Seminole, Los Alamos, New Mexico.**

**ORDER ON APPLICATION VAR-2025-0017**

**NOW COMES**, the Planning and Zoning Commission (“Commission”) of the Incorporated County of Los Alamos (“County”), that hereby finds as follows:

**I. FINDINGS OF THE COMMISSION**

The Commission finds as follows:

1. On October 15, 2025, Geraldine Lopez Keane, property owner (“Applicant”) submitted an application (“Application Packet”) requesting a variance from Manufactured Home Community Zone District Dimensional Standards to allow a porch to encroach into the fifteen (15)-foot front setback, reducing it to 9.3 feet. The subject property is zoned as Manufactured Home Community (MHC) and is addressed as 1177 Seminole, Los Alamos, New Mexico (“Property”). See PLANNING & ZONING COMMISSION STAFF REPORT by CDD Desirae J. Lujan, Senior Planner (hereafter “CDD Staff Report”), Attachment A, Page 39.

2. The Application was assigned case number VAR-2025-0017. *Id.*

3. A quorum of the Commission was present at the public hearing held on November 12, 2025<sup>1</sup>. The public hearing was open to the receipt of evidence and testimony given under oath,

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<sup>1</sup> The Video for this hearing is available at [Planning and Zoning Commission Meeting – November 12, 2025](#). All citations to testimony are from this video and is in Hour:Minute:Second format.

***PLANNING AND ZONING COMMISSION***  
***VAR-2025-0017***

which was subject to cross-examination, in accordance with Section 16-72(f)(5)(b) of the County Development Code<sup>2</sup>.

4. Present for the Applicant was Geraldine Lopez Keane, 1177 Seminole Street, Property owner.

5. Present for the County's Community Development Department ("CDD") was Desirae J. Lujan, Senior Planner ("CDD Staff Lujan").

6. There was no one present in opposition to the Application.

7. Evidence received by the Commission at the public hearing included: 1) CDD Staff Report, Attachment A; 2) Public Notices, Attachment B; 3) Application Packet, Attachment C; and 4) public hearing presentation, questioning, testimony from Applicant and CDD Staff Lujan.

8. The Property's legal description is TSV 131, located within the Tsikumu Village Subdivision and is within the MHC Zone District. *See* CDD Staff Report Attachment A, Page 39; *See also* CDD Staff Lujan starting at 00:34:21.

9. The purpose of a variance is to permit property to be used in a typical and reasonable way, while still meeting the community's vision when zoning and development standards do not fit perfectly. It considers flexibility of standards while still supporting the health, safety, and overall welfare of the community. The variance process is suitable when hardships are caused by the property's unusual physical characteristics that make complying with the zoning and development standards difficult. The process creates a balance between protecting property rights while still supporting the health, safety, and welfare of the community. The County Development Code, section 16-73(a), provides an administrative deviation that allows relatively minor modifications from dimensional standards or numeric standards. Requests that exceed the thresholds of Table 52

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<sup>2</sup> Available at [Municode Chapter 16](#).

***PLANNING AND ZONING COMMISSION***  
***VAR-2025-0017***

are required to receive variance approval from the Commission. *See* CDD Staff Report Attachment A, Page 42.

10. The Applicant is requesting approval of a proposed variance from Manufactured Home Community Zone District Dimensional Standards to authorize encroachment of a porch into the fifteen (15')-foot front setback, thereby reducing the setback to 9.3 feet. *See* CDD Staff Report, Attachment A, Pages 39, 42; *See also* CDD Staff Lujan starting at 00:34:11.

11. As provided in the CDD Staff Report and testimony of CDD Staff Lujan, notice of the public hearing was published in accordance with Section 16-72(c)(4) of the County Development Code; notice was published in the *Los Alamos Daily Post* on October 23, 2025, notice of the proposed action and public hearing was mailed via U.S. Mail to the owners of real property within three hundred feet (300') of the Property on October 20, 2025, and the notice was posted at the Property on October 28, 2025. *See* CDD Staff Report, Attachment A, Page 42; *see also* Testimony of CDD Staff Lujan at 00:37:27.

12. Based on the CDD Staff Report and testimony of CDD Staff Lujan, the Application was reviewed by the Interdepartmental Review Committee ("IDRC"). The Department of Public Utilities and Fire Marshal communicated no objections or concerns. Public Works, Engineering noted drainage aspects that will be evaluated during the building permit process, such as grading away from adjacent lots/structures and maintaining existing drainage areas/easements/structures as applicable. The Chief Building Official did not respond to the review, however, if approved, building code standards will be applied during the permitting process. *See* CDD Staff Report, Attachment A, Page 42; *see also* Testimony of CDD Staff Lujan at 00:37:00.

***PLANNING AND ZONING COMMISSION  
VAR-2025-0017***

13. The Commission finds the applicable review criteria in determining whether to approve, approve with conditions, or to deny the Application (*see generally* §16-69(b)(2)) are found in Section 16-74(g)(3) of the County Development Code.

14. The Commission, having received testimony and evidence during the public hearing, finds that the Applicant has met its burden and demonstrated that the Application meets the requirements of Section 16-74(g)(3) of the County Development Code. The Commission, in support of this finding, provides the following:

a. As to review criterion (a) of Section 16-74(g)(3) of the County Development Code, the Commission finds that the proposed variance will not compromise public safety, health, or welfare. As demonstrated by the testimony and evidence provided by CDD Staff Lujan and evidence provided by Applicant, the proposed porch, which is the reason for the variance application, is to improve safety for the Applicant, family, and the public for safe entrance and exit from the home. The proposed porch will remain fully within private property and will maintain a safe and appropriate separation from the County right-of-way that is consistent with existing neighborhood conditions. Compliance with the building code through the required permit process will ensure that the porch is constructed to current safety standards. The addition of a covered entry will also improve safe access for residents and visitors, particularly given the home's north-facing orientation and potential for snow and ice. It does not pose any threat to safety, health or welfare. *See* CDD Staff Report, Attachment A, Page 43; *See also* Testimony of CDD Staff Lujan at 00:38:39.

b. As to review criterion (b) of Section 16-74(g)(3) of the County Development Code, the Commission finds that the proposed variance will not undermine the intent of the County Development Code, the applicable zone district, other County adopted policies or plans or violate

***PLANNING AND ZONING COMMISSION***  
***VAR-2025-0017***

the building code. As demonstrated by the evidence and testimony provided by the Applicant and CDD Staff Lujan, the requested front setback does not violate the intent of the County Development Code. The purpose of the Code Development Code, as outlined in Article I, Division 4, is to implement adopted community plans, protect public health and safety, guide compatible development, and preserve neighborhood character. The porch and its proposed setback align with these goals by maintaining safe sight lines, and an appropriate scale and appearance of the neighborhood character. Additionally, the proposal does not undermine the MHC zone district; it continues to be a residential use that maintains all functional and safety objectives and reflects the minimum necessary adjustment to allow a typical residential feature that is enjoyed by others along Seminole. Lastly, if approved, the Applicant must apply for a building permit; at that time, plans will be reviewed, and a permit will only be issued if it meets the building code. *See* CDD Staff Report, Attachment A, Page 43; *See also* Testimony of CDD Staff Lujan at 00:38:58.

c. As to review criterion (c) of Section 16-74(g)(3) of the County Development Code, the Commission finds that granting of the variance will not cause an intrusion into any utility or other easement unless approved by the owner of the easement. As demonstrated by the testimony and evidence provided by CDD Staff Lujan and the evidence provided by the Applicant, there are no utilities or easements within the project vicinity. The Department of Public Utilities has reviewed the Application and affirmed that the request caused no issues or concerns with utilities or easements. *See* CDD Staff Report, Attachment A, Page 44; *See also* Testimony of CDD Staff Lujan at 00:39:25.

d. As to review criterion (d) of Section 16-74(g)(3) of the County Development Code, the Commission finds that 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-

***PLANNING AND ZONING COMMISSION***  
***VAR-2025-0017***

imposed. As demonstrated by the testimony and evidence provided by CDD Staff Lujan and the evidence provided by the Applicant, the home was situated roughly four (4’)-inches behind the fifteen (15’)-foot minimum front setback, not allowing sufficient distance for the addition of a covered porch to appropriately meet the MCH dimensional standards. Lots along Seminole are unusual because they were designed with wide frontages to accommodate typical manufactured home lengths, which reduced overall lot depth. This narrow configuration creates a physical constraint that limits lot improvement options. The hardship is inherent to the lot’s design and improvements, and not self-imposed by the Applicant. *See* CDD Staff Report, Attachment A, Page 44; *see also* Testimony of CDD Staff Lujan at 00:39:40.

e. As to review criterion (e) of Section 16-74(g)(3) of the County Development Code, the Commission finds that variance will not create any significant adverse impacts on properties within the vicinity. As demonstrated by the testimony and evidence provided by CDD Staff Lujan and evidence provided by the Applicant, the porch is well within the Property line and will not create any adverse impact on any other property. The Property is an interior lot, and the location of the porch maintains clear sight lines for surrounding homes. If approved, during the building permit review, roof drainage will be evaluated to ensure water flows properly and does not affect neighboring properties. *See* CDD Staff Report, Attachment A, Page 44; *See also* Testimony of CDD Staff Lujan at 00:40:05.

f. As to review criterion (f) of Section 16-74(g)(3) of the County Development Code, the Commission finds that granting of the variance is the minimum necessary easing of the County Development Code requirements, making possible the reasonable use of the land, structure, or building. As demonstrated by the evidence and testimony provided by CDD Staff Lujan and evidence provided by the Applicant, the existing home was constructed only 15.3-feet from the

***PLANNING AND ZONING COMMISSION***  
***VAR-2025-0017***

Property line, which leaves insufficient space for a functional front porch under current County Code Development standards. Even with the maximum fifteen (15%)-percent administrative deviation, the porch could only extend approximately 2.5-feet, which is not a reasonable or usable depth for a covered entry. The requested variance for a 9.3-foot setback is the minimum relief necessary to provide a typical residential feature that supports safe and practical access to the home. Similar front setbacks exist throughout the neighborhood, including properties along Seminole. The variance does not compromise the County Development Code's purpose and allows the Property owner to reasonably use the lot and structure while maintaining compatibility with surrounding homes. *See* CDD Staff Report, Attachment A, Pages 44-45; *see also* Testimony of CDD Staff Lujan at 00:40:27.

**II. ORDER**

The Commission, pursuant to Section 16-72(f)(5)(c)(3), by unanimous vote, hereby finds that the Applicant has sufficiently demonstrated the necessity for a variance from the Manufactured Home Community Zone District Dimensional Standards to allow a porch to encroach into the fifteen (15')-foot front setback, reducing it to 9.3-feet, and after full hearing and consideration, **hereby Approves Application VAR-2025-0017.**

APPROVED on this date: 11/25/2025

Karen Easton

Karen Easton, Chair of the Planning & Zoning  
Commission for the Incorporated County of Los  
Alamos