

# CITY OF ALAMOSA PLANNING COMMISSION

September 25, 2024  
6:00 PM  
Council Chambers, 300 Hunt Avenue

***Mission Statement: We are committed to providing balanced, effective and efficient public services for our residents, visitors and businesses by cultivating a vibrant, resilient and livable city.***

Any person needing reasonable accommodation to attend or participate in a public meeting, please contact the Alamosa City Clerk's office by telephone (719) 589-2593, by email [cityclerk@ci.alamosa.co.us](mailto:cityclerk@ci.alamosa.co.us), in person at 300 Hunt Avenue, or by mail at POB 419, Alamosa, CO 81101.

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## AGENDA

### I. Call to Order

### II. Roll Call

### III. Agenda Approval

### IV. Approval of Minutes

- A. Approval of Minutes from 9/10/2024 Special Session
- B. Approval of Minutes from August 28, 2024

### V. Public Comments

### VI. Regular Business

Administrative Appeal - Order to remove non-permitted carport at 1012 East Avenue

### VII. Staff Updates

- A. Code enforcement updates
- B. Staff Updates

### VIII. Adjournment

# ALAMOSA PLANNING COMMISSION COMMISSION COMMUNICATION

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**Subject/Title:**

Approval of Minutes from 9/10/2024 Special Session

**ATTACHMENTS:**

Description	Type
☐ Minutes 9-10-2024	Minutes

**Planning Commission - Special Session**  
**September 10, 2024**  
**6:30pm**  
**Minutes of the Meeting**

This special meeting of the Planning Commission was called to order on July 24, 2024 at 6:30 pm. By Chairman Mark Manzanares. Present were the following members: Mark Manzanares, John Adams, Sandra Ortega, and Ralph Symbleme, with Commissioner Reyna Martinez excused. Staff Present: Deacon Aspinwall and Rachel James.

**Agenda Approval: M/S/C.** Symbleme/Ortega Motion to approve agenda as presented. All in favor, none opposed.

**Public Comments:** Commissioner Manzanares explained the public comment process, and that commenters had 3 minutes. Invited those in favor of the proposed code amendment to speak first, followed by those opposed.

- Public comment in favor:
  - Courtney Vigil: 711 2nd Street. Alamosa Alternative School Director. Spoke to the adversity of the youth and the importance of the alternative school to that community. The Alamosa Alternative School is a “lifeline”.
  - Shanna McCray: parent of alternative school student and in favor of this space for this use. School has changed his life and the trajectory of his education.
  - Brianna Martinez: student of Alternative School, says school has changed her life and will allow her to graduate early. She has done an internship that changed her life. Believes this school grants students the ability to graduate that would not have otherwise. Called the Alternative school a “family”.
  - Lori Smith, 313 Riverwood Drive: Born and raised in Alamosa. Worked in education for 30 years, retired, came out of retirement to support the Alternative School. She believes she can save all the students and also believes the alternative school is a family. Students around the community have seen the success of the alternative school and have chosen to attend.
  - Jamie Mondragon: Speaking on behalf of a student who could not attend but graduated from the alternative high school and got accepted to vet tech school which was her lifelong dream. The alternative high school helps you achieve your dreams. Without the alternative high school, kids would not have been able to be given a second chance. Most of the kids that go to the alternative school, need to learn respect, time management, and responsibility and that is what the alternative school teaches. The majority of the students do not have the stability they need at home and the alternative school becomes their “backbone”. The alternative school is their “home away from home”.
  - Jackie Bell, County Road 2: teacher at the alternative school for 2 years. We need space and alternatives for these kids. 1st year, 16 kids graduated, 2nd year, 22 graduated. Amazing staff and students. Supportive parents. One text she read

was about how she saved his son and how the school made a positive difference in their lives.

- Dominic Martinez: parent of Alternative school student. Proud of his daughter and proud of the school. Learned that they need more space today and believes it was important. Alternative school was a “safe haven” for his daughter.
  - Cyrus Hobbs: student at alternative school, failed the 9th grade and alternative school gave him the opportunity to to save his academic career and his future. The school saved him. The teacher, staff, and students helped him do everything he needed to do and is now a senior and is passing his classes with flying colors. He hopes more people will have the opportunity to go to the Alternative school. Really glad to have the opportunity to go through his life with confidence instead of doubt and is thankful to his teachers.
  - Ramona Martinez: believes that the only way human beings can succeed is through a network of support. Life is not easy and students from all backgrounds can benefit from this school. The alternative school is for the students of Alamosa. It teaches people to fill out a job application and not forcing them to go to college if they are not ready. Some students don’t have basic life skills, like hygiene, and this school offers them that as well as love and acceptance. Education is not just about math and reading, it is about exercising your brain. I was excited for the purchase of the building because they really need it.
  - Michael Hellman: 237 Faraday Street, math teacher for the Alternative School. Said his job is one of the best he has ever had and feels the most fulfilled he has ever felt. Would say other staff would stay the same. He believes that the work he is doing is important. In order to keep doing the job as best as they can, it would be important to have the extra space. More facilities would be able to help more students like with laundry facilities. Alternative school provides a better quality of life and a better education.
  - Larissa Lorento: student at the alternative school. Two years ago, she did not want to go to school and was getting kicked out. When she started alternative school her grades improved immediately and it changed her attitude. Her teachers would show up to her court dates and support her and not judge her. She hopes they can get a bigger space for the school.
  - John Bell: his wife is a teacher at the alternative school and it is the best job has ever had. His own daughter would not have graduated without the alternative school. The current location is much too small to achieve what they are trying to do. Need to have a big enough school is to catch all the dropouts before they become a problem for the community. The best thing for the downtown business district is to keep these kids in school. The name alternative school has a bad rap but it won’t be a bunch of “thuggy” looking kids smoking outside the school in the downtown, Loris Smith will not allow it.
- Public comment against: none

**Regular Business:** Discussion and Recommendation on Allowing Certain Education Uses in the Central Business District

- Staff report: James spoke about some discussion on the code amendments occurring outside of the meeting and confirmed with Commissioner Ortega that her decision making would be based on only the discussion occurring during the tonight's meeting. Aspinwall: thanked the crowd for attendance and commended the youth for attending and being familiar with the planning commission and the councilors. Encouraged them to get involved and discussed that there is an opening on the Planning Commission. Moved into the staff report, said that generally when text amendments are proposed there is usually a work session but this situation is different. Clarified that this decision making process affects both the school district but also the zoning regulation for the downtown district. As the PC has been made aware, the school district is purchasing the FHP building. Staff has known that they would be using it as professional business offices since April and a "continuing non-conforming use". Staff found out about the education element from an email from the school district on August 16, 2024. The point of discussion for this evening is whether educational uses are compatible with the downtown district. The main issue with the education use downtown is the potential prohibition of future liquor licenses because of separation requirements. Staff is aware of the significant price tag of converting a building as large as the FHP into another use. Staff has tried to find a neutral path forward. As far as the specific location at 711 Main Street, it will have 50 students maximum, with ~25% in regular attendance. It is functionally a high school and from a land use perspective that is how it is viewed. There is adequate parking on site. This is a thorny topic and required the special meeting this evening. We do not generally have special meetings and do not generally process land use code changes in order to accommodate a particular candidate. When changes are done like, generally, it is better practice to rezone but because this is the CBD there is not the option to rezone. No one is contesting the importance of alternative ed or debating how important it is for our community but we have to balance the variety of uses in the downtown. The required speed for this change has left staff feeling somewhat backed into a corner and PC was provided with the strongly held opinions of the city's Main Street Advisory Committee. The school district does not have the power to override our carefully articulated and crafted plans. The city is willing to settle that argument in district court. Nevertheless, the question at hand is whether the educational use is comparable to professional business office use provided that it is for high school age students or older. This code change would allow education in upper story buildings that do not have a nonconforming status. Staff is recommending education as a limited use but PC has the power to change it to conditional use.
- Presentation from school district: Diana Jones and Luis Murillo, Superintendent and Assistant Superintendent. Thanked the PC for meeting for the special meeting. Acknowledged the attendance of the School Board President, Heidi Richardson, Hensley, and Joe Aldrich. Sorry that the city feels blindsided by their intended use, also apologized for the tenor of the letter sent to the city that was drafted by their attorney. Thankful for the city's willingness to work with them and for the PC meeting for them. Have worked tirelessly to improve the school district after listening sessions saying that the quality of the school district was a deterrent for local employers to recruit employees. The listening sessions also revealed a need for an alternative education school. Central

administration has been looking for permanent space since July of 2022. Working with FHP bankruptcy receivership has been time consuming and it took months to even get them to a price. They are working with architects on a facilities master plan, and a district strategic plan in order to get feedback from the community, basic needs must be met before anything else can be achieved. They absolutely do not want to hinder the growth or success of the downtown. 18% of their students are parents and many already work or are patrons of downtown. As a district, they work to support local businesses including downtown businesses Roots, Purple Pig, SpareKeg, etc. ASD is the only public school district in the city. This is a one time, limited use, and we will only ask for this one time use. Want to take care of the building and will help the downtown thrive. AEC has nontraditional methods of delivery and primarily cater to hybrid students. Listed the types of students that attend AEC including parents, undergoing medical treatment, drug/alcohol use, homeless, working the rodeo circuit, parents in the justice system, working, etc. AEC is a proven model for communities with limited funds. The AEC is usually only 10% of total student population and with 600 students, they will max out at 60 students. There is currently a waitlist for AEC and includes students from other communities. The number one goal for the school is graduation. Students achieve that goal by graduation and are considered "Alamosa High School graduates". Will have a mean moose mascot swag store. Students need socio-emotional support and some just need a non-traditional education system. Want to be good partners with the city but want to support their students so they can be successful and graduate.

- Questions from PC:
  - Symbleme: Confirmed ASD plans to occupy the second floor as an office space. ASD added that the second floor will include rental space for offices. Joe Aldrich was called to the podium, asked whether the first floor has the capacity to house up to 60 students. Joe confirmed but said that extensive work to accommodate state building and fire code will need to be done to the entire building. Asked staff whether moving the doorway will fix the distance issue and whether the education use is allowed in the downtown. Staff explained that moving the door would not resolve the CBD issue for educational uses and that there is a way to resolve the liquor license issue. Asked ASD if they could move the doorway to San Juan and ASD confirmed that would be where the doorway would be.
  - Adams: Would the change affect all liquor licenses or just new ones? Staff confirmed only new ones. Asked ASD why it took so long to tell the City about education use. ASD explained that the negotiations with FHP took so long, as well as dealing with the furniture, etc. left in the building, took a long time internally with Board meetings, etc. to decide whether they wanted to pursue the purchase, everything just takes a long time. In their minds, they thought they are communicating but they sometimes use educational jargon and were not being clear enough.
  - Symbleme: have the issues been resolved with furniture. ASD confirmed that they are still in the due diligence phase. Asked what the staff's position is. Staff confirmed that they are neutral but does not like setting the precedent of making

code changes to suit a single use downtown. It is not good planning to do so but overall, staff is neutral.

- Manzanares: If you were having communication with your School Board, have you also been communicating with the public? ASD responded that it was on the Alamosa Citizen podcast, and in communications to the district. Manzanares stated he did not know about it. Aldrich took responsibility for a conversation had with the Aspinwall in April where he sent the statute about ASD as a political subdivision and operated from then on as if they were exempt from the zoning process. Has respect for the planning department and the plans they craft and this was not intended to undermine that.
- Ortega: Asked why they are segregating the alternative students to the CBD and away from the school district where they are now. ASD brought up the facilities master plan and the price tag to add on to the AEC building was \$9 million and building something for admin was \$2 million. Ortega stated that the building is not turnkey, what is their timeline. Believe the remodel will take a year and the cost will be \$1m. They believe that renting offices upstairs will add income to the location. Believe it will take a month to remove all the cubicles and furniture left behind by FHP. The goal is to have students in place for the 2025-2026 school year. Listening sessions learned about the Maestas Case and even in 2024, more work towards ending segregation still needs to be done. ASD believes that moving downtown is moving the right direction by proving they believe in their kids by moving them to the central business district.
- Symbleme: Confirmed that the IT infrastructure is already in place and the school district employees can move in quickly.
- Manzanares: Explained that even the business use falls outside of the intended use for the code and as of last week, the PC finds out they need a last minute change to allow the education use. Generally, when people come before the PC, applicants have a very detailed plan for moving forward with their intended use. When the ASD is using language like “hoping” they can get the building remodeled. Has been a commissioner since the first discussion about the elementary school complex. Has seen how long the road near the high school took to pave, looked at the issues with Boyd, and in response to those issues, wants a better plan from ASD. They are requesting a major change downtown and have not communicated with the businesses downtown. If they want to be good community members, they should be trying to build a partnership that is a win-win with the downtown revitalization efforts downtown. No one on the PC would ever say a negative thing about the AEC, they applaud what Lori and the students are achieving. He himself came from a background that shouldn't have been successful, he hopes that the students in the audience are the future doctors like he is. But have you had work sessions or an open house with plans on the wall to show how they are going to contribute to the vibrancy of the downtown. What have they done to address these perceptions about what they are bringing downtown? ASD responded that they have to be good stewards of their funds and may or may not purchase the building. They have not gotten

architectural plans because they do not want to spend money if they are not going to purchase the building. Did meet with the Main Street Advisor Committee although not everyone was there. They did present their plan to MSAC but the connection to their intended use was not clear. Aldrich spoke to the process he went through with PC with Valley-wide and another problematic building that would have taken a long time to fill. When ASD met with City staff, they offered to arrange an expedited hearing schedule but now they have a plan to have a work session with City Council. Hensley spoke to the efforts that have been done since knowing that the education use is an issue, they have attended MSAC, coffee connections, and talked to various businesses downtown. Manzanares wishes that the feedback from that outreach had been given to the PC in a written form or a survey so that they could balance against those that are against this change.

- Ortega: Issue with setting an ugly precedent for the land use code. Worried that making this decision today does not benefit the downtown long term. More diligence is required for planning. Not redesigning the code to suit someone.
- Symbleme: Is it possible to make a recommendation with a stipulation that the school district returns with plans? Staff responded that this is not a land use application so it doesn't make sense to condition their approval but you can make any type of suggestion you want to Council.
- Manzanares: Questioned whether parking is going to be an issue. Staff explained that they are only subject to the parking requirements of a change of use which would be the education use. The parking needs for the office are continuing non-conforming use. The question becomes whether there is functionally enough parking and that remains to be seen. They satisfy the requirements of the code.
- Adams: Are they exempt from the landscaping requirements of the code? Staff confirmed that they are. Aldrich explained that they have looked into purchasing the parking lot at Ross and Sixth because it has negative value but have not made any progress in that respect.
- Manzanares: Questioned the plans for lockdown procedures and SWAT incidents. ASD confirmed that they are still figuring out their protocols, they have their own security vehicles, and roaming security personnel on campus. Security person will be headquartered in the new office building downtown. Asked what would mean if PC recommended conditional use instead of limited use. Staff explained that a conditional use would require a layer of public input and PC and Council review. Staff further explained that the goal of tonight's meeting is to approve, deny, or amend the code change language whether that means changing to a conditional use or inserting a distance requirement. Manzanares asked if PC can condition approval on ASD hosting a community open house and public discussion. Staff said they can, but it would apply to anyone requesting an education use for the CBD. Manzanares is hearing so many negative things about the alternative school being allowed downtown that he believes there should be a plan and evidence-based community buy-in.
- Symbleme: Do you think the ASD Board would be willing to move forward with the purchase if a condition use was required? Staff explained the nuance of what



- a conditional use would require. Aldrich confirmed they would move forward if the use was conditioned but not if the alternative education use was not allowed.
- Adams: What if they move in right away while the conditional use is decided? Aldrich said they would not be willing to purchase the building if there was a strong possibility that the alternative education use would not be approved. It would have to be based on what the conditions would be and what the financial risk would be.
  - Ortega: Is alternative school high school only? ASD responded that by state statute definition Alternative Ed is grades 9-12. Online-ed is grades 6-12, but that is more of a tutoring-type use. Staff noted that this limited presence is incidental and not an issue.
  - Motion: The proposed amendment would allow educational use in the central business district as a conditional use following the same requirements as an office use and being allowed only for high school or older students.
    - m/s Symbleme, Adams
      - Staff requested that the commissioners provide their findings to provide a roadmap to the decision.
        - Manzanares would like more public outreach and a better plan and would prefer not to have had a special meeting and feel so rushed. This purchase and lack of communication will be a hindrance to their bond issue moving forward. A lack of transparency is an issue. Adams concurred.
        - Manzanares is requesting conditional use so that there is community buy-in and a plan for the use that can be presented to the community.
        - Symbleme believes that this new use will help undo the damage done by the loss of FHP downtown.
        - Ortega would still like more transparency and not have this feel like a “bull in the china shop”
    - Vote: 3 in favor, 1 against (Ortega), recommendation carried.
      - Final guidance to school district to engage in outreach now

**Adjourned** at 8:47 p.m. m/s Ortega, Manzanares

Respectfully Submitted,  
Rachel James  
Development Services Director

# ALAMOSA PLANNING COMMISSION COMMISSION COMMUNICATION

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**Subject/Title:**

Approval of Minutes from August 28, 2024

**ATTACHMENTS:**

Description	Type
□ Approval of Minutes from August 28, 2024	Minutes

**Planning Commission**  
**August 28, 2024**  
**6:00pm**  
**Minutes of the Meeting**

The regular meeting of the Planning Commission was called to order on August 28, 2024 at 6:03pm. By Chairman Mark Manzanares. Present were the following members: Mark Manzanares, John Adams, Reyna Martinez and Ralph Symbleme. Sandra Ortega joined the meeting late. Staff Present: Deacon Aspinwall, Rachel James and Nicole Valdez

**Agenda Approval: M/S/C.** Symbleme/Martinez Motion to approve agenda as presented. All in favor, none opposed.

**Approval of the Minutes: M/S/C.** Adams/Martinez Motion to approve the minutes. All approved, none opposed.

**Public Comments:** None

**Regular Business:** Proposed Downtown Code Amendments

Adams made a motion to recommend to council to keep signage as is. Symbleme seconds. All approved, none opposed.

**Other Business:** None

**Staff Updates:**

- Vacant Building
- Alamosa Riverfront Project
- Dark Skies discussion, working toward a conclusion with City Council
- 4 West Avenue- Variance request, Fence is in the right of way.
- Levee- Draft Inspection Report
- Future Training Sessions for Planning Commission

**Code Enforcement Updates:**

- Sent out over 200 notices regarding weeds
- St. Benedicts
- Sighting graffitti

The meeting was adjourned at 7:01p.m.

Respectfully Submitted,

Nicole Valdez  
Recording Secretary

# ALAMOSA PLANNING COMMISSION COMMISSION COMMUNICATION

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**Subject/Title:**

Administrative Appeal - Order to remove non-permitted carport at 1012 East Avenue

**Background:**

**Sec. 21-8-703. - Administrative Appeals**

(a) Hearings, Appeals and Notices.

(1) Appeals to the Board of Adjustment may be taken by any person aggrieved by any administrative decision based upon or made in the course of the administration or enforcement of the provisions of this UDC.

(2) Any such an appeal must be made, within 21 days from the date the administrative decision was communicated to the applicant, which shall be the date of emailing or hand delivery, or, if the decision was communicated by mail only, three days from the date of mailing. The form or any other procedure relating thereto, shall be as specified in any rules of procedure adopted by the Board of Adjustment, but shall in any event comply with the provisions concerning the Notice of Appeal set forth below.

(b) Notice of Appeal. The appellant shall file with the Board of Adjustment a notice of appeal specifying the grounds thereof, with a copy to the Administrator. The Administrator shall promptly forward all papers constituting the record of action upon which the appeal was taken to the Board of Adjustment.

(c) Notice of Hearing. Upon receipt of the notice of appeal and record, the Board of Adjustment shall place the hearing of the appeal at the next available regularly scheduled meeting, which shall be not less than seven (7) days from the filing of the notice of appeal. A notice of the hearing shall be provided as set out in Section 21-8-511, Public Notice, and written notice shall also be sent by first class mail to the party appealing and the owner of the property that is the subject of the appeal.

**Analysis and Impact:**

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**Recommended Action:**

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**Alternatives:**

=== This section left intentionally blank ===

**Relevant Code:**

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**ATTACHMENTS:**

Description	Type
▢ Photos	Backup Material
▢ 1 notice of appeal	Backup Material
▢ 2 structural evaluation	Backup Material
▢ 3 NOV	Backup Material
▢ 4 Correspondence	Backup Material











**GJB**

**GORDON J. BOSA**

ATTORNEY-AT-LAW

P.O. BOX 58 • ALAMOSA, COLORADO 81101 • (719) 589-6603 • E-MAIL: bosalaw@gmail.com

September 10, 2024

Alamosa Building Commission  
Acting as Alamosa Board of Appeals  
PO Box 419  
Alamosa, CO 81101

RE: Notice of Appeal  
Jimmy B Quirico

To the Alamosa Board of Appeals:

Please take this document as my client, Jimmy B Quirico's, notice of appeal. The matter arose when my client built an extension to a carport which he originally erected in 1989. When the Code Administrator noticed the construction, he knew there was no permit and issued the citation which directs my client to remove the construction and it is from this direction my client takes this appeal.

Mr. Quirico is a 79-year-old Vietnam Vet and cancer survivor. His real health problems arose last year when on three (3) separate occasions he slipped and fell due to the slippery nature of the wet pavement. On the last slip and fall he injured his shoulder and, as a result incurred One Thousand Four Hundred Dollars (\$1,400.00) worth of medical bills not to mention the pain associated with the injury. At that point, Mr. Quirico decided he had to take some measure to try to make his property safer. That was when the construction was conceived and began.

Mr. Quirico admits he failed to obtain a permit or to go through the process to extend the variance he had obtained in 1989. He was focused strictly on his health and the dangerous nature of his property. He is more than willing to obtain a permit and go through the entire process for an extension of the variance. He simply is requesting that while he does so, the building be allowed to stand. He believes the building would pass any code requirement for structural integrity and the like. In that regard, please find attached the letter of Mr. Scott Johnson from Summitt Engineering attesting to the integrity of the building.

Mr. Quirico's oversight was not intentional and only occurred because he was distracted by what had become a serious health and safety risk. He did not intend to violate any of the rules and regulations applicable to the situation. Mr. Quirico hopes that you will give this matter serious consideration as it would constitute a major financial hardship if he were to be required to remove this building when it is otherwise structurally sound. Mr. Quirico has over Two Thousand Five Hundred Dollars (\$2,500.00) in materials and labor invested in the project.

Alamosa Building Commission  
Acting as Alamosa Board of Appeals  
September 10, 2024  
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I thank you in advance for any consideration you can give this request. In the meantime, should you have any questions or require additional information from my office, please feel free to contact me.

Very Truly Yours,



Gordon J. Bosa  
GJB/kam

Cc: Client



**Summit Engineering Co.  
Engineers & Land Surveyors**

Mailing Address: P.O. Box 1897 Alamosa, CO 81101  
Location: 1317 State Avenue Alamosa, CO 81101  
Phone: (719) 589-6147 Fax: (719) 589-6633  
Email: summitengco@gmail.com

September 9, 2024

Mr. Jimmy Quirico  
1012 East Avenue  
Alamosa, CO 81101

Re: Engineers Foundation Inspection  
Carport in Driveway  
1012 East Avenue  
Alamosa, CO 81101



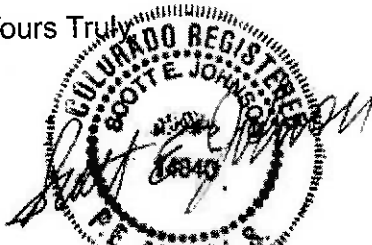
Dear Mr. Quirico;

At your request, an engineer's structural inspection was performed at the above captioned location on August 14, 2024.

The carport shown above is permanently affixed to a concrete driveway that is suitable for the soil requirements at that location. The attachment to the driveway is adequate for the live and dead loads currently adopted in the IRC for the City of Alamosa. Likewise, the framing and roof will also withstand the current wind and snow loads specified in the Alamosa Building Code. It is our opinion that this structure is safe for use as intended.

Please call us if you have any further questions.

Yours Truly,



Scott E. Johnson, PE & PLS 14840



City of Alamosa  
Development Services Department  
300 Hunt Avenue  
PO Box 419  
Alamosa, CO 81101

JIMMY B QUIRICO  
1012 East Avenue  
Alamosa, CO 81101

RE: Notice of Violation and Order to Correct

Dear Property Owners,

20 August 2024

You are hereby given notice and an order, pursuant to *Article IX of the Unified Development Code, Chapter 21 of the Alamosa Code of Ordinances* (the “UDC”), to address violations of the UDC and *Article II of the Buildings and Building Regulations, Chapter 4 of the Alamosa Code of Ordinances* (the “IRC”) at 1012 East Avenue, Alamosa, CO 81101, Assessor’s Parcel Number 541310417016.

The violation is the following:

- 1. Table 21-4-202B of the UDC. SINGLE-FAMILY DETACHED LOT AND BUILDING STANDARDS.**  
Your property is 11,400 square feet, 60 feet wide, and located in the Established Neighborhood zone. It is classified as a suburban lot under [Table 21-4-202B](#). The side setback requirement for the principal building, which would include the unapproved attached addition, is a minimum of 7 feet from the interior property line, and a minimum of 25 feet from the front property line. The illegal addition violates both the side and front setbacks.
- 2. Sec. 21-7-301 of the UDC. MODIFICATIONS TO A NONCONFORMING BUILDING OR STRUCTURE.**  
The previously unaltered structure was granted a 0’ side yard setback for the purpose of building a car port in 1989 (Case 89-03 ZBOA). Permit 2746 was issued for the work on 9/8/1989. This makes the previously unaltered structure lawfully non-conforming. However, pursuant to the section above, any future modifications must not result in a further extension of the UDC or Building Code. The illegal addition violates this section.
- 3. IRC 105.1, and 105.3. Permits Required, Application for Permit.** Permits are required for the addition before work commences.

Explanation: The Building Official issued a stop work order on August 6<sup>th</sup>, 2024 after noticing construction without a permit. The construction of the car port violates the setbacks above.

**ORDER TO CORRECT:** You are hereby ordered to correct the violation by removing the illegal addition. The corrections must be initiated within 7 days of your receipt of this letter, and completed within 21 days of your receipt of this letter. Extensions may be granted so long as diligent progress is being made.

Development Services Department

P.O. Box 419, Alamosa, CO 81101 • Phone: (719) 589-6631 • Fax: (719) 589-3640 • [www.cityofalamosa.org](http://www.cityofalamosa.org) • [planning@alamosa.gov](mailto:planning@alamosa.gov)

If you fail to initiate or complete the required corrective work within the time frames specified above, the City may institute legal proceedings to restrain, abate, or remove the addition, and any action so taken by the city may be charged as a lien upon the property. Questions regarding compliance may be made to the Development Services Department at the contact information below.

**RIGHT TO APPEAL:** You or anyone directly affected by this order have the right to appeal this order. Any such appeal shall be filed in writing with the Alamosa Planning Commission, acting as the Alamosa Board of Appeals, P.O. Box 419, 300 Hunt Ave., Alamosa, CO 81101 setting forth your argument that the intent of the Code has been incorrectly interpreted, the provisions do not apply, or the requirements of the Code are satisfied by other means. Your written appeal **MUST** be filed within 21 days of the date of your receipt of this letter as evidenced by affidavit of service or certified mail return receipt and affidavit of posting if no delivery. The appeal will be heard pursuant to *Section 21-8-703* of the *UDC*. The text of the section is pasted below for your convenience. There is a \$50 fee associated with an appeal to cover the costs of publication and posting. The next scheduled meeting is September 25<sup>th</sup>.

Sincerely,

Deacon Aspinwall  
Code Administrator  
daspinwall@alamosa.gov  
719-589-6631

**Sec. 21-8-703. - Administrative appeals.**

(a) *Hearings, appeals and notices.*

- (1) Appeals to the board of adjustment may be taken by any person aggrieved by any administrative decision based upon or made in the course of the administration or enforcement of the provisions of this UDC.
- (2) Any such an appeal must be made, within twenty-one (21) days from the date the administrative decision was communicated to the applicant, which shall be the date of emailing or hand delivery, or, if the decision was communicated by mail only, three (3) days from the date of mailing. The form or any other procedure relating thereto, shall be as specified in any rules of procedure adopted by the board of adjustment, but shall in any event comply with the provisions concerning the notice of appeal set forth below.

(b) *Notice of appeal.* The appellant shall file with the board of adjustment a notice of appeal specifying the grounds thereof, with a copy to the administrator. The administrator shall promptly forward all papers constituting the record of action upon which the appeal was taken to the board of adjustment.

(c) *Notice of hearing.* Upon receipt of the notice of appeal and record, the board of adjustment shall place the hearing of the appeal at the next available regularly scheduled meeting, which shall be not less than seven (7) days from the filing of the notice of appeal. A notice of the hearing shall be provided as set out in Section 21-8-511, public notice, and written notice shall also be sent by first class mail to the party

**Development Services Department**

appealing and the owner of the property that is the subject of the appeal.

- (d) *Hearing procedure.* At the hearing, any party may appear in person or by agent or attorney. The board of adjustment may affirm, reverse (wholly or partly), or modify the order, requirement, decision or determination appealed and may make such order, requirement, decision or determination as in their opinion ought to be made in the premises, and to that end shall have all powers of the officer from whom the appeal is taken.
- (e) *Decision.* The concurring vote of four (4) members of the board of adjustment shall be necessary to reverse any order, requirement, decision or determination of an administrative official or agency.



**Development Services Department**



**Development Services Department**

P.O. Box 419, Alamosa, CO 81101 • Phone: (719) 589-6631 • Fax: (719) 589-3640 • [www.cityofalamosa.org](http://www.cityofalamosa.org) • [planning@alamosa.gov](mailto:planning@alamosa.gov)





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## 1012 East Ave.

3 messages

---

**Tyler Reynolds** <treynolds@ci.alamosa.co.us>

Tue, Aug 6, 2024 at 4:29 PM

To: jbqallen64@yahoo.com

Cc: Meagan Dudleston <mdudleston@ci.alamosa.co.us>, Nicole Valdez

<nvaldez@ci.alamosa.co.us>, Deacon Aspinwall <daspinwall@ci.alamosa.co.us>

Good Afternoon,

I wanted to send you this email to recap our conversation about the carport today.

A stop work order is issued until the City's Planning and Development Specialist can review the structures setbacks and lot coverage, an engineer approval of the metal structure is a good bet if you are wanting to try and keep it, as I can not approve of the steel framing as it is per the adopted building codes (I would wait on this until you receive approval from the Planning and Development Specialist), and a building permit with the city is obtained. A permit application can be found below, and I have included the Planning and Development Specialist Deacon in this email.

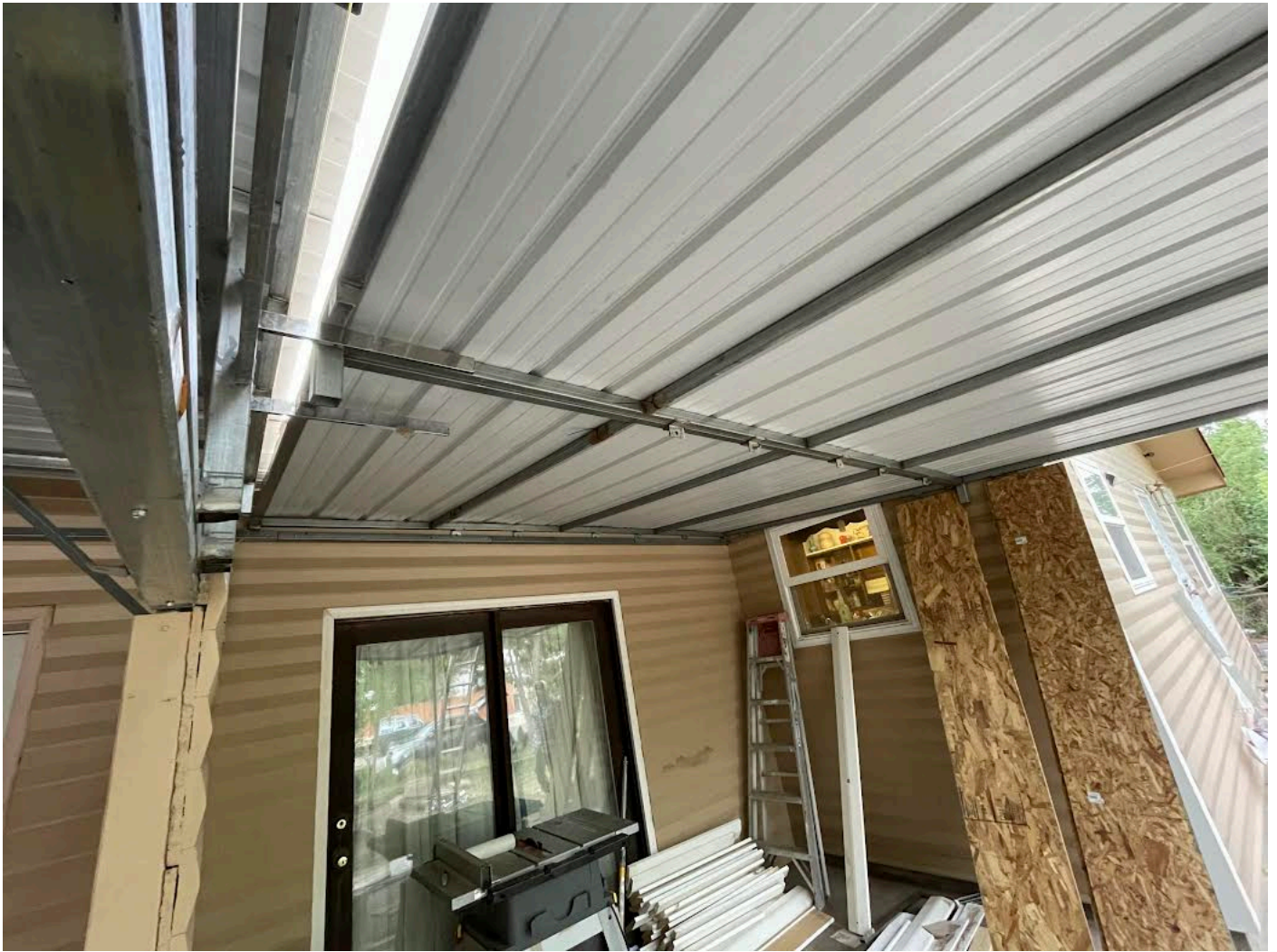
If you have any questions please let me know.

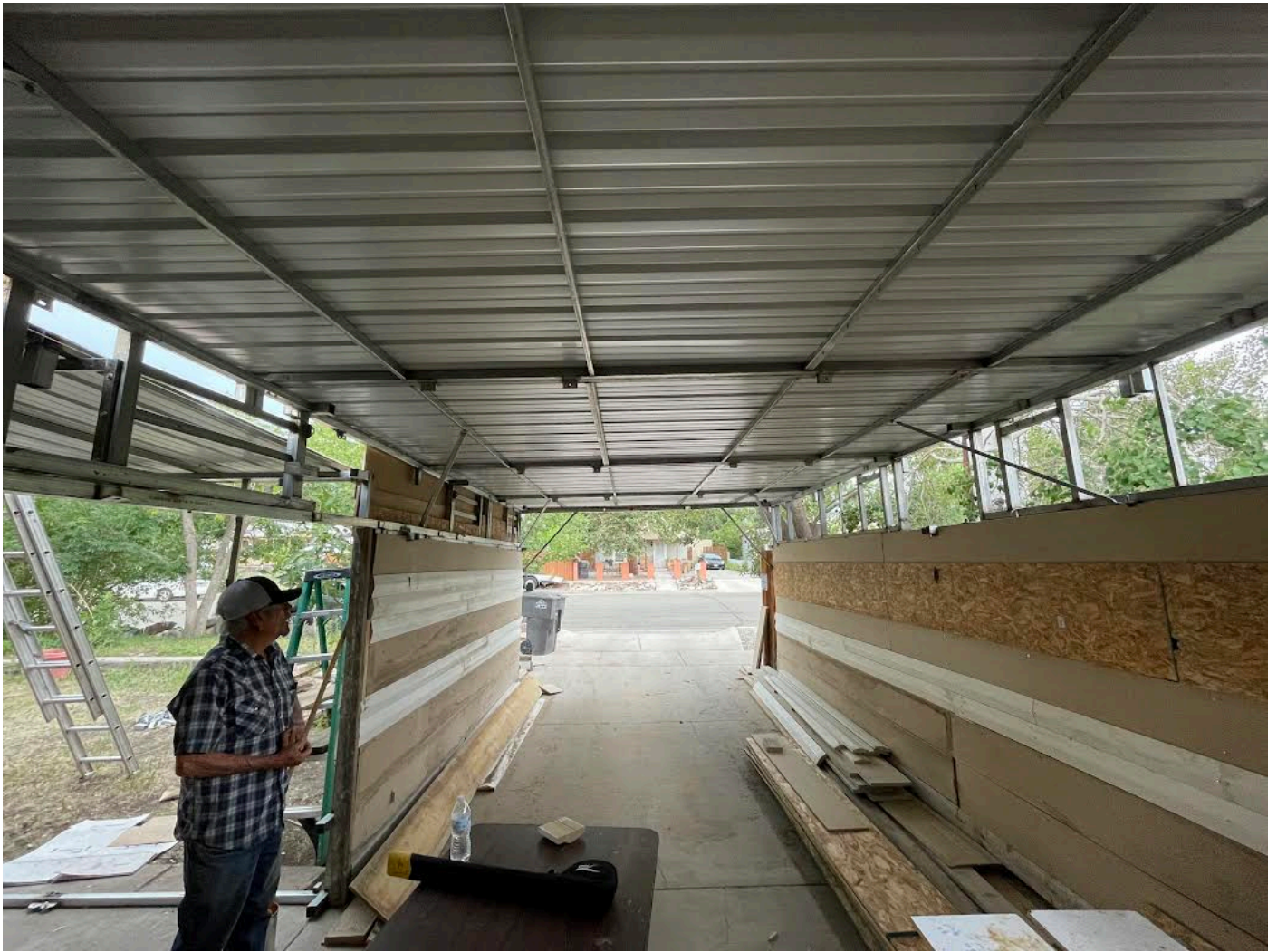














Thanks,  
Tyler Reynolds  
Building Official  
Development Services Department  
[City of Alamosa](http://www.cityofalamosa.org)  
[300 Hunt Avenue](http://www.cityofalamosa.org)  
[Alamosa CO 81101](http://www.cityofalamosa.org)  
719-589-6631

[www.cityofalamosa.org](http://www.cityofalamosa.org)

---

**Tyler Reynolds** <treynolds@ci.alamosa.co.us>

Tue, Aug 6, 2024 at 4:34 PM

To: j bqallen64@yahoo.com

Cc: Meagan Dudleston <mdudleston@ci.alamosa.co.us>, Nicole Valdez  
<nvaldez@ci.alamosa.co.us>, Deacon Aspinwall <daspinwall@ci.alamosa.co.us>

Jimmy,

I figure it would be best to add your phone number to this email chain before it gets lost.  
719-849-5808

Thanks,  
Tyler Reynolds  
Building Official  
Development Services Department  
City of Alamosa  
300 Hunt Avenue  
Alamosa CO 81101  
719-589-6631

[www.cityofalamosa.org](http://www.cityofalamosa.org)

[Quoted text hidden]

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## 6 attachments



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1517K



**IMG\_4622.HEIC**  
2034K



**IMG\_4617.HEIC**  
2310K



**IMG\_4621.HEIC**  
2449K



**IMG\_4619.HEIC**  
3125K



**IMG\_4618.HEIC**  
3583K

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**Deacon Aspinwall** <daspinwall@alamosa.gov>

Tue, Aug 6, 2024 at 5:13 PM

To: Tyler Reynolds <treynolds@ci.alamosa.co.us>

Cc: jbqallen64@yahoo.com, Meagan Dudleston <mdudleston@ci.alamosa.co.us>, Nicole Valdez <nvaldez@ci.alamosa.co.us>, planning <planning@ci.alamosa.co.us>

Thank you for the heads-up and introduction, Tyler.

Hello Jimmy,

Your property is 11,400 square feet, 60 feet wide, and located in the Established Neighborhood zone. It is classified as a suburban lot under [Table 21-4-202B](#). The side setback for the principal building, which would include the attached carport, is a minimum of 5 feet from the interior property line, and must have at least 10 feet of separation between it and any structures on adjacent properties. Unfortunately, I do not see any way that this car port would be allowed, especially due to the proximity of the other structures, and will have to be removed.

Respectfully,

Deacon

[Quoted text hidden]

--

City Hall hours are Monday-Thursday, 7am-5:30pm.

Deacon Aspinwall  
Planning and Development Specialist  
Development Services Department  
City of Alamosa  
300 Hunt Avenue  
Alamosa CO 81101  
719-589-6631

[Schedule a 30-Minute Meeting](#)

[www.cityofalamosa.org](http://www.cityofalamosa.org)



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**6 attachments**



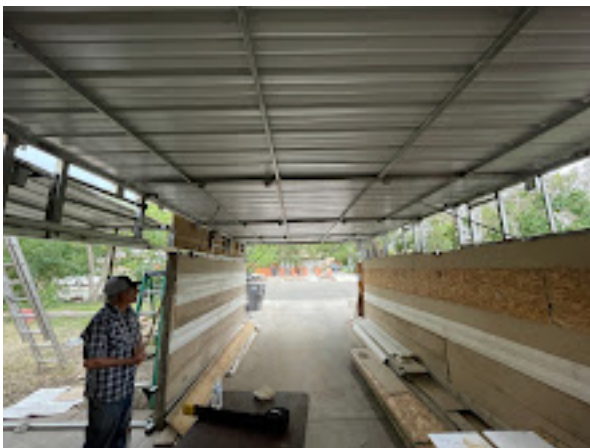
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**IMG\_4617.HEIC**  
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**IMG\_4621.HEIC**  
2449K



**IMG\_4619.HEIC**  
3125K



**IMG\_4618.HEIC**  
3583K



TO:  THE CITY OF ALAMOSA PLANNING COMMISSION

CITY OF ALAMOSA ZONING BOARD

RE: REQUEST FOR  VARIANCE  RE-ZONE  PERMITTED USE  OTHER

FROM: Karen B. Allen

DATE: July 25, 1989

The undersigned petitioner hereby appeals from the order or ruling of the City Zoning Ordinance hereinafter mentioned and/or requests a variance from the ordinance provision hereinafter set forth as follows:

1. The Ordinance provision or Zoning Decision involved:

Ordinance Section 21-97

2. The legal description and street address of the property involved is:

Colts Subdivision Lot 6 = half of 5 (south)  
Block 9 - 1012 East Ave. Alamosa, Colo.

3. The owner of such property is:

Karen B. Allen

4. The relief which is sought from such Ordinance or Decision is:

0 foot sideyard setback

5. The grounds upon which the appeal or variance is sought are:  
(Explain in full - attach any explanatory information, photos, or other pertinent materials).

Karen B. Allen

Applicant

1012 East Ave.

Address

Alamosa, Colo.

City & State

719-589-0120

Phone

Our recommendation on the above filed request is as follows:

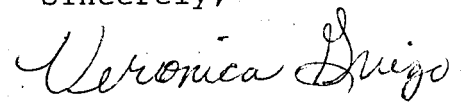
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

July 25, 1989

To whom it may concern:

The proposed carport will not obstruct, hinder, or be of any obstacle which concern future plans regarding my property.

Sincerely,

A handwritten signature in cursive script that reads "Veronica Griego". The signature is written in dark ink and is positioned above the printed name.

Veronica Griego



# City of Alamosa

MAILING ADDRESS: P.O. BOX 419, ALAMOSA, COLORADO 81101 • MUNICIPAL OFFICES: 425 FOURTH STREET / (719) 589-2593


August 4, 1989

MEMO

TO: Karen B. Allen  
FROM: Rudy E. Duran, Building Inspector *RD*  
SUBJECT: ZBA Meeting August 22, 1989

Please be reminded that your variance request is scheduled to be heard by the Zoning Board of Adjustments at its meeting on Tuesday, August 22, 1989 at 8:00 p.m. in City Council Chambers of City Hall. Please plan to attend this meeting and present your request.

If you have any questions or concerns, do not hesitate to contact me.



# City of Alamosa

MAILING ADDRESS: P.O. BOX 419, ALAMOSA, COLORADO 81101 • MUNICIPAL OFFICES: 425 FOURTH STREET / (719) 589-2593

August 11, 1989

MEMO

TO: City of Alamosa Zoning Board of Adjustments  
FROM: Rudy E. Duran, Building Inspector *RD*  
SUBJECT: Variance to Build to Zero Lot Line

Karen B. Allen has applied for a zero lot sideyard setback to add a carport to the north of her garage at 1012 East Avenue. Staff recommends that this request be granted if the surrounding neighbors do not have any complaints of her building this addition.



# City of Alamosa

MAILING ADDRESS: P.O. BOX 419, ALAMOSA, COLORADO 81101 • MUNICIPAL OFFICES: 425 FOURTH STREET / (719) 589-2593

## NOTICE OF PUBLIC HEARING

Notice is hereby given that the Alamosa City Zoning Board of Adjustments will hold a Public Hearing in Council Chambers at City Hall, 425 Fourth Street on Tuesday, August 22, 1989 at 8:00 p.m., or shortly thereafter, upon the request of Karen B. Allen who is seeking relief from City of Alamosa Code of Ordinances. Applicant seeks relief to a zero foot sideyard setback from the required 10 feet. Property affected is Lot 6 and the south half of Lot 5; Block 9; Colts Subdivision, also known as 1012 East Avenue.

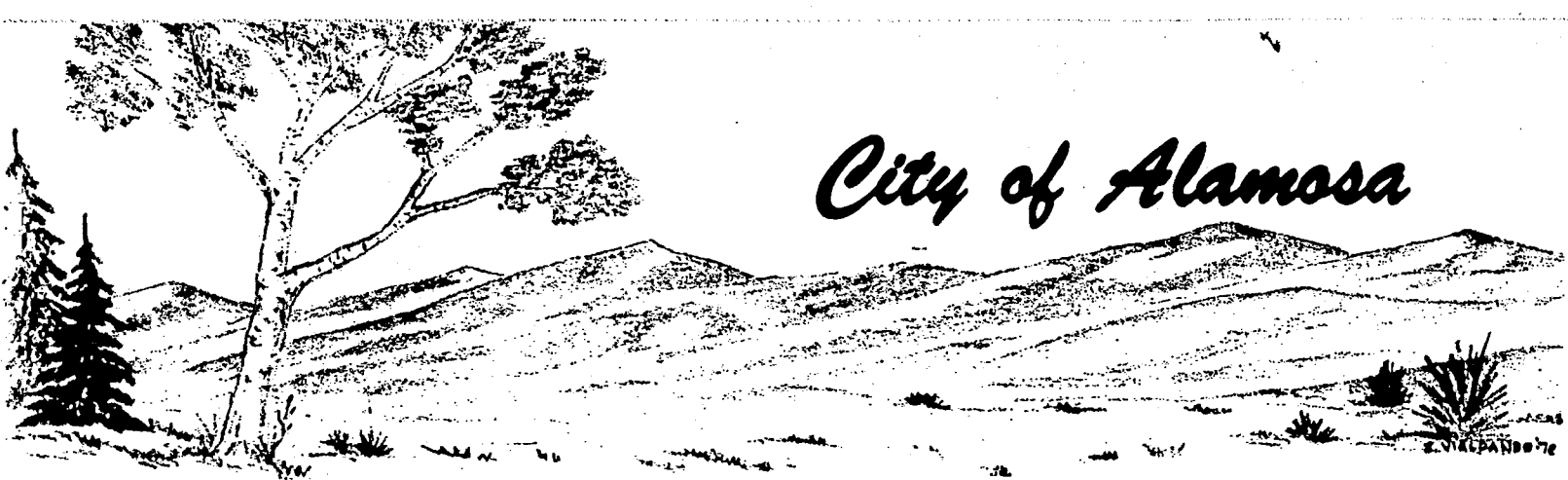
The ordinance provision or zoning decision involved is Alamosa City Code of Ordinances, Section 21-97 "Use, Yard, and Bulk Requirements".

Further notice is hereby given that any and all persons of interest may appear at said hearing and be heard.

Rudy E. Duran,  
Building Inspector

(PLEASE PUBLISH IN THE VALLEY COURIER ON Friday, August 11, 1989).

NOTICE OF PUBLIC HEARING  
Notice is hereby given that the Alamosa City Zoning Board of Adjustments will hold a Public Hearing in Council Chambers at City Hall, 425 Fourth Street on Tuesday, August 22, 1989 at 8:00 p.m., or shortly thereafter, upon the request of Karen B. Allen who is seeking relief from City of Alamosa Code of Ordinances. Applicant seeks relief to a zero foot sideyard setback from the required 10 feet. Property affected is Lot 6 and the south half of Lot 5; Block 9; Colts Subdivision, also known as 1012 East Avenue.  
The ordinance provision or zoning decision involved is Alamosa City Code of Ordinances, Section 21-97 "Use, Yard, and Bulk Requirements".  
Further notice is hereby given that any and all persons of interest may appear at said hearing and be heard.  
Rudy E. Duran,  
Building Inspector  
No. 9306  
Published in the Valley Courier on August 11, 1989. Page 45 of 48



# City of Alamosa

MAILING ADDRESS: P.O. BOX 419, ALAMOSA, COLORADO 81101 • MUNICIPAL OFFICES: 425 FOURTH STREET / (719) 589-2593

September 5, 1989

Karen B. Allen  
1012 East Ave.  
Alamosa, CO 81101

Dear Ms. Allen:

At its meeting on August 31, 1989 the City of Alamosa Zoning Board of Adjustments approved your request for the following:

Relief from the required sideyard setback of 10 feet to a setback of 0 feet for the purpose of adding a carport. Property affected is Lot 6 and the south half of Lot 5; Block 9; Colts Subdivision, also known as 1012 East Ave.

Approval of this request is effective immediately and is valid for a period of six months. Please contact the Building Department for the appropriate permit prior to construction.

Respectfully yours,

Rudy E. Duran,  
Building Inspector

# ALAMOSA PLANNING COMMISSION COMMISSION COMMUNICATION

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**Subject/Title:**

Code enforcement updates

# ALAMOSA PLANNING COMMISSION COMMISSION COMMUNICATION

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**Subject/Title:**

Staff Updates

**Background:**

- Levee
- Dark Skies 10/16 and 11/2
- Code updates
  - downtown uses
  - mobile food vending
  - vacant building registration
  - special process for other political subdivisions