

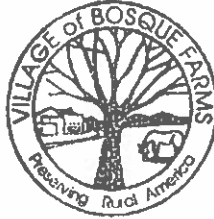
# VILLAGE OF BOSQUE FARMS

Sharon Eastman, Chair

Post Office Box 660  
Peralta, NM 87042

1455 West Bosque Loop  
Bosque Farms, NM 87068

Phone: (505) 991-6611  
Fax: (505) 505-869-3342  
Email: [clerkadmin@bosquefarmsnm.gov](mailto:clerkadmin@bosquefarmsnm.gov)



Commission:  
Dan Garrison  
Joe J Hale  
Michael Baber  
Kevin Schaus

**THE PLANNING & ZONING COMMISSION OF THE VILLAGE OF BOSQUE FARMS WILL HOLD ITS REGULAR MEETING ON MONDAY, NOVEMBER 4<sup>TH</sup>, 2024 IN THE COUNCIL CHAMBERS, 1455 WEST BOSQUE LOOP, BOSQUE FARMS, NM AT 6:30PM.**

## **CALL TO ORDER & ROLL CALL**

## **PLEDGE OF ALLEGIANCE**

## **APPROVAL OF AGENDA**

## **PUBLIC COMMENT FOR NON-AGENDA ITEMS**

*(Comments are limited to 3 Minutes, time cannot be distributed to peers in attendance)*

## **DEPARTMENTAL REPORTS**

## **CHAIR & COMMISSION REPORTS**

## **COMMISSION TO REVIEW & TAKE ACTION PREVIOUS MINUTES**

1. [Attachment A- 10-15-24 Regular Meeting Minutes.pdf](#)

## **COMMISSION TO ENTER A PUBLIC HEARING REGARDING WQCKDKITTY INK**

## **COMMISSION TO EXIT PUBLIC HEARING AND TAKE ACTION ON RECOMMENDATION FOR VILLAGE COUNCIL REGARDING WQCKDKITTY INK**

2. [Attachment B- WqckdKitty Ink.pdf](#)

## **COMMISSION TO ENTER PUBLIC HEARING REGARDING VARIANCE REQUEST FOR 1680 CARPENTER DRIVE**

3. [Attachment C- Narrative Report Summary for 1680 Carpenter Drive.pdf](#)

## **COMMISSION TO CONCLUDE PUBLIC HEARING AND TAKE ACTION ON RECOMMENDATION FOR VILLAGE COUNCIL REGARDING VARIANCE REQUEST FOR 1680 CARPENTER DRIVE**

“PRESERVING RURAL AMERICA”

**TIME AND PLACE OF NEXT MEETING**

THE NEXT MEETING OF THE VILLAGE OF BOSQUE FARMS PLANNING & ZONING COMMISSION WILL BE HELD ON MONDAY, DECEMBER 2ND, 2024.

**ADJOURNMENT**

**PLEASE NOTE:** *The Planning & Zoning Commission may revise the order of the agenda items considered at this Open Meeting. If you are an individual with a disability who needs a reader, 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 office of the Village Clerk at (505) 991-6611 at least three (3) calendar days prior to the meeting. Public documents including the agenda and minutes can be provided in digital or hardcopy format. The Village of Bosque Farms strictly prohibits any form of unlawful discrimination based on race, color, religion, gender identity, sexual orientation, sex, national origin, age, disability, or political affiliation in any program, activity, or service sponsored by the Village. Contact the office of the Village Clerk/administrator for more information.*

“PRESERVING RURAL AMERICA”



**MINUTES**  
**VILLAGE OF BOSQUE FARMS**  
**PLANNING & ZONING COMMISSION**  
**REGULARLY SCHEDULED MEETING**  
**MONDAY, OCTOBER 14, 2024 AT 6:30 P.M.**  
**COUNCIL CHAMBERS LOCATED**  
**1455 WEST BOSQUE LOOP**

1. **Call to Order**

Meeting called to order at 6:30PM
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Please turn off cell phones or set to silent mode
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2. **Pledge of Allegiance**

*Commissioner Schauss lead the Pledge of Allegiance*

3. **Roll Call/Determination of Quorum**

SE	✓	DG	✓	MB	✓	KS	✓	JH	✓	
Quorum present		Yes	No							

4. **Approval of Agenda**

<b>A C T I O N</b>	<b>Motion</b>	<b>Approve the Agenda for October 14<sup>th</sup> 2024</b>		
	<b>Made by:</b>	Commissioner Baber	Commissioner Eastman-Yes Commissioner Garrison -Yes	
	<b>Second by:</b>	Commissioner Garrison	Commissioner Baber- Yes Commissioner Schaus- Yes Commissioner Hale- Yes	
	<b>Motion carried?</b>	PASSED	FAILED	

5. **Public Comment**

None.

## 6. **Departmental Reports**

Clerk Administrator Limon shared the following updates:

- Sixteen properties have been served with criminal complaints regarding weeds. Those cases will be heard in our court on October 31<sup>st</sup>, 2024.
- Seven properties have been served with their second warning regarding weeds, if not taken care of property owners will be summoned to court in November.
- A Public hearing will be held at the next planning and zoning commission meeting for a variance of structure setbacks regarding 1680 Carpenter Drive. Measurements were not accurate to design nor by the measurements of the Clerk therefore resident has requested variance due to costs.
- Another Tattoo/Art Studio wishes to open up shop in the Village of Bosque Farms – Name Wyckd(Wicked) kitty Ink LLC Public hearing for Planning & Zoning will be held November 4<sup>th</sup> before Council with recommendation of Planning and Zoning on November 21<sup>st</sup>.
- Notice of Public Hearing for Kelly Liquor title transfer will take place October 24<sup>th</sup> at the regular Village Council Meeting.
- 5 New permits have been approved via the administrator for the month of October 4 deal with sheds, one is a whole new garage accessory structure.
- In the month of September new code enforcement officer Fermin Otero and Commissioner Joe Hale attended in Carlsbad
- Village staff will be delivering information to FEMA tomorrow October 15,2024 regarding Village records that were requested. A total of 13 properties were identified to be missing elevation certificates and missing applications with construction performed. Code Enforcement and Clerk Administrator are working with property owners to identify information and review Village records.
- A New Panni shop is planning on opening on the Blvd. within Bosque Farms. The owner's name is Nicolette Quesada. Will look to have more information by next Council meeting.

## 7. **Chairwoman & Commission Reports**

Commissioner Hale recapped his training experience for the commission from the month of September.

**8. Commission to Review and Take Action on Previous Planning & Zoning Commission Meeting Minutes**

Attachment A – 09-09-24 Draft Minutes.pdf

<b>A C T I O N</b>	<b>Motion</b>	<b>Approve of Minutes listed 9-9-24 with corrections to the Spelling of Commissioner Schaus last name.</b>	
	<b>Made by:</b>	<b>Commissioner Baber</b>	<b>Commissioner Eastman - Yes Commissioner Garrison -Yes Commissioner Baber - Yes Commissioner Schaus - Yes Commissioner Hale - Yes</b>
	<b>Second by:</b>	<b>Commissioner Garrison</b>	
	<b>Motion carried?</b>	<b>PASSED</b>	

**9. Commission to Enter Public Hearing Regarding Black Sheep Tattoo Studio.**

Clerk Administrator Limon swore in the applicant Eric Martinez in for his testimony regarding his potential business.

Eric Martinez shared that he is a family owned and operated business and wishes to set up a tattoo shop at the location of 455 Bosque Farms Blvd.

Commissioner Garrison stated he has concerns with the Village’s ordinance regarding regulated businesses. The ordinance would require that Mr. Martinez be 1000 feet from Kelly’s Liquor if Alcohol is considered regulated within the Village of Bosque Farms. Currently the distance between Kelly Liquor’s and the planned tattoo shop is 400 feet.

Clerk Administrator Limon advised that he does not believe that Kelly’s Liquor is considered a regulated business in terms of definition by Village Ordinance, although they sell alcohol those regulations by the state are separate from those listed in Bosque Farms ordinance.

Clerk Administrator Limon advised the Commission that they should provide a recommendation, and he would perform further research in the Village’s ordinance to finalize if Kelly’s Liquor is considered a regulated business in definition or not.

No members of the public were present to provide comment regarding Black Sheep Tattoo Studio.

<b>A C T I O N</b>	<b>Motion</b>	<b>Commission to Close discussion regarding Black Sheep Studio.</b>	
	<b>Made by:</b>	<b>Commissioner Garrison</b>	<b>Commissioner Eastman - Yes          Commissioner Garrison -Yes          Commissioner Baber - Yes          Commissioner Schaus - Yes          Commissioner Hale - Yes</b>
	<b>Second by:</b>	<b>Commissioner Schaus</b>	
	<b>Motion carried?</b>	<b>PASSED</b>	

**10. Commission to review and provide recommendation to Village Council regarding Black Sheep Tattoo studio.**

Chairwoman Eastman stated she had no issue with the business.

Commissioner Baber stated he had no issue with the business.

Commissioner Schaus stated he had no issue with the business.

Commissioner Hale stated he had no issue with the business.

Commissioner Garrison stated he had no issue with the business.

<b>A C T I O N</b>	<b>Motion</b>	<b>Recommendation of approval of Black Sheep Tattoo studio should the business not violate ordinance regarding regulated business distance of 1000 feet.</b>	
	<b>Made by:</b>	<b>Commissioner Baber</b>	<b>Commissioner Eastman – No Vote          Commissioner Garrison -Yes          Commissioner Baber - Yes          Commissioner Schaus - Yes          Commissioner Hale - Yes</b>
	<b>Second by:</b>	<b>Commissioner Hale</b>	
	<b>Motion carried?</b>	<b>PASSED</b>	

**11. Commission to Review and Take Action on Extension of Conditional Use Permit for 355 Spencer LN Bosque Farm, 87068**

Attachment B – Code Enforcement Report .pdf

Clerk Administrator Limon read the following report for record:

- Code Enforcement contacted the property owner on 10/02/24 in which Vince Otero led the operation to deliver citation of expired permit.
- Property Owner Raul Chavero answered RV door and allowed for Code enforcement to walk the premises.

- Mr. Chavero contacted Clerk Administrator on October 3<sup>rd</sup>, 2024, requesting that he be placed on Planning & Zoning Agenda for an extension due to funds being limited and house will take exactly one more month for completion.
- Property was reported to have 4 units living on property, after code enforcement investigations, Property owner sells the extra units that are vacant and proven to be via inspection and only has family in one Recreational Vehicle.
- Code Enforcement believes that applicants could complete home within one month if granted extension.
- Code enforcement has received reports of a porta potty on property, through investigation this was found untrue however owner has not connected RV to nearest grinder pump as requested in Permit.
- Neighbors have reported that they've seen the property owner dump waste directly into soil from grinder pump and not dispose of properly. Residents feel risk of watershed has been compromised however have requested to remain anonymous.
- Neighbors also voiced complaints regarding ATV's being raced and driven through the property and near the main street of spencer lane.

Clerk administrator recommends denial of permit extension as well as if soil testing must be performed that it would be with the recommendation of the Planning & Zoning Commission to the Village Council that a fine be set and the applicant be liable for any damages for violating his permit agreement.

<b>A C T I O N</b>	<b>Motion</b>	<b>Denial of Permit extension.</b>	
	<b>Made by:</b>	<b>Commissioner Baber</b>	<b>Commissioner Eastman - Yes Commissioner Garrison -Yes Commissioner Baber - Yes Commissioner Schaus - Yes Commissioner Hale - Yes</b>
	<b>Second by:</b>	<b>Commissioner Hale</b>	
	<b>Motion carried?</b>	<b>PASSED</b>	

12. **Time and Place of Next Meeting**

*THE NEXT MEETING OF THE VILLAGE OF BOSQUE FARMS  
PLANNING & ZONING COMMISSION WILL BE HELD ON MONDAY,  
NOVEMBER 4TH, 2024.*

**ADJOURNMENT**

**7:45 PM**

DRAFT



Village of Bosque Farms  
Po box 660  
Peralta, NM 87042



505-252-7222  
pzadmin@bosquefarmsnm.gov

## VILLAGE OF BOSQUE FARMS BUSINESS LICENSE APPLICATION

### INITIAL APPLICATION

Applications must include copies of your state of New Mexico taxation and revenue department registration certificate and any state licenses issued for your business. Incomplete applications will not be processed.

#### BUSINESS NAME AND INFORMATION

Business Name Workdaddy Ink (dba) \_\_\_\_\_  
Business location 2280 Bosque Farms Blvd \_\_\_\_\_  
Mailing Address (if different from above) 14 Katie Lane Los Lunas NM 87031 \_\_\_\_\_  
Business phone 505 377 8501 Business email katie-jaramillo@yahoo.com \_\_\_\_\_  
NM State Tax ID# (required) 576276888 Board/License # \_\_\_\_\_  
WRT-03396143002  
Business Start Date (Start Date in Bosque Farms) 8/16/2024 \_\_\_\_\_

#### OWNER INFORMATION

Business Owner (s) Katherine Jaramillo \_\_\_\_\_  
Address 14 Katie Lane City Los Lunas State NM Zip 87031 \_\_\_\_\_  
Email Address katie-jaramillo@yahoo.com Phone 505.377.8501 \_\_\_\_\_  
Proprietorship/ Sole Ownership  Corporation  LLC   
Partnership  Not for Profit  Other

#### APPLICANT INFORMATION (IF DIFFERENT FROM OWNER)

Applicant (s) \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

#### BUSINESS ACTIVITIES

DESCRIPTION OF SERVICES PROVIDED Private art studio & Daycare \_\_\_\_\_  
Is this activity new for this location? Yes  No  If yes what the previous use? Belen NM & Clayton GA \_\_\_\_\_  
Will there be any reconstruction or improvements made to the building Yes  No

Are there any existing signs on the premises of your building? Yes  No   
Do you intend to repair any existing signs or install any new ones? Yes  No   
**For cashiers use only**

Village of Bosque Farms  
Po box 660  
Peralta, NM 87042



505-252-7222  
[pzadmin@bosquefarmsnm.gov](mailto:pzadmin@bosquefarmsnm.gov)

## VILLAGE OF BOSQUE FARMS BUSINESS LICENSE APPLICATION

- Business activities continued

Are there any vending machines in your establishment? Yes  No

Please Note: You are required to have registration sticker on each vending machine.

Will your business be run out of your home? Yes  No

If yes, you will need to complete a Home Occupation Registration Application in addition to this application and may need to go before the Commission prior to approval.

### SIGNATURES (S) OF AUTHORIZED APPLICANTS (S)

I understand that my signature below indicates that all information contained on this application is true and complete.

Printed Name Belkacine Jaramilla

Signature [Handwritten Signature]

Date 9/23/2024

- THE FOLLOWING ITEMS MUST BE SUBMITTED
- COMPLETE BUSINESS REGISTRATION APPLICATION
- NM CRS CERTIFICATE
- FIRE OCCUPANCY PERMIT (if required)
- HOME OCCUPATION APPLICATION (if applicable)
- NM STATE LICENSE (if applicable)
- ESTABLISHMENT LICENSE (if applicable)
- FOOD ESTABLISHMENT PERMIT (if applicable)

\*\* OFFICE USE ONLY \*\*

PERMIT # \_\_\_\_\_ RECEIVED DATE \_\_\_\_\_ APPLICATION FEE: \_\_\_\_\_

ZONE: \_\_\_\_\_

APPROVAL/DISAPPROVAL BY: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

BUSINESS REGISTRATION FEE: \_\_\_\_\_ \$ 35.00

LATE FEE: \_\_\_\_\_ (AFTER MARCH 16) \$ \_\_\_\_\_

TOTAL FEE \$ \_\_\_\_\_



STATE OF NEW MEXICO

**MAGGIE TOULOUSE OLIVER**

SECRETARY OF STATE

*Certificate of Organization*

OF

Wyckdkitty Ink llc

6990690

New Mexico

The Office of the Secretary of State certifies that the Articles of Organization, duly signed and verified pursuant to the provisions of the

**Limited Liability Company Act**

**53-19-1 to 53-19-74 NMSA 1978**

have been received and are found to conform to law. Accordingly, by virtue of the authority vested in it by law, the Office of the Secretary of State Issues this Certificate of Organization and attaches hereto a duplicate of the Articles of Organization.

Dated: **October 19, 2022**

**In testimony whereof, the Office of the Secretary of State has caused this certificate to be signed on this day in the City of Santa Fe, and the seal of said office to be affixed hereto.**



*Maggie Toulouse Oliver*

Maggie Toulouse Oliver  
Secretary of State

# VILLAGE OF BOSQUE FARMS

Post Office Box 660  
Peralta, NM 87042

1455 West Bosque Loop  
Bosque Farms, NM 87068

Phone: (505) 869-2358  
Fax: (505) 869-3342  
Email: [clerkadmin@bosquefarmsnm.gov](mailto:clerkadmin@bosquefarmsnm.gov)



Sharon Eastman, Chairwoman

Commission:  
Dan Garrison  
Michael Baber  
Kevin Schaus  
Joe Hale

## Narrative report regarding investigation performed on Property 1680 Carpenter

### **Variance summary:**

- Request for setback is 4 Feet to the North Property Line
- Request for setback 4 feet to the East Property Line (Rear)

### **Staff Recommendation:**

- Recommendation for approval of Setbacks to North and East Property line with a Fee of \$250 dollars due to construction without prior approval and the final \$35 dollars for permit application.

### **Ordinances related to Summary Report:**

- **10-1-5 General regulations Section C**

Building and structure height. No building or structure shall exceed 26 feet in height from the base flood elevation plus six inches of freeboard. This height limitation shall not apply to silos, water tanks, wind generators, antennas, solar collectors, flagpoles, and other such accessory objects, excluding signs.

#### **10-1-5 General Regulations Section D.**

Building and structure setback. All buildings and structures shall be placed on a lot in accordance with the following setback requirements:

There shall be a front setback of 30 feet and a side setback of 10 feet on all lots.

There shall be a rear setback of 10 feet on all lots with the exception as noted below in Subsection D (4).

An accessory building shall not be placed within any front setback area.

An accessory building shall not be placed within any side or rear setback area except when the lot line borders a vehicle-accessible irrigation ditch, roadway or utility easement, in which case the accessory building may be placed on the lot line.

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Walls, fences and signs are exempt from all setback regulations, provided they are not placed within seven feet of Bosque Farms Boulevard (NMSH 47) and they do not obstruct the required vision clearance at all roadway access points, as per Subsection O of this § 10-1-5.

The following narrative report shall summarize a list of events regarding the property 1680 Carpenter and share details of the structure's measurements, request for Variance and data tracked by staff.

On June 6<sup>th</sup>, 2024, Clerk Administrator Michael Angelo Limon received an email from Rex Foutz (*Mr. Foutz owns the property is located on 1655 Carpenter*) stating his concern of a structure and newly established fence on his neighbor's property. (*See Attachment Listed Communication with Foutz 6-26 / 10-3*) In communication with Mr. Foutz his frustration with the structure was the following (*in no order or priority*):

- In his communication with the Previous Zoning Administrator no permit had been filed for Construction of the structure.
- The structure does not follow setbacks listed in Village Ordinances.
- Concerns over drainage and how flow of water would now affect his property.
- Concerns over color of structure and how property values would be affected by new structures.
- Timelapse from when his first concerns were reported till current date of how the property is being handled.

At the beginning of August, the owner of the property of 1680 Carpenter was identified by staff as Julie Pluemer. Clerk Administrator Limon contacted Ms. Pluemer and advised if she was aware of any non-compliance structures built on the property. Ms. Pluemer informed the Clerk Administrator that she is currently leasing the property with the intent to sell to Mr. Beau Gantt. Ms. Pluemer advised that if any structures were built Mr. Gantt would be the best point of contact for bringing the property into compliance. At the time that Ms. Pluemer shared the contact information of Mr. Gantt she informed staff of her conversations with the neighbor Mr. Foutz. She stated that she has undergone harassment and constant calls regarding complaints of her tenant however found them to be unbiased, but she would like to share this information as she feels her tenant is being targeted.

On August 21<sup>st</sup> the Clerk Administrator was able to contact Mr. Gantt and schedule a property visit for August 28<sup>th</sup>. Mr. Gantt advised the Clerk Administrator that he did have a barnlike structure, and a fence built with the guidance of the previous Planning & Zoning Administrator Mike Montoya however at the time of requesting permits for his fence and structure there was a vacancy in the office, and Mr. Montoya was no longer with the Village.

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The first inspection of the Property was performed solely by the Clerk Administrator Michael Angelo Limon. During the inspection the Clerk Administrator paced the following measurements of the barn like structure:

1. 10 Feet to the North Property line
2. 7 Feet to the East Property line (Rear)
3. 60 feet to the South Property line
4. 230 from the West property line (Front)

The Clerk Administrator performed the measurements via pacing (normal walking steps) During the inspection Mr. Gantt shared his frustrations with his neighbor and felt like he needed to add the fence do to (Mr. Foutz) constantly overlooking his yard and surveying his property. At this time, it was the intent to permit the structure by the Clerk Administrator. However, Mr. Foutz contacted Village Staff and requested a measurement of the structure as he believed the measurements provided to be inaccurate.

Due to conflicts of scheduling between the property owner and the Clerk Administrator the second site visit did not occur until September 16<sup>th</sup>. For this site visit the Clerk Administrator did Code Enforcement and the Mayor attended and performed the measurements with tools. The measurements found by Code enforcement for the barn like structure are:

1. 6 Feet / 11 inches to the North Property line
2. 6 feet to the East Property Line (Rear)
3. 60 Feet to the South Property Line
4. 230 from the West Property line (Front)

In discussion with applicant Beau Gantt while on site he questioned what he could do to keep the structure as is, he shared his frustration with the inaccuracies of the first measurements taken by the Clerk Administrator and that the previous Zoning Administrator had informed him he could have his structure closer to his property lines due to utility easements that are to the rear of his property. Mr. Gantt went further to explain that the structure he has built would cost a damaging amount to be pulled and moved, if possible, at this time as of September 16<sup>th</sup> the applicant requested a variance. The Clerk Administrator informed the applicant he would need approval from the Property owner Ms. Pluemer prior to his application however the Clerk Administrator would reach out to her and request a written approval then as the meeting date approached Mr. Gantt could fill out a Variance application form. Ms. Pluemer authorized Mr. Gantt to seek variance via email on September 29<sup>th</sup>. Village staff posted the notice of the Public Hearing on October 3<sup>rd</sup> on the Village Website and it's six posting locations, The applicant posted notice on his property as of October 20<sup>th</sup>, 2024. This will conclude the Village Staff's investigation, any further questions for staff shall be addressed during a Public Hearing on November 4<sup>th</sup> / November 21<sup>st</sup>.

Sincerely,

Michael Angelo Limon  
Clerk Administrator  
Village of Bosque Farms

“PRESERVING RURAL AMERICA”

# VILLAGE OF BOSQUE FARMS

1455 West Bosque Loop  
Bosque Farms, NM 87068  
(505) 869-2358 - Phone

PO Box 660  
Peralta, NM 87042  
(505) 869-3342 - Fax

## VARIANCE APPLICATION

As Per Ordinance 10-1-16

Applicant Eddy Gromitt  
Mailing Address 1680 Carpenter dr  
Address of the  
Proposed Variance 1680 Carpenter dr  
Telephone Day 505-615-1182 Evening 505-615-1182  
Agent/Representative  
(if applicable) \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone Day 505-615-1182 Evening 505-615-1182  
Zoning of Property \_\_\_\_\_  
Directions to  
Property \_\_\_\_\_  
Reason for the  
Proposed Variance \_\_\_\_\_  
(be specific) \_\_\_\_\_

I DO HEREBY CERTIFY that the statements I have made on this Application are true and correct to the best of my knowledge.

Applicant(s)' Signature Eddy Gromitt Date 10-30-24

SUBSCRIBED AND SWORN TO before me \_\_\_\_\_

My Commission Expires \_\_\_\_\_

Notary Public

\_\_\_\_\_  
Chairman, Planning & Zoning Commission

Date of Governing Body Public Hearing \_\_\_\_\_

Governing Body Decision \_\_\_\_\_

\_\_\_\_\_

Restrictions (if applicable) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Mayor, Village of Bosque Farms



## Michael Limón

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**From:** Martin J. Garcia <martin@anchoreng.net>  
**Sent:** Wednesday, October 30, 2024 12:17 PM  
**To:** Michael Limón  
**Cc:** Avila Dear  
**Subject:** Carpenter Drive

Mr. Limon, We visited the site on Carpenter Drive after our meeting this morning and have the following information to offer. The property owner that has constructed the Horse Barn has taken the runoff from the building into consideration and has constructed a shallow pond along his north boundary as shown in the photos below. the shallow pond is approximately 5 ft wide, extends from the east property line to a fence line near the residence. The pond is approximately 6-8 inches deep and is lower in elevation than the property to the north, so it does not appear that the pond will spill over to adjacent property. As an additional safety measure, the gutter drains should be directed to drain to the south side of the building where there adequate space to accommodate the drainage. In summary, the adjacent property owner to the north does not appear to be adversely affected by the runoff from the new building. The picture below that has the fencing attempts to demonstrate the difference in elevation between the two properties. Please call me with any questions at 505-372-1530. Martin.







## Michael Limón

---

**From:** Martin J. Garcia <martin@anchoreng.net>  
**Sent:** Wednesday, October 30, 2024 3:12 PM  
**To:** Michael Limón  
**Cc:** Avila Dear  
**Subject:** Re: Carpenter Drive

Your'e welcome glad to do it. martin.

On Oct 30, 2024, at 1:53 PM, Michael Limón <clerkadmin@bosquefarmsnm.gov> wrote:

Martin ,

Thank you for assisting me with this review. I greatly appreciate your time and efforts on this matter as it will verify my report to Council and Planning and Zoning.

May you have a blessed day and thank you for all you do for the Village.

<Outlook-fkublczs.jpg>

---

**From:** Martin J. Garcia <martin@anchoreng.net>  
**Sent:** Wednesday, October 30, 2024 12:17 PM  
**To:** Michael Limón <clerkadmin@bosquefarmsnm.gov>  
**Cc:** Avila Dear <avila@anchoreng.net>  
**Subject:** Carpenter Drive

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<DJI\_0548.jpeg>  
<IMG\_2810.jpeg>

<IMG\_2809.jpeg>





Re: 1680 Carpenter Drive

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From JULIE PLUEMER <pluemer12345@msn.com>

Date Tue 9/24/2024 9:46 AM

To Michael Limón <clerkadmin@bosquefarmsnm.gov>

Cc Chris Gillespie <mayor@bosquefarmsnm.gov>; Fermin J. Otero <codecompliance@bosquefarmsnm.gov>

Hi Michael,

Thanks for reaching out to me about the 1680 Carpenter Drive property. Bosque Properties LLC, my Real Estate company, is the owner of the property. So basically, yes I am the owner.

I appreciate your checking into the setbacks of the barn structure that was put up on the property. I am ok with Mr. Gannt applying for the variance as he was the one who built the structure without my knowledge of what he was doing over there. Please keep me in the loop as to the status of his application and the process of approval by planning and zoning. I am happy to work with you and zoning to bring our property into compliance with current ordinances.

Just so you are aware, I have had many conversations with Mr. Foutz and have put up with all his complaints. My last conversation with him he was very rude to me and was asking multiple inappropriate questions. Long story short, I ended up telling him that his property is the worst looking yard and property on the street. He needs to be more concerned about what his own yard and property looks like. His property is an eye sore to my house and others on the street. He really has no reason to be complaining about other people's yards and houses. Perhaps I should file a complaint about his yard.

Thank you,

*Julie Pluemer*

**Bosque Properties NM LLC**

**510 Garcia Lane**

**Bosque Farms NM 87068**

**505-379-2415**

**pluemer12345@msn.com**

---

**From:** Michael Limón <clerkadmin@bosquefarmsmn.gov>  
**Sent:** Tuesday, September 24, 2024 8:58 AM  
**To:** pluemer12345@msn.com <pluemer12345@msn.com>  
**Cc:** Chris Gillespie <mayor@bosquefarmsmn.gov>; Fermin J. Otero <codecompliance@bosquefarmsmn.gov>  
**Subject:** 1680 Carpenter Drive

Good afternoon Ms. Pluemer,

My name is Michael Angelo Limon and I am the current Clerk Administrator for the Village of Bosque Farms. We've talked briefly over the phone regarding the property 1680 Carpenter Drive.

I wanted to touch base with you to provide an update to an ongoing Planning & Zoning investigation that is being performed on Mr. Beau Gantt.

Back in the month of June Mr. Gantt's neighbor to the left of the property Mr. Foutz filed a complaint that Mr. Gantt was constructing a fence and barnlike structure without a permit. Due to Village Workload and the need to fulfill several positions before a site visit could be performed it took some time before myself and staff could go out and measure the structures to see if Mr. Gantt had pulled out a permit with the previous zoning administrator and if the structure was in violation of setbacks. Mr. Gantt stated he was provided with the needed measurements by the previous zoning director and built them to that spec. On September 18<sup>th</sup> the Mayor, Code Enforcement and I walked the property and performed measurements on the structures. Mr. Gantt is currently violating a setback near the fence line by 4 feet. He has requested that a variance be applied for, and he be allowed to keep that structure as is. I informed him I would perform research to see if this would be allowed as he is currently violating one ordinance.

After conducting research I've identified that Mr. Gantt could apply for a Variance as his structure does not violate any health and wellness and appearance requirements of the neighborhood. As the property owner I would ask you if you would like Mr. Gantt to represent the property and be allowed to apply for the variance or would you like to dismiss this request and have him move the structure. If you have any questions regarding the situation, please do not hesitate to contact me via email or via the telephone number provided in my signature below.

Thank you.



**VILLAGE OF BOSQUE FARMS**  
 Clerk / Administrator  
 505-991-6611  
 clerkadmin@bosquefarmsmn.gov  
 1455 W. Bosque Loop  
 www.bosquefarmsmn.gov

The Village is under a temporary moratorium on the issuance of new permits. Existing permits are still valid. The Village is currently reviewing all permits for their status. For more information, please contact the Village Clerk's Office at 505-991-6611.









# Google Maps 1660 Carpenter Dr

**Bosque Farms, New Mexico**  
 Google Street View  
 Jul 2023 See more dates

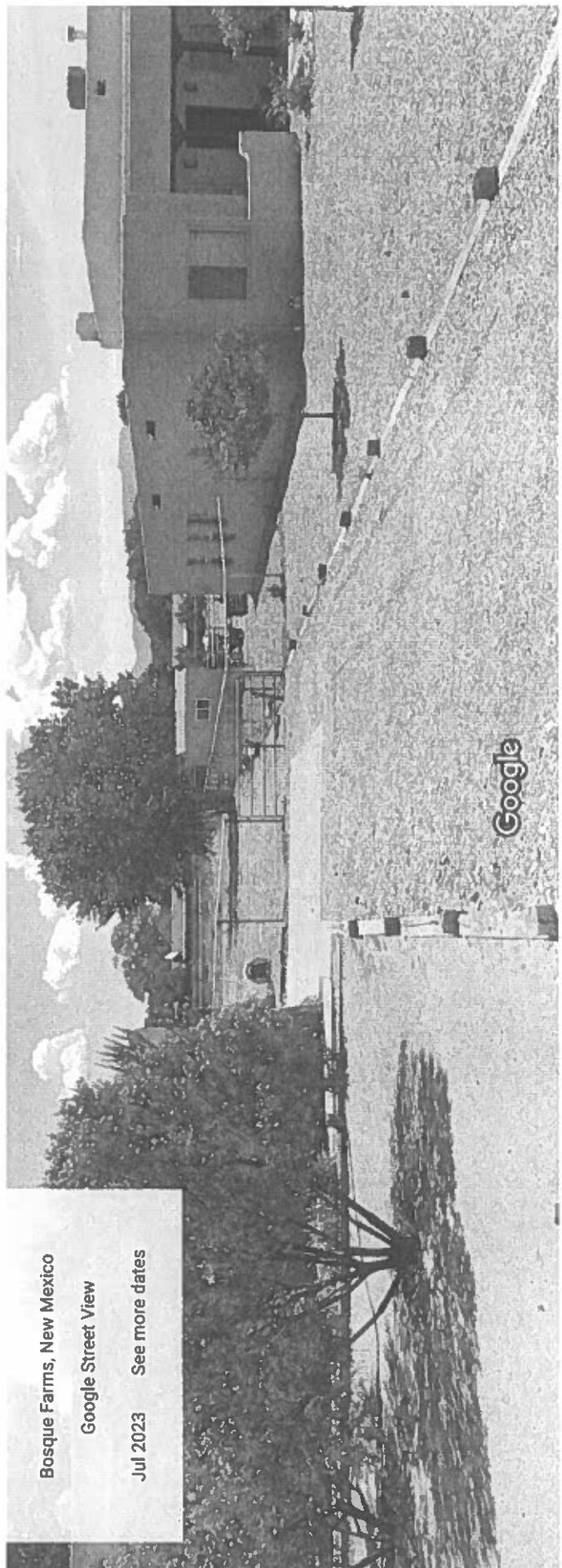


Image capture: Jul 2023 © 2024 Google

- Eldorado Loop
- Murray Loop
- e Loop



Barn Zoning issue at 1680 Carpenter Dr.

From mlee5360@aol.com <mlee5360@aol.com>

Date Wed 6/26/2024 2:14 PM

To Michael Limón <clerkadmin@bosquefarmsonm.gov>

1 attachments (281 KB)  
barn\_jif;

Zoning issue at 1680 Carpenter Dr.

Mr. Limón,

It was nice talking to you last Monday, June 14, 2024. I brought down the zoning complaint form as we discussed and a diagram of the barn at issue that afternoon.

I was told you had to leave due to an emergency, so I asked Fable to leave it on your desk. I hope your emergency wasn't something too serious.

While you and I were on the phone, you mentioned that the zoning representative from the State of New Mexico had just stopped by, and you gave him two zoning issues to investigate. I inquired whether one of the two were the one I had previously submitted. At the time you weren't sure and said you would check. Is the zoning issue I reported at 1680 Carpenter Dr one of the two? How often does the zoning person from the State of New Mexico come into your office for zoning issues.

Background:

I had previously submitted a zoning complaint form to Mike Montoya on February 4, 2024, regarding a barn like structure built inside the setbacks at 1680 Carpenter Dr. I share a fence with this property. Apparently, there was some disruption at the Village offices during this time and this complaint may have been misplaced.

With regards to the barn-like structure, it seems to me that Bosque Farm Village zoning ordinance 10-1-5-D and 10-1-5 R applies:

**10-1-5-D.**

Building and structure setback. All buildings and structures shall be placed on a lot in accordance with the following setback requirements:

(1).

There shall be a front setback of 30 feet and a side setback of 10 feet on all lots.

(2).

There shall be a rear setback of 10 feet on all lots with the exception as noted below in Subsection D(4).

(3).

An accessory building shall not be placed within any front setback area.

(4).

An accessory building shall not be placed within any side or rear setback area except when the lot line borders a vehicle-accessible irrigation ditch, roadway or utility easement, in which case the accessory building may be placed on the lot line.

R.

Accessory structures.

[Amended 3-18-2021]

(1).

All accessory structures are subject to the development review process, including setbacks, floodplain review, tie-down regulations and painting of the entire structure when required.

**Thus, the barn-like structure would need a development permit pulled through the Village office and it must remain 10' away from the fence line.**

**The barn-like structure was not permitted and did not go through the development review process.**

On April 10, 2024, I spoke to Mr. Montoya at the Village office. We discussed the issue; he stated that no permits were issued for this property. He stated he would move forward on the issue before he left Village employment on April 12, 2024 and he stated he would leave the case in a folder for his successor. He stated that if the structure was inside the setbacks it would have to be moved.

After not hearing back from Mr. Montoya, I made a trip to the Village office on April 23, 2024. I spoke briefly to the Mayor regarding the zoning issue. He said he did not have a copy of the original complaint form and there was some confusion at the Village offices about the time I submitted it. He stated Mr. Montoya did not leave a work-in-process file and that the Village was in the process of hiring a new planning and zoning person and after training that person would process the zoning violations. The lady at the front desk, Ms. Christine Cunningham, made a copy of the original complaint form and date stamped with a new date of April 23, 2024. The Village also referred me to State of New Mexico employee, Mr. Jody Roybal. I called Mr. Roybal on April 24, 2024. He stated that the structure should not have been built inside the setbacks, but before he could do anything he needed the Village to process the paperwork.

In a separate email, I will file with you another complaint form situated at the same property, 1680 Carpenter Dr. The reason it wasn't filed with the barn-like structure is I did not want the shed issue to interfere with the barn issue since the barn issue is the most objectionable of the two.

Please email or telephone me if you have questions. My contact information is listed below.

Since this is the third time I have filed the same complaint form with the Village will you let me know you have received it. Please let me know how the village plans to proceed on this issue. Attached is a photo of the barn.

Thank you, Mr. Limon.

Sincerely,

Rex L Foutz

1660 Carpenter Dr.

Bosque Farms, NM 87068

505-417-6622

Email: [mlee5360@aol.com](mailto:mlee5360@aol.com)



Outlook

Shed and lean-to zoning issue

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From mlee5360@aol.com <mlee5360@aol.com>

Date Wed 6/26/2024 2:18 PM

To Michael Limon <clerkadmin@bosquefarmsonm.gov>

2 attachments (93 KB)

shed 06262024.jif; shed zoning 06262024 1.jif

Mr. Limon,

Attached to this email is my complaint of shed with an attached lean-to placed within the property setbacks which is in violation of Bosque Farms Village planning and zoning codes/regulations. . As you are aware, I have submitted another complaint form regarding a barn-like structure situated at the same property, 1680 Carpenter Dr. The reason this complaint form wasn't filed with the previous complaint form is I did not want the shed issue to interfere with the barn issue since the barn issue is the most objectionable of the two.

The shed is within two feet of the fence line I share with the property. It has a lean-to attached to it. The lean-to is affixed to the ground with buried poles that are part of its frame.

I would like the shed and attached lean-to to be moved to the proper legal distance away from the fence line as outlined in the Village's code/regulations.

With regards to the shed with an attached lean-to, it seems to me that Bosque Farm Village zoning ordinance 10-1-5-D and 10-1-5 R applies:

10-1-5-D.

Building and structure setback. All buildings and structures shall be placed on a lot in accordance with the following setback requirements:

(1).

There shall be a front setback of 30 feet and a side setback of 10 feet on all lots.

(2).

There shall be a rear setback of 10 feet on all lots with the exception as noted below in Subsection **D(4)**.

(3).

An accessory building shall not be placed within any front setback area.

(4).

An accessory building shall not be placed within any side or rear setback area except when the lot line borders a vehicle-accessible irrigation ditch, roadway or utility easement, in which case the accessory building may be placed on the lot line.

**R.**

Accessory structures.

[Amended 3-18-2021]

(1).

All accessory structures are subject to the development review process, including setbacks, floodplain review, tie-down regulations and painting of the entire structure when required.

**Thus, the shed with an attached lean-to would need a development permit pulled through the Village office and it must remain 10' away from the fence line.**

**The shed with an attached lean-to was not issued a permit and did not go through the development review process.**

**I would like the shed and attached lean-to to be moved to the proper legal distance away from the fence line as called for in the Village's code/regulations.**

Please email or telephone me if you have questions. My contact information is listed below. Attached is the complaint form and a picture of the shed with attached lean-to.



10/3/24, 8:31 AM

Mail - Michael Limon - Outlook

Please let me know how the village plans to proceed on this issue.

Thank you, Mr. Limon.

Sincerely,

Rex L Foutz

1660 Carpenter Dr.

Bosque Farms, NIM 87068

505-417-6622

Email: [mlee5360@aol.com](mailto:mlee5360@aol.com)



## Outlook

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### Additional contact info for 1680 Carpenter Dr

From mlee5360@aol.com <mlee5360@aol.com>  
Date Tue 7/9/2024 12:32 PM  
To Michael Limón <clerkadmin@bosquefarmsmn.gov>

Mr Limon,

I wanted to provide you additional information for the landlord and tenant of the property located at 1680 Carpenter Dr.

The owner is:

Julie Pluemer

Bosque Properties NM LLC

510 Garcia Lane

Bosque Farms NM 87068

505-379-2415

[pluemer12345@msn.com](mailto:pluemer12345@msn.com)

This information came the internet from a search for Bosque Properties, LLC.

The tenant is:

Bo Ganni

I am not sure if "Bo" is the correct spelling or if it is a nickname.

Thank you.

Sincerely,

10/31/24, 8:31 AM

Rex L Foutz

505-417-6622

Mail - Michael Limdn - Outlook



1680 Carpenter Dr

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From mlee5360@aol.com <mlee5360@aol.com>

Date Wed 8/7/2024 11:40 AM

To Michael Limón <clerkadmin@bosquefarmstn.gov>

2 attachments (3 MB)

image000000 (31).jpg; image000000 (30).jpg;

Mr. Limon,  
When considering the proper placement of the barn at 1680 Carpenter Dr., please consider any potential run-off. Attached are pics of run-off from that property to my property taken Monday night.  
Rex L. Foutz  
505-417-6622



## Outlook

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**Zoning 1680 Carpenter Dr**

From mlee5360@aol.com <mlee5360@aol.com>

Date Fri 8/9/2024 12:17 PM

To Michael Limón <clerkadmin@bosquefarmssnm.gov>

Mr. Limon,

I called and left a message for you earlier this morning.

The purpose of my call was to express my concern that another construction project may transpire this weekend next door at 1680 Carpenter Dr.

On Wednesday, three dump trucks of dirt were delivered next door (there could have been more that I am not aware of) and this morning, Friday, three dump truck loads of dirt were delivered. I don't know if more dirt is on the way.

Normally, I wouldn't be concerned, nor would it be any of my business, but given the history of this neighbor doing things without a permit or oversight of the Planning and Zoning department which impacts me and the value of my property, I am concerned. It appears he constructs things quickly and on the weekends. **I don't want to wake up on Monday with another building built too close to my fence line.** In the past he has said he planned to build a workshop.

I am hoping the Planning and Zoning department is aware and has control of the situation.

When we last spoke you mentioned you were going to have a site visit on Thursday (yesterday) and meet with the tenant and the owner of the property. I hope you were able to see firsthand what I have described to you.

Thank you for your assistance.

Sincerely,

Rex L Foutz

505-417-6622



Re: 1680 Carpenter Dr barn measurement data

From Michael Limón <clerkadmin@bosquefarmsnm.gov>  
Date Tue 9/10/2024 12:05 PM  
To mlee5360@aol.com <mlee5360@aol.com>

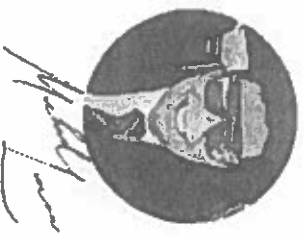
Good Afternoon Mr. Foutz,

The base of the barn I measured was the corners of the structure.

Also yes of course, once my staff has visited the property I will be sure to make you aware of what the measurements are in which are found.

Thank you for your patience on this matter and please know I am working to get this resolved as quickly as possible.

Thank you.



**VILLAGE OF BOSQUE FARMS**  
**Clerk / Administrator**  
 505-991-6611  
 clerkadmin@bosquefarmsnm.gov  
 1455 W. Bosque Loop  
 www.bosquefarmsnm.gov

\*For there is neither a printing or file server, a  
 cannot print nothing of otherwise what to give them that, use  
 never find more otherwise, email find the error that the  
 file there is able print to be able other one from the  
 users' level tag  
 - DA. Stephens

From: mlee5360@aol.com <mlee5360@aol.com>  
Sent: Tuesday, September 10, 2024 11:57 AM  
To: Michael Limón <clerkadmin@bosquefarmsnm.gov>  
Subject: Re: 1680 Carpenter Dr barn measurement data

Mr. Limon,  
You mentioned last night that you and other Village personnel would re-measure the distance from the barn to the fence line.



**From:** mlee5360@aol.com <mlee5360@aol.com>  
**Sent:** Wednesday, September 4, 2024 11:49 PM  
**To:** Michael Limon <clerkadmin@bosquefarmstn.gov>  
**Subject:** 1680 Carpenter Dr barn measurement data

Mr. Limon,

Thank you for taking my call to give me information on the monthly Planning and Zoning meeting. Also, while we were on the phone, I inquired why the barn at 1680 Carpenter Dr was approved and you stated that it was outside the ten-foot setback (ten feet or more from my fence or lot line). I explained that I had the distance between the barn and my fence measured, and it was only six feet. You mentioned you were going to go back to the property and measure the distance from the fence to the barn. If by chance, your measurements differ from mine, perhaps you can take a picture to share so I can see where you measured at.

Also, I am attaching a picture of the fence and the barn. I wanted to point out if you look at the right side of the picture, you'll see a white post. That post is the corner post for my fence. If you look at the next white post over to the left that is ten feet (the white posts are ten feet apart). Thus, that second post is where the back of the barn should be. You can see the back of the barn starts about four feet before the white post.

Also, look at the space between my white corner post and the back of the barn (the space where the ladder is). You don't even need a tape measure to see that space does not measure ten feet across. I have other pictures that have measurements, but I thought this one picture demonstrated, irrefutably, that the space between my fence and the barn is not even close to ten feet.

I also inquired today if there were any other reasons the Village thought the barn was in compliance and you stated no, so I guess it comes down to whether the barn is ten feet or more from my fence or lot line.

You said you were going to send Ms. Eastman's email address so I could give her background information ahead of time for the meeting. I didn't receive her email address. Of course, I wouldn't need Ms. Eastman's email nor attend the meeting if your measurements match mine and it is decided the barn needs to be altered in some fashion, so that it is in compliance with the 10 foot side setbacks.

Please let me know how your measurements turn out.

Sincerely,

Rex L. Foutz

505-417-6622





## Outlook

### Question regarding diagram

---

From mlee5360@aol.com <mlee5360@aol.com>

Date Tue 9/10/2024 2:29 PM

To Michael Limón <clerkadmin@bosquefarmsmn.gov>

1 attachments (546 KB)

image000000.jpg;

Mr. Limon,

Sorry to trouble you, but I have a question on something I just noticed. I was looking over my paperwork that I took to the meeting last night. On my diagram of the barn someone has added 6' and 10' at opposite ends of the barn with a line drawn from the fence to the barn at each end (see attachment). It appears this is indicating one end of the barn is 6 feet from the fence and the other end is 10 feet from the fence.

I remember you and Ms. Eastman were using the diagram, did one of you add the six and ten feet? Is that what the measurements' are or is that explaining what the measurements could be? Is there any significance to this? I do not think the distances from opposite ends of the barn to the fence could vary by four feet. The barn looked like it ran parallel to the old fence before the new fence went up.

Also, you and one of the board members were discussing survey markers. Did this marker indicate a different lot line than the old fence? Sincerely,  
Rex Foutz  
505-417-6622



Outlook

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**Message from Rex Foutz**

From mlee5360@aol.com <mlee5360@aol.com>  
Date Thu 9/12/2024 9:52 AM  
To Michael Limon <clerkadmin@bosquefarmsmn.gov>

Mr Limon,  
You may have received a email from me by mistake just now. It was for a potential surveyor. I had already sent this information to planning and zoning and board previously so disregard. Thanks.  
Rex



Re: Public Records Request

From mlee5360@aol.com <mlee5360@aol.com>  
Date Fri 9/13/2024 3:52 PM  
To Michael Limón <clerkadmin@bosquefarmsmn.gov>

Dear Mr. Limon,

I do very much appreciate your efforts and can understand the burden of working while understaffed; however, it seems like it is dragging along with no resolution in sight. It would seem the property owner would be given a deadline to make the property available for the Village's review and that the property owner would be more accommodating to the Village since it appears to me the property owner is the one in violation of Village's ordinances.

If the property owner isn't willing to give the Village access there is nothing left for me to do but request to be put on the council agenda as an action item, for an immediate decision; that this property owner has been allowed by the Village to construct a building that places my property in a hazardous condition. If at that point nothing is done, I will contact the FEMA state auditor for non-compliance by the Village of Bosque Farms.

It would be easier for all if the Village could have the building come into compliance along with the new build. Please note, I have been patient and have done everything that I know to do to get this matter resolved. Please inform me if you get a scheduled date with the property owner, so that I'll know something is in progress.

Respectfully,

Rex Foutz

On Friday, September 13, 2024 at 08:08:28 AM MDT, Michael Limón <clerkadmin@bosquefarmsmn.gov> wrote:

Good morning Mr. Foutz,

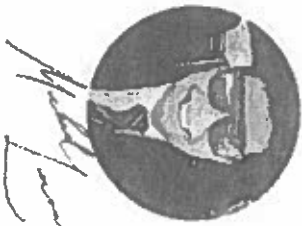
The records you received are everything the Village has on record for the property. As I've stated previously and state again, I am working with the property owner to bring his first unpermitted structure in compliance. The applicant has been informed that he cannot build the second structure until the first is permitted and the Village receives his design plans for the second. Should the property owner construct without a permit he will face fines and penalties as stated in the Planning & Zoning meeting which you attended on Monday September 9th.





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

Thank you.



VILLAGE OF BOSQUE FARMS  
Clerk / Administrator

505-991-6611

clerkadmin@bosquefarmsmn.gov

1455 W. Bosque Loop

www.bosquefarmsmn.gov

\*My time is limited & my way is the simple, a courteous helping of requests only. To give that time, we must find some Monday, must find the time that day. There is one person or under other that may, for everyone's benefit.  
- EA. SEPTEMBER

**From:** mlee5360@aol.com <mlee5360@aol.com>  
**Sent:** Thursday, September 12, 2024 11:44 AM  
**To:** Michael Limón <clerkadmin@bosquefarmsmn.gov>  
**Subject:** Public Records Request

Mr. Limón,  
I just sent a request for public records to Mr. Otero. For some reason when I send it from my AOL address book it has the previous P and Z employees names on it, not sure why, but I want to make sure Mr. Otero received it and you received it. I was sending it to both of you since I don't know who works on these requests.

Below is the form to request the stated records. Please let me know if you have any questions. I believe there is no charge if you send them to me by email, so I am requesting to receive them that way, where there is no charge.

Has their been any progress on the remeasuring of the barn or has a decision been made on what to do about the location of the barn?

With regards to the new construction at 1680 Carpenter Dr., I understand that they cannot start construction until they have an approved permit. Is that correct? Is it also correct that a permit will not be issued if it infringes on the setbacks? Just want to make sure I understand the process correctly.

Please let me know that you received my request. Please call or email me if you have questions on the form or other matter.

Sincerely,  
Rex Foutz  
505-417-6622



Public Records Request

---

From mlee5360@aol.com <mlee5360@aol.com >  
Date Thu 9/19/2024 4:12 PM  
To Michael Limón <clerkadmin@bosquefarmsnm.gov>

1 attachments (823 Kb)  
IPRA Doc .jpg:

Dear Mr. Limon,

Below is the form to request the stated records:

**DOCUMENTS REQUESTED:** Any and all documents to include permits, development review permits, plans, zoning violations, approvals, inspections, re-inspections, requests, plat maps, surveys for: 1680 Carpenter Dr, Bosque Farms, NIM 87068 otherwise known as Subd: Coventry Estates B-5-11 Lot 12: Unit 1 UPC # 101104125132600000, copies of, and confirmation of the Village of Bosque Farms building and structure set-backs located in section 10-1-5 (D) of General Regulations to be true and current to date.

Please let me know if you have any questions. I believe there is no charge if you submit them to me by email, so I am requesting to receive them that way, where there is no charge.

Please let me know that you received my request.

Sincerely,

Rex Foutz

505-417-6622

mlee5360@aol.com



Public Records Request

From mlee5360@aol.com <mlee5360@aol.com>

Date Thu 9/19/2024 4:12 PM

To Michael Limón <clerkadmin@bosquefarmsmn.gov>

1 attachments (823 KB)

IPRA Doc .jpg:

Dear Mr. Limon,

Below is the form to request the stated records:

DOCUMENTS REQUESTED: Any and all documents to include permits, development review permits, plans, zoning violations, approvals, inspections, re-inspections, requests, plat maps, surveys for: 1680 Carpenter Dr, Bosque Farms, NM 87068 otherwise known as Subd. Coventry Estates B-5-11 Lot 12: Unit 1 UPCC # 101104125132600000, copies of, and confirmation of the Village of Bosque Farms building and structure set-backs located in section 10-1-5 (D) of General Regulations to be true and current to date.

Please let me know if you have any questions. I believe there is no charge if you submit them to me by email, so I am requesting to receive them that way, where there is no charge.

Please let me know that you received my request.

Sincerely,

Rex Foutz

505-417-6622

mlee5360@aol.com





Outlook

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Re: In re: Status of requests made in Formal Complaint

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From mlee5360@aol.com <mlee5360@aol.com>

Date Fri 9/20/2024 10:49 AM

To Michael Limón <clerkadmin@bosquefarmsnm.gov>

Mr. Limon,

**I am alarmed by your actions.** As part of your action plan, you wrote, "Contact the landowner who originally authorized Mr. Gantt to build these structures while leasing with the intent to purchase the property and see if they are in approval of requesting a variance or if they would prefer that Mr. Gantt moves the structure to meet the setbacks". **The proper process at this point would simply be for code enforcement to issue a violation notice and if it is not corrected it goes to court, and property owner files for a variance. You should not be chasing down the property owner to see if she wants to file a variance. The property owner of 1680 Carpenter Dr. should not be treated any differently than any other property owner in Bosque Farms. This issue should be handled the same as a like issue would be handled for another resident.** I think you should not contact the homeowner about a variance until it has been determined that this is an ethical step by Planning and Zoning. Why wasn't a violation notice issued for the barn being built inside the setbacks?

You wrote, "Chairwoman Eastman has asked me to remind you that at each level of this process you will have the ability to request denial and appeal the decision of each step". What does it mean I have the ability to request denial? Please describe it in detail. What is each level of the process Ms. Eastman speaks of?

If the ability to request denial allows me the right to request denial for you to handle this in an unconventional manner, I am requesting that denial. I think the manner in which you handle this should be the same as the Planning and Zoning would **handle the issue with any other resident.**

You wrote, "Mr. Gantt has requested that he not have to move the barn like structure due to the costs of investment and the incorrect measurements that were provided to him by the previous planning and zoning administrator Mike Montoya". I don't understand what you mean by "...the incorrect measurements that were provided to him by the previous planning and zoning administrator Mike Montoya". What incorrect measurements is Mr. Gantt asserting Mr. Montoya give to Mr.

Gantt? Did Mr. Montoya go out and measure at the subject property? Did Mr. Gantt submit a plan and Mr. Montoya tell him the measurements were ok? What exactly did Mr. Montoya provide him? Please explain in detail.

"Mr. Gnatt has requested that he not have to move the barn like structure...."

Did he do a formal request in writing? Please provide me with this written document. If not in writing it has no validity.

Also, I am in sure what legal standing Mr. Gantt has in this as a tenant. You now mention he is leasing with the intent to purchase the property. Have you seen the lease-purchase agreement?

You didn't mention the final measurement. I say one picture with a measurement of 50 inches to the center of the pole. Is the barn 50 inches from the fence-line? Is that the official measurement?

Based on what I see, the property owner at 1680 Carpenter is in violation of several Village of Bosque Farms Codified Ordinances and FEMA Regulations which in turn places my property at risk of flood damage and or insurance penalties for not being in compliance. Has FEMA looked at this? You stated no one at this time has flood plain experience? Is someone with knowledge going to certify that having the barn built within the setbacks will not cause flooding or run-off onto my property? It doesn't seem right that the Village would issue a variance to a property that isn't in compliance with FEMA regulations which would negatively impact my property?

Was a violation notice issued for the start of construction of the new building?

At what point will the plans, plat maps, development review permits, approvals, inspections, surveys and re-inspections for 1680 Carpenter be submitted to determine what work has been completed, approved or inspected?

You wrote, "I am doing all that I can within my workload and time as the Clerk administrator to handle this issue between you and your neighbor with unbiased judgement and proper regard to Village ordinances". Let me clarify, this is not an issue between me and my neighbor. This is an issue where someone built a structure inside the setbacks as outlined in the ordinances. The building inside the setbacks impacts every resident of Bosque Farms.

You wrote, "Contact the landowner who originally authorized Mr. Gantt to build these structures....". You previously told me the landowner was not aware Mr. Gantt had built the barn. Which is it, was she aware of it being built or wasn't she aware?

Since the shed is not within compliance with the setback will a violation notice be sent?

On September 10, 2024, I sent an email with the following, "Mr. Limon,

Sorry to trouble you, but I have a question on something I just noticed. I was looking over my paperwork that I took to the meeting last night. On my diagram of the barn someone has added 6' and 10' at opposite ends of the barn with a line

drawn from the fence to the barn at each end (see attachment). It appears this is indicating one end of the barn is 6 feet from the fence and the other end is 10 feet from the fence.

I remember you and Ms. Eastman were using the diagram, did one of you add the six and ten feet? Is that what the measurements are or is that explaining what the measurements could be? Is there any significance to this? I do not think the distances from opposite ends of the barn to the fence could vary by four feet. The barn looked like it ran parallel to the old fence before the new fence went up". I never received a response; could you please?

Sincerely,

Rex Foutz

505-417-6622

On Thursday, September 19, 2024 at 04:36:44 PM MDT, Michael Limón <clerkadmin@bosquetamsnm.gov> wrote:

Good afternoon Mr. Foutz,

On 9/18/24 at approximately 4:45 PM Code Enforcement officer Fermín Otero, Mayor Chris Gillespie and I walked Mr. Gantt's property and measured the distance between the barn like structure and your fence line. Through the measurements performed by Mr. Otero and confirmed by Mayor Gillespie the setback is not being met. My measurements of 10 feet and the drawings provided by Mr. Gantt that state 11 were inaccurate. We also identified the secondary structure that I could not recall at the time of my first visit. This shed is also not within compliance with the setback.

Currently at this point of investigation I will be taking my findings and preparing a report for the Planning & Zoning Commission. Mr. Gantt has requested that he not have to move the barn like structure due to the costs of investment and the incorrect measurements that were provided to him by the previous planning and zoning administrator Mike Montoya.

My action plan is the following:

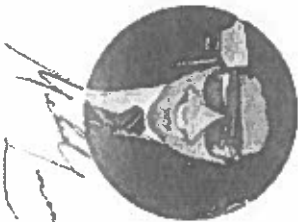
1. Contact the landowner who originally authorized Mr. Gantt to build these structures while leasing with the intent to purchase the property and see if they are in approval of requesting a variance or if they would prefer that Mr. Gantt moves the structure to meet the setbacks.
2. Take this information and provide a complete summary report to the Planning and Zoning Commission so that they can host a public hearing to decide an approval or denial and total of fines for 1680 Carpenter.
3. Proceed with the recommendation of the Planning and Zoning Commission and have this item held in a public hearing with the Governing Body for final approval.

Chairwoman Eastman has asked me to remind you that at each level of this process you will have the ability to request denial and appeal the decision of each step. Again, as stated previously I am showing no favoritism or acting out of Village ordinances when dealing with out of compliance residents. I am doing all that I can within my workload and time as the Clerk administrator to handle this issue between you and your neighbor with unbiased judgement and proper regard to Village ordinances. Attached you will find images taken yesterday during our site visit that showcase the proof of violation of setbacks. There is no

further documentation regarding 1680 Carpenter in relation to your information request. You have been provided with the original permit that Mr. Gantt filed via email on September 12th. No other documentation exists. Mr. Gantt has been instructed not to build or request a permit for another structure until the first one has been permitted correctly. Therefore, your information request is completed.

Should you have any additional questions regarding the process I have listed for compliance please do not hesitate to contact me further and I will look to respond accordingly.

Thank you.



**VILLAGE OF BOSQUE FARMS**  
 Clerk / Administrator  
 505-991-6611  
 clerkadmin@bosquefarmsmn.gov  
 1455 W. Bosque Loop  
 www.bosquefarmsmn.gov

\*We strive to provide a business as the industry & customer's best of customer service. We are here to help you in any way we can. We are committed to providing the best service possible. We are committed to providing the best service possible. We are committed to providing the best service possible.

From: mlee5360@aol.com <mlee5360@aol.com>  
 Sent: Wednesday, September 18, 2024 8:28 PM  
 To: Michael Limón <clerkadmin@bosquefarmsmn.gov>; Chris Gillespie <mayor@bosquefarmsmn.gov>  
 Subject: In re: Status of requests made in Formal Complaint

In re: Status of requests made in formal complaint about construction and permanent structures placed within the designated setback areas, and permanent structures being built without a permit or inspection.

Dear Mr. Mayor and Mr. Limon,

Earlier this week, in a Formal Complaint, I asked either to be placed on the next Council agenda as an action item or Mr. Limon and Code Enforcement to fulfill their duties and correct the violations, I am asking for a final decision and action to assure that my property is safe.

10/3/24, 8:38 AM

Mail - Michael Limón - Outlook

Has a decision been made on either of these two requests?

Thank you for your immediate action on this and I look forward to an immediate plan of action and resolution. I would also appreciate any updated information you might have.

Sincerely,

Rex Foutz

505-417-6622



Outlook

---

**Fwd: Special Treatment In the Planning and Zoning Process and Enforcement of the Village Ordinances**

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From Sharon Eastman <sharoneastman70@gmail.com>  
Date Mon 9/23/2024 11:07 AM  
To Michael Limón <clerkadmin@bosquefarmsnm.gov>

----- Forwarded message -----

From: [mlee5360@aol.com](mailto:mlee5360@aol.com) <[mlee5360@aol.com](mailto:mlee5360@aol.com)>  
Date: Fri, Sep 20, 2024 at 3:20 PM  
Subject: Special Treatment In the Planning and Zoning Process and Enforcement of the Village Ordinances  
To: [sharoneastman70@gmail.com](mailto:sharoneastman70@gmail.com) <[sharoneastman70@gmail.com](mailto:sharoneastman70@gmail.com)>

Dear Ms. Eastman,

It was nice talking with you during the Planning and Zoning meeting of September 9, 2024, regarding a structure being built inside the setbacks.

I left the meeting with the hope that this issue and enforcement of the ordinances would be decided in a fair manner based upon the Bosque Farms ordinances. The structure was subsequently found to not be in compliance with the setback rules.

It appears to me that the property owner/tenant of this property is being given special treatment since the normal Planning and Zoning process is not being followed in the handling of this matter as it would with any other resident.

**The proper process at this point should simply be for code enforcement to issue a violation notice and if it is not corrected it goes to court, and the property owner files for a variance, if desired.**

In this instance, according to Mr. Limon's action plan (see emails below for more detail), he will "Contact the landowner who originally authorized Mr. Gantt to build these structures while leasing with the intent to purchase the property and see if they are in approval of requesting a variance or if they would prefer that Mr. Gantt moves the structure to meet the setbacks".

**Why isn't Mr. Limon simply issuing a violation like it would to any other resident? Why is he seeking out the property owner's approval?**

I think to the average man or woman on the street, this atypical handling of the process gives the appearance of partiality, favoritism, or special treatment.

Below is the email he sent me of his intentions and my response to him.

Sincerely,

Rex Foutz

505-417-6622

----- Forwarded Message -----

From: [mlee5360@aol.com](mailto:mlee5360@aol.com) <[mlee5360@aol.com](mailto:mlee5360@aol.com)>

To: Michael Limon <[clefkadmln@bosquefarmstnm.gov](mailto:clefkadmln@bosquefarmstnm.gov)>

Sent: Friday, September 20, 2024 at 10:48:46 AM MDT

Subject: Re: In re: Status of requests made in Formal Complaint

Mr. Limon,

**I am alarmed by your actions.** As part of your action plan, you wrote, "Contact the landowner who originally authorized Mr. Gantt to build these structures while leasing with the intent to purchase the property and see if they are in approval of requesting a variance or if they would prefer that Mr. Gantt moves the structure to meet the setbacks". **The proper process at this point would simply be for code enforcement to issue a violation notice and if it is not corrected it goes to court, and property owner files for a variance. You should not be chasing down the property owner to see if she wants to file a variance. The property owner of 1680 Carpenter Dr. should not be treated any differently than any other property owner in Bosque Farms. This issue should be handled the same as a like issue would be handled for another resident.** I think you should not contact the homeowner about a variance until it has been determined that this is an ethical step by Planning and Zoning. Why wasn't a violation notice issued for the barn being built inside the setbacks?

You wrote, "Chairwoman Eastman has asked me to remind you that at each level of this process you will have the ability to request denial and appeal the decision of each step". What does it mean I have the ability to request denial? Please describe it in detail. What is each level of the process Ms. Eastman speaks of?

If the ability to request denial allows me the right to request denial for you to handle this in an unconventional manner, I am requesting that denial. I think the manner in which you handle this should be the same as the Planning and Zoning

would handle the issue with any other resident.

You wrote, "Mr. Gnatt has requested that he not have to move the barn like structure due to the costs of investment and the incorrect measurements that were provided to him by the previous planning and zoning administrator Mike Montoya". I don't understand what you mean by "...the incorrect measurements that were provided to him by the previous planning and zoning administrator Mike Montoya". What incorrect measurements is Mr. Gantt asserting Mr. Montoya give to Mr. Gantt? Did Mr. Montoya go out and measure at the subject property? Did Mr. Gantt submit a plan and Mr. Montoya tell him the measurements were ok? What exactly did Mr. Montoya provide him? Please explain in detail.

"Mr. Gnatt has requested that he not have to move the barn like structure...."

Did he do a formal request in writing? Please provide me with this written document. If not in writing it has no validity. Also, I am in sure what legal standing Mr. Gantt has in this as a tenant. You now mention he is leasing with the intent to purchase the property. Have you seen the lease-purchase agreement?

You didn't mention the final measurement. I say one picture with a measurement of 50 inches to the center of the pole. Is the barn 50 inches from the fence-line? Is that the official measurement?

Based on what I see, the property owner at 1680 Carpenter is in violation of several Village of Bosque Farms Codified Ordinances and FEMA Regulations which in turn places my property at risk of flood damage and or insurance penalties for not being in compliance. Has FEMA looked at this? You stated no one at this time has flood plain experience? Is someone with knowledge going to certify that having the barn built within the setbacks will not cause flooding or run-off onto my property? It doesn't seem right that the Village would issue a variance to a property that isn't in compliance with FEMA regulations which would negatively impact my property?

Was a violation notice issued for the start of construction of the new building?

At what point will the plans, plat maps, development review permits, approvals, inspections, surveys and re-inspections for 1680 Carpenter be submitted to determine what work has been completed, approved or inspected?

You wrote, "I am doing all that I can within my workload and time as the Clerk administrator to handle this issue between you and your neighbor with unbiased judgement and proper regard to Village ordinances". Let me clarify, this is not an issue between me and my neighbor. This is an issue where someone built a structure inside the setbacks as outlined in the ordinances. The building inside the setbacks impacts every resident of Bosque Farms.

You wrote, "Contact the landowner who originally authorized Mr. Gantt to build these structures....". You previously told me the landowner was not aware Mr. Gantt had built the barn. Which is it, was she aware of it being built or wasn't she aware?



Since the shed is not within compliance with the setback will a violation notice be sent?

On September 10, 2024, I sent an email with the following, "Mr. Limon,

Sorry to trouble you, but I have a question on something I just noticed. I was looking over my paperwork that I took to the meeting last night. On my diagram of the barn someone has added 6' and 10' at opposite ends of the barn with a line drawn from the fence to the barn at each end (see attachment). It appears this is indicating one end of the barn is 6 feet from the fence and the other end is 10 feet from the fence.

I remember you and Ms. Eastman were using the diagram, did one of you add the six and ten feet? Is that what the measurements' are or is that explaining what the measurements could be? Is there any significance to this? I do not think the distances from opposite ends of the barn to the fence could vary by four feet. The barn looked like it ran parallel to the old fence before the new fence went up". I never received a response; could you please?

Sincerely,  
Rex Foutz  
505-417-6622

On Thursday, September 19, 2024 at 04:36:44 PM MDT, Michael Limon <[clerkadmil@bosquefarmssnm.gov](mailto:clerkadmil@bosquefarmssnm.gov)> wrote:

Good afternoon Mr. Foutz,

On 9/18/24 at approximately 4:45 PM Code Enforcement officer Fermin Otero, Mayor Chris Gillespie and I walked Mr. Gantt's property and measured the distance between the barn like structure and your fence line. Through the measurements performed by Mr. Otero and confirmed by Mayor Gillespie the setback is not being met. My measurements of 10 feet and the drawings provided by Mr. Gantt that state 11 were inaccurate. We also identified the secondary structure that I could not recall at the time of my first visit. This shed is also not within compliance with the setback.

Currently at this point of investigation I will be taking my findings and preparing a report for the Planning & Zoning Commission. Mr. Gantt has requested that he not have to move the barn like structure due to the costs of investment and the incorrect measurements that were provided to him by the previous planning and zoning administrator Mike Montoya.

My action plan is the following:

- 1. Contact the landowner who originally authorized Mr. Gantt to build these structures while leasing with the intent to purchase the property and see if they are in approval of requesting a variance or if they would prefer that Mr. Gantt moves the structure to meet the setbacks.
- 2. Take this information and provide a complete summary report to the Planning and Zoning Commission so that they can host a public hearing to decide an approval or denial and total of fines for 1680 Carpenter.

3. Proceed with the recommendation of the Planning and Zoning Commission and have this item held in a public hearing with the Governing Body for final approval.

Chairwoman Eastman has asked me to remind you that at each level of this process you will have the ability to request denial and appeal the decision of each step. Again, as stated previously I am showing no favoritism or acting out of Village ordinances when dealing with out of compliance residents. I am doing all that I can within my workload and time as the Clerk administrator to handle this issue between you and your neighbor with unbiased judgement and proper regard to Village ordinances. Attached you will find images taken yesterday during our site visit that showcase the proof of violation of setbacks. There is no further documentation regarding 1680 Carpenter in relation to your information request. You have been provided with the original permit that Mr. Gantt filed via email on September 12th. No other documentation exists. Mr. Gantt has been instructed not to build or request a permit for another structure until the first one has been permitted correctly. Therefore, your information request is completed.

Should you have any additional questions regarding the process I have listed for compliance please do not hesitate to contact me further and I will look to respond accordingly.

Thank you.



VILLAGE OF BOSQUE FARMS  
Clerk / Administrator  
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www.bosquefarmnm.gov

\*This letter is either a hearing or the issuance of a decision regarding if a violation exists. To give that final, one more final order allowing, that's final the administrative final. There is one going to be made about the town. The ordinance doesn't exist.  
- B. Robinson

From: [mlee5360@aol.com](mailto:mlee5360@aol.com) <[mlee5360@aol.com](mailto:mlee5360@aol.com)>  
Sent: Wednesday, September 18, 2024 8:28 PM  
To: Michael Limón <[clerkadmin@bosquefarmnm.gov](mailto:clerkadmin@bosquefarmnm.gov)>; Chris Gillespie <[mayor@bosquefarmnm.gov](mailto:mayor@bosquefarmnm.gov)>  
Subject: In re: Status of requests made in Formal Complaint

In re: Status of requests made in formal complaint about construction and permanent structures placed within the designated setback areas, and permanent structures being built without a permit or inspection.

Dear Mr. Mayor and Mr. Limon,

Earlier this week, in a Formal Complaint, I asked either to be placed on the next Council agenda as an action item or Mr. Limon and Code Enforcement to fulfill their duties and correct the violations, I am asking for a final decision and action to assure that my property is safe.

Has a decision been made on either of these two requests?

Thank you for your immediate action on this and I look forward to an immediate plan of action and resolution. I would also appreciate any updated information you might have.

Sincerely,

Rex Foutz

505-417-6622



As there is nothing to report at this time, on this subject, this is informational only.

Chris Gillespie,

Mayor, Bosque Farms NM

**From:** mlee5360@aol.com <mlee5360@aol.com>  
**Sent:** Wednesday, September 25, 2024 8:37 PM  
**To:** Chris Gillespie <mayor@bosquefarmsnm.gov>  
**Subject:** Non-response to September 20, 2024 Inquiries

Dear Mayor Gillespie,

Last Friday, September 20, 2024, I sent an email to Mr. Limon, Planning and Zoning Officer, with questions pertaining to a zoning issue at 1680 Carpenter Dr., and his action plan. My email was in response to his email to me of September 19, 2024. I forwarded you a copy of both emails on September 20, 2024.

*As of Wednesday evening, September 25, 2024, I have not received a response from Mr. Limon.*

I have a concern that Mr. Limon is not going to respond to me before he submits his summary to the Planning and Zoning Commission as part of his action plan described in his email; or that he will respond to me without giving me time to point out anything I perceive as inaccurate or inconsistent, or lack of agreement; or that he does not answer the questions completely. All questions I asked were reasonable.

Mr. Limon wrote, "Chairwoman Eastman has asked me to remind you that at each level of this process you will have the ability to request denial and appeal the decision of each step". I don't know what that means and entails. I asked Mr. Limon to explain. *Are steps being taken right now that I should have the ability to request denial or appeal? Have steps already been taken that I should have had the ability to request denial or appeal?*

I should be informed of what is being done at each level of this process since any decision impacts my property. I am uncertain as to whether his summary report has already been submitted to the Planning and Zoning Commission.

According to Mr. Limon's he instructed Mr. Gantt not to build another structure until the first one has been permitted correctly. According to Mr. Limon, he visited the property accompanied by you and Mr. Otero. I am sure it was obvious to all that a new construction site was being developed. Could the Planning and Zoning office do a 'drive by' from time

to time to confirm Mr. Mr. Limon's instructions are being followed? If a picture wasn't taken at the time of the aforementioned visit, perhaps one could be taken as a 'baseline' to determine whether Mr. Limon's instructions are being followed. Should I observe further construction to this building site, should I report it?

Thank you, Mr. Mayor.

Sincerely,

Rex L Foutz

505-417-6622

----- Forwarded Message -----

From: [mlee5360@aol.com](mailto:mlee5360@aol.com) <[mlee5360@aol.com](mailto:mlee5360@aol.com)>

To: Chris Gillespie <[mayor@bosquefarmsnm.gov](mailto:mayor@bosquefarmsnm.gov)>

Sent: Friday, September 20, 2024 at 11:42:02 AM MDT

Subject: Fw: In re: Status of requests made in Formal Complaint

----- Forwarded Message -----

From: [mlee5360@aol.com](mailto:mlee5360@aol.com) <[mlee5360@aol.com](mailto:mlee5360@aol.com)>

To: Michael Limón <[clerkadmin@bosquefarmsnm.gov](mailto:clerkadmin@bosquefarmsnm.gov)>

Sent: Friday, September 20, 2024 at 10:48:46 AM MDT

Subject: Re: In re: Status of requests made in Formal Complaint

Mr. Limon,

**I am alarmed by your actions. As part of your action plan, you wrote, "Contact the landowner who originally authorized Mr. Gantt to build these structures while leasing with the intent to purchase the property and see if they**



someone with knowledge going to certify that having the barn built within the setbacks will not cause flooding or run-off onto my property? It doesn't seem right that the Village would issue a variance to a property that isn't in compliance with FEMA regulations which would negatively impact my property?

**Was a violation notice issued for the start of construction of the new building?**

At what point will the plans, plat maps, development review permits, approvals, inspections, surveys and re-inspections for 1680 Carpenter be submitted to determine what work has been completed, approved or inspected?

You wrote, "I am doing all that I can within my workload and time as the Clerk administrator to handle this issue between you and your neighbor with unbiased judgement and proper regard to Village ordinances". Let me clarify, this is not an issue between me and my neighbor. This is an issue where someone built a structure inside the setbacks as outlined in the ordinances. The building inside the setbacks impacts every resident of Bosque Farms.

You wrote, "Contact the landowner who originally authorized Mr. Gantt to build these structures...". You previously told me the landowner was not aware Mr. Gantt had built the barn. Which is it, was she aware of it being built or wasn't she aware?

**Since the shed is not within compliance with the setback will a violation notice be sent?**

On September 10, 2024, I sent an email with the following, "Mr. Limon,

Sorry to trouble you, but I have a question on something I just noticed. I was looking over my paperwork that I took to the meeting last night. On my diagram of the barn someone has added 6' and 10' at opposite ends of the barn with a line drawn from the fence to the barn at each end (see attachment). It appears this is indicating one end of the barn is 6 feet from the fence and the other end is 10 feet from the fence.

I remember you and Ms. Eastman were using the diagram, did one of you add the six and ten feet? Is that what the measurements are or is that explaining what the measurements could be? Is there any significance to this? I do not think the distances from opposite ends of the barn to the fence could vary by four feet. The barn looked like it ran parallel to the old fence before the new fence went up". I never received a response; could you please?

Sincerely,

Rex Foutz

505-417-6622

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Good afternoon Mr. Foutz,

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Should you have any additional questions regarding the process I have listed for compliance please do not hesitate to contact me further and I will look to respond accordingly.

Thank you.



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\*This letter is being e-mailed to you through a computer system. If you are unable to view this e-mail, please contact the sender by phone. There is no charge for sending e-mail. If you are unable to view this e-mail, please contact the sender by phone. If you are unable to view this e-mail, please contact the sender by phone. If you are unable to view this e-mail, please contact the sender by phone.

**From:** mlee5360@aol.com <mlee5360@aol.com>  
**Sent:** Wednesday, September 18, 2024 8:28 PM  
**To:** Michael Limon <clerkadmin@bosquefarmnm.gov>; Chris Gillespie <mayor@bosquefarmnm.gov>  
**Subject:** In re: Status of requests made in Formal Complaint

In re: Status of requests made in formal complaint about construction and permanent structures placed within the designated setback areas, and permanent structures being built without a permit or inspection.

Dear Mr. Mayor and Mr. Limon,

Earlier this week, in a Formal Complaint, I asked either to be placed on the next Council agenda as an action item or Mr. Limon and Code Enforcement to fulfill their duties and correct the violations, I am asking for a final decision and action to assure that my property is safe.

Has a decision been made on either of these two requests?

Thank you for your immediate action on this and I look forward to an immediate plan of action and resolution. I would also appreciate any updated information you might have.

Sincerely,

Rex Foutz

505-417-6622



Re: 1680 Carpenter Dr barn measurement data

From Michael Limón <clerkadmin@bosquefarmsnm.gov>

Date Tue 9/10/2024 12:05 PM

To mlee5360@aol.com <mlee5360@aol.com>

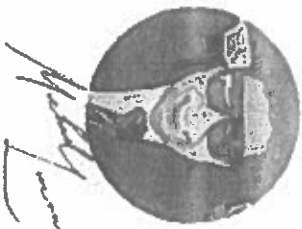
Good Afternoon Mr. Foutz,

The base of the barn I measured was the corners of the structure.

Also yes of course, once my staff has visited the property I will be sure to make you aware of what the measurements are in which are found.

Thank you for your patience on this matter and please know I am working to get this resolved as quickly as possible.

Thank you.



VILLAGE OF BOSQUE FARMS  
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\*For faster e-mailing a reply, reply to the sender's e-mail address. Do not use the "Reply" button on the e-mail message. If you are not the sender, please do not forward the e-mail message to other recipients. For more information, please contact the Village of Bosque Farms.

From: mlee5360@aol.com <mlee5360@aol.com>

Sent: Tuesday, September 10, 2024 11:57 AM

To: Michael Limón <clerkadmin@bosquefarmsnm.gov>

Subject: Re: 1680 Carpenter Dr barn measurement data

Mr. Limón,

You mentioned last night that you and other Village personnel would re-measure the distance from the barn to the fence line.

When doing your measurements would you please also measure the distance between my back corner post (or pole) and the barn and measure the distance between the back corner white post and the next white post over (the post to the left of the corner post in the picture I used in the Planning and Zoning meeting last night. I have sent this picture to you previously). As I mentioned previously, I think it would be good if we were measuring at the same place. I had mentioned this before but wanted to touch base with you on it. Can you let me know how your measurements turn out and what the Village's decision is on this matter? If your measurements are different than mine for some reason, I need to hire a surveyor or engineer to measure and issue a report. I would prefer not to have to do this if it is not necessary.

Also, last night you mentioned you were measuring from the barn's foundation. Did you mean the steel beams that are part of the barn? Thank you for giving me the information about the meeting.

Sincerely,  
Rex Foutz  
505-417-6622

On Thursday, September 5, 2024 at 11:21:11 AM MDT, Michael Limón <clerkadmnh@bosquefarmsmn.gov> wrote:

Good Afternoon Mr. Foutz,

The following emails are for the planning and zoning commission chair and co chair: sharoneastman70@gmail.com dangaye@msn.com

I am still intending to visit the property this Friday if I can make contact with the property owner, if not I still intend to visit the property this coming week to ensure that I follow up on those measurements.

Thanks for following through with the reminder.

Please do let me know if you require more information.



**VILLAGE OF BOSQUE FARMS**  
Clerk / Administrator  
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clerkadmnh@bosquefarmsmn.gov  
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\*Our intent is to provide a summary of the information, or a condensed version of the information, and not to provide a legal opinion. If you have any questions, please contact the Village Clerk. There is one hour in the week where our staff is available to answer your questions.

- B.A. Johnson

From: m1ees360@aol.com <m1ees360@aol.com>  
Sent: Wednesday, September 4, 2024 11:49 PM  
To: Michael Limón <clerkadmin@bosquefarmsmn.gov>  
Subject: 1680 Carpenter Dr barn measurement data

Mr. Limon,

Thank you for taking my call to give me information on the monthly Planning and Zoning meeting. Also, while we were on the phone, I inquired why the barn at 1680 Carpenter Dr was approved and you stated that it was outside the ten-foot setback (ten feet or more from my fence or lot line). I explained that I had the distance between the barn and my fence measured, and it was only six feet.

You mentioned you were going to go back to the property and measure the distance from the fence to the barn. If by chance, your measurements differ from mine, perhaps you can take a picture to share so I can see where you measured at.

Also, I am attaching a picture of the fence and the barn. I wanted to point out if you look at the right side of the picture, you'll see a white post. That post is the corner post for my fence. If you look at the next white post over to the left that is ten feet (the white posts are ten feet apart). Thus, that second post is where the back of the barn should be. You can see the back of the barn starts about four feet before the white post.

Also, look at the space between my white corner post and the back of the barn (the space where the ladder is). You don't even need a tape measure to see that space does not measure ten feet across. I have other pictures that have measurements, but I thought this one picture demonstrated, irrefutably, that the space between my fence and the barn is not even close to ten feet.

I also inquired today if there were any other reasons the Village thought the barn was in compliance and you stated no, so I guess it comes down to whether the barn is ten feet or more from my fence or lot line.

You said you were going to send Ms. Eastman's email address so I could give her background information ahead of time for the meeting. I didn't receive her email address. Of course, I wouldn't need Ms. Eastman's email nor attend the meeting if your measurements match mine and it is decided the barn needs to be altered in some fashion, so that it is in compliance with the 10 foot side setbacks.

Please let me know how your measurements turn out.

Sincerely,

Rex L. Foutz

505-417-6622

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**Re: Public Records Request**

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From Michael Limón <clerkadmin@bosquefarmstn.gov>  
Date: Fri 9/13/2024 8:08 AM  
To: mlee5360@aol.com <mlee5360@aol.com>  
Cc: Chris Gillespie <mayor@bosquefarmstn.gov>  
Bcc: Shaline Lopez <slopez@bosquefarmstn.gov>

Good morning Mr. Foutz,

The records you received are everything the Village has on record for the property. As I've stated previously and state again, I am working with the property owner to bring his first unpermitted structure in compliance. The applicant has been informed that he cannot build the second structure until the first is permitted and the Village receives his design plans for the second. Should the property owner construct without a permit he will face fines and penalties as stated in the Planning & Zoning meeting which you attended on Monday September 9th.

Code enforcement is currently out in training this week with the Municipal league and will be back in the office Monday September 16th. As I've stated previously, I've had unsuccessful contact with the property owner and intend to visit and have his structures measured by the Mayor and code enforcement once scheduled.

The property owner has never been authorized to construct without a permit and will face penalties.

To address your concern about the shed in which you sent images for yes, Mr. Foutz I will verify the structure exists and if encroaching on setbacks I will have it moved.

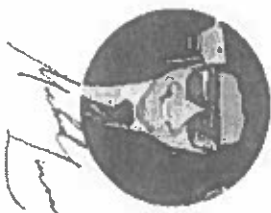
The Village is currently working with Heath Dobrovoly from FEMA as an advisor so that code enforcement and I can become certified floodplain managers through educational courses which FEMA recommends.

In summary your information request was fulfilled as I provided everything the Village has on file. I have yet to receive the design of the second structure. Should you wish to file a complaint I have copied Mayor Chris Gillespie so that in which you will have his contact information.

I have been accommodating in sharing the most up to date information regarding your concern for your neighbor's property and am executing the best efforts to ensure all residents comply with Village ordinances. It is within my best efforts under the current workload and short staff that I am operating at maximum capacity.

I will be in contact with you once I have updated information as I've stated in my previous communications, please be advised that I will be out of the office today due to medical appointments and will have limited availability to access email or address phone calls.

Thank you.



**VILLAGE OF BOSQUE FARMS**  
 Clerk / Administrator  
 505-991-6511  
 clerksadmin@bosquefarmsmn.gov  
 1455 W. Bosque Loop  
 www.bosquefarmsmn.gov

\*We have a building in planning in the center of a residential district. If anyone would like to see the site, and any other information, please contact the Clerk of the Village. There is no plan to build a new building. The Village Clerk's Office is located at 1455 W. Bosque Loop.

From: mlee5360@aol.com <mlee5360@aol.com>  
 Sent: Friday, September 13, 2024 7:40 AM  
 To: Michael Limon <clerkadmin@bosquefarmsmn.gov>  
 Subject: Re: Public Records Request

Mr. Limon,

Thank you for the quick response, but I feel that you did not fulfill my request as required. I did not receive plans for the built structure, and I did not receive plans for the planned structure, based on the site plan it shows the built structure will be 11' away from my property, section 11 of the village of Bosque Farms adopted ordinance requires an approved review of permit prior to engaging in any new build, and can not adversely impact neighboring properties, the fact that this structure will be draining onto my property is an issue with me.

I personally see violations of section 10-1 and 11-1 of the Village of Bosque Farms Ordinance, and a violation of the Inspection of Public records Act by not fulfilling my request. I am asking for the following

1. your Code Enforcement open up a case for violations of the ordinance, that has the potential to be detrimental to my personal property WITH THE VILLAGES APPROVAL.
2. fulfill my IPRA request as stated completely.
3. Immediately place this item before the council and or judge for a decision. This is clearly not adhering to the set-back requirements and judging from the paperwork you showed me your department clearly did not obtain or did not share the required documents.

And please remember that there are timelines to fulfill an IPRA request that I am sure you are well aware of.

Also, who is regulating or inspecting FEMA flood standards, Sec 11 of Bosque Farms ordinances?

I previously sent a complaint to you on the shed with a lean to attached. You told me you did not see it when you visited the property. Do you plan to measure it when you next visit the property?

It appears to me the site for the new build is being worked to prepare for the new build. It is my understanding that no work should be done UNTIL everything is approved. Am I correct?

Respectfully,  
 Rex Foutz



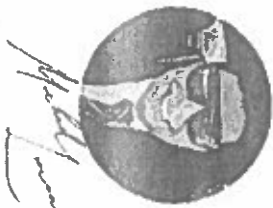
On Thursday, September 12, 2024 at 03:49:09 PM MDT, Michael Limón <clerkadmin@bosquefarmsmn.gov> wrote:

Good afternoon Mr. Foutz,

The Village is in receipt of your information request. I did receive your email as well as a notice from my code Enforcement officer. I am currently the custodian of record for the Village of Bosque Farms so I will be handling your information request. There will be no charge for this information request as I can provide the documents you requested digitally. Currently the property located on 1680 Carpenter is under investigation to come in compliance and I actively working with the property owner to ensure the layout of his projects match design and are in compliance with Village ordinances. I've attached the permit that I have on file, however, please be advised that it is not fully completed, until I can confirm the measurements of the structure are accurate. I am still working with the property owner to schedule a site visit.

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

Thank you.



**VILLAGE OF BOSQUE FARMS**

**Clerk / Administrator**

505-991-6611

clerkadmin@bosquefarmsmn.gov

1455 W. Bosque Loop

www.bosquefarmsmn.gov

\*The Village of Bosque Farms is an Equal Opportunity Employer. We are an affirmative action employer. Minorities and women are encouraged to apply. If you are interested in this position, please contact the Village of Bosque Farms at 505-991-6611 or visit our website at www.bosquefarmsmn.gov. \* EA 507/2000

From: mlee5360@aol.com <mlee5360@aol.com>

Sent: Thursday, September 12, 2024 11:44 AM

To: Michael Limón <clerkadmin@bosquefarmsmn.gov>

Subject: Public Records Request

Mr. Limón,

I just sent a request for public records to Mr. Otero. For some reason when I send it from my AOL address book it has the previous P and Z employees names on it, not sure why, but I want to make sure Mr. Otero received it and you received it. I was sending it to both of you since I don't know who works on these requests.

Below is the form to request the stated records. Please let me know if you have any questions. I believe there is no charge if you send them to me by email, so I am requesting to receive them that way, where there is no charge.

Has their been any progress on the remeasuring of the barn or has a decision been made on what to do about the location of the barn?

With regards to the new construction at 1680 Carpenter Dr., I understand that they cannot start construction until they have an approved permit. Is that correct? Is it also correct that a permit will not be issued if it infringes on the setbacks? Just want to make sure I understand the process correctly.

Please let me know that you received my request. Please call or email me if you have questions on the from or other matter.

Sincerely,  
Rex Foutz

<https://outlook.office.com/mail/wd/AAMKA6JIOGJNRLTgzOTYwNDEzNS1hZmNmLTM4ZDK2ZjE3YTksNgBGAADZPasVZgz4Sak0%2Bw1JLr3Bw67NedQ733QanhSCZmNnyAAAAAEJAAB7...>



## Outlook

**Re: In re: Status of requests made in Formal Complaint**

From Michael Limón <clerkadmin@bosquefarmsmn.gov>

Date Thu 9/19/2024 4:34 PM

To mlee5360@aol.com <mlee5360@aol.com>; Chris Gillespie <mayor@bosquefarmsmn.gov>

4 attachments (12 MB)

20240918\_164929.jpg; 20240918\_164919.jpg; 20240918\_164308.jpg; 20240918\_164321.jpg;

Good afternoon Mr. Foutz,

On 9/18/24 at approximately 4:45 PM Code Enforcement officer Fermin Otero, Mayor Chris Gillespie and I walked Mr. Gantt's property and measured the distance between the barn like structure and your fence line. Through the measurements performed by Mr. Otero and confirmed by Mayor Gillespie the setback is not being met. My measurements of 10 feet and the drawings provided by Mr. Gantt that state 11 were inaccurate. We also identified the secondary structure that I could not recall at the time of my first visit. This shed is also not within compliance with the setback.

Currently at this point of investigation I will be taking my findings and preparing a report for the Planning & Zoning Commission. Mr. Gantt has requested that he not have to move the barn like structure due to the costs of investment and the incorrect measurements that were provided to him by the previous planning and zoning administrator Mike Montoya.

My action plan is the following:

- 1) Contact the landowner who originally authorized Mr. Gantt to build these structures while leasing with the intent to purchase the property and see if they are in approval of requesting a variance or if they would prefer that Mr. Gantt moves the structure to meet the setbacks.
- 2) Take this information and provide a complete summary report to the Planning and Zoning Commission so that they can host a public hearing to decide an approval or denial and total of fines for 1680 Carpenter.
- 3) Proceed with the recommendation of the Planning and Zoning Commission and have this item held in a public hearing with the Governing Body for final approval.

Chairwoman Eastman has asked me to remind you that at each level of this process you will have the ability to request denial and appeal the decision of each step. Again, as stated previously I am showing no favoritism or acting out of Village ordinances when dealing with out of compliance residents. I am doing all that I can within my workload and time as the Clerk administrator to handle this issue between you and your neighbor with unbiased judgement and proper regard to Village ordinances. Attached you will find images taken yesterday during our site visit that showcase the proof of violation of setbacks. There is no further documentation regarding 1680 Carpenter in relation to your information request. You have been provided with the original permit that Mr. Gantt filed via email on September

12th. No other documentation exists. Mr. Gantt has been instructed not to build or request a permit for another structure until the first one has been permitted correctly. Therefore, your information request is completed.

Should you have any additional questions regarding the process I have listed for compliance please do not hesitate to contact me further and I will look to respond accordingly.

Thank you.



VILLAGE OF BOSQUE FARMS  
Clerk / Administrator

505-991-6611

clerkadmin@bosquefarmsm.gov

1455 W. Bosque Loop

www.bosquefarmsm.gov

The State is subject to a moratorium on the issuance of construction permits for residential construction in certain areas of the State. The State is currently reviewing the moratorium and may issue additional guidance in the future. Please refer to the State's website for more information.

From: mlee5360@aol.com <mlee5360@aol.com>

Sent: Wednesday, September 18, 2024 8:28 PM

To: Michael Limón <clerkadmin@bosquefarmsm.gov>; Chris Gillespie <mayor@bosquefarmsm.gov>

Subject: In re: Status of requests made in Formal Complaint

In re: Status of requests made in formal complaint about construction and permanent structures placed within the designated setback areas, and permanent structures being built without a permit or inspection.

Dear Mr. Mayor and Mr. Limon,

Earlier this week, in a Formal Complaint, I asked either to be placed on the next Council agenda as an action item or Mr. Limon and Code Enforcement to fulfill their duties and correct the violations, I am asking for a final decision and action to assure that my property is safe.

Has a decision been made on either of these two requests?

Thank you for your immediate action on this and I look forward to an immediate plan of action and resolution. I would also appreciate any updated information you might have.

Sincerely,





Outlook

Re: Public Records Request

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From Michael Limón <clerkadmin@bosquefarmssnm.gov>

Date Wed 10/2/2024 9:11 AM

To mlee5360@aol.com <mlee5360@aol.com>; Chris Gillespie <mayor@bosquefarmssnm.gov>; Shaline Lopez <s.lopez@bosquefarmssnm.gov>; Fermin J. Otero <codecompliance@bosquefarmssnm.gov>

Bcc Mark Jarmie <mjarmie@jarmielaw.com>

1 attachments (57 KB)

Communication with JP.pdf

Good Morning Mr. Foutz,

For clarification I did not receive your updated information request. What I see attached in this email is your original information request dated for September 12<sup>th</sup> which was completed and answered with all the information the Village has on file to which you announced your displeasure. In the image the date for the 12<sup>th</sup> has been scratched out and updated to the 26<sup>th</sup> and I also see you have updated the IPRA to contain variance request. I have informed you time and time again via email and in person communication that I am working with the property owner to bring the structure within compliance. I have understood your concerns with your neighbor and have been more than accommodating with our communication given the Village's workload. As of today, I am instructing my staff to only respond to your communication via email pertaining to information request.

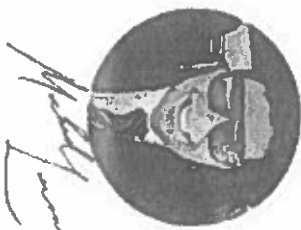
Attached you will find communication with the property owner requesting a Variance dated September 24, 2024. The following timeline will now occur to which you have been advised in previous correspondence stating your ability to appeal. Before both Planning & Zoning & Council.

- 1) November 4<sup>th</sup> 1680 Carpenter Drive application for variance will be heard by planning & zoning via a public hearing 6:30 PM at the village Council Chambers.
- 2) November 21<sup>st</sup> 1680 Carpenter Drive application for variance will be heard by Village Council with recommendation by P&Z for approval or denial via public hearing 6:00 PM at the Village Council Chambers.

A report on 1680 Carpenter shall be completed prior to October 31<sup>st</sup>. The packet for both Planning & Zoning & Council will be posted on the Village Website prior to the meeting dates. Should you wish to inspect the completed report and status I have regarding 1680 you may find it then or request inspection on October 31<sup>st</sup>.

This will conclude my communication, should you have another information request please submit a NEWLY completed form to this email or to the front desk here at Village Hall.

Thank you.



**VILLAGE OF BOSQUE FARMS**  
**Clerk / Administrator**  
505-931-6611  
clerkadmin@bosquefarmsmn.gov  
1455 W. Bosque Loop  
www.bosquefarmsmn.gov

Our intent is to help a winning win-win for the community, a successful finding of common goals. It goes that way, but every find and every timeline, must find the same strategy. Just there is the power to be made about that truth. For creation change long -  
- A.A. Robinson

From: mlee5360@aol.com <mlee5360@aol.com>  
Sent: Tuesday, October 1, 2024 9:18 PM  
To: Michael Limón <clerkadmin@bosquefarmsmn.gov>; Chris Gillespie <mayor@bosquefarmsmn.gov>; Shaline Lopez <s.lopez@bosquefarmsmn.gov>; Fermín J. Otero <codecompliance@bosquefarmsmn.gov>  
Subject: Fw: Public Records Request

Dear Mr. Limon,  
Last Thursday, September 26, 2024, I submitted to you a Request for Public Records form. I have not received any communication from you regarding that request. According to Inspection of Public Records Act, IPRA, if inspection is not permitted within three business days, the person making the request shall receive a written response explaining when the records will be available for inspection or when the public body will respond to the request. It has been more than three days since I submitted the request to you. If I do not get a response from your office or if my requests for records continue to be ignored, I will file a complaint with the Office of the Attorney General for failing to comply with the Inspection of Public Records Act. Additionally, can you provide an update on the zoning issue?  
Sincerely,  
Rex Foutz  
505-417-6622  
mlee5360@aol.com

— Forwarded Message —  
From: mlee5360@aol.com <mlee5360@aol.com>

To: Michael Limón <clerkadmin@bosquefarmsnm.gov>  
Cc: Chris Gillespie <mayer@bosquefarmsnm.gov>  
Sent: Thursday, September 26, 2024 at 10:56:08 AM MDT  
Subject: Public Records Request

Dear Mr. Limon,

Below is the form to request the stated records:

**DOCUMENTS REQUESTED:** Any and all documents to include permits, development review permits, plans, zoning violations, approvals, inspections, re-inspections, requests, plat maps, surveys for: 1680 Carpenter Dr, Bosque Farms, NM 87068 otherwise known as Subd: Coventry Estates B-5-11 Lot 12: Unit 1 UPC # 1011104125132600000, copies of, and confirmation of the Village of Bosque Farms building and structure set-backs located in section 10--1-5 (D) of General Regulations to be true and current to date. I am also requesting any variance application/request

Please let me know if you have any questions. I believe there is no charge if you submit them to me by email, so I am requesting to receive them that way, where there is no charge.

Please let me know that you received my request.

Sincerely,

Rex Foutz

505-417-6622

mlee5360@aol.com



P.O. Box 563  
Pueblo, NM 87047  
(505) 868-3398  
(505) 868-3943 Fax



2010 REGULATION

### VILLAGE OF BOSQUE FARMS

1451 West Bosque Loop • P.O. Box 563 • Pueblo, NM 87047

#### COMPLAINT FORM

DATE: 6/25/21  
NAME: REX L. FOLTZ  
ADDRESS: 1660 CARPENTER DR  
BOSQUE FARMS, NM  
PHONE: 505-917-6620

NATURE OF COMPLAINT:  
HOUSE AT 1660 CARPENTER DR HAS SHED +  
ATTACHED LEAN-TO INSIDE SET BACKS WHICH IS  
A VIOLATION OF CDC/REG 10-1-5-D +  
10-1-9 R

SIGNATURE: Rex L. Foltz

RECEIVED BY: \_\_\_\_\_

ACTION TAKEN

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

DATE: \_\_\_\_\_

EMPLOYEE SIGNATURE: \_\_\_\_\_