



**PZHAC WORK SESSION
JUNE 1, 2015
MINUTES**

THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) WILL HOLD A WORK SESSION ON MONDAY, JUNE 1, 2015 AT 5:30 P.M. IN THE BOARD ROOM OF THE MESILLA TOWN HALL, 2231 AVENIDA DE MESILLA TO DISCUSS THE FOLLOWING:

Mr. Gilbert Madrid, the presenter in the second discussion item, requested that his discussion item be heard first due to a personal scheduling issue. Mr. David Borunda, presenter of the first agenda item, had no problems with the request, and the PZHAC changed the scheduling of discussion items accordingly.

1. Submitted by David Borunda of 2662 Calle de Colon (Case 012382), a request for a discussion to apply for a permit to keep a chain link fence in the front setbacks of a residential property at this address. Zoned: Historical Residential (HR). (Further information will be provided by the applicant at or before the meeting.) Zoned: Historic Residential (HR) **15 min.**
This item was heard after Item 2 at @5:45 pm. Discussion centered around whether any official decisions, Codes, or other possible conditions or permits existed or had been discovered since the last meeting that would affect the outcome of this request or let the fence remain. Staff gave a brief presentation describing the legal process being taken, as well as the appeal process available to the applicant should it be determined that the fences cannot be approved by the PZHAC. There were no new discoveries brought up, and no other new information was discussed.
2. Submitted by Gilbert Madrid for Teresa Fietze Sanchez (Case 012377), a request for a discussion to replace two exterior doors and associated screen doors and four exterior windows at an existing dwelling owned by Teresa Fietze Sanchez at 2833 Calle de Guadalupe. Zoned: Historic Residential (HR). **15 MIN.**
Moved ahead of Item 1 and heard first at 5:30 pm. Mr. Madrid made a brief presentation to the PZHAC outlining his request. He stated that the existing windows were single pane and were getting dangerous, and they were not efficient. They were also replacement windows for the original window in the structure, and were installed sometime in the mid 1900's. He stated that the new windows were to be double pane with a similar style to those being replaced, and would be much more efficient. Mr. Madrid also said that the existing wood doors were becoming old and weak, and were being replaced for safety and security concerns. Although the new pattern would be different than the existing doors, the proposed style would not be out of character with the overall style of the structure. He also stated that the proposed screen doors would be similar, but safer than those being replaced. Pictures of the new doors were provided in the packet. The PZHAC referred to the pictures during the discussion, and there were no issues brought up.

**PZHAC MEETING
JUNE 1, 2015
MINUTES**

THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) WILL HOLD ITS REGULARLY SCHEDULED MEETING MONDAY, JUNE 1, 2015 AT 6:00 P.M. IN THE BOARD ROOM OF THE MESILLA TOWN HALL, 2231 AVENIDA DE MESILLA
The meeting was convened at 6:18 pm.

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL AND DETERMINATION OF A QUORUM

Commissioners Hernandez (Commission Chair), Apodaca, and McLeod were present. Commissioners Lucer and Prieto were absent. A quorum was present.

3. CHANGES TO THE AGENDA

Consent Agenda Item b was removed from the agenda (see following. There were no other changes to the agenda at this time.

4. *ACCEPTANCE OF THE CONSENT AGENDA

Note: Items on the agenda indicated by an asterisk () are on the consent agenda and will be voted on with one motion unless a Commissioner requests that a specific item be removed.*

Commissioner McLeod recused herself from voting on Case 012376, explain that she was directly involved in the property due to the fact that she had power of attorney for the owner with respect to the property. Since there was no quorum left for the case, Case 012376 was removed from the agenda for this meeting. The previous minutes and Case 012376 were then voted on separately.

***PZHACMINUTES:**

Work Session and Regular Meeting Minutes of May 18, 2015

A motion was made by Commissioner Apodaca to accept the minutes, seconded by Commissioner McLeod, and approved by a vote of 3-0.

***ADMINISTRATIVE (CONSENT) APPROVALS:**

Commissioner McLeod recused herself from voting on Case 012376, explain that she was directly involved in the property due to the fact that she had power of attorney for the owner with respect to the property. Since there was no quorum left for the case, Case 012376 was removed from the agenda for this meeting. Case 012376 was then voted on separately.

Building Permit Requests:

- a. Case 012374 – 2481 Calle de Cura; submitted by Rene Quezada of Q General Construction, LLC., for Jennie Soltera, a request for a building permit to allow new overlay to be installed over the roof of an existing dwelling at this address. Zoned: Historic Residential (HR).
A motion to approve the case was made by Commissioner Apodaca, seconded by Commissioner McLeod, and approved by a vote of 3-0.

- b. Case 012376 – 2626 Calle de Principal; submitted by SunSpot Solar for Anna M. Chavez Trust, a request to install a photo-voltaic electric system on the roof of an existing dwelling at this address. Zoned: Historic Residential (HR)
The case was postponed due to a lack of a quorum, as explained earlier.

5. PZHAC NEW BUSINESS:

Discussion Items (decisions):

- c. Permission for David Borunda of 2662 Calle de Colon, to apply for a permit to keep a chain link fence in the front setbacks of a residential property at this address. Zoned: Historical Residential (HR). (Determination to be based on information discussed during the work session.)
Staff again outlined the appeal process should the chain link fence be denied. The fact that the fence was installed in January without checking with staff first was discussed, along with the fact that there were no ordinances that would allow the fence by right.

A motion to approve the request was made by Commissioner Apodaca, seconded by Commissioner McLeod, and approved by the Commission by a vote of 3 – 0. There was brief confusion among the PZHAC after the vote, and Commissioner McLeod expressed explained that her intent was to deny the fence application. Staff explained that all motions should be made in the “affirmative”, regardless of the intent of the Commission. Then, if the Commissioner’s intent is to deny the request, the Commissioner should vote against the motion (express a “nay” vote). At this point, it was determined that the Board of Trustees would address the issue when the case was brought up to them for final approval.

Building Permit Requests:

- d. **Case 012365** – 2600 Avenida de Mesilla (Palacio's Bar and Grill); submitted by Velia Chavez, a request for a building permit to allow the owner to have a sign painted on the south wall of the structure facing an existing parking lot. Zoned: Historical Residential (HR).
A diagram of the requested sign/painting still had not been submitted to Staff for review, and neither the applicant nor a representative were present to answer questions about the request. A motion to postpone the request until a diagram is actually brought to staff was made by Commissioner McLeod, seconded by Commissioner Apodaca, and approved by the Commission by a vote of 3 – 0.
- e. **Case 012377**– 2833 Calle de Guadalupe; submitted by Gilbert Madrid for Teresa Frieze Sanchez, a request for a building permit to allow the replacement of two exterior doors and associated screen doors and four exterior windows at an existing dwelling at this address. Zoned: Historic Residential (HR).
The details of this case were presented to the Commission during the work session. No new issues or questions were brought up. A motion to approve the request was made by Commissioner Apodaca, seconded by Commissioner McLeod, and approved by the Commission by a vote of 3 – 0.
- f. **Case 012378** – 1685 Calle de Alvarez; submitted by Dorianne J. Kabo, a request for a building permit to allow the replacement of rusted wrought iron on a block and iron wall at this address with concrete blocks, stucco and paint to make a solid wall six feet high around the front of an existing duplex at this address. Zoned: General Commercial (C).
Staff provided the PZHAC with a brief description of the case and indicated that the applicant, Ms. Dorianne Kabo, was present. Staff also explained that the subject property is one of two sets of residential duplexes at this location, and that these are the only residential structures zoned General Commercial (C) in the Town. (The Town Code normally does not allow residential uses structures in General Commercial zoning districts.) Ms. Kabo explained that the structures have been at this location since 1963, predating the zoning on the property, and that they have always been required to meet residential standards. At this point, the PZHAC determined that residential standards should be applied to the property in question, and that the wall should meet these residential standards. The requested building permit was to allow the wall to be constructed to the same standard.

Business Registration Requests:

- g. **Case B15004** – Submitted by Dorianne J. Kabo for Agua Bella; a request for a business registration and license to operate a business as a Home Occupation selling and repairing reverse osmosis and water softening equipment at customers' locations. The business will be operated out of a dwelling occupied by the applicant at 1685 Calle de Alvarez. Zoned: General Commercial (C).
Staff provided the PZHAC with a brief description of the case and stated that Code does not permit Home Occupation permits in General Commercial properties. However, since these are the only residences in this zoning district in the entire Town, and since the Town Code will not permit any new residential development in Town to have General Commercial zoning, the two residential properties here are unique and can be held to residential standards. Since Home Occupations are normally allowed in all residential zones, a home occupation could be allowed here as part of a residential use.

A motion to approve the business registration as requested was made by Commissioner Apodaca, seconded by Commissioner McLeod, and approved by the Commission by a vote of 3 – 0.
- h. **Case B15005** – Submitted by Felicia Gonzalez for Ruby Sun; request for a business registration and license to operate a Holistic Healing Service and Metaphysical Gift Shop at a commercial structure at 2220 Calle de Parian. Zoned: Historic Commercial (HC).
Staff provided the PZHAC with a brief description of the case. There were no issues or

questions. A motion to approve the business registration as requested was made by Commissioner Apodaca, seconded by Commissioner McLeod, and approved by the Commission by a vote of 3 – 0.

Code Amendments:

i. Amendment for Temporary and Itinerant Vendors

Staff again requested that the PZHAC Commissioners submit any suggestions, concerns, or comments to Staff about the Town's interests and issues, and how they can be protected by the proposed amendment. Staff also requested that the PZHAC consider existing Town Codes, and the possibility that they are sufficient as they are currently written to protect what is considered to be the Town's interests.

6. PUBLIC COMMENTS - None

7. PZHAC/STAFF COMMENTS - None

8. ADJOURNMENT – *The meeting was adjourned at 7:22 pm.*