



THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) WILL HOLD A REGULAR MEETING ON TUESDAY, JANUARY 21, 2014, AT 6:00 P.M. IN THE BOARD ROOM OF THE MESILLA TOWN HALL, 2231 AVENIDA DE MESILLA.

PLEDGE OF ALLEGIANCE

ROLL CALL AND DETERMINATION OF A QUORUM

CHANGES TO THE AGENDA

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.*

***PZHAC MINUTES:**

Meeting Minutes of January 6, 2014 (To be distributed at meeting)

*** ADMINISTRATIVE (CONSENT) APPROVALS:**

Building Permit Requests:

Case 012240 – 2212 Calle de San Albino, B & L Roofing, Inc. for Patrick Esders, a building permit to reroof the upper portion of a two story residence. Zone: Historic-Residential (HR).

PZHAC NEW BUSINESS

Building Permit Requests:

Case 012242 – 2212 Calle de San Albino, Patrick Esders, a building permit to enclose a part of a front court yard from the main house to an existing casita. Zone: Historic-Residential (HR).

Business Registration Request:

Case 2014 – 0555 – 2011 Avenida de Mesilla, Kaleigh Jones, Richard and Julia Jones owners for The Bean Café of Mesilla, LLC; a change in ownership of an existing cafe at this location. Zone: Historical Commercial (HC)

PZHAC PUBLIC HEARING

MTC Code Amendment:

Consideration of an ordinance amending and enacting certain sections of the Mesilla Town Code; Title 15 (Buildings and Construction)

PUBLIC COMMENTS

PZHAC/STAFF COMMENTS

PZHAC ADJOURNMENT

NOTICE

If you need an accommodation for a disability to enable you to fully participate in the hearing or meeting, please contact us at 524-3262 at least 72 hours prior to the meeting.

Posted on 12/17/14 at the following locations: Town Clerk's Office 2231 Avenida de Mesilla, Public Safety Building 2670 Calle de Santiago, Mesilla Community Center 2251 Calle de Santiago, Shorty's Food Mart 2290 Avenida de Mesilla, Ristrammn Chile Co., 2531 Avenida de Mesilla and the U.S. Post Office 2253 Calle de Parian.

PZHAC NEW BUSINESS
ADMINISTRATIVE APPROVALS
(CONSENT AGENDA)

BUILDING PERMIT REQUEST CASE 012240
[ADMINISTRATIVE APPROVAL - 1/21/14]
STAFF ANALYSIS

Request:

This was a request by B & L Roofing, In. for Patrick Esders for a building permit to reroof the upper flat lower portion of a two story residence located at 2212 Calle de San Albino. Zone: Historic-Residential (HR).

Description of Work to be Done:

The existing roof covering will be torn off and replaced.

Estimated Cost: \$6,468.00

Consistency with the Code:

The request is consistent with the following Sections of the **Building Code** that specifically apply to this project:

15.15.030 Application for building permit

B. Administrative Approval Permit

Applications that are minor repairs or maintenance and do not alter or create additions to structures (buildings), walls or any other permanent fixtures on site may be approved administratively by staff...

C. Historic Zone or Commercial Zone Permit.

1. Applications for all proposed work except for work described in subsection (B) of this section....

The request is consistent with the all other Sections of the **Zoning Code** that may be applied to this project:

Permit History:

There have been no cases in the past year concerning this property. There is a second Building Permit request on this property (Case 012242) to allow the applicant to enclose a part of a front court yard from the main house to an existing casita. This case will be heard by the PZHAC at this meeting.

Findings of Fact:

- Staff has jurisdiction to approve this request administratively.
- The proposed work consists of minor repairs to a roof
- The proposed repairs are needed for structural reasons
- The proposed work to be done will not create any changes to the external appearance of the structure.
- The proposed work meets all applicable Code requirements.
- There have been no cases in the past year concerning this property.

STAFF RECOMMENDATION:

Based on the Findings of Fact above, Staff approved this application on 1/11/14.

Prepared by: Larry Shannon
Date prepared: 1/17/14

BUILDING PERMIT REQUEST CASE 012240
[ADMINISTRATIVE APPROVAL - 1/21/14]
LOCATION

Doña Ana County Zoning Map Se

Layer Visibility:

- Roads
- Buildings
- City Limits

Parcel ID: [24-00301](#)
Map Code: [4-006-137-220-302](#)
NAME: ESCOBAR PATRICK & DORIS O
NAME2:
Mail Address: PO BOX 510
CITY: MESILLA
STATE: NM
ZIP: 88246
LOT:
BLOCK:
Subdivision:
Condo Name:
Condo Unit:
Mobile Homes: 0
Clerk Record: 0019500
RTS: 1E 23S 2E
Property Address: 2212 CALLE DE SAN ALBINO
Acres: 0.1



	Parcel ID	Map Code	Owner 1	Owner 2	Add
📍					

BUILDING PERMIT REQUEST CASE 012240 [ADMINISTRATIVE APPROVAL - 1/21/14] APPLICATION



OFFICIAL USE ONLY
Case # 012240
Fee \$ 129.00

TOWN OF MESILLA
APPLICATION FOR RESIDENTIAL BUILDING PERMIT

2231 Avenida de Mesilla, P.O. Box 10, Mesilla, NM 88046 (575) 524-3262 ext. 104

CASE NO. 012240 ZONE: RE CODE: RE APPLICATION DATE: _____

Name of Applicant: B+L Roofing, Inc. Applicant's Telephone Number: 575-620-2303

Mailing Address: PO Box 559 Doña Ana NM 88002
City: _____ State: _____ Zip Code: _____

Contractor's Name & Address (if none, indicate Self):
B+L Roofing, Inc.

Contractor's Telephone Number: 575-620-2303 Contractor's Tax ID Number: _____ Contractor's License Number: 85140

Address of Proposed Work: 2312 Cille de San Albino
Description of Proposed Work: Upper level addition

Estimated Cost: \$108,75 Signature of Applicant: [Signature] Date: 1/10/14

With the exception of administrative approvals, all permit applications must undergo a review process from staff, PZHAC and BDT before issuance of a building permit. Recorded proof of ownership with legal description of property (deed or current tax bill) along with verification of legally subdivided status of the property are required. Plan sheets are to be no larger than 11 x 17 inches.

FOR OFFICIAL USE ONLY

PZHAC: Administrative Approval BDT: _____ Approved Date: _____
 Approved Date: _____ Disapproved Date: _____
 Disapproved Date: _____ Approved with Conditions
 Approved with conditions

CONDITIONS: _____

REVIEW ISSUED BY: _____ ISSUE DATE: _____
 PERMIT ISSUED BY: _____ ISSUE DATE: _____

This application includes:

1. Plot plan with legal description to show existing structures, adjoining streets, driveway(s), improvements & setbacks. Verification shall show that the lot was legally subdivided through the Town of Mesilla or that the lot has been in existence prior to February 1972.
2. Foundation Plan with details.
3. Floor Plans showing rooms, their uses and dimensions.
4. Cross Sections of wells.
5. Roof and floor framing plan. (If manufactured trusses; submit layout of trusses and stamped engineer design plan.)
6. Drainage plan.
7. Architectural style and color scheme (Historical and commercial zones only).
8. Proof of sewer service or a copy of septic tank permit; proof of water service (wall permit or statement from the Public Utility providing water services).

**BUILDING PERMIT REQUEST CASE 012240
[ADMINISTRATIVE APPROVAL - 1/21/14]**

Baldemar Parra
956-2303
Fax: 527 2074



Co #82146
Mobile: 544 932

DECEMBER 23, 2013

PROPOSAL

PATRICK ESDERS
2212 CALLE DE SAN ALBINO
MESILLA, NM

UPPER LEVEL
TO TEAR OFF AND REROOF:

MATERIALS TO BE USED:
SLOP QUARTER INCH PER FOOT
1 LAYER OF OSB
1 LAYER OF RA3E
2 LAYER PLY 6
1 LAYER OF 90# CAP
ALL PIPE FLASHING & ROOF EDGING WILL BE REPLACED

TOTAL: \$ 6,000.00
TAX: \$ 468.75
TOTAL: \$ 6,468.75

5 YEARS GUARANTEED ON WORKMANSHIP

We Propose hereby to furnish material and labor - complete in accordance of the above specifications - for the sum of:

Terms to be made as follows:

50% DOWN AND BALANCE ON COMPLETION OF JOB

All materials guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practice. Any alterations or deviations from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workers' Compensation Insurance.

BALDEMAR PARRA, GB-98/GS21 CONTRACTOR

CUSTOMER

PZHAC NEW BUSINESS
(PZHAC REVIEW)

BUILDING PERMIT REQUEST CASE 012242
[PZHAC REVIEW - 1/21/14]
STAFF ANALYSIS

Request:

This is a request by Patrick Esders for a building permit to enclose a part of a front courtyard from the main house to an existing casita located at 2212 Calle de San Albino. Zone: Historic-Residential (HR).

Description of Work to be Done:

A portion of a courtyard at the front door of the dwelling is to be enclosed by an addition that will extend from the front door and an existing casita fronting on the courtyard. The purpose of this addition is to provide access to the casita from inside the dwelling. Since the courtyard is currently surrounded by an existing 8 ft. high wall (stucco exterior), there will be no changes to the appearance of the structure from outside the property. The addition will be finished to match the existing finish of the dwelling.

Estimated Cost: \$11,400.00

Consistency with the Code:

The request is consistent with the following Sections of the **Building Code** that specifically apply to this project:

18.40.030 Exterior appearance. – The proposed addition will not change the exterior appearance of the structure.

18.60 General Provisions, Conditions and Exceptions – The proposed addition is consistent with the requirements of this Chapter.

The request is consistent with the all other sections of the **Building and Zoning Codes** that may be applied to this project:

Permit History:

There have been no previous cases in the past year concerning this property, although there is a currently a building permit (Case 012240) approved administratively on January 10, 2014 for a reroof of part of the dwelling. (This case is on the consent agenda for this meeting.)

Findings of Fact:

- The PZHAC has jurisdiction to review and approve this request.
- The proposed work consists of enclosing part of a front courtyard.
- The courtyard is surrounded by an 8 ft. high wall, and is not visible from neighboring properties.
- The proposed addition will provide indoor access from the main dwelling to an existing casita fronting on the courtyard.
- The proposed work to be done will not create any changes to the external appearance of the structure.
- The proposed work meets all applicable Code requirements.
- There is currently a building permit (Case 012240) approved administratively on January 10, 2014 for a reroof of part of the dwelling.

STAFF RECOMMENDATION:

Based on the Findings of Fact above, Staff recommends approval of this application as requested.

PZHAC OPTIONS:

1. Recommend approval of application.
2. Recommend approval of application with conditions.
3. Reject the application.

PZHAC ACTION:

Prepared by: Larry Shannon

Date prepared: 1/17/14

BUILDING PERMIT REQUEST CASE 012242
[PZHAC REVIEW - 1/21/14]

LOCATION

Doña Ana County Zoning Map

Page 1 of 1

Doña Ana County Zoning Map Se

Layer Visibility:

- Roads
- Buildings
- City Limits

Parcel ID: 04-00300
Map Code: 4-006-137-220-302
NAME: ESCERS PATRICK & DORIS O
NAME2:
Mail Address: PO BOX 510
CITY: MESILLA
STATE: NM
ZIP: 88246
LOT:
BLOCK:
Subdivision:
Condo Name:
Condo Unit:
Mobile Homes: 0
Clerk Record: 0019500
RTS: 1E 22S 25
Property Address: 2212 CALLE DE SAN ALSINO
Acres: 0.1



	Parcel ID	Map Code	Owner 1	Owner 2	Add
🔍					

BUILDING PERMIT REQUEST

CASE 012242

APPLICATION

OFFICIAL USE ONLY:

TOWN OF MESILLA

Case # 012242

APPLICATION FOR RESIDENTIAL BUILDING PERMIT

Fee \$ 170.00

3231 Avenida de Mesilla, P.O. Box 101, Mesilla, NM 88046 (575) 524-3262 ext. 104

CASE NO. 012242 ZONE MC CODE: AD APPLICATION DATE: 1/14/14

Name of Applicant PAT + DORIS FEJERS Applicant's Telephone Number 917/848-3989

Mailing Address 2212 CALLE DE SAN ALBINO City MESILLA, NM State _____ Zip Code _____

Contractor's Name & Address (If none, indicate Self) HOMEBUILDERS CONST. CO.

Contractor's Telephone Number 575/526-6577 Contractor's Tax ID Number 02172060006 Contractor's License Number 33600

Address of Proposed Work: _____
Description of Proposed Work: ENCLOSED ENTRY FROM MAIN HOUSE TO CASITA

Estimated Cost: \$ 11,400.00 Signature of Applicant [Signature] Date 01/13/2014

With the exception of administrative approvals, all permit applications must undergo a review process from staff, PZHAC and BOT before issuance of a building permit. Required proof of ownership with legal description of property (deed or current tax bill) along with verification of legally subdivided status of the property are required. **Plan sheets are to be no larger than 11 x 17 inches.**

FOR OFFICIAL USE ONLY

PZHAC Administrative Approval BOT Approved Date: _____
 Approved Date: _____ Disapproved Date: _____
 Disapproved Date: _____ Approved with Conditions
 Approved with conditions

CONDITIONS: _____

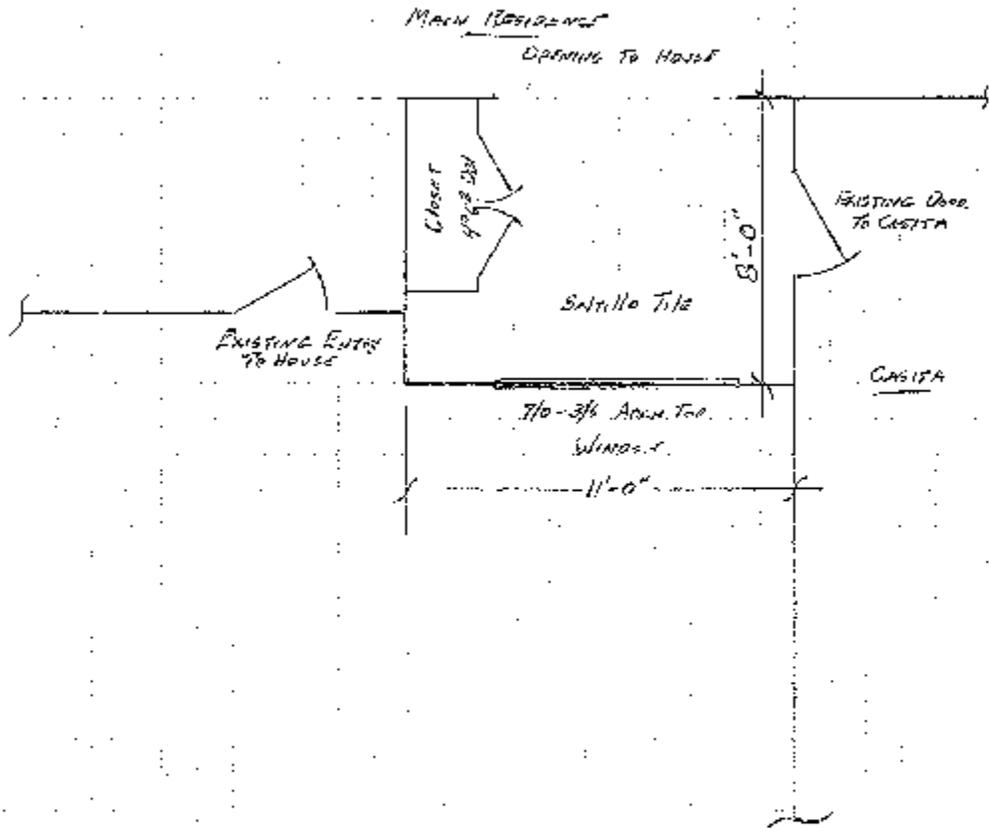
REVIEW ISSUED BY: _____ ISSUE DATE: _____
 PERMIT ISSUED BY: _____ ISSUE DATE: _____

This application includes:

1. Plot plan with legal description to show existing structures, adjoining streets, driveway(s), improvements & setbacks. Verification shall show that the lot was **legally** subdivided through the Town of Mesilla or that the lot has been in existence prior to February 1977
2. Foundation Plan with details.
3. Floor Plans showing rooms, their uses and dimensions.
4. Cross Sections of walls.
5. Roof and floor framing plan. (If manufactured trusses, submit layout of trusses and stamped engineer design plan.)
6. Drainage plan.
7. Architecture style and colorscheme (Historical and commercial zones only).
8. Proof of sewer service or a copy of septic tank permit; proof of water service (well permit or statement from the Public Utility providing water services).

**BUILDING PERMIT REQUEST
CASE 012242
[PZHAC REVIEW - 1/21/14]**

*PAT + DORIS ESUERS
2212 Calle de San Abund*



PZHAC NEW BUSINESS
BUSINESS REGISTRATION REQUEST

BUILDBUSINESS REGISTRATION REQUEST

#2014 - 0555

[PZHAC REVIEW - 1/21/14]

The reason for this request is a change of ownership of the business. The new owner proposes to continue the business without any changes to the business. The existing business is currently operating at this location in compliance with all applicable requirements of the BTC.

Staff recommends approval of this request.



2231 Avenida de Mesilla
P.O. Box 10
Mesilla, NM 88046

Phone: (505) 524-3262 Fax: (505) 541-6327

Business Registration Application

Note: A separate business registration application form should be completed for each business location.

PLEASE PRINT

Business Registration Application Is: New Renewal

Name of Business:	SPOTTED DOG BREWERY LLC		
Name of Applicant:	GERALD GRANDUS		
Mailing Address (Street # or P.O. Box):	528 NORTH FRENCH		
E-Mail Address:	GRANDUS@ZIANET.COM		
City:	State:	Zip Code:	
Las Cruces	NM	88005	
Phone # of Business:	575-524-3309		
Location of Business: Street	2900 S. HWY 28		
City:	State:	Zip Code:	
MESILLA	NM	88046	

Property Owner Name:	AUSTY LLC		
Location:	2900 Avenida de Mesilla		
Phone # of Property Owner:	575-566-8504		
Property Owner's Address: Street	2455 WILLOW AVE SUITE A		
City:	State:	Zip Code:	
LAS CRUCES	NM	88001	

Additional Information	
Square Footage of Business:	1500 SQ FT
Number of Employees:	0
Number of Parking Spaces:	6
Zoning Code:	C - Commercial <i>Please fill in other side>>>></i>

BOY TIME: SUSAN GRANDUS 640-9225
JERRY GRANDUS 644-2526

Type of Business - please describe product(s) and/or service(s): BREW PUB PRODUCING BEER

Business Applicant Is: Sole Proprietorship Partnership Corporation

Current New Mexico Revenue Division ID #: 03-284640-00-1
(The location code for reporting earnings received in the Town of Mesilla is 07-303.)

EMERGENCY CONTACT INFORMATION		
Responsible party to be called in case of emergency. Enter name in order of contact (please print):		
Name	Address	Telephone #
1. <u>JERRY GRANOLE</u>	<u>528 NORTH PASEO</u>	<u>575-524-3305</u>
2. <u>SUSAN GRANOLE</u>	<u>528 NORTH PASEO</u>	<u>575-640-9225</u>
3. _____	_____	_____
Do you have an alarm system? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
What Type? _____		
Which Company, if any, Responds to Alarms? _____		

APPLICANT HEREBY STATES UNDER OATH THAT ALL STATEMENTS AND REPRESENTATIONS MADE IN THIS APPLICATION ARE TRUE AND VALID.

[Signature] PROPRIETOR
Signature of Applicant/Title

[Signature]
Signature of Building Owner

1.22.2014
Date

1/24/14
Date

Office Use

Receipt Number: _____	Date of Payment: _____
Case Number: _____	Zone: _____
PZHAC Approval Date: _____	BOT Approval Date: _____
Sign Permit Case #: _____	Renewal Date: _____

Fire Department Inspection Verification

Fire Department Representative Signature: _____
Fire Inspection Date: _____
Approved: Yes No

**PZHAC PUBLIC HEARING
MTC CODE AMENDMENT
TO
TITLE 15
(BUILDINGS AND CONSTRUCTION)**

PROPOSED AMENDMENTS TO ADDRESS UNIFORM DEVELOPMENT IN THE TOWN

Purpose and Rationale of the Amendments:

As a result of the discussion on mobile/manufactured homes by the Board of Trustees on July 22, 2013; staff was asked to develop an amendment to the Code that would put limits directly on Manufactured Housing in the hopes of limiting construction types or architectural styles to those that would be considered appropriate in the Town. Unfortunately, this approach would target only a particular construction style (manufactured homes), while not addressing other construction types. Such restrictions would violate Sections 3-21A-3 (Manufactured Housing; Permissible Regulations) and 3-21A-5 (Impermissible Regulations) of the New Mexico State Statutes by imposing regulations on manufactured homes that would not be equally applied to site built homes in the same zoning districts. This section also states that a manufactured home cannot be required to be "...installed in an excavated site in a specific-use district in which site built, single family-housing is allowed. (Section 3-21A-2 defines "manufactured housing", "mobile homes", and "excavated site".)

The result of the approach as requested would be that although limits would be imposed on manufactured homes, site built dwellings could still be constructed that may be incompatible (geodetic domes, log cabins, recycled tire or aluminum can homes, etc.) with the Town's character as discussed in Chapter 8 of the 2004 Town of Mesilla Comprehensive Plan. Therefore, any amendments to the Code done for the purpose of maintaining the Town's character, or in support of any other elements of an overall plan for the Town need to address all types of construction equally. (This is based on the assumption that the construction type meets the requirements and standards set forth in the applicable International Building Codes and Town Codes.)

The proposed amendment was developed using the Town's Historic Preservation chapter (Chapter 18.33) of the zoning code as the basis for an amendment to the Building Code chapter (Chapter 15.15). This was done in order to provide a mechanism that could be used to maintain a sense of architectural uniformity and stability in the areas of Town outside the Historic Districts. While the amendments borrow heavily from the wording of Section 18.33.060, the context has been changed to ensure that the **general** architectural, rural or farm character of an area is maintained, rather than impose specific architectural styles on an area.

There has been concern expressed by citizens of the Town that the proposed amendments will place unfair restrictions on building in areas of the Town outside the Historic Districts by imposing unnecessary architectural standards on areas where such standards are not needed. It was stated that such restrictions could have the effect of limiting individualistic and artistic expression, and that such limits should be first addressed in the comprehensive plan. (Staff believes that Chapter 8 of the 2004 Town of Mesilla Comprehensive Plan does address this concern, as stated previously.)

Staff believes that the proposed amendment, when applied to the remainder of the town outside of the Historical Districts, will help to protect the historical heritage of Mesilla referenced in Section 18.33.040 of the Historic Preservation Chapter of the Code by applying to all construction types. It will also help to protect property values in the Town as a whole.

The proposed amendment is attached.

PROPOSED AMENDMENT

Add (g) to the following section of the Code:

15.15.030 Application for building permit.

D. Non-Historic Zone Permit.

2. Application is reviewed by community development staff for the following:

g. Compliance with MTC 15.15.035

Add the following new section:

15.15.035 Uniform Development Standards

A. The purpose of this section is to maintain a sense of architectural uniformity and stability in the areas of Town outside the Historic Districts.

B. This section shall apply to all new construction on any property located within the Town's boundaries, but outside of the Historic Districts. This section applies only to new construction, or improvements, alterations, or enlargements of an existing structure or accessory building that will result in a change to the architectural style or use of the structure being altered. (Changes to the use of a structure shall also be subject to the applicable requirements of Chapter 18-Zoning of the MTC.)

C. The design components to be used to determine compatibility with existing development shall include the following: architectural style and character, building height, setbacks, proportions, pattern and rhythm, roof types, surface texture, color, site utilization and density, uses, and any outstanding or predominant architectural details.

D. Uniform Development Areas shall be used to provide a basis for determining the compatibility of new construction and alterations with existing structures and development in the Town.

E. A Uniform Development Area is the physical vicinity to be used to identify the architectural and land use character of a particular area and includes the predominant architectural styles and character of existing structures together with their setting and uses.

F. Process to Identify and use a Uniform Development Area.

1. Identify the immediate vicinity surrounding any new construction, or exterior alteration or change in use of an existing structure, that is to take place on an interior lot, a corner lot or a boundary lot as follows:

a. The Uniform Development Area for an interior lot shall include any lot fronting on the same street as the lot in question and within the same block, as well as those lots located on the opposite side of the street, except such portions of the zone which fall outside the boundary of the historic district.

b. The Uniform Development Area for a corner lot shall include any lot fronting on the same streets as the lot in question and within the same block, as well as those lots located on the opposite side of the streets, including the opposite corner, except such portions of the zone which fall outside the boundary of the Town.

c. The Uniform Development Area of any lot located adjacent to a historic district boundary shall include all lots located in the same block plus those lots located on the opposite side of any street adjoining that block, as well as those lots located on the opposite corners, except such portions of the zone which fall outside the boundary of the Town.

2. Identify the design components enumerated in (C) above as found in the applicable Uniform Development Area.

3. Staff shall review the proposed project to determine if the design components of the proposed project are similar to those found in the applicable Uniform Development Area.

4. If there is no predominant architectural style or character within the selected Uniform Development Area, then the zoning district in which the property is located shall, as a whole, shall become the uniform development area for purposes of defining architectural style.

5. Once it is determined by Staff that the style and character of the proposed construction is not out of character with the applicable Uniform Development Area, the applicant may proceed with the process to obtain a building permit.