



# Town of Mesilla, New Mexico

## PZHAC WORK SESSION AGENDA FEBRUARY 3, 2020

THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) WILL HOLD A WORK SESSION MONDAY, FEBRUARY 3, 2020 AT 5:00 P.M. IN THE BOARD ROOM OF THE MESILLA TOWN HALL, 2231 AVENIDA DE MESILLA.

**Item 1:** Submitted by Natalie B. Ogaz, a request to discuss changes to approved plans and to provide additional information for the construction of a new dwelling at 2729 Calle de San Albino (**Case 060748**). Zoned: Historic Residential (HR)

*The applicant was present to discuss the request and answer any questions that might arise. Staff provided a brief introduction of the case, explaining that the application had been postponed to this meeting to allow the applicant to provide more information about the proposed French doors. (The applicant has requested a change to the style of all of the large windows originally approved to allow a style having multiple panes more resembling French doors. Tom Maese, Chief Inspector for CID, asked for further information about the windows at the last meeting. The information has been submitted in response to that request.) There was also additional discussion about the total height of the structure and the fact that this had been discussed in 2018 when the structure was originally approved for the lower height, and what effect the requested height would have on the surrounding properties. The PZHAC again questioned whether the proposed height would be consistent with the development zone for the property. There were no other issues.*

**Item 2:** Submitted by Bruce (Burt) McClure, a request to discuss plans to construct a wood fence on a property at 2551 Calle de Principal. Zoned: Historical Residential (HR) (**Case 061009**)

*This request was withdrawn by the applicant.*

**Item 3:** Submitted by Gerard Nevarez; a request to discuss plans to add a privacy panel to a rock wall at the rear of his property at 2305 Calle de Colon. Zoned: Historical Residential (HR) (**Case 061010**)

*The applicant was present to discuss the request and answer any questions that might arise. Staff provided a brief introduction of the case, explaining that the applicant intended to add a decorative wrought iron panel to the top of an existing rock wall in order to provide privacy to his patio. Mr. Nevarez explained that the new dwelling being built on the property on the other side of the wall was close to the property line and several windows looked directly into his back yard. Issues that were discussed were the height of the existing wall, the resulting height of the extension on the wall, and the style of the proposed extension. There were no other issues with the proposal.*

**Item 4:** Submitted by Anna Biad; a request to discuss plans to construct a rock wall and change the landscaping of a commercial property at 2172 Calle de Santiago. Zoned: Historical Commercial (HC) (**Case 061011**)

*This request was withdrawn by the applicant.*

## PZHAC REGULAR MEETING AGENDA FEBRUARY 3, 2020

THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) WILL HOLD ITS REGULARLY SCHEDULED MEETING MONDAY, FEBRUARY 3, 2020 AT 6:00 P.M. IN THE BOARD ROOM OF THE MESILLA TOWN HALL, 2231 AVENIDA DE MESILLA.

### I. PLEDGE OF ALLEGIANCE

### II. ROLL CALL AND DETERMINATION OF A QUORUM

*Commissioner Prieto was absent. All others were present. There was a quorum.*

### III. CHANGES/APPROVAL OF THE AGENDA

*Cases 0601009, 0601011 and 0601012 were removed from the agenda at the request of the applicants, and the election of officers was postponed to allow the full commission to be present. A motion to approve the Agenda was made by Commissioner Houston, seconded by Commissioner Lucero, and approved by a vote of 3 - 0.*

### IV. \*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 for discussion.*

*There were no changes to the Consent Agenda. A motion to approve the Consent Agenda was made by Commissioner Lucero, seconded by Commissioner Houston, and approved by a vote of 3 - 0.*

#### A. \*PZHAC MINUTES – PZHAC Regular Work Session and Meeting of January 15, 2020.

*Approved as part of the Consent Agenda*

#### B. \*ADMINISTRATIVE APPROVAL

##### Zoning Permits:

1. **Case 061003** – 2309 Calle de Santiago, submitted by Viola and Larry Tafoya; a request for a zoning permit to repair a damaged sidewalk and repair portions of the stucco on the wall of a commercial building at this address. Zoned: Historical Commercial (HC)  
*Approved as part of the Consent Agenda*
2. **Case 061004** – 2000 Calle de Parian, submitted by Mark Sideris of Buffalo Builders for Julienne Hadfield; a request for a zoning permit to conduct a plumbing inspection on a commercial building at this address. Zoned: Historical Commercial (HC)  
*Approved as part of the Consent Agenda*
3. **Case 061005** – 2825 Teresita Street, submitted by Annabelle Hurst; a request for a zoning permit to allow the replacement of a roof on a dwelling at this address. Zoned: Historical Residential (HR)  
*Approved as part of the Consent Agenda*
4. **Case 061006** – 319 Capri Arc, submitted by Samuel McBurney; a request for a zoning permit to allow the replacement of a roof on a dwelling at this address. Zoned: Residential, one acre (R-1)  
*Approved as part of the Consent Agenda*
5. **Case 061008** – 2745 Boldt Street, submitted by Jim Jones; a request for a zoning permit to allow the installation of a concrete driveway and brick flat work on a residential property at this address. Zoned: Historical Residential (HR)  
*Approved as part of the Consent Agenda*

### V. PZHAC NEW BUSINESS:

#### A. PUBLIC INPUT ON CASES - *None*

#### B. DECISIONS:

##### Zoning Permits:

1. **Case 060748** – 2729 Calle de San Albino, submitted by Natalie B. Ogaz, a request for changes to an approved building permit to construct a new residence at this address. Zoned: Historic Residential (HR).  
**(Discussed during the Work Session – Item 1)**  
*Staff provided a brief review of this request, explaining that this case was heard during the Work Session. The PZHAC discussed this case further. The PZHAC determined that there were no problems with the proposed use of French doors in place of windows. Further discussion focused on the applicant's request to return to the original requested height of the dwelling. Commissioner Lucero brought up the fact that the PZHAC determined the first time the case was presented in 2018 that the requested height of the structure was too high and out of character with the surrounding dwellings. She wanted to know what changed to make that height acceptable now. The applicant stated that there were other dwellings in the area that would be the same height, including the property to the south. There was no further discussion. The PZHAC determined that there were no other issues with the proposed request. A motion was made by Commissioner Nevarez to approve the requested plans with the French doors and the lower height, seconded by Commissioner Houston, and approved by a vote of 2 – 1 with Commissioner Lucero voting against the request.*

2. **Case 091009** – 2551 Calle de Principal, submitted by Bruce B. (Burt) McClure, a request for a zoning permit construct a wood fence on a residential property at this address. Zoned: Historical Residential (HR). **(This case was discussed during the Work Session – Item 2)**  
*This case was withdrawn by the applicant.*
3. **Case 061010** – 2305 Calle de Colon, submitted by Gerard Nevarez; a request for a zoning permit to allow the addition of a privacy panel to a rock wall at the rear of a residential property at this address. Zoned: Historical Residential (HR) **(This case was discussed during the Work Session – Item 3)**  
*Staff provided a brief review of this request, explaining that this case was heard during the Work Session. Commissioner Nevarez recused himself from any discussion or voting on the case since the subject property is his. The PZHAC determined that the addition of the panel to the existing wall would result in an overall fence height that would be higher than the six feet allowed by the Code. The PZHAC suggested that the panel be mounted to the back of an existing decorative structure located in the back yard near the wall so that the height would not be an issue. This was acceptable to Mr. Nevarez. A motion was made by Commissioner Houston to approve the request, seconded by Commissioner Lucero, and approved by a vote of 3 – 0 with the following CONDITION: The panel will not be attached to the wall.*
4. **Case 061011** – 2172 Calle de Santiago, submitted by Anna Biad; a request for a zoning permit to allow the construction of a rock wall and changes to the landscaping of a commercial property at this address. Zoned: Historical Commercial (HC) **(This case was discussed during the Work Session – Item 4.)**  
*This case was withdrawn by the applicant.*

#### **Sign Permit**

1. **Case 061012** – 2172 Calle de Santiago, submitted by Anna Biad for “Blue Door Venue”; a request for a sign permit to allow a wall sign at this address. Zoned: General Historical Commercial (HC)  
*This case was withdrawn by the applicant.*

#### **C. PZHAC Special Business: Election of Officers**

*The election was postponed to allow a full quorum of the PZHAC to be present.*

#### **VI. PUBLIC COMMENTS**

*Prescilliana Sandoval – resident*

*Complained about the smoke from the meat smoking operation at Chala’s Restaurant on Avenida de Mesilla, stating that the smoke from the smoker constantly blows across her back yard making it impossible for her to use the back yard due to the smoke, and that the problem exists from 9 am to 10 pm. She stated that she went to the NM Governor’s office and was told to sue Mesilla. She would like to see Mesilla’s ordinances changed to address this issue to protect residents from this type of nuisance. She stated that the restaurant should never have been approved in the first place.*

#### **VII. PZHAC/STAFF COMMENTS**

*Larry Shannon – Mesilla Planning staff*

*Stated that there are no Mesilla Codes that could be used to address the issue created by Chala’s smoker*

*Russ Hernandez – PZHAC Commission Chair*

*Directed Staff to look into the nuisance problem created by Chala’s smoker and research the NM Statutes to see if there are any regulations that can be applied to the smoker. He also directed Ms. Sandoval to provide Mr. Shannon with copies of whatever information and documentation that she had to determine what we could legally do as a Town.*

#### **VIII. ADJOURNMENT**

*The meeting was adjourned at 6:30 pm.*