



Town of Mesilla, New Mexico

PZHAC WORK SESSION & MEETING AGENDA JANUARY 4, 2021

THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) WILL HOLD A WORK SESSION VIA TELECONFERENCE ON MONDAY, JANUARY 4, 2021 AT 2:30 P.M. TO JOIN THE MEETING BY PHONE DIAL 1-346-248-7799, THEN ENTER Meeting ID 603-754-4231 PASSWORD 193857.

- A. Submitted by Samuel Kane; a request to discuss plans to construct a rock wall around a residential property at 2610 Calle Tercera (Case 061151) Zoned: Historic Residential (HR)
- B. Submitted by Cesar Huizar, a request to discuss plans to construct a commercial building and conduct a retail operation on two properties located at the southeast corner of Avenida de Mesilla and Tierra de Mesilla. Zoned: General Commercial (C)
- C. Submitted by Kevin McGinley of McGinley Construction, Inc. for Matthew Abrams, a request to discuss plans to construct an addition on a dwelling located along an easement at 2852 Snow Road. Zoned: Single Family Residential (R-1)

THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) WILL HOLD A REGULAR MEETING VIA TELECONFERENCE ON MONDAY, JANUARY 4, 2021 IMMEDIATELY FOLLOWING THE WORK SESSION. TO JOIN THE MEETING BY PHONE DIAL 1-346- 248-7799, THEN ENTER Meeting ID 603-754-4231 PASSWORD 193857.

II. ROLL CALL AND DETERMINATION OF A QUORUM

III. CHANGES/APPROVAL OF THE AGENDA

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.*

- A. *PZHAC MINUTES – PZHAC Work Session and Meeting of December 21, 2020.

II. PZHAC NEW BUSINESS:

A. PUBLIC INPUT ON CASES

Public input shall be received at larrys@mesillanm.gov at least one hour prior to the meeting and will be read into the record. You will also be given an opportunity to speak during this time by joining the meeting by phone and pressing *9 while in the teleconference. This will let the host know that you wish to speak. You will be prompted by the host or the Commission Chair when to begin speaking.

B. DECISIONS:

Zoning Permits:

- 1. Case 061151 – 2610 Calle Tercera, submitted by Samuel Kane; a request for a zoning permit to construct a rock wall around a residential property at this address. Zoned: Historic Residential (HR) **Discussed during the Work Session**

PZHAC Determinations:

- 2. Submitted by Cesar Huizar for “Casa Blanca”, a request for a determination by the PZHAC as to what further information is necessary to allow the construction of a commercial building at the southeast corner of Avenida de Mesilla and Tierra de Mesilla. Zoned: General Commercial (C)

PZHAC Determinations:

2. Submitted by Cesar Huizar for “Casa Blanca de Mesilla”, a request for a determination by the PZHAC as to what further information is necessary to allow the construction of a commercial building at the southeast corner of Avenida de Mesilla and Tierra de Mesilla. Zoned: General Commercial (C)
3. Submitted by Kevin McGinley of McGinley Construction, Inc. for Matthew Abrams, a request for a determination by the PZHAC as to what further information is necessary to allow the construction of an addition to a dwelling located along an easement at 2852 Snow Road. Zoned: Single Family Residential (R-1)

VI. PZHAC/STAFF COMMENTS

VII. ADJOURNMENT

<u>NOTICE</u>
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 48 hours prior to the meeting.
Posted on 12/30/20 at the following locations: Town Hall - 2231 Avenida de Mesilla; Public Safety Building - 2670 Calle de Parian; Mesilla Community Center - 2251 Calle de Santiago; Shorty’s Food Mart - 2290 Avenida de Mesilla; Avenida de Mesilla and the U.S. Post Office - 2253 Calle de Parian.

**PZHAC NEW BUSINESS
JANUARY 4, 2021**

WORK SESSION

**PZHAC WORK SESSION
JANUARY 4, 2021
ITEM 1**

Submitted by Samuel Kane; a request to discuss plans to construct a rock wall around a residential property at 2610 Calle Tercera (Case 061151) Zoned: Historic Residential (HR)

This case was heard at the December 7 and December 21, 2020 PZHAC meetings at which the applicant agreed to several suggestions the PZHAC made concerning the proposed wall. A decision on the case was postponed at each meeting to allow the applicant to return to the PZHAC with revised plans showing the requested changes. Tom Maese, Chief Inspector for CID stated at the December 21 meeting that CID would like to see more of a detailed rendering with better dimensions, especially with respect to the arches over the irrigation ditch. The applicant will present new plans drawn by his architect prior to this work session.

At the December 21 meeting, the PZHAC still had questions as to the access to the water meter, the height of some of the pillars, and the fact that the neighbor to the north had expressed concerns that the wall would hinder her from leaving her driveway. The applicant explained that there would be access to the water meter, that the pillar heights would be lowered to six feet, and that the purpose of the wall was to keep people driving or parking on Calle de Colon from driving onto his property and hitting the dwelling or air conditioning units on his property. He also explained that the neighbor did not have a right to be backing onto is property to exit her property.

DESCRIPTION OF REQUEST:

The subject property contains two duplexes (four dwelling units) that were recently built. The applicant would like to build a four foot high rock wall along the north side and back of the property. The wall along the east side of the property will be four feet high and will run along Calle de Colon up to the clear-sight-triangle created by Calle Tercera. There will be a six foot high column at this end of the wall. The wall will be recessed where the water meters for the property are to allow access to the meters. There will be a fence around the inside of the meters to allow access from the street. The purpose for this wall will be to provide protection to the duplex on the property from vehicles that might run off the road or park too close to the building.

There will be no wall along Calle Tercera. The wall along the rear of the property will be six feet in height and will be located two feet inside the property line. (A right-of-entry agreement signed by the applicant and the neighbor is attached.) Each end of this wall will have a six foot high column.

Although there will not be a wall along Calle Tercera, the applicant would like to install two sections of wall on either side of the driveway over the irrigation ditch to keep drivers from driving into the ditch. The applicant originally planned for these sections to be four feet high as shown on the site plan, but they will be made three feet in height in order to meet clear-sight-triangle requirements for driveways.

According to the applicant, all requirements for Clear-Sight-Triangles will be met.

The applicant has been informed that the rock that was used to landscape the property will need to be moved out of the street right-of-way. The applicant has agreed and will move the rock behind the wall and the irrigation ditch that is on the property at the time the wall is built.

ESTIMATED COST: @ \$12,000.00

Consistency with the Code:

The PZHAC will need to determine that the proposed walls are consistent with the following sections of the Code:

18.06.110 Review of applications within Historical and General Commercial zones – Considerations.

- A. All applications for work in the Historical zones and Commercial zone (not subject to administrative approval) shall be reviewed by the planning, zoning and historical appropriateness commission. The commission shall determine whether the request involved will be appropriate for the purposes of this title. If the request shall be determined to be inappropriate, the board shall determine whether, owing to conditions especially affecting the building or structure involved, but not affecting the historical district generally, such application may be approved without substantial detriment to the public welfare and without substantial derogation of the intent and purposes of this title.
- B. In reviewing an application, the planning, zoning and historical appropriateness commission shall consider in addition to this chapter:

1. The historical and literary value and significance of the site, building or structure;
2. The general design, arrangement, texture, material and color of the features, sign of billboard involved;
3. The relation of such factors to similar factors or sites, buildings and structures in the immediate surroundings;
4. The appropriateness of the size and shape of the building or structure in relation to:
 - a. The land area upon which the building or structure is situated;
 - b. The landscaping and planting features proposed by the applicant; and
 - c. The neighboring sites, buildings or structures within the historical district.
5. The commission shall also consider the applicable zoning and other laws of the town.

The applicant or his representative will be present by “Zoom” at the work session to provide further details about the proposed construction, and to answer any questions that may arise.

Doña Ana County, NM

General Reference Maps

Map Help

Doña Ana County Geospatial Committee 20

2014 Aerial

Addresses

County Address Points

Select Search Type: Account Number

Enter Value:



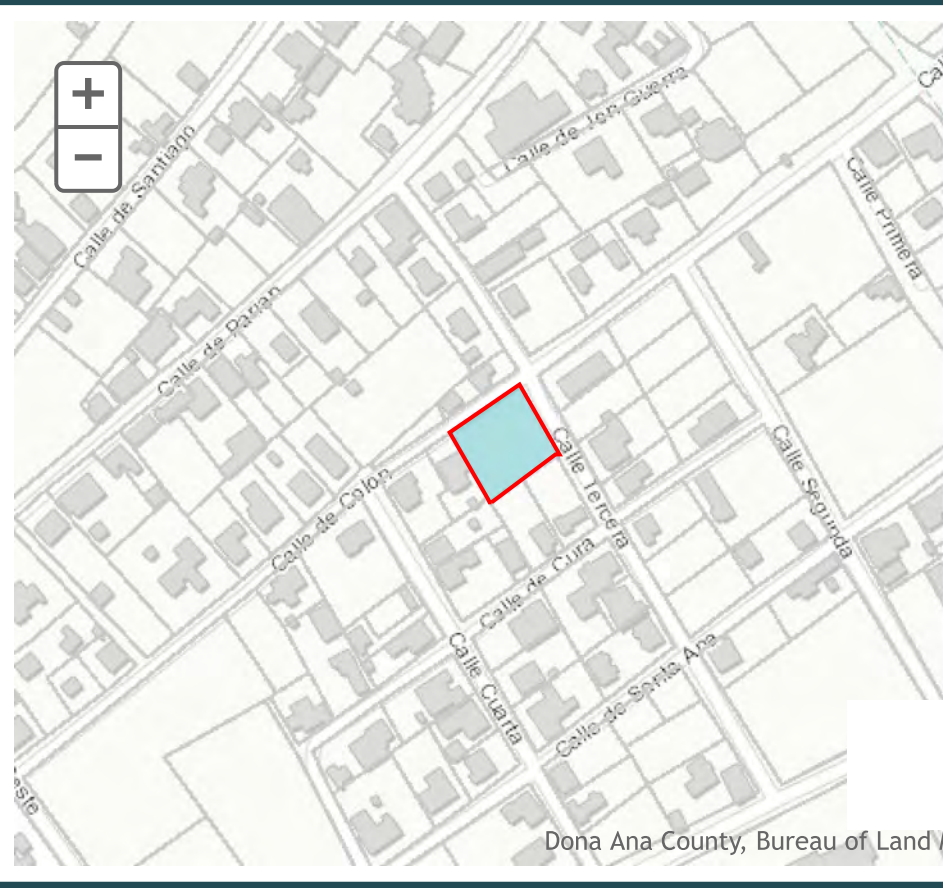
Maps

Legend

Map Themes

- Parcels
- UDC Zoning
- Roads and Transportation
- NM House Districts
- NM Senate Districts
- County Commission Districts
- City Council Districts
- Median Household Income
- General Land Ownership

Account Number: [R0400538](#)
 Parcel Number: 4006138182056
 Owner: KANE SAMUEL I
 Mail Address: PO BOX 849
 Subdivision: SOUTHWEST ADDITION TO MESILLA 201
 Property Address: CALLE TERCERA
 Acres: 0



Doña Ana County, Bureau of Land Management

2610 Calle de Tercera

Revised drawing

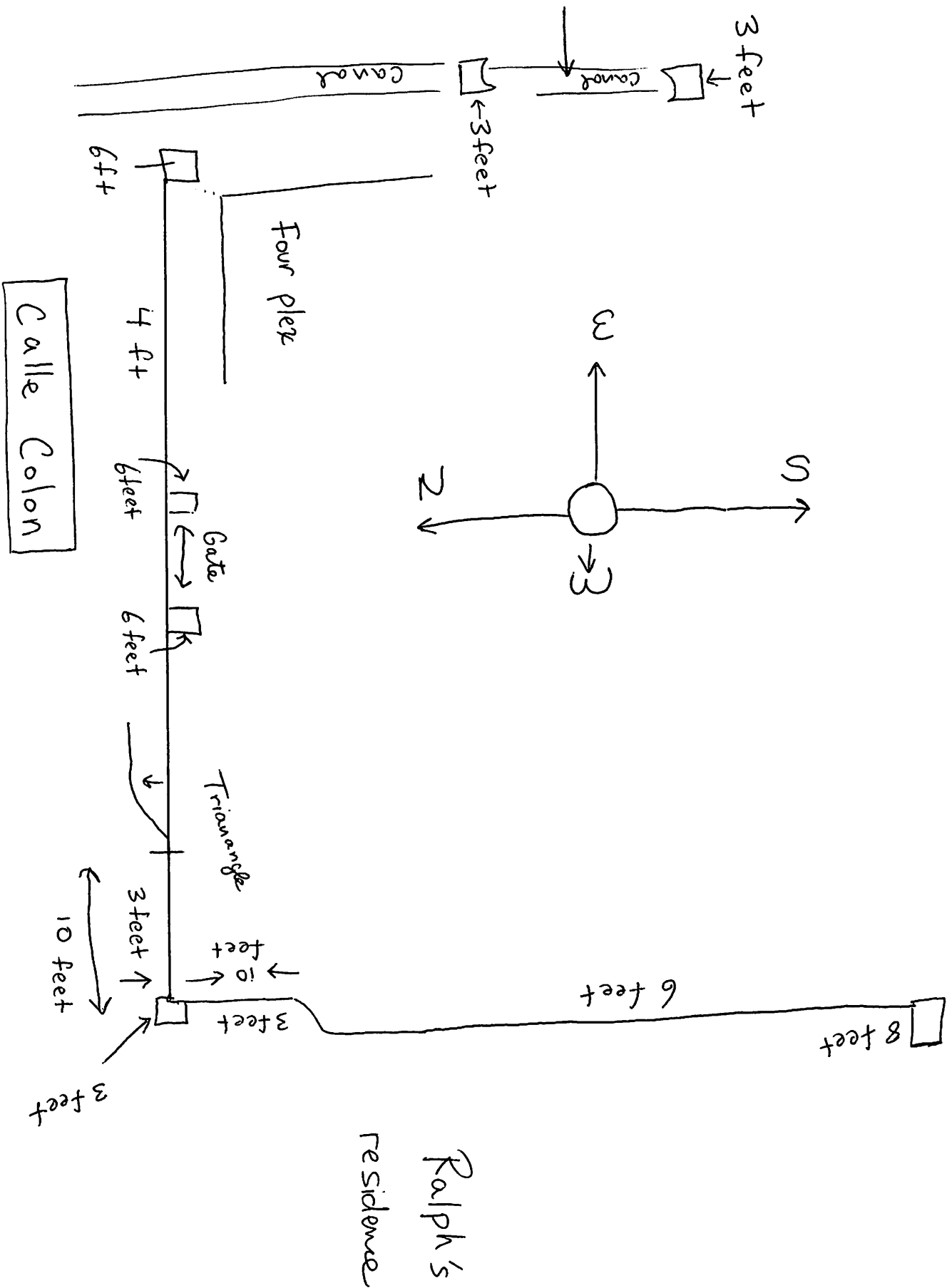


PHOTO OF THE PROPERTY FROM CALLE DE COLON



PHOTO SHOWING THE REAR OF THE PROPERTY FROM CALLE DE COLON



PHOTO OF THE PROPERTY FROM CALLE TERCERA



PZHAC WORK SESSION
JANUARY 4, 2021
ITEM 2

Submitted by Cesar Huizar for “Casa Blanka de Mesilla” a request to discuss plans to construct a commercial building and conduct a retail operation on two properties located at the southeast corner of Avenida de Mesilla and Tierra de Mesilla. Zoned: General Commercial (C)

The applicant would like to construct a 65.5 foot by 35 foot (2,292 square foot) commercial building on the property. The building will have a 14.5 foot by 65.5 foot (950 square foot) covered patio at the front, for a total of 3,250 square feet of building area. This will almost all (about 3,000 square feet) be used as sales area. In addition to this, about 25,000 square feet of the remainder of the two lots will be used for outdoor display and sales (see attached site plan). The applicant intends to sell indoor and outdoor items that are similar to those being sold by the commercial operation to the west of Avenida de Mesilla near the entrance to Mesilla in the City of Las Cruces. This is a retail use of the property, and the General Commercial (C) zoning of the property allows retail uses.

The site plan also shows that spaces have been provided for up to ten - eleven parking spaces. MTC 18.60.170 (Parking Requirements) requires parking for Retail Stores that do not have more than 500 square feet of floor area to have one parking space for each 300 square feet of gross floor area. (There is no mention of outdoor sales area.) If only the floor area of the building is considered, then the parking spaces shown on the site plan are adequate. If the outside display area is also included, then over 84 additional spaces will be needed. (The PZHAC will need to make a determination as to how the MTC should be interpreted.)

According to the applicant, the two lots will be combined and will be surrounded by a fence similar to wrought iron across the front and a chain link or similar fence around the side and rear. (The applicant has been informed that MTC 18.45.140 does not allow chain link fences to be used in the General Commercial zoning district.) The applicant intends to have access to the property from Avenida de Mesilla. (The applicant has been informed by Staff that since Avenida de Mesilla is a State Road, permission to access the road will need to be obtained from the New Mexico Department of Transportation.

The reason the applicant is presenting this information to the PZHAC is to determine what will be acceptable to the PZHAC and what will need to be provided in order to obtain permission to proceed.

Attached are copies of MTC 18.45 (Commercial Zone), 18.60.170 (Parking Requirements and Fees), and 18.65.340 (Wall, Fence or Hedge) for reference.

The applicant or his representative will be present by “Zoom” at the work session to provide further details about the proposed construction, and to answer any questions that may arise.

Chapter 18.45 C – COMMERCIAL ZONE

Sections:

18.45.010 Purpose.

18.45.020 Uses permitted.

18.45.030 Uses expressly prohibited.

18.45.040 Development standards.

18.45.010 Purpose.

This zone is intended to provide for limited commercial enterprises. [Ord. 94-06 § 1; prior code § 11-2-11.6.A]

18.45.020 Uses permitted.

A building and premises on any lot in the C zone shall be used for the following purposes only:

Appliance stores, household;

Auction houses, not including animal auctions;

Automobile supply stores;

Barber shop;

Bank or financial institution;

Bakery goods shop;

Bars and cocktail lounges;

Bicycle, scooter and similar nonmotorized vehicle sale and rental;

Billiard and pool halls;

Book binding;

Book store;

Building material dealers;

Clothing stores;

Department stores;

Drugstores;

Dry goods stores;

Employment agencies;

Feed and grain stores;

Florist shops;

Furniture stores;

Gas stations;

Gift shops;

Grocery;

Hardware stores;

Hobby supply shops;

Hotels;

Interior decorating shops;

Jewelry stores;

Laundries, self-service;

Laundry agencies;

Leather goods stores;

Locksmith shops;

Millinery shops;

Motels;

Music stores;

News stands;

Notions store;

Office, business and professional;

Office equipment, sales and service;

Package liquors stores;

Paint and wallpaper stores;

Photography studio;

Pet shops, pet supply stores;

Plumbing shops;

Real estate offices;

Restaurants and other eating establishments;

Secondhand stores;

Shoe repair shops;

Shoe stores;

One single-family dwelling on any lot or parcel of land in the zone may be permitted; provided, a special use permit for said dwelling is first obtained; and further provided, that the dwelling shall be used only by the owner or lessee of the lot or parcel on which it is erected or by an employee of said owner or lessee, and used only with any permitted commercial use, exclusive of home occupations;

Sporting goods stores;

Tailor shops;

Theaters;

Tobacco shops;

Typewriter sales and repair shops. [Ord. 2001-09 § 1; Ord. 2001-04 § 1; Ord. 94-06 § 1; prior code § 11-2-11.6.B]

18.45.030 Uses expressly prohibited.

Uses expressly prohibited in the C zone are as follows:

A. Agricultural uses.

B. Industrial uses.

C. Home occupations.

D. Multifamily dwellings. [Ord. 2001-09 § 1; Ord. 94-06 § 1; prior code § 11-2-11.6.C]

18.45.040 Development standards.

A. Lot Area. Each lot or parcel to be developed in the C zone shall have a minimum of 100 feet of frontage on a street and a minimum of 12,000 square feet of area.

B. Lot Dimensions.

1. Width. A minimum width of 100 feet is required.

2. Depth. A minimum depth of 120 feet is required.

C. Density. When lots in the C zone are to be developed, each lot or parcel shall have sufficient area to meet the standards and regulations described below for yard requirements; ponding; parking at the maximum number of spaces required for the intended use; solid waste collection; off-street loading and unloading; screening and buffering; and landscaping.

D. Yards.

1. When a lot is developed to a permitted commercial use which is adjacent to a residential zone, the yard requirements of the adjacent residential zone shall prevail; provided, that subsections (D)(2), (3) and (4) of this section are met.

2. In no event shall the setback requirement for any yard in the C zone be less than seven feet unless the structure meets UBC fire-resistive requirements.

3. In the event the structure meets UBC fire-resistive requirements, then the setback requirement for any yard in the C zone shall be a minimum of three feet.

4. In addition to subsections (D)(1), (2) and (3) of this section, where there are three or more contiguous lots proposed for development in the C zone, the rear yard setback shall be designated as an alley and shall be specifically designated and used only for off-street loading and unloading, solid waste collection, emergency vehicles and other service access. The alley shall meet the following standards:

- a. The width of the alley shall be a minimum of 20 feet and unobstructed throughout the width.
- b. The alley shall be one-way.
- c. The alley shall serve contiguous lots where there are three or more contiguous lots.
- d. The alley shall be maintained by the developer if so designated by covenant or other document or by property owner.
- e. The alley shall meet the design standards set forth in the town's land subdivision regulations, MTC Title [17](#).

E. Off-Street Parking. See MTC [18.60.170](#).

F. Off-Street Loading and Unloading. Every commercial building in a C zone shall have and maintain an off-street loading and unloading area.

G. Lighting. Any lighting system shall be installed so that any glare from the system shall be reflected downward and away from any nearby structure or roadway.

H. Height Limitations. No building or structure shall have a height greater than two stories or 30 feet, whichever is less, as measured from the natural grade of the land.

I. Screening. Outdoor storage shall require a six-foot opaque fence or wall to screen the outdoor storage from public view.

J. Architectural Style and Design Standards. New development or redevelopment in the C zone shall comply with Mesilla's established architectural styles and design elements as listed in the town's "Guidelines and Criteria for Preservation and Development" manual, including the development zone specifications.

In addition, the architectural style and design standards shall comply with the following:

1. Elevations of proposed structures shall be submitted with site plans for review by the planning, zoning and historical appropriateness commission with final approval by the board of trustees.
2. Internal consistency or compatibility of styles, colors, materials, and design elements will be required in all new development or redevelopment within the C zone.
3. Stucco, brick, stone, wood, and adobe are permitted exterior wall materials. Aluminum siding, metal panels, mirrored glass, unstuccoed concrete block and unstuccoed concrete are prohibited exterior wall materials.
4. The use of solar and other energy collecting and conserving strategies is encouraged by Mesilla. Where publicly visible, solar features and equipment shall be architecturally integrated or screened.
5. Walls and fencing with adobe, brick, stucco, slump block, stone, wood, and wrought iron fencing is permitted. Unstuccoed concrete, chain link, metal wire, or similar materials are prohibited.
6. Mechanical, electrical, telephone, heating and cooling equipment as well as other obtrusive structures shall be architecturally screened.
7. All installations of utility lines shall be underground.
8. Inspections as required by the UBC and the town of Mesilla, inclusive of foundation through final, shall be conducted as per Chapter 15.15 MTC.

K. Landscaping. Landscaping in the C zone shall be subject to those requirements and conditions for landscaping as set forth in the Avenida de Mesilla Gateway Plan, adopted May 6, 1996, and as approved by the planning, zoning, and historical accuracy commission.

L. Parking Lots. Development of public or private parking areas shall be subject to the restrictions and conditions set forth in MTC 18.60.170(E).

M. Ponding. Each lot or parcel shall be provided with on-site ponding that meets the standards set forth by the town of Mesilla.

N. Perimeter Wall or Fencing. A uniform six-foot high perimeter wall or fencing, measured from natural ground surface level, shall be installed by the subdivider and/or developer between commercial

development in the C zone and adjacent residential development or adjacent agricultural development to provide privacy to the homeowner and protection to the farmer from urban encroachment. The wall/fence shall be maintained by the developer if so designated by covenant or other document or by the property owner. The planning and zoning commission shall determine if the standards and design proposed for the wall/fence are adequate and appropriate. Cross Reference: MTC [17.30.030](#), Alley location.

O. Wall, Fencing, Hedge, C Zone.

1. Height. A three-foot maximum height above natural ground surface level shall be permitted on any part of the required setback in the front yard and a four-foot maximum height above natural ground surface level shall be permitted on any part of the required set back in the side yards; provided, the height of such wall, fence or hedge is in accord with subsection (O)(2) of this section.
2. Clear Sight Triangle. There shall be no fence, wall, hedge or obstruction more than three feet above the street curb level or natural ground surface level at the edge of the street in the clear sight triangle, measured 30 feet in both directions on the property line from a corner.
3. Materials. Walls or fences constructed in the C zone must be built with the following materials only: stucco, brick, stone, wood, adobe or decorative iron. Decorative iron is defined as iron made from square or rectangular shaped iron and it may be used in the C zone for fencing alone or in combination with the other allowed materials mentioned above in this subsection.
4. Other Restrictions. All other restrictions and conditions appearing in MTC [18.60.340](#), Wall, fence, or hedge, and applying to the C zone are included here by reference.

P. In addition to maintaining the landscaping, ponding, and parking areas, the developer if so designated by covenant or other document or the property owner shall maintain any and all fixed structures attached to the ground.

Q. All construction within the C zone shall comply fully with the American National Standards Institute (ANSI) 117.1-1998 handicap standards. [Ord. 2001-09 § 1; Ord. 2001-04 § 1; Ord. 94-06 § 1; Ord. 92-06 § 1; Ord. 89-07 § 1; prior code § 11-2-11.6.D]

The Mesilla Town Code is current through Ordinance 2020-04, and legislation passed through June 8, 2020.

Disclaimer: The town clerk's office has the official version of the Mesilla Town Code. Users should contact the town clerk's office for ordinances passed subsequent to the ordinance cited above.

Town Website: <http://www.mesillanm.gov/>

Town Telephone: (575) 524-3262

[Code Publishing Company](#)

18.60.340 Wall, fence, or hedge.**A. Height (see illustration in Appendix A).**

1. A six-foot maximum height above ground surface level shall be permitted on any part of the required setbacks of front yards or side yards abutting a street in H-R and H-C zones; provided, such wall, fence or hedge is in accord with subsections (D) and (G) of this section.

2. A four-foot maximum height above ground surface level shall be permitted on any part of the required setbacks of front yards or side yards abutting a street in R-1, RF and RA zones; provided, such wall, fence or hedge is in accord with subsection (D) of this section. A six-foot maximum height above ground surface level shall be permitted on any part of the required front yard or side yard abutting a street with openwork fencing in the RF and RA zones. "Open work" fencing is defined as fencing with 40 percent of the area transparent within each six-foot width of fence.

B. Walls, fences or hedges on any part of the lot that is to the rear of the required front yard must be in accord with subsection (D) of this section and constructed to Uniform Building Code Standards.

C. Any wall retaining four or more feet of soil must be designed and signed by a professional engineer registered in the state of New Mexico.

D. There shall be no fence, wall, hedge, or obstruction more than three feet above street curb level or ground level at edge of street in the clear sight triangle, measured 30 feet in both directions on the property line from a corner. (See Appendix B.)

E. Walls or fences constructed within the front yard setback area facing a street within the H-R, H-C, R-1 zones must be built with the following materials only: stucco, brick, stone, wood, adobe and wrought iron.

F. No wall, fence or hedge shall be permitted in a public right-of-way.

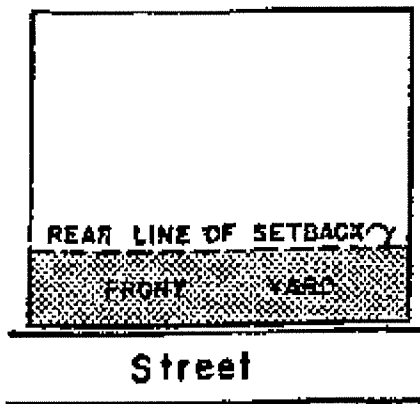
G. No walls, fences, hedges or other obstructions may be placed near exits from driveways or parking areas which block a driver's view of approaching traffic for a distance of 90 feet in both directions. The following explanations will further define this unobstructed view (also, see illustrations in Appendix C):

1. The driver's eye level may be from three to eight feet above the driveway's surface and located as far as 10 feet back from the curb line or pavement edge.

2. Those portions of approaching cars which are more than three feet above the roadbed must be within view of the exiting driver.
3. Approaching cars must be visible when driving in the center of any legal lane.
4. Minor gaps are permitted in the required field of view caused by tree trunks, sign posts, or other narrow objects if they could not conceal a small automobile.

H. A wall may exceed six feet if it is compatible with the development zone, as defined in the Guidelines and Criteria for Preservation and Development manual (YGUADO Plan), and is connected to the building where it surrounds a courtyard, patio, or open room and the height of the wall is to provide privacy and/or environmental protection. The wall shall not exceed the height of the corresponding building nor at any time exceed 10 feet. This criterion shall not be considered for a perimeter wall (property line fence). [Ord. 2006-10 § 1; Ord. 2001-09 § 1; Ord. 94-06 § 1; Ord. 93-08; prior code § 11-2-5.34]

Appendix A – Fences, Walls and Hedges

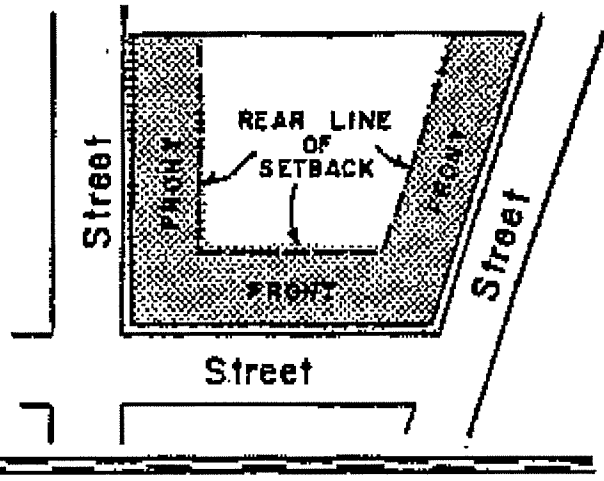


Interior Lot

Hedge, fence and wall height is restricted (see MTC 18.60.340) in the shaded area, except that in any clear sight triangle, the height shall be limited to three feet.

Corner and Multi-Front Lots

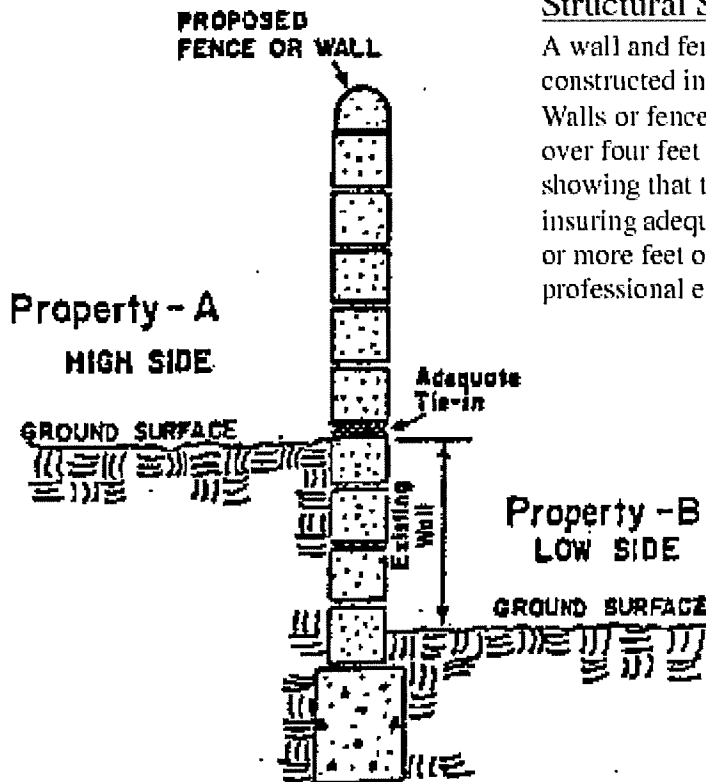
Hedge, fence and wall height is restricted (see MTC 18.60.340) in the shaded area, except that in any clear sight triangle, the height shall be limited to three feet.



Note: Ground surface level is defined as the level of ground abutting the fence or wall.

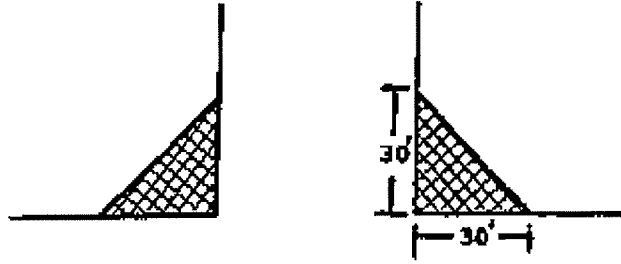
Structural Strength and Bi-Level Grades

A wall and fence constructed on a bi-level grade shall be constructed in accord with the following provision: Walls or fences constructed on top of an existing wall that is over four feet in height shall require a structural detail showing that the fence below is structurally adequate and insuring adequate tie-in and bonding; and a wall retaining four or more feet of soil must be designed and stamped by a professional engineer registered in the state of New Mexico.



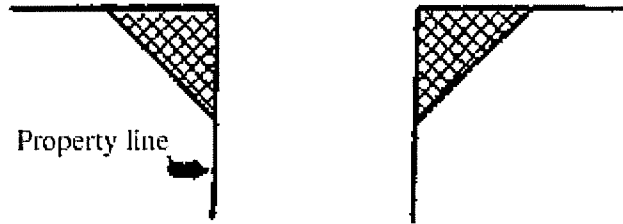
Appendix B – Clear Sight Triangle

Clear sight triangle applies to both corner lots and off-street multiple parking area. For a definition, see "Clear sight triangle," MTC 18.10.020.

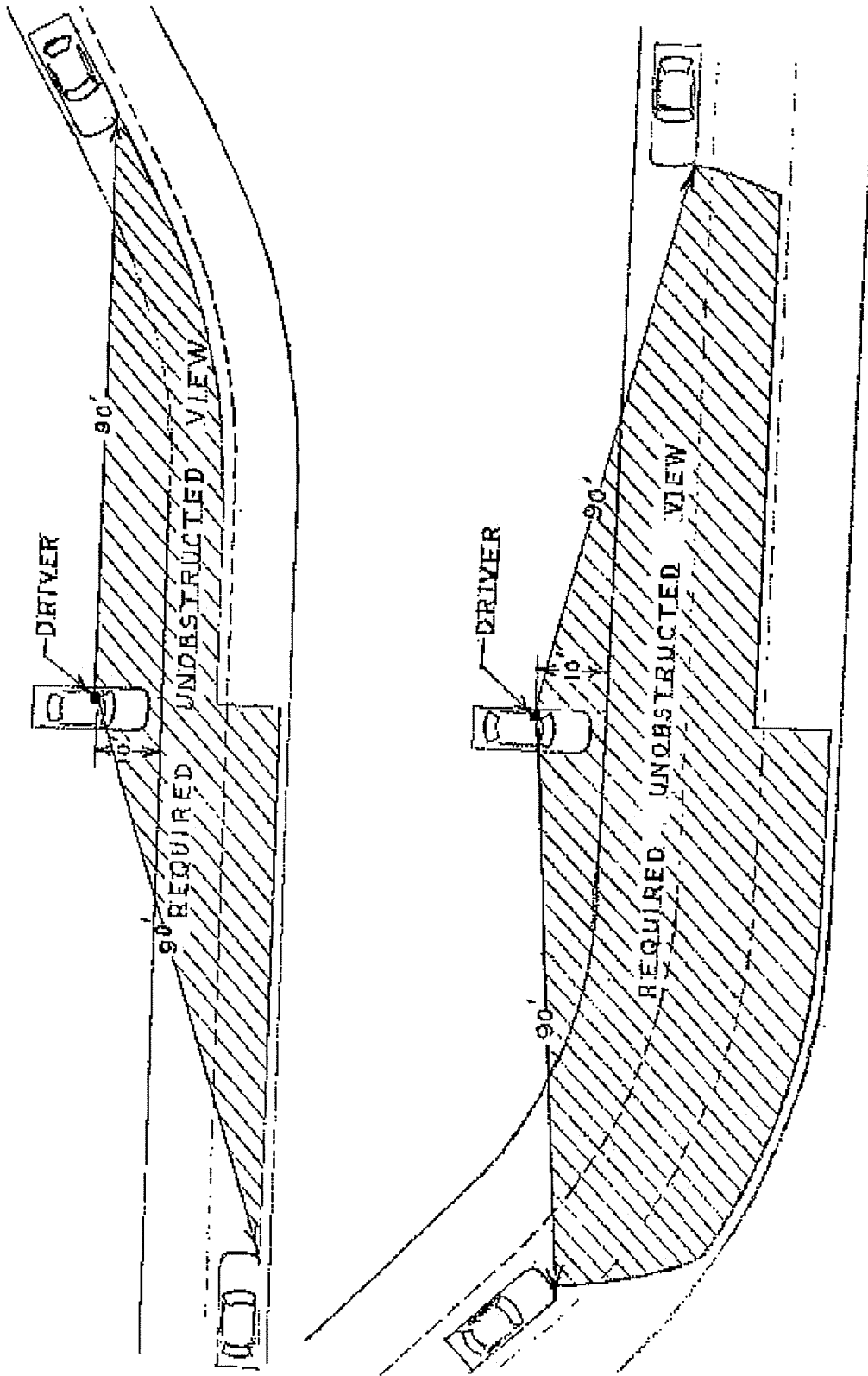


Clear Sight Triangle

STREET



Appendix C



- Required Unobstructed View

PZHAC WORK SESSION
JANUARY 4, 2021
ITEM 3

Submitted by Kevin McGinley of McGinley Construction, Inc. for Matthew Abrams, a request to discuss plans to construct an addition on a dwelling located along an easement at 2852 Snow Road. Zoned: Single Family Residential (R-1)

Although the address is listed on Snow Road, the property is actually on a 15 foot wide right-of-way (ROW) easement that is not officially recognized as adequate access for emergency purposes. Part of the difficulty is that there are two fifteen foot wide side-by-side easements separated by a wire fence that runs along the south edge of the property. The fence runs along the entire length of the easement, therefore access to the property is by only one of these easements, which is fifteen feet wide (the Code requires a minimum of 26 feet for easements with fire hydrants). Additionally, the width of the ROW is limited by the fence which prevents vehicles from turning around on the easements or passing other vehicles or obstacles. This makes it extremely difficult for emergency vehicles to access properties along the easement (see attached Fire Code for easements).

Another problem is that the existing dwelling, which appears to have been built in 2009, straddles the property line between two one acre lots. (Since the lots are one acre in size, the property does meet the one-acre size requirement of the R-1 zoning of the property.)

The applicant would like to build an addition that would add 434 square feet to the existing dwelling. This will consist of a new bedroom, bathroom and closet. (See attached building plans and site plan). Access will be from the interior of the existing dwelling. The addition will be finished to match the existing dwelling. There will be no changes to the style of the dwelling or the property.

The following issues will need to be addressed by the PZHAC:

1. Access to the property.

Unless the PZHAC determines that the property does meet the requirements for adequate access by emergency vehicles, the property is legal non-conforming and cannot be expanded upon, **according to a recent PZHAC policy resulting from a legal opinion dated August 14, 2020**, until the question of legal access is addressed to the satisfaction of the PZHAC and the BOT.

2. The fact that the existing dwelling straddles property lines.

The applicant or his representative will be present by “Zoom” at the work session to provide further details about the proposed construction, and to answer any questions that may arise.

18.60.170 Parking requirements and fees.

A. Historical Commercial Zone. Proposed new commercial building sites within the Historical Commercial zone shall provide for permanently maintained on-site motorized vehicle parking spaces pursuant to the parking spaces requirements contained in this section; all existing buildings (commercial and residential) in the H-C zone when the town of Mesilla adopted the land use plan and the zoning ordinance on February 15, 1972, shall be "grandfathered." The following are specific conditions that may apply to parking in the H-C zone:

1. Grandfathered Commercial Buildings. Existing commercial businesses located within an existing grandfathered commercial building which do not meet the parking requirements of the town of Mesilla may continue provided each business shall pay a yearly fee as stated in subsection (B) of this section at the time of business registration renewal. If a business occupies an existing building in the Historical Commercial zone and does meet the parking regulations, the business shall be exempt from the fee.
2. If expansions/additions of existing grandfathered buildings or changes of occupancies of an existing building cannot accommodate the required parking spaces pursuant to the requirements contained within this section on the business site or on adjacent business-owned property, then the owner(s) must pay the annual assessment listed in subsection (B) of this section. In no case shall any structure that is listed on the historic register be demolished to provide parking.

B. Historical and General Commercial Zones.

1. The required parking fee for commercial operations in the Historical and General Commercial zones shall be based on the following:
 - a. All commercial operations, other than home occupations as defined in Chapter 18.52MTC, that have a total of one to five employees come to the site that do not meet the parking space requirements for the operation, as required by the following sections, are required to pay a \$150.00 parking fee to the town at the time the business registration is first acquired, and annually when business registration is renewed. If a parking fee is not paid prior to the renewal date, then the business license shall not be issued.
 - b. All commercial operations, other than home occupations as defined in Chapter 18.52MTC, that have a total of six to 20 employees in which clients and employees come to the site that do not meet the parking space requirements for the operation, as required by the following sections, are required to pay a \$250.00 parking fee to the town at the time the business registration is first acquired, and annually when business registration

is renewed. If a parking fee is not paid prior to the renewal date, then the business license shall not be issued.

c. All commercial operations, other than home occupations as defined in Chapter 18.52MTC, that have a total of 21 or more employees in which clients and employees come to the site that do not meet the parking space requirements for the operation, as required by the following sections, are required to pay a \$500.00 parking fee to the town at the time the business registration is first acquired, and annually when business registration is renewed. If a parking fee is not paid prior to the renewal date, then the business license shall not be issued.

d. Fees shall not be prorated.

e. The annual assessment fees shall be placed into a special parking fund to be used for required maintenance, purchasing and creation of parking lots and parking spaces.

f. In no case shall any structure that is listed on the historic register be demolished to provide parking.

2. All new commercial building sites in the General Commercial zone shall provide for permanently maintained on-site motorized vehicle parking spaces pursuant to the parking spaces requirements contained in this section.

C. Parking Space Standards for All Uses. (All areas used for parking calculations are gross floor areas as listed in the county assessor's records, unless otherwise specified.)

1. Commercial uses – including historical commercial:

USE	PARKING SPACES REQUIRED
Banks	One parking space for each 500 square feet of gross floor area.
Business or professional offices, not including medical professional offices and personal service shops	One parking space for each 500 square feet of gross floor area.
Churches and accessory uses	One parking space for each six seats, or if there are no fixed seats, then one parking space for each 100 square feet of floor space used for assembly purposes.

USE	PARKING SPACES REQUIRED
Establishments for the sale and consumption on premises of food and/or beverages	One parking space for each 100 square feet of gross floor area in addition to one space for each two employees on the maximum shift. One parking space is required for each 100 square feet of outdoor patio area.
Furniture and appliance stores, hardware stores, household equipment, service shops, clothing or shoe repair	One parking space for each 500 square feet of gross floor area.
Hotels and motels	One parking space for each sleeping unit or dwelling unit, in addition to requirements for auxiliary uses such as restaurants or shops.
Community buildings, libraries, museums, administration buildings, art galleries and centers	One parking space for each 300 square feet of gross floor area.
Manufacturing uses not providing customer services on the premises, such as research and testing laboratories, creameries, bottling establishments, bakeries, canneries, printing and engraving shops	One parking space per 500 square feet for 5,000 square feet or less; one space per 1,000 square feet over 5,000 square feet.
Small office establishments (law, accounting, engineering, real estate offices, and similar uses)	Two parking spaces for employees, plus one space for each 300 square feet of gross floor area.
Professional services (medical and dental offices, barbers, hairdressers, and similar uses)	One parking space for each 200 square feet of gross floor area.
Mortuaries, funeral homes	One parking space for each 50 square feet of floor area of assembly rooms used for services.
Nonmotorized vehicle sales, machinery sales or wholesale stores	One for each 500 square feet of gross floor area.
Retail stores, except as otherwise specified:	
(a) Having not more than 5,000 square feet of floor area	(a) One parking space for each 300 square feet of gross floor area.
(b) Having more than 5,000 square feet	(b) 10 parking spaces plus one parking space for each 300 square feet of gross floor area in excess of 5,000 square feet.

USE	PARKING SPACES REQUIRED
Boardinghouses, bed-and-breakfast inns and similar uses	One parking space for each 120 square feet of floor area used for sleeping purposes, in addition to requirements for auxiliary uses such as restaurants or shops.
Sanitariums, children's homes, homes for the aged, asylums, nursing homes	One parking space for each two beds.
Schools and learning centers, private	One parking space for each 500 square feet of gross floor area, plus one parking space for each employee as per subsection (B) of this section. For any large assembly area used for group meetings see immediately below.
Stadiums, sports arenas, auditoriums (including school auditoriums) and other places of public assembly and clubs and lodges having no sleeping quarters	One parking space for each two seats or one parking space for each 50 square feet of gross floor area used for assembly and not containing fixed seats.
Theaters	One parking space for each five seats up to 800 seats, plus one parking space for each 10 seats over 800 seats.

2. Residential Uses – Including Historical Residential. All new residential building sites shall provide the required parking spaces pursuant to the parking space requirements contained in this section.

USE	OFF-STREET PARKING SPACES REQUIRED
Dwellings, single-family, all zones	Three off-street parking spaces for each dwelling unit.
Dwellings – multifamily:	
(a) Efficiency (studio), no bedroom	One off-street parking space per unit.
(b) One bedroom	Two off-street parking spaces per unit.
(c) Two bedrooms or larger	Three off-street parking spaces per unit.

* Uses requiring special use permits (Chapter [18.55](#) MTC) shall provide parking pursuant to the above, based on the specific or most comparable use.

D. Parking Spaces for the Handicapped. The minimum number and design of designated handicapped parking spaces for other than one- and two-family dwellings shall be subject to the latest ADA requirements.

E. Parking Requirements for Uses Not Specified. Where the parking requirements for a use are not specifically defined, the planning commission shall determine the numbers based upon the requirements for the most comparable use.

F. General Requirements. The following general requirements shall apply:

1. Size and Access. If off-street parking is provided it shall be located as specified below:

a. Be 10 feet wide by 20 feet long exclusive of drives or aisles. Each space shall be provided with adequate ingress and egress. An enclosed attached or detached residential garage shall not be used to satisfy the requirements for parking spaces unless specifically designed as a community parking facility for more than two dwellings.

2. Location. If off-street parking facilities for a noncontiguous parcel are provided they shall be located as specified.

a. For dwellings, parking facilities shall be located on the same or a contiguous lot;

b. For hospitals, sanitariums, homes for the aged, asylums, orphanages, rooming houses, lodging houses, club rooms, fraternity and sorority houses, not more than 150 feet from the buildings they serve.

3. Mixed Occupancies in a Building. When mixed use businesses are proposed in a building or strip mall:

a. New or existing: The total parking spaces required shall be one space per 200 square feet of gross area.

b. In structures where the total parking requirements of all the occupants exceeds the total number of parking spaces available, each occupant shall be subject to the annual parking fee in subsection (B) of this section, Historical and General Commercial Zones. The parking requirements for mixed use structures shall be assessed annually at renewal of business registration.

4. Plans. The plan of the parking area shall be submitted with the building permit for the building. The plans shall be drawn to scale and include complete details. (See subsection (G)(1) of this section, Minimum Design Standards.)

G. Every lot used as a public or private parking area shall be developed and maintained in the following manner:

1. Minimum Design Standards.

- a. Parking stalls shall allow for of an area 10 feet wide by 20 feet long, measured as a rectangle within the proposed parking space.
- b. Aisles for circulation with one-way traffic shall be:
 - i. For parallel parking: 12 feet wide.
 - ii. For 30- and 40-degree parking: 15 feet wide.
 - iii. For 60-degree parking: 18 feet wide.
 - iv. For 90-degree parking: 24 feet wide.
- c. There must be adequate space so that vehicles do not back into a public street.
- d. Circulation aisles shall be designed to prevent vehicles entering a public street when driving from one aisle to another.
- e. Narrow parking areas with only one aisle for both entrance and exit shall be a minimum of 24 feet in width, and on the side of the parking area furthest from the entrance, have a turning area with a 25-foot minimum radius.
- f. One-way entrances and exits shall have a minimum width of 12 feet and combined entrance-exits shall have a minimum width of 24 feet.
- g. All entrances, exits and parking stalls shall be clearly marked, including directional markings.

2. Construction Standards.

- a. All commercial parking spaces and areas provided under the provisions of this chapter shall:
 - i. Be paved with base course, asphalt, concrete or other material that would be suitable to the site.
 - ii. Provide adequate drainage. A drainage plan will be required for all developments including parking; and said plan must be approved by the commission and board of trustees prior to issuance of a certificate of zoning compliance.

iii. Have bumper guards where needed to protect walls, fences, structures, etc.

iv. Be provided with necessary space and aisle safety markings.

b. In All Residential Zones. Crushed stone or crusher fines, for a minimum depth of four inches, is the minimum surface that may be used for driveways or parking areas or similar material as determined by the planning, zoning and historical appropriateness commission.

i. Provide adequate drainage. A drainage plan will be required for all developments including parking; and said plan must be approved by the commission and board of trustees prior to issuance of a certificate of zoning compliance.

In addition to the requirements of subsections (G)(1) and (2) of this section, every parking lot, either public or private, having a capacity of five or more vehicles shall be developed and maintained as follows:

3. Border, Barricades, Screening and Landscaping.

a. Every parking area not separated by a fence from any abutting street or alley property line shall be provided with a suitable concrete or wood curb six inches in height, located two feet from the street or alley property lines. This curb shall be securely installed and maintained; no curb or barrier shall be required across any entrance to the parking area.

b. Every commercial parking area abutting property in the residential zones shall provide a solid wall, view-obscuring fence or compact evergreen hedge six feet in height; provided, that along the required front yard the fence, wall or hedge shall not exceed 48 inches in height.

c. Any lights illuminating any parking area permitted by this title shall reflect the light away from any nearby dwelling unit and meet the requirements of Chapter [18.50](#) MTC, Outdoor Lighting.

4. Entrances and Exits. The location of all entrances and exits must be approved by the commission. A clear sight triangle must be maintained at each exit.

5. Recreation vehicles and buses are required to park in designated areas.

6. The "No Parking" zones at intersections shall be 30 feet pursuant to state law.

H. Bicycle parking is not required, but is encouraged.

I. Businesses that meet the requirements of subsections (C) and (G) of this section shall be exempt from the parking assessment fees.

J. Existing parking lots not in compliance with subsection (G) of this section shall be brought into compliance within two years of the date of acceptance of this amendment. [Ord. 2017-01 § 1; Ord. 2009-03 § 1; Ord. 2004-01 § 3; Ord. 2003-03 § 1; Ord. 2001-04 § 3; Ord. 94-06 § 1; prior code § 11-2-5.17]

Doña Ana County, NM

General Reference Maps

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Addresses

County Address Points

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Map Themes

- Parcels
- UDC Zoning
- Roads and Transportation
- NM House Districts
- NM Senate Districts
- County Commission Districts
- City Council Districts
- Median Household Income
- General Land Ownership

Account Number: [R0401238](#)
 Parcel Number: 4006137234292
 Owner: MESILLA MERCADO NV LLC
 Mail Address: PO BOX 1881
 Subdivision: MERCADO DE LA
 MESILLA PHASE 3B (BK 20 PG 163-
 164 - 0231702)
 Property Address: TIERRA DE
 MESILLA
 Acres: 0



Doña Ana County, NM

General Reference Maps

2014 Aerial

Addresses

County Address Points

Select Search Type: Account Nur

Maps

Legend

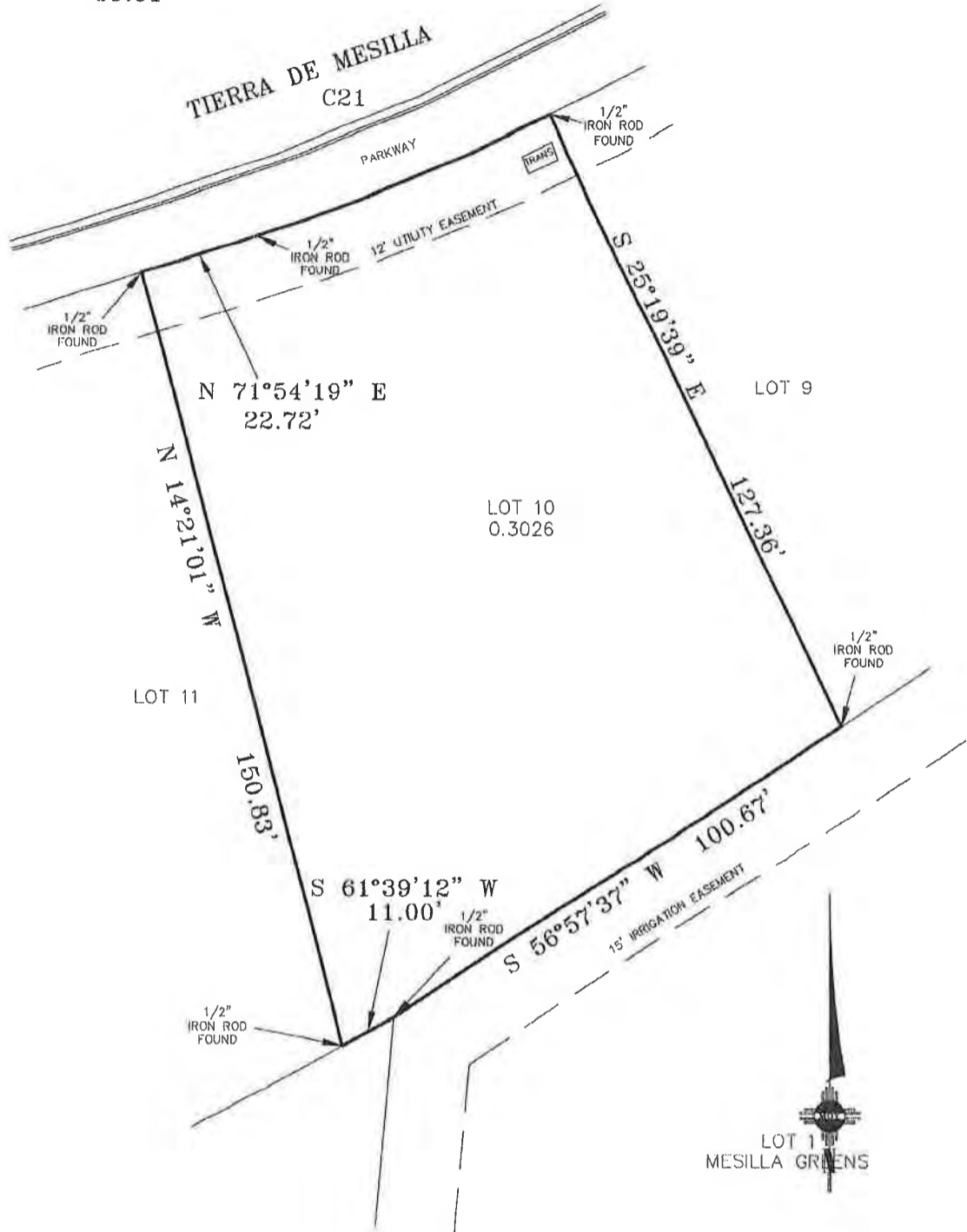
Map Themes

- Parcels
- UDC Zoning
- Roads and Transportation
- NM House Districts
- NM Senate Districts
- County Commission Districts
- City Council Districts
- Median Household Income
- General Land Ownership

Account Number: [R0401239](#)
 Parcel Number: 400613722298
 Owner: MESILLA MERCADO NV
 Mail Address: PO BOX 1881
 Subdivision: MERCADO DE LA
 MESILLA PHASE 3B (BK 20 PG 163-
 164 - 0231702)
 Property Address:
 Acres: 0

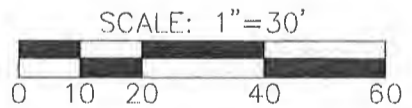


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 $L=59.65'$
 $\text{Tan}=29.86'$
 $\text{CH}=\text{N } 68^{\circ}17'20'' \text{ E}$
 $59.61'$



NOTE:
 FLOOD ZONE "X"; AREAS DETERMINED TO BE OUTSIDE
 500-YEAR FLOOD PLAIN, AS PER MAP NO 35013C1093 G,
 EFFECTIVE JULY 6, 2016.

FIELD NOTES BY MOY SURVEYING INC., LICENSE #18078.
 ALL CORNERS SET ARE 1/2" IRON RODS WITH 1" PLASTIC
 CAPS STAMPED #18078. ALL IRON RODS OR MONUMENTS
 FOUND, TAGGED, STAMPED #18078. UNLESS OTHERWISE
 NOTED DEED BEARINGS AND DISTANCES AND FIELD BEARING
 AND DISTANCES ARE THE SAME.



"INDEXING INFORMATION FOR COUNTY CLERK"
 PROPERTY OWNER: MESILLA MARCADO NV LLC
 PROPERTY LOCATION: TOWN OF MESILLA
 ACCOUNT NUMBER: R0401238
 PARCEL NUMBER: 4006137234292



PLAT OF SURVEY
SHOWING THE LOCATION OF IMPROVEMENTS
ON LOT 10, BLOCK A
MERCADO DE LA MESILLA, PHASE 3B
FILED OCTOBER 24, 2002, IN BOOK 20
PAGES 163-164, DONA ANA COUNTY RECORDS
TOWN OF MESILLA
DONA ANA COUNTY, NEW MEXICO

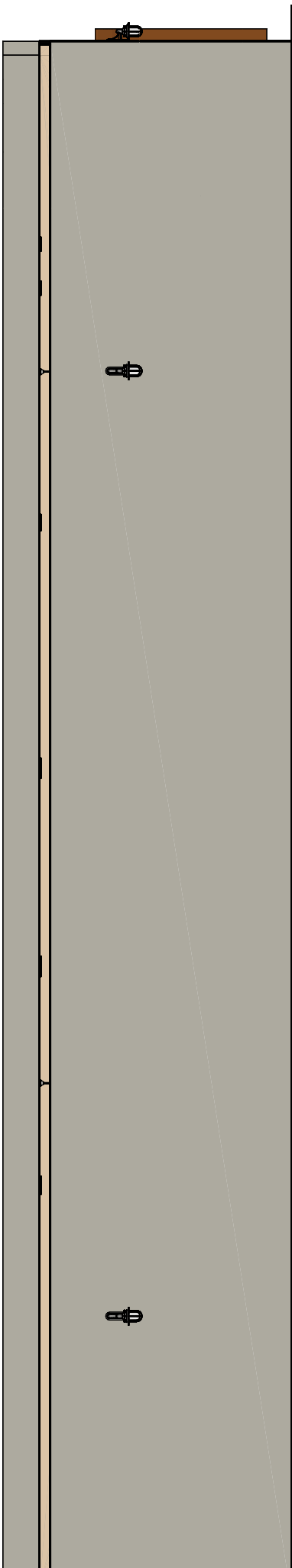
THIS IS TO CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, THAT THIS PLAT
 WAS PREPARED FROM FIELD NOTES OF AND ACTUAL SURVEY MADE BY ME OR
 UNDER MY DIRECTION AND THAT IT IS TRUE AND CORRECT, MEETING THE MINIMUM
 REQUIREMENTS OF THE STANDARDS FOR LAND SURVEYS IN NEW MEXICO AS
 ADOPTED BY THE NEW MEXICO STATE BOARD OF REGISTRATION FOR
 PROFESSIONAL ENGINEERS AND LAND SURVEYORS, TO THE BEST OF MY
 KNOWLEDGE AND BELIEF.

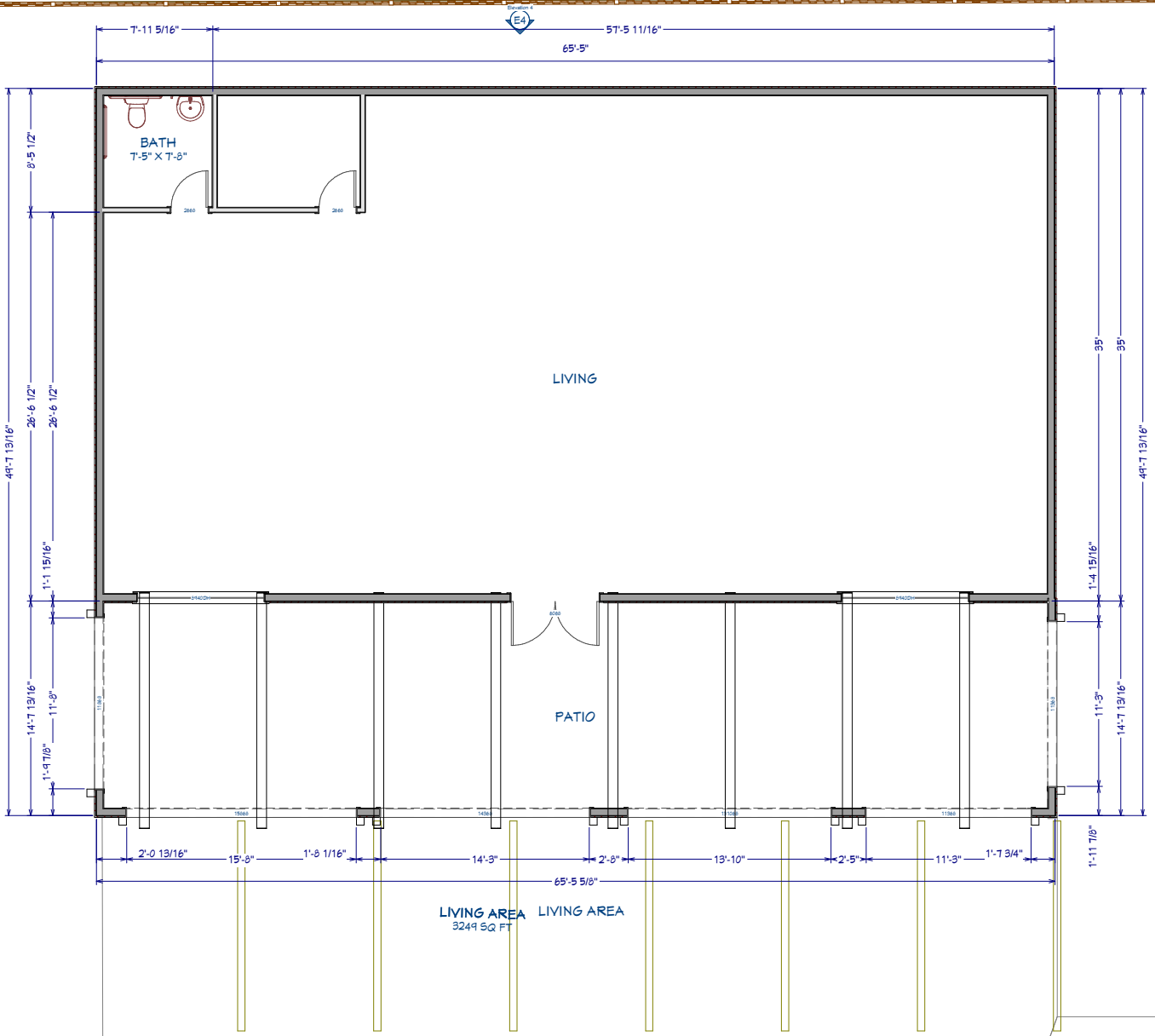
Henry Magallanez 18078
 DATE: 12/22/20

HENRY MAGALLANEZ LICENSE NO. 18078
 414 N. DOWNTOWN MALL
 LAS CRUCES, NEW MEXICO 88001

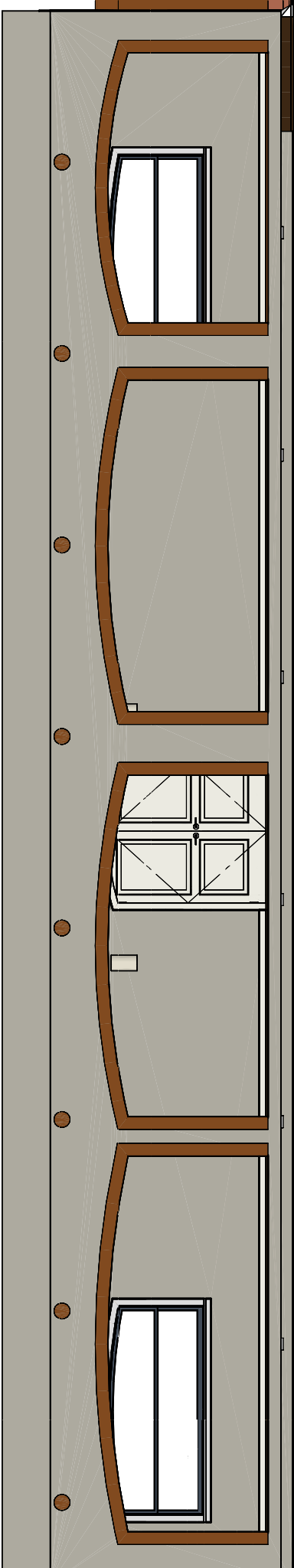
MOY SURVEYING INC.
 414 N. DOWNTOWN MALL
 LAS CRUCES, NEW MEXICO
 88001
 PHONE: (575) 525-9683
 FAX: (575) 524-3238

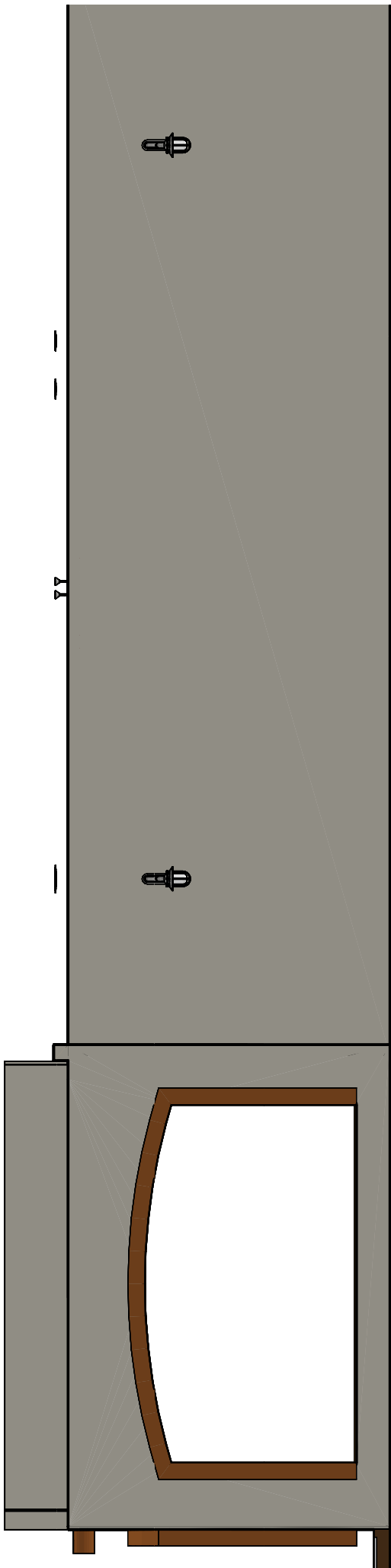
JOB NO. 20-0624
 DRAWN BY ROBERT E. LAWS
 FIELD BY KENNY & VICTOR
 DATE 12/22/20 SCALE: 1"=30'

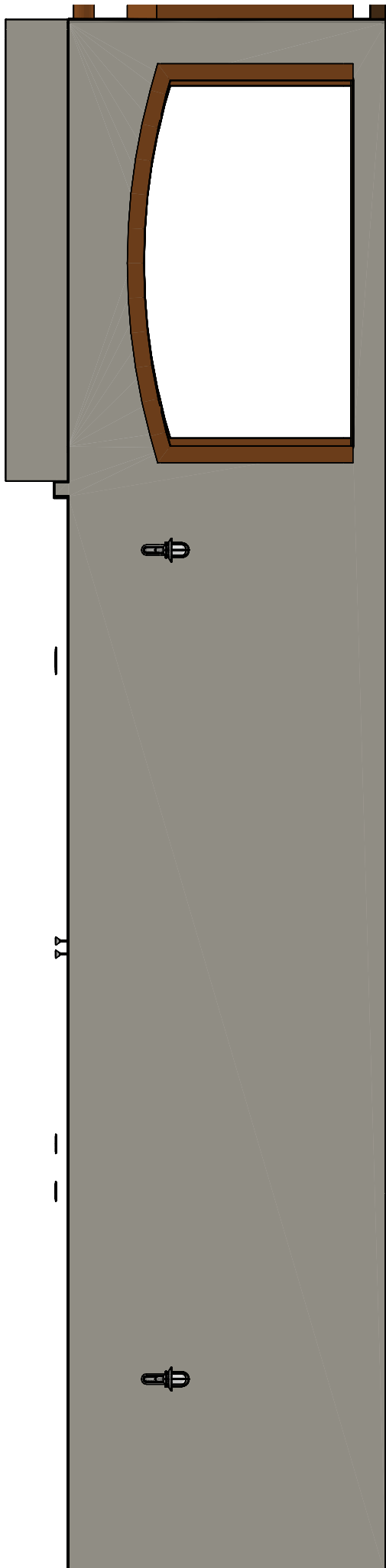


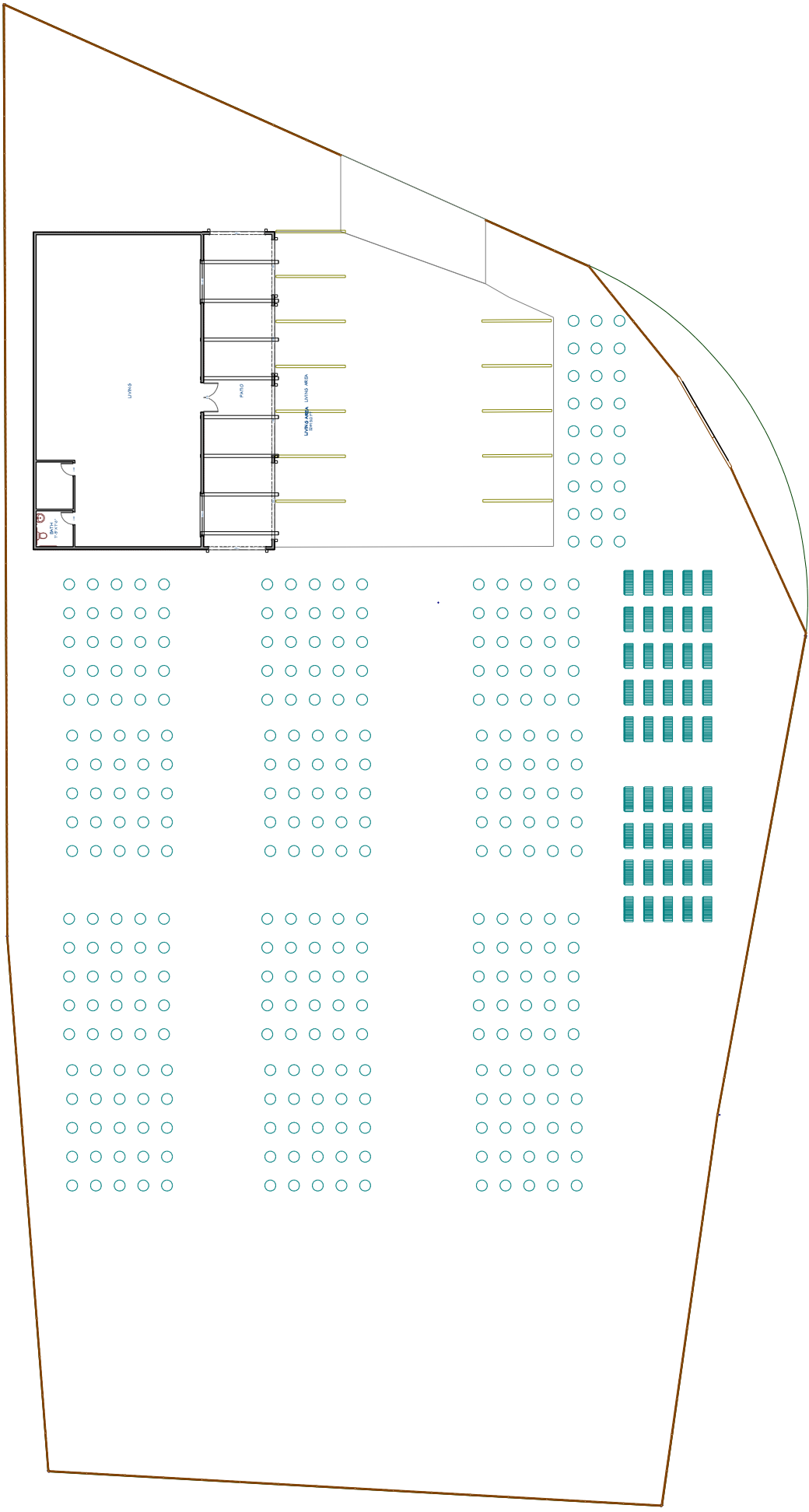


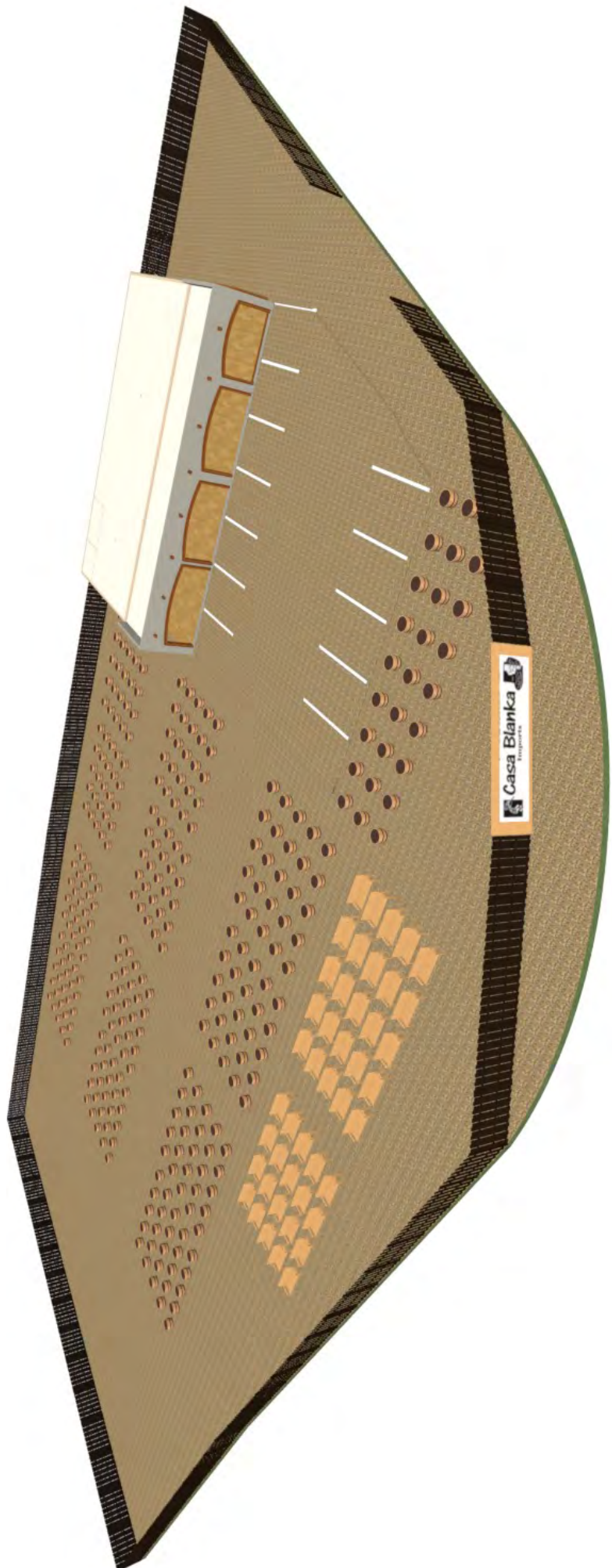
E1
 Section 1











Casa Blanca
RESISTENTE



Doña Ana County, NM

General Reference Maps

2014 Aerial

Addresses

County Address Points

Select Search Type: Account Nur

Maps

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Map Themes

- Parcels
- UDC Zoning
- Roads and Transportation
- NM House Districts
- NM Senate Districts
- County Commission Districts
- City Council Districts
- Median Household Income
- General Land Ownership

Account Number: **R0400109**
 Parcel Number: 4005138385420
 Owner: ABRAMS MATTHEW P
 Mail Address: PO BOX 1600
 Subdivision:
 Property Address: SNOW RD
 Acres: 1



Doña Ana County, NM

General Reference Maps

2014 Aerial

Addresses

County Address Points

Select Search Type: Account Nur

Maps

Legend

Map Themes

- Parcels
- UDC Zoning
- Roads and Transportation
- NM House Districts
- NM Senate Districts
- County Commission Districts
- City Council Districts
- Median Household Income
- General Land Ownership

Account Number: [R0400101](#)
 Parcel Number: 4005138342439
 Owner: ABRAMS MATTHEW P
 Mail Address: PO BOX 1600
 Subdivision:
 Property Address: SNOW RD
 Acres: 1



APPENDIX D

FIRE APPARATUS ACCESS ROADS

The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.

SECTION D101 GENERAL

D101.1 Scope. Fire apparatus access roads shall be in accordance with this appendix and all other applicable requirements of the *International Fire Code*.

SECTION D102 REQUIRED ACCESS

D102.1 Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an *approved fire apparatus access road* with an asphalt, concrete or other *approved driving surface* capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds (34 050 kg).

SECTION D103 MINIMUM SPECIFICATIONS

D103.1 Access road width with a hydrant. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7925 mm), exclusive of shoulders (see Figure D103.1).

D103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade.

Exception: Grades steeper than 10 percent as *approved* by the fire chief.

D103.3 Turning radius. The minimum turning radius shall be determined by the *fire code official*.

D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4.

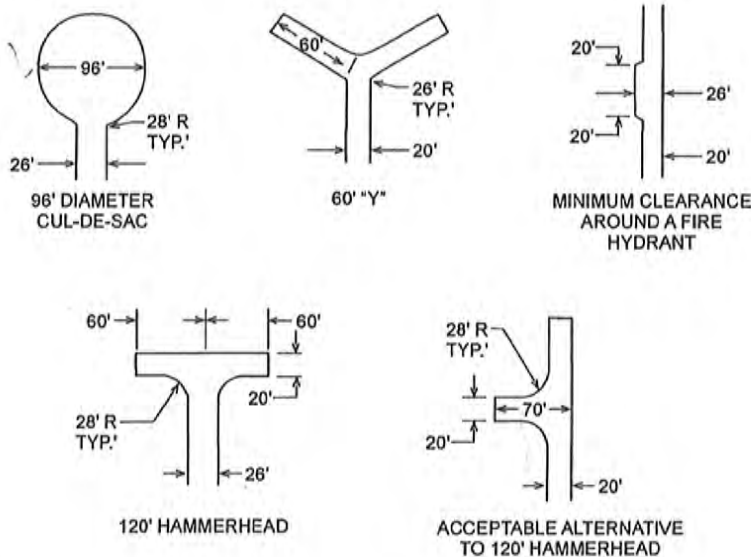
**TABLE D103.4
REQUIREMENTS FOR DEAD-END FIRE
APPARATUS ACCESS ROADS**

LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0-150	20	None required
151-500	20	120-foot Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with Figure D103.1
501-750	26	120-foot Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with Figure D103.1
Over 750	Special approval required	

For SI: 1 foot = 304.8 mm.

D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. The minimum gate width shall be 20 feet (6096 mm).
2. Gates shall be of the swinging or sliding type.



For SI: 1 foot = 304.8 mm.

**FIGURE D103.1
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND**

3. Construction of gates shall be of materials that allow manual operation by one *person*.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be *approved* by the *fire code official*.
6. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of forcible entry tools or when a key box containing the key(s) to the lock is installed at the gate location.
7. Locking device specifications shall be submitted for approval by the *fire code official*.
8. Electric gate operators, where provided, shall be *listed* in accordance with UL 325.
9. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.

D103.6 Signs. Where required by the *fire code official*, fire apparatus access roads shall be marked with permanent NO PARKING—FIRE LANE signs complying with Figure D103.6. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.

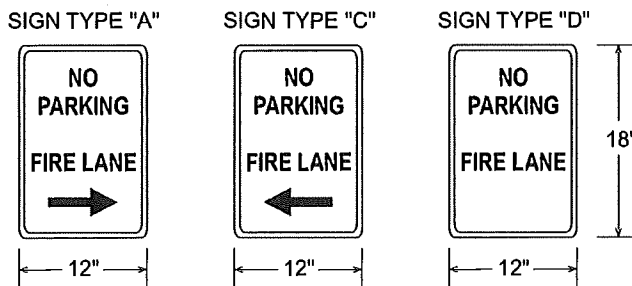


FIGURE D103.6
FIRE LANE SIGNS

D103.6.1 Roads 20 to 26 feet in width. Fire apparatus access roads 20 to 26 feet wide (6096 to 7925 mm) shall be posted on both sides as a *fire lane*.

D103.6.2 Roads more than 26 feet in width. Fire apparatus access roads more than 26 feet wide (7925 mm) to 32 feet wide (9754 mm) shall be posted on one side of the road as a *fire lane*.

SECTION D104 COMMERCIAL AND INDUSTRIAL DEVELOPMENTS

D104.1 Buildings exceeding three stories or 30 feet in height. Buildings or facilities exceeding 30 feet (9144 mm) or

three stories in height shall have at least two means of fire apparatus access for each structure.

D104.2 Buildings exceeding 62,000 square feet in area. Buildings or facilities having a gross *building area* of more than 62,000 square feet (5760 m²) shall be provided with two separate and *approved* fire apparatus access roads.

Exception: Projects having a gross *building area* of up to 124,000 square feet (11 520 m²) that have a single *approved* fire apparatus access road when all buildings are equipped throughout with *approved automatic sprinkler systems*.

D104.3 Remoteness. Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

SECTION D105 AERIAL FIRE APPARATUS ACCESS ROADS

D105.1 Where required. Buildings or portions of buildings or facilities exceeding 30 feet (9144 mm) in height above the lowest level of fire department vehicle access shall be provided with *approved* fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.

D105.2 Width. Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm), exclusive of shoulders, in the immediate vicinity of any building or portion of building more than 30 feet (9144 mm) in height.

D105.3 Proximity to building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building.

SECTION D106 MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS

D106.1 Projects having more than 100 dwelling units. Multiple-family residential projects having more than 100 *dwelling units* shall be equipped throughout with two separate and *approved* fire apparatus access roads.

Exception: Projects having up to 200 *dwelling units* may have a single *approved* fire apparatus access road when all buildings, including nonresidential occupancies, are equipped throughout with *approved automatic sprinkler systems* installed in accordance with Section 903.3.1.1 or 903.3.1.2.

D106.2 Projects having more than 200 dwelling units. Multiple-family residential projects having more than 200 *dwelling units* shall be provided with two separate and *approved* fire apparatus access roads regardless of whether they are equipped with an *approved automatic sprinkler system*.

Property Record Card

Doña Ana Assessor

ABRAMS MATTHEW P

PO BOX 1600
MESILLA PARK, NM 88046

Account: R0400109

Tax Area: 2DIN_R - 2DIN_R
Acres: 1.000

Parcel: 4-005-138-385-420

Situs Address:
SNOW RD
Mesilla, 88046

Neighborhood S11 - MESILLA

Legal Description

S: 35 T: 23S R: 1E BRM 12 PT OF TR 9A1A



Land Occurrence 1

Property Code	0100 - RESIDENTIAL LAND	Electricity	OE - OVER-ELECTRC
Gas	G - GAS	Measure	PA - PER-ACRE
Sewer Type	ST - SEPTIC-TANK	Topography Code	L - LEVEL
Acres	1	Zoning	R1 - SNGL-FAM-RES

SubArea	ACTUAL	EFFECTIVE	HEATED	FOOTPRINT
Acres				
Total				

Residential Occurrence 1

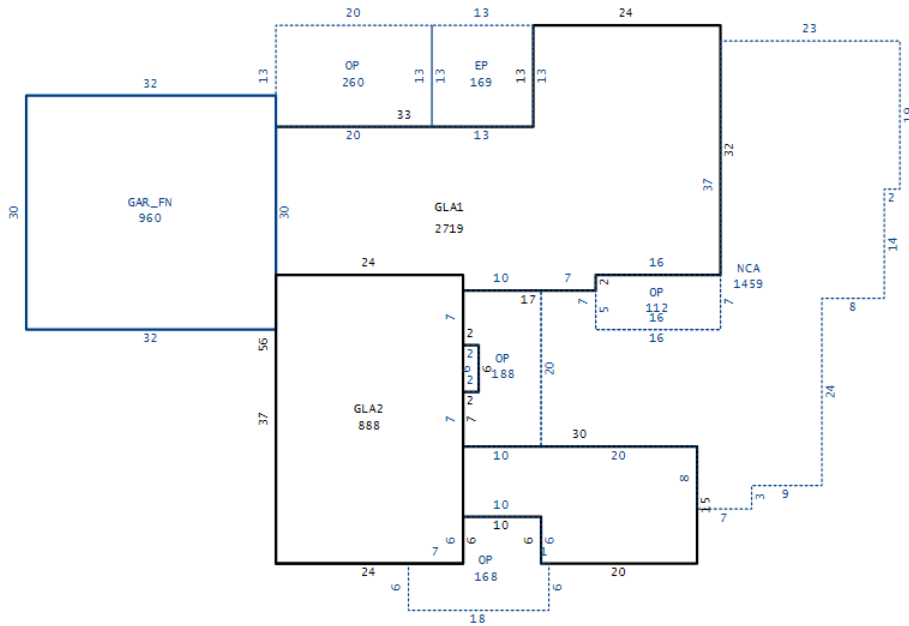
Property Code	0120 - RESIDENTIAL IMPROVEMENT	Actual Year Built	2009
Air Conditioning	R - REFRIG-AIR	Architectural Style	SL - SPLIT-LEVEL
Baths	4	Bedrooms	3
Building Type	PS - PRNCPL-SNGLE	Condition	GOOD
Construction Quality	G - GOOD	Heating Fuel	G - GAS
Heating Type	FC - FORCED-CIRCU	Roof Cover	MT - METAL
Roof Structure	G - GABLE	Stories	1.5
Exterior Wall	SF - STUCCO-FRAME	Percent	100
Interior Wall	SR - SHEETROCK		

Property Record Card

Doña Ana Assessor

Residential Occurrence 1

SubArea	ACTUAL	EFFECTIVE	HEATED	FOOTPRINT
GLA1 - First Floor	2719.0	2719.0	2719.0	2719.0
GLA2 - Second Floor	888.0	888.0	888.0	888.0
OP - Open Porch	728.0	728.0		728.0
EP - Enclosed Porch	169.0	169.0		169.0
GAR_FN - Attached Finished Garage	960.0	960.0		960.0
NCA - Courtyard Area	1459.0	1459.0		1459.0
Total	6,923.00	6,923.00	3,607.00	6,923.00



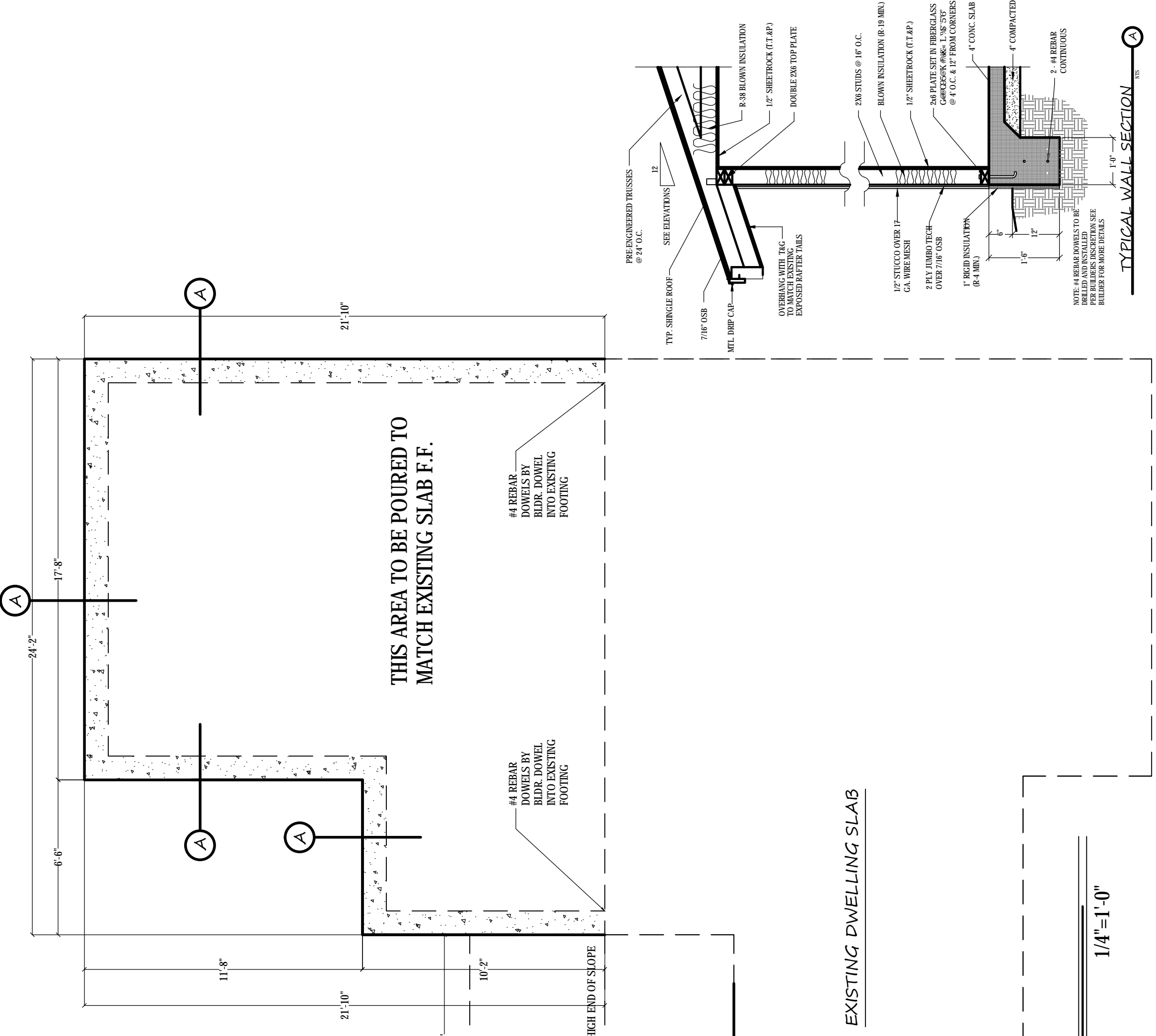
Assessment History

Type	Actual	Assessed
Residential Land	\$50,000	\$16,667
Residential Improvement	\$411,231	\$137,077
Actual (2020)	\$461,231	
Primary Taxable		\$153,744

**ISSUED PERMIT:
REVISIONS: 1**

GENERAL NOTES:

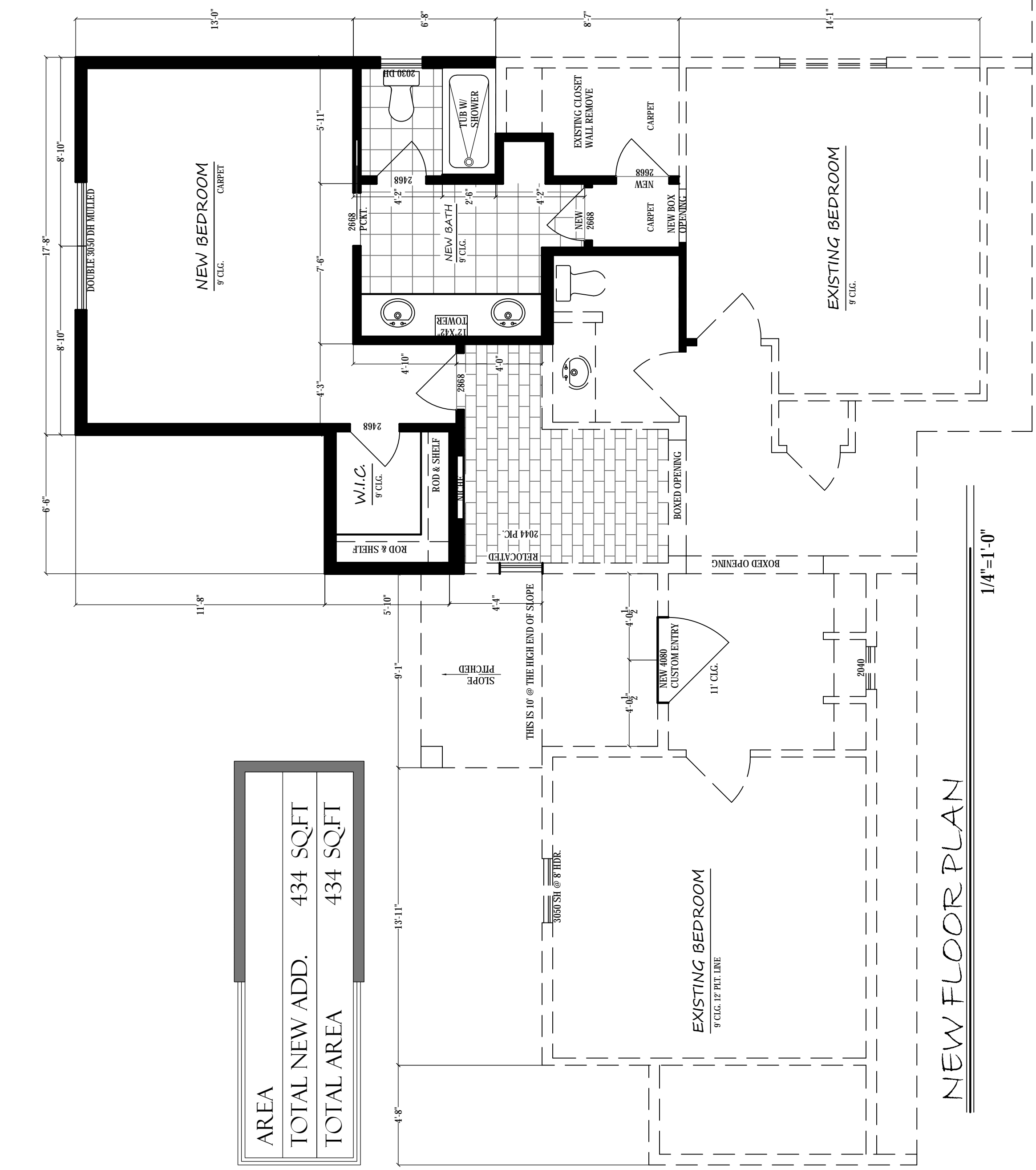
1. EXTERIOR WALLS TO BE 2X8 STUDS @ 16" O.C.
2. INTERIOR NON-BEARING WALLS TO BE 2X4 STUDS @ 16" O.C. INSULATED R-11
3. INTERIOR BEARING WALLS TO BE 2X4 STUDS @ 16" O.C.
4. ALL HEADERS SPANNING MORE THAN 3 SHALL BE 2X12
5. ALL FIXTURES & APPLIANCES TO BE CHOSEN BY OWNER
6. USE FIRE STOPS PER U.F.C. U.B.C. OR LOCAL CODE REQUIREMENTS
7. ONE HOUR OCCUPANCY SEPARATION BETWEEN HOUSE AND GARAGE. 5" SHEETROCK ON GARAGE SIDE
8. ALL DIMENSIONS ARE TO BE CHECKED AND CONFIRMED BY CONTRACTOR PRIOR TO POURING OF CONCRETE
9. INSULATE WALLS R-19 MIN., CEILINGS R-38, PERIMETER R-4 MIN.
10. INTERIOR TO BE SHEETROCK, TAPED, TEXTURED, AND PAINTED
11. EXTERIOR TO BE STUCCO - COLOR TO MATCH EXISTING AS CLOSE AS POSSIBLE



FOUNDATION PLAN

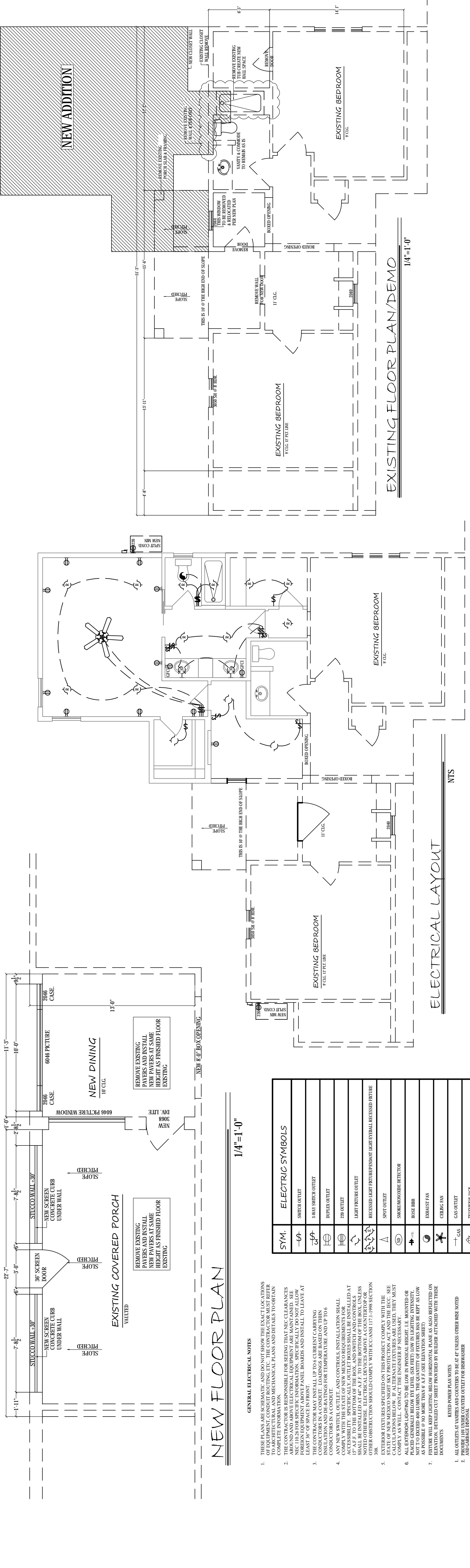
1/4"=1'-0"

AREA	
TOTAL NEW ADD.	434 SQFT
TOTAL AREA	434 SQFT



NEW FLOOR PLAN

1/4"=1'-0"



ALL MEASUREMENTS, DIMENSIONS, & SPECIFICATIONS, INCLUDING ALL BLDG. REQUIREMENTS SHALL BE THE RESPONSIBILITY OF THE OWNER & CONTRACTOR & ARE THE RESPONSIBILITY OF THE OWNER & CONTRACTOR. THE STRUCTURAL INTEGRITY OF THIS PROJECT IS THE RESPONSIBILITY OF THE CONTRACTOR AND OWNER. ALLURE CUSTOM HOME DESIGNS, OWNER, AND CONTRACTOR. THIS DRAWING IS NOT BE USED FOR REPRODUCTIONS HEREOF WITHOUT THEIR WRITTEN PERMISSION.

GENERAL CONTRACTOR

MCGINLEY CONSTRUCTION

PROJECT
ABRAMS RESIDENCE
2852 SNOW ROAD

SHEET TITLE
FLOOR PLAN/ELECTRICAL/
FOUNDATION PLAN/
DEMO PLAN

DRAWN BY: S.GREEN
CHECKED BY: K.MCGINLEY
DATE: 11/13/2020
SHEET NUMBER: A.1

- GENERAL ELECTRICAL NOTES**
1. THIS PLAN, SPECIFICATIONS AND MATERIALS SHALL BE SUBJECT TO THE PREVAILING EDITIONS OF THE NATIONAL ELECTRICAL CODE, THE NATIONAL FIRE ALARM CODE, THE NATIONAL ELECTRICAL CONTRACTORS' JOURNALS, AND THE NATIONAL ELECTRICAL SAFETY BOARD'S CODES AND STANDARDS.
 2. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
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 11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.

SYM.	ELECTRIC SYMBOLS
(Symbol)	SINGLE OUTLET
(Symbol)	DOUBLE OUTLET
(Symbol)	20 AMP OUTLET
(Symbol)	30 AMP OUTLET
(Symbol)	30 AMP GFI
(Symbol)	SMOKE/ALARMS DETECTOR
(Symbol)	EXISTENT
(Symbol)	CER. PAN.
(Symbol)	CER. PAN.
(Symbol)	TELEPHONE JACK
(Symbol)	TELEPHONE JACK

**ISSUED PERMIT:
REVISIONS: 1**

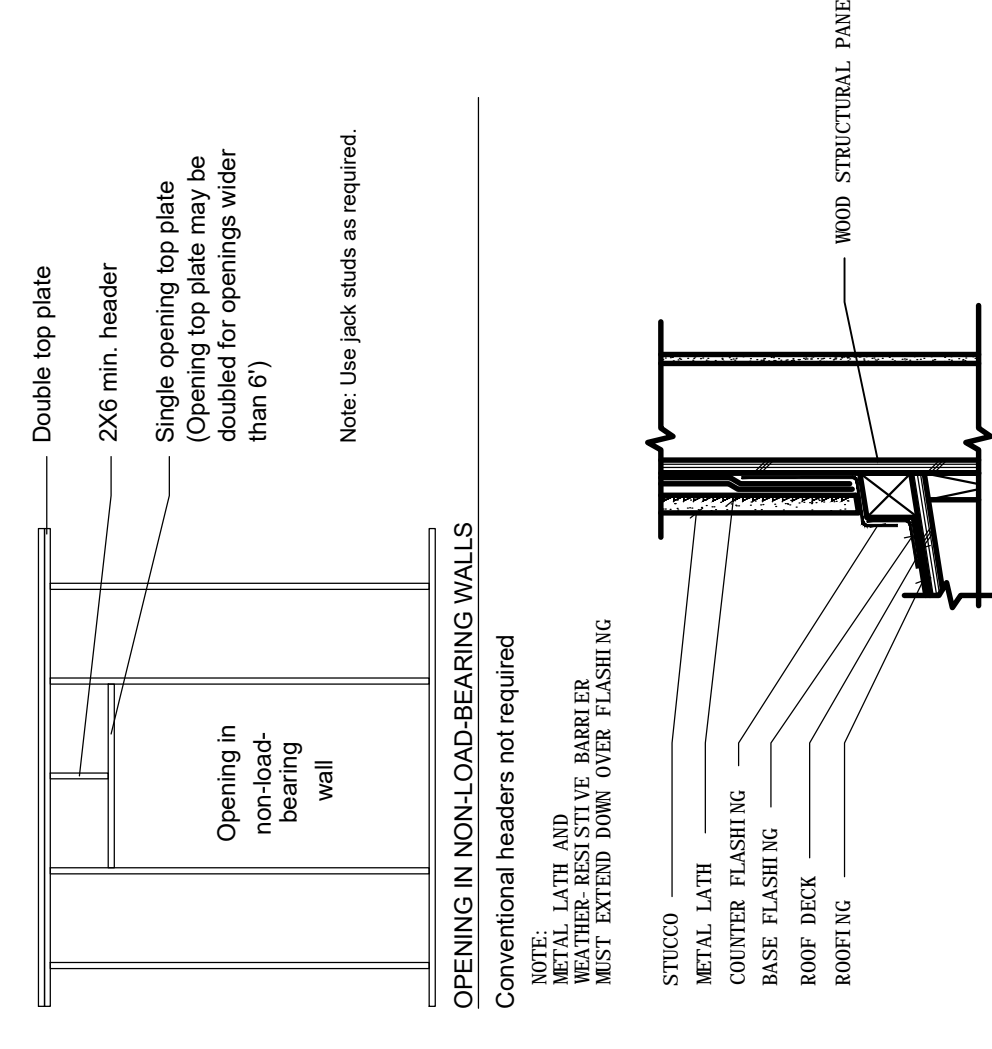
**GENERAL CONTRACTOR
MCGINLEY CONSTRUCTION**

**PROJECT
ABRAMS RESIDENCE
2852 SNOW ROAD**

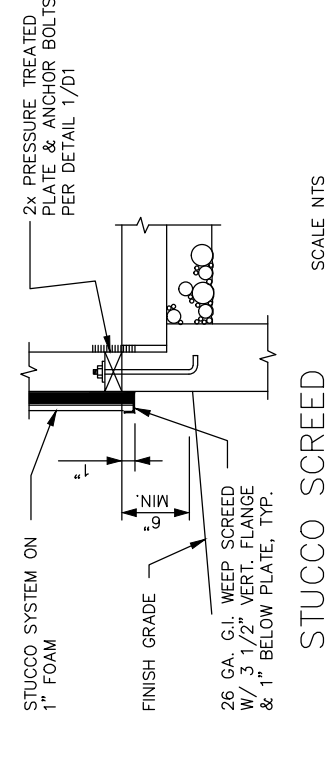
**SHEET TITLE
ELEVATIONS/
ROOF FRAMING**

**DRAWN BY: S.GREEN
CHECKED BY: K.MCGINLEY
DATE: 11/13/2020**

SHEET NUMBER: A.2

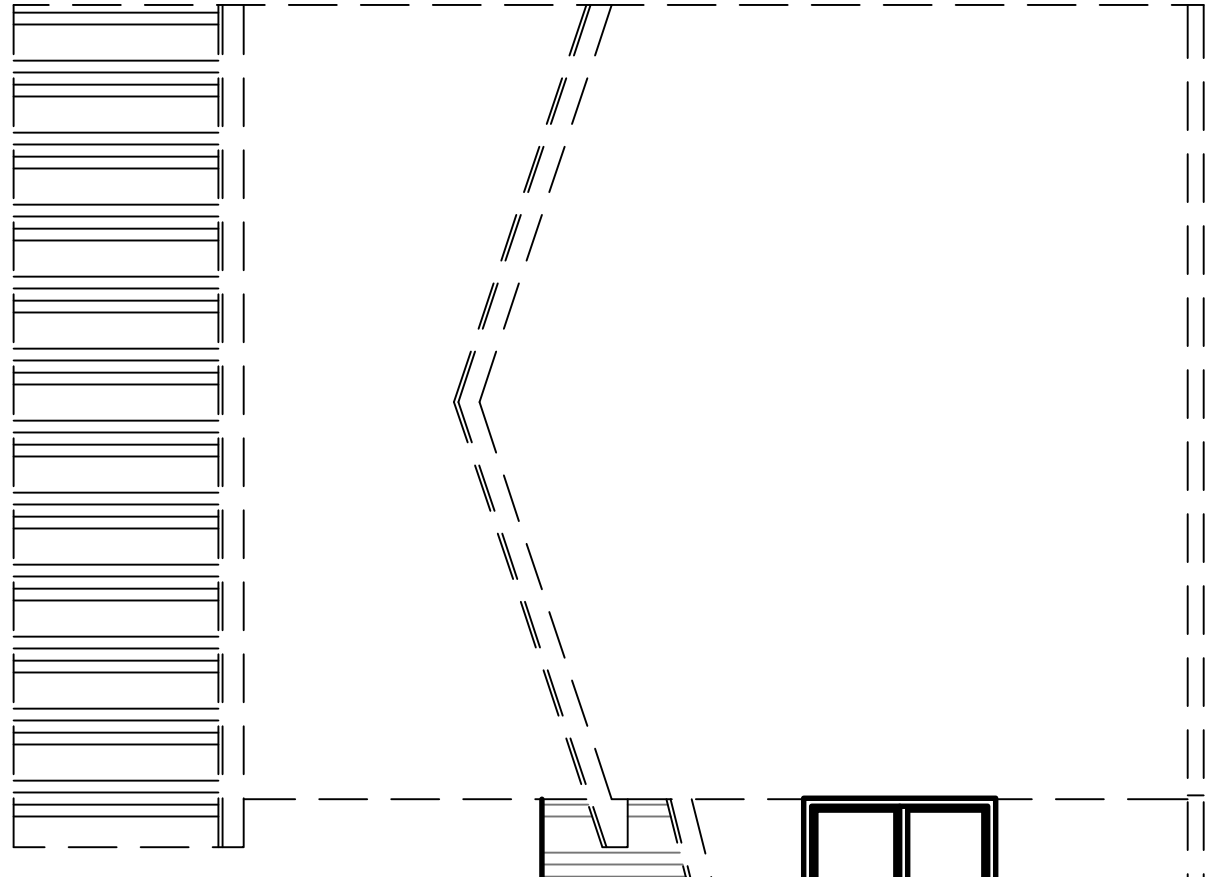
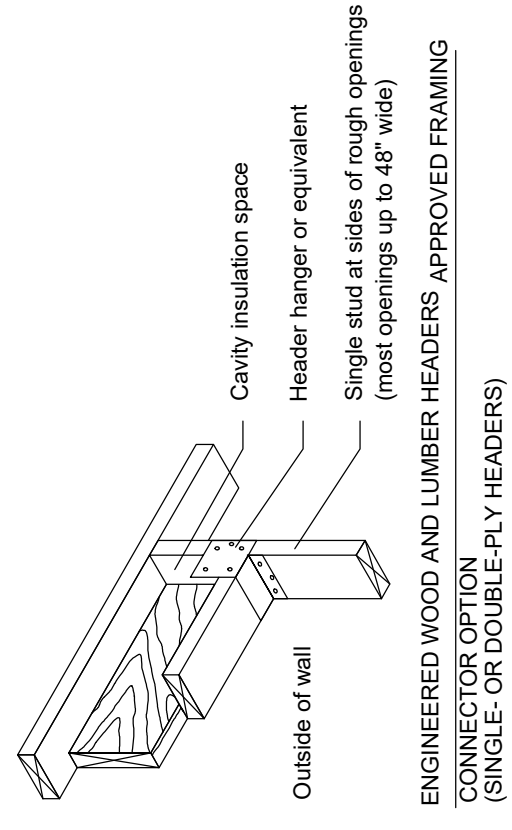


FLASHING INSTALLATION AT STUCCO-TO-ROOF INTERSECTION

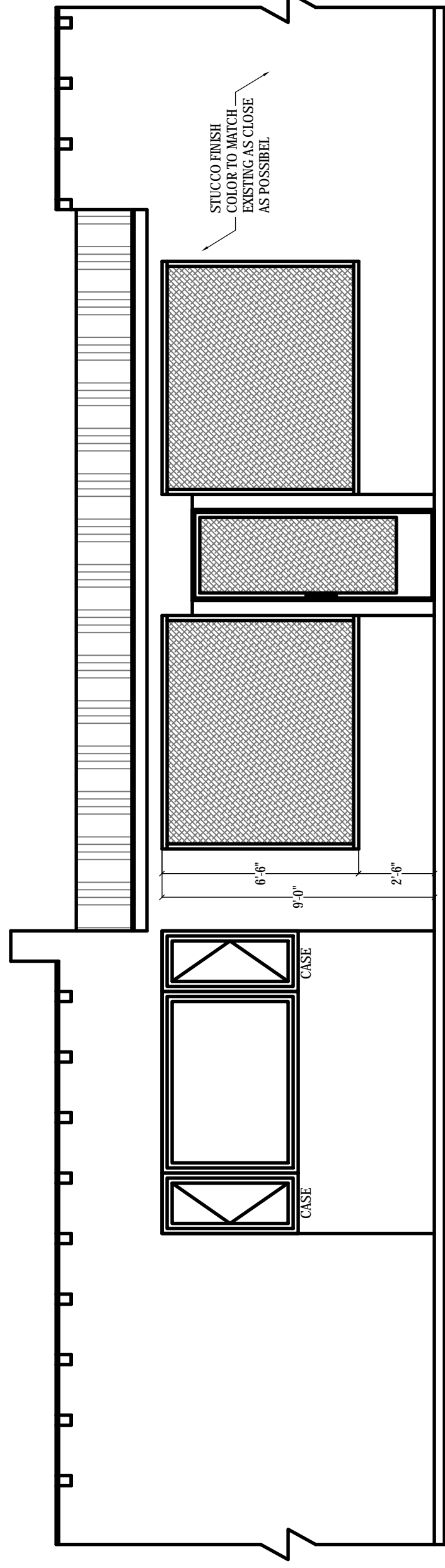


STUCCO SCREED SCALE NTS

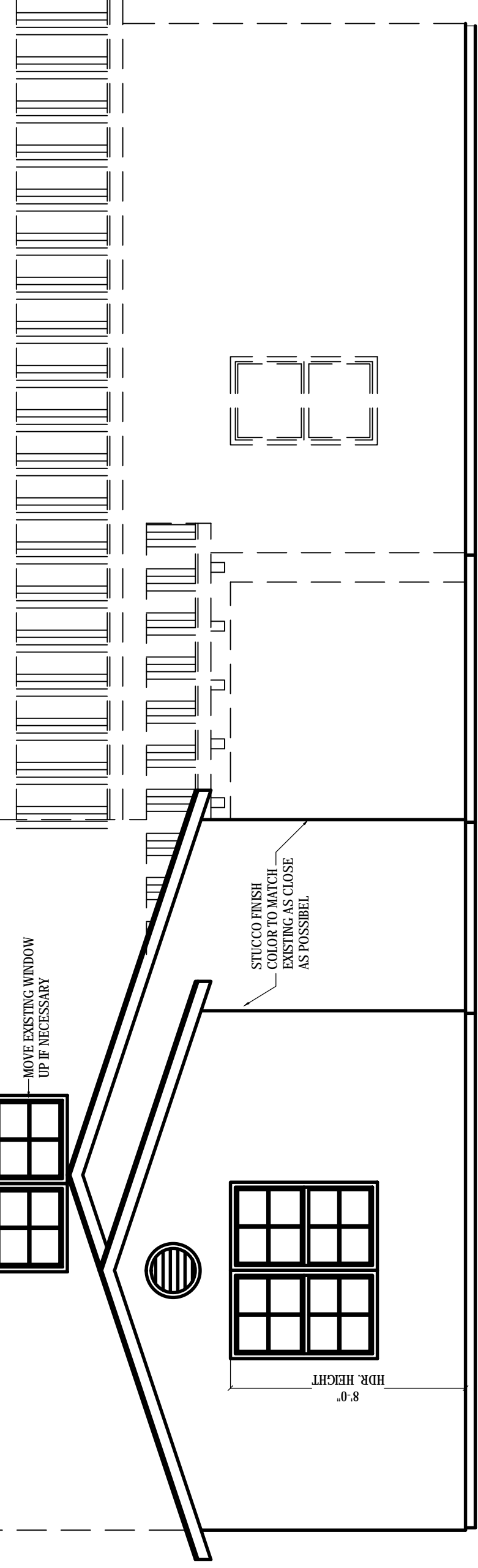
NO.	DESCRIPTION	QTY	UNIT
1	STUCCO SCREED	1	SQ. YD.
2	STUCCO SCREED	1	SQ. YD.
3	STUCCO SCREED	1	SQ. YD.
4	STUCCO SCREED	1	SQ. YD.
5	STUCCO SCREED	1	SQ. YD.
6	STUCCO SCREED	1	SQ. YD.
7	STUCCO SCREED	1	SQ. YD.
8	STUCCO SCREED	1	SQ. YD.
9	STUCCO SCREED	1	SQ. YD.
10	STUCCO SCREED	1	SQ. YD.
11	STUCCO SCREED	1	SQ. YD.
12	STUCCO SCREED	1	SQ. YD.
13	STUCCO SCREED	1	SQ. YD.
14	STUCCO SCREED	1	SQ. YD.
15	STUCCO SCREED	1	SQ. YD.
16	STUCCO SCREED	1	SQ. YD.
17	STUCCO SCREED	1	SQ. YD.
18	STUCCO SCREED	1	SQ. YD.
19	STUCCO SCREED	1	SQ. YD.
20	STUCCO SCREED	1	SQ. YD.



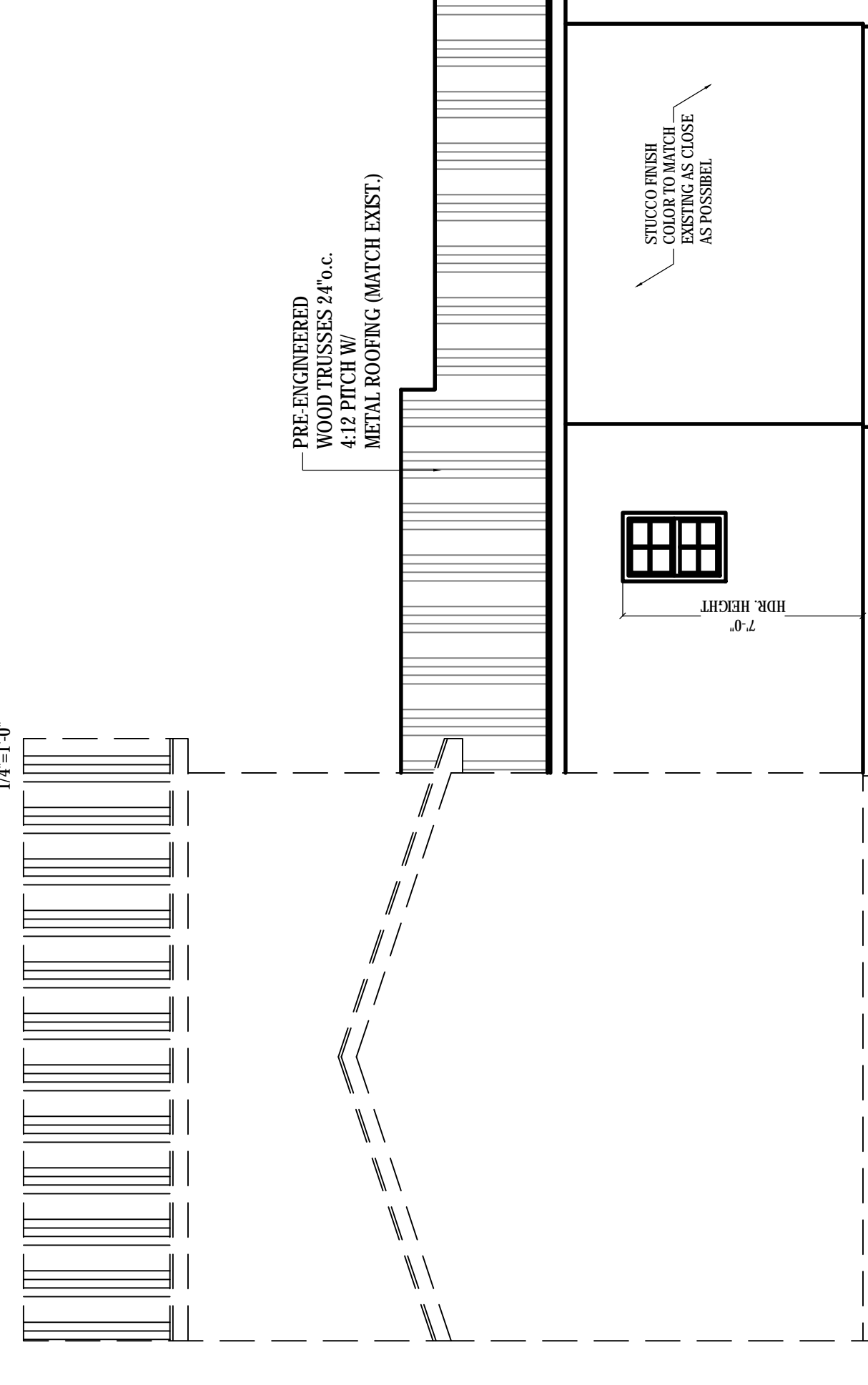
RIGHT ELEVATION



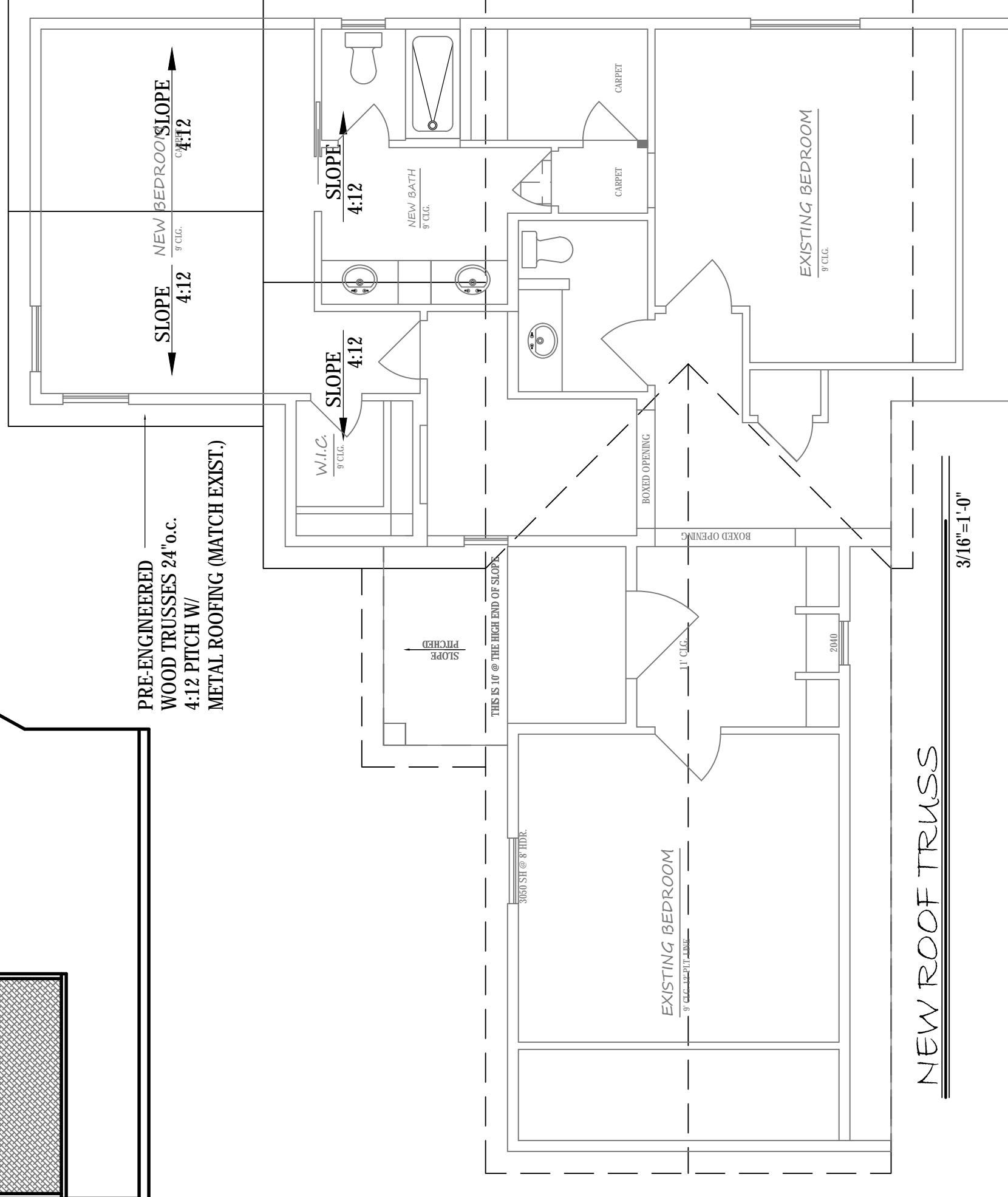
FRONT ELEVATION



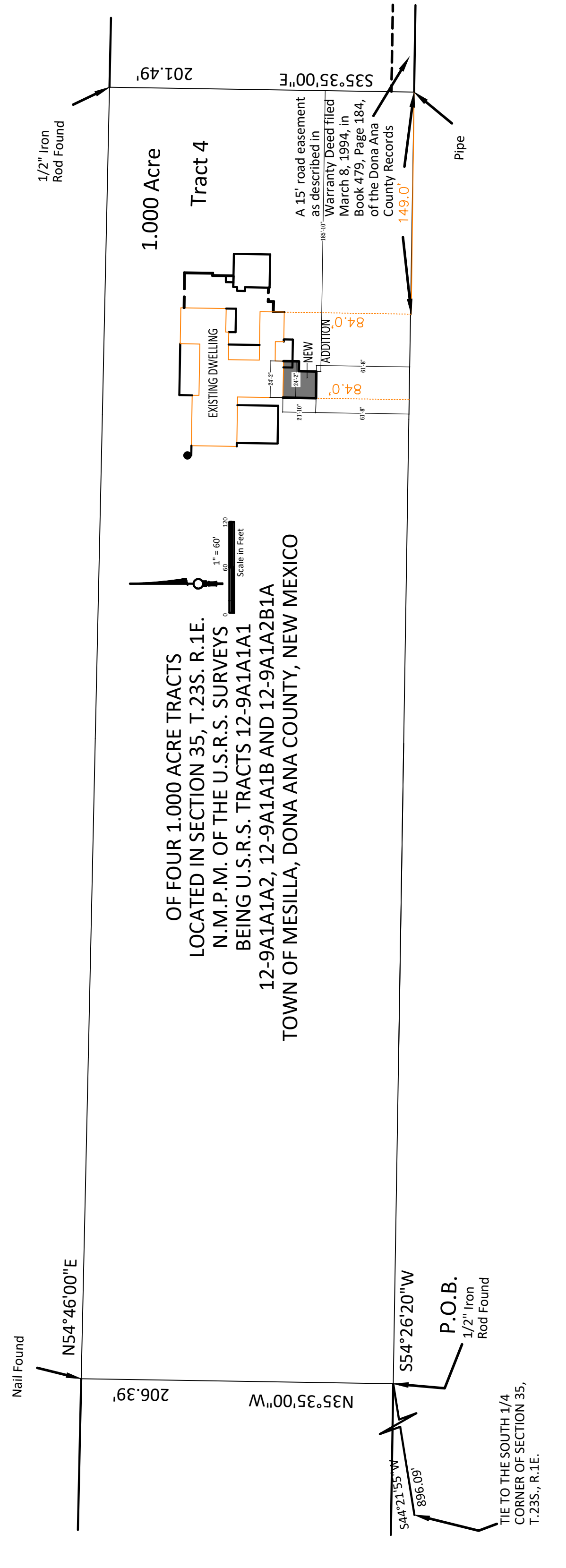
LEFT ELEVATION



FRONT ELEVATION



NEW ROOF TRUSS



OF FOUR 1.000 ACRE TRACTS LOCATED IN SECTION 35, T.23S. R.1E. N.M.P.M. OF THE U.S.R.S. SURVEYS BEING U.S.R.S. TRACTS 12-9A1A1A1 12-9A1A1A2, 12-9A1A1B AND 12-9A1A2B1A TOWN OF MESILLA, DONA ANA COUNTY, NEW MEXICO

ALL MEASUREMENTS, DIMENSIONS, & SPECIFICATIONS, INCLUDING ALL BLDG. MATERIALS, SHALL BE THE RESPONSIBILITY OF THE OWNER & CONTRACTOR & ARE THE RESPONSIBILITY OF THE OWNER & CONTRACTOR. THE STRUCTURAL INTEGRITY OF THIS PROJECT IS THE RESPONSIBILITY OF THE CONTRACTOR AND OWNER. ALLURE CUSTOM HOME DESIGNS, ALLURE CUSTOM HOME DESIGNS, OWNER, AND CONTRACTOR. THIS DRAWING IS NOT TO BE REPRODUCED OR REPRODUCTIONS HEREOF USED WITHOUT THEIR WRITTEN PERMISSION.

TOWN OF MESILLA
ZONING APPROVAL

OFFICIAL USE ONLY:

Case # _____

Fee \$ _____

PERMISSION TO CONDUCT WORK
OR
OBTAIN A COMMERCIAL/RESIDENTIAL BUILDING PERMIT FROM CID

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

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

Matthew Abrams

703-577-3859

Name of Property Owner Property Owner's Telephone Number

PO Box 1600 Mesilla Park NM 88047

Property Owner's Mailing Address City State Zip Code

abramsm@gmail.com

Property Owner's E-mail Address

McGinley Const. Inc. PO Box 370 Mesilla, NM 88046

Contractor's Name & Address (If none, indicate Self)

575-523-9140 85-0315192 22522

Contractor's Telephone Number Contractor's Tax ID Number Contractor's License Number

Address of Proposed Work: 2852 Snow Rd

Description of Proposed Work: Room addition / remodeling Per attached plans

\$ 140,000.00 Estimated Cost

Signature of Applicant (Handwritten signature)

12/23/2020 Date

DocuSigned by:

Signature of property owner: (Handwritten signature)

With the exception of administrative approvals, all permit requests must undergo a review process from staff, PZHAC and/or BOT before issuance of a zoning permit. Plan sheets are to be no larger than 11 x 17 inches or shall be submitted electronically.

FOR OFFICIAL USE ONLY

- PZHAC [] Administrative Approval [] Approved Date: [] Disapproved Date: [] Approved with Conditions
BOT [] Approved Date: [] Disapproved Date: [] Approved with Conditions

PZHAC APPROVAL REQUIRED: ___ YES ___ NO BOT APPROVAL REQUIRED: ___ YES ___ NO

CID PERMIT/INSPECTION REQUIRED: ___ YES ___ NO ___ SEE CONDITIONS

CONDITIONS: _____

PERMISSION ISSUED/DENIED BY: _____ ISSUE DATE: _____

THIS APPLICATION SHALL INCLUDE ALL OF THE FOLLOWING:

- 1. [X] Plot plan with legal description to show existing structures, adjoining streets, driveway(s), improvements & setbacks.
2. [X] Site Plan with dimensions and details.
3. [X] Foundation plan with details.
4. [X] Floor plan showing rooms, their uses and dimensions.
5. [X] Cross section of walls
6. [X] Roof and floor framing plan
7. [X] Proof of legal access to the property.
8. [X] Drainage plan.
9. [X] Details of architectural style and color scheme (checklist included for Historical zones) - diagrams and elevations.
10. [NA] 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).
11. [X] Proof of legal access to the property.
12. [X] Other information as necessary or required by the City Code or Community Development Department (See other side.)
13. [X]

The following are requirements to be included with all building permit applications for new structures or additions to existing structures, as well as other construction or fixtures that will be permanent in nature and affect the appearance or use of the property. (This includes fences, well houses, storage units, metal sheds, photo-voltaic panels that can be seen from the ground, etc.)

BUILDING PERMIT REQUIREMENTS

A. Completed application, including:

1. Applicant's name
2. Applicant/property owners contact information
3. Physical address of property
4. Description of work to be done, including dimensions of any construction or repairs
5. Value of work to be done
6. Property owner's signature on the application

B. Include all information required in the checklist at the bottom of the application.

C. Additional information required:

Finishes & colors to match existing

Home has a existing domestic well

We have applied for septic tank permit to NMED for bedroom expansion Will submit when we receive it

Adjoining property owner has agreed to remove fence in middle of roadway at front of existing house

**PZHAC
DECEMBER 21, 2020
WORK SESSION AND REGULAR MEETING
MINUTES**

[PART OF CONSENT AGENDA]



Town of Mesilla, New Mexico

PZHAC WORK SESSION & MEETING AGENDA DECEMBER 21, 2020

THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) WILL HOLD A WORK SESSION VIA TELECONFERENCE ON MONDAY, DECEMBER 21, 2020 AT 2:30 P.M. **TO JOIN THE MEETING BY PHONE DIAL 1-346-248-7799, THEN ENTER Meeting ID 603-754-4231 | PASSWORD 193857.**

- A. Submitted for Neal McMillan by Miguel Rincon of Hurlburt Construction; a request to discuss plans to incorporate part of an existing structure into a new dwelling at 2130 Calle de Picacho (Case 061148). Zoned: Historic Residential (HR)

The applicant was present by zoom to discuss the request and answer any questions that might arise. Staff Stated that the case was originally heard at the December 7, 2020 PZHAC meeting and a decision on the case was postponed in order to allow the applicant to provide further information about the request. One of the questions that arose was whether the proposed dwelling was a “zero lot line” structure. It was determined that since the property line actually ran through the structure and this was the only place where the structure was near the lot line, the project was not the same as one in which a structure was being built on a property line. There will be no penetrations of the wall between the two properties. It was also determined that a parapet firewall will be needed along the property line between the two parts of the existing structure. The applicant stated that he will obtain a Right-of-Entry agreement from the other owner of the structure and that his portion of the structure would be used as a fourth bedroom for the proposed dwelling to be built on his property. The new dwelling will be attached to the existing structure on the north side of the existing structure and will meet the required seven foot setbacks from the property lines. There was no further discussion.

THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) WILL HOLD A REGULAR MEETING VIA TELECONFERENCE ON MONDAY, DECEMBER 21, 2020 IMMEDIATELY FOLLOWING THE WORK SESSION. **TO JOIN THE MEETING BY PHONE DIAL 1-346-248-7799, THEN ENTER Meeting ID 603-754-4231 | PASSWORD 193857.**

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL AND DETERMINATION OF A QUORUM

All commissioners were present. There was a quorum.

Other attendees present by Zoom or phone:

Tom Maese (Chief Inspector-CID); Neal McMillan (Applicant); Sam Kane (applicant); Susan Krueger (Town resident)

III. CHANGES/APPROVAL OF THE AGENDA

There were no changes to the Agenda. A motion to approve the Agenda was made by Commissioner Prieto, seconded by Commission Chair Nevarez, and approved by a vote of 5 - 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 Nevarez, seconded by Commission Chair Houston, and approved by a vote of 5 - 0.

A. *PZHAC MINUTES – PZHAC Work Session and Meeting of December 7, 2020.

Approved as part of the Consent Agenda

B. *ADMINISTRATIVE APPROVALS

Zoning Permit:

1. **Case 061149** – 1940 Calle Pacana, submitted by Organ Mountain Solar for Henry Newman; a request for a zoning permit to allow additional solar photo-voltaic panels to be installed on a dwelling at this address. Zoned: Historic Residential (HR)

Approved as part of the Consent Agenda

2. **Case 061150**– 2550/2558 Calle de San Albino, submitted by Richard Perez; a request for a zoning permit to conduct minor repairs to an exterior adobe wall. Zoned: Historic Residential (HR)

Approved as part of the Consent Agenda

II. PZHAC NEW BUSINESS:

A. PUBLIC INPUT ON CASES

Public input shall be received at larrys@mesillanm.gov at least one hour prior to the meeting and will be read into the record. You will also be given an opportunity to speak during this time by joining the meeting by phone and pressing *9 while in the teleconference. This will let the host know that you wish to speak. You will be prompted by the host or the Commission Chair when to begin speaking.

Staff stated that two e-mails had been received and read the e-mails for inclusion into the record. (Copies of these e-mails are attached at the end of these minutes.)

B. DECISIONS:

Zoning Permits:

1. **Case 061148** - 2130 Calle de Picacho, submitted for Neal McMillan by Miguel Rincon of Hurlburt Construction; a request for a zoning permit to incorporate part of an existing structure into a new dwelling to be constructed at this address. Zoned: Historic Residential (HR) **Discussed during the Work Session**
Staff provided a brief review of this request, explaining that the case had been discussed during the Work Session. Commissioner Nevarez stated that several conditions should be applied to address the need for a Right-of-Entry agreement, the need to ensure that setbacks are met, and the fact that if the swimming pool is not built at this time, it should be indicated as future construction on the plans. There was no further discussion. A motion was made by Commissioner Prieto to approve the request, seconded by Commissioner Houston, and APPROVED by a vote of 5 – 0 WITH THE FOLLOWING CONDITIONS:

1. **A RIGHT-OF-ENTRY AGREEMENT SIGNED BY THE OTHER PROPERTY OWNER OF THE STRUCTURE WOULD BE OBTAINED BY THE APPLICANT, AND**
2. **THE NEW DWELLING WILL HAVE SEVEN FOOT SETBACKS FROM ALL ADJACENT PROPERTY LINES, AND**
3. **IF THE SWIMMING POOL WILL NOT BE BUILT AT THE SAME TIME AS THE DWELLING, THE POOL SHOULD BE SHOWN ON THE PLANS AS A FUTURE CONSTRUCTION.**

2. **Case 061151** – 2610 Calle Tercera, submitted by Samuel Kane; a request for a zoning permit to construct a rock wall around a residential property at this address. Zoned: Historic Residential (HR)

The applicant was present by phone to discuss to answer any questions that might arise. Staff provided a brief review of this request, explaining that a decision on the case had been postponed in order to allow the applicant to provide the PZHAC with more detailed plans of the proposal. The PZHAC still had questions as to the access to the water meter, the height of some of the pillars, and the fact that the neighbor to the north had expressed concerns that the wall would hinder her from leaving her driveway. The applicant explained that there would be access to the water meter, that the pillar heights would be lowered to six feet, and that the purpose of the wall was to keep people driving or parking on Calle de Colon from driving onto his property and hitting the dwelling or air conditioning units on his property. He explained that the neighbor did not have a right to be backing onto is property to exit her property. Tom Maese, Chief Inspector for CID, stated that CID would like to see more of a detailed rendering with better dimensions, especially with respect to the arches over the irrigation ditch.

A motion was made by Commissioner Prieto and seconded by Commissioner Nevarez to postpone making a decision on the request in order to allow the applicant to bring the PZHAC more architecturally detailed plans showing the requested changes. The request was POSTPONED by a vote of 5 – 0.

Business Permits:

3. **Permit 0864** – 2261 Calle de Guadalupe, submitted by Randy McMillan for “Josephina’s Old Gate Café”; a request for a business license to continue a restaurant operation under new ownership at this address. Zoned: Historic Commercial (HC)
Staff provided a brief review of this request, explaining that the applicant is purchasing the existing restaurant and intends to continue the operation of the restaurant with no changes. The restaurant has been here for years. There were no issues. A motion was made by Commissioner Salas and seconded by Commissioner Nevarez to approve the request, and the request was APPROVED by a vote of 5 – 0.

4. **Permit 0865** – 1680 Calle de Alvarez, submitted by Roxanne Livingston for “Livingston Bridal and Events, LLC”; a request for a business license to allow the applicant to operate a wedding and event planning operation from an office at this address. Zoned: General Commercial (C)
Staff provided a brief review of this request, explaining that the applicant would like to operate an event planning operation out of an existing office at this location and that the building has historically been used for office operations. There were no issues. A motion was made by Commissioner Prieto and seconded by Commissioner Nevarez to approve the request, and the request was APPROVED by a vote of 5 – 0.

Sign Permits:

5. **Case 061152** – 2230 Avenida de Mesilla, submitted by Roman Prieto; a request for a sign permit to allow a Directory Sign to be installed at this address. Zoned: Historical Commercial (HC)
Staff provided a brief review of this request, explaining that the applicant would like to install a directory sign for the two businesses to be located at this address. There were no issues. A motion was made by Commissioner Houston and seconded by Commissioner Nevarez to approve the request, and the request was APPROVED by a vote of 4 – 0. (Commissioner Prieto recused himself from voting on the case.)

VI. PZHAC/STAFF COMMENTS

Commissioner Prieto

Stated that two of the three windows (the first and third) on Matteo’s on Calle de Parian appear to have been broken and replaced that he doesn’t think that a permit to do the work had been applied for. Additionally, the two windows do not match.

VII. ADJOURNMENT

The meeting was adjourned at 3:50 pm.

Reference Case 061148

Did Mr. McMillan submit any additional paperwork for this case as requested by the PZHAC? I didn't see any in the 12/21/20020 packet.

It appears that this property is owned by Hurlburt Construction.

The information on the Building Inventory Form under 34, Comments, says "believed to be a 'duplex.'" There is no mention that the structure is "established as an early style duplex."

There is no mention under the description of the individual structure "255" that there is a property line dividing the structure into two parts owned by separate entities.

Further this structure is "Contributing", which raises the question of changing the architectural style and demolishing part of it.

Thanks, Susan

Lawrence Shannon

From: Angela Roberson <arroberson@gmail.com>
Sent: Monday, December 7, 2020 3:43 PM
To: larrys@mesillanm.gov; russhernandez@yahoo.com; judykhouston@gmail.com; yolandaglucero@gmail.com; prietobilt@gmail.com; mesillaj3@aol.com
Subject: 12/7 PZHAC Public Input: Case 061149

Dear Planning and Zoning and Historical Appropriateness Commission:

This correspondence is regarding Case 061149 -- request for a zoning permit to construct a rock wall around the property at 2610 Calle de Tercera.

I am a resident at 2406 Calle de Colon; the property directly north and across the street from 2610 Calle de Tercera. My interest in this case is to ensure the PZHAC considers the appropriateness of the size, shape and required setbacks of the structure in relation to the neighboring site of 2406 Calle de Colon -- specifically to ensure appropriate access to my driveway on Calle de Colon. The turning radius for a standard sized vehicle into the driveway is already tight due to the narrow nature of Calle de Colon in this portion of the street. My concern lies in ensuring the design and placement (i.e. setbacks) of the rock wall acknowledge and respect the existing driveway to ensure continued and unburdened access. For this purpose I submit to you the following comments for consideration in your determination.

1) Setback Requirements for Rock Wall -- Per the description included in the agenda packet it's unclear what the proposed setback of the rock wall is on Calle de Colon (north side of property at 2610 Calle de Tercera). There is mention of the wall "along the rear of the property" to be "located two feet inside the property line" which seems to be referring to the directly adjacent property to the west -- 2435 Calle de Colon; however, neither the description nor the the conceptual site plan acknowledge a setback for the rock wall on Calle de Colon. It is stated that more detailed construction plans will be required for application to the Construction Industries Division (CID) for the building permit; however, it's unclear if CID considers appropriate setbacks in their permit approval process. Furthermore, in conducting a quick word search in the Town of Mesilla's Municipal Code I was unable to locate information regarding the setback requirements that would apply to a rock wall on Calle de Colon in this particular case. It's my hope that the requirement is more than two feet as such a setback will almost certainly restrict functional and safe access to the driveway. I request the PZHAC ensure all appropriate setbacks are considered and applied in this permit request.

2) Street Width Considerations -- It's worth noting that the segment of Calle de Colon where the driveway exists is already narrow. For example, Calle de Colon measured from back-of-curb to back-of-curb is approximately two feet narrower than Calle de Tercera. The particularly narrow nature of Calle de Colon combined with the construction of a new rock wall that's too close to the street may prevent functional and safe access to the driveway. I request the PZHAC consider the relation of such factors in this permit request.

To be clear, I'm not in opposition to this proposal for a rock wall and related zoning permit. Rather I am raising concerns for consideration in hopes of mitigating potential negative impacts by ensuring existing development and surroundings are appropriately considered in new construction proposals.

Thank you for your consideration in this matter.

Angela R. Roberson

**PZHAC NEW BUSINESS
JANUARY 4, 2021**

**DECISION ITEMS
ZONING PERMITS**

**PZHAC ACTION FORM
BUILDING PERMIT 061151
[PZHAC REVIEW – 1/4/2021]
STAFF ANALYSIS**

(Decision to be based on information presented during the Work Session – Item 1)

Item:

Case 061151 – 2610 Calle Tercera, submitted by Samuel Kane; a request for a zoning permit to construct a rock wall around a residential property at this address. Zoned: Historic Residential (HR)

Staff Analysis:

The proposed work was discussed in the PZHAC Work Session held prior to this meeting. (Please refer to the information provided in the write-up for this item in the Work Session.)

If it is determined that the proposed walls are acceptable to the Town as proposed; and meet all applicable codes, or if an alternate solution is arrived at, then the request can proceed on the assumption that all requirements of the Code will be satisfied. The PZHAC should continue on to approve the request based on the Findings stated below.

If, on the other hand, it is determined that the proposed walls are not acceptable to the Town; or do not meet all applicable codes, and no other solution can be reached, then the PZHAC should either postpone the request further until the applicant can return with a proposal that meets the standards set forth by the PZHAC; or the PZHAC should deny the request based on the request not meeting any or all of the Findings as listed.

Estimated Cost: \$12,000.00

Consistency with the Code:

The PZHAC will need to determine that the repairs to the proposed walls of the dwelling will be consistent with other historic structures in the Town. The PZHAC will also need to determine that the request, as submitted, is consistent with all other sections of the **Zoning Codes** that may be applied to this project.

Findings:

- The PZHAC has jurisdiction to review and approve this request.
- The proposed work consists of installing stone walls on two sides of the property at this address.
- The PZHAC has determined that the proposed walls are not a violation of MTC 18-33.
- The PZHAC has determined that the proposed walls meet all applicable Code requirements.

PZHAC OPTIONS:

1. Recommend approval of this request to the BOT.
2. Recommend approval of this request to the BOT with conditions.
3. Postpone a decision on the request to allow the applicant to modify the request.
4. Reject the zoning request.

PZHAC ACTION:

**PZHAC NEW BUSINESS
JANUARY 4, 2021**

**DECISION ITEMS
PZHAC DETERMINATIONS**

PZHAC ACTION FORM
DETERMINATION OF PZHAC REQUIREMENTS
[PZHAC REVIEW – 1/4/21]
STAFF ANALYSIS

(Decision to be based on information presented during the Work Session – Item 2)

Item:

Submitted by Cesar Huizar for “Casa Blanca de Mesilla”, a request for a determination by the PZHAC as to what further information is necessary to allow the construction of a commercial building at the southeast corner of Avenida de Mesilla and Tierra de Mesilla. Zoned: General Commercial (C)

Staff Analysis:

The proposed work was discussed in the PZHAC Work Session held prior to this meeting. (Please refer to the information provided in the write-up for this item in the Work Session.)

If it is determined that the proposed commercial building and property improvements are acceptable to the Town as proposed and meets all applicable codes, or if an alternate solution is arrived at, then the request can proceed on the assumption that all requirements of the Code will be satisfied.

If, on the other hand, it is determined that the proposed building and/or property improvements are not acceptable to the Town or does not meet all applicable codes, and no other solution can be reached, then the PZHAC should either postpone the request further until the applicant can return with a proposal that meets the standards set forth by the PZHAC; or the PZHAC should deny the request based on the request not meeting any or all of the Findings as listed.

Estimated Cost: TBD

Consistency with the Code:

The PZHAC will need to determine that the proposed building and property improvements will be consistent with other similar structures in the Town. The PZHAC will also need to determine that the request, as submitted, is consistent with all other sections of the **Zoning Codes** that may be applied to this project.

Findings:

- The PZHAC has jurisdiction to review and approve this request.
- The proposed work consists of building a commercial building and property improvements on two properties at this location.
- The PZHAC has determined that the proposed commercial building and property improvements are not a violation of MTC 18-33.
- The PZHAC has determined that the proposed commercial building and property improvements meet all applicable Code requirements.

PZHAC OPTIONS:

1. Recommend approval of this request to the BOT.
2. Recommend approval of this request to the BOT with conditions.
3. Postpone a decision on the request to allow the applicant to modify the request.
4. Reject the zoning request.

PZHAC ACTION:

**PZHAC ACTION FORM
DETERMINATION OF PZHAC REQUIREMENTS
[PZHAC REVIEW – 1/4/21]
STAFF ANALYSIS**

(Decision to be based on information presented during the Work Session – Item 3)

Item:

Submitted by Kevin McGinley of McGinley Construction, Inc. for Matthew Abrams, a request for a determination by the PZHAC as to what further information is necessary to allow the construction of an addition to a dwelling located along an easement at 2852 Snow Road. Zoned: Single Family Residential (R-1)

Staff Analysis:

The proposed work was discussed in the PZHAC Work Session held prior to this meeting. (Please refer to the information provided in the write-up for this item in the Work Session.)

Before the following is determined, the PZHAC will first need to determine if the use of the property is considered legal non-conforming due to the fact that it may not have legal access under the current Code. If the property is determined to be legal non-conforming, the PZHAC will also need to determine if a legal non-conforming use can be expanded.

The PZHAC will also need to determine what will need to be required in order to recognize the easement as legal access to the property if it is determined that the easement does not meet the current requirements of the Code.

If it is determined that the proposed addition is acceptable to the Town as proposed and meets all applicable codes, or if an alternate solution is arrived at, then the request can proceed on the assumption that all requirements of the Code will be satisfied. The PZHAC should continue on to approve the request based on the Findings stated below.

If, on the other hand, it is determined that the proposed addition is not acceptable to the Town or does not meet all applicable codes, and no other solution can be reached, then the PZHAC should either postpone the request further until the applicant can return with a proposal that meets the standards set forth by the PZHAC; or the PZHAC should deny the request based on the request not meeting any or all of the Findings as listed.

Estimated Cost: \$140,000.00

Consistency with the Code:

The PZHAC will need to determine that the proposed addition will be consistent with other historic dwellings in the Town. The PZHAC will also need to determine that the request, as submitted, is consistent with all other sections of the **Zoning Codes** that may be applied to this project.

Findings:

- The PZHAC has jurisdiction to review and approve this request.
- The proposed work consists of building an addition to a dwelling at this address.
- The PZHAC has determined that the proposed dwelling is not a violation of the MTC.
- The PZHAC has determined that the proposed addition meets all applicable Code requirements.

PZHAC OPTIONS:

1. Approve of this request.
2. Approve this request with conditions.
3. Postpone a decision on the request to allow the applicant to modify the request.
4. Reject the zoning request.

PZHAC ACTION: