



PUBLIC HEARING and SPECIAL MEETING
of the
BOARD OF ADJUSTMENT
AGENDA
NOVEMBER 17, 2020

BOA PUBLIC HEARING

THE TOWN OF MESILLA BOARD OF ADJUSTMENT, WILL HOLD A PUBLIC HEARING ON **TUESDAY, NOVEMBER 17, 2020 AT 2:00 P.M.** TELECONFERENCE AT Phone: 1-346-248-7799, Meeting ID: 603 754 4231, Passcode: 193857 TO OBTAIN PUBLIC INPUT ON THE FOLLOWING:

V20-001: Submitted by Natalie Ogaz, a request for a Variance to building height for the construction of an eighteen foot high dwelling on a property located at 2729 Calle de San Albino. Zoned: Historic Residential (HR)

ADJOURNMENT OF THE PUBLIC HEARING

BOA SPECIAL MEETING

THE TOWN OF MESILLA BOARD OF ADJUSTMENT, WILL HOLD A SPECIAL MEETING ON **TUESDAY, NOVEMBER 17, 2020 IMMEDIATELY AFTER THE PUBLIC HEARING** AT Phone: 1-346-248-7799, Meeting ID: 603 754 4231, Passcode: 193857

PLEDGE OF ALLEGIANCE

ROLL CALL AND DETERMINATION OF A QUORUM

BOARD OF ADJUSTMENT BUSINESS

V20-001: Submitted by Natalie Ogaz, a request for a Variance to building height for the construction of an eighteen foot high dwelling on a property located at 2729 Calle de San Albino. Zoned: Historic Residential (HR)

ADJOURNMENT OF THE MEETING

NOTICE:

Posted 11/12/2020 at the following locations: Town Clerk's Office 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, Ristramn Chile Co., 2531 Avenida de Mesilla and the U.S. Post Office 2253 Calle de Parian.

**BOARD OF ADJUSTMENT
PUBLIC HEARING
NOVEMBER 10, 2020
CASE V20-001**

V20-001: Submitted by Natalie Ogaz, a request for a Variance to building height for the construction of an eighteen foot high dwelling on a property located at 2729 Calle de Albino. Zoned: Historic Residential (HR)

DESCRIPTION OF REQUEST:

The dwelling was approved in 2018 for a total height of 15 feet. The new plans submitted to the PZHAC in February 2020 show the structure to be 18 inches higher than the plans approved in 2018, or 16.5 feet in height. The applicant has stated that Staff submitted the wrong plans to the PZHAC in February, the correct plans were for a total of 18 feet in height, not an increase of 18 inches as presumed by the PZHAC. The PZHAC approved the height of the structure according to the original plans for 15 feet submitted in August 2018 based on the height of other structures in the area. The BOT approved the structure with the same 15 foot height, according to the recording of the August 23, 2020 BOT meeting.

The applicant has started construction of the dwelling and has built the roof to a height of at least 18 feet to the outside top or the ridgeline of the roof. According to the applicant, it was her belief that the plans for 18 feet were approved by the PZHA and the BOT. A “Stop Work Order” was issued by CID when it was determined that the roof was higher than the 15 feet that had been allowed. The applicant is subsequently applying for a variance to the allowed roof height in order to complete the dwelling.

Estimated Cost: @ \$150,000.00

Consistency with the Code:

The following sections of the Code apply specifically to this request:

18.35.010 HR Zone Purpose.

The purpose of this zone is to provide for the protection of those residential sections of the town that are worth preserving because of historical, cultural and aesthetic or architectural interest. All remodeling or new structures must be compatible with established architectural styles and design elements as outlined in the town’s “Guidelines and Criteria for Preservation and Development” manual and approved by the commission and board of trustees. [Ord. 94-06 § 1; prior code § 11-2-11.4.A]

The property was previously occupied by a site built residence that was in disrepair and was demolished last year. The subject dwelling is replacing the dwelling that was demolished and is taller than the neighboring dwellings, according to the PZHAC.

18.33.060 Historic Preservation - Development zone.

According to the PZHAC, the proposed dwelling does not fit the development zone in which it is located because it is much higher than the other dwellings in the development zone.

18.85.040 Required showing for variance.

Before any variance may be granted, it shall be shown:

A. That there are exceptional or extraordinary circumstances or conditions applicable to the property.

According to the applicant, the dwelling is 70% complete, and it is too late in the construction of the dwelling to lower the roof.

B. That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same vicinity and zone, and denied to the property in question.

According to the applicant, the height and style of the dwelling are not out of character with other dwellings and structures in the area. There are numerous other properties in the area, especially across the street, that have a similar height, according to the applicant, therefore the requested height would not be out of character with these properties.

C. That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity.

The applicant does not believe the variance will be detrimental to the other properties in the area.

D. A nonconforming use of neighboring lands or structures shall not be considered grounds for the issuance of a variance. [Ord. 94-06 § 1; prior code § 11-2-7.4]

According to the applicant, this variance is not being requested because of any precedents set by any other lots, nor is it being requested to allow any special privileges to the applicant.

18.85.150 Setting hearings.

All applications for variances, or special use permits as provided in this title, shall be set for public hearing by the GAZ VARIANCE OAP planning commission or board of adjustment. The date of the first hearing shall be not less than 30 days nor more than 45 days from the time of filing the application. [Ord. 94-06 § 1; prior code § 11-2-9.5]

The application was accepted by Staff as complete on October 5, 2020 (36 days prior to this hearing).

18.85.160 Notices.

Notice of time and place of public hearings for variance or special use permit may be given by posting one sign in front of the property and posting additional signs at 300-foot intervals for large properties with 600 feet or more frontage. The posted notice shall contain the heading “Notice of Proposed Variance,” “Special Permit” or “Notice of Proposed Special Permit,” in letters at least one inch in height. The notice shall also contain information about the location of the property, the proposed use and the time and place at which the public hearing will be held. All owners of property located within 100 feet radius of the external boundaries of the property shall be notified by registered mail. [Ord. 94-06 § 1; prior code § 11-2-9.6]

A sign meeting the requirements listed above was posted at the front of the property on Saturday, October 31, 2020. Additionally, there were eleven separate property owners within 100 feet of the subject property (see attached notification map and letter) that were notified by Certified Mail of the variance request. (There have been no negative written responses from any of the notified property owners.)

Impacts on the Surrounding Area:

Of the ten different property owners notified because they own property within one hundred feet of the properties involved in this variance (as required by Code Section 18.85.160 – Notices), there have been no negative written responses to the request.

Required Findings That Need to be Met (in addition to other possible Findings resulting from the Public Hearing):

- **The Board of Adjustments (BOA) has jurisdiction to hear this request.**
- **Notification requirements of the MTC have been met.**
- **The requested variance to height is necessary to overcome a real hardship of the property.**
- **Approval of the requested variance will not be detrimental to the Town of Mesilla.**
- **The requirements of the MTC have been met with respect to granting variances.**
- **Granting the variance will be consistent with the MTC.**
- **Approval of the requested variance will not be detrimental to the Town of Mesilla.**

Attached is a resolution that may be used by the BOA if it is determined that the requested variance meets the requirements for approval. If the request does not meet the requirements listed, or there are issues or negative Findings brought up during the Public Hearing that negatively affect approval, then the request may be denied and a new resolution addressing any such new findings will be drafted.

**VARIANCE
V20-001
APPLICATION**



TOWN OF MESILLA
REQUEST FOR VARIANCE

OFFICIAL USE ONLY:

Case # V20-001

Fee \$ 310.00

CASE NO. V20-001 ZONE: HR SUBMITTED DATE: OCTOBER 9, 2014

Name of Applicant Natalie Bustamante Applicant's Telephone/Cell Number (575) 524-9401 / 575 680 8864

Mailing & Physical Address PO Box 457, 2729 Calle de San Albino Mesilla NM 88004

Property Owner(s) Name (if different than above) Bustamante or Natalia Bustamante, (Blanca)

Mailing & Physical Address 2300 W Union Las Cruces NM 88005

Description of Variance Requested: Requesting to raise the plans at the Original 18ft 9in height

Justification for Request: As to the house is 70% completion the exterior, stop at a very late time of the construction

Property Owner Signature (if different than Applicant) Ignacio L Bustamante Applicant Signature Natalie Bustamante

FOR OFFICIAL USE ONLY

- PZHAC Administrative Approval (N/A) BOT Approved Date: _____
- Approved Date: _____ Disapproved Date: _____
- Disapproved Date: _____ Approved with Conditions
- Approved with conditions

CONDITIONS: REVIEW AND APPROVAL BY BOARD OF ADJUSTMENT REQUIRED

VARIANCE ISSUED BY: _____ ISSUE DATE: _____

VARIANCE

V20-001

NOTIFICATIONS

NOTIFICATION MAP

V20-001



PROPERTY OWNERS



Ignacio Bustamante
2300 West Union Avenue
Las Cruces, NM 88005

1. Erin O. Vannorman
PO Box 204
Mesilla, NM 88046

2. ETMSS 2 LLC
PO Box 358
Mesilla Park, NM 88047

3. Guadalupe O & Horatio
Moreno ET AL
PO Box 796
Mesilla, NM 88046

4. Henrietta Salazar
3421 S Highway 28, Unit 4
Las Cruces, NM 88005

5. John Wright
PO Box 566
Mesilla, NM 88046

6. Maria Luisa Lujan
PO Box 193
Mesilla, NM 88046-0193

7. Jallad & Melanie Mohammed
PO Box 624
Mesilla, NM 88046

8. Antonia M. Goodman
PO Box 130
Mesilla, NM 88046-0130

9. Jonathan E. Moore
PO Box 638
Mesilla Park, NM 88047

10. Nia Rucker
PO Box 1668
Mesilla, NM 88046

11. Manuella C. Orona
PO Box 87
Mesilla, NM 88046



**The Town of Mesilla
BOARD OF ADJUSTMENT (BOA)
will be holding a Public Hearing on:**

**Tuesday, November 10, 2020 at 2:00 PM
VIA TELECONFERENCE**

Phone: 1-346-248-7799, Meeting ID: 603 754 4231, Passcode: 193857.

The purpose of the hearing will be to take public comments on an application for a Variance to Building Height (V20-001) to allow the construction of an eighteen foot high dwelling at 2729 Calle de Albino in the Town of Mesilla, NM.

Anyone who is concerned with this matter may address the PZHAC at the Public Hearing, or write to them at:

**TOWN OF MESILLA
Larry Shannon
Community Development Department
PO Box 10
Mesilla, NM 88046**

Letters must be received before the Public Hearing. In addition to mailing the letter, comments may be e-mailed to Larry Shannon at larrys@mesillaNM.gov. You may also contact me at 575- 524-3262 or 575-288-5357.

POSTED: October 30, 2020

Posted on 10/30/2020 at the following locations: Town Clerk's Office 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, Ristramn Chile Co. 2531 Avenida de Mesilla and the U.S. Post Office 2253 Calle de Parian.

INFO PRESENTED TO THE PZHAC

**JANUARY 21, 2020
AND
FEBRUARY 3, 2020**



Town of Mesilla, New Mexico

PZHAC WORK SESSION AGENDA FEBRUARY 3, 2020

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

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

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

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

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

PZHAC REGULAR MEETING AGENDA FEBRUARY 3, 2020

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

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL AND DETERMINATION OF A QUORUM

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 Regular Work Session and Meeting of January 15, 2020.

B. *ADMINISTRATIVE APPROVAL

Zoning Permits:

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

V. PZHAC NEW BUSINESS:

A. PUBLIC INPUT ON CASES

B. DECISIONS:

Zoning Permits:

1. **Case 060748** – 2745 Boldt Street, submitted by Natalie B. Ogaz, a request for changes to an approved building permit to construct a new residence at this address. Zoned: Historic Residential (HR). **(Discussed during the Work Session – Item 1)**
2. **Case 091009** – 2551 Calle de Principal, submitted by Bruce B. (Burt) McClure, a request for a zoning permit to construct a wood fence on a residential property at this address. Zoned: Historical Residential (HR). **(This case was discussed during the Work Session – Item 2)**
3. **Case 061010** – 2305 Calle de Colon, submitted by Gerard Nevarez; a request for a zoning permit to allow the addition of a privacy panel to a rock wall at the rear of a residential property at this address. Zoned: Historical Residential (HR) **(This case was discussed during the Work Session – Item 3)**
4. **Case 061011** – 2172 Calle de Santiago, submitted by Anna Biad; a request for a zoning permit to allow the construction of a rock wall and changes to the landscaping of a commercial property at this address. Zoned: Historical Commercial (HC) **(This case was discussed during the Work Session – Item 4.)**

Sign Permit

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

C. PZHAC Special Business:

Election of Officers

VI. PUBLIC COMMENTS

VII. PZHAC/STAFF COMMENTS

VIII. ADJOURNMENT

NOTICE

If you need an accommodation for a disability to enable you to fully participate in the hearing or meeting, please contact us at 524-3262 at least 48 hours prior to the meeting.

Posted on 1/29/20 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; Ristramnn Chile Co. - 2531 Avenida de Mesilla and the U.S. Post Office - 2253 Calle de Parian.

**PZHAC WORK SESSION
FEBRUARY 3, 2020
ITEM 1**

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

The subject property is on the east side of Calle de San Albino between Calle de Cura and Calle de Santa Ana. One property, across Calle de San Albino the west, is currently vacant. The remaining properties surrounding the subject property are occupied by single family one story dwellings consisting of a variety of styles. One property a short distance away to the southeast (on Avenida de Mesilla) contains a restaurant.

The proposed change to the approved plans was heard by the PZHAC at their regular Work Shop and meeting on January 21, 2020 and was table to allow the applicant to provide more information about the proposed widows to be used instead of those originally approved by the PZHAC. The applicant has provided additional information in this packet (see attached window diagram and photo of proposed window). The replacement windows will be 6'8" high by 2' wide multipaned french doors opening inward.

This case was originally heard and approved by the PZHAC on August 6, 2018 (Case 060748). The plans approved at the time were for a dwelling that was about 1.5 feet lower than what was originally requested (see attached elevations) in order to be consistent with the surrounding development zone. The applicant has not yet started construction of the dwelling and has now decided that she would like to build the dwelling according to the original height requested (see original elevations attached). The applicant was informed by staff that this requested change would need to be reviewed by the PZHAC with final approval by the BOT to allow the change in height. The applicant would also like to change the plate glass windows shown in the elevations with multipaned french doors.

The subject property originally contained an adobe single family dwelling in poor condition. The applicant received a permit to demolish this structure on from the BOT on March 26 of this year. The proposed dwelling is a replacement of the original structure. (Photos of the original dwelling are attached.)

The property is about 0.122 acres (5,314 square feet) in size. All necessary utilities are available to the property. Access to the property is by Calle de San Albino. Off-street parking requirements (Section 18.60.170 - Parking requirements and fees) for the property require three off street spaces. (This does not include enclosed parking areas such as garages.) The proposed dwelling appears to be more of a "Ranch" style (details were not supplied by the applicant at the time of submission), and will consist of about 2300 square feet of total floor area (estimated from the drawing provided by the applicant), including four bedrooms and a one car garage. Construction will be wood frame with stucco, with a pitched roof. The maximum height of the structure will be under 30 feet. This will be under the maximum height of 30 feet in the HR zone. (The PZHAC will need to determine if the proposed height of the structure will be compatible with the heights of other structures in the area, not counting the structure immediately to the south.)

The PZHAC determined that although the proposed dwelling appeared to be a "Ranch" style, it did not appear to be similar in character to other dwellings in the area due to size ad height. A second issue was that since the setback at the rear of the dwelling was under five feet, there could be no openings (doors, windows, etc.) in the rear wall, according to Tommy Maese, CID inspector. Also, the applicant was informed that the color of the metal roof would need to be either grey or red, the only two colors approved by the Town for metal or corrugated roofs.

The applicant has provided a new set of plans for the dwelling that addresses these concerns by lowering the roof height to 15 feet at the top of the ridge, and reconfiguring the back wall to meet Building Code requirements (see attached plans). Additionally, the applicant has provided a completed questionnaire for the "Ranch" style (attached).

The PZHAC will need to determine if the new design of the proposed dwelling structure is compatible with the development zone for the property. Since this construction is in a Historic zoning district, the following section of the Code applies:

18.33.080 Historical appropriateness permit.

A. Identification. A permit for a certificate of historical appropriateness shall be required before any of the following actions or work is undertaken: new construction, exterior alteration, demolition or removal. All work or acts of new construction or exterior alteration requiring a permit for a certificate of appropriateness shall comply with the design criteria established by the precedent styles within the development zone of the proposed work.

The applicant will be present at the work session to provide further details about the request and will be available to answer any questions that may arise.

Doña Ana County, NM

General Reference Maps

2014 Aerial

Addresses

County Address Points

Select S

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: [R0400390](#)

Parcel Number: 4006137322516

Owner: BUSTAMANTE IGNACIO &
NATALIA TRTEES BUSTAMANTE
FAMILY TRUST

Mail Address: 2300 W UNION

Subdivision:

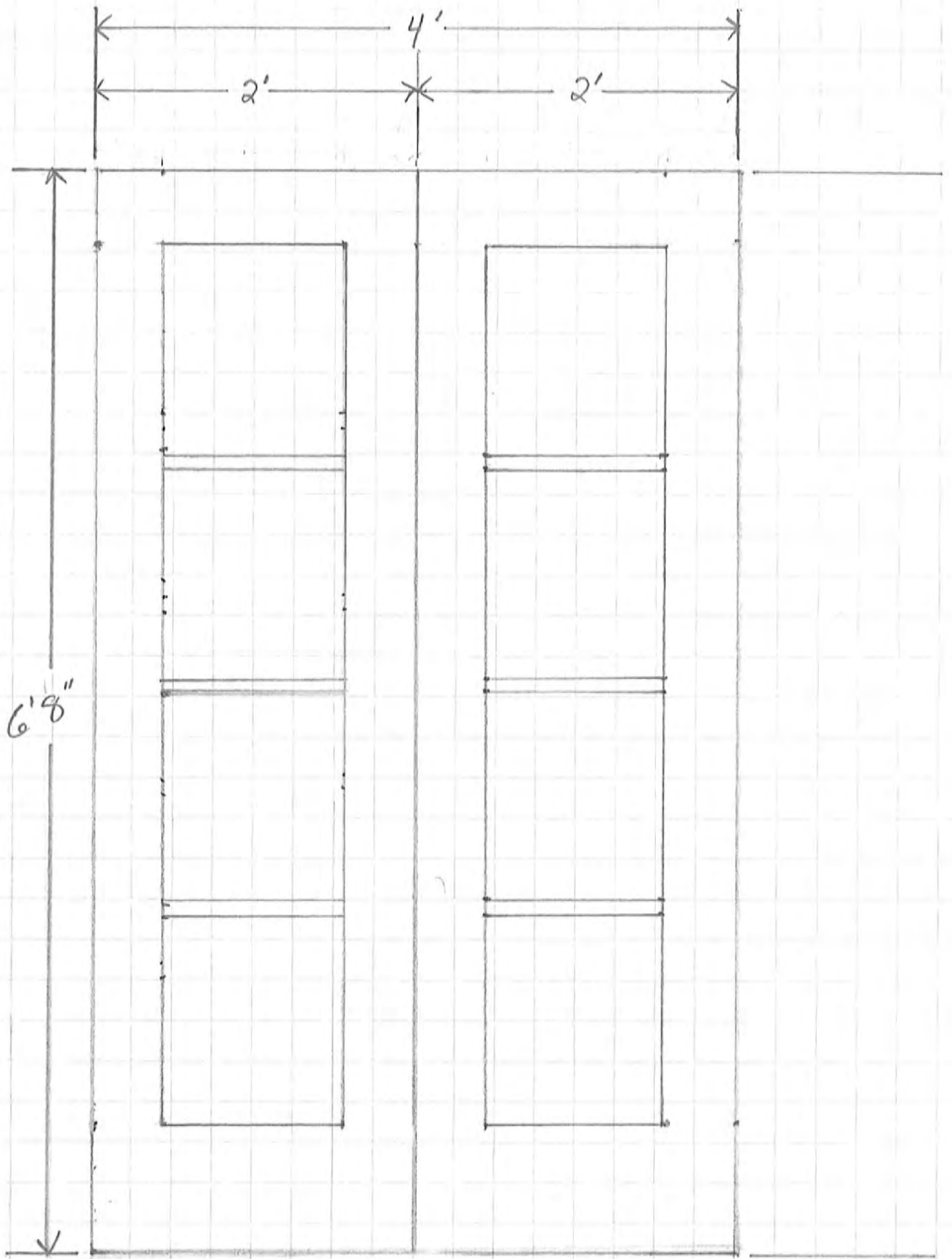
Property Address: 2729 CALLE DE
SAN ALBINO

Acres: 0.13000459



CASE 060748

PLANS CURRENTLY BEING REQUESTED



Rawson Builders Supply
 Kevin Tyeu / Sales

1/4" tempered glass insulated clear

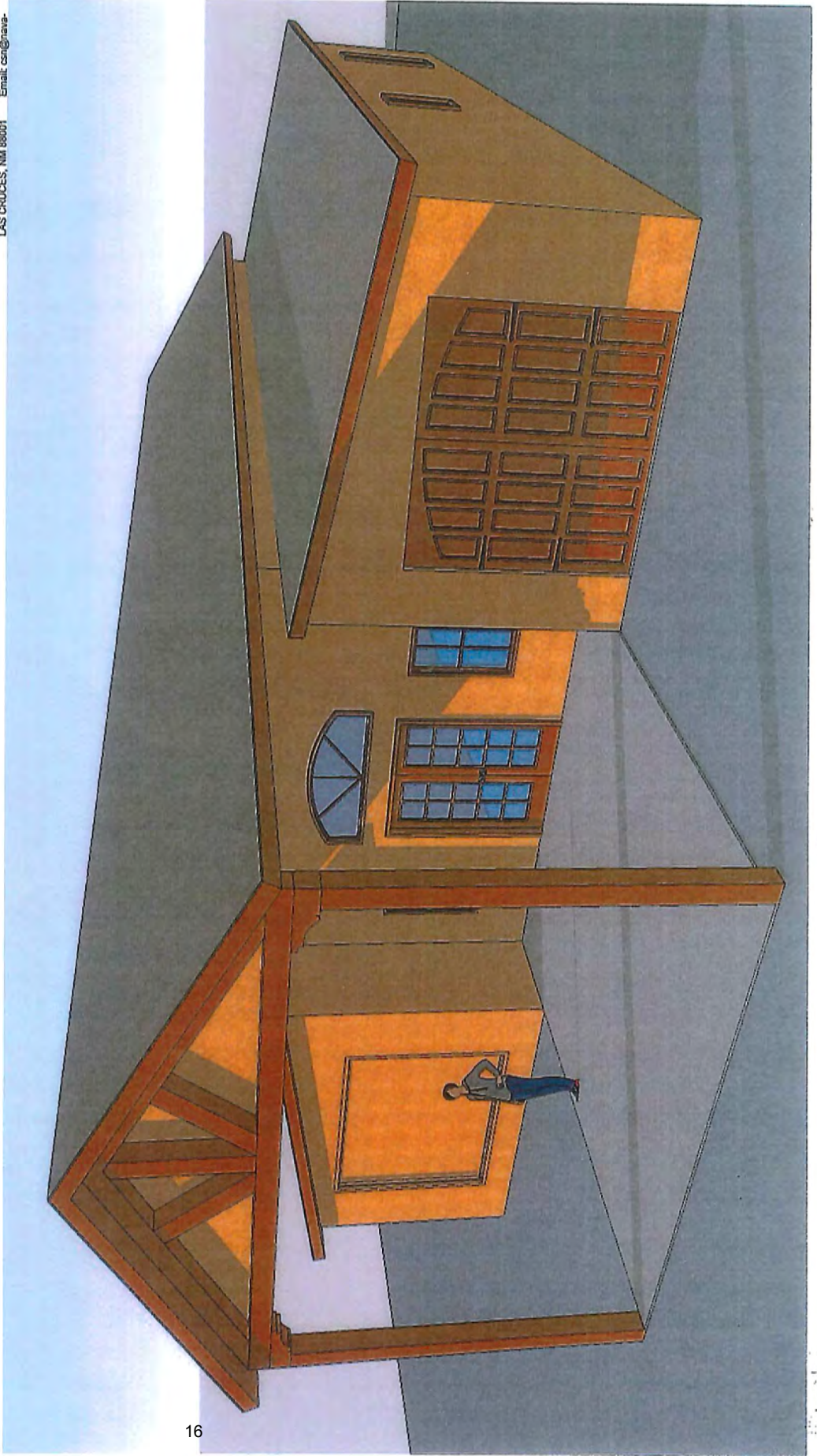
scale: 1" = 1'-0"

1 3/4" wood door

OGAZ RESIDENCE
CONCEPTUAL PERSPECTIVE

DRAWING BY
JAVA TECH INC.
AND ASSOCIATES
CONSTRUCTION PLAN PRODUCTION & COORDINATION

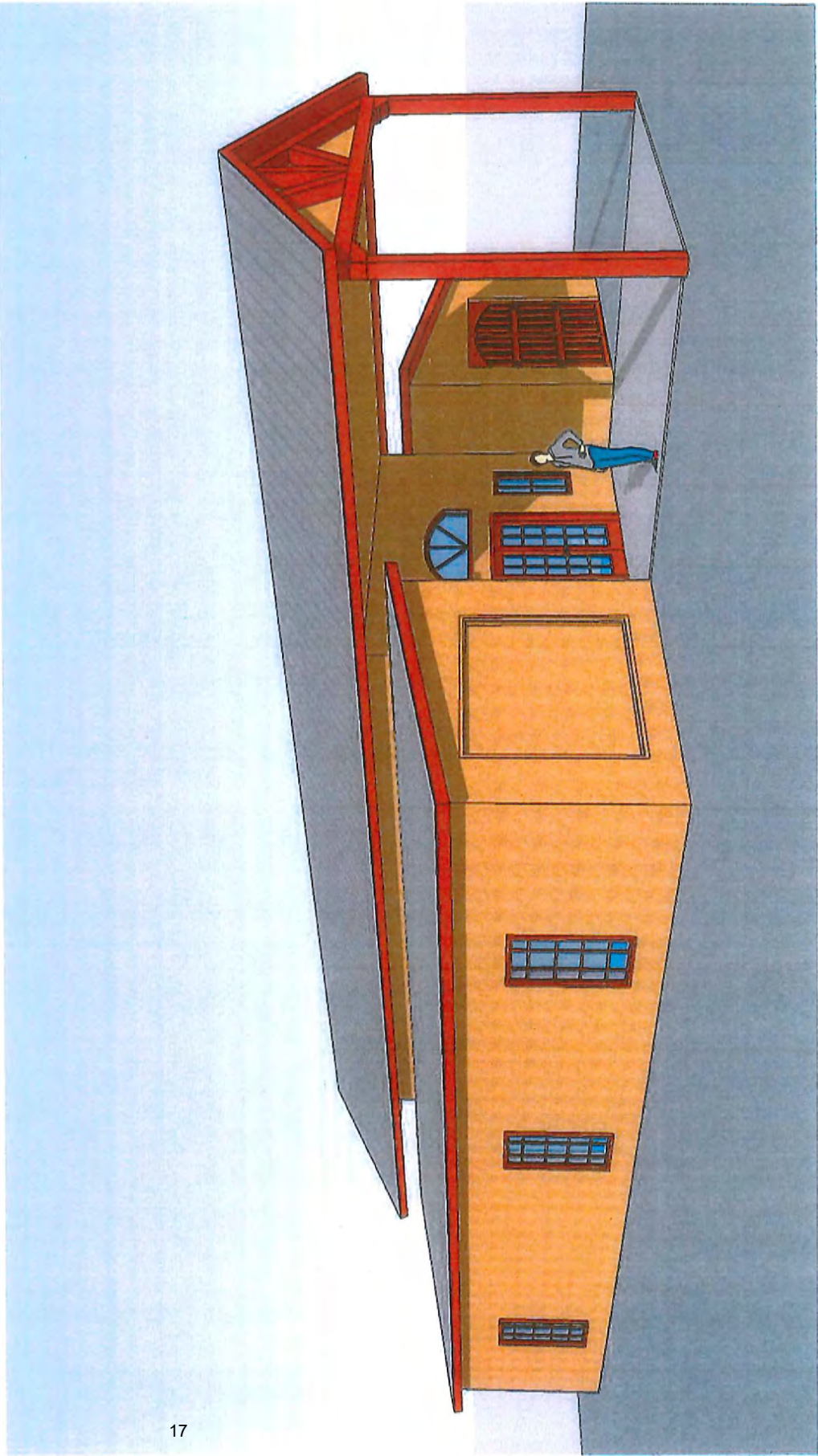
1615 S. SOLANO DR.
LAS CRUCES, NM 88001 Email: csn@java-



**OGAZ RESIDENCE
CONCEPTUAL PERSPECTIVE**



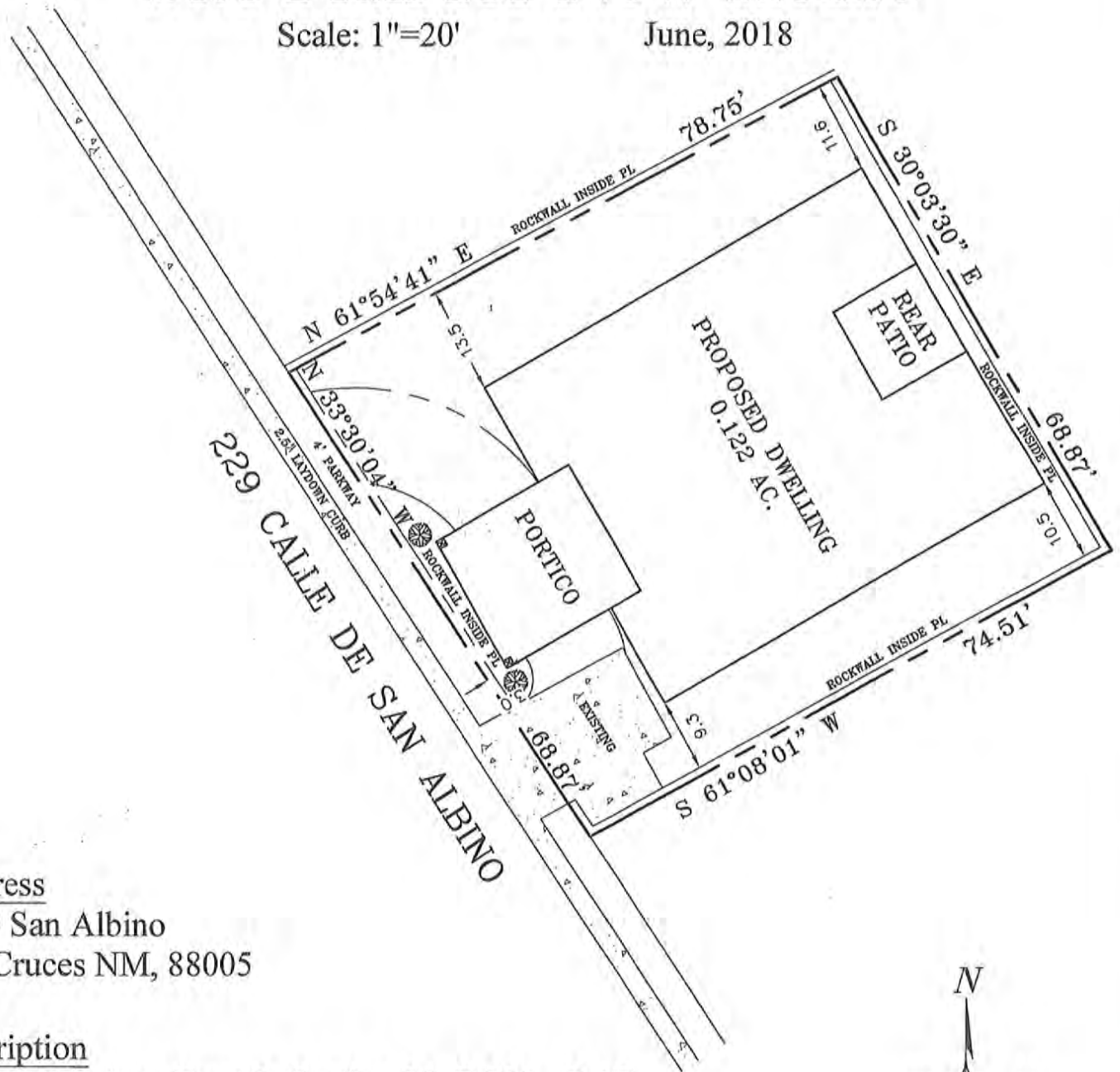
1615 S. SOLANO DR.
LAS CRUCES, NM 88001 Email: cm@na



Site Plan for New Home

Scale: 1"=20'

June, 2018



Address

2729 San Albino
Las Cruces NM, 88005

Description

On A 0.122 Acre Tract In Section 25, T.23S., R.1E.,
N.M.P.M. Of The U.S.R.S. Surveys Being U.S.R.S.
Tracts 11-5A & 11A-5B
Town Of Mesilla
Dona Ana County
New Mexico

Drafting By:



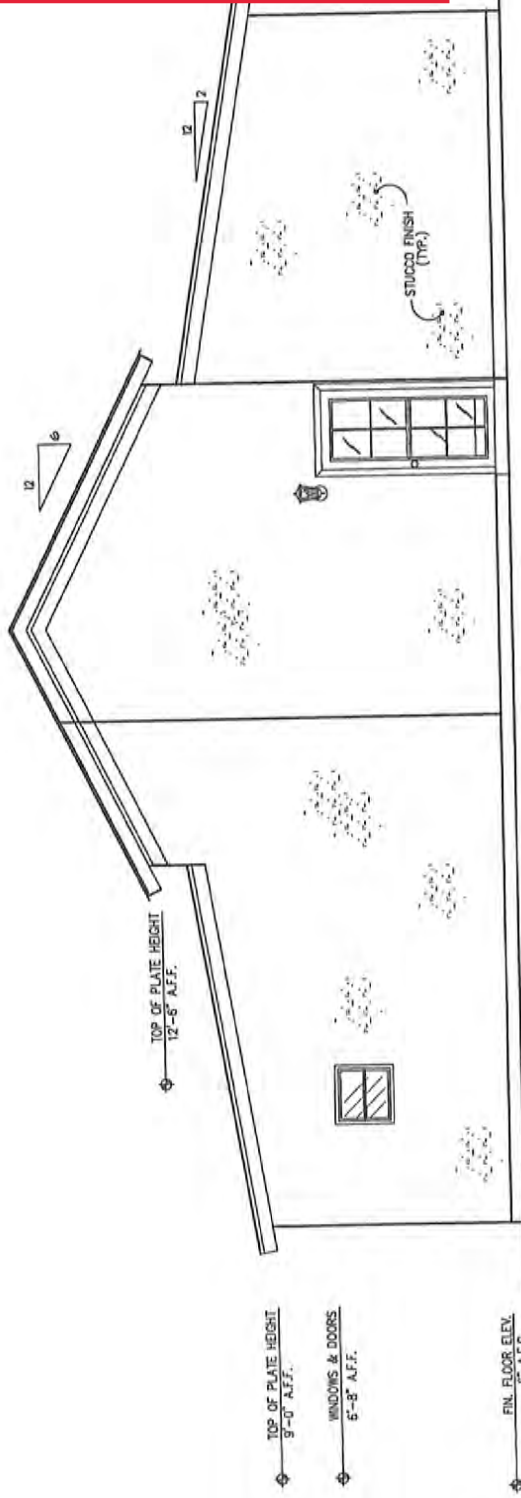
1615 S. Solano Dr.
Las Cruces, NM 88001
Office: (575) 541-5050

Fax: (575) 522-6060
Email: csn@nava-techinc.com



SCALE: 1" = 20'

CURRENTLY REQUESTED



REAR ELEVATION

SCALE: 3/16" = 1'-0"

TOP OF PLATE HEIGHT
12'-6" A.F.F.

TOP OF PLATE HEIGHT
9'-0" A.F.F.

FIN. FLOOR ELEV.
8' A.F.G.

LEFT ELEVATION

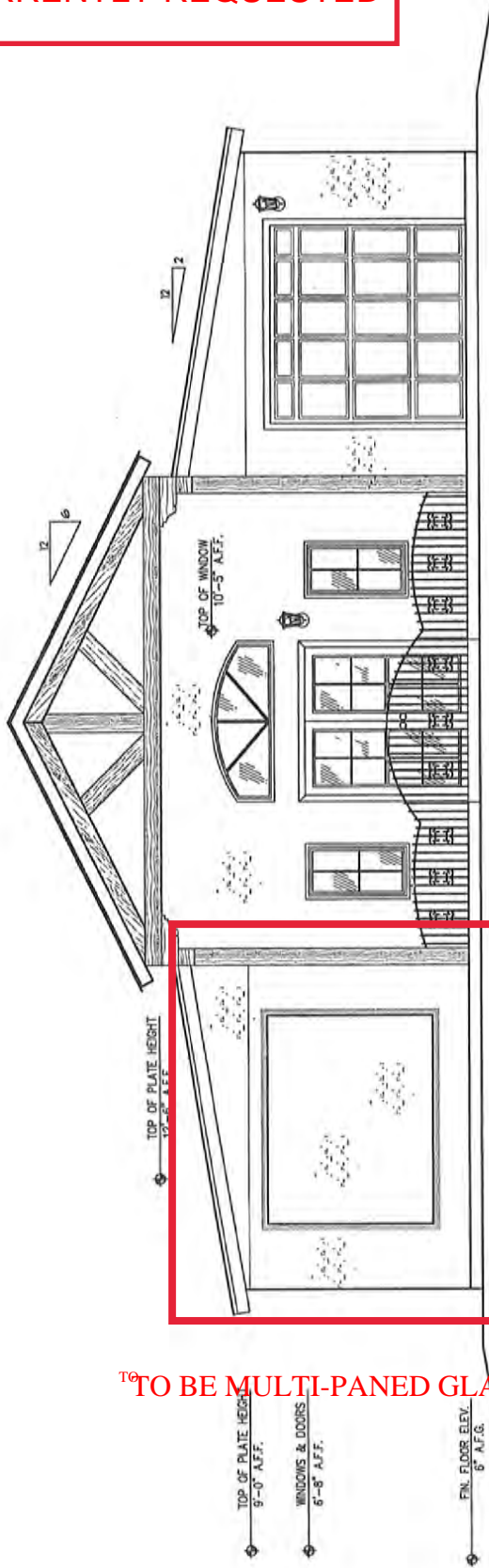
SCALE: 3/16" = 1'-0"



CONSTRUCTION PLAN PRODU

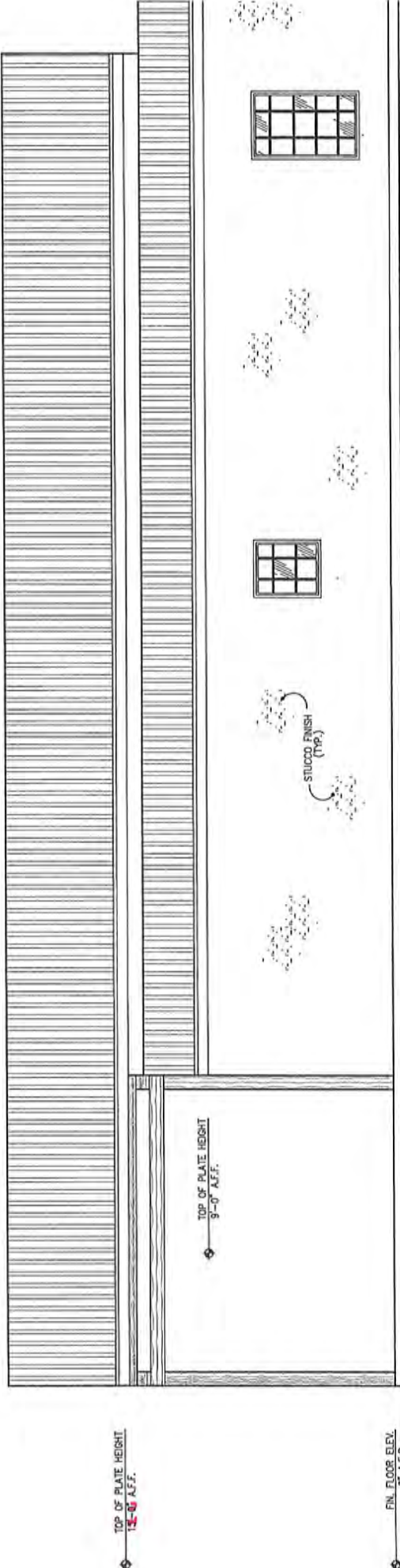
1615 S. Solano Dr.
Las Cruces, NM 88001
Office: (575) 341-5058

CURRENTLY REQUESTED



TO BE MULTI-PANED GLASS

FRONT ELEVATION
SCALE: 3/16" = 1'-0"



RIGHT ELEVATION
SCALE: 3/16" = 1'-0"



1615 S. Solano Dr.
Las Cruces, NM 88001
Office: (575) 541-5050

CASE 060748

PLANS THAT WERE APPROVED BY THE PZHAC

AUGUST 6, 2018

Site Plan for New Home

Scale: 1"=20'

July, 2018

Owners

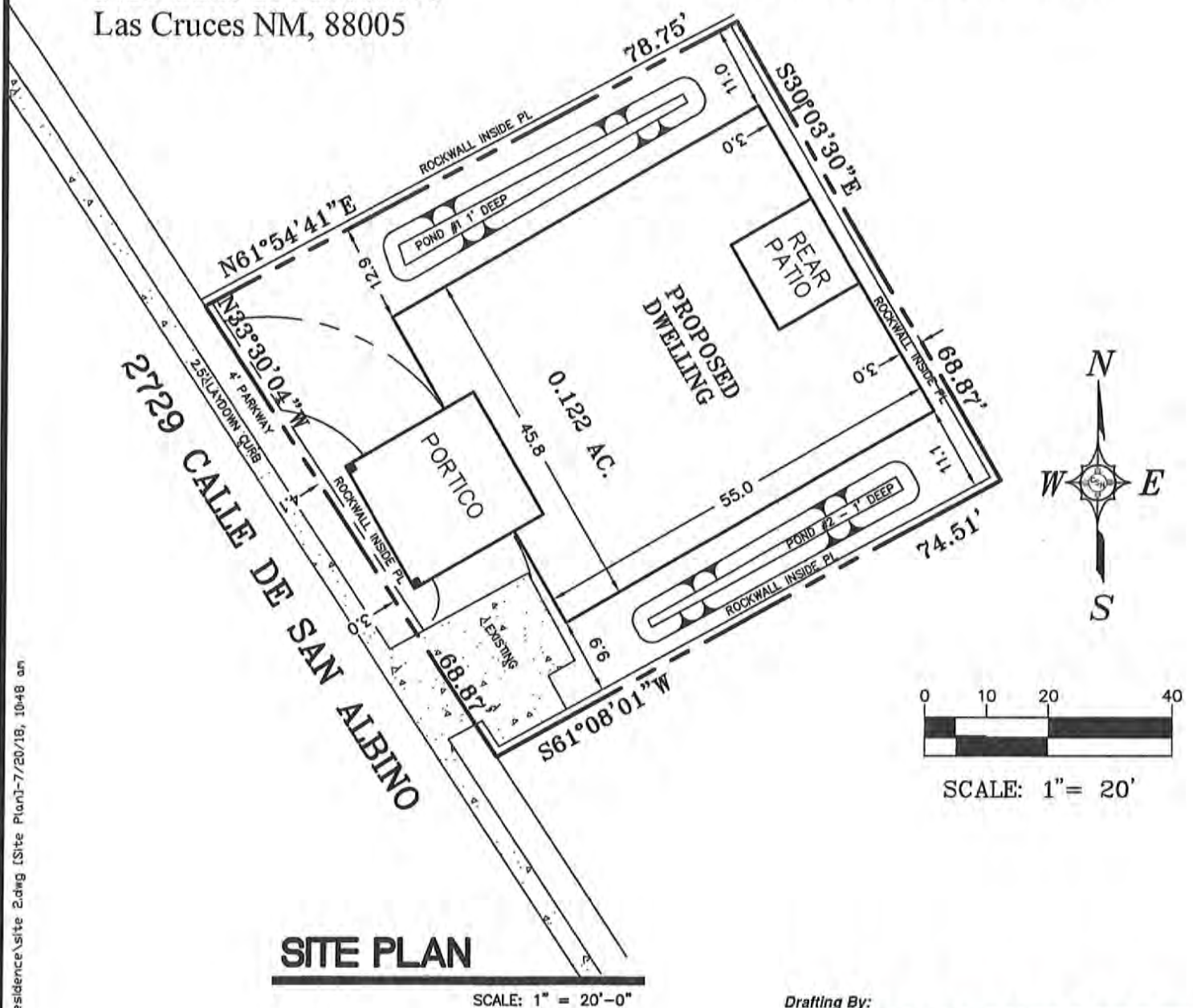
Richard & Natalia Ogaz
2729 Calle de San Albino
Las Cruces NM, 88005

Address

2729 Calle de San Albino
Las Cruces NM, 88005

Description

On A 0.122 Acre Tract In Section 25,
T.23S., R.1E., N.M.P.M. Of The
U.S.R.S. Surveys Being U.S.R.S. Tracts
11-5A & 11A-5B Town Of Mesilla
Dona Ana County New Mexico



SITE PLAN

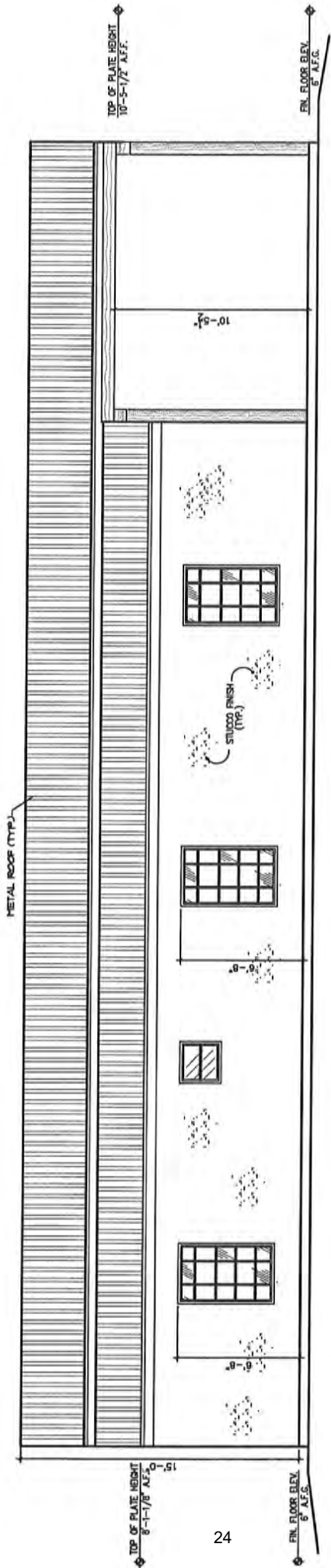
SCALE: 1" = 20'-0"

Drafting By:

NAVA TECH INC.
AND ASSOCIATES
CONSTRUCTION PLAN PRODUCTION & COORDINATION

1615 S. Solano Dr.
Las Cruces, NM 88001

Office: (575) 541-5050
Email: csn@nava-techinc.com

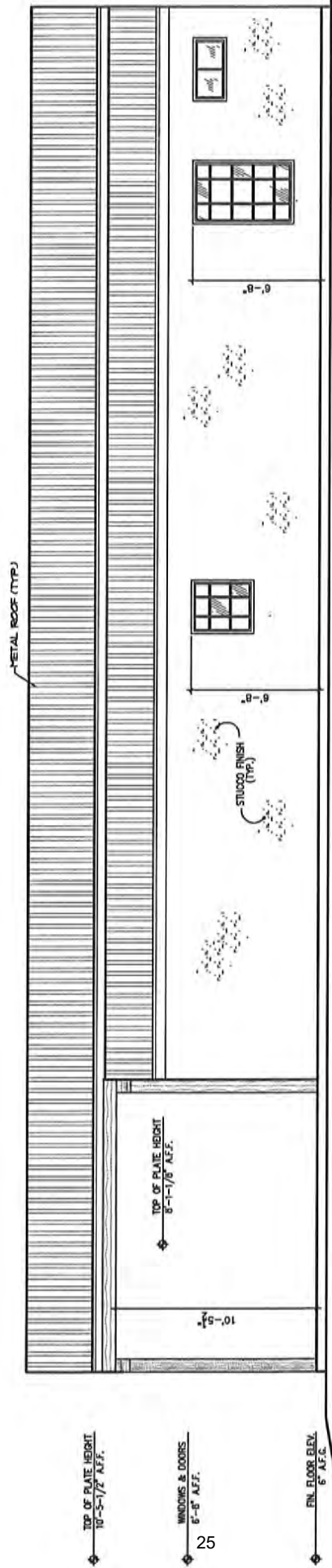


RIGHT ELEVATION

SCALE: 1/8" = 1'-0"

NAVA TECH INC.
AND ASSOCIATES
 CONSTRUCTION PLAN PRODUCTION & COORDINATION

1615 S. Solano Dr.
 Las Cruces, NM 88001
 Office: (575) 541-5050
 Fax: (575) 522-6060
 Email: csn@nava-techinc.com



TOP OF PLATE HEIGHT
10'-5 1/2" A.F.F.

WINDOWS & DOORS
6'-8" A.F.F.

FIN. FLOOR ELEV.
6" A.F.S.

TOP OF PLATE HEIGHT
8'-1 1/8" A.F.F.

10'-5 1/2"

8'-0"

8'-0"

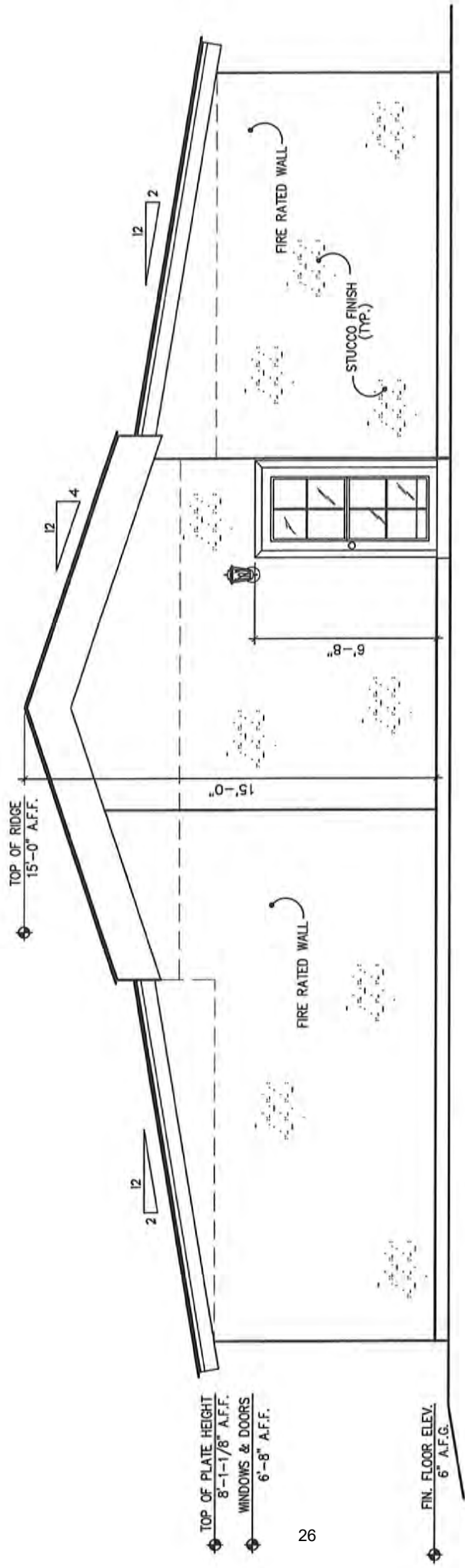
RIGHT ELEVATION

SCALE: 1/8" = 1'-0"

NAVA TECHINC.
AND ASSOCIATES
CONSTRUCTION PLAN PRODUCTION & COORDINATION

Fax: (575) 522-6060
Email: csn@nava-techinc.com

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Las Cruces, NM 88001
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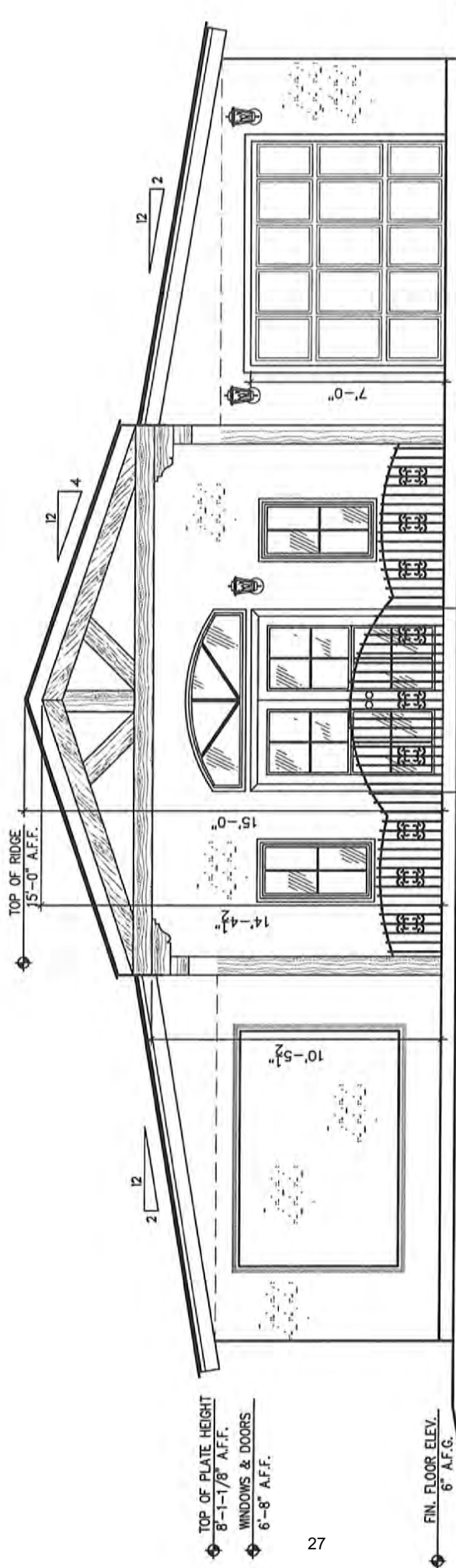
REAR ELEVATION

SCALE: 3/16" = 1'-0"

NAVA TECHINC.
 AND ASSOCIATES
 CONSTRUCTION PLAN PRODUCTION & COORDINATION

1615 S. Solano Dr.
 Las Cruces, NM 88001
 Office: (575) 541-5050

Fax: (575) 522-6060
 Email: csn@nava-techinc.com



FRONT ELEVATION

SCALE: 3/16" = 1'-0"

NAVA TECH INC.
AND ASSOCIATES
 CONSTRUCTION PLAN PRODUCTION & COORDINATION

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PHOTO OF SUBJECT PROPERTY



PHOTOS OF THE DWELLING BEING REPLACED



PHOTOS OF OTHER DWELLINGS IN THE AREA

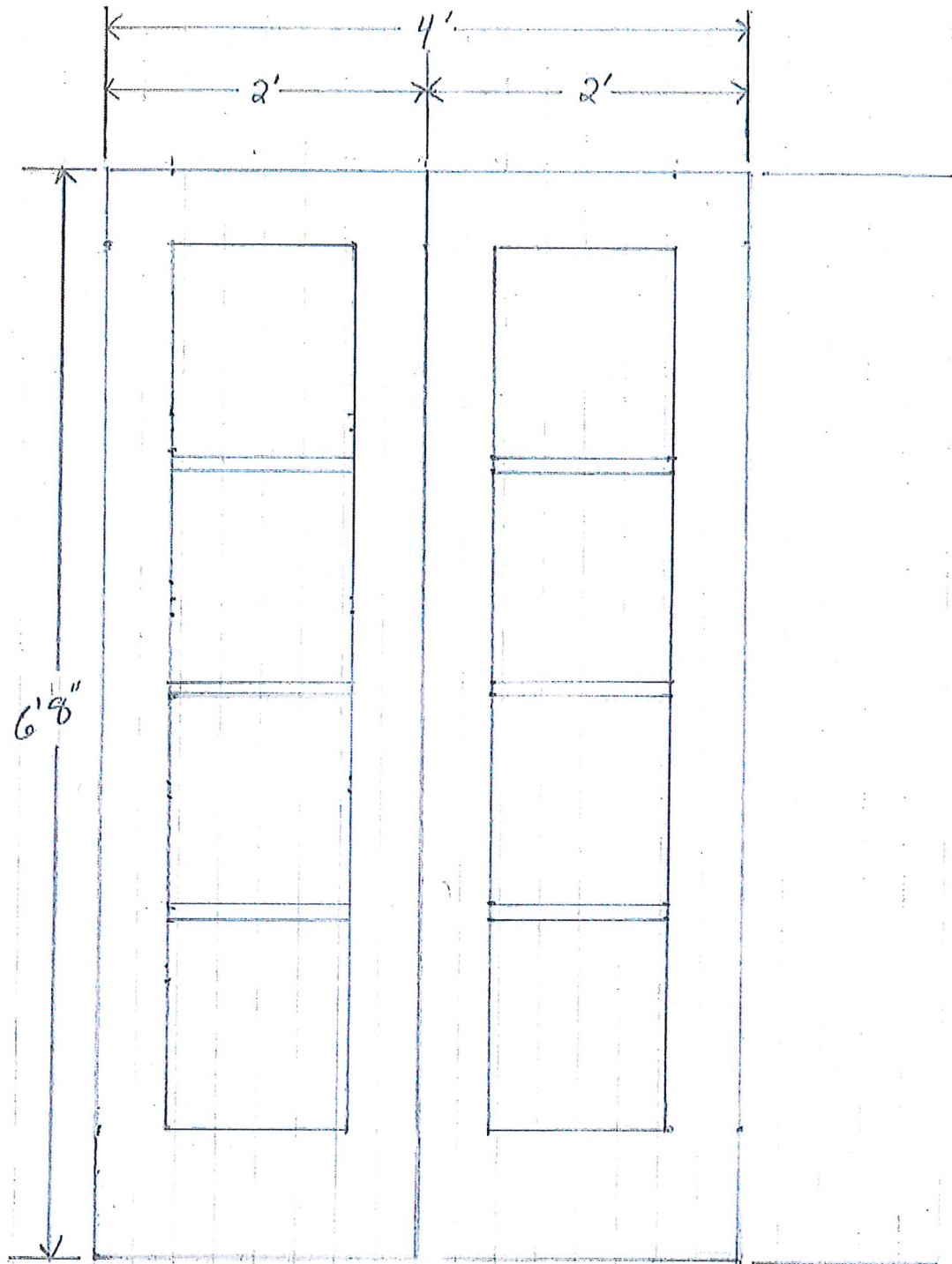


PHOTOS OF OTHER DWELLINGS IN THE AREA



PHOTOS OF OTHER DWELLINGS IN THE AREA





Rawson Builders Supply
Kevin Tyer / Sales 1/4" tempered glass insulated clear

scale: 1" = 1'-0"

1 3/4" wood door

TOWN OF MESILLA
 PERMISSION TO CONDUCT WORK
 OR
 OBTAIN A COMMERCIAL/RESIDENTIAL BUILDING PERMIT

OFFICIAL USE ONLY:

Case # 060748

Fee \$ 237.00 (TOD)

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

CASE NO. 060748 ZONE: UR CODE: NR APPLICATION DATE: 7/9/18

Name of Applicant/Owner: Natalie B Ogez Applicant's Telephone Number: 575 680 8864
 Applicant's/Owner's Mailing Address: P.O. Box 457 Mesilla NM 88046 City: Mesilla State: NM Zip Code: 88046

Applicant's/Owner's E-mail Address: _____
 Contractor's Name & Address (If none, indicate Self): 2729 Calle de San Albino Cross Town Contractor

Contractor's Telephone Number: _____ Contractor's Tax ID Number: _____ Contractor's License Number: _____
 Address of Proposed Work: 2729 Calle de San Albino
 Description of Proposed Work: new house

Estimated Cost: \$2001.00 (TOD (150000 City)) Signature of Applicant: Natalie B Ogez Date: Jun 25, 2018
 Signature of property owner if applicant is not the property owner: _____

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

FOR OFFICIAL USE ONLY

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

FIRE INSPECTION/APPROVAL REQUIRED: YES NO SEE CONDITIONS

CID PERMIT/INSPECTION REQUIRED: YES NO SEE CONDITIONS

CONDITIONS: _____

PERMISSION ISSUED/DENIED BY: _____ ISSUE DATE: _____

- This Application will include the following, if checked:
1. Plot plan with legal description to show existing structures, adjoining streets, driveway(s), improvements & setbacks. Verification shall show that the lot was legally subdivided through the Town of Mesilla or that the lot has been in existence prior to February 1972.
 2. Site Plan with dimensions and details.
 3. Proof of legal access to the property.
 4. Drainage plan.
 5. Architectural style and color scheme – diagrams or elevations (Historical and commercial zones only).
 6. 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).
 7. Other information as necessary or required by the City Code or Community Development:

**MINUTES
OF THE**

FEBRUARY 3, 2020

PZHAC WORK SESSION AND MEETING



Town of Mesilla, New Mexico

PZHAC WORK SESSION AGENDA FEBRUARY 3, 2020

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

Item 1: Submitted by Natalie B. Ogaz, a request to discuss changes to approved plans and to provide additional information for the construction of a new dwelling at 2729 Calle de San Albino (Case 060748). Zoned: Historic Residential (HR)
The applicant was present to discuss the request and answer any questions that might arise. Staff provided a brief introduction of the case, explaining that the application had been postponed to this meeting to allow the applicant to provide more information about the proposed French doors. (The applicant has requested a change to the style of all of the large windows originally approved to allow a style having multiple panes more resembling French doors. Tom Maese, Chief Inspector for CID, asked for further information about the windows at the last meeting. The information has been submitted in response to that request.) There was also additional discussion about the total height of the structure and the fact that this had been discussed in 2018 when the structure was originally approved for the lower height, and what effect the requested height would have on the surrounding properties. The PZHAC again questioned whether the proposed height would be consistent with the development zone for the property. There were no other issues.

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

Item 3: Submitted by Gerard Nevarez; a request to discuss plans to add a privacy panel to a rock wall at the rear of his property at 2305 Calle de Colon. Zoned: Historical Residential (HR) (Case 061010)
The applicant was present to discuss the request and answer any questions that might arise. Staff provided a brief introduction of the case, explaining that the applicant intended to add a decorative wrought iron panel to the top of an existing rock wall in order to provide privacy to his patio. Mr. Nevarez explained that the new dwelling being built on the property on the other side of the wall was close to the property line and several windows looked directly into his back yard. Issues that were discussed were the height of the existing wall, the resulting height of the extension on the wall, and the style of the proposed extension. There were no other issues with the proposal.

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

PZHAC REGULAR MEETING AGENDA FEBRUARY 3, 2020

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

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL AND DETERMINATION OF A QUORUM

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

III. CHANGES/APPROVAL OF THE AGENDA

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

IV. *ACCEPTANCE OF THE CONSENT AGENDA

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

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

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

Approved as part of the Consent Agenda

B. *ADMINISTRATIVE APPROVAL

Zoning Permits:

1. **Case 061003** – 2309 Calle de Santiago, submitted by Viola and Larry Tafoya; a request for a zoning permit to repair a damaged sidewalk and repair portions of the stucco on the wall of a commercial building at this address. Zoned: Historical Commercial (HC)

Approved as part of the Consent Agenda

2. **Case 061004** – 2000 Calle de Parian, submitted by Mark Sideris of Buffalo Builders for Julienne Hadfield; a request for a zoning permit to conduct a plumbing inspection on a commercial building at this address. Zoned: Historical Commercial (HC)

Approved as part of the Consent Agenda

3. **Case 061005** – 2825 Teresita Street, submitted by Annabelle Hurst; a request for a zoning permit to allow the replacement of a roof on a dwelling at this address. Zoned: Historical Residential (HR)

Approved as part of the Consent Agenda

4. **Case 061006** – 319 Capri Arc, submitted by Samuel McBurney; a request for a zoning permit to allow the replacement of a roof on a dwelling at this address. Zoned: Residential, one acre (R-1)

Approved as part of the Consent Agenda

5. **Case 061008** – 2745 Boldt Street, submitted by Jim Jones; a request for a zoning permit to allow the installation of a concrete driveway and brick flat work on a residential property at this address. Zoned: Historical Residential (HR)

Approved as part of the Consent Agenda

V. PZHAC NEW BUSINESS:

A. PUBLIC INPUT ON CASES - None

B. DECISIONS:

Zoning Permits:

1. **Case 060748** – 2729 Calle de San Albino, submitted by Natalie B. Ogaz, a request for changes to an approved building permit to construct a new residence at this address. Zoned: Historic Residential (HR). **(Discussed during the Work Session – Item 1)**

Staff provided a brief review of this request, explaining that this case was heard during the Work Session. The PZHAC discussed this case further. The PZHAC determined that there were no problems with the proposed use of French doors in place of windows. Further discussion focused on the applicant's request to return to the original requested height of the dwelling. Commissioner Lucero brought up the fact that the PZHAC determined the first time the case was presented in 2018 that the requested height of the structure was too high and out of character with the surrounding dwellings. She wanted to know what changed to make that height acceptable now. The applicant stated that there were other dwellings in the area that would be the same height, including the property to the south. There was no further discussion. The PZHAC determined that there were no other issues with the proposed request. A motion was made by Commissioner Nevarez to approve the requested plans with the French doors and the lower height, seconded by Commissioner Houston, and approved by a vote of 2 – 1 with Commissioner Lucero voting against the request.

2. **Case 091009** – 2551 Calle de Principal, submitted by Bruce B. (Burt) McClure, a request for a zoning permit construct a wood fence on a residential property at this address. Zoned: Historical Residential (HR). **(This case was discussed during the Work Session – Item 2)**
This case was withdrawn by the applicant.

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

4. **Case 061011** – 2172 Calle de Santiago, submitted by Anna Biad; a request for a zoning permit to allow the construction of a rock wall and changes to the landscaping of a commercial property at this address. Zoned: Historical Commercial (HC) **(This case was discussed during the Work Session – Item 4.)**
This case was withdrawn by the applicant.

Sign Permit

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

C. PZHAC Special Business: Election of Officers

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

VI. PUBLIC COMMENTS

Prescilliana Sandoval – resident

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

VII. PZHAC/STAFF COMMENTS

Larry Shannon – Mesilla Planning staff

Stated that there are o Mesilla Codes that could be used to address the issue created by Chala’s smoker

Russ Hernandez – PZHAC Commission Chair

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

VIII. ADJOURNMENT

The meeting was adjourned at 6:30 pm.