



Town of Mesilla, New Mexico

PZHAC MEETING AGENDA MINUTES APRIL 5, 2021

THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) WILL HOLD A REGULAR MEETING VIA TELECONFERENCE ON MONDAY, APRIL 5, 2021 AT 2:30 PM. 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:

Larry Shannon (Mesilla Staff), Tom Maese (Chief Inspector-CID), Kevin Hoban (Mesilla Fire Chief), Elaine Harris (for Matt Abrams, resident), Juan Padilla (resident), Kevin McGinley (resident), Andrea Boni (applicant – case 061192), Judd Singer (Builder for Andrea Boni), Rusel Hernandez (Applicant – Case 061194), Susan Krueger (applicant – Cases 061195 and 061196)

III. CHANGES/APPROVAL OF THE AGENDA

There were no changes to the Agenda. Commissioner Nevarez made a motion to approve the Agenda, seconded by Commissioner Houston, and approved by the PZHAC 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 Agenda. Commissioner Prieto made a motion to approve the Agenda, seconded by Commissioner Salas, and approved by the PZHAC by a vote of 5 – 0. (Commission Chair Lucero recused herself from voting on Case 061188 which was her case.)

A. *PZHAC MINUTES – PZHAC Meeting of MARCH 15, 2021.

Approved as part of the Consent Agenda

B. *ADMINISTRATIVE APPROVALS

Zoning Permit:

1. **Case 061187** – 2260 Calle de Santiago, submitted by Bill Cook; a request for a zoning permit to allow the applicant to repaint and refresh an existing sign for a business (“The Potteries”) at this address. Zoned: Historic Commercial (HC)

Approved as part of the Consent Agenda

2. **Case 061188** - 2392 Calle de Parian, submitted by Yolanda Lucero; a request for a zoning permit to allow the applicant to repair the exteriors of the dwellings on a residential property containing four dwelling units. Zoned: Historic Residential (HR)

Approved as part of the Consent Agenda

3. **Case 061189** – 2501 Calle del Norte, submitted by Neri Fietze; a request for a zoning permit to patch and repaint a damaged stucco wall on a dwelling at this address. Zoned: Historic Residential (HR)

Approved as part of the Consent Agenda

4. **Case 061190**– 1925 Snow Road, submitted by Kevin and Bertha McShea, a request for a zoning permit to allow the installation of photo-voltaic electric panels on the roof of a dwelling at this address. Zoned: Rural Farm (RF)
Approved as part of the Consent Agenda
5. **Case 061191** – 2920 Camino Castillo, submitted by Justin Bannister, a request for a zoning permit to allow the installation of photo-voltaic electric panels on the roof of a dwelling at this address. Zoned: Residential, one-acre minimum lot (R1).
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.

B. DECISIONS:

Zoning Permits

1. **Case 061177** – 2510 Calle de Parian, submitted by Stephen Carrasco, a request for an amendment to a previously approved permit to allow the addition of two wood gates to a property at this address. Zoned: Historic Residential (HR).
Staff provided a brief description of this request, explaining that this request was originally heard by the PZHAC on March 15, 2021 as a case for to approve a rock wall along with the gates. The wall was approved at that time, but a decision on the gates was postponed because a diagram of the gate had not been provided to the PZHAC. The applicant has now provided a diagram of the gates to the PZHAC. The PZHAC determined that the gates are appropriate for the Town. There was no further discussion. Commissioner Nevarez made a motion to recommend approval the gates to the BOT as requested, seconded by Commissioner Salas, and the APPROVED by the PZHAC by a vote of 5 – 0.
2. **Case 061192** – 2455 Camino del Rey, submitted by Villa Custom Homes Inc. for Andrea Boni and Kirsten Pierce; a request for a zoning permit to allow the applicant to construct a new dwelling and pool on a one acre property at this address. Zoned: Residential, one-acre minimum lot (R1).
Staff provided a brief description of this request, explaining that the dwelling will be similar in size and style to other dwellings approved in the subdivision. Staff also explained that initial drawings of the proposed dwelling showed an 1,100 square foot casita at the rear of the structure. The drawings were subsequently modified to show that what was originally shown as a casita was redesigned to be a part of the main dwelling that could not be used as a separate dwelling or casita. There was no further discussion. Commissioner Houston made a motion to approve the request, seconded by Commission Chair Lucero, and APPROVED by the PZHAC by a vote of 5 – 0.
3. **Case 061193** - 3150 McDowell, submitted by James Hansen; a request for a zoning permit to allow the construction of a three foot high rock wall to replace a block wall along the front property line of a residential property at this address. Zoned: Residential, one-acre minimum lot (R1).
Staff provided a brief description of this request, explaining that the applicant had already started work on the wall without getting a permit, and that Staff had told the applicant that all work had to stop until a Zoning Permit was approved by the PZHAC. Additionally, the applicant was charged for the offense. Staff explained that the applicant was replacing an existing block wall across the front of the property with a three foot high rock wall and that the wall would meet all the requirements of the Code for such walls. There were no other issues. Commissioner Nevarez made a motion to approve the request, seconded by Commissioner Salas, and APPROVED by the PZHAC by a vote of 5 – 0.
4. **Case 061194**– 2808 Snow Road, submitted by Russell Hernandez; a request for a zoning permit to allow the applicant to construct an addition connecting two living quarters to make one dwelling on a residential property at this address. Zoned: Rural/Agricultural (RA)
Staff provided a brief description of this request, explaining that the proposed addition to the dwelling was considered by the PZHAC to be an expansion of a legal non-conforming use due to the fact that the property is smaller than the three acres required by the RA zoning of the property. Staff also explained that the applicant obtained a variance to the lot size requirements from the Mesilla Board of Adjustment (V21-001)

in March of this year along with a variance to allow the requested setbacks. The proposed addition will combine the main dwelling on the property with an existing garage and guest house on the property to make one dwelling and garage. The guest house, which is currently used a short-term rental unit will now be used as part of the main dwelling and will no longer be a guest house. There were no issues with the proposed addition. Commissioner Nevarez made a motion to approve the request, seconded by Commissioner Prieto, and APPROVED by the PZHAC by a vote of 5 – 0.

5. **Case 061195** – Snow Road (address to be assigned), submitted by Susan Krueger; a request for a zoning permit to allow the applicant to place a T-post and wire fence along a property line between an easement on the neighbor’s property and a driveway on the applicant’s property. Zoned: Rural Farm (RF)
Staff provided a brief description of this request, explaining that the applicant intended to replace a fence that had been on the neighboring properties that had been removed. Staff also explained that the fence proposed by the applicant would be between a ROW easement on the neighboring properties and a driveway on the applicant’s property, creating a life/safety situation by hindering access by emergency vehicles to properties served by the driveway.
Commissioner Nevarez stated that there were two issues with the application. The first was that the application was incomplete in that there no Right-of-entry forms signed by the affected neighbors. The second issue was that the fence would negatively affect access by emergency vehicles. Chief Hoban stated that the proposed fence would violate Appendix D of the National Fire Code. He also stated that the addresses along the easement and te driveway will need to be changed to address the issue that the current addresses are confusing for emergency response personnel. Several neighbors stated that they did not want to see a fence along the easement. Susan Krueger stated that the fence was necessary for security purposes and to keep vehicles from using the private road and driveway to trespass on her and her neighbor’s properties. Further discussion centered around the need for legal access to the properties served by the driveway and easement, and the need presented by Ms. Krueger to limit access to the road by trespassers. Commissioner Prieto made a motion to approve the request, seconded by Commissioner Salas, and the motion FAILED by a vote of 5 – 0, therefore the permit was DENIED.
6. **Case 061196** - Snow Road (easement - address to be assigned), submitted by Susan Krueger; a request for a zoning permit to allow the applicant to place a T-post and wire fence along a property line between an easement on the neighbor’s property and a driveway on the applicant’s property. Zoned: Rural Farm (RF)
Staff provided a brief description of this request, explaining that this request was for a second property owned by Susan Krueger along the private driveway described in Case 061195, and that the request was identical to the request in Case 061195. There was no further discussion. Commissioner Prieto made a motion to approve the request, seconded by Commissioner Houston, and the motion FAILED by a vote of 5 – 0, therefore the permit was DENIED.
7. **Case 061197** - 2655 Camino del Reyes, submitted by Daren Loken, a request for a zoning permit to allow the applicant to construct a swimming pool on a one acre residential property containing a new dwelling. Zoned Residential, one-acre minimum lot size (R1).
Staff provided a brief description of this request, explaining that the proposed pool was to be part of the backyard to the dwelling that was under construction. There were no issues with the proposed pool. Commissioner Houston made a motion to approve the request, seconded by Commissioner Salas, and APPROVED by the PZHAC by a vote of 5 – 0.
8. **Case 061198** – Avenida de Mesilla (addresses to be assigned), submitted by Indalecio Prieto; a request for a zoning permit to allow a 195 foot long by four foot high single pipe fence to be installed along the front property lines of two adjacent properties containing a pecan grove to the north of a property at 3260 North Highway 28. Zoned: Rural/Agricultural (RA)
Staff provided a brief description of this request, explaining that the purpose of the proposed fence would be to keep trespassers from the pecan grove, and that the fence would not interfere with any rights-of-ways or clear-sight-triangles. Additionally, the Pastor of San Albino Church gave permission for a fence to be installed across the access road to the cemetery provided that the church would be provided with a key to any lock put on the gate. There was no further discussion. Commissioner Nevarez made a motion to approve the request, seconded by Commissioner Salas, and APPROVED by the PZHAC by a vote of 5 – 0.

9. **Case 061199** – 2100 West Union Avenue, submitted by Justin and Michelle Nunn, a request for a zoning permit to allow the installation of a fence and a gate across the front of a residential property at this address. Zoned: Rural Agricultural (RA)
Staff provided a brief description of this request, explaining that the proposed fence would be a pipe fence that would be very similar to fences on neighboring properties. Additionally, since the fence would be across the front of the property, right-of-entry agreements would not be needed. There were no issues with the proposed fence. Commissioner Nevarez made a motion to approve the request, seconded by Commissioner Prieto, and APPROVED by the PZHAC by a vote of 5 – 0.

Sign Permits

10. **Case 061200** -Submitted by Felix Armijo, a request for a sign permit to allow a sign to be placed on a business (Cafe Don Felix) at this address. Zoned: Historic Commercial (HC)
Staff provided a brief description of this request, explaining that the proposed sign would be a hanging sign and that hanging signs were not specifically addressed by the MTC. Issues that were discussed included the fact that the sign could be dangerous in windy situations, and that there already was a sign on the premises. Commissioner Prieto made a motion to postpone a decision on the request in order to allow the applicant to provide more information to the PZHAC, seconded by Commissioner Salas, and the case was POSTPONED by the PZHAC by a vote of 5 – 0.

VI. PZHAC/STAFF COMMENTS - None

VII. ADJOURNMENT – The meeting was adjourned at 3:44 pm.

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 4/1/2021 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.