



Town of Mesilla, New Mexico

THE PLANNING, ZONING AND
HISTORICAL APPROPRIATENESS COMMISSION (PZHAC)
MONDAY, JANUARY 17, 2023, 2:30 PM

MINUTES

1. **PLEDGE OF ALLEGIANCE**

Commissioner Nevarez led the Pledge of Allegiance.

2. **ROLL CALL AND DETERMINATION OF QUORUM**

Mayor Nora L. Barraza took roll call.

Commissioner Nevarez – Present
Commissioner Walkinshaw – Present
Commissioner Jones – Present
Commissioner Sala – Not Present
Chairperson Lucero - Absent

Mayor Barraza declared a quorum.

3. **CHANGES / APPROVAL OF AGENDA**

Motion to approve the agenda was made by Commissioner Walkinshaw and seconded by Commissioner Jones.

Roll Call Vote:

Commissioner Jones - Yes
Commissioner Walkinshaw – Yes
Commissioner Nevarez – Yes

Motion passes.

4. **PUBLIC INPUT**

Chris Toggart had a home on Calle Oeste, 20 yrs was present to discuss temporary shipping container(s) located on a neighbor's, yard (Mark). How much time does a temporary container can be on a property and who follows up on time? If you approve one, how do you not approve another?

Commissioner Nevarez: it appears there is an inspection requirement

Mayor Barraza: that is correct, according to Mr. Taylors email, they have been in contact with Greg, our Fire Marshall

Motion to approve the business registration was made by Commissioner Jones and seconded by Commissioner Walkinshaw.

Motion passed.

Registration #1063-

Mayor Barraza commented: short-term rentals 2214 Calle de Guadalupe, guest house B, submitted by Pat & Wendy Taylor. The property does not have parking space for tenants and would require a parking fee \$150. The house is not completed at this time.

Commissioner Walkinshaw commented: since the property is not yet completed, are you going to get a parking permit now and save it for later?

Mayor Barraza commented: Commissioner Walkinshaw, the applicant has up to one year to finish the construction under the building permit and has an option to extend after a year. Mr. Taylor is here present to answer any questions.

Mr. Taylor commented: I was thinking the same thing, putting the cart before the horse,(laugh) just trying to get my ducks in a roll.

Commissioner Nevarez commented: I understand this is for a business registration and if there are additional fees, it will be done at a later date.

Mayor Barraza commented: Commissioner Nevarez that is correct, Mr. Taylor would pay for the \$35 for the business registration and the \$150 for the parking fee and will be due again on March 15th. I don't know if Mr. Taylor is ok with that or...

Mr. Taylor commented: you certainly got my attention, I just assume just to wait 'till March to pay just once instead of twice and the same thing with the previous once, (space A).

Mayor Barraza commented: Our recommendation for the applicant is to wait and not have to pay twice the business registration and parking fee. Also, wait on presenting it to the BOT. Of course, it is up to the applicant.

Mr. Taylor commented: I did not realize the timeline on it and would like to wait if that is possible.

Commissioner Nevarez commented: since we already passed the first business registration from Mr. Taylor, I ask for guidance from the staff.

Mayor Barraza commented: Since we already passed the first one, I suggest we allow it to go to the BOT and let it be place on hold for March. Then in March, bring this second application 1063 to the commissioners and if approved, then take both applications after to the Board of Trustees.

Commissioner Nevarez commented: For clarification, business registration 1062 will proceed to BOT and they will take appropriate action and the second one will be tabled until March.

7. NEW BUSINESS

Case #061452 –

Mayor commented: 2261 Calle de Oeste submitted by Mark Lara, to place a temporary Conex storage box. This case been open since September, no permit on file, Mr. Lara is present to answer any questions. Two Conex storage box on property. Mr. Lara is aware he could be fined for not having a permit for the boxes.

Mr. Lara: I applied for a permit but there were no decisions. My mother inherited both these homes that have not been maintained so I am working on the homes. I have no flammables in it. Asking a temporary time to have it there until I update the home. The small one, I bought for my daughter, permission for 2 weeks, we are going to paint it and move it to her home.

Commissioner Jones commented: Smaller container will be going soon, because it is your daughters. How soon will it be leaving?

Mr. Lara commented: 2 weeks

Commissioner Jones commented: The larger container, there is no guarantee when its leaving.

Mr. Lara commented: Give me a year, I have to home to renovate.

Commissioner Jones commented: If you move it out of view?

Mr. Lara commented: It's pretty hidden, most of the problem occurred when the second one showed up.

Commissioner Nevarez commented: What is the ordinance regarding containers in a historical residential zone

Mayor Barraza commented: We have had complaints about these boxes, and the setbacks are a concern.

Commissioner Nevarez commented: Like to have a more concrete date, is there a permit for both or one. There is only one permit since September.

Mayor Barraza commented: We can ask Mr. Lara to put in writing when the containers will be moved out.

Commissioner Nevarez commented: Are we treated this storage box as a shed? We need all this concrete dates and information before making a decision.

Mayor Barraza commented: I think Mr. Lara can assure us of setbacks if you wish regarding the setbacks. Second Conex, that will be moved, I suggest we hold him on his word on that time he mentioned. Mr. Lara what are the setbacks on that Conex?

Mr. Lara commented: From the drainage it is set back 15 feet, from the south property line, it is set back 4.9 inches. Sitting on railroad ties just to keep it out of the mud. It is 280 square feet, is more than willing to pay for permission.

Mayor Barraza: Mr. Maese stated this storage box being larger than 180 feet, does Mr. Lara have to have in writing how this unit is going to be anchored?

Commissioner Nevarez commented: Yes, I apologize to applicant as this permit application has been submitted since September.

Motion to table the case was presented by Commissioner Jones and seconded by Commissioner Walkinshaw.

Roll Call Vote:

Commissioner Jones - Yes
Commissioner Walkinshaw – Yes
Commissioner Nevarez – Yes

Motion passes.

Case #016479 –

Mayor Barraza commented: 2600 Avenida de Mesilla submitted by Gilbert Chavez, sign permit zoned, historical commercial. Would like to install an 11 x 17-inch parking sign. Applicant is present to answer any questions.

Commissioner Walkinshaw commented: I don't see as requested on the sign application, the type of material of the sign. Where the sign is being requested to be, will not be seen by everyone. It appears there needs to be 2 signs.

Mr. Chavez commented; The sign is across the street on a vacant parking lot. The purpose of the sign is for large vehicles that park there. Is to direct to parking lot. It is made of metal material.

Motion to approve the case was presented by Commissioner Jones and seconded by Commissioner Walkinshaw.

Roll Call Vote:

Commissioner Jones - Yes
Commissioner Walkinshaw – Yes
Commissioner Nevarez – Yes

Motion passes.

Case #0611501 –

Mayor Barraza commented: 2600 Avenida de Mesilla, submitted by Gilbert Chavez to apply elastomeric coating to entire building.

Commissioner Nevarez commented: is for entire building and same color. No further questions, (none).

Motion to approve the case was presented by Commissioner Walkinshaw and seconded by Commissioner Jones.

Roll Call Vote:

Commissioner Jones - Yes
Commissioner Walkinshaw – Yes
Commissioner Nevarez – Yes

Motion passes.

Commissioner Jones - Yes
Commissioner Walkinshaw – Yes
Commissioner Nevarez – Yes

Motion passes.

Case #061507 –

Mayor Barraza commented: 216 Capri Rd, submitted by Don Peterson to install framed shed, south east corner of the property.

Commissioner Walkinshaw commented: Currently has one shed and is replacing another, can u put a structure over an easement.

Inspector Maese commented; Are allowed to build over an easement at your own easement. You would have to remove if the utility company requests that.

Mayor Barraza commented: After current shed is knocked down, would like to request he keeps the 5 foot setback and not the 7 in our code.

Motion to approve the case was presented by Commissioner Walkinshaw and seconded by Commissioner Jones.

Roll Call Vote:

Commissioner Jones - Yes
Commissioner Walkinshaw – Yes
Commissioner Nevarez – Yes

Motion passes.

Case #061508 –

Mayor Barraza Commented: 2255 Camino del Rey, submitted by Adam Perez to raise rock wall by 2 feet to help children from jumping over the fence and for privacy. Mr. Perez is present.

Commissioner Walkinshaw commented: Currently the wall is going to be 6 foot maximum height. Securing fence to wall.

Commissioner Jones commented: Post will be going into the ground

Mr. Perez commented: yes, they will be going into the ground with concrete.

Motion to approve the case was presented by Commissioner Walkinshaw and seconded by Commissioner Jones.

Roll Call Vote:

Commissioner Jones - Yes
Commissioner Walkinshaw – Yes
Commissioner Nevarez – Yes

Motion passes.

Case #061509 –

Motion passes.

Case #061512 –

Mayor Barraza commented: 2483 Calle de San Albino, submitted by Alicia Diaz to remove exterior concrete collar and cement plaster, replace damaged adobe, lime plaster and lower brick sidewalk. No architectural changes. Historical Residential.

No questions or discussion

Motion to approve the case was presented by Commissioner Jones and seconded by Commissioner Walkinshaw.

Roll Call Vote:

Commissioner Jones - Yes

Commissioner Walkinshaw – Yes

Commissioner Nevarez – Yes

Motion passes.

Case #061513 –

Mayor Barraza commented: 2261 Calle de Santiago, submitted by Dorothy Barclay to patch roof parapet and touch up paint. No architectural or structural changes.

No questions or discussion

Motion to approve the case was presented by Commissioner Jones and seconded by Commissioner Walkinshaw.

Roll Call Vote:

Commissioner Jones - Yes

Commissioner Walkinshaw – Yes

Commissioner Nevarez – Yes

Motion passes.

Case #061514 –

Mayor Barraza commented: 2865 Teresita, submitted by Shirley Hitson to paint exterior walls of the house. Representative present.

No questions or discussion

Motion to approve the case was presented by Commissioner Jones and seconded by Commissioner Walkinshaw.

Roll Call Vote:

Commissioner Jones - Yes

Commissioner Walkinshaw – Yes

Commissioner Nevarez – Yes

Motion passes.

Commissioner Nevarez commented: he lives in same area and follows up with the same question as Commissioner Jones' question.

Mayor Barraza commented: Mr. Shannon is no longer with us, Mesilla does not enforce HOA covenants, according to our attorney. HOA still has to follow our ordinance.

Commissioner Nevarez commented: Question maybe for myself on voting in this committee. Do we follow Robert's Rules?

Mayor Barraza commented: We do not follow Robert's Rules. We have not adopted Robert's Rules. The chairperson on this votes on all cases. On the BOT, the Mayor only votes on ties.

Mayor Barraza commented: I know there are a lot of cases, I wanted to get caught up on all the cases. I was able to clear out most cases. I apologize for the long list. I look forward in working with Mr. Salazar and cleaning up that office.

We also have a new officer in codes and is doing an awesome job out there enforcing our codes.

Commissioner Walkinshaw commented: what is the process, in case I see something that I feel is a violation.

Mayor Barraza commented: You will call the Marshall, leave a message or call the non-emergency number.

9. ADJOURNMENT

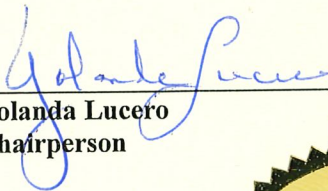
Motion to adjourn was presented by Commissioner Walkinshaw and seconded by Commissioner Jones.

Roll Call Vote:

Commissioner Nevarez - Yes
Commissioner Walkinshaw - Yes
Commissioner Jones - Yes

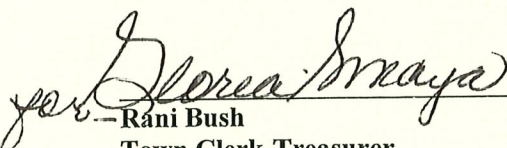
Motion passed.

APPROVED THIS 17th DAY OF JANUARY 2023.



Yolanda Lucero
Chairperson

ATTEST:



Rani Bush
Town Clerk-Treasurer

