



**PZHAC WORK SESSION  
MINUTES  
DECEMBER 3, 2018**

**THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) WILL HOLD A WORK SESSION, MONDAY, DECEMBER 3, 2018 AT 5:00 P.M. IN THE BOARD ROOM OF THE MESILLA TOWN HALL, 2231 AVENIDA DE MESILLA.**

**Item 1:** Submitted by Gerard Nevarez; a request to discuss plans for the placement of a 36 square foot storage shed at the rear of a residential property at 2305 Calle de Colon. (Case 060817) Zoned: Historical 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, describing the proposed shed, including the fact that the maximum height of the roof would be 7.5 feet. The shed would also be located with a rock wall that will surround this part of the property. Staff stated that, according to the applicant, since this is a fairly small shed, and since the shed would be located adjacent to a 6 foot high rock wall around the property, the shed would be barely visible to the neighbors. Also, according to the applicant, the color of the shed would be similar or compatible with the dwelling.*

*There were no other issues.*

**Item 2:** Submitted by Emmitt and Rosa Booher; a request to discuss the addition of hobby rooms to a dwelling located at 2055 Snow Road. (Case 060819). Zoned: Rural Farm (RF)

*The applicant was present to discuss the request and answer any questions that might arise. Staff provided a brief introduction of the case, describing the proposed addition and explaining that this case was heard at the last PZHAC work session and postponed primarily because of the way the request was worded. The problem was that the request stated that the addition would be for “studios”, which are considered by the Building Code to be a mixed use occupancy (residential and commercial), and the use would really be for “hobby rooms”, which would be private residential.*

*There were no other issues.*

**Item 3:** Submitted by Gilbert Chavez for Christina DiMatteo; a request to discuss the need for a summary subdivision to allow for the elimination of lot lines between several adjacent properties along DiMatteo Road, behind 3066 Snow Road. (Case 060821) Zoned: Rural Farm (RF)

*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 has six properties ranging in size from 0.15 acres to 5 acres that are in either the RA (three acre minimum size) or the RF (five acre minimum size) zones. She would like to remove a lot line to combine the two very small lots on Snow Road into one lot having a total of 0.694 acres. The next lot to the west (on DiMatteo Road) is five acres and would be left alone. The last three lots are along DiMatteo Road and consist of a one-acre and two two-acre lots. The applicant would like to remove lot lines to combine these lots into one five acre lot. The net result would be one small lot of 0.694 acres and two five-acre lots. (The 0.694 acre lot and about three acres of first five acre lot would be in RA zoning. The remainder of the property would consist of consist of about two acres of the first five-acre lot and the last five-acre lot would be zoned RF. The main issue here is that the 0.694 acre parcel and two acres of the first five acre parcel would not meet the size requirements of the zone they are in, and that by allowing this, the PZHAC would be allowing the creation of legal non-conforming lots.*

*Another issue that was brought up by staff is that due to the substandard width of DiMatteo Road, any lots that would require access from this road would not meet the requirements for development, and therefore would be restricted to agricultural development only. This applies to any lots that are along DiMatteo Road that have their sole access from DiMatteo Road, regardless of their size.*

*There were no other issues.*

**Item 4:** Submitted by Stefan Schaefer, a request to discuss the need for changes to the Town Sign Code (MPC 18.65) to address the need for improved commercial signage in the Mercado de Mesilla area.

*Dr. Schaefer was present to discuss the request. Staff provided a brief introduction to the request and of the case, and allowed Dr. Schaefer to provide further input. Dr. Schaefer explained that the Mercado area of Mesilla has properties that are not visible from Avenida de Mesilla, and that these properties need to have some form of identification along the main road to let people know they exist. Since the current code does not allow off-premises signs, this type of identification does not appear to be possible.*

*Dr. Schaefer stated that he would like to see some changes to the Code that would enable businesses in the Mercado area that are not on Avenida de Mesilla to be able to put some form of sign or identification on Avenida de Mesilla that would advise people that businesses exist in the Mercado. He also stated that he would like to see a committee formed to address these issues, and that this should move forward.*

**PZHAC REGULAR MEETING  
MINUTES  
DECEMBER 3, 2018**

**THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) WILL HOLD ITS REGULARLY SCHEDULED MEETING MONDAY, DECEMBER 3, 2018 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**

*All commissioners were present. A quorum was present.*

**III. CHANGES/APPROVAL OF THE AGENDA**

*Case 060821 was removed from the Agenda to give the applicant a chance to reconsider her request and address certain issues brought up during the work session. A motion to approve the agenda as amended was made by Commissioner Prieto, seconded by Commissioner Nevarez, and approved by a vote of 4 – 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.*

*A motion to approve the Consent Agenda was made by Commissioner Prieto, seconded by Commissioner Houston, and approved by a vote of 4 – 0.*

**A. \*PZHAC MINUTES – Meeting minutes of November 19, 2018.**

*Approved as part of the Consent Agenda.*

**B. \*ADMINISTRATIVE APPROVAL**

*There were no cases.*

**V. PZHAC NEW BUSINESS:**

**A. PUBLIC INPUT ON CASES**

*Susan Krueger – resident*

- 1. Case 060821 – Stated that the PZHAC should not approve the summary subdivision, since the some of the resulting lots will not all comply with the zoning on the lots.*
- 2. Work Session Item 4 – Suggested that the changes to the Code requested by Dr. Schaefer start with the BOT first, and that a positive business atmosphere needs to be created for the Mercado area. The Town needs to aggressively attract businesses to the area, and that a joint work session be held between the BOT and the PZHAC.*

*Dr. Stephan Schaefer – Town business owner requesting Code changes*

*Stated that it seems that everyone is supportive of the fact that something needs to be done, but no one actually does anything.*

## B. CASES:

### **Building Permits**

1. **Case 060817** – 2305 Calle de Colon, submitted by Gerard Nevarez; a request for a building permit for the placement of a 36 square foot storage shed at the rear of a residential property at this address. Zoned: Historical Residential (HR) (**This case was heard during the Work Session – Item 1**)  
*Staff provided a brief review of this request, stating that the case had been discussed during the Work Session. The PZHAC determined that there were no issues with the proposed shed. A motion was made by Commissioner Lucero to recommend approval of the permit to the BOT, seconded by Commissioner Prieto, and approved by a vote of 3 - 0. (Commissioner Nevarez recused himself from voting on this case.)*
2. **Case 060819** – 2055 Snow Road, submitted by Emmitt and Rosa Booher; a request for a building permit to construct a set of hobby rooms as an addition to a dwelling located at this address. Zoned: Rural Farm (RF) (**This case was heard during the Work Session – Item 2**)  
*Staff provided a brief review of this request, stating that the case had been discussed during the Work Session. The PZHAC determined that there were no issues with the proposed addition as requested. A motion was made by Commissioner Houston to approve the request, seconded by Commissioner Nevarez, and approved by a vote of 4 - 0.*
3. **Case 060820** – 2143 Calle de Santa Ana, submitted by Martin Ortiz; a request for a building permit to repaint a dwelling at this address. Zoned: Historical Residential (HR)  
*Staff provided a brief review of this request, stating that the case had been discussed during the Work Session. The PZHAC determined that there were no issues with the proposed repainting. A motion was made by Commissioner Lucero to recommend approval of the permit to the BOT, seconded by Commissioner Prieto, and approved by a vote of 4 - 0.*

### **Summary Subdivision:**

4. **Case 060821:** Multiple properties at the east end of DiMatteo Road, behind 3066 Snow Road; submitted by Gilbert Chavez for Christina DiMatteo; a request for a Summary Subdivision to allow several smaller lots to be combined into larger lots through the elimination of lot lines between the properties. Zoned: Rural Farm (RF) (**This case was heard during the Work Session – Item 3**)  
*This case was removed from the agenda earlier.*

### **Business Registrations:**

5. **Permit 0761** – 3331 Gandy Lane, submitted by Anthony Litzenberg for “Litzenberg Remodeling and More”; a request for a business registration to operate an office out of a dwelling at this location as a home occupation. Zoned: Residential, one-acre (R1).  
*Staff provided a brief review of this request. The PZHAC determined that there were no issues with the proposed business. A motion was made by Commissioner Prieto to approve the business, seconded by Commissioner Nevarez, and approved by a vote of 4 - 0.*

### **PZHAC Decision Item:**

6. A determination as to what action to take on amending the Town Sign Code (MPC 18.65). (**This request was heard during the Work Session – Item 4**)  
*Commission Chair Hernandez stated that he had met with Mayor Barraza about the requested code changes to determine how this should be handled. According to Commissioner Hernandez, his recommendation based on this meeting is that the PZHAC should get input from all the businesses in Town to ensure that the entire Town has the opportunity to benefit from any changes to the Code. This should involve a joint work session with the BOT, and public meetings at the PZHAC level. Recommendations would then be brought to the BOT where they would be heard at a public hearing, much like the process for amending the Town Comprehensive Plan. Also, the PZHAC should have its public meetings to discuss changes on dates that are separate from its regular meetings.*

*Commissioner Nevarez made a motion to accept Commission Chair Hernandez’s recommendations, and that the date of the first meeting should be set by the PZHAC. This was seconded by Commissioner Lucero and approved by a vote of 4 – 0.*

**VI. PUBLIC COMMENTS**

*Susan Krueger – resident*

- 1. Stated that there are several accessory dwellings on a property at the corner of Estrada Road and Union Road that are being used as apartments, including a dwelling that was originally built for a housekeeper on the property. Additionally, there is a property at 2762 West Union Road that currently contains illegal apartments. These rentals are contrary to the Code for accessory dwelling in the RA or RF zones and should be researched.*
- 2. There is a property on West Boutz Road, just east of the lateral, that has fencing in the Town right-of-way. This also needs to be researched.*

*Dr. Stephan Schaefer – Town business owner requesting Code changes*

*Referring to the process recommended by Commission Chair Hernandez for addressing changes to the Sign Code, stated that the process sounds vague, and that a time frame is needed for the process so that it does not get bogged down and nothing gets done.*

**VII. PZHAC/STAFF COMMENTS**

*Commissioners each stated that the process to address problems brought up by Dr. Schaefer be “fast tracked”.*

**VIII. ADJOURNMENT**

*The meeting was adjourned at 6:41 pm.*