PLANNING & ZONING COMMISSION
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
REGULAR MEETING

Action Minutes

Tuesday, February 7, 2012

TIME & PLACE: The Planning & Zoning Commission of the City of Truth or Consequences, New Mexico, met in Regular Session in full conformity with the law and ordinances of said Commission, at the Commission Chambers of said City on Tuesday, the 7th day of February, 2012.

PRESIDING OFFICER: The meeting was called to order by Bill Howell, Chairman. Angela A. Torres acted as Secretary.

ATTENDANCE: Upon calling the roll the following members were reported present:

Bill Howell, Chairman
Joey Perry, Vice Chairman
Lee Foerstner, Member
January Roberts, Member

Absent:

James Jacobs, Member

Also Present:

Juan Fuentes, City Manager
Charlie Friberg, Building Inspector
Angela A. Torres, Deputy City Clerk

QUORUM: There being a quorum present the Commission proceeded with the business at hand.

APPROVAL OF AGENDA: Bill Howell, Chairman called for approval of the Agenda.

"Lee Foerstner moved approval of the Agenda as submitted."

Seconded by January Roberts
Motion carried unanimously.

APPROVAL OF MINUTES: Bill Howell, Chairman called for review and approval of minutes of the Regular meeting held Tuesday, December 6, 2011.

Corrections to minutes:

Page 2, paragraph 5, where the minutes read, "Seconded by James Jacobs", it should state: "January Roberts seconded the motion", not James Jacobs.

"January Roberts moved to approve the minutes of the Regular meeting held Tuesday, December 6, 2011 as amended."
Seconded by Lee Foerstner
Motion carried unanimously.

Bill Howell, Chairman called for review and approval of amended minutes of the Regular meeting held Tuesday, January 3, 2012.

"Lee Foerstner moved to approve the amended minutes of the Regular meeting held Tuesday, January 3, 2012."

Seconded by January Roberts
Motion carried unanimously.

ALTERNATE SUMMARY PROCEDURE/ASHBAUGH CONSTRUCTION:

1. Alternate Summary Procedure for a Summary Plat of the Division of a 26.695 acre tract situated in the NE ¼ of Section 28, Township 13 South, Range 4 West, N.M.P.M, Truth or Consequences, NM 87901. Applicant is Ashbaugh Construction Co. Inc.

Ms. Joey Perry believes Mr. Ashbaugh is creating a new lot, and in section 15-15 of the subdivision code it states:

A re-plat of a previously filed subdivision when:

a. No more lots are created than exist in the area at the time of the submittal of the re-plat application.

Charlie Friberg, Building Inspector stated the applicant, Ashbaugh Construction Co., intends to divide a 1 acre tract out of a 26 acre parcel of land.

Randy Ashbaugh, approached the podium, and stated the proposed property is a separate tract from Hot Springs Retail Center.

Charlie Friberg, Building Inspector, stated the application had been submitted to the Public Utility Advisory Board in December of 2011, and all Utilities such as the electric, gas, water, and sewer, are in place.

Joey Perry noted her application for the Summary Plat is not complete. She stated there is no signature page attached to her copy of the application. Ms. Perry also noted they do not show the gross lot area, the existing zoning, the existing uses, and surrounding uses, are not identified in the project summary portion of the application.

Charlie Friberg, Building Inspector, stated Mr. Ashbaugh’s signature is on his copy of the application, so he does not understand why her copy does not have the signature page.

Ms. Perry also asked if property taxes are current on the parcel of land.

Mr. Ron Fenn, called point of order, stating he obtained a copy of Mr. Ashbaugh’s property taxes, and the records show that Mr. Ashbaugh is three years behind in his property taxes.

Mr. Ashbaugh stated that the taxes should be current because they are put into an escrow that is paid by First Savings Bank.
Ms. Perry asked that Mr. Ashbaugh provide documentation showing his property taxes have been paid.

Mr. Ashbaugh stated he will submit a copy of his paid property taxes, to City Hall tomorrow morning.

Lee Foerstner had concerns regarding the roads being in compliance.

Charlie Friberg, Building Inspector, stated there had never been any issues with the roads.

"Lee Foerstner moved approval of the Preliminary Summary Plat, Pending that all taxes are paid on the property."

Seconded by January Roberts

Joey Perry stated she is concerned taking any action on the proposed item because she does not believe the application is complete.

"Bill Howell, Chairman, voted aye."

"Lee Foerstner, voted aye."

"January Roberts, voted aye."

Opposed, Joey Perry.

Motion carried.

SUMMARY PROCEDURE/ SUSAN MAIJALA:

Summary Procedure for a summary Plat of the Division of the North half and the South half of Lots 18,19,20, & 21, Block 22 Palomas Hot Springs town Site, Truth or Consequences, NM.

Property Address is 755 Post St. and 705 Charles St. Applicant is Susan Maijala.

Ms. Maijala, approached the podium, stating the two properties have been divided for at least a decade, and the division is filed through the County Assessor’s office, but the Assessor’s office does not accurately display the usage on the property. She had a survey done by Jeff Richter, to show the fences and lot sizes, and the survey indicates the lots are 40ft by 100ft, and 80ft by 100ft.

Ms. Joey Perry asked if Ms. Maijala is the property owner of both proposed lots.

Ms. Maijala stated, the two parcels are on four lots, and they are owned by Beth Olsen and herself.

Ms. Perry noticed that Ms. Olsen’s name was not listed on the application, and stated the application must be signed by all property owners.
Ms. Perry also asked if the property taxes were current on the two parcels.

Ms. Maijala stated her property taxes are current.

Joey Perry asked that Ms. Maijala provide documentation showing that her property taxes have been paid.

Ms. Maijala agreed to provide documentation.

Ms. Perry asked if the application had been submitted to the Public Utility Advisory Board.

Charlie Friberg, Building Inspector, stated the application had not been submitted to the Public Utility Advisory Board, because all Utilities are already present.

Ms. Perry noted a 5ft. side yard set-back, is required between the two buildings, and asked if a 5ft. set-back is in place.

Charlie Friberg, Building Inspector, stated there is a 5ft. set-back between the two properties.

“Lee Foerstner moved that they approve the application for a Summary Procedure.”

Seconded by January Roberts

“Bill Howell, Chairman voted aye.”

“Lee Foerstner, voted aye.”

“January Roberts, voted aye.”

Opposed, Joey Perry.

Motion Carried.

COMMENTS FROM THE PUBLIC:

Mr. Ron Fenn came before the Commission with comments.

Ms. Sophia Peron came before the Commission with comments.

ADJOURNMENT: There being no further business to come before the Commission, Bill Howell, Chairman called the meeting adjourned.

APPROVAL: PASSED AND APPROVED this 3rd day of November, 2012, on motion duly made by Joey Perry and seconded by Lee Foerstner and carried.

Bill Howell, Chairman