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

Tuesday, September 1, 2009

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 1st day of September, A.D., 2009.

PRESIDING OFFICER: The meeting was called to order by Bill Howell, Chairman. Hazel F. Peterson acted as Secretary.

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

Bill Howell, Chairman
Joey Perry, Vice Chairman
Lee Foerstner, Member
James Jacobs, Member
Raymond Ruffini, Member

Absent:

Also Present:

Jaime Aguilera, City Manager
Hazel F. Peterson, 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.

"Joey Perry moved approval of the Agenda."

Seconded by James Jacobs
Motion carried unanimously.

APPROVAL OF MINUTES: Bill Howell, Chairman called for review and approval of minutes of the Regular meeting held Tuesday, August 4, 2009.

Joey Perry stated she had a question, she noticed at the top it says “The City of Truth or Consequences Regular Meeting”, and there was not only a regular meeting but a public hearing so she didn’t know if the words “Public Hearing” needs to be added to this agenda some place and then the little pullouts on the side, the topics, there was no topic for the public hearing or for the variance. She didn’t know if that needed to be added to the agenda or not.

Mr. Aguilera stated the title doesn’t need to have the public hearing but on the side it should designate when the public hearing was, on the margin.

Ms. Perry asked if a separate piece should be added in the margin for when the public hearing was closed and when deliberation and decision began.
Mr. Aguilera stated yes and he would recommend that this Commission continue the minutes to the next meeting so corrections can be made in the margins regarding the public hearing and decision making process for the variance.

"Joey Perry moved to continue the minutes of the Regular meeting held Tuesday, August 4, 2009 to the next meeting to allow for correction regarding the public hearing to be made."

Seconded by James Jacobs
Motion carried unanimously.

None.

Chester Anderson approached the podium and stated that Mr. Bartoo is subdividing off a little piece of property 1.9 acres and they are going to use it to put a house, equipment, and a shop.

Joey Perry asked staff if approval of this variance would create any non-conformance issues.

Mr. Aguilera stated no and gave explanation as to why it would not create any non-conformance issues and stated this is totally in conformance.

He stated it has all of the utilities available to it except sewer and there was a house there at one time and he has to assume it was on septic tank and it qualifies for being on septic because it's more than 300 feet from an existing sewer line.

Ms. Perry stated there is a chain link fence going into the middle of the right-of-way for Broad Street even though the existing road doesn't exactly follow Broad Street, so she wonders if that fence needs to be adjusted to get it off of the Broad Street right-of-way.

Mr. Aguilera stated that the fact that the street does not follow the existing road is not the applicants' problem but the fact that there is a fence that encroaches onto city right-of-way is a problem and there should be a condition to move the fence to stay within their property and remove it off of Broad Street.

Ms. Perry asked if the Public Utility Advisory Board would be reviewing this application.

Mr. Aguilera stated yes this is on their agenda and this Commissions actions will be subject to approval of the Public Utility Advisory Board.

Further discussion ensued.

"Lee Foerstner moved approval of the Summary Plat submitted by Chester & Barbara Anderson with the following conditions:

1. The fence enc roaching onto city right-of-way be moved off of Broad Street in the event the city needs to use the street.
2. Approval be contingent upon review and approval of the Public Utility Advisory Board."

Seconded by Raymond Ruffini
Motion carried unanimously.
ADJOURNMENT: There being no further business to come before the Commission, Bill Howell, Chairman called the meeting adjourned.

APPROVAL: PASSED AND APPROVED this 6th day of October, 2009, on motion duly made by [Name of Motion Maker], and seconded by [Name of Seconder], and carried.

Bill Howell, Chairman