

MINUTES
Tuesday, May 6, 2008
Planning and Zoning Commission Meeting
County Administration Building
1400 Highway 180 East
Silver City, New Mexico

Commissioners Present

Chairman David Gershenson
Ken Foster
Alice Jones
Teri Matelson
Doug Abbott
Lori Ann Bonomo
Roxana Marsh

Staff Present

Peter Russell
Mike Eley

Others Present

Pam Eley

The regular meeting of the Planning and Zoning Commission for the Town of Silver City was called to order at 7:00 p.m. by Chairman David Gershenson. The Pledge of Allegiance was recited. A roll call of commissioners was taken and a quorum was present.

Approval of Agenda

Commissioner Marsh moved to approve the agenda. Commissioner Bonomo seconded the motion. All in favor, motion carried.

Approval of Minutes

1. March 4, 2008 Minutes – The minutes were to be corrected, as stated in the April 1, 2008 meeting minutes, but the corrected minutes were not available. Approval was postponed until the next meeting.
2. April 1, 2008 Minutes – Commissioner Jones moved to approve the April 1, 2008 Minutes. Commissioner Marsh seconded the motion. All in favor, motion carried.

Old Business

None

New Business

VA 08-4 A request for a variance to allow an addition to an already non-conforming structure that would exceed the 25 % increase in size allowed by the Land Use Code (151.108). The property is located on a tract of land in Residential A zone, addressed as 613 Florence Street on part of Lots 8 and 10, Block 10 of the Hardee's Addition. The applicant is Suzanne Gershenson for Katherine McConaghy.

There was no ex parte communication or conflict of interest on the part of any of the commissioners. Chairman Gershenson stated that the applicant, Suzanne Gershenson, is his ex-wife and there was not a conflict of interest.

Five people were sworn in for testimony: Mike Eley, Peter Russell, Suzanne Gershenson, Katherine McConaghy and Shelby Cox.

Planner Mike Eley presented the staff report for the request for variance and gave a power point presentation of the property located at 613 Florence Street. See staff report attached.

Resident Katherine McConaghy stated that they wanted to add 445 square feet to the existing home of 900 square feet, because of a growing family. She also said the property is surrounded by a fence and there will be no views blocked by the new addition.

Commissioner Marsh made a motion to approve the request for variance stating that eight findings are relevant:

1. The hardship of which the applicant complains is one that is unique to the applicant rather than one suffered by the neighbors or the general public.
2. The hardship relates to the applicant's land, rather than personal circumstances.
3. The hardship is not the result of the applicant's own actions.
4. The granting of the variance is consistent with the Town's Comprehensive Plan.
5. The granting of the variance is in harmony with the purposes and intent of the Land Use Code.
6. The variance granted is the minimum necessary to make possible the reasonable use of the land or building.
7. The granting of the variance will not be injurious to the neighborhood surrounding the property where the variance is proposed, and otherwise is not detrimental to the public welfare.
8. The variance will neither result in the extension of a non-conforming situation, in violation of Article VII, nor authorize the initiation of a non-conforming use of land.

Commissioner Abbott seconded the motion. A roll call vote was taken: Commissioner Foster – yes, Commissioner Jones – yes, Commissioner Matelson – yes, Commissioner Abbott – yes, Commissioner Bonomo – yes, Commissioner Marsh – yes, and Chairman Gershenson – yes. All were in favor, motion carried.

Reports from Staff

Peter Russell reported that Luan was vacationing and Zan would return, from leave, on Friday. Chairman Gershenson asked for an update on the Land Use Code. Peter Russell stated that the draft will be reviewed and revised. There will then be public meetings for more input and possibly more revisions. It will then go to the Planning Commission for review and to the City Council for approval, in August.

Mike Eley reported on two (2) applications he has submitted, to the Mortgage Finance Authority, for more housing rehabilitation funds. One application is to continue the current rehab program and the other application is for minor home repair. He also commended the Planning Commission for the work they are doing.

Chairman Gershenson thanked Peter Russell and Robert Scavron for the work session.

Adjournment

Commissioner Jones moved to adjourn the meeting. Commissioner Matelson seconded the motion. All in favor, motion carried with adjournment at 7:35 p.m.

David Gershenson
Planning & Zoning Commission Chairman

Date Approved