

**REGULAR MEETING OF THE PLANNING & ZONING COMMISSION
MONDAY, JANUARY 6, 2014 @ 4:00 P.M.
HELD IN CITY COMMISSION CHAMBERS, 214 SOUTH LOVE STREET**

PURPOSE OF MEETING:

- Consideration of Approval of Carport Variance at 1302 W. Jackson
- Consideration of Approval of Alley Vacation at 1502 S. Main Street
- Discussion of Off Street Parking Ordinance
- Discussion of Metal Carports
- Discussion of Summary Plat Approvals

PRESENT: Members: Chairman Kallie Richards, Randy Pettigrew, Abel Cabello, Betty Price and Bobby Kimbro

NOT PRESENT: Members: Vice Chairman Lynda Kreybig and David Lynch,

ALSO PRESENT: City Manager James Williams, City Attorney Patrick McMahon, Fire Chief Terrance Lizardo, Assistant City Manager Jared Cobb, City Clerk Carol Ann Hogue, Code Enforcer Laura Brock and Administrative Assistant Imelda Gutierrez.

CALL TO ORDER: The meeting was called to order by Chairman Kallie Richards at 4:00 p.m.

APPROVAL OF AGENDA: Chairman Richards called for a motion to approve the agenda as submitted. Member Kimbro so moved to amend the agenda and add a discussion item: Discussion of Annexation - 34 acres on the SE corner of Jefferson & 17th St and 20 Acres on the East side of Reed Road. Member Pettigrew seconded. Motion was approved.

APPROVAL OF REGULAR MINUTES OF NOVEMBER 4, 2013: Chairman Richards called for a motion to approve the regular minutes of November 4, 2013. Member Price so moved to approve the minutes a submitted. Member Kimbro seconded. Motion was approved.

ACTION ITEMS:

CONSIDERATION OF APPROVAL OF CARPORT VARIANCE AT 1302 W. JACKSON: Chairman Richards called for a motion to approve the carport variance at 1302 W. Jackson. Jose Perez requested a carport variance to be 625 (25x23) square feet for a 3 car-carport. Mr. Perez already has a three (3) car garage and owns three (3) lots. The Municipal Code 17.20.40 B- which limits carports to no longer than 480 square feet or 20 feet long & 24 feet wide. City Manager Williams mentioned that a letter was sent out to neighbors at 100 feet from the property. Member Kimbro so moved. Member Cabello seconded. Motion was approved.

CONSIDERATION OF APPROVAL OF ALLEY VACATION AT 1502 S. MAIN STREET: Chairman Richards called for a motion to approve the alley vacation at 1502 S. Main Street. Mike Taylor requested an alley vacation between lot 107 and 110. Allsup's is interested in expanding their commercial business and would like to purchase the land to add a diesel station, if the City is willing to vacate the alley easement. Member Price so moved. Member Pettigrew seconded. Motion was approved.

NON ACTION ITEMS:

DISCUSSION OF OFF STREET PARKING ORDINANCE: City Manager Williams stated that the City has been directed by Commission to bring the off street parking ordinance back to the Planning & Zoning Board for modification and clarification. Any changes to the ordinance, if approved by Commission, will require re-notification of property owners in Zones A and B. Commissioner Granath did submit some suggestions. One suggestion is to split the ordinance as follows: “Off Street Parking of Commercial Vehicles in Residential Zone” and the other is “Off Street Parking Non-Commercial Vehicles.” The first intent of this ordinance was to remove commercial vehicles from residential areas. Mayor Drummond mentioned that dividing into two would be a good idea. Pete Rasmussen asked if he could build an eight (8) feet fence. Clint Laughrin stated that the City should allow a four (4) inch concrete instead of a six (6) inch concrete because it would be too expensive for many residents. Jerry Williams mentioned that a four (4) inch concrete with mesh is better than a six (6) inch of concrete. Sherron Little recommends that the City split the ordinance.

DISCUSSION OF ANNEXATION: Khalid Farooq addressed the members to discuss the annexation of 34 acres on the Southeast of 17th & Jefferson and 19.9 acres, Eastside of Reed Road. Mr. Farooq would like that the acres on 17th Street to be Zone B – Multi-family residential zone. Chairman Richards stated that they will bring back to the regular meeting on February 3, 2014 to take action. City Attorney McMahon stated that it would be a good idea to notify the residents from that area and property owners to let them know of the changes and maybe annex in their properties if they wish at the same time.

DISCUSSION OF METAL CARPORTS: Assistant City Manager Cobb stated they have received several requests for permitting free standing metal carports. These are typically constructed with steel framing; a polyethylene, steel, or aluminum roof; and may be certified to withstand winds of up to 90 mph currently they are not allowed per City Ordinance, if the Commission is interested, the City will conduct additional research and prepare an amendment for discussion at a future meeting. Chairman Richards requested the State Codes and the City Codes for the next regular meeting or workshop. Member Price stated that the metal carports are nice and do help to cover the vehicles. Code Enforcer Brock will check for more information with the State Inspector Skip Connolly. Member Pettigrew asked Code Enforcer Brock if she has notified the owners about the issue. Mrs. Brock said she was trying to get directions on how to go about this situation.

DISCUSSION OF SUMMARY PLAT APPROVALS: Assistant City Manager Cobb stated that the Municipal Code includes an alternate summary procedure which permits the City Manager or designee to approve plats that meet the following requirements:

- Subdivisions of not more than three parcels of land or subdivisions where the combination or recombination of portions of previously platted lots does not increase the number of lots.
- No additional streets, alleys, or easements for utilities, or if required the additional property must be shown on the plat as “Herein Dedicated”.

The approved summary plats for November 2013 are:

- Main Street and Birch Avenue
- 306 & 310 W. Avenue F.

The approved summary plats for December 2013 are:

- Solar Addition, Blocks 1 & 4, North of Avenue D, West of Lovington Square

OTHER COMMENT:

Member Pettigrew just clarified about a comment he made at the Commission Meeting on Monday night regarding Ordinance 512 – Off Street Parking. The fact is that things have changed and if the public has an opinion or if the Commission does not approve the ordinance it's not an issue for him. Mr. Pettigrew's concern is that are the Commissioners reading the material on the agenda before they attend the meetings.

City Manager Williams asked the members to set a date for a work session and a regular meeting. The work session will be Tuesday, January 21, 2014 at 3:30 p.m. and the regular meeting will be Monday, February 3, 2014 at 4:00 p.m.

City Attorney McMahan mentioned to the members to keep in mind when making changes to keep in mind the "Quality of Life" and "Health Issues".

ADJOURNMENT:

Member Price made the motion for adjournment at 6:05 p.m. Member Pettigrew seconded.

APPROVED: _____
CHAIRMAN RICHARDS

ATTEST: _____
MEMBER PETTIGREW

**CALLED MEETING OF THE PLANNING & ZONING COMMISSION
TUESDAY, JANUARY 21, 2014 @ 3:30 P.M.
HELD IN CITY COMMISSION CHAMBERS, 214 SOUTH LOVE STREET**

PURPOSE OF MEETING:

- Discussion of Off Street Parking
- Discussion of Carports

PRESENT: Members: Chairman Kallie Richards, David Lynch, Randy Pettigrew, Betty Price and Bobby Kimbro

NOT PRESENT: Members: Vice Chairman Lynda Kreybig and Abel Cabello

ALSO PRESENT: City Manager James Williams, City Attorney Patrick McMahon, Fire Chief Terrance Lizardo, Fire Inspector Skip Moorhead, Assistant City Manager Jared Cobb, City Clerk Carol Ann Hogue, Code Enforcer Laura Brock and Administrative Assistant Imelda Gutierrez.

CALL TO ORDER: The meeting was called to order by Chairman Kallie Richards at 3:30 p.m.

APPROVAL OF AGENDA: Chairman Richards called for a motion to approve the agenda as submitted. Member Pettigrew so moved. Member Lynch seconded. Motion was approved.

NON ACTION ITEMS:

DISCUSSION OF OFF STREET PARKING: City Manager Williams stated that the general conscience of the board was to split up the off street parking ordinance into two (2):

- Off Street Parking of Commercial Vehicles in Residential Zone: No truck tractor, semitrailer, and the truck tractor individually, or the semitrailer individual is permitted to park anywhere within any residential zone of the City. No commercial vehicles are to be parked and/or stored in the front yard, side yard, or rear yard setbacks within any residential zone of the City. Commercial vehicles are defined as vehicles with more than two axles, a vehicle used to transport hazardous materials requiring Department of Transportation placarding, construction vehicles designed for off road usage, and vehicles requiring the driver to have a Class A, Class B, or Class C driver's license or the equivalent. A non-commercial vehicle is defined as one that has a gross vehicle weight rating of not more than fifteen thousand (15,000) pounds and can be legally parked in a standard eight and a half (8.5) foot by twenty (20) foot parking space.
- Off Street Parking Non-Commercial Vehicles: Parking generated by residential occupation in Zone "A" – Single Family Dwelling and Zone "B" – Multi-Family Dwelling shall not be permitted in the front, side or rear yard setbacks except that the existing driveway, improved driveway, or parking pad may be used. No more than forty (40) percent of the front yard can be dedicated to off-street parking. Grass and bare earth parking areas are prohibited. All open off-street parking surfacing and access drives shall be designed and constructed with a delineated edge. Acceptable types of coverage include: Asphalt, Brick, Cinder, Compacted gravel, Concrete or Crushed stone. No recreational vehicle may be occupied for living, sleeping, or any other purposes while parked per the limitations listed above for not more than seven (7) days in a thirty (30) day period. A recreational vehicle is defined as: Bus, Camp trailer, Camper, Fifth-wheel travel trailer, trailer, motor-coach, motor home, boat, jet-ski or other watercraft and all-terrain vehicle.

Billie Rodriguez addressed the members about her concerns on the GWR. Mrs. Rodriguez stated that the City should have someone to represent, maybe an expert on GWR instead of guessing the weights on the trucks. Chairman Richards mentioned that the GWR are based on the Department of Transportation Regulations. Fire Inspector Moorhead stated that the weight is stamped on all trucks. Lola Jackson addressed the members about her concerns about the streets not being wide enough to accommodate the vehicles on the street. The bare earth will be a big impact to most residents. It will interfere with mail delivery and the visibility for both vehicles and pedestrians. Member Pettigrew recommends to split into two and the GWR be 15,000 and add a clause that allows on call emergency vehicles. Member Kimbro stated that he supports the recommendation given by Member Pettigrew.

DISCUSSION OF CARPORTS: City Manager Williams stated that the City recommends amending Chapter 17.24 as follows: A carport – front yard requirements is a carport no larger than seven hundred twenty (720) square feet may be added and attached to the structure, but only if it meets the following. Intensity of use means every lot shall have an area of not less than seven thousand square feet per family; except that, if a lot has less than required in this chapter and was a lot of record prior to February 12, 1971, the effective date of the ordinance codified in this section, such lot may be used for one single-family dwelling, provided that all other district regulations are observed. Mr. Williams recommends omitting the wording if you have a garage you cannot have a carport. The yard regulations shall be the same as in the “A” single family dwelling district. The carport regulations shall be the same as in the “A” single family dwelling district, except: Carports are not required to be attached to a permanent building and carports are not required to match or conform to the permanent building in materials, character, and design. All interior courts shall have a width equal to at least the height of the highest part of the building forming the court. The Chapter 17.22 be and hereby be amended as follows: regulations of Chapter 17.24 shall apply to the manufactured homes and mobile homes.

OTHER COMMENT:

City Manager Williams introduced the new Fire Inspector Skip Moorhead to the members.

ADJOURNMENT:

Member Price made the motion for adjournment at 5:23 p.m. Member Pettigrew seconded.

APPROVED: _____
CHAIRMAN RICHARDS

ATTEST: _____
MEMBER PETTIGREW

CITY OF LOVINGTON
STAFF SUMMARY FORM



MEETING DATE: February 3, 2014

TYPE: RESOLUTION ORDINANCE PROCLAMATION INFORMATION OTHER ACTION

SUBJECT: Recommendations for Off Street Parking Ordinance
DEPARTMENT: Executive
SUBMITTED BY: James R. Williams, City Manager
DATE SUBMITTED: January 28, 2014

STAFF SUMMARY:

Staff have provided the Commission copies of the Ordinance drafts as discussed at the January 21, 2014 work session regarding off street parking. Per the discussions, the ordinance has been split into two separate ordinances, with recommended changes. The first ordinance addresses off street parking of commercial vehicles. The second ordinance addresses non-commercial vehicles and recreational vehicle off street parking.

FISCAL IMPACT:

REVIEWED BY: _____

(Finance Director)

ATTACHMENTS:

Off Street Parking - Commercial Vehicles
Off Street Parking - Non Commercial Vehicles

RECOMMENDATION:

Amend ordinance proposals and move to approve recommendations made by the Planning and Zoning Commission for review by the City Commission.

Department Head

James R. Williams

City Manager

ORDINANCE NO. _____

An ordinance of the City of Lovington, New Mexico, amending Title 17, Chapter 17.16 – General Use Regulation, of the Lovington Municipal Code.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LOVINGTON THAT TITLE 17, CHAPTER 17.16 BE AND HEREBY IS AMENDED AS FOLLOWS:

17.16.080 Off Street Parking of Commercial Vehicles in Residential Zone

- A. No truck tractor, semitrailer, the truck tractor individually, or the semitrailer individually is permitted to park anywhere within any residential zone of the City, other than set forth herein by municipal ordinance.
- B. No commercial vehicles are to be parked and/or stored in the front yard, side yard, or rear yard setbacks within any residential zone of the City. Commercial vehicles are defined as vehicles with more than two axles, a vehicle used to transport hazardous materials requiring Department of Transportation placarding, construction vehicles designed for off road usage, and vehicles requiring the driver to have either a Class A, Class B, or Class C drivers license or the equivalent. A non-commercial vehicle is defined as one that has a gross vehicle weight rating of not more than fifteen thousand (15,000) pounds and can be legally parked in a standard eight and a half (8.5) foot by twenty (20) foot parking space.

APPROVED, PASSED, AND ADOPTED this _____ day of _____, 2013.

CITY OF LOVINGTON

DIXIE DRUMMOND, MAYOR

ATTEST:

CAROL ANN HOGUE, CITY CLERK

ORDINANCE NO. _____

An ordinance of the City of Lovington, New Mexico, amending Title 17, Chapter 17.16 – General Use Regulation, of the Lovington Municipal Code.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LOVINGTON THAT TITLE 17, CHAPTER 17.16 BE AND HEREBY IS AMENDED AS FOLLOWS:

17.16.080 Off Street Parking Non-Commercial Vehicles

- A. Parking generated by residential occupation in Zone “A” – Single Family Dwelling and Zone “B” – Multi-Family Dwelling shall not be permitted in the front, side, or rear yard setbacks except that the existing driveway, improved driveway, or parking pad may be used.
- B. No more than forty (40) percent of the front yard can be dedicated to off-street parking.
 - i. Parking for multi-family dwellings located in residential zones are permitted to exceed the percentage of allowable parking in yard setbacks.
- C. Grass and bare earth parking areas are prohibited.
- D. All open off-street parking surfacing and access drives shall be designed and constructed with a delineated edge. Acceptable types of coverage include:
 - i. Asphalt; or
 - ii. Brick; or
 - iii. Cinder; or
 - iv. Compacted gravel; or
 - v. Concrete; or
 - vi. Crushed stone
- E. The follow exceptions and restrictions apply to off-street parking of recreational vehicles:
 - i. A single recreational vehicle may be parked on the driveway or adjacent to the driveway on an acceptable off-street parking surface provided that the recreational vehicle is parked a minimum of five (5) feet behind the back of the

sidewalk, or eight and one-half (8 ½) feet behind the property line in cases where there is no sidewalk.

- ii. Recreation vehicles may be parked in the rear yard setback provided such vehicles are behind a solid fence that is a minimum of six (6) feet tall.
- iii. Recreational vehicles may be parked within a side yard setback provided:
 - 1. The vehicle is parked on an approved off-street parking surface; **or**
 - 2. the vehicle is parked behind a solid fence with a minimum height of six (6) feet.

F. A recreational vehicle is defined as:

- i. Bus
- ii. Camp trailer
- iii. Camper
- iv. Fifth-wheel travel trailer
- v. Trailer
- vi. Motor-coach
- vii. Motor home
- viii. Boat
- ix. Jet ski or other watercraft
- x. All terrain vehicle

G. No recreational vehicle may be occupied for living, sleeping, or any other purposes while parked per the limitations listed above for not more than seven (7) days in a thirty (30) day period.

APPROVED, PASSED, AND ADOPTED this _____ day of _____, 2014.

CITY OF LOVINGTON

DIXIE DRUMMOND, MAYOR

ATTEST:

CAROL ANN HOGUE, CITY CLERK

CITY OF LOVINGTON
STAFF SUMMARY FORM



MEETING DATE: February 3, 2014

TYPE: RESOLUTION ORDINANCE PROCLAMATION INFORMATION OTHER ACTION

SUBJECT: Recommendations for Carport Ordinance
DEPARTMENT: Code Enforcement
SUBMITTED BY: Laura Brock, Code Enforcement Officer
DATE SUBMITTED: January 28, 2014

STAFF SUMMARY:

Staff are requesting approval of the changes to the Carport Ordinance that were discussed at the January 21, 2014 work session. If recommended for approval, the ordinances will be sent to City Commission to begin the review and adoption process.

FISCAL IMPACT:

REVIEWED BY: _____

(Finance Director)

ATTACHMENTS:

Carports - Zone A
Carports - Zone B
Mobile Home Carports

RECOMMENDATION:

Amend ordinance proposals and move to approve recommendations made by the Planning and Zoning Commission for review by the City Commission.

Laura J Brock
Department Head

James R. Williams
City Manager

ORDINANCE NO. _____

An ordinance of the City of Lovington, New Mexico, amending Title 17, Chapter 17.20 – “A” Single-Family Dwelling District, of the Lovington Municipal Code.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LOVINGTON THAT TITLE 17, CHAPTER 17.20 BE AND HEREBY IS AMENDED AS FOLLOWS:

17.20.040 Front yard requirements – Carport.

B. A carport no larger than seven hundred twenty (720) square feet may be added and attached to the structure, but only if it meets the following:

17.20.070 Intensity of use.

Every lot shall have an area of not less than seven thousand square feet per family; except that, if a lot has less area than required in this chapter and was a lot of record prior to February 12, 1971, the effective date of the ordinance codified in this section, such lot may be used for one single-family dwelling, provided that all other district regulations are observed.

APPROVED, PASSED, AND ADOPTED this _____ day of _____, 2014.

CITY OF LOVINGTON

DIXIE DRUMMOND, MAYOR

ATTEST:

CAROL ANN HOGUE, CITY CLERK

ORDINANCE NO. _____

An ordinance of the City of Lovington, New Mexico, amending Title 17, Chapter 17.24 – “B” Multiple Dwelling District, of the Lovington Municipal Code.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LOVINGTON THAT TITLE 17, CHAPTER 17.24 BE AND HEREBY IS AMENDED AS FOLLOWS:

17.24.050 Yard regulations

- A. Yard size regulations shall be the same as in the “A” single family dwelling district.
- B. Carport regulations shall be the same as in the “A” single family dwelling district, except:
 - i. Carports are not required to be attached to a permanent building; and
 - ii. Carports are not required to match or conform to the permanent building in materials, character, and design.
- C. All interior courts shall have a width equal to at least the height of the highest part of the building forming the court.

APPROVED, PASSED, AND ADOPTED this _____ day of _____, 2014.

CITY OF LOVINGTON

DIXIE DRUMMOND, MAYOR

ORDINANCE NO. _____

An ordinance of the City of Lovington, New Mexico, amending Title 17, Chapter 17.22 – Manufactured Homes and Mobile Homes, of the Lovington Municipal Code.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LOVINGTON THAT TITLE 17, CHAPTER 17.22 BE AND HEREBY IS AMENDED AS FOLLOWS:

17.22.150 Carports

Regulations of Chapter 17.24 shall apply.

APPROVED, PASSED, AND ADOPTED this _____ day of _____, 2014.

CITY OF LOVINGTON

DIXIE DRUMMOND, MAYOR

ATTEST:

CAROL ANN HOGUE, CITY CLERK

DRAFT

CITY OF LOVINGTON
STAFF SUMMARY FORM



MEETING DATE: February 3, 2014

TYPE: RESOLUTION ORDINANCE PROCLAMATION INFORMATION OTHER ACTION

SUBJECT: Annexation/Zone Change
DEPARTMENT: Code Enforcement
SUBMITTED BY: Armaan Enterprises, LLC
DATE SUBMITTED: 1-21-2014

STAFF SUMMARY:

Annexation and Zoning of property located around 17th St. and Jefferson.

Propose Annex 1 to be zone B
Propose Annex 2 to be Zone C

FISCAL IMPACT:

REVIEWED BY: _____

(Finance Director)

ATTACHMENTS:

planning and Zoning application, map, warranty deed, Petition for annexation, proposal letter, notification letter, list of address for notification, copies of return receipt.

RECOMMENDATION:

It is my recommendation to bring in surrounding area on this annexation. I approve proposed zones.

Laura Brock

Department Head

City Manager

PLANNING AND ZONING APPLICATION

- Type(s):
- | | | |
|---|--|--|
| <input type="checkbox"/> VARIANCE | <input type="checkbox"/> SPECIAL USE | <input type="checkbox"/> CONDITIONAL USE |
| <input checked="" type="checkbox"/> ZONE CHANGE | <input type="checkbox"/> VACATION | <input checked="" type="checkbox"/> ANNEXATION |
| <input type="checkbox"/> CARPORT | <input type="checkbox"/> RV PARK | <input type="checkbox"/> MOBILE HOME PARK |
| <input type="checkbox"/> PLAT | <input type="checkbox"/> REPLAT | <input type="checkbox"/> ALTERNATE SUMMARY |
| <input type="checkbox"/> BUILDING | <input type="checkbox"/> MOBILE/MANUFACTURED | <input type="checkbox"/> WATER CONNECTION |
| <input type="checkbox"/> SEWER CONNECTION | <input type="checkbox"/> CURB CUT | <input type="checkbox"/> SIGN |

Applicant Name: Armaan Enterprises, LLC
Mailing Address: PO Box 1843
Louington, NM 88260
Phone Number: 575-704-9128
Property Address (Site Location): SE CORNER of 17th and Jefferson

Property Owner(s): Savisky Family Trust/Armaan Enterprises LLC

Brief Description of Request: Annexation, Zone change

Subdivision: _____ Zone: A B C D
Block: _____
Lot: _____
Owner Number: 35661 Parcel Number: 4000356610001
Book: 452 Page: 740

Present Use of Property: vacant land

Applicant Signature: Khurd Farq Date: 1-21-2014

To ensure placement on the agenda, submit all materials three weeks in advance of your scheduled meeting.

Date Received by Code Enforcement: 1-21-14
Code Enforcement Officer Name: Laura Brock
Code Enforcement Officer Signature: Laura Brock

CODE ENFORCEMENT SUPPLEMENT

Does request require adjacent property owner and public notification?

Yes No

If yes, date notification to adjacent property owners sent notification:

Jan 22, 2014

Was notification sent by:

Certified Mail¹

1st Class Mail²

Please attach list of property owners, address, and copy of letter, and copy of return receipt (if applicable) to this supplement.

If public notification made, list date of newspaper publication³:

Code Enforcement Recommendation:

Bring in surrounding area.
Approve zone change.

Laura Brock

Reviewing Officer Name

Laura Brock

Reviewing Officer Signature

1-21-2014

Date

¹ If zoning change is for an area of one block or less, notice shall be mailed by certified mail to owners of property within 100 feet, excluding public right-of-way, of the area proposed to be changed. (NMSA 1978 3-21-6)

² If zoning change is for an area of more than one block (NMSA 1978 3-2-6) or a variance is requested, notice of public hearing shall be mailed by 1st Class mail to property owners within 100 feet, excluding public right-of-way, of the area proposed to be changed.

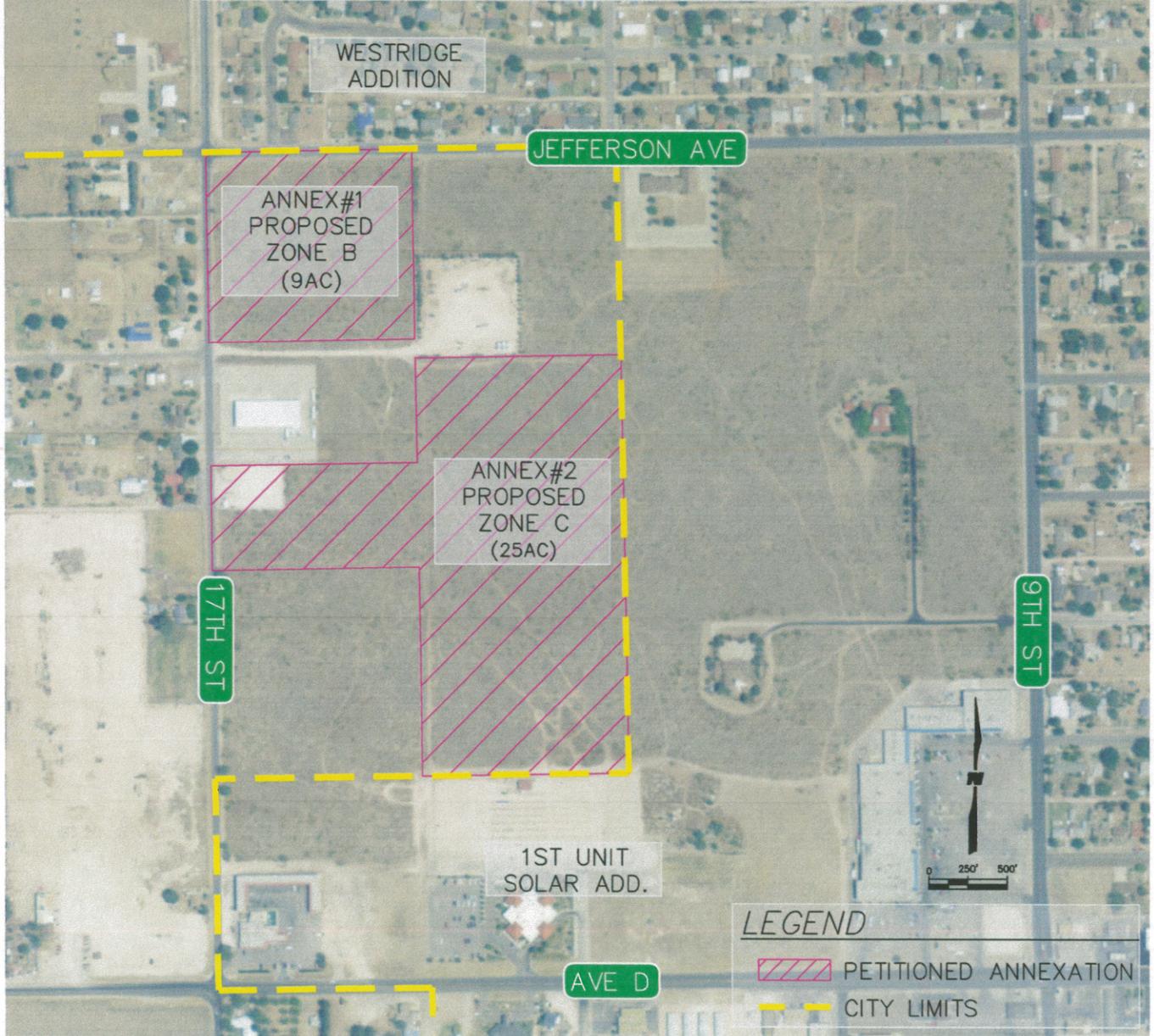
³ Notice of the time and place of hearing shall be published at least 15 days prior to the date of the hearing.

PROPERTY DESCRIPTION OF PETITIONED ANNEX #1

NW4NW4SW4 LESS SOUTH 60' OF SECTION 14,
T.16.S, R.36E, N.M.P.M, LEA COUNTY, NEW MEXICO

PROPERTY DESCRIPTION OF PETITIONED ANNEX #2

S2SW4NW4SW4, SE4NW4SW4, AND NE4SW4SW4 OF SECTION 4,
T.16.S, R.36E, N.M.P.M., LEA COUNTY, NEW MEXICO



ARMAAN ENTERPRISES, LLC
P.O. BOX 1843
LOVINGTON, NEW MEXICO 88260

ANNEXATION EXHIBIT



P.O. BOX 936
LOVINGTON, NEW MEXICO 88260

14232 WARRANTY DEED

GF#13 - 1694W3

Alfred Savisky and Idell Savisky, Co-Trustees of Savisky Family Trust

for consideration paid grants to

Armaan Enterprises, LLC ,a Texas limited liability company,

whose address is P.O. BOX 1843 LOVINGTON, NM 88260

the following described real estate in LEA county, New Mexico:

FOR SURFACE TITLE ONLY

Tract One

The Northwest Quarter of the Northwest Quarter of the Southwest Quarter (NW/4NW/4SW/4), LESS AND EXCEPT the South 60' being a roadway; the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE/4SW/4SW/4); the Southeast Quarter of the Northwest Quarter of the Southwest Quarter (SE/4NW/4SW/4); and the South Half of the Southwest Quarter of the Northwest Quarter of the Southwest Quarter (S/2SW/4NW/4SW/4); all in Section 4, Township 16 South, Range 36 East, N.M.P.M., Lea County, New Mexico.

Tract Two

A tract of land being a part of Lot Two (2), in Section 31, Township 15 South, Range 36 East, N.M.P.M., Lea County, New Mexico and being more particularly described as follows:

Beginning at the West Quarter corner of said Section 31; thence N0°01'44"E, 1316.32 feet; thence N89°54'E, 660.65 feet; thence South 1316.32 feet; thence S89°58'20"W, 660.65 feet to the point of beginning.

Subject to reservations, restrictions and easements appearing of record with warranty covenants.

WITNESS our hands and seals on 12//9/13

SAVISKY FAMILY TRUST

Alfred Savisky
BY: ALFRED SAVISKY, CO-TRUSTEE

Idell Savisky
BY: IDELL SAVISKY, CO-TRUSTEE

STATE OF TEXAS)
COUNTY OF Collin)ss

This instrument was acknowledged before me on 12//9/13, by Alfred Savisky and Idell Savisky, Co-Trustees of Savisky Family Trust



Cely Castillo
Notary Public

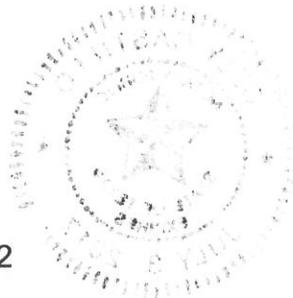
My commission expires : July 3, 2017

14232

STATE OF NEW MEXICO
COUNTY OF LEA
FILED

DEC 30 2013

at 11:24 o'clock A M
and recorded in Book 1872
Page 451
Pat Chappelle, Lea County Clerk
By [Signature] Deputy



PETITION FOR ANNEXATION

COMES NOW ARMAAN ENTERPRISES, LLC, and petitions the City Commission of the City of Lovington, New Mexico, for its consent by resolution for the annexation of that portion of property it owns lying outside the City limits and to those properties immediately adjacent to it to the City of Lovington more properly described by aforementioned attachments to this petition.

(SEE ATTACHMENTS)

And Petitioner states in support of such Petition, pursuant to Section 3-7-17.1 of the New Mexico State Statutes Annotated (1978) that:

1. The property petitioner wishes to be annexed and the real property is contiguous to the present municipal boundaries of the City of Lovington.
2. An Annexation Plat is attached hereto showing the boundaries of the real property proposed for annexation and the relationship of such property to the present boundaries of the City of Lovington.

Petitioner: Armaan Enterprises, LLC

By: KHALID FAROOQ

Its: Managing Partner

Date: Jan 21, 2014

Acknowledged: City of Lovington

Date: 1/21/14
By: Amador Gutierrez

Armaan Enterprises, LLC
PO Box 1843
Lovington, NM 88260

January 21, 2014

City of Lovington
City Commission
City Planning and Zoning Board

To Whom It May Concern:

Per the attached plat, I would like to request Annexation of the property, which legal description has been attached hereto.

I would like to also request a Zoning Change for the property. I have highlighted in yellow the property I would like to have zoned as Commercial, Zone C. I have highlighted in pink the property I would like to have zoned as Multi-Family, Zone B. I will be providing a Survey Plat to the Planning and Zoning Board for their review at the February 3, 2014 meeting. This plat will show the exact legal descriptions for the prospective Annexation and Zoning Change.

On the pink highlighted portion, I would like to build an apartment complex.

On the yellow highlighted portion, I would propose to build an RV/Mobile Home park.

Thank you for your consideration.

Sincerely,

Khalid Farooq
Managing Partner



CITY OF LOVINGTON

214 S. Love St.
PO Box 1268
Lovington, NM 88260

Bus: 575-396-2884
Fax: 575-396-6328
admin@lovington.org

January 21, 2014

ADDRESS

RE: Public Hearing for Annexation and Zoning Classification

The purpose of this letter is to inform you that a public hearing will be held in regards to the petition received by the City of Lovington to annex property located near the intersection of Jefferson Avenue and 17th Street. This property is legally described as the NW4NW4SW4 less South 60' of Section 14, T.16.S, R.36E, N.M.P.M, Lea County, New Mexico and S2SW4NW4SW4, SE4NW4SW4, and NE4SW4SW4 of Section 4, T.16.S, R.36E, N.M.P.M., Lea County, New Mexico. A map of this area is included with this letter. When property is annexed by the City of Lovington, Ordinance 513 requires that a zoning classification be considered and recommended at the time of annexation. The properties are currently zoned as R-1, Residential, per the Lovington-Lea County Extraterritorial Zone agreement. The petitioner is requesting that a 9 acre tract receive a zoning classification of B – Multi-Family Dwelling and a 25 acre tract receive a zoning classification of C – Commercial. As you are the owner of property within 100 feet, excluding public right of ways, of the areas in which this zoning change request has been made we are required to notify you of this public hearing.

Two public hearings will be held to determine this matter. The first public hearing will be conducted during the Lovington Planning and Zoning Board meeting on February 3, 2014 at 4 p.m. This meeting will be conducted at City Hall, 214 S. Love, Lovington, New Mexico. The final public hearing for this issue will be conducted during the regular City Commission Meeting on February 24, 2014 at 5:30 p.m. This meeting will also be conducted at City Hall, 214 S. Love, Lovington, New Mexico. A public notice will be published in the Lovington Leader no less than 15 days from the date of the final public hearing. We invite you to attend any of the public hearings to provide your comment.

If you should have any questions, please do not hesitate to contact me.

Sincerely,

James R. Williams
City Manager

TALIAFERRO, FRED, ✓
1400 W JEFFERSON AVE
LOVINGTON NM 88260

ARANDA, YECENIA S,
1402 W JEFFERSON AVE
LOVINGTON NM 88260

YORK, CODY SHAY,
1404 W JEFFERSON AVE
LOVINGTON NM 88260

CARRASCO, EDWARD A,
PO BOX 1783 LOVINGTON NM 88260

FAIRFIELD, ROBERT G,
403 N 16TH ST LOVINGTON NM
88260

GOMEZ, JENNIFER,
1406 W JEFFERSON AVE
LOVINGTON NM 88260

CASTILLO, TOMAS,
1308 W JEFFERSON AVE
LOVINGTON NM 88260

HERNANDEZ, ANTHONY, ✓
1502 W JEFFERSON AVE
LOVINGTON NM 88260

GONZALES, ILDA,
1304 W JEFFERSON AVE
LOVINGTON NM 88260

BISCAINO, MARIA,
1504 W JEFFERSON AVE
LOVINGTON NM 88260

PATMAN, LYNN D,
1117 TATUM HIGHWAY LOVINGTON
NM 88260

RODRIGUEZ, JESUS P, ✓
400 N 16TH ST LOVINGTON NM
88260

MOLINA, JUAN R JR,
1306 W JEFFERSON AVE
LOVINGTON NM 88260

ARANDA, FABIAN, ✓
311 N 17TH ST LOVINGTON NM
88260

CARDONA, ANSURIO JR,
201 N 17TH ST LOVINGTON NM
88260

KERBY, CLIFFORD G,
101 N 17TH ST LOVINGTON NM
88260

MUNOZ, TED JR ET AL,
315 N 17TH ST LOVINGTON NM
88260

HARVEY, JOSIE,
1801 W JEFFERSON AVE
LOVINGTON NM 88260

CHAVIRA, CRUZ,
1412 W TYLER AVE LOVINGTON NM
88260

POSKEY, RAYMOND T,
5220 E AVENUE D LOVINGTON NM
88260

WILSON, JOHNNIE R,
100 S 17TH STREET LOVINGTON NM
88260

DEVOLL, DARCY L,
1703 W WASHINGTON AVE
LOVINGTON NM 88260

BALDERAZ, VINCENTE R, ✓
400 N 18TH ST LOVINGTON NM
88260

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jesus Rodriguez
 400 N. 16th St
 Lovington NM 88260

2. Article Number
(Transfer from service label)

7012 1640 0000 3216 3257

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-15

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Handwritten Signature]*

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail

Registered Return Receipt for Merchandise

Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Marvin Powell
 PO Box 96
 McDonald NM
 88262

2. Article Number
(Transfer from service label)

7012 1640 0000 3216 2243

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-15

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Handwritten Signature]*

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail

Registered Return Receipt for Merchandise

Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> <i>Vernie Aranda</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Address</p> <p>B. Received by (Printed Name) <i>VERIE ARANDA</i></p> <p>C. Date of Delivery <i>1-24-11</i></p>
<p>1. Article Addressed to:</p> <p><i>Fabian Aranda 311 N. 17th St Lovington NM 88260</i></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label) <i>7012 1640 0000 3216 2182</i></p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-15</p>	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> <i>Fred Taliaferro</i> <input type="checkbox"/> Agent <input type="checkbox"/> Address</p> <p>B. Received by (Printed Name)</p> <p>C. Date of Delivery</p>
<p>1. Article Addressed to:</p> <p><i>Fred Taliaferro 1400 W. Jefferson Lovington NM 88260</i></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label) <i>7012 1640 0000 3216 2151</i></p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-15</p>	

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Vicente Balderaz
400 N. 18th St.
Lovington NM
88260

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
[Signature] Address

B. Received by (Printed Name) C. Date of Delivery
D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Transfer from service label) 7012 1640 0000 3216 2205

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Anthony Hernandez
1502 W. Jefferson
Lovington NM 88260

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
[Signature] Address

B. Received by (Printed Name) C. Date of Delivery
D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Transfer from service label) 7012 1640 0000 3216 3240

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature <input checked="" type="checkbox"/> <i>J Harvey</i> <input type="checkbox"/> Agent <input type="checkbox"/> Address	
	B. Received by (Printed Name)	C. Date of Delivery
1. Article Addressed to: Josie Harvey 1801 W. Jefferson Lovington NM 88260	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
2. Article Number (Transfer from service label)	7012 1640 0000 3216 2175	
PS Form 3811, February 2004	Domestic Return Receipt	102595-02-M-15

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature <input checked="" type="checkbox"/> <i>Angelina Chivira</i> <input type="checkbox"/> Agent <input type="checkbox"/> Address	
	B. Received by (Printed Name)	C. Date of Delivery
1. Article Addressed to: Cruz Chivira 1412 W. Tyler Lovington NM	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
2. Article Number (Transfer from service label)	7012 1640 0000 3216 2144	
PS Form 3811, February 2004	Domestic Return Receipt	102595-02-M-15

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature <input checked="" type="checkbox"/> <i>Maria Biscaino</i> <input type="checkbox"/> Agent <input type="checkbox"/> Address	
	B. Received by (Printed Name)	C. Date of Delivery
1. Article Addressed to: Maria Biscaino 1504 W. Jefferson Lovington NM 88260	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
2. Article Number (Transfer from service label)	7012 1640 0000 3216 3233	
PS Form 3811, February 2004	Domestic Return Receipt	102595-02-M-15

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Lynn Pattman
1117 Tatum Hwy
Lovington NM 88260

2. Article Number

(Transfer from service label)

7012 1640 0000 3216 3226

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-15

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Lynn Pattman Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? YesIf YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Edward Carrasco
PO Box 1783
Lovington NM
88260

2. Article Number

(Transfer from service label)

7012 1640 0000 3216 3189

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-15

COMPLETE THIS SECTION ON DELIVERY

A. Signature

E Carrasco Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? YesIf YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Shelby Gilmore
PO Box 1865
Lovington NM
88260

2. Article Number

(Transfer from service label)

7012 1640 0000 3216 2212

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-15

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Shelby Gilmore Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? YesIf YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes

CITY OF LOVINGTON
STAFF SUMMARY FORM



MEETING DATE: February 3, 2014

TYPE: RESOLUTION ORDINANCE PROCLAMATION INFORMATION OTHER ACTION

SUBJECT: Zoning Change
DEPARTMENT: Code Enforcement
SUBMITTED BY: Lovington Star LLC
DATE SUBMITTED: 1-21-2014

STAFF SUMMARY:

100 block of W Ace C; block 1 lot B
This area is currently zone A; Propose to change to Zone C.
The intended use of this area will be commercial

FISCAL IMPACT:

REVIEWED BY: _____

(Finance Director)

ATTACHMENTS:

Planning and Zoning Application, warranty Deed, map of proposed area, notification letter to surrounding area of request, list of those notified, copy of return receipts

RECOMMENDATION:

It is my recommendation to allow the zone change to C commercial use. Areas to the east, and south are also commercial zones. It is also my recommendation that Ave C and unnamed roadway be developed during this new expansion, for better traffic flow. Water and Sewer are located south of this lot running down Ave C.

Laura Brock
Department Head

[Signature]
City Manager

PLANNING AND ZONING APPLICATION

- Type(s):
- | | | |
|---|--|--|
| <input type="checkbox"/> VARIANCE | <input type="checkbox"/> SPECIAL USE | <input type="checkbox"/> CONDITIONAL USE |
| <input checked="" type="checkbox"/> ZONE CHANGE | <input type="checkbox"/> VACATION | <input type="checkbox"/> ANNEXATION |
| <input type="checkbox"/> CARPORT | <input type="checkbox"/> RV PARK | <input type="checkbox"/> MOBILE HOME PARK |
| <input type="checkbox"/> PLAT | <input type="checkbox"/> REPLAT | <input type="checkbox"/> ALTERNATE SUMMARY |
| <input type="checkbox"/> BUILDING | <input type="checkbox"/> MOBILE/MANUFACTURED | <input type="checkbox"/> WATER CONNECTION |
| <input type="checkbox"/> SEWER CONNECTION | <input type="checkbox"/> CURB CUT | <input type="checkbox"/> SIGN |

Applicant Name: Lowington Star, LLC
 Mailing Address: 1515 W. Calle Sur St
Hobbs, NM 88240
 Phone Number: 575-492-1236
 Property Address (Site Location): 1100 Block of W. Ave. C
 Property Owner(s): Lowington Star, LLC

Brief Description of Request: Rezone Block 1B to Commercial, Zone C

Subdivision: Solar Addition Zone: ^{From} A B ^{To:} C D
 Block: 1B
 Lot: _____
 Owner Number: _____ Parcel Number: _____
 Book: _____ Page: _____

Present Use of Property: vacant - undeveloped

Applicant Signature: Joy A. Burkhardt Date: Jan. 20, 2014

To ensure placement on the agenda, submit all materials three weeks in advance of your scheduled meeting.

Date Received by Code Enforcement:	<u>1-21-14</u>
Code Enforcement Officer Name:	<u>Laura Brock</u>
Code Enforcement Officer Signature:	<u>Laura Brock</u>

CODE ENFORCEMENT SUPPLEMENT

Does request require adjacent property owner and public notification?

Yes No

If yes, date notification to adjacent property owners sent notification:

1-21-14

Was notification sent by:

Certified Mail¹

1st Class Mail²

Please attach list of property owners, address, and copy of letter, and copy of return receipt (if applicable) to this supplement.

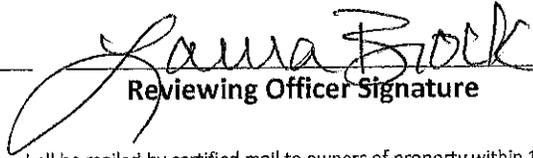
If public notification made, list date of newspaper publication³:

Code Enforcement Recommendation:

Approve zone change
Recommend Ave C street be developed
during this project for better traffic flow
along with unnamed road.

Water Sewer run ~~to~~ East + West on Ave C
south of this lot.

Laura Brock
Reviewing Officer Name


Reviewing Officer Signature

1-21-14
Date

- 1 If zoning change is for an area of one block or less, notice shall be mailed by certified mail to owners of property within 100 feet, excluding public right-of-way, of the area proposed to be changed. (NMSA 1978 3-21-6)
- 2 If zoning change is for an area of more than one block (NMSA 1978 3-2-6) or a variance is requested, notice of public hearing shall be mailed by 1st Class mail to property owners within 100 feet, excluding public right-of-way, of the area proposed to be changed.
- 3 Notice of the time and place of hearing shall be published at least 15 days prior to the date of the hearing.

AFFIDAVIT BY PROPERTY OWNER(S)

- Type(s):
- | | | |
|---|--|--|
| <input type="checkbox"/> VARIANCE | <input type="checkbox"/> SPECIAL USE | <input type="checkbox"/> CONDITIONAL USE |
| <input checked="" type="checkbox"/> ZONE CHANGE | <input type="checkbox"/> VACATION | <input type="checkbox"/> ANNEXATION |
| <input type="checkbox"/> CARPORT | <input type="checkbox"/> RV PARK | <input type="checkbox"/> MOBILE HOME PARK |
| <input type="checkbox"/> PLAT | <input type="checkbox"/> REPLAT | <input type="checkbox"/> ALTERNATE SUMMARY |
| <input type="checkbox"/> BUILDING | <input type="checkbox"/> MOBILE/MANUFACTURED | <input type="checkbox"/> WATER CONNECTION |
| <input type="checkbox"/> SEWER CONNECTION | <input type="checkbox"/> CURB CUT | <input type="checkbox"/> SIGN |

I (WE) HEREBY CERTIFY that I am (we are) the owners of record of the property described as follows:

Property Address: 1100 Block of W. Ave. C
Legal Description: See Attached

I (WE) HAVE AUTHORIZED the following individual(s) to act as my (our) agent with regard to this application:

Agent: _____ Phone: _____
Address: _____

I (WE) UNDERSTAND, CONCUR AND AFFIRM that this application may be approved, approved with conditions or denied, and that as the property owner it is my responsibility to ensure that any conditions are complied with and to ensure that the property is maintained in a condition so as not to jeopardize the health, safety, or welfare of others and that compliance with all applicable City ordinances is required; and

I (WE) HEREBY EXECUTE THIS AFFIDAVIT in support of the proposed application as presented:

Owner 1:

By: Joy A. Buhaltz
PRINTED NAME
By: Joy A. Buhaltz
SIGNATURE
Date: Jan. 20, 2014



Owner 2:

By: _____
PRINTED NAME
By: _____
SIGNATURE
Date: _____



26.

14608
WARRANTY DEED

Lea County Electric Cooperative, Inc., a New Mexico corporation

for consideration paid grants to

Lovington Star, LLC, a New Mexico limited liability company,

whose address is P.O. Box 2769 Hobbs, NM 88241
the following described real estate in LEA county, New Mexico:

FOR SURFACE TITLE ONLY

Block 1, Lot B and Block 4, Lot B of the First Unit, Solar Addition, Replat No. 1 of Blocks 1 and 4, First Unit, Solar Addition to the City of Lovington, Lea County, New Mexico as shown on that certain Replat filed 1-14-14 under File Number 14606, Lea County Records, Lea County, New Mexico

Subject to reservations, restrictions and easements appearing of record with warranty covenants and further Subject to the following

RESTRICTIVE COVENANT:

The above described land is to be use for the construction of a Taco Bell Restaurant or other chain restaurant subject to the approval of the Board of Trustees of Lea County Electric Cooperative, Inc., a strip center that may contain typical retail, professional and/or food and beverage business and/or a hotel. Any other uses of such property will be subject to prior approval of the Board of Trustees of Lea County Electric Cooperative, Inc.

WITNESS its hand and seal on 1/13/2014

Lea County Electric Cooperative, Inc.

BY: [Signature]
Printed Name: John Ingle
Title: Board President

STATE OF NEW MEXICO)
)ss
COUNTY OF LEA)

This instrument was acknowledged before me on 1/13/2014, by John Ingle whose title is Board President On behalf of Lea County Electric Cooperative, Inc., a New Mexico corporation



[Signature]
Notary Public

My commission expires 3/28/2015

RETURN TO: GRANTEE

14608

STATE OF NEW MEXICO
COUNTY OF LEA
FILED

JAN 14 2014

at 10:07 o'clock A M
and recorded in Book _____
Page _____
Pat Chappelle, Lea County Clerk
By J. Larson Deputy



BOOK 1873 PAGE 958



Lovington Star, LLC
PO Box 2769
Hobbs, NM 88241

January 24, 2014

City of Lovington Planning and Zoning Board
City of Lovington Board of Commissioners

We come before you to request a Zoning change for the attached property located at approximately 1100 block of W. Ave. C in Lovington.

The south portion of the land we purchased is already zoned Commercial, and is located along the North side of 1100 block of W. Ave. D. A retail center and fast food restaurant is planned for this property.

The north portion of 1100 block of Ave. C is currently zoned Single Family. We are requesting the property be changed to Commercial Zoning.

Our intended use of the land will be primarily commercial as an extension of the proposed Retail Development mentioned above.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Howard D. Roberts, Jr.", with a long horizontal flourish extending to the right.

Howard D. Roberts, Jr.

BEARING TIE:
1" REBAR
NW COR. OF SUBDIVISION
S 89°48'46" W
(S 89°47'35" W)
692.81'
(692.81')

(N 89°47'35" E)
N 89°48'46" E

(602.81')
602.82'

BLOCK 2

13TH STREET
60' WIDE PUBLIC RIGHT-OF-WAY (UNIMPROVED)
N 00°04'19" E
262.50'

BLOCK 1, LOT A
1.816 AC.

BLOCK 1, LOT B
1.816 AC.

S 00°04'51" W
(S 00°03'40" W)
262.50'
(262.50')

S 84°41'23" E
28.27'
28.73'
5' WIDE EASEMENT
FOR ANCHOR POLE
AND GUY WIRE.

S 89°48'46" W
301.39'

602.78'

AVENUE "C"
60' WIDE PUBLIC RIGHT-OF-WAY (UNIMPROVED)

UNNAMED ROADWAY
60' WIDE PUBLIC RIGHT-OF-WAY (PARTIALLY IMPROVED)

TIE:
1" REBAR
IF SUBDIVISION
N 58°41'28" W
517.28'

N 89°48'47" E

767.77'

BLOCK 3

13TH STREET
60' WIDE PUBLIC RIGHT-OF-WAY (UNIMPROVED)
N 00°04'19" E
262.51'

CORPORATE BNDY

BLOCK 4, LOT A
2.810 AC.

BLOCK 4, LOT B
1.816 AC.

S 00°04'51" W
(S 00°03'40" W)
262.44'
(262.44')

S 89°48'28" W
(S 89°47'17" W)
135.00'

767.73'
(767.73')

NM 83 - AVENUE "D"
150' WIDE PUBLIC RIGHT-OF-WAY



City of Lovington

214 South Love Street
PO Box 1268
Lovington, NM 88260

Bus: 575-396-9329
Fax: 575-396-6328
lbrock@lovington.org

January 21, 2014

Request for Zoning Change

The purpose of this letter is to inform you that a request for zoning change has been submitted to the Lovington Planning and Zoning Commission for the property located in the 1100 block of West Avenue C, (block 1 lot B) Lovington, New Mexico. The property is currently Zoned A Residential. This request will be considered at their next regularly scheduled meeting on February 3, 2014 at 4 p.m. held at City Hall, 214 South Love Street, Lovington, New Mexico.

We are providing notification to each property owner within 100 feet of the area, excluding public right of ways, of this zoning request. This request, with the recommendation from the Planning and Zoning Commission, will be presented to the Lovington City Commission for final approval as early as February 10, 2014 meeting.

If you have any questions, please do not hesitate to contact me at 575-396-9329 or via email at lbrock@lovington.org.

Sincerely,

A handwritten signature in black ink that reads "Laura J. Brock". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

Laura J. Brock
Animal/Code Enforcement Supervisor
City of Lovington NM 88260

PYRO INVESTMENTS LLC,
TMM INVESTMENTS % 212 OLD
GRANDE BLVD SUITE C-100 TYLER
TX 75703

ENERGY RESEARCH,
DRAWER 1447 LOVINGTON NM
88260

LEA COUNTY ELECTRIC CO-OP,
DRAWER 1447 LOVINGTON NM
88260

LEA COUNTY ELECTRIC CO-OP,
DRAWER 1447 LOVINGTON NM
88260

TMM INVESTMENTS LTD,
212 OLD GRANDE BLVD STE C-100
TYLER TX 75703

LEA COUNTY ELECTRIC CO-OP,
DRAWER 1447 LOVINGTON NM
88260

LEA COUNTY ELECTRIC CO-OP,
DRAWER 1447 LOVINGTON NM
88260

TMM INVESTMENTS LTD,
212 OLD GRANDE BLVD STE C-100
TYLER TX 75703

SAMBERSON, C GENE,
DRAWER 1599 LOVINGTON NM
88260

TMM INVESTMENTS LTD,
212 OLD GRANDE BLVD STE C-100
TYLER TX 75703

TMM INVESTMENTS LTD,
212 OLD GRANDE BLVD STE C-100
TYLER TX 75703

PYRO INVESTMENTS LLC,
TMM INVESTMENTS % 212 OLD
GRANDE BLVD SUITE C-100 TYLER
TX 75703

ENERGY RESEARCH,
DRAWER 1447 LOVINGTON NM
88260

LEA COUNTY ELECTRIC CO-OP,
DRAWER 1447 LOVINGTON NM
88260

LEA COUNTY ELECTRIC CO-OP,
DRAWER 1447 LOVINGTON NM
88260

LEA COUNTY ELECTRIC CO-OP,
DRAWER 1447 LOVINGTON NM
88260

LEA COUNTY ELECTRIC CO-OP,
DRAWER 1447 LOVINGTON NM
88260

SAMBERSON, C GENE,
DRAWER 1599 LOVINGTON NM
88260

PYRO INVESTMENTS LLC,
TMM INVESTMENTS % 212 OLD
GRANDE BLVD SUITE C-100 TYLER
TX 75703

ENERGY RESEARCH,
DRAWER 1447 LOVINGTON NM
88260

LEA COUNTY ELECTRIC CO-OP,
DRAWER 1447 LOVINGTON NM
88260

LEA COUNTY ELECTRIC CO-OP,
DRAWER 1447 LOVINGTON NM
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TYLER TX 75703

LEA COUNTY ELECTRIC CO-OP,
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SAMBERSON, C GENE,
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212 OLD GRANDE BLVD STE C-100
TYLER TX 75703

PYRO INVESTMENTS LLC,
TMM INVESTMENTS % 212 OLD
GRANDE BLVD SUITE C-100 TYLER
TX 75703

SAVISKY FAMILY TRUST,
PO BOX 1266 LOVINGTON NM 88260

SANDERS, KAY FRANCES,
PO BOX 476 LOVINGTON NM 88260

DAUGHERTY, ELIZABETH LEA REV
TRUST,
3903 BELLAIRE BLVD HOUSTON TX
77025

LEA COUNTY ELECTRIC CO-OP,
DRAWER 1447 LOVINGTON NM
88260

TMM INVESTMENTS LTD,
212 OLD GRANDE BLVD STE C-100
TYLER TX 75703

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Address</p>
<p>1. Article Addressed to:</p> <p>Lea County Elec Co-OP Drawer 1447 Lovington NM 88260</p>	<p>B. Received by (Printed Name) C. Date of Delivery</p> <p>USPS</p>
<p>2. Article Number (Transfer from service label)</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>7012 1640 0000 3216 2830</p>	

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Energy Research
 Drawer 1447
 Lovington NM 88260

2. Article Number

(Transfer from service label)

7012 1640 0000 3216 2847

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-15

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X  Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Tmm Investments LTD
 212 Old Grande Blvd
 Ste C-100
 Tyler, Tx 75703

2. Article Number

(Transfer from service label)

7012 1640 0000 3216 2137

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-15

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X  Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

1-23-14

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Gene Samberson
 Drawer 1599
 Lovington, NM 88260

2. Article Number

(Transfer from service label)

7012 1640 0000 3216 2120

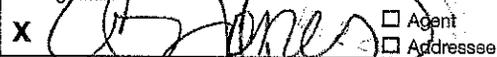
PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X  Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes

CITY OF LOVINGTON
COMMISSION STAFF SUMMARY FORM

MEETING DATE: FEBRUARY 3, 2014



TYPE: RESOLUTION ORDINANCE PROCLAMATION INFORMATION OTHER ACTION

SUBJECT: CARPORT
DEPARTMENT: CODE ENFORCEMENT
SUBMITTED BY: JOSE COMPOS
DATE SUBMITTED: 12-23-2014

STAFF SUMMARY:

Jose Compos is located at 715 W. Ave I and is requesting a variance for a carport.

Request variance for carport 22X29; 638 sq. ft.

Ordinance 17.20.040 carport can be no larger than four hundred and eighty square feet. Twenty feet long twenty four feet wide.

FISCAL IMPACT:

REVIEWED BY: _____

(Finance Director)

ATTACHMENTS:

Planning and Zonning Application, list of adjacent property owners, site plan, building permit, notification letter for variance, signature paper of neighbors approval.

RECOMMENDATION:

It is my recommendation to approve the carport

Laura Brock

Department Head

City Manager

PLANNING AND ZONING APPLICATION

- Type(s):
- | | | |
|---|--|--|
| <input type="checkbox"/> VARIANCE | <input type="checkbox"/> SPECIAL USE | <input type="checkbox"/> CONDITIONAL USE |
| <input type="checkbox"/> ZONE CHANGE | <input type="checkbox"/> VACATION | <input type="checkbox"/> ANNEXATION |
| <input checked="" type="checkbox"/> CARPORT | <input type="checkbox"/> RV PARK | <input type="checkbox"/> MOBILE HOME PARK |
| <input type="checkbox"/> PLAT | <input type="checkbox"/> REPLAT | <input type="checkbox"/> ALTERNATE SUMMARY |
| <input type="checkbox"/> BUILDING | <input type="checkbox"/> MOBILE/MANUFACTURED | <input type="checkbox"/> WATER CONNECTION |
| <input type="checkbox"/> SEWER CONNECTION | <input type="checkbox"/> CURB CUT | <input type="checkbox"/> SIGN |

Applicant Name: Jose M. Campos
Mailing Address: 715 W. Ave I
Phone Number: 520-398-1576
Property Address (Site Location): Same as above
Jose M. Campos
Property Owner(s): _____

Brief Description of Request: Build a metal porch

Subdivision: Carter Addition Zone: A B C D
Block: _____
Lot: _____
Owner Number: _____ Parcel Number: _____
Book: _____ Page: _____

Present Use of Property: Home

Applicant Signature: Jose M. Campos Date: 12-3-13

To ensure placement on the agenda, submit all materials three weeks in advance of your scheduled meeting.

Date Received by Code Enforcement:	<u>12-23-13</u>
Code Enforcement Officer Name:	<u>Laura Brock</u>
Code Enforcement Officer Signature:	<u>Laura Brock</u>

CODE ENFORCEMENT SUPPLEMENT

Does request require adjacent property owner and public notification?

Yes No

If yes, date notification to adjacent property owners sent notification:

Jan 21, 2014

Was notification sent by:

Certified Mail¹

1st Class Mail²

Please attach list of property owners, address, and copy of letter, and copy of return receipt (if applicable) to this supplement.

If public notification made, list date of newspaper publication³:

Code Enforcement Recommendation:

Take to planning & zoning for variance
17.20.040 carport no larger than four hundred
eighty square feet. 20" long 24" wide
Asking for 638 square feet. 22 x 29

Approve Variance

Laura Brock

Reviewing Officer Name

Laura Brock
Reviewing Officer Signature

12-23-13

Date

1 If zoning change is for an area of one block or less, notice shall be mailed by certified mail to owners of property within 100 feet, excluding public right-of-way, of the area proposed to be changed. (NMSA 1978 3-21-6)

2 If zoning change is for an area of more than one block (NMSA 1978 3-2-6) or a variance is requested, notice of public hearing shall be mailed by 1st Class mail to property owners within 100 feet, excluding public right-of-way, of the area proposed to be changed.

3 Notice of the time and place of hearing shall be published at least 15 days prior to the date of the hearing.

BELL FAMILY TRUST,
710 W AVENUE I LOVINGTON NM
88260

HERNANDEZ, ROGER,
713 W AVENUE J LOVINGTON NM
88260

GRANATH, PATRICK NEIL,
718 W AVENUE I LOVINGTON NM
88260

ARGUIJO, BENJAMIN J,
806 W AVENUE I LOVINGTON NM
88260

PAGE, MICHAEL F,
816 W AVENUE I LOVINGTON NM
88260

MAUCK, SHARON,
3313A SHADY LANE CLOVIS NM
88101

GILLESPIE, WILLIS FRANK,
PO BOX 396 LOVINGTON NM 88260

PORRAS, REMIJO,
PO BOX 266 LOVINGTON NM 88260

1st
class

BOLAND, OMA,
819 W AVENUE I LOVINGTON NM
88260

SIDDALL, SHAUN M,
811 W AVENUE I LOVINGTON NM
88260

ROGERS, CHANEY C,
719 W AVENUE I LOVINGTON NM
88260

ABRAMS, RUSSELL WAYNE,
16851 VALLEY VIEW RD FORNEY TX
75126

CAMPOS, JOSE,
715 W AVENUE I LOVINGTON NM
88260

BONDS, EARSEL E,
807 W AVENUE I LOVINGTON NM
88260

RICE, BOBBY JOE,
803 W AVENUE I LOVINGTON NM
88260

RICE, BOBBY JOE,
803 W AVENUE I LOVINGTON NM
88260

ROSAS, HECTOR MANUEL,
701 W AVENUE I LOVINGTON NM
88260

THRONEBERRY, EMERY & GLORIA
TRUST,
707 W AVENUE I LOVINGTON NM
88260

NEW

SECCION
TIBU APT I

FE 070-206-12-16

LOWEST SECTION

TECH. DE LA CARA

POSTES 2X6

CABRILLOS 4X6

ALTO 9 PIES

ALTO 9 PIES

- Poste 2 7/8
- Poste 2 7/8
- Poste 2 7/8

- Poste 2 7/8
- Poste 2 7/8
- Poste 2 7/8

3 PIES
DEBIDO A

AL CAMINO
ESPASIO 9'

24 X 20'

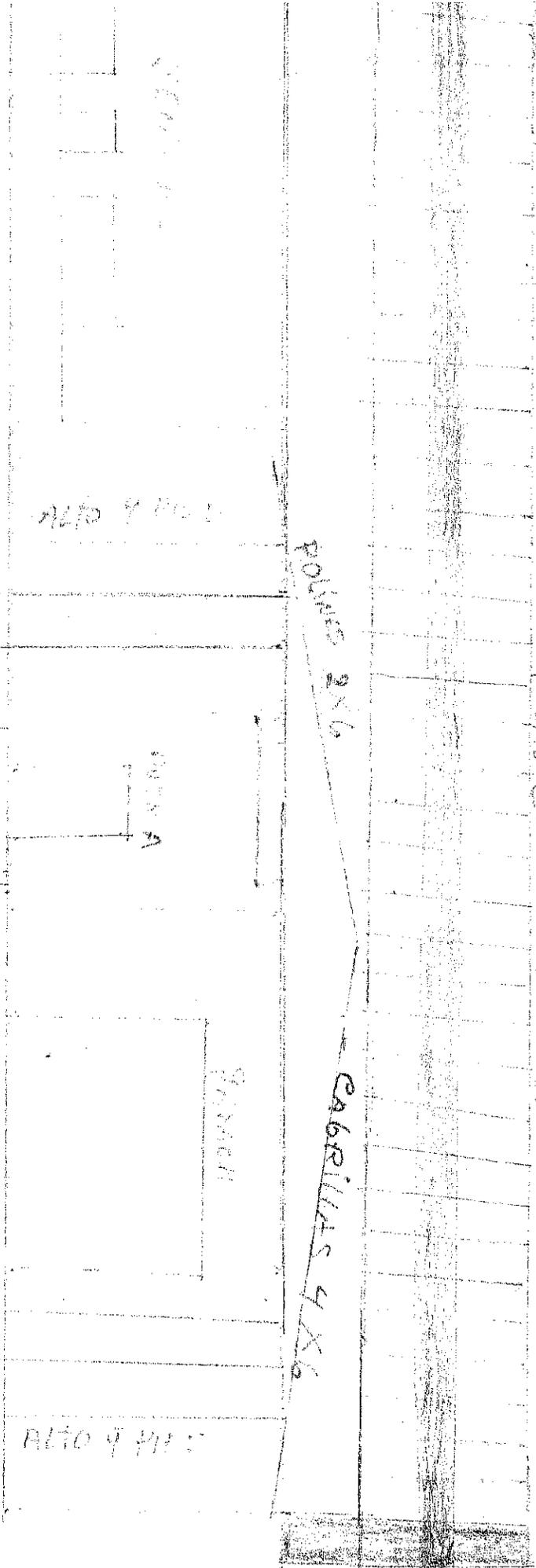


3 PIES
DEBIDO A

ESPASIO DE LA
PUERTA

9 PIES

9 PIES





City of Lovington

214 South Love Street
PO Box 1268
Lovington, NM 88260

Bus: 575-396-2884
Fax: 575-396-6328
jwilliams@lovington.org

January 14, 2014

Request for Variance

The purpose of this letter is to inform you that a request for a variance in zoning has been submitted to the Lovington Planning and Zoning Commission for the property located at 715 West Avenue I, Lovington, New Mexico. The property owner has requested a variance be granted for a carport which exceeds the square footage allowed by ordinance. This request will be considered at their next regularly scheduled meeting on February 3, 2014 at 4 p.m. held at City Hall, 214 South Love Street, Lovington, New Mexico.

We are providing notification to each property owner within 100 feet of the area, excluding public right of ways, of this variance request. This request, with the recommendation from the Planning and Zoning Commission, will be presented to the Lovington City Commission for final approval at their February 10, 2014 meeting.

If you have any questions, please do not hesitate to contact me at 575-396-2884 or via email at jwilliams@lovington.org.

Sincerely,

A handwritten signature in black ink, appearing to read "J.R.W.", with a stylized flourish at the end.

James R. Williams
City Manager

JOSE CAMPOS 510-510-016 - 1-1-11

I'm asking for signatures from all my neighbors as a petition for building a carport for my cars in front of my house located 715 W. Avenue I. I would appreciate the help. Thank you. Carport size 22 x 29

Brandon + Chelsea Collis 716 W. Ave. I, it's ok with us!
1-7-14

Dinger Granata, 718 W. Avenue I, it's ok with us too. There used to be a carport there, so ~~no~~ replacing it is fine with us. 1/7/14

Emery Thronberg, 707 W. Avenue I. It's ok to erect a carport 1/7/14

SARCEL E. BONDS ITS GOOD TO GO!

Bobby Rice 703 W. Ave I 1/7/14

Charney Rogers 719 W. Ave. I 1/7/14

Beth Bell Moore 710 W Ave I 1/07/14

Sara Bell - 710 W. Ave I 1/07/14

(575) 396-1576
Jose

25

39257

WARRANTY DEED

Sandy McLellan, joined pro-forma by Todd M. McLellan, her husband
for consideration paid grants to

José Campos and Fortina Campos, husband and wife as joint tenants with rights of survivorship

whose address is 1213 W. MONROE LOVINGTON, NM 88260

the following described real estate in LEA county, New Mexico

FOR SURFACE TITLE ONLY:

Lot Four (4), Block Six (6), Carter Addition to the City of Lovington, Lea County, New Mexico.

Subject to reservations, restrictions and easements appearing of record with warranty covenants.

WITNESS our hands and seals on 1/7/12

Sandy McLellan
X SANDY MCLELLAN
Todd M. McLellan
X TODD M. MCLELLAN

STATE OF Colorado
COUNTY OF Montezuma ss

This instrument was acknowledged before me on 1/7/12, by
Sandy McLellan, joined pro-forma by Todd M. McLellan, her husband

Janis Beck
Notary Public



X My commission expires: 12/31/12

RETURN TO: GRANTEE

BOOK 1761 PAGE 383

STATE OF NEW MEXICO
COUNTY OF LEA
FILED

JAN 23 2012

at 2:39 o'clock P M
and recorded in Book _____
Page _____
Pat Chappelle, Lea County Clerk
By Shirley Deputy



39257

CITY OF LOVINGTON
STAFF SUMMARY FORM



MEETING DATE: February 3, 2014

TYPE: RESOLUTION ORDINANCE PROCLAMATION INFORMATION OTHER ACTION

SUBJECT: Carport
DEPARTMENT: Code Enforcement
SUBMITTED BY: Benny Brito
DATE SUBMITTED: 11-3-2013

STAFF SUMMARY:

^{Brito}
Benny Brito has installed a 18X20 per-fabricated metal carport on lot 22 block 9 of the Cowan Addition.

This type of carport does not meet LMC 17.20.040. It does not attach to a permanent building.

Benny is asking for a variance to allow the use of the pre-fabricated carport not attached to the permanent building..

FISCAL IMPACT:

REVIEWED BY: _____

(Finance Director)

ATTACHMENTS:

Planning and Zoning application, site plan review form, warranty deed, notification letter, list of properties to notify, copies of return receipt..

RECOMMENDATION:

It is my recommendation to approve the pre-fabricated carport. It will still have to meet all other requirements. Such as state permit, ingress and egress must be assured by a concrete driveway the width of the carport.

Laura Brock

Department Head

[Signature]
City Manager

PLANNING AND ZONING APPLICATION

- Type(s):
- | | | |
|---|--|--|
| <input type="checkbox"/> VARIANCE | <input type="checkbox"/> SPECIAL USE | <input type="checkbox"/> CONDITIONAL USE |
| <input type="checkbox"/> ZONE CHANGE | <input type="checkbox"/> VACATION | <input type="checkbox"/> ANNEXATION |
| <input checked="" type="checkbox"/> CARPORT | <input type="checkbox"/> RV PARK | <input type="checkbox"/> MOBILE HOME PARK |
| <input type="checkbox"/> PLAT | <input type="checkbox"/> REPLAT | <input type="checkbox"/> ALTERNATE SUMMARY |
| <input type="checkbox"/> BUILDING | <input type="checkbox"/> MOBILE/MANUFACTURED | <input type="checkbox"/> WATER CONNECTION |
| <input type="checkbox"/> SEWER CONNECTION | <input type="checkbox"/> CURB CUT | <input type="checkbox"/> SIGN |

Applicant Name: Benny Brito
Mailing Address: 801 N. Lauderdale
Odessa, TX 79763
Phone Number: 432-894-7705
Property Address (Site Location): 416 W. Tyler
Lovington, Nm 88260
Property Owner(s): Benny Brito

Brief Description of Request: Install a 18' x 20' pre-fabricated metal carport.

Subdivision: Cowan Addition Zone: A B C D
Block: 9
Lot: 21 and 22
Owner Number: _____ Parcel Number: _____
Book: _____ Page: _____

Present Use of Property: residence

Applicant Signature: Benny Brito Date: 11-3-13

To ensure placement on the agenda, submit all materials three weeks in advance of your scheduled meeting.

Date Received by Code Enforcement: 11-3-13
Code Enforcement Officer Name: Laura Brock
Code Enforcement Officer Signature: Laura Brock

Site Plan Review Form

Applicants Name: <u>Benito G. Brito</u>			
Applicants Address: <u>416 W. Tyler</u>			
Applicants Phone Number, Fax, Email: <u>432-559-4409 - 432-894-7705</u> <u>bennybrito@yahoo.com</u>			
2013	Brief Description of Project:		
50x140 sits on two lots			
Subdivision, Zoning Information: Zone A,B,C,D, Name, Block, Lot, District <u>Cowan Addition, Lots 21, 22, Block 9</u>			
Owner number <u>0020425</u>		Parcel Number <u>416 W. Tyler</u>	
Applicants Status: Date Tentative		P&Z Date and Time	
Officer Recommendations:			
Applicants Signature	Date	Officer Signature	Date

WARRANTY DEED

Benito G. Brito and Trini B. Conteras

Benito G. Brito, for consideration paid grant to

whose address is 416 W. Tyler Lovington NM 88260

the following described real estate in Lea County, New Mexico:

The surface estate of lots 21 + 22, Block 9, Cowan Addition to the City of Lovington, Lea County, New Mexico, subject however to patent reservations and other reservations and restrictions of record including zoning restrictions of records, with warranty covenants.

with warranty covenants.

WITNESS hand and seal this day of , 20

Trini B. Conteras
Benito G. Brito

Signature(s) of person(s) selling property

STATE OF NEW MEXICO)

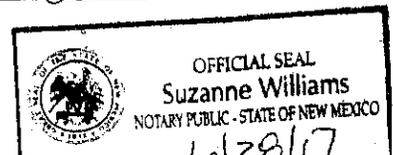
County of Lea) ss:

This instrument was acknowledged before me this 16th day of July, 2013.

by Benito G. Brito and Trini B. Conteras
(Name(s) of Person(s) signing document)

My Commission Expires June 28, 2017.

Suzanne Williams
Notary Public



STATE OF NEW MEXICO)

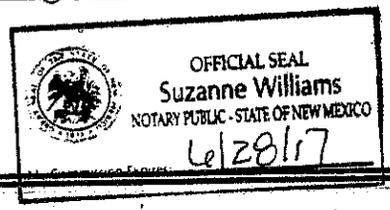
County of Lea)
ss:

This instrument was acknowledged before me this 16th day of July, 2013.

by Benito G. Brito and Trini B. Conteras
(Name(s) of Person(s) signing document)

My Commission Expires June 28, 2017.

Suzanne Williams
Notary Public



07931

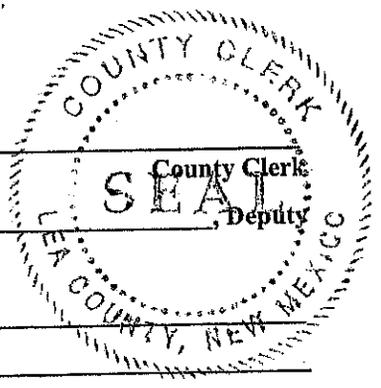
STATE OF NEW MEXICO)
County of Lea)
ss:

Record of Deeds of said County

Pat Chappelle

By Ray Dawson

Return to Grantlee



I hereby certify that this instrument was filed for
record on the 16th day of
July, A.D. 2013
at 10:53 o'clock A M., and duly recorded in
Book 1846 Page 810 of

BOOK 1846 PAGE 810



City of Lovington

214 South Love Street
PO Box 1268
Lovington, NM 88260

Bus: 575-396-9329
Fax: 575-396-6328
lbrock@lovington.org

January 21, 2014

Request for Variance

The purpose of this letter is to inform you that a request for a variance in zoning has been submitted to the Lovington Planning and Zoning Commission for the property located in 400 block of West Tyler; Cowan Addition block 9, lot 22, Lovington, New Mexico (see other side for map). The property owner has requested a variance be granted for a pre fabricated carport that does not attach to a permanent building that is not allowed by ordinance. This request will be considered at their next regularly scheduled meeting on February 3, 2014 at 4 p.m. held at City Hall, 214 South Love Street, Lovington, New Mexico.

We are providing notification to each property owner within 100 feet of the area, excluding public right of ways, of this variance request. This request, with the recommendation from the Planning and Zoning Commission, will be presented to the Lovington City Commission for final approval at their February 10, 2014 meeting.

If you have any questions, please do not hesitate to contact me at 575-396-9329 or via email at lbrock@lovington.org.

Sincerely,

Laura Brock
Animal/Code Enforcement Officer
City of Lovington NM 88260

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Vicente R. Balderas
400 N. 18th St
Lovington NM 88260

2. Article Number
(Transfer from service label)

7012 1640 0000 3216 2878

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Vicente R. Balderas* Agent
 Addressee

B. Received by (Printed Name)

STINA BALDERAS 1/22/04

C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Baptist Church
401 W. Tully
Lovington NM
88260

2. Article Number
(Transfer from service label)

7012 1640 0000 3216 2915

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-14

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Tom Couff* Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

William Barr Jr
509 W. Tyler
Lovington NM
88260

2. Article Number
(Transfer from service label)

7012 1640 0000 3216 2908

PS Form 3811, February 2004

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Lawriaba*

B. Received by (Printed Name)

C.
D. Is delivery address different from item 1?
If YES, enter delivery address below:

3. Service Type

- Certified Mail
- Express Mail
- Registered
- Return Receipt for Merchandise
- Insured Mail
- C.O.D.

4. Restricted Delivery? (Extra Fee)

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Leslie Brow
3003 Apache Dr
Lovington NM 88260

2. Article Number
(Transfer from service label)

7012 1640 0000 3216 2892

PS Form 3811, February 2004

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Leslie Brow* Agent Address

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below: *USE*

3. Service Type

- Certified Mail
- Express Mail
- Registered
- Return Receipt for Merchandise
- Insured Mail
- C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Signature <input checked="" type="checkbox"/> <i>Jim Camp</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to:		B. Received by (Printed Name)	C. Date of Delivery
Jim Camp 409 W. Tyler Lovington NM 88260		<input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:	
2. Article Number (Transfer from service label)		7012 1640 0000 3216 2885	
PS Form 3811, February 2004		Domestic Return Receipt	
		102595-02-M-15	

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Signature <input checked="" type="checkbox"/> <i>Samuel Flores</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to:		B. Received by (Printed Name)	C. Date of Delivery
Samuel Flores 1113 W. Jackson Lovington NM 88260		<input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:	
2. Article Number (Transfer from service label)		7012 1640 0000 3216 2861	
PS Form 3811, February 2004		Domestic Return Receipt	
		102595-02-M-15	

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Signature <input checked="" type="checkbox"/> <i>Sherron Little</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to:		B. Received by (Printed Name)	C. Date of Delivery
Sherron Little PO Box 793 Lovington NM 88260		<input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:	
2. Article Number (Transfer from service label)		7012 1640 0000 3216 2854	
PS Form 3811, February 2004		Domestic Return Receipt	
		102595-02-M-15	

BAPTIST CHURCH,, ✓
401 W TYLER AVE LOVINGTON NM
88260

BRITO, BENITO G,
418 W TYLER AVE LOVINGTON NM
88260

BRITO, BENITO G,
418 W TYLER AVE LOVINGTON NM
88260

BALDERAZ, VICENTE R,
400 N 18TH ST LOVINGTON NM
88260

BRITO, BENITO G,
418 W TYLER AVE LOVINGTON NM
88260

FLORES, SAMUEL, ✓
1113 W JACKSON AVE LOVINGTON
NM 88260

LITTLE, SHERRON E, ✓
PO BOX 793 LOVINGTON NM 88260

BAPTIST CHURCH, ✓
401 W TYLER AVE LOVINGTON NM
88260

BARR, WILLIAM JR, ✓
509 W TYLER AVE LOVINGTON NM
88260

BARR, WILLIAM HOWARD,
509 W TYLER AVE LOVINGTON NM
88260

BAPTIST CHURCH,,
401 W TYLER AVE LOVINGTON NM
88260

BROW, LESLIE ANELL, ✓
3003 APACHE DR LOVINGTON NM
88260

CAMP, JIM ALTON, ✓
409 W TYLER AVE LOVINGTON NM
88260

BROW, LESLIE A,
3003 APACHE DR LOVINGTON NM
88260