

**REGULAR MEETING OF THE PLANNING & ZONING COMMISSION  
MONDAY, OCTOBER 7, 2013 @ 4:00 P.M.  
HELD IN CITY COMMISSION CHAMBERS, 214 SOUTH LOVE STREET**

**PURPOSE OF MEETING:**

- Consideration of Approval of Setback Variance – 121 E. Ave N
- Consideration of Approval for Mobile Home Permit – 510 W. Harrison
- Consideration of Approval for Mobile Home Permit – 523 W. Harrison
- Consideration of Approval for Mobile Home Permit – 709 N. Chavez
- Consideration of Approval for Mobile Home Permit – 277 E. Ave C
- Discussion of Planning & Zoning Commission Schedule Meetings

**PRESENT:** Members: Chairman Kallie Richards, Vice Chairman Lynda Kreybig, Bobby Kimbro, David Lynch, and Abel Cabello

**NOT PRESENT:** Member Betty Price and Randy Pettigrew

**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 Richards at 4:00 p.m.

**APPROVAL OF AGENDA:** Chairman Richards called for a motion to approve the agenda as submitted. Member Lynch so moved to table action items: tabs 3 – 6 on the agenda and allow Code Enforcer Brock to handle those three items. Member Cabello seconded. Motion was approved.

**APPROVAL OF REGULAR MINUTES OF SEPTEMBER 4, 2013:** Chairman Richards called for a motion to approve the regular minutes of September 4, 2013. Member Lynch so moved to approve the minutes as submitted. Member Kimbro seconded. Motion was approved.

**ACTION ITEMS:**

**CONSIDERATION OF APPROVAL OF SETBACK VARIANCE – 121 E. AVE N:** Chairman Richards called for a motion to approve the setback variance at 121 E. Ave N. City Manager Williams addressed the members stating that Angelica Vasquez, property owner is requesting a setback variance at this property. Mr. Williams stated that for a corner lot in the municipal code, the rear yard designates as the section opposite the street frontage with the least dimension. Mrs. Vasquez would like to request and designate the yard opposite of Avenue N as the rear yard. If the variance is approved, the mobile home will be in conformance with the City Code setback requirements. Mr. Knuckles submitted a diagram to the members for view and came into the conversation via telephone conference stating his concerns about how close this mobile home is to his home and fire safety hazards. Mrs. Vasquez addressed the members stating she came to Planning & Zoning last year to request to subdivide and put a mobile home. Mrs. Vasquez was told by Code Enforcer Brock she met all the requirements. Member Kreybig so moved. Member Lynch seconded. Motion was approved.

**NON ACTION ITEMS:**

**DISCUSSION OF PLANNING & ZONING COMMISSION SCHEDULE MEETINGS:**

City Manager Williams addressed the members stating that staff would like to discuss the possibility of Planning & Zoning Commission meetings be three (3) months in advance. This change will allow staff to better plan for meetings and provide notice to applicants. Chairman Richards decided to schedule the next three meetings which will be:

- Monday, November 4, 2013
- No Meeting in December 2013
- Monday, January 6, 2013

The members agreed with the scheduled dates mentioned above.

**PUBLIC COMMENT:**

Blas Velasquez Jr. addressed the members stating he would like to get help regarding getting a curb and a gutter on his street. Mr. Velasquez stated he lives at 1300 W. Ave K and would like to finish his landscaping project but he cannot due to water flood and no curb and gutter. City Attorney McMahan suggested to Mr. Velasquez to go to the County Courthouse for more information about the developer, restrictive covenants and the subdivision. The subdivision was developed in 1979.

**OTHER COMMENT:**

Chairman Richards asked City Manager Williams about the new ordinances that were submitted for approval to the Commissioners. Mr. Williams stated that they will be acted on October 28, 2013 at the City Commission meeting. Chairman Richards asked Code Enforcer Brock to look into the three (3) RV's on Eddy & Ave A.

- Community Forum will be Thursday, October 10, 2013 at 5:00 p.m. The other dates for this event will be on October 29 & November 5, 2013 anyone is invited to attend.

**ADJOURNMENT:**

Member Lynch made the motion for adjournment at 5:00 p.m. Member Kimbro seconded.

**APPROVED:** \_\_\_\_\_  
**CHAIRMAN RICHARDS**

**ATTEST:** \_\_\_\_\_  
**VICE CHAIRMAN KREYBIG**

**CITY OF LOVINGTON**  
STAFF SUMMARY FORM



MEETING DATE: 11-4-2013

TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Variance for Carport  
**DEPARTMENT:** Code Enforcement  
**SUBMITTED BY:** Laura Brock  
**DATE SUBMITTED:** 10-29-2013

**STAFF SUMMARY:**

Marybell Perez, is requesting a variance for a carport. She wants a carport that is 625 sq ft. that will accommodate her 3 car garage. Ordinance 17.20.040 B states that a carport can be no larger than four hundred and eighty square feet.

**FISCAL IMPACT:**

N/A

REVIEWED BY: \_\_\_\_\_

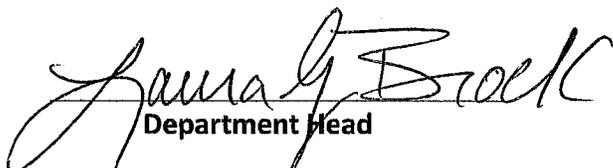
(Finance Director)

**ATTACHMENTS:**

site plan, warranty deed, application

**RECOMMENDATION:**

Approval for variance for 625 sq ft, (25x28) ; state permit must be secured and all state rules complied with.

  
Department Head

\_\_\_\_\_  
City Manager

### PLANNING AND ZONING APPLICATION

- Type(s):
- VARIANCE
  - SPECIAL USE
  - CONDITIONAL USE
  - ZONE CHANGE
  - VACATION
  - ANNEXATION
  - CARPORT
  - RV PARK
  - MOBILE HOME PARK
  - PLAT
  - REPLAT
  - ALTERNATE SUMMARY
  - BUILDING
  - MOBILE/MANUFACTURED
  - WATER CONNECTION
  - SEWER CONNECTION
  - CURB CUT
  - SIGN

Applicant Name: Marybell Pérez  
 Mailing Address: 1302 W Jackson  
Lovington N.M 88260  
 Phone Number: (704) ~~2704~~ - 7347 or 942-4676  
 Property Address (Site Location): same as above

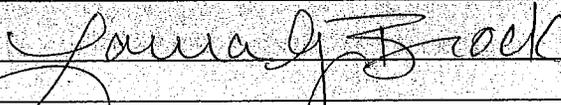
Property Owner(s): Jose or Marybell Pérez

Brief Description of Request: Carport 62.5 sq ft to accommodate 3 car garage.

Subdivision: West Ridge Zone:  A  B  C  D  
 Block: 1  
 Lot: 1, 2, 3  
 Owner Number: 78443 Parcel Number: 4000784430001  
 Book: \_\_\_\_\_ Page: \_\_\_\_\_

Present Use of Property: Zone B - residential

Applicant Signature:  Date: 10-26-2013

Date Received by Code Enforcement: 10-28-13  
 Code Enforcement Officer Name: Laura J Brock  
 Code Enforcement Officer Signature: 

### CODE ENFORCEMENT SUPPLEMENT

Does request require adjacent property owner and public notification?

Yes  No

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

10/29/13

Was notification sent by:

Certified Mail<sup>1</sup>

1<sup>st</sup> Class Mail<sup>2</sup>

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 publication<sup>3</sup>:

\_\_\_\_\_

**Code Enforcement Recommendation:**

17.020.040 B. A carport no larger than four hundred eighty square feet or twenty feet long & twenty-four feet wide.

I recommend approval of variance for carport to be 625 sq ft, 25 x 23 with the understanding that all state rules are complied with.

Laura J Brock  
Reviewing Officer Name

Laura J Brock  
Reviewing Officer Signature

10-28-13  
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.



## Carport Permit

The first step in obtaining a permit is to complete the Planning and Zoning Application. This document provides the basic information required for all City planning, zoning and permitting applications. The following check list provides additional requirements for your specific application. Please attach all of the requested documentation, sign, and date.

### Permit Requirements

- 1) Submit a completed Planning and Zoning Application. All fields must be completed and legible in order to process the application.
- 2) Pay the Carport Permit processing fee.
- 3) Provide proof of ownership or interest in the property. A deed with a legal description or property lease will meet this requirement. If the applicant is not the owner, an Affidavit by Property Owner(s) is required.
- 4) Submit a site plan. Site plans must show the property lines, building dimensions, lot area, lot dimensions, easements, building setbacks, road access points, and the location of utilities.
- 5) The carport must meet the appropriate setback requirements: 
  - Front – Five (5) feet from the point below the roofline to the property line
  - Side – Five (5) feet from the point below the roofline to the property line
  - Rear – No setback requirement
- 6) Submit carport design specifications. The carport must meet the following: 
  - No larger than four hundred eighty (480) square feet, or twenty (20) feet long by twenty four (24) feet wide
  - Attach to a permanent building
  - Match or conform to the permanent building in materials, character, and design
  - No walls or doors that may interfere with vision
  - Access must be assured by a concrete driveway the width of the carport
- 7) Submit one copy of the approved state building permit(s).
- 8) A final inspection is required after construction to ensure the carport meets all of the regulations set forth above.

Applicant Name: \_\_\_\_\_

Date: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_

**Preliminary Approval**

Code Enforcement Officer Name: \_\_\_\_\_

Date: \_\_\_\_\_

Code Enforcement Officer Signature: \_\_\_\_\_

**Final Inspection**

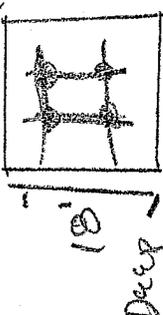
Code Enforcement Officer Name: \_\_\_\_\_

Date: \_\_\_\_\_

Code Enforcement Officer Signature: \_\_\_\_\_



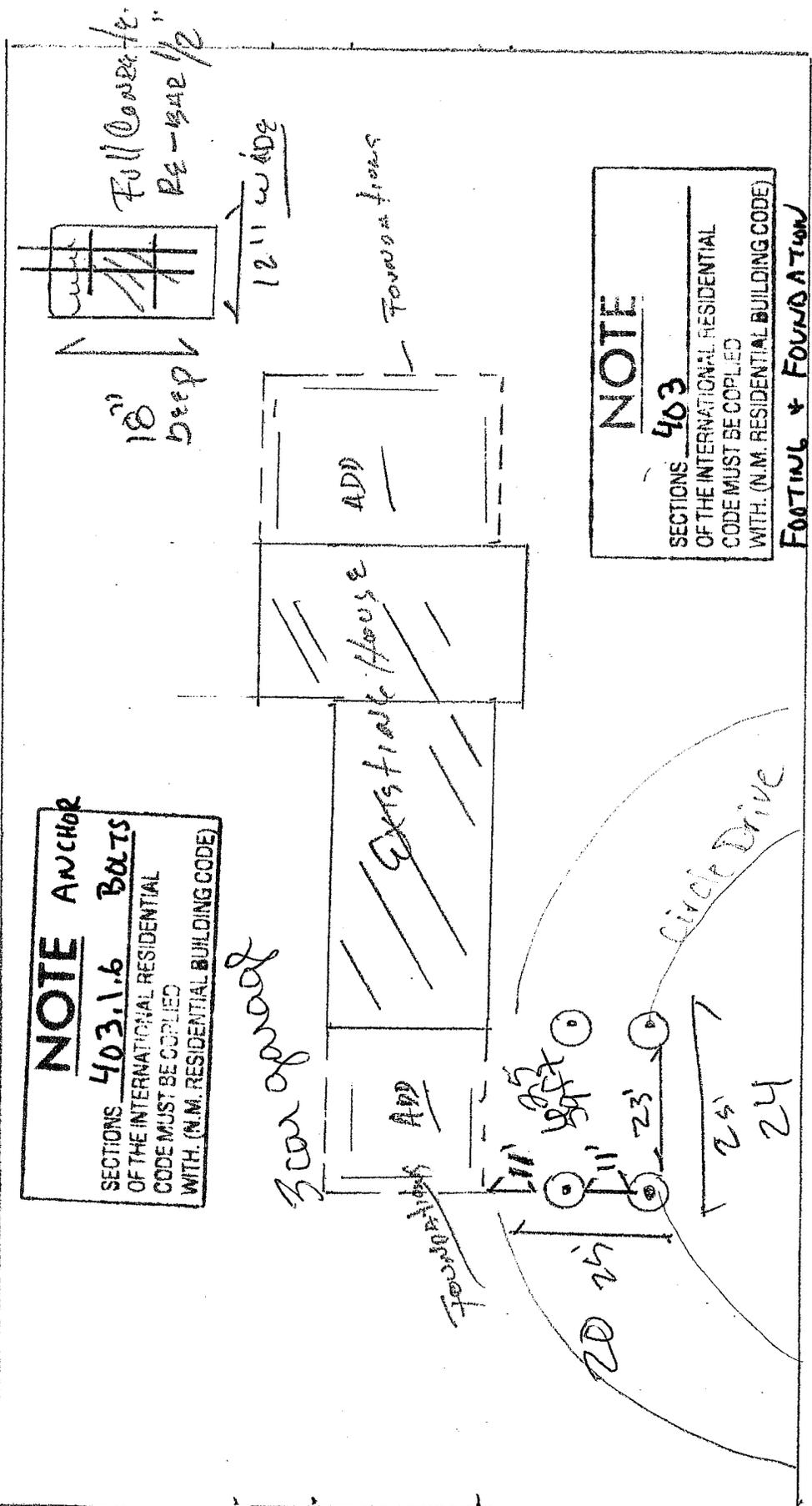
Carport 401189  
Full Concrete  
Re-bar 1/2"



Foundations Plan

State of New Mexico  
Construction Industries Division

NOBLE 1/2"  
ATIONS 18" D - 24" x 24" - Full Concrete.  
Carport 18" D - 24" x 24" - Full Concrete.  
A1 Re-bar 1/2"



**NOTE ANCHOR**  
SECTIONS 403.1.6 BOLTS  
OF THE INTERNATIONAL RESIDENTIAL  
CODE MUST BE COPIED  
WITH (N.M. RESIDENTIAL BUILDING CODE)

**NOTE**  
SECTIONS 403  
OF THE INTERNATIONAL RESIDENTIAL  
CODE MUST BE COPIED  
WITH (N.M. RESIDENTIAL BUILDING CODE)  
**FOOTING & FOUNDATION**

490 FT  
58  
Jackson St

Robert

432-~~809~~-6682  
209



## CITY OF LOVINGTON

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

Bus: 575-396-2084  
Fax: 575-396-6328  
[admin@lovington.org](mailto:admin@lovington.org)

October 29, 2013

### 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 1302 W. Jackson, Lovington, New Mexico. The property owner has requested a variance be granted in regards to the size of a carport which exceeds the square footage allowed by ordinance. The meeting at which this request will be considered will be held on November 4, 2013 at 4:00 p.m. at City Hall, 214 S. Love Street, Lovington, New Mexico.

We are providing notification to each owner of property 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 November 25, 2013 City Commission Meeting.

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

Sincerely,

A handwritten signature in black ink, appearing to read "JR Williams".

James R. Williams  
City Manager

**CITY OF  
LOVINGTON**

Post Office Box 1269  
Lovington, New Mexico  
88260

**VALLEY SPRINGS GOLD CREEK, INC  
28082 NICHOLS RD  
GALT, CA 95632**

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**CITY OF  
LOVINGTON**

Post Office Box 1269  
Lovington, New Mexico  
88260

**CRUZ GUSTAVO HERNANDEZ  
900 N. 17TH ST  
LOVINGTON, NM 88260**

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**CITY OF  
LOVINGTON**

Post Office Box 1269  
Lovington, New Mexico  
88260

**MATTHEW E. HONEYMAN  
1303 W. JACKSON  
LOVINGTON, NM 88260**

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**CITY OF  
LOVINGTON**

Post Office Box 1269  
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88260

**ERIC M. ANZALDO  
1301 W. JACKSON  
LOVINGTON, NM 88260**

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**CITY OF  
LOVINGTON**

Post Office Box 1269  
Lovington, New Mexico  
88260

**THELMA L. SCOTT  
1307 W. JACKSON  
LOVINGTON, NM 88260**

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**CITY OF  
LOVINGTON**

Post Office Box 1269  
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88260

**BRADLEY SCHOOLCRAFT  
1305 W. JACKSON  
LOVINGTON, NM 88260**

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CITY OF  
LOVINGTON

Post Office Box 1269  
Lovington, New Mexico  
88260

ANTHONY ALVAREZ  
1217 W. VAN BUREN  
LOVINGTON, NM 88260

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CITY OF  
LOVINGTON

Post Office Box 1269  
Lovington, New Mexico  
88260

HENRY Q. GUTIERREZ  
1401 W. JACKSON  
LOVINGTON, NM 88260

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**CITY OF  
LOVINGTON**

Post Office Box 1269  
Lovington, New Mexico  
88260

**EFREN HERNANDEZ  
1218 W. JACKSON  
LOVINGTON, NM 88260**

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**CITY OF  
LOVINGTON**

Post Office Box 1269  
Lovington, New Mexico  
88260

**JOHN MCCULLOUGH  
1213 W. VAN BUREN  
LOVINGTON, NM 88260**

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Office Box 1269  
ton, New Mexico  
88260

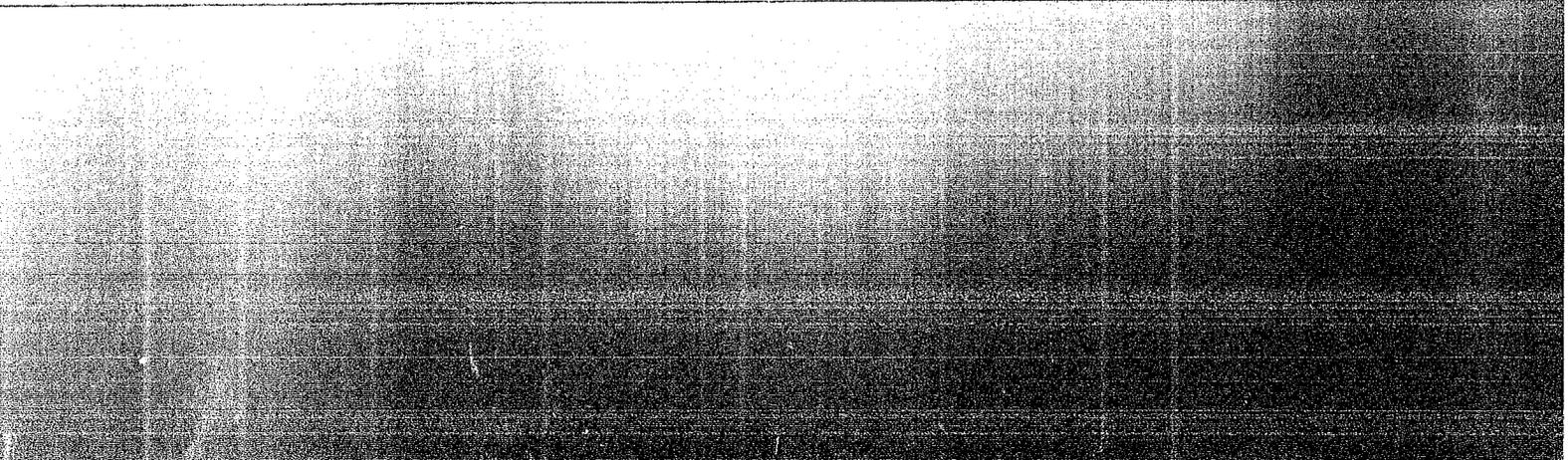
RUDY QUIROZ  
1405 W. AVE H  
LOVINGTON, NM 88260

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CITY OF  
OVINGTON

Post Office Box 1269  
ovington, New Mexico  
88260

JOSE R HOLGUIN  
1214 W. JACKSON  
LOVINGTON, NM 88260



CITY OF  
LOVINGTON

Post Office Box 1269  
Lovington, New Mexico  
88260

EDDIE HERMOSILLO  
1213 W. JACKSON  
LOVINGTON, NM 88260

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CITY OF  
LOVINGTON

Post Office Box 1269  
Lovington, New Mexico  
88260

RUDY QUIROZ  
1217 W. JACKSON  
LOVINGTON, NM 88260

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**CITY OF LOVINGTON**  
STAFF SUMMARY FORM



MEETING DATE: November 4, 2013

TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Traffic Control Measures 13th and Avenue M  
**DEPARTMENT:** Executive  
**SUBMITTED BY:** James R. Williams, City Manager  
**DATE SUBMITTED:** October 29, 2013

**STAFF SUMMARY:**

Staff are requesting a recommendation from the Planning and Zoning Commission in regards to traffic control measures in the area of 13th and Avenue M. This issue was previously presented to the City Commission, who in turn requested a broader plan or recommendation for traffic control in the area. At the October 28, 2013 meeting, another citizen addressed the Commission with their concerns about speeding throughout the area.

The Police Department did increase enforcement in the area. This resulted in minimal impact.

**FISCAL IMPACT:**

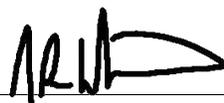
REVIEWED BY: \_\_\_\_\_  
(Finance Director)

**ATTACHMENTS:**

Map of area

**RECOMMENDATION:**

\_\_\_\_\_  
Department Head

  
\_\_\_\_\_  
City Manager



1996

Imagery Date: 3/2/2012 32°56'06.15" N 103°21'52.88" W elev 3926 ft eye alt 6260 ft