

CITY OF LOVINGTON
PLANNING & ZONING COMMISSION REGULAR MEETING
WEDNESDAY, JUNE 12, 2013 @ 4:00 P.M.
TO BE HELD AT 214 S. LOVE STREET

AGENDA

OPEN MEETING

Call to Order

Approval of Regular Minutes of May 20, 2013

ACTION ITEMS

Consideration of Approval of Fern Subdivision Replat

TAB 1

Consideration of Approval of Simpson Subdivision Final Plat - Lots 12, 13, & 14

TAB 2

NON-ACTION ITEMS

PUBLIC COMMENT

OTHER BUSINESS

ADJOURNMENT

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk at 575-396-2884 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the City Clerk at 575-396-2884 if a summary or other type of accessible format is needed.

REGULAR MEETING OF THE PLANNING & ZONING COMMISSION
MONDAY, MAY 20, 2013 @ 4:00 P.M.
HELD IN CITY COMMISSION CHAMBERS, 214 SOUTH LOVE STREET

PURPOSE OF MEETING:

- Consideration of Approval to Vacate lots 12, 13, 14 at Simpson Subdivision
- Consideration of Approval of Variance for Setbacks lots 38 & 25 at Sunrise Addition
- Consideration of Approval of Variance on Setbacks for Fairview Addition
- Consideration of Approval of Variance at 505 W. Harrison
- Consideration of Approval to subdivide lot on Block 96, Llano Addition

PRESENT: Members: Betty Price, David Lynch, Randy Pettigrew, Vice Chairman Lynda Kreybig and Chairman Kallie Richards.

NOT PRESENT: Members Nell Lewis and John Benard

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

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 amend the agenda to change lot 38 to 36 at Sunrise Addition. Member Pettigrew so moved. Vice Chairman Kreybig seconded. Motion was approved.

APPROVAL OF MINUTES: Chairman Richards called for a motion to approve the regular minutes of April 15 and called minutes of May 6, 2013. Member Price so moved to approve the minutes of April 15 and May 6, 2013. Member Pettigrew seconded. Motion was approved.

CONSIDERATION OF APPROVAL TO VACATE LOTS 12, 13 & 14 AT SIMPSON SUBDIVISION: Chairman Richards called for a motion to approve to vacate lost 12, 13 & 14 at Simpson Subdivision. Robert Fierro on behalf of Fierro & Company addressed the members to request to vacate lots to proceed with the replat and submit replat to the members. Member Lynch so moved. Member Price seconded. Motion was approved.

CONSIDERATION OF APPROVAL OF VARIANCE FOR SETBACKS LOTS 38 & 25 AT SUNRISE ADDITION: Chairman Richards called for a motion to approve the variance. David Gallegos addressed the members to request a variance. Member Pettigrew so moved. Member Price seconded. Motion was approved.

CONSIDERATION OF APPROVAL OF VARIANCE ON SETBACKS FOR FAIRVIEW ADDITION: Chairman Richards called for a motion to approve the variance. Mayra Perales addressed the members to request for a variance. Member Pettigrew so moved to approve contingent upon valid of ownership of property. Member Lynch seconded. Motion was approved.

CONSIDERATION OF APPROVAL OF VARIANCE AT 505 W. HARRISON: Chairman Richards called for a motion to approve the variance to leave doublewide trailer blocked vs. permanent foundation. Manuel Haro addressed the members to request for a variance. Chairman Richards asked Code Enforcer Brock to find out through FHA on what is the cheapest way to put on a permanent foundation. Member Pettigrew so moved to deny the request for a variance. Member Price seconded. Motion was denied.

CONSIDERATION OF APPROVAL TO SUBDIVIDE LOT ON BLOCK 96, LLANO ADDITION: Chairman Richards called for a motion to approve to subdivide lot on block 96. Member Price so moved to table the request due to Mrs. Palomino not being present. Member Pettigrew seconded. Motion was approved.

OTHER COMMENT: City Manager Williams announced to the members about Nell Lewis resignation. He also asked the members for suggestions for the new board member. Chairman Richards suggested Abel Cabello and other members suggested Robert Cox. Code Enforcer Brock mentioned to the members that a board member must have real property in the city to be a member of the board and if any member or commission shall be automatically terminated if such member shall absent himself from more than two consecutive regular meetings of his board or commission without having notified his chairman in advance of the reason for such absence, provided that the city commission, at its discretion, may continue any member in office is sufficient reason be shown for his absence. Code 2.64.060 – Termination.

ADJOURNMENT:

Member Pettigrew made the motion for adjournment at 5:35p.m. Member Price seconded.

APPROVED: _____

CHAIRMAN RICHARDS

ATTEST: _____

VICE CHAIRMAN KREYBIG

**CITY OF LOVINGTON
STAFF SUMMARY FORM**

PLANNING AND ZONING BOARD
 LOVINGTON ETZ BOARD



MEETING DATE: JUNE 12, 2013
SUBJECT: **CONSIDER APPROVAL OF FERN SUBDIVISION REPLAT**
REQUESTED BY: **TAMMY KABER, JOHN WEST SURVEYING CO**
ADDRESS:
DATE SUBMITTED: **5/29/2013**

STAFF SUMMARY:

Tammy Kaber on behalf of John West Surveying Co. is requesting an approval of Fern Subdivision replat.

ATTACHMENTS: Preliminary plat, Assessment Information, Map

RECOMMENDATION: Motion to approve.

Code Enforcement Officer

Johnny Cash

City Manager

James R. Williams

LEGEND

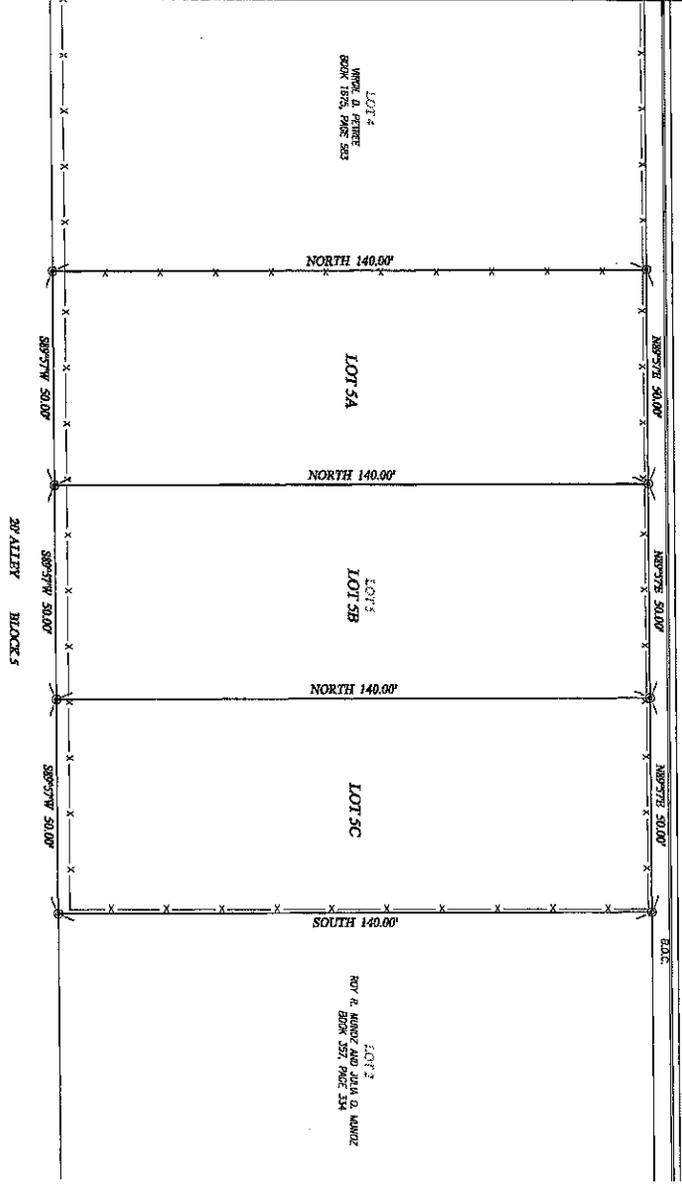
○ - BENCHMARK SET 1/2" STEEL ROD 1/4" DIA W/10" MARKED "JMSO FS 12841"

— X — - BENCHMARK PEGS LINE

NOTE:

1) BENCHMARKS SHOWN HEREON ARE BEARING TO THOSE BENCHMARKS DESCRIBED ON THE PLAN OF THE SUBDIVISION, CITY OF LOVINGTON, LEA COUNTY, NEW MEXICO, FILED MARCH 28, 1933, IN BOOK 88, ON PAGE 64 IN THE OFFICIAL RECORDS OF LEA COUNTY, NEW MEXICO. BENCHMARKS ARE SURFACE MARKERS.

KINGWOOD AVENUE



SURVEYOR'S CERTIFICATE:

I, RONALD J. EBBSON, NEW MEXICO PROFESSIONAL SURVEYOR No. 3238, DO HEREBY CERTIFY THAT THIS SURVEY PLAN AND THE ACTUAL SURVEY ON THE GROUND HAVE BEEN MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE DIRECT SUPERVISION THAT I AM RESPONSIBLE FOR THIS SURVEY, THAT THE SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

RONALD J. EBBSON _____

DATE: _____



**PLAT OF LOT 3, BLOCK 5, FERN SUBDIVISION,
CITY OF LOVINGTON, LEA COUNTY, NEW MEXICO**

DIVISION OF LOT 3, BLOCK 5, FERN SUBDIVISION TO THE CITY OF LOVINGTON, LEA COUNTY, NEW MEXICO, AND THESE LOTS.

SAID LOT IS BEING DIVIDED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED DONOR, JAMES R. WILKINS, CITY MANAGER FOR THE CITY OF LOVINGTON, LEA COUNTY, NEW MEXICO, WHO HAS HEREBY DEeded AND SUBDIVIDED AS HIS OWN THE SAID LOT INTO THE LOTS DESCRIBED ON THIS PLAT FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, REPAIRING, IMPROVING, MAINTAINING, OR REMOVING SAID UTILITIES.

IN WITNESS WHEREOF, THE UNDERSIGNED OWNER OF SAID LAND, HAVE HERETOBY SET HER HAND THIS _____ DAY OF _____, 2013.

JAMES R. WILKINS
BOOK 1575, PAGE 883

ACKNOWLEDGMENT

STATE OF NEW MEXICO
COUNTY OF LEA
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2013,
BY JAMES R. WILKINS.

NOTARY PUBLIC
AT COMMISSION EXPIRES _____

CERTIFICATE OF MUNICIPAL APPROVAL

I, JAMES R. WILKINS, CITY MANAGER FOR THE CITY OF LOVINGTON, LEA COUNTY, NEW MEXICO, DO HEREBY CERTIFY THAT THIS INSTRUMENT HAS BEEN REVIEWED AND DEEMED COMPLIANT WITH THE MUNICIPAL SUBDIVISION PROCESS REGULATIONS ON THIS DAY OF _____, 2013.

JAMES R. WILKINS, CITY MANAGER
ATTEST: CAROLE ANN HODDGE, CITY CLERK

ACKNOWLEDGMENT

STATE OF NEW MEXICO
COUNTY OF LEA
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2013,
BY JAMES R. WILKINS AND CAROLE ANN HODDGE.

NOTARY PUBLIC
AT COMMISSION EXPIRES _____

PRELIMINARY
This Document Shall Not
Be Recorded For Any Purpose

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New Mexico State Bar Association

LEA COUNTY SEAL

STATE OF NEW MEXICO
COUNTY OF LEA
FILED

PROVIDING SURVEYING SERVICES SINCE 1948
NEW MEXICO SURVEYING COMPANY
HENDER, N.M. 88240
(505) 362-5117 www.nmsurvey.com

FILE NO.: 10-1135
DATE: 08/28/13

Recorded in Book _____ Page _____
of _____ of _____
d. _____ of _____
and recorded in _____
of _____
Book _____ Page _____
Pet. Signer: Christopher, Lea County Clerk
By: _____



Lea County

GIS INTERNET REPORT



Page 1 of 2

Assessment Information

OWNER NUMBER: 20159

UPC CODE: 4000201590001

PARCEL NUMBER: 4000201590001

| Owner Information | |
|--------------------------|--------------------------------------|
| Owner: | PETREE, VIRGIL D |
| Mailing Address: | 32 W KINGWOOD AVE LOVINGTON NM 88260 |
| Property Address: | |

| Subdivision Information | |
|-------------------------|-----------------|
| Name: | FERN SUB-DIV () |
| Unit: | |
| Block | 5 |
| Lot: | 3 |

| Legal Information | |
|-------------------|---|
| LOT | 3 4 4/20/10-PETREE, VIOLA DECEASED ESTATE BY VIRGIL PETREE PR |

| Other Information | | | |
|---------------------------------|-------|--------------------------|----------|
| Taxable Value: | 5954 | Deed Book: | 1675 |
| Exempt Value: | 0 | Deed Page: | 583 |
| Net Value | 5954 | District: | 011 |
| Livestock Value: | 0 | Section: | |
| Manufactured Home Value: | 0 | Township: | |
| Personal Property: | 0 | Range: | |
| Land Value: | 3678 | Date Filed: | 20100420 |
| Improvement Value: | 14184 | Most Current Tax: | \$163.25 |
| Full Value: | 17862 | Year Recorded: | |

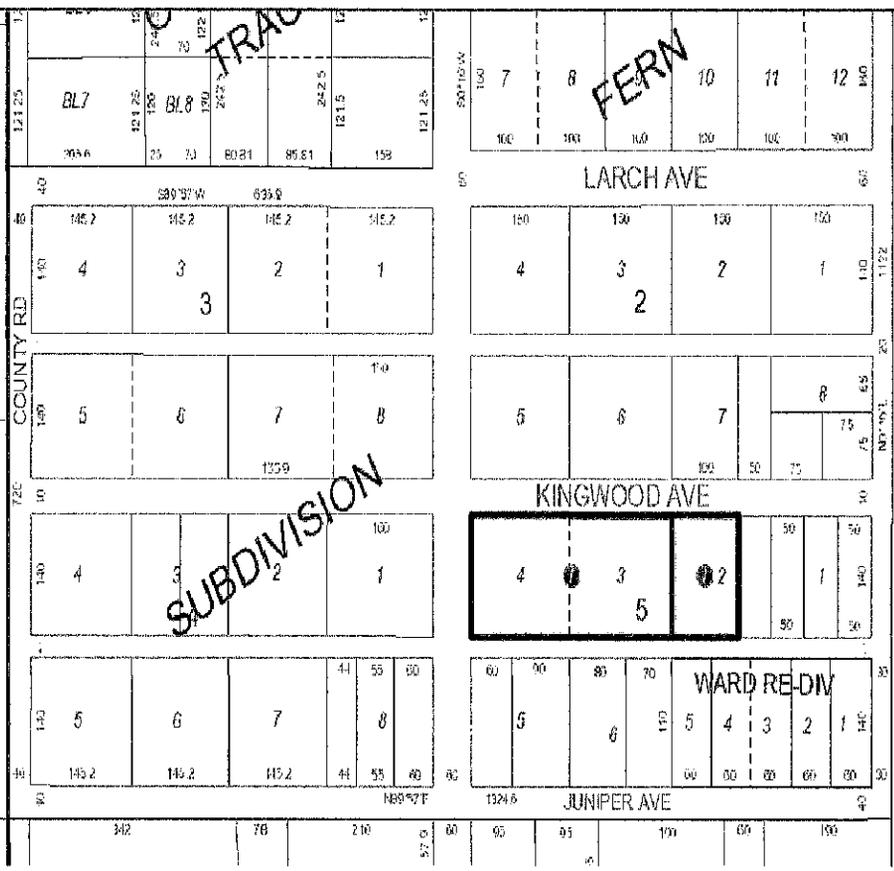
Lea County, New Mexico Disclaimer

Information deemed reliable but not guaranteed. Copyright ©2012.
 MAP TO BE USED FOR TAX PURPOSES ONLY. NOT TO BE USED FOR CONVEYANCE.

Tract 2

Tract 3

17thW 1000



Lea County New Mexico

**CITY OF LOVINGTON
STAFF SUMMARY FORM**

PLANNING AND ZONING BOARD
 LOVINGTON ETZ BOARD



MEETING DATE: JUNE 12, 2013
SUBJECT: **CONSIDER APPROVAL OF SIMPSON SUBDIVISION FINAL PLAT**
REQUESTED BY: **ROBERT FIERRO, FIERRO & CO**
ADDRESS:
DATE SUBMITTED: **5/29/2013**

STAFF SUMMARY:

Robert Fierro with Fierro & Co. is requesting an approval of Simpson Subdivision Final Plat.

ATTACHMENTS: Final Plat

RECOMMENDATION: Motion to approve.

Code Enforcement Officer

Johnny Cash

City Manager

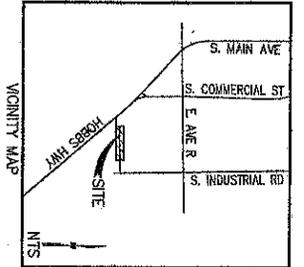
James R. Williams

SUMMARY REVIEW
 REPEAT OF LOTS 12, 13 AND 14, BLOCK 1 SIMPSON SUBDIVISION,
 CITY OF LOWINGTON, LEA COUNTY, NEW MEXICO

LEGAL DESCRIPTION

CERTIFICATE OF MUNICIPAL SUMMARY PROCESS APPROVAL:
 I, JAMES WILLIAMS, CITY MANAGER FOR THE CITY OF LOWINGTON, NEW MEXICO, DO HEREBY CERTIFY THAT THE FOREGOING PLAT IN THE CITY OF LOWINGTON, LEA COUNTY, NEW MEXICO WAS REVIEWED AND DEEMED COMPLIANT WITH THE NEW MEXICO SUMMARY PROCESS REGULATIONS ON THIS _____ DAY OF _____, 2013.

JAMES WILLIAMS, CITY MANAGER
 CAROL ANN HOGUE, CHIEF CITY CLERK



ACKNOWLEDGEMENT:
 STATE OF NEW MEXICO)
) SS.
 COUNTY OF LEA)

ON THIS _____ DAY OF _____, 2013, BEFORE ME PERSONALLY APPEARED JAMES WILLIAMS AND CAROL ANN HOGUE KNOWN TO ME TO BE THE PERSON(S) DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED.

WITNESS MY HAND AND OFFICIAL SEAL THE DAY, MONTH AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

NOTE:
 AREA NORTH OF BLOCK 1 IS A 20' WIDE STRIP OF LAND THAT FUNCTIONS AS ACCESS AND UTILITY EASEMENT. NO FORMAL EASEMENT OR DEEDITION FOUND.

OWNERS STATEMENT:
 PARCEL 2 IS BEING SUBDIVIDED AND REPLATTED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE TERMS OF THE UNDERSIGNED OWNER(S) THEREOF AND IS SURVEYED AND SUBDIVIDED AS THEY APPEAR ON THE PLAT AFFIXED HEREON.

MARY ANN S. MARQUEZ, LAND OWNER

ACKNOWLEDGEMENT:
 STATE OF NEW MEXICO)
) SS.
 COUNTY OF LEA)

ON THIS _____ DAY OF _____, 2013, BEFORE ME PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON(S) DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED.

WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

SURVEYOR'S CERTIFICATION
 I, LYNN D. LANITZ, NEW MEXICO PROFESSIONAL SURVEYOR NO. 10856, DO HEREBY CERTIFY THAT THIS PLAT OF SURVEY WAS PREPARED FROM FIELD NOTES OF AN ACTUAL GROUND SURVEY PERFORMED BY ME OR UNDER MY SUPERVISION; THAT IT ACCURATELY MEETS THE STANDARDS SET BY THE BOARD OF SURVEYS IN NEW MEXICO AS ADOPTED BY THE NEW MEXICO STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS.

LYNN D. LANITZ, N.M.P.S. No. 10856
 Date: 6/26/13

STATE OF NEW MEXICO
 COUNTY OF LEA
 FILED

AT _____ O'CLOCK _____ M AND RECORDED IN

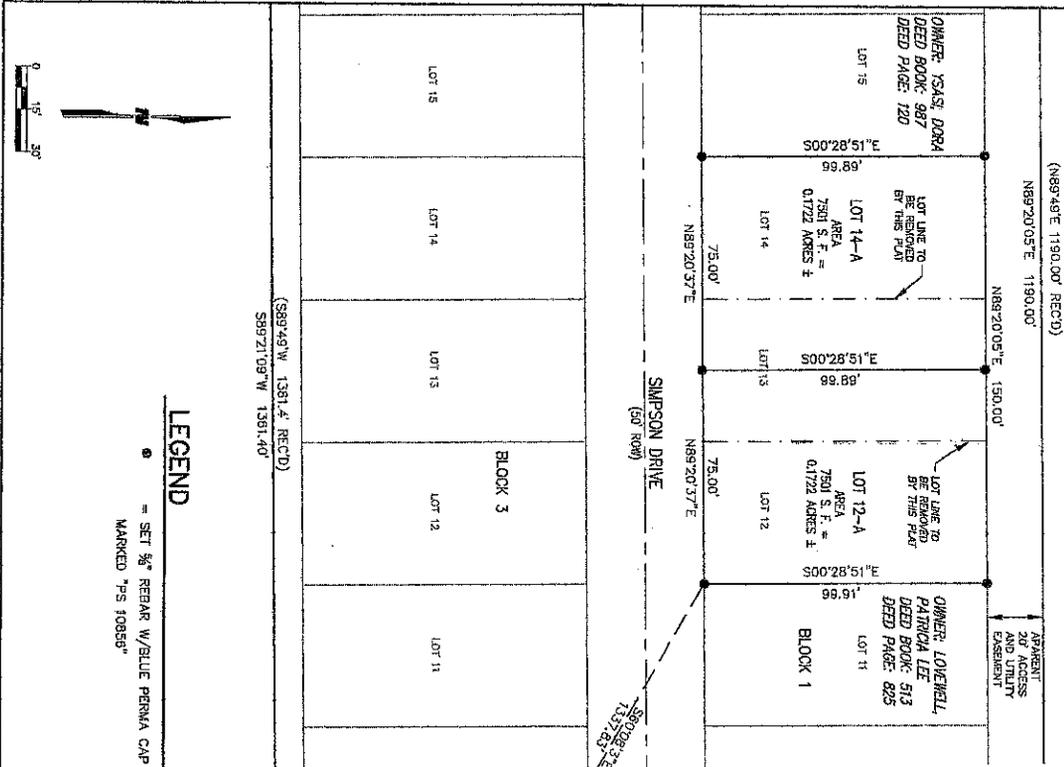
BOOK _____ PAGE _____

PAT CHAPPELLE, LEA COUNTY CLERK

BY _____ DEPUTY

FFC
Fierro & Company
 1601 S. MAIN AVE
 P.O. BOX 936
 LOWINGTON, NEW MEXICO 88260
 PH (520) 296-3377
 www.fierrocompany.com

| | |
|----------------|---------------------|
| CLIENT: | MARY ANN S. MARQUEZ |
| PROJECT NO.: | 1320000400 |
| FIELD WORK BY: | LDL AND RJF |
| DRAWN BY: | LDL OR |
| CHECKED BY: | LDL |
| SCALE: | 1:50 |
| DATE: | 6/06/13 |
| SHEET: | 1 OF 1 |



LEGEND

○ = SET 5/8" REBAR W/BULLE PENNA CAP
 MARKED "PS 10856"

