

REGULAR MEETING OF THE PLANNING & ZONING COMMISSION  
TUESDAY, APRIL 12, 2016 @ 4:00 P.M.  
**HELD IN CITY COMMISSION CHAMBERS, 214 SOUTH LOVE STREET**

**PURPOSE OF MEETING:**

- Consider recommendation of zone change for Lots 1-11 of Block 8 in the County Fair Addition, Lovington, NM
- Consider recommendation of variance for corner side yard setback and lot dimension for mobile home in the Eddy Madison Subdivision, Lovington, NM

**PRESENT:** Members: Chairman Kallie Windsor, Vice Chairman Randy Pettigrew, Member David Lynch, Bobby Kimbro, Clint Laughrin, and Betty Price.

**NOT PRESENT:** Member Abel Cabello

**ALSO PRESENT:** City Manager James Williams, City Attorney Patrick McMahon, Fire Chief Terrance Lizardo, Planning and Zoning Coordinator Crystal Ball, City Clerk Carol Ann Hogue, and Administrative Assistant Anna Juarez

**CALL TO ORDER:** The meeting was called to order by Chairman Kallie Windsor at 4:04 p.m.

**APPROVAL OF AGENDA:** Chairman Kallie Windsor called for a motion. Member Pettigrew so moved to approve agenda as published; Member Laughrin second. Motion was approved.

**APPROVAL OF REGULAR MINUTES OF MARCH 15, 2016:** Chairman Kallie Windsor called for a motion to approve the regular minutes of March 15, 2016. Member Kimbro so moved. Member Laughrin seconded. Motion was approved.

**NON-ACTION ITEMS:**

**Staff Report on Action Items Approved by City Commission:** Planning and Zoning Coordinator Ball stated City Commission approved 710 West Avenue C variance and tabled request of Eddy Madison subdivision because owners are here today requesting a variance.

**ACTION ITEMS:**

**CONSIDER RECOMMENDATION OF ZONE CHANGE FOR LOTS 1-11 OF BLOCK 8 IN THE COUNTY FAIR ADDITION, LOVINGTON NM:** Planning and Zoning Coordinator Crystal Ball addressed Commission to deny request for spot zone change until Staff is able to look into changing the area as a whole for zoning change instead of spot zoning. Vice Chairman Pettigrew asked how zone change complies with comprehensive plan; City Manager Williams responded very nicely, all existing business there do not have any industrial type processes. All businesses would fit in the commercial zone. Members and staff discussed reasons for zone change and problems with spot zone changes. Hilda Marquez stated a house and a trailer house near them, but in 2006 we bought property with intentions to buy a mobile home or build a house by our business; 2 years ago zoning changed not allowing homes in industrial zone. Chairman Windsor stated for Mrs. Marquez to consider if zoning is changed there could be more housing and business in a commercial zone.

Charles Johnson, owner of CNM Electric, discussed with Staff concerns with commercial zone change with the type of business he owns; City Manager Williams showed Mr. Johnson the commercial zone prohibited items. City Manager Williams stated change occurred in 2013 because of health and safety reasons, and existing houses were grandfathered in; Mrs. Marquez stated she did receive notification of 2013 zone change and was the only one at the meeting against zone change. Members discussed spot zoning concerns, such as, real value of property, use of property, consistency through the City, and uniformity of the City to allow design for zoning district. Chairman Kallie Windsor called for a motion; Vice Chairman Pettigrew so moved to accept staff recommendation to deny the zone change from Industrial Zone to Commercial Zone for Lots 1-11 of Block 8 in the County Fair Addition in Lovington, NM. Member Price seconded. With no further discussion, all Aye, with the exception of Member Laughrin. Motion was approved.

**CONSIDER RECOMMENDATION OF VARIANCE FOR CORNER SIDE YARD SETBACK AND LOT DIMENSION FOR MOBILE HOME IN THE EDDY MADISON SUBDIVISION, LOVINGTON, NM:**

Planning and Zoning Coordinator Crystal Ball addressed Commission of a property owner Raul Corrales request for a variance of the side yard on the street side of a corner lot from 15' to 10' and allowing the removal of the mobile home lot dimension size requirement; that lots are not of normal lot dimensions, but are of appropriate and correct lot size. Members, Staff and Mr. Corrales discussed platting error, easements, commercial setbacks, dimension of lot size, and usage of lots. Vice Chairman Pettigrew stated for Staff to consider how request are presented to Commission; will abstain from voting due to work his company did for Mr. Corrales. Members and Staff discussed dedication of easement, variance, and square footage of lot size depth. Chairman Kallie Windsor called for a motion. Member Laughrin so moved to approve the variance for the mobile home and corner lot side yard setback of 10' for the Eddy Madison Subdivision in Lovington, NM; Member Price seconded. With no further discussion, all Aye. Vice Chairman Pettigrew abstained from voting. Motion was approved.

**PUBLIC COMMENT:**

No public comment was made.

**ADJOURNMENT:**

There being no further business the meeting adjourned at 4:40 p.m.

**APPROVED:** \_\_\_\_\_  
**CHAIRMAN, KALLIE WINDSOR**

**ATTEST:** \_\_\_\_\_  
**VICE CHAIRMAN, RANDY PETTIGREW**