

**REGULAR MEETING OF THE PLANNING & ZONING COMMISSION
TUESDAY, MAY 12, 2015 @ 4:00 P.M.
HELD IN CITY COMMISSION CHAMBERS, 214 SOUTH LOVE STREET**

PURPOSE OF MEETING:

- Preliminary Plat creating Domzalski Subdivision with 8 lots on Tract 5-B within Section 9, Township 16 South, Range 36 East, N.M.P.M.
- Request for Non-Conforming Zoning Variance for driveway to and beneath carport at 2309 North First Street

PRESENT: Members: Chairman Kallie Windsor, Member David Lynch, Bobby Kimbro, Abel Cabello and Betty Price.

NOT PRESENT: Vice Chairman Randy Pettigrew

ALSO PRESENT: City Manager James Williams, Assistant City Manager Jared Cobb, City Planner Merideth Hildreth, and Administrative Assistant Anna Juarez

Phone Conference – City Attorney Patrick McMahon and Engineer Robert Fierro

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

APPROVAL OF AGENDA: Chairman Windsor called for a motion to approve agenda as submitted. Member Price so moved. Member Kimbro seconded. All Aye, motion was approved.

APPROVAL OF REGULAR MINUTES OF APRIL 14, 2015: Chairman Windsor called for a motion to approve the regular minutes of April 14, 2015. Member Price so moved. Member Lynch seconded. All Aye, motion was approved.

ACTION ITEMS:

PRELIMINARY PLAT CREATING DOMZALSKI SUBDIVISION WITH LOTS ON TRACT 5-B WITHIN SECTION 9, TOWNSHIP 16 SOUTH, RANGE 36 EAST, N.M.P.M.: Assistant City Manager Cobb addressed Board of tabled item from prior meeting to allow Water Superintendent Duncan to review plan and for Robert Fierro to work on a drainage plan; items were reviewed and completed. Assistant City Manager Cobb described the drainage plan and requirement of each lot containing no more than 30% will be covered with impervious areas. City Attorney McMahon and Engineer Robert Fierro discussed drainage study, percentage of impervious area, data used for analysis, City Ordinance requirements for restrictions on drainage plan. Joann Domzalski stated city ordinances does not address drainage plan; Assistant City Manager stated code allows City to request for a drainage plan. Mrs. Domzalski stated to table item and her attorney will be contacting the City; and Mrs. Domzalski walked out of meeting in progress. Assistant City Manager Cobb asked Mr. Fierro why the 30% was an issue, since the provision was agreed upon at the April 22 development review meeting; Mr. Fierro stated Mrs. Domzalski point of view is why other

newly developed properties are not being required to provide a drainage plan, because Domzalski subdivision does not have a drainage problem. Members, Staff and Mr. Fierro discussed restrictions of 30%; Mr. Fierro did not have a completion date on analysis, but he performed analysis. City Attorney McMahon stated Engineer Mr. Fierro should present to the City that there is not a drainage problem; City wants to know if Mr. Fierro could provide a copy of analysis and make sure there was a study. Chairman Windsor called for a motion. Member Price so moved to approve preliminary plat as submitted and no restriction on impervious area required. Member Cabello seconded. With no further discussion, all Aye. Motion was approved.

REQUEST FOR NON-CONFORMING ZONING VARIANCE FOR DRIVEWAY TO AND BENEATH CARPORT AT 2309 NORTH FIRST STREET: Assistant City Manager Cobb addressed Board of request of a variance in zoning to install a carport over an existing caliche and chat sealed gravel driveway. Assistant City Manager Cobb stated in order to proceed with the project, the property owners must receive a variance in zoning or comply with the Lovington Municipal Code by installing a concrete driveway. Owner Porfirio Rojas stated carport will be built with wood and shingles to match existing home. Members and Staff discussed length of concrete driveway, carports ordinance and existing carports. Assistant City Manager Cobb stated if variance is granted, staff recommends that the Planning and Zoning Commission bring back for discussion the carport ordinance. Chairman Windsor called for a motion. Member Price motioned to approve the variance for carport driveway. Member Cabello seconded. Member Kimbro stated stay with the code see no reason why owner doesn't do concrete; Members discussed cost of concrete. Assistant City Manager Cobb stated a typical gravel driveway if allowed should include a delineated edge and a 3 foot concrete apron. Member Price amends motion to include a 3 foot concrete apron. Member Cabello seconded. Members, Staff and Mr. Rojas discussed curb; no curb in this area of town. With no further discussion, all Aye, except Member Kimbro. Motion was approved.

NON ACTION ITEMS: None

PUBLIC COMMENT: None

OTHER COMMENT:

City Manager Williams asked Board Members for clear direction before revisiting carport work session on surface, before the expense is made Board Members need to be in agreement; Members agreed to schedule a work session. Assistant City Manager Cobb stated possibly a grant to help with process of reworking zoning code.

ADJOURNMENT:

There being no further business the meeting adjourned at 5:00 p.m.

APPROVED: _____
CHAIRMAN, KALLIE WINDSOR

ATTEST: _____
MEMBER, DAVID LYNCH

