

**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: _____

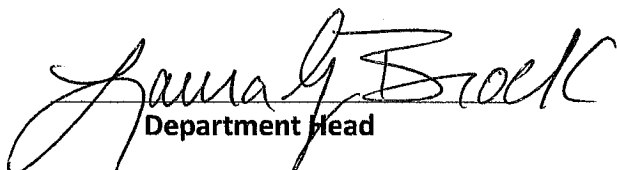
(Finance Director)

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

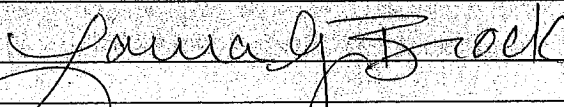
Property Owner(s): Jose or Marybell Pérez

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 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:

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: _____

5-1

01783

WARRANTY DEED

Valley Springs Gold Creek, Inc., a California Corporation

for consideration paid grants to

Marybell Perez, a married woman dealing in her sole and separate property

whose address is 1302 W. JACKSON AVE. LOVINGTON, NM 88260


the following described real estate in LEA county, New Mexico

FOR SURFACE TITLE ONLY:

Lots One (1) and Three (3), Block One (1), Westridge Addition to the City of Lovington, Lea County, New Mexico.

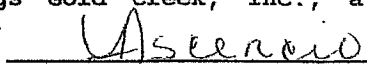
Subject to reservations, restrictions and easements appearing of record with warranty covenants.

WITNESS our hands and seals on 2/13/13

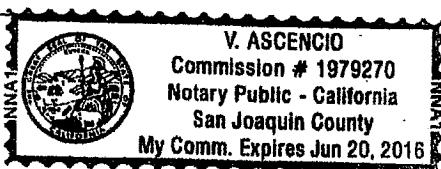

VALLEY SPRINGS GOLD CREEK, INC., A CALIFORNIA CORPORATION
By: RYAN VOORHEES, PRESIDENT

STATE OF CALIFORNIA)
COUNTY OF SAN JOAQUIN) ss

This instrument was acknowledged before me on 2/12/13, by RYAN VOORHEES, President of Valley Springs Gold Creek, Inc., a California Corporation


Notary Public

My commission expires : 6-20-16



RETURN TO: GRANTEE

STATE OF NEW MEXICO
COUNTY OF LEA
FILED

FEB 15 2013

at 11:32 o'clock A M
and recorded in Book _____
Page _____
Pat Chappelle, Lea County Clerk
By J. Carlson Deputy

This is a true and correct copy of the original filed in the office of the County Clerk Elliott & Waldron Title & Abstract Co., Inc.

01783

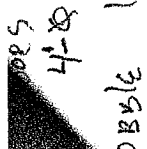
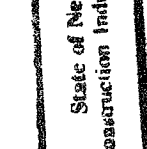
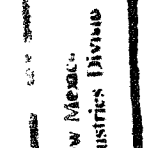
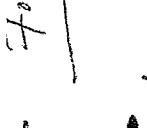
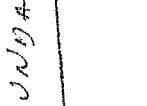
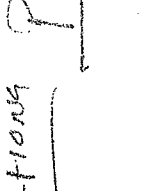
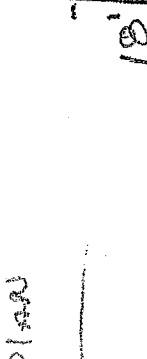
4-8
NOBLE 1/2"
ATIONS 18" D - 12" w. Full Concrete.
LES Carpet 18" D - 24" x 24" - Full Concrete.
A1 RE BAR 1/2"

FOUNDATIONS PLAN

State of New Mexico
Construction Industries Division

CARPET 40119
FULL CONCRETE
RE- BAR 1/2"

18" DEEP
24" WIDE



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

EXISTING HOUSE
ADD

EXISTING HOUSE
ADD

EXISTING HOUSE
ADD

EXISTING HOUSE
ADD

EXISTING HOUSE
ADD

EXISTING HOUSE
ADD

EXISTING HOUSE
ADD

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

FOUNDATIONS
FOOTING & FOUNDATION

300 square
CIRCLE DRIVE

20 24
23

24
24

24
24

24
24

24
24

490 FT
58

JACKSON ST

ROBERT

432-~~809~~-6682
209

432-~~809~~-6682
209

432-~~809~~-6682
209

432-~~809~~-6682
209

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

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 'J.R. 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**

**CITY OF
LOVINGTON**

Post Office Box 1269
Lovington, New Mexico
88260

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

**CITY OF
LOVINGTON**

Post Office Box 1269
Lovington, New Mexico
88260

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

**CITY OF
LOVINGTON**

Post Office Box 1269
Lovington, New Mexico
88260

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

**CITY OF
LOVINGTON**

Post Office Box 1269
Lovington, New Mexico
88260

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

**CITY OF
LOVINGTON**

Post Office Box 1269
Lovington, New Mexico
88260

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

CITY OF
LOVINGTON

Post Office Box 1269
Lovington, New Mexico
88260

ANTHONY ALVAREZ
1217 W. VAN BUREN
LOVINGTON, NM 88260

CITY OF
LOVINGTON

Post Office Box 1269
Lovington, New Mexico
88260

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

**CITY OF
LOVINGTON**

Post Office Box 1269
Lovington, New Mexico
88260

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

**CITY OF
LOVINGTON**

Post Office Box 1269
Lovington, New Mexico
88260

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

TY OF
INGTON

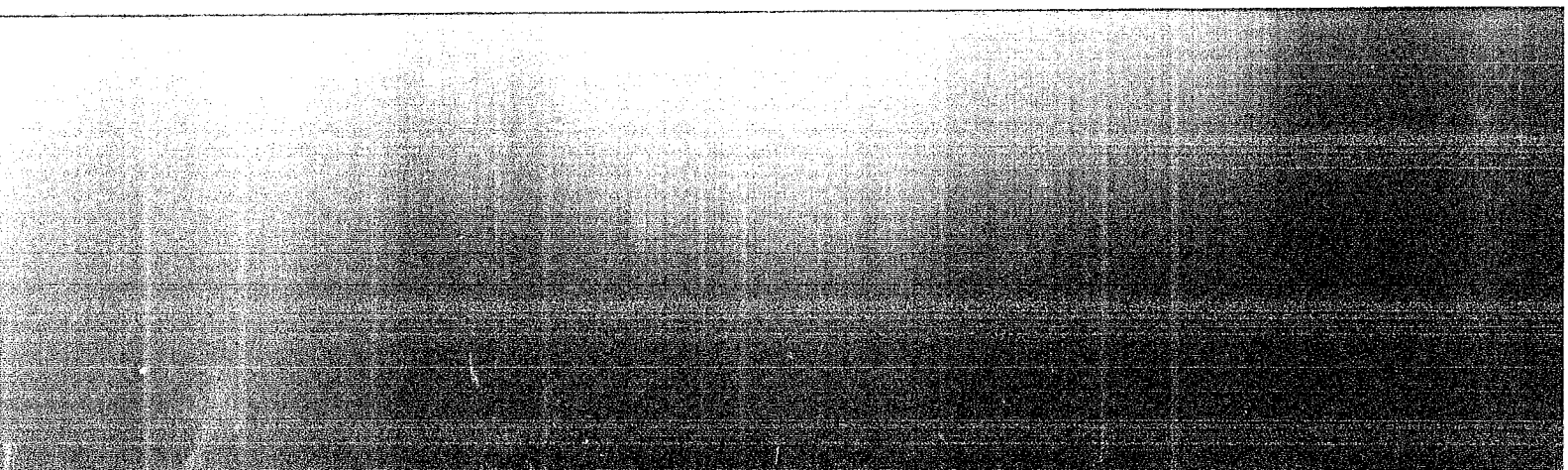
Office Box 1269
ton, New Mexico
88260

RUDY QUIROZ
1405 W. AVE H
LOVINGTON, NM 88260

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

CITY OF
LOVINGTON

Post Office Box 1269
Lovington, New Mexico
88260

RUDY QUIROZ
1217 W. JACKSON
LOVINGTON, NM 88260
