

Lea County Planning & Zoning Board

Regular Meeting

Tuesday, May 5, 2015 9:30A.M.

Lea County Commission Chambers, 100 N. Main, Lovington, NM

ITEM 01: **CALL TO ORDER** - Chairman Kallie Windsor called the meeting to order at 9:33A.M. at the Lea County Commission Chambers. Members present were Kallie Windsor, Kay Hardin, Johnnie Hopper, Gary Eidson, and Daniel Johncox. Members absent were Guy Kesner and Robbie Robinson. Also present were Lea County Planner Bruce Reid and Lea County Administrative Coordinator Monica Russell.

ITEM 02: **Comments from the Public**

There were no comments from the public.

ITEM 03: **Consideration of Approval of the April 14, 2015, Minutes**

Mr. Eidson motioned to approve the minutes of the April 14, 2015, meeting. Motion seconded by Mr. Johncox and carried unanimously.

ITEM 04: **Consideration of Approval of Address Variance for 504 Burgess Street, Located in the NW/4 of the SW/4 of Section 3, Township 18 South, Range 38 East, Lea County, New Mexico, N.M.P.M.**

Mr. Reid stated that there are two dwellings on one driveway and the City of Hobbs is asking for a variance before granting permanent addresses. The first house has been there for ten to fifteen years. The landowner, Ms. Yanez, is moving in a mobile home for her parents to live in. If granted, the variance would keep Ms. Yanez from having to chip seal her road. She is putting a trailer variance for a permanent address. The owner is not subdividing,

Mr. Johncox motioned to approve the variance. Motion seconded by Mr. Eidson.

Mr. Hopper asked who will police the number of homes on a parcel of land in order to keep this type of situation from become a commercial enterprise with out making the required improvements to the road. Lea County Code Enforcement will monitor this.

After a short discussion, Mr. Johncox amended his motion to include changing the variance letter to read "If a third dwelling is placed on the same parcel as 504 East Burgess Street for habitation by a family member or non-family member or if the second dwelling is used as a rental, then, at that time, the driveway shall come into compliance with the Hobbs Addressing Manual Road Improvement Standards." Motion seconded by Mr. Eidson and carried unanimously.

ITEM 05: **Consideration of Approval of Address Variance for 5701 N. Greenwood Place, Located in W/2 of the SW/4 of Section 11, Township 18 South, Range 38 East,**

Lea County, New Mexico, NMPM

Mr. Johncox stated that the board needs to ensure that lots are large enough to accommodate two septic systems.

Mr. Reid stated that the property owner wants to put in a caliche road and put in a mobile home for his daughter. Mr. Hopper stated that the owner has two and a half acres of land but two mobile homes are already on it, so there may not be enough room to put in a third septic system. Mr. Johncox stated that the board may not be able to approve this based on the county's liquid waste rules and regulations. Ms. Windsor stated that this tract is 2.25 acres, which at the most would accommodate two septic systems. Mr. Reid stated that if the houses are three bedrooms, three septic tanks can be installed. However, as this would be the third home on a parcel of land, the owner would be required to build the required road. Mr. Johncox stated that the owner could do a claim of exemption.

Mr. Eidson motioned to approve the address request. Mr. Johncox seconded the motion. Motion failed unanimously.

Mr. Reid will inform the owner of what action was taken by the board.

ITEM 06: Discussion of Claims of Exemption & Subdivision Lots

Mr. Reid stated that last week he encountered a couple who stated they needed a plat signed by the county manager but hadn't gone through the whole paperwork process properly, resulting in delays for the owners. He asked if the board would be okay with survey companies sending citizens to him first so that he can help determine what service they need, give an explanation of fees and clarify what documentation and paperwork is needed. The board agreed that this would help the processes move along more smoothly. Mr. Reid will get with county manager Mike Gallagher about writing a letter to surveyors.

ITEM 07: Discussion of Revision of Subdivision Regulations

Mr. Johncox stated that he, Bobby Shaw, Tres Hicks, Gary Eidson, Alan Eades, Gary Jones, James Owensby and Gary Don Reagan were the committee working on the subdivision regulations. Mr. Reid stated that he has received an almost-final draft of the most recent updates from Robbie Robinson that has never been approved. He also stated that the current subdivision regulations were passed in 1997 so it's time to update. Ms. Windsor suggested that the committee meet again to go over the most recent draft to present it to the Planning & Zoning board.

Mr. Johncox stated that additions included stipulations for summary reviews on commercial property for cell towers. Mr. Eidson stated that they were also trying to create some additional exemptions for the claim of exemption process, such as oilfield well pads.

Mr. Johncox suggested that each committee member make up to ten suggestions for changes and email those changes to Mr. Reid.

Mr. Reid stated that the subdivisions can be renamed whatever the board wants to rename, but what they are called now is how the State of New Mexico refers to them. He believes they are classified by acreage instead of the process used to implement them.

Ms. Windsor suggested that Mr. Reid forward the last known updates to everyone for their review. A work session was scheduled for Wednesday, May 27, 2015, at 11:00P.M. in the basement meeting room.

ITEM 08: Consideration of Other Business

Ms. Windsor stated that she attended the meeting of the Lovington-Lea County Extraterritorial Zoning Authority (LLCEZA), which is made up of three county commissioners and two city commissioners, last Thursday night. This board generally meets to address zoning variances or zoning changes in the Lovington extraterritorial zone, which, by state statute, now extends for three miles outside the city limits, instead of the original one-mile limit. The LLCEZA is looking at updating the ordinance. Until very recently, there was no one in charge of enforcing the ETZ area, even though the LLCEZA agreement calls for one to be appointed. The LLCEZA temporarily appointed Lea County Code Enforcement to enforce regulations in the three-mile ETZ zone. Anything in this zone is automatically zoned residential unless a variance is approved. Ms. Windsor stated that there were several issues that need to be addressed because many businesses were never granted a variance after the zoning expansion. She also stated that she wanted the board to be aware of the reactivation of the LLCEZA as she understands that it is the final authority for decisions made for the ETZ.

ITEM 09: Set/Confirm Next Meeting(s) - Tuesday, June 9, 2015

The next meeting was confirmed for June 9, 2015, at the County Commission chambers. The July meeting was set for July 14, 2015. Ms. Windsor stated that she will not be able to attend the June meeting.

ITEM 10: Adjourn

Mr. Johncox motioned to adjourn. Motion seconded by Mr. Eidson carried unanimously. Meeting adjourned at 10:47A.M