

Lea County Planning & Zoning Board
Regular Meeting Minutes
Tuesday, June 13, 2017 9:30 A.M.
Lea County Commission Chamber Room, Lea County Courthouse

ITEM 1: Call to Order/ Roll Call

The meeting was called to order at 9:38 am on 13 June 2017. Roll call was taken with the membership of Guy Kesner, Kay Hardin, Gary Eidson, Johnny Hopper, & Dickie Wall being present and the absent members being Daniel Johncox and Kallie Windsor.

Also present were Bobby Shaw, Realtor, representing Dennis, Jr. and Barbara Cox; Assistant County Manager Corey Needham; and County Planner Bruce Reid.

ITEM 2: Consideration of Approval of Minutes of the May 9, 2017, Minutes

Minutes to Approved made by Dickie Wall; seconded by Gary Eidson and approve unanimously.

ITEM 3: Consideration of Approval of Appleton Subdivision in Northwest Quarter of Section 9, Township 18 South, Range 38 East, N.M.P.M., Lea County, New Mexico.

Mr. Reid introduced the item being the approval of the Appleton Subdivision and proceeded to explain the condition of the application and preceding subdividing changes occurring on this parcel of land. Mr. Hopper asked if the west road was a dedicated easement because it wasn't shown on the plat. Mr. Reid explained that the west road was previously dedicated on the Claim of Exemption/Summary Review plat for the City of Hobbs filed in 2010. Mr. Eidson asked about the access easement across Tract A1. Mr. Reid said he asked Mrs. Appleton about the accessing of Tract B through Tract A instead of the dedicated roadway and could the Appleton's access Tract B from the dedicated roadway. Mrs. Appleton told Mr. Reid that accessing Tract B had been the normal course of action until one day when they just started traversing the west half of Tract A to obtain access to Tract B. Mrs. Appleton stated that when Tract A1 was sold then their access point to Tract B would be on the dedicated roadway, again. Mr. Kesner questioned Mr. Reid on his presentation of this item because this item had been approved at the previous meeting on the condition that the distance of the water well on Tract 2 from the east line of Tract A2 was greater than 10 feet. Mr. Reid recollected that the proposed subdivision was only a discussion item and not an approval item. Mr. Wall read from the minutes of the last meeting proving definitively that Mr. Kesner was correct in his remembrance of the previous meeting. Mr. Reid apologized and said he had not ascertained that information about the water well, but would provide it to the board at the next meeting. Mr. Eidson suggested that Mr. Reid contact Mr. Asel for the information on the distance between the water well and the east line of Tract A2. Mr. Reid proceeded to the next item for consideration.

ITEM 4: Consideration of Approval of East Half of the West Half of Section 9, Township 18 South, Range 38 East, N.M.P.M., Lea County, New Mexico.

Mr. Reid introduced the summary review plat for Mr. & Mrs. Cox to divide 19.06 tract of land into four separate tracts of land. Mr. Reid stated that this plat was started before his tenure at the Planning Office and that his predecessor had the surveyor place a road going from Ja-Rob Street east and north to College Lane. Road would be a L-shape with the width of the road being 50'. Mr. Reid stated that the only reason he could see for the road to be developed there would be to maintain the block length requirement of 1320' as stated in the Lea County Subdivision Regulations. Mr. Shaw spoke at this time. He was present

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at the meeting as the representative of Mr. and Mrs. Cox. He stated that the Cox's may want to put a 30' alley/utility easement in place of the road to have access to the back of the existing properties abutting College Lane. There are four existing tracts that have been previously improved upon prior to this subdividing request. Another property south of the requesting alley/utility easement has been improved as well. It is a tract of 190 x 198 and abuts Ja-Rob Lane. Mr. Shaw stated that this tract, belonging to the daughter of the Cox's, would be enlarged on the North to abut the 30' alley. Mr. Shaw stated that the City of Hobbs Planning Department is requesting the south 45' of Tract 4 be reserved as a road easement for future purpose if Desert Sage Street is improved west an additional quarter of a mile or more. Mr. Eidson states the he thought requiring 45' would not be enough because the property to the south will be unable to provide the other 15' because of where his improvements are located. Mr. Kesner mention that he believed that would be unfair to the future owner of Tract 4 to give up all the land for the road without any compensation. Mr. Kesner suggest would be for a 30' road easement and notation that a government entity in the future would buy the other 30' from the owner of Tract 4. Mr. Shaw suggested that if that be the case then the setbacks to accommodate the future road needed to be place on the plat. Mr. Needham interjected that a 30' easement could be shown on the plat with an 85' foot setback from the south line of tract 4. This would accommodate the placement of a future roadway without any improvements being erected to impede the roadway. More discussion on these points ensue for several more minutes. A motion was asked for by Mr. Kesner. Mrs. Hardin moved that the Summary Subdivision be approved with the addition of the alley/utility easement of 30' and a 30' road easement on the south line of Tract 4 and an 85' setback from the same line. The motion was seconded by Mr. Hopper and all voted to approve except for Mr. Eidson who had to abstain because he is the surveyor of record for the subdivision.

ITEM 5: Discussion of Subdivision Ordinance Modifications.

Mr. Kesner stated that the next item is a discussion of subdivision changes to the proposed subdivision regulations. Mr. Reid stated that it was requested by the Lea County Soil and Water Conservation District Council for members of the County to attend the Lea County Soil and Water Conservation District council meeting held on June 7th at 7:00 pm in the Lea County Soil and Water Conservation District building at 401 N. Tatum Hwy. Mr. M. Gallagher, Mr. D. Jackson, and Mr. Reid attended the meeting. Mr. John Norris, chairman of the LCSWD board, stated that the LCSWD board members are worried about the number of subdivision being proposed with small lot sizes. The board suggests that 7.5 acre lots to be the minimum lot size allowed for any County approved subdivision. The LCSWD reasoning for this proposal is the increased nitrate readings in the soil and groundwater around some tested County subdivision and the diminishing supply of groundwater in Lea County. Mr. Eidson mentioned that the reason the Planning Board is currently re-writing the subdivision regulations is to try and ease current restrictions on development while still meeting the State's Subdivisions regulations. Mr. Wall stated that everyone keeps saying the county wants development but then an agency suggests these types of measures that deter the development and growth of the area.

ITEM 6: Set/Confirm Next Meeting(s).

The next meeting was set for July 11, 2017, at 9:30 A.M. at the Lea County Commission Chambers.

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Regular Meeting Minutes
Tuesday, June 13, 2017 9:30 A.M.
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ITEM 7: Adjournment

Meeting Adjourned at 10:58 am.