

**Lea County Planning & Zoning Board  
Regular Meeting  
Tuesday, February 12, 2019 9:30 A.M.  
Commission Chambers, Lea County Courthouse, 100 N. Main, Lovington, NM**

**MINUTES**

ITEM 01: Call to Order

Call to order at 9:28 a.m. by vice-chairman Guy Kesner.

ITEM 02:

Roll Call for members present. Members present were Guy Kesner, Kay Hardin, Michael Arnold, Johnnie Hopper & Daniel Johncox. Absent Members were Kallie Windsor & Dickie Wall.

ITEM 03:

No Public Comments.

ITEM 04:

Motion to approve the minutes from the December 17, 2018 meeting by Daniel Johncox with a second from Kay Hardin. Motion unanimously approved.

ITEM 05:

Michael Arnold, the new appointee from District 2, was welcomed by all. Guy Kesner was elected as the chair and with Daniel Johncox being elected as the vice-chair for 2019.

ITEM 06:

PUBLIC HEARING was opened and all witness will be sworn in prior to testimony given.

ITEM 07:

Consideration for Approval of a Road Variance to Allow a Less Than 60-Foot Width Road Development at the Corner of Fowler Street and Lovelady Road Travelling North to Alegre Street located in Section 10, Township 18 South, Range 38 East, N.M.P.M., Lea County, New Mexico. Bruce Reid was sworn in by Guy Kesner. Mr. Reid stated Mr. Davis and Mr. Torres assigned 40 feet of their eastern property lines. Both City of Hobbs and Lea County accepted these width assuming a 40-foot width could be obtained from the land owner on the eastern side of the half-section line of Section 10, Township 18 S, Range 38 E., but the land owner of the eastern portion of the half section line of said section refuses to sell any land. A variance is needed to connect that portion of Fowler Street in Knowles and Rancho Alegre Subdivision to Fowler Street south of Lovelady Street. A 60-foot road width variance will be required to allow the completion of Fowler from Frey Street to Woodfin Drive. All the subdivision North of Lovelady and South of Lovelady have 40-foot road width. Allowing a road to be built on this 40-foot width would just complete the access to Rancho Alegre and Knowles Subdivisions. Corey Needham, Assistant County Manager, spoke explaining that under the City of Hobbs' Major Thoroughfare Plan that Fowler is projected as a minor collector with an 80-foot proposed Right of Way (ROW). A 40-foot width would be given from on property owner and a 40-foot width would be given from the adjoining property owner. That is how the 40-foot widths came into being. He stated until Fowler Street is complete from Alabama to Bender Street it will not

be used as a minor collector, but once connected the 80-foot ROW will be needed. The County presently has roads with less than a 60-foot ROWs in fee simple and prescriptive. Guy Kesner clarified the variance to be a reduction the ROW width and not road development width. Corey Needham mentioned that the County liked this option for bring the block length into closer compliance as well as giving Knowles and Rancho Alegre a second access point for emergency personnel. Bruce Reid explained to the Board that for a public hearing the Board needs to explain or give reasons on why they are recommending the Board of County Commissioners(BOCC) approving this item. That the LCPZB is not approving the item, but that this Board is just recommending the item be approved by the BOCC. Recommendation reasons are 1. All subdivision north and south of the proposed road are 40' width right of ways. 2. Road will be built to Lea County specifications with road width being comparable to other 60' width roads. 3. The proposed roadway will give a secondary access point to the subdivisions to the north of the proposed roadway. Roll Call Vote request. All members responded affirmatively when identified.

#### ITEM 08:

Consideration for Approval of a Minimum Lot Size Variance for the combining of Lot 4 and Lot 5, Block 11, Knowles Subdivision, Second Unit into a lot of less than one acre in size. The site is in the 700 block of Martin Avenue, east of Grimes Street and west of Cochran Street. approximately three-quarters of a mile north of Millen Drive and one-quarter mile south of College Lane located in Section 10, Township 18 South, Range 38 East, N.M.P.M., Lea County, New Mexico. Bruce Reid explained to the LCPZB what criteria was acceptable when granting a variance to the Lea County Subdivision Regulation Ordinance #35. Variance are to be given for exceptional topographical whether soil, or other surface, or subsurface conditions; or strict compliance with LCSR would result inhibiting the achievement of the objectives of the LCSR. Question by Mr. Hopper, Mr. Johncox, and Mr. Kesner asked about residences and lot sizes around lots 4 & 5. Multiple residences are built on less than one-half acre lots. Most where built prior to the adoption of the present subdivision regulations. Daniel Johncox moved the question for the following reasons. 1) Without approval lots 4 & lot 5 become unusable. 2) Allowing less than one-acre lot size is typical for the area. 3) The county for the last fifteen years or more have always granted variances for water wells and septic tanks. 4) The combination of Lots 4 & 5 meet state minimum requirements. Motioned was seconded by Johnnie Hopper. All answer in the affirmative during the roll call vote. Add a note on the plat that a single residence of up to four bedrooms is allowed on the land.

#### ITEM 09:

Consideration for Approval of the replat of lot 4 of Roberts Subdivision located in the northwest quarter intersection of Catchings Road and Stiles Road and being in the southeast quarter of Section 3, Township 17 South, Range 37 East, N.M.P.M., Lea County, New Mexico. Bruce Reid gave the history of Roberts Subdivision. Roberts being created as a Type-Three A Subdivision in 2008 having 5 lots. In 2010, Lot 4 split into Lot 4A & 4B making Roberts Subdivision a 6 lots subdivision and the subdivision type should have been changed to a Type-Three B Subdivision. Mr. Manny Perez wants to divide Lot 4A into 3 lots being Lots 6, 7, 8; with the largest lot being more than 64 acres and the smallest being 2 acres. Board members asked for a legal opinion of making a subdivider improve in subdivision type. Bruce Reid had not requested a legal opinion from the County Attorney. The board opted to postpone this item until the

next meeting from Bruce Reid could solicit a legal opinion about Roberts Subdivision from John Caldwell, the Lea County Attorney.

ITEM 10:

Public hearing was closed.

ITEM 11:

Consideration of Approval of Re-plat of Lot 7 of North Acres Subdivision located in Lea County north of Waters Avenue and east of Six Shooter in Section 29, Township 15 South, Range 36 East, N.M.P.M., Lea County, New Mexico. Lot 7 of North Acres Subdivision is a 10-Acre lot that wants to be changed to two 5-Acre lots. It has legal access from North Acres Drive. Re-plat of North Acres Subdivision was approved unanimously.

ITEM 12:

Discussion of Sketch Plan for Mesquite Draw Subdivisions located in Section 31, Township 17 South, Range 38 East, or better located as one-half mile west of Bensing Road on Alabama Street or one-half mile east of World Drive on Alabama Street north of Hobbs in Lea County, New Mexico. The drawing was shown and concerns were for the number of lot constrain to one access point relating to the International Fire Code. Concerns about Braniff Road and its development. Question was raised if a cul-de-sac was a true block for a block length minimum.

ITEM 13:

Presentation and Introduction of Lea County Planning and Zoning Board Binders which shall henceforth be used at all LCPZB meetings. Discussion for Planning Board 101 Binder. Presentation by Corey Needham. The only zoning in Lea County other than the City of Lovington and its extra-territorial zone are the flight pattern zone around the three area airports in Hobbs, Eunice, and Jal.

ITEM 14:

Meeting Dates for 2019 on the second Tuesday of each month:

February 12th, March 12th, April 9th, May 14th, June 11th, July 9th, August 13th, September 10th, October 8th, November 12th, December 10th.

Meetings where approved unanimously.

ITEM 15:

Meeting adjourn at 11:00.