

ORDINANCE NO. 2018-22

AN ORDINANCE ANNEXING A PORTION OF LAND CONTAINING +/-5.17 ACRES MORE OR LESS, CONTIGUOUS TO THE CITY OF CARLSBAD, NEW MEXICO, LOCATED AT 912 STANDPIPE ROAD, LEGALLY DESCRIBED AS LYING BETWEEN THE CURRENT CORPORATE BOUNDARY AND THE NEW SOUTHERLY LINE OF TRACT 1A, CREATED BY THE BRIAN STEVENS LINE ADJUSTMENT PLAT, PURSUANT TO THE PETITION METHOD PROVIDED FOR IN SECTION 3-7-1 ET. SEQ., NMSA 1978.

WHEREAS, a petition for annexation of territory contiguous to the City of Carlsbad has been presented to the Governing Body of the City of Carlsbad; and

WHEREAS, said petition is accompanied by a map showing the external boundary of the territory proposed to be annexed and its relationship to the existing boundary of the City of Carlsbad, New Mexico.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CARLSBAD, NEW MEXICO:

Section 1. Subject to the proviso contained in Section 2 hereof, the City of Carlsbad hereby consents to the annexation of 5.17 acres, more or less, of contiguous territory situated in Eddy County, New Mexico, located at 912 Standpipe Rd., legally described as follows:

LYING BETWEEN THE CURRENT CORPORATE BOUNDARY
AND THE NEW SOUTHERLY LINE OF TRACT 1A, CREATED
BY THE BRIAN STEVENS LINE ADJUSTMENT PLAT

Section 2. A copy of this ordinance and the plat of said property shall be filed in the office of the County Clerk of Eddy County. After such filing, the property shall be included in and be a part of the City of Carlsbad. Appeal may be made by any person owning land within this said territory to the District Court of Eddy County within thirty (30) days on the grounds and in the manner provided by law.

INTRODUCED, PASSED, ADOPTED, AND APPROVED THIS 14TH DAY OF
AUGUST, 2018.

/s/Dale Janway

DALE JANWAY, MAYOR

ATTEST:

/s/Kadee Rodriguez

Deputy CITY CLERK

MINUTES OF THE REGULAR MEETING OF THE

**City of Carlsbad
Planning & Zoning Commission**

Monday, July 2, 2018, at 5:00 p.m.

**Meeting Held in the Annex Planning Room
114 S. Halagueno**



CITY OF CARLSBAD
CARLSBAD, NEW MEXICO

PLANNING AND ZONING COMMISSION

Monday, July 2, 2018 at 5:00 PM
Municipal Annex 114 S. Halagueno Street
Planning Room

1. Roll call of voting members and determination of quorum.
2. Approval of Agenda.
3. Approval of Minutes from the Meeting held June 4, 2018.
4. Consider recommendation to Council for an Annexation of approximately 5.17 acres located south of 912 Standpipe Rd.
5. Consider recommendation to Council for an Application of "R-R" Rural Residential Zoning for approximately 5.17 acres located south of 912 Standpipe Rd.
6. Consider approval or denial of a Conditional Use Permit for a Communications Tower to be located at 1102 W. Pierce St.
7. Consider recommendation to Council for a Temporary Use Permit for Temporary Housing to be located at 3815 National Parks Highway.
8. Consider recommendation to Council for a Temporary Use Permit for Temporary Housing to be located at 600 Kircher St.
9. Consider recommendation to Council for Temporary Use Permit for Temporary Housing to be located at 712 Kircher St.
10. Consider approval or denial for a Variance request to reduce the required side-yard setback from 10' to 1' at 801 N. Edward St., zoned "R-1" Residential 1 District.
11. Consider approval or denial for a Variance request to reduce the required side-yard setback from 10' to 0' at 1612 Westridge Rd., zoned "R-1" Residential 1 District.
12. Consider recommendation to Council for a Zone Change request for approximately 0.17 acres, located at 113 S. Guadalupe St., "C-2" Commercial 2 District to "R-2" Residential 2 District.
13. Consider recommendation to Council for a Zone Change request for approximately 74.14 acres, located at 3021 San Jose Blvd., "R-1" Residential 1 District to "C-2" Commercial 2 District.
14. Consider recommendation to Council for a Zone Change request for approximately 1.3 acres, located at 2017 San Jose Blvd., "R-R" Rural Residential District to "C-2" Commercial 2 District.
15. Report regarding Summary Review Subdivisions.

16. Adjourn.

If you require hearing interpreter, language interpreters or auxiliary aids in order to attend and participate in the above meeting, please contact the City Administrator's office at (575) 887-1191 at least 48 hours prior to the scheduled meeting time.

DRAFT

MINUTES OF A REGULAR MEETING OF THE CITY OF CARLSBAD PLANNING & ZONING COMMISSION HELD IN THE MUNICIPAL ANNEX PLANNING ROOM, 114 S. HALAGUENO STREET, JULY 2, 2018, AT 5:00 P.M.

VOTING MEMBERS PRESENT:

**JAMES KNOTT
JAMES MCCORMICK
LASON BARNEY
BRIGIDO GARCIA
BRAD NESSER**

**CHAIRPERSON
COMMISSION SECRETARY
COMMISSIONER
COMMISSIONER
COMMISSIONER**

VOTING MEMBERS ABSENT:

NONE

EX-OFFICIO MEMBERS PRESENT:

**JEFF PATTERSON
RON MYERS
TRYSHA CARRASCO**

**PLANNING DIRECTOR
DIRECTOR OF UTILITIES
DEPUTY PLANNING DIRECTOR**

SECRETARY PRESENT:

JENNIFER CAMPOS

**PLANNING AND REGULATION
DEPARTMENT EXECUTIVE SECRETARY**

OTHERS PRESENT:

**GEORGE DUNAGAN
RODYNEY DAVIDSON
SUSAN M. CRENSHAW
VICTORIA A. ROMERO
KERRI DUNAGAN
WILLIAM WALKER
AMANDA MASHAW
TAMMY RUIZ
RONNIE RUIZ
BART FRINTZ
J.R. GARNER
BRIAN MCGONAGILL
NIKI LAWSON
OFFICER C. GARCIA**

**212 W. STEVENS
1801 CR 395, BROWNFIELD, TX
609 W. RIVERSIDE
609 W. RIVERSIDE
1411 W. ORCHARD LN.
401 WALKER FARM RD.
212 W. STEVENS
801 N. EDWARDS ST.
801 N. EDWARDS ST.
301 N. ALAMEDA
1812 INDIAN RD.
1612 WESTRIDGE
212 W. STEVENS
101 N. HALAGUENO**

Time Stamps and headings below correspond to recording of meeting and the recording is hereby made a part of the official record.

0:00:00 Start Recording [5:00:37 PM]

0:00:17 **1. Roll call of Voting Members and Determination of Quorum.**

Roll was called, confirming the presence of a quorum of commission members. The following members were present—**Mr. Garcia, Mr. Barney, Mr. McCormick, Mr. Knott, Mr. Nesser**; Absent—None.

0:00:44

2. Approval of Agenda.

Mr. Nesser made a motion to approve the Agenda; **Mr. Garcia** seconded the motion. The vote was as follows: **Yes–Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick, Mr. Nesser**; No–None; Abstained–None; Absent–None. The motion carried.

0:01:22

3. Approval of Minutes from Meeting held June 4, 2018.

Mr. McCormick made a motion to approve the Minutes; **Mr. Nesser** seconded the motion. The vote was as follows: **Yes–Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick, Mr. Nesser**; No–None; Abstained–None; Absent–None. The motion carried.

0:01:54

4. Consider recommendation to Council for an Annexation of approximately 5.17 acres located south of 912 Standpipe Rd.

Mr. Patterson explained the Annexation of approximately 5.17 acres lying between the current corporate boundary and the new southerly line of Tract 1A, created by the Brian Stevens Line Adjustment Plat, located east of Standpipe Rd. and south of Lea Street. He signed the plat when they were going to move the property line down so it's not complete. **Mr. Frintz** said there's an existing RV Park to the north; the request will extend the north property to the south as phase 2, being that this property is in the county and city. **Mr. Patterson** said planning staff recommends approval based on the following findings as you see on page 12 & 13 on your packet under planning staff recommendation. There was no public comment.

Mr. Barney made a motion to recommend for an Annexation, and **Mr. Garcia** seconded the motion. The vote was as follows: **Yes–Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick**; No–None; Abstained– **Mr. Nesser**; Absent–None. The motion carried.

0:09:32

5. Consider recommendation to Council for an Application of "R-R" Rural Residential Zoning for approximately 5.17 acres located south of 912 Standpipe Rd.

Mr. Patterson explained that they want to change the Zoning, corresponding with the Annexation that was just recommended. Planning staff recommends approval. **Mr. Frintz** said he would like for the board to recommend approval to this request, expanding the property to mirror image to the north of the property. There was no public comment.

Mr. McCormick made a motion to recommend approval of the Zone Change, which **Mr. Barney** seconded. The vote was as follows: **Yes–Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick**; No–None; Abstained– **Mr. Nesser**; Absent–None. The motion carried.

0:11:47

6. Consider approval or denial of a Conditional Use Permit for a Communications Tower to be located at 1102 W. Pierce St.

Mr. Patterson explained this is a Conditional Use Application for a communications tower at 1102 W. Pierce Street. The applicant plans to install a 60' temporary communications tower. Planning staff recommends approval based on the following condition, if approved the project would require engineered drawings stamped by a NM licensed engineer, showing compliance with not only the Building Code but compliance with all FCC and FAA regulations. **Mr. Davidson** said he would like for the board to recommend approval to this communications tower. There was no public comment.

Mr. Garcia made a motion to approve the Conditional Use, and **Mr. Nesser** seconded the motion. The vote was as follows: **Yes–Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick, Mr. Nesser**; No–None; Abstained–None; Absent–None. The motion carried.

0:16:48 **7. Consider recommendation to Council for a Temporary Use Permit for Temporary Housing to be located at 3815 National Parks Highway.**

Mr. Knott said the applicant is not present; this item will be tabled for the next regular scheduled meeting.

Mr. McCormick made a motion to table the request for a Temporary Use Permit, and **Mr. Barney** seconded the motion. The vote was as follows: **Yes–Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick, Mr. Nesser**; No–None; Abstained–None; Absent–None. The motion carried.

0:18:13 **8. Consider recommendation to Council for a Temporary Use Permit for Temporary Housing to be located at 600 Kircher St.**

Mr. Patterson explained this application is to consider allowing Temporary Housing as a Temporary Use at 600 Kircher Street, legally described as Petroleum Park Unit Three, Lot 16, and Zoned “C-2” Commercial 2 District. He wants to have 54 spaces on this property. Planning staff recommends approval. **Mr. Walker** said he would like for the board to approve this item because oilfield people need somewhere to live. There was no public comment.

Mr. Nesser made a motion to recommend approval of a Temporary Use Permit, and **Mr. McCormick** seconded the motion. The vote was as follows: **Yes–Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick, Mr. Nesser**; No–None; Abstained–None; Absent–None. The motion carried.

0:21:08 **9. Consider recommendation to Council for Temporary Use Permit for Temporary Housing to be located at 712 Kircher St.**

Mr. Patterson explained this is to consider allowing Temporary Housing as a Temporary Use at 712 Kircher Street, legally described as Petroleum Park Unit Three, Lot 14 Zoned “C-2” Commercial 2 District. He would like for Mr. Walker to get with Solid Waste Dept. and find out where the dumpsters are going to be placed. This is an identical request to the previous item, Planning staff recommends approval. **Mr. Walker** said this is the same as the previous item; we just need for the oilfield people a place to live. There was no public comment.

Mr. Barney made a motion to approve the Temporary Use Permit. **Mr. Nesser** seconded the motion. The vote was as follows: **Yes–Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick, Mr. Nesser**; No–None; Abstained–None; **Absent**–None. The motion carried.

0:23:32 **10. Consider approval or denial for a Variance request to reduce the required side-yard setback from 10' to 1' at 801 N. Edward St., zoned "R-1" Residential 1 District.**

Mr. Patterson explained this is a request for a Variance the applicant is requesting to reduce the setback to 1' rather than 10'. The applicant plans to install a 50'X24' garage at the rear of the property. This proposed location of the new garage will encroach upon the 10' required setback for a corner lot in ‘R-1’

zoning. The applicant has stated that this reduction is needed in order to make the proposed garage more feasible. **Ms. Ruiz** said she would like for the board to recommend approval for her Variance. **Mr. Patterson** said planning staff does recommend approval. There was no public comment.

Mr. Garcia made a motion to approve the Variance, and **Mr. Nesser** seconded that motion. The vote was as follows: **Yes–Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick, Mr. Nesser**; No–None; Abstained–None; Absent–None. The motion carried.

0:27:04 **11. Consider approval or denial for a Variance request to reduce the required side-yard setback from 10' to 0' at 1612 Westridge Rd., zoned "R-1" Residential 1 District.**

Mr. Patterson explained this is a request for Variance the applicant is requesting to reduce the setback to 0' rather than 10' in order to install a RV carport along the west side of the property. The applicant states the carport will be even with the block fence at the property to the north, and that this reduction is needed in order to make the proposed carport more feasible. The Utilities dept. has a concern with the Variance at 1612 Westridge. The water main line is located 4 to 5 feet behind the back of the curb. Having a structure built this close may cause maintenance problems in the future. Planning Department recommends denial. **Mr. McGonagill** said he wasn't aware of the water line there when he moved to the house. **Mr. McGonagill** expressed concern that he was not told of the potential issue before coming before the board. **Mr. Patterson** said the Utilities came to him with the problem. There was no public comment.

Mr. Nesser made a motion to approve the Variance, and **Mr. McCormick** seconded that motion. The vote was as follows: **Yes–Mr. McCormick, Mr. Nesser**; No–**Mr. Garcia, Mr. Barney, Mr. Knott**; Abstained–None; Absent–None. The motion was denied.

0:41:43 **12. Consider recommendation to Council for a Zone Change request for approximately 0.17 acres, located at 113 S. Guadalupe St., "C-2" Commercial 2 District to "R-2" Residential 2 District.**

Mr. Patterson explained this is a request for Zone Change from "C-2" Commercial 2 District to "R-2" Residential 2 District for approximately 0.17 acres, legally described as Lot 13, Block 95, Stevens Second Addition, located at 113 S. Guadalupe St. The properties to the north, east, and west are zoned "C-2" Commercial 2 District. The properties to the south across Fox St. are zoned "R-2" Residential 2 District and "C-1" Commercial 1 District. This zone change would not create a spot zone. **Ms. Dunagan** said she's the realtor and they could not sell the property under C2. **Ms. Crenshaw** said she would like for the board to recommend approval for the Zone Change. **Mr. Patterson** said based on review of the application and staff comments, planning staff recommends approval of this request based on the following findings, which would be on page 123 in your packet. There was no public comment.

Mr. Barney made a motion to approve the Zone Change, and **Mr. Garcia** seconded that motion. The vote was as follows: **Yes–Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick, Mr. Nesser**; No–None; Abstained–None; Absent–None. The motion carried.

0:46:01 **13. Consider recommendation to Council for a Zone Change request for approximately 74.14 acres, located at 3021 San Jose Blvd., "R-1" Residential 1 District to "C-2" Commercial 2 District.**

Mr. Patterson mentioned that there would be some corrections to this item. The applicant is requesting a Zoning Change from "R-1" Residential 1 District to "C-2" Commercial 2 District for an approximately 74.14 acre property located at 3021 San Jose Blvd. (addressed as 3000 San Jose Blvd. in the Assessor's records). The properties to the north are currently zoned "C-2" Commercial 2 District. The properties to the south are zoned "R-R" Rural Residential District and "PUD" Planned Unit Development District. The properties to the east are zoned "R-1" Residential 1 District. The properties to the west are zoned "I" Industrial District. As such, this zone change would not create a spot zone. **Mr. Dunagan** said he would like for the board to recommend approval to this Zone Change. **Mr. Patterson** said planning staff recommends approval of this request based on the following findings, which you can see in your packet on page 138.

Mr. Garcia made a motion to approve the Zone Change, and **Mr. Nesser** seconded that motion. The vote was as follows: **Yes—Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick, Mr. Nesser; No—None; Abstained—None; Absent—None.** The motion carried

0:53:11 **14. Consider recommendation to Council for a Zone Change request for approximately 1.3 acres, located at 2017 San Jose Blvd., "R-R" Rural Residential District to "C-2" Commercial 2 District.**

Mr. Patterson explained the applicant is requesting a Zone Change from "R-R" Rural Residential District to "C-2" Commercial 2 District for a portion of Tract 2, Old Rose Farm #3. This property is approximately 1.3 acres in size and lies on the west side of San Jose Blvd. The properties to the north are currently zoned "R-1" Residential District. The properties to the south, west, and north are all zoned "R-R" Rural Residential District. The property to the east is zoned "C-2" Commercial 2 District. As such, this zone change would not create a spot zone. **Mr. Dunagan** said this would also be the same request as the previous item. **Mr. Patterson** said planning staff recommends approval of this request based on the following findings, you will see in your packet on page 161.

Mr. Nesser made a motion to approve the Zone Change, and **Mr. Garcia** seconded that motion. The vote was as follows: **Yes—Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick, Mr. Nesser; No—None; Abstained—None; Absent—None.** The motion carried

0:55:41 **15. Report regarding Summary Review Subdivisions.**

There was brief discussion regarding some of the plats in the report.

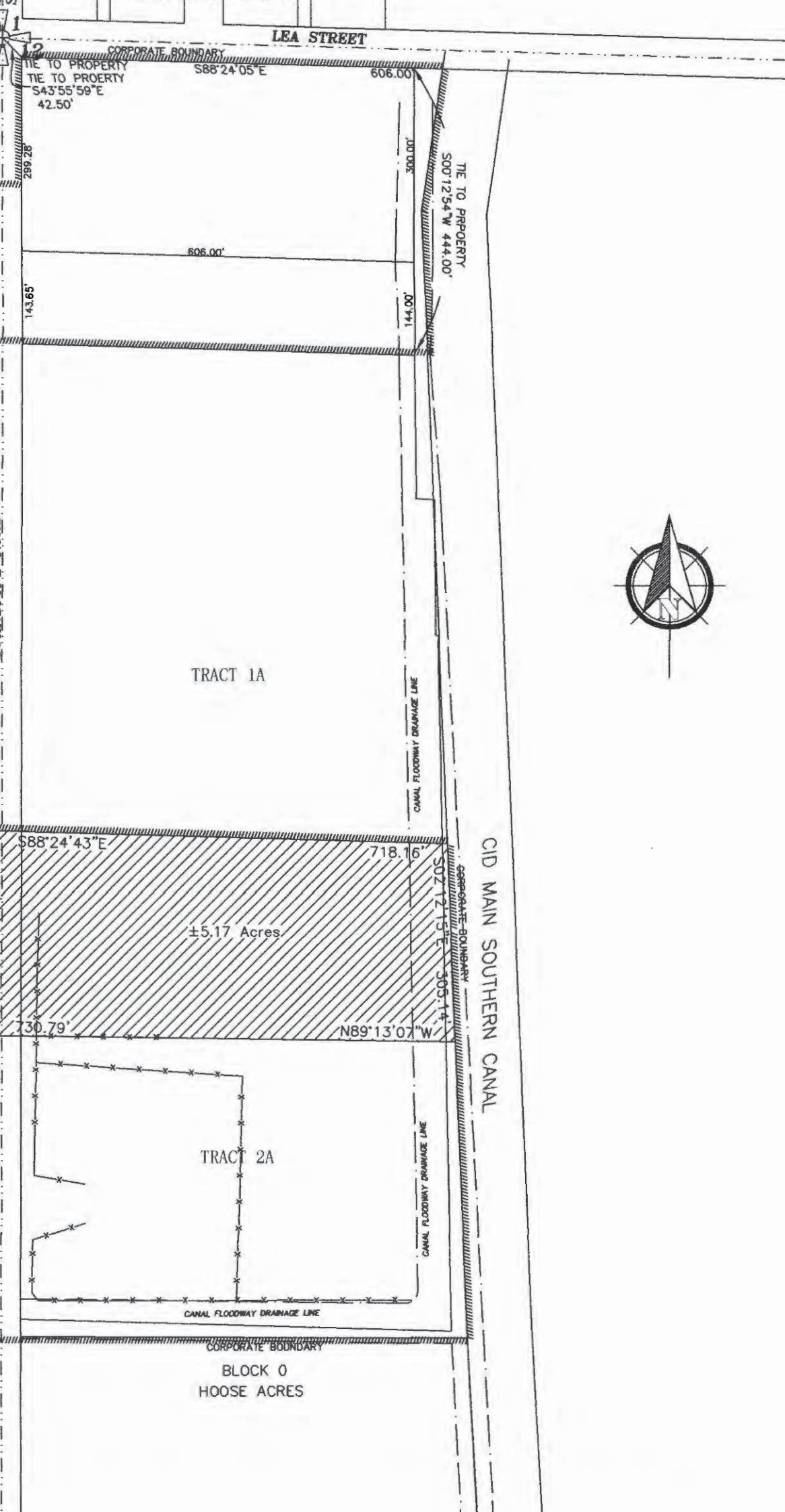
1:00:05 **16. Adjourn.**

There being no further business, the meeting was adjourned.

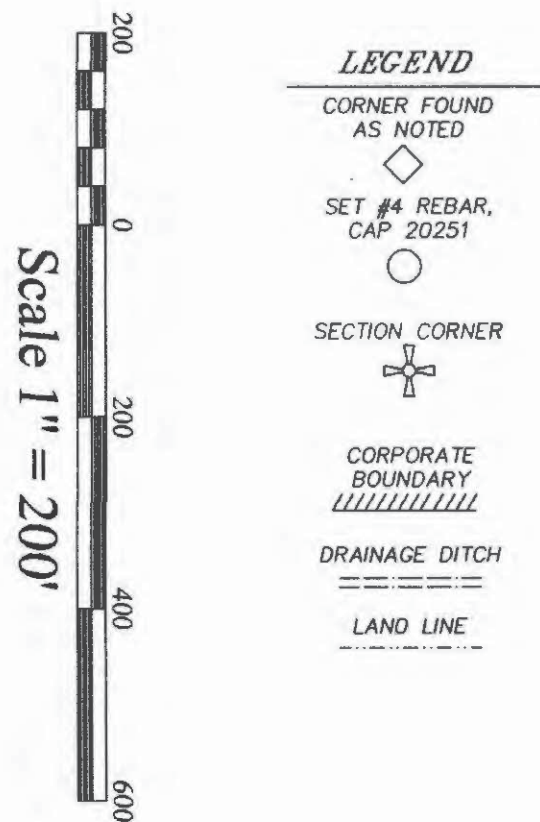
1:00:10 Stop Recording [6:00:34 PM]

Chairman

Date



SOUTH LINE OF BRAIN STEVENS LAND DIVISION; THEN S88°24'43"E, ALONG THE SOUTH LINE OF BRAIN STEVENS LAND DIVISION, FOR 718.16 FEET; THEN S02°12'15"E, FOR 305.14 FEET, TO A PROJECTION OF THE SOUTH LINE OF TRACT 1A, BRIAN STEVENS LINE ADJUSTMENT; THEN N89°13'07"W, ALONG THE SOUTH LINE OF SAID TRACT 1A, 316.00 FEET, TO THE WEST RIGHT-OF-WAY OF STANDPIPE ROAD; THEN N00°12'00"E, ALONG THE WEST RIGHT-OF-WAY OF STANDPIPE ROAD, 316.00 FEET, BACK TO THE POINT OF BEGINNING. CONTAINING ±5.17 ACRES MORE OR LESS.



ANNEXATION ORDINANCE NUMBER _____

ADOPTED AND APPROVAL BY:

CITY PLANNING COMMISSION

THIS IS TO CERTIFY THAT THIS ANNEXATION PLAT HAS BEEN APPROVED BY THE CITY PLANNING COMMISSION OF THE CITY OF CARLSBAD, COUNTY OF SAN DIEGO, DURING A REGULARLY SCHEDULED MEETING HELD ON _____

THIS _____ DAY OF _____, 20____

CHAIRMAN _____ SECRETARY _____

THE CITY OF CARLSBAD

THIS IS TO CERTIFY THAT THIS ANNEXATION PLAT HAS BEEN APPROVED BY THE CITY PLANNING COMMISSION OF THE CITY OF CARLSBAD, COUNTY OF SAN DIEGO, DURING A REGULARLY SCHEDULED MEETING HELD ON _____

THIS _____ DAY OF _____, 20____

MAYOR _____ CITY CLERK _____

Brian Stevens
BRIAN STEVENS

OWNERS STATEMENT AND AFFIDAVIT

STATE OF New Mexico : SS

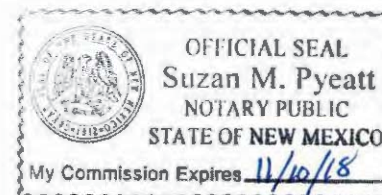
COUNTY OF EDDY :

THE ABOVE SIGNED BEING FIRST DULY SWORN ON OATH, STATE: AS THE OWNERS AND PROPRIETORS WE HAVE OF OUR OWN FREE WILL AND CONSENT CAUSED THIS PLAT WITH ITS ANNEXATION TO BE PLATTED. THE PROPERTY DESCRIBED ON THIS PLAT LIES WITHIN THE PLATTING JURISDICTION OF: EDDY COUNTY CITY OF CARLSBAD AND CARLSBAD PLATTING AND PLANNING AREA. SUBSCRIBED, SWORN TO AND ACKNOWLEDGED BEFORE ME

THIS 25th DAY OF April, 2018.

BY Brian Stevens

Suzan M. Pyeatt
NOTARY PUBLIC



R&R SURVEY	
A LAND SURVEY	
SERVING CARLSBAD	
INDEXING INFORMATION	
SECTION	11 & 12
SUBDIVISION	BRIAN STEVENS
OWNER	BRIAN STEVENS
CITY	CARLSBAD
COUNTY	EDDY
STATE	NEW MEXICO
DATE	MARCH 15, 2018
ACCESS	YES
AREA	±5.17 ACRES

(SEE 3-7-17 NMSA, 1978, FOR PETITION REQUIREMENTS)

Application Date: 5-21-2018

Fee Paid: (no fee)

\$50.00

BRAIN STEVENS
NAME OF PROPERTY OWNER

ACREAGE

306 N CANAL ST
ADDRESS

CARLSBAD
CITY

NM
STATE88220
ZIP

575-302-8498
PHONE

eric@bdsofied.com

PHONE

EMAIL

SIGNATURE

DATE _____

NAME OF PROPERTY OWNER

ACREAGE

ADDRESS

CITY'

STATE

ZIP

PHONE

EMAIL

SIGNATURE

DATE _____

TRACT 1A, BRIAN STEVENS LINE ADJUSTMENT

± 5.17 ACRES BEING ANNEXED INTO CITY OF CARLSBAD

\$15.60 TOTAL ACREAGE OF TRACT 1A

Total acreage: 5.17

Current Zoning: _____

Proposed Zoning: R-R

(Please attach a completed Zoning Change application, a separate fee may be required)



Receipt Date Stamp

CITY OF CARLSBAD

*Planning, Engineering,
and Regulation Department*

114 S. Halagueno (PO Box 1569)
Carlsbad, NM 88221
Phone (575) 885-1185
Fax (575) 628-8379

APPLICATION FOR ANNEXATION

(SEE 3-7-17 NMSA, 1978, FOR PETITION REQUIREMENTS)

PROCESS FOR ACCEPTANCE AND REVIEW OF PLANNING AND ZONING COMMISSION MATTERS

1. The Planning and Zoning Commission's regularly scheduled meetings are on the FIRST MONDAY OF THE MONTH. Applicant should obtain an Application Packet for the particular type of request (Zone Change, Subdivision, Variance, Annexation, Special Property Use, etc.) from the City of Carlsbad, Planning, Engineering, and Regulation Office.
2. With the exception of Summary Reviews, **Applicant must submit a completed Application to the Planning, Engineering, and Regulation Office on, or before, the FIRST FRIDAY OF THE MONTH prior to the desired Commission meeting.** (As per Section 3-20-8 NMSA 1978 and Chapter 47 Code of Ordinances, Summary Reviews may be submitted at any time.) The minimum application packet submittal is one (1) copy of the Application with original signatures and all required supporting documents. If desired, a letter of explanation or clarification may also be provided. The required non-refundable application fee is due with submittal of the application.

The desired maximum size for all documents is 11"x17". **However, if the applicant wishes to support his or her application with larger size documents, an original and fifteen (15) copies need to be provided. (For Summary Review—an original and three (3) copies are required.)** Separate arrangements for copying these large documents may be possible, but will incur additional costs.

3. The Planning, Engineering, and Regulation Office will give the Application an initial cursory review. If deficiencies or questions are noted, the Applicant will be advised and provided an opportunity to supplement the Application. If the Applicant fails to complete and resubmit the application prior to the above deadline, the matter will not be heard until the next subsequent Commission meeting. The original application fee will be retained and will suffice for the specific original application for a period of four months from the date of the original application.
4. Applications appearing complete will be set for full evaluation by City Staff prior to the Commission meeting. The purpose of this evaluation is to develop and provide a full briefing report for the Commission. Applicants will be advised of deficiencies noted during this review and will be afforded opportunity to supplement their application during their presentation to the Commission, if they so desire.

CITY OF CARLSBAD
AFFIDAVIT BY PROPERTY OWNER(S)

**IF AN APPLICATION IS MADE BY SOMEONE OTHER THAN THE PROPERTY OWNER
 THIS FORM MUST ACCOMPANY THE APPLICATION MATERIALS.**

APPLICATION TYPE:

☒ **ZONING CHANGE** ☐ **CONDITIONAL USE** ☐ **VARIANCE** ☐ **TEMPORARY USE**

STATE OF NEW MEXICO)

) SS

COUNTY OF EDDY)

I (WE) HEREBY CERTIFY that I am (we are) the owners of record of the property described as follows:

ADDRESS OF PROPERTY: 900 Standpipe STREET ADDRESS

LEGAL DESSCRPTION: Brian Stevens Annexation Plat Tract 1A 5.17 Acr.
 SUBDIVISION BLOCK LOT OR TRACT

I (WE) HAVE AUTHORIZED the following individuals to act as my (our) agent with regard to this application.

AGENT: Bart Frintz 575-302-9262
 NAME PHONE
501 N Canyon ADDRESS

I (WE) UNDERSTAND, CONCUR AND AFFIRM:

That this application may be approved, approved with conditions or denied and that, as the property owner, it is my responsibility to ensure that any conditions are complied with and to ensure that the property is maintained in a condition so as not to jeopardize the health, safety or welfare of others and that compliance with all applicable City ordinances is required, and

I (WE) HEREBY EXECUTE THIS AFFIDAVIT in support of the proposed application as presented:

OWNER 1:

BY: [Signature]
 SIGNATURE

BY: Brian Stevens
 PRINTED NAME

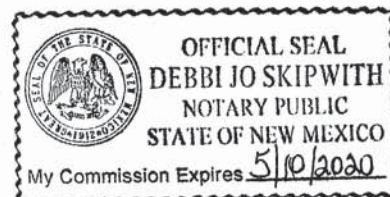
ACKNOWLEDGED, SUBSCRIBED, AND SWORN

to before me this 23rd day of May,
 20 18, by Brian Stevens

Notary Public Debbi Jo Skipwith

My commission expires: 5/10/2020

**(ADDITIONAL OWNERS:
 ATTACH SEPARATE SHEETS
 AS NECESSARY)**



NOTIFICATION SIGN POSTING AGREEMENT

Notification of Public Hearings before the City of Carlsbad Planning and Zoning Commission is required pursuant to Sec. 56-140(i).

- Signs shall be posted a minimum of 5 days prior to and shall be removed a maximum of 5 days after the public hearing.
- If the sign is not posted as required, the application will be delayed and will not be considered at the public hearing as scheduled.
- The sign shall be posted at the street side property line with a secure stake provided by the applicant.

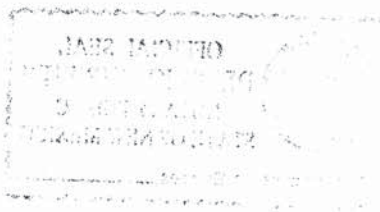
I have read and understand these requirements. I understand where the sign is to be located and my obligation to post the sign prior to the public hearing and remove it afterwards.

APPLICANT SIGNATURE

DATE

Sign issued by: _____
Staff Member

Notification Agreement Rev. 10/11



7017 1070 0000 6430 0059

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee \$3.45

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.50

Total Postage and Fees \$3.95

Sent To Houston Spring Creek Rch / Prosperity Bank Trust
1401 Ave G
Lubbock, TX 79401

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



7017 1070 0000 6430 0035

U.S. Postal Service™
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 Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee \$3.45

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.50

Total Postage and Fees \$3.95

Sent To Jack Valpato
1526 Muscatel
Carlsbad, NM 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



7017 1070 0000 6430 0042

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<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.50

Total Postage and Fees \$3.95

Sent To James Harris
2800 Alice St
Odessa, TX 79764-2414

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



7017 1070 0000 6430 0066

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<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.50

Total Postage and Fees \$3.95

Sent To Johnny Valpato
1615 Westridge Rd
Raton, NM 87740-4524

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



Date: 5-23-18

Dear Property Owner,

This letter serves as legal notification of a pending action before the City of Carlsbad Planning and Zoning Commission in accordance with Code of Ordinances Sec. 56-140(i). You are being notified because you are a property owner within one-hundred feet (100') of the subject site.

Applicant: Bart Fritze 501 N Canyon 302-9262
Name Address Phone
Subject Site Location: 900 Standpipe

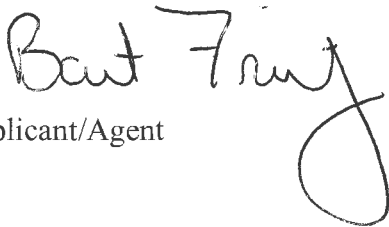
The proposed action is a:

☒ Zoning Change from NA to RR in accordance with Sec. 56-150(b).☐ Variance/Appeal from Sec. _____ in accordance with Sec. 56-150(c).

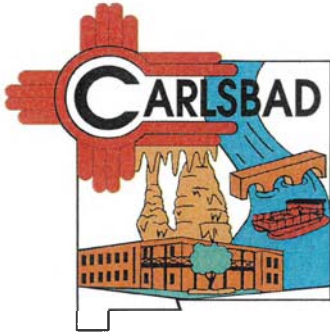
The purpose of the variance/appeal is:

☐ Conditional Use Permit in accordance with Sec. 56-150(f). The purpose of the permit is for a:☐ Home Occupation: _____☐ Other Use: _____**The Planning and Zoning Commission will consider this request at a Public Hearing on:**Date: 7/2/2018Time: 5:00pmPlace: **City Annex Planning Room****114 S. Halagueno St.****Carlsbad, NM 88220**The Code of Ordinances can be found on the City's website www.cityofcarlsbadnm.com.For details about this request contact the applicant OR contact the City Planner at 575-885-1185 or via email at jepatterson@cityofcarlsbadnm.com.

Sincerely,



Applicant/Agent



DALE JANWAY

Mayor

Post Office Box 1569
Carlsbad, NM 88221-1569
(575) 887-1191
1-800-658-2713
www.cityofcarlsbadnm.com

MICHAEL HERNANDEZ

City Administrator

July 3, 2018,

Applicant/Owner:
Brian Stevens
306 N. Canal St.
Carlsbad, NM 88220

OFFICIAL NOTICE OF RECOMMENDATION

On July 2, 2018, the City of Carlsbad's Planning and Zoning Commission voted to recommend approval to the City Council for your request for annexation and application of "R-R" Rural Residential District zoning for your property located at 912 Standpipe Rd., legally described as lying between the current corporate boundary and the new southerly line of Tract 1A, created by the Brian Stevens Line Adjustment Plat, pursuant to Section 3-21-1 et. Seq. NMSA 1978 and Sections 56-150(b) and 56-140(i), Carlsbad Code of Ordinances. This item will be scheduled to appear before Council at the **August 14, 2018**, regular meeting. Council meetings are held in the Carlsbad City Council Chambers located at 114 S. Halagueno St. Meetings begin at 6:00 P.M.

Please contact me at (575) 885-1185 if you need additional information.

Thank you,

Jeff Patterson
Director of Planning and Regulation

COUNCILORS

Ward 1

EDDIE T. RODRIGUEZ
LISA A. ANAYA FLORES

Ward 2

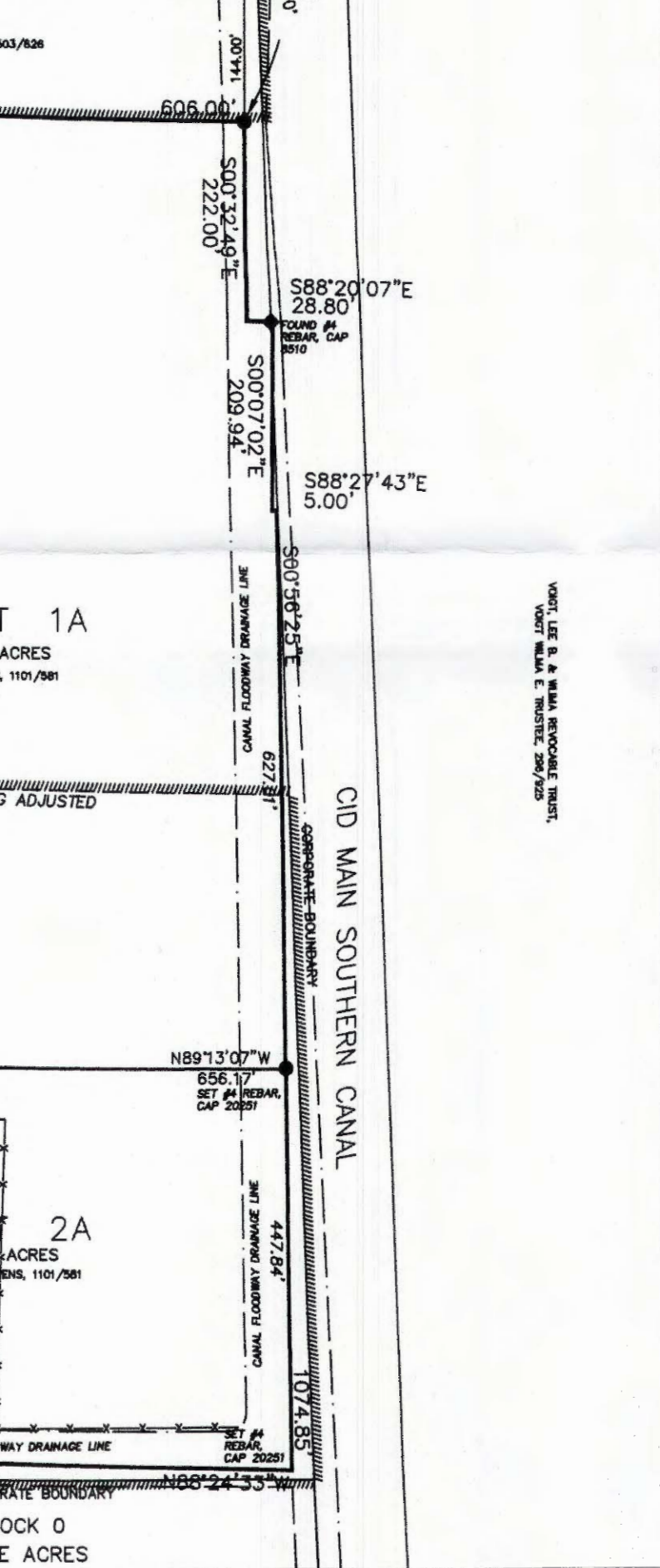
J.J. CHAVEZ
LEO B. ESTRADA

Ward 3

JASON G. SHIRLEY
JUDI WATERS

Ward 4

WESLEY A. CARTER
MARK WALTERSCHEID



OF STANDPIPE ROAD, FOR 1507.70 FEET; THEN S88°18'00\"/>



- LEGEND**
- CORNER FOUND AS NOTED
 - SET #4 REBAR, CAP 20251
 - SECTION CORNER
 - LINE BEING ADJUSTED
 - CORPORATE BOUNDARY
 - DRAINAGE DITCH
 - LAND LINE

APPROVAL BY THE CITY PLANNING COMMISSION
 THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN INSPECTED BY THE CITY PLANNING COMMISSION, OR ITS DESIGNEE, OF THE CITY OF EDDY, STATE OF NEW MEXICO ON
 THIS 6th DAY OF March, 2018.

[Signature]
 COMMISSION DESIGNEE

[Signature]
 BRIAN STEVENS

OWNERS STATEMENT AND AFFIDAVIT

STATE OF New Mexico : SS
 COUNTY OF Eddy :
 THE ABOVE SIGNED BEING FIRST DULY SWORN ON OATH, STATE: WE HAVE OF OUR OWN FREE WILL AND CONSENT CAUSED THIS PLAT TO BE PLATTED. THE PROPERTY DESCRIBED ON THIS PLAT LIES WITHIN THE CITY LIMITS OF CARLSBAD AND CARLSBAD PLATTING AND IS NOT SUBJECT TO THE CITY LIMITS OF CARLSBAD AND IN EDDY COUNTY AS SHOWN. SUBSCRIBED, SWORN TO AND ACKNOWLEDGED BEFORE ME

THIS 22nd DAY OF February, 2018.
 BY Brian Stevens

THIS PLAT IS EXEMPT FROM THE STATE SUBDIVISION ACT, AND THE COUNTY SUBDIVISION ORDINANCE, UNDER 47-6-2 M(7) DEFINITIONS; THE DIVISION OF LAND RESULTING ONLY IN THE ALTERATION OF PARCEL BOUNDARIES, AND THE NUMBER OF PARCELS IS NOT INCREASED.

ENTITLEMENT OF EXEMPTION

FILED ON THIS _____ DAY OF _____, 20____ A.D.
 IN BOOK _____, PAGE _____ OF THE EDDY COUNTY RECORDS

APPROVED AND ACCEPTED BY THE EDDY COUNTY BOARD OF COMMISSIONERS OF THEIR DESIGNATED AGENT

ON THIS _____ DAY OF _____, 20____ A.D.

BY: _____
 AGENT

ATTEST: _____
 COUNTY CLERK

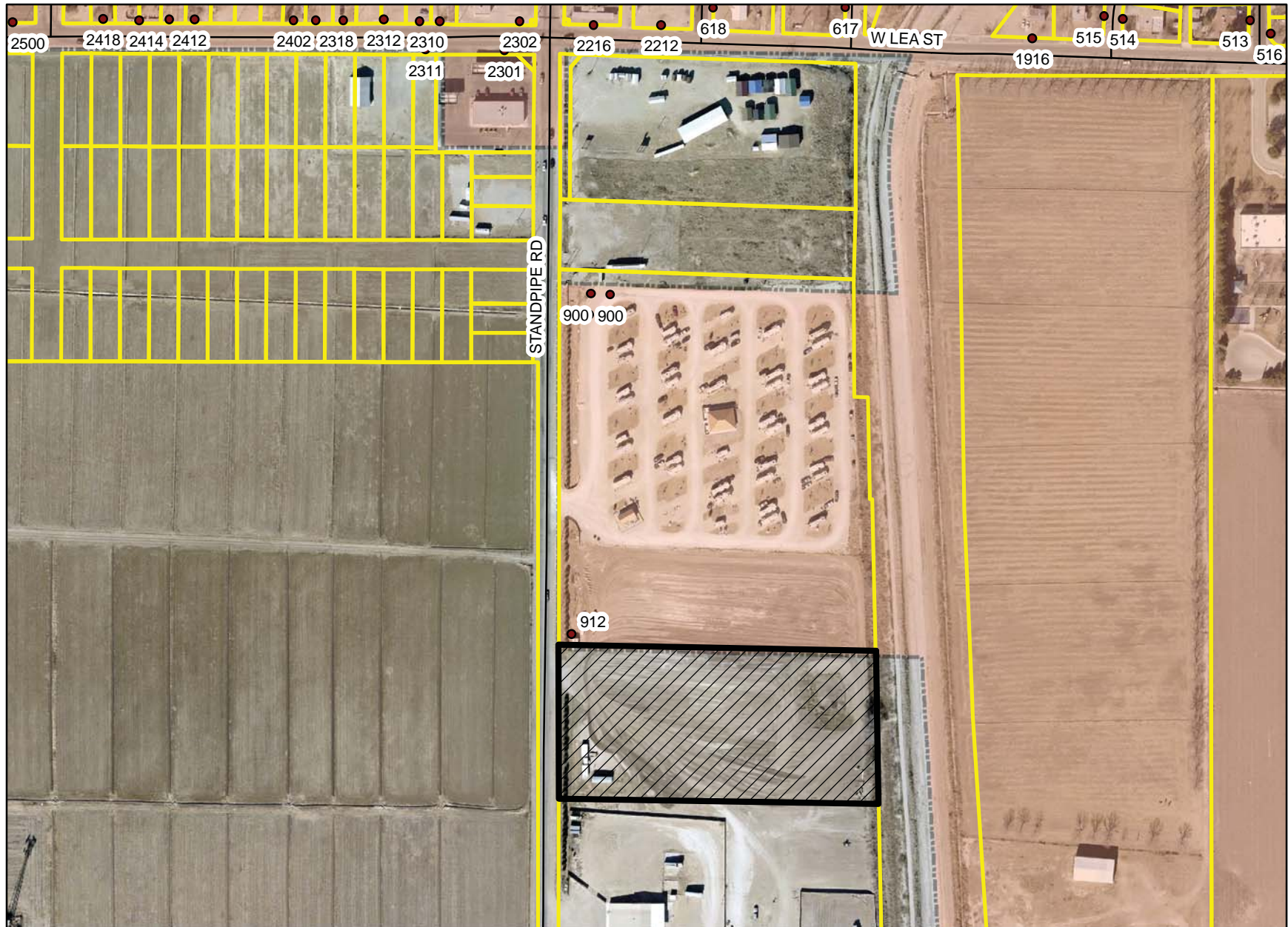
THE STREET AT THE FRONT OF THE PROPERTY.
 AND GUTTER, AND THERE IS ASPHALT IN THE ROADWAYS.
 OF CARLSBAD REQUIREMENTS:
 CITY LIMITS OF CARLSBAD AND IN EDDY COUNTY AS SHOWN.

R&R	
A L	
SERVING	
IND	
SECTION	12
SUBDIVISION:	BRI
OWNER:	BRI
CITY:	CAR
COUNTY:	EDD
STATE:	NEW
DATE:	JAN
ACCESS:	YES
AREA:	±



Annexation 912 Standpipe Rd.

- Parcel
- Area to be Annexed
- City Boundary



0 250 500 1,000 Feet