

done 8/20/02 CS

8.26.02 Completed gm

PROJECT NO. 1002071	APPLICATION NO. 02 DRB - 01290
PROJECT NAME Lands of McCarthy.	
EPC APPLICATION NO.	
APPLICANT / AGENT Mark McCarthy	PHONE NO. 301 - 1111
ZONE ATLAS PAGE H-12	
ONE STOP COMMENT FORM LOG	

TRANSPORTATION DEV (505) 924-3990		
PLANS DISAPPROVED NSF	DATE 8/20/02	DATE
PLANS APPROVED NSF	DATE 8/21/02	DATE
COMMENTS:		
<ul style="list-style-type: none"> • Provide site sketch of property fronting Carlota Rd. to determine if there is 9' from face of curb to property line (if not → 9' R/W dedication will be needed and it can affect 5' Aerial Easement) • What is 5' Aerial Easement? Utility? (define) 		

UTILITY DEV (505) 924-3989		
PLANS DISAPPROVED	DATE	DATE
PLANS APPROVED	DATE 8/20/02	DATE
COMMENTS:		

HYDROLOGY DEV (505) 924-3986		
PLANS DISAPPROVED	DATE	DATE
PLANS APPROVED BLB	DATE 8/26/02	DATE
COMMENTS:		

PARKS AND REC (505) 768-5328		
PLANS DISAPPROVED	DATE	DATE
PLANS APPROVED CG	DATE 8/22	DATE
COMMENTS:		

PLANNING (505) 924-3858		
PLANS DISAPPROVED	DATE	DATE
PLANS APPROVED JS	DATE 8/26/02	DATE
COMMENTS:		
<p>① minor plats (if not completing a vacation) may be recorded by the applicant/agent. A copy of the recorded plat must be provided to Planning in order to close the case file. ② Please provide a digital dxf file showing easement parcel and right-of-way lines in North American State Plane Feet NAD 1927 or 1983 for AGIS purposes. This information may be forwarded to jmcSorley@cabq.gov via email or provided in a diskette.</p>		

(Return form with plat / site plan)

20 50000 2000

OK for the agent
 to record —
 See comments
 below —
 Tush
 100 2071 8/28/02

10/1/02 2000

10/1/02 2000



City of Albuquerque
CITY OF ALBUQUERQUE
P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103
PUBLIC WORKS DEPARTMENT
DEVELOPMENT SERVICE
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1002071

AGENDA ITEM NO: 20

SUBJECT:

- | | | |
|--------------------------------|---------------------------------|-------------------------------------|
| (01) Sketch Plat/Plan | (05) Site Plan for Subd | (10) Sector Dev Plan |
| (02) Bulk Land Variance | (06) Site Plan for BP | (11) Grading Plan |
| (03) Sidewalk Variance | (07) Vacation | (12) SIA Extension |
| (03a) Sidewalk Deferral | (08) Final Plat | (13) Master Development Plan |
| (04) Preliminary Plat | (09) Infrastructure List | (14) Other |

ACTION REQUESTED:

REV/CMT:(x) APP:() SIGN-OFF:() EXTN:() AMEND:()

ENGINEERING COMMENTS:

No adverse comments .

RESOLUTION:

APPROVED ____; DENIED ____; DEFERRED ____; COMMENTS PROVIDED X; WITHDRAWN

SIGNED-OFF: (SEC-PLN) (SP-SUB) (SP-BP) (FP) BY: (UD) (CE) (TRANS) (PKS) (PLNG)

DELEGATED: (SEC-PLN) (SP-SUB) (SP-BP) (FP) TO: (UD) (CE) (TRANS) (PKS) (PLNG)

FOR:

SIGNED: Bradley L. Bingham
City Engineer/AMAFCA Designee

DATE: July 10, 2002



City of Albuquerque
Parks and Recreation Department
PO Box 1293, Albuquerque, New Mexico 87103
Inter-Office Correspondence

Development Review Board Comments

Project Number: 1002071
Application Number: 02DRB-01011

DRB Date: 7/10/02
Item Number: 20

Subdivision:

Lot 44B tract 33B4A, MRGCD Map 35

Zoning: RA-2

Zone Page: H-12

New Lots (or units) : 1

Request for:


- Sketch Plat Review & Comment
- Bulk Land Variance
- Site Development Plan for Subdivision
- Site Development Plan for Building Permit
- Preliminary Plat
- Final Plat
- Vacation of Public RoW
- Vacation of Public Easement
- Vacation of Private Easement
- Temp. Deferral of Sidewalk Construction
- Sidewalk Variance
- SIA Extension
- Other

Parks and Recreation Comments:

This request will be subject to the following requirements of the City Park Dedication and Development Ordinance:

Prior to sign-off on the final plat, a fee in-lieu of and equal to the value of the required park land dedication for 1 new residential lots will be required. The fee will be based on an estimate of land value to be provided by the City Real Property office. Alternatively, the applicant may submit current appraisal information mutually acceptable to the applicant and the City.

The park development requirement will be met via the payment of a fee prior to issuance of building permit for each new dwelling unit.

Signed: 
Christina Sandoval, (PRD)

Phone: 768-5328

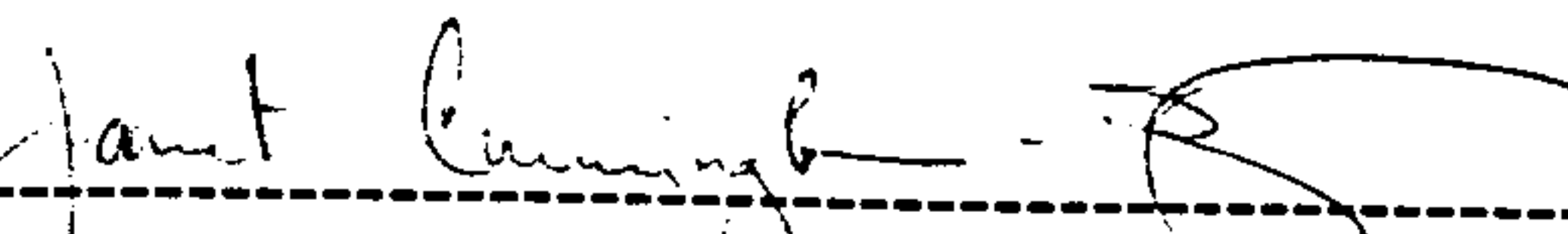


CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

July 10, 2002

**20. Project #1002071
Application # 02DRB-01011
MRGCD Map 35**

1. The proposal does not meet lot size requirements (see Tract 44-A). In addition, the existing residence will need a setback variance. Please reconfigure to meet lot size requirements, i.e. 10,890 square feet. In addition, please contact Tom Rojas, 924-3938, to discuss the setback variance.



Janet Cunningham-Stephens, DRB Chair
Planning Manager, Land Development Coordination
Tel: 505-924-3880 FAX: 505-924-3864



Supplemental form

SUBDIVISION S

Major Subdivision action

Minor Subdivision action *IR*

Vacation V

Variance (Non-Zoning)

SITE DEVELOPMENT PLAN P

...for Subdivision Purposes

...for Building Permit

IP Master Development Plan

Cert. of Appropriateness (LUCC) L

Supplemental form

ZONING Z

Annexation & Zone Establishment

Sector Plan

Zone Change

Text Amendment

APPEAL / PROTEST of... A

Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2nd Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICANT INFORMATION:

NAME: MARK MCCARTHY PHONE: 505-301-1111

ADDRESS: 9100 Guadalupe TRAIL N.W FAX: 505-890-6789

CITY: ALBUQUERQUE STATE NM ZIP 87114 E-MAIL: CASA DEL SENDERO@MSN.COM

Proprietary interest in site: OWNER

AGENT (if any): _____ PHONE: _____

ADDRESS: _____ FAX: _____

CITY: _____ STATE _____ ZIP _____ E-MAIL: _____

DESCRIPTION OF REQUEST: Adjust the Interior Lot Line
INTERIOR ROUTING to

Is the applicant seeking incentives pursuant to the Family Housing Development Program? Yes. No.

SITE INFORMATION: ACCURACY OF THE LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract No. 3384A & 44B Block: _____ Unit: _____

Subdiv. / Addn. MRCED MAP 35

Current Zoning: RA-2 Proposed zoning: _____

Zone Atlas page(s): H-12 No. of existing lots: 2 No. of proposed lots: 2

Total area of site (acres): .55 Density if applicable: dwellings per gross acre: _____ dwellings per net acre: _____

Within city limits? Yes. No. but site is within 5 miles of the city limits (DRB jurisdiction.) Within 1000FT of a landfill? NO

UPC No. 101205931843210752 MRGCD Map No. _____

LOCATION OF PROPERTY BY STREETS: On or Near: 2942 CARLOTA 3/4 of a mile west of R10
 Between: Los Luceros & GABALDON NW and GABALDON NW
To Be known as Lands of McCarthy

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB, AX, Z, V, S, etc.): 1002071
2 DRB 01011

Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team . Date of review: _____
 DATE 8-19-02

SIGNATURE MARK MCCARTHY DATE _____
 (Print) _____ Applicant _____ Agent _____

FOR OFFICIAL USE ONLY

	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> INTERNAL ROUTING	<u>02DRB - 01290</u>	<u>P+F</u>	<u>S3</u>	\$ <u>285.-</u>
<input checked="" type="checkbox"/> All checklists are complete	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> All fees have been collected	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> All case #s are assigned	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> AGIS copy has been sent	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> Case history #s are listed	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	\$ _____
Hearing date: <u>IR</u>				Total \$ <u>285.-</u>

MA 8/19/02
 Planner signature / date

Project # 1002071

FORM S(3): SUBDIVISION - D.R.B. MEETING (UNADVERTISED) OR INTERNAL ROUTING

SKETCH PLAT REVIEW AND COMMENT

- Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings. Sketches are not reviewed through internal routing.
 - Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, etcetera, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) 6 copies.
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Any original and/or related file numbers are listed on the cover application
- DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

MAJOR SUBDIVISION EXTENSION OF PRELIMINARY PLAT

- Preliminary Plat reduced to 8.5" x 11"
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the request
- Copy of previous D.R.B. approved infrastructure list
- Copy of the Official D.R.B. Notice of approval
- Any original and/or related file numbers are listed on the cover application

Extensions are not reviewed through internal routing.

Extension of preliminary plat approval expires after one year.

DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

MAJOR SUBDIVISION FINAL PLAT APPROVAL

- Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings, 4 copies for internal routing.
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Original Mylar drawing of the proposed plat for internal routing only. Otherwise, bring Mylar to meeting.
- Property owner's and City Surveyor's signatures on the Mylar drawing
- SIA financial guaranty verification
- Landfill disclosure and EHD signature line on the Mylar drawing if property is within a landfill buffer
- Any original and/or related file numbers are listed on the cover application

DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

MINOR SUBDIVISION PRELIMINARY / FINAL PLAT APPROVAL

- Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings, 4 copies for internal routing.
- Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, etcetera, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) 6 copies.
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the request
- Original Mylar drawing of the proposed plat for internal routing only. Otherwise, bring Mylar to meeting.
- Property owner's and City Surveyor's signatures on the Mylar drawing
- Landfill disclosure and EHD signature line on the Mylar drawing if property is within a landfill buffer
- Fee (see schedule \$285⁰⁰)
- Any original and/or related file numbers are listed on the cover application

DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

AMENDMENT TO PRELIMINARY PLAT (with minor changes)

AMENDMENT TO INFRASTRUCTURE LIST (with minor changes)

AMENDMENT TO GRADING PLAN (with minor changes)

PLEASE NOTE: There are no clear distinctions between significant and minor changes with regard to subdivision amendments. Significant changes are those deemed by the DRB to require public notice and public hearing.

- Proposed Amended Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings, 4 copies for internal routing.
- Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings, 4 copies for internal routing.
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the request
- Original Mylar drawing of the proposed amended plat for internal routing only. Otherwise, bring Mylar to meeting.
- Property owner's and City Surveyor's signatures on the Mylar drawing, if the plat is being amended
- Any original and/or related file numbers are listed on the cover application

Amended preliminary plat approval expires after one year.

DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

MARK MCCARTHY
Applicant name (print)

[Signature]
Applicant signature / date

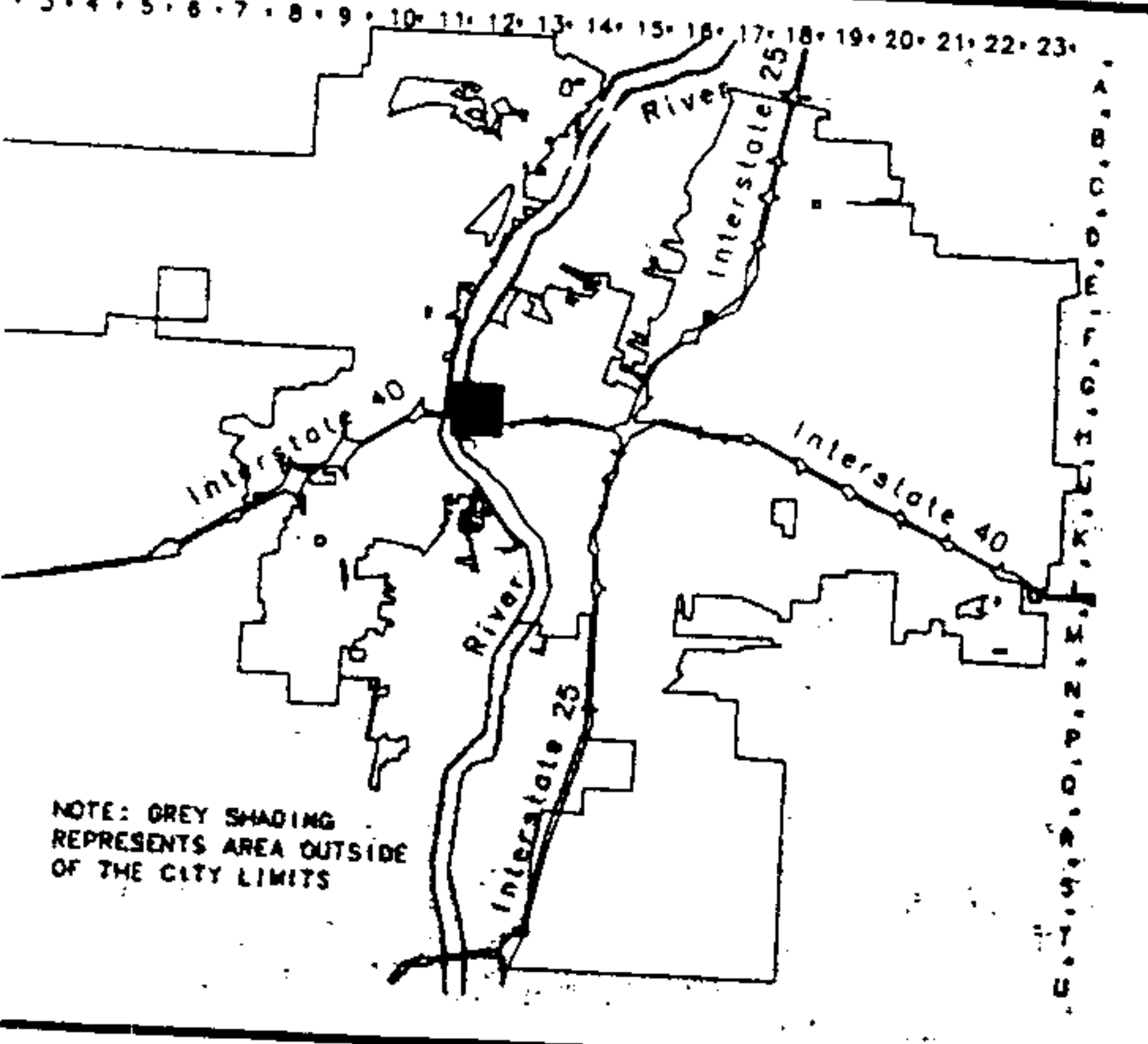


Form revised September 2001

- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers
02 DRB - - 01290

JAM 8/19/02
Planner signature / date
Project # 1002071

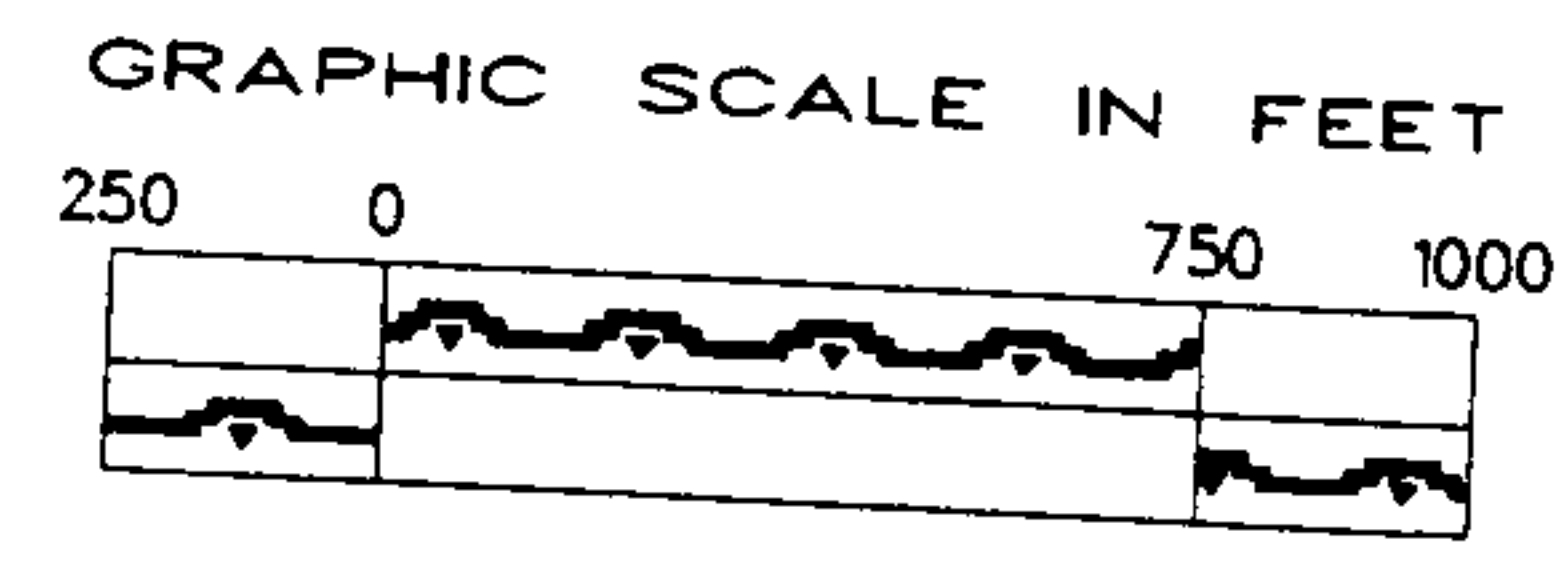


NOTE: GREY SHADING REPRESENTS AREA OUTSIDE OF THE CITY LIMITS



CITY OF
Albuquerque
Geographic Information System
PLANNING DEPARTMENT

© Copyright 2002



Zone Atlas Page

H-12-Z

Map Amended through April 03, 2002

ONE STOP SHOP ••• FRONT COUNTER
City of Albuquerque • Planning Department

DEVELOPMENT & BUILDING SERVICES (D&B Svcs)
LAND DEVELOPMENT COORDINATION DIVISION (LDC)
Plaza Del Sol -2nd Floor West - 600 2nd St NW
Land Development / Planning - Main Fax (505) 924-3685
Development Services / Public Works - Main Fax (505) 924-3864

PAID RECEIPT

APPLICANT NAME MARK MCCARTHY / owner

AGENT OWNER

ADDRESS _____

PROJECT NO. 1002071

APPLICATION NO. 02DRB-01290

\$ 285. 441006 / 4983000 (DRB Cases)

\$ _____ 441006 / 4971000 (EPC & AA / LUCC / Appeals)

\$ _____ 441018 / 4971000 (Notification)

\$ 285. **Total amount due**

DUPLICATE
City Of Albuquerque
Treasury Division

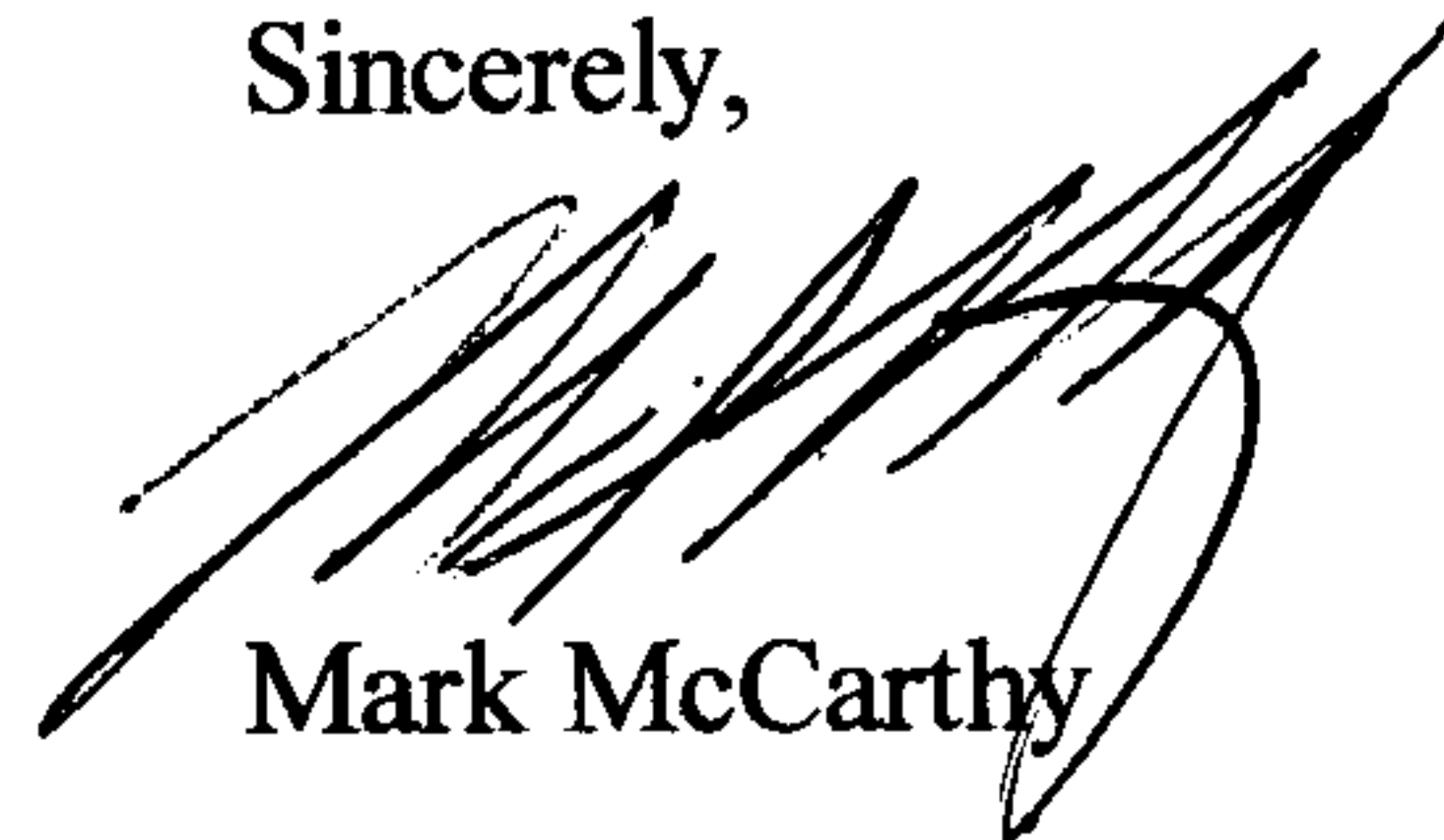
08/19/2002 4:44PM LOC: ANEX
RECEIPT# 00026175 WS# 006 TRANS# 0058
Account 441006 Fund 0110
Activity 4983000 7/1/02 TRSKDM
Trans Amt \$285.00
J24 Misc \$285.00
MC \$285.00
CHANGE \$0.00

8/19/02

Replat 2942 Carlota

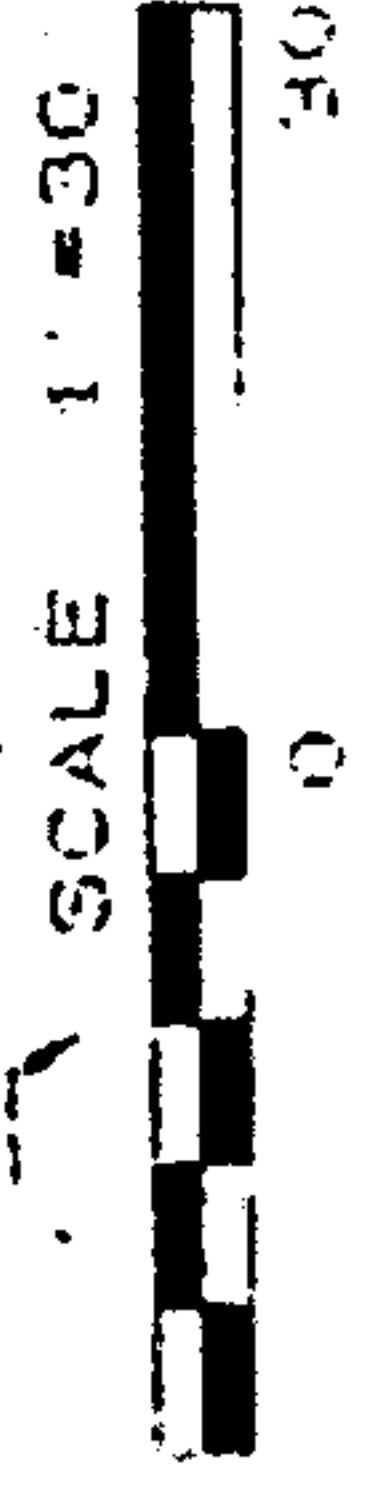
This is an attempt to make the property acreage more evenly distributed. The small lot, which is number 44B, has almost no backyard. While the other lot, number 33B4A, is oddly shaped. We hope this is a good division. Thank you for your time.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark McCarthy', written over a printed name.

Mark McCarthy

EXHIBIT



2942 CARLOTA ROAD N.W.

OVERHEAD

P.P.

S. 81° 17' 53" E.

133.30'

82.39'

Tract 33-B-3

N. 10° 00' 53" E.

104.50'

N. 81° 39' 53" W.

Tract 33-B-4-A

0.3658 ACRES NET

18663.42 SQUARE FEET EXISTING

0.2949 ACRES NET 12,847.79 SQUARE FEET PROPOSED

125.37'

SEWER MANHOLE

P.P.

OVERHEAD

91.00'

WATER METER

224.30' P.P.

80.29'

27.3'

EXISTING RESIDENCE

Tract 44-A

0.1543 ACRES NET

6721.53 SQUARE FEET

EXISTING LOT LINE

N. 85° 52' 37" W.

84.27'

0.2461 ACRES NET

10,677.24 SQUARE FEET PROPOSED

38.50'

N. 81° 26' 02" W.

79.95'

118.34'

Tract 33-C-1-A

N. 4° 51' 36" E.

N. 7° 55' 15" E.

Lot 2

Lands of Eustacio & Nettie Martinez
(Filed 11/29/94, Vol. 94C, folio 395)

S. 9° 57' 58" W.

Tract 33-9-4-B

124.93'

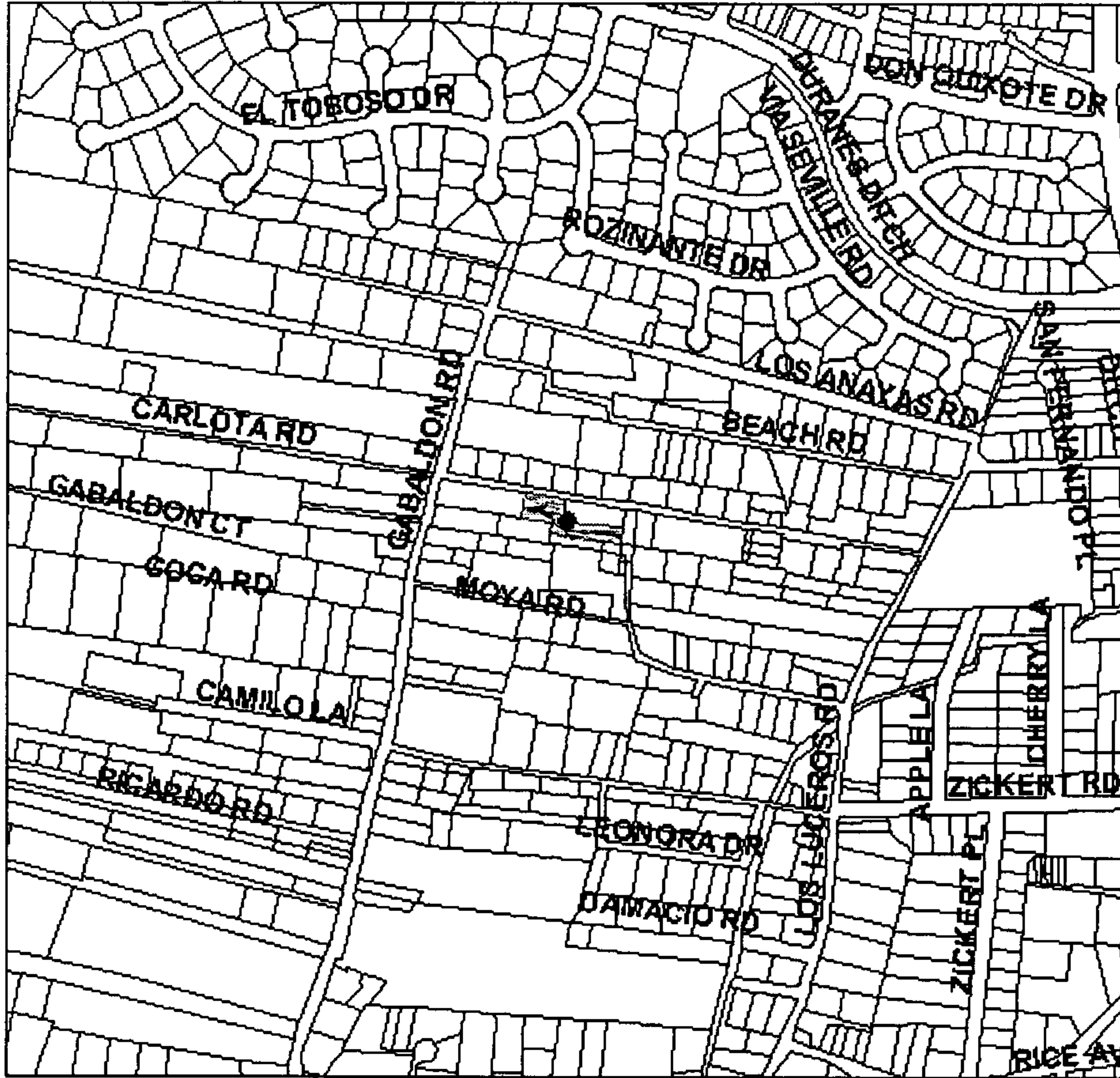
73.40'

20.8'

26.3'

51.59'

Zh12 carlota



Selected Address: 2942 CARLOTA RD NW

Zoning: RA-2

Lot/Block/Subd: 33B4A , 0000 , MRGCD MAP 35

Council District/Name: TWO , V GRIEGO

County Commission: 1

Rep District/Sen District: 11 , 13

Nbr Assoc: LOS DURANES R

Zoning: RA-2

Voter Pct: 151

High Sch District: Valley

Mid Sch District: Garfield

Elem Sch District: Duranes

ZoneMap Page: H12

Jurisdiction: CITY

Police Beat: 235/VALLEY

Flood Zone: Nothing Selected

Comm Plan Area: NORTH VALLEY

UPC #: 101205931843210752

Owner Name: MCCARTHY MARK & LAINA

Owner Street Adress: 9100 GUADALUPE TRL

Owner City/State/Zip: ALBUQUERQUE / NM / 87114 NM

Existing setback for the building is non conforming and will not affect the proposed replat.

Joni Sarah Montano
7/11/02

Ref: Tract 44-A
MRGD Map 35

2. Conform to this Zoning Code by January 1, 1979, whichever is a longer time period.

(c) A sign which first became nonconforming through passage of this Zoning Code, including a sign approved under the SU-1 zone which does not conform to C-2 sign regulations and § 14-16-3-5 of this Zoning Code, shall be made to conform within five years of the effective date of this Zoning Code, except:

1. Any sign which violates the brightness regulations of this Zoning Code shall be made to conform as to brightness within one year of the effective date of this Zoning Code.

2. For five years after the effective date of this Zoning Code, any signs on wheels, in use in the city on the effective date of this Zoning Code, may be moved to a new site in a C-2, C-3, M-1, or M-2 zone, even though it violates the sign regulations listed in that zone. Such sign shall comply with all parts of this section. Five years after the effective date of this Zoning Code, such sign shall conform to all parts of this Zoning Code. Such sign shall bear a special seal of compliance, as set forth in § 14-16-3-5(A)(4) of this Zoning Code.

3. Signs erected contrary to zoning regulations in force at the time of erection and signs identified in § 14-16-3-5(B)(1) of this Zoning Code are subject to immediate removal under the terms of § 14-16-4-11 of this Zoning Code.

4. Previously erected signs which become nonconforming by virtue of the passage of this Zoning Code may remain for the life of the existing structure if the sign's degree of nonconformance does not exceed 10% nonconformance for each of setback or overhang, size, or separation and does not exceed 20% nonconformance of height.

(d) Signs installed under variances from former zoning regulations which were less strict than those in this Zoning Code shall be made to conform within five years of the effective date of this Zoning Code.

(e) A wall or fence which is legally nonconforming to this Zoning Code because it is not a solid wall or fence shall be made to conform within five years of the effective date of this Zoning Code (January 1, 1981). A wall or fence existent on the effective date of this Zoning Code and nonconforming by virtue of being in the clear sight triangle may

remain so long as the Traffic Engineer gives and does not withdraw a written opinion that the wall or fence is not a traffic hazard. Other nonconforming walls and fences may remain for the life of the structure.

(2) A nonconforming structure may be maintained, repaired, or altered, provided that the structure nonconforming as to use is not structurally altered except as required by law.

(3) A structure or lot nonconforming as to use cannot be added to or enlarged unless the structure afterward is converted to a conforming use; provided, however, that a maximum expansion of 25% may be permitted by the Zoning Hearing Examiner.

(4) A sign nonconforming as to size or number shall not be enlarged.

(5) A structure nonconforming only as to height regulations cannot be added to or enlarged unless the addition or enlargement conforms to all the regulations of the zone in which it is located.

(6) A structure nonconforming only as to setback regulations cannot be added to or enlarged unless the addition conforms to all the regulations of the zone in which the structure is located.

(7) A nonconforming structure may be moved in whole or in part to another location on the lot, provided that the moving will make it nonconforming to a lesser extent.

(8) A nonconforming structure which is damaged may be restored, provided the restoration is started within six months of the damage and is prosecuted diligently to completion.

(9) A structure or portion thereof which has been nonconforming as to use and which hereafter becomes vacant and remains vacant or is not used for a continuous period of one year or more is not to be occupied thereafter except by a conforming use as specified in the regulations of the zone in which such structure is located. Neither the intention of the owner nor that of anybody else to use a structure or part thereof for any nonconforming use, nor the fact that said structure or part thereof may have been used by a makeshift or pretended nonconforming use shall be taken into consideration in interpreting and construing the word "vacant" as used in this division (9).

(10) The nonconforming use of a structure may be changed to another use equally or more

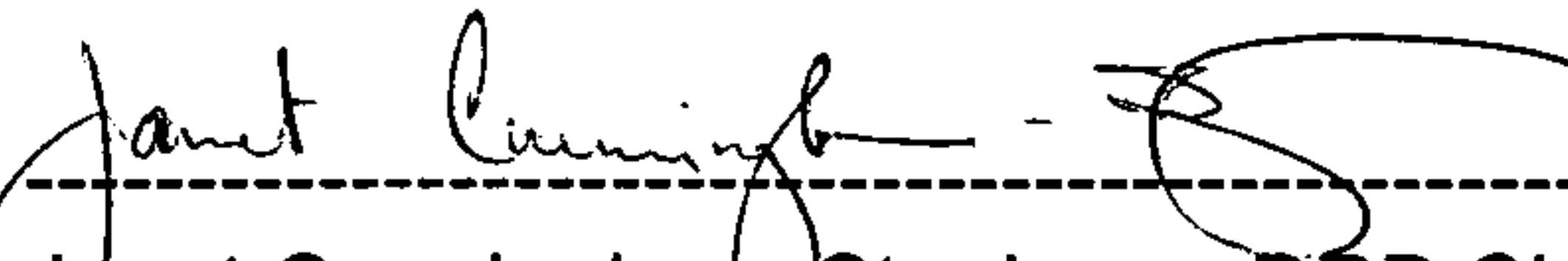


CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

July 10, 2002

**20. Project #1002071
Application # 02DRB-01011
MRGCD Map 35**

1. The proposal does not meet lot size requirements (see Tract 44-A). In addition, the existing residence will need a setback variance. Please reconfigure to meet lot size requirements, i.e. 10,890 square feet. In addition, please contact Tom Rojas, 924-3938, to discuss the setback variance.

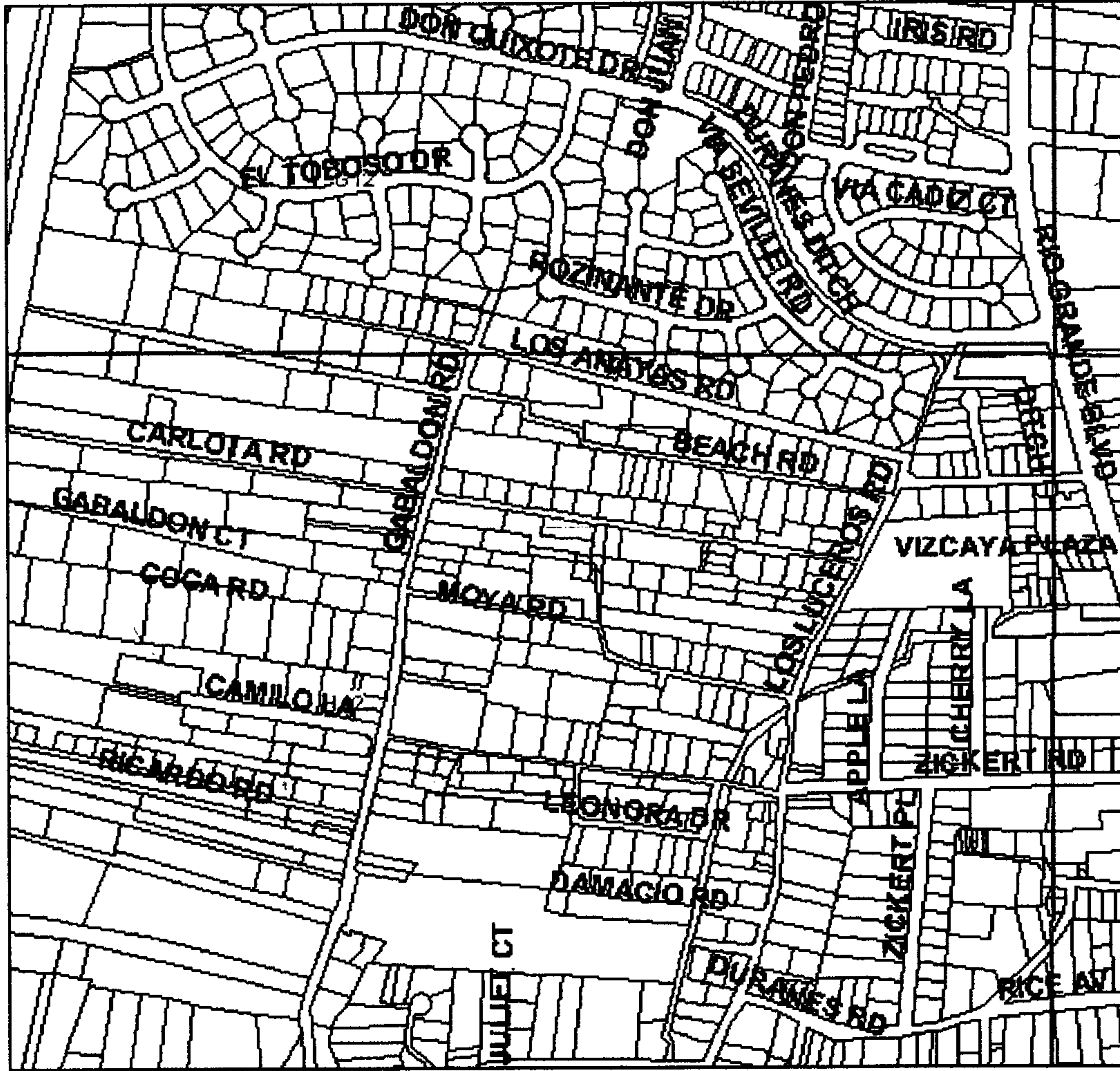


Janet Cunningham-Stephens, DRB Chair
Planning Manager, Land Development Coordination
Tel: 505-924-3880 FAX: 505-924-3864

2420783

Activate By 'Clicking' on the Map

Zoom In Id Address Id ZM Pan Zoom Out



ReDraw Screen

1999 AIR PHOTO (Metro Area Coverage)

CITY



LAYERS

- STREET
- PARKS
- CITY L
- ZONE 1
- 
- NBR B
- COMM
- WATER
- SEWER
- STORM
- ZONIN
- LOT NI
- ZIP CO
- COUNC
- FLOOD
- PARCE
- CONTR
- SENAT
- REPRE
- COUN1
- PARCE
- CRIMP
- CITY F
- LAND1
- 1960 CI

ZO

TE
MI

PROX

Selected Address: 2940 CARLOTA RD NW
Zoning: RA-2
Lot/Block/Subd: 44B , 0000 , MRGCD MAP 35
Council District/Name: TWO , V GRIEGO
County Commission: 1
Rep District/Sen District: 11 , 13
Nbr Assoc: LOS DURANES R
Zoning: RA-2
Voter Pct: 151
High Sch District: Valley
Mid Sch District: Garfield
Elem Sch District: Duranes
ZoneMap Page: H12
Jurisdiction: CITY
Police Beat: 235/VALLEY
Flood Zone: Nothing Selected
Comm Plan Area: NORTH VALLEY
UPC #: 101205933443910751
Owner Name: DURAN CARLOS G
Owner Street Adress: 2940 CARLOTA RD
Owner City/State/Zip: ALBUQUERQUE / NM / 87104 NM
Note: Accuracy for Owner info cannot be guaranteed correct.
Please check with the Bernalillo County Assessor for official data.



CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

July 10, 2002

20. **Project #1002071**
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MRGCD Map 35

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*To be
added to
Print
Manual
Packet*

Janet Cunningham-Stephens

Janet Cunningham-Stephens, DRB Chair
Planning Manager, Land Development Coordination
Tel: 505-924-3880 FAX: 505-924-3864

2420783

Existing setback for the building is non conforming and will not affect the proposed replat.

Joni Sarah Montano
7/11/02

Ref: Tract 44-A
MRGD Map 35

2. Conform to this Zoning Code by January 1, 1979, whichever is a longer time period.

(c) A sign which first became nonconforming through passage of this Zoning Code, including a sign approved under the SU-1 zone which does not conform to C-2 sign regulations and § 14-16-3-5 of this Zoning Code, shall be made to conform within five years of the effective date of this Zoning Code, except:

1. Any sign which violates the brightness regulations of this Zoning Code shall be made to conform as to brightness within one year of the effective date of this Zoning Code.

2. For five years after the effective date of this Zoning Code, any signs on wheels, in use in the city on the effective date of this Zoning Code, may be moved to a new site in a C-2, C-3, M-1, or M-2 zone, even though it violates the sign regulations listed in that zone. Such sign shall comply with all parts of this section. Five years after the effective date of this Zoning Code, such sign shall conform to all parts of this Zoning Code. Such sign shall bear a special seal of compliance, as set forth in § 14-16-3-5(A)(4) of this Zoning Code.

3. Signs erected contrary to zoning regulations in force at the time of erection and signs identified in § 14-16-3-5(B)(1) of this Zoning Code are subject to immediate removal under the terms of § 14-16-4-11 of this Zoning Code.

4. Previously erected signs which become nonconforming by virtue of the passage of this Zoning Code may remain for the life of the existing structure if the sign's degree of nonconformance does not exceed 10% nonconformance for each of setback or overhang, size, or separation and does not exceed 20% nonconformance of height.

(d) Signs installed under variances from former zoning regulations which were less strict than those in this Zoning Code shall be made to conform within five years of the effective date of this Zoning Code.

(e) A wall or fence which is legally nonconforming to this Zoning Code because it is not a solid wall or fence shall be made to conform within five years of the effective date of this Zoning Code (January 1, 1981). A wall or fence existent on the effective date of this Zoning Code and nonconforming by virtue of being in the clear sight triangle may

remain so long as the Traffic Engineer gives and does not withdraw a written opinion that the wall or fence is not a traffic hazard. Other nonconforming walls and fences may remain for the life of the structure.

(2) A nonconforming structure may be maintained, repaired, or altered, provided that the structure nonconforming as to use is not structurally altered except as required by law.

(3) A structure or lot nonconforming as to use cannot be added to or enlarged unless the structure afterward is converted to a conforming use; provided, however, that a maximum expansion of 25% may be permitted by the Zoning Hearing Examiner.

(4) A sign nonconforming as to size or number shall not be enlarged.

(5) A structure nonconforming only as to height regulations cannot be added to or enlarged unless the addition or enlargement conforms to all the regulations of the zone in which it is located.

(6) A structure nonconforming only as to setback regulations cannot be added to or enlarged unless the addition conforms to all the regulations of the zone in which the structure is located.

(7) A nonconforming structure may be moved in whole or in part to another location on the lot, provided that the moving will make it nonconforming to a lesser extent.

(8) A nonconforming structure which is damaged may be restored, provided the restoration is started within six months of the damage and is prosecuted diligently to completion.

(9) A structure or portion thereof which has been nonconforming as to use and which hereafter becomes vacant and remains vacant or is not used for a continuous period of one year or more is not to be occupied thereafter except by a conforming use as specified in the regulations of the zone in which such structure is located. Neither the intention of the owner nor that of anybody else to use a structure or part thereof for any nonconforming use, nor the fact that said structure or part thereof may have been used by a makeshift or pretended nonconforming use shall be taken into consideration in interpreting and construing the word "vacant" as used in this division (9).

(10) The nonconforming use of a structure may be changed to another use equally or more

A City of Albuquerque



DEVELOPMENT REVIEW APPLICATION

Supplemental form **S**

SUBDIVISION

Major Subdivision action

Minor Subdivision action SK

Vacation **V**

Variance (Non-Zoning)

Supplemental form **Z**

ZONING

Annexation & Zone Establishment

Sector Plan

Zone Change

Text Amendment

SITE DEVELOPMENT PLAN **P**

...for Subdivision Purposes

...for Building Permit

IP Master Development Plan

Cert. of Appropriateness (LUCC) **L**

APPEAL / PROTEST of... **A**

Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2nd Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICANT INFORMATION:

NAME: MARK MCCARTHY PHONE: 505-301-1111

ADDRESS: 9100 Guadalupe TRAIL N.W. FAX: 505 890 6789

CITY: ALBUQUERQUE STATE NM ZIP 87114 E-MAIL: CASA DEL SENDERO + MSN.COM

Proprietary interest in site: OWNER

AGENT (if any): _____ PHONE: _____

ADDRESS: _____ FAX: _____

CITY: _____ STATE _____ ZIP _____ E-MAIL: _____

DESCRIPTION OF REQUEST: Move The Lot Lines To make them ~~equal~~ more of Equal size. [SKETCH] CREATE 2 NEW LOTS FROM 2 EXISTING

Is the applicant seeking incentives pursuant to the Family Housing Development Program? Yes. No.

SITE INFORMATION: ACCURACY OF THE LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract No. 3384A + 44B Block: 3120 Unit: _____

Subdiv. / Addn. Los AMRGCD MAP 35

Current Zoning: RA-2 Proposed zoning: _____

Zone Atlas page(s): H 12 No. of existing lots: 2 No. of proposed lots: 2

Total area of site (acres): 0.55 Density if applicable: dwellings per gross acre: _____ dwellings per net acre: _____

Within city limits? Yes. No , but site is within 5 miles of the city limits (DRB jurisdiction.) Within 1000FT of a landfill? NO

UPC No. 101205931843210752 MRGCD Map No. _____

LOCATION OF PROPERTY BY STREETS: On or Near: 2942 CARLOTA 3/4 of a mile west of Rio Grande

Between: LOS LUCROS + GABALDON NW and Gabaldon NW

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_, Z_, V_, S_, etc.): DRB-98-261

Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team . Date of review: _____

SIGNATURE: [Signature] DATE 6-27-02

(Print) MARK MCCARTHY Applicant Agent

FOR OFFICIAL USE ONLY

INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>02 DRB - 01011</u>	<u>SK</u>	<u>53</u>	\$ <u>0</u>
<input checked="" type="checkbox"/> All fees have been collected	_____	_____	_____	\$ _____
<input type="checkbox"/> All case #s are assigned	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> AGIS copy has been sent	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> Case history #s are listed	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	\$ _____
Hearing date <u>July 10 2002</u>				Total <u>0</u>

[Signature] 7/2/02
Planner signature / date

Project # 1002071

FORM S(3): SUBDIVISION - D.R.B. MEETING (UNADVERTISED) OR INTERNAL ROUTING

SKETCH PLAT REVIEW AND COMMENT

- Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings. Sketches are not reviewed through internal routing.
 - Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, etcetera, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) 6 copies.
 - Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
 - Letter briefly describing, explaining, and justifying the request
 - Any original and/or related file numbers are listed on the cover application
- DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

MAJOR SUBDIVISION EXTENSION OF PRELIMINARY PLAT

- Preliminary Plat reduced to 8.5" x 11"
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the request
- Copy of previous D.R.B. approved infrastructure list
- Copy of the Official D.R.B. Notice of approval
- Any original and/or related file numbers are listed on the cover application

Extensions are not reviewed through internal routing.

Extension of preliminary plat approval expires after one year.

DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

MAJOR SUBDIVISION FINAL PLAT APPROVAL

- Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings, 4 copies for internal routing.
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Original Mylar drawing of the proposed plat for internal routing only. Otherwise, bring Mylar to meeting.
- Property owner's and City Surveyor's signatures on the Mylar drawing
- SIA financial guaranty verification
- Landfill disclosure and EHD signature line on the Mylar drawing if property is within a landfill buffer
- Any original and/or related file numbers are listed on the cover application

DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

MINOR SUBDIVISION PRELIMINARY / FINAL PLAT APPROVAL

- Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings, 4 copies for internal routing.
- Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, etcetera, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) 6 copies.
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the request
- Original Mylar drawing of the proposed plat for internal routing only. Otherwise, bring Mylar to meeting.
- Property owner's and City Surveyor's signatures on the Mylar drawing
- Landfill disclosure and EHD signature line on the Mylar drawing if property is within a landfill buffer
- Fee (see schedule)
- Any original and/or related file numbers are listed on the cover application

DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

AMENDMENT TO PRELIMINARY PLAT (with minor changes)

AMENDMENT TO INFRASTRUCTURE LIST (with minor changes)

AMENDMENT TO GRADING PLAN (with minor changes)

PLEASE NOTE: There are no clear distinctions between significant and minor changes with regard to subdivision amendments. Significant changes are those deemed by the DRB to require public notice and public hearing.

- Proposed Amended Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings, 4 copies for internal routing.
- Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings, 4 copies for internal routing.
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the request
- Original Mylar drawing of the proposed amended plat for internal routing only. Otherwise, bring Mylar to meeting.
- Property owner's and City Surveyor's signatures on the Mylar drawing, if the plat is being amended
- Any original and/or related file numbers are listed on the cover application

Amended preliminary plat approval expires after one year.

DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

MARK M. CARTER
Applicant name (print)

[Signature]
Applicant signature / date



Form revised September 2001

- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers
02DRB-01011

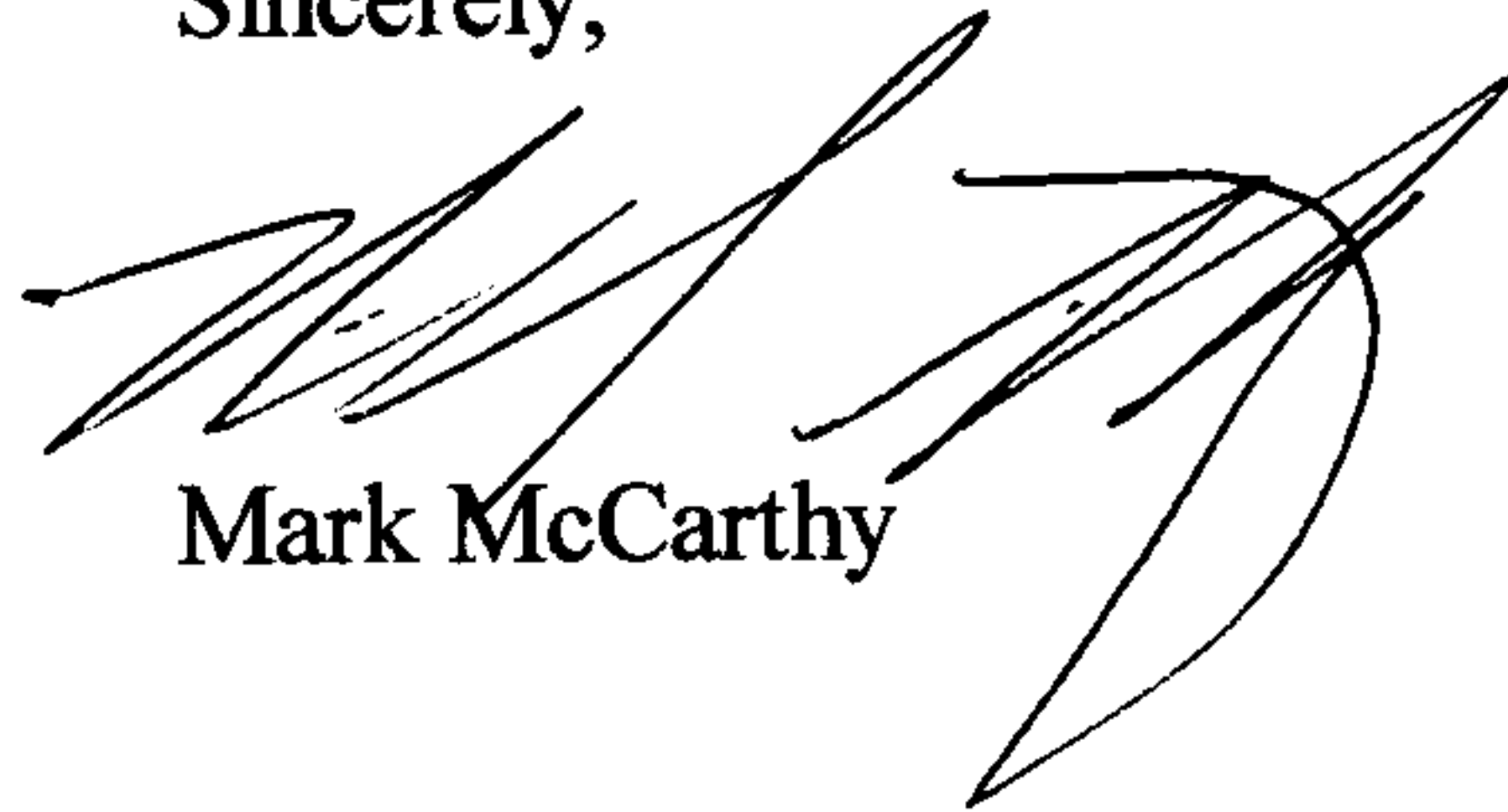
[Signature] 7/2/02
 Planner signature / date
Project # 1002071

7-2-02

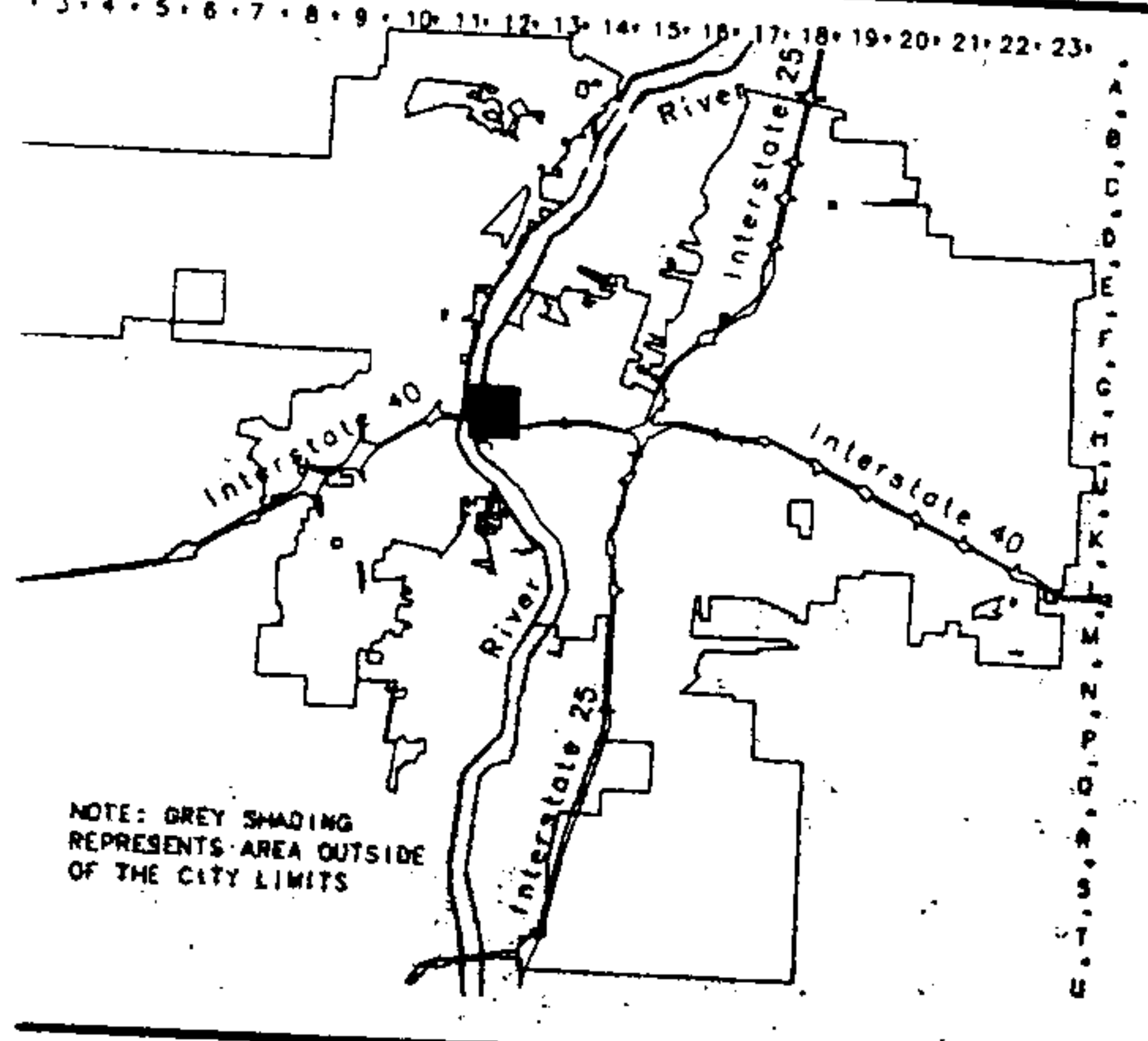
Replat 2942 Carlota

This is an attempt to make the property acreage more evenly distributed. The small lot, which is number 44B, has almost no backyard. While the other lot, number 33B4A, is oddly shaped. We hope this is a good division. Thank you for your time.

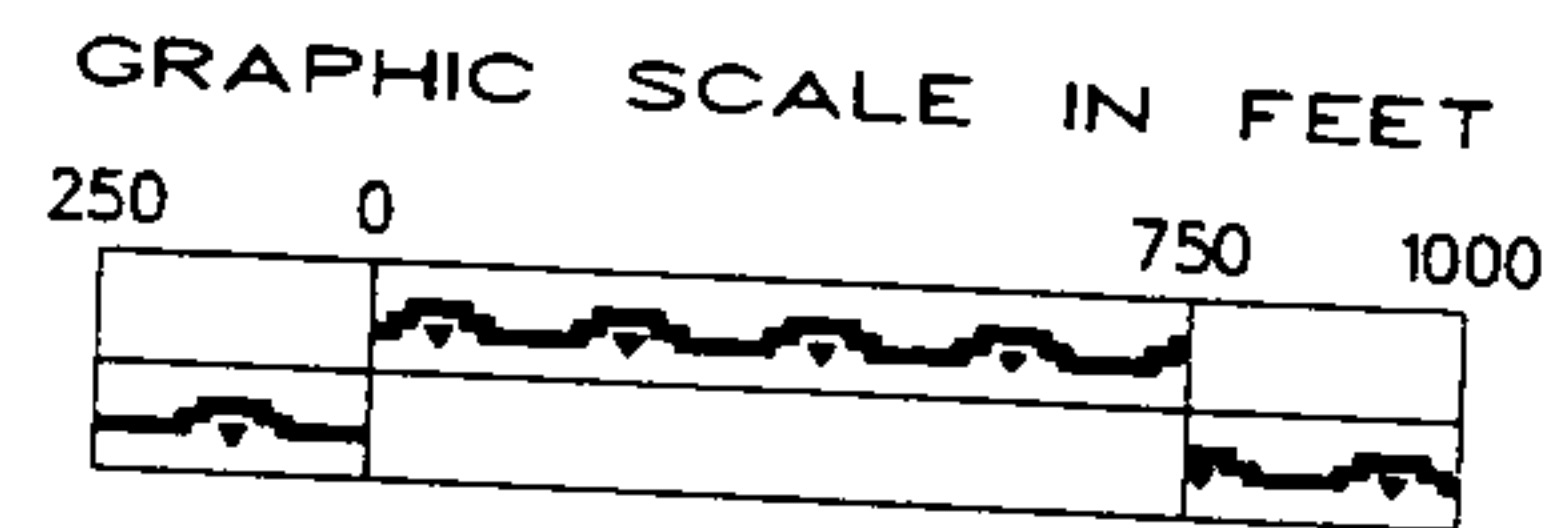
Sincerely,



Mark McCarthy



CITY OF Albuquerque
Abuquerque **G**eographic **I**nformation **S**ystem
PLANNING DEPARTMENT
 © Copyright 2002

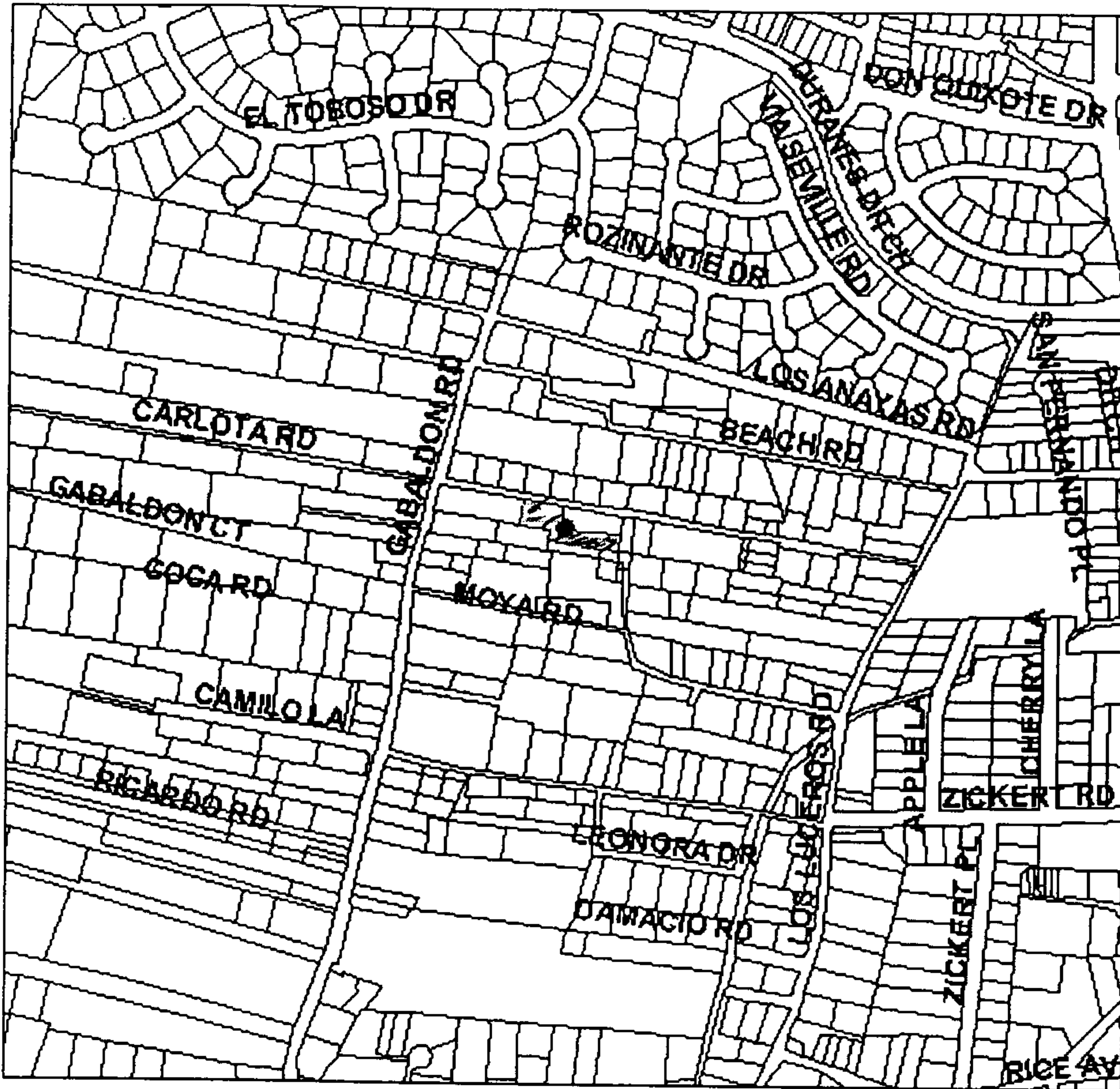


Zone Atlas Page

H-12-Z

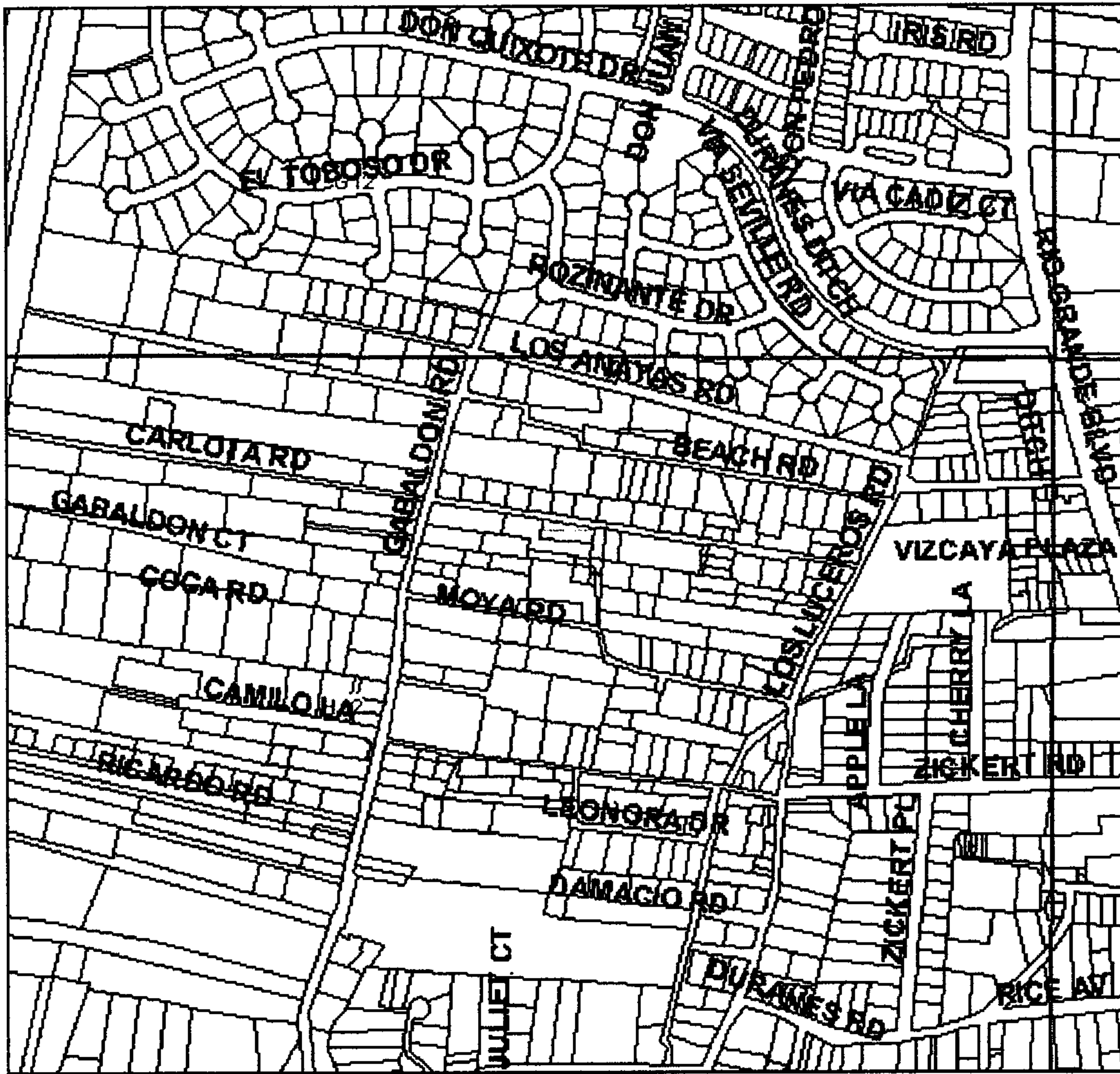
Map Amended through April 03, 2002

Zh12 carlota



Selected Address: 2942 CARLOTA RD NW
Zoning: RA-2
Lot/Block/Subd: 33B4A , 0000 , MRGCD MAP 35
Council District/Name: TWO , V GRIEGO
County Commission: 1
Rep District/Sen District: 11 , 13
Nbr Assoc: LOS DURANES R
Zoning: RA-2
Voter Pct: 151
High Sch District: Valley
Mid Sch District: Garfield
Elem Sch District: Duranes
ZoneMap Page: H12
Jurisdiction: CITY
Police Beat: 235/VALLEY
Flood Zone: Nothing Selected
Comm Plan Area: NORTH VALLEY
UPC #: 101205931843210752
Owner Name: MCCARTHY MARK & LAINA
Owner Street Adress: 9100 GUADALUPE TRL
Owner City/State/Zip: ALBUQUERQUE / NM / 87114 NM

Zoom In Id Address Id ZM Pan Zoom Out



ReDraw Screen

1999 AIR PHOTO (Metro Area Coverage)

CITY



LAY

- STREET
- PARKS
- CITY L
- ZONE I
- 
- NBR B
- COMM
- WATER
- SEWER
- STORM
- ZONIN
- LOT NI
- ZIP CO
- COUNC
- FLOOE
- PARCE
- CONTR
- SENAT
- REPRE
- COUN1
- PARCE
- CRIMP
- CITY F
- LAND1
- 1960 CI

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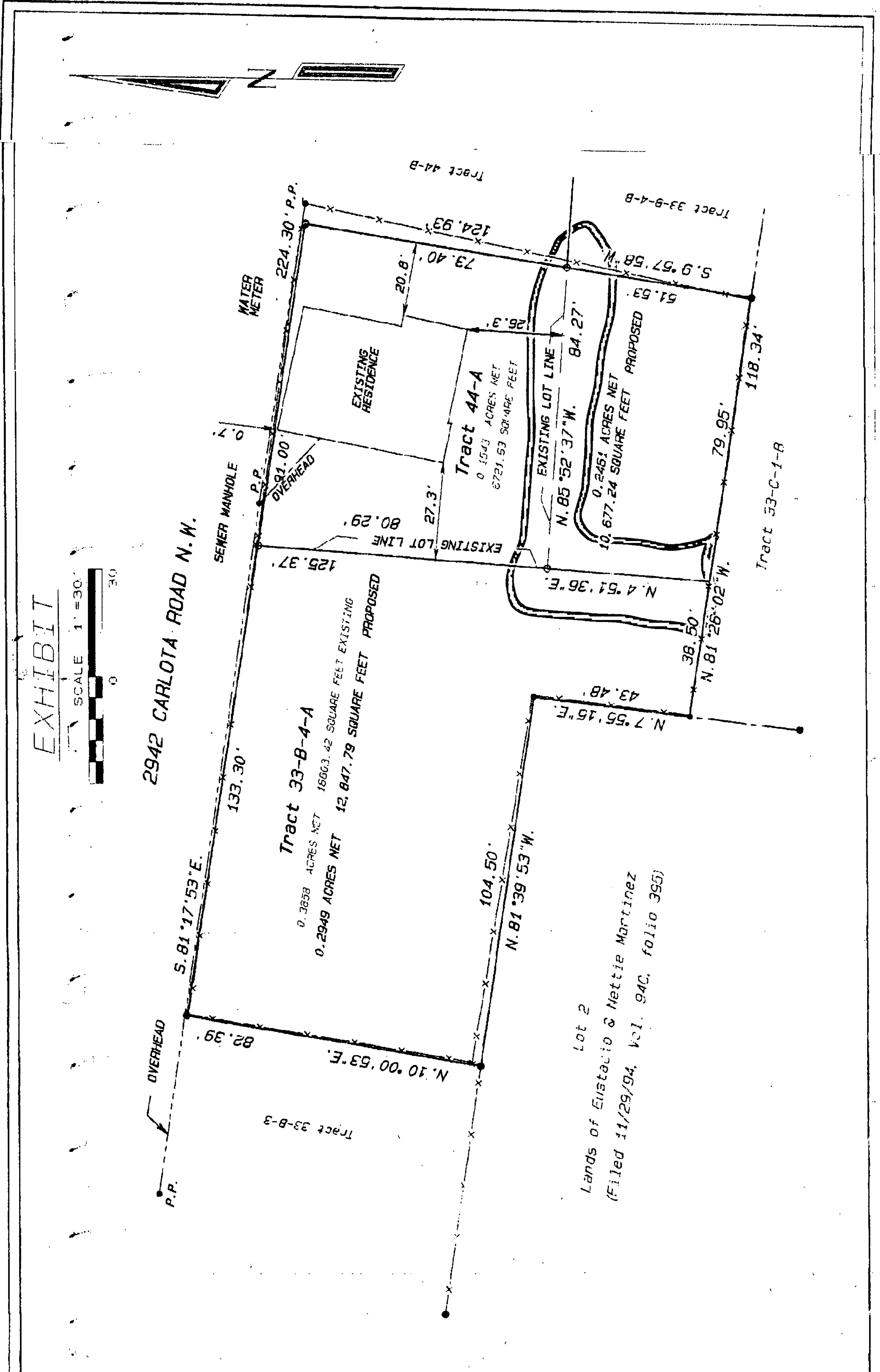
Selected Address: 2940 CARLOTA RD NW
Zoning: RA-2
Lot/Block/Subd: 44B , 0000 , MRGCD MAP 35
Council District/Name: TWO , V GRIEGO
County Commission: 1
Rep District/Sen District: 11 , 13
Nbr Assoc: LOS DURANES R
Zoning: RA-2
Voter Pct: 151
High Sch District: Valley
Mid Sch District: Garfield
Elem Sch District: Duranes
ZoneMap Page: H12
Jurisdiction: CITY
Police Beat: 235/VALLEY
Flood Zone: Nothing Selected
Comm Plan Area: NORTH VALLEY
UPC #: 101205933443910751
Owner Name: DURAN CARLOS G
Owner Street Adress: 2940 CARLOTA RD
Owner City/State/Zip: ALBUQUERQUE / NM / 87104 NM
Note: Accuracy for Owner info cannot be guaranteed correct.
Please check with the Bernalillo County Assessor for official data.

NEW GIS QUERY

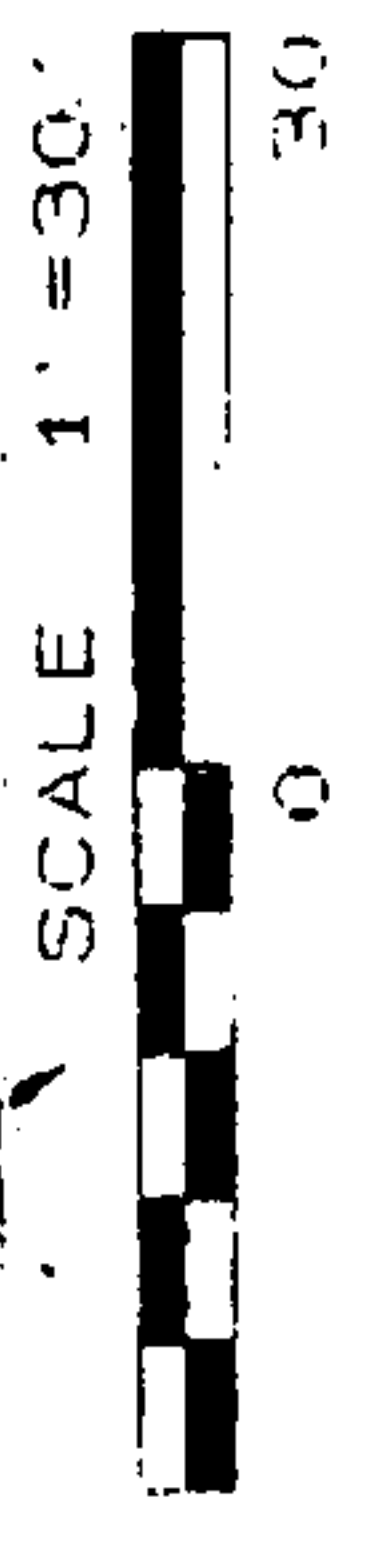
City of Albuquerque Home Page

PROPOSED

1002071



EXHIBIT



BOUNDARY SURVEY

LEGAL DESCRIPTION

Tract No. 33-B-4-A & Tract No. 44-A on Property Map No. 35 of the Middle Rio Grande Conservancy District, City of Albuquerque, County of Bernalillo, State of New Mexico, lying within Section 12, Township 10 North, Range 2 East, N.M.P.M.

SURVEYOR'S NOTES

1. Basis of bearings derived between found monuments on the North line of Lot 2, Lands of Eustacio & Nettie Martinez, as being N.81°39'53"W., per plat filed 11/29/94, Vol. 94C, folio 395.
2. "Set" indicates set 1/2" rebar with plastic cap stamped NMLS 13240.
3. Property surveyed September, 2000.
4. Access to site is via Carlota Road N.W.
5. [] indicates record data per said plat of record.
6. () indicates record data per Quitclaim Deed (Duran to Duran) filed June, 1967, in Book D828, page 392 to 394

SURVEYOR'S CERTIFICATE

I, Michael T. Shook, a New Mexico registered Professional Surveyor, certify that I conducted and am responsible for this survey, that this survey is true and correct to the best of my knowledge and belief, and that this survey and plat meet the Minimum Standards for Surveying in New Mexico. I further certify that this survey is not a land division or subdivision as defined in the New Mexico Subdivision Act and that this is a boundary survey of existing tracts of land.

Michael T. Shook

Michael T. Shook N.M.L.S. No. 13240

9-15-00

Date

A.M. SURVEYING

612 Cerro de Ortega S.E.
Rio Rancho, NM 87124
Phone & FAX: (505) 896-1716

