



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

August 19, 2009

Project# 1003095
09DRB-70231 VACATION OF PRIVATE EASEMENT

DAC ENTERPRISES ENTERPRISES INC agent(s) for JAMES A SELIGMAN request(s) the referenced/ above action(s) for all or a portion of Lot(s) 2-A-2, **LA MIRADA SUBDIVISION** zoned 0-1 and P, located on the south side of LA MIRADA PL NE between WYOMING BLVD NE and PENNSYLVANIA ST NE containing approximately 1.1443 acre(s). (G-19)

At the August 19, 2009 Development Review Board meeting, the vacation was approved as shown on Exhibit B in the Planning file per section 14-14-7-2(A)(1) and (B) (2)(3) of the Subdivision Ordinance.

(A)(1) The public easement vacation request was filed by the owners of a majority of the footage of land abutting the proposed vacation.

(B)(2) The vacated easement is to accommodate a planned residential development which was approved by the City Council on appeal, AC-07-18/Project No. 1005016, and thus the development made possible by the vacation is more beneficial to the public welfare than any minor detriment resulting from the vacation. It is noted that the beneficiary of the easement, Lot 2-A-1, has been developed since 2004 without construction or use of the existing easement.

(B)(3) The vacated easement will be replaced by a similar or greater easement as shown on Vacation Exhibit B, and thus there is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.

CONDITIONS:

1. The vacated property shall be shown on a replat approved by the Development Review Board and the approved replat shall be filed for record with the Bernalillo County Clerk's Office within one year.

The bulk land variance was approved. The preliminary/final plat was approved with delegation to Planning for clarification that blanket sanitary sewer easement is for the benefit of Tract E-1, to record and for AGIS DXF file.

If you wish to appeal this decision, you must do so by September 3, 2009 in the manner described below.

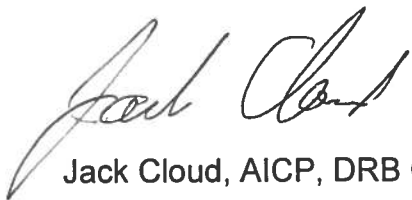
Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision.

The date the determination in question is issued is not included in the 15-day period for filing an appeal.

If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.

You will receive notice if any other person files an appeal. Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).

Please note that the vacation of all plats, rights-of-way, and easements are void after one year from the final appeal date referenced above if all conditions are not met (The effective date of Development Review Board approval is the hearing date plus the 15-day appeal period.) (REF: Chapter 14 Article 14 Part 7-2 (E)(3)(6) Revised Ordinance.)



Jack Cloud, AICP, DRB Chair

Cc: DAC Enterprises Inc – P.O. Box 16658 – Albuquerque, NM 87191
Cc: James A. Seligman – 1525 32nd Circle SE – Albuquerque, NM 87124
Bob Galligan – 8101 Pickard NE– Albuquerque, NM 87110
Jim Brown – 11741 Sky Valley Way NE – Albuquerque, NM 87111
Scott Howell
Marilyn Maldonado
File



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

July 27, 2011

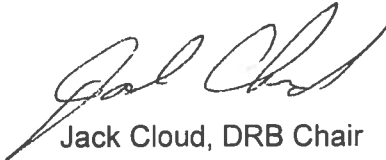
Project# 1003095
11DRB-70196 EXT OF MAJOR PRELIMINARY PLAT

WAYJOHN SURVEYING INC agent(s) for FRANK SASALE/JAMES SELIGMAN request(s) the above action(s) for all or a portion of Lot(s) 2-A-2, **LA MIRADA SUBDIVISION TBKA LA MIRADA TOWN HOMES** zoned O-1/CONDITIONAL USE, located on LA MIRADA BETWEEN WYMONING AND PENNSYLVANIA containing approximately 1.1443 acre(s). (G-19)

At the July 27, 2011 Development Review Board meeting, the one-year extension of the preliminary plat was approved.

The conditions of final plat still apply.

Please note that a Preliminary Plat approval date is the date of the DRB action plus the 15-day appeal period. The Preliminary Plat approval is effective one year from that date. The DRB must take action on the Preliminary Plat approval is null and void. (REF: Chapter 14 Article 14 Part 3-4 (E) Revised Ordinance.)



Jack Cloud, DRB Chair

Cc: Wayjohn Surveying Inc. – 330 Louisiana Blvd NE – Albuquerque, NM 87108
Cc: Frank Casale/James Seligman – P.O. Box 11518 – Albuquerque, NM 87192
Marilyn Maldonado
File



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

July 25, 2012

Project# 1003095
12DRB-70207 EXT OF MAJOR PRELIMINARY PLAT

WAYJOHN SURVEYING INC agent(s) for FRANK CASALE/JAMES SELIGMAN request(s) the above action(s) for all or a portion of Lot(s) 2-A-2-A, **LA MIRADA SUBDIVISION (TBKA:LA MIRADA TOWNHOMES)** zoned O-1 (CONDITIONAL USE), located on LA MIRADA BETWEEN WYOMING AND PENNSYLVANIA containing approximately 1.1443 acre(s). (G-19)

At the **July 25, 2012** Development Review Board meeting, the one-year extension of the preliminary plat was approved.

If you wish to appeal this decision, you must do so by **August 9, 2012** in the manner described below.

Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision.

The date the determination in question is issued is not included in the 15-day period for filing an appeal.

If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.

You will receive notice if any other person files an appeal. Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).

The conditions of final plat still apply.

Please note that a Preliminary Plat approval date is the date of the DRB action plus the 15-day appeal period. The Preliminary Plat approval is effective one year from that date. The DRB must take action on the Preliminary Plat approval is null and void. (REF: Chapter 14 Article 14 Part 3-4 (E) Revised Ordinance.)


Jack Cloud, DRB Chair

Cc: Wayjohn Surveying Inc.
Marilyn Maldonado
file



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

July 24, 2013

Project# 1003095
13DRB-70625 EXT OF MAJOR PRELIMINARY PLAT

WAYJOHN SURVEYING INC agent(s) for FRANK CASALE / JAMES SELIGMAN request(s) the above action(s) for all or a portion of Lot(s) 2-A-2-A, **LA MIRADA SUBDIVISION** zoned O-1, located on LA MIRADA PLACE NE BETWEEN WYOMING BLVD NE AND PENNSYLVANIA ST NE containing approximately 1.1443 acre(s). (G-19)

At the July 24, 2013 Development Review Board meeting, a three month extension of the preliminary plat was approved.

The conditions of final plat still apply.

If you wish to appeal this decision, you must do so by August 8, 2013, in the manner described below.

Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision.

The date the determination in question is issued is not included in the 15-day period for filing an appeal. If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing. You will receive notice if any other person files an appeal. Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).

Please note that a Preliminary Plat approval date is the date of the DRB action plus the 15-day appeal period. The Preliminary Plat approval is effective one year from that date. The DRB must take action on the Preliminary Plat approval is null and void. (REF: Chapter 14 Article 14 Part 3-4 (E) Revised Ordinance.)


Jack Cloud, DRB Chair

Cc: Wayjohn Surveying Inc.
Marilyn Maldonado
file