



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

December 8, 2004

5. Project # 1003705

04DRB-01540 Major-Vacation of Public Easements

04DRB-01539 Minor-Sketch Plat or Plan

FORSTBAUER SURVEYING LLC agent(s) for DR VIJAY AGARWAL request(s) the above action(s) for all or a portion of Lot(s) 7, 8 AND 9 and the south 47 feet of Lot(s) 4, 5, 6, Block(s) 22, **BROWNEWELL & LAIS HIGHLAND ADDITION**, zoned SU-2 MC, located on OAK ST NE, between TIJERAS NE and COPPER NE containing approximately 1 acre(s). [REF:V-78-38] [*Deferred from 11/3/04, Indefinitely Deferred on 11/10/04*] (K-15)

At the December 8, 2004, Development Review Board meeting, the vacation was approved as shown on Exhibit B in the Planning file, subject to these findings and conditions:

FINDINGS:

1. The public welfare is in no way served by retaining the rights-of-way and/or easements.
2. 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 sketch plat was reviewed and comments were given.

If you wish to appeal this decision, you must do so by December 23, 2004 in the manner described below.

Appeal is to the Environmental Planning Commission. 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.



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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.)


Sheran Matson, AICP, DRB Chair

Cc: Dr. Vijay Agarwal, 200 Oak St NE, 87106
Forstbauer Surveying LLC, 4116 Lomas Blvd NE, 87110
Mike Chappell, 83 Blanco Drive, Edgewood, NM 87015
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

March 16, 2005

2. Project # 1003703

05DRB-00150 Major-Preliminary Plat Approval
05DRB-00151 Major-Vacation of Pub Right-of-Way
05DRB-00153 Minor-Temp Defer SDWK

THE GROUP agent(s) for ADIL RIZVI request(s) the above action(s) for all or a portion of Lot(s) 13, 14, 15, 16, 19 and 20, Block(s) 2, Tract(s) 3, Unit(s) 3 NOR ESTE, NORTH ALBUQUERQUE ACRES, (to be known as **EAGLE'S VIEW ESTATES**) zoned R-D, located on VENTURA NE, between EAGLE ROCK NE and OAKLAND NE containing approximately 6 acre(s). [REF: 04DRB-01533]
[Deferred from 2/23/05 & 3/9/05] (C-20)

At the March 16, 2005, Development Review Board meeting, with the signing of the infrastructure list dated 3/16/05 and approval of the grading plan engineer stamp dated 3/14/05 the preliminary plat was approved with the following conditions of final plat approval:

The dedication along Eagle Rock shall be shown on the final plat prior to approval.

The Fire Department must approve the hammerhead prior to final plat approval.

The vacation was approved as shown on Exhibit B in the Planning file, subject to these findings and conditions:

FINDINGS:

1. The public welfare is in no way served by retaining the rights-of-way and/or easements.
2. There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.

CONDITIONS:

1. Final disposition shall be through the City Real Estate Office.
2. 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.



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The temporary deferral of construction of sidewalks was approved as shown on Exhibit C in the Planning file

If you wish to appeal this decision, you must do so by March 31, 2005, 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.)

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 Extension prior to the expiration of the approval or the Preliminary Plat approval is null and void. (REF: Chapter 14 Article 14 Part 3-4 (E) Revised Ordinance.)

Sheran Matson, AICP, DRB Chair

Cc:Adil Rizvi, 4001 Juan Tabo Blvd NE, Suite A, 87111
Lynn Miller, 8801 Oakland Ave NE, 87122
Kristy Ott-Meyer, 8900 Eagle Rock NE, 87122
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

July 12, 2006

10. Project # 1003703

06DRB-00886 Major-Preliminary Plat Approval
06DRB-00887 Major-Vacation of Public Right-of-Way
06DRB-00888 Minor-Temp Defer SDWK

ADIL RIZVI request(s) the above action(s) for all or a portion of Lot(s) 13, 14, 15, 16, 19 & 20, Block(s) 2, Tract(s) 3, Unit(s) 3, NORTH ALBUQUERQUE ACRES, (to be known as **EAGLE'S VIEW ESTATES**, zoned RD, located on VENTURA NE between EAGLE ROCK NE and OAKLAND NE containing approximately 6 acres. [REF: 04DRB-01533] (C-20)

At the July 12, 2006, Development Review Board meeting, with the signing of the infrastructure list dated 7/12/06 and approval of the grading plan engineer stamp dated 10/24/05 the preliminary plat was approved with the following conditions of final plat approval:

The dedication along Eagle Rock shall be shown on the final plat prior to approval.

The Fire Department must approve the hammerhead prior to final plat approval.

If the final plat is approved after 10/31/06, the subdivider must comply with City Council Resolution R-06-74 regarding Pre-Development Facility Fee Agreements with the Albuquerque Public Schools (APS).

The provision of a grading plan for Ms. Ott-Myer's lot is requested.

The vacation was approved as shown on Exhibit B in the Planning file, subject to these findings and conditions:

FINDINGS:

1. The public welfare is in no way served by retaining the rights-of-way and/or easements.
2. There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.

CONDITIONS:

1. Final disposition shall be through the City Real Estate Office.





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2. 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 temporary deferral of construction of sidewalks on the interior streets was approved as shown on Exhibit C in the Planning file.

If you wish to appeal this decision, you must do so by July 27, 2006, 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 Extension prior to the expiration of the approval or the Preliminary Plat approval is null and void. (REF: Chapter 14 Article 14 Part 3-4 (E) Revised Ordinance.)

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.)

Sheran Matson, AICP, DRB Chair

Cc:Adil Rizvi, 2340 Menaul NE, Suite 200, 87107
Kristy Ott-Meyer, 8900 Eagle Rock NE, 87122
Lynn Miller, 8801 Oakland Ave NE, 87122
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

May 2, 2007

12. Project # 1003703
07DRB-00521 Minor-Extension of Preliminary Plat

ADIL RIZVI request(s) the above action(s) for all or any portion of Block(s) 2, Tract(s) 3, Lot(s) 13,14,15,16,19 and 20, NOR ESTE, NORTH ALBUQUERQUE ACRES, UNIT 3 (to be known as **EAGLE VIEW ESTATES**, zoned R-D located on VENTURA NE between EAGLE ROCK NE and OAKLAND NE containing approximately 6 acre(s). [REF: 06DRB00886, 00887, 00888] (C-20)

At the May 2, 2007, Development Review Board meeting, a one-year extension of the preliminary plat was approved. The conditions of final plat are still in force.

Sheran Matson, AICP, DRB Chair

Cc: Adil Rizvi, 2340 Menaul NE, Suite 200, 87107
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File