




4. **Project# 1008435**
13DRB-70616 VACATION OF FUTURE
RIGHT OF WAY & PUBLIC RIGHT-OF-
WAY 

ISAACSON AND ARFMAN PA agents for MECHENBIER CONSTRUCTION, INC. request the referenced/ above action(s) for FUTURE RIGHT OF WAY for TENNYSON ST on Tract N-2 and for all or a portion of PANORAMA/ TRAMWAY BOULEVARD NE adjacent to Tract N-2, TANOAN PROPERTIES and Tracts 17 & 18 **HIGH DESERT SUBDIVISION** zoned R-D, located on the west side of TRAMWAY BLVD NE north of ACADEMY RD NE containing approximately 5.2885 acre(s). (E-22) **THE VACATION WAS RECOMMENDED FOR APPROVAL BY THE CITY COUNCIL BASED ON EXHIBIT B IN THE PLANNING FILE PER SECTION 14-14-7-2(A) (1) AND (B) (1)(3) OF THE SUBDIVISION ORDINANCE.**


MINOR PLATS, FINAL (MAJOR) PLATS, AMENDED PLATS AND PLANS

5. **Project# 1007099**
12DRB-70243 MINOR - FINAL PLAT
APPROVAL 

ISAACSON AND ARFMAN PA agent(s) for SANDIA FOUNDATION request(s) the above action(s) for all or a portion of Block(s) 16-17, Tract(s) A, **ZUNI ADDITION** zoned SU-2 FOR C-2, located on MENAUL BETWEEN PENNSYLVANIA AND MESILLA containing approximately 4.1826 acre(s). (H-19) [*Deferred on 8/15/12*]] **DEFERRED TO 8/7/13.**

6. **Project# 1006703**
13DRB-70606 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL 

JACKS HIGH COUNTRY INC agent(s) for JMP WORKS LLC request(s) the above action(s) for all or a portion of Lot(s) 3-6, Block(s) 2, **SUMMER GARDEN ADDITION** zoned S-R, located on ROSEMONT AND 15TH containing approximately .3262 acre(s). (J-13) [*Deferred on 7/10/13*] **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO PLANNING FOR DOCUMENTATION FOR PRE-1979 DEED.**

7. **Project# 1009619**
13DRB-70574 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL
13DRB-70612 SUBDN DESIGN
VARIANCE FROM MIN DPM STDS 

PAUL CHAVEZ request(s) the above action(s) for all or a portion of Lot(s) 107-A-1-B-2, **MRGCD MAP #31** zoned RA-2, located on PEDRONCELLI BETWEEN RIO GRANDE AND DURANES LATERAL containing approximately .41 acre(s). (F-13) [*Deferred from 7/17/13*] **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO PLANNING FOR AGIS DXF, AMAFCA SIGNATURE AND UTILITY COMPANY SIGNATURES. THE SUBDIVISION DESIGN VARIANCE WAS APPROVED.**

DRB CASE ACTION LOG - BLUE SHEET

- Preliminary/Final Plat [FP]
- Site Plan - Subdivision [SPS]
- Site Plan - Building Permit [SBP]

This sheet must accompany your plat or site plan to obtain delegated signatures. Return this sheet with site plan/plat to obtain signatures once comments have been addressed.

Site Plans: It is the responsibility of the applicant/agent/developer/owner to insert the DRB approved Site Plan for Subdivision and/or Site Plan for Building Permit in each copy of building permit plansets. If the building permit plans have been submitted prior to the Site Plan for Subdivision and/or Site Plan for Building Permit being signed-off, then It is the responsibility of the applicant/agent/developer/owner to insert a copy of the signed-off Site Plan for Subdivision and/or Site Plan for Building Permit in each copy of the building permit plansets.

Project #: 1006703

Application #: 13DRB-70606

Project Name: SUMMER GARDEN ADDITION

Agent: JACKS HIGH COUNTRY INC

Phone #:

Your request was approved on 7/3/13 by the DRB with delegation of signature(s) to the following departments - outstanding comments to be addressed

TRANSPORTATION:

ABCWUA:

CITY ENGINEER / AMAFCA:

PARKS / CIP:

PLANNING (Last to sign): Add note for 1950 Need

PLATS:

- Planning must record this plat. Please submit the following items:
 - The original plat and a mylar copy for the County Clerk.
 - Tax certificate from the County Treasurer.
 - Recording fee (checks payable to the County Clerk). RECORDED DATE: _____
 - Tax printout from the County Assessor.
 - County Treasurer's signature must be obtained prior to the recording of the plat with County Clerk.
- Property Management's signature must be obtained prior to Planning Department's signature.
- AGIS DXF File approval required.
- Copy of recorded plat for Planning.

ALL SITE PLANS:

- 3 copies of the approved site plan. Include all pages.

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
April 10, 2013
DRB Comments**

ITEM # 11

PROJECT # 1006703

APPLICATION # 13-70503



RE: Lots 3-6, Block 2, Summer Garden Addition

The site is zoned S-R; townhouse development is restricted within 600 feet of other townhouse development. There is such a development across the street on Rosemont Ave (Rosemont Place Townhouses) and within 400 feet to the east are the Sawmill Townhouses (also addressed on Rosemont Ave though it is not continuous).

The adjacent 'portion' of Lot 7 would need to be addressed at the time of platting.

Jack Cloud, DRB Chairman
924-3880/ jcloud@cabq.gov

NO ACTION IS TAKEN ON THESE CASES:
APPLICANT - AGENT IS REQUIRED TO BE AT THE MEETING

10. **Project# 1006703**
12DRB-70160 SKETCH PLAT REVIEW
AND COMMENT
- FREDDIE RIVERA JR. request(s) the above action(s) for all or a portion of Lot(s) 3, 4, 5, 6, & 7, Block(s) 2, SUMMER GARDEN ADDN zoned SR, located on MOUNTAIN AND 15TH ST containing approximately .36 acre(s). (J-13) **NO SHOW.**
11. **Project# 1002523**
12DRB-70159 SKETCH PLAT REVIEW
AND COMMENT 
- FORSTBAUER SURVEYING CO LLC agent(s) for ANDREW M. MONIE & THERESA L. MCINNES request(s) the above action(s) for all or a portion of Lot(s) 1-A & 1-B, 1 ARIAS ACRES zoned S-R, located on 15TH ST NW NORTH OF SUMMER AVE containing approximately .7285 acre(s). (J-13) **THE SKETCH PLAT WAS REVIEWED AND COMMENTS WERE PROVIDED.**
12. **Project# 1008926**
12DRB-70162 SKETCH PLAT REVIEW
AND COMMENT
- THE SURVEY OFFICE agent(s) for FRANCISCO J. LOPEZ request(s) the above action(s) for all or a portion of Lot(s) 316A, PLAT OF LOPEZ WEST LOTS 1-4 Unit(s) 3, zoned R-1, located on NW CORNER OF BRIDGE AND YERBA (L-11) **NO SHOW.**
13. **Project# 1009289**
12DRB-70163 SKETCH PLAT REVIEW
AND COMMENT 
- RICHARD MORRIS agent(s) for GRAND CENTRAL DEVELOPMENT LLC request(s) the above action(s) for all or a portion of Lot(s) 1-8, Block(s) 11, Tract(s) A, LA MESA NO. 2 zoned SU-2, located on SE CORNER OF CENTRAL AND ALCAZAR containing approximately .967 acre(s). (K-19) **THE SKETCH PLAT WAS REVIEWED AND COMMENTS WERE PROVIDED.**
14. Other Matters: None.

ADJOURNED: 10:20



**Development Review Board (DRB)
Review Comments
Utility Development Section
Phone: 505.924.3989**

D.R.B. Case No: 1006703	Date: 06/06/12	Item No: #10
Zone Atlas Page: J-13	LOCATION: Mountain 7 15th St. Lot(s) 3, 4, 5, 6 & 7, Block(s) 2, Summer Garden Addn.	
Request For: Lot line readjustment; Sketch Plat		

ABCWUA Comment: All new lots will require separate water and sewer services.

SIGNED: _____

DATE: _____

PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
TRANSPORTATION SECTION

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO: 1006703

AGENDA ITEM NO: 10

SUBJECT:

SKETCH PLAT

ENGINEERING COMMENTS:

Provide an exhibit showing the location of sidewalk and defining the distance from face of curb to the property line. Right of way dedication may be required.
Infrastructure may be required.



Disclaimer: The comments provided are based upon the information received from the applicant. If new or revised information is submitted, additional comments may be provided by Transportation Development.

RESOLUTION:

APPROVED ___; DENIED ___; DEFERRED ___; COMMENTS PROVIDED ___; WITHDRAWN ___

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

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

SIGNED: Kristal D. Metro
Transportation Development

DATE: JUNE 6, 2012
505-924-3991

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
June 6, 2012
DRB Comments**

ITEM # 10

PROJECT # 1006703

APPLICATION # 12-70160

RE: Lots 3 - 7, Block 2, Summer Garden Addition

The site is zoned S-R; minimum lot size for a house is 5,000 sq ft – it appears lot size variances would be required.

'Portions of' Lot 7 would have to be documented by deed dated prior to 1973, or else all of Lot 7 would need to be included in the replat.



Jack Cloud, DRB Chairman
924-3880/ jcloud@cabq.gov

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT**

**HYDROLOGY DEVELOPMENT SECTION
DEVELOPMENT REVIEW BOARD MEMO**

DRB PROJECT NO: 1006703

AGENDA ITEM NO: 10

SUBJECT:

Sketch Plat

ENGINEERING COMMENTS:

A grading and drainage plan is required for preliminary plat approval.
Curb and gutter and sidewalk may be required.

Water harvesting will be required as part of the grading and drainage plan.

RESOLUTION/COMMENTS:

SIGNED:

Curtis Cherne
Hydrology Section
City Engineer Designee
AMAFCA Designee
924-3986

DATE: 6-6-12

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
June 6, 2012
DRB Comments**

ITEM # 10

PROJECT # 1006703

APPLICATION # 12-70160

RE: Lots 3 - 7, Block 2, Summer Garden Addition

The site is zoned S-R; minimum lot size for a house is 5,000 sq ft – it appears lot size variances would be required.

'Portions of' Lot 7 would have to be documented by deed dated prior to 1973, or else all of Lot 7 would need to be included in the replat.

Jack Cloud, DRB Chairman
924-3880/ jcloud@cabq.gov

CITY OF ALBUQUERQUE



**PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
HYDROLOGY DEVELOPMENT SECTION**

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO/PROJECT NO: 1006703

AGENDA ITEM NO: 14

SUBJECT:

Sketch Plat

ACTION REQUESTED:

REV/CMT: (X) APPROVAL: () SIGN-OFF: () EXTN: () AMEND: ()

ENGINEERING COMMENTS:

An approved infrastructure list is required for Preliminary Plat approval.
An approved drainage report must be on file prior to Preliminary Plat approval.

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

RESOLUTION:

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

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

SIGNED: Bradley L. Bingham
City Engineer / AMAFCA Designee

505-924-3986

DATE: AUGUST 1, 2007

0

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
August 1, 2007
DRB Comments**

ITEM # 14

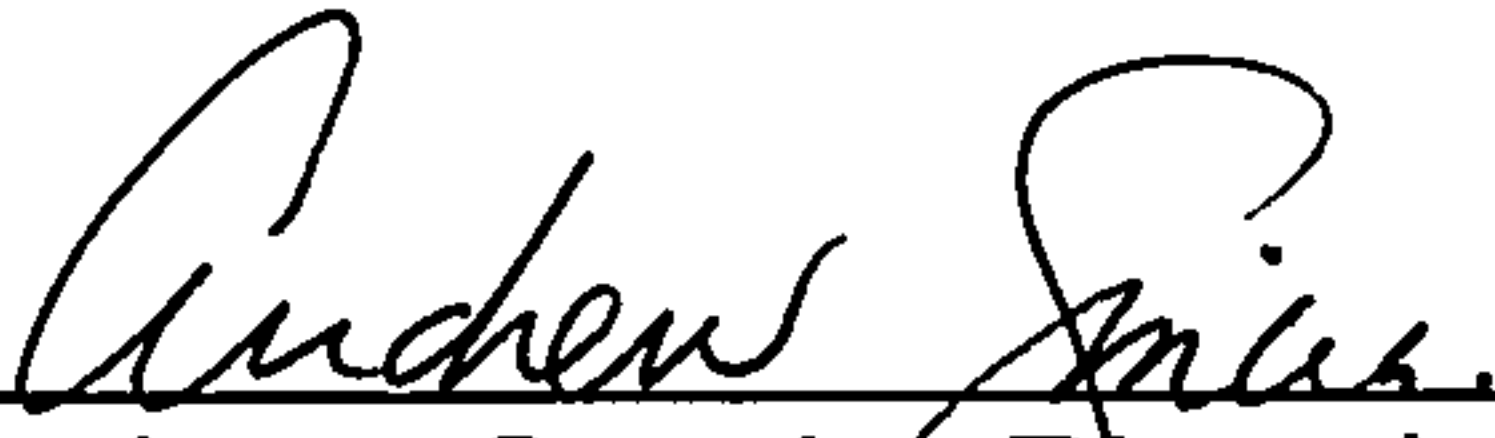
PROJECT # 1006703

APPLICATION # 07-70159

RE: Lots 3,4,5 & 6, Block 2, Summer Addition

The property is in the Sawmill/Wells Park Sector Development Plan.

The S-R zone requires the minimum lot size be 5,000 square feet, except in the John Baron Burg Neighborhood area, which is 3,500 square feet.



Andrew Garcia, Planning Alternate
924-3858 agarcia@cabq.gov

PLANNING TRACKING LOG

Date	Project Name & #	Action Request	Action Taken
08/01/07	LTS-3-6, BLK 2 SUMMER GARDEN #1006703	SKETCH PLAT	COMMENTS GIVEN

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
August 1, 2007
DRB Comments**

ITEM # 14

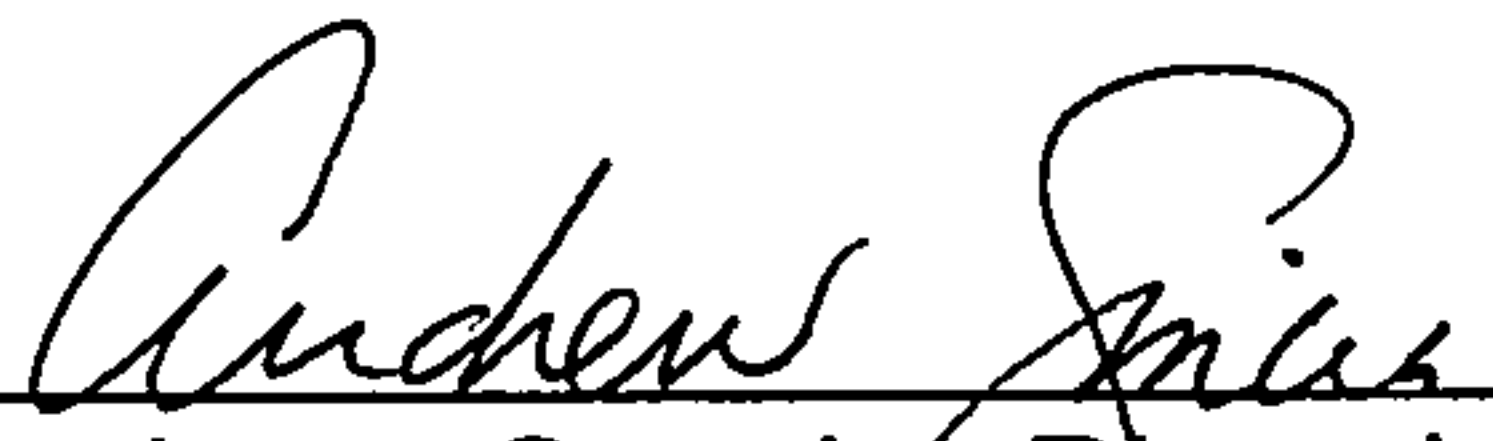
PROJECT # 1006703

APPLICATION # 07-70159

RE: Lots 3,4,5 & 6, Block 2, Summer Addition

The property is in the Sawmill/Wells Park Sector Development Plan.

The S-R zone requires the minimum lot size be 5,000 square feet, except in the John Baron Burg Neighborhood area, which is 3,500 square feet.



Andrew Garcia, Planning Alternate
924-3858 agarcia@cabq.gov

CITY OF ALBUQUERQUE



**PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
HYDROLOGY DEVELOPMENT SECTION**

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO/PROJECT NO: 1006703

AGENDA ITEM NO: 14

SUBJECT:

Sketch Plat

ACTION REQUESTED:

REV/CMT: (X) APPROVAL: () SIGN-OFF: () EXTN: () AMEND: ()

ENGINEERING COMMENTS:

An approved infrastructure list is required for Preliminary Plat approval.
An approved drainage report must be on file prior to Preliminary Plat approval.

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

RESOLUTION:

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

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

SIGNED: Bradley L. Bingham

City Engineer / AMAFCA Designee

505-924-3986

DATE: AUGUST 1, 2007

0



IMPACT FEES

Development Review Board 8/1/07

Project Number: 1006703

Agenda Item Number: 14

Site: Summer Garden Addition

Tract: Lots 3, 4, 5, 6 Block 2

Zoned: S-R

At this time of platting a lot line change does not require the payment of impact fees. However, Impact Fees will be required at the time a building permit is issued for each new home on each new lot. Using an average of 2000sf of heated area the estimated impact fees are as follows.

1. Public Safety Facilities for the Eastside: \$552.00
2. Parks, Rec Trails for the Central University: \$780.00

JACK CLOUD
IMPACT FEE ADMINISTRATOR

6703

DXF Electronic Approval Form

DRB Project Case #: 1006703

Subdivision Name: ROSEMONT SUBDIVISION / LOTS 1 THROUGH 4

Surveyor: ANTHONY L HARRIS

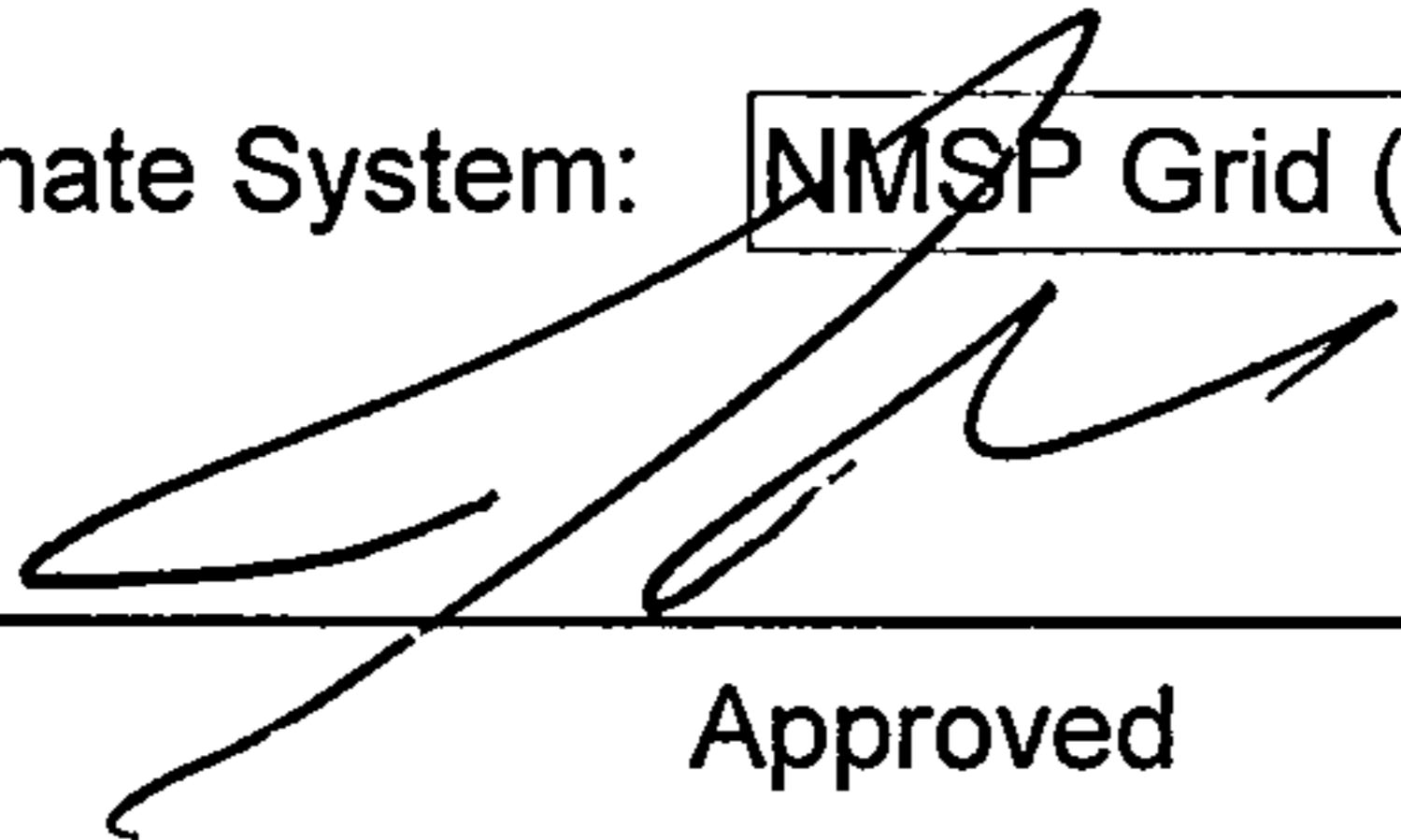
Contact Person: ANTHONY L HARRIS

Contact Information: 5058898056

DXF Received: 6/25/2013

Hard Copy Received: 6/25/2013

Coordinate System: NMSP Grid (NAD 83)



Approved

6/25/13

Date

* The DXF file cannot be accepted (at this time) for the following reason(s):

AGIS Use Only
Copied fc **6703** to agiscov on **6/25/2013** Contact person notified on **6/25/2013**

6703

DXF Electronic Approval Form

DRB Project Case #: 1006703

Subdivision Name: ROSEMONT SUBDIVISION / LOTS 1 THROUGH 4

Surveyor: ANTHONY L HARRIS

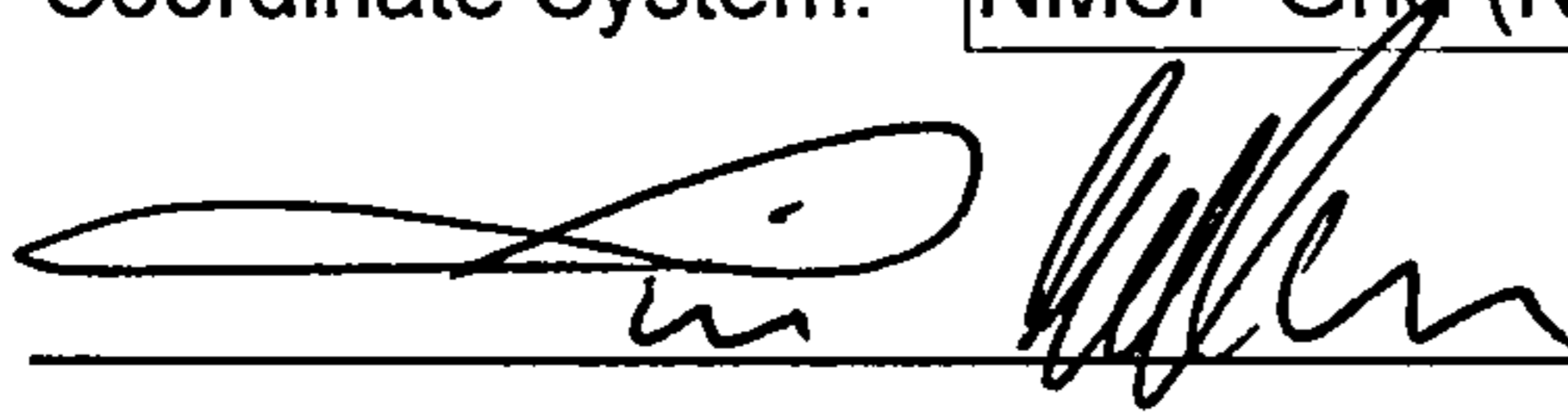
Contact Person: ANTHONY L HARRIS

Contact Information: 5058898056

DXF Received: 7/25/2013

Hard Copy Received: 7/25/2013

Coordinate System: NMSP Grid (NAD 83)


Approved

7-30-2013
Date

* The DXF file cannot be accepted (at this time) for the following reason(s):

AGIS Use Only

Copied fc **6703** to agiscov on **7/30/2013** Contact person notified on **7/30/2013**

City of Albuquerque Planning Department

DEVELOPMENT AND BUILDING SERVICES

STANDARD APPLICATION, Paper Plans Required

DEVELOPMENT REVIEW BOARD

06/25/2013 Issued By: BLDAVM 196012

Category Code **910**
2013 070 606

Application Number: 13DRB-70606, Minor - Preliminary/ Final Plat Approval

Address:

Location Description: ROSEMONT AND 15TH

Project Number: 1006703

Applicant

JMP WORKS LLC
EDWARD O PASCHICH (MM)
PO BOX 25142
ALBUQUERQUE NM 87125
263-0140

Agent / Contact

JACKS HIGH COUNTRY INC

8953 2ND ST NW
ALBUQUERQUE NM 87114

Application Fees

APN Fee

Conflict Mgmt Fee **\$20.00**

DRB Actions **\$425.00**

TOTAL: \$445.00

City of Albuquerque Treasury
Date: 6/25/2013 Office: ANNEX
Stat ID: 09000007 Cashier: TRSDLF
Batch: 2165 Trans #: 14
Permit: 2013070606
Receipt Num 00138655
Payment Total: \$445.00
0901 Conflict Mgmt. Fee \$20.00
0903 DRB Actions \$425.00
VISA Tendered : \$445.00

PROJECT

1006703

App #

Action

Date

13-70606

P&F

7-10-13



Supplemental Form (SF)

SUBDIVISION

- Major subdivision action
- Minor subdivision action
- Vacation
- Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

- for Subdivision
- for Building Permit
- Administrative Amendment/Approval (AA)
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

- Annexation
- Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
- Adoption of Rank 2 or 3 Plan or similar
- Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
- Street Name Change (Local & Collector)
- L A APPEAL / PROTEST of...**
 - Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other

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.

APPLICATION INFORMATION:

Professional/Agent (if any): Jack's High Country, Inc (Jack Spilman Pres.) PHONE: 505-898-3707
 ADDRESS: 8953 2nd NW FAX: _____

CITY: Albuquerque STATE: NM ZIP: 87114 E-MAIL: Jack's high country @ Com cast.net

APPLICANT: JMP Works LLC Edward O Paschich (MM) PHONE: 263 0141

ADDRESS: PO Box 25142 FAX: _____

CITY: Albuquerque STATE: NM ZIP: 87125 E-MAIL: _____

Proprietary interest in site: _____ List all owners: _____

DESCRIPTION OF REQUEST: We wish to create four new lots from four existing lots, dedicate add. right-of-way to city of Albuquerque, and grant any easements, as shown

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

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

Lot or Tract No.: numbered three, four, five and six Block: Two Unit: _____

Subdiv/Addr/FBKA: Summer garden addition

Existing Zoning: S-R Proposed zoning: _____ MRGCD Map No _____

Zone Atlas page(s): J-13 UPC Code: 1-013-058-366-385-12022

CASE HISTORY:

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

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? No

No. of existing lots: four No. of proposed lots: four Total site area (acres): 0.3262

LOCATION OF PROPERTY BY STREETS: On or Near: Rosemont

Between: 15th and _____

Check if project was previously reviewed by Sketch Plat/Plan or Pre-application Review Team (PRT) Review Date: _____

SIGNATURE Jack A. Spilman DATE June 25 2013

(Print Name) Jack Spilman Applicant: Agent:

FOR OFFICIAL USE ONLY

- INTERNAL ROUTING
- All checklists are complete
- All fees have been collected
- All case #s are assigned
- AGIS copy has been sent
- Case history #s are listed
- Site is within 1000ft of a landfill
- F.H.D.P. density bonus
- F.H.D.P. fee rebate

Application case numbers	Action	S.F.	Fees
<u>BDRB - 70606</u>	<u>P&F</u>	_____	<u>\$ 425.00</u>
_____	<u>CMF</u>	_____	<u>\$ 20.00</u>
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

Hearing date July 10 2013

Total \$ 445.00

V. [Signature] 6-25-13
Staff signature & Date

Project # 1006703

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

A Bulk Land Variance requires application on FORM-V in addition to application for subdivision on FORM-S.

- SKETCH PLAT REVIEW AND COMMENT (DRB22)** Your attendance is required.
- ___ Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - ___ Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, 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) clearly outlined
 - ___ Letter briefly describing, explaining, and justifying the request
 - ___ List any original and/or related file numbers on the cover application

- EXTENSION OF MAJOR PRELIMINARY PLAT (DRB08)** Your attendance is required.
- required.
- ___ Preliminary Plat reduced to 8.5" x 11"
 - ___ Zone Atlas map with the entire property(ies) clearly outlined
 - ___ Letter briefly describing, explaining, and justifying the request
 - ___ Copy of DRB approved infrastructure list
 - ___ Copy of the LATEST Official DRB Notice of approval for Preliminary Plat Extension request
 - ___ List any original and/or related file numbers on the cover application
- Extension of preliminary plat approval expires after one year.**

- MAJOR SUBDIVISION FINAL PLAT APPROVAL (DRB12)** Your attendance is required.
- ___ Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - ___ Signed & recorded Final Pre-Development Facilities Fee Agreement for Residential development only
 - ___ Design elevations & cross sections of perimeter walls **3 copies**
 - ___ Zone Atlas map with the entire property(ies) clearly outlined
 - ___ Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
 - ___ Copy of recorded SIA
 - ___ Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
 - ___ List any original and/or related file numbers on the cover application
 - ___ DXF file and hard copy of final plat data for AGIS is required.

- MINOR SUBDIVISION PRELIMINARY/FINAL PLAT APPROVAL (DRB16)** Your attendance is required.
- ___ 5 Acres or more: Certificate of No Effect or Approval
 - ___ Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings ensure property owner's and City Surveyor's signatures are on the plat prior to submittal
 - ___ Signed & recorded Final Pre-Development Facilities Fee Agreement for Residential development only
 - ___ Design elevations and cross sections of perimeter walls (11" by 17" maximum) **3 copies**
 - ___ Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, 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) clearly outlined
 - ___ Letter briefly describing, explaining, and justifying the request
 - ___ Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
 - ___ Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
 - ___ Fee (see schedule)
 - ___ List any original and/or related file numbers on the cover application
 - ___ Infrastructure list if required (**verify with DRB Engineer**)
 - ___ DXF file and hard copy of final plat data for AGIS is required.

- AMENDMENT TO PRELIMINARY PLAT (with minor changes) (DRB03)** Your attendance is required.
- 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**
 - ___ Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - ___ Zone Atlas map with the entire property(ies) clearly outlined
 - ___ Letter briefly describing, explaining, and justifying the request
 - ___ Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
 - ___ List any original and/or related file numbers on the cover application
- Amended preliminary plat approval expires after one year**

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

Jack Spilman
Applicant name (print)
June 25 2013
Applicant signature / date



Form revised **October 2007**

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

Application case numbers
1377B - 701200

V. [Signature] 6-25-13
Planner signature / date
 Project # 1006703



Supplemental Form (SF)

SUBDIVISION

- Major subdivision action
- Minor subdivision action
- Vacation
- Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

- for Subdivision
- for Building Permit
- Administrative Amendment/Approval (AA)
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

- Annexation
- V Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
- P Adoption of Rank 2 or 3 Plan or similar
- Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
- D Street Name Change (Local & Collector)
- L A **APPEAL / PROTEST of...**
- Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other

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Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICATION INFORMATION:

Professional/Agent (if any): Jacks High Country, Inc (Jack Spilman Pres) PHONE: 505-898-3707
 ADDRESS: 8953 2nd NW FAX: _____
 CITY: Albuquerque STATE NM ZIP 87114 E-MAIL: JacksHighCountry@Comcast.net
 APPLICANT: JMP Works LLC Edward O Paschich (MM) PHONE: 263 0141
 ADDRESS: PO Box 25142 FAX: _____
 CITY: Albuquerque STATE NM ZIP 87125 E-MAIL: _____
 Proprietary interest in site: _____ List all owners: _____

DESCRIPTION OF REQUEST: We wish to create four new lots from four existing lots, dedicate a 2nd. Right-of-way to City of Albuquerque, and grant any easements, as shown

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

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

Lot or Tract No. numbered three, four, five and six Block: Two Unit: _____
 Subdiv/Addr/FBKA: Summer garden addition
 Existing Zoning: S-R Proposed zoning: _____ MRGCD Map No _____
 Zone Atlas page(s): J-13 UPC Code: 1-013-058-366-385-12022

CASE HISTORY:

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

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? No
 No. of existing lots: four No. of proposed lots: four Total site area (acres): 0.3262
 LOCATION OF PROPERTY BY STREETS: On or Near: Rosemont
 Between: 15th and _____

Check if project was previously reviewed by Sketch Plat/Plan or Pre-application Review Team(PRT) Review Date: _____

SIGNATURE Jack A. Spilman DATE June 25 2013
 (Print Name) Jack Spilman Applicant: Agent:

FOR OFFICIAL USE ONLY

INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>BDZB 70606</u>	<u>PJE</u>	_____	<u>\$ 425.00</u>
<input checked="" type="checkbox"/> All fees have been collected	_____	<u>CMF</u>	_____	<u>\$ 20.00</u>
<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 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 2013</u>				Total <u>\$ 445.00</u>

V. [Signature] 6-25-13 Project # 1006703
 Staff signature & Date

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

A Bulk Land Variance requires application on FORM-V in addition to application for subdivision on FORM-S.

- SKETCH PLAT REVIEW AND COMMENT (DRB22)** Your attendance is required.
 - Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, 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) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - List any original and/or related file numbers on the cover application

- EXTENSION OF MAJOR PRELIMINARY PLAT (DRB08)** Your attendance is required.
 - Preliminary Plat reduced to 8.5" x 11"
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - Copy of DRB approved infrastructure list
 - Copy of the LATEST Official DRB Notice of approval for Preliminary Plat Extension request
 - List any original and/or related file numbers on the cover application

Extension of preliminary plat approval expires after one year.

- MAJOR SUBDIVISION FINAL PLAT APPROVAL (DRB12)** Your attendance is required.
 - Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Signed & recorded Final Pre-Development Facilities Fee Agreement for Residential development only
 - Design elevations & cross sections of perimeter walls **3 copies**
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
 - Copy of recorded SIA
 - Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
 - List any original and/or related file numbers on the cover application
 - DXF file and hard copy of final plat data for AGIS is required.

- MINOR SUBDIVISION PRELIMINARY/FINAL PLAT APPROVAL (DRB16)** Your attendance is required.
 - 5 Acres or more: Certificate of No Effect or Approval
 - Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings ensure property owner's and City Surveyor's signatures are on the plat prior to submittal
 - Signed & recorded Final Pre-Development Facilities Fee Agreement for Residential development only
 - Design elevations and cross sections of perimeter walls (11" by 17" maximum) **3 copies**
 - Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, 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) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
 - Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application
 - Infrastructure list if required (verify with DRB Engineer)
 - DXF file and hard copy of final plat data for AGIS is required.

- AMENDMENT TO PRELIMINARY PLAT (with minor changes) (DRB03)** Your attendance is required.

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**
 - Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
 - List any original and/or related file numbers on the cover application

Amended preliminary plat approval expires after one year

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

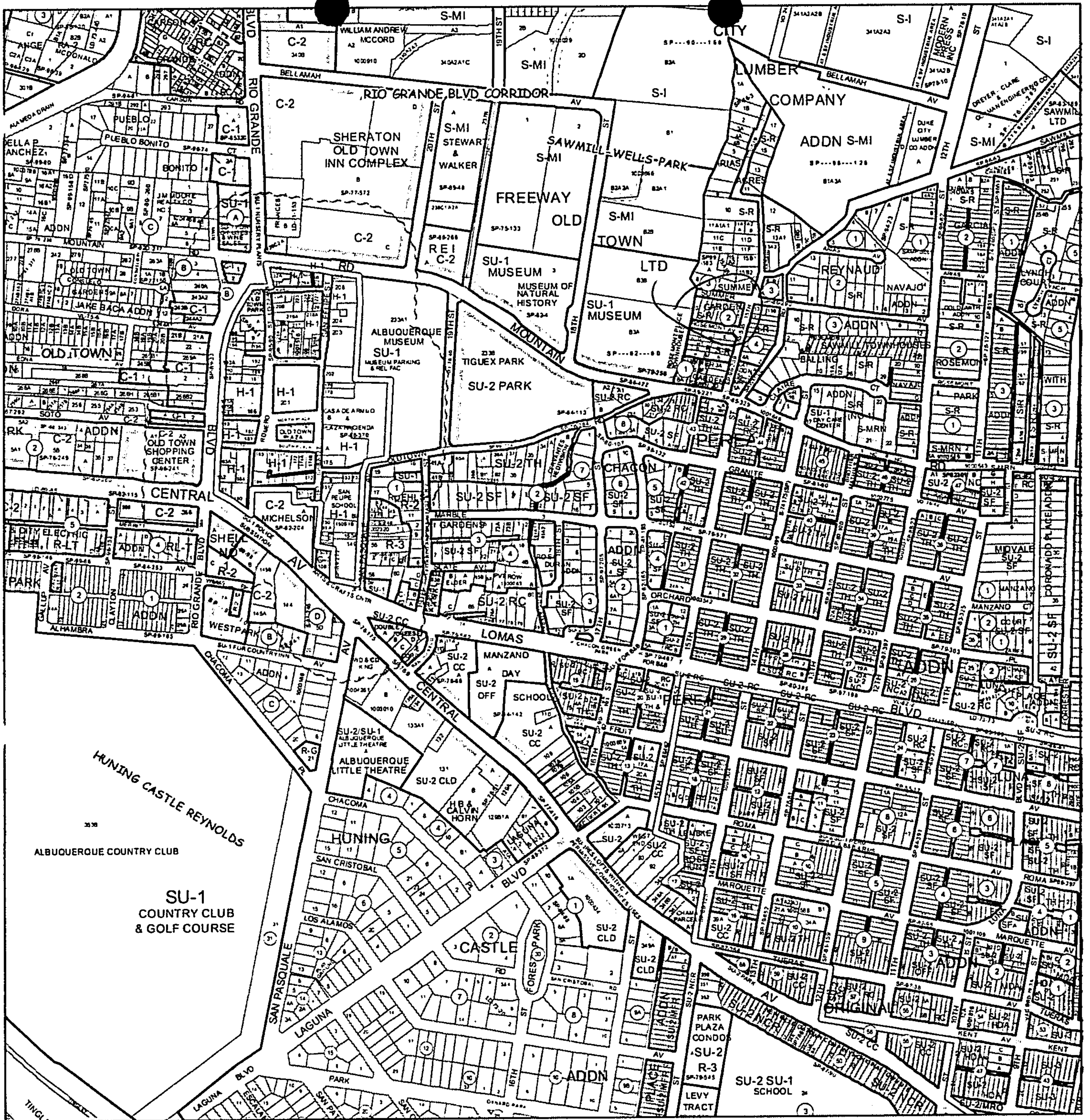
Jack Spilman
Applicant name (print)
June 25 2013
Applicant signature / date



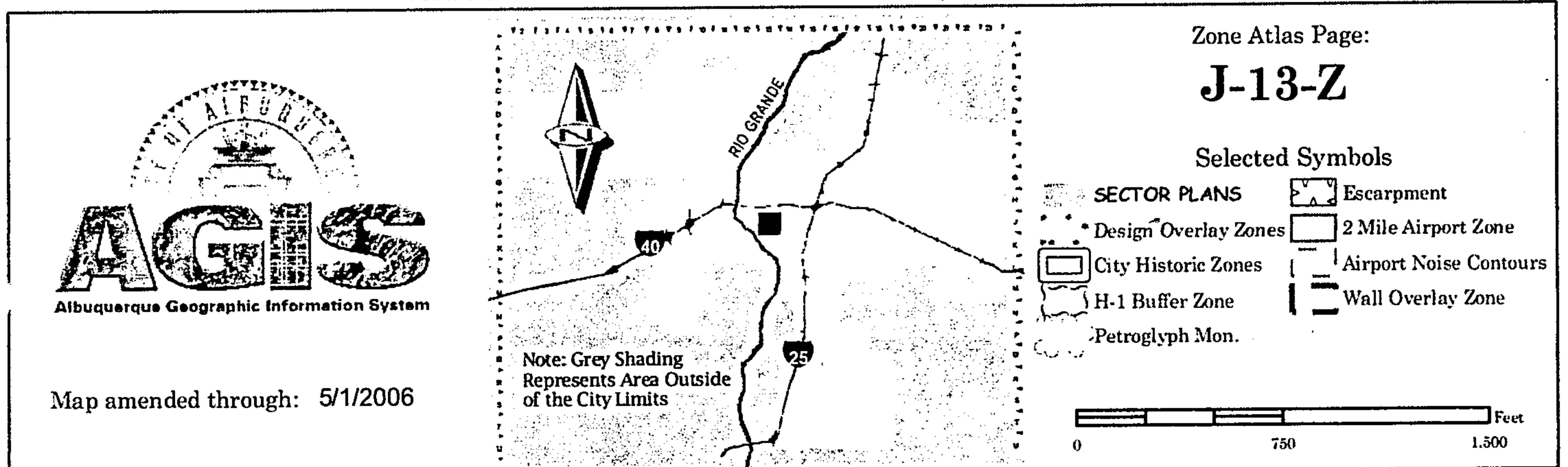
Form revised **October 2007**

Vuy 6-25-13
Planner signature / date
Project # 1006703

- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- | | |
|--------------------------|--------|
| Application case numbers | |
| 13 DRB - | 701600 |
| - | - |
| - | - |



For more current information and more details visit: <http://www.cabq.gov/gis>



Jack's High Country, Inc.(Agent)
8953 Second Street, N.W.
Albuquerque, New Mexico 87114

To: City of Albuquerque Development Review Authority

Re: Lots numbered three, four, five and six Block 2, Summer Garden
Addition

Subject: The purpose of this plat is to create four new lots from four existing
lots, dedicate additional right-of-way to the City of Albuquerque and grant any
easements as shown.

JUNE 24,2013

PASCHICH

**ALBUQUERQUE PUBLIC SCHOOLS
PRE-DEVELOPMENT FACILITIES FEE AGREEMENT WAIVER**

Albuquerque Municipal School District No. 12, Bernalillo and Sandoval Counties, New Mexico ("Albuquerque Public Schools" or "APS"), having reviewed the proposed plat of Lots 1 thru 4 Rosemont Subdivision which is zoned as S-R, on June 25, 2013 submitted by Edward O Paschich, JMP Works LLC, owner(s) of above property, has determined that no Pre-Development Facilities Fee Agreement is required with respect to that proposed plat because the property owner (s) propose a lot line adjustment between 4 existing lots. There will be no net gain of residential units.

ALBUQUERQUE PUBLIC SCHOOLS

By: April L. Winters
Signature

April L. Winters, Facility Fee Planner
Name (printed or typed) and title

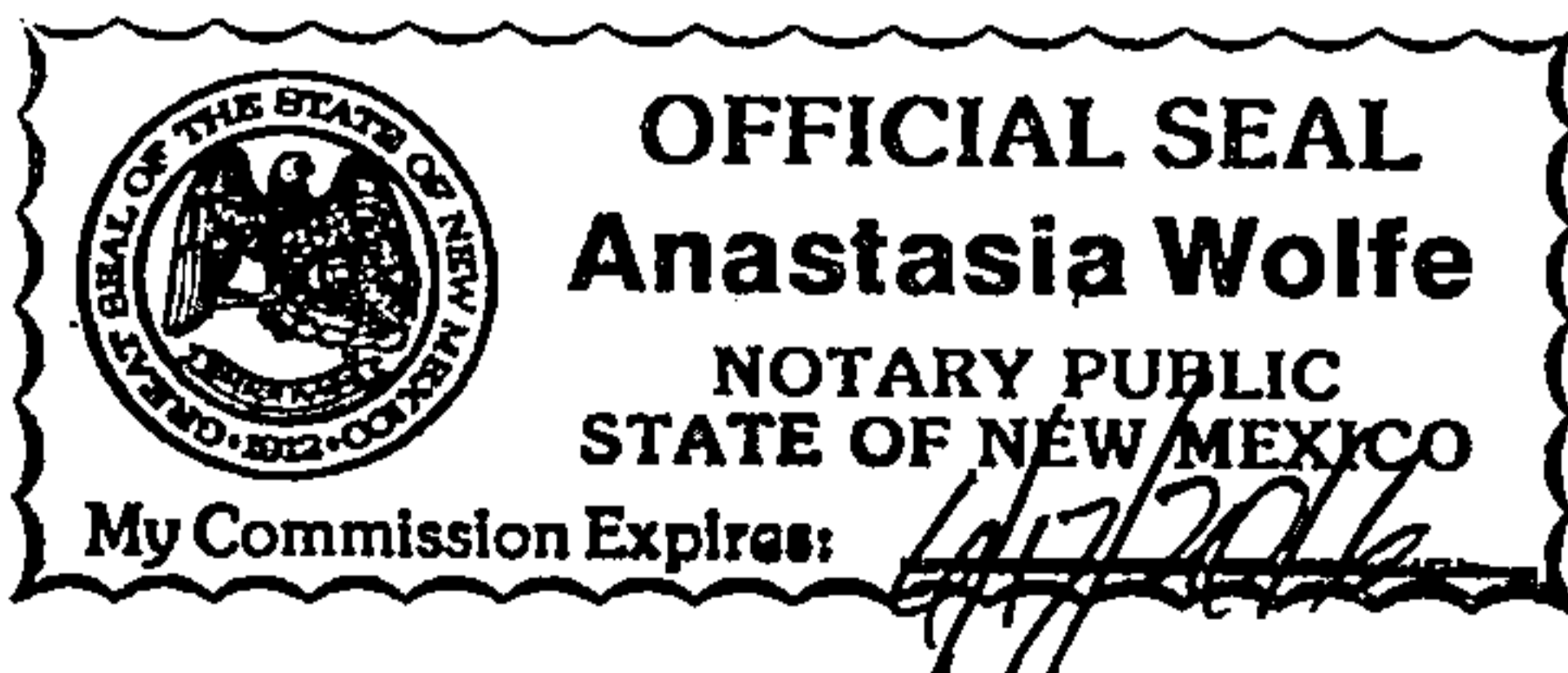
STATE OF NEW MEXICO
COUNTY OF BERNALILLO

This instrument was acknowledged before me on June 25, 2013, by April L. Winters as Facility Fee Planner of the Albuquerque Municipal School District No. 12, Bernalillo and Sandoval Counties, a school district organized and existing under the laws of the State of New Mexico.

(Seal)

Anastasia Wolfe
Notary Public

My commission expires: 6/17/2016





CITY OF ALBUQUERQUE
OFFICE OF ADMINISTRATIVE HEARINGS
ZONING HEARING EXAMINER
NOTIFICATION OF DECISION

PASCHICH WRISTEN request(s) a special exception to Section Page 98 A.4.C. of the Sawmill Wells Park Sector Development Plan: a VARIANCE of 552' to the required 600' separation between townhouse developments for proposed townhouses for all or a portion of Lot(s) 3-6, Block(s) 2, SUMMER GARDEN ADDN zoned S-R, located on 1506 SUMMER AV NW (J-13)

Special Exception No:..... 13ZHE-80496
Project No:..... Project# 1009653
Hearing Date:..... 05-21-13
Closing of Public Record:..... 05-21-13
Date of Decision: 06-06-13

On the 21st day of May, 2013 (hereinafter "**Hearing**") Mr. Wristen, (hereinafter "**Applicant**") appeared before the Zoning Hearing Examiner (hereinafter "**ZHE**") requesting a Variance of 552' to the required 600' separation between townhouse developments for proposed townhouses (hereinafter "**Application**") upon the real property located at 1506 Summer Av NW ("**Subject Property**"). Below are the findings of facts:

FINDINGS:

1. Applicant is requesting a Variance of 552' to the required 600' separation between townhouse developments for proposed townhouses.
2. The City of Albuquerque Code of Ordinances Section § 14-16-4-2 (C) (2) (a) "SPECIAL EXCEPTIONS" reads in part: "*Variance. A variance shall be approved if and only if the following tests are met: (a) The property is exceptional*"
3. Applicant testified at the Hearing that the Subject Property is exceptional because the existing lots are unusually narrow and irregularly shaped lots, and these conditions existed prior to the adoption of the Sawmill Wells Park Sector Development Plan. The Applicant stated in their justification letter that the existing lots, as currently situated, are undevelopable into town homes or single family residential lots.
4. The City of Albuquerque Code of Ordinances Section § 14-16-4-2 (C) (2) (b) "SPECIAL EXCEPTIONS" reads in part: "*A variance shall be approved if and only if the following tests are met: (b) as a result of the exceptional aspect of the property, the regulations produce unnecessary hardship*"
5. Applicant testified at the Hearing that as a result of the exceptionality (unusually shaped lots) that the Sawmill Wells Park Sector Development Plan creates a 600' setback regulation that produces an unnecessary hardship upon the Applicant and the Subject Property.
6. The City of Albuquerque Code of Ordinances Section § 14-16-4-2 (C) (2) (c) "SPECIAL EXCEPTIONS" reads in part: "*A variance shall be approved if and only if the following tests are met: (c) a particular variance is appropriate to prevent the unnecessary hardship.*"

7. Applicant testified at the Hearing that the variance Application (552 feet into the 600 feet setback), if approved, would be appropriate to prevent the unnecessary hardship.
8. The City of Albuquerque Code of Ordinances Section § 14-16-4-2 (C) (2) (d) "SPECIAL EXCEPTIONS" reads in part: *"A variance shall be approved if and only if the following tests are met: (d) financial gain or loss shall not be the sole determining factor in deciding a variance."*
9. The Application and the testimony provided by the Applicant at the Hearing both suggest that financial gain/loss was not the sole determining factor of the Application.
10. The Application, File and testimony of the Applicant at the Hearing suggest that there is no neighborhood opposition to the Application. In fact, the Sawmill Area Neighborhood Association authored a letter to the ZHE on the 14th day of May, 2013 which stated in part "the Association wishes to express its support for the variance request..."
11. The applicant is also submitted a petition signed by four persons supporting the variance application.
12. Applicant testified at the Hearing that the yellow "Notice of Hearing" signs were posted for the required time period as articulated within City of Albuquerque Code of Ordinances § 14-16-4-2 SPECIAL EXCEPTIONS.
13. The Applicant/Agent has adequately justified the variance Application upon the Subject Property pursuant to City of Albuquerque Code of Ordinances Section § 14-16-4-2 SPECIAL EXCEPTIONS.

DECISION:

APPROVAL of a VARIANCE of 552' to the required 600' separation between townhouse developments for proposed townhouses.

If you wish to appeal this decision, you may do so by 5:00 p.m., on June 21, 2013 in the manner described below:

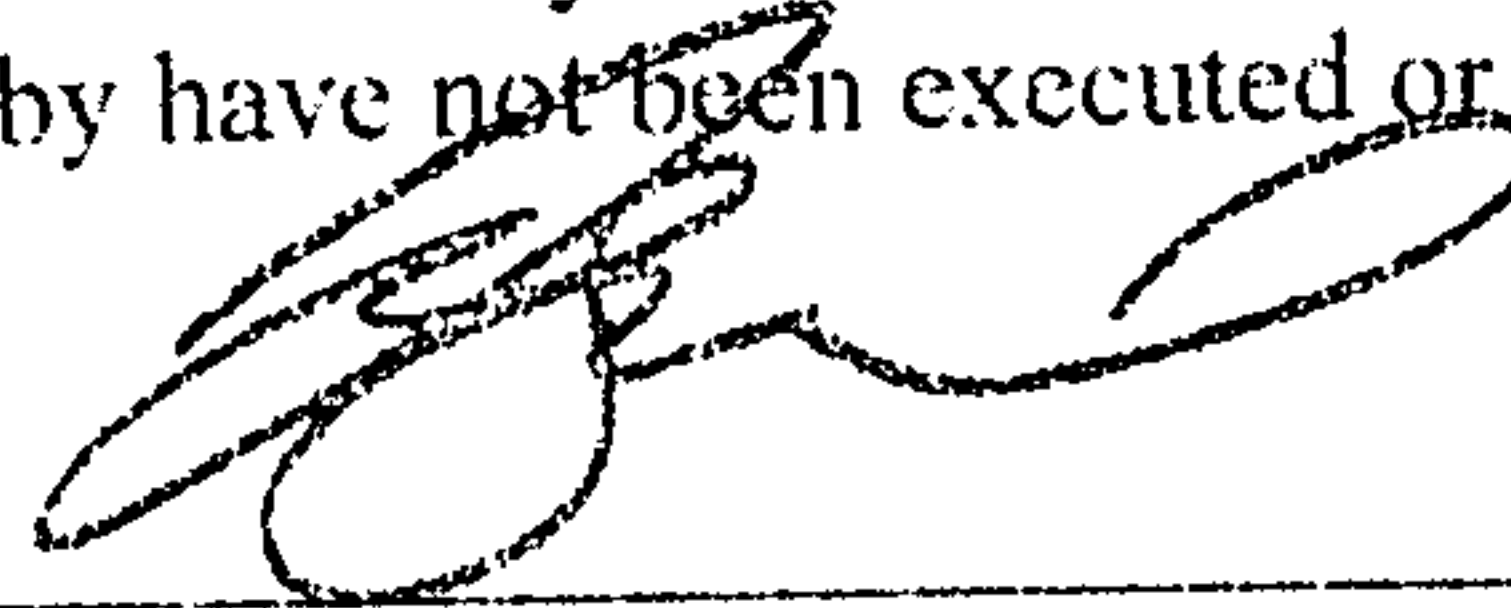
Appeal is to the Board of Appeals within 15 days of the decision. A filing fee of \$105.00 shall accompany each appeal application, as well as a written explanation outlining the reason for appeal and a copy of the ZHE decision. Appeals are taken at 600 2nd Street, Plaza Del Sol Building, Ground Level, Planning Application Counter located on the west side of the lobby. **Please present this letter of notification when filing an appeal.** When an application is withdrawn, the fee shall not be refunded.

An appeal shall be heard by the Board of Appeals within 45 days of the appeal period and concluded within 75 days of the appeal period. The Planning Division shall give written notice of an appeal, together with a notice of the date, time and place of the hearing to the applicant, a representative of the opponents, if any are known, and the appellant.

Please note that pursuant to Section 14. 16. 4. 4. (B).. of the City of Albuquerque Comprehensive Zoning Code, you must demonstrate that you have legal standing to file an appeal as defined.

You will receive notice if any other person files an appeal. If there is no appeal, you can receive building permits any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. However, the Zoning Hearing Examiner may allow issuance of building permits if the public hearing produces no objection of any kind to the approval of an application. To receive this approval, the applicant agrees in writing to return the building permit or occupation tax number.

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of a special exception is secured. This decision does not constitute approval of plans for a building permit. If your application is approved, bring this decision with you when you apply for any related building permit or occupation tax number. Approval of a conditional use or a variance application is void after one year from date of approval if the rights and privileges are granted, thereby have not been executed or utilized.



Joshua J. Skarsgard, Esq.
Zoning Hearing Examiner

cc: Zoning Enforcement
ZHE File
Pashich Wristen, 500 Morningside SE, 87108
Julianna Kirwin, 1201 8th St NW, 87102
Lola Perkins, 1238 8th St NW, 87102
Camy Condon, 1246 Summer NW, 87102
Deborah Maldonado, 1249 Summer Ave NW, 87102
Ignasio Perez, 1222 8th St NW, 87102
Ken Sandoval, 907 Forrester NW, 87102
David Bashwiner, 711 Summer NW, 87102
Gerald Montoya, 1218 8th St NW, 87102
Robert Steinberg, 1201 8th St NW, 87102
Betsy Najjar, betsynajjar@gmail.com

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
April 10, 2013
DRB Comments**

ITEM # 5

PROJECT # 1006703

APPLICATION # 13-70503

RE: Lots 3-6, Block 2, Summer Garden Addition

The adjacent 'portion' of Lot 7 needs to be addressed at this time of platting; the proposed plat does not conform with the City Subdivision Ordinance regarding General Appropriateness, Conformance with Planning and Zoning, and Land Suitability by abandoning the easterly 10 feet of this adjacent lot.

Jack Cloud, DRB Chairman
924-3880/ jcloud@cabq.gov

8951650

QUITCLAIM DEED

EX. 425

Jacobita M. Gonzales, a widow
for consideration paid, quitclaim
to Lydia P. Baily
whose address is 1506 Sumner N.W., Albuquerque, New Mexico 87104
the following described real estate in Bernalillo County, New Mexico:

Lots numbered Five (5) and Six (6) in Block numbered Two (2) of the Summer Garden Addition, and also the East 10 feet of Lot No. seven (7) in Block No. Two (2) of the Summer Garden Addition, as the same are shown in Plat filed in the County Clerk's office in Bernalillo County on June 25, 1937, in the State of New Mexico.

WITNESS my hand and seal this 9th day of June 1989

(Seal) Jacobita M. Gonzales (Seal)
(Seal) (Seal)

ACKNOWLEDGMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO

COUNTY OF Bernalillo

The foregoing instrument was acknowledged before me this 13th day of June 1989

by Jacobita M. Gonzales
My commission expires 2-19-91
Quinn M. Childers Notary Public

ACKNOWLEDGMENT FOR CORPORATION

STATE OF NEW MEXICO

COUNTY OF

The foregoing instrument was acknowledged before me this

day of 19

by (Name of Officer)

(Title of Officer) of (Name of Corporation Acknowledged)

corporation, on behalf of said

corporation. (State of Incorporation)

My commission expires

(Seal)

FOR RECORDER'S USE ONLY
STATE OF NEW MEXICO
COUNTY OF BERNALILLO
FILED FOR RECORD
89 JUN 13 PH 4: 15
0362A PG 425
CLARENCE T. DAVIS
CO. CLERK & RECORDER

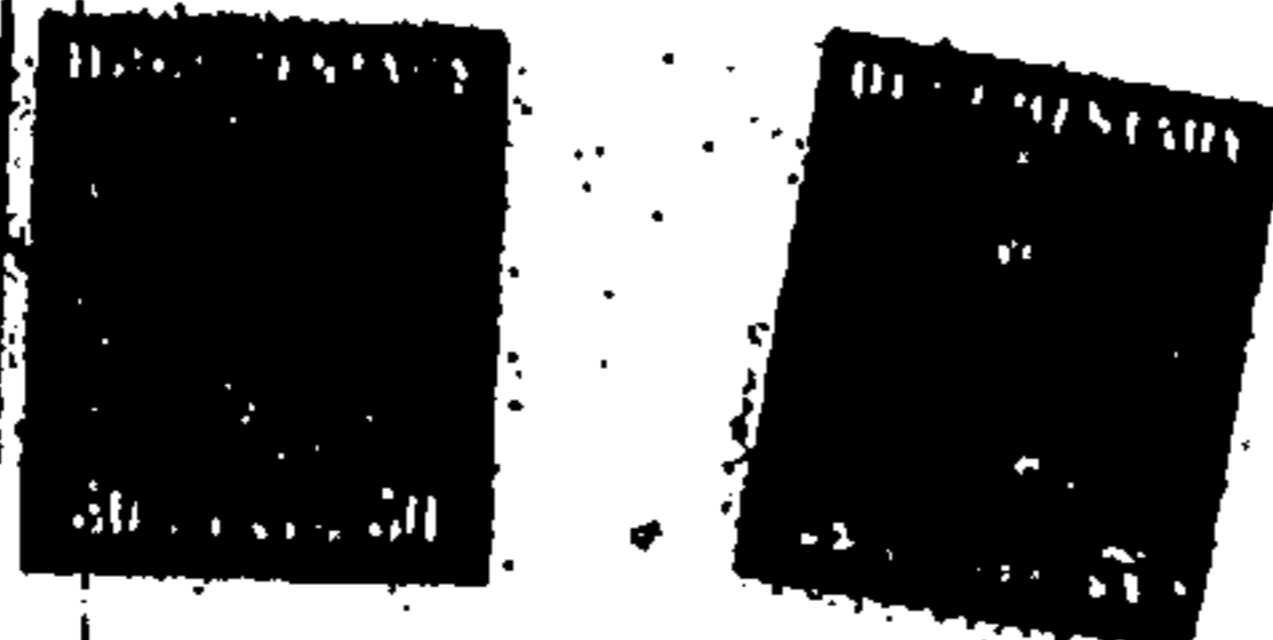
THIS INDENTURE, Made this 10 day of May, in the year of our Lord One Thousand Nine Hundred and fifty between Gregoria B. Ulivarri Orlando Ulivarri Sr. her husband

_____ of the first part and Elifigo Gonzales and Margaret Gonzales his wife also known as Jacobita Gonzales. _____ of the second part,

WITNESSETH, That the said part les of the first part, for and in consideration of the sum of One (\$1.00) Dollar Dollars

lawful money of the United States, to them in hand paid by the said part les of the second part, the receipt whereof is hereby confessed and acknowledged, he ya granted, bargained, sold, remised, conveyed, released and confirmed, and by these presents do _____ grant, bargain, sell, remise, convey, release and confirm unto the said part les of the second part, _____ heirs and assigns forever all the following described lot 5 or parcel _____ of land and real estate, situate, lying and being in the County of Bernalillo and State of New Mexico, to-wit:

lots numbers 5 and 6 in block Number 2 of the Summer Garden Addition., and also the East 10 feet of lot No. 7 in Block No. 2 of the Summer Garden Addition, as the same are shown in plat filed in the County Clerks Office in Bernalillo County on June 25th 1937, in the State of N.M.



TOGETHER WITH ALL, AND SINGULAR the hereditaments and appurtenances therunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof and all the estate, right, title, interest, claim and demand whatsoever, of the part les of the first part, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the said part les of the second part, _____ heirs and assigns forever. And the said part les of the first part, for _____ heirs, executors and administrators, do _____ covenant and agree, to and with the said part les of the second part,

_____ heirs and assigns, that at the time of the enscaling and delivery of these presents well seized of the premises above conveyed, of a good, sure, perfect, absolute and indefeasible estate of inheritance in law and in fee simple and ha ya good right, full power and lawful authority to grant, bargain, sell and convey

the same in manner and form aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments and incumbrances of what kind and nature soever; and the above bargained premises, in the quiet and peaceable possession of the part LES of the second part LES heirs and assigns, against all and every person or persons lawfully claiming or to claim, the whole or any part thereof, the said part of the first part shall and will, warrant, and forever defend.

IN WITNESS WHEREOF, the said part LES of the first part have hereunto set their hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of Gregoria B. Ulivarri [SEAL] Orlando Ulivarri Sr. [SEAL] [SEAL] [SEAL]

STATE OF NEW MEXICO, County of Bernalillo

On this 11th day of May, 19 50, before me personally appeared Gregoria B. Ulivarri, Orlando Ulivarri Sr. her husband

to me known to be the person S described in and who executed the foregoing instrument and acknowledged that they have executed the same as their free act and deed.

Witness my hand and seal the day and year last above written.

My commission expires June 22, 1953 Lina M. Wilborn Notary Public.

43515 WARRANTY DEED

Gregoria B. Ulivarri Orlando Ulivarri Sr. TO Elipheo Gonzalez 1306 Alameda N.W. Margaret Gonzalez Orlando Ulivarri Sr. STATE OF NEW MEXICO Oranrita County of BERNALILLO

I hereby certify that this instrument was filed for record on the 27th day of May, A. D. 19 50, at 11:45 o'clock A. M., and was duly recorded in Book 8-300 of Records of Deeds and Conveyances, page 221 on this 27th day of December, A. D. 19 54. [Signature] Clerk and Ex-Officio Recorder. [Signature] Deputy.

STATE OF NEW MEXICO, County of _____

On this _____ day of _____, before me personally appeared _____ to me personally known, who being by me duly sworn, did say that he is _____ of _____ a corporation organized under the laws of the State of _____ and the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation, by authority of its board of directors and said _____ acknowledged said instrument to be the free act and deed of said corporation.

Witness my hand and seal this the day and year first above written _____ Notary Public My commission expires _____ County, New Mexico

3



CITY OF ALBUQUERQUE
OFFICE OF ADMINISTRATIVE HEARINGS
ZONING HEARING EXAMINER
NOTIFICATION OF DECISION

PASCHICH WRISTEN request(s) a special exception to Section Page 98 A.4.C. of the Sawmill Wells Park Sector Development Plan: a VARIANCE of 552' to the required 600' separation between townhouse developments for proposed townhouses for all or a portion of Lot(s) 3-6, Block(s) 2, SUMMER GARDEN ADDN zoned S-R, located on 1506 SUMMER AV NW (J-13)

Special Exception No:..... 13ZHE-80496
Project No:..... Project# 1009653
Hearing Date:..... 05-21-13
Closing of Public Record:..... 05-21-13
Date of Decision: 06-06-13

On the 21st day of May, 2013 (hereinafter "Hearing") Mr. Wristen, (hereinafter "Applicant") appeared before the Zoning Hearing Examiner (hereinafter "ZHE") requesting a Variance of 552' to the required 600' separation between townhouse developments for proposed townhouses (hereinafter "Application") upon the real property located at 1506 Summer Av NW ("Subject Property"). Below are the findings of facts:

FINDINGS:

1. Applicant is requesting a Variance of 552' to the required 600' separation between townhouse developments for proposed townhouses.
2. The City of Albuquerque Code of Ordinances Section § 14-16-4-2 (C) (2) (a) "SPECIAL EXCEPTIONS" reads in part: *"Variance. A variance shall be approved if and only if the following tests are met: (a) The property is exceptional"*
3. Applicant testified at the Hearing that the Subject Property is exceptional because the existing lots are unusually narrow and irregularly shaped lots, and these conditions existed prior to the adoption of the Sawmill Wells Park Sector Development Plan. The Applicant stated in their justification letter that the existing lots, as currently situated, are undevelopable into town homes or single family residential lots.
4. The City of Albuquerque Code of Ordinances Section § 14-16-4-2 (C) (2) (b) "SPECIAL EXCEPTIONS" reads in part: *"A variance shall be approved if and only if the following tests are met: (b) as a result of the exceptional aspect of the property, the regulations produce unnecessary hardship"*
5. Applicant testified at the Hearing that as a result of the exceptionality (unusually shaped lots) that the Sawmill Wells Park Sector Development Plan creates a 600' setback regulation that produces an unnecessary hardship upon the Applicant and the Subject Property.
6. The City of Albuquerque Code of Ordinances Section § 14-16-4-2 (C) (2) (c) "SPECIAL EXCEPTIONS" reads in part: *"A variance shall be approved if and only if the following tests are met: (c) a particular variance is appropriate to prevent the unnecessary hardship."*

7. Applicant testified at the Hearing that the variance Application (552 feet into the 600 feet setback), if approved, would be appropriate to prevent the unnecessary hardship.
8. The City of Albuquerque Code of Ordinances Section § 14-16-4-2 (C) (2) (d) "SPECIAL EXCEPTIONS" reads in part: "*A variance shall be approved if and only if the following tests are met: (d) financial gain or loss shall not be the sole determining factor in deciding a variance.*"
9. The Application and the testimony provided by the Applicant at the Hearing both suggest that financial gain/loss was not the sole determining factor of the Application.
10. The Application, File and testimony of the Applicant at the Hearing suggest that there is no neighborhood opposition to the Application. In fact, the Sawmill Area Neighborhood Association authored a letter to the ZHE on the 14th day of May, 2013 which stated in part "the Association wishes to express its support for the variance request..."
11. The applicant is also submitted a petition signed by four persons supporting the variance application.
12. Applicant testified at the Hearing that the yellow "Notice of Hearing" signs were posted for the required time period as articulated within City of Albuquerque Code of Ordinances § 14-16-4-2 SPECIAL EXCEPTIONS.
13. The Applicant/Agent has adequately justified the variance Application upon the Subject Property pursuant to City of Albuquerque Code of Ordinances Section § 14-16-4-2 SPECIAL EXCEPTIONS.

DECISION:

APPROVAL of a **VARIANCE** of 552' to the required 600' separation between townhouse developments for proposed townhouses.

If you wish to appeal this decision, you may do so by 5:00 p.m., on June 21, 2013 in the manner described below:

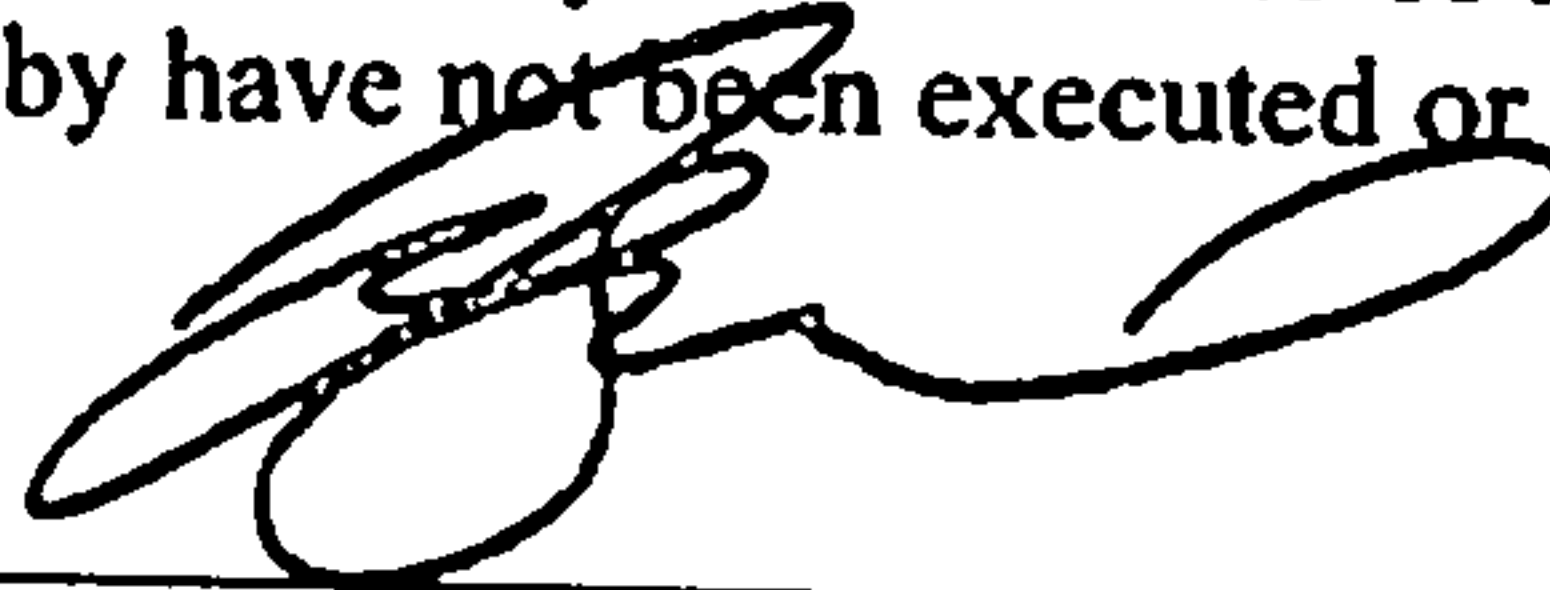
Appeal is to the Board of Appeals within 15 days of the decision. A filing fee of \$105.00 shall accompany each appeal application, as well as a written explanation outlining the reason for appeal and a copy of the ZHE decision. Appeals are taken at 600 2nd Street, Plaza Del Sol Building, Ground Level, Planning Application Counter located on the west side of the lobby. **Please present this letter of notification when filing an appeal.** When an application is withdrawn, the fee shall not be refunded.

An appeal shall be heard by the Board of Appeals within 45 days of the appeal period and concluded within 75 days of the appeal period. The Planning Division shall give written notice of an appeal, together with a notice of the date, time and place of the hearing to the applicant, a representative of the opponents, if any are known, and the appellant.

Please note that pursuant to Section 14. 16. 4. 4. (B)., of the City of Albuquerque Comprehensive Zoning Code, you must demonstrate that you have legal standing to file an appeal as defined.

You will receive notice if any other person files an appeal. If there is no appeal, you can receive building permits any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. However, the Zoning Hearing Examiner may allow issuance of building permits if the public hearing produces no objection of any kind to the approval of an application. To receive this approval, the applicant agrees in writing to return the building permit or occupation tax number.

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of a special exception is secured. This decision does not constitute approval of plans for a building permit. If your application is approved, bring this decision with you when you apply for any related building permit or occupation tax number. Approval of a conditional use or a variance application is void after one year from date of approval if the rights and privileges are granted, thereby have not been executed or utilized.



Joshua J. Skarsgard, Esq.
Zoning Hearing Examiner

cc: Zoning Enforcement
ZHE File
Pashich Wristen, 500 Morningside SE, 87108
Julianna Kirwin, 1201 8th St NW, 87102
Lola Perkins, 1238 8th St NW, 87102
Camy Condon, 1246 Summer NW, 87102
Deborah Maldonado, 1249 Summer Ave NW, 87102
Ignasio Perez, 1222 8th St NW, 87102
Ken Sandoval, 907 Forrester NW, 87102
David Bashwiner, 711 Summer NW, 87102
Gerald Montoya, 1218 8th St NW, 87102
Robert Steinberg, 1201 8th St NW, 87102
Betsy Najjar, betsynajjar@gmail.com



DEVELOPMENT REVIEW BOARD SUPPLEMENTAL SUBMITTAL

PROJECT NO. 1006703

Application No. 13-DRB-~~70606~~ 70606

TO: ALL MEMBERS

Jack Cloud, DRB Chairman, Planning Department

Curtis Cherne, P.E., Hydrology

Kristal Metro, P.E., Transportation Development

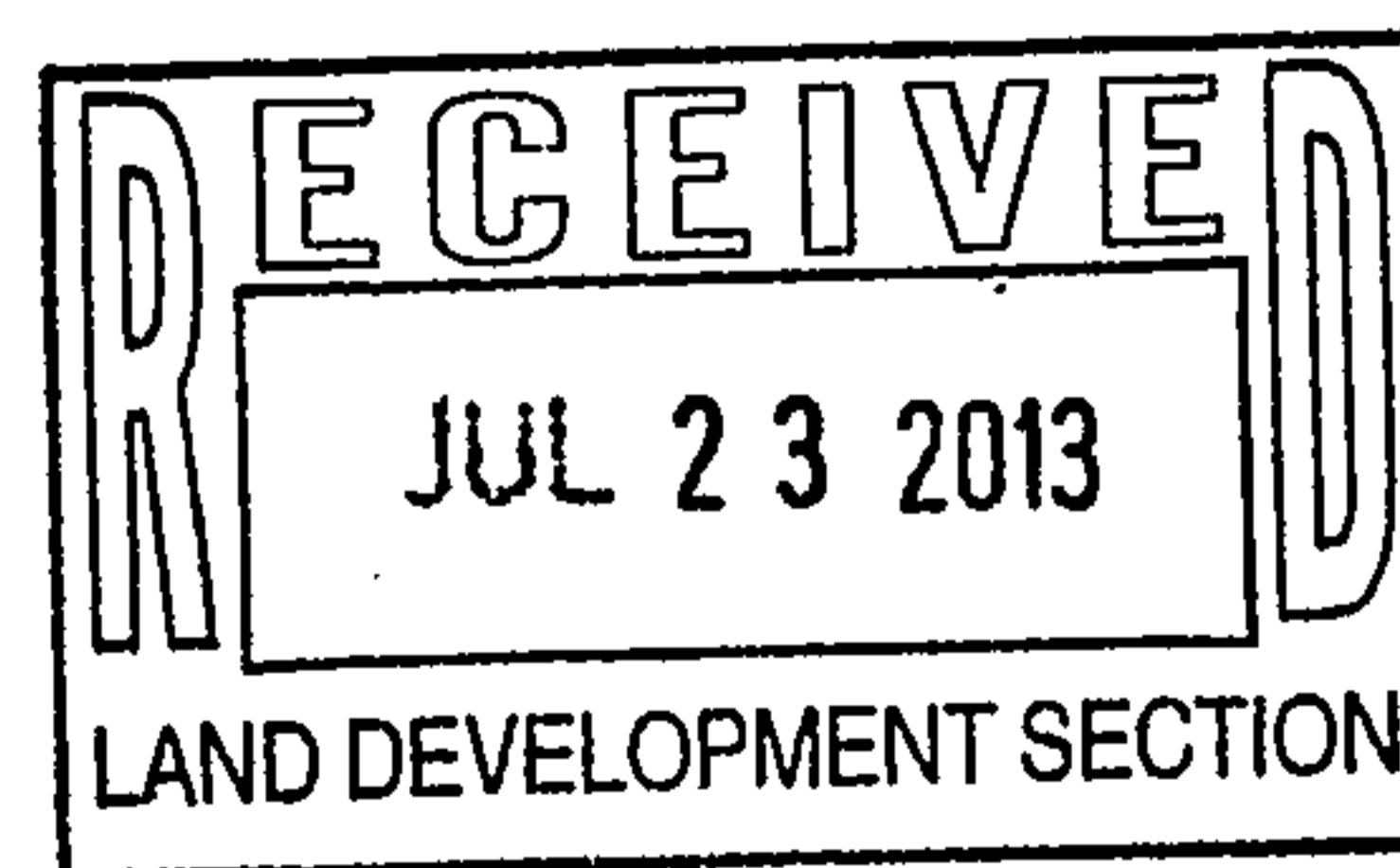
Allan Porter, P.E., Albuquerque/ Bernalillo Co.WUA

Carol Dumont, Parks/Municipal Development

NEXT HEARING DATE: _____

NOTE: REQUESTS FOR DEFERRAL OF CASES WILL BE DISCUSSED BY THE BOARD AND THE APPLICANT AND/OR AGENT AT THE BEGINNING OF THE AGENDA. BOTH PARTIES MUST AGREE UPON THE DATE OF DEFERRAL. IF THE APPLICANT/AGENT IS NOT PRESENT, THE ADMINISTRATIVE ASSISTANT MUST RECEIVE A LETTER, PRIOR TO THE HEARING DATE, REQUESTING A SPECIFIC DEFERRAL DATE. THE BOARD WILL DISCUSS AND MAKE A DECISION AT THE HEARING. THE APPLICANT/AGENT WILL THEN BE INFORMED OF THE DEFERRAL DATE AND REASON. IF THE APPLICANT IS NOT PRESENT WHEN THEIR REQUEST IS CALLED, THEN THE REQUEST MAY BE INDEFINITELY DEFERRED ON A NO SHOW.

SUBMITTAL DESCRIPTION: WE REQUEST FINAL PLAT APPROVAL FOR ALL
OR A PORTION OF LOTS 3-6 BLOCK 2 SUMMER ADDITION GARDENS
ROSEMONT/SUMMER. AS AMENDED TO INCLUDE EASTERN 10' OF
LOT 7.



CONTACT NAME: WRISTEN

TELEPHONE: 250.1887 EMAIL: WRISTEN@SWCP.COM

*Sawmill Area Neighborhood Association
(SANA)*

Betsy Najjar
916 19th Street NW
Albuquerque, NM 87104

May 14, 2013

Office of Administrative Hearings
Zoning Hearing Examiner
P.O. Box 1293
Albuquerque NM 87103

The Sawmill Area Neighborhood Association wishes to express its support for the variance request filed by Wristen Paschich to allow a 552' instead of the required 600' separation between townhouse developments, # 13ZHe-80506 Project # 1009653.

We believe his proposal to build two joined homes (a duplex) facing Rosemont and two additional joined homes facing Summer on the proposed four reconfigured lots are a good use of the currently vacant land and will enhance the quality of our neighborhood. The SANA Board and surrounding neighbors are enthusiastically in favor of this development.

Please feel free to contact me if you have any questions, 242-4646.

Thank You,

Betsy Najjar
President

XFINITY Connect

jackshighcountry@comcast.ne

± Font Size -

RE: pdf and dfx for your review

From : Joshua R. Sammons <jsammons@cabq.gov>
Subject : RE: pdf and dfx for your review
To : Anthony Harris <tony@harrissurveying.comcastbiz.net>, jackshighcountry@comcast.net
Cc : Tim H. Gaulden <tgaulden@cabq.gov>, Catherine P. Bradley <cbradley@cabq.gov>

Tue, Jul 30, 2013 03:18 PM

 1 attachment

The DXF has been approved. Thanks

Joshua Sammons
GIS Coordinator
AGIS - Planning Department
City of Albuquerque
(505) 924-3921

From: Anthony Harris [mailto:tony@harrissurveying.comcastbiz.net]
Sent: Friday, July 26, 2013 9:03 AM
To: Gricius, Michelle A.; Gaulden, Tim H.; Sammons, Joshua R.
Subject: pdf and dfx for your review

 **1006703.pdf**
70 KB

PROJECT

1006703

App #

Action

Date

13-70503

SP

4-10-13

PASCHICH DESIGN GROUP

A JMP WORKS LLC. COMPANY

Lic. #359620

P.O. Box 25142, Albuquerque, NM 87125
(505) 898-0312

1506 SUMMER AVE NW | SKETCH PLAT

We are requesting a reconfiguration of the four existing lots at 1506 Summer Ave NW into four new lots [see enclosed IMPROVEMENT PLAT and SUBDIVISION PLAT].

We believe our request for this reconfiguration is justified by the following:

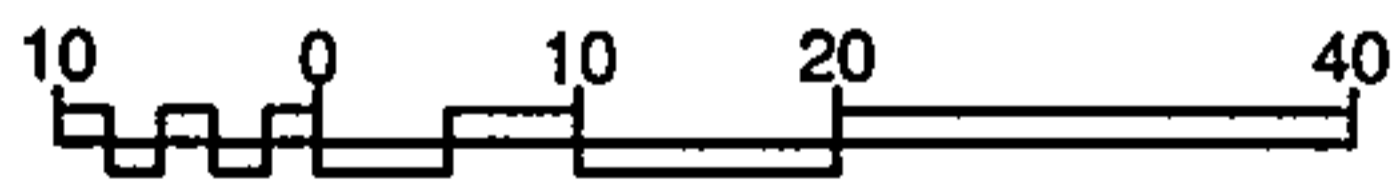
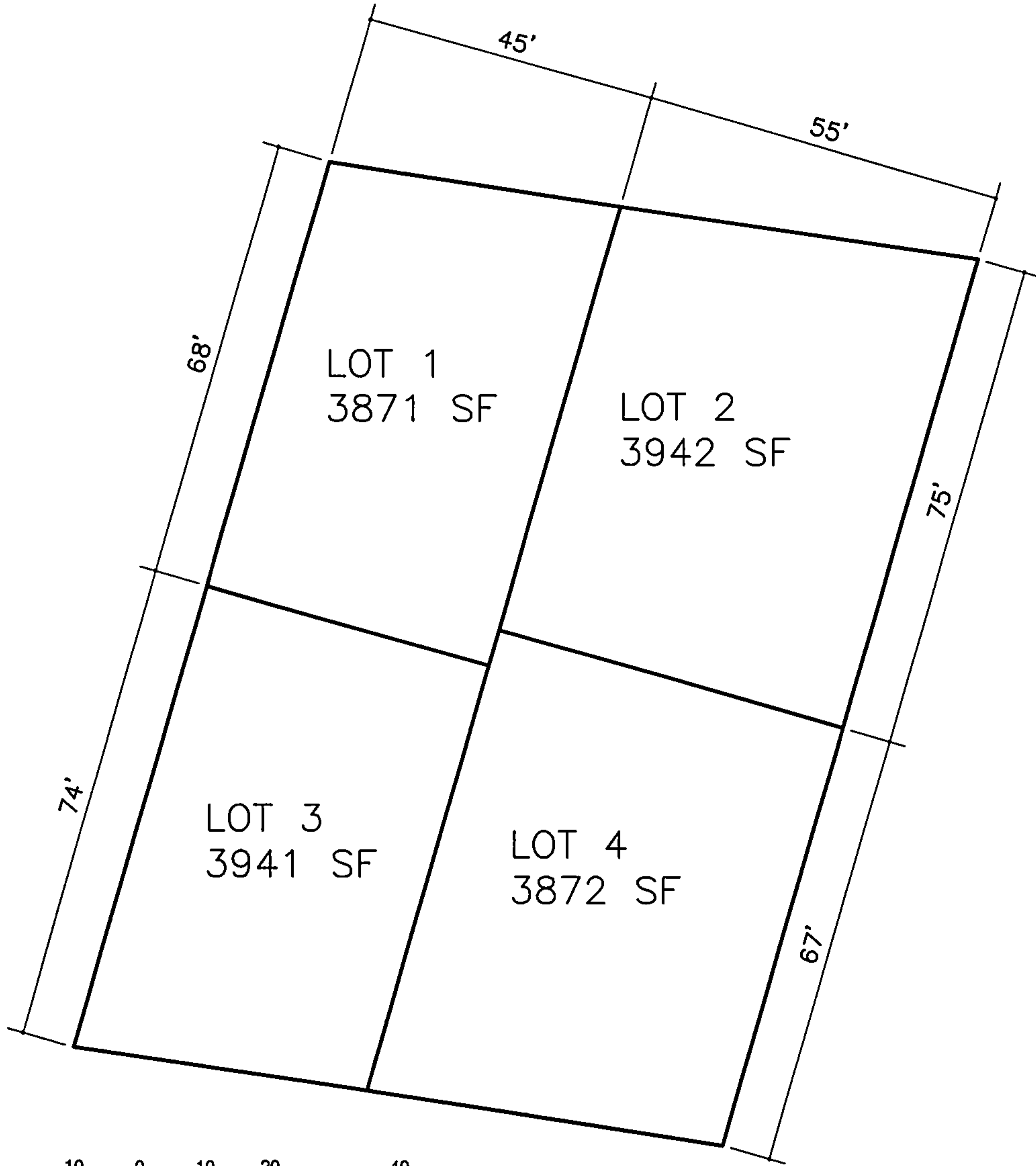
- The current condition of the property is vacant unimproved loose soil and sand.
- The existing lots of the property span between two publicly maintained residential streets where each of the four proposed dwellings would be front facing to a public street with vehicular access from such street (i.e. no alley ways).
- The property is within the S-R zone, which allows limited townhouses and townhouse developments. From an aerial photo study, it appears that no other townhouse developments as defined in the S-R zone are within 600 ft. of the property boundary.
- The townhouses would be oriented to face both streets – two facing Rosemont Ave. and two facing Summer Ave., so the development would maintain the character of the existing streets while appearing as a single duplex from each street.
- We design our homes to be architecturally appropriate and sensitive to their surroundings, and will fit well within the context of the many single family and townhouse developments which have been constructed in the general neighborhood thus far. Our ability to design and build homes to these standards has been put into action nearby at 1226/1228 8th Street.
- We are targeting LEED Platinum certification of our current project at 1228 8th street, and plan to build the four homes at 1506 Summer Ave to LEED standards.

Please let us know of any questions.

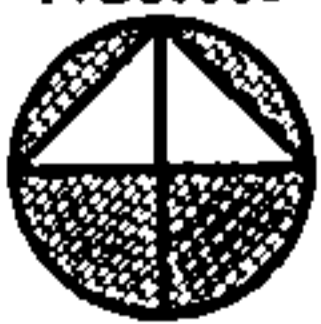
- Ed Paschich
ed@paschichdesigngroup.com

- Wristen
wristen@paschichdesigngroup.com

/// About Paschich Design Group: Our family business has been responsibly developing land and building environmentally friendly homes for over 30 years.

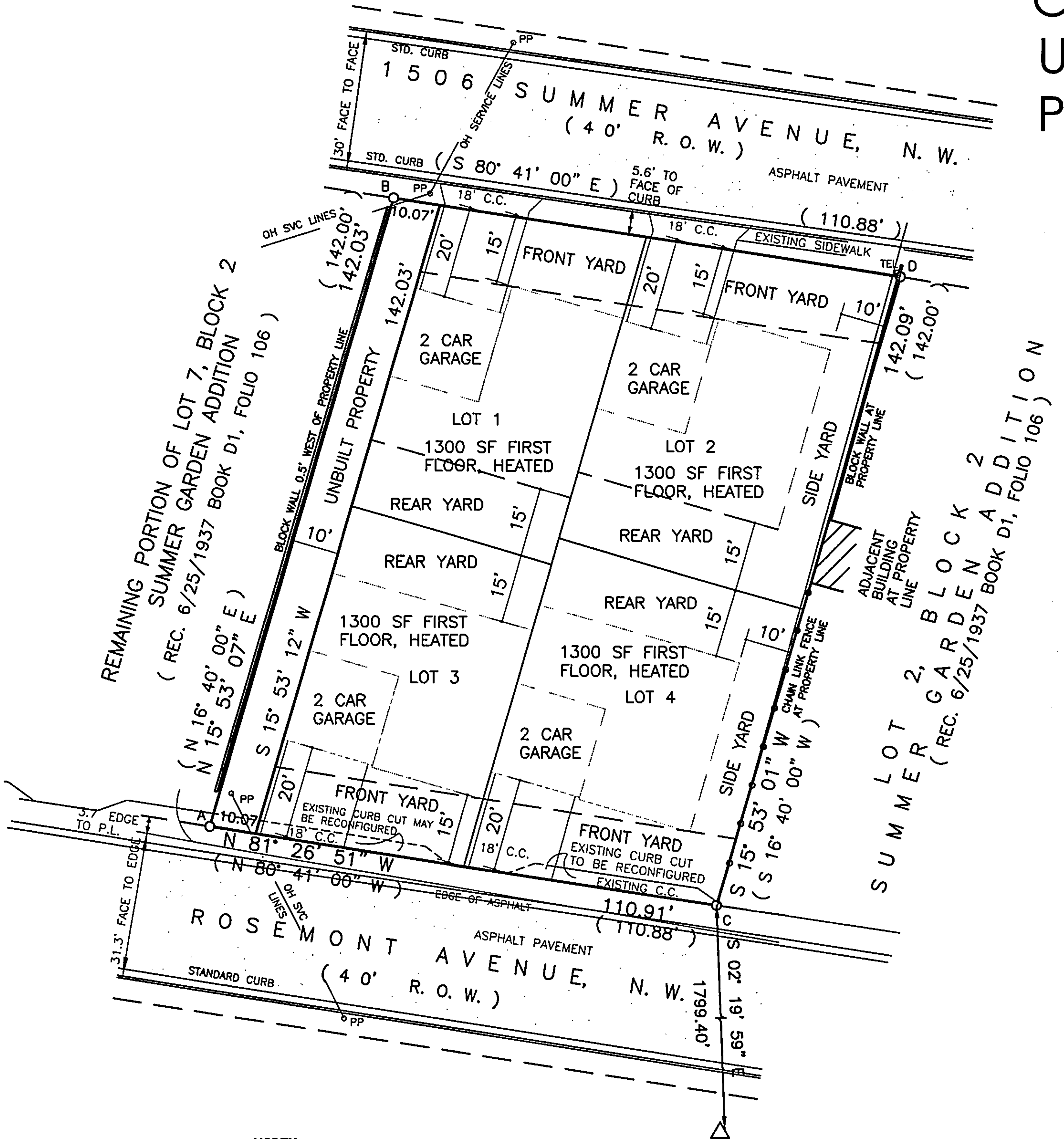


NORTH



SUBDIVISION SKETCH PLAT

SCALE: 1"=30'-0"

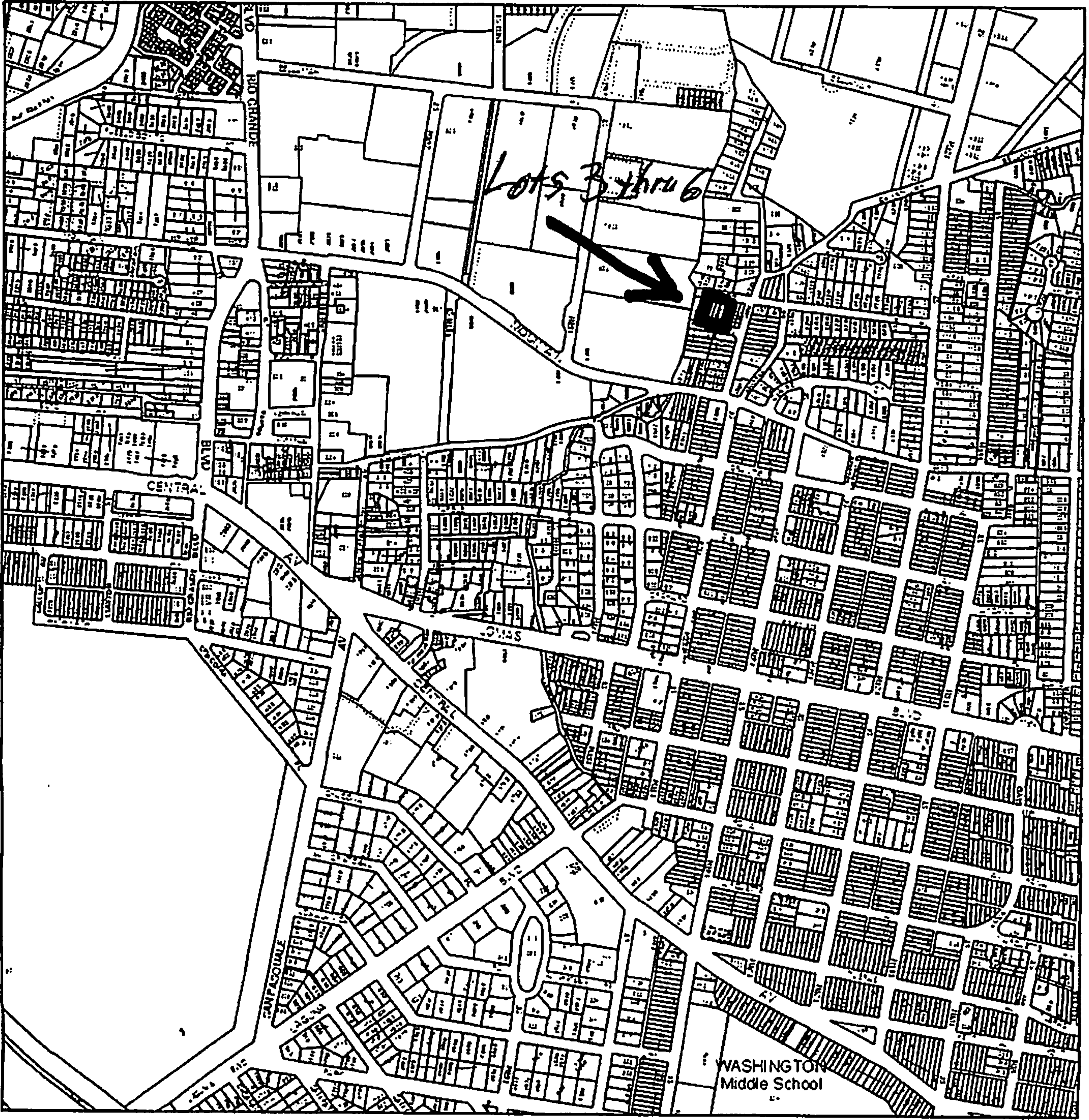


REMAINING PORTION OF LOT 7, BLOCK 2
 SUMMER GARDEN ADDITION
 (REC. 6/25/1937 BOOK D1, FOLIO 106)
 (N 16° 40' 00" E)
 (N 15° 53' 07" E)

SUMMER LOT 2, BLOCK 2
 SUMMER GARDEN ADDITION
 (REC. 6/25/1937 BOOK D1, FOLIO 106)



IMPROVEMENT SKETCH PLAT
 SCALE: 1"=30'-0"



For more current information and details visit: www.cabq.gov/gis

Note: Gray Shading Represents Area Outside of the City Limits

Address Map Page:
J-13-Z
 Map Amended through:
 8/29/2012

These addresses are for informational purposes only and are not intended for address verification.



Supplemental Form (SF)

SUBDIVISION

- Major subdivision action
- Minor subdivision action
- Vacation
- Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

- for Subdivision
- for Building Permit
- Administrative Amendment/Approval (AA)
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

- Annexation
- Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
- Adoption of Rank 2 or 3 Plan or similar
- Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
- Street Name Change (Local & Collector)
- L A APPEAL / PROTEST of...**
 - Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other

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.

APPLICATION INFORMATION:

Professional/Agent (if any): _____ PHONE: _____
 ADDRESS: _____ FAX: _____
 CITY: _____ STATE _____ ZIP _____ E-MAIL: _____

APPLICANT: J.M.P Works LLC PHONE: 898-0312
 ADDRESS: P.O. Box 25147 FAX: _____
 CITY: Albu STATE: N.M. ZIP: 87125 E-MAIL: eduardp@swcp.com
 Proprietary interest in site: Contract Purchases List all owners: _____

DESCRIPTION OF REQUEST: Sketch plat. Review

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

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

Lot or Tract No. 3 thru 6 Block: 2 Unit: -
 Subdiv/Addn/TBKA: Summer Garden Addition
 Existing Zoning: S-R Proposed zoning: - MRGCD Map No _____
 Zone Atlas page(s): J-13 UPC Code: _____

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z_, V_, S_, etc.): 1006703
DRB- 12-70321, 12-70160

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? No
 No. of existing lots: 4 No. of proposed lots: 4 Total site area (acres): 32.59
 LOCATION OF PROPERTY BY STREETS: On or Near: 15th St.
 Between: Rosemont Av. and Summer Av.

Check if project was previously reviewed by: Sketch Plat/Plan or Pre-application Review Team(PRT) . Review Date: June 6, Oct. 17, 2012

SIGNATURE Edward O. Paschich M.M. J.M.P Works LLC DATE 4-1-13
 (Print Name) Edward O. Paschich Applicant: Agent:

FOR OFFICIAL USE ONLY

INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>13DRB-70503</u>	<u>SP</u>	_____	\$ <u>0</u>
<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 type="checkbox"/> Case history #s are listed	_____	_____	_____	\$ _____
<input 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>April 10, 2013</u>				Total \$ <u>0</u>

Revised: 4/2012

[Signature] 4-2-13
 Staff signature & Date

Project # 1006703

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

A Bulk Land Variance requires application on FORM-V in addition to application for subdivision on FORM-S.

- SKETCH PLAT REVIEW AND COMMENT (DRB22)** **Your attendance is required.**
- Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, 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) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - List any original and/or related file numbers on the cover application

- EXTENSION OF MAJOR PRELIMINARY PLAT (DRB08)** **Your attendance is required.**
- required.
- Preliminary Plat reduced to 8.5" x 11"
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - Copy of DRB approved infrastructure list
 - Copy of the LATEST Official DRB Notice of approval for Preliminary Plat Extension request
 - List any original and/or related file numbers on the cover application
- Extension of preliminary plat approval expires after one year.**

- MAJOR SUBDIVISION FINAL PLAT APPROVAL (DRB12)** **Your attendance is required.**
- Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Signed & recorded Final Pre-Development Facilities Fee Agreement for Residential development only
 - Design elevations & cross sections of perimeter walls **3 copies**
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
 - Copy of recorded SIA
 - Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
 - List any original and/or related file numbers on the cover application
 - DXF file and hard copy of final plat data for AGIS is required.

- MINOR SUBDIVISION PRELIMINARY/FINAL PLAT APPROVAL (DRB16)** **Your attendance is required.**
- 5 Acres or more: Certificate of No Effect or Approval
 - Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings ensure property owner's and City Surveyor's signatures are on the plat prior to submittal
 - Signed & recorded Final Pre-Development Facilities Fee Agreement for Residential development only
 - Design elevations and cross sections of perimeter walls (11" by 17" maximum) **3 copies**
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 - Fee (see schedule)
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 - DXF file and hard copy of final plat data for AGIS is required.

- AMENDMENT TO PRELIMINARY PLAT (with minor changes) (DRB03)** **Your attendance is required.**
- 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**
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 - Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
 - List any original and/or related file numbers on the cover application
- Amended preliminary plat approval expires after one year**

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

Edward O. Paschich M.M.
 J.M.P. Works, LLC
 Applicant name (print)
Edward O. Paschich M.M.
 Applicant signature / date



- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- Application case numbers
13 - DRB - 70503

Form revised **October 2007**
[Signature] 4-2-13
 Planner signature / date
 Project # 1006703



Supplemental Form (SF)

SUBDIVISION

- Major subdivision action
- Minor subdivision action
- Vacation
- Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

- for Subdivision
- for Building Permit
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 - Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other

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 ADDRESS: P.O. Box 25142 FAX: -
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 Proprietary interest in site: Contract Purchasers List all owners: _____

DESCRIPTION OF REQUEST: Sketch Plat. Review

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

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

Lot or Tract No. 3 thru 6 Block: 2 Unit: -
 Subdiv/Addn/TBKA: Summer Garden Addition
 Existing Zoning: S-R Proposed zoning: - MRGCD Map No _____
 Zone Atlas page(s): J-13 UPC Code: _____

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List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z_, V_, S_, etc.): 1006703
DRB- 12-70321, 12-70160

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? No
 No. of existing lots: 4 No. of proposed lots: 4 Total site area (acres): 3259
 LOCATION OF PROPERTY BY STREETS: On or Near: 15th St.
 Between: Rosemont Av. and Summer Av.

Check if project was previously reviewed by: Sketch Plat/Plan or Pre-application Review Team(PRT) Review Date: June 6, Oct. 17, 2012

SIGNATURE Edward Paschich M.M. J.M.P works LLC DATE 4-1-13
 (Print Name) Edward O. Paschich Applicant: Agent:

FOR OFFICIAL USE ONLY

Revised: 4/2012

<input checked="" type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
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Project # 1006703

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Edward O. Paschick m.m.
JMP Works, LLC
 Applicant name (print)

[Signature]
 Applicant signature / date



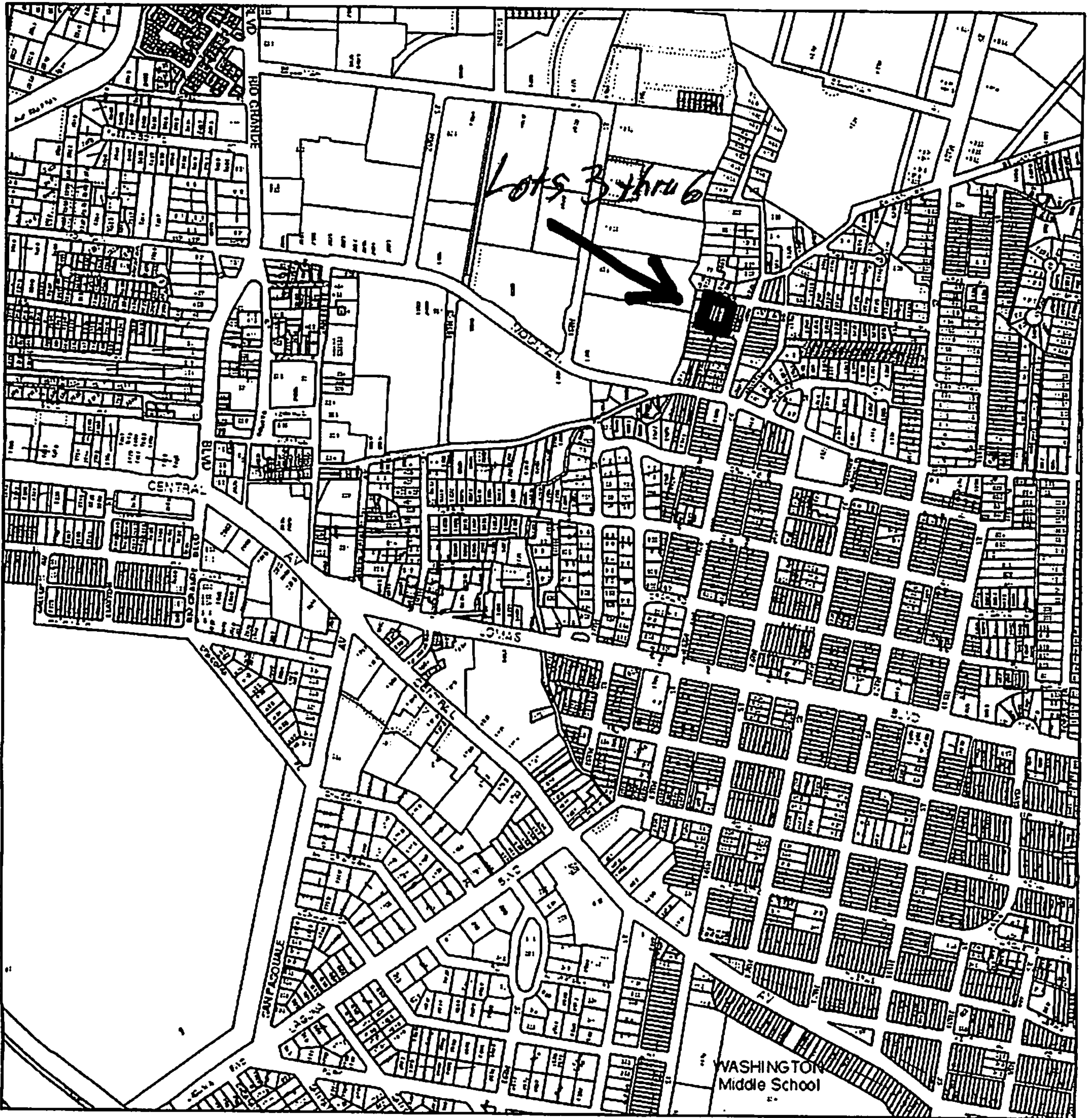
Form revised **October 2007**

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- Related #s listed

Application case numbers
13 - DRB - 70503

[Signature] 4-2-13
 Planner signature / date

Project # 1006703



For more current information and details visit: www.cabq.gov/gis

Note: Gray Shading
Represents Area Outside
of the City Limits

Address Map Page:
J-13-Z
Map Amended through:
8/29/2012

These addresses are for informational purposes only and are not intended for address verification.

Seeking neighbors' support for proposed home project:

When we see the vacant land between Rosemont and Summer at 15th St., we see an amazingly livable location for sustainably designed+built homes, in the shadow of the Explora museum, reflecting the spirit and values of the Sawmill District. Why hasn't someone already turned a similar vision into a built reality? In fact, other folks have tried. They have failed because a zoning code requirement leaves the land subdivided into strips that limit the land to narrow, unsellable and unlivable silo-homes.

We are gathering support for our request for a variance to the aforementioned zoning code. This code requires a 600 foot distance between projects classified as townhomes. We believe a variance to this requirement is appropriate for our project and beneficial to the neighborhood for three reasons:

- When the City Council adopted the Sawmill sector plan they included the R-T properties (existing multi unit townhouse projects) in the S-R zone. They did so without intending to exclude some of the R-1 areas from future townhouse development. Unfortunately City Zoning officials use the strictest interpretation of the 600 ft. rule which has not permitted any townhouse development in this area since the Sawmill sector plan was adopted.
- *Our project will neither look like nor feel like a townhome project as defined by the zoning code: our project proposes 1 duplex facing Summer and another facing Rosemont (total of 4 homes). Our design is also less dense than homes in the immediate vicinity.*
- *Our project improves the neighborhood by replacing void dirt with 4 sustainable homes – the homes will be built to LEED sustainability standards and will strengthen the neighborhoods of Summer and Rosemont in the same way as our similar project strengthened 8th street.*

Please ask us questions: [ed@paschichdesigngroup.com + 263.0141] [wristen@paschichdesigngroup.com + 250.1887]

How to state your support for the project:

Name First / Last	Street Address	Signature
Julianna Kirwin	1201 8 th St. NW	J Kirwin
Lola Perkins	1238 8 th St NW	L. Perkins
CAMY CONDON	1246 Summer NW	Camy Condon
DEBRA MALDONADO	1249 Summer Ave NW	Debra Maldonado

What is a LEED home?

Constructing a LEED home requires a comprehensive approach to building sustainably. This includes anchoring the home's design+construction in sustainable building best practices: in fact, a sustainable building inspector is a member of the design+construction team. LEED (Leadership in Energy and Environmental Design) is a system of sustainable building standards managed by the United States Green Building Council. LEED standards are considered the industry's most stringent sustainable building standards. A LEED home has superior insulation, reducing utility bills, and heating & AC equipment that cost less money to run. A LEED home is constructed of healthier materials that improve indoor air quality. A LEED home has been constructed in such a way so as to reduce material waste, improve material recycling, and to promote materials produced in the most environmentally friendly way. A LEED home is preferably built on vacant land in an existing neighborhood so as to not encourage new development. Through these and many other factors, a LEED home transforms its impact on our precious environment by raising itself far above status-quo building codes.



Supplemental Form (SF)

SUBDIVISION

- Major subdivision action
- Minor subdivision action *? Lot Line Adj.*
- Vacation
- Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

- for Subdivision
- for Building Permit
- Administrative Amendment/Approval (AA)
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

- Annexation
- Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
- Adoption of Rank 2 or 3 Plan or similar
- Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations

D L A APPEAL / PROTEST of...

- Street Name Change (Local & Collector)
- Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other

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.

APPLICATION INFORMATION:

Professional/Agent (if any): _____ PHONE: _____
 ADDRESS: _____ FAX: _____
 CITY: _____ STATE _____ ZIP _____ E-MAIL: _____

APPLICANT: Michael Wewerka PHONE: 400-2523
 ADDRESS: 1014 Fruit Ave NW FAX: _____
 CITY: Albuquerque STATE NM ZIP 87102 E-MAIL: mwewerka@yahoo.com
 Proprietary interest in site: owner List all owners: _____

DESCRIPTION OF REQUEST: lot line adjustment to distribute a small 1/2 lot across the four main lots to increase their size

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

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

Lot or Tract No. lots 3, 4, 5, 6 and 7 Block: 2 Unit: 52
 Subdiv/Addn/TBKA: Summer Gardening
 Existing Zoning: SM Proposed zoning: same MRGCD Map No _____
 Zone Atlas page(s): J-13 UPC Code: 101305836638512022

CASE HISTORY:

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

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? No
 No. of existing lots: 4 1/2 No. of proposed lots: 4 Total site area (acres): .36 AC

LOCATION OF PROPERTY BY STREETS: On or Near: 15th E Mountain
 Between: Summer and Rosemont

Check if project was previously reviewed by: Sketch Plat/Plan or Pre-application Review Team(PRT) Review Date: 7/ July 2012

SIGNATURE

(Print Name) MICHAEL WEWERKA

DATE _____

Applicant: Agent:

FOR OFFICIAL USE ONLY

- INTERNAL ROUTING
- All checklists are complete
- All fees have been collected
- All case #s are assigned
- AGIS copy has been sent
- Case history #s are listed
- Site is within 1000ft of a landfill
- F.H.D.P. density bonus
- F.H.D.P. fee rebate

Application case numbers	Action	S.F.	Fees
<u>12DRB -70321</u>	<u>Sk</u>	_____	\$ <u>0</u>
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
Hearing date <u>October 12, 2012</u>			Total \$ <u>0</u>

10-8-12
Staff signature & Date

Project # 1006703

Revised: 4/2012

FORM P(3): SITE PLAN REVIEW - D.R.B. MEETING (UNADVERTISED)

- SKETCH PLAT REVIEW AND COMMENT (DRB22)** **Maximum Size: 24" x 36"**
- Scaled site sketch and related drawings showing proposed land use including structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, etc. (folded to fit into an 8.5" by 14" pocket) **6 copies**.
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - List any original and/or related file numbers on the cover application
- Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

- SITE DEVELOPMENT PLAN FOR SUBDIVISION (DRB18)** **Maximum Size: 24" x 36"**
- 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval
 - Scaled site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - Letter of authorization from the property owner if application is submitted by an agent
 - Copy of the document delegating approval authority to the DRB
 - Completed Site Plan for Subdivision Checklist
 - Infrastructure List, if relevant to the site plan
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application
- Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original to the meeting. Your attendance is required.**

- SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (DRB17)** **Maximum Size: 24" x 36"**
- 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval
 - Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Site Plan for Subdivision, if applicable, previously approved or simultaneously submitted. **6 copies**.
 - Solid Waste Management Department signature on Site Plan
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - Letter of authorization from the property owner if application is submitted by an agent
 - Copy of the document delegating approval authority to the DRB
 - Infrastructure List, if relevant to the site plan
 - Completed Site Plan for Building Permit Checklist
 - Copy of Site Plan with Fire Marshal's stamp
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application
- Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original to the meeting. Your attendance is required.**

- AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (DRB01)** **Maximum Size: 24" x 36"**
- AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION (DRB02)** **Maximum Size: 24" x 36"**
- Proposed amended Site Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - DRB signed Site Plan being amended (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - Letter of authorization from the property owner if application is submitted by an agent
 - Infrastructure List, if relevant to the site plan
 - Completed Site Plan for Building Permit Checklist (not required for amendment of SDP for Subdivision)
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application
- Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original to the meeting. Your attendance is required.**

- FINAL SIGN-OFF FOR EPC APPROVED SDP FOR BUILDING PERMIT (DRB05)**
- FINAL SIGN-OFF FOR EPC APPROVED SDP FOR SUBDIVISION (DRB06)**
- 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval
 - Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Approved Grading and Drainage Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Solid Waste Management Department signature on Site Plan for Building Permit
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter carefully explaining how each EPC condition has been met **and** a copy of the EPC Notification of Decision
 - Infrastructure List, if relevant to the site plan
 - Copy of Site Plan with Fire Marshal's stamp (not required for SDP for Subdivision)
 - List any original and/or related file numbers on the cover application
- Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original to the meeting. 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.

MICHAEL WEWERKA
Applicant name (print)

[Signature]
Applicant signature / date



Form revised October 2007

- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- Application case numbers
12-DRB - _____ - 70321

[Signature] 10-8-12
Planner signature / date

Project # 1006703

FORM P(3): SITE PLAN REVIEW - D.R.B. MEETING (UNADVERTISED)

SKETCH PLAT REVIEW AND COMMENT (DRB22)

Maximum Size: 24" x 36"

- Scaled site sketch and related drawings showing proposed land use including structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, etc. (folded to fit into an 8.5" by 14" pocket) 6 copies.
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - List any original and/or related file numbers on the cover application
- Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

SITE DEVELOPMENT PLAN FOR SUBDIVISION (DRB18)

Maximum Size: 24" x 36"

- 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval
 - Scaled site plan and related drawings (folded to fit into an 8.5" by 14" pocket) 6 copies
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - Letter of authorization from the property owner if application is submitted by an agent
 - Copy of the document delegating approval authority to the DRB
 - Completed Site Plan for Subdivision Checklist
 - Infrastructure List, if relevant to the site plan
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application
- Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original to the meeting. Your attendance is required.**

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (DRB17)

Maximum Size: 24" x 36"

- 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval
 - Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) 6 copies
 - Site Plan for Subdivision, if applicable, previously approved or simultaneously submitted. 6 copies.
 - Solid Waste Management Department signature on Site Plan
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - Letter of authorization from the property owner if application is submitted by an agent
 - Copy of the document delegating approval authority to the DRB
 - Infrastructure List, if relevant to the site plan
 - Completed Site Plan for Building Permit Checklist
 - Copy of Site Plan with Fire Marshal's stamp
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application
- Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original to the meeting. Your attendance is required.**

AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (DRB01) **Maximum Size: 24" x 36"**

AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION (DRB02) **Maximum Size: 24" x 36"**

- Proposed amended Site Plan (folded to fit into an 8.5" by 14" pocket) 6 copies
 - DRB signed Site Plan being amended (folded to fit into an 8.5" by 14" pocket) 6 copies
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - Letter of authorization from the property owner if application is submitted by an agent
 - Infrastructure List, if relevant to the site plan
 - Completed Site Plan for Building Permit Checklist (not required for amendment of SDP for Subdivision)
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application
- Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original to the meeting. Your attendance is required.**

FINAL SIGN-OFF FOR EPC APPROVED SDP FOR BUILDING PERMIT (DRB05)

FINAL SIGN-OFF FOR EPC APPROVED SDP FOR SUBDIVISION (DRB06)

- 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval
 - Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) 6 copies
 - Approved Grading and Drainage Plan (folded to fit into an 8.5" by 14" pocket) 6 copies
 - Solid Waste Management Department signature on Site Plan for Building Permit
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter carefully explaining how each EPC condition has been met and a copy of the EPC Notification of Decision
 - Infrastructure List, if relevant to the site plan
 - Copy of Site Plan with Fire Marshal's stamp (not required for SDP for Subdivision)
 - List any original and/or related file numbers on the cover application
- Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original to the meeting. 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.

MICHAEL WEWERKA
Applicant name (print)
[Signature]
Applicant signature / date

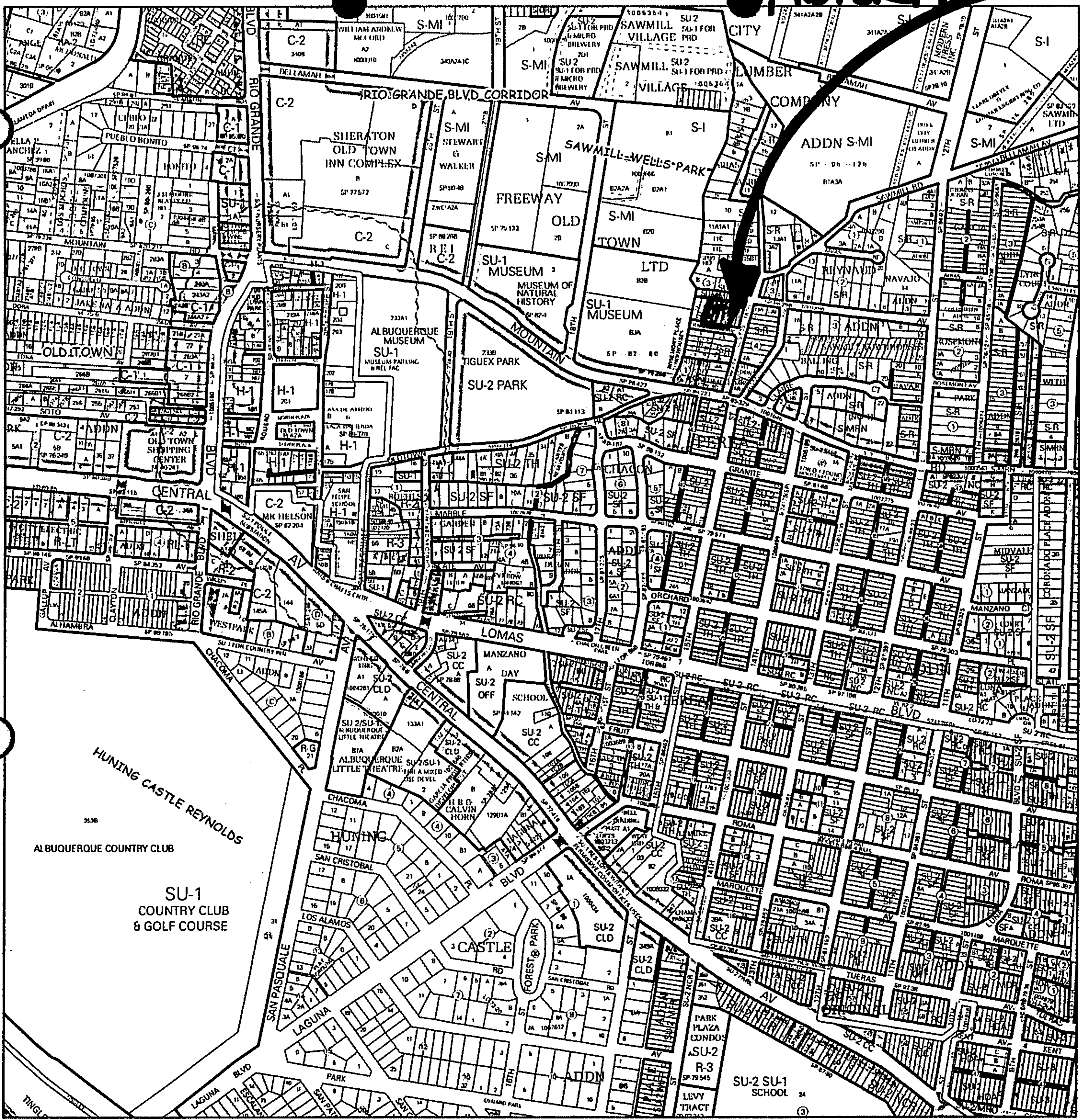


Form revised October 2007

- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- Application case numbers
12DRB - 70321

[Signature] 10-8-12
Planner signature / date
Project # 1006703

PROPERTY



For more current information and more details visit: <http://www.cabq.gov/gis>

AGIS
Albuquerque Geographic Information System

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
J-13-Z

Selected Symbols

- SECTOR PLANS
- Design Overlay Zones
- City Historic Zones
- H-1 Buffer Zone
- Petroglyph Mon.
- Escarpment
- 2 Mile Airport Zone
- Airport Noise Contours
- Wall Overlay Zone

Map amended through: 1/24/2011

0 750 1,500 Feet

10/6/12

To: City of Albuquerque
DRB Committee Members

Re: 1506 - 1512 SUMMER NW
Previous case #

Hello -

I own 4 1/2 half lots spanning between Rosemont & Summer NW. They currently measure just over 25' wide by 142' deep. I'd like to adjust lot lines so that the half-lot (# 7 currently is divided equally amongst the other four to end up with a total of four 27.72' wide x 142' lots.

Thank You Very Much,

Michael Wewerka, Architect/owner

October 12, 2012

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

SUBDIVISION

- Major Subdivision action
- Minor Subdivision action **SKETCH**
- Vacation
- Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

- for Subdivision
- for Building Permit
- Administrative Amendment (AA)
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

Supplemental form

- | | | |
|----------------------------|---------------------------------------|---|
| <input type="checkbox"/> S | <input type="checkbox"/> Z | ZONING & PLANNING |
| <input type="checkbox"/> | <input type="checkbox"/> | Annexation |
| <input type="checkbox"/> | <input type="checkbox"/> | County Submittal |
| <input type="checkbox"/> V | <input type="checkbox"/> | EPC Submittal |
| <input type="checkbox"/> | <input type="checkbox"/> | Zone Map Amendment (Establish or Change Zoning) |
| <input type="checkbox"/> P | <input type="checkbox"/> | Sector Plan (Phase I, II, III) |
| <input type="checkbox"/> | <input type="checkbox"/> | Amendment to Sector, Area, Facility or Comprehensive Plan |
| <input type="checkbox"/> | <input type="checkbox"/> | Text Amendment (Zoning Code/Sub Regs) |
| <input type="checkbox"/> D | <input type="checkbox"/> | Street Name Change (Local & Collector) |
| <input type="checkbox"/> L | <input checked="" type="checkbox"/> A | APPEAL / PROTEST of... |
| <input type="checkbox"/> | <input type="checkbox"/> | 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.

APPLICATION INFORMATION:

Professional/Agent (if any): _____ PHONE: _____
 ADDRESS: _____ FAX: _____
 CITY: _____ STATE _____ ZIP _____ E-MAIL: _____

APPLICANT: FREDDIE RIVERA, JR. PHONE: 244-3800
 ADDRESS: 1020 LOMAS BLVD. NW SUITE 6 FAX: _____
 CITY: ALBUQUERQUE STATE NM ZIP 87102 E-MAIL: FRIVERA354@
 Proprietary interest in site: AGENT FOR BUYER List all owners: MICHAEL WEWEKA 901.COM

DESCRIPTION OF REQUEST: WOULD LIKE GO FROM 5 LOT (NARROW) TO 4 WIDER LOTS

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

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

Lot or Tract No. LOTS 3,4,5,6 & 7 Block: 2 Unit: _____
 Subdiv/Addn/TBKA: SUMMER GARDEN ADDN
 Existing Zoning: SR Proposed zoning: NO CHANGE MRGCD Map No _____
 Zone Atlas page(s): J 13 UPC Code: _____

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z_, V_, S_, etc.): 1006703

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? NO
 No. of existing lots: 5 No. of proposed lots: 4 Total area of site (acres): 0.36
 LOCATION OF PROPERTY BY STREETS: On or Near: Mountain Rd. & 15th St.
 Between: Mountain Rd. and SUMMER

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

SIGNATURE Freddie Rivera DATE 5.22.12
 (Print) FREDDIE RIVERA, JR. Applicant: Agent:

FOR OFFICIAL USE ONLY

- INTERNAL ROUTING
- All checklists are complete
- All fees have been collected
- All case #s are assigned
- AGIS copy has been sent
- Case history #s are listed
- Site is within 1000ft of a landfill
- F.H.D.P. density bonus
- F.H.D.P. fee rebate

Application case numbers

12 DRB 70160

Action

SP

Form revised 4/07

S.F.	Fees
_____	\$ <u>0</u>
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	Total
_____	\$ <u>0</u>

Hearing date June 6, 2012

525-12
 Planner signature / date

Project # 1006703

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

A Bulk Land Variance requires application on FORM-V in addition to application for subdivision on FORM-S.

SKETCH PLAT REVIEW AND COMMENT (DRB22) Your attendance is required.

- Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, 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) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- List any original and/or related file numbers on the cover application

EXTENSION OF MAJOR PRELIMINARY PLAT (DRB08) Your attendance is required.

- Preliminary Plat reduced to 8.5" x 11"
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - Copy of DRB approved infrastructure list
 - Copy of the LATEST Official DRB Notice of approval for Preliminary Plat Extension request
 - List any original and/or related file numbers on the cover application
- Extension of preliminary plat approval expires after one year.**

MAJOR SUBDIVISION FINAL PLAT APPROVAL (DRB12) Your attendance is required.

- Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Signed & recorded Final Pre-Development Facilities Fee Agreement for Residential development only
- Design elevations & cross sections of perimeter walls **3 copies**
- Zone Atlas map with the entire property(ies) clearly outlined
- Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
- Copy of recorded SIA
- Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
- List any original and/or related file numbers on the cover application
- DXF file and hard copy of final plat data for AGIS is required.

MINOR SUBDIVISION PRELIMINARY/FINAL PLAT APPROVAL (DRB16) Your attendance is required.

- 5 Acres or more: Certificate of No Effect or Approval
- Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings ensure property owner's and City Surveyor's signatures are on the plat prior to submittal
- Signed & recorded Final Pre-Development Facilities Fee Agreement for Residential development only
- Design elevations and cross sections of perimeter walls (11" by 17" maximum) **3 copies**
- Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, 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) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
- Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
- Fee (see schedule)
- List any original and/or related file numbers on the cover application
- Infrastructure list if required (**verify with DRB Engineer**)
- DXF file and hard copy of final plat data for AGIS is required.

AMENDMENT TO PRELIMINARY PLAT (with minor changes) (DRB03) Your attendance is required.

- 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**
 - Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
 - List any original and/or related file numbers on the cover application
- Amended preliminary plat approval expires after one year**

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

Freddie Rivera Jr
Applicant name (print)
[Signature] 5-22-12
Applicant signature / date



Form revised **October 2007**

- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- Application case numbers
12 - DRB - 70160

[Signature] 5-25-12
Planner signature / date
Project # 1006703

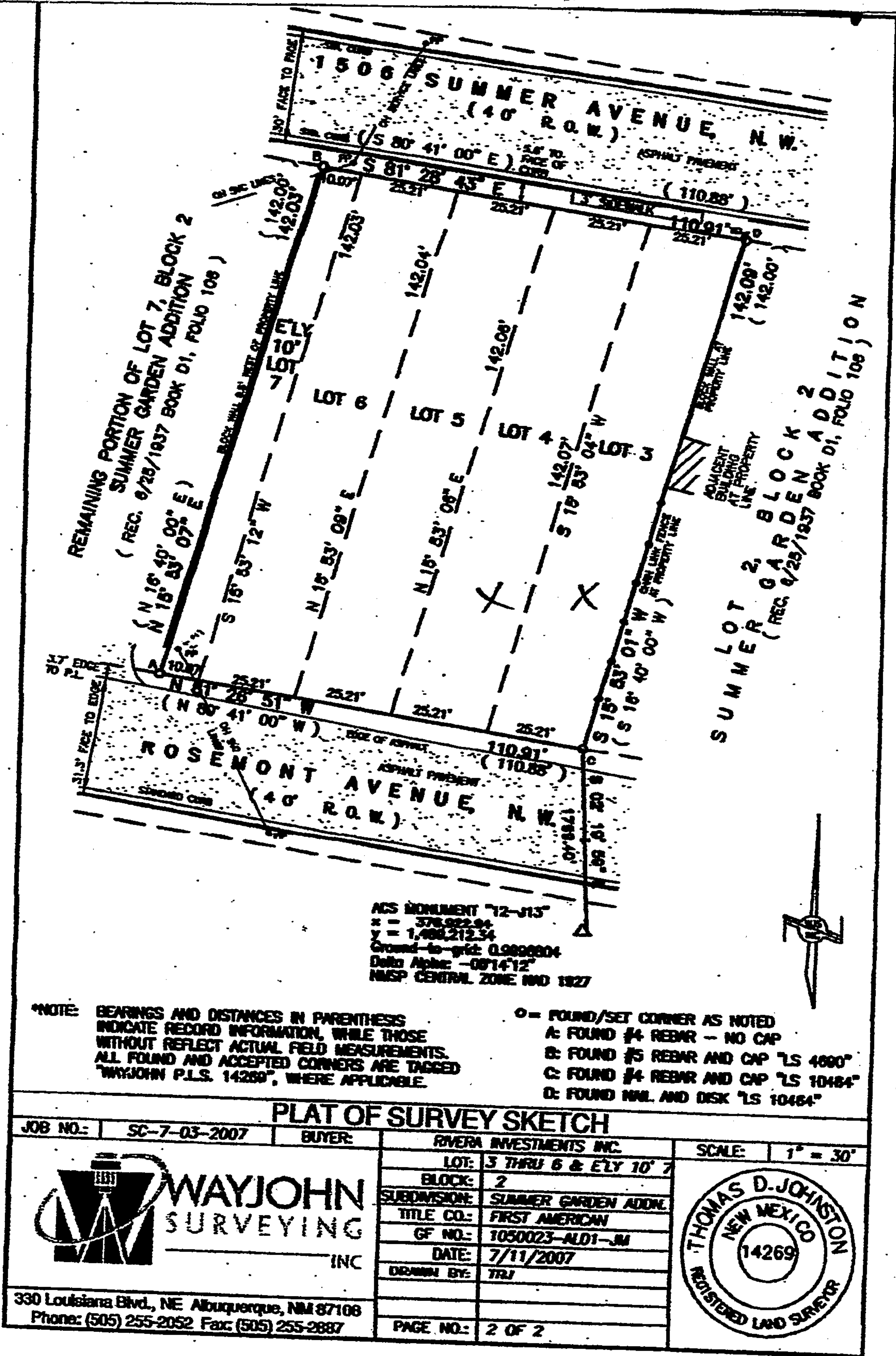
PROJECT# 1006703

Application # :

12DRB-70160

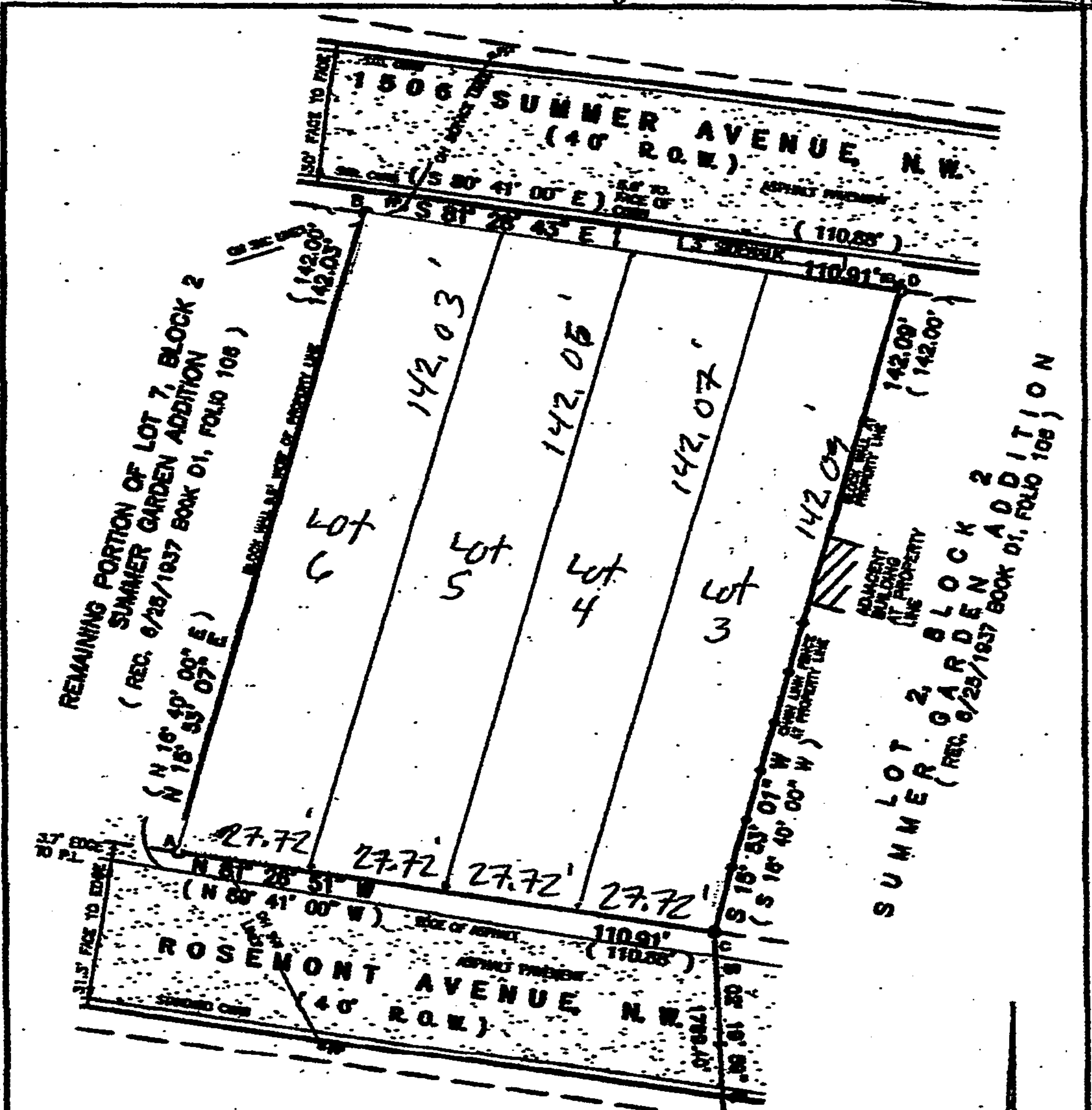
exhibit provided:
sketch, plat

1506 SUMMER NW. EXISTING



2571 M/W

1506 SUMMER NW - PROPOSED



ACS MONUMENT "12-313"
 x = 378,922.94
 y = 1,488,212.34
 Ground-to-grid 0.0000004
 Data Epoch - 071412
 NAD83 CENTRAL ZONE NAD 1983

***NOTE:** BEARINGS AND DISTANCES IN PARENTHESIS INDICATE RECORD INFORMATION, WHILE THOSE WITHOUT REFLECT ACTUAL FIELD MEASUREMENTS. ALL FOUND AND ACCEPTED CORNERS ARE TAGGED "WAYJOHN P.L.S. 14269", WHERE APPLICABLE.

O = FOUND/SET CORNER AS NOTED
 A = FOUND #4 REBAR - NO CAP
 B = FOUND #5 REBAR AND CAP "LS 4880"
 C = FOUND #4 REBAR AND CAP "LS 10184"
 D = FOUND NAIL AND DISK "LS 10184"

PLAT OF SURVEY SKETCH

JOB NO.:	SC-7-03-2007	BUYER:	RIVERA INVESTMENTS INC.	SCALE:	1" = 30'
 WAYJOHN SURVEYING INC.	LOT:	3 THRU 6 & ELY 10' 7"			
	BLOCK:	2			
	SUBDIVISION:	SUMMER GARDEN ADDL.			
	TITLE CO.:	FIRST AMERICAN			
	GF NO.:	7050023-ALOT-JM			
	DATE:	7/11/2007			
DRAWN BY:	TRJ				
330 Louisiana Blvd., NE Albuquerque, NM 87108 Phone: (505) 255-2052 Fax: (505) 255-2887			PAGE NO.:	2 OF 2	

2521 M/W



For more current information and more details visit: <http://www.cabq.gov/gis>

Map amended through: 1/24/2011

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
J-13-Z

Selected Symbols

SECTOR PLANS	Escarpment
Design Overlay Zones	2 Mile Airport Zone
City Historic Zones	Airport Noise Contours
H-1 Buffer Zone	Wall Overlay Zone
Petroglyph Mon.	

0 750 1,500 Feet



**FIRST CHOICE
EQUITY BUILDERS, INC.**



May 22, 2012

RE: Sketch plat review
Lots 3, 4, 5, 6 and 7, Block 2 summer garden addition

To Whom It May Concern:

We are proposing to change the existing seven (7) long, narrow lots into four (4) short, wider lots.

Due to the current Sawmill sector guidelines we are prohibited from building Townhomes on these lots. Change the lot layout would allow us to create buildable lots

Thank you

A handwritten signature in black ink, appearing to read "Freddie Rivera, Jr.", written over a white background.

Freddie Rivera, Jr.
First Choice Equity Builders
505-244-3800

May 22, 2012

Jack Cloud
DRC Chair

City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

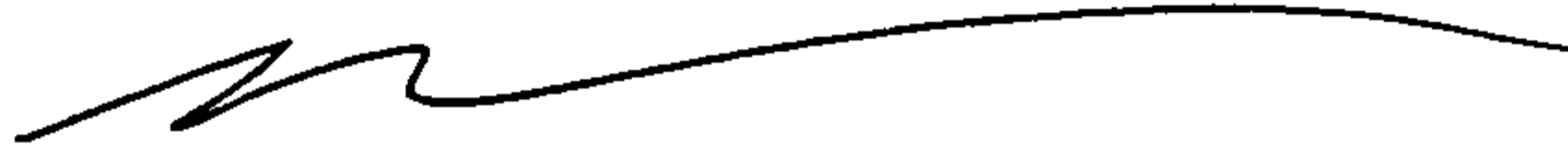
Re: LETTER OF AUTHORIZATION SUMMER GARDEN ADDN.

Dear Mr. Cloud:

Please accept First Choice Equity Builders as my agents for the above referenced subdivision. This letter of authorization is for all planning, platting, and design issues regarding the Summer Garden Addn.

Thank you for your attention concerning this matter. If you should have any questions, please call me at 505-400-2523 .

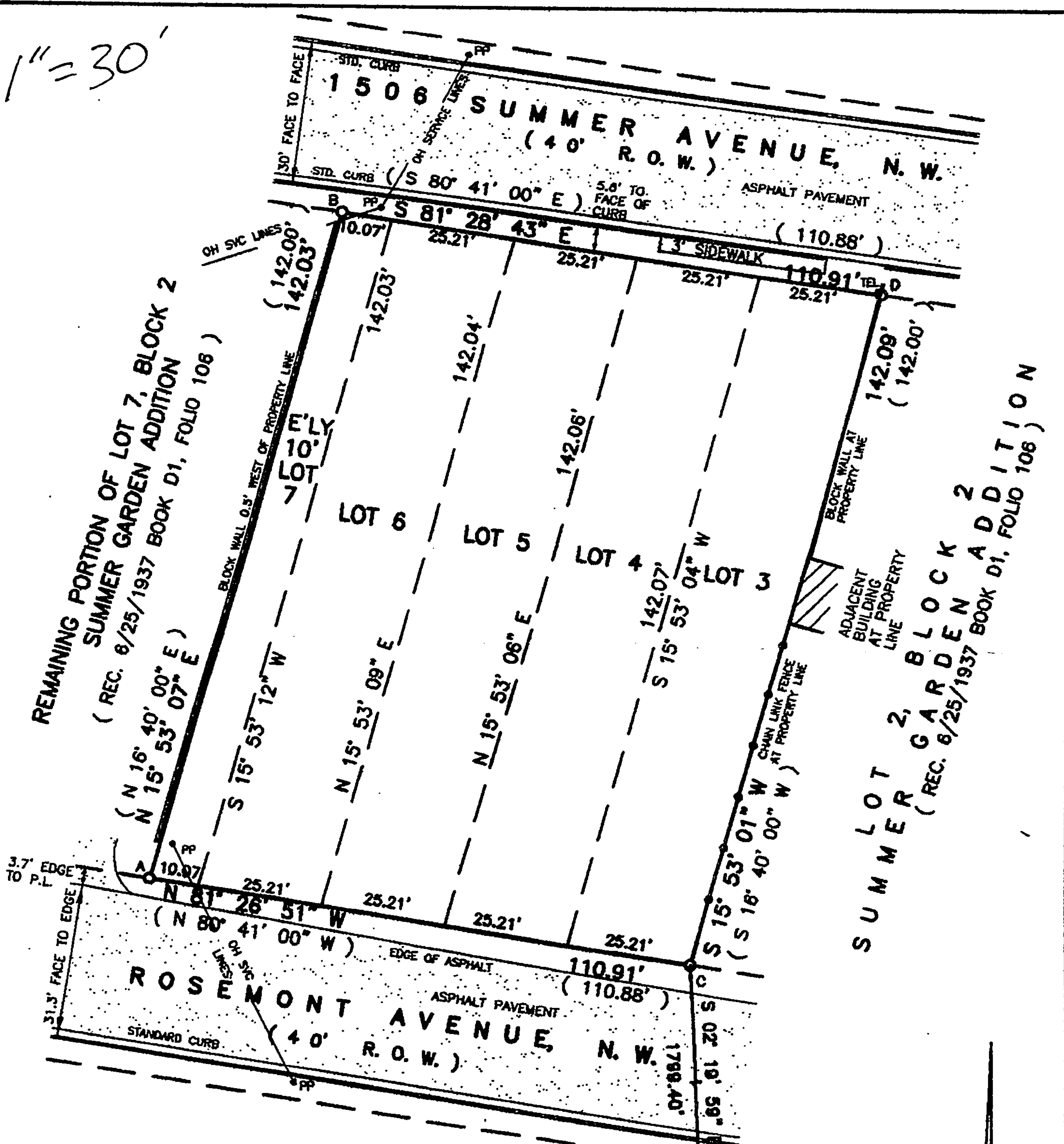
Sincerely,



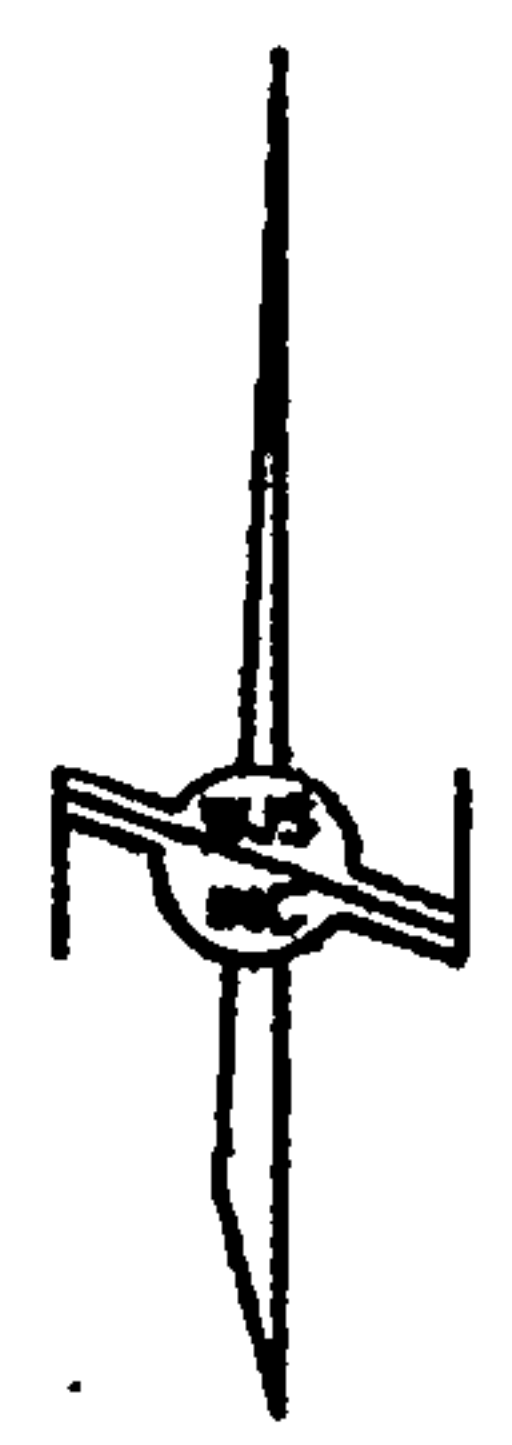
Michael Wewerka
Owner

Existing

1" = 30'



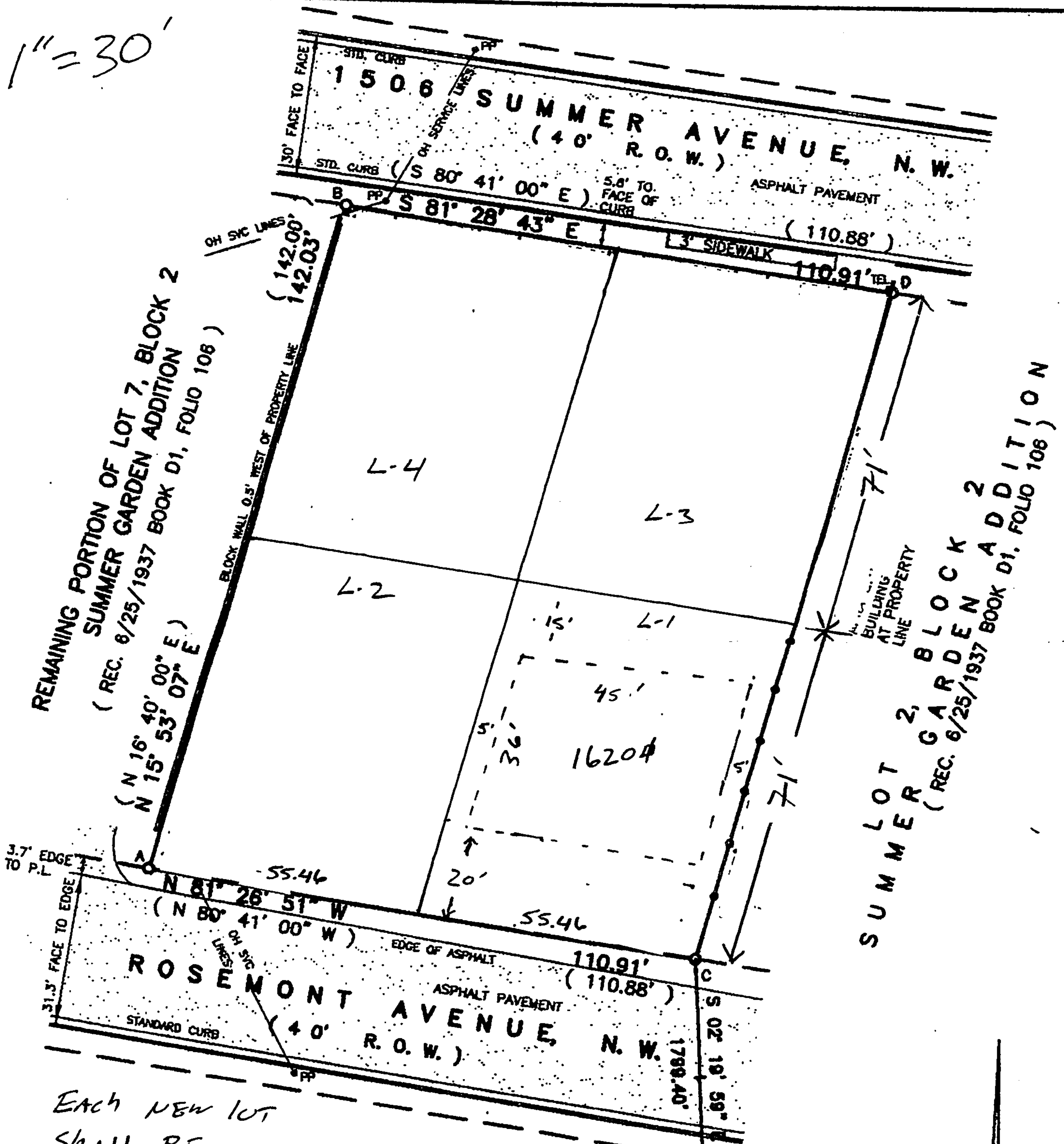
ACS MONUMENT "12-J13"
 x = 376,922.94
 y = 1,489,212.34
 Ground-to-grid: 0.9998804
 Delta Alpha: -00°14'12"
 NMSP CENTRAL ZONE NAD 1927



- *NOTE: BEARINGS AND DISTANCES IN PARENTHESIS INDICATE RECORD INFORMATION, WHILE THOSE WITHOUT REFLECT ACTUAL FIELD MEASUREMENTS. ALL FOUND AND ACCEPTED CORNERS ARE TAGGED "WAYJOHN P.L.S. 14269", WHERE APPLICABLE.
- = FOUND/SET CORNER AS NOTED
 - A: FOUND #4 REBAR - NO CAP
 - B: FOUND #5 REBAR AND CAP "LS 4690"
 - C: FOUND #4 REBAR AND CAP "LS 10464"
 - D: FOUND NAIL AND DISK "LS 12464"

Proposed

1" = 30'



REMAINING PORTION OF LOT 7, BLOCK 2
SUMMER GARDEN ADDITION
(REC. 6/25/1937 BOOK D1, FOLIO 106)
(N 16° 40' 00" E)
(N 15° 53' 07" E)

SUMMER LOT 2, BLOCK 2
SUMMER GARDEN ADDITION
(REC. 6/25/1937 BOOK D1, FOLIO 106)

Each new lot
shall be
3937.66 sq ft

ACS MONUMENT "12-J13"
x = 376,922.94
y = 1,489,212.34
Ground-to-grid: 0.9996804
Delta Alpha: -00°14'12"
NMSF CENTRAL ZONE NAD 1927

*NOTE: BEARINGS AND DISTANCES IN PARENTHESIS INDICATE RECORD INFORMATION, WHILE THOSE WITHOUT REFLECT ACTUAL FIELD MEASUREMENTS. ALL FOUND AND ACCEPTED CORNERS ARE TAGGED "WAYJOHN P.L.S. 14269", WHERE APPLICABLE.

O = FOUND/SET CORNER AS NOTED
A: FOUND #4 REBAR - NO CAP
B: FOUND #5 REBAR AND CAP "LS 4690"
C: FOUND #4 REBAR AND CAP "LS 10464"
D: FOUND NAIL AND DISK "LS 10464"



SUBDIVISION

- Major Subdivision action
- Minor Subdivision action
- Vacation
- Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

- for Subdivision
- for Building Permit
- Administrative Amendment (AA)
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

STORM DRAINAGE

- Storm Drainage Cost Allocation Plan

Supplemental form

S Z

ZONING & PLANNING

- Annexation
- County Submittal
- EPC Submittal
- Zone Map Amendment (Establish or Change Zoning)
- Sector Plan (Phase I, II, III)
- Amendment to Sector, Area, Facility or Comprehensive Plan
- Text Amendment (Zoning Code/Sub Regs)
- Street Name Change (Local & Collector)
- L A APPEAL / PROTEST of...
- D 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:

Professional/Agent (if any): _____ PHONE: _____

ADDRESS: _____ FAX: _____

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

APPLICANT: FRED RIVERA, S. FOR RIVERA INVESTMENT INC. PHONE: 244-3800

ADDRESS: 1020 Lomas Blvd NW - Suite 6 FAX: _____

CITY: Albuquerque STATE NM ZIP 87102 E-MAIL: FR

Proprietary interest in site: PURCHASER List all owners: _____

DESCRIPTION OF REQUEST: LOT LINE CHANGE IN ORDER TO CHANGE BUILDING TYPE (T.H TO SFD)

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

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

Lot or Tract No. LOTS 3, 4, 5 & 6 Block: 2 Unit: _____

Subdiv/Addn/TBKA: SUMMER GARDEN Addition

Existing Zoning: S.R Proposed zoning: S.R - NO CHANGE

Zone Atlas page(s): 513 UPC Code: 10130583663851 MRGCD Map No _____

2022

CASE HISTORY:

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

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? NO

No. of existing lots: 4 No. of proposed lots: 4 Total area of site (acres): 0.36 (15,749.22 sq ft)

LOCATION OF PROPERTY BY STREETS: On or Near: 15th ST NW

Between: SUMMER, NW and ROSEMONT, NW

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

SIGNATURE Fred Rivera DATE 7-24-07

(Print) FRED RIVERA, S. Applicant: Agent:

FOR OFFICIAL USE ONLY

Form revised 4/07

- INTERNAL ROUTING
- All checklists are complete
- All fees have been collected
- All case #s are assigned
- AGIS copy has been sent
- Case history #s are listed
- Site is within 1000ft of a landfill
- F.H.D.P. density bonus
- F.H.D.P. fee rebate

Application case numbers

0207B 70159

Action

SK

S.F.

5(3)

Fees

\$ 0

Total

\$ 0

Hearing date: 8-1-07

Project # 1006703

Planner signature / date K.S. 7/24/07

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

A Bulk Land Variance requires application on FORM-V in addition to application for subdivision on FORM-S.

- SKETCH PLAT REVIEW AND COMMENT (DRB22)** Your attendance is required.
- Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, 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) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - List any original and/or related file numbers on the cover application

- EXTENSION OF MAJOR PRELIMINARY PLAT (DRB08)** Your attendance is required.
- Preliminary Plat reduced to 8.5" x 11"
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - Copy of DRB approved infrastructure list
 - Copy of the LATEST Official DRB Notice of approval for Preliminary Plat Extension request
 - List any original and/or related file numbers on the cover application
- Extension of preliminary plat approval expires after one year.**

- MAJOR SUBDIVISION FINAL PLAT APPROVAL (DRB12)** Your attendance is required.
- Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Signed & recorded Final Pre-Development Facilities Fee Agreement for Residential development only
 - Design elevations & cross sections of perimeter walls **3 copies**
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
 - Copy of recorded SIA
 - Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
 - List any original and/or related file numbers on the cover application
 - DXF file and hard copy of final plat data for AGIS is required.

- MINOR SUBDIVISION PRELIMINARY/FINAL PLAT APPROVAL (DRB16)** Your attendance is required.
- Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings
 - Signed & recorded Final Pre-Development Facilities Fee Agreement for Residential development only
 - Design elevations and cross sections of perimeter walls (11" by 17" maximum) **3 copies**
 - Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, 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) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
 - Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application
 - Infrastructure list if required (**verify with DRB Engineer**)
 - DXF file and hard copy of final plat data for AGIS is required.

- AMENDMENT TO PRELIMINARY PLAT (with minor changes) (DRB03)** Your attendance is required.
- 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**
 - Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
 - List any original and/or related file numbers on the cover application
- Amended preliminary plat approval expires after one year**

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

FRED RIVERA, JR
 Applicant name (print)

[Signature] 7-24-07
 Applicant signature / date

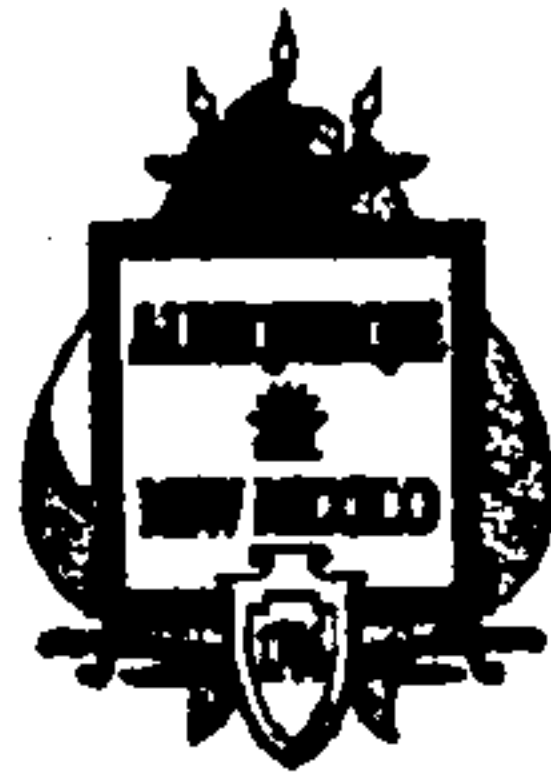
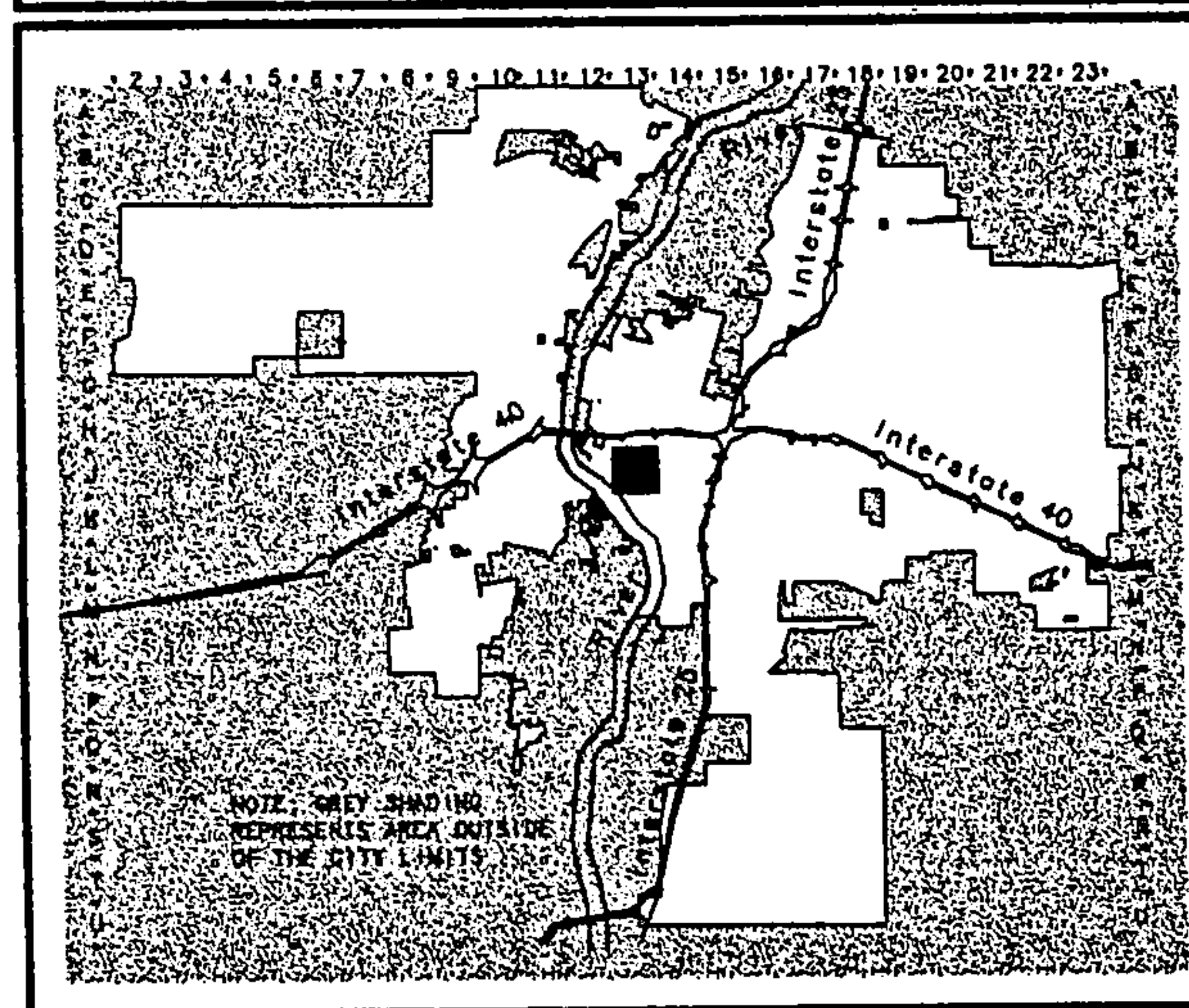


Form revised 4/07

- Checklists complete
 - Fees collected
 - Case #'s assigned
 - Related #'s listed
- Application case numbers
07023 - 70159

[Signature] 7/24/07
 Planner signature / date

Project # 1006703



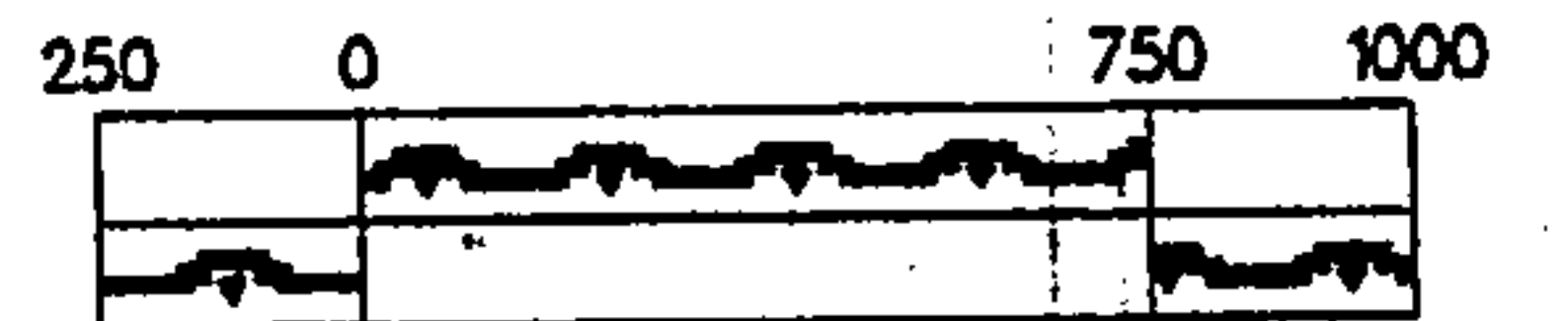
CITY OF
Albuquerque
Albuquerque Geographic Information System
PLANNING DEPARTMENT

© Copyright 2000

These addresses are for information purposes only
and are not intended for Address Verification.

Municipal Limits

GRAPHIC SCALE IN FEET



Address Map

J-13

Map Amended through August 30, 2000

FIRST CHOICE CUSTOM BUILDERS
FIRST CHOICE REALTORS
DIVISIONS OF RIVERA INVESTMENTS INC.

July 23, 2007

City of Albuquerque
Development Review Board

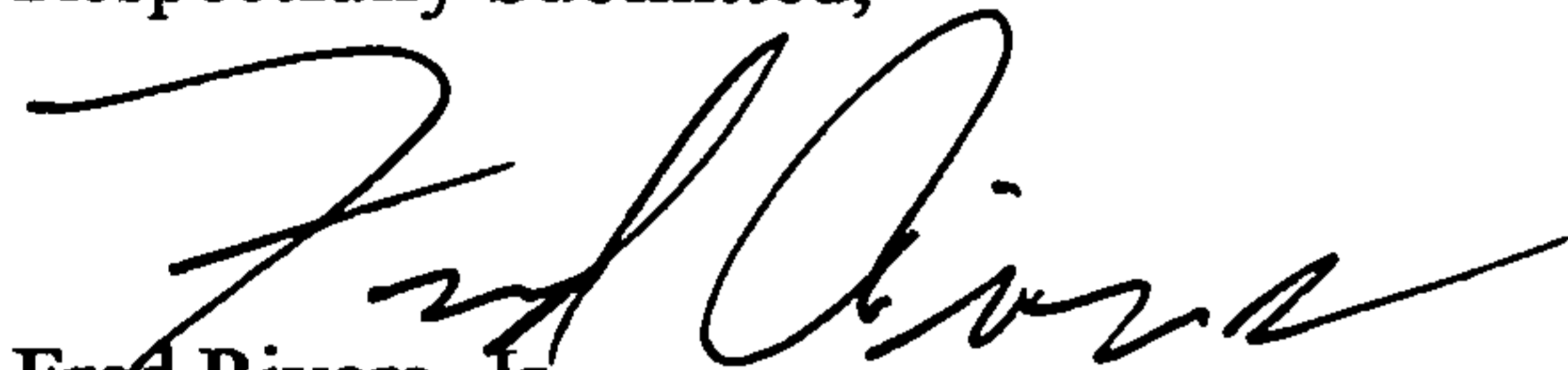
RE: Lots 3, 4, 5 & 6, Block 2 Summer Garden Addition

To Whom It May Concern:

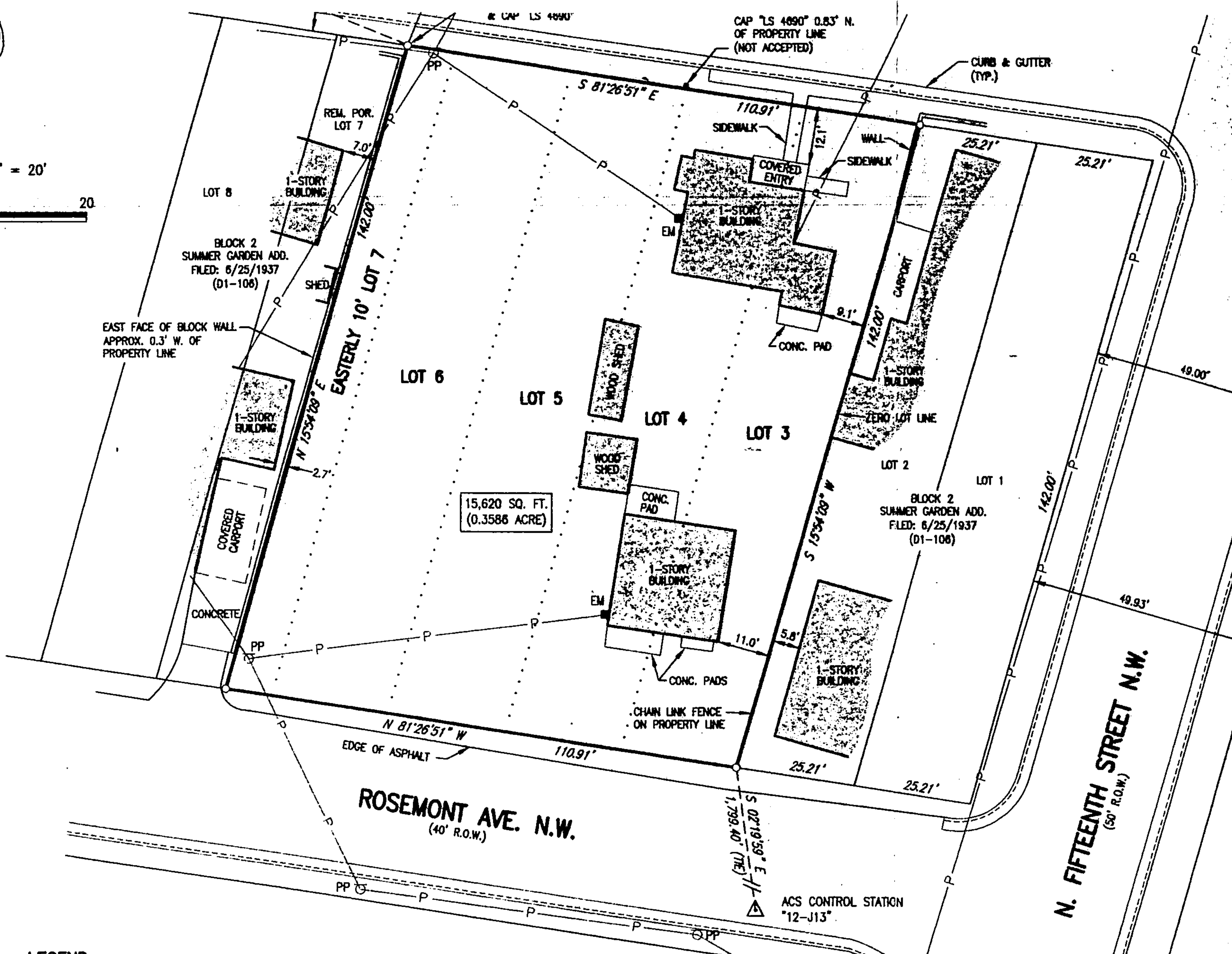
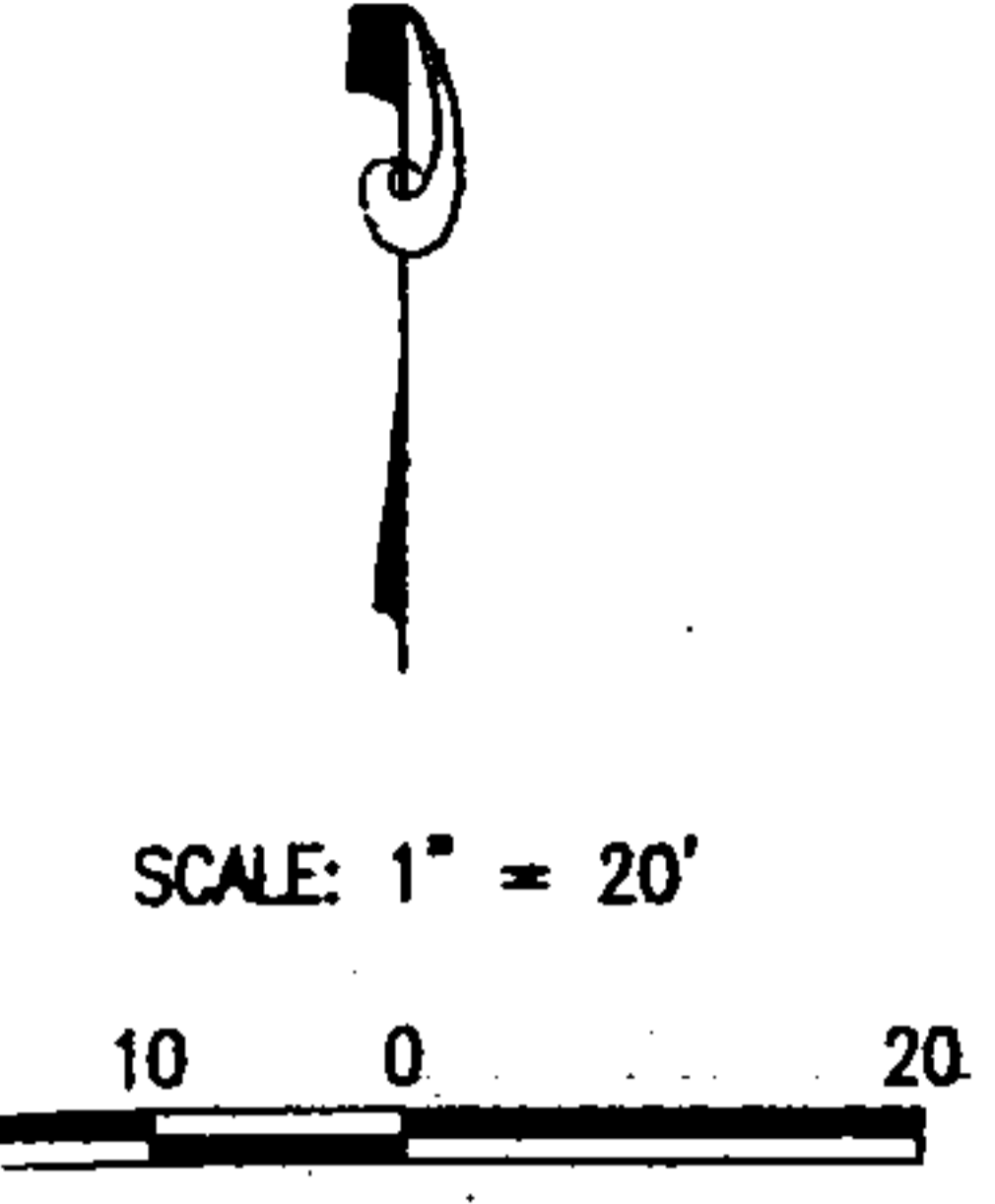
I am requesting a lot line change for the above property. The lots are currently 25' wide by 142' deep. This only allows for Townhomes to be built on these 4 lots. I would like to change the lot lines so that the lots are 50' wide x 71' deep to allow for SFD units to be built.

Each new lot would be approx 3,550 sq. ft.

Respectfully Submitted,

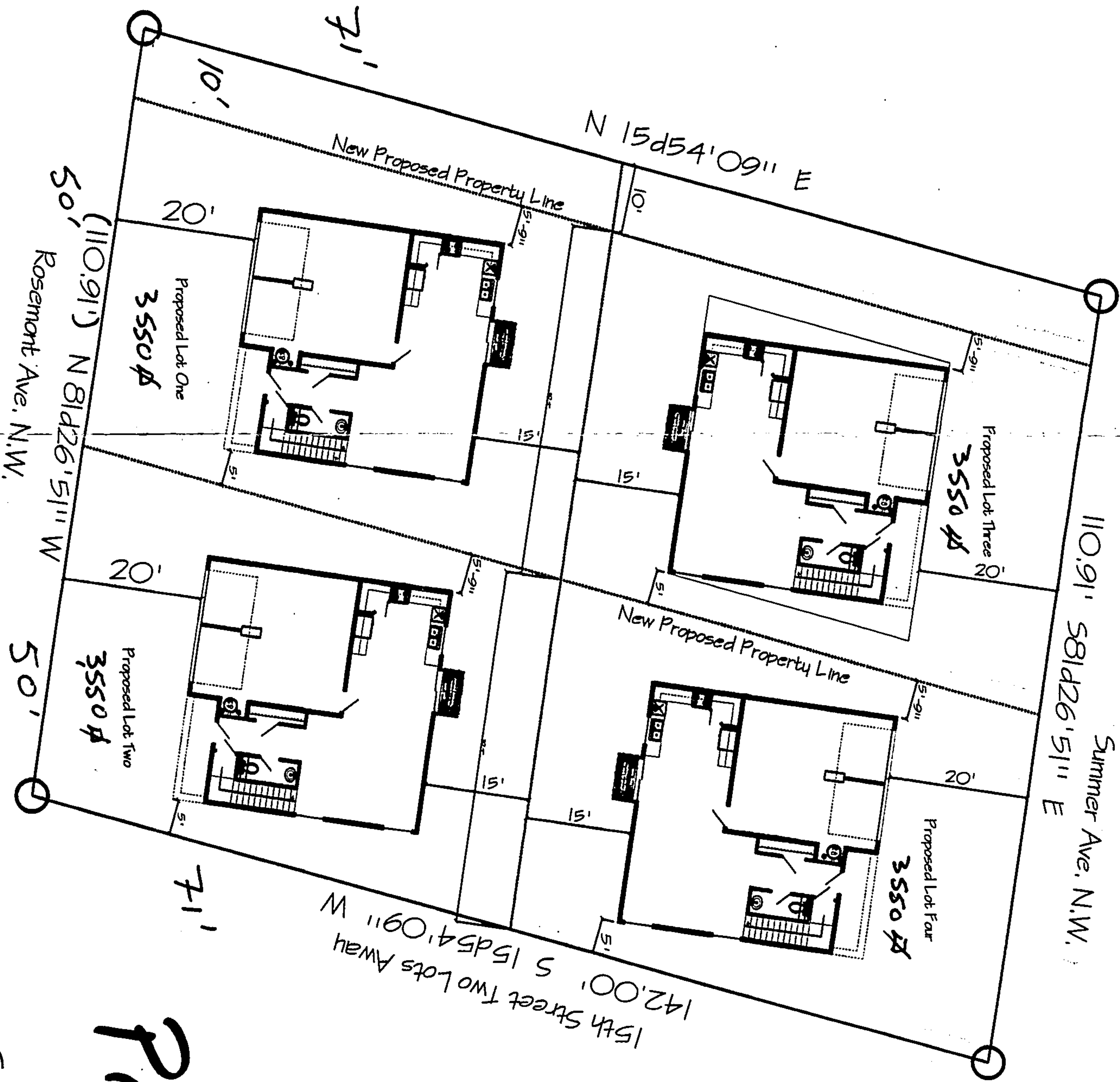


Fred Rivera, Jr.
Builder, Broker, Developer



EXISTING lot line
 @ 25' x 142' DEEP
 x 4

Minimum 10' Between Buildings



Proposed

Site Plan

Scale 1" = 20'

Legal Description	
Lot	
Block	
Subdivision	
County	

1	E. Medina
2	
3	

First Choice Ortiz 12 Plex
Albuquerque New Mexico

June 15, 2007
Site Plan

Ron Montoya Custom Designs
Residential Design and Drafting Services Fax 823-6487
4801 Alameda N.E., Suite G-1 New Mexico Design Center
(505) 823-6474 Cell. (505) 307-1003