



DRB CASE ACTION LOG (Final/Final)

REVISED 10/08/07

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

1007685

DRB Application No.: 09DRB-70193 Project # 1007697
 Project Name: University Heights
 Agent: Precision Surveys Phone No.: _____

Your request was approved on _____ by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: - address comments

UTILITIES: _____

CITY ENGINEER / AMAFCA: _____

PARKS / CIP: _____

PLANNING (Last to sign): - address comments

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.
 - 3 copies of the approved site plan. Include all pages.
 - County Treasurer's signature must be obtained prior to the recording of the plat with the 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.

Created On:

8. **Project# 1007697/1007685**
09DRB-70193 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

PRECISION SURVEYS INC agent(s) for ERIC ORTON request(s) the above action(s) for all or a portion of Lot(s) 3, Block(s) 66, **UNIVERSITY HEIGHTS** zoned R-3, located on COLUMBIA SE BETWEEN GARFIELD SE AND MC EARL SE containing approximately .1629 acre(s). (K-16 & L-16) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION FOR DIMENSIONAL EXHIBIT AND TO PLANNING FOR ZHE DECISION TO BE REFERENCED ON THE PLAT. THE PROJECT NUMBER WAS CHANGED TO # 1007685.**

9. **Project# 1007815**
09DRB-70197 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

BRASHER AND LORENZ INC agent(s) for GREG CARABAJAL request(s) the above action(s) for all or a portion of Tract(s) A-1 & A-2, zoned C-2, located on CENTRAL AVE NE BETWEEN EUBANK BLVD NE AND ELIZABETH ST NE containing approximately 3.293 acre(s). (L-21) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF FILE.**

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

10. **Project# 1007823**
09DRB-70200 SKETCH PLAT REVIEW
AND COMMENT

LYNN R BARAGIOLA agent(s) for LYNN R BARAGIOLA request(s) the above action(s) for all or a portion of Lot(s) 48 & 47, **ALVARADO GARDENS, ADDITION #3** zoned RA-2, located on DECKER AVE NW BETWEEN TRELIS NW AND GLENWOOD NW containing approximately 1 acre(s). (G-12) **THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**

11. **Project# 1007822**
09DRB-70195 SKETCH PLAT REVIEW
AND COMMENT

PAUL HERZOG request(s) the above action(s) for all or a portion of Lot(s) 12A, Block(s) 1, **GRANT TRACT**, zoned SU-2 - M/R/O, located on GRANITE NW BETWEEN 5TH ST NW AND 6TH ST NW containing approximately .13 acre(s). (J-14) **THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**

12. **Project# 1006979**
09DRB-70194 SKETCH PLAT REVIEW
AND COMMENT

PAUL HERZOG request(s) the above action(s) for all or a portion of Lot(s) 1, **HUNING HIGHLAND ADDITION**, zoned SU-2 MR, located on ARNO SE BETWEEN IRON SE AND HAZELDINE SE (K-14) **THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**

7685

DXF Electronic Approval Form

DRB Project Case #: 1007685

Subdivision Name: UNIVERSITY HEIGHTS BLOCK 66 LOTS 3A & 3B

Surveyor: LARRY W MEDRANO

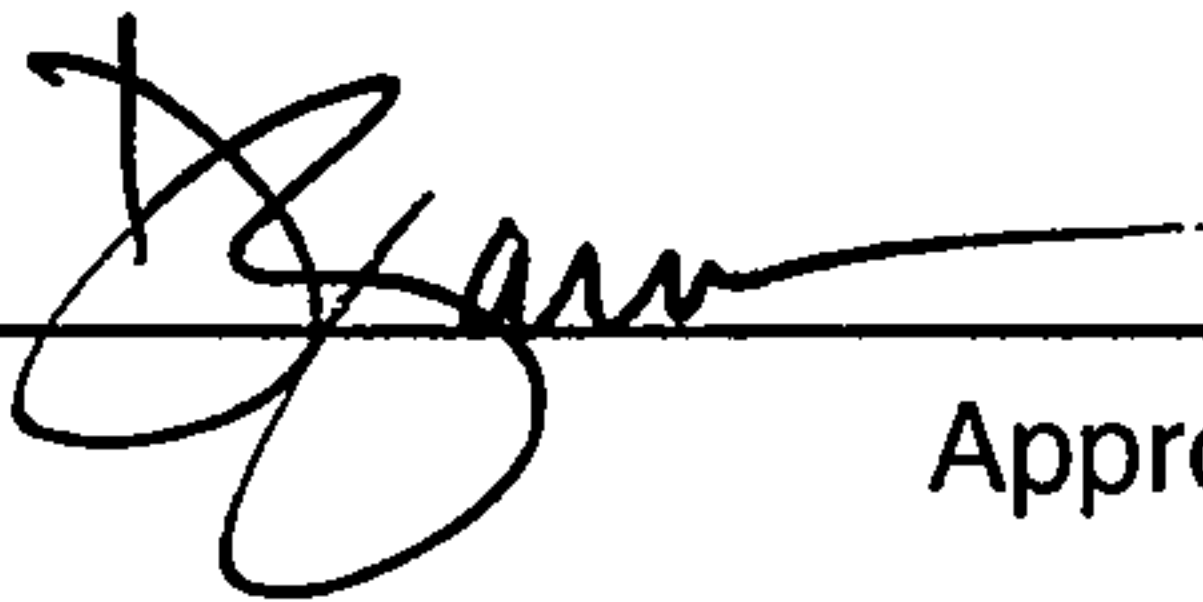
Contact Person: LARRY W MEDRANO

Contact Information: 856-5700

DXF Received: 6/22/2009

Hard Copy Received: 6/22/2009

Coordinate System: Ground rotated to NMSP Grid


Approved

06.24.2009
Date

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

AGIS Use Only
Copied fc **7685** to agiscov on **6/24/2009** Contact person notified on **6/24/2009**

7679

DXF Electronic Approval Form

DRB Project Case #: 1007679

Subdivision Name: NORTHERN ADDN BLOCK 4 LOTS 4A & 5A

Surveyor: ANTHONY L HARRIS

Contact Person: ANTHONY L HARRIS

Contact Information: 889-8056

DXF Received: 7/8/2009

Hard Copy Received: 7/8/2009

Coordinate System: NMSP Grid (NAD 83)


Approved

07-09-2009
Date

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

AGIS Use Only

Copied fc **7679** to agiscov on **7/9/2009** Contact person notified on **7/9/2009**

CITY OF ALBUQUERQUE

PLANNING DEPARTMENT

June 17, 2009
DRB Comments

ITEM # 8

PROJECT # 10007697 APPLICATION # 09-70193

RE: Lot 3, Block 66, University Heights

This property was reviewed as a Sketch Plat as Project No. 1007685
– it is recommend that the DRB project number be maintained.

A copy of the ZHE decision is needed for this DRB file; that case
should also be referenced in the Disclosure Statement (add
“*CONSISTENT WITH 09ZHE-80076.*” at the end of the statement).

Minimum Access Easement width is 15 feet.



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

of



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

ERIC ORTON request(s) a special exception to Section 14-16-2-12(D)(1): a VARIANCE of 80' to the 150' minimum lot length requirement to allow for 2 proposed lots in an R-3 zone on all or a portion of Lot(s) 3, Block(s) 66, UNIVERSITY HEIGHTS zoned R-3, located at 506 COLUMBIA DR SE (K-16)

Special Exception No:..... 09ZHE-80076
Project No: Project# 1007697
Hearing Date: 04-21-09
Closing of Public Record: 04-21-09
Date of Decision: 04-28-09

STATEMENT OF FACTS: The applicant, Eric Orton, requests a variance of 80' to the 150' minimum lot length requirement to allow for 2 proposed lots in an R-3 zone. Mr. Orton testified, at the hearing, that this request is to allow one lot to be split into two lots. There is currently a 663 sq ft dwelling to the rear of the property. If approved, he will build a 1500 sq ft, or less, home on the front portion of the property. The rear parcel can be accessed through the ally that runs along the back of the property. Mr. Orton stated that he had met with the Victory Hills Neighborhood Association and provided a petition with eleven signatures of neighbors who are in support of this request. The yellow sign was posted. There was no opposition to this request at the hearing, nor is there any opposition noted in the file.

Based on all of the testimony and a review of the entire file, it is determined that there is substantial evidence to make the following findings and conclusions:

FINDINGS AND CONCLUSIONS: I find that this parcel is exceptional as compared to other parcels in the vicinity and, therefore, it meets the test for the granting of a variance as provided for by Section 14. 16. 4. 2. I further find that, as a result of the exceptional aspect of the property, the regulations produce an unnecessary hardship in that it will limit the owner's reasonable use of the property and/or deprive the owner of a reasonable return on the property. Furthermore, I find that the particular variance is appropriate to prevent the unnecessary hardship and further find that the variance will differ from development which will be permitted under the existing regular zoning regulations no more than what is necessary to overcome the unnecessary hardship. Finally, the variance will not significantly interfere with the enjoyment of other land in the vicinity and is consistent with the spirit of the Zoning Ordinance, substantial justice and the general public interest.

DECISION: Approved with conditions:

CONDITION(S): No further variances will be granted on either of these lots.

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

10. **Project# 1002445**
09DRB-70089 SKETCH PLAT REVIEW
AND COMMENT
- ALAN ORTEGA - GC - ENGINEERING agent(s) for FOWLER PROPERTY ACQUISITIONS request(s) the above action(s) for all or a portion of Block(s) 88, **SNOW HEIGHTS ADDITION FOOTHILLS SHOPPING CENTER** zoned C-2, located on JUAN TABO BLVD NE BETWEEN MENAUL BLVD NE AND MORRIS ST NE (H-21) **THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**
11. ~~**Project# 1007685**~~
09DRB-70088 SKETCH PLAT REVIEW
AND COMMENT
- ERIC ORTON request(s) the above action(s) for all or a portion of Lot(s) 3, Block(s) 66, **UNIVERSTIY HEIGHTS** zoned R-3, located on COLUMBIA SE BETWEEN GARFIELD SE AND MCEARL SE (K-16) **THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**
12. **Project# 1007602**
09DRB-70080 SKETCH PLAT REVIEW
AND COMMENT
- MARK SNAPP agent(s) for MOUNTAIN L20 LLC request(s) the above action(s) for all or a portion of Lot(s) 20, **BALLING ADDITION**, zoned S-MRN, located on 1301 MOUNTAIN RD NW BETWEEN 13TH ST NW AND 14TH ST NW containing approximately 0.333 acre(s). (J-13) **THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**
13. Other Matters: None.

ADJOURNED: 10:30

CITY OF ALBUQUERQUE



CITY OF ALBUQUERQUE PLANNING DEPARTMENT HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1007685

AGENDA ITEM NO: 11

SUBJECT:

Sketch Plat/Plan

ACTION REQUESTED:

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

PO Box 1293

ENGINEERING COMMENTS:

Need cross-lot drainage easement.

Albuquerque

NM 87103

RESOLUTION:

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

discussal

www.cabq.gov

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

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

FOR:

SIGNED: Bradley L. Bingham
City Engineer/AMAFCA Designee
924-3986

DATE: March 11, 2009

CITY OF ALBUQUERQUE

PLANNING DEPARTMENT

March 11, 2009

DRB Comments

ITEM # 11

PROJECT # 1007685

APPLICATION # 09-70088

RE: Lot 3, Block 66, University Heights Addition

The site does not meet the minimum R-3 lot width requirement of 150 feet, but can be developed per the standards of the R-T zone which requires a minimum lot area of 3,600 square feet (exclusive of any easement) – a variance will be required for the proposed lot split.



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



**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
HYDROLOGY DEVELOPMENT SECTION**

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1007685

AGENDA ITEM NO: 8

SUBJECT:

Final Plat
Preliminary Plat

ACTION REQUESTED:

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

PO Box 1293

ENGINEERING COMMENTS:

Albuquerque

No adverse comments.

NM 87103

RESOLUTION:

www.cabq.gov

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

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

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

FOR:

SIGNED: Bradley L. Bingham
City Engineer/AMAFCA Designee
924-3986

DATE: June 17, 2009

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

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 (Form D)

- Storm Drainage Cost Allocation Plan

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)
- APPEAL / PROTEST of...**
- 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): Precision Surveys, Inc. PHONE: 856-5700
 ADDRESS: 8500-A Jefferson Street NE FAX: 856-7900
 CITY: Albuquerque STATE NM ZIP 87113 E-MAIL: larry@presurv.com

APPLICANT: Eric Orton PHONE: 281-5201
 ADDRESS: 506 Columbia SE FAX: _____
 CITY: Albuquerque STATE NM ZIP 87106 E-MAIL: putthehammerdown@hotmail.com
 Proprietary interest in site: owner List all owners: _____

DESCRIPTION OF REQUEST: Subdivide 1 lot into 2

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 Block: 66 Unit: N/A
 Subdiv/Addn/TBKA: University Heights
 Existing Zoning: R-3 Proposed zoning: R-3 MRGCD Map No N/A
 Zone Atlas page(s): K16 & L16 UPC Code: 1-016-057-158-016-30211

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX, Z, V, S, etc.): ZA-86-425
1007697, 09ZHE-80076

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? No
 No. of existing lots: 1 No. of proposed lots: 2 Total area of site (acres): 0.1629
 LOCATION OF PROPERTY BY STREETS: On or Near: 506 Columbia S.E.
 Between: Garfield and McEarl

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

SIGNATURE [Signature] DATE 5/28/09
 (Print) Larry Medrano 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>09DRB - 20193</u>	<u>P&F</u>	_____	<u>\$ 285.00</u>
_____	<u>CMF</u>	_____	<u>\$ 20.00</u>
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

Hearing date June 17, 2009

Total \$ 305.00

[Signature] 6.3.09
 Planner signature / date

Project # 1007697

1007685

Form revised 4/07

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.**

- ~~NA~~ 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
- ~~NA~~ 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
- ~~NA~~ 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
- ~~NA~~ 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.

Audrey M. Herrera
Applicant name (print)
Audrey M. Herrera 6/5/09
Applicant signature / date



Form revised **October 2007**

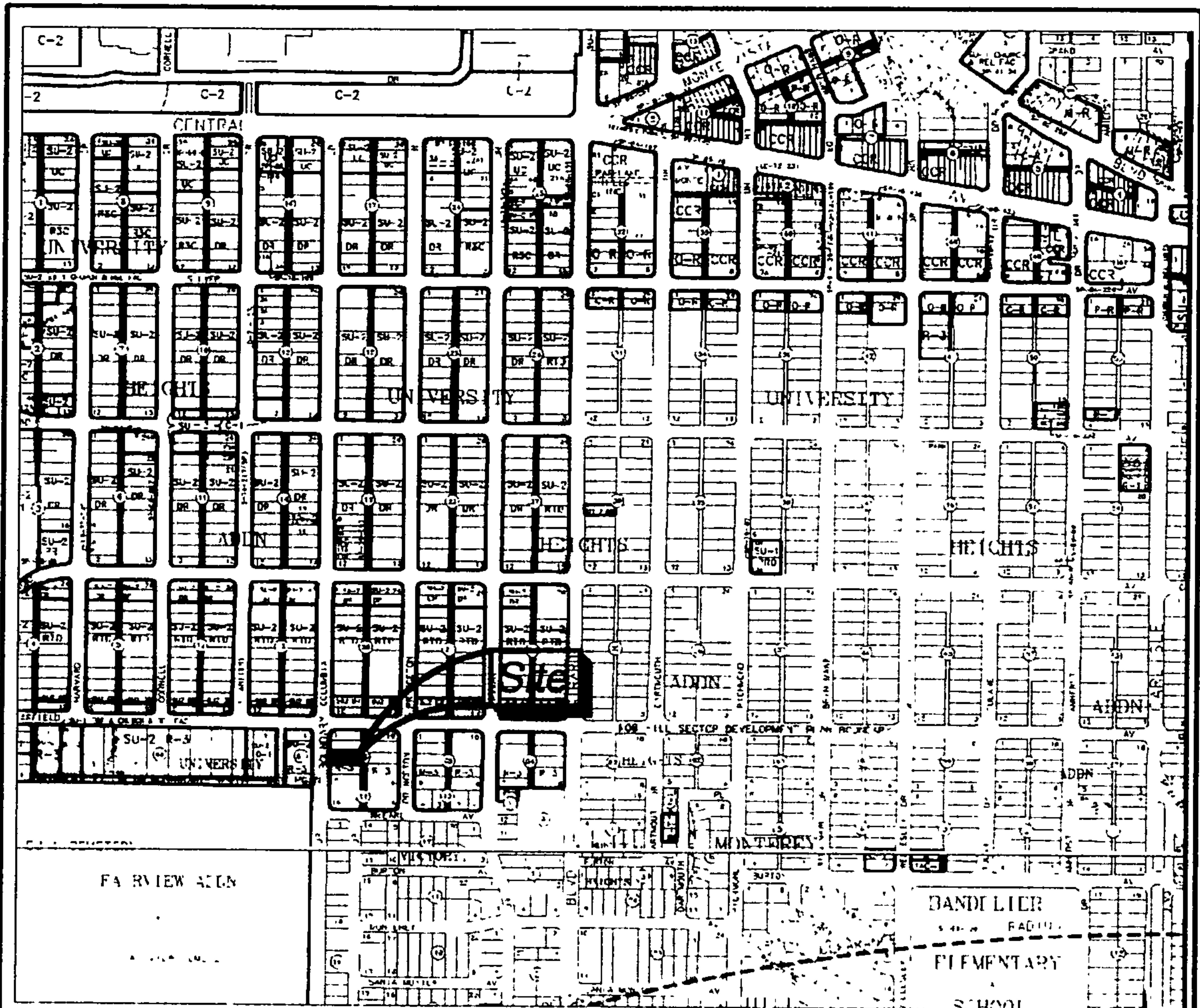
[Signature] 6-5-09
Planner signature / date

Project # 1007685

1007685

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

Application case numbers
09DRB- - 20193



Location Map

Zone Atlas Map No. K-16-Z and L-16-Z

N.T.S.

Subdivision Data:

GROSS SUBDIVISION ACREAGE: 0.1629 ACRES±
 ZONE ATLAS INDEX NO: K-16-Z
 NO. OF TRACTS CREATED: 0
 NO. OF LOTS CREATED: 2
 MILES OF FULL-WIDTH STREETS CREATED: 0
 DATE OF SURVEY: MAY 2009

Disclosure Statement:

THE PURPOSE OF THIS PLAT IS TO REPLAT THE EXISTING ONE LOT INTO TWO NEW LOTS AND TO GRANT



8500-A Jefferson Street, NE
Albuquerque, NM 87113

866.422.8011 TOLL FREE
505.856.5700 PHONE
505.856.7900 FAX
www.precision-surveys.com

June 2, 2009

Jack Cloud, DRB Chairman
City of Albuquerque
Planning Department Development Services
600 2nd Street NW
Albuquerque, NM 87102

RE: REQUEST FOR APPROVAL OF MINOR SUBDIVISION TO SUBDIVIDE EXISTING LOT INTO 2 NEW LOTS FOR PROPERTY LOCATED AT 506 COLUMBIA SE, BEING LOT 3, BLOCK 66, UNIVERISTY HEIGHTS SUBDIVISION ZONE ATLAS PAGES K-16-2 and L-16-2.

Dear Mr. Cloud:

On behalf of our client, Eric Orton, we are submitting an application for minor subdivision to subdivide 1 lot into 2. Variances were granted under 09ZHE-80076.

Enclosed are the required submittals. If you have any questions or need additional information, please do not hesitate to contact me at 856-5700.

Sincerely,

A handwritten signature in black ink, appearing to read 'Larry W. Medrano', is written over the typed name.

Larry W. Medrano

EXHIBIT B

FINAL
PRE-DEVELOPMENT FACILITIES FEE AGREEMENT

THIS AGREEMENT is made by and between the Albuquerque Municipal School District No. 12, Bernalillo and Sandoval Counties, New Mexico ("Albuquerque Public Schools" or "APS"), a public school district organized and existing pursuant to the laws of New Mexico, and Eric Orton ("Developer") effective as of this 2nd day of June, 2009, and pertains to the subdivision commonly known as University Heights Subdivision, and more particularly described as Lots 3-A and 3-B, Block 66, University Heights Subdivision (the "Subdivision".) The following individual lots comprise the subdivision:

Lot 3-A, Block 66, University Heights Subdivision, 506 Columbia Drive, SE (Lot 3-B is created by the same plat but it has a long standing existing residence).

WHEREAS, the City of Albuquerque requires that APS approve the plat(s) for any new subdivision; and

WHEREAS, Developer is proposing the development of a new subdivision, and requires APS approval of the plat for said subdivision; and

WHEREAS, Developer is the owner of the real estate being subdivided and platted; and

WHEREAS, Developer is required by the Albuquerque Subdivision Ordinance to provide appropriate infrastructure and improvements as a condition of developing a subdivision; and

WHEREAS, as a condition of approving such plat APS requires the provision of appropriate infrastructure and facilities or the payment of a facilities fee for each new residence to be constructed to help defray the cost of school construction, expansion, or maintenance;

THEREFORE, in consideration of the mutual promises contained herein, APS and Developer agree as follows:

1. Developer agrees to pay to APS a facilities fee for each dwelling unit to be constructed in the Subdivision.
2. The amount of the fee shall be:
 - If the building permit is issued on or after January 1, 2007, the fee shall be \$1875 per dwelling unit.
 - If the building permit is issued on or after July 1, 2008, the fee shall be \$2425 per dwelling unit.

Doc# 2009063030

06/04/2009 04:02 PM Page: 1 of 4
AGRE R: \$15.00 M. Toulouse Oliver, Bernalillo County



- If the permit is issued on or after January 1, 2010, the fee shall be \$2975 per dwelling unit.

The fee for each dwelling unit in multi-family residential structures shall be sixty percent (60 %) of the fee for a single family home. "Multi-family residential structure" means any type of residential property other than single-family houses (one single family, detached dwelling unit per lot).

0. Developer agrees that the fee shall be paid to APS at or before the issuance of any building permit for any lot or other parcel of property subject to this agreement.
1. Developer may satisfy all or part of its obligations under this contract by transferring improved or unimproved property to APS, provided that APS must agree to the transfer and to the value placed on the transferred property. APS, upon accepting such transfer, shall credit Developer with an amount equal to the agreed value, and the developer may designate the lot(s) to which such amount(s) shall be applied in satisfaction of its obligations hereunder.
2. This contract shall be recorded in the office of the County Clerk of Bernalillo and/or Sandoval County, and shall serve as notice of the Developer's obligation to pay facilities fees. Developer shall include on the plat of the Subdivision a statement that "The property on this plat is subject to a Pre-Development Facilities Fee Agreement with the Albuquerque Public Schools, recorded at ____/____/2009, _____ - _____"
3. APS, through its Facilities Fee Administrator, will provide a Payment Acknowledgement in the form attached hereto to the Developer reflecting receipt of the facilities fee (or equivalent compensation as described in paragraph 4 above), which form may be given to the City to show satisfaction of the fee obligation and satisfy that condition for receiving building permits. Developer may record that Payment Acknowledgment in the real estate records of Bernalillo or Sandoval County, but APS shall not be responsible for paying any recording fees nor shall APS be responsible for recording any such documents with the office of the County Clerk or any other office.

[Handwritten Signature]

Signature

ERIC R. ORTON

Name (typed or printed) and title

Developer

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

This instrument was acknowledged before me on June 2nd, by Eric R. Orton

as Owner of Lot 3, Block 66, an individual

(Seal)



Notary Public Michael A. Trujillo

My commission expires: 12/03/2012

ALBUQUERQUE PUBLIC SCHOOLS

[Handwritten Signature]

By: Signature

Name (typed or printed) and title

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

This instrument was acknowledged before me on June 4, 2009, by Mizito Wijens

as Director of CMP 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.



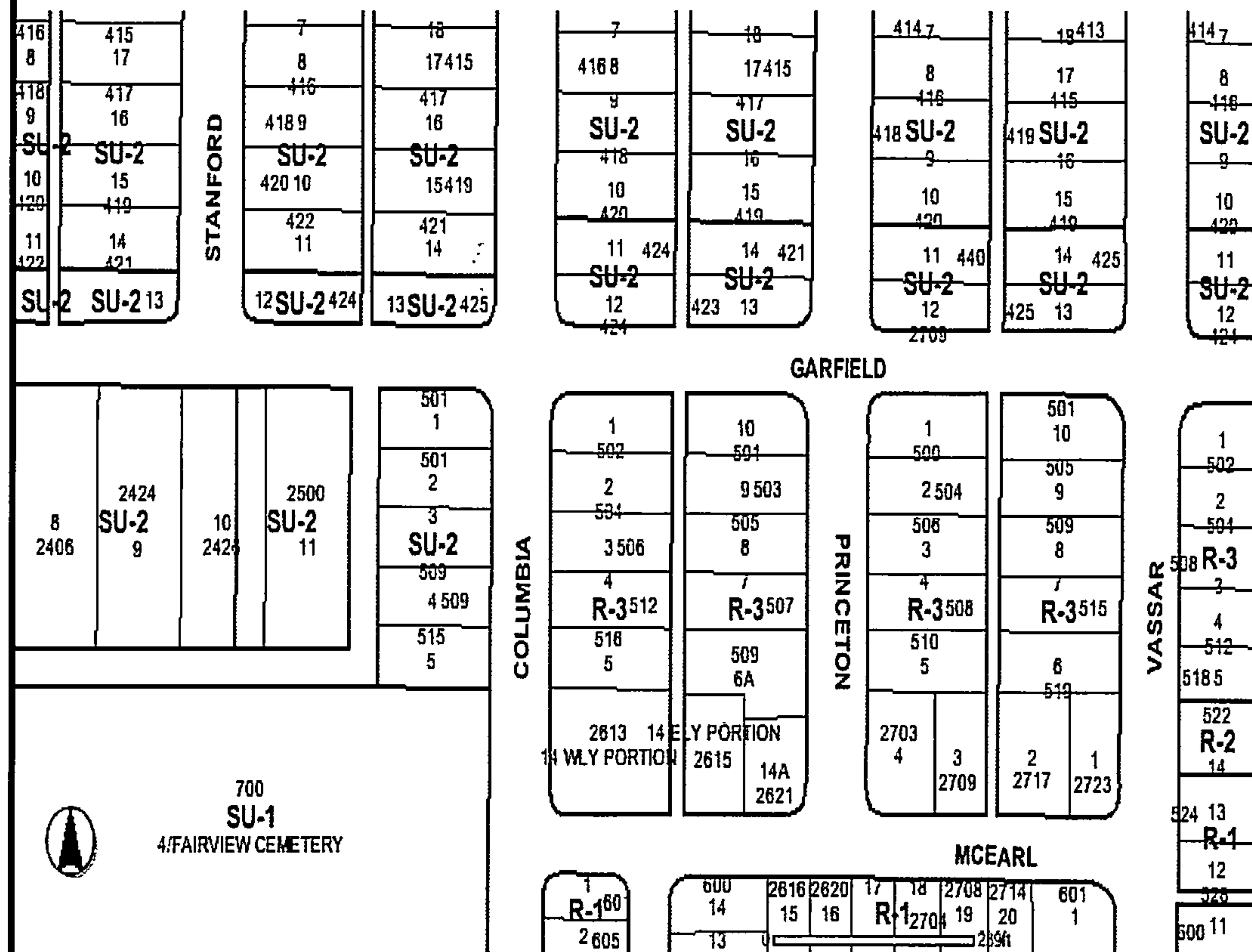
[Handwritten Signature]

Notary Public

My commission expires: May 18, 2011

ArcIMS HTML Viewer Map

Overview



Legend

- FREEWAYS
- LATERALS
- AMAFCA Ditches
- MRGCD Ditches
- STREET NAMES
- ZONING
- LOT NUMBERS
- METRO ADDRESS
- PARCELS
- MUNICIPAL LIMITS
- ALBUQUERQUE
- CORRALES
- LOS RANCHOS
- RIO RANCHO
- TIERRAS
- UNINCORPORATED AREAS

100-7685

100-7685



Supplemental form

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

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...**
- 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: 505-281-5201
 ADDRESS: 506 COLUMBIA DRIVE SE FAX: _____
 CITY: ALBUQUERQUE STATE NM ZIP 87106 E-MAIL: putthehammerdown@hotmail.com

APPLICANT: ERIC ORTON PHONE: _____
 ADDRESS: 506 COLUMBIA DRIVE SE FAX: _____
 CITY: ALBUQUERQUE STATE NM ZIP 87106 E-MAIL: putthehammerdown@hotmail.com
 Proprietary interest in site: OWNER List all owners: _____

DESCRIPTION OF REQUEST: SUBDIVISION SPLIT OF LOT

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. LOT 3 Block: 66 Unit: ---
 Subdiv/Addn/TBKA: UNIVERSITY HEIGHTS
 Existing Zoning: R-3 Proposed zoning: _____
 Zone Atlas page(s): K-16-Z UPC Code: 101605715801630211 MRGCD Map No _____

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: 1 No. of proposed lots: 2 Total area of site (acres): _____
 LOCATION OF PROPERTY BY STREETS: On or Near COLUMBIA SE
 Between: GARFIELD SE and MC EARL

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

SIGNATURE [Signature] DATE 3-2-2009
 (Print) ERIC R. ORTON Applicant: Agent:

FOR OFFICIAL USE ONLY

Form revised 4/07

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>09DPR 70088</u>	<u>SK</u>	<u>5(3)</u>	<u>\$ 0</u>
<input checked="" type="checkbox"/> All fees have been collected	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> All case #s are assigned	_____	_____	_____	\$ _____
<input 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>03/11/09</u>			Total <u>\$ 0</u>

Sandy Handley 02/10 Project # 1007685
 Planner signature / date

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 *LTR justifying*

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.

ERIC R. ORTON
Applicant name (print)

[Signature]
Applicant signature / date



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

Application case numbers
09DRB 70288

Form revised October 2007

Sandy Handley 02/02/09
Planner signature / date

Project # 1007685



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

AGIS
Albuquerque Geographic Information System

Map amended through: 6/13/2008

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
K-16-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

Date: 3-2-2009

From: Eric R. Orton

RE: Subdivision of 506 Columbia Drive SE, Albuquerque, NM, 87106

LOT: Lot 3

Block: 66

UPC 101605715801630211

Zoning: R3

I am requesting the subdivision of this lot in 2 equal size parcels, with the purpose reducing the potential density in the future.

The lot is zoned R-3 which currently allows the building of a multi-unit building in the front, or 3 to 4 condominiums after legal conversion is done.

The current house at only 663 square feet is too small for me. My plan is to split the lot, sell the lot with the house on it, then build a small 2000 square feet or less on the front lot for myself.

My only other options are to partner with a builder, and build some king of much larger multiple unit structures.

So essentially I am asking for a variance to build less, certainly an unusual request, but on I think would be better for the community as a whole.

I also plan to build a green building, energy efficient with low water use. This certainly won't happen if the alternatives are done.

I would even be willing to have stipulated on the new deed that only a single family home of certain square footage can be built.

So if you grant my request, I can assure you that future building on said site will be smaller, less dense, and more green, which will certainly be better for the immediate community, as well

as the city as a whole in the future.

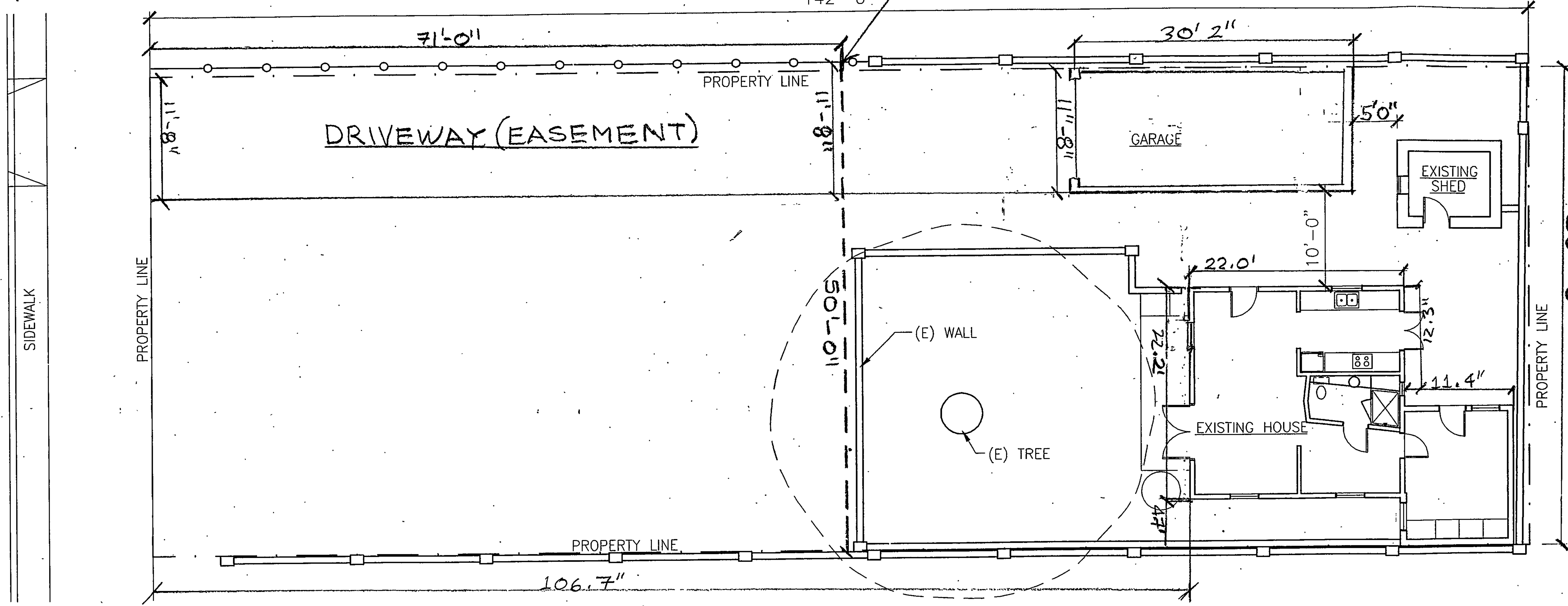
Thanks for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to be 'Eric R. Orton', written in a cursive style.

Eric R. Orton

COLUMBIA DR



1 SITE PLAN
 A0.0 SCALE: 1" = 10'



COLUMBIA DR REMODE

LBUQUERQUE, NEW MEXICO

PROPOSED

COLUMBIA DR

SIDEWALK

20' SETBACK

PROPERTY LINE

11' 8"

DRIVEWAY

PROPERTY LINE

142'-0"

106'-7"

PROPERTY LINE

(E) WALL

(E) TREE

GARAGE

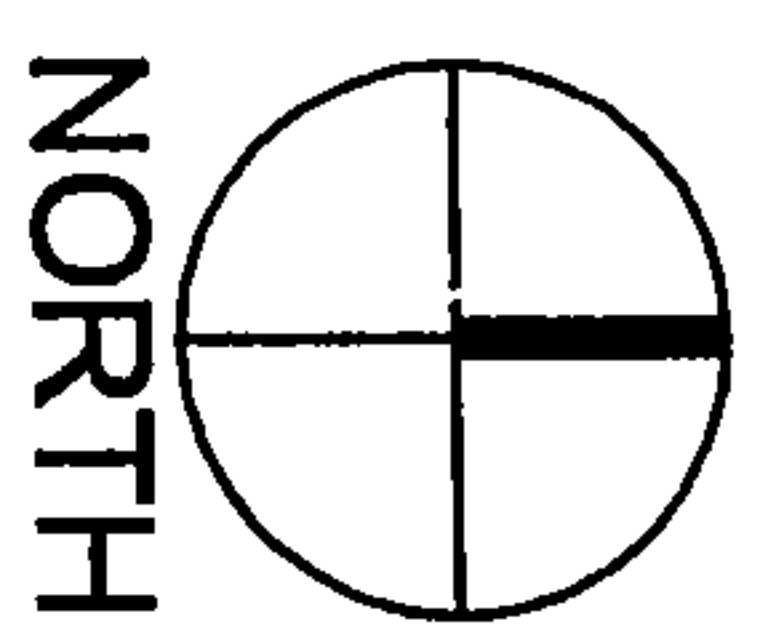
30' 2"

EXISTING SHED

PROPERTY LINE

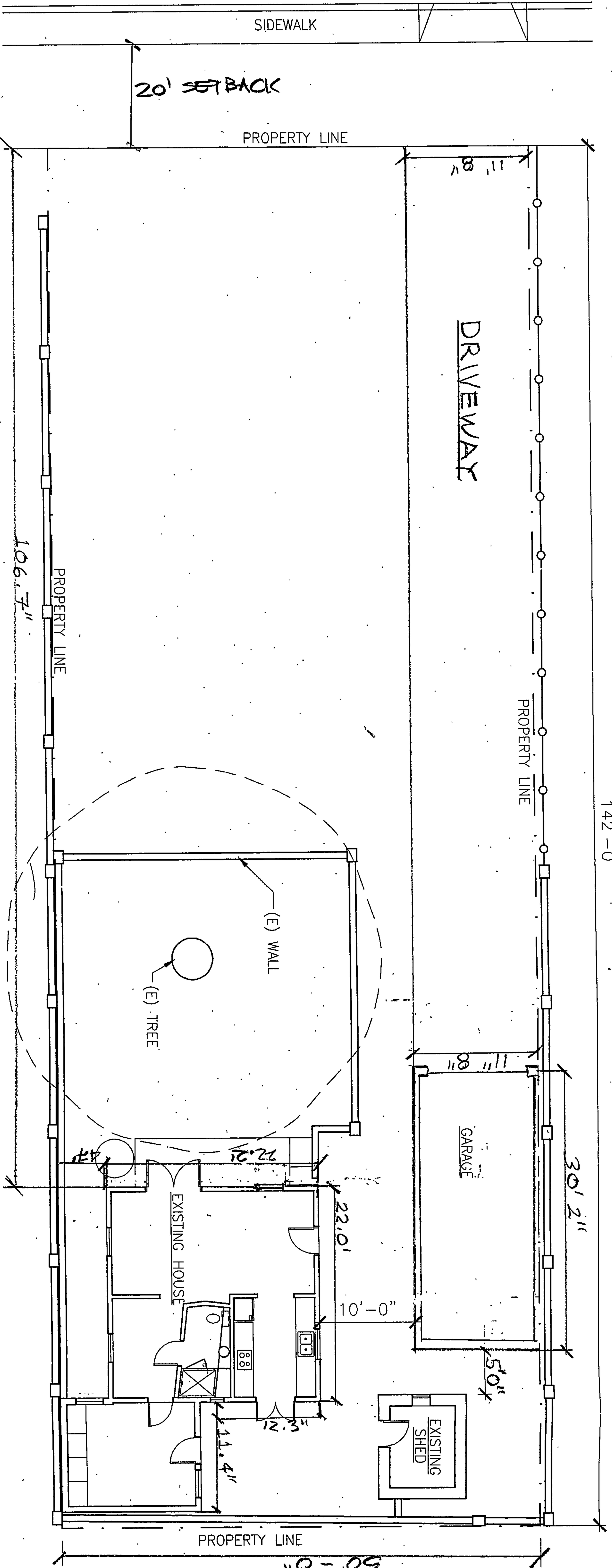
50'-0"

1 SITE PLAN
A0.0 SCALE: 1" = 10'



COLUMBIA DR REMODE

BUQUERQUE, NEW MEXICO



EXISTING