



## DRB CASE ACTION LOG (Preliminary/Final Plat)

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

DRB Application No.: 11DRB-70041

Project # 1008683

Project Name: Sunshine Terrace Addition

Agent: Alpha Professional Surveying

Phone No.:

\*\*Your request was approved on 8-3-11 by the DRB with delegation of signature(s) to the following departments.\*\*

### OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED:

TRANSPORTATION:

*OK*

ABCWUA: - new service

CITY ENGINEER / AMAFCA:

PARKS / CIP:

*OK*

PLANNING (Last to sign):

*reference variances  
OK blanket drainage E' meet for  
marsh lot*

**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.**

*OK*

*[Handwritten signature/initials]*



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Phone No.: \_\_\_\_\_

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### OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED:

TRANSPORTATION: \_\_\_\_\_

ABCWUA: - new for vice

CITY ENGINEER / AMAFCA: \_\_\_\_\_

PARKS / CIP: \_\_\_\_\_

PLANNING (Last to sign): - reverse variances

- blanket drainage E-mail for parish plat

**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.**

OK

4. **Project# 1006606**  
11DRB-70030 MINOR - PRELIMINARY/  
FINAL PLAT APPROVAL

PRECISION SURVEYS INC agent(s) for NEW MEXICO WOFLE PROPERTIES LLC request(s) the above action(s) for all or a portion of Lot(s) B-1-B, **VIDEO ADDITION** zoned C-2, located on EUBANK BLVD SE BETWEEN CENTRAL SE AND SOUTHERN SE containing approximately .6101 acre(s). (L-20 & L-21) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF AND TO LABEL STREETS/VICINITY MAP.**

5. **Project# 1008683**  
11DRB-70209 MINOR - PRELIMINARY/  
FINAL PLAT APPROVAL

ALPHA PROFESSIONAL SURVEYING agent(s) for RICHARD K WOLFSON request(s) the above action(s) for all or a portion of Lot(s) 14-A, Block(s) D, **SUNSHINE TERRACE ADDITION** zoned R-1, located on SUNCHINE TERRACE AVE BETWEEN UNIVERSITY AND BUENA VISTA containing approximately .2869 acre(s). (L-15) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO ABCWUA FOR NEW SERVICE AND TO PLANNING TO REFERENCE VARIANCE AND BLANKET DRAINAGE EASMENT FOR NORHT LOT.**

6. **Project# 1000831**  
11DRB-70187 MINOR - PRELIMINARY/  
FINAL PLAT APPROVAL

MASTERWORKS ARCHITECTS INC. agent(s) for RICHARD B. SAYLOR request(s) the above action(s) for all or a portion of Tract(s) A & B, **HORIZON ACADEMY** zoned SU-1/IP USES, located on 1800 & 1900 ARTISCO RD NW containing approximately 8.89 acre(s). (H-11) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF.**

7. **Project# 1001628**  
11DRB-70193 EXT OF SIA FOR TEMP  
DEFER SDWK CONST

JUDE L. BACA request(s) the above action(s) for all or a portion of **MESA RIDGE** zoned SU-1, located near COORS AND MONTANO (E-11) **A TWO YEAR EXTENSION TO THE AGREEMENT FOR THE DEFERRAL OF SIDEWALKS WAS APPROVED.**

8. **Project# 1004906**  
11DRB-70154 SUBDN DESIGN  
VARIANCE FROM MIN DPM STDS  
11DRB-70168 MINOR - PRELIMINARY/  
FINAL PLAT APPROVAL

THOMPSON ENGINEERING CONSULTANTS, INC & CARTESIAN SURVEYS INC agent(s) for THOMAS SLATES request(s) the above action(s) for all or a portion of Tract(s) 118-C, 118-D, & 118-E, **MRGCD MAP 32** zoned R-1, located on GUADALUPE TR NW BETWEEN GRIEGOS RD NW AND MONTANO RD NW containing approximately 2.06 acre(s). (F-14) **THE SUBDIVISION VARIANCE WAS APPROVED. WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 8/3/11, AND WITH AN APPROVED GRADING AND DRAINAGE PLAN ENGINEER STAMP DATED 7/22/11, THE PRELIMINARY PLAT WAS APPROVED PENDING A 15 DAY APPEAL PERIOD. FINAL PLAT WAS DEFERRED FOR THE SIA**

9. Other Matters: None.  
ADJOURNED:

**CITY OF ALBUQUERQUE**

**PLANNING DEPARTMENT**

**February 16, 2011**

**DRB Comments**

**ITEM # 11**

**PROJECT # 1008683**

**APPLICATION # 11-70033**

**RE: Lot 14-A, Block D, Sunshine Terrace Addition**

The proposed subdivision would require variances for the front yard for the proposed back lot, rear yard variances for both proposed lots, AND lot area variances for both proposed lots – the 5,000 sq ft minimum is only allowed when “such a lot size will not depart from a pattern of larger developed lots” [§ 14-14-4-7 of the Zoning Code]. Therefore, the minimum lot area would be 6,000 sq ft. Neighborhood support would not be required for platting, but could be helpful for the variance applications.



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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# 1002632**  
11DRB-70032 SKETCH PLAT REVIEW  
AND COMMENT

TIERRA WEST LLC agent(s) for AMGO PROPERTIES LLC request(s) the above action(s) for all or a portion of Lot(s) , Block(s) , Tract(s) 2, 3, & 7, **BULK LAND PLAT OF SUNDANCE ESTATES Unit(s)** , zoned R-LT, located on UNSER BLVD BETWEEN PARADISE BLVD NW AND PASEO DEL NORTE NW containing approximately 74.1 acre(s). [REF: ] (B-10 & B-11)**THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE PROVIDED.**

11. **Project# 1008683**  
11DRB-70033 SKETCH PLAT REVIEW  
AND COMMENT

RICHARD WOLFSON request(s) the above action(s) for all or a portion of Lot(s) 14A, Block(s) D, Tract(s) , **SUNSHINE TERRACE ADDITION Unit(s)** , zoned R-1, located on SUNSHINE TERRACE SE BETWEEN UNIVERSITY AND BUENA VISTA containing approximately .28 acre(s). [REF: ] (L-15) **THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE PROVIDED.**

12. Other Matters: None.

ADJOURNED: 10:20

HEARINGS DATE 2-16-11 (SK)

# City of Albuquerque Planning Department

## DEVELOPMENT AND BUILDING SERVICES

STANDARD APPLICATION, Paper Plans Required

### DEVELOPMENT REVIEW BOARD

Category Code **910**  
**2011 070 209**

07/25/2011 Issued By: BLDAVM 116886

**Application Number:** 11DRB-70209, Minor - Preliminary/ Final Plat Approval

**Address:**

**Location Description:** SUNCHINE TERRACE AVE BETWEEN UNIVERSITY AND BUENA VISTA

**Project Number:** 1008683

#### Applicant

RICHARD K WOLFSON

2300 HOOPER RD SW  
ALBUQUERQUE NM 87105

#### Agent / Contact

ALPHA PROFESSIONAL SURVEYING

PO BOX 46316  
RIO RANCHO NM 87174  
892-1076

#### Application Fees

441018/4943000	APN Fee	
441032/3416000	Conflict Mgmt Fee	<b>\$20.00</b>
441006/4958000	DRB Actions	<b>\$285.00</b>
<b>TOTAL:</b>		<b>\$305.00</b>

City Of Albuquerque  
Treasury Division

7/25/2011 10:45AM LOC: ANNX  
WSH 006 TRANS# 0018  
RECEIPT# 00136416-00136416  
PERMIT# 2011070209 TRSASR  
Trans Amt \$305.00  
Conflict Manag. Fee \$20.00  
DRB Actions \$285.00  
CK \$305.00  
CHANGE \$0.00

Thank You

**8683**

### DXF Electronic Approval Form

DRB Project Case #:

Subdivision Name:

Surveyor:

Contact Person:

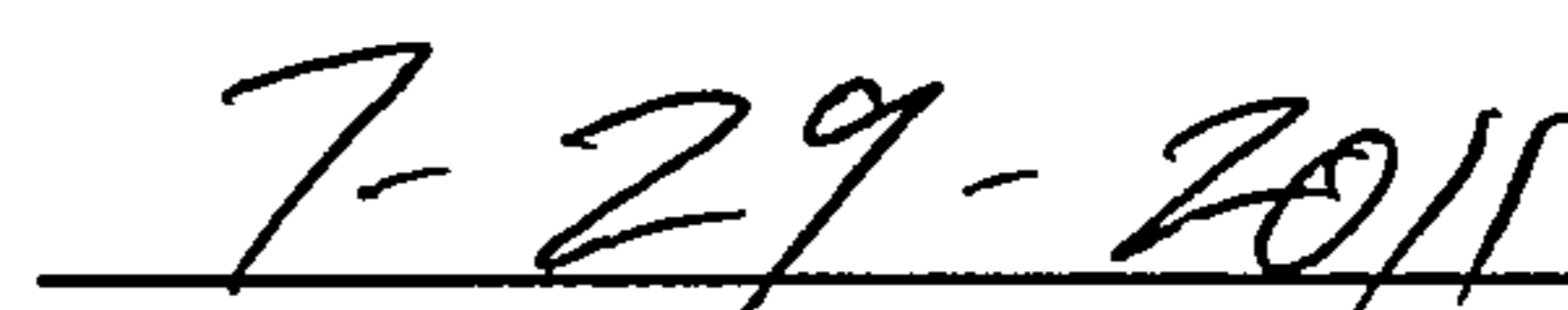
Contact Information:

DXF Received:

Hard Copy Received:

Coordinate System:

  
\_\_\_\_\_  
Approved

  
\_\_\_\_\_  
Date

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

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**AGIS Use Only**

Copied fc**8683** to agiscov on **7/29/2011** Contact person notified on **7/29/2011**





Sarah Gibson <sargib@gmail.com>

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## Fwd: FW: Project 1008683 DXF submittal

1 message

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Gary Gritsko <gary@alphaprourveying.com>

Fri, Jul 29, 2011 at 10:42 AM

To: Sarah Gibson <sargib@gmail.com>

Hi Sarah,  
Here is the approval for the DXF file on Sunshine Terrace.  
Gme

----- Forwarded message -----

From: **Gaulden, Tim H.** <[tgaulden@cabq.gov](mailto:tgaulden@cabq.gov)>

Date: Fri, Jul 29, 2011 at 10:24 AM

Subject: FW: Project 1008683 DXF submittal

To: [gary@alphaprourveying.com](mailto:gary@alphaprourveying.com)

Gary:

The DXF has been approved.

Dave Zamora is in a different department now at the city and no longer at AGIS. In the future, please submit the DXF's to:

[tgaulden@cabq.gov](mailto:tgaulden@cabq.gov) [jsammons@cabq.gov](mailto:jsammons@cabq.gov) [mgricius@cabq.gov](mailto:mgricius@cabq.gov)

Thanks,

# City of Albuquerque



## DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

### SUBDIVISION

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

**PRELIM/FINAL**

### 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 2<sup>nd</sup> 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): ALPHA Professional Surveying PHONE: 892-1076  
 ADDRESS: P.O. Box 46316 FAX: \_\_\_\_\_  
 CITY: Bio Rancho STATE NM ZIP 87174 E-MAIL: gary@ALPHAPROSURVEYING.COM

APPLICANT: Richard H. WOLFSON PHONE: \_\_\_\_\_  
 ADDRESS: 2300 Hooper Rd SW FAX: \_\_\_\_\_  
 CITY: ALBU STATE NM ZIP 87105 E-MAIL: \_\_\_\_\_  
 Proprietary interest in site: Owner List all owners: N/A

DESCRIPTION OF REQUEST: SUBDIVIDE ONE EXISTING LOT INTO TWO LOTS and grant the private Access & public UTILITY Easement.  
 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 14-A Block: D Unit: N/A  
 Subdiv/Addn/TBKA: Sunshine Terrace Addition  
 Existing Zoning: R-1 Proposed zoning: N/A MRGCD Map No N/A  
 Zone Atlas page(s): L:15:2 UPC Code: 1-015-056-284-219-41402

CASE HISTORY: List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX, Z, V, S, etc.):  
Proj # 1008740 11ZHE-80070 Proj # 1008683 11DRB-70033

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): 0.2869 AC.  
 LOCATION OF PROPERTY BY STREETS: On or Near: Sunshine Terrace Ave SE  
 Between: University Blvd and Buena Vista Dr SE  
 Check-off if project was previously reviewed by Sketch Plat/Plan  or Pre-application Review Team . Date of review: 2-16-2011

SIGNATURE Sarah Gibson DATE 7-25-11  
 (Print) SARAH GIBSON Applicant:  Agent:

#### FOR OFFICIAL USE ONLY

INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>11DRB-70209</u>	<u>P&amp;F</u>		<u>\$ 295.00</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 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>Aug. 3, 2011</u>			Total <u>\$ 305.00</u>

Planner signature / date 7-25-11 Project # 1008683

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.

- WAIVED*
- 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.

*SARAH GIBSON*  
*Sarah Gibson* Applicant name (print)  
 Applicant signature / date

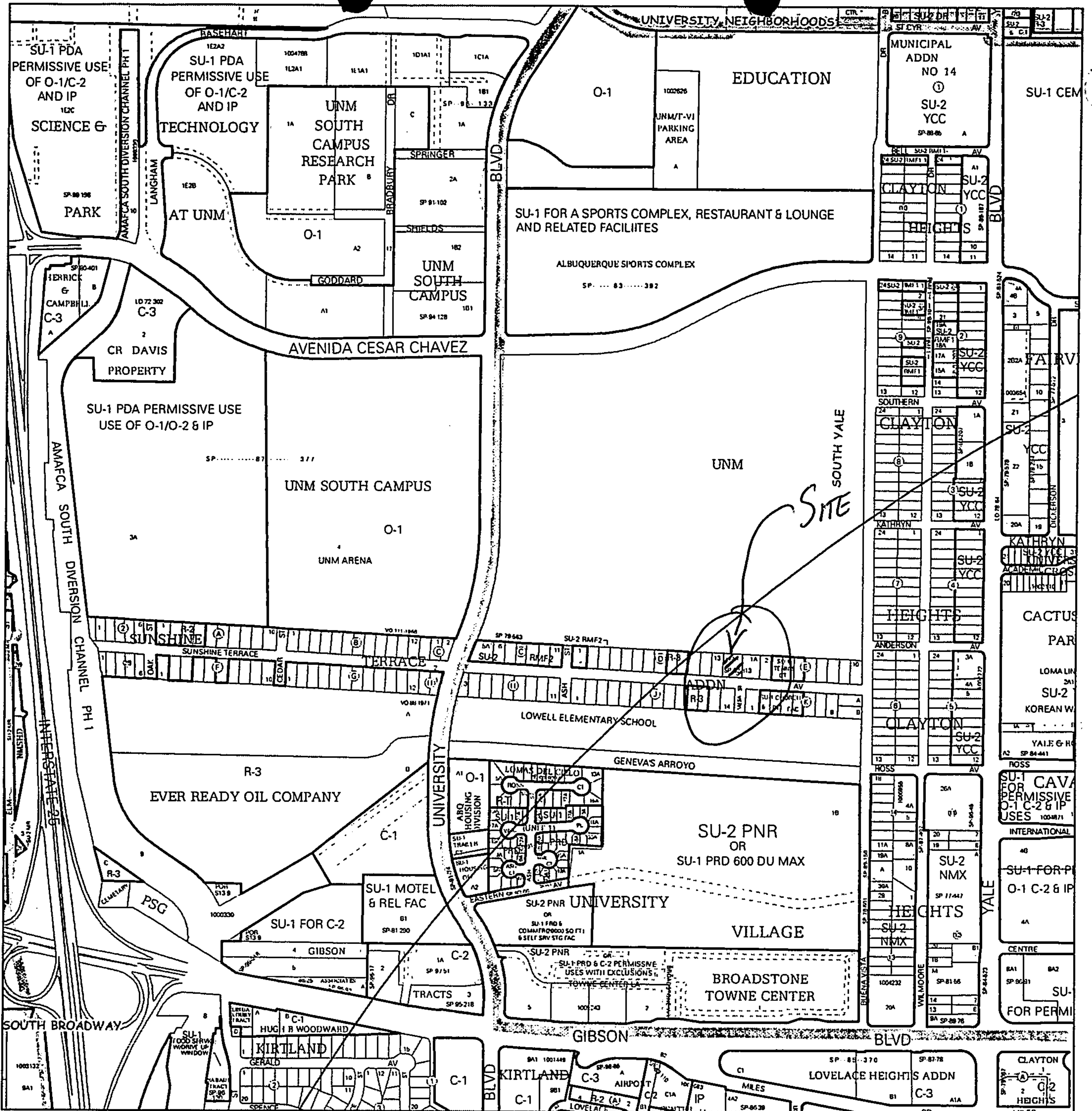


Form revised October 2007

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

Application case numbers  
 110RB- - 70209

*[Signature]* 7-25-11  
 Planner signature / date  
 Project # 1008683



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

Map amended through: 6/5/2009

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:  
**L-15-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

0 750 1,500 Feet

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# ***Alpha Professional Surveying, Inc***

*P.O. Box 46316 \* Rio Rancho, New Mexico 87174 \* 892-1076 \**

*[gary@alphaprosurveying.com](mailto:gary@alphaprosurveying.com)*

July 25, 2011

Development Review Board Members

Plaza Del Sol  
600 Second Street NW  
ALBUQUERQUE, NM 87102

REF: Lots 14-A-1 & 14-A-2, Block D, Sunshine Terrace Addition

Dear Board Members,

Alpha Professional Surveying, Inc is requesting preliminary / final plat approval for the above referenced property.

The owner, Richard Wolfson, requested and was granted approval (May 23, 2011) of a lot size variance of 1070sq. ft. to allow this proposed lot split. The Notice of Decision is enclosed.

Also, enclosed is the exhibit showing existing residences and infrastructure.

If you have any questions please feel free to email or contact me.

Sincerely,

Gary Critsko

NM Professional Land Surveyor

**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 14-A-1 and 14-A-2, Block D, Sunshine Terrace which is zoned as R-1, on July 19, 2011 submitted by Richard Wolfson, 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 to divide original lot 14-A into two new lots, 14-A-1 and 14-A-2. There are two existing homes on each proposed lot, therefore, there will be no net gain of residential units.

ALBUQUERQUE PUBLIC SCHOOLS

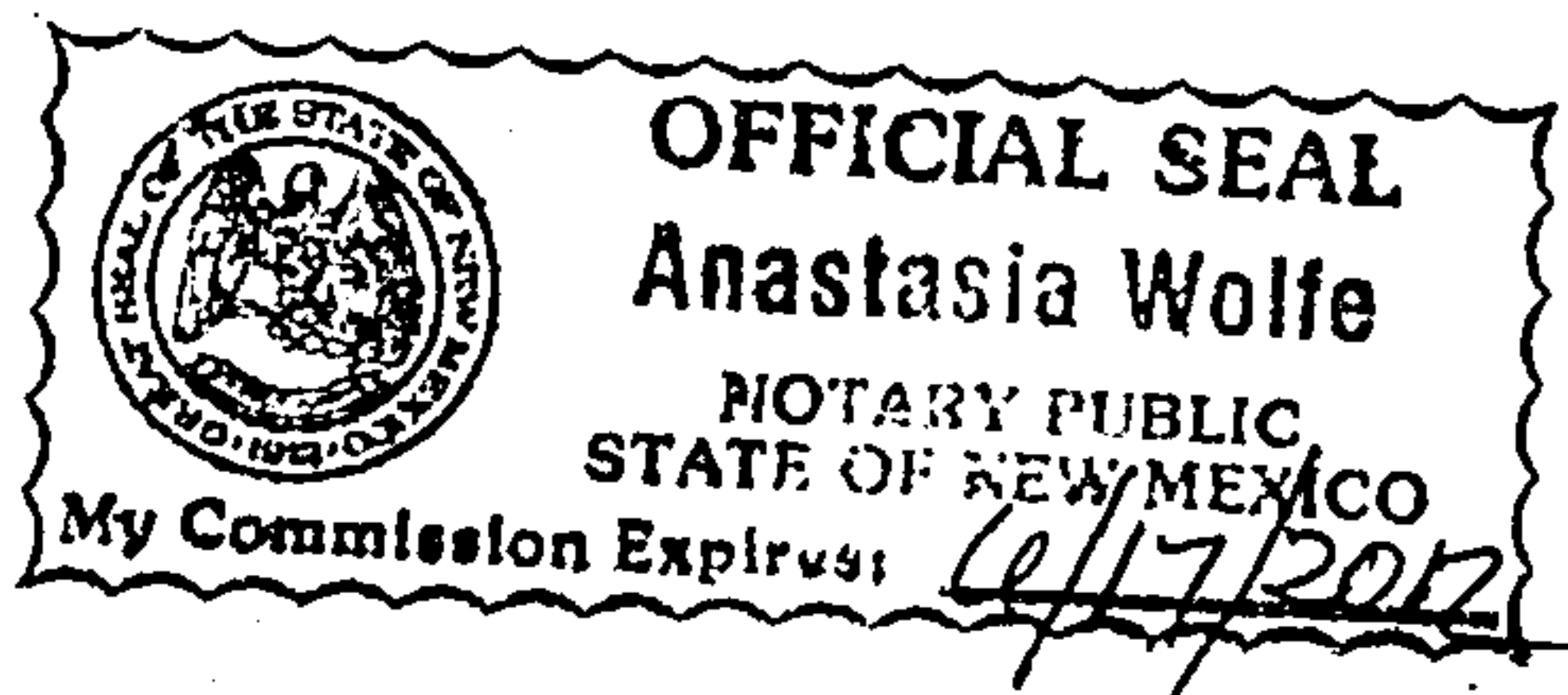
By: April L. Winters  
Signature

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

STATE OF NEW MEXICO  
COUNTY OF BERNALILLO

This instrument was acknowledged before me on July 19, 2011, by April L. Winters as Facilities 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: 6/17/2012



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

RICHARD WOLFSON request(s) a special exception to Section 14-16-2-6(D)(1): a VARIANCE of 1070 sq ft to the minimum 6000 sq ft requirement to allow a proposed lot split on all or a portion of Lot(s) 14A1 & 14-A-2, Block(s) D, SUNSHINE TERRACE ADDN zoned R-1, located at 1817 SUNSHINE TERRACE AVE SE (L-15)

Special Exception No:..... 11ZHE-80070  
Project No:..... Project# 1008740  
Hearing Date:..... 05-17-11  
Closing of Public Record:..... 05-17-11  
Date of Decision: ..... 05-23-11

This matter was heard on May 17, 2011.

**STATEMENT OF FACTS:** The applicant, Richard Wolfson, requests a variance of 1070 sq ft to the minimum 6000 sq ft requirement to allow a proposed lot split. Mr. Wolfson testified that he has owned this property for approximately two years. The two dwelling units were on the property when it was purchased. He stated that his lot is exceptional because it is larger than other parcels in the vicinity. There are approximately ten letters from neighbors who support 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 and the recordings, 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 because of its irregular size 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.

The approval is subject to the submitted site plan, as required. Any substantial changes to the site plan, as determined by the Zoning Enforcement Division, shall require the scheduling of an additional Public Hearing.

A Building Permit must be applied for at the Building Permit Desk which is located at the Plaza del Sol Building, Ground Level on the east side of the lobby.

**If you wish to appeal this decision, you may do so by 5:00 p.m., on June 7, 2011 in the manner described below:**

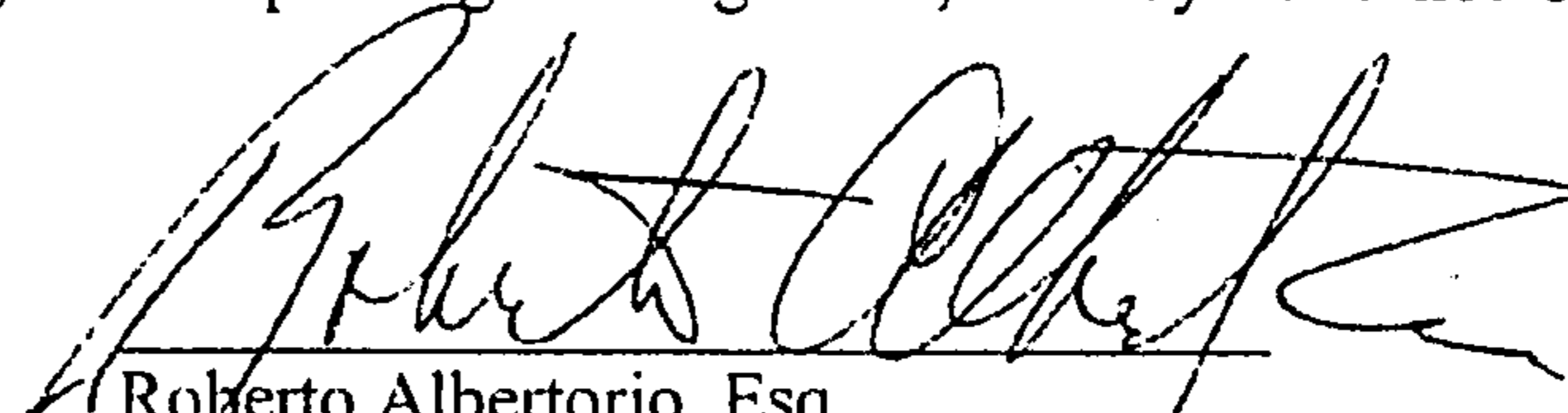
Appeal is to the Board of Appeals within 15 days of the decision. A filing fee of \$105.00 shall accompany each appeal application, as well as a written explanation outlining the reason for appeal and a copy of the ZHE decision. Appeals are taken at 600 2nd Street, Plaza Del Sol Building, Ground Level, 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.

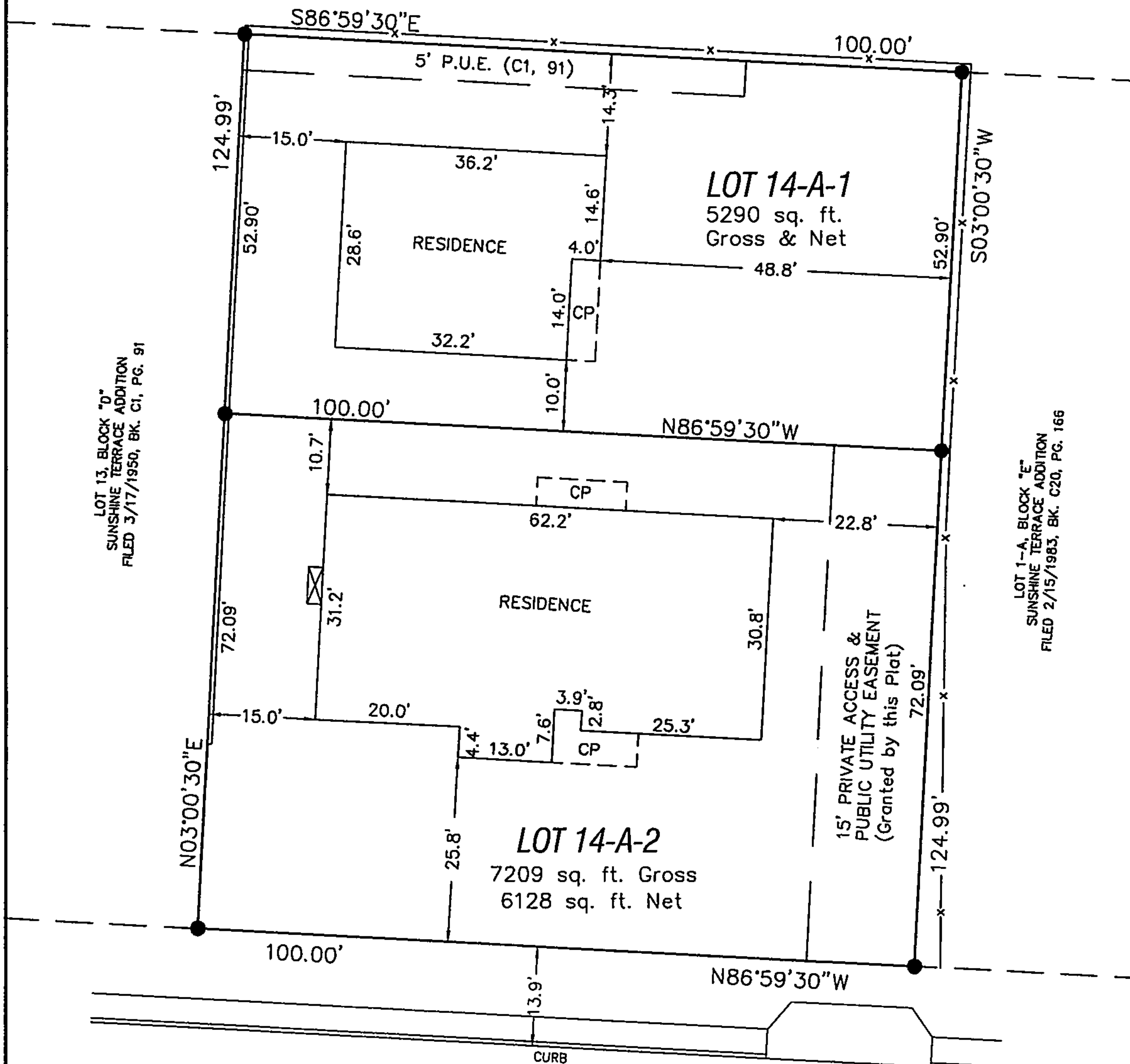
Successful applicants are reminded that other regulations of the City must be complied with, even after approval of a special exception is secured. This decision does not constitute approval of plans for a building permit. If your application is approved, bring this decision with you when you apply for 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.

  
Roberto Albertorio, Esq.  
Zoning Hearing Examiner



**Lots 14-A-1 & 14-A-2, Block "D"**  
**SUNSHINE TERRACE**  
 Albuquerque, New Mexico  
 March, 2011

UNPLATTED LAND  
 UNIVERSITY OF NEW MEXICO STADIUM



LOT 13, BLOCK "D"  
 SUNSHINE TERRACE ADDITION  
 FILED 3/17/1950, BK. C1, PG. 91

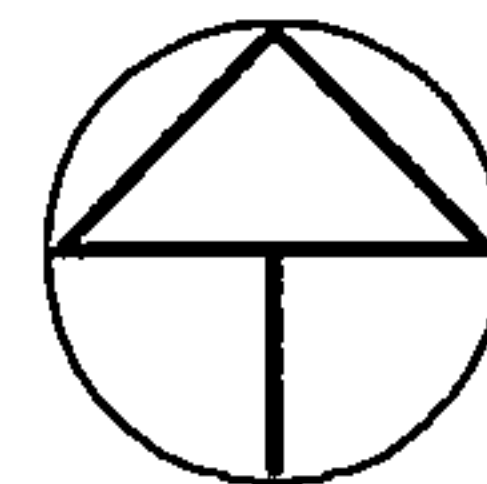
LOT 1-A, BLOCK "E"  
 SUNSHINE TERRACE ADDITION  
 FILED 2/15/1983, BK. C20, PG. 166

**1817 SUNSHINE TERRACE AVE. S.E.**  
 60' R/W

**LEGAL DESCRIPTION:**

Lot numbered Fourteen-A (14-A) in Block lettered "D" of SUNSHINE TERRACE ADDITION, City of Albuquerque, Bernalillo County, New Mexico, as the same is shown and designated on the Plat thereof, filed in the office of the County Clerk of Bernalillo County, New Mexico, on February 15, 1983, in Volume C20, Folio 166.

UPC # 101505628421941402



**NORTH**

SCALE 1" = 20'

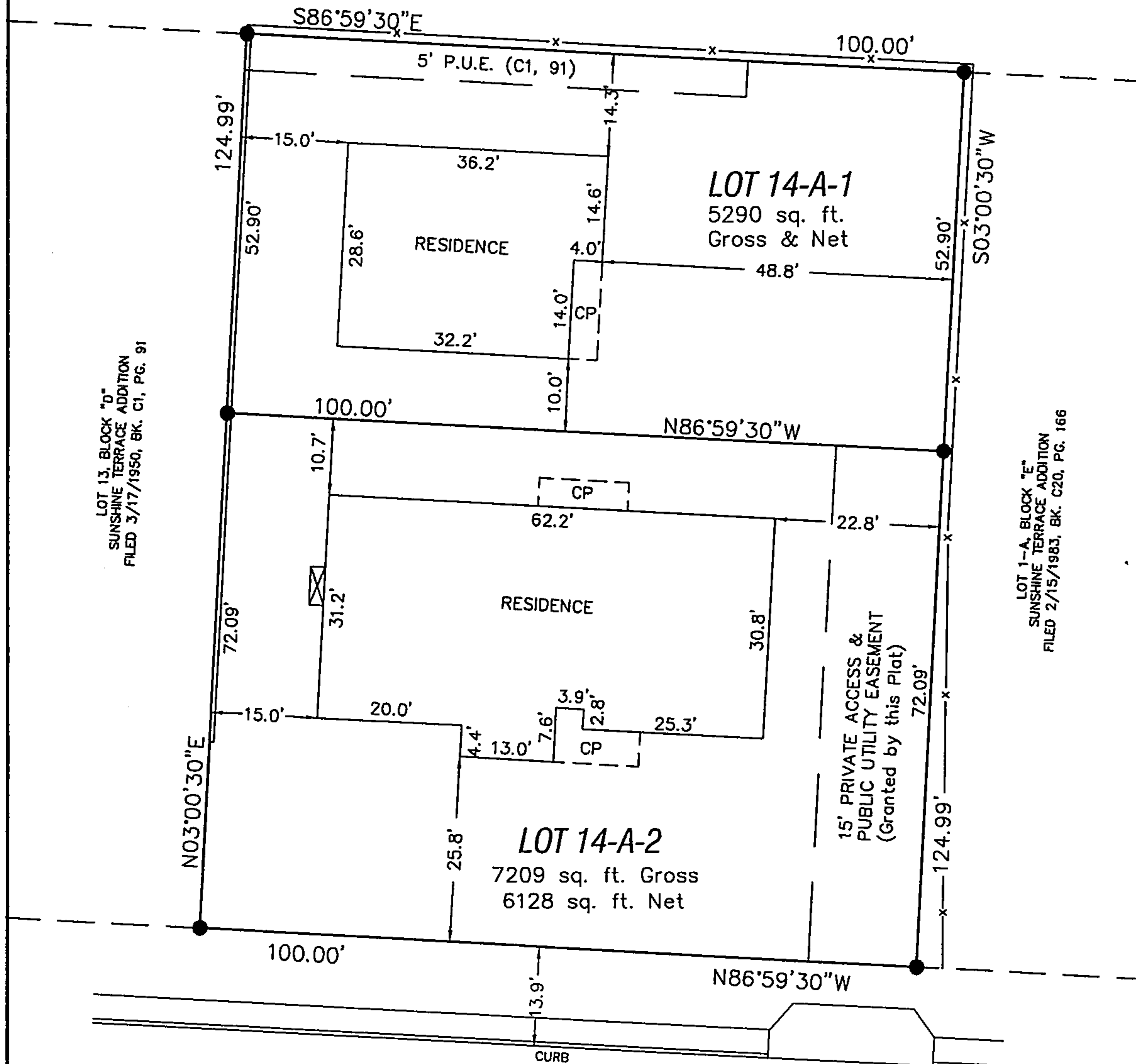
ALPHA FILE NO. 11-004  
 DRAWN BY: CS  
 CLIENT: RONALD T. TAYLOR  
 SUNSHINE TERRACE ADDITION

**ALPHA PROFESSIONAL SURVEYING INC.**

P.O. BOX 46316, Rio Rancho, New Mexico 87174  
 Phone: 505-892-1076 FAX: 505-891-0471

**Lots 14-A-1 & 14-A-2, Block "D"**  
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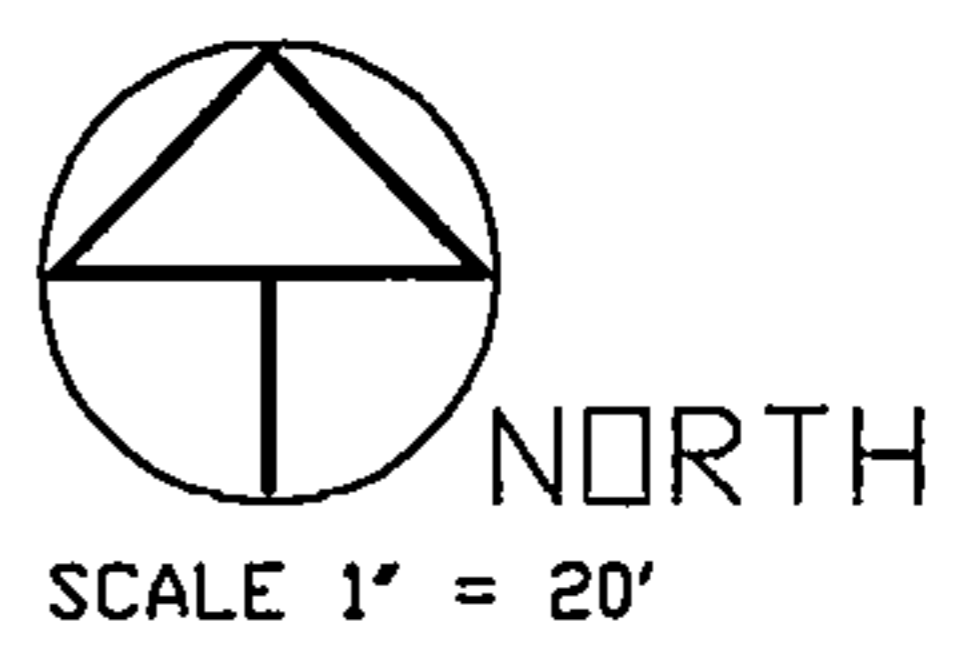
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 SUNSHINE TERRACE ADDITION  
 FILED 3/17/1950, BK. C1, PG. 91

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UPC # 101505628421941402



ALPHA FILE NO. 11-004 DRAWN BY: CS CLIENT: RONALD T. TAYLOR SUNSHINE TERRACE ADDITION	<b>ALPHA PROFESSIONAL SURVEYING INC.</b> P.O. BOX 46316, Rio Rancho, New Mexico 87174 Phone: 505-892-1076 FAX: 505-891-0471
------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------

# City of Albuquerque



## DEVELOPMENT/ PLAN REVIEW APPLICATION

### 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

### 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)
- 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 2<sup>nd</sup> 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: Richard Wolfson PHONE: 505-243-3229  
 ADDRESS: 2300 C Hooper Rd SW FAX: NO  
 CITY: Albuquerque STATE NM ZIP 87105 E-MAIL: Richard Wolfson @ hotmail.com  
 Proprietary interest in site: owner List all owners: one

DESCRIPTION OF REQUEST: subdivide 1) R-1 Lot into 2) R-1 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. 14 A Block: D Unit: \_\_\_\_\_  
 Subdiv/Addn/TBKA: Sunshine Terrace Addition  
 Existing Zoning: R1 Proposed zoning: R-1 X2 MRGCD Map No \_\_\_\_\_  
 Zone Atlas page(s): L-15 UPC Code: 101505628421941402

### 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): .28  
 LOCATION OF PROPERTY BY STREETS: On or Near: Sunshine Terrace SE  
 Between: University and Buena Buena Vista  
 Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team . Date of review: Jan 4, 2011

SIGNATURE Rich Wolfson DATE 2-7-2011  
 (Print) Richard Wolfson Applicant:  Agent:

### FOR OFFICIAL USE ONLY

Form revised 4/07

INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>11 DRB - 20033</u>	<u>SK</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 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>Feb 16, 2011</u>			Total \$ <u>0</u>

[Signature] 2-8-11 Project # 1008603  
 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

**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.

RICHARD WOLFSON  
 Applicant name (print)  
Richard Wolfson FEB 7 2011  
 Applicant signature / date

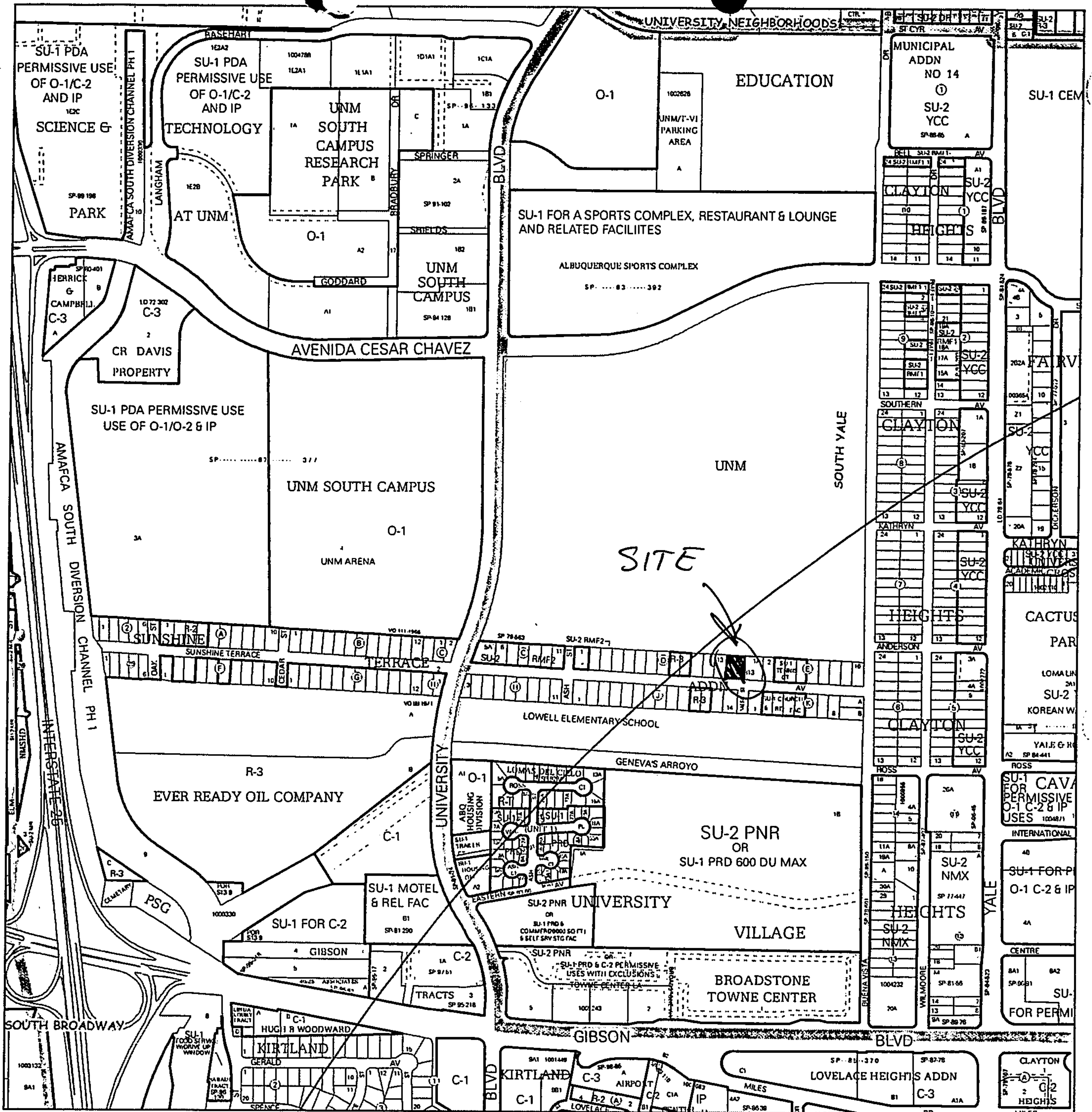


Form revised October 2007

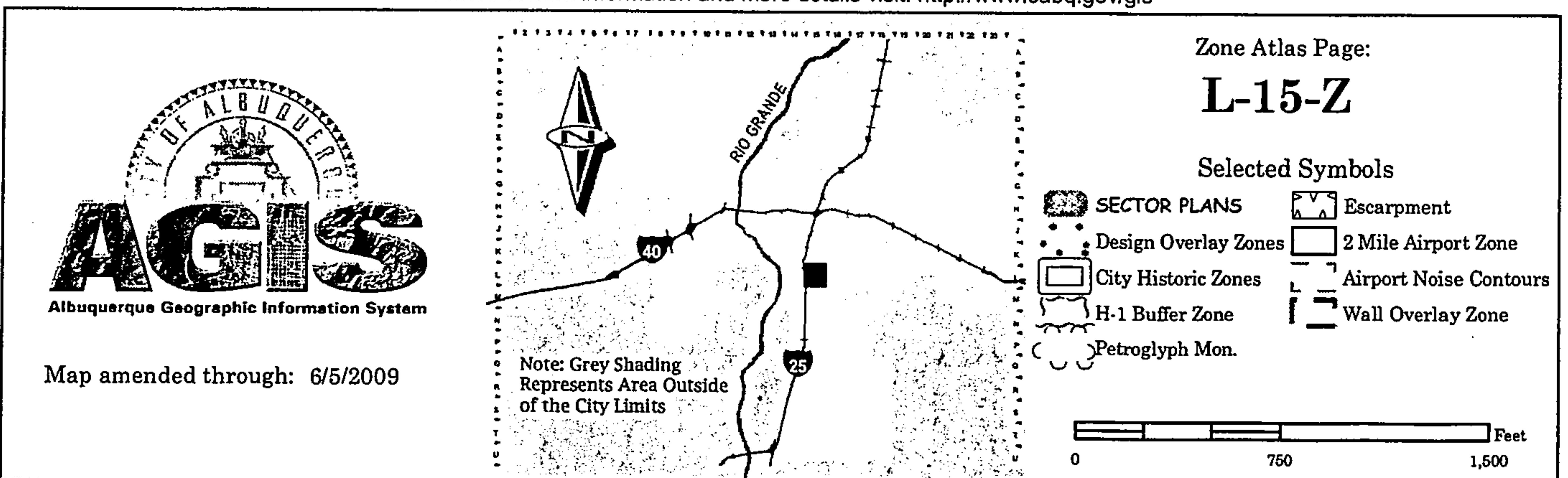
- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers  
 1: DRB - 70033  
 \_\_\_\_\_  
 \_\_\_\_\_

Van 2-8-11  
 Planner signature / date  
 Project # 1008683



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



Feb 7 2011

To whom it may concern:

In May of 2009, I purchased real estate in Albuquerque. The listing sheet stated that there were two houses on the property, which is the reason I bought it. In December of 2010, I was informed by Albuquerque Zoning that the set-up on my property at 1817 Sunshine Terrace was not in compliance with local zoning regulations, since there are two houses on one R-1 zoned lot. At a meeting with city planners and a representative from zoning enforcement, I was advised that if I had 5000 square feet per lot, my best course of action would be to subdivide my one R-1 lot into 2 R-1 lots. My plat plan shows 5000 square feet per lot with some necessary variances.

Therefore, I am officially requesting that my lot at 1817 Sunshine Terrace be subdivided into 2 R-1 lots. I have letters of support from five of my close neighbors and could get more if it would help in this process. At a neighborhood association meeting, only the vice-president of the Clayton Neighborhood Association attended and she stated that she supported my proposal.

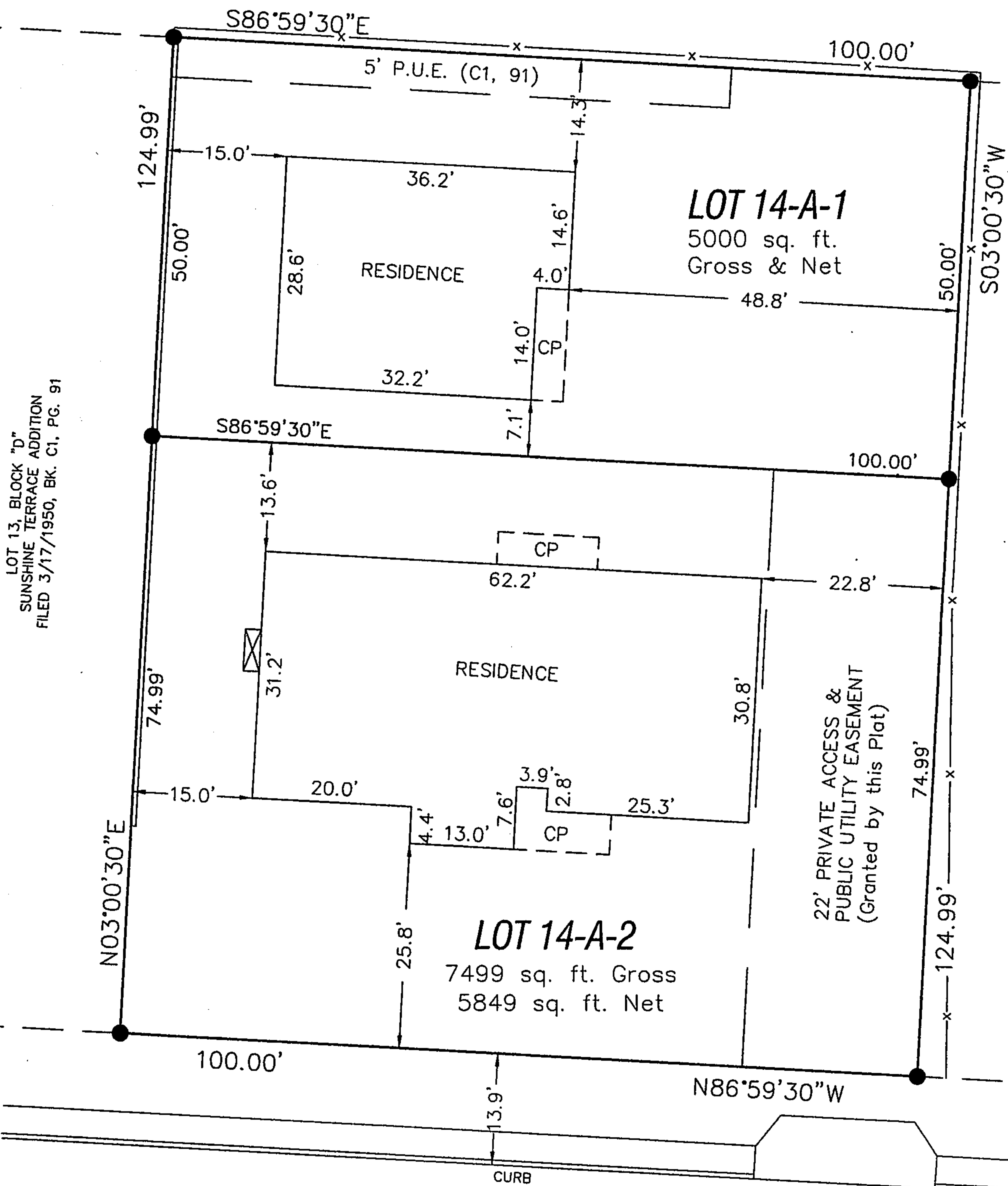
Sincerely

A handwritten signature in black ink that reads "Richard Wolfson". The signature is written in a cursive style with a checkmark-like flourish above the "l" in "Wolfson".

Richard Wolfson, owner of property

**SKETCH PLAT**  
**Lots 14-A-1 & 14-A-2, Block "D"**  
**SUNSHINE TERRACE**  
**Albuquerque, New Mexico**  
**January, 2011**

UNPLATTED LAND  
 UNIVERSITY OF NEW MEXICO STADIUM



LOT 13, BLOCK "D"  
 SUNSHINE TERRACE ADDITION  
 FILED 3/17/1950, BK. C1, PG. 91

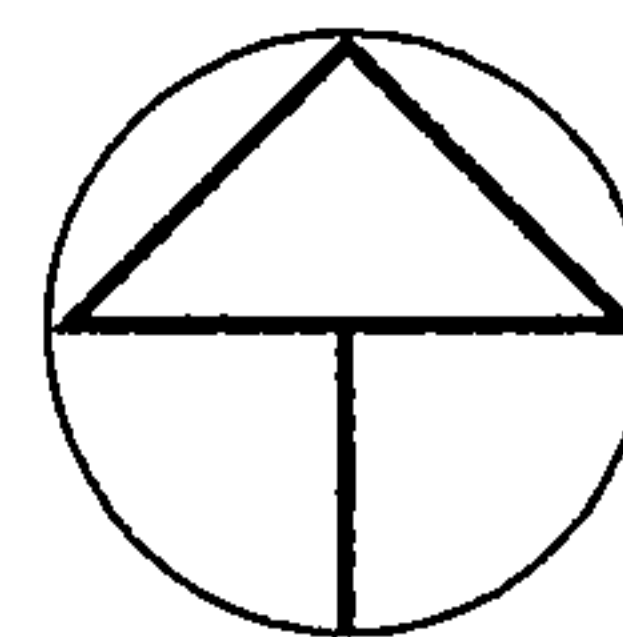
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**1817 SUNSHINE TERRACE AVE. S.E.**  
 60' R/W

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UPC # 101505628421941402



NORTH

SCALE 1" = 20'

ALPHA FILE NO. 11-004  
 DRAWN BY: CS  
 CLIENT: RONALD T. TAYLOR  
 SUNSHINE TERRACE ADDITION

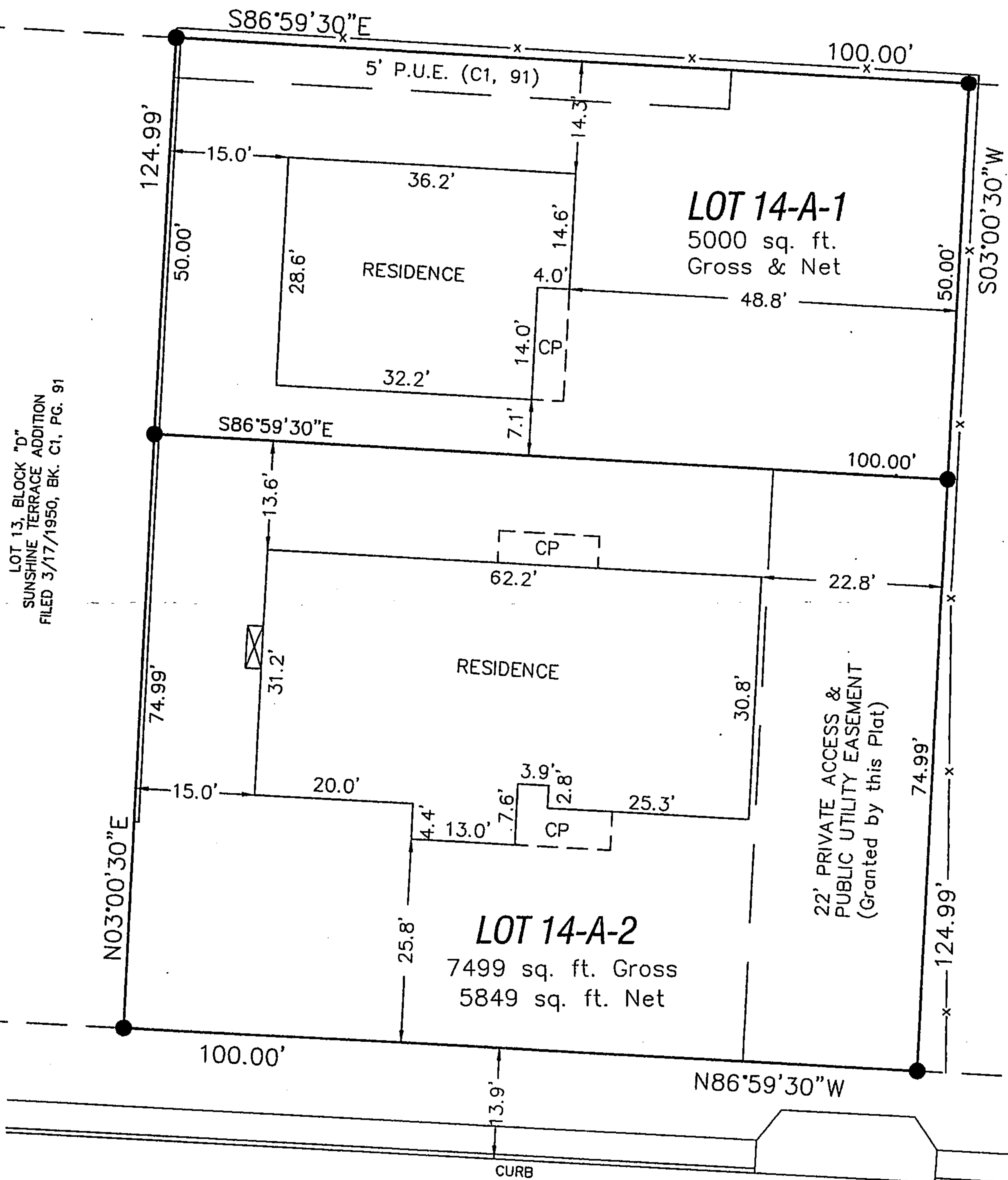
**ALPHA PROFESSIONAL SURVEYING INC.**

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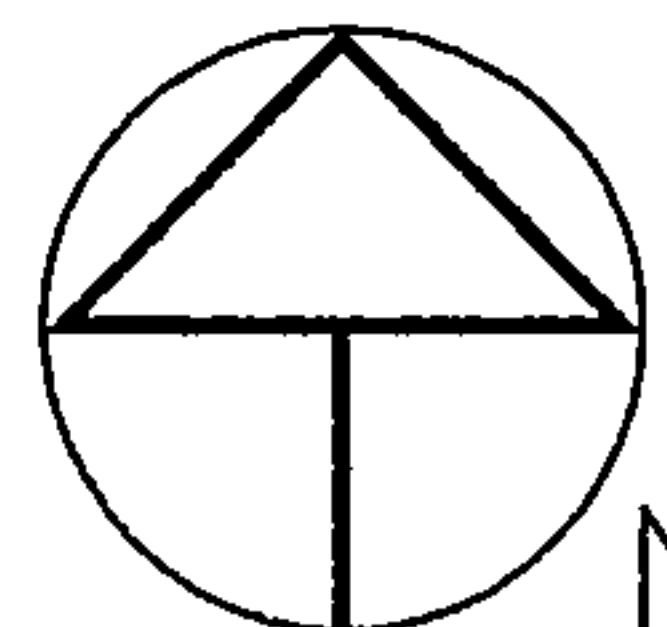
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