



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

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: Jackshighcountry@comcast.net

APPLICANT: Manuel G. Chavez PHONE: _____
 ADDRESS: 109 Garfield S.E FAX: _____
 CITY: Albuquerque STATE NM ZIP 87102 E-MAIL: _____
 Proprietary interest in site: _____ List all owners: _____

DESCRIPTION OF REQUEST: We wish to divide Tract A into two tracts 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. Tract lettered "A" Block: _____ Unit: _____
 Subdiv/Addn/TBKA: Sec. 29 Twnshp 10 North, range 3 east
 Existing Zoning: MR Proposed zoning: MR MRGCD Map No _____
 Zone Atlas page(s): L-14 UPC Code: 014 056 248 499 14 217

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX-, Z-, V-, S-, etc.):
1009321 12DRB 70180

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? NO
 No. of existing lots: one No. of proposed lots: two Total site area (acres): 0.2323
 LOCATION OF PROPERTY BY STREETS: On or Near: Garfield Ave. S.E
 Between: Commercial S.E. and William S.E.

Check if project was previously reviewed by: Sketch Plat/Plan or Pre-application Review Team (PRT) Review Date: July 11 2012

SIGNATURE Jack A. Spilman DATE _____
 (Print Name) Jack Spilman Applicant: Agent:

FOR OFFICIAL USE ONLY

Revised: 6/2011

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 - 70367</u>	<u>SP</u>	_____	\$ <u>0</u>
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
Hearing date <u>Dec. 5, 2012</u>			Total \$ <u>0</u>

[Signature] 112712 Project # 1009321

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.

Jack Spilman
Applicant name (print)
Jack A. Spilman 11/27/12
Applicant signature / date



Form revised 4/07

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

Application case numbers
12 - DRB - 70367

[Signature] 11-27-12
Planner signature / date
Project # 1009321

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

TO; CITY OF ALBUQUERQUE, DEVELOPMENT REVIEW BOARD

RE; TRACT LETTERED 'A' SECTION 29, TOWNSHIP 10 NORTH, RANGE 3
EAST, BERNALILLO COUNTY, NEW MEXICO

SUBJECT: THE PURPOSE OF THIS PLAT IS TO DIVIDE TRACT A INTO 2
TRACTS AND GRANT ANY EASEMENTS AS SHOWN.

CHAVEZ ,M



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

Map amended through: 5/1/2006

Zone Atlas Page:
L-14-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.	

Note: Grey Shading Represents Area Outside of the City Limits

Feet
0 750 1,500



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

MANUEL A. ARAGON (DAC ZONING & LAND USE SERVICES) request(s) a special exception to Page 45 of the SOUTH BROADWAY SECTOR DEVELOPMENT PLAN and 14-16-2-6(D)(2)(a)(2); a VARIANCE of 12.5' to the 50' width required for a proposed lot for all or a portion of Lot(s) A, AINSWORTH TRACT zoned SU-2 MR, located on 1114 COMMERCIAL ST SE (L-14)

Special Exception No:..... 12ZHE-80241
Project No:..... Project# 1009384
Hearing Date:..... 09-18-12
Closing of Public Record:..... 09-18-12
Date of Decision:..... 10-03-12

On September 18, 2012, Doug Crandall, agent for Manuel Aragon appeared before the Interim Hearing Officer, Stanley D. Harada for a variance of 12.5' to the 50' lot width for a proposed lot at 109 Garfield SE. The application was inadvertently advertised as being at the location of 1114 Commercial St SE, and was amended at the hearing to the correct address of 109 Garfield SE.

SUMMARY:

1. Mr. Crandall testified that his client is requesting a variance of 12.5' to the 50' width at 109 Garfield SE.
2. Mr. Crandall testified that the property is located within the boundaries of the South Broadway Sector Development Plan.
3. Mr. Crandall testified that Mr. Aragon's property was originally zoned R-2 and had the zone changed to SU-2/MR IN 1986 when the South Broadway Sector Development Plan was adopted.
4. The SU-2/MR zone allows uses allow R-1 uses as a permissive use and R-2 uses conditionally.
5. Mr. Crandall testified that there currently 2 dwelling units at the western portion of the lot and a large vacant area on the eastern portion.
6. Mr. Crandall testified that his client would like to re-plot the lot and build a new residence on the vacant, eastern part of the lot.
7. Mr. Crandall testified that the two existing residences that will remain on their own lot will be in compliance with the SU-2/MR zoning regulations.
8. MR Crandall testified the parcel is exceptional because it is much larger than the lots that are in the near vicinity.
9. Mr. Crandall also testified that the parcel is an irregular in shape with the three lots creating an I shaped lot.
10. Mr. Crandall testified the lot is also not as deep as the other larger lots in the vicinity.
11. Mr. Crandall would allow a single family development on a lot that is similar to the other lots in the vicinity.

12. Mr. Crandall testified the spirit of the Zoning Code would be maintained by providing the same number of lots allowed as a conditional use request.
13. Mr. Crandall testified that he feels that the criteria for approving a variance request has been met and his applicant does not ask that financial loss be a determining factor in the Zoning Hearing Examiner's decision.

FINDINGS:

Doug Crandall agent for Manual Aragon has met the burden for a variance of 12.5' to the 50' lot width for a proposed lot at 109 Garfield SE.

DECISION: Approved.

If you wish to appeal this decision, you may do so by 5:00 p.m., on October 18, 2012 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.

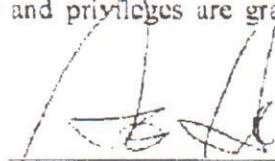
An appeal shall be heard by the Board of Appeals within 45 days of the appeal period and concluded within 75 days of the appeal period. The Planning Division shall give written notice of an appeal, together with a notice of the date, time and place of the hearing to the applicant, a representative of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

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.



Stanley D. Harada, Esq.
Interim Zoning Hearing Examiner

cc: Zoning Enforcement
Doug Crandall (DAC), 9520 Macallan Rd NE 87109
ZHE File



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

MANUEL A. ARAGON (DAC ZONING & LAND USE SERVICES) request(s) a special exception to Page 45 of the SOUTH BROADWAY SECTOR DEVELOPMENT PLAN and 14-16-2-6(D)(2)(a)(1): a VARIANCE of 279' to the required 5000' for a proposed lot for all or a portion of Lot(s) A, AINSWORTH TRACT zoned SU-2 MR, located on 1114 COMMERCIAL ST SE (L-14)

Special Exception No.: 12ZHE-80242
Project No.: Project# 1009384
Hearing Date: 09-18-12
Closing of Public Record: 09-18-12
Date of Decision: 10-03-12

On September 18, 2012, Doug Crandall, agent for Manuel Aragon appeared before the Interim Hearing Officer, Stanley D. Harada for a variance of 279 square feet to the 5,000 square feet for a proposed lot at 109 Garfield SE. The application was inadvertently advertised as being at the location of 1114 Commercial St SE, and was amended at the hearing to the correct address of 109 Garfield SE.

SUMMARY:

1. Mr. Crandall testified that his client is requesting a variance of 279 square feet to the required 5,000 square for a proposed lot at 109 Garfield SE.
2. Mr. Crandall testified that the property is located within the boundaries of the South Broadway Sector Development Plan.
3. Mr. Crandall testified that Mr. Aragon's property was originally zoned R-2 and had the zone changed to SU-2/MR IN 1986 when the South Broadway Sector Development Plan was adopted.
4. The SU-2/MR zone allows uses allow R-1 uses as a permissive use and R-2 uses conditionally.
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FINDINGS:

Doug Crandall agent for Manual Aragon has met the burden for a variance of 12.5' to the 50' lot width for a proposed lot at 109 Garfield SE.

DECISION: Approved.

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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