



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

September 13, 2017

Project# 1008581

17DRB-70219 VACATION OF PUBLIC UTILITY EASEMENT

17DRB-70182 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

17DRB-70183 SUB DESIGN VARIANCE FROM MIN DPM STANDARDS

LEE GAMELSKY ARCHITECTS PC agents for URBAN SOLUTIONS LLC request the referenced/ above action for portions of Lots B-1-A-1, B-1-A-2 AND B-1-A-3, **PERFECTO MARIANO AND JESUS ARMIJO ADDITON** zoned SU-2/DNA-MR, located on the east side of 8TH ST NW between MARQUETTE AVE NW and ROMA AVE NW containing approximately .08 acre. (J-14)

[Deferred on 7/19/17]

At the September 13, 2017 Development Review Board meeting, the vacation was approved as shown on exhibit Bin the planning file per section 14-14-7-2(a) (1) and (b) (1)(3) of the subdivision ordinance. The preliminary/final plat was approved with final sign off delegated to Planning for AGIS DXF, utility company's signatures and 15 day appeal period. A subdivision design variance from minimum DPM design standards was approved as shown on exhibit in the planning file.

Findings

(A)(1) The vacation request was filed by the owners of a majority of the footage of land abutting the proposed vacation.

(B)(1) The public welfare is in no way served by retaining the easement based on the proposed development.

(B)(3) There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right. Property owners of record abutting the proposed vacation were notified by first class mail at least six days prior to the Development Review Board hearing and signs were posted on the site 15 days prior to the hearing.

CONDITIONS:

1. The vacated property shall be shown on a replat approved by the Development Review Board and the approved replat shall be filed for record with the Bernalillo County Clerk's Office within one year.
3. Franchised utility companies shall acknowledge the vacation and adequate easements by their signature on the replat.

If you wish to appeal this decision, you must do so by September 28, 2017 in the manner described below.


Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development

The date the determination in question is issued is not included in the 15-day period for filing an appeal.

If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.

You will receive notice if any other person files an appeal. Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).

Please note that the vacation of all plats, rights-of-way, and easements are void after one year from the final appeal date referenced above if all conditions are not met (The effective date of Development Review Board approval is the hearing date plus the 15-day appeal period.) (REF: Chapter 14 Article 14 Part 7-2 (E)(3)(6) Revised Ordinance.)



Jack Cloud, DRB Chair