

City of Albuquerque
Development Review Board
Plaza del Sol
Albuquerque NM 87102

February 6, 2017

Hand Delivered

RE: Lot Line Elimination 2414 Oro Vista NW

Dear Sirs/Madams:

My husband and I recently purchased a lot and adjacent tract of land at 2414 Oro Vista NW (UPC 10120605092444032). We would like to undertake a lot line elimination in order to make the lot and the tract a single lot. The lot (Number 7) is a legal lot of record, and was platted in 1947. Its dimensions are 50 feet wide by 150 deep. Adjacent to the east is the tract of land we purchased (Tract A), which is 20 feet wide by 150 deep

The lot, if re-platted, would be 70 feet wide and 150 feet deep, containing 10,500 square feet. Every other lot in the subdivision (Boulevard Gardens) appears to be approximately 50 feet wide by 150 feet deep. Current zoning in the area is RA-2, which requires a 75-foot lot width, and 10,890 total square feet.

Due to the age of the subdivision, all the other lots on this street are approximately 50 feet wide. So although the current zoning calls for larger lots, in this area, the lots are actually smaller than the current requirement. The exiting lot, excluding the additional tract, is a legal lot of record that is 50 feet wide. This request is not contrary to the public interest or detrimental to the surrounding area because our lot would be larger than the adjacent lots, and more in accordance with the current zoning requirements.

- A. There are special circumstances that apply to the subject property which do not apply generally to other property in the same zone and vicinity such as size, shape, topography, location, surroundings or physical characteristics created by natural forces or government action for which no compensation was paid.

The special circumstances that apply to this lot are that it was platted in 1947, and then the zoning designations came in after the platting and there is an adjacent tract that is capable of being combined with the exiting lot to create a larger lot.

- B. Such special circumstances were not self-imposed and create an unnecessary hardship in the form of a substantial and unjustifiable limitation on the reasonable use or return on the property that need not be endured to achieve the intent and purpose of the zoning Code.

Since the current zoning calls for a larger lot than the existing lot of record, a re-plat to eliminate the lot line between the lot and the tract would create a larger lot. Thus, this request supports the existing zoning more than the current situation. Additionally, it can be argued that if the replat is not granted, then the tract of land has diminished value because it cannot be used to support the house we want to build, or any other purpose due to its size, even though it is a parcel that was approved via platting action.

C. Substantial justice is done.

Approval of the lot line elimination would constitute substantial justice. Our neighbor and ourselves would have a little more space between our houses (we would build with a ten-foot setback from the lot line, rather than five), we would have better use of the land we have purchased, and the current zoning would be better supported because the lot is bigger than the legal lot of record that currently exists.

Attached are the following documents for a lot line elimination request:

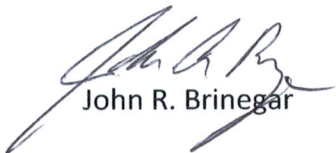
1. Bernalillo County Assessor's Office screen shot of ownership record.
2. Warranty Deed
3. Zone Atlas Page G – 12 -Z
4. A copy of the subdivision plat
5. Aerial of property
6. Sketch showing approximate dimensions to adjacent structures from our property and proposed home.
7. Scaled site plan
8. New Proposed Plat

Please contact me at 301 – 6942 if you require further information.

Sincerely,



Mary K. Murnane



John R. Brinegar