

PLANNING DEPARTMENT  
DEVELOPMENT SERVICES DIVISION  
600 2nd Street NW, Ground Floor, 87102  
P.O. Box 1293, Albuquerque, NM 87103  
Office (505) 924-3946



## OFFICIAL NOTICE OF DECISION

November 12, 2025

Rose Morin  
2929 Duranes Rd NW  
Albuquerque, NM 87104

**Project# PR-2025-020072**  
**Application#**  
**DHOWVR-2025-00029** DHO WAIVER  
**MINOR\_PLT-2025-00058** MINOR  
PRELIMINARY/FINAL PLAT

### LEGAL DESCRIPTION:

For all or a portion of:

**Lot/Tract 195, MRGCD MAP 35** zoned **R-A**,  
located at **2929 DURANES RD NW between**  
**GABALDON and LOS LUCEROS ROADS NW**  
containing approximately **0.9399** acre(s).  
**(H-12)**

On November 12, 2025, the Development Hearing Officer (DHO) held a public hearing concerning the above referenced applications and approved the requests, with conditions of approval, based on the following Findings:

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### **DHOWVR-2025-00029 WAIVER**

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1. This is a request for a Development Hearing Officer (DHO) Waiver to the sidewalk requirements in the front of 2929 Duranes Rd NW.
2. These subject properties are zoned R-A located, at 2929 Duranes Rd NW, containing a total of 0.9399 deeded acres and are in an Area of Consistency.

3. The subject property is within the Character Protection Overlay Zone CPO-6 Los Duranes and is within the mapped Valley Drainage Area.

4. **6-6(P)(3) Review and Decision Criteria**

- 6-6(P)(3)(a) General**

An application for a Waiver – DHO shall be approved if it complies with all of the following criteria.

1. Any of the following criteria applies:
  - a. There are pre-existing obstructions that cannot be easily or economically relocated or should not be altered, such as grades, fills, water courses, natural topographic features, man-made obstructions, or utility lines.

***The north side of Duranes Road is lined with power poles, utility pedestals, a public water line, and a fire hydrant. Properties on both sides of Duranes Road have large trees, walls, or fences that prevent the installation of a 5-foot sidewalk with a 4 to 6-foot landscape buffer. These physical conditions cannot be easily or economically relocated or altered.***

- b. The area or site has been recognized as having historical, archeological, and/or architectural significance by the City, State, or federal government, and a Waiver is needed and appropriate to maintain such historical, archeological, and/or architectural significance.
  - c. The established neighborhood character or landscaping on the site would be damaged to a degree that outweighs the public interest in the City's normal technical standards in that location.
  - d. Varying from the normal requirements and standards will encourage flexibility, economy, effective use of open space, or ingenuity in design of a subdivision, in accordance with accepted principles of site planning.
2. The Waiver will not be materially contrary to the public safety, health, or welfare.

***While Los Duranes is one of Albuquerque's oldest neighborhoods and the structure at 2929 Duranes Road has historic relevance, they have not been designated or listed as a historic area; therefore, this criterion is not applicable.***

3. The Waiver does not cause significant material adverse impacts on surrounding properties.

***The Los Duranes neighborhood is characterized by narrow streets, acequia paths, and minimal sidewalks. Requiring a new 5-foot sidewalk along Duranes Road would be inconsistent with this character, serve no public purpose, and eliminate limited visitor parking currently accommodated in the existing gravel area.***

4. The Waiver will not hinder future planning, public right-of-way acquisition, or the financing or building of public infrastructure improvements.

***This request is for a lot line adjustment that maintains the same number of lots and preserves existing water rights along the acequia. Duranes Road's narrow design naturally slows traffic and enhances safety, and since no sidewalks exist between Gabaldon and Los Luceros Roads, adding one along this frontage would be unnecessary and disconnected.***

5. The Waiver will not conflict significantly with the goals and Provisions of any City, County, or AMAFCA adopted plan or policy, this IDO, or any other City code or ordinance.

***The sidewalk waiver does not conflict with the goals and provisions of any City, County, or AMAFCA adopted plan or policy, the IDO, or any other code or ordinance. Rather, the sidewalk waiver will further the intent, underlying goals, and provisions of the Los Duranes CPO-6 and its predecessor, the LDSDP, which was jointly adopted by the Albuquerque City Council and the Bernalillo County Commission.***

6. The Waiver will not allow, encourage, or make possible undesired development in the 100-year Floodplain.

***Not applicable.***

7. The Waiver will not materially undermine the intent and purpose of this IDO, the applicable zone district, or any applicable Overlay Zone.

***The sidewalk waiver supports the intent of the IDO and R-A zone by preserving the historic character of Los Duranes while bringing two non-conforming lots into compliance with the minimum 10,890-square-foot lot size requirement.***

8. The Waiver does not allow a lot or type of development that does not meet the applicable Development Standards for the zone district where the lot is located, unless a deviation to such standards is within the thresholds established by Subsection 14-16-6-4(N) (Deviations) and is granted by the DHO as part of this approval.

***The Final Plat facilitates lot line adjustments to bring the property into conformance with the minimum lot size requirement in the R-A zone.***

9. The Waiver approved is the minimum necessary to provide redress without being inconsistent with the provisions of this Subsection 14-16-6-6(P).

***The applicant is requesting only the minimum necessary from the sidewalk requirements and has demonstrated compliance with Subsection 14-16-6-6(P).***

10. If the request is a for a Waiver to IDO sidewalk requirements, the area is of low-intensity land use to an extent that the normal installation of sidewalks will not contribute to the public welfare, and the absence of a sidewalk will not create a gap in an existing sidewalk system extended to 1 or more sides of the subject property.

***Los Duranes, one of Albuquerque's oldest neighborhoods, is defined by low-density homes, narrow streets, and informal walking paths along acequias rather than sidewalks. A sidewalk at the subject property would be out of character and unnecessary, as none exist along Duranes Road to connect to.***

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#### **Deviation to the Contextual Lot Size**

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1. This is a request for a Deviation to the contextual lot size on Tract 1, at 0.3535 acres, it is approximately 1.47 percent larger than 0.3481 the maximum range per the standards of 5-1(C)(2) Contextual Residential Development in Areas of Consistency for new low-density residential development.
2. The proposed Deviation meets the review and decision criteria of 6-4 (N) and shall be approved if the decision making body determines that it meets all of the following criteria:

- 6-4(N)(3)(a)** The applicant's site is subject to site constraints not generally shared by surrounding properties or the site was platted or developed in an unusual pattern when compared to abutting properties (e.g. the property was developed with orientation or access facing a different street than abutting lots) that would prevent the development of a permissive land use in a type of structure generally found on sites of a similar size in the surrounding area.

***Development predated the contextual sizing requirements and there is no way around the setback standards, which are uniquely challenging to this site.***

- 6-4(N)(3)(b)** The site constraints were not created by the actions of the property owner or another interested party.

***Development predated the contextual sizing requirements***

- 6-4(N)(3)(c)** The request is for a single site and is not part of a pattern of similar requests for adjacent properties or for nearby sites by the same property owner or within the same subdivision, Framework Plan area, or Master Development Plan area.

***There is only one proposed parcel which is requesting a deviation, the other two meet all requirements and this is the first time the client has requested one.***

- 6-4(N)(3)(d)** The approval of the requested deviations will not cause material adverse impacts on surrounding properties.

***The deviation would not affect the surrounding parcels, and reduces other standards which would be more concerning for the neighboring properties, setback standards in particular.***

- 6-4(N)(3)(e)** The requested deviation is not for an Overlay zone standard, and the approval of any requested deviation will not result in a violation of any Overlay zone standard.

***The deviation addresses a non-overlay zone standard in lot sizing to avoid failure to meet overlay zone standards.***

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**MINOR\_PLT-2025-00058 MINOR PRELIMINARY/ FINAL PLAT**

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1. This is a minor plat action which subdivides existing Tracts 194-A-1-A-7-B, 194-B, and 195 of MRGCD Map Number 35 into three new tracts. The plat grants irrigation easement and private access easement for the northern 2 lots, and incorporates; the DHO waiver and deviation.
2. Per 6-6(K)(3) Review and Decision Criteria, an application for a Subdivision of Land – Minor shall be approved if it complies with all applicable provisions of this IDO, the DPM, other adopted City regulations, and any conditions specifically applied to development of the property in a prior permit or approval affecting the property. This request complies with these criteria.
3. Per 6-6(K)(2)(I), the applicant shall record the final plat with the Bernalillo County Clerk within 3 months after the date of the final signature on the plat, or the subdivision shall be voided. The applicant shall provide the City a digital copy of the recorded plat.
4. All signatures from the surveyor, property owner(s), the City Surveyor, the utility companies, and AMAFCA are provided on the Plat.
5. Per Table 6-1-1 of the IDO, public notice requirements have been satisfied by the Applicant prior to this submittal.

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**CONDITIONS**

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Final sign-off of the Plat by DFT staff is conditioned as follows:

- a. Proof of removal of structures including the adobe wall must be submitted.
- b. The Albuquerque Geographic Information System (AGIS) office must approve the DXF file and proof of approval must be provided.
- c. Add waiver numbers to the Plat, as well as the dates of approval by the DHO.
- d. Add a note to the Plat regarding deviation allowance to the contextual lot size.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **DECEMBER 2, 2025**. The date of the DHO's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

Official Notice of Decision

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For more information regarding the appeal process, please refer to Section § 14-16-6-4(U) of the Integrated Development Ordinance (IDO). Appeals should be submitted electronically to [ABQ-PLAN](#) (*place mouse cursor over hyperlink, right-click, choose "open hyperlink"*). A Non-Refundable filing fee will be calculated by staff in the Development Review Services Division of the City of Albuquerque Planning Department and will be payable online at [ABQ-PLAN](#) (*place mouse cursor over hyperlink, right-click, choose "open hyperlink"*). The appeal fee must be paid in full no later than 48 hours after the appeal deadline, or the appeal will be rejected as untimely.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Applicants submitting for building permit prior to the completion of the appeal period do so at their own risk. Successful applicants are reminded that there may be other City regulations of the IDO that must be complied with, even after approval of the referenced application(s).

Sincerely,

*Brennon Williams*

[Brennon Williams \(Nov 14, 2025 07:31:19 MST\)](#)

Brennon Williams

Development Hearing Officer

BW/am/jr

Ryan Mulhall, Cartesian Surveys, P.O. Box 44414, Rio Rancho, NM 87174







# PR-2025-020072\_November\_12\_2025\_NOD\_D HO

Final Audit Report

2025-11-14

Created:	2025-11-13
By:	Jay Rodenbeck (jrodenbeck@cabq.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAi9DFhgkihH2K40bGNulvGGO88EbEXDMK

## "PR-2025-020072\_November\_12\_2025\_NOD\_DHO" History

-  Document created by Jay Rodenbeck (jrodenbeck@cabq.gov)  
2025-11-13 - 7:09:11 PM GMT
-  Document emailed to brennonwilliams295@gmail.com for signature  
2025-11-13 - 7:09:17 PM GMT
-  Email viewed by brennonwilliams295@gmail.com  
2025-11-14 - 2:30:20 PM GMT
-  Signer brennonwilliams295@gmail.com entered name at signing as Brennon Williams  
2025-11-14 - 2:31:17 PM GMT
-  Document e-signed by Brennon Williams (brennonwilliams295@gmail.com)  
Signature Date: 2025-11-14 - 2:31:19 PM GMT - Time Source: server
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