

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

OFFICIAL NOTIFICATION OF DECISION

August 31, 2018

Duff Westbrook and Cecily Colbert
1816 Patrick Place NW
ABQ, NM 87107

Project# PR-2018-001395

Application#

VA-2018-00043 – Variance to Sidewalk and ROW
width standards

SD-2018-00046- Preliminary/ Final Plat

LEGAL DESCRIPTION:

All or a portion of Lot 1, Lands of Lipman-Traver, being a replat of Tracts 63-B and 65, Tracts 67-B and 67-A-2, 67-C-2 and 67-D as Shown on MRGCD District Map no.31, zoned RA, located on Griegos RD. NW between Guadalupe Trail and San Ysidro ST. containing approximately .6002 acres, (F-13)

On August 29, 2018, the Development Review Board (DRB) voted to Approve of Project PR-2018-001395, with delegation to Planning for a required re-plat of the two lots based on the following Findings:

VA-2018-00043 – Variance to Sidewalk and ROW width standards:

1. This is a request for a variance to the requirement in DPM Table 23.2.1.b for a 4 sidewalk along the street and a street right of way of 47 feet. The street is an existing street with no way for the applicant to increase the right of way and there are no existing sidewalks on the street. This request meets the requirements of 14-16-6-6 (L)(3)(a) and 14-16-6-6(L)(3)(b).
2. This request meets the requirements of 14-16-6-6 (L)(3)(a):
The applicant is replatting a property on existing street with development on both sides; there is no reasonable way for the applicant to provide the required ROW. The narrow street width contributes to the character of the area and is consistent with RA, Residential Agricultural Zone. The variance will not create a safety hazard or adversely impact the surrounding development because it allows the street to maintain the existing width

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The variance is consistent with underlying low intensity RA zone and with intent of the comprehensive to protect the character of existing neighborhoods. The variance will not impact development in the floodplain because the request keeps the current street condition.

3. The request meets the requirements of 14-16-6-6(L)(3)(b) Variance to Sidewalk Requirements:
 - a. The subject site and surrounding lots are zoned RA, the lowest intensity residential zone. There are no existing sidewalks along Patrick Place, also shown as Patrick Avenue, so the variance will not create a gap in the existing system
 - b. The existing ROW is 28 feet; less than minimum 47 foot width required. Because the street is a low traffic street the street could be used for ADA access. There are no existing sidewalks; c. is not applicable to the request.

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1. The request is consistent with IDO and meets the lot standards of the RA zone and contextual standards of section 14-16-5-1(C)(2).
2. Pursuant to section 14-16-6-6(I)(3)(a) the request is consistent with the applicable City regulations.
3. Pursuant to section 6-6-(J)(3)(b) the Final Plat meets the requirements in the Preliminary Plat approval.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **SEPTEMBER 13, 2018**. The date of the DRB's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-6-4(U) of the Integrated Development Ordinance (IDO). A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed.

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,



Kym Dicome
DRB Chair

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