

**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

Gorky Pacha
7138 Jenson Rd. SW
Albuquerque, NM 87105

Project# PR-2019-002058
Application#
SD-2021-00252 PRELIMINARY/FINAL PLAT
VA-2021-00433 WAIVER (5FT SIDEWALK WIDTH)
VA-2021-00434 WAIVER (ROW)
VA-2021-00446 WAIVER (1FT SIDEWALK WIDTH)

LEGAL DESCRIPTION:

For all or a portion of: **LOTS 8-10, BLOCK W, ATLANTIC & PACIFIC** zoned **R-1A**, located at **510 ATLANTIC SW between 5TH ST AND BARELAS RD** containing approximately 0.248 acre(s). (K-14)

On December 15, 2021, the Development Review Board (DRB) held a public meeting concerning the above referenced applications and approved the requests, with delegation to ABCWUA and Planning, based on the following Findings:

SD-2021-00252 PRELIMINARY/FINAL PLAT

1. This is a request to consolidate three existing lots (portion of Lot 8, Lot 9, and Lot 10) into two new lots (Lot 9-A at 0.1296 acres and Lot 10-A at 0.1296 acres), and grants a blanket cross lot drainage easement between Lots 9-A and 10-A.
2. The property is zoned R-1A. Future development must be consistent with the underlying zone district.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

Conditions:

1. Final sign off is delegated to ABCWUA for provision of any necessary private water and sewer easements serving the existing home.
2. Final sign off is delegated to Planning for the adjustment to the cross-lot drainage easement note, the AGIS DXF file, and for the application number and Waivers to be added to the Plat.
3. The applicant will obtain final sign off from ABCWUA and Planning by February 16, 2022 or the case may be scheduled for the next DRB hearing and could be denied per the DRB Rules of Procedure.

VA-2021-00433 WAIVER (5-foot Sidewalk Width)

1. The applicant proposes a waiver from the requirement to construct a sidewalk along Bazan Court.
2. The request is justified per 14-16-6-6(P)(3) of the IDO. There are no sidewalks along Bazan Court, and the lack of a sidewalk along Bazan Court will not detrimentally affect the public safety, health, or welfare of the surrounding properties.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

VA-2021-00434 WAIVER (ROW)

1. The applicant proposes a waiver to permit the existing 46-foot right-of-way on Bazan Court (the requirement is for 60-feet of right-of-way).
2. The request is justified per 14-16-6-6(P)(3) of the IDO. The installation of the extra 14-feet will not contribute to the public safety, health, or welfare of the surrounding properties in that the existing right-of-way width as originally platted effectively serves all affected lots.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

VA-2021-00446 WAIVER (1-foot Sidewalk Width)

1. The applicant proposes a waiver to permit the existing 4-foot wide sidewalk along Atlantic Avenue.
2. The request is justified per 14-16-6-6(P)(3) of the IDO. The installation of the extra 1-foot of sidewalk width will not contribute to the public safety, health, or welfare of the surrounding properties because the existing 4-foot sidewalk width is the same width as the remainder of the sidewalk along Atlantic Avenue in the vicinity of the subject property.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

Official Notice of Decision

Project # PR-2019-002058 Applications# SD-2021-00252, VA-2021-00433, VA-2021-00434, VA-2021-00446

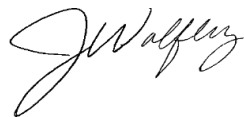
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APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **DECEMBER 30, 2021**. The date of the DRB's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, 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). Appeals should be submitted via email to PLNDRS@CABQ.GOV (if files are less than 9MB in size). For files larger than 9 MB in size, please send an email to PLNDRS@cabq.gov and request that staff send you a link via Smartfile to upload the files to. A Non-Refundable filing fee will be calculated and you will receive instructions about paying the fee online.

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,



Jolene Wolfley
DRB Chair

JW/jr

Arch + Plan Land Use Consultants, P.O. Box 25911, Albuquerque, NM 87125