

**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

March 8, 2019

Beverly Donnellan
629 Sierra DR SE
ABQ NM 87113

Project# PR-2019-002079
Application# SD-2019-00037 –
VACATION OF PUBLIC RIGHT OF WAY

LEGAL DESCRIPTION:

All or a portion of LOT 10 and portions of LOT 9 & 11, BLOCK 18, PARKLAND HILLS ADDITION, zoned R-1D, located at 629 SIERRA DR SE SE, containing approximately .354 acre(s). (L-17)

On March 6, 2019, the Development Review Board (DRB) held a public hearing concerning the above referenced application and approved the requests based on the following Findings:

1. This application is to vacate a portion the R/W of Sierra DR SE to accommodate existing development (block wall, pool deck and driveway) built in the ROW . The block was built in the 1960s and the pool is behind the wall.
2. The request meets the criteria in 14-16-6-6(K)(3) The public welfare does not require that easement be retained because the street and surrounding residential development has been built out.
3. The proposed vacation does not affect any access points for the surrounding area.
4. Design variances for sidewalk width and roadway width will be required at replat. The small wall in the ROW will need to be removed or the applicant will need to obtain a revocable permit from the City.
5. DMD voiced opposition to the vacation, which DRB discussed at the hearing, but decided if Transportation comments, listed in Finding #4 above, are addressed that their concerns can be adequately addressed.
6. Because the request does not change the existing street configuration, the vacation will not abridge any rights of any property owners. The application

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contains a letter of authorization from the legal owner of record.

7. The vacation contains less than 5,000 square feet or the width of an entire street, pursuant 14-16-(6)(6)(K)(2) (d) and (e), the DRB can make a final determination on the request.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **MARCH 21, 2019**. 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

KD/mg

MRWM Landscape Architects 1102 Mountain RD NW suite 201 ABQ, NM 87102