

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

AMENDED OFFICIAL NOTIFICATION OF DECISION

Our Land, LLC
2724 Decker Ave. NW
Albuquerque, NM
87107

Project# PR-2019-002268
Application#
VA-2020-00062 Variance to DPM Standards
SD-2020-00058 Vacation of Private Easement

LEGAL DESCRIPTION:

For all or a portion of: A4 REPLAT OF TRACT A OF PLAT OF LANDS OF MICHAEL J SNOW & ELIZABETH T SNOW TR LOT A4, zoned R-A, located at 2945 TRELIS DR NW between DECKER RD NW and CAMPBELL ROAD NW, containing approximately 0.8301 acre(s). (G-13)

On April 15, 2020, the Development Review Board (DRB) held a public meeting concerning the above referenced application and approved the requests based on the following Findings:

VA-2020-00062 – VARIANCE TO DPM STANDARDS

1. The applicant proposes a variance to the DPM design standard of thirty (30) feet for an access easement and leaving the existing twenty (20) foot access easement that was recorded on September 7, 1977.
2. The applicant justified the request pursuant to 14-16-6-6(L)(3)(a)(1)(b), the features constitute pre-existing obstructions that cannot be easily or economically relocated.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

SD-2020-00058 - VACATION OF PRIVATE EASEMENT

1. The applicant proposes to vacate the existing twenty foot wide access easement that was recorded on September 7, 1977.
2. The applicant justified the request pursuant to 14-16-6-6-(K)(3)(a), the public welfare does not require the easement to be retained because there is evidence that the access is not being used.
3. The applicant justified the request pursuant to 14-16-6-6-(K)(3)(b), there is no convincing evidence that any substantial property right is being abridged and that there is a net benefit

to the public welfare.

4. The applicant provided the required notice as outlined in the IDO Table 6-1-1.
5. The subject property is adjacent to Major Public Open Space (MPOS). Pursuant to IDO Section 5-2(H)(2)(a) 1. "The property should be platted and/or designed to incorporate a single-loaded street between the Major Public Open Space and development". "Where a single-loaded street is not desired by the Open Space Division of the City Parks and Recreation Department, a landscape buffer with a minimum width of 20 feet may be substituted as approved by the Open Space Superintendent." This 20-ft landscape buffer is required in the area of the requested vacation, and is supported by the Parks and Recreation Department.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **APRIL 30, 2020**. 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). Files larger than 9MB can be sent to PLNDRS@CABQ.GOV using

<https://wettransfer.com>. 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

JM

Community Sciences Corporation, PO Box 1378, Corrales, NM, 87048