

**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**

Sean and Yvonne O'Malley  
805 Fitzgerald Road NW  
Albuquerque, NM 87107

**Project# PR-2020-003133**  
**Application#**  
**SD-2020-00135 PRELIMINARY/FINAL PLAT**  
**VA-2020-00230 SIDEWALK WIDTH WAIVER**

### **LEGAL DESCRIPTION:**

For all or a portion of: **LOT 19 BLOCK 4, FITZGERALD ADDITION**, zoned R-1D, located at **805 FITZGERALD DR NW between 10TH ST NW and 7th ST NW**, containing approximately 0.3 acre(s). (G-14)

On July 22, 2020, the Development Review Board (DRB) held a public meeting concerning the above referenced application and approved the requests, with delegation to ABCWUA and Planning, based on the following Findings:

### **SD-2020-00122 PRELIMINARY/FINAL PLAT**

1. This Preliminary/Final Plat divides the existing 0.36 acres into two residential tracts, Lot 19-A 0.1498 acres in size, and Lot 19-B 0.2157 acres in size.
2. The property is zoned R-1D. Future development must be consistent with the underlying zoning.
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 a private water and sewer easement.
2. Final sign-off is delegated to Planning for surfacing access-way, utility company signatures, and the AGIS DXF file.
3. The applicant will obtain final sign off from ABCWUA and Planning by September 22, 2020 or the case may be scheduled for the next DRB hearing and could be denied per the DRB Rules of Procedure.

**VA-2020-00230 SIDEWALK WIDTH WAIVER**

1. The applicant proposes a waiver to the IDO/DPM standard(s) requiring sidewalks to be a minimum of 4-feet in width. The waiver permits the existing 3' 6" sidewalk to remain along Fitzgerald Road NW. The request is justified because the width of the sidewalk is consistent throughout Fitzgerald Road NW.
2. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **AUGUST 6, 2020**. The date of the DRB'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.

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](mailto:PLNDRS@CABQ.GOV) (if files are less than 9MB in size). Files larger than 9MB can be sent to [PLNDRS@CABQ.GOV](mailto: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

JW/jr

JAG Planning and Zoning-Juanita Garcia, P.O. 7857, Albuquerque, NM 87194