

**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**

Homewise  
1301 Silver Road Building D  
Santa Fe NM, 87174

**Project# PR-2020-004771**  
**Application#**  
**SD-2020-00211 VACATION OF RIGHT OF WAY**  
**VA-2021-00017 WAIVER TO IDO**

### **LEGAL DESCRIPTION:**

For all or a portion of: **LOT 1 BLOCK 1, GUTIERREZ ADDITION**, zoned MX-L, located at **1407 4<sup>TH</sup> ST SW between BELL AVE SW and BARELAS RD SW**, containing approximately 0.0068 acre(s). (L-14)r

On February 10, 2021, the Development Review Board (DRB) held a public meeting concerning the above referenced application and approved based on the following Findings:

### **SD-2020-00211 VACATION OF ROW**

1. This is a request to vacate 297 feet of the Right-of-Way of Bell Avenue.
2. The applicant provided notice as required in table 6-1-1 of the IDO.
3. The applicant justified the vacation request for the easement pursuant to 14-16-6-6-(M)(3) of the IDO. The Right-of-Way (to be vacated) contains an existing building and a small amount of paved area. The request will allow the lot to be part of the adjacent and facilitated future redevelopment. Therefore, there is no benefit to the public welfare through keeping the the Right-of-Way (to be vacated).
4. Pursuant to section 14-16-6-6(M)(1)(b), the DRB will be the approving body on the request because the vacation is less than 5,000 square feet and the entire width of a street.
5. The vacation must be must be platted within one year of approval or it will be void (see Table 6-4-3 of the IDO).

**VA-2021-00017 WAIVER IDO**

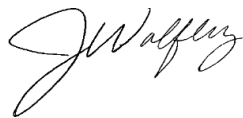
This request allows the site to remain without a sidewalk, rather than the required 5 feet, see 14-16-(D)(3). Bell Avenue does not have sidewalks and is very narrow. Additionally, this is an infill site in an historic neighborhood, and as such, is subject to the constraints of existing buildings and development. Transportation approved the request.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **FEBRUARY 25, 2021**. 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/mg