

**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**

Antonio A. Rivera  
P.O. Box 105  
Tome, NM 87060

**Project# PR-2021-005980**  
**Application#**  
**SD-2021-00201 PRELIMINARY/FINAL PLAT**

### **LEGAL DESCRIPTION:**

For all or a portion of:  
LOTS 13 THRU 16, JOHN BARON BURG  
PARK ADDITION zoned R1-A, located at  
22ND ST NW between ASPEN and I-40  
containing approximately 0.3214 acre(s).  
(H-13)

On October 27, 2021, the Development Review Board (DRB) held a public meeting concerning the above referenced application and approved the request, with delegation to Planning, based on the following Findings:

1. This Preliminary/Final Plat provides a lot line adjustment and combines four lots into two, 16A and 13A.
2. The property is zoned R-1A and in CPO-12. Future development must be consistent with the underlying zone.
3. The lot consolidation eliminated the previous lot property line nonconformance caused by the property lines bisecting the house. Per IDO Section 5-4(C)(1)(b), nonconforming lots may be replatted without requiring Variance to lot size if the replat meaningfully decreases the degree of already existing nonconformity. As the replat makes the existing house less nonconforming by removing the lot line that bisects the house, the replat would meaningfully decrease the existing nonconformity.
4. The allowable lot size range is 0.142 acres to 0.236 acres. The proposed lot of 5,900 square feet and 0.1354 acres in size would not meet contextual standards per IDO 5-1(C)(2)(b) Lot Size, however DRB approved the Deviation for lot size for the lot because the overall lot consolidations meaningfully reduces the nonconformity (See #3 above.)

5. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

**Conditions:**

1. Final sign off is delegated to Planning for all utility signatures to be added to the plat, and for project and application numbers to be added to the plat, and for the AGIS DXF file.
2. Delegation time frame is eight weeks. The applicant will obtain final sign off from Planning by December 22, 2021 or the case may be scheduled for the next DRB hearing and could be denied per the DRB Rules of Procedure.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **NOVEMBER 11, 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). For files larger than 9 MB in size, please send an email to [PLNDRS@cabq.gov](mailto: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