

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

Holly Arroyo  
P.O. Box 93476  
Albuquerque, NM 87199

**Project# PR-2022-006674**  
**Application#**  
**SD-2023-00197 PRELIMINARY/FINAL PLAT**  
**VA-2023-00311 SIDEWALK WAIVER**

### LEGAL DESCRIPTION:

For all or a portion of:

**LOT 16 & 17, LAND OF RAYMOND ORTIZ**  
zoned **R-A**, located at **1825 PATRICK PLACE**  
**NW between GUADALUPE TR NW and RIO**  
**GRANDE BLVD NW** containing approximately  
**0.2831** acre(s). **(F-13)**

On January 10, 2024, the Development Hearing Officer (DHO) held a public hearing concerning the above-referenced applications and approved the requests, based on the following Findings:

### Preliminary/Final Plat (SD-2023-00197)

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1. This is a request to replat and adjust the boundary of two lots in the Land of Raymond Ortiz subdivision, creating two lots (Lot 16-A at 0.1275 acres in size and Lot 17-A at 0.1556 acres in size).
2. The subject property is in the R-A (Residential – Rural and Agricultural) zone district and has no special overlay zone nor center or corridor designation. The subject property is in an Area of Consistency.
3. The review and decision criteria for a Preliminary/Final Plat were met per 6-6(K)(3) of the IDO. The subdivision complies with all applicable provisions of the IDO, DPM, and other adopted City regulations.

4. Signatures from the surveyor, property owner(s), the City Surveyor, the utility companies, and AMAFCA are provided on the Plat as required.
5. Per 6-6(K)(2)(I), after approval by the DHO, the Applicant shall record the Plat with the Bernalillo County Clerk within 3 months after the date of the final signature on the Plat, or the Plat shall be voided.
6. A Deviation of 0.9-feet from the 10-foot sideyard setback requirement on Lot 16-A was administratively approved by the DHO. The Deviation was justified per 6-4(O)(3) of the IDO, as the lot line is currently encroaching on the existing residence on Lot 16-A. Moving the lot line further west as proposed will reduce the existing non-conformity. Additionally, the Deviation will not cause material adverse impacts on surrounding properties.
7. A Deviation of 0.3 ft. to the required 20 ft. front yard setback for Lot 17-A was administratively approved by the DHO. The Deviation was justified per 6-4(O)(3) of the IDO, as it's an existing non-conformity that's not created by the proposed replat. Additionally, the Deviation will not cause material adverse impacts on surrounding properties.
8. A Deviation of 4.2 ft. to the required minimum 75 ft. lot width for Lot 17-A was administratively approved by the DHO. The Deviation was justified per 6-4(O)(3) of the IDO, as the lot line between Lots 16-A and 17-A is currently encroaching on the existing residence on Lot 16-A. Moving the lot line further west as proposed will reduce that existing non-conformity. Additionally, the Deviation will not cause material adverse impacts on surrounding properties.

### **Conditions**

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Final sign-off of the Plat by the DFT staff is conditioned as follows:

- a. The three deviations must be noted on the Plat.
- b. The ZHE Variances must be noted on the Plat.
- c. The date of DHO approval must be added to the Plat.
- d. The AGIS DXF file approval must be added to the file.

### **Sidewalk Waiver (VA-2023-00311)**

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1. This is a request for a waiver from the IDO/DPM requirements to construct a sidewalk along Patrick Place.

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2. Per 6-6(P(3)(a)(1)(a.) of the IDO, there are public and private improvements along both sides of the 25-foot right-of-way, which are existing pre-existing obstructions that cannot easily or economically be relocated.
3. Per 6-6(P(3)(a)(1)(c.) of the IDO, the marginal location and historic development of the subject property equates to less pedestrian use of the area.
4. Per 6-6(P(3)(a)(1)(d.) of the IDO, there is deficient right-of-way width.
5. Per 6-6(P(3)(a)(3) of the IDO, the Waiver will not be materially contrary to the public safety, health, or welfare on surrounding properties.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **JANUARY 29th, 2024**. The date of the DHO'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 the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-6-4(V) 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 a 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 permits 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,

*Ronald R. Bohannon, P.E.*

Ronald R. Bohannon, P.E. (Jan 16, 2024 16:07 MST)

Ronald R Bohannon, P.E.

Development Hearing Officer

RRB/jr

CSI – Cartesian Surveys, Inc., P.O. Box 44414, Albuquerque, NM 87174


# PR-2022-006674\_January\_10\_2024 - Notice of Decision


Final Audit Report


2024-01-16


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