

# CITY OF ALBUQUERQUE

*Planning Department*  
Alan Varela, Interim Director



*Mayor Timothy M. Keller*

November 29, 2021

Mr. Tom & Carol Chaves  
808 Galacia St SE  
Albuquerque, NM, 87123

**RE: Violation of the Drainage Ordinance 14-5-2-12 (General Administration)  
on and behind 829 Stagecoach Rd SE – 010 001 Replat of Portion Lot 3 and all of  
Lots 8-13, Block 1 Four Hills  
Hydrology file: M23D020**

Dear Mr. & Ms. Chaves:

Based on complaints and site visits by City personnel from August of 2016 to present, the tract of land is currently having grading activities without an approved Grading Plan for Grading Permit issued by the City of Albuquerque Planning Department Development & Review Services Division Hydrology Section for a Grading Permit. On at least one instance fill has been placed where it crossed property boundaries, which is not allowed without permission of the adjoining property owner and part of an approved grading and drainage plan. The following photos depict the illegal grading activity being done. Based on the number of trucks noted over the years and comparison of aerial photos it appears that you have exceeded the 500 cubic yards of material which requires a permit.

PO Box 1293

Albuquerque

NM 87103

[www.cabq.gov](http://www.cabq.gov)





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According to The City of Albuquerque Drainage Ordinance 14-5-2-12-B-4, Grading, cut, fill or importation of material in excess of 500 cubic yards or grading of any area of one acre or more shall conform to drainage control, flood control, stormwater control, and erosion control policies and to standards, criteria and procedures established by the City Engineer with respect to drainage, flood control, stormwater control, and erosion control. A grading permit, issued by the City Engineer, shall be required for projects involving more than 500 cubic yards of material or one acre or more in area. Our records show you were informed of these regulations as far back as August 10, 2016 and a City Building Complaint Investigator has reported that the volume was in excess of 500 cubic yards.

The current condition of the site threatens public safety. A grading plan must be approved by Hydrology within 30 days of this letter. On day 31, the property owner is subject to the City of Albuquerque Code of Ordinances 1-1-99 (General Penalty) which sets a fine not to exceed \$500 or imprisonment not exceed 90 days for each Violation, with each day that the violation persists constituting a separate violation.

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If you have any questions, please contact me at 924-39896 or [earmijo@cabq.gov](mailto:earmijo@cabq.gov).

Sincerely,

A handwritten signature in dark ink, appearing to read 'Ernest Armijo', is positioned above the typed name.

Ernest Armijo, P.E.  
Principal Engineer, Planning Dept.  
Development Review Services

PO Box 1293

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