

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

March 22, 2019

Tim Nisly
607 Atlantic Ave SW
Albuquerque, NM 87102

Project# PR-2018-001702
Application# SD-2019 -00053
PRELIMINARY/FINAL PLAT
SD-2019-00063 Sidewalk Variance
SD-2019-00064 Street Pavement Width
Variance
SD 2019-00065 Right of Way Width

LEGAL DESCRIPTION:

For all or a portion of LOT 2 SHAMROCK ADDN & TR 101-C MRGCD MAP 34, zoned MX-L, located at 2415 MATTHEW AV NW west of RIO GRANDE BLVD NW and north of DON QUIXOTE DR NW, containing approximately 0.233 acre(s). (G-12)

On March 20, 2019 the Development Review Board (DRB) held a public meeting concerning the above referenced application and approved the request, with delegation to Planning and Hydrology to address minor as stated in the comments and discussed at the hearing based on the following Findings:

SD-2019 -00053 PRELIMINARY/FINAL PLAT

1. This preliminary/final plat replats the existing 1 lots in to 3 lots.
2. Property is zoned MX-L and has no minimum lot size.

Conditions:

1. Final sign off is delegated to Planning to check for DFX file and utility signatures and to Hydrology to address their comments.
2. The applicant will obtain final sign off from Planning by **APRIL 10, 2019** or the case may be scheduled for the next DRB hearing and could be denied per the DRB Rules of Procedure.

SD-2019-00063 Sidewalk Variance

1. This request meets the requirements of 14-16-6-6 (L)(3)(a):
 - a. The applicant is replatting a property on existing street with development on both sides; there is insufficient room for sidewalk and there no existing sidewalk

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to connect to. There are no existing sidewalks, so the variance will not create a gap in the existing system

- b. Because the street is a low traffic street the street could be used for ADA access. The narrow street width contributes to the character of the area. There are existing utility poles on the site, constraining the available area. The variance will not impact development in the floodplain because the request keeps the current street condition.

SD-2019-00064 Street Pavement Width Variance

1. The existing street is already developed with a an approximate pavement width of 18 feet ; there is no reasonable way for the applicant to provide the required 28 foot pavement. The street is low traffic street and ends in a cul de sac.
2. The variance will not be materially contrary to the public safety , health or welfare because preserving the existing street section will be consistent with the existing development.
3. The variance does not significant material adverse impacts on the surrounding properties because leaving the street section as it is will match the existing street development.

SD 2019-00065 Right of Way Width

1. The existing street is already developed with a an approximate ROW of 21 feet ; there is no reasonable way for the applicant to provide the required ROW. The street is low traffic street and ends in a cul de sac.
4. The variance will not be materially contrary to the public safety , health or welfare because preserving the existing street section will be consistent with the existing development.
5. The variance does not significant material adverse impacts on the surrounding properties because leaving the street section as it is will match the existing street development.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **APRIL 4, 2019**. The date of the DRB's decision is not included in the 15-day period for filing an appeal, and if the 15th 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 Development Ordinance (IDO). A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed.

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

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of the IDO that must be complied with, even after approval of the referenced application(s).

Sincerely,



Kym Dicome
DRB Chair

KD/mg

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