

**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**

Pollman Dean Trustee Pollman Family RVT  
736 Cherry St.  
Chattanooga, TN 87109

**Project# PR-2023-008614**  
**Application#**  
**SD-2023-00097 – PRELIMINARY/FINAL PLAT**  
**VA-2023-00124 – SIDEWALK WAIVER**

### **LEGAL DESCRIPTION:**

For all or a portion of **H WLY PORTION OF AND  
EXC NLY 20 & G1 BLOCK 8, BUENA VISTA**  
zoned **MX-H**, located at **113 EUBANK BLVD NE**  
**between EUBANK BLVD NE and CENTRAL AVE**  
**NE** containing approximately **1.6 acre(s). (K-20)**

On May 10, 2023, the Development Hearing Officer (DHO) held a public hearing concerning the above-referenced applications and approved the requests, based on the following Findings:

### **SD-2023-00097 PRELIMINARY/FINAL PLAT**

1. This is a request for a replat to incorporate portions of an alleyway which was vacated by the City Council per PR-2022-007416/SD-2022-00154 with the subject property, consolidate two existing lots into one lot (Lot G-1-A, Block 8, Buena Ventura) comprising a total of 14,696 square feet in size, and grant easements as depicted on the Plat.
2. The property is zoned MX-H. Future development must be consistent with the underlying zone district and the IDO/DPM requirements.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

### **Conditions:**

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

- a. Real property must sign off prior to final signature by the City Engineer.

**VA-2023-000124 SIDEWALK WAIVER**

1. This is a request to waive the DPM requirements for an existing 5.9-foot sidewalk along the frontage of the subject property on Eubank Blvd. NE to remain at its existing width.
2. The applicant provided notice as required in table 6-1-1 of the IDO.
3. The applicant justified the Waiver request pursuant to 14-16-6-6-(P)(3) of the IDO. There are existing obstructions on the sidewalk (light pole and fire hydrant) that cannot be feasibly relocated, and the Waiver will permit flexibility with the site planning process. The requested Waiver is not materially contrary to the public safety, health, or welfare, and will not cause material adverse impacts 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 **MAY 10, 2023**. 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 as 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. Bohannan*

Ronald R. Bohannan (May 15, 2023 17:04 MDT)

Ron R. Bohannan

Development Hearing Officer

RRB/lis







# PR-2023-008614-May -10\_2023 - Notice of Decision

Final Audit Report

2023-05-15

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