

**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

Scott and Kimberly Carroll,
Carroll Trustee RVT,
3430 Monte Vista Blvd NE
Albuquerque, NM 87106

Project# PR-2023-008971
Application#
SD-2023-00208 MINOR PRELIMINARY/FINAL
PLAT

LEGAL DESCRIPTION:

For all or a portion of:

**LOTS 2 & 3, BLOCK 29, MONTE VISTA
ADDITION** zoned **R-1B**, located at **3430
MONTE VISTA BLVD NE between BERKELEY
PL NE and MARQUETTE AVE NE** containing
approximately **0.2066** acre(s). **(K-16)**

On November 15, 2023, the Development Hearing Officer (DHO) held a public hearing concerning the above referenced application and approved the request, based on the following Findings:

1. The request is to remove a lot line and combine 2 lots (Lots 2 and 3, Block 29, Monte Vista Addition) into one lot to allow for an addition to the subject property. This lot is going to be legally described as Lot 3-A, Block 29, Monte Vista Addition. The property contains 0.2405 acers. The applicant is also requesting for a DHO determination to allow the existing 4-foot sidewalk along Monte Vista Blvd NE to remain in lieu of the required 6-foot sidewalk.
2. The IDO zone district for the subject site is R-1B, Single-Family (Medium Lot) and it is located in an area of consistency and the lots adjacent to the subject property are also located in area of consistency. This property is within ¼ mile from Main Street Corridor Area and within ¼ mile from Premium Transit Station area.

Preliminary / Final Plat

- a) The review and decision criteria for a Preliminary/Final Plat were met per 6-6(K)(3) of the IDO.
- b) Per IDO 5-4(C)(1)(b), since this replat (lot consolidation), decreases the degree of an already existing nonconformity (a lot line through a structure), this nonconforming lot may be replatted without requiring Variance to lot size; additionally, contextual lot sizes (5-1(C)(2)) do not preclude this lot consolidation.
- c) Per Table 6-1-1 of the IDO, for a Minor Subdivision of Land, public notice through Email and Web Posting are required. This requirement has been satisfied by the applicant prior to this submittal.

DHO Determination for Sidewalk on Monte Vista Blvd NE

- a) This DHO Determination request complies with the decision and review criteria in IDO 6-6(P)(3)(a). This request is consistent with the established neighborhood character, and will not be contrary to the public safety, health, or welfare. A replaced sidewalk would also damage or require elimination of the existing established trees.

Conditions

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

- a. It must be noted on the Plat that upon the approval of the determination by the DHO, the existing 4-foot sidewalk must be maintained by the owner per IDO 5-6(C)(9)(b) (Any trees that overhang a public sidewalk shall be trimmed to maintain an 8-foot clearance over the sidewalk. Any trees that overhang a public street shall be trimmed to maintain a 9-foot clearance over the street surface).
- b. Application number must be added to the Plat.
- c. AGIS DXF file must be approved by the City's AGIS Office.
- d. The date of the DHO approval shall be recorded on the Plat.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **DECEMBER 4TH, 2023**. The date of the DHO'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.

Official Notice of Decision

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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 (if files are less than 9MB in size). For files larger than 9 MB in size, please send an email to 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,

A handwritten signature in black ink that reads "David S. Campbell". The signature is written in a cursive style with a large, stylized "D" and "C".

David S. Campbell
Development Hearing Officer

DSC/jr/ha

Juanita Garcia, JAG Planning and Zoning, LLC, P.O. BOX 7857, Albuquerque, NM 87194







PR-2023-008971_November_15_2023_Notice of Decision_DHO

Final Audit Report

2023-11-20

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-  Document created by Jay Rodenbeck (jrodenbeck@cabq.gov)
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