

**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**

David & Shirley Fite  
13724 Apache Plume Pl. NE  
Albuquerque, NM 87111

**Project# PR-2023-008998**

**Application#**

**SD-2023-00171** VACATION OF PRIVATE  
EASEMENT

**SD-2023-00172** VACATION OF PRIVATE  
EASEMENT

**SD-2023-00169** PRELIMINARY/FINAL PLAT

**LEGAL DESCRIPTION:**

For all or a portion of:

**LOT 72, THE HIGHLANDS AT HIGH DESERT**  
zoned **R1-D**, located at **13724 APACHE**  
**PLUME PL NE** between **ELENA GALLEGOS PL**  
**NE** and **FOOTHILLS OF THE SANDIAS**  
containing approximately **0.6132** acre(s).  
**(E-24)**

On September 13, 2023, the Development Hearing Officer (DHO) held a public hearing concerning the above-referenced applications and approved the requests, based on the following Findings:

1. This request is to adjust the building envelope which serves as an exclusion area for the drainage easement over the subdivision to clear up an encroachment of the existing residence on the property. This includes two (2) Vacation of Easements (drainage). This application also requests a DHO determination to allow frontage to remain as-is (per High Desert Residential HOA policies).
2. The property is zoned R-1D within the High Desert, CPO-5 overlay in the Highlands Sub Area. Future development must be consistent with the underlying zone district.
3. The NCC approval for the High Desert Residential HOA is shown on the plat.

4. A DHO Determination was approved permitting the frontage along Apache Plume to remain as is (Table 7.3.34 of the DPM requires a sidewalk a minimum of 5-feet in width and a 5-6-foot landscape/buffer zone). The High Desert HOA policy states that the natural areas on a lot should remain free from any improvements. Additionally, the installation of the sidewalk would harm the public welfare as the installation of sidewalk would negatively impact the natural frontages, which have boulders and carefully maintained indigenous greenery, and could introduce perturbations to the grading and drainage for the neighborhood where no sidewalk is present throughout, and met the justification criteria of 6-6(P)(3) of the IDO.
5. The review and decision criteria for a Preliminary/Final Plat were met per 6-6(K)(3) of the IDO.
6. The Applicant provided the required notice as outlined in Table 6-1-1 of the IDO.

**Conditions:**

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

- a. The application number must be added to the Plat.
- b. The AGIS DXF file approval added to the file.
- c. The date of DHO approval must be added to the Plat.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **SEPTEMBER 29<sup>TH</sup>, 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 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).

Official Notice of Decision

Project # PR-2023-008998 Applications# SD-2023-00171, SD-2023-00172, SD-2023-00169

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Sincerely,



[David S. Campbell \(Sep 18, 2023 12:46 MDT\)](#)

David S. Campbell  
Development Hearing Officer

DC/bs

CSI – Cartesian Surveys Inc. (Ryan Mulhall), P.O. Box 44414, Rio Rancho, NM 87174







# PR-2023-008998\_September\_13\_2023 - Notice of Decision

Final Audit Report

2023-09-18

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