

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

Kathy Schroeder/Schroeder-Johnson  
Revocable Trust  
2618 Veranda Road NW  
Albuquerque, NM 87107

**Project# PR-2024-010069**

**Application #**

**SD-2024-00107 VACATION OF RIGHT-OF-WAY**

**SD-2024-00106 PRELIMINARY/FINAL PLAT**

### LEGAL DESCRIPTION:

For all or a portion of: **LOT P, UNIT 3, ALVARADO GARDENS** zoned **R-A** located at **2618 VERANDA RD NW** between **TRILLIS DR NE** and **GLENWOOD RD NW** containing approximately **0.4805 Acres(s)**. **(G-12)**

On June 26, 2024, the Development Hearing Officer (DHO) held a public hearing concerning the above referenced applications and approved the requests, with conditions of approval, based on the following Findings:

### **Vacation of Right-of-Way (SD-2024-00107)**

---

1. This is a request for a vacation of an adjoining portion of acequia (579 sq. ft) depicted as right-of-way on the existing Plat of the subject property.
2. Per Table 6-1-1 of the IDO, public notice and pre-application meeting requirements for the application have been satisfied by the Applicant prior to this submittal.
3. The Applicant justified the vacation request for the right-of-way pursuant to 14-16-6-6-(M)(3) of the IDO. Per 6-6(M)(3) of the IDO, an application for a Vacation of Easement, Private Way, or Public Right-of-way shall be approved if it meets any of the following criteria:

**6-6(M)(3)(a) *The public welfare does not require that the easement, private way, or public right-of-way be retained.***

**6-6(M)(3)(b) *There is a net benefit to the public welfare because the development made possible by the Vacation is clearly more beneficial to the public welfare than the minor detriment resulting from the Vacation, and there is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.***

The justification for this request is as follows:

The Applicant has confirmed in their justification letter that the acequia/public right-of-way has been abandoned, is no longer in use, and therefore is requesting this Vacation. This request would allow for the subject property to be in the same situation as the adjoining properties to the south of the subject property per their previous vacation approval(s).

#### **Preliminary/Final Plat (SD-2024-00106)**

---

1. This is a request to replat a vacation of an adjoining portion of acequia (579 sq. ft) depicted as right-of-way on the existing Plat of the subject property, and grant an overhead public utility easement.
2. The subject property is zoned R-A (Residential – Rural and Agricultural Zone District), and a residence exists on the subject property. Future development must be consistent with the underlying zone district and IDO/DPM requirements.
3. Per Table 6-1-1 of the IDO, public notice requirements for the application have been satisfied by the Applicant prior to this submittal.
4. Signatures from the property owner(s), utility companies, City Surveyor, Surveyor, AMAFCA are provided on the Plat.
5. Per 6-6(K)(3) of the IDO, Review and Decision Criteria, an application for a Subdivision of Land – Minor shall be approved if it complies with all applicable provisions of this IDO, the DPM, other adopted City regulations, and any conditions specifically applied to development of the property in a prior permit or approval affecting the property. The application meets these criteria once all conditions of approval are met (identified below).

#### **Conditions of Approval**

---

- a. The application number must be added to the Plat.
- b. The date of the DHO approval shall be recorded on the Final Plat.
- c. Prior to final sign-off of the Plat, the AGIS office must approve the DXF file and proof of approval must be provided.

Official Notice of Decision

Project # PR-2024-010069 Applications # SD-2024-00107 & SD-2024-00106

Page 3 of 3

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **JULY 15TH, 2024**. 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(U) 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 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,



[Robert L. Lucero, Jr. \(Jun 28, 2024 16:44 MDT\)](#)

Robert L. Lucero, Jr.

Development Hearing Officer

RLL/mi/jr

CSI- Cartesian Surveys, Inc. PO Box 44414, Rio Rancho, NM 87174







# PR-2024-010069\_June\_26\_2024\_Notice\_of\_Decision

Final Audit Report

2024-06-28

Created:	2024-06-28
By:	Jay Rodenbeck (jrodenbeck@cabq.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAArWePJoRo2XpX1FrjvcsVGxP7sknxZczl

## "PR-2024-010069\_June\_26\_2024\_Notice\_of\_Decision" History

-  Document created by Jay Rodenbeck (jrodenbeck@cabq.gov)  
2024-06-28 - 7:06:40 PM GMT
-  Document emailed to robert@luceroLawpc.com for signature  
2024-06-28 - 7:07:21 PM GMT
-  Email viewed by robert@luceroLawpc.com  
2024-06-28 - 10:43:18 PM GMT
-  Signer robert@luceroLawpc.com entered name at signing as Robert L. Lucero, Jr.  
2024-06-28 - 10:44:05 PM GMT
-  Document e-signed by Robert L. Lucero, Jr. (robert@luceroLawpc.com)  
Signature Date: 2024-06-28 - 10:44:07 PM GMT - Time Source: server
-  Agreement completed.  
2024-06-28 - 10:44:07 PM GMT