

PLANNING DEPARTMENT  
DEVELOPMENT SERVICES DIVISION  
600 2nd Street NW, Ground Floor, 87102  
P.O. Box 1293, Albuquerque, NM 87103  
Office (505) 924-3946



## OFFICIAL NOTICE OF DECISION December 17, 2025

Oblester & Remedios Romero  
4732 Westward Ln. NW  
Albuquerque, NM 87120

**Project# PR-2021-005927**  
**Application#**  
**DHOWVR-2025-00032 DHO WAIVER**

### LEGAL DESCRIPTION:

**UNPLATTED/ROMERO--OBLESTER A ETAL**  
zoned **R-T**, located at **4732 WESTWARD LN**  
**NW between NORTHERN TRAIL and**  
**WESTWARD LN** containing approximately  
**1.26 acre(s). (F-11)**

On December 17, 2025, the Development Hearing Officer (DHO) held a public hearing concerning the above referenced application and approved the request, based on the following Findings:

1. This is a request for the approval of a DHO Waiver to the required 5' wide sidewalk and landscape buffer requirements for the subject property located at 4732 Westward LN NW zoned R-T (Residential Townhome).
2. A Minor Platting action was applied for and heard alongside the DHO Waiver request, but was deferred until the January 7, 2026 DHO meeting in order to adjust the lot lines to bring them into compliance with the contextual lot size standards. The adjustment of the lots will not impact the waiver request.
3. **6-6(P)(3) Review and Decision Criteria**  
**6-6(P)(3)(a) General**

An application for a Waiver – DHO shall be approved if it complies with all of the following criteria.

1. Any of the following criteria applies.

- a. There are pre-existing obstructions that cannot be easily or economically relocated or should not be altered, such as grades, fills, water courses, natural topographic features, man-made obstructions, or utility lines.
- b. The area or site has been recognized as having historical, archeological, and/or architectural significance by the City, State, or federal government, and a Waiver is needed and appropriate to maintain such historical, archeological, and/or architectural significance.
- c. ***The established neighborhood character or landscaping on the site would be damaged to a degree that outweighs the public interest in the City's normal technical standards in that location.***

***The established neighborhood is existing without sidewalks as it stands currently. Requiring sidewalks in the area would be out of place and not characteristic of the community.***

- d. Varying from the normal requirements and standards will encourage flexibility, economy, effective use of open space, or ingenuity in design of a subdivision, in accordance with accepted principles of site planning.

2. The Waiver will not be materially contrary to the public safety, health, or welfare.

***Confirmed. The acceptance of this waiver is not contrary to public safety, health, or welfare.***

3. The Waiver does not cause significant material adverse impacts on surrounding properties.

***Confirmed. Acceptance of the waiver will not cause significant material or adverse impacts on the surrounding properties.***

4. The Waiver will not hinder future planning, public right-of-way acquisition, or the financing or building of public infrastructure improvements.

***Confirmed. Future planning, public R.O.W acquisition, and financing will not be hindered by this waiver.***

5. The Waiver will not conflict significantly with the goals and provisions of any City, County, or AMAFCA adopted plan or policy, this IDO, or any other City code or ordinance.

***The waiver has been applied for and approved through the City of Albuquerque Development Hearing Officer process, and meets the intent of the IDO.***

6. The Waiver will not allow, encourage, or make possible undesired development in the 100-year Floodplain.

***The waiver is not within an approved floodplain.***

7. The Waiver will not materially undermine the intent and purpose of this IDO, the applicable zone district, or any applicable Overlay Zone.

***The waiver meets the intent and purpose of the IDO and the overlying zone district.***

8. The Waiver does not allow a lot or type of development that does not meet the applicable Development Standards for the zone district where the lot is located, unless a deviation to such standards is within the thresholds established by Subsection 14-16-6-4(N) (Deviations) and is granted by the DHO as part of this approval.

***No deviations have been applied for in conjunction with the waiver request. The waiver will not allow for development outside of the applicable development standards.***

9. The Waiver approved is the minimum necessary to provide redress without being inconsistent with the provisions of this Subsection 14-16-6-6(P).

***Confirmed.***

10. If the request is a for a Waiver to IDO sidewalk requirements, the area is of low-intensity land use to an extent that the normal installation of sidewalks will not contribute to the public welfare, and the absence of a sidewalk will not create a gap in an existing sidewalk system extended to 1 or more sides of the subject property.

***Confirmed. The neighborhood exists without sidewalks currently. Installation of sidewalks would be out of character with the neighborhood and would not materially contribute to the public welfare.***

4. Per Table 6-1-1 of the IDO, public notice requirements have been satisfied by the Applicant prior to this submittal.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **JANUARY 5, 2026**. 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.

Official Notice of Decision

Project # PR-2021-005927 Application# DHOWVR-2025-00032

Page 4 of 4

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 electronically to [ABQ-PLAN](#) (*place mouse cursor over hyperlink, right-click, choose "open hyperlink"*). A Non-Refundable filing fee will be calculated by staff in the Development Review Services Division of the City of Albuquerque Planning Department and will be payable online at [ABQ-PLAN](#) (*place mouse cursor over hyperlink, right-click, choose "open hyperlink"*). The appeal fee must be paid in full no later than 48 hours after the appeal deadline, or the appeal will be rejected as untimely.

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.

Robert L. Lucero, Jr. (Dec 22, 2025 21:12:47 MST)

Robert L. Lucero, jr.

Development Hearing Officer

RLL/jb/jr

Jonathan Turner, Consensus Planning, 302 8th St NW Albuquerque, NM 87102







# PR-2021-005927\_DHOWVR-2025-00032\_December\_17\_2025\_Notice\_of\_Decision\_DHO

Final Audit Report

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