

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

Colin Mitchell and Laura J. O'Neill
754 Goff Blvd. SW
Albuquerque, NM 87105

Project# PR-2025-011403
Application#
VA-2025-00021 SIDEWALK WAIVER

LEGAL DESCRIPTION:

TRACT 18-A-1-B & TRACT 18-A-2-B zoned **R-1**,
located at **754 GOFF BLVD SW** containing
approximately **0.7078** acre(s). (**L-12**)

On January 22nd, 2025, the Development Hearing Officer (DHO) held a public meeting concerning the above referenced application and approved the request, based on the following Findings as determined by the DHO:

1. This is a request for a DHO Waiver from the requirement to construct sidewalk, and curb and gutter along Goff Blvd SW which is required per the IDO/DPM.
2. The subject property is located entirely within the un-incorporated areas for Bernalillo County; however, Goff Blvd. is a city-maintained street. Therefore, the DHO is the decision-making body on the waiver request. Future platting and site development on the subject property will be going through County review and approval.
3. The DHO determined the review and decision criteria for a DHO Waiver were met per 6-6(P)(3)(a) of the IDO (the justification of the criteria are in italics):

6-6(P)(3)(a)(1)(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.

The DHO determined that there are pre-existing obstructions (including grades, water courses and natural topographic features as asserted by the applicant) that cannot be easily or economically relocated, There are utility poles along this portion of Goff Blvd that cannot be easily or economically relocated and the placement of sidewalks, and curb and gutter in these areas will impact the flow of water throughout the immediate area. Placing this type of infrastructure would require an engineering study of the neighborhood to ensure that water is adequately flowing to proper areas to avoid flooding. The expectation of having the applicants begin this matter for the immediate neighborhood would be a hardship

6-6(P)(3)(a)(1)(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.

The DHO determined that installation of sidewalks and landscape buffers would not be required as the established neighborhood character and landscaping on the site is already existing without sidewalks or landscape buffers.

4. The Applicant provided the required notice as outlined in Table 6-1-1 of the IDO.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **FEBRUARY 7TH, 2025**. 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.

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).

Official Notice of Decision

Project # PR-2025-011403 Application# VA-2025-00021

Page 3 of 3

Sincerely,

Brennon Williams

[Brennon Williams \(Jan 28, 2025 18:17 MST\)](#)

Brennon Williams

Development Hearing Officer

BW/jb/jr

Juanita Garcia – JAG Planning and Zoning, LLC, P.O Box 7857, Albuquerque, NM 87104







PR-2025-011403 January 22nd, 2025 Notice of Decision

Final Audit Report

2025-01-29

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