

**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**

Thomas and Patricia Fritts  
2539 Harold Pl. NE  
ABQ, NM 87106

**Project# PR-2019-0022308**  
**Application#**  
**VA-2019- 00415 SIDEWALK WAIVER**  
**SD-2019-00194 PRELIMINARY/FINAL PLAT**

### **LEGAL DESCRIPTION:**

All or a portion of all or a portion of lots 14 & 15 excluding southwesterly portion of lot(s) 15, block(s) E-1 **NETHERWOOD PARK**, zoned R-1, located on **HAROLD PL NE** between **CUTLER AVE NE** and **SCHELL CT NE**, containing approximately 0.3510 acre(s). (H-16)l

On November 13, 2019, the Development Review Board (DRB) held a public meeting concerning the above referenced application and approved the request, with delegation to Planning and ABCWUA to address minor issues as stated in the comments and discussed at the meeting, based on the following Findings:

### **VA-2019- 00415 SIDEWALK WAIVER**

1. This request allows a waiver of 6 inches to the 4 foot wide sidewalk required by the DPM.
2. The applicant justified waiver because it will provide sidewalk that are consistent with the adjacent sidewalks. The request will not be contrary to the public health safety or welfare because there are existing sidewalks and ADA ramps provided at the 3.5 foot width. The waiver allows consistent sidewalk width for the area. This consistent width provides a uniform surface and better pedestrian environment.
3. Transportation was in favor of the requested waiver.

### **SD-2019-00194 PRELIMINARY/FINAL PLAT**

1. This Preliminary/Final Plat removes the lot line between existing lots 14 and 15 to create a new lot 14-A, .3510 acres.
2. The site is zoned R-1 D and in an Area of Consistency. The proposed lot size would exceed the lot size allowed in 14-16-5-1-(C)(2)(b)2. The applicant received a waiver from the Zoning Hearing Examiner to allow the larger lot size ( VA-2019-00232)
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

Official Notice of Decision

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4. There is no major public infrastructure tied to this plat.  
Conditions:
  1. Final sign off delegated to Planning for the DXF file approval and ABCWUA for payment of Pro Rata.
  2. The applicant will obtain final sign off from Planning by NOVEMBER 27, 2019 or the case may be scheduled for the next DRB hearing and could be denied per the DRB Rules of Procedure.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **DECEMBER 1, 2019**. The date of the DRB'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). A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed.

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,



Jolene Wolfley  
DRB Chair

JW/mg

Cartesian Surveys PO Box 44414 Rio Rancho NM 87174