

**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**

Clearbrook Investments  
8801 Jefferson St NE # A  
ABQ, NM 87113

### **Project #PR-2018-001842**

Application#

**VA-2019-00312-** WAIVER Temporary deferral of sidewalk

**SD-2019-00165** – PRELIMINARY PLAT

**SD-2019-00166** – VACATION OF PUBLIC EASEMENT

### **LEGAL DESCRIPTION:**

All or a portion of **TRACT 4-A of PLAT OF TRACTS 4-A AND 4-B HORIZON VILLAGE**, zoned R-ML, located on **HORIZON BLVD NE north of ALAMEDA BLVD NE**, containing approximately 2.9201 acre(s).

On **November 20, 2019**, the Development Review Board (DRB) held a public meeting concerning the above referenced application and approved the requests, based on the following Findings:

#### **VA-2019-00312-** WAIVER Temporary Deferral of Sidewalk

1. This request allows the applicant to construct the sidewalks as the homes are constructed. This waiver is valid for 4 years. The applicant may request an extension under section 14-16-6-6(W)(4).
2. Transportation approved the request.

#### **SD-2019-00068-**PRELIMINARY PLAT

1. This Preliminary Plat divides the existing lot into 30 residential lots. The plat dedicates the necessary easements.
2. The property is zoned R-ML. The lots meet the minimum lot requirements for the zoning categories. Future development must be consistent with the underlying zoning.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

4. There is an infrastructure list (IL) for improvements tied to the preliminary plat. This IL was signed by all DRB members at the hearing.

**SD-2019-00067 – VACATION OF PUBLIC EASEMENT**

1. The applicant proposes to vacate a 30' Private Drainage Easement. This easement was granted in 1998 for the use of Tracts 2 and 3.
2. The public welfare does not require that the existing easement be retained because a new easement will be granted. The vacation is shown on the exhibit in the file.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

Condition:

1. A replat showing the vacated property must be approved by the DRB and recorded within one year of today's approval.

**APPEAL:** If you wish to appeal the decisions for the vacation or final plat (Preliminary Plats cannot be appealed according to the IDO), you must do so within 15 days of the DRB's decision or by **DECEMBER 5TH, 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

The Group /Ron Hensley 300 Branding Iron RD SE Rio Rancho