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AC-25-03

**MZP-2025-00011 (ZHE – Major Wall or Fence
Permit), [MZP-2025-00021 \(Appeal\)](#)**

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City of Albuquerque


Planning Department

Timothy M. Keller, Mayor

Interoffice Memorandum

August 28, 2025

To: Brook Bassan, President, City Council

From: Alan Varela, Director, Planning Department 
Alan Varela (Aug 28, 2025 15:20:38 MDT)

Subject: AC-25-03, MZP-2025-00011: Danuta Czubiack appeals the Zoning Hearing Examiner's decision to APPROVE a Permit – Wall or Fence – Major for Lot 104 Pina Vista at Academy Hills Unit 5 located at 6428 Admiral Rickover Drive NE, zoned R-T

OVERVIEW

On June 17, 2025, Judith T. Mori ("Applicant") appeared before the Zoning Hearing Examiner ("ZHE") to request a major wall permit for the property located at 6428 Admiral Rickover Drive NE. During the hearing, Danuta Czubiack ("Appellant") presented her objections to Ms. Mori's request.

The ZHE approved the Applicant's request in a written decision dated July 2, 2025.

On July 16, 2025, the appellant filed an appeal of the ZHE's decision (MZP-2025-00021) prior to the appeal deadline of July 17, 2025. As an abutting property owner who made an appearance of record at the ZHE hearing on this matter, the Appellant has standing to appeal the decision.

BASIS FOR APPEAL

IDO § 14-16-6-4(U)(4) outlines the applicable criteria for the appeal in determining whether the ZHE erred in its decision:

- 6-4(U)(4) Criteria for Decision
- 6-4(U)(4)(a) The criteria for review of an appeal shall be whether the decision-making body or the prior appeal body made 1 of the following mistakes.
1. The decision-making body or the prior appeal body acted fraudulently, arbitrarily, or capriciously.
 2. The decision being appealed is not supported by substantial evidence.
 3. The decision-making body or the prior appeal body erred in applying the

requirements of this IDO (or a plan, policy, or regulation referenced in the review and decision-making criteria for the type of decision being appealed).

6-4(U)(4)(b) An additional criterion for review of an appeal shall be if the applicant failed to comply with mailed notice requirements for property owners pursuant to Subsection 14-16-6-4(J)(3)(c). Failure to comply with email notice requirements for a Neighborhood Association pursuant to Subsection 14-16-6-4(J)(2) is not sufficient grounds to uphold an appeal or remand a decision for further consideration.

STAFF RESPONSE

Reasons for the appeal excerpted from Appellant's letter are listed in quotes below, with bulleted, italicized responses from the Planner for the ZHE.

"The information provided by the Subject Project was not accurate as the IDO Section 14-6-6(H)(3) states that the Permit Wall or Fence shall be approved if 20 percent of the properties have a street side yard or fence over three feet."

"There are 35 homes located on Admiral Rickover Drive NE; of the 35 homes there are only three that have a fence over three feet tall. This is only 9.8% of the homes on the entire street have a tall fence over three feet tall. None of the which are within 330 feet of the Subject Property. Therefore the Subject Property does not meet the criteria of the IDO Section 14-6-6(H)(3). The pictures provided will show that there are no yards within 330 feet that have a wall over three feet."

The Appellant testified and objected to the properties within the required area. The proximity map prepared by the Planning Department established that there were 19 properties within 330 linear feet of the Subject Property, which would require that at least 4 properties of those 19 have a wall or fence over 3 feet in the front yard area. The ZHE found that the evidence in the record supported this criterion being met.

ZHE Finding #14. Based on photographs, maps and oral evidence presented by Applicant, at least 20 percent of the properties within 330 feet of the lot where the wall or fence is being requested have a wall or fence over 3 feet in the front yard area.

Staff notes that the applicant submitted 18 photographs with the application showing various front yard walls near the subject property. One photo was of the subject property itself. After further review approximately 3 of those photos appear to be of properties located on other nearby streets or farther than 330 feet from the property. Of the 14 remaining photos, 3 show clearly taller walls that appear to be within the required distance. Finally, 5 of the photographs appear to be of the same two properties, so there are 8 other properties with front yard walls nearby, as presented by the Applicant. Although there are no measurements shown, the two houses with duplicate photos appear to have walls above 3 feet, notwithstanding any of the other properties exceeding this height. Because the Applicant has reasonably met the 20% requirement under IDO § 14-16-6-6(H)(3)(a), and all requirements under 14-16-6-6(H)(3), the ZHE approved the application.

“These are townhouses with neighbors who are kind and respectful of their neighbors and would never build a wall such as this that impedes their neighbor from not having access to half their driveway because of this wall.”

“The IDO also states that the wall would strengthen the architectural character of the surrounding area. This wall is absolutely huge, it is 4’7” tall and 9’8” long. All of the surrounding neighbors have small walls of 3’ tall and less than 3’ in length. This wall is huge eyesore, having only been recently been illegally built without a permit that has huge white chemical drips down the front of it and is also cracked right in the middle. It absolutely does not in any way strengthen the neighborhood character.”

The Appellant stated that the constructed wall is an eyesore due to cracks in the stucco, from which chemicals are allegedly dripping. It may be necessary for the subject property owner to contact their builder to address this issue.

Nevertheless, the evidence provided by the Applicant was substantial enough to support the architectural characteristics of the surrounding neighborhood. All townhomes located around the subject property have stucco exteriors with varying colors, and the wall matches the stucco color of the home on the subject property. The wall is well-constructed and meets the color, texture, and architectural standards of both the subject property and the surrounding neighborhood.

“The Subject Property also stated that that we would encroach on her property if we opened our car door. This is not accurate as we cannot open our car doors at all. The other issue of encroachment deals with the Subject Property wall being built so closely to the neighboring property driveway that when the concrete of this property is replaced the Subject Property wall will be damaged because it is so close on the neighboring driveway. Her huge wall makes contact with the driveway.”

The concern regarding encroachment onto the Appellant’s driveway due to wall construction has been noted. The property in question is a townhouse occupied by two occupants, each having equal access to their respective areas on either side of the home. Both residences feature private entrances, living spaces, and garages. The lot is divided equally down the middle, with each portion corresponding to one side of the townhouse. The image provided by the Appellant shows the wall being constructed along the driveway; however, it does not impede access to their driveway, as the construction has not hindered their access.

The wall in question was constructed along the property line; however, without an engineering survey provided by the Appellant, we cannot resolve the issue of encroachment.

CONCLUSION

In conclusion, the Appellant raised concerns about the wall construction of the subject property. The Zoning Hearing Examiner approved the major wall permit based on 18 findings, including substantial evidence that the application met the decision criteria. The Appellant has not met the burden of proof that the ZHE made errors in reviewing and applying the decision criteria.

/ Misa Bloom /

Misa Bloom, Planner

City of Albuquerque Planning Department

/ Michael Vos /

Michael Vos, AICP, Principal Planner

City of Albuquerque Planning Department






6428 Admiral Rickover Appeal Memo-Final

Final Audit Report

2025-08-28

Created:	2025-08-28
By:	Lucinda Montoya (lucindamontoya@cabq.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAzDPKZHsi9GdP9o5yZ_Gcv1WF3nlV1ILN

"6428 Admiral Rickover Appeal Memo-Final" History

-  Document created by Lucinda Montoya (lucindamontoya@cabq.gov)
2025-08-28 - 6:51:06 PM GMT
-  Document emailed to Alan Varela (avarela@cabq.gov) for signature
2025-08-28 - 6:51:10 PM GMT
-  Email viewed by Alan Varela (avarela@cabq.gov)
2025-08-28 - 8:05:40 PM GMT
-  Document e-signed by Alan Varela (avarela@cabq.gov)
Signature Date: 2025-08-28 - 9:20:38 PM GMT - Time Source: server
-  Agreement completed.
2025-08-28 - 9:20:38 PM GMT



CITY OF ALBUQUERQUE
OFFICE OF ADMINISTRATIVE HEARINGS
ZONING HEARING EXAMINER
NOTIFICATION OF DECISION

Judith T. Mori requests a Major Wall Permit for Lot 104, Pina Vista at Academy Hills Unit 5, located at 6428 Admiral Rickover Dr NE, zoned R-T (E-21) [IDO §14-16-5-7(D)(1) Table 5-7-1; 14-16-5-7(D)(3)(a) Table 5-7-2]

Special Exception No:..... **MZP-2025-00011**
Project No:..... **NONE**
Hearing Date:..... 06-17-2025
Closing of Public Record:.... 06-17-2025
Date of Decision:..... 07-02-2025

On June 17, 2025, Judith T. Mori (“**Applicant**”) was scheduled to appear before the Zoning Hearing Examiner (the “**ZHE**”) requesting a Permit-Wall or Fence-Major (“**Application**”) upon the real property located at 6428 Admiral Rickover Dr NE (the “**Subject Property**”). Below are the ZHE’s findings of fact and decision:

FINDINGS:

1. Applicant is requesting a Permit-Wall or Fence-Major, pursuant to City of Albuquerque Code of Ordinances Integrated Development Ordinance (“**IDO**”) Section 14-16-6-6(H).
2. Applicant has authority to pursue this Application, pursuant to 14-16-6-4(D).
3. The Planning Director’s delegee has determined that the Application is complete, pursuant to IDO Section 14-16-6-4(G).
4. The content of the notice of the Application satisfies IDO Section 14-16-6-4(J)(1).
5. Applicant has sent an electronic mail notice to the email addresses on file with the Office of Neighborhood Coordination for each pertinent Neighborhood Association as required by IDO Section 14-16-6-4(J)(2).
6. Applicant has sent mailed notice to all property owners within 100 feet of the subject property as required by IDO Section 14-16-6-4(J)(3).
7. Applicant has posted sign notice(s) as required by IDO Section 14-16-6-4(J)(4).
8. The Subject Property is located in the R-T zone district.
9. Therefore, the proposed wall or fence on the Subject Property over 3 feet in height in the front yard requires a Permit-Wall or Fence-Major pursuant to IDO Subsection 14-16-6-6(H).
10. IDO Section 14-16-6-6(H)(3) (Review and Decision Criteria for a Permit-Wall or Fence-Major) reads: “*An application for a Permit – Wall or Fence - Major shall be approved if the following criteria are met[:]*”
 - (a) *The wall is proposed on a lot that meets any of the following criteria:*
 1. *The lot is at least ½ acre.*
 2. *The lot fronts a street designated as a collector, arterial, or interstate highway.*

3. *For a front yard wall taller than allowed in Table 5-7-1, at least 20 percent of the properties with low-density residential development with a front yard abutting the same street as the subject property and within 330 feet of the subject property along the length of the street the lot faces have a front yard wall or fence over 3 feet. This distance shall be measured along the street from each corner of the subject property's lot line, and the analysis shall include properties on both sides of the street.*
4. *For a street side yard wall taller than allowed in Table 5-7-1, at least 20 percent of the properties with low-density residential development with a side yard abutting the same street as the subject property and within 330 feet of the subject property along the length of the street the lot faces have a street side yard wall or fence over 3 feet. This distance shall be measured along the street from each corner of the subject property's lot line, and the analysis shall include properties on both sides of the street.*
- (b) *The proposed wall would strengthen or reinforce the architectural character of the surrounding area.*
- (c) *The proposed wall would not be injurious to adjacent properties, the surrounding neighborhood, or the larger community.*
- (d) *The design of the wall complies with any applicable standards in Section 14-16-5-7 (Walls and Fences), including but not limited to Subsection 14-16-5-7(E)(2) (Articulation and Alignment), Subsection 14-16-5-7(E)(3) (Wall Design), and both of the following criteria:*
 1. *The wall or fence shall not block the view of any portion of any window on the front façade of the primary building when viewed from 5 feet above ground level at the centerline of the street in front of the house.*
 2. *The design and materials proposed for the wall or fence shall reflect the architectural character of the surrounding area.*
11. Applicant bears the burden of providing a sound justification for the requested decision, based on substantial evidence, pursuant to IDO Section 14-16-6-4(E)(3).
12. Applicant bears the burden of showing compliance with required standards through analysis, illustrations, or other exhibits as necessary, pursuant to IDO Section 14-16-6-4(E)(4).
13. Applicant appeared at the June 17, 2025 ZHE hearing on the Application and gave evidence in support of the Application.
14. Based on photographs, maps and oral evidence presented by Applicant, at least 20 percent of the properties within 330 feet of the lot where the wall or fence is being requested have a wall or fence over 3 feet in the front yard area.
15. Based on evidence presented by Applicant, the proposed wall would strengthen or reinforce the architectural character of the surrounding area. The proposed wall appears to be consistent with other walls in the neighborhood and with the architecture of improvements on the Subject Property.
16. Based on evidence presented by Applicant, the proposed wall would not be injurious to adjacent properties, the surrounding neighborhood, or the larger community. The adjacent

neighbor in the attached duplex unit testified that they object to the Application, because the Applicant built the wall without a permit and because the wall would make it difficult for Applicant to open their door next to the wall. Applicant testified that the wall is located entirely on the Subject Property and does not encroach upon the neighboring property. Consequently, Applicant pointed out that if the neighbor were to open their door in the area of the wall were the wall not there, the neighbor would be trespassing onto the Subject Property. Further, the City Traffic Engineer did not object to the location of the proposed wall. While the ZHE does not condone members of the public developing projects without a permit when a permit is required, the ZHE must weigh the evidence in the record against the legal requirements of the IDO. As to this prong of the variance test, the ZHE finds that Applicant has satisfied the required burden.

17. Based on evidence presented by Applicant, the design of the wall complies with any applicable standard in Section 14-16-5-7 (Walls and Fences), including, but not limited to Subsection 14-16-5-7(E)(2) (Articulation and alignment) and Subsection 14-16-5-7(E)(3) (Wall Design), and all of the following: (1) The wall or fence shall not block the view of any portion of any window on the front façade of the primary building when viewed from 5 feet above ground level at the centerline of the street in front of the house; and (2) The design and materials proposed for the wall or fence shall reflect the architectural character of the surrounding area. Photos and drawings in the record establish compliance with this requirement.
18. The City Traffic Engineer submitted a report stating no objection to the Application.

DECISION:

APPROVAL of a Permit-Wall or Fence-Major.

APPEAL:

If you wish to appeal this decision, you must do so by July 17, 2025 pursuant to Section 14-16-6-4(U), of the Integrated Development Ordinance, you must demonstrate that you have legal standing to file an appeal as defined.

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of a special exception is secured. This Notice of Decision does not constitute approval of plans for a building permit. If your Application is approved, bring this Notice of Decision with you when you apply for any related building permit or occupation tax number. Approval of a Conditional Use is void after two (2) years from date of approval if the rights and privileges granted thereby have not been executed or utilized. Approval of a Variance is void after one (1) year from date of approval if the rights and privileges granted thereby have not been executed or utilized.



Robert Lucero, Esq.
Zoning Hearing Examiner

cc: ZHE File
Zoning Enforcement
Judi Mori <judi_mori@hotmail.com>

To Zoning Appeal Board:

The information provided by the Subject Property was not accurate as the IDO Section 14-16-6-6(H)(3) states that the Permit Wall or Fence shall be approved if 20 percent of the properties have a street side yard or fence over three feet.

There are 35 homes located on Admiral Rickover Drive NE; of the 35 homes there are only three that have a fence over three feet tall. This is only 9.8% of the homes on the entire street have a tall fence over three feet tall. None of which are within 330 feet of the Subject Property. Therefore the Subject Property does not meet the criteria of the IDO Section 14-16-6-6(H)(3). The pictures provided will show that there are no yards within 330 feet that have a wall over three feet.

These are townhouses with neighbors who are kind and respectful of their neighbors and would never build a wall such as this that impedes their neighbor from not having access to half of their driveway because of this wall.

The IDO also states that the wall would strengthen the architectural character of the surrounding area. This wall is absolutely huge, it is 4'7" tall and 9'8" long. All of the surrounding neighbors have small walls of 3' tall and less than 3' in length. This wall is a huge eyesore, having only recently been illegally built without a permit that has huge white chemical drips down the front of it and is also cracked right in the middle. It absolutely does not in any way strengthen the neighborhood character.

The Subject Property also stated that we would encroach on her property if we opened our car door. This is not accurate as we cannot open our car doors at all. The other issue of encroachment deals with the Subject Property wall being built so closely to the neighboring property driveway that when the concrete of this property is replaced the Subject Property wall will be damaged because it is so close on the neighboring driveway. Her huge wall makes contact with the driveway.

The Subject Property has a history of building without permits. I believe that she was not accurate in the original application that she submitted.

Thank you kindly,

Danuta Czubiak

Basis of Standing

My name is Danuta Czubiak, I am the neighbor of the property at 6428 Admiral Rickover Dr NE, Albuquerque, NM 87111. I provided testimony at the ZHE Hearing.

















































SPECIAL EXCEPTION REFERRAL SHEET

Major Zoning Permit

☐ Variance ☐ Conditional Use ☐ Other

Interpreter: ☐ Yes ☒ No

City of Albuquerque
Planning Department

VA# MZP-2025-00011 PR# None

Date:		Received By:	
Address of Request: <u>6428 ADMIRAL RICKOVER DR NE</u>			
City:		State:	Zip:
Lot: <u>104</u>	Block: <u>0000</u>	Zone: <u>R-T</u>	Map pg.
Subdivision: <u>PINA VISTA--ACADEMY HILLS UNIT 5</u>		UPC#	
Property Owner(s): <u>Judith Mori</u>			
Mailing Address:			
City:		State:	Zip:
Phone:		Email:	
Agent:			
Mailing Address:			
City:		State:	Zip:
Phone:		Email:	
Fee Total:			

Please refer to the Zone Hearing Examiner (ZHE) website for hearing dates and deadlines.

- o <https://www.cabq.gov/planning/boards-commissions/zoning-hearing-examiner>

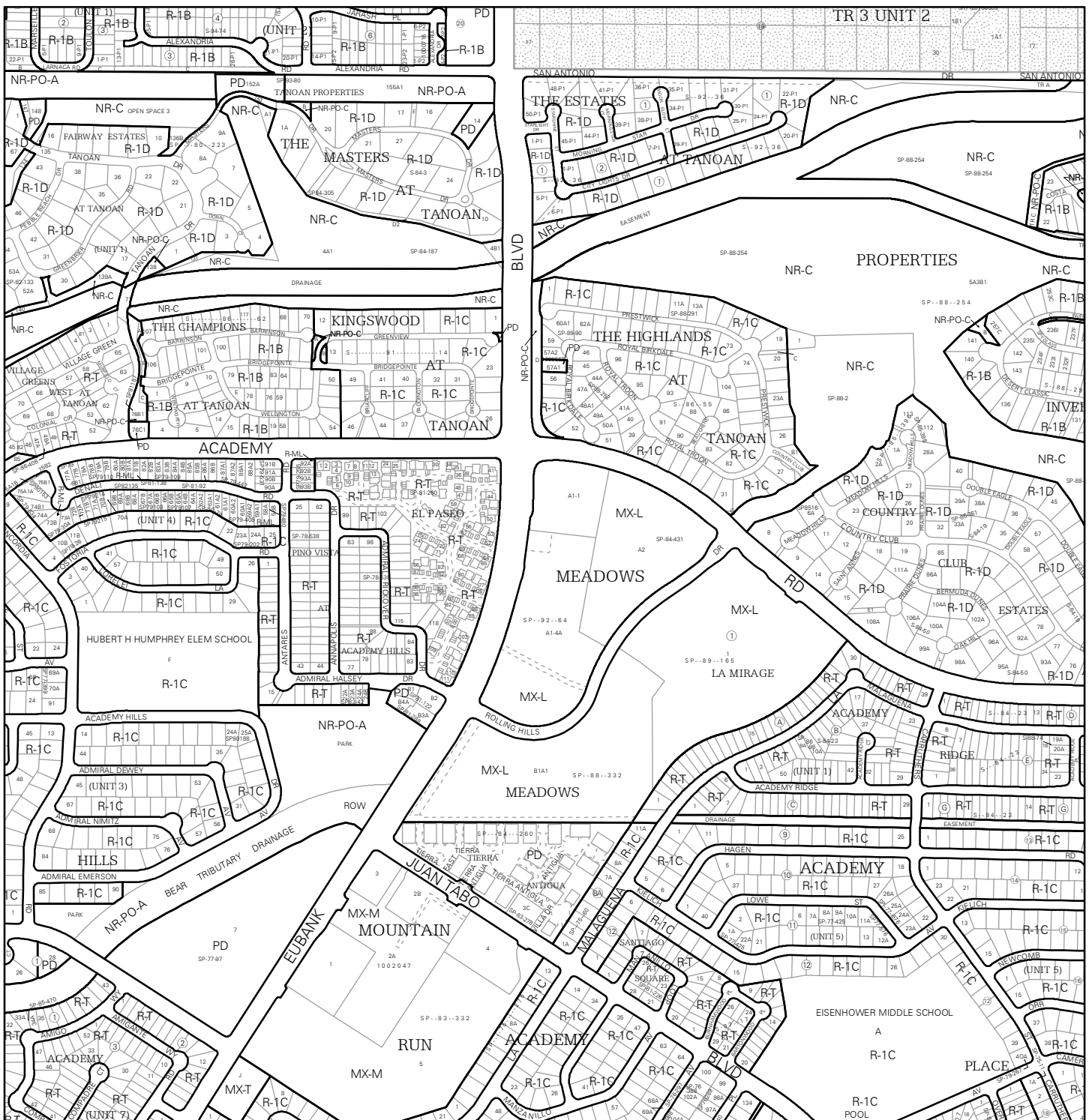
Applications are submitted through ABQ-PLAN. Please be prepared to submit all required documents prior to starting the application.

- o <https://www.cabq.gov/planning/abq-plan>



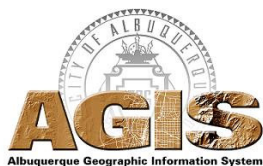
ABQ-PLAN

ZONING OFFICIAL USE ONLY			
Request for exception to IDO Section: 14-16-			
Description of request: <u>Permit for courtyard wall higher than 3'</u>			
Staff Comments:			
<input type="checkbox"/> Ownership verified on AGIS <input type="checkbox"/> Proof of ownership included <input type="checkbox"/> Letter of authorization included			
Case history number(s) from AGIS:			
APO:	CPO#	HPO#	VPO#
Wall variances not allowed in low-density residential development in these 2 areas per 5-7(D)(3)(e):			
1) CPO 3 and 2) Monte Vista / College View Historic Dist. - Mapped Area			
2) CPO-8 states walls no more than 3 feet high, but may request a variance 2nd check Initials <u> </u>			

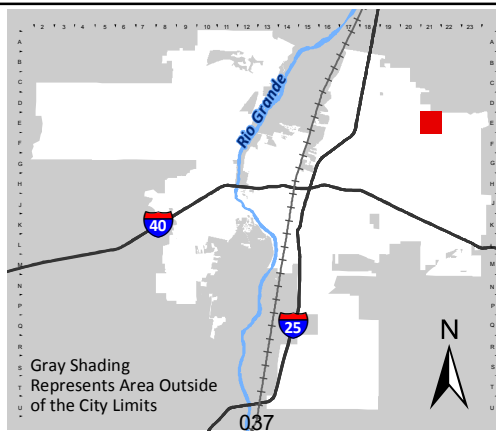


For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

IDO Zone Atlas May 2018



IDO Zoning information as of May 17, 2018
The Zone Districts and Overlay Zones
are established by the
Integrated Development Ordinance (IDO).



Zone Atlas Page:
E-21-Z

- Easement
- Escarpment
- Petroglyph National Monument
- Areas Outside of City Limits
- Airport Protection Overlay (APO) Zone
- Character Protection Overlay (CPO) Zone
- Historic Protection Overlay (HPO) Zone
- View Protection Overlay (VPO) Zone

0 250 500 1,000 Feet

6428 Admiral Rickover Dr NE_Public Notice Inquiry Sheet Submission



Flores, Suzanna A.
To judi_mori@hotmail.com
Cc Hernandez, Diane

↩ Reply

↩ Reply All

➡ Forward

⋮

Fri 4/25/2025 8:25 AM

PLEASE NOTE:
The neighborhood association contact information listed below is valid for 30 calendar days after today’s date.

Dear Applicant:

Please find the neighborhood contact information listed below. Please make certain to read the information further down in this e-mail as it will help answer other questions you may have.

Association Name	Association Email	First Name	Last Name	Email	Address Line 1	City	State	Zip	Mobile Phone	Phone
Academy Hills Park NA	✓ academyhillsparkna@gmail.com	Walter	Olson	✓ Chipolson44@gmail.com	6019 Los Hermanos Ct NE	Albuquerque	NM	87111	5052282165	
Academy Hills Park NA	academyhillsparkna@gmail.com	Nadine	Waslosky	✓ nwaslosky@comcast.net	9816 Compadre Lane NE	Albuquerque	NM	87111		5053621808
District 8 Coalition of Neighborhood Associations	✓ district8coalition@gmail.com	Bob	Fass	nobullbob1@gmail.com	5226 Edwards Drive NE	Albuquerque	NM	87111	5052394774	5052935457
District 8 Coalition of Neighborhood Associations	district8coalition@gmail.com	Idalia	Lechuga-Tena	idalialt@gmail.com	4405 Prairie Loft Way NE	Albuquerque	NM	87111	5055503868	

From: Judi Mori judi_mori@hotmail.com
Subject: Fwd: 6428 admiral rickover dr NE
Date: April 27, 2025 at 5:13 PM
To: Felicia Herrera feliciaj.herrera@gmail.com

Sent from my iPad

Begin forwarded message:

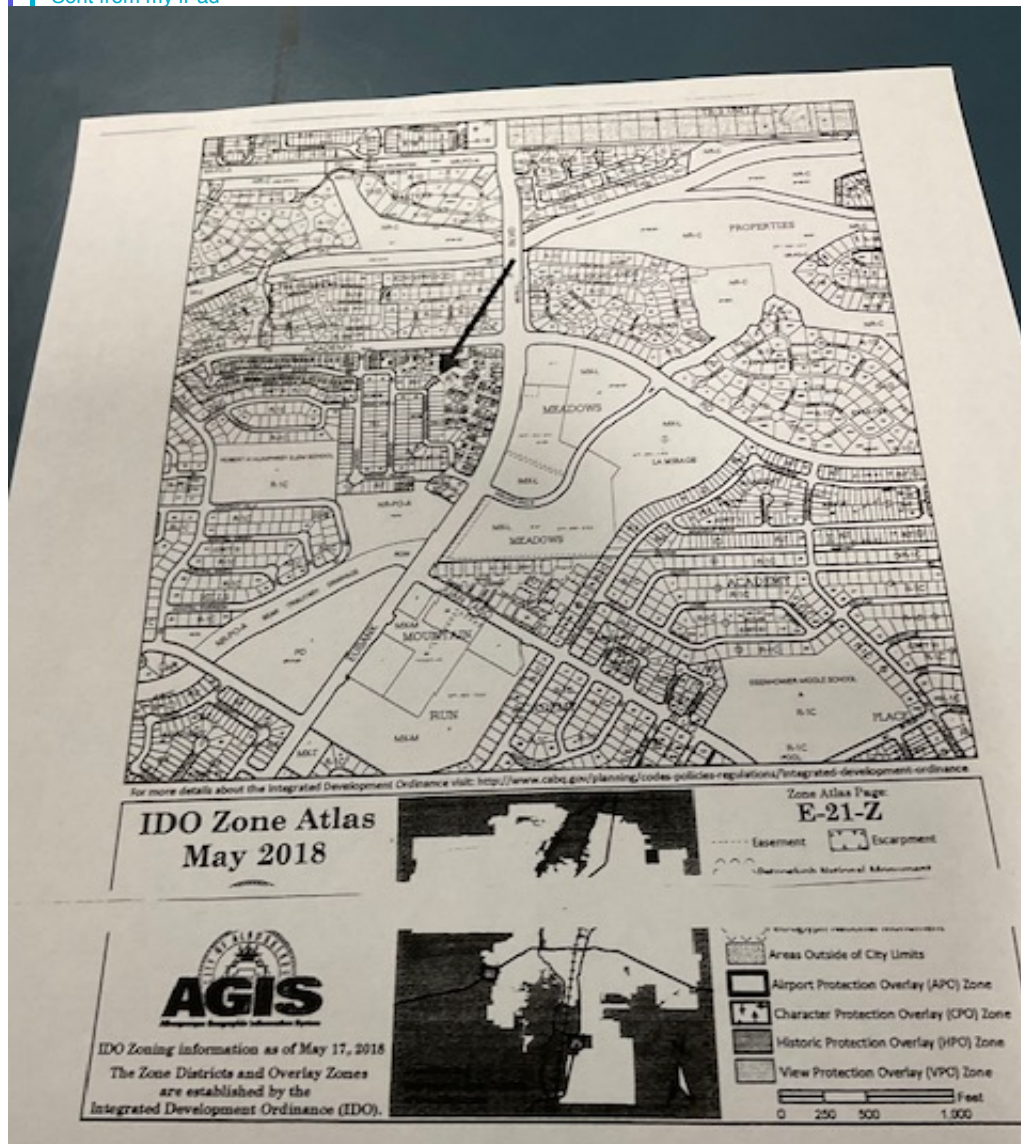
From: Judi Mori <judi_mori@hotmail.com>
Date: April 25, 2025 at 2:06:20 PM MDT
To: dihernandez@cabq.gov
Subject: Fwd: 6428 admiral rickover dr NE

Sent from my iPad

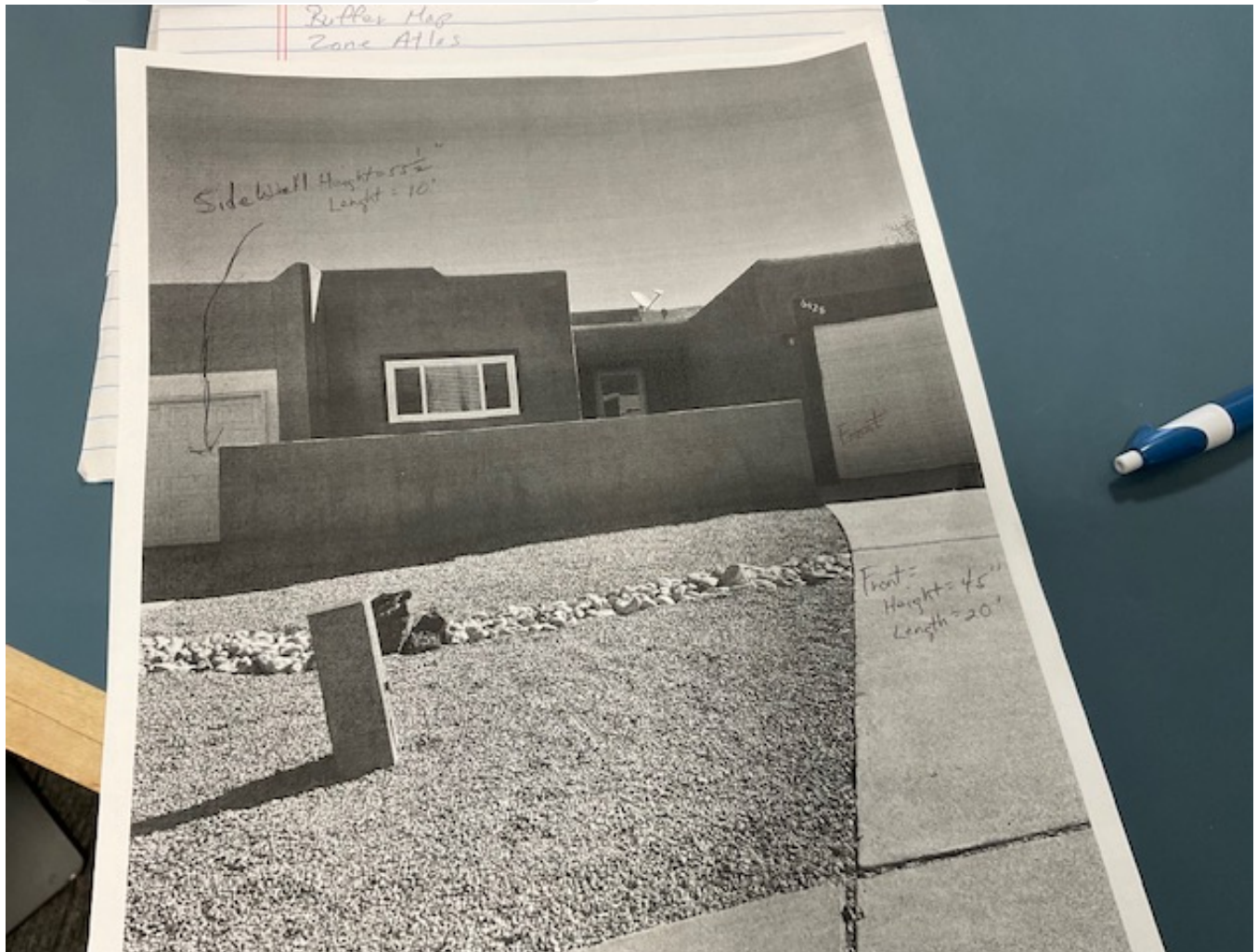
Begin forwarded message:

From: Judi Mori <judi_mori@hotmail.com>
Date: April 25, 2025 at 2:05:03 PM MDT
To: academyhillsparkna@gmail.com, district8coalition@gmail.com, Chipolson44@gmail.com, nwaslosky@comcast.net
Subject: 6428 admiral rickover dr NE

Sent from my iPad



OFFICIAL PUBLIC NOTICE 4-25
.pdf



PERMIT JUSTIFICATION LETTER GUIDELINES – WALL OR FENCE

Per Integrated Development Ordinance 16-14-6-4(E)(3): **The applicant bears the burden of providing a sound justification for the requested decision, based on substantial evidence.**

Per Integrated Development Ordinance 14-16-6-4(E)(4) **The applicant bears the burden of showing compliance with required standards through analysis, illustrations, or other exhibits as necessary.**

Because the burden of evidence is borne by the applicant, you may choose to retain the services of a development professional that is knowledgeable in land use matters to guide your application and represent you at the public hearing.

To justify your request and aid our review, please provide a detailed response to items a-d.

6-6(H) PERMIT – WALL OR FENCE – MAJOR

6-6(H)(3) Review and Decision Criteria

An application for a Permit – Wall or Fence – Major for a wall in the front or street side yard of a lot with low-density residential development in or abutting any Residential zone district that meets the requirements in Subsection 14-16-5-7(D)(3)(g) (Exceptions to Maximum Wall Height) and Table 5-7-2 shall be approved if the following criteria are met:

(a) The wall is proposed on a lot that meets any of the following criteria:

1. The lot is at least ½ acre.
2. The lot fronts a street designated as a collector, arterial, or interstate highway.
3. For a front yard wall taller than allowed in Table 5-7-1, at least 20 percent of the properties with low-density residential development with a front yard abutting the same street as the subject property and within 330 feet of the subject property along the length of the street the lot faces have a front yard wall or fence over 3 feet. This distance shall be measured along the street from each corner of the subject property's lot line, and the analysis shall include properties on both sides of the street. (See figure below for an illustration of this measurement.)
4. For a street side yard wall taller than allowed in Table 5-7-1, at least 20 percent of the properties with low-density residential development with a side yard abutting the same street as the subject property and within 330 feet of the subject property along the length of the street the lot faces have a street side yard wall or fence over 3 feet. This distance shall be measured along the street from each corner of the subject property's lot line, and the analysis shall include properties on both sides of the street. (See figure below for an illustration of this measurement.)



- (b) The proposed wall would strengthen or reinforce the architectural character of the surrounding area.
- (c) The proposed wall would not be injurious to adjacent properties, the surrounding neighborhood, or the larger community.
- (d) The design of the wall complies with any applicable standards in Section 14-16-5-7 (Walls and Fences), including but not limited to Subsection 14-16-5-7(E)(2) (Articulation and Alignment), Subsection 14-16-5-7(E)(3) (Wall Design), and all of the following:
 1. The wall or fence shall not block the view of any portion of any window on the front façade of the primary building when viewed from 5 feet above ground level at the centerline of the street in front of the house.
 2. The design and materials proposed for the wall or fence shall reflect the architectural character of the surrounding area.

YOU MAY USE THE FORM BELOW TO ENSURE ALL ITEMS ARE ADRESSED

PERMIT JUSTIFICATION LETTER – WALL OR FENCE

Zoning Hearing Examiner
City of Albuquerque
600 2nd Street NW, 3rd Floor
Albuquerque, NM 87102

RE: Request for Wall Permit of _____
at 6428 ADMIRAL RICKOVER DR. NE (address of the subject property).

(a) The wall is proposed on a lot that meets any of the following criteria:

1. The lot is at least ½ acre.
2. The lot fronts a street designated as a collector, arterial, or interstate highway.
3. For a front yard wall taller than allowed in Table 5-7-1, at least 20 percent of the properties with low-density residential development with a front yard abutting the same street as the subject property and within 330 feet of the subject property along the length of the street the lot faces have a front yard wall or fence over 3 feet. This distance shall be measured along the street from each corner of the subject property's lot line, and the analysis shall include properties on both sides of the street. (See figure below for an illustration of this measurement.)
4. For a street side yard wall taller than allowed in Table 5-7-1, at least 20 percent of the properties with low-density residential development with a side yard abutting the same street as the subject property and within 330 feet of the subject property along the length of the street the lot faces have a street side yard wall or fence over 3 feet. This distance shall be measured along the street from each corner of the subject property's lot line, and the analysis shall include properties on both sides of the street. (See figure below for an illustration of this measurement.)

I MEET CRITERIA 3. IF 3 OR 4, YOU MUST INCLUDE PHOTOGRAPHS WITH ADDRESSES AS PROOF THAT THE 20% REQUIREMENT IS MET.

(b) The proposed wall would strengthen or reinforce the architectural character of the surrounding area **BECAUSE**:

The built wall enhances and blends in with other properties in the neighborhood. (Pictures attached) _____.

(c) The proposed wall would not be injurious to adjacent properties, the surrounding neighborhood, or the **BECAUSE**:

The neighborhood has similar height walls as shown in attached photos _____.

(d) The design of the wall complies with any applicable standards in Section 14-16-5-7 (Walls and Fences), including but not limited to Subsection 14-16-5-7(E)(2) (Articulation and Alignment), Subsection 14-16-5-7(E)(3) (Wall Design), and all of the following:

1. The wall or fence shall not block the view of any portion of any window on the front façade of the primary building when viewed from 5 feet above ground level at the centerline of the street in front of the house. **PLEASE EXPLAIN**:

The wall is 45" in height in the front and does not block any view _____
_____.
_____.

2. The design and materials proposed for the wall or fence shall reflect the architectural character of the surrounding area. **PLEASE EXPLAIN**:

The wall was built with blocks and stuccoed to match the color of the house and conforms to other

Properties in the neighborhood _____

_____.

Signature _____

Date _____





































**OFFICIAL PUBLIC NOTIFICATION FORM
FOR MAILED OR ELECTRONIC MAIL NOTICE
CITY OF ALBUQUERQUE PLANNING DEPARTMENT**



PART I - PROCESS

Use [Table 6-1-1](#) in the Integrated Development Ordinance (IDO) to answer the following:

Application Type: ZHE variance

Decision-making Body: Zone Hearing Examiner

Pre-Application meeting required: ☐ Yes ☐ No

Neighborhood meeting required: ☐ Yes ☐ No

Mailed Notice required: ☐ Yes ☒ No

Electronic Mail required: ☐ Yes ☒ No

Is this a Site Plan Application: ☐ Yes ☐ No **Note: if yes, see second page**

PART II – DETAILS OF REQUEST

Address of property listed in application: 6428 Admiral Rickover Dr NE

Name of property owner: Judith Mori

Name of applicant: Judith Mori

Date, time, and place of public meeting or hearing, if applicable:

Zoom on June 17, 2025 starting at 9am

Address, phone number, or website for additional information:

505/301-5379

PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE

☐ Zone Atlas page indicating subject property.

☐ Drawings, elevations, or other illustrations of this request.

☐ Summary of pre-submittal neighborhood meeting, if applicable.

☐ Summary of request, including explanations of deviations, variances, or waivers.

IMPORTANT:

**PUBLIC NOTICE MUST BE MADE IN A TIMELY MANNER PURSUANT TO [IDO §14-16-6-4\(K\)](#).
PROOF OF NOTICE WITH ALL REQUIRED ATTACHMENTS MUST BE PRESENTED UPON
APPLICATION.**

I certify that the information I have included here and sent in the required notice was complete, true, and accurate to the extent of my knowledge.

Judith Mori

(Applicant signature)

4-25-2025

(Date)

Note: Providing incomplete information may require re-sending public notice. Providing false or misleading information is a violation of the IDO pursuant to IDO §14-16-6-9(B)(3) and may lead to a denial of your application.

**OFFICIAL PUBLIC NOTIFICATION FORM
FOR MAILED OR ELECTRONIC MAIL NOTICE
CITY OF ALBUQUERQUE PLANNING DEPARTMENT**



PART IV – ATTACHMENTS REQUIRED FOR SITE PLAN & LC APPLICATIONS ONLY

Provide a site plan that shows, at a minimum, the following:

- ☐ a. Location of proposed buildings and landscape areas.
- ☐ b. Access and circulation for vehicles and pedestrians.
- ☐ c. Maximum height of any proposed structures, with building elevations.
- ☐ d. For residential development: Maximum number of proposed dwelling units.
- ☐ e. For non-residential development:
 - ☐ Total gross floor area of proposed project.
 - ☐ Gross floor area for each proposed use.

[Note: Items with an asterisk (*) are required.]

Public Notice of a Hearing before the Zoning Hearing Examiner in the City of Albuquerque

Date of Notice*: 4-25-2025

This notice of an application for a proposed project is provided as required by the Integrated Development Ordinance (IDO) [§14-16-6-4\(K\) Public Notice](#). This notice is being provided to *(mark as relevant)*:

- ☐ Neighborhood Association Representatives on the attached list from the Office of Neighborhood Coordination.¹
☐ Property Owners within 100 feet of the Subject Property.

Project Information Required by IDO [§14-16-6-4\(K\)\(1\)\(a\)](#)

1. Subject Property Address* 6428 Admiral Rickover Dr NE ABQ, NM 87111 (zipcode)
Location Description _____
2. Property Owner* Judith Mori
3. Agent/Contractor (if other than the property owner) _____
4. Application Type(s)²* per IDO [Table 6-1-1](#):

<input type="checkbox"/> Conditional Use	<input type="checkbox"/> Carport Permit
<input type="checkbox"/> Variance	<input type="checkbox"/> Major Wall/Fence Permit
<input type="checkbox"/> Other _____	

Summary of project/request*:

Applying for ZHE variance for 1-1/2 feet over the minimum and a tall wall permit

5. This application will be decided by the Zoning Hearing Examiner at a public hearing.

Hearing Date*: 6-17-2025 (T u e s d a y)

The hearing will begin at 9:00AM via ZOOM.

For Zoom details and the agenda, please visit the CABQ Planning Webpage:

<https://www.cabq.gov/planning/boards-commissions/zoning-hearing-examiner/zhe-agendas-action-sheets-decisions>

To contact staff, email PlanningZHE@cabq.gov or call the Planning Department at 505-924-3860 and select the option for “Boards, Commissions, and ZHE signs.”

Please note: You may submit written comments to the Zoning Hearing Examiner up to 6 days before the hearing. (Deadline is 5 pm on the Wednesday before the hearing.)

¹ If this box is marked, the Neighborhood Association Representative Contact List from the City’s Office of Neighborhood Coordination must be included as an attachment.

² Other application types require separate forms available here: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance-1/public-notice>. Otherwise, please mark all that apply.

[Note: Items with an asterisk (*) are required.]

6. Where more information about the project can be found*:

Applicant name: Judith Mori

Email: Judi_mori@hotmail.com

Phone: 505/301-5370

☐ Online website or project page: _____

☐ Attachments:

☐ Neighborhood Association Representative Contact List from the City's Office of Neighborhood Coordination^{3*}

☐ Others: Contact list is attached

Project Information Required for Mail/Email Notice by IDO §14-16-6-4(K)(1)(b):

1. Zone Atlas Page(s)^{*4} E-21-Z

2. Project Illustrations, as relevant^{*5}

☐ Architectural drawings

☐ Elevations of the proposed building(s)

☐ Other illustrations of the proposed application

See attachments or the website/project page noted above for the items marked above.

3. The following exceptions to IDO standards have been requested for this project*:

☐ Deviation(s) ☐ Variance(s) ☐ Waiver(s)

Explanation*: My wall has already been built and I hereby request approval for a variance for

The wall height and tall wall permit

4. A Pre-submittal Neighborhood Meeting was required by Table 6-1-1: ☒ Yes ☐ No

Summary of the Pre-submittal Neighborhood Meeting, if one occurred:

[Note: The meeting report is required to be provided in the application materials.]

NOTE: Pursuant to IDO §14-16-6-4(L), property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated meeting. If requested at least 15 calendar days before the public meeting/hearing date noted above, the facilitated meeting will be required. To request a facilitated meeting regarding this project, contact the Planning Department at devhelp@cabq.gov or 505-924-3860 and select option for "Boards, Commissions, and ZHE Signs."

Useful Links

Integrated Development Ordinance (IDO): <https://ido.abc-zone.com>

IDO Interactive Map: <https://tinyurl.com/idozoningmap>

³ Must be attached if this notice is to Neighborhood Association Representatives.

⁴ Available online here: <http://data.cabq.gov/business/zoneatlas>

⁵ While not required, it is recommended that a site plan be included showing the location of existing buildings, if any, and the proposed project.

Language Access Notice:

We provide free interpretation services to help you communicate with us. If you need help, you can request interpretation at any service counter in our Department, located in the Plaza Del Sol building, 600 2nd Street NW, Albuquerque, NM 87102.

Notificación de Acceso Lingüístico.

Ofrecemos servicios gratuitos de interpretación para ayudarlo a comunicarse con nosotros. Si necesita ayuda, puede solicitar servicios de interpretación en cualquier mostrador de servicio de nuestro Departamento, ubicado en el edificio Plaza Del Sol, 600 2nd Street NW, Albuquerque, NM 87102.

語言輔助通知。我們提供免費口譯服務，以幫助你與我們溝通。如果你需要幫助，你可以在我們部門的任何服務台請求口譯，服務台位於 Plaza Del Sol大樓，600 2nd Street NW，阿爾伯克基，NM 87102。

Thông báo về cách Tiếp cận Ngôn ngữ. Chúng tôi cung cấp các dịch vụ thông dịch miễn phí để giúp quý vị giao tiếp với chúng tôi. Nếu quý vị cần giúp đỡ, quý vị có thể yêu cầu thông dịch tại bất cứ quầy dịch vụ nào trong Sở của chúng tôi, tọa lạc tại tòa nhà Plaza Del Sol, 600 2nd Street NW, Albuquerque, NM 87102.

Saad Hadahwiis'a O'oolkaah bee dah na'astsooz. Nihi bik'inaasdzil t'aadoo baahilinigoo 'ata' hashne' tse'esgizii ach'i' dzaadi! Dzaadi! Danihi dahootahgoo bee nihi-. Daa' danihi bidin nishli dzaadi! Dzaadi! Danihi bineesh'a yinishkeed 'ata' hashne' -di t'aa biholniihgoo tse'esgizii ket'aaz -di nihihigii dah diikaah, -k'eh -di tsin Plaza Del Sol Kiniit'aagoo, 600 2nd Kiniit'aa NW, Albuquerque, NM 87102.

SIGN POSTING AGREEMENT – Zoning Hearing Examiner

All persons requesting a hearing before the Zoning Hearing Examiner are responsible for the posting and maintaining of one or more signs on the property.

Failure to maintain the signs during this entire period may be cause for deferral or denial of the application.

Per Integrated Development Ordinance 14-16-6-4(K)(4): **The applicant shall post at least 1 sign on each street abutting the property that is the subject of the application, at a point clearly visible from that street, for at least 15 calendar days before the public hearing and for the appeal period of 15 calendar days following any decision, required pursuant to Subsection 14-16-6-4(V)(3)(a)1.**

1. LOCATION

- A. The sign shall be conspicuously located within twenty feet of the public sidewalk (or edge of public street).
- B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be at least two feet from the ground.
- C. No barrier shall prevent a person from coming within five feet of the sign to read it.

2. NUMBER

- A. One sign shall be posted on each paved street frontage. Signs may be required on unpaved street frontages.
- B. If the land does not abut a public street, then, in addition to a sign placed on the property, a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

3. PHYSICAL POSTING

- A. A heavy stake with two crossbars or a full plywood backing works best to keep the sign in place, especially during high winds.
- B. Large headed nails or staples help prevent tearing and are best for attaching signs to a post or backing.

Signs must be posted from June 1, 2025 to June 30, 2025

Applicant/Agent Signature Judith Mori date 5-5-2025

 sign(s) were issued for the property located at 6428 Admiral Rickover Dr NE by DH

INVOICE (INV-00020853)
FOR CITY OF ALBUQUERQUE

BILLING CONTACT

Judith Mori
6428 Admiral Rickover Dr. NE
Albuquerque, NM 87111



INVOICE NUMBER	INVOICE DATE	INVOICE DUE DATE	INVOICE STATUS	INVOICE DESCRIPTION
INV-00020853	05/09/2025	05/09/2025	Due	NONE

REFERENCE NUMBER	FEE NAME	TOTAL
MZP-2025-00011	Facilitated Meeting Fee for Public Hearing Cases	\$50.00
	Major Zoning Permit Application Fee	\$100.00
	Posted Sign Fee	\$10.00
	Published Notice Fee - Legal Ad	\$75.00
	Technology Fee	\$16.45
6428 Admiral Rickover Dr Ne Albuquerque, NM 87111		SUBTOTAL \$251.45

REMITTANCE INFORMATION

PO Box 1293
Albuquerque NM, 87103
Attn: Planning Department

TOTAL **\$251.45**





VAKHITIN ANDREI B &
L'VEKOVA DENA F
10247 LAS CASITAS CT NE
ALBUQUERQUE NM 87111-7359



TERRY JANE
1207 LA RAMBLA
SANTA FE NM 87505-9971



COURNEY NEIDA L
6436 ADMIRAL RICKOVER DR
NE
ALBUQUERQUE NM 87111-1232



BROOKS GAIL W
10243 LAS CASITAS CT NE
ALBUQUERQUE NM 87122





Judi Mori
6428 Admiral Rickover Dr. NE
Albuquerque, NM 87111

ANDERSON MARY J
6416 ANNAPOLIS DR NE
ALBUQUERQUE NM 87111



Judi Mori
6428 Admiral Rickover Dr. NE
Albuquerque, NM 87111-1232

GAVIN MARGARET ANN
6440 ADMIRAL RICKOVER DR
NE
ALBUQUERQUE NM 87111-1232



Judi Mori
6428 Admiral Rickover Dr. NE
Albuquerque, NM 87111-1232

BUDAGHER ROBERT J &
PATRICIA M TRUSTEES
BUDAGHER TRUST
6420 ADMIRAL RICKOVER DR
NE
ALBUQUERQUE NM 87111





Judi Mori
6428 Adm. Rickover Dr NE
Albuquerque, NM 87111

DE LA ROSA JOHN & DEBBY S
6424 ADMIRAL RICKOVER DR
NE
ALBUQUERQUE NM 87111-1232



Judi Mori
6428 Admiral Rickover Dr NE
Albuquerque, NM 87111-1232

AVERY ADAM P
6419 ADMIRAL RICKOVER DR
NE
ALBUQUERQUE NM 87111-1231



Judi Mori
6428 Adm. Rickover Dr NE
Albuquerque, NM 87411

MANZANARES ESTEBAN N
10241 LAS CASITAS CT NE
ALBUQUERQUE NM 87111-7359





Judi Mori
6428 Adm. Rickover Dr. NE
Albuquerque, NM 87111



REID DONALD W & JEWELL
708 HERMOSA DR NE
ALBUQUERQUE NM 87110-7706



Judi Mori
6428 Admiral Rickover Dr. NE
Albuquerque, NM 87111-1232



CZUBIAK JAN & DANUTA
TRUSTEES CZUBIAK LVT
6432 ADMIRAL RICKOVER DR
NE
ALBUQUERQUE NM 87111-1232



Judi Mori
6428 Admiral Rickover Dr. NE
Albuquerque, NM 87111-1232



EL PASEO HOMEOWNERS
ASSOC INC
8500 JEFFERSON ST NE SUITE B
ALBUQUERQUE NM 87113-1884



Judi Mori
6428 Adm. Recovery Dr. NE
Albuquerque, NM 87111



EARLEY DAVID & SARY DIANE
1109 NICLANA SUITE 201
MCALLEN TX 78504



Judi Mori
6428 Admiral Recovery Dr. NE
Albuquerque, NM 87111-1232



DAVIS ROSALIE TRUSTEE
DAVIS RVT
3083 LOUISIANA BLVD NE
ALBUQUERQUE NM 87109-2714



Judi Mori
6428 Admiral Recovery Dr. NE
Albuquerque, NM 87111-1232



LOPEZ LEANN M
18235 LAS CASITAS CT NE
ALBUQUERQUE NM 87111-1295



Judi Mori
6428 Adm. Recovery Dr. NE
Albuquerque, NM 87111



WINNER-LEONI MELISSA D
6402 ADMIRAL RECOVERY DR
NE
ALBUQUERQUE NM 87111



Judi Mori
6428 Adm. Rickover Dr NE
Albuquerque, NM 87111

TORRES SUSAN M
18237 LAS CASITAS ST NE
ALBUQUERQUE NM 87111-1294



Judi Mori
6428 Adm. Rickover Dr NE
Albuquerque, NM 87111

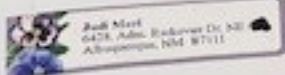
MCANALLY SHARIAN
6409 ADMIRAL RICKOVER DR
NE
ALBUQUERQUE NM 87111-1231



Judi Mori
6428 Admiral Rickover Dr NE
Albuquerque, NM 87111-1232

BOOTES GEORGE W III &
RAMONA I
2207 E VILLAGE CREST DR
DRAPER UT 84020-5585





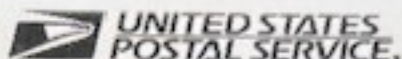
PADILLA RIO X
6444 ADMIRAL RICKOVER DR
NE
ALBUQUERQUE NM 87111



MICHAELS RICHARD S &
LOUISE C
6416 ADMIRAL RICKOVER DR
NE
ALBUQUERQUE NM 87111-1232



PONCE ARTURO
3000 AZTEC RD NE
ALBUQUERQUE NM 87107



NORTH VALLEY
424 VERANDA RD NW
ALBUQUERQUE, NM 87107-9997
(800)275-8777

04/28/2025 11:36 AM

Product	Qty	Unit Price	Price
WeddingBlooms NON	23	\$1.01	\$23.23

Grand Total: \$23.23

Credit Card Remit \$23.23

Card Name: VISA
Account #: XXXXXXXXXX3070
Approval #: 089490
Transaction #: 073
AID: A0000000031010 Contactless
AL: VISA CREDIT
CHASE VISA

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or scan this code with your mobile device.



or call 1-800-410-7420.

UFN: 340167-0107
Receipt #: 840-58700062-3-9778608-2
Clerk: 99

~~ANDERSON MARY J
6416 ANNAPOLIS DR NE
ALBUQUERQUE NM 87111~~

~~AVERY ADAM P
6419 ADMIRAL RICKOVER DR NE
ALBUQUERQUE NM 87111-1231~~

~~BOOTES GEORGE W III & RAMONA I
2207 E VILLAGE CREST DR
DRAPER UT 84020-5586~~

~~BROOKS GAIL W
10243 LAS CASITAS CT NE
ALBUQUERQUE NM 87122~~

~~BUDAGHER ROBERT J & PATRICIA M
TRUSTEES BUDAGHER TRUST
6420 ADMIRAL RICKOVER DR NE
ALBUQUERQUE NM 87111~~

~~COURTNEY NEIDA L
6436 ADMIRAL RICKOVER DR NE
ALBUQUERQUE NM 87111-1232~~

~~CZUBIAK JAN & DANUTA TRUSTEES
CZUBIAK LVT
6432 ADMIRAL RICKOVER DR NE
ALBUQUERQUE NM 87111-1232~~

~~DAVIS ROSALIE TRUSTEE DAVIS RVT
3003 LOUISIANA BLVD NE
ALBUQUERQUE NM 87110-2734~~

~~DE LA ROSA JOHN & DEBBY S
6424 ADMIRAL RICKOVER DR NE
ALBUQUERQUE NM 87111-1232~~

~~EL PASO HOMEOWNERS ASSOC INC
8500 JEFFERSON ST NE SUITE B
ALBUQUERQUE NM 87113-1884~~

~~FARLEY DAVID & MARY DIANE
1109 NOLANA SUITE 301
MCALLEN TX 78501~~

~~GAVIN MARGARET ANN
6440 ADMIRAL RICKOVER DR NE
ALBUQUERQUE NM 87111-1232~~

~~LOPEZ LEANN M
10255 LAS CASITAS CT NE
ALBUQUERQUE NM 87111-1235~~

~~MANZANARES ESTEBAN N
10241 LAS CASITAS CT NE
ALBUQUERQUE NM 87111-7359~~

~~MCANALLY SHARIAN
6409 ADMIRAL RICKOVER DR NE
ALBUQUERQUE NM 87111-1231~~

~~MICHAELS RICHARD S & LOUISE C
6416 ADMIRAL RICKOVER DR NE
ALBUQUERQUE NM 87111-1232~~

~~MORI JUDITH T
6428 ADMIRAL RICKOVER DR NE
ALBUQUERQUE NM 87111-1232~~

~~PADILLA RIO X
6444 ADMIRAL RICKOVER DR NE
ALBUQUERQUE NM 87111~~

~~PONCE ARTURO
3000 AZTEC RD NE
ALBUQUERQUE NM 87107~~

~~REID DONALD W & JEWELL
708 HERMOSA DR NE
ALBUQUERQUE NM 87110-7706~~

~~FERRY JANE
1207 LA RAMBLA
SANTA FE NM 87505-5971~~

~~TORRES SUSAN M
10237 LAS CASITAS ST NE
ALBUQUERQUE NM 87111-1294~~

~~VAKHTIN ANDREY & IZVEKOVA IRINA F
10247 LAS CASITAS CT NE
ALBUQUERQUE NM 87111-7359~~

~~WINNER-LEONI MELISSA D
6412 ADMIRAL RICKOVER DR NE
ALBUQUERQUE NM 87111~~

CITY OF ALBUQUERQUE

PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
600 2nd Street NW Room 190
Albuquerque, NM 87102
Tel: (505) 924-3320



June 12, 2025

Mr. Robert Lucero, Zoning Hearing Examiner
600 2nd Street NW
Albuquerque, New Mexico 87102

***Re: Planning Staff Recommendation / ZHE Case # MZP-2025-00011
Major Zoning Permit – Major Wall Permit / 6428 Admiral Rickover Drive NE***

Mr. Lucero:


The City of Albuquerque Planning Department received and reviewed ZHE Case # MZP-2025-00011, which requested a major wall permit for the following location: Lot 104, Block 0000, Pine Vista – Academy Hills Unit 5, 6428 Admiral Rickover Drive NE, Albuquerque, NM 87111-1232, zoned R-T.

After review and consideration of all case material, it is our recommendation to the ZHE that case # MZP-2025-00011 be **APPROVED** with the following stipulations:

- 1. If approved by the ZHE, please notate in the Notice of Decision “Approval from the ZHE shall only constitute approval of the variance application(s) # MZP-2025-00011 and does not constitute authorization of any construction commencement on their lot. The Applicant shall complete all required permit applications with the City of Albuquerque's appropriate permit department prior to commencing any construction”.*

If you have any questions, please contact me directly via email at mbloom@cabq.gov or by phone at 505.924.3662.

Respectfully submitted,



Misa K. Bloom, Planner

cc: File / ZHE Case # MZP-2025-00011



City of Albuquerque - Zoning Hearing Examiner

Agenda Item # 06

Hearing Date: June 17th, 2025

Case: MZP-2025-00011

Assigned Planner: Misa K. Bloom, Planner

Judith T. Mori requests a Major Wall Permit for Lot 104, Pina Vista at Academy Hills Unit 5, located at 6428 Admiral Rickover Dr NE, zoned R-T (E-21) [IDO §14-16-5-7(D)(1) Table 5-7-1; 14-16-5-7(D)(3)(a) Table 5-7-2]

Ownership: Judith T. Mori

Zone District/Purpose: R-T: The purpose of the R-T zone district is to accommodate a mix of single-family, two-family, and townhouse uses, as well as limited civic and institutional uses to serve the surrounding residential area.

Allowable Use: N/A

Applicable Comp Plan Designation(s):

- Area of Consistency

Applicable Use-Specific Standard(s): N/A

Applicable Dimensional/Development Standards:

5-7(D)(3) Exceptions to Maximum Wall Height

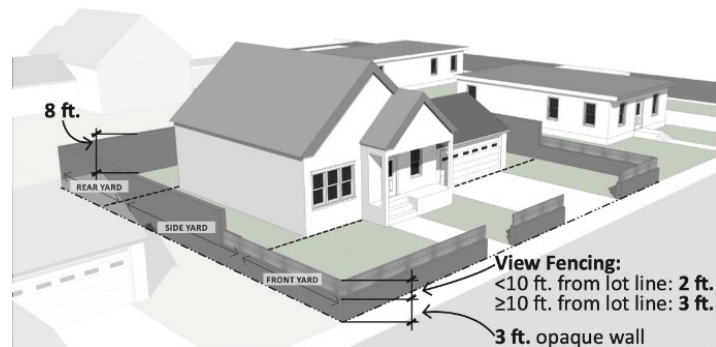
Table 5-7-2: Options for a Taller Front or Side Yard Wall ^[1]		
Wall Type and Location	Maximum Wall Height	Illustration
View Fencing		
View fencing at most 50 percent opaque may be added above 3 ft. to increase the total height of the wall as follows:		
<10 ft. from lot line abutting the street	5 ft.	5-7(D)(3)(a)2.a
≥10 ft. from lot line abutting the street	6 ft.	5-7(D)(3)(a)2.a
Courtyard Walls		
≥10 ft. from lot line abutting the street or edge of the sidewalk closest to the primary building, whichever is more restrictive	6 ft.	5-7(D)(3)(a)2.b
Corner Lots		

**Table 5-7-2: Options for a Taller Front or Side Yard Wall^[1]**

Wall Type and Location	Maximum Wall Height	Illustration
On a corner lot where the rear yard abuts the front yard of a residentially zoned lot, a taller wall enclosing the rear yard may be approved as follows:		
<10 ft. from the lot line abutting the street	5 ft.	5-7(D)(2)
[1] The maximum wall heights in this table require an approval pursuant to the standards in Subsections 14-16- Error! Reference source not found. and 14-16-6-6(H) (Permit – Wall or Fence – Major).		

a. Illustration for View Fencing**Residential**

View Fencing (Requires Wall Permit-- Major)

**5-7(D)(3)(e) All Development in Any Zone District**

1. Except where a Permit – Wall or Fence – Major is required pursuant to Subsection 14-16-5-7(D)(3)(a)2 above or where prohibited pursuant to Subsection 14-16-5-7(D)(3)(a)3 above, the Zoning Enforcement Officer (ZEO) may make an exception to the height standards in Table 5-7-1 for critical infrastructure facilities due to security reasons, specific site conditions, or related materials and facilities on the site, pursuant to Subsection 14-16-6-5(F) (Permit – Wall or Fence – Minor).
2. Design elements may project vertically 2 feet above the maximum wall height. Such elements shall have a maximum width of 5 feet and are allowed at intervals of no less than 50 feet.
3. Retaining walls are subject to the height restrictions in Subsection 14-16-5-7(F)(1) (Maximum Height).



5-7(D) MAXIMUM WALL HEIGHT

5-7(D)(1) Maximum Wall Height Table

5-7(D)(1)(a) Unless specified otherwise in Subsection 14-16-5-7(D)(3) (Exceptions to Maximum Wall Height) or elsewhere in this IDO, walls shall comply with the height standards in Table 5-7-1.

5-7(D)(1)(b) Requests for walls taller than allowed by Table 5-7-1 and Subsection 14-16-5-7(D)(3) (Exceptions to Maximum Wall Height) or elsewhere in this IDO (i.e. requirements for buffering or screening purposes in Section 14-16-5-5 (Parking and Loading), Subsection 14-16-5-6(E) (Edge Buffer Landscaping), Subsection 14-16-5-6(F) (Parking Lot Landscaping), Subsection 14-16-5-6(G) (Screening of Mechanical Equipment and Support Areas), or Section 14-16-5-9 (Neighborhood Edges)) must obtain a Variance approval and shall meet the additional requirements in Subsection 14-16-5-7(E)(2) (Articulation and Alignment).

1. A Variance to walls associated with a Site Plan – EPC are pursuant to Subsection 14-16-6-6(H) (Variance – EPC).
2. All other Variance requests for wall standards are pursuant to Subsection 14-16-6-6(O) (Variance – ZHE).

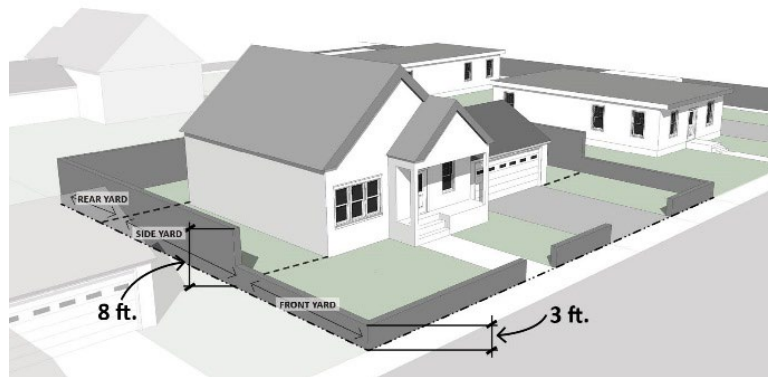
Table 5-7-1: Maximum Wall Height					
Zone Category	Residential	Mixed-use	Non-residential (NR-C, NR-BP) ^[1]	Non-residential (NR-LM, NR-GM)	See also:
Standard Wall Height					
Wall in the front yard or street side yard ^{[2][3][4][5]}	3 ft.	3 ft.	3 ft.	6 ft.	5-7(D)(2)
Wall in other locations on the lot ^{[6][7]}	8 ft.	8 ft.	8 ft.	10 ft.	5-7(D)(2)
Corner Lot Abutting Residential Zone District					
Any portion of a wall in the rear yard abutting the front yard of a Residential zone district.					
<10 ft. from the lot line abutting the street ^[2]	3 ft.	3 ft.	3 ft.	6 ft.	5-7(D)(2) 5-7(D)(3)(a)
≥10 ft. from the lot line abutting the street	6 ft.	8 ft. Low-density residential: 6 ft.	8 ft.	8 ft.	5-7(D)(2)
Walls Abutting Major Arroyos and Major Public Open Space					
Wall in a rear or interior side yard abutting a major arroyo	6 ft.	8 ft.	8 ft.	8 ft.	5-7(D)(2) 5-7(E)(4)
Wall in a rear or interior side yard abutting Major Public Open Space	6 ft.	6 ft.	6 ft.	10 ft.	5-7(D)(2) 5-7(E)(4)
^[1] In the NR-BP zone district, wall heights shall be specified in the Master Development Plan. If no Master Development Plan exists or if no wall heights are specified in the Master Development Plan, then the wall height requirements in this table apply. ^[2] Taller walls may be approved for low-density residential development pursuant to Subsections 14-16-Error! Reference source not found..					



Table 5-7-1: Maximum Wall Height					
Zone Category	Residential	Mixed-use	Non-residential (NR-C, NR-BP) ^[1]	Non-residential (NR-LM, NR-GM)	See also:
[3] Taller walls may be approved for multi-family residential development pursuant to Subsection 14-16-Error! Reference source not found..					
[4] Taller walls may be approved in any Mixed-use zone district pursuant to Subsection 14-16-Error! Reference source not found..					
[5] Taller walls may be approved in any NR-C or NR-BP zone district pursuant to Subsection 14-16-Error! Reference source not found..					
[6] Portions of walls in the rear yard of a corner lot abutting the front yard of a Residential zone district are treated differently, with provisions later in this table.					
[7] Where the rear yard of a through lot abuts at least 1 lot with any residential development that faces the second public street, the rear and side walls shall be subject to the same height restrictions applicable within the required front setback of the abutting residential property.					

5-7(D)(2) Wall Illustrations

Residential Standard Wall



5-7(E) MATERIALS AND DESIGN

5-7(E)(1) Materials and Texture

5-7(E)(1)(a) Unless specified otherwise in this IDO, walls may be opaque.

5-7(E)(1)(b) Acceptable wall materials include, but are not limited to, concrete masonry unit (CMU) blocks or other structural materials; stabilized adobe; split face blocks; slump blocks; bricks; stone; glass blocks; curved interlock blocks; wood; tubular steel; wrought iron bars; chain link fencing; other grill work; or a combination of these materials, with the following exceptions.

1.Exposed flat-faced CMU blocks shall not constitute more than 50 percent of any wall facing a public street or City park or trail.

2.Except in the R-A, R-1, NR-LM, or NR-GM zone districts, chain link fencing (with or without slats) shall not be allowed on any portion of a site visible from a public street, City park or trail, Major Public Open Space, or major arroyo. Chain



link fencing is allowed as temporary security fencing during active construction in any zone district.

5-7(E)(1)(c) Barbed tape, razor wire, barbed wire, or similar

Traffic Recommendations:

After reviewing the provided application, Transportation has no comments on the major zoning permit application.

Planning Review & Findings:

Review:

A major zoning permit application was submitted requesting a major wall permit in an R-T zone district pursuant to the requirements in the City of Albuquerque IDO Section 14-16-5-7(D)(1) Table 5-7-1; 14-16-5-7(D)(2) in a Residential–Townhouse zone district. The case is scheduled for hearing before the ZHE on June 17, 2025, with all evidence to be presented by the applicant.

This planner has reviewed the case file and finds that all actions taken by the applicant to address any potential concerns of the ZHE. Notification was provided as required by the IDO. The conditional use application poses no threat or harm to the surrounding properties in the neighborhood.

Findings & Recommendations:

1. Traffic & Transportation. No comment to the major zoning permit application as submitted.
2. Planning has verified the property located at 6428 Admiral Rickover Drive NE, which includes one lot designated as Lot 104, Block 0000, Pina Vista – Academy Hills Unit 5, located in an R-T zone district.
3. The planner has physically verified that all signage was visibly posted on the property for the required time before the scheduled meeting, in accordance with all City of Albuquerque IDO code requirements, before the June 17, 2025, ZHE hearing.
4. The applicant has met criteria (3) of the requirements outlined in their permit justification letter for a wall or fence.

a. *“The lot is at least ½ acre.*



- b. The lot fronts a street designated as a collector, arterial, or interstate highway.*
 - c. For a front yard wall taller than allowed in Table 5-7-1, at least 20 percent of the properties with low-density residential development with a front yard abutting the same street as the subject property and within 330 feet of the subject property along the length of the street the lot faces have a front yard wall or fence over 3 feet. This distance shall be measured along the street from each corner of the subject property's lot line, and the analysis shall include properties on both sides of the street. (See figure below for an illustration of this measurement.)*
 - d. For a street side yard wall taller than allowed in Table 5-7-1, at least 20 percent of the properties with low-density residential development with a side yard abutting the same street as the subject property and within 330 feet of the subject property along the length of the street the lot faces have a street side yard wall or fence over 3 feet. This distance shall be measured along the street from each corner of the subject property's lot line, and the analysis shall include properties on both sides of the street. (See figure below for an illustration of this measurement.)*
- 5. The applicant, in their justification letter, has met all requirements for an on-site cannabis consumption as outlined in IDO Section 4-3(D)(35)(i).
 - a. The proposed wall would strengthen or reinforce the architectural character or the surrounding area BECAUSE:
 - i. The built wall enhances and blends in with other properties in the neighborhood.
 - b. The proposed wall would not be injurious to adjacent properties, the surrounding neighborhood, or the BECAUSE:
 - i. The neighborhood has similar height walls as shown in attached photos
 - c. The design of the wall complies with any applicable standards in Section 14-16-5-7 (Walls and Fences), including but not limited to Subsection 14-16-5-7(E)(2) (Articulation and Alignment), Subsection 14-16-5-7(E)(3) (Wall Design), and all of the following:
 - i. The wall or fence shall not block the view of any portion of any window on the front façade of the primary building when viewed from 5 feet above ground level at the centerline of the street in front of the house. PLEASE EXPLAIN:
 - 1. The wall is 45” in height in the front and does not block any view

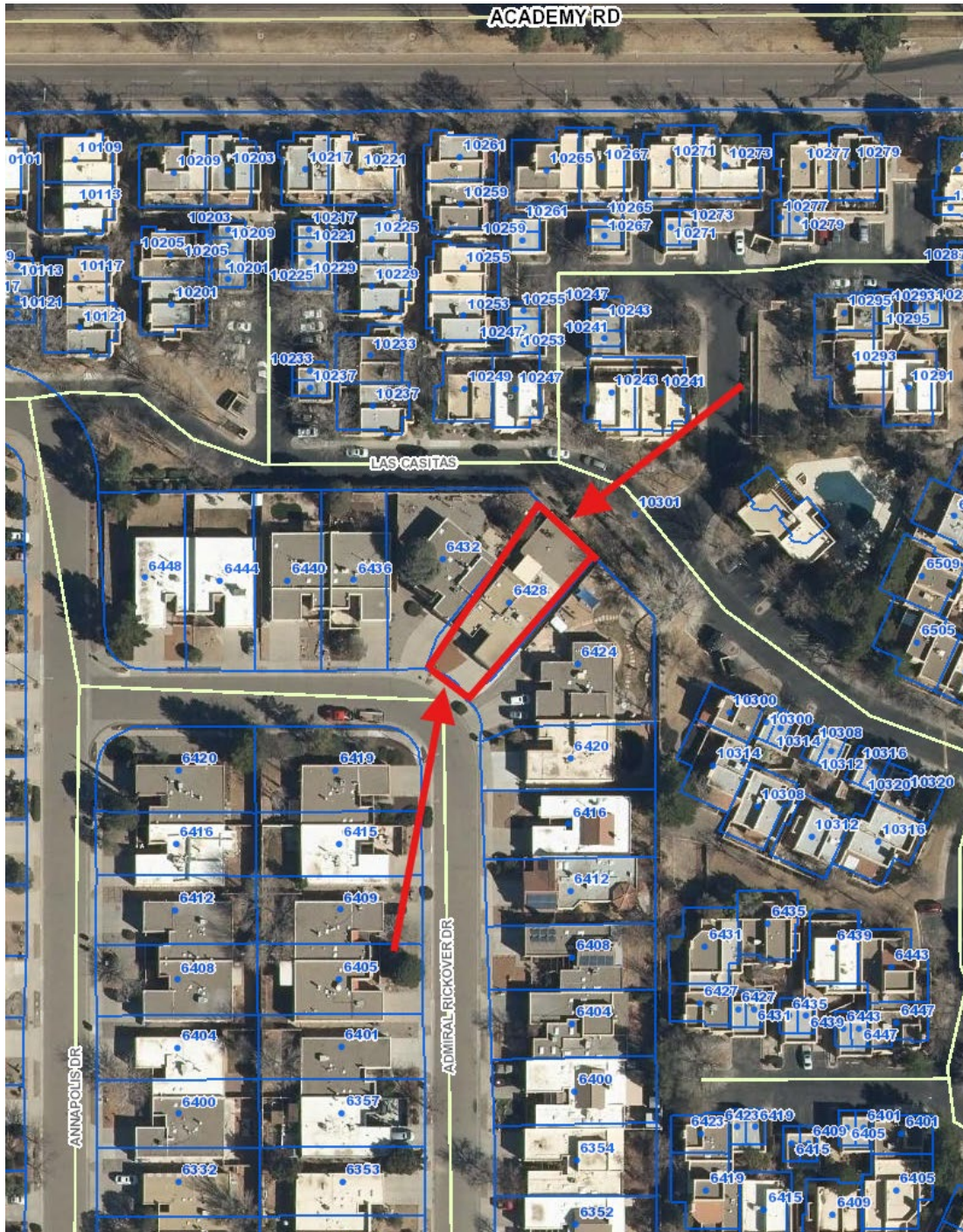


- ii. The design and materials proposed for the wall or fence shall reflect the architectural character of the surrounding area. PLEASE EXPLAIN:
 1. The wall was built with blocks and stuccoed to match the color of the house and conforms to other properties in the neighborhood.
6. No letters of support or opposition were received for this case # CU-2025-00016.
7. In review of the application, there are two stipulations required to ensure the applicant's compliance with all standing codes and laws governing the construction of a residential addition.
 - a. If approved by the ZHE, please notate in the Notice of Decision "Approval from the ZHE shall only constitute approval of the variance application(s) # MZP-2025-00011 and does not constitute authorization of any construction commencement on their lot. The Applicant shall complete all required permit applications with the City of Albuquerque's appropriate permit department prior to commencing any construction".
8. The applicant made sufficient notification in compliance with the City of Albuquerque Integrated Development Ordinance (IDO) to the following entities:
 - a. Two Neighborhood Associations were identified by ONC and notified:
 - i. Academy Hills Park Neighborhood Association
 - ii. District 8 Coalition of Neighborhood Associations
 - b. All required property owners within a 100-foot radius of the subject property.
9. This case meets all application and notification requirements set forth within the City of Albuquerque Integrated Development Ordinance (IDO) to be heard in a public hearing where the Zoning Hearing Examiner will hear additional evidence and make a written decision pursuant to applicable provisions of the IDO Section 14-16-6-4.



AERIAL IMAGERY

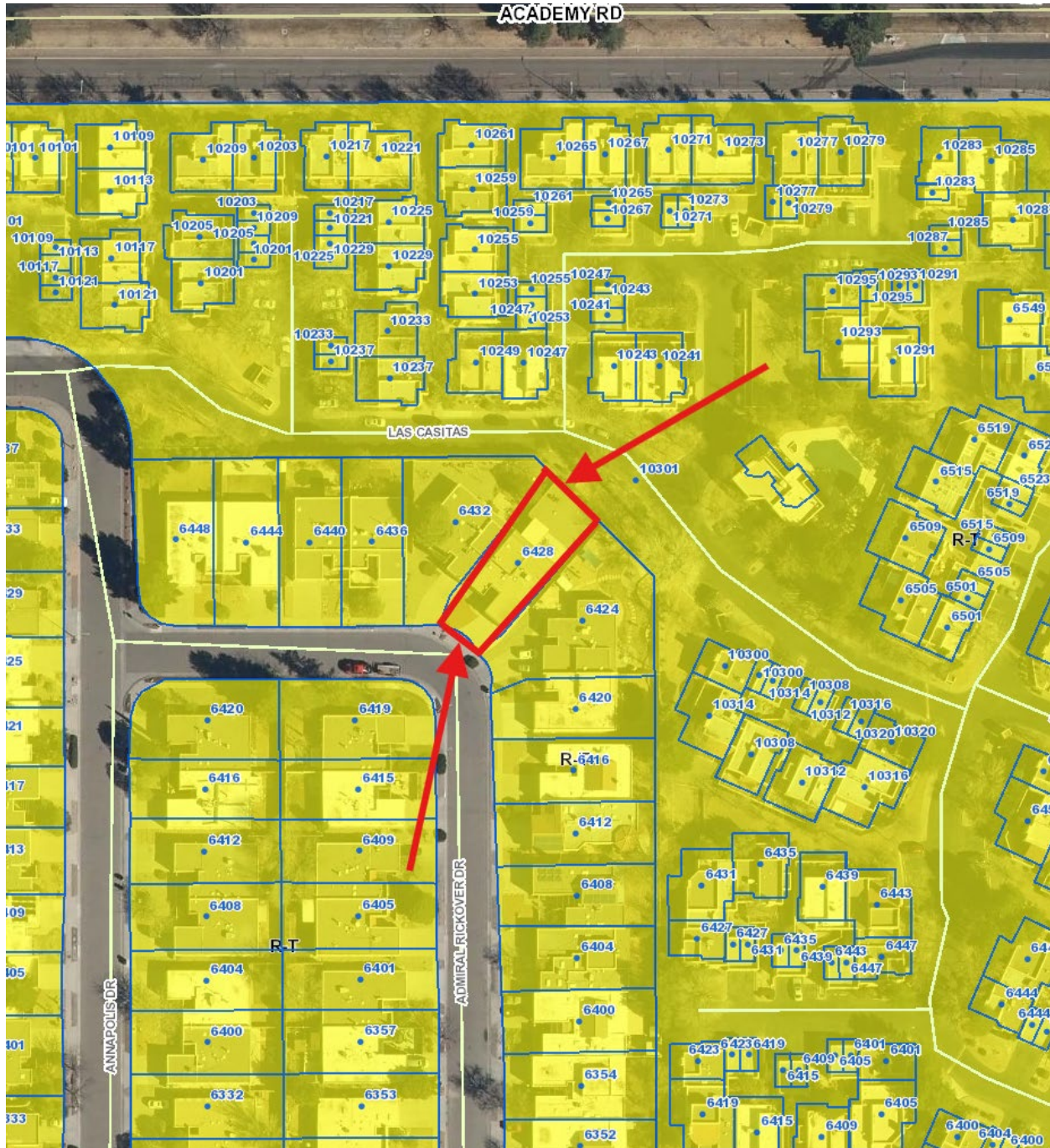
Judith T. Mori requests a Major Wall Permit for Lot 104, Pina Vista at Academy Hills Unit 5, located at 6428 Admiral Rickover Dr NE, zoned R-T (E-21) [IDO §14-16-5-7(D)(1) Table 5-7-1; 14-16-5-7(D)(3)(a) Table 5-7-2]





AREA MAP

Judith T. Mori requests a Major Wall Permit for Lot 104, Pina Vista at Academy Hills Unit 5, located at 6428 Admiral Rickover Dr NE, zoned R-T (E-21) [IDO §14-16-5-7(D)(1) Table 5-7-1; 14-16-5-7(D)(3)(a) Table 5-7-2]



**PROPERTY NOTIFICATION**

**Judith T. Mori requests a Major Wall Permit for Lot 104, Pina Vista at Academy Hills
Unit 5, located at 6428 Admiral Rickover Dr NE, zoned R-T (E-21) [IDO §14-16-5-7(D)(1)
Table 5-7-1; 14-16-5-7(D)(3)(a) Table 5-7-2]**

ANDERSON MARY J
6416 ANNAPOLIS DR NE
ALBUQUERQUE NM 87111

AVERY ADAM P
6419 ADMIRAL RICKOVER DR NE
ALBUQUERQUE NM 87111-1231

BOOTES GEORGE W III & RAMONA I
2207 E VILLAGE CREST DR
DRAPER UT 84020-5586

BROOKS GAIL W
10243 LAS CASITAS CT NE
ALBUQUERQUE NM 87122

BUDAGHER ROBERT J & PATRICIA M
TRUSTEES BUDAGHER TRUST
6420 ADMIRAL RICKOVER DR NE
ALBUQUERQUE NM 87111

COURTNEY NEIDA L
6436 ADMIRAL RICKOVER DR NE
ALBUQUERQUE NM 87111-1232

CZUBIAK JAN & DANUTA TRUSTEES
CZUBIAK LVT
6432 ADMIRAL RICKOVER DR NE
ALBUQUERQUE NM 87111-1232

DAVIS ROSALIE TRUSTEE DAVIS RVT
3003 LOUISIANA BLVD NE
ALBUQUERQUE NM 87110-2734

DE LA ROSA JOHN & DEBBY S
6424 ADMIRAL RICKOVER DR NE
ALBUQUERQUE NM 87111-1232

EL PASEO HOMEOWNERS ASSOC INC
8500 JEFFERSON ST NE SUITE B
ALBUQUERQUE NM 87113-1884

FARLEY DAVID & MARY DIANE
1109 NOLANA SUITE 301
MCALLEN TX 78504

GAVIN MARGARET ANN
6440 ADMIRAL RICKOVER DR NE
ALBUQUERQUE NM 87111-1232

LOPEZ LEANN M
10255 LAS CASITAS CT NE
ALBUQUERQUE NM 87111-1295

MANZANARES ESTEBAN N
10241 LAS CASITAS CT NE
ALBUQUERQUE NM 87111-7359

MCANALLY SHARIAN
6409 ADMIRAL RICKOVER DR NE
ALBUQUERQUE NM 87111-1231

MICHAELS RICHARD S & LOUISE C
6416 ADMIRAL RICKOVER DR NE
ALBUQUERQUE NM 87111-1232

MORI JUDITH T
6428 ADMIRAL RICKOVER DR NE
ALBUQUERQUE NM 87111-1232

PADILLA RIO X
6444 ADMIRAL RICKOVER DR NE
ALBUQUERQUE NM 87111

PONCE ARTURO
3000 AZTEC RD NE
ALBUQUERQUE NM 87107

REID DONALD W & JEWELL
708 HERMOSA DR NE
ALBUQUERQUE NM 87110-7706

TERRY JANE
1207 LA RAMBLA
SANTA FE NM 87505-5971



PROPERTY NOTIFICATION

Judith T. Mori requests a Major Wall Permit for Lot 104, Pina Vista at Academy Hills Unit 5, located at 6428 Admiral Rickover Dr NE, zoned R-T (E-21) [IDO §14-16-5-7(D)(1) Table 5-7-1; 14-16-5-7(D)(3)(a) Table 5-7-2]

TORRES SUSAN M
10237 LAS CASITAS ST NE
ALBUQUERQUE NM 87111-1294

VAKHTIN ANDREI B & IZVEKOVA IRINA
F
10247 LAS CASITAS CT NE
ALBUQUERQUE NM 87111-7359

WINNER-LEONI MELISSA D
6412 ADMIRAL RICKOVER DR NE
ALBUQUERQUE NM 87111



PROPERTY IMAGES

Judith T. Mori requests a Major Wall Permit for Lot 104, Pina Vista at Academy Hills Unit 5, located at 6428 Admiral Rickover Dr NE, zoned R-T (E-21) [IDO §14-16-5-7(D)(1) Table 5-7-1; 14-16-5-7(D)(3)(a) Table 5-7-2]



Case Number	Subject Property Location	Project Number	ZHE Case Type	Name	Commenting Agency/Department	Status	Comment
VA-2025-00022	7 CHACON PL NW	N/A	Variance		Transportation	In Review	
CU-2025-00016	5231 San Mateo Blvd NE	N/A	Conditional Use	Marwa Al-najjar	Transportation	Approved	No Comment
CU-2025-00017	138 Harvard Dr SE	N/A	Conditional Use	Steve Herrera	Transportation	Comments Given/No Comments	No Comment
MZP-2025-00010	1909 Inez Dr NE	PR-2025-020073	Carport Permit	Steve Herrera	Transportation	Requires Re-submit	Call out on Site Plan Front, Rear & Side yard setbacks to property lines.
VA-2025-00039	1909 Inez Dr NE	PR-2025-020073	Variance	Sertil Kanbar	Transportation	Approved	Transportation has no objection for carport
MZP-2025-00011	6428 Admiral Rickover Dr NE		Major Wall Permit	Steve Herrera	Transportation	Approved	No Comment
VA-2025-00024	6800 Gonzales Rd SW	PR-2024-010332	Variance	Transportation	Transportation	In Review	
VA-2025-00025	10409 Aventura Ct NW	PR-2025-020065	Variance	Steve Herrera	Transportation	Comments Given/No Comments	No Comment
VA-2025-00027	10409 Aventura Ct NW	PR-2025-020065	Variance	Steve Herrera	Transportation	Comments Given/No Comments	No Comment
VA-2025-00028	1403 Menaul Blvd NW	PR-2025-020063	Variance	Transportation	Transportation	Comments Given/No Comments	No Comment
VA-2025-00035	1403 MENAUL BLVD NW	PR-2025-020063	Variance	Steve Herrera	Transportation	Comments Given/No Comments	No Comment
VA-2025-00029	922 Arno St SE	PR-2025-020062	Variance	Transportation	Transportation	In Review	
VA-2025-00030	922 Arno St SE	PR-2025-020062	Variance		Transportation	In Review	
VA-2025-00031	922 Arno St SE	PR-2025-020062	Variance		Transportation	In Review	
VA-2025-00032	922 Arno St SE	PR-2025-020062	Variance		Transportation	In Review	Intersection Sight Distance Sight Distance Length (L) Sight Distance Length (L) Drivers Eye 15 ft. Obstruction Area to be free from any visual obstruction Sight Line (typical) Property Line TABLE 7.4.65 Minimum Intersection Sight Distance Speed Limit (MPH) Minimum Intersection Sight Distance 2 Lane Undivided 3 Lane Undivided or 2 Lane Divided w/ 12 ft. Median 4 Lane Undivided Left Turn Right Turn Left Turn Right Turn Left Turn Right Turn 20 230 ft. 200 ft. 240 ft. 200 ft. 250 ft. 200 ft. 25 280 ft. 240 ft. 300 ft. 240 ft. 320 ft. 240 ft. 30 340 ft. 290 ft. 360 ft. 290 ft. 380 ft. 290
VA-2025-00033	1401 San Pedro Dr NE	N/A	Variance	Steve Herrera	Transportation	Requires Re-submit	



**Hearing on Special Exceptions
to the Integrated Development Ordinance**

MINUTES

June 17, 2025

600 2nd St NW, Albuquerque, NM 87102

CITY STAFF PRESENT:

Robert Lucero – Zoning Hearing Examiner

**Michael Vos – ZHE Principal Planner & ZEO, Planning
Department**

Adam Sena – ZHE Senior Planner, Planning Department

Misa Bloom – Planner, Planning Department

Diane Hernandez – ZHE Admin. Assistant

MZP-2025-00011

No Project #

6428 Admiral Rickover Dr NE

MZP-2025-00021

ZHE - Robert Lucero: Next up is agenda Item 6. That is MZP-2025-00011. Judith T. Morey requests a major wall permit for Lot 104, Pina Vista at Academy Hills Unit 5, located at 6428 Admiral Rickover Drive Northeast, which is zoned R-T.

Do we have the applicant here today, Judith T. Mori? Let's see, I'm looking through the applicants and I don't see that name. Diane, Did we hear from this applicant that they weren't gonna be here?

ZHE - Diane: No, I haven't heard anything.

ZHE - Robert Lucero: Okay, let's go ahead and table this one. And Diane, if you'd please see if you could get a hold of them and let them know we're having the hearing. That'd be great.

ZHE - Robert Lucero: So, we'll go ahead and table agenda Item 6, and move to agenda Item 7. Agenda Item 7 is VA-2025-0024. PR-2024-01033.

Judi's iPad (2): Okay, I'm off mute. Hello! Can you hear me?

ZHE - Robert Lucero: Hello. Yes.

Judi's iPad (2): Yes, this is. I had it on mute, I mean on mute. Sorry. This is Judy Mori.

ZHE - Robert Lucero: Oh, okay, let's go back then. So we're gonna go.

Judi's iPad (2): I'm sorry.

ZHE - Robert Lucero: Agenda Item 6, is MZP-2025-0011. Judith T. Mori requests a major wall permit for Lot 104, Pina Vista at Academy Hills Unit 5, located at 6428 Admiral Rickover Drive Northeast, which is zoned R-T. And now we have Ms. Mori here. Would you please state your full name and mailing address for the record.

Judi's iPad (2): Judith T. Mori, 6428 Admiral Rickover Drive Northeast, Albuquerque, 87111.

ZHE - Robert Lucero: Thank you, and please raise your right hand, and do you affirm, under penalty of perjury, that your testimony today will be true?

Judi's iPad (2): Yes, I do.

ZHE - Robert Lucero: Thank you. Go ahead. Please tell me about this application.

Judi's iPad (2): Yes, I'm requesting the I had a wall built, a patio wall built in front of my house, and it's 4 feet, and I didn't realize that I needed a permit, and I didn't realize that the walls were 3 feet because they used to be 4.

MZP-2025-00011

No Project #

6428 Admiral Rickover Dr NE

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ZHE - Robert Lucero: Oh, I see the photo here. Thank you for sending that in

Judi's iPad (2): so. And I built it, you know, just to enhance the value and the aesthetics of my property, and also, you know, of the neighborhood I just wanted to keep in, you know, so that it was everything was just cohesive.

ZHE - Robert Lucero: Yes. Okay, thank you. And I do see also several photos of neighboring properties that all look to have sort of similar courtyard walls.

Judi's iPad (2): Right.

ZHE - Robert Lucero: And are those all above 3 feet as well? Is that right?

ZHE - Robert Lucero: Most of them are. Most of them are. There's a couple that are, I think, 6 feet, but in the majority of.

Judi's iPad (2): Excuse me, I took a picture of of every house on Admiral Rickover both sides of the street that had, you know, wall patio walls in front of their houses. So the majority of them were, you know, 4 feet and over, so.

ZHE - Robert Lucero: Okay. Let's see, you know, one thing that I don't see in the file is the buffer map. Diane, do we have the buffer map on this one that shows the 330 linear feet?

ZHE - Diane: I believe so, but let me double check.

Judi's iPad (2): Yes.

ZHE - Robert Lucero: Okay, I just wanna make sure it's in the record.

Judi's iPad (2): Yeah, I think there was from that.

ZHE - Robert Lucero: Let's see what else? What else? I think that was it, I think, between you know what you submitted, that in your testimony you've addressed any questions that I had at this point. Anything else you'd like to add before I call for public comment?

Judi's iPad (2): No, I mean I sent all the letters out, and you know the documents out to all the neighbors that I was told to, and the neighborhood associations. And you know I haven't heard anything, you know back just, you know, verbally from, you know, some of the neighbors. That was it.

ZHE - Robert Lucero: Okay, thank you. And now it looks like we did receive a report from the city traffic engineer, stating no objection.

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6428 Admiral Rickover Dr NE

MZP-2025-00021

ZHE - Robert Lucero: Well, let's see if there's any public comment, and then, if so, you'll have the chance to respond. And again, for everyone here. This is agenda Item 6. Request for a wall permit, and this is at 64288 Admiral Rickover Northeast.

ZHE - Robert Lucero: Please raise your hand if you'd like to speak on that item. Let's see, I see Danuta Czubiak with the hand raised. Are you there?

Danuta Czubiak: Yes, yes.

ZHE - Robert Lucero: Oh, thank you! Would you please state your full names and mailing address for the record.

Danuta Czubiak: 6432 Admiral Rickover and my name is Sylvia Czubiak, 6432, Admiral Rickover Drive, Albuquerque, New Mexico, 87111. I am actually the daughter of Jan and Danuta, who are the owners of 6432, Admiral Rickover. I'm speaking as a representative on behalf of my parents. I'm here to voice their concerns and share their perspective regarding this zoning variance.

ZHE - Robert Lucero: Yeah, let's get you sworn in. Please raise your right hand, and you affirm, under penalty of perjury, that your testimony today will be true?

Danuta Czubiak: Yes.

ZHE - Robert Lucero: Thank you. Go ahead.

Danuta Czubiak: They would like to bring to your attention that Miss Judy Mori has been constructing numerous structures on her property without obtaining the required permits. This has occurred on multiple occasions, suggesting a pattern of noncompliance with local building regulations.

Danuta Czubiak: Ms. Mori has built a wall without the necessary permits, and the structure has created significant hardships for my parents. The wall is approximately 9 and a half feet long and 54 and a half inches tall. Due to its height and placement. It's made it difficult for them to access their garage specifically. They are now required to stop their vehicle, exit the car, fold in their side mirror, and then proceed to park in the garage.

Danuta Czubiak: This is both inconvenient and time consuming, and presents a safety concern. Additionally, the wall has been constructed so close to their driveway that it has rendered it impossible for my parents to open the passenger side door of their vehicle when parked in their own driveway.

Danuta Czubiak: This construction not only affects daily use of their property, but also presents a long-term issue. Should they need to repave their driveway in the future, the proximity of the wall risks causing damage to the structure when replacing their pavement. I'd also like to express concerns about the potential of undue influence regarding this

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matter. April 29, while grilling in the backyard, I was approached by a man who introduced himself as a retired zoning commissioner.

Danuta Czubiak: He stated to me that he was getting the lay of Ms. Nori's land, and mentioned that he would be moving in soon.

Judi's iPad (2): It's hearsay.

Danuta Czubiak: At the time I was caught off guard, and did not fully understand the purpose for being on the property, particularly since he did not provide any further context for his visit. This interaction raised concerns for me, as it seemed unusual for someone with ties to zoning matters to be on the property in such a manner.

Danuta Czubiak: Given that Ms. Nori is pursuing a variance related to her property, I am left wondering whether there may be any potential conflicts of interest or undue influence at play, especially considering the history of unpermitted construction.

Danuta Czubiak: I want to stress that my concern is not solely about the zoning variance itself. But about the broader implications of such actions we believe it is important for all zoning matters to be handled importantly and with full transparency, without any appearance of favoritism or conflict.

Danuta Czubiak: we would greatly appreciate any clarification on the matter, and any steps that might be taken to ensure that the zoning regulations are enforced fairly and consistently for all parties involved.

Danuta Czubiak: I'd like to conclude that, given the impact this has on my parents' ability to use their property comfortably and safety. We kindly request that the issue is denied, and all building codes and zoning regulations have been adhered to, and appropriate actions are taken to address the situation. Thank you.

ZHE - Robert Lucero: Thank you, Ms. Czubiak, did you get a name of this person? That was, you know, that they that stated they were retired from zoning?

Danuta Czubiak: No, sir, he informed me that he was a retired zoning commissioner, and almost actually fell in her backyard as he was getting the lay of the land, and informed me he was moving in there soon.

ZHE - Robert Lucero: Okay, thank you. Since you've questioned sort of the potential bias or anything, I just wanted to confirm that. You know, this is the first I'm hearing of any anyone related to the planning department. It sounds like this person is not currently related to the planning department, if indeed they ever were. But I certainly have not received any information or communications that would lead me to prejudge this, or have any other conflict of interest just wanted to confirm that for the record.

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Danuta Czubiak: Thank you. Like, as I stated before, Ms. Mori is a habitual offender for building things on her property without any permits.

ZHE - Robert Lucero: And as to that, you know that my role here is just to decide this application.

Danuta Czubiak: Yes, I just paid that for the rest.

ZHE - Robert Lucero: You know, if you want to go ahead and submit a complaint to code enforcement, you know certainly any citizen can do that.

Danuta Czubiak: Thank you, sir.

ZHE - Robert Lucero: Thank you. All right again for everyone here. This is agenda Item 6. It's a request for a taller wall permit at 6428 Admiral Rickover, please raise your hand if you'd like to speak on that item.

ZHE - Robert Lucero: Let's see, I'm scrolling through the participants. I don't see anyone else with the hand raised. Last call for public comment on agenda Item 6. Okay, let's go back to the applicant. Then, Judi Mori, are you there?

ZHE - Robert Lucero: It looks like you're on mute. There we go. Thank you. Would you like to respond to the public comment?

Judi's iPad (2): Not really, because a lot of the things that were said weren't really related to this issue. I mean, and I don't know anything about a zoning, a retired zoning, you know, person on my property. I have no idea what all that was about. So, I mean I am just concerned about, you know the front patio wall.

ZHE - Robert Lucero: Let me ask you that the, this alleged sort of impact on their garages. I'm looking at this photo that I think maybe submitted into the record. It's a black and white photo. It shows the wall and it has some handwriting on it says sidewall height.

Judi's iPad (2): Right,

ZHE - Robert Lucero: Is that the one that you sent in?

Judi's iPad (2): Yes. I sent that in,

ZHE - Robert Lucero: And so is that their driveway on the left-hand side of that.

Judi's iPad (2): Yes, that's their driveway.

ZHE - Robert Lucero: Okay. And that wall there, what's your take on, you know, that left side of the wall? Does it impact the driveway in any way their garage door, as they explained?

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Judi's iPad (2): So, I mean, you know, she said, that they can't open up the passenger side. Well, if the wall wasn't there, that means their door when they open the door is on my property. I mean. I don't know. I don't understand that.

ZHE - Robert Lucero: Is the is the wall on the property line there?

Judi's iPad (2): Yes, it's on my property.

ZHE - Robert Lucero: It's not on their, it's not on their,

Judi's iPad (2): No, no, it's not on their property.

ZHE - Robert Lucero: Okay.

Judi's iPad (2): So, you know. That's I mean, I don't understand. But no.

ZHE - Robert Lucero: Okay.

Judi's iPad (2): Because even if I had put a 3, even if I had put a 3-foot wall, it still would have been they wouldn't have been able to open their door on me. I don't know what to say.

ZHE - Robert Lucero: Okay. Well, thank you for the information. And I'd like to thank the public comment. I'm gonna take everything under consideration. And I'll issue the written decision in 15 days. Thank you. Everybody.

Judi's iPad (2): Thank you.

ZHE - Robert Lucero: That concludes agenda Item 6.



NOTICE OF APPEAL

August 6, 2025

TO WHOM IT MAY CONCERN:

The Planning Department received an appeal on July 16, 2025. You will receive a Notice of Hearing as to when the appeal will be heard by the **Land Use Hearing Officer**. If you have any questions regarding the appeal, please contact Nichole Maher, Planning Sr. Administrative Assistant, (505) 924-3845 or nmaher@cabq.gov.

Please refer to the enclosed excerpt from the Land Use Hearing Officer Rules of Procedure and Qualifications for any questions you may have about this procedure.

Any questions you might have regarding Land Use Hearing Officer policy or procedures that are not answered in the enclosed rules can be answered by Michelle Montoya, Clerk to the City Council, (505) 768-3100 or mmmontoya@cabq.gov.

CITY COUNCIL APPEAL NUMBER: AC-25-03

PLANNING DEPARTMENT CASE FILE NUMBER: MZP-2025-00011 (ZHE - Major Wall or Fence Permit), [MZP-2025-00021 \(Appeal\)](#)

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ZHE File