TABLE OF CONTENTS
AC-22-6
PR-2021-0046303
VA-2021-00429
VA-2022-00044

PAGE(S)

CITY OF ALBUQUERQUE

Albuquerque, New Mexico

Planning Department

Mayor Timothy M. Keller

INTER-OFFICE MEMORANDUM **March 14, 2022**

TO: **Isaac Benton, President, City Council**

FROM: **Alan Varela, Planning Director** Alan Varela
Alan Varela (Mar 14, 2022 15:30 MDT)

SUBJECT: AC-22-6, PR-2021-0046303-VA-2021-00429-VA-2022-00044:
Michael A. Lucero & Barbara J. Surbey, appeals the Zoning Hearing Examiners decision to Approve a Wall Permit-Major for a taller courtyard wall in the front yard for Lot 24, Block 54A, Four Hills Village, located at 1709 Conestoga DR SE, zoned R-1D [Subsection 14-16-5-7(D)(3)(g)]

OVERVIEW
Robert and Jordyn Ridenour requested a permit for a Wall Permit-Major for a courtyard wall in the front yard located at 1709 Conestoga DR SE ("Subject Property").

The request was scheduled and heard at the January 18, 2022 Public Hearing.

February 2, 2022 the Zoning Hearing Examiner (ZHE) approved the request.

February 15, 2022 an appeal was filed by Michael A. Lucero and Barbara J. Surbey, owner of adjacent property at 1705 Conestoga Dr. SE.

BASIS FOR APPEAL
Subsection 14-16-6-4(V)(4) outlines the applicable criteria for the appeal in determining whether the Zoning Hearing Examiner erred in its decision:

6-4(V)(4) Criteria for Decision
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:
6-4(V)(4)(a) The decision-making body or the prior appeal body acted fraudulently, arbitrarily, or capriciously.
6-4(V)(4)(b) The decision being appealed is not supported by substantial evidence.
6-4(V)(4)(c) 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).

STAFF RESPONSE
The reasons for the appeal, excerpted from Appellant's letter, are listed below, followed by a bulleted, italicized response from the Planner for the ZHE. Please see the Appellant's letter and submittal packet for additional details.

The reason for this Appeal is that the Decision rendered was based on an incomplete application [Application Completeness 14-16-6-4(G)] due to submittal deficiencies i.e., a lack of substantial evidence [Content of Notice 14-16-6-4(K)(1)(b)(2)].

- *The application was deemed complete on December 7, 2021.*
- *The request and submitted documents meet the definition of a Courtyard Wall.*
- *A sketch plan was timely submitted.*
- *The 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).*
- *The 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).

The Appeal is based on the Review and Decision Criteria. 14-16-6-6(H)(3)
Supporting Statements for the Appeal are as follows:

6-6(H)(3)(a)
There are not 20% of the homes within the 330' distance that have a 'front yard wall or fence over 3 feet'. Our house (1705 Conestoga Dr SE) would have to be included to meet the 20%; however, our front wall is setback 3 feet inside the front façade of our house and 2 feet inside the front façade of the garage. Thus, our front wall does not extend beyond the front façade of our dwelling at any point and therefore should not be considered a 'front yard wall' to constitute the 20%.

- *Subsection 14-16-6-6-H(3)(a)(3) references front yard walls and Subsection 14-16-6-6-H(3)(a)(4) references street side yard walls.*
- *The ZHE found that, 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.*

6-6(H)(3)(b)
A 6' tall courtyard wall in the front yard is an anomaly for our entire street and immediate surrounding area. This structure does not strengthen or reinforce the architectural character of the surrounding area.
The existing front yard north side lot line wall which is setback 5" (inches) from our common property line is approximately 5' tall on our side. The applicants plan to raise it to 6'. Prior to constructing the walls, they built up the level of their front yard inside the wall making their property approximately 18"- 24" higher than ours. Based on the IDO Definition of "Wall Height", this wall could end up 7.5'- 8' tall on our side. This will make the wall higher than the edge of our roof. The finished look will not strengthen or reinforce the architectural character of the surrounding area.

- *The ZHE approved the request for a 6 foot courtyard wall per Table 5-7-2 under Subsection 14-16-5-7(D)(3)(g).*
- *Finding #9. Based on evidence presented by Applicant, the proposed wall would strengthen or*

reinforce the architectural character of the surrounding area. Specifically, photographs were submitted showing several walls/fences in the neighborhood. It appears from the evidence that the proposed wall would not be out of character with the surrounding area, but rather would reinforce the architectural character of the neighborhood by being in harmony with the other improvements on the Subject Property.

6-6(H)(3)(c)
We are the adjacent property to the north and share the front yard-adjacent side lot line. The existing wall as it currently sits blocks much of our view to the south when looking out our front windows.

This is a major security issue for us. We specifically purchased our property (this is our retirement home) for the open view i.e., having a clear view of the street in both directions from inside our home.

We had our property lot surveyed in November 2021. See EXHIBIT, Property Survey [page 10] located in this Appeal package. As you can see on the survey, the common block wall between our side yards and back yards isn't placed exactly on the lot line. At the east end the wall is completely on the applicant's property (1709 Conestoga Dr SE); as you move westward it crosses the common property lot line and eventually is completely located on our lot (1705 Conestoga DR SE). With this being the case, **the existing location of their front yard north wall meets the definition of a Perimeter Wall and shouldn't in any way be considered for use as a Courtyard Wall.**

- *Finding #7. Certain neighbors submitted evidence in opposition to the Application, while other neighbors submitted evidence in support. The thrust of the opposition concerned the location of the wall along the front yard lot line. In particular, one adjacent neighbor pointed out the negative impact to visibility and safety that the current location of the wall would have if maintained; however, Applicants have revised their plans, such that they would relocate the wall to become a courtyard wall pursuant to the IDO, which requires that the wall be located ≥10 ft. from lot line abutting the street or edge of the sidewalk closest to the primary building, whichever is more restrictive. (See IDO Subsection 14-16-5-7(D)(3)(g), Table 5-7-2, and accompanying illustrations).*

- *Finding #10. Based on evidence presented by Applicant, the proposed wall would not be injurious to adjacent properties, the surrounding neighborhood, or the larger community. Specifically, that the wall would enhance the safety of both the subject property and neighboring properties by discouraging trespassers from coming into the community and property.*

- *Conditions of Approval:*
    - *The existing wall must be relocated to exist ≥10 ft. from lot line abutting the street or edge of the sidewalk closest to the primary building, whichever is more restrictive.*
    - *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. View fencing may be used for any portions of the wall that otherwise would block views contrary to this condition.*

6-6(H)(3)(d)

The applicants stated in their application that they would stucco the courtyard wall to match their home/dwelling. To do so, they must trespass on our property. When they built the wall, they did so without our permission or even our knowledge. They accessed our property, tore out our railroad ties, threw them into the evergreens, impacted our plant life, tore up the landscape gravel, etc. It seems they lack respect for other people's property. We had to remind them several times to fix what they damaged until they finally did two months later.

- *Finding #11. 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: (a) 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 (b) The design and materials proposed for the wall or fence shall reflect the architectural character of the surrounding area.*

/ Lorena Patten-Quintana /
Lorena Patten-Quintana, ZHE Planner
Office of the Zoning Hearing Examiner
City of Albuquerque Planning Department

AC-22-6 Memo-MRW-rev

Final Audit Report 2022-03-14

Created:	2022-03-14
By:	Lucinda Montoya (lucindamontoya@cabq.gov) Signed
Status:	CBJCHBCAABAAbBazJalkUbH1vobn4KaNjFuJs9Mps6kV
Transaction ID:	

"AC-22-6 Memo-MRW-rev" History

Document created by Lucinda Montoya (lucindamontoya@cabq.gov)
2022-03-14 - 9:26:14 PM GMT- IP address: 143.120.133.160

Document emailed to Alan Varela (avarela@cabq.gov) for signature
2022-03-14 - 9:26:28 PM GMT

Document e-signed by Alan Varela (avarela@cabq.gov)
E-signature obtained using URL retrieved through the Adobe Sign API
Signature Date: 2022-03-14 - 9:30:30 PM GMT - Time Source: server- IP address: 143.120.133.65

Agreement completed.
2022-03-14 - 9:30:30 PM GMT

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

Robert and Jordyn Ridenour request a permit for a taller wall major for a courtyard wall in the front yard for Lot 24, Block 54A, Four Hills Village, located at 1709 Conestoga DR SE, zoned R-1D [Section 14-16-5-7(D)(3)(g)]

Special Exception No:..... **VA-2021-00429**
Project No: ..... **Project#2021-006303**
Hearing Date: 01-18-22
Closing of Public Record: 01-18-22
Date of Decision: 02-02-22

On the 18th day of January, 2022, property owners Robert and Jordyn Ridenour ("Applicant") appeared before the Zoning Hearing Examiner ("ZHE") requesting a permit for a taller wall major for a courtyard wall in the front yard ("Application") upon the real property located at 1709 Conestoga DR SE ("Subject Property"). Below are the ZHE's finding of fact and decision:

FINDINGS:

1. Applicant is requesting a permit for a taller wall major for a courtyard wall in the front yard.
2. The City of Albuquerque Integrated Development Ordinance Section 14-16-6-6(H)(3) Permit-Wall or Fence-Major reads: "*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:*
   6-6(H)(3)(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.

6-6(H)(3)(b) The proposed wall would strengthen or reinforce the architectural character of the surrounding area.

6-6(H)(3)(c) The proposed wall would not be injurious to adjacent properties, the surrounding neighborhood, or the larger community.

6-6(H)(3)(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.

3. The 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).
4. The 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).
5. All property owners within 100 feet and affected neighborhood associations were notified of the application.
6. The subject property is currently zoned R-1D.
7. Certain neighbors submitted evidence in opposition to the Application, while other neighbors submitted evidence in support. The thrust of the opposition concerned the location of the wall along the front yard lot line. In particular, one adjacent neighbor pointed out the negative impact to visibility and safety that the current location of the wall would have if maintained. However, Applicants have revised their plans, such that they would relocate the wall to become a courtyard wall pursuant to the IDO, which requires that the wall be located ≥10 ft. from lot line abutting the street or edge of the sidewalk closest to the primary building, whichever is more restrictive. (see IDO Section 5-7(D)(3)(g), Table 5-7-2, and accompanying illustrations).
8. 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.
9. Based on evidence presented by Applicant, the proposed wall would strengthen or reinforce the architectural character of the surrounding area. Specifically, photographs were submitted showing several walls/fences in the neighborhood. It appears from the evidence that the proposed wall would not be out of character with the surrounding area, but rather would reinforce the architectural character of the neighborhood by being in harmony with the other improvements on the Subject Property.
10. Based on evidence presented by Applicant, the proposed wall would not be injurious to adjacent properties, the surrounding neighborhood, or the larger community. Specifically, that the wall would enhance the safety of both the subject property and neighboring properties by discouraging trespassers from coming into the community and property.

11. 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: (a) 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 (b) The design and materials proposed for the wall or fence shall reflect the architectural character of the surrounding area.
12. The ZHE finds that the proper "Notice of Hearing" signage was posted for the required time period as required by Section 14-16-6-4(K)(3).
13. City Transportation issued a report stating that it does not object.
14. The ZHE finds that the Applicant has authority to pursue this Application.

DECISION:

APPROVAL WITH CONDITIONS of a permit for a taller wall major for a courtyard wall in the front yard.

CONDITIONS:

A. The existing wall must be relocated to exist ≥10 ft. from lot line abutting the street or edge of the sidewalk closest to the primary building, whichever is more restrictive.
B. 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. View fencing may be used for any portions of the wall that otherwise would block views contrary to this condition.

APPEAL:

If you wish to appeal this decision, you must do so by February 17, 2022 pursuant to Section 14-16-6-4(V), 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 decision does not constitute approval of plans for a building permit. If your application is approved, bring this decision with you when you apply for any related building permit or occupation tax number. Approval of a conditional use or a variance application is void after one year from date of approval if the rights and privileges are granted, thereby have not been executed, or utilized.

Robert Lucero, Esq.
Zoning Hearing Examiner

cc:

ZHE File
Zoning Enforcement
Robert and Jordyn Ridenour, rkridnour@gmail.com
Mike Lucero 1705 Conestoga, malucero@comcast.net
Barbara Surbey, 1705 Conestoga, bjsurbey@comcast.net
Jeffrey Mahn, jamahn47@gmail.com
Tommy Carrion, tcarrion2002@yahoo.com
Karen Hartsoch, scrappyredhead@outlook.com
Brian Broaddus, bbroaddus@gmail.com
Eileen Mahn, eamahn@gmail.com
Janita Luddeke, luddekejf@gmail.com
David Schams, dschams15@gmail.com
Heather Schriner, schriner3312@msn.com
Noah Parraz, prospect242424@yahoo.com
Mort Khodaie, mkhodaie29@yahoo.com

City of Albuquerque

DEVELOPMENT REVIEW APPLICATION

Effective 4/17/19

Please check the appropriate box and refer to supplemental forms for submittal requirements. All fees must be paid at the time of application.

Administrative Decisions	Decisions Requiring a Public Meeting or Hearing	Policy Decisions
☐ Archaeological Certificate *(Form P3)*	☐ Site Plan – EPC including any Variances – EPC *(Form P1)*	☐ Adoption or Amendment of Comprehensive Plan or Facility Plan *(Form Z)*
☐ Historic Certificate of Appropriateness – Minor *(Form L)*	☐ Master Development Plan *(Form P1)*	☐ Adoption or Amendment of Historic Designation *(Form L)*
☐ Alternative Signage Plan *(Form P3)*	☐ Historic Certificate of Appropriateness – Major *(Form L)*	☐ Amendment of IDO Text *(Form Z)*
☐ Minor Amendment to Site Plan *(Form P3)*	☐ Demolition Outside of HPO *(Form L)*	☐ Annexation of Land *(Form Z)*
☐ WTF Approval *(Form W1)*	☐ Historic Design Standards and Guidelines *(Form L)*	☐ Amendment to Zoning Map – EPC *(Form Z)*
	☐ Wireless Telecommunications Facility Waiver *(Form W2)*	☐ Amendment to Zoning Map – Council *(Form Z)*
		Appeals
		☒ Decision by EPC, LC, ZHE, or City Staff *(Form A)*

APPLICATION INFORMATION

Applicant: Michael A. Lucero and Barbara J. Surbey		Phone: 505-235-7391 / 505-980-8338
Address: 1705 Conestoga Dr SE		Email: malucero@comcast.net bjsurbey@comcast.net
City: Albuquerque	State: NM	Zip: 87123
Professional/Agent (if any):		Phone:
Address:		Email:
City:	State:	Zip:
Proprietary Interest in Site:	List all owners:	

BRIEF DESCRIPTION OF REQUEST

Appeal the Decision made by ZHE for VA #2021-00429 / Project #2021-006303 [Variance - ZHE]

We are the adjacent property owners/Table 6-4-2: Property Owners within 100'

SITE INFORMATION (Accuracy of the existing legal description is crucial! Attach a separate sheet if necessary.)

Lot or Tract No.: 24	Block: 64-A of Four Hills Village	Unit:
Subdivision/Addition: Nineteenth Installment	MRGCD Map No.:	UPC Code:
Zone Atlas Page(s):	Existing Zoning: R-1D	Proposed Zoning:
# of Existing Lots:	# of Proposed Lots:	Total Area of Site (acres):

LOCATION OF PROPERTY BY STREETS

Site Address/Street: 1709 Conestoga Dr SE ABQ., NM	Between:	and:

CASE HISTORY (List any current or prior project and case number(s) that may be relevant to your request.)

VA #2021-00429 and Project #2021-006303

Signature: Michael A. Lucero Barbara J. Surbey	Date: 2/15/2022
Printed Name: Michael A. Lucero and Barbara J. Surbey	☒ Applicant or ☐ Agent

FOR OFFICIAL USE ONLY

Case Numbers	Action	Fees	Case Numbers	Action	Fees

Meeting/Hearing Date:		Fee Total:
Staff Signature:	Date:	Project #

FORM A: Appeals

Complete applications for appeals will only be accepted within 15 consecutive days, excluding holidays, after the decision being appealed was made.

- ☐ **APPEAL OF A DECISION OF CITY PLANNING STAFF (HISTORIC PRESERVATION PLANNER) ON A HISTORIC CERTIFICATE OF APPROPRIATENESS – MINOR TO THE LANDMARKS COMMISSION (LC)**
- ☐ **APPEAL OF A DECISION OF CITY PLANNING STAFF ON AN IMPACT FEE ASSESSMENT TO THE ENVIRONMENTAL PLANNING COMMISSION (EPC)**
- ☒ **APPEAL TO CITY COUNCIL THROUGH THE LAND USE HEARING OFFICER (LUHO)**

___ Interpreter Needed for Hearing? No if yes, indicate language: _____

___ A Single PDF file of the complete application including all documents being submitted must be emailed to PLNDRS@cabq.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided on a CD. PDF *shall be organized* with the Development Review Application and this Form A at the front followed by the remaining documents *in the order provided on this form.*

___ Project number of the case being appealed, if applicable: #2021-006303

___ Application number of the case being appealed, if applicable: VA# 2021-00429

___ Type of decision being appealed: Decision by ZHE for VA#2021-00429

___ Letter of authorization from the appellant if appeal is submitted by an agent

___ Appellant's basis of standing in accordance with IDO Section 14-16-6-4(U)(2)

___ Reason for the appeal identifying the section of the IDO, other City regulation, or condition attached to a decision that has not been interpreted or applied correctly, and further addressing the criteria in IDO Section 14-16-6-4(U)(4)

___ Copy of the Official Notice of Decision regarding the matter being appealed

I, the applicant or agent, acknowledge that if any required information is not submitted with this application, the application will not be scheduled for a public meeting or hearing, if required, or otherwise processed until it is complete.	
Signature: Michael A. Lucero Barbara J. Surbey	**Date:** 2/15/2022
Printed Name: Michael A. Lucero and Barbara J. Surbey	☒Applicant or ☐ Agent
FOR OFFICIAL USE ONLY	
Case Numbers: Project Number:	
Staff Signature:	
Date:	

Revised 2/6/19

RE: Appeal to City Council through the Land Use Hearing Officer (LUHO)

Special Exception No:..... VA-2021-00429
Project No: ..... Project#2021-006303
Hearing Date: 01-18-22
Closing of Public Record: 01-18-22
Date of Decision: 02-02-22

From: Table 6-4-2 Standing for Appeals Based on Proximity to Subject
Application Type: Variance ZHE, Property Owners within 100'

Barbara J Surbey and Michael A Lucero
1705 Conestoga Dr SE
Albuquerque, NM 87123
bjsurbey@comcast.net 505.980.8338
malucero@comcast.net 505.235.7391

Introduction for Appeal:

The reason for this Appeal is that the Decision rendered was based on an incomplete application [Application Completeness 14-16-6-4(G)] due to submittal deficiencies i.e., a lack of substantial evidence [Content of Notice 14-16-6-4(K)(1)(b)(2)].

The neighbors only received a Letter of Intent and a copy of the Public Notice of Hearing for a Courtyard Wall. The Letter of Intent received by the neighbors did not include drawings showing the location and height, illustrations, detailed description or any other exhibits of the proposed Courtyard wall, merely a general description stating that the exterior finish of the proposed Courtyard wall would match the exterior stucco on the house. Nor did they include a link to a website where such pertinent information was available.

After requests to the Albuquerque Planning Division for a copy of the application, we were informed there were no drawings submitted for the proposed Courtyard Wall with the application.

The Applicants received a 'Notice of Violation' from Christopher Dempsey, Code Enforcement Specialist. The 'Notice of Violation' was issued as a result of the subject property owners constructing a 5'-6' tall solid concrete block wall around the perimeter of their front yard without a Permit/Variance. The Notice of Violation mandated they apply for a permit. Even though most of the existing construction location meets the IDO's definition of a perimeter wall, the applicant requested a Variance for a Courtyard Wall, not a perimeter wall.

These walls, as they currently stand, make the subject property look like a "stand-alone compound." They do not enhance the subject property nor establish a consistent or attractive visual appearance for the surrounding properties. The current wall structure has completely changed the character (look and feel) of the surrounding area. Without having been presented with any drawings, illustrations, detailed descriptions, etc., (lack of substantial evidence), it's extremely intimidating to imagine what the finished courtyard wall could look like and how it could negatively impact the surrounding area properties, and could set a negative precedence for future courtyard walls within the neighborhood.

The following are the detailed reasons for the Appeal of IDO Section 14-16-6-6(H)(3) and Findings of the Decision that have not been interpreted or applied correctly, or lack substantial evidence.

The Appeal is based on the Review and Decision Criteria. 14-16-6-6(H)(3)
Supporting Statements for the Appeal are as follows:

14-16-6-6(H)(3)
Review and Decision Criteria
Finding #2. [ZONING HEARING EXAMINER, NOTIFICATION OF DECISION]
The City of Albuquerque Integrated Development Ordinance Section 14-16-6-6(H)(3) Permit-Wall or Fence-Major reads: "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:
6-6(H)(3)(a)
The wall is proposed on a lot that meets any of the following criteria:

1. *The lot is at least ½ acre.*
   The lot is not at least ½ acre. It is 0.26 acre.

2. *The lot fronts a street designated as a collector, arterial, or interstate highway.*
   The lot fronts a "Local Street" per the IDO Definitions; not a collector, arterial, or interstate highway. In fact, it is a local, dead-end street.

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 Permit – Wall or Fence – Major City Staff / ZEO Review and/or Recommend ZHE Review and Decide P P Indicates Public Meeting or Hearing City Council Appeal to City Council through LUHO P Part 14-16-6: Administration and Enforcement 6-6(H): Permit – Wall or Fence – Major 6-6: Decisions Requiring a Public Meeting or Hearing 6-6(H)(3): Review and Decision Criteria Integrated Development Ordinance 2020 IDO ANNUAL UPDATE – EFFECTIVE DRAFT JULY 2021 City of Albuquerque, New Mexico Page 463 the street. (See figure below for an illustration of this measurement.)*

   There are not 20% of the homes within the 330' distance that have a 'front yard wall or fence over 3 feet'. Our house (1705 Conestoga Dr SE) would have to be included to meet the 20%; however, our front wall is setback 3 feet inside the front façade of our house and 2 feet inside the front façade of the garage. Thus, our front wall does not extend beyond the front façade of our dwelling at any point and therefore should not be considered a 'front yard wall' to constitute the 20%.

   Within the IDO, every "Residential Wall Illustration" depicts a front wall as being in front of the front façade of the dwelling. See 14-16-5-7(D)(2) Wall Illustrations, 14-16-5-7(D)(3)(g) Illustration for View Fencing and 2. Illustration for Court yard Wall

   The following photos show the setbacks from our front façade:

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. Thi 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.)*
   Item #4 is not applicable.

6-6(H)(3)(b) *The proposed wall would strengthen or reinforce the architectural character of the surrounding area.*
A 6' tall courtyard wall in the front yard is an anomaly for our entire street and immediate surrounding area. This structure does not strengthen or reinforce the architectural character of the surrounding area. The existing front yard north side lot line wall which is setback 5" (inches) from our common property line is approximately 5' tall on our side. The applicants plan to raise it to 6'. Prior to constructing the walls, they built up the level of their front yard inside the wall making their property approximately 18"- 24" higher than ours. Based on the IDO Definition of "Wall Height", this wall could end up 7.5'- 8' tall on our side. This will make the wall higher than the edge of our roof. <u>The finished look will not strengthen or reinforce the architectural character of the surrounding area.</u>

Requiring an additional **Permit Condition** that the north courtyard wall shall have a setback of ≥10' from the common property lot line would be a positive compromise for the both properties:

- It would open up the area where the two front yard side lots come together proving greater harmony and flow between the two properties and provide us (residents of 1705 Conestoga) a larger visual area of the street when looking south from inside our home, giving back some of the original security feature we lost.
- Setting back the Courtyard wall away from the front yard side property lot line would lessen the applicant's front yard wall design from looking like a "compound", a total anomaly to the surrounding area.

6-6(H)(3)(c)
The proposed wall would not be injurious to adjacent properties, the surrounding neighborhood, or the larger community.
We are the adjacent property to the north and share the front yard-adjacent side lot line. The existing wall as it currently sits blocks much of our view to the south when looking out our front windows. See the following photo:

This is a major security issue for us. We specifically purchased our property (this is our retirement home) for the open view i.e., having a clear view of the street in both directions from inside our home. The applicant's existing wall which is setback 5" (inches) from the property line is already approximately

5’ tall on our side and the applicants plan to raise it to 6’. Since they built up the level of their front yard inside the wall making their property approximately 18”-24” higher than ours, and based on the IDO Definition of “Wall Height”, this wall could easily end up 7.5’- 8’ tall on our side. No hope of ever having a view to the south.

The Permit is specifically for a Courtyard Wall. As stated above, the applicant’s current north wall is only 5” from the common property lot line which clearly meets the requirements of Perimeter Wall, not a Courtyard Wall.

The IDO definition of a Courtyard Wall:
Walls that are not on the lot line that enclose an outdoor space to form an outdoor courtyard.

The IDO definition of a Perimeter Wall:
A wall constructed on a lot line, typically to define a property boundary, enclose a property, or provide privacy.

We had our property lot surveyed in November 2021. See EXHIBIT, Property Survey [page 10] located in this Appeal package. As you can see on the survey, the common block wall between our side yards and back yards isn’t placed exactly on the lot line. At the east end the wall is completely on the applicant’s property (1709 Conestoga Dr SE); as you move westward it crosses the common property lot line and eventually is completely located on our lot (1705 Conestoga DR SE). With this being the case, **the existing location of their front yard north wall meets the definition of a Perimeter Wall and shouldn’t in any way be considered for use as a Courtyard Wall.**

6-6(H)(3)(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.

The applicants stated in their application that they would stucco the courtyard wall to match their home/dwelling. To do so, they must trespass on our property. When they built the wall, they did so without our permission or even our knowledge. They accessed our property, tore out our railroad ties, threw them into the evergreens, impacted our plant life, tore up the landscape gravel, etc. It seems they lack respect for other people’s property. We had to remind them several times to fix what they damaged until they finally did two months later.

To stucco the north side of their existing north wall will again impact our property/landscaping. Then they will need to trespass to maintain it and pull any weeds throughout the year that grow along it.

This is another reason why they should be required to setback their north wall to an acceptable distance from the property lot line to make it comply with the definition of a Courtyard Wall (a

wall not on the property line) which will give them full access to the northside of their Courtyard Wall for stuccoing and maintaining. **Trespassing is not an option.**

Finding #3. [ZONING HEARING EXAMINER, NOTIFICATION OF DECISION]
3. The 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).

The applicant applied for a permit requesting a variance for a taller wall major for a courtyard wall in the front yard. However, what has already been built does not comply with the requirements of a courtyard Wall. We are having to appeal findings without ever having seen the proposed design, height and location of this future courtyard wall. The only visual that was included in the applicant's request for permit was the location of the existing walls. All the Conditions in the Decision are only with respect to the front wall paralleling the street, not the side walls, specifically the north front yard side wall:

> *A. The existing wall must be relocated to exist ≥10 ft. from lot line abutting the street or edge of the sidewalk closest to the primary building, whichever is more restrictive.*
> *B. 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. View fencing may be used for any portions of the wall that otherwise would block views contrary to this condition.*

Because the ZHE is dealing with perimeter walls that have already been constructed, there is a lack of substantial evidence for the proposed Courtyard Wall location, height, etc. This decision process has not been applied correctly.

Finding #8. [ZONING HEARING EXAMINER, NOTIFICATION OF DECISION]
8. 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.

See Appeal to Finding #2, item ***6-6(H)(3)(a)(3) above.***

Finding #9. [ZONING HEARING EXAMINER, NOTIFICATION OF DECISION]
9. Based on evidence presented by Applicant, the proposed wall would strengthen or reinforce the architectural character of the surrounding area. Specifically, photographs were submitted showing several walls/fences in the neighborhood. It appears from the evidence that the proposed wall would not be out of character with the surrounding area, but rather would reinforce the architectural character of the neighborhood by being in harmony with the other improvements on the Subject Property.

Finding #9 states, *"Specifically, photographs were submitted showing several walls/fences in the neighborhood."* Based on the IDO, the properties to be considered are only those within 330 feet in each direction of the subject property along the same street (a total of 15 homes); this limited area does not equate to "neighborhood". Of the photographs of courtyard walls submitted by the applicants, only those three submitted in their response to **6-6(H)(3)(a)(3**) were within the 330' distance requirement. Note that only two of those meet the 'front yard wall' requirement as illustrated in the IDO. See Appeal to *Finding #2*, item ***6-6(H)(3)(b) above.***

All other photos submitted were courtyard walls several blocks to more than a mile away from the subject property. The proposed wall would be out of character within the immediate surrounding area (within 330') because there are less than 20% of the properties with a front yard wall or fence over 3 feet. Thus, the proposed courtyard wall, Permit – Wall or Fence – Major and Table 5-7-2 (Exceptions to Maximum Wall Height) would not reinforce the architectural character of the neighborhood. This decision has not been applied correctly.

Appeal Conclusion:

We are not against the applicant's desire to have a Courtyard Wall in the front of their home. However, we have security issues and don't feel safe with the location of the existing north front yard side lot line wall blocking a major portion of our view of the street when looking southward. An **ACCEPTABLE COMPROMISE** would be to include the following Permit Condition along with those already listed:

"The existing wall located along the front yard north side property lot line must be relocated to exist ≥10' from the front yard north side property lot line."

Pros:

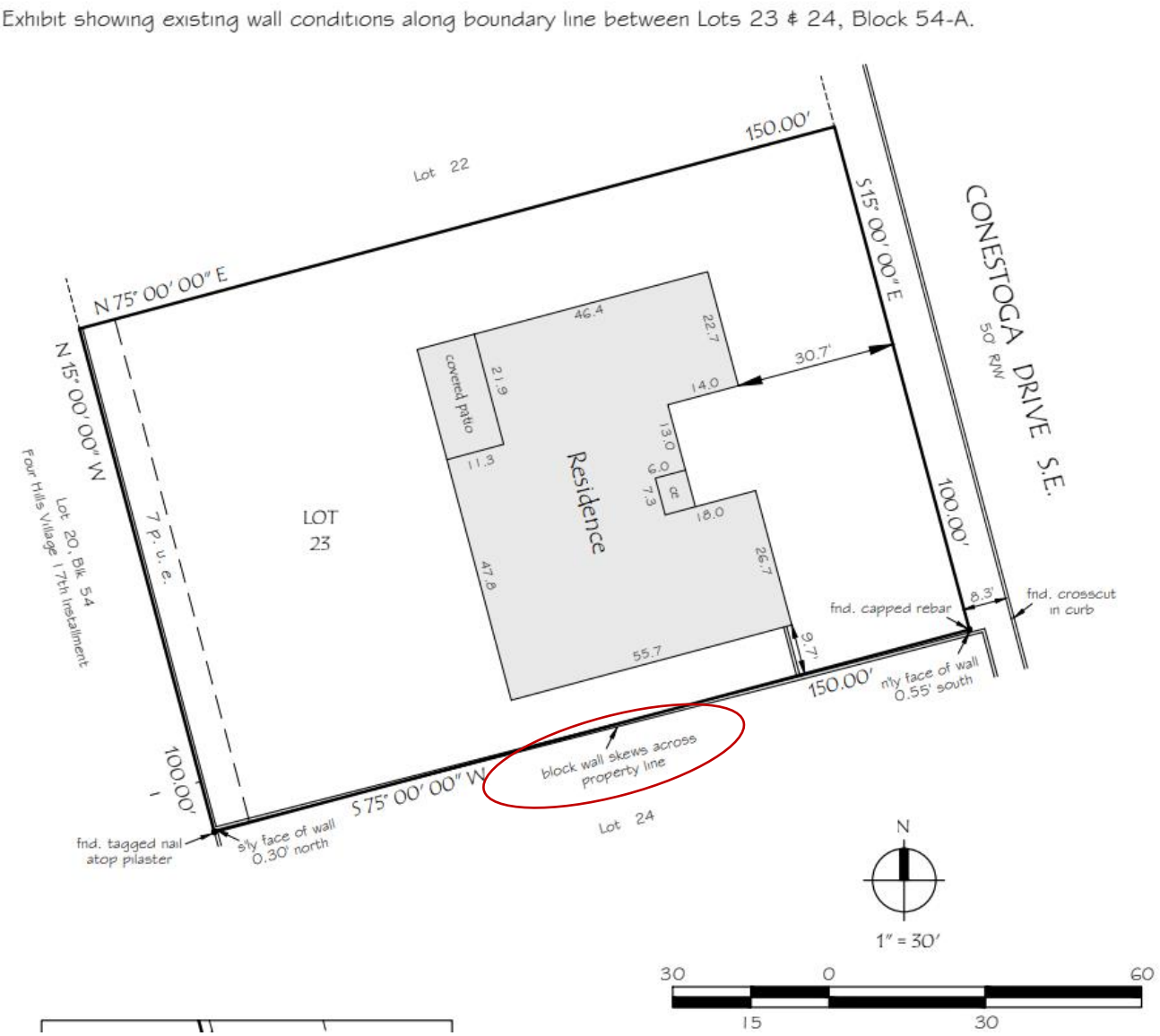
- The applicants would still be able to have a Courtyard Wall for their security preferences.
- We, the impacted adjacent property owner, would have a better visual of the street to the south for our security purposes – a "win-win" for both parties.
- It would also allow for a much more pleasant visual flow between these two dwellings which are very different architecturally (brick traditional vs. stucco southwestern).
- The applicants would have full access to their wall at all times to stucco and maintain it and not have to trespass on the neighbor's property to do so.

Cons:

- None

EXHIBIT Property Survey

Exhibit showing existing wall conditions along boundary line between:
Lot 23 - 1705 Conestoga Dr SE (Surbey/Lucero Property) and
Lot 24 - 1709 Conestoga Dr SE (Ridenour Property)



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

Robert and Jordyn Ridenour request a permit for a taller wall major for a courtyard wall in the front yard for Lot 24, Block 54A, Four Hills Village, located at 1709 Conestoga DR SE, zoned R-1D [Section 14-16-5-7(D)(3)(g)]

Special Exception No:..... **VA-2021-00429**
Project No: ..... **Project#2021-006303**
Hearing Date: 01-18-22
Closing of Public Record: 01-18-22
Date of Decision: 02-02-22

On the 18th day of January, 2022, property owners Robert and Jordyn Ridenour ("Applicant") appeared before the Zoning Hearing Examiner ("ZHE") requesting a permit for a taller wall major for a courtyard wall in the front yard ("Application") upon the real property located at 1709 Conestoga DR SE ("Subject Property"). Below are the ZHE's finding of fact and decision:

FINDINGS:

1. Applicant is requesting a permit for a taller wall major for a courtyard wall in the front yard.
2. The City of Albuquerque Integrated Development Ordinance Section 14-16-6-6(H)(3) Permit-Wall or Fence-Major reads: *"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:*

6-6(H)(3)(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.

6-6(H)(3)(b) The proposed wall would strengthen or reinforce the architectural character of the surrounding area.

6-6(H)(3)(c) The proposed wall would not be injurious to adjacent properties, the surrounding neighborhood, or the larger community.

6-6(H)(3)(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.

3. The 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).
4. The 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).
5. All property owners within 100 feet and affected neighborhood associations were notified of the application.
6. The subject property is currently zoned R-1D.
7. Certain neighbors submitted evidence in opposition to the Application, while other neighbors submitted evidence in support. The thrust of the opposition concerned the location of the wall along the front yard lot line. In particular, one adjacent neighbor pointed out the negative impact to visibility and safety that the current location of the wall would have if maintained. However, Applicants have revised their plans, such that they would relocate the wall to become a courtyard wall pursuant to the IDO, which requires that the wall be located ≥10 ft. from lot line abutting the street or edge of the sidewalk closest to the primary building, whichever is more restrictive. (see IDO Section 5-7(D)(3)(g), Table 5-7-2, and accompanying illustrations).
8. 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.
9. Based on evidence presented by Applicant, the proposed wall would strengthen or reinforce the architectural character of the surrounding area. Specifically, photographs were submitted showing several walls/fences in the neighborhood. It appears from the evidence that the proposed wall would not be out of character with the surrounding area, but rather would reinforce the architectural character of the neighborhood by being in harmony with the other improvements on the Subject Property.
10. Based on evidence presented by Applicant, the proposed wall would not be injurious to adjacent properties, the surrounding neighborhood, or the larger community. Specifically, that the wall would enhance the safety of both the subject property and neighboring properties by discouraging trespassers from coming into the community and property.

11. 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: (a) 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 (b) The design and materials proposed for the wall or fence shall reflect the architectural character of the surrounding area.
12. The ZHE finds that the proper "Notice of Hearing" signage was posted for the required time period as required by Section 14-16-6-4(K)(3).
13. City Transportation issued a report stating that it does not object.
14. The ZHE finds that the Applicant has authority to pursue this Application.

DECISION:

APPROVAL WITH CONDITIONS of a permit for a taller wall major for a courtyard wall in the front yard.

CONDITIONS:

A. The existing wall must be relocated to exist ≥10 ft. from lot line abutting the street or edge of the sidewalk closest to the primary building, whichever is more restrictive.
B. 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. View fencing may be used for any portions of the wall that otherwise would block views contrary to this condition.

APPEAL:

If you wish to appeal this decision, you must do so by February 17, 2022 pursuant to Section 14-16-6-4(V), 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 decision does not constitute approval of plans for a building permit. If your application is approved, bring this decision with you when you apply for any related building permit or occupation tax number. Approval of a conditional use or a variance application is void after one year from date of approval if the rights and privileges are granted, thereby have not been executed, or utilized.

Robert Lucero, Esq.
Zoning Hearing Examiner

cc:

ZHE File
Zoning Enforcement
Robert and Jordyn Ridenour, rkridnour@gmail.com
Mike Lucero 1705 Conestoga, malucero@comcast.net
Barbara Surbey, 1705 Conestoga, bjsurbey@comcast.net
Jeffrey Mahn, jamahn47@gmail.com
Tommy Carrion, tcarrion2002@yahoo.com
Karen Hartsoch, scrappyredhead@outlook.com
Brian Broaddus, bbroaddus@gmail.com
Eileen Mahn, eamahn@gmail.com
Janita Luddeke, luddekejf@gmail.com
David Schams, dschams15@gmail.com
Heather Schriner, schriner3312@msn.com
Noah Parraz, prospect242424@yahoo.com
Mort Khodaie, mkhodaie29@yahoo.com

REQUEST FOR SPECIAL EXCEPTION

□ Variance □ Conditional Use □ Other Interpreter: □ Yes □ No

VA# 2021-00429 PR# PR-2021-006303

Date: October 21, 2021	**Received By: Concetta Trujillo**	
Address of Request: 1709 Conestoga Dr. SE		
City: Albuquerque	State: NM	Zip: 87123
Lot: 24 Block: 54A	Zone: R-1D	Map pg. N23
Subdivision: Four Hills Village	UPC# 102305520103030724	
Property Owner(s): Robert & Jordyn Ridenour		
Mailing Address: 1709 Conestoga Dr SE		
City: Albuquerque	State: NM	Zip: 87123
Phone: 915-588-9730 / 505-697-8338	Email: Jruffsoccer@hotmail.com rkridnour@gmail.com	
Agent:		
Mailing Address:		
City:	State:	Zip:
Phone:	Email:	
		Fee Total: $ 214.20

Completed Application Requirements:

- Copy of relevant IDO section
- Letter of authorization (if agent representation)
- Proof of Pre-application Meeting (not required for a variance)
- Proof that neighborhood meeting requirements were met
- Proof that public notice requirements were met
- Photos (site and existing structures)
- Sketch plan
- Justification letter
- Sign posting

Approved for acceptance by: **Date:** **Hearing Date:**

ZONING OFFICIAL USE ONLY		
Request for exception to IDO Section: 14-16-5-7(D)(3)(g) Table 5-7-2		
Description of request: a PERMIT for a Taller Wall – Major for a court yard wall in the front yard.		
□ Ownership verified on AGIS	□ Proof of ownership included	□ 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 _____

5-7(C) WALL LOCATION

5-7(C)(1) Walls may be constructed anywhere on a lot, including but not limited to any front, side, or rear setback area, unless otherwise prohibited by this IDO, by with Articles 14-1, 14-2, and 14-3 of ROA 1994 (Uniform Administrative Code and Technical Codes, Fire Code, and Uniform Housing Code), or by clear sight triangle requirements.

5-7(C)(2) Walls may be constructed without any setback from a property line, unless otherwise prohibited by this IDO, by Articles 14-1, 14-2, and 14-3 of ROA 1994 (Uniform Administrative Code and Technical Codes, Fire Code, and Uniform Housing Code), or by the DPM, including but not limited to, clear sight triangle requirements or standards for alignments and easements. Walls may not encroach into any public right-of-way without the prior written approval from the City Engineer and may not encroach onto any adjacent property without prior written approval of that property owner.

5-7(D) MAXIMUM WALL HEIGHT

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

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.

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]	3 ft.	3 ft.	3 ft.	6 ft.	5-7(D)(2)
Wall in other locations on the lot[5][6]	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[3]	3 ft.	3 ft.	3 ft.	6 ft.	5-7(D)(2) 5-7(D)(3)(g)
≥10 ft. from the lot line abutting the street	6 ft.	8 ft. Low-density residential: 6ft.	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 multi-family residential development pursuant to Subsection 14-16-5-7(D)(3)(c).
[3] Taller walls may be approved for low-density residential development pursuant to Subsections 14-16-5-7(D)(3)(d) or 14-16-5-7(D)(3)(g).
[4] Taller walls may be approved in any NR-C or NR-BP zone district pursuant to Subsection 14-16-5-7(D)(3)(e).
[5] 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.
[6] 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)(3)(e) For development in any NR-C or NR-BP zone district, the maximum height of walls in any front or street side yard is 6 feet if the wall is set back at least 5 feet from the property line and if view fencing that is at most 50 percent opaque to perpendicular view is used for portions of a wall above 3 feet.

5-7(D)(3)(f) Except where a Permit – Wall or Fence – Major is required pursuant to Subsection (g) below or where prohibited pursuant to Subsection (h) below, the Zoning Enforcement Officer (ZEO) may make an exception to the height standards in Table 5-7-1 for security reasons due to specific site conditions or the nature of the land use or related materials and facilities on the site, pursuant to Subsection 14-16-6-5(F) (Permit – Wall or Fence – Minor).

5-7(D)(3)(g) For low-density development in or abutting a Residential zone district where wall height in any front or street side yard is restricted to 3 feet by Table 5-7-1, a request for a taller wall that meets the height and location standards in Table 5-7-2 shall require Permit – Wall or Fence – Major pursuant to Subsection 14-16-6-6(H), except where a taller wall is prohibited pursuant to Subsection (h) below.

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.	0
≥10 ft. from lot line abutting the street	6 ft.	0
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)(g)2
Corner Lots		
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 14-16-5-7(D)(3)(g) and 14-16-6-6(H) (Permit – Wall or Fence – Major).

Sanchez, Suzanna A.

From: Sanchez, Suzanna A.
Sent: Friday, October 22, 2021 12:30 PM
To: 'jaruff@sandia.gov'; 'rkridnour@gmail.com'
Subject: ZHE Information for 1709 Conestoga Dr. SE
Attachments: STEPS TO APPLY FOR A SPECIAL EXCEPTION APRIL 2021.docx; WALL PERMIT JUSTIFICATION APRIL 2021.pdf; Buffer Map.docx

Importance: High

Dear Applicant,

Thank you for your request. Attached are forms and instructions to complete your applications for a Permit-Major. Please pay special attention to Step 3 in the "STEPS TO APPLY" document. These materials are required for a complete submittal. Requests will not be set for a hearing or reviewed for compliance until the application submittal is complete.

Please email the neighborhood association representatives below and let them know of your intent to file for a permit for the wall.

Association Name	First Name	Last Name	Email
East Gateway Coalition	Michael	Brasher	brasher@aps.edu
East Gateway Coalition	Julie	Dreike	dreikeja@comcast.net
Four Hills Village Association	Steve	Brugge	spbrugge@gmail.com
Four Hills Village Association	Ellen	Lipman	elkaleyah@aol.com

Please forward me the items below at your earliest convenience.
-Justification letter
-Photo of property
-Site Plan
-Buffer Map and Photos

If you have questions, please contact me.

Thank you,

Suzie

SUZIE SANCHEZ-FLORES
zhe administrative assistant
o 505.924.3894

Sanchez, Suzanna A.

From:	Ridenour, Jordyn A. <jaruff@sandia.gov>
Sent:	Wednesday, October 27, 2021 8:30 AM
To:	spbrugge@gmail.com; JULIE DREIKE; APS; elkaleyah@aol.com
Cc:	rkridnour@gmail.com; Sanchez, Suzanna A.
Subject:	Intent to file for permit
Attachments:	Pages from 1. Letter to Neighborhood Association.pdf

All concerned,

Please see attached notice for intent to file for variance and permit. 1709 Conestoga Dr SE ABQ, NM 87123

Thank you,

Jordyn Ridenour
Military Liaison
Sandia National Laboratories
Albuquerque, NM
(O) 505-844-4378

The reason you are not at your goal right now is because you are all about your feelings

REQUEST FOR NEIGHBORHOOD MEETING

Date: October 26, 2021

To Whom This May Concern:

I am requesting approval from the Zoning Hearing Examiner within the City of Albuquerque for a conditional use or variance to allow a courtyard wall to exceed the maximum height allowed within IDO 14-16-5-7 Table 5-7-1 but meet requirements within Table 5-7-2.

Property owner Robert and Jordyn Ridenour. Agent if applicable. Property Address 1709 Conestoga Dr SE, Albuquerque, NM, 87123.

This letter is an offer to meet with you to provide additional information. If you wish to meet, please respond within 15 days. If you do not want to meet, or you support the proposal, please let me know.

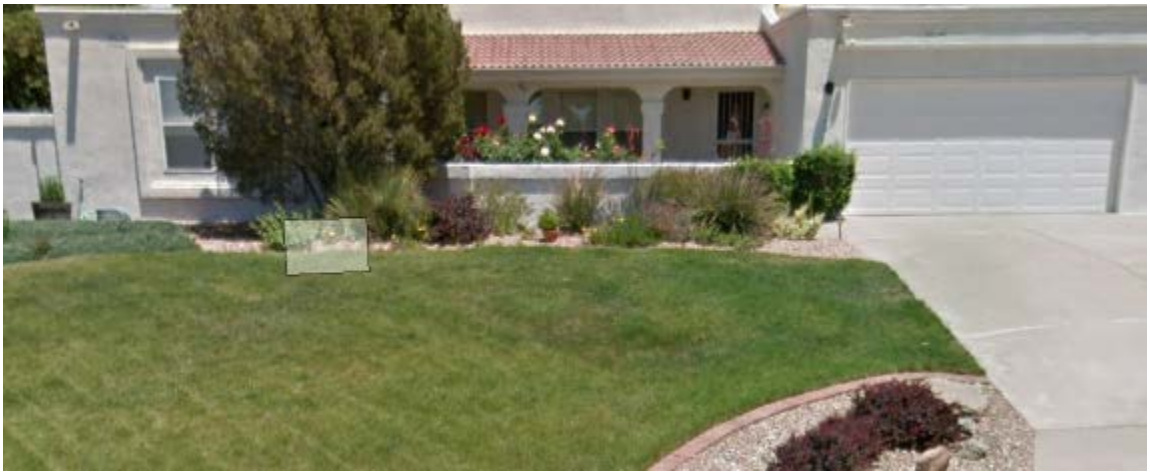
Thank you,
Applicant Name: Jordyn Ridenour
Email: jaruff@sandia.gov or jruffsoccer@hotmail.com
Phone Number (o) 844-4378 (c) 915-588-9730

The City may require the applicant to attend a City-sponsored facilitated meeting with the Neighborhood Associations whose boundaries include or are adjacent to the proposed project, based on the complexity and potential impacts of a proposed project. For more information, please contact the ZHE Administrative Assistant Suzie Sanchez at 505-924-3894 or suzannasanchez@cabq.gov.

Please note: "You may submit written comments to the Zoning Hearing Examiner up to 6 days before the hearing (5pm on the Wednesday before the hearing). Written comments received after that deadline will not be taken into consideration for this application.

Only submit photos of properties that are within the linear area up to 330 feet. (Only properties in green, along the yellow lines).
Take a picture of any front yard fence/wall that is over 3 feet.
Write the address on the front.
Mark the address off on the map.
Print all and submit to the ZHE.
About 15 Properties = 3 Photos

1701 Conestoga Dr SE, 87123



1708 Conestoga Dr SE, 87123

1705 Conestoga Dr SE

Address: 1709 Conestoga Dr. SE Zip 87123

Yellow Line: Front yard courtyard wall we want to put in.
- 10ft setback from curb at Conestoga Dr.
- No more than 6ft height. Current work done is between 5ft and 6ft due to sloped grade on street.
- North side courtyard wall is six inches inside established city property line stake.
- Wall will be covered in stucco to match house and colored the same.
- Gates will be installed on street side and south side.

Work that is currently done but halted

South Side

North Side

Front Facing Conestoga Dr

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 1709 Conestoga Dr SE Albuquerque, NM 87123.

(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 A3, AC and AD (photos provided in buffer map) and . IF 3 OR 4, YOU MUST 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 wall material matches the exterior material of the house and several other residents within the neighborhood and on the same street.

(c) The proposed wall would not be injurious to adjacent properties, the surrounding neighborhood, or the BECAUSE:
The wall is within our property line and cannot cause injury to adjacent properties. It is a cinder block wall with stucco to match the exterior of the residence.Our house was broken into January 2021 and our children's bedrooms are in the front of the house. The wall will act as a deterrent and provide security for our family.

(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 street grades down from south the north therefore the 5 feet above ground level would be difficult to determine because one corner of the wall would appear taller than the other. The windows would be visible from the outside of the wall at midpoint of the front yard.

2. The design and materials proposed for the wall or fence shall reflect the architectural character of the surrounding area. PLEASE EXPLAIN:
The wall material when complete matches the exterior of the house and surrounding stucco homes within the neighborhood, with matching courtyard walls, and on the same street

Signature Jordyn Ridenour Date October 27, 2021

CITY OF ALBUQUERQUE
INVOICE

ROBERT RIDENOUR **1709 CONESTOGA DR SE**

Reference NO: VA-2021-00429
Customer NO: CU-149777242

Date	Description	Amount
12/07/21	2% Technology Fee	$4.20
12/07/21	Application Fee	$100.00
12/07/21	Facilitated Meeting Fee	$50.00
12/07/21	Posted Sign Fee	$10.00
12/07/21	Published Notice Fee	$50.00

Due Date: **12/07/21** Total due for this invoice: **$214.20**

Options to pay your Invoice:

1. Online with a credit card: http://posse.cabq.gov/posse/pub/lms/Default.aspx
2. In person: Plaza Del Sol, 600 2nd St. NW, Albuquerque, NM 87102

PLEASE RETURN THE BOTTOM PORTION OF THIS INVOICE NOTICE WITH PAYMENT

City of Albuquerque
PO Box 1293
Albuquerque, NM 87103

Date: 12/07/21
Amount Due: **$214.20**
Reference NO: VA-2021-00429
Payment Code: 130
Customer NO: CU-149777242

ROBERT RIDENOUR
1709 CONESTOGA DR SE
ALBUQUERQUE, NM 87123

130 0000VA2021004290010254671497772290000000000002142CU149777242

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the City Zoning Code or Subdivision Ordinance are responsible for the posting and maintaining of one or more signs on the property which the application describes. Vacations of public rights-of-way (if the way has been in use) also require signs. Waterproof signs are provided at the time of application. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign.

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Development Services Front Counter at a charge of $3.75 each.

1. LOCATION

   A. The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk (or edge of public street). Staff may indicate a specific location.
   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 are best for attaching signs to a post or backing; the sign tears out less easily.

4. TIME

Signs must be posted from 1/3/22 To 2/17/22

5. REMOVAL

   A. The sign is not to be removed before the initial hearing on the request.
   B. The sign should be removed within five (5) days after the initial hearing.

I have read this sheet and discussed it with the Development Services Front Counter Staff. I understand (A) my obligation to keep the sign(s) posted for (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

Jaclyn Anderson (Applicant or Agent) 12/01/03/22 (Date)

I issued 1 signs for this application, 12/9/21 (Date), Susie Flores (Staff Member)

PROJECT NUMBER: VA-2021-00429

Rev. 1/11/05

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
INTER-OFFICE MEMORANDUM

January 7, 2022

To: Lorena Patten-Quintana, ZHE Planner

From: Matt Grush, P.E. Senior Engineer

Subject: COMMENTS FOR THE ZHE HEARING OF December 18, 2022

The Transportation Development Review Services Section has reviewed the zone hearing requests, and submits the attached comments.

VA-2021-00429 PR-2021-006303

Address: 1709 Conestoga Dr SE

Transportation Review: No objections

After review of the provided application, Transportation has no objection to the request for a Permit for a Taller Wall – Major for a court yard wall in the front yard.

City of Albuquerque ZHE – January 18, 2022

Agenda Item #22 VA-2021-00429 PR-2021-006303

Robert and Jordyn Ridenour request a permit for a taller wall major for a courtyard wall in the front yard for Lot 24, Block 54A, Four Hills Village, located at 1709 Conestoga DR SE, zoned R-1D [Section 14-16-5-7(D)(3)(g)]

Ownership: **Owner:** RIDENOUR JORDYN ASHLEY ANN &
ROBERT KEITH

Zone District/Purpose: R-1/The purpose of the R-1 zone district is to provide for neighborhoods of single-family homes on individual lots with a variety of lot sizes and dimensions. Primary land uses include single-family detached homes on individual lots, with limited civic and institutional uses to serve the surrounding residential area.

Allowable Use: n/a

Applicable Comp Plan Designation(s): Area of Consistency

Applicable Overlay Zones: KAFB – no issues

Applicable Use-Specific Standard(s): n/a

Applicable Dimensional/Development Standards:
5-7(D)(3)(g) For low-density residential development in or abutting a Residential zone district where wall height in any front or street side yard is restricted to 3 feet by Table 5-7-1, a request for a taller wall that meets the height and location standards in Table 5-7-2 shall require Permit – Wall or Fence – Major pursuant to Subsection 14-16-6-6(H), except where a taller wall is prohibited pursuant to Subsection (h) below.

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.	0
≥10 ft. from lot line abutting the street	6 ft.	0
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)(g)2
Corner Lots		
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 14-16-5-7(D)(3)(g) and 14-16-6-6(H) (Permit – Wall or Fence – Major).		

Traffic Recommendations: No objections

Planning Recommendation: This matter should proceed to a public hearing where the Zoning Hearing Examiner will hear additional evidence and make a written decision pursuant to applicable provisions of Section 14-16-6-4.

Sanchez, Suzanna A.

From: CUNNINGHAM-STEPHENS, JANET L CTR USAF AFGSC 377 MSG/CEN-CP <janet.cunningham-stephens.ctr@us.af.mil>
Sent: Tuesday, January 04, 2022 11:10 AM
To: Sanchez, Suzanna A.
Cc: Patten-Quintana, Lorena; SANDOVAL, DONNA S CTR USAF AFGSC 377 MSG/CEN-CE; LECHEMINANT, PAUL T CTR USAF AFGSC 377 MSG/CEN-CE
Subject: RE: ZHE Application Notice-1709 Conestoga DR SE

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning,

I have no comments regarding the variance proposal.

Janet Cunningham-Stephens, MCRP
Lead Community Planner, Contractor
377 MSG/CEN-CP
Kirtland Air Force Base, NM
Office: (505) 853-2747

From: Sanchez, Suzanna A. <suzannasanchez@cabq.gov>
Sent: Monday, January 3, 2022 9:03 AM
To: CUNNINGHAM-STEPHENS, JANET L CTR USAF AFGSC 377 MSG/CEN-CP <janet.cunningham-stephens.ctr@us.af.mil>
Cc: Patten-Quintana, Lorena <lpatten-quintana@cabq.gov>
Subject: [Non-DoD Source] ZHE Application Notice-1709 Conestoga DR SE
Importance: High

Good morning Janet,

Per the new Integrated Development Ordinance, (see citation below) the City is required to notify you of an application for a variance at the property located at 1709 Conestoga DR SE and I have attached the file for you to review. Please let me know if you have any questions.

6-4(I) REFERRALS TO COMMENTING AGENCIES
Following a determination that the application is complete, the Planning Director, ZEO, or any City staff designated to review applications in Table 6-1-1 shall refer applications for comment to the following departments or agencies, as noted below. Any comments received within 15 consecutive days after such a referral shall be considered with the application materials in any further review and decision-making procedures.

6-4(I)(3) Kirtland Air Force Base and City Aviation Department staff for applications that include development in the Kirtland Air Force Base Military Influence.

****

Agenda Item #17 **VA-2021-00429** **PR-2021-006303**

Robert and Jordyn Ridenour request a permit for a taller wall major for a courtyard wall in the front yard for Lot 24, Block 54A, Four Hills Village, located at 1709 Conestoga DR SE, zoned R-1D [Section 14-16-5-7(D)(3)(g)]

Thank you,

Suzie

SUZIE SANCHEZ-FLORES
zhe administrative assistant
o 505.924.3894
e suzannasanchez@cabq.gov
cabq.gov/planning

Sanchez, Suzanna A.

From: Rob Ridenour <rkridnour@gmail.com>
Sent: Monday, January 03, 2022 6:06 PM
To: Sanchez, Suzanna A.
Cc: Jordyn Ruff
Subject: Re: ZHE Public Notice-1709 Conestoga DR SE
Attachments: Ridenour, Robert_ZHE Public Notice_ Letter to Property Owners_1709 Conestoge Dr._ 03January2022.pdf; Ridenour_Proof of Postage_Letter to Property Owners_03JAN22.pdf

Mrs. Sanchez,

Please see attached copy of letter to property owners and proof of postage per your instructions. If you need anything else please let me know. Thank you.

Rob Ridenour
(505) 697-8338

On Thu, Dec 16, 2021 at 2:35 PM Sanchez, Suzanna A. <suzannasanchez@cabq.gov> wrote:

> Dear Applicant,
>
> Below is a list of property owners within 100+ feet of the subject property. Please fill in and mail the attached, *Letter to Property Owners- January* by 1/3/22. Also, please provide proof that the letters were sent. Proof can be either a receipt for postage stamps purchased or a photo of the addressed envelopes.

Owner	Complete Owner Address
RIDENOUR JORDYN ASHLEY ANN & ROBERT KEITH	1709 CONESTOGA DR SE ALBU 87123-4271
CHERRY CHRISTOPHER R & ELIZABETH P	8805 SCARLET NIGHT ST NE AL NM 87122-4345
KHODAIE MORTEZA & CARMEN G TRUSTEES KHODAIE TRUST	1800 CONESTOGA DR SE ALBU 87123-4252
HINOJOS CARLOS & BETTY	1705 CATRON CT SE ALBUQUE
LUDDEKE TIMOTHY D & JANITA F	1717 CONESTOGA DR SE ALBU 87123-4271
SCHAMS DAVID A &THOMAS-SCHAMS SUSAN M TRUSTEES THOMAS-SCHAMS TRUST	1701 CONESTOGA DR SE ALBU 87123-4271
LEBLANC PETER J & HEATHER M	1708 WAGON TRAIN DR SE ALE 87123-4272
SCHRINER JOSEPH A & HEATHER K	1715 CONESTOGA DR SE ALBU 87123-4271
HARTSOCH GARY M & KAREN L	1704 CONESTOGA DR SE ALBU 87123-4270
LUCERO MICHAEL ANTHONY & SURBEY BARBARA J	1705 CONESTOGA DR SE ALBU 87123-4271
GIBSON SHIGEKO H	1701 CATRON CT SE ALBUQUE 4254

PARRAZ NOAH I & ELISHA M	1709 CATRON CT SE ALBUQUE 4254
MAHN JEFFREY A & EILEEN A CO-TRUSTEES RESTATED MAHN FT	1708 CONESTOGA DR SE ALBU 87123-4270

Please forward me a copy of the letter and proof of notice by **Wednesday, January 12th**.

Lack of notice may result in a deferral.

Thank you,

Suzie

SUZIE SANCHEZ-FLORES

zhe administrative assistant
o 505.924.3894

e suzannasanchez@cabq.gov

cabq.gov/planning

Public Notice of Hearing

Date: 03JAN22

To Whom This May Concern:

I am requesting approval from the Zoning Hearing Examiner within the City of Albuquerque for a conditional use or variance to allow a Courtyard wall with a height variance for our front yard (summary of request).

Property owner: Robert & Jordyn Ridenour

Agent (If applicable): N/A

Property Address: 1709 Conestoga Dr. SE, Albuquerque, NM, 87123 (zip code).

A hearing will be held on January 18, 2022 beginning at 9:00AM via ZOOM. Please call 505- 924-3894 for details and updates regarding an in-person hearing. If an in-person hearing is available, it will occur in the Plaza Del Sol Hearing Room at 600 2ND Street NW-Basement Level.

Join Zoom Meeting
https://cabq.zoom.us/j/7044490999

Meeting ID: 704 449 0999
One tap mobile
+16699006833,,7044490999# US (San Jose)
+12532158782,,7044490999# US (Tacoma)

Dial by your location

+1 669 900 6833 US (San Jose)
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)
+1 646 558 8656 US (New York)
+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

Find your local number: https://cabq.zoom.us/u/a2s7T1dnA

Thank you,

Applicant's Name: Robert& Jordyn Ridenour

Applicant's Number or Email Address: (505) 697-8338/rkridnour@gmail.com

For more information, please contact the ZHE Administrative Assistant Suzie Sanchez at 505- 924-3894 or suzannasanchez@cabq.gov.

Please note: "You may submit written comments to the Zoning Hearing Examiner up to 6 days before the hearing (5pm on the Wednesday before the hearing). Written comments received after that deadline may result in deferral. An agenda can be found at http://www.cabq.gov/planning/boards-commissions/zoning-hearing-examiner/zhe-agendas-action-sheets-decisions.

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:		
Decision-making Body:	Zoning Hearing Examiner	
Pre-Application meeting required:		☐ Yes ☐ No
Neighborhood meeting required:		☐ Yes ☐ No
Mailed Notice required:	X	☐ Yes ☐ No
Electronic Mail required:		☐ Yes ☐ No X
Is this a Site Plan Application:		☐ Yes ☐ No X ***Note**: if yes, see second page*
PART II – DETAILS OF REQUEST		
* Address of property listed in application:		
Name of property owner:		
Name of applicant:		
Date, time, and place of public meeting or hearing, if applicable:		
January 18, 2022 9:00AM via Zoom (Meeting ID# 704 449 0999)		
Address, phone number, or website for additional information:		
www.cabq.gov/zoninghearingexaminer or 505-924-3894		
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 SUBSECTION 14-16-6-4(K) OF THE INTEGRATED DEVELOPMENT ORDINANCE (IDO). 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.

Robert K. Ridenour (Applicant signature) 03 January 2022 (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 Subsection 14-16-6-9(B)(3) and may lead to a denial of your application.*

03 January 2022

CORRESPONDENCE FOR Neighbors of Robert and Jordyn Ridenour

SUBJECT: Courtyard wall permit and height variance for 1709 Conestoga Dr. SE

1. **Purpose**. To provide additional information on our request for permit and variance

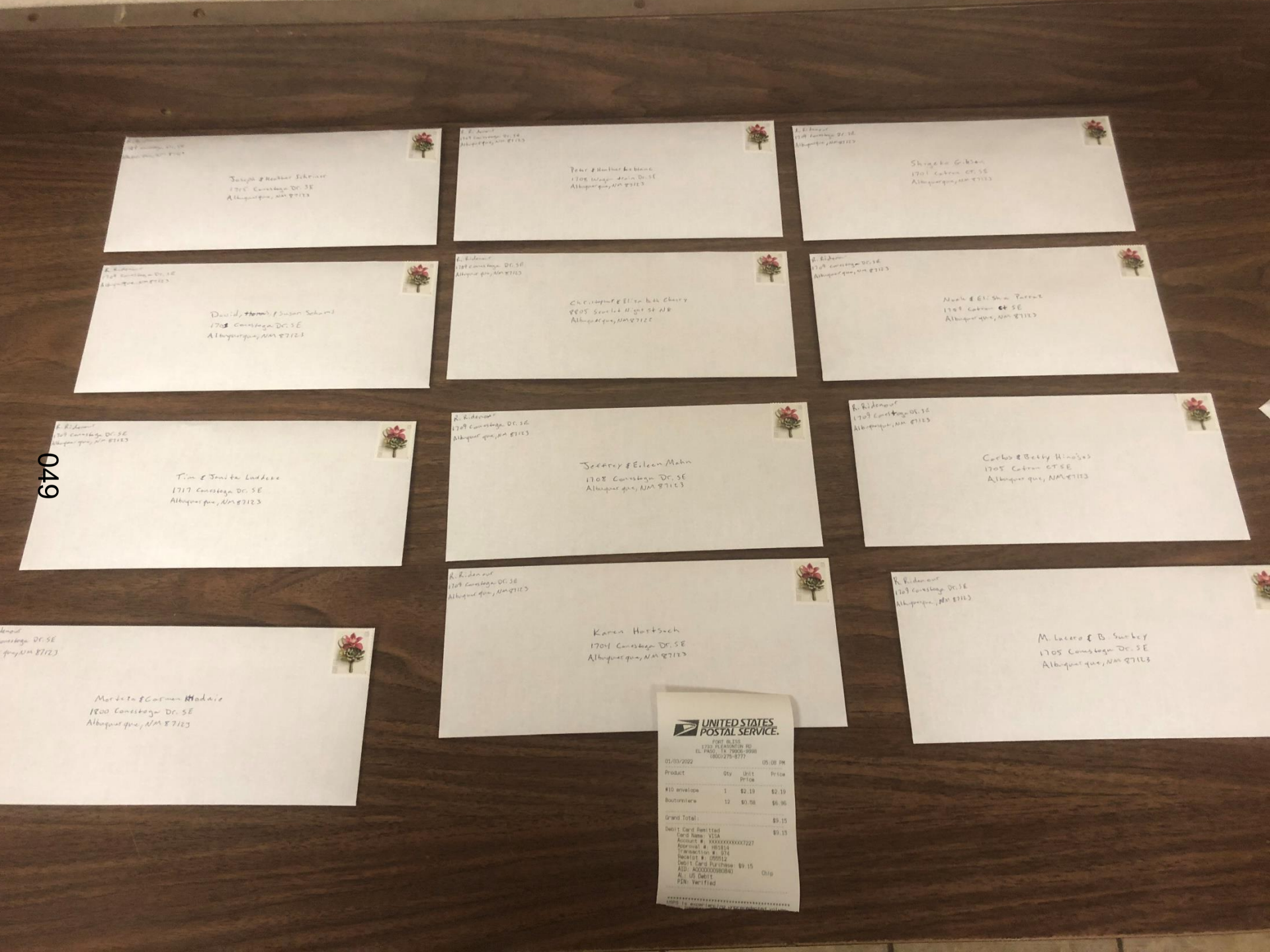
2. Good afternoon. We are applying for a permit for the courtyard wall that has started construction on our front yard. When the project was started, our contractor was unaware of the city ordnance updates that took affect prior to the construction. Upon realizing we needed a permit and height variance we halted construction. Thankfully we are coming up on our date to receive the permit and height variance. The courtyard wall, if approved will be stucco'd to match the exterior of our house. We will also install gates at the front and side entrance of the courtyard wall to match the overall house design. Once the wall is stucco'd, we will replace our landscaping to ensure a well-kept and pleasant look for the exterior of the house. We apologize for the current state of the project and its appearance.

3. The purpose of our courtyard wall is to present an additional deterrent to crime. We were broken into 18JAN21 while we were home (APD case # 210004594). Luckily they did not get past the garage door, our motion sensor lights picked up movement at the front of our residence as well that morning which is very concerning as our children's rooms face the street. While this isn't a perfect solution, it does provide an additional level of deterrence and has put our children at ease since the break in. Secondly, we would like to be able to utilize our front yard to allow our younger children to play out front as well as our three dogs in a secure environment and host social events for our surrounding neighbors as COVID protocols and weather permits.

4. If you cannot attend the hearing on 18 January 2022, we would appreciate if you would send an endorsement for the project to the zoning hearing examiner by way of Mrs. Sanchez at suzannasanchez@cabq.gov.

5. Please don't hesitate to reach out with any questions you have concerning this project at (505) 697-8338 or rkridnour@gmail.com
6.
7. I am currently Stationed at Fort Bliss, TX and will only be home on the weekends so phone or email is the best way to contact me. Again, thank you for your time.

Robert K. Ridenour
Robert K. Ridenour


049
Joseph & Heather Schriver
1715 Conestoga Dr. SE
Albuquerque, NM 87123
Peter & Heather Leblanc
1708 Wagon Train Dr. SE
Albuquerque, NM 87123
Shigeko Gibson
1701 Cotton Ct. SE
Albuquerque, NM 87123
David, Thomas & Susan Schuma
1708 Conestoga Dr. SE
Albuquerque, NM 87123
Christopher & Victoria Cherry
8805 Scarlet Night St NE
Albuquerque, NM 87122
Mark & Elisha Parker
1708 Cotton Ct SE
Albuquerque, NM 87123
Tim & Jonita Ludecke
1717 Conestoga Dr. SE
Albuquerque, NM 87123
Jeffrey & Eileen Mohn
1708 Conestoga Dr. SE
Albuquerque, NM 87123
Corbin & Becky Hinojos
1705 Cotton CT SE
Albuquerque, NM 87123
Karen Hartsock
1704 Conestoga Dr. SE
Albuquerque, NM 87123
M. Lucero & B. Sueber
1705 Conestoga Dr. SE
Albuquerque, NM 87123
Marketa & Carmen Hodaie
1800 Conestoga Dr. SE
Albuquerque, NM 87123
UNITED STATES POSTAL SERVICE.
FORT BLISS
1733 PLEASANTON RD
EL PASO, TX 79906-9998
(800)275-8777
01/03/2022 05:08 PM
Product Qty Unit Price Price
#10 envelope 1 $2.19 $2.19
Boutonniere 12 $0.58 $6.96
Grand Total: $9.15
Debit Card Remitted $9.15
Card Name: VISA
Account #: XXXXXXXXXXXX7227
Approval #: 161814
Transaction #: 974
Receipt #: 005012
Debit Card Purchase: $9.15
AID: A0000000980840
AL: US Debit
PIN: Verified
Chip


UNITED STATES
POSTAL SERVICE.
FORT BLISS
1733 PLEASONTON RD
EL PASO, TX 79906-9998
(800)275-8777
01/03/2022 05:08 PM
Product Qty Unit Price Price
#10 envelope 1 $2.19 $2.19
Boutonniere 12 $0.58 $6.96
Grand Total: $9.15
Debit Card Remitted $9.15
Card Name: VISA
Account #: XXXXXXXXXXXX7227
Approval #: H81814
Transaction #: 974
Receipt #: 055512
Debit Card Purchase: $9.15
AID: A0000000980840 Chip
AL: US Debit
PIN: Verified
USPS is experiencing unprecedented volume


Mail Collection Policy
Due to federal security regulations and U.S. export laws, DO NOT DEPOSIT the following items in this collection box:
You must present these items for shipment to a USPS® employee at a retail service counter at a Post Office™ location.
Failure to comply may result in the return of your mailpiece.
Keep the Mail Safe!

Sanchez, Suzanna A.

From: Rob Ridenour <rkridnour@gmail.com>
Sent: Sunday, January 09, 2022 11:50 AM
To: Sanchez, Suzanna A.
Subject: Sing re emplacement ZHE Public Notice sign 1709 Conestoga DR SE

Good afternoon Mrs Sanchez,

Please see attached picture of the public notice sign. It has been repositioned and is still visible from the street. I tried to place it out front but the wind tore it.

Sanchez, Suzanna A.

From: Rob Ridenour <rkridnour@gmail.com>
Sent: Thursday, January 06, 2022 4:41 PM
To: Sanchez, Suzanna A.
Subject: ZHE Public Notice sign 1709 Conestoga DR SE

Mrs. Sanchez,

I wanted to send a picture of our sign to ensure it is ok. It was hung to make sure the wind won't take it away. Please let me know if there is any issue with it. Thank you for your help

Rob Ridenour
(505) 6978338


BEWARE
of DOG

Sanchez, Suzanna A.

From: bjsurbey@comcast.net
Sent: Wednesday, January 12, 2022 3:52 PM
To: Sanchez, Suzanna A.
Subject: Rebuttal for Permit Request - Project #PR-2021-006303
Attachments: IDO reasons for not allowing the Permit Request by the Ridenours.pdf; Attachment One-ZHE.pdf; Attachment Two- ZHE.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

TO:
Robert Lucero, Esq., Zoning Hearing Examiner

RE: Correspondence with regards to Permit Request (Project # PR-2021-006303)

On January 6, 2022 we received a letter from Jordyn and Robert Ridenour dated 03Jan22 letting us know they were requesting approval from the Zoning Hearing Examiner for a conditional use or variance to allow a Courtyard wall with a height variance for their front yard.

Please see and review attached documentation.

Thank you.
Barbara J Surbey
1705 Conestoga Dr SE
Albuquerque, NM 87123
505.980.8338
bjsurbey@comcast.net

RE: Correspondence with regards to Permit Request (Project # PR-2021-006303)

On January 6, 2022 we received a letter from Jordyn and Robert Ridenour dated 03Jan22 letting us know they were requesting approval from the Zoning Hearing Examiner for a conditional use or variance to allow a Courtyard wall with a height variance for their front yard.

The following letter is in PROTEST of granting a PERMIT and/or Variance for a Taller Wall – Major for a Courtyard Wall in the front yard. Subject property located at 1709 Conestoga Dr SE Abq., NM 87123; Owners: Jordyn and Robert Ridenour.

It appears the owners of the subject property are requesting a Permit; however, when reading the IDO, it appears they also must apply for a 6-6(0) Variance – ZHE.

I have **strong objections** to allowing the property owners to keep what they have already built on site and if they are also applying for a Variance to what they have already built, the following letter contains my objections and reasons for not awarding Permit(s)/Variance requested by the Subject Property owners.

The IDO states that:

- **Part 14-16-5-7 (B)(2)** "A wall shall be constructed only after obtaining a permit, pursuant… ."
- **5-7(D)(3)(g)** Per this section, a Permit – Wall or Fence – Major is required based on the Ridenour's request to have a Courtyard Wall.
- **Part 14-16-6-6(H)** PERMIT - WALL OR FENCE - MAJOR
  It appears they would also need a location variance due to the location where they have already built the walls around the perimeter of their front yard. **Part 14-16-6-6(O) VARIANCE - ZHE**

Part 14-16-6-6(H) PERMIT – WALL OR FENCE - MAJOR
6-6(H)(3) Review and Decision Criteria

Part/Section	Part/Section Description	Objections With Explanations
6-6(H)(3)(a)	The wall is proposed on a lot that meets any of the following criteria:	
	1. The lot is at least ½ acre.	**Does not meet:** The subject property sits on a 0.26-acre lot. (0.26 < 0.5-acre lot)
	2. The lot fronts a street designated as a collector, arterial, or interstate highway.	**Does not meet:** The subject property and surrounding houses are located on a "Local Street", not a collector, arterial, or interstate hwy. Subject Property is located on a dead-end "local" street with very low volume traffic. Definition of "Local Street" per the IDO, "A street designated in the DPM that is primarily used to access abutting properties. …carries low volume traffic."

	3. For a front yard wall taller than allowed in Table 5-7-1, at least 20% of the properties with low-density residential development with a front yard abutting the same street … have a front yard wall or fence over three feet.	**Does not meet:** Three properties within 330 ft of subject property have a matching ≤4' maximum privacy wall restricted to the front door area only. Front doors are set back from outermost dwelling surface. On two of the properties, the privacy wall extends no more than 4ft past the front surface of the dwelling. The privacy wall on the 3rd property is set back from the face of the dwelling. These 3 homes were all built between 1980-1985 and the front walls were included with the original construction.
	4. For a street side yard wall taller…..	*Not applicable to this request.*
6-6(H)(3)(b)	The proposed wall would strengthen or reinforce the architectural character of the surrounding area.	The walls have already been built at subject property. The location and height of the walls are an anomaly on this street, as well as, to the neighborhood. Before the walls were built, the look and feel of the street was open and had a harmonious flow. These walls as they sit, break up the line of sight and give the subject property a look and feel of a "private compound." This does not strengthen or reinforce the architectural character of the surrounding area which includes the entire street/neighborhood.
6-6(H)(3)(c)	The proposed wall would not be injurious to adjacent properties, the surrounding neighborhood, or the larger community.	The location and height of the walls, as they sit, are injurious to the adjacent properties, the surrounding neighborhood, and the larger community. ● We had two different Realtors look at the current situation and both remarked that the current location and height of the walls negatively impacts the value of the surrounding properties and the surrounding neighborhood. The walls break up the former "neighborhood" look and feel. The harmonious flow of the surrounding properties along the street is lost due to these out-of-character walls. ● We, the adjacent neighbor located on the north side of the subject property's north wall, has been greatly impacted. This wall totally blocks any view looking south from inside our home. In fact, since the construction of these walls, for us to view anything south (up the street) of our home, we must walk out to the end of our driveway to see past the existing 5'-6' ft high walls. The front street side wall is only 6.5' from the outside edge of the street curb and encroaches into the Public Right-of-Way by 1.9'. The reason we purchased our property in 2019 (before the Ridenour's purchased the subject property in 2020) to be our retirement home was for the look/feel of the street. It made us feel safe that we could observe the street, and surrounding properties from inside the security of our home. Sadly, this ability no longer exists for us with the walls being higher than a standard 3' wall. See attached photos, Attachment One. In addition, their existing north wall is 5" off of our common property lot line. ○ During the winter months, since the north wall is located within 5" of the common lot line, it completely blocks the sun from reaching our existing landscape

		shrubs along the common property line. Should we need to relandscape if our shrubs die due to this situation, that cost burden is on us. ○ The owners of the subject property declared they will stucco the walls to match their dwelling. To do so, they must "trespass" onto our property and trample through our landscape shrubbery (again). They already trespassed without approval when they built the north wall. Their contractor tore out our landscape railroad ties and threw them into our shrubbery so they could dig the trench to construct the new wall. Then they left the surrounding landscaping covered with concrete/mortar. The Ridenours promised to clean up and repair our landscaping immediately after the damage was done but they didn't do anything until we forced the issue and finally two months later, they had their landscape contractor put back the railroad ties and clean up the damages.
6-6(H)(3)(d)	The design of the wall complies with any applicable standards in Section 14-16-5-7……	Currently, the existing walls are all exposed standard CMU block walls. No surface finish exists since they stopped construction to obtain a permit.
	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.	**Does not comply:** I am 5'5" tall. My line of sight when standing in flat-soled shoes is at 5ft. When I stand in the middle of the street, centered straight across from the subject property street side wall, I can only see the top 15-20% of each window. Every window located on the front façade of the dwelling is physically located behind the wall and they are mostly blocked when viewed from the street. This 5'-6' wall that has already been constructed makes this property look and feel like a "compound" and does not support the look and feel of a "neighborhood." What they have built and want to keep is not a courtyard wall. What the neighbors/neighborhood is being subjected to is a single-dwelling private compound within the surrounding neighborhood.
	2. The design and materials proposed for the wall or fence shall reflect the architectural character of the surrounding area.	**Does not comply:** ● The design of the wall does not reflect the architectural character of the surrounding area. There are no other properties within 330 ft. of subject property or the neighborhood that have any front yard walls or courtyard walls 5'-6' tall that encompass 90% of the front yard. The wall itself is built like a standard wall you would expect to see in a back yard with pilasters every 16' and squared off to follow lot lines. Typically, Courtyard walls are set back substantially from the street and several feet from the common property lot line. The IDO definition of a Courtyard Wall: "Walls that are not on the lot line that enclose an outdoor space to form an outdoor courtyard." ● The materials used for the existing construction is standard CMU blocks. The owners of the subject property state in their Permit Request that they will stucco the walls to match their dwelling. To do so, they must trespass on our property to stucco

		the north face of their north wall. They should have planned ahead when determining the location of this wall. To assume they can trespass on the neighbor's property/landscape to finish their wall and do any future maintenance as needed is extremely bold. This is not acceptable. They already damaged our landscaping and scrubs the first time when they build the wall.

5-7(D)(3)(g)2 Illustration for Courtyard Wall: Residential Courtyard Wall (Requires – Variance ZHE)
Part 14-16-6-6(O) VARIANCE - ZHE
6-6(O)(3) Review and Decision Criteria
6-6(O)(3)(a) General

An application for a Variance -ZHE shall be approved if it meets all of the following criteria:

#	Description	Objections With Explanations
1.	There are special circumstances applicable to a single lot that are not self-imposed and that do not apply generally to other property in the same zone district and vicinity, including but not limited to size, shape, topography… no compensation was paid. Such special circumstances of the lot either create an extraordinary hardship in the form of a substantial and unjustified limitation on the reasonable use or economic return on the property, or practical difficulties result from strict compliance with the minimum standards.	We feel any special circumstances have been self-imposed. In the Ridenour's Correspondence letter to the neighborhood, they stated they wanted the taller walls for security concerns. Last year, Robert Ridenour's SUV was stolen out of his driveway. The Ridenour's told us that Rob left his keys in the ignition, engine running, vehicle unlocked and the garage door up when he went back into the house to wait for his vehicle to warm up. Only he knows how many mornings he had done this before the vehicle was finally stolen. This behavior isn't that of a person that has major concerns with security. His wife's SUV was also parked in the driveway. It was supposedly rummaged through as it too was unlocked overnight. They also claimed they had duck hunting decoys stolen from inside the garage. They want to put this taller wall around the perimeter of the front yard but not around the driveway, garage entrance, and backyard entrance where the security incidents occurred.
2.	The Variance will not be materially contrary to the public safety, health, or welfare.	The walls as they currently sit (height and location) have created a security issue for us; we are the adjacent property to the north. We can no longer see anything but the block wall when we look out of our front windows to the south as the 5'-6' wall totally blocks any view. Reality is that a wall won't keep anyone out that wants in – they will find a way. These high walls create an environment for perpetrators to hide. This has made us feel very uneasy. We purchased this home as our retirement home in 2019 (before the Ridenour's in 2020). The appeal was the location, the harmonious look and feel of the street/neighborhood and the openness around us. We could look out of our front windows and see up and down the street. This gave us great security satisfaction. Now we can't see anything when we look to the

		south. We must go outside and walk to the end of our driveway to see anything (south) up the street. These walls are injurious to our safety as citizens of this neighborhood and the welfare of our being. Please see attached photos.
3.	The Variance does not cause significant material adverse impacts on surrounding properties or infrastructure improvements in the vicinity.	The location and height of the walls, as they sit, do cause significant material adverse impacts on the surrounding properties, especially the adjacent property to the north, as well as, the surrounding neighborhood, and the larger community. ● We had two different Realtors look at the current situation and both remarked that the current location and height of the walls negatively impacts the value of the surrounding properties and the surrounding neighborhood. The walls break up the former "neighborhood" look and feel. The harmonious flow of the surrounding properties along the street is lost due to these out-of-character walls. The variance if granted would demote the architectural character of the surrounding area. As it sits, the subject property gives the impression of a misplaced illicit drug compound.
4.	The Variance will not materially undermine the intent and purpose of this IDO or the applicable zone district.	Granting a Variance to the subject property owners will materially undermine the intent and purpose of this IDO and/or the applicable zone district. The Permit/Variance Request that the subject property owners are wanting does not meet any of the essential criteria for a Permit – Wall or Fence – Major and a VARIANCE - ZHE as outlined in the IDO.
5.	The Variance approved is the minimum necessary to avoid extraordinary hardship or practical difficulties.	Any Variance approval to increase the wall height above 3 ft or a location variance does not represent the minimum necessary to avoid extraordinary hardship or practical difficulties. A robust alarm system, bars over the windows, camera system and dogs (which they have 3) would have less to no impact on the neighborhood as a whole. In addition, within Four Hills Neighborhood exists a contract security company (IPS) available for hire by any resident. Several property owners on our street have a contract with IPS and are very pleased with their service. Installing an anomaly 6' tall perimeter wall around the subject property front yard so they can have an enclosed children's playground and play area for their dogs, and have an area to hold an occasional neighborhood party is not a reason to enable the subject property to become a private compound creating an incongruency to the street and within the neighborhood; that's what back yards are for and we all have a substantial back yard.

I am totally against any Permits or Variance that support any wall height taller than 3 ft and/or location requests for the wall(s) as they current sit. Walls must meet IDO specifications, no variance for height increase or location beyond the standard.

Note:
I would agree to a courtyard wall that meets the Variance height of 6ft **"IF"** the wall meets the location requirement of ≥ 10 ft from the lot line abutting the street or edge of the sidewalk closest to the primary building, whichever is more restrictive. AND, the courtyard wall must not project beyond the northeast corner of the dwelling's exterior. These requirements would ensure that the courtyard wall meets the definition of a courtyard wall per the IDO: "Walls that are not on the lot line that enclose an outdoor space to form an outdoor courtyard."

Barbara J. Surbey
1705 Conestoga Dr SE
Albuquerque, NM 87123
505-980-8338
bjsurbey@comcast.net

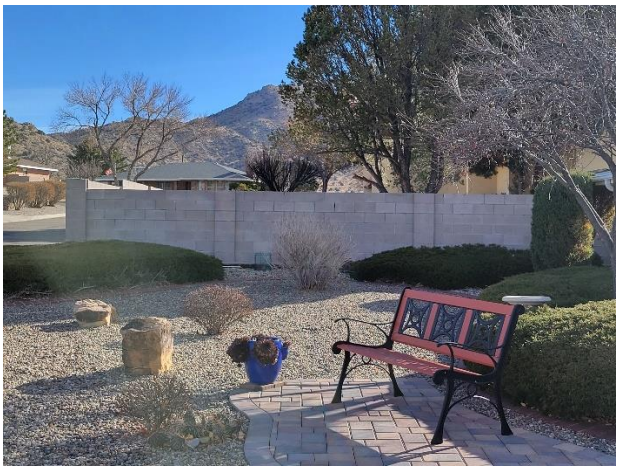
Attachment One.

Showing view obstruction due to subject property's existing wall construction.

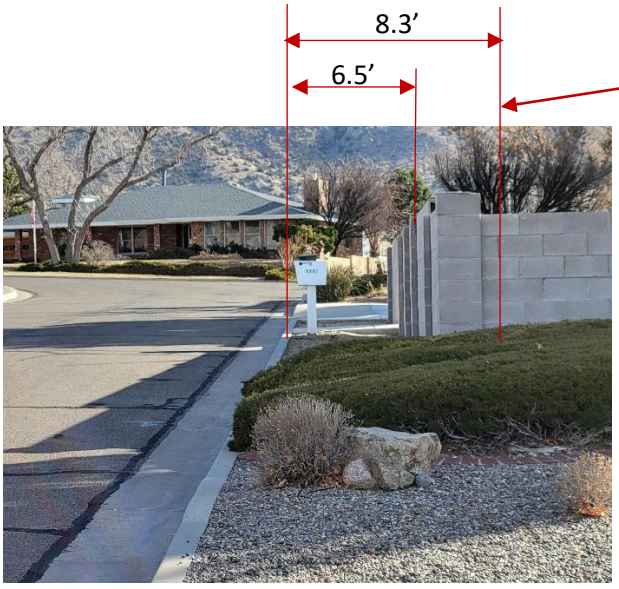
This wall is currently ~5' tall and Property Owner wants to increase it to 6'.

Our street <u>view looking south from our south bedroom window</u> (@ 1705 Conestoga Dr SE). Block wall at subject property (1709 Conestoga Dr SE)- obstructs our view. Security issue.

Our street <u>view looking south from our north bedroom</u> (@ 1705 Conestoga Dr SE). Block wall at subject property (1709 Conestoga Dr SE)- obstructs our view. Security issue.



Our <u>view looking south from the midpoint of our driveway</u> (@ 1705 Conestoga Dr SE). Block wall at subject property (1709 Conestoga Dr SE)- blocks our view. Security issue!



Our <u>view looking south from</u> the end <u>of our driveway</u> (@1705 Conestoga Dr SE). Block wall at subject property (1709 Conestoga Dr SE)- blocks our view. Security issue!

Attachment Two.

View of properties within 330’ from subject property that have a front wall. Less than 20%.
Note:

- Walls do not exceed 4’ tall.
- Walls are integrated with original design of dwelling. Dwellings were built between 1980-1985.
- None of the walls are near the street, nor extend beyond the dwelling.
  - Two walls slightly protrude beyond the outermost face of the dwellings. [1701 and 1708 Conestoga Dr. SE]
  - One wall is totally set back from the front line of the dwelling. [1705 Conestoga Sr SE]

1701 Conestoga Dr SE

1708 Conestoga Dr SE

1705 Conestoga Dr SE

Wall is totally setback behind the face of the dwelling.

Sanchez, Suzanna A.

From: Brian Broaddus <bbroaddus@gmail.com>
Sent: Tuesday, January 11, 2022 9:48 AM
To: Sanchez, Suzanna A.
Subject: Re: 1/18/22 Zoning Hearing Agenda – Item #22. VA-2021-00429 - Project #PR-2021-006303

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mrs. Sanchez,

We are residents of 1815 Conestoga Dr SE, within the Four Hills Village neighborhood, and have been informed of a request for permit and variance at 1709 Conestoga Dr SE.

We are writing to *object* to the City's issuance of a permit and variance pertaining to the wall that has already been built at the applicant's location.

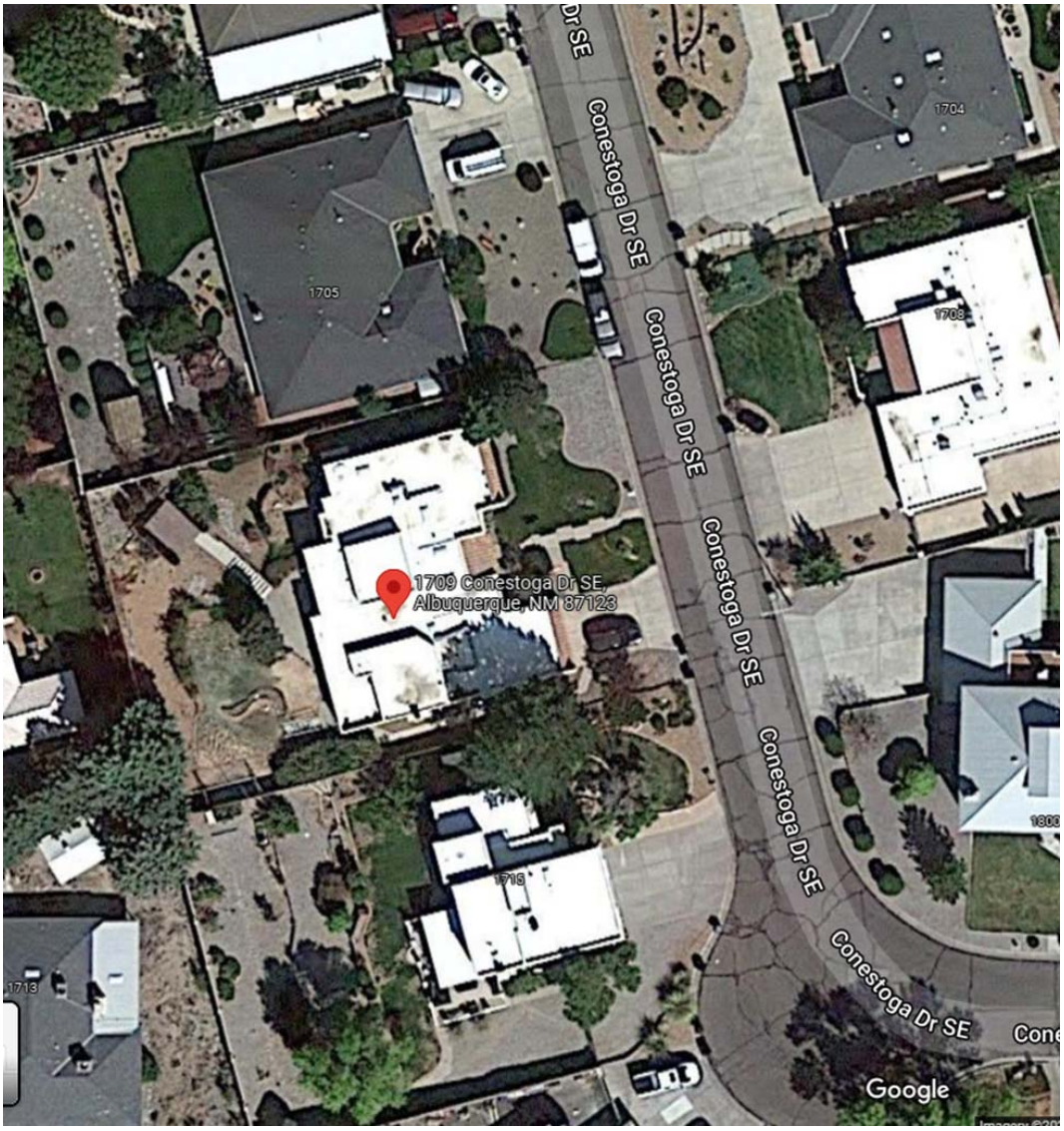
In the course of the hearing regarding this matter, the City will be presented with many IDO discrepancies that are factual and need to be considered in light of the application that has been submitted. Undoubtedly, the structure already presents code violations, property impediments and easement issues as this structure was erected prior to the permit and inspection process being properly completed.

The contractor's ignorance of code prior to the commencement of construction is not an acceptable rationale to grant a variance exception for this structure. Evidenced by the 6 LMS online complaints currently on file with the Albuquerque Code and Enforcement Department for this address, this wall and the construction in its current state does not follow reasonable, common architectural guidelines for the neighborhood and fails to adhere to the City's building codes. For these reasons, the project was already issued a *Notice of Violation* which precipitated this matter on your agenda.

We do *not* object to a reasonable, harmonious garden or patio wall that integrates within the architectural style of this residential street and is approved by the surrounding residential owners. Other surrounding properties have existing garden and/or patio walls successfully integrated into their housing structures. The final state of the current structure is not anticipated to be harmonious and could be deemed injurious to views, values and the enjoyment of the immediate surrounding residences.

Attached are photos to help demonstrate the scope of the structure from a street view and the code/easement issues pertaining to the structure's current location and height.

Pre-wall yard structure:


Conestoga Dr SE
Conestoga Dr SE
Conestoga Dr SE
Conestoga Dr SE
Conestoga Dr SE
1709 Conestoga Dr SE,
Albuquerque, NM 87123
1705
1704
1718
1713
Google

Sanchez, Suzanna A.

From: dschams15@gmail.com
Sent: Saturday, January 08, 2022 12:52 PM
To: Sanchez, Suzanna A.
Subject: Zoning variance for Robert and Jordan Ridenour at 1709 Conestoga Dr SE, 87123

Dear Ms, Sanchez,

I am writing this letter today regarding the above address and the request for a waiver on City ordinances. While the homeowners seem to be a lovely couple, I do have an issue with the height of their wall and not getting approval first from the city. The height restriction has been in place for many years both between homes as well as in front and back. I believe that to be 100% the contractors fault, and if any reparations/changes are needed it should be 100% at his expense, if not he should lose his license.

My reasoning is as follows:

- We planned for a privacy fence to be put in between our house and neighbors because we needed the height for safety and insurance reasons. The adjoining lot was on a higher grade and the existing fence was under 4 ft tall on their side. Because it was taller than was allowed by the city, we received a variance contingent on us getting the fence engineered and having additional support put it due to its height. That was constructed approximately 12 years and we built it on our side of the property line as did not want to have any lot line issues . We also have always had dogs so this also mitigating some of their barking from sounds they heard next door.
- I understand their desire for added security, but we have cameras, motion lights, and a security system and have never had a problem in over 20 years in this location. Plus we have a far more accessible home facing streets on two sides..
- As far a safe play area for the kids, I can't disagree. However aren't their city easements so walls and such can only be so far from the street? Of this am not sure, but again the contractor should have been aware.
- I don't see why "asking for forgiveness rather the permission" should be rewarded as a way of going about a project. Any time we have done projects to our home we have always had to pull permits first and then have things inspected upon completion.
- Less than two years ago as I wanted to have one of my new refrigerated air conditioning units mounted on the ground vs. on my roof. But because of the lack of clearance under the eaves, I was forced to put it on the roof (by the city inspectors) where it is much louder and I feel is a disturbance to our neighbors. I could have just had it installed on the ground and not followed the rules. To that end I have gone to great personal expense to try and mitigate the echoing sound from the roof unit that would otherwise be an annoyance to those that live around us.

Again, the contractor should have known about the height and hopefully took the necessary precautions to bolster the foundation on the wall if it is going to be allowed. There really is no precedent in the local area for having a wall built that close to the street.

I wish the young couple all the best in getting this resolved with no added expense to them, as it seems their contractor did not ask all the questions he needed nor did he follow protocol/known restrictions. Anyone that has lived in ABQ for any time has always had at least one run in with a corrupt/incompetent contractor.

Warmest Regards,

David Schams
1701 Conestoga Dr SE
ABQ, NM 87123
505-239-1861
dschams15@gmail.com

Albuquerque Planning Department

Robert Lucero Esq.

As a concerned neighbor I am responding to Robert Ridenour's letter regarding his request for a variance for a **Courtyard Wall** for his property located at 1709 Conestoga Dr SE, Albuquerque, NM 87123.

A little research of the building codes leads me to understand that a courtyard wall:

- Cannot be over 6' in height
- Must be built at least 10' back from the lot line
- Must not obscure the windows on the front of his property
- Must not undermine the aesthetics and property value of the surrounding neighborhood.

Mr. Ridenour's current wall does not meet these parameters.

I am also concerned that further criteria for a variance has not been met.

His letter assigns the blame for not understanding the building codes to the company that constructed the wall. That strikes me as naïve. It is the homeowner's responsibility to be informed of the building codes and apply for a variance, if one is needed, and then to apply for a permit to begin building the proposed wall. This protocol has not been followed. The entire existing structure was built before any request for a permit was submitted.

Regarding his concerns about security issues. There are several obvious options for a homeowner to further secure his home beyond the standard dead bolts that would not negatively impact the property values of the neighborhood. IE: Bars on the windows, a reliable, monitored security system and of course, a dog. (He has three.) There is also contract services available through International Protective Services (IPS) who have a substantial presence in the Four Hills community.

Mr. Ridenour's remarks regarding a 'break-in' on his property are vague. It was his truck that was stolen. It was in his driveway, unlocked, keys in the ignition with engine running, while he was in his house. That does not sound like someone who is overly concerned for the safety of his property.

As a concerned neighbor as to how the existing wall impacts the neighborhood, I am **against** granting a variance to this wall.

Respectively submitted on January 11, 2022,

Karen Hartsoch

1704 Conestoga Dr SE

Albuquerque, NM 87123

Sanchez, Suzanna A.

From: mike <malucero@comcast.net>
Sent: Wednesday, January 12, 2022 2:17 PM
To: Sanchez, Suzanna A.
Subject: Objection to Project # PR-2021-006303
Attachments: Objection Letter to Albq Planning Dept 1.docx

To: Robert Lucero, Esq.
Re: Project # PR-2021-006303 - Robert and Jordyn Ridenour request a permit for taller wall…

Mr. Lucero,

I wish to register a strong Objection to the above Ridenour project.
Please see the attached for details.

Thank you respectfully,
Michael Lucero
1705 Conestoga Dr. SE

505.235.7391

January 11, 2022

To: Robert Lucero, Esq., Zoning Hearing Examiner

We received a notice from Robert and Jordyn Ridenour regarding their request for a Courtyard wall permit and height variance for 1709 Conestoga Dr. SE. It's dated 03 January, 2022.

Below I quote an edited version from the letter we received.

"*Subject: Correspondence For Neighbors of Robert and Jordyn Ridenour...*

2. ... We are applying for a permit for the courtyard wall that has started construction on our front yard. When the project was started, our contractor was unaware of the city ordnance updates that took affect prior to the construction...

3. The purpose of our courtyard wall is to present an additional deterrent to crime....Secondly we would like to be able to utilize our front yard to allow our younger children to ply out front as well as our three dogs in a secure environment and hose social events ..."

Their stated purpose for the wall is as a deterrent to crime. Their second purpose is to allow a front yard playground for their children and dogs in a secure environment.

While I understand their desire for a secure environment, their proposed solution, asking for allowances to deviate from established city codes, is indeed an imperfect solution and asks too much of the community they chose to live in.

I strenuously object to the proposed permit for the wall next door to us.

While I can relate to the desire for security, I feel there are many alternative systems, such as a robust alarm system, commercial security patrols, and physical security measures that would be less intrusive to the neighborhood and would be as much or more effective than a compound wall. The wall actually could give criminals a place to hide, making the rest of us less secure.

There is no demonstrable difference in that particular property that would require such an extreme measure compared to the rest of the neighborhood. We in the neighborhood have the same security issues and are very fortunate to have generous back yards to recreate with our children, pets and guests.

Besides the impact to our property value, having a 'compound' next door to us, the Ridenour's wall project impacts our view and creates a claustrophobic feel for us when we are in the front yard or looking out from the front bedroom windows.
The massive wall creates a 'compound' feel to the neighborhood as well.

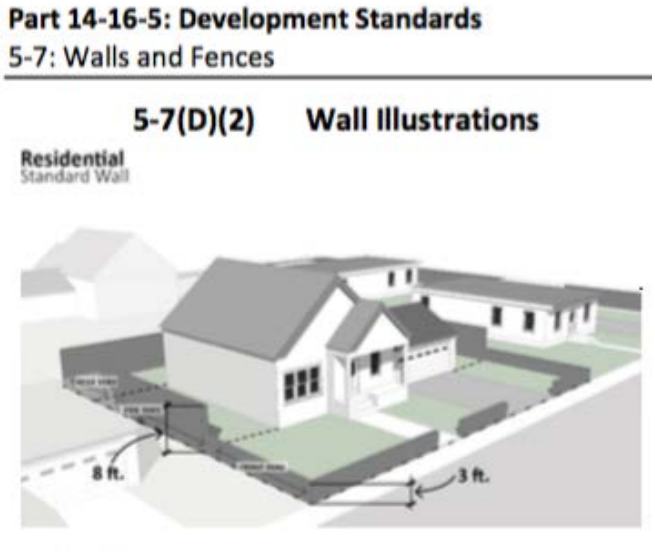
We have been living with this eyesore since late September. I thought I might get used to it in time, but that has not been the case. It is still an eyesore.

In addition to the detrimental addition to our neighborhood, there are numerous Code violations and concerns as the wall is currently built.

Below are my objections based on Albuquerque’s latest Integrated Development Ordinance (IDO).

◆Upon viewing the Ridenour's application they have provided properties, they are requesting walls over 3 feet.

Per Part 14-16-5-7(D)(2)



There are 2 houses that have small, but higher than 3 foot walls, that extend past the front of the house. Neither of which extend anywhere near the street.

According to the submitted drawings, the Ridenour's are asking for a near complete surround of their front lawn area with a wall that's well above the 3' height. In contrast, other homes near the subject property have small walls, near the front door that do not even approach the sides of their properties.

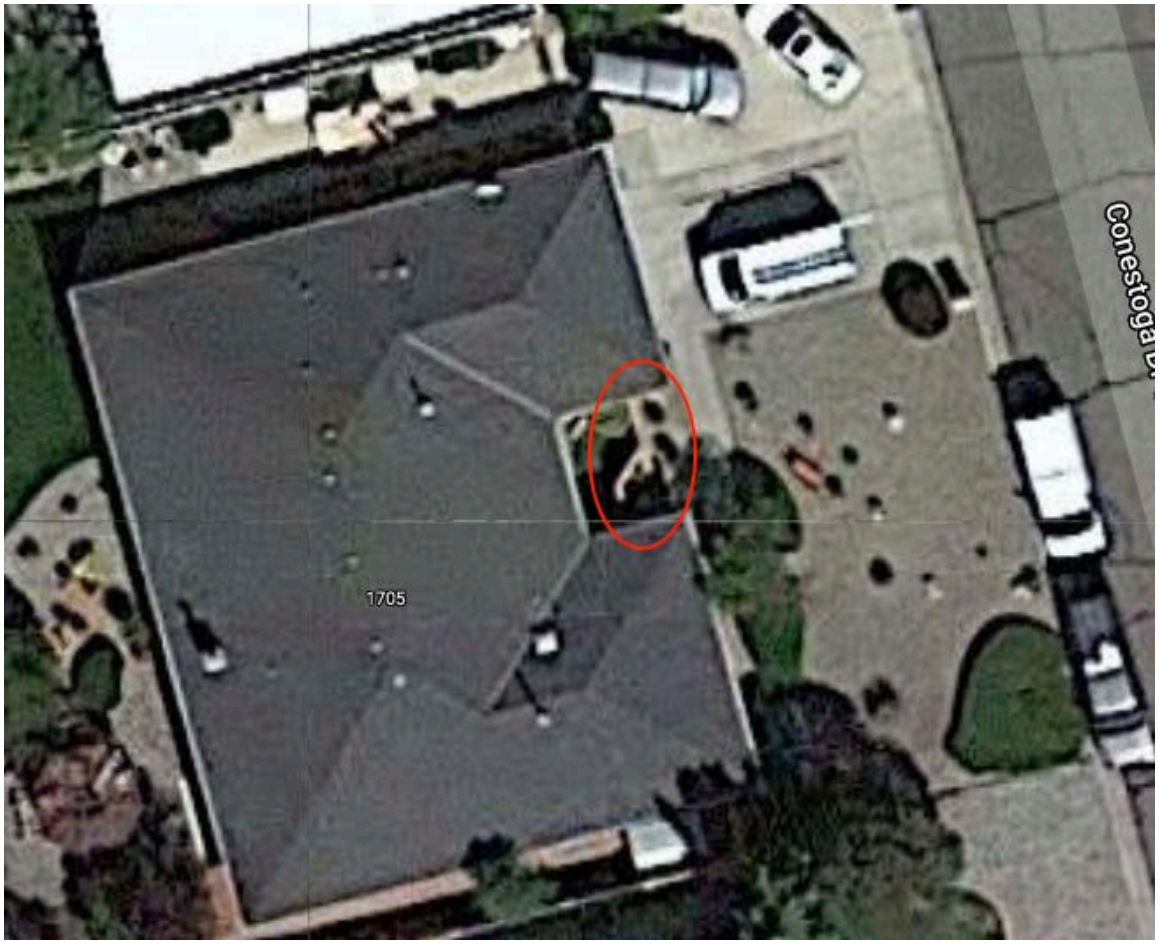
Thus the requested (existing) wall is totally out of character of the surrounding area.

Below are the houses used as examples in the submission for the permit, as seen from above, with the walls circled in red.

1701 Conestoga

1708 Conestoga

The third house included in the Ridenour's request, is at 1705 Conestoga, ours, and our wall does not extend beyond the front walls of the house structure:



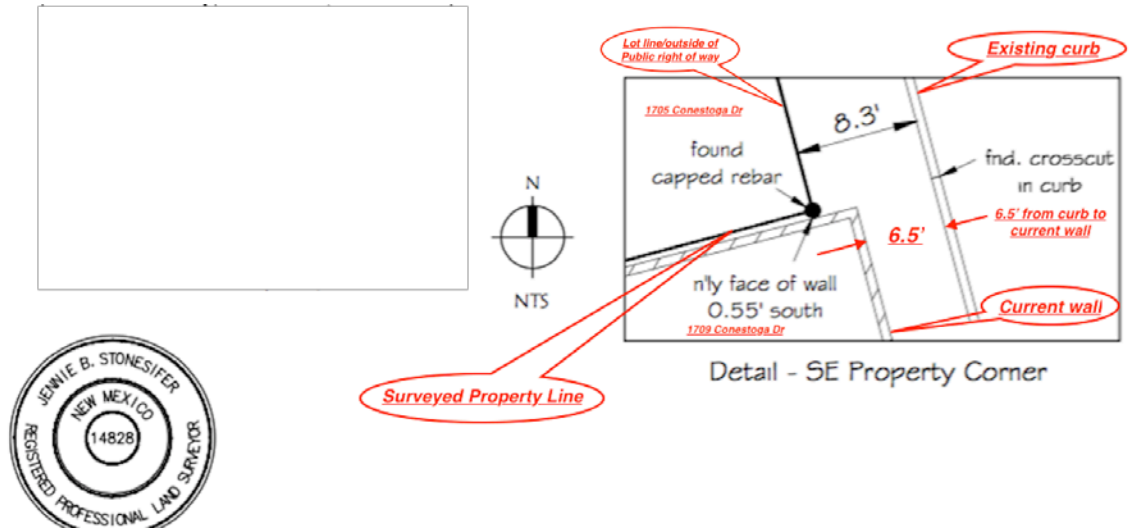
I feel that there is no comparison to what they are proposing and what currently exists in the area.

◆The Ridenour's request is asking for a wall over the standard 3'. (Specifically a 'Courtyard wall')

Which leads to 14-16-5-7(D)(1)[3] (taller walls... 14-16-5-7(D)(3)g)

"Courtyard walls to be ≥10' from lot line..."

Below is a detail from a survey (dated November 2021) from the Southeast corner of our property that includes the current pre-permit wall that is already erected at 1709 Conestoga. Note the detail on the right.



In the photo above the white stake is 10' to the west of the lot line. The photo is taken from the north side of the existing wall.
This illustrates how excessive the over-reach of the existing wall is. And how much of the view to the south is blocked.

The Ridenour's 'plot plan' describing their wall is considerably off scale (the 10' offset would be much farther from the curb) and also shows the offset from the curb rather than the lot line. (See above survey detail)

◆ The quote below is from the Ridenour's 'Request for Neighborhood Meeting'

"*I am requesting approval from the Zoning Hearing Examiner within the City of Albuquerque for a conditional use or variance to allow a courtyard wall to exceed the maximum height allowed within IDO 14-16-5-7 Table 5-7-1 but meet requirements within Table 5-7-2."*

From Table 5-7-2, Courtyard Walls, references 5-7-(D)(3)(g)2

2. Illustration for Courtyard Wall

Residential
Courtyard Wall (Requires Variance – ZHE)

A Courtyard Wall requires a Variance - ZHE.

According to Ms. Sanchez at the Planning Department there is no request for a Variance for 1709 Conestoga.

◆ Regarding a standard request for a *Permit - Major, Review and Decision Criteria, 14-16-6-6*:
(The text in italics designate direct quotes from the IDO)

14-16-6-6(H)(3)a The wall is on a lot that meets any of the following criteria:

1) The lot is at least 1/2 acre
The Ridenour's lot is .26AC (per public records)

2) The lot fronts a street designated as collector, arterial, or interstate highway
Conestoga is considered a local street (per IDO Definitions) and not a collector, arterial, or Interstate

3) For a front yard wall taller than allowed in Table 5-7-1 at least 20% of the properties...have a ...wall or fence over 3 feet...
There are <u>not</u> 20% of the homes within 330' that have walls greater than 3' from the Ridenour's home. There a 2/15 (Per the request we got a copy of) that have a wall beyond the walls of the house structure. That is less than the required 20%. See photos above.

4) N/A

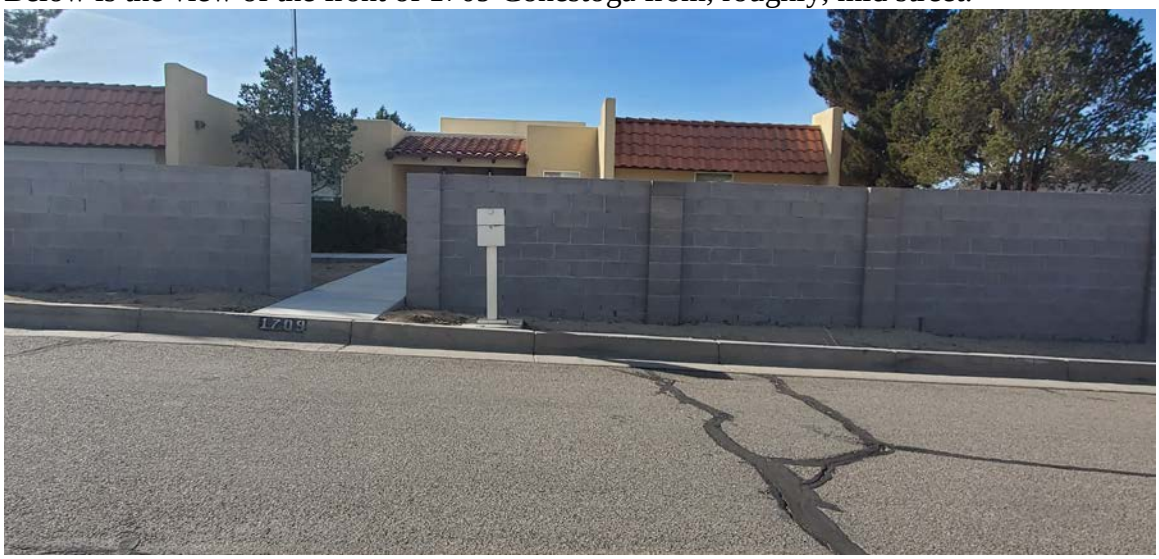
6-6(H)(3)(b) The proposed wall would strengthen or reinforce the architectural character of the surrounding area.
The wall would degrade from the current character of the surrounding homes and general neighborhood. It would NOT strengthen or reinforce any type of character of the area, as it has nothing in common with any of the surrounding area.

6-6(H)(3)(c) The proposed wall would not be injurious to adjacent properties... etc.
The wall would be injurious to the adjacent properties. We spoke to two different, not related, Realtors about a possible impact of the wall on our property values and both told us the wall would degrade the value of our home and subsequently the neighborhood.

6-6(H)(3)(d) The design of the wall complies...with any applicable standards... and all of the following":

1) Shall not block the view of <u>any</u> portion of any window...

Although the below photo is from a vehicle, the wall, as requested, would not allow full view of the windows.
Below is the view of the front of 1709 Conestoga from, roughly, mid street.



Based on the all the above, I request the " *conditional use or variance to allow a courtyard wall to exceed the maximum height allowed"* be **<u>denied</u>**.
And also that the current wall be removed and/or modified to meet the current IDO for standard wall height, construction and adhere to Part 14-16-5-7 with no allowance or Variance for extra height to allow for a consistent and harmonious look to compliment our neighborhood.

Respectfully,
Michael Lucero
1705 Conestoga Dr. SE

Sanchez, Suzanna A.

From: Mort Khodaie <mkhodaie29@yahoo.com>
Sent: Thursday, January 06, 2022 2:43 PM
To: Sanchez, Suzanna A.
Subject: The following comments are regard to Mr. and MS. Ridenour courtyard wall permit:

I support the area construction zoning, covenant and applied construction code of the four hills when the subdivision developed. Any violation in this regard should be resolved by Four hills architect committee and city zoning Department. Therefore, subject request must be evaluated based of the above comments and make recommendation accordingly.

Not acquiring permit and build is separate issue which should be reported of local and state construction division department.

Sanchez, Suzanna A.

From: tommy carrion <tcarrion2002@yahoo.com>
Sent: Wednesday, January 12, 2022 1:11 PM
To: Sanchez, Suzanna A.
Subject: Permit for 1709 Conestoga Dr SE
Attachments: 1709 Conestoga Dr SE.rtf

Follow Up Flag: Follow up
Flag Status: Completed

Hi Suzanna Sanchez,
Attached is my letter objecting to the permit request on 1709 Conestoga Dr SE Thank You Thomas Carrion

Thomas Carrion

1601 Wagon Train Dr SE

Albuquerque NM 87123

January 12, 2022

Robert Lucero Esq.

Zone Hearing Examiner

City of Albuquerque - Planning Department

600 2nd St NW

Albuquerque NM 87102

Dear Mr Lucero,

I write this letter to you to you today regarding the hearing you are presiding over in relation to the wall that is constructed at 1709 Conestoga Dr SE. This construction violates multiple City of Albuquerque Ordinances and puts a black mark on my neighborhood. As you must be aware, the current wall is more than 75% complete, and this was all done without following the proper protocols put in place for all citizens of Albuquerque through the city ordinances.

As I am certain you are aware, the following Integrated Development Ordinances (IDO amended as of July 2021) are currently in place and set out the requirements for building walls. All of these are being violated with the current construction at the 1709 Conestoga Dr SE property.

1) IDO Part 14-16-5-7(B)(2)

A wall shall be erected **after obtaining a permit**, pursuant to the provisons in Subsections 14-16-6-5(F) (Permit - Wall or Fence - Minor) or 16-16-6-6(H)(Permit - Wall or Fence - Major), as applicable.

Violated - Permit was not obtained prior to wall construction

2) IDO Part 14-16-5-7(B)(5)

Requests for walls taller than allowed by any provison in this Section14-16-5-7 require the **approval of a Variance**, pursuant to Subsection 14-16-6-6(H) (Variance-EPC) for wall associated with Site-Plan - EPC or Subsection14-16-6-6(O)(Variance - ZHE) for all other walls and shall meet the additonal requirements in Subsection 14-16-5-7(E)(2)(Articulation and Alignment)

Violated - Variance was not applied for and/or approved prior to construction of wall.

Homeowner is applying for Courtyard Wall Permit and Height Variance

Homeowner would need to apply for Permit - Wall or Fence - Major - Part 14-16-6-6(H) using the current constructed wall as reference.

In Section 14-16-6-6(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 Subsection14-16-5-7(D)(3)(g)(Exceptions to Maximum Wall Height) and Table 5-7-2 shall be approved if the following criteria are met:

14-16-6-6(H)(3)(a) The wall is proposed on a lot that meets any of the following criteria:

1. The lot is at least 1/2 acre

Unsure if met - Not able to look up lot size due to Bernalillo Co website offline from ransomware attack

2. The lot fronts a street designated as collector, arterial, or interstate highway

Criteria Not Met - Residence is on a local street

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.)

Criteria Not Met - There is not 20 percent of the properties with front yard wall over 3 feet

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.

Criteria Not Met - There is not 20 percent of the properties with front yard wall over 3 feet

Part 14-16-6-6(H)(3)(b)

The proposed wall would strengthen or reinforce the architectural character of the surrounding area.

This is subjective - Constructed wall does not strengthen or reinforce the architectural character of surrounding area

Part 14-16-6-6(H)(3)(c)

The proposed wall would not be injurious to adjacent properties, the surrounding neighborhood, or the larger community.

Coming from a neighbor in the larger community the wall is injurious - This style of Privacy / Security Wall is not common to Four Hills Village. This most likely will decrease property values on surrounding homes. My concern is I do not want want this to become the norm of our community.

Part 14-16-6-6(H)(3)(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.

Criteria Not Met; The current wall construction this was not considered and does not meet the requirements.

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

Unsure if Criteria Will Be Met: Homeowners state in letter, "If approved, will be stucco'd to match the exterior of the house". Majority of surrounding houses are made of red brick.

In another statement from the letter sent out by the homeowners they are applying for a Courtyard Wall Permit

According to Table 5-7-2:Options for a Taller Front or Side Yard Wall

Courtyard Wall

Needs to be more than or equal to 10 ft from lot line abutting the street or edge of sidewalk closest to primary building, whichever is more restrictive.

According to 14-16-5-7(C)(2)

Walls may be constructed without any setback from a property line, unless otherwise prohibited by this IDO, by Articles 14-1, 14-2, and 14-3 of ROA 1994 (Uniform Administrative Code and Technical Codes, Fire Code, and Uniform Housing Code), or by the DPM, including but not limited to, clear sight triangle requirements or standards for alignments and easements. Walls may not encroach into any public right-of-way without the prior written approval from the City Engineer and may not encroach onto any adjacent property without prior written approval of that property owner.

Violated - Existing wall is not 10 ft from lot line and it has not been mentioned that the homeowners received prior written approval from the City Engineer for encroaching the right-of way.

These are some of the IOD Violations and Decision criteria which have not been met.

It is also not clear if homeowner is plans to modify the existing wall or build within IOD specs if the proposed permit is granted.

I strongly object to the the permit being granted. The wall is not aesthetically appealing and violates the IOD. If the homeowners had followed the process put in place by the city and had tried to work with the neighbors, perhaps some sort of compromise could have been reached. In this situation, the current wall is an eyesore and could potentially decrease the surrounding property values. The permit should not be approved, in my opinion. Thank you for your consideration into this matter.

Sincerely,

Thomas Carrion

Sanchez, Suzanna A.

From: Noah Parraz <prospect242424@yahoo.com>
Sent: Friday, January 07, 2022 11:56 AM
To: Sanchez, Suzanna A.
Subject: 1708 Conestoga Dr. SE - Robert and Jordyn Ridenour

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning Mrs. Sanchez,
My name is Noah Parraz and I am a neighbor of the Ridenours. I live at 1709 Catron CT SE, 87123, directly behind the Ridenour's residence.
I appreciate the concerns from the community, but I fully support the Ridenour's proposed initiative. I believe the courtyard wall will not diminish the value or overall appeal of the neighborhood.
I'm in agreement with all the reasons and proposed design choices outlined in Mr. Ridenour's letter.

Please feel free to contact me if you have any further questions.

Have a great day!

- Noah

Sanchez, Suzanna A.

From: Eileen Mahn <eamahn@gmail.com>
Sent: Sunday, January 09, 2022 1:29 PM
To: Sanchez, Suzanna A.
Subject: Courtyard wall permit and height variance fo 1709 Conestoga Dr. SE

Dear Mrs. Sanchez,

I am encouraging the city to grant a variance for the courtyard wall at 1709 Conestoga Dr. SE. Several houses in the Four Hills neighborhood have constructed such walls in recent years due to the increased crime rate we have been experiencing. I live directly across the street from this yard and I wholeheartedly support the construction of this wall. Once it is stuccoed to match the house and gates installed, I believe it will be an attractive addition to the yard.
Please approve the permit and height variance for this property as I believe only a high wall will prevent the 3 dogs from escaping from the yard.

Sincerely,
Eileen Mahn
1708 Conestoga Dr. SE
Albuquerque, NM 87123

Sanchez, Suzanna A.

From: J and H SCHRINER <schriner3312@msn.com>
Sent: Friday, January 07, 2022 4:08 PM
To: Sanchez, Suzanna A.
Subject: 1709 Conestoga Dr. SE Courtyard Wall Height Variance Request

Dear Mrs. Sanchez –

My husband and I live at 1715 Conestoga Dr SE. We are the house right next door to the South of Mr. and Mrs. Ridenour's house at 1709 Conestoga Dr. SE. They have applied for a variance for the height of their courtyard wall. We are writing this note to support their request because we will not be available to attend the hearing on 18 January.

The Ridenours are excellent neighbors who have had some security issues since they moved in that have been very unfortunate. They wish to have this walled courtyard as an additional layer of security for their family. They have plans to stucco the wall and add landscaping that would make the wall more aesthetically pleasing and blend in with their house. We understand their desire for increased security and wanted you to know that we support their request.

Thank you for your attention to this matter.

Sincerely,
Heather Schriner

1715 Conestoga Dr. SE
Albuquerque, NM 87123
(505) 610-9465

Sanchez, Suzanna A.

From: Rob Ridenour <rkridnour@gmail.com>
Sent: Wednesday, January 12, 2022 4:26 PM
To: Sanchez, Suzanna A.
Subject: additional documentation for ZHE: 1709 Conestoga Dr. SE
Attachments: Robert Ridenour_Correspondance for Zoning Hearing Examiner.pdf; APD Police Report 210004594_1709 Conestoga Dr SE_Redacted.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

These are the last of my documents

12January 2022

CORRESPONDENCE FOR Robert Lucero, Esq., Zoning Hearing Examiner

SUBJECT: Provide information regarding most common complaints and circumstances to current courtyard wall contention on 1709 Conestoga Dr. SE from Property Owner

1. **Purpose**. Respond to most common concerns provided and provide factual information to the circumstances of the current construction of my courtyard wall on 1709 Conestoga Dr. SE. References provided were submitted to the ZHE office and can be provided for reference.

2. **References.**

   a. Email to City regarding lack of permit notification by neighbor_25SEP21

   b. Property Boundary Survey_1709 Conestoga Dr. SE

   c. Limited Structural Engineer Survey_Front courtyard Wall1709 Conestoga SE

   d. Sample of Houses in 4 Hills Neighborhood with courtyards over 3ft

   e. Supporting pictures submitted to ZHE

   f. APD Police Report 210004594_1709 Conestoga Dr SE

3. **Item #1. Circumstances leading to current construction and lack of permit or variance.**

   a. My wife began a remodel project of our front yard at 1709 Conestoga Dr. SE while I was away from home as a surprise. During this time, she looked at what she believed was the correct city codes at the time and contacted a contractor to complete the project. On 25 September we were notified by a neighbor that they wanted to see our permit and variance. We explained to the neighbor, when we looked up the city codes there was not one mentioned for our project, nor did our contractor (Sergio Castillo, LIC# 395750) hired to complete the work on our front yard. Upon completion of the conversation I spoke with Concetta Trujillo from the zoning plan examiner's office. She informed me that we were looking at an outdated hyperlink to the city of Albuquerque's IDO that came up in an internet search. We then notified the neighbor we would apply for the permit to rectify the situation and become compliant with city codes.

REFER TO "Email to City regarding lack of permit notification by neighbor_25SEP21" for confirmation of information.

SUBJECT: Information Regarding complaints and circumstances to current courtyard wall contention on 1709 Conestoga Dr. SE

4. **Item #2. Current construction of courtyard wall.**

a. **Height.** As seen from the picture taken mid street on Consestoga Dr, Our windows are visible from the street at eye level of 5ft 9in. At no point along any wall section greater than 6ft tall.

b. **Setback.** The front of the courtyard wall does currently sit under 10ft from the curb. I was instructed to halt work on this project when notifying the city on 25SEP21. We acknowledge that this needs to be rectified, and withheld making the correction until a permit is granted to not waste resources. Should a permit and variance be granted, the required setback will be corrected.

REFER TO “Property Boundary Survey_1709 Conestoga Dr. SE”

c. **Injury to property value.** We discussed with multiple realtors that specifically service the Four Hills neighborhood. We were informed a courtyard wall does not have an impact on adjacent properties and is a common feature across Four Hills neighborhood. Because there is no HOA to enforce architecture standards, these walls vary in shape and size.

REFER TO “Sample of Houses in 4 Hills Neighborhood with courtyards over 3ft”

d. **Emplacement on property line.** We have ensured the wall is emplaced within our property line. We were notified via responses for this hearing that the north side courtyard wall needs to be greater that 10ft. Currently, the courtyard wall sits approximately 6in. inside the property line. Should a permit and variance be granted, we will fix the north courtyard wall to be in compliance with city IDO.

REFER TO “Property Boundary Survey_1709 Conestoga Dr. SE”

e. **Construction of courtyard walls.** Construction was found to be incompliance for structural integrity and materials. I have redacted information from the structural engineer report that is not relevant to this hearing.

REFER TO “Limited Structural Engineer Survey_Courtyard Wall1709 Conestoga SE”

5. **Closing Remarks to ZHE.** This construction was intended to provide an additional deterrent to crime and allow us to utilize our front yard with some privacy and security for our family. While I have repeatedly acknowledged this is not a 100% solution but merely a deterrent. My absence weekly due to my assignment to Fort Bliss, TX raises concerns for my family post break in. My top priority is the safety and mental well-being of my family. My wife’s car being burglarized and criminals gaining access to my garage was not out of negligence as accused by a neighbor’s submission. My vehicle was unsecure when it was stolen, but this was 2.5hrs post break in and I was attending to my vehicle while inventorying stolen items from my garage. I only stepped into my house to notify my wife she could take the vehicle to drop our daughter off at daycare.

SUBJECT: Information Regarding complaints and circumstances to current courtyard wall contention on 1709 Conestoga Dr. SE

With the exception of Mike Lucero and his wife, no other neighbors reached out to us regarding their dislike for the courtyard wall. Had we heard from more than one neighbor initially, we could have attempted to mitigate issues prior to submission, or redesigned the current project to find a happy medium to reduce tension from neighbors while still attempting to meet our goal basing it off of other houses within the Four Hills neighborhood. My wife and I did not act maliciously as seen in REFERENCE A, nor did we plan to “ask for forgiveness instead of permission”.

I have been transparent with circumstances and correspondence records to correlate timelines and effort. We are first time home owners due to both of our military careers and multiple deployments and duty station assignments over the years. We appreciate your time in this matter and apologize for the manner in which this project was started and subsequently out of city code. We will comply with the decision of your office

Robert K. Ridenour

Robert K. Ridenour
rkridnour@gmail.com
(505) 697-8338

STATE OF NEW MEXICO UNIFORM INCIDENT REPORT

OCCURRENCE DATE(S) ON	OCCURRENCE DATE(S) OR BETWEEN	DATE REPORTED	ORI NO.	CASE NO.	PAGE	OF
01-18-2021	01-18-2021	01-18-2021	NM 0010100	210004594	1	3

AGENCY/COUNTY	DISTRICT NO.	INCIDENT NO.	CARGO THEFT	BURGLARY FORCE	BURGLARY NOT	NO OF UNITS ENT
ALBUQUERQUE POLICE DEPARTMENT	522	210018250	Y		X	1

TIME	DAY OF WEEK	TIME	DAY OF WEEK	TIME	DAY OF WEEK	ADDRESS/LOCATION OF INCIDENT	CITY	ZIP	GANG REL YES	GANG REL NO	HATE/BIAS MOT CODE
0638	MON	0638	MON	0638	MON	1709 CONESTOGA DR SE	ALBUQUERQUE	87123		X	88

OFFENSE

ADDL ON SUPP	OFFENSE / INCIDENT	STATUTE OR ORDINANCE	FEL MISD	ATTEMPTED	COMPLETED	UCR OFFENSE CODE	CRIMINAL ACTIVITY CODE	LOCAT CODE	WEAPON CODE (UP TO 3 PER OFFENSE)	OFFENDER(S) SUSPECTED OF USING: ALCOHOL	DRUG	COMP	UNK
1.	Burglary - Residential 2202	30-16-3A	F		X	220		20	99				X
2.	Auto Burglary 2305	30-16-3 (AUTO)	F		X	23F		20	99				X
3.	Auto Theft/Unlawful Taking Motor Veh2404	66-3-504	F		X	240		20	99				X

SUBJECTS (VICTIMS / SUSPECTS / PERSONS / BUSINESSES)

ADDL ON SUPP — PERSON CODES: VIC-VICTIM CIT-CITED SUS-SUSPECT ARR-ARRESTEE GUA-GUARDIAN WIT-WITNESS INT-INTERVIEW OTH-OTHER REP-REPORTING PARTY DEC-DECEASED MSP-MISSING PERSON | TYPE CODES: F-FINANCIAL INST. R-RELIGIOUS I-INDIVIDUAL L-LAW OFFICER O-OTHER S-SOCIETY B-BUSINESS G-GOVERNMENT U-UNKNOWN | INJURY CODES: A-SEVERE BODY TRAUMA-BRUISING B-BURNS C-COMPLAINT OF PAIN D-DEATH G-GUNSHOT WOUND H-BROKEN BONES K-KNIFE WOUNDS/LACERATION N-NO VISIBLE INJURY S-STRANGULATION/CHOKING

Subject 1

PERSON CODE	CODE TYPE	INJURY CODE	1-NAME (LAST, FIRST, MIDDLE)	SOCIAL SECURITY NO.	DOB	AGE (RANGE)	SEX	RACE
SUU	I	N	LNU FNU			00 - 00	U	U

STREET ADDRESS	APT. NO.	RES. PHONE	HEIGHT	WEIGHT	HAIR	EYES	ETHNICITY	AGG ASSAULT JUST HOM CODE
UNKNOWN					XXX	XXX	U	

CITY	STATE	ZIP	BUS. PHONE	VICTIM OF OFF. NO.	VICTIM OF SUSP.NO.	REL.	VICTIM OF SUSP.NO.	REL	VICTIM OF SUSP.NO.	REL.

EMAIL	EMPLOYER/SCHOOL AND ADDRESS	SUSPECT OF OFFENSE NO. 1 2 3	ARRESTED FOR OFFENSE NO.	GANG AFFILIATION

ALIAS / NICKNAME	MARKS, SCARS, TATTOOS	CLOTHING DESCRIPTION	ARMED WITH WEAPON CODE

DRIVER'S LICENSE NO.	D.L.STATE	ARREST/CITATION NO.	F.B.I. NO.	S.I.D. NO.	NIC NO.	RES.STATUS
						U

TYPE OF OFFICER ACTIVITY/CIRCUMSTANCES	OFFICER ASSIGN TYPE	ORI NO.	TYPE OF ARREST	MULTIPLE ARRESTEE	DATE OF ARR	DISPOSITION OF ARRESTEE UNDER 18

Subject 2

PERSON CODE	CODE TYPE	INJURY CODE	2-NAME (LAST, FIRST, MIDDLE)	SOCIAL SECURITY NO.	DOB	AGE (RANGE)	SEX	RACE
VIC	I	N	RIDENOUR ROBERT		[redacted]1986	34	M	W

STREET ADDRESS	APT. NO.	RES. PHONE	HEIGHT	WEIGHT	HAIR	EYES	ETHNICITY	AGG ASSAULT JUST HOM CODE
1709 CONESTOGA DR SE		(505) 697-8338	6' 00"	192	BRO	BRO	N	

CITY	STATE	ZIP	BUS. PHONE	VICTIM OF OFF. NO.	VICTIM OF SUSP.NO.	REL.	VICTIM OF SUSP.NO.	REL	VICTIM OF SUSP.NO.	REL
ALBUQUERQUE	NM	87123		1	1	ST				

EMAIL	EMPLOYER/SCHOOL AND ADDRESS	SUSPECT OF OFFENSE NO.	ARRESTED FOR OFFENSE NO.	GANG AFFILIATION

ALIAS / NICKNAME	MARKS, SCARS, TATTOOS	CLOTHING DESCRIPTION	ARMED WITH WEAPON CODE

DRIVER'S LICENSE NO.	D.L.STATE	ARREST/CITATION NO.	F.B.I. NO.	S.I.D. NO.	NIC NO.	RES.STATUS
[redacted]	NM					R

TYPE OF OFFICER ACTIVITY/CIRCUMSTANCES	OFFICER ASSIGN TYPE	ORI NO.	TYPE OF ARREST	MULTIPLE ARRESTEE	DATE OF ARR	DISPOSITION OF ARRESTEE UNDER 18

Subject 3

PERSON CODE	CODE TYPE	INJURY CODE	3-NAME (LAST, FIRST, MIDDLE)	SOCIAL SECURITY NO.	DOB	AGE (RANGE)	SEX	RACE
VIC	I	N	RIDENOUR JORDYN		[redacted]	30	F	W

STREET ADDRESS	APT. NO	RES. PHONE	HEIGHT	WEIGHT	HAIR	EYES	ETHNICITY	AGG ASSAULT JUST HOM CODE
1709 CONESTOGA DR SE		(915) 588-9730	5' 07"	160	BRO	BLU	N	

CITY	STATE	ZIP	BUS. PHONE	VICTIM OF OFF. NO	VICTIM OF SUSP.NO.	REL.	VICTIM OF SUSP.NO.	REL.	VICTIM OF SUSP.NO	REL.
ALBUQUERQUE	NM	87123		2 3	1	ST				

EMAIL	EMPLOYER/SCHOOL AND ADDRESS	SUSPECT OF OFFENSE NO	ARRESTED FOR OFFENSE NO	GANG AFFILIATION

ALIAS / NICKNAME	MARKS, SCARS, TATTOOS	CLOTHING DESCRIPTION	ARMED WITH WEAPON CODE

DRIVER'S LICENSE NO.	D.L.STATE	ARREST / CITATION NO.	F.B.I. NO.	S.I.D. NO.	NIC NO.	RES.STATUS
[redacted]	NM					R

TYPE OF OFFICER ACTIVITY/CIRCUMSTANCES	OFFICER ASSIGN TYPE	ORI NO.	TYPE OF ARREST	MULTIPLE ARRESTEE	DATE OF ARR	DISPOSITION OF ARRESTEE UNDER 18

VEHICLE

ADDL ON SUPP: X — VEH.STATUS CODE: STN — ACC-TRAFFIC ACCIDENT, BRN-BURNED/ARSON, DMG-DAMAGED/VANDALIZED, EMB-EMBEZZLED, EVD-EVIDENCE, FCN-FIELD CONTACT, IMP-IMPOUNDED, LST-LOST, OUT-OUTSIDE RECOVERY, OTHER AGENCY, RCV-RECOVERED, REL-RELEASED TO OWNER, RPO-REPOSSESSION, SAR-STOLEN AND RECOVERED, SEZ-SEIZED, STN-STOLEN, SUS-SUSPECT, TOW-TOWED, VEH-VICTIM'S VEH, WNT-WANT/WARRANT ON OWNER

VEH TYPE CODE: 1 — 1 - AUTO, 2 - TRUCK/VAN, 3 - MOTORCYCLE, 4 - CAMPER/RV, 5 - BUS, 6 - OTHER, 7 - ATV, 8 - SNOWMOBILES, U - UNKNOWN

YEAR	MAKE	MODEL	BODY STYLE	LICENSE NO.	LIC.YEAR	LIC.STATE	TOP COLOR	BTM COLOR	VALUE/DAMAGE EST.
2019	TOYT		4D	APCL51	2021	NM	WHI	WHI	0.00

REGISTERED OWNER'S NAME	VIN	DISTINGUISHING FEATURES / VISIBLE DAMAGE
RIDENOUR JORDYN	JTEBU5JR8K5710062	

ADDRESS	TOW TO / BY	NIC NO.
1709 CONESTOGA DR SE 87123		V252636651

AGENCY OPTIONAL USE	TOWED FROM	OWNER NOTIFIED	DATE RECOVERED	TIME RECOVERED
		☐		

PROPERTY

PROPERTY STATUS: OTH-OTHER; STN-STOLEN; STR - STOLEN & RECOVERED; RPO-REPOSSESSION; RFJ-RECOVERED OUTSIDE AGENCY STOLEN PROPERTY; EVI-EVIDENCE; LST-LOST; FND - FOUND; REC-RECOVERED; DMG-DAMAGED; FCN-FIELD CONTACT; ARS-ARSONED/BURNED; SZD-SEIZED; SUS-SUSPECT; SFK-SAFEKEEPING; OBS-OBSERVED; IMP-IMPOUNDED

DRUG TYPE: A-CRACK; B-COCAINE; C-HASHISH; D-HEROIN; E-MARIJUANA; F-MORPHINE; G-OPIUM; H-OTHER NARCOTICS; I-LSD; J-PCP; K-OTHER HALLUCINOGENS; L-AMPH/METHAM.; M-OTHER; N-BARBITURATES; O-OTHER DEPRESSANTS; P-OTHER DRUGS; U-UNKNOWN; X-OVER 3 TYPES

FIELD UNIT OF MEASURE: DU-DOSAGE UNITS/ITEMS; FO-FLUID OUNCE; GL-GALLON; GM-GRAM; KG-KILOGRAM; LB-POUND; LT-LITER; ML-MILLILITER; NU-NUMBER OF PLANTS; OZ-OUNCE; XX-NOT REPORTED

1-PROPERTY STATUS	PROPERTY TYPE	TYPE OF ITEM	MAKE / BRAND	MODEL	CALIBER	VALUE (EXCEPT DRUGS)
EVI	R	Audio/video recordings	LAPEL			
SUSPECTED DRUG TYPE	QUANTITY UNIT OF MS	DESCRIPTION (COLOR, SIZE, FEATURES, ETC.)		SERIAL / OAN	DATE RECOVERED	NIC NO.
		LAPEL VIDEO				
2-PROPERTY STATUS	PROPERTY TYPE	TYPE OF ITEM	MAKE / BRAND	MODEL	CALIBER	VALUE (EXCEPT DRUGS)
CRM	Y	Auto accessories	LOCK			1.00
SUSPECTED DRUG TYPE	QUANTITY UNIT OF MS	DESCRIPTION (COLOR, SIZE, FEATURES, ETC.)		SERIAL / OAN	DATE RECOVERED	NIC NO.
		DOOR LOCK TO TX-JXK3310				
3-PROPERTY STATUS	PROPERTY TYPE	TYPE OF ITEM	MAKE / BRAND	MODEL	CALIBER	VALUE (EXCEPT DRUGS)
STN	Y	Miscellaneous/other (None of the abov				5,650.15
SUSPECTED DRUG TYPE	QUANTITY UNIT OF MS	DESCRIPTION (COLOR, SIZE, FEATURES, ETC.)		SERIAL / OAN	DATE RECOVERED	NIC NO.
		EQUIP MILITARY/PERSONAL ITEMS				
4-PROPERTY STATUS	PROPERTY TYPE	TYPE OF ITEM	MAKE / BRAND	MODEL	CALIBER	VALUE (EXCEPT DRUGS)
STN	Y P	Guns/Firearms	GLC Glock, Inc.	19	9 9MM	550.00
SUSPECTED DRUG TYPE	QUANTITY UNIT OF MS	DESCRIPTION (COLOR, SIZE, FEATURES, ETC.)		SERIAL / OAN	DATE RECOVERED	NIC NO.
		GUN GLOCK 19 GEN 5 9MM		[redacted]		G155210090

M. O. EVENT CODES: (AGENCY OPTIONAL USE)

TOTAL VALUE STOLEN: $6201.15

TOTAL VALUE REC.: $

ADDL ON SUPP: X

SYNOPSIS

On 01/18/2021 I was dispatched to 1709 Conestoga Dr SE for a residential burglary call. I made contact with Robert and Jordyn Ridenour. There vehicle was broken into, residence and another vehicle was stolen of theirs. There were several items taken. There is no offender information at this time. The couple is willing to prosecute if anyone is identified.

NARRATIVE

On 01/18/2021 at 0731 hours, I was dispatched to 1709 Conestoga Dr SE for a residential burglary call. The comments on the dispatch advised the callers garage and vehicle were burglarized around 0638 hours. There were multiple items taken. The garage was cleared and nobody was located inside. At 0703 hours, while waiting for police the callers vehicle was stolen while warming up in the driveway.

Upon arrival, I made contact with Robert Ridenour. He stated his wife Jordyn Ridenour went outside to leave for work and noticed the garage door was open and her vehicle had been burglarized. The back trunk hatch was open and the drivers side door lock was popped out. Robert stated Jordyn's Glock 19 Gen 5 firearm was inside the vehicle and was missing. Jordyn went back inside to let Robert know. At that time police were called.

While waiting for police, Robert went outside to their second vehicle bearing TX-JXK3310. He turned it on to start it and then went back inside to get his child. When he returned it was missing. The keys were inside the vehicle. Robert stated he did not see anyone prior near their residence that could have been waiting for him to leave while the vehicle was unattended.

Robert stated he would provide me with a list of military equipment which was taken from inside the garage. He stated no entry was made into his home. I provided him with a case number and told him to e-mail me a list of the items which were taken. I also told him his vehicle would be entered into NCIC.

ADDL ON SUPP: X

CERT. / STATUS

"I WILL PROSECUTE/TESTIFY SHOULD THE OFFENDER BE ARRESTED." YES NO

"I UNDERSTAND IT IS A CRIMINAL OFFENSE TO FILE A FALSE REPORT TO POLICE."

COMPLAINANT / VICTIM CERTIFICATION SIGNATURE: X

DATE:

REPORTING OFFICER (PRINT)	RANK	I.D. NO	DATE	DETECTIVE FOLLOW-UP OFFICER / REFERRED TO	I.D. NO	DATE
HIGGS,ALYSSA	P1C	P5548	01-18-2021			
ASSISTING OFFICER (PRINT)	RANK	I.D. NO	DATE	PROCESSED BY / DATE / DATA ENTRY PERSON		DATE
APPROVING OFFICER (PRINT)	RANK	I.D. NO	DATE			DATE
ALSTAD,MICHAEL		P5395	01-23-2021			

INCIDENT STATUS: ACTIVE X; INACT; CLOSED; UF; CLA; CLE

EXCEPT CODE: A-DEATH OF OFFENDER; B-PROSECUTION DECLINED; C-EXTRADITION DENIED; D-VICTIM REF TO COOP; E-JUV NO CUSTODY; N-NOT APPLICABLE

DISTRIBUTION: B; NE; SW; DAL; OTHER; IA; SE; VA; FTHL; CACU; NW

CASES CLEARED BY THIS ARREST CASE NO.

CASE NO.

CASE NO.

REV. 1/18

OCCURRENCE DATE(S) ON	OR	BETWEEN	DATE REPORTED	STATE OF NEW MEXICO UNIFORM INCIDENT REPORT	ORI NO.	CASE NO.	PAGE	OF
MM/DD/YYYY		MM/DD/YYYY	MM/DD/YYYY	AGENCY/COUNTY	DISTRICT NO.	INCIDENT NO.	BURGLARY FORCE	BURGLARY NOT	NO. OF UNITS ENT
01-18-2021		01-18-2021	01-18-2021	ALBUQUERQUE POLICE DEPARTMENT	522	210018250		X	1
TIME	DAY OF WEEK	TIME	DAY OF WEEK	TIME	DAY OF WEEK	ADDRESS/LOCATION OF INCIDENT	CITY	ZIP	GANG REL YES	GANG REL NO	HATE/BIAS MOT CODE
0638	MON	0638	MON	0638	MON	1709 CONESTOGA DR SE	ALBUQUERQUE	87123		X	88

Field Investigator B.McSween arrived on scene to process the vehicle and garage for evidence.

I contacted Report Review and had the vehicle and firearm entered into NCIC.
Firearm NIC#G155210090;Entered at 1545 hours on 01/19/2021
Vehicle NIC#V252636651; Entered at 810 hours on 01/18/2021

A copy of this report was forwarded to the APD Auto Theft Unit and the Eastside Impact Unit for further investigation.

The extensive list of equipment was faxed to APD Records. The total value was added to the report.
This concludes my involvement with the case.
A copy of my lapel video was tagged into Evidence.com.

STATE OF NEW MEXICO SUPPLEMENTAL REPORT	ORIG. OFFENSE DATE	SUP. DATE	CASE NO.	INC. NO.	PAGE	OF
	01-18-2021	01-18-2021	210004594	210018250	3	3

ORIGINAL OFFENSE REPORTED	ORIGINAL VICTIM'S NAME (LAST, FIRST, MIDDLE)	DATE OF BIRTH
30-16-3A Burglary - Residential 2202	RIDENOUR ROBERT K	08-04-1986

LOCATION OF OCCURRENCE: 1709 CONESTOGA DR SE ALBUQUERQUE 87123

OFFENSE

	ADDITIONAL OFFENSE / INCIDENT	STATUTE OR ORDINANCE	FEL MISD	ATTEM PTED	COMP-LETED	UCR OFFENSE CODE	CRIMINAL ACTIVITY CODE	LOCAT CODE	WEAPON CODE UP TO 3 PER OFFENSE	OFFENDER(S) SUSPECTED OF USING: ALCOHOL	DRUG	COMP	UNK
4.													
5.													
6.													
7.													

SUBJECTS (VICTIMS / SUSPECTS / PERSONS / BUSINESSES)

ADDL ON SUPP | PERSON CODES: VIC-VICTIM CIT-CITED SUS-SUSPECT ARR-ARRESTEE GUA-GUARDIAN WIT-WITNESS INT-INTERVIEW OTH-OTHER REP-REPORTING PARTY DEC-DECEASED MSP-MISSING PERSON | TYPE CODES: F-FINANCIAL INST. R-RELIGIOUS I-INDIVIDUAL L-LAW OFFICER O-OTHER S-SOCIETY B-BUSINESS G-GOVERNMENT U-UNKNOWN | INJURY CODES: C-COMPLAINT OF PAIN G-GUNSHOT WOUND N-NO VISIBLE INJURY A-SEVERE BODY TRAUMA BRUISING H-BROKEN BONES S-STRANGULATION/CHOKING B-BURNS D-DEATH K-KNIFE WOUNDS/LACERATIONS

PERSON CODE	TYPE CODE	INJURY CODE	4- NAME (LAST, FIRST, MIDDLE)	SOCIAL SECURITY NO.	DOB	AGE (RANGE)	SEX	RACE

STREET ADDRESS	APT. NO	RES. PHONE	HEIGHT	WEIGHT	HAIR	EYES	ETHNICITY	AGG ASSAULT JUST HOM CODE

CITY	STATE	ZIP	BUS. PHONE	VICTIM OF OFF. NO.	VICTIM OF SUSP.NO	REL.	VICTIM OF SUSP.NO	REL.	VICTIM OF SUSP.NO.	REL.

OCCUPATION	EMPLOYER/SCHOOL AND ADDRESS	SUSPECT OF OFFENSE NO.	ARRESTED FOR OFFENSE NO	GANG AFFILIATION

ALIAS / NICKNAME	MARKS, SCARS, TATTOOS	CLOTHING DESCRIPTION	ARMED WITH WEAPON CODE

DRIVER'S LICENSE NO.	D.L.STATE	ARREST/CITATION NO.	F.B.I. NO.	S.I.D. NO.	NIC NO.	RES.STATUS

PERSON CODE	TYPE CODE	INJURY CODE	5- NAME (LAST, FIRST, MIDDLE)	SOCIAL SECURITY NO.	DOB	AGE (RANGE)	SEX	RACE

STREET ADDRESS	APT. NO.	RES. PHONE	HEIGHT	WEIGHT	HAIR	EYES	ETHNICITY	AGG ASSAULT JUST.HOM CODE

CITY	STATE	ZIP	BUS. PHONE	VICTIM OF OFF. NO.	VICTIM OF SUSP.NO.	REL	VICTIM OF SUSP.NO.	REL.	VICTIM OF SUSP.NO.	REL

OCCUPATION	EMPLOYER/SCHOOL AND ADDRESS	SUSPECT OF OFFENSE NO.	ARRESTED FOR OFFENSE NO	GANG AFFILIATION

ALIAS / NICKNAME	MARKS, SCARS, TATTOOS	CLOTHING DESCRIPTION	ARMED WITH WEAPON CODE

DRIVER'S LICENSE NO.	D.L.STATE	ARREST/CITATION NO.	F.B.I. NO.	S.I.D. NO.	NIC NO.	RES.STATUS

PERSON CODE	TYPE CODE	INJURY CODE	6- NAME (LAST, FIRST, MIDDLE)	SOCIAL SECURITY NO.	DOB	AGE (RANGE)	SEX	RACE

STREET ADDRESS	APT. NO.	RES. PHONE	HEIGHT	WEIGHT	HAIR	EYES	ETHNICITY	AGG ASSAULT JUST HOM CODE

CITY	STATE	ZIP	BUS. PHONE	VICTIM OF OFF. NO.	VICTIM OF SUSP.NO.	REL.	VICTIM OF SUSP.NO.	REL.	VICTIM OF SUSP.NO	REL.

OCCUPATION	EMPLOYER/SCHOOL AND ADDRESS	SUSPECT OF OFFENSE NO.	ARRESTED FOR OFFENSE NO.	GANG AFFILIATION

ALIAS / NICKNAME	MARKS, SCARS, TATTOOS	CLOTHING DESCRIPTION	ARMED WITH WEAPON CODE

DRIVER'S LICENSE NO.	D.L.STATE	ARREST/CITATION NO.	F.B.I. NO.	S.I.D. NO.	NIC NO.	RES.STATUS

STATUS

REPORTING OFFICER (PRINT)	RANK	I.D. NO.	DATE	DETECTIVE / FOLLOW-UP OFFICER / REFERRED TO	I.D. NO.	DATE
HIGGS,ALYSSA	P1C	P5548	01-18-2021			
ASSISTING OFFICER (PRINT)	RANK	I.D. NO.	DATE	PROCESSED BY / DATE	DATA ENTRY PERSON	DATE
APPROVING OFFICER (PRINT)	RANK	I.D. NO.	DATE	INCIDENT STATUS: ACTIVE [X] INACT CLOSED UF CLA CLE / EXCEPT CODE / A-DEATH OF OFFENDER B-PROSECUTION DECLINED C-EXTRADITION DENIED D-VICTIM REF TO COOP E-JUV NO CUSTODY N-NOT APPLICABLE	DATE
ALSTAD,MICHAEL		P5395	01-23-2021			

DISTRIBUTION: [ ] B [ ] NE [ ] SW [ ] DAL [ ] OTHER ____ [ ] IA [ ] SE [ ] VA [ ] FTHL [ ] CACU [ ] NW

CASES CLEARED BY THIS ARREST CASE NO. CASE NO. CASE NO.

ADDITIONAL PROPERTY

PROPERTY STATUS

ARS-ARSON/BURNED; DMG-DAMAGED; EVI-EVIDENCE; FCN-FIELD CONTACT; FND-FOUND; IMP-IMPOUNDED; LST-LOST; OBS-OBSERVED; OTH-OTHER; REC-RECOVERED; RPJ-REC OUTSIDE AGENCY STOLEN PROPERTY; RPO-REPOSSESSION; SFK-SAFEKEEPING; STN-STOLEN; STR-STOLEN AND RECOVERED; SUS-SUSPECT; SZD-SEIZED

PROPERTY TYPE

1-GUNS/FIREARMS; 2-DRUGS; 3-FOOD/LIQUOR/CONSUMABLE; 4-CLOTHING/FURS; 5-BOAT/MOTOR VEHICLE/AIRCRAFT; 6-AUTO ACCESSORIES; 7-CONSTRUCTION MACHINERY; 8-CURRENCY, NEGOTIABLE ITEMS; 9-STRUCTURE; A-NON-SERIALIZED JEWELRY; B-BICYLCE; C-CAMERA/PHOTO EQUIPMENT; D-DATA PROCESSING EQUIPMENT; E-EQUIPMENT/TOOLS; F-FURNITURE AND FURNISHINGS; G-GAMING EQUIPMENT; H-HOUSEHOLD APPLIANCES/HOUSEWARES; I-IDENTIFICATION ITEMS; J-SPECIAL DOCUMENTS/FOOD STAMPS; K-KEEPSAKES AND COLLECTIBLES; L-LIVESTOCK; M-MUSICAL INSTRUMENTS; N-NON-SERIALIZED PROPERTY (JEWELRY NOT INCL); O-OFFICE EQUIPMENT/CELLULAR PHONES; P-PERSONAL ACCESSORIES (INCL SERIALIZED JEWELRY); R-ELECTRONIC/AUDIO/STEREO/TV; S-SPORTS, EXERCISE AND RECREATIONAL EQUIP; T-TOXIC CHEMICALS; V-VIEWING EQUIPMENT; W-WELL DRILLING EQUIPMENT; Y-NONE OF THE ABOVE; Z-CREDIT/DEBIT CARDS

DRUG TYPE

A-CRACK; B-COCAINE; C-HASHISH; D-HEROIN; E-MARIJUANA; F-MORPHINE; G-OPIUM; H-OTHER NARCOTICS; I-LSD; J-PCP; K-OTHER HALLUCINOGENS; L-AMPH/METHAM; M-OTHER; N-BARBITURATES; O-OTHER DEPRESSANTS; P-OTHER DRUGS; U-UNKNOWN; X-OVER 3 TYPES

FIELD UNIT OF MEASURE

DU-DOSAGE UNITS/ITEMS; FO-FLUID OUNCE; GL-GALLON; GM-GRAM; KG-KILOGRAM; LB-POUND; LT-LITER; ML-MILLILITER; NU-NUMBER OF PLANTS; OZ-OUNCE; XX-NOT REPORTED

5-PROPERTY STATUS	PROPERTY TYPE	TYPE OF ITEM	MAKE / BRAND	MODEL	CALIBER	VALUE (EXCEPT DRUGS)
SUSPECTED DRUG TYPE	QUANTITY UNIT OF MS.	DESCRIPTION (COLOR, SIZE, FEATURES, ETC.)		SERIAL / OAN	DATE RECOVERED	NIC NO.
6-PROPERTY STATUS	PROPERTY TYPE	TYPE OF ITEM	MAKE / BRAND	MODEL	CALIBER	VALUE (EXCEPT DRUGS)
SUSPECTED DRUG TYPE	QUANTITY UNIT OF MS.	DESCRIPTION (COLOR, SIZE, FEATURES, ETC.)		SERIAL / OAN	DATE RECOVERED	NIC NO.
7-PROPERTY STATUS	PROPERTY TYPE	TYPE OF ITEM	MAKE / BRAND	MODEL	CALIBER	VALUE (EXCEPT DRUGS)
SUSPECTED DRUG TYPE	QUANTITY UNIT OF MS.	DESCRIPTION (COLOR, SIZE, FEATURES, ETC.)		SERIAL / OAN	DATE RECOVERED	NIC NO
8-PROPERTY STATUS	PROPERTY TYPE	TYPE OF ITEM	MAKE / BRAND	MODEL	CALIBER	VALUE (EXCEPT DRUGS)
SUSPECTED DRUG TYPE	QUANTITY UNIT OF MS.	DESCRIPTION (COLOR, SIZE, FEATURES, ETC.)		SERIAL / OAN	DATE RECOVERED	NIC NO
9-PROPERTY STATUS	PROPERTY TYPE	TYPE OF ITEM	MAKE / BRAND	MODEL	CALIBER	VALUE (EXCEPT DRUGS)
SUSPECTED DRUG TYPE	QUANTITY UNIT OF MS.	DESCRIPTION (COLOR, SIZE, FEATURES, ETC.)		SERIAL / OAN	DATE RECOVERED	NIC NO.
10-PROPERTY STATUS	PROPERTY TYPE	TYPE OF ITEM	MAKE / BRAND	MODEL	CALIBER	VALUE (EXCEPT DRUGS)
SUSPECTED DRUG TYPE	QUANTITY UNIT OF MS.	DESCRIPTION (COLOR, SIZE, FEATURES, ETC.)		SERIAL / OAN	DATE RECOVERED	NIC NO
11-PROPERTY STATUS	PROPERTY TYPE	TYPE OF ITEM	MAKE / BRAND	MODEL	CALIBER	VALUE (EXCEPT DRUGS)
SUSPECTED DRUG TYPE	QUANTITY UNIT OF MS.	DESCRIPTION (COLOR, SIZE, FEATURES, ETC.)		SERIAL / OAN	DATE RECOVERED	NIC NO.

COMMENTS REGARDING PROPERTY

TOTAL VALUE STOLEN: $6201.15

TOTAL VALUE REC.: $

ADDL ON SUPP.:

ADDITIONAL VEHICLES

ADDL ON SUPP.:

VEH STATUS CODE: CRM

ACC-TRAFFIC ACCIDENT; BRN-BURNED/ARSON; DMG-DAMAGED/VANDALIZED; EMB-EMBEZZLED; EVD-EVIDENCE; FCN-FIELD CONTACT; IMP-IMPOUNDED; LST-LOST; OUT-OUTSIDE RECOVERY, OTHER AGENCY; RCV-RECOVERED; REL-RELEASED TO OWNER; RPO-REPOSSESSION; SAR-STOLEN AND RECOVERED; SEZ-SIEZED; STN-STOLEN; SUS-SUSPECT; TOW-TOWED; VEH-VICTIM'S VEH; WNT-WANT/WARRANT ON OWNER

VEH TYPE CODE: 1

1 - AUTO; 2 - TRUCK/VAN; 3 - MOTORCYCLE; 4 - CAMPER/RV; 5 - BUS; 6 - OTHER; 7 - ATV; 8 - SNOWMOBILES; U - UNKNOWN

YEAR	MAKE	MODEL	BODY STYLE	LICENSE NO.	LIC.YEAR	LIC.STATE	TOP COLOR	BTM COLOR	VALUE/DAMAGE EST.
2016	FORD		4D	JXK3310	2020	TX	GRY	GRY	1.00

REGISTERED OWNER'S NAME: RIDENOUR JORDYN	VIN: 1FM5K8F88GGC08846	DISTINGUISHING FEATURES / VISIBLE DAMAGE	
ADDRESS: 1709 CONESTOGA DR SE 87123	TOW TO / BY	NIC NO.	
AGENCY OPTIONAL USE	TOWED FROM ☐ OWNER NOTIFIED	DATE RECOVERED	TIME RECOVERED

VEH STATUS CODE: ACC-TRAFFIC ACCIDENT; BRN-BURNED/ARSON; DAM-DAMAGED/VANDALIZED; EMB-EMBEZZLED; EVD-EVIDENCE; FCN-FIELD CONTACT; IMP-IMPOUNDED; LST-LOST; OUT-OUTSIDE RECOVERY, OTHER AGENCY; RCV-RECOVERED; REL-RELEASED TO OWNER; RPO-REPOSSESSION; SAR-STOLEN AND RECOVERED; SEZ-SIEZED; STN-STOLEN; SUS-SUSPECT; TOW-TOWED; VEH-VICTIM'S VEH; WNT-WANT/WARRANT ON OWNER

VEH TYPE CODE: 1 - AUTO; 2 - TRUCK/VAN; 3 - MOTORCYCLE; 4 - CAMPER/RV; 5 - BUS; 6 - OTHER; 7 - ATV; 8 - SNOWMOBILES; U - UNKNOWN

YEAR	MAKE	MODEL	BODY STYLE	LICENSE NO.	LIC.YEAR	LIC.STATE	TOP COLOR	BTM COLOR	VALUE/DAMAGE EST.

REGISTERED OWNER'S NAME	VIN	DISTINGUISHING FEATURES / VISIBLE DAMAGE	
ADDRESS	TOW TO / BY	NIC NO.	
AGENCY OPTIONAL USE	TOWED FROM ☐ OWNER NOTIFIED	DATE RECOVERED	TIME RECOVERED

REV. 3/94

STATE OF NEW MEXICO SUPPLEMENTAL REPORT	ORIG. OFFENSE DATE	SUPP. DATE	CASE NO.	INC. NO.	PAGE	OF
	01-18-2021	01-21-2021	210004594	210180250	1	2

ORIGINAL OFFENSE REPORTED	ORIGINAL VICTIM'S NAME (LAST, FIRST, MIDDLE)	DATE OF BIRTH
30-16D-01(A)(1) (F4)	RIDENOUR ROBERT	[redacted]

LOCATION OF OCCURRENCE

1709 CONESTOGA DR SE ALBUQUERQUE 87123

On January 21st, 2021, at 1811 hours Officer J. Crouch (#5669) and I were dispatched to the Home Depot Located at 200 Eubank Blvd NE, in reference to the owner of a stolen vehicle locating his vehicle in said location.

Upon arrival the vehicle, license plate APCL51 out of New Mexico, was parked in the parking lot of the Home Depot. The driver's side lock and ignition did not seem to be damaged. I contacted NCIC to confirm the vehicle, VIN# JTEBU5JR8K5710062 and license plate APCL51 out of New Mexico, was stolen. The owner was present and requested the vehicle be towed per instructions from his insurance company, USAA. The Glock, serial number [redacted], that was inside the vehicle, NIC number G155210090, was not recovered with the vehicle and is still in NCIC as stolen.

CSS K. O'Connell (#6043) was dispatched and processed the vehicle. Reference her report for further.

I contacted report review and had CJ (#6459) remove the vehicle from NCIC as stolen at 1851 hours. There is no further information at this time.

ADDL ON SUPP

STATUS

REPORTING OFFICER (PRINT)	RANK	I.D. NO.	DATE	DETECTIVE / FOLLOW-UP OFFICER / REFERRED TO	I.D. NO.	DATE
CALLINAN,SEAN	P1C	P5721	01-21-2021			
ASSISTING OFFICER (PRINT)	RANK	I.D. NO.	DATE	PROCESSED BY / DATE / DATA ENTRY PERSON		DATE
CROUCH,JUSTIN	P1C	P5669	01-21-2021			
APPROVING OFFICER (PRINT)	RANK	I.D. NO.	DATE	INCIDENT STATUS: ACTIVE [X] INACT CLOSED UF CLA CLE	EXCEPT CODE	DATE
ROSENBERG,TALIA		P5688	01-22-2021	A-DEATH OF OFFENDER B-PROSECUTION DECLINED C-EXTRADITION DENIED D-VICTIM REF TO COOP E-JUV NO CUSTODY N-NOT APPLICABLE		

DISTRIBUTION: [ ] B [ ] NE [ ] SW [ ] DAL [ ] OTHER ____ [ ] IA [ ] SE [ ] VA [X] FTHL [ ] CACU [ ] NW

CASES CLEARED BY THIS ARREST CASE NO. CASE NO. CASE NO.

REV 3/94

STATE OF NEW MEXICO SUPPLEMENTAL REPORT	ORIG. OFFENSE DATE	SUP. DATE	CASE NO.	INC. NO.	PAGE	OF
	01-18-2021	01-21-2021	210004594	210180250	2	2

ORIGINAL OFFENSE REPORTED	ORIGINAL VICTIM'S NAME (LAST, FIRST, MIDDLE)	DATE OF BIRTH
30-16D-01(A)(1) (F4) Auto Theft/Unlawful Take MV 1st Ofns2404	RIDENOUR ROBERT	[redacted]

LOCATION OF OCCURRENCE
1709 CONESTOGA DR SE ALBUQUERQUE 87123

OFFENSE

	ADDITIONAL OFFENSE / INCIDENT	STATUTE OR ORDINANCE	FEL MISD	ATTEMPTED	COMPLETED	UCR OFFENSE CODE	CRIMINAL ACTIVITY CODE	LOCAT CODE	WEAPON CODE UP TO 3 PER OFFENSE	OFFENDER(S) SUSPECTED OF USING ALCOHO.	DRUG	COMP	UNK
4.													
5.													
6.													
7.													

SUBJECTS (VICTIMS / SUSPECTS / PERSONS / BUSINESSES)

ADDL ON SUPP | PERSON CODES VIC-VICTIM CIT-CITED SUS-SUSPECT ARR-ARRESTEE GUA-GUARDIAN WIT-WITNESS INT-INTERVIEW OTH-OTHER REP-REPORTING PARTY DEC-DECEASED MSP-MISSING PERSON | TYPE CODES F-FINANCIAL INST. R-RELIGIOUS I-INDIVIDUAL L-LAW OFFICER O-OTHER S-SOCIETY B-BUSINESS G-GOVERNMENT U-UNKNOWN | INJURY CODES C-COMPLAINT OF PAIN G-GUNSHOT WOUND N-NO VISIBLE INJURY A-SEVERE BODY TRAUMA BRUISING H-BROKEN BONES S-STRANGULATION/CHOKING B-BURNS D-DEATH K-KNIFE WOUNDS/LACERATIONS

PERSON CODE	TYPE CODE	INJURY CODE	4- NAME (LAST, FIRST, MIDDLE)	SOCIAL SECURITY NO.	DOB	AGE (RANGE)	SEX	RACE
VIC	I		RIDENOUR ROBERT K	[redacted]	[redacted]	34	M	W

STREET ADDRESS	APT. NO.	RES. PHONE	HEIGHT	WEIGHT	HAIR	EYES	ETHNICITY	AGG ASSAULT JUST HOM CODE
1709 CONESTOGA DR SE		(505) 697-8338	6' 00"	192	BRO	BRO	N	

CITY	STATE	ZIP	BUS. PHONE	VICTIM OF OFF. NO	VICTIM OF SUSP.NO.	REL.	VICTIM OF SUSP.NO.	REL.	VICTIM OF SUSP.NO	REL.
ALBUQUERQUE	NM	87123		1						

OCCUPATION	EMPLOYER/SCHOOL AND ADDRESS	SUSPECT OF OFFENSE NO.	ARRESTED FOR OFFENSE NO.	GANG AFFILIATION

ALIAS / NICKNAME	MARKS, SCARS, TATTOOS	CLOTHING DESCRIPTION	ARMED WITH WEAPON CODE

DRIVER'S LICENSE NO.	D.L.STATE	ARREST/CITATION NO.	F.B.I. NO.	S.I.D. NO.	NIC NO.	RES.STATUS
[redacted]	NM					R

PERSON CODE	TYPE CODE	INJURY CODE	5- NAME (LAST, FIRST, MIDDLE)	SOCIAL SECURITY NO.	DOB	AGE (RANGE)	SEX	RACE
SUU	I		UNKNOWN UNKNOWN			1 - 100	U	U

STREET ADDRESS	APT. NO.	RES. PHONE	HEIGHT	WEIGHT	HAIR	EYES	ETHNICITY	AGG ASSAULT JUST HOM.CODE
					XXX	XXX	U	

CITY	STATE	ZIP	BUS. PHONE	VICTIM OF OFF. NO	VICTIM OF SUSP.NO.	REL.	VICTIM OF SUSP.NO	REL.	VICTIM OF SUSP.NO.	REL.

OCCUPATION	EMPLOYER/SCHOOL AND ADDRESS	SUSPECT OF OFFENSE NO	ARRESTED FOR OFFENSE NO.	GANG AFFILIATION

ALIAS / NICKNAME	MARKS, SCARS, TATTOOS	CLOTHING DESCRIPTION	ARMED WITH WEAPON CODE

DRIVER'S LICENSE NO.	D.L.STATE	ARREST/CITATION NO.	F.B.I. NO.	S.I.D. NO.	NIC NO.	RES.STATUS
						U

PERSON CODE	TYPE CODE	INJURY CODE	6- NAME (LAST, FIRST, MIDDLE)	SOCIAL SECURITY NO.	DOB	AGE (RANGE)	SEX	RACE

STREET ADDRESS	APT. NO.	RES. PHONE	HEIGHT	WEIGHT	HAIR	EYES	ETHNICITY	AGG ASSAULT JUST HOM CODE

CITY	STATE	ZIP	BUS. PHONE	VICTIM OF OFF. NO	VICTIM OF SUSP.NO.	REL.	VICTIM OF SUSP.NO.	REL.	VICTIM OF SUSP.NO.	REL.

OCCUPATION	EMPLOYER/SCHOOL AND ADDRESS	SUSPECT OF OFFENSE NO	ARRESTED FOR OFFENSE NO	GANG AFFILIATION

ALIAS / NICKNAME	MARKS, SCARS, TATTOOS	CLOTHING DESCRIPTION	ARMED WITH WEAPON CODE

DRIVER'S LICENSE NO.	D.L.STATE	ARREST/CITATION NO.	F.B.I. NO.	S.I.D. NO.	NIC NO.	RES STATUS

STATUS

REPORTING OFFICER (PRINT)	RANK	I.D. NO.	DATE	DETECTIVE / FOLLOW-UP OFFICER / REFERRED TO	I.D. NO.	DATE
CALLINAN,SEAN	P1C	P5721	01-21-2021			
ASSISTING OFFICER (PRINT)	RANK	I.D. NO.	DATE	PROCESSED BY / DATE	DATA ENTRY PERSON	DATE
CROUCH,JUSTIN	P1C	P5669	01-21-2021			
APPROVING OFFICER (PRINT)	RANK	I.D. NO.	DATE	INCIDENT STATUS: ACTIVE [X] INACT CLOSED UF CLA CLE / EXCEPT CODE / A-DEATH OF OFFENDER B-PROSECUTION DECLINED C-EXTRADITION DENIED D-VICTIM REF TO COOP E-JUV NO CUSTODY H-NOT APPLICABLE	DATE
ROSENBERG,TALIA		P5688	01-22-2021		

DISTRIBUTION: [ ] IA [ ] B [ ] SE [ ] NE [ ] VA [ ] SW [X] FTHL [ ] DAL [ ] CACU [ ] OTHER ____ [ ] NW

CASES CLEARED BY THIS ARREST CASE NO. CASE NO. CASE NO.

ADDITIONAL PROPERTY

PROPERTY STATUS

ARS-ARSON/BURNED; DMG-DAMAGED; EVI-EVIDENCE; FCN-FIELD CONTACT; FND-FOUND; IMP-IMPOUNDED; LST-LOST; OBS-OBSERVED; OTH-OTHER; REC-RECOVERED; REJ-REC OUTSIDE AGENCY STOLEN PROPERTY; RPO-REPOSSESSION; SFK-SAFEKEEPING; STN-STOLEN; STR-STOLEN AND RECOVERED; SUS-SUSPECT; SZD-SEIZED

PROPERTY TYPE

1-GUNS/FIREARMS; 2-DRUGS; 3-FOOD/LIQUOR/CONSUMABLE; 4-CLOTHING/FURS; 5-BOAT/MOTOR VEHICLE/AIRCRAFT; 6-AUTO ACCESSORIES; 7-CONSTRUCTION MACHINERY; 8-CURRENCY, NEGOTIABLE ITEMS; 9-STRUCTURE; A-NON-SERIALIZED JEWELRY; B-BICYCLE; C-CAMERA/PHOTO EQUIPMENT; D-DATA PROCESSING EQUIPMENT; E-EQUIPMENT/TOOLS; F-FURNITURE AND FURNISHINGS; G-GAMING EQUIPMENT; H-HOUSEHOLD APPLIANCES/HOUSEWARES; I-IDENTIFICATION ITEMS; J-SPECIAL DOCUMENTS/FOOD STAMPS; K-KEEPSAKES AND COLLECTIBLES; L-LIVESTOCK; M-MUSICAL INSTRUMENTS; N-NON-SERIALIZED PROPERTY (JEWELRY NOT INCL.); O-OFFICE EQUIPMENT/CELLULAR PHONES; P-PERSONAL ACCESSORIES (INCL SERIALIZED JEWELRY); R-ELECTRONIC/AUDIO/STEREO/TV; S-SPORTS, EXERCISE AND RECREATIONAL EQUIP; T-TOXIC CHEGMICALS; V-VIEWING EQUIPMENT; W-WELL DRILLING EQUIPMENT; Y-NONE OF THE ABOVE; Z-CREDIT/DEBIT CARDS

DRUG TYPE

A-CRACK; B-COCAINE; C-HASHISH; D-HEROIN; E-MARIJUANA; F-MORPHINE; G-OPIUM; H-OTHER NARCOTICS; HLSD; J-PCP; K-OTHER HALLUCINOGENS; L-AMPHYMETHAM.; M-OTHER; N-BARBITURATES; O-OTHER DEPRESSANTS; P-OTHER DRUGS; U-UNKNOWN; X-OVER 3 TYPES

FIELD UNIT OF MEASURE

DU-DOSAGE UNITS/ITEMS; FO-FLUID OUNCE; GL-GALLON; GM-GRAM; KG-KILOGRAM; LB-POUND; LT-LITER; ML-MILLILITER; NU-NUMBER OF PLANTS; OZ-OUNCE; XX-NOT REPORTED

5-PROPERTY STATUS	PROPERTY TYPE	TYPE OF ITEM	MAKE / BRAND	MODEL	CALIBER	VALUE (EXCEPT DRUGS)
STN	Y PI	Guns/Firearms GLOCK	GLC Glock, Inc.	19	9 9MM	0.00
SUSPECTED DRUG TYPE	QUANTITY UNIT OF MS.	DESCRIPTION (COLOR, SIZE, FEATURES, ETC.)		SERIAL / OAN	DATE RECOVERED	NIC NO.
		BLCK GLOCK 19		[redacted]		G155210090
6-PROPERTY STATUS	PROPERTY TYPE	TYPE OF ITEM	MAKE / BRAND	MODEL	CALIBER	VALUE (EXCEPT DRUGS)
SUSPECTED DRUG TYPE	QUANTITY UNIT OF MS.	DESCRIPTION (COLOR, SIZE, FEATURES, ETC.)		SERIAL / OAN	DATE RECOVERED	NIC NO
7-PROPERTY STATUS	PROPERTY TYPE	TYPE OF ITEM	MAKE / BRAND	MODEL	CALIBER	VALUE (EXCEPT DRUGS)
SUSPECTED DRUG TYPE	QUANTITY UNIT OF MS.	DESCRIPTION (COLOR, SIZE, FEATURES, ETC.)		SERIAL / OAN	DATE RECOVERED	NIC NO
8-PROPERTY STATUS	PROPERTY TYPE	TYPE OF ITEM	MAKE / BRAND	MODEL	CALIBER	VALUE (EXCEPT DRUGS)
SUSPECTED DRUG TYPE	QUANTITY UNIT OF MS.	DESCRIPTION (COLOR, SIZE, FEATURES, ETC.)		SERIAL / OAN	DATE RECOVERED	NIC NO
9-PROPERTY STATUS	PROPERTY TYPE	TYPE OF ITEM	MAKE / BRAND	MODEL	CALIBER	VALUE (EXCEPT DRUGS)
SUSPECTED DRUG TYPE	QUANTITY UNIT OF MS.	DESCRIPTION (COLOR, SIZE, FEATURES, ETC.)		SERIAL / OAN	DATE RECOVERED	NIC NO
10-PROPERTY STATUS	PROPERTY TYPE	TYPE OF ITEM	MAKE / BRAND	MODEL	CALIBER	VALUE (EXCEPT DRUGS)
SUSPECTED DRUG TYPE	QUANTITY UNIT OF MS.	DESCRIPTION (COLOR, SIZE, FEATURES, ETC.)		SERIAL / OAN	DATE RECOVERED	NIC NO
11-PROPERTY STATUS	PROPERTY TYPE	TYPE OF ITEM	MAKE / BRAND	MODEL	CALIBER	VALUE (EXCEPT DRUGS)
SUSPECTED DRUG TYPE	QUANTITY UNIT OF MS.	DESCRIPTION (COLOR, SIZE, FEATURES, ETC.)		SERIAL / OAN	DATE RECOVERED	NIC NO.

COMMENTS REGARDING PROPERTY	TOTAL VALUE STOLEN	TOTAL VALUE REC.	ADDL ON SHEET
	$	$	

ADDITIONAL VEHICLES

ADDL ON SUPP; VEH.STATUS CODE: SAR

ACC-TRAFFIC ACCIDENT; BRN-BURNED/ARSON; DMG-DAMAGED/VANDALIZED; EMB-EMBEZZLED; EVD-EVIDENCE; FCN-FIELD CONTACT; IMP-IMPOUNDED; LST-LOST; OUT-OUTSIDE RECOVERY, OTHER AGENCY; RCV-RECOVERED; REL-RELEASED TO OWNER; RPO-REPOSSESSION; SEZ-SIEZED; STN-STOLEN; SUS-SUSPECT; SAR-STOLEN AND RECOVERED; TOW-TOWED; VEH-VICTIM'S VEH; WNT-WANT/WARRANT ON OWNER

VEH TYPE CODE: 1

1 - AUTO; 2 - TRUCK/VAN; 3 - MOTORCYCLE; 4 - CAMPER/RV; 5 - BUS; 6 - OTHER; 7 - ATV; 8 - SNOWMOBILES; U - UNKNOWN

YEAR	MAKE	MODEL	BODY STYLE	LICENSE NO.	LIC.YEAR	LIC.STATE	TOP COLOR	BTM COLOR	VALUE/DAMAGE EST.
2019	TOYT	4RU	4D	APCL51	2021	NM	WHI		0.00

REGISTERED OWNER'S NAME	VIN	DISTINGUISHING FEATURES / VISIBLE DAMAGE
RIDENOUR ROBERT K	JTEBU5JR8K5710062	

ADDRESS	TOW TO / BY	NIC NO.
1709 CONESTOGA DR SE 87123	DUGGERS TOWING DUGGERS	V252636651

AGENCY OPTIONAL USE	TOWED FROM	☒ OWNER NOTIFIED	DATE RECOVERED	TIME RECOVERED
	200 EUBANK BLVD SE		01-21-2021	1819

VEH.STATUS CODE; ACC-TRAFFIC ACCIDENT; BRN-BURNED/ARSON; DAM-DAMAGED/VANDALIZED; EMB-EMBEZZLED; EVD-EVIDENCE; FCN-FIELD CONTACT; IMP-IMPOUNDED; LST-LOST; OUT-OUTSIDE RECOVERY, OTHER AGENCY; RCV-RECOVERED; REL-RELEASED TO OWNER; RPO-REPOSSESSION; SEZ-SIEZED; STN-STOLEN; SUS-SUSPECT; SAR-STOLEN AND RECOVERED; TOW-TOWED; VEH-VICTIM'S VEH; WNT-WANT/WARRANT ON OWNER

VEH TYPE CODE; 1 - AUTO; 2 - TRUCK/VAN; 3 - MOTORCYCLE; 4 - CAMPER/RV; 5 - BUS; 6 - OTHER; 7 - ATV; 8 - SNOWMOBILES; U - UNKNOWN

YEAR	MAKE	MODEL	BODY STYLE	LICENSE NO.	LIC.YEAR	LIC.STATE	TOP COLOR	BTM COLOR	VALUE/DAMAGE EST.

REGISTERED OWNER'S NAME	VIN	DISTINGUISHING FEATURES / VISIBLE DAMAGE

ADDRESS	TOW TO / BY	NIC NO.

AGENCY OPTIONAL USE	TOWED FROM	☐ OWNER NOTIFIED	DATE RECOVERED	TIME RECOVERED	REV. 3/04

Stolen Property from APD Case Number: 210004594 CAD 21001 8250
3x pages of stolen property listings from above referenced case number
Address: 1709 Conestoga Dr. SE Albuquerque, NM 87123
POC: Robert Ridenour_Personal Cell: (505) 697-8338 Government Cell: (505) 270-8340

In Stolen Vehicle (2019 Toyota 4Runner Plate # APCL51)

Item	Serial Number	Value
Glock 19 GEN V Pistol	[redacted]	$550 →
Brittax Infant Car Seat	N/A	Estimated (est) $200
Jeep Perfect Pockets Diaper Bag	N/A	$55
Middle Rio Grande Conservatory District Access keys	Unk	$100
Miscellaneous clothes (beanie, running spandex, shorts, underwear, etc)	N/A	est $40

Already listed on 42

Stolen from Garage

Item	Brand	Quantity	Value
MILITARY ID CARD	N/A	1	N/A
Top Flight Fusion Mallard Duck Decoy	Avian X	12	$180
Top Flight Green Winged Teal Duck Decoy	Avian X	6	$50
Pro Grade Widgeon Duck Decoy	GHG	6	$60
Standard Foam Filled Gadwall Duck Decoy	Higdon	6	$50
Northern Flight Blind Bag	Cabelas	1	$80
Northern Flight Marsh Chairs	Cabelas	2	$80
Northern Flight 12 slot Decoy Bag	Cabelas	1	$50
Mesh Decoy Bag	Herters	1	$10
8ftx10ft Camouflage net	Camosystems	2	$80
Realtree Camouflage medium tackle box	Plano	1	$30
3 trays of miscellaneous fishing tackle, lures, flies	Miscellaneous	3	$60
Total estimated dollar amount of stolen personal property			$1675.00

Military Equipment (Department of the Army Property) Stolen (Individual Hand Receipt)			
Item	**LIN**	**Quantity**	**Value**
Strap, Eyewear, Retention	DA1573	1	$4.21
Hood, Heat Protective	DA157D	1	$40.00
Gloves, Flyers	DA1594	1	$22.77
Infa Red (IR) Insignia, Shoulder, American Flag	DA5502	2	$4.50
Transmitter, IR	FA550H	1	$17.95

101 SUP

Boots, Cold Weather	B09054	1	$184
Bag, Barrack CT OG 107	B13907	2	17.68
Bag, Duffel	B14729	2	$45.80
Bag, Clothing, Waterproof	B15825	1	$18.64
Beret, Mans Airborne	B62574	1	$12.19
Cap, Camouflage Desert	C04411	1	$7.05
Cover, Helmet (LRG) UCP	C28472	1	$17.54
Coat, Cold Weather Desert	C45813	1	$63.69
Overalls, Cold Weather	C50256	1	$42.30
Coat, Army Combat (A2CU) UCP	C68824	4	$485.12
1 QT Canteen, Water Plastic w/ M1 Cap (Olive)	C96536	2	$10.16
Poncho, Wet Weather (Woodland)	DA0529	1	$50.02
Elbow Pad, M UCP	DA1556	1 set	$11.31
Knee Pad, M UCP	DA1588	1 Set	$18.05
Hood, Antiflash Fire Resistant	DA157D	2	$80.00
Gloves, Flyers: CWF-FG-80W/NOMEX M	DA159E	1	$22.77
Glove Insert, Cold Weather	DA159U	2	est. $11.90
Sleeping Bag, Black	DA6504	1	est. $60.00
Waist Pack (UCP)	DA6508	1	$15.38
Frame (UCP)	DA650F	1	$28.94
Molded Waste Belt (UCP)	DA6517	1	$28.38
Bandoleer, Ammunition Pouch (UCP)	DA6529	1	$10.22
Carrier, Hydration (UCP)	DA652Q	1	$31.06
Enhanced Frame Shoulder Straps (UCP)	DA652Z	1	$47.12
Carrier, Intrenching Tool (UCP)	DA6545	1	$18.58
Rucksack, Large Field Pack (UCP)	DA654J	1	$82.86
Stuff Sack, Compression (Black)	DA6553	1	est $20.00
Fighting Load Carrier (UCP)	DA655K	1	$43.34
Sustainment Pouch (UCP)	DA655V	2	$30.88
Pouch, M4 Two Mag (UCP)	DA6562	3	$16.17
Pouch, Flash Bang Grenade (UCP)	DA6563	1	$5.23
Insert, individual First Aid Kit (UCP)	DA657F	1	$7.86
Load Lifter attachment strap (UCP)	DA657W	2	$2.18
Pouch, Canteen (UCP)	DA6588	2	$22.10
Pouch, M4 Three Mag (UCP)	DA658H	2	$36.68
Pouch, Hand Grenade (UCP)	DA6593	2	$10.10
Groin Protector Assembly (UCP)	DA704C	1	est $53.62
Deltoid Protector Assembly (UCP)	DA704E	2	$439.40
Groin Protector Assembly XS/M (UCP)	DA7065	1	est $53.62
Cup, Water, Canteen Wire Handle	F54817	1	$12.91
Transmitter, Infared	FA550H	1	$33.74
Gloves, Flyers 10	G0671	1	$37.84

Gloves, Flyers 11	G06171	1	$37.84
Gator Neck	G39744	2	$4.64
Helment, Advanced Combat (LG)	H53175	1	$246.98
Goggles, Industrial	HA4064	2	$129.16
Jacket, CLD WTHR, Soft Shell LV 5 (UCP) ML	J14588	1	$144.88
Jacket, CLD WTHR, Wind Jacket LV 4 (UCP) ML	J14656	1	$42.20
Fleece, CLD WTHR, LV 3 (UCP) LL	J21883	1	$62.08
Jacket, Extreme Cold/Wet Weather LV 6 (UCP) ML	J23458	1	$82.98
Liner, Coat NYL (Olive Green) L	L70172	1	$22.19
Liner, Wet Weather Poncho (UCP)	L70789	1	$36.88
Intrenching Tool, Hand	MC20CH	1	$84.14
Overshoes, SZ 13	N39848	1 pair	$20.71
Pouch, Individual First Aid (UCP)	NA4522	1	$11.47
Shirt, Cold Weather	S04834	1	$59.75
Scarf, NKWRM MN Wool (Olive)	S52982	1	$7.10
Trousers, Wet Weather LV 6 (UCL) ML	T36205	1	$66.92
Trousers, Cold Weather (UCP) ML	T36245	1	$92.69
Trousers, Combat (A2CU) UCP ML	T52354	4	$485.68
Total estimated dollar amount of stolen Military Equipment from SFC Ridenour, Robert Individual Hand Receipt			$3,975.15

Total dollar amount estimated loss (personal property and military equipment)	$5,650.15

Gmail Rob Ridenour <rkridnour@gmail.com>

Request for front yard courtyard wall and variance permit (1709 Conestoga Dr. SE, 87123)

3 messages

Rob Ridenour <rkridnour@gmail.com> Sat, Sep 25, 2021 at 12:58 PM
To: "cmtrujillo@cabq.gov" <cmtrujillo@cabq.gov>
Cc: Jordyn Ruff <jruffsoccer@hotmail.com>

Good afternoon Mrs. Trujillo,

I spoke with you about a courtyard wall we are putting in our front yard. Prior to speaking with you, we looked at the Albuquerque Homeowners building permit guide located on the cabq.gov website (https://documents.cabq.gov/planning/BuildingSafety/HOBfinal%209-5-18.pdf#page10) that states on the top of page 5 that we didn't need a permit since we were staying under six feet. Is this document on your website out of date? We were also looking at the outdated 14-16-19-3 regulation regarding front yard walls on your website that also did not list a permit (https://www.cabq.gov/planning/documents/1416319.pdf). I just wanted to give a synopsis of why we started building our courtyard without previously obtaining a permit. We sincerely apologize for the oversight.

Unfortunately the contractor doing the work was also unaware that we needed a permit and variance and built the courtyard wall based on the documents we saw on the city website. The wall is currently at the final height (between 5ft and 6ft due to grade of street) but not finished. We have instructed him to halt any further work. What guidance do you have regarding the work already completed? Nothing else will be done until we can get the permit and variance reviewed and hopefully approved.

Any help navigating this process will be greatly appreciated. I attached a very rough plan of what we are doing along with pictures of what the contractor has completed thus far. I am currently stationed at Fort Bliss Army Installation in El Paso TX and am only home on the weekends. My family has remained local so my wife Jordyn Ridenour will be able to come in to complete paperwork and any other requirements. She is CC'd in this email and her phone numbers are listed below. If you cannot reach her please don't hesitate to call me.

Jordyn Ridenour
Work: (505) 844-4378 (Only way to contact from 7am to 5pm)
Cell: (915) 588-9730

We are having the courtyard wall installed as a deterrent for crime moreover aesthetics. Our house was broken into while we were home in January and we had a vehicle and property stolen. My childrens windows face the street and my son has had some anxiety since we were broken into. He has since relaxed since this has started and it's an extra layer of safety in my absence during the week while I am at Fort Bliss.

V/R
Rob Ridenour
Cell (505) 697-8338
Office (915) 568-4173
--
V/R
Rob Ridenour
(505)697-8338

Court Yard wall overview_1709 Conestoga Dr. SE 87123.pdf
6551K

Trujillo, Concetta M. <cmtrujillo@cabq.gov> Mon, Sep 27, 2021 at 11:55 AM
To: Rob Ridenour <rkridnour@gmail.com>

Attached are the documents needed to apply for a Request For Special Exception (ZHE Application). I've included the following:

- Request For Special Exception (ZHE application form). It is a editable form please complete what you can and Email it back to me, so I can complete the form and hand off your request to Suzie Sanchez who will assist you with the process. I will call you when I am preparing your request to address any questions.
- Conditional Use and or Variance Criteria.
- 2021 ZHE Deadline and Hearing Schedule – the dates may be subject to change due to the COVID-19 situation.
- ZHE Admin Assistant, Suzie Sanchez's business card/contact information – you will need to reach out to her for next steps in the process. She will inform you of requirements to be met prior to submitting the application.

When you complete the steps and have your application packet ready, with all necessary documents, you can submit your application for invoicing. We'll process the application, create an invoice and e-mail it to you. The cost to apply for a variance is $214.20 per request You have the option of making your payment online at https://webepay.cabq.gov/icart/ paying for it at Treasury. If you choose to pay online please send me an e-mail letting me know that your payment has been completed. If there are additional documents that you would like to include in your ZHE packet, you can add them up to one week prior to the ZHE hearing.

The last item listed on the application under Completed Application Requirements is Sign Posting. We will provide the sign posting document after processing your application and we provide you with the signs to post on your property.

If you have any questions feel free to call so we can assist you.

Thank you,

Concetta

CONCETTA TRUJILLO

zoning plan examiner
o 505.924.3833

e cmtrujillo@cabq.gov

cabq.gov/planning

From: Rob Ridenour [mailto:rkridnour@gmail.com]
Sent: Saturday, September 25, 2021 12:59 PM

BUILDING INSPECTION CRITERIUM ENGINEERS

Inspection No. 22111006E
November 5, 2021

LIMITED STRUCTURAL INSPECTION

Robert and Jordyn Ridenour
jruffsoccer@hotmail.com
rkridnour@gmail.com
Via email

RE: [redacted], Courtyard Block Walls and [redacted]
1709 Conestoga Drive SE
Albuquerque, NM 87123

Dear Mr. and Mrs. Ridenour,

At your request, we performed a limited inspection of the [redacted], front courtyard block walls and [redacted] of property on November 2, 2021. Our report that follows has been prepared based on that inspection. The primary purpose of our inspection and our report is focused on the structural integrity of the [redacted], condition of the new block courtyard walls in front of your house and [redacted]. Your inspection was performed by and this report was written by Edward Flores, Jr., P.E., Chief Engineer for Criterium Building Inspection Engineers.

Our inspection report is limited to observations made from visual evidence. No destructive or invasive testing was performed. Our report is not to be considered a guarantee of condition and no warranty is implied. **Our maximum liability is our inspection fee or $1,000.00 whichever is greater.**

Our inspection and report have been conducted in compliance with the standards of practice of Criterium Building Inspection Engineers and in a manner consistent with that level of care and skill that is ordinarily exercised by members of the profession practicing under similar conditions at the time the services are performed.

[redacted]

Inspection of the block courtyard walls in front determined the walls to plum and stable. They appear to be constructed using **good** quality materials and in manner common to block courtyard walls.

[redacted]

Conclusion

[redacted] The recent construction of the front courtyard block walls and [redacted] are adequately constructed with quality materials and in a professional workmanlike manner.

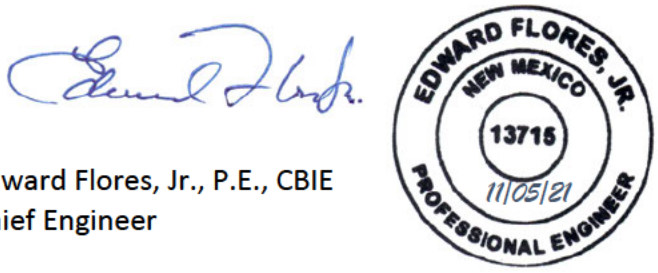
We did not perform any computations or other engineering analysis as part of this evaluation. In addition, my report is my opinion of the conditions observed on the day of my inspection and I reserve the right to add or modify my opinions if additional information should become available.

Our report has been prepared for your benefit and in strict confidence with you as our client. No reproduction or reuse of this report for the benefit of others is permitted without your expressed written consent, except as may be required by New Mexico real estate regulation. Further, except as required by real estate regulation, we will not release this report to anyone without your permission.

If you have any questions about this report or inspection, please feel to call me for clarification

Thank you for the opportunity to be of assistance to you.

Sincerely,



Edward Flores, Jr., P.E., CBIE
Chief Engineer

Boundary Survey
for
Lot 24, Block 54-A, Four Hills Village, Nineteenth Installment
City of Albuquerque
Bernalillo County, New Mexico
January 2022

Vicinity Map - Zone Atlas N-23-Z

N.T.S.

Indexing Information

Section 35, Township 10 North, Range 4 East, N.M.P.M.
Subdivision: Four Hills Village, Nineteen Installment
Owner: Robert Keith & Ashley Ann Jordyn Ridenour
UPC # 102305520103030724

Easement Notes

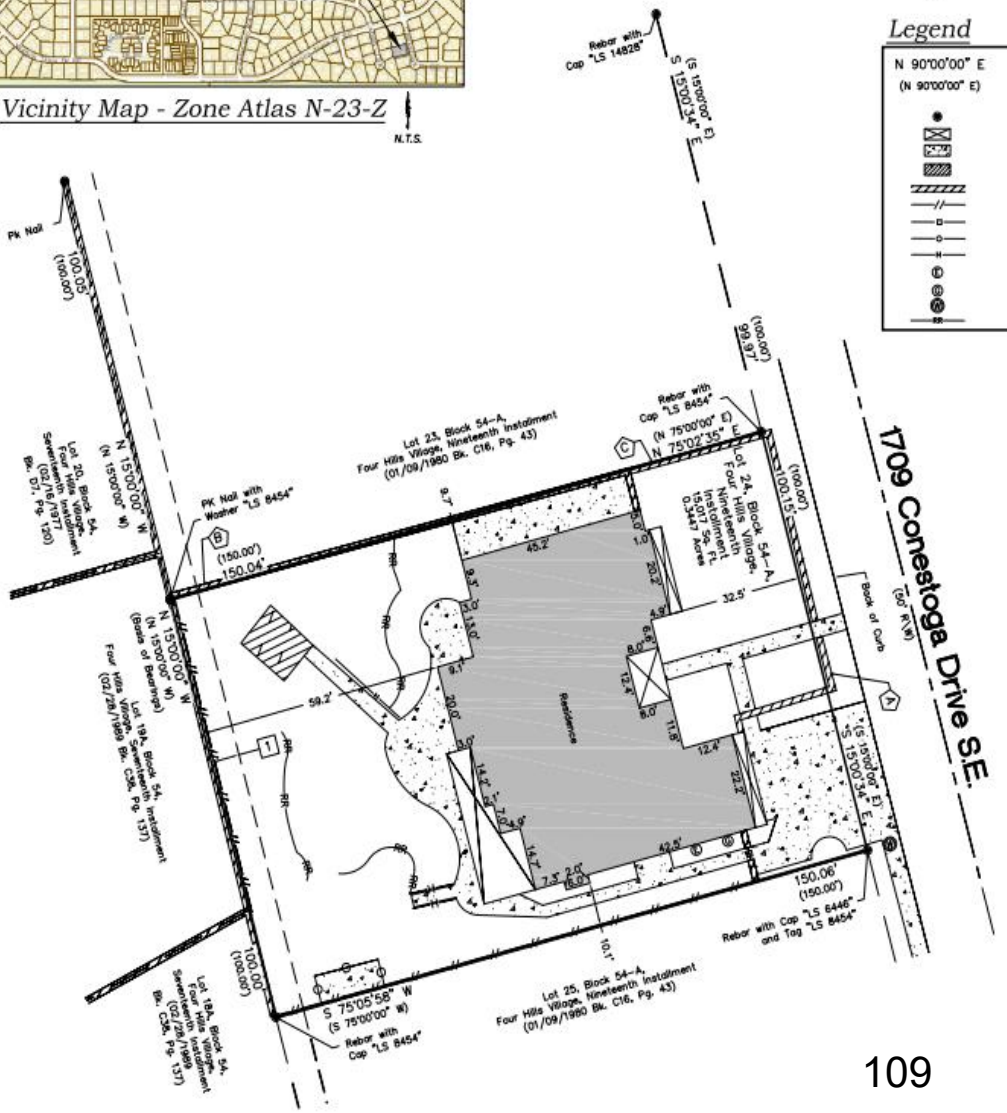
[1] 7' UTILITY EASEMENT (01/09/1988 BK. C16, PG. 43)

Surveyor's Observations

(A) WALL IS INTO R/W BY AS MUCH AS 2.6 FEET.
(B) WALL IS INTO ADJOINER'S PROPERTY BY AS MUCH AS 0.6 FEET.
(C) WALL IS INTO SUBJECT PROPERTY BY AS MUCH AS 0.7 FEET.

Legend

N 90°00'00" E	MEASURED BEARINGS AND DISTANCES
(N 90°00'00" E)	RECORD BEARINGS AND DISTANCES PER PLAT (01/09/1980 C16-43)
	FOUND MONUMENT AS INDICATED
	COVERED AREA
	CONCRETE
	WOOD DECK
	BLOCK WALL
	WOOD FENCE
	METAL FENCE
	CHAINLINK FENCE
	HANDRAIL
E	ELECTRIC METER
G	GAS METER
W	WATER METER
	RAILROAD TIES



BAR SCALE
0 20' 40'
SCALE: 1" = 20'

Legal Description

LOT NUMBERED TWENTY-FOUR (24) IN BLOCK NUMBERED FIFTY-FOUR-A (54-A) OF FOUR HILLS VILLAGE, NINETEENTH INSTALLMENT, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT ENTITLED "AMENDED REPLAT OF FOUR HILLS VILLAGE, NINETEENTH INSTALLMENT, AN ADDITION TO THE CITY OF ALBUQUERQUE, NEW MEXICO," FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON JANUARY 09, 1980, IN PLAT BOOK C16, PAGE 43.

Documents

1. TITLE COMMITMENT PROVIDED BY STEWART TITLE, HAVING FILE NO. 01147-47578 AND AN EFFECTIVE DATE OF JULY 11, 2018.
2. PLAT OF RECORD, FOUR HILLS VILLAGE, NINETEENTH INSTALLMENT, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON JANUARY 09, 1980, IN PLAT BOOK C16, PAGE 43.
3. PLAT FOR FOUR HILLS VILLAGE, SEVENTEENTH INSTALLMENT, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON FEBRUARY 16, 1977, IN PLAT BOOK D7, PAGE 120.
4. PLAT FOR FOUR HILLS VILLAGE, SEVENTEENTH INSTALLMENT, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON FEBRUARY 28, 1989, IN PLAT BOOK C38, PAGE 137.

Notes

1. FIELD SURVEY PERFORMED IN JANUARY 2022.
2. ALL DISTANCES ARE GROUND DISTANCES: U.S. SURVEY FOOT.
3. THE BASIS OF BEARINGS REFERENCES THE PLAT OF RECORD (01/09/1980 BK. C16, PAGE 43.

Flood Notes

BASED UPON SCALING, THIS PROPERTY LIES WITHIN FLOOD ZONE X WHICH IS DEFINED AS AN AREA OF MINIMAL FLOOD HAZARD. AS DETERMINED BY F.E.M.A. AND SHOWN ON THE FLOOD INSURANCE RATE MAP DATED SEPTEMBER 26, 2008, MAP NO. 35001C0386G.

Surveyor's Certificate

I, Brian J. Martinez New Mexico Professional Surveyor No. 18374, do hereby certify that this boundary survey plat and the actual survey on the ground upon which it is based were performed by me or under my direct supervision; that I am responsible for this survey; that this survey meets the minimum standards for surveying in New Mexico; and that it is true and correct to the best of my knowledge and belief. I further certify that this survey is not a land division or subdivision as defined in the New Mexico subdivision act and that this instrument is a boundary survey plat of an existing tract or tracts.

1/11/22
Brian J. Martinez — Date
N.M.R.P.S. No. 18374

BRIAN J. MARTINEZ NEW MEXICO No. 18374 REGISTERED PROFESSIONAL SURVEYOR

CSI-CARTESIAN SURVEYS INC.
P.O. BOX 44414 RIO RANCHO, N.M. 87174
Phone (505) 896 - 3050 Fax (505) 891 - 0244

Sheet 1 of 1
1814458


I. S. C.
18 8454

Sanchez, Suzanna A.

From:	Rob Ridenour <rkridnour@gmail.com>
Sent:	Wednesday, January 12, 2022 2:01 PM
To:	Sanchez, Suzanna A.
Cc:	Jordyn Ruff
Subject:	ZHE Public Hearing Documents_1709 Conestoga DR SE
Attachments:	Sample of Houses in 4 Hills Neighborhood with courtyards over 3ft.pdf

Mrs. Sanchez,

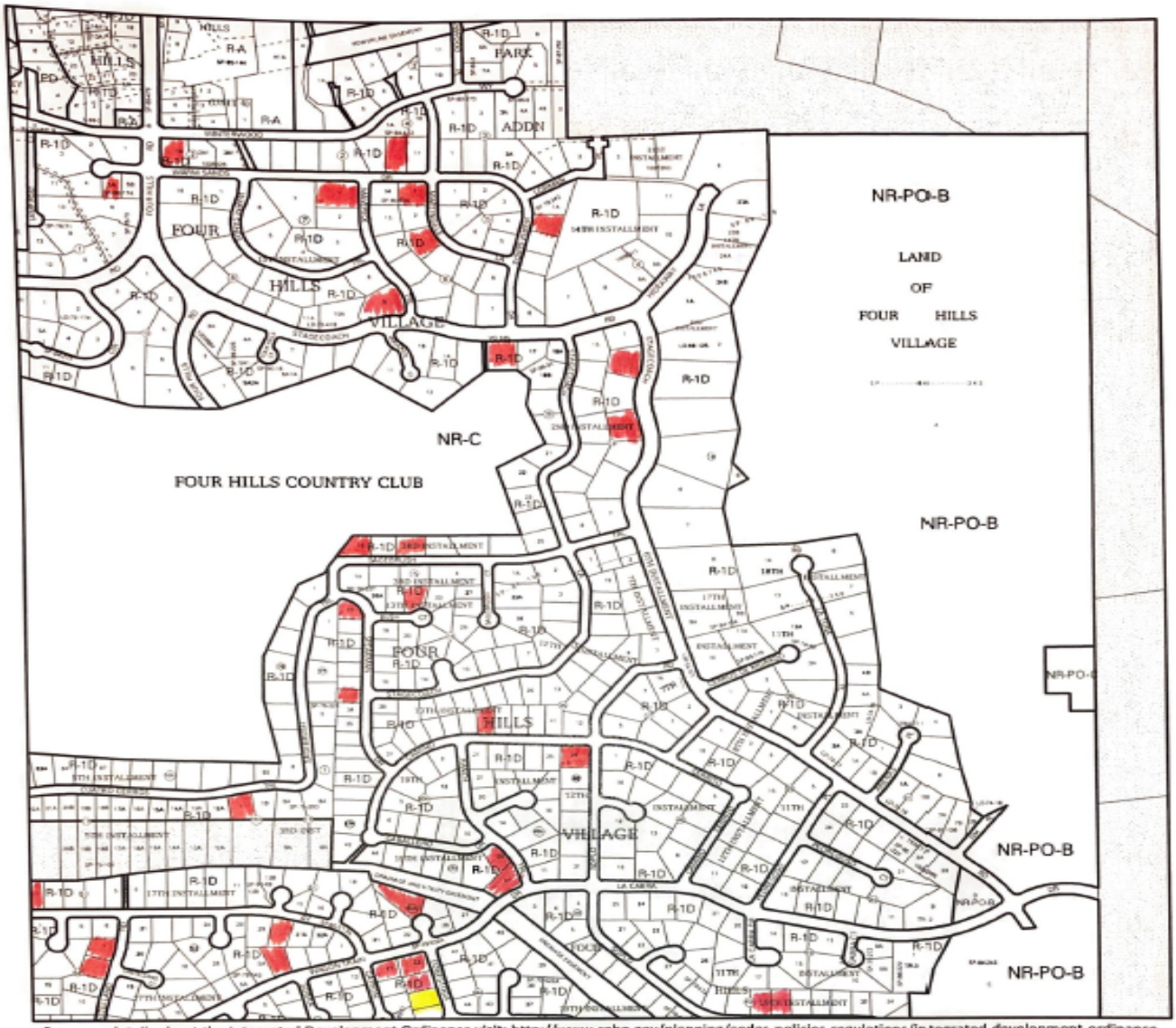
PLease see attached information for the hearing examiner. It is a sample listing of houses within 4 hills neighborhood that have courtyards of various sizes over 3ft high. Thank you.

ENCLOSURE 1: Four Hills Neighborhood sample of residence with Courtyard walls over 3ft. (30 pages)

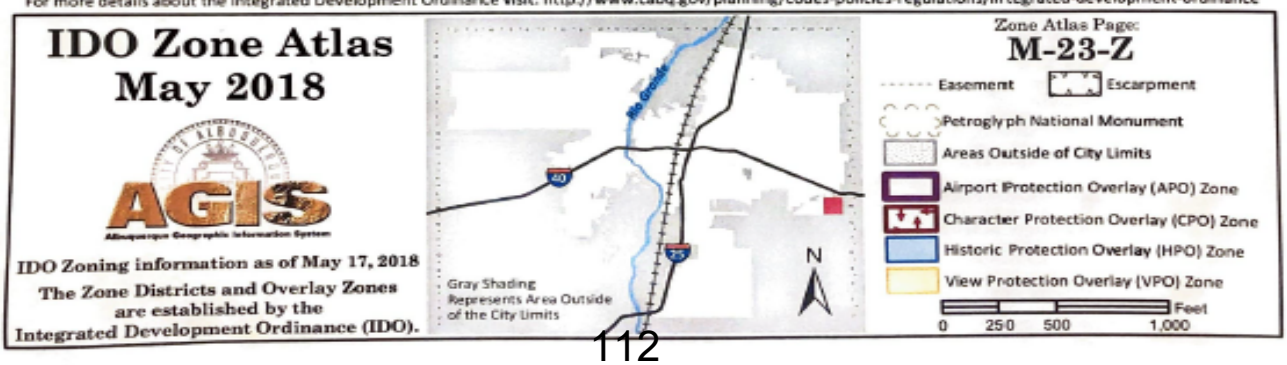
Marking Legend

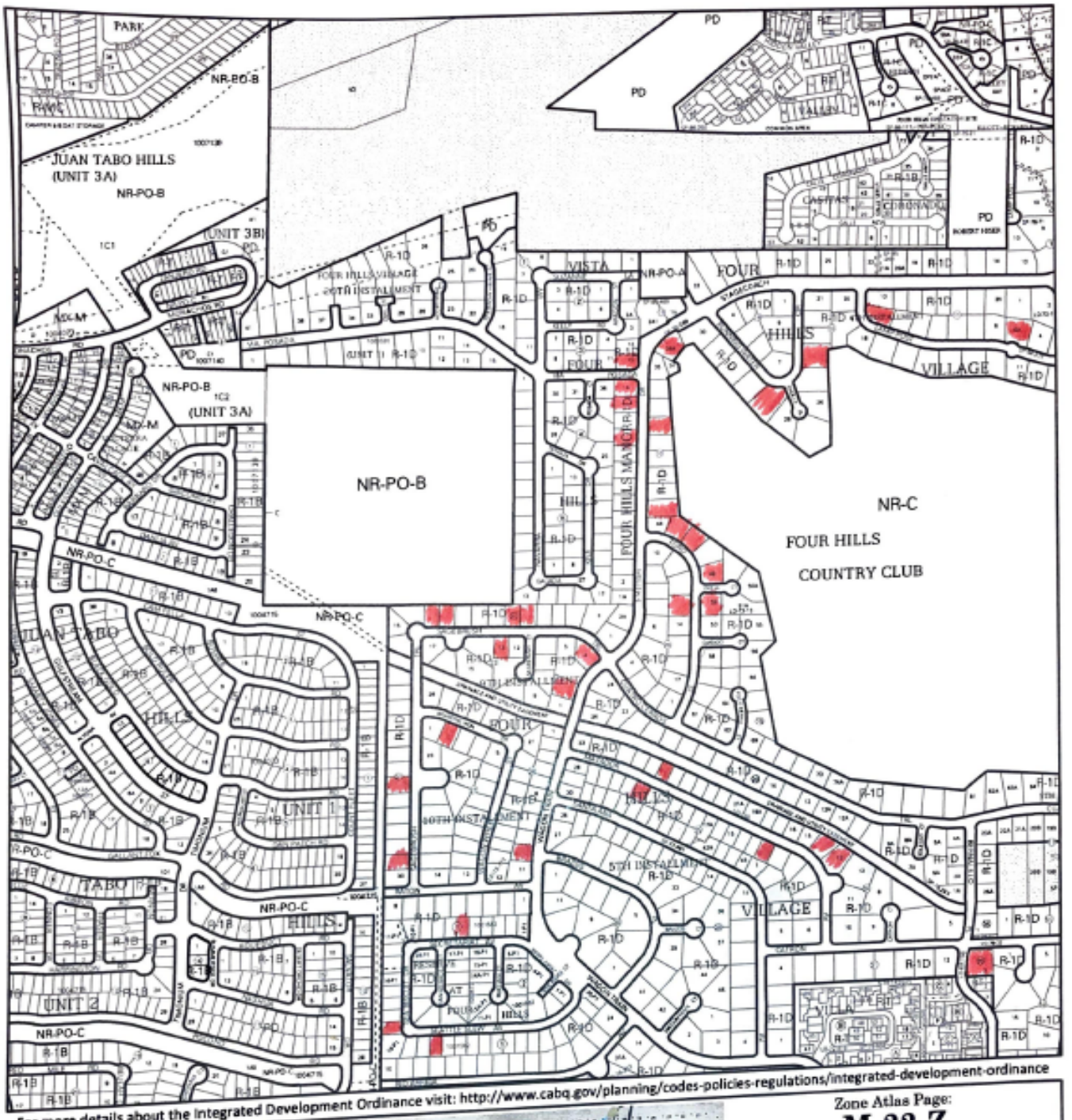
1709 Conestoga Dr. SE

Houses with courtyards over 3ft. Various sizes/heights



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





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

AGIS
Albuquerque Geographic Information System

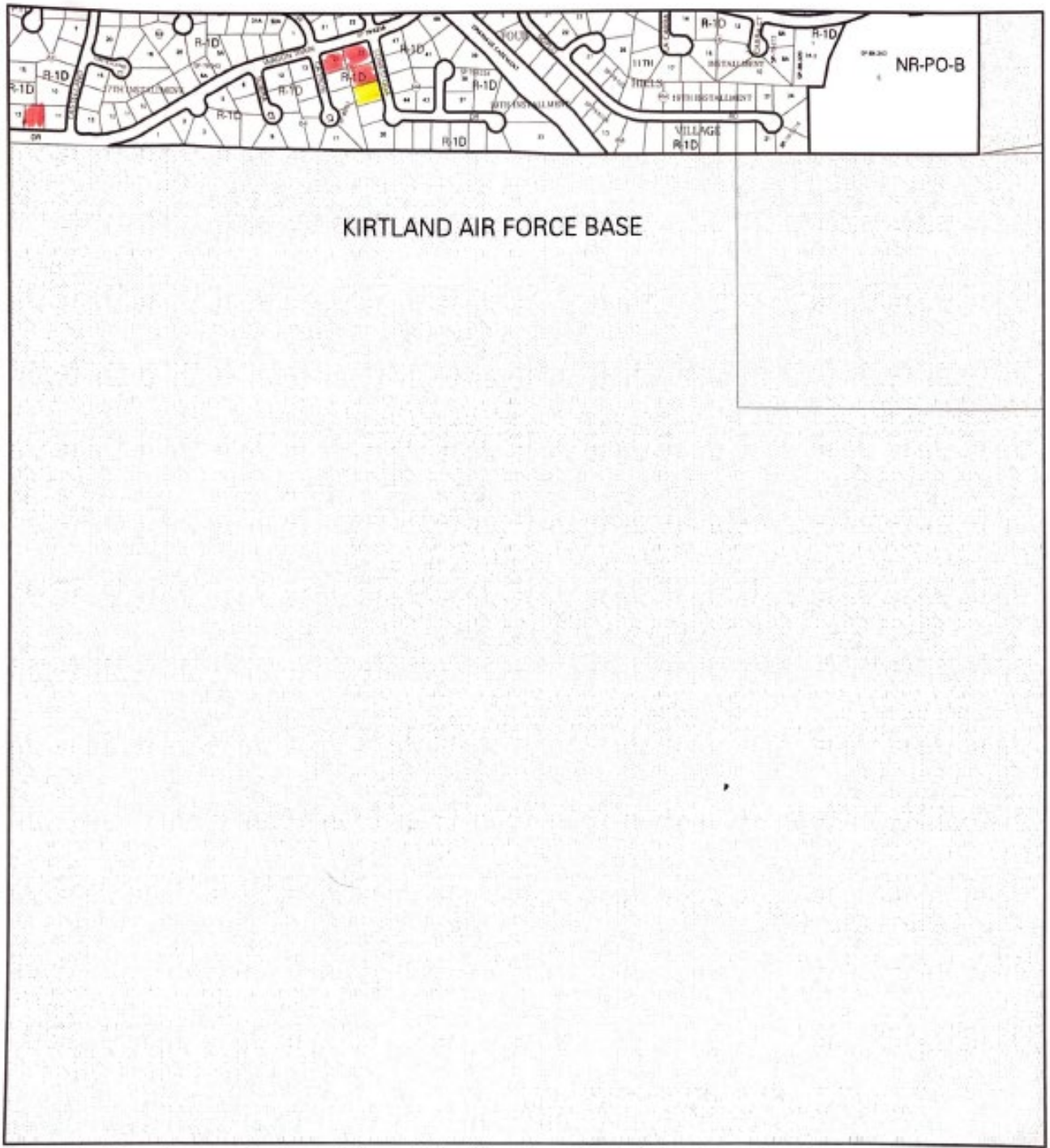
IDO Zoning information as of May 17, 2018

The Zone Districts and Overlay Zones

Zone Atlas Page:
M-22-Z

- Easement
- Escarmpment
- 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

Feet
0 250 500 1,000



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

AGIS

Zone Atlas Page:
N-23-Z

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

1600 Conestoga Dr. SE
Albuquerque, NM 87123

1424 Ranch Trl. SE
Albuquerque, NM 87123

1715 La Cabra Dr. SE
Albuquerque, NM 87123

1404 La Cabra Dr. SE
Albuquerque, NM 87123

527 Stagecoach Rd. SE
Albuquerque, NM 87123

1601 SpeakmanDr. SE
Albuquerque, NM 87123

635 Running Water Cir. SE
Albuquerque, NM 87123

1525 Sagebrush Trl. SE
Albuquerque, NM 87123

712 Branding iron Dr. SE
Albuquerque, NM 87123

712 Wagon Train Dr. SE
Albuquerque, NM 87123

713 Sagebrush Trail SE
Albuquerque, NM 87123

719 Secretariat Ave SE
Albuquerque, NM 87123

719 Sagebrush Trail SE
Albuquerque, NM 87123

805 Toro St SE
Albuquerque, NM 87123
121

800 Warm Sands Dr. SE
Albuquerque, NM 87123

801 Martingale Ln SE
Albuquerque, NM 87123

801 Sage Brush Trl SE
Albuquerque, NM 87123

805 Sagebrush Trl SE
Albuquerque, NM 87123
123

806 Toro St SE
Albuquerque, NM 87123

816 Oveja Ct SE
Albuquerque, NM 87123
124

819 Toro St SE
Albuquerque, NM 87123

821 Toro St SE
Albuquerque, NM 87123
125

902 Lamp Post Cir SE
Albuquerque, NM 87123

906 Warm Sands Dr SE
Albuquerque, NM 87123

902 Lamp Post Cir SE
Albuquerque, NM 87123

906 Warm Sands Dr SE
Albuquerque, NM 87123

913 Warm Sands Dr. SE
Albuquerque, NM 87123

918 Matador Ave SE
Albuquerque, NM 87123
128

929 Catron Ave. SE
Albuquerque, NM 87123

1002 Stagecoach Rd. SE
Albuquerque, NM 87123

1005 Matador Ave. SE
Albuquerque, NM 87123

1009 Wagon Train Dr. SE
Albuquerque, NM 87123

1029 Sagebrush Trl. SE
Albuquerque, NM 87123

1036 Matador Ave. SE
Albuquerque, NM 87123
131

1041 Matador Ave. SE
Albuquerque, NM 87123

1046 Matador Ave. SE
Albuquerque, NM 87123

1101 Castallano Trl. SE
Albuquerque, NM 87123

1102 Warm Sands Dr. SE
Albuquerque, NM 87123
133

1104 Bernalillo PL. SE
Albuquerque, NM 87123

1105 Castellano Trl. SE
Albuquerque, NM 87123

1115 Sagebrush Trl. SE
Albuquerque, NM 87123

1227 Seabiscuit Dr. SE
Albuquerque, NM 87123
135

1305 Stagecoach Ln. SE
Albuquerque, NM 87123

1313 Stagecoach Ln. SE
Albuquerque, NM 87123

1324 Cuatro Cerros Trl. SE
Albuquerque, NM 87123

120 Wagon Train Dr. SE
Albuquerque, NM 87123

1501 Soplo Rd. SE
Albuquerque, NM 87123

1505 Catron Ave SE
Albuquerque, NM 87123

1545 Catron Ave. SE
Albuquerque, NM 87123

1609 Wagon Train Catron Ave SE
Albuquerque, NM 87123

1708 Seattle Slew Ave. SE
Albuquerque, NM 87123

529 Stagecoach Rd. SE
Albuquerque, NM 87123

1718 Soplo Rd. SE
Albuquerque, NM 87123

529 Stagecoach Rd. SE
Albuquerque, NM 87123

Sanchez, Suzanna A.

From: Jeffrey Mahn <jamahn47@gmail.com>
Sent: Saturday, January 08, 2022 3:09 PM
To: Sanchez, Suzanna A.
Subject: Endorsement of Courtyard Wall Height Variance

Dear Ms. Sanchez,

I would like to recommend approval of the wall height variance for the courtyard wall being constructed at 1709 Conestoga Drive SE in Four Hills Village. I saw no reason to suspend completion of the wall, as it was not going to impose any adverse effects on the surrounding neighborhood.

Respectfully,
Jeffrey Mahn

--

They who can give up essential liberty to obtain a little temporary safety, deserve neither liberty nor safety.

Benjamin Franklin

Sanchez, Suzanna A.

From: Janita Luddeke <luddekejf@gmail.com>
Sent: Sunday, January 09, 2022 8:51 AM
To: Sanchez, Suzanna A.
Subject: Robert & Jordyn Ridenour Zoning Hearing, 1-18-22
Attachments: Robert & Jordyn Ridenour Permit Hearing, 1-18-22.docx

Ms. Sanchez,
We have enclosed an attachment letter supporting the Ridenour's right to move forward with their project. If you have any questions please feel free to contact us at, 505-400-1368 or email us at, luddekejf@gmail.com. Thank you.

Tim & Janita Luddeke
1717 Conestoga Dr., SE
Albuquerque, NM 87123

Tim and Janita Luddeke
1717 Conestoga Dr SE
Albuquerque. NM 87123

8 Jan 2022

City of Albuquerque
Planning Department
6000 2nd St NW
Albuquerque, NM 87102

Ref: 1709 Conestoga Dr SE. Zoning hearing 18 Jan 2022.

To whom it may concern,

As residents of the Four Hills Neighborhood and fellow citizens/neighbors of our community we wish to express our support for the Ridenour's right to manage their own property modifications including the construction of a wall around their front yard. They were the victim of a car theft two summers ago and therefore, feel the wall is a necessary security measure for the safety of their family. Specifically, they feel that the wall protects their small children whose bedrooms are at the front of the house, and who like to play in their front yard. The wall provides the family security. Last, we would like to see this construction effort brought to a conclusion/completed as soon as possible. Further delays leave the project looking partially done detracting from the home values in the neighborhood. Thank you.

Tim & Janita Luddeke

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

Robert and Jordyn Ridenour request a permit for a taller wall major for a courtyard wall in the front yard for Lot 24, Block 54A, Four Hills Village, located at 1709 Conestoga DR SE, zoned R-1D [Section 14-16-5-7(D)(3)(g)]

Special Exception No:..... **VA-2021-00429**
Project No: ..... **Project#2021-006303**
Hearing Date: 01-18-22
Closing of Public Record: 01-18-22
Date of Decision: 02-02-22

On the 18th day of January, 2022, property owners Robert and Jordyn Ridenour ("Applicant") appeared before the Zoning Hearing Examiner ("ZHE") requesting a permit for a taller wall major for a courtyard wall in the front yard ("Application") upon the real property located at 1709 Conestoga DR SE ("Subject Property"). Below are the ZHE's finding of fact and decision:

FINDINGS:

1. Applicant is requesting a permit for a taller wall major for a courtyard wall in the front yard.
2. The City of Albuquerque Integrated Development Ordinance Section 14-16-6-6(H)(3) Permit-Wall or Fence-Major reads: "*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:*
   6-6(H)(3)(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.

6-6(H)(3)(b) The proposed wall would strengthen or reinforce the architectural character of the surrounding area.

6-6(H)(3)(c) The proposed wall would not be injurious to adjacent properties, the surrounding neighborhood, or the larger community.

6-6(H)(3)(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.

3. The 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).
4. The 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).
5. All property owners within 100 feet and affected neighborhood associations were notified of the application.
6. The subject property is currently zoned R-1D.
7. Certain neighbors submitted evidence in opposition to the Application, while other neighbors submitted evidence in support. The thrust of the opposition concerned the location of the wall along the front yard lot line. In particular, one adjacent neighbor pointed out the negative impact to visibility and safety that the current location of the wall would have if maintained. However, Applicants have revised their plans, such that they would relocate the wall to become a courtyard wall pursuant to the IDO, which requires that the wall be located ≥10 ft. from lot line abutting the street or edge of the sidewalk closest to the primary building, whichever is more restrictive. (see IDO Section 5-7(D)(3)(g), Table 5-7-2, and accompanying illustrations).
8. 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.
9. Based on evidence presented by Applicant, the proposed wall would strengthen or reinforce the architectural character of the surrounding area. Specifically, photographs were submitted showing several walls/fences in the neighborhood. It appears from the evidence that the proposed wall would not be out of character with the surrounding area, but rather would reinforce the architectural character of the neighborhood by being in harmony with the other improvements on the Subject Property.
10. Based on evidence presented by Applicant, the proposed wall would not be injurious to adjacent properties, the surrounding neighborhood, or the larger community. Specifically, that the wall would enhance the safety of both the subject property and neighboring properties by discouraging trespassers from coming into the community and property.

11. 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: (a) 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 (b) The design and materials proposed for the wall or fence shall reflect the architectural character of the surrounding area.
12. The ZHE finds that the proper "Notice of Hearing" signage was posted for the required time period as required by Section 14-16-6-4(K)(3).
13. City Transportation issued a report stating that it does not object.
14. The ZHE finds that the Applicant has authority to pursue this Application.

DECISION:

APPROVAL WITH CONDITIONS of a permit for a taller wall major for a courtyard wall in the front yard.

CONDITIONS:

A. The existing wall must be relocated to exist ≥10 ft. from lot line abutting the street or edge of the sidewalk closest to the primary building, whichever is more restrictive.
B. 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. View fencing may be used for any portions of the wall that otherwise would block views contrary to this condition.

APPEAL:

If you wish to appeal this decision, you must do so by February 17, 2022 pursuant to Section 14-16-6-4(V), 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 decision does not constitute approval of plans for a building permit. If your application is approved, bring this decision with you when you apply for any related building permit or occupation tax number. Approval of a conditional use or a variance application is void after one year from date of approval if the rights and privileges are granted, thereby have not been executed, or utilized.

Robert Lucero, Esq.
Zoning Hearing Examiner

cc:

ZHE File
Zoning Enforcement
Robert and Jordyn Ridenour, rkridnour@gmail.com
Mike Lucero 1705 Conestoga, malucero@comcast.net
Barbara Surbey, 1705 Conestoga, bjsurbey@comcast.net
Jeffrey Mahn, jamahn47@gmail.com
Tommy Carrion, tcarrion2002@yahoo.com
Karen Hartsoch, scrappyredhead@outlook.com
Brian Broaddus, bbroaddus@gmail.com
Eileen Mahn, eamahn@gmail.com
Janita Luddeke, luddekejf@gmail.com
David Schams, dschams15@gmail.com
Heather Schriner, schriner3312@msn.com
Noah Parraz, prospect242424@yahoo.com
Mort Khodaie, mkhodaie29@yahoo.com

Sanchez, Suzanna A.

From: Rob Ridenour <rkridnour@gmail.com>
Sent: Tuesday, January 18, 2022 2:58 PM
To: Sanchez, Suzanna A.
Subject: Pictures requested
Attachments: IMG-9101.jpg; IMG-9102.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

Mrs. Sanchez,

Here are the two pictures shared during the meeting that were requested by Mr. Lucero.


1709

Hearing on Special Exceptions

to the Integrated Development Ordinance

MINUTES

January 18, 2022

600 2nd St NW, Albuquerque, NM 87102

CITY STAFF PRESENT:

Robert Lucero – Zoning Hearing Examiner

Lorena Patten-Quintana – ZHE Planner, Planning Department

Suzie Sanchez – Hearing Monitor

ZHE: Next is agenda item 22. Its VA-2021-00429 project number PR-2021-006303, Robert and Jordyn Ridenour request a permit for a taller wall major for a courtyard wall in the front yard for Lot 24, Block 54A, Four Hills Village located at 1709 Conestoga Drive Southeast, zoned R-1D. Do we have the applicants with us? Good morning, sir. Are you there?

ROBERT RIDENOUR: Yes, yes I'm here, can you hear me?

JORDYN RIDENOUR: Jordyn.

ZHE: Yes, yes, I can hear you.

ROBERT RIDENOUR: Okay.

ZHE: Would you please set your full name and mailing address for the record?

ROBERT RIDENOUR: Go ahead, Jordyn.

JORDYN RIDENOUR: Jordyn Ridenour, 1709 Conestoga Drive Southeast, Albuquerque, 87123.

ZHE: Thank you and Mr. Rideneour, same address?

ROBERT RIDENOUR: Yes sir, same address, Robert Reiner.

ZHE: Thank you and would you please both raise your right hands and do you affirm under penalty of perjury that your testimony today will be true?

ROBERT RIDENOUR: Yes.

ZHE: Thank you. All right, would you please briefly summarize the application?

ROBERT RIDENOUR: Go ahead, Jordyn.

JORDYN RIDENOUR: So, we requested a variance for the front yard, courtyard wall in September of 2021. Upon research, I did a preliminary search, based off of it, it told me that I did not need a variance or permit to build this wall however, some conversations led to the discovery that we needed that and so we halted work and are now here waiting for the hearing.

ROBERT RIDENOUR: And, just, just a caveat the, the contractor that we hired was unaware of it when we did the research after having one of the neighbors talk to us, the City of Albuquerque website was taking us to the previous IDO, the 2019 version and that's in the email that I enclosed to Ms. Trujillo. And, that one in there wasn't stating that. Same with a 10 foot rule from what we understood. So, right now, the courtyard wall is out of tolerance, it's closer than 10 foot. It is on the property line. From what I understand in the IDO though, the 10-foot ruler is for abutting the street, not the adjacent property owner's line. We were going to have a conversation

with Mr. Lucero and Ms. Surbey because they had concerns about it. There was a miscommunication between our households regarding one of the emails received with the concerns so, the conversation didn't happen. At this point though, like we, we stopped the work because we know it's out of tolerance and at this point, we just want to be notified of what we can do to get it intolerance in order to get this approved and make sure everybody's happy. The only other thing I'd like to note, aside from what I have turned in is we, we heard from Mr. Lucero and Ms. Surbey but the other neighbors that have written objections, we never heard from them in person or written communication to include the gentleman that doesn't live near our street. So, we'd be willing to work with the neighbors to get this where it is happy. It's just a matter of getting through at this point. You know, it is circumstances between the contractor and the reference material that we looked up so, that's all I have, sir.

ZHE: Okay.

JORDYN RIDENOUR: One more thing, Mr. Lucero is that - - So, the purpose of the wall was, we were broken into in early 2021 and our garage was broken into, my car was broken into and then my husband's car was actually stolen right out of the front yard two and a half hours right after the burglary. And, we have a two-year old child and then we have a 10-year-old and 11 year old that sleep in the front of the house so we decided, you know, to put this wall up as a deterrent to keep our children safe and to give them in a sense of security and also having a toddler, we want to utilize our front yard as a play area for her and not have to worry about her running out into the middle of the street and provide us some privacy while we enjoy time with our family. But, that's all I had.

ROBERT RIDENOUR: And, the last regard about the security concern is, we do have an alarm. We we're broken into. We've made some changes to our sensors and the private security on the street, that everybody mentioned, I called them the day we got broken into for some help on it and they took just as long as APS to respond and about 7 to 10 days after we were broken into, we had a back house sensor temper alarm go off, that triggered our alarm through the alarm company. So we've had a couple problems since we've lived there. Like, I understand that other people haven't but we have. So, yeah. Thank you.

ZHE: Thank you. Well, let's go through the criteria, I just wanna make sure I - - Because there's a lot of correspondence in the file and I just wanna make sure I'm not missing anything.

ROBERT RIDENOUR: Yes, sir.

ZHE: So, the first requirement for the wall or fence permit major is that, you know, either, it's half an acre, it's on a collector or you meet that 20% rule and I do see that you submitted a collection of photos here of properties that are identified as being within 330 feet; 1701, 1708, 1705 Conestoga.

ROBERT RIDENOUR: Yes.

ZHE: Are all of those fences depicted, higher than 3 feet?

ROBERT RIDENOUR: You know, we didn't trespass on the property and measure them. They look like they might be higher than 3 feet. They are significantly smaller than the one we put up which it kind of goes back to what we are talking about that where that courtyard wall sits right now isn't final. We just - - I just don't wanna dump any more expenses into it until we knew it was going on with it.

ZHE: Okay. And then, the next criterion is that the wall would strength or reinforce the architectural character and it states here that the wall material matches the exterior material of the house and that several other residents within the neighborhood and on the same street, is that right that there's other, other fences or walls rather that look like what you're proposing or what you're constructing?

ROBERT RIDENOUR: The way it currently sits, no. They're across Four Hills and I think it was like a 30 page document that I submitted, there are walls roughly the size of the, the front yard that we're doing throughout the neighborhood none within that 330 foot limit within the paperwork but just around the corner we have a neighbor who has a fully enclosed front yard and its 10 feet off the curb but, like I said, we are going to push it back. So, as it currently sits, I would agree that it doesn't fully meet what the street looks like but once we can get this modified and pull it back from the street and off the property line, I think that it will strengthen it and then once it's stuccoed, it will look complete.

ZHE: Okay. And, how tall is the existing wall?

ROBERT RIDENOUR: At its highest point, I think it's 5'9" which is on the north corner. It looks like it's a little higher in the front on that corner as it dips because we are on a sloped grade and there's dirt that hasn't been back filled back in there. Once that dirt, would've been backfilled, it would be under 6 feet all the way around, no higher than 6 foot. We just, like I said, stopped everything until we could make sure that we're doing the right thing. We're definitely not asking for forgiveness in this, we just went down trusting the people that we hired and ended up in this situation, so.

ZHE: Okay.

ROBERT RIDENOUR: I will say, taking the picture, middle street at - - Some of the pictures that were submitted, the camera objective, if you're familiar with that, the focal point of the lens, most of those pictures focal points hit dead on are at the same height as our mailbox which is the 41 to 45 inch height requirement which is roughly, I think it's like 3 1/2 feet something like that. So, I do have additional pictures but I couldn't submit them in time because I'm, I'm down in El Paso Monday through Friday. I'm only home on the weekends because I'm stationed at Fort Bliss. So, I wasn't able to get additional pictures in with a camera set at an objective height of 5 foot to submit so they can see it.

ZHE: Okay. Would you be in a position to share those pictures on the screen now?

ROBERT RIDENOUR: I do have a couple. Let me see if I can figure this out on my cell phone. So, when I click share, it tells me that only the host can share in this meeting, so. It's not giving me the right to do it.

ZHE: Yeah, let's see if we can do that. Suzie, would you mind making him a co-host?

HEARING MONITOR: Yeah, go head and try now.

ROBERT RIDENOUR: Okay, it's working now. Just give me a second here to modify my settings.

ZHE: Sure.

ROBERT RIDENOUR: Can you hear me, sir?

ZHE: Yes.

ROBERT RIDENOUR: Okay, I got disconnected, I'm sorry.

ZHE: Oh, no problem.

ROBERT RIDENOUR: So, it's still telling me that only the host can share. It gave me rights temporarily but then it kicked me off.

ZHE: Oh yeah. It looks like there's two instances of your log on. Let's see if we can make you co-host again.

ROBERT RIDENOUR: There it goes. It's working now. Okay.

ZHE: Yeah.

ROBERT RIDENOUR: That's, that was taken at the front yard and I think that objective height was 5'7" at my mother-in-law's height like, eye level. So, that's the front, higher than the mailbox as an objective and then, I got one more and then that's just looking from the front door, out.

ZHE: I see.

ROBERT RIDENOUR: So, these pictures are kind of moot at this point because we understand we're moving the wall. I just wanted to clarify that the objectives of those pictures in the camera didn't look like they accurately represented it.

ZHE: Okay. No, I appreciate that.

ROBERT RIDENOUR: But as I said…

ZHE: Would you mind sending those to Suzie that way we have them in the record given that you showed them at the hearing, we can include him in the record?

ROBERT RIDENOUR: Yes, sir. And then, in closing, we already repeatedly have said, we understand we have to move it that's why it was halted but you know, most of the complaints that I did see is, the neighbors aren't opposed to it if we modify it so, I mean, pending this, we're happy to go through it and modify it like we originally tried to do before the miscommunication with Mr. Lucero and Ms. Surbey.

ZHE: Okay, thank you and then when you're saying Mr. Lucero…

ROBERT RIDENOUR: Yes, sir.

ZHE: That, obviously, that's not me, right?

ROBERT RIDENOUR: Oh no, no that, that's Mike Lucero, our neighbor to the north.

ZHE: Okay and then…

ROBERT RIDENOUR: Sorry.

ZHE: And then, when, when you say that - - So, in terms of your being amenable to modify the wall, moving it to where it's 10 feet back from the setback. Having that 10-foot setback, is that what you're talking about?

ROBERT RIDENOUR: Yes and then, I know Ms. Surbey and Mr. Lucero had some concerns about it being right on their property line. I'm not opposed to moving it off the property line to a point where it's amicable. I know we'd talked about that before that miscommunication happened. It's just, I wasn't willing to do anything to this until post hearing so, I'm not continuously spending money that might be a waste. So, I don't know if that's considered reasonable but in my mind, it is.

ZHE: Okay, well, let's - - Yeah, let's - - Anything else to add before we call for the public comment?

ROBERT RIDENOUR: No, sir.

ZHE: Okay, so we'll let the public comment and then you'll have a chance to respond.

ROBERT RIDENOUR: Yes, sir.

ZHE: Thank you. All right, so, this is agenda item 22 request for a taller wall at 1709 Conestoga. Please raise your hand if you'd like to speak on that matter. I see Mike Lucero with a hand raised. Are you there, sir? Looks like you're muted, there.

MIKE LUCERO: There?

ZHE: There you go.

MIKE LUCERO: Got me now?

ZHE: Yes. Thank you, sir.

MIKE LUCERO: Thanks! Before I get started too much, I wanted to say I had a lot of questions and I wanted to thank Ms. Sanchez for answering all the questions it was so great to have her as a resource and I appreciate all of her corporation and quick response.

ZHE: Very good so, - - And, just for the record, I have no relation to Mike Lucero other than we have the same last name…

MIKE LUCERO: Right.

ZHE: But would you please state your full name and mailing address for the record?

MIKE LUCERO: Michael Lucero, 1705 Conestoga SE, 87123, Albuquerque.

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

MIKE LUCERO: I do.

ZHE: Thank you, sir. Go ahead, two minutes please.

MIKE LUCERO: Okay, well I totally understand the Ridenours' want and need for security and their kids and everything, this wall is just not or even their request for a variance for a courtyard wall is not in keeping with the character of the neighborhood. This, we've been living with this for about four months and try as I might, I can't get used to it, even trying to envision it stuccoed. So, our, one of my main issues is, to have a tall wall, whether it's a courtyard wall or an existing wall, there's a place for a wall that height but this isn't that situation. It doesn't fit in the character of the neighborhood. Plus, it allows a hiding place for the bad guys to hang out. And so, that - - Being that is directly north or south of our house leaves us in a vulnerable position we don't feel comfortable having bad guys hiding over there, they're not always home, nobody is. And so, we don't like the idea that somebody could hide out there right next to our house. It blocks our view to the south. We often sit out front of our house and enjoy the evenings, in warmer weather, of course and, that kind of, that totally wiped that out. One of the things for the variance is that it has to have some unique need for that. There's nothing unique about that property that the rest the neighborhood has that's different than the rest of the neighborhood that would require a tall wall like that. So, we don't feel that would, is a valid reason for a variance, should they get a tall wall. The other, one other big thing is, if we allow these compound type walls, the wall creates a compound atmosphere, we don't want our

neighborhood to you know, have more of those as time goes on and have that be a precedence for that. We're really worried about our property values. We've talked to a couple different realtors that say that it would affect our property values and so, and our house especially in the neighborhoods in general. So, those are the major points. We've, you know, submitted, you know, written comments that are - -many of the others contain the rest of our, many of the other objections to the wall so I don't know where I am on time but yeah, in general we don't feel that the - - it fits the variance requirements. There's no other - - there's a couple other walls…

HEARING MONITOR: Excuse me, Robert. The time limit is up.

MIKE LUCERO: Okay, sorry. Thank you.

ZHE: Go ahead and finish that thought, sir.

MIKE LUCERO: What I was going to say is that, there's two other walls within the street that are away from the front of the house, as was mentioned in one of the earlier cases I was listening to today, the third wall would be ours, ours is higher than 4 foot but it doesn't extend beyond the front of the house so we don't feel that would be, should be calculated into the 20% of surrounding houses having walls over 4 foot.

ZHE: Okay, thank you, sir.

MIKE LUCERO: Okay, thank you.

ZHE: I see, it says, I think BJ Sur with a hand raised. Hello?

MS. SURBEY: Yes, hello?

ZHE: There you are. Would you please state your full name and mailing address for the record?

MS. SURBEY: Yes, thank you. My name is Barbara Surbey, I live at 1705 Conestoga Drive SE, Albuquerque, NM 87123.

ZHE: Thank you, ma'am. Please raise your right hand and do you affirm under penalty of perjury that your testimony today will be true?

MS. SURBEY: Yes.

ZHE: Thank you, ma'am, go ahead, two minutes please.

MS. SURBEY: Okay, I'm just saying that I opposed to the request permit for the subject property per the IDO code requirement, a courtyard wall requires a variance ZHE and we were told that no variance was applied for. The IDO definition of a courtyard is as follows, walls that are not on the lot line that enclose an outdoor space to form an outdoor courtyard. The variance states the wall must be greater than or equal to 10 feet from the lot line of abutting the street or

edge of the sidewalk closest to the primary building whichever is more restrictive. Currently, as mentioned, you know, the walls are 5 to 6 foot high. Robert is saying that they're you know, willing to move these walls. I was going to say, my husband and I are the adjacent property owners and we share the common lot line and are the most affected, you know, the most affected property by this construction. Also, their lot sits a little higher than ours and the - - So, the walls, I think they're measuring the height of the walls from inside their courtyard which makes them higher on the outside and on our side. When I reviewed the submittal paperwork, you know, the owner shows that the street side wall was 10 feet from the curb but this is not the case, it's only 6 and a 1/2 feet and they are in the public right of way. So, they would need to move their wall 12 feet towards their dwelling to you know, meet the variance. I wanted to show some pictures if it's okay and I don't have access to be able to do that on my computer so I just made some photos. Is it okay if I show these?

ZHE: Yes.

MS. SURBEY: Okay, this is the front of our house and these are the bedrooms. Let's see how I'm looking at this. These are our bedroom windows. We can no longer see to the south out of our bedroom windows due the wall. Looking at that wall, it's almost as high as our soffit and it's up nearly to the top of our windows so, when we look south we have no view but a block wall. The next picture and this makes us feel really, you know, we have problems with it because of security. This is looking out the bedroom windows, this is what we see. We can't see up the street at all. We have to walk clear out to the end of our driveway to be able to see past the wall and to see anything on the street past you know, up to the south of our property because the wall comes out so far. And then, here, here is the view from midway in our, our driveway. Here's the view midway, and our driveway and what I was going to say is, if they are to move their wall where it meets the variance code, that's where their front wall would be in parallel to the street. It comes back pretty far.

ZHE: I see.

MS. SURBEY: So, that would allow us more you know, visual but we would really like to get that wall also off the property line because they have to trespass into our property to be able to, anytime you know, to stucco that wall, to maintain it and they already trampled it and tore up our landscaping and threw our railroad ties into our shrubs and left a huge mess after they installed the initial wall which, they never got requests to come onto our property, at all. They never even told us they were going to build the wall and we just see that happening again because our landscaping goes right up to the property line. We see that happening again, if they have people to try to go in there and stucco the wall. So, we would really like to see that wall moved quite a few feet away from the common wall just so that they can maintain it and that would fit the definition of a courtyard wall. A courtyard wall not being on any property line. I don't know where I am on time.

HEARING MONITOR: The time limit is up, yes.

ZHE: Okay, thank you very much.

MS. SURBEY: Thank you.

ZHE: All right, excuse me everyone, let me…

ROBERT RIDENOUR: It looks like Jeffrey Mahn is trying to raise his hand so he can talk.

ZHE: Are you there? Are you there? It looks like you're muted, there. Are you there, sir?

JEFFREY MAHN: Robert? Is it Robert?

ZHE: Yes, yes.

JEFFREY MAHN: This is Jeff Mahn. I live right across the street from the Ridenours and we have never had any problems with what they have wanted to do…

ZHE: Let's…

JEFFREY MAHN: And, we think when the wall is completed

ZHE: Before you go further, let's get to sworn in.

JEFFREY MAHN: All right.

ZHE: Would you please state your full name and mailing address for the record?

JEFFREY MAHN: Jeffrey Mahn, M-A-H-N, address is 1708 Conestoga Drive SE.

ZHE: Thank you, sir. Please raise your right hand and do you affirm under penalty of perjury that your testimony today will be true?

JEFFREY MAHN: Yes, I do.

ZHE: Thank you, sir. Go ahead, two minutes please.

JEFFREY MAHN: As I said, we have never any difficulties with what they plan to do, knowing what the end product was going to look like. We believe that when it is finished it will work very, very nice. It will not be a detriment to the neighborhood in any respect as far as we're concerned. And, I don't believe, we haven't talked to any realtor about our home value but we don't believe that it will result in any decrease in home values in this neighborhood. [Did you want to say something? No?]

UNKNOWN SPEAKER: I'm just looking forward to the completion.

JEFFREY MAHN: Yes, we all are.

ZHE: Thank you, Mr. Mahn. Excuse me. All right, again, this is agenda item 22. Please raise your hand if you haven't yet spoken and you'd like to address that item. I'm looking through the participant list and I don't see anyone with a hand raised. Again, agenda item 22. Last call for agenda item 22. Okay, Mr. and Mrs. Ridenour, are you there?

ROBERT RIDENOUR: Yes, I'm still here.

ZHE: Oh good. All right, you heard the public comment, would you like to respond?

ROBERT RIDENOUR: No, it pretty much mirrors what I was talking about with, we know we have to move the wall, it's just a matter of getting it to where it needs to be so that's not a big concern. We've also talked to a couple Realtors, including some of the more prominent ones for the Four Hills area that said the current state would affect property values but once finished it won't, so. I think it's kind of just conjecture at this point. We also did replace the landscaping that was damaged. We did recommend we hold off until it was done so we didn't have to do it multiple times but we went ahead and fixed it so that, that was, that was taken care of.

ZHE: Okay.

ROBERT RIDENOUR: And, I have pictures that were submitted where you can see the property line and the railroad ties and the weed barrier and the rocks, all replaced.

ZHE: Okay, no that's, that's all right. That's not material to the items of the - - I'm sorry, the criteria but I do appreciate you working with your neighbors toward a resolution.

ROBERT RIDENOUR: Yes, sir.

JORDYN RIDENOUR: Mr. Lucero, I have - - This is Jordyn Ridenour, here.

ZHE: Yes.

JORDYN RIDENOUR: Just a couple comments. That - - The wall that Ms. Surbey was stalking about on her side, the north side, it is well within 6 inches of our property line. We had submitted our property survey with information on the wall and where it sits, not directly on the property line and we understand that it's close and stuccoing that side is going to be difficult and we don't wanna trespass on their property. And also, again, the corner, the north corner that Ms. Surbey showed in her pictures, it is 5'9" from that corner from the outside. I measured it myself. And, pulling out of their driveway, it doesn't block the right of way. There's plenty of feet there to see up the street, pulling out. So, I just wanted to correct some of those issues that we you know - - And again, when we pull it back to the 10 feet, per the IDO, that'll give you know, 3 and a 1/2 more feet of view up, up the road. So, the right of way will be more clear as well.

ZHE: Okay. All right, anything further from the applicants?

ROBERT RIDENOUR: No, sir. Like we said, we just, we apologize we got here based on some bad guidance and some links that probably need to be corrected on the City's website but we are, we will fix it, you know, whatever comes out of it to make sure it's in intolerance. So, we apologize for the current circumstances of it.

ZHE: Okay, well thank you, sir and thank you to everyone who participated, giving their comments and feedback and their submittals. I will take everything under consideration in the issue the written decision in 15 days.

ROBERT RIDENOUR: Yes, sir.

ZHE: Thank you, everyone.

ROBERT RIDENOUR: Have a good day.

ZHE: Have a good day. That concludes agenda item 22.

Planning Department
Alan Varela, Interim, Planning Director
Development Review Division
600 2nd Street NW – 3rd Floor
Albuquerque, NM 87102

NOTICE OF APPEAL

February 18, 2022

TO WHOM IT MAY CONCERN:

The Planning Department received an appeal on February 17, 2022. 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 Alfredo Ernesto Salas, Planning Administrative Assistant at (505) 924-3370.

Please refer to the enclosed excerpt from the City Council Rules of Procedure for Land Use Hearing Officer Rules of Procedure and Qualifications for any questions you may have regarding the Land Use Hearing Officer rules of 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 Crystal Ortega, Clerk to the Council, (505) 768-3100.

CITY COUNCIL APPEAL NUMBER: AC-22-6
PLANNING DEPARTMENT CASE FILE NUMBER:
PR-2021-0046303-VA-2021-00429-VA-2022-00044

APPLICANT: Michael A. Lucero & Barbara J. Surbey
1705 Conestoga Dr. SE
Albuquerque NM, 87123

cc: Crystal Ortega, City Council, City county bldg. 9th floor
Kevin Morrow/Legal Department, City Hall, 4th Floor-
Michael A. Lucero, malucero@comcast.net
Barbara J. Surbey, bjsurbey@comcast.net
Robert and Jordyn Ridenour, rkridnour@gmail.com
Jeffrey Mahn, jamahn47@gmail.com
Tommy Carrion, tcarrion2002@yahoo.com
Karen Hartsoch, scrappyredhead@outlook.com
Brian Broaddus, bbroaddus@gmail.com
Eileen Mahn, eamahn@gmail.com
Janita Luddeke, luddekejf@gmail.com
David Schams, dschams15@gmail.com
Heather Schriner, schriner3312@msn.com
Noah Parraz, prospect242424@yahoo.com
Mort Khodaie, mkhodaie29@yahoo.com

ZONING HEARING EXAMINER'S AGENDA

TUESDAY, January 18, 2022 9:00 A.M.

Join Zoom Meeting

https://cabq.zoom.us/j/7044490999

Meeting ID: 704 449 0999

One tap mobile
+1-669-900-6833,,7044490999# US (San Jose)
+1-253-215-8782,,7044490999# US (Tacoma)
Dial by your location
+1 669 900 6833 US (San Jose)
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)
+1 646 558 8656 US (New York)
+1 301 715 8592 US (Germantown)
+1 312 626 6799 US (Chicago)
Meeting ID: 704 449 0999

Find your local number: https://cabq.zoom.us/u/a2s7T1dnA

Robert Lucero, Esq., Zoning Hearing Examiner
Lorena Patten-Quintana, ZHE Planner
Suzie Sanchez, ZHE Administrative Assistant

****

For Inquiries Regarding This Agenda, Please Call The Planning Dept. at (505) 924-3894.

****

PLEASE ADDRESS ALL CORRESPONDENCE TO:
Robert Lucero, Esq., Zoning Hearing Examiner at
suzannasanchez@cabq.gov

****

NOTICE TO PEOPLE WITH DISABILITIES: If you have a disability and you require special assistance to participate in this hearing, please contact Planning Information at (505) 924-3860.

INTERPRETER NEEDED:

1.	VA-2021-00424	Project# PR-2021-006296	Edgar Escobedo (Agent, Iris Ortiz Moreno) requests a conditional use to allow for a family home daycare for Lot 20, Block 75, Westgate Heights Addn, located at 8805 Robby Ave SW, zoned R-1C [Section 14-16-4-3(F)(7)]

OLD BUSINESS:

2.	VA-2021-00359	Project# PR-2021-006085	Carlos Hernandez requests a variance to all a 6 ft solid wall in the front yard for Lot 8, Highland Place, located at 621 Santa Fe Ave SE, zoned R-1A [Section 14-16-5-7-D]
3.	VA-2021-00360	Project# PR-2021-006085	Carlos Hernandez requests a permit-wall or fence-major for Lot 8, Highland Place, located at 621 Santa Fe Ave SE, zoned R-1A [Section 14-16-5-7-D]
4.	VA-2021-00382	Project# PR-2021-002253	Marie Coleman (Agent, Owen Kramme) requests a conditional use to allow artisan manufacturing in the MX-T zone district Lot 231, MRGCD MAP 38, located at 522 Romero ST NW, zoned MX-T [Section 14-16-4-2]
5.	VA-2021-00383	Project# PR-2021-002253	Marie Coleman (Agent, Owen Kramme) requests a conditional use to allow artisan manufacturing in the MX-T zone district Lot 232A/Old Town Park, MRGCD MAP 38, located at 522 Romero ST NW, zoned MX-T [Section 14-16-4-2]
6.	VA-2021-00388	Project# PR-2021-006172	John & Debra Herring (Agent, Hilltop Landscaping) request a permit wall or fence major for Lot 4, Block 8, Haines Park Addn, located at 1512 Wellesley DR NE, zoned R-1C [Section 14-16-5-7(D)]

NEW BUSINESS:

7.	VA-2021-00401	Project# PR-2021-006199	First California Investment (Agent, Arch+Plan Land Use Consultants) requests a permit wall or fence major for Lots 19-24, Block 5, Holiday Park Unit 4, located at 1224 5th ST NW, zoned R-1A, [Section 14-16-5-7(D)(3)(g)]
8.	VA-2021-00413	Project# PR-2021-006288	Delilah Montoya requests a permit wall or fence major for Lot 17, Block 7, University Heights, located at 215 Cornell DR SE, zoned R-ML [Section 14-16-5-7(D)(3)(g)]
9.	VA-2021-00448	Project# PR-2021-006288	Delilah Montoya requests a permit wall or fence major for a court yard wall for Lot 17, Block 7, University Heights, located at 215 Cornell DR SE, zoned R-ML [Section 14-16-5-7(D)(3)(g)]
10.	VA-2021-00414	Project# PR-2021-006289	Joshua Krause requests a variance of 5 feet for the required 5 foot passage along the side yard for Lot 3 West 50 feet, Coronado Place Addn, located at 912 Forrester Ave NW, zoned R-1A [Section 14-16-5-11(C)(4)(e)]
11.	VA-2021-00415	Project# PR-2021-006290	Aaron and Melissa Soriano request a conditional use to allow for an accessory dwelling unit without a kitchen for Lot 38A1, MRGCD Map 32, located at 706 Sandia RD NW, zoned R-1D [Section 14-16-4-3(F)(5)(g)]

12.	VA-2021-00417	Project# PR-2020-004681	Stephen and Rhonda Protzen (Agent, Strata Design) request a variance to the view fencing requirement for a multi-family development for portions of a wall above 3 feet to allow a 5 foot solid wall/fence for Lot 10, Block 31, Mesa Court Addn, located at 1212 Carlisle Blvd SE, zoned R-MH [Section 14-16-5-7(D)(3)(c)]
13.	VA-2021-00418	Project# PR-2020-004681	Stephen and Rhonda Protzen (Agent, Strata Design) request a variance to the view fencing requirement for a multi-family development for portions of a wall above 3 feet to allow a 5 foot solid wall/fence for Lot 11, Block 31, located at 1216 Carlisle Blvd SE, zoned R-MH [Section 14-16-5-7(D)(3)(c)]
14.	VA-2021-00419	Project# PR-2019-002412	WTC, ABQ Common LLC (Agent, Consensus Planning) requests a conditional use to allow for an RV storage lot in an NR-BP zone for Lot 10, Las Lomitas Business Park, located at 1330 Cuesta Abajo CT NE , zoned NR-BP [Section 14-16-4-3(D)(21)]
15.	VA-2021-00421	Project# PR-2021-006292	Mark Sanchez requests a variance of 2 feet to the required 5 foot setback from a property line for Lot 12-P1, Rio Del Norte, located at 2520 Griegos PL NW, zoned R-A [Section 14-16-5-1(G)]
16.	VA-2021-00422	Project# PR-2021-006293	Angela Ornsby (Agent, Ryan Mayfield) requests a variance of 3 feet 6 inches to the required 10 foot side yard setback for Lot 10, Block 2A, Guttierrez- - Ofimiano J Lower, located at 8909 La Barranca Ave NE, zoned R-1D [Section 14-16-5-1]
17.	VA-2021-00423	Project# PR-2021-006294	James Bryant requests a taller wall permit major for Lot 2, McDougall Addn, located at 1225 Headingly Ave NW, zoned R-1B [Section 14-16-5-7-(D)(3)(g)]
18.	VA-2021-00425	Project# PR-2021-006299	Melanie Benavidez requests a taller wall permit in the front yard for Lot 28, Block C, Desert Springs Unit 2, located at 7901 Blue Avena Ave SW, zoned R-1A [Section 14-16-5-7(D)(3)(g)]
19.	VA-2021-00426	Project# PR-2021-006300	Christopher and Willa Inbody (Agent, ABQ Land Use Consulting LLC) requesting a variance of 3 feet to the required 10 foot street side setback for Lot 1A, Butterfield 2B, located at 6301 Lamy ST NW, zoned R-1B [Section 14-16-5-1]
20.	VA-2021-00427	Project# PR-2021-006301	Danielle and Mario Griego (Agent, Strata Design) request a permit wall or fence major for Lot 1, Block 23, Mesa Court Addn, located at 3901 Simms Ave SE, zoned R-1B [Section 14-16-5-7(D)]

21.	VA-2021-00428	Project# PR-2021-006301	Danielle and Mario Griego (Agent, Strata Design) request a variance of 3 ft to the 3 ft maximum wall height to allow a solid wall/fence for Lot 1, Block 23, Mesa Court Addn, located at 3901 Simms Ave SE, zoned R-1B [Section 14-16-5-7(D)]
22.	VA-2021-00429	Project# PR-2021-006303	Robert and Jordyn Ridenour request a permit for a taller wall major for a courtyard wall in the front yard for Lot 24, Block 54A, Four Hills Village, located at 1709 Conestoga DR SE, zoned R-1D [Section 14-16-5-7(D)(3)(g)]
23.	VA-2021-00431	Project# PR-2021-006304	Shannon Letourneau requests a permit to allow for a carport in the side yard setback for Lot 6, Block 12, Eastridge Addn Unit 4, located at 1321 Paisano ST NE, zoned R-1C [Section 14-16-5-5(F)(2)(a)(3)(b)]
24.	VA-2021-00432	Project# PR-2021-006304	Shannon Letourneau requests a variance of 2 ft 3 inches to the required carport setback of 3 feet for Lot 6, Block 12, Eastridge Addn Unit 4, located at 1321 Paisano ST NE, zoned R-1C [Section 14-16-5-5(F)(2)(a)(3)(c)]
25.	VA-2021-00435	Project# PR-2021-006306	Pauline Alvarado and Elias Alvarado (Agent, ABQ Land Use Consulting LLC) request a variance of 3 ft to the 3 ft solid wall height in the front yard for Lot 4, Block J, Highland Addn, located at 717 Hazeldine AVE SE, zoned R-1A [Section 14-16-5-7(D)(1)]
26.	VA-2021-00437	Project# PR-2021-006306	Pauline Alvarado and Elias Alvarado (Agent, ABQ Land Use Consulting LLC) request a variance of 3 ft to the 3 ft solid wall height in the side yard for Lot 4, Block J, Highland Addn, located at 717 Hazeldine AVE SE, zoned R-1A [Section 14-16-5-7(D)(1)]
27.	VA-2021-00438	Project# PR-2021-006306	Pauline Alvarado and Elias Alvarado (Agent, ABQ Land Use Consulting LLC) request a permit for a taller court yard wall major for Lot 4, Block J, Highland Addn, located at 717 Hazeldine AVE SE, zoned R-1A [Section 14-16-5-7(D)(3)(g)]
28.	VA-2021-00440	Project# PR-2021-006306	Pauline Alvarado and Elias Alvarado (Agent, ABQ Land Use Consulting LLC) request a variance of 3 feet to the required 3 ft from a lot line for Lot 4, Block J, Highland Addn, located at 717 Hazeldine AVE SE, zoned R-1A Section 14-16-5-5(F)(2)(a)(3)(c)]
29.	VA-2021-00441	Project# PR-2021-006306	Pauline Alvarado and Elias Alvarado (Agent, ABQ Land Use Consulting LLC) request a permit to allow for a carport in the front yard setback Lot 4, Block J, Highland Addn, located at 717 Hazeldine AVE SE, zoned R-1A Section 14-16-5-5(F)(2)(a)(3)(b)]

30.	VA-2021-00442	Project# PR-2021-005716	Nelson Lujan and Paulette Baca (Agent, Cartesian Survey's Inc) request a variance of 0.0319 acres to allow for each of 3 lots smaller than the allowed contextual lot size for Lot 93A3, MRGCD Map 40, located at 711 7th ST SW, zoned R-1A [Section 14-16-5-1(C)(2)(b)]
31.	VA-2021-00449	Project# PR-2021-006330	Samuel Jacob Reynolds (Agent, Dave Bennett) requests a permit for a taller court yard wall major for Lot 20, Block 14, Broadmoor Addn, located at 4200 Brockmont Ave NE, zoned R-1B [Section 14-16-5-7(D)(3)(g)]
32.	VA-2021-00450	Project# PR-2021-006631	Lucinda McConnell requests a taller courtyard wall in the front yard for Lot 12, Block20, Hill John, located at 1429 Wellesley DR NE, zoned R-1C [Section 14-16-5-7(D)(3)(g)]