



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

Daniel Gallegos requests a permit wall major in the street side yard for Lot 8, Block 1, Atrisco Ct, located at 9800 Ryno CT SW, zoned R-T [Section 14-16-5-7(D)(3)(g)]

Special Exception No:..... **VA-2022-00151**
Project No: **Project#2022-007122**
Hearing Date: 07-19-22
Closing of Public Record: 07-19-22
Date of Decision: 08-03-22

On the 19th day of July, 2022, property owner Daniel Gallegos (“Applicant”) appeared before the Zoning Hearing Examiner (“ZHE”) requesting a permit wall major in the street side yard (“Application”) upon the real property located at 9800 Ryno CT SW (“Subject Property”). Below are the ZHE’s finding of fact and decision:

FINDINGS:

1. Applicant is requesting a permit wall major in the street side yard.
2. City Integrated Development Ordinance (IDO) Section 14-16-6-4(K)(3) requires that the proper “Notice of Hearing” signage be posted for the required time period. Opponents to the Application submitted written and photographic evidence that the notice sign was down for at least some portion of the required posting period. Applicant should be granted additional time to allow for posting of the notice sign for the entirety of the required period.
3. Also, Applicant and the public should be allowed additional time to submit additional evidence as to whether IDO Section 14-16-6 6(H)(3) is satisfied and, in particular, whether *“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.”*
4. Under the foregoing circumstances, a continuance of this matter is appropriate.

DECISION:

CONTINUANCE of the Application to the August 16, 2022 ZHE hearing, beginning at 9:00 a.m.

APPEAL:

If you wish to appeal this decision, you must do so by August 18, 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.

A handwritten signature in dark ink, appearing to read "Robert Lucero". The signature is fluid and cursive, with the first name "Robert" and last name "Lucero" clearly distinguishable.

Robert Lucero, Esq.
Zoning Hearing Examiner

cc:

ZHE File
Zoning Enforcement
Daniel Gallegos, dgallegos38@gmail.com
Joe Benefield, hosshenry_3@msn.com
Kelly Mongiello., kellypbt12@gmail.com



CITY OF ALBUQUERQUE
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NOTIFICATION OF DECISION

Daniel Gallegos requests a variance of 3 ft to allow for a 6 ft high solid wall on the street side for Lot 8, Block 1, Atrisco Ct, located at 9800 Ryno CT SW, zoned R-T [Section 14-16-5-7(D)(1)]

Special Exception No:..... **VA-2022-00152**
Project No: **Project#2022-007122**
Hearing Date: 07-19-22
Closing of Public Record: 07-19-22
Date of Decision: 08-03-22

On the 19th day of July, 2022, property owner Daniel Gallegos (“Applicant”) appeared before the Zoning Hearing Examiner (“ZHE”) requesting a variance of 3 ft to allow for a 6 ft high solid wall on the street side (“Application”) upon the real property located at 9800 Ryno CT SW (“Subject Property”). Below are the ZHE’s finding of fact and decision:

FINDINGS:

1. Applicant is requesting a variance of 3 ft to allow for a 6 ft high solid wall on the street side.
2. City Integrated Development Ordinance (IDO) Section 14-16-6-4(K)(3) requires that the proper “Notice of Hearing” signage be posted for the required time period. Opponents to the Application submitted written and photographic evidence that the notice sign was down for at least some portion of the required posting period. Applicant should be granted additional time to allow for posting of the notice sign for the entirety of the required period.
3. Under the foregoing circumstances, a continuance of this matter is appropriate.

DECISION:

CONTINUANCE of the Application to the August 16, 2022 ZHE hearing, beginning at 9:00 a.m.

APPEAL:

If you wish to appeal this decision, you must do so by August 18, 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

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