



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

REQUEST FOR EXTENSIONS OF PERIOD OF VALIDITY FOR THE FOLLOWING:

Special Exception No: VA-2021- 00025
Project No: PR- 2019-002677
Original Hearing Date: March 16, 2021
Closing of Original Public Record: March 16, 2021
Date of Original Decision: March 31, 2021

Applicant filed a written request for a time extension on the approved applications listed above.

Below are the ZHE's findings and decision:

FINDINGS:

1. Applicant is requesting a time extension on the approved application listed above.
2. The City of Albuquerque Integrated Development Ordinance (IDO) Section 14-16-6-4(X)(4)(a) (Extensions of Period of Validity; General Provisions) reads, in pertinent part:
 1. *For each permit or approval for which Table 6-4-3 shows an expiration period, except an impact fee assessment or a Site Plan, the original decision-making body may approve 1 extension of validity for good cause shown for a time not to exceed the original period of validity for that permit or approval, provided that all of the following requirements are met:*
 - a. *The applicant or property owner submits a written request for the time extension before the expiration of the original permit or approval with the Planning Director.*
 - b. *The extension is considered and a decision made by the same decision-making body as the initial approval, except that no public meeting or hearing shall be required, if one would have been required under the IDO for the initial approval.*
3. The ZHE queries whether an extension is necessary in this case, given that, consistent with IDO Section 14-16-6-4(X)(2)(b), it appears that Applicant began construction work in furtherance of the approval within the time period shown in IDO Table 6.4.3 applicable to the approval, and that Applicant continues with such construction activity in furtherance of the approval.

4. Nevertheless, Applicant has demonstrated good cause for the requested extension.
5. Applicant's request for extension was considered and made upon the same procedure required for the initial approvals, except that no public hearing is required, consistent with and pursuant to IDO Section 14-16-6-4(X)(4)(a)(1)(b).
6. Applicant's application for time extension, to the extent such extension is necessary, should be, and hereby is, approved.

DECISION:

Dated as of November 22, 2022

APPROVAL of the request for a time extension of one (1) year of date of original decision (to March 31, 2023) on the approved application listed above.



Robert Lucero, Esq.
Zoning Hearing Examiner

cc: ZHE File
Zoning Enforcement