



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

Larry Garcia requests a variance to be 3 foot to the required 10 foot corner side yard setback for Lot 16, Block F, Prairie Ridge Unit 1, located at 4609 Prairie View RD NW, zoned R-1B [Section 14-16-5-1(C)(1)]

Special Exception No: **VA-2022-00249**  
.....  
Project No: **Project#2022-007577**  
.....  
Hearing Date: 10-18-22  
.....  
Closing of Public Record: 11-02-22  
.....  
Date of Decision: 11-02-22  
.....

On the 18th day of October, 2022, property owner Larry Garcia (“Applicant”) appeared before the Zoning Hearing Examiner (“ZHE”) requesting a variance to be 3 foot to the required 10 foot corner side yard setback (“Application”) upon the real property located at 4609 Prairie View RD NW (“Subject Property”). Below are the ZHE’s finding of fact and decision:

FINDINGS:

1. Applicant is requesting a variance to be 3 foot to the required 10 foot corner side yard setback.
2. Applicant failed to appear at the October 18, 2022 ZHE hearing in this matter.
3. Applicant has not submitted sufficient evidence or justification to allow approval of the Application.
4. Applicant should be granted a one-time continuance to the next ZHE hearing, on November 15, 2022, to submit sufficient evidence and justification in support of the Application and to appear in support of the Application. If Applicant fails to do so, the Application will be denied.

DECISION:

CONTINUANCE of the Application to the November 15, 2022 ZHE hearing, beginning at 9:00 a.m.

APPEAL:

If you wish to appeal this decision, you must do so by November 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  
Larry Garcia, lgarcia@brycon.com