



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

Vincent & Rebecca Sanchez (Agent, Yolanda Montoya) requests a variance of 14ft 6.5 inches to the required 15-foot front yard setback for Lot 291B, MRGCD Map 38, located at 2514 Carson RD NW, zoned R-1C [Section 14-16-5-1]

Special Exception No: **VA-2023-00164**
Project No: **Project#2022-006926**
Hearing Date: 10-17-23
Closing of Public Record: 10-17-23
Date of Decision: 11-01-23

On the 17th day of October, 2023, Yolanda Montoya, agent for property owner Vincent & Rebecca Sanchez (“Applicant”) appeared before the Zoning Hearing Examiner (“ZHE”) requesting a variance of 14ft 6.5 inches to the required 15-foot front yard setback (“Application”) upon the real property located at 2514 Carson RD NW (“Subject Property”). Below are the ZHE’s finding of fact and decision:

FINDINGS:

1. Applicant is requesting a variance of 14ft 6.5 inches to the required 15-foot front yard setback.
2. The City of Albuquerque Integrated Development Ordinance, Section 14-16-6-6(O)(3)(a) (Variance-Review and Decision Criteria) reads: “... *an application for a Variance-ZHE shall be approved if it meets all of the following criteria:*
 - (1) *There are special circumstances applicable to the subject property that are not self-imposed and that do not apply generally to other property in the same zone and vicinity such as size, shape, topography, location, surroundings, or physical characteristics created by natural forces or government action for which no compensation was paid. Such special circumstances of the property either create an extraordinary hardship in the form of a substantial and unjustified limitation on the reasonable use or return on the property, or practical difficulties result from strict compliance with the minimum standards.*
 - (2) *The Variance will not be materially contrary to the public safety, health, or welfare.*
 - (3) *The Variance does not cause significant material adverse impacts on surrounding properties or infrastructure improvements in the vicinity.*
 - (4) *The Variance will not materially undermine the intent and purpose of this IDO, the applicable zone district, or any applicable Overlay Zone.*
 - (5) *The Variance approved is the minimum necessary to avoid extraordinary hardship or practical difficulties.*”
3. 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. 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. Applicant appeared at the ZHE hearing on this matter and gave evidence in support of the Application.
6. Applicant established that the proper "Notice of Hearing" signage was posted for the required time period.
7. Applicant established that all property owners and neighborhood association entitled to notice were notified of the Application.
8. Applicant established that proper notice was provided pursuant to IDO requirements.
9. Applicant has authority to pursue this Application.
10. The subject property is currently zoned R-1C.
11. Based on evidence submitted by or on behalf of Applicant, it appears that there are special circumstances applicable to the Subject Property that are not self-imposed and that do not apply generally to other property in the same zone and vicinity such as size, shape, topography, location, surroundings, or physical characteristics created by natural forces or government action for which no compensation was paid, as required by Section 14-16-6-6(O)(3)(a)(1). Specifically, Applicant confirmed in oral testimony and submitted evidence that, the Subject Property's unique size, shape and layout based on historic development under prior approval regimes, as well as the location of existing public and private improvements on site and on neighboring properties, create special circumstances. These special circumstances create an extraordinary hardship in the form of a substantial and unjustified limitation on the reasonable use or return on the Subject Property, because compliance with the minimum standards would not allow for the reasonably proposed use, which otherwise would be in compliance with the IDO.
12. Although the Application as originally submitted may have been contrary to the public safety, health and welfare of the community, based on evidence in the record and revisions to the Application by Applicant, and with the conditions of approval specified, below, the variance will not be contrary to the public safety, health and welfare of the community as required by Section 14-16-6-6(O)(3)(a)(2). The Subject Property is located along a congested street along which no sidewalks exist. Opponents of the Application submitted evidence that the proposed variance would pose a danger to pedestrian and vehicle traffic. However, Applicants revised the Application to reduce the size of the proposed house and reduce the size of the requested variances. Garage entrances will not open directly onto Carson Rd. NW, but instead would open onto a driveway on the Subject Property, parallel with Carson Rd. Applicants also agreed to build no fence or wall between the structure and the public right of way. These revisions mitigate any potential negative impact to public safety, health and welfare of the community. Further, evidence was submitted supporting that, if granted approval, the Applicant intends to construct the proposed project in a manner that is consistent with the IDO and the Development Process Manual (DPM).
13. The City Traffic Engineer submitted a report stating no objection to the proposed variance.
14. Based on evidence submitted by or on behalf of Applicant, the variance will not cause significant adverse material impacts on surrounding properties or infrastructure improvements in the vicinity as required by Section 14-16-6-6(O)(3)(a)(3). The Subject Property is located along a congested street along which no sidewalks exist. Opponents of the Application submitted evidence that the proposed variance would pose a danger to pedestrian and vehicle traffic. However, Applicants revised the Application to reduce the size of the proposed house and reduce the size of the requested variances. Garage entrances will not open directly onto Carson Rd. NW, but instead would open onto a driveway on the Subject Property, parallel

with Carson Rd. Applicants also agreed to build no fence or wall between the structure and the public right of way. These revisions mitigate any potential negative impact to public safety, health and welfare of the community.

15. Based on evidence submitted by or on behalf of Applicant, the variance will not materially undermine the intent and purpose of the IDO or applicable zone district as required by Section 14-16-6-6(O)(3)(a)(4). Specifically, Applicant confirmed in written submittals that the intent of IDO will still be met in that the subject site will be in harmony with existing uses and the proposed variance would merely add to the useability of the site.
16. The proposed variance is the minimum necessary to avoid extraordinary hardship or practical difficulties as required by Section 14-16-6-6(O)(3)(a)(5). Evidence supports that, because of the size and shape of the Subject Property, any smaller variance would result in extraordinary hardship and practical difficulties.
17. The requirements of IDO Section 14-16-6-6(O)(3)(a) are satisfied.

DECISION:

APPROVAL WITH CONDITIONS of a variance of 11 feet to the required 15-foot front yard setback.

CONDITIONS:

1. No portion of any structure may be constructed within 4 feet of the public right of way.
2. No fence or wall that is closer to the public right of way than the house to be constructed may be placed on the Subject Property.
3. Garage entrances will not open directly onto Carson Rd. NW, but instead will open onto a driveway on the Subject Property, parallel with Carson Rd.

APPEAL:

If you wish to appeal this decision, you must do so by November 16, 2023 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.



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ZHE File

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Arlyn Crow, 4516 Oxbow TRL NW, 87120



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

Vincent & Rebecca Sanchez (Agent, Yolanda Montoya) requests a variance of 10ft 5.5 inches to the required 15-foot rear yard setback for Lot 291B, MRGCD Map 38, located at 2514 Carson RD NW, zoned R-1C [Section 14-16-5-1]

Special Exception No: **VA-2023-00165**
Project No: **Project#2022-006926**
Hearing Date: 10-17-23
Closing of Public Record: 10-17-23
Date of Decision: 11-01-23

On the 17th day of October, 2023, Yolanda Montoya, agent for property owner Vincent & Rebecca Sanchez (“Applicant”) appeared before the Zoning Hearing Examiner (“ZHE”) requesting a variance of 10ft 5.5 inches to the required 15-foot rear yard setback (“Application”) upon the real property located at 2514 Carson RD NW (“Subject Property”). Below are the ZHE’s finding of fact and decision:

FINDINGS:

1. Applicant is requesting a variance of 10ft 5.5 inches to the required 15-foot rear yard setback.
2. The City of Albuquerque Integrated Development Ordinance, Section 14-16-6-6(O)(3)(a) (Variance-Review and Decision Criteria) reads: “... *an application for a Variance-ZHE shall be approved if it meets all of the following criteria:*
 - (1) *There are special circumstances applicable to the subject property that are not self-imposed and that do not apply generally to other property in the same zone and vicinity such as size, shape, topography, location, surroundings, or physical characteristics created by natural forces or government action for which no compensation was paid. Such special circumstances of the property either create an extraordinary hardship in the form of a substantial and unjustified limitation on the reasonable use or return on the property, or practical difficulties result from strict compliance with the minimum standards.*
 - (2) *The Variance will not be materially contrary to the public safety, health, or welfare.*
 - (3) *The Variance does not cause significant material adverse impacts on surrounding properties or infrastructure improvements in the vicinity.*
 - (4) *The Variance will not materially undermine the intent and purpose of this IDO, the applicable zone district, or any applicable Overlay Zone.*
 - (5) *The Variance approved is the minimum necessary to avoid extraordinary hardship or practical difficulties.*”
3. 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. 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. Applicant appeared at the ZHE hearing on this matter and gave evidence in support of the Application.
6. Applicant established that the proper "Notice of Hearing" signage was posted for the required time period.
7. Applicant established that all property owners and neighborhood association entitled to notice were notified of the Application.
8. Applicant established that proper notice was provided pursuant to IDO requirements.
9. Applicant has authority to pursue this Application.
10. The subject property is currently zoned R-1C.
11. Based on evidence submitted by or on behalf of Applicant, it appears that there are special circumstances applicable to the Subject Property that are not self-imposed and that do not apply generally to other property in the same zone and vicinity such as size, shape, topography, location, surroundings, or physical characteristics created by natural forces or government action for which no compensation was paid, as required by Section 14-16-6-6(O)(3)(a)(1). Specifically, Applicant confirmed in oral testimony and submitted evidence that, the Subject Property's unique size, shape and layout based on historic development under prior approval regimes, as well as the location of existing public and private improvements on site and on neighboring properties, create special circumstances. These special circumstances create an extraordinary hardship in the form of a substantial and unjustified limitation on the reasonable use or return on the Subject Property, because compliance with the minimum standards would not allow for the reasonably proposed use, which otherwise would be in compliance with the IDO.
12. Although the Application as originally submitted may have been contrary to the public safety, health and welfare of the community, based on evidence in the record and revisions to the Application by Applicant, and with the conditions of approval specified, below, the variance will not be contrary to the public safety, health and welfare of the community as required by Section 14-16-6-6(O)(3)(a)(2). The Subject Property is located along a congested street along which no sidewalks exist. Opponents of the Application submitted evidence that the proposed variance would pose a danger to pedestrian and vehicle traffic. However, Applicants revised the Application to reduce the size of the proposed house and reduce the size of the requested variances. Garage entrances will not open directly onto Carson Rd. NW, but instead would open onto a driveway on the Subject Property, parallel with Carson Rd. Applicants also agreed to build no fence or wall between the structure and the public right of way. These revisions mitigate any potential negative impact to public safety, health and welfare of the community. Further, evidence was submitted supporting that, if granted approval, the Applicant intends to construct the proposed project in a manner that is consistent with the IDO and the Development Process Manual (DPM).
13. The City Traffic Engineer submitted a report stating no objection to the proposed variance.
14. Based on evidence submitted by or on behalf of Applicant, the variance will not cause significant adverse material impacts on surrounding properties or infrastructure improvements in the vicinity as required by Section 14-16-6-6(O)(3)(a)(3). The Subject Property is located along a congested street along which no sidewalks exist. Opponents of the Application submitted evidence that the proposed variance would pose a danger to pedestrian and vehicle traffic. However, Applicants revised the Application to reduce the size of the proposed house and reduce the size of the requested variances. Garage entrances will not open directly onto Carson Rd. NW, but instead would open onto a driveway on the Subject Property, parallel

with Carson Rd. Applicants also agreed to build no fence or wall between the structure and the public right of way. These revisions mitigate any potential negative impact to public safety, health and welfare of the community.

15. Based on evidence submitted by or on behalf of Applicant, the variance will not materially undermine the intent and purpose of the IDO or applicable zone district as required by Section 14-16-6-6(O)(3)(a)(4). Specifically, Applicant confirmed in written submittals that the intent of IDO will still be met in that the subject site will be in harmony with existing uses and the proposed variance would merely add to the useability of the site.
16. The proposed variance is the minimum necessary to avoid extraordinary hardship or practical difficulties as required by Section 14-16-6-6(O)(3)(a)(5). Evidence supports that, because of the size and shape of the Subject Property, any smaller variance would result in extraordinary hardship and practical difficulties.
17. The requirements of IDO Section 14-16-6-6(O)(3)(a) are satisfied.

DECISION:

APPROVAL WITH CONDITIONS of a variance of 10 feet 5.5 inches to the required 15-foot rear yard setback.

CONDITIONS:

1. No portion of any structure may be constructed within 4 feet of the public right of way.
2. No fence or wall that is closer to the public right of way than the house to be constructed may be placed on the Subject Property.
3. Garage entrances will not open directly onto Carson Rd. NW, but instead will open onto a driveway on the Subject Property, parallel with Carson Rd.

APPEAL:

If you wish to appeal this decision, you must do so by November 16, 2023 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.



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Zoning Hearing Examiner

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

Vincent & Rebecca Sanchez (Agent, Yolanda Montoya) requests a variance of 15 ft to the required 15-foot front yard setback for Lot 291A, MRGCD Map 38, located at 2518 Carson RD NW, zoned R-1C [Section 14-16-5-1]

Special Exception No: **VA-2023-00166**
Project No: **Project#2022-006926**
Hearing Date: 10-17-23
Closing of Public Record: 10-17-23
Date of Decision: 11-01-23

On the 17th day of October, 2023, Yolanda Montoya, agent for property owner Vincent & Rebecca Sanchez (“Applicant”) appeared before the Zoning Hearing Examiner (“ZHE”) requesting a variance of 15 ft to the required 15-foot front yard setback (“Application”) upon the real property located at 2518 Carson RD NW (“Subject Property”). Below are the ZHE’s finding of fact and decision:

FINDINGS:

1. Applicant is requesting a variance of 15 ft to the required 15-foot front yard setback.
2. The City of Albuquerque Integrated Development Ordinance, Section 14-16-6-6(O)(3)(a) (Variance-Review and Decision Criteria) reads: “... *an application for a Variance-ZHE shall be approved if it meets all of the following criteria:*
 - (1) *There are special circumstances applicable to the subject property that are not self-imposed and that do not apply generally to other property in the same zone and vicinity such as size, shape, topography, location, surroundings, or physical characteristics created by natural forces or government action for which no compensation was paid. Such special circumstances of the property either create an extraordinary hardship in the form of a substantial and unjustified limitation on the reasonable use or return on the property, or practical difficulties result from strict compliance with the minimum standards.*
 - (2) *The Variance will not be materially contrary to the public safety, health, or welfare.*
 - (3) *The Variance does not cause significant material adverse impacts on surrounding properties or infrastructure improvements in the vicinity.*
 - (4) *The Variance will not materially undermine the intent and purpose of this IDO, the applicable zone district, or any applicable Overlay Zone.*
 - (5) *The Variance approved is the minimum necessary to avoid extraordinary hardship or practical difficulties.”*
3. 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. 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. Applicant appeared at the ZHE hearing on this matter and gave evidence in support of the Application.
6. Applicant established that the proper "Notice of Hearing" signage was posted for the required time period.
7. Applicant established that all property owners and neighborhood association entitled to notice were notified of the Application.
8. Applicant established that proper notice was provided pursuant to IDO requirements.
9. Applicant has authority to pursue this Application.
10. The subject property is currently zoned R-1C.
11. Based on evidence submitted by or on behalf of Applicant, it appears that there are special circumstances applicable to the Subject Property that are not self-imposed and that do not apply generally to other property in the same zone and vicinity such as size, shape, topography, location, surroundings, or physical characteristics created by natural forces or government action for which no compensation was paid, as required by Section 14-16-6-6(O)(3)(a)(1). Specifically, Applicant confirmed in oral testimony and submitted evidence that, the Subject Property's unique size, shape and layout based on historic development under prior approval regimes, as well as the location of existing public and private improvements on site and on neighboring properties, create special circumstances. These special circumstances create an extraordinary hardship in the form of a substantial and unjustified limitation on the reasonable use or return on the Subject Property, because compliance with the minimum standards would not allow for the reasonably proposed use, which otherwise would be in compliance with the IDO.
12. Although the Application as originally submitted may have been contrary to the public safety, health and welfare of the community, based on evidence in the record and revisions to the Application by Applicant, and with the conditions of approval specified, below, the variance will not be contrary to the public safety, health and welfare of the community as required by Section 14-16-6-6(O)(3)(a)(2). The Subject Property is located along a congested street along which no sidewalks exist. Opponents of the Application submitted evidence that the proposed variance would pose a danger to pedestrian and vehicle traffic. However, Applicants revised the Application to reduce the size of the proposed house and reduce the size of the requested variances. Garage entrances will not open directly onto Carson Rd. NW, but instead would open onto a driveway on the Subject Property, parallel with Carson Rd. Applicants also agreed to build no fence or wall between the structure and the public right of way. These revisions mitigate any potential negative impact to public safety, health and welfare of the community. Further, evidence was submitted supporting that, if granted approval, the Applicant intends to construct the proposed project in a manner that is consistent with the IDO and the Development Process Manual (DPM).
13. The City Traffic Engineer submitted a report stating no objection to the proposed variance.
14. Based on evidence submitted by or on behalf of Applicant, the variance will not cause significant adverse material impacts on surrounding properties or infrastructure improvements in the vicinity as required by Section 14-16-6-6(O)(3)(a)(3). The Subject Property is located along a congested street along which no sidewalks exist. Opponents of the Application submitted evidence that the proposed variance would pose a danger to pedestrian and vehicle traffic. However, Applicants revised the Application to reduce the size of the proposed house and reduce the size of the requested variances. Garage entrances will not open directly onto Carson Rd. NW, but instead would open onto a driveway on the Subject Property, parallel

with Carson Rd. Applicants also agreed to build no fence or wall between the structure and the public right of way. These revisions mitigate any potential negative impact to public safety, health and welfare of the community.

15. Based on evidence submitted by or on behalf of Applicant, the variance will not materially undermine the intent and purpose of the IDO or applicable zone district as required by Section 14-16-6-6(O)(3)(a)(4). Specifically, Applicant confirmed in written submittals that the intent of IDO will still be met in that the subject site will be in harmony with existing uses and the proposed variance would merely add to the useability of the site.
16. The proposed variance is the minimum necessary to avoid extraordinary hardship or practical difficulties as required by Section 14-16-6-6(O)(3)(a)(5). Evidence supports that, because of the size and shape of the Subject Property, any smaller variance would result in extraordinary hardship and practical difficulties.
17. The requirements of IDO Section 14-16-6-6(O)(3)(a) are satisfied.

DECISION:

APPROVAL WITH CONDITIONS of a variance of 11 ft to the required 15-foot front yard setback.

CONDITIONS:

1. No portion of any structure may be constructed within 4 feet of the public right of way.
2. No fence or wall that is closer to the public right of way than the house to be constructed may be placed on the Subject Property.
3. Garage entrances will not open directly onto Carson Rd. NW, but instead will open onto a driveway on the Subject Property, parallel with Carson Rd.

APPEAL:

If you wish to appeal this decision, you must do so by November 16, 2023 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.

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CITY OF ALBUQUERQUE
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ZONING HEARING EXAMINER
NOTIFICATION OF DECISION

Vincent & Rebecca Sanchez (Agent, Yolanda Montoya) requests a variance of 10ft 4.5 inches to the required 15-foot rear yard setback for Lot 291A, MRGCD Map 38, located at 2518 Carson RD NW, zoned R-1C [Section 14-16-5-1]

Special Exception No: **VA-2023-00167**
Project No: **Project#2022-006926**
Hearing Date: 10-17-23
Closing of Public Record: 10-17-23
Date of Decision: 11-01-23

On the 17th day of October, 2023, Yolanda Montoya, agent for property owner Vincent & Rebecca Sanchez (“Applicant”) appeared before the Zoning Hearing Examiner (“ZHE”) requesting a variance of 10ft 4.5 inches to the required 15-foot rear yard setback (“Application”) upon the real property located at 2518 Carson RD NW (“Subject Property”). Below are the ZHE’s finding of fact and decision:

FINDINGS:

1. Applicant is requesting a variance of 10ft 4.5 inches to the required 15-foot rear yard setback.
2. The City of Albuquerque Integrated Development Ordinance, Section 14-16-6-6(O)(3)(a) (Variance-Review and Decision Criteria) reads: “... *an application for a Variance-ZHE shall be approved if it meets all of the following criteria:*
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6. Applicant established that the proper "Notice of Hearing" signage was posted for the required time period.
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10. The subject property is currently zoned R-1C.
11. Based on evidence submitted by or on behalf of Applicant, it appears that there are special circumstances applicable to the Subject Property that are not self-imposed and that do not apply generally to other property in the same zone and vicinity such as size, shape, topography, location, surroundings, or physical characteristics created by natural forces or government action for which no compensation was paid, as required by Section 14-16-6-6(O)(3)(a)(1). Specifically, Applicant confirmed in oral testimony and submitted evidence that, the Subject Property's unique size, shape and layout based on historic development under prior approval regimes, as well as the location of existing public and private improvements on site and on neighboring properties, create special circumstances. These special circumstances create an extraordinary hardship in the form of a substantial and unjustified limitation on the reasonable use or return on the Subject Property, because compliance with the minimum standards would not allow for the reasonably proposed use, which otherwise would be in compliance with the IDO.
12. Although the Application as originally submitted may have been contrary to the public safety, health and welfare of the community, based on evidence in the record and revisions to the Application by Applicant, and with the conditions of approval specified, below, the variance will not be contrary to the public safety, health and welfare of the community as required by Section 14-16-6-6(O)(3)(a)(2). The Subject Property is located along a congested street along which no sidewalks exist. Opponents of the Application submitted evidence that the proposed variance would pose a danger to pedestrian and vehicle traffic. However, Applicants revised the Application to reduce the size of the proposed house and reduce the size of the requested variances. Garage entrances will not open directly onto Carson Rd. NW, but instead would open onto a driveway on the Subject Property, parallel with Carson Rd. Applicants also agreed to build no fence or wall between the structure and the public right of way. These revisions mitigate any potential negative impact to public safety, health and welfare of the community. Further, evidence was submitted supporting that, if granted approval, the Applicant intends to construct the proposed project in a manner that is consistent with the IDO and the Development Process Manual (DPM).
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 17. The requirements of IDO Section 14-16-6-6(O)(3)(a) are satisfied.

DECISION:

APPROVAL WITH CONDITIONS of a variance of 10ft 4.5 inches to the required 15-foot rear yard setback.

CONDITIONS:

1. No portion of any structure may be constructed within 4 feet of the public right of way.
2. No fence or wall that is closer to the public right of way than the house to be constructed may be placed on the Subject Property.
3. Garage entrances will not open directly onto Carson Rd. NW, but instead will open onto a driveway on the Subject Property, parallel with Carson Rd.

APPEAL:

If you wish to appeal this decision, you must do so by November 16, 2023 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.



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cc:

ZHE File

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