



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

Vallianos Commercial, LLC (Agent, Justin Hutcherson) requests a conditional use for nicotine retail use with cannabis retail for Lot 24-A, Block 9, Homestead & Gardenspot Addn, located at 800 3RD ST NW, zoned [Section 14-16-4-3(D)(40)(b)]

Special Exception No: **VA-2023-00013**
Project No: **Project#2023-008068**
Hearing Date: 02-21-23
Closing of Public Record: 02-21-23
Date of Decision: 03-08-23

On the 21st day of February, 2023, Justin Hutcherson, agent for property owner, Vallianos Commercial, LLC (“Applicant”) appeared before the Zoning Hearing Examiner (“ZHE”) requesting a conditional use for nicotine retail use with cannabis retail (“Application”) upon the real property located at 800 3RD ST NW (“Subject Property”). Below are the ZHE’s finding of fact and decision:

FINDINGS:

1. Applicant is requesting a conditional use to allow for nicotine retail use with cannabis retail.
2. Applicant failed to appear at the February 21, 2023 ZHE hearing on the Application, and did not provide any advance notice with good reason why Applicant would not appear.
3. As a courtesy, this matter should be continued to the next ZHE hearing. However, if Applicant fails to appear again without advance notice and good reason, the Application will be denied.

DECISION:

CONTINUANCE of the Application to the March 21, 2023, ZHE hearing beginning at 9:00 a.m.

APPEAL:

If you wish to appeal this decision, you must do so by March 23, 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.



Robert Lucero, Esq.
Zoning Hearing Examiner

cc:

ZHE File
Zoning Enforcement
Justin Hutcherson, justin@cindercannabis.com