



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

Carlos Zamora requests a variance of 40 ft to the required 45 ft open space buffer as indicated on the final plat for Lot 17A, Block 7, Volcano Cliffs Unit 5, located at 8001 Shiprock CT NW, zoned R-1D [Section 14-16-5-2(J)(2)(a)(1)]

Special Exception No: **VA-2023-00038**
Project No: **Project#2022-006500**
Hearing Date: 04-18-23
Closing of Public Record: 04-18-23
Date of Decision: 05-03-23

On the 18th day of April, 2023, property owner Carlos Zamora (“Applicant”) appeared before the Zoning Hearing Examiner (“ZHE”) requesting a variance of 40 ft to the required 45 ft open space buffer as indicated on the final plat (“Application”) upon the real property located at 8001 Shiprock CT NW (“Subject Property”). Below are the ZHE’s finding of fact and decision:

FINDINGS:

1. Applicant is requesting a variance of 40 ft to the required 45 ft open space buffer as indicated on the final plat.
2. The Subject Property is located within 660 feet of the Petroglyph National Monument.
3. IDO Section 14-16-6-4(J)(6) provides that, when development is proposed within 660 feet of the Petroglyph National Monument, the development application must be referred to the National Park Service and the Open Space Division of the City Parks and Recreation Department for comment.
4. The ZHE has received comments from the National Park Service, but not from the Open Space Division of the City Parks and Recreation Department.
5. The Application should be continued to allow the ZHE to benefit from the comments of the Open Space Division of the City Parks and Recreation Department, which ZHE staff will obtain from that Division.

DECISION:

CONTINUANCE of the Application to the May 16, 2023, ZHE hearing beginning at 9:00 a.m.

APPEAL:

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