



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

Debra Smith requests a variance of 1 ft to the allowed 8 ft wall height on the side yard for Lot 105-P1, Tuscan Ridge Subd, located at 10611 Vista Bella PI NW, zoned R-T [Section 14-16-5-7]

Special Exception No: **VA-2023-00180**
Project No: **Project#2023-008904**
Hearing Date: 08-15-23
Closing of Public Record: 08-15-23
Date of Decision: 08-30-23

On the 15th day of August, 2023, property owner Debra Smith (“Applicant”) appeared before the Zoning Hearing Examiner (“ZHE”) requesting a variance of 1 ft to the allowed 8 ft wall height on the side yard (“Application”) upon the real property located at 10611 Vista Bella PI NW (“Subject Property”). Below are the ZHE’s finding of fact and decision:

FINDINGS:

1. Applicant is requesting a variance of 1 ft to the allowed 8 ft wall height on the side yard.
2. Applicant and an opponent neighbor testified at the August 15 ZHE hearing on the Application, at which it became apparent that questions remain regarding the justification of the requested variance under the IDO variance criteria and that Applicant and others may seek to submit additional evidence regarding the Application.
3. The ZHE’s hearing on the Application should be continued to allow Applicant, neighbors, and the community to submit additional evidence regarding the Application.

DECISION:

CONTINUANCE of the Application, to be heard at the ZHE hearing on September 19, 2023, beginning at 9:00 a.m.

APPEAL:

If you wish to appeal this decision, you must do so by September 14, 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
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