



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

Jacqueline Arguelles requests a Permit	Special Exception No:.....	VA-2023-00324
-- Carport for Lot 13, Block 0000,	Project No:	PR-2023-009519
Rancho Alegre, located at 2444 Iris	Hearing Date:	07-16-24
Road NW, zoned R-A 14-16-5-	Closing of Public Record:	07-16-24
5(F)(2(a)(3)	Date of Decision:.....	07-31-24

On the 16th day of July, 2024, property owner Jacqueline Arguelles (“Applicant”) appeared before the Zoning Hearing Examiner (“ZHE”) requesting a permit to allow a carport (“Application”) upon the real property located at 2444 Iris Road NW (“Subject Property”). Below are the ZHE’s finding of fact and decision:

FINDINGS:

1. Applicant is requesting a permit to allow a carport.
2. The Application came before the ZHE at the July 16, 2024 ZHE hearing after remand from the Land Use Hearing Officer (LUHO) pursuant to Appeal Nos. AC-24-7 and AC-24-8.
3. The LUHO Remand instructs that Applicant must provide mailed notice to all parties required by the IDO, and evidence at the appeal hearing revealed that several neighbors did not receive notice.
4. There remains no notice that Applicant complied with the IDO notice requirements.
5. Failure to provide proper notice as required by the IDO is grounds for denial of the Application.
6. However, the ZHE hearing on the Application should be continued to allow Applicant one last chance to provide proper notice as required by the IDO.
7. Applicant may wish to consider sending the mailed notice via certified mail to clearly establish written evidence that notice was sent as required.
8. Applicant has withdrawn the companion application, VA-2023-00325, which requested a variance related to the requested carport.

DECISION:

CONTINUANCE of the Application to the August 20, 2024, ZHE Hearing, beginning at 9:00 a.m. Applicant is instructed to abide by all notice requirements of the IDO.

APPEAL:

If you wish to appeal this decision, you must do so by August 15, 2024 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.

A handwritten signature in black ink, appearing to read "Robert Lucero". The signature is fluid and cursive, with a long horizontal stroke at the end.

Robert Lucero, Esq.
Zoning Hearing Examiner

cc: ZHE File
Zoning Enforcement
Jacqueline Arguelles 2444 Iris Road NW, jcandel40@msn.com