



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

Jeremy Nelson requests a Variance of 7 ft 10 inches to the required 10 ft side setback in a R-A zone for Tract 97B, MRGCD Map 34, located at 2611 Rio Grande Blvd NW, zoned R-A [Section 14-16-5-1 Table 5-1-1]

Special Exception No:	VA-2024-00204
Project No:	PR-2024-010656
Hearing Date:	09-17-24
Closing of Public Record:	09-17-24
Date of Decision:	10-02-24

On the 17th day of September, 2024, property owner Jeremy Nelson (“Applicant”) was scheduled to appear before the Zoning Hearing Examiner (“ZHE”) requesting a variance of 7 ft 10 inches to the required 10 ft side setback in a R-A zone (“Application”) upon the real property located at 2611 Rio Grande Blvd NW (“Subject Property”). Below are the ZHE’s finding of fact and decision:

FINDINGS:

1. Applicant is requesting a variance of 7 ft 10 inches to the required 10 ft side setback in a R-A zone.
2. Based on evidence in the record, it appears that not all notice requirements of the IDO were satisfied.
3. The ZHE hearing on the Application should be deferred to allow all notice requirements to be satisfied, so that Applicant and members of the public may appear and/or supplement the record with evidence and justification regarding the Application.

DECISION:

DEFERRAL of the ZHE hearing on the application to the October 15, 2024 hearing date, beginning at 3:30 p.m.

APPEAL:

If you wish to appeal this decision, you must do so by October 17, 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.

/s/ Rip Harwood

Ripley B. Harwood, Esq.
Zoning Hearing Examiner

cc: ZHE File
Zoning Enforcement
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