



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

Cynthia Dyer requests a VARIANCE of 5 ft to the required 5 ft side yard setback for Lot 173 A, Trinity Ranch, located at 5902 Azuelo Ave NW, zoned R-1C [Section 14-16-5-1 Table 5-1-1]

Special Exception No: .... **VA-2024-00227**  
Project No: ..... **PR-2024-010733**  
Hearing Date: ..... 09-17-24  
Closing of Public Record: 09-17-24  
Date of Decision: ..... 10-02-24

On the 17<sup>th</sup> day of September, 2024, property owner Cynthia Dyer (“Applicant”) appeared before the Zoning Hearing Examiner (“ZHE”) requesting a variance of 5 ft to the required 5 ft side yard setback (“Application”) upon the real property located at 5902 Azuelo Ave NW (“Subject Property”). Below are the ZHE’s finding of fact and decision:

FINDINGS:

1. Applicant is requesting a variance of 5 ft to the required 5 ft side yard setback.
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 ZHE hearing, beginning at 9:00 a.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.



---

Robert Lucero, Esq.  
Zoning Hearing Examiner

cc:

ZHE File  
Zoning Enforcement  
Cynthia Dyer, cpdyer@att.net