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

Gulisa Najera requests a Conditional Use Approval to allow for a Family Home Daycare for Lot 16, RIVERVIEW HEIGHTS ADDN, located at 1431 CRESCENT DR NW, zoned R-1C (Section 14-16-4-3(F)(8) Table 4-2-1)

Special Exception No:	**VA-2025-00015**
Project No:	**PR-2025- 011388**
Hearing Date:	02-18-25
Closing of Public Record:	02-18-25
Date of Decision:	03-05-25

On February 18, 2025, Gulisa Najera ("**Applicant**") was scheduled to appear before the Zoning Hearing Examiner (the "**ZHE**") requesting a Conditional Use Approval to allow for a Family Home Daycare ("**Application**") upon the real property located at 1431 CRESCENT DR NW (the "**Subject Property**"). Below are the ZHE's findings of fact and decision:

FINDINGS:

1. Applicant is requesting a Conditional Use Approval to allow for a Family Home Daycare, pursuant to City of Albuquerque Code of Ordinances Integrated Development Ordinance ("**IDO**") Section 14-16-6-6(A).
2. IDO Section 14-16-4-3(F)(7) requires, among others, the following Use-Specific Standard for a Family Home Daycare:
   (c) Any outdoor play area shall be enclosed by an opaque wall, fence, or vegetative screen at least 6 feet in height.
3. Applicant provided evidence of an outdoor play area in the front yard area of the Subject Property. However, it appears that an opaque wall, fence, or vegetative screen at least 6 feet in height enclosing such an outdoor play area in the front yard may require a variance to the IDO wall height requirements.
4. The ZHE hearing on the Application should be deferred to allow Applicant to provide additional evidence regarding how IDO Section 14-16-4-3(F)(7)(c), regarding the opaque wall, fence, or vegetative screen at least 6 feet in height enclosing the outdoor play area, will be satisfied.

DECISION:

CONTINUANCE of the ZHE hearing on the application to the March 18, 2025, ZHE hearing, beginning at 9:00 a.m.

APPEAL:

If you wish to appeal this decision, you must do so by March 20, 2025, pursuant to Section 14-16-6-4(U), 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 the approval of a special exception is secured. This Notice of Decision does not constitute approval of plans for a building permit. If your application is approved, bring this Notice of Decision with you when you apply for any related building permit or occupation tax number. Approval of a Conditional Use is void after two (2) years from date of approval if the rights and privileges granted thereby have not been executed or utilized. Approval of a Variance is void after one (1) year from date of approval if the rights and privileges granted thereby have not been executed or utilized.

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Zoning Hearing Examiner

cc: ZHE File
Zoning Enforcement
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