



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

Ashley Brown (Applicant) and Ramiro Duran (Owner) request a Variance of 3 feet to the allowed 3-foot Wall/Fence height on the side street corner lot of the property and extend a 6-foot wall for Unit 1 Lot 5-A Blk 2 Amended Plat for the Mesa at Anderson Hills Continuous for a property located at 3112 El Caballero Dr SW, Zoned R-ML IDO Section(s): 14-16-5-7(D)(2), Table 5-7-1

Special Exception No: .... **VA-2026-00024**  
Project No: ..... N/A  
Hearing Date: ..... 04-21-26  
Closing of Public Record: 04-21-26  
Date of Decision: ..... 05-06-26

On April 21, 2026, Ashley Brown (“**Applicant**”) Ramiro Duran (“**Owner**”) was scheduled to appear before the Zoning Hearing Examiner (“**ZHE**”) requesting a Variance of 3 feet to the allowed 3-foot Wall/Fence height on the corner lot, street side of the property to extend a 6-foot wall (“**Application**”) upon the real property located at 3112 El Caballero Dr SW. (“**Subject Property**”). Below are the ZHE’s findings of fact and decision:

FINDINGS:

1. Applicant is requesting a Variance of 3 feet to the allowed 3-foot Wall/Fence height on the corner lot, street side of the property to extend a 6-foot wall of the property pursuant to the City of Albuquerque Code of Ordinances Integrated Development Ordinance (“**IDO**”) Section 14-16-6-6(O).
2. Section 6-6-(H)(1)(b) of the IDO requires that requests for walls taller than allowed as a Permit – Wall or Fence – Major also require a Variance.
3. Applicant submitted a companion application to the Application, MZP-2026-00015, which the ZHE deferred to the May 19, 2026, ZHE hearing, which begins at 9:00 a.m., to allow Applicant to submit additional evidence regarding whether the 20 percent rule required for the Permit – Wall or Fence – Major has been satisfied
4. This Application should likely be deferred to the May 19, 2026, ZHE hearing, which begins at 9:00 a.m.

DECISION:

DEFERRAL of the Application to be considered at the May 19, 2026, ZHE hearing, which begins at 9:00 a.m.

APPEAL:

If you wish to appeal this decision, you must do so by May 21, 2026 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 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.



---

Robert Lucero, Esq.  
Zoning Hearing Examiner

cc: (Owner) Ramiro Duran  
3112 El Caballero Drive Southwest Albuquerque NM, 87121

(Applicant) Ashley Brown  
[ashleybrown3120@gmail.com](mailto:ashleybrown3120@gmail.com)  
3112 El Caballero Drive Southwest Albuquerque NM, 87121

ZHE File  
Zoning Enforcement