

# Vineyard Estates Newsletter



## Neighborhood News for August 2007

### In This Issue

- |   |     |
|---|-----|
| About this newsletter   | P.1 |
| Weed update   | P.1 |
| Out of solutions for the dog poop problem                       | P.2 |
| Enforcement of Albuquerque's Zoning Code -<br>How Does It Work? | P.2 |
| The role of the neighborhood association in ur-<br>ban planning | P.4 |

### About this newsletter

The newsletter of the Vineyard Estates and Surrounding Subdivisions Neighborhood Association is published four times per year. Past newsletters may be found at <http://www.venaabq.org>. The primary distribution method is through E-mail and the website, but non-computer users may request a paper copy delivered to their home four times per year by calling Lee Ann Riesen at 821-9001.

### Weed update

This is a friendly reminder to everyone about our responsibility to remove weeds from our property before they reach the height of 4 inches. With all the rain we have been having, and many of us going away on summer vacations, this is a great challenge.

The City's residential regulations require that each homeowner remove the weeds on their property, up to and including the curb in front of and behind their home. So even though you may never see the sidewalk behind that high wall behind your home, you are still responsible for removing the weeds that are growing around it, and you can receive a citation for not doing so from Code Enforcement if their inspector happens to be in the area. (If you have undeveloped land behind your

home, you are not expected to remove the weeds on that land. We are talking about developed land only - a sidewalk and a curb directly behind or at the side of your home.)

In many of Albuquerque's neighborhoods, the City crews will fight the weeds in the medians of the roads. You may have noticed that they are not doing this on the Ventura median. This is because it is a relatively new median and the City has not added us to their schedule yet. The Neighborhood Association has begun the process of getting the City to add the Ventura median to their schedule, but this is a long process. If all goes well, the City will be maintaining it by 2008 or 2009. In the meantime, if you can take a few minutes to pull a few weeds every now and then when you are out for a walk, you can help to make a positive difference in the appearance of our neighborhood.

One City document summarizes the weed and litter ordinance this way:

*Any growth of weeds to a height greater than four inches, or any accumulation of weeds and/or debris, is prohibited on occupied and unoccupied land within the city. This includes the area located between the property line and the middle of the alley adjacent to the property, and the area located between the property line and the curb, the area of any curbs or sidewalks located adjacent to the property, and the area located ten feet outside the property line where there is no curb.*

In the past the Neighborhood Association has been able to hire professionals to spray a pre-emergent compound in shared areas where weeds are likely to grow. This prevents the weeds from growing that season. Unfortunately the size of of the Association has grown dramatically while the number of paid memberships has dropped off, so we can not afford to spray the weeds this year. Hopefully if our paid memberships catch up to our size in the future, we will be able to resume our efforts at weed control.

### **Out of solutions for the dog poop problem**

A frequent complaint all over Albuquerque is the presence of dog poop along our sidewalks and in the yards of people without dogs. For the record, section 9-2-4-3 of the Albuquerque Comprehensive Zoning Code is titled *Animal Limits and Restrictions* and it mandates *no defecation on public or private land (other than owner's land) without thoroughly removing and disposing*. But we don't need to quote this ordinance to know that this is an offensive and annoying habit.

We are looking for effective solutions to the poop problem. Do you have an approach that works for you? A home on Ventura South of Paseo Del Norte has a small hand made sign on their lawn with plastic bags attached for the use of dog owners. Do these signs work?

For \$20 or \$30, neighbors can chip in to buy humorous or serious signs to post in their area. Do these work, or do the humorous signs get stolen and the serious signs ignored?

Would a dispenser that we stock with our used plastic grocery bags result in a decrease in dog poop?

Perhaps it's time for us to be pro-active. Regardless of whether we own a dog, when we take walks can always carry a plastic bag or two with us. Picking up poop is always a good thing to do. And when we see an inconsiderate dog owner *caught in the act*, we can smile sweetly and hand them a bag!

Please share your suggestions and experience on the poop front, and maybe we can put some into practice.

### **Enforcement of Albuquerque's Zoning Code - How Does It Work?**

We have heard from neighbors recently who were unhappy about citations they received from the Albuquerque Code Enforcement division, and also from neighbors who are wondering why it appears that nothing has been done about the complaints

they've called in. We will try to explain about Albuquerque's zoning code and how it is enforced.

The Albuquerque Comprehensive City Zoning Code is a huge document (available at [http://www.amlegal.com/albuquerque\\_nm](http://www.amlegal.com/albuquerque_nm)) that includes the zoning regulations that we usually think of as the residential rules that we need to comply with. These rules apply to accessory buildings, weeds, business occupation of a home, inoperative vehicles, and much more. A summary of the most frequent residential zoning regulations that people ask about can be found at <http://www.cabq.gov/planning/zoning/resregulations.html>.

The Albuquerque Code Enforcement office of the City of Albuquerque Planning Division is the office responsible for investigating complaints of violations of these residential regulations. (They used to be called *Zoning Enforcement*.) The head of this division is Matt Conrad, and his phone number is 924-3450. The inspector in charge of our Council District 4 is Ben McIntosh (924-3466).

How a citation occurs:

An inspection is initiated when someone files a complaint either in person, by phone, by web, or through regular mail. The inspector goes out to the site within a few days, and looks at the site without going onto your property. The inspector also will *do a 360*, which means he will turn all the way around and look for any violations that he can see. As a result, some very minor violations may be cited if he happens to see them. So if you receive one of these violations, it does not mean that a neighbor called in a complaint on your property. The inspector does not go out unless he has been called, so you may find that you get a citation, while someone on the next block does not. It seems unfair, but it is because of how these inspections take place.

When a violation is found, the office will send a citation to the owner or tenant, giving them ten days to comply. If the owner or tenant does not

comply, then the City may come in and rectify the situation (such as by cutting down all the weeds). A lien for the expense will be then placed on the property. Or the City can choose to pursue court action.

To address your citation:

Your citation will have complete instructions on it, including contact information for the division. It will contain information about getting an extension to comply if you are under some hardship. There are some great resources that can help with things like a free tow of your inoperative vehicle. See the Citizen Resource List at .) The head of this division is Matt Conrad, and his phone number is 924-3450. The inspector in charge of our Council District 4 is Ben McIntosh (924-3466).

How a citation occurs:

An inspection is initiated when someone files a complaint either in person, by phone, by web, or through regular mail. The inspector goes out to the site within a few days, and looks at the site without going onto your property. The inspector also will *do a 360*, which means he will turn all the way around and look for any violations that he can see. As a result, some very minor violations may be cited if he happens to see them. So if you receive one of these violations, it does not mean that a neighbor called in a complaint on your property. The inspector does not go out unless he has been called, so you may find that you get a citation, while someone on the next block does not. It seems unfair, but it is because of how these inspections take place.

When a violation is found, the office will send a citation to the owner or tenant, giving them ten days to comply. If the owner or tenant does not comply, then the City may come in and rectify the situation (such as by cutting down all the weeds). A lien for the expense will be then placed on the property. Or the City can choose to pursue court action.

To address your citation:

Your citation will have complete instructions on it, including contact information for the division. It will contain information about getting an extension to comply if you are under some hardship. There are some great resources that can help with things like a free tow of your inoperative vehicle. See the Citizen Resource List at , which means he will turn all the way around and look for any violations that he can see. As a result, some very minor violations may be cited if he happens to see them. So if you receive one of these violations, it does not mean that a neighbor called in a complaint on your property. The inspector does not go out unless he has been called, so you may find that you get a citation, while someone on the next block does not. It seems unfair, but it is because of how these inspections take place.

When a violation is found, the office will send a citation to the owner or tenant, giving them ten days to comply. If the owner or tenant does not comply, then the City may come in and rectify the situation (such as by cutting down all the weeds). A lien for the expense will be then placed on the property. Or the City can choose to pursue court action.

To address your citation:

Your citation will have complete instructions on it, including contact information for the division. It will contain information about getting an extension to comply if you are under some hardship. There are some great resources that can help with things like a free tow of your inoperative vehicle. See the Citizen Resource List at <http://www.cabq.gov/planning/formsvcs/pdf/resourceenglish.pdf>

If you feel that your citation is an error, the best thing to do is contact Code Enforcement immediately. The different ways you can do this are listed below. The staff we have interacted with have been great about listening and helping with our issues.

To file a complaint:

If you are thinking of notifying the Code En-

forcement division of a violation, you have many options. But first, if the problem is a dispute between you and a neighbor, consider trying mediation. The City's Legal Department sponsors a Community Mediation Program which is targeted toward neighborhood disputes such as noise, animals, trees, driveways, fences and homeowners' association disputes. They also work with landlord/tenant issues and consumer/merchant issues. It may be a cost effective and time effective way to get the result you are looking for. The phone number for the City Alternative Dispute Resolution Office is 768-4500.

If mediation is not an option, then notify the Code Enforcement office. The division is very responsive, and will be out to inspect the property within a week.

To contact the Code Enforcement office:

You can contact Code Enforcement in person, by phone, through the mail or through their web site.

To visit the office in person, go to the Plaza Del Sol building. Bringing photos and a map can be helpful. The Plaza Del Sol building at 600 Second Street NW. (It looks like a brown pyramid, about 12 stories tall.) When you enter the building you turn to your left and go to the *Zoning Enforcement* counter. This is a good place to start, and if you feel your case needs more attention, you can take the elevator to the 7th floor and ask to speak to Ben McIntosh.

Be sure to ask them how you can follow up on your case. And then do follow up. They normally will not get back to you unless you ask them to.

If you don't go in person, you can file a complaint via their web site at counter. This is a good place to start, and if you feel your case needs more attention, you can take the elevator to the 7th floor and ask to speak to Ben McIntosh.

Be sure to ask them how you can follow up on your case. And then do follow up. They normally will not get back to you unless you ask them to.

If you don't go in person, you can file a complaint via their web site at <http://www.cabq.gov/planning/housing/>.

You can also contact the office by phone at 924-3850, or through the mail at

*City of Albuquerque Planning Department 600 2nd St NW Albuquerque, NM 87103*

Another way to address any issue that you have with the city is to call 311. The staff of 311 are very dedicated to getting you in touch with the people you need to talk to to resolve your problem.

Business hours for the Planning Department are Monday through Friday from 8 AM to 5 PM.

### **The role of the neighborhood association in urban planning**

When you think of a neighborhood association you may picture a group of people who organize social events and who watch your activities waiting to catch you in violation of a zoning regulation. In the city of Albuquerque, a neighborhood association is something else. While it continues to be a way to meet your neighbors, and while it will help you if you have a concern with a neighbor's activities, it also serves as a vital part of the urban planning process. Your involvement is crucial in ensuring that our area grows over the years into a place you are happy to call home.

Several years ago the City of Albuquerque passed ordinance 92, the Neighborhood Association Recognition Ordinance. It established a procedure whereby neighborhood associations would be recognized by the city. Once recognized, the association becomes an integral part of the City planning process.

This model of public input was novel at the time and representatives of other cities have visited Albuquerque since then to learn about how it works.

City planning is complex. The City has an overall plan for growth, the Albuquerque/Bernalillo

County Comprehensive Plan. Our area is also covered by another document, the La Cueva Sector Plan which was published in year 2000. It covers building, utilities, drainage, traffic, and other growth issues. There is also a Vineyard Sector Plan with similar content. The City also has a comprehensive Zoning Code. And of course every land parcel has a zoning designation, which states what type of development can occur on that parcel. (All of these documents can be found at [www.cabq.gov/planning/documents](http://www.cabq.gov/planning/documents).)

But did you know that all of this careful planning can be waived if a developer goes before the City and requests a variance? Suppose a developer would like to build eight homes on a lot zoned for only five. The developer files a request for a variance. The City notifies the recognized neighborhood associations in the area and a hearing or meeting is held. Depending on the situation, this may be accomplished in one or more meetings with the Environmental Planning Commission, the Development Review Board, the Zoning Hearing Examiner, a Board of Appeals, a City Council Appeal, or a facilitated meeting where the developer and neighborhoods discuss their issues. At a hearing, the developer asks for a variance, and argues why it should be allowed. The hearing officer asks if there is any opposition to the plan. If no one speaks up, the hearing officer may grant the variance. And if people do speak in opposition, they need to present a very good argument, because the hearing officer has complete discretion to rule against the plans and codes if he or she thinks it would be a good idea.

VENA covers a large area and there are many development and City activities that we should pay close attention to. Everyone who is active in the Association is a volunteer, and everyone finds it difficult to do all that needs to be done. We would appreciate your involvement. You can help by joining VENA for only \$20 per year. Attend quarterly meetings. Consider nominating yourself or a neighbor for the board of directors. And be the eyes and ears for your subdivision and alert us to areas of concern.

# Vineyard Estates Neighborhood Association

## 2008 VENA Membership

A Community Volunteer Association  
Annual Membership Dues \$20.00 per Home

Name (s) \_\_\_\_\_

Address \_\_\_\_\_

Phone (Home) \_\_\_\_\_

Phone (Work) \_\_\_\_\_

Email \_\_\_\_\_

### Neighborhood (Select One)

- Carrington
- Desert Ridge Place (HOA)
- Desert Vista (HOA)
- La Cueva Tierra
- Los Vigils (HOA)
- Ocotillo (HOA)
- Tierra Morena
- Ventura Village
- Villa Firenze
- Vineyard I
- Vineyard II
- Vineyard III
- Vineyard III - A
- Vineyard IV
- Vineyard IV - A
- Vineyard IV - B
- Vineyard V
- Vintner Court Estates
- Vineyard Court Estates
- Wilshire Estates

### You can count on me for support, you can contact me for the following:

- Architectural Committee
- Median
- Newsletter
- Park
- Recycling
- Refreshments
- Signs
- Welcome
- Board of Directors

### Select Member type:

- Resident
- Business
- Property Owner (Undeveloped)

Check No. \_\_\_\_\_

Date of Check \_\_\_\_\_

### Newsletter Delivery

EMAIL ONLY or [www.venaabq.org](http://www.venaabq.org)  
website

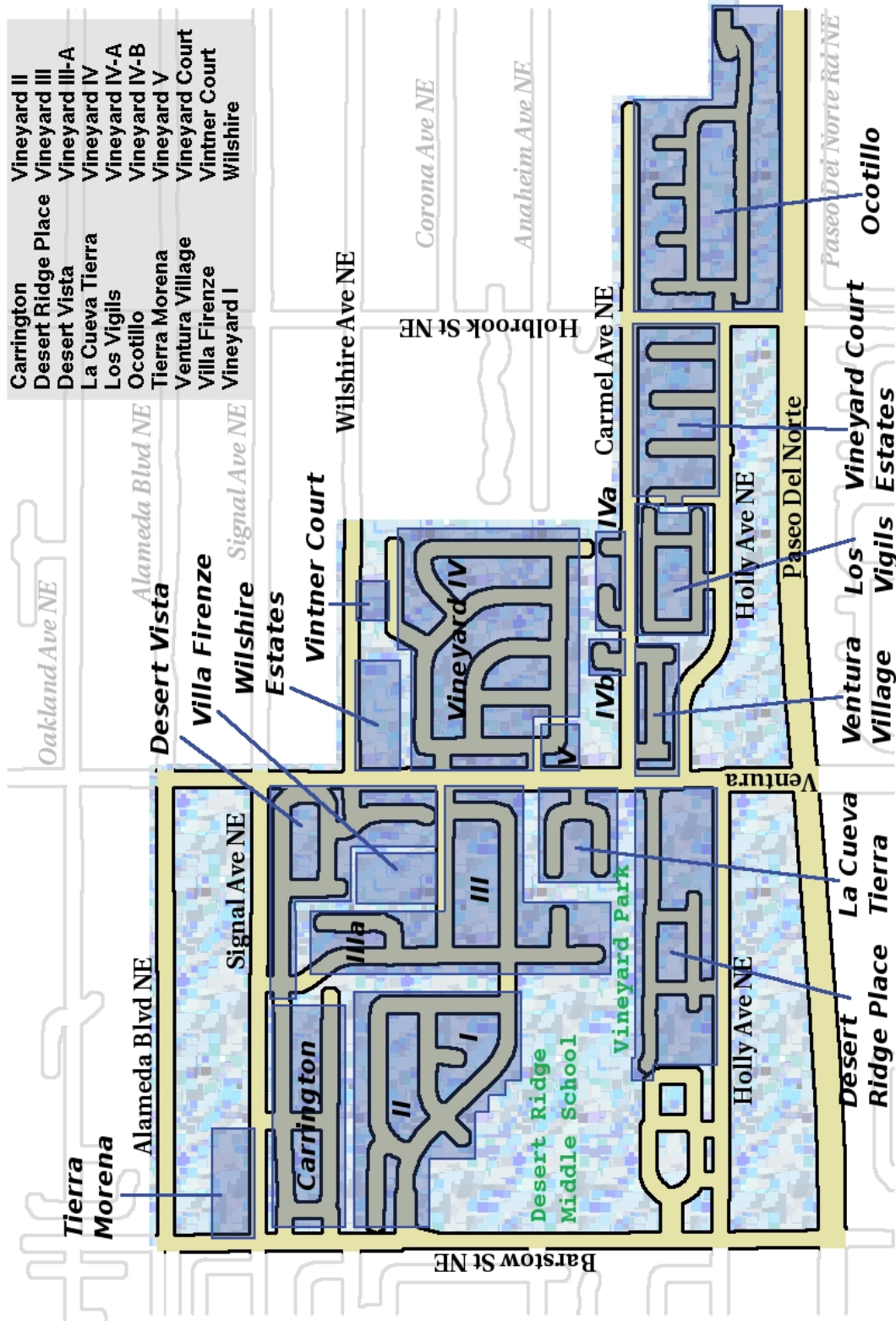
Membership is renewable annually.

Membership is valid from 08/01/2007 through 08/01/2008

Please make checks payable to VENA in the amount of  
\$20.00

Remit to: **Tony Huffman, VENA Treasurer**  
8912 Corona Ave NE  
Albuquerque, NM 87122-2666  
505-823-2456

# Vineyard Estates Neighborhood Association Communities





**VENA**

Vineyard Estates  
Neighborhood Association  
8912 Corona Ave., NE  
Albuquerque, NM 87122

PRSRT STD  
US POSTAGE  
Paid  
ABQ NM  
PERMIT #674