

PLANNING DEPARTMENT
DEVELOPMENT SERVICES DIVISION
600 2nd Street NW, Ground Floor, 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3946



OFFICIAL NOTICE OF DECISION February 11, 2026

Jay Corazza and Jean Giddens
6105 Club Cholla Ct NE
Albuquerque, NM, 87111

Project# PR-2025-020168
Application#
DHOWVR-2026-00003 DHO WAIVER

LEGAL DESCRIPTION:

For all or a portion:

**Lot/Tract 22, OVERLOOK AT HIGH
DESERT zoned R-1D, located at 6105 Club
Cholla Ct NE containing approximately 0.394
acre(s). (E-23)**

On February 11, 2026, the Development Hearing Officer (DHO) held a public hearing concerning the above referenced application and approved the request, based on the following Findings:

1. This is a request for a waiver to the sidewalk requirements for the property located at 6105 Club Cholla Ct. NE. The subject property is located within the Overlook at High Desert and is within a master plan with walking paths and trails present.
2. The subject property is zoned R-1D (Residential). The subject property is not shown to be within any noted overlay zones and is not located within any PT/MT/MS corridor areas. The property is located within an Area of Consistency and is surrounded by other areas of consistency.
3. Per Table 6-1-1 of the IDO, public notice requirements have been satisfied by the Applicant prior to this submittal.
4. **Per 6-6(P)(3) Review and Decision Criteria**, an application for a DHO Waiver shall be approved if it complies with all of the criteria of this IDO provision; the applicant has provided justification for all the criteria.

1. Any of the following criteria applies.
 - a. There are pre-existing obstructions that cannot be easily or economically relocated or should not be altered, such as grades, fills, water courses, natural topographic features, man-made obstructions, or utility lines.
 - b. The area or site has been recognized as having historical, archeological, and/or architectural significance by the City, State, or federal government, and a Waiver is needed and appropriate to maintain such historical, archeological, and/or architectural significance.
 - c. The established neighborhood character or landscaping on the site would be damaged to a degree that outweighs the public interest in the City's normal technical standards in that location.

HOA has submitted a letter, included with submittal packet, clarifying the existing architectural code and how the sidewalk at this location does not conform with historical design of the neighborhood.

- d. Varying from the normal requirements and standards will encourage flexibility, economy, effective use of open space, or ingenuity in design of a subdivision, in accordance with accepted principles of site planning.
2. The Waiver will not be materially contrary to the public safety, health, or welfare.

Existing access to the lot and surrounding area has been sufficient for homeowners.

3. The Waiver does not cause significant material adverse impacts on surrounding properties.

The Waiver would allow for lot to match existing surrounding properties.

4. The Waiver will not hinder future planning, public right-of-way acquisition, or the financing or building of public infrastructure improvements.

All future developments nearby will be in the HOA which sets neighborhood design.

5. The Waiver will not conflict significantly with the goals and provisions of any City, County, or AMAFCA adopted plan or policy, this IDO, or any other City code or ordinance.

This Waiver does not conflict with any adopted plan, and it supports the concept of areas of consistency.

6. The Waiver will not allow, encourage, or make possible undesired development in the 100-year Floodplain.

Drainage plan has been previously approved for the property.

7. The Waiver will not materially undermine the intent and purpose of this IDO, the applicable zone district, or any applicable Overlay Zone.

This Waiver does not undermine any intent or purpose of the IDO, zoning or overlays and it supports the stability and consistency of the area.

8. The Waiver does not allow a lot or type of development that does not meet the applicable Development Standards for the zone district where the lot is located, unless a deviation to such standards is within the thresholds established by Subsection 14-16-6-4(N) (Deviations) and is granted by the DHO as part of this approval.

This Waiver does not allow such development.

9. The Waiver approved is the minimum necessary to provide redress without being inconsistent with the provisions of this Subsection 14-16-6-6(P).

The Waiver approved is the minimum necessary to provide redress without being inconsistent with the provisions of this Subsection 14-16-6-6(P).

10. If the request is a for a Waiver to IDO sidewalk requirements, the area is of low-intensity land use to an extent that the normal installation of sidewalks will not contribute to the public welfare, and the absence of a sidewalk will not create a gap in an existing sidewalk system extended to 1 or more sides of the subject property.

This area is low intensity use and there are no existing sidewalks in the vicinity, the master-planned development provides full pedestrian amenities is the framework of the plan.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **MARCH 2, 2026**. The date of the DHO's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

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For more information regarding the appeal process, please refer to Section § 14-16-6-4(U) of the Integrated Development Ordinance (IDO). Appeals should be submitted electronically to [ABQ-PLAN](#) (*place mouse cursor over hyperlink, right-click, choose "open hyperlink"*). A Non-Refundable filing fee will be calculated by staff in the Development Review Services Division of the City of Albuquerque Planning Department and will be payable online at [ABQ-PLAN](#) (*place mouse cursor over hyperlink, right-click, choose "open hyperlink"*). The appeal fee must be paid in full no later than 48 hours after the appeal deadline, or the appeal will be rejected as untimely.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Applicants submitting for building permit prior to the completion of the appeal period do so at their own risk. Successful applicants are reminded that there may be other City regulations of the IDO that must be complied with, even after approval of the referenced application(s).

Sincerely,

Brennon Williams

[Brennon Williams \(Feb 19, 2026 15:23:50 MST\)](#)

Brennon Williams

Development Hearing Officer

BW/jb/jr

David Soule & Luke Soule, Rio Grande Engineering, 15 Frost Rd., Sandia Park, NM 87047

PR-2025-020168_February_11_2026_Notice_of _Decision_DHO

Final Audit Report

2026-02-19

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