



OFFICIAL NOTICE OF DECISION

February 25, 2026

Maria Ronquillo
5001 Orion Ave. NW
Albuquerque, NM 87120

Project #: PR-2026-000022
Application #
DHOWVR-2026-00006 DHO WAIVER

LEGAL DESCRIPTION:

For all or a portion of:

Lot/Tract 8, MURPHY ADDN zoned **R-1C**, located at
2216 ANA CT NW containing approximately **0.2552**
acre(s). **(H-11)**

On February 25, 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 2216 Ana Ct. NW.
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.
3. Subject property is within an Area of Consistency and is surrounded by other areas of consistency.
4. Per Table 6-1-1 of the IDO, public notice requirements have been satisfied by the Applicant prior to this submittal.
5. **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.
- 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.

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.

The Waiver will not be materially contrary to the public safety, health, or welfare because there are no other sidewalks on their side of the block, at the location of the lot.

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

The Waiver does not cause significant material adverse impacts on surrounding properties because the surrounding lots don't have sidewalks either.

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

The Waiver will not hinder future planning, public right-of-way acquisition, or the financing or building of public infrastructure improvements because the area where the sidewalk would go will remain vacant landscape, and will not have any impact on infrastructure.

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.

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 impacts only a single-family infill lot.

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

The Waiver will not allow, encourage, or make possible undesired development in the 100-year Floodplain. This property does not lie within such a flood zone.

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

The Waiver will not materially undermine the intent and purpose of this IDO, the applicable zone district, or any applicable Overlay Zone; the IDO and any applicable Overlay Zone are interested in maintaining the character of the neighborhood, and this Waiver does not alter the character of the neighborhood.

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.

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, the Waiver is not asking for an exception to the type of development in the zone where it is located.

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 because it's only requesting the Sidewalk Waiver and nothing more.

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.

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, as this is in an area where neighbors don't have sidewalks, and this is a neighborhood with low-intensity land uses to an extent that the normal installation of sidewalks will not contribute to the public welfare.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DHO's decision or by **MARCH 13, 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.

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,

Robert L. Lucero, Jr.

[Robert L. Lucero, Jr. \(Mar 2, 2026 11:54:17 MST\)](#)

Robert L. Lucero, Jr.

Development Hearing Officer

RLL/jb/jr

Nicholas M. Nuccio, 829 Ponderosa NW, Albuquerque, NM 87107

Language Access Notice. We provide free interpretation services to help you communicate with us. If you need help, you can request interpretation at any service counter in our Department, located in the Plaza Del Sol building, 600 2nd Street NW, Albuquerque, NM 87102.

Notificación de Acceso Lingüístico. Ofrecemos servicios gratuitos de interpretación para ayudarlo a comunicarse con nosotros. Si necesita ayuda, puede solicitar servicios de interpretación en cualquier mostrador de servicio de nuestro Departamento, ubicado en el edificio Plaza Del Sol, 600 2nd Street NW, Albuquerque, NM 87102.

Saad Hadahwiis'a O'oolkaah bee dah na'astsooz. Nihi bik'inaaszil t'aadoo baahilinigoo 'ata' hashne' tse'esgizii ach'i' dzaadi! Dzaadi! Danihi dahootahgoo bee nihi-. Daa' danihi bidin nishli dzaadi! Dzaadi! Danihi bineesh'a yinishkeed 'ata' hashne' -di t'aa biholniihgoo tse'esgizii ket'aaz -di nihihigii dah diikaah, -k'eh -di tsin Plaza Del Sol Kiniit'aagoo, 600 2nd Kiniit'aa NW, Albuquerque, NM 87102.

Thông báo v? cách Ti?p c?n Ngôn ng?. Chúng tôi cung c?p các d?ch v? thông d?ch mi?n phí d? giúp quý v? giao ti?p v?i chúng tôi. N?u quý v? c?n giúp d?, quý v? có th? yêu c?u thông d?ch t?i b?t c? qu?y d?ch v? nào trong S? c?a chúng tôi, t?a l?c t?i tòa nhà Plaza Del Sol, 600 2nd Street NW, Albuquerque, NM 87102.

語言輔助通知。我們提供免費口譯服務，以幫助你與我們溝通。如果你需要幫助，你可以在我們部門的任何服務台請求口譯，服務台位於Plaza Del Sol大樓，600 2nd Street NW，阿爾伯克基，NM 87102。

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Final Audit Report

2026-03-02

Created:	2026-03-02
By:	Jay Rodenbeck (jrodenbeck@cabq.gov)
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"PR-2026-000022_February_25_2026_Notice_of_Dcision_DHO " History

-  Document created by Jay Rodenbeck (jrodenbeck@cabq.gov)
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-  Document emailed to Robert Lucero (robert@lucerolawpc.com) for signature
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-  Email viewed by Robert Lucero (robert@lucerolawpc.com)
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-  Signer Robert Lucero (robert@lucerolawpc.com) entered name at signing as Robert L. Lucero, Jr.
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-  Document e-signed by Robert L. Lucero, Jr. (robert@lucerolawpc.com)
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