



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

Andrea Sandoval & Carlos Sandoval II request a carport permit for Lot 13, Block 51, Westgate Heights Addn Unit No 1, located at 1140 Mimbres ST SW, zoned R-1C [Section 14-16-5-5(F)(2)(a)(3)(b)]

Special Exception No: **VA-2023-00115**
Project No: **Project#2023-008592**
Hearing Date: 06-20-23
Closing of Public Record: 06-20-23
Date of Decision: 07-05-23

On the 20th day of June, 2023, property owners Andrea Sandoval & Carlos Sandoval II (“Applicant”) appeared before the Zoning Hearing Examiner (“ZHE”) requesting a carport permit (“Application”) upon the real property located at 1140 Mimbres ST SW (“Subject Property”). Below are the ZHE’s finding of fact and decision:

FINDINGS:

1. Applicant is requesting permit-carport.
2. Applicant bears the burden of ensuring there is evidence in the record supporting a finding that the above criteria are met under Section 14-16-6-4(E)(3).
3. Applicant bears the burden of showing compliance with required standards through analysis, illustrations, or other exhibits as necessary, pursuant to IDO Section 14-16-6-4(E)(4).
4. Applicant established that the proper “Notice of Hearing” signage was posted for the required time period
5. Applicant established that all property owners and neighborhood association entitled to notice were notified of the Application.
6. The subject property is currently zoned R-1C.
7. Applicant has authority to pursue this Application.
8. The City of Albuquerque Integrated Development Ordinance Section 14-16-6-6(G)(3) lists the criteria for approval of a permit-carport:
 - a. *The proposed carport would strengthen or reinforce the architectural character of the surrounding area.*
 - b. *The proposed carport would not be injurious to adjacent properties, the surrounding neighborhood, or the larger community.*
 - c. *The design of the carport complies with the provisions in Subsection 14-16-5-5(F)(2)(a)3 (Carports).*
 - d. *No carport wall is a hazard to traffic visibility, as determined by the Traffic Engineer.*
 - e. *The carport is not taller than the primary building on the lot.*
9. Applicant appeared at the ZHE Hearing on this matter and gave evidence in support of the Application.
10. Applicant has met its burden of providing evidence that establishes that the proposed carport would strengthen or reinforce the architectural character of the surrounding area. Applicant testified that the design of the carport comports with that of the residence on site and

- is in harmony with architecture of neighboring properties.
11. Applicant has met its burden of providing evidence that establishes that the proposed carport would not be injurious to adjacent properties, the surrounding neighborhood, or the larger community. Applicant testified that the carport would not impact views from adjacent properties and that no water from the carport would flow onto adjacent properties.
 12. Applicant has met its burden of providing evidence that establishes that the proposed carport complies with IDO Subsection 14-16-5-5(F)(2)(a)(2)(a) (Carports). The proposed carport does not extend into any areas that would create a hazard to traffic visibility.
 13. Applicant has met its burden of providing evidence that establishes that the proposed carport is not taller than the primary building on the lot. Applicant testified that the top of the carport would be lower than the primary residence on the lot.
 14. The City Traffic Engineer issued a report indicating no objection to the proposed carport.

DECISION:

APPROVAL of a permit-carport.

APPEAL:

If you wish to appeal this decision, you must do so by July 20, 2023 pursuant to Section 14-16-6-4(V), 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 decision does not constitute approval of plans for a building permit. If your application is approved, bring this decision with you when you apply for any related building permit or occupation tax number. Approval of a conditional use or a variance application is void after one year from date of approval if the rights and privileges are granted, thereby have not been executed, or utilized.



Robert Lucero, Esq.
Zoning Hearing Examiner

cc: ZHE File

Zoning Enforcement

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