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

Draper Jansen (Agent, Bernard Snyder) requests a Carport Permit for Lot 4, Block 86, Princess Jeanne Park Addn, located at 10500 Irene Ave NE, zoned R-1B [Section 14-16-5-5(F)(2)(a)(3) Ref 14-16-6-6(G)]	Special Exception No:	**VA-2024-00334**
	Project No:	**PR-2024-011313**
	Hearing Date:	01-21-25
	Closing of Public Record:	01-21-25
	Date of Decision:	02-05-25

On the 21st day of January, 2025, Bernard Snyder, agent for property owner Draper Jansen ("Applicant") appeared before the Zoning Hearing Examiner ("ZHE") requesting a permit to allow a carport ("Application") upon the real property located at 10500 Irene Ave NE ("Subject Property"). Below are the ZHE's finding of fact and decision:

FINDINGS:

1. Applicant is requesting a permit to allow a carport.
2. The ZHE finds that the Applicant has authority to pursue this Application.
3. All property owners within 100 feet and affected neighborhood association(s) were notified.
4. The ZHE finds that the proper "Notice of Hearing" signage was posted for the required time period as required by Section 14-16-6-4(J)(4).
5. The City of Albuquerque Integrated Development Ordinance Section 14-16-6-6(L)(3)(d) requires that:
   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)2 (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.*
6. The applicant bears the burden of providing a sound justification for the requested decision, based on substantial evidence, pursuant to IDO Section 14-16-6-4(E)(3).
7. The 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).
8. Agent appeared and gave evidence in support of the application.
9. 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. Specifically, Applicant testified that the carport would be constructed in harmony with

existing improvements on the Subject Property, which would strengthen the architectural character of the surrounding area.

10. 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. Specifically, Applicant testified that no negative impacts would result from the proposed carport and it would be integrated into the design of the overall Subject Property.
11. 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), based on the justification letter, site plan, drawings and other evidence in the record.
12. Applicant has met its burden of providing evidence that establishes that the proposed carport is not taller than the primary building on the lot, based on written submittals and testimony.
13. The City Traffic Engineer submitted a report stating no objection to the Application.

DECISION:

APPROVAL of a permit to allow a carport.

APPEAL:

If you wish to appeal this decision, you must do so by February 20th, 2025 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 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
Bernard Snyder, bud@awnair-awnings.com