



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

Thomas W. & Jodi D. Ketcham requests a Carport Permit for Lot 11, Block 21, Inez Addition, located at 1909 Inez Dr NE, zoned R-1C (H-19) [IDO §14-16-5-5(F)(2)(a)(3) Ref. 14-16-6-6(G)]

Special Exception No:..... **MZP-2025-00010**
Project No:..... **Project#2025-020073**
Hearing Date:..... 06-17-2025
Closing of Public Record:.... 06-17-2025
Date of Decision:..... 07-02-2025

On June 17, 2025, Thomas W. & Jodi D. Ketcham (“**Applicant**”) was scheduled to appear before the Zoning Hearing Examiner (the “**ZHE**”) requesting a Permit-Carport (“**Application**”) upon the real property located at 1909 Inez Dr NE (the “**Subject Property**”). Below are the ZHE’s findings of fact and decision:

FINDINGS:

1. Applicant is requesting a Permit-Carport, pursuant to City of Albuquerque Code of Ordinances Integrated Development Ordinance (“**IDO**”) Section 14-16-6-6(G).
2. Applicant has authority to pursue this Application, pursuant to 14-16-6-4(D).
3. The Planning Director’s delegee has determined that the Application is complete, pursuant to IDO Section 14-16-6-4(G).
4. The content of the notice of the Application satisfies IDO Section 14-16-6-4(J)(1).
5. Applicant has sent an electronic mail notice to the email addresses on file with the Office of Neighborhood Coordination for each pertinent Neighborhood Association as required by IDO Section 14-16-6-4(J)(2).
6. Applicant has sent mailed notice to all property owners within 100 feet of the subject property as required by IDO Section 14-16-6-4(J)(3).
7. Applicant has posted sign notice(s) as required by IDO Section 14-16-6-4(J)(4).
8. The Subject Property is located in the R-1C zone district. .
9. Therefore, a carport on the Subject Property requires a Permit-Carport Approval pursuant to IDO Subsection 14-16-6-6(G).
10. IDO Section 14-16-6-6(G)(3) (Review and Decision Criteria for a Permit-Carport) reads: *“An application for a Permit-Carport shall be approved if all of the following criteria are met.*
 - (a) *The carport would strengthen or reinforce the architectural character of the surrounding area.*
 - (b) *The 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.

11. 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).
12. 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).
13. Applicant appeared at the June 17, 2025 ZHE hearing on the Application and gave evidence in support of the Application.
14. Applicant has met the burden of providing evidence that established that the requested carport would strengthen or reinforce the architectural character of the surrounding area. Applicant provided evidence that the carport is designed in harmony with the existing residence.
15. Applicant has met the burden of providing evidence that establishes that the requested carport would not be injurious to adjacent properties, the surrounding neighborhood, or the larger community. No drainage, damage to views or other negative impacts would result from the proposed carport.
16. Applicant has met the burden of providing evidence that establishes that the design of the carport complies with the provisions in Subsection 14-16-5-5(F)(2)(a)3 (Carports). Applicant submitted evidence establishing compliance.
17. Applicant has met the burden of providing evidence that establishes that no carport wall is a hazard to traffic visibility, as determined by the Traffic Engineer. The Traffic Engineer submitted a report stating no objection to the carport.
18. Applicant has met the burden of providing evidence that establishes that the requested carport is not taller than the primary building on the lot. Applicant's testimony and plans establish this fact.

DECISION:

APPROVAL of a Permit-Carport.

APPEAL:

If you wish to appeal this decision, you must do so by July 17, 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 Notice of Decision does not constitute approval of plans for a building permit. If your Application is approved, bring this Notice of Decision with you when you apply for any related building permit or occupation tax number. Approval of a Conditional Use is void after two (2) years from date of approval if the rights and privileges granted thereby have not been executed or utilized. Approval of a Variance is void

after one (1) year from date of approval if the rights and privileges granted thereby have not been executed or utilized.

A handwritten signature in black ink, appearing to read "Robert Lucero". The signature is fluid and cursive, written in a professional style.

Robert Lucero, Esq.
Zoning Hearing Examiner

cc: ZHE File
Zoning Enforcement
Jodi Ketcham quilt42@hotmail.com
Tom Ketchum jdktwk@msn.com



CITY OF ALBUQUERQUE
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NOTIFICATION OF DECISION

Thomas W. & Jodi D. Ketcham requests a Variance of 3 ft to the minimum 3 ft setback for a carport for Lot 11, Block 21, Inez Addition, located at 1909 Inez Dr NE, zoned R-1C (H-19) [IDO §14-16-5-5(F)(2)(a)(3)(c)]

Special Exception No:..... **VA-2025-00039**
Project No:..... **Project#2025-020073**
Hearing Date:..... 06-17-2025
Closing of Public Record:.... 06-17-2025
Date of Decision:..... 07-02-2025

On June 17, 2025, Thomas W. & Jodi D. Ketcham (“**Applicant**”) was scheduled to appear before the Zoning Hearing Examiner (the “**ZHE**”) requesting a Variance of 3 ft to the minimum 3 ft setback for a carport (“**Application**”) upon the real property located at 1909 Inez Dr NE (the “**Subject Property**”). Below are the ZHE’s findings of fact and decision:

FINDINGS:

1. Applicant is requesting a Variance of 3 ft to the minimum 3 ft setback for a carport, pursuant to City of Albuquerque Code of Ordinances Integrated Development Ordinance (“**IDO**”) Section 14-16-6-6(O).
2. Applicant has authority to pursue this Application, pursuant to 14-16-6-4(D).
3. The Planning Director’s delegee has determined that the Application is complete, pursuant to IDO Section 14-16-6-4(G).
4. The content of the notice of the Application satisfies IDO Section 14-16-6-4(J)(1).
5. Applicant has sent an electronic mail notice to the email addresses on file with the Office of Neighborhood Coordination for each pertinent Neighborhood Association as required by IDO Section 14-16-6-4(J)(2).
6. Applicant has sent mailed notice to all property owners within 100 feet of the subject property as required by IDO Section 14-16-6-4(J)(3).
7. Applicant has posted sign notice(s) as required by IDO Section 14-16-6-4(J)(4).
8. The Subject Property is located in the R-1C zone district, in which carports must be setback 3 feet from each property line; however, Applicant proposes a carport along the lot line.
9. Therefore, the Subject Property requires a Variance pursuant to IDO Subsection 14-16-6-6(O).
10. IDO Section 14-16-6-6(O)(3)(a) (Review and Decision Criteria– Variance) reads: “*An application for a Variance - ZHE shall be approved if it meets all of the following criteria[:]*”
 1. *There are special circumstances applicable to a single lot that are not self-imposed and that do not apply generally to other property in the same zone district and vicinity, including but not limited to size, shape, topography, location, surroundings, physical characteristics, natural forces, or by government actions for which no compensation was paid. Such special*

circumstances of the lot either create an extraordinary hardship in the form of a substantial and unjustified limitation on the reasonable use or economic return on the property, or practical difficulties result from strict compliance with the minimum standards.

2. *The Variance will not be materially contrary to the public safety, health, or welfare.*
 3. *The Variance does not cause significant material adverse impacts on surrounding properties or infrastructure improvements in the vicinity.*
 4. *The Variance will not materially undermine the intent and purpose of this IDO, the applicable zone district, or any applicable Overlay Zone.*
 5. *The Variance approved is the minimum necessary to avoid extraordinary hardship or practical difficulties.”*
11. 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).
 12. 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).
 13. Agent appeared at the ZHE hearing on the Application and gave evidence in support of the Application.
 14. Based on evidence submitted by or on behalf of Applicant, it appears that there are special circumstances applicable to the Subject Property that are not self-imposed and that do not apply generally to other property in the same zone and vicinity such as size, shape, topography, location, surroundings, or physical characteristics created by natural forces or government action for which no compensation was paid, as required by Section 14-16-6-6(O)(3)(a)(1). The Subject Property is a trapezoidal lot with existing structures not placed by Applicant, which give rise for the need for the proposed variance.
 15. Based on evidence submitted by or on behalf of Applicant, the Variance will not be contrary to the public safety, health and welfare of the community as required by Section 14-16-6-6(O)(3)(a)(2). Evidence establishes that the proposed variance would be in line with other setbacks in the area and would have no negative impact on neighbors.
 16. Based on evidence submitted by or on behalf of Applicant, the Variance will not cause significant adverse material impacts on surrounding properties or infrastructure improvements in the vicinity as required by Section 14-16-6-6(O)(3)(a)(3). Evidence submitted by Applicant establishes that no negative impacts would occur.
 17. Based on evidence submitted by or on behalf of Applicant, the Variance will not materially undermine the intent and purpose of the IDO or applicable zone district as required by Section 14-16-6-6(O)(3)(a)(4). If approved, Applicant intends to develop and use the Subject Property in line with all applicable IDO requirements.
 18. Based on evidence submitted by or on behalf of Applicant, the Variance approved is the minimum necessary to avoid extraordinary hardship or practical difficulties as required by Section 14-16-6-6(O)(3)(a)(5). The unusual shape of the lot and location of existing improvements make the requested variance the only feasible option.
 19. The City Traffic Engineer submitted a report stating no objection to the Application.

DECISION:

APPROVAL of a Variance of 3 ft to the minimum 3 ft setback for a carport.

APPEAL:

If you wish to appeal this decision, you must do so by July 17, 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 Notice of Decision does not constitute approval of plans for a building permit. If your Application is approved, bring this Notice of Decision with you when you apply for any related building permit or occupation tax number. Approval of a Conditional Use is void after two (2) years from date of approval if the rights and privileges granted thereby have not been executed or utilized. Approval of a Variance is void after one (1) year from date of approval if the rights and privileges granted thereby have not been executed or utilized.



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