



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

Margie Ray Schell requests a Variance for 1 foot 6 inches to the minimum 5-foot side yard setback, to allow for an attached garage addition, for Lot 24, Block 3, Ridge Park, located at 4700 McKnight Avenue NE, zoned R-1C (J-17) IDO Section 14-16- 5-1(C)(1); Table 5-1-1

Special Exception No: **VA-2026-00013**
Project No:..... **NA**
Hearing Date: 03-17-2026
Closing of Public Record: 03-17-2026
Date of Decision:..... 04-01-2026

On March 17, 2026, Margie Ray Schell (“**Applicant**”) was scheduled to appear before the Zoning Hearing Examiner (“**ZHE**”) requesting a Variance to side setback for the construction of a garage (“**Application**”) upon the real property located at 4700 McKnight Avenue NE, (“**Subject Property**”). Below are the ZHE’s findings of fact and decision:

FINDINGS:

1. Applicant is requesting a Variance to side setback for an attached garage pursuant to the City of Albuquerque Code of Ordinances Integrated Development Ordinance (“**IDO**”) Section 14-16-6-6(O).
2. Based on evidence in the record, it was determined that the applicant required a second variance to front setback which was not given notice in the legal ad.
3. Failure of proper notice is a jurisdictional defect, and the ZHE cannot proceed to hear a case and decide it until notice requirements have been fulfilled.
4. To facilitate a timely posting of the legal ad, at least 15 days before the hearing, the ZHE has allowed for a DEFERRAL until the April 21, 2026, ZHE hearing.

DECISION:

DEFERRAL of the Application to the April 21, 2026, ZHE hearing, which begins at 9:00 a.m.

Robert Lucero, Esq.
Zoning Hearing Examiner

cc: Margie Ray Schell (*Applicant*), Mschell2012@gmail.com
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Cade Wormington; cade@condeck.com

ZHE File
Zoning Enforcement