

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
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ZONING HEARING EXAMINER

NOTICE OF DECISION

Special Exception Number: MZP-2026-00033

Project Number: PR-2026-000114

Hearing Date: 07-21-26

Closing of Public Record: 07-21-26

Date of Decision: 08-05-26

Case Description: Juan Mejia (Owner) requests a Major Zoning Permit for a carport in the side setback for * L 001 Montoya 2nd Addition located at 205 Abajo Rd SE, zoned R-1 (M-14) IDO β 14-16- 6-6(G)

On July 21, 2026, Juan Mejia (“Owner”), was scheduled to appear before the Zoning Hearing Examiner (“ZHE”) requesting a Major Zoning Permit for a carport in the side setback (“Application”) upon the real property located at 205 Abajo Rd SE. (“Subject Property”). Below are the ZHE’s findings of fact and decision:

FINDINGS:

1. Applicant is requesting Approval to allow a Carport Permit Major to be placed in the side setback of the property, pursuant to City of Albuquerque Code of Ordinances Integrated Development Ordinance (“**IDO**”) Sections 14-16-6-6(G).
2. Applicant has authority to pursue this Application, pursuant to 14-16-6-4(D).
3. Applicant has not duly authorized Agent to act on Applicant’s behalf regarding the Application.
4. Applicant is not required to offer a meeting to Indian Nations, Tribes, and Pueblos before filing the application, pursuant to IDO Section 14-16-6-4(B).
5. The Planning Director’s delegee has determined that the Application is complete, pursuant to IDO Section 14-16-6-4(G).
6. The analyses and studies listed in IDO Section 14-16-6-4(H) are not required.
7. The Application was forwarded to commenting agencies pursuant to IDO Section 14-16-6-4(I).
8. The content of the notice of the Application satisfies IDO Section 14-16-6-4(J)(1).

9. 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).
10. Applicant has sent a mailed notice to all property owners within 100 feet of the subject property as required by IDO Section 14-16-6-4(J)(3).
11. Applicant has posted sign notice(s) as required by IDO Section 14-16-6-4(J)(4).
12. The Subject Property is located at 205 Abajo Rd SE in a R-1 zone district.
13. Therefore, a Carport on the Subject Property requires a Carport-Major Permit Approval pursuant to IDO Subsection 14-16-6-6(G).
14. Pursuant to IDO §14-16-6-6(G)(3) (Review and Decision Criteria), *"An application for a Permit-Carport shall be approved if it meets all of the following criteria:*
 - 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. 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)."*
15. 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).
16. Applicant appeared at the ZHE hearing on the Application and gave evidence in support of the Application.
17. 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.
18. 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
19. 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).
20. 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.
21. Applicant has met the burden of providing evidence that establishes that the requested carport is not taller than the primary building on the lot.
22. The City Traffic Engineer submitted a report stating no objection to the Application.

DECISION:

APPROVAL to allow a Carport-Permit Major in the side setback of the property for * L 001 Montoya 2nd Addition located at 205 Abajo Rd SE.

APPEAL:

If you wish to appeal this decision, you must do so by August 20, 2026. Pursuant to § 14-16-6-4(U), of the Integrated Development Ordinance, you must demonstrate that you have legal standing to file an appeal.

PERIOD OF VALIDITY:

Approval of a Permit – Carport is valid for one (1) year from date of approval.

OTHER REQUIREMENTS:

THIS NOTICE OF DECISION DOES NOT CONSTITUTE APPROVAL OF PLANS FOR A BUILDING PERMIT.

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of a special exception is secured. If your Application is approved, submit this Notice of Decision when you apply for any related site plan, building permit, or other necessary permit.



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Zoning Hearing Examiner

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ZHE File
Zoning Enforcement