

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
600 2nd Street NW, 2nd Floor, Albuquerque, NM 87102
PO Box 1293, Albuquerque, NM 87103
Office (505) 924-3860



ZONING HEARING EXAMINER NOTICE OF DECISION

Special Exception Number: MZP-2026-00039

Project Number: PR-2026-00098

Hearing Date: 07-21-2026

Closing of Public Record: 07-21-2026

Date of Decision: 08-05-2026

Case Description: Christopher Nelson (Owner) & and David Day (Applicant) request a Major Zoning Permit to construct a Carport for Lots 3 & 4B, Block 0000, Carter Lewis A Subdivision, located at 2201 Gabaldon Rd NW, zoned R-A (G-12) (H-12) IDO § 14-16-5(F)(2)(a)(3)

On July 21, 2026, Christopher Nelson (Owner) & and David Day (Applicant) were scheduled to appear before the Zoning Hearing Examiner (“ZHE”) requesting a Permit – Carport (“Application”) upon the real property located at 2201 Gabaldon Rd NW (“Subject Property”). Below are the ZHE’s findings of fact and decision.

FINDINGS, PERMIT – CARPORT:

1. Applicant is requesting a Permit – Carport – Major, pursuant to City of Albuquerque Code of Ordinances Integrated Development Ordinance (“IDO”) § 14-16-6-6(G).
2. Applicant has authority to pursue this Application, pursuant to IDO § 14-16-6-4(D).
3. Applicant has duly authorized Agent to act on Applicant’s behalf regarding the Application.
4. Applicant is not required to offer at least 1 meeting to Indian Nations, Tribes, and Pueblos no more than 1 calendar year before filing the application, pursuant to IDO § 14-16-6-4(B).
5. The Planning Director’s delegee has determined that the Application is complete, pursuant to IDO § 14-16-6-4(G).
6. The analyses and studies listed in IDO § 14-16-6-4(H) are not required.
7. The Application was referred to commenting agencies pursuant to IDO § 14-16-6-4(I).
8. The content of the notice of the Application satisfies IDO § 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 Neighborhood Associations within 660 feet as required by IDO § 14-16-6-4(J)(2).
10. Applicant has sent mailed notice to all property owners within 100 feet of the subject property as required by IDO § 14-16-6-4(J)(3).
11. Applicant has posted sign notice(s) as required by IDO § 14-16-6-4(J)(4).
12. A carport in the front or side setback will be installed on the Subject Property.
13. Therefore, the Subject Property requires a Permit – Carport –Major pursuant to IDO § 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 of MZP-2026-00039, a Major Zoning Permit to construct a Carport for Lots 3 & 4B, Block 0000, Carter Lewis A Subdivision, located at 2201 Gabaldon Rd NW.

APPEAL:

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

PERIOD OF VALIDITY:

Approval of a Permit – Carport – Major 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 building permit or other necessary permit.



Robert Lucero, Esq.
Zoning Hearing Examiner

cc: C. David Day
cdavidday@icloud.com
Lauren Addario
laurenadd@gmail.com
Christopher Nelson
cnelsonabq@gmail.com
T. Judy Heiss
tjudyh@gmail.com
ZHE File
Zoning Enforcement