

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

Special Exception Number: MZP-2026-00037

Project Number: PR-2026-000092

Hearing Date: 08-18-2026

Closing of Public Record: 08-18-2026

Date of Decision: 09-02-2026

Case Description: Brannon Dugick requests a Permit – Wall or Fence – Major for a tall wall at Lot 1 Block 3 La Hacienda & W 64 Ft Lot 2 located at 3600 Calle Del Ranchero NE, zoned R-1 [IDO § 14-16-5-7(D)(3), Table 5-7-2]

On August 18, 2026, Brannon Dugick (“Applicant”) was scheduled to appear before the Zoning Hearing Examiner (“ZHE”) requesting a Permit – Wall or Fence – Major (“Application”) upon the real property located at 3600 Calle Del Ranchero NE (“Subject Property”). Below are the ZHE’s findings of fact and decision.

FINDINGS: PERMIT – WALL OR FENCE – MAJOR:

1. Applicant is requesting a Permit – Wall or Fence – Major, pursuant to City of Albuquerque Code of Ordinances Integrated Development Ordinance (“IDO”) § 14-16-6-6(H).
2. Applicant has authority to pursue this Application, pursuant to IDO § 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 § 14-16-6-4(B).
5. The Planning Director’s delegee has determined that the Application is complete as of June 13, 2026 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 not required to be 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. The Subject Property is located in the R-1 zone district where a front yard wall is limited to 3-feet in height pursuant to IDO § 14-16-5-7(D)(1).
13. Therefore, a wall or fence over 3-feet on the Subject Property requires a Permit – Wall or Fence –Major pursuant to IDO § 14-16-6-6(H).
14. IDO § 14-16-6-6(H)(3) (Review and Decision Criteria for a Permit – Wall or Fence – Major) shall be approved if all of the following criteria are met.
 - (a) *The wall is proposed on a lot that meets any of the following criteria.*
 1. *The lot is at least ½ acre.*
 2. *The lot fronts a street designated as a collector, arterial, or interstate highway.*
 3. *For a front yard wall taller than allowed in Table 5-7-1, at least 10 percent of the properties with low-density residential development with a front yard abutting the same street as the subject property and within 330 feet of the subject property along the length of the street the lot faces have a front yard wall or fence over 3 feet. This distance shall be measured along the street from each corner of the subject property's lot line, and the analysis shall include properties on both sides of the street.*
 4. *For a street side yard wall taller than allowed in Table 5-7-1, at least 10 percent of the properties with low-density residential development with a side yard abutting the same street as the subject property and within 330 feet of the subject property along the length of the street the lot faces have a street side yard wall or fence over 3 feet. This distance shall be measured along the street from each corner of the subject property's lot line, and the analysis shall include properties on both sides of the street.*
 - (b) *The proposed wall would not be injurious to adjacent properties, the surrounding neighborhood, or the larger community.*
 - (c) *The design of the wall complies with any applicable standards in § 14-16-5-7 (Walls and Fences), including but not limited to § 14-16-5-7(E)(2) (Articulation and Alignment), § 14-16-5-7(E)(3) (Wall Design), and both of the following criteria:*
 1. *The wall or fence shall not block the view of any portion of any window on the front façade of the primary building when viewed from 5 feet above ground level at the centerline of the street in front of the house.*
 2. *The design and materials proposed for the wall or fence shall reflect or enhance the quality of walls and fences in the surrounding area.*
15. Applicant bears the burden of providing a sound justification for the requested decision, based on substantial evidence, pursuant to IDO § 14-16-6-4(E)(3).

16. Applicant bears the burden of showing compliance with required standards through analysis, illustrations, or other exhibits as necessary, pursuant to IDO § 14-16-6-4(E)(4).
17. Applicant appeared at the ZHE hearing on the Application and gave evidence in support of the Application.
18. Based on evidence in the record, at least 10 percent of the properties with low-density residential development with a front yard abutting the same street as the subject property and within 330 feet of the subject property along the length of the street the lot faces have a front yard wall or fence over 3 feet.
19. City Transportation identified sight-distance concerns associated with opaque portions of the fence near driveways and corner areas and recommended view fencing above 3 feet in certain designated segments; namely, 11 linear feet from (a) both sides of each entrance gate along Calle del Ranchero, (b) the NE corner of the Subject Property, and (c) the SE corner of the Subject Property. Transportation had no objection to the other portions of the fence.
20. In response, Applicant revised the proposal to replace the Transportation-identified portions above 3 feet with view fencing, with the exception of the SW corner, and submitted a marked site plan identifying those portions, which is shown on page C of the Staff Report in the record on this matter.
21. Applicant also proposed installation of a 24-inch outdoor convex traffic-safety mirror at the Carlisle Boulevard driveway exit, oriented north along Carlisle Boulevard, to provide an exiting driver with a wide-angle view of approaching southbound traffic and sidewalk pedestrians. Applicant submitted photographs illustrating the proposed location and viewing direction.
22. Planning staff recommended approval with conditions and recommended that Applicant coordinate with City Transportation so the mirror is positioned to provide adequate views of oncoming traffic and pedestrians.
23. The revised view-fencing proposal, together with installation and proper positioning of the traffic mirror required by this Decision, addresses the identified sight-distance concern. As conditioned, the fence will not be injurious to adjacent properties, the surrounding neighborhood, or the larger community, satisfying IDO Section 14-16-6-6(H)(3)(b).
24. The fence is constructed principally of wood with masonry or stucco columns, a brick base, and decorative horizontal openings. Wood and masonry are acceptable wall and fence materials under IDO Section 14-16-5-7(E)(1).
25. The supporting columns and other decorative features break up the massing of the street-facing fence and provide articulation consistent with IDO Section 14-16-5-7(E)(2).
26. The decorative openings and contrasting wood, masonry, and brick elements provide visual variation along the fence consistent with IDO Section 14-16-5-7(E)(3).
27. Based on the photographs and site materials in the record, the fence does not block any portion of a window on the front facade of the primary building when viewed from the street as described in IDO Section 14-16-6-6(H)(3)(c)(1).

28. The wood panels, masonry or stucco columns, brick base, and decorative bands reflect and enhance the quality of residential walls and fences visible in the surrounding area, satisfying IDO Section 14-16-6-6(H)(3)(c)(2).
29. The revised application design complies with the applicable standards in IDO Section 14-16-5-7 and satisfies IDO Section 14-16-6-6(H)(3)(c).

DECISION:

APPROVAL WITH CONDITIONS of a Permit – Wall or Fence – Major.

CONDITIONS OF APPROVAL:

1. Applicant shall install the proposed 24-inch outdoor convex traffic-safety mirror at the Carlisle Boulevard driveway exit, oriented north along Carlisle Boulevard to provide exiting drivers with a view of approaching southbound traffic and sidewalk pedestrians. Applicant shall coordinate the mirror's final placement and orientation with the City Transportation Department and shall obtain any authorization required for mounting at the proposed location. Applicant shall thereafter maintain the mirror in effective condition for the duration of the approved fence.
2. The following portions of the fence above 3 feet fronting Calle de Ranchero will be modified to provide no more than 50 percent opacity: 11 linear feet from (a) both sides of each entrance gate along Calle del Ranchero, and (b) the NE corner of the Subject Property.

APPEAL:

If you wish to appeal this decision, you must do so by September 17, 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 – Wall or Fence – 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.

A handwritten signature in dark ink, appearing to read "Robert Lucero". The signature is fluid and cursive, with the first name "Robert" and last name "Lucero" clearly distinguishable.

Robert Lucero, Esq.
Zoning Hearing Examiner

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