

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-2026-00027

Project Number: PR-2026-000110

Hearing Date: 08-18-26

Closing of Public Record: 08-18-26

Date of Decision: 09-02-26

Case Description: Russell J. Threadgill (Owner) requests a Major Zoning Permit - Carport for Lot 1, Block 4, Holiday Park Unit 11, located at 3700 Naples St NE, zoned R-1 (G-22) [IDO § 14-16-6-6(G)]

On August 18, 2026, Russell J. Threadgill (Owner) was scheduled to appear before the Zoning Hearing Examiner (“ZHE”) requesting a Permit – Carport (“Application”) upon the real property located at 3700 Naples St NE (“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”) § 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. The Planning Director’s delegatee has determined that the Application is complete, pursuant to IDO § 14-16-6-4(G).
5. The analyses and studies listed in IDO § 14-16-6-4(H) are not required.
6. The Application was referred to commenting agencies pursuant to IDO § 14-16-6-4(I).
7. The content of the public notice of the Application satisfies IDO § 14-16-6-4(J)(1).
8. 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).

9. 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).
10. Applicant has posted sign notice(s) as required by IDO § 14-16-6-4(J)(4).
11. The Subject Property is located in the R-1 zone district.
12. In the R-1, R-T, R-ML, R-MH, and MX-T zone districts, no carport wall may be built within the required front or side setback area unless a Permit – Carport is approved pursuant to § 14-16-6-6(G).
13. The carport is located in the front and side setbacks; therefore, the Subject Property requires a Permit – Carport Approval pursuant to IDO § 14-16-6-6(G).
14. IDO § 14-16-6-6(G)(3) (Review and Decision Criteria) 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 § 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.*
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. Regarding IDO § 14-16-6-6(G)(3)(a), Applicant's written Carport Permit Justification states that the carport was designed to have the same appearance as existing structures in the area and would maintain neighborhood character and property values.
18. However, written public opposition and sworn oral testimony states that the structure is too large in height and scale, looks out of place compared with other neighborhood structures, and is especially noticeable from Comanche Road. The record supplied for this decision contains no photographs, elevations, material or color schedule, or comparative neighborhood evidence sufficient to overcome that evidence.
19. Applicant has not carried the burden of showing by substantial evidence that the carport would strengthen or reinforce the architectural character of the surrounding area. IDO § 14-16-6-6(G)(3)(a) is not met.
20. Regarding IDO § 14-16-6-6(G)(3)(c), no portion of a carport structure may be located within 3 feet of a lot line.
21. Evidence reveals that the carport is approximately 1.5 feet from the side property line, and the site exhibit depicts the structure adjacent to that lot line. Applicant did not submit evidence showing the required 3-foot separation.
22. Because the carport does not comply with § 14-16-5-5(F)(2)(a)3.c, Applicant has not carried the burden of showing that the carport design complies with § 14-16-5-5(F)(2)(a)3.
23. Regarding IDO § 14-16-6-6(G)(3)(e), Applicant's written justification acknowledges that the carport is higher because it must clear the motor home.
24. Applicant has not carried the burden of showing that the carport is not taller than the primary building on the lot. IDO § 14-16-6-6(G)(3)(e) is not met.

25. Because the Application must meet all applicable criteria, and the criteria discussed above have not been met, the ZHE will not examine the remainder of the criteria, in the interest of quasi-judicial economy.

DECISION:

DENIAL of Major Zoning Permit – Carport.

APPEAL:

If you wish to appeal this decision, you must do so by September 17, 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.



Robert Lucero, Esq.
Zoning Hearing Examiner

cc: Russell Threadgill
rthread01@gmail.com
Becca Wilson
blrhabq@gmail.com
Dave Coulie
davecoulie@aol.com
ZHE File

CABQ Zoning Hearing Examiner

Notice of Decision

P a g e | **4 of 4**

Zoning Enforcement
Marcos Trujillo
mdtrujillo@cabq.com