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

Special Exception Number: MZP-2026-00058

Project Number: None

Hearing Date: 10-20-26

Closing of Public Record: 10-20-26

Date of Decision: 11-04-26

Case Description: Shantih Bisland ("**Owner**") & Christopher Gutierrez ("**Applicant**") request a Major Zoning Permit - Carport for Lot 4, Block 12, Loma Vista Addition, located at 1001 Bryn Mawr Dr NE, zoned R-1 (J-16) IDO β 14-16-5-5(F)(2)(a)(3)

On October 20, 2026, Shantih Bisland ("**Owner**") & Christopher Gutierrez ("**Applicant**") were scheduled to appear before the Zoning Hearing Examiner ("**ZHE**") requesting a Major Zoning Permit – Carport ("**Application**") upon the real property located at 1001 Bryn Mawr Dr NE ("**Subject Property**"). Below are the ZHE's findings of fact and decision.

FINDINGS, MAJOR ZONING PERMIT – CARPORT

1. Applicant is requesting a Major Zoning 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 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 Section 14-16-6-4(B).
4. The Planning Director's delegee has determined that the Application is complete as of September 24, 2026 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 forwarded to commenting agencies pursuant to IDO § 14-16-6-4(I).
7. The content of the 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 each pertinent Neighborhood Association as required by IDO Section 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 at 1001 Bryn Mawr Dr NE in an R-1 zone district.
12. Pursuant to 14-16-5-5(F)(2)(3)(a), a carport in the front or side setback of an R-1 zone district requires a Permit – Carport Approval pursuant to IDO § 14-16-6-6(G).
13. IDO Section 14-16-6-6(G)(3) (Review and Decision Criteria for a Permit-Carport) 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 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.
14. 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 has met the burden of providing evidence that established that the requested carport would strengthen or reinforce the architectural character of the surrounding area.
17. 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
18. 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).
19. 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.
20. Applicant has met the burden of providing evidence that establishes that the requested carport is not taller than the primary building on the lot.
21. The City Traffic Engineer and Historical Preservation staff submitted a report stating no objection to the Application.

DECISION:

APPROVAL of MZP-2026-00058 of a Major Zoning Permit – Carport for Lot 4, Block 12, Loma Vista Addition, located at 1001 Bryn Mawr Dr NE.

APPEAL:

If you wish to appeal this decision, you must do so by November 19, 2026 pursuant to Section 14-16-6-4-(U), of the Integrated Development Ordinance, you must demonstrate that you have legal standing to file an appeal as defined.

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of a special exception is secured. This Notice of Decision does not constitute approval of plans for a building permit. If your Application is approved, bring this Notice of Decision with you when you apply for any related building permit or occupation tax number. Approval of a Conditional Use is void after two (2) years from date of approval if the rights and privileges granted thereby have not been executed or utilized. Approval of a Variance is void after one (1) year from date of approval if the rights and privileges granted thereby have not been executed or utilize

Robert Lucero, Esq.
Zoning Hearing Examiner

cc: ("Applicant") Christopher Gutierrez
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ZHE File
Zoning Enforcement