



HEARING ON SPECIAL EXCEPTIONS
TO THE COMPREHENSIVE CITY ZONING CODE

ZONING HEARING EXAMINER'S ACTION SHEET

TUESDAY, JUNE 17, 2008 9:00 A.M.
PLAZA DEL SOL HEARING ROOM
BASEMENT LEVEL
600 SECOND STREET NW
(ON THE NORTHEAST CORNER OF 2ND STREET AND ROMA NW)

STAFF

Roberto Albertorio, Esq., Zoning Hearing Examiner
Tom Rojas, Deputy Zoning Hearing Examiner
Lucinda Montoya, Administrative Assistant

For Inquiries Regarding This Agenda, Please Call Lucinda Montoya at (505) 924-3918.

PLEASE ADDRESS ALL CORRESPONDENCE TO:

Roberto Albertorio, Esq.
Office of Administrative Hearings
P.O. Box 1293
Albuquerque, NM 87103

NOTICE TO PEOPLE WITH DISABILITIES: *If you have a disability and you require special assistance to participate in this hearing, please contact Lucinda Montoya at (505) 924-3918.*

INTERPRETER REQUIRED:

- | | | | |
|----|--------------------|-----------------------------------|--|
| 1. | 08ZHE-80181 | Project#
1007230 | CARLOS PINEDO request(s) a special exception to Section 14-16-3-3(4)(a): a VARIANCE of 1' to the 3' wall height allowance for an existing 4' high wall in the front yard setback area on all or a portion of Lot(s) 174, RIO GRANDE HEIGHTS ADDN zoned R-1, located at 420 57TH ST SW (K-11)

APPROVED WITH CONDITIONS |
| 2. | 08ZHE-80212 | Project#
1007163 | MIGUEL & LUZ GALLEGOS request(s) a special exception to Section 14-16-3-3(A)(4)(a)(1) and 14-16-2-22(B)(25)(a): a VARIANCE of 3' to the 3' wall height allowance for an existing 6' high wall in the front yard setback area on all or a portion of Lot(s) 17, BROADWAY HILLS ADDN zoned SU-1 PRD, located at 2633 JOHN ST SE (M-14)

APPROVED WITH CONDITIONS |
| 3. | 08ZHE-80133 | Project#
1007163 | MIGUEL & LUZ GALLEGOS request(s) a special exception to Section 14-16-2-6(E)(5)(a) and 14-16-2-22(B)(25)(a): a VARIANCE of 9' to the 15' rear yard setback area requirement for a proposed garage addition to the dwelling on all or a portion of Lot(s) 17, BROADWAY HILLS ADDN zoned SU-1 PRD, located at 2633 JOHN ST SE (M-14)

APPROVED |

4. **08ZHE-80210** **Project# 1007257** MANUEL COTA request(s) a special exception to Section 14-16-2-6-(E)(1): a VARIANCE of 4' to the 20' front yard setback area requirement for a proposed front porch on all or a portion of Lot(s) 722B, Block(s) 31, ATRISCO VILLAGE UNIT 3A OF HOFFMAN CITY zoned R-1, located at 10209 BENAVIDES RD SW (M-8)
APPROVED
5. **08ZHE-80227** **Project# 1007283** ANDRES L. MUNOZ request(s) a special exception to Section 14-16-3-3(A)(4)(a)1: a VARIANCE of 3' to the 3' wall height allowance for an existing 6' high wall in the front yard setback area on all or a portion of Lot(s) 23, Block(s) 1, BRIDGES ADDN zoned R-1, located at 1501 56TH ST NW (H-11)
APPROVED WITH CONDITIONS
6. **08ZHE-80162** **Project# 1007209** FRANCISCO AND MIREYA VASQUEZ request(s) a special exception to Section 14-16-2-6(B)(3): a CONDITIONAL USE to allow for an existing carport in the front yard setback area on all or a portion of Lot(s) 16, Block(s) 9, SKYVIEW WEST AMENDED REPLAT zoned R-1, located at 7521 ASTER RD SW (L-10)
APPROVED
7. **08ZHE-80069** **Project# 1007094** ANA PINON request(s) a special exception to Section 14-16-2-6(B)(14)(a)2. and 14-16-2-12(B)(1) & 14-16-2-11(B)(1): a CONDITIONAL USE to allow for a fence over 3' in height in the required front yard setback area for a proposed 5' high fence on all or a portion of Lot(s) 47 & 48, Block(s) 10, MESA VERDE ADDN zoned R-3, located at 201 WISCONSIN ST NE (K-19)
APPROVED WITH CONDITIONS

OLD BUSINESS:

8. **08ZHE-80202** **Project# 1007148** TONY & ADELA AGUILAR request(s) a special exception to Section 14-16-3-3(4)(a)1: a VARIANCE of 2.25' to the 3' wall height allowance for an existing 5.25' high wall in the front yard setback area on all or a portion of Lot(s) 8, CITY VIEW MOBILE HOME PARK zoned SU-1 MH PARK, located at 717 CITY VIEW DR SW (K-11)
APPROVED WITH CONDITIONS
9. **08ZHE-80119** **Project # 1007148** TONY & ADELA AGUILAR request(s) a special exception to Section 14-16-2-7(E)(2): a VARIANCE of 5' to the 5' side yard setback area requirement for an existing carport on all or a portion of Lot(s) 8, CITY VIEW MOBILE HOME PARK zoned SU-1 MH PARK, located at 717 CITY VIEW DR SW (K-11)
APPROVED
10. **08ZHE-80122** **Project # 1007148** TONY & ADELA AGUILAR request(s) a special exception to Section 14-16-3-3(2)(d): a VARIANCE of 4'5" to the 10' separation requirement between a dwelling and existing shed on all or a portion of Lot(s) 8, CITY VIEW MOBILE HOME PARK zoned SU-1 MH PARK, located at 717 CITY VIEW DR SW (K-11)
APPROVED
11. **08ZHE-80241** **Project# 1007218** CATHERINE HELLER request(s) a special exception to Section 14-16-2-8(E)(4)(a) and Sawmill Wells Park SDP, S-R Zone, E., Page 101: a VARIANCE of 10' to the required 15' rear yard setback area on all or a portion of Lot(s) 7 & 8, Block(s) 3, ROSEMONT PARK ADDN zoned S-R, located at 1014 11TH ST NW (J-13)
DENIED

12. **08ZHE-80169** **Project# 1007218** CATHERINE HELLER request(s) a special exception to Section 14-16-2-8(A)(1) and D.4 PG. 100: a VARIANCE of 246 sq ft to the minimum required 3500 sq ft lot size on all or a portion of Lot(s) 7 & 8, Block(s) 3, ROSEMONT PARK ADDN zoned SR, located at 1014 11TH ST NW (J-13)
DENIED
13. **08ZHE-80170** **Project# 1007218** CATHERINE HELLER request(s) a special exception to Section 14-16-2-8(A)(1) and D.4 PG. 100: a VARIANCE of 10' to the 15' front yard setback area for a proposed dwelling on all or a portion of Lot(s) 7 & 8, Block(s) 3, ROSEMONT PARK ADDN zoned SR, located at 1014 11TH ST NW (J-13)
DENIED
14. **08ZHE-80242** **Project# 1007218** CATHERINE HELLER request(s) a special exception to Section Sawmill Wells Park SDP, S-R Zone, D.4., Page 100: a VARIANCE of 875 sq ft to the minimum required 3500 sq ft lot size on all or a portion of Lot(s) 7 & 8, Block(s) 3, ROSEMONT PARK ADDN zoned S-R, located at 1014 11TH ST NW (J-13)
DENIED
15. **08ZHE-80173** **Project# 1007223** STEVEN CHAMBERLIN request(s) a special exception to Section 14-16-2-5(D): a VARIANCE of 963 sq ft to the 10,890 sq ft minimum lot size requirement in an RA-2 zone for 2 proposed dwellings on all or a portion of Lot(s) 24, ALVARADO GARDENS UNIT 1 zoned RA-2, located at 2217 MATTHEW NW (G-13)
DEFERRED INDEFINATELY
16. **08ZHE-80190** **Project# 1007237** ALEJANDRO GONZALEZ-BASURTO request(s) a special exception to Section 14-16-2-6(E)(5)(a) and SOUTH BROADWAY SDP, PAGE 45, I.: a VARIANCE of 15.25" to the 15' rear yard setback area requirement for proposed dwelling units on all or a portion of Lot(s) 10, Block(s) J, EASTERN ADDN zoned SU-2/M-R, located at 1307 JOHN ST SE (L-14)
DEFERRED TO 7/15/08
17. **08ZHE-80189** **Project# 1007237** ALEJANDRO GONZALEZ-BASURTO request(s) a special exception to Section 14-16-2-11(A)(3) and SOUTH BROADWAY SDP, PAGE 45, I.A.1.a.: a CONDITIONAL USE to allow for a proposed apartment unit in an SU-2/M-R zone on all or a portion of Lot(s) 10, Block(s) J, EASTERN ADDN zoned SU-2/M-R, located at 1307 JOHN ST SE (L-14)
DEFERRED TO 7/15/08
18. **08ZHE-80161** **Project# 1007205** CHRIS & AMY WILLIAMSON (RYAN WALLACE, AGENT) request(s) a special exception to Section PG 73. NRC and 14-16-3-19(A)(3)(a): a VARIANCE of 3' to the 3' wall height allowance for an existing 6' high wall in the front yard setback area on all or a portion of Lot(s) UNPLATTED, UNPLATTED zoned SU-2 NRC, located at 607 GRANITE AVE NE (J-14)
DEFERRED TO 7/15/08
19. **08ZHE-80193** **Project# 1007240** 8117 CORPORATION (DAVID CALLAHAN, AGENT) request(s) a special exception to Section 14-16-3-17 (B) (17): a CONDITIONAL USE to allow for proposed duct work assembly in a C-2 zone on all or a portion of Lot(s) A/CENTRAL ASSEMBLY OF GOD CHURCH, Block(s) 3, MESA VERDE ADDN zoned C-2, located at 8117 CENTRAL NE (K-19)
DEFERRED TO 7/15/08
20. **08ZHE-80204** **Project# 1007247** MARK MARTINEZ request(s) a special exception to Section 14-16-2-6(B)(14)(a)2.: a CONDITIONAL USE to allow for a fence over 3' in height in the front yard setback area for a proposed 5' high fence on all or a portion of Lot(s) 9, Block(s) 7, VIRGINIA PLACE ADDN zoned R-1, located at 932 CARDENAS DR SE (L-18)
DEFERRED TO 7/15/08

21. **08ZHE-80165** **Project# 1007215** SEVERA FREELONG request(s) a special exception to Section PG 45 I and 14-16-2-6(14)(a): a CONDITIONAL USE to allow for a wall over 3' in height in the required front yard setback area for a proposed 5' high wall on all or a portion of Lot(s) 4, Block(s) 14, EASTERN ADDN zoned SU-2 MR, located at 1015 WALTER ST SE (K-14)
APPROVED WITH CONDITIONS
22. **08ZHE-80150** **Project # 1007182** DANIEL GARCIA & RITA ARAGON request(s) a special exception to Section 14-16-2-8(B)(1) and 14-16-2-6(B): a CONDITIONAL USE to allow for a wall over 3' in height in the front yard setback area for an existing 6' high wall on all or a portion of Lot(s) 25-P1, Block(s) G, AVALON UNIT 2 zoned R-LT, located at 9312 JETTY CT NW (K-9)
APPROVED

NEW BUSINESS:

23. **08ZHE-80214** **Project# 1007261** GEORGE LOPEZ (YOLANDA MONTOYA, AGENT) request(s) a special exception to Section 14-16-2-6(E)(5)(a): a VARIANCE of 5' to the 15' rear yard setback area requirement for a proposed addition to the dwelling on all or a portion of Lot(s) 35A, Block(s) D, NEW KIMO ADDN zoned R-1, located at 5611 INDIAN SCHOOL RD NE (H-18)
APPROVED
24. **08ZHE-80232** **Project# 1007287** ERIC & DAISY STRAWN (EARL STRAWN, AGENT) request(s) a special exception to Section 14-16-2-11(E)(4) and SOUTHBROADWAY PG 46: a VARIANCE of 10' to the 15' rear yard setback area requirement for a proposed dwelling on all or a portion of Lot(s) 419A1, MRGCD MAP 41 zoned SU-2 NCR, located at 300 KATHRYN AVE SE (L-14)
DEFERRED TO 7/15/08
25. **08ZHE-80239** **Project# 1007295** MARK GONZALES request(s) a special exception to Section 14-16-2-6 (E) (4) (A): a VARIANCE of 10' to the 10' side yard setback area requirement for a proposed addition to the dwelling on all or a portion of Lot(s) 14, Block(s) 34, UNIVERSITY HEIGHTS ADDN zoned R-1, located at 219 RICHMOND SE (K-16)
APPROVED
26. **08ZHE-80240** **Project# 1007295** MARK GONZALES request(s) a special exception to Section 14-16-2-6 (E) (4) (a): a VARIANCE of 10' to the 15' rear yard setback area requirement for a proposed addition to the dwelling on all or a portion of Lot(s) 14, Block(s) 34, UNIVERSITY HEIGHTS ADDN zoned R-1, located at 219 RICHMOND SE (K-16)
APPROVED
27. **08ZHE-80230** **Project# 1007286** CHRISTOPHER G HOOTON request(s) a special exception to Section 14-16-2-6(E)(4)(a) and DOWNTOWN NEIGHBORHOOD AREA SF: a VARIANCE of 5' to the 5' side yard setback area requirement for a proposed addition to the dwelling on all or a portion of Lot(s) 7-12, Block(s) 42, PEREA ADDN zoned SU-2 SF, located at 1511 MARBLE AVE NW (J-13)
DEFERRED TO 7/15/08
28. **08ZHE-80231** **Project# 1007286** CHRISTOPHER G HOOTON request(s) a special exception to Section 14-16-4-13 and DOWNTOWN NEIGHBORHOOD AREA SF: a CONDITIONAL USE to allow an existing status established building (two dwellings) in an SU-2 SF zone on all or a portion of Lot(s) 7-12, Block(s) 42, PEREA ADDN zoned SU-2 SF, located at 1511 MARBLE AVE NW (J-13)
APPROVED

29. **08ZHE-80213** **Project#** LEAH BURKHARDT (CHRIS HOOTON, AGENT) request(s) a special exception to Section 14-16-2-6(B)(14)(a)1: a CONDITIONAL USE to allow for a fence over 3' in height in the front yard setback area for a proposed 5' high fence on all or a portion of Lot(s) 10, Block(s) C, ALTURA ADDN zoned R-1, located at 1731 ALISO DR NE (J-17)
1007260
 APPROVED WITH CONDITIONS

*******LUNCH BREAK*******

HEARING WILL RESUME PROMPTLY
AT 1:30 P.M. WITH ITEM #30

IF YOU ARE AGENDA ITEMS #30 - #50

PLEASE COME TO THE HEARING AT 1:30 P.M.

30. **08ZHE-80236** **Project#** FRANK S. SLAVICH III (DOUG CRANDALL, AGENT) request(s) a special exception to Section 14-16-2-17(B)(17) and Declaratory Ruling, Page 112, Zoning Operations Manual, 4th Edition: a CONDITIONAL USE to allow a proposed blood service establishment (Plasma Donation Center) in a C-2 zone on all or a portion of Lot(s) A1, DASKALOS SHOPPING CENTER zoned C-2, located at 5343 MENAUL BLVD NE (H-18)
1007292
 APPROVED
31. **08ZHE-80222** **Project#** JENIFER L CANO request(s) a special exception to Section 14-16-3-3(B)(2)(E): a VARIANCE of 3' to the 10' separation distance requirement between an existing dwelling and a proposed accessory structure in an R-1 zone on all or a portion of Lot(s) 13A, Block(s) 5, PALISADES ADDN zoned R-1, located at 909 PALISADES DR NW (J-11)
1007276
 APPROVED
32. **08ZHE-80237** **Project#** PAUL FUGGITI (FOUR SEASONS SOUTHWEST, AGENT) request(s) a special exception to Section 14-16-3-3(B)(2)(e) and 14-16-2-14(B): a VARIANCE of 4' to the 10' distance separation requirement between a proposed accessory structure and an existing dwelling on all or a portion of Lot(s) 21-P1, Block(s) 19, QUINTESSENCE UNIT 1 zoned R-D, located at 10008 CORONADO AVE NE (D-21)
1007293
 APPROVED
33. **08ZHE-80226** **Project#** UNIVEST/COORS ROAD LLC (TIERRA WEST, AGENT) request(s) a special exception to Section 14-16-3-1(A)(24)(a): a VARIANCE of 37 parking spaces to the 200 parking space minimum requirement for 163 proposed parking spaces on all or a portion of Lot(s) 3, COORS VILLAGE zoned SU-3, located at 4401 COORS BLVD NW (F-11)
1007282
 DEFERRED TO 7/15/08
34. **08ZHE-80229** **Project#** OLD GOLDEN BLUE LLC request(s) a special exception to Section 14-16-2-17(A)(10)(b)(1): a VARIANCE of one freestanding sign to the one free standing sign requirement for each 100' minimum street frontage of 36' to allow for an existing second freestanding sign on all or a portion of Lot(s) 1, Block(s) 9, SARATON HEIGHTS zoned C-2, located at 6100 LOMAS BLVD NE (K-18)
1007285
 DENIED

35. **08ZHE-80238** **Project# 1007294** HELEN OJEDA request(s) a special exception to Section 14-16-2-6(E)(5)(a): a VARIANCE of 12' to the 15' rear yard setback area requirement for an existing carport in the rear yard on all or a portion of Lot(s) 1, Block(s) C, ATRISCO VILLAGE UNIT JT zoned R-1, located at 10812 GUADIANA PL SW (M-8)
APPROVED
36. **08ZHE-80223** **Project# 1007278** CESAR & KRISTEN RUIZ JIMENEZ request(s) a special exception to Section 14-16-3-3(A)(4)(a)1: a VARIANCE of 3' to the 3' fence height allowance for a proposed 6' high fence in the front yard setback area on all or a portion of Lot(s) 51A, MRGCD MAP 32 zoned R-1, located at 202 MONTANO RD NW (F-15)
APPROVED WITH CONDITIONS
37. **08ZHE-80208** **Project# 1007254** FRANKLIN E. WILSON (COLLEEN KELLEY, AGENT) request(s) a special exception to Section 14-16-2-17(B)(8) and PG 75 B 1: a CONDITIONAL USE to allow for an existing dog kennel in an SU-2 / C-3 zone on all or a portion of Lot(s) 15A1, Block(s) 3, MAYO & ROSS ADDN zoned SU2 C-3, located at 828 ARNO ST NE (J-14)
DEFERRED TO 7/15/08
38. **08ZHE-80215** **Project# 1007262** SARAH MITCHELL & RUSSELL JANIS request(s) a special exception to Section 14-16-2-6(B)(7) and AREA PLAN A. SF: a CONDITIONAL USE to allow for a proposed counseling practice (psychotherapy) in an SU-2 / SF / R-1 zone on all or a portion of Lot(s) 16, Block(s) 10, PEREA ADDN zoned SU-2 SF, located at 300 13TH ST NW (J-13)
APPROVED WITH CONDITIONS
39. **08ZHE-80216** **Project# 1007264** COURTYARD BY MARRIOTT (BRUCE GIBSON, AGENT) request(s) a special exception to Section 14-16-2-19(B) and 14-16-2-20(A)14: a CONDITIONAL USE to allow for existing temporary storage of containers and trailers at the Courtyard Marriott for a specific construction project in a IP zone on all or a portion of Lot(s) 2A2A3, JOURNAL CENTER zoned IP, located at 7901 PAN AMERICAN FRWY NE (D-18)
APPROVED FOR SIXTY (60) DAYS
40. **08ZHE-80219** **Project# 1007272** ALBERT MARTINEZ (JAMES PRATO, AGENT) request(s) a special exception to Section 14-16-2-16(B)(3) and South Broadway Sector Plan PG. 46 III NCR ZONE: a CONDITIONAL USE to allow for an existing truck and trailer rental service in an SU-2 NCR zone on all or a portion of Lot(s) 5, Block(s) H, EASTERN ADDN zoned SU-2 NCR, located at 1119 BROADWAY BLVD SE (L-14)
DEFERRED TO 7/15/08
41. **08ZHE-80218** **Project# 1007269** OUR LADY OF PERPETUAL HELP request(s) a special exception to Section 14-16-6-16(A)(12)(c)1 a and 14-16-2-13(B)(2): a CONDITIONAL USE to allow for a proposed 49 sq ft freestanding sign (area) abutting the street in an R-C zone on all or a portion of Lot(s) A, Block(s) 4, WAGNER-WJ zoned R-C, located at 1837 ALVARADO DR NE (J-18)
APPROVED
42. **08ZHE-80225** **Project# 1007280** ANTONIN SMRCKA (STACEY SEIDEL, AGENT) request(s) a special exception to Section 14-16-2-6(B)(11): a CONDITIONAL USE to allow for a proposed second kitchen within a house in an R-1 zone on all or a portion of Lot(s) 18, Block(s) 12, BROADMOOR ADDN zoned R-1, located at 4224 ROMA AVE NE (K-17)
DENIED

43. **08ZHE-80234** **Project# 1007290** ANNA MARIE O'CONNELL & KIMBERLY A. LEROHL (PAMELA SCHWAB, AGENT) request(s) a special exception to Section 14-16-2-6(B)(1): a CONDITIONAL USE to allow for a proposed detached accessory living quarters in an R-1 zone on all or a portion of Lot(s) 14, Block(s) 8, LA RESOLANA ADDN zoned R-1, located at 4412 AVENIDA ESTRELLITA NE (J-17)
APPROVED WITH CONDITIONS
44. **08ZHE-80235** **Project# 1007291** CENTER CITY EVANGELICAL FREE CHURCH (JOSHUA SKARSGARD, AGENT) request(s) a special exception to Section 14-16-2-17(B)(3): a CONDITIONAL USE to allow for a proposed church in a C-2 zone on all or a portion of Lot(s) 11A, Block(s) 6, PARIS ADDN zoned C-2, located at 1100 4TH ST NW (J-14)
WITHDRAWN
45. **08ZHE-80207** **Project# 1007251** RANDALL HAYDEN request(s) a special exception to Section 14-16-2-6(B)(12) and 14-16-2-9(B): a CONDITIONAL USE to allow for a proposed shade structure in the rear yard setback area on all or a portion of Lot(s) 5-P1, ESCONDIDO AT VISTA DEL NORTE zoned R-T, located at 1315 EL SEGUNDO AVE NE (D-16)
APPROVED
46. **08ZHE-80220** **Project# 1007273** STANLEY MORENO (GILBERT AUSTIN, AGENT) request(s) a special exception to Section 14-16-2-6(B)(3): a CONDITIONAL USE to allow for a proposed carport in the front yard setback area on all or a portion of Lot(s) Q, Block(s) 1, ELDER HOMESTEAD ADDN MANKINS REPLAT BLKS 1&2 zoned R-1, located at 817 ARIZONA ST SE (L-18)
APPROVED
47. **08ZHE-80221** **Project# 1007274** RODOLFO P. ROBLES (GILBERT AUSTIN, AGENT) request(s) a special exception to Section 14-16-2-6(B)(3) and 14-16-2-12(B) and 14-16-2-11(B): a CONDITIONAL USE to allow for a proposed carport in the front yard setback area on all or a portion of Lot(s) 7, Block(s) 25B, OSULLIVANS zoned R-3, located at 2910 WILSON PL NE (J-16)
APPROVED
48. **08ZHE-80224** **Project# 1007279** FIDENCIO BARRON request(s) a special exception to Section 14-16-2-6(B)(3): a CONDITIONAL USE to allow for an existing carport in the front yard setback area on all or a portion of Lot(s) 1-P1, Block(s) 16, EL RANCHO GRANDE 1 UNIT 4A zoned R-LT, located at 8420 FENCE POST RD SW (N-O9-Z)
APPROVED
49. **08ZHE-80228** **Project# 1007284** EDWARD F. MONTOYA request(s) a special exception to Section 14-16-2-6(B)(3) and 14-16-2-11(B): a CONDITIONAL USE to allow for a proposed carport in the front yard setback area on all or a portion of Lot(s) 29, Block(s) 2, HILL & HENDREN zoned R-2, located at 613 JEFFERSON ST NE (J-17)
APPROVED
50. **08ZHE-80217** **Project# 1007268** ARTURO COBOS request(s) a special exception to Section 14-16-2-6(B)(14)(a)2: a CONDITIONAL USE to allow for a fence over 3' in height in the front yard setback area for an existing 6' high fence on all or a portion of Lot(s) 8, Block(s) v, DESERT FLOWER UNIT 6 zoned R-LT, located at 7812 PURPLE CONE RD SW (M-10)
APPROVED WITH CONDITIONS