

HEARING ON SPECIAL EXCEPTIONS  
TO THE COMPREHENSIVE CITY ZONING CODE



**ZONING HEARING EXAMINER'S AGENDA**

MONDAY, October 9, 2006  
9:00 A.M.

ALBUQUERQUE CONVENTION CENTER  
UPPER LEVEL, RUIDOSO ROOM  
401 SECOND STREET NW  
(EASTSIDE OF 2<sup>ND</sup> STREET NW, MAP ATTACHED)

**STAFF**

*Roberto Albertorio, Esq., Zoning Hearing Examiner*  
*Tom Rojas, Deputy Zoning Hearing Examiner*  
*Ray Rivera, Administrative Assistant*

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**For Inquiries Regarding This Agenda, Please Call Ray Rivera at (505) 924-3918.**

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**PLEASE ADDRESS ALL CORRESPONDENCE TO:**

***Roberto Albertorio, Esq.***  
***COA Planning Department, ZHE Division, 3<sup>rd</sup> Floor***  
***600 Second Street NW***  
***Albuquerque, NM 87102***

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

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- 1. **06ZHE - 01270**      **1005115**      **FERNANDO RAMIREZ-SAVON** request(s) a special exception to Section 14. 16. 2. 6. (B). (4). (a).: a VARIANCE of 5' to the 10 ' side yard setback area requirement for a proposed garage on all or a portion of Lot(s) 3, Block(s) 13, Inez Addition, zoned R-1 and located at **7814 PROSPECT AVE NE** (H-19)

**OLD BUSINESS:**

- 2. **06ZHE - 00994**      **1005017**      **VALERO ENERGY CORP** request(s) a special exception to Section 14. 16. 2. 17. (B). (16).: a CONDITIONAL USE to allow for proposed retail sale of alcoholic drink for consumption off premise within 500 feet of on all or a portion of Lot(s) A-1, El Cambio Plaza Addition, zoned C-2 and located at **511 BRIDGE BLVD SW** (L-14)
- 3. **06ZHE - 01101**      **1005048**      **ROBIN HUNN** request(s) a special exception to Section 14. 16. 3. 19. (A). (2). (a).: a VARIANCE of 2' 9" to the 3 foot wall height allowance for a existing 5' 9" wall in the front yard setback area on all or a portion of Lot(s) 13, Block(s) 34, University Height Addition, zoned R-1 and located at **223 RICHMOND DR SE** (K-16)

**NEW BUSINESS:**

4. **06ZHE - 01292**      **1002099**      **CHARLES THOMPSON** 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) 50, Shenandoah Addition, zoned R-1 and located at **7540 DEERFIELD RD NW (D-11)**
5. **06ZHE - 01285**      **1005120**      **GEORGE & KATE LUGER** request(s) a special exception to Section 14. 16. 2. 6. (E). (5). (a).: a VARIANCE of 14' to the 15' rear yard setback area requirement for a proposed two story addition on all or a portion of Lot(s) H 1 A, Block(s) 12, Country Club Addition, zoned R-1 and located at **643 CEDAR ST NE (J-15)**
6. **06ZHE - 01286**      **1005120**      **GEORGE & KATE LUGER** request(s) a special exception to Section 14. 16. 2. 6. (E). (4). (a).: a VARIANCE of 5' to the 5' side yard setback area requirement for a proposed two story addition on all or a portion of Lot(s) H 1 A, Block(s) 12, Country Club Addition, zoned R-1 and located at **643 CEDAR ST NE (J-15)**
7. **06ZHE - 01214**      **1005092**      **CHRIS P. & HEATHER L. BRIGGS** request(s) a special exception to Section 14. 16. 2. 6. (E). (3). (a).: a VARIANCE of 11 feet to the 20 foot side yard setback area requirement for a proposed addition to the dwelling on all or a portion of Lot(s) 26, Block(s) 1, Academy Place Addition, zoned R-1 and located at **5432 THOMAS DR NE (F-21)**
8. **06ZHE - 01279**      **1005116**      **ERIC HANNUM** request(s) a special exception to Section 14. 16. 2. 9. (E). (3). (a).: a VARIANCE of 2' to the 10' side yard setback area requirement for a proposed addition to the dwelling on all or a portion of Lot(s) 2, Block(s) 34, Perea Addition, zoned SU-2 and located at **724 13TH ST NW (J-13)**
9. **06ZHE - 01260**      **1005111**      **JOHN FREISINGER** request(s) a special exception to Section 14. 16. 2. 6. (E). (1).: a VARIANCE of 11' 11" to the 20 foot front yard setback area requirement for a proposed garage addition on all or a portion of Lot(s) 13, Block(s) 11, Academy Estates Addition, zoned R-1 and located at **9305 CAMINO DEL SOL NE (F-20)**
10. **06ZHE - 01261**      **1005111**      **JOHN FREISINGER** request(s) a special exception to Section 14. 16. 3. 19. (A). (2). (a).: a VARIANCE of 3' to the 3 foot wall height allowance for a proposed 6 foot high wall in the front yard setback on all or a portion of Lot(s) 13, Block(s) 11, Academy Estates Addition, zoned R-1 and located at **9305 CAMINO DEL SOL NE (F-20)**
11. **06ZHE - 01288**      **1005122**      **DENNIS G. & BING-SHAN FAZIO** request(s) a special exception to Section 14. 16. 2. 6. (E). (1).: a VARIANCE of 2' to the 20' front yard setback area requirement for a proposed addition to the dwelling on all or a portion of Lot(s) 6, Block(s) 13, Loma Vista Addition, zoned R-1 and located at **1013 RICHMOND DR NE (J-16)**
12. **06ZHE - 01157**      **1005071**      **ROBERT JOYCE & TONI ALONZO** request(s) a special exception to Section 14. 16. 3. 3. (B). (2). (e).: a VARIANCE of 3' 10" to the 10' distance requirement between an accessory structure and a dwelling on all or a portion of Lot(s) 11, Block(s) 18, Ridgecrest Addition, zoned R-1 and located at **1618 RIDGECREST DR SE (L-17)**
13. **06ZHE - 01287**      **1005121**      **LILLY STAFFORD** request(s) a special exception to Section 14. 16. 3. 12. (A). (7).: a VARIANCE of 88.27' to the 1,500' distance requirement between two community residential programs on all or a portion of Lot(s) 33, Block(s) 114, Snow Heights, zoned R-1 and located at **1909 MORRIS ST NE (H-21)**
14. **06ZHE - 01293**      **1003676**      **ROBBIE SPRINGER** 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) 4, Block(s) 120, Snow Heights Addition, zoned R-1 and located at **1824 PITT ST NE (H-21)**
15. **06ZHE - 01249**      **1005162**      **EARL A. ANGELL** 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) 21, Block(s) B, Toratolla Acres Addition, zoned R-D and located at **6912 CAYMAN CT NW (H-10)**

16. **06ZHE - 01250**      **1005105**      **CHARLY FINEGAN** request(s) a special exception to Section 14. 16. 2. 6. (B). (3). (a).: a **CONDITIONAL USE** to allow for a proposed carport in the side yard setback area on all or a portion of Lot(s) 1, Block(s) 1, Kiva Addition, zoned R-1 and located at **5700 ARVILLA AVE NE** (G-18)
17. **06ZHE - 01283**      **1005118**      **LINDA HARLOW** 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) 12, Block(s) 4, Foothills North Addition, zoned R-1 and located at **13509 PIERCE ARROW RD NE** (J-23)
18. **06ZHE - 01297**      **1005125**      **GARY JACKSON** 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) 7 B, Block(s) 11, Enchanted Mesa Addition, zoned R-1 and located at **11602 CLAREMONTE AVE NE** (H-22)
19. **06ZHE - 01173**      **1005076**      **JOSE A. GALLEGOS** request(s) a special exception to Section 14. 16. 2. 6. (B). (12).: a **CONDITIONAL USE** to allow for a proposed shade structure in the rear yard setback area on all or a portion of Lot(s) 57 P 1, Sunrise Ranch South Addition, zoned R-T and located at **9936 KING RANCH LN SW** (L-9)
20. **06ZHE - 01325**      **1005136**      **JIM RUTTLER** request(s) a special exception to Section 14. 16. 2. 6. (B). (3).: a **CONDITIONAL USE** to allow for proposed carport in the front yard setback area on all or a portion of Lot(s) 9 P-1, Block(s) 2, El rancho Grande Addition, zoned R-LT and located at **9104 SILVERADO AVE SW** (M-9)
21. **06ZHE - 01327**      **1005138**      **WALTER WOOD** request(s) a special exception to Section 14. 16. 2. 6. (B). (12).: a **CONDITIONAL USE** to allow for a shade structure in the rear yard setback area on all or a portion of Lot(s) 14 P-1, Block(s) 3, Quintessence Addition, zoned R-D and located at **9824 ALEXANDRIA RD NE** (D-21)
22. **06ZHE - 01328**      **1005139**      **ROBERT J. LAUNSTEIN** request(s) a special exception to Section 14. 16. 2. 6. (B). (12).: a **CONDITIONAL USE** to allow for a proposed shade structure in the rear yard setback area on all or a portion of Lot(s) 43, Terracita Addition, zoned R-T and located at **11504 TIERRA BONITA SE** (L-21)
23. **06ZHE - 01230**      **1005097**      **PETER WARNER** request(s) a special exception to Section 14. 16. 2. (B). (14). (a).: a **CONDITIONAL USE** to allow for a fence over 3' in height in the front yard setback area for a proposed 6' high fence on all or a portion of Lot(s) 6, Block(s) 45, University Height Addition, zoned R-1 and located at **410 WELLESLEY DR SE** (K-16)
24. **06ZHE - 01238**      **1005100**      **ANTONIO TORRES** request(s) a special exception to Section 14. 16. 2. 6. (B). (14). (a). (2).: a **CONDITIONAL USE** to allow for a wall over 3 feet in height in the front yard setback area for a proposed 4'10" wall on all or a portion of Lot(s) 0, Block(s) L, El Rancho Grande Addition, zoned R-LT and located at **9626 EL PATRON RD SW** (M-9)
25. **06ZHE - 01265**      **1005113**      **DANIEL THEELE** request(s) a special exception to Section 14. 16. 2. 6. (B0). (14). (a).: a **CONDITIONAL USE** to allow for a wall over 3' in height in the front yard setback area for a proposed 5' 8" high wall on all or a portion of Lot(s) 11, Block(s) 10, Granada Heights Addition, zoned R-1 and located at **422 CARLISLE BLVD SE** (K-16)
26. **06ZHE - 01361**      **1005117**      **KAREN STEARNS** request(s) a special exception to Section 14. 16. 2. 6. (B). (14). (a).: a **CONDITIONAL USE** to allow for a wall over 3' in height in the front yard setback area for a proposed 6' high wall on all or a portion of Lot(s) 198, Congress Heights Addition, zoned R-1 and located at **9321 C ANDERSON DR NW** (C-12)
27. **06ZHE - 01334**      **1005142**      **JAMES SHANLEY** request(s) a special exception to Section 14. 16. 2. 6. (14). (a).: a **CONDITIONAL USE** to allow for a wall over 3' in height in the front yard setback area for a proposed 5' 10" wall on all or a portion of Lot(s) 19,20, Block(s) 15, Freserick A. addition, zoned R-1 and located at **1201 CALIFORNIA ST NE** (J-18)

28. **06ZHE - 01259** **1005110** **ROBERT LEE** request(s) a special exception to Section 14. 16. 2. 6. (B). (7).: a CONDITIONAL USE to allow for proposed health care (hypnotherapy) as a home occupation in a R-1 zone on all or a portion of Lot(s) 11, Quarter Horse Acres Addition, zoned R-1 and located at **3118 SPUR CT NW** (J-12)
29. **06ZHE - 01294** **1005156** **WEN YAN LI** request(s) a special exception to Section 14. 16. 2. 6. (B). (7).: a CONDITIONAL USE to allow for proposed health care (massage therapy and acupuncture) as a home occupation in a R-2 on all or a portion of Lot(s) 4, Block(s) 20, Albuquerque Highlands Addition, zoned R-2 and located at **5401 ALICE AVE NE** (J-18)
30. **06ZHE - 01332** **1005141** **LOUISE ABQ 2005 LLC** request(s) a special exception to Section 14. 16. 2. 15. (B). (4).: a CONDITIONAL USE to allow for proposed dwelling units constituting more than 25% of the gross floor area in a O-1 on all or a portion of Lot(s) L 1, Block(s) 11, Panorama Heights Addition, zoned O-1 and located at **12800 INDIAN SCHOOL RD NE** (J-22)
31. **06ZHE - 01295** **1005124** **JELANI TRIBBLE** request(s) a special exception to Section 14. 16. 4. 13. (A).: a STATUS ESTABLISHED BUILDING to allow for an existing four plex in a R-1 zone on all or a portion of Lot(s) 20, 21, Block(s) B, Lavaland Addition, zoned R-1 and located at **228 56TH ST NW** (K-11)
32. **06ZHE - 01330** **1005140** **CHRIS FISCHER** request(s) a special exception to Section 14. 16. 4. (13). (C).: a STATUS ESTABLISHED BUILDING to allow for a existing duplex in a R-1 zone on all or a portion of Lot(s) 18, Block(s) C, Lavaland Addition, zoned R-1 and located at **238 57TH ST** (K-11)