



HEARING ON SPECIAL EXCEPTIONS
TO THE COMPREHENSIVE CITY ZONING CODE

ZONING HEARING EXAMINER'S AGENDA

TUESDAY, March 20, 2007

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

Ray Rivera, Administrative Assistant

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

OLD BUSINESS:

- 1. **06ZHE – 00038** 1004632 **AMBERLEY PYLES & TED G. RICE** request(s) a special exception to Section 14. 16. 2. 6. (E). (3). (a).: a VARIANCE of 13.2' to the 20' rear yard setback area requirement for an existing dwelling on all or a portion of Lot(s) 12 A, Block(s) 10, Eastern Addition, zoned SU-2 and located at **922 ARNO ST SE (K-14)**
- 2. **06ZHE – 00049** 1004632 **AMBERLY PYLES & TED G. RICE** request(s) a special exception to Section 14. 16. 2. 6. (E). (5). (a).: a VARIANCE of 6.5' to the 15' rear yard setback area requirement for an existing dwelling on all or a portion of Lot(s) 12 A, Block(s) 10, Eastern Addition, zoned SU-2 and located at **922 ARNO ST SE (K-14)**
- 3. **06ZHE – 00039** 1004632 **AMBERLEY PYLES & TED G. RICE** request(s) a special exception to Section 14. 16. 2. 6. (E). (1).: a VARIANCE of 13.2' to the 20 foot front yard setback area requirement for an existing dwelling on all or a portion of Lot(s) 12 B, Block(s) 10, Eastern Addition, zoned SU-2 and located at **922 ARNO ST SE (K-14)**
- 4. **06ZHE – 00040** 1004632 **AMBERLY PYLES & TED G. RICE** request(s) a special exception to Section 14. 16. 2. 6. (E). (4). (a).: a VARIANCE of 4' to the 5' side yard setback area requirement for an existing dwelling on all or a portion of Lot(s) 12 B, Block(s) 10, Eastern Addition, zoned SU-2 and located at **922 ARNO ST SE (K-14)**

5. **06ZHE - 00041** 1004632 **AMBERLY PYLES & TED G. RICE** request(s) a special exception to Section 14. 16. 2. 6. (E). (5).: a VARIANCE of 10' to the 15' rear yard setback area requirement for an existing dwelling on all or a portion of Lot(s) 12 B, Block(s) 10, Eastern Addition, zoned SU-2 and located at **922 ARNO ST SE (K-14)**
6. **06ZHE - 01721** 1005286 **RICHARD HIGGINBOTHAM** 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 a proposed dwelling on all or a portion of Lot(s) 17 A1, Block(s) 18, Perea Addition, zoned SU-2 and located at **1401 ROMA AVE NW (J-13)**
7. **06ZHE - 01722** 1005286 **RICHARD HIGGINBOTHAM** request(s) a special exception to Section 14. 16. 3. 1. (A). (24). (a).: a VARIANCE of 1 parking space to the 3 off street parking space(s) requirement on all or a portion of Lot(s) 17 A1, Block(s) 18, Perea Addition, zoned SU-2 and located at **1401 ROMA AVE NW (J-13)**
8. **06ZHE - 01764** 1005286 **RICHARD HIGGINBOTHAM** request(s) a special exception to Section 14. 16. 2. 6. (E). (3). (a).: a VARIANCE of 10' to the 20' side yard setback area requirement for a proposed dwelling on all or a portion of Lot(s) 17 A1, Block(s) 18, Perea Addition, zoned SU-2 and located at **1401 ROMA AVE NW (J-13)**
9. **06ZHE - 01765** 1005286 **RICHARD HIGGINBOTHAM** request(s) a special exception to Section 14. 16. 2. 6. (E). (4). (b).: a VARIANCE of 5' to the 5' side yard setback area requirement for a proposed dwelling on all or a portion of Lot(s) 17 A1, Block(s) 18, Perea Addition, zoned SU-2 and located at **1401 ROMA AVE NW (J-13)**
10. **06ZHE - 01483** 1005207 **PIPER GROUP LLC** request(s) a special exception to University Neighborhoods Sector Plan DR 5. b.: a VARIANCE of 10' to the 10' side yard setback area requirement for a existing roof addition on the dwelling on all or a portion of Lot(s) 1, Block(s) 49, Terrace Addition, zoned SU-2 and located at **1524 LEAD AVE SE (K-15)**
11. **06ZHE - 01789** 1005207 **PIPER GROUP, LLC** request(s) a special exception to University Neighborhoods Sector Plan Appendix 4. DR. 5. b.: a VARIANCE of 5' to the 5' side yard setback area requirement for an existing addition to the 7 dwellings on all or a portion of Lot(s) 1, Block(s) 49, Terrace Addition, zoned SU-2 and located at **1524 LEAD AVE SE (K-15)**
12. **06ZHE - 01790** 1005207 **PIPER GROUP, LLC** request(s) a special exception to University Neighborhoods Sector Development Plan Appendix 4. DR. 6. a. (2).: a VARIANCE of 3,500 sf the 10,500 sf lot size area requirement for 7 existing dwelling units under 1 roof on all or a portion of Lot(s) 1, Block(s) 49, Terrace Addition, zoned SU-2 and located at **1524 LEAD AVE SE (K-15)**
13. **06ZHE - 01791** 1005207 **PIPER GROUP, LLC** request(s) a special exception to University Neighborhoods Sector Development Plan Appendix 4. DR. 6. a. (2).: a VARIANCE of 2 parking spaces to the 11 off street parking space requirement for 7 existing dwelling units on all or a portion of Lot(s) 1, Block(s) 49, Terrace Addition, zoned SU-2 and located at **1524 LEAD AVE SE (K-15)**
14. **06ZHE - 01792** 1005207 **PIPER GROUP, LLC** request(s) a special exception to University Neighborhoods Sector Development Plan Appendix 4. DR. 8.: a VARIANCE of 1,750 sf to the 2,800 sf usable open space requirement for 7 existing dwelling units on all or a portion of Lot(s) 1, Block(s) 49, Terrace Addition, zoned SU-2 and located at **1524 LEAD AVE SE (K-15)**
15. **06ZHE - 01461** 1005194 **BEATA SZCZEPANIEC** request(s) a special exception to Section 14. 16. 2. 6. (B). (14). (a).: a CONDITIONAL USE to allow for fence over 3' in height in the front yard setback area for a proposed 6' high wrought iron fence all on all or a portion of Lot(s) 11, Block(s) 24, Bel Air Addition, zoned R-1 and located at **2904 JEFFERSON NE (H-17)**

16. **06ZHE - 01263** **1005112** **MIATA SPECIALISTS** request(s) a special exception to Martinez Town / Santa Barbara Sector Plan page 74. A. 3. a.: a **CONDITIONAL USE** to allow for an existing auto repair garage, dismantling of autos and storage of inoperable autos on all or a portion of Lot(s) 2 A, Block(s) 2, Trotter Addition, zoned SU-3 and located at **810 ARNO NE** (J-14)
17. **06ZHE - 01264** **1005112** **MIATA SPECIALISTS** request(s) a special exception to Section 14. 16. 2. 18. (B). (2). (a). (b).: a **CONDITIONAL USE** to allow for an existing outdoor storage of vehicles as a principal business on all or a portion of Lot(s) 2 A, Block(s) 2, Trotter Addition, zoned SU-2 and located at **810 ARNO NE** (J-14)
18. **06ZHE - 01656** **1005263** **JHETT BROWN** request(s) a special exception to Section 14. 16. 2. 16. (B). (6).: a **CONDITIONAL USE** to allow for an proposed 18 two bedroom dwelling units in a C-1 zone on all or a portion of Lot(s) 1, Block(s) 11, University Heights Addition, zoned C-1 and located at **302 CORNELL DR SE** (L-16)
19. **06ZHE - 01657** **1005264** **JHETT BROWN** request(s) a special exception to Section 14. 16. 2. 16. (B). (6).: a **CONDITIONAL USE** to allow for an proposed 18 two bedroom dwelling units in a C-1 zone on all or a portion of Lot(s) 24, Block(s) 11, University Heights Addition, zoned C-1 and located at **301 STANFORD DR SE** (K-16)
20. **07ZHE - 00050** **1005333** **ED WHITE** request(s) a special exception to Section 14. 16. 2. 6. (B). (14).: a **CONDITIONAL USE** to allow for a wall over 3' in height in the front yard setback area for a proposed 5' high wall on all or a portion of Lot(s) 4 1 P, Villa Plaza Viejo Addition, zoned RA-2 and located at **2708 CORTE DE MIRABAL RD NW** (J-12)
21. **07ZHE - 00058** **1005338** **BRIAN WERLEY** request(s) a special exception to Section 14. 16. 3. 3. (A). (4). (1).: a **VARIANCE** of 1' to the 3' fence height allowance for a proposed 4' high fence on all or a portion of Lot(s) 63 P 1, Rinconada Mesa Addition, zoned R-1 and located at **4408 67TH ST NW** (F-10)
22. **06ZHE - 01728** **1005291** **ALAN S. HILL** request(s) a special exception to Section 14. 16. 2. 6. (B). (14).: 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) 9, Block(s) J, Bosque Redondo Addition, zoned R-1 and located at **617 TENNESSEE ST NE** (K-19)
23. **07ZHE - 00029** **1005323** **DELIA M. MIRAMONTES** 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 4'6" high wall on all or a portion of Lot(s) 32, Davis Perea Coursons Addition, zoned R-1 and located at **509 61ST ST NW** (J-11)
24. **07ZHE - 00038** **1005328** **MARK D. CHAVEZ SR** request(s) a special exception to Section 14. 16. 2. (B). (1).: a **CONDITIONAL USE** to allow for a proposed accessory living quarters in a RO-1 zone on all or a portion of Lot(s) N, Land of Industrial Realty, zoned RO-1 and located at **2631 GUN CLUB RD SW** (Q-10)
25. **07ZHE - 00055** **1004685** **LEONARD K. MARTINEZ** 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 a R-1 zone on all or a portion of Lot(s) 38 P 1, Candelaria Village Addition, zoned R-1 and located at **1459 VALLE LANE NW** (G-13)
26. **07ZHE - 00039** **1005329** **GLEN E. BUGGE & CHRIS P. ANDERSON** request(s) a special exception to Section 14. 16. 4. 13. (A). (C). (1).: a **STATUS ESTABLISHED BUILDING** to allow for an existing (3 dwelling units) in a R-1 zone on all or a portion of Lot(s) 12, Block(s) 3, Carlisle Del cero Addition, zoned R-1 and located at **4209 DELAMAR AVE NE** (G-17)

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

HEARING WILL RESUME PROMPTLY
AT 1:30 P.M. WITH ITEM #27

IF YOU ARE AGENDA ITEMS 27-45

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

NEW BUSINESS:

27. **06ZHE - 01753** **1005306** **BELINDA M. PENNINGTON** 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) 9, Block(s) 1, Montoya Addition, zoned R-1 and located at **2405 EDNA AVE NW** (J-12)
28. **07ZHE - 00120** **1005360** **STEVE SCHALK & CLAUDIA SHORT** request(s) a special exception to Section 14. 16. 2. 19. (E). (2).: a **VARIANCE** of 2' to the 10' side yard setback area requirement for a proposed office / warehouse on all or a portion of Lot(s) 45, Alameda Business Park, zoned SU-2 and located at **8532 CALLE ALAMEDA NE** (C-16)
29. **07ZHE - 00126** **1005362** **RICHARD & LINDA FOX** request(s) a special exception to Section 14. 16. 3. 19. (A). (3). (a).: a **VARIANCE** of 3' to the 3' fence height allowance for a proposed 6' high fence (street side) on all or a portion of Lot(s) 5,6, Block(s) 5, Bezemek Addition, zoned SU-1 and located at **631 MCKNIGHT AVE NW** (H-14)
30. **07ZHE - 00141** **1005366** **MARY ANN SANCHEZ-WYNNYCKYJ** request(s) a special exception to Section 14. 16. 2. 6. (E). (1).: a **VARIANCE** of 5' to the 20' front yard setback area requirement for a proposed dwelling on all or a portion of Lot(s) 13, Block(s) 1, West Park Addition, zoned R-1 and located at **2100 NEW YORK AVE SW** (J-13)
31. **07ZHE - 00142** **1005366** **MARY ANN SANCHEZ-WYNNYCKYJ** request(s) a special exception to Section 14. 16. 2. 6. (E). (5). (a).: a **VARIANCE** of 15' to the 15' rear yard setback area requirement for a proposed dwelling on all or a portion of Lot(s) 13, Block(s) 1, West Park Addition, zoned R-1 and located at **2100 NEW YORK AVE SW** (J-13)
32. **07ZHE - 00145** **1005368** **NEW LIFE CHURCH OF RIO RANCHO, INC.** 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) A 1 A, Plaza @ Paseo Del Norte, zoned C-2 and located at **9201 COORS BLVD NW** (C-13)
33. **07ZHE - 00146** **1005367** **ANGUS MACPHERSON** request(s) a special exception to Section 14. 16. 2. 5. (E).: a **VARIANCE** of 10' to the 25' rear yard setback area requirement for a proposed dwelling on all or a portion of Lot(s) 249 A 6 B, MRGCD MAP 31, zoned RA-2 and located at **5027 GUADALUPE TRAIL NW** (F-14)
34. **07ZHE - 00148** **1005369** **COSME JAQUES** request(s) a special exception to Section 14. 16. 2. 16. (B). (18).: a **CONDITIONAL USE** to allow for a proposed storage building in a C-1 zone on all or a portion of Lot(s) B, Westview Townhomes Addition, zoned C-1 and located at **9601 SAGE RD SW** (M-9)
35. **07ZHE - 00154** **1005371** **RICHARD R. & BETTY D. THORMAN** 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) 33, Block(s) E, Buena Ventura Addition, zoned R-1 and located at **337 GLORIETA NE** (K-20)

36. **07ZHE - 00155** **1005372** **STEPHEN COE** request(s) a special exception to Section 14. 16. 2. 17. (E).: a VARIANCE of 5' to the 5' corner side yard setback area requirement for a proposed retail center on all or a portion of Lot(s) 1-12, Block(s) 2, Belmont Place Addition, zoned C-2 and located at **4501 4TH STREET NW (G-14)**
37. **07ZHE - 00186** **1005383** **STEPHEN COE** request(s) a special exception to Section 14. 16. 2. 16. (B). (5).: a CONDITIONAL USE to allow for a proposed drive up window for Starbucks in a C-1 zone on all or a portion of Lot(s) 4 A, Block(s) 16, W J wagner Addition, zoned C-1 and located at **2104 SAN MATEO BLVD NE (J-17)**
38. **07ZHE - 00156** **1005373** **PETERSON PROPERTIES, INC.** request(s) a special exception to Section 14. 16. 2. 17. (B). (16).: a CONDITIONAL USE to allow for proposed sale of alcoholic drink for consumption off premises within 500' of R-1 on all or a portion of Lot(s) A, Tract(s) A, Eldorado Center addition, zoned C-2 and located at **4100 JUAN TABO BLVD NE (G-21)**
39. **07ZHE - 00157** **1005374** **ISABELLE A. MAESTAS** 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) 26, Block(s) E, Kensington Subdivision, zoned R-D and located at **6609 EVESHAM RD. NW (H-10)**
40. **07ZHE - 00158** **1005375** **RUDY & ELIZABETH PAGE** request(s) a special exception to Section 14. 16. 2. 6. (E). (5). (a).: a VARIANCE of 10' to the 15' rear yard setback area requirement for a proposed garage addition to the dwelling on all or a portion of Lot(s) 11, Block(s) B, Cacy Addition, zoned R-1 and located at **5409 FLAMINGO NW (G-11)**
41. **07ZHE - 00163** **1005376** **BARBARA POLANCO** request(s) a special exception to Section 14. 16. 2. 9. (E). (4). (a).: a VARIANCE of 13' to the 15' rear yard setback area requirement for a proposed addition to the dwelling on all or a portion of Lot(s) 15 P 1, Block(s) 2, Casita Del La Mesa, zoned R-D and located at **9515 CASITAS CT SW (L-9)**
42. **07ZHE - 00173** **1005379** **VALERIE MUSTAMAA** 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) 3, Block(s) 1, Ridge Park Addition, zoned R-1 and located at **1712 WASHINGTON ST NE (J-17)**
43. **07ZHE - 00184** **1005381** **RICHARD & PEG CRONIN** request(s) a special exception to Section 14. 16. 2. 6. (E). (5). (a).: a VARIANCE of 6' to the 15' rear yard setback area requirement for a proposed addition to the dwelling on all or a portion of Lot(s) 17, Block(s) 5, Hunning Castle Addition, zoned R-1 and located at **1721 SAN CRISTOBAL SW (J-13)**
44. **07ZHE - 00185** **1005382** **JESUS GUERRA** request(s) a special exception to Section 14. 16. 2. 6. (B). (14).: a CONDITIONAL USE to allow for wall over 3' in height in the front yard setback area for a proposed 5' high wall on all or a portion of Lot(s) 186, Block(s) 10, Atrisco Village Addition, zoned R-1 and located at **1116 CLEMENTE ST SW (M-8)**
45. **07ZHE - 00187** **1005384** **FLOR ANGELICA GRAGEDA** request(s) a special exception to Section 14. 16. 2. 6. (B). (14).: a VARIANCE of 3' to the 3' wall height in the front yard setback area for a proposed 6' high wall on all or a portion of Lot(s) 3, Davis Perea Coursons Addition, zoned R-1 and located at **508 61ST ST NW (J-11)**