



**HEARING ON SPECIAL EXCEPTIONS
TO THE COMPREHENSIVE CITY ZONING CODE**

ZONING HEARING EXAMINER'S ACTION SHEET

TUESDAY, APRIL 15, 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. | 07ZHE-80196 | Project#
1006998 | UBALDO HUIZAR request(s) a special exception to Section 14-16-3 (4)(a)1.: a VARIANCE of 3' to the 3' wall height allowance for a proposed 6' high wall in the front yard setback area on all or a portion of Lot(s) 17-A, Vista Manzano Unit 2 zoned R-LT, located at 1314 ARROYO HONDO ST SW (L-10)

APPROVED WITH CONDITIONS |
| 2. | 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)

DEFERRED TO 5/20/08 |
| 3. | 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 the 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)

DEFERRED TO 5/20/08 |

4. **08ZHE-80100** **Project# 1007116** MASSIEL RAMOS SOLER request(s) a special exception to Section 14-16-2-6(B)(5): a CONDITIONAL USE to allow for an existing family day care home in an R-1 zone on all or a portion of Lot(s) 13, Block(s) 66, PRINCESS JEANNE PARK ADDN zoned R-1, located at 11105 MCKNIGHT AVE NE (J-21)
DEFERRED INDEFINATELY
5. **08ZHE-80141** **Project# 1007171** ANNA DEGUTIERREZ/OLMERI ARIAS request(s) a special exception to Section 14-16-2-6(B)(5): a CONDITIONAL USE to allow a family daycare home in an R-1 zone on all or a portion of Lot(s) 5, Block(s) 21, BEL-AIR zoned R-1, located at 2623 MADISON ST NE (H-17)
DEFERRED TO 5/20/08
6. **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)
DEFERRED TO 5/20/08
7. **08ZHE-80139** **Project# 1007169** HUGO MEDINA request(s) a special exception to Section 14-16-2-6(B)(3): a CONDITIONAL USE to allow for a proposed carport in the required front yard setback area on all or a portion of Lot(s) 5, Block(s) 3, LA LUZ zoned R-1, located at 814 SAN CLEMENTE AVE NW (G-14)
APPROVED

OLD BUSINESS:

8. **08ZHE-80099** **Project# 1007115** MARIA C TRUJILLO request(s) a special exception to Section 14-16-3-3(4)(b)(1): a VARIANCE of 3' to the 3' fence height allowance for an existing 6' high fence on all or a portion of Lot(s) 2, EASTERN ADDN zoned SU-2 NCR, located at 1307 EDITH BLVD SE (L-14)
APPROVED WITH CONDITIONS
9. **08ZHE-80044** **Project# 1007055** RICHARD SANCHEZ (CARMEN SANCHEZ, AGENT) request(s) a special exception to Section 14-16-3-3(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) 37E1, MRGCD MAP 37 zoned SU-2 / R-1, located at 1611 EDITH BLVD NE (J-15)
APPROVED WITH CONDITIONS
10. **08ZHE-80062** **Project# 1007055** RICHARD SANCHEZ request(s) a special exception to Section 14-16-3-19(A)(2)(b): a VARIANCE of 3' to the 3' wall height allowance for an existing 6' high fence on the street side of a corner lot on all or a portion of Lot(s) 37E1, MRGCD MAP 37 zoned SU-2 / R-1, located at 1611 EDITH BLVD NE (J-15)
APPROVED WITH CONDITIONS
11. **08ZHE-80070** **Project# 1007096** SANJEEV ARORA (DAVID THORNBURG, AGENT) 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 a proposed 6' high wall in the front yard setback area on all or a portion of Lot(s) 14, Block(s)
WITHDRAWN
12. **07ZHE-80189** **Project# 1006990** DANIEL MEDINA request(s) a special exception to Section 14-16-3-3(4)(a)(1): a VARIANCE of 4'5" to the 3' wall height allowance for an existing 6'3" wall in the front yard setback area on all or a portion of Lot(s) 1, Block(s) H, Desert Flower Unit 2 zoned R-LT, located at 7728 PURPLE CONE RD SW (M-10)
APPROVED WITH CONDITIONS

13. **07ZHE-80186** **Project# 1006987** SYLVIA ZETINA (MANUEL RASCON, AGENT) request(s) a special exception to Section 14-16-2-8 (B) (1) and 14-16-2-6 (B) (14) (a) (2): 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) 1, Block(s) N, Desert Flower Unit 1 zoned R-LT, located at 2201 DESERT SPRINGS RD SW (M-10)
WITHDRAWN
14. **07ZHE-80081** **Project# 1006800** L. VALENTINA ARAGON request(s) a special exception to Section SAWMILL WELLS PARK PG. 101 E. and 14-16-2-8(E)(1): a VARIANCE of 10' to the 20' front yard setback area requirement for a proposed two-unit townhouse development on all or a portion of Lot(s) 6B, Block(s) 17, Albright-Moore Addn zoned S-R, located at 1606 LOS TOMASES ST NW (J-14)
WITHDRAWN
15. **07ZHE-80082** **Project# 1006800** L. VALENTINA ARAGON request(s) a special exception to Section SAWMILL WELLS PARK PG. 100 D. (D.3): a VARIANCE of 300 sq ft to the 6400 sq ft minimum lot size area requirement for a proposed two-unit townhouse development on all or a portion of Lot(s) 6B, Block(s) 17, Albright-Moore Addn zoned S-R, located at 1606 LOS TOMASES ST NW (J-14)
WITHDRAWN
16. **07ZHE-80083** **Project# 1006800** L. VALENTINA ARAGON request(s) a special exception to Section SAWMILL WELLS PARK PG. 101 E. and 14-16-2-8(E)(4)(a): a VARIANCE of 10' to the 15' rear yard setback area requirement for a proposed two-unit townhouse development on all or a portion of Lot(s) 6B, Block(s) 17, Albright-Moore Addn zoned S-R, located at 1606 LOS TOMASES ST NW (J-14)
WITHDRAWN

NEW BUSINESS:

17. **08ZHE-80130** **Project# 1007161** DAVID P. REEVES request(s) a special exception to Section 14-16-2-6(E)(1): a VARIANCE of 10' to the 20' front yard setback area requirement for a proposed addition to the dwelling on all or a portion of Lot(s) 9, Block(s) 12, ROYAL HEIGHTS zoned R-1, located at 12316 KINLEY CT NE (J-22)
APPROVED
18. **08ZHE-80132** **Project# 1007161** DAVID P. REEVES 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) 12, ROYAL HEIGHTS zoned R-1, located at 12316 KINLEY CT NE (J-22)
APPROVED WITH CONDITIONS
19. **08ZHE-80117** **Project# 1007141** HARESH M. KATHARD request(s) a special exception to Section 14-16-2-6(E)(4)(a): a VARIANCE of 4'5" to the 10' side yard setback area requirement for a proposed addition to the dwelling on all or a portion of Lot(s) 39, Block(s) 29, LOMA DEL NORTE ADDN UNIT 9 zoned R-1, located at 7804 CALLOW ST NE (D-19)
APPROVED
20. **08ZHE-80148** **Project# 1007178** DILLON PROPERTIES request(s) a special exception to Section 14-16-3-10(E)(3)(b): a VARIANCE of 6' to the 6' side yard landscape buffer requirement in a C-1 zone on all or a portion of Lot(s) A2, Block(s) 2, Tract(s) A-2-A, MONTGOMERY HEIGHTS zoned C-1, located at 3915 CARLISLE BLVD NE (G-16)
APPROVED

21. **08ZHE-80128** **Project# 1007159** WESLEY SALAZAR request(s) a special exception to Section 14-16-2-8(4)(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) 61-P1, NORTHPOINTE AT VENTANA RANCH zoned RLT, located at 10011 NORTHPOINTE DR NW (B-9)
APPROVED
22. **08ZHE-80133** **Project# 1007163** MIGUEL 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)
DEFERRED TO 5/20/08
23. **08ZHE-80142** **Project# 1007172** QUITO OSUNA CARR 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 addition to the dwelling on all or a portion of Lot(s) 15, Block(s) 21, COUNTRY CLUB ADDN FIRST EXTENSION zoned R-1, located at 1400 SIGMA CHI NE (J-15)
APPROVED
24. **08ZHE-80146** **Project# 1007176** JACK & JEANNE HULETTE request(s) a special exception to Section 14-16-2-6(E)(5)(a) and NI-25SDP, Page 45, A.2.a.: a VARIANCE of 4' 3" to the 15' rear yard setback area requirement for a proposed addition to the dwelling on all or a portion of Lot(s) 11, Block(s) 8A, LA CUEVA OESTE UNIT 3C zoned R-D, located at 8319 SANTA CLARITA ST NE (C-18)
APPROVED
25. **08ZHE-80143** **Project# 1007173** ED & LIZ REYNA request(s) a special exception to Section 14-16-2-6(E)(5)(a): a VARIANCE of 9' to the 15' rear yard setback area requirement for a proposed enclosed sunroom in an R-1 zone on all or a portion of Lot(s) 9, Block(s) 20, ROYAL HEIGHTS UNIT 3 zoned R-1, located at 12620 INDIAN PLACE NE (J-22)
APPROVED
26. **08ZHE-80147** **Project# 1007177** VIRGIL GIL request(s) a special exception to Section MIRADOR NOTES #5: a VARIANCE of 356 sq ft to the 2,200 sq ft maximum dwelling unit size (Mirador Site Plan Area) for a proposed dwelling on all or a portion of Lot(s) 9, Block(s) 3, MIRADOR zoned SU-1 FOR R-T USES, located at 5132 MIRAD DR NW (F-11)
WITHDRAWN
27. **08ZHE-80136** **Project# 1007166** WAYNE & DELORES CORBETT request(s) a special exception to Section 14-16-3-3(2)(e): a VARIANCE of 4' to the 10' separation requirement between the dwelling and existing shed on all or a portion of Lot(s) 44-P1, CANYON HILLS zoned SU-1 PRD, located at 1426 CANYON RIM DR NE (J-23)
APPROVED WITH CONDITIONS
28. **08ZHE-80134** **Project# 1007164** MAY'S AND COMPANY request(s) a special exception to Section COORS CORRIDOR AMENDMENT R-457: a VARIANCE to the Coors Corridor Plan Amendment R-457 for 1 proposed freestanding monument sign to the 2 freestanding sign requirement on all or a portion of Lot(s) 5, LOWE'S SUBDIVISION zoned SU-1 FOR C-2 USES IP PERMISSIVE USES R-3 PERMISSIVE USES, located at 10151 COORS BLVD NW (B-14)
APPROVED

29. **08ZHE-80118** **Project#** CARLOS GONZALEZ request(s) a special exception to Section 14-16-3-3(A)(4)(9)1: a VARIANCE of 3' to the 3' wall height allowance for a proposed 6' high wall in the front yard setback area on all or a portion of Lot(s) 20, Block(s) 11, ELDER HOMESTEAD ADDN zoned R-1, located at 913 DAKOTA ST SE (L-18)
1007144
APPROVED WITH CONDITIONS
30. **08ZHE-80140** **Project#** CAROL WASHBURN 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 a proposed 6' high wall in the front yard setback area on all or a portion of Lot(s) 12, Block(s) Q, SMITHS SANDIA HILLS zoned R-1, located at 1727 TRUMAN ST NE (J-17)
1007170
APPROVED WITH CONDITIONS
31. **08ZHE-80145** **Project#** PAUL M KELLY request(s) a special exception to Section 14-16-3-3(A)(4)(a)(1): a VARIANCE of 5' to the 3' wall height allowance for a proposed 8' high wall in the front yard setback area on all or a portion of Lot(s) 2, Block(s) 15, MONKBRIDGE ADDN zoned R-1, located at 502 AZTEC NW (G-14)
1007175
APPROVED WITH CONDITIONS

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

HEARING WILL RESUME PROMPTLY
AT 1:30 P.M. WITH ITEM #32

IF YOU ARE AGENDA ITEMS #32 - #45

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

32. **08ZHE-80126** **Project#** MARTIN MARCHI DBA MARCHI INVESTMENTS request(s) a special exception to Section 14-16-4-13: a STATUS ESTABLISHED BUILDING REVIEW & EXPANSION OF A NON CONFORMING USE for an existing restaurant and a proposed drive-thru service window in an R-1 zone on all or a portion of Lot(s) A, LANDS OF EVELYN H. FELLIS zoned R-1, located at 6131 4TH ST NW (E-14)
1007156
APPROVED
33. **07ZHE-80185** **Project#** CONNIE NELLOS (DAC ENT., AGENT) request(s) a special exception to Section 14-16-2-17(A)(13)(a)1. & 2.: a VARIANCE of 448' to the 500' distance requirement for the proposed sale of alcoholic drink for consumption off premises from a residential zone on all or a portion of Lot(s) A1, Block(s) 1, CLAYTON HEIGHTS zoned C-2, located at 801 YALE BLVD SE (L-15)
1006986
DEFERRED INDEFINATELY
34. **07ZHE-80187** **Project#** CONNIE NELLOS (DAC ENT., AGENT) request(s) a special exception to Section 14-16-2-17(A)(13)(a)1. & 2.: a VARIANCE of 500' to the 500' distance requirement for the proposed sale of alcoholic drink for consumption off premise from a residential zone on all or a portion of Lot(s) 11N, Block(s) 11, Gutierrez-Ofimiano J Lower Terrace zoned C-2, located at 4516 WYOMING BLVD NE (F-19)
1006988
DEFERRED INDEFINATELY

35. **08ZHE-80135** **Project# 1007165** EMILY EGGE 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 with no kitchen in an R-1 zone on all or a portion of Lot(s) 3, Block(s) 20, BEL-AIR zoned R-1, located at 2635 MONROE ST NE (H-17)
APPROVED WITH CONDITIONS
36. **08ZHE-80138** **Project# 1007168** BRENDA BROUSSARD & LYNN PERLS request(s) a special exception to Section 14-16-2-13(B)(2) and DNASDP, Page 16: a CONDITIONAL USE to allow for proposed 100% office space in the R-C zone (Downtown Neighborhood Sector Plan) on all or a portion of Lot(s) 21A, Block(s) D, PARK ADDN zoned SU-2 / RC, located at 1123 8TH ST NW (J-14)
DEFERRED TO 5/20/08
37. **08ZHE-80144** **Project# 1007174** QUILLON DAYTON request(s) a special exception to Section 14-16-2-6(B)(2): a CONDITIONAL USE to keep animals (potbellied pigs & pygmy goats) other than those which are permissive in an R-1 zone on all or a portion of Lot(s) 3, Block(s) 7, LOMA LINDA zoned R-1, located at 1709 PRINCETON DR. SE (L-16)
DEFERRED TO 5/20/08
38. **08ZHE-80124** **Project# 1007154** URSULA ROMERO 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) 4, GLENWAY PARK ADDN zoned R-1, located at 1724 PROSPECT AVE NW (H-13)
APPROVED
39. **08ZHE-80129** **Project# 1007160** JORGE & HERMELINDA BRAVO request(s) a special exception to Section 14-16-2-8(4)(a): a CONDITIONAL USE to allow for a proposed covered patio in the rear yard setback area on all or a portion of Lot(s) 43-P1, Block(s) 1, SUN SAGE HILLS zoned R-LT, located at 9431 ALVERA CT SW (M-9)
APPROVED
40. **08ZHE-80131** **Project# 1007162** THERESA & FILIBERTO DIAZ request(s) a special exception to Section 14-16-2-6(B)(12): a CONDITIONAL USE to allow for a proposed covered patio in the rear yard setback area on all or a portion of Lot(s) 58 P-1, Block(s) 3, ARROWWOOD HILLS UNIT 1 zoned R-L5, located at 10309 CHAMBOURCIN RD SW (N-9)
APPROVED
41. **08ZHE-80115** **Project# 1007134** KARIN FELDKAMP request(s) a special exception to Section 14-16-2-6(B)(14)(a)1: 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) 18, Block(s) 5, LOMA VISTA ADDN zoned R-1, located at 3021 FRONTIER AVE NE (J-16)
APPROVED WITH CONDITIONS
42. **08ZHE-80116** **Project# 1007136** AMANDA R. TRUJILLO request(s) a special exception to Section 14-16-2-6(B)(14)(a)1: 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) 7B, Block(s) 1, BERGQUIST ADDN zoned R-2, located at 5909 BERGQUIST PL NW (K-11)
APPROVED
43. **08ZHE-80137** **Project# 1007167** ELIZABETH COLLINS/MIKE HACKER request(s) a special exception to Section 14-16-2-6 (B) (14) (1): 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) 1& N 10' of Lot 2, Block(s) 12, PARKLAND HILLS ADDN zoned R-1, located at 500 SIERRA DR SE (K-17)
APPROVED WITH CONDITIONS

44. **08ZHE-80149** **Project#** LEONEL PIZANO 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' in height in the front yard setback area for a proposed 5' high wall on all or a portion of Lot(s) 12 - P1, Block(s) 4, SUNRISE RANCH UNIT 3 zoned RD, located at 9801 RAWHIDE AVE SW (L-9)
1007179
APPROVED WITH CONDITIONS
45. **08ZHE-80123** **Project#** ELVA H FRANCO request(s) a special exception to Section PG 45. MR and 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 an existing 5' high wall on all or a portion of Lot(s) 12, Block(s) 12, TORREON ADDN zoned SU-2 MR, located at 2101 EDITH BLVD SE (L-14)
1007151
APPROVED WITH CONDITIONS