



HEARING ON SPECIAL EXCEPTIONS
TO THE COMPREHENSIVE CITY ZONING CODE

ZONING HEARING EXAMINER'S AGENDA

TUESDAY, May 16, 2006

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 Diane Baca at (505) 924-3918.

PLEASE ADDRESS ALL CORRESPONDENCE TO:

Roberto Albertorio, Esq.

COA Planning Department, ZHE Division, 3^d Floor

600 Second Street NW

Albuquerque, NM 87102

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.*

INTERPRETER REQUIRED: *Due to budget constraints we apologize that the City of Albuquerque will not be able to provide language interpreters. This hearing will be in English. We sincerely hope that applicants will bring a person that can interpret.*

OLD BUSINESS:

- 1. **05ZHE – 01662** **1004520** **MARION & FRANK KESSEL** request(s) a special exception to Section 14.16. 2. 6. (B). 14.: a **CONDITIONAL USE** to allow for a wall over 3 feet in height in the front yard setback area, on all or a portion of Lot(s) 19, Block(s) 14, Grande Height Addition, zoned R-1 and located at **409 MORNINGSIDE DR SE (K-17)**

DENIED
- 1) **100**

2. **06ZHE – 00321** **1004748** **B.J.D. ENTERPRISES** request(s) a special exception to Section 14. 16. 3. 12. (A). (7).: a VARIANCE of 665 feet to the 1,500 foot separation requirement between community residential programs on, all or a portion of Lot(s) 8, Block(s) 7, Meadowood Manor Unit 2 Addition, zoned R-1 and located at **7001 BECK DR NE (E-19)**
1) 465
DENIED
3. **06ZHE – 00341** **1004755** **ANDY & JACKIE HO** request(s) a special exception to Section 14. 16. 2. 6. (E). (5). (a.): a VARIANCE of 5' 3" to the 15 foot rear yard setback area requirement, on all or a portion of Lot(s) 11 A, Talea Court Addition, zoned R-D and located at **9800 TALEA CT NE (D-21)**
1) 2039
APPROVED
4. **06ZHE – 00344** **1004757** **HENRY ELIZONDO** request(s) a special exception to Section 14. 16. 2. 6. (B). (1).: a CONDITIONAL USE to allow for a accessory living quarters in a R-1 zone, on all or a portion of Lot(s) W, Block(s) 135 B, West Mesa Addition, zoned R-1 and located at **417 47TH ST NW (J-12)**
1) 2595
DENIED FOR FAILURE TO APPEAR
5. **06ZHE – 00356** **1004764** **ROWAN STANLAND** request(s) a special exception to Section 14. 16. 3. 3. (A). (4). (a.): a VARIANCE of 7 feet to the 3 foot wall height allowance for a 10 foot high wall in the front yard setback area, on all or a portion of Lot(s) 2, Block(s) 42, Terrace Addition, zoned SU-2 and located at **1410 GOLD AVE SE (K-15)**
1) 2622
DEFERRED TO JUN 20, 2006
6. **06ZHE – 00367** **1004767** **VANCE DUGGAR** request(s) a special exception to Section 14. 16. 3. 3. (4). (B). (1).: a VARIANCE of 5 feet to the 3 foot fence height allowance for a 6 foot high fence in the front yard setback area, on all or a portion of Lot(s) 18,19,20, Block(s) 5, Tract(s) A, north Albuquerque Acres, zoned M-1 and located at **6201 SAN FRANCISCO DR NE (D-18)**
NOT HEARD
DEFERRED TO JUN 20, 2006. MARKED FINAL.

NEW BUSINESS:

7. **06ZHE – 00421** **1004795** **FRANCISCO AVITIA** request(s) a special exception to Section 14. 16. 3. 3. (4). (a). (1).: a VARIANCE of 3 feet to the 3 foot wall height allowance for a 6 foot high wall, on all or a portion of Lot(s) 47, 48, Block(s) 29, Mesa Verde Addition, zoned R-2 and located at **401 UTAH ST NE (K-19)**
1) 3595
DEFERRED TO JUN 20, 2006
8. **06ZHE – 00457** **1004811** **NICOLE SCALLY** request(s) a special exception to Section 14. 16. 3. 3. (A). (4). (a.): a VARIANCE of 3 feet to the 3 foot wall height allowance for 6 foot high wall in the front yard setback area, on all or a portion of Lot(s) 11, Block(s) 8, Lobo addition, zoned R-1 and located at **1209 LOBO PLACE NE (J-16)**
NOT HEARD
DEFERRED TO JUN 20, 2006

9. **06ZHE – 00511** **1004842** **REGENCY R.E. & INVESTMENTS** request(s) a special exception to Section 14. 16. 3. 19. (A). (2). (a): a VARIANCE of 3 feet to the 3 foot fence height allowance for 6 foot high fence in the front and side yard setbacks, on all or a portion of Lot(s) 8 A, Block(s) 14, Clayton Heights Addition, zoned C-2 and located at **1831 WILMOORE DR. NE** (L-15)
2) 1
APPROVED
10. **06ZHE – 00441** **1004802** **DENIS HOLMES** request(s) a special exception to Section 14. 16. 2. 6. (E). (4). (a): a VARIANCE of 5 feet to the 5 foot side yard setback area requirement, on all or a portion of Lot(s) 6, Block(s) 6, Monte Vista Addition, zoned R-1 and located at **3410 CAMPUS BLVD NE** (K-16)
NOT HEARD
WITHDRAWN BY APPLICANT
11. **06ZHE – 00455** **1004809** **JIM PADON** request(s) a special exception to Section 14. 16. 2. 11. (E). (1): a VARIANCE of 3 feet to 20 foot drive drive way setback requirement, on all or a portion of Lot(s) D, Alvarado Gardens Addition, zoned R-2 and located at **3041 SOMBRA DEL RIO NW** (G-12)
2) 153
2) 505
APPROVED
12. **06ZHE – 00483** **1004826** **ALAN COFRAN** request(s) a special exception to Section 14. 16. 3. (2). (9): a VARIANCE for a accessory building to exceed 25% of the side plus rear yard, on all or a portion of Lot(s) 1, Block(s) 3, Rhodes Sandia Vista Addition, zoned R-T and located at **11100 HUERFANO RD NE** (K-21)
2) 284
2) 1672
WITHDRAWN BY APPLICANT
13. **06ZHE – 00488** **1004832** **ANTONIO MONDRAGON/CHRISTAL LOPEZ** request(s) a special exception to Section 14. 16. 2. 9. (E). (4). (a): a VARIANCE of 11.3 feet to the 15 foot rear yard setback area requirement, on all or a portion of Lot(s) 1 P, Block(s) B, Paradise Skies Addition, zoned RT and located at **10628 NEPTUNE ST NW** (A-11)
2) 546
APPROVED
14. **06ZHE – 00496** **1004834** **ORLANDO J. GARCIA** request(s) a special exception to Section 14. 16. 2. 9. (E). (4). (a): a VARIANCE of 11 feet to the 15 foot rear yard setback area requirement, on all or a portion of Lot(s) 24, Block(s) 43, Perea Addition, zoned SU-2 and located at **1519 GRANITE AVE NW** (J-13)
2) 634
APPROVED
15. **06ZHE – 00497** **1001469** **JAMES STONE** request(s) a special exception to Section 14. 16. 2. 6. (E). (1): a VARIANCE of 8 feet to the 20 foot front yard setback area requirement; a VARIANCE of 10 feet to the 10 foot side yard setback area requirement (corner lot); a VARIANCE of 15 feet to the 15 foot rear yard setback area requirement, on all or a portion of Lot(s) 23, 24, Block(s) 5, Sunset Terrace Addition, zoned R-1 and located at **1044 STANFORD DR NE** (J-16)
006ZHE – 00498
006ZHE – 00499
2) 795
DENIED

16. **06ZHE – 00503** **1004838** **JAVIER MARCILLA** request(s) a special exception to Sawmill Section Plan A.3. a.: a VARIANCE of 4,125 sf to the 7,000 sf minimum lot size requirement; a VARIANCE of 2' 8" to the 10 foot separation requirement between residential buildings, on all or a portion of Lot(s) 7, Block(s) 2, Garcia Addition, zoned R-1 and located at **1214 12TH ST NW** (J-13)
- 06ZHE – 00504**
- 2) 1390
- DENIED

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

HEARING WILL RESUME PROMPTLY
AT 1:30 P.M. WITH ITEM #17

IF YOU ARE AGENDA ITEMS #17-26

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

17. **06ZHE – 00456** **1004810** **CRISTOPHER AND VANESSA JOHNSON** 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 requirement, on all or a portion of Lot(s) 47, Block(s) 41, The Knolls of Paradise Hill, zoned R-1 and located at **4535 BAXTER CT NW** (B-12)
- 2) 1836
- APPROVED WITH CONDITIONS
18. **06ZHE – 00422** **1004796** **CHARLES & ANN KUNTZ** 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) 5 P 1, Block(s) 9, Meadows at Anderson Hills, zoned R-LT and located at **3220 GRASSHOPPER DR SW** (P-9)
- 2) 2074
- APPROVED
19. **06ZHE – 00452** **1004806** **ANGEL GUZMAN** 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, on all or a portion of Lot(s) 34, Block(s) R, Lavaland Addition, zoned R-1 and located at **400 62 ST. NW** (J-11)
- 2) 2346
- 2) 3119
- APPROVED WITH CONDITIONS
20. **06ZHE – 00468** **1004819** **RICARDO AND ANGELA MACIAS** request(s) a special exception to Section 14. 16. 2. 6. (B). (14): a CONDITIONAL USE to allow for a wall over 3 feet in height in the front yard setback area, on all or a portion of Lot(s) 16, Hubbel Heights Addition, zoned R-1 and located at **226 65TH ST SW** (K-11)
- 2) 2693
- APPROVED WITH CONDITIONS

21. **06ZHE – 00507** **1004840** **ROBERT GURULE** request(s) a special exception to Section 14. 16. 2. 6. (B). (9).: a **CONDITIONAL USE** to allow for a carport in the front yard setback area, on all or a portion of Lot(s) 18, Block(s) U, Carlos Rey Addition, zoned R-1 and located at **6204 DENNISON RD SW (K-11)**
2) 2597
APPROVED WITH CONDITIONS
22. **06ZHE – 00368** **1004767** **JOANN MASCARENAS** request(s) a special exception to section 14. 16. 2. 6. (B). (5).: a **CONDITIONAL USE** to allow for a family home day care, up to 12 children, on all or a portion of Lot(s) 31 P1, La Mesilla Addition, zoned R-D and located at **8519 MESA REAL AVE SW (L-9)**
2) 2704
APPROVED WITH CONDITIONS
23. **06ZHE – 00505** **1004839** **LARRY GUTIERREZ-CAMPOS, PTNS** request(s) a special exception to Section 14. 16. 4. 13. (A).: to allow for a **STATUS ESTABLISHED BUILDING** on all or a portion of Lot(s) A, Lands of Evelyn H. Fellis, zoned R-1 and located at **6131 4TH ST NW (E-14)**
NOT HEARD
WITHDRAWN BY APPLICANT
24. **06ZHE – 00510** **1004841** **MICHELLE P. OTTERNESS** request(s) a special exception to Nob Hill Sector Plan page 332. A. 1.: a **CONDITIONAL USE** to allow for retailing of food and drink in a Nob Hill Sector Plan **OR** zone, on all or a portion of Lot(s) 1, Block(s) 42, University Heights Addition, zoned RC and located at **202 BRYN MAWR SE (K-16)**
2) 3445
3) 1
APPROVED
25. **06ZHE – 00512** **1004843** **SCOTT W. KUHNS** request(s) a special exception to Section 14. 16. 2. 17. (B). 18.: a **CONDITIONAL USE** for manufacturing and assembling of motorcycles, all terrain vehicles and jet skis, on all or a portion of Lot(s) 2 A, Municipal Addition # 1, zoned G2 and located at **6919 MONTGOMERY BLVD NE (F-18)**
3) 425
APPROVED
26. **06ZHE – 00502** **1004837** **GABRIEL M. PARRA** request(s) a special exception to Section 14. 16. 4. 13.(A): to allow for a **STATUS ESTABLISHED BUILDING**, on all or a portion of Lot(s) 13, Block(s) 13, Bel Air Addition, zoned R-1 and located at **2616 MONROE ST NE (H-17)**
3) 812
APPROVED WITH CONDITIONS
27. **06ZHE-00500** **1004835** **JESUS ANGUIANO** 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) 3-P1, Block(s) 19, Park West Unit 4, zoned R-D and located at **8015 CLIFFVIEW AVE NW (G-9)**
CASE ADDED
ON MAY 12, '06
2) 2150
APPROVED