



HEARING ON SPECIAL EXCEPTIONS
TO THE COMPREHENSIVE CITY ZONING CODE

ZONING HEARING EXAMINER'S AGENDA

TUESDAY, July 17, 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
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.
City of Albuquerque Office of Administrative Hearings
Zoning Hearing Examiner
PO 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.*

OLD BUSINESS:

- | | | |
|------------------|---------|--|
| 1. 07ZHE - 00401 | 1005333 | ED WHITE request(s) a special exception to Section 14. 16. 3. 3. (A).(4): a VARIANCE of 4 ft to the 3 ft height allowance in the front yard setback area for a proposed 7' 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) |
| 2. 07ZHE-00414 | 1005475 | DEBORAH M. MILLER request(s) a special exception to Section 14. 16. 2. 6. (E). (3). (a).: a VARIANCE of 5' to the 20' street side yard setback area requirement for a proposed addition to the dwelling on all or a portion of Lot(s) 162, Valle Alto Addition, zoned R-1 and located at 1229 VALLE ALTO CT NW (G-14) |
| 3. 07ZHE-00415 | 1005475 | DEBORAH M. MILLER request(s) a special exception to Section 14. 16. 2. 6. (B). (1).: a CONDITIONAL USE to allow for a proposed accessory living quarters in a R-1 zone on all or a portion of Lot(s) 162, Valle Alto Addition, zoned R-1 and located at 1229 VALLE ALTO CT NW (G-14) |
| 4. 07ZHE-00469 | 1005502 | JD BLATCHFORD-RODRIGUEZ request(s) a special exception to Section 14. 16. 3. 3. (A). (4). (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) 9, Block(s) 12, Monte Vista Addition, zoned R-1 and located at 138 GIRARD BLVD NE (K-16) |

5. **07ZHE-00470** **1005502** **JD BLATCHFORD-RODRIGUEZ** 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) 12, Monte Vista Addition, zoned R-1 and located at **138 GIRARD BLVD NE (K-16)**
6. **07ZHE-00466** **1005501** **GILLIAN A. BUDDINGTON** request(s) a special exception to Section 14. 16. 2. 6. (B). (14): a **CONDITIONAL USE** to allow for a fence over 3' in height in the front yard setback area for a proposed 4' high fence on all or a portion of Lot(s) 11 A, Sanchez Rueben Addition, zoned R-2 and located at **1830 BUENA VISTA DR SE (L-15)**
7. **07ZHE-00480** **1005509** **GROVER MANN** request(s) a special exception to Section 14. 16. 2. 6. (B). (14): a **VARIANCE** of 2.5' to the 3' wall height allowance for a proposed 5'10" wall in the front yard setback area on all or a portion of Lot(s) 3, Block(s) 36, University Heights Addition, zoned R-1 and located at **406 DARTMOUTH DR SE (K-16)**
8. **07ZHE-00240** **1005405** **JOSE O. DE LA CRUZ** request(s) a special exception to Section 14. 16. 2. 9. (A). (1). (d): a **CONDITIONAL USE** to allow for a proposed second dwelling on the lot with a kitchen in a M-R zone on all or a portion of Lot(s) 16 A, Block(s) 2, New Era Fruit Addition, zoned SU-2 and located at **201 TRUMBULL AVE SE (L-14)**
9. **07ZHE - 00636** **1005579** **SUSAN SELBIN** request(s) a special exception to Section 14. 16. 3. 3 (B). (2). (b): a **VARIANCE** of 17' to the 20' corner side yard setback area requirement for a proposed accessory building on all or a portion of Lot(s) 63 A, Rancho Seco Addition, zoned R-T and located at **1824 SLATE STREET, NW (J-13)**
10. **07ZHE - 00637** **1005579** **SUSAN SELBIN** request(s) a special exception to Section 14. 16. 3. 3 (B). (2). (e): a **VARIANCE** of 8' to the 10' distance separation requirement between a proposed accessory building and a dwelling on all or a portion of Lot(s) 63 A, Rancho Seco Addition, zoned R-T and located at **1824 SLATE STREET, NW (J-13)**
11. **07ZHE - 00622** **1005565** **CANDELARIA VILLAGE, LLC** request(s) a special exception to Section 14. 16. 2. 6. (D). (2): a **VARIANCE** of 8' 4" to the 50' lot width requirement for a proposed dwelling on all or a portion of Lot(s) 38 P-1, Candelaria Village Subdivision, zoned R-1 and located at **1459 VALLE LANE NW (G-13)**
12. **07ZHE - 00282** **1005418** **JOSE LUIS ROMAN** 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) 12, Block(s) W, Desert Flower Addition, zoned R-LT and located at **7301 PURPLE CONE ROAD SW (M-10)**
13. **07ZHE - 00528** **1005524** **ANTHONY and JUSTIN WILLIAMS** 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) 17, Block(s) 6, College View Addition, zoned R-1 and located at **327 SOLANO DR NE (K-17)**
14. **07ZHE - 00309** **1005551** **JOAN LEVINE** request(s) a special exception to Section 14. 16. 2. 22. (B). (25). (a): a **CONDITIONAL USE** to allow for proposed health care (social work) in a residential zone on all or a portion of Lot(s) 9, Block(s) 1, Academy Square Addition, zoned SU-1, PRD and located at **5516 OVERLOOK ST NE (F-21)**
15. **07ZHE - 00631** **1005573** **EMMA SUAREZ** request(s) a special exception to Section 14. 16. 2. 6. (B). (5): a **CONDITIONAL USE** to allow for a proposed family day care home in a residential zone on all or a portion of Lot(s) 12, Block(s) 10, Torreon Addition, zoned SU-2 M-R and located at **2001 ARNO ST SE (L-14)**

16. **04ZHE – 01622** **1003739** **THE SHELDON COMPANY, LLC** request(s) a special exception to Section 14. 16. 2. 16. (B). (6).: a **CONDITIONAL USE** to allow for dwelling units in a C-1 zone on all or a portion of Lot(s) 16A, Block(s) 8, Enchanted Mesa Subdivision, zoned C-1 and located at **2401 CHELWOOD PARK BLVD NE (H-22)**
17. **a. 06ZHE – 01483** **1005207** **PIPER GROUP LLC** request(s) a special exception to:
b. 06ZHE – 01789
c. 06ZHE – 01790
d. 06ZHE – 01791
e. 06ZHE – 01792
- a. 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;
 - b. 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;
 - c. 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;
 - d. 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;
 - e. 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)**
18. **07ZHE - 00315** **1005435** **LAURA A. WHITE & FRANK T. CLOAK JR.** request(s) a special exception to Section 14. 16. 2. 6. (B). (1).: a **CONDITIONAL USE** to allow for a proposed accessory living quarters for a garage / hobby room on all or a portion of Lot(s) 4 A, Block(s) 15, Perez Addition, zoned SU-2 and located at **1613 FRUIT AV NW (J-13)**

NEW BUSINESS:

19. **07ZHE - 00651** **1005589** **MAURICIO CANO** request(s) a special exception to Section 14. 16. 3. 19. (A). (3). (a).: a **VARIANCE** of 2' 5" to the 3' fence height allowance for a proposed 5' 6" wrought iron fence on all or a portion of Lot(s) 22, Block(s) G, Lavaland Addition, zoned C-1 and located at **380 59th, NW (J-11)**
20. **07ZHE - 00686** **1005604** **VINCENT MARTINEZ** request(s) a special exception to the Sawmill / Wells Park Sector Plan page 100. D (Lot Size) D. 1. : a **VARIANCE** of 862 sf to the 5,000 sf minimum lot size for a proposed dwelling in a SR zone on all or a portion of Lot(s) 19, Block(s) 2, Anderson Addition No. 2, zoned S-R and located at **1325 8th STREET, NW (J-14)**
21. **07ZHE - 00687** **1005604** **VINCENT MARTINEZ** request(s) a special exception to the Sawmill / Wells Park Sector Plan page 100. D (Lot Size) D. 1. : a **VARIANCE** of 862 sf to the 5,000 sf minimum lot size for a proposed dwelling in a SR zone on all or a portion of Lot(s) 20, Block(s) 2, Anderson Addition No. 2, zoned S-R and located at **1325 8th STREET, NW (J-14)**
22. **07ZHE - 00677** **1005600** **VAN ROCCO** request(s) a special exception to Section 14. 16. 2. 5. (D).: a **VARIANCE** of 1,745 sf to the 10,890 sf minimum lot size for a proposed dwelling in a RA-2 zone on all or a portion of Lot(s) 134E, Tract(s) 134E, MRGCD Map 31, zoned RA-2 and located at **3814 RIO GRANDE, NW (F-13)**
23. **07ZHE - 00692** **1005608** **DAN SPARACINO** request(s) a special exception to Section 14. 16. 2. 6. (E). (5).(a).: a **VARIANCE** of 1' to the 15' rear yard setback area requirement for a proposed addition to the dwelling on all or a portion of Lot(s) 1, Block(s) 9, Eastridge Addition Unit 2, zoned R-1 and located at **1601 KIRBY STREET NE (M-10)**

24. **07ZHE - 00695** **1005611** **SW SUNROOM** request(s) a special exception to Section 14. 16. 2. 8. (E). (4). (a): a VARIANCE of 6'4" to the 15' rear yard setback area requirement for a proposed sunroom addition to the dwelling on all or a portion of Lot(s) 9-P1, Block(s) 18, Willow Wood Unit 5, zoned R-LT and located at **10819 THUNDER BASIN ROAD SE (L-16)**
25. **07ZHE - 00706** **1005621** **MIKE KEMP, ANISSA CONSTRUCTION, INC. AGENT** request(s) a special exception to Section 14. 16. 2. 8. (E). (4). (a): a VARIANCE of 8' to the 15' rear yard setback area requirement for a proposed open deck on all or a portion of, Lot(s) 7-1-P-1, Seville Unit B, zoned R-LT and located at **6208 SIERRA NEVADA CIRCLE NW (A-10)**
26. **07ZHE - 00709** **1005623** **JOSEPH SIDENBERG** 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 bedroom addition to the dwelling on all or a portion of Lot(s) 23, Block(s) 12, Broadmoor Addition, zoned SU-2 M-R and located at **4204 ROMA AVE NE (K-17)**
27. **07ZHE - 00711** **1005625** **KAREN ASKE** request(s) a special exception to Section 14. 16. 2. 6. (E). (3). (b): a VARIANCE of 3' to the 10' street side setback area requirement for a proposed covered patio attached to the dwelling on all or a portion of Lot(s) 7, Block(s) 36, Brentwood Hills Addition, zoned R-1 and located at **2601 GEORGENE DRIVE NE (H-22)**
28. **07ZHE - 00714** **1005628** **THAD & SHANNON PORCH** request(s) a special exception to Section 14. 16. 2. 6. (E). (4). (a): a VARIANCE of 1'7" to the 5' side yard setback area requirement for a proposed sunroom addition to the dwelling on all or a portion of Lot(s) 23, Block(s) 3, Los Prados del Norte Addition, zoned R-D and located at **7005 CASA ELENA DRIVE NE (E-16)**
29. **07ZHE - 00704** **1005619** **VERN SMITH, JIM DUNCAN AGENT** request(s) a special exception to Section 14. 16. 2. 6. (E). (4). (a): a VARIANCE of 3' 6" to the 5' side yard setback area requirement for a proposed carport on all or a portion of Lot(s) 1, Block(s) 4, Sandia Plaza Addition, zoned R-1 and located at **4903 12th STREET NW (F-14)**
30. **07ZHE - 00713** **1005627** **LAWRENCE WOODS** request(s) a special exception to Section 14. 16. 3. 3. (B). (2). (e): a VARIANCE of 1' to the 10' separation requirement between a dwelling and an accessory structure for a proposed addition to the dwelling on all or a portion of Lot(s) 6, Block(s) 2, Skyview West Amended Replat, zoned R-1 and located at **301 GARY LANE SW (K-10)**
31. **07ZHE - 00718** **1005629** **JULIE TORRES** request(s) a special exception to Section 14. 16. 2. 25. (B). (9). (b): a VARIANCE of two proposed wall signs to the two permitted wall signs for any one business requirement in the H-1 Historic Old Town Zone, Tract(s) 198, MRGCD Map 38, zoned H-1 Historic Old Town and located at **400 RIO GRANDE BLVD NW (J-13)**
32. **07ZHE - 00719** **1005629** **JULIE TORRES** request(s) a special exception to Section 14. 16. 2. 25. (B). (9). (c): a VARIANCE of 24 sq. ft. to the 8 sq. ft. wall sign area requirement for two proposed wall signs in the H-1 Historic OT zone. Tract(s) 198, MRGCD Map 38, zoned H-1 Historic Old Town and located at **400 RIO GRANDE BLVD NW (J-13)**

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

HEARING WILL RESUME PROMPTLY
AT 1:30 P.M. WITH ITEM #33

IF YOU ARE AGENDA ITEMS 33 - 51

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

33. **07ZHE - 00681** **1005601** **CESAR & REBECA ELIZONDO** request(s) a special exception to Section 14. 16. 2. 6. (12).: a **CONDITIONAL USE** for a proposed shade structure in the rear yard setback area on all or a portion of Lot(s) 4-P2, Anderson Hills Unit 2, zoned R-LT and located at **9804 RIO CAMINO AVE, SW** (P-9)
34. **07ZHE - 00708** **1005622** **PETER SHOBERG** 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) 12, Block(s) 7, Aztec Addition No. 1, zoned R-1 and located at **8913 AZTEC ROAD NE** (G-20)
35. **07ZHE - 00696** **1005612** **MR. & MRS. PAUL SHIRLEY** 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) 14, The Enclave at Tanoan, zoned R-D Open Space and located at **11212 LOS LAGOS NE** (E-22)
36. **07ZHE - 00701** **1005616** **RICARDO LOPEZ & NALLY GROJEDA** request(s) a special exception to Section 14. 16. 2. 9. (B).: a **CONDITIONAL USE** to allow a proposed shade structure in the required rear yard setback area on all or a portion of Lot(s) 19-P1, Bride Crossing, zoned R-T and located at **315 LINDSAY PLACE SW** (K-10)
37. **07ZHE - 00689** **1005605** **ROBERT HAAGENSEN** 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) 13, Block(s) 10, Dellwood Addition, zoned R-1 and located at **8303 NEW HAMPSHIRE NE** (G-19)
38. **07ZHE - 00699** **1005615** **JOHN & LINDA HOLLAND** 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 & 5, Block(s) 50, University Heights Subdivision, zoned R-1 and located at **208 TULANE SE** (H-12)
39. **07ZHE - 00700** **1005615** **JOHN & LINDA HOLLAND** 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 & 5, Block(s) 50, University Heights Subdivision, zoned R-1 and located at **208 TULANE SE** (H-12)
40. **07ZHE - 00703** **1005618** **VALERIE BRISTOL** request(s) a special exception to Section 14. 16. 2. 6. (B). (14). (1): a **CONDITIONAL USE** to 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) 27, Block 21, Stardust Skies, Unit 8, zoned R-1 and located at **7718 HENDRIX AVE NE** (G-13)
41. **07ZHE - 00694** **1005610** **JULIA HOLGUIN** request(s) a special exception to Section 14. 16. 2. 9. (B).: 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) 18 A, Block(s) 1 A, South Winds Addition, zoned R-T and located at **500 ADRIAN STREET SW**(K-10)

42. **07ZHE - 00710** **1005624** **GABRIEL NIMS** 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) 27, Block(s) 8, Kiva Addition, zoned R-1 and located at **5709 ARVILLA AVE NE (G-18)**
43. **07ZHE - 00697** **1005613** **JUVENAL F MEDINA** 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) 1, Block(s) M, Desert Flower Unit 4, zoned R-LT and located at **7720 SPRING FLOWER ROAD SW (M-10)**
44. **07ZHE - 00691** **1005607** **DOGOBERTO MARQUEZ** 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' 6" high fence on all or a portion of Lot(s) 35, Field Addition, zoned R-1 and located at **400 61st STREET SW (K-11)**
45. **07ZHE - 00705** **1005620** **LA ESCUELITA (DANIBEL GONZALEZ)** request(s) a special exception to Section 14. 16. 2. 1. (B). (1): a **CONDITIONAL USE** to allow for a proposed family day care home in a R-2 zone on all or a portion of Lot(s) 14, Block(s) 24, Emil Mann Addition, zoned R-2 and located at **637 GROVE STREET SE (M-9)**
46. **07ZHE - 00702** **1005617** **JEAN HERRERA** request(s) a special exception to University Neighborhood Sector Plan page 70. DR 2. b. : a **CONDITIONAL USE** to allow for a proposed day care center on all or a portion of Lot(s) 21, Block(s) 22, University Heights Addition, zoned SU-2-DR and located at **307 VASSAR DRIVE SE (K-16)**
47. **07ZHE - 00690** **1005606** **ELIECER RODRIGUEZ MORENO** 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-3 zone on all or a portion of Lot(s) 9, Evans Addition, zoned C-3 and located at **5513 ACOMA SE (K-18)**
48. **07ZHE - 00698** **1005614** **EDDIE CORLEY, JR & SR, LLC** request(s) a special exception to the North I/25 Sector Plan page 47. (E). (C). (2). a **CONDITIONAL USE** to allow for proposed auto sales and service repair in the North I-25 sector development area on all or a portion of Lot(s) 17, 18, 19, 20 & a portion of 21, Block(s) 9, Tract(s) A, North Albuquerque Acres, Unit B, zoned SU-2 IP and located at **EAGLE ROCK ROAD NE (C-18)**
49. **07ZHE - 00712** **1005626** **GUADALUPE H. PRECIADO** request(s) a special exception to Section 14. 16. 2. 13. (B). (6): a **CONDITIONAL USE** to allow for proposed retail sales & services (law office and art performance space) where non-residential floor area exceeds ½ the gross floor area on all or a portion of Lot(s) 6-A, Block(s) 25, Perea Addition, zoned SU-2 R-C and located at **1025 & 1025 ½ LOMAS BLVD NW (J-13)**
50. **07ZHE - 00728** **1005123** **CUNADO LTD. CO.** request(s) a special exception to the North I-25 Sector Development Plan page 49. E. 5.: a **CONDITIONAL USE** to allow for proposed retail services (reprographics) on all or a portion of Lot(s) 32, Tract A, North Albuquerque Acres, Unit B, zoned SU-2 M-1 and located at **8900 SAN MATEO BLVD, NE (C-18)**
51. **07ZHE - 00658** **1005593** **RIVERA'S PROPERTY MANAGEMENT, LLC** request(s) a special exception to Section 14. 16. 4. 13 (A). (1). (a). a **STATUS ESTABLISHED BUILDING** to allow for five existing apartment units in a R-A2 zone on all or a portion of Lot(s) 34, Block(s) 34, Harper Addition, zoned R-A2 and located at **258 GENE, NW (F-15)**