



HEARING ON SPECIAL EXCEPTIONS
TO THE COMPREHENSIVE CITY ZONING CODE

ZONING HEARING EXAMINER'S AGENDA

TUESDAY, July 18, 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 Ray Rivera at (505) 924-3918.

PLEASE ADDRESS ALL CORRESPONDENCE TO:

Roberto Albertorio, Esq.

COA Planning Department, ZHE Division, 3rd 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:

OLD BUSINESS:

- 1. **06ZHE – 00663** **1004891** **BRENT & MARNIE GOSSETT** request(s) a special exception to Section 14. 16. 2. 5. (D).: a VARIANCE of 773 sf to hte 10,890 sf minimum lot size requirement on all or a portion of Lot(s) 2, Rancho Guadalupe Subdivision, zoned RA-2 and located at **1508 DOUGLAS MACARTHUR DR NW (F-14)**
NOT HEARD
WITHDRAWN BY APPLICANT
- 2. **06ZHE – 00681** **1004899** **FRANK O. ORTIZ** request(s) a special exception to Section 14. 16. 4. 13. (A).: a EXPANSION NONCONFORMING USE to allow for a status established building in a M-1 zone on all or a portion of Lot(s) 10, Block(s) 6, Paris Addition, zoned M-1 and located at **1221 3RD ST NW (J-14)**
1) 30
APPROVED
- 3. **06ZHE – 00648** **1003977** **SAM NUZZO** 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 (5 foot high wall) on all or a portion of Lot(s) 2, Block(s) 2, Anayas & Duranes Addition, zoned R-1 and located at **2104 SAN VENITO PL NW (H-13)**
1) 227

DEFERRED TO AUG 15, 2006

4. **06ZHE – 00641** **1004573** **CLAUDIA L. AGUIRRE** 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) 30, Block(s) 67, Snowheights Addition, zoned R-1 and located at **10705 MENAUL BLVD NE** (H-21)
APPROVED WITH CONDITIONS
5. **06ZHE – 00934** **1004573** **CLAUDIA AGUIRRE** request(s) a special exception to Section 14. 16. 2. 6. (B). (3).: a **CONDITIONAL USE** to allow for a carport in the front yard setback area on all or a portion of Lot(s) 30, Block(s) 67, Snow Heights Addition, zoned R-1 and located at **10705 MENAUL BLVD NE** (H-21)
APPROVED WITH CONDITIONS
6. **06ZHE – 00660** **1004888** **GARY & MYRA O'CANNA** request(s) a special exception to Section 14. 16. 2. 20. (B). (e).: a **CONDITIONAL USE** to allow for a contractor's equipment storage yard on all or a portion of Lot(s) 52, Alameda Business Park, zoned SU-2 and located at **3415 VISTA ALAMEDA NE** (C-16)
DEFERRED TO AUG 15, 2006; MARKED FINAL
7. **06ZHE – 00662** **1004890** **CATHY CORDOVA** request(s) a special exception to South Broadway Sector Plan page 45. I. A. a.: a **CONDITIONAL USE** to allow for an apartment in a SU-2 / M/R zone on all or a portion of Lot(s) 2, Block(s) 26, Eastern Addition, zoned SU-2 and located at **1205 WALTER ST SE** (L-14)
APPROVED WITH CONDITIONS

NEW BUSINESS:

8. **06ZHE – 00579** **1004861** **JOE TOWNER** request(s) a special exception to Section 14. 16. 3. 3. (A). (4). (a).: a **VARIANCE** of 5 feet to the 3 foot wall height allowance for a 8 foot high wall in the front yard setback area on all or a portion of Lot(s) 20, Block(s) 11, Pueblo Alto Addition, zoned R-1 and located at **5005 MOUNTAIN RD NE** (J-17)
DEFERRED TO AUG 15, 2006
9. **06ZHE – 00580** **1004861** **JOE TOWNER** request(s) a special exception to Section 14. 16. 3. 19. (A). (2). (a).: a **VARIANCE** of 2 feet to the 5 foot side setback area requirement on all or a portion of Lot(s) 20, Block(s) 11, Pueblo Alto Addition, zoned R-1 and located at **5005 MOUNTAIN RD NE** (J-17)
DEFERRED TO AUG 15, 2006
10. **06ZHE – 00825** **1004950** **KRISTIN REID** request(s) a special exception to Section 14. 16. 3. 19. (A). (1). (c).: a **VARIANCE** of 3 feet to the 3 foot wall height allowance for a 6 foot high wall in the corner side yard setback on all or a portion of Lot(s) C, Block(s) 13, Loma Vista Addition, zoned R-1 and located at **1001 RICHMOND DR NE** (J-16)
APPROVED
11. **06ZHE – 00740** **1004916** **DAVID MCIVER** request(s) a special exception to Section 14. 16. 3. 3. (4). (a).: a **VARIANCE** of 4' 6" to the 3 foot wall height allowance for a 7' 6" high wall in the front yard setback area on all or a portion of Lot(s) 4,5, McDonald Acres Addition, zoned R-1 and located at **1104 PHOENIX** (H-14)
DENIED
12. **06ZHE – 00826** **1004951** **JAMES & ANNE ATKINS** request(s) a special exception to Section 14. 16. 2. 6. (E). (4). (a).: a **VARIANCE** of 1' 2" to the 5 foot side yard setback area requirement on all or a portion of Lot(s) 1, Block(s) C 1, Netherwood Park Addition, zoned R-1 and located at **2300 CUTLER AVE NE** (H-15)
APPROVED

13. **06ZHE – 00834** **1004957** **LUIS MEDRANO** request(s) a special exception to Section 14. 16. 2. 11. (E). (3). And to Martineztown/ Santa Barbara Sector Development Plan, NRC (A) Portion: a VARIANCE of 2 feet to the 5 foot side yard setback requirement on all or a portion of Lot(s) 145, Martineztown, zoned SU-2/NRC, and located at **1021 ARNO ST NE** (J-14)
APPROVED
14. **06ZHE – 00830** **1004955** **RUSSELL SIGLER, ETUX** request(s) a special exception to Section 14. 16. 3. 10. (E). (3). (b).: a VARIANCE of 6 feet to the 6 foot side yard landscape buffer requirement on all or a portion of Lot(s) 1,2,5, Cutter Industrial Park Addition, zoned M-1 and located at **3330 PAN AMERICAN FREEWAY NE** (G-15)
APPROVED
15. **06ZHE – 00831** **1004955** **RUSSELL SIGLER, ETUX** request(s) a special exception to Section 14. 16. 3. 10. (E). (c).: a VARIANCE of 6 feet to the 6 foot rear yard setback landscape buffer requirement on all or a portion of Lot(s) 1,2,5, Cutter Industrial Park Addition, zoned M-1 and located at **3330 PAN AMERICAN FREEWAY NE** (G-15)
APPROVED
16. **06ZHE – 00833** **1004958** **BEAZER HOMES/ROBERT ANDERSON** request(s) a special exception to Section 14. 16. 2. 9. (E). (4). (a).: a VARIANCE of 5 feet to the 15 foot rear yard setback area requirement on all or a portion of Lot(s) 19 P 1, Tramway Crossing Subdivision, zoned R-T and located at **12504 WOODLAND AV NE** (H-22)
APPROVED
17. **06ZHE – 00835** **1004958** **BEAZER HOMES/ROBERT ANDERSON** request(s) a special exception to Section 14. 16. 2. 9. (E). (4). (a).: a VARIANCE of 5 feet to the 15 foot rear yard setback area requirement on all or a portion of Lot(s) 20 P 1, Tramway Crossing Subdivision, zoned R-T and located at **12500 WOODLAND AV NE** (H-22)
APPROVED
18. **06ZHE – 00840** **1004959** **DARBY G. FEGAN** 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 on all or a portion of Lot(s) 4, Block(s) 1, Los Altos Subdivision, zoned R-1 and located at **2814 RIO VISTA CT SW** (L-11)
APPROVED
19. **06ZHE – 00843** **1004959** **DARBY G. FEGAN** 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 (4' 8" high wall) on all or a portion of Lot(s) 4, Block(s) 1, Los Altos Subdivision, zoned R-1 and located at **2814 RIO VISTA CT SW** (L-11)
APPROVED
20. **06ZHE – 00852** **1003333** **WEST BLUFF CENTER, LLC** request(s) a special exception to Section 14. 16. 3. 1. (A). (27).: a VARIANCE of 4 parking spaces to the 24 parking spaces requirement on all or a portion of Lot(s) 8, West Bluff Center Addition, zoned C-2 and located at **2700 CORONA NW** (H-11)
APPROVED WITH CONDITIONS
21. **06ZHE – 00853** **1003333** **WEST BLUFF CENTER, LLC** request(s) a special exception to Section 14. 16. 3. 10. (E). (4). (a).: a VARIANCE of 5 feet to the 10 foot landscaping buffer located along the residential / nonresidential boundary on all or a portion of Lot(s) 8, Wst Bluff Center Addition, zoned C-2 and located at **2700 CORONA NW** (H-11)
APPROVED WITH CONDITIONS

22. **06ZHE – 00791** **1004939** **CHRIS MARTINEZ** request(s) a special exception to Section 14. 16. 3. 3. (2). (h).: a VARIANCE of 1' 4" to the 5 foot swimming pool separation requirement from a building on all or a portion of Lot(s) 2 PL, Block(s) 2, Oakland North Addition, zoned R-D and located at **8904 N OAKLAND CT NE (C-20)**
APPROVED
23. **06ZHE – 00792** **1004939** **CHRIS MARTINEZ** request(s) a special exception to Section 14. 16. 3. 3. (2). (h).: a VARIANCE of 2' 8" to the 5 foot swimming pool separation requiremnet from the property line on all or a portion of Lot(s) 2 PL, Block(s) 2, Oakland North Addition, zoned R-D and located at **8904 N OAKLAND CT NE (C-20)**
APPROVED
24. **06ZHE – 00829** **1004954** **STEVEN & LINDA VELARDE** request(s) a special exception to Section 14. 16. 3. 3. (B). (2). (e).: a VARIANCE of 5 feet to the 10 foot distance separation between a accessory building and a dwelling on all or a portion of Lot(s) 23, 24, Block(s) 5, Del Norte Addition, zoned R-1 and located at **402 CHAMA NE (K-19)**
APPROVED

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

HEARING WILL RESUME PROMPTLY
AT 1:30 P.M. WITH ITEM #25

IF YOU ARE AGENDA ITEMS

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

25. **06ZHE – 00788** **1004936** **RON DOSTIE** request(s) a special exception to Section 14. 16. 2. 6. (B). (3).: a CONDITIONAL USE to allow for a carport in the front yard setback area on all or a portion of Lot(s) 35, Block(s) A, New Kimo Addition, zoned R-1 and located at **2209 MADEIRA DR NE (H-18)**
APPROVED WITH CONDITIONS
26. **06ZHE – 00827** **1004952** **JOAN STIGLIANI** request(s) a special exception to Section 14. 16. 2. 6. (B). (3).: a CONDITIONAL USE to allow for a carport in the front yard setback area on all or a portion of Lot(s) 13, Block(s) 47, Perea Addition, zoned SU-2 and located at **1101 GRANITE AVE NW (J-13)**
APPROVED WITH CONDITIONS
27. **06ZHE – 00841** **1004960** **MARIO GARDUNO** request(s) a special exception to
06ZHE –
00842
(Amendment)
NOT HEARD
- a. Section 14. 16. 2. 6. (B). (3).: a CONDITIONAL USE to allow for a carport in the front yard setback area;
 - b. Section 14.16.2.6.(E).3.b.: a VARIANCE of 10 feet to the required 10 foot corner yard setback; (amendment)
- on all or a portion of Lot(s) 12, Block(s) 29, Mesa Village Addition, zoned R-1 and located at **1039 WADE ST NE (J-20)**
DEFERRED TO AUGUST 15, 2006

28. **06ZHE – 00848** **1004965** **LOUIE CASIAS** request(s) a special exception to Section 14. 16. 2. 6. (B). (3).: a **CONDITIONAL USE** to allow for a carport in the front yard setback area on all or a portion of Lot(s) 49, Sandalwood Addition, zoned R-D and located at **1416 ALWOOD NW** (J-9)
APPROVED
29. **06ZHE – 00790** **1004938** **BRIAN ONEILL** 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) 57, Mesa Prieta Addition, zoned R-D and located at **4112 OJOS NEGROS DR NW** (G-10)
APPROVED
30. **06ZHE – 00805** **1004945** **JUAN JUAREZ** 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) 30, Sandia Sunrise Addition, zoned R-D and located at **9015 SUNSET STRIP ST NE** (C-19)
APPROVED
31. **06ZHE – 00844** **1004961** **STEVEN ALLEN** 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) 110 P1, Lava Shadows Addition, zoned R-1 and located at **6704 BLACK VOLCANO RD NW** (F-10)
APPROVED
32. **06ZHE – 00822** **1004948** **DAVIS SCRYMGEOUR** 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 set back area (6 foot high wall) on all or a portion of Lot(s) B, Block(s) 58, Parkland Hills Addition, zoned R-1 and located at **4624 BURTON AVE SE** (L-17)
APPROVED
33. **06ZHE – 00828** **1004953** **JOHNNAH TORRES** 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 (5 foot high wall) on all or a portion of Lot(s) 13, Block(s) 30, Ridgecrest Addition, zoned R-1 and located at **1814 ROSS PL SE** (L-17)
DEFERRED TO AUGUST 15, 2006
34. **06ZHE – 00847** **1004964** **DARRYL ENGLISH** request(s) a special exception to Section 14. 16. 4. 13. (A).: a **EXPANSION NONCONFORMING USE** to allow for a status established building in R-1 zone on all or a portion of Lot(s) 1, Block(s) 11, College View Addition, zoned R-1 and located at **402 SOLANO DR. NE** (K-17)
APPROVED WITH CONDITIONS
35. **06ZHE – 00824** **1004949** **LEANNE LEITH, AMY WELCH & RAY PRUSHNAK** request(s) a special exception to Section 14. 16. 4. 13. (A).: a **EXPANSION NONCONFORMING USE** to allow for a status established building in a R-1 zone on all or a portion of Lot(s) 17, Major Acres, zoned R-1 and located at **1026 MAJOR AVE NW** (G-14)
APPROVED WITH CONDITIONS
36. **06ZHE – 00784** **1004934** **GARY CIANCETTI & HILDA LEO** request(s) a special exception to Section 14. 16. 4. 13. (C). (1).: a **EXPANSION NONCONFORMING USE** to allow for a status established building in a R-1 zone on all or a portion of Lot(s) 22, Glendale Gardens Addition, zoned R-1 and located at **4914 RINCON RD NW** (J-11)
APPROVED WITH CONDITIONS

37. **06ZHE – 00732** **1004914** **JOHN THOMAS** 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) 11, Block(s) A, Tract(s) 27,56-58, Cacy Subdivision, zoned R-1 and located at **5107 PHEASANT AVE NW** (G-11)
DEFERRED TO AUGUST 15, 2006
3) 902
38. **06ZHE – 00769** **1004929** **JANICE GUNN-GIVENS** request(s) a special exception to Section 14. 16. 2. 6. (B). (5).: a **CONDITIONAL USE** to allow for a family day care home, up to 12 children on all or a portion of Lot(s) 4, Block(s) 11 A, Mesa Del Norte Addition, zoned R-1 and located at **901 SAN PABLO ST NE** (J-19)
APPROVED WITH CONDITIONS
3) 1317
39. **06ZHE – 00785** **1004935** **JAMES HOLLIDAY** request(s) a special exception to Section 14. 16. 2. 6. (B). (7).: a **CONDITIONAL USE** to allow for home health care (massage therapy) in a R-1 zone on all or a portion of Lot(s) 3, Block(s) 3, Prairie Ridge Unit 3 Addition, zoned R-1 and located at **4816 PLUME RD NW** (D-12)
APPROVED WITH CONDITIONS
3) 1586
40. **06ZHE – 00845** **1004962** **MARY ELLEN GONZALES** request(s) a special exception to Section 14. 16. 2. 18. (B). (8).: a **CONDITIONAL USE** to allow for vehicle storage outdoors as a principal use in a C-3 zone on, Unplatted Slope John O, zoned C-3 and located at **507 WYOMING BLVD SE** (L-19)
APPROVED WITH CONDITIONS
3) 1794
41. **06ZHE – 00846** **1004963** **MARY ELLEN GONZALES** request(s) a special exception to Section 14. 16. 2. 18. (B). (8).: a **CONDITIONAL USE** to allow for vehicle storage outdoors as a principal use in a C-3 zone on all or a portion of Lot(s) 2 B, Hager Industrial Park Addition, zoned C-3 and located at **522 VIRGINIA ST SE** (L-19)
APPROVED WITH CONDITIONS
3) 1794
42. **05ZHE – 01611** **1004499** **CALABACILLAS GROUP** request(s) a special exception to Section 14. 16. 2. 17. (B). (20).: a **CONDITIONAL USE** to allow for self storage units in a C-2 zone on all or a portion of Lot(s) A-1, Black Arroyo Dam Addition, zoned C-2 and located at **4800 WESTSIDE BLVD NW** (A-12)
DEFERRED INDEFINITELY
3) 2625
43. **05ZHE – 01612** **1004500** **CALABACILLAS GROUP** request(s) a special exception to Section 14. 16. 2. 17. (B). (20).: a **CONDITIONAL USE** to allow for self storage units in a C-2 zone on all or a portion of Lot(s) B-1, Black Arroyo Dam Addition, zoned C-2 and located at **10851 GOLF COURSE RD NW** (A-12)
DEFERRED INDEFINITELY
3) 2625
44. **05ZHE – 01614** **1004502** **CALABACILLAS GROUP** request(s) a special exception to Section 14. 16. 2. 17. (B). (20).: a **CONDITIONAL USE** to allow for self storage units in a C-2 zone on all or a portion of Lot(s) C-1, Black Arroyo Dam Subdivision, zoned C-2 and located at **10801 GOLF COURSE RD NW** (A-12)
DEFERRED INDEFINITELY
3) 2625
45. **06ZHE – 00491** **1004833** **NM BANK & TRUST** request(s) a special exception to Section 14. 16. 2. 16. (C).: a **VARIANCE** of 4 feet to the 26 foot building height requirement in a C-1 zone on all or a portion of Block(s) 33, Texico Inc. Subdivision, zoned C-1 and located at **3002 LOUISIANA BLVD NE** (G-18)
APPROVED WITH CONDITIONS
3) 2322
46. **06ZHE – 00494** **1004833** **NM BANK & TRUST** request(s) a special exception to Section 14. 16. 3. 10. (E). (4). (a).: a **VARIANCE** of 8' 6" to the 10 foot landscape buffer requirement abutting a residential zone (on the east side) on all or a portion of Block(s) 33, Texico Inc. Subdivision, zoned C-1 and located at **3002 LOUISIANA BLVD NE** (G-18)
APPROVED WITH CONDITIONS
3) 2322

47. **06ZHE – 00495** **1004833** **NM BANK & TRUST** request(s) a special exception to Section 14. 16. 3. 10. (E). (4). (a): a VARIANCE of 8 feet to the 10 foot landscaping buffer requirement, abutting a residential zone (on the north s on all or a portion of Block(s) 33, Texico Inc. Subdivision, zoned C-1 and located at **3002 LOUISIANA BLVD NE (G-18)**
APPROVED WITH CONDITIONS
48. **06ZHE – 00656** **1004833** **NM BANK & TRUST** request(s) a special exception to Section 14. 16. 3. 10. (E). (3). (a): a VARIANCE of 4' 11" to the 10 foot front and side yard landscape buffer requirement (on the west side) on all or a portion of Block(s) 33, Texico Inc. Subdivision, zoned C-1 and located at **3002 LOUISIANA BLVD NE (G-18)**
APPROVED WITH CONDITIONS