



HEARING ON SPECIAL EXCEPTIONS
TO THE COMPREHENSIVE CITY ZONING CODE

ZONING HEARING EXAMINER'S AGENDA
AMENDED AUG 2, 2006
(Amendments marked with asterisk)

TUESDAY, August 15, 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.*

OLD BUSINESS:

- | | | |
|------------------|---------|--|
| 1. 06ZHE – 00577 | 1004860 | <p>MARK A. MARTINEZ request(s) a special exception to Section 14. 16. 2. 6. (E). (1).: a VARIANCE of 20 feet to the 20 foot front yard setback area requirement (for a existing carport) on all or a portion of Lot(s) 11, Block(s) 5, Central Park Addition, zoned R-1 and located at 840 ALVARADO DR SE (L-18)</p> <p>DENIED</p> |
| 2. 06ZHE – 00706 | 1004860 | <p>MARK A. MARTINEZ 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) 11, Block(s) 5, Central Park Addition, zoned R-1 and located at 840 ALVARADO DR SE (L-18)</p> <p>DENIED</p> |

3. **06ZHE – 00648** **1003977** **SAM NUZZO** request(s) a special exception to Section 14. 16. 2. 6. (B). (14).: a VARIANCE of 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)
APPROVED WITH CONDITIONS
4. **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)
DENIED
5. **06ZHE - 00678** **1004897** **JOHN HINDE** request(s) a special exception to Section 14. 16. 2. 6. (E). : a VARIANCE to allow for a shade sturcure in the rear yard setback area on all or a portion of Lot(s) 30, Ventura Village Addition, zoned SU-2 and located at **9027 VILLAGE AVE NE** (C-20)
DENIED
6. **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)
APPROVED WITH CONDITIONS
7. **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)
APPROVED WITH CONDITIONS
8. **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)
APPROVED WITH CONDITIONS
9. **06ZHE – 00841** **1004960** **MARIO GARDUNO** 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) 12, Block(s) 29, Mesa Village Addition, zoned R-1 and located at **1039 WADE ST NE** (J-20)
DEFERRED TO SEP 12, 2006
10. **06ZHE – 00842** **1004960** **MARIO GARDUNO** request(s) a special exception to 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 SEP 12, 2006

NEW BUSINESS:

11. **06ZHE - 00894** **1004975** **JUSTO ORDONEZ** request(s) a special exception to Section 14. 16. 3. 19. (A). (2). (a).: a VARIANCE of 3'3" to the 3 foot fence height allowance for a 6' 3" high fence in the front yard setback area on all or a portion of Lot(s) 33, Block(s) 76, Westgate Heights Addition, zoned R-1 and located at **8601 LYNETTE CT SW (M-9)**
DEFERRED TO SEP 12, 2006
12. **06ZHE - 00895** **1004975** **JUSTO ORDONEZ** request(s) a special exception to Section 14. 16. 3. 19. (A). (2). (a).: a VARIANCE of 3 feet to the 6 foot wall height allowance for a 9 foot high wall on the corner side yard setback on all or a portion of Lot(s) 33, Block(s) 76, Westgate Heights Addition, zoned R-1 and located at **8601 LYNETTE CT SW (M-9)**
DEFERRED TO SEP 12, 2006
13. **06ZHE - 00909** **1004982** **FRANCISCO SIMBANA** request(s) a special exception to Section 14. 16. 3. 3. (A). (4). (a). 1.: a VARIANCE of 4 feet to the 3 foot wall height allowance for a 7 foot high wall in the front yard setback area on all or a portion of Lot(s) 7, Block(s) 4, Broadmoor Addition, zoned R-1 and located at **320 CHULA VISTA PL NE (K-17)**
DENIED
14. **06ZHE - 00999** **1005020** **GLENN HARPER** request(s) a special exception to Section 14. 16. 2. 6. (E) (4). (a).: a VARIANCE of 2' 10" to the 5 foot side yard setback area requirement on all or a portion of Lot(s) 8, Block(s) 54, University Heights Addition, zoned R-1 and located at **316 AMHERST DR SE (K-16)**
APPROVED
15. **06ZHE - 00910** **1004983** **SNOW MOORE WATSON** request(s) a special exception to University Neighborhoods Sector Plan DR 5. b.: a VARIANCE of 4 feet to the 5 foot side yard setback area requirement on all or a portion of Lot(s) 10, Block(s) 16, University Heights Addition, zoned SU-2 and located at **120 STANFORD SE (K-16)**
DEFERRED TO SEP 12, 2006
16. **06ZHE - 00946** **1004993** **LAURA ONORATO & DEMIAN GINTHER** request(s) a special exception to Section 14. 16. 2. 6. (E). (4). (a).: a VARIANCE of 3 feet to the 5 foot side yard setback area requirement on all or a portion of Lot(s) 22, Block(s) 30, University Heights Addition, zoned R-1 and located at **305 DARTMOUTH SE (K-16)**
DEFERRED TO SEP 12, 2006
17. **06ZHE - 00971** **1005002** **JOE & MARY ARANDA** request(s) a special exception to Section 14. 16. 2. 6. (E). (1).: a VARIANCE of 8' 3" to the 20 foot front yard setback area requirement on all or a portion of Lot(s) 4, Block(s) 12, Skyview West Addition, Unit 2, zoned R-1 and located at **7312 GROVER CT SW (L-10)**
APPROVED
18. **06ZHE - 00976** **1005007** **JIM CLARK** request(s) a special exception to Section 14. 16. 2. 9. (E). (4).: a VARIANCE of 8 feet to the 15 foot rear yard setback area requirement on all or a portion of Lot(s) 9-P1, Block(s) 2, Carmel Subdivision, zoned R-D and located at **6931 CARMELITO LOOP NE (C-18)**
APPROVED

19. **06ZHE - 00980** **1005011** **SAWMILL TOWNHOMES LLC** request(s) a special exception to Sawmill Mixed Industrial A.3.: a VARIANCE of 25% to the 50% floor area of the residence / work space building in the S-MI zone on all or a portion of Tract(s) 2, Lands of McClain, and Tract(s) A-3, Lands of William Andrew McCord, zoned SU-2, and located at **2000 ZEARING AVE NW** (H-13)
WITHDRAWN; REFERRED TO EPC
20. **06ZHE - 00981** **1005011** **SAWMILL TOWNHOMES, LLC** request(s) a special exception to Sawmill Mixed Industrial Zone B. 1.: a VARIANCE variance of 10 feet to the 26 foot building height requirement in the S-MI zone on all or a portion of Tract(s) 2, Lands of McClain, and Tract(s) A-3, Lands of William Andrew McCord, zoned SU-2, and located at **2000 ZEARING AVE NW** (H-13)
WITHDRAWN; REFERRED TO EPC
21. **06ZHE - 00982** **1005012** **JAMES & JANET ANDERSON** 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) 23, Block(s) 7, Knolls of Paradise Hills Addition, Unit 2, zoned R-1 and located at **9805 BUCKEYE ST NW** (B-13)
APPROVED
22. **06ZHE - 00983** **1005012** **JAMES & JANET ANDERSON** request(s) a special exception to Section 14. 16. 3. 3. (B). (2). (e).: a VARIANCE of 7' 8" to the 10 foot separation requirement between a dwelling and a accessory structure on all or a portion of Lot(s) 23, Block(s) 7, Knolls of Paradise Hills Addition, Unit 2, zoned R-1 and located at **9805 BUCKEYE ST NW** (B-13)
APPROVED
23. **06ZHE - 01015** **1004974** **SAN PEDRO EQUITIES LTD** request(s) a special exception to Section 14. 16. 2. 19. (C). 1.: a VARIANCE of 30 feet to the 45 degree angle planes on the north property line on all or a portion of Lot(s) 1, Block(s) 24, Tract(s) A, North Albuquerque Acres, zoned SU-2/ IP and located at **9999 CARMEL NE (LOTS 1-3), 6301 HOLLY NE (LOT 30), 6221 HOLLY NE (LOT 31) & 6201 HOLLY NE (LOT 32)** (C-18)
APPROVED
24. **06ZHE - 01016** **1004974** **SAN PEDRO EQUITIES LTD** request(s) a special exception to Section 14. 16. 2. 19. (C). 1.: a VARIANCE of 64 feet to the 45 degree angle planes on the west property line on all or a portion of Lot(s) 1-3 and 30-32, Block(s) 34, Tract(s) A, North Albuquerque Acres, zoned SU-2/ IP and located at **9999 CARMEL NE (LOTS 1-3), 6301 HOLLY NE (LOT 30), 6221 HOLLY NE (LOT 31) & 6201 HOLLY NE (LOT 32)** (C-18)
APPROVED
25. **06ZHE - 00923** **1004987** **WILLIAM LOCKYER** request(s) a special exception to Section 14. 16. 2. 6. (B). (3).: a CONDITIONAL USE to allow for a carport in the front and side yard setback areas on all or a portion of Lot(s) 15, Block(s) 1, San Gabriel Village Addition, Unit 2, zoned R-1 and located at **3853 PITT ST NE** (G-21)
APPROVED WITH CONDITIONS
26. **06ZHE - 00945** **1004992** **ERWIN J. STARUSTKA** request(s) a special exception to Section 14. 16. 2. 14. (E). (i).: a CONDITIONAL USE to allow for a carport in the front yard setback area on all or a portion of Lot(s) 4, Block(s) J, Sunset West Addition, Unit 3, zoned R-D and located at **8704 SUNCREST AVE SW** (L-9)
APPROVED WITH CONDITIONS

- 27. **06ZHE - 00973** **1005005** **STEVEN STEENROD** request(s) a special exception to Section 14. 16. 2. 6. (B). (3).: a **CONDITIONAL USE** to allow for a carport in the front and side yard setback areas on all or a portion of Lot(s) 12, Block(s) 15, Monte Vista Addition, zoned R-1 and located at **202 GIRARD BLVD NE (K-16)**
APPROVED WITH CONDITIONS

- 28. **06ZHE - 00950** **1004995** **RUDY A. & NANCY J. KRALL** 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) 25, Los Caballeros Estates Addition, zoned R-1 and located at **524 EUGENE CT SE (L-23)**
APPROVED WITH CONDITIONS

- 29. **06ZHE - 00972** **1005004** **ARMANDO ROMERO** request(s) a special exception to Section 14. 16. 2. 6. (B). (12).: a **CONDITIONAL USE** to allow for shade structure in the rear yard setback area on all or a portion of Lot(s) 15-A, Block(s) 86, Westgate Heights Addition, zoned R-1 and located at **1616 BRIAN AVE SW (M-9)**
APPROVED WITH CONDITIONS

- 30. **06ZHE - 00979** **1005010** **ERICA J. & LEON J. GARCIA** request(s) a special exception to Section 14. 16. 2. 8. (B). (1).: a **CONDITIONAL USE** to allow for a shade structure in the rear yard setback area on all or a portion of Lot(s) 33, Block(s) J, Mountain View Estates, Unit 2, zoned R-LT and located at **7304 SEVEN FALLS CT SW (M-10)**
APPROVED WITH CONDITIONS

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

HEARING WILL RESUME PROMPTLY
AT 1:30 P.M. WITH ITEM #26

IF YOU ARE AGENDA ITEMS 26-40

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

- 31. **06ZHE – 00828** **1004953** **(OLD BUSINESS) 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)**
APPROVED WITH CONDITIONS

- 32. **06ZHE – 00978** **1005009** **JENNIFER KILLIN** 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 for a 4' 6" high wall on all or a portion of Lot(s) 3, Block(s) 4, Altura Addition, zoned R-1 and located at **1413 MORNINGSIDE DR NE (J-17)**
APPROVED WITH CONDITIONS

33. **06ZHE – 00985** **1005013** **PEERLESS TIRE COMPANY** request(s) a special exception to Section 14. 16. 2. 17. (B). (12).: a **CONDITIONAL USE** to allow for outside storage and display of tires on all or a portion of Lot(s) B, Hudson & Hudson Addition, zoned C-3 and located at **5310 SAN MATEO NE (F-18)**
APPROVED WITH CONDITIONS
34. **06ZHE - 00986** **1005013** **PEERLESS TIRE COMPANY** request(s) a special exception to Section 14. 16. 2. 12. (B). (21).: a **CONDITIONAL USE** to allow for tire sales under a tent on all or a portion of Lot(s) B, Hudson & Hudson Addition, zoned C-3 and located at **5310 SAN MATEO NE (F-18)**
APPROVED WITH CONDITIONS
35. **06ZHE - 00987** **1003326** **JENNIFER ACHILLES** 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) 22, Block(s) 45, University Heights Addition, zoned R-1 and located at **405 TULANE DR SE (K-16)**
APPROVED WITH CONDITIONS
36. **06ZHE - 00993** **1005016** **JAMES SELIGMAN** request(s) a special exception to Section 14. 16. 2. 15. (B). (4).: a **CONDITIONAL USE** to allow for dwelling units constituting more than 25 % of the gross floor area on a premise on all or a portion of Lot(s) 2 A 1, La Mirada Addition, zoned O-1 and located at **8120 LA MIRADA PL NE (G-19)**
DEFERRED INDEFINITELY
37. **06ZHE - 00994** **1005017** **VALERO ENERGY CORP** request(s) a special exception to Section 14. 16. 2. 17. (B). (16).: a **CONDITIONAL USE** to allow for retail sale of alcoholic drink for consumption off premise within 500 feet of a reside on all or a portion of Lot(s) A-1, El Cambio Plaza Addition, zoned SU-2/C-2 and located at **511 BRIDGE BLVD SW (L-14)**
DEFERRED TO OCTOBER 9, 2006
38. **05ZHE – 01878** **1004598** **(OLD BUSINESS) YALE APARTMENTS, LLC** request(s) a special exception to Section 14. 16. 2. 17. (B). (6).: a **CONDITIONAL USE** to allow for dwelling units in a C-2 zone on all or a portion of Block(s) 72, Fairview Addition, zoned C-2 and located at **1208 YALE BLVD. SE (L-15)**
DENIED
39. **06ZHE - 00691** **1004903** **(OLD BUSINESS) WAL-MART STORES EAST, INC.** request(s) a special exception to Coors Corridor Sector Plan page 113.: a **VARIANCE** a variance of 75 sf to the allowed 75 sf area of a free-standing sign to allow for a 150 sf sign in on all or a portion of Lot(s) 5, Tract(s) 5, West Bluff Center Subdivision, zoned SU-1 and located at **2550 COORS BLVD NW (H-11)**
DENIED
40. **06ZHE - 00692** **1004903** **(OLD BUSINESS) WAL-MART STORES EAST, INC.** request(s) a special exception to Section 14. 16. 2. 17. (A). (9). (d). 1.: a **VARIANCE** a variance of 15 feet to the 26 foot free standing sign height requirement for a 41 foot high free s on all or a portion of Lot(s) 5, Tract(s) 5, West Bluff Center Subdivision, zoned SU-1 and located at **2550 COORS BLVD NW (H-11)**
DENIED

41. **06ZHE - 00693** **1004904** **(OLD BUSINESS) WEST BLUFF CENTER, LLC** request(s) a special exception to Coors Corridor sector Plan page 113.: a VARIANCE of 27 sf to the 75 sf free standing sign area requiremen for a 102 sf area sign in the Coors Coorido on all or a portion of Lot(s) 4, Tract(s) 4, West Bluff Center Subdivision, zoned SU-1 and located at **2560 COORS BLVD NW (H-11)**
DENIED
42. **06ZHE - 00694** **1004904** **(OLD BUSINESS) WEST BLUFF CENTER, LLC** request(s) a special exception to Section 14. 16. 2. 17. (A). (9). (d). 1.: a VARIANCE of 19 feet to the 26 foot free standing sign height requirement for a 45 foot high free standing sign on all or a portion of Lot(s) 4, Tract(s) 4, West Bluff Center Subdivision, zoned SU-1 and located at **2560 COORS BLVD NW (H-11)**
DENIED
43. **06ZHE - 00695** **1004904** **(OLD BUSINESS) WEST BLUFF CENTER, LLC** request(s) a special exception to Coors Corridor Sector Plan page 13.: a VARIANCE of 75 sf to the 75 sf free standing sign area requirement for a 150 sf area free standing sign in th on all or a portion of Lot(s) 4, Tract(s) 10, West Bluff Center Subdivision, zoned SU-1 and located at **2560 COORS BLVD NW (H-11)**
DENIED
44. **06ZHE - 00696** **1004904** **(OLD BUSINESS) WEST BLUFF CENTER, LLC** request(s) a special exception to Section 14. 16. 2. 17. (A). (9). (d). 1.: a VARIANCE of 15 feet to the 26 foot free standing sign height requirement for a 41 foot high free standing sign on all or a portion of Lot(s) 4, Tract(s) 10, West Bluff Center Subdivision, zoned SU-1 and located at **2560 COORS BLVD NW (H-11)**
DENIED
45. **06ZHE - 00996** **1005019** **JASON DASKALOS** request(s) a special exception to Section 14. 16. 2. 6. (B), (13).: a CONDITIONAL USE to allow for a storage yard in a R-1 zone on all or a portion of Lot(s) 15, Block(s) 6, Monte Vista Addition, zoned R-1 and located at **117 TULANE DR NE (K-16)**
APPROVED WITH CONDITIONS
46. **06ZHE – 00357** **1004765** **(BOA REMANDED HEARING) JASON DASKALOS** request(s) a special exception to the Nob Hill Sector Plan, page AH 62, CCR, para F.: a CONDITIONAL USE to allow for a reduction of 39 parking spaces from the required 183 parking spaces for a total of 144 parking spaces, on all or a portion of Lot(s) 1, 16, & 17-28, Montevista Addition, zoned CCR, and located at **3339 CENTRAL AVE NE (K-16)**
APPROVED