



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

ZONING HEARING EXAMINER'S AGENDA

**WEDNESDAY, OCTOBER 24, 2007 9:00 A.M.
CITY HALL**

**1 CIVIC PLAZA DRIVE, NW
VINCENT E. GRIEGO COUNCIL CHAMBERS
ROOM B2125, BASEMENT LEVEL**

(ON THE NORTHEAST CORNER OF 4TH STREET AND MARQUETTE 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-80093 | Project#
1006812 | VICENTE & BENITA PRIETO request(s) a special exception to Section 14-16-3-19-(A)(2)(a) and 14-16-2-14-(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) 50- P-I, Chamisa Cove zoned R-D, located at 2500 MAIDEN GRASS RD NW (H-11)

APPROVED |
| 2. | 07ZHE-80001 | Project#
1006620 | OSVALDO MUNOZ request(s) a special exception to the Section 14. 16. 3. 19. (A). (1). (a): a VARIANCE of 3' to the 3' wall height allowance for a proposed 6' high wall in the front yard setback area requirement on all or a portion of Lot(s) 6, Block(s) 5, La Mesa, zoned R-T and located at 323 ESPANOLA NE (K-19)

DENIED |
| 3. | 07ZHE-00282 | Project#
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 Addn, zoned R-LT and located at 7301 PURPLE CONE ROAD SW (M-10)

APPROVED WITH CONDITIONS |

OLD BUSINESS:

4. **07ZHE-80035** **Project#** RENE E ARMIJO request(s) a special exception to the Section 14. 16. 3. 19. **1006679** (A). (1). (a).: a VARIANCE of 3.37' to the 3' fence height allowance for a proposed 6.37' high fence in the front yard setback area on all or a portion of Lot(s) 10, Block 3, Santa Fe Addn, zoned SU-2 R-1 and located at 724 PACIFIC AVE SW (K-13)

RE-SCHEDULED TO 11/28/07
5. **07ZHE-80050** **Project#** JAMES ROLWING, DC request(s) a special exception to Section 14-16-2- **1006755** 6(B)(7): a CONDITIONAL USE to allow for a proposed chiropractic office under a home occupation in the MD-2 zone on all or a portion of Lot(s) A, Block(s) 33, Terrace zoned SU-2 MD-2, located at 1200 COAL AVE SE (K-15)

APPROVED
6. **07ZHE-80064** **Project#** GENESIS WORLDWIDE PROPERTIES request(s) a special exception to **1006770** Section 14-16-2-15(C)(1) and 14-16-2-17(C): a VARIANCE of 31' to the 26' structure height requirement for a proposed hotel in C-2 zone on all or a portion of Lot(s) 145 A and 145B, MRGCD MAP 38 zoned C-2, located at 2026 CENTRAL AVE SW (J-13)

DEFERRED TO 11/28/07
7. **07ZHE-80006** **Project#** PETERSON PROPERTIES request(s) a special exception to Section 14. 16. **1006642** 2. 16. (B). (5).: a CONDITIONAL USE to allow for a proposed drive up service window for a Walgreens Pharmacy on all or a portion of Lot(s) 2-17 & 32, 18A, 19A & 20A, Tract(s) TRA Unit A, Heritage Hills North Unit 1, located at 8901 PASEO DEL NORTE NE (D-20)

DEFERRED TO 11/28/07
8. **07ZHE-80086** **Project#** WES BUTERO (HOLLY-SP,LLC) request(s) a special exception to Section **1006805** 14-16-2-20(B)(5) and SECTOR PLAN PAGE 49 5.: a CONDITIONAL USE to allow for a proposed retail development including a drive up service facility in an SU-2/M-1 zone on all or a portion of Lot(s) 14, 15, 18 & 19, Block(s) 18, North ABQ Acres zoned SU-2/ M-1, located at 5920 & 6000 HOLLY AVE NE (C-18)

APPROVED
9. **07ZHE-80049** **Project#** EDNA DIAZ request(s) a special exception to Section 14-16-2-6(B)(3) : a **1006754** CONDITIONAL USE to allow for a proposed carport in a the front yard setback area on all or a portion of Lot(s) 16, West Way Hill zoned R-1, located at 152 ATRISCO DR NW (H-11)

APPROVED
10. **07ZHE-80040** **Project#** LOUISE MALONE request(s) a special exception to Section 14-16-3- **1006738** 19(A)(1)(a): a VARIANCE 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, Block(s) 6, Granada Heights zoned R-1, located at 317 MORNINGSIDE DR SE (K-17)

DECISION PENDING
11. **07ZHE-80067** **Project#** VERONICA J. DOMINGUEZ request(s) a special exception to Section 14- **1006774** 16-3-19(A)(2)(a): a VARIANCE of 3' to the 3' fence height allowance for a existing 6' fence in the front yard setback area on all or a portion of Lot(s) 1, Chavez-Carolyn zoned SU-2 R-1, located at 1607 EDITH BLVD NE (J-15)

APPROVED WITH CONDITIONS

12. **07ZHE-80068** **Project# 1006774** VERONICA J. DOMINGUEZ request(s) a special exception to Section 14-16-3-19(A)(2)(a): a VARIANCE of 3' to the 3' fence height allowance for a existing 6' high fence in front yard setback area on all or a portion of Lot(s) 1, Chavez-Carolyn zoned SU-2 R-1, located at 1607 EDITH BLVD NE (J-15)
APPROVED WITH CONDITIONS
13. **07ZHE-80070** **Project# 1006776** JAMES G. & ROSE M. SCHNEIDER request(s) a special exception to Section 14-16-2-17(B)(3) and DOWNTOWN 2010 Sector Development Plan Page 32: a CONDITIONAL USE to allow for a proposed church or place of worship in an SU-3 zone on all or a portion of Lot(s) 5, 6, 7, Block(s) 18, New Mexico Town Companys Original Townsite zoned SU-3 Arts & Ent Focus, located at 410 CENTRAL AVE SW (K-14)
DEFERRED TO 11/28/07
14. **07ZHE-00622** **Project# 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)
DEFERRED TO 1/16/08
15. **07ZHE-80022** **Project# 1006664** DAVE SOVA request(s) a special exception to to Section 14. 16. 2. 20. (B). (1). (i): a CONDITIONAL USE to allow for a proposed salvage yard for sale of used material in an M-1 zone on all or a portion of Lot(s) 41B, 41B2, 57C1, 57C2, Smith-Conwell, MRGCD Map 37, zoned SU-2 M-1 and located at 1608 BROADWAY BLVD NE (J-14)
WITHDRAWN
16. **07ZHE - 00401** **Project# 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)
APPROVED WITH CONDITIONS

NEW BUSINESS:

17. **07ZHE-80092** **Project# 1006811** TRANCITO E. ROMERO request(s) a special exception to Section 14-16-2-5 and RIO GRANDE BOULEVARD CORRIDOR PLAN PG. 54 SEC 2 (11.D.3)(11.D.4): a VARIANCE of 4' to the 3' wall height allowance for an existing 7' high wall in the front/side yard setback area within the Rio Grande Boulevard Corridor Design Overlay Area Plan on all or a portion of Lot(s) 17, Valley Haven zoned RA-2, located at 3340 RIO GRANDE NW (G-13)
APPROVED WITH CONDITIONS
18. **07ZHE-80080** **Project# 1006799** JOSE RANGEL request(s) a special exception to Section 14-16-3-19-(A)(1)(a): 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) 3, Crest View Addn zoned R-1, located at 241 52ND ST SW (K-11)
DEFERRED TO 11/28/07
19. **07ZHE-80073** **Project# 1006789** THOMAS DELLAIRA request(s) a special exception to Section 14-16-2-6(E)(4)(a): a VARIANCE of 1' 6" to the 5' side yard setback area requirement for a proposed garage on all or a portion of Lot(s) 3 & SE 10' of lot 4, Block(s) 22, Huning Caslte Addn zoned R-1, located at 1604 SAN PATRICIO AVE SW (K-13)
DENIED

20. **07ZHE-80079** **Project# 1006797** RAY D. & VERONICA L. BACA request(s) a special exception to Section 14-16-2-5(A) (1) and 14-16-2-6(E)(3)(a): a VARIANCE of 10' to the 20' side yard setback area requirement for a proposed dwelling on all or a portion of Lot(s) A, Olguin-Cosme & Henrietta zoned RA-2, located at 2528 ELFEGO RD NW (F-13)
APPROVED
21. **07ZHE-80084** **Project# 1006802** DENNIS BLANFORD request(s) a special exception to Section 14-16-2-11 (E) (3): a VARIANCE of 4' to the 5' side yard setback area requirement for an existing carport on all or a portion of Lot(s) 6/WLY portion of, Block(s) 16, ABQ Highlands Addn zoned R-2, located at 5317 MARBLE AVE NE (J-18)
RE-SCHEDULED TO 11/28/07
22. **07ZHE-80085** **Project# 1006803** THOMAS ZARICK request(s) a special exception to Section 14-16-3-3(B)(2)(h): a VARIANCE of 2' to the 5' side yard accessory swimming pool distance requirement from the lot line for a proposed swimming pool on all or a portion of Lot(s) 92-P1, Cottonwood Hills 7 Bar Ranch zoned R-1, located at 10403 CROSSCUT DR NW 87114 (B-13)
DENIED
23. **07ZHE-80089** **Project# 1006808** JOSEPH NAVARRETE request(s) a special exception to Section 14-16-2-14(B) and 14-16-2-9(E)(4)(a): a VARIANCE of 7' to the 15' rear yard setback area requirement for proposed addition to the dwelling on all or a portion of Lot(s) 10-P1, Kensington Subd Unit 6 zoned R-D, located at 2332 KAFKA PL NW (H-10)
APPROVED
24. **07ZHE-80077** **Project# 1006794** RICHARD S. HERNANDEZ request(s) a special exception to Section 14-16-2-6(E)(4)(a) and 14-16-2-14(B): a VARIANCE of 8' to the 15' rear yard setback area requirement for a proposed shade structure on all or a portion of Lot(s) 126 P1, Southwynd zoned R-D, located at 7724 PRONGHORN RD SW (L-10)
APPROVED
25. **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)
DEFERRED TO 11/28/07
26. **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)
DEFERRED TO 11/28/07
27. **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)
DEFERRED TO 11/28/07

35. **07ZHE-80102** **Project# 1006829** RAY BAHR request(s) a special exception to Section 14-16-2-8(B)(1) and 14-16-2-6(B)(12): a CONDITIONAL USE to allow for a covered patio in the rear yard setback area on all or a portion of Lot(s) 1-P1, Block(s) 11, Highlands At Anderson Hills zoned R-LT, located at 9935 RIO FONDA AVE SW (P-9)
DEFERRED TO 11/28/07
36. **07ZHE-80074** **Project# 1006790** JEANNE M. WARREN request(s) a special exception to Section 14-16-2-6(B)(7) and 14-16-2-14(B) & 14-16-2-9(A): a CONDITIONAL USE to allow for proposed massage therapy as a home occupation in a residential zone on all or a portion of Lot(s) 99-P1, Rinconada Mesa zoned R-D, located at 6709 BUTTE VOLCANO RD NW (F-10)
APPROVED
37. **07ZHE-80075** **Project# 1006791** LEWIS NEMES request(s) a special exception to Section 14-16-2-6 (B) (7): a CONDITIONAL USE to allow for a proposed residential home occupation (psychology therapy) on all or a portion of Lot(s) 62, Trail Acres zoned R-1, located at 516 BARLANE PLACE NW (F-14)
APPROVED
38. **07ZHE-80097** **Project# 1006817** KENNETH C CORDOVA request(s) a special exception to Section SOUTHBROADWAY PG 45 I and 14-16-2-6(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) 7, Block(s) 7, Torreon Addn zoned SU-2 MR, located at 2023 HIGH ST SE (L-14)
APPROVED WITH CONDITIONS
39. **07ZHE-80098** **Project# 1006818** ELAINE A. FAUST request(s) a special exception to Section 14-16-2-8(E)(2)(b): a CONDITIONAL USE to allow for a proposed garage 10' into the 25' front yard setback area for a lot created after January 1, 2005 on all or a portion of Lot(s) 12A1, Block(s) 2, West Park Addn zoned R-LT, located at 200 GALLUP AVE SW (J-13)
APPROVED
40. **07ZHE-80078** **Project# 1006796** FADDUOL, CLUFF & HARDY, PC request(s) a special exception to Section 14-16-2-17(B)(6): a CONDITIONAL USE to allow for three proposed apartments in a C-2 zone on all or a portion of Lot(s) G, Block(s) 61, Bel-Air zoned C-2, located at 3301 SAN MATEO BLVD NE (G-17)
DEFERRED TO 11/28/07
41. **07ZHE-80096** **Project# 1006816** CARLOS M. ESTRADA request(s) a special exception to Section 14-16-2-6 (B)(1) and SDP PG 45 APPENDIX A I. : a CONDITIONAL USE to allow for a proposed accessory living quarters in the rear yard setback area on all or a portion of Lot(s) B, Block(s) 8, Eastern Addn zoned SU-2 MR, located at 906 JOHN ST SE (K-14)
RE-SCHEDULED TO 11/28/07
42. **07ZHE-80094** **Project# 1006814** PRO'S ABQ RANCH MARKETS, LLC request(s) a special exception to Section 14-16-2-17(A)(12)(a)1.: a CONDITIONAL USE to allow for proposed sale of alcoholic drink for consumption off-premise within 500' of a residential zone on all or a portion of Lot(s) A, Rancho Village Partners zoned C-2, located at 4201 CENTRAL AVE NW (J-12 & K-12)
APPROVED