



HEARING ON SPECIAL EXCEPTIONS
TO THE COMPREHENSIVE CITY ZONING CODE

ZONING HEARING EXAMINER'S AGENDA

TUESDAY, November 28, 2006

9:00 A.M.
ALBUQUERQUE CONVENTION CENTER
UPPER LEVEL, RUIDOSO ROOM
401 SECOND STREET NW
(ON THE EAST SIDE OF 2ND STREET)

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:

- 1. **06ZHE - 01270 1005115 FERNANDO RAMIREZ-SAVON** request(s) a special exception to Section 14. 16. 2. 6. (B). (4). (a).: a VARIANCE of 5' to the 10' side yard setback area requirement for a proposed garage on all or a portion of Lot(s) 3, Block(s) 13, Inez Addition, zoned R-1 and located at **7814 PROSPECT AVE NE (H-19)**

OLD BUSINESS:

- 2. **06ZHE - 01157 1005071 ROBERT JOYCE & TONI ALONZO** request(s) a special exception to Section 14. 16. 3. 3. (B). (2). (e).: a VARIANCE of 3' 10" to the 10' distance requirement between an accessory structure and a dwelling on all or a portion of Lot(s) 11, Block(s) 18, Ridgecrest Addition, zoned R-1 and located at **1618 RIDGECREST DR SE (L-17)**

3. **06ZHE - 01285** **1005120** **GEORGE & KATE LUGER** request(s) a special exception to Section 14. 16. 2. 6. (E). (5). (a): a VARIANCE of 14' to the 15' rear yard setback area requirement for a proposed two story addition on all or a portion of Lot(s) H 1 A, Block(s) 12, Country Club Addition, zoned R-1 and located at **643 CEDAR ST NE (J-15)**
4. **06ZHE - 01286** **1005120** **GEORGE & KATIE LUGER** request(s) a special exception to Section 14. 16. 2. 6. (E). (4). (a): a VARIANCE of 5' to the 5' side yard setback area requirement for a proposed two story addition on all or a portion of Lot(s) H 1 A, Block(s) 12, Country Club Addition, zoned R-1 and located at **643 CEDAR ST NE (J-15)**
5. **06ZHE - 01259** **1005110** **ROBERT LEE** request(s) a special exception to Section 14. 16. 2. 6. (B). (7): a CONDITIONAL USE to allow for proposed health care (hypnotherapy) as a home occupation in a R-1 zone on all or a portion of Lot(s) 11, Quarter Horse Acres Addition, zoned R-1 and located at **3118 SPUR CT NW (J-12)**
6. **06ZHE - 01294** **1005156** **WEN YAN LI** request(s) a special exception to Section 14. 16. 2. 6. (B). (7): a CONDITIONAL USE to allow for proposed health care (massage therapy and acupuncture) as a home occupation in a R-2 on all or a portion of Lot(s) 4, Block(s) 20, Albuquerque Highlands Addition, zoned R-2 and located at **5401 ALICE AV NE (J-18)**
7. **06ZHE - 01295** **1005124** **JELANI TRIBBLE** request(s) a special exception to Section 14. 16. 4. 13. (A): a STATUS ESTABLISHED BUILDING to allow for an existing four plex in a R-1 zone on all or a portion of Lot(s) 20, 21, Block(s) B, Lavaland Addition, zoned R-1 and located at **228 56TH ST NW (K-11)**
8. **06ZHE - 01330** **1005140** **CHRIS FISCHER** request(s) a special exception to Section 14. 16. 4. (13). (C): a STATUS ESTABLISHED BUILDING to allow for a existing dulpex in a R-1 zone on all or a portion of Lot(s) 18, Block(s) C, Lavaland Addition, zoned R-1 and located at **238 57TH ST NW (K-11)**

NEW BUSINESS:

9. **06ZHE - 01481*** **1005205** **FRED RIVERA, JR.** request(s) a special exception to Section 14. 16. 2. 6. (E). (1): a VARIANCE of 5' to the 20' front yard setback area requirement for proposed garage on all or a portion of Lot(s) 21, Block(s) 19, Huning Castle Addition, zoned R-1 and located at **1609 SAN PATRICIO AVE SW (K-13)**
10. **06ZHE - 01360** **1005151** **JAMES A. NELSON** request(s) a special exception to Section 14. 16. 2. 6. (E). (4). (b): a VARIANCE of 5' to the 10' side yard setback area requirement for a proposed addition to the dwelling on all or a portion of Lot(s) 8, Block(s) 4, Glenwood Hills South Addition, zoned R-1 and located at **4013 CAMINO DE LA SIERRA NE (G-23)**
11. **06ZHE - 01483** **1005207** **PIPER GROUP LLC** request(s) a special exception to 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 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)**
12. **06ZHE - 01364** **1005153** **LUIS PEREZ** request(s) a special exception to Section 14. 16. 2. 6. (E). (5). (a): a VARIANCE of 9' 5" to the 15' rear yard setback area requirement for a proposed addition to the dwelling on all or a portion of Lot(s) 22, Block(s) 106 A, Princess Jeanne Park Addition, zoned R-1 and located at **850 SHIRLEY ST NE (K-21)**

13. **06ZHE - 01365** **1005154** **RICHARD DEFELICE & LESLIE TOSER** request(s) a special exception to Section 14. 16. 2. 5. (E).: a VARIANCE of 20' to the 25' rear yard setback area requirement for a proposed garage addition to the dwelling on all or a portion of Lot(s) 43 B, Tract(s) 43 B, Alvarado Gardens Addition, zoned RA-2 and located at **2621 DECKER AVE NW** (G-12)
14. **06ZHE - 01463** **1005196** **GUILLERMO LOUBRIEL** request(s) a special exception to Section 14. 16. 2. 6. (E). (5). (a).: a VARIANCE of 7' 4" to the 15' rear yard setback area requirement for a proposed garage addition on all or a portion of Lot(s) 1, Block(s) 46, Parkland Hills Addition, zoned R-1 and located at **700 CARLISLE PL SE** (L-16)
15. **06ZHE - 01464** **1005196** **GUILLERMO LOUBRIEL** request(s) a special exception to Section 14. 16. 2. 12. (E). (4).: a VARIANCE of 2'4" to the 10' distance separation requirement between apartments and off street parking on all or a portion of Lot(s) 1, Block(s) 46, Parkland Hills Addition, zoned R-1 and located at **700 CARLISLE PL SE** (L-16)
16. **06ZHE - 01485** **1005208** **PEDRO & CARMEN MEJIA** request(s) a special exception to Section 14. 16. 2. 6. (E). (5). (a).: a VARIANCE of 10' to the 15' rear yard setback area requirement for a proposed dwelling on all or a portion of Lot(s) 27 A 1 C, Block(s) 0, Tract(s) 27, MRGCD MAP # 40, zoned SU-2 and located at **909 CROMWELL AVE SW** (K-13)
17. **06ZHE - 01484** **1005138** **WALTER WOOD** request(s) a special exception to Section 14. 16. 2. 6. (E). (5). (a).: a VARIANCE of 7.5' to the 15' rear yard setback area requirement for a proposed sunroom addition on all or a portion of Lot(s) 14 P 1, Block(s) 3, Quintessence Addition, zoned R-D and located at **9824 ALEXANDRIA NE** (D-21)
18. **06ZHE - 01501** **1005214** **REYNA O. DAVILA** 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 for a proposed addition to the dwelling on all or a portion of Lot(s) 7 P-1, Block(s) 5, Sunrise Terrace Addition, zoned R-D and located at **10300 PASO FINO PL SW** (L-8)
19. **06ZHE - 01508** **1004756** **DAVID MCCRUTCHEN** request(s) a special exception to Section 14. 16. 3. 3. (A). (4). (a). 1.: a VARIANCE of 3' to the 3' wall height allowance for an existing 6' high wall in the front yard setback area on all or a portion of Lot(s) 18, Block(s) 14, Hoffmantown Addition, zoned R-1 and located at **9611 WOODLAND AVE NE** (H-20)
20. **06ZHE - 01419** **1005181** **VIRGIL GIL** request(s) a special exception to Section 14. 16. 3. 10. (E). (4). (a).: a VARIANCE of 5' to the 10' landscape buffer along the residential / nonresidential boundary requirement on all or a portion of Lot(s) 11, 12, Block(s) 6, Volcano Cliffs, zoned O-1 and located at **6352 MONTANO RD NW** (E-10)
21. **06ZHE - 01487** **1005209** **ALEXANDER D. NIETO** request(s) a special exception to Section 14. 16. 2. 12. (E). (2). (a).: a VARIANCE of 10' to the 10' side yard setback area requirement for an existing addition to the dwelling on all or a portion of Lot(s) 23, Block(s) X, Alantic & Pacific Addition, zoned SU-2 and located at **524 7TH ST SW** (K-14)
22. **06ZHE - 01554** **1005209** **ALEXANDER D. NIETO** request(s) a special exception to Barelvas Sector Plan page 82. D.: a VARIANCE of 2 parking spaces to the 2 parking spaces requirement for an existing dwelling on all or a portion of Lot(s) 23, Block(s) X, Alantic & Pacific Addition, zoned R-3 and located at **524 7TH ST SW** (K-14)

23. **06ZHE - 01337** **1005145** **RAYMOND DELANY** 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) 80, Cantabella at Ventana Ranch Addition, zoned R-LT and located at **6236 CALLE DE VIDA NW (B-10)**
24. **06ZHE - 01433** **1005184** **SONNY & JUDY NGUYEN** 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) 1, Villa de La Cueva Addition, zoned R-D and located at **8727 CUEVITA CT NE (C-19)**
25. **06ZHE - 01448** **1005190** **DAVID TYROLER** request(s) a special exception to Section 14. 16. 2. 6. (B). (14).(a): 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) 3, Block(s) 5, Broadmoor Addition, zoned R-1 and located at **4202 MARQUETTE AVE NE (K-17)**
26. **06ZHE - 01458** **1005192** **JANICE ROEBUCK** request(s) a special exception to Section 14. 16. 2. 6. (B). (14). (a).: 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) 2, Block(s) 11, Hoffmantown Addition, zoned R-1 and located at **2905 GARCIA ST NE (H-20)**
27. **06ZHE - 01461** **1005194** **BEATH SZCZEPANIEC** request(s) a special exception to Section 14. 16. 2. 6. (B). (14).(a): a **CONDITIONAL USE** to allow for 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) 11, Block(s) 24, Bel Air Addition, zoned R-1 and located at **2904 JEFFERSON ST NE (H-17)**

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

HEARING WILL RESUME PROMPTLY
AT 1:30 P.M. WITH ITEM #28

IF YOU ARE AGENDA ITEMS #28 thru #51

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

28. **06ZHE - 01374** **1005231** **CESAR MARTIN** request(s) a special exception to Section 14. 16. 2. 6. (B). (13).: a **CONDITIONAL USE** to allow for a proposed temporary construction yard for the Central-Atrisco Drainage project on all or a portion of Lot(s) 3, Block(s) 0, Margarita Gardens Addition, zoned R-1 and located at **505 47TH ST NW (J-12)**
29. **06ZHE - 01375** **1005161** **CESAR MARTIN** request(s) a special exception to Section 14. 16. 2. 6. (B). (13).: a **CONDITIONAL USE** to allow for a proposed temporary construction yard for the Central-Atrisco drainage project on all or a portion of Lot(s) 4, Block(s) 0, Margarita Gardens Addition, zoned R-1 and located at **501 47TH ST NW (J-12)**
30. **06ZHE - 01460** **1003985** **SG PROPERTIES LLC** request(s) a special exception to Section 14. 16. 2. 17. (B). (6).: a **CONDITIONAL USE** to allow for proposed dwelling in a C-2 zone on all or a portion of Lot(s) 3,4, Block(s) E, Atlantic & Pacific, zoned C-2 and located at **505 2ND ST SW (K-14)**

31. **06ZHE - 01466** **1005197** **TW INVESTMENTS** request(s) a special exception to Section 14. 16. 2. 20. (A). (8).: a **CONDITIONAL USE** to allow for a proposed recycling facility on all or a portion of Tract(s) 1 A, 2 A, Lands of Rayco, zoned SU-2 and located at **2575 BROADWAY BLVD SE** (M-14)
32. **06ZHE - 01476** **1005202** **TW INVESTMENTS** request(s) a special exception to South Broadway section Plan I. A. 1. a.: a **CONDITIONAL USE** to allow for 13 proposed condominium units in a M-R zone on all or a portion of Tract(s) 2 A, Land of Rayco, zoned SU-2 and located at **2525 BROADWAY BLVD SE** (M-14)
33. **06ZHE - 01480** **1005204** **GARY MULRYAN** request(s) a special exception to Section 14. 16. 2. 17.(B). (20).: a **CONDITIONAL USE** to allow for a proposed indoor self storage facility in a C-2 zone on all or a portion of Lot(s) 13-16, Block(s) 41, Valley View Addition, zoned C-2 and located at **119 QUINCY ST NE** (K-17)
34. **06ZHE - 01498** **1005213** **INFILL SOLUTIONS DEVELOPMENT, LLC** request(s) a special exception to Section 14. 16. 2. 15. (B). (4).: a **CONDITIONAL USE** to allow for proposed dwelling units constituting more than 25% of the gross floor area in O-1 on all or a portion of Block(s) 6, Tract(s) B, Brentwood Hills Subdivision, zoned O-1 and located at **12301 MENAUL BLVD NE** (H-22)
35. **06ZHE - 01263** **1005112** **MIATA SPECIALISTS** request(s) a special exception to Martinez Town / Santa Barbara Sector Plan page 74. A. 3. a.: a **CONDITIONAL USE** to allow for an existing auto repair garage, dismantling of autos and storage of inoperable autos on all or a portion of Lot(s) 2 A, Block(s) 2, Trotter Addition, zoned SU-3 and located at **810 ARNO ST NE** (J-14)
36. **06ZHE - 01264** **1005112** **MIATA SPECIALISTS** request(s) a special exception to Section 14.16.2.18.(B).(2).(a)&(b): a **CONDITIONAL USE** to allow for an existing outdoor storage of vehicles as a principal business on all or a portion of Lot(s) 2 A, Block(s) 2, Trotter Addition, zoned SU-2 and located at **810 ARNO ST NE** (J-14)
37. **06ZHE - 01418** **1005180** **KRISTOPHER & WENDY CLEMMENS** request(s) a special exception to Section 14. 16. 2. 17. (12).: a **CONDITIONAL USE** to allow for a proposed outdoor gated nursery in a C-2 zone on all or a portion of Lot(s) 4 A, Uncle Doc Addition, zoned C-2 and located at **9640 MENAUL BLVD NE** (H-20)
38. **06ZHE - 01459** **1005193** **FRED GUNCKEL** request(s) a special exception to Article 11, Solar Energy; Permits Section 14-11-1 to 9: a **CONDITIONAL USE** to obtain a solar rights permit for existing solar collectors on the property from abutting lots on all or a portion of Lot(s) 3, Block(s) 2, Gardens on Rio Grande Addition, zoned R-1 and located at **2634 ALOYSIA LN NW** (J-12)
39. **06ZHE - 01467** **1005198** **SANDIA CHURCH OF THE NAZARENE** 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-2 zone on all or a portion of Lot(s) 17, 18, Block(s) 4, Unity Addition, zoned C-2 and located at **8216 CENTRAL AVE SE** (K-19)
40. **06ZHE - 01482** **1005206** **STEVE & KARA GRANT** request(s) a special exception to Huning Highland Sector Plan 1. A. B. 4. b.: a **CONDITIONAL USE** to allow for a proposed bed and breakfast establishment in a M-R zone on all or a portion of Lot(s) 9, Block(s) 24, Huning Highland Addition, zoned SU-2 and located at **207 HIGH ST NE** (K-14)
41. **06ZHE - 01495** **1005211** **AMY RIESAU** request(s) a special exception to Section 14. 16. 2. 6. (B). (7).: a **CONDITIONAL USE** to allow for proposed home occupation health care (massage therapy) in a R-T zone on all or a portion of Lot(s) B, Tract(s) 2 A 3 B, Alsan's Re-division, zoned R-T and located at **1208 LA POBLANA RD NW** (H-13)

42. **06ZHE - 01474** **1005201** **FRANK SEDILLOS** 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) 21, Block(s) D, Carlos Rey Subdivision, zoned R-1 and located at **5925 EUCARIZ AVE SW** (L-11)
43. **06ZHE - 01405** **1005177** **FRANK C. & PANOLA J. LISLE** request(s) a special exception to Section 14. 16. 4. 13. (A).: a **STATUS ESTABLISHED BUILDING** to allow for an existing office / dwelling complex in a R-3 zone on all or a portion of Lot(s) 38, 39, Block(s) 48, Snow Heights Addition, zoned R-3 and located at **2800 EUBANK BLVD NE** (H-21)
44. **06ZHE - 01479** **1005203** **LINDA CHARZUK** request(s) a special exception to Section 14. 16. 4. 13. (A).: a **STATUS ESTABLISHED BUILDING** to allow for an existing four dwelling units (four plex) in a R-1 zone on all or a portion of Lot(s) 5, 6, Block(s) 4, Monterey Hills Addition, zoned R-1 and located at **515 WELLESLEY DR SE** (L-16)
45. **06ZHE - 00987** **1003326** **JENNIFER ACHILLES** request(s) a special exception to Section 14. 16. 2. 6. (B). (1).: a **CONDITIONAL USE** to allow for an 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)
46. **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 DR NW** (H-11)
47. **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, West Bluff Center Addition, zoned C-2 and located at **2700 CORONA DR NW** (H-11)
48. **06ZHE - 01470** **1005200** **DONALD & BARBARA ROMERO** request(s) a special exception to Section 14. 16. 2. 5. (D). (1).: a **VARIANCE** of 4000 sf to the 10.890 sf minimum lot area requirement for a proposed dwelling on all or a portion of Lot(s) 6, Zickert Addition, zoned RA-2 and located at **1717 ZICKERT PL NW** (H-12)
49. **06ZHE - 01471** **1005200** **DONALD & BARBARA ROMERO** request(s) a special exception to Section 14. 16. 2. 6. (E). (1).: a **VARIANCE** of 4' to the 20' front yard setback area requirement for a proposed dwelling on all or a portion of Lot(s) 6, Zickert Addition, zoned RA-2 and located at **1717 ZICKERT PL NW** (H-12)
50. **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 proposed retail sale of alcoholic drink for consumption off premise within 500 feet of on all or a portion of Lot(s) A-1, El Cambio Plaza Addition, zoned C-2 and located at **511 BRIDGE BLVD SW** (L-14)
51. **06ZHE - 01468** **1005199** **ATLAS RESOURCES, INC.** request(s) a special exception to Section 14. 16. 2. 20. (B). (5).: a **CONDITIONAL USE** to allow for proposed sale of alcoholic drink for consumption on premise within 500' of a R-D zone on all or a portion of Lot(s) 32, Block(s) 34, Tract(s) A, North Albuquerque Acres Addition, zoned IP and located at **6201 HOLLY AVE NE** (C-18)

* **Item # 9: Address correction; should be 1609 San Patricio Ave SW.**