



HEARING ON SPECIAL EXCEPTIONS  
TO THE COMPREHENSIVE CITY ZONING CODE

**ZONING HEARING EXAMINER'S AGENDA**

TUESDAY, MAY 21, 2013 9:00 A.M.  
PLAZA DEL SOL HEARING ROOM  
BASEMENT LEVEL  
600 SECOND STREET NW  
(ON THE NORTHEAST CORNER OF 2<sup>ND</sup> STREET AND ROMA NW)

**STAFF**

*Joshua J. Skarsgard, Esq., Zoning Hearing Examiner*  
*Randall Falkner, Planner*  
*Vanessa F. King, City Hearing Monitor*

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**For Inquiries Regarding This Agenda, Please Call Vanessa F. King at (505) 768-4503.**

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**PLEASE ADDRESS ALL CORRESPONDENCE TO:**

***Joshua J. Skarsgard, Esq.***  
***Office of Administrative Hearings***  
***P.O. Box 1293***  
***Albuquerque, NM 87103***

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**NOTICE TO PEOPLE WITH DISABILITIES:** *If you have a disability and you require special assistance to participate in this hearing, please contact Vanessa F. King at (505)768-4503.*

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**OLD BUSINESS:**

- |    |                    |                             |  |
|----|--------------------|-----------------------------|--|
| 1. | <b>13ZHE-80442</b> | <b>Project#<br/>1009592</b> | <b>MURPHY OIL USA (ZANE ROSS, AGENT)</b> request(s) a special exception to Section 14-16-2-16(B)(A)(8)(K)(2)(a): a CONDITIONAL USE to allow more than 8 vehicle fueling positions for a proposed gas station for all or a portion of Lot(s) 22, 23, 24 and 1, 2, 3, Block(s) 8, BARRON BURG HEIGHTS MENDELSBERGS REPLAT zoned C-1, located on <b>600 SAN MATEO BLVD SE (L-17)</b><br><br>APPROVED.   |
| 2. | <b>13ZHE-80410</b> | <b>Project#<br/>1009557</b> | <b>DAN AND ADELIN S. CHAVEZ (RON TAYLOR, AGENT)</b> request(s) a special exception to Page 5 C.3 of the 2010 Downtown Sector Development Plan: a VARIANCE of 3' to the required 3' west side landscape buffer for an existing parking lot for all or a portion of Lot(s) 87-94, Block(s) 8, ARMIJO--PERFECTO BROTHERS ADDN zoned SU-3 GOV/FIN/HOSPITALITY FOCUS, located on <b>615 MARQUETTE AVE NW (J-14)</b><br><br>DEFERRED TO 7/16/13. |

3. **13ZHE-80411**      **Project#** **DAN AND ADELINE S. CHAVEZ (RON TAYLOR, AGENT)** request(s) a special exception to Page 5 C.3 of the 2010 Downtown Sector Development Plan: a VARIANCE of 3' to the required 3' south side landscape buffer for an existing parking lot for all or a portion of Lot(s) 87-94, Block(s) 8, ARMIJO--PERFECTO BROTHERS ADDN zoned SU-3 GOV/FIN/HOSPITALITY FOCUS, located on **615 MARQUETTE AVE NW** (J-14)

**1009557**

DEFERRED TO 7/16/13.
4. **13ZHE-80418**      **Project#** **PARKING COMPANY OF AMERICA-ALBUQUERQUE, LLC., (DANIEL CHAVEZ, AGENT)** request(s) a special exception to Page 5, Paragraph 3 of the 2010 Downtown Sector Development Plan: a VARIANCE of 3' to the required 3' west side landscape buffer for all or a portion of Lot(s) 18-24, Block(s) 2, ARMIJO--PERFECTO BRO ADDN zoned SU-3 GOV/FIN/HOS FOCUS, located on **600 MARQUETTE AVE NW** (J-14)

**1009561**

DEFERRED TO 7/16/13.
5. **13ZHE-80420**      **Project#** **PARKING COMPANY OF AMERICA-ALBUQUERQUE, LLC., (DANIEL CHAVEZ, AGENT)** request(s) a special exception to Page 5, Paragraph 2 of the 2010 Downtown Sector Development Plan: a VARIANCE of 12 trees to the required 12 street trees for all or a portion of Lot(s) 18-24, Block(s) 2, ARMIJO--PERFECTO BRO ADDN zoned SU-3 GOV/FIN/HOS FOCUS, located on **600 MARQUETTE AVE NW** (J-14)

**1009561**

DEFERRED TO 7/16/13.
6. **13ZHE-80421**      **Project#** **PARKING COMPANY OF AMERICA-ALBUQUERQUE, LLC., (DANIEL CHAVEZ, AGENT)** request(s) a special exception to Page 5, Paragraph 2 of the 2010 Sector Development Plan: a VARIANCE of 6 trees to the required 6' parking lot trees for all or a portion of Lot(s) 18-24, Block(s) 2, ARMIJO--PERFECTO BRO ADDN zoned SU-3 GOV/FIN/HOS FOCUS, located on **600 MARQUETTE AVE NW** (J-14)

**1009561**

DEFERRED TO 7/16/13.
7. **13ZHE-80435**      **Project#** **JACQUELINE KEEPERS** request(s) a special exception to Section 14-16-2-6(B)(14)(a)(1): a CONDITIONAL USE to allow a proposed 5' wall in the front setback area 14' back from curb face for all or a portion of Lot(s) 12, Block(s) 10, BROADMOOR ADDN zoned R-1, located on **401 WASHINGTON ST NE** (K-17)

**1009586**

APPROVED WITH CONDITIONS.
8. **12ZHE-80362**      **Project#** **JEFFREY MACE AND KARIN PHAM** request(s) a special exception to Section 14-16-2-6(B)(7): a CONDITIONAL USE to allow a proposed home occupation for massage therapy, acupuncture and yoga for all or a portion of Lot(s) 3, Block(s) 12, ACADEMY PLACE UNIT 5 zoned R-1, Located on **10408 MALAGUENA LN NE** (E-21)

**1009495**

WITHDRAWN BY APPLICANT.
9. **13ZHE-80426**      **Project#** **ALICE E. POWSNER** request(s) a special exception to Section 14-16-2-6(B)(7): a CONDITIONAL USE to allow a consultation office for phychotherapy for all or a portion of Lot(s) B, Block(s) 12, LOMA VISTA ADDN zoned R-1, located on **3004 SUMMIT PL NE** (J-16)

**1009574**

APPROVED WITH CONDITIONS.
10. **13ZHE-80439**      **Project#** **MARK O. LEE** request(s) a special exception to Section 14-16-2-6(B)(3): a CONDITIONAL USE to allow a proposed carport in the required front yard setback area for all or a portion of Lot(s) 39A, Block(s) 90, SNOW HEIGHTS ADDN zoned R-1, located on **11209 ELVIN AVE NE** (H-21)

**1009589**

WITHDRAWN.

11. **13ZHE-80451** **Project# 1009608** **DARCY BULAND DE VALLEJOS** request(s) a special exception to Section 14-16-2-6(B)(14)(a)(2): a **CONDITIONAL USE** to allow an existing 6' fence in the required front yard setback area for all or a portion of Lot(s) 20, Block(s) 6, **AZTEC ADDN NO 1** zoned R-1, located on **9101 COTTONWOOD RD NE (G-20)**  
APPROVED WITH CONDITIONS.
12. **13ZHE-80480** **Project# 1009628** **NASER ALIKHANI (ROBERT L. LUCERO, AGENT)** request(s) a special exception to Section 14-16-3-19(A)(2)(a): a **VARIANCE** of 3' to the allowed 3' height for a proposed wall in the front yard setback area for all or a portion of Lot(s) 6, **FOUR HILLS VILLAGE 21ST INSTALLMENT** zoned R-1, located on **1200 HIDEAWAY LANE SE (M-23)**  
APPROVED WITH CONDITIONS.

## **NEW BUSINESS:**

13. **13ZHE-80484** **Project# 1009632** **BOB OR KAREN MORTINSEN (LANDSCAPE SOLUTIONS, RICK GARCIA, AGENT)** request(s) a special exception to Section 14-16-3-19(A)(2)(a): a **VARIANCE** of 1'8" to the allowed 3' height for a proposed wall in the front yard setback for all or a portion of Lot(s) 12, **ACADEMY HILLS UNIT 3** zoned R-1, located on **6201 CONCORDIA RD NE (E-21)**  
APPROVED WITH CONDITIONS.
14. **13ZHE-80486** **Project# 1009635** **ANN AND NATHANIEL ESTRADA** request(s) a special exception to Section 14-16-3-3(A)(4)(a)(1): a **VARIANCE** of 2.5' to the 3' maximum wall height in the front yard setback area to allow an existing 5.5' fence for all or a portion of Lot(s) 30, Block(s) 74, **WESTGATE HEIGHTS ADDN UNIT 3** zoned R-D, located on **1332 MICHELLE ST SW (M-9)**  
APPROVED WITH CONDITIONS.
15. **13ZHE-80491** **Project# 1009649** **HASEEB KABIR** request(s) a special exception to Section 14-16-3-19(A)(2)(a): a **VARIANCE** of 1' 5" to the 3' allowed for existing solid wall in the front yard setback for all or a portion of Lot(s) 9, Block(s) 1, **LA ULTIMA DE LAD CIUDAD UNIT 1** zoned SU-1 PRD, located on **2005 CIRCULO DEL MONTE NE (H-23)**  
APPROVED WITH CONDITIONS.
16. **13ZHE-80498** **Project# 1009655** **IDA DUBRAY** request(s) a special exception to Section 14-16-3-19(A)(2)(a): a **VARIANCE** of 3'3" to allow an existing wall in the front yard setback for all or a portion of Lot(s) 5, Block(s) 61, **WESTGATE HEIGHTS ADDN. UNIT NO. 1** zoned R-1, located on **10000 DEL REY RD SW (M-9)**  
DEFERRED 8/20/13.
- 13ZHE-80499** **Project# 1009655** **IDA DUBRAY** request(s) a special exception to Section 14-16-2-6(B)(14): a **CONDITIONAL USE** to allow an existing 6' wall in the side yard setback that is contiguous to a front yard for all or a portion of Lot(s) 5, Block(s) 61, **WESTGATE HEIGHTS ADDN. UNIT NO. 1** zoned R-1, located on **10000 DEL REY RD SW (M-9)**  
DEFERRED 8/20/13.
17. **13ZHE-80509** **Project# 1009665** **VIVIAN ARVISO AND (SAM) PHILIP DELOVIA** request(s) a special exception to Section 14-16-3-19(A)(2)(a): a **VARIANCE** of 3' to the wall height requirement to replace an existing fence in the front yard setback for all or a portion of Lot(s) B, Block(s) 8, **VISTA LARGA** zoned R-1, located on **1534 STANFORD DR NE (J-16)**  
APPROVED WITH CONDITIONS.

18. **13ZHE-80510** **Project# 1009665** **VIVIAN ARVISO AND (SAM) PHILIP DELOVIA** request(s) a special exception to Section 14-16-3-19(A)(2)(b): a **CONDITIONAL USE** to allow a proposed 4' wall in the side yard setback on a corner lot for all or a portion of Lot(s) B, Block(s) 8, **VISTA LARGA** zoned R-1, located on **1534 STANFORD DR NE** (J-16)  
APPROVED WITH CONDITIONS.
19. **13ZHE-80497** **Project# 1009654** **SHARON BROCK** request(s) a special exception to Section 14-16-3-19(A)(1)(a): a **VARIANCE** of 2' to the maximum 8' high wall for an existing 10' wall in the rear yard setback for all or a portion of Lot(s) 7, Block(s) 17, **THOMAS ADDN** zoned R-1, located on **3932 GARCIA ST NE** (G-20)  
APPROVED WITH CONDITIONS.
20. **13ZHE-80500** **Project# 1009656** **JAMES A. PETERSON (DAC ZONING AND LAND USE SERVICES, AGENTS)** request(s) a special exception to Section 14-16-3-19(A)(1)(a): a **VARIANCE** of 3' 6" to the allowed 8" height for a wall in the rear yard setback for all or a portion of Lot(s) C1A & B4, Block(s) 10, **VISTA LARGA** zoned R-1, located on **2300 HANNETT AVE NE** (J-16)  
APPROVED WITH CONDITIONS.
21. **13ZHE-80501** **Project# 1009658** **JAMES C. PETERSON "JC" (DAC ZONING AND LAND USE SERVICES, AGENTS)** request(s) a special exception to Section 14-16-3-19(A)(1)(a): a **VARIANCE** of 3'6" to the allowed 8' height for a wall in the rear yard setback for all or a portion of Lot(s) A1A, Block(s) 15, **VISTA LARGA** zoned R-1, located on **1401 HARVARD DR NE** (J-16)  
APPROVED WITH CONDITIONS.
22. **13ZHE-80492** **Project# 1009650** **ROSS & JEAN VAN DUSEN** request(s) a special exception to Section 14-16-2-6(E)(4)(a): a **VARIANCE** of 1' to the 10' side yard setback required for a proposed addition for all or a portion of Lot(s) 27, Block(s) 8, Tract(s) A,B,C OF 1, **MATTHEW MEADOW** zoned RA-2, located on **1308 CAMINO ECUESTRE NW** (G-13)  
APPROVAL.
23. **13ZHE-80494** **Project# 1009652** **JOE N. VALDEZ III** request(s) a special exception to Section 14-16-3-3(B)(2)(e): a **VARIANCE** of 4'4" to the required 10' separation from a dwelling unit for a proposed accessory unit for all or a portion of Lot(s) 19, Block(s) C, **CHAMISA POINTE UNIT 2** zoned R-D 15 DU/A, located on **1401 DESERT BLOOM CT NW** (H-10)  
APPROVED WITH CONDITIONS.
24. **13ZHE-80495** **Project# 1009652** **JOE N. VALDEZ III** request(s) a special exception to Section 14-16-3-3(B)(2)(a): a **VARIANCE** of 6' to the allowed 6' height for a proposed accessory building for all or a portion of Lot(s) 19, Block(s) C, **CHAMISA POINTE UNIT 2** zoned R-1, located on **1401 DESERT BLOOM CT NW** (H-10)  
APPROVED WITH CONDITIONS.

\*\*\*\*\***LUNCH BREAK**\*\*\*\*\*

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

**IF YOU ARE AGENDA ITEMS 26-49**

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

25. **13ZHE-80508**      **Project#**      **SHANZE WANG** request(s) a special exception to Section 14-16-2-6(B)(14):  
**1009664**      a CONDITIONAL USE to allow a proposed 5' wall/fence in the front setback  
area for all or a portion of Lot(s) 17, Block(s) 2, Tract(s) 3, N ABQ ACRES  
UNIT 3 zoned R-D 3DU/A, located on **9051 OAKLAND AV NE** (C-20)  
  
APPROVED WITH CONDITIONS.
26. **13ZHE-80512**      **Project#**      **GLORIA GARCIA** request(s) a special exception to Section Page 40, South  
**1009667**      Martineztown RG, 14-16-2-10(B) and 14-16-2-6(B)(14): a CONDITIONAL  
USE for a proposed 4" chain link fence in the front yard setback area for all  
or a portion of Lot(s) 25, MARTINEZTOWN PLAN 5 zoned SM RG, located  
on **601 ARNO ST NE** (J-14)  
  
DEFERRED TO 7/16/13.
27. **13ZHE-80513**      **Project#**      **GLORIA GARCIA** request(s) a special exception to Section Page 40, South  
**1009667**      Martineztown RG, and Section 14-16-3-19(1)(C)(A): a CONDITIONAL USE  
for an existing fence up to 6" in the side yard setback area for all or a portion  
of Lot(s) 25, MARTINEZ TOWN PLAN 5 zoned SM RG, located on **601**  
**ARNO ST NE** (J-14)  
  
DEFERRED TO 7/16/13.
28. **13ZHE-80493**      **Project#**      **MARJORY MARTINEZ (AUSTIN'S CARPORTS, GILBERT AUSTIN,**  
**1009651**      **AGENT)** request(s) a special exception to Section 14-16-2-6(B)(3): a  
CONDITIONAL USE to allow a proposed carport in the front yard setback for  
all or a portion of Lot(s) A, Block(s) L, CLOUDVIEW ESTATES zoned R-1,  
located on **12508 TURQUOISE TRL NE** (K-22)  
  
APPROVED WITH CONDITIONS.
29. **13ZHE-80489**      **Project#**      **ISIDRO JIMENEZ (AUSTIN'S CARPORTS, GILBERT AUSTIN, AGENT)**  
**1009646**      request(s) a special exception to Section 14-16-2-6(B)(3): a CONDITIONAL  
USE to allow a proposed carport in the front yard setback area for all or a  
portion of Lot(s) 39, Block(s) 118A, PRINCESS JEANNE PARK ADDN  
zoned R-1, located on **11632 MOCHO PL NE** (K-21)  
  
APPROVED WITH CONDITIONS.
30. **13ZHE-80490**      **Project#**      **MARIO R. VALDEZ (AUSTIN'S CARPORTS, GILBERT AUSTIN, AGENT)**  
**1009647**      request(s) a special exception to Section 14-16-2-6(B)(3): a CONDITIONAL  
USE for a proposed carport in the front yard setback for all or a portion of  
Lot(s) 6, Block(s) 54, SNOW HEIGHTS ADDITION zoned R-1, located on  
**10020 MATTHEW AV NE** (H-21)  
  
APPROVED WITH CONDITIONS.

31. **13ZHE-80504** **Project# 1009661** **BRYAN DYKSTRA (ERIC SPURLOCK, AGENT)** request(s) a special exception to Section 14-16-2-6(E)(3)(a): a VARIANCE of 13'9" to the required 20' side yard setback for a proposed addition for all or a portion of Lot(s) 23, KEYSTONE ADDITION zoned R-1, located on **4108 KATHRYN AV SE (L-17)**  
APPROVED WITH CONDITIONS.
32. **13ZHE-80505** **Project# 1009661** **BRYAN DYKSTRA (ERIC SPURLOCK, AGENT)** request(s) a special exception to Section 14-16-2-6(B)(3): a CONDITIONAL USE to allow a proposed carport in the front yard setback for all or a portion of Lot(s) 23, KEYSTONE ADDITION zoned R-1, located on **4108 KATHRYN AV SE (L-17)**  
APPROVED WITH CONDITIONS.
33. **13ZHE-80506** **Project# 1009662** **CHARLES GLASS (TRACY PETERSEN, AGENT)** request(s) a special exception to Section 14-16-2-14(B) and 14-16-2-9(E)(4)(a): a VARIANCE of 2' 6" to the required 15' rear yard setback for a proposed addition for all or a portion of Lot(s) 24, VINEYARD COURT ESTATES zoned R-D, located on **8200 GRAPE ARBOR CT NE (C-20)**  
APPROVED WITH CONDITIONS.
34. **13ZHE-80496** **Project# 1009653** **PASCHICH WRISTEN** request(s) a special exception to Section Page 98 A.4.C. of the Sawmill Wells Park Sector Development Plan: a VARIANCE of 552' to the required 600' separation between townhouse developments for proposed townhouses for all or a portion of Lot(s) 3-6, Block(s) 2, SUMMER GARDEN ADDN zoned S-R, located on **1506 SUMMER AV NW (J-13)**  
APPROVED.
35. **13ZHE-80503** **Project# 1009660** **CRAIG AND INOLA DOOLITTLE** request(s) a special exception to Section 14-16-3-3(B)(2)(e): a VARIANCE of 6'4" to the required 10' separation of buildings for a proposed shed for all or a portion of Lot(s) 121, SHENANDOAH ESTATES PHASE 2 zoned R-LT, located on **4512 MARTINSBURG RD NW (C-12)**  
APPROVED WITH CONDITIONS.
36. **13ZHE-80488** **Project# 1009639** **JOE KRAFT (MIGUEL GARCIA, AGENT)** request(s) a special exception to Section 14-16-2-6(B)(3): a CONDITIONAL USE to allow a proposed carport in the required front yard setback for all or a portion of Lot(s) 162, HOMESTEAD HILLS NORTH zoned R-1, located on **7935 INDEPENDENCE RD NW (D-11)**  
APPROVED WITH CONDITIONS.
37. **13ZHE-80502** **Project# 1009659** **DOUGLAS SPENCE** request(s) a special exception to Section 14-16-2-14(B) and 14-16-2-6(B)(12): a CONDITIONAL USE to allow a proposed covered patio in the rear yard setback for all or a portion of Lot(s) 23A, Block(s) B, ROYAL OAK UNIT 2 zoned RD, located on **12517 ROYAL RIDGE CT NE (F-22)**  
APPROVED WITH CONDITIONS.
38. **13ZHE-80487** **Project# 1009637** **CRAIG GONZALES** request(s) a special exception to Section 14-16-3-3(4)(a)(3): a CONDITIONAL USE to allow a proposed 5'5" wall in the rear and side yard setback for all or a portion of Lot(s) 7-P1, Block(s) 3, RIVERTON zoned R-LT, located on **4410 HILLCREST AVE NW (D-12)**  
APPROVED WITH CONDITIONS.
39. **13ZHE-80518** **Project# 1009671** **DANIEL LUDWIG** request(s) a special exception to Section 14-16-2-6(B)(14)(a)(1): a CONDITIONAL USE for a proposed 5' high adobe wall in the front yard setback area for all or a portion of Lot(s) 26, Block(s) 2, FIRST UNIT OF VICTORY ADDN zoned R-1, located on **812 VASSAR DR SE (L-16)**  
APPROVED WITH CONDITIONS.

40. **13ZHE-80514** **Project# 1009668** **RAMIRO DURON** request(s) a special exception to Section 14-16-2-6(B)(14)(a)(2): a CONDITIONAL USE to allow a proposed 5' wall in the front yard setback area for all or a portion of Lot(s) 22, Block(s) 1, NORTH CARLISLE ADDN zoned R-1, located on **3615 MORNINGSIDE DR NE** (G-17)  
APPROVED WITH CONDITIONS.
41. **13ZHE-80485** **Project# 1009633** **21<sup>ST</sup> CENTURY PUBLIC ACADEMY (JIM RICHARDSON, AGENT)** request(s) a special exception to Section 14-16-2-20(B)(6): a CONDITIONAL USE to allow activities in a tent in a M-1 zone for all or a portion of Lot(s) 4A1, Block(s) A, INTERSTATE INDUSTRIAL TRACT UNIT 1 zoned M-1, located on **6805 ACADEMY PARKWAY WEST NE** (E-16)  
APPROVED WITH CONDITIONS.
42. **13ZHE-80511** **Project# 1009666** **CSD HOLDINGS INC., JAY REMBE** request(s) a special exception to Section 14-16-2-17(B)(13)(e) of the North 4<sup>th</sup> Street Corridor Sector Development Plan: a CONDITIONAL USE to allow outdoor vehicle storage as a principal business where vehicles are typically not moved for a week or more for all or a portion of Lot(s) 1-4/5-9, Block(s) 4/5, PARIS ADDITION/ANDERSON ADDITION zoned C-2 OR SU- 2 NFTOD, located on **1400 4TH ST NW** (J-14)  
APPROVED WITH CONDITIONS.
43. **13ZHE-80515** **Project# 1009669** **MICHAEL MULL SOHAIL (HENRY JAKE FOREMAN, AGENT)** request(s) a special exception to Section 14-16-2-19(B) and 14-16-2-20(B)(5): a CONDITIONAL USE for a proposed retailing which is not permissible for all or a portion of Lot(s) B, Block(s) 17, N ABQ ACRES TRACT A UNIT B zoned SU-2 IP, located on **8212 PAN AMERICAN FREEWAY NE** (C-18)  
APPROVED.
44. **13ZHE-80516** **Project# 1009670** **PASEO PAVILLION @ SECOND STREET LLC., (TRISH LOPES, AGENT)** request(s) a special exception to Section 14-16-3-10(E)(4)(c): a VARIANCE of 6' to the minimum required 6' high opaque wall or fence requirement to screen the parking/circulation area from the adjacent wall for separating a proposed commercial site from a residential site for all or a portion of Lot(s) E, ST. ANTHONY ORPHANAGE zoned R-1, located on **1120 INDIAN SCHOOL RD NW** (H-13)  
DEFERRED 7/16/13.
45. **13ZHE-80517** **Project# 1009670** **PASEO PAVILLION @ SECOND STREET LLC., (TRISH LOPES, AGENT)** request(s) a special exception to Section 14-16-3-10(E)(4)(a): a VARIANCE of 10' to the minimum required 10' landscaping strip along a residential/non residential boundary for all or a portion of Lot(s) E, ST. ANTHONY ORPHANAGE zoned R-1, located on **1120 INDIAN SCHOOL RD NW** (H-13)  
APPROVED WITH CONDITIONS.
46. **12ZHE-80377** **Project# 1008124** **MURPHY OIL USA INC., GREGORY WILSON (JERRY HAMM, AGENT)** request(s) a special exception to Section 14-16-2-17(B)(18): a CONDITIONAL USE to allow retail sales of alcoholic beverages for consumption off premises for all or a portion of Lot(s) A1A1, Block(s) A1A1, AMERICAN SQUARE zoned C-2, located on **3535 MENAUL BLVD NE** (H-16)  
DENIED.
47. **13ZHE-80398** **Project# 1009548** **JOHNATHON POHL** request(s) a special exception to Section 14-16-2-16(B)(6) and Page 4, Paragraph B1 of the Huning Highland Sector Development Plan: a CONDITIONAL USE for an existing drive thru for all or a portion of Lot(s) 11, Block(s) 22, HUNING HIGHLANDS ADDN zoned SU-2 CRZ, located on **501 CENTRAL AVE NE** (K-14)  
DENIED.

48. **13ZHE-80459**      **Project#** **VINCENT DARCO (JOHN MARSH CONSTRUCTION, JOHN MARSH, AGENT)** request(s) a special exception to Section 14-16-2-6(B)(14)(a)(1): a **CONDITIONAL USE** to allow a proposed 6' wall in the required front yard setback for all or a portion of Lot(s) A1, RAMBO AND CHAVEZ zoned R-1, located on **1059 SOLAR AVE NW (E-14)**

**1009615**

DEFERRED 6/21/13.