



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

**ZONING HEARING EXAMINER'S ACTION SHEET**

TUESDAY, JULY 15, 2008 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**

*Roberto Albertorio, Esq., Zoning Hearing Examiner  
Tom Rojas, Deputy Zoning Hearing Examiner  
Lucinda Montoya, Administrative Assistant*

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**For Inquiries Regarding This Agenda, Please Call Lucinda Montoya at (505) 924-3918.**

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**PLEASE ADDRESS ALL CORRESPONDENCE TO:**

***Roberto Albertorio, 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 Lucinda Montoya at (505) 924-3918.*

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**OLD BUSINESS: BEGINS AT 8:30 A.M.**

A.	08ZHE-80193	Project# 1007240	8117 CORPORATION (DAVID CALLAHAN, AGENT) request(s) a special exception to Section 14-16-3-17(B)(17): a CONDITIONAL USE to allow for proposed duct work assembly in a C-2 zone for all or a portion of Lot(s) A/CENTRAL ASSEMBLY OF GOD CHURCH, Block(s) 3, MESA VERDE ADDN zoned C-2, located at 8117 CENTRAL NE (K-19)  APPROVED
B.	08ZHE-80172	Project# 1007220	PATRICIA A SERRAULT request(s) a special exception to Section 14-16-3-3(4)(a)1: a VARIANCE of 3' to the 3' wall height allowance for a proposed 6' high wall in the front yard setback area for all or a portion of Lot(s) 5A, Block(s) 1, FITZGERALD ADDN zoned R-1, located at 512 FITZGERALD RD NW (G-14)  DEFERRED TO 8/12/08

**INTERPRETER REQUIRED (\*IR\*): BEGINS AT 9:00 A.M.**

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|----|-------------|---------------------|--|
| 1. | 08ZHE-80208 | Project#<br>1007254 | FRANKLIN E. WILSON (COLLEEN KELLEY, AGENT) request(s) a special exception to Section 14-16-2-17(B)(8) and PG 75 B 1: a CONDITIONAL USE to allow for an existing dog kennel in an SU-2 / C-3 zone for all or a portion of Lot(s) 15A1, Block(s) 3, MAYO & ROSS ADDN zoned SU2 C-3, located at 828 ARNO ST NE (J-14)<br><br>DENIED |
|----|-------------|---------------------|--|

2. **\*IR\*** **08ZHE-80247** **Project# 1007309** MARIA ANGELA ARROYO request(s) a special exception to Section 14-16-2-17(B)(11): a CONDITIONAL USE to allow for an existing outdoor activity (mobile kitchen) in a C-2 zone for all or a portion of Lot(s) A, ESTEP-JAMES T zoned C-2, located at 4720 4TH ST NW (F-14)  
APPROVED FOR 1 YEAR
3. **\*IR\*** **08ZHE-80267** **Project# 1007309** MARIA ANGELA ARROYO request(s) a special exception to Section 14-16-2-17(B)(20): a CONDITIONAL USE to allow for activities in a tent (kitchen) in a C-2 zone for all or a portion of Lot(s) A, ESTEP-JAMES T zoned C-2, located at 4720 4TH ST NW (F-14)  
APPROVED FOR 1 YEAR
4. **\*IR\*** **08ZHE-80249** **Project# 1007314** PHYLLIS FELICITA MAYA request(s) a special exception to Section 14-16-3-3(2)(e): a VARIANCE of 3.5' to the 10' separation requirement between a dwelling and an existing covered patio for all or a portion of Lot(s) 3 p-1, EL RANCHO GRANDE UNIT 15 zoned R-LT, located at 2701 GHOST RANCH ST SW (N-9)  
APPROVED
5. **\*IR\*** **08ZHE-80264** **Project# 1007333** LUIS CASTILLO request(s) a special exception to Section 14-16-3-3(A)(4)(a)1 and 14-16-2-8: a VARIANCE of 2'6" to the 3' fence height allowance for a proposed 5'6" high fence in the front yard setback area for all or a portion of Lot(s) 28, Block(s) I, DESERT SPRINGS UNIT 5 zoned R-LT, located at 7504 DESERT MORNING RD SW (M-10)  
DENIED

## **OLD BUSINESS:**

6. **08ZHE-80190** **Project# 1007237** ALEJANDRO GONZALEZ-BASURTO request(s) a special exception to Section 14-16-2-6(E)(5)(a) and SOUTH BROADWAY SDP, PAGE 45, I.: a VARIANCE of 15.25" to the 15' rear yard setback area requirement for proposed dwelling units for all or a portion of Lot(s) 10, Block(s) J, EASTERN ADDN zoned SU-2/M-R, located at 1307 JOHN ST SE (L-14)  
WITHDRAWN
7. **08ZHE-80189** **Project# 1007237** ALEJANDRO GONZALEZ-BASURTO request(s) a special exception to Section 14-16-2-11(A)(3) and SOUTH BROADWAY SDP, PAGE 45, I.A.1.a.: a CONDITIONAL USE to allow for a proposed apartment unit in an SU-2/M-R zone for all or a portion of Lot(s) 10, Block(s) J, EASTERN ADDN zoned SU-2/M-R, located at 1307 JOHN ST SE (L-14)  
DEFERRED TO 8/12/08
8. **08ZHE-80161** **Project# 1007205** CHRIS & AMY WILLIAMSON (RYAN WALLACE, AGENT) request(s) a special exception to Section PG 73. NRC and 14-16-3-19(A)(3)(a): a VARIANCE of 3' to the 3' wall height allowance for an existing 6' high wall in the front yard setback area for all or a portion of Lot(s) UNPLATTED, UNPLATTED zoned SU-2 NRC, located at 607 GRANITE AVE NE (J-14)  
DEFERRED INDEFINATELY
9. **08ZHE-80204** **Project# 1007247** MARK MARTINEZ request(s) a special exception to Section 14-16-2-6(B)(14)(a)2.: a CONDITIONAL USE to allow for a fence over 3' in height in the front yard setback area for a proposed 5' high fence for all or a portion of Lot(s) 9, Block(s) 7, VIRGINIA PLACE ADDN zoned R-1, located at 932 CARDENAS DR SE (L-18)  
DENIED DUE TO APPLICANTS' FTA

10. **08ZHE-80232** **Project# 1007287** ERIC & DAISY STRAWN (EARL STRAWN, AGENT) request(s) a special exception to Section 14-16-2-11(E)(4) and SOUTHBROADWAY PG 46: a VARIANCE of 10' to the 15' rear yard setback area requirement for a proposed dwelling for all or a portion of Lot(s) 419A1, MRGCD MAP 41 zoned SU-2 NCR, located at 300 KATHRYN AVE SE (L-14)  
DEFERRED TO 9/16/08
11. **08ZHE-80230** **Project# 1007286** CHRISTOPHER G HOOTON request(s) a special exception to Section 14-16-2-6(E)(4)(a) and DOWNTOWN NEIGHBORHOOD AREA SF: a VARIANCE of 5' to the 5' side yard setback area requirement for a proposed addition to the dwelling for all or a portion of Lot(s) 7-12, Block(s) 42, PEREA ADDN zoned SU-2 SF, located at 1511 MARBLE AVE NW (J-13)  
APPROVED
12. **08ZHE-80226** **Project# 1007282** UNIVEST/COORS ROAD LLC (TIERRA WEST, AGENT) request(s) a special exception to Section 14-16-3-1(A)(24)(a): a VARIANCE of 37 parking spaces to the 200 parking space minimum requirement for 163 proposed parking spaces for all or a portion of Lot(s) 3, COORS VILLAGE zoned SU-3, located at 4401 COORS BLVD NW (F-11)  
DEFERRED TO 9/16/08
13. **08ZHE-80219** **Project# 1007272** ALBERT MARTINEZ (JAMES PRATO, AGENT) request(s) a special exception to Section 14-16-2-16(B)(3) and South Broadway Sector Plan PG. 46 III NCR ZONE: a CONDITIONAL USE to allow for an existing truck and trailer rental service in an SU-2 NCR zone for all or a portion of Lot(s) 5, Block(s) H, EASTERN ADDN zoned SU-2 NCR, located at 1119 BROADWAY BLVD SE (L-14)  
WITHDRAWN

## **NEW BUSINESS:**

14. **08ZHE-80233** **Project# 1007289** KAVAN SALAS (RISING STAR CONSTRUCTION, AGENT) request(s) a special exception to Section 14-16-2-8(E)(4)(a): a VARIANCE of 9' to the 15' rear yard setback area requirement for a proposed addition to the dwelling (covered patio) for all or a portion of Lot(s) 16-P1, Block(s) 7, HIGHLANDS AT ANDERSON HILLS UNIT 2 zoned R-LT, located at 3211 RIO BONITO DR SW (P-9)  
APPROVED
15. **08ZHE-80252** **Project# 1007323** ROBERT M. GALLEGOS request(s) a special exception to Section 14-16-3-12(A)(7): a VARIANCE of 1,147' to the 1,500' minimum separation requirement between Community Residential Programs for a proposed Community Residential Program in an R-1 zone for all or a portion of Lot(s) 7, Block(s) 29, WAGGOMAN DENISON ADDN zoned R-1, located at 424 GENERAL HODGES NE (K-20)  
DEFERRED TO 8/12/08
16. **08ZHE-80260** **Project# 1007330** DAVID REID (DEBORAH ZACK, AGENT) request(s) a special exception to Section 14-16-3-12(A)(7) and 14-16-2-6(A)(3): a VARIANCE of 17' to the 1,500' minimum separation requirement between Community Residential Programs for a proposed Community Residential Program in a R-1 zone for all or a portion of Lot(s) 14, Block(s) 1, EL SOLINDO REPLAT OF zoned R-1, located at 3825 TRACY ST NE (G-22)  
DEFERRED TO 8/12/08
17. **08ZHE-80250** **Project# 1007315** MARY LOU DOBBS request(s) a special exception to Section 14-16-2-6(D)(2): a VARIANCE of 3,393 sq ft to the 5,000 sq ft lot size requirement for 2 proposed lots and 10.16' to the required 60' lot width requirement for 2 proposed lots in an R-1 zone for all or a portion of Lot(s) 255, MRGCD MAP 38 zoned R-1, located at 2212 HOLLYWOOD AVE NW (J-13)  
DENIED

18. **08ZHE-80255**      **Project#**      GEORGINE L. STOB request(s) a special exception to Section 14-16-2-6(E)(3)(a): a VARIANCE of 10' to the 20' street side setback area requirement for a proposed accessory building for all or a portion of Lot(s) 12, Block(s) 2, FORAKER GARDENS zoned R-1, located at 2830 8TH ST NW (H-14)  
**1007326**      APPROVED WITH CONDITIONS
19. **08ZHE-80256**      **Project#**      RON & GLORIA TRASK (GEORGE NEWLANDS, AGENT) request(s) a special exception to Section 14-16-2-6(E)(1): a VARIANCE of 18' to the 20' front yard setback area requirement for a proposed garage for all or a portion of Lot(s) 5, Block(s) 7, MONTE VISTA ADDN zoned SFHD, located at 3218 PURDUE PL NE (K-16)  
**1007327**      APPROVED
20. **08ZHE-80257**      **Project#**      RON & GLORIA TRASK (GEORGE NEWLANDS, AGENT) request(s) a special exception to Section 14-16-2-6(E)(4)(a): a VARIANCE of 3' to the 5' side yard setback area requirement for a proposed garage for all or a portion of Lot(s) 5, Block(s) 7, MONTE VISTA ADDN zoned SFHD, located at 3218 PURDUE PL NE (K-16)  
**1007327**      APPROVED
21. **08ZHE-80258**      **Project#**      PATRICIA PAIZ & BILL REED (SUSAN PRICE, AGENT) request(s) a special exception to Section 14-16-3-10(E)(3)(b): a VARIANCE of 5' to the 6' minimum landscape buffer requirement for a proposed 4-plex for all or a portion of Lot(s) 26, Block(s) 13, LAYTON HEIGHTS zoned R-22, located at 1918 BUENA VISTA DR SE (L-15)  
**1007328**      APPROVED
22. **08ZHE-80259**      **Project#**      PATRICIA PAIZ & BILL REED (SUSAN PRICE, AGENT) request(s) a special exception to Section 14-16-3-10(E)(3)(b): a VARIANCE of 5' to the 6' minimum landscape buffer requirement for a proposed 4-plex for all or a portion of Lot(s) 3, Block(s) 13, CLAYTON HEIGHTS zoned R-2, located at 1909 WILMOORE DR SE (L-15)  
**1007329**      APPROVED
23. **08ZHE-80263**      **Project#**      ARMSTRONG DEVELOPMENT PROPERTIES (DARREN SOWELL ARCHITECTS, AGENT) request(s) a special exception to Section 14-16-3-2-(K)(2): a VARIANCE 10' to the 20' maximum light pole height requirement for a proposed 30' high light pole in a C-2 zone for all or a portion of Tract(s) 4A1, 4B, 5B1, 5B2, 1A, 2A, 1B, 2B, 3B & 6, BARRETT SUBDIVISION AND LANDS OF WETCO zoned C2, located at 201 UNSER BLVD SW (L-10,K-10,K-9)  
**1007332**      DEFERRED TO 8/12/08

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

**HEARING WILL RESUME PROMPTLY**  
**AT 1:30 P.M. WITH ITEM #24**

**IF YOU ARE AGENDA ITEMS #24 - #35**

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

24. **08ZHE-80261** **Project# 1007331** GEORGE & CATHERINE LAGUNA (POULIN DESIGN REMODELING, AGENT) request(s) a special exception to Section 14-16-2-6(E)(3)(a): a VARIANCE of 15' to the 20' side yard setback area requirement (side yard abuts the front yard of a residentially zoned lot) for a proposed carport for all or a portion of Lot(s) 3, Block(s) 3, HOLIDAY PARK UNIT 1 zoned R-1, located at 3008 TAHITI ST NE (G-22)  
APPROVED
25. **08ZHE-80262** **Project# 1007331** GEORGE & CATHERINE LAGUNA (POULIN DESIGN REMODELING, AGENT) request(s) a special exception to Section 14-16-3-3(A)(4)(a)(3): a VARIANCE of 3' to the 3' fence height allowance for a proposed 6' high fence in the front yard setback area for all or a portion of Lot(s) 3, Block(s) 3, HOLIDAY PARK UNIT 1 zoned R-1, located at 3008 TAHITI ST NE (G-22)  
APPROVED WITH CONDITIONS
26. **08ZHE-80253** **Project# 1007324** EFRAN ESCOBEDO request(s) a special exception to Section 14-16-3-3(4)(a)1: a VARIANCE of 4'10" to the 3' wall height allowance for an existing 7'10" high fence in the front yard setback area for all or a portion of Lot(s) 9, Block(s) C, LAVALAND ADDN zoned R-1, located at 215 57TH ST NW (K-11)  
DEFERRED TO 8/12/08
27. **08ZHE-80254** **Project# 1007325** ABEL LARRANAGA request(s) a special exception to Section 14-16-3-3(A)(4)(a)(1): a VARIANCE of 3' to the 3' fence height allowance for a proposed 6' high fence in the front yard setback area for all or a portion of Lot(s) 1, Block(s) 9, KNOLLS OF PARADISE HILLS UNIT 2 zoned R-1, located at 9800 CHANTILLY RD NW (B-13)  
APPROVED WITH CONDITIONS
28. **08ZHE-80245** **Project# 1007305** ENRIQUE SANCHEZ & LAURA FEIGHT request(s) a special exception to Section 14-16-2-18(B)(8): a CONDITIONAL USE to allow for a proposed outdoor vehicle storage as a principal use where vehicles are typically not moved for more than 1 week in a C-3 zone for all or a portion of Lot(s) 13, Block(s) 10, FAIRGROUNDS ADDN zoned C-3, located at 347 CALIFORNIA ST SE (K-18)  
APPROVED
29. **08ZHE-80246** **Project# 1007308** CHRIS P ANDERSON request(s) a special exception to Section 14-16-2-6(B)(11): a CONDITIONAL USE to allow for an existing second kitchen within a house in an R-1 zone for all or a portion of Lot(s) 12, Block(s) 3, CARILISLE DEL CERO zoned R-1, located at 4209 DELAMAR AVE NE (G-17)  
DENIED
30. **08ZHE-80251** **Project# 1007321** DOLORES REULE (FOUR SEASONS SOUTHWEST, AGENT) request(s) a special exception to Section 14-16-2-6(B)(2): a CONDITIONAL USE to allow for a proposed shade structure in the rear yard setback area for all or a portion of Lot(s) 45 P1, SOLTERRA HIGH DESERT UNIT 2 zoned SU-2 HD/R-T, located at 5609 VALENCIA PLACE NE (E-23)  
WITHDRAWN
31. **08ZHE-80243** **Project# 1007299** SHAWN FELLNER request(s) a special exception to Section 14-16-2-6(B)(14)(a)2 and 14-16-2-8(B)(1): a CONDITIONAL USE to allow for a wall over 3' in height in the front yard setback area for an existing 4'8" high wall for all or a portion of Lot(s) 31-P1, Block(s) 2, PAINTED SKY UNIT 3 zoned R-LT, located at 524 PARKLAND VIEW ST NW (J-9)  
APPROVED WITH CONDITIONS

32. **08ZHE-80244** **Project# 1007301** MORGAN MACFADDEN request(s) a special exception to Section 14-16-2-6(B)(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 for all or a portion of Lot(s) 12, Block(s) 1, LOMA VISTA ADDN zoned R-1, located at 732 WELLSELEY DR NE (J-16)  
APPROVED WITH CONDITIONS
33. **08ZHE-80248** **Project# 1007311** LORI SCHMIDT request(s) a special exception to Section 14-16-2-(B)(14)(a)(1): a CONDITIONAL USE to allow for a wall over 3' in height in the front yard setback area for a proposed 5'8" high wall for all or a portion of Lot(s) 1, Block(s) 10, MURPHYS zoned R-1, located at 4615 MOUNTAIN RD NE (J-17)  
DEFERRED TO 8/12/08
34. **08ZHE-80265** **Project# 1007334** K&M DEVELOPMENT (CONSENSUS PLANNING, AGENT) request(s) a special exception to Section pg. 14-1: a VARIANCE of 26' to the 26' maximum building height requirement for a proposed 52' high building for all or a portion of Lot(s) 17-20 & 13-19, Block(s) 29 & 30, RAYNOLDS ADDN/HUNING CASTLE ADDN zoned SU-2 MFR, located at 636 14TH ST SW (K-13)  
DEFERRED TO 8/12/08
35. **08ZHE-80266** **Project# 1007334** K&M DEVELOPMENT (CONSENSUS PLANNING, AGENT) request(s) a special exception to Section 14-16-2-11(F)(1): a VARIANCE of 0.5 floor area ratio to the maximum permitted 0.5 floor area ratio to allow 1.0 floor area ratio for 28 proposed condos (SU-2 MFR) zone for all or a portion of Lot(s) 17-20 13-19, Block(s) 29 & 30, RAYNOLDS ADDN/HUNING CASTLE ADDN zoned SU-2 MFR, located at 636 14TH ST SW (K-13)  
DEFERRED TO 8/12/08