



HEARING ON SPECIAL EXCEPTIONS
TO THE COMPREHENSIVE CITY ZONING CODE

ZONING HEARING EXAMINER'S AGENDA

TUESDAY, APRIL 18, 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

Diane Baca, Administrative Assistant

For Inquiries Regarding This Agenda, Please Call Diane Baca at (505) 924-3918.

PLEASE ADDRESS ALL CORRESPONDENCE TO:

Roberto Albertorio, Esq.

COA Planning Department, ZHE Division, 3^d 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 Diane Baca at (505) 924-3918.*

INTERPRETER REQUIRED: Due to recent budget constraints the City of Albuquerque will be unable to provide any interpreters for this hearing. We apologize for any inconvenience, however, it is our sincere hope that applicants will bring a person that can interpret into English. The hearing will be in English.

OLD BUSINESS:

- | | | | |
|----|---------------|---------|---|
| 1. | 03ZHE – 01816 | 1003062 | CASTLE BEVERAGE CORP request(s) a special exception to Section 14.16.2.17.(b).(17): a CONDITIONAL USE to allow package liquor sales within 500 feet of a residential zone on all or a portion of Lot(s) 2, Sproul Security Number 2 subdivision/addition, zoned C-2/SC and located at 1550 TRAMWAY BLVD NE (J-23) |
| | 1) 94 | | APPROVED |
| 2. | 05ZHE – 00041 | 1003878 | ANNUAL REVIEW. Case was heard Feb 15, 2005; decision to approve was made Mar 2, 2005. NANCY RICH request a special exception to Section 14.16.2.6.(B).6.: a CONDITIONAL USE to allow for health care (physical therapy) as a home occupation on all or a portion of Lot(s) 3 A, Block(s) 25, Inez Addition, zoned R-1, and located at 1909 WISCONSIN ST NE (H-19) |
| | 1) 340 | | APPROVED W/CONDITIONS |

3. **05ZHE – 01662** **1004520** **MARION & FRANK KESSEL** 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 on all or a portion of Lot(s) 19, Block(s) 14, Grande Height Addition, zoned R-1 and located at **409 MORNINGSIDE DR SE (K-17)**
1) 536
DEFERRED TO MAY 16, 2006
4. **06ZHE – 00182** **1004018** **JAMES TILLEY** request(s) a special exception to Section 14. 16. 2. 6. (E). (1).: a **VARIANCE** of 5 feet 7 inches to the 20 foot front yard setback area requirement on all or a portion of Lot(s) 8, Block(s) 11 A, Country Club Addition, zoned R-1 and located at **632 CEDAR ST NE (J-15)**
1) 1879
APPROVED W/CONDITIONS
5. **06ZHE – 00167** **1004684** **ARTURO GUTIERREZ** request(s) a special exception to Section 14. 16. 3. 3. (A). (4). (b). 1. Reference South Broadway Sector Plan, Page 45: a **VARIANCE** of 2 feet 6 inches to allow for a wall 5 feet 6 inches high in the front yard setback area on all or a portion of Lot(s) 5, Block(s) C, South Broadway Acres Addition, Unit 1, zoned SU-2/LCR and located at **2826 BROADWAY BLVD SE (M-14)**
1) 2982
DENIED
6. **06ZHE – 00191** **1004728** **BARON'S RUN LLC** request(s) a special exception to Section 14. 16. 3. 19. (A). (1). (a). & (2). (a). 1. Reference Section 14. 16. 2. 14.: a **VARIANCE** of 3 feet 3 inches to the 8 foot height allowance for an 11 foot 3 inch high wall in the rear yard on all or a portion of Lot(s) 14, Block(s) 11, Tract(s) 1, North Albuquerque Acres Addition, zoned R-D and located at **9219 LEXIE LANE NE (B-19)**
2) 1
APPROVED
7. **06ZHE – 00192** **1004730** **BARON'S RUN LLC** request(s) a special exception to Section 14. 16. 3. 3. (A). (4). (a). 1. Reference Section 14. 16. 2. 14.: a **VARIANCE** of 3 feet to the 3 foot wall height allowance for a 6 foot high wall in the front yard setback area on all or a portion of Lot(s) 17 & 18, Block(s) 11, Tract(s) 1, North Albuquerque Acres, Unit 3, zoned R-D and located at **9200 LEXIE LANE NE (B-19)**
2) 1
APPROVED
8. **06ZHE – 00180** **1004689** **DR HORTON HOME BUILDERS** request(s) a special exception to Section 14. 16. 2. 8. (E). (5).: a **VARIANCE** of 10 inches to the required 10 foot separation distance between dwellings on all or a portion of Lot(s) 20 P-1, Block(s) 17, Blossom Ridge Addition, zoned R-LT and located at **8919 LOWER MEADOW TRL SW (P-9)**
2) 500
APPROVED
9. **06ZHE – 00187** **1004695** **SHEFFIELD PARTNERS LLC** request(s) a special exception to Section 14. 16. 2. 11. (F).: a **VARIANCE** of .23 to the permitted .50 floor area ratio to allow for a floor area density of .73 on all or a portion of Lot(s) 3 A, Block(s) 3, Granada Heights Addition, zoned R-2 and located at **201 ALISO DR SE (K-17)**
2) 597
3) 2885
4) 1
APPROVED W/CONDITIONS
10. **06ZHE – 00190** **1004696** **SHEFFIELD PARTNERS LLC** request(s) a special exception to Section 14. 16. 2. 11. (F). (1).: a **VARIANCE** of .23 to the permitted .50 floor area ratio to allow for a floor area density of .73 on all or a portion of Lot(s) 4, Block(s) 3, Granada Heights Addition, zoned R-2 and located at **207 ALISO DR SE (K-17)**
2) 597
APPROVED W/CONDITIONS

11. **06ZHE – 00193** **1004697** **JENNIFER DEWIG** request(s) a special exception to Section 14. 16. 2. 6. (B). (5). Reference Section 14. 16. 2. 9. (B).: a **CONDITIONAL USE** to allow for a family day care home (up to 12 children) in a RT zone on all or a portion of Lot(s) 18 P-1, Block(s) 5, Park Hill Addition, Unit 2, zoned R-T and located at **6140 RED ROCK PARK AVE NW** (A-11)

3) 1

APPROVED

NEW BUSINESS:

12. **06ZHE – 00323** **1004749** **JAY DAVIS** request(s) a special exception to Section 14. 16. 3. 3. (A). (4). (a). 1.: a **VARIANCE** of 3' to the 3' requirement for a wall on the front property line: a **VARIANCE** of 3 feet to the 3 foot wall height allowance for a 6 foot high wall in the front yard setback area on all or a portion of Lot(s) 21, Block(s) 4, Sandia Plaza Addition, zoned R-1 and located at **5012 GRANDE DR. NW** (F-14)

3) 210

APPROVED W/CONDITIONS

13. **06ZHE – 00404** **1004786** **LAURIE HICKS** 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 a 6' high wall in the front yard setback area, on all or a portion of Lot(s) B-2, Block(s) 7, in the Perfecto, Mariano and Jesus Armijo Addition , in the Downtown Neighborhood, zoned SU2-HAD, and located at **723 MARQUETTE AVENUE NW** (J-14)

3) 394

APPROVED W/CONDITIONS

14. **06ZHE – 00343** **1004756** **ISIDOR GALLEGOS** request(s) a special exception to Section 14. 16. 3. 3. (A). (4). (a): a **VARIANCE** of 3 feet to the 3 foot wall height allowance for a 6 foot high wall in the front yard setback area on all or a portion of Lot(s) 18 (Replat 25), Block(s) 14, (Replat: 7-18), Hoffman Town Addition, zoned R-1 and located at **9611 WOODLAND AVE NE** (H-20)

3) 511

DEFERRED INDEF TO MODIFY PROJECT

15. **06ZHE – 00356** **1004764** **ROWAN STANLAND** request(s) a special exception to Section 14. 16. 3. 3. (A). (4). (a).: a **VARIANCE** of 7 feet to the 3 foot wall height allowance for a 10 foot high wall in the front yard setback area on all or a portion of Lot(s) 2, Block(s) 42, Terrace Addition, zoned SU-2 and located at **1410 GOLD AVE SE** (K-15)

3) 702

DEFERRED TO MAY 16, 2006

16. **06ZHE – 00274** **1004724** **HELEN ARENHOLZ** request(s) a special exception to: Section 14. 16. 3. 3. (A). (4). (a).: a **VARIANCE** of 3 feet to the 3 foot wall height allowance for a 6 foot high wall in the front yard setback area;) to Section 14. 16. 2. 6. (E). (4). (a): a **VARIANCE** of 5 feet to the 5 foot side yard setback area requirement on; to Section 14. 16. 2. 6. (E). (4). (a).: a **VARIANCE** of 15 feet to the 15 foot rear yard setback area requirement, on all or a portion of Lot(s) 7, Block(s) 16, Victory Addition # 2, zoned R-1 and located at **1209 PRINCETON DR SE** (L-16)

3) 924

APPROVED W/CONDITIONS

17. **06ZHE – 00367** **1004767** **VANCE DUGGAR** request(s) a special exception to Section 14. 16. 3. 3. (4). (B). (1).: a **VARIANCE** of 5 feet to the 3 foot fence height allowance for a 8 foot high fence in the front yard setback are on all or a portion of Lot(s) 18,19,20, Block(s) 5, Tract(s) A, north Albuquerque Acres, zoned M-1 and located at **8519 MESA REAL AVE SW** (D-18)

3) 1331

DEFERRED TO MAY 16, 2006

18. **06ZHE – 00338** **1004333** **A PLUS PROPERTIES** request(s) a special exception to Section 14. 16. 3. 10. (E). (4). (a): a VARIANCE of 10 feet to the 10 foot side and rear yard landscape buffer along the residential / non-residential; an exception to Section 14. 16. 2. 15. (E). (2). (b): a VARIANCE of 5 feet to the 5 foot side and rear yard requirement abutting a residential zone, on all or a portion of Lot(s) 12, Block(s) 141, Snow Heights Addition, zoned G2 and located at **8531 INDIAN SCHOOL RD NE (H-20)**
06ZHE – 00339
3) 1344
APPROVED W/CONDITIONS
19. **06ZHE – 00341** **1004755** **ANDY & JACKIE HO** request(s) a special exception to Section 14. 16. 2. 6. (E). (5). (a): a VARIANCE of 5' 3" to the 15 foot rear yard setback area requirement on all or a portion of Lot(s) 11 A, Talea Court Addition, zoned R-D and located at **9800 TALEA CT NE (D-21)**
3) 1860
DEFERRED TO MAY 16, 2006
20. **06ZHE – 00280** **1004727** **ELADIO CHAVEZ** request(s) a special exception to Section 14. 16. 2. 5. (D): a VARIANCE of 2,190 sf to the 10, 890 sf minimum lot size requirement on all or a portion of Lot(s) 2, Tract(s) 84 B, Baca and Chavez Addition, zoned RA-2 and located at **2007 GRIEGOS RD NW (F-13)**
06ZHE – 00281
3) 1900
DEFERRED 60 DAYS TO JUN 20, 2006
21. **06ZHE – 00346** **1004758** **KEVIN SMITH** request(s) a special exception to Section 14. 16. 2. 9. (C): a VARIANCE of 9 feet to the 26 foot building height requirement on all or a portion of Lot(s) 19,20, Block(s) 40, Perea Addition, zoned SU-2 and located at **1301 MARBLE AVE NW (J-13)**
3) 2197
DEFERRED 60 DAYS TO JUN 20, 2006

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

HEARING WILL RESUME PROMPTLY
AT 1:30 P.M. WITH ITEM #22

IF YOU ARE AGENDA ITEMS #22 THRU #30

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

22. **06ZHE – 00315** **1004745** **KATHLEEN DOHNER & RITA KERRIGAN** request(s) a special exception to Section 14. 16. 4. 13. (A): a EXPANSION NONCONFORMING USE to allow for a status established building in a R-1 zone on all or a portion of Lot(s) 6, Lavaland Addition, zoned R-1 and located at **217 YUCCA DR. NW (K-11)**
4) 460
APPROVED W/CONDITIONS
23. **06ZHE – 00319** **1004746** **DAVID WACHTER** request(s) a special exception to Section 14.16.2.6.(B).1: a CONDITIONAL USE to allow for an accessory living quarters, on all or a portion of Lot(s) 18, Block(s) 38, University Heights Addition, zoned R-1 and located at 313 BRYN MAWR DR SE (K-16)
4) 658
APPROVED W/CONDITIONS
24. **06ZHE – 00344** **1004757** **HENRY ELIZONDO** 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) W, Block(s) 135 B, West Mesa Addition, zoned R-1 and located at **417 47TH ST NW (J-12)**
4) 854
5) 2823
DEFERRED TO MAY 16, 2006

25. **06ZHE – 00375** **1004753** **KRISTINE L. EYRICH/C. RICHARD ZANGEL** request(s) a special exception to Section 14. 16. 3. 3. (B). (2). (e).: a VARIANCE of 8' 6" to the 10 foot separation requirement between a accessory structure and a dwelling; to Section 14.16.2.6 a CONDITIONAL USE to allow accessory living quarters in an R-1 zone, on all or a portion of Lot(s) 23,24, Block(s) 16, Huning Castle Addition, zoned R-1 and located at **1509 SAN CARLOS DR SW** (K-13)
- 4) 925
- APPROVED W/CONDITIONS**
26. **06ZHE – 00309** **1004741** **ROMAN & MINERVA RUIZ** request(s) a special exception to Section 14. 16. 2. 6. (B). (5).: a CONDITIONAL USE to allow for a family day care home in a R-D zone on all or a portion of Lot(s) 16 R-1, Block(s) 3, Vista Sandia Addition, zoned R-D and located at **8301 VISTA CHAMISA LN SW** (L-9)
- 4) 1175
- APPROVED W/CONDITIONS**
27. **06ZHE – 00347** **1004759** **ESSIE SHIRK** request(s) a special exception to Section 14. 16. 2. 6. (B). (7).: a CONDITIONAL USE to allow for health care (message therapy) in a R-D zone on all or a portion of Lot(s) 7, Block(s) 7, Tract(s) 1, Wildflower Addition, zoned R-D and located at **5101 BANE BERRY DR. NE** (C-17)
- 4) 1405
- APPROVED W/CONDITIONS**
28. **06ZHE – 00357** **1004765** **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)
- 4) 1573
- APPROVED**
29. **06ZHE – 00321** **1004748** **B.I.D. ENTERPRISES** request(s) a special exception to Section 14. 16. 3. 12. (A). (7).: a VARIANCE of 665 feet to the 1,500 foot separation requirement between community residential programs on all or a portion of Lot(s) 8, Block(s) 7, Meadowood Manor Unit 2 Addition, zoned R-1 and located at **7001 BECK DR NE** (E-19)
- 5) 225
- DEFERRED TO May 16, 2006**
30. **06ZHE – 00335** **1004751** **MICK BURKE/DANNY ESTRADA** 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 SU-2 zone on all or a portion of Lot(s) 6, Block(s) 4, Perea Addition, zoned SU-2 and located at **412 11 TH ST NW** (J-13)
- 5) 2448
- APPROVED W/CONDITIONS**