



HEARING ON SPECIAL EXCEPTIONS
TO THE COMPREHENSIVE CITY ZONING CODE

ZONING HEARING EXAMINER'S AGENDA

TUESDAY, AUGUST 18, 2009 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
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:

OLD BUSINESS:

- | | | | |
|----|--------------------|-----------------------------|---|
| 1. | 09ZHE-80151 | Project#
1007789 | GEORGE W. CASE request(s) a special exception to Section 14-16-2-17(B)(11)(e) and South Yale SDP, Pg. 24: a CONDITIONAL USE to allow for proposed outdoor storage of an RV unit, for more than 1 week, in a residential zone on all or a portion of Lot(s) 19 & 20, Block(s) 11, CLAYTON HEIGHTS ADDN zoned SU-2 NMX, located at 1824 WILMOORE DR SE (L-15) |
| 2. | 09ZHE-80160 | Project#
1007807 | ELAINE MARQUEZ request(s) a special exception to Section 14-16-2-6B)(14)(a)(2): a CONDITIONAL USE to allow for a wall over 3' in height in the front yard setback area for an existing 4' 6" high wall on all or a portion of Lot(s) 1R, Block(s) D, CARLOS REY zoned R-1, located at 1201 CORTEZ DR SW (L-11) |
| 3. | 09ZHE-80161 | Project#
1007807 | ELAINE MARQUEZ request(s) a special exception to Section 14-16-3-3(A)(4)(a)(3): a CONDITIONAL USE to allow for a wall over 3' in height in the front, side and rear yard setback areas for an existing 5' wall on all or a portion of Lot(s) 1R, Block(s) D, CARLOS REY zoned R-1, located at 1201 CORTEZ DR SW (L-11) |

NEW BUSINESS:

4. **09ZHE-80218** **Project#** **1007875** **MOHAMMAD REZA ZAMANIAN** request(s) a special exception to Section 14-16-2-16(C): a VARIANCE of 4' to the 26' maximum structure height requirement for a proposed 30' high building in a C-1 zone on all or a portion of Lot(s) 9-10, Block(s) 2, ENCHANTED MESA zoned C-1, located at **11417 MENAUL BLVD NE (H-22)**

5. **09ZHE-80219** **Project#** **1007875** **MOHAMMAD REZA ZAMANIAN** request(s) a special exception to Section 14-16-3-10(E)(3)(a): a VARIANCE of 10' to the 10' front yard landscape buffer requirement along the southern boundary on all or a portion of Lot(s) 9-10, Block(s) 2, ENCHANTED MESA zoned C-1, located at 11417 MENAUL BLVD NE (H-22)

6. **09ZHE-80220** **Project#** **1007875** **MOHAMMAD REZA ZAMANIAN** request(s) a special exception to Section 14-16-3-10(E)(3)(b): a VARIANCE of 6' to the 6' side yard landscape buffer requirement on Kirby Street on all or a portion of Lot(s) 9-10, Block(s) 2, ENCHANTED MESA zoned C-1, located at **11417 MENAUL BLVD NE (H-22)**

7. **09ZHE-80221** **Project#** **1007875** **MOHAMMAD REZA ZAMANIAN** request(s) a special exception to Section 14-16-3-10(E)(3)(c): a VARIANCE of 6' to the 6' rear yard landscape buffer along the northern boundary on all or a portion of Lot(s) 9-10, Block(s) 2, ENCHANTED MESA zoned C-1, located at **11417 MENAUL BLVD NE (H-22)**

8. **09ZHE-80244** **Project#** **1007901** **RICK SANCHEZ** request(s) a special exception to Section 14-16-2-6(E)(1): a VARIANCE of 8' 1" to the 20' front yard setback area requirement to allow for a proposed addition on all or a portion of Lot(s) 23A, Block(s) 4, BELMONT PLACE ADDN zoned R-1, located at **4600 6TH ST NW (G-14)**

9. **09ZHE-80245** **Project#** **1007901** **RICK SANCHEZ** request(s) a special exception to Section 14-16-2-6(E)(3)(a): a VARIANCE of 8' to the 20' side yard (corner) setback area requirement for a proposed addition on all or a portion of Lot(s) 23A, Block(s) 4, BELMONT PLACE ADDN zoned R-1, located at **4600 6TH ST NW (G-14)**

10. **09ZHE-80248** **Project#** **1007904** **ROMAN ROMERO** request(s) a special exception to Section 14-16-2-5(E): a VARIANCE of 20' to the 25' rear yard setback area requirement to allow for a proposed addition on all or a portion of Lot(s) 1A, PADILLA zoned RA-2, located at **1740 AVIENDA CRISTO REY NW (F-13)**

11. **09ZHE-80249** **Project#** **1007904** **ROMAN ROMERO** 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 to allow for a proposed addition on all or a portion of Lot(s) 1A, PADILLA zoned RA-2, located at **1740 AVIENDA CRISTO REY NW (F-13)**

12. **09ZHE-80216** **Project#** **1007873** **DAVID Y. GALLEGOS** request(s) a special exception to Section 14-16-3-3(A)(4)(a)(1): a VARIANCE of 3' 2" to the 3' wall height allowance to allow for an existing 6' 2" fence in the front yard setback area on all or a portion of Lot(s) 9, Block(s) 3, CRESTVIEW ADDN zoned R-1, located at **240 53RD ST SW (K-11)**

13. **09ZHE-80228** **Project#** **1007873** **DAVID Y. GALLEGOS** request(s) a special exception to Section 14-16-3-3(A)(4)(a)(1): a VARIANCE of 10' to the 15' rear yard setback area to allow for a proposed addition on all or a portion of Lot(s) 9, Block(s) 3, CRESTVIEW ADDN zoned R-1, located at **240 53RD ST SW (K-11)**

14. **09ZHE-80247** **Project#** **1007903** **MONIQUE BELL (NIQUE'SCAPES, AGENT)** 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 to allow for a proposed removable shade structure on all or a portion of Lot(s) 1, Block(s) 18, MONTE VISTA ADDN zoned SFHD, located at **442 RICHMOND PL NE (K-16)**

15. **09ZHE-80241** **Project#** **1007898** **EMELDA ARMIJO** request(s) a special exception to Section 14-16-2-14(D) and 14-16-2-6(E)(3): a VARIANCE of 10' to the 20' side yard setback area requirement (corner lot) to allow for a proposed attached storage shed on all or a portion of Lot(s) 62-P1, THE CROSSINGS UNIT 2B zoned R-D, located at **1901 SELWAY PL NW (H-9)**

16. **09ZHE-80232** **Project#** **MARIANNE SEIDLER (ROGER CINELLI, AGENT)** request(s) a special exception to Section 14-16-2-6(E)(5)(a): a VARIANCE of 8' 6" to the 20' front yard setback area requirement to allow for a proposed covered patio on all or a portion of Lot(s) 29, Block(s) 68, PARKLAND HILLS zoned R-1, located at **4813 SOUTHERN AVE SE (L-17)**
1007888
17. **09ZHE-80231** **Project#** **MARIANNE SEIDLER (ROGER CINELLI, AGENT)** 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' 6" high wall on all or a portion of Lot(s) 29, Block(s) 68, PARKLAND HILLS zoned R-1, located at **4813 SOUTHERN AVE SE (L-17)**
1007888
18. **09ZHE-80235** **Project#** **PATRICK JOHNSON** 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 proposed 6' high wall in the front yard setback area on all or a portion of Lot(s) 1, Block(s) 21, UNIVERSITY HEIGHTS ADDN zoned SU-2 DR, located at **402 PRINCETON DR SE (K-16)**
1007893
19. **09ZHE-80240** **Project#** **ELEANOR A. GRIGGS-ANAYA** request(s) a special exception to Section 14-16-3-3(A)(4)(a)(1): a VARIANCE of 4' 5" to the 3' wall height allowance for an existing 7' 5" high wall in the front yard setback area on all or a portion of Lot(s) 39, RIO GRANDE HEIGHTS zoned R-1, located at **304 53RD ST SW (K-11)**
1007897
20. **09ZHE-80206** **Project#** **JOE CASTILLO** request(s) a special exception to Section 14-16-2-17(A) and 14-16-2-17(B)(11): a CONDITIONAL USE to allow for existing outdoor storage and display of appliances in a C-2 zone on all or a portion of Lot(s) 2 & 3, Block(s) 4, ZIMMERMAN ADDN zoned C-2, located at **4806 CENTRAL AVE SW (K-11)**
1007850
21. **09ZHE-80208** **Project#** **MARIAH CREATIONS (PETER LOVATO, AGENT)** request(s) a special exception to Section 14-16-2-17(B)(11): a CONDITIONAL USE to allow for existing outside storage and display of furniture in a C-2 zone on all or a portion of Lot(s) 1A, Block(s) 7, CHAVEZ-TIMOTEO ADDN zoned C-2, located at **4408 A MENAUL BLVD NE (H-17)**
1007855
22. **09ZHE-80209** **Project#** **JOE BURCH OR GRADY HENDERSON (JC TILE)** request(s) a special exception to Section 14-16-2-16(B)(1): a CONDITIONAL USE to allow for existing outdoor storage and display of tile in a C-1 zone on all or a portion of Lot(s) 45B, Block(s) 45B, PRINCESS JEANNE PARK zoned C-1, located at **1201 JUAN TABO NE (J-21)**
1007858
23. **09ZHE-80233** **Project#** **CO & PETERSON PROPERTY (JOSEPH RIVERA, AGENT)** request(s) a special exception to Section 14-16-2-17(A) and 14-16-2-17(B)(11): a CONDITIONAL USE to allow for proposed outdoor storage of landscaping materials in a C-2 zone on all or a portion of Lot(s) 2, 3, & 4, Block(s) 6, TRACTION PARK & CITY ELECTRIC ADDN zoned C-2, located at **2314 CENTRAL AVE SW (J-12)**
1007890

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

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

IF YOU ARE AGENDA ITEMS #24 - #45

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

24. **09ZHE-80213** **Project# 1007865** **DONA BANAS (DAC ENT., AGENT)** request(s) a special exception to Section 14-16-3-3(A)(4)(a)(1): a VARIANCE of 8' to the 8' fence height allowance for a proposed 16' high fence in the rear yard setback area on all or a portion of Lot(s) 5 & 6, Block(s) 19, MONTEREY HILLS ADDN zoned R-1, located at **3008 SANTA CLARA AVE SE** (L-16)
25. **09ZHE-80223** **Project# 1007877** **SAYLOR FAMILY TRUST, LLC (CALVARY CHAPEL SW, INC.)** 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) 169A, MRGCD MAP 42 zoned C-2, located at **1720 BRIDGE BLVD SW** (L-12)
26. **09ZHE-80237** **Project# 1007895** **YWCA MIDDLE RIO GRANDE (DONNA AUDETTE, AGENT)** 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) E1, Block(s) 8, BUENA VISTA BUSINESS ADDN zoned C-2, located at **210 TRUMAN ST NE** (K-17)
27. **09ZHE-80238** **Project# 1007896** **MARY CORRINE ANAYA** request(s) a special exception to Section 14-16-2-6(B)(1): a CONDITIONAL USE to allow for an existing accessory living quarters in the rear yard setback area on all or a portion of Lot(s) 5, Block(s) 7, STRONGHURST ADDN zoned R-1, located at **3012 FRANCISCAN ST NE** (G-15)
28. **09ZHE-80239** **Project# 1007896** **MARY CORRINE ANAYA** request(s) a special exception to Section 14-16-2-6(B)(3): a CONDITIONAL USE to allow for an existing carport in the front yard setback area on all or a portion of Lot(s) 5, Block(s) 7, STRONGHURST ADDN zoned R-1, located at **3012 FRANCISCAN ST NE** (G-15)
29. **09ZHE-80210** **Project# 1007859** **RENAE CORCACI** request(s) a special exception to Section 14-16-2-6(B)(5): a CONDITIONAL USE to allow for a proposed family daycare home for up to 12 children in an R-1 zone on all or a portion of Lot(s) 31, LUZ EN LA VENTANA AT VENTANA RANCH zoned R-LT, located at **6916 LUZ DEL SOL PL NW** (B-9)
30. **09ZHE-80211** **Project# 1007860** **JOHN LERMA** 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) 28, Block(s) 6, SNOW HEIGHTS ADDN zoned R-1, located at **8010 INDIAN SCHOOL RD NE** (J-19)
31. **09ZHE-80217** **Project# 1007874** **TIMOTHY GIFFORD (AUSTIN'S CARPORTS, AGENTS)** 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) 4, Block(s) 16, LOMA VISTA ADDN zoned R-1, located at **1113 LAFAYETTE DR NE** (J-16)
32. **09ZHE-80243** **Project# 1007900** **TIM COAN (CHRIS DONALDSON, AGENT)** 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) 17, Block(s) 12, ZWEIG & JAMISON zoned R-1, located at **812 MADISON ST NE** (J-17)
33. **09ZHE-80246** **Project# 1007902** **SAM & RACHEL SHAW** 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) 14, Block(s) 12, MONTEREY HILLS zoned R-1, located at **612 AMHERST DR SE** (L-16)
34. **09ZHE-80236** **Project# 1007894** **JOAN SAKS BERMAN (SIMON POLAKOWSKI, AGENT)** 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) 33, Block(s) 2, MCDUFFIE PLACE UNIT 1 zoned R-1, located at **725 HERMOSA DR NE** (J-16)
35. **09ZHE-80222** **Project# 1007876** **LUIS R. GONZALES** request(s) a special exception to Section 14-16-2-6(B)(3): a CONDITIONAL USE to allow for an existing carport in the front yard setback area on all or a portion of Lot(s) 14, Block(s) 7, HOFFMANTOWN ADDN zoned R-1, located at **9101 CLAREMONT AVE NE** (H-20)

36. **09ZHE-80226** **Project# 1007882** **CHARLES NOBLE (FOUR SEASONS SUNROOMS, AGENT)** 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) 4A, **ALVARADO GARDENS UNIT 1** zoned RA-2, located at **2722 RIO GRANDE BLVD NW (G-12)**
37. **09ZHE-80227** **Project# 1007883** **RONALD & ESMERALDA GABALDON (FOUR SEASONS SUNROOMS, AGENT)** 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) 53, **VISTA VIEJA** zoned R-D, located at **6835 VISTA DEL SOL DR NW (D-9)**
38. **09ZHE-80214** **Project# 1007868** **DIANNA S. BLAIR** 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 4' high wall on all or a portion of Lot(s) 10A, Block(s) 14, **REBONITO** zoned R-1, located at **13234 BELLAMAH AVE NE (J-23)**
39. **09ZHE-80215** **Project# 1007870** **TONYA CARSON (CHARLES JAEGER, AGENT)** request(s) a special exception to Section 14-16-2-6(B)(14): a **CONDITIONAL USE** to allow for a fence over 3' in height in the front and side yard setback areas for a proposed 6' high wrought iron fence on all or a portion of Lot(s) 20, Block(s) 15, **NEW YEAR ADDN (PLAT OF FAITH SUBD)** zoned R-1, located at **4619 SUMMER AVE NE (J-17)**
40. **09ZHE-80224** **Project# 1007878** **KEITH JOHNSTON** request(s) a special exception to Section 14-16-2-6(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 6' high wall on all or a portion of Lot(s) 4, Block(s) 11, **REBONITO** zoned R-1, located at **13204 VELMA CT NE (J-23)**
41. **09ZHE-80225** **Project# 1007880** **COLIN HAZELBAKER (GERALD HAZELBAKER, AGENT)** request(s) a special exception to Section SEC. PG. 106 and 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 an existing 5' high wall on all or a portion of Lot(s) 12, Block(s) 47, **UNIVERSITY HEIGHTS ADDN** zoned R-1, located at **224 WELLESLEY DR SE (K-16)**
42. **09ZHE-80229** **Project# 1007884** **KARLA OR ROBERT JARAMILLO** request(s) a special exception to Section 14-16-2-6(14)(a)(2): a **CONDITIONAL USE** to allow for a fence over 3' in height in the front yard setback area for an existing 5' high wrought iron fence on all or a portion of Lot(s) 33A, Block(s) 22, **MESA VILLAGE** zoned R-1, located at **1209 ESPEJO ST NE (J-20)**
43. **09ZHE-80230** **Project# 1007887** **SHARON FERREL** 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 an existing 4' 11' high wall on all or a portion of Lot(s) 6, Block(s) 27A, **ELDER HOMESTEAD ADDN** zoned R-1, located at **1120 CALIFORNIA ST SE (L-18)**
44. **09ZHE-80242** **Project# 1007899** **MARIA REYES (JOSE ANDRADE, AGENT)** 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 an existing 4' 7" high fence on all or a portion of Lot(s) 15A, Block(s) 116, **BEL AIR CARMODYS** zoned R-1, located at **2416 CAGUA DR NE (H-18)**
45. **09ZHE-80234** **Project# 1007891** **SOUTHERN WINE & SPIRITS OF NM (DEKKER PERICH SABATINI, LTD., AGENT)** request(s) a special exception to Section 14-16-2-20(F) and 14-16-3-1(A)21 & 14-16-3-1(A)(31): a **VARIANCE** of 27 off-street parking spaces to the 110 off-street parking spaces for office/warehouse requirement in an SU-2 / HM zone on all or a portion of Tract(s) A-1 & B-2, **LAND OF PETE MATTEUCCI** zoned SU-2, located at **1601 COMMERCIAL ST NE (J-14)**