



HEARING ON SPECIAL EXCEPTIONS
TO THE COMPREHENSIVE CITY ZONING CODE

**ZONING HEARING EXAMINER'S AMENDED
ACTION SHEET**

MONDAY, NOVEMBER 14, 2011 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
Anita Reina, Esq., Deputy Zoning Hearing Examiner
Andrew Garcia, Ombudsman
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:

- | | | | |
|----|------------------|------------------|---|
| 1. | *IR* 11ZHE-80250 | Project# 1008998 | JOSE & ROSARIO RIVAS request(s) a special exception to Section 14-16-2-6(B)(14)(a)2: a CONDITIONAL USE to allow 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) 19A, LINDA VISTA ADDN NO. 1 zoned R-1, located at 206-B SANCHEZ RD NW (F-15) |
|----|------------------|------------------|---|

APPROVED WITH CONDITIONS

OLD BUSINESS:

- | | | | |
|----|-------------|------------------|--|
| 2. | 11ZHE-80195 | Project# 1008921 | STAN & SARAH GUINN request(s) a special exception to Section Barelvas Pg. 71 and 14-16-2-6(E)(5)(a): a VARIANCE of 3' 3 1/2" to the 15' rear yard setback area requirement for a proposed dwelling unit on all or a portion of Lot(s) 3 & 4, Block(s) T, ATLANTIC & PACIFIC ADDN zoned SU-2 R-1, located at 504 IRON AVE SW (K-14) |
|----|-------------|------------------|--|

DEFERRED TO 1/17/12

3. **11ZHE-80227** **Project#** **JACK & MICKEY ATKINSON (JOSH SKARSGARD, AGENT)** request(s) a special exception to Section 14-16-2-1(B)(10): a **CONDITIONAL USE** to allow an existing mobile home for a watchman/caretaker quarters on all or a portion of Lot(s) A, B, & F, Block(s) 3, PALISADES ADDN zoned C-2, located at **420 LOMA HERMOSA DR NW (J-11)**
1008968
- APPROVED WITH CONDITIONS**
4. **11ZHE-80228** **Project#** **JACK & MICKEY ATKINSON (JOSH SKARSGARD, AGENT)** request(s) a special exception to Section 14-16-2-1(B)(10): a **VARIANCE** of 27' to the 100' distance separation requirement between an existing mobile home, for a watchman/caretaker quarters, and a residential zone on all or a portion of Lot(s) A, B, & F, Block(s) 3, PALISADES ADDN zoned C-2, located at **420 LOMA HERMOSA DR NW (J-11)**
1008968
- DENIED**
5. **11ZHE-80130** **Project#** **ARTHUR HAYMAN (WILLIAM KRAEMER, AGENT)** request(s) a special exception to Section Pg. 31 & 32, Section B, 5 of the Huning Highland SDP: a **CONDITIONAL USE** to allow a proposed parking lot on all or a portion of Lot(s) 5, Block(s) 9, HUNING HIGHLAND zoned SU-2 MR, located at **119 ARNO ST SE (K-14)**
1008819
- DEFERRED TO 1/17/12**
6. **11ZHE-80208** **Project#** **MARK CUMBOW DBA GENESIS WORLDWIDE PROP (DAC ENT. INC., AGENT)** request(s) a special exception to Section 14-16-2-15(C)(1) and 14-16-2-17(C): a **VARIANCE** of 31' to the 26' maximum height allowance for a proposed hotel on all or a portion of Lot(s) 145A & 145B, MRGCD MAP 38 zoned C-2, located at **2026 CENTRAL AVE SW (J-13)**
1008934
- APPROVED**
7. **11ZHE-80234** **Project#** **SANDIA FOUNDATION (STEVE SCHUMANN, AGENT)** request(s) a special exception to Section 14-16-2-18(B)(1) and 14-16-2-17(B)(11)(e): a **CONDITIONAL USE** to allow proposed vehicle storage on all or a portion of Lot(s) C, Tract(s) C, SANDIA ADDN zoned C-3, located at **5207 SAN MATEO BLVD NE (F-17)**
1008975
- APPROVED**

NEW BUSINESS:

8. **11ZHE-80268** **Project#** **WES BUTERO DBA 528 RETAIL, LLC (DAC ENT. INC., AGENT)** request(s) a special exception to Section Pg. 2 Sec. 1A: a **VARIANCE** of 13' to the 9' maximum height allowance for a proposed 22' high free-standing sign on all or a portion of Lot(s) 3, LOWES zoned SU-1 C-2 USES & IP PERMISSIVE USES, located at **3500 NM HWY 528 (A-14)**
1009016
- APPROVED**
9. **11ZHE-80269** **Project#** **WES BUTERO DBA 528 RETAIL, LLC (DAC ENT. INC., AGENT)** request(s) a special exception to Section Pg. 2 Sec. 1A: a **VARIANCE** of 105 sq ft to the 75 sq ft maximum allowed for a proposed 180 sq ft free-standing sign on all or a portion of Lot(s) 3, LOWES zoned SU-1 C-2 USES & IP PERMISSIVE USES, located at **3500 NM HWY 528 (A-14)**
1009016
- APPROVED**
10. **11ZHE-80274** **Project#** **WES BUTERO DBA 528 RETAIL, LLC (DAC ENT. INC., AGENT)** request(s) a special exception to Section Pg. 2 Sec. 1A: epc 11b from the site development plan requiring ZHE approval for the proposed no. of signs on all or a portion of Lot(s) 3, LOWES zoned SU-1 C-2 USES & IP PERMISSIVE USES, located at **3500 NM HWY 528 (A-14)**
1009016
- APPROVED**

11. **11ZHE-80226** **Project# 1008967** **PANERA BREAD (DAC ENT. INC., AGENT)** request(s) a special exception to Section 14-16-3-1(A)(26): a VARIANCE of 15 parking spaces to the 132 parking space requirement for a proposed restaurant on all or a portion of Lot(s) D, HOLLY SQUARE zoned SU-2 IP or SU-2 C, located at **6550 HOLLY AVE NE (C-18)**
APPROVED
12. **11ZHE-80244** **Project# 1008985** **ROBERT & JOAN VOGELSBERG (DAC ENT. INC., AGENT)** request(s) a special exception to Section 14-16-4-13: a STATUS ESTABLISHED BUILDING REVIEW to allow two existing dwelling units on one lot on all or a portion of Lot(s) 08, LAVALAND ADDN zoned R-1, located at **346 61ST ST NW (K-11)**
APPROVED WITH CONDITIONS
13. **11ZHE-80258** **Project# 1009006** **DOUGLAS COOTS (DAC ENT. INC., AGENT)** request(s) a special exception to Section 14-16-4-13: a STATUS ESTABLISHED BUILDING REVIEW to allow an existing dwelling unit in an M-1 zone on all or a portion of Lot(s) 2, Block(s) 1, MONKBRIDGE ADDN zoned M-1 OR SU-2 NFMX, located at **110 VERANDA RD NW (G-14)**
APPROVED WITH CONDITIONS
14. **11ZHE-80259** **Project# 1009007** **THERESA M. COOTS (DAC ENT. INC., AGENT)** request(s) a special exception to Section 14-16-4-13: a STATUS ESTABLISHED BUILDING REVIEW to allow two existing dwelling units on one lot on all or a portion of Lot(s) 31, MONK ADDN zoned R-1, located at **611 & 611 1/2 WOODLAND AVE NW (H-14)**
APPROVED WITH CONDITIONS
15. **11ZHE-80266** **Project# 1009014** **SARA CORDOVA (ROBERT RANDAZZO, AGENT)** request(s) a special exception to Section Pg. 103 NOB HILL HIGHLAND SDP: a VARIANCE of 30" to the 18" maximum allowed letter height for a proposed wall sign on all or a portion of Lot(s) 8-10, Block(s) 29, VALLEY VIEW ADDN zoned CCR-3, located at **4500 CENTRAL AVE SE (K-17)**
APPROVED
16. **11ZHE-80254** **Project# 1009002** **STEVEN CHAVEZ** request(s) a special exception to Section 14-16-2-6(E)(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) 12A, Block(s) H, LAVALAND ADDN zoned R-1, located at **371 59TH ST NW (J-11)**
APPROVED
17. **11ZHE-80272** **Project# 1009019** **PETER SYVERSON (BRIAN MANKEY, AGENT)** request(s) a special exception to Section 14-16-2-6(E)(1): a VARIANCE of 15' to the 20' front yard setback area requirement for a proposed attached garage on all or a portion of Lot(s) 9, Block(s) 90A, SNOW HEIGHTS ADDN zoned R-1, located at **11213 PROSPECT AVE NE (H-21)**
DEFERRED TO 1/17/12
18. **11ZHE-80262** **Project# 1009009** **CHARLES & BERNADETTE MILLER** request(s) a special exception to Section 14-16-2-14(B) and 14-16-2-9(E)(4)(a): a VARIANCE of 3' to the 15' rear yard setback area requirement for a proposed addition on all or a portion of Lot(s) 13, Block(s) 14, HERITAGE EAST 2 zoned R-D, located at **9608 BOLACK DR NE (D-20)**
APPROVED
19. **11ZHE-80260** **Project# 1009008** **NATHANIEL SIMS** request(s) a special exception to Section 14-16-2-12(E)(3): a VARIANCE of 13' to the 15' rear yard setback area requirement to allow an existing dwelling on all or a portion of Lot(s) 6, Block(s) 50, TERRACE ADDN zoned R-3, located at **1502 SILVER AVE SE (K-15)**
DEFERRED TO 1/17/12

20. 11ZHE-80261 **Project#** **NATHANIEL SIMS** request(s) a special exception to Section 14-16-2-12(E)(2): a VARIANCE of 4' to the 5' side yard setback area requirement to allow an existing dwelling on all or a portion of Lot(s) 6, Block(s) 50, TERRACE ADDN zoned R-3, located at **1502 SILVER AVE SE** (K-15)
1009008
- DEFERRED TO 1/17/12**
21. 11ZHE-80245 **Project#** **HISTORIC HOTEL LLC (DARIN SAND, AGENT)** request(s) a special exception to Section 14-16-3-3(A)(4)(b)(1): a VARIANCE of 3' to the 3' fence height allowance for a proposed 6' high fence within 5' of a right of way line on all or a portion of Lot(s) 13, 14, 15 & 16, Block(s) 9, ORIGINAL TOWNSITE OF ALB zoned SU-3 ARTS & ENTERTAINMENT FOCUS, located at **113 2ND ST NW** (K-14)
1008986
- APPROVED**
22. 11ZHE-80267 **Project#** **GREGORY SMESTAD** request(s) a special exception to Section 14-16-3-19(A)(1)(a): 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) 20, Block(s) 3, GREEN ACRES zoned R-1, located at **905 GREEN ACRES PL NW** (H-12)
1009015
- APPROVED WITH CONDITIONS**

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

HEARING WILL RESUME PROMPTLY
AT 1:30 P.M. WITH ITEM #23

IF YOU ARE AGENDA ITEMS #23 - #37

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

23. 11ZHE-80246 **Project#** **DEBORAH M. URQUIDEZ-BUSTAMANTE** request(s) a special exception to Section 14-16-4-13: a STATUS ESTABLISHED BUILDING REVIEW to allow two existing dwelling units on one lot on all or a portion of Lot(s) 240, GLENDALE GARDENS ADDN II zoned R-1, located at **331 51ST ST NW** (J-11)
1008988
- APPROVED WITH CONDITIONS**
24. 11ZHE-80248 **Project#** **MARTY LOPEZ** request(s) a special exception to Section 14-16-4-13: a STATUS ESTABLISHED BUILDING REVIEW to allow an existing non-conforming multi-family residence on all or a portion of Lot(s) 17, TORRES ADDN zoned R-1, located at **5802 AVALON RD NW** (K-11)
1008996
- DEFERRED TO 1/17/12**
25. 11ZHE-80249 **Project#** **MARTY LOPEZ** request(s) a special exception to Section 14-16-4-13: a STATUS ESTABLISHED BUILDING REVIEW to allow an existing non-conforming multi-family residence on all or a portion of Lot(s) 17, Tract(s) 66, SHAMBAUGHS zoned R-1, located at **465 63RD ST NW** (J-10)
1008997
- DEFERRED TO 1/17/12**
26. 11ZHE-80255 **Project#** **PATRICIO A. ZAMORA** request(s) a special exception to Section 14-16-4-13: a STATUS ESTABLISHED BUILDING REVIEW to allow two existing dwelling units on all or a portion of Lot(s) 14, Block(s) 9, SANDIA PLAZA zoned R-1, located at **816 & 816 1/2 SAN ANDRES AVE NW** (F-14)
1009003
- APPROVED WITH CONDITIONS**

27. **11ZHE-80257** **Project# 1009005** **DORIS ARAGON (CHRISTOPHER MARLOWE, ESQ., AGENT)** request(s) a special exception to Section 14-16-4-13: a STATUS ESTABLISHED BUILDING REVIEW to allow two existing dwelling units on one lot on all or a portion of Lot(s) A, Block(s) 3, APACHE TRAIL ADDN zoned R-1, located at **532 APACHE AVE NW (H-14)**
APPROVED WITH CONDITIONS
28. **11ZHE-80265** **Project# 1009013** **JEFF A. SMITH** request(s) a special exception to Section 14-16-2-20(B)(5): a CONDITIONAL USE to allow proposed retailing of food and drink for off-premise consumption on all or a portion of Lot(s) 1A1, Block(s) 49, SKYLINE HEIGHTS zoned SU-2 M-1, located at **501 EUBANK BLVD SE (L-20)**
APPROVED
29. **11ZHE-80243** **Project# 1008983** **OMAR COTA** request(s) a special exception to Section 14-16-2-6(B)(12) and 14-16-2-14(E)(1) Ref. 14-16-2-12(B)(1) and 14-16-2-11(B)(1): a CONDITIONAL USE to allow a proposed shade structure in the rear yard setback area on all or a portion of Lot(s) 7, PARKSITO SUBD zoned R-D 9 DU/A, located at **9705 FIRMAN CT SW (L-9)**
DEFERRED TO 1/17/12
30. **11ZHE-80252** **Project# 1009000** **JONATHAN SANCHEZ** request(s) a special exception to Section 14-16-2-6(B)(12): a CONDITIONAL USE to allow an existing shade structure in the rear yard setback area on all or a portion of Lot(s) 17, Block(s) Q, HOFFMANTOWN zoned R-1, located at **8609 CLAREMONT ST NE (H-20)**
APPROVED
31. **11ZHE-80253** **Project# 1009000** **JONATHAN SANCHEZ** request(s) a special exception to Section 14-16-3-19(A)(2)(b): a CONDITIONAL USE to allow a wall over 3' in height in the side yard setback area for a proposed 6' high wall on all or a portion of Lot(s) 17, Block(s) Q, HOFFMANTOWN zoned R-1, located at **8609 CLAREMONT ST NE (H-20)**
APPROVED WITH CONDITIONS
32. **11ZHE-80263** **Project# 1009010** **JOHN C. BROWNLEE (AUSTIN'S CARPORTS, AGENT)** request(s) a special exception to Section 14-16-2-6(B)(3)(a): a CONDITIONAL USE to allow a proposed carport in the front yard setback area on all or a portion of Lot(s) 106, HIGH RANGE AT TAYLOR RANCH 2 zoned R-1, located at **7413 STAGHORN DR NW (D-11)**
APPROVED WITH CONDITIONS
33. **11ZHE-80264** **Project# 1009011** **ANTHONY SANCHEZ (AUSTIN'S CARPORTS, AGENT)** request(s) a special exception to Section 14-16-2(B)(3)(a): a CONDITIONAL USE to allow a proposed carport in the corner side yard setback area on all or a portion of Lot(s) 1, BRENTWOOD RIDGE zoned R-1, located at **319 DOLORES DR SW (K-11)**
APPROVED WITH CONDITIONS
34. **11ZHE-80247** **Project# 1008993** **CHARLES BARCLAY** request(s) a special exception to Section 14-16-2-6(B)(14)(a)1: a CONDITIONAL USE to allow 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) 8, Block(s) 1, EL SOLINDO REPLAT zoned R-1, located at **3801 TRACY ST NE (G-22)**
APPROVED WITH CONDITIONS
35. **11ZHE-80271** **Project# 1009018** **TONY & CLAUDIA KLESSERT (HABITATION INC., AGENT)** request(s) a special exception to Section 14-16-2-6(B)(14)(a)(1): a CONDITIONAL USE to allow 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) 16, Block(s) 16, HOLMBERA zoned R-1, located at **929 ADAMS ST NE (J-17)**
APPROVED WITH CONDITIONS

36. **11ZHE-80251** **Project#** **ROY RICCI** request(s) a special exception to Section 14-14-2-6(B)(14)(a)(2):
1008999 a CONDITIONAL USE to allow a wall over 3' in height in the side yard setback area for an existing 6' high wall on all or a portion of Lot(s) 16, Block(s) L, SMITHS SANDIA HILLS zoned R-1, located at **1508 WASHINGTON ST NE (J-17)**
APPROVED WITH CONDITIONS
37. **11ZHE-80256** **Project#** **WILFRED SILVA** request(s) a special exception to Section 14-16-3-19(A)(2)(b): a CONDITIONAL USE to allow a wall over 3' in height in the corner side yard setback area for an existing 4' high wall on all or a portion of Lot(s) 17, Block(s) 3, CHERRY HILLS UNIT 1 zoned R-1, located at **8228 CHERRY HILLS DR NE (E-19)**
APPROVED WITH CONDITIONS