



HEARING ON SPECIAL EXCEPTIONS
TO THE COMPREHENSIVE CITY ZONING CODE

ZONING HEARING EXAMINER'S AGENDA

TUESDAY, MARCH 20, 2012 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:

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|----|------------------|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | *IR* 12ZHE-80024 | Project# 1009117 | RUTH MARQUEZ BUSTILLOS request(s) a special exception to Section 14-16-3-19: a VARIANCE of 3' to the 3' maximum wall height allowance for an existing 6' high wall in the front yard setback area on all or a portion of Lot(s) 33, Block(s) 74, WESTGATE ADDN UNIT 3 zoned R-D, located at 1320 MICHELLE ST SW (M-9) |
| 2. | *IR* 12ZHE-80029 | Project# 1009131 | CELESTINO & ELVIRA IBARRA 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) 17, MILLER-O E ADDN zoned R-1, located at 714 CUTLER AVE NW (H-14) |
| 3. | *IR* 12ZHE-80023 | Project# 1009114 | DORA M.H. AYERVE FARFAN request(s) a special exception to Section 14-16-2-6(B)(5): a CONDITIONAL USE to allow a proposed family daycare home for up to 12 children in an R-1 zone on all or a portion of Lot(s) 6, Block(s) H, NEW HOLIDAY PARK zoned R-1, located at 12000 VIENNA DR NE (F-22) |

OLD BUSINESS:

4. 11ZHE-80290 **Project#** 1009060 **DANIEL P. MARTINEZ** request(s) a special exception to Section 14-16-2-6(B)(14)(a)(2) and 14-16-2-9(A)(1)ref: 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) 9, Block(s) 23, **EMIL MANN ADDN** zoned R-5, located at **628 ESPANOLA ST SE** (L-19)
5. 12ZHE-80005 **Project#** 1009096 **GARCIA'S TENTS** request(s) a special exception to Section 14-16-2-17(B)(20) and 14-196-2-18(B)(1) Ref.: a **CONDITIONAL USE** to allow **activities in a tent** for **more than 14 days** on all or a portion of Lot(s) JJ, **SOUTHWESTERN CONSTRUCTION COMPANY** zoned C-3, located at **1200 LOMAS BLVD NE** (J-15)
6. 11ZHE-80285 **Project#** 1009051 **FRANK BARELA DBA COCINA AZUL (DAC ENT., AGENT)** request(s) a special exception to Section 14-16-2-16(B)(5): a **CONDITIONAL USE** to allow a proposed drive-up service window extension for an existing restaurant on all or a portion of Lot(s) A1, Block(s) 47, **PEREA ADDN** zoned SU-2 NC, located at **1134 MOUNTAIN RD NW** (J-13)

NEW BUSINESS:

7. 12ZHE-80035 **Project#** 1009137 **MARK CUMBOW DBA PULLMAN INVESTMENTS, LLC (DAC ENT., AGENT)** request(s) a special exception to Section 14-16-2-11(E)(4)(a): a **VARIANCE of 10'** to the 15' rear yard setback area requirement for proposed **apartments** on all or a **portion** of Lot(s) 3, **SHELL ADDN #1** zoned R-2, located at **222 RIO GRANDE BLVD SW** (J-13)
8. 12ZHE-80036 **Project#** 1009137 **MARK CUMBOW DBA PULLMAN INVESTMENTS, LLC (DAC ENT., AGENT)** request(s) a special exception to Section 14-16-2-11(F)(1): a **VARIANCE of 10'** to the 15' rear yard setback area requirement for proposed **apartments** on all or a portion of Lot(s) 3, **SHELL ADDN #1** zoned R-2, located at **222 RIO GRANDE BLVD SW** (J-13)
9. 12ZHE-80037 **Project#** 1009138 **S.M. QURAIISHI (DAC ENT., AGENT)** request(s) a special exception to Section **14-16-3-7(B)(2)**: a **VARIANCE of 1250'** to the 1650' required **campsite area** for a proposed RV park on all or a portion of Tract(s) 3E & 5, **ROW Z, UNIT A, WEST OF WESTLAND TOWN OF ATRISCO GRANT** zoned SU-1 FOR C-2 USES AND CAMPGROUND EXCLUDING PACKAGE LIQUOR SALES, located at **VOLCANO AND 102ND ST NW** (K-8)
10. 12ZHE-80026 **Project#** 1009129 **J BERT INDUSTRIES (DAVID SOULE, AGENT)** 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 area** requirement to allow a proposed addition on all or a portion of Lot(s) A-1, **CARIBE ADDN** zoned IP, located at **5809 JEFFERSON ST NE** (E-17)
11. 12ZHE-80027 **Project#** 1009129 **J BERT INDUSTRIES (DAVID SOULE, AGENT)** 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 area** requirement for a proposed addition on all or a portion of Lot(s) A-1, **CARIBE ADDN** zoned IP, located at **5809 JEFFERSON ST NE** (E-17)
12. 12ZHE-80050 **Project#** 1009150 **IGNACIO PEREZ (R2 ARCHITECTURAL DESIGN, AGENT)** request(s) a special exception to Section 14-16-2-6(E)(5)(a): a **VARIANCE of 10'** to the 15' rear yard setback area requirement for a proposed dwelling on all or a portion of Lot(s) 16 & 17, Block(s) 1, **APACHE TRAIL** zoned R-1, located at **429 PROSPECT AVE NW** (H-14)
13. 12ZHE-80051 **Project#** 1009150 **IGNACIO PEREZ (R2 ARCHITECTURAL DESIGN, AGENT)** request(s) a special exception to Section 14-16-2-6(E)(3)(b): a **VARIANCE of 14'** to the 20' front yard setback area requirement for a proposed dwelling on all or a portion of Lot(s) 16 & 17, Block(s) 1, **APACHE TRAIL** zoned R-1, located at **429 PROSPECT AVE NW** (H-14)

14. 12ZHE-80052 **Project#** **IGNACIO PEREZ (R2 ARCHITECTURAL DESIGN, AGENT) request(s) a special exception to Section 14-16-2-6(E)(1): a VARIANCE of 1' to the 15' rear yard setback area requirement for a proposed dwelling on all or a portion of Lot(s) 16 & 17, Block(s) 1, APACHE TRAIL zoned R-1, located at 429 PROSPECT AVE NW (H-14)**
1009150

15. 12ZHE-80046 **Project#** **GILBERT EASER (R2 ARCHITECTURAL DESIGN, AGENT) request(s) a special exception to Section 14-16-2-6(E)(3)(a): a VARIANCE of 10' to the 10' corner side yard setback area requirement for a proposed addition on all or a portion of Lot(s) A, Block(s) 7, LOMA VISTA ADDN zoned R-1, located at 3001MARBLE AVE NE (J-16)**
1009147

16. 12ZHE-80047 **Project#** **GILBERT EASER (R2 ARCHITECTURAL DESIGN, AGENT) request(s) a special exception to Section 14-16-2-6(E)(5)(a): a VARIANCE of 9' to the 15' rear yard setback area requirement for a proposed addition on all or a portion of Lot(s) A, Block(s) 7, LOMA VISTA ADDN zoned R-1, located at 3001MARBLE AVE NE (J-16)**
1009147

17. 12ZHE-80022 **Project#** **PAUL M. KELLY request(s) a special exception to Section 14-16-4-13: a STATUS ESTABLISHED BUILDING REVIEW to allow a non-conforming second dwelling unit on all or a portion of Lot(s) 2 & 3, Block(s) 15, MONKBRIDGE ADDN zoned R-1, located at 502 AZTEC RD NW (G-14)**
1009112

18. 12ZHE-80030 **Project#** **ERNIE LEGER request(s) a special exception to Section 14-16-4-13: a STATUS ESTABLISHED BUILDING REVIEW to allow five existing dwelling units on one lot on all or a portion of Lot(s) 11, ROSSITER ADDN zoned R-1, located at 4521 9TH ST NW (G-14)**
1009132

19. 12ZHE-80033 **Project#** **CORRINE BANDERA 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) 177B2B, MRGCD MAP 35 zoned RA-2, located at 3308 CAMILO LN NW (H-12)**
1009135

20. 12ZHE-80034 **Project#** **SCOTT KRICHAU request(s) a special exception to Section 14-16-4-13: a STATUS ESTABLISHED BUILDING REVIEW to allow three existing dwelling units on one lot on all or a portion of Lot(s) 14, LAVALAND ADDN zoned R-1, located at 216 YUCCA DR NW (K-11)**
1009136

21. 12ZHE-80041 **Project#** **FREDRICK D. EBERLE request(s) a special exception to Section 14-16-4-13: a STATUS ESTABLISHED BUILDING REVIEW to allow a non-conforming second dwelling unit in an R-1 zone on all or a portion of Lot(s) 5, Block(s) 7, STRONGHURST ADDN zoned R-1, located at 3012 FRANSISCAN NE UNIT B (G-15)**
1009142

22. 12ZHE-80043 **Project#** **ISABEL F. CABRERA request(s) a special exception to Section 14-16-4-13: a STATUS ESTABLISHED BUILDING REVIEW to allow a second dwelling unit in an R-1 zone on all or a portion of Lot(s) 6, Block(s) 13, CLAYTON HEIGHTS zoned R-1, located at 1720 BUENA VISTA SE (L-15)**
1009144

23. 12ZHE-80044 **Project#** **PETER M. JEANTETTE request(s) a special exception to Section 14-16-4-13: a STATUS ESTABLISHED BUILDING REVIEW to allow two existing dwelling units in an R-1 zone on all or a portion of Lot(s) 18, FLORAL GARDENS zoned R-1, located at 2451 ROSE AVE NW (H-13)**
1009145

24. 12ZHE-80049 **Project#** **MARIA SANDOVAL (IGNACIO PEREZ, JR., AGENT) request(s) a special exception to Section 14-16-4-13: a STATUS ESTABLISHED BUILDING REVIEW to allow four existing units in an R-1 zone on all or a portion of Lot(s) 1, Block(s) 7, SANDIA PLAZA zoned R-1, located at 905 PALO DURO AVE NW (F-14)**
1009149

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

HEARING WILL RESUME PROMPTLY
AT 1:30 P.M. WITH ITEM #25

IF YOU ARE AGENDA ITEMS #25 - #33

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

25. 12ZHE-80053 Project# PUBLIC SERVICE COMPANY OF NM (TIERRA RIGHT OF WAY SERVICES, LTD., AGENT) request(s) a special exception to Section 14-11-1 thru 14-11-9: a PERMIT FOR SOLAR RIGHTS for an existing solar site on all or a portion of Lot(s) REEVES STATION, PNM zoned IP, located at 4400 PASEO DEL NORTE NE (D-17)
26. 12ZHE-80038 Project# LABATT NEW MEXICO, LLC (JOHN MYERS, ESQ., AGENT) request(s) a special exception to Section 14-16-2-17(B)(12): a CONDITIONAL USE to allow for parking of more than 2 trucks for longer than 2 hours to allow fueling of delivery trucks on all or a portion of Lot(s) B1B1A1A AND B1B1A2A, WEST 66 ADDN zoned C-2, located at 7001 & 7019 CENTRAL AVE NE (K-10)
27. 12ZHE-80039 Project# CATHERINE B. MYERS (JOHN MYERS, ESQ., AGENT) request(s) a special exception to Section 14-16-2-6(B)(1): a CONDITIONAL USE to allow a proposed accessory living quarters on all or a portion of Lot(s) 1-A, OLD TOWN GARDENS zoned R-1, located at 2425 CONSUELO LN NW (J13)
28. 12ZHE-80048 Project# DOLORES & MARIA CABRERA (ARNOLD MELBIHESS, AGENT) request(s) a special exception to Section 14-16-2-18(B)(1) and 14-16-2-17(B)(11)(c): a CONDITIONAL USE to allow a proposed mobile vending unit as an outdoor activity on all or a portion of Lot(s) 7 & 8, Block(s) E, CARLOS REY zoned C-3, located at 801 OLD COORS DR SW (L-11)
29. 12ZHE-80028 Project# JOHN MYERS request(s) a special exception to Section 14-16-2-6(B)(1): a CONDITIONAL USE to allow an existing accessory living quarters on all or a portion of Lot(s) 19, Block(s) 20, BEL AIR zoned R-1, located at 2646 MADISON ST NE (H-17)
30. 12ZHE-80025 Project# ELEAZAR BORUNDA (AUSTIN'S CARPORTS, 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 area on all or a portion of Lot(s) 10, Block(s) 1, SWIN & MARR ADDN zoned R-1, located at 1428 56TH ST NW (H-11)
31. 12ZHE-80040 Project# PATRICIA STOUTER 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 on all or a portion of Lot(s) 2A, Block(s) 5, LA SALA GRANDE ADDN zoned R-1, located at 2909 LA CAMILA RD NE (G-20)
32. 12ZHE-80032 Project# JOE FUENTES request(s) a special exception to Section 14-16-2-6(B)(14): 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) 249, Block(s) 12, ATRISCO VILLAGE UNIT 1 OF HOFFMAN CITY zoned R-1, located at 1301 APODACA ST SW (M-8)

33. 12ZHE-80042 Project# ASHOK KAUSHAL 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 6' high wall on all or a portion of Lot(s) 12, Block(s) 51, UNIVERSITY HEIGHTS zoned R-1, located at 324 TULANE DR SE (K-16)

33. 12ZHE-80059 **Project#** 1009139 **LABATT NEW MEXICO, LLC (JOHN MYERS, ESQ., AGENT)** request(s) a special exception to Section 14-16-2-17(B)(11): a **CONDITIONAL USE** to allow for outdoor activity to allow a fueling station on all or a portion of Lot(s) B1B1A1A AND B1B1A2A, WEST 66 ADDN zoned C-2, located at **7001 & 7019 CENTRAL AVE NE (K-10)**
34. 12ZHE-80042 **Project#** 1009143 **ASHOK KAUSHAL** 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 6' high wall on all or a portion of Lot(s) 12, Block(s) 51, UNIVERSITY HEIGHTS zoned R-1, located at **324 TULANE DR SE (K-16)**
35. 12ZHE-80045 **Project#** 1009146 **DAVID BELLOWS DOM** request(s) a special exception to Section 14-16-2-6(B)(7): a **CONDITIONAL USE** to allow a proposed health care, including physicians, as physically limited under home occupations in an R-1 zone for all or a portion of Lot(s) 25, Block(s) 1, DELLWOOD zoned R-1, located on **2705 WISCONSIN ST NE (G-19)**

AMENDMENT TO AGENDA

PLEASE NOTE:

**ITEM #33 WILL BE HEARD IMMEDIATELY FOLLOWING
ITEM #26
OF ORIGINAL AGENDA**