



**HEARING ON SPECIAL EXCEPTIONS
TO THE COMPREHENSIVE CITY ZONING CODE
ZONING HEARING EXAMINER'S ACTION SHEET**

TUESDAY, OCTOBER 20, 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:

- | | | | |
|----|-------------------------|-------------------------|---|
| 1. | *IR* 09ZHE-80294 | Project# 1007962 | OFELIA MILANES request(s) a special exception to Section 14-16-2-6(E)(3)(a): a VARIANCE of 10' to the 20' side yard setback area requirement (corner lot adjacent to the side of the street and the rear yard abutting the front yard of a residentially zoned lot) for an existing porch on all or a portion of Lot(s) 11, Block(s) 9, SKYVIEW WEST zoned R-1, located at 425 75TH ST SW (L-10)
APPROVED |
| 2. | *IR* 09ZHE-80293 | Project# 1007961 | RAUL MUNOZ 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 and side yard setback areas on all or a portion of Lot(s) 9A, RIO GRANDE HEIGHTS ADDN zoned R-1, located at 329 52ND ST SW (K-11)
APPROVED |

OLD BUSINESS:

- | | | | |
|----|--------------------|-------------------------|--|
| 3. | 09ZHE-80274 | Project# 1007934 | BEN & CATHY KROLL (DOUG VELHAGEN, 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 to allow for a proposed addition to the dwelling on all or a portion of Lot(s) 21 & 22, UNIVERSITY HEIGHTS ADDN zoned R-1, located at 405 BRYN MAWR DR SE (K-16)
APPROVED |
|----|--------------------|-------------------------|--|

13. **09ZHE-80282** **Project# 1007940** **MICHAEL HUNTER** request(s) a special exception to Section 14-16-3-3(A)(2)(a): a VARIANCE of 42' to the 15' maximum height allowance for a proposed 57' high wind turbine in an R-1 zone on all or a portion of Lot(s) 34, Block(s) D, SOMBRA DEL MONTE zoned R-1, located at **2701 VERMONT AVE NE** (H-19)
DENIED
14. **09ZHE-80258** **Project# 1007920** **CLAIRE V. NILSSON** request(s) a special exception to Section 14-16-2-6(B)(1): a CONDITIONAL USE to allow for a proposed accessory living quarters in an R-1 zone on all or a portion of Lot(s) 14, Block(s) 8, VICTORY ADDN zoned R-1, located at **1004 PRINCETON DR SE** (I-16)
DENIED
15. **09ZHE-80259** **Project# 1007920** **CLAIRE V. NILSSON** request(s) a special exception to Section 14-16-2-6(B)(7): a CONDITIONAL USE to allow for a proposed home occupation health care (psychotherapy) in an R-1 zone on all or a portion of Lot(s) 14, Block(s) 8, VICTORY ADDN zoned R-1, located at **1004 PRINCETON DR SE** (L-16)
DENIED

NEW BUSINESS:

16. **09ZHE-80310** **Project# 1007978** **DAVID & DRUSILLA SOHERR HANDWIGER (CHRISTIAN HARPER, AGENT)** request(s) a special exception to Section 14-16-2-6(E)(1): a VARIANCE of 3' 3" to the 20' front yard setback area requirement for a proposed addition to the dwelling on all or a portion of Lot(s) 11, Block(s) 6, HAINES PARK ADDN zoned R-1, located at **1604 LAFAYETTE DR NE** (J-16)
APPROVED
17. **09ZHE-80312** **Project# 1007980** **BLAINE ROBERTS (ROBERT CRAWFORD, AGENT)** request(s) a special exception to Section 14-16-4-13: an EXPANSION OF NON-CONFORMING USE to allow for vehicle sales, leasing, rental and display in an S-I zone on all or a portion of Lot(s) 2B1, LANDS OF FORREST PRODUCTS CO zoned S-I, located at **1623 ASPEN AVE NW** (H-13)
APPROVED
18. **09ZHE-80313** **Project# 1007981** **BLAINE ROBERTS (ROBERT CRAWFORD, AGENT)** request(s) a special exception to Section 14-16-4-13: an EXPANSION OF NON-CONFORMING USE to allow for vehicle sales, leasing, rental and display in an S-I zone on all or a portion of Lot(s) 2C1, LANDS OF FORREST PRODUCTS CO zoned S-I, located at **1423 ASPEN AVE NW** (H-13)
APPROVED
19. **09ZHE-80315** **Project# 1007983** **KEVIN KOVAL (DOM GARCIA, AGENT)** request(s) a special exception to Section 14-16-4-13: a STATUS ESTABLISHED BUILDING REVIEW for an existing multi-family triplex in an R-1 zone on all or a portion of Lot(s) 20, Block(s) 1, MESA PARK ADDN VAN BUSKIRKS REPLAT OF BLOCK 21 zoned R-1, located at **6612, 6614, 6616 TRUMBULL SE** (L-18)
APPROVED

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

HEARING WILL RESUME PROMPTLY
AT 1:30 P.M. WITH ITEM #20

IF YOU ARE AGENDA ITEMS #20 - #42

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

20. **09ZHE-80306** **Project#** **SKYVIEW CENTER (DAVID CAMPBELL, AGENT)** request(s) a special exception to Section 14-16-2-17(B)(15): a CONDITIONAL USE to allow for proposed retail sale of alcoholic drink for consumption off premises in a C-2 zone on all or a portion of Lot(s) 2, SPROUL SECURITY SUBDIVISION NO 2 zoned C-2 (SC), located at **1500 TRAMWAY BLVD NE (J-23)**
1007973
- DEFERRED TO 11/17/09**
21. **09ZHE-80298** **Project#** **JAMES WOODSON DBA TDC PROPERTIES, INC. (DAC ENT., AGENT)** request(s) a special exception to Section Pg. 72, BARELAS SDP: a VARIANCE of 1.35' to the 15' rear yard setback area requirement for a proposed lot re-plat on all or a portion of Lot(s) 1 & 2, Block(s) 39, RAYNOLS ADDN zoned SU-2 / R-2, located at **519 8TH ST SW (802 COAL AVE SW) (K-13)**
1007967
- APPROVED**
22. **09ZHE-80301** **Project#** **JAMES WOODSON DBA TDC PROPERTIES, INC. (DAC ENT., AGENT)** request(s) a special exception to Section Pg. 72, BARELAS SDP: a VARIANCE of 5' to the 10' side yard setback area requirement for a proposed re-plat on all or a portion of Lot(s) 1 & 2, Block(s) 39, RAYNOLS ADDN zoned SU-2 / R-2, located at **519 8TH ST SW (802 COAL AVE SW) (K-13)**
1007967
- APPROVED**
23. **09ZHE-80302** **Project#** **JAMES WOODSON DBA TDC PROPERTIES, INC. (DAC ENT. AGENT)** request(s) a special exception to Section Pg. 72, BARELAS SDP: a VARIANCE of 1,382 sf to the 2,500 sf minimum lot area requirement for a proposed re-plat on all or a portion of Lot(s) 1 & 2, Block(s) 39, RAYNOLS ADDN zoned SU-2 / R-2, located at **519 8TH ST SW (802 COAL AVE SW) (K-13)**
1007967
- APPROVED**
24. **09ZHE-80296** **Project#** **MICHAEL & SUE COLLINS (DAC ENT., AGENT)** request(s) a special exception to Section 14-16-2-14(E)(1) 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) 13, Block(s) 10, HERITAGE EAST UNIT 2 zoned R-D, located at **9439 DE VARGAS LOOP NE (D-20)**
1007965
- APPROVED W/CONDITIONS**
25. **09ZHE-80316** **Project#** **RICK JENKINS** request(s) a special exception to Section 14-16-2--6(B)(14)(a): a VARIANCE of 3' to the 3' wall height allowance to allow for a proposed 6' high chain link fence on all or a portion of Lot(s) L, Block(s) B, INDIAN MESA zoned R-2, located at **3605 WELLESLEY DR NE (G-16)**
1007984
- DENIED**

26. **09ZHE-80292** **Project# 1007960** **PULSE ADVENTURES LLC (BRIAN CRAIG, AGENT)** request(s) a special exception to Section 10-9-1: a CONDITIONAL USE to allow for proposed public dance in a CCR-2 zone on all or a portion of Lot(s) 1-8, Block(s) 7, MESA GRANDE ADDN zoned CCR-2, located at **4100 CENTRAL AVE SE** (K-17)
APPLICATION FOR DANCE PERMIT - DENIED
27. **09ZHE-80295** **Project# 1007964** **ANSELMO CARLOS SMITH** request(s) a special exception to Section 14-16-2-6(B)(2): a CONDITIONAL USE to allow for existing animal keeping (Nigerian Goats) in a R-1 zone on all or a portion of Lot(s) 24, Block(s) 5, KIRKLAND ADDN UNIT 1 zoned R-1, located at **1533 WHEELER AVE NE** (M-15)
DENIED
28. **09ZHE-80297** **Project# 1007966** **KATHLEEN ADAMS & JERRY SMITH** request(s) a special exception to Section Pg. 34 HUNING HIGHLAND SDP: a CONDITIONAL USE to allow for a proposed law office in an SU-2 / R-O zone on all or a portion of Lot(s) 3, Block(s) 44, HUNINGS HIGHLAND ADDN zoned SU-2/R-O, located at **115 ELM ST NE** (K-15)
APPROVED
29. **09ZHE-80303** **Project# 1007969** **STEPHEN SUTHERLAND** 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) A, Block(s) 2, GALLAGHER ADDN zoned C-2, located at **12601 CENTRAL AVE NE** (L-22)
APPROVED
30. **09ZHE-80289** **Project# 1007949** **ALFREDO TRILLO** request(s) a special exception to Section 14-16-2-17(B)(11): a CONDITIONAL USE to allow for existing outdoor storage and activity of tires in a C-2 zone on all or a portion of Lot(s) 113C, MRGCD MAP 39 zoned C-2, located at **4711 CENTRAL AVE NW** (K-12)
APPROVED
31. **09ZHE-80307** **Project# 1007975** **VICTOR MARTINEZ (FREDERICK ROBINSON, AGENT)** request(s) a special exception to Section 14-16-2-17(B)(11): a CONDITIONAL USE to allow for existing outdoor storage and activity of tires and recycling of tires in a C-2 zone on all or a portion of Lot(s) A1 THRU A15, CYPRESS ADDN zoned C-2, located at **5000 CENTRAL AVE SW** (K-11)
APPROVED
32. **09ZHE-80309** **Project# 1007977** **PHILIP & SON MECHANIC & TIRE SHOP (PHILIP LOPEZ, AGENT)** request(s) a special exception to Section 14-16-2-17(B)(11): a CONDITIONAL USE to allow for existing outdoor storage of vehicles and auto parts in a C-2 zone on all or a portion of Lot(s) 1-7, Block(s) 1, WINONA ADDN zoned C-2, located at **4101 4TH ST NW** (G-14)
DEFERRED INDEFINATELY
33. **09ZHE-80290** **Project# 1007954** **GILBERT J. ARAGON (BUILD CORP, 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) 2, Block(s) 21, BROAD ACRES ADDN zoned R-1, located at **2824 ESPANOLA ST NE** (H-19)
APPROVED
34. **09ZHE-80291** **Project# 1007956** **JOHN E. LARSEN (GILBERT AUSTIN, 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) 22, Block(s) 9, INEZ ADDN zoned R-1, located at **2244 INEZ DR NE** (H-19)
APPROVED

35. **09ZHE-80304** **Project# 1007970** **SUSAN LANGNER (SHOEMAKER)** request(s) a special exception to Section 14-16-2-5(B)(1) and 14-16-2-6(B)(3): a CONDITIONAL USE to allow for a proposed carport in the side yard setback area on all or a portion of Lot(s) 208B1A1, MRGCD MAP 31 zoned RA-2, located at **1311 AVENDIA CRISTO REY NW (F-13)**
APPROVED
36. **09ZHE-80314** **Project# 1007982** **MIKE TRUJILLO (ERNEST GRIEGO, AGENT)** request(s) a special exception to Section 14-16-2-6(E)(4)(a): a CONDITIONAL USE to allow for a proposed covered patio in the rear yard setback area on all or a portion of Lot(s) 2-P1, Block(s) 1, EL RANCHO GRANDE 1 UNIT 9B zoned R-LT, located at **9405 CHASE RANCH RD SW (N-9)**
APPROVED
37. **09ZHE-80299** **Project# 1007968** **THOMAS BABB** 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) 19, Block(s) 1, DESERT FLOWER UNIT 2 zoned R-LT, located at **7701 SALTBRUSH RD SW (M-10)**
APPROVED
38. **09ZHE-80300** **THOMAS BABB** 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 yard setback area for an existing 5' high fence on all or a portion of Lot(s) 19, Block(s) 1, DESERT FLOWER UNIT 2 zoned R-LT, located at **7701 SALTBRUSH RD SW (M-10)**
APPROVED W/CONDITIONS
39. **09ZHE-80286** **Project# 1007945** **TAWFIQ SALEH & ALIA SALAH HEDDIN** request(s) a special exception to Section 14-16-2-6(B)(14)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 on all or a portion of Lot(s) 17, Block(s) 106, BEL-AIR zoned R-1, located at **2504 LA VETA DR NE (H-18)**
DECISION PENDING TRAFFIC ENGINEER REPORT
40. **09ZHE-80305** **Project# 1007972** **NEAL SHINN** request(s) a special exception to Section 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 a proposed 6' high wall on all or a portion of Lot(s) 4, Block(s) 7, SANDIA TERRACE zoned R-1, located at **1209 MICHAEL HUGHES DR NE (J-23)**
APPROVED W/CONDITIONS
41. **09ZHE-80308** **Project# 1007976** **JUAN TERRAZAS** request(s) a special exception to Section Pg. 45, SOUTH BROADWAY and 14-16-2-6(B)(14)(a): a CONDITIONAL USE to allow for a wall over 3' in height in the front yard setback area for a proposed 5' high cinder block and wrought iron wall on all or a portion of Lot(s) 1 & 2, Block(s) 3, GARCIA ADDN zoned SU-2 MR, located at **1811 WILLAIMS ST SE (L-14)**
APPROVED W/CONDITIONS
42. **09ZHE-80311** **Project# 1007979** **J. MARK & CYNTHIA K. HILL** request(s) a special exception to Section 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 a proposed 4' 9" wall on all or a portion of Lot(s) 8, Block(s) 6, PUEBLO ALTO ADDN zoned R-1, located at **726 QUINCY ST NE (J-17)**
APPROVED W/CONDITIONS