



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

**TUESDAY, MAY 20, 2014 9:00 A.M.**  
PLAZA DEL SOL HEARING ROOM  
BASEMENT LEVEL  
600 SECOND STREET NW  
(ON THE NORTHEAST CORNER OF 2<sup>ND</sup> STREET AND ROMA NW)

**STAFF**

*Joshua J. Skarsgard, Esq., Zoning Hearing Examiner*  
*Randall Falkner, Planner*  
*Christa Wagner, Administrative Assistant*

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**For Inquiries Regarding This Agenda, Please Call Christa Wagner at (505) 924-3894.**

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**PLEASE ADDRESS ALL CORRESPONDENCE TO:**

*Joshua J. Skarsgard, Esq.*  
**Office of Administrative Hearings**  
**P.O. Box 1293**  
**Albuquerque, NM 87103**

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**NOTICE TO PEOPLE WITH DISABILITIES:** *If you have a disability and you require special assistance to participate in this hearing, please contact Christa Wagner at (505) 924-3894.*

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**INTERPRETER REQUIRED:**

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|----|-------------------------|-------------------------|---|
| 1. | <b>*IR* 14ZHE-80034</b> | <b>Project# 1009972</b> | <b>FABIEL MADERA</b> requests a special exception to Section 14-16-2-6(B)(14)(a)2: a CONDITIONAL USE for a proposed 5' 2" wrought iron fence in the front yard setback for all or a portion of Lot S 50' of Lot 7 & N 10' of Lot 8, Block 22, ELDER HOMESTEAD ADDN zoned R-1, located on <b>1020 GEORGIA ST SE (L-18) APPROVED WITH CONDITIONS</b>                          |
| 2. | <b>*IR* 14ZHE-80052</b> | <b>Project# 1009999</b> | <b>JUAN GUITIEREZ</b> requests a special exception to Section PAGE 46 III of the South Broadway Neighborhoods SDP and 14-16-2-11(B)(1) and 14-16-2-6(B)(14)(a)2: a CONDITIONAL USE for an existing 5' fence in the front yard setback for all or a portion of Lot 196, MRGCD MAP 41 zoned SU-2 NCR, located on <b>1811 BROADWAY BLVD SE (L-14) APPROVAL WITH CONDITIONS</b> |
| 3. | <b>*IR* 14ZHE-80063</b> | <b>Project# 1010012</b> | <b>ROSA CARDENAS</b> requests a special exception to Section 14-16-2-9(B) and 14-16-2-6(B)(14)(a)2: a CONDITIONAL USE for a proposed 5' wall in the front yard setback for all or a portion of Lot 125 P1, ELDORADO PARK UNIT 3 zoned R-T, located on <b>523 HARTMAN DR SW (L-9) APPROVAL WITH CONDITIONS</b>   |
| 4. | <b>*IR* 14ZHE-80082</b> | <b>Project# 1010036</b> | <b>PEDRO JULIO SABOGAL</b> requests a special exception to Section PAGE 99 of Nob Hill Highland SDP and 14-16-2-15(B)(9): a CONDITIONAL USE for a proposed retailing of food and drink for all or a portion of Lot 24, Block 42, UNIVERSITY HEIGHTS zoned OR-1, located on <b>3216 SILVER AVE SE (K-16) DEFERRED TO JUNE</b>  |

## OLD BUSINESS:

5. **14ZHE-80050** **Project# 1009997** **GUSTAVO GOMEZ** requests a special exception to Section 14-16-2-14(E)(1) and 14-16-2-6(B)(12): a **CONDITIONAL USE** for a proposed shade structure in the rear yard setback area for all or a portion of Lot 43, CIELO OESTE zoned R-D, located on **2040 CIELO OESTE PL NW (H-9) APPROVAL WITH CONDITIONS**
6. **14ZHE-80036** **Project# 1009980** **FRANK AND EVELYN BARELA (DAC ZONING & LAND USE SERVICES, AGENT)** requests a special exception to Section 14-16-2-6(E)(1): a **VARIANCE** of 8' to the required 20' front yard setback for an existing addition for all or a portion of Lot 12, Block 7, HUNING CASTLE ADDN zoned R-1, located on **1617 LOS ALAMOS AVE SW (J-13) DEFERRED TO JUNE**
7. **14ZHE-80031** **Project# 1009967** **LYLLYAN MORJON** requests a special exception to PG 5-21 (ZONE INTENT) EAST GATEWAY SDP and Section 14-16-2-7(E)(4): a **VARIANCE** of 8' to the 10' separation between mobile homes for all or a portion of Lot A, Block A, LANDS OF OB VANCLEAVES zoned SU-2 EG C-2, located on **9000 ZUNI RD SE, SPACE 4 (I-20) APPROVAL WITH CONDITIONS**

## NEW BUSINESS:

8. **14ZHE-80083** **Project# 1010037** **RIDGECREST INVESTMENTS LLP** requests a special exception to Section 14-16-2-16(A)(12)(b)(2): a **VARIANCE** of 10' to the 100' minimum of street frontage to allow a proposed freestanding sign for all or a portion of Lot 8A, Block 9, BARON BURG HEIGHTS zoned C-1, located on **730 SAN MATEO BLVD SE (L-17) APPROVAL WITH CONDITIONS**
9. **14ZHE-80078** **Project# 1010032** **JOHN E MECHEMBIER** requests a special exception to Section 14-16-2-19 (C): a **VARIANCE** of 17' to the maximum 10' height for a proposed building for all or a portion of Lot 7, Block 3, NORTH ALBUQUERQUE ACRES TR A UNIT B zoned SU-2 IP, located on **PASADENA AVE NE BETWEEN I-25 & SAN MATEO BLVD NE (B-18) APPROVAL WITH CONDITIONS**
10. **14ZHE-80071** **Project# 1010025** **CATHERINE TELLES** requests a special exception to Section 14-16-3-18(C)(1)(d): a **VARIANCE** of 1' 6" to the 6' wide path that will be maintained along a sidewalk along a major facade of a building for a proposed outdoor patio to allow additional seating on all or a portion of lot A1A1 in the Plaza at Coors, PLAZA AT PASEO DEL NORTE zoned C-2(SC), located on **9211 COORS BLVD NW (C-13) APPROVAL WITH CONDITIONS**
11. **14ZHE-80066** **Project# 1010016** **ROBERT HABIGER AND LYNN DOXON** requests a special exception to Section 14-16-2-6(E)(3)(b): a **VARIANCE** of 7' 3" to the 10' side yard setback for a proposed addition for all or a portion of Lot 18A, Block 1, WHITE OAK ADDN zoned R-1, located on **2101 VALENCIA DR NE (J-18) APPROVAL WITH CONDITIONS**
12. **14ZHE-80039** **Project# 1009987** **XIYUAN MAN** requests a special exception to Section 14-16-3-19(A)(2)(a): a **VARIANCE** of 2' to the maximum 3' in the front yard setback for an existing 5' fence for all or a portion of Lot 23, CAVALIER ADDN zoned R-3, located on **237 PENNSYLVANIA ST NE (K-19) DEFERRED TO JUNE**
13. **14ZHE-80074** **Project# 1010028** **JAMES W AND JANET R HALL** requests a special exception to Section 14-16-3-19(A)(3)(a): a **VARIANCE** of 1' to the maximum 3' height for a proposed fence for all or a portion of Lot G1/PRIVATE EASMENT, ORTIZ QUADS zoned C-2, located on **ORTIZ DRIVE SE BETWEEN ANDERSON AV SE & ROSS AV SE (L-18) APPROVAL WITH CONDITIONS**

14. **14ZHE-80075**      **Project#**      **JAMES W AND JANET R HALL** requests a special exception to Section 14-16-3-19(A)(3)(a): a VARIANCE of 1' to the maximum 3' height for a proposed fence for all or a portion of Lot G2/PRIVATE EASEMENT, ORTIZ QUADS zoned C-2, located on **ORTIZ DR SE BETWEEN ANDERSON AV SE & ROSS AV SE (L-18) APPROVAL WITH CONDITIONS**
15. **14ZHE-80072**      **Project#**      **JOHN BLOOMFIELD (WILLIAM MUTIDJO NEW LIFE HOMES, AGENT)** requests a special exception to Section 14-16-3-19(A)(2)(a)(1): a VARIANCE of 5' to the 3' height maximum to allow existing 8' fences for all or a portion of Lot 2A & 12A, Block 2, SANTILLA PLACE zoned C-2, located on **6101 CENTRAL AVE NE (K-18) DEFERRED TO JUNE**
16. **14ZHE-80080**      **Project#**      **MELLOY ENTERPRISES (JAMES MILLER, AGENT)** requests a special exception to Section 14-16-3-19(A)(3)(a): a VARIANCE of 3' to the 3' height maximum to allow a proposed 6' wall for all or a portion of Lots 1 & 9 & a portion of Lots 2 & 8, MESA DEL NORTE HEIGHTS ADDITON #2 zoned P, located on **7800 MARBLE AVE NE (J-19) APPROVAL WITH CONDITIONS**

\*\*\*\*\***LUNCH BREAK**\*\*\*\*\*

**HEARING WILL RESUME PROMPTLY**  
**AT 1:30 P.M. WITH ITEM #17**

**IF YOU ARE AGENDA ITEMS 17-34**

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

17. **14ZHE-80085**      **Project#**      **CORNELL SILVER, LLC (CONSENSUS PLANNING, AGENT)** requests a special exception to Page 70 4.B. of the UNIVERSITY NEIGHBORHOODS SDP: a VARIANCE of 297 square feet to the required 3000 square foot minimum lot size for a proposed replat of proposed Lot 1-A for all or a portion of Lot 1, Block 10, UNIVERSITY HEIGHTS ADDN zoned SU-2 DR, located on **202 CORNELL DR SE (K-16) APPROVAL WITH CONDITIONS**
18. **14ZHE-80086**      **Project#**      **CORNELL SILVER, LLC (CONSENSUS PLANNING, AGENT)** requests a special exception to Page 70 4. B. OF THE UNIVERSITY NEIGHBORHOODS SDP: a VARIANCE OF 297' square feet to the required 3000 square foot minimum lot size for a proposed replat of Lot 1-B for all or a portion of Lot 1, Block 10, UNIVERSITY HEIGHTS ADDN zoned SU-2 DR, located on **202 CORNELL DR NE (K-16) APPROVAL WITH CONDITIONS**
19. **14ZHE-80087**      **Project#**      **CORNELL SILVER, LLC (CONSENSUS PLANNING, AGENT)** requests a special exception to Page 71 5.A. OF THE UNIVERSITY NEIGHBORHOODS SDP: a VARIANCE of 10' to the required 20' frontyard setback area of proposed Lot 1-A for all or a portion of Lot 1, Block 10, UNIVERSITY HEIGHTS ADDN zoned SU-2 DR, located on **202 CORNELL DR NE (K-16) APPROVAL WITH CONDITIONS**
20. **14ZHE-80088**      **Project#**      **CORNELL SILVER, LLC (CONSENSUS PLANNING, AGENT)** requests a special exception to Page 71 5.A. OF THE UNIVERSITY NEIGHBORHOODS SDP: a VARIANCE of 10' to the required 20' frontyard setback area of proposed Lot 1-B for all or a portion of Lot 1, Block 10, UNIVERSITY HEIGHTS ADDN zoned SU-2 DR, located on **202 CORNELL DR NE (K-16) APPROVAL WITH CONDITIONS**

21. **14ZHE-80089** **Project# 1010040** **CORNELL SILVER, LLC (CONSENSUS PLANNING, AGENT)** requests a special exception to Page 70 4. B. OF THE UNIVERSITY NEIGHBORHOODS SDP: a VARIANCE of 297 square feet to the required 3000 square foot minimum lot size for a proposed replat of proposed Lot 1-C for all or a portion of Lot 2, Block 10, UNIVERSITY HEIGHTS ADDN zoned SU-2 DR, located on **202 CORNELL DR NE (K-16) APPROVAL WITH CONDITIONS**
22. **14ZHE-80090** **Project# 1010040** **CORNELL SILVER, LLC (CONSENSUS PLANNING, AGENT)** requests a special exception to Page 70 4. B. OF THE UNIVERSITY NEIGHBORHOODS SDP: a VARIANCE of 36 square feet to the required 3000 square foot minimum lot size for a proposed replat of proposed Lot 1-D for all or a portion of Lot 2, Block 10, UNIVERSITY HEIGHTS ADDN zoned SU-2 DR, located on **202 CORNELL DR NE (K-16) APPROVAL WITH CONDITIONS**
23. **14ZHE-80091** **Project# 1010040** **CORNELL SILVER, LLC (CONSENSUS PLANNING, AGENT)** requests a special exception to Page 71 5.A. OF THE UNIVERSITY NEIGHBORHOODS SDP: a VARIANCE of 10' to the required 20' frontyard setback area of proposed Lot 1-C for all or a portion of Lot 2, Block 10, UNIVERSITY HEIGHTS ADDN zoned SU-2 DR, located on **202 CORNELL DR NE (K-16) APPROVAL WITH CONDITIONS**
24. **14ZHE-80092** **Project# 1010040** **CORNELL SILVER, LLC (CONSENSUS PLANNING, AGENT)** requests a special exception to Page 71 5.A. OF THE UNIVERSITY NEIGHBORHOODS SDP: a VARIANCE of 10' to the required 20' frontyard setback area of proposed Lot 1-D for all or a portion of Lot 2, Block 10, UNIVERSITY HEIGHTS ADDN zoned SU-2 DR, located on **202 CORNELL DR NE (K-16) APPROVAL WITH CONDITIONS**
25. **14ZHE-80065** **Project# 1010015** **ALEJANDRO RODRIGUEZ** requests a special exception to Section PG 45 of the South Broadway Neighborhoods SDP and 14-16-2-6(B)(14)(a)(2): a CONDITIONAL USE to allow a proposed 5' wall in the frontyard setback for all or a portion of the south two thirds of Lot 3, Block 9, EASTERN ADDITION zoned SU-2 MR, located on **911 ARNO ST SE (K-14) APPROVAL WITH CONDITIONS**
26. **14ZHE-80067** **Project# 1010018** **ADAN AND GLORIA GUARDADO** requests a special exception to Section 14-16-2-6(B)(14)(a)(2): a CONDITIONAL USE to allow an existing 4 1/2 foot wall in the required front yard setback for all or a portion of Lot 10, Block 13, BARON BURG HEIGHTS LUNAS REPLAT OF BLK 13 zoned R-1, located on **619 VALENCIA DR SE (I-18) DEFERRED TO JULY**
27. **14ZHE-80076** **Project# 1010030** **SARA AND PATRICK BRICHTA** requests a special exception to Section 14-16-2-6(B)(14)(a)(1): a CONDITIONAL USE to allow a 6' wall in the required frontyard setback for all or a portion of Lot 4, Block 2, Loma Del Rey zoned R-1, located on **3800 CHERAZ RD NE (G-20) APPROVAL WITH CONDITIONS**
28. **14ZHE-80081** **Project# 1010035** **BRENT MCCLURE** requests a special exception to Section 14-16-2-6(B)(14)(a)(2): a CONDITIONAL USE for an existing wall to be up to 5' in the front yard setback for all or a portion of Lot 7, Block 15, EAST CENTRAL BUSINESS ADDN zoned R-1, located on **300 JANE ST NE (L-21) APPROVAL WITH CONDITIONS**
29. **14ZHE-80068** **Project# 1010020** **KELLY WATSON AND TROY CALDWELL** requests a special exception to Section 14-16-2-6(B)(5): a CONDITIONAL USE to allow child daycare for up to 12 children for all or a portion of Lot 28, Block 102, SNOW HEIGHTS ADDN zoned R-1, located on **1850 GRETTA ST NE (H-21) APPROVAL WITH CONDITIONS**
30. **14ZHE-80069** **Project# 1010022** **THOMAS CUYLER** requests a special exception to Section 14-16-2-6(B)(11): a CONDITIONAL USE for a proposed second kitchen in a dwelling for all or a portion of Lot 5, Block 8, WELLS SANDIA MANOR zoned R-1, located on **225 SHARON DR NE (L-23) APPROVAL WITH CONDITIONS**

31. **14ZHE-80070** **Project# 1010024** **MATTHEW BIGGS** requests a special exception to Section 14-16-2-21(B)(1) and 14-16-2-20(B)(5): a **CONDITIONAL USE** to allow for proposed off premise liquor sales for all or a portion of Lot 1A, JONES & SANDERSON & VAN BUSKIRK zoned M-2, located on **1001 CANDELARIA RD NE (H-15) APPROVAL WITH CONDITIONS**
32. **14ZHE-80079** **Project# 1010033** **CARLOS GALLEGOS (GARCIA/KRAEMER AND ASSOC, AGENT)** requests a special exception to Section 14-16-2-6(B)(13): a **CONDITIONAL USE** to allow for a storage yard for equipment, material, or activity incidental to a specific construction project, provided it is of a temporary nature for all or a portion of Lot 10, Block 15, SANDIA PLAZA zoned R-1, located on **1023 DELAMAR AVE NW (F-14) DENIAL**
33. **14ZHE-80077** **Project# 1010031** **CENTRAL CAR WASH INC. (GARCIA/KRAEMER AND ASSOC, AGENT)** requests a special exception to Section 14-16-3-19(A)(3)(a): a **VARIANCE** of 2'9" to the maximum 3' fence height limitation within 5' of the public right-of-way for all or a portion of Lot 2A, GILLETTE ADDN zoned C-2, located on **5308 CENTRAL AVE SE (K-17) WITHDRAWN**
34. **14ZHE-80084** **Project# 1010038** **SANDIA AREA FEDERAL CREDIT UNION (JOE SLAGLE, AGENT)** requests a special exception to Section 14-16-2-16(B)(6): a **CONDITIONAL USE** to allow a proposed drive-up window for food and drink for all or a portion of Lot C, NEW HOLIDAY PARK zoned C-1, located on **11301 MONTGOMERY BLVD NE (F-22) APPROVAL WITH CONDITIONS**