



**HEARING ON SPECIAL EXCEPTIONS
TO THE COMPREHENSIVE CITY ZONING CODE**

ZONING HEARING EXAMINER'S ACTION SHEET

TUESDAY, NOVEMBER 19, 2013 9:00 A.M.

CITY COUNCIL CHAMBERS

BASEMENT LEVEL

ONE CIVIC PLAZA NW

STAFF

Joshua J. Skarsgard, Esq., Zoning Hearing Examiner

Randall Falkner, Planner

Christa Wagner, Administrative Assistant

OLD BUSINESS:

1. **13ZHE-80592** **Project# 1009774** **ISIDERO AND FELICIA NIETO (JOSEPH DAVIS CAMACHO, AGENT)** requests a special exception to Section 14-16-2-6(E)(1): a VARIANCE of 7'11" to the required 10 foot corner side yard setback for an existing garage for all or a portion of Lot 14, Block 7, HERITAGE HILLS UNIT 1 zoned R-1, located on **8608 MONITOR DR NE (D-20)**
APPROVED WITH CONDITIONS

2. **13ZHE-80635** **Project# 1009820** **CAROL KRAUSE** requests a special exception to Section 14-16-2-18(A)(2)(g)3: a CONDITIONAL USE to allow the treating of food products for proposed coffee bean roasting for all or a portion of Lot 50x100 BOUNDED D22 P434, GATEWAY zoned SU-2 C-3, located on **800 MOUNTAIN RD NE (J-15)**
DEFERRED 1/21/14

3. **13ZHE-80608** **Project# 1009790** **CATHERINE BUCK** requests a special exception to Section 14-16-3-19(A)(2)(a): a VARIANCE of 3' to the allowed 3' height in the front yard setback for a proposed 6' high fence for all or a portion of Lot 15, Block 16, HUNNING CASTLE ADDN zoned R-1, located on **1525 SAN CARLOS DR SW (K-13)**
DEFERRED 1/21/14

4. **13ZHE-80583** **Project# 1009766** **KENNY YOU (ALEX TRUJILLO, AGENT)** requests a special exception to Page 46, Ill., of the South Broadway Sector Development Plan and Section 14-16-2-16(B)(8): a CONDITIONAL USE to allow for outdoor sales of fireworks for all or a portion of Lot 1A, Block 29, EASTERN ADDN zoned SU-2 NCR, located on **1306 BROADWAY BLVD SE (L-14)**
DEFERRED 1/21/14

5. **13ZHE-80640** **Project# 1009823** **ROBERT MORRISON** requests a special exception to Section 14-16-2-6(B)(1): a CONDITIONAL USE to allow a proposed accessory living quarters for all or a portion of Lot 16B1, TRAIL ACRES ESTATES zoned R-1, located on **901 LOS POBLANOS RANCH RD NW (F-14)**
WITHDRAWN BY APPLICANT

6. 13ZHE-80642 Project# 1009825 LORAIN TAYLOR (STREAMLINE BUILDER & FRAMING CONTRACTOR INC., DAVID ROMERO, AGENT) requests a special exception to Section 14-16-2-6(B)(1): a CONDITIONAL USE to allow a proposed accessory living quarters for all or a portion of Lot 7, Block 16, HUNNING CASTLE ADDITON zoned R-1, located on 1512 SILVER AVE SW (K-13)

DEFERRED 1/21/14

7. 13ZHE-80586 Project# 1009768 CHARLES AND GLORIA MASSEY requests a special exception to Section 14-16-2-6(B)(14)(a)(2): a CONDITIONAL USE to allow a 5' existing fence in the required front yard setback area for all or a portion of Lot 23A, Block 13, FOUR HILLS VILLAGE FOURTEENTH INSTALLMENT zoned R-1, located on 1206 HIDEAWAY LN SE (M-23)

DENIAL

NEW BUSINESS:

8. 13ZHE-80664 Project# 1009857 LUPE & MARIA PRECIADO request(s) a special exception to Section 14-16-2-6(e)(4)(a): a VARIANCE request of 4' 4" to the required 5' side yard setback for an existing addition for all or a portion of Lot 7, Block 25, HUNING CASTLE ADDN zoned R-1, located on 1512 ESCALANTE AV SW (K-13)

APPROVED WITH CONDITIONS

9. 13ZHE-80652 Project# 1009841 THOMAS SANCHEZ (CARL PACHECO AND JOHN DOLAN, AGENTS) request(s) a special exception to Section 14-16-2-6(E)(5)(a): a VARIANCE of 9' to the 15' rear yard setback to allow a proposed addition for all or a portion of Lot 16, Block N, VISTA ENCANTADA REPLAT zoned R-1, located on 6800 BONNIE CT NE (H-18)

APPROVED WITH CONDITIONS

10. 13ZHE-80672 Project# 1009864 APPLE INVESTORS GROUP (ISAACSON & ARFMAN, P.A., FRED ARFMAN, AGENT) request(s) a special exception to Section PG 109 COORS CORRIDOR PLAN, Section 1.B.1: a VARIANCE to permit more than 1/3 of the elevator tower height to penetrate through the view plane for all or a portion of Lot 1A1A & 1A2A, LANDS OF JOE P TAYLOR zoned C-2 SC, located on 6200 COORS BLVD NW (E-12)

WITHDRAWN

11. 13ZHE-80663 Project# 1009856 JOHN AND PEGGY POMPA request(s) a special exception to Section 14-16-3-3(B)(2)(e): a VARIANCE request of 5' to the required 10' building separation to allow a proposed carport in the side yard setback for all or a portion of Lot 26, Block 5, TARA zoned R-1, located on 4008 CIELITO CT NE (G-21)

APPROVED WITH CONDITIONS

12. 13ZHE-80682 Project# 1009871 LOUIS TRUJILLO (SACRED POWER CORPORATION, AGENT) request(s) a special exception to Section 14-16-2-18(E) ref and 14-16-2-15(E)(2)(c): a VARIANCE of 11' 8" to the 15' rear yard setback for a proposed solar carport for all or a portion of Lot 325, RIO GRANDE HEIGHTS ADDN zoned C-3, located on 622 OLD COORS DR SW (K-11)

APPROVED

13. 13ZHE-80650 Project# 1009836 LINA LEE (ENID KUALAPAI, AGENT) request(s) a special exception to Section 14-16-2-9(E)(1): a VARIANCE of 20' to the required 20' setback for a proposed carport for all or a portion of Lot 71, BELL PARK VILLA TOWNHOUSES AMENDED zoned R-T, located on 8305 SHAWNEE PL SE (L-19)

APPROVED WITH CONDITIONS

14. **13ZHE-80651** **Project# 1009836** **LINA LEE (ENID KUALAPAI, AGENT)** request(s) a special exception to Section 14-16-2-9(B)(1) and 14-16-2-6(B)(14)(a)(2): a **CONDITIONAL USE** for a proposed fence to be up to 5' in the frontyard setback for all or a portion of Lot 71, **BELL PARK VILLA TOWNHOUSES AMENDED** zoned R-T, located on **8305 SHAWNEE PL SE (L-19)**
APPROVED WITH CONDITIONS
15. **13ZHE-80660** **Project# 1009854** **THOMAS SCHIMOLER** request(s) a special exception to Section 14-16-3-3(B)(2)(a): a **VARIANCE** of 8' to the 8' height maximum in a required side and rear yard setback area to allow a proposed garage for all or a portion of Lot 10, Block K, **SAN GABRIEL VILLAGE** zoned R-1, located on **10517 SAN MARINO RD NE (G-21)**
APPROVED WITH CONDITIONS
16. **13ZHE-80661** **Project# 1009854** **THOMAS SCHIMOLER** request(s) a special exception to Section 14-16-3-3(B)(2)(e): a **VARIANCE** of 4' to the 10' minimum separation between dwelling and accessory structure to allow a proposed for all or a portion of Lot 10, Block K, **SAN GABRIEL VILLAGE** zoned R-1, located on **10517 SAN MARINO RD NE (G-21)**
APPROVED WITH CONDITIONS
17. **13ZHE-80674** **Project# 1009866** **SHERI CRIDER (DAN HERR, AGENT)** request(s) a special exception to Section PAGE 108 **DOWNTOWN NEIGHBORHOOD AREA SDP, SECTION SU-2 DNA/OR (G)**: a **VARIANCE** of 30% window surface to the 50% required window surface on the 1st floor & 14% window surface to the 30% req. window surface on the 2nd floor of Kent St NW. for all or a portion of Lot 7-12, Block 53, **ORIGINAL TOWNSITE OF ABQ (NMT ADDN)** zoned SU-2 DNA/OR, located on **816 TIJERAS AVE NW (J-13)**
APPROVED
18. **13ZHE-80675** **Project# 1009866** **SHERI CRIDER (DAN HERR, AGENT)** request(s) a special exception to Section PAGE 108 **DOWNTOWN NEIGHBORHOOD AREA SDP, SECTION SU-2 DNA/OR (G)**: a **VARIANCE** of 12% window surface to the to the 50% required window surface on the 1st floor & 12% window surface to the 30 % required window surface on the 2nd floor of Tijeras Ave NW. for all or a portion of Lot 7-12, Block 53, **ORIGINAL TOWNSITE OF ABQ (NMT ADDN)** zoned SU-2 DNA/OR, located on **816 TIJERAS AVE NW (J-13)**
APPROVED
19. **13ZHE-80676** **Project# 1009866** **SHERI CRIDER (DAN HERR, AGENT)** request(s) a special exception to Section PAGE 108 **DOWNTOWN NEIGHBORHOOD AREA SDP SU-2 DNA/OR (G)**: a **VARIANCE** of 34% window surface to the 50% required window surface on the 1st floor & 19% window surface to the 30% required window surface on the 2nd floor of 9th St NW. for all or a portion of Lot 7-12, Block 53, **ORIGINAL TOWNSITE OF ABQ (NMT ADDN)** zoned SU-2 DNA/OR, located on **816 TIJERAS AVE NW (J-13)**
APPROVED
20. **13ZHE-80679** **Project# 1009869** **BOB RUTH (BRON HIENTZ/SSA, AGENT)** request(s) a special exception to Section 14-16-2-5(D): a **VARIANCE** of 1472 square feet to the minimum lot size requirement of 10890 square feet for all or a portion of Lot 7A1, **ALVARADO GARDENS UNIT 1** zoned RA-2, located on **2904 RIO GRANDE BLVD NW (G-13)**
DEFERRED 1/21/14
21. **13ZHE-80681** **Project# 1009869** **BOB RUTH (BRON HEINTZ/SSA, AGENT)** request(s) a special exception to Section 14-16-2-5(D): a **VARIANCE** of 1595 square feet to the minimum lot size requirement of 10890 square feet for all or a portion of Lot 7a1, **ALVARADO GARDENS UNIT 1** zoned RA-2, located on **2904 RIO GRANDE BLVD NW (G-13)**
DEFERRED 1/21/14

22. 13ZHE-80666 Project# SANDRA SEABORN (ROBERT FABER, AGENT) request(s) a special exception to Section 14-16-2-6(E)(1): a VARIANCE of 8.25' to the 20' front yard set back for a proposed garage addition for all or a portion of Lot 14, Block 17, HUNING CASTLE ADDITION zoned R-1, located on 421 RAYNOLDS AV SW (K-13)

DEFERRED 1/21/14

23. 13ZHE-80667 Project# SANDRA SEABORN (ROBERT FABER, AGENT) request(s) a special exception to Section 14-16-2-6(E)(4)(a): a VARIANCE of 2.85' to the 5'-0" side yard set back for a proposed garage addition. for all or a portion of Lot 14, Block 17, HUNING CASTLE ADDITION zoned R-1, located on 421 RAYNOLDS AV SW (K-13)

DEFERRED 1/21/14

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

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

IF YOU ARE AGENDA ITEMS 24-42

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

24. 13ZHE-80656 Project# MONTE SKARSGARD (SKARSGARD FARMS, AGENT) request(s) a special exception to Section 14-16-2-20(B)(5): a CONDITIONAL USE to allow for the sale of alcoholic drink/wine and beer for off premise consumption for all or a portion of Lot O3, COLES INDUSTRIAL NO 2 zoned M-1, located on 3435 STANFORD DR NE (G-16)

APPROVED WITH CONDITIONS

25. 13ZHE-80678 Project# NAVISH LLC (THE GROUP, AGENT) request(s) a special exception to Section 14-16-3-19(A)(2)(a)(1): a VARIANCE of 2' to the allowed 8' for a proposed 10' high wall for all or a portion of Lot 31, Block 18, NORTH ABQ ACRES zoned R-D 5DU/A, located on 9111 CARMEL AVE NE (C-20)

APPROVED WITH CONDITIONS

26. 13ZHE-80680 Project# NAVISH, LLC (THE GROUP, AGENT) request(s) a special exception to Section 14-16-3-19(A)(2)(a)(1): a VARIANCE of 2' to the allowed 8' for a proposed 10' high wall for all or a portion of Lot 1, Block 3, NORTH ABQ ACRES zoned R-D 7DU/A, located on 6900 OAKLAND AVE NE (C-18)

APPROVED WITH CONDITIONS

27. 13ZHE-80668 Project# MARK GONZALES request(s) a special exception to Section 14-16-2-16(B)(7): a CONDITIONAL USE for a proposed dwelling unit in a C-1 zone for all or a portion of Lot 4-A-1, ROMERO-JESUS ADDITION NO. 2 zoned C-1, located on 2118 HOLLYWOOD AV NW (J-13)

APPROVED WITH CONDITIONS

28. 13ZHE-80669 Project# MARK GONZALES request(s) a special exception to Section 14-16-2-17(B)(7): a CONDITIONAL USE for a proposed dwelling unit in a C-2 zone for all or a portion of Lot 5, Tract(s) 246, ROMERO-JESUS ADDITION NO 2 zoned C-2, located on 2121 HOLLYWOOD AVE NW (J-13)

APPROVED WITH CONDITIONS

29. **13ZHE-80683** **Project#** **RONALD ROMO** request(s) a special exception to Section 14-16-3-3(A)(4)(a)(3): a **CONDITIONAL USE** to allow an existing 6' fence in the required side and rear yard for all or a portion of Lot A1, Block 3, **SUNSHINE ADDN** zoned **SU-2-MR**, located on **1900 EDITH BLVD SE (L-14)**
1009872
DEFERRED 1/21/14
30. **13ZHE-80684** **Project#** **RONALD ROMO** request(s) a special exception to Section 14-16-2-6(B)(14)(a)(2): a **CONDITIONAL USE** to allow a proposed 5' wall in the required frontyard setback for all or a portion of Lot a1, Block 3, **SUNSHINE ADDN** zoned **SU-2 MR**, located on **1900 EDITH BLVD SE (L-14)**
1009872
APPROVED WITH CONDITIONS
31. **13ZHE-80655** **Project#** **RELDER PRIETO RUIZ (LOLI WIESNER BOURG, AGENT)** request(s) a special exception to Section 14-16-3-19(A)(2)(a): a **VARIANCE** of 3' to the allowed 3' height for a proposed wall in the front yard setback for all or a portion of Lot 1-P1, Block 1, **SUNRISE MEADOWS UNIT 2** zoned **R-T**, located on **847 MALACHITE DR SW (L-9)**
1009845
APPROVED WITH CONDITIONS
32. **13ZHE-80662** **Project#** **ELIZABETH DORADO** request(s) a special exception to Section 14-16-3-19(A)(2)(a): a **VARIANCE** to the allowed 3' height required in the front yard setback to allow an existing 6' high wall for all or a portion of Lot 3, Block 2, **OSAGE ADDN NO 4** zoned **R-1**, located on **211 LA MEDIA RD SW (K-12)**
1009855
APPROVED WITH CONDITIONS
33. **13ZHE-80654** **Project#** **CATE CLARK** request(s) a special exception to Section **PAGE 100 B.** and **14-1-2-6(B)(7)**: a **CONDITIONAL USE** for proposed massage therapy at a dwelling for all or a portion of Lot 6, **LYNCH CT ADDN** zoned **S-R**, located on **1011 LYNCH CT NW (J-13)**
1009844
APPROVED WITH CONDITIONS
34. **13ZHE-80659** **Project#** **STEVEN COE DBA TOGA GROUP, LLC (DAC ZONING & LAND USE SERVICES, AGENT)** request(s) a special exception to Section 14-16-2-12(B)(1) and 14-16-2-11(B)(5): a **CONDITIONAL USE** for a proposed daycare center in a **R-3** zone for all or a portion of Lot 1,2,&5, Block 3, **SIGMA CHI ADDITION** zoned **R-3**, located on **1801 MESA VISTA RD NE (J-15)**
1009852
DEFERRED 1/21/14
35. **13ZHE-80677** **Project#** **DIEGO BARBOSA** request(s) a special exception to Section **PG 99 NOB HILL HIGHLAND SDP** and **14-16-2-15(B)(9)**: a **CONDITIONAL USE** to allow retailing of food and drink (non-alcoholic) for all or a portion of Lot 2, Block 10, **MONTE VISTA ADDN** zoned **OR-1**, located on **118 RICHMOND DR NE (K-16)**
1009867
APPROVED
36. **13ZHE-80657** **Project#** **DALE SCOTT AND KILEEN SCOTT** request(s) a special exception to Section 14-16-2-6(B)(1): a **CONDITIONAL USE** to allow an existing accessory living quarters for all or a portion of Lot 21, Block 3, **AMERICAN HERITAGE NORTH** zoned **R-1**, located on **7700 TRAIL RIDGE RD NE (F-19)**
1009850
APPROVED
37. **13ZHE-80658** **Project#** **MICHELLE AGUILAR** request(s) a special exception to Section 14-16-3-3(A)(4)(a)(3): a **CONDITIONAL USE** to allow an existing 6' block wall in the side and rear yard for all or a portion of Lot 4, Block H, **SINGING ARROW SUBDIVISION** zoned **R-2**, located on **12600 DUNES RD SE (L-22)**
1009851
APPROVED WITH CONDITIONS

38. 13ZHE-80670 Project# RICHARD MINZNER (HILLTOP LANDSCAPE ARCHITECTS & CONSTRUCTION, AGENT) request(s) a special exception to Section 14-16-2-6(B)(14)(a)(1): a CONDITIONAL USE for a proposed 5'-6' wall in the front yard setback 11' from the sidewalk for all or a portion of Lot 6, Block 13, LA HACIENDA ADDN zoned R-1, located on 4462 AVENIDA DEL SOL NE (J-17)
APPROVED WITH CONDITIONS
39. 13ZHE-80673 Project# KARL FROHREICH request(s) a special exception to Section 14-16-2-14(E)(1) and 14-16-2-6(B)(12): a CONDITIONAL USE to allow a proposed covered patio for all or a portion of Lot 61, CASITA CORONADO zoned R-D, located on 901 CALLE CORONADO SE (M-22)
APPROVED WITH CONDITIONS
40. 13ZHE-80653 Project# ROGER FLEGEL request(s) a special exception to Section 14-16-2-6(B)(3): a CONDITIONAL USE for a proposed carport in the front yard setback area for all or a portion of Lot 22, Block 6, TIJERAS PLACE ADDN zoned R-1, located on 605 VALENCIA DR NE (K-18)
APPROVED WITH CONDITIONS
41. 13ZHE-80665 Project# PATRICIA FRYE (AUSTIN'S CARPORTS, GILBERT AUSTIN, AGENT) request(s) a special exception to Section 14-16-2-6(B)(3): a CONDITIONAL USE approval for a proposed carport in the front yard area for all or a portion of Lot 5, Block 138, SNOW HEIGHTS ADDN zoned R-1, located on 1827 CHILDERS DR NE (H-20)
APPROVED WITH CONDITIONS
42. 13ZHE-80671 Project# RIO GRANDE MHP LLC., (GUY JACKSON & ASSOCIATES, LLC, AGENT) request(s) a special exception to Section 14-16-2-17(B)(11): a CONDITIONAL USE for an existing mobile home development in a C-2 zone for all or a portion of Lot A-1, JOHN BEST zoned C-2, located on 2519 NEW YORK AVE NW (J-12)
DEFERRED 1/21/14