



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

ZONING HEARING EXAMINER'S ACTION SHEET

TUESDAY, January 21, 2014 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

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

OLD BUSINESS:

- | | | |
|-----------------------|-----------------------------|--|
| 1. 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)

WITHDRAWN |
| 2. 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)

WITHDRAWN |
| 3. 13ZHE-80666 | Project#
1009859 | 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 2/18/14 |
| 4. 13ZHE-80667 | Project#
1009859 | 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 2/18/14 |
| 5. 13ZHE-80683 | Project#
1009872 | 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)

APPROVED WITH CONDITIONS |

6. **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)**
APPROVED WITH CONDITIONS
7. **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 3/18/14
8. **13ZHE-80659** **Project# 1009852** **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)**
APPROVED WITH CONDITIONS
9. **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 **CONDITONAL 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)**
WITHDRAWN
10. **13ZHE-80671** **Project# 1009863** **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)**
APPROVED WITH CONDITIONS

NEW BUSINESS:

11. **13ZHE-80686** **Project# 1009889** **MAURICIO CANO** requests a special exception to Section 14-16-2-6 (E) (4) (b): a **VARIANCE** of 5' to the required 10' side yard setback for a proposed addition for all or a portion of Lot 27, Block 1, **LAVALAND ADDN** zoned **R-1**, located on **311 61ST ST NW (K-11)**
APPROVED WITH CONDITIONS
12. **13ZHE-80687** **Project# 1009889** **MAURICIO CANO** requests a special exception to Section 14-16-2-6 (E) (5) (a): a **VARIANCE** of 10' to the required 15' rear yard setback for a proposed addition for all or a portion of Lot 27, Block 1, **LAVALAND ADDN** zoned **R-1**, located on **311 61ST ST NW (K-11)**
APPROVED WITH CONDITIONS
13. **13ZHE-80696** **Project# 1009903** **THOMAS ALLEN** requests a special exception to Section 14-16-2-5(E) and 14-16-2-6(E)(4)(a): a **VARIANCE** of 2' to the required 5' side yard setback for a proposed addition to an existing house for all or a portion of Lot 31, **BOULEVARD GARDENS** zoned **RA-2**, located on **2443 ORO VISTA RD NW 87107 (G-12)**
APPROVED WITH CONDITIONS

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| 14. | 13ZHE-80688 | Project#
1009891 | TOM PHILLIPS requests a special exception to Section 14-16-3-19(A)(3)(a): a VARIANCE of 1' to the 3' height maximum to allow an existing 4' fence in the front yard setback for all or a portion of Lot 2, Block 10, VIRGINIA PLACE ADDN zoned C-1, located on 1258 ORTIZ DR SE (L-18)

WITHDRAWN |
| 15. | 13ZHE-80690 | Project#
1009893 | MARTA DECKER (CABALLERO CONSTRUCTION CO, AGENT) requests a special exception to Section 14-16-3-19(A)(2)(a)(1) : a VARIANCE of 4' 6" to the allowed 6' height for a proposed rear wall for all or a portion of Lot 2, ACADEMY HILLS UNIT 2 zoned SU-1 PRD, located on 9405 ADMIRAL LOWELL AVE NE (E-20)

APPROVED WITH CONDITIONS |
| 16. | 13ZHE-80691 | Project#
1009896 | SANTA BARBARA HOME OWNERS ASSOCIATION (KATHERINE MCANDREW, AGENT) requests a special exception to Section 14-16-3-19(A)(1)(a) : a VARIANCE of 2' to the 8' height maximum to allow an existing 10' fence in the side and rear yard for all or a portion of Lot 6, Block 11, SANTA BARBARA zoned SU-1 PRD, located on 7323 TURTLE DOVE LN NE (D-19)

APPROVED WITH CONDITIONS |
| 17. | 13ZHE-80702 | Project#
1009909 | JAY BATTERSHELL (JARROD BATTERSHELL, AGENT) requests a special exception to Section 14-16-3-19(A)(3)(a): a VARIANCE of 3' to the allowed 3' height for a proposed 6' fence in the 5' setback for all or a portion of Lot A, Block 4, NORTH CARLISLE ADDN zoned C-1, located on 3621 SAN MATEO BLVD NE (G-17)

DEFERRED 2/18/14 |
| 18. | 13ZHE-80704 | Project#
1009911 | RIO GRANDE ENGINEERING (DAVID SOULE, PE, AGENT) requests a special exception to Section 14-16-3-19(A)(1)(a): a VARIANCE of 3' to the 8' height maximum to allow a proposed 11' fence in the rear yard for all or a portion of Lot 1, Block 2, SUNDORO UNIT 9 zoned SU-2 R-LT, located on 836 ZIMINA DR NW (J-9)

APPROVED WITH CONDITIONS |
| 19. | 13ZHE-80705 | Project#
1009912 | RIO GRANDE ENGINEERING (DAVID SOULE, PE, AGENT) requests a special exception to Section 14-16-3-19(A)(1)(a): a VARIANCE of 3' to the 8' height maximum to allow a proposed 11' fence in the rear yard for all or a portion of Lot 2, Block 2, SUNDORO UNIT 9 zoned SU-2 RLT, located on 832 ZIMINA DR NW (J-9)

APPROVED WITH CONDITIONS |
| 20. | 13ZHE-80706 | Project#
1009913 | RIO GRANDE ENGINEERING (DAVID SOULE, PE, AGENT) requests a special exception to Section 14-16-3-19(A)(1)(a): a VARIANCE of 3' to the 8' height maximum to allow a proposed 11' fence in the rear yard for all or a portion of Lot 3, Block 2, SUNDORO UNIT 9 zoned SU-2 R-LT, located on 828 ZIMINA DR NW (J-9)

APPROVED WITH CONDITIONS |
| 21. | 13ZHE-80707 | Project#
1009914 | RIO GRANDE ENGINEERING (DAVID SOULE, PE, AGENT) requests a special exception to Section 14-16-3-19(A)(1)(a): a VARIANCE of 2' to the 8' height maximum to allow a proposed 10' fence in the rear yard for all or a portion of Lot 4, Block 2, SUNDORO UNIT 9 zoned SU-2 R-LT, located on 824 ZIMINA DR NW (J-9) |

22. **13ZHE-80708** **Project# 1009915** **RIO GRANDE ENGINEERING (DAVID SOULE, PE, AGENT)** requests a special exception to Section 14-16-3-19(A)(1)(a) : a VARIANCE of 1' to the 8' height maximum to allow a proposed 9' fence in the rear yard for all or a portion of Lot 5, Block 2, SUNDORO UNIT 9 zoned SU-2 R-LT, located on **820 ZIMINA BLVD NW (J-9)**
APPROVED WITH CONDITIONS
23. **13ZHE-80692** **Project# 1009897** **MARY E HARTLEY AND MARK NOLAN** requests a special exception to Section 14-16-2-6(B)(14)(a)(1): a CONDITIONAL USE to allow a proposed 5' wall in the required frontyard setback for all or a portion of Lot 40, Block R, BEVERLY WOOD ADDITION zoned R-1, located on **6517 ZIMMERMAN AVE NE (J-18)**
APPROVED WITH CONDITIONS
24. **13ZHE-80695** **Project# 1009902** **CHRIS MARTINEZ** requests a special exception to Section 14-16-2-6(B)(14)(a)(1): a CONDITONAL USE to allow a proposed 5' wall in the required front yard setback for all or a portion of Lot 4, Block 12, PUEBLO ALTO ADDN zoned R-1, located on **812 MONROE ST NE (J-17)**
APPROVED WITH CONDITIONS
25. **13ZHE-80700** **Project# 1009907** **ANN WARFORD (KEVIN R EMMONS, AGENT)** requests a special exception to Section 14-16-2-14(E)(2), 14-16-2-12(B)(1), 14-16-2-11(B)(1) and 14-16-2-6(B)(12): a CONDITIONAL USE to allow a proposed shade cover 2' 3 1/2" into the rear yard setback area for all or a portion of Lot 9, Block 17, JUAN TABO HILLS UNIT 2 zoned R-D, located on **12104 NASHUA RD SE (M-22)**
APPROVED WITH CONDITIONS
26. **13ZHE-80699** **Project# 1009906** **GIL STEWART** requests a special exception to Section 14-16-2-17 (B)(13): a CONDITIONAL USE for outside activity for a proposed vending truck for all or a portion of Lot D1 & D2, Tract(s) D1 & D2, ST ANTHONY'S ORPHANAGE zoned C2(SC), located on **2001 & 2011 12 ST NW (H-13)**
DEFERRED 3/18/14
27. **13ZHE-80698** **Project# 1009905** **MONICA REMPEN** requests a special exception to Section PAGE 92 C. of the Downtown Neighborhood Area SDP and 14-16-2-6(B)(7): a CONDITIONAL USE for proposed acupuncture as a home based business for all or a portion of Lot A, Block 18, PEREA ADDN zoned SU-2 DNA SF, located on **1419 ROMA AV NW (J-13)**
APPROVED WITH CONDITIONS
28. **13ZHE-80693** **Project# 1009899** **DONALD SEUNTJENS** requests a special exception to Section 14-16-2-6 (B) (1): a CONDITIONAL USE for a proposed accessory living quarters in an R-1 zone for all or a portion of Lot 1, Block 11, VICTORY ADDITION NO. 1 zoned R-1, located on **701 VASSAR DR SE (L-16)**
DEFERRED 2/18/14
29. **13ZHE-80694** **Project# 1009901** **BILLY W. BACA** requests 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 6, GARDENS ACRES zoned R-1, located on **1338 GRIEGOS RD NW (F-14)**
APPROVED
30. **13ZHE-80703** **Project# 1009910** **RUDY RAEL** requests a special exception to Section 14-16-2-6(B)(1): a CONDITIONAL USE to allow a proposed accessory living quarters in the rear yard setback for all or a portion of Lot 75, REGINA ADDITION zoned R-1, located on **5009 REGINA CIRCLE NW (J-11)**
APPROVED WITH CONDITIONS

31. **13ZHE-80697** **Project# 1009904** **DAN HERR** requests a special exception to Section 14-16-2-17(B)(19) and pg 32 of the Downtown 2010 SDP: a **CONDITIONAL USE** to allow the manufacturing of beer on a C-2 property for all or a portion of Lot 13A, Block 37, N.M.T ADDITION zoned SU-3 GOVT ST SW, located on **413 2ND ST SW** (K-14)
- APPROVED WITH CONDITIONS**
32. **13ZHE-80701** **Project# 1009908** **JIM AND CHRISTEN SHULL (MYERS, OLIVER & PRICE, P.C., AGENT)** requests a special exception to Section PAGE 90 1. of the Nob Hill Highland SDP and 14-16-2-17(B)(19): a **CONDITIONAL USE** for proposed brewing of beer for a micro brewery for all or a portion of Lot 16, Block 4, MONTE VISTA SUBDIVISION zoned CCR-1, located on **3507 CENTRAL AV NE** (K-16)
33. **13ZHE-80645** **Project# 1009828** **JIM AND CHRISTEN SHULL (MYERS, OLIVER & PRICE, P.C., MATT MYERS, AGENT)** requests an amendment to the previous Notice of Decision Condition B. in order to expand the ability to sell all New Mexico brewed beers on-site for off-premises consumption for all or a portion of Lot 16, Block 4, MONTE VISTA zoned CCR-1, located on **3507 CENTRAL AVE NW** (K-16)
34. **13ZHE-80689** **Project# 1009892** **ADAM KRAFFT** requests a special exception to Section Page 3, Section 1. B. of Council Bill No. R-12-29 in the Nob Hill Highland SDP: a **CONDITIONAL USE** to allow for off-premise sales of beer six packs and beer growlers for all or a portion of Lot 7, Block 7, MONTE VISTA ADDN zoned CCR-1, located on **3225 CENTRAL AVE NE** (K-16)
- DENIED**