



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

TUESDAY, APRIL 15, 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*

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

PLEASE ADDRESS ALL CORRESPONDENCE TO:

*Joshua J. Skarsgard, 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 Christa Wagner at (505) 924-3894.*

INTERPRETER REQUIRED:

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| 1. | *IR* 14ZHE-80034 | Project# 1009972 | FABIEL MADERA 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 1020 GEORGIA ST SE (L-18) DEFERRED TO MAY |
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OLD BUSINESS:

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| 2. | 13ZHE-80583 | Project# 1009766 | KENNY YOU (ALEX TRUJILLO, AGENT) requests a special exception to Page 46, III., 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) APPROVED WITH CONDITIONS |
| 3. | 14ZHE-80021 | Project# 1009957 | FOOK C. AND ANA M. LEE (JESSE W. DEUBEL, AGENT) request(s) a special exception to Section 14-16-2-8(B)(1) and 14-16-2-6(B)(1): a CONDITIONAL USE request to allow for a proposed (casita) accessory living quarters on a lot for all or a portion of Lot(s) 7, Block(s) 2, CHAMISA RIDGE UNIT 2 zoned R-LT, located on 9600 BIG SAGE DR NW (B-10) APPROVED WITH CONDITIONS |

4. **14ZHE-80024** **Project#** **JEREMY MOORE** request(s) a special exception to Section 14-16-2-14(D) and 14-16-2-6(B)(1): a **CONDITIONAL USE** to allow a proposed accessory living quarters for all or a portion of Lot(s) 6, Block(s) 2, **PRAIRIE RIDGE UNIT 6** zoned R-D, located on **6325 SUMAC DR NW** (E-12) **DENIED**
5. **13ZHE-80699** **Project#** **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) **APPROVED WITH CONDITIONS**

NEW BUSINESS:

6. **14ZHE-80031** **Project#** **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) **DEFERRED TO MAY**
7. **14ZHE-80046** **Project#** **JOHN LIEBENDORFER** requests a special exception to Section 14-16-2-6(E)(4)(a): a **VARIANCE** of 3' to the required 5' side yard setback for an existing water heater closet for all or a portion of Lot 6, Block 2, **HARWOOD ADDITION NO 1** zoned R-1, located on **4126 6TH ST NW** (G-14) **APPROVED WITH CONDITIONS**
8. **14ZHE-80035** **Project#** **STEVE COE DBA COE & PETERSON, LLC ATTN: ARLENE POST (DAC ZONING & LAND USE SERVICES, AGENT)** requests a special exception to Section 14-16-3-19(A)(3)(a): a **VARIANCE** request of 3' to allow a 6' fence at property line in an C-1 zone for all or a portion of Lot 2, Block 10, **VIRGINIA PLACE ADDITION** zoned C-1, located on **1258 ORTIZ DR SE** (L-18) **APPROVED WITH CONDITIONS**
9. **14ZHE-80053** **Project#** **SAWMILL COMMUNITY LAND TRUST (WADE PATTERSON EXECUTIVE DIRECTOR/SCLT, AGENT)** requests a special exception to Section SAWMILL WELLS PG. 93 (5.J): a **VARIANCE** of 1' to the 3' height maximum for a proposed fence for all or a portion of Lot 2EIA, **ARBOLERA DE VIDA UNIT 2B** zoned S-MI, located on **1120 MIS ABUELITOS DR NW** (H-13) **APPROVED WITH CONDITIONS**
10. **14ZHE-80043** **Project#** **DARREN LEWIS** requests a special exception to Section 14-16-3-19(A)(2)(a)(2): a **VARIANCE** of 1' to the allowed 6' height in the side yard for a proposed 7' high CMU wall for all or a portion of Lot 16, Block A, **SUMMER RAY UNIT 2** zoned R-D 15 DU/A, located on **6400 SUNNY DAY CT NW** (H-10) **APPROVED WITH CONDITIONS**
11. **14ZHE-80059** **Project#** **KURT BROWNING - DEL REY INVESTMENTS TSM II (JIM STROZIER, AGENT)** requests a special exception to Section 14-16-3-1(H)(1): a **VARIANCE** of 2' to the 6' minimum sidewalk width for a new development for all or a portion of Tract 1 Bulk Land Plat of Tracts 1-4, **SANTA MONICA** zoned R-2, located on **6400 SAN PEDRO DR NE** (D-18) **APPROVED**
12. **14ZHE-80060** **Project#** **KURT BROWNING - DEL REY INVESTMENTS TSM II (JIM STROZIER, AGENT)** requests a special exception to Section 14-16-2-11(C): a **VARIANCE** of 8.78' to the 26' height maximum for a proposed development for all or a portion of Tract 1 Bulk Land Plat of Tracts 1-4, **SANTA MONICA** zoned R-2, located on **6400 SAN PEDRO DR NE** (D-18) **APPROVED**
13. **14ZHE-80036** **Project#** **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 MAY**

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| 14. | 14ZHE-80040 | Project#
1009989 | LULU SAGE AND JAMES LUDWICK requests a special exception to pg 92 (DNA)(SDP) and Section 14-16-2-6(E)(3)(b): a VARIANCE of 10' to the 10' required side yard setback for a proposed addn for all or a portion of Lot 24a, Block 31, PEREA ADDN zoned SU-2 DNA SF, located on 1501 ORCHARD PL NW (J-13) APPROVED WITH CONDITIONS |
| 15. | 14ZHE-80041 | Project#
1009990 | ALBERT SALAS & CHARLITA ISAMMINGER requests a special exception to Section 14-16-2-6(E)(4)(a): a VARIANCE of 2' to the required 5' setback for a proposed addition for all or a portion of Lot 9, Block 58, UNIVERSITY HEIGHTS zoned R-1, located on 503 AMHERST DR. SE (K-16) APPROVED WITH CONDITIONS |
| 16. | 14ZHE-80042 | Project#
1009990 | ALBERT SALAS & CHARLITA ISAMMINGER requests a special exception to Section 14-16-3-3(B)(2)(e): a VARIANCE of 2' to the required 5' separation for a proposed addition for all or a portion of Lot 9, Block 58, UNIVERSITY HEIGHTS zoned R-1, located on 503 AMHERST DR. SE (K-16) WITHDRAWN |
| 17. | 14ZHE-80044 | Project#
1009992 | SHARRET ROSE requests a special exception to Section 14-16-2-6(E)(5)(a): a VARIANCE of 15' to the required 15' rear yard setback required for a proposed addition for all or a portion of Lot 12, Block 20, MONTE VISTA zoned SFHD, located on 315 TULANE PL NE (K-16) APPROVED WITH CONDITIONS |
| 18. | 14ZHE-80045 | Project#
1009992 | SHARRET ROSE requests a special exception to Section 14-16-2-6(E)(4)(a): a VARIANCE of 2' to the required 5' side yard setback required for a proposed addition for all or a portion of Lot 12, Block 20, MONTE VISTA zoned SFHD, located on 315 TULANE PL NE (K-16) APPROVED WITH CONDITIONS |

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

HEARING WILL RESUME PROMPTLY
AT 1:30 P.M. WITH ITEM #19

IF YOU ARE AGENDA ITEMS 19-33

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

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| 19. | 14ZHE-80048 | Project#
1009995 | RODERICK CAMPBELL & MARY ELLEN BUTLER (BERENT GROTH, AGENT) requests a special exception to Section 14-16-2-5(E): a VARIANCE of 12' 10" to the required 25' rear yard setback for a proposed addition for all or a portion of Lot 1-P2, CAMPBELL FARM zoned RA-2, located on 3528 CAMPBELL FARM LANE NW (G-13) APPROVED WITH CONDITIONS |
| 20. | 14ZHE-80055 | Project#
1010002 | A LEE STRAUGHAN (WILLIAM SANTANA/KEVIN GEORGE AND ASSOC, AGENT) requests a special exception to Section 14-16-3-10(E)(3)(b): a VARIANCE of 6' to the required 6' side yard landscape buffer for a proposed addition for all or a portion of Lot 29A/Grace Community Church, Block 3, KNAPP HEIGHTS ADDITION zoned SU-1 O-1, located on 4108 ALCAZAR ST NE (F-19) APPROVED WITH CONDITIONS |
| 21. | 14ZHE-80056 | Project#
1010002 | A LEE STRAUGHAN (WILLIAM SANTANA/KEVIN GEORGE AND ASSOC, AGENT) requests a special exception to Section 14-16-3-10(E)(3)(c): a VARIANCE of 6' to the required 6' rear yard landscape buffer for a proposed addition for all or a portion of Lot 29A/Grace Community Church, Block 3, KNAPP HEIGHTS ADDITION zoned SU-1 O-1, located on 4108 ALCAZAR ST NE (F-19) APPROVED WITH CONDITIONS |

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| 22. | 14ZHE-80058 | Project#
1010004 | SERGIO ROJO requests a special exception to Section 14-16-2-8(E)(4)(a): a VARIANCE of 9' to the required 15' rear yard setback for a proposed addition for all or a portion of Lot 33, Block J, MOUNTAIN VIEW ESTATES UNIT 2 zoned R-LT, located on 7304 SEVEN FALLS CT SW (M-10) APPROVED WITH CONDITIONS |
| 23. | 14ZHE-80061 | Project#
1010006 | IRENE FERTIK (PAJA CONSTRUCTION INC, AGENT) requests a special exception to Section Sawmill Wells Park PAGE 101 E and 14-16-2-8(E)(5): a VARIANCE of 8' to the required 10' separation between dwellings for a proposed addition for all or a portion of Lot 16, Block 7, JOHN BARON BURG PARK zoned S-R, located on 1004 1/2 21ST ST NW (H-13) APPROVED WITH CONDITIONS |
| 24. | 14ZHE-80062 | Project#
1010006 | IRENE FERTIK (PAJA CONSTRUCTION INC, AGENT) requests a special exception to Section Sawmill Wells Park PAGE 101 E and 14-16-2-8(E)(5) : a VARIANCE of 5' to the required 10' separation between dwellings for a proposed addition for all or a portion of Lot 16, Block 7, JOHN BARON BURG PARK zoned S-R, located on 1004 1/2 21ST ST NW (H-13) APPROVED WITH CONDITIONS |
| 25. | 14ZHE-80047 | Project#
1009994 | YVETTE ARELLANO requests a special exception to Section 14-16-2-6(B)(7): a CONDITIONAL USE to allow proposed acupuncture and massage therapy practice for all or a portion of Lot 16, Block 13A, PANORAMA HTS ADDN zoned R-1, located on 12409 PRINCESS JEANNE AVE NE (J-22) APPROVED WITH CONDITIONS |
| 26. | 14ZHE-80032 | Project#
1009968 | ROSE HUYNH requests 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 4, Block 43, BEL AIR zoned R-1, located on 2733 MORNINGSIDE DR NE (H-17) APPROVED WITH CONDITIONS |
| 27. | 14ZHE-80038 | Project#
1009985 | TOM DOWNS (DANE JACOBS, AGENT) requests a special exception to Section 14-16-2-6(B)(3):a CONDITIONAL USE to allow an proposed carport in the front yard setback for all or a portion of Lot 5, Block 8, STARDUST SKIES zoned R-1, located on 7200 GLADDEN AVE NE (G-19) APPROVED WITH CONDITIONS |
| 28. | 14ZHE-80051 | Project#
1009998 | BARBARA OGBORN (AUSTIN'S CARPORTS, AGENT) requests a special exception to Page 29 of the East Atrisco SDP and Section 14-16-2-6(B)(3): a CONDITIONAL USE for a proposed carport in the front yard setback for all or a portion of Lot 19, ROSEWOOD 2 zoned R-D, located on 1320 MESA WOOD PL NW (J-10) APPROVED WITH CONDITIONS |
| 29. | 14ZHE-80037 | Project#
1009981 | VANESSA & AARON KING requests a special exception to Section 14-16-2-11(B)(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 18, Block 4, THE MESA AT ANDERSON HILLS UNIT 2 zoned R-2, located on 3231 MATA ORTIZ DR SW (P-9) APPROVED WITH CONDITIONS |
| 30. | 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) DEFERRED TO MAY |
| 31. | 14ZHE-80057 | Project#
1010003 | KEVIN SANTISTEVAN requests a special exception to Section 14-16-2-6(B)(14)(a)(1): a CONDITIONAL USE for a proposed 5' 6" wall to exceed the 3' allowed in the R-1 zone in the front yard for all or a portion of Lot 4, Block 2, SUNRISE CALL ADDN UNIT 2 zoned R-1, located on 817 GIRARD BLVD NE (J-16) APPROVED WITH CONDITIONS |
| 32. | 14ZHE-80033 | Project#
1009970 | SONNY PADILLA requests a special exception to Section SOUTH BROADWAY PAGE 45 A.1 and 14-16-2-11(A)(1) & 14-16-2-9(A)(1)(d): a CONDITIONAL USE for a proposed second dwelling for all or a portion of Lot 3, Block 1, GARCIA ADDN UNIT 3 zoned SU-2 MR, located on 1808 WILLIAM ST SE (L-14) APPROVED WITH CONDITIONS |

33. **14ZHE-80049** **Project#** **JOTHAM MICHNOVICZ** 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 **1009996** **CONDITIONAL USE** to allow a proposed off premise sales of beer for all or a portion of Lot C-1, **PARKLAND HILLS** zoned CCR-1, located on **106 GIRARD BLVD SE (K-16) APPROVED WITH CONDITIONS**
34. **14ZHE-80054** **Project#** **JUAN TABO PLAZA 591, LLC (MICHELLE HENRIE, AGENT)** requests a special exception to Section 14-16-2-17(B)(18): a **1010001** **CONDITIONAL USE** for proposed package liquor sales for a proposed grocery store within 500' of a residential neighborhood for all or a portion of Tracts B1A &B2A, TARA zoned C-2, located on **11018 & 11020 MONTGOMERY BLVD NE (G-21) APPROVED WITH CONDITIONS**