



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

TUESDAY, OCTOBER 15, 2013 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
Vanessa F. King, City Hearing Monitor*

For Inquiries Regarding This Agenda, Please Call Vanessa F. King at (505) 768-4503.

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 Vanessa F. King at (505) 768-4503.*

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)

DEFERRED |
| 2. | 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 |
| 3. | 13ZHE-80620 | Project#
1009801 | KARL FROHREICH requests a special exception to Section 14-16-2-14(B) and 14-16-2-9(E)(4)(a): a VARIANCE of 15' to the required 15' rear yard setback for a proposed patio cover for all or a portion of Lot 61, CASITAS CORONADO zoned R-D, located on 901 CALLE CORONADO SE (M-22)

WITHDRAWN |

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**
5. **13ZHE-80512** **Project# 1009667** **GLORIA GARCIA** request(s) a special exception to Section Page 40, South Martineztown RG, 14-16-2-10(B) and 14-16-2-6(B)(14): a **CONDITIONAL USE** for a proposed 4" chain link fence in the front yard setback area for all or a portion of Lot(s) 25, **MARTINEZTOWN PLAN 5** zoned **SM RG**, located on **601 ARNO ST NE (J-14) DENIED**
6. **13ZHE-80513** **Project# 1009667** **GLORIA GARCIA** request(s) a special exception to Section Page 40, South Martineztown RG, and Section 14-16-3-19(1)(C)(A): a **CONDITIONAL USE** for an existing fence up to 6" in the side yard setback area for all or a portion of Lot(s) 25, **MARTINEZ TOWN PLAN 5** zoned **SM RG**, located on **601 ARNO ST NE (J-14) DENIED**
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) DEFERRED**
8. **13ZHE-80611** **Project# 1009794** **B.J.D. ENTERPRISES LLC., (CHILDREN'S TREATMENT CENTER)** requests a special exception to Section 14-16-3-12(A)(7): a **VARIANCE** of 665' to the required 1500' separation for a proposed CRP from an existing CRP for all or a portion of Lot 8, Block 7, **MEADOWOOD MANOR UNIT 2** zoned **R-1**, located on **7001 BECK DR NE (E-19) DENIED**

NEW BUSINESS:

9. **13ZHE-80632** **Project# 1009818** **MICHAEL ELLIOTT (AUSTIN'S CARPORTS, GILBERT AUSTIN, AGENT)** requests a special exception to Section 14-16-2-6(B)(3): a **CONDITIONAL USE** to allow a proposed carport in the required front yard setback for all or a portion of Lot 1, Block 8, **SNOW HEIGHTS ADDN** zoned **R-1**, located on **1729 HENDOLA DR NE (J-19) APPROVED WITH CONDITIONS**
10. **13ZHE-80636** **Project# 1009821** **NORMA JEAN BURLEY** requests a special exception to Section 14-16-2-6(B)(12): a **CONDITIONAL USE** for an proposed shade structure in the rear yard setback area for all or a portion of Lot 47, Block 19, **SALTILLO UNIT 1** zoned **R-1**, located on **6248 NUEVA ESPANA RD NW (A-10) APPROVED WITH CONDITIONS**
11. **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) DEFERRED**
12. **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) DEFERRED**
13. **13ZHE-80630** **Project# 1009817** **JULIAN GALLEGOS** requests a special exception to Section 14-16-3-19(A)(2)(b): A **CONDITIONAL USE** for a wall to be up to 6' in side yard corner setback for all or a portion of Lot 24, Block 4, **BOYDS ADDN** zoned **R-1**, located on **6208 KATSON AV NE (F-18) APPROVED WITH CONDITIONS**
14. **13ZHE-80631** **Project# 1009817** **JULIAN GALLEGOS** requests a special exception to Section 14-16-2-6(B)(14)(a)(2): A **CONDITIONAL USE** for a wall to be up to 5' in front yard setback for all or a portion of Lot 24, Block 4, **BOYDS ADDN** zoned **R-1**, located on **6208 KATSON AV NE (F-18) APPROVED WITH CONDITIONS**

15. 13ZHE-80633 Project# **CHARLYN HUDSON** requests a special exception to Section 14-16-2-6(E)(1): a VARIANCE of 5' 2" to the required 20' front yard setback to allow for proposed addition for all or a portion of Lot 3, Block 8, MCDUFFIE PLACE ADDN UNIT 3 zoned R-1, located on **1213 CALLE DEL SOL NE (J-16) APPROVED WITH CONDITIONS**
16. 13ZHE-80634 Project# **CHARLYN HUDSON** requests a special exception to Section 14-16-2-6(B)(14)(a)(1): a CONDITIONAL USE to allow a proposed 4' wall in the required front yard setback area for all or a portion of Lot 3, Block 8, MCDUFFIE PLACE ADDN UNIT 3 zoned R-1, located on **1213 CALLE DEL SOL NE (J-16) APPROVED WITH CONDITIONS**

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

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

IF YOU ARE AGENDA ITEMS 17-33

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

17. 13ZHE-80644 Project# **PATRICIA CASILLAS** requests a special exception to Page 45 II of the South Broadway Sector Development Plan, reference section number 14-16-2-13(A)(1), 14-16-2-9(A)(1) and 14-16-2-6(B)(14)(a)(2): a CONDITIONAL USE to allow a proposed 5' fence in the required front yard setback for all or a portion of Lot 12, Block C, SOUTH BROADWAY ACRES UNIT 1 zoned SU-2 LCR, located on **509 WESMECO DR SE (M-14) APPROVED WITH CONDITIONS**
18. 13ZHE-80648 Project# **ANTHONY J. SANCHEZ** requests a special exception to Section 14-16-2-6(B)(14)(a)(2): a CONDITIONAL USE to allow a proposed 5' wall in the front yard setback area for all or a portion of Lot 28, WOODLAND zoned R-1, located on **727 MENAUL BLVD NW (H-14) APPROVED WITH CONDITIONS**
19. 13ZHE-80649 Project# **MILES LESSEN** requests a special exception to Section 14-16-2-6(B)(14)(a)(2): a CONDITIONAL USE of 6" for an existing 3'6" wall in the front yard setback area for all or a portion of Lot 20, Block 70, PARKLAND HILLS ADDN zoned R-1, located on **1055 QUINCY ST SE (L-17) APPROVED WITH CONDITIONS**
20. 13ZHE-80635 Project# **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**
21. 13ZHE-80641 Project# **CESAR DE SANTIAGO** requests a special exception to Section 14-16-2-17(B)(9): a CONDITIONAL USE to allow for existing outdoor wood sales and related storage in a C-2 zone for all or a portion of Lot A1, Block 7, UNITY ADDN zoned C-2, located on **8601 ZUNI RD SE (K-19) APPROVED WITH CONDITIONS**
22. 13ZHE-80507 Project# **NICHOLAS NARDACCI** requests a special exception to Section 14-16-2-6(B)(7): a CONDITIONAL USE to allow proposed healthcare in an R-1 zone for all or a portion of Lot 1A1, Block 1, STRONGHURST ADDN zoned R-1, located on **2919 COMMERCIAL ST NE (G-14) WITHDRAWN**

23. 13ZHE-80645 Project# **JIM AND CHRISTEN SHULL (MYERS, OLIVER & PRICE, P.C., MATT MYERS, AGENT)** requests a special exception to Nob Hill Highland Sector Development Plan: a **CONDITIONAL USE** to allow for alcoholic sales for off premise consumption for an establishment with a "small brewers license" for all or a portion of Lot 15, Block 4, MONTE VISTA zoned CCR-1, located on **3507 CENTRAL AVE NW (K-16) APPROVED WITH CONDITIONS**
24. 13ZHE-80627 Project# **DONALD SEUNTJENS** requests a special exception to Section 14-16-2-6(E)(5)(a): a **VARIANCE** of 2'1" to the required 15' rear yard setback for an existing residence for all or a portion of Lot 1, Block 11, VICTORY ADDN NO 1 zoned R-1, located on **701 VASSAR DR SE (L-16) DENIED**
25. 13ZHE-80628 Project# **DONALD SEUNTJENS** requests a special exception to Section 14-16-2-6(D)(2)(a)1: a **VARIANCE** of 832 SQ.FT to the required 5,000 SQ.FT. lot minimum in a R-1 zone for all or a portion of Lot 1, Block 11, VICTORY ADDN NO 1 zoned R-1, located on **701 VASSAR DR SE (L-16) DENIED**
26. 13ZHE-80629 Project# **DONALD SEUNTJENS** requests a special exception to Section 14-16-2-6(D)(2)(a)1: a **VARIANCE** of 1,769 SQ.FT. to the required 5,000 SQ.FT. lot minimum in a R-1 zone for all or a portion of Lot 1, Block 11, VICTORY ADDN NO 1 zoned R-1, located on **701 VASSAR DR SE (L-16) DENIED**
27. 13ZHE-80637 Project# **V.A. ELECTRIC INC., (RAMON J. SARASON, AGENT)** requests a special exception to Section 14-16-3-10(E)(3)(b): a **VARIANCE** of 6' to the required 6' south side landscape buffer for a proposed building for all or a portion of Tract A, LANDS OF JOHN PIPER zoned M-1, located on **2211 CANDELARIA RD NE (H-16) APPROVED WITH CONDITIONS**
28. 13ZHE-80638 Project# **V.A. ELECTRIC INC., (RAMON J. SARASON, AGENT)** requests a special exception to Section 14-16-3-10(E)(3)(b): a **VARIANCE** of 6' to the required 6' north side lanscape buffer for a proposed building for all or a portion of Tract A, LANDS OF JOHN PIPER zoned M-1, located on **2211 CANDELARIA RD NE (H-16) APPROVED WITH CONDITIONS**
29. 13ZHE-80639 Project# **V.A. ELECTRIC INC., (RAMON J. SARASON, AGENT)** requests a special exception to Section 14-16-3-10(E)(3)(b): a **VARIANCE** of 6' to the required 6' east side landscape buffer for a proposed building for all or a portion of Tract A, LANDS OF JOHN PIPER zoned M-1, located on **2211 CANDELARIA RD NE (H-16) APPROVED WITH CONDITIONS**
30. 13ZHE-80626 Project# **CAROL WASHBURN** requests a special exception to Section 14-16-2-6(E)(1): a **VARIANCE** of 10' to the required 20' front yard setback for a proposed garage addition for all or a portion of Lot 21, Block 2, HAINES PARK ADDN zoned R-1, located on **1509 CALLE DEL RANCHERO NE (J-16) APPROVED WITH CONDITIONS**
31. 13ZHE-80647 Project# **L. MICHAEL MESSINA** requests a special exception to Section 14-16-3-19(A)(2)(a)(1): a **VARIANCE** of 3' to the 3' height maximum for a proposed 6' wall in the required front yard setback for all or a portion of Lot C1, Block 11, VISTA LARGA zoned R-1, located on **2219 VISTA LARGA AVE NE (J-16) APPROVED WITH CONDITIONS**
32. 13ZHE-80643 Project# **JOHN DAVIS & SIOBHAN ROOME** requests a special exception to Section 14-16-2-6(E)(3)(a): a **VARIANCE** of 10' to the 20' required side yard setback on a corner lot with the rear facing the front of adjacent property for all or a portion of Lot 81A3, MRGCD MAP 35 zoned R-1, located on **1403 MENAUL BLVD NW (H-13) APPROVED WITH CONDITIONS**
33. 13ZHE-80646 Project# **ANN DEMAS (GUY JACKSON, AGENT)** requests a special exception to Page 4.1(9)(b) of the High Desert Sector Development Plan: a **VARIANCE** to existing building envelope by 2.35 sq ft for all or a portion of Lot 44, HIGHLANDS @ HIGH DESERT UNIT 1 zoned SU-2 HD/R-1, located on **6231 FRINGE SAGE CT NE (E-23) APPROVED**