



HEARING ON SPECIAL EXCEPTIONS
TO THE COMPREHENSIVE CITY ZONING CODE

ZONING HEARING EXAMINER'S AGENDA

TUESDAY, AUGUST 20, 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
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: Application to Amend Notice of Decision

1. 13ZHE-80517 Project# 1009670 PASEO PAVILLION @ SECOND STREET LLC., (TRISH LOPES, AGENT request(s) a special exception to Section 14-16-3-10(E)(4)(a): a VARIANCE of 10' to the minimum required 10' landscaping strip along a residential/non residential boundary for all or a portion of Lot(s) E, ST. ANTHONY ORPHANAGE zoned R-1, located on 1120 INDIAN SCHOOL RD NW (H-13)

OLD BUSINESS:

2. 13ZHE-80516 Project# 1009670 PASEO PAVILLION @ SECOND STREET LLC., (TRISH LOPES, AGENT request(s) a special exception to Section 14-16-3-10(E)(4)(c): a VARIANCE of 6' to the minimum required 6' high opaque wall or fence requirement to screen the parking/circulation area from the adjacent wall for separating a proposed commercial site from a residential site for all or a portion of Lot(s) E, ST. ANTHONY ORPHANAGE zoned R-1, located on 1120 INDIAN SCHOOL RD NW (H-13)

3. 13ZHE-80544 Project# 1009711 JAMES LAMBROS (JAMES M. PRICE, AGENT) 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 27, Block 16, HUNING CASTLE ADDN zoned R-1, located on 1501 SAN CARLOS DR SW (K-13)

4. **13ZHE-80547** **Project# 1009715** **LIZ AND RAY ORTEGA (FOUR SEASONS SUNROOMS, SHERI BARAJAS, 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 9, Block 23, HUNING CASTLE ADDITION zoned R-1, located on **1532 SAN PATRICIO AVE SW** (K-13)
5. **13ZHE-80551** **Project# 1009725** **RICARDO AND NALLELY GRAJEDA** requests a special exception to Section 14-16-2-6(B)(14)(a)(2) and 14-16-2-9(B): a CONDITIONAL USE to allow a proposed 5' fence in the required front yard setback area for all or a portion of Lot 19-P1, BRIDGE CROSSING ADDN, zoned R-T, located on **315 LINDSAY PL SW** (K-10)
6. **13ZHE-80521** **Project# 1009674** **FED EX, RANDY ARCHER (GARCIA'S TENTS AND EVENTS, BEN HERNANDEZ, AGENT)** request(s) a special exception to Section 14-16-2-19(B) and 14-16-2-20(B)(6): a CONDITIONAL USE for proposed tent activities in the IP zone for all or a portion of Lot(s) C, MERIDIAN BUSINESS PARK II zoned IP, located on **7601 LOS VOLCANES RD NW** (J-10)
7. **13ZHE-80498** **Project# 1009655** **IDA DUBRAY** request(s) a special exception to Section 14-16-3-19(A)(2)(a): a VARIANCE of 3'3" to allow an existing wall in the front yard setback for all or a portion of Lot(s) 5, Block(s) 61, WESTGATE HEIGHTS ADDN. UNIT NO. 1 zoned R-1, located on **10000 DEL REY RD SW** (M-9)
8. **13ZHE-80499** **Project# 1009655** **IDA DUBRAY** request(s) a special exception to Section 14-16-2-6(B)(14): a CONDITIONAL USE to allow an existing 6' wall in the side yard setback that is contiguous to a front yard for all or a portion of Lot(s) 5, Block(s) 61, WESTGATE HEIGHTS ADDN. UNIT NO. 1 zoned R-1, located on **10000 DEL REY RD SW** (M-9)

NEW BUSINESS:

9. **13ZHE-80572** **Project# 1009753** **RAYMOND OR BENNIE LUCERO** requests a special exception to Section 14-16-2-6(E)(1): a VARIANCE of 2' to the minimum 20' front yard setback for a proposed addition for all or a portion of Lot 18, Block A, NEW KIMO ADDN zoned R-1, located on **5312 EUCLID AV NE 87110** (H-18)
10. **13ZHE-80573** **Project# 1009753** **RAYMOND OR BENNIE LUCERO** requests a special exception to Section 14-16-2-6(E)(5)(a): a VARIANCE of 7' to the minimum 15' rear yard setback requirement for a proposed addition for all or a portion of Lot 18, Block A, NEW KIMO ADDN zoned R-1, located on **5312 EUCLID AV NE 87110** (H-18)
11. **13ZHE-80576** **Project# 1009759** **TJPC II, LLC., (PAUL CHAVEZ, AGENT)** requests a special exception to Page 86(3.b.) of the Sawmill Wells Park Sector Development Plan: a VARIANCE of 5' to the 10' side yard setback requirement for a proposed dwelling for all or a portion of Lot 10A, Block 12, ALBRIGHT AND MOORE ADDN zoned S-R, located on **1406 LOS TOMASES DR NW** (J-14)
12. **13ZHE-80577** **Project# 1009760** **TJPC II, LLC., (PAUL CHAVEZ, AGENT)** 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 27, MONK ADDN zoned R-1, located on **2716 LOS TOMASES DR NW** (H-14)
13. **13ZHE-80578** **Project# 1009761** **TJPC II, LLC., (PAUL CHAVEZ, AGENT)** requests a special exception to Section 14-16-2-6(B)(14)(a)(2): a CONDITIONAL USE to allow a proposed 5' fence in the required front yard setback area for all or a portion of Lot 6, GOLIAD ADDN zoned R-1, located on **627 GENE AVE NW** (F-14)
14. **13ZHE-80584** **Project# 1009767** **SEAN D. BLAIR** requests a special exception to Section 14-16-2-6(E)(4)(a): a VARIANCE of 5' to the 5' side yard setback to allow an existing carport for all or a portion of Lot 36, Block 6, GLENWAY PARK ADDN zoned R-1, located on **1721 PROSPECT AVE NW** (H-13)
15. **13ZHE-80585** **Project# 1009767** **SEAN D. BLAIR** requests a special exception to Section 14-16-2-6(E)(1): a VARIANCE of 14' 7' to the 20' front yard setback to allow an existing carport for all or a portion of Lot 36, Block 6, GLENWAY PARK ADDN zoned R-1, located on **1721 PROSPECT AVE NW** (H-13)

16. 13ZHE-80579 **Project#** **GAIL SMITH (AUSTIN'S CARPORTS, GILBERT AUSTIN, AGENT)**
1009762 requests a special exception to Section 14-16-2-6(B)(3): a **CONDITIONAL USE** to allow for a proposed carport in the front yard setback area for all or a portion of Lot 6, Block 29A, **PRINCESS JEANNE PARK ADDN** zoned R-1, located on **11409 FAYE AVE NE (J-21)**
17. 13ZHE-80580 **Project#** **MINDY TROMBLEY (AUSTIN'S CARPORTS, GILBERT AUSTIN, AGENT)**
1009763 requests a special exception to Section 14-16-2-6(B)(3): a **CONDITIONAL USE** to allow for a proposed carport in the front yard setback area for all or a portion of Lot 27, Block 48, **ACADEMY ACRES UNIT 9** zoned R-1, located on **7117 MARILYN AVE NE (E-19)**

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

HEARING WILL RESUME PROMPTLY
AT 1:30 P.M. WITH ITEM #18

IF YOU ARE AGENDA ITEMS 18-33

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

18. 13ZHE-80574 **Project#** **REBA EAGLES** requests a special exception to Page 92 of the Downtown
1009755 Neighborhood Sector Development Plan and Section 14-16-2-6(E)(4)(a): a **VARIANCE** of 3' to the required 5' side yard setback for a proposed addition for all or a portion of Lots 7 & 8, Block 7, **PEREA ADDN** zoned SU-2 DNA-SF, located on **610 11TH ST NW (J-13)**
19. 13ZHE-80581 **Project#** **JEWCHYI LIU (ALBERT)** requests a special exception to Page 71 5.b, of
1009764 the University Neighborhoods Sector Development Plan: a **VARIANCE** of 1' to the required 5' side yard setback for a proposed addition for all or a portion of Lot 5, Block 66, **TERRACE ADDN** zoned SU-2 DR, located on **1806 GOLD AV SE (K-15)**
20. 13ZHE-80594 **Project#** **ERWIN VICENTI (DESERT WEST DEVELOPMENT, RANDY SCHMILLE,**
1009776 **AGENT)** requests a special exception to Section 14-16-2-6(E)(1): a **VARIANCE** of 7' to the required 20' front yard setback area for a proposed addition for all or a portion of Lot 36, **HERITAGE HILLS UNIT 5** zoned R-1, located on **7832 REPUBLIC DR NE (D-20)**
21. 13ZHE-80596 **Project#** **ELSA DELGADO (MANUEL H. ALIRE, AGENT)** requests a special
1009778 exception to Section 14-16-3-19(2)(a): a **VARIANCE** of 2' 4" to the allowed 3' height of a proposed wall in the front yard setback area for all or a portion of Lot 63B, **MRGCD MAP 34** zoned RA-2, located on **1727 CANDELARIA RD NW (G-13)**
22. 13ZHE-80587 **Project#** **LORI AND STEPHEN WILDING** requests a special exception to Section 14-
1009769 16-3-19(A)(2): a **VARIANCE** of 3' to the allowed 3' height for an existing wall in the front yard setback area for all or a portion of Lot 15, **DESERT RIDGE TRAILS EAST** zoned R-D 3DU/A, located on **8016 FLORENCE AVE NE (B-19)**
23. 13ZHE-80592 **Project#** **ISIDERO AND FELICIA NIETO (JOSEPH DAVIS CAMACHO, AGENT)**
1009774 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)**

24. **13ZHE-80582** **Project# 1009765** **BILLY M. NEWTON JR., d/b/a CHURCH'S CHICKEN (DAC ZONING AND LAND USE SERVICES, AGENTS)** requests a special exception to Section 14-16-3-10(E)(4)(a): a VARIANCE of 10' to the 10' standard landscaping buffer for all or a portion of Lot A, Block A, LAVALAND ADDN zoned C-2, located on **5407 CENTRAL AVE NW** (K-11)
25. **13ZHE-80571** **Project# 1009752** **TERRANCE GILLILAND** requests a special exception to Section 14-16-2-6(B)(3): a CONDITIONAL USE to allow an existing carport in the required front yard setback area for all or a portion of Lot 25, Block 3, HOFFMANTOWN ADDN zoned R-1, located on **9005 PHOENIX AVE NE** (H-20)
26. **13ZHE-80575** **Project# 1009757** **ELOY L. MONDRAGON** requests a special exception to Section 14-16-2-6(B)(3): a CONDITIONAL USE to allow a proposed carport in the front yard setback area for all or a portion of Lot 5, Block 21, ROYAL HEIGHTS UNIT 4 zoned R-1, located on **12920 EASTRIDGE DR NE** (J-22)
27. **13ZHE-80595** **Project# 1009777** **HAROLD BACA** requests a special exception to Section 14-16-2-9(B) and 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 3, Block I, PALISADES ADDN zoned R-T, located on **2816 ALAMOGORDO DR NW** (H-11)
28. **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)
29. **13ZHE-80590** **Project# 1009772** **KAREN OYLER** request(s) 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)(14)(a): a CONDITIONAL USE to allow for a proposed 5' high wall to be built in the front yard setback area for all or a portion of Lot 3, ACADEMY SQUARE UNIT 2 zoned R-D, located on **5255 ZURICH PL NE** (F-21)
30. **13ZHE-80588** **Project# 1009770** **LEO LABARGE (EMILY SILVA, AGENT)** requests a special exception to Section 14-16-2-17(B)(10): a CONDITIONAL USE to allow for a proposed kennel for all or a portion of Lot(s) 5A, RADY-EDMUND I zoned C-2, located on **12500 MONTGOMERY BLVD NE** (G-22)
31. **13ZHE-80593** **Project# 1009775** **ALBUQUERQUE BREWING COMPANY** requests a special exception to Section 14-16-2-19(B) and 14-16-2-20(B)(5): a CONDITIONAL USE to allow for off premise sales for a micro brewery for all or a portion of Lot 22A, Block 13, NORTH ALBUQUERQUE ACRES TR A UNIT B zoned SU-2 I-P OR SU-2 C, located on **8610 PAN AMERICAN FRWY NE** (C-18)
32. **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)
33. **13ZHE-80597** **Project# 1009779** **STEVE MAXWELL** requests a special exception to Section 14-16-2-16(B)(13): a CONDITIONAL USE to allow a proposed outdoor sale of rugs for all or a portion of Lot A, Block 17, CARLISLE AND INDIAN SCHOOL zoned SU-1 C-1 Uses with package liquor only in conjunction with full service grocery store, located on **2100 CARLISLE BLVD NE** (H-17)