



HEARING ON SPECIAL EXCEPTIONS
TO THE COMPREHENSIVE CITY ZONING CODE

ZONING HEARING EXAMINER'S AGENDA

TUESDAY, MARCH 19, 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, Administrative Hearing Office Liaison

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. | 12ZHE-80322 | Project#
1009466 | WESTERN REFINING SOUTHWEST INC., (STEVEN REINHART OR JERRY A. HAMM) request(s) a special exception to Section 14-16-2-17(B)(15): a CONDITIONAL USE to allow retail sale of alcoholic drinks for consumption off premises for all or a portion of Lot(s) 3, 4, 5, Block(s) 8, FARR-FREDERICK A ADDN zoned C-2, located on 7011 LOMAS BLVD NE (J-18) |
| 2. | 12ZHE-80377 | Project#
1008124 | MURPHY OIL USA INC., GREGORY WILSON (JERRY HAMM, AGENT) request(s) a special exception to Section 14-16-2-17(B)(18): a CONDITIONAL USE to allow retail sales of alcoholic beverages for consumption off premises for all or a portion of Lot(s) A1A1, Block(s) A1A1, AMERICAN SQUARE zoned C-2, located on 3535 MENAUL BLVD NE (H-16) |
| 3. | 13ZHE-80394 | Project#
1009547 | ED BURCH request(s) a special exception to Section 14-16-2-19(C)(1) of the North Interstate 25 Sector Development Plan: a VARIANCE of 14'5" to the structure height requirement within the 45 degree angle plane for a proposed addition for all or a portion of Lot(s) 31, Block(s) 33, zoned SU-2 IP or SU-2 NC, located on 6009 CARMEL AVE NE (C-18) |

4. **13ZHE-80395** **Project#** **ED BURCH** request(s) a special exception to Section 14-16-2-19(E)(3) of the North Interstate 25 Sector Development Plan: a VARIANCE of 4'8" to the 10' rear yard required setback requirement for a proposed addition for all or a portion of Lot(s) 31, Block(s) 33, zoned SU-2 IP or SU-2 NC, located on **6009 CARMEL AVE NE (C-18)**
1009547
5. **13ZHE-80396** **Project#** **ED BURCH** request(s) a special exception to Section 14-16-3-10(E)(3)(6) of the North Interstate 25 Sector Development Plan: a VARIANCE 6' to the 6' side landscaping buffer to allow a proposed addition for all or a portion of Lot(s) 31, Block(s) 33, zoned SU-2 IP or SU-2 NC, located on **6009 CARMEL AVE NE (C-18)**
1009547
6. **13ZHE-80397** **Project#** **ED BURCH** request(s) a special exception to Section 14-114-16-3-10(E)(3)(C) of the North Interstate 25 Sector Development Plan: a VARIANCE of 6' to the 6' rear yard landscaping buffer to allow a proposed addition for all or a portion of Lot(s) 31, Block(s) 33, zoned SU-2 IP or SU-2 NC, located on **6009 CARMEL AVE NE (C-18)**
1009547
7. **13ZHE-80410** **Project#** **DAN D. AND ADELINE S. CHAVEZ** request(s) a special exception to Page 5 C.3 of the 2010 Downtown Sector Development Plan: a VARIANCE of 3' to the required 3' west side landscape buffer for an existing parking lot for all or a portion of Lot(s) 87-94, Block(s) 8, ARMIJO--PERFECTO BROTHERS ADDN zoned SU-3 GOV/FIN/HOSPITALITY FOCUS, located on **615 MARQUETTE AVE NW (J-14)**
1009557
8. **13ZHE-80411** **Project#** **DAN D. AND ADELINE S. CHAVEZ** request(s) a special exception to Page 5 C.3 of the 2010 Downtown Sector Development Plan: a VARIANCE of 3' to the required 3' south side landscape buffer for an existing parking lot for all or a portion of Lot(s) 87-94, Block(s) 8, ARMIJO--PERFECTO BROTHERS ADDN zoned SU-3 GOV/FIN/HOSPITALITY FOCUS, located on **615 MARQUETTE AVE NW (J-14)**
1009557
9. **13ZHE-80418** **Project#** **PARKING COMPANY OF AMERICA-ALBUQUERQUE, LLC., (DANIEL CHAVEZ, AGENT)** request(s) a special exception to Page 5, Paragraph 3 of the 2010 Downtown Sector Development Plan: a VARIANCE of 3' to the required 3' west side landscape buffer for all or a portion of Lot(s) 18-24, Block(s) 2, ARMIJO--PERFECTO BRO ADDN zoned SU-3 GOV/FIN/HOS FOCUS, located on **600 MARQUETTE AVE NW (J-14)**
1009561
10. **13ZHE-80420** **Project#** **PARKING COMPANY OF AMERICA-ALBUQUERQUE, LLC., (DANIEL CHAVEZ, AGENT)** request(s) a special exception to Page 5, Paragraph 2 of the 2010 Downtown Sector Development Plan: a VARIANCE of 12 trees to the required 12 street trees for all or a portion of Lot(s) 18-24, Block(s) 2, ARMIJO--PERFECTO BRO ADDN zoned SU-3 GOV/FIN/HOS FOCUS, located on **600 MARQUETTE AVE NW (J-14)**
1009561
11. **13ZHE-80421** **Project#** **PARKING COMPANY OF AMERICA-ALBUQUERQUE, LLC., (DANIEL CHAVEZ, AGENT)** request(s) a special exception to Page 5, Paragraph 2 of the 2010 Sector Development Plan: a VARIANCE of 6 trees to the required 6' parking lot trees for all or a portion of Lot(s) 18-24, Block(s) 2, ARMIJO--PERFECTO BRO ADDN zoned SU-3 GOV/FIN/HOS FOCUS, located on **600 MARQUETTE AVE NW (J-14)**
1009561
12. **13ZHE-80423** **Project#** **XAVIER NUNO-WHELAN** request(s) a special exception to Section 14-16-3-16(D)(1): a VARIANCE of 5' to the required 15' front setback for proposed new construction in the front yard setback area for a new home for all or a portion of Lot(s) 2AP1, SYDNEY PLACE zoned RA-2 (PCD), located on **2040 SYDNEY LN NW (G-13)**
1009564
13. **13ZHE-80424** **Project#** **XAVIER NUNO-WHELAN** request(s) a special exception to Section 14-16-3-16(D)(2): a VARIANCE of 5' to the required 15' rear setback for proposed new construction for a new home for all or a portion of Lot(s) 2AP1, SYDNEY PLACE zoned RA-2 (PCD), located on **2040 SYDNEY LN NE (G-13)**
1009564

14. **13ZHE-80405** **Project#** **MARIAH JEFFERSON** request(s) a special exception to Section 14-16-2-6(14)(a)(2), 14-16-2-12(B)(1)REF and 14-16-2-11(B)(1)REF: a CONDITIONAL USE to allow a proposed 5' wall in the front yard setback area for all or a portion of Lot(s) 19-P1, Block(s) B, SUN TERRACE ESTATES zoned R-3, located on **6019 CARDIGAN CT NW** (E-11)
15. **13ZHE-80398** **Project#** **JOHNATHAN POHL** request(s) a special exception to Section 14-16-2-16(B)(6) and Page 4, Paragraph B1 of the Huning Highland Sector Development Plan: a CONDITIONAL USE for an existing drive-up service window for all or a portion of Lot(s) 11 & 12, Block(s) 22, HUNING HIGHLANDS ADDN zoned SU-2 CRZ, located on **501 CENTRAL AVE NE** (K-14)

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

HEARING WILL RESUME PROMPTLY
AT 1:30 P.M. WITH ITEM #16

IF YOU ARE AGENDA ITEMS 16-35

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

NEW BUSINESS:

16. **13ZHE-80407** **Project#** **DAVID COLBERT** request(s) a special exception to Section 14-16-2-6(B)(14) and Page 100 B of the Sawmill Wells Park Sector Development Plan: a CONDITIONAL USE for a proposed wall to be up to 5' in the front yard setback area for all or a portion of Lot(s) 11, Block(s) 3, ANDERSON ADDN NO. 2 zoned S-R, located on **1320 8TH ST NW** (J-14)
17. **13ZHE-80444** **Project#** **DAVID COLBERT** request(s) a special exception to Section pg 93(5)(5J) of the Sawmill Wells Park Sector Development Plan: a VARIANCE of 2' 6" to allow a proposed 5' 6" fence along the corner side yard for all or a portion of Lot(s) 11, Block(s) 3, ANDERSON ADDN NO. 2 zoned S-R, located on **1320 8TH ST NW** (J-14)
18. **13ZHE-80419** **Project#** **BISTRO CONCEPTS, LLC., d/b/a B2B BISTRONOMY (KALM LAW FIRM, KARL KALM, AGENT)** request(s) a special exception to Section 14-16-2-17(B)(19) and Page 90, 1. General Rules of the Nob Hill Highland Sector Development Plan: a CONDITIONAL USE to allow a proposed brewery in the CCR-1 zone for all or a portion of Lot(s) 8, Block(s) 2, MONTE VISTA ADDN zoned CCR-1, located on **3118 CENTRAL AVE SE** (K-16)
19. **13ZHE-80443** **Project#** **BISTRO CONCEPTS, LLC., d/b/a B2B BISTRONOMY (KALM LAW FIRM, KARL KALM, AGENT)** request(s) a special exception to Page 3, Section 1. (B)(B) of the Nob Hill Highland Sector Development Plan: a CONDITIONAL USE for alcoholic sales of beer for off premise consumption for all or a portion of Lot(s) 8, Block(s) 2, MONTE VISTA ADDN zoned CCR-1, located on **3118 CENTRAL AVE SE** (K-16)
20. **12ZHE-80243** **Project#** **JOHN PACHECO** request(s) a special exception to Section Page 45 of the South Broadway Sector Development Plan and 14-16-2-6(E)(1): a VARIANCE of 11' 6" to the required 20' front yard setback for an existing porch for all or a portion of Lot(s) 2, Block(s) 14, LOWER BROADWAY ADDN zoned SU-2 MR, located on **2706 WILLIAM ST SE** (M-14)

21. **13ZHE-80427** **Project#** **JOSE ESTRADA JR** request(s) a special exception to Section 14-16-2-16(B)(13): a CONDITIONAL USE for an existing outside display of rims and tires for all or a portion of Lot(s) 23, Block(s) 16, ALTAMONT ADDN zoned C-1, located on **5200 COMANCHE RD NE (G-17)**
1009575

22. **13ZHE-80428** **Project#** **JOSE ESTRADA JR** request(s) a special exception to Section 14-16-2-16(B)(13): a CONDITIONAL USE for existing outside storage of used tires in a 20' trailer for all or a portion of Lot(s) 23, Block(s) 16, ALTAMONT ADDN zoned C-1, located on **5200 COMANCHE RD NE (G-17)**
1009575

23. **13ZHE-80436** **Project#** **LORD CONSTRUCTORS INC., (CONSENSUS PLANNING, INC., JAMES K. STROZIER, AGENT)** request(s) a special exception to Section 14-16-2-19(A)(25)(c)(1)(b) and 14-16-2-22(F): a VARIANCE of 50 sq ft to the maximum allowed 100 sq ft sign area for a proposed 150 sq ft freestanding sign for all or a portion of Lot(s) 185-A, TOWN OF ATRISCO GRANT AIRPORT UNIT zoned SU-1/ IP, located on **NORTH CORNER OF FORTUNA RD NW AND I-40 (GALLATIN NW)** (J-10)
1009587

24. **13ZHE-80437** **Project#** **LORD CONSTRUCTORS INC., (CONSENSUS PLANNING, INC., JAMES K. STROZIER, AGENT)** request(s) a special exception to Section 14-16-2-19(A)(25)(d)(1): a VARIANCE of 9' to the maximum allowed 26' height limit for a proposed 35' high freestanding sign for all or a portion of Lot(s) 185-A, TOWN OF ATRISCO GRANT AIRPORT UNIT zoned SU-1/ IP, located on **NORTH CORNER OF FORTUNA RD NW AND I-40 (GALLATIN NW)** (J-10)
1009587

25. **13ZHE-80425** **Project#** **GRETCHEN WELCH** request(s) a special exception to Section 14-16-3-19(A)(2)(a): a VARIANCE of 3' to the allowed 3' for an existing 6' fence in the front yard setback area for all or a portion of Lot(s) 8, Block(s) 7, BROADMOOR ADDN zoned R-1, located on **303 FONTANA PL NE (K-17)**
1009569

26. **13ZHE-80433** **Project#** **MIKE WINKLER (HABITATION INC., HOLLY ARROYO, AGENT)** request(s) a special exception to Section 14-16-3-19(A)(3)(a): a VARIANCE of 5' to the allowed 3' height for a proposed fence within 5' of the public right-of-way for all or a portion of Lot(s) 8, Block(s) 1, INDIAN REST ADDN zoned C-3, located on **3101 AZTEC RD NE (G-16)**
1009584

27. **13ZHE-80432** **Project#** **LES RAMIREZ (SEMLER CONSTRUCTION, LLC., JOSEPH SEMLER, AGENT)** request(s) a special exception to Section 14-16-2-6(E)(4)(a) and 14-16-3-3(A)(3)(b): a VARIANCE of 2' to the required 5' sideyard setback for a proposed addition for all or a portion of Lot(s) 18, Block(s) 37, UNIVERSITY HEIGHTS zoned R-1, located on **413 BRYN MAWR DR SE (K-16)**
1009581

28. **13ZHE-80429** **Project#** **MICHELLE ARTHUR (TALLEY AND ASSOCIATES, LLC., SEAN TALLEY, AGENT)** request(s) a special exception to Section 14-16-2-6(E)(4)(a): a VARIANCE of 2.5' to the required 5' sideyard setback for an existing addition for all or a portion of Lot(s) 16, Block(s) 5, PARKLAND HILLS ADDN zoned R-1, located on **615 PARKLAND CIRCLE SE (L-16)**
1009578

29. **13ZHE-80440** **Project#** **RICHARD GUIDICE (RANDY SCHMILLE D/B/A DESERT WEST DEVELOPMENT, AGENT)** request(s) a special exception to Section 14-16-2-5(E): a VARIANCE of 11' to the minimum 25' rear yard setback requirement for a proposed addition for all or a portion of Lot(s) 5-P2, CAMPBELL FARM zoned RA-2, located on **3512 CAMPBELL FARM LA NW (G-13)**
1009590

30. **13ZHE-80435** **Project#** **JACQUELINE KEEPERS** request(s) a special exception to Section 14-16-2-6(B)(14)(a)(1): a CONDITIONAL USE to allow a proposed 5' wall in the front setback area 14' back from curb face for all or a portion of Lot(s) 12, Block(s) 10, BROADMOOR ADDN zoned R-1, located on **401 WASHINGTON ST NE (K-17)**
1009586

31. **13ZHE-80438** **Project#** **ANTHONY SANCHEZ** request(s) a special exception to Section 14-16-2-6(B)(14): a CONDITIONAL USE to allow a proposed 5' wall in the front setback area for all or a portion of Lot(s) 27, WOODLAND zoned R-1, located on **731 MENAUL BLVD NW (H-14)**
1009588

32. **13ZHE-80431** **Project# 1009580** **MIG YANG PETERSON (AUSTIN'S CARPORTS, GILBERT AUSTIN, AGENT)** request(s) a special exception to Section 14-16-2-6(B)(3): a CONDITIONAL USE to allow a proposed carport in the sideyard setback for all or a portion of Lot(s) 13, Block(s) 12, ELDER HOMESTEAD ADDN zoned R-1, located on **6515 ROSS AVE SE** (L-18)
33. **13ZHE-80430** **Project# 1009579** **ELIZABETH DOLPH** request(s) a special exception to Section 14-16-2-6(B)(5): a CONDITIONAL USE for a proposed family day care for up to 12 children for all or a portion of Lot(s) 26, Block(s) 52, PRINCESS JEANNE PARK ADDN zoned R-1, located on **10901 PRINCESS JEANNE AV NE** (J-21)
34. **13ZHE-80434** **Project# 1009585** **PERCY LEYBA (SUSAN T. PRICE, AGENT)** request(s) a special exception to Section 14-16-2-17(B)(7): a CONDITIONAL USE to allow an apartment in a C-2 zone for all or a portion of Lot(s) 20-23, Block(s) 3, MESA VERDE ADDITION zoned C-2, located on **130 TENNESSEE ST NE** (K-19)
35. **13ZHE-80442** **Project# 1009592** **MURPHY OIL USA (ZANE ROSS, AGENT)** request(s) a special exception to Section 14-16-2-16(B)(A)(8)(K)(2)(a): a CONDITIONAL USE to allow more than 8 vehicle fueling positions for a proposed gas station for all or a portion of Lot(s) 22, 23, 24 and 1, 2, 3, Block(s) 8, BARRON BURG HEIGHTS MENDELSBERGS REPLAT zoned C-1, located on **600 SAN MATEO BLVD SE** (L-17)