



HEARING ON SPECIAL EXCEPTIONS  
TO THE COMPREHENSIVE CITY ZONING CODE

**ZONING HEARING EXAMINER'S AGENDA**

TUESDAY, OCTOBER 15, 2013 9:00 A.M.  
PLAZA DEL SOL HEARING ROOM  
BASEMENT LEVEL  
600 SECOND STREET NW  
(ON THE NORTHEAST CORNER OF 2<sup>ND</sup> 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*

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

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**PLEASE ADDRESS ALL CORRESPONDENCE TO:**

*Joshua J. Skarsgard, Esq.*  
*Office of Administrative Hearings*  
*P.O. Box 1293*  
*Albuquerque, NM 87103*

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**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.*

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**OLD BUSINESS:**

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|----|--------------------|-----------------------------|--|
| 1. | <b>13ZHE-80592</b> | <b>Project#<br/>1009774</b> | <b>ISIDERO AND FELICIA NIETO (JOSEPH DAVIS CAMACHO, AGENT)</b> 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 <b>8608 MONITOR DR NE (D-20)</b>          |
| 2. | <b>13ZHE-80608</b> | <b>Project#<br/>1009790</b> | <b>CATHERINE BUCK</b> 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 <b>1525 SAN CARLOS DR SW (K-13)</b>  |
| 3. | <b>13ZHE-80620</b> | <b>Project#<br/>1009801</b> | <b>KARL FROHREICH</b> 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 <b>901 CALLE CORONADO SE (M-22)</b>  |
| 4. | <b>13ZHE-80583</b> | <b>Project#<br/>1009766</b> | <b>KENNY YOU (ALEX TRUJILLO, AGENT)</b> 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 <b>1306 BROADWAY BLVD SE (L-14)</b> |

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)
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)
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)
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)

### **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)
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)
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)
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)
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)
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)
15. **13ZHE-80633** **Project# 1009819** **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)

16. **13ZHE-80634** **Project# 1009819** **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)

\*\*\*\*\***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# 1009827** **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 **CONDITONAL 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)
18. **13ZHE-80648** **Project# 1009831** **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)
19. **13ZHE-80649** **Project# 1009832** **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)
20. **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)
21. **13ZHE-80641** **Project# 1009824** **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)
22. **13ZHE-80507** **Project# 1009663** **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)
23. **13ZHE-80645** **Project# 1009828** **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)
24. **13ZHE-80627** **Project# 1009816** **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)

25. **13ZHE-80628** **Project# 1009816** **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)
26. **13ZHE-80629** **Project# 1009816** **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)
27. **13ZHE-80637** **Project# 1009822** **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)
28. **13ZHE-80638** **Project# 1009822** **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)
29. **13ZHE-80639** **Project# 1009822** **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)
30. **13ZHE-80626** **Project# 1009812** **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)
31. **13ZHE-80647** **Project# 1009830** **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)
32. **13ZHE-80643** **Project# 1009826** **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)
33. **13ZHE-80646** **Project# 1009829** **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)