



HEARING ON SPECIAL EXCEPTIONS
TO THE COMPREHENSIVE CITY ZONING CODE

ZONING HEARING EXAMINER'S AGENDA

TUESDAY, NOVEMBER 19, 2013 9:00 A.M.
CITY COUNCIL CHAMBERS
BASEMENT LEVEL
ONE CIVIC PLAZA 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.
Planning Department ZHE
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.*

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) |
| 2. | 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) |
| 3. | 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) |
| 4. | 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) |

5. **13ZHE-80640** **Project#** **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)**
6. **13ZHE-80642** **Project#** **LORAIN TAYLOR (STREAMLINE BUILDER & FRAMING CONTRACTOR INC., DAVID ROMERO, AGENT)** 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 7, Block 16, HUNNING CASTLE ADDITON zoned R-1, located on **1512 SILVER AVE SW (K-13)**
7. **13ZHE-80586** **Project#** **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)**

NEW BUSINESS:

8. **13ZHE-80664** **Project#** **LUPE & MARIA PRECIADO** request(s) a special exception to Section 14-16-2-6(e)(4)(a): a **VARIANCE** request of 4' 4" to the required 5' side yard setback for an existing addition for all or a portion of Lot 7, Block 25, HUNING CASTLE ADDN zoned R-1, located on **1512 ESCALANTE AV SW (K-13)**
9. **13ZHE-80652** **Project#** **THOMAS SANCHEZ (CARL PACHECO AND JOHN DOLAN, AGENTS)** request(s) a special exception to Section 14-16-2-6(E)(5)(a): a **VARIANCE** of 9' to the 15' rear yard setback to allow a proposed addition for all or a portion of Lot 16, Block N, VISTA ENCANTADA REPLAT zoned R-1, located on **6800 BONNIE CT NE (H-18)**
10. **13ZHE-80672** **Project#** **APPLE INVESTORS GROUP (ISAACSON & ARFMAN, P.A., FRED ARFMAN, AGENT)** request(s) a special exception to Section PG 109 COORS CORRIDOR PLAN, Section 1.B.1: a **VARIANCE** to permit more than 1/3 of the elevator tower height to penetrate through the view plane for all or a portion of Lot 1A1A & 1A2A, LANDS OF JOE P TAYLOR zoned C-2 SC, located on **6200 COORS BLVD NW (E-12)**
11. **13ZHE-80663** **Project#** **JOHN AND PEGGY POMPA** request(s) a special exception to Section 14-16-3-3(B)(2)(e): a **VARIANCE** request of 5' to the required 10' building separation to allow a proposed carport in the side yard setback for all or a portion of Lot 26, Block 5, TARA zoned R-1, located on **4008 CIELITO CT NE (G-21)**
12. **13ZHE-80682** **Project#** **LOUIS TRUJILLO (SACRED POWER CORPORATION, AGENT)** request(s) a special exception to Section 14-16-2-18(E) ref and 14-16-2-15(E)(2)(c): a **VARIANCE** of 11' 8" to the 15' rear yard setback for a proposed solar carport for all or a portion of Lot 325, RIO GRANDE HEIGHTS ADDN zoned C-3, located on **622 OLD COORS DR SW (K-11)**
13. **13ZHE-80650** **Project#** **LINA LEE (ENID KUALAPAI, AGENT)** request(s) a special exception to Section 14-16-2-9(E)(1): a **VARIANCE** of 20' to the required 20' setback for a proposed carport for all or a portion of Lot 71, BELL PARK VILLA TOWNHOUSES AMENDED zoned R-T, located on **8305 SHAWNEE PL SE (L-19)**
14. **13ZHE-80651** **Project#** **LINA LEE (ENID KUALAPAI, AGENT)** request(s) a special exception to Section 14-16-2-9(B)(1) and 14-16-2-6(B)(14)(a)(2): a **CONDITIONAL USE** for a proposed fence to be up to 5' in the frontyard setback for all or a portion of Lot 71, BELL PARK VILLA TOWNHOUSES AMENDED zoned R-T, located on **8305 SHAWNEE PL SE (L-19)**

15. **13ZHE-80660** **Project#** **THOMAS SCHIMOLER** request(s) a special exception to Section 14-16-3-3(B)(2)(a): a VARIANCE of 8' to the 8' height maximum in a required side and rear yard setback area to allow a proposed garage for all or a portion of Lot 10, Block K, SAN GABRIEL VILLAGE zoned R-1, located on **10517 SAN MARINO RD NE** (G-21)
1009854

16. **13ZHE-80661** **Project#** **THOMAS SCHIMOLER** request(s) a special exception to Section 14-16-3-3(B)(2)(e): a VARIANCE of 4' to the 10' minimum separation between dwelling and accessory structure to allow a proposed for all or a portion of Lot 10, Block K, SAN GABRIEL VILLAGE zoned R-1, located on **10517 SAN MARINO RD NE** (G-21)
1009854

17. **13ZHE-80674** **Project#** **SHERI CRIDER (DAN HERR, AGENT)** request(s) a special exception to Section PAGE 108 DOWNTOWN NEIGHBORHOOD AREA SDP, SECTION SU-2 DNA/OR (G): a VARIANCE of 30% window surface to the 50% required window surface on the 1st floor & 14% window surface to the 30% req. window surface on the 2nd floor of Kent St NW. for all or a portion of Lot 7-12, Block 53, ORIGINAL TOWNSITE OF ABQ (NMT ADDN) zoned SU-2 DNA/OR, located on **816 TIJERAS AVE NW** (J-13)
1009866

18. **13ZHE-80675** **Project#** **SHERI CRIDER (DAN HERR, AGENT)** request(s) a special exception to Section PAGE 108 DOWNTOWN NEIGHBORHOOD AREA SDP, SECTION SU-2 DNA/OR (G): a VARIANCE of 12% window surface to the to the 50% required window surface on the 1st floor & 12% window surface to the 30 % required window surface on the 2nd floor of Tijeras Ave NW. for all or a portion of Lot 7-12, Block 53, ORIGINAL TOWNSITE OF ABQ (NMT ADDN) zoned SU-2 DNA/OR, located on **816 TIJERAS AVE NW** (J-13)
1009866

19. **13ZHE-80676** **Project#** **SHERI CRIDER (DAN HERR, AGENT)** request(s) a special exception to Section PAGE 108 DOWNTOWN NEIGHBORHOOD AREA SDP SU-2 DNA/OR (G): a VARIANCE of 34% window surface to the 50% required window surface on the 1st floor & 19% window surface to the 30% required window surface on the 2nd floor of 9th St NW. for all or a portion of Lot 7-12, Block 53, ORIGINAL TOWNSITE OF ABQ (NMT ADDN) zoned SU-2 DNA/OR, located on **816 TIJERAS AVE NW** (J-13)
1009866

20. **13ZHE-80679** **Project#** **BOB RUTH (BRON HIENTZ/SSA, AGENT)** request(s) a special exception to Section 14-16-2-5(D): a VARIANCE of 1472 square feet to the minimum lot size requirement of 10890 square feet for all or a portion of Lot 7A1, ALVARADO GARDENS UNIT 1 zoned RA-2, located on **2904 RIO GRANDE BLVD NW** (G-13)
1009869

21. **13ZHE-80681** **Project#** **BOB RUTH (BRON HEINTZ/SSA, AGENT)** request(s) a special exception to Section 14-16-2-5(D): a VARIANCE of 1595 square feet to the minimum lot size requirement of 10890 square feet for all or a portion of Lot 7a1, ALVARADO GARDENS UNIT 1 zoned RA-2, located on **2904 RIO GRANDE BLVD NW** (G-13)
1009869

22. **13ZHE-80666** **Project#** **SANDRA SEABORN (ROBERT FABER, AGENT)** request(s) a special exception to Section 14-16-2-6(E)(1): a VARIANCE of 8.25' to the 20' front yard set back for a proposed garage addition for all or a portion of Lot 14, Block 17, HUNING CASTLE ADDITION zoned R-1, located on **421 RAYNOLDS AV SW** (K-13)
1009859

23. **13ZHE-80667** **Project#** **SANDRA SEABORN (ROBERT FABER, AGENT)** request(s) a special exception to Section 14-16-2-6(E)(4)(a): a VARIANCE of 2.85' to the 5'-0" side yard set back for a proposed garage addition. for all or a portion of Lot 14, Block 17, HUNING CASTLE ADDITION zoned R-1, located on **421 RAYNOLDS AV SW** (K-13)
1009859

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

HEARING WILL RESUME PROMPTLY
AT 1:30 P.M. WITH ITEM #24

IF YOU ARE AGENDA ITEMS 24-42

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

24. 13ZHE-80656 Project# **MONTE SKARSGARD (SKARSGARD FARMS, AGENT)** request(s) a special exception to Section 14-16-2-20(B)(5): a CONDITIONAL USE to allow for the sale of alcoholic drink/wine and beer for off premise consumption for all or a portion of Lot O3, COLES INDUSTRIAL NO 2 zoned M-1, located on **3435 STANFORD DR NE (G-16)**
25. 13ZHE-80678 Project# **NAVISH LLC (THE GROUP, AGENT)** request(s) a special exception to Section 14-16-3-19(A)(2)(a)(1): a VARIANCE of 2' to the allowed 8' for a proposed 10' high wall for all or a portion of Lot 31, Block 18, NORTH ABQ ACRES zoned R-D 5DU/A, located on **9111 CARMEL AVE NE (C-20)**
26. 13ZHE-80680 Project# **NAVISH, LLC (THE GROUP, AGENT)** request(s) a special exception to Section 14-16-3-19(A)(2)(a)(1): a VARIANCE of 2' to the allowed 8' for a proposed 10' high wall for all or a portion of Lot 1, Block 3, NORTH ABQ ACRES zoned R-D 7DU/A, located on **6900 OAKLAND AVE NE (C-18)**
27. 13ZHE-80668 Project# **MARK GONZALES** request(s) a special exception to Section 14-16-2-16(B)(7): a CONDITIONAL USE for a proposed dwelling unit in a C-1 zone for all or a portion of Lot 4-A-1, ROMERO-JESUS ADDITION NO. 2 zoned C-1, located on **2118 HOLLYWOOD AV NW (J-13)**
28. 13ZHE-80669 Project# **MARK GONZALES** request(s) a special exception to Section 14-16-2-17(B)(7): a CONDITIONAL USE for a proposed dwelling unit in a C-2 zone for all or a portion of Lot 5, Tract(s) 246, ROMERO-JESUS ADDITION NO 2 zoned C-2, located on **2121 HOLLYWOOD AVE NW (J-13)**
29. 13ZHE-80683 Project# **RONALD ROMO** request(s) a special exception to Section 14-16-3-3(A)(4)(a)(3): a CONDITIONAL USE to allow an existing 6' fence in the required side and rear yard for all or a portion of Lot A1, Block 3, SUNSHINE ADDN zoned SU-2-MR, located on **1900 EDITH BLVD SE (L-14)**
30. 13ZHE-80684 Project# **RONALD ROMO** request(s) a special exception to Section 14-16-2-6(B)(14)(a)(2): a CONDITIONAL USE to allow a proposed 5' wall in the required frontyard setback for all or a portion of Lot a1, Block 3, SUNSHINE ADDN zoned SU-2 MR, located on **1900 EDITH BLVD SE (L-14)**
31. 13ZHE-80655 Project# **RELDER PRIETO RUIZ (LOLI WIESNER BOURG, AGENT)** request(s) a special exception to Section 14-16-3-19(A)(2)(a): a VARIANCE of 3' to the allowed 3' height for a proposed wall in the front yard setback for all or a portion of Lot 1-P1, Block 1, SUNRISE MEADOWS UNIT 2 zoned R-T, located on **847 MALACHITE DR SW (L-9)**
32. 13ZHE-80662 Project# **ELIZABETH DORADO** request(s) a special exception to Section 14-16-3-19(A)(2)(a): a VARIANCE to the allowed 3' height required in the front yard setback to allow an existing 6' high wall for all or a portion of Lot 3, Block 2, OSAGE ADDN NO 4 zoned R-1, located on **211 LA MEDIA RD SW (K-12)**

33. **13ZHE-80654** **Project# 1009844** **CATE CLARK** request(s) a special exception to Section PAGE 100 B. and 14-1-2-6(B)(7): a **CONDITIONAL USE** for proposed massage therapy at a dwelling for all or a portion of Lot 6, **LYNCH CT ADDN** zoned S-R, located on **1011 LYNCH CT NW** (J-13)
34. **13ZHE-80659** **Project# 1009852** **STEVEN COE DBA TOGA GROUP, LLC (DAC ZONING & LAND USE SERVICES, AGENT)** request(s) a special exception to Section 14-16-2-12(B)(1) and 14-16-2-11(B)(5): a **CONDITIONAL USE** for a proposed daycare center in a R-3 zone for all or a portion of Lot 1,2,&5, Block 3, **SIGMA CHI ADDITION** zoned R-3, located on **1801 MESA VISTA RD NE** (J-15)
35. **13ZHE-80677** **Project# 1009867** **DIEGO BARBOSA** request(s) a special exception to Section PG 99 NOB HILL HIGHLAND SDP and 14-16-2-15(B)(9): a **CONDITIONAL USE** to allow retailing of food and drink (non-alcoholic) for all or a portion of Lot 2, Block 10, **MONTE VISTA ADDN** zoned OR-1, located on **118 RICHMOND DR NE** (K-16)
36. **13ZHE-80657** **Project# 1009850** **DALE SCOTT AND KILEEN SCOTT** request(s) a special exception to Section 14-16-2-6(B)(1): a **CONDITIONAL USE** to allow an existing accessory living quarters for all or a portion of Lot 21, Block 3, **AMERICAN HERITAGE NORTH** zoned R-1, located on **7700 TRAIL RIDGE RD NE** (F-19)
37. **13ZHE-80658** **Project# 1009851** **MICHELLE AGUILAR** request(s) a special exception to Section 14-16-3-3(A)(4)(a)(3): a **CONDITIONAL USE** to allow an existing 6' block wall in the side and rear yard for all or a portion of Lot 4, Block H, **SINGING ARROW SUBDIVISION** zoned R-2, located on **12600 DUNES RD SE** (L-22)
38. **13ZHE-80670** **Project# 1009862** **RICHARD MINZNER (HILLTOP LANDSCAPE ARCHITECTS & CONSTRUCTION, AGENT)** request(s) a special exception to Section 14-16-2-6(B)(14)(a)(1): a **CONDITIONAL USE** for a proposed 5'-6' wall in the front yard setback 11' from the sidewalk for all or a portion of Lot 6, Block 13, **LA HACIENDA ADDN** zoned R-1, located on **4462 AVENIDA DEL SOL NE** (J-17)
39. **13ZHE-80673** **Project# 1009865** **KARL FROHREICH** request(s) a special exception to Section 14-16-2-14(E)(1) and 14-16-2-6(B)(12): a **CONDITIONAL USE** to allow a proposed covered patio for all or a portion of Lot 61, **CASITA CORONADO** zoned R-D, located on **901 CALLE CORONADO SE** (M-22)
40. **13ZHE-80653** **Project# 1009842** **ROGER FLEGEL** request(s) 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 22, Block 6, **TIJERAS PLACE ADDN** zoned R-1, located on **605 VALENCIA DR NE** (K-18)
41. **13ZHE-80665** **Project# 1009858** **PATRICIA FRYE (AUSTIN'S CARPORTS, GILBERT AUSTIN, AGENT)** request(s) a special exception to Section 14-16-2-6(B)(3): a **CONDITIONAL USE** approval for a proposed carport in the front yard area for all or a portion of Lot 5, Block 138, **SNOW HEIGHTS ADDN** zoned R-1, located on **1827 CHILDERS DR NE** (H-20)
42. **13ZHE-80671** **Project# 1009863** **RIO GRANDE MHP LLC., (GUY JACKSON & ASSOCIATES, LLC, AGENT)** request(s) a special exception to Section 14-16-2-17(B)(11): a **CONDITIONAL USE** for an existing mobile home development in a C-2 zone for all or a portion of Lot A-1, **JOHN BEST** zoned C-2, located on **2519 NEW YORK AVE NW** (J-12)