



HEARING ON SPECIAL EXCEPTIONS TO THE COMPREHENSIVE CITY ZONING CODE

ZONING HEARING EXAMINER'S AGENDA

TUESDAY, MAY 20, 2014 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

For Inquiries Regarding This Agenda, Please Call Christa Wagner at (505) 924-3894.

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 Christa Wagner at (505) 924-3894.*

INTERPRETER REQUIRED:

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| 1. | *IR* 14ZHE-80034 | Project# 1009972 | FABIEL MADERA requests a special exception to Section 14-16-2-6(B)(14)(a)2: a CONDITIONAL USE for a proposed 5' 2" wrought iron fence in the front yard setback for all or a portion of Lot S 50' of Lot 7 & N 10' of Lot 8, Block 22, ELDER HOMESTEAD ADDN zoned R-1, located on 1020 GEORGIA ST SE (L-18) |
| 2. | *IR* 14ZHE-80052 | Project# 1009999 | JUAN GUITIEREZ requests a special exception to Section PAGE 46 III of the South Broadway Neighborhoods SDP and 14-16-2-11(B)(1) and 14-16-2-6(B)(14)(a)2: a CONDITIONAL USE for an existing 5' fence in the front yard setback for all or a portion of Lot 196, MRGCD MAP 41 zoned SU-2 NCR, located on 1811 BROADWAY BLVD SE (L-14) |
| 3. | *IR* 14ZHE-80063 | Project# 1010012 | ROSA CARDENAS requests a special exception to Section 14-16-2-9(B) and 14-16-2-6(B)(14)(a)2: a CONDITIONAL USE for a proposed 5' wall in the front yard setback for all or a portion of Lot 125 P1, ELDORADO PARK UNIT 3 zoned R-T, located on 523 HARTMAN DR SW (L-9) |
| 4. | *IR* 14ZHE-80082 | Project# 1010036 | PEDRO JULIO SABOGAL requests a special exception to Section PAGE 99 of Nob Hill Highland SDP and 14-16-2-15(B)(9): a CONDITIONAL USE for a proposed retailing of food and drink for all or a portion of Lot 24, Block 42, UNIVERSITY HEIGHTS zoned OR-1, located on 3216 SILVER AVE SE (K-16) |

OLD BUSINESS:

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| 5. | 14ZHE-80050 | Project#
1009997 | GUSTAVO GOMEZ requests a special exception to Section 14-16-2-14(E)(1) and 14-16-2-6(B)(12): a CONDITIONAL USE for a proposed shade structure in the rear yard setback area for all or a portion of Lot 43, CIELO OESTE zoned R-D, located on 2040 CIELO OESTE PL NW (H-9) |
| 6. | 14ZHE-80036 | Project#
1009980 | FRANK AND EVELYN BARELA (DAC ZONING & LAND USE SERVICES, AGENT) requests a special exception to Section 14-16-2-6(E)(1): a VARIANCE of 8' to the required 20' front yard setback for an existing addition for all or a portion of Lot 12, Block 7, HUNING CASTLE ADDN zoned R-1, located on 1617 LOS ALAMOS AVE SW (J-13) |
| 7. | 14ZHE-80031 | Project#
1009967 | LYLLYAN MORJON requests a special exception to PG 5-21 (ZONE INTENT) EAST GATEWAY SDP and Section 14-16-2-7(E)(4): a VARIANCE of 8' to the 10' separation between mobile homes for all or a portion of Lot A, Block A, LANDS OF OB VANCLEAVES zoned SU-2 EG C-2, located on 9000 ZUNI RD SE, SPACE 4 (I-20) |

NEW BUSINESS:

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| 8. | 14ZHE-80083 | Project#
1010037 | RIDGECREST INVESTMENTS LLP requests a special exception to Section 14-16-2-16(A)(12)(b)(2): a VARIANCE of 10' to the 100' minimum of street frontage to allow a proposed freestanding sign for all or a portion of Lot 8A, Block 9, BARON BURG HEIGHTS zoned C-1, located on 730 SAN MATEO BLVD SE (L-17) |
| 9. | 14ZHE-80078 | Project#
1010032 | JOHN E MECHEMBIER requests a special exception to Section 14-16-2-19 (C): a VARIANCE of 17' to the maximum 10' height for a proposed building for all or a portion of Lot 7, Block 3, NORTH ALBUQUERQUE ACRES TR A UNIT B zoned SU-2 IP, located on PASADENA AVE NE BETWEEN I-25 & SAN MATEO BLVD NE (B-18) |
| 10. | 14ZHE-80071 | Project#
1010025 | CATHERINE TELLES requests a special exception to Section 14-16-3-18(C)(1)(d): a VARIANCE of 1' 6" to the 6' wide path that will be maintained along a sidewalk along a major facade of a building for a proposed outdoor patio to allow additional seating on all or a portion of lot A1A1 in the Plaza at Coors, PLAZA AT PASEO DEL NORTE zoned C-2(SC), located on 9211 COORS BLVD NW (C-13) |
| 11. | 14ZHE-80066 | Project#
1010016 | ROBERT HABIGER AND LYNN DOXON requests a special exception to Section 14-16-2-6(E)(3)(b): a VARIANCE of 7' 3" to the 10' side yard setback for a proposed addition for all or a portion of Lot 18A, Block 1, WHITE OAK ADDN zoned R-1, located on 2101 VALENCIA DR NE (J-18) |
| 12. | 14ZHE-80039 | Project#
1009987 | XIYUAN MAN requests a special exception to Section 14-16-3-19(A)(2)(a): a VARIANCE of 2' to the maximum 3' in the front yard setback for an existing 5' fence for all or a portion of Lot 23, CAVALIER ADDN zoned R-3, located on 237 PENNSYLVANIA ST NE (K-19) |
| 13. | 14ZHE-80074 | Project#
1010028 | JAMES W AND JANET R HALL requests a special exception to Section 14-16-3-19(A)(3)(a): a VARIANCE of 1' to the maximum 3' height for a proposed fence for all or a portion of Lot G1/PRIVATE EASMENT, ORTIZ QUADS zoned C-2, located on ORTIZ DRIVE SE BETWEEN ANDERSON AV SE & ROSS AV SE (L-18) |
| 14. | 14ZHE-80075 | Project#
1010029 | JAMES W AND JANET R HALL requests a special exception to Section 14-16-3-19(A)(3)(a): a VARIANCE of 1' to the maximum 3' height for a proposed fence for all or a portion of Lot G2/PRIVATE EASEMENT, ORTIZ QUADS zoned C-2, located on ORTIZ DR SE BETWEEN ANDERSON AV SE & ROSS AV SE (L-18) |

15. **14ZHE-80072** **Project#** **JOHN BLOOMFIELD (WILLIAM MUTIDJO NEW LIFE HOMES, AGENT)**
 1010026 requests a special exception to Section 14-16-3-19(A)(2)(a)(1): a VARIANCE
 of 5' to the 3' height maximum to allow existing 8' fences for all or a portion
 of Lot 2A & 12A, Block 2, SANTILLA PLACE zoned C-2, located on **6101**
 CENTRAL AVE NE (K-18)
16. **14ZHE-80080** **Project#** **MELLOY ENTERPRISES (JAMES MILLER, AGENT)** requests a special
 1010034 exception to Section 14-16-3-19(A)(3)(a): a VARIANCE of 3' to the 3' height
 maximum to allow a proposed 6' wall for all or a portion of Lots 1 & 9 & a
 portion of Lots 2 & 8, MESA DEL NORTE HEIGHTS ADDITON #2 zoned P,
 located on **7800 MARBLE AVE NE (J-19)**

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

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

IF YOU ARE AGENDA ITEMS 17-34

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

17. **14ZHE-80085** **Project#** **CORNELL SILVER, LLC (CONSENSUS PLANNING, AGENT)** requests a
 1010039 special exception to Page 70 4.B. of the UNIVERSITY NEIGHBORHOODS
 SDP: a VARIANCE of 297 square feet to the required 3000 square foot
 minimum lot size for a proposed replat of proposed Lot 1-A for all or a
 portion of Lot 1, Block 10, UNIVERSITY HEIGHTS ADDN zoned SU-2 DR,
 located on **202 CORNELL DR SE (K-16)**
18. **14ZHE-80086** **Project#** **CORNELL SILVER, LLC (CONSENSUS PLANNING, AGENT)** requests a
 1010039 special exception to Page 70 4. B. OF THE UNIVERSITY
 NEIGHBORHOODS SDP: a VARIANCE OF 297' square feet to the required
 3000 square foot minimum lot size for a proposed replat of Lot 1-B for all or
 a portion of Lot 1, Block 10, UNIVERSITY HEIGHTS ADDN zoned SU-2 DR,
 located on **202 CORNELL DR NE (K-16)**
19. **14ZHE-80087** **Project#** **CORNELL SILVER, LLC (CONSENSUS PLANNING, AGENT)** requests a
 1010039 special exception to Page 71 5.A. OF THE UNIVERSITY
 NEIGHBORHOODS SDP: a VARIANCE of 10' to the required 20' frontyard
 setback area of proposed Lot 1-A for all or a portion of Lot 1, Block 10,
 UNIVERSITY HEIGHTS ADDN zoned SU-2 DR, located on **202 CORNELL**
 DR NE (K-16)
20. **14ZHE-80088** **Project#** **CORNELL SILVER, LLC (CONSENSUS PLANNING, AGENT)** requests a
 1010039 special exception to Page 71 5.A. OF THE UNIVERSITY
 NEIGHBORHOODS SDP: a VARIANCE of 10' to the required 20' frontyard
 setback area of proposed Lot 1-B for all or a portion of Lot 1, Block 10,
 UNIVERSITY HEIGHTS ADDN zoned SU-2 DR, located on **202 CORNELL**
 DR NE (K-16)
21. **14ZHE-80089** **Project#** **CORNELL SILVER, LLC (CONSENSUS PLANNING, AGENT)** requests a
 1010040 special exception to Page 70 4. B. OF THE UNIVERSITY
 NEIGHBORHOODS SDP: a VARIANCE of 297 square feet to the required
 3000 square foot minimum lot size for a proposed replat of proposed Lot 1-C
 for all or a portion of Lot 2, Block 10, UNIVERSITY HEIGHTS ADDN zoned
 SU-2 DR, located on **202 CORNELL DR NE (K-16)**

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| 22. | 14ZHE-80090 | Project#
1010040 | CORNELL SILVER, LLC (CONSENSUS PLANNING, AGENT) requests a special exception to Page 70 4. B. OF THE UNIVERSITY NEIGHBORHOODS SDP: a VARIANCE of 36 square feet to the required 3000 square foot minimum lot size for a proposed replat of proposed Lot 1-D for all or a portion of Lot 2, Block 10, UNIVERSITY HEIGHTS ADDN zoned SU-2 DR, located on 202 CORNELL DR NE (K-16) |
| 23. | 14ZHE-80091 | Project#
1010040 | CORNELL SILVER, LLC (CONSENSUS PLANNING, AGENT) requests a special exception to Page 71 5.A. OF THE UNIVERSITY NEIGHBORHOODS SDP: a VARIANCE of 10' to the required 20' frontyard setback area of proposed Lot 1-C for all or a portion of Lot 2, Block 10, UNIVERSITY HEIGHTS ADDN zoned SU-2 DR, located on 202 CORNELL DR NE (K-16) |
| 24. | 14ZHE-80092 | Project#
1010040 | CORNELL SILVER, LLC (CONSENSUS PLANNING, AGENT) requests a special exception to Page 71 5.A. OF THE UNIVERSITY NEIGHBORHOODS SDP: a VARIANCE of 10' to the required 20' frontyard setback area of proposed Lot 1-D for all or a portion of Lot 2, Block 10, UNIVERSITY HEIGHTS ADDN zoned SU-2 DR, located on 202 CORNELL DR NE (K-16) |
| 25. | 14ZHE-80065 | Project#
1010015 | ALEJANDRO RODRIGUEZ requests a special exception to Section PG 45 of the South Broadway Neighborhoods SDP and 14-16-2-6(B)(14)(a)(2): a CONDITIONAL USE to allow a proposed 5' wall in the frontyard setback for all or a portion of the south two thirds of Lot 3, Block 9, EASTERN ADDITION zoned SU-2 MR, located on 911 ARNO ST SE (K-14) |
| 26. | 14ZHE-80067 | Project#
1010018 | ADAN AND GLORIA GUARDADO requests a special exception to Section 14-16-2-6(B)(14)(a)(2): a CONDITIONAL USE to allow an existing 4 1/2 foot wall in the required front yard setback for all or a portion of Lot 10, Block 13, BARON BURG HEIGHTS LUNAS REPLAT OF BLK 13 zoned R-1, located on 619 VALENCIA DR SE (I-18) |
| 27. | 14ZHE-80076 | Project#
1010030 | SARA AND PATRICK BRICHTA requests a special exception to Section 14-16-2-6(B)(14)(a)(1): a CONDITIONAL USE to allow a 6' wall in the required frontyard setback for all or a portion of Lot 4, Block 2, Loma Del Rey zoned R-1, located on 3800 CHERAZ RD NE (G-20) |
| 28. | 14ZHE-80081 | Project#
1010035 | BRENT MCCLURE requests a special exception to Section 14-16-2-6(B)(14)(a)(2): a CONDITIONAL USE for an existing wall to be up to 5' in the front yard setback for all or a portion of Lot 7, Block 15, EAST CENTRAL BUSINESS ADDN zoned R-1, located on 300 JANE ST NE (L-21) |
| 29. | 14ZHE-80068 | Project#
1010020 | KELLY WATSON AND TROY CALDWELL requests a special exception to Section 14-16-2-6(B)(5): a CONDITIONAL USE to allow child daycare for up to 12 children for all or a portion of Lot 28, Block 102, SNOW HEIGHTS ADDN zoned R-1, located on 1850 GRETТА ST NE (H-21) |
| 30. | 14ZHE-80069 | Project#
1010022 | THOMAS CUYLER requests a special exception to Section 14-16-2-6(B)(11): a CONDITIONAL USE for a proposed second kitchen in a dwelling for all or a portion of Lot 5, Block 8, WELLS SANDIA MANOR zoned R-1, located on 225 SHARON DR NE (L-23) |
| 31. | 14ZHE-80070 | Project#
1010024 | MATTHEW BIGGS requests a special exception to Section 14-16-2-21(B)(1) and 14-16-2-20(B)(5): a CONDITIONAL USE to allow for proposed off premise liquor sales for all or a portion of Lot 1A, JONES & SANDERSON & VAN BUSKIRK zoned M-2, located on 1001 CANDELARIA RD NE (H-15) |
| 32. | 14ZHE-80079 | Project#
1010033 | CARLOS GALLEGOS (GARCIA/KRAEMER AND ASSOC, AGENT) requests a special exception to Section 14-16-2-6(B)(13): a CONDITIONAL USE to allow for a storage yard for equipment, material, or activity incidental to a specific construction project, provided it is of a temporary nature for all or a portion of Lot 10, Block 15, SANDIA PLAZA zoned R-1, located on 1023 DELAMAR AVE NW (F-14) |

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| 33. | 14ZHE-80077 | Project#
1010031 | CENTRAL CAR WASH INC. (GARCIA/KRAEMER AND ASSOC, AGENT)
requests a special exception to Section 14-16-3-19(A)(3)(a): a VARIANCE of 2'9" to the maximum 3' fence height limitation within 5' of the public right-of-way for all or a portion of Lot 2A, GILETTE ADDN zoned C-2, located on 5308 CENTRAL AVE SE (K-17) |
| 34. | 14ZHE-80084 | Project#
1010038 | SANDIA AREA FEDERAL CREDIT UNION (JOE SLAGLE, AGENT)
requests a special exception to Section 14-16-2-16(B)(6): a CONDITIONAL USE to allow a proposed drive-up window for food and drink for all or a portion of Lot C, NEW HOLIDAY PARK zoned C-1, located on 11301 MONTGOMERY BLVD NE (F-22) |