



**HEARING ON SPECIAL EXCEPTIONS  
TO THE COMPREHENSIVE CITY ZONING CODE  
ZONING HEARING EXAMINER'S ACTION SHEET**

FRIDAY, FEBRUARY 20, 2015 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  
Lorena Patten-Quintana, Planner*

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**For Inquiries Regarding This Agenda, Please Call Planning Dept. at (505) 924-3860.**

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**PLEASE ADDRESS ALL CORRESPONDENCE TO:**

***Joshua J. Skarsgard, Esq.  
Planning Department  
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 Planning Information at (505) 924-3860.*

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**INTERPRETER REQUIRED:**

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| 1. <b>*IR* 15ZHE-80004</b> | <b>Project# 1010337</b> | <b>CRYSTAL MEDINA (Project# 1010337, AGENT)</b> requests a special exception to Section 14-16-2-9(B) and 14-16-2-6(B)(12) : a <b>CONDITIONAL USE</b> to allow a proposed patio cover in the rear yard setback area for all or a portion of Lot 49A-P1, Block 1, <b>DESERT GARDENS</b> zoned R-T, located on <b>7901 SCOTTISH BROOM RD SW (L-10) APPROVED WITH CONDITIONS</b> |
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**OLD BUSINESS:**

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|-----------------------|-------------------------|---|
| 2. <b>14ZHE-80149</b> | <b>Project# 1010118</b> | <b>STEPHEN SALETTA</b> requests a special exception to Section 14-16-2-20(B)(5): a <b>CONDITIONAL USE</b> to allow a proposed coffee kiosk with drive up window for all or a portion of Lot RA-1, <b>MENAU DEVELOPMENT AREA</b> zoned M-1, located on <b>2007 CANDELARIA RD NE (H-15) DEFERRED TO MARCH ZHE HEARING</b>                     |
| 3. <b>14ZHE-80198</b> | <b>Project# 1010199</b> | <b>MARIA ELENA MAESTAS</b> requests a special exception to Section 14-16-2-6(E)(5)(a): a <b>VARIANCE</b> request of 10' to the required 15' rear yard setback to allow a proposed new construction for all or a portion of Lot 38-P1, <b>CANDELARIA VILLAGE</b> zoned R-1, located on <b>1459 VALLE LA NW (G-13) RESCINDED BY APPLICANT</b> |
| 4. <b>14ZHE-80199</b> | <b>Project# 1010199</b> | <b>MARIA ELENA MAESTAS</b> requests a special exception to Section 14-16-2-6(D)(2)(a)(2): a <b>VARIANCE</b> request of 8' to the required 50' width to allow a proposed lot for all or a portion of Lot 38-P1, <b>CANDELARIA VILLAGE</b> zoned R-1, located on <b>1459 VALLE LA NW (G-13) APPROVED WITH CONDITIONS</b>                      |

5. **14ZHE-80294** **Project# 1010310** **JUAN MONTOYA (ROBBIE CHILDS, AGENT)** requests a special exception to Section 14-16-3-19(A)(2)(a): a VARIANCE of 3' to the maximum height of 3' allowed for a wall in the front yard setback. for all or a portion of Lot 15, Block 12, PARKLAND HILLS ADDN zoned R-1, located on **515 GRACELAND DR SE (L-17) APPROVED WITH CONDITIONS**

## NEW BUSINESS:

6. **14ZHE-80301** **Project# 1010316** **DARLY G. BARKLEY** requests a special exception to Section 14-16-2-6(B)(7): a CONDITIONAL USE to allow Health Care Services as a home occupation for all or a portion of Lot 10, Block 8, VOLCANO CLIFFS UNIT 4 zoned R-1, located on **6721 SEVILLE PL NW (D-10) WITHDRAWN BY THE APPLICANT**
7. **15ZHE-80001** **Project# 1010334** **SHASTA BIRKEY (HILLTOP LANDSCAPE ARCHITECTS, AGENT)** requests a special exception to Section 14-16-2-6(B)(14)(a)(1): a CONDITIONAL USE to allow a 4'6" wall 11' from back of sidewalk for all or a portion of Lot 24A, Block 1, TIERRA DEL ESTE zoned SU-1 PRD, located on **1604 VILLA SANDIA RD NE (J23) APPROVED WITH CONDITIONS**
8. **15ZHE-80002** **Project# 1010335** **JOSHUA ZOLLWEG** requests a special exception to Section 14-16-2-6(B)(3): a CONDITIONAL USE to allow a carport in the required front setback area for all or a portion of Lot 11, Block 54, PARKLAND HILLS ADDITION zoned R-1, located on **4934 PALO ALTO AVE SE (L17) DEFERRED TO MARCH ZHE HEARING**
9. **15ZHE-80003** **Project# 1010336** **ELIZABETH A. TAFOYA (AUSTIN'S CARPORTS, AGENT)** 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 for all or a portion of Lot 41, NORTH 12TH STREET ADDN zoned R-1, located on **1328 ARVILLA AVE NW (G13) APPROVED WITH CONDITIONS**
10. **15ZHE-80005** **Project# 1010338** **JAMES C. DUNCAN** requests a special exception to Section 14-16-2-20(B)(5): a CONDITIONAL USE to allow for the sale of alcoholic drink, and incidental retail sales of other items for off-premise consumption for all or a portion of Lot A, HOLLY PLACE zoned SU-2 M-1 OR SU-2 RC, located on **5920 HOLLY AVE NE SUITE E (C-18) DEFERRED TO MARCH ZHE HEARING**
11. **15ZHE-80006** **Project# 1010339** **LAURA, BRUZZESE** requests a special exception to PG. 94 DNA SDP (I)(1): a VARIANCE request of 1 off-street parking to the required 1 space for an existing residential dwelling for all or a portion of Lot B, Block 11, PEREA ADDN zoned SU-2 DNA-SF, located on **1225 ROMA AV NW (J-13) APPROVED WITH CONDITIONS**
12. **15ZHE-80007** **Project# 1010339** **LAURA, BRUZZESE** requests a special exception to PG. 92 DNA SDP (D)(2): a VARIANCE request of 1800 square feet to the required 5000 square feet for a proposed lot split for all or a portion of Lot B, Block 11, PEREA ADDN zoned SU-2 DNA-SF, located on **1225 ROMA AV NW (J-13) APPROVED WITH CONDITIONS**
13. **15ZHE-80009** **Project# 1010341** **TOFEL CONSTRUCTION (KEVIN COBOS, AGENT)** requests a special exception to Section 14-16-2-6(B)(4): a CONDITIONAL USE to allow a construction office in conjunction with the project at 1301 4th St. NW for all or a portion of Lot 19, Block 4, ROMERO ADDITION zoned S-R, located on **410 KINLEY AVE NW (J-14) APPROVED WITH CONDITIONS**
14. **15ZHE-80010** **Project# 1010342** **MAUDE NIELSEN (POSITIVE ENERGY, INC., 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 area for all or a portion of Lot 10, Block 18, HEIGHTS RESERVOIR ADDN zoned R-3, located on **4603 MARQUETTE AVE NE (K-17) APPROVED WITH CONDITIONS**

15.    **15ZHE-80011**        **Project#**    **JOSEF MIKULAS** requests a special exception to Section 14-16-3-3(B)(e): a  
                                 **1010343**        **VARIANCE** of 5'3" to the 10' required separation for a proposed accessory  
                                 structure for all or a portion of Lot 49-P1, Tract(s) Unit 1, THE BOULDERS  
                                 zoned R-LT, located on **9627 BASALT PEAK DR. NW (B10)** **APPROVED**  
                                 **WITH CONDITIONS**
16.    **15ZHE-80012**        **Project#**    **365 BREWING AND DISTILLING COMPANY, LLC** requests a special  
                                 **1010350**        exception to Section 14-16-2-20(B)(5): a **CONDITIONAL USE** to allow retail  
                                 sales of package alcohol for off-premise consumption for all or a portion of  
                                 Lot 1A, MENAUL DEVELOPMENT AREA zoned M-1, located on **2921**  
                                 **STANFORD DR NE (H-16)** **APPROVED WITH CONDITIONS**