



HEARING ON SPECIAL EXCEPTIONS  
TO THE COMPREHENSIVE CITY ZONING CODE

**ZONING HEARING EXAMINER'S  
ACTION SHEET**

TUESDAY, September 19, 2017 9:00 A.M.

**IF YOU ARE AGENDA ITEMS #1 THRU #25  
PLEASE COME TO THE HEARING AT 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**

*Christopher Graeser, Esq., Zoning Hearing Examiner  
Lorena Patten-Quintana, ZHE Planner*

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**For Inquiries Regarding This Agenda, Please Call Planning Dept. at (505) 924-3940.**

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**PLEASE ADDRESS ALL CORRESPONDENCE TO:**

***Christopher Graeser, Esq., Zoning Hearing Examiner  
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:**

- |    |                              |                             |  |
|----|------------------------------|-----------------------------|--|
| 1. | <b>*IR* 17ZHE-<br/>80169</b> | <b>Project#<br/>1011311</b> | <b>FLOR GONZALEZ</b> requests a special exception to Section 14-16-2-6(B)(5) : a CONDITIONAL USE to allow a family day care home for all or a portion of Lot 11-P1, Block 20, El Rancho Grande 1 Unit 4B zoned R-LT, located on <b>8400 SPRING SAGE RD SW (N-9) APPROVED</b>                               |
| 2. | <b>*IR* 17ZHE-<br/>80193</b> | <b>Project#<br/>1011336</b> | <b>NORMALY GONZALEZ</b> requests a special exception to Section 14-16-2-6(B)(12) : a CONDITIONAL USE to allow a shade structure in the required rear yard setback for all or a portion of Lot 11-P1, Block 5, Sage Pointe zoned R-D, located on <b>1100 ALEXANDRA ST SW (M-9) APPROVED WITH CONDITIONS</b> |
| 3. | <b>*IR* 17ZHE-<br/>80195</b> | <b>Project#<br/>1011339</b> | <b>MAYRA HERNANDEZ</b> requests a special exception to Section 14-16-2-6(B)(5) : a CONDITIONAL USE to allow a family day care home for all or a portion of Lot 19, Block 10, Academy Acres Unit 1 zoned R-1, located on <b>6517 CATHY AV NE (E-18) DEFERRED to OCTOBER 17, 2017</b>                        |

## OLD BUSINESS:

4. **17ZHE-80149** **Project# 1011300** **CLAUDIA MOLINAR** requests a special exception to Section 14-16-2-14(E)(1) and 14-16-2-6(B)(5) : a **CONDITIONAL USE** to allow for a home daycare for up to 12 children for all or a portion of Lot 6, Laurelwood South zoned R-D, located on **1520 ROSEWOOD AV NW** (H-10) **APPROVED**
5. **17ZHE-80170** **Project# 1011312** **MURPHY PROPERTIES (RIO GRANDE ENGINEERING, AGENT)** requests a special exception to Section 14-16-2-20(E) and 14-16-2-15(E)(2)(c) : a **VARIANCE** of 15 ft to the required 15 ft sideyard setback that is adjacent to the rear yards of a residential zone for all or a portion of Lot 2, North Second Street Business Center zoned M-1, located on **5126 2ND ST NW** (F-15) **APPROVED WITH CONDITIONS**
6. **17ZHE-80171** **Project# 1011312** **MURPHY PROPERTIES(RIO GRANDE ENGINEERING, AGENT)** requests a special exception to Section 14-16-2-20(E) and 14-16-2-15(E)(2)(c) : a **VARIANCE** of 15 ft to the required 15 ft sideyard setback that is adjacent to the rear yards of a residential zone for all or a portion of Lot 3, North Second Street Business Center zoned M-1, located on **5128 2ND ST NW** (F-15) **APPROVED WITH CONDITIONS**

## NEW BUSINESS:

7. **17ZHE-80172** **Project# 1011316** **TENNIS CLUB OF ALBUQUERQUE (JIM STROZIER, AICP, AGENT)** requests a special exception to Section 14-16-3-9(F) : a **VARIANCE** of 9 ft to the max 16 ft high light pole allowed within 100 ft within a residential zone for all or a portion of Lot 15-20, Block 5, Netherwood Park zoned R-3, located on **2901 INDIAN SCHOOL RD NE** (H-16) **APPROVED WITH CONDITIONS**
8. **17ZHE-80173** **Project# 1011317** **PAUL D BECK (AUSTINS CARPORTS, AGENT)** requests a special exception to Section 14-16-2-6(B)(3) : a **CONDITIONAL USE** to allow a carport in the front yard setback for all or a portion of Lot 19, Block 38, Princess Jeanne Park Addn zoned R-1, located on **1008 MURIEL ST NE** (K-21) **APPROVED WITH CONDITIONS**
9. **17ZHE-80175** **Project# 1011319** **CECILIA ZAMORA (AUSTINS CARPORTS, AGENT)** requests a special exception to Section 14-16-2-6(B)(3) : a **CONDITIONAL USE** to allow a proposed carport in the front setback area for all or a portion of Lot 11, Block 22, Altamont Addn zoned R-1, located on **3500 VALENCIA DR NE** (G-18) **APPROVED WITH CONDITIONS**
10. **17ZHE-80196** **Project# 1011340** **NESTOR LAZARO (AUSTIN'S CARPORTS, AGENT)** requests a special exception to Section 14-16-2-8(B)(1) and 14-16-2-6(B)(3) : a **CONDITIONAL USE** to allow for a carport in the front yard setback for all or a portion of Lot 1-P1, Block 7, Arrowwood Hills Unit 1 zoned R-LT, located on **10300 CHIANTI AV SW** (N-9) **APPROVED WITH CONDITIONS**
11. **17ZHE-80174** **Project# 1011318** **HENRY MALDONADO (CASA BELLA CONSTRUCTION, AGENT)** requests a special exception to Section 14-16-2-6(B)(12) : a **CONDITIONAL USE** to allow a shade structure in the rear yard setback area for all or a portion of Lot 38, Block 1, American Heritage North zoned R-1, located on **5617 DOGWOOD TRL NE** (F-19) **APPROVED WITH CONDITIONS**
12. **17ZHE-80176** **Project# 1011320** **RANDALL & ESTHER BERGH** requests a special exception to Section 14-16-2-6(E)(1) : a **VARIANCE** of 10 ft to the required 20 ft front setback to allow a proposed addition for all or a portion of Lot 17, Block 10, Sandia Plaza zoned R-1, located on **828 PONDEROSA AV NW** (F-14) **APPROVED**
13. **17ZHE-80177** **Project# 1011320** **RANDALL & ESTHER BERGH** requests a special exception to Section 14-16-2-6(E)(4)(a) : a **VARIANCE** of 1 ft to the required 5 ft side setback to allow a proposed addition for all or a portion of Lot 17, Block 10, Sandia Plaza zoned R-1, located on **828 PONDEROSA AV NW** (F-14) **APPROVED**

14. **17ZHE-80178** **Project# 1011321** **DEA HUNT (TRACY PETERSON/FULL MEASURE LLC, AGENT)** requests a special exception to Section 14-16-2-14(C) and 14-16 2-9(4)(a) : a VARIANCE of 4 ft to the required 15 ft rear yard setback for all or a portion of Lot 11, Block 4, Juan Tabo Hills Unit 2 zoned R-D, located on **2035 MOUNTAINEER DR SE (M-21) APPROVED**
15. **17ZHE-80179** **Project# 1011323** **JONATHAN SAIZ (AMANDA COROMINAS - DREAMSTYLE, AGENT)** requests a special exception to Section 14-16-2-22(B)(25)(a) and 14-16-2-6(B)(12) : a CONDITIONAL USE to allow a shade structure in the rear yard setback for all or a portion of Lot 33, Sawmill Crossing Unit 2 zoned SU-2 SU-1 for PRD, located on **1448 LUMBERTON DR NW (H-13) APPROVED WITH CONDITIONS**
16. **17ZHE-80180** **Project# 1011324** **BC111 BCSMS06-PWR14MOLINA BLDG C/O MAESTAS & WARD (DAC ENTERPRISES, AGENT)** requests a special exception to Section 14-16-2-23(A) and Pg 38(e)(5) North I-25 SDP : a VARIANCE of 18 in to the height and width to the allowed letter size to allow a proposed new sign for all or a portion of Lot 1, IHS Acquisition No 120 Inc zoned SU-2 HOSPITAL AND MEDICAL USES O-1 PERM USES OR SU-2 C, located on **8801 HORIZON BLVD NE (C-17) APPROVED**
17. **17ZHE-80181** **Project# 1011324** **BC111 BCSMS06-PWR14MOLINA BLDG C/O MAESTAS & WARD (DAC ENTERPRISES, AGENT)** requests a special exception to Section 14-16-2-23(A) and Pg 38(e)(6) North I-25 SDP : a VARIANCE of 20 ft to the max 30 ft in height to allow a proposed new building mounted sign for all or a portion of Lot 1, IHS Acquisition No 120 Inc zoned SU-2 HOSPITAL AND MEDICAL USES O-1 PERM USES OR SU-2 C, located on **8801 HORIZON BLVD NE (C-17) APPROVED**
18. **17ZHE-80182** **Project# 1011326** **BRIAN PRESS (JASON HOWARD, AGENT)** requests a special exception to Section 14-16-2-6(B)(3) : a CONDITIONAL USE to allow for a carport in the front yard for all or a portion of Lot 266, Block 3, Indian Hills Addn zoned R-1, located on **1905 MACBETH CT NE (H-22) APPROVED**
19. **17ZHE-80183** **Project# 1011327** **LOUIS AND FRANCES PADILLA** requests a special exception to Section 14-16-2-6(B)(14) : a CONDITIONAL USE to allow a 5 ft wall in the front setback area for all or a portion of Lot 3, Block 15, Royal Heights Addn Unit 2 zoned R-1, located on **3828 PIERMONT DR NE (G-20) APPROVED WITH CONDITIONS**
20. **17ZHE-80184** **Project# 1011328** **ZSUZSANNA D KROKOVAY** requests a special exception to Section 14-16-3-19(A)(2)(a) : a VARIANCE of 3 ft to the required 3 ft wall height to allow for a 6 ft wall in the front yard setback for all or a portion of Lot 17, Block 6, Granada Heights zoned R-1, located on **317 MORNINGSIDE DR SE (K-17) DEFERRED TO OCTOBER 17, 2017**
21. **17ZHE-80185** **Project# 1011332** **LAUREL SCHILLKE** requests a special exception to Section 14-16-2-23(A) and 14-16-2-6(B)(7) and Pg 75 of the University Neighborhoods SDP : a CONDITIONAL USE to allow health care as a home occupation for all or a portion of Lot 11, Block 32, Terrace Addn zoned SU-2 MD-2, located on **1217 COAL AV SE (K-15) APPROVED**
22. **17ZHE-80186** **Project# 1011333** **AARON MURRAY** requests a special exception to Section 14-16-3-3(B)(2)(e) : a VARIANCE of 10 ft to the required 10 ft separation to allow existing accessory structures for all or a portion of Lot 19-P1, Block 2, Buena Vista Estates Unit 2 zoned SU-2 RD or SU-2 LMDR, located on , **8500 RANCHO MIRAGE DR NE (C-18) DEFERRED TO COTOBER 17, 2017**
23. **17ZHE-80187** **Project# 1011333** **AARON MURRAY** requests a special exception to Section 14-16-3-3(B)(2)(e) : a VARIANCE of 7 in to the required 5 ft separation to allow existing accessory structures for all or a portion of Lot 19-P1, Block 2, Buena Vista Estates Unit 2 zoned SU-2 RD or SU-2 LMDR, located on **8500 RANCHO MIRAGE DR NE (C-18) DEFERRED TO COTOBER 17, 2017**

24. **17ZHE-80188**      **Project#**      **AARON MURRAY** requests a special exception to Section 14-16-2-6(B)(12)  
**1011333**      : a **CONDITIONAL USE** to allow an existing patio in the required rear yard setback for all or a portion of Lot 19-P1, Block 2, Buena Vista Estates Unit 2 zoned SU-2 RD or SU-2 LMDR, located on **8500 RANCHO MIRAGE DR NE (C-18) DEFERRED TO COTOBER 17, 2017**
25. **17ZHE-80189**      **Project#**      **AARON MURRAY** requests a special exception to Section 14-16-2-6(B)(14)  
**1011333**      : a **CONDITIONAL USE** to allow an existing 6 ft wall in the front setback area at 10 ft back from property line for all or a portion of Lot 19-P1, Block 2, Buena Vista Estates Unit 2 zoned SU-2 RD or SU-2 LMDR, located on **8500 RANCHO MIRAGE DR NE (C-18) DEFERRED TO COTOBER 17, 2017**

\*\*\*\*\***LUNCH BREAK**\*\*\*\*\*

**HEARING WILL RESUME PROMPTLY**  
**AT 1:30 P.M. WITH ITEM #26**

**IF YOU ARE AGENDA ITEMS #26 thru #35**

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

26. **17ZHE-80190**      **Project#**      **SIBYLLE SCHLESIER** requests a special exception to Section 14-16-2-6(B)(14)(a)1 : a **CONDITIONAL USE** to allow a 5 ft wall in front yard setback for all or a portion of Lot 3, Block 9, Victory Addn First Unit Of zoned R1, located on **909 VASSAR DR SE (L16) APPROVED**
27. **17ZHE-80192**      **Project#**      **SIBYLLE SCHLESIER** requests a special exception to Section 14-16-3-19(A)(2)(b) : a **CONDITIONAL USE** to allow a wall over 3 ft high on a corner side yard setback for all or a portion of Lot 3, Block 9, Victory Addn First Unit Of zoned R1, located on **909 VASSAR DR SE (L16) APPROVED**
28. **17ZHE-80191**      **Project#**      **FRANK HOLLOWAY** requests a special exception to Section 14-16-2-21(A)(1) and 14-16-2-20(B)(5) : a **CONDITIONAL USE** for off premise consumption in a M-2 Zone for all or a portion of Lot 6A, Block 19, Paris Addn zoned M-2, located on **1324 1ST NW (J-14) APPROVED WITH CONDITIONS**
29. **17ZHE-80194**      **Project#**      **MARTHA WHITMAN (OWEN KRAMME, AGENT)** requests a special exception to Section 14-16-2-6(B)(3) : a **CONDITIONAL USE** to allow for a carport in the front yard setback for all or a portion of Lot 19, Block 2, Loma Vista Addn zoned R-1, located on **809 WELLESLEY DR NE (J-16) APPROVED**
30. **17ZHE-80197**      **Project#**      **LARRY HENDRIX** requests a special exception to Section 14-16-2-23(A) and Pg 93 of the Downtown Neighborhood Area SDP : a **VARIANCE** of 3 ft to the allowed 18 ft height for a secondary dwelling for all or a portion of Lot 20, Block 40, Perea Addn zoned SU-2 DNA-SF, located on **1301 MARBLE AV NW (J-13) DENIED**
31. **17ZHE-80199**      **Project#**      **ASHWANI SHARMA (ARCH & PLAN LAND USE CONSULTANTS, AGENT)** requests a special exception to Section 14-16-2-6(E)(5)(a) : a **VARIANCE** of 5 ft to the required 10 ft side yard setback for all or a portion of Lot 14, Block 1, Canyon Village Addn zoned R-1, located on **7524 BEAR CANYON RD NE (E19) DENIED**

32. **17ZHE-80200**      **Project#**      **ASHWANI SHARMA (ARCH & PLAN LAND USE CONSULTANTS, AGENT)** requests a special exception to Section 14-16-2-6(E)(5)(a) : VARIANCE of 7.89 feet to the required 15 foot rear yard setback for all or a portion of Lot 14, Block 1, Canyon Village Addn zoned R-1, located on **7524 BEAR CANYON RD NE (E19) DENIED**
33. **17ZHE-80201**      **Project#**      **RITA MOYA (JUAN ROMERO, AGENT)** requests a special exception to Section 14-16-2-6 (E)(5)(a) : a VARIANCE of 6 ft 8 in to the required 15 ft rear yard setback for all or a portion of Lot 29, Block 2, Sandia Plaza Subd zoned R-1, located on **802 PALO DURO AV NW (F14) APPROVED**
34. **17ZHE-80202**      **Project#**      **RITA MOYA (JUAN ROMERO, AGENT)** requests a special exception to Section 14-16-2-6 (E)(4)(a) : a VARIANCE of 2 ft to the required 5 ft side yard setback for all or a portion of Lot 29, Block 2, Sandia Plaza Subd zoned R-1, located on **802 PALO DURO AV NW (F14) APPROVED**
35. **17ZHE-80203**      **Project#**      **RITA MOYA (JUAN ROMERO, AGENT)** requests a special exception to Section 14-16-3-4 (B) (4) : a request to expansion of a NONCONFORMING structure of less than 25% for all or a portion of Lot 29, Block 2, Sandia Plaza Subd zoned R-1, located on **802 PALO DURO NW (F14) APPROVED**