



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

TUESDAY, June 19, 2018 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  
Suzie Sanchez, ZHE Administrative Assistant*

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**For Inquiries Regarding This Agenda, Please Call Planning Dept. at (505) 924-3894.**

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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:**

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|----|--------------------|-----------------------------|---|
| 1. | <b>18ZHE-80092</b> | <b>Project#<br/>1011596</b> | <b>ELSA M. CHAVEZ</b> requests a special exception to Section 14-16-2-14(E)(1) and 14-16-2-6(B)(14): a <b>CONDITIONAL USE</b> to allow a wall 5ft in height within the front yard setback for all or a portion of Lot 2, Block 79, Westgate Heights Addn Unit NO 4 zoned R-D, located on <b>9122 ALEXIS AVE SW (M-9) APPROVAL WITH CONDITIONS</b> |
| 2. | <b>18ZHE-80096</b> | <b>Project#<br/>1011602</b> | <b>CESAR A. CHAVEZ</b> requests a special exception to Section 14-16-3-3(B)(2)(e): a <b>VARIANCE</b> of 3ft to the required 5ft separation between accessory structures for all or a portion of Lot 85A, Block 0000, Butterfield 2B zoned R-1, located on <b>5615 STILL BROOKE AVE NW (E-11) DEFERRED</b>   |
| 3. | <b>18ZHE-80119</b> | <b>Project#<br/>1011627</b> | <b>PEDRO &amp; BELLA DUENAS</b> requests a special exception to Section 14-16-3-19(A)(2)(b): a <b>VARIANCE</b> of 6 ft to the maximum 3 ft wall height in a corner side yard setback for all or a portion of Lot 6, Block J, Carlos Rey Addn zoned R-1, located on <b>320 64TH ST SW (K-11) APPROVAL WITH CONDITIONS</b>                          |
| 4. | <b>18ZHE-80120</b> | <b>Project#<br/>1011627</b> | <b>PEDRO &amp; BELLA DUENAS</b> requests a special exception to Section 14-16-3-19(A)(2)(a): a <b>VARIANCE</b> of 6 ft to the max 3 ft wall height in the front yard setback for all or a portion of Lot 6, Block J, Carlos Rey Addn zoned R-1, located on <b>320 64TH ST SW (K-11) APPROVAL WITH CONDITIONS</b>                                  |

5. **18ZHE-80121**      **Project# 1011629**      **IRMA DE LARA & ENRIQUE LARA** requests a special exception to Section 14-16-3-19(A)(2)(a): a VARIANCE of 2 ft 8 inches to the allowed 3 ft wall height in the front yard set back for all or a portion of Lot 6A, Block 3, Valley Gardens South Unit 1 zoned R-1, located on **4518 SORREL LN SW** (Q-11) **APPROVAL WITH CONDITIONS**
6. **18ZHE-80124**      **Project# 1011633**      **NORMA ESTRADA** requests a special exception to Section 14-16-2-6(B)5: a CONDITIONAL USE to allow up to 12 children in a family daycare for all or a portion of Lot 537, Block 25, Atrisco Village Unit 3B of Hoffman City zoned R-1, located on **1748 TOVAR PL SW** (M-8) **APPROVED**

**OLD BUSINESS:**

7. **17ZHE-80283**      **Project# 1011472**      **CALVARY ALBUQUERQUE INC (DEVIN CANNADY, AGENT)** requests a special exception to Section 14-16-2-17(B)(3): a CONDITIONAL USE to allow a church in a C-2 zone for all or a portion of Lot 5-A-1-A, Lands of Joel P Taylor zoned C-2 (SC), located on **6051 WINTER HAVEN RD NW** (E-12) **WITHDRAWN**
8. **18ZHE-80067**      **Project# 1011571**      **JOHN DACAMARA** requests a special exception to Section 14-16-2-23(A), South Broadway SDP p. 46 III (B)(1) and 14-16-2-17(A)(13)(b): a CONDITIONAL USE to allow C-2 permissive uses in the SU-2/NCR zone for all or a portion of Lot 8, Block 7 & 1, EASTERN ADDN SECOND EXTENSION zoned SU-2, located on **1806 BROADWAY BLVD SE** (L-14) **APPROVAL WITH CONDITIONS**
9. **18ZHE-80068**      **Project# 1011574**      **OMAR GOMEZ** requests a special exception to Section 14-16-3-19(A)(2)(a): a VARIANCE of 3 ft to the 3 ft maximum wall height allowed in the front yard setback for all or a portion of Lot 12, Block 5, LOMA VERDE zoned R-3, located on **7800 DOMINGO RD NE** (K-19) **APPROVAL WITH CONDITIONS**

**NEW BUSINESS:**

10. **18ZHE-80074**      **Project# 1011579**      **ELFEGO ORONA JR** requests a special exception to Section 14-16-3-19(A)(2)(a): a VARIANCE of 3ft to the allowed 3ft wall height within the front yard setback for all or a portion of Lot 20-P1, Block 23, EL RANCHO GRANDE 1 UNIT 5A zoned R-T, located on **8732 SPOTTED PONY AVE SW** (N-9) **APPROVAL WITH CONDITIONS**
11. **18ZHE-80088**      **Project# 1011592**      **LUIS SANTILLAN** requests a special exception to Section 14-16-3-19(A)(2)(a): a VARIANCE of 3 ft to the maximum 3 ft wall height allowed in the front yard setback for all or a portion of Lot 5, Block 1, Votaw Addn zoned R-1, located on **1337 SAN ANDRES AVE NW** (F-14) **APPROVAL WITH CONDITIONS**
12. **18ZHE-80090**      **Project# 1011594**      **BERTHA OCHOA** requests a special exception to Section 14-16-2-9(B) and 14-16-2-6(B)(14): a CONDITIONAL USE to allow a 5 ft tall wall within the front yard setback for all or a portion of Lot 13-P1, Block 22, El Rancho Grande 1 UNIT 5A zoned R-T, located on **8719 SPOTTED PONY AVE SW** (N-9) **APPROVAL WITH CONDITIONS**
13. **18ZHE-80091**      **Project# 1011595**      **KATHY KLEYBOECKER (CHRIS R. MARQUEZ, ESQ., AGENT)** requests a special exception to Section 14-16-2-6(B)(14)(a)(3): a CONDITIONAL USE to allow a wall higher than 3 ft on a corner side yard for all or a portion of Lot 4, Block 2, Carlisle Del Cero zoned R-1, located on **3912 MORNINGSIDE DR NE** (G-17) **APPROVAL WITH CONDITIONS**
14. **18ZHE-80093**      **Project# 1011597**      **ROBERT MORRISON** requests a special exception to Section 14-16-2-6(B)(1): a CONDITIONAL USE to allow for an accessory living quarters for all or a portion of Lot 16B1, Block 0000, Trail Acre Estates zoned R-1, located on **901 LOS POBLANOS RANCH RD NW** (F-14) **APPROVAL WITH CONDITIONS**

15. **18ZHE-80094**      **Project#**      **THOMAS WHITE** requests a special exception to Section 14-16-3-3(B)(2)(e): a VARIANCE of 5ft to the required 10ft separation to allow an accessory building for all or a portion of Lot 117C and 341D, MRGCD MAP 31 and 32 zoned RA-2, located on **5105 GUADALUPE TRL NW (F-14) APPROVAL WITH CONDITIONS**  
**1011600**
16. **18ZHE-80095**      **Project#**      **ANGEL VALLADARES (JESUS GARCIA, AGENT)** requests a special exception to Section 14-16-3-19(A)(2): a VARIANCE of 5 ft to the maximum 3 ft height to allow an existing wall in the front and corner side yard setback for all or a portion of Lot 1A, Dupree & Garcia zoned R-1, located on **609 ATRISCO DR NW (J-12) APPROVED**  
**1011601**
17. **18ZHE-80097**      **Project#**      **RICHARD AYALA (MONNICA BARRERAS, AGENT)** requests a special exception to Section 14-16-2-23(A) and pg 104 Volcano Cliffs SDP: a VARIANCE to the allowed 20% - 50% light reflective range for exterior colors for all or a portion of Lot 31, Block 6, Volcano Cliffs Unit 18 zoned SU-2 VCLL, located on **6543 PATO RD NW (D-10) APPROVAL WITH CONDITIONS**  
**1011605**
18. **18ZHE-80098**      **Project#**      **TREVOR REED** requests a special exception to Section 14-16-2-19(B) and 14-16-2-20(A)(6): a CONDITIONAL USE to allow commercial agricultural activity for all or a portion of Lot 2-A, Block 0000, Atrisco Business Park UNIT 2 zoned IP, located on **7001 BLUEWATER RD NW (K-10) APPROVED**  
**1011606**
19. **18ZHE-80099**      **Project#**      **JOSE MIGUEL REYES** requests a special exception to Section 14-16-3-19(A)(2)(a): a VARIANCE of 5 ft to allow an 8 ft wall within the front yard setback for all or a portion of Lot 1, Block P, Desert Flower UNIT 4 zoned R-LT, located on **2301 COSMOS DR SW (M-10) APPROVAL WITH CONDITIONS**  
**1011609**
20. **18ZHE-80100**      **Project#**      **ALFREDO SANDOVAL** requests a special exception to Section 14-16-2-6(B)(1): a CONDITIONAL USE to allow an accessory living quarters for all or a portion of Lot 25, Block 5, Northridge Addn UNIT 1 zoned R-1, located on **8234 NORTHRIDGE AVE NE (F-19) APPROVAL WITH CONDITIONS**  
**1011610**
21. **18ZHE-80101**      **Project#**      **NAZARETH TEJEDA-GASCA** requests a special exception to Section 14-16-3-19(A)(2)(a): a VARIANCE of 3 ft to the allowed 3 ft for a wall in the front yard setback for all or a portion of Lot 27, Block B, El Rancho Grande UNIT 6 zoned R-LT, located on **1340 EL RANCHO DR SW (M-9) APPROVAL WITH CONDITIONS**  
**1011611**
22. **18ZHE-80102**      **Project#**      **STEVE GURULE** requests a special exception to Section 14-16-3-19(A)(2)(a): a VARIANCE of 2 ft 11 inches to the 3 ft maximum wall height in the front yard setback for all or a portion of Lot 5, Block J, Carlos Rey Addn zoned R-1, located on **316 64TH ST SW (K-11) APPROVAL WITH CONDITIONS**  
**1011612**
23. **18ZHE-80103**      **Project#**      **RAMON AND ANNA PADILLA** requests a special exception to Section 14-16-3-3(B)(2)(b): a VARIANCE of 18 ft to the 20 ft corner side yard setback to allow an existing accessory structure for all or a portion of Lot 22A, Block 28, Brentwood Hills zoned R-1, located on **12301 LOS ARBOLES RD NE (H-22) DENIED**  
**1011613**
24. **18ZHE-80104**      **Project#**      **WILLIAM ENGLAND** requests a special exception to Section 14-16-2-6(E)(4)(a): a VARIANCE of 5 ft to the required 10 ft side yard setback for all or a portion of Lot 14, Block 1, La Sala Grande Addn zoned R-1, located on **2920 LA CAMILA RD NE (G-20) APPROVED**  
**1011614**
25. **18ZHE-80105**      **Project#**      **JOHN S. RATHBUN** requests a special exception to Section 14-16-3-3(B)(2)(e): a VARIANCE of 3 ft to the required 10 ft separation for an accessory building for all or a portion of Lot 3, Block 37, Bel-Air zoned R-1, located on **2635 MONTCLAIRE DR NE (H-17) APPROVED**  
**1011615**

26. **18ZHE-80106**      **Project#**      **LAURIE ROCK (GILBERT AUSTIN, AUSTIN'S CARPORTS, AGENT)**  
**1011616**      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 7, Block 14, Princess Jeanne Park zoned R-1, located on **10424 LOVE AVE NE (J-21) APPROVAL WITH CONDITIONS**
27. **18ZHE-80107**      **Project#**      **GREG BLACKWELL (JONATHAN SIEGEL, AGENT)** requests a special  
**1011617**      exception to Section 14-16-2-6(E)(4)(a): a **VARIANCE** of 1 ft 11 inches to the required 5 ft side yard setback for all or a portion of Lot 4, 5, 6, Block 17, Lembke zoned SU-2 DNA SF, located on **1418 ROMA AVE NW (J-13) APPROVED**
28. **18ZHE-80108**      **Project#**      **RICHARD ZEMK (THOMAS NELSON, AGENT)** requests a special  
**1011618**      exception to Section 14-16-2-5(E) and 14-16-2-6(E)(1): a **VARIANCE** of 18 ft to the required 20 ft front yard setback for all or a portion of Lot A, Ruben-Aragon zoned RA-2, located on **1607 GRIEGOS RD NW (F-13) APPROVED**
29. **18ZHE-80109**      **Project#**      **PETER & THERESA BACA** requests a special exception to Section 14-16-  
**1011619**      2-8(B)(1) and 14-16-2-6(B)(3): a **CONDITIONAL USE** to allow a carport in the front setback area for all or a portion of Lot 13-P1, Bluewater Pointe zoned R-LT, located on **9500 ADONAI RD NW (K-9) APPROVAL WITH CONDITIONS**
30. **18ZHE-80110**      **Project#**      **FERIDOON GHANBARI** requests a special exception to Section 14-16-2-  
**1011620**      6(B)(3): a **CONDITIONAL USE** to allow a carport in the front yard setback for all or a portion of Lot 136, Block 1, Academy Place UNIT 4 zoned R-1, located on **5300 HINES DR NE (F-21) APPROVAL WITH CONDITIONS**
31. **18ZHE-80111**      **Project#**      **FRANCESCO BUFANO** requests a special exception to Section 14-16-2-  
**1011621**      6(E)(4)(a): a **VARIANCE** of 5 ft to the required 5 ft side yard setback for all or a portion of Lot 14, Torres Addn zoned R-1, located on **242 58TH ST NW (K-11) APPROVED**
32. **18ZHE-80112**      **Project#**      **ARMANDO MERAZ** requests a special exception to Section 14-16-2-23(A)  
**1011622**      and pg 65 (B)(1) Tower Unser SDP/ 14-16-2-9(E)(4)(a): a **VARIANCE** of 9 ft to the required 15 ft rear yard setback for all or a portion of Lot 7, Block 2, Desert Pine Unit 4 zoned R-D 9DU/AC, located on **560 DESERT MAIZE DR SW (L-9) APPROVED**
33. **18ZHE-80113**      **Project#**      **KATHERINE RIOLO** requests a special exception to Section 14-16-2-  
**1011623**      16(B)(22): a **CONDITIONAL USE** to allow uses or activities in a tent for all or a portion of Lot 1-B & 1-A, Block 25, Mesa Village zoned C-1, located on **1321 EUBANK BLVD NE (J-20) APPROVAL WITH CONDITIONS**
34. **18ZHE-80114**      **Project#**      **BRYAN LEE** requests a special exception to Section 14-16-2-12(E)(1): a  
**1011624**      **VARIANCE** of 3ft to the required 15ft front yard setback for all or a portion of Lot 44, Block 125, Snow Heights Addn zoned R-3, located on **10101 NORMAN AVE NE (H-21) APPROVED**
35. **18ZHE-80116**      **Project#**      **BRYAN LEE** requests a special exception to Section 14-16-2-12(E)(1): a  
**1011624**      **VARIANCE** of 8 ft to the required 20 ft driveway for all or a portion of Lot 44, Block 125, Snow Heights Addn zoned R-3, located on **10101 NORMAN AVE NE (H-21) APPROVED**
36. **18ZHE-80117**      **Project#**      **BRYAN LEE** requests a special exception to Section 14-16-2-12(D)(1): a  
**1011624**      **VARIANCE** of 10 ft to the required 150 ft lot width to allow for proposed townhomes for all or a portion of Lot 44, Block 125, Snow Heights Addn zoned R-3, located on **10101 NORMAN AVE NE (H-21) APPROVED**
37. **18ZHE-80115**      **Project#**      **ELLIS & SANDY DAWSON (GLENN SMITH, AGENT)** requests a special  
**1011625**      exception to Section 14-16-2-9(B) 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 18 P-2, Parsifal Townhomes zoned R-T, located on **4116 BAY CT NE (G-20) WITHDRAWN**

38. **18ZHE-80118**      **Project#**      **RICHARD PARKER** requests a special exception to Section 14-16-2-6(E)(1): a VARIANCE of 9 inches to the required 20 ft front yard setback for all or a portion of Lot 8, Block A, Altura Addition zoned R-1, located on **1811 HERMOSA DR NE (J-17) APPROVED**
39. **18ZHE-80122**      **Project#**      **LEONARD ROMERO (FRANK ROMERO, AGENT)** 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 in the front yard setback for all or a portion of Lot 16, Block H, El Rancho Grande Unit 8B zoned R-LT, located on **10001 ATRISCO RANCH RD SW (M-9) APPROVAL WITH CONDITIONS**
40. **18ZHE-80123**      **Project#**      **JUAN MARTINEZ (LUZ VARELA, AGENT)** requests a special exception to Section 14-16-2-6(E)(1) and South Broadway Sector Plan page 45: a VARIANCE of 11 ft 8 inches to the required 20 ft front yard setback for all or a portion of Lot 9, Block 25, Eastern Addn zoned SU-2 MR, located on **1210 WALTER ST SE (L-14) APPROVED**
41. **18ZHE-80125**      **Project#**      **FRANCISCO QUEZADA** requests a special exception to Section 14-16-2-9(D)(3) and 14-16-2-11(D)(2): a VARIANCE of 8 ft to the required 72 ft lot width requirement for all or a portion of Lot B, Block 14, Mesa Verde Addn zoned R-2, located on **247 TEXAS ST NE (K-19) APPROVED**
42. **18ZHE-80126**      **Project#**      **BRIAN CAPSTICK/ HYIF SAN MATEO, LLC (STEVE LARSON, AGENT)** requests a special exception to Section 14-16-2-17(B)(18): a CONDITIONAL USE to allow the sale of growlers within 500 feet of a school for all or a portion of Lot 3A1, Black Addn zoned C-3(SC), located on **6001 SAN MATEO BLVD NE, F BLDG (E-17) APPROVED**
43. **18ZHE-80127**      **Project#**      **LUIS ORTIZ (XAVIER NUNO-WHELAN, AGENT)** requests a special exception to Section 14-16-2-6(B)(1): a CONDITIONAL USE to allow an accessory living quarters for all or a portion of Lot 1, Block 11, Highlands North Addn UNIT 2 zoned R-1, located on **7005 VISTA DEL ARROYO AVE NE (F-19) APPROVED**
44. **18ZHE-80132**      **Project#**      **ROBERT ROSSBERG** requests a special exception to Section 14-16-2-23(A) and Sawmill SDP pg 86 3.b: a VARIANCE of 10 ft to the required 10 ft stepback for an addition over 15 ft in height for all or a portion of Lot A, Block 25, Rosemont Park Addn zoned S-R, located on **1114 11TH ST NW (J-13) APPROVED**