



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

TUESDAY, APRIL 21, 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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**OLD BUSINESS:**

- 1. **15ZHE-80018**      **Project# 1010360**      **JAVIER E. SANCHEZ** requests a special exception to PG. 45 SOUTH BROADWAY SDP: a **CONDITIONAL USE** to allow proposed R-2 uses in an SU-2 MR zone for all or a portion of Lot 1, Block 1, APODACA- R G ADDN zoned SU-2 MR, located on **225 BETHEL DR SE (M-14) DEFERRAL TO THE MAY ZHE HEARING**
  
- 2. **15ZHE-80014**      **Project# 1010356**      **STEVE COE/ JC PETERSON DBA COE PETERSON PROPERTIES (DAC ZONING & LAND USE SERVICES, AGENT)** requests a special exception to Section 14-16-3-1(A)(26): a **VARIANCE** request of 15 parking spaces to the required 51 for a new restaurant for all or a portion of Lot H4C, LA REINA DEL LOS ALTOS UNIT 2 zoned C-2 (SC), located on **3305 JUAN TABO BLVD NE (G-21) WHITHDRAWN**

**NEW BUSINESS:**

- 3. **15ZHE-80031**      **Project# 1010374**      **SUSAN A CUELLAR (AUSTIN'S CARPORT'S, 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 15, Block 11, GUTIERREZ-OFIMIANO J LOWER zoned R-1, located on **8504 GUTIERREZ RD NE (F-20) APPROVED WITH CONDITIONS**

4. **15ZHE-80032**      **Project#**      **DONAL W. KEY** requests a special exception to Section 14-16-2-6(E)(4)(b):  
**1010384**      a VARIANCE request of 3' to the required 5' side setback to allow a  
proposed addition for all or a portion of Lot 2, BARRASS-KEITH zoned R-  
1, located on **601 GRIEGOS RD NW (F-14) APPROVED WITH**  
**CONDITIONS**
  
5. **15ZHE-80033**      **Project#**      **DONAL W. KEY** requests a special exception to Section 14-16-2-6(E)(5)(a):  
**1010384**      a VARIANCE request of 12' to the required 15' rear setback to allow a  
proposed addition for all or a portion of Lot 2, BARRASS-KEITH zoned R-  
1, located on **601 GRIEGOS RD NW (F-14) APPROVED WITH**  
**CONDITIONS**
  
6. **15ZHE-80034**      **Project#**      **DONAL W. KEY** requests a special exception to Section 14-16-3-3(B)(2)(e):  
**1010384**      a VARIANCE request of 7' to the required 10' minimum separation of (2)  
accessory structures for a proposed addition for all or a portion of Lot 2,  
BARRASS-KEITH zoned R-1, located on **601 GRIEGOS RD NW (F-14)**  
**APPROVED WITH CONDITIONS**
  
7. **15ZHE-80035**      **Project#**      **MATTHEW L. MCGUIRE** requests a special exception to Section 14-16-3-  
**1010386**      3(B)(e): a VARIANCE of 3.5 feet to the required 10 foot separation for a  
proposed accessory building for all or a portion of Lot 1, Block B, CASA  
GRANDE MANOR zoned R-1, located on **2920 PALO ALTO DR NE (H23)**  
**DEFERRAL TO THE MAY ZHE HEARING**
  
8. **15ZHE-80036**      **Project#**      **DANIEL AND STACEY COLE (DANIEL SOLARES JR., AGENT)** requests  
**1010387**      a special exception to Section 14-16-2-11(D)(2) and 14-16-2-9(D)(3): a  
VARIANCE request of 690 square feet to the required 3600 sf. for a  
proposed lot split to allow an existing dwelling for all or a portion of Lot 6-7,  
Block 1, ROEHL'S GARDEN ADDITION zoned R-2, located on **315 19TH**  
**ST NW (J-13) DEFERRAL TO THE MAY ZHE HEARING**
  
9. **15ZHE-80037**      **Project#**      **DANIEL AND STACEY COLE (DANIEL SOLARES JR., AGENT)** requests  
**1010387**      a special exception to Section 14-16-2-11(F)(1): a VARIANCE request of .14  
to the allowed .5 floor area ratio for a proposed lot split (A,B,C) for all or a  
portion of Lot 6-7, Block 1, ROEHL'S GARDEN ADDITION zoned R-2,  
located on **315 19TH ST NW (J-13) DEFERRAL TO THE MAY ZHE**  
**HEARING**
  
10. **15ZHE-80038**      **Project#**      **DANIEL AND STACEY COLE (DANIEL SOLARES JR., AGENT)** requests  
**1010388**      a special exception to Section 14-16-2-11(E)(1): a VARIANCE request of 6'  
to the required 15' front setback to allow a proposed townhouse on proposed  
lot B for all or a portion of Lot 6-7, Block 1, ROEHL'S GARDEN ADDITION  
zoned R-2, located on **315 19TH ST NW (J-13) DEFERRAL TO THE MAY**  
**ZHE HEARING**
  
11. **15ZHE-80039**      **Project#**      **DANIEL AND STACEY COLE (DANIEL SOLARES JR., AGENT)** requests  
**1010388**      a special exception to Section 14-16-2-11(E)(4): a VARIANCE request of 3'  
to the required 15' rear setback to allow a proposed townhouse on proposed  
lot B for all or a portion of Lot 6-7, Block 1, ROEHL'S GARDEN ADDITION  
zoned R-2, located on **315 19TH ST NW (J-13) DEFERRAL TO THE MAY**  
**ZHE HEARING**
  
12. **15ZHE-80040**      **Project#**      **DANIEL AND STACEY COLE (DANIEL SOLARES JR., AGENT)** requests  
**1010388**      a special exception to Section 14-16-2-11(A)(1) and 14-16-2-9(D)(1): a  
VARIANCE request of 121 square feet to the required 2200 for a proposed  
lot split to allow a new townhouse on proposed lot B for all or a portion of Lot  
6-7, Block 1, ROEHL'S GARDEN ADDITION zoned R-2, located on **315**  
**19TH ST NW (J-13) DEFERRAL TO THE MAY ZHE HEARING**

13. 15ZHE-80041 Project# 1010388 DANIEL AND STACEY COLE (DANIEL SOLARES JR., AGENT) requests a special exception to Section 14-16-2-11(F)(1): a VARIANCE request of .28 to the allowed .5 floor area ratio to allow a proposed townhouse on proposed lot B for all or a portion of Lot 6-7, Block 1, ROEHL'S GARDEN ADDITION zoned R-2, located on 315 19TH ST NW (J-13) DEFERRAL TO THE MAY ZHE HEARING
14. 15ZHE-80042 Project# 1010388 DANIEL AND STACEY COLE (DANIEL SOLARES JR., AGENT) requests a special exception to Section 14-16-3-1(A)(24)(a): a VARIANCE request of 1 offstreet parking to allow a proposed townhouse on proposed lot B for all or a portion of Lot 6-7, Block 1, ROEHL'S GARDEN ADDITION zoned R-2, located on 315 19TH ST NW (J-13) DEFERRAL TO THE MAY ZHE HEARING
15. 15ZHE-80043 Project# 1010389 DANIEL AND STACEY COLE (DANIEL SOLARES JR., AGENT) requests a special exception to Section 14-16-2-11(E)(1): a VARIANCE request of 6' to the required 15' front setback to allow a proposed townhouse on proposed lot A for all or a portion of Lot 6-7, Block 1, ROEHL'S GARDEN ADDITION zoned R-2, located on 315 19TH ST NW (J-13) DEFERRAL TO THE MAY ZHE HEARING
16. 15ZHE-80044 Project# 1010389 DANIEL AND STACEY COLE (DANIEL SOLARES JR., AGENT) requests a special exception to Section 14-16-2-11(E)(4): a VARIANCE request of 3' to the required 15' rear setback to allow a proposed townhouse on proposed lot A for all or a portion of Lot 6-7, Block 1, ROEHL'S GARDEN ADDITION zoned R-2, located on 315 19TH ST NW (J-13) DEFERRAL TO THE MAY ZHE HEARING
17. 15ZHE-80045 Project# 1010389 DANIEL AND STACEY COLE (DANIEL SOLARES JR., AGENT) requests a special exception to Section 14-16-2-11(A)(1) and 14-16-2-9(D)(1): a VARIANCE request of 33 square feet to the required 2200sf to allow a proposed lot split for a proposed townhouse on proposed lot A for all or a portion of Lot 6-7, Block 1, ROEHL'S GARDEN ADDITION zoned R-2, located on 315 19TH ST NW (J-13) DEFERRAL TO THE MAY ZHE HEARING
18. 15ZHE-80046 Project# 1010389 DANIEL AND STACEY COLE (DANIEL SOLARES JR., AGENT) requests a special exception to Section 14-16-2-11(F)(1): a VARIANCE request of .26 to the allowed .5 floor area ratio to allow a proposed townhouse on proposed lot A for all or a portion of Lot 6-7, Block 1, ROEHL'S GARDEN ADDITION zoned R-2, located on 315 19TH ST NW (J-13) DEFERRAL TO THE MAY ZHE HEARING
19. 15ZHE-80047 Project# 1010389 DANIEL AND STACEY COLE (DANIEL SOLARES JR., AGENT) requests a special exception to Section 14-16-3-1(A)(24)(a): a VARIANCE request of 1 offstreet parking to allow a proposed townhouse on proposed lot A for all or a portion of Lot 6-7, Block 1, ROEHL'S GARDEN ADDITION zoned R-2, located on 315 19TH ST NW (J-13) DEFERRAL TO THE MAY ZHE HEARING

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

**HEARING WILL RESUME PROMPTLY**  
**AT 1:30 P.M. WITH ITEM 20**

**IF YOU ARE AGENDA ITEMS 20-29**

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

20. **15ZHE-80048** **Project# 1010390** **STEVE GENDRON (SITES SOUTHWEST, AGENT)** requests a special exception to PG. 75 MARTINEZTOWN/ SANTA BARBARA SDP and Section 14-13-3-10(E)(3)(a): a VARIANCE request of 10' to the 10' required front landscape buffer for a proposed addition for all or a portion of Lot 47-A, Block 3C, FRANCISCAN ACRES zoned SU-2 C-3, located on **404 TOWNER AV NE (H-15) APPROVED WITH CONDITIONS**
21. **15ZHE-80049** **Project# 1010391** **J. JEROME MAXWELL JR. (ED WRAY, AGENT)** requests a special exception to Section 13-11-6(A)2: a VARIANCE of 450 feet separation to the required 500 feet separation for a methadone Clinic from a R-1 zone for all or a portion of Lot 15, Block 7, WAGGOMAN-DENISON ADDN zoned SU-2 EG - C-2, located on **126 GENERAL CHENNAULT ST. NE (K-20) WITHDRAWN**
22. **15ZHE-80052** **Project# 1010394** **J. JEROME MAXWELL JR. (ED WRAY, AGENT)** requests a special exception to Section 13-11-6(A)2: a VARIANCE of 450 feet separation to the required 500 feet separation for a methadone clinic from a R-1 zone for all or a portion of Lot 16, Block 7, WAGGOMAN-DENISON ADDN zoned SU-2 EG - C-2, located on **126 GENERAL CHENNAULT ST NE (K-20) WITHDRAWN**
23. **15ZHE-80050** **Project# 1010392** **CRAIG WALLACE (AFFORDABLE SOLAR, AGENT)** requests a special exception to PG. 69, RTD ZONE, UNIVERSITY NEIGHBORHOOD SDP and Section 14-16-2-6(B)(3): a CONDITIONAL USE request to allow a proposed carport in the front yard setback area for all or a portion of Lot 2, Block 1, TERRACE PARK ADDN zoned SU-2 RTD, located on **2012 LEAD AVE SE (K-15) APPROVED WITH CONDITIONS**
24. **15ZHE-80051** **Project# 1010393** **PAULA R. STULCE (J. MATT MYERS, AGENT)** requests a special exception to PG. 4.2, HIGH DESERT SDP and 14-16-2-9(E)(4)(a): a VARIANCE request of 10' to the 15' rear setback to allow a proposed addition for all or a portion of Lot 71, SUNSET RIDGE AT HIGH DESERT zoned SU-2 HD/R-T, located on **6519 ALPINE TRAIL ST NE (E-23) APPROVED WITH CONDITIONS**
25. **15ZHE-80053** **Project# 1010395** **GARY GABALDON** requests a special exception to PG. 26 LA CUEVA SDP and Section 14-16-2-14(B) and 14-16-2-9(E)(1): a VARIANCE request of 3'5" to the required 20' driveway to allow for a proposed new home for all or a portion of Lot 5, VINEYARD COURT ESTATES zoned R-D, located on **8219 GRAPE VIEW CT NE (C-20) WITHDRAWN**
26. **15ZHE-80054** **Project# 1010396** **JONATHAN TING (DANIEL BOARDMAN, AGENT)** requests a special exception to Section 14-16-2-15(B)(5): a CONDITIONAL USE to allow instruction in music or dance in an existing building. for all or a portion of Lot 5, Block 8, GILCHRISTS-NORA E zoned O-1, located on **222 TRUMAN STREET NE (K-17) APPROVED WITH CONDITIONS**
27. **15ZHE-80055** **Project# 1010397** **ROCHELLE ROBYN ATENCIO** requests a special exception to Section 14-16-2-6(B)(7): a CONDITIONAL USE to allow therapy as a home occupation for all or a portion of Lot 20, Block 17, DESERT TERRACE ADDN. UNIT 3 zoned R-1, located on **5020 SAN PEDRO CT NE (F-18) DEFERRAL TO THE MAY HEARING**
28. **15ZHE-80057** **Project# 1010399** **RYAN WOODARD** requests a special exception to Section 14-16-3-19-(A) (2): a VARIANCE of 3 feet to the required 3 foot height to allow for a proposed 6 foot wall/fence in the front yard setback for all or a portion of Lot 10, Block 20, Academy Acres zoned R-1, located on **6213 LESLIE PL NE (E-18) APPROVED WITH CONDITIONS**
29. **15ZHE-80058** **Project# 1010400** **TWILA LUCERO (LARRY CHAVEZ JR., AGENT)** requests a special exception to Section 14-16-2-6-(B)(11): CONDITIONAL USE to allow for a second kitchen within a house in a R-1 zone. for all or a portion of Lot 9, Block 15, SOMBRA DEL MONTE zoned R-1, located on **2732 RHODE ISLAND ST NE (H-19) APPROVED WITH CONDITIONS**