



HEARING ON SPECIAL EXCEPTIONS  
TO THE COMPREHENSIVE CITY ZONING CODE

**ZONING HEARING EXAMINER'S AGENDA**

TUESDAY, August 16, 2016 9:00 A.M.

**IF YOU ARE AGENDA ITEMS # 1 THRU # 21**  
**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 L. Graeser, Esq., Zoning Hearing Examiner*  
*Lorena Patten-Quintana, ZHE Planner*  
*Angel Vallejos, 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 L. Graeser, 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:**

- |    |                         |                         |                                                                                                                                                                                                                                                                                                               |
|----|-------------------------|-------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | <b>*IR* 16ZHE-80170</b> | <b>Project# 1010894</b> | <b>LAURA JAIMES</b> requests a special exception to Section 14-16-2-8(B)(1) and 14-16-2-6(B)(5) : a <b>CONDITIONAL USE</b> to allow a family daycare home to allow up to 12 children for all or a portion of Lot 43-P1, Block 3, Arrowwood Hills Unit 1 zoned R-LT, located on <b>2838 MERLOT DR SW</b> (N-9) |
| 2. | <b>*IR* 16ZHE-80174</b> | <b>Project# 1010900</b> | <b>NORBERTO PEREZ</b> requests a special exception to Section 14-16-3-19(A)(2)(a) : a <b>VARIANCE</b> of 3 ft to the 3 ft max wall height allowed in the front setback area for all or a portion of Lot 9, Casas Escondidas zoned R-T, located on <b>1124 AZTEC RD NW</b> (G-14)                              |
| 3. | <b>*IR* 16ZHE-80177</b> | <b>Project# 1010905</b> | <b>NIURKA ALVAREZ</b> requests a special exception to Section 14-16-2-9(B) and 14-16-2-6(B)(5) : a <b>CONDITIONAL USE</b> to allow up to 12 children for a proposed family day care home for all or a portion of Lot 6, Block 6, Casas Serenas Addn zoned R-T, located on <b>420 TENNESSEE ST SE</b> (L-19)   |

## OLD BUSINESS:

4. **\*IR\* 16ZHE-80058**      **Project# 1010759**      **JAIME VENEGAS GONZALEZ** requests a special exception to Section 14-16-3-19(A)(2)(a) : a VARIANCE request of 3 ft to the 3 ft maximum wall height to allow an existing 6 ft wall in the front yard setback for all or a portion of Lot 25, Block H, Desert Springs Unit 5 zoned R-LT, located on **7408 AUTUMN BREEZE RD SW** (M-10)
5. **\*IR\* 16ZHE-80145**      **Project# 1010860**      **JENNIFER GONZALEZ** requests a special exception to Section 14-16-2-6(E)(4)(a) : a VARIANCE of 1 ft 6 in to the required 5 ft side yard setback to allow an existing addition for all or a portion of Lot 11, Block 103, Brentwood Hills zoned R-1, located on **11611 MORENCI AV NE** (H-22)
6. **\*IR\* 16ZHE-80146**      **Project# 1010860**      **JENNIFER GONZALEZ** requests a special exception to Section 14-16-2-6(E)(5)(a) : a VARIANCE of 8 ft to the required 15 ft rear yard setback to allow an existing addition for all or a portion of Lot 11, Block 103, Brentwood Hills zoned R-1, located on **11611 MORENCI AV NE** (H-22)
7. **16ZHE-80117**      **Project# 1010823**      **MATT BLACK** requests a special exception to Section 14-16-3-19(A)(2)(a) : a VARIANCE of 3.5 ft to the allowed 3 ft wall height in the front yard setback area for all or a portion of Lot 37-P1, Dos Caminos zoned R-D, located on **5916 MIAMI RD NW** (H-11)
8. **16ZHE-80127**      **Project# 1010837**      **GILBERT SAVEDRA** requests a special exception to Section 14-16-2-6(B)(14) : a CONDITIONAL USE to allow a 5 ft tall fence in the front yard setback area for all or a portion of Lot 21, Block N, Lavaland Addn zoned R-1, located on **428 59TH ST NW** (J-11)

## NEW BUSINESS:

9. **16ZHE-80166**      **Project# 1010885**      **MARK FENIMORE** requests a special exception to Section 14-16-3-19(A)(2)(a) : a VARIANCE of 3 ft to the max 3 ft wall height allowed in the front setback for all or a portion of Lot 27, Block 22, Holiday Park Unit 7 zoned R-1, located on **3425 TAHOE ST NE** (G-22)
10. **16ZHE-80167**      **Project# 1010887**      **JAMES C AND CORA G CHAVEZ** (requests a special exception to Section 14-16-2-14)(D) and 14-16-2-6(E)(5)(a) : a VARIANCE of 7 ft 9 in to the required 15 ft rear yard setback to allow a proposed addition for all or a portion of Lot 172A, Trinity Ranch zoned R-D, located on **5906 AZUELO NW** (F-11)
11. **16ZHE-80168**      **Project# 1010891**      **GEORGE & CATHERINE LAGUNA (JACK PETRY-SANDIA SUNROOMS, AGENT)** requests a special exception to Section 14-16-2-6(E)(5)(a) : a VARIANCE of 6 ft 4 in to the required 15 ft rear yard setback for all or a portion of Lot 3, Block 3, Holiday Park Unit 1 zoned R-1, located on **3008 TAHITI ST NE** (G-22)
12. **16ZHE-80169**      **Project# 1010893**      **JAMES WARMACK (AUSTIN'S CARPORTS, AGENT)** requests a special exception to Section 14-16-2-6(B)(3) : a CONDITIONAL USE to allow a proposed carport in required front yard setback for all or a portion of Lot 10, Block 22, Fourhills Village Ninth Installment zoned R-1, located on **804 SAGEBRUSH CT SE** (M-22)
13. **16ZHE-80180**      **Project# 1010908**      **BARRY SCHWARTZ (AUSTIN'S CARPORTS, 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 setback for all or a portion of Lot 14, Block 133, Snow Heights Addn zoned R-1, located on **2016 SOMERVELL ST NE** (H-20)
14. **16ZHE-80181**      **Project# 1010909**      **TOMMY SEDILLO (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 7-PI, Block B, Avalon Unit 1a zoned R-LT, located on **9015 PORT RD NW** (K-9)

15. **16ZHE-80191**      **Project#**      **GERALD ARELLANO (AUSTIN'S CARPORTS, AGENT)** requests a special exception to Section 14-16-2-6(B)(3) : a **CONDITIONAL USE** to allow a carport in front yard setback for all or a portion of Lot 6, Block 2, Brister Stripe Addn zoned R-1, located on **4410 14TH COURT NW (G-14)**  
**1010917**
16. **16ZHE-80066**      **Project#**      **COA DEPARTMENT FAMILY COMMUNITY SERVICES (GREATER ALBUQUERQUE HOUSING PARTNERSHIP, AGENT)** requests a special exception to Section 14-16-2-23(A) and Pg. 45 South Broadway SDP (I)(A)(1)(a): a Conditional Use to allow R-2 uses in a SU-2 MR zone for all or a portion of Lot A, Hanily Subdivision, zoned SU-2 MR, located on John St. SE, between Thaxton Ave. SE and Englewood Dr. SE (L-14).  
**1010769**
17. **16ZHE-80067**      **Project#**      **COA DEPARTMENT FAMILY COMMUNITY SERVICES (GREATER ALBUQUERQUE HOUSING PARTNERSHIP, AGENT)** requests a special exception to Section 14-16-3-1(H)(1): a Variance of 2 ft. to the 6 ft. width for a pedestrian sidewalk for all or a portion of Lot A, Hanily Subdivision, zoned SU-2 MR, located on John St. SE, between Thaxton Ave. SE and Englewood Dr. SE (L-14).  
**1010769**
18. **16ZHE-80068**      **Project#**      **COA DEPARTMENT FAMILY COMMUNITY SERVICES (GREATER ALBUQUERQUE HOUSING PARTNERSHIP, AGENT)** requests a special exception to Section 14-16-3-1(A)(24)(b): a Variance of 1 space to the required 1 and ½ spaces per unit for a proposed new development for all or a portion of Lot A, Hanily Subdivision, zoned SU-2 MR, located on John St. SE, between Thaxton Ave. SE and Englewood Dr. SE (L-14).  
**1010769**
19. **16ZHE-80069**      **Project#**      **COA DEPARTMENT FAMILY COMMUNITY SERVICES (GREATER ALBUQUERQUE HOUSING PARTNERSHIP, AGENT)** requests a special exception to Section 14-16-2-23(A) and Pg. 45 South Broadway SDP (I)(A)(1)(a): a Conditional Use to allow R-2 uses in a SU-2 MR zone for all or a portion of MRGCD Map 41, Lot 328, zoned SU-2 MR, located on John St. SE, between Thaxton Ave. SE and Englewood Dr. SE (L-14).  
**1010770**
20. **16ZHE-80070**      **Project#**      **COA DEPARTMENT FAMILY COMMUNITY SERVICES (GREATER ALBUQUERQUE HOUSING PARTNERSHIP, AGENT)** requests a special exception to Section 14-16-3-1(H)(1): a Variance of 2 ft. to the 6 ft width for a pedestrian sidewalk for all or a portion of MRGCD Map 41, Lot 328, zoned SU-2 MR, located on John St. SE, between Thaxton Ave. SE and Englewood Dr. SE (L-14).  
**1010770**
21. **16ZHE-80071**      **Project#**      **COA DEPARTMENT FAMILY COMMUNITY SERVICES (GREATER ALBUQUERQUE HOUSING PARTNERSHIP, AGENT)** requests a special exception to Section 14-16-3-1(A)(24)(b): a Variance of 1 space to the required 1 and ½ spaces per unit for a proposed new development for all or a portion of MRGCD Map 41, Lot 328, zoned SU-2 MR, located on John St. SE, between Thaxton Ave. SE and Englewood Dr. SE (L-14).  
**1010770**

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

**HEARING WILL RESUME PROMPTLY**  
**AT 1:30 P.M. WITH ITEM #22**

**IF YOU ARE AGENDA ITEMS #22 thru #41**

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

22. **16ZHE-80171** **Project# 1010896** **LAS VENTANAS NM INC (YOLANDA MONTOYA, AGENT)** requests a special exception to Section 14-16-2-5(E) : a VARIANCE of 8 ft 6 in to the required 25 ft rear setback to allow new proposed home for all or a portion of Lot 7-P1, Las Acequias zoned RA-2, located on **2409 KESTREL CT NW** (G-12)
23. **16ZHE-80172** **Project# 1010898** **HARRIS QUALITY HOMES (YOLANDA MONTOYA, AGENT)** requests a special exception to Section 14-16-2-6(E)(3)(a) : a VARIANCE of 10 ft to the required 20 ft corner side yard setback to allow a proposed new home for all or a portion of Lot B-3, Contreras Addn zoned R-1, located on **2220 RIO GRANDE BLVD NW** (H-13)
24. **16ZHE-80173** **Project# 1010899** **PHILLIP ZWIEFELHOFER** requests a special exception to Section 14-16-2-14(E)(2) and 14-16-2-6(B)(3) : a CONDITIONAL USE to allow an existing carport in the required side yard setback for all or a portion of Lot 99, Prairie Ridge Unit 2 zoned R-D, located on **4401 SPANISH BROOM CT NW** (E-12)
25. **16ZHE-80175** **Project# 1010904** **LEONARD W CONNELL** requests a special exception to Section 14-16-3-3(B)(2)(b) : a VARIANCE of 5 ft to the required 20 ft corner side yard setback for an accessory structure for all or a portion of Lot 22, Block 37, Parkland Hills Addn zoned R-1, located on **901 GRANDVIEW DR SE** (L-17)
26. **16ZHE-80176** **Project# 1010904** **LEONARD W CONNELL** requests a special exception to Section 14-16-3-3(B)(2)(e) : a VARIANCE of 9 ft to the required 10 ft separation for an accessory structure from a dwelling for all or a portion of Lot 22, Block 37, Parkland Hills Addn zoned R-1, located on **901 GRANDVIEW DR SE** (L-17)
27. **16ZHE-80178** **Project# 1010906** **SHANDRA VESTAL** requests a special exception to Section 14-16-2-6(E)(1) : a VARIANCE of 19 ft to the 20 ft front yard setback required for a proposed new garage for all or a portion of Lot 8, El Nido Addn zoned R-1, located on **2305 EL NIDO CT NW** (H-13)
28. **16ZHE-80179** **Project# 1010907** **JOHN S DEGROUW & DEBRA DEGROUW (KEVIN DEGROUW, AGENT)** requests a special exception to Section 14-16-2-5(B)(1) and 14-16-2-6(B)(14)(a)(1) : a CONDITIONAL USE to allow a 5 ft wall at 11 ft from the back of the sidewalk for all or a portion of Lot 78, Block 1, Thomas Village Estates zoned RA-2, located on **2301 CALLE DE REAL NW** (G-12)
29. **16ZHE-80182** **Project# 1010910** **TONY APODACA** requests a special exception to Section 14-16-2-14(D) and 14-16-2-6(E)(4)(a) : a VARIANCE of 5 ft to the 5 ft side yard setback required for a proposed new carport for all or a portion of Lot 6, Block 2, El Rancho Atrisco Unit 3 zoned R-D, located on **2601 SOL DE VIDA NW** (H-11)
30. **16ZHE-80183** **Project# 1010910** **TONY APODACA** requests a special exception to Section 14-16-2-14(D) and 14-16-2-6(E)(1) : a VARIANCE of 18 ft to the 20 ft front yard setback required for a proposed new carport for all or a portion of Lot 6, Block 2, El Rancho Atrisco Unit 3 zoned R-D, located on **2601 SOL DE VIDA NW** (H-11)
31. **16ZHE-80184** **Project# 1010911** **NICHOLS MELACON IV** requests a special exception to Section 14-16-2-23(A) and 14-16-2-6(B)(12) and HD/SDP # 4.A.3 : a CONDITIONAL use to allow a proposed shade structure in the required rear setback for all or a portion of Lot 33, Sunset Ridge @ High Desert zoned SU-2 HR/RT, located on **13024 SANDIA POINT RD NE** (E23)
32. **16ZHE-80185** **Project# 1010912** **CLAUDE MORELLI AND SHARON NEPSTAD** requests a special exception to Section 14-16-2-5(A)(1) and 14-16-2-6(B)(1) : a CONDITIONAL USE to allow an accessory living quarters for all or a portion of Lot 18, Block 3, Dietz Farms Unit 1 zoned RA-2, located on **2236 DIETZ PL. NW** (F-13)
33. **16ZHE-80186** **Project# 1010913** **LEROY C JARAMILLO** requests a special exception to Section 14-16-2-6(E)(1) : a VARIANCE of 20 ft to the required 20 ft front yard setback for all or a portion of Lot 2A, Adela Addn zoned R-1, located on **304 LAURA CT SW** (K-11)

34. **16ZHE-80187** **Project# 1010914** **LUCILLE M ROYBAL** requests a special exception to Section 14-16-2-22(B)(25) and 14-16-2-6(E)(1) : a VARIANCE of 4 ft into the required 20 ft yard setback for all or a portion of Lot 20, Block C, Meadows Of The Rio Grande zoned SU-1 PRD, located on **2312 VIA SEVILLE CT NW** (H-12)
35. **16ZHE-80188** **Project# 1010915** **JOSE SIMBANA (NINA SIMBANA, AGENT)** requests a special exception to Section 14-16-3-19(A)(1)(c) : a VARIANCE of 4 ft to the required 3 ft height for a wall in the front corner and side yard setback for all or a portion of Lot 1, Block C, West Park Addn zoned R1, located on **201 SAN PASQUALE AV SW** (J1)
36. **16ZHE-80189** **Project# 1010916** **DAN GARCIA** requests a special exception to Section 14-16-2-12(D)(1) : a VARIANCE of 100 ft to the required 150 ft minimum lot width and depth for apartments for all or a portion of Lot 19, Block 4, Buena Ventura zoned R-3, located on **128 GARCIA ST NE** (K-20)
37. **16ZHE-80190** **Project# 1010916** **DAN GARCIA** requests a special exception to Section 14-16-2-12(E)(3) : a VARIANCE of 5 ft to the required 15 ft rear yard setback for all or a portion of Lot 19, Block 4, Buena Ventura zoned R-3, located on **128 GARCIA ST NE** (K-20)
38. **16ZHE-80192** **Project# 1010918** **CHRISTOPHER MCKAY** requests a special exception to Section 14-16-2-6(E)(1) : a VARIANCE OF 20 ft yard setback to 15 ft for all or a portion of Lot 11, Block 14, Paradise Heights Unit 1 zoned R-1, located on **10613 EASY ST NW** (A-12)
39. **16ZHE-80193** **Project# 1010919** **TIROL HOUSING LLC (JAMES STROZIER, CONSENSUS PLANNING, AGENT)** requests a special exception to Section 14-16-3-1(H)(4) : a VARIANCE of 2 ft to the required 8 ft sidewalk width for all or a portion of Lot A2, Luecking Park Subdivision zoned SU-1 for IP uses, located on **99999 PAN AMERICAN FWY NE** (G-16)
40. **16ZHE-80194** **Project# 1010920** **ALAN VINCIONI (DENNIS GROMELSKI, AGENT)** requests a special exception to Section 14-16-2-17(B)(13) and 14-16-2-24(A) Pg 32 of the Downtown 2025 SDP : a CONDITIONAL USE to allow for outdoor activity for the performing arts for all or a portion of Lot 7-12, Block 17, Armijo & Francisco y Otero Addn zoned SU-3 Warehouse Focus, located on **700 1ST ST NW** (J-14)
41. **16ZHE-80195** **Project# 1010922** **HENRY CHAN** requests a special exception to Section 14-16-2-11(B)(1) and 14-16-2-6(B)(14)(a)(1) : a CONDITIONAL use to allow a 6 ft fence in the front yard setback for all or a portion of Lot 8C2, Block 41, Broad Acres zoned R-2, located on **3101 PENNSYLVANIA ST NE** (G-19)