



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

TUESDAY, October 20, 2015 9:00 A.M.
PLAZA DEL SOL HEARING ROOM
BASEMENT LEVEL
600 SECOND STREET NW
(ON THE NORTHEAST CORNER OF 2ND STREET AND ROMA NW)

STAFF

*Christopher L. Graeser, Esq., Zoning Hearing Examiner
Lorena Patten-Quintana, ZHE Planner
Angel Vallejos, ZHE Administrative Assistant*

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

PLEASE ADDRESS ALL CORRESPONDENCE TO:

***Christopher L. Graeser, Esq.
Planning Department
P.O. Box 1293
Albuquerque, NM 87103***

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.*

INTERPRETER REQUIRED:

- | | | | |
|----|-------------------------|-------------------------|---|
| 1. | *IR* 15ZHE-80220 | Project# 1010570 | ESMERALDA ANCHONDO (CHASE SMOTHERMON, AGENT) requests a special exception to Section 14-16-2-8(B)(1) and 14-16-2-6(B)(14(a) : a CONDITIONAL USE approval for a proposed 5 ft fence in the front yard setback area for all or a portion of Lot 22, Block H, El Rancho Grande Unit 8b zoned R-LT, located on 10031 ATRISCO RANCH RD SW (M-9) APPROVED |
| 2. | *IR* 15ZHE-80245 | Project# 1010601 | STEVE NUANEZ requests a special exception to Section 14-16-2-23-(A) and pg 85 LOS DURANES SDP and 14-16-3-19(A)(2)(b) : a CONDITIONAL USE to allow an existing 6 ft fence within 10 ft of the right away line in the side yard of a corner lot for all or a portion of Lot B, Romero-Josh zoned SU-2 LD RA-2, located on 2807 CAMILO LA NW (H-12) DEFERRED TO NOVEMBER 17, 2015 |

3. ***IR* 15ZHE-80246** **Project# 1010601** **STEVE NUANEZ** requests a special exception to Section 14-16-2-23(A) and pg 85 LOS DURANES SDP and 14-16-3-19(A)(2)(a) : a VARIANCE request of 3 ft to the maximum 3 ft height allowed in the front yard setback area for an existing 6 ft fence for all or a portion of Lot B, Romero-Josh zoned SU-2 LD RA-2, located on **2807 CAMILO LA NW (H-12) DEFERRED TO NOVEMBER 17, 2015**

OLD BUSINESS:

4. **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 Unit 3 zoned R-1, located on **5020 SAN PEDRO CT NE (F-18) WITHDRAWN**
5. **15ZHE-80168** **Project# 1010494** **TODD E. AND DEBRA L. OWEN (SPAM'S CONSTRUCTION, AGENT)** requests a special exception to Section 14-16-2-14(D) and 14-16-2-6(E)(5)(a): a VARIANCE of 10' to the required 15' rear yard setback for a proposed garage for all or a portion of Lot 16, Block 51, FOUR HILLS VILLAGE SEVENTEENTH INSTALLMENT zoned R-D, located on **1621 CATRON AV SE (M-23) WITHDRAWN**

NEW BUSINESS:

6. **15ZHE-80241** **Project# 1010597** **ELIZABETH MONTOYA (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 26, Block 2, Parkside Estates zoned R-1, located on **700 MONTE ALTO DR NE (K-23) DENIED**
7. **15ZHE-80242** **Project# 1010598** **TODD E SHENBERGER (AUSTIN'S CARPORTS, 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 4, Block A, La Sala Grande zoned R-1, located on **8611 LA SALA DEL NORTE NE (G-20) APPROVED**
8. **15ZHE-80221** **Project# 1010573** **ROBERTO BRITO** requests a special exception to Section 14-16-2-17(B)(13) : a CONDITIONAL USE to allow outside storage and activity in a C-2 zone for all or a portion of Lot 17-20, Block 12, Original Townsite of Westland zoned C-2, located on **8930 BRIDGE BLVD SW (K-9) APPROVED WITH CONDITIONS**
9. **15ZHE-80222** **Project# 1010574** **HIGINIO AND MYRNA VELASQUEZ (BERNARDINO AGUIRRE, AGENT)** requests a special exception to Section 14-16-2-23(A) and pg 45 SOUTH BROADWAY SDP and 14-16-2-6(E)(4)(a) : a VARIANCE of 5 ft to the required 5 ft side yard setback to allow an existing shade structure for all or a portion of Lot 2A, Block 7, Eastern Addn First Extension zoned SU-2/MR, located on **1803 ARNO ST SE (L-14) DENIED**
10. **15ZHE-80223** **Project# 1010574** **HIGINIO AND MYRNA VELASQUEZ (BERNARDINO AGUIRRE, AGENT)** requests a special exception to Section 14-26-2-23(A) and pg 45 SOUTH BROADWAY SDP and 14-16-2-6(E)(5)(a) : a VARIANCE of 15 ft to the required 15 ft rear yard setback to allow an existing shade structure for all or a portion of Lot 2A, Block 7, Eastern Addn First Extension zoned SU-2/MR, located on **1803 ARNO ST SE (L-14) DENIED**
11. **15ZHE-80224** **Project# 1010577** **SUSAN PETRECCA** requests a special exception to Section 14-16-2-6(E)(4)(a) : a VARIANCE of 2 ft 7 in to the required 5 ft side yard setback to allow a proposed addition for all or a portion of Lot 16, Block 1, Montoya Addition zoned R-1, located on **2313 EDNA AV NW (J-12) APPROVED**

- 12. **15ZHE-80225** **Project#** **SUSAN PETRECCA** 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 to allow a proposed addition for all or a portion of Lot 16, Block 1, Montoya Addition zoned R-1, located on **2313 EDNA AV NW (J-12) APPROVED**
1010577

- 13. **15ZHE-80230** **Project#** **RORY MCKEOWN** requests a special exception to Section 14-16-2-17(B)(19) : a CONDITIONAL USE to allow for the manufacturing of beer in a C2 zone for all or a portion of Lot 7, Block 21-22, Albuquerque Heights Addition zoned C-2, located on **1100 SAN MATEO BLVD NE (J-18) APPROVED**
1010580

- 14. **15ZHE-80231** **Project#** **RORY MCKEOWN** requests a special exception to Section 14-16-2-17(B)(18) : a CONDITIONAL USE to allow for off premise consumption of beer within 500 ft of a residential zone for all or a portion of Lot 7, Block 21-22, Albuquerque Heights Addition zoned C-2, located on **1100 SAN MATEO BLVD NE (J-18) APPROVED**
1010580

- 15. **15ZHE-80232** **Project#** **1ST APOSTOLIC CHURCH (PASTOR RAFAEL A RUEDA, AGENT)** requests a special exception to Section 14-16-2-23(A) and pg 45 of the SOUTH BROADWAY SDP and 14-16-2-6(E)(1) : a VARIANCE of 17 ft to the required 20 ft front yard setback to allow for a covered porch to an existing church for all or a portion of Lot 1, Block 12, Torreon Addn zoned SU-2 MR, located on **2100 ARNO ST SE (L-14) DEFERRED TO NOVEMBER 17, 2015**
1010583

- 16. **15ZHE-80233** **Project#** **CATHANN DRAGONE-GUTIERREZ** 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 for an addition for all or a portion of Lot 20, Block 1, Loma Vista Addn zoned R-1, located on **3324 WILWAY AV NE (J-16) APPROVED**
1010584

- 17. **15ZHE-80234** **Project#** **COLUMBIA DR LLC (MICHAEL TRISSELL, AGENT)** requests a special exception to Section 14-16-2-20(B)(5) : a CONDITIONAL USE for retail sales including sales of alcoholic drinks for off-premise consumption for all or a portion of Lot 11-A-B-2, Cutter Industrial Park Unit 7 zoned M-1, located on **3351 COLUMBIA DR NE (G-15) APPROVED**
1010586

- 18. **15ZHE-80235** **Project#** **JOHN & CHRISTEN PIKE** requests a special exception to Section 14-16-2-6(B)(14)(a) : a CONDITIONAL USE to allow a proposed 6 ft wall at 11 ft from back of sidewalk in the required front setback for all or a portion of Lot 15, Block 34, Altamont Addn zoned R-1, located on **6619 MOSSMAN PL NE (G-18) WITHDRAWN**
1010590

*******LUNCH BREAK*******

HEARING WILL RESUME PROMPTLY
AT 1:30 P.M. WITH ITEM #19

IF YOU ARE AGENDA ITEMS #19-#32

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

- 19. **15ZHE-80236** **Project#** **KIN LAW (CARL SHAININ, AGENT)** requests a special exception to Section 14-16-2-16(B)(13) : a CONDITIONAL USE to allow outdoor storage and display of stone for all or a portion of Lot C, Block 7, Boyds Addn zoned C-1, located on **6221 MONTGOMERY BLVD NE (F-18) APPROVED WITH CONDITIONS**
1010592

20. **15ZHE-80237** **Project# 1010593** **TOM JARAMILLO, TRUDY JARAMILLO (CHANTELLE A EVERAGE, AGENT)** requests a special exception to Section 14-16-2-23(A) and pg 101 of the DOWNTOWN NEIGHBORHOOD SDP and 14-16-3-19(A)(2)(a) : a VARIANCE request of 3 ft to the 3 ft max height to allow an existing 6 ft fence in the front setback for all or a portion of Lot 3, Zapf Van Addn zoned SU-2 DNA-MR, located on **511 8TH ST NW (J-14) DENIED**
21. **15ZHE-80238** **Project# 1010594** **CLEAR CHANNEL OUTDOOR** requests a special exception to Section 14-16-2-20(12)(b)(1) : a VARIANCE request of 21 ft to the max allowed 29 ft above road grade to allow a proposed upgrade of an off premise sign for all or a portion of Lot unplatted, unplatted zoned SU-2 M-1 or SU-2 C, located on **4511 PASEO DEL NORTE NE (C-17) DEFERRED TO NOVEMBER 17, 2015**
22. **15ZHE-80239** **Project# 1010595** **RICHARD M MARTIN (AMANDA COROMINAS, AGENT)** requests a special exception to Section 14-16-2-6(B)(3) : a CONDITIONAL USE to allow for a carport on the rear corner side yard for all or a portion of Lot 10, Block 9, Loma Vista Addn zoned R-1, located on **3309 WILWAY AV NE (J-16) APPROVED WITH CONDITIONS**
23. **15ZHE-80240** **Project# 1010596** **JUAN ALVAREZ** requests a special exception to Section 14-16-2-6(B)(14) : a CONDITIONAL USE to allow for a 5 ft wall in the front yard setback for all or a portion of Lot 26, Brock Addn zoned R-1, located on **214 SAN LORENZO AV NW (G-14) APPROVED**
24. **15ZHE-80243** **Project# 1010599** **STAN ROWELL (DEVONSHIRE LLC, AGENT)** requests a special exception to Section 14-16-2-6(B)(12) : a CONDITIONAL USE to allow a proposed shade structure in the required rear setback for all or a portion of Lot 44-P1, Ridgeview Unit 1 zoned R-1, located on **5704 CROWN RIDGE RD NW (A-11) APPROVED WITH CONDITIONS**
25. **15ZHE-80244** **Project# 1010600** **PATRICIA A. SMITH (HOLLY ARROYO, HABITATION INC, AGENT)** requests a special exception to Section 14-16-2-23(A) and pg 69 UNIVERSITY NEIGHBORHOOD SDP : a CONDITIONAL USE to allow for a garage conversion with a zero rear and side yard setbacks for all or a portion of Lot 6, Block 28, University Heights zoned SU-2 RTD, located on **412 VASSAR DR SE (K-16) APPROVED**
26. **15ZHE-80247** **Project# 1010602** **COA DEPT OF FAMILY AND COMMUNITY SERVICES (GREER STAFFORD ARCHITECTURE, AGENT)** requests a special exception to Section 14-16-2-6(B)(10) : a CONDITIONAL USE to allow for a Community Center in a residential zone for all or a portion of Lot PAT HURLEY PARK, Glendale Gardens Addn # 2 zoned R-1, located on **3828 RINCON RD NW (J-11) APPROVED**
27. **15ZHE-80248** **Project# 1010603** **MEADOWBROOK PARK LTO/ THESMAN COMMUNITIES (ARCH + PLAN LAND USE CONSULTANTS, AGENT)** requests a special exception to Section 14-16-3-5(C)(7)(b) : a VARIANCE request of 72 square feet to the max 24 square feet allow two existing signs for all or a portion of Lot K&N, Block 23, Meadowlark Mobile Home Park zoned SU-1 MH PARK, located on **7401 SAN PEDRO DR NE (D-18) APPROVED WITH CONDITIONS**
28. **15ZHE-80249** **Project# 1010604** **WILLIAM R & DARLENE M ANAYA** requests a special exception to Section 14-16-2-6(B)(12) : a CONDITIONAL USE to allow for a shade structure in the rear yard setback for all or a portion of Lot 6, BICE - JOE LADDIN zoned R-1, located on **5500 BICE RD NW (H-11) APPROVED WITH CONDITIONS**
29. **15ZHE-80250** **Project# 1010605** **JIM HAKEEM (DEBRA WEST- DARREN SOWELL ARCHITECTS, AGENT)** requests a special exception to Section 14-16-3-10(E)(3)(c) : a VARIANCE request of 6 ft to the required 6 ft rear landscape buffer to allow a proposed new building for all or a portion of Lot A, North Academy Business Park zoned C-3, located on **5350 ACADEMY RD NE (E-18) APPROVED WITH CONDITIONS**

30. 15ZHE-80251 Project# 1010606 **JASON BUCHANAN (GARCIA/KRAEMER&ASSOC, AGENT)** requests a special exception to Section 14-16-2-9(D)(1) : a VARIANCE of 38 ft to the minimum required 22 ft lot width in the R-T zone for proposed 6 new townhomes for all or a portion of Lot 46, Rossiter Addn zoned R-T, located on **4622 12TH ST NW (F-14) APPROVED**
31. 15ZHE-80252 Project# 1010607 **MARBLE BREWERY INC (GARCIA/KRAEMER&ASSOC, AGENT)** requests a special exception to Section 14-16-2-17(B)(19) : a CONDITIONAL USE to allow manufacturing of beer as an accessory use in the C-2 zone for all or a portion of Lot U.S Post Office, Coda Development zoned C-2, located on **9904 MONTGOMERY BLVD NE (G-21) APPROVED WITH CONDITIONS**
32. 15ZHE-80253 Project# 1010607 **MARBLE BREWERY INC (GARCIA/KRAEMER&ASSOC, AGENT)** requests a special exception to Section 14-16-2-17(B)(18) : a CONDITIONAL USE to allow retail sale of alcoholic drink for consumption off premises for a proposed taproom and small brewery in the C-2 zone for all or a portion of Lot U.S Post Office, Coda Development zoned C-2, located on **9904 MONTGOMERY BLVD NE (G-21) APPROVED WITH CONDITIONS**
33. 15ZHE-80026 Project# 1010366 **SHADE TREE CUSTOMS AND CAFE INC GARCIA/KRAEMER & ASSOCIATES, AGENT)** requests a special exception to Section 8.B.3 (pg. 92) of the Nob Hill Highland SDP: a VARIANCE of 4 parking spaces to the minimum required 29 off-street spaces required for an existing restaurant. for all or a portion of Lot 15, Block 5, MONTE VISTA ADDN zoned CCR-1, located on 3407 CENTRAL AVENUE NE (K-16) **WITHDRAWN**