



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

TUESDAY, April 19, 2016 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 Angel Vallejos 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:**

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|----|-------------------------|-------------------------|---|
| 1. | <b>*IR* 16ZHE-80058</b> | <b>Project# 1010759</b> | <b>JAIME VENEGAS GONZALEZ</b> 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 <b>7408 AUTUMN BREEZE RD SW (M-10) DEFERRED TO MAY 17, 2016</b> |
| 2. | <b>*IR* 16ZHE-80059</b> | <b>Project# 1010760</b> | <b>GUADALUPE CHAVEZ</b> 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 setback area for all or a portion of Lot 24, Block J, Desert Springs Unit 5 zoned R-LT, located on <b>7609 DESERT MORNING RD SW (M-10) DEFERRED TO MAY 17, 2016</b>      |
| 3. | <b>*IR* 16ZHE-80061</b> | <b>Project# 1010764</b> | <b>LUIS URQUIDI</b> requests a special exception to Section 14-16-3-19(A)(2)(a) : a VARIANCE request of 4 ft 5 in to the 3 ft max wall height allowed in the front setback area for all or a portion of Lot 1, Block C, Desert Springs Unit 1 zoned R-LT, located on <b>7914 RAINWATER RD SW (M-10) DEFERRED TO MAY 17, 2016</b>                                      |
| 4. | <b>*IR* 16ZHE-80093</b> | <b>Project# 1010788</b> | <b>JOSE CORDOVA</b> requests a special exception to Section 14-16-2-23(A) and North Fourth SDP pg 46 : a VARIANCE OF 3 ft 4 in to the required 5 ft side yard setback for a staircase abutting a residential development for all or a portion of Lot 6, Cacy Addn zoned M-1 OR SU-2 NFMX, located on <b>111 CACY AV NW (G-14) APPROVED</b>                            |

## OLD BUSINESS:

5. **16ZHE-80031**      **Project#** **MIDTOWN SELF STORAGE, LLC** requests a special exception to Section 14-16-2-18(B)(1) and 14-16-2-17(B)(12) : a **CONDITIONAL USE** to allow for a mobile home for watchman's quarters for all or a portion of Lot K, Chavez-Timoteo Addn zoned C-3, located on **4339 CUTLER AV NE** (H-17) **APPROVED**

## NEW BUSINESS:

6. **16ZHE-80065**      **Project#** **KATHRYN BRETZ (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 17, Block 11, Mesa Village Mossman -Fred A zoned R-1, located on **1216 LUTHY CIR NE** (J-20) **APPROVED**
7. **16ZHE-80053**      **Project#** **RANDY PRICE** requests a special exception to Section PG 108, NOB HILL SDP and 14-16-3-19(A)(2)(a) : a **VARIANCE** of 1 ft to the maximum 3 ft height allowed in the front yard setback for an existing fence for all or a portion of Lot 18, Block 30, University Heights Addn zoned R-1, located on **313 DARTMOUTH DR SE** (K-16) **DEFERRED TO MAY 17, 2016**
8. **16ZHE-80054**      **Project#** **DANIEL DOMME** requests a special exception to Section 14-16-3-19(A)(2)(a) : a **VARIANCE** of 3 ft to the maximum 3 ft height allowed for an existing fence in the front yard setback for all or a portion of Lot 7, Block 23, Stardust Skies Unit 9 zoned R-1, located on **3113 TEXAS ST NE** (G-19) **DEFERRED TO MAY 17, 2016**
9. **16ZHE-80060**      **Project#** **CECILY CORAZON** requests a special exception to Section 14-16-2-6(B)(7) : a **CONDITIONAL USE** to allow massage therapy as a home occupation in a R-1 zone for all or a portion of Lot 2, Block 15, Victory Addn First Unit Of zoned R-1, located on **605 PRINCETON DR SE** (L-16) **APPROVED WITH CONDITIONS**
10. **16ZHE-80062**      **Project#** **ALICIA KASSA (DREAMSTYLE REMODELING, AGENT)** requests a special exception to Section 14-16-2-8(B)(1) and 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 126, Cantabella At Ventana Ranch zoned R-LT, located on **6309 CALLE AMORADA CT NW** (B-10) **APPROVED**
11. **16ZHE-80063**      **Project#** **FREDERIC ATENCIO** requests a special exception to Section 14-16-2-23(A) and pg. 25 South Yale / 14-16-2-17(B)(18) : a **CONDITIONAL USE** to allow retail sale of alcoholic drink for off premise consumption for all or a portion of Lot 7,8,13,14, Block 12, Clayton Heights zoned SU-2 NMX, located on **2027 YALE BLVD SE** (L-15) **APPROVED**
12. **16ZHE-80064**      **Project#** **FREDERIC ATENCIO** requests a special exception to Section 14-16-2-23(A) and pg. 25 South Yale / 14-16-2-17(B)(19) : a **CONDITIONAL USE** to allow retail in which products are manufactured in a SU-2 NMX zone for all or a portion of Lot 7,8,13,14, Block 12, Clayton Heights zoned SU-2 NMX, located on **2027 YALE BLVD SE** (L-15) **APPROVED**
13. **16ZHE-80073**      **Project#** **FREDERIC ATENCIO** requests a special exception to Section 14-16-3-19(A)(3) : a **VARIANCE** of 5 ft to the 3 ft max wall height within 5 ft of the front property line for all or a portion of Lot 14, Block 12, Clayton Heights Subdivision zoned SU-2 NMX, located on **2027 YALE BLVD SE** (L-15) **APPROVED**
14. **16ZHE-80074**      **Project#** **FREDERIC ATENCIO** requests a special exception to Section 14-16-3-19(A)(3) : a **VARIANCE** of 5 ft to the 3 ft max wall height within 5 ft of the front property line for all or a portion of Lot 13, Block 12, Clayton Heights Subdivision zoned SU-2 NMX, located on **2027 YALE BLVD SE** (L-15) **APPROVED**

15. **16ZHE-80066**      **Project#**      **COA DEPARTMENT FAMILY COMMUNITY SERVICES (GREATER**  
**1010769**                    **ALBUQUERQUE HOUSING PARTNERSHIP, AGENT)** requests a special  
exception to Section 14-16-2-23(A) and Pg 45 Southbroadway 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 Subdivison, and MRGCD MAP 41 zoned  
SU-2 MR, located on **2205 JOHN ST SE (L-14) APPROVED**
  
16. **16ZHE-80067**      **Project#**      **COA DEPARTMENT FAMILY COMMUNITY SERVICES (GREATER**  
**1010769**                    **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 Subdivison,  
and MRGCD MAP 41 zoned SU-2 MR, located on **2205 JOHN ST SE (L-  
14) APPROVED**
  
17. **16ZHE-80068**      **Project#**      **COA DEPARTMENT FAMILY COMMUNITY SERVICES (GREATER**  
**1010769**                    **ALBUQUERQUE HOUSING PARTNERSHIP, AGENT)** requests a special  
exception to Section 14-16-3-1(A)(24)(b) : a VARIANCE of 1 off street  
parking to the required 1 and 1/2 per unit for a proposed new development  
for all or a portion of Lot A, Hanily Subdivison, and MRGCD MAP 41  
zoned SU-2 MR, located on **2205 JOHN ST SE (L-14) APPROVED**
  
18. **16ZHE-80069**      **Project#**      **COA DEPARTMENT FAMILY COMMUNITY SERVICES (GREATER**  
**1010770**                    **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 328, Hanily Subdivision, and MRDGD MAP 41 zoned  
SU-2 MR, located on **2205 JOHN ST SE (L-14) APPROVED**
  
19. **16ZHE-80070**      **Project#**      **COA DEPARTMENT FAMILY COMMUNITY SERVICES (GREATER**  
**1010770**                    **ALBUQUERQUE HOUSING PARTNERSHIP, AGENT)** requests a special  
exception to Section 14-16-3-1(H)(1) : a VARIANCE of 2ft to the 6ft width for  
a pedestrian sidewalk for all or a portion of Lot 328, Hanily Subdivision, and  
MRDGD MAP 41 zoned SU-2 MR, located on **2205 JOHN ST SE (L-14)  
APPROVED**
  
20. **16ZHE-80071**      **Project#**      **COA DEPARTMENT FAMILY COMMUNITY SERVICES (GREATER**  
**1010770**                    **ALBUQUERQUE HOUSING PARTNERSHIP, AGENT)** requests a special  
exception to Section 14-16-3-1(A)(24)(b) : a VARIANCE of 1 off street  
parking to the required 1 and 1/2 per unit for a proposed new development  
for all or a portion of Lot 328, Hanily Subdivision, and MRDGD MAP 41  
zoned SU-2 MR, located on **2205 JOHN ST SE (L-14) APPROVED**
  
21. **16ZHE-80072**      **Project#**      **JOHN MECHENBIER (JEREMY MECHENBIER, AGENT)** requests a  
**1010772**                    special exception to Section 14-16-3-19(A)(3) : a VARIANCE request of 5 ft  
to the 3 ft max wall height allowed within 5 ft of front property line for all or a  
portion of Lot 29A, Block 3, Tract(s) A, N Abq Acres Tr A Unit B zoned SU-  
2 IP or SU-2 C, located on **5401 VENICE AV NE (B-18) APPROVED**
  
22. **16ZHE-80075**      **Project#**      **JAMES TOLBERT (LORETTA N. TOLBERT, AGENT)** requests a special  
**1010774**                    exception to Section 14-16-2-6(E)(4)(a) : a VARIANCE request of 3.18 ft to  
the 5 ft side setback required to allow a proposed addition for all or a portion  
of Lot A, Block 3, Country Club Addn zoned R-1, located on **424 SPRUCE  
ST NE (K-15) APPROVED**

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

**HEARING WILL RESUME PROMPTLY**  
**AT 1:30 P.M. WITH ITEM #25**

**IF YOU ARE AGENDA ITEMS #23 THROUGH #39**

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

23. **16ZHE-80076**      **Project#**      **CURTIS OR MARILYN HECKEL (HEATH HECKEL, AGENT)** requests a special exception to Section 14-16-2-6(B)(14) : a **CONDITIONAL USE** to allow a proposed 5 ft wall in the required front setback area for all or a portion of Lot 18, Block 2, Delmar Terrace Addn zoned R-1, located on **8404 DEL MAR CT NE (G-20) APPROVED**
24. **16ZHE-80077**      **Project#**      **THOMAS MASSERINI (PAUL PEREA, 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 and side setback for all or a portion of Lot 6, Block 6, Snow Heights Addn zoned R-1, located on **1708 INEZ DR NE (J-19) APPROVED**
25. **16ZHE-80078**      **Project#**      **DOUGLAS ADAMS (RBA ARCHITECTURE PL, AGENT)** requests a special exception to Section 14-16-2-20(B)(5) : a **CONDITIONAL USE** to allow retail sale of alcoholic drink for off premise consumption for all or a portion of Lot 1-A, Block 48, Skyline Heights zoned SU-2 M-1, located on **401 EUBANK BLVD SE (L-20) APPROVED**
26. **16ZHE-80079**      **Project#**      **MARK & MARION BITZER, PAUL ZWIMPFOR, LINDA CASTALDO (MIGUEL MELENDEZ, AGENT)** requests a special exception to Section 14-16-2-20(B)(5) : a **CONDITIONAL USE** for retail sales of alcoholic drink for off premise consumption for all or a portion of Lot C-2, Menaul School Inc zoned M-1, located on **2809 BROADBENT PKWY NE (H-15) DEFERRED TO MAY 17, 2016**
27. **16ZHE-80080**      **Project#**      **RENAISSANCE MAN CONST INC (MERIDETH A HMURA, AGENT)** requests a special exception to Section 14-16-2-6(E)(3)(a) : a **VARIANCE** of 5 ft to the required 20 ft side setback to allow a proposed addition for all or a portion of Lot C, Block 7, Loma Vista Addn zoned R-1, located on **3000 MACKLAND AV NE (J-16) APPROVED**
28. **16ZHE-80081**      **Project#**      **RENAISSANCE MAN CONST INC (MERIDETH A HMURA, AGENT)** requests a special exception to Section 14-16-2-6(E)(5)(a) : a **VARIANCE** of 5 ft to the required 15 ft rear setback to allow a proposed addition for all or a portion of Lot C, Block 7, Loma Vista Addn zoned R-1, located on **3000 MACKLAND AV NE (J-16) APPROVED**
29. **16ZHE-80082**      **Project#**      **EDWARD & THERESE ORDONEZ** requests a special exception to Section 14-16-2-5(B)(1) and 14-16-2-6(B)(12) : a **CONDITIONAL USE** to allow for a shade structure in the rear yard for all or a portion of Lot 4G, Alvarado Gardens Unit 2 zoned RA-2, located on **2732 RIO GRANDE BLVD NW (G-13) APPROVED**
30. **16ZHE-80083**      **Project#**      **THOMAS MCCONNELL (STRATA DESIGN, AGENT)** requests a special exception to Section 14-16-2-6(B)(1) : a **CONDITIONAL USE** to allow a proposed accessory living quarters in a R-1 zone for all or a portion of Lot 3,2, Block 16, Monterey Hills Addn zoned R-1, located on **3334 LINDA VISTA AV SE (L-16) APPROVED**

31. **16ZHE-80084** **Project# 1010782** **ERIC STRAWN** requests a special exception to Section 14-16-2-23(A) South Broadway SDP pg 46 and 14-16-2-9(D)(3) : a VARIANCE of 600 sq ft to the 3600 sq ft lot size requirement to build a house for all or a portion of Lot 419A1, MRGCD MAP 41 zoned SU-2 NCR, located on **302 KATHRYN AV SE (L-14) DEFERRED TO MAY 17, 2016**
32. **16ZHE-80085** **Project# 1010782** **ERIC STRAWN** requests a special exception to Section 14-16-2-23(A) South Broadway SDP pg. 46 and 14-16-2-9(E)(1) : a VARIANCE of 5 ft to the required 15 ft front yard setback for all or a portion of Lot 419A1, MRGCD MAP 41 zoned SU-2 NCR, located on **302 KATHRYN AV SE (L-14) DEFERRED TO MAY 17, 2016**
33. **16ZHE-80086** **Project# 1010782** **ERIC STRAWN** requests a special exception to Section 14-16-2-23(A) South Broadway SDP pg 46 and 14-16-2-9(E)(4)(a) : a VARIANCE of 10 ft to the required 15 ft rear yard setback for all or a portion of Lot 419A1, MRGCD MAP 41 zoned SU-2 NCR, located on **302 KATHRYN AV SE (L-14) DEFERRED TO MAY 17, 2016**
34. **16ZHE-80087** **Project# 1010783** **MODULUS ARCHITECTS (PHILLIP DUKE, COLUMBUS PACIFIC, AGENT)** requests a special exception to Section 14-16-3-2(B)(4) and pg 113 Coors Corridor : a VARIANCE request of 75 sq ft to the allowed 75 sq ft of signage for 2 existing free standing signs for all or a portion of Lot D, Market Center West zoned C-2 (SC), located on **9371 COORS BLVD NW (C-13) APPROVED WITH CONDITIONS**
35. **16ZHE-80089** **Project# 1010783** **MODULUS ARCHITECTS (PHILLIP DUKE, COLUMBUS PACIFIC, AGENT)** requests a special exception to Section 14-16-3-2(B)(4) and pg 113 Coors Corridor : a VARIANCE request of 75 sq ft to the allowed 75 sq ft of signage for 2 existing free standing signs for all or a portion of Lot D, Market Center West zoned C-2 (SC), located on **9311 COORS BLVD NW (C-13) APPROVED WITH CONDITIONS**
36. **16ZHE-80088** **Project# 1010784** **BEVERLY CHAVEZ** requests a special exception to Section 14-16-2-6B)(3) : a CONDITIONAL USE to allow an existing carport in the required front yard setback area for all or a portion of Lot 10, Block 14, Holiday Park Unit 6B zoned R-1, located on **3304 BLACK HILLS RD NE (G-22) APPROVED**
37. **16ZHE-80090** **Project# 1010785** **SUNSHINE PROPERTIES, LLC (RIO GRANDE ENGINEERING, AGENT)** requests a special exception to Section 14-16-2-16(B)(7) : a CONDITIONAL USE to allow dwelling units in a C-1 zone on a proposed new lot for all or a portion of Lot 2E1, 2D1, Block 2A, Chelwood Park zoned C-1, located on **12844 LOMAS BLVD NE (K-22) APPROVED**
38. **16ZHE-80091** **Project# 1010786** **RUSSELL DAZEN AND FLORENCE WECH (RIO GRANDE ENGINEERING, AGENT)** requests a special exception to Section 14-16-2-5(E) and 14-16-2-6(E)(4)(c) : a VARIANCE of 6 ft to the required 10 ft side yard setback required on the northern property line for all or a portion of Lot 5, Boulevard View Addn zoned RA-2, located on **3126 RIO GRANDE BLVD NW (G-13) WITHDRAWN**
39. **16ZHE-80092** **Project# 1010787** **LUIS NOLASCO (NICHOLAS COUTY C/O COUTY DESIGN, LLC, AGENT)** requests a special exception to Section Nob Hill SDP pg 103 (1)(A)(1) : a VARIANCE of 6 in to the max 18 in letter height allowed for a proposed new sign for all or a portion of Lot 1, Block 49, University Heights Addn Replat zoned CCR-1, located on **101 AMHERST DR SE (K-16) APPROVED**