



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

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 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) 924-3894.

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* 16ZHE-80170 | Project# 1010894 | LAURA JAIMES requests a special exception to Section 14-16-2-8(B)(1) and 14-16-2-6(B)(5) : a CONDITIONAL USE 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 2838 MERLOT DR SW (N-9) APPROVED |
| 2. | *IR* 16ZHE-80174 | Project# 1010900 | NORBERTO PEREZ requests a special exception to Section 14-16-3-19(A)(2)(a) : a VARIANCE 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 1124 AZTEC RD NW (G-14) DEFERRED TO SEPTEMBER 20, 2016 |
| 3. | *IR* 16ZHE-80177 | Project# 1010905 | NIURKA ALVAREZ requests a special exception to Section 14-16-2-9(B) and 14-16-2-6(B)(5) : a CONDITIONAL USE 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 420 TENNESSEE ST SE (L-19) APPROVED |

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) DENIED**
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) WITHDRAWN**
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) DEFERRED TO SEPTEMBER 20, 2016**
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) DENIED**
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) APPROVED WITH CONDITIONS**

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) APPROVED**
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) APPROVED**
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) APPROVED**
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) APPROVED**
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) APPROVED**
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) APPROVED**

15. **16ZHE-80191** **Project# 1010917** **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)** **APPROVED**
16. **16ZHE-80066** **Project# 1010769** **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). **APPROVED WITH CONDITIONS**
17. **16ZHE-80067** **Project# 1010769** **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). **APPROVED**
18. **16ZHE-80068** **Project# 1010769** **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). **APPROVED WITH CONDITIONS**
19. **16ZHE-80069** **Project# 1010770** **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). **APPROVED WITH CONDITIONS**
20. **16ZHE-80070** **Project# 1010770** **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). **APPROVED**
21. **16ZHE-80071** **Project# 1010770** **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). **APPROVED WITH CONDITIONS**

*******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#** **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) APPROVED**
23. **16ZHE-80172** **Project#** **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) APPROVED WITH CONDITIONS**
24. **16ZHE-80173** **Project#** **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) DEFERRED TO SEPTEMBER 20, 2016**
25. **16ZHE-80175** **Project#** **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) APPROVED**
26. **16ZHE-80176** **Project#** **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) APPROVED**
27. **16ZHE-80178** **Project#** **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) APPROVED**
28. **16ZHE-80179** **Project#** **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) APPROVED**
29. **16ZHE-80182** **Project#** **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) DEFERRED TO SEPTEMBER 20, 2016**

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) DEFERRED TO SEPTEMBER 20, 2016**
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) APPROVED**
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) APPROVED WITH CONDITIONS**
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) APPROVED WITH CONDITIONS**
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) APPROVED**
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) APPROVED**
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) APPROVED**
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) APPROVED**
38. **16ZHE-80192** **Project# 1010918** **CHRISTOPHER MCKAY** requests a special exception to Section 14-16-2-6(E)(1): a VARIANCE of 7 ft to the required 20 ft front yard setback to allow a proposed addition 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) APPROVED**
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) APPROVED**

41. **16ZHE-80195** **Project#** **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)** **APPROVED WITH CONDITIONS**