



HEARING ON SPECIAL EXCEPTIONS  
TO THE COMPREHENSIVE CITY ZONING CODE

**ZONING HEARING EXAMINER'S AGENDA**

TUESDAY, March 15, 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, 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) 924-3894.*

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**INTERPRETER REQUIRED:**

- |    |                         |                         |   |
|----|-------------------------|-------------------------|---|
| 1. | <b>*IR* 16ZHE-80018</b> | <b>Project# 1010725</b> | <b>PATRICIA ESPINOSA (GABRIEL CHAVEZ, AGENT)</b> requests a special exception to Section 14-16-2-8(B)(1) and 14-16-2-6(B)(14) : a CONDITIONAL USE to allow a proposed 5 ft fence in the front yard setback area for all or a portion of Lot 11-P1, Block 3, El Rancho Grande 1 Unit 9A zoned R-LT, located on <b>2809 BUTCH CASSIDY DR SW (N-9)</b> |
|----|-------------------------|-------------------------|---|

**OLD BUSINESS:**

- |    |                    |                         |  |
|----|--------------------|-------------------------|--|
| 2. | <b>15ZHE-80292</b> | <b>Project# 1010687</b> | <b>JOE A SANCHEZ</b> requests a special exception to Section 14-16-2-6(E)(4)(a) : a VARIANCE request of 7 ft to the 10 ft side setback required to allow a proposed addition for all or a portion of Lot 10, Block 49A, Four Hills Village 19th Installment zoned R-1, located on <b>1637 SOPLO RD SE (N-23)</b>         |
| 3. | <b>15ZHE-80299</b> | <b>Project# 1010695</b> | <b>ROMELIA MARQUEZ CERA (RAUL DOMINGUEZ, AGENT)</b> requests a special exception to Section 14-16-2-6-(E)(3)(b) : a VARIANCE request of 5 ft to the 10 ft side setback required for a proposed new home for all or a portion of Lot 1, Block 15, La Mesa Extension zoned R-1, located on <b>401 ALCAZAR ST NE (K-19)</b> |

4. **16ZHE-80004** **Project# 1010709** **DALILA SOLIS (RAFAEL RODRIGUEZ, AGENT)** requests a special exception to Section 14-16-3-19(A)(2)(a)(2) : a VARIANCE of 4 ft 8 in to the maximum 6 ft height allowed for a proposed wall facing the public right of way for all or a portion of Lot 1, Block 10, Wells Sandia Manor zoned R-1, located on **14300 SKYLINE RD NE** (L-23)
5. **16ZHE-80007** **Project# 1010712** **JOHN GRAY** requests a special exception to Section 14-16-2-6(B)(7) : a CONDITIONAL USE to allow counseling as a home occupation for all or a portion of Lot 22, Block 4, Tara zoned R-1, located on **10709 NELLE AV NE** (G-21)

**NEW BUSINESS:**

6. **16ZHE-80026** **Project# 1010034** **MELLOY ENTERPRISES (JAMES MILLER, AGENT)** requests a special exception to Section 14-16-3-19(A)(3)(a) : a VARIANCE of 3 ft to the 3 ft height maximum to allow a proposed 6 ft wall for all or a portion of Lot 1 & 9 & A PORTION OF LOTS 2 & 8, Block H, Mesa Del Norte Heights Addn #2 zoned P, located on **7800 MARBLE AV NE** (J-19)
7. **16ZHE-80019** **Project# 1010727** **BOB BISHOP (AUSTIN'S CARPORT, 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 9, Block 15, Dale J Bellamahs Bellehaven Addn zoned R-1, located on **9108 HAINES AV NE** (J-20)
8. **16ZHE-80020** **Project# 1010734** **ANNE L MONSON/JAMES G. ALAIMO** requests a special exception to Section 14-16-2-23(A) and The University Neighborhoods SDP pg 70(4)(b) : a VARIANCE of 2 ft to the 5 ft side yard setback to allow a proposed remodel for all or a portion of Lot 10, Block 12, University Heights zoned SU-2 RTD, located on **420 CORNELL DR SE** (K-16)
9. **16ZHE-80021** **Project# 1010735** **MARK S TORRES OR CLAUDIA TORRES** requests a special exception to Section 14-16-2-6(E)(1) : a VARIANCE of 8 ft the required 20 ft front yard setback for a garage addition for all or a portion of Lot 9, Block 4, W J Wagner zoned R-1, located on **1834 PALOMAS DR NE** (J-18)
10. **16ZHE-80022** **Project# 1010736** **NORTH VALLEY LTD CO (GOLDEN CHERRY LLC, AGENT)** requests a special exception to Section 14-16-2-15(B)(9) : a CONDITIONAL USE to continue retail sales of food and drink at an existing restaurant for all or a portion of Lot A, Los Alamos Addn zoned O-1 or SU-2 NFMX, located on **6100 4TH STREET NW** (E-14)
11. **16ZHE-80023** **Project# 1010738** **WILLIAM STRABA (LARRY JR CHAVEZ, 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 yard setback area for all or a portion of Lot 7-P1, Block 6, Willow Wood Unit 2 zoned R-1, located on **827 GLACIER BAY ST SE** (L-21)
12. **16ZHE-80024** **Project# 1010739** **NATHAN SANDS (DAVID SANTISTEVAN, AGENT)** requests a special exception to Section 14-16-2-6(E)(4)(a) : a VARIANCE of 3 ft to the required 5 ft side yard setback for an existing staircase for all or a portion of Lot 12, Block 32, Mesa Park Addition Mankin Replat of zoned R-1, located on **733 LOUISIANA BLVD SE** (L-18)
13. **16ZHE-80025** **Project# 1010740** **TODD HAVENS (MICHAEL RICHARDS, AGENT)** requests a special exception to Section 14-16-2-11(D)(1) : a VARIANCE request of 10 ft to the required 60 ft lot width to allow an existing tri-plex in a R-2 zone for all or a portion of Lot 21, Bobb zoned R-2, located on **107 LA PLATA RD NW** (F-15)
14. **16ZHE-80027** **Project# 1010741** **MATTHEW DARRALL** requests a special exception to Section 14-16-3-3(B)(2)(e) : a VARIANCE of 9 ft 3 in to the required 10 ft separation for an existing shed to a dwelling unit for all or a portion of Lot 3, Block 16, Loma Del Norte Addn Unit 8 zoned R-1, located on **8308 PORTALES AV NE** (D-19)

15. **16ZHE-80028**      **Project#** **DEAN AND MAGGIE CYPHERY** requests a special exception to Section  
**1010742**      **1010742**      14-16-3-19(A)(2)(a) : a VARIANCE request of 1 ft to the maximum wall height allowed in the front yard setback area for all or a portion of Lot 14, Block 4, McDuffie Place Addn zoned R-1, located on **3329 MACKLAND AV NE** (J-16)
16. **16ZHE-80029**      **Project#** **DEAN AND MAGGIE CYPHERY** requests a special exception to Section  
**1010742**      **1010742**      14-16-3-19(A)(2)(b) : a CONDITIONAL USE to allow a proposed 4 ft wall in the required corner side setback area for all or a portion of Lot 14, Block 4, McDuffie Place Addn zoned R-1, located on **3329 MACKLAND AV NE** (J-16)
17. **16ZHE-80030**      **Project#** **DEAN AND MAGGIE CYPHERY** requests a special exception to Section  
**1010742**      **1010742**      14-16-2-6(B)(3) : a CONDITIONAL USE to allow a proposed carport in the required side setback area for all or a portion of Lot 14, Block 4, McDuffie Place Addn zoned R-1, located on **3329 MACKLAND AV NE** (J-16)
18. **16ZHE-80031**      **Project#** **MIDTOWN SELF STORAGE, LLC** requests a special exception to Section  
**1010743**      **1010743**      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)
19. **16ZHE-80032**      **Project#** **D. BRUCE WARREN** requests a special exception to Section 14-16-2-  
**1010744**      **1010744**      6(B)(3) : a CONDITIONAL USE to allow a proposed carport in the required front yard setback area for all or a portion of Lot 18, Block H, New Kimo Addn zoned R-1, located on **2339 CARDENAS DR NE** (H-18)
20. **16ZHE-80033**      **Project#** **MICHAEL SMIT** requests a special exception to Section 14-16-3-3(B)(2)(a):  
**1010745**      **1010745**      a VARIANCE of 2 ft 6 in to the maximum 6 ft height allowed for an existing shed in the side yard setback for all or a portion of Lot 36, Block 32, Mesa Village Chapman - Em Jrs Subd Blk 31-32 zoned R-1, located on **1001 GLORIETA ST NE** (J-20)

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

**HEARING WILL RESUME PROMPTLY**  
**AT 1:30 P.M. WITH ITEM #21**

**IF YOU ARE AGENDA ITEMS #21-#39**

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

21. **16ZHE-80034**      **Project#** **ROBERT COBERLY & HEATHER WOOD (OCEOLA ENERGY, AGENT)**  
**1010746**      **1010746**      requests a special exception to Section 14-16-2-5(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 10B, Indian Farm Estates zoned RA-2, located on **2704 INDIAN FARM LA NW** (G-13)
22. **16ZHE-80035**      **Project#** **MICHAEL HONTAS** requests a special exception to Section 14-16-3-  
**1010747**      **1010747**      19(A)(2) : a VARIANCE of 3 ft to the maximum allowed 3 ft height for a wall in the front yard setback area for all or a portion of Lot 2A, Block C, Davidson Addn No. 1 zoned R-2, located on **710 CANDELARIA RD NW** (G-14)

23. **16ZHE-80036** **Project# 1010748** **MIKE MCCLAIN (RBA ARCHITECTURE PC, AGENT)** requests a special exception to Section 14-16-2-23(A) / pg 46 South Broadway SDP and 14-16-2-17(B)(13)(e) : a **CONDITIONAL USE** to allow outdoor vehicle storage as a principal business on a proposed new lot for all or a portion of Lot 8-15, Block 1, Gregorio and Rafel Apodaca Addn zoned SU-2 SU-1 Heavy Commercial, located on **100 TRUMBULL AV SE (L-14)**
24. **16ZHE-80037** **Project# 1010748** **MIKE MCCLAIN (RBA ARCHITECTURE PC, AGENT)** requests a special exception to Section 14-16-2-23(A) / pg 46 South Broadway SDP and 14-16-2-19(A)(15) : a **CONDITIONAL USE** to allow a dwelling for a watchman/caretaker on a proposed new lot for all or a portion of Lot 8-15, Block 1, Gregorio and Rafel Apodaca Addn zoned SU-2 SU-1 Heavy Commercial, located on **100 TRUMBULL AV SE (L-14)**
25. **16ZHE-80038** **Project# 1010748** **MIKE MCCLAIN (RBA ARCHITECTURE PC, AGENT)** requests a special exception to Section 14-16-2-23(A) / pg 46 South Broadway SDP and 14-16-2-17(B)(22) : a **CONDITIONAL USE** to allow the transfer or storage of household goods on a proposed new lot for all or a portion of Lot 8-15, Block 1, Gregorio and Rafel Apodaca Addn zoned SU-2 SU-1 Heavy Commercial, located on **100 TRUMBULL AV SE (L-14)**
26. **16ZHE-80039** **Project# 1010749** **ELIOT SALGADO (MONKS LAB, LLC)** requests a special exception to Section 14-16-2-21(F) and 14-16-3-1(A)(26) : a **VARIANCE** request of 47 off street parking spaces to the 50 required to allow a proposed brewery for all or a portion of Lot 22-23, Block 12, Paris Addn zoned M-2, located on **1501 1ST ST NW (J-14)**
27. **16ZHE-80040** **Project# 1010749** **ELIOT SALGADO (MONKS LAB, LLC)** requests a special exception to Section 14-16-2-21(B)(1) and 14-16-2-20(B)(5) : a **CONDITIONAL USE** to allow the sale of alcoholic drink for off premise consumption for all or a portion of Lot 22-23, Block 12, Paris Addn zoned M-2, located on **1501 1ST ST NW (J-14)**
28. **16ZHE-80041** **Project# 1010750** **GREATER ALBUQUERQUE HOUSING PARTNERSHIP (THE DESIGN GROUP, AGENT)** requests a special exception to Section 14-16-3-1(H)(1) : a **VARIANCE** of 2 ft to the required 6 ft width for a pedestrian sidewalk for all or a portion of Lot 18A, Block 4, Emil Mann Addn zoned R-2, located on **421 ESPANOLA ST SE (L-19)**
29. **16ZHE-80042** **Project# 1010750** **GREATER ALBUQUERQUE HOUSING PARTNERSHIP (THE DESIGN GROUP, AGENT)** requests a special exception to Section 14-16-3-1(H)(1) : a **VARIANCE** of 2 ft to the required 6 ft width for a pedestrian sidewalk for all or a portion of Lot 13A, Block 4, Emil Mann Addn zoned R-2, located on **443 ESPANOLA ST SE (L-19)**
30. **16ZHE-80043** **Project# 1010750** **GREATER ALBUQUERQUE HOUSING PARTNERSHIP (THE DESIGN GROUP, AGENT)** requests a special exception to Section 14-16-3-1(H)(1) : a **VARIANCE** of 2 ft to the required 6 ft width for a pedestrian sidewalk for all or a portion of Lot 21A1, Block 13, Emil Mann Addn zoned R-2, located on **511 ESPANOLA ST SE (L-19)**
31. **16ZHE-80045** **Project# 1010750** **GREATER ALBUQUERQUE HOUSING PARTNERSHIP (THE DESIGN GROUP, AGENT)** requests a special exception to Section 14-16-3-1(H)(1) : a **VARIANCE** of 2 ft to the required 6 ft width for a pedestrian sidewalk for all or a portion of Lot 16A, Block 13, Emil Mann Addn zoned R-2, located on **523 ESPANOLA ST SE (L-19)**
32. **16ZHE-80047** **Project# 1010750** **GREATER ALBUQUERQUE HOUSING PARTNERSHIP (THE DESIGN GROUP, AGENT)** requests a special exception to Section 14-16-3-1(H)(1) : a **VARIANCE** of 2 ft to the required 6 ft width for a pedestrian sidewalk for all or a portion of Lot 4A, Block 5, Emil Mann Addn zoned R-2, located on **416 ESPANOLA ST SE (L-19)**

33. **16ZHE-80048**      **Project#**      **GREATER ALBUQUERQUE HOUSING PARTNERSHIP (THE DESIGN**  
**1010750**      **GROUP, AGENT)** requests a special exception to Section 14-16-3-1(H)(1) :  
a VARIANCE of 2 ft to the required 6 ft width for a pedestrian sidewalk for all  
or a portion of Lot 17A, Block 5, Emil Mann Addn zoned R-2, located on  
**433 SAN PABLO ST SE (L-19)**
34. **16ZHE-80049**      **Project#**      **GREATER ALBUQUERQUE HOUSING PARTNERSHIP (THE DESIGN**  
**1010750**      **GROUP, AGENT)** requests a special exception to Section 14-16-3-1(H)(1) :  
a VARIANCE of 2 ft to the required 6 ft width for a pedestrian sidewalk for all  
or a portion of Lot 5A, Block 6, Emil Mann Addn zoned R-2, located on **418**  
**SAN PABLO ST SE (L-19)**
35. **16ZHE-80050**      **Project#**      **GREATER ALBUQUERQUE HOUSING PARTNERSHIP (THE DESIGN**  
**1010750**      **GROUP, AGENT)** requests a special exception to Section 14-16-3-1(H)(1) :  
a VARIANCE of 2 ft to the required 6 ft width for a pedestrian sidewalk for all  
or a portion of Lot 1A, Block 15, Emil Mann Addn zoned R-2, located on  
**512 SAN PABLO ST SE (L-19)**
36. **16ZHE-80051**      **Project#**      **GREATER ALBUQUERQUE HOUSING PARTNERSHIP (THE DESIGN**  
**1010750**      **GROUP, AGENT)** requests a special exception to Section 14-16-3-1(H)(1) :  
a VARIANCE of 2 ft to the required 6 ft width for a pedestrian sidewalk for all  
or a portion of Lot 12A, Block 15, Emil Mann Addn zoned R-2, located on  
**544 SAN PABLO ST SE (L-19)**
37. **16ZHE-80052**      **Project#**      **GREATER ALBUQUERQUE HOUSING PARTNERSHIP (THE DESIGN**  
**1010750**      **GROUP, AGENT)** requests a special exception to Section 14-16-3-1(H)(1) :  
a VARIANCE of 2 ft to the required 6 ft width for a pedestrian sidewalk for all  
or a portion of Lot 12, Block 16, Emil Mann Addn zoned R-2, located on  
**448 GROVE ST SE (L-19)**
38. **16ZHE-80044**      **Project#**      **ALBUQUERQUE WINNELSON CO (GARCIA/KRAEMER & ASSOCIATES,**  
**1010751**      **AGENT)** requests a special exception to Section 14-16-3-10(E)(3)(b) : a  
VARIANCE request of 6 ft to the minimum 6 ft side landscape buffer for a  
proposed addition for all or a portion of Lot 2, Cutter Industrial Park Unit 6  
zoned M-1, located on **3545 PRINCETON DR NE (G-16)**
39. **16ZHE-80046**      **Project#**      **ALBUQUERQUE WINNELSON CO (GARCIA/KRAEMER & ASSOCIATES,**  
**1010751**      **AGENT)** requests a special exception to Section 14-16-3-10(E)(1) : a  
VARIANCE request of 8 percent to the 15 percent required landscape area  
to allow a proposed addition for all or a portion of Lot 2, Cutter Industrial  
Park Unit 6 zoned M-1, located on **3545 PRINCETON DR NE (G-16)**