HEARING ON SPECIAL EXCEPTIONS TO THE COMPREHENSIVE CITY ZONING CODE

ZONING HEARING EXAMINER'S ACTION SHEET

TUESDAY, August 15, 2017 9:00 A.M.

IF YOU ARE AGENDA ITEMS #1 THRU #24 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 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 Graeser, Esq., Zoning Hearing Examiner
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* 17ZHE-80111 Project# 1011248 TERESA SERRANO requests a special exception to Section 14-16-2-9(B) and 14-16-2-6(B)(3) : a CONDITIONAL USE to allow a carport in the required front yard setback for all or a portion of Lot 12, Block 4, Sunrise Terrace Unit 1 Phase 1 zoned R-T, located on 10309 ANDRETTI AV SW (L-8) APPROVED WITH CONDITIONS

2. IR* 17ZHE-80117 Project# 1011259 TUAN HUYNIH (PABLO ESPINO MEDINA, AGENT) requests a special exception to Section 14-16-2-17(B)(13) : a CONDITIONAL use to allow for existing outdoor storage of used tires in C-2 zone for all or a portion of Lot A, Block 3, MESA VERDE ADDN zoned C-2, located on 8117 CENTRAL AV NE (K-19) APPROVED WITH CONDITIONS

3. 17ZHE-80114 Project# 1011254 ANTONIO GUTIERREZ requests a special exception to Section 14-16-3-3(B)(2)(e) : a VARIANCE of 7 1/2 ft to the required 10 ft separation to allow an existing accessory building for all or a portion of Lot 9, Block 71, Westgate Heights Addn No 2 zoned R-1, located on 1100 SAPPHIRE ST SW (M-9) APPROVED
OLD BUSINESS:

4. 17ZHE-80118 Project# 1011260 GRAEEM SUPPLE 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 5, Block 54, University Heights Addn zoned R-1, located on 310 AMHERST DR SE (K-16) APPROVED

NEW BUSINESS:

5. 17ZHE-80133 Project# 1011280 LARRY VELTMAN (MARSH CONSTRUCTION, AGENT) requests a special exception to Section 14-16-2-6(B)(14)(a)(1) : a CONDITIONAL USE to allow a 5 ft wall in the front yard setback for all or a portion of Lot K, Block 4, Mesa Court Addn zoned R-1, located on 3701 ANDERSON AV SE (L-17) APPROVED WITH CONDITIONS

6. 17ZHE-80138 Project# 1011288 ANTHONY TRUJILLO (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 100 - P1, El Rancho Grande Unit 14 zoned R-LT, located on 10323 SANDY TRAIL RD SW (N-8) APPROVED WITH CONDITIONS

7. 17ZHE-80139 Project# 1011289 ALICIA OWEN (AUSTIN'S CARPORTS, AGENT) requests a special exception to Section 14-16-2-6(B)(3) : a CONDITIONAL USE for a carport in front yard setback for all or a portion of Lot 7, Block 11, Snow Heights Addn zoned R-1, located on 1836 BETTS ST NE (H-21) APPROVED WITH CONDITIONS

8. 17ZHE-80134 Project# 1011281 ANITA RICKA requests a special exception to Section 14-16-2-6(B)(7) : a CONDITIONAL USE to allow health care as a home occupation for all or a portion of Lot 12, Block 14, Ridge Park Addn zoned R-1, located on 4716 HAINES AV NE (J-17) APPROVED WITH CONDITIONS

9. 17ZHE-80135 Project# 1011283 RICK KELLOGG requests a special exception to Section 14-16-2-6(B)(14)(a) : a CONDITIONAL USE to allow a 5 ft fence in the required front yard setback for all or a portion of Lot 7, Block 2, Glenwood Hills South Unit 3 zoned R-1, located on 13204 COMANCHE RD NE (G-23) APPROVED

10. 17ZHE-80136 Project# 1011285 DON P SCHEIDEL requests a special exception to Section 14-16-2-6(B)(3) : a CONDITIONAL USE to allow a proposed carport in the front yard setback area for all or a portion of Lot 17, Block 25, Mesa Park Addn Mankins Replat Of Blik 25 zoned R-1, located on 713 ARIZONA ST SE (L-18) APPROVED WITH CONDITIONS

11. 17ZHE-80137 Project# 1011286 CINDY MOHLER, NM MUTUAL (RMKM ARCHITECTURE, PC, AGENT) requests a special exception to Section 14-16-2-23(A) and Pg 38 Sec 4.2 Signage (e)(5) North I 25 SDP : a VARIANCE of 18 in to the required 18 in letter height to allow for a 36 in letter height for all or a portion of Lot A, New Mexico Mutual Casualty zoned SU-2 IP or SU-2 C, located on 5201 BALLOON FIESTA PKWY NE (B-18) APPROVED

12. 17ZHE-80141 Project# 1011291 ELEN FEINBERG requests a special exception to Section 14-16-2-6(E)(5)(a) : a VARIANCE of 10 ft 1in to the required 15 ft rear yard setback for all or a portion of Lot B, Block 11 A, Country Club Addn zoned R-1, located on 613 RIDGE PL NE (J-15) APPROVED

13. 17ZHE-80142 Project# 1011293 CHARLES & KATHERINE MORGAN requests a special exception to Section 14-16-2-6(E)(4)(a) : a VARIANCE of 5 ft to the required 5 ft side yard setback for an existing shade structure for all or a portion of Lot 4, Block 13, Volcano Cliffs Unit 5 zoned R-1, located on 8005 EMERALD DR NW (E-10) DENIED

14. 17ZHE-80143 Project# 1011294 GREATER ALBUQUERQUE HABITAT FOR HUMANITY requests a special exception to Section 14-16-3-19(A)(2)(b) : a VARIANCE of 3 ft to the allowed maximum wall height of 3 ft in the front yard setback for all or a portion of Lot 37, Daniel G Herrera zoned R-1, located on 900 TOWNSEND AV SW (K-11) APPROVED
<table>
<thead>
<tr>
<th>Project#</th>
<th>Project#</th>
<th>Applicant</th>
<th>Requested Exception</th>
<th>Location</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>1011295</td>
<td>1011296</td>
<td>NATIVIDAD POSADA</td>
<td>a VARIANCE of 3 ft to the allowed 3 ft wall height in the front yard setback for all or a portion of Lot 8, Block G, El Rancho Grande Unit 8B zoned R-LT</td>
<td>9901 EL PATRON RD SW (M-9)</td>
<td>APPROVED</td>
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<tr>
<td>1011296</td>
<td>1011297</td>
<td>JOE D CORDOVA</td>
<td>a CONDITIONAL USE to allow a 5 ft wall in the front yard setback for all or a portion of Lot 3, Block 4, Osage Addn No 3 zoned R-1</td>
<td>305 LA MEDIA RD SW (K-12)</td>
<td>APPROVED</td>
</tr>
<tr>
<td>1011297</td>
<td>1011298</td>
<td>GABE ZAMBELLO</td>
<td>a CONDITIONAL USE to allow an accessory living quarter in a R-1 zone for all or a portion of Lot 15, Block 107, Bel Air zoned R-1</td>
<td>2514 MADEIRA DR NE (H-18)</td>
<td>APPROVED</td>
</tr>
<tr>
<td>1011298</td>
<td>1011299</td>
<td>BRIAN MINER</td>
<td>a CONDITIONAL USE to allow for a shade structure in the rear yard for all or a portion of Lot 2 P-1, Block 9, Maribelle Unit 6 zoned R-1</td>
<td>11208 COLVILLE RD SE (L-21)</td>
<td>APPROVED</td>
</tr>
<tr>
<td>1011299</td>
<td>1011300</td>
<td>MICHAEL SULLIVAN</td>
<td>a CONDITIONAL USE to allow for a shade structure in the rear yard setback for all or a portion of Lot 49, Santa Fe Village Unit 3 zoned R-D</td>
<td>4915 BLACK DR NW (F-10)</td>
<td>APPROVED</td>
</tr>
<tr>
<td>1011300</td>
<td>1011301</td>
<td>MICHELLE NELLOS</td>
<td>a CONDITIONAL USE to allow for a home daycare for up to 12 children for all or a portion of Lot 6, Laurelwood South zoned R-D</td>
<td>1520 ROSEWOOD AV NW (H-10)</td>
<td>DEFERRED TO SEPTEMBER 19, 2017</td>
</tr>
<tr>
<td>1011301</td>
<td>1011302</td>
<td>RACHEL SALAS</td>
<td>a VARIANCE of 7.87 ft to the required 20 ft front yard setback for all or a portion of Lot 34, Heritage Hills Unit 5 zoned R-1</td>
<td>8921 DEMOCRACY RD NE (D-20)</td>
<td>APPROVED</td>
</tr>
<tr>
<td>1011302</td>
<td>1011303</td>
<td>MICHELLE NELLOS</td>
<td>a CONDITIONAL USE to allow for an accessory living quarters in a R-3 zone for all or a portion of Lot 18, Block 3, Coronado Builders Inc/Knob Heights Addn zoned R-3</td>
<td>3520 ANDERSON AV SE (L-16)</td>
<td>APPROVED</td>
</tr>
<tr>
<td>1011303</td>
<td>1011304</td>
<td>KATHRYN JORDAN</td>
<td>a VARIANCE of 2 ft to the 3 ft allowable wall height in the front yard setback for all or a portion of Lot 12, Block 4, Vista Larga zoned R-1</td>
<td>2702 HAINES AV NE (J-16)</td>
<td>APPROVED</td>
</tr>
</tbody>
</table>
25. 17ZHE-80156 Project# 1011307 TLJ LLC (TRAE RUSHING, AGENT) requests a special exception to Section 14-16-2-17(B)(18) : a CONDITIONAL USE to allow for the sale of alcoholic drink for the consumption off premise within 500 ft of a residential zone for all or a portion of Lot A, Block 8, Mesa Village Bellamah & Mossmans zoned C-2, located on 1358 WYOMING BLVD NE (J-20) APPROVED

26. 17ZHE-80157 Project# 1011307 TLJ LLC (TRAE RUSHING, AGENT) requests a special exception to Section 14-16-2-17(B)(18) : a CONDITIONAL USE to allow for the sale of alcoholic drink for the consumption off premise within 500 ft of a residential zone for all or a portion of Lot B, Block 8, Mesa Village Bellamah & Mossmans zoned C-2, located on 1346 WYOMING BLVD NE (J-20) APPROVED

27. 17ZHE-80158 Project# 1011308 AHMET TIRYAKI (RIO GRANDE ENGINEERING, AGENT) requests a special exception to Section 14-16-2-16(B)(7) : a CONDITIONAL USE to allow residential dwelling units in a C-1 zone for all or a portion of Lot 32, Block 11, Grandview Heights zoned C-1, located on 900 CHELWOOD PARK BLVD NE (K-22) APPROVED

28. 17ZHE-80159 Project# 1011308 AHMET TIRYAKI (RIO GRANDE ENGINEERING, AGENT) requests a special exception to Section 14-16-2-16(B)(7) : a CONDITIONAL USE to allow residential dwelling units in a C-1 zone for all or a portion of Lot 31, Block 11, Grandview Heights zoned C-1, located on 904 CHELWOOD PARK BLVD NE (K-22) APPROVED

29. 17ZHE-80160 Project# 1011308 AHMET TIRYAKI (RIO GRANDE ENGINEERING, AGENT) requests a special exception to Section 14-16-2-16(B)(7) : a CONDITIONAL USE to allow residential dwelling units in a C-1 zone for all or a portion of Lot 30, Block 11, Grandview Heights zoned C-1, located on 908 CHELWOOD PARK BLVD NE (K-22) APPROVED

30. 17ZHE-80161 Project# 1011308 AHMET TIRYAKI (RIO GRANDE ENGINEERING, AGENT) requests a special exception to Section 14-16-2-16(B)(7) : a CONDITIONAL USE to allow residential dwelling units in a C-1 zone for all or a portion of Lot 29, Block 11, Grandview Heights zoned C-1, located on 912 CHELWOOD PARK BLVD NE (K-22) APPROVED

31. 17ZHE-80162 Project# 1011308 AHMET TIRYAKI (RIO GRANDE ENGINEERING, AGENT) requests a special exception to Section 14-16-2-16(B)(7) : a CONDITIONAL USE to allow residential dwelling units in a C-1 zone for all or a portion of Lot 28, Block 11, Grandview Heights zoned C-1, located on 916 CHELWOOD PARK BLVD NE (K-22) APPROVED

32. 17ZHE-80163 Project# 1011309 AHMET TIRYAKI (RIO GRANDE ENGINEERING, AGENT) requests a special exception to Section 14-16-2-16(B)(7) : a CONDITIONAL USE to allow residential dwelling units in a C-1 zone for all or a portion of Lot 1, Block 11, Grandview Heights zoned C-1, located on 12701 LOMAS BLVD NE (K-22) APPROVED
33. 17ZHE-80164  Project# 1011309  
AHMET TIRYAKI (RIO GRANDE ENGINEERING, AGENT) requests a special exception to Section 14-16-2-16(B)(7) : a CONDITIONAL USE to allow residential dwelling units in a C-1 zone for all or a portion of Lot 2, Block 11, Grandview Heights zoned C-1, located on 12703 LOMAS BLVD NE (K-22) APPROVED

34. 17ZHE-80165  Project# 1011309  
AHMET TIRYAKI (RIO GRANDE ENGINEERING, AGENT) requests a special exception to Section 14-16-2-16(B)(7) : a CONDITIONAL USE to allow residential dwelling units in a C-1 zone for all or a portion of Lot 5, Block 11, Grandview Heights zoned C-1, located on 12705 LOMAS BLVD NE (1) (K-22) APPROVED

35. 17ZHE-80166  Project# 1011309  
AHMET TIRYAKI (RIO GRANDE ENGINEERING, AGENT) requests a special exception to Section 14-16-2-16(B)(7) : CONDITIONAL USE to allow residential dwelling units in a C-1 zone for all or a portion of Lot 3, Block 11, Grandview Heights zoned C-1, located on 12705 LOMAS BLVD NE (2) (K-22) APPROVED

36. 17ZHE-80168  Project# 1011309  
AHMET TIRYAKI (RIO GRANDE ENGINEERING, AGENT) requests a special exception to Section 14-16-2-16(B)(7) : a CONDITIONAL USE to allow residential dwelling units in a C-1 zone for all or a portion of Lot 4, Block 11, Grandview Heights zoned C-1, located on 12707 LOMAS BLVD NE (K-22) APPROVED

37. 17ZHE-80170  Project# 1011312  
MURPHY PROPERTIES (RIO GRANDE ENGINEERING, AGENT) requests a special exception to Section 14-16-2-20(E) and 14-16-2-15(E)(2)(c) : a VARIANCE of 15 ft to the required 15 ft sideyard setback that is adjacent to the rear yards of a residential zone for all or a portion of Lot 2, North Second Street Business Center zoned M-1, located on 5126 2ND ST NW (F-15) DEFERRED TO SEPTEMBER 19, 2017

38. 17ZHE-80171  Project# 1011312  
MURPHY PROPERTIES (RIO GRANDE ENGINEERING, AGENT) requests a special exception to Section 14-16-2-20(E) and 14-16-2-15(E)(2)(c) : a VARIANCE of 15 ft to the required 15 ft sideyard setback that is adjacent to the rear yards of a residential zone for all or a portion of Lot 3, North Second Street Business Center zoned M-1, located on 5128 2ND ST NW (F-15) DEFERRED TO SEPTEMBER 19, 2017