



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

TUESDAY, May 16, 2017 9:00 A.M.

**IF YOU ARE AGENDA ITEMS #1 THRU #28  
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 2<sup>ND</sup> STREET AND ROMA NW)

**STAFF**

*Christopher 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 Planning Dept. at (505) 924-3894.**

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**PLEASE ADDRESS ALL CORRESPONDENCE TO:  
Christopher Graeser, Esq., Zoning Hearing Examiner  
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:**

**OLD BUSINESS:**

- |    |             |                             |   |
|----|-------------|-----------------------------|---|
| 1. | 17ZHE-80006 | <b>Project#<br/>1011109</b> | <b>SOUTHWEST CONVENIENCE STORES, LLC (JOSHUA SKARSGARD-RETAIL S.W., AGENT)</b> requests a special exception to Section 14-16-2-17(B)(18) : a <b>CONDITIONAL USE</b> to allow the retail sale of alcoholic drink for consumption off premise within 500 feet of a residential zone for all or a portion of Lot 32A1A, Block 32, Heights Reservoir Addn zoned C-2, located on <b>4510 LOMAS BLVD NE 87110 (K-17) DENIED</b> |
| 2. | 17ZHE-80037 | <b>Project#<br/>1011156</b> | <b>DEBRA COX</b> requests a special exception to Section 14-16-2-6(E)(4)(a) : a <b>VARIANCE</b> of 3 ft to the required 5 ft side yard setback to allow an existing addition for all or a portion of Lot 8, Block 10, Hoffmantown Addn zoned R-1, located on <b>2911 ALTEZ ST NE (H-20) APPROVED</b>  |

3. **17ZHE-80095**      **Project#** **DEBRA COX** requests a special exception to Section 14-16-2-6(E)(1) : a **1011156** **VARIANCE** of 15 ft to the required 20 ft front yard setback to allow an existing addition for all or a portion of Lot 8, Block 10, Hoffmantown Addn zoned R-1, located on **2911 ALTEZ ST NE (H-20) APPROVED**
4. **17ZHE-80048**      **Project#** **JIM MANNING (JAMES L JERGER, AGENT)** requests a special exception to Nob Hill SDP Pg 107 and 14-16-2-6(E)(1) : a **1011167** **VARIANCE** of 4 ft to the required 20 ft front yard setback for all or a portion of Lot 11, Block 40, Monte Vista Addn zoned SFHD, located on **601 AMHERST DR NE (K-16) APPROVED**
5. **17ZHE-80049**      **Project#** **OLIVIA A RODRIQUEZ** requests a special exception to Section 14-16-2-6(E)(1) and Pg 45 of the South Broadway SDP SU-2 MR : a **1011168** **VARIANCE** of 10 ft to the required 20 ft front yard setback for all or a portion of Lot 1, Block 9, Eastern Addn First Extension zoned SU-2 MR, located on **614 KATHRYN AVE SE (L-14) APPROVED**
6. **17ZHE-80050**      **Project#** **OLIVIA A RODRIQUEZ** requests a special exception to Section 14-16-2-6(E)(5)(a) and Pg 45 of the South Broadway SDP SU-2 MR : a **1011168** **VARIANCE** of 10 ft to the required 15 ft rear yard setback for all or a portion of Lot 1, Block 9, Eastern Addn First Extension zoned SU-2 MR, located on **614 KATHRYN AVE SE (L-14) APPROVED**
7. **17ZHE-80051**      **Project#** **RICHARD CORDOVA** requests a special exception to Section 14-16-2-6(B)(1) : a **1011169** **CONDITIONAL USE** to allow for accessory living quarters for all or a portion of Lot 24, Block 5, Country Club Addn zoned R-1, located on **1630 ROMA AV NE (K-15) DENIED**

**NEW BUSINESS:**

8. **17ZHE-80052**      **Project#** **VINCENT & AUDREY DEMENNO (YOLANDA MONTOYA, AGENT)** requests a special exception to Section 14-16-2-5(E) : a **1011175** **VARIANCE** of 16 ft 4 in to the required 25 ft rear yard setback for all or a portion of Lot 3, Corianda Court zoned RA-2, located on **2609 CORIANDA CT NW (G-13) APPROVED**
9. **17ZHE-80071**      **Project#** **SCOTT ASHCRAFT (YOLANDA MONTOYA, AGENT)** requests a special exception to Section 14-16-2-14(A)(1)(a) and Section 14-16-2-12(E)(3) : a **1011202** **VARIANCE** of 10 ft to the required 15 ft rear yard setback for all or a portion of Lot 57-A1, Highlands At Tanoan zoned R-D R-3, located on **10429 ROYAL BIRKDALE NE (E-21) APPROVED**
10. **17ZHE-80066**      **Project#** **THERESA LAVANDOSKI (AUSTIN'S CARPORTS, AGENT)** requests a special exception to Section 14-16-2-6(B)(3) : a **1011198** **CONDITIONAL USE** to allow a carport in the front yard setback area for all or a portion of Lot 37, Block 37A, Princess Jeanne Park Addn zoned R-1, located on **1125 MURIEL ST NE (J-21) APPROVED**
11. **17ZHE-80067**      **Project#** **VALERIE MIED (AUSTIN'S CARPORTS, AGENT)** requests a special exception to Section 14-16-2-6(B)(3) : a **1011199** **CONDITIONAL USE** to allow a carport in the required front yard setback for all or a portion of Lot 13, Block 4, Highlands North Addn zoned R-1, located on **6900 BARBER PL NE (F-18) WITHDRAWN**
12. **17ZHE-80053**      **Project#** **ROGER SWANSON** requests a special exception to Section 14-16-2-6(B)(1) : a **1011178** **CONDITIONAL use** to allow an accessory living quarters for all or a portion of Lot 8, Block 3, Green Acres zoned R-1, located on **2537 ASPEN AV NW (H-12) APPROVED WITH CONDITIONS**
13. **17ZHE-80055**      **Project#** **HENRY AND LAURA HENDERSON** requests a special exception to Section 14-16-2-6(B)(3) : a **1011181** **CONDITIONAL use** to allow an existing carport in the required front yard setback for all or a portion of Lot 10, Block 5, Panorama Addn zoned R-1, located on **400 GEORGENE DR NE (K-22) APPROVED**

14. **17ZHE-80056** **Project# 1011182** **EUGENE R AND LYDIA BARELA** requests a special exception to Section 14-16-3-19(A)(2)(a) : a VARIANCE of 3 ft to the allowed 3 ft wall height for an existing fence in the required front yard setback for all or a portion of Lot B, Hammer-Bennet A zoned R-1, located on **3016 SIOUX NW (H-13) APPROVED**
15. **17ZHE-80057** **Project# 1011183** **ROBERT J SENSENEY** requests a special exception to Section 14-16-2-6(B)(1) : a CONDITIONAL USE to allow an accessory living quarters for all or a portion of Lot 22, Block 6, La Luz zoned R-1, located on **913 LA LUZ DR NW (G-14) APPROVED WITH CONDITIONS**
16. **17ZHE-80058** **Project# 1011189** **JOEL T WHITE** requests a special exception to Section 14-16-2-18 (B)(7) : a CONDITIONAL USE to allow manufacturing for all or a portion of Lot A-2, Nail -Martha & Will zoned C-3, located on **9900 COCHITI RD SE (L-20) APPROVED**
17. **17ZHE-80059** **Project# 1011190** **JANICE MUNOZ** requests a special exception to Section 14-16-2-6(B)(12) : a CONDITIONAL USE to allow for a proposed shade structure in the required rear yard setback for all or a portion of Lot 9, La Plaza Acequia zoned R-2, located on **3005 CALLE SAN ANGEL NW (G-12) APPROVED**
18. **17ZHE-80060** **Project# 1011191** **MARY A MARTINEZ (GEORGENA AGUON, 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 11, Block 5, Panorama Addn zoned R-1, located on **404 GEORGENE DR NE (K-22) APPROVED**
19. **17ZHE-80061** **Project# 1011192** **JASON BUCHANAN (DAC ENTERPRISES INC, AGENT)** requests a special exception to Section 14-16-2-9(D)(3) : a VARIANCE of 68 ft to the required 160 ft lot width for 6 dwelling units for all or a portion of Lot 46, Rossiter Addn zoned R-T, located on **4622 12TH ST NW (F-14) APPROVED**
20. **17ZHE-80062** **Project# 1011193** **BILL MOORE & ASSOCIATES (DAC ENTERPRISES INC, AGENT)** requests a special exception to Section 14-16-2-17(A)(10) and 14-16-3-2(A) per Z-98-98 findings Page 5 : a VARIANCE of 1 ft to the required 5 ft maximum letter height for a wall sign for all or a portion of Lot 1A, La Cueva Town Center zoned C-2 (SC), located on **8100 WYOMING BLVD NE (C-19) APPROVED**
21. **17ZHE-80063** **Project# 1011194** **KENNETH J BUR** requests a special exception to Section 14-16-2-6(B)(1) : a CONDITIONAL USE to allow an accessory living quarters for all or a portion of Lot 10, Block 12, Mesa Village Addn zoned R-1, located on **1201 FIELD DR NE (J-20) APPROVED**
22. **17ZHE-80064** **Project# 1011196** **MING JIA QIAN (SONNY D SUN, AGENT)** requests a special exception to Section 14-16-2-6(D)(2)(a)(1) : a VARIANCE of 806 sq ft to the required 5000 to allow a proposed new lot for all or a portion of Lots 1+2, Sanchez-Eliseo zoned R-1, located on **2425 DORA AV NW (J-12) DENIED**
23. **17ZHE-80065** **Project# 1011197** **PRISCILLA KINZER (ROBERT PENNINGTON, AGENT)** requests a special exception to Section 14-16-2-6(E)(1) : a VARIANCE of 12 ft to the required 20 ft front yard setback for all or a portion of Lot 4, Block 2, Granada Heights Addn zoned R-1, located on **216 HERMOSA DR SE (K-17) DENIED**
24. **17ZHE-80068** **Project# 1011200** **CHARLES AND LORRIE HERNANDEZ** requests a special exception to Section 14-16-2-6(B)(3) and Pg 57(A)(1) Tower-Unser SDP : a CONDITIONAL USE to allow a carport in the required front yard setback for all or a portion of Lot 11, Block C, Rolling Hills Unit 1 zoned R-D R-1, located on **7409 AUTUMN CANYON RD SW (M-10) APPROVED**

25. **17ZHE-80069**      **Project#**    **CHARLES AND LORRIE HERNANDEZ** requests a special exception to Section 14-16-3-19(A)(2)(a) and Pg 57 (A)(1) Tower-Unser SDP : a VARIANCE of 3 ft to the 3 ft to allow an existing 6 ft fence in the required front setback for all or a portion of Lot 11, Block C, Rolling Hills Unit 1 zoned R-D R-1, located on **7409 AUTUMN CANYON RD SW** (M-10) **DENIED**
26. **17ZHE-80070**      **Project#**    **CGC HOSPITALITY ASSOC LLC (GARCIA/KRAEMER & ASSOCIATES, AGENT)** requests a special exception to Section 14-16-3-5(C)(2)(d) : a VARIANCE of 250 ft to the required 660 ft to allow a proposed 75 sq ft electronic sign along Rio Grande Blvd for all or a portion of Lot C G C ADDN, C GC Addn zoned C-2, located on **1015 RIO GRANDE BLVD NW** (H-13) **APPROVED**
27. **17ZHE-80072**      **Project#**    **MARCIA DURAZO ACUNA** requests a special exception to Section 14-16-2-8(B)(1) and 14-16-2-6(B)(5) : a CONDITIONAL USE to allow for family daycare for up to 12 children for all or a portion of Lot 18, Block W, Desert Flower Unit 6 zoned R-LT, located on **7409 PURPLE CONE RD SW** (M-10) **APPROVED WITH CONDITIONS**
28. **17ZHE-80073**      **Project#**    **JOHN MAHONEY (JACQUELINE FISHMAN, AGENT)** requests a special exception to Section DNA-OR(A)(1)(a) and DNA-TH(D)(5)(c) : a VARIANCE request of 5 ft to the required 10 ft side yard setback on a corner lot for all or a portion of Lot 8A, Block 53, Original Townsite of Albuquerque zoned DNA-OR, located on **816 TIJERAS AVE NW** (J-13) **APPROVED**

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

**HEARING WILL RESUME PROMPTLY**  
**AT 1:30 P.M. WITH ITEM 29**

**IF YOU ARE AGENDA ITEMS #29 THRU #48**

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

29. **17ZHE-80074**      **Project#**    **VALENTIN GONZALEZ** requests a special exception to Section 14-16-2-6(E)(4)(a) : a VARIANCE of 3 ft to the required 5 ft to the required 5 ft side yard setback for a shade structure for all or a portion of Lot 19, Block 17, Northridge Addn Unit 9 zoned R-1, located on **4732 DONA ROWENA AV NE** (F-20) **APPROVED**
30. **17ZHE-80075**      **Project#**    **VALENTIN GONZALEZ** requests a special exception to Section 14-16-2-6(E)(5) : a VARIANCE of 7 ft 6 in to the required 15 ft rear yard setback for a shade structure for all or a portion of Lot 19, Block 17, Northridge Addn Unit 9 zoned R-1, located on **4732 DONA ROWENA AV NE** (F-20) **APPROVED**
31. **17ZHE-80076**      **Project#**    **HOLLY PARTNERS LLC (SKYE DEVORE, AGENT)** requests a special exception to Section 14-16-2-15(B)(9) and North Interstate 25 Pg 27 : a CONDITIONAL USE to allow the sale of package liquor within 500 ft of a residential zone for all or a portion of Lot 2A, Del Norte Plaza zoned SU-2 IP OR SU-2 NC, located on **6400 HOLLY AV NE SUITE I** (C-18) **WITHDRAWN**
32. **17ZHE-80077**      **Project#**    **ASHFORD AND CANDICE BRUNSON** requests a special exception to Section 14-16-3-19(A)(2) : a VARIANCE of 3 ft to allow for an existing 6 ft wall in the required front yard setback for all or a portion of Lot 15, Block 11, Sandia Plaza zoned R-1, located on **706 DELAMAR AV NW** (F-14) **APPROVED WITH CONDITIONS**

33. **17ZHE-80079** **Project# 1011210** **MARIA YODER (CARL A GARCIA, AGENT)** requests a special exception to Section 14-16-2-6(B)(14) : a **CONDITIONAL USE** to allow a wall over 3 ft high where height is normally limited to 3 ft in height for all or a portion of Lot 39, Block 33D, Princess Jeanne Park Addn zoned R-1, located on **11521 SAN JACINTO AV NE (K-21) APPROVED WITH CONDITIONS**
34. **17ZHE-80080** **Project# 1011211** **AHMET TIRYAKI (RIO GRANDE ENGINEERING, AGENT)** requests a special exception to Section 14-16-2-12(E)(1) : a **VARIANCE** of 4 ft 8 in to the required 15 ft front yard setback for all or a portion of Lot 11A, Block 7, Baron Burg Heights Mendlesburg Replat zoned R-3, located on **5501 BELL AV SE (L-18) APPROVED**
35. **17ZHE-80081** **Project# 1011211** **AHMET TIRYAKI (RIO GRANDE ENGINEERING, AGENT)** requests a special exception to Section 14-16-3-19(A)(2) : a **VARIANCE** of 3 ft to the required 3 ft wall height in the front yard setback for all or a portion of Lot 11A, Block 7, Baron Burg Heights Mendlesburg Replat zoned R-3, located on **5501 BELL AV SE (L-18) APPROVED WITH CONDITIONS**
36. **17ZHE-80082** **Project# 1011211** **AHMET TIRYAKI (RIO GRANDE ENGINEERING, AGENT)** requests a special exception to Section 14-16-3-1(A)(24)(a) : a **VARIANCE** of 2 parking spaces for the required 12 parking spaces for all or a portion of Lot 11A, Block 7, Baron Burg Heights Mendlesburg Replat zoned R-3, located on **5501 BELL AV SE (L-18) APPROVED WITH CONDITIONS**
37. **17ZHE-80083** **Project# 1011211** **AHMET TIRYAKI (RIO GRANDE ENGINEERING, AGENT)** requests a special exception to Section 14-16-12-(D)(1) : a **VARIANCE** of 54 ft to the required 150 ft lot width and depth to build apartments for all or a portion of Lot 11A, Block 7, Baron Burg Heights Mendlesburg Replat zoned R-3, located on **5501 BELL AV SE (L-18) APPROVED**
38. **17ZHE-80084** **Project# 1011212** **WELLS FARGO BANK, N.A. AS TRUSTEE OF CRISTOPHER SILLEROY** requests a special exception to Section 14-16-4-13 : a request for **STATUS ESTABLISHED BUILDING** for all or a portion of Lot 29, Block 5, Country Club Addn zoned R-1, located on **1608 ROMA AV NE (K-15) APPROVED WITH CONDITIONS**
39. **17ZHE-80085** **Project# 1011213** **SILVER OAK DEVELOPERS, LLC (RIO GRANDE ENGINEERING, AGENT)** requests a special exception to Section 14-16-2-23(A) and North I-25 SDP Pg 3 Sec 1.5(4) and 16DRB-7051 : a **VARIANCE** of 5 ft to the required 5 ft side yard setback for all or a portion of Lot 19, Silver Oak zoned SU-2 C-1/ NC, located on **8832 SILVER OAK LN NE (C-18) APPROVED**
40. **17ZHE-80086** **Project# 1011214** **SILVER OAK DEVELOPERS, LLC (RIO GRANDE ENGINEERING, AGENT)** requests a special exception to Section 14-16-2-23(A) and North I-25 SDP Pg 3 Sec 1.5(4) and 16DRB-7051 : a **VARIANCE** of 5 ft to the required 5 ft side yard setback for all or a portion of Lot 20, Silver Oak zoned SU-2 C-1 -NC, located on **8836 SILVER OAK LN NE (C-18) APPROVED**
41. **17ZHE-80087** **Project# 1011215** **SILVER OAK DEVELOPERS, LLC (RIO GRANDE ENGINEERING, AGENT)** requests a special exception to Section 14-16-2-23(A) and North I-25 SDP Pg 3 Sec 1.5(4) and 16DRB-7051 : a **VARIANCE** of 5 ft to the required 5 ft side yard setback for all or a portion of Lot 3, Silver Oak zoned SU-2 C-1 -NC, located on **8827 SILVER OAK LN NE (C-18) APPROVED**
42. **17ZHE-80088** **Project# 1011216** **SILVER OAK DEVELOPERS, LLC (RIO GRANDE ENGINEERING, AGENT)** requests a special exception to Section 14-16-2-23(A) and North I-25 SDP Pg 3 Sec 1.5(4) and 16DRB-7051 : a **VARIANCE** of 5 ft to the required 5 ft side yard setback for all or a portion of Lot 6, Silver Oak zoned SU- 2 C-1 / NC, located on **8815 SILVER OAK LN NE (C-18) APPROVED**

43. **17ZHE-80089**      **Project#**      **SILVER OAK DEVELOPERS, LLC (RIO GRANDE ENGINEERING, AGENT)** requests a special exception to Section 14-16-2-23(A) and North I-25 SDP Pg 3 Sec 1.5(4) and 16DRB-7051 : a VARIANCE of 5 ft to the required 5 ft side yard setback for all or a portion of Lot 7, Silver Oaks zoned SU-2 C-1 / NC, located on **8813 SILVER OAK LN NE (C-18)**  
**1011217**      **APPROVED**
44. **17ZHE-80090**      **Project#**      **SILVER OAK DEVELOPERS, LLC (RIO GRANDE ENGINEERING, AGENT)** requests a special exception to Section 14-16-2-23(A) and North I-25 SDP Pg 3 Sec 1.5(4) and 16DRB-7051 : a VARIANCE of 5 ft to the required 5 ft side yard setback for all or a portion of Lot 9, Silver Oak zoned SU-2 C-1 / NC, located on **8805 SILVER OAK LN NE (C-18)**  
**1011218**      **APPROVED**
45. **17ZHE-80091**      **Project#**      **SILVER OAK DEVELOPERS, LLC (RIO GRANDE ENGINEERING, AGENT)** requests a special exception to Section 14-16-2-23(A) and North I-25 SDP Pg 3 Sec 1.5(4) and 16DRB-7051 : a VARIANCE of 5 ft to the required 5 ft side yard setback for all or a portion of Lot 13, Silver Oak zoned SU-2 C-1 NC, located on **8808 SILVER OAK LN NE (C-18)**  
**1011219**      **APPROVED**
46. **17ZHE-80092**      **Project#**      **SILVER OAK DEVELOPERS, LLC (RIO GRANDE ENGINEERING, AGENT)** requests a special exception to Section 14-16-2-23(A) and North I-25 SDP Pg 3 Sec 1.5(4) and 16DRB-7051 : a VARIANCE of 5 ft to the required 5 ft side yard setback for all or a portion of Lot 14, Silver Oak zoned SU-2 C-1 / NC, located on **8812 SILVER OAK LN NE (C-18)**  
**1011220**      **APPROVED**
47. **17ZHE-80093**      **Project#**      **SILVER OAK DEVELOPERS, LLC (RIO GRANDE ENGINEERING, AGENT)** requests a special exception to Section 14-16-2-23(A) and North I-25 SDP Pg 3 Sec 1.5(4) and 16DRB-7051 : a VARIANCE of 5 ft to the required 5 ft side yard setback for all or a portion of Lot 15, Silver Oak zoned SU-2 C-1 / NC, located on **8816 SILVER OAK LN NE (C-18)**  
**1011221**      **APPROVED**
48. **17ZHE-80094**      **Project#**      **SILVER OAK DEVELOPERS LLC (RIO GRANDE ENGINEERING, AGENT)** requests a special exception to Section 14-16-2-23(A) and North I-25 SDP Pg 3 Sec 1.5(4) and 16DRB-7051 : a VARIANCE of 5 ft to the required 5 ft side yard setback for all or a portion of Lot 16, Silver Oak zoned SU- 2 C-1 / NC, located on **8820 SILVER OAK LANE NE (C-18)**  
**1011222**      **APPROVED**