APPLICATION FOR SPECIAL EXCEPTION
CITY OF ALBUQUERQUE, PLANNING DEPARTMENT

Office of the Zoning Hearing Examiner
600 2nd Street, NW, Suite 300, 87102
505.924.3918

APPLICATION INFORMATION–PLEASE PRINT

TELEPHONE (INCLUDE AREA CODE)

PROFESSIONAL / AGENT NAME (FIRST, LAST) _____ (H) ___-___-____

MAILING ADDRESS _____ (W) ___-___-____

CITY _____ STATE _____ ZIP CODE _____ (C) ___-___-____

JEAN C. SIMMONS
OWNER NAME (FIRST, LAST–IF ANY) (H) 505-833-5015

5809 CENTRAL NW
MAILING ADDRESS (W) ___-___-____

ABQ NM 87105
CITY STATE ZIP CODE (C) ___-___-____

LEGAL DESCRIPTION OF PROPOSED SPECIAL EXCEPTION–PLEASE PRINT

5809 CENTRAL NW ALB NM 87105
STREET ADDRESS OF SPECIAL EXCEPTION ZIP CODE

C10 TRACT 28 IN SD WITHIN ARTRISCO GRANT PER D P337
LOT(S) TRACT(S) BLOCK(s)

Town of Atrisco Grant Airport Unit
SUBDIVISION / ADDITION / MRGCD MAP NO

101105721034220804
UNIFORM PROPERTY CODE

CRITERIA FOR DECISION– I have been given the Criteria for Decision requirements. Initial Here JS

EXPLANATION OF REQUEST– On additional sheet(s) of paper, please state why you want this Special Exception, based on the Criteria for Decision Requirements.

DRAWINGS OF REQUEST– **ATTACH THREE (3) COPIES.** Please follow instructions on the back of this form and attach the appropriate drawings.

ACKNOWLEDGEMENT– I hereby acknowledge that, to the best of my knowledge, this application is correct and complete and that I have received one or more signs that I have agreed to post and maintain as provided and where instructed. I understand that failure to properly post sign(s) is grounds for deferral of my case

SIGNATURE Jean C. Simmons 2010080020 DATE 1/28/10

----------ZONING ENFORCEMENT OFFICE INTERNAL USE ONLY----------

PROJECT #: 1008162 **APPLICATION #:** 10 ZHE 80020

APPLICATION FOR: (CHECK AS APPROPRIATE)
- ☐ **(ZHE01)** Conditional Use
- ☐ **(ZHE02)** Expansion of a NonConforming Use
- ☐ **(ZHE03)** NonConforming Use / Status Established Building
- ☒ **(ZHE04)** Variance:
  - ☐ Distance ☐ Setback
  - ☐ Height ☐ Parking
  - ☐ Size ☒ Other

SECTION NO. 14-16-3-10(E)(3) REFERENCE SECTION NO: _____

(LEGAL AD) ACTION DESCRIPTION A variance of 10' to the required 10' front landscape buffer for a proposed building

SECTOR DEVELOPMENT AREA: West Rt. 66

ZONED: C-2 ZONE MAP PAGE: K - 11 NO. OF SIGNS ISSUED: 1

5809 Central NW
POST SIGN(S) / STREET ADDRESS OF PROPOSED SPECIAL EXCEPTION

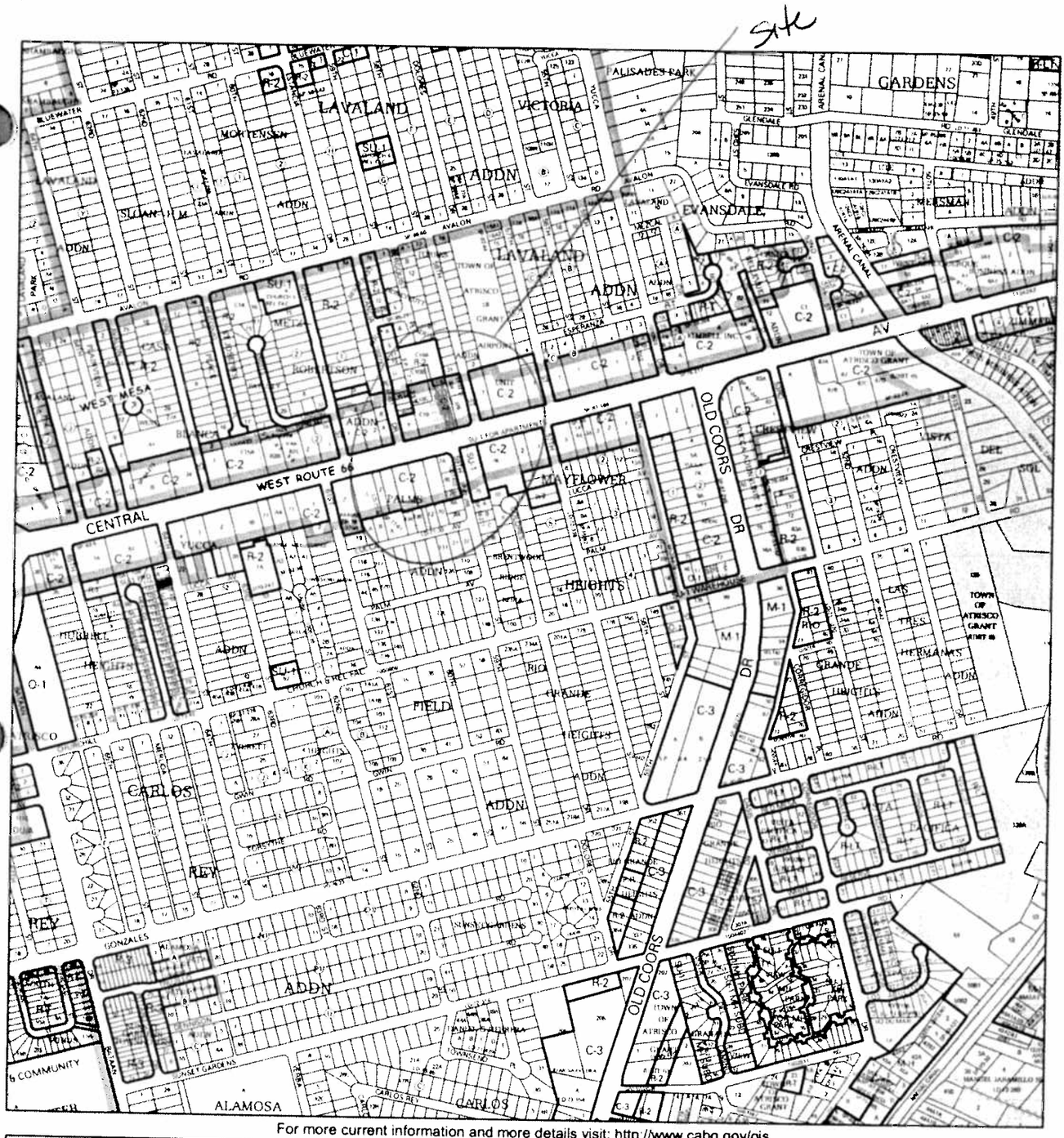
FEE: $ 145.00

David Kilpatrick 1-28-2010
APPLICATION RECEIVED BY Z.E.O. (PRINT FULL NAME) DATE

03-16-10
DATE OF PUBLIC HEARING

City Of Albuquerque
1/28/2010
WS# 007 TRANS# 0005
RECEIPT# 0
PERMIT# 2010080020 TRBASR
Trans Amt $145.00
APN Fee $35.00
Conflict Manag. Fee $10.00
ZHE Actions $100.00
CK $145.00
CHANGE $0.00

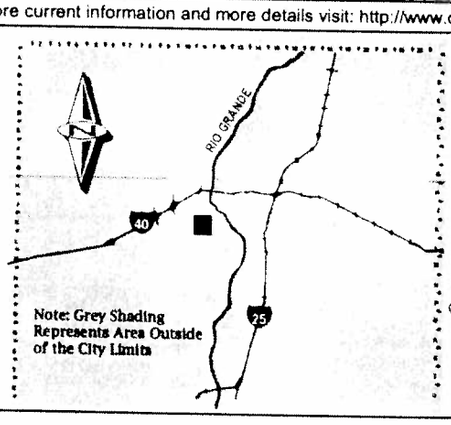
(APN) 441018 / 4971000 $ 35.00
(CMP) 441032 / 3424000 $ 10.00
(ZHE) 441006 / 3451000 $ 100.00



For more current information and more details visit: http://www.cabq.gov/gis

AGIS
Albuquerque Geographic Information System

Map amended through: 6/5/2009



Zone Atlas Page:

K-11-Z

Selected Symbols

- SECTOR PLANS
- Design Overlay Zones
- City Historic Zones
- H-1 Buffer Zone
- Petroglyph Mon.
- Escarpment
- 2 Mile Airport Zone
- Airport Noise Contours
- Wall Overlay Zone

0 750 1,500 Feet

Jean C. Simmons
5809 Central Ave NW
Albuquerque, NM 87105
Phone (505) 833-5015
Fax (505) 833-5015
Brass.elephant@hotmail.com

January 28, 2010

City of Albuquerque
Office of the Zoning Hearing Examiner
600 2nd Street NW
Suite 300
Albuquerque NM 87102

Re: APPLICATION FOR SPECIAL EXCEPTION for C-2 property at 5809 Central NW, ABQ, NM 87105, for the absence of landscaping in the frontage on Central Ave. and the proposed new structure.

The property is exceptional because the land is too long and narrow. Concerning the landscaping, there is not enough room for any planting. It poses no threat to the public health safety or welfare of the community. Nor does interfere with the enjoyment of or is injurious to the other land in the community. No significant public would be served to have landscaping in the front.

The new structure is a quality manufactured building. It will be on a permanent foundation and installed by a licensed contractor with the proper permits and inspections.

Sincerely, Jean Simmons and Manuel Urvanejo,

Jean C. Simmons
Manuel Urvanejo

(2) Any damage to utility lines resulting from the negligence of the abutting landowner, his agents, or employees in the installation and maintenance of the landscaped area in the public right-of-way shall be the responsibility of such landowner. Any damage to utility lines resulting from the growth of plant materials, which have been approved by the applicable public utility as part of a plan for landscaping on the public right-of-way, shall be the responsibility of such public utility. If a public utility disturbs a landscaped area in the public right-of-way, it shall make every reasonable effort to preserve the landscaping materials and return them to their prior locations after the utility work. If, nonetheless some plant materials die, it is the obligation of the abutting landowner to replace the plant materials.

(3) Landscaping shall have adequate maintenance. Landscaping which dies shall be replaced by the owner as expeditiously as possible, but in no case longer than 60 days after notification.

(E) Landscaping Area Requirements.

(1) The total landscaped area required for each development shall equal not less than 15% of the net lot area. For the purposes of this section, ***NET LOT AREA*** means the total area of the lot minus:

(a) The area of the lot covered by buildings;

(b) The portions of the lot that are not required for off-street parking or a parking lot and which are fully screened from view from any adjacent lot or public right-of-way by an opaque wall or fence at least six feet high, in which no landscaping will be required except required buffer landscaping; chain link fence with slats does not constitute acceptable full screening; and

(c) The area of any approved landscaping that the property owner installs and maintains in the adjacent public right-of-way, exclusive of the area of any existing or planned public sidewalk.

(2) Clear sight areas satisfactory to the Planning Director shall be maintained at all exits of parking areas. The clear sight triangle (at street corners), as defined in Chapter 8, Traffic Code, and also in § 14-16-1-5 of this Zoning Code, shall be kept clear.

(3) Standard Landscape Buffers. Landscape buffer areas are required to separate off-street parking and circulation areas from front, side, and rear boundaries of premises. On sites controlled by the shopping center regulations (§ 14-16-3-2) and planned development areas controlled by site development plans, these requirements shall be based on the entire area of the planning site unless otherwise approved by the Planning Commission. Landscape buffers may be crossed by driveways connecting to adjacent land. No parking is permitted within a required landscape buffer area. Landscaping approved within adjacent public right-of-way may be counted toward this requirement if there is no existing or planned public sidewalk between such landscaping and the premises, but in no case shall the width of the on-site landscape buffer be less than five feet. Specific required landscape buffer locations and minimum widths shall be as follows:

(a) Front — Ten feet for sites of three acres or less, increasing at the rate of one foot in width per two-acre increase in site size to a maximum required width of 20 feet.

(b) Side — Six feet. The landscape buffer may be relocated if the lot line is within a common access easement.

Jean C. Simmons
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Sincerely, Jean Simmons and Manuel Urvanejo,

Jean C. Simmons
Manuel Urvanejo

ZONE GRID

No Features found.

OWNERSHIP

Rec	UPC CODE	OWNER	OWNER ADDRESS	OWNER CITY	OWNER STATE	OWNER ZIPCODE	PROPERTY CLASS	D
1	101105721034220804	SIMMONS JEAN C	5809 CENTRAL AVE NW	ALBUQUERQUE	NM	87105	C	A

ZONING

Rec	ZONING	DESCRIPTION
1	C-2	

ZONE GRID

Rec	ZONE ATLAS GRID
1	K11

PARCELS

Rec	NUMBER	NAME	DESIGNATION	QUADRANT	LOT	BLOCK	SUBDIVISION	PIN
1	5809	CENTRAL	AV	NW	C10	0000	TOWN OF ATRISCO GRANT AIRPORT UNIT	ABQ1413

ZONE GRID

No Features found.

ZONE GRID

No Features found.

NEIGHBORHOODS

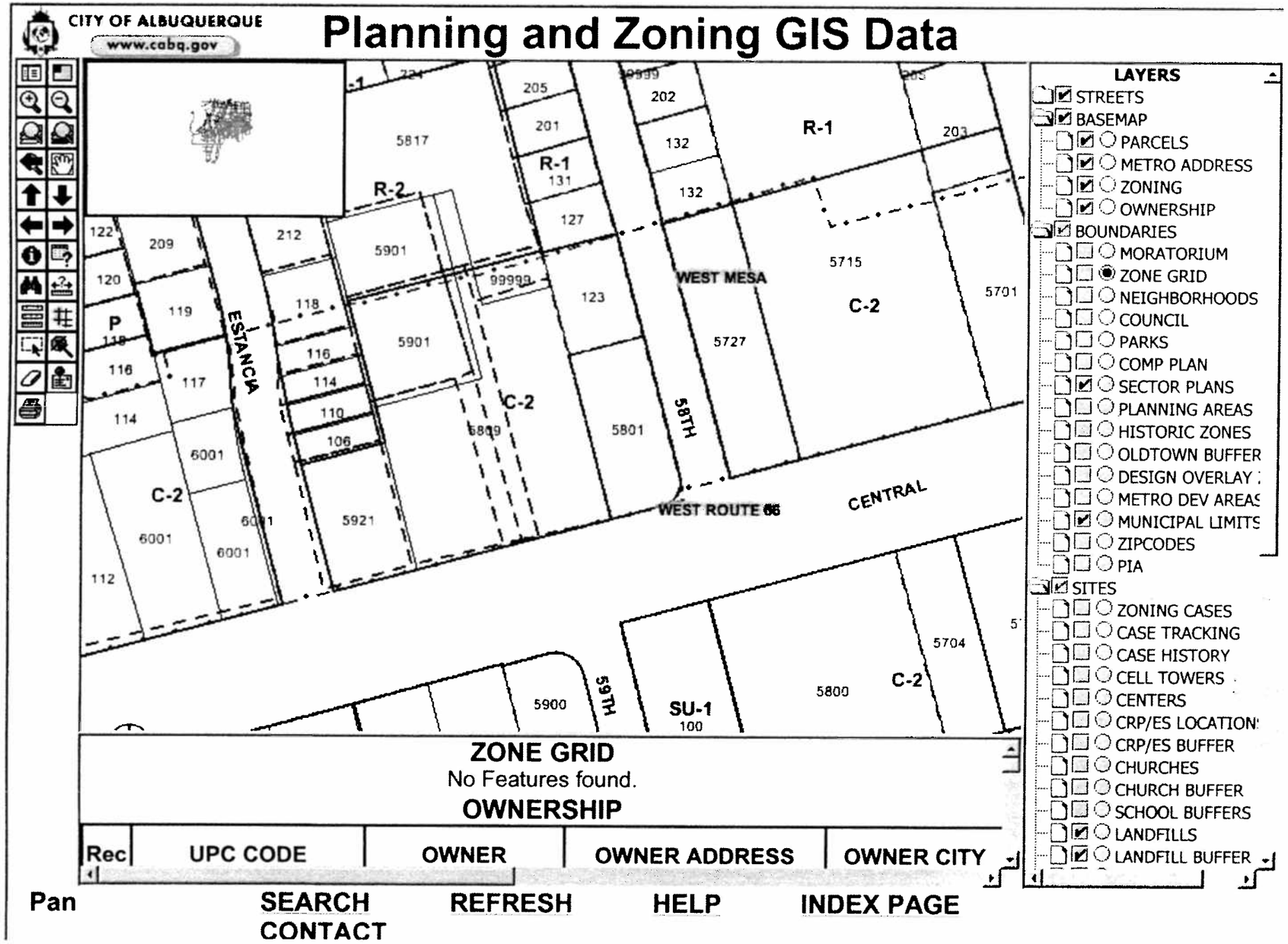
Rec	COASDE.AGIS.NEIGHBORHOODASSOCIATIONS.ASSOCIATIONNAME	COASDE.AGIS.NEIGHBORHOODASSOCIAT
1	WEST MESA	R

SECTOR PLANS

Rec	SECTOR PLAN NAME
1	WEST MESA
2	WEST ROUTE 66

COUNCIL

Rec	COUNCILOR NAME	COUNCIL DISTRICT
1	SANCHEZ	1


CITY OF ALBUQUERQUE
www.cabq.gov
Planning and Zoning GIS Data
LAYERS
STREETS
BASEMAP
PARCELS
METRO ADDRESS
ZONING
OWNERSHIP
BOUNDARIES
MORATORIUM
ZONE GRID
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CELL TOWERS
CENTERS
CRP/ES LOCATION
CRP/ES BUFFER
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SCHOOL BUFFERS
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LANDFILL BUFFER
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59TH
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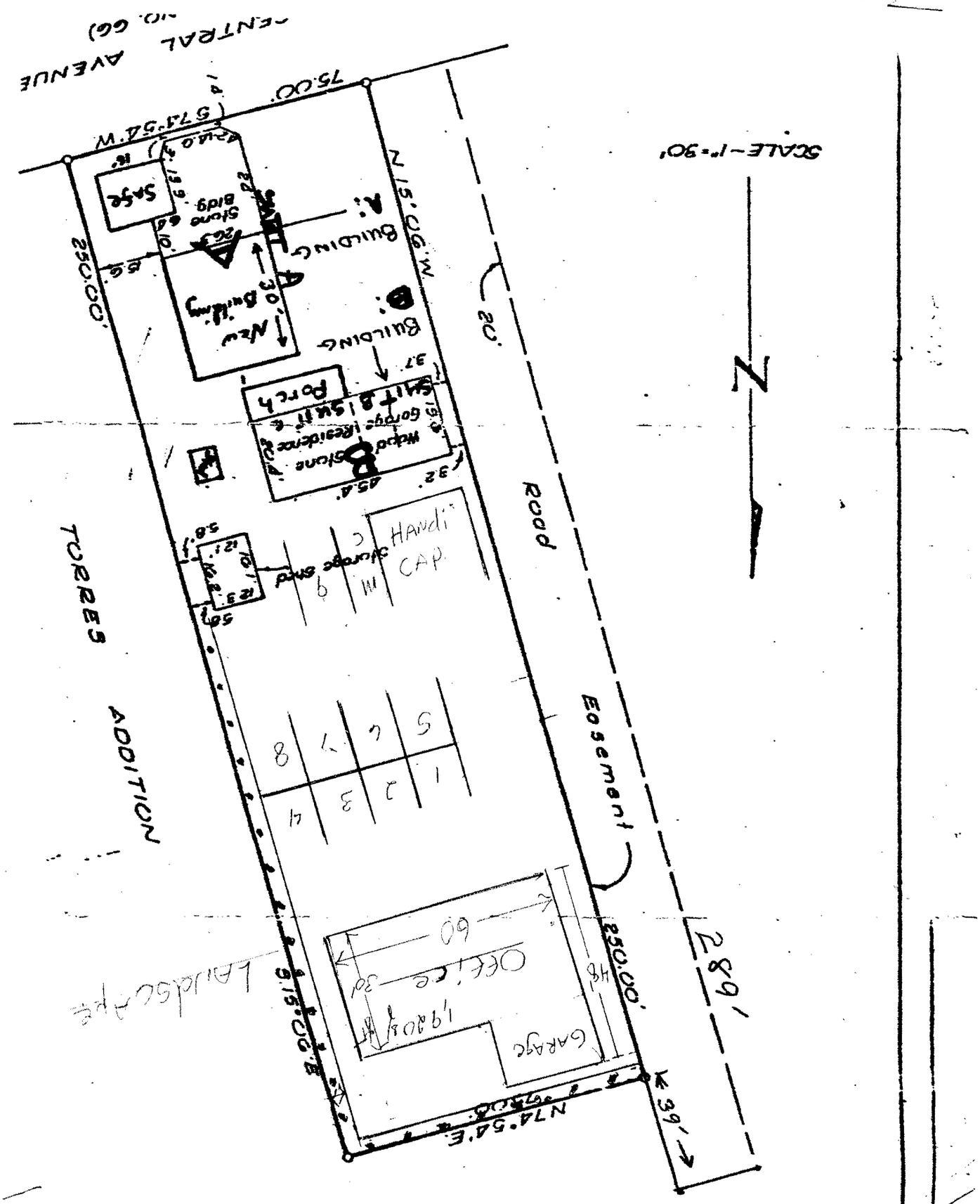
CENTRAL AVENUE
75.00'
S 71°54' W
SCALE - 1" = 30'
N
N 15°06' W
250.00'
20'
Road
Easement
TORRES ADDITION
Safe
Stone Bldg
BUILDING A:
New Building
BUILDING B:
Porch
Garage Residence
Stone
Storage Shed
HANDI CAP
Office
GARAGE
Landscape
S 15°06' E
N 74°54' E
250.00'
289'
39'