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)

John L. Brown
PROFESSIONAL / AGENT NAME (FIRST, LAST) (H) ___-___-____

204 San Mateo SE Suite E
MAILING ADDRESS (W) 505-265-0057

Albuquerque NM 87108
CITY STATE ZIP CODE (C) 505-620-4691 ✓

Greater Albuquerque Habitat for Humanity
OWNER NAME (FIRST, LAST–IF ANY) (H) 505-265-0057

204 San Mateo SE Suite E
MAILING ADDRESS (W) 505-265-0057

Albuquerque NM 87108
CITY STATE ZIP CODE (C) ___-___-____

LEGAL DESCRIPTION OF PROPOSED SPECIAL EXCEPTION–PLEASE PRINT

6100 Townsend Place SW
STREET ADDRESS OF SPECIAL EXCEPTION ZIP CODE 87121

29
LOT(S) TRACT(S) BLOCK(s)

Daniel G. Herrera's
SUBDIVISION / ADDITION / MRGCD MAP NO

10110562575102 1446
UNIFORM PROPERTY CODE

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

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

John L. Brown
SIGNATURE 2010080028 DATE 2/5/2010

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

PROJECT #: 1008174 **APPLICATION #:** 10 ZHE 80028

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. 14-16-2-6(E)(1) REFERENCE SECTION NO: ____

(LEGAL AD) ACTION DESCRIPTION A variance of 2.5' to the required 20' front yard setback for a proposed dwelling

SECTOR DEVELOPMENT AREA: ____

ZONED: R-1 ZONE MAP PAGE: L-11 NO. OF SIGNS ISSUED: 1

~~David Kilpatrick~~ 6100 Townsend SW
POST SIGN(S) / STREET ADDRESS OF PROPOSED SPECIAL EXCEPTION

FEE: $ 145.00

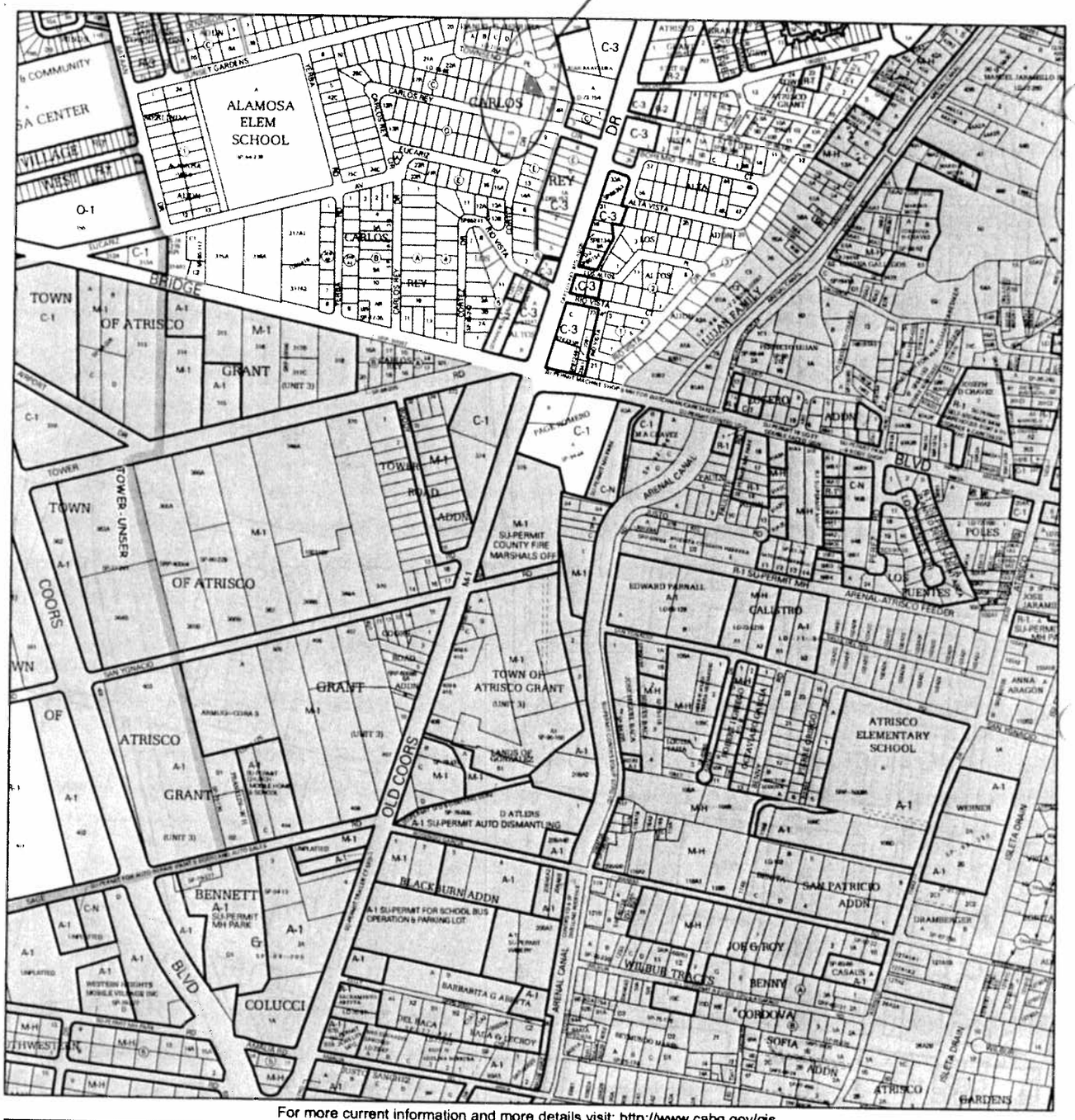
David Kilpatrick 2-5-10
APPLICATION RECEIVED BY Z.E.O. (PRINT FULL NAME) DATE

03-16-10
DATE OF PUBLIC HEARING

City Of Albuquerque
Treasury Division
2/5/2010 WS# 006 TRANS# 0021
RECEIPT# 0011 PERMIT# 2010080028 TRSCXG
Trans Amt $145.00
APN Fee $35.00
Conflict Manag. Fee $10.00
ZHE Actions $100.00
MC $145.00
CHANGE $0.00

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

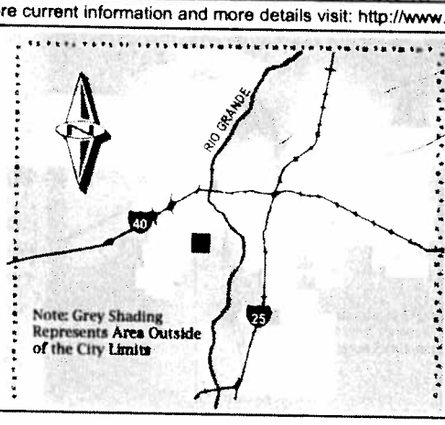
SIR



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:

L-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

from the edge of the street pavement, whichever is more restrictive;

2. The portion of the wall or fence which is more than three feet above the adjacent curb top is essentially an open fence which permits good visibility through it; or

3. On a corner lot, the rear yard of which is contiguous to the front yard of a residentially-zoned lot, and the wall or fence is not in the required front yard setback.

(a) The Zoning Hearing Examiner shall not approve a wall or fence unless the Traffic Engineer finds that the specific plan approved would not be a hazard to traffic visibility.

(b) Wire fences over three feet high and in setback areas are not normally considered to be in harmony with a residential streetscape.

(C) ***Height.*** Structures shall not exceed 26 feet in height, except as provided in § 14-16-3-3 of this Zoning Code and antenna as provided in division (A) of this section.

(D) ***Lot Size.***

(1) Except as provided in division (2) and (3) below, minimum lot area shall be 6,000 square feet. Minimum lot width shall be 60 feet.

(2) (a) Lot standards in subdivisions for which plats are submitted after February 1, 1981, shall be:

1. Minimum lot area of 5,000 square feet.

2. Minimum lot width of 50 feet.

(b) Provided, however, that these standards rather than the standards indicated in division (1) above shall apply only where the Planning Director finds that such a lot size will not depart from a pattern of larger developed lots, which pattern constitutes the established character of the neighborhood.

(3) Lot standards for Family Housing Development subdivisions, which meet the requirements set forth in the Family Housing Development Ordinance or for a lot with vehicle access only to the rear yard from an alley or for a lot with a detached garage located in the rear yard and accessed by a driveway with a maximum width of 12 feet in the front yard and in the side yard abutting the side of the dwelling, shall be:

(a) Minimum lot area of 4,000 square feet.

(b) Minimum lot width of 40 feet.

(E) ***Setback.*** The following regulations apply, except as provided in § 14-16-3-3:

(1) There shall be a front yard setback of not less than 20 feet.

(2) For lots created after January 1, 2005 and for lots granted conditional use approval, if one of the following conditions is met, then there shall be a front yard setback of not less than 15 feet:

(a) There is no front yard driveway and vehicle access is only to the rear yard from an alley, or

from the edge of the street pavement, whichever is more restrictive;

2. The portion of the wall or fence which is more than three feet above the adjacent curb top is essentially an open fence which permits good visibility through it; or

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ZONE GRID
No Features found.

OWNERSHIP

Rec	UPC CODE	OWNER	OWNER ADDRESS	OWNER CITY	OWNER STATE	OWNER ZIPCODE	PROPERTY CLASS	TAX DISTRICT	LEGAL
1	101105625751021446	ESTATE OF SATURNINO BARBOA C/O ROBIN L WHITE	229 SHANGRI LA CT NW	ALBUQUERQUE	NM	87107	V	A1A	* 029 DANIEL G HEF

ZONING

Rec	ZONING	DESCRIPTION
1	R-1	

ZONE GRID

Rec	ZONE ATLAS GRID
1	L11

PARCELS

Rec	NUMBER	NAME	DESIGNATION	QUADRANT	LOT	BLOCK	SUBDIVISION	PIN
1	6100	TOWNSEND	PL	SW	29	0000	HERRERA--DANIEL G	ABQ161002

ZONE GRID
No Features found.

ZONE GRID
No Features found.

NEIGHBORHOODS

Rec	COASDE.AGIS.NEIGHBORHOODASSOCIATIONS.ASSOCIATIONNAME	COASDE.AGIS.NEIGHBORHOODASSOCIATIONS.ASSOCIATIONSTATUS
1	ALAMOSA	R

ZONE GRID
No Features found.

COUNCIL

Rec	COUNCILOR NAME	COUNCIL DISTRICT
1	BENTON	3

ZIPCODES

Rec	ZIPCODE
1	87121

ZONE GRID
No Features found.

Greater Albuquerque
Habitat for Humanity®
Help Build It!

City of Albuquerque, Planning Department

February 5, 2010

Subject Application for Special Exception for 6100 Townsend Place SW

This parcel is irregular in shape being a corner wedge shaped versus the near uniform rectangular shape as most of the others parcels and is exceptional as compared with most other parcels in the vicinity. The typical lots along south side of Townsend Place are 125' deep but lot #29 is 92.5' at less than 18' from the west property line (the NE corner of proposed garage). This subdivision at lot #29 as developed has approximately 13' from back of curb to the property line and sidewalks were placed at back of curb so the distance from back of sidewalk to property line is over 9' for this lot. Because of this configuration, there would still be 6.5' more that the normal 20' of drive to the public sidewalk. The encroachment is from zero to 30" for a total of approximately 16 SF.

Part A - Exceptional Lot

This parcel is irregular in shape being a corner wedge shape versus the nearly uniform rectangular shape as most of the others parcels and is exceptional as compared with most other parcels in the vicinity.

Part B - Unnecessary Hardship

If the residence is to be built within the normal setbacks, the residence's length would have to be shorten which would require that the kitchen and/or two bedrooms be reduced in length or the garage changed to a storage room or the house redesigned to be wider with probable increase in both heated and unheated square footage. His would usability or increase the cost of the home and making it less affordable for Habitat's typical lower that 50% of poverty level income purchaser.

Part C - Variance Appropriate

The home has been proposed to be located at the rear setback line and the front outer corner of the house at the 5' side yard setback to mitigate the encroachment into the front yard setback; however, there is still 30" encroachment into the front yard setback, see attached proposed layout of the home on the lot.

Greater Albuquerque Habitat for Humanity has also elected to build a 3 bedroom home on this parcel rather than the four bedroom model which has a wider front width than the three bedroom model.

This encroachment will not interfere with the front line of the adjacent residences to the west because of the knuckle of the street corner; this will required that this residence be set farther to the rear that the existing residences.

This variance appears to Greater Albuquerque Habitat for Humanity to be consistent with the spirit of the zoning ordinance and the general public interest and the above gives substantial justification for this variance to the front yard setback

While not the sole or overriding factor, there would be a financial loss to Habitat for Humanity or home purchaser for redesigning the home for staying within the setbacks of the property.

Please advise if we at Greater Albuquerque Habitat for Humanity could be of farther assistance to you on this matter.

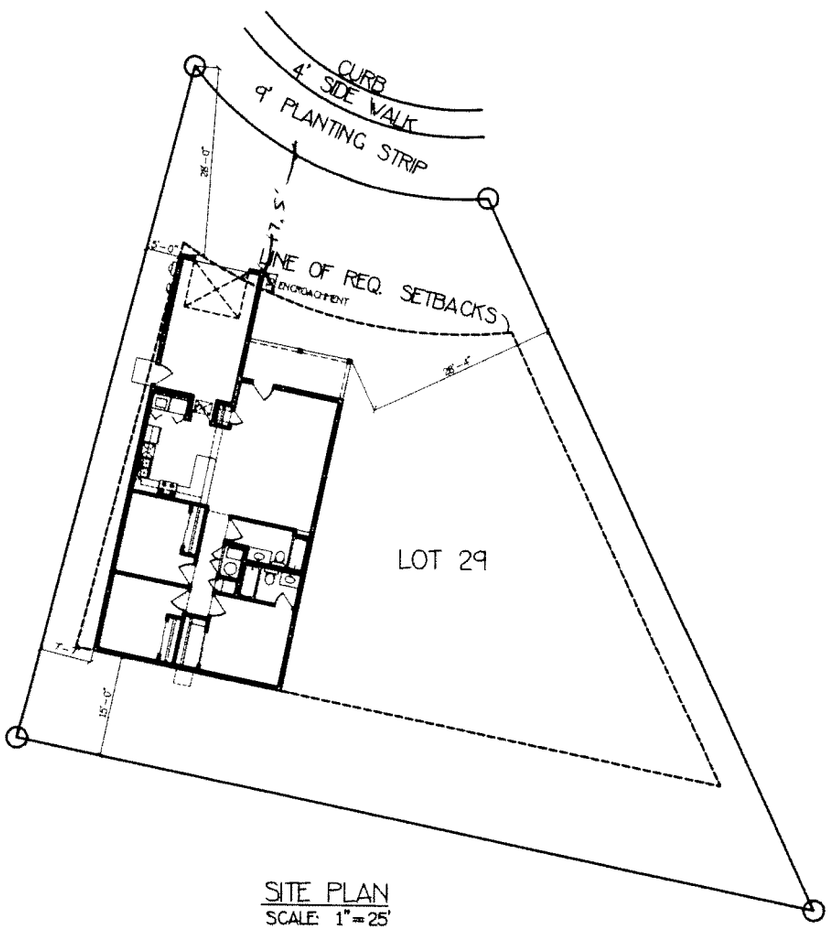
Sincerely,

Chris Lehman

Chris Lehman, Executive Director

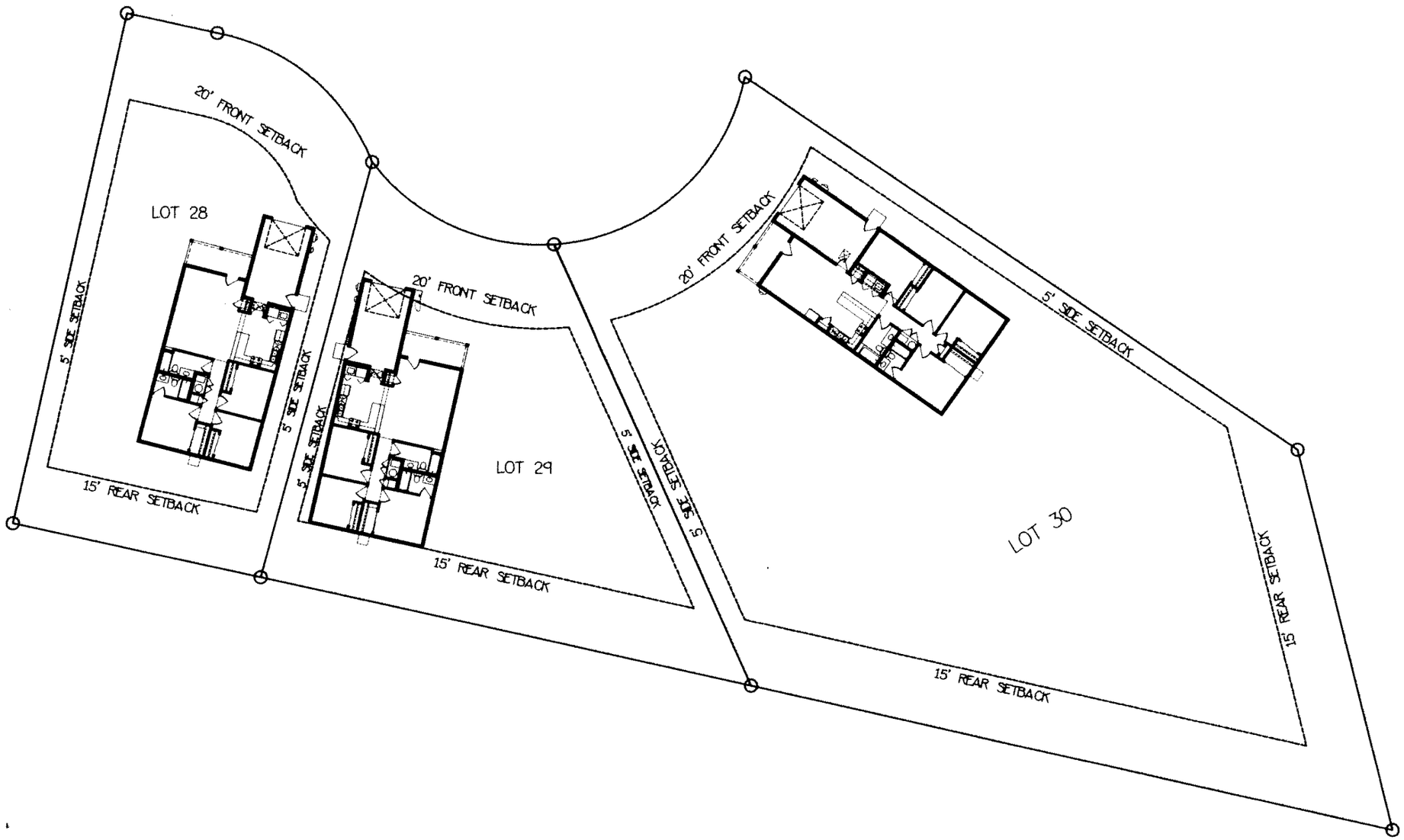
204 San Mateo Blvd. SE, Suite E
Albuquerque, NM 87108
Phone: 505-265-0057 · Fax: 505-255-0937
www.habitatabq.org

Home of ReStore
505-217-0130



SITE PLAN
SCALE: 1"=25'

LEGAL DESCRIPTION
LOT #29, OF DANIEL G. HERRERA'S SUBDIVISION
UNIT NO. 6, TOWN OF ATRISCO GRANT
ALBUQUERQUE, BERNALILLO COUNTY, NM


20' FRONT SETBACK
LOT 28
5' SIDE SETBACK
15' REAR SETBACK
5' SIDE SETBACK
20' FRONT SETBACK
5' SIDE SETBACK
LOT 29
15' REAR SETBACK
5' SIDE SETBACK
5' SIDE SETBACK
20' FRONT SETBACK
5' SIDE SETBACK
LOT 30
15' REAR SETBACK
15' REAR SETBACK