

# APPLICATION FOR SPECIAL EXCEPTION CITY OF ALBUQUERQUE, PLANNING DEPARTMENT

Office of the Zoning Hearing Examiner  
600 2<sup>nd</sup> 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) \_\_\_\_\_

OWNER NAME (FIRST, LAST-IF ANY) Joseph Olmi

(H) 505-620-8864

MAILING ADDRESS 8509 La Palomita Rd NE /

(W) 505-924-1031

Albuquerque

CITY NM STATE 87111 ZIP CODE \_\_\_\_\_

## LEGAL DESCRIPTION OF PROPOSED SPECIAL EXCEPTION-PLEASE PRINT

STREET ADDRESS OF SPECIAL EXCEPTION 1005 5<sup>th</sup> St NW ZIP CODE 87102

\_\_\_\_\_

LOT(S) N. 48<sup>ft</sup> of S. 95<sup>ft</sup> of lot 9, 10, 11 and 12

\_\_\_\_\_

\_\_\_\_\_

TRACT(S) \_\_\_\_\_

BLOCK(S) \_\_\_\_\_

SUBDIVISION / ADDITION / MRGCD MAP NO J.F. Girard Addition

UNIFORM PROPERTY CODE 101405818025920307

## CRITERIA FOR DECISION-

I have been given the Criteria for Decision requirements.

Initial Here \_\_\_\_\_

## EXPLANATION OF REQUEST-

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

NO

## DRAWINGS OF REQUEST-

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

## TRAFFIC ENGINEERING REVIEW-

REQUIRED FOR ALL WALLS, FENCES, AND CARPORTS IN THE FRONT AND STREET SIDE YARD SETBACKS. Call the Traffic Investigations Supervisor at 505.857.8685 for Site Plan Review. Delay of your case will result if you do not obtain comments from the Traffic Analysis Supervisor.

Initial Here \_\_\_\_\_

## 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 [Signature]

2008080326

DATE 08/11/2008

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

PROJECT #: 1007429

APPLICATION #: 08ZHE80326

## APPLICATION FOR: (CHECK AS APPROPRIATE)

- (ZHE01) Conditional Use
  - (ZHE02) Expansion of a NonConforming Use
  - (ZHE03) NonConforming Use / Status Established Building
- 14-16-2023 Street MRD

(ZHE04) Variance:

- Distance  Setback
- Height  Parking
- Size  Other

SECTION NO. Downtown Neighborhoods MRD REFERENCE SECTION NO. \_\_\_\_\_

(LEGAL AD) ACTION DESCRIPTION Requesting a conditional use to allow 100% of the floor area for office use.

SECTOR DEVELOPMENT AREA: Downtown Neighborhoods

ZONED: SD-2 MRD

ZONE MAP PAGE: 3-14

NO. OF SIGNS ISSUED: 1

1005 5<sup>th</sup> St NW

DATE RECEIVED: 08-11-08

FEE: \$ 145.00

POST SIGN(S) / STREET ADDRESS OF PROPOSED SPECIAL EXCEPTION \_\_\_\_\_

APPLICATION RECEIVED BY Z.E.O. (PRINT FULL NAME) Michael Anaya

DATE OF PUBLIC HEARING 09-16-08

TRANS. FEE: \$145.00  
 APPL. FEE: (CMP) 441032 / 3424000 \$ 10.00  
 CONFLICT MANAG. FEE \$10.00  
 THE ACTION(S)(ZHE) 441006 / 3451000 \$ 145.00  
 CHARGE \$10.00

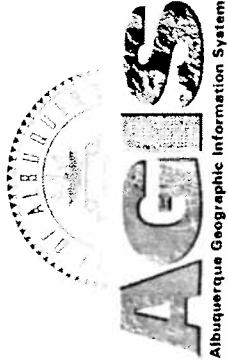


For more current information and more details visit: <http://www.cabq.gov/gis>

Zone Atlas Page:  
**J-14-Z**

Selected Symbols

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



Map amended through: 9/6/2007

Note: Grey Shading  
Represents Area Outside  
of the City Limits



## Request for Conditional Use of 1005 5th St NW.

We are requesting conditional use zoning of the above property for use as 100% professional office space while preserving and maintaining residential character.

We are requesting conditional use of 1005 5th St NW, which is in compliance with the Downtown Neighborhood Area sector development plan. The property is currently zoned SU-2 MRO. Adjacent zoning is RC, O and NC.

We are requesting that we be allowed to use the property 100% as a private professional office that will not generate high noise, traffic or litter. Examples of such offices are architects, business and investment consultants, engineers, geologists, lawyers, physicians, psychiatrists, psychologists and real estate professionals. The conditional use is compliant with the sector plan as obtained from the City of Albuquerque Zoning Code Appendix H and described on pages AH-15 and AH-16 under **MRO** items 7a-e. The conditional use will not significantly change the exterior of the property. Repairs have been made and landscaping revitalized to improve the appearance of the property.

The structure will maintain the appearance of a residential unit and will be maintained in a manner which will protect, preserve and enhance the existing architectural and residential character.

Any signage will remain compliant with the sector development plan.

Improvements / changes include:

1. Removed weeds, overgrown shrubs and converted grass to low maintenance landscaping and additional off street parking.
2. Repainted exterior of structure.
3. Replaced windows in structure.
4. Preserved and restored residential character of the property.

Attached:

1. Pages AH-15 and AH-16 of Appendix H City of Albuquerque Zoning Code
  2. Photos show subject property before and after repairs along with adjacent properties .
-

2A-4  
(a) Structurally sound main buildings will be rehabilitated and maintained in a manner which will protect, preserve, and enhance their existing architectural character and/or residential character. New construction will be compatible in scale, style, and materials with neighboring residential buildings.

(b) Landscaping compatible with neighborhood landscaping and with the landscaping of the Lomas Pedestrianway will be provided and maintained.

(c) Signage will not include visible bulbs, interior illumination, neon tubing, luminoir paints, plastics, or moving parts and will be compatible in design with the neighborhood character.

(d) Office development will be for uses which do not generate high levels of traffic, noise, or litter. Examples of offices which would usually be in this category are accountants, architects, business and investment consultants, engineers, geologists, lawyers, physicians, dentists, psychiatrists, psychologists, and realtors. For consideration of such uses the Zoning Hearing Examiner shall impose certain parking requirements or other traffic controls when necessary to accomplish the goals set forth in this plan.

(e) A Site Development Plan shall be presented to and approved by the Zoning Hearing Examiner with any applications for a conditional use.

The MRO, Mixed Residential/Office land use category corresponds to the R-T Residential Zone in the Zoning Code, including any subsequent amendments, and is subject to the same regulations as that zone with the following exceptions:

1. The minimum lot area is 2000 square feet.
2. The off-street parking requirement is one and one-fourth spaces per dwelling unit for residential development.
3. For non-residential development, the Zoning Code parking requirement shall apply. Off-street parking is not permitted between the structures and the adjacent street right-of-way, but is permitted in existing driveways and garages and between the structure and the alley.
4. The useable open space requirement is 500 square feet per dwelling unit.
5. Uses permissive in the O-1 Zone shall be permissive in this zone if the non-residential floor area does not exceed one-half of the gross floor area on the lot.
6. Signs are permitted as in the RC, Residential/Commercial Zone in the Zoning Code.  
Use of 100% of the floor area for offices is conditional providing the following criteria are met:
  - ✓ a. Structurally sound main buildings will be rehabilitated and maintained in a manner which will protect, preserve, and enhance their existing architectural character and/or residential character.

**ZONE GRID**  
No Features found.

**OWNERSHIP**

Rec	COASDE.BERNCO.ParcelIDec_2007.UPC	COASDE.BERNCO.ParcelIDec_2007.OWNER	COASDE.BERNCO.ParcelIDec_2007.OWNADD
1	101405818025920307	OLMI JOSEPH	1005 5TH ST NW

**ZONING**

Rec	ZONING	DESCRIPTION
1	SU-2	M/R/O

**ZONE GRID**

Rec	ZONE ATLAS GRID
1	J14

**PARCELS**

Rec	NUMBER	NAME	DESIGNATION	QUADRANT	LOT	BLOCK	SUBDIVISION	PIN
1	1005	5TH ST	NW	11	5	GIRARD ADDN	ABQ119844	

**ZONE GRID**

No Features found.

**ZONE GRID**

No Features found.

**NEIGHBORHOODS**

Rec	COASDE.AGIS.NEIGHBORHOODASSOCIATIONS.ASSOCIATIONNAME	COASDE.AGIS.NEIGHBORHOODASSOCIATIONS.ASSOCIATIONNAME
1	DOWNTOWN	R

**SECTOR PLANS**

Rec	SECTOR PLAN NAME
1	DOWNTOWN NEIGHBORHOODS

**COUNCIL**

Rec	COUNCILOR NAME	COUNCIL DISTRICT
1	BENTON	3

**ZIPCODES**

Rec	ZIPCODE
1	87102

Subject Property  
Before any repairs or improvements 04/2006



Subject Property  
Current condition 08/2008



1001 5th St NW (100% office)  
adjacent to south of subject property.  
(shown with subject property)



1015 5th St NW (100% office)  
1017 5th St NW (100% office)  
Adjacent to north of subject property.



1008 5th St NW (100% office space)  
Adjacent to the east of subject property





# EXHIBIT 'A'

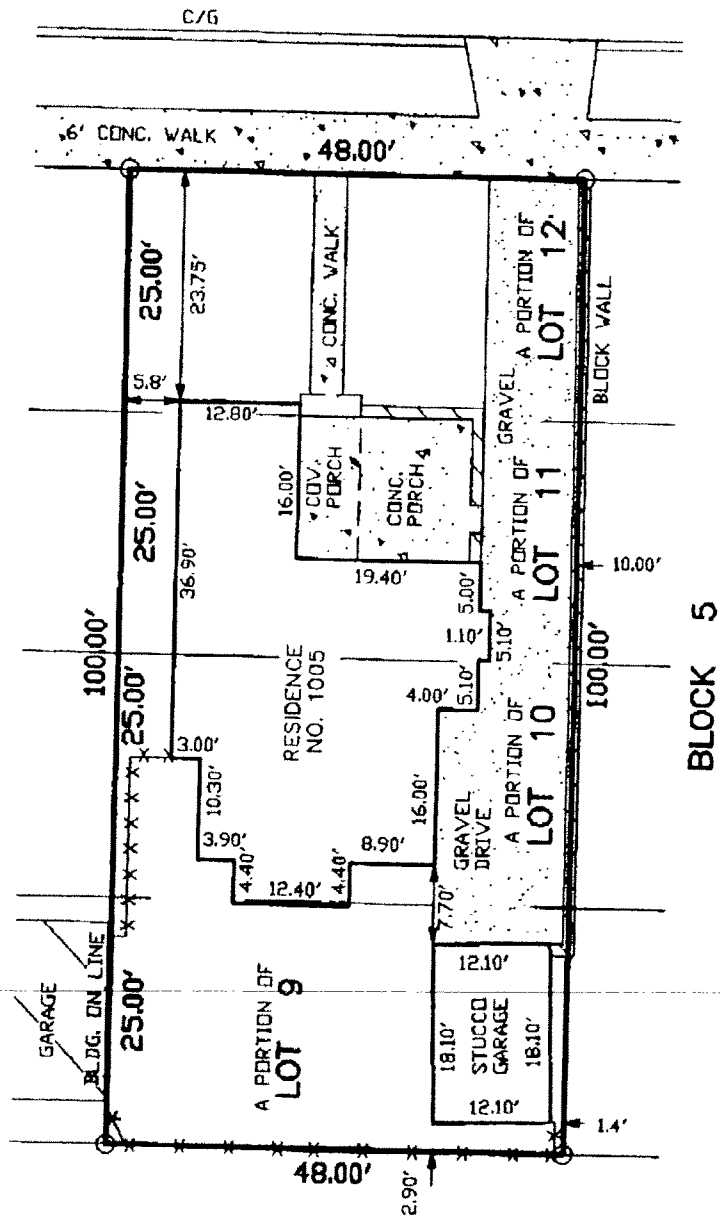
## TO IMPROVEMENT LOCATION REPORT

### LEGAL DESCRIPTION:

THE NORTH FORTY-EIGHT FEET (N. 48') OF THE SOUTH NINETY-FIVE FEET (S. 95') OF LOTS NUMBERED NINE (9), TEN (10), ELEVEN (11) AND TWELVE (12), IN BLOCK NUMBERED FIVE (5), OF THE J.F. GIRARD ADDITION TO THE CITY OF ALBUQUERQUE, NEW MEXICO, AS THE SAME ARE SHOWN AND DESIGNATED ON THE MAP OF SAID ADDITION FILED IN THE OFFICE OF THE PROBATE CLERK AND EX-OFFICIO RECORDER OF BERNALILLO COUNTY, NEW MEXICO, ON APRIL 5, 1909. MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF GRANITE AVENUE AND NORTH FIFTH STREET AND RUNNING THENCE NORTHERLY ALONG THE WEST SIDE OF NORTH FIFTH STREET FORTY-SEVEN FEET (47') TO THE POINT OF BEGINNING, AND RUNNING THENCE WESTERLY ON A LINE PARALLEL TO GRANITE AVENUE ONE HUNDRED FEET (100'), RUNNING THENCE WESTERLY ON A LINE PARALLEL TO NORTH FIFTH STREET FORTY-EIGHT FEET (48') RUNNING THENCE EASTERLY ONE HUNDRED FEET (100') TO A POINT ON THE WEST LINE OF NORTH FIFTY STREET AND RUNNING THENCE SOUTHERLY ALONG THE WEST LINE OF NORTH FIFTY STREET FORTY-EIGHT FEET (48') TO THE POINT AND PLACE OF BEGINNING.

This is not a survey for use by a property owner for ANY purpose.

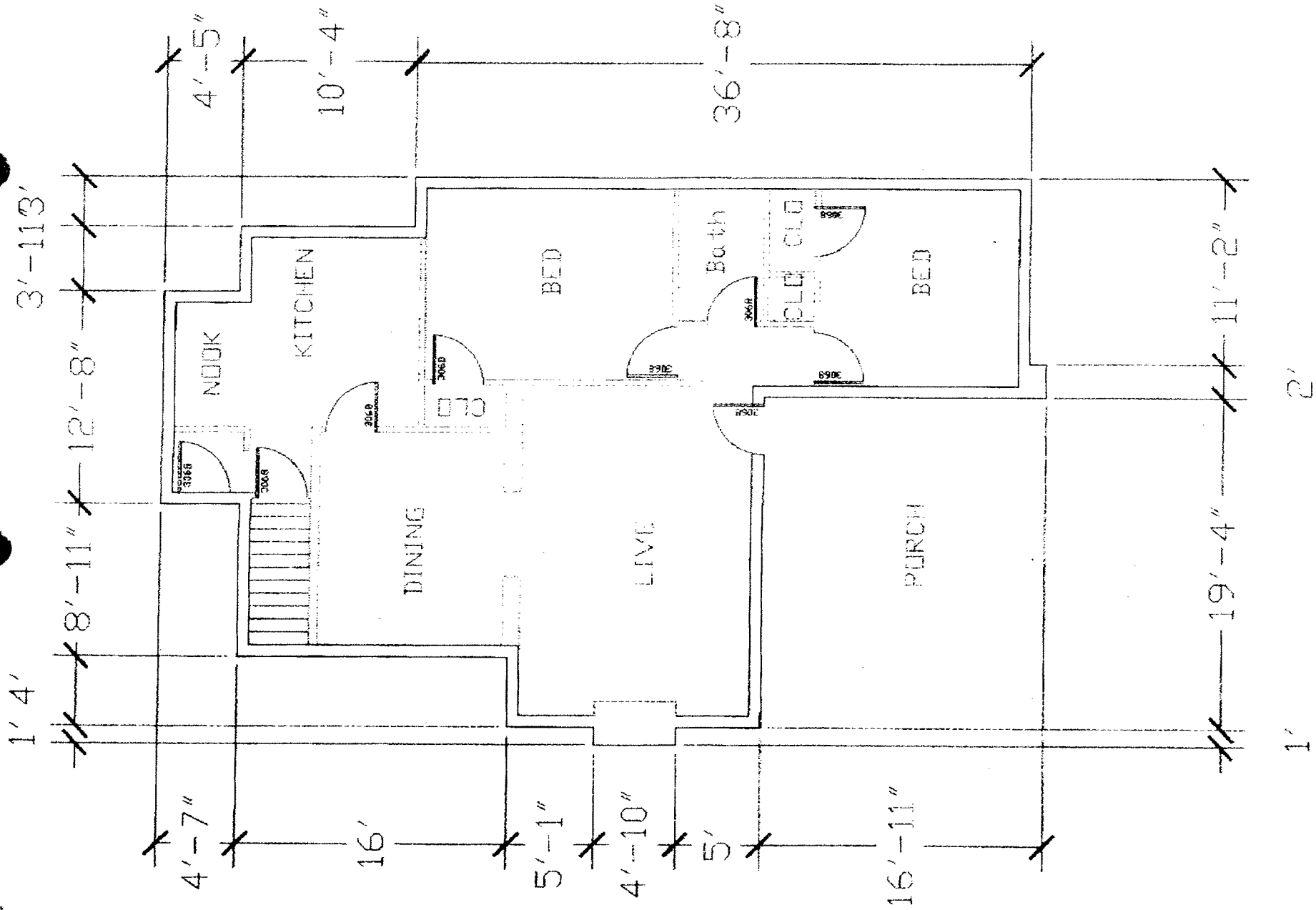
N O R T H   F I F T H   S T R E E T   N . W .



Scale: 1" = 20'  
Order No.: 06-1140  
Field Book: #  
Ordered By: # Page:

Anthony L. Harris, N.M.P.S. #11463 HARRIS SURVEYING, INC.  
2412-D Monroe Street, N.E. • Albuquerque, New Mexico 87110  
Telephone (505) 889-8058 • FAX (505) 889-8645

The property shown hereon is \_\_\_\_\_ within the  
100 year flood plain. Zone "\_\_\_\_"; FIRM Panel  
# \_\_\_\_\_ Dated: \_\_\_\_\_



2'