



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) _____

OWNER NAME (FIRST, LAST-LEANY) Gualter & Emma Hernandez (H) 505-247-2909

MAILING ADDRESS 410 Santa Fe Ave SE (W) _____

CITY Albuquerque STATE N.M. ZIP CODE 87102 (C) _____

LEGAL DESCRIPTION OF PROPOSED SPECIAL EXCEPTION-PLEASE PRINT

STREET ADDRESS OF SPECIAL EXCEPTION 410 Santa Fe Av SE ZIP CODE 87102

LOT(S) Lewis & Simonds Addnw TRACT(S) 6 BLOCK(S) _____

SUBDIVISION / ADDITION / MRGCD MAP NO. 101405-139309041712

UNIFORM PROPERTY CODE _____

CRITERIA FOR DECISION-

I have been given the Criteria for Decision requirements. Initial Here EAH

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.

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 EAH

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 Esuica

DATE 8-28-08

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

PROJECT #: 1007447

APPLICATION #: 08 ZHE 80338

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. South Broadway 1945. REFERENCE SECTION NO. 14-16-2-6(B)(14)(a)(2)

(LEGAL AD) ACTION DESCRIPTION Requesting a conditional use to allow an existing 4' fence in the required frontyard setback

SECTOR DEVELOPMENT AREA: South Broadway

ZONED: SU-2 MR ZONE MAP PAGE: K-14 NO. OF SIGNS ISSUED: 2

POST SIGN(S) / STREET ADDRESS OF PROPOSED SPECIAL EXCEPTION 410 Santa Fe Ave SE

FEE: \$ 195.00

APPLICATION RECEIVED BY Z.E.O. (PRINT FULL NAME) Michael Anaya DATE 08-28-08

10-21-08

DATE OF PUBLIC HEARING

(APN) 441018 / 4971000 \$ 35.00

(CMP) 441032 / 3424000 \$ 10.00

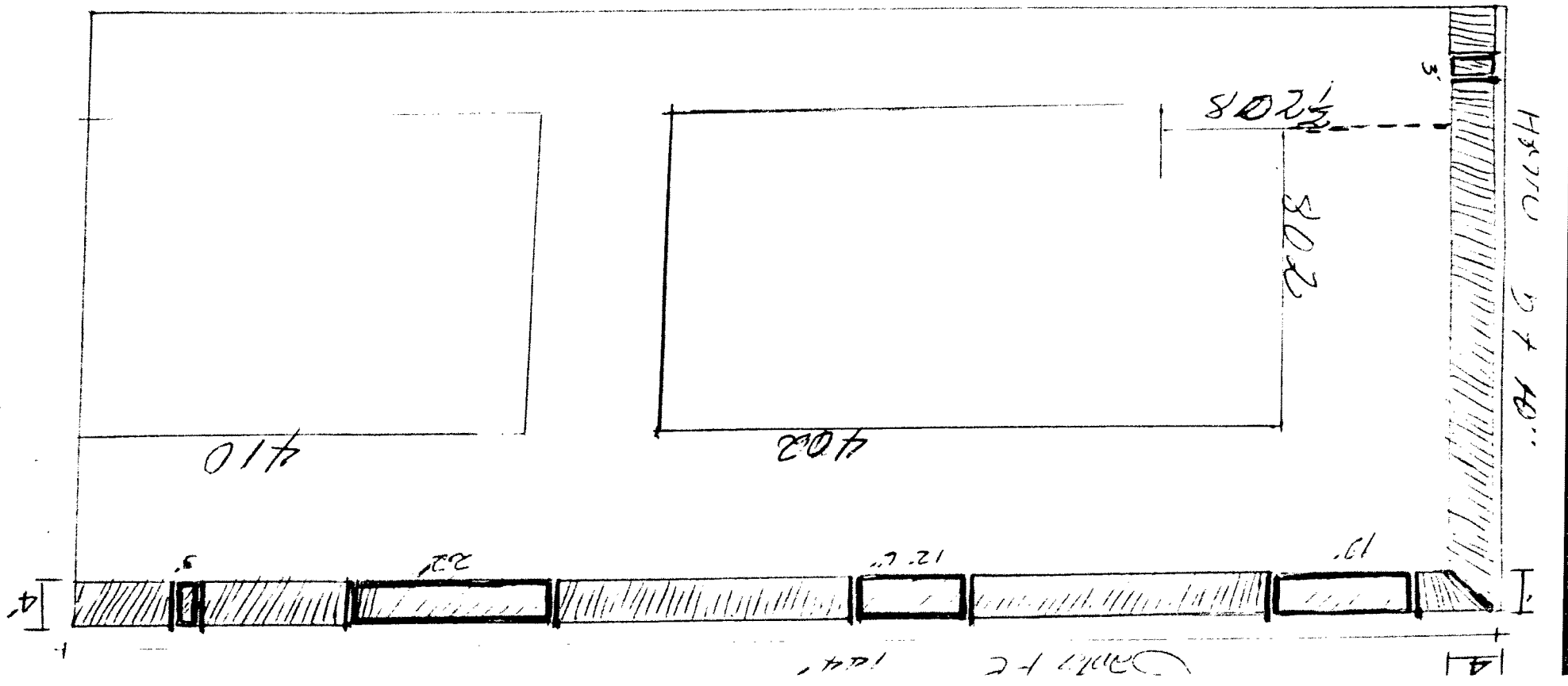
(ZHE) 441006 / 3451000 \$ 100.00

To: City of Albuquerque
Zoning Enforcement Division
from: Guadalupe & Emma Hernandez

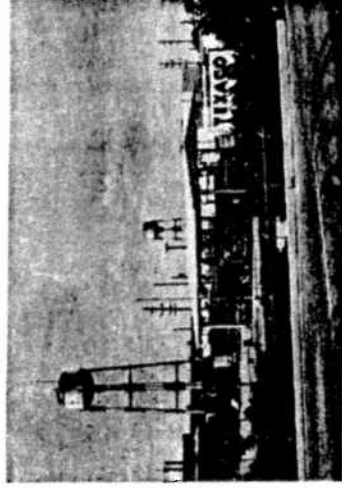
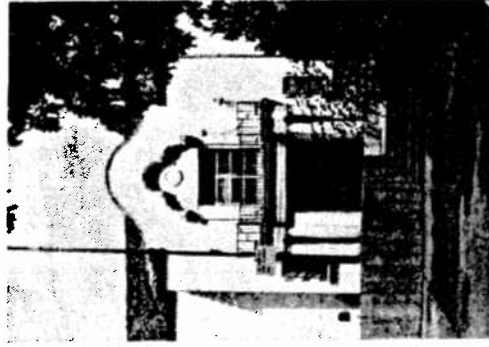
Our fence has 4' feet height, but
1) Our fence will not be injurious to
the adjacent property, the neighborhood,
or community;

2) Will not be significantly damaged
by surrounding structures or activities.

We show you in these photos.



South Broadway Neighborhoods Sector Development Plan



City of Albuquerque
Planning Department/Redevelopment Division

APPENDIX A

ZONING
South Broadway
(SU-2)

The South Broadway Neighborhoods Area is zoned SU-2 Special Neighborhood Zone, Redeveloping Area, as provided in the Comprehensive City Zoning Code, Article XIV, Chapter 7 of the Revised Ordinances of Albuquerque, New Mexico, 1974. The land uses in the South Broadway Area are governed by the land uses shown on the attached map.

1. The Mixed Residential /MR land use corresponds to the R-1 Residential Zone in the Comprehensive City Zoning Code with the following exceptions:

A. Conditional Uses:

1. Conditional uses shall include uses listed as conditional in the R-1 zone, and in addition:
 - a. Uses listed as permissive and as regulated in the R-2 Zone and as regulated except Group Training Homes.
 - b. Churches and other places of worship, including incidental recreational and educational facilities.
 - c. Nursing or rest home with a maximum of six people (provided that there is a resident caretaker, and it is licensed by the State).
 - d. Libraries.
 - e. Fire Stations.
2. Group Training Homes as defined for conditional use by the City Zoning Code are not allowed.
3. Existing churches and other places of worship and incidental facilities shall be considered an approved conditional use.

B. Lot Size:

Minimum lot area shall be 6,000 square feet except for lots developed with houses shall be 5,000 square feet per house; a house lot shall have a width of not less than 50 feet.

I. The Limited Commercial Residential/LCR Zone corresponds to the RC /Residential Commercial Zone in the City Zoning Code with the following exceptions.

Permissive Uses:

Non-Residential uses listed as permissive are not limited by floor area.
Conditional Uses:

1. Existing legal non-conforming uses or uses which become non-conforming upon adoption of this plan are approved conditional uses (see text, page 41, "EXISTING USES").

- (7) Health care, including physicians, massage, therapy, etc. (but not nursing homes), as physically limited under home occupations.
- (8) Public library.
- (9) Public utility structure which is not permissive.
- (10) Recreational facility (non-profit), such as community center, swimming pool, tennis club.
- (11) Second kitchen within a house, provided:
- (a) The kitchen is incidental to occupancy of the entire house in common by members of one family (as herein defined); that, in fact, there would not be two separate and distinct dwelling units, each exclusively occupied by some family members.
- (b) If such use is approved, the Zoning Hearing Examiner shall record the terms of the action with the County Clerk, together with a signed acceptance of such terms by the owners. The terms of the city action shall run with the land.
- (12) Shade structure including a covered patio, a gazebo, a pergola, a ramada or similar roofed structure, either detached or attached, in the required rear yard setback area, provided:
- (a) No part is within three feet of a property line.
- (b) No building wall is ever built within the required setback area.
- (c) No more than 50% of the required rear yard setback area is covered by a roof.
- (d) The structure shall not exceed 12 feet in height nor shall it exceed the height of the principal building on the site.
- (e) A second floor deck is prohibited.
- (f) The specific structure proposed is in harmony with the building site and with surrounding sites.
- (13) Storage structure or yard for equipment, material, or activity incidental to a specific construction project, provided it is of a temporary nature and is moved after the specific construction project is completed or work on the project has been dormant for a period of six or more months, and further provided that it is limited to a period of one year. Incidental signs may also be approved.
- (14) Walls, fences, and retaining walls, in a setback area where height is normally limited to three feet, up to five feet high when less than ten feet from the property line, and up to six feet high when ten or more feet from the property line, provided:
- (a) It is attractive and in harmony with its site, the style of the wall or fence blending architecturally with the adjacent residences and with the general streetscape, it is consistent with the requirements of Section § 14-16-3-19, and it is at least one of the following:
1. At least 11 feet from the public sidewalk or planned public sidewalk location, or 14 feet

ZONE GRID
No Features found.

OWNERSHIP

Rec	COASDE.BERNCO.ParcelDec_2007.UPC	COASDE.BERNCO.ParcelDec_2007.OWNER	COASDE.BERNCO.ParcelDec_2007.OWNADD
1	101405739309041712	HERNANDEZ GUALTER & EMMA	410 SANTA FE SE

ZONING

Rec	ZONING	DESCRIPTION
1	SU-2	MR

ZONE GRID

Rec	ZONE ATLAS GRID
1	K14

PARCELS

Rec	NUMBER	NAME	DESIGNATION	QUADRANT	LOT	BLOCK	SUBDIVISION	PIN
1	410	SANTA FE AV	SE	7	6	LEWIS & SIMONDS ADDN	ABQ155060	

ZONE GRID

No Features found.

ZONE GRID

No Features found.

NEIGHBORHOODS

Rec	COASDE.AGIS.NEIGHBORHOODASSOCIATIONS.ASSOCIATIONNAME	COASDE.AGIS.NEIGHBORHOODASSOCIATIONS.ASSOCIATIONNAME
1	SOUTH BROADWAY	

SECTOR PLANS

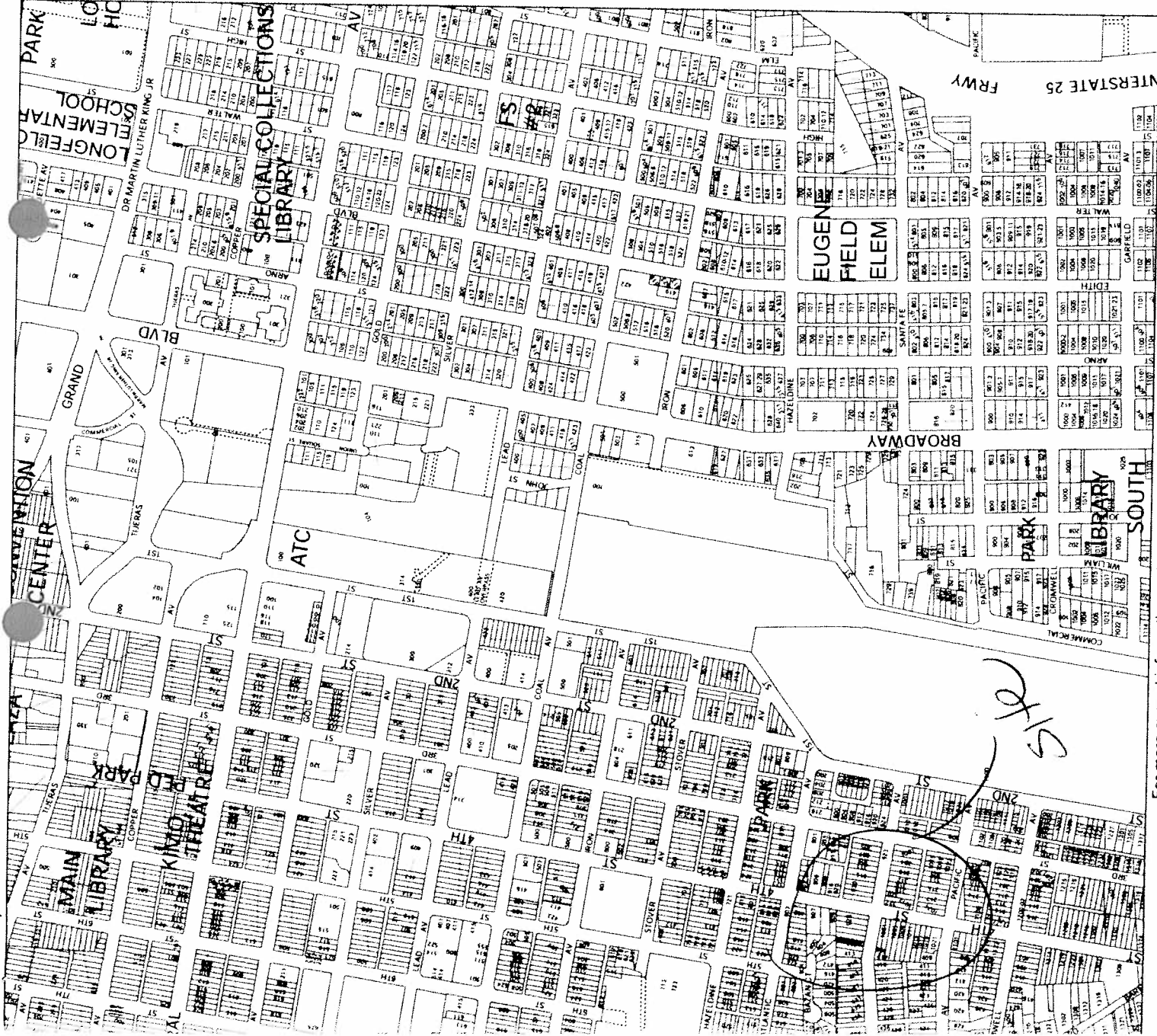
Rec	SECTOR PLAN NAME
1	SOUTH BROADWAY

COUNCIL

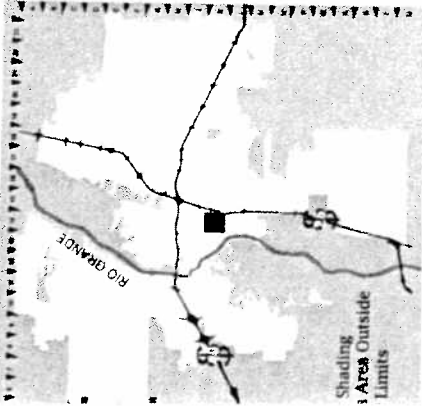
Rec	COUNCILOR NAME	COUNCIL DISTRICT
1	BENTON	3

ZIPCODES

Rec	ZIPCODE
1	87102



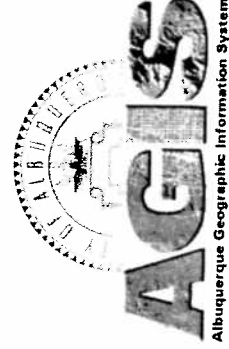
For more current information and more details visit: <http://www.cabq.gov/gis>



Address Map Page:

K-14-Z

Map amended through: 3/23/2007



Albuquerque Geographic Information System

These addresses are for information purposes only and are not intended for address verification.

