



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)  
 (H) 505-255-1788  
 (W) \_\_\_\_\_  
 PROFESSIONAL / AGENT NAME (FIRST, LAST)  
JEREMY SMENT  
 MAILING ADDRESS  
1717 LEAD AVE. Apt A  
 CITY ALBUQUERQUE STATE NM ZIP CODE 87106

OWNER NAME (FIRST, LAST-IF ANY)  
LINDA IVERSEN  
1124 DON JUAN ST  
 MAILING ADDRESS  
SANTA FE STATE NM ZIP CODE 87501  
505-992-9327

LEGAL DESCRIPTION OF PROPOSED SPECIAL EXCEPTION-PLEASE PRINT

STREET ADDRESS OF SPECIAL EXCEPTION  
1717 Lead Ave. S.E. ZIP CODE 87106  
62  
 LOT(S) Highland Addition BLOCK(S) 11  
K-15 Terrace Addnw  
 SUBDIVISION / ADDITION / MRGCD MAP NO 101505736020842005  
 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.

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 JS

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 JS DATE 9/12/76

ZONING ENFORCEMENT OFFICE INTERNAL USE ONLY

PROJECT #: 1007478 APPLICATION #: 09 ZHE 80358

APPLICATION FOR: (CHECK AS APPROPRIATE)

- (ZHE01) Conditional Use
  - (ZHE02) Expansion of a NonConforming Use
  - (ZHE03) NonConforming Use / Status Established Building
- Variance:  
 Distance  Setback  
 Height  Parking  
 Size  Other

SECTION NO. 14-16

REFERENCE SECTION NO. \_\_\_\_\_

(LEGAL AD) ACTION DESCRIPTION

Requesting a conditional use to allow a proposed 5' wall in the required front yard setback.

SECTOR DEVELOPMENT AREA: University Neighborhoods

ZONED: SU-2 DR ZONE MAP PAGE: K-15 NO. OF SIGNS ISSUED: 2

1717 Lead Ave SE

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

FEE: \$ 145.00

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

DATE 09-15-08

10-21-08

DATE OF PUBLIC HEARING

(APN) 441018 / 4971000 \$ 35.00

(CMP) 441032 / 3424000 \$ 10.00

(ZHE) 441006 / 3451000 \$ 100.00

**ZONE GRID**

No Features found.

**OWNERSHIP**

Rec	COASDE.BERNCO.ParcelDec_2007.UPC	COASDE.BERNCO.ParcelDec_2007.OWNER	COASDE.BERNCO.ParcelDec_2007.OWNADD
1	101505736020842005	JOHNSON ANDREAL	1717 LEAD AVE SE

**ZONING**

Rec	ZONING	DESCRIPTION
1	SU-2	DR

**ZONE GRID**

Rec	ZONE ATLAS GRID
1	K15

**PARCELS**

Rec	NUMBER	NAME	DESIGNATION	QUADRANT	LOT	BLOCK	SUBDIVISION	PIN
1	1717	LEAD AV	SE	11	62	TERRACE ADDN	ABQ148987	

**ZONE GRID**

No Features found.

**ZONE GRID**

No Features found.

**NEIGHBORHOODS**

Rec	COASDE.AGIS.NEIGHBORHOODASSOCIATIONS.ASSOCIATIONNAME	COASDE.AGIS.NEIGHBORHOODASSOCIATIONS.ASSOCIATION
1	SILVER HILL	R

**SECTOR PLANS**

Rec	SECTOR PLAN NAME
1	UNIVERSITY NEIGHBORHOODS

**COUNCIL**

Rec	COUNCILOR NAME	COUNCIL DISTRICT
1	BENTON	3

**ZIPCODES**

Rec	ZIPCODE
1	87106

**ZONE GRID**

No Features found.



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

Zone Atlas Page:  
**K-15-Z**

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



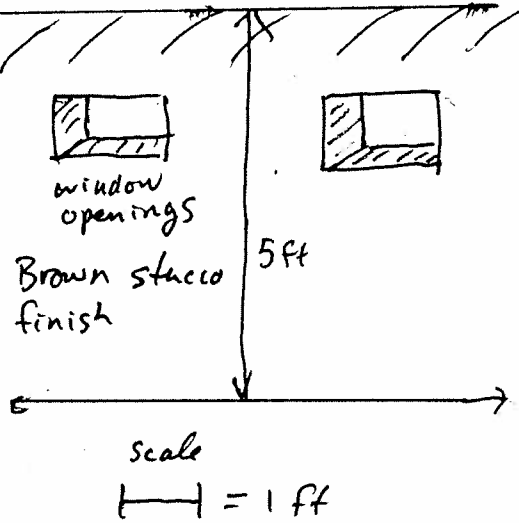
Note: Grey Shading  
Represents Area Outside  
of the City Limits



Map amended through: 6/13/2008

- (n) Walls and fences which are normally allowed to be up to eight or ten feet high, measured from the lower side, but because of a retaining wall a variance is required to allow the wall or fence to be three feet high measured from the higher side.
- (o) Water Towers.
- (3) A setback variance may be approved for the following structures even though there is only a minimal showing as to exceptional physical condition:
- (a) Solar collectors.
- (b) Houses located on lots created when side-yard setback requirements were less severe and the lot's dimensions make it unreasonable to require the current side-yard setback requirements.
- (A) Walls, Fences, Retaining Walls – See Section § 14-16-3-19.
- (a) Wall or fence height: A wall, fence, retaining wall, or vertical combination of these in a residential zone may be built within a required setback, provided:
1. It does not exceed eight feet in height above the lowest grade on the lower side within the required side or rear yard or three feet in height above the lowest grade on the lower side within the required front yard.
2. Where property is contiguous to non-residential property, it may be erected to a maximum height of ten feet above the lowest grade on the residential side except in the required front-yard setback.
3. On a corner lot, the rear yard of which is contiguous to the front yard of a residentially-zoned lot, a wall, fence, retaining wall, or vertical combination of these may not exceed three feet in height above the lowest grade on the lower side within ten feet of the street side right-of-way line. However, where approved, a conditional use may approve a higher wall or fence.
4. On a lot where the rear lot line abuts a public street right-of-way and the lot's rear yard is contiguous to the front yard of another residentially-zoned lot, a wall, fence, or vertical combination of these may not exceed three feet in height above the lowest grade on the lower side within 20 feet of the rear right-of-way line; however, this setback is reduced to 15 feet if 15 feet is the normal front-yard setback requirement in the residential zone contiguous to the rear lot.
- (b) A wall, fence, retaining wall, or vertical combination of these in a non-residential zone is not limited as to height except:
1. Within five feet of public street right-of-way, where they shall not exceed three feet in height above the lowest grade on the street side; and
2. If a wall or fence plus retaining wall abutting a residential zone would have an effective height of over eight feet above the lowest grade on the residential side, the Planning Director shall decide the required height; such decision shall be made by the same process required for a conditional use.

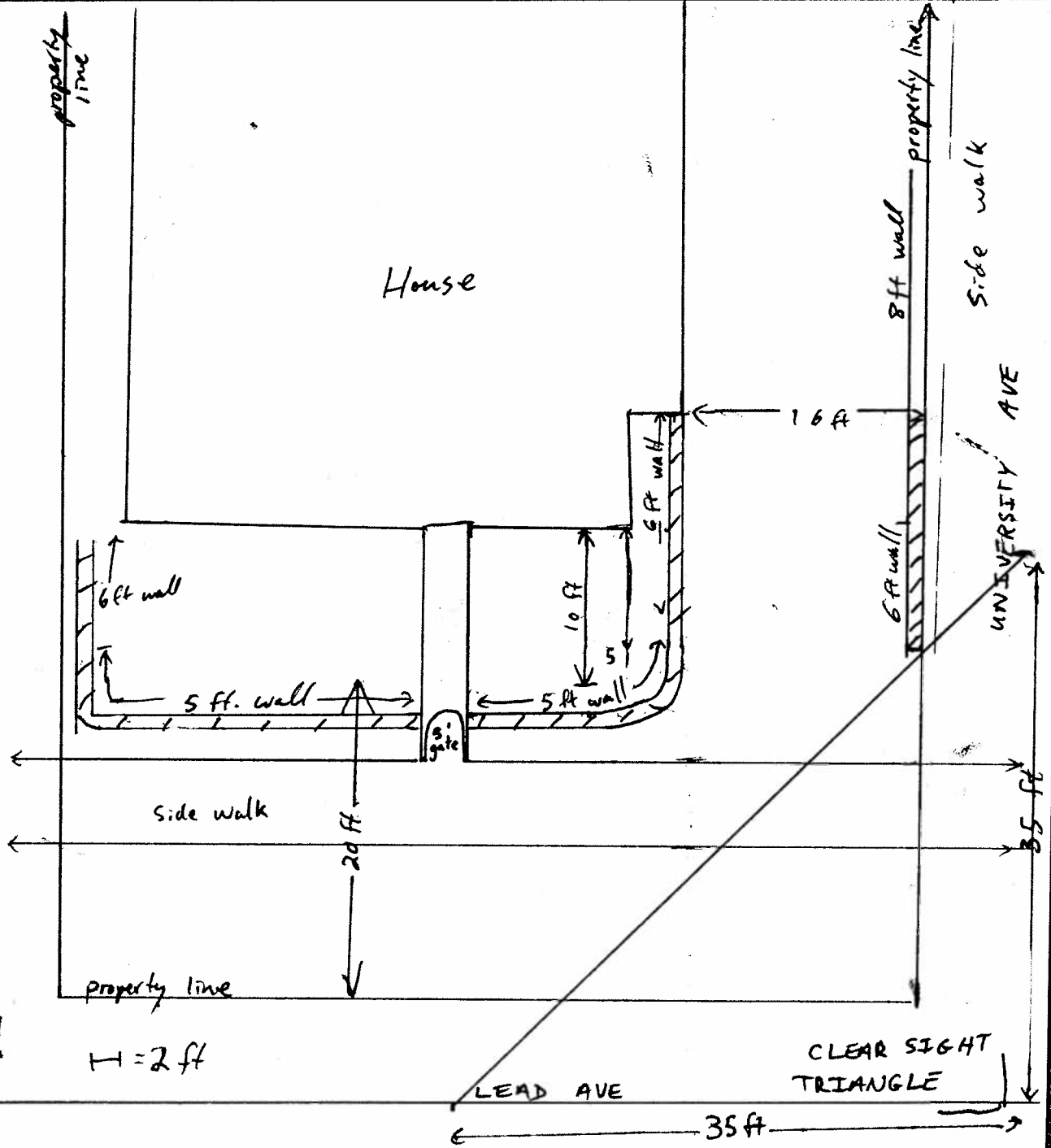
SIDE VIEW



ADJACENT PROPERTIES

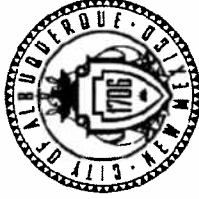
property line

House



3-0236 - 100 SHEETS - 5 SQUARES  
3-0237 - 200 SHEETS - 5 SQUARES  
3-0137 - 200 SHEETS - FILLER

COMET



# City of Albuquerque

Date: September 12, 2008

TO CONTACT NAME: Jeremy Smart  
COMPANY/AGENCY: \_\_\_\_\_  
ADDRESS/ZIP: 1717 Lead Ave. SE  
PHONE/FAX #: \_\_\_\_\_

Thank you for your inquiry of 9-12-08 requesting the names of **ALL Affected** (date)

**Neighborhood and/or Homeowner Associations** who would be affected by your proposed Special Exception Application at 1717 Lead Ave SE

Block 11, Lot 62, Highland Addition  
Zone map page(s) R-15

Our records indicate that the **Affected Neighborhood and/or Homeowner Associations** affected by your Special Exception Application are as follows:

<u>Silver Hill</u>	Neighborhood or Homeowner Association
<u>Gordon Reiselt</u>	Contacts: _____
<u>1518 Silver Ave. SE / 87106</u>	_____
<u>242-3345 (h)</u>	_____
<u>Bill Cobb</u>	_____
<u>1701 Silver SE / 87106</u>	_____
<u>247-8296 (h)</u>	_____

**See reverse side for additional Neighborhood and/or Homeowner Associations Information:**

YES { } NO

The *Zoning Hearing Examiner's Office* will utilize this information for the purposes of notifying the affected Neighborhood and/or Homeowner Associations as required by Section 14-16-4-2(B)(2)(d) of the City of Albuquerque's, Comprehensive City Zoning Code and to determine if a facilitated meeting is to be recommended. If you have any questions about the information provided, please contact our office at (505) 924-3914.

Sincerely,

OFFICE OF NEIGHBORHOOD COORDINATION

ZHEinquirycontactformltr (07/30/08)

**PLEASE NOTE:** The Neighborhood and/or Homeowner Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter - you will need to get an updated letter from our office. It is your responsibility to provide current information - outdated information may result in a deferral of your case.

.....  
ATTENTION: Both contacts for  
each Neighborhood and/or  
Homeowner Associations need  
to be notified.  
.....

## EXPLANATION OF REQUEST

I request **CONDITIONAL USE** to build a six foot (6') wall tapering to a five foot (5') wall in front of my house. Portions of the wall that are proposed to be five feet (5') in height will be in an area currently restricted to a height of three feet (3').

This proposed wall would not be injurious to the adjacent property, the neighborhood, or the community.

This proposed wall would not be significantly damaged by surrounding structures of activities.

This proposed wall adheres to the **CLEAR SIGHT TRIANGLE** provisions and does not obstruct or hinder traffic. At the time of proposal, I am currently making arrangements to consult a Traffic Analysis Supervisor.

## DESCRIPTION OF WALL

Proposed wall will be made of straw bale with a finish of brown stucco. It will have rounded corners on top, 12" x 16" w window openings will be spaced throughout at regular intervals. Wall will reside 2 feet from sidewalk.

Wall will be at a six foot (6' vert.) height until eight horizontal feet (8' hori.) from front of house; tapering to five feet (5' vert.) at ten horizontal feet (10' hori.) from front of house.

## ADDITIONAL COMMENTS

The intersection at University Ave. and Lead Ave. is very dangerous for our one year old daughter. We must take every measure to prevent her from wandering into the streets. We are also exposed to constant commotion, headlights, and noise from the intersection. We ask to build this wall to improve the peace, privacy and tranquility of our home.

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