



APPLICATION FOR SPECIAL EXCEPTION
CITY OF ALBUQUERQUE, PLANNING DEPARTMENT

Office of the Zoning Hearing Examiner, (505) 924-3918

A. Applicant Information (please print)

Name, First, Last: Richard M Nassif
 Mailing Address: 109 Richard Rd
CORRALES NM 87048
 Agent (if any):
 Mailing Address:

Telephone (H): 505-792-2886
 Telephone (W): 505-898-7247
 Telephone:
 City of Albuquerque
 Treasury Division
 Zip: 87048
 12/10/2001
 RECEIPT # 00011001
 ACCOUNT # 441000
 ACTIVITY # 498100
 TRANS AMT
 J24 Misc

Legal Description of Proposed Special Exception

Lot(s) / Tract(s): LOT # 22
 Subdivision/MRGCD Map No.: 25A ELDER HOMESTEAD ADDN
 Address of Special Exception: 1125 ARIZONA ST SE

Uniform Property Code: 101805628503340106
 Block: 25A
 Zip: 87108

Do you require a Spanish interpreter? yes
 Do you require special assistance at the hearing? yes explanation:

B. Criteria for Decision - I have been given the Criteria for Decision requirements. (initial) [Signature]

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

D. Drawings of Request - (attach three (3) copies)
 Please follow instructions on back side and attach appropriate drawings.

E. Traffic Engineering Review - Required for Walls and Fences in the front yard setback and street side yard setback. Call Traffic Engineer at (505) 857-8680 for Site Plan Review. Lack of TE Comments may delay your request for hearing. (initial) [Signature]

F. 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 which I agree to post and maintain as provided and where instructed. I understand that failure to properly post sign(s) is grounds for deferral.

Signature: [Signature] Date: 12/10/01

INTERNAL USE ONLY

Application for: (check as appropriate) Project # 1001640 Appl # 01214 00000 01814

Conditional Use Variance: A. Distance D. Setback ZA- -
 Expansion of a Nonconforming Use B. Height E. Parking AA- -
 Administrative Amendment C. Size F. Other

Reference Section No.: Section No.: 14-16-2-15(B)(9)
 Legal Ad: Conditional use to allow Retailing of food + Drink in an 0-1 zone

No. Signs Issued: 1 Post at: 1125 Arizona st. SE

Received by: ALP Date: 12-10-01 Zone: 0-1 Map: LA 114
 NA City of Albuquerque Treasury Division

Sector Development Area: NA
 ZEO Citation Referral TE: Comments Required Fee: \$ 90 498 000 0041006
 Hearing Date: 01-23-02 Account 441000 Fund 0110
 441006 / 4921000 Activity 498100 Trans Amt 125.00 J24 Misc 970.00

Thank You

SPECIAL EXCEPTION PROCEDURE

I. APPLICATION

A. Pre-Application Discussion

While it is not a requirement, discussion of the proposed application with the Zoning Enforcement Officer is strongly recommended prior to application filing. The purpose of the discussion is to advise the applicant of the relevant facts and criteria. The Zoning Hearing Examiner cannot comment on the merits of an application prior to public hearing.

B. Criteria for Decision

By Ordinance, the Zoning Hearing Examiner may not approve a Special Exception unless the applicant demonstrates that certain criteria have been met. The Zoning Enforcement Officer will provide the requirements for your Special Exception request.

C. Drawings

1. Submit three (3) copies of a site plan, building development plan, drawing of other related information on reproducible paper no smaller than 8 1/2" X 14" and using a scale of at least 1" = 20'.
2. The submitted drawing shall show the following:
 - a. All dimensions of property and buildings and all structures on adjoining lots that are within 25 feet of the proposed special exception.
 - b. If the special exception requested is a variance, please show clearly the point of variance and the height, width, and any appropriate dimensions of structures and or parking spaces.
 - c. A "north" directional arrow and scale.

D. Public Hearing Schedule

Contact the Zoning Hearing Examiner at 924-3918 for public hearing schedule. Additional information on application procedures is available from the Zoning Office at 924-3850.

II SIGN POSTING

- A. The applicant is responsible for posting and maintaining one or more signs as instructed by the Zoning Office.
- B. Signs shall be posted for fifteen (15) days prior to the hearing.
- C. The applicant is responsible for removing such signs within five days after the hearing is completed.
- D. The sign shall be conspicuously located within twenty feet of the public sidewalk (or edge of public street)
- E. The face of the sign shall be parallel to the street, and the bottom of the sign shall be two to seven feet off ground. No barrier shall prevent a person from coming within five feet of the sign in order to read it.
- F. Failure to properly post and maintain sign(s) is grounds for deferral. Replacement signs for those lost or damaged are available from the Zoning Enforcement Office at a charge of \$3.00 each.

III ZONING HEARING EXAMINER'S PUBLIC HEARING

- A. The purpose of the public hearing is to give the general public and/or adjacent property owners opportunity to discuss and speak for or against the request and to elicit additional information which may have bearing on the request. The applicant or agent must be present at the hearing to speak on behalf of the request and respond to questions.
- B. Decision by the Zoning Hearing Examiner may be deferred if additional information or advertising is determined to be necessary.
- C. The Zoning Hearing Examiner may reach a decision either at the public hearing or within fifteen (15) days of the public hearing. In either case, the applicant, and all interested parties receive a Notice of Decision along with any conditions imposed through the mail.
- D. The Zoning Hearing Examiner's decision on the request may be to approve, approve with conditions, or deny.
- E. The decision is final unless appealed to the Board of Appeals within fifteen (15) days of the date of Notice. Further appeal is to the City Council. No building permit may be issued until all appeal periods have expired.
- F. Approval of a special exception application is void after one (1) year from the date of approval if the rights and privileges granted have not been used.

IV CONSTRUCTION PERMIT

- A. Approval of an application for a special exception does not constitute approval of plans for a construction permit.
- B. The Notice of Decision must accompany the construction permit application.