

OFFICIAL NOTICE

DECISION ON A REQUESTED SPECIAL EXCEPTION
AS PROVIDED BY THE COMPREHENSIVE CITY ZONING CODE
CHAPTER 7, ARTICLE XIV, REVISED ORDINANCES OF ALBUQUERQUE, NM 1974

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
PLANNING DIVISION
PO BOX 1293, ALBUQUERQUE, NM 87103

El Buen Samaritano requests variance to the lot area requirements to allow replatting of Lot D, Lot 345 and the easterly ten (10) feet of Lot 344, Block 32, Perfecto Armijo Brothers Addition, zoned SU-2/TH and located at 707 and 709 Marble Avenue, NW (J-14)

Decision No: ZA-88-17
Hearing Date: 01-06-88
Decision Date: 01-20-88

FINDINGS: Applicant owns adjacent properties that are the subject of a request for a zone map amendment from SU-2/TH to SU-2/SU-1 for Church and Related Facilities (Z-87-79). The Environmental Planning Commission (EPC) has approved the amendment and a site development plan for the premises subject to a set of nine conditions related to the site plan and one provision that the zone change from SU-2/TH to SU-2 for SU-1 for a Church and Related Facilities is effective only if this variance to the lot size requirements is approved.

The proposed variances would allow parts of these lots to be incorporated in the church parking lot. The result would be improved parking for the church that should reduce the congestion in nearby streets. The EPC required access thru the church parking lot to properties located at 709 Marble, NW, 711 Marble, NW and 1012 Eighth Street, NW. If this condition is met, the proposed variances would be consistent with the intent and purpose of the Zone Code and the Downtown Neighborhood Area Sector Development Plan. The resulting lots will differ from development which would ordinarily be permitted no more than is necessary to overcome the practical difficulty and unnecessary hardship created by the exceptional conditions and use of these parcels and of the church properties prior to the adoption of the Downtown Neighborhood Area Sector Development Plan.

DECISION: The proposed reduction in lot sizes for Lots D and 345 are approved provided the site development plan required for the church is given final approval and then a properly approved subdivision plat is filed with the Bernalillo County Clerk's Office. The filed plat shall properly allow rear yard access to Lot D, Lot 345, and any other lot so designated by the EPC.

If you wish to appeal this decision you may do so by February 4, 1988, in the manner described below.

Appeal is to the Environmental Planning Commission within 15 days of the decision.


A filing fee of \$50.00 shall accompany each appeal application. When an application is withdrawn, the fee shall not be refunded.

An appeal shall be heard by the Environmental Planning Commission within 60 days of its filing. The Planning Division shall give written notice of an appeal, together with a notice of the date, time and place of the hearing to the applicant, a representative of the opponents, if any are known, and the appellant.

You will receive notice if any other person files an appeal. If there is no appeal, you can receive building permits any time after the appeal deadline quoted above provided all conditions imposed at the time of approval have been met. However, the Zoning Hearing Examiner may allow issuance of building permits if the public hearing produces no objection of any kind to approval of an application. To receive this approval the applicant agrees in writing to return building permit or occupation tax number.

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of a special exception is secured. This decision does not constitute approval of plans for a building permit. If your application is approved, bring this decision when you apply for any related building permit or occupation tax number.

Approval of a conditional use or variance application is void after one year from date of approval if the rights and privileges granted thereby have not been executed or utilized.


Lloyd D. Barlow
Zoning Hearing Examiner

LDBV8847L18

cc: El Buen Samaritano, 700 Granite, NW, Albuquerque, NM 87102
Fred Sanchez, 2119 Menaul Boulevard, NE, Albuquerque, NM 87107
Lou Moya, 1911 Wyoming Boulevard, NE, Albuquerque, NM 87112
David Stein, 712 Marble, NW, Albuquerque, NM 87102
Robert E. Romero, Zoning Enforcement Officer