Item postponed at the 12-9-13 meeting to the 01-13-14 ZBA Meeting

PZBA13-00024 **1901 Roswell Road** **Elena De La Rosa**

Applicant requests a Special Exception under Section 2.16.050 J (Carport over a Driveway) in an R-3 (Residential) zone.

This would allow an existing 19' by 22'3" addition of which a 19' by 4'8"' (90 square feet) portion encroaches into the required rear yard setback and is located to within 18' of the rear property line. Further, this would allow a 361.40 square feet carport.

The required cumulative front and rear yard setback total in the R-3 zone district is 50 feet.

BACKGROUND

The applicant was cited for building additions to her house without permits and requested through the ZBA to legalize (1) an addition which encroaches in the rear yard setback and (2) a carport which is encroaching in the front yard setback. At the August 12, 2013, meeting the ZBA **approved the request for the Special Exception C** for the encroachment in the rear yard setback with a condition that the wall of the accessory building which is built to within 5 feet of the side property line be of fire-rated construction. The request for the Special Exception J was postponed to allow her to submit revised plans for the carport.

Regarding the request for the Special Exception J for the carport, Building Permits & Inspections has reviewed the as-built structural drawings of the existing carport and has failed the plans. The request for the carport has been postponed 4 times to allow the applicant to submit plans that meet the requirements of the Special Exception J. Subsequent to the December 9th ZBA meeting, staff met with Mrs. De La Rosa and explained her options to her: (1) to reduce the carport to the 150 square feet of open porch permitted to encroach in the required front yard setback, or (2) provide plans that meet the ZBA requirements as far as structural and architectural design, size and materials.

As of the date of this report, the applicant has not provided plans, nor indicated her intentions.

CALCULATIONS

Permitted carport area = 361.40 sq. ft. (1,807 sq. ft. ÷ 5)
Requested area of carport = TBD
Required front and rear yard setback total = 50'
Requested front and rear yard cumulative setback = TBD

STAFF RECOMMENDATION.

Staff recommends denial of the request as the applicant has not provided plans which meet the requirements of the Special Exception J (Carport over a Driveway).

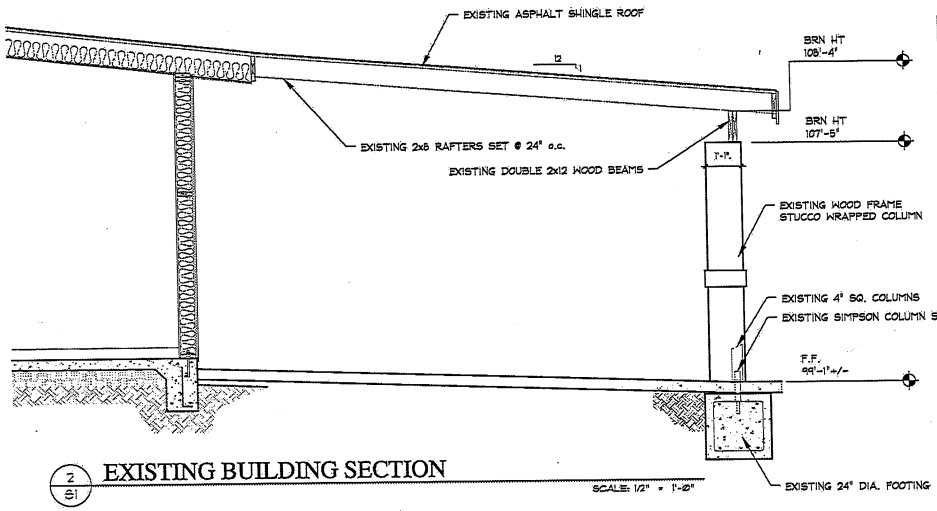
The Zoning Board of Adjustment is empowered under Section 2.16.050 J to:

"Permit the encroachment into the required front yard setback for a lot in a residential (R) district beyond other allowed modifications for a carport covering a driveway; provided, however, that:

1. The residence has been in existence with a valid certificate of occupancy for one continuous year;
2. The zoning board of adjustment has received the written approval of the structural design from the building official;
3. The carport shall be constructed of the same material, architectural design, and color scheme as the residential structure, shall be open on three sides, shall be attached to the main structure and shall rise no higher than the highest point of the roof of the dwelling;

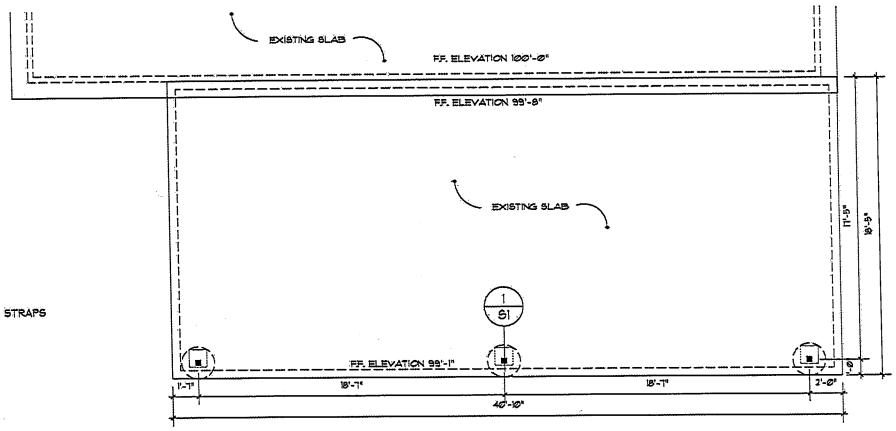
ITEM #1

4. The area of the carport shall not exceed one-fifth of the first-floor area under roof of the dwelling, with the first-floor area of the dwelling defined as the sum of the gross horizontal area, exclusive of garages, atriums, stairwells, and open porches, measured from the exterior faces of the exterior walls; and, shall be measured as the area covered by the carport roof, to include overhangs;
5. Elevation drawings of the proposed structure shall be submitted;
6. For a duplex, the total of all extensions for either unit of the duplex shall not exceed two-thirds of the average width of that unit;
7. There is no other reasonable alternative to provide a carport in the front yard of the subject property without exceeding the encroachments allowed in Title 20 of this code; and,
8. Unless otherwise provided in this chapter, all remaining areas of the required front yard shall be permanent open space."



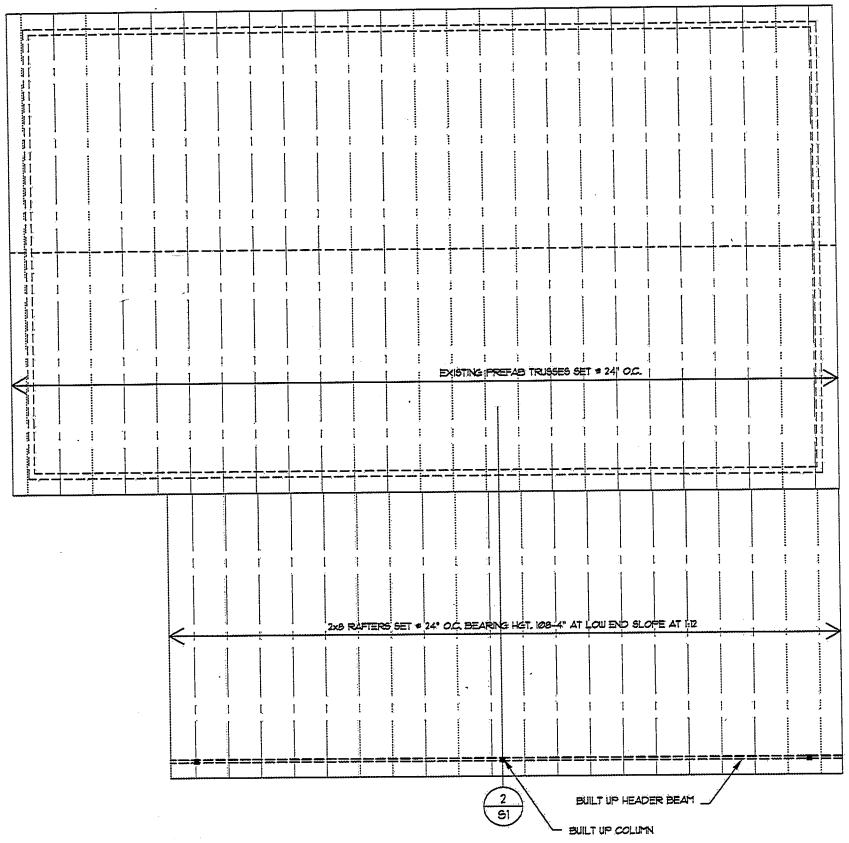
2/S1 EXISTING BUILDING SECTION

SCALE: 1/2" = 1'-0"



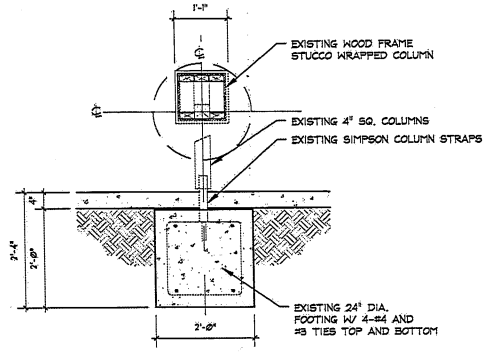
EXISTING PORCH FOUNDATION PLAN

SCALE: 1/4" = 1'-0"



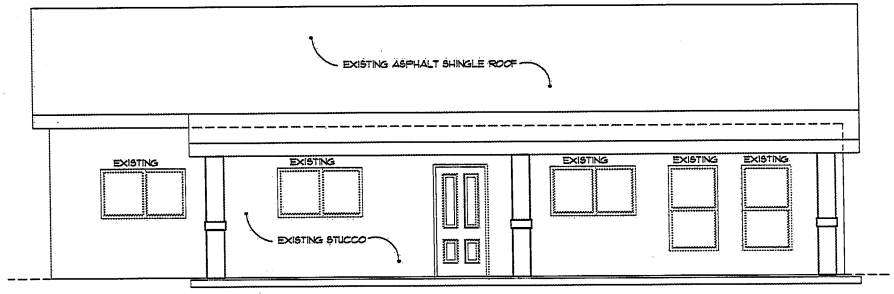
EXISTING FRAMING PLAN

SCALE: 1/4" = 1'-0"



1/S1 EXISTING COLUMN SPOT FOOTING

SCALE 3/4" = 1'-0"



EXISTING FRONT ELEVATION

SCALE: 1/4" = 1'-0"

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PROJECT NO: RICK-5
CAD DWG FILE: RICKPORCH.DWG
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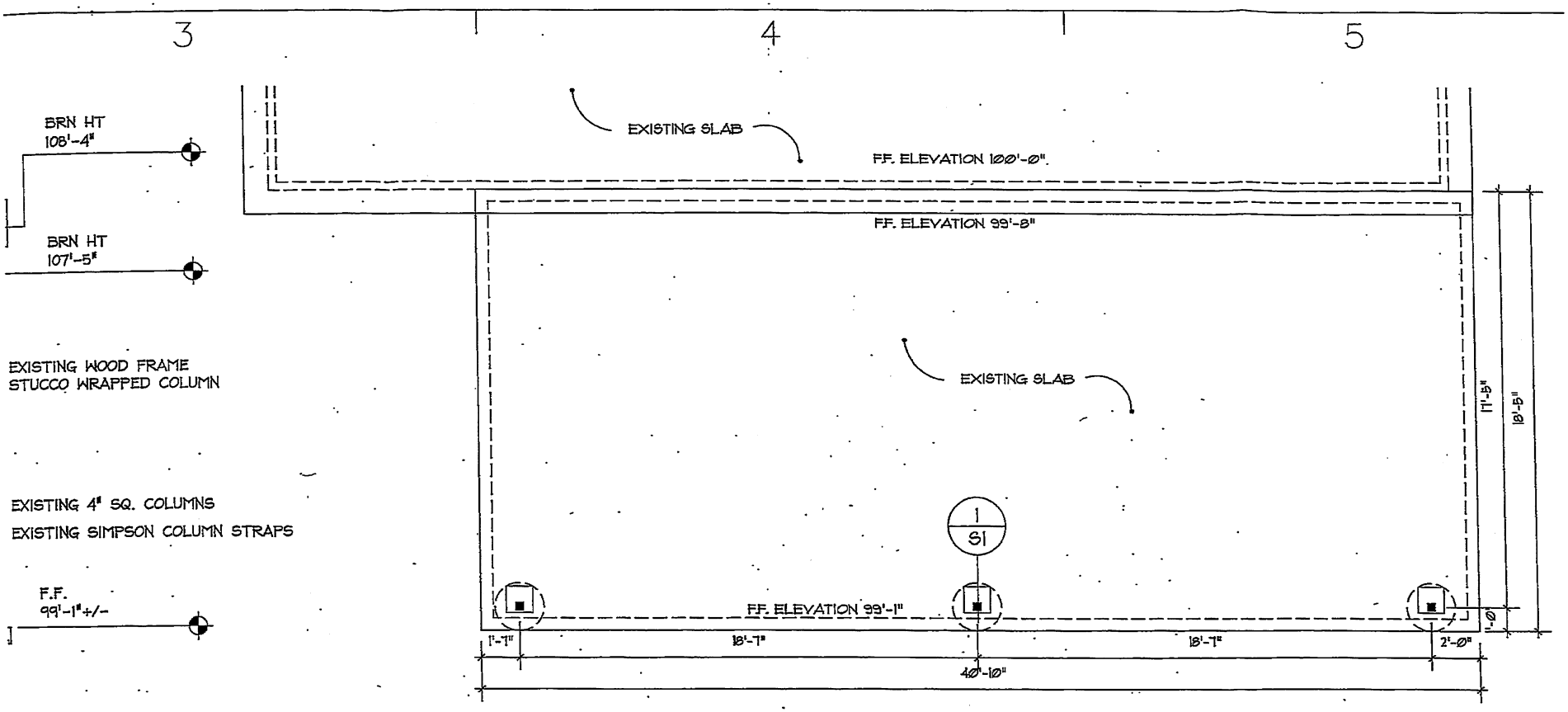
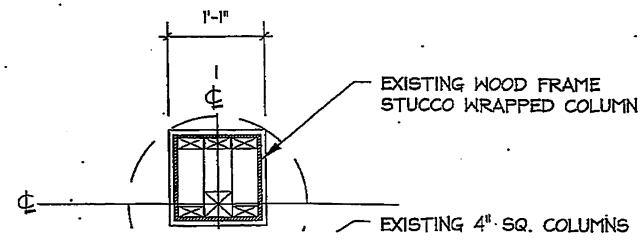
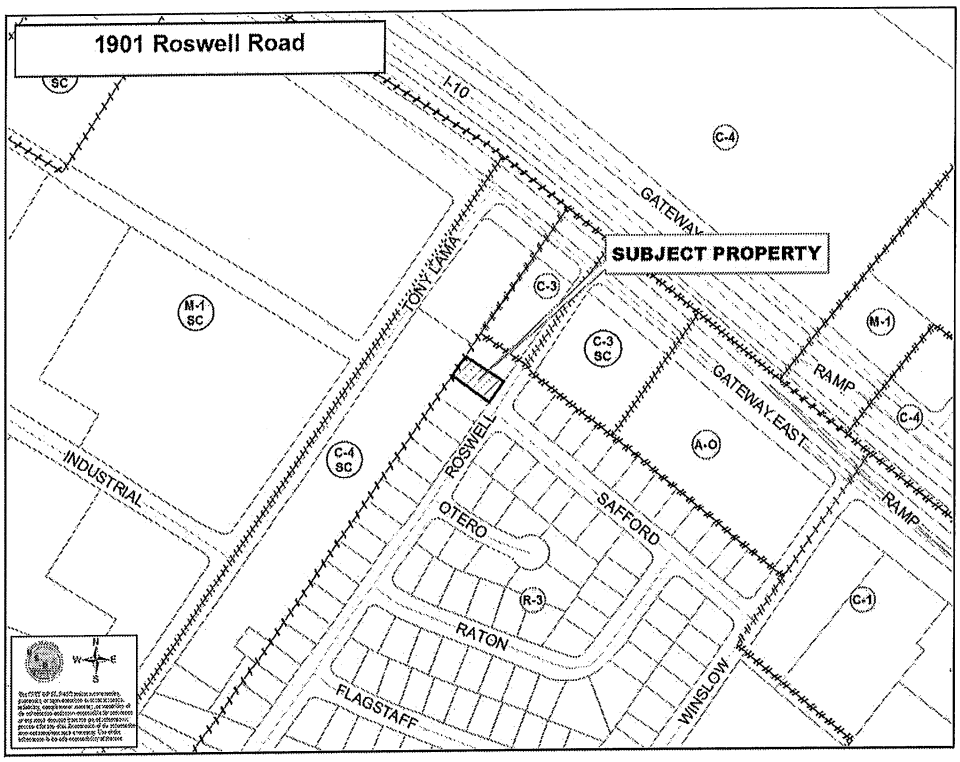
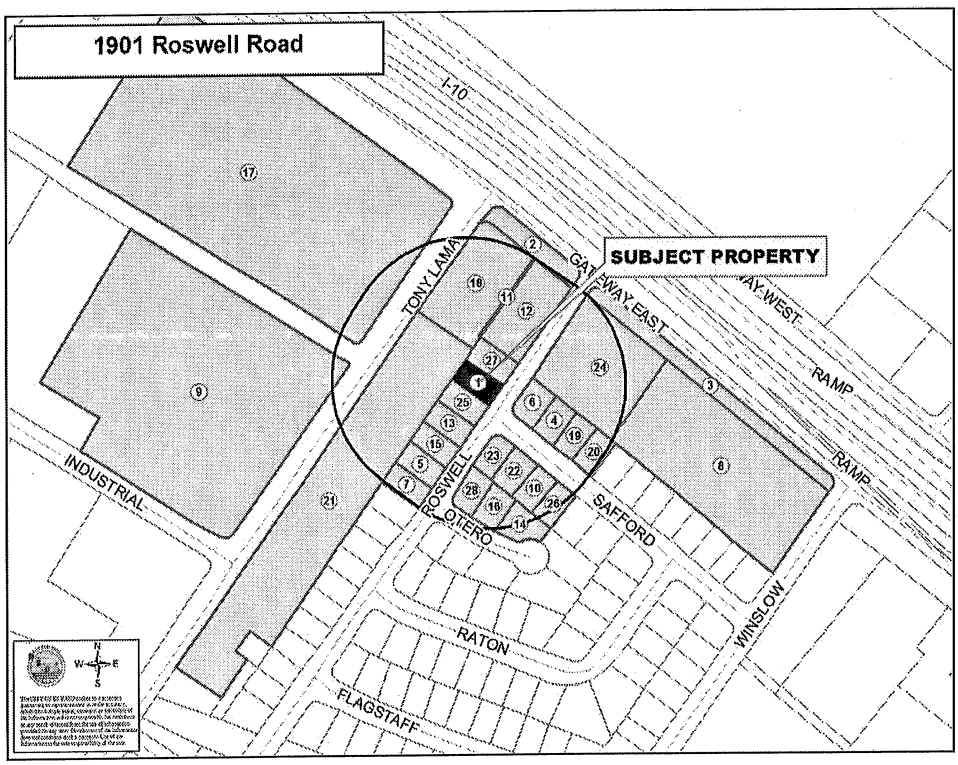


EXISTING PORCH FOUNDATION PLAN

SCALE: 1/4" = 1'-0"



ZONING MAP



NOTIFICATION MAP