

**Applicant requests a Special Exception under Section 2.16.050 C (Rear Yard Setback) in an R-3A/sc (Residential/special contract) zone.**

This would allow an existing addition of which an 11' by 1' portion (approximately 11 square feet) encroaches into the required rear yard setback and is located to within 18.5 feet of the rear property line.

The required cumulative front and rear yard setback total in the R-3A zone district is 45 feet.

**BACKGROUND**

The applicant was cited for building without permit an addition consisting of a porch and a bedroom, of which 11 square feet of the bedroom encroaches into the required rear yard setback.

A site visit shows the porch has been built closer than 5 feet to an existing storage building. The storage structure is located at 0 feet of the side property line and the roof overhang appears to be at or over the side property line.

**CALCULATIONS**

Permitted area of encroachment in required rear yard = 196 sq. ft. (16.67' [50' lot width ÷ 3] x 11.76' [3/5 of 19.5'])

Requested area of encroachment = 11 sq. ft. (11' x 1')

Required front and rear yard setback total = 45'

Requested front and rear yard setback = 44'

**STAFF RECOMMENDATION**

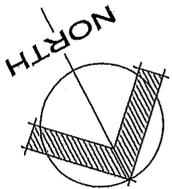
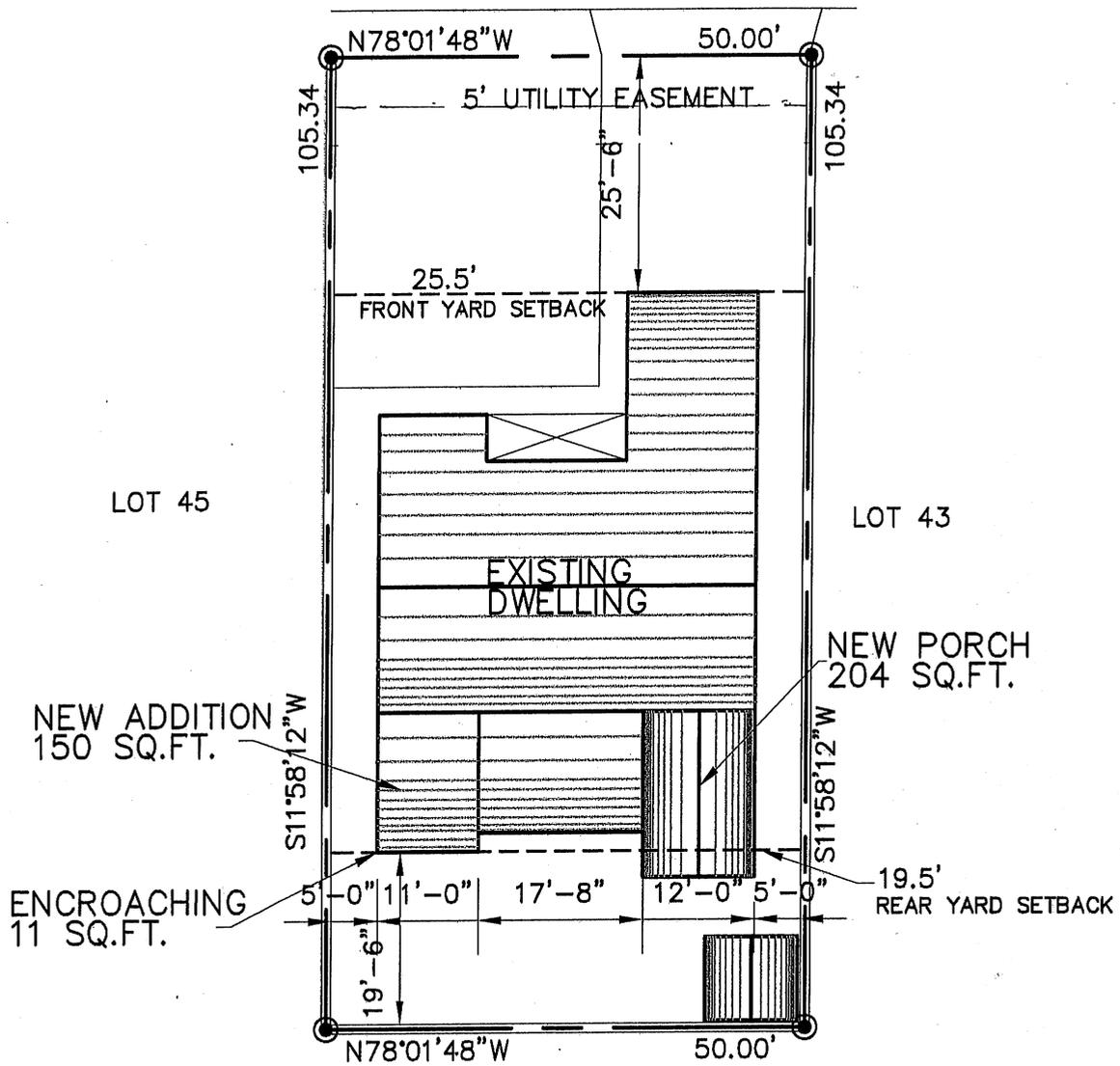
Staff recommendation is for approval as the request meets the requirements of the Special Exception C, with a condition that the storage building is either removed entirely or is relocated to be 5 feet from the house, measured overhang to overhang, and located where water is not shed over a property line.

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

“Permit an extension of a single-family residential structure into the required rear yard setback, which shall be measured to the rear property line; provided, however, that:

1. The residence has been in existence with a valid certificate of occupancy for one continuous year;
2. The maximum square footage allowed shall not exceed the result of multiplying one-third of the average width of the lot by three-fifths of the required rear yard setback;
3. A minimum ten-foot rear yard setback shall be required;
4. The minimum side and side street yard setbacks shall not be reduced; and
5. Unless otherwise provided in this section, all remaining areas of the required rear yard shall be permanent open space.”

11737 JOHN POLLEY CIRCLE



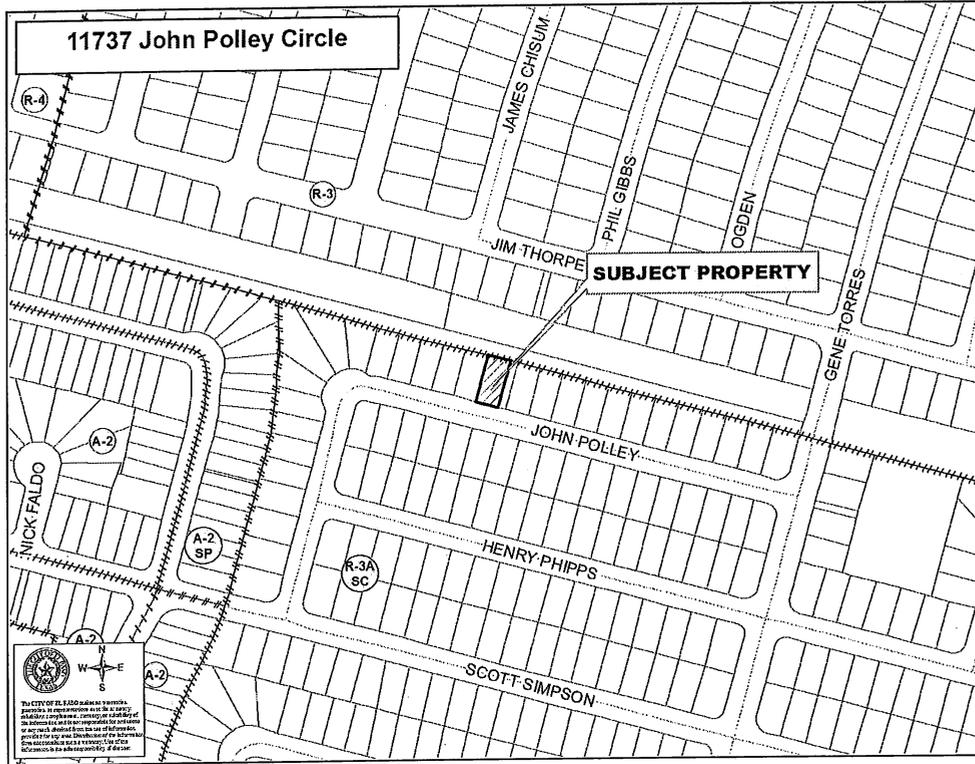
## SITE PLAN

Scale: 1" = 20.0'

### LEGAL DESCRIPTION

LOT 44, BLOCK 411, VISTA DEL SOL UNIT NINETY THREE  
CITY OF EL PASO, EL PASO COUNTY, TEXAS.

# ZONING MAP



# NOTIFICATION MAP

