

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

This would permit a 17.75' by 15' addition to encroach 15' into the required rear yard setback.

The required front and rear yard cumulative setback total is 45 feet in the R-3/A zone district. The required side yard setbacks are 5 feet per side in the R-3/A zone district.

BACKGROUND

The applicant purchased his residence as a new home in 1993 and has since constructed additions to his house without permit that are located to 0' of the rear and side property lines. The applicant's representative has been provided with a letter from the Planning Division that explains the El Paso City Code requirements as far as setbacks and also explains the Special Exceptions that are available from the ZBA. The applicant requested a Variance in order to keep everything that he has built.

The Board considered the request for a Variance at the January 11, 2010, meeting, but postponed the request to the February 8, 2010, meeting to allow the applicant to come in with a site plan that would meet the Special Exception C requirements and Code requirements. The applicant has submitted a site plan that shows a 29'6" wide by 13'1" deep addition located to within 0' of the side property line and to within 12' of the rear property line. The applicant understands that the site plan does not meet the Special Exception requirements.

CALCULATIONS

1/3 average lot width = 17.75' (53.25 ÷ 3)

Required rear yard setback = 25'

Requested rear yard setback = 12'

Required side yard setback = 5'

Requested side yard setback = 0'

STAFF RECOMMENDATION

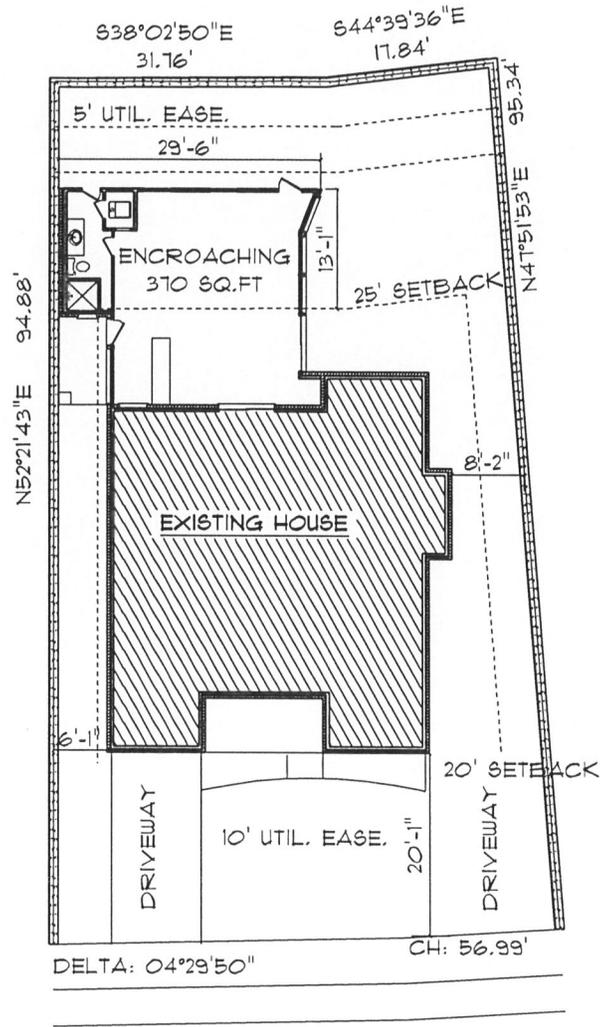
Staff recommends denial of the request since it does not meet the requirements of the Special Exception C.

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, which shall be measured to the rear property line, not to the centerline of the alley, if one exists; provided, however, that:

1. The residence has been in existence and owner occupied for one continuous year, and has a valid certificate of occupancy; and,
2. The total of all extensions granted shall not project into the required rear yard for a depth in excess of three-fifths of the required yard, except that a minimum ten foot rear yard setback shall be required; and,
3. The total width of all extensions granted shall not exceed one-third of the average width of the site; and,
4. The minimum side and side street yards shall not be reduced; and,
5. The total floor area of all detached accessory structure(s) existing or later constructed on the site shall not exceed one hundred eighty square feet; and,
6. Unless otherwise provided in this section, all remaining areas of the required rear yard shall be permanent open space; and,
7. The extension shall not permit the creation of an additional dwelling unit."

ITEM #3



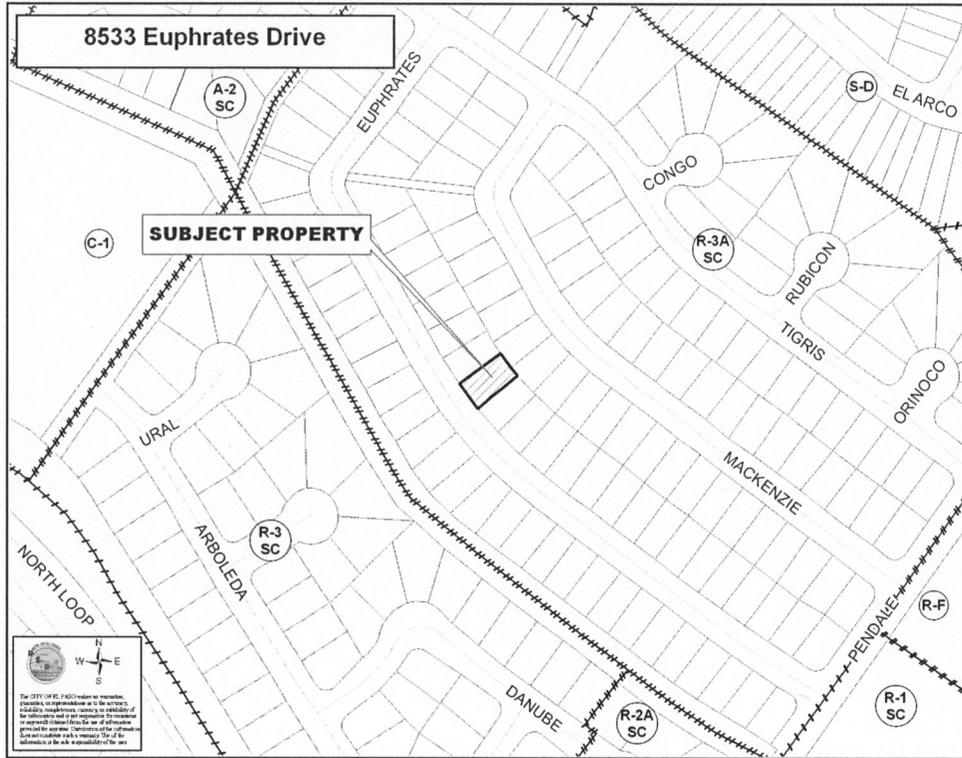
8533
EUPHRATES DRIVE

$\Delta: 14^{\circ}01'27''$ R: 154.17'

LOT: 41 BLOCK: 10
COLONIA DEL CARMEN UNIT THREE
CITY OF EL PASO,
EL PASO COUNTY, TEXAS

ZONING MAP

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NOTIFICATION MAP

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