

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 Board considered a 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. At the February 8, 2010, meeting the Board again postponed the case to the March 8, 2010, meeting to allow the applicants to meet with BP&I and Planning on how they could 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

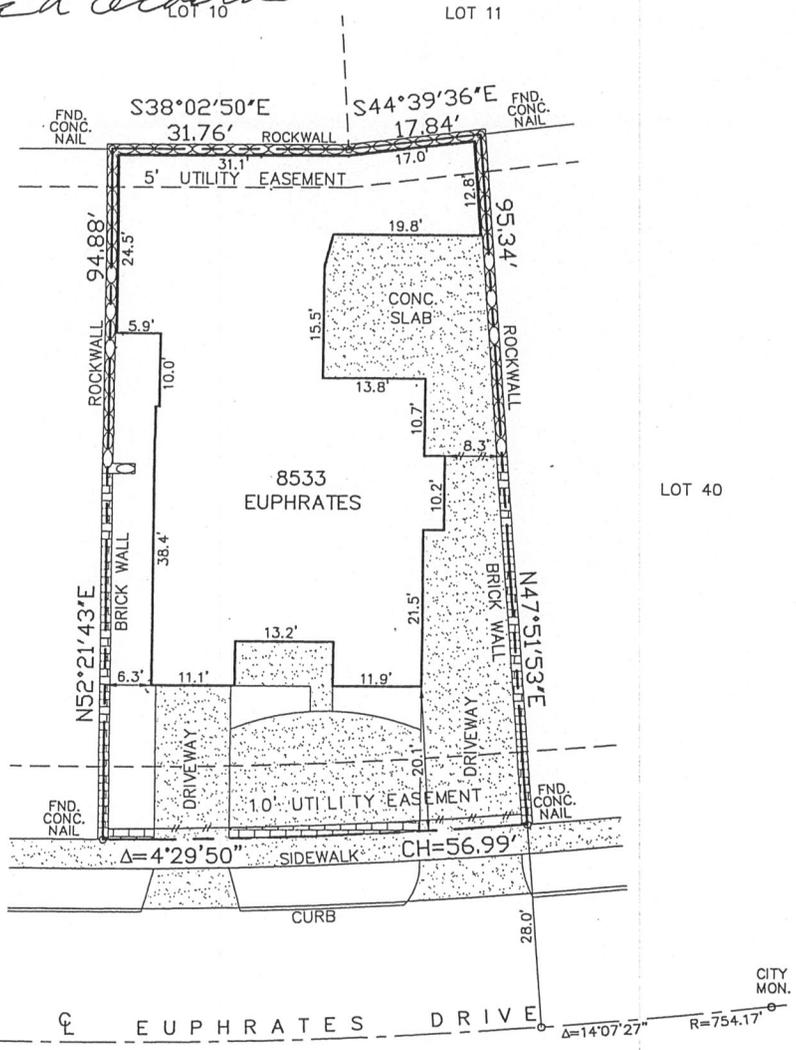
Staff recommends postponement to the March 22, 2010, meeting since the applicant is requesting an encroachment based on square feet. The City Council is considering the ZBA ordinance change on March 16, 2010, to allow encroachments in the rear yard based on a square feet calculation.

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."

J. Ignacio S. Calderon
Manuel Calderon



This house is not located in a flood hazard area as determined by the FIRM by U.S. Federal Emergency Management Agency National Federal flood Insurance Program.

CERTIFICATION

I hereby certify that the foregoing Boundary and Improvement Survey was made by me or under my supervision and that there are no encroachments except as shown. Only platted easements are shown.

Manuel Calderon

Manuel Calderon
 Registered Professional Land Surveyor No. 2564

BEARING ORIENTATION AS PER PLAT OF COLONIA DEL CARMEN UNIT THREE

Book 63 Page 10 Job No. 805-66

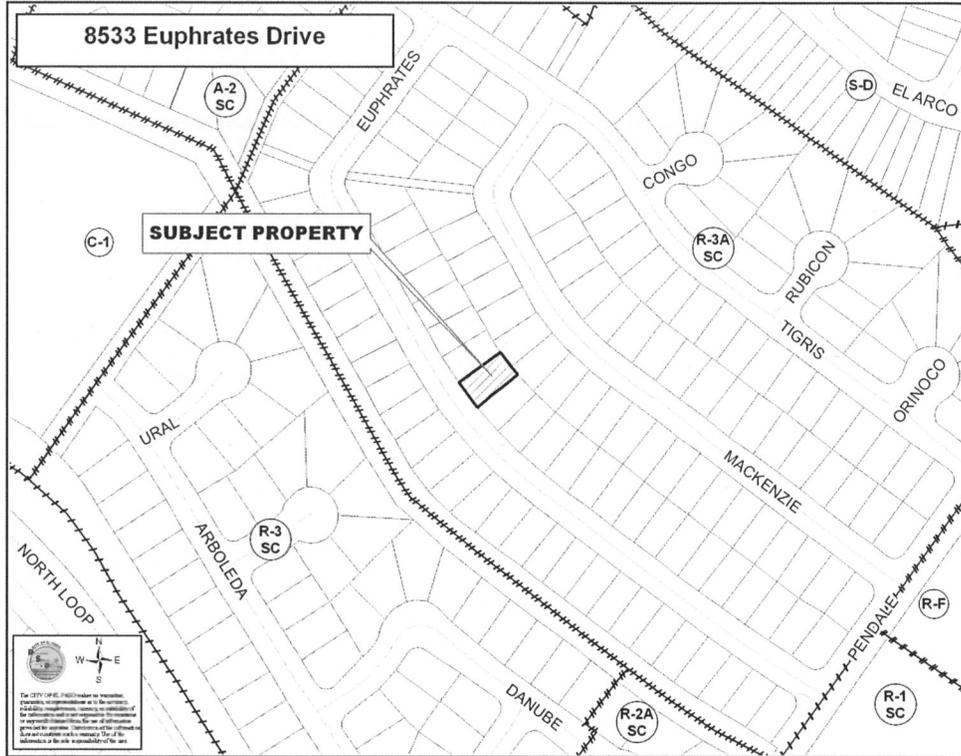
8533 EUPHRATES DRIVE
 LOT 41, BLOCK 10,
 COLONIA DEL CARMEN UNIT THREE
 CITY OF EL PASO,
 EL PASO COUNTY, TEXAS

Field JM Office AL-C3 Date 08-09-05 Scale 1"=20'

CALDERON ENGINEERING
 CIVIL - STRUCTURAL
 3031 TRAWOOD DR.
 EL PASO, TEXAS 79936 (915) 855-7552

ZONING MAP

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NOTIFICATION MAP

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