

**Applicants request a Special Exception under Section 2.16.050 B (Side Yard Setback) in an R-1 zone.**

This would permit the construction of an attached garage that is proposed to encroach 15' into the required southerly side yard setback.

The required side yard setback is 20 feet in an R-1 (Light Density Residential) zone.

**BACKGROUND**

The applicants are requesting to add a garage that is proposed to be located to within 5' of the southerly side property line. There are at least two other properties on the same side of the street, on either side of the subject property, at 5026 Columbine and 5034 Columbine, with garages that encroach to within 5' or less of the side property line. The ZBA granted the property at 5034 Columbine a Special Exception to build a garage to 0' of the side property line. The property at 5026 Columbine received a building permit in 1994 to build a garage that is located to within 5' of the side setback.

**CALCULATIONS**

Required side yard setback = 20'  
Requested side yard setback = 5'

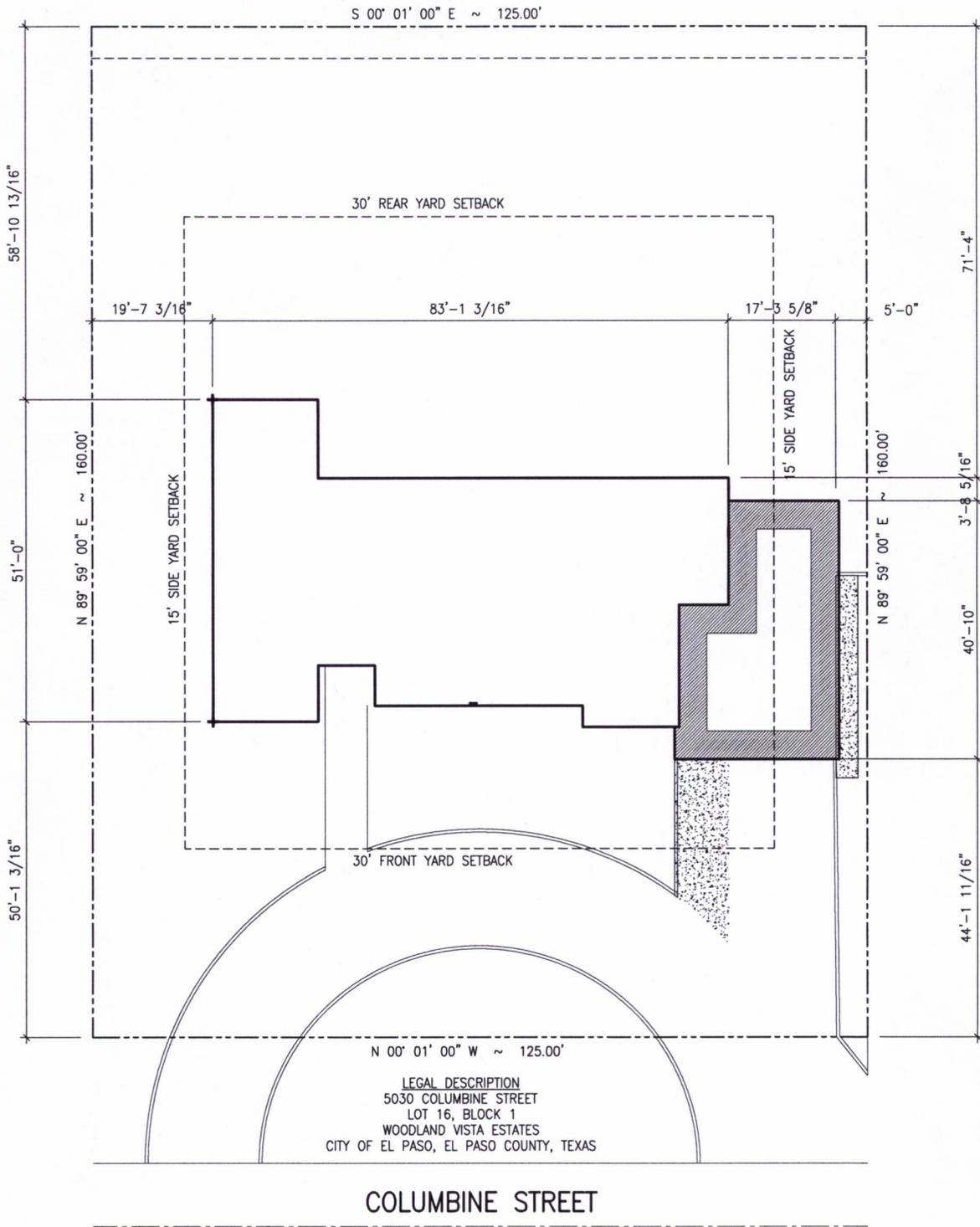
**STAFF RECOMMENDATION**

Staff recommends approval of the request as it meets the requirements for the Special Exception.

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

“Permit the modification of setback requirements as the board deems necessary to secure an appropriate development of a lot; provided, however, that:

1. The lot is in a legally recorded and developed subdivision of at least ten years; and,
2. There are two or more lots that do not conform to Title 20 located within the same block on the same side of the street or within the block directly across and abutting the street; and,
3. The modifications are in the same nature as the existing nonconforming lots and do not permit construction less conforming than the least conforming of the nonconforming lots, and,
4. If the subject lot is located at the intersection of two streets (a corner lot), then nonconforming lots within the same block on the same side of either intersecting street or directly across and abutting either intersecting street, but not lots located diagonally from the subject lot, may be used in determining the nonconforming lot restrictions of this special exception”.



A1

SITE PLAN – IMPROVEMENT

1/16"=1'-0"



NORTH

NEW ADDITION  
KEN JOHNSON RESIDENCE  
5030 COLUMBINE

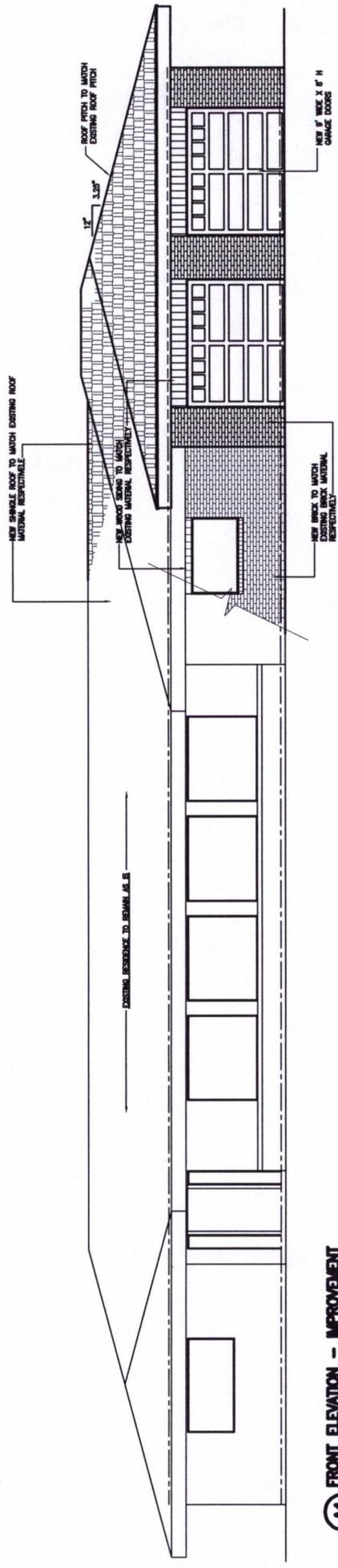
PARKHILL SMITH & COOPER



SHEET DESCRIPTION

Issue: EL PASO  
Project No: 03.7000.05

Date: 2/24/2209  
Sheet: A-1



**(A1)** FRONT ELEVATION - IMPROVEMENT  
1/8"=1'-0"

PARKHILL SMITH & COOPER



SHEET DESCRIPTION

Issue: EL PASO Date: 2/24/2209  
Project No: 03.7000.05 Sheet: A-2

NEW ADDITION  
KEN JOHNSON RESIDENCE  
5030 COLUMBINE



February 24, 2009

Linda J. Castle

Re: Zoning Board of Adjustments, Special Exception

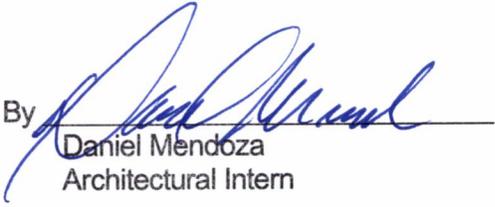
Dear Ms. Castle

This letter is to inform you of the other two residences that have built an enclosed garage encroaching into their respective setbacks. They are 5026 Columbine and 5027 Columbine. In addition, 5034 Columbine also has also built a garage the same manner.

Sincerely,

PARKHILL, SMITH & COOPER, INC.

By

  
Daniel Mendoza  
Architectural Intern

cc:

Amarillo

El Paso

Lubbock

Midland

XXX/xxx  
Enclosures

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# ZONING MAP



# NOTIFICATION MAP

