

Applicant requests a Special Exception under Section 2.16.050 C (Rear Yard Setback) in an R-5 (Residential) zone.

This would allow an existing addition, of which approximately 281 square feet (a 19' x ~13' portion + ~17' x 2' portion), encroaches into the required rear yard setback and is located to within 10 feet of the rear property line.

The required front and rear yard setback cumulative total is 45 feet in the R-5 zone district.

BACKGROUND

The applicant attached an existing accessory structure to the house without permit

The Planning Division has received two phone calls in opposition to the special exception request.

CALCULATIONS

Permitted area of encroachment in required rear yard setback = 285 sq. ft. (19' [57.2' average lot width ÷ 3] x 15' [3/5 of 25' required rear yard setback])

Requested area of encroachment in rear yard setback = ~281 sq. ft. (19' x ~13' + ~17' x 2')

Required rear yard setback = 25'

Requested rear yard setback = 10'

Required front and rear yard setback total = 45'

Requested front and rear yard setback total = 35'

STAFF RECOMMENDATION

Staff recommends approval with a condition as the requested square footage encroachment (281 sq. ft.) is less than the maximum permitted (285 sq. ft.).

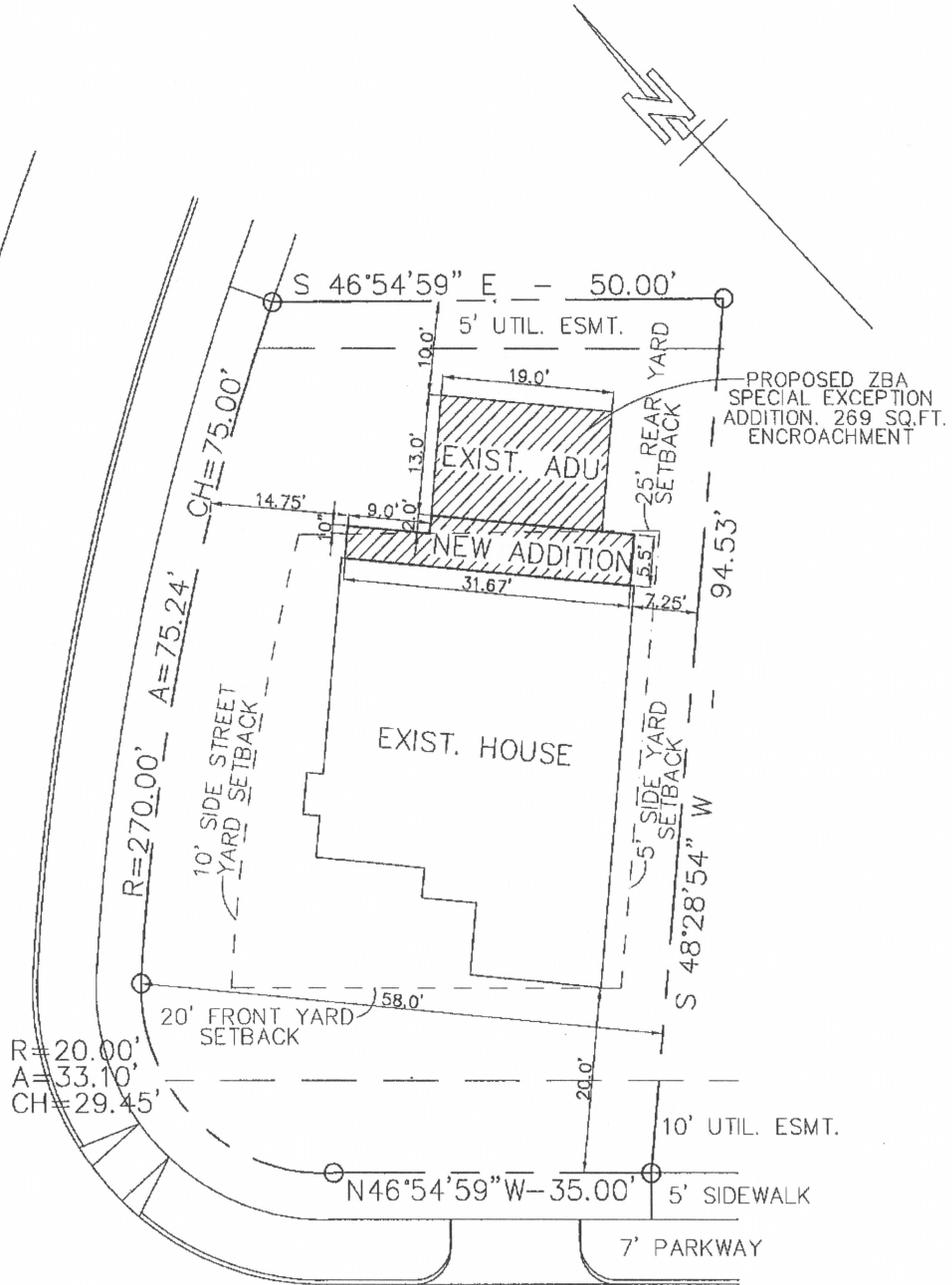
The applicant should note that Section 20.10.035.B.2 of the El Paso Municipal Code only permits attached ADU's (accessory buildings intended to be used as a dwelling unit) on lots of at least 5,500 sq. ft. The subject property is 0.1189 acres, or 5,179 sq. ft. Accordingly, any additions to the primary structure cannot be used for rental purposes or as a separate dwelling unit.

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.”

CLARA BARTON DR.
(60' ROW)

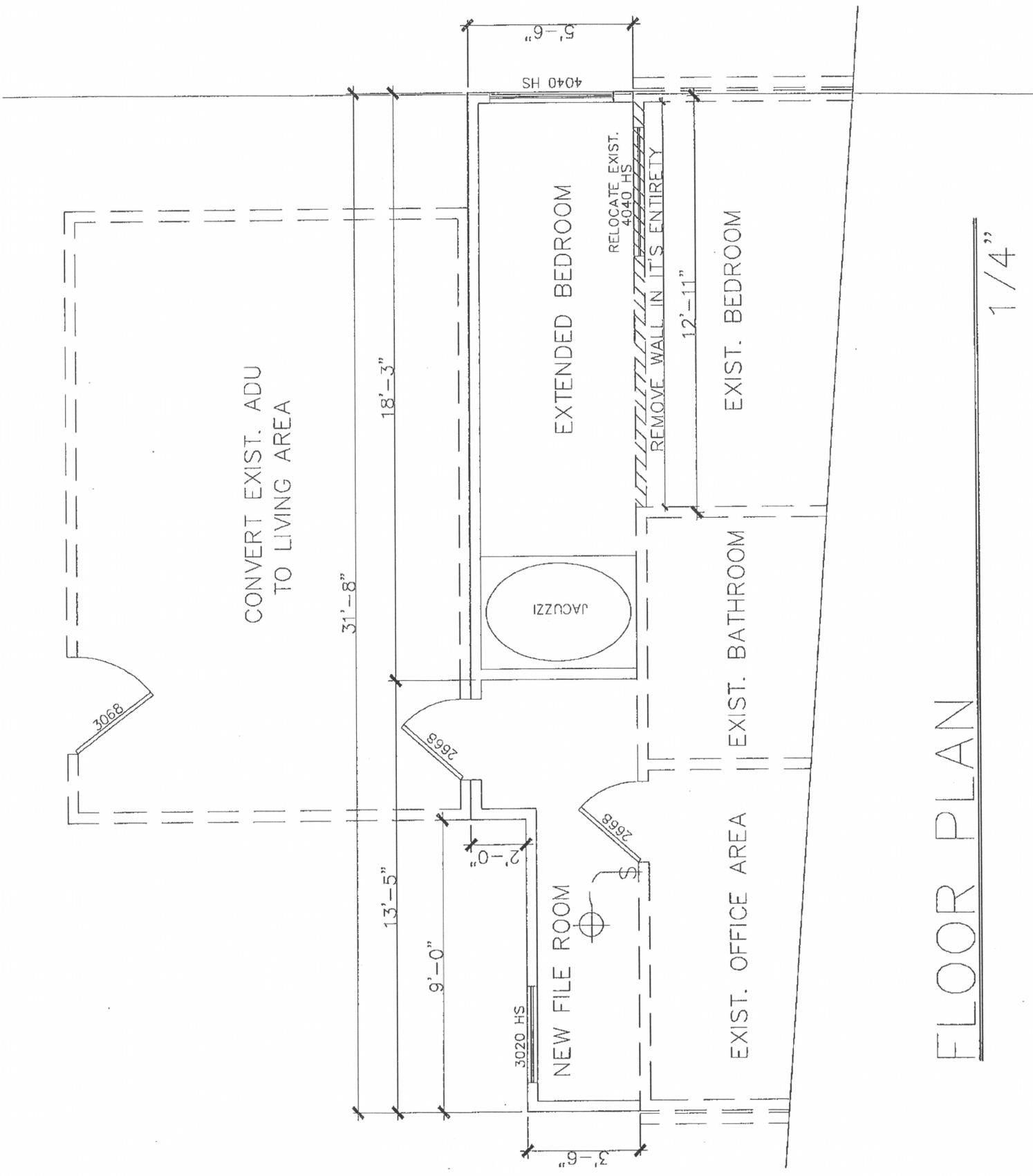


1678 PAUL TODD DR.
(60' ROW)

LEGAL DESCRIPTION

LOT 16 - BLOCK 416
VISTA DEL SOL - UNIT 92
CITY OF EL PASO, TEXAS

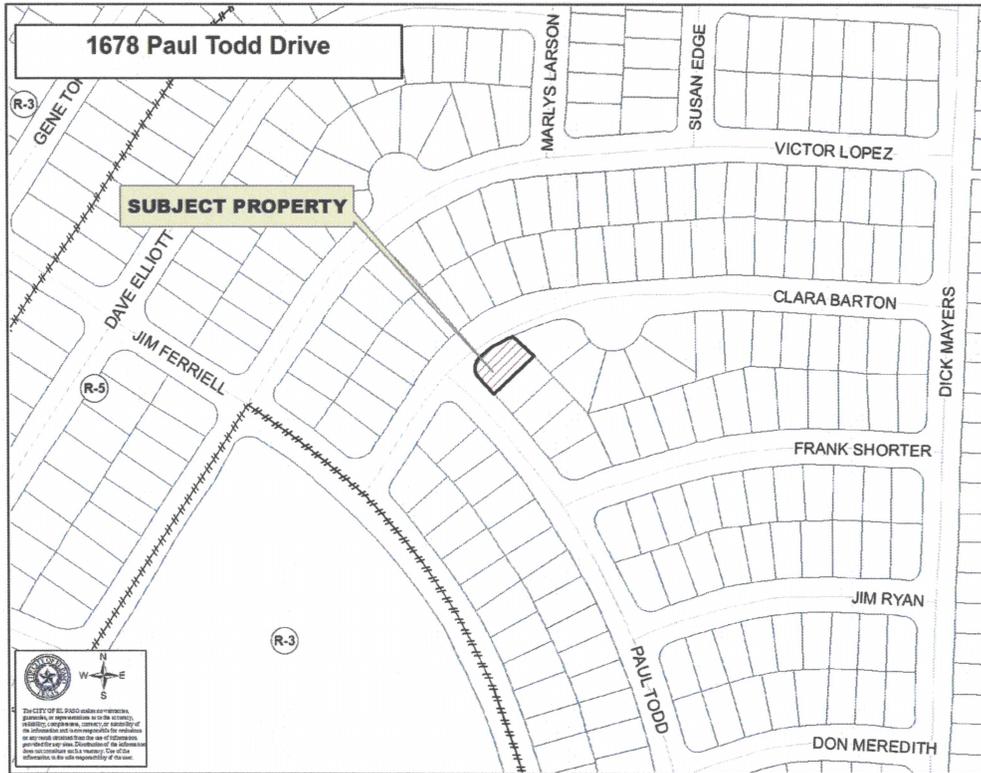
SITE PLAN 20'



FLOOR PLAN

1/4"

ZONING MAP



NOTIFICATION MAP

