

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. The case was postponed at the February 8 and March 8, 2010 meetings. The applicant has met twice with staff on how he could meet the Special Exception requirements. The applicant's representative has not yet submitted a site plan that meets the requirements of the ZBA ordinance. The applicant has indicated that he will ask for another postponement of his hearing, to the meeting of April 12, 2010.

CALCULATIONS

Required rear yard setback = 25'

Requested rear yard setback = 12'

Required side yard setback = 5'

Permitted square foot encroachment = 266.25 sq. ft. (17.75' [53.25' lot width ÷ 3] x 15' [3/5 of 25'])

STAFF RECOMMENDATION

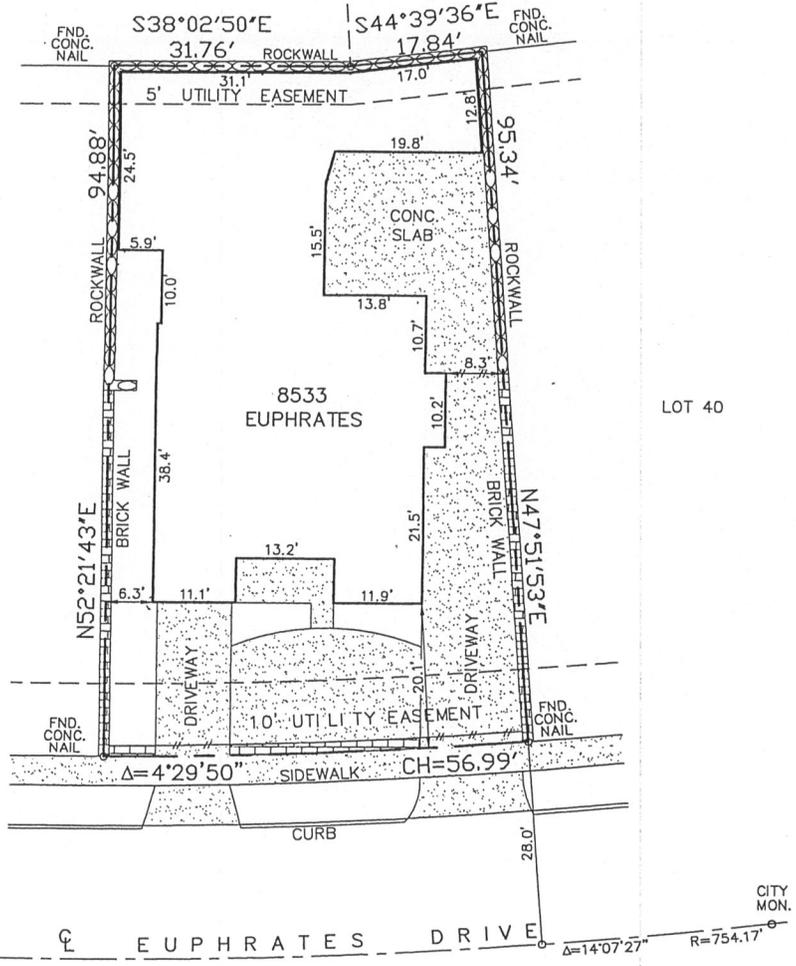
Pending.

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 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;
3. A minimum ten foot rear yard setback shall be required;
4. The minimum side and side street yards shall not be reduced;
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;
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 for rental purposes.

Ignacio S. Calderon
Maria R. Calderon
 LOT 10



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

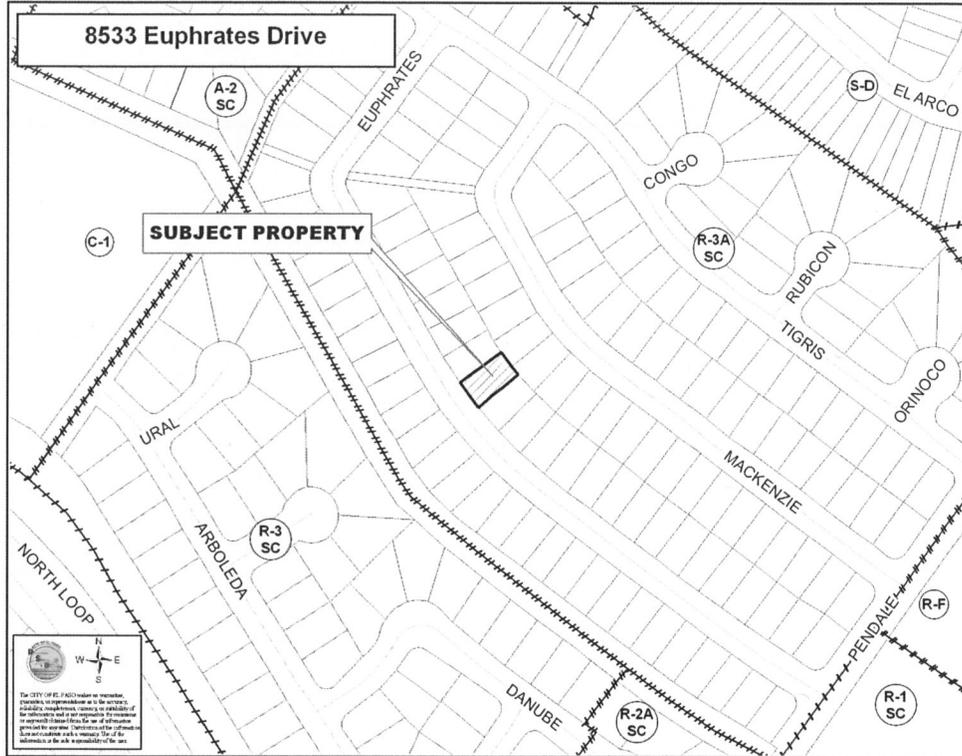
Manuel Calderon
 Registered Professional Land Surveyor No. 2564

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
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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