

Applicants request a Special Exception under Section 2.16.050 C (Rear Yard Setback) in an R-3A (Light Density Residential) zone.

The applicants are requesting the Special Exception for a 33.33' by 38' addition of which a 33.33' by 4.42' portion is proposed to encroach in the required rear yard setback.

The required front and rear yard cumulative setback total is 45' in the R-3A zone district.

BACKGROUND

The applicants are requesting a one-story addition in the rear yard under the amended ZBA ordinance that permits an addition based on square feet. The contractor, F&O Construction, obtained permit #RSP09-02336 to build the addition and began construction. However, an inspection showed that the addition was encroaching at the southwesterly corner of the lot, to within 19' of the rear property line.

CALCULATIONS

Required rear yard setback = 23.67'

Requested rear yard setback = 19.25'

Permitted square foot encroachment = 246.12 sq. ft. (17.33' [52' lot width ÷3] x 14.20' [3/5 of 23.67'])

Requested square foot encroachment = 147.31 sq. ft. (33.33' x 4.42')

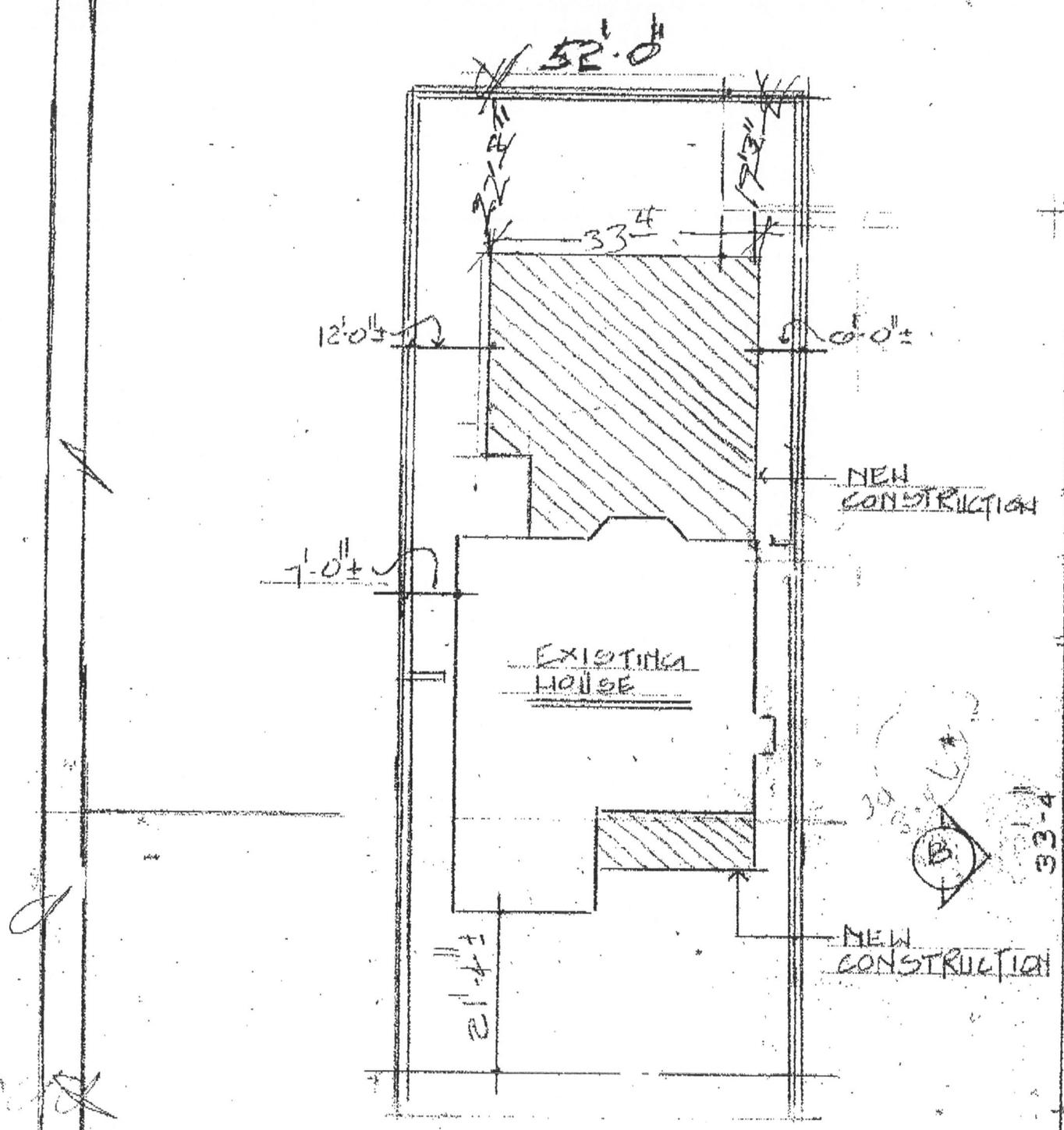
STAFF RECOMMENDATION

Staff recommends approval of the request as it meets the requirements of the Special Exception C, as amended by City Council on March 16, 2010.

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.



4828 NORTHVIEW

LOT 14 Block 1

SUNSHINE RANCH UNIT 1
SANDSTONE

amending

