

**Applicant requests a Special Exception under Section 2.16.050 L (Front & Side Yard Setbacks, in existence 15 years or more) in an R-4 zone.**

This would permit the existence of a residence that is located to within 6'6" of the front property line and a 19' wide addition that is located in the rear yard to within 0' of the side property line.

The required minimum front yard setback is 10' and the required side yard setback is 5' in the R-4 (Light Density Residential) zone.

**BACKGROUND**

The applicant is requesting to keep an addition in the rear yard that is located at 0' of the side property line. In addition, the house was built encroaching in the required front yard setback. The 1986 aerial shows that the house and the addition existed at that time as it exists today. The applicant, Victor M. Sandoval, has owned the property since 2006. Mr. Sandoval is the son of the former owner and current resident of the property, Mrs. Lydia Sandoval. Mr. Sandoval has been requested to file a Letter of Intent with the property records at the County affirming that the addition will not be rented as a separate apartment or as a duplex and will only be used by family members.

**CALCULATIONS**

- Minimum required front yard setback = 10'
- Requested front yard setback = 6'6"
- Required side yard setback = 5'
- Requested side yard setback = 0'

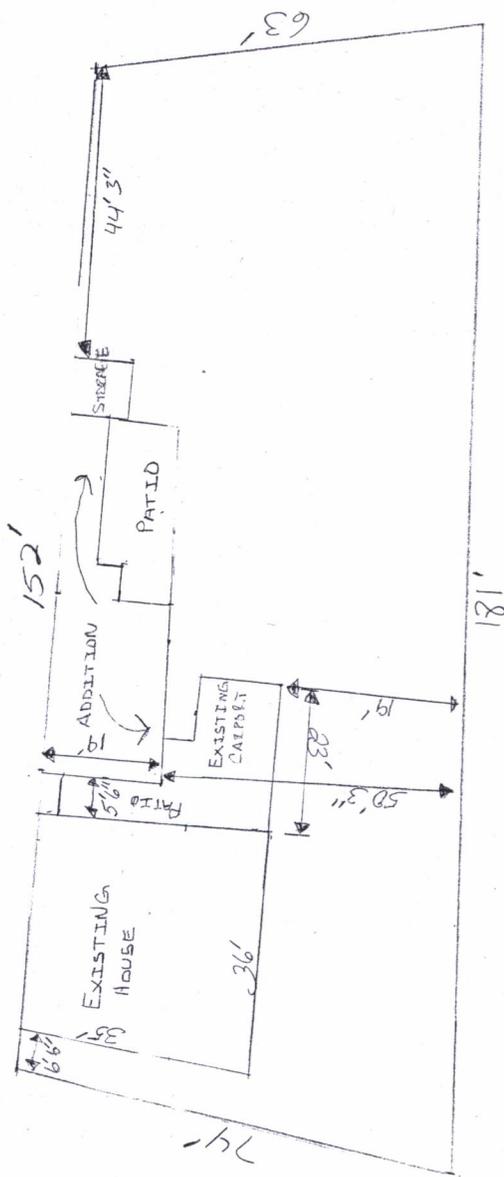
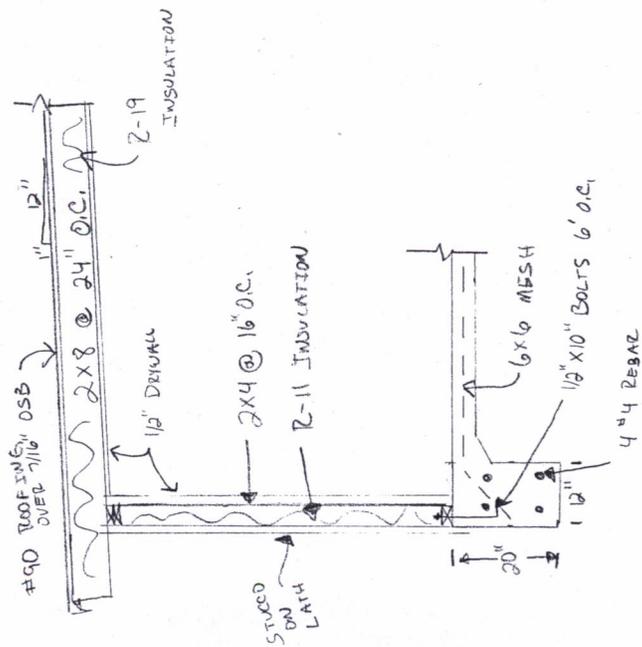
**STAFF RECOMMENDATION**

Staff recommends approval of the request with conditions that a notarized Letter of Intent be filed with the property records at the County and that any further additions meet setbacks for the zone district.

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

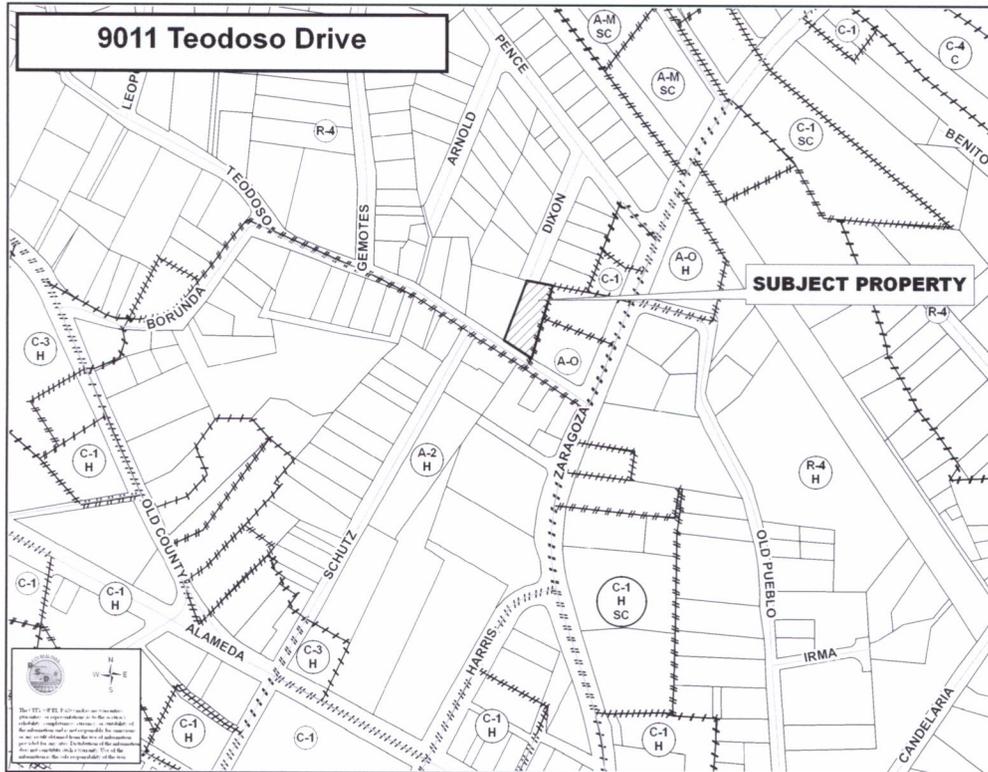
"Permit the encroachment into the required yard setbacks for structures; provided, however, that the applicant can prove the following conditions:

1. The encroachment into the required yard setback has been in existence for more than fifteen years; and,
2. Neither the applicant nor current property owner is responsible for the construction of the encroachment; and,
3. Neither the applicant nor the current property owner owned the property at the time the encroaching structure was constructed or built; and,
4. The encroachment, if into the required front yard setback, does not exceed fifty percent of the required front yard setback; and,
5. The encroachment does not violate any other provision of the Municipal Code."



NILETA GRANT  
 BLOCK # 37  
 TRACT 4B  
 OWNER: VICTOR SAVIDOVAL  
 9011 TEADOSO  
 1" = 20'  
 SITE PLAN

# ZONING MAP



# NOTIFICATION MAP

