

Applicant requests a Special Exception under Section 2.16.050 Q (Carport over a Driveway) in an A-O/sc (Apartment-Office/Special Contract/Medium Density Residential District) zone.

This would permit the construction of a 19' by 19' carport that is proposed to encroach 19' into the required front yard setback.

The required cumulative front and rear yard setback total is 45' for a single-family residence in an A-O/sc zone.

BACKGROUND

The Board postponed this case at the April 21, 2008, meeting until the meeting of May 19, 2008, and asked the applicant to obtain permission from the utility companies to build over the easement at the front of his property. The applicant has letters from the water, electric and gas companies that state no objection to his building over the easement. His case has been added to the May 5, 2008, ZBA meeting agenda for review by the Board. The staff has received one letter of opposition from a next door neighbor.

The applicant is proposing to add a carport that will encroach 19' in the front yard setback, to be located to within 1' of the front property line. The Engineering-Traffic Division has reviewed the site and has no apparent traffic concerns with the proposed carport, but notes that carports may not encroach onto sidewalks. The Building Permits & Inspections Division has reviewed the structural plans for the carport and finds them acceptable.

CALCULATIONS

Permitted carport area = 510 sq. ft. (First floor area under roof = $1,801 \div 5 = 360$ sq. ft. + 150 sq. ft. permitted porch)

Requested carport area = 361 sq. ft. (19' x 19')

Required front yard setback = 20'

Requested front yard setback = 1'

STAFF RECOMMENDATION

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

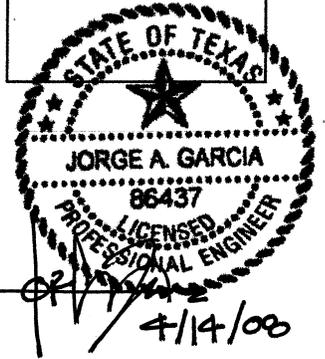
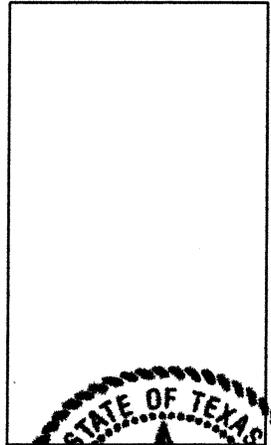
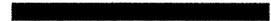
The Zoning Board of Adjustment is empowered under Section 2.16.050 Q to:

"Permit the encroachment into the required front yard setback beyond other allowed modifications for a canopy covering a driveway (as that term is defined in Section 19.04.040(c) of this code) on the lot; provided, however, that:

1. The canopy is located in a residential (R) district or at a single-family residence;
2. The canopy shall be structurally sound, connected to and in harmony with the dwelling, and shall be constructed in accordance with drawings and specifications bearing the seal of a registered professional engineer or architect;
3. The owners of property within three hundred feet of the subject property shall be provided written notice of the proposed canopy and ten days' prior written notice of the hearing of the board at which the application for special exception for the canopy shall be considered;
4. The area of the canopy shall not exceed one-fifth of the first-floor area of the dwelling, nor shall the canopy rise above the highest point of the roof of the dwelling;
5. The design and location of the canopy has received the written approval, based upon traffic safety and structural design considerations, of the City Engineer and Building Official for building services;
6. Unless otherwise provided in this chapter, all remaining areas of the required front yard shall be permanent open space;
7. There is no other reasonable alternative to provide a carport in the front yard of the subject property without exceeding the encroachments allowed in Title 20 of this code;
8. The extension shall not permit the creation of an additional dwelling unit nor shall it constitute an extension of the living area of the dwelling;
9. The exceptions will be in harmony with the spirit and purposes of Titles 2 and 20, including the preservation of the essential character of the district in which is located the property for which the exception is sought;
10. The public convenience and welfare will be substantially served;
11. The use of neighboring property will not be substantially injured; and
12. Include any conditions and safeguards which the Board deems appropriate, such as site arrangement, landscaping and hours of operation."



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 Phone: 479-4028
 E-mail: emmanuel.r.moreno@tu.edu



BUILDING ADDRESS

11963 DIEGO RIVERA
 EL PASO, TEXAS 79936

Property Description

Vista Del Sol UNIT
 UNIT ONE HUNDRED NINETEEN
 LOT 8, BLOCK 512
 City of El Paso, El Paso County, Texas

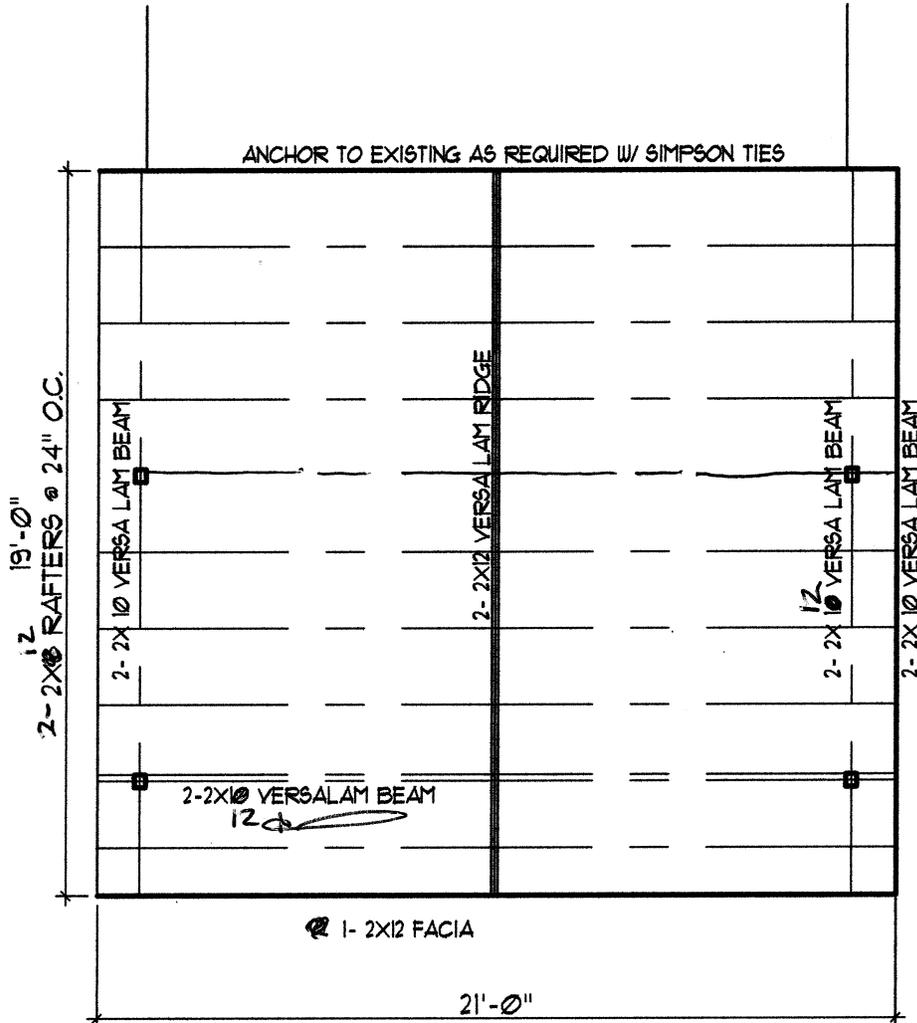
PROJECT INFORMATION

OCCUPANCY: R-3
 BUILDING TYPE: TYPE V
 TOTAL SQUARE FEET = 361



SITE PLAN AND PROPOSED CARPORT FLOOR PLAN

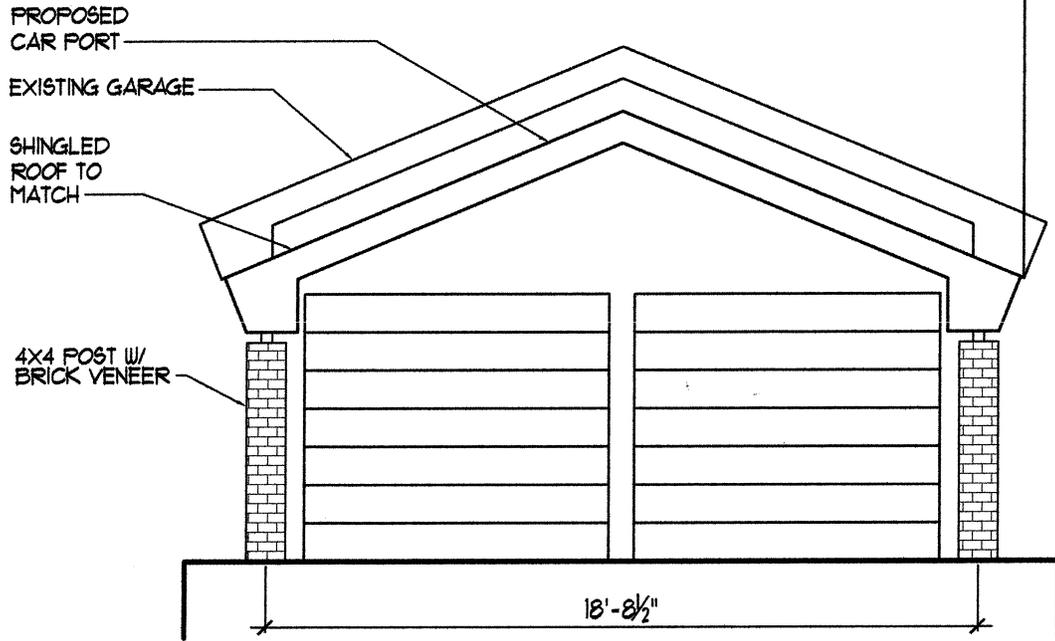
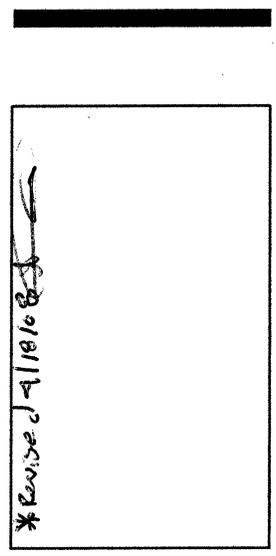
SCALE: 1" = 10'-0"



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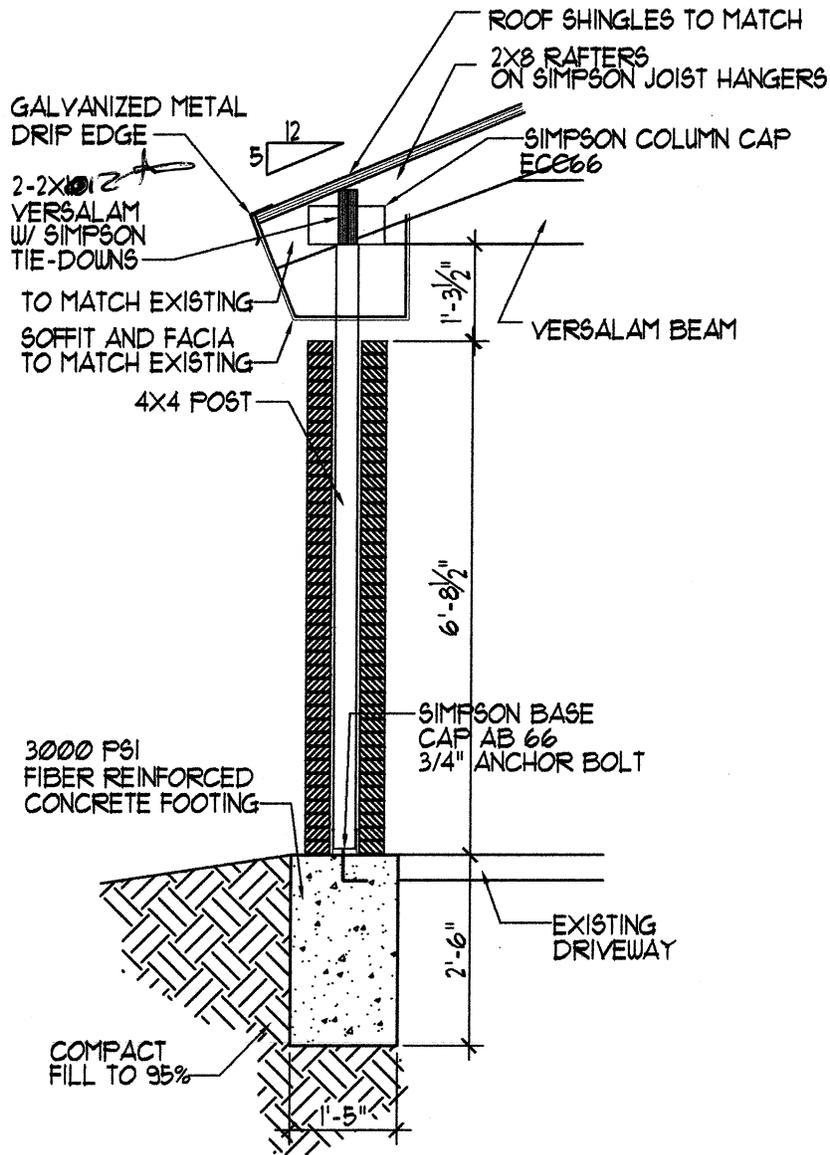


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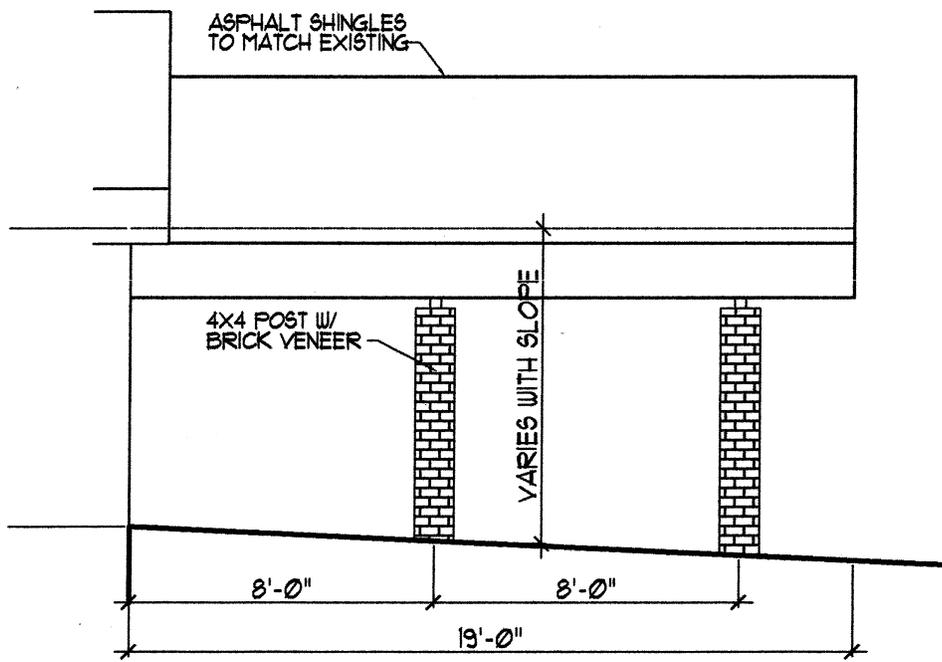
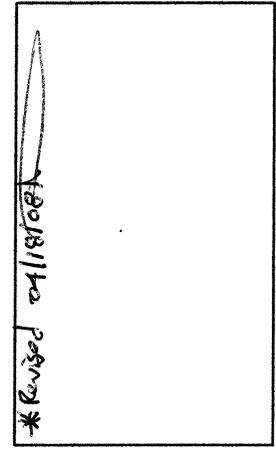


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 4/14/08

ROOF FRAMING PLAN AND ELEVATION
 SCALE: 1/4" = 1'-0"



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[Signature]
 4/14/08

SECTION AND SIDE ELEVATION

SCALE FOR SECTION: 3/4" = 1'-0"
 SCALE FOR ELEVATION: 1/4" = 1'-0"

**JOHN COOK
MAYOR**

**JOYCE WILSON
CITY MANAGER**

**PATRICIA ADAUTO
DEPUTY CITY MANAGER**



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
VACANT, DISTRICT 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
RACHEL QUINTANA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

APRIL 18, 2008

DEVELOPMENT SERVICES DEPARTMENT

MEMORANDUM

TO: Zoning Board of Appeals Staff
FROM: Javier De La Cruz, Building Plans Examiner, Building Permits and Inspections Section
SUBJECT: CARPORT CASE FOR April 21, 2008 ZBA MEETING
DATE: April 18, 2008

I have reviewed the plans for ZBA case 08-00026 located at 11963 Diego Rivera. The applicant is requesting a Special Q Exception under Title 2.16.050 for a carport over the driveway.

The carport's structural design has been reviewed and has been found to be acceptable.

This letter is written pursuant to Title 2.16.050.5 and provides written approval for the carport design based upon structural design considerations from the Building Permits and Inspections section of Development Services.

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
RACHEL QUINTANA, DISTRICT 5
EDDIE HOLGUIN, JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

ENGINEERING DEPARTMENT TRAFFIC DIVISION

TO: Linda Castle, Zoning Administrator
Robert Peña, Zoning Secretary

FROM: Margarita Molina, Engineering Department – Traffic Division

DATE: April 16, 2008

SUBJECT: **ZBA08-00026 – 11963 Diego Rivera Drive**
Proposed Carport

Regarding the above referenced item, the Traffic Division has the following comment:

- *No objections to proposed carport over existing driveway.
Carport shall not encroach on sidewalk.*

Should your office or the applicant have any questions or comments, please contact me at 541-4223.



April 29, 2008

Jose Donacio

RE: 11963 Diego Rivera, Lot 8, Block 512, Vista Del Sol Unit 119

Dear Mr. Donacio:

A check has been made for easements and El Paso Water Utilities service lines on your property and finds no objection to the construction of a carport.

The water and sewer lines are on the street and pose no problems for maintenance or repairs.

If you have any further questions, please call me at 594-5642.

Sincerely,

A handwritten signature in cursive script that reads "Francisco J. Provencio".

Francisco J. Provencio
Right-of-Way Agent



TEXAS GAS SERVICE

A DIVISION OF ONEOK

April 29, 2008

Jose Donacio
11963 Diego Rivera
El Paso, Texas 79936

RE: 11963 Diego Rivera, Lot 8, Block 512, Vista Del Sol Unit 119, City of El Paso, El Paso County, Texas.

Dear Mr. Donacio:

Texas Gas Service has no main line facilities within the above mention property and there fore offers no objection to the proposed project.

Should you have any questions or require further information, please feel free to call me at (915) 680-7242.

Regards,

Claudia Villanueva

Claudia Y. Villanueva
Engineering Department

4700 Pollard Street • El Paso, TX 79930-6806

P.O. Box 31458 • El Paso, TX 79931-0458

(915) 680-7200

www.texasgasservice.com



El Paso Electric

P.O. Box 982
El Paso, Texas
79960-0982
(915) 543-5711

April 22, 2008

Jose Donacio
11963 Diego Rivera
El Paso, TX 79936

Dear Mr. Donacio:

**LOT 8, BLOCK 512, VISTA DEL SOL UNIT 119
EL PASO, TEXAS**

Your recent request for a Letter of Non-Objection for a planned encroachment located on a dedicated utility easement, on land described as a portion of Lot 8, Block 512, Vista Del Sol Unit 119, has been approved.

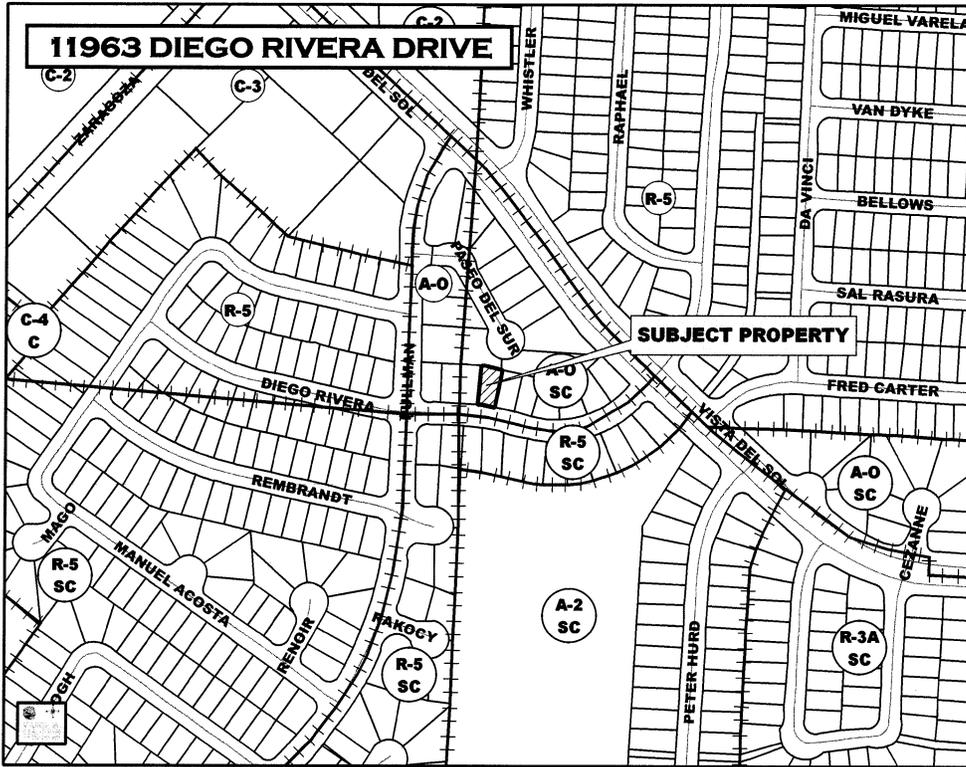
The planned structural encroachment does not interfere with our present or planned future use of this particular easement as is shown on the attached print. However El Paso Electric Company may enforce its right to use the easement in the future.

Sincerely;

A handwritten signature in black ink that reads "William C. Eggleston".

William C. Eggleston SR/WA
Senior Right of Way Specialist

ZONING MAP



NOTIFICATION MAP

