

**Applicant requests a Special Exception under Section 2.16.050 V (Front Yard Setback) in an R-1 zone.**

This would permit the construction of a new residence of which a 36' by 10' portion is proposed to encroach 10' into the required front yard setback.

The required cumulative front and rear yard setback total is 100' in an R-1 zone.

**BACKGROUND**

The applicant is requesting to build a new residence that will encroach into the required front yard setback. The site plan includes a detached garage in the rear yard setback which is allowed as an accessory structure.

**CALCULATIONS**

1/3 average lot width = 47.24'

Requested width of encroachment = 36'

Required front yard setback = 50'

Requested front yard setback = 40'

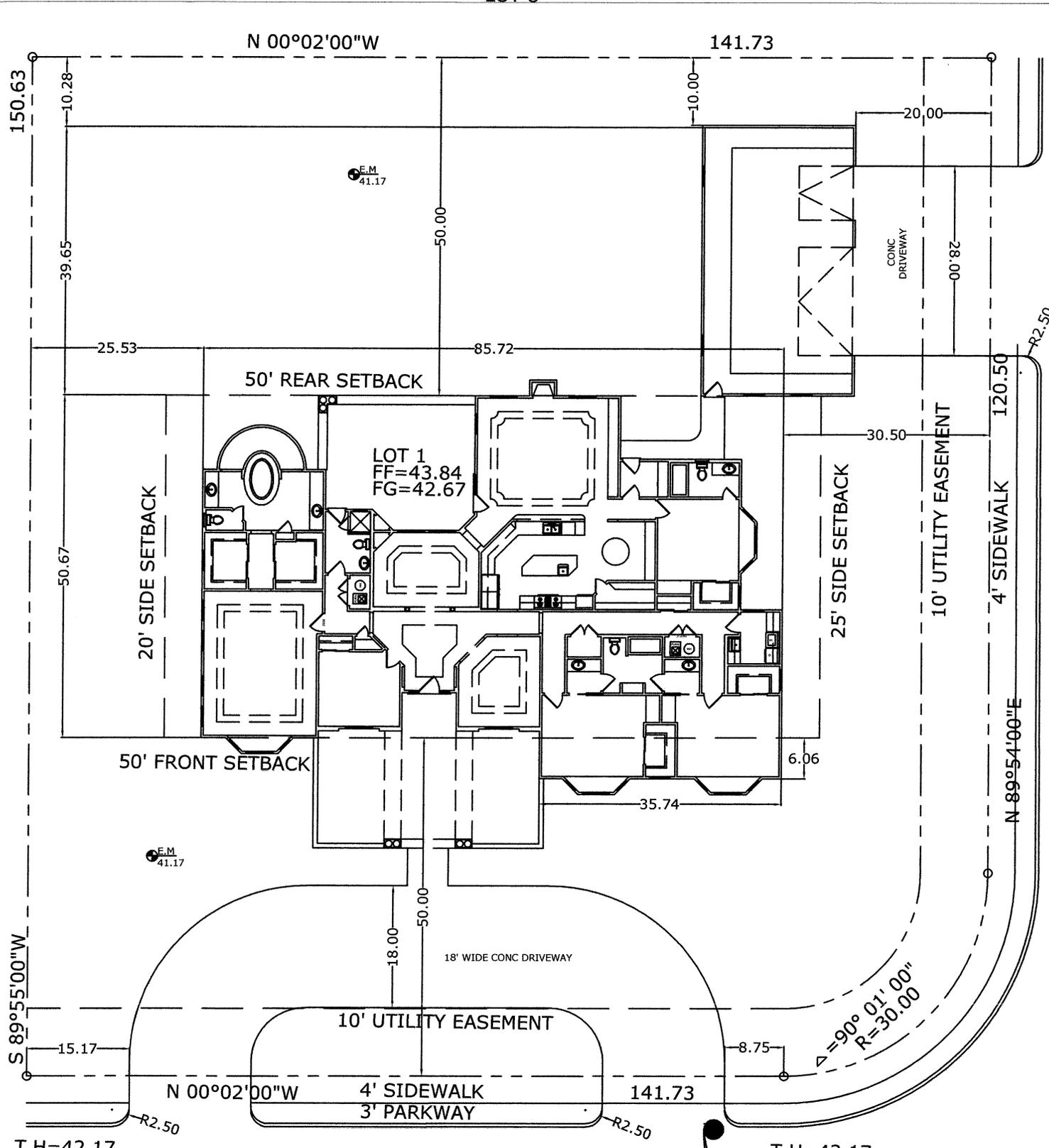
**STAFF RECOMMENDATION**

Staff recommends denial of this request because new houses should be designed and built within the required setbacks.

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

"Permit an extension of a single-family residential structure into the required front yard, which shall be measured to the property line, provided, however, that:

1. The total length all extensions granted shall not project into the required front yard a depth in excess of ten feet (10'), and
2. The total width of all extensions granted shall not exceed one-third of the average width of the site, and
3. The minimum side and side street yards shall not be reduced, and
4. A minimum of a ten foot (10') front setback from the property line shall be maintained, and
5. If the proposed modification is for an enclosed garage, a minimum twenty foot (20') driveway shall be required; and
6. Unless otherwise provided in this ordinance, all remaining areas of the required front yard shall be permanent open space; and
7. The extension shall not permit the creation of an additional dwelling unit or an over-intensive use or coverage of the site.
8. 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; and
9. The public convenience and welfare will be substantially served; and
10. The use of neighboring property will not be substantially injured; and
11. Include any conditions and safeguards which the board deems appropriate, such as site arrangement, landscaping and hours of operation."



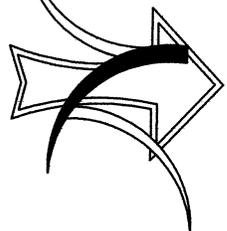
LOT 1  
FF=43.84  
FG=42.67

5533 EMERALD VIEW DR.

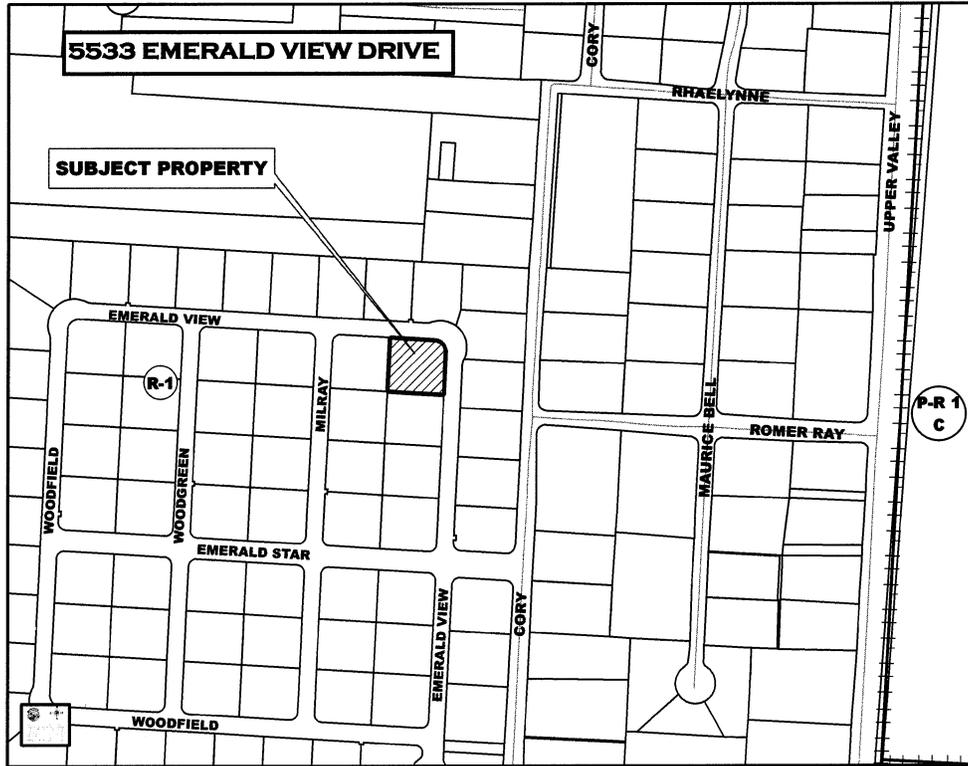
**SITE PLAN**

SC: 1" = 20'

EMERALD VALLEY ESTATES  
LOT 1, BLOCK 3  
EL PASO, TX. EL PASO, COUNTY



# ZONING MAP



# NOTIFICATION MAP

