

Applicants request Special Exceptions under Sections 2.16.050 G (Rear Yard Setback) and V (Front Yard Setback) in an R-1/sp (Light Density Residential/Special Permit) zone.

BACKGROUND

This would permit the construction of a new residence of which a 42' by 30' portion is proposed to encroach 30' into the required rear yard setback. This would also permit a 42' by 10' portion that 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/sp zone.

CALCULATIONS

1/3 average lot width = 42.77' (128.31 ÷ 3)

Requested width of encroachments, front and rear = 42'

Required rear yard setback = 50'

Requested rear yard setback = 20'

Required front yard setback = 50'

Requested front yard setback = 40'

STAFF RECOMMENDATION

Staff recommends denial of the request for the Special Exceptions because new houses should be built within the setback requirements of the zone in which they are located.

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

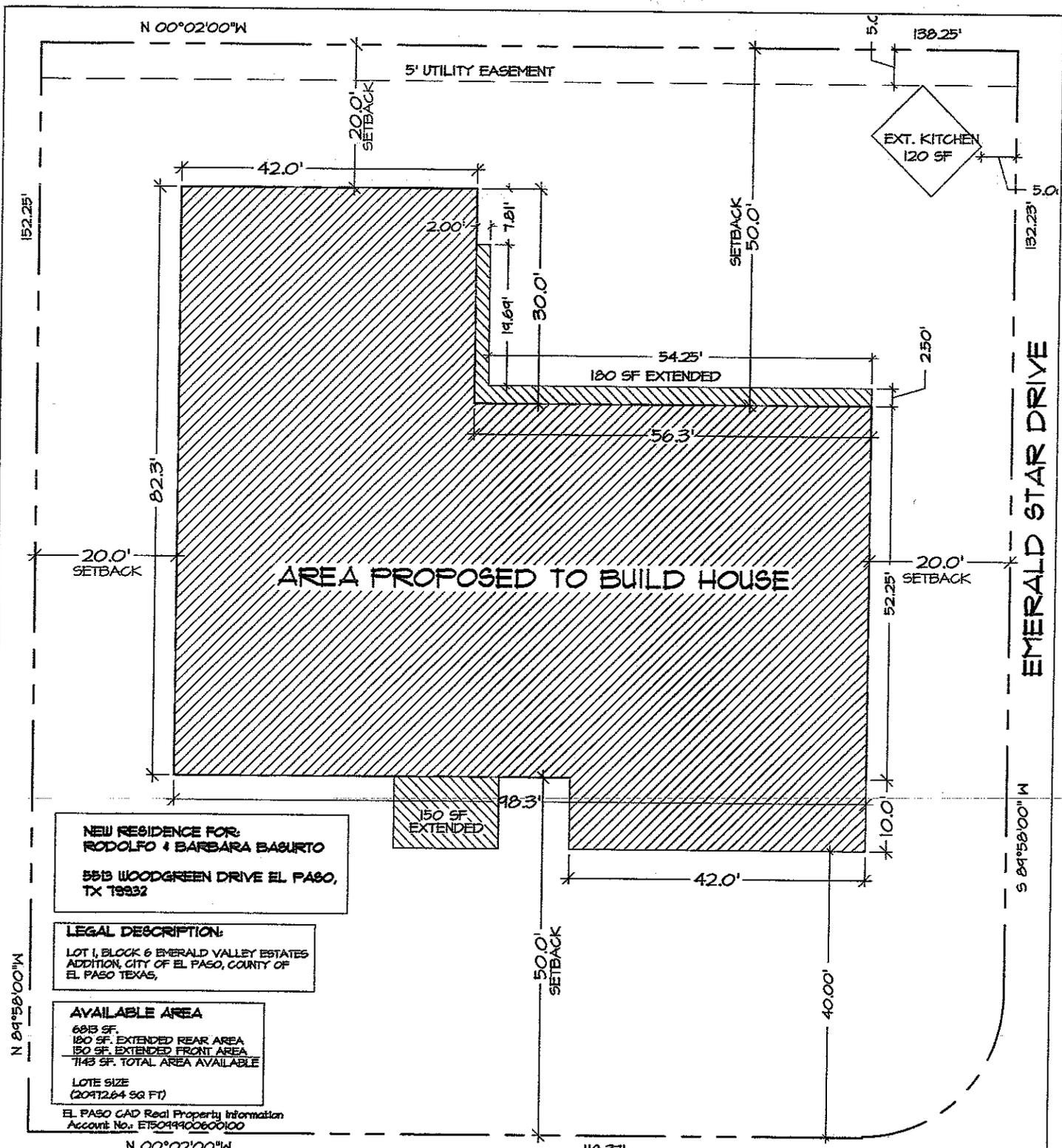
"Permit an extension of a single-family residential structure into the required rear yard, which shall be measured to the rear property line, not to the centerline of the alley, if one exists; provided, however, that:

1. The total of all extensions granted shall not project into the required rear yard for a depth in excess of three-fifths of the required yard, except that a minimum 10 foot rear yard setback shall be required;
2. The total width of all extensions granted shall not exceed one-third of the average width of the site;
3. The minimum side and side street yards shall not be reduced;
4. The total floor area of all detached accessory structure(s) existing or later constructed on the site shall not exceed one hundred and twenty square feet;
5. Unless otherwise provided in this ordinance, all remaining areas of the required rear yard shall be permanent open space;
6. The extension shall not permit the creation of an additional dwelling unit or an over-intensive use or coverage of the site;
7. 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;
8. The public convenience and welfare will be substantially served;
9. The use of neighboring property will not be substantially injured; and
10. Include any conditions and safeguards which the board deems appropriate, such as site arrangement, landscaping and hours of operation."

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.”



**NEW RESIDENCE FOR:
RODOLFO & BARBARA BASURTO**

5513 WOODGREEN DRIVE EL PASO,
TX 79932

LEGAL DESCRIPTION:
LOT 1, BLOCK 6 EMERALD VALLEY ESTATES
ADDITION, CITY OF EL PASO, COUNTY OF
EL PASO TEXAS,

AVAILABLE AREA
6813 SF.
180 SF. EXTENDED REAR AREA
180 SF. EXTENDED FRONT AREA
7143 SF. TOTAL AREA AVAILABLE

LOT SIZE
(20972.64 SQ FT)

EL PASO CAD Real Property Information
Account No. ET5044900600100

5513 WOODGREEN DRIVE

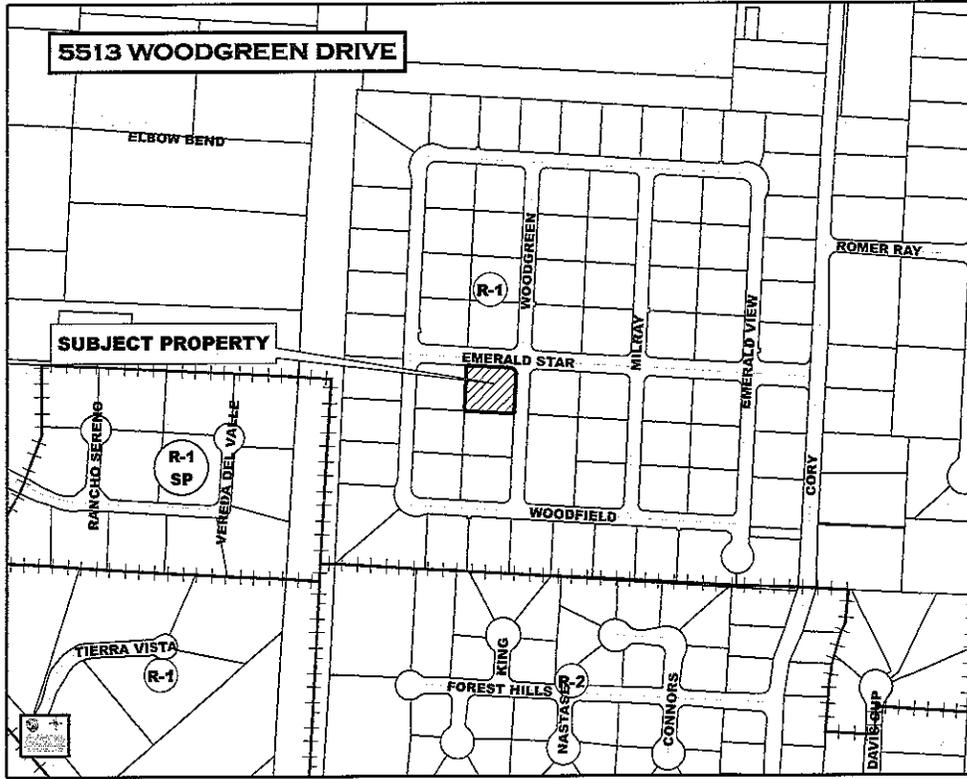


SITE PLAN

SCALE: 1"=20'-0"

| | | |
|---|---|---|
| <p>NEGA-7 design and construction inc.</p> <p>648 Bristol El Paso Tx. 79912 (915)-253-69-09 (915)-875-05-32 egt63@yahoo.com.mx</p> | <p>CUSTOMER: RUDY AND BARBARA BASURTO</p> | <p>SHEET A1 OF</p> |
| | <p>ADDRESS: 5513 WOODGREEN DRIVE EL PASO TX</p> | |
| | <p>LEGAL DESCRIPTION: LOT 1, BLOCK 6 EMERALD VALLE ESTATES ADDITION, CITY OF EL PASO, COUNTY OF EL PASO TEXAS.</p> | <p>DRAWN BY: EST.</p> |
| | <p>SCALE: AS NOTED</p> | <p>DATE: 4-16-08</p> |

ZONING MAP



NOTIFICATION MAP

