ZBA08-00044 5104 Orleans Avenue Tobin Park United Methodist Church
Applicant requests a Special Exception under Section 2.16.050 G (Rear Yard Setback) in an R-4 zone.

This would permit a 23.33' by 12' addition of which a 23.33' by 7' portion is proposed to encroach 7 feet into the required rear yard setback.

The required cumulative front and rear yard setback total is 45' in an R-4 zone.

BACKGROUND
The applicant, Tobin Park United Methodist Church, owns a house that is used for a pastor's residence. They are requesting to enclose a porch for a bedroom addition that will encroach 7 feet into the required rear yard setback.

NOTE: The applicant submitted an application to the Zoning Board of Adjustment on May 7, 2008, and can be considered under the requirements of the ZBA ordinance existing prior to the adoption of the new ZBA ordinance on May 13, 2008.

CALCULATIONS
1/3 average lot width = 23.33' (70 ÷ 3)
Requested width of encroachment = 23.33' (23'4")
Required rear yard setback = 20'
Requested rear yard setback = 13'

STAFF RECOMMENDATION
Staff recommends approval as the request meets the requirements of the Special Exception G.

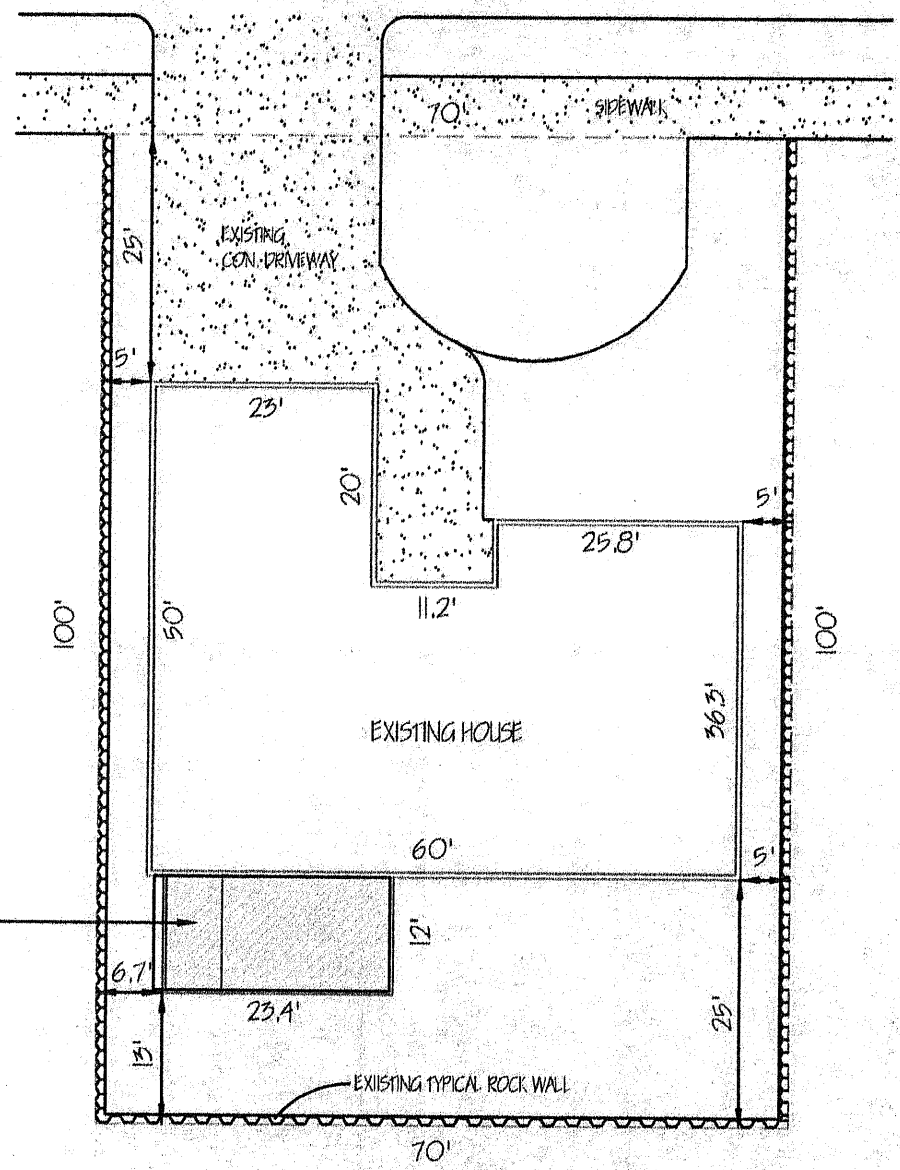
The Zoning Board of Adjustment is empowered under Section 2.16.050 G to:

"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."

ITEM #2

TIGER CONSTRUCTIONS

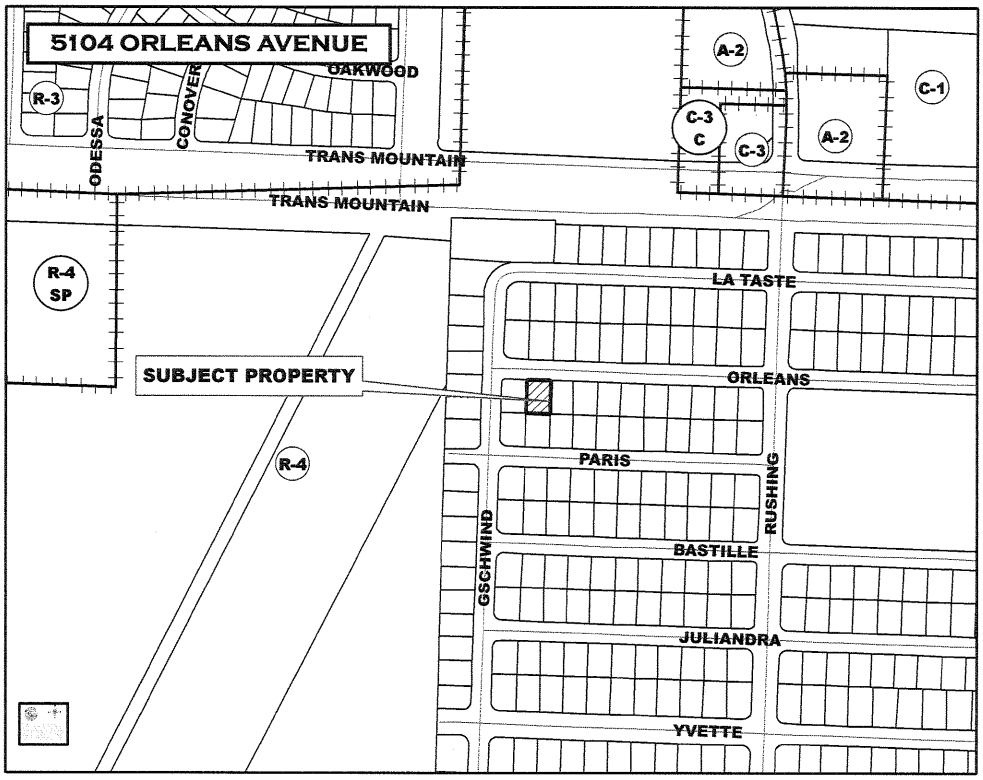
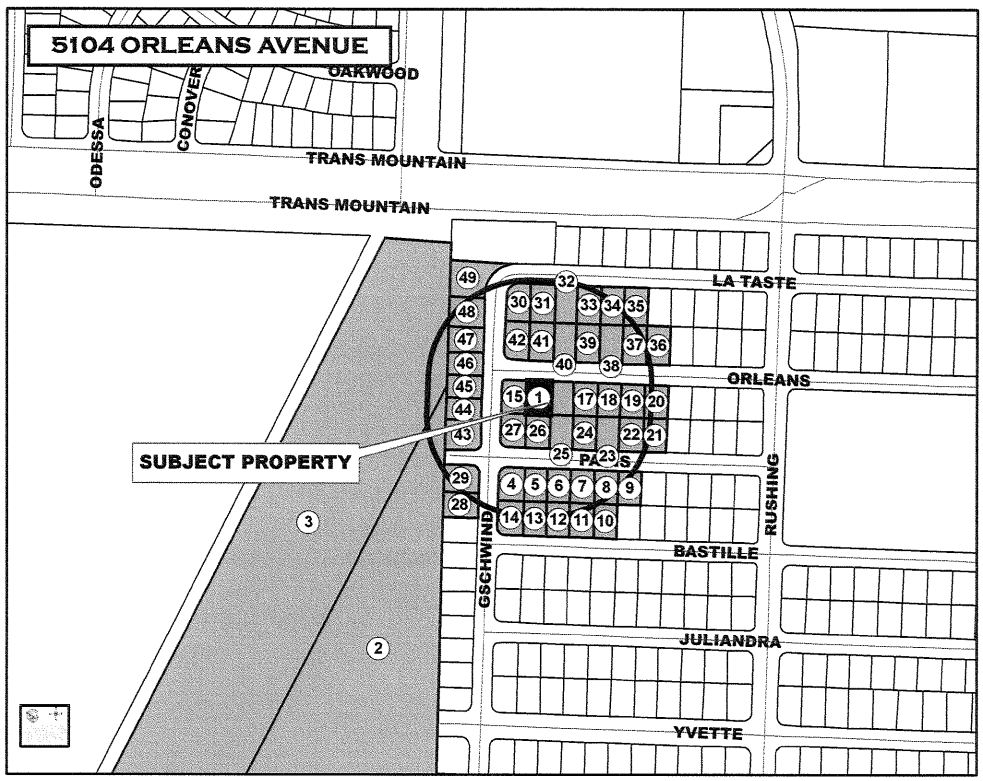


LEGAL DESCRIPTION:
46 MILAGRO HILLS
LOT 2
(7,000 SQ FT)
PID: M42599904600500
R-4 ZONING
OWNER NAME: TOBIN PARK UNITED METHODIST
5104 ORLEANS AVENUE
EL PASO, TX 79924

SITE PLAN
SCALE 1" - 20'

TOBIN PARK UNITED METHODIST
5104 ORLEANS AVE.
EL PASO, TX 79904

ZONING MAP



NOTIFICATION MAP