

**Applicant requests a Special Exception from Section 20.16.050 Q (Carport over a Driveway) in an R-3 zone.**

This would permit the existence of an 18' by 21' carport of which an 18' by 19' portion encroaches 19 feet into the required front yard setback.

The required cumulative front and rear yard setback total is 50' in an R-3 zone.

**BACKGROUND**

At the ZBA meeting of June 9, 2008, this case was postponed to the June 23, 2008, meeting to allow the applicant to submit corrected structural drawings. The applicant was cited in February 2008 for building a carport without permit. He has submitted plans that show a carport with 63 square feet of the existing canopy removed and located to 1'10" of the front property line. The Engineering Department-Traffic has reviewed site and notes no objections to the carport over the driveway. The Building Permits & Inspections Division has reviewed and approved the revised structural drawings. The utility easement for this property is located at the rear property line.

NOTE: The applicant submitted an application to the Zoning Board of Adjustment on May 1, 2008, prior to the adoption of the new ZBA ordinance on May 13, 2008.

**CALCULATIONS**

Permitted carport area = 358.20 sq. ft. (First floor area under roof =  $1,041 \div 5 = 208.20$  sq. ft. + 150 sq. ft. of permitted porch)

Requested carport area = 342 sq. ft. (18' x 19')

Required front yard setback = 20'

Requested front yard setback = 1'10"

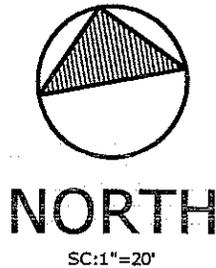
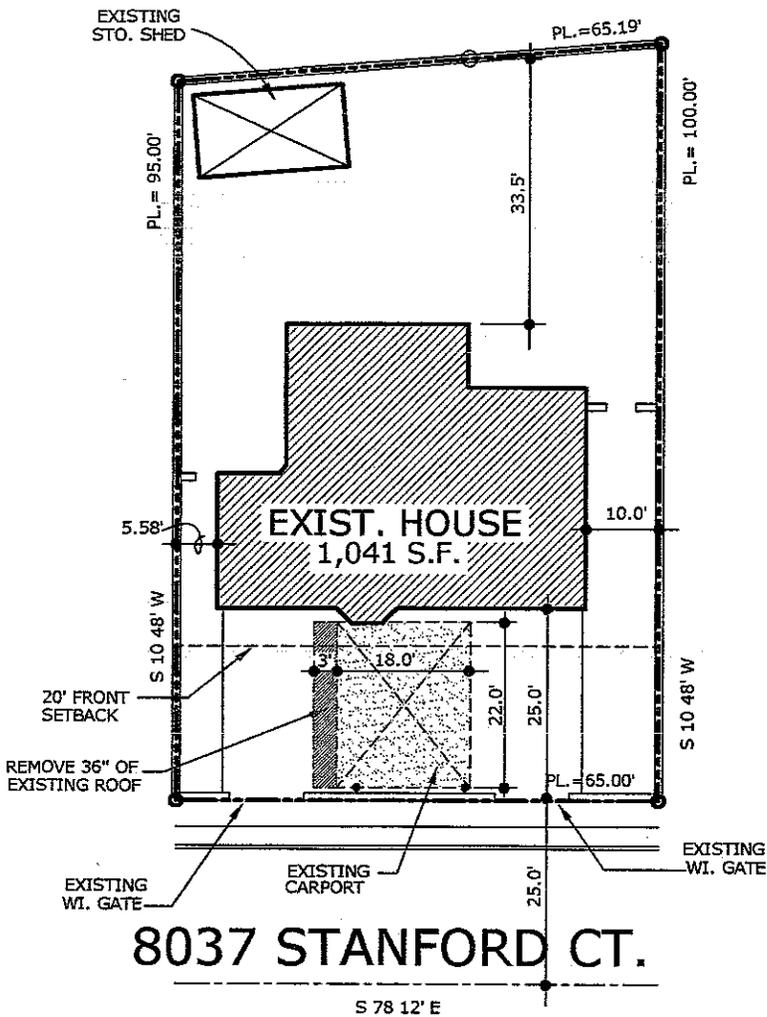
**STAFF RECOMMENDATION**

Staff recommends approval as it meets the requirements under 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."



*Enrique A. Rey PE*

*30 Apr 08*

# MESA VISTA BLOCK-4

LOT-S PT. OF 14, 65' ON S., 95' ON W.,  
65.19' ON N., 100' ON E.

4-28-08

## SITE PLAN



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

**JUNE 18, 2008**  
**DEVELOPMENT SERVICES DEPARTMENT**

**MEMORANDUM**

**TO:** Zoning Board of Appeals Staff  
**FROM:** Juan Estala, Building Plans Examiner, Building Permits and Inspections Section

**SUBJECT:** CARPORT CASE FOR June23, 2008 ZBA MEETING

**DATE:** June 18, 2008

I have reviewed the plans for ZBA case 08-00043 located at 8037 Stanford court. 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 COOK  
MAYOR



JOYCE WILSON  
CITY MANAGER

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

## ENGINEERING DEPARTMENT

### *CITY OF EL PASO*

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

FROM: Margarita Molina, Traffic Engineering Division

DATE: May 29, 2008

SUBJECT: **ZBA08-00043 8037 Stanford Court**  
Special Exception Q

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Regarding the above referenced item, for the Zoning Board of Adjustment, the Traffic Division has the following comments.

- *No objections to proposed carport over existing driveway.*

Should your office or the applicant have any questions or comments regarding these issues, please contact Margarita Molina, at 541-4223.

