

PZBA15-00014 3248 Mountain Walk Drive Fred A. and Marie E. Loweree
Applicants request a Special Exception under Section 2.16.050 K (15 Years or More)
in an R-2 (Residential) zone.

Special Exception K would allow the existing 186.81 sq. ft. (12.3' x 15.3') accessory storage structure which is located to within zero feet (0') of the side property line to remain.

The required side and side street yard cumulative setback is 20 feet.

BACKGROUND

The applicants are requesting Special Exception K to allow the existing encroachments into the side yard setback for a 12.3' x 15.3' accessory storage structure. The applicants have provided an affidavit, 1996 aerial map, the original warranty deed, and probate court document. The accessory storage structure was constructed in 1994. The 1996 aerial shows the property existing then as it does today, with the accessory structure in its current configuration.

The Planning Division has not received any communications in support or opposition to the special exception request.

CALCULATIONS

Required side yard setback in R-2 zone district = 8'

Requested westerly side yard setback = 0'

STAFF RECOMMENDATION

Staff recommends approval of the request for the Special Exception K, as evidence submitted supports the special exception and the applicant meets all requirements.

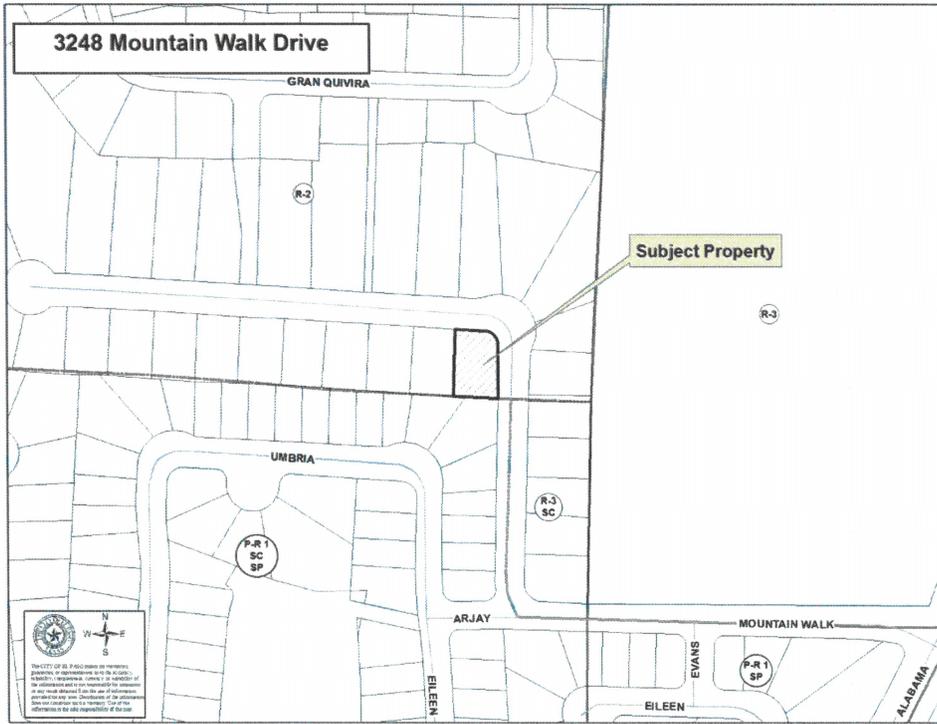
Note to the applicant: Applicant will have to comply with code requirements due to the close proximity of the accessory structure to the main house.

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

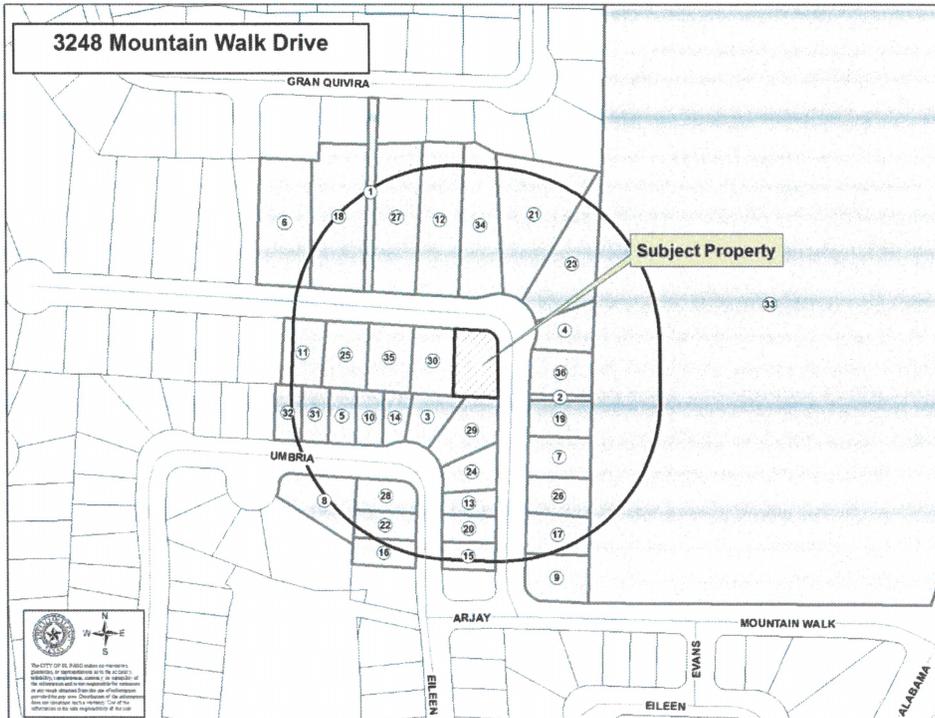
"Permit the encroachment into the required yard setbacks for structures; provided, however, that the applicant can prove the following conditions:

1. The encroachment into the required yard setback has been in existence for more than fifteen years;
2. Neither the applicant nor the current property owner is responsible for the construction of the encroachment;
3. Neither the applicant nor the current property owner owned the property at the time the encroaching structure was constructed or built;
4. The encroachment, if into the required front yard setback, does not exceed fifty percent of the required front yard setback; and
5. The encroachment does not violate any other provision of the El Paso City Code."

ZONING MAP



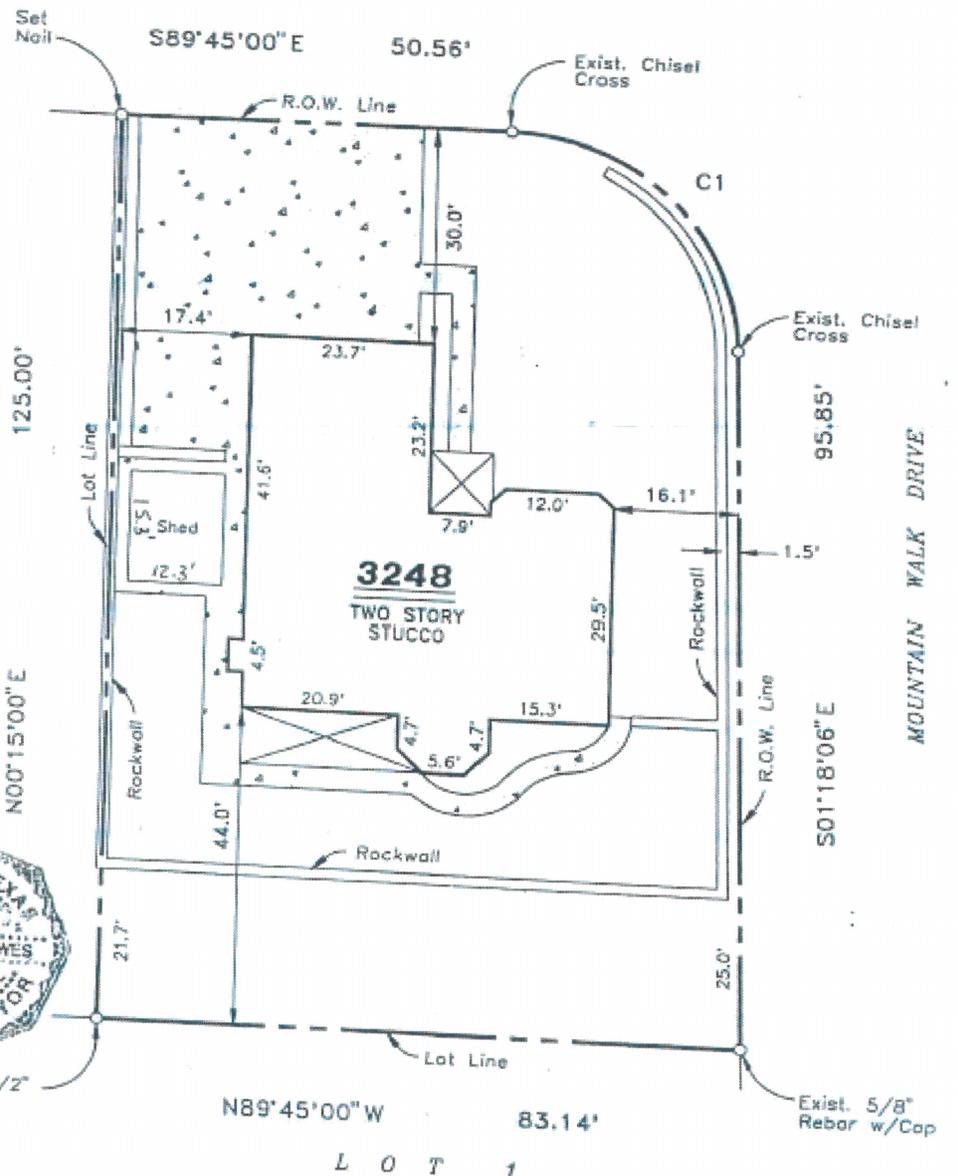
NOTIFICATION MAP



FLOOD CERTIFICATE: ACCORDING TO FLOOD INSURANCE RATE MAP, COMMUNITY-PANEL NUMBER 480214 0029B, EFFECTIVE DATE: OCTOBER 15, 1982 OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THIS PARCEL LIES WITHIN A ZONE DESIGNATION OF "C", WHICH INDICATES THAT THIS PARCEL DOES NOT LIE WITHIN A FLOOD HAZARD AREA.

MOUNTAIN WALK DRIVE

(60.0' R. O. W.)



Exist. 1/2" Rebar

Exist. 5/8" Rebar w/Cap

CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C1	30.00'	46.31'	41.85'	S45°31'33"E	88°26'54"

I hereby certify that the foregoing boundary and improvement survey was made by me or under my supervision and that there are no encroachments except as shown. Only platted easements are shown.

Larry L. Drewes
 Larry L. Drewes, R.P.L.S.
 Texas 4869 N.M. 11402

Plat of Survey

LOT 2, BLOCK 1,
 MOUNTAINSIDE UNIT ONE REPLAT A,
 EL PASO, EL PASO COUNTY, TEXAS.



Land-Mark Surveying
 9665 Stonehaven Dr. • El Paso, Tx. 79925
 (915) 598-1300

Job No. 96-02-6072

Plat Reference: Vol./Bk. 59, Page 88.
 Scale: 1" = 20'
 Date: SEPT. 25, 1996.

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