

**Applicant requests a Special Exception from Section 2.16.050 K (Carport over a Driveway) in an R-5 (Residential) zone.**

This would permit the existence of a 24' by 14' carport proposed to encroach 14' into the required front yard setback.

The required cumulative front and rear yard setback total is 45' in an R-5 zone.

**BACKGROUND**

The applicants were cited on March 31, 2008 for constructing a carport that encroaches 14' into the required front yard setback without the applicable building permits. The applicants submitted the application for the Zoning Board of Adjustment on June 17, 2008 after the second inspection and certified letter were sent to the property owner. The carport rises above the highest point of the roof of the dwelling and is not constructed of the same material, structural design, and color scheme as the existing residential structure. The Building Permits and Inspections Division has reviewed the plans and found them to not be acceptable. The existing and proposed beams are not compliant with the building code load requirements. In addition, there is a 10' utility easement located at the front property line; the owner will have to obtain permission from the utility companies in order to build within the easement.

**CALCULATIONS**

Permitted carport area = 362.60 sq. ft. (First floor area under roof =  $1,063 \div 5 = 208.20$  sq. ft. + 150 sq. ft. of permitted porch)

Requested carport area = 336 sq. ft. (24' x 14')

Required front yard setback = 20'

Requested front yard setback = 6'

**STAFF RECOMMENDATION**

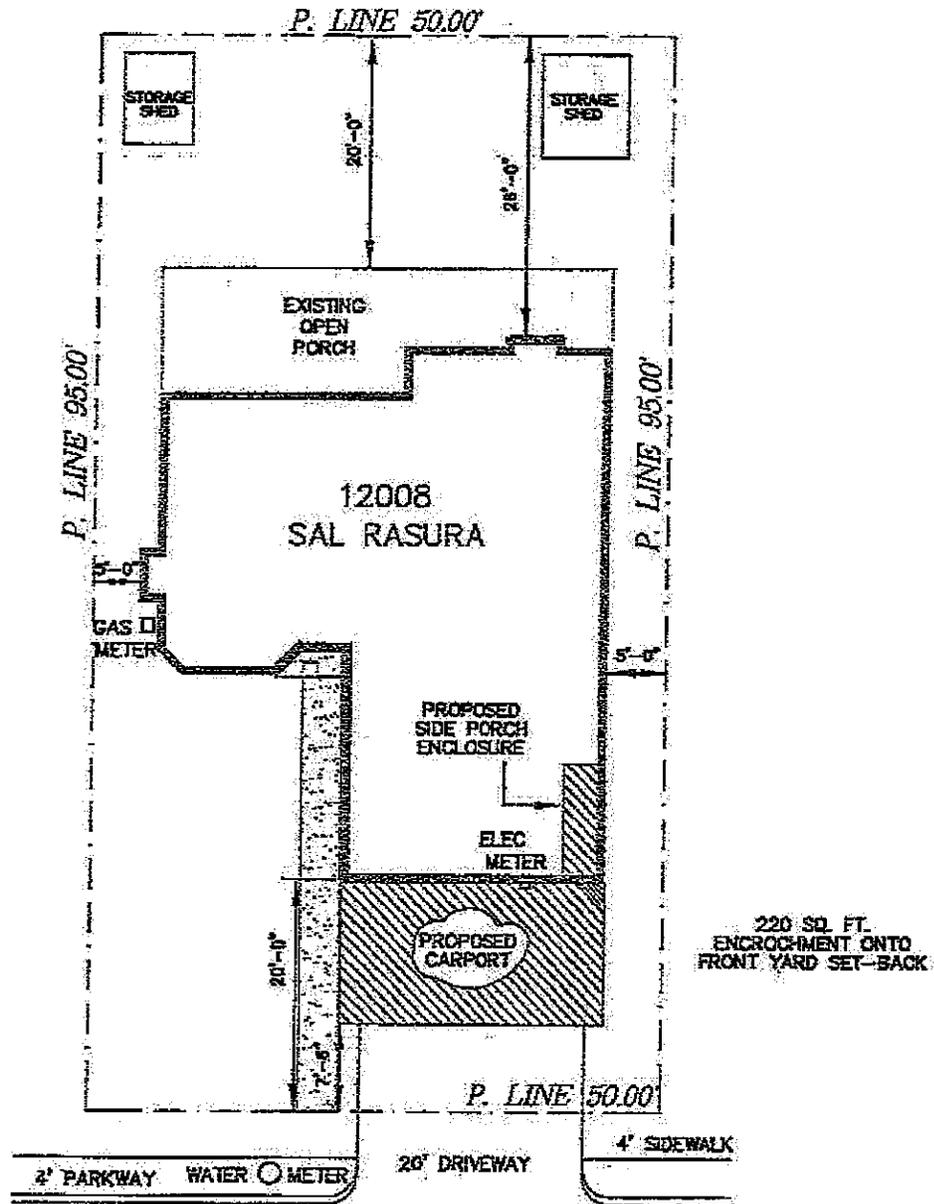
Staff recommends denial of the Special Exception as the application does not meet requirements 2, 3, and 4 of Section 2.16.050 K of the El Paso Municipal Code.

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

"Permit the encroachment into the required front yard setback for a lot in a residential (R) district beyond other allowed modifications for a carport covering a driveway; provided, however, that:

1. The residence has been in existence and owner occupied for one continuous year, and has a valid certificate of occupancy; and,
2. *The zoning board of adjustment has received the written approval of the structural design from the building permits and inspection division of the development services department; and,*
3. *The carport shall be constructed of the same material, architectural design, and color scheme as the residential structure, open on three sides, and attached to the main structure; and,*
4. *The area of the carport shall not exceed one-fifth of the first-floor area of the dwelling, nor shall the carport rise above the highest point of the roof of the dwelling; and,*
5. Elevation drawings of the proposed structure shall be submitted; and,
6. For a duplex, the total of all extensions granted shall not exceed one-third the average width of the site, and the total of all extensions for either unit of the duplex shall not exceed two-thirds of the average width of that unit; and,
7. Unless otherwise provided in this chapter, all remaining areas of the required front yard shall be permanent open space; and,
8. 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; and,
9. 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; and,
10. 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,
11. The public convenience and welfare will be substantially served; and,
12. The use of neighboring property will not be substantially injured; and,
13. Include any conditions and safeguards which the Board deems appropriate, such as site arrangement, landscaping and hours of operation."

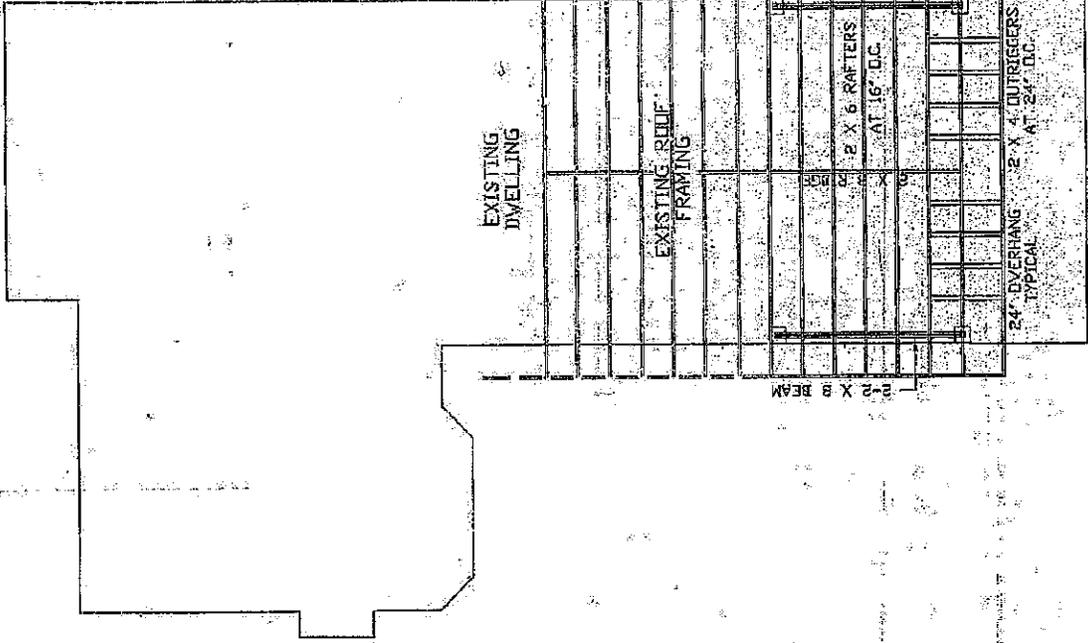
**ITEM #1**



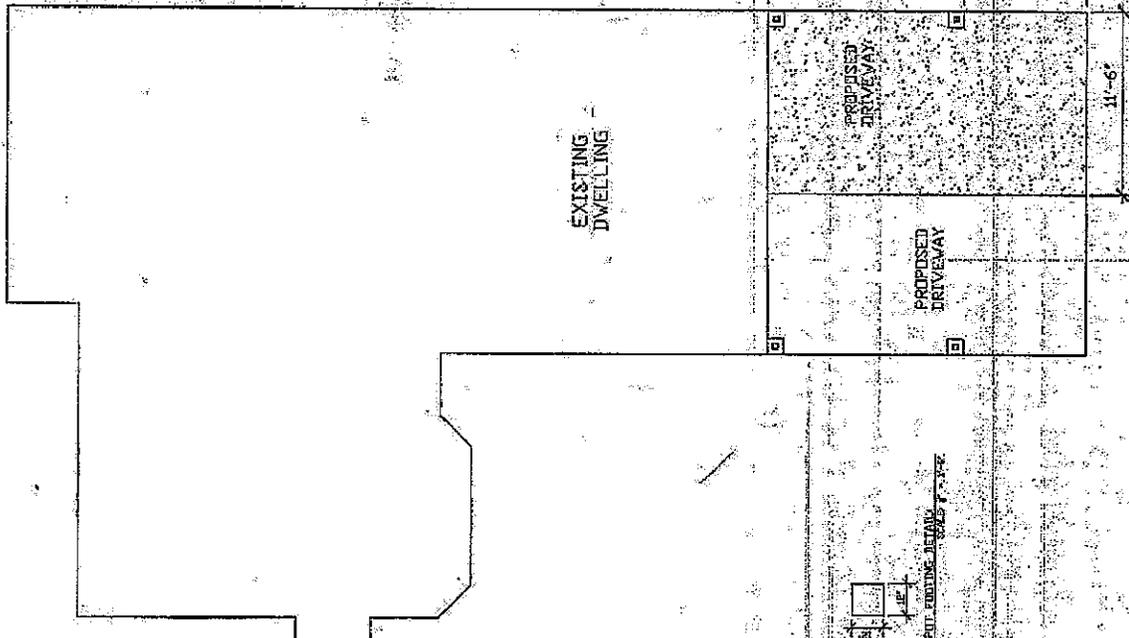
SAL RASURA

SITE PLAN

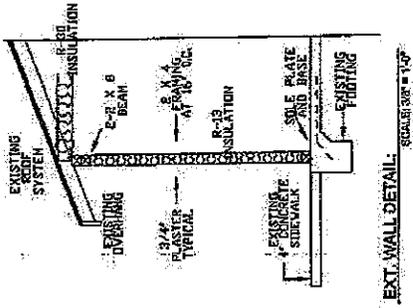
SCALE: 1" = 20'-0"



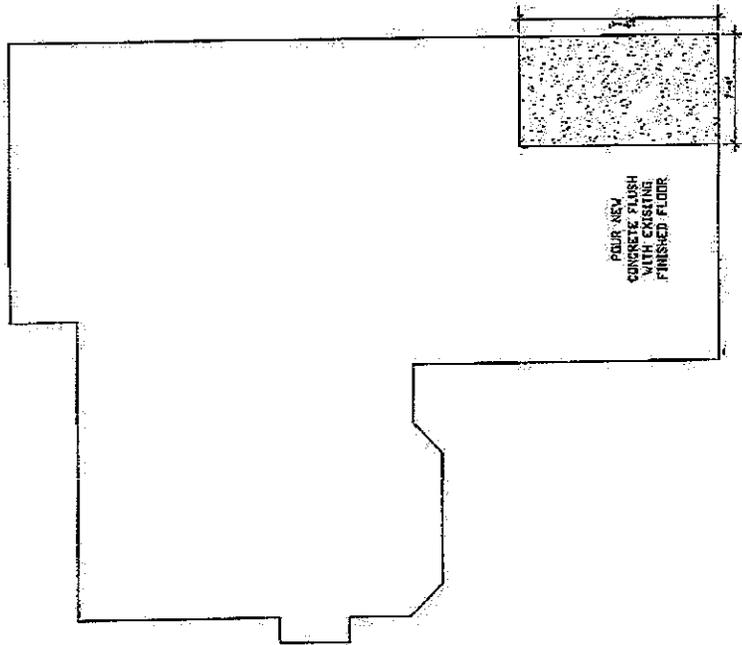
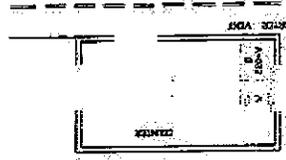
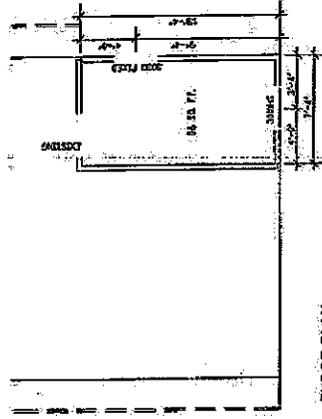
ROOF FRAMING PLAN SCALE 3/8" = 1'-0"



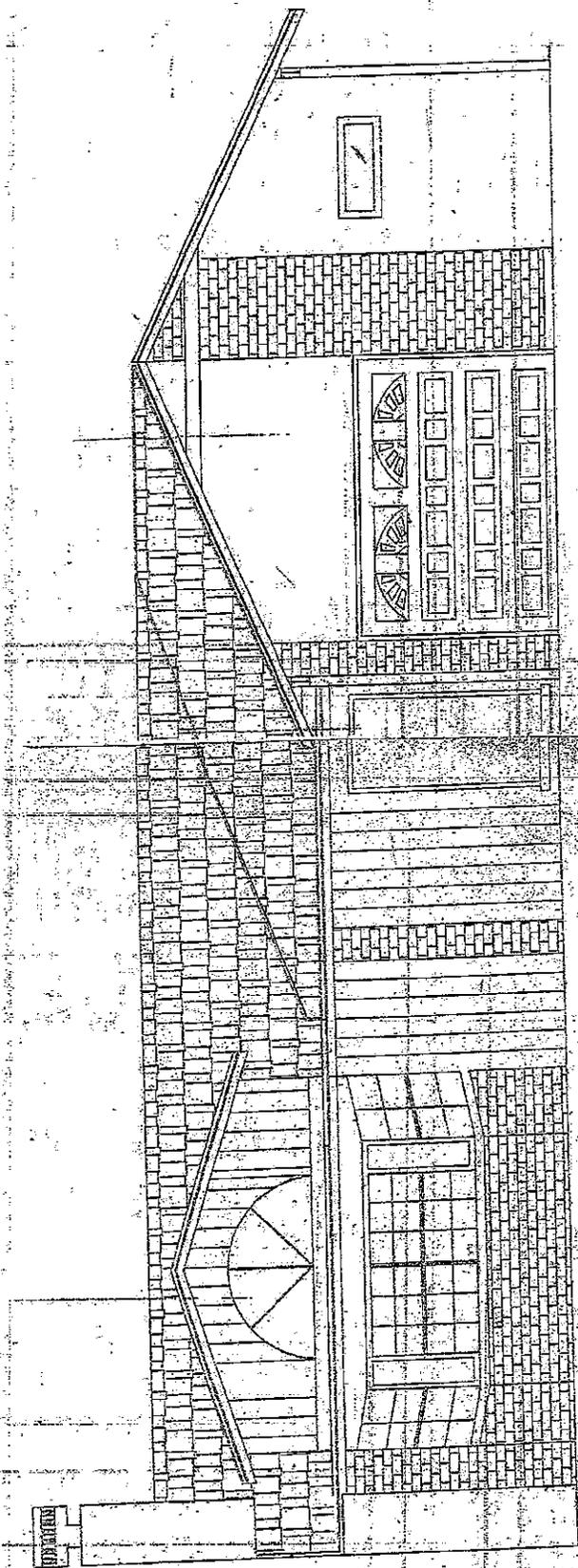
FOUNDATION PLAN SCALE 3/8" = 1'-0"



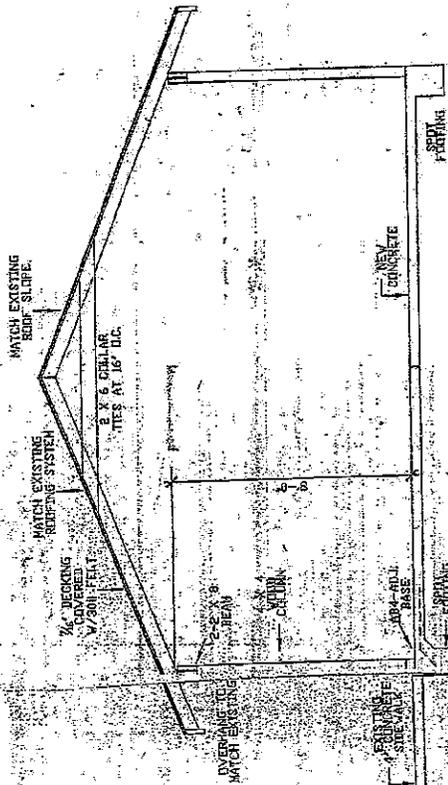
- CONSTRUCTION NOTES**
1. ENCLOSE EXISTING SIDE FRONT PORCH, INTERIOR AND EXTERIOR FINISHES TO MATCH EXISTING.
  2. ROUGH-IN FOR WASHER AND DRYER.



ROOF FRAMING PLAN SCALE: 3/16" = 1'-0"



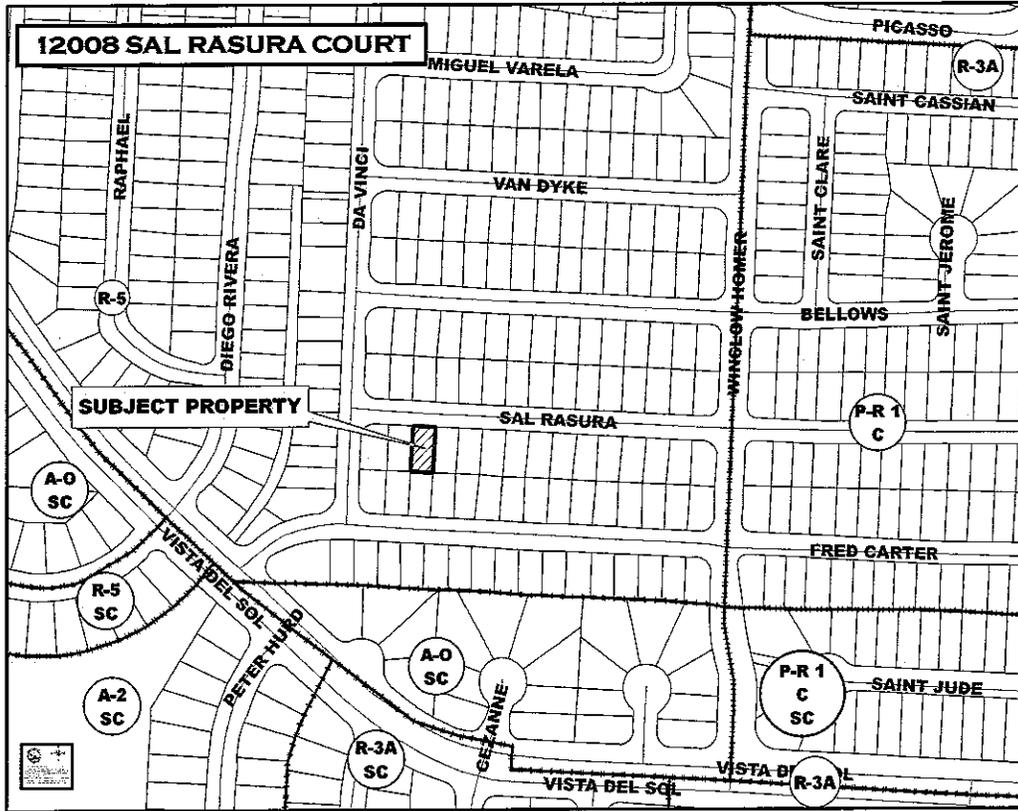
FRONT ELEVATION  
SCALE 3/8" = 1'-0"



CONSTRUCTION NOTES:

1. POUR NEW CONCRETE DRIVEWAY AS PER PLAN
2. BUILD NEW GARPORT TO MATCH DWELLING SLOPE AND DESIGN AS CLOSE AS POSSIBLE
3. FINISH EXISTING SIDE FRONT PORCH, WALKWAY AND EXTERIOR FINISHES TO MATCH EXISTING
4. ROOF-IN FOR WALKWAY AND WALKWAY

# ZONING MAP



# NOTIFICATION MAP

