

Applicant requests a Special Exception under Section 2.16.050 B (Two or More Non-Conforming Lots) in an R-1 (Residential) zone.

The request is for a proposed 20'3" by 22'2" carport to be located to within 1 foot of the side property line.

The required cumulative side yard setback total is 40 feet in the R-1 zone district.

BACKGROUND

The applicant is requesting to encroach in the required side yard setback to within 1' of the side property line for a carport. There are several properties on Columbine which have been granted variances, special exceptions or building permits to encroach in the side yard setback for carports or garages. The property at 5034 Columbine was granted a Special Exception on June 23, 2008 to encroach to 0' of the side property line for a garage. The property at 5018 Columbine was granted a building permit in 1993 to build a garage that appears to be at 0' of the side property line.

CALCULATIONS

Required side yard setback = 25'

Requested side yard setback = 1'

STAFF RECOMMENDATION

Staff is recommending approval of the Special Exception as there are at least two properties with existing carports or garages that are as nonconforming or are more nonconforming than the subject property.

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

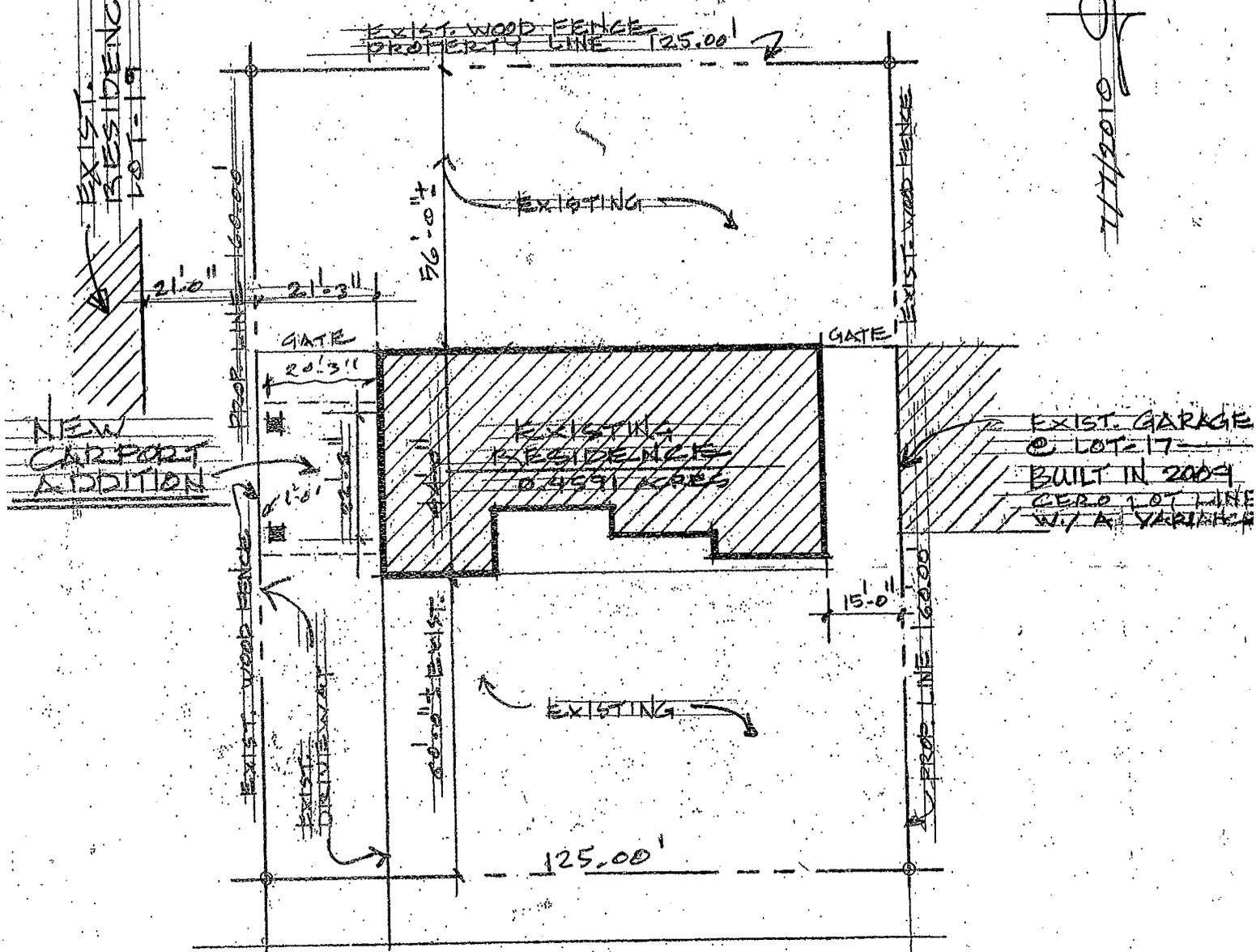
"Permit the modification of setback requirements as the board deems necessary to secure an appropriate development of a lot; provided, however, that:

1. The lot is in a legally recorded and developed subdivision of at least ten years; and,
2. There are two or more lots that do not conform to Title 20 located within the same block on the same side of the street or within the block directly across and abutting the street; and,
3. The modifications are in the same nature as the existing nonconforming lots and do not permit construction less conforming than the least conforming of the nonconforming lots, and,
4. If the subject lot is located at the intersection of two streets (a corner lot), then nonconforming lots within the same block on the same side of either intersecting street or directly across and abutting either intersecting street, but not lots located diagonally from the subject lot, may be used in determining the nonconforming lot restrictions of this special exception".

LEGAL DESCRIPTION: ZONE R-1

WOODLAND VISTA ESTATES,
LOT 18, BLOCK 1, CITY OF EL PASO,
EL PASO COUNTY, TEXAS.

7/7/2011

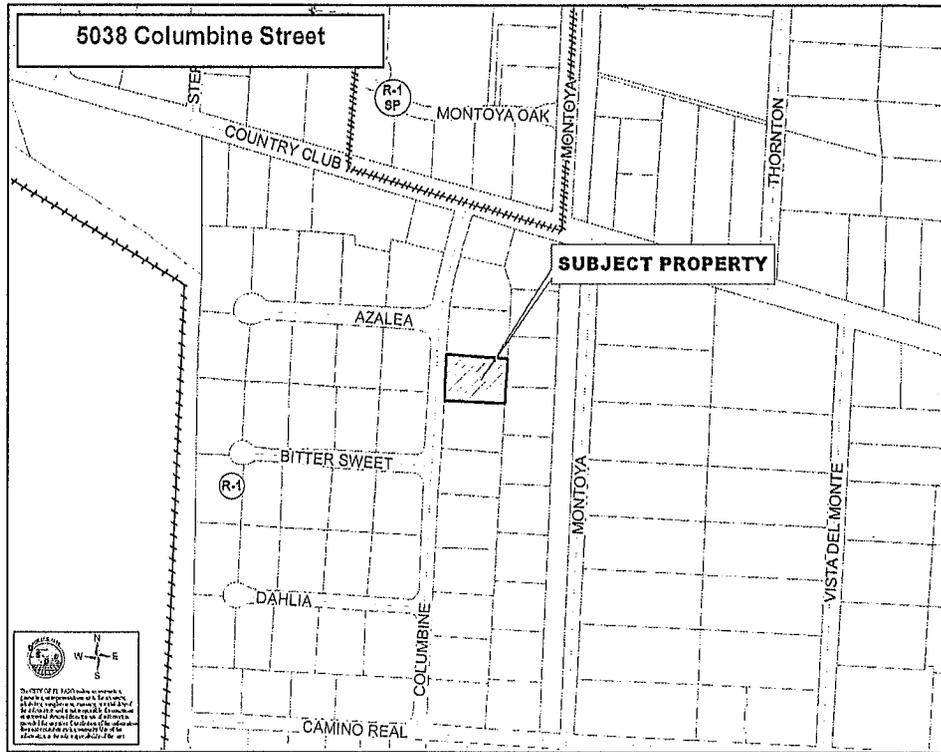


ADDRESS:
5038 COLUMBINE ROAD

SITE PLAN

SCALE: 1" = 30'

ZONING MAP



NOTIFICATION MAP

