

Applicants request a Special Exception under Section 2.16.050 C (Rear Yard Setback) in an R-1 (Residential) zone.

The request is for a proposed 1,907 square feet addition of which 644 square feet is proposed to encroach in the required rear yard setback and to be located to within 12 feet of the rear property line.

The required front and rear yard setback cumulative total is 100 feet in the R-1 zone district.

BACKGROUND

The applicants are requesting to encroach in the required rear yard setback for a two-story addition over an existing garage and an attached new building that encroaches 644 square feet in the rear yard setback. The proposed additions are proposed to be attached to the house by the existing breezeway. The applicants had previously received a Special Exception on January 27, 2003, for a carport over a driveway, that encroaches to within 27' of the front property line. The applicant has been requested to provide a revised site plan to reduce the driveway off Portsmouth Street to the 30' width that is permitted.

CALCULATIONS

Permitted square feet encroachment = 924.85 sq. ft. (41.66' [125' lot width +3] x 22.2' [3/5 of 37'])

Requested square feet encroachment = 644 sq. ft. (21.25' x 30.25')

Required rear yard setback = 37'

Requested rear yard setback = 12'

STAFF RECOMMENDATION

Staff recommends approval of the request for the Special Exception with the condition that the driveway width off Portsmouth be no wider than 30'.

The Zoning Board of Adjustment is empowered under Section 2.16.050 C 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 residence has been in existence with a valid certificate of occupancy for one continuous year;
2. The maximum square footage allowed shall not exceed the result of multiplying one-third of the average width of the lot by three-fifths of the required rear yard;
3. A minimum ten foot rear yard setback shall be required;
4. The minimum side and side street yards shall not be reduced;
5. The total floor area of all detached accessory structure(s) existing or later constructed on the site shall not exceed one hundred eighty square feet;
6. Unless otherwise provided in this section, all remaining areas of the required rear yard shall be permanent open space; and
7. The extension shall not permit the creation of an additional dwelling unit for rental purposes."

**FORMAL DECISION
ZONING BOARD OF ADJUSTMENT
EL PASO, TEXAS**

January 27, 2003

Case # 01-012-03

701 La Mancha

Legal Description: Stonehedge, Block 3, Lot 55

At its regular meeting on January 27, 2003, the Zoning Board of Adjustment acting under the authority vested in it by Article 211.008 of the Local Government Code of the State of Texas and by Chapter 2.16 of the Zoning Code of the City of El Paso, Texas, after due public notice, heard the above described request for relief from provisions of the Zoning Ordinance. After due consideration of the facts presented, the Board reached the following decision:

GRANTED: 01/27/03:

A Special Exception under Section 2.16.050 "Q" (Carport over a Driveway) R-1 Zone of the City of El Paso Zoning Ordinance. This would permit the construction of a 26' by 33' addition located to within 27' of the front property line. A 50' front yard setback is required in a R-1 zone.

The Board finds that this request is within its jurisdiction under Section 2.16.050 and that this request does meet all requirements of such section.

Filed for permanent record this 27th day of January, 2003, in the office of the Zoning Board of Adjustment.

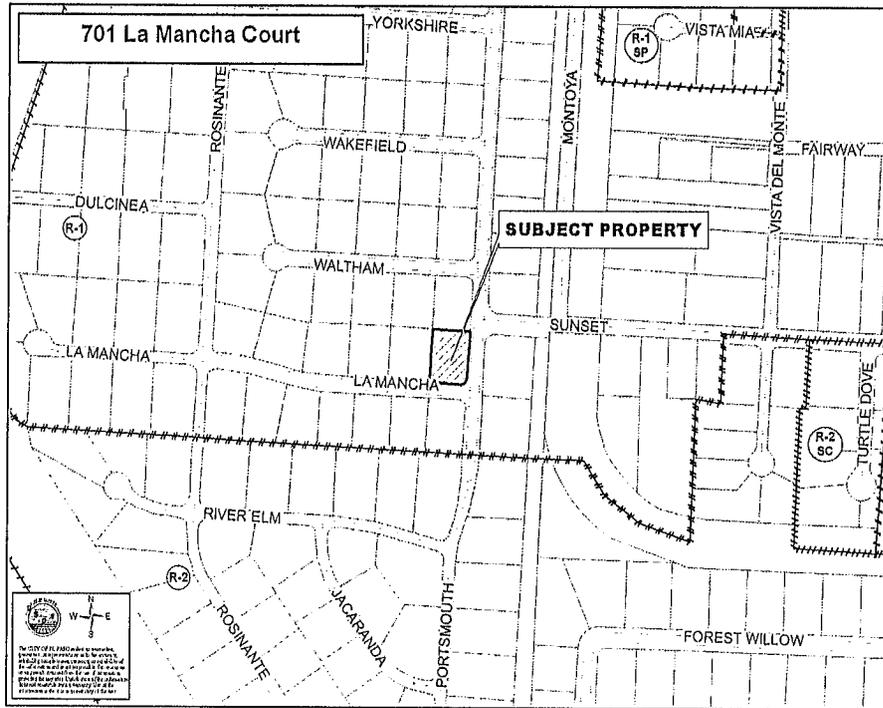
Robert Pena
Zoning Board Secretary

PLEASE NOTE: The Deputy Director for Building Permits and Inspections shall only issue a building permit for construction authorized by Board action during the first twelve months after Board authorization unless otherwise directed by the Board at the time authorization is approved.

You must notify the Zoning Section of the Planning and Research and Development Department of the start and of the completion of any construction or of the establishment of any use. Inspections will be made by the Building Permits and Inspections Department, Zoning Section, and compliance with Board action will be noted in official Board records.

cc: R. Bonilla
Enforcement Division
File

ZONING MAP



NOTIFICATION MAP

