ZBA08-00070 2019 Myrtle Avenue Florencio E. Medina

Applicant requests Special Exception under Section 2.16.050 B (Front and Rear Yard Setbacks) in a C-4 zone.

This would permit the existence of a 50' by 49' building that encroaches 10 feet into the required rear yard setback. This would also permit the construction of a 49' by 71' addition that is proposed to encroach 10 feet into the required front yard setback.

The required front yard setback is 15 feet and the required rear yard setback is 10 feet in a C-4 (Regional Commercial District) zone.

BACKGROUND

The applicant is requesting to legalize the existing building that is located to within 0 feet of the rear property line. The applicant is also requesting to construct a 49' by 71' addition located to within 0' of the front property line. The addition will allow the property owner to enclose his parking area to protect the vehicles located at the site. The property owner was granted a similar Special Exception for his property that is adjacent to this site at 2015 Myrtle on June 24, 2002. Also, the property located at 2011 Myrtle Avenue was granted a special exception to permit construction to the rear property line on October 6, 1986. There are several structures within the block and across the street that are nonconforming, and the proposed construction is not more nonconforming than the least of the nonconforming structures within the block.

CALCULATIONS

Required front yard setback = 15'
Requested front yard setback = 0'
Required rear yard setback = 10'
Requested front yard setback = 0'

STAFF RECOMMENDATION

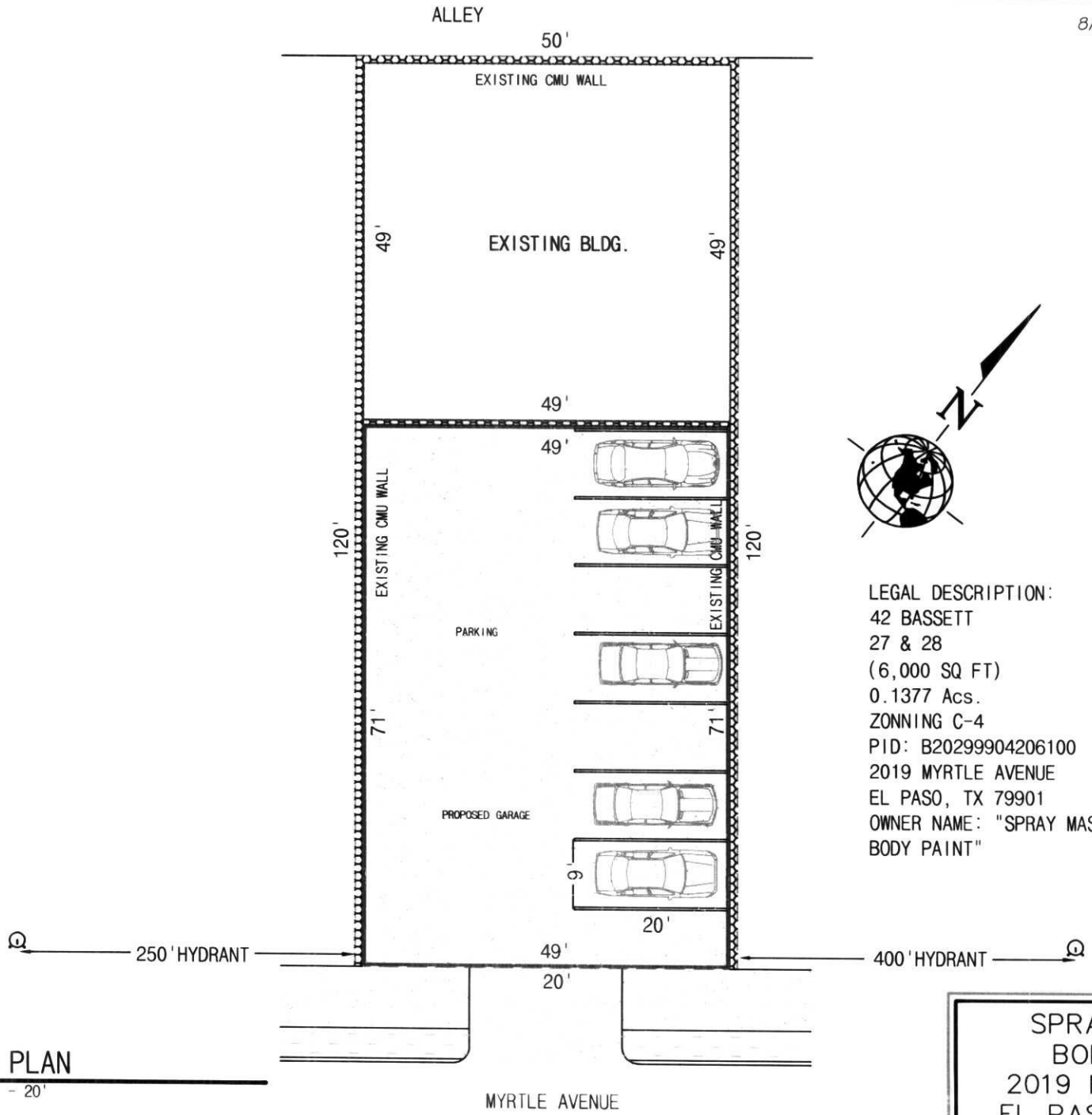
Staff recommends **Approval** of the Special Exception B as it meets the requirements of the Special Exception as submitted.

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."

8/18/2008 12:47:44 PM, DHB

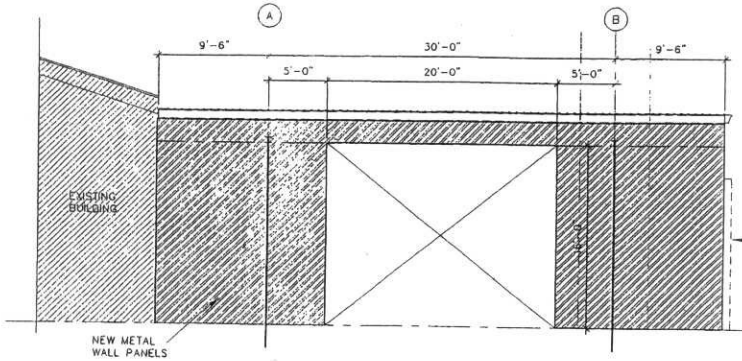


LEGAL DESCRIPTION:
42 BASSETT
27 & 28
(6,000 SQ FT)
0.1377 Acs.
ZONNING C-4
PID: B20299904206100
2019 MYRTLE AVENUE
EL PASO, TX 79901
OWNER NAME: "SPRAY MASTER BODY PAINT"

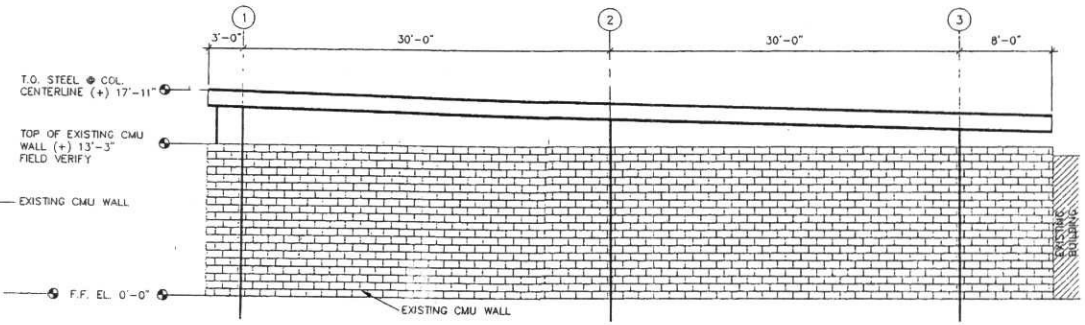
SITE PLAN

SCALE 1" - 20'

SPRAY MASTER
BODY PAINT
2019 MYRTLE AVE.
EL PASO, TX 79901



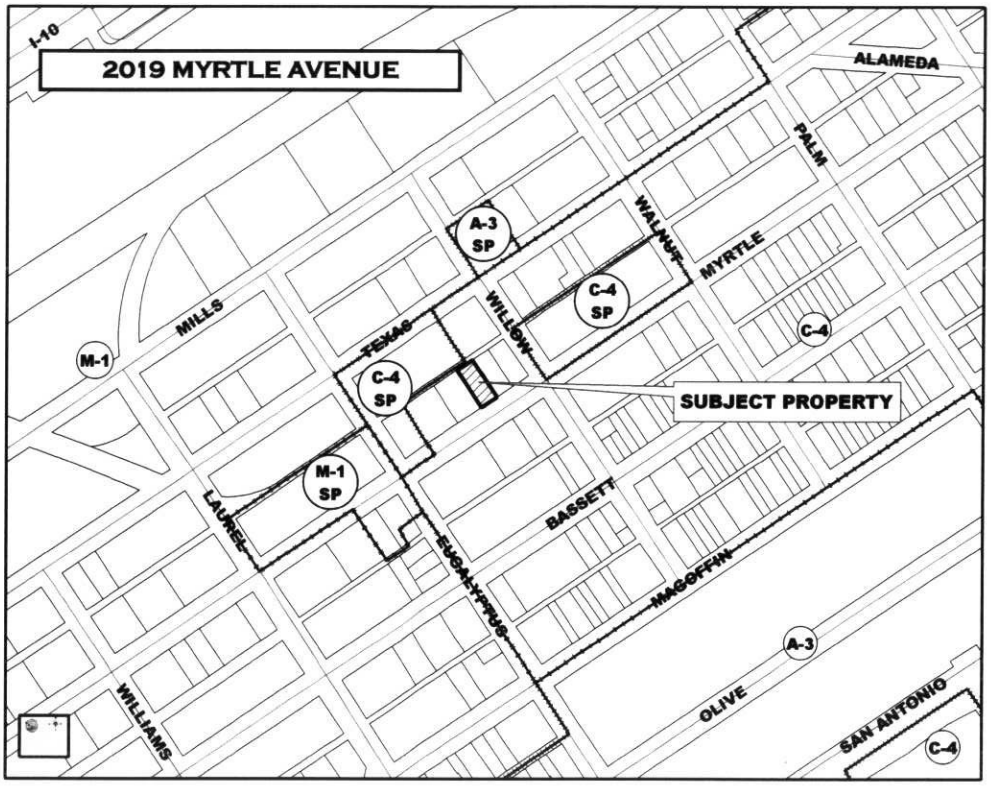
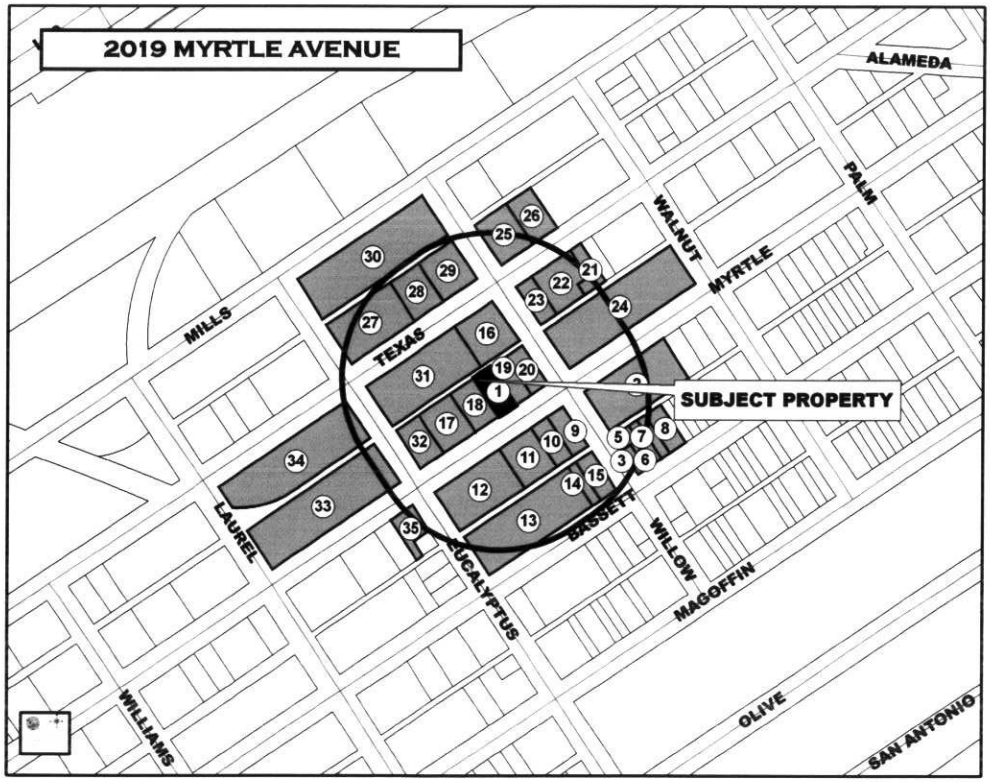
WEST ELEVATION
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

2019 MYRTLE AVE

ZONING MAP



NOTIFICATION MAP