

**Applicant requests a Special Exception under Section 2.16.050 C (Rear Yard Setback) in an A-2 (Apartment) zone.**

This would allow a 15' by 14' addition of which a 15' by 6' portion is proposed to encroach into the required rear yard setback and to be located to within 10' of the rear property line.

The required front and rear yard cumulative setback total is 45 feet in the A-2 zone district.

**BACKGROUND**

The applicant is proposing the addition of a bedroom which will encroach in the required rear yard setback. There is an existing storage shed and shade canopy in the rear yard. The shade canopy is located to within 5 feet of the main house and 0 feet of the side street property line. The shade canopy, including posts, is required to be 5 feet from the house and 5 feet from the side street property line. The lot and house exist in the 1956 aerial and the property can be registered legally nonconforming as to the 80' lot depth, with 90' lot depth required in the A-2 zone district for a single-family dwelling.

**CALCULATIONS**

Permitted area of encroachment in required rear yard = 192 sq. ft. (20' [60' lot width ÷3] x 9.6' [3/5 of 16'])

Requested area of encroachment = 90 sq. ft. (15' x 6')

Required rear yard setback = 16'

Requested rear yard setback = 10'

**STAFF RECOMMENDATION**

Staff recommendation is for approval of the Special Exception C, with the condition that the canopy structure in the rear yard is either brought into compliance with zoning and building code requirements or is removed.

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

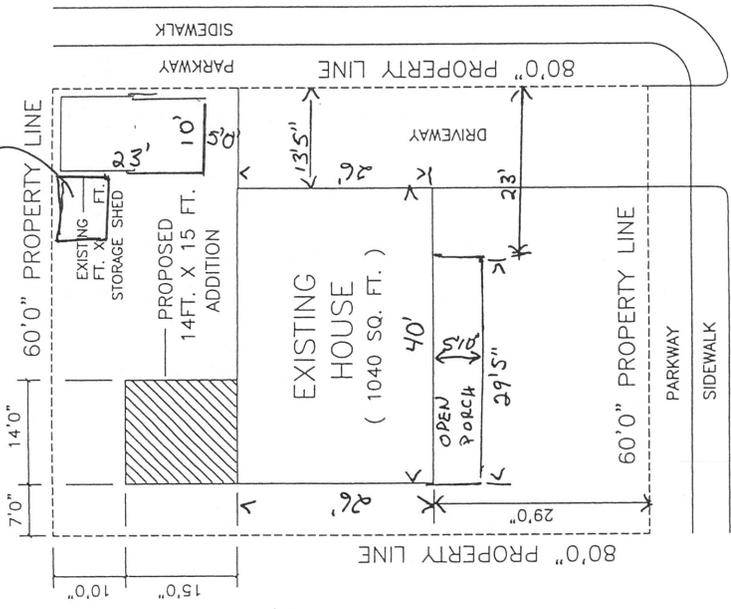
“Permit an extension of a single-family residential structure into the required rear yard setback, which shall be measured to the rear property line, provided, however, that:

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 setback;
3. A minimum ten-foot rear yard setback shall be required;
4. The minimum side and side street yard setbacks shall not be reduced; and
5. Unless otherwise provided in this section, all remaining areas of the required rear yard shall be permanent open space.”

SCALE: 1" = 20 FEET

SITE PLAN

LEGAL DESCRIPTION:  
BLOCK - 73-B  
TRACT 7  
LOGAN HEIGHTS ADDITION  
5421 LACKLAND STREET  
EL PASO, TEXAS



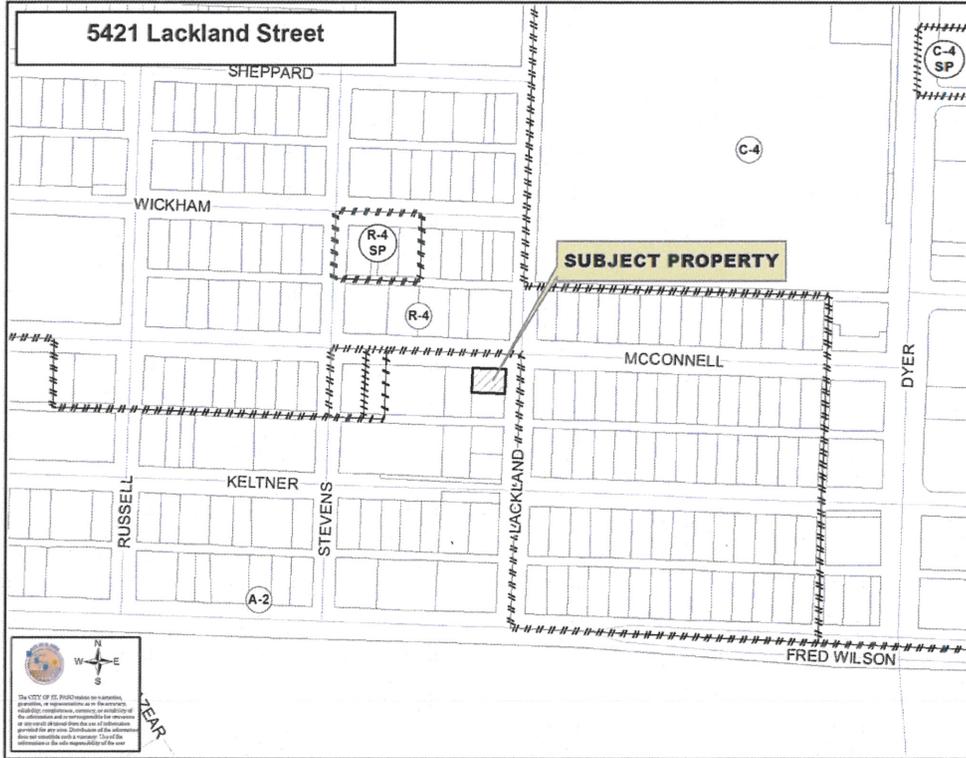
*STORAGE*  
*12-08-10*

5421 LACKLAND STREET

PROPOSED ADDITION TO THE RESIDENCE OF MR. JOSE DE JESUS RAMIREZ  
AT 5421 LACKLAND STREET EL PASO, TEXAS



# ZONING MAP



# NOTIFICATION MAP

