

Applicant requests a Special Exception under Section 2.16.050 K (15 Years or More) in an R-4 (Residential) zone.

This would allow the existence of a 48.3' by 15.4' addition, located to within 0.7' of the westerly side property line and 0.7' of the easterly side property line and to within 45' of the rear property line.

The required side yard setback is 5 feet in the R-4 zone district.

BACKGROUND

The applicant purchased the property in 2005. The addition that is built to less than 1 foot of each side property line is existing in the 1996 aerial.

CALCULATIONS

Required side yard setbacks = 5'

Requested side yard setbacks, east and west side setbacks = 0.7'

STAFF RECOMMENDATION

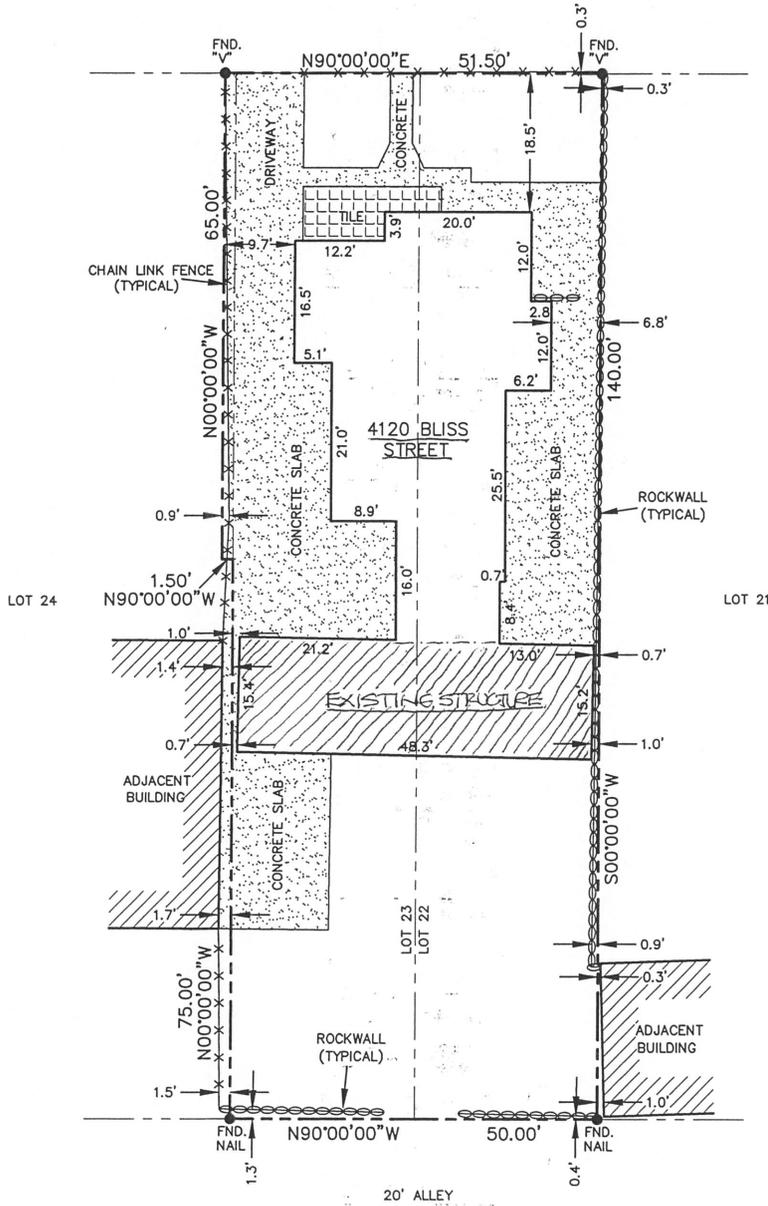
Staff recommendation is for denial, based on requirement No. 4, regarding building code issues of fire and safety.

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

"Permit the encroachment into the required yard setbacks for structures; provided, however, that the applicant can prove the following conditions:

1. The encroachment into the required yard setback has been in existence for more than fifteen years;
2. Neither the applicant nor current property owner is responsible for the construction of the encroachment;
3. Neither the applicant nor the current property owner owned the property at the time the encroaching structure was constructed or built;
4. The encroachment does not violate any other provision of the El Paso City Code."

BLISS STREET
70' R.O.W.



NOTE:
THIS SURVEY WAS
DONE WITHOUT THE
BENEFIT OF A
TITLE COMMITMENT.

SCALE 1"=20'

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CERTIFICATION

I HEREBY CERTIFY THAT THE FOREGOING BOUNDARY SURVEY WAS MADE ON THE GROUND AND UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THAT THERE ARE NO ENCROACHMENTS EXCEPT AS SHOWN HEREON.

CARLOS M. JIMENEZ
PROFESSIONAL SURVEYOR
R.P.L.S. No. 3950

JOB # 12-1989 DATE: 08-30-12 FIELD: DG OFFICE: EA FILE: NET:\ENRIQUE\2012\12-1989

LOCATED IN ZONE c PANEL # 480214-0034-B DATED 10-15-82

RECORDED IN VOLUME XX PAGE XX, PLAT RECORDS, EL PASO COUNTY, TX

4120 BLISS STREET
LOTS 23 AND A PORTION OF LOT 24, BLOCK 50
GOVERNMENT HILL ADDITION
CITY OF EL PASO, EL PASO COUNTY, TEXAS

CAD CONSULTING COMPANY
1790 LEE TREVINO DRIVE SUITE 503
EL PASO, TEXAS 79936
(915) 633-6422

General Warranty Deed

Date: October 10, 2005

Grantor: JOSE HERNANDEZ ARTALEJO and
PAZ O. HERNANDEZ

Grantor's Mailing Address:

1601 E. 4th Ave.
El Paso, Texas 79901
El Paso County, Texas

Grantee: MANUEL HERNANDEZ

Grantee's Mailing Address:

4120 Bliss Avenue
El Paso, Texas 79903
El Paso County, Texas

Consideration:

Cash and other good and valuable consideration, the receipt of which is hereby acknowledged.

Property (including any improvements):

Lots Twenty-two (22), Twenty-three (23), and 1.5 feet X 65 feet in the Northeast corner of Lot twenty-four (24), Block Fifty (50), GOVERNMENT HILL ADDITION, an Addition to the City of El Paso, El Paso County, Texas, municipally known as 4120 Bliss Avenue, El Paso, Texas 79903

Reservations from Conveyance:

This conveyance is subject to easements, restrictions and reservations of record or appearing upon the ground and accruing taxes.

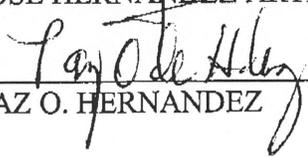
Exceptions to Conveyance and Warranty:

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and

Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.



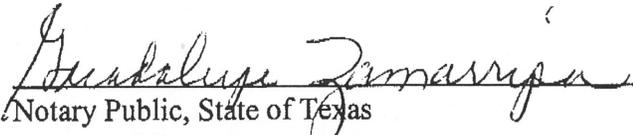
JOSE HERNANDEZ ARTALEJO


PAZ O. HERNANDEZ

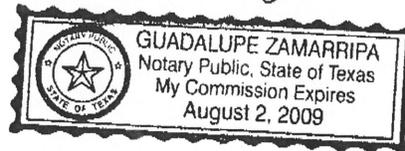
STATE OF TEXAS)

COUNTY OF EL PASO)

This instrument was acknowledged before me on October 10th, 2005, by JOSE HERNANDEZ ARTALEJO and PAZ O. HERNANDEZ.



Notary Public, State of Texas



PREPARED IN THE OFFICE OF:

JESUS E. SAMANIEGO, P.C.
300 E. MAIN, STE. 900
EL PASO, TEXAS 79901
TEL 915-850 0220
FAX 915-850 0224

GenRE-WD-Hernandez, Jose & Paz O. To Manuel Hernandez

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Filed & Recorded in
Official Records of
EL PASO COUNTY
WALDO ALARCON
COUNTY CLERK
Fees \$20.00

3

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded by document number in the Official Public Records of Real Property in El Paso County.



Waldo Alarcon

EL PASO COUNTY, TEXAS

