

Applicants request Special Exceptions under Section 2.16.050 K (Carport over a Driveway) and Section 2.16.050 C (Rear Yard Setback) in an R-3 (Residential) zone.

The request is for a 23' by 20' carport which is proposed to encroach in the required front yard setback and to be located to within 5'6" of the front property line. The request is also for an existing addition of which an 11.5' by 24' portion (276 square feet) encroaches in the required rear yard setback.

The required front and rear yard cumulative setback total is 50 feet in the R-3 zone district.

BACKGROUND

The applicant is requesting a carport that is proposed to be constructed to match the existing house in materials and design. The roof of the carport shall rise no higher than the roof of the house. The Engineering & Construction Management Department reviewed the structural plans and notes no objection.

The applicant was granted a special exception in 1973 to encroach into the rear yard setback. Please see enclosed decision card and conditions of that special exception. It appears the applicant has constructed a patio to the house that is larger than the 180 square feet permitted to encroach in the rear yard setback by the zoning code and that is located to within 8' of the rear property line. Also, a condition of the special exception in 1973 was that any accessory building be no more than 100 square feet; however, the existing storage building is 231 square feet. Further, there is a porch located in the side yard that is built to the side property line and appears to encroach over the property line.

The owner has agreed to cut back the storage shed to 180 square feet and reduce the porch in the side yard. The owner has been advised to provide a site plan that accurately reflects the existing additions to his house and that shows how he will bring his property into compliance with setback requirements.

CALCULATIONS

Permitted carport area = 486.60 sq. ft. (2,433 sq. ft. first floor area ÷ 5)

Carport area proposed to encroach in required front yard setback = 460 sq. ft. (23' x 20')

Required front yard setback = 25'

Requested front yard setback = 5'6"

Permitted square feet encroachment in rear yard = 390 sq. ft. (26' [78' lot width ÷3] x 15' [3/5 of 25'])

Requested square feet encroachment in rear yard = 276 sq. ft. (11.5' x 24')

Required rear yard setback = 25'

Requested rear yard setback = 8'

STAFF RECOMMENDATION

Staff recommends postponement of the case until the applicant can provide a revised site plan.

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

"Permit the encroachment into the required front yard setback for a lot in a residential (R) district beyond other allowed modifications for a carport covering a driveway; provided, however, that:

1. The residence has been in existence and owner occupied for one continuous year, and has a valid certificate of occupancy; and,
2. The zoning board of adjustment has received the written approval of the structural design from the building permits and inspection division of the development services department; and,
3. The carport shall be constructed of the same material, architectural design, and color scheme as the residential structure, open on three sides, and attached to the main structure; and,

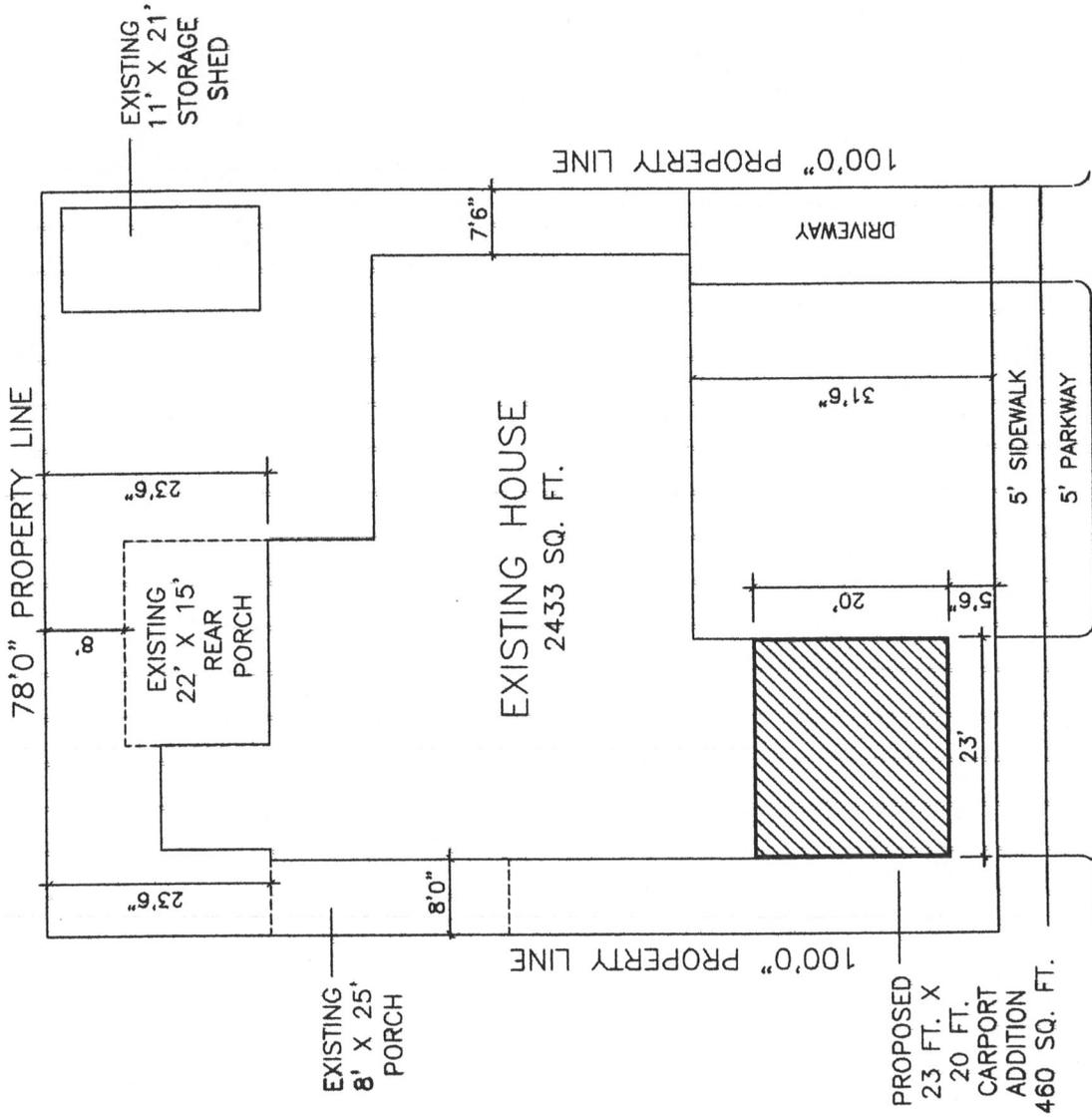
4. The area of the carport shall not exceed one-fifth of the first-floor area of the dwelling, nor shall the carport rise above the highest point of the roof of the dwelling; and,
5. Elevation drawings of the proposed structure shall be submitted; and,
6. For a duplex, the total of all extensions granted shall not exceed one-third the average width of the site, and the total of all extensions for either unit of the duplex shall not exceed two-thirds of the average width of that unit; and,
7. Unless otherwise provided in this chapter, all remaining areas of the required front yard shall be permanent open space; and,
8. There is no other reasonable alternative to provide a carport in the front yard of the subject property without exceeding the encroachments allowed in Title 20 of this code; and,
9. The extension shall not permit the creation of an additional dwelling unit nor shall it constitute an extension of the living area of the dwelling.”

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:

8. The residence has been in existence and owner occupied for one continuous year, and has a valid certificate of occupancy; and,
9. The total of all extensions granted shall not project into the required rear yard for a depth in excess of three-fifths of the required yard, except that a minimum ten foot rear yard setback shall be required; and,
10. The total width of all extensions granted shall not exceed one-third of the average width of the site; and,
11. The minimum side and side street yards shall not be reduced; and,
12. 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; and,
13. Unless otherwise provided in this section, all remaining areas of the required rear yard shall be permanent open space; and,
14. The extension shall not permit the creation of an additional dwelling unit.”

SCALE: 1" = 20 FEET



3325 WEDGEWOOD LANE



**DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION**

MEMORANDUM

TO: Zoning Board of Adjustment Staff

FROM: Juan Estala, Chief Plans Examiner, Building Permits and Inspections Division

SUBJECT: CARPORT CASE FOR September 13, 2010 ZBA MEETING

DATE: September 8, 2010

I have reviewed the plans for ZBA case 10-00038 located at 3325 Wedgewood Drive. The applicant is requesting a Special K Exception under Title 2.16.050 for a carport over the driveway.

The carport's structural design has been reviewed and has been found to be acceptable.

This letter is written pursuant to Title 2.16.050 K 2. And provides written approval for the carport design based upon structural design considerations from the Building Permits and Inspections Division of the Development Services Department.

Juan Estala

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susie Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

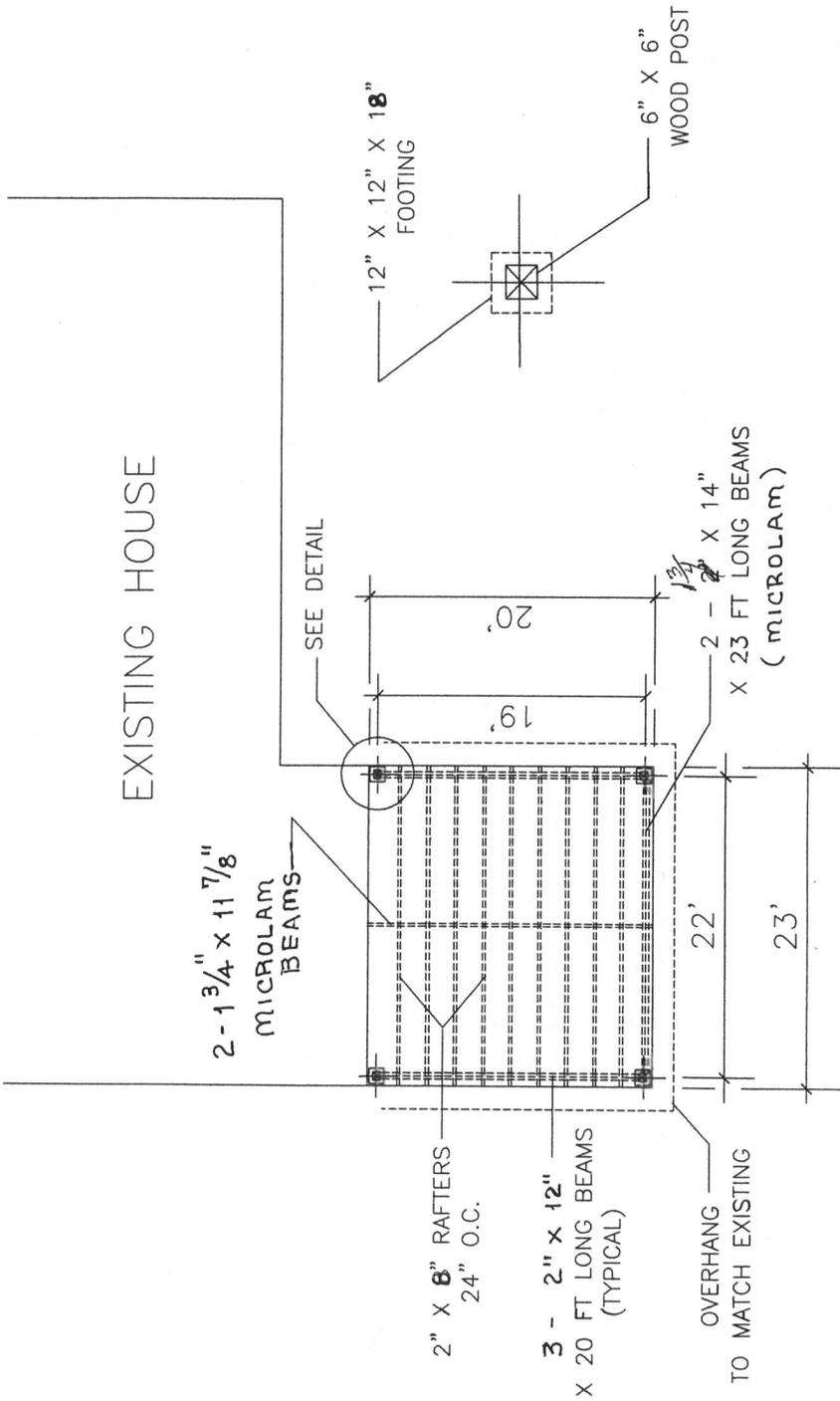
District 5
Rachel Quintana

District 6
Eddie Holguin Jr.

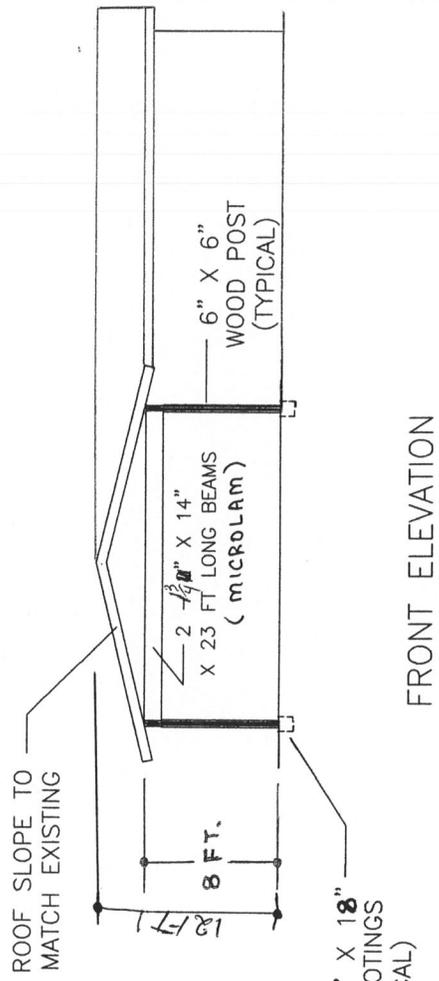
District 7
Steve Ortega

District 8
Beto O'Rourke

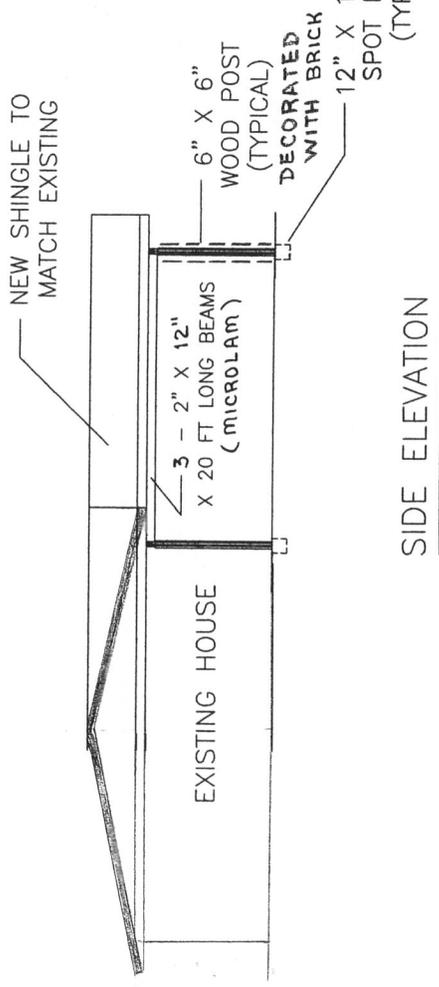
City Manager
Joyce A. Wilson



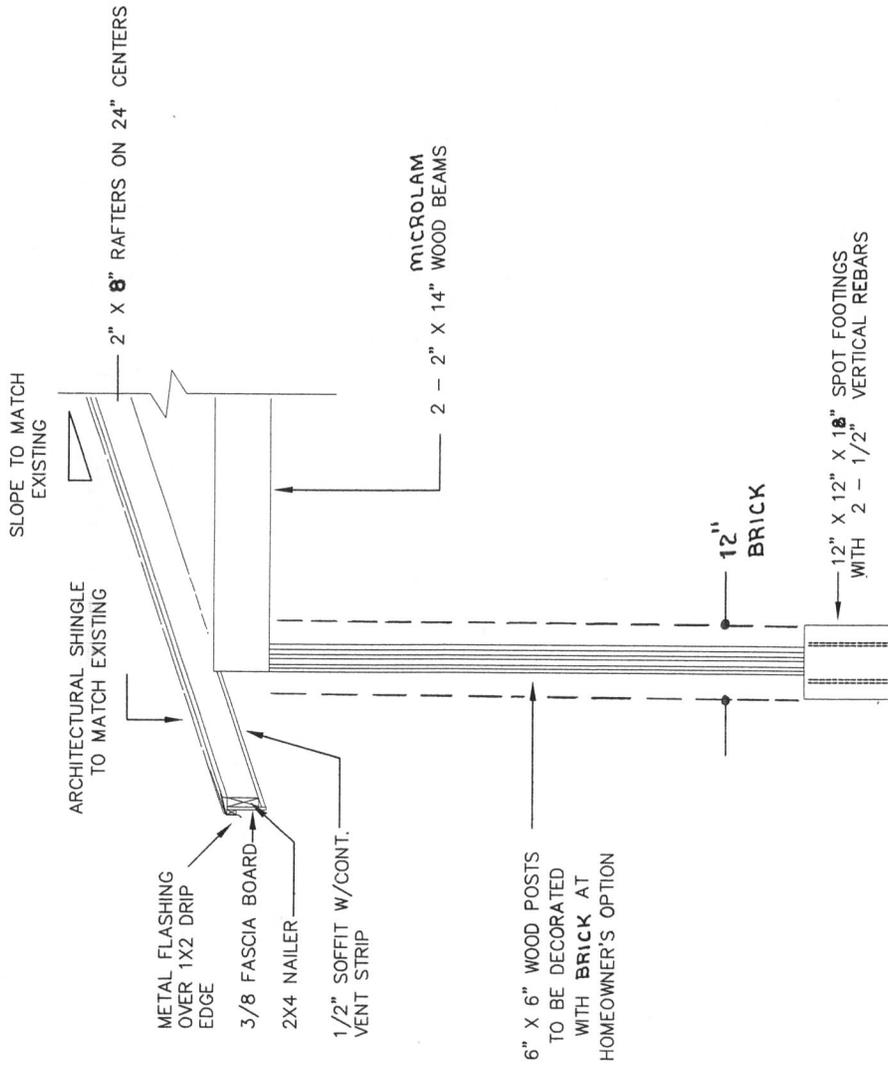
ROOF FRAMING AND PLAN VIEW



FRONT ELEVATION



SIDE ELEVATION



Open Carport Detail

NOT TO SCALE

S. 65 ft. of Lot 16 and the N. 13 ft. of Lot 17, Block 17, Scotsdale Unit 2.

Francisco R. Gil

requests a special exception from Section 25-19 (B) (2) (dimensional standards of the R-3 zone) of the City of El Paso Zoning Ordinance.

NOVEMBER 28, 1973 - GRANTED: a special exception from Section 25-19 (B) (2) (dimensional standards of the R-3 zone) of the City of El Paso Zoning Ordinance, which would permit the construction of a 10 ft. by 10 ft. residential addition at the rear of an existing residence to within 23 ft. of the rear property line as per plot plan submitted and with the following conditions:

1. No detached accessory structure in excess of 100 sq. ft. shall exist or be later constructed on the site.
2. All remaining areas of the required rear yard shall be maintained as permanent open space.

The Board finds that this request is within the jurisdiction of this Board under Section 25-14 (m) and that such request does meet all requirements of such Section.

