

Applicant requests Special Exceptions under Sections 2.16.050 C (Rear Yard Setback) and 2.16.050 L (Front Yard Setback) in an R-3 (Residential) zone.

This would allow a 620 sq. ft. portion of the existing house and patio which encroaches into the required rear yard setback and is located to within 10 feet of the rear property line. Further, this would allow the addition of a new garage of which a 38'10" by 9' portion is proposed to encroach into the required front yard setback and to be located to within 10'11" of the front property line.

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

BACKGROUND

The applicant is requesting the addition of a new garage and a new carport under the cumulative front and rear yard setback allowances, establishing a minimum 20 feet front yard setback and a 30 feet rear yard setback. The new carport will encroach 130 square feet, less than the 150 square feet of open porch allowed to encroach into the required front yard setback, and does not require ZBA approval for the carport special exception. The applicant is requesting the Special Exception to encroach into the required front yard setback for the new garage.

The establishment of a 30 feet rear yard setback means that portions of the existing house and patio, totaling 620 square feet, encroach into the 30 feet required rear yard setback and require approval from the ZBA for the Special Exception for rear yard encroachment. Further, the site plan shows 664 square feet of patio, added without permit sometime after 2011, to be demolished.

CALCULATIONS

Permitted area of encroachment in required rear yard setback = 911.45 sq. ft. (50.64' [151.91' average lot width ÷ 3] x 18' [3/5 of 30'])

Requested area of encroachment in rear yard = 620 sq. ft. (refer to site plan)

Required front and rear yard setback total = 50'

Requested front and rear yard cumulative setback = 21'

STAFF RECOMMENDATION

Staff recommends approval of the request as it meets the requirements for the Special Exceptions C and L.

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:

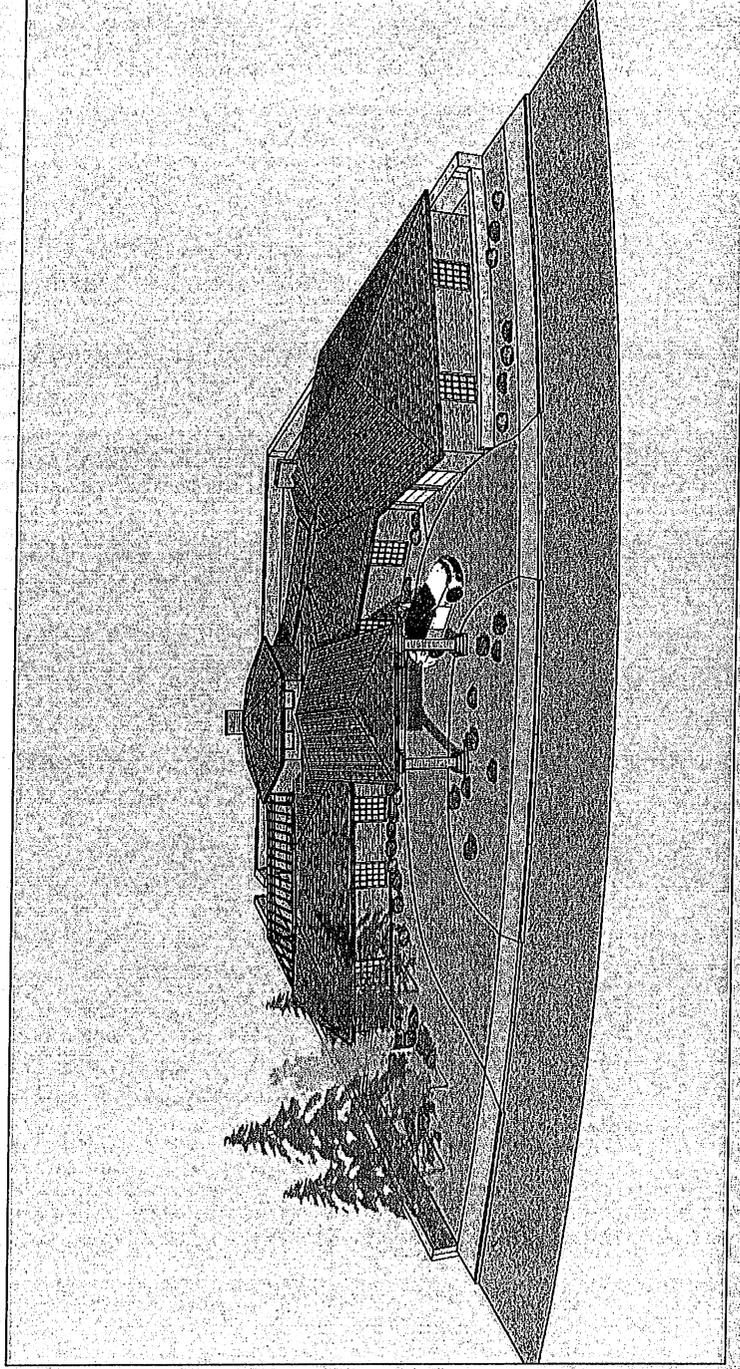
1. The residence has been in existence with a valid certificate of occupancy for one continuous year;
2. The maximum square footage allowed shall not exceed the result of multiplying one-third of the average width of the lot by three-fifths of the required rear yard setback;
3. A minimum ten-foot rear 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."

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

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

1. The residential structure has been in existence with a valid certificate of occupancy for one continuous year;
2. The total length of all extensions granted shall not project into the required front yard setback a depth in excess of ten feet;
3. The total width of all extensions granted shall not exceed one-third of the average width of the site;
4. The minimum side and side street yard setbacks shall not be reduced;
5. A minimum of a ten-foot front setback from the property line shall be maintained;
6. If the proposed modification is for an enclosed garage, a minimum twenty-foot driveway shall be required; and
7. Unless otherwise provided in this section, all remaining areas of the required front yard shall be permanent open space.”

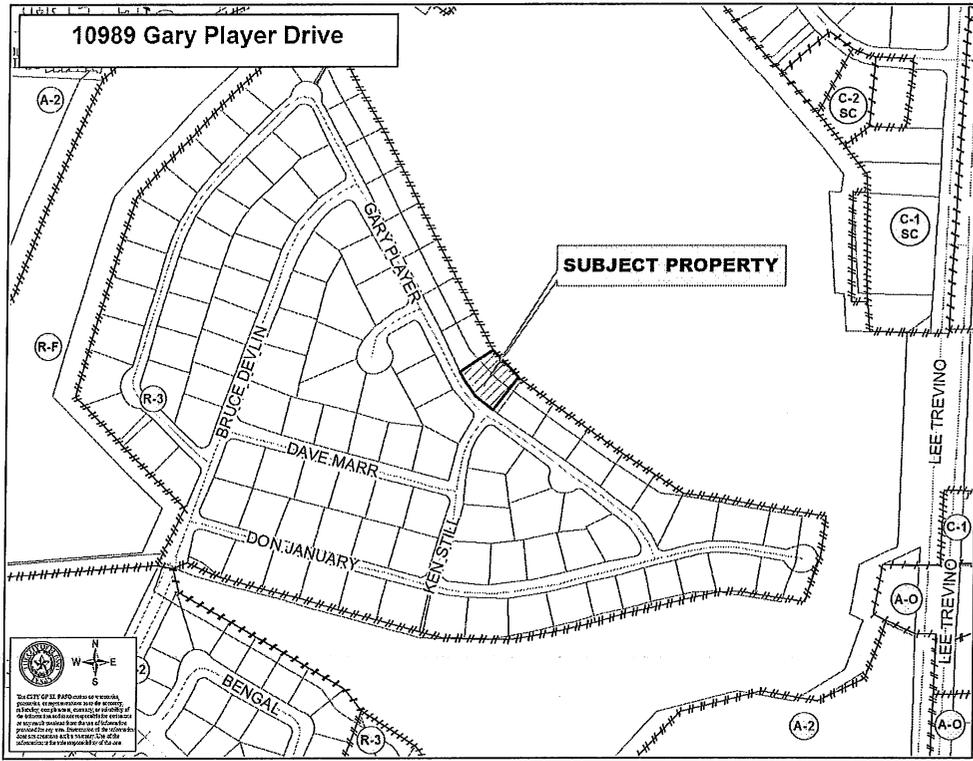
FRONT AERIAL



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ZONING MAP



NOTIFICATION MAP

