ZBA11-00034 114 South Virginia Street Consulate of Mexico
Applicant requests a Special Exception under Section 2.16.050 B (Two or More Non-Conforming) in a C-4 (Commercial) zone.

This would permit a new two story structure and a new security module structure that are proposed to be located to within 0 feet of the property lines.

In the C-4 zone district, the required front yard setback is 15 feet; the required rear yard setback is 10 feet; the required side street yard setback is 10 feet; and, the required side yard setback is zero feet if abutting commercially zoned property.

BACKGROUND

The request is to build a new two story building and a new security module structure for the Mexican Consulate that is proposed to encroach in the required setbacks to within 4 feet of the side street setback on Overland Street, and to within 0 feet of the front setback on Virginia and to within 0 feet of the rear setback along the alley. A building on the site was demolished in January-February 2011. The site plan for the new proposed building shows it to be constructed within the old building footprint (see survey of old building). The demolished building was not registered as legally nonconforming prior to being demolished.

The Special Exception B allows development on a lot to be in same nature as two or more existing nonconforming lots. The other nonconforming properties are the property at 830 San Antonio, across Virginia Street, that is built to the front and side street property lines, and to within less than 4 feet of the rear property line; the property at 109 Virginia that is built to the front property line and side property line; the property at 900 Overland that is built to 0 feet of all property lines. These properties exist today as they did in the 1956 aerial; they could be deemed to be legally nonconforming as to setbacks, existing prior to 1955, the effective date of the Zoning Code.

CALCULATIONS

Required setbacks: 15' front, 10' rear, 10' side street; 0' side if abutting Commercially zoned property
Requested setbacks: 0' front, 0' rear, 4' side street (along Overland)

STAFF RECOMMENDATION

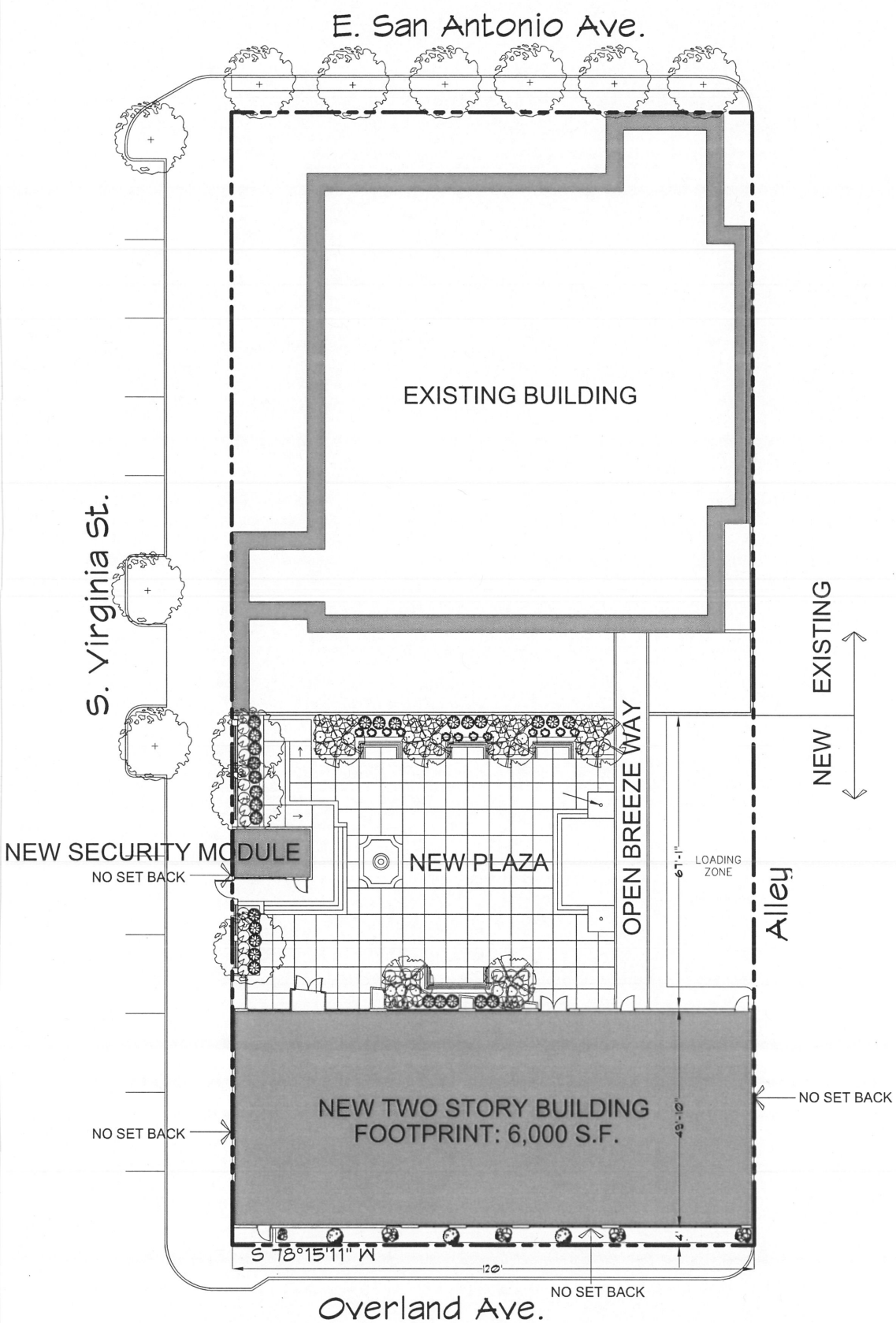
Staff recommendation is for approval as it meets the requirements of the Special Exception B.

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."

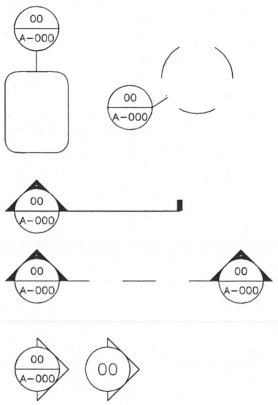
ITEM #1



00 SITE PLAN

SCALE: 1/16" = 1' - 0"

OCT 11, 2011



11.03.20 CONSULADO GENERAL DE MEXICO EN EL PASO

NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION

CONSULTANT

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REVISIONS	BY

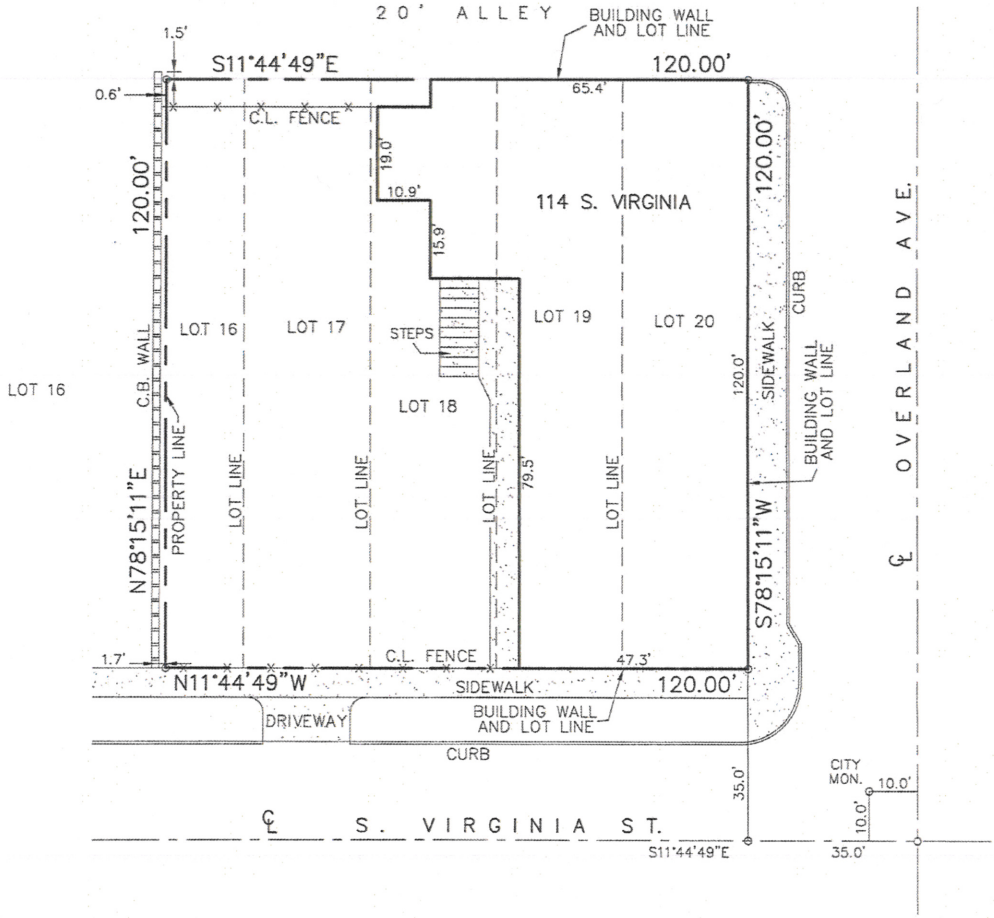
ADDITION TO THE CONSULADO GENERAL DE MEXICO EN EL PASO, TEXAS

ADDRESS

OWNER

FLOOR PLAN

00.00.00	A-101
MONTH/YEAR	
AS SHOWN	SHEET OF



STATE OF TEXAS
REGISTERED
MANUEL CALDERON
2564
PROFESSIONAL
LAND SURVEYOR

BEARING ORIENTATION AS PER PLAT OF CAMPBELL ADDITION

E-Mail: CalderonEngineering@elpbizclass.com

This house is not located in a flood hazard area as determined by the FIRM by U.S. Federal Emergency Management Agency National Federal flood Insurance Program.

CERTIFICATION

I hereby certify that the foregoing Boundary and Improvement Survey was made by me or under my supervision and that there are no encroachments except as shown. Only platted easements are shown.

Manuel Calderon
Registered Professional Land Surveyor No. 2564

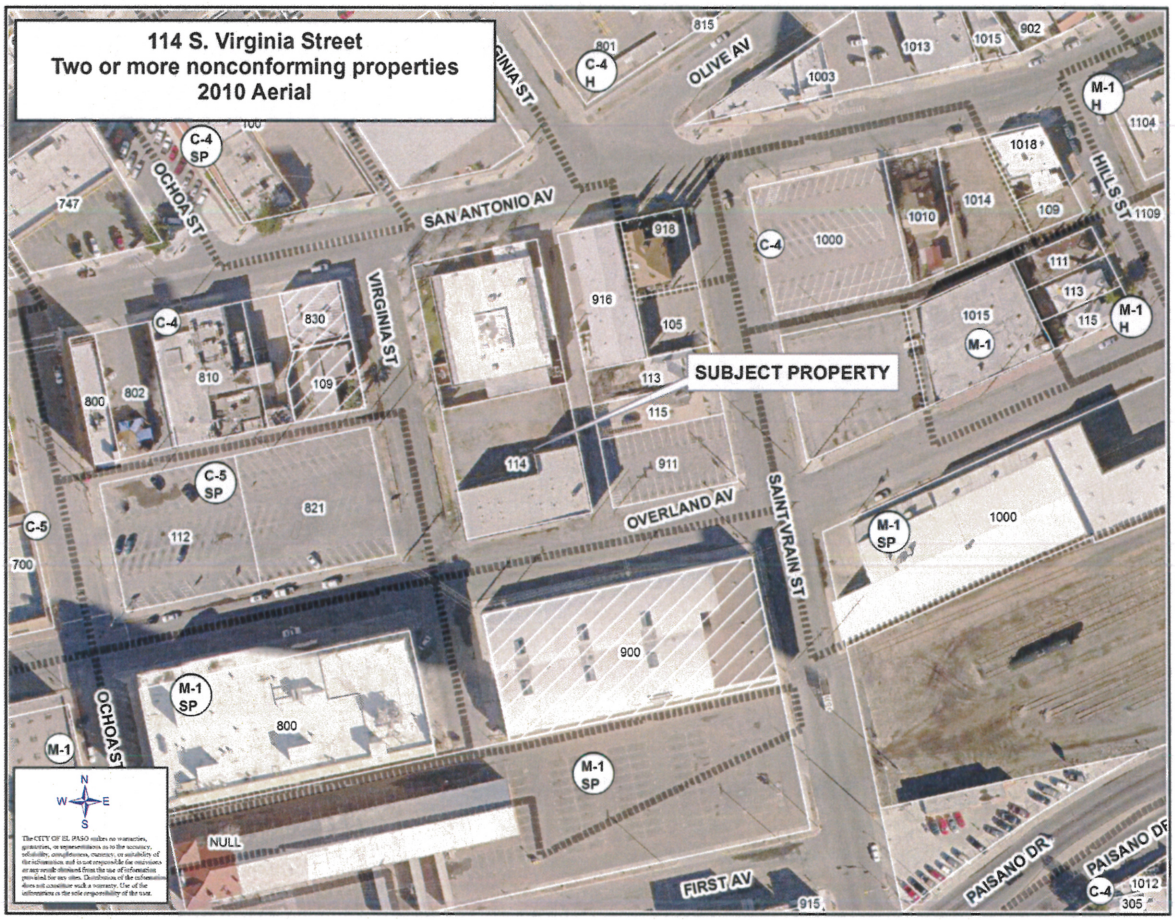
Book 2 Page 68 Job No. 1209-18A

114 S. VIRGINIA ST.
THE SOUTH 16 FEET OF LOT 16, ALL OF LOTS 17, 18, 19 AND 20, BLOCK 205,
CAMPBELL ADDITION,
CITY OF EL PASO, EL PASO COUNTY, TEXAS

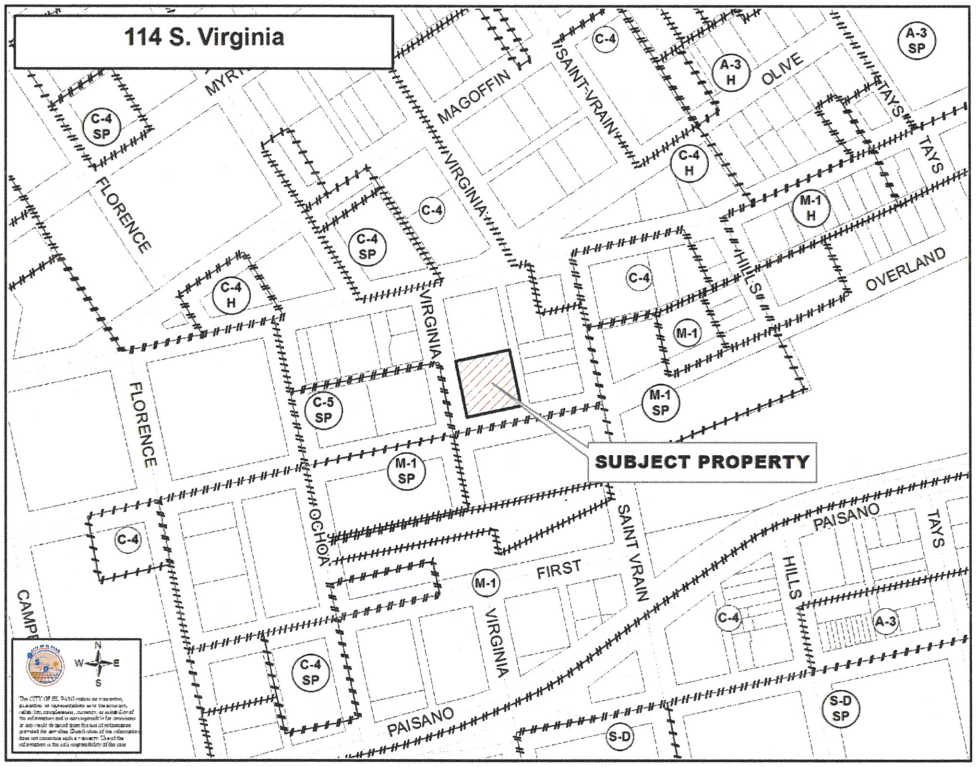
Field JM Office JN-C7 Date 12-30-09 Scale 1"=30'

CALDERON ENGINEERING
3031 TRAWOOD DR.
EL PASO, TEXAS 79936 (915) 855-7552
E-Mail: CalderonEngineering@elpbizclass.com

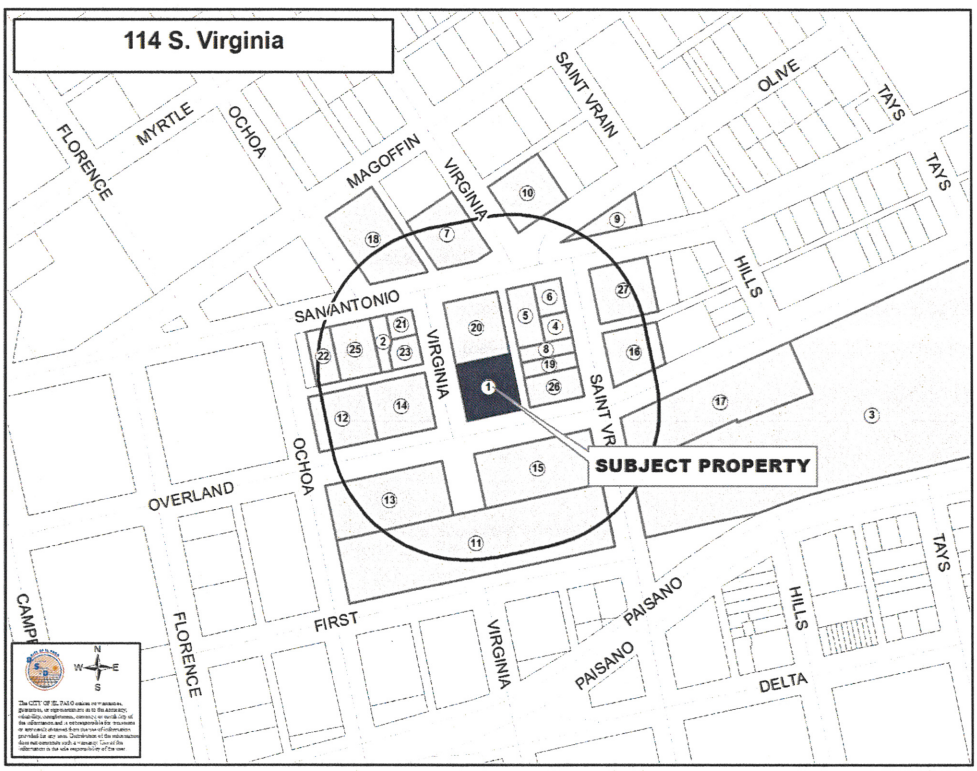
Two or more nonconforming



ZONING MAP



NOTIFICATION MAP



October 24, 2011