

Applicants request a Special Exception under Section 2.16.050 M (Front Yard Setback) in an R-1 (Residential) zone.

This would permit a 20' wide by 10' deep addition that is proposed to encroach 10 feet in the required front yard setback and a 5' by 2'7" portion of the existing house that encroaches in the front yard setback.

The required cumulative front and rear yard setback total is 100 feet in the R-1 zone district.

**BACKGROUND**

The applicants are proposing several additions to their house, one of which will encroach in the required 30 foot front setback with a depth of 10 feet. There is also an existing encroachment in the front setback of 2'7". The accessory building located in the front and side yard setback has been registered as legally nonconforming as to location of an accessory building, existing prior to annexation in 1987.

**CALCULATIONS**

1/3 average lot width = 59.77' (179.99 ÷ 3)  
Requested total width of encroachment = 15'  
Required front yard setback = 30'  
Requested front yard setback = 20'

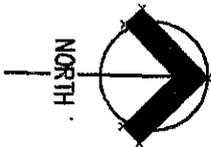
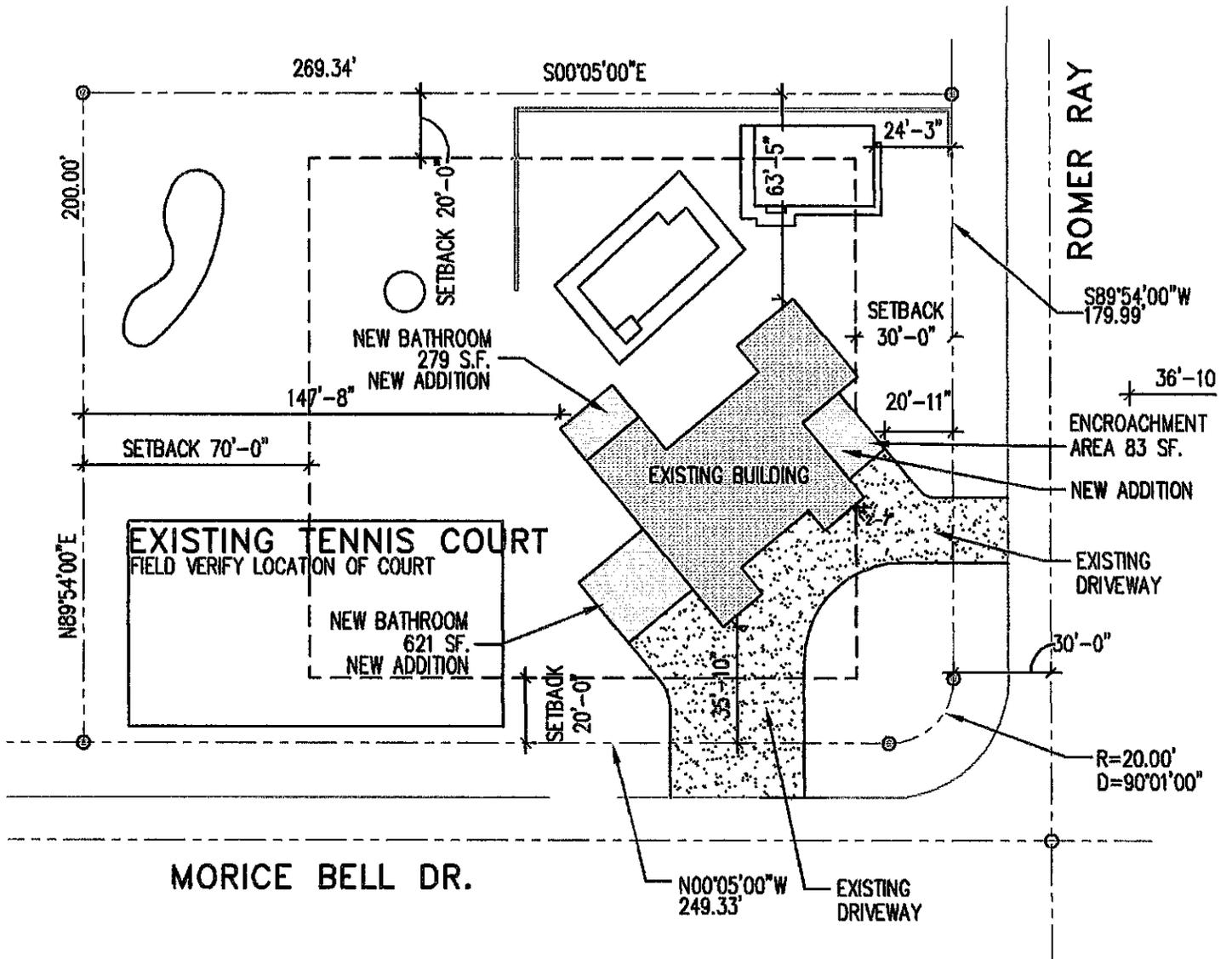
**STAFF RECOMMENDATION**

Staff recommends approval of the request as it meets the requirements of the Special Exception.

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

Permit an extension of a single-family residential structure into the required front yard, 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; and,
2. The total length all extensions granted shall not project into the required front yard a depth in excess of ten feet; and,
3. The total width of all extensions granted shall not exceed one-third of the average width of the site; and,
4. The minimum side and side street yards shall not be reduced; and,
5. A minimum of a ten foot front setback from the property line shall be maintained; and,
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; and,
8. The extension shall not permit the creation of an additional dwelling unit for rental purposes.



**1**  
A0.0 **SITE PLAN**

SCALE: 60' = 1'-0"

**LEGAL DESCRIPTION**

LOT 1 BLOCK 3,  
ROMER-RAY ESTATES,  
CITY OF EL PASO, EL PASO COUNTY

project no. 10-131

**HOME ADDITION AND REMODEL  
FOR  
DR. ROMAGOSA AND FAMILY  
780 ROMER RAY, EL PASO, TEXAS**



LEGAL NON-CONFORMING  
ACCESSORY STRUCTURE BUILT  
**ZONING SECTION**  
PRIOR TO ANNEXATION  
MELISSA GRANADO 10-26-10

DEVELOPMENT SERVICES DEPARTMENT - PLANNING DIVISION

FORM TO BE FILLED OUT WHEN REGISTERING A  
NON-CONFORMING STRUCTURE OR USE

Name and telephone number of person registering non-conformity.

LUIS E MEDINA (915) 8926787

Address of non-conforming structure or use.

780 Romer Ray

Legal description of non-conforming structure or use.

Lots 1 + 2, Block 3, Romer Ray Estates

What is it that is being declared as being non-conforming? (A use or a structure, provide details.)

Accessory Building located in front yard setback, located to within 24' of

Since when has the structure or use existed (code change or annexation)? front property line, along

Since ~~1986~~ 1986, prior to annexation in 1987 Romer Ray

Is a scaled plot plan attached?

Yes

Are there affidavits attached?\*

YES.

If not, what is replaced, one for one, for the affidavit?

1986 Aerial, Central Appraisal District Info

\*NOTE: Affidavits become a permanent part of our records; therefore, we require they be typed on letter size paper (8½ x 11). Affidavits must state exactly what is being declared, for example:

- Non-conforming height (state height)
- Setbacks (example: 2' from front property line)
- Use (example: auto shop in C-2 zone).

