

Applicants request a Special Exception under Section 2.16.050 C (Rear Yard Setback) in an R-3 (Residential) zone.

This would permit an addition of which a 20' by 5' portion (100 square feet) is proposed to encroach in the required rear yard setback and to be located to within 18 feet of the rear property line.

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

BACKGROUND

The applicants enclosed a patio and are requesting to legalize the encroachment in the rear yard. A site visit shows a corner of the building less than 4 feet from a swimming pool. The Zoning Code, Section 20.10.640, Swimming pools and spas, requires a distance of 4 feet from a building to a pool edge. At the October 11, 2010, meeting the Board asked the contractor to provide a site plan which shows clearly that the existing addition will be cut back to be 4 feet from the pool edge. A code compliance inspector inspected the site on October 12th and noted that the distance from the corner of the enclosure to the pool edge was 17.25 inches. The inspector also reported that the canopy structure in the rear yard is 9'2" by 12'2" or 111 square feet. The contractor submitted a revised site plan indicating that the corner of the addition will be reduced to be 4 feet from the pool.

CALCULATIONS

Permitted encroachment in rear yard = 405 sq. ft. (25' [75' lot width +3] x 16.2' [3/5 of 27'])

Requested encroachment in rear yard = 100 sq. ft.

Required rear yard setback = 23'

Requested yard setback = 18'

STAFF RECOMMENDATION

Staff recommends approval of the request for the Special Exception C, based on the revised site plan which shows the addition at least 4 feet from the pool edge.

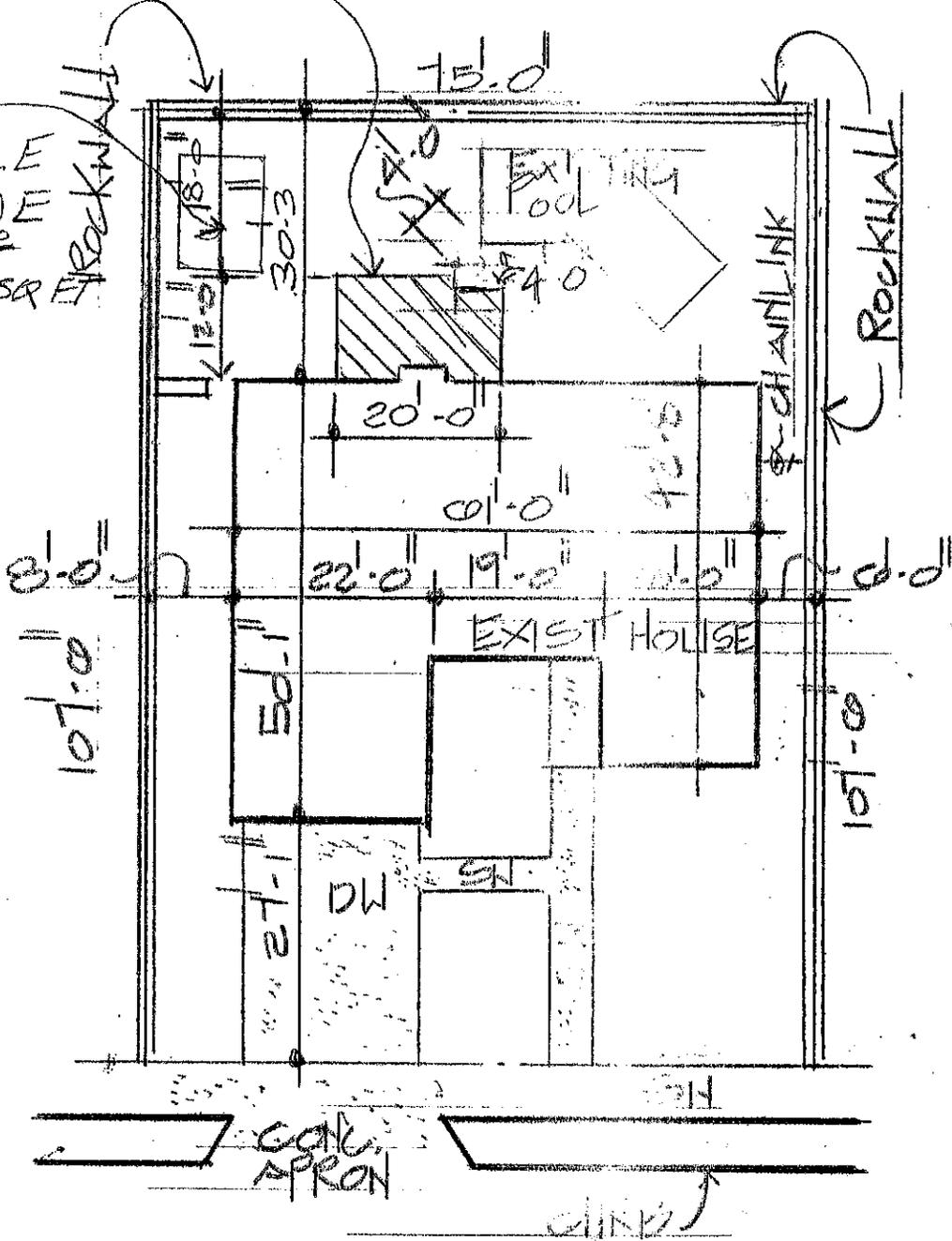
The Zoning Board of Adjustment is empowered under Section 2.16.050 C to:

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 with a valid certificate of occupancy for one continuous year;
9. 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;
10. A minimum ten foot rear yard setback shall be required;
11. The minimum side and side street yards shall not be reduced;
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;
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 for rental purposes.

EXIST. COVD IS TO BE
 CONVERTED TO HIGH
 PATIO ENCLOSURE

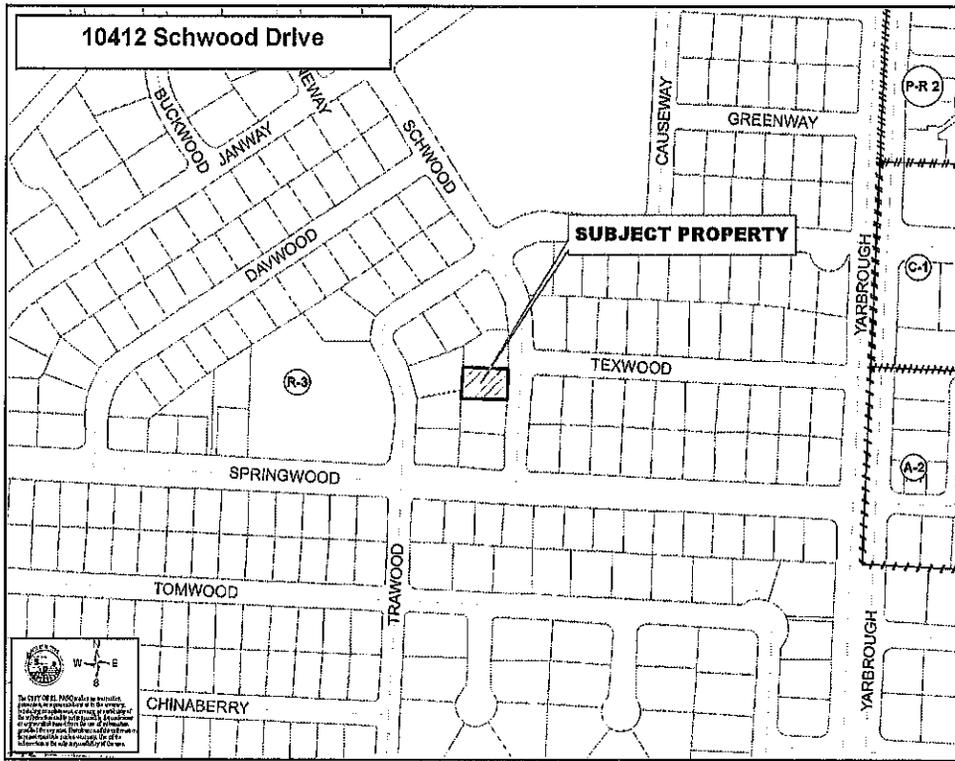
PORTABLE
 SUNSHADE
 92 X 122
 111.6 SQ FT



1042 SCHWOOD DRIVE
 LOT-8 BLOCK-11
 EASTWOOD (UNIT 8)

Received 10-18-2010
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ZONING MAP



NOTIFICATION MAP

