

Applicant requests a Special Exception under Section 2.16.050 L (In existence 15 years or more) in an R-1 zone.

This would permit the existence of a 50' wide attached garage and carport that encroach 15' into the required side yard setback and 32' into the required rear yard setback.

The required side yard setback is 20' and the required rear yard setback is 50' in the R-1 (Light Density Residential) zone.

BACKGROUND

The applicant purchased this house in 2006 and is requesting the Special Exception to keep an attached garage and carport that encroach in the side and rear yard setbacks. In addition, the encroachment is 50' wide which is greater than the 1/3 width permitted by the ZBA. The house was built in 1962, and the 1965 aerial shows the encroaching structure existing at that time as it exists today.

CALCULATIONS

Required side yard setback = 20'

Requested side yard setback = 5'

Required rear yard setback = 50.5'

Requested rear yard setback = 18'

STAFF RECOMMENDATION

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

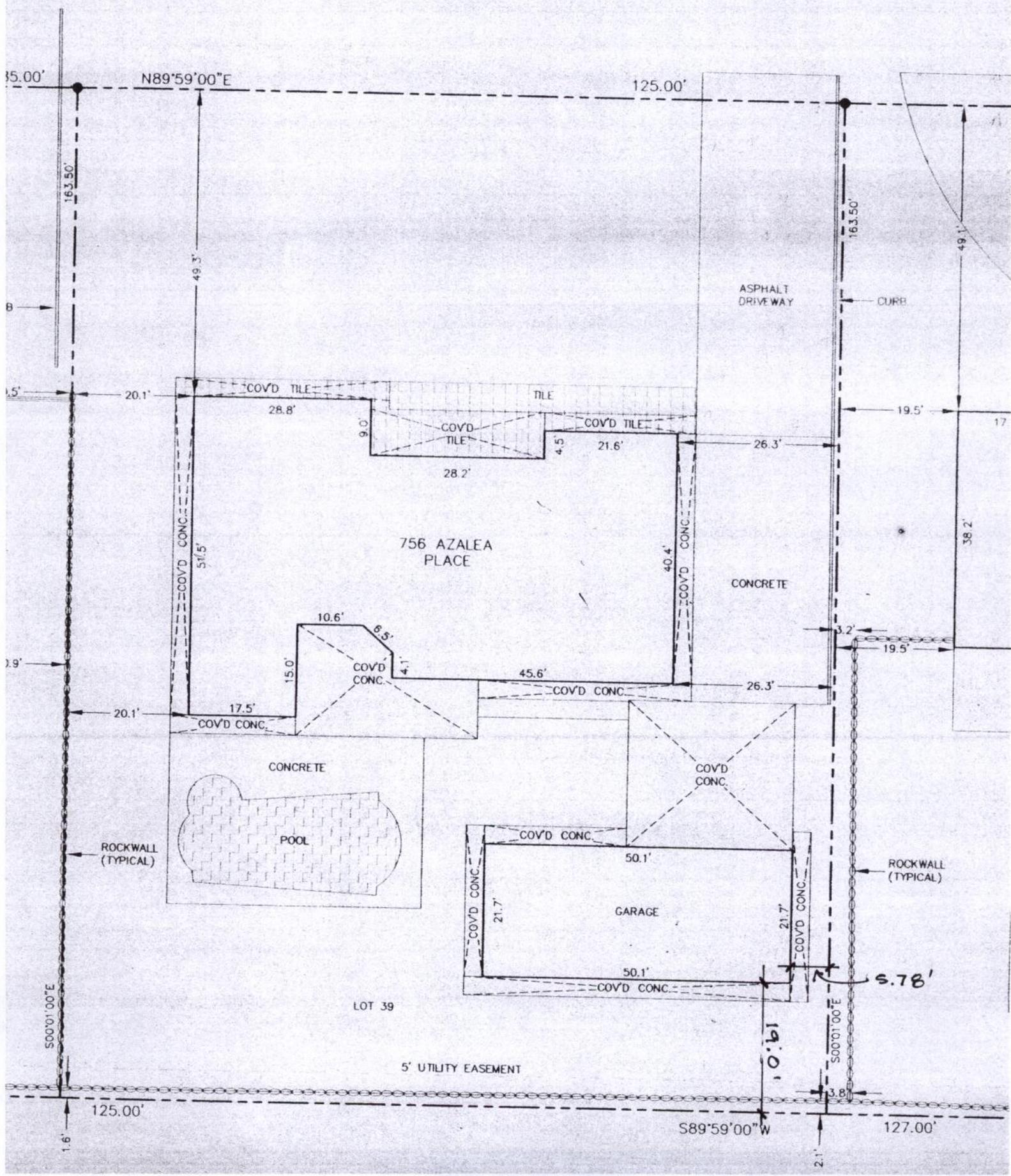
The Zoning Board of Adjustment is empowered under Section 2.16.050 L to:

"Permit the encroachment into the required yard setbacks for structures; provided, however, that the applicant can prove the following conditions:

1. The encroachment into the required yard setback has been in existence for more than fifteen years; and,
2. Neither the applicant nor current property owner is responsible for the construction of the encroachment; and,
3. Neither the applicant nor the current property owner owned the property at the time the encroaching structure was constructed or built; and,
4. The encroachment, if into the required front yard setback, does not exceed fifty percent of the required front yard setback; and,
5. The encroachment does not violate any other provision of the Municipal Code."

AZALEA PLACE

60' R.O.W.



October 23rd. 2008

To whom it may concern:

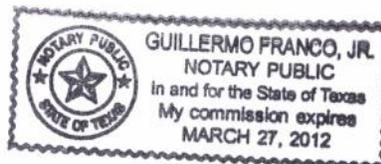
Dear Sirs,

I, Francisco S. Uranga, hereby declare that I currently lease and own the property at 756 Azalea Place, in El Paso, Texas. I bought this property in 2006 and have not made any changes or modifications to it.

Sincerely,

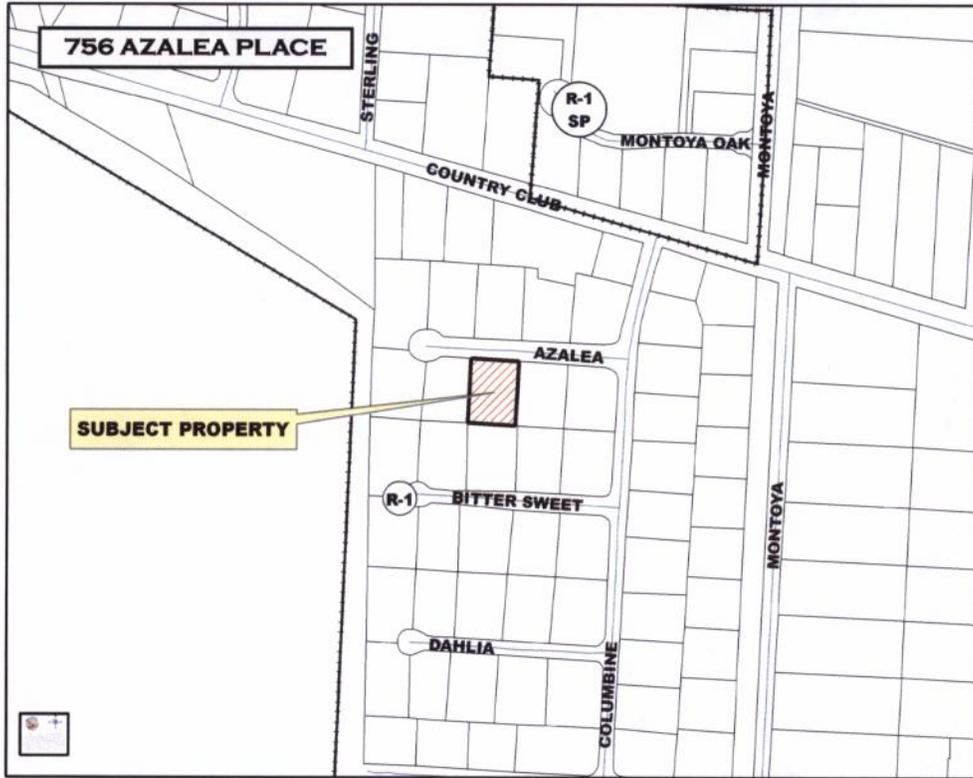
Francisco S. Uranga

X G Jn



Signed before me this day, 23 October 2008

ZONING MAP



NOTIFICATION MAP

