

Extension request to a Special Exception under Section 2.16.050 J (Carport over a Driveway) in an R-3 (Residential) zone. Extension to November 12, 2014

This would permit an extension to November 12, 2014 for a 20' by 21'10" (437 square feet) carport located to within 2 feet of the front property line in an R-3 (Residential) zone district.

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

BACKGROUND

The owner built a carport without permit. It has existed at least since 1996 and is larger than what is permitted under the Special Exception J, at approximately 608 sq. ft. (24'3" x 25'). There is no utility easement at the front property line. The submitted plans show how the carport will be reduced in size to meet the current ZBA size requirement of 437 square feet, measured overhang to overhang, and the requirement to match the materials used on the house. However, the applicant is requesting to keep the painted pipe columns instead of the brick-faced columns shown on the elevation drawing. Building Permits & Inspections has reviewed the structural plans.

CALCULATIONS

Permitted carport area = 437 sq. ft. (2,186 sq. ft. first floor area under roof ÷ 5)

Requested area of carport = 437 sq. ft. (20' x 21'10")

Required front and rear yard setback total = 50'

Requested front yard setback = 2'

STAFF RECOMMENDATION

Staff recommendation is for approval of a one year extension to November 12, 2014.

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

Permit the encroachment into the required front yard setback for a lot in a residential (R) district beyond other allowed modifications for a carport covering a driveway; provided, however, that:

1. The residence has been in existence with a valid certificate of occupancy for one continuous year; and,
2. The zoning board of adjustment has received the written approval of the structural design from the building permits and inspection division of the development services department; and,
3. The carport shall be constructed of the same material, architectural design, and color scheme as the residential structure, open on three sides, and attached to the main structure; and,
4. The area of the carport shall not exceed one-fifth of the first-floor area of the dwelling, nor shall the carport rise above the highest point of the roof of the dwelling; and,
5. Elevation drawings of the proposed structure shall be submitted; and,
6. For a duplex, the total of all extensions granted shall not exceed one-third the average width of the site, and the total of all extensions for either unit of the duplex shall not exceed two-thirds of the average width of that unit; and,
7. Unless otherwise provided in this chapter, all remaining areas of the required front yard shall be permanent open space; and,
8. There is no other reasonable alternative to provide a carport in the front yard of the subject property without exceeding the encroachments allowed in Title 20 of this code; and,
9. The extension shall not permit the creation of an additional dwelling unit for rental purposes nor shall it constitute an extension of the living area of the dwelling.

ITEM #1

From: webmaster@elpasotexas.gov [mailto:webmaster@elpasotexas.gov]
Sent: Monday, November 04, 2013 9:51 AM
To: ECMHelp
Subject: Engineering Website Visitor Message

A visitor at your website has left you a message.

Name: Adan Lozano / Ricardo Sifuentes
Email: lozano96@msn.com or adan.lozano.civ@mail.mil
Phone: Cell: 203-1822 or Work: 742-2658
Concern: suggestion
Message About: Services
Message: I am requesting for an extension on my approved permit, I stopped by the Tillman Center on the first days of October, i don't have my notes with me, bu i believe i spoke with Mr. Rubio. I left a copy of the approved permit to adjust my carport to have 5-ft on the sides. I was told that i would be on the November agenda and would need to be present to request for the extension. May I please request a copy of the agenda or confirm that i am scheduled for Monday, November 11, 2013, at 1:30pm.
Thank You

Sender ID: 192.138.52.41

2.16.060 - Administration.

A. All applications to the board will be in writing on forms provided by the planning official and with documents as required and shall be accompanied by the fee as set by city council to help defray the cost of publication, the giving of notice, and general expense in connection with the application, except that no fee shall be required for a variance application that is related to a proposed SmartCode development. Before acceptance, all applications submitted shall be complete in all details.

B. The owners of property within three hundred feet of the subject property shall be provided written notice of the appeal or application for a special exception or variance ten days prior to the hearing of the board.

C. The board authorization is for twelve months unless otherwise directed by the board at the time the authorization is approved.

D. Extension of the time to apply for a building permit may be requested from the board during the one-year period. Extension of time may not be requested when demolition of non-permitted structure(s) is required. The request for an extension shall be acted upon by the board at the regular meeting, but no notice and hearing shall be required. If a board authorization expires, a new application accompanied by a new fee is required, except that no fee shall be required for a variance application that is related to a proposed SmartCode development.

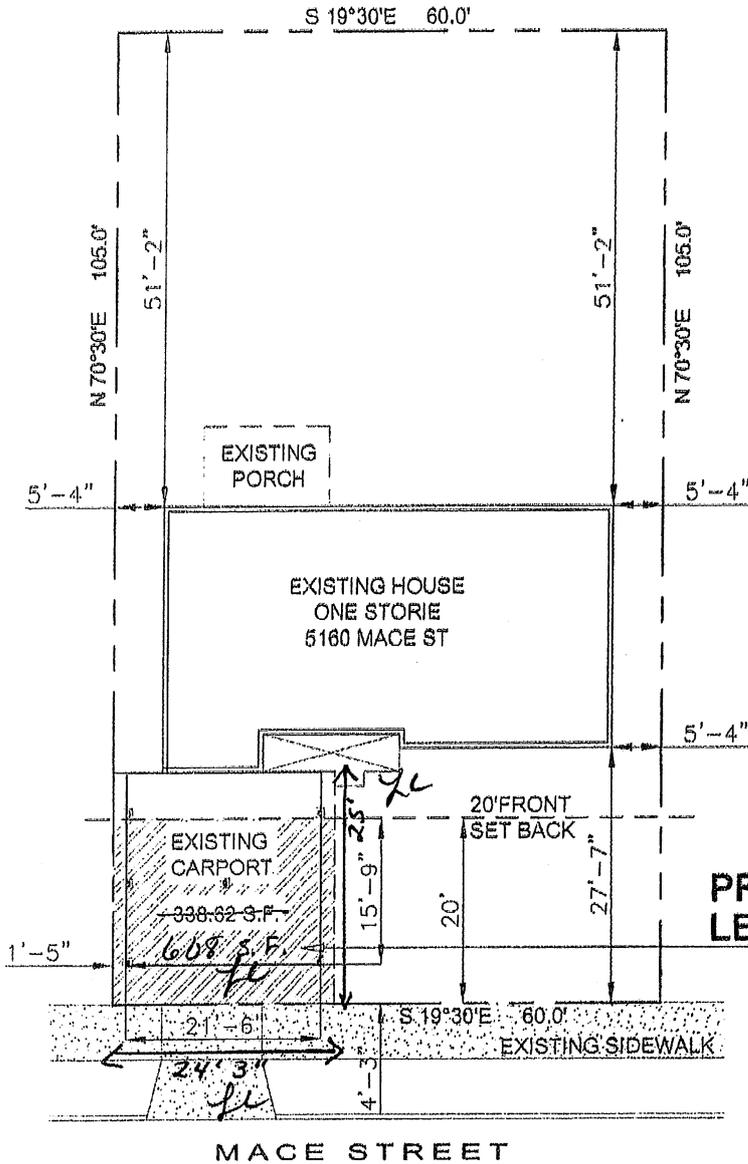
E. Applications for special exceptions may be granted, denied or granted with conditions by the board.

F. Reapplication. The board will not consider an appeal or application that is the same or very similar to one that has been denied, for a period of twelve months unless the board finds that a substantial change in conditions has occurred.

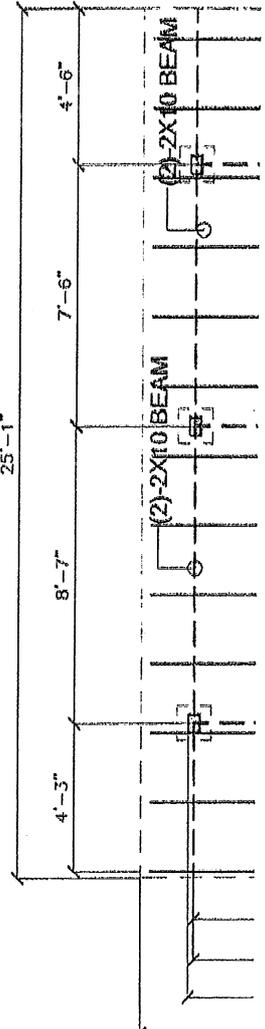
G. Revocation. The board of adjustment shall have authority to revoke a variance or special exception if it finds development and/or operation is not in accordance with the conditions under which a variance or special exception was permitted.

H. Appeals of board decisions. Appeals from the zoning board of adjustment lie directly to the district court.

Submitted 8-22-12



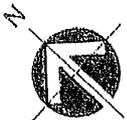
**PROPOSED
LEGALIZE CARPORT**



FRAME PLAN

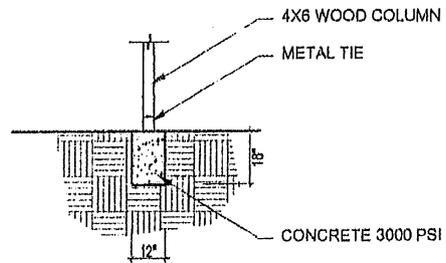
SCALE: 3/16" = 1'-0"

LEGAL DESCRIPTION:
6 TOWN & COUNTRY VILLAGE LOT 55 (6300 SQ FT)



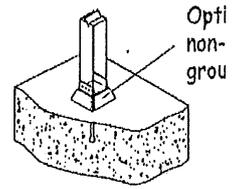
SITE PLAN

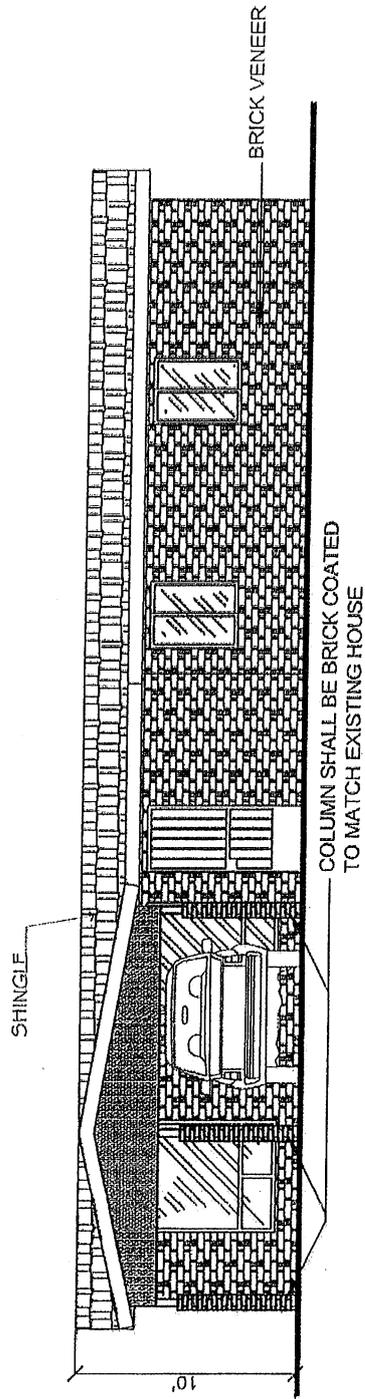
SCALE: 1" = 20'-0"



SPOT FOOTING DETAIL

ELEVATED COLUMN BASE





EXISTING HOUSE

FRONT ELEVATION

SCALE: 1/8" = 1'-0"

PROPOSED LEGALIZE EXISTING CARPORT

MR. RICARDO SIFUENTES

5160 MACE ST.

EL PASO, TX 79932

Dedicated to Outstanding Customer Service for a Better Community

S E R V I C E S O L U T I O N S S U C C E S S



CITY DEVELOPMENT DEPARTMENT
Building Permits & Inspections Division

MEMORANDUM

TO: Zoning Board of Adjustment Staff

FROM: Juan Estala, Chief Building Plans Examiner, Building Permits
 and Inspections Division

SUBJECT: CARPORT CASE FOR November12, 2012 ZBA MEETING

DATE: 11/8/2012

I have reviewed the plans for ZBA case PZBA12-00033 located at 5160 Mace Street. The applicant is requesting a Special Exception J under Title 2.16.050 for a carport over the driveway.

The carport's structural design has been reviewed and has been found to be acceptable.

This letter is written pursuant to Title 2.16.050 J. 2., "...zoning board of adjustment has received the written approval of the structural design from the building official."

Mayor
John F. Cook

City Council

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District 2
Susie Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Dr. Michel R. Noe

District 6
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SERVICE SOLUTIONS SUCCESS

ZONING BOARD OF ADJUSTMENT

November 12, 2012



Ricardo Sifuentes

Re: 5160 Mace Street

Legal Description: Lot 55, Block 6, Town and Country Village, City of El Paso, El Paso County, Texas

Case #PZBA12-00033: This would permit a 20' by 21'10" (437 square feet) carport located to within 2 feet of the front property line. The required front and rear yard cumulative setback total is 50 feet in the R-3 zone district.

The Zoning Board of Adjustment, acting under the authority vested in it by Article 211.008 of the Local Government Code of the State of Texas and by Chapter 2.16 of the El Paso City Code, after due public notice at an Open Public Meeting on November 12, 2012, **GRANTED** the Special Exception under the criteria of Section 2.16.050 J (Carport over a Driveway):

The Board determined that this request **QUALIFIED** for the Special Exception J (Carport over a Driveway) for the following reasons:

- The residence has been in existence with a valid certificate of occupancy for one continuous year;
- The zoning board of adjustment has received the written approval of the structural design from the building official;
- The carport shall be constructed of the same material, architectural design, and color scheme as the residential structure, shall be open on three sides, shall be attached to the main structure and shall rise no higher than the highest point of the roof of the dwelling;
- The area of the carport does not exceed one-fifth of the first-floor area under roof of the dwelling and shall be measured as the area covered by the carport roof, to include overhangs;
- Elevation drawings of the proposed structure have been submitted;
- There is no other reasonable alternative to provide a carport in the front yard of the subject property without exceeding the encroachments allowed in Title 20 of this code; and,
- Unless otherwise provided in this chapter, all remaining areas of the required front yard shall be permanent open space.

Filed for permanent record the 12th day of November 2012 in the office of the Zoning Board of Adjustment.

Linda Castle
Senior Planner

PLEASE NOTE: Any privilege granted by this decision must be exercised within **12 months** of the date of this decision after obtaining the necessary building permits for the proposed construction at the Building Permits & Inspections Division of the City Development Department.

City Development Department
Two Civic Center Plaza
El Paso, TX 79901
(915) 541-4056

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Mr. Sifuentes
November 12, 2012
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Inspections will be made by the Building Permits & Inspection Division of the City Development Department, and compliance with Board action will be noted in official Board records. This order may be revoked by the Board after notice and opportunity to be heard for violation of any of the conditions imposed.

The decision of the Zoning Board of Adjustment may be appealed by a person aggrieved by this decision or by any officer, department, board, or bureau of the municipality by filing an action with the District Court for this county within **10 Days** after the date of the hearing.

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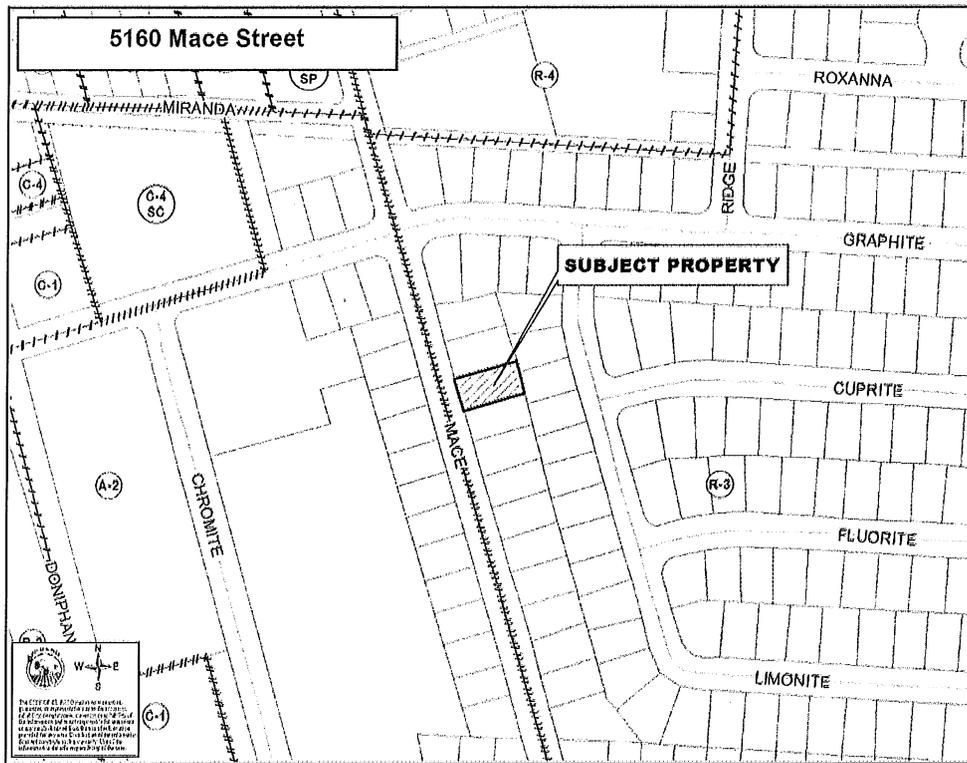
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ZONING MAP



NOTIFICATION MAP

