

**Applicant request a Special Exception under Section 2.16.050 B (Two or More Nonconforming Lots) in an C-4 (Commercial) zone.**

This would allow for the re-construction of a 6,945 square feet structure as it existed previously. The structure is encroaching in the required front, rear, and side yard setbacks and will be located to within 0' feet of the front, rear, and side property lines.

There is no required cumulative front and rear yard setback total in the C-4 zone district

**BACKGROUND**

The applicants are requesting that a structure encroach into the required front, rear, and side yard setbacks for a building that was destroyed due to a fire.

The required setbacks in the C-4 zoning district are 0' feet front, 10' feet rear, 5' feet side when abutting residential or apartment district or uses, and 10 feet side street.

Prior to a fire in which the structure burned down on March 2013, the building had occupied the entire lot for at least 64 years. There are several properties constructed similarly along Montana Avenue, Pershing Drive, and Raynor Street between the 1940s-1950s which included structures with 0' feet setback on the front, rear, and side.

**CALCULATIONS**

Required front yard setback = 0'  
Requested front yard setback = 0'

Required rear yard setback = 10'  
Requested rear yard setback = 0'

Required side yard setback = 10'  
Requested side yard setback = 0'

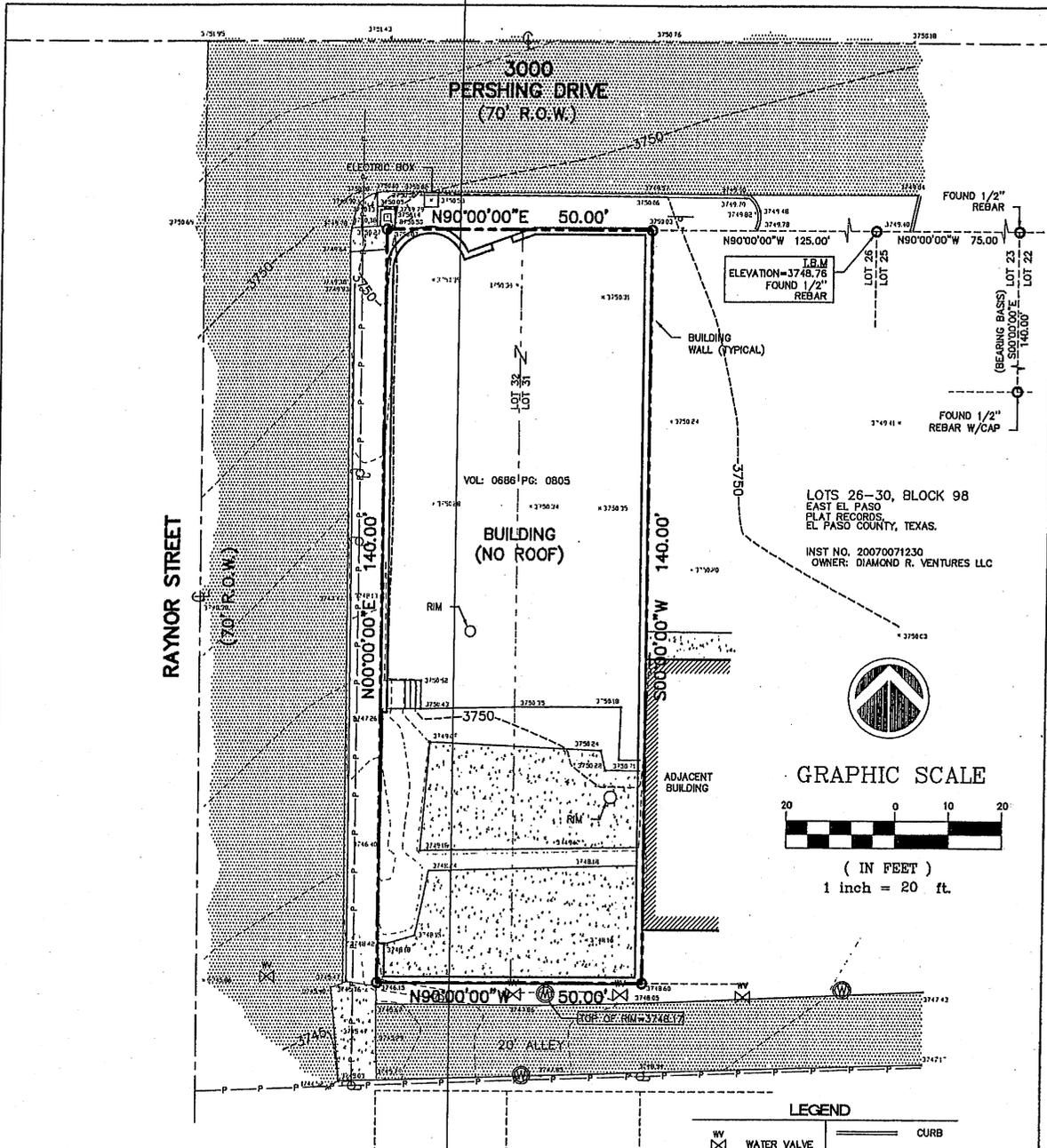
**STAFF RECOMMENDATION**

Staff recommendation is for **Approval with a condition that reconstructions follow the previous existing foot print that has existed for 64 years.**

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;
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;
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.”



**GENERAL NOTES**

1. LOCATION OF ALL UTILITIES SHOWN ON THIS PLAN ARE APPROXIMATE. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CONTACT ALL UTILITY COMPANIES FOR THE EXACT LOCATION OF UNDERGROUND AND OVERHEAD UTILITIES INCLUDING UTILITIES NOT SHOWN ON PLANS. DURING CONSTRUCTION, THE CONTRACTOR WILL PERFORM ALL UTILITY INSTALLATION, REMOVAL, AND RELOCATION'S AS PER LOCAL UTILITY CONSTRUCTION SPECIFICATIONS.
2. CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL DIMENSIONS, CONDITIONS, AND ELEVATIONS ON SITE AND SHALL CONTACT THE DESIGN ENGINEER AND REPORT ANY DISCREPANCIES, OMISSIONS AND/OR ERRORS ON PLANS PRIOR TO COMMENCING WORK.
3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF EL PASO STANDARD SPECIFICATIONS AND DETAILS.
4. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITTING NECESSARY FOR EARTHWORK OPERATIONS.
5. CONTRACTOR SHALL COORDINATE RELOCATION OF ALL EXISTING UTILITIES AND MANHOLE WITH RESPECTIVE UTILITY COMPANIES.
6. CONTRACTOR SHALL PERFORM ALL EARTHWORK REQUIREMENTS AS PER GEOTECHNICAL STUDY REPORT.
7. THIS PROPERTY MAY BE SUBJECT TO EASEMENTS WHETHER OF RECORD OR NOT. (NOT SHOWN) NO ADDITIONAL RESEARCH WAS PERFORMED BY BAA INC. FOR ANY RESERVATIONS, RESTRICTIONS, BUILDING LINES AND OR EASEMENTS WHICH MAY OR MAY NOT AFFECT SUBJECT PARCEL.
8. SUBJECT PROPERTY SHOWN HEREON APPEARS TO BE LOCATED IN ZONE "C", PER F.I.R.M. PANEL NUMBER 338, LAST REVISION DATE 10-15-82. THIS SURVEYOR MAKES NO GUARANTEES AS TO THE ACCURACY OF THE ABOVE INFORMATION. THE LOCAL F.E.A.A. AGENT SHOULD BE CONTACTED FOR VERIFICATION.

**SURVEYOR'S NOTES**

1. BEARINGS SHOWN ARE BASED ON THE FILED PLAT FOR EAST EL PASO ADDITION.
2. ALL DISTANCES AND COORDINATES ARE GROUND (UNLESS OTHERWISE SHOWN) AND MAY BE CONVERTED TO GRID BY DIVIDING BY THE SCALE FACTOR OF 1.000237.
3. BENCHMARK 58110 AS DESCRIBED IN PANEL NO. 480214 0940B BY RIK OBSERVATION, 2003 GEOD. 3.35 MILES EAST ALONG THE SOUTHERN PACIFIC RAILROAD FROM THE STATION AT EL PASO, 0.24 MILES EAST OF THE CROSSING OF NORTH COPA STREET, 87 FEET NORTHWEST OF MILEPOST 826, 7.5 FEET NORTH OF THE NORTH RAIL OF THE MAIN TRACK, 14 FEET SOUTH OF THE SOUTH RAIL OF A SIDE TRACK, 0.7 FEET ABOVE THE GROUND, SET IN THE TOP OF THE WEST SIDE OF AN ABANDONED CONCRETE SEMAPHORE BASE. ELEVATION=3702.44 (NGVD'28 DATUM) = 3703.84 (NAVD 88).
4. NAVD 88 ELEVATIONS WERE DERIVED FROM APPLICATION OF THE GEOID 2003 MODEL TO RIK CO-OP ELLIPSOID HEIGHTS (ACCURACY ± 0.16').
5. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES ARE IN THE EXACT LOCATION INDICATED. THEY ARE LOCATED AS ACCURATE AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
6. A CALL WAS PLACED TO 1-800-DIG-TESS TO ACQUIRE LINESPOTS. CONFIRMATION NUMBER IS 531625215.

**LEGEND**

	WATER VALVE		CURB
	WATER METER		EOP
	SIGN		CONCRETE
	MANHOLE		PAVEMENT
	POWER POLE		SPOT ELEVATION
			CONTOURS
			POWER LINE

**DUST AND EROSION CONTROL NOTE**

CONTRACTOR SHALL MAKE PROVISIONS FOR TEMPORARY DUST AND EROSION CONTROL WHERE EXTENSIVE DIRT OR DUST OPERATIONS ARE PERFORMED. USE WATER SPRINKLING AND OTHER METHODS TO LIMIT DUST AND DIRT MIGRATION. COMPLY WITH GOVERNING REGULATIONS PERTAINING TO ENVIRONMENTAL PROTECTION.

**BEFORE YOU DIG - CALL**

EL PASO ELECTRIC COMPANY	1-800-592-1534
AT & T	1-877-213-1053
SOUTHERN UNION GAS COMPANY	(915) 544-6300
EMERGENCY HOT LINE	(915) 544-5500
PUBLIC SERVICE BOARD (WATER&SEWER)	(915) 544-5500
TIME WARNER CABLE	1-800-222-5355
EL PASO NATURAL GAS COMPANY	1-800-334-8047
TEXAS EXCAVATION SAFETY SYSTEM	1-800-344-8377

**Barragan & Associates Inc.**  
 LAND PLANNING & SURVEYING  
 19550 Phillips Cr. Building 7  
 El Paso, TX 79935  
 Phone (915) 591-5709 Fax (915) 591-5706

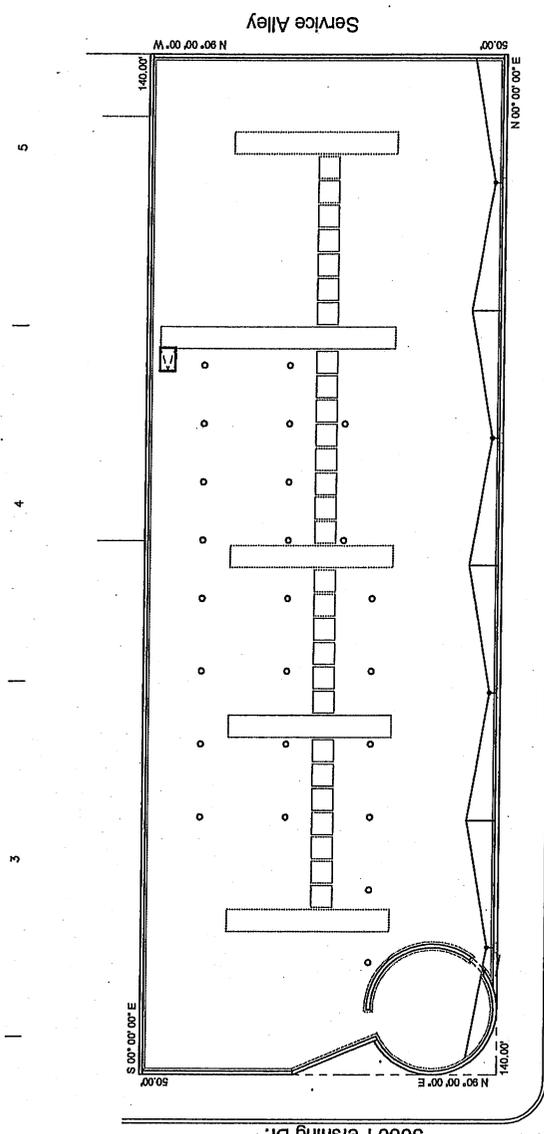
**Topographic Survey**  
 LOTS THIRTY-ONE AND THIRTY-TWO (31 & 32),  
 BLOCK NINETY-EIGHT (98),  
 EAST EL PASO ADDITION,  
 AN ADDITION TO THE  
 CITY OF EL PASO,  
 EL PASO COUNTY, TEXAS.  
 AREA 0.16 ACRES ±

1" reference spot/bk 1 oages 51  
 Scale 1"=20' Date 9-4-13 Drawn by DJ

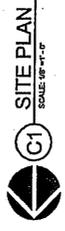
PREPARED BY AND UNDER THE SUPERVISION OF:

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 NOT FOR REGULATORY  
 APPROVAL, PERMITTING,  
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 CONSULTANT

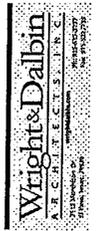


Raynor St.



AREA CALCULATION	7,000.00 Sq. Ft.
TOTAL LAND AREA	
Academy of Hair Design	40 Students
Barber College	24 Students
Common Areas	562.94 Sq. Ft.
TOTAL LIVING AREA	6,945.27 Sq. Ft.

LEGAL DESCRIPTION
Lot 31 & 32, Block 98
East El Paso Addition
City of El Paso
El Paso County, Texas



WRIGHT & DALBIN ARCHITECTS, P.C.  
 3700 W. WYATT DRIVE, SUITE 100  
 EL PASO, TEXAS 79905  
 TEL: 915.763.2779

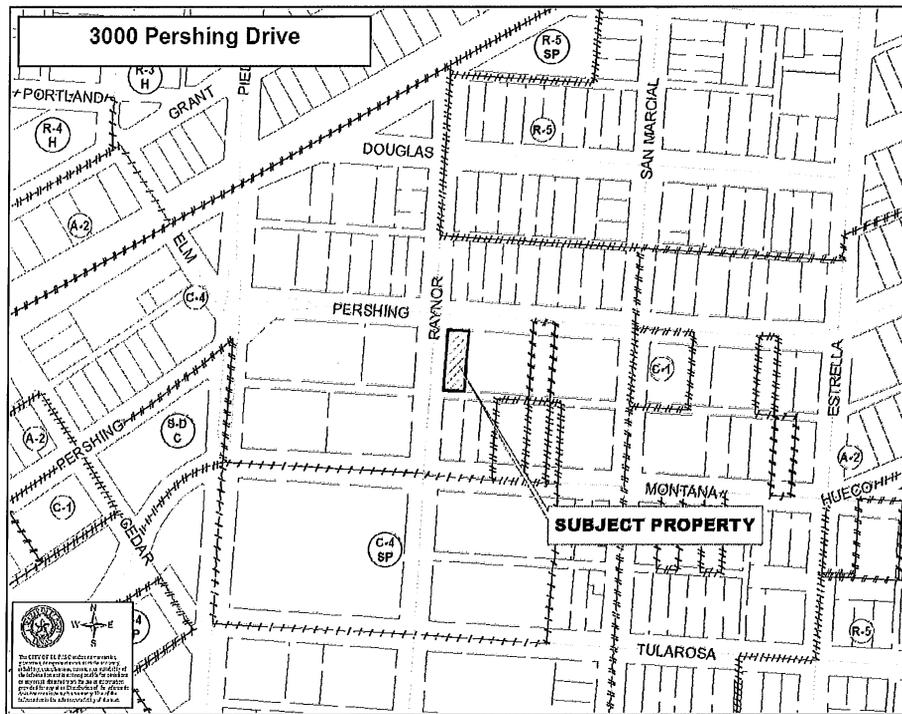
PIPO  
 ACADEMY OF HAIR DESIGN  
 & BARBER COLLEGE  
 3800 W. WYATT DRIVE, SUITE 100  
 EL PASO, TEXAS 79905  
 OWNER: HECTOR BARRAGAN

ARCHITECTURAL  
 SITE PLAN

13.05.44  
 10/07/2013  
 AS SHOWN

AC-102  
 SHEET OF

# ZONING MAP



# NOTIFICATION MAP

