

PZBA12-00037 10740 Opalstone Street Ceasar and Beatriz Alvarado
Applicants request a Special Exception under Section 2.16.050 C (Rear Yard Setback) in an R-3 (Residential) zone.

This would permit an existing 21'8" by 27' addition of which a 21'8" by 10' portion encroaches into the required rear yard setback and is located to within 12.5' feet of the rear property line.

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

BACKGROUND

The applicant got a building permit for the addition; however, it is noted as being issued in error and without prior approval from the ZBA for the encroachment into the rear yard setback. The addition is two stories and has been measured by the building inspector at 25 feet in height.

CALCULATIONS

Permitted area of encroachment in required rear yard = 270 sq. ft. (20' [60' lot width ÷3] x 13.5' [3/5 of 22.5'])

Requested area of encroachment = 217 sq. ft. (21'8" x 10')

Required rear yard setback = 22.5'

Requested rear yard setback = 12.5'

STAFF RECOMMENDATION

Staff recommendation is for approval as it meets the requirements of the Special Exception C.

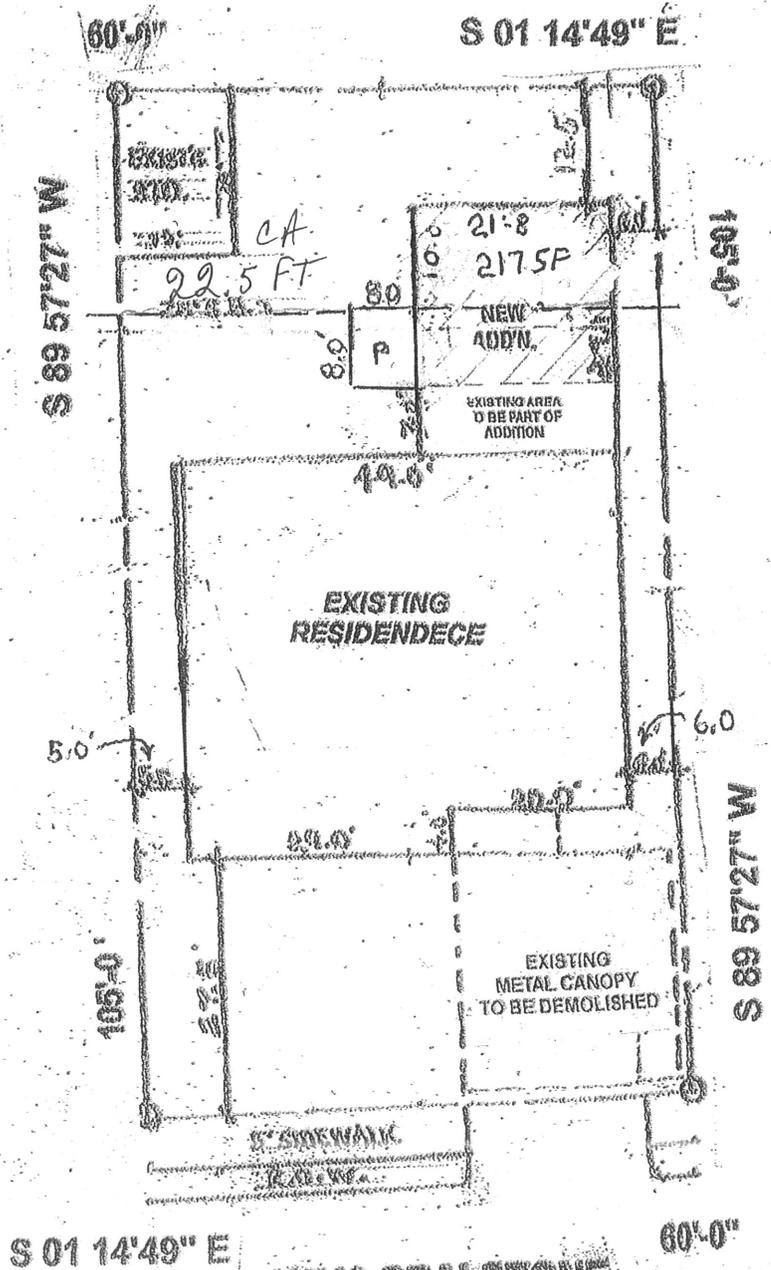
The Zoning Board of Adjustment is empowered under Section 2.16.050 C to:

"Permit an extension of a single-family residential structure into the required rear yard setback, which shall be measured to the rear property line, provided, however, that:

1. The residence has been in existence with a valid certificate of occupancy for one continuous year;
2. 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 setback;
3. A minimum ten-foot rear yard setback shall be required;
4. The minimum side and side street yard setbacks shall not be reduced; and
5. Unless otherwise provided in this section, all remaining areas of the required rear yard shall be permanent open space."

**LEGAL DESCRIPTION
8 SHEARMAN #2
LOT 13**

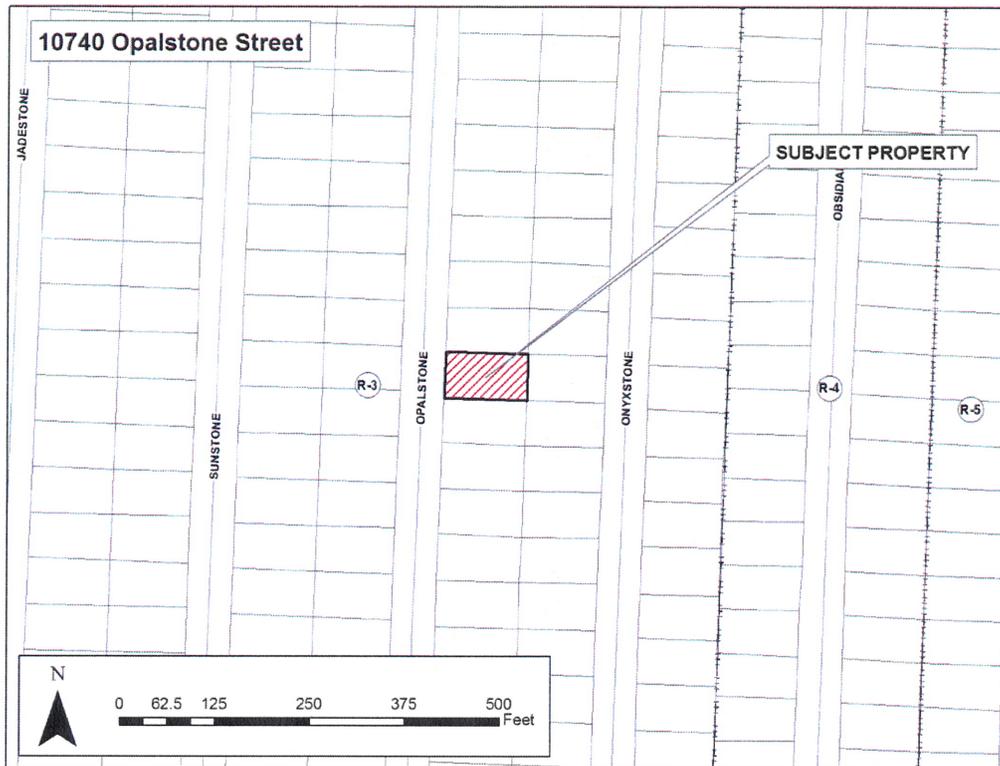
ADDITION.
 $1/3$ of 60' = $20 \times (3/5 \text{ of } 22.5) / 5 = 270$
 sq.ft
 Allowable are encroaching into
 setback = 270 sq.ft.
 Area of addition (10x21.66)
 encroaching = 216.6 sq.ft.



**10740 OPALSTONE
STREET
SITE PLAN**

SCALE: 1"=20'-0"

ZONING MAP



NOTIFICATION MAP

