

Applicant requests Special Exceptions under Section 2.16.050 G (Rear Yard Setback) and V (Front Yard Setback) in an R-1 zone of the City of El Paso Zoning Ordinance.

This would permit the construction of a 43.5' by 8' portion of a structure located to within 42' of the rear property line, a 9.5' by 3.5' portion of a structure located to within 46.5' of the front property line and a 17.5' by 3' portion of a structure located to 47' of the front property line.

Front and rear yard setbacks of 50' are required in an R-1 zone.

STAFF COMMENTS

Special Exception G (Rear Yard Setback)

The width of the requested rear yard encroachment in the setback is 43.5'. One-third of the average width of the lot is 45.55' ($136.55' \div 3$) maximum width permitted.

Special Exception V (Front Yard Setback)

The widths of the requested front yard encroachments are 9.5' and 17.5', for a total width of 27'. One-third of the average width of the lot is 45.55' ($136.55' \div 3$) maximum permitted.

STAFF RECOMMENDATION

Staff recommends approval as the application meets the requirements for the Special Exceptions G and V. Accessory buildings shall be restricted to 120 sq. ft.

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

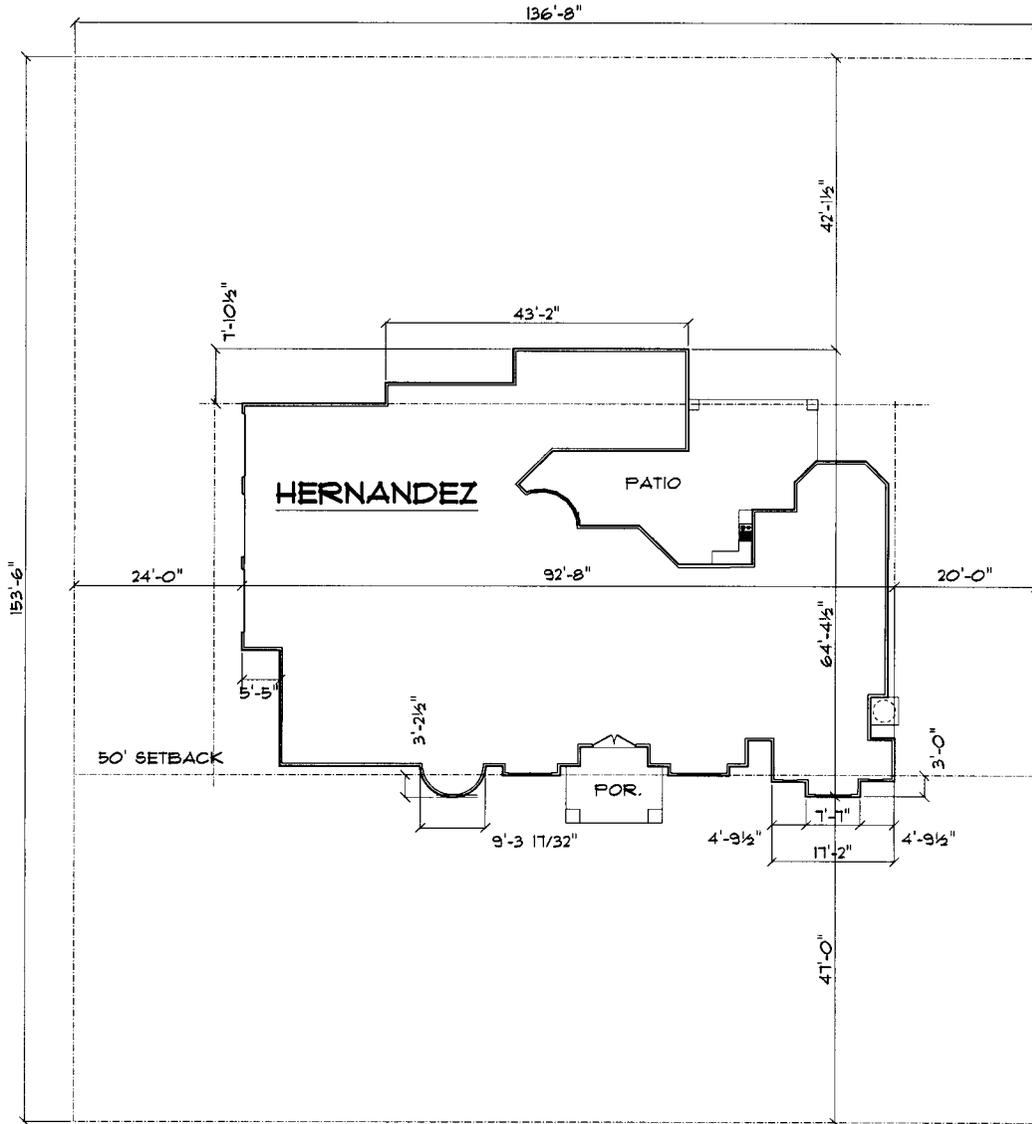
"Permit an extension of a single-family residential structure into the required rear yard, which shall be measured to the rear property line; provided, however, that:

1. The total of all extensions granted shall not project into the required rear yard for a depth in excess of three-fifths of the required yard, and
2. The total width of all extensions granted shall not exceed one-third of the average width of the site, and
3. The minimum side and side street yards shall not be reduced, and
4. The total floor area of all detached accessory structure(s) existing or later constructed on the site shall not exceed one hundred and twenty square feet, and
5. Unless otherwise provided in this ordinance, all remaining areas of the required rear yard shall be permanent open space, and
6. The extension shall not permit the creation of an additional dwelling unit or an over-intensive use or coverage of the site, and
7. The exceptions will be in harmony with the spirit and purposes of Titles 2 and 20, including the preservation of the essential character of the district in which is located the property for which the exception is sought; and
8. The public convenience and welfare will be substantially served; and
9. The use of neighboring property will not be substantially injured; and
10. Include any conditions and safeguards which the board deems appropriate, such as site arrangement, landscaping and hours of operation."

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

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

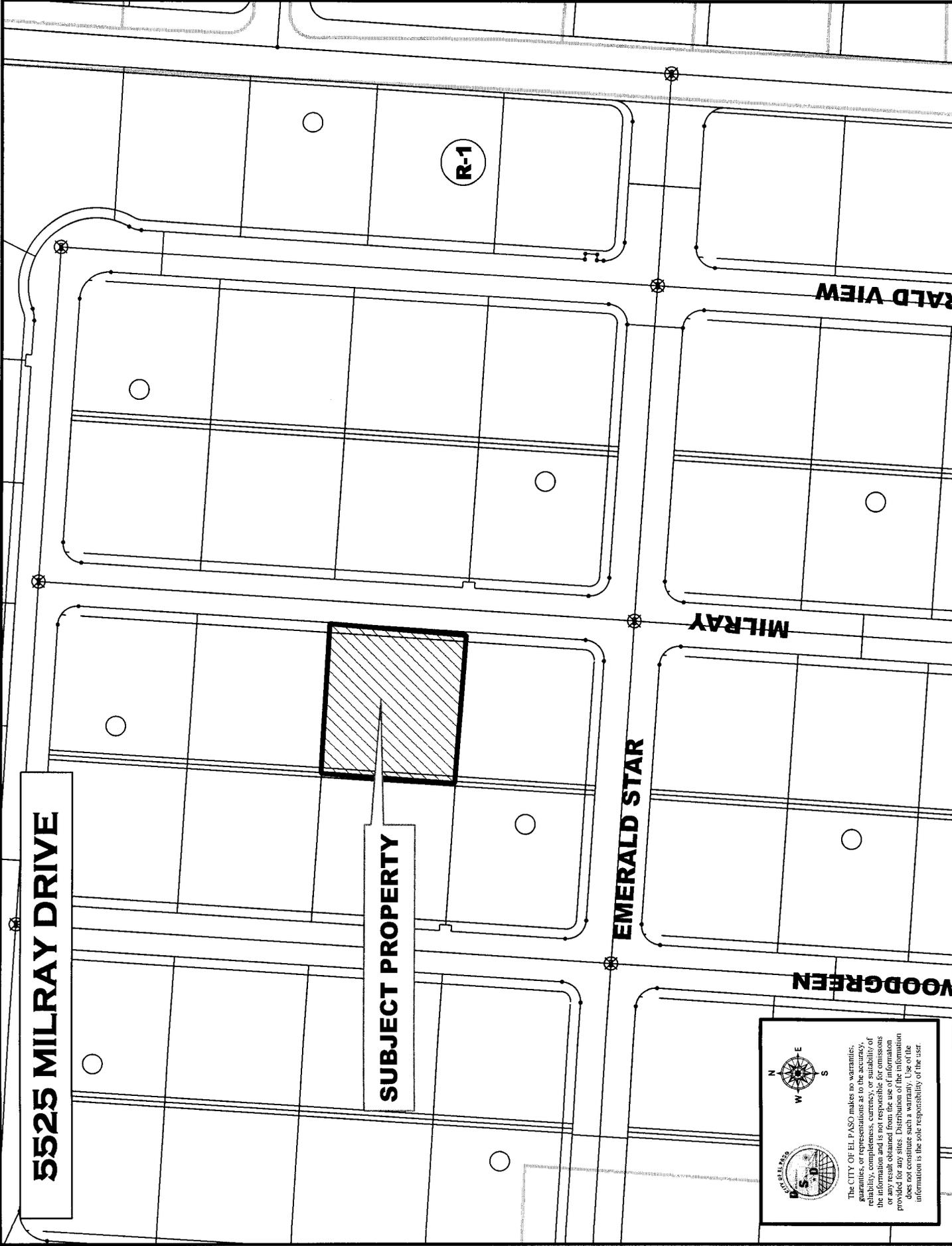
1. The total length all extensions granted shall not project into the required front yard a depth in excess of ten feet (10’), and
2. The total width of all extensions granted shall not exceed one-third of the average width of the site, and
3. The minimum side and side street yards shall not be reduced, and
4. A minimum of a ten foot (10’) front setback from the property line shall be maintained, and
5. If the proposed modification is for an enclosed garage, a minimum twenty foot (20’) driveway shall be required; and
6. Unless otherwise provided in this ordinance, all remaining areas of the required front yard shall be permanent open space; and
7. The extension shall not permit the creation of an additional dwelling unit or an over-intensive use or coverage of the site.
8. The exceptions will be in harmony with the spirit and purposes of Titles 2 and 20, including the preservation of the essential character of the district in which is located the property for which the exception is sought; and
9. The public convenience and welfare will be substantially served; and
10. The use of neighboring property will not be substantially injured; and
11. Include any conditions and safeguards which the board deems appropriate, such as site arrangement, landscaping and hours of operation”



5525 MILRAY DRIVE

PLOT PLAN 6C:1"=20'0"

LOT 3 BLOCK 4
 EMERALD VALLEY ESTATES
 CITY OF EL PASO, EL PASO COUNTY, TEXAS



5525 MILRAY DRIVE

SUBJECT PROPERTY

R-1

EMERALD STAR

MILRAY

RALD VIEW

WOODGREEN




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5525 MILRAY DRIVE

SUBJECT PROPERTY

1

EMERALD STAR

MILRAY

GREEN

VIEW



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