

Applicant request a Special Exception under Section 2.16.050 C (Rear Yard Setback) in an R-5 (Residential) zone.

This would permit the construction of a 360 sq. ft. covered patio addition to the existing single-family residence, proposed to encroach 7.5 feet into the required rear yard setback and is to be located to within 10 feet of the rear property line.

The required rear setback is 25' and the required front and rear yard cumulative setback total is 45 feet in the R-5 zone district.

BACKGROUND

The existing residence was constructed in 2003.

The Planning Division has received no communications in support of or in opposition to the special exception request.

CALCULATIONS

Permitted area of encroachment in required rear yard setback = 238.7sq. ft. (15.5 [46.5' average lot width ÷ 3] x 15.4 [3/5 of 25' required rear yard setback])

Requested area of encroachment in rear yard setback = 180 sq. ft.

Required rear yard setback = 25'

Requested rear yard setback = 10'

Required front and rear yard setback total = 45'

Requested front and rear yard setback total = 30'

STAFF RECOMMENDATION

Staff recommends approval as the requested square footage encroachment (180 sq. ft.) is less than the maximum permitted (238.7 sq. ft.).

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:

6. The residence has been in existence with a valid certificate of occupancy for one continuous year;
7. 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;
8. A minimum ten-foot rear yard setback shall be required;
9. The minimum side and side street yard setbacks shall not be reduced; and
10. Unless otherwise provided in this section, all remaining areas of the required rear yard shall be permanent open space.”

ZONING MAP

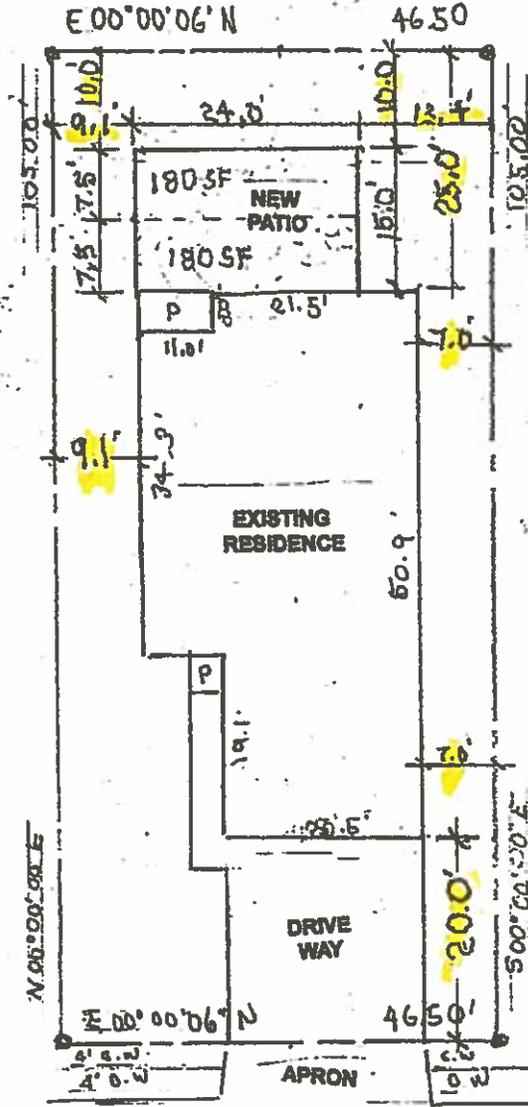


NOTIFICATION MAP



ITEM #4

**LEGAL DESCRIPTION
LOT 24 BLOCK 57
TIERRA DEL ESTE UNIT
EIGHT**



**PROPOSED
ZBA EXCEPTION
7.5' x 24.0' = 180.0 SQ.FT.
ADD TO ALLOWED
BY ORDINANCE
7.5' x 24.0' = 180.0 SQ.FT.
A PATIO ADDITION
TOTAL REQUESTED & ALLOWED
15.0' x 24.0' = 360.0 SQ.FT.**

**12373 INCA DRIVE
SITE PLAN
SCALE: 1" = 20'**