

Applicant requests a Special Exception under Section 2.16.050 B (Side Street and Side Yard Setbacks) in an A-O zone.

This would permit the construction of a 30' by 30' attached garage located to within 0' of the side street property line and 3'4" of the side property line.

The required side street yard setback is 10' and the required side yard setback is 5' in an A-O (Apartment-Office) zone.

BACKGROUND

The applicant is requesting to add a three car garage to an existing office building that was built in 1901. The property has been registered legally nonconforming as to the setbacks. He is asking for the Special Exception B to continue the building line at the side street property line and, in addition, to encroach 1'8" into the side yard setback. The subject property itself and the property at 316 Rio Grande are built to 0' of the side street property line. The properties at 914 and 916 North Stanton are located to within 3'4" or less of the side property lines. Four parking spaces are required for the 1,590 square foot office building. The site plan shows 5 parking spaces, including 3 spaces in the proposed garage. If the applicant uses the alley as access to parking, he will be required to pave the alley.

The site plan shows access to the garage from Rio Grande Street. The Engineering-Traffic Division reviewed the site and recommends denial of the request based on the requirement for a 20' driveway to the garage.

CALCULATIONS

- Required side street yard setback = 10'
- Requested side street yard setback = 0'
- Required side yard setback = 5'
- Requested side yard setback = 3'4"

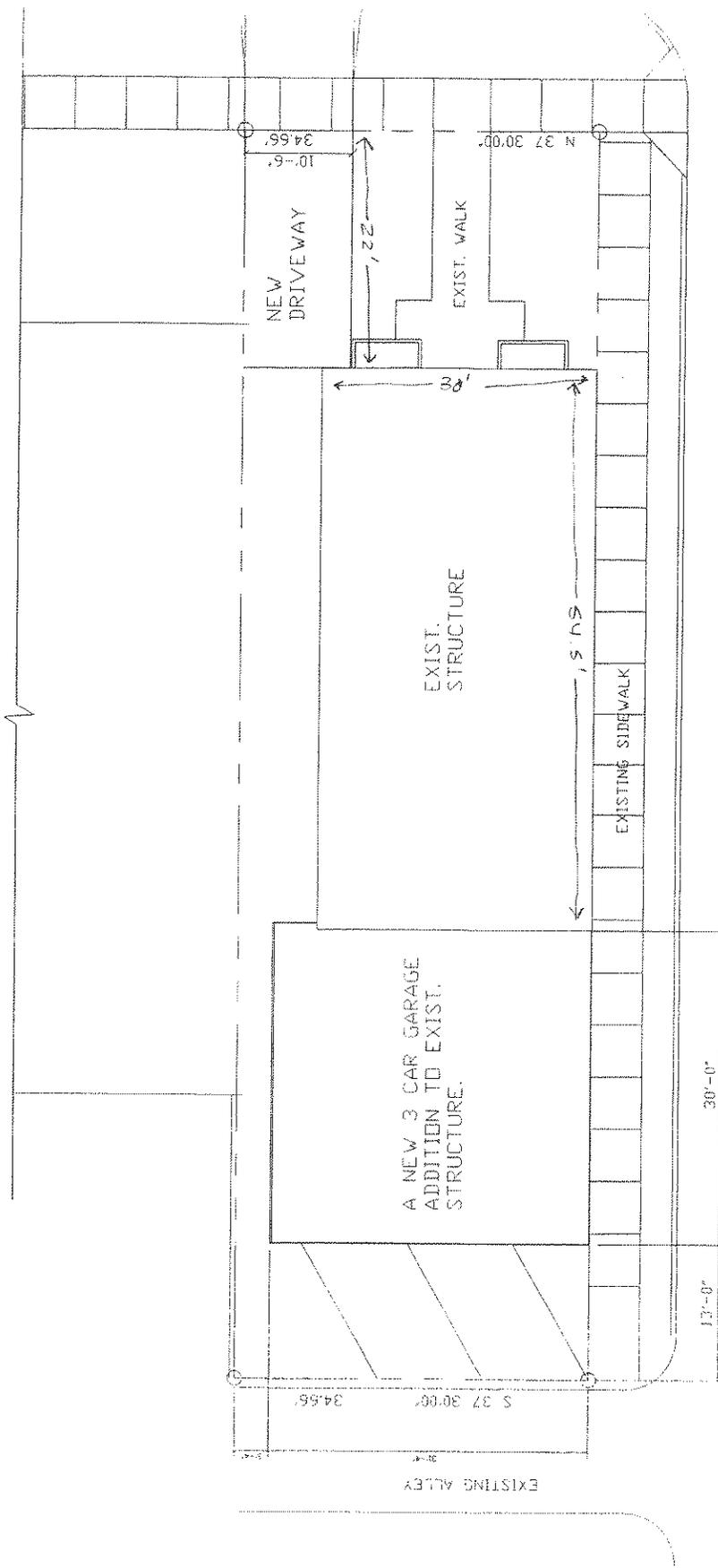
STAFF RECOMMENDATION

Staff recommends denial of the request based on the applicant's site plan that shows access to the garage from Rio Grande Street, across City right-of-way, and without the required 20' driveway length.

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:

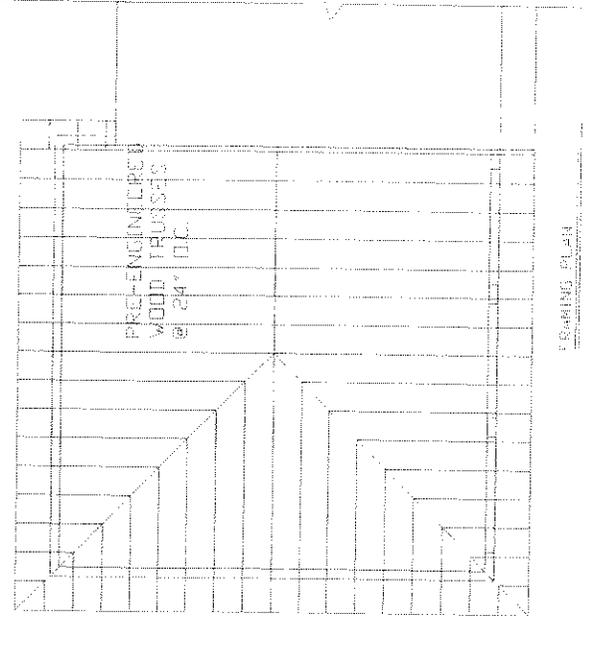
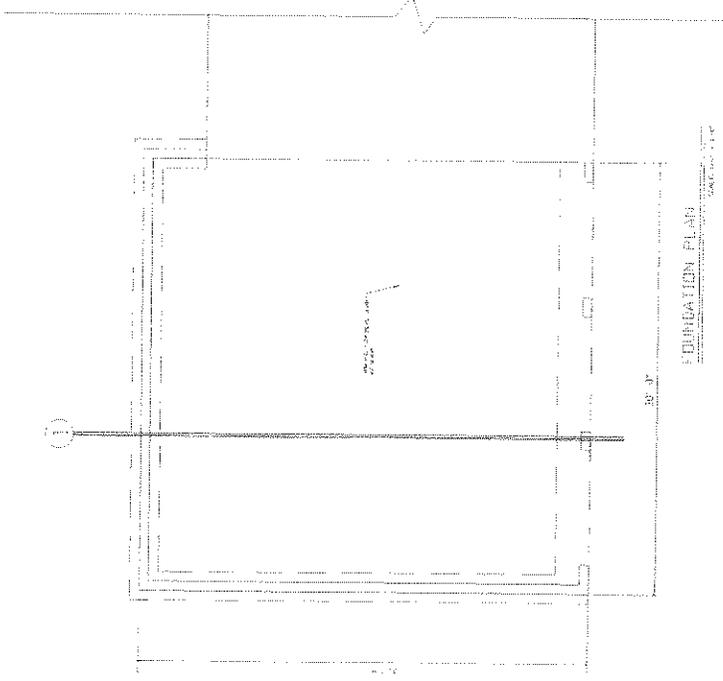
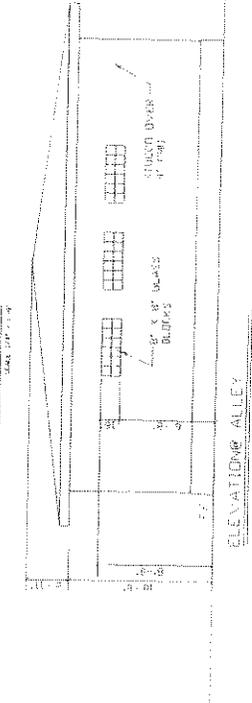
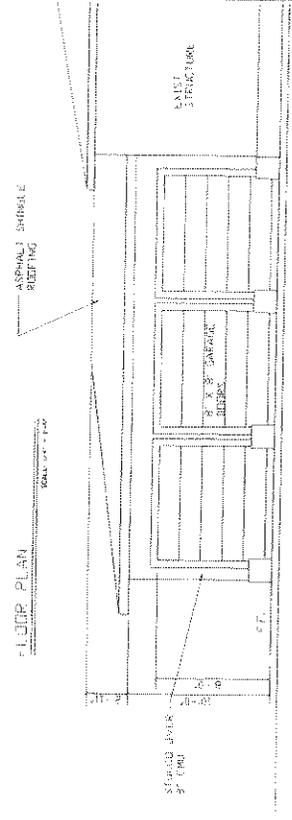
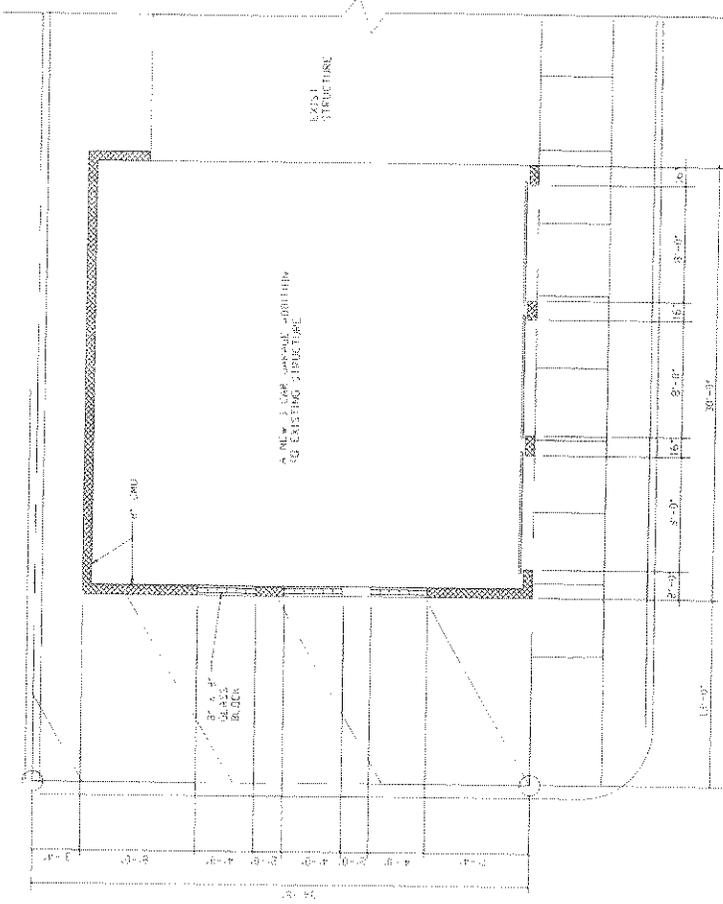
1. The lot is in a legally recorded and developed subdivision of at least ten years; and,
2. There are two or more lots that do not conform to Title 20 located within the same block on the same side of the street or within the block directly across and abutting the street; and,
3. The modifications are 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".



RIO GRANDE AVE.

EXISTING SITE PLAN

SCALE: 1" = 10'



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MAYOR



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CITY MANAGER

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ENGINEERING DEPARTMENT

CITY OF EL PASO

TO: Linda Castle, Zoning Administrator
Robert Peña, Zoning Secretary

FROM: Margarita Molina, Traffic Engineering Division

DATE: November 24, 2008

SUBJECT: **ZBA08-00092, 920 North Stanton Street**
Side street setback

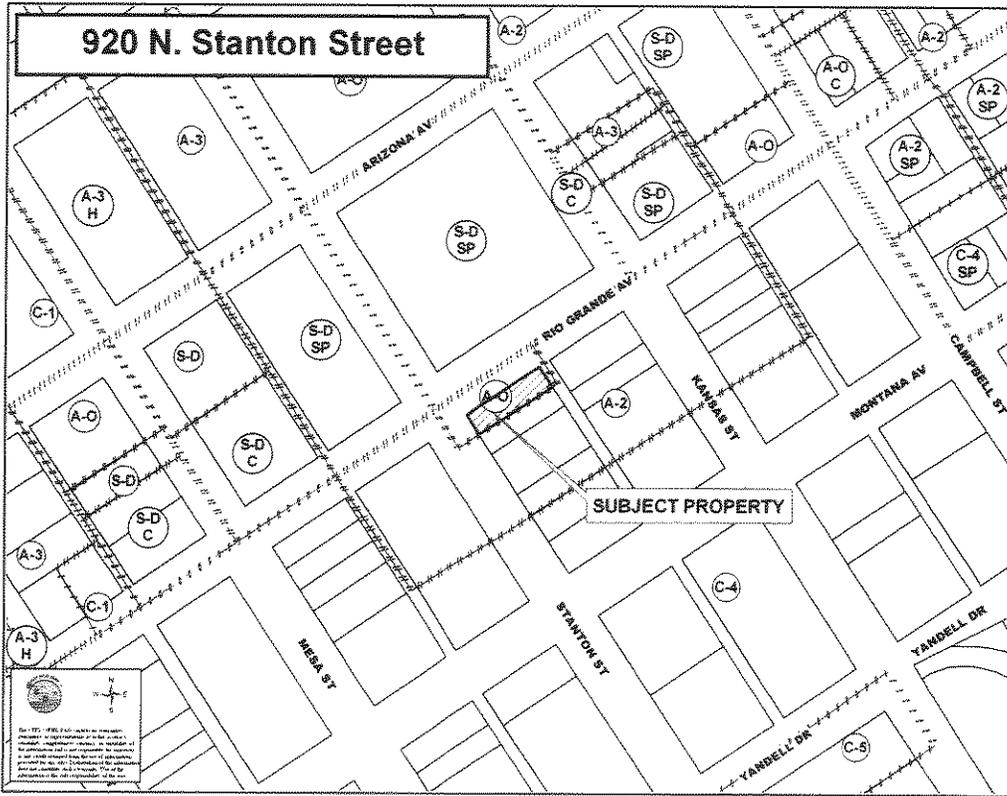
Regarding the above referenced item for the Zoning Board of Adjustment, the Traffic Division has the following comments.

Traffic Division recommends Denial of proposed garage as it does not comply with Design Standards for Construction, Figure 6-15, which calls for:

- *“A minimum parking space length of twenty (20) feet shall be provided measured from the property line to a garage, carport or parking space.”*

Should your office or the applicant have any questions or comments regarding these issues, please contact Margarita Molina, at 541-4223.

ZONING MAP



NOTIFICATION MAP

