

2709 Schooner

Zoning Board of Adjustment — December 9, 2024



CASE NUMBER: PZBA24-00085
CASE MANAGER: Blanca Perez, (915) 212-1561, PerezBM@elpasotexas.gov
PROPERTY OWNER: Luz Elena Gardea Terrazas
REPRESENTATIVE: Luz Elena Gardea Terrazas
LOCATION: 2709 Schooner (District 6)
ZONING: R-3 (Residential)
REQUEST: Special Exception C (Rear Yard Setback, Single-Family Residence)
PUBLIC INPUT: None received as of December 4, 2024

SUMMARY OF REQUEST: Applicant requests a Special Exception under Section 2.16.050 C (Rear Yard Setback, Single-Family Residence) to permit a proposed home addition in an R-3 (Residential) zone district.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL** of the special exception request as the requested area of encroachment is less than the maximum permitted.

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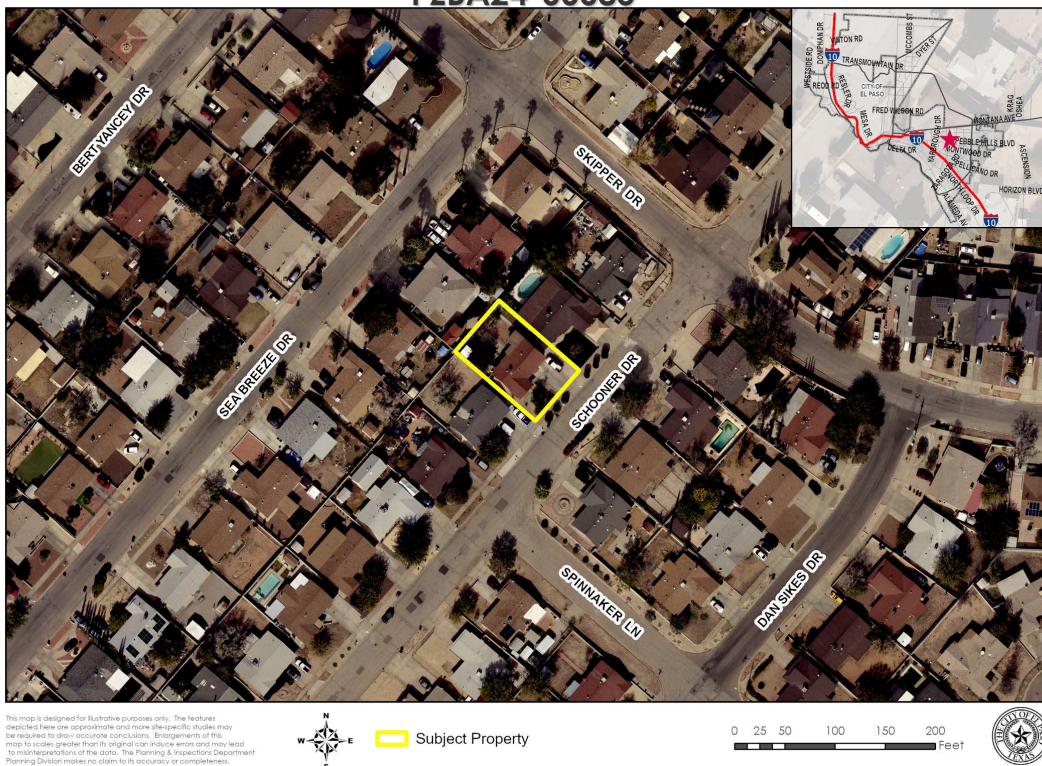


Figure A. Aerial of Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting a special exception to permit the construction of a proposed home addition, 13.2 feet of which would extend into the rear yard setback for a 198 square foot area of total encroachment.

BACKGROUND: The minimum rear setback is 20 feet in the R-3 (Residential) zone district. The required rear setback for the subject property is 23.2 feet to meet the cumulative front and rear setback of 50 feet in the R-3 (Residential) zone district.

SETBACKS	REQUIRED SETBACK	REQUESTED SETBACK
Front	26.8 feet	No Change
Rear	23.2 feet	10 feet
Cumulative Front & Rear	50 feet	36.8 feet
Side (Left)	5 feet	No Change
Side (Right)	5 feet	No Change

CALCULATIONS:

	TOTAL	CALCULATION
Maximum Permitted Area of Encroachment	301.6 square feet	21.6' (65' average lot width ÷ 3) X 13.92' (3/5 of 23.2' required rear yard setback)
Requested Area of Encroachment	198 square feet	

COMPLIANCE WITH SPECIAL EXCEPTION 2.16.050.C CRITERIA	
The Zoning Board of Adjustment is empowered under Section 2.16.050.C to: <i>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 the following criteria is met:</i>	
Criteria	Does the Request Comply?
1. The residence has been in existence with a valid certificate of occupancy for one continuous year;	Yes. The residence has 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;	Yes. The maximum permitted area of encroachment is 301.6 square feet, which is more than the requested area of encroachment of 198 square feet.
3. A minimum ten-foot rear yard setback shall be required;	Yes. The subject property will have a 10-foot rear yard setback.
4. The minimum side and side street yard setbacks shall not be reduced;	Yes. The minimum side yard setbacks are not reduced.
5. Unless otherwise provided in this section, all remaining areas of the required rear yard shall be permanent open space.	Yes. With the exception of any existing structures, remaining areas shall be permanent open space

PUBLIC COMMENT: Public notice was sent on November, 26, 2024 to all property owners within 300 feet of subject property. The Planning Division has not received any communications in support or opposition to the special exception request.

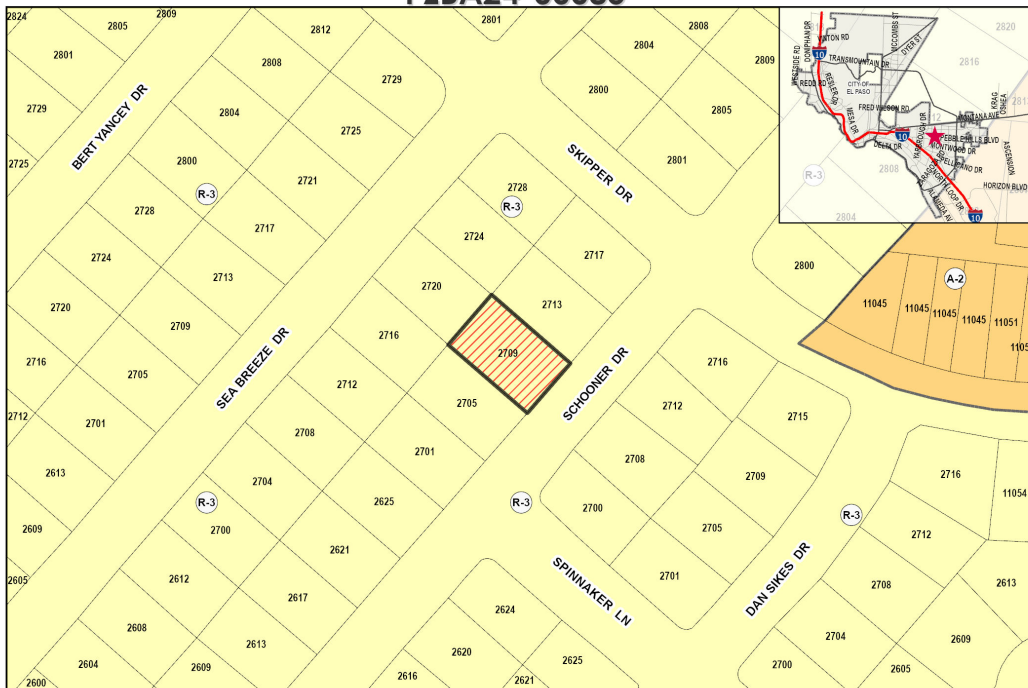
ZONING BOARD OF ADJUSTMENT OPTIONS:

The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The Zoning Board of Adjustment (ZBA) has the authority to grant a special exception to the zoning code only as provided in El Paso City Code Titles 2 and 20. In evaluating the request, the ZBA may take any of the following actions:

1. **Approval** of the special exception request, finding that the request is in harmony with the spirit and purposes of Titles 2 and 20, including the preservation of the essential character of the district in which the property is located, that the public convenience and welfare will be substantially served, and that the use of neighboring property will not be substantially injured. **(Staff Recommendation)**
2. **Approval with Modifications** of the special exception request to bring the request into conformance as provided in El Paso City Code Titles 2 and 20 as the board deems appropriate.
3. **Denial** of the special exception request, finding that the request does not conform to the review criteria as provided in El Paso City Code Titles 2 and 20.

ZONING MAP

PZBA24-00085



This map is designed for illustrative purposes only. The features depicted here are approximate and more site-specific studies may be required to draw accurate conclusions. Enlargements of this map to scales greater than its original can induce errors and may lead to misinterpretations of the data. The Planning & Inspections Department Planning Division makes no claim to its accuracy or completeness.



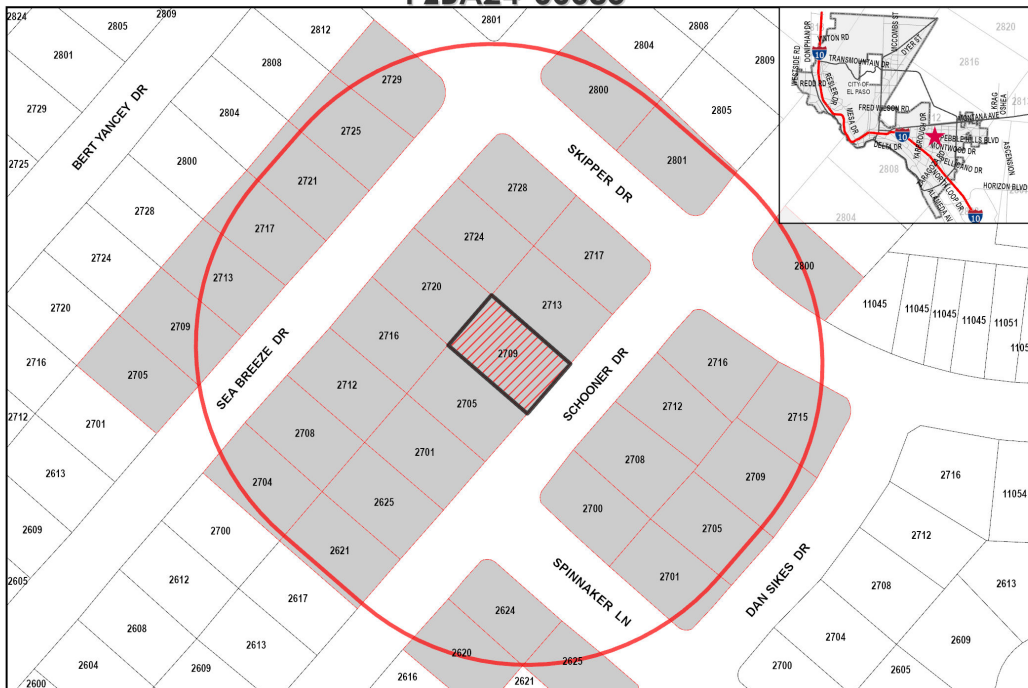
Subject Property

0 25 50 100 150 200 Feet



NEIGHBORHOOD NOTIFICATION MAP

PZBA24-00085



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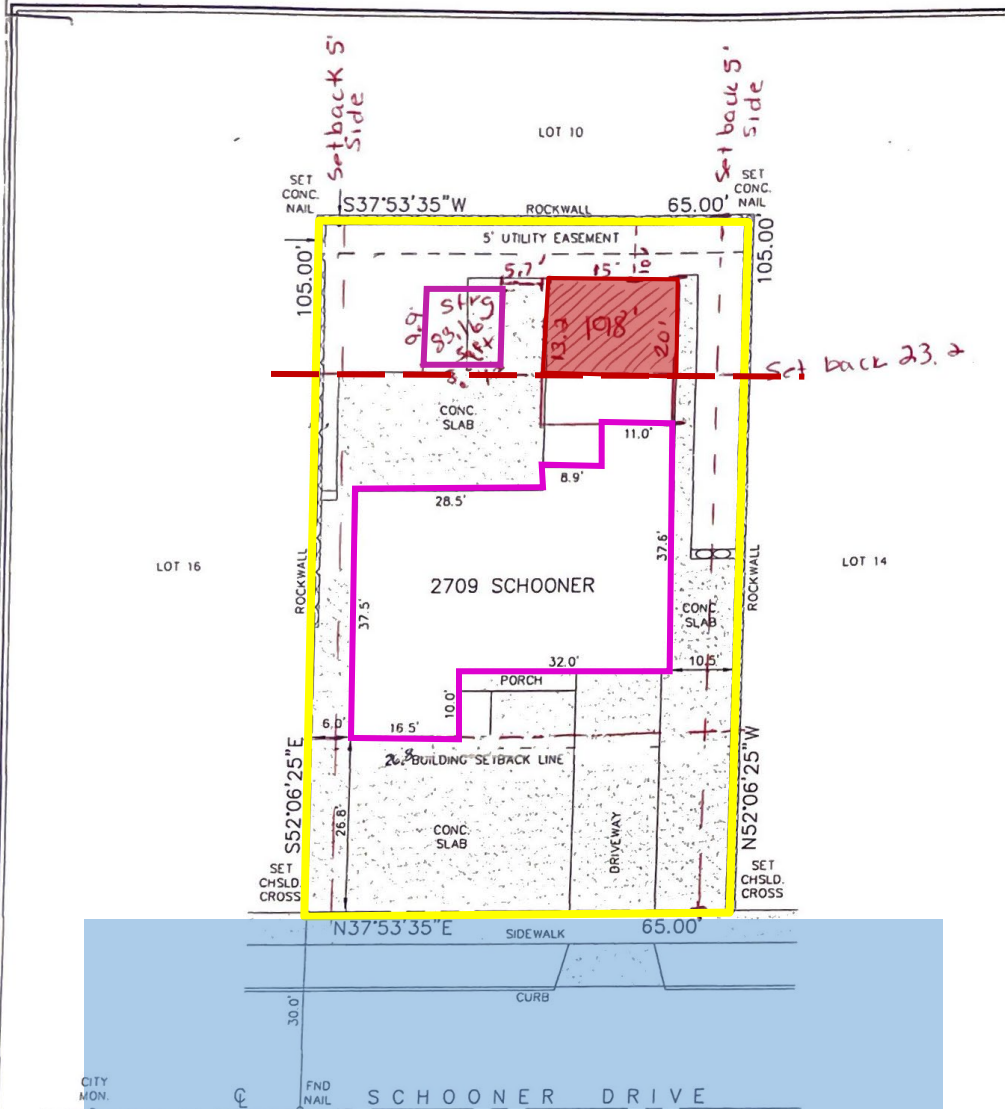


Subject Property
 300 Feet Notice Area
 Notified Properties

0 25 50 100 150 200 Feet



SITE PLAN



CERTIFICATION

I hereby certify that the foregoing Boundary and Improvement Survey was made by me or under my supervision and that there are no encroachments except as shown. Only platted easements are shown.

Manuel Calderon
 Manuel Calderon
 Registered Professional Land Surveyor No. 2564
 Texas Surveying Firm Reg. No. 100200-00
 Texas Registered Engineering Firm No. F-3788

E-Mail: CalderonEngineering@elpbizclass.com
 Book 44 Page 12 & 12A Job No. 1220-120

2709 SCHOONER DRIVE,
 LOT 15, BLOCK 9,
 EAST GLEN ADDITION UNIT ONE,
 CITY OF EL PASO
 EL PASO COUNTY, TEXAS

Field X Office AP-C5 Date 12/16/20 Scale 1"=20'

CALDERON ENGINEERING
 3031 TRAWOOD DR.
 EL PASO, TEXAS 79936 (915) 855-7552
 E-Mail: CalderonEngineering@elpbizclass.com