

# 11728 Corona Crest

Zoning Board of Adjustment — August 5, 2024



**CASE NUMBER:** PZBA24-00052  
**CASE MANAGER:** Myrna Aguilar, (915) 212-1584, AguilarMp@elpasotexas.gov  
**PROPERTY OWNER:** Roberto A. & Virginia B. Austin  
**REPRESENTATIVE:** Geronimo Cortez  
**LOCATION:** 11728 Corona Crest Avenue (District 6)  
**ZONING:** R-5 (Residential)  
**REQUEST:** Special Exception C (Rear Yard Setback, Single-Family Residence)  
**PUBLIC INPUT:** None received as of July 30, 2024

**SUMMARY OF REQUEST:** Applicant requests a Special Exception under Section 2.16.050 C (Rear Yard Setback, Single-Family Residence) to allow to legalize an existing home addition into the rear yard setback in an R-5 (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.

## PZBA24-00052



This map is designed for illustrative purposes only. The features may be approximate and more site-specific studies may be required to draw accurate conclusions. Enlargement of this map to scales greater than the original can reduce error 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 20 40 80 120 160 Feet



Figure A. Aerial of Subject Property & Immediate Surroundings

**DESCRIPTION OF REQUEST:** The applicant is requesting a special exception to allow to legalize the construction of an existing home addition, 8 feet 2 inches of which extends into the rear yard setback for a 97 square foot area of total encroachment.

**BACKGROUND:** The minimum rear setback is 20 feet in the R-5 (Residential) zone district. The required rear setback for the subject property is 19 feet 6 inches to meet the cumulative front and rear setback of 45 feet in the R-5 (Residential) zone district.

SETBACKS	REQUIRED SETBACK	REQUESTED SETBACK
Front	25 feet 6 inches	No Change
Rear	19 feet 6 inches	11 feet 5 inches
Cumulative Front & Rear	45 feet	37 feet 1inch
Side (Left)	5 feet	No Change
Side (Right)	5 feet	No Change
Cumulative Side	N/A	N/A

**CALCULATIONS:**

	TOTAL	CALCULATION
Maximum Permitted Area of Encroachment	182 square feet	15.2' (45.5' average lot width ÷ 3) X 12' (3/5 of 20' required rear yard setback)
Requested Area of Encroachment	97 square feet	

<b>COMPLIANCE WITH SPECIAL EXCEPTION 2.16.050.C CRITERIA</b>	
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 182 square feet, which is more than the requested area of encroachment of 97 square feet.
3. A minimum ten-foot rear yard setback shall be required;	Yes. The subject property will have an 11 feet 5 inches 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 July 23, 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.

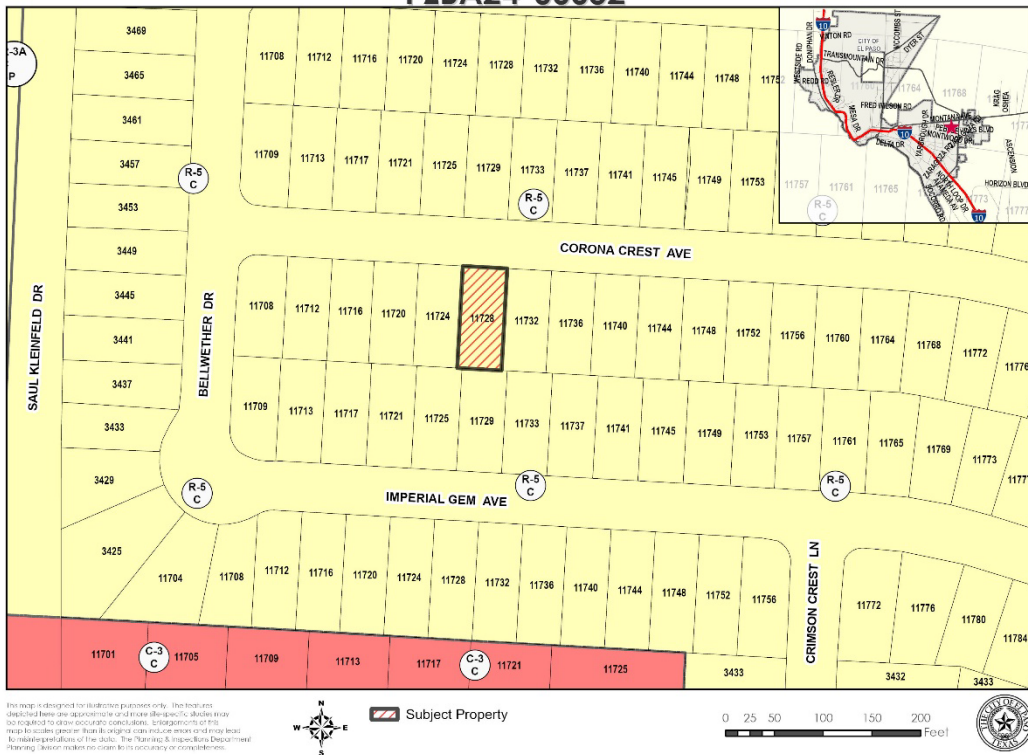
**ZONING BOARD OF ADJUSTMENT OPTIONS:**

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 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.

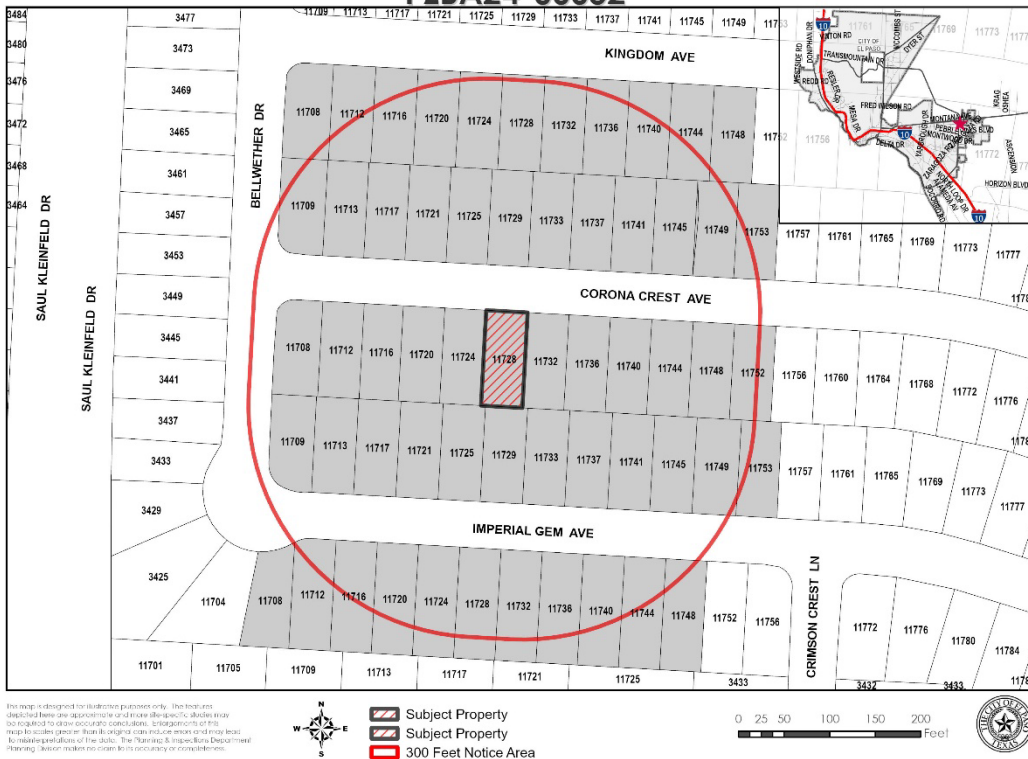
# ZONING MAP

PZBA24-00052



# NEIGHBORHOOD NOTIFICATION MAP

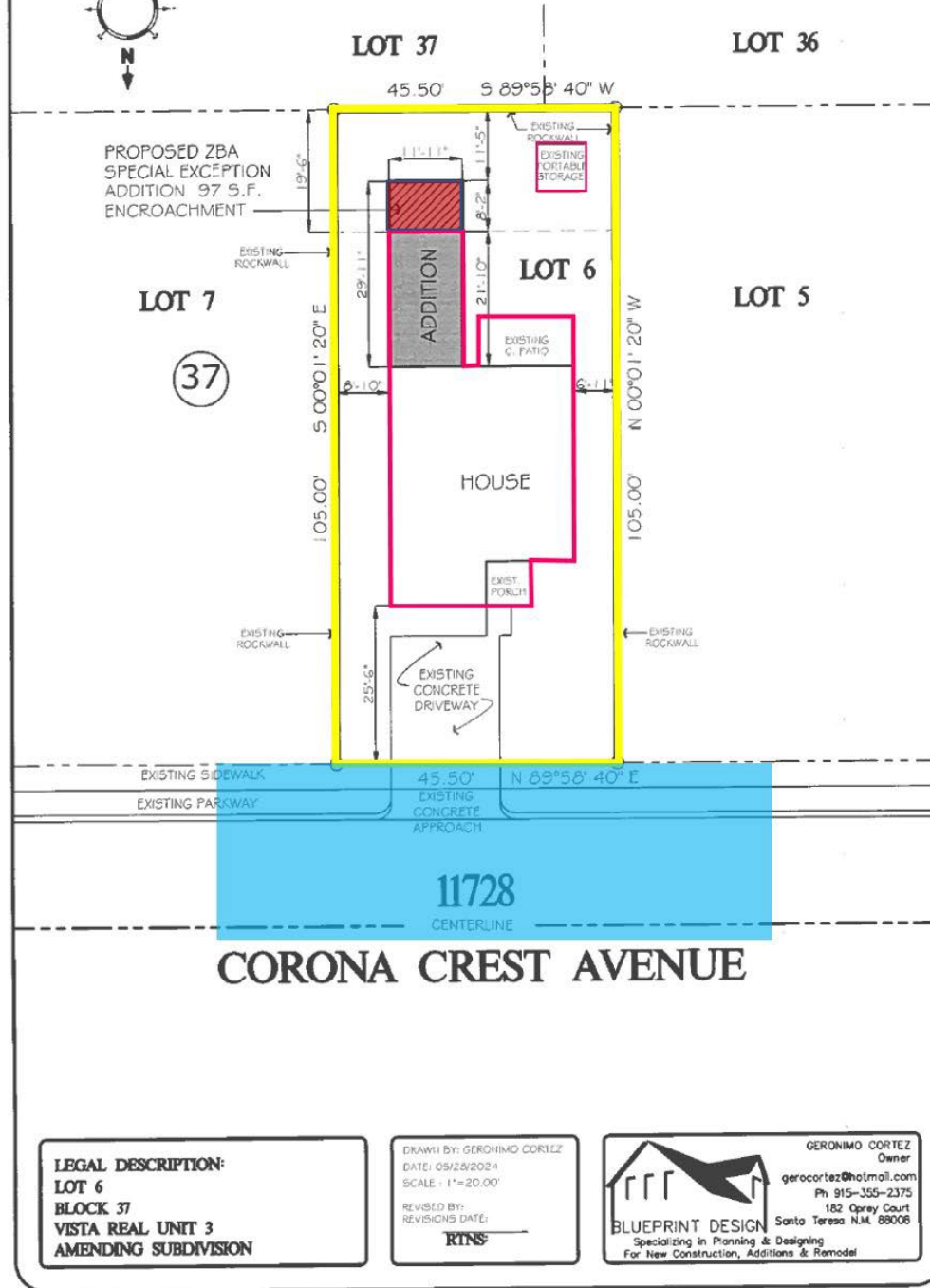
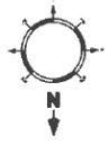
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# SITE PLAN

## ZONE R-5 C

FRONT	REAR	CUMUL	SIDE	S-STREET	CUMUL
10'	10'	45'	5'	10'	N/A
26'-9"	24'-0"	50'-9" CUMUL	8'-9"	6'-11"	N/A



**LEGAL DESCRIPTION:**  
**LOT 6**  
**BLOCK 37**  
**VISTA REAL UNIT 3**  
**AMENDING SUBDIVISION**

DRAWN BY: GERONIMO CORTEZ  
 DATE: 05/28/2024  
 SCALE: 1"=20.00'  
 REVISED BY:  
 REVISIONS DATE:  
**RTNS**

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