AGENDA

ZONING BOARD OF ADJUSTMNET

COUNCIL CHAMBER

JANUARY 15, 2020

8:30 A.M.

1. Invocation

2. <u>CASE FILE NO. 2020-01-E</u>
   Open a public hearing to consider approval of the request of ECISD, owner, Bob McNabb, representative/agent, for a special exception from Section 14-15-1(d)(2)(A) of the City of Odessa Zoning Ordinance to allow an existing structure (batting cage) which is legal non-conforming, to be enclosed with the existing building setback (5 ft.) instead of the 25 ft. required building setback for the Single-Family Three (SF-3) zoning district on Lots 1-2, Block 1, Permian High School Addition (1800 E 42nd St.)

3. Other business

4. Adjourn

TO: ZONING BOARD OF ADJUSTMENT

FROM: RANDY BRINLEE, DIRECTOR OF PLANNING

SUBJECT: DOCKET NO. 2020-01-E

APPILCANT: ECISD, owner
Bob McNabb, representative/agent

REQUEST: Special Exception from Section 14-15-1(d) (2) (A) of the City of Odessa Zoning Ordinance

PROPERTY INVOLVED: Lots 1-2, Block 1, Permian High School Addition (1800 E 42nd St.)

The property involved in this request is located at 1800 E 42nd St. The site is zoned Single Family-Three (SF-3) and is currently occupied by Permian High School (campus athletic fields). Land use in the general area consists of single-family residential development and related uses.

The applicant is ECISD, owner, Bob McNabb, representative/agent, and the purpose of the request is to allow an existing structure (batting cage) which is legal non-conforming, to be enclosed with the existing building setback (5 ft.) instead of the 25 ft. required building setback for the Single-Family Three (SF-3) zoning district. The applicant is requesting a Special Exception under Section 14-15-1(d) (2) (A) of the City of Odessa Zoning Ordinance, which states:

14-15-1 (d) **JURISDICTION**

When in its judgment, the public convenience and welfare will be substantially served and the appropriate use of the neighboring property will not be substantially or permanently injured, the Zoning Board of Adjustment may, in specific cases, after public notice and public hearing, and subject to appropriate conditions and safeguards authorize the following:

(2) Special Exceptions:

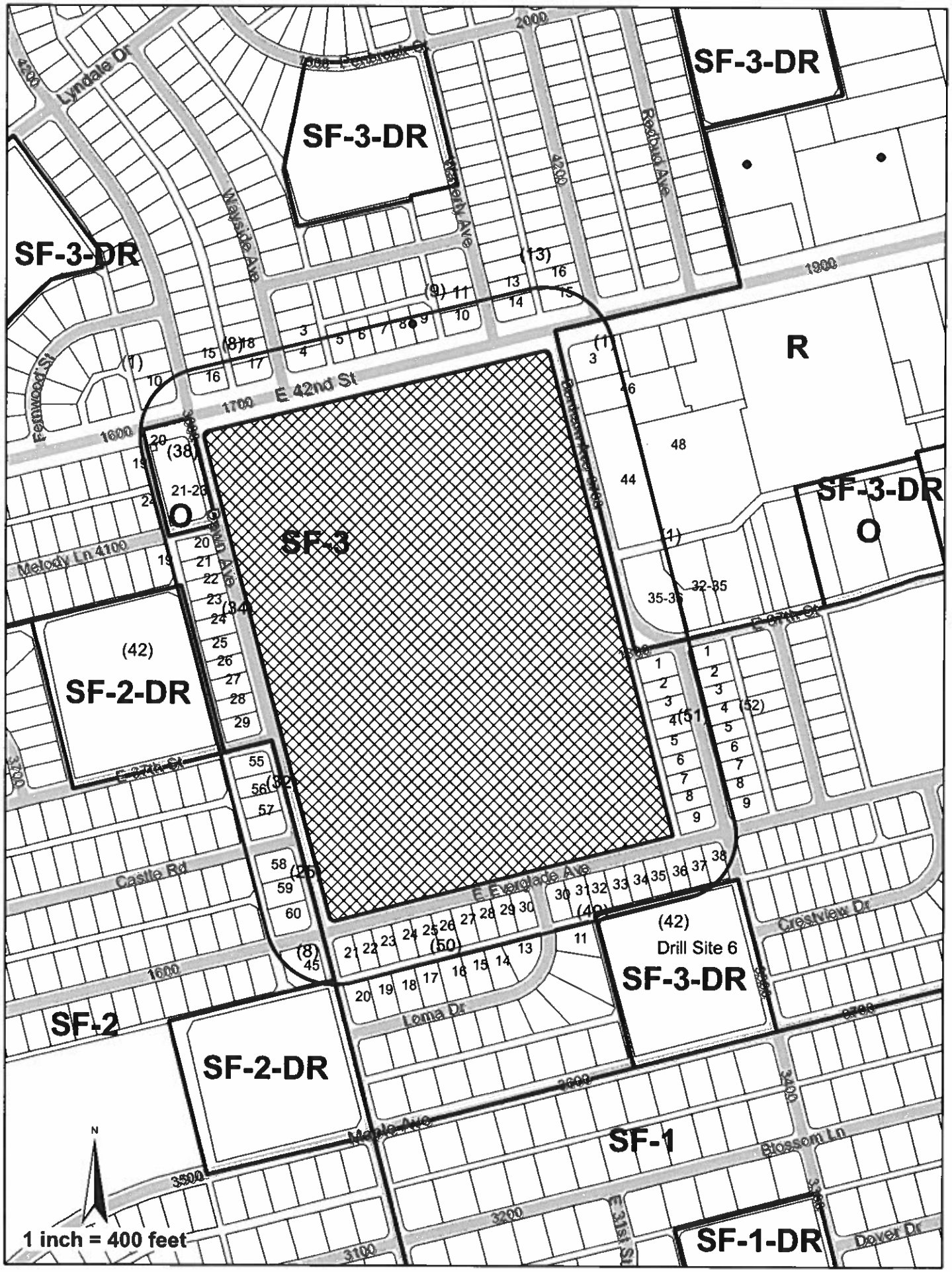
(A) Permit the reconstruction, extension or enlargement of a building occupied by a nonconforming use on the lot or tract occupied by such building or the reconstruction, extension or enlargement of a building which is nonconforming as to area provided the area nonconformity if not increased or the reconstruction of a structure destroyed by fire or the elements not to exceed sixty (60) percent of its reasonable value and the addition of off-street parking or off-street loading to a nonconforming use.

The front yard building setback required in a Single Family-Three (SF-3) Zoning District is 25 ft., however, the existing structure (battery cage) was located adjacent to the on campus baseball field with a building setback of 5 ft. (10 ft. total back of curb) when the batting cage was built in the early 1980's. The applicant is planning to enclose the existing legal non-conforming structure with a hard surface material and not increase the size of the structure (batting cage).

There are no special criteria listed to evaluate special exception requests.

The Planning Staff analysis of this request is that the proposed enclosing of the structure (batting cage) will not create any undue hardship to adjacent properties related to visibility and open space. The modification of the structure would allow the use of the structure in unfavorable weather conditions and also minimize any noise impact to the adjacent properties. The opinion of the staff is that the request is reasonable and has no objection to the request.

Information in order of inclusion:
--Area of notification map
--Copy of site plan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(42)
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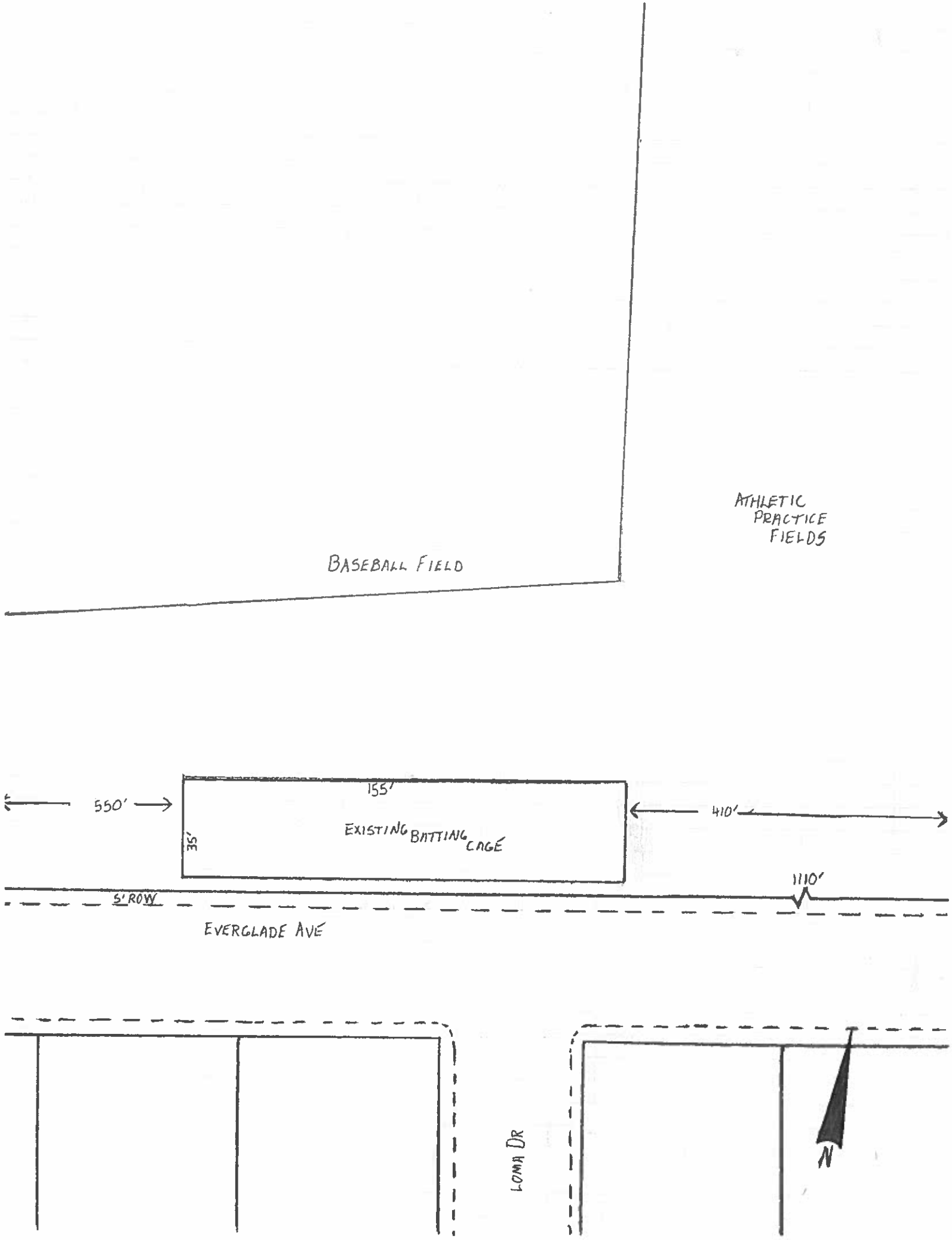
Drill Site 6
SF-3-DR
E 42nd St
E Everglade Ave
Lyndale Dr
Wayside Ave
Waverly Ave
Redbud Ave
Fernwood St
Melody Ln 4100
Castle Rd
Loma Dr
Maple Ave
Crestview Dr
Blossom Ln
Dover Dr
E 31st St
1 inch = 400 feet


ATHLETIC PRACTICE FIELDS
BASEBALL FIELD
550'
155'
35'
EXISTING BATTING CAGE
410'
1110'
5' ROW
EVERGLADE AVE
LOMA DR
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