

433 Golden Springs

Zoning Board of Adjustment — November 10, 2025



CASE NUMBER: PZBA23-00076
CASE MANAGER: Andrew Salloum, (915) 212-1603, SalloumAM@elpasotexas.gov
PROPERTY OWNER: Stuart and Nancy Shiloff
REPRESENTATIVE: George Halloul
LOCATION: 433 Golden Springs Dr. (District 1)
ZONING: R-3 (Residential)
REQUEST: Special Exception B (Two or More Nonconforming Lots) and Special Exception K (In Existence Fifteen Years or More)
PUBLIC INPUT: None received as of November 4, 2025

SUMMARY OF REQUEST: Applicant requests a Special Exception under Section 2.16.050 B (Two or More Nonconforming Lots) to allow to legalize an existing home structure and accessory structure in an R-3 (Residential) zone district.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL** of the special exception request as the requested encroachment is less than/equal to the encroachments into that setback already present on at least two other neighboring properties and have existed for at least fifteen years.

433 Golden Springs Drive



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 50 100 200 300 Feet



Figure A. Aerial of Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting a special exception to allow to legalize an existing accessory structure for the swimming pool equipment, which extends 5 feet into their required side yard setback for a total encroachment of 74.51 square feet. Additionally, the applicant is requesting a special exception to allow to legalize the construction of home structure, which extends 2.14 foot into the required side yard setback for a total encroachment of 5.59 square feet.

BACKGROUND: The minimum side yard setback is 5 feet in the R-3 (Residential) zone district. Aerial photographs indicate there are two other properties on the same block that also contain structures located in the side yard that encroach into their respective side yard setbacks located at 423 Golden Springs Drive (108 square feet) and 425 Golden Springs Drive (75 square feet).

According to records from the El Paso Central Appraisal District, the current owner has held the property since 1997. The main residence was constructed in 1991; however, the exact date of construction for the accessory structure is unknown. Aerial imagery from 2009 confirms that home structure existed in its current location and condition at that time, indicating the encroachment has been present for over 15 years.

SETBACKS	REQUIRED SETBACK	REQUESTED SETBACK
Front	25 feet	No Change
Rear	25 feet	No Change
Cumulative Front & Rear	50 feet	No Change
Side (East)	5 feet	No Change
Side (West)	5 feet	0 foot
Cumulative Side	N/A	N/A

COMPLIANCE WITH SPECIAL EXCEPTION 2.16.050.B CRITERIA

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 the following criteria is met:

Criteria	Does the Request Comply?
1. The lot is in a legally recorded and developed subdivision of at least ten years;	Yes. The lot is within a legally recorded subdivision of at least ten years.
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;	Yes. Through aerial photos and site visits, it was established that two houses on the same block extends 5 feet into the side setbacks.
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;	Yes. There are two (2) other houses on the same block located within the side yards which extend into their required 5-foot side yard setback.
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.	Yes. Only applicable lots are being considered.

COMPLIANCE WITH SPECIAL EXCEPTION 2.16.050.K CRITERIA

The Zoning Board of Adjustment is empowered under Section 2.16.050.K to:

Permit the encroachment into the required yard setbacks for structures; provided, however, that the applicant can prove the following conditions:

Criteria	Does the Request Comply?
1. The encroachment into the required yard setback has been in existence for more than fifteen years;	Yes. The encroachment has been in existence for more than fifteen years.
2. Neither the applicant nor current property owner is responsible for the construction of the encroachment;	Yes. Neither the applicant nor owner were responsible for the construction of the encroachment.
3. Neither the applicant nor the current property owner owned the property at the time the encroaching structure was constructed or built;	Yes. Neither the applicant nor owner owned the property at the time.
4. The encroachment, if into the required front yard setback, does not exceed fifty percent of the required front yard setback;	Not applicable. Encroachment is not into the front yard setback.
5. The encroachment does not violate any other provision of the El Paso City Code.	Yes. The encroachment does not violate any other provision of the El Paso City Code.

PUBLIC COMMENT: Public notice was sent on October 31, 2025 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.

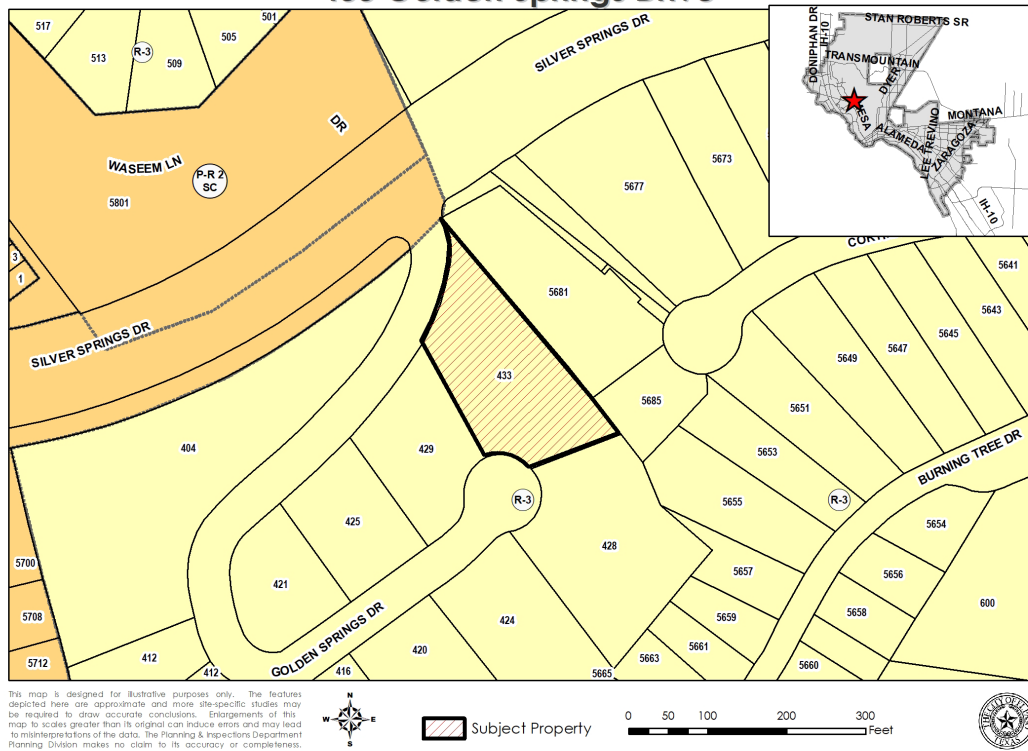
ZONING BOARD OF ADJUSTMENT OPTIONS:

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.

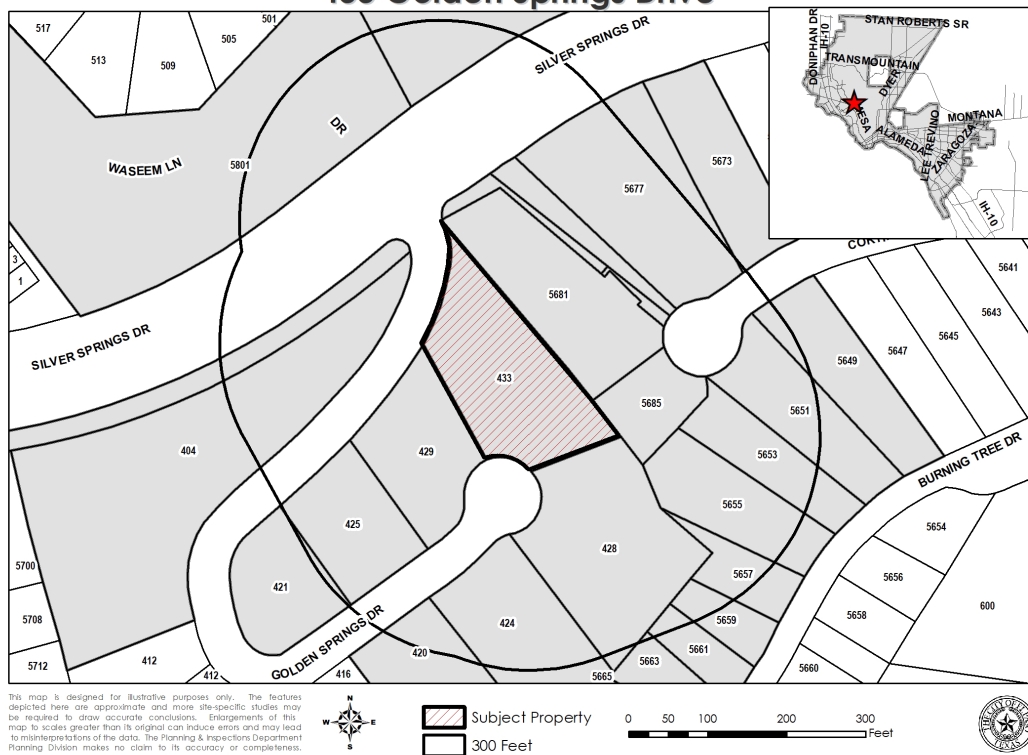
ZONING MAP

433 Golden Springs Drive



NEIGHBORHOOD NOTIFICATION MAP

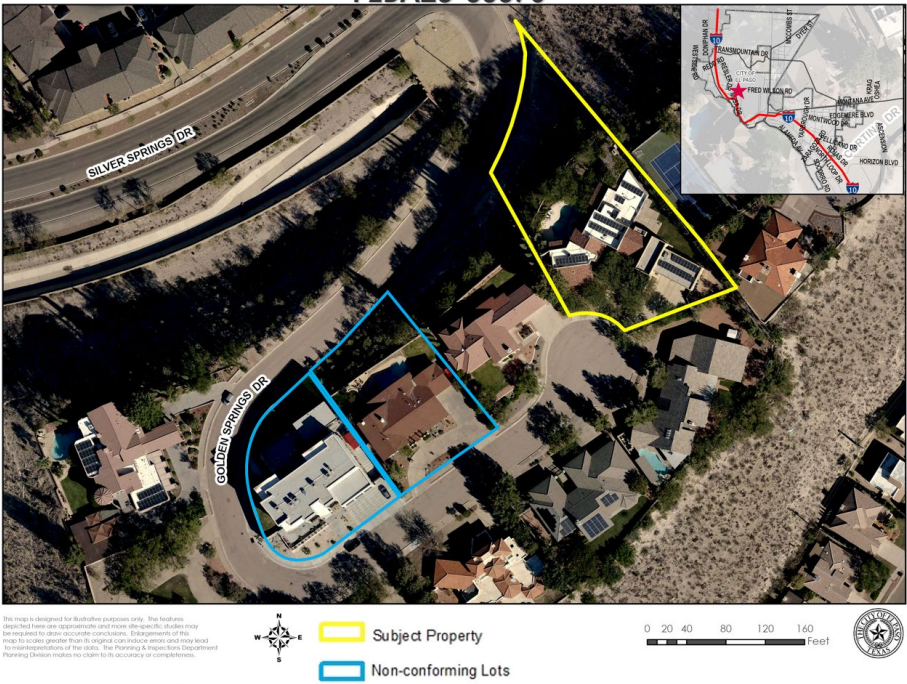
433 Golden Springs Drive



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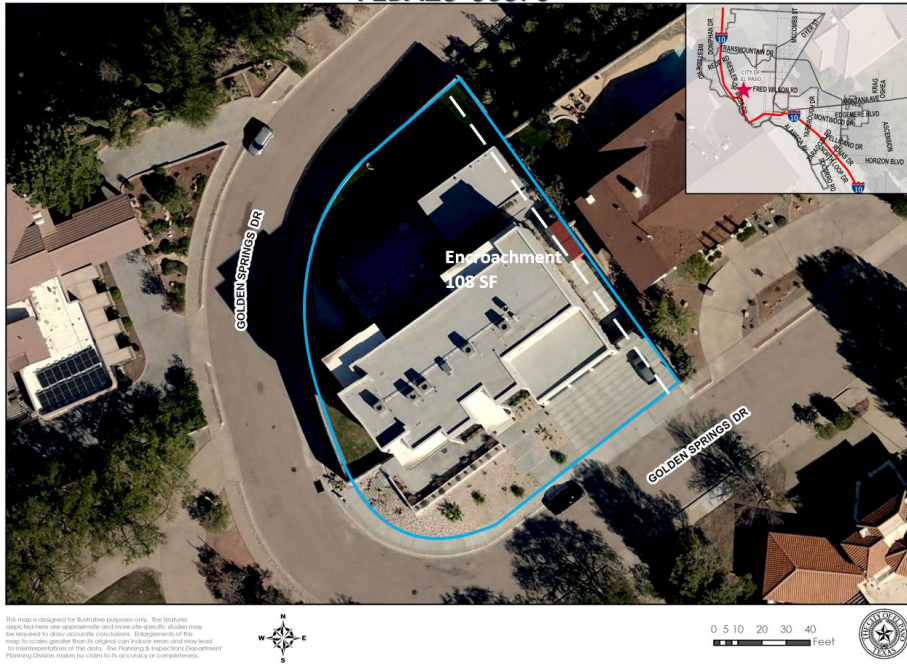
NONCONFORMING LOTS

PZBA23-00076



NONCONFORMING LOT 1 (423 GOLDEN SPRING)

PZBA23-00076



NONCONFORMING LOT 2 (425 GOLDEN SPRING)



2009 AERIAL

