



AGENDA FOR THE ZONING BOARD OF ADJUSTMENT PUBLIC HEARING

September 08, 2025
MAIN CONFERENCE ROOM, 300 NORTH CAMPBELL – 2ND FLOOR
1:30 PM

Notice is hereby given that a Public Hearing of the Zoning Board of Adjustment will be conducted on the above date and time.

Members of the public may view the meeting via the following means:

Via the City's website. <http://www.elpasotexas.gov/videos>

Via television on City15,

YouTube: <https://www.youtube.com/user/cityofelpasotx/videos>

In compliance with the requirement that the City provide two-way communication for members of the public, members of the public may communicate with the Zoning Board of Adjustment during public comment, and regarding agenda items by calling the following number:

1-915-213-4096 or Toll Free Number: 1-833-664-9267

At the prompt please enter the corresponding Conference ID: 775 076 00#

If you wish to sign up to speak please contact Berenice Barron at BarronBC@elpasotexas.gov or (915) 212-1583 no later than by the start of the meeting.

A quorum of the Zoning Board of Adjustment members must be present and participate in the meeting.

PUBLIC COMMENT

ROLL CALL

AGENDA

1. **PZBA25-00015** Lot 17, Block 7, Tobin Park Addition, City of

[BC-1119](#)

ADDRESS: El Paso, El Paso County Texas
9139 Matterhorn Dr.
APPLICANT: Fernando Fajardo
REPRESENTATIVE: Enrique Gutierrez
REQUEST: Special Exception B (Two or More Non-Conforming Lots)
DISTRICT: 4
ZIP CODE: 79924
STAFF CONTACT: Andrew Giraldi, (915) 212-1644,
GiraldiAW@elpasotexas.gov

2. **PZBA25-00018** Lot 7, Block 2, Spanish Pines #1, City of El Paso, [BC-1116](#)
El Paso County, Texas
ADDRESS: 1024 Los Moros Drive
APPLICANT: Pablo Moreno and Sarai Perez
REPRESENTATIVE: Sarai Perez
REQUEST: Special Exception B (Two or More Non-Conforming Lots) and Special Exception J (Carport Over a Driveway)
DISTRICT: 1
ZIP CODE: 79932
STAFF CONTACT: Blanca Perez, (915) 212-1561,
PerezBM@elpasotexas.gov

POSTPONED FROM AUGUST 11, 2025.

3. **PZBA25-00023** Lot 88, Block 8, Coronado Country Club Estates [BC-1117](#)
Unit 7, City of El Paso, El Paso County, Texas
ADDRESS: 5708 Los Cerritos Drive
APPLICANT: Laura Tate Goldman
REPRESENTATIVE: Ray Marquez
REQUEST: Special Exception K (In Existence Fifteen Years or More)
DISTRICT: 1
ZIP CODE: 79912
STAFF CONTACT: Blanca Perez, (915) 212-1561,
PerezBM@elpasotexas.gov

4. **PZBA25-00026** Tract 8-A-6, Block 42, Ysleta, City of El Paso, [BC-1118](#)
El Paso County, Texas
ADDRESS: 316 Apodaca Place
APPLICANT: Gustavo Loy
REPRESENTATIVE: Gustavo Loy
REQUEST: Special Exception K ((In Existence Fifteen Years or More)
DISTRICT: 7
ZIPCODE: 79907
STAFF CONTACT: Andrew Giraldi, (915) 212-1644,

5. Approval of Minutes: August 11, 2025

[BC-1120](#)

EXECUTIVE SESSION

The Zoning Board of Adjustment of the City of El Paso may retire into EXECUTIVE SESSION pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the items on this agenda. The Zoning Board of Adjustment will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

ADJOURN

NOTICE TO THE PUBLIC

Sign language interpreters will be provided for this meeting upon request. Requests must be made to Berenice Barron at BarronBC@elpasotexas.gov a minimum of 72 hours prior to the date and time of this hearing.

If you need Spanish Translation Services, please email BarronBC@elpasotexas.gov at least 72 hours in advance of the meeting.

Posted this the _____ of _____ at _____ AM/PM by _____



Legislation Text

File #: BC-1119, **Version:** 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Populate the table to maintain proper formatting. Copy and paste the agenda language in the designated area below. You may include more language after the table. Just make sure all posting language is populated between "TITLE" and "END".

PZBA25-00015 Lot 17, Block 7, Tobin Park Addition, City of
El Paso, El Paso County Texas
ADDRESS: 9139 Matterhorn Dr.
APPLICANT: Fernando Fajardo
REPRESENTATIVE: Enrique Gutierrez
REQUEST: Special Exception B (Two or More Non-Conforming
Lots)
DISTRICT: 4
ZIP CODE: 79924
STAFF CONTACT: Andrew Giraldi, (915) 212-1644,
GiraldiAW@elpasotexas.gov

9139 Matterhorn

Zoning Board of Adjustment — September 8, 2025



CASE NUMBER:	PZBA25-00015
CASE MANAGER:	Andrew Giraldi, (915) 212-1644, GiraldiAW@elpasotexas.gov
PROPERTY OWNER:	Fernando Fajardo
REPRESENTATIVE:	Enrique Gutierrez
LOCATION:	9139 Matterhorn Drive (District 4)
ZONING:	R-4 (Residential)
REQUEST:	Special Exception B (Two or More Nonconforming Lots)
PUBLIC INPUT:	None received as of September 2, 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 carport and a portion of the existing main structure in an R-4 (Residential) zone district.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL WITH CONDITIONS** of the special exception request as the requested encroachment is less than the encroachments into that setback already present on at least two other neighboring properties. The conditions are as follows:

1. The accessory structure located to the rear of the property shall be modified, relocated, or removed to comply with zoning requirements.
2. That the canopy connecting between the main structure and accessory to be removed.
3. That the lattice connecting between the carport to the fence to be removed.
4. That the accessory structure along the sidewalk shall be relocated or removed.

PZBA25-00015



Figure A. Aerial of Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting a special exception to allow to legalize the extension of an existing carport and a portion of the home, which extends 3.5 feet into the side yard setback for 121 square feet of total encroachment.

BACKGROUND: The required side setback for the subject property is 5 feet in the R-4 (Residential) zone district. The current owner has owned the property since 2019, and the building and the existing encroachment was constructed in 1956 based on El Paso Central Appraisal District records. The previous owner was responsible for the encroachment. This request is due to a code enforcement citation.

There are two homes located at 9124 Matterhorn and 9143 Matterhorn with side setback encroachments of 360.76 square feet and 166.68 square feet, respectively. Both properties qualify for this request but do not have a permit or variance on record for their encroachments.

SETBACKS	REQUIRED SETBACK	REQUESTED SETBACK
Front	20 feet 1 inch	20 feet 1 inch
Rear	24 feet 11 inches	No changes
Cumulative Front & Rear	45 feet	No changes
Side (South)	5 feet	No Change
Side (North)	5 feet	1 foot 5 inches
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 one house on the same block extends 4.5 feet into the side setback, and another house extends 5 feet.
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 houses encroaching into the side setback. Across the street, 9124 Matterhorn has a 5-foot encroachment that occupies 360.76 square feet in the required side setback. On the same block, 9143 Matterhorn has a 4 feet 5 inches encroachment that occupies 166.68 square feet in the required side 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.

PUBLIC COMMENT: Public notice was sent on August 28, 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.

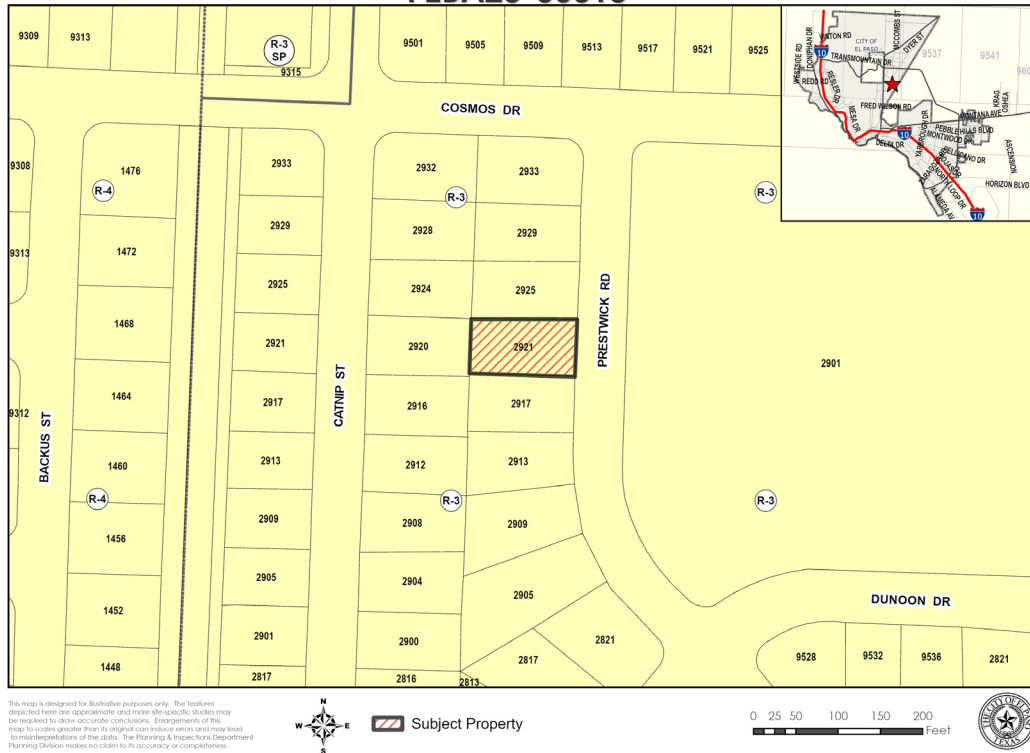
ZONING BOARD OF ADJUSTMENT OPTIONS:

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.
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. **(Staff Recommendation)**
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.

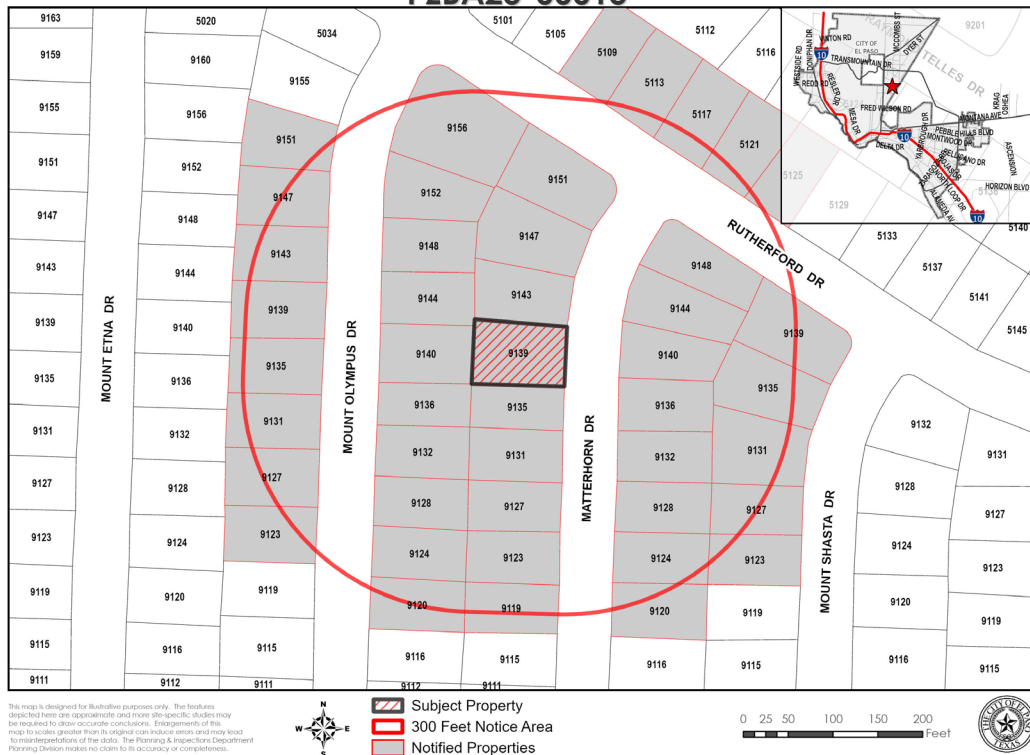
ZONING MAP

PZBA25-00015



NEIGHBORHOOD NOTIFICATION MAP

PZBA25-00015

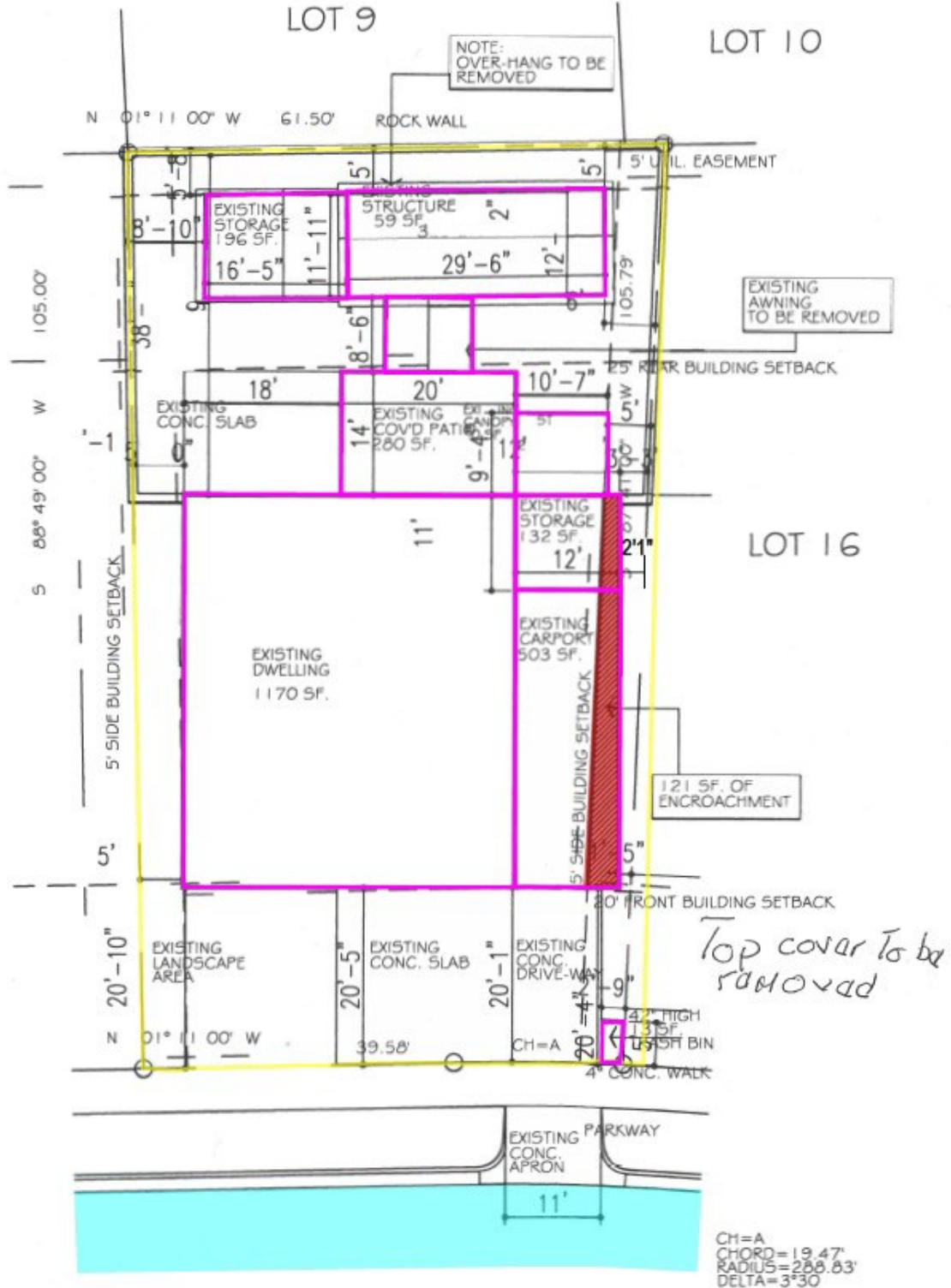


SITE PLAN

LOT 8

LOT 9

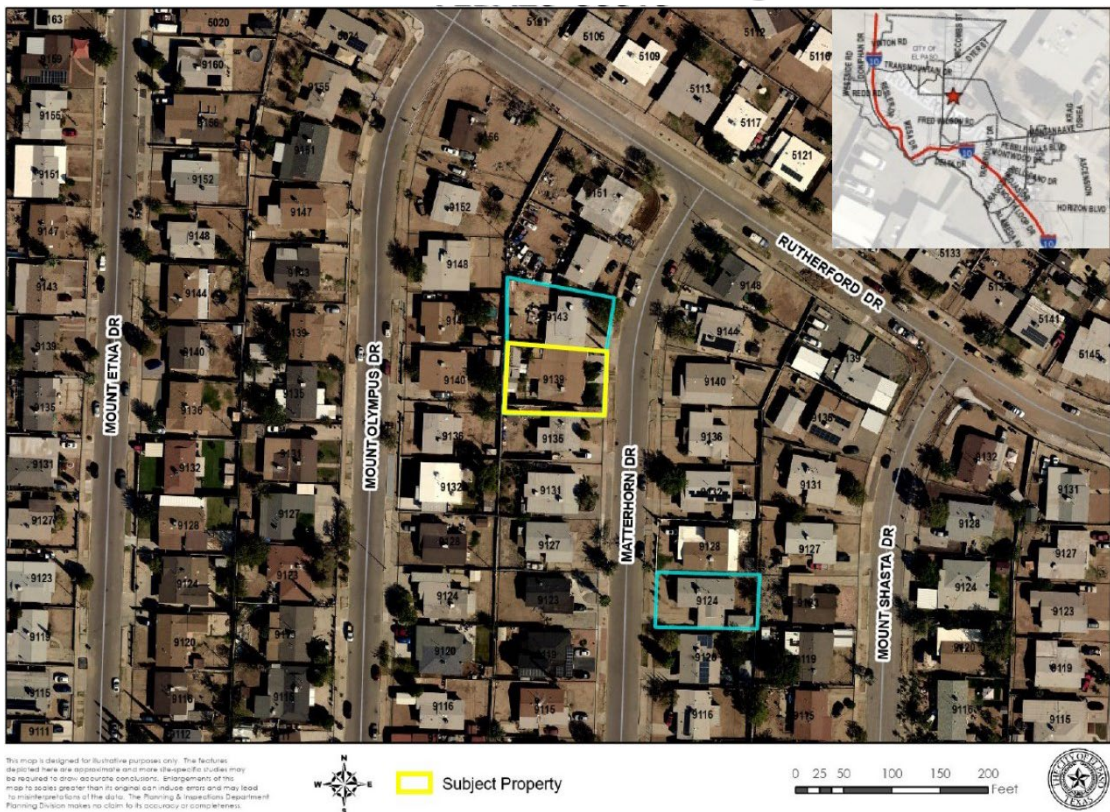
LOT 10



9139 MATTERHORN DRIVE

NONCONFORMING LOTS

PZBA25-00015 | Non-Conforming Lots



NONCONFORMING LOT 1 **PZBA25-00015 | 9124 Matterhorn**



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 4.5 9 18 27 36 Feet



NONCONFORMING LOT 2 **PZBA25-00015 | 9143 Matterhorn**



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Subject Property

0 5 10 20 30 40 Feet



9139 Matterhorn

Zoning Board of Adjustment — September 8, 2025 **(REVISED)**



CASE NUMBER: PZBA25-00015
CASE MANAGER: Andrew Giraldi, (915) 212-1644, GiraldiAW@elpasotexas.gov
PROPERTY OWNER: Fernando Fajardo
REPRESENTATIVE: Enrique Gutierrez
LOCATION: 9139 Matterhorn Drive (District 4)
ZONING: R-4 (Residential)
REQUEST: Special Exception B (Two or More Nonconforming Lots)
PUBLIC INPUT: One (1) call of inquiry received as of September 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 carport and a portion of the existing main structure in an R-4 (Residential) zone district.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL WITH CONDITIONS** of the special exception request as the requested encroachment is less than the encroachments into that setback already present on at least two other neighboring properties. The conditions are as follows:

1. The accessory structure located to the rear of the property shall be modified, relocated, or removed from the five-foot easement area.
2. That the canopy connecting between the main structure and accessory to be removed.
3. That the lattice connecting between the carport to the fence to be removed.
4. That the accessory structure along the sidewalk shall be relocated or removed.

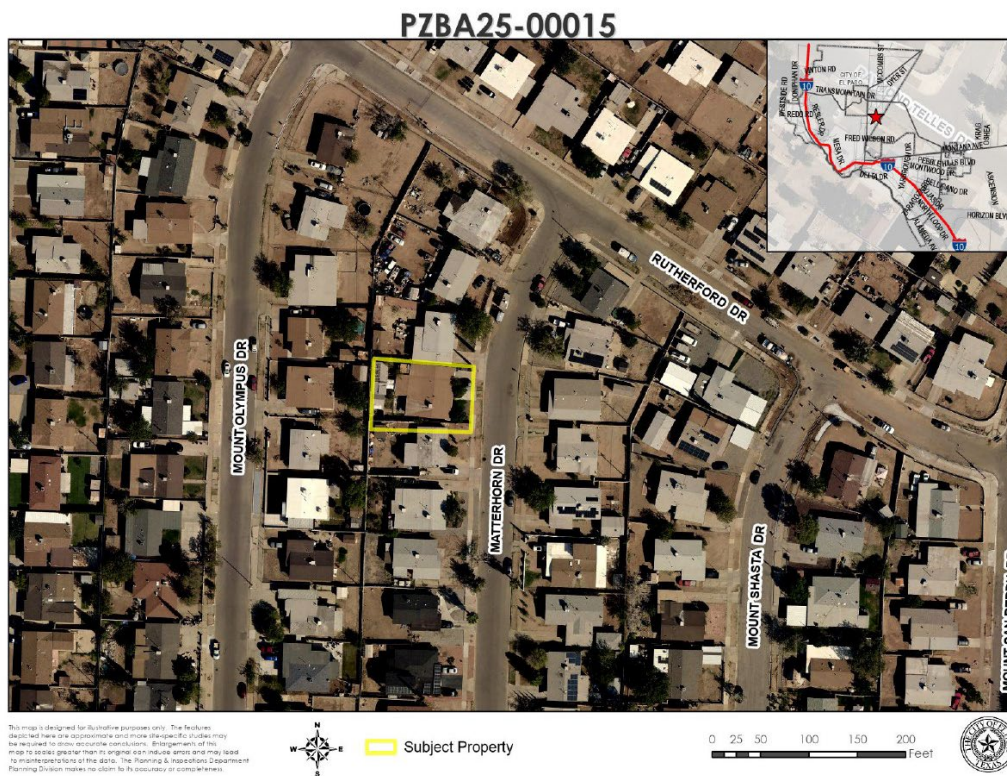


Figure A. Aerial of Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting a special exception to allow to legalize the extension of an existing carport and a portion of the home, which extends 3.5 feet into the side yard setback for 121 square feet of total encroachment.

BACKGROUND: The required side setback for the subject property is 5 feet in the R-4 (Residential) zone district. The current owner has owned the property since 2019, and the building and the existing encroachment was constructed in 1956 based on El Paso Central Appraisal District records. The previous owner was responsible for the encroachment. This request is due to a code enforcement citation.

There are two homes located at 9124 Matterhorn and 9143 Matterhorn with side setback encroachments of 360.76 square feet and 166.68 square feet, respectively. Both properties qualify for this request but do not have a permit or variance on record for their encroachments.

SETBACKS	REQUIRED SETBACK	REQUESTED SETBACK
Front	20 feet 1 inch	20 feet 1 inch
Rear	24 feet 11 inches	No changes
Cumulative Front & Rear	45 feet	No changes
Side (South)	5 feet	No Change
Side (North)	5 feet	1 foot 5 inches
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 one house on the same block extends 4.5 feet into the side setback, and another house extends 5 feet.
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 houses encroaching into the side setback. Across the street, 9124 Matterhorn has a 5-foot encroachment that occupies 360.76 square feet in the required side setback. On the same block, 9143 Matterhorn has a 4 feet 5 inches encroachment that occupies 166.68 square feet in the required side 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.

PUBLIC COMMENT: Public notice was sent on August 28, 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, and has received one (1) call of inquiry.

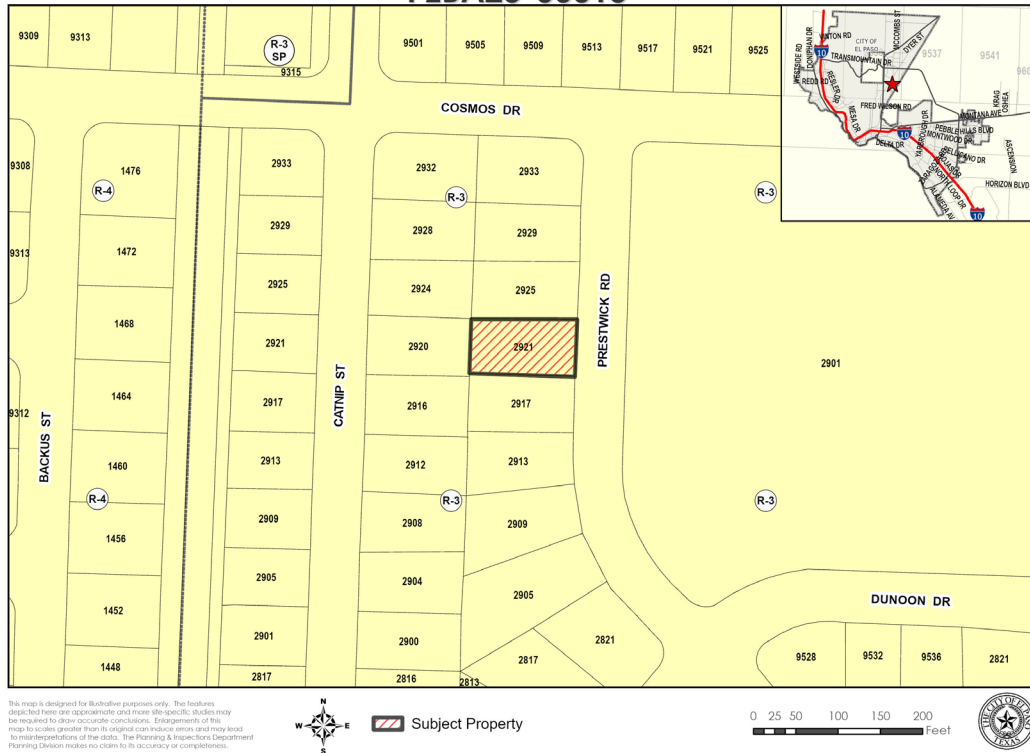
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1. **Approval** of the special exception request, finding that the request is in in harmony with the spirit and purposes of Titles 2 and 20, including the preservation of the essential character of the district in which the property is located, that the public convenience and welfare will be substantially served, and that the use of neighboring property will not be substantially injured.
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. (Staff Recommendation)
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.

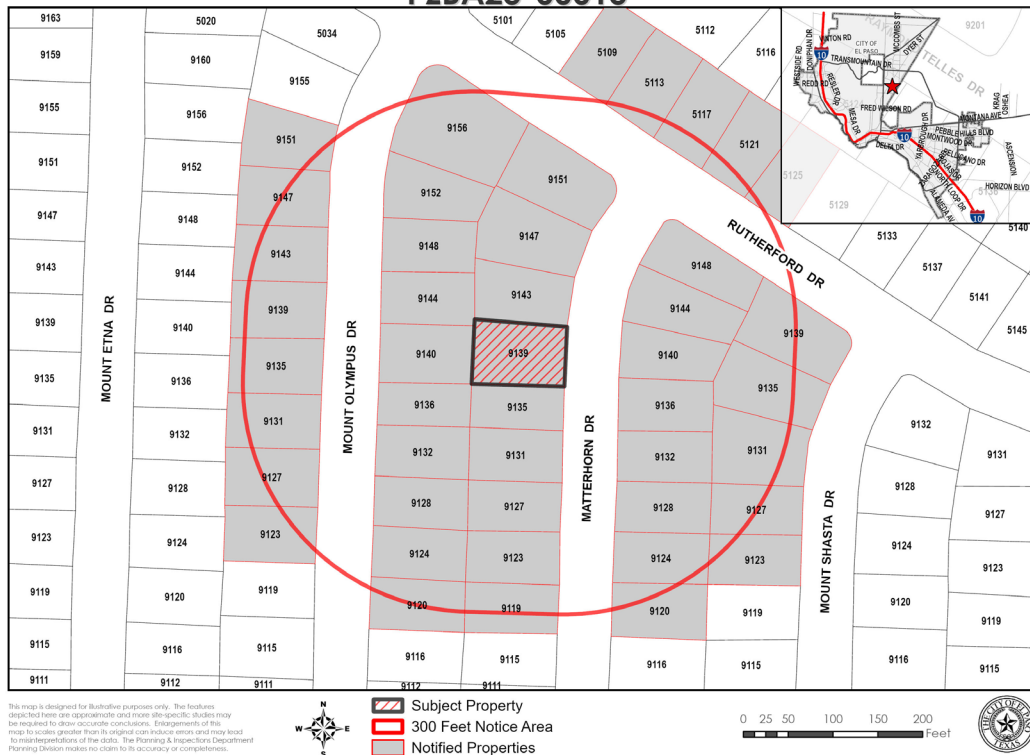
ZONING MAP

PZBA25-00015



NEIGHBORHOOD NOTIFICATION MAP

PZBA25-00015



LOT 8

LOT 9

LOT 10

NOTE: OVER-HANG TO BE REMOVED

N 01° 11' 00" W 61.50' ROCK WALL

5' UTIL. EASEMENT

EXISTING STORAGE 196 SF.

STRUCTURE 59 SF.

16'-5" 11'-11" 29'-6" 12'-1"

105.79'

EXISTING AWNING TO BE REMOVED

25' REAR BUILDING SETBACK

EXISTING CONC. SLAB

18' 20' 10'-7"

EXISTING COVID PATIO 280 SF.

14' 9'-6" 5'

EXISTING STORAGE 132 SF.

12'-1" 21"

EXISTING CARPORT 503 SF.

5' SIDE BUILDING SETBACK

121 SF. OF ENCROACHMENT

EXISTING DWELLING 1170 SF.

11'

5' SIDE BUILDING SETBACK

20'-10" 5'

EXISTING LANDSCAPE AREA

EXISTING CONC. SLAB

EXISTING CONC. DRIVE-WAY

20'-5" 20'-1" 20'-4"

20' FRONT BUILDING SETBACK

EXISTING PARKWAY

EXISTING CONC. APRON

11'

CH=A

4.2' HIGH 135 SF. LIGHT BIN

4" CONC. WALK

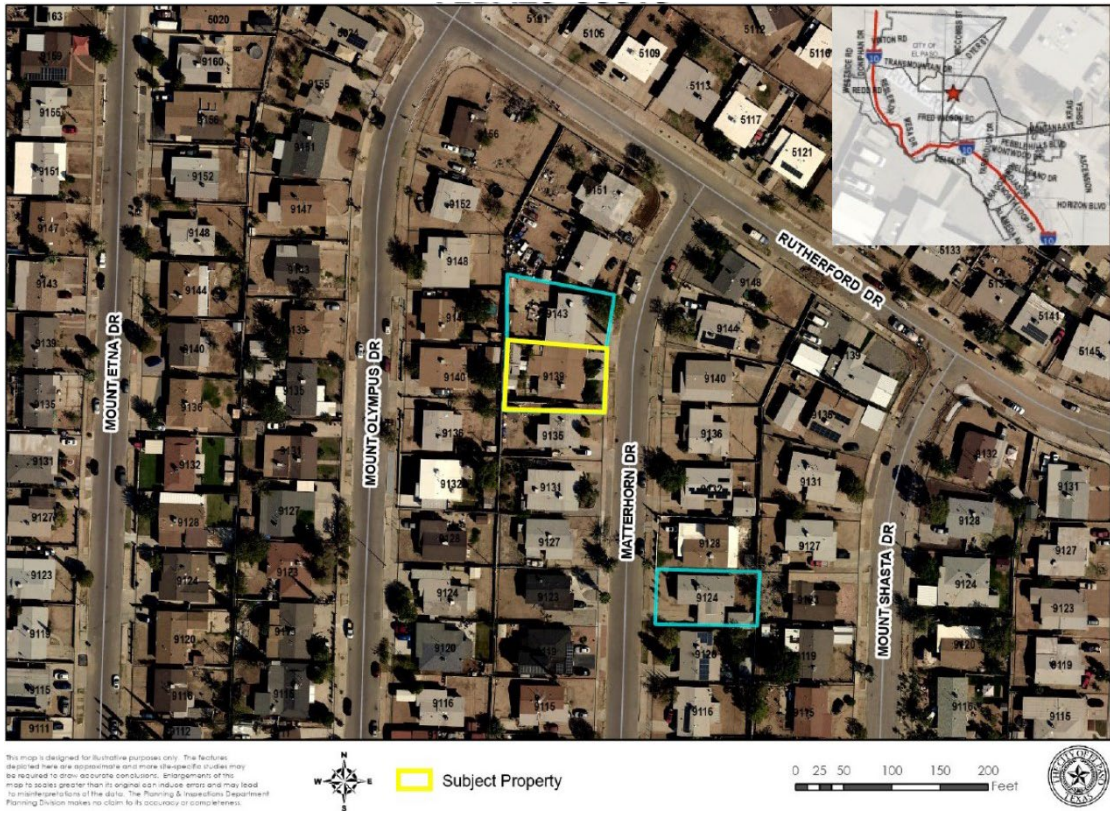
Top cover to be removed

CH=A
CHORD=19.47'
RADIUS=288.83'
DELTA=3°30'

PZBA25-00015

NONCONFORMING LOTS

PZBA25-00015 | Non-Conforming Lots



NONCONFORMING LOT 1 **PZBA25-00015 | 9124 Matterhorn**



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Subject Property

0 4.5 9 18 27 36 Feet



NONCONFORMING LOT 2 **PZBA25-00015 | 9143 Matterhorn**



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Subject Property

0 5 10 20 30 40 Feet





Legislation Text

File #: BC-1116, **Version:** 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

AGENDA LANGUAGE:

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Populate the table to maintain proper formatting. Copy and paste the agenda language in the designated area below. You may include more language after the table. Just make sure all posting language is populated between "TITLE" and "END".

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El Paso County, Texas
ADDRESS: 1024 Los Moros Drive
APPLICANT: Pablo Moreno and Sarai Perez
REPRESENTATIVE: Sarai Perez
REQUEST: Special Exception B (Two or More Non-Conforming
Lots) and Special Exception J (Carport Over a
Driveway)
DISTRICT: 1
ZIP CODE: 79932
STAFF CONTACT: Blanca Perez, (915) 212-1561,
PerezBM@elpasotexas.gov

POSTPONED FROM AUGUST 11, 2025.

1024 Los Moros

Zoning Board of Adjustment — September 8, 2025



CASE NUMBER: PZBA25-00018
CASE MANAGER: Blanca Perez, (915) 212-1561, PerezBM@elpasotexas.gov
PROPERTY OWNER: Pablo Moreno and Sarai Perez
REPRESENTATIVE: Sarai Perez
LOCATION: 1024 Los Moros Dr. (District 1)
ZONING: R-2/sp (Residential/special permit)
REQUEST: Special Exception B (Two or More Nonconforming Lots) and Special Exception J (Carport Over a Driveway)
PUBLIC INPUT: Two (2) e-mails in opposition as of September 2, 2025

SUMMARY OF REQUEST: Applicant requests a Special Exception under Section 2.16.050 B (Two or More Nonconforming Lots) and J (Carport Over a Driveway) to allow to legalize two existing carports in an R-2 (Residential) zone district.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL WITH A CONDITION** of the special exception request as the requested encroachment is less than the encroachments into that setback already present on at least two other neighboring properties and the requested area of encroachment is less than the maximum permitted for a carport. The condition is as follows:

- Carport shall resemble the main residence in scale and character.



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 carport that encroaches 8 feet into the required side yard setback, resulting in a total encroachment of approximately 160 square feet. In addition, the applicant is requesting a second special exception to allow to legalize an existing second carport measuring approximately 20 feet by 20 feet, with a total area of 400 square feet. Of that area, approximately 320 square feet encroach 16 feet into the required front yard setback, with the structure located within 10 feet of the front property line.

BACKGROUND: The required side setback for the subject property is 8 feet in order to meet the cumulative side setback requirement of 20 feet within the R-2 (Residential) zoning district. The required front setback is 26 feet to meet the cumulative front and rear setback requirement of 60 feet. A site visit revealed that at least two other homes on the same block or on the abutting street have similar side yard encroachments. Specifically, the property at 1035 Los Moros Drive has an unenclosed porch encroaching approximately 200 square feet into the side yard setback, and the property at 1076 Los Moros Drive has an unenclosed porch encroaching approximately 205 square feet into the side yard setback. Both properties qualify for this request but do not have a permit or variance on record for their encroachments.

SETBACKS	REQUIRED SETBACK	REQUESTED SETBACK
Front	26 feet	10 feet
Rear	34 feet	No Change
Cumulative Front & Rear	60 feet	44 feet
Side (West)	12 feet	No Change
Side (East)	8 feet	0 feet
Cumulative Side	20 feet	12 feet

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 one house on the same block extends 8 feet into the side setback, and another house extends 8 feet.
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 other properties with porches that encroach into their required side setback beyond the existing encroachment of the subject property. These properties do not have a permit on record.
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.

CALCULATIONS FOR CARPORT:

	TOTAL	CALCULATION
Maximum Permitted Area of Encroachment	451.4 Square Feet	1/5 of 2,257 Sq. Ft. (House 1 st floor area)
Requested Area of Encroachment	320 Square Feet	16 Feet by 20 Feet (Encroachment only)

COMPLIANCE WITH SPECIAL EXCEPTION 2.16.050.J CRITERIA

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

Permit the encroachment into the required front yard setback for a lot in a residential (R) district beyond other allowed modifications for a carport covering a driveway, provided the following criteria is met:

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 zoning board of adjustment has received the written approval of the structural design from the building official;	Yes. The Building Official has reviewed the request, and has provided written approval.
3. The carport shall resemble the main residential structure in scale and character and shall be open on three sides;	Yes. The existing carport will resemble the main residential structure and is open on three sides.
4. The area of the carport shall not exceed one-fifth of the first-floor area under roof of the dwelling, with the first-floor area of the dwelling defined as the sum of the gross horizontal area, exclusive of garages, atriums, stairwells, and open porches, measured from the exterior faces of the exterior walls; and, shall be measured as the area covered by the carport roof, to include overhangs;	Yes. The existing carport encroachment of 320 square feet is less than the maximum allowed area of 451.4 square feet.
5. Elevation drawings of the proposed structure shall be submitted;	Yes. Elevation drawings of the existing structure were submitted.
6. For a duplex, the total of all extensions for either unit of the duplex shall not exceed two-thirds of the average width of that unit;	Not applicable. This is not a duplex.
7. There is no other reasonable alternative to provide a carport in the front yard of the subject property without exceeding the encroachments allowed in Title 20 of this Code;	Yes. It is not possible to provide a carport in the front yard without encroaching into the required front setback.
8. Unless otherwise provided in this chapter, all remaining areas of the required front yard shall be permanent open space.	Yes. With the exception of any existing structures, remaining area shall be permanent open space

PUBLIC COMMENT: Public notice was sent on July 31, 2025 to all property owners within 300 feet of subject property. The Planning Division has received two (2) e-mails in opposition to the special exception request.

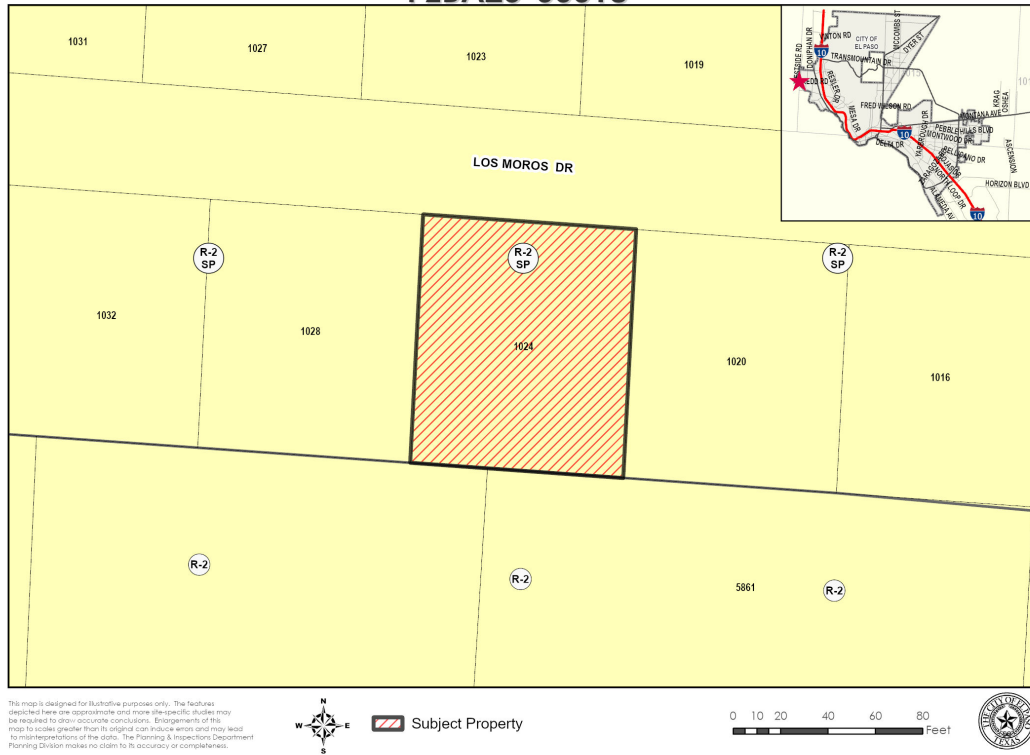
ZONING BOARD OF ADJUSTMENT OPTIONS:

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.
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. (Staff Recommendation)
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.

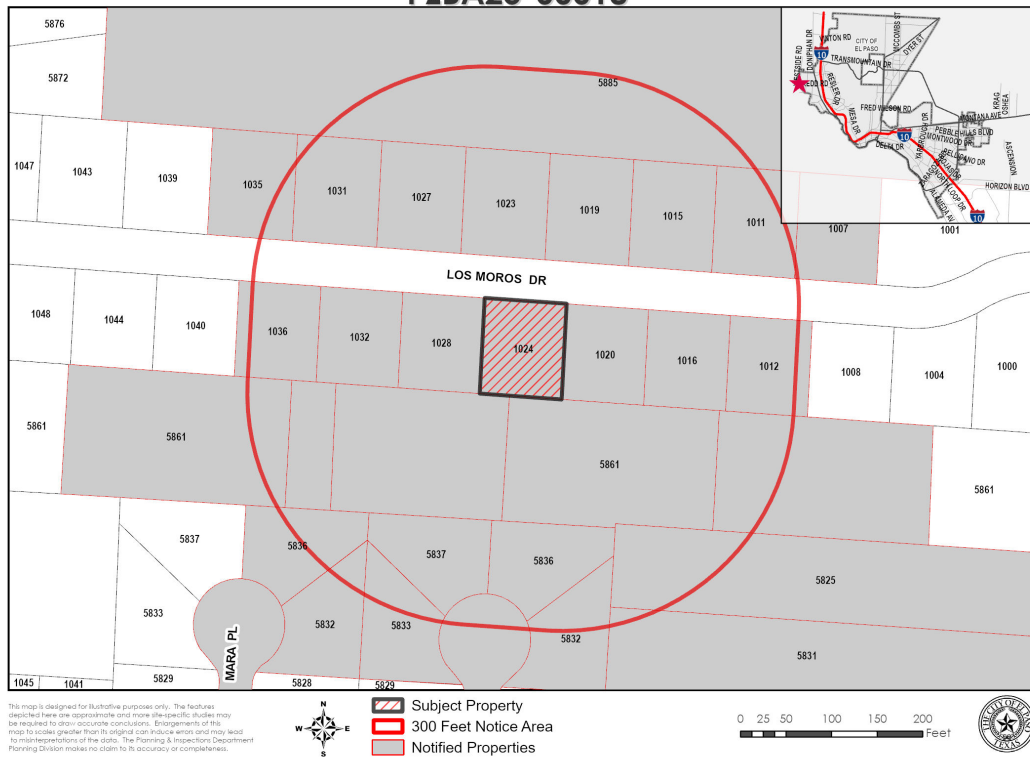
ZONING MAP

PZBA25-00018

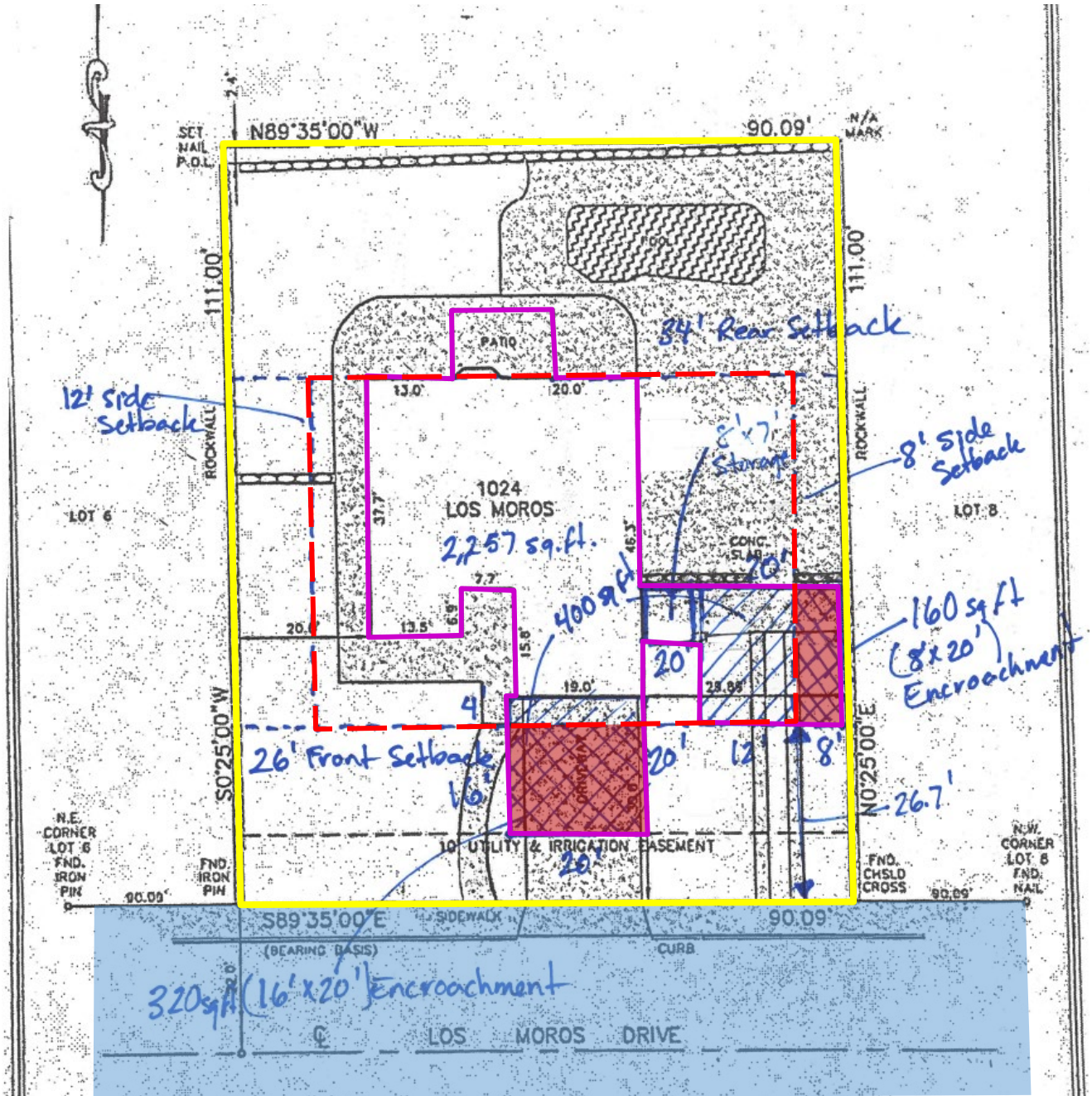


NEIGHBORHOOD NOTIFICATION MAP

PZBA25-00018



SITE PLAN



NONCONFORMING LOTS

PZBA25-00018 | Non-Conforming Lots



NONCONFORMING LOT 1

PZBA25-00018 | 1035 Los Moros



PZBA25-00018 | 1076 Los Moros



OPPOSITION E-MAIL 1

From: [Ben Bandanza](#)
To: [Perez, Blanca M.](#)
Subject: PZBA25-00018
Date: Sunday, July 20, 2025 1:28:42 PM

[You don't often get email from neprius04@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

CAUTION: This email originated from outside of the City of El Paso. Do not click links or open attachments unless you recognize the sender and know the content is safe. If suspicious, use Phish Alert or forward to SpamReport@elpasotexas.gov.

This structure has already been built without a permit! And is larger than others in the neighborhood. So I opposite it!

Sent from my iPad Pro

Note: IF YOU FORWARD THIS E-MAIL, PLEASE DELETE THE FORWARDING HISTORY, WHICH INCLUDES MY E-MAIL ADDRESS. IT IS A COURTESY TO ME AND TO OTHERS WHO DO NOT WISH THEIR E-MAIL ADDRESSES SENT ALL OVER THE WORLD. ERASING THE HISTORY ALSO HELPS PREVENT SPAMMERS FROM MINING E-MAIL ADDRESSES AND VIRUSES FROM BEING PROPAGATED. PLEASE USE "BCC:" TO PROTECT YOUR FRIENDS. THANKS.

OPPOSITION E-MAIL 2

From: [Tony L](#)
To: [Perez, Blanca M.](#)
Subject: Case number PZBA25-00018
Date: Saturday, July 26, 2025 12:34:42 PM

You don't often get email from otoneyz@gmail.com. [Learn why this is important](#)

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Hello Ms. Perez, I received a letter from the Planning and Inspections Department regarding Case Number PZBA25-00018, for Special Exception B and Special Exception J, and I'm not in favor of the request to grant the exceptions. If i recall correctly the owners at the property across the street, installed the two canopies on their driveway over a period of the last year or two, and the newest extends almost to the end of the driveway by the roadside. The canopies are con structed with steel poles anchored to the ground and have a very large fabric cover attached to the top and one side. My concern is public safety as the high winds we experience have a very high likelihood of damaging and detaching into the roadway. A large piece of fabric whipping on the road during that time will damage vehicles and obstruct the road. It would also damage the adjacent property owners home(s) should it make contact with them. The owner did not leave any room for the safety of the public and his neighbors. Respectfully yours, Concerned Neighbor



Legislation Text

File #: BC-1117, **Version:** 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

AGENDA LANGUAGE:

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Populate the table to maintain proper formatting. Copy and paste the agenda language in the designated area below. You may include more language after the table. Just make sure all posting language is populated between "TITLE" and "END".

PZBA25-00023 Lot 88, Block 8, Coronado Country Club Estates
Unit 7, City of El Paso, El Paso County, Texas
ADDRESS: 5708 Los Cerritos Drive
APPLICANT: Laura Tate Goldman
REPRESENTATIVE: Ray Marquez
REQUEST: Special Exception K (In Existence Fifteen Years or
More)
DISTRICT: 1
ZIP CODE: 79912
STAFF CONTACT: Blanca Perez, (915) 212-1561,
PerezBM@elpasotexas.gov

5708 Los Cerritos

Zoning Board of Adjustment — September 8, 2025



CASE NUMBER: PZBA25-00023
CASE MANAGER: Blanca Perez, (915) 212-1561, PerezBM@elpasotexas.gov
PROPERTY OWNER: Laura Tate Goldman
REPRESENTATIVE: Ray Marquez
LOCATION: 5708 Los Cerritos Dr. (District 1)
ZONING: R-3 (Residential)
REQUEST: Special Exception K (In Existence Fifteen Years or More)
PUBLIC INPUT: None received as of September 2, 2025

SUMMARY OF REQUEST: Applicant requests a Special Exception under Section 2.16.050 K (In Existence Fifteen Years or More) to allow to legalize an existing home encroachment in an R-3 (Residential) zone district.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL** of the special exception request as the requested encroachment has been in existence for more than fifteen (15) years.

PZBA25-00023



Figure A. Aerial of Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting a special exception to allow to legalize an existing home, 11 feet 6 inches of which extends into the rear yard setback for a 578.45 square foot area of total encroachment.

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

The current owner has owned the property since 2003 and the building was constructed in 1983 based on El Paso Central Appraisal District records. The existing encroachment has been in existence approximately for 42 years. Based on 2002 aerial imagery, the property existed back then as it does today, with the home in its current location. The existing front porch complies with Section 20.10.040 – Yards, which permits an unenclosed porch to extend up to 10 feet and 150 square feet into the required front yard setback.

SETBACKS	REQUIRED SETBACK	REQUESTED SETBACK
Front	30 feet	No Change
Rear	20 feet	8 feet 6 inches
Cumulative Front & Rear	50 feet	38 feet 6 inches
Side (Left)	5 feet	No Change
Side (Right)	5 feet	No Change
Cumulative Side	N/A	N/A

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 August 27, 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:

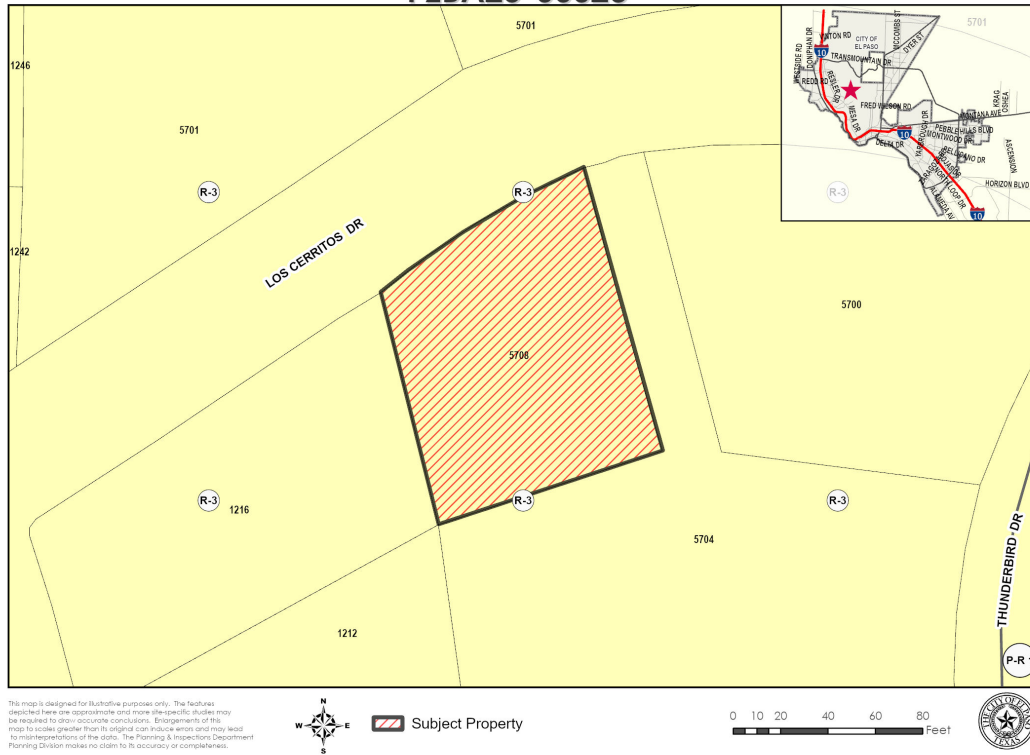
The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The Zoning Board of Adjustment (ZBA) has the authority to grant a special exception to the zoning code only as provided in El Paso City Code Titles 2 and 20. In evaluating the request, the ZBA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

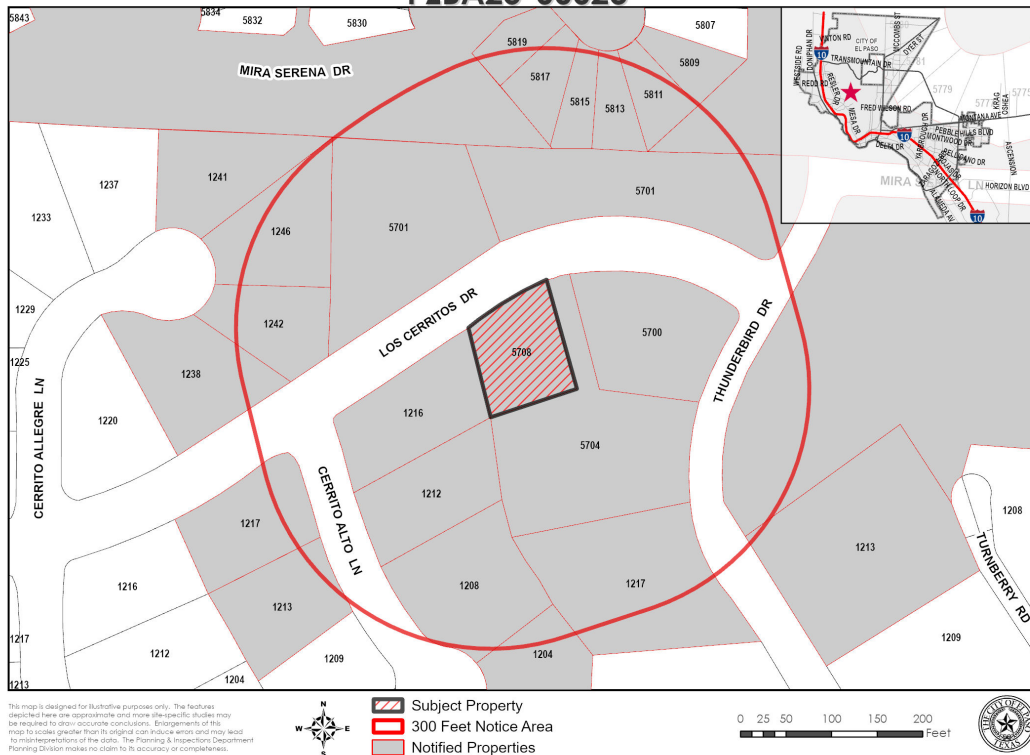
ZONING MAP

PZBA25-00023

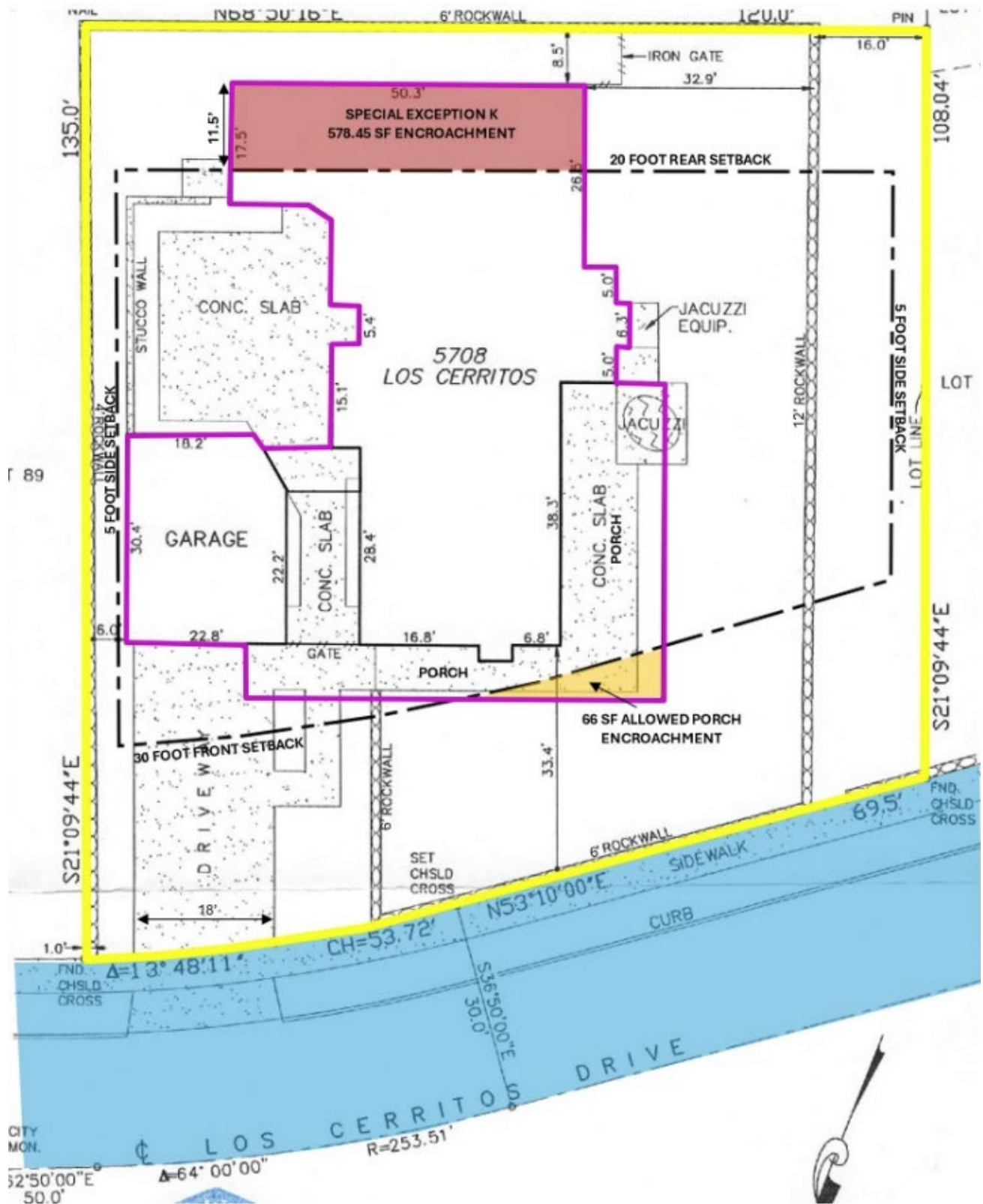


NEIGHBORHOOD NOTIFICATION MAP

PZBA25-00023



SITE PLAN



2002 AERIAL

PZBA25-00023 | 2002 Aerial



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 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 10 20 40 60 80 Feet





Legislation Text

File #: BC-1118, **Version:** 1

CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM

AGENDA LANGUAGE:

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Populate the table to maintain proper formatting. Copy and paste the agenda language in the designated area below. You may include more language after the table. Just make sure all posting language is populated between "TITLE" and "END".

PZBA25-00026 Tract 8-A-6, Block 42, Ysleta, City of El Paso,
El Paso County, Texas
ADDRESS: 316 Apodaca Place
APPLICANT: Gustavo Loy
REPRESENTATIVE: Gustavo Loy
REQUEST: Special Exception K ((In Existence Fifteen Years or
More)
DISTRICT: 7
ZIPCODE: 79907
STAFF CONTACT: Andrew Giraldi, (915) 212-1644,
GiraldiAW@elpasotexas.gov

316 Apodaca

Zoning Board of Adjustment — September 8, 2025



CASE NUMBER: PZBA25-00026
CASE MANAGER: Andrew Giraldi, (915) 212-1644, GiraldiAW@elpasotexas.gov
PROPERTY OWNER: Sandra P. Loy and Gustavo Loy
REPRESENTATIVE: Gustavo Loy
LOCATION: 316 Apodaca Pl. (District 7)
ZONING: R-4 (Residential)
REQUEST: Special Exception K (In Existence Fifteen Years or More)
PUBLIC INPUT: None received as of September 2, 2025

SUMMARY OF REQUEST: Applicant requests a Special Exception under Section 2.16.050 K (In Existence Fifteen Years or More) to allow to legalize an existing duplex structure in an R-4 (Residential) zone district.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL** of the special exception request as the requested encroachment has been in existence for more than fifteen (15) years.

PZBA25-00026



Figure A. Aerial of Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting a special exception to legalize the construction of an existing duplex structure, which extends 1.2 feet into the side yard setback and of which 19.72 square feet of that structure encroaches into the side yard setback.

BACKGROUND: The minimum side setback is 5 feet in the R-4 (Residential) zone district. The current owner has owned the property since 2024 and the building was constructed in 1980 based on El Paso Central Appraisal District records. The existing encroachment has been in existence approximately for 28 years. Based on 2009 aerial imagery, the property existed back then as it does today, with the duplex structure in its current location.

SETBACKS	REQUIRED SETBACK	REQUESTED SETBACK
Front	18.7 Feet	No Change
Rear	26.3 Feet	No Change
Cumulative Front & Rear	45 Feet	No Change
Side (Left)	5 Feet	No Change
Side (Right)	5 Feet	3.8 Feet
Cumulative Side	N/A	N/A

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 August 28, 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.

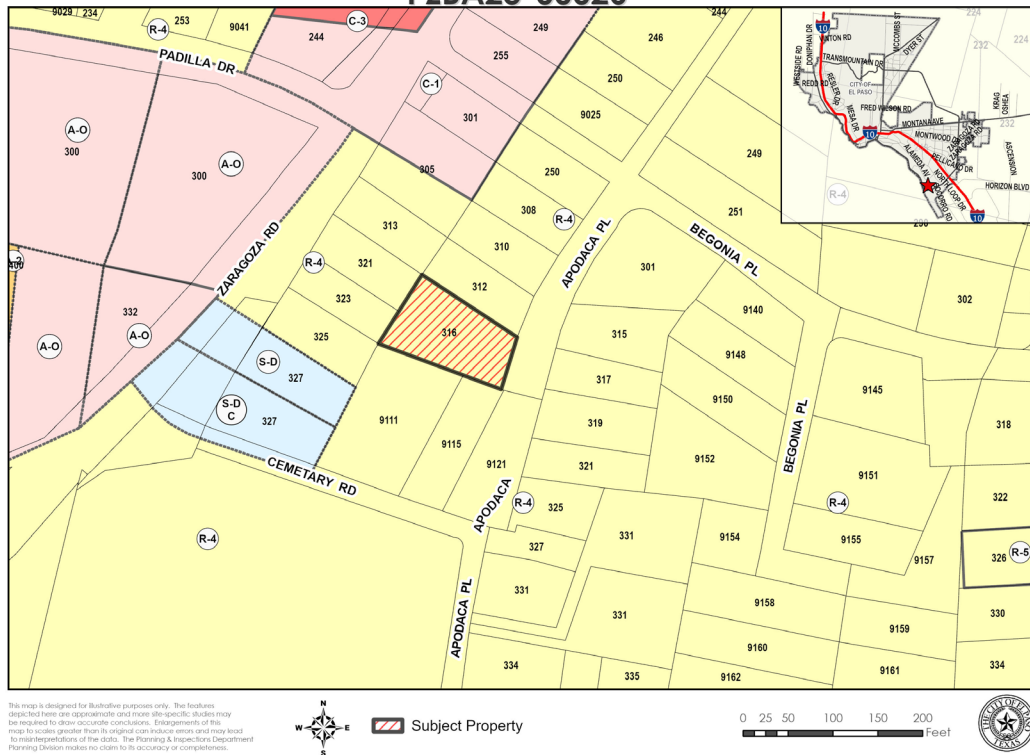
ZONING BOARD OF ADJUSTMENT OPTIONS:

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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.

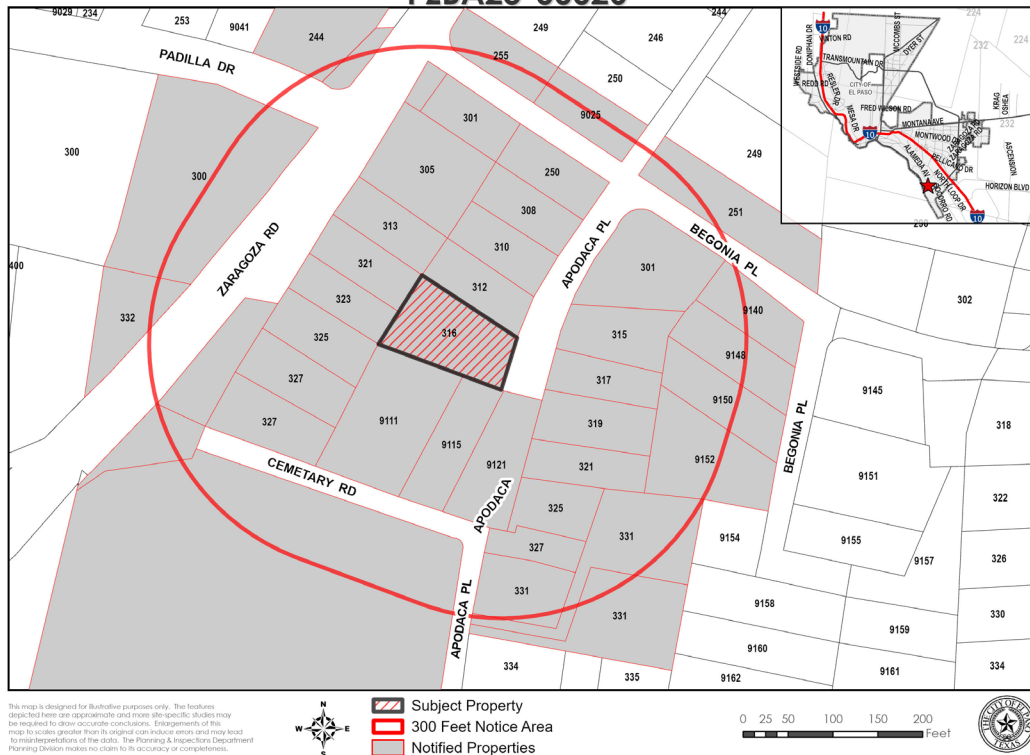
ZONING MAP

PZBA25-00026

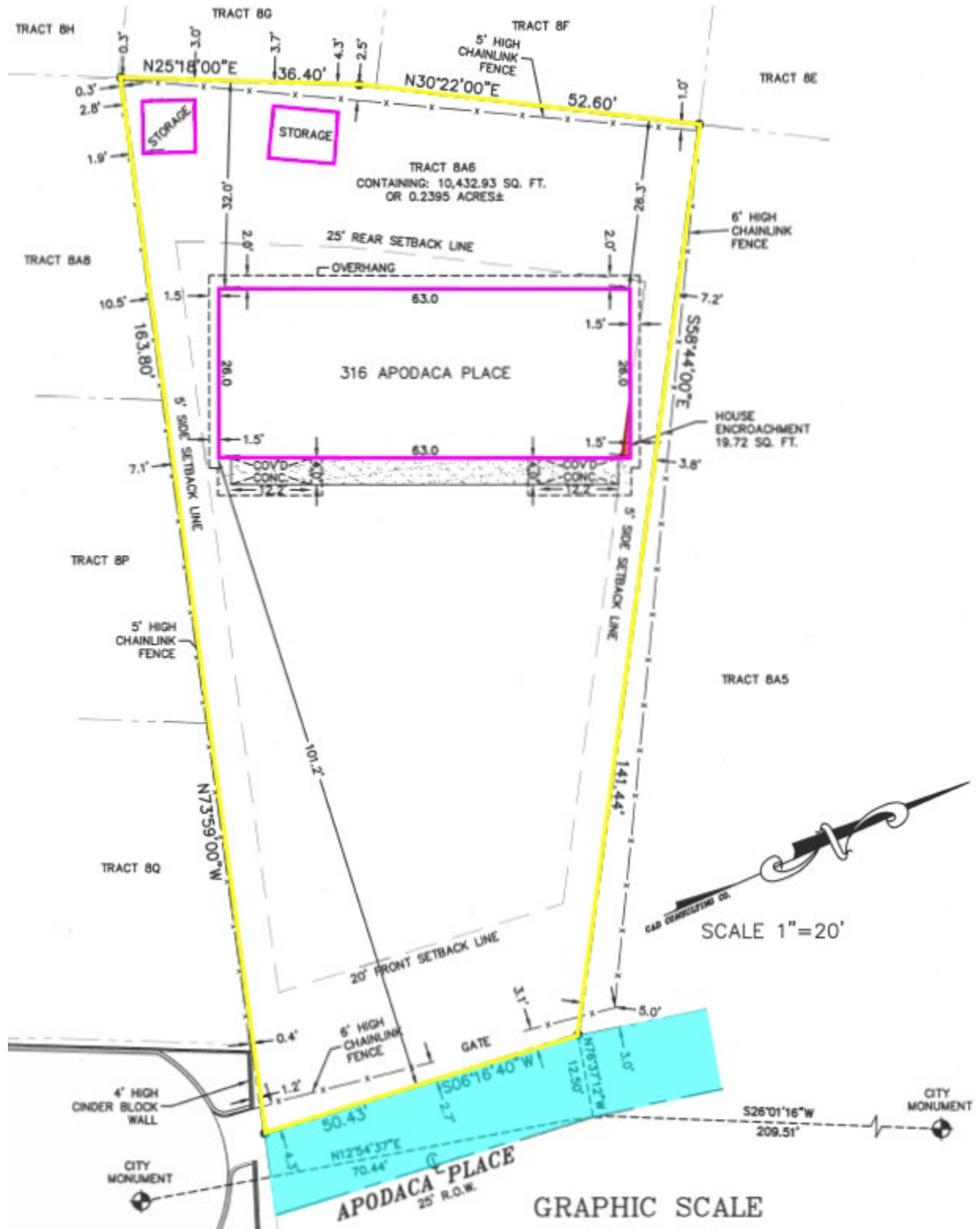


NEIGHBORHOOD NOTIFICATION MAP

PZBA25-00026



SITE PLAN



2009 AERIAL PZBA25-00015



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 Subject Property

0 12.5 25 50 75 100 Feet





El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: BC-1120, **Version:** 1

CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM

AGENDA LANGUAGE:

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Approval of Minutes: August 11, 2025



ZONING BOARD OF ADJUSTMENT MEETING
2nd Floor, Main Conference Room
August 11, 2025
1:30 P.M.

MINUTES

The Zoning Board of Adjustment met at the above place and date.

The meeting was called to order at 1:31 p.m. Vice-Chairwoman Martha Aguayo present and presiding and the following Board Members and City Staff answered roll call.

BOARD MEMBERS PRESENT:

Martha Isabel Aguayo (Vice-Chairwoman)
Heidi Avedician
Gloria Franco Clark
Jorge Leon
Christine Loveridge
Elizabeth Thurmond-Bengtson
Fabian Uribe
Sairy Cohen - Virtual

BOARD MEMBERS ABSENT:

Justin Bass (Chair)

CITY STAFF INTRODUCTIONS

Luis Zamora, Chief Planner
Jesus Quintanilla, Assistant City Attorney, City Attorney's Office
Andrew Salloum, Senior Planner
Jose Beltran, Planner
Blanca Perez, Planner
Andrew Giraldi, Planner
Alejandra Gonzalez, Planner
Venessa Rangel, Senior Plans Examiner

AGENDA

Jose Beltran, Planner, read the opening statement into the record.

Vice Chair Aguayo asked everyone giving testimony today or online, please stand and raise your right hand *"Do you swear to tell the truth and nothing but the truth."*

Andrew Salloum, Senior Planner, noted that there are no changes.

ACTION: No motion required

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**PUBLIC HEARING
REGULAR AGENDA:**

1. PZBA25-00012 A portion of Tract 30, Country Club Place, City of El Paso,
El Paso County, Texas
ADDRESS: 601 Woodland Ave.
APPLICANT: Rena Shea Herman
REPRESENTATIVE: Jonathan Prieto
REQUEST: Special Exception B (Two or more non-conforming lots) and
Special Exception C (Rear yard setback, single-family residence)
DISTRICT: 1
ZIPCODE: 79922
STAFF CONTACT: Blanca Perez, (915)212-1561, PerezBM@elpasotexas.gov

Blanca Perez, Planner, made a presentation to the Board. Public notices were mailed to property owners within 300 feet of subject property on July 31, 2025. Planning Division has not received any communications in support or opposition to the request. Staff recommends approval of the exception request.

Jonathan Prieto, representative attended and agreed with staff recommendation.

PUBLIC = None

ACTION: Board Member Thurmond-Bengtson recused herself from this item. Motion made by Board Member Clark **TO APPROVE ITEM PZBA25-00012 WITH STAFF RECOMMENDATION**, seconded by Board Member Avedician and unanimously carried.

Motion Passed.

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2. PZBA25-00018 Lot 7, Block 2, Spanish Pines #1, City of El Paso,
El Paso County, Texas
ADDRESS: 1024 Los Moros Drive
APPLICANT: Pablo Moreno and Sarai Perez
REPRESENTATIVE: Sarai Perez
REQUEST: Special Exception B (Two or More Non-Conforming Lots) and
Special Exception J (Carport Over a Driveway)
DISTRICT: 1
ZIPCODE: 79932
STAFF CONTACT: Blanca Perez, (915) 212-1561, PerezBM@elpasotexas.gov

Blanca Perez, Planner, made a presentation to the Board. Public notices were mailed to property owners within 300 feet of subject property on July 31, 2025. Planning Division has received two (2) emails in opposition to the request. Staff recommends approval with a condition of the exception request. The condition is as follows:

- Carport shall resemble the main residence in scale and character.

Sarai Perez, property owner attended and agreed with staff recommendation.

PUBLIC = NONE

ACTION: Motion made by Board Member Clark **TO APPROVE ITEM PZBA25-00018 WITH STAFF RECOMMENDATION**, seconded by Board Member Avedician.

VOTE:

AYES = 6 (Loveridge, Avedician, Aguayo, Leon, Uribe, Clark)

NAYES = 1 (Thurmond-Bengston, Cohen)

Motion failed

ACTION: Motion made by Board Member Clark **TO POSTPONE THIS ITEM TO THE NEXT MEETING**, seconded by Board Member Uribe and unanimously carried.

Motion Passed.

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3. PZBA25-00021	Lot 4, Block 5, Montclair, City of El Paso, El Paso County, Texas
ADDRESS:	2921 Prestwick Road
APPLICANT:	Sylvia Candelaria
REPRESENTATIVE:	Sylvia Candelaria
REQUEST:	Special Exception C (Rear Yard Setback, Single-Family Residence)
DISTRICT:	3
ZIPCODE:	79925
STAFF CONTACT:	Andrew Giraldi, (915) 212-1644, GiraldiAW@elpasotexas.gov

Andrew Giraldi, Planner, made a presentation to the Board. Public notices were mailed to property owners within 300 feet of subject property on July 17, 2025. Planning Division has not received any communications in support or opposition to the request and has received one (1) call of inquiry. Staff recommends approval of the exception request.

Paul Islas Jr., representative attended and agreed with staff recommendation.

PUBLIC = NONE

ACTION: Motion made by Board Member Clark **TO APPROVE ITEM PZBA25-00021 WITH STAFF RECOMMENDATION**, seconded by Board Member Leon.

Motion Passed.

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4. PZBA25-00024	Lot 29, Block 8, Borderland Heights #4, City of El Paso, El Paso County, Texas
ADDRESS:	6260 Fabian Street
APPLICANT:	Rosa Isela Enriquez
REPRESENTATIVE:	Rosa Isela Enriquez
REQUEST:	Special Exception B (Two or More Nonconforming Lots)

DISTRICT: 1
ZIPCODE: 79932
STAFF CONTACT: Alejandra Gonzalez, (915) 212-1506,
GonzalezAG@elpasotexas.gov

Alejandra Gonzalez, Planner, made a presentation to the Board. Public notices were mailed to property owners within 300 feet on July 31, 2025. As of today, Planning Division received one (1) phone call of inquiry but no communication in support or opposition to the request. Staff recommends approval with a condition of the exception request. The condition is as follows:

- That gutters and downspouts shall be placed on the side structure to retain rainwater within the property.

Carla Enriquez, representative attended and agreed with staff recommendation.

PUBLIC = NONE

ACTION: Motion made by Board Member Clark **TO APPROVE ITEM PZBA25-00024 WITH STAFF RECOMMENDATION** seconded by Board Member Loveridge and unanimously carried.

Motion Passed.

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5. PZBA25-00025 Portion of Lot 24, Block 5, Stiles Garden, City of El Paso,
El Paso County, Texas
ADDRESS: 7158 North Loop Drive
APPLICANT: Vargas Daniel J & Daniel
REPRESENTATIVE: Vanessa Duran
REQUEST: Special Exception K (In Existence Fifteen Years or More)
DISTRICT: 3
ZIPCODE: 79915
STAFF CONTACT: Alejandra Gonzalez, (915) 212-1506,
GonzalezAG@elpasotexas.gov

Alejandra Gonzalez, Planner, made a presentation to the Board. Public notices were mailed to property owners within 300 feet on July 31, 2025. As of today, Planning Division received one (1) phone call of inquiry but no communication in support or opposition to the special exception request. Staff recommends approval with a condition of the exception requests. The condition is as follows:

- That the front structure shall be removed or relocated from the 10 feet side setback.

Vanessa Duran, representative attended and agreed with staff recommendation.

PUBLIC = Brenda James asking for clarification if this is coming into the abutting church area. Clarification provided by board.

ACTION: Motion made by Board Member Uribe **TO APPROVE ITEM PZBA25-00025 WITH STAFF RECOMMENDATION** seconded by Board Member Clark and unanimously carried.

Motion Passed.

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6. PZBA25-00028 Lot 35, Block 13, Town & Country Village, City of El Paso,
El Paso County, Texas

ADDRESS: 249 Pyrite Drive
APPLICANT: Jonathan Singer
REPRESENTATIVE: Fernando Roque
REQUEST: Special Exception B (Two or More Nonconforming Lots)
DISTRICT: 1
ZIPCODE: 79932
STAFF CONTACT: Jose Beltran, (915) 212-1607, BeltranJV@elpasotexas.gov

Jose Beltran, Planner, made a presentation to the Board. Public notices were mailed to property owners within 300 feet on July 31, 2025. As of today, Planning Division received one (1) phone call of inquiry but no communication in support or opposition to the request. Staff recommends approval of the exception requests.

Jonathan Singer, property owner attended and agreed with staff recommendation.

PUBLIC = NONE

ACTION: Motion made by Board Member Clark **TO APPROVE ITEM PZBA25-00028**, seconded by Board Member Cohen.

VOTE:

AYES = 7 (Loveridge, Avedician, Aguayo, Leon, Uribe, Clark, Cohen)

NAYES = 1 (Thurmond-Bengston,)

Motion Passed.

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7. Approval of Minutes: June 2, 2025

ACTION: Motion made by Board Member Leon, seconded by Board Member Loveridge **TO APPROVE MINUTES FOR JUNE 2, 2025** and unanimously carried.

Motion Passed.

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8. Adjournment

ACTION: Motion made by Board Member Uribe **TO ADJOURN ZONING BOARD OF ADJUSTMENTS MEETING**, seconded by Board Member Clark and unanimously carried.

Motion Passed.

Vice Chair Aguayo adjourned the meeting at 2:30 p.m.

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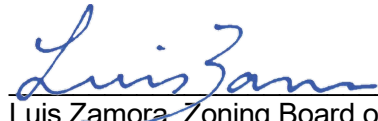
EXECUTIVE SESSION

The Zoning Board of Adjustment of the City of El Paso may retire into EXECUTIVE SESSION pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the items on this agenda, consistent with the terms of the Open Meetings Act. The Zoning Board of Adjustment will return to open session to take any final action.

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT
NEGOTIATIONS	

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Approved as to form:



Luis Zamora, Zoning Board of Adjustments Executive Secretary