



ZONING BOARD OF ADJUSTMENT MEETING
2nd Floor, Main Conference Room
June 17, 2024
1:30 P.M.

MINUTES

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

The meeting was called to order at 1:32 p.m. Vice-Chairwoman Martha Isabel Aguayo present and presiding and the following Board Members and City Staff answered roll call.

BOARD MEMBERS PRESENT:

Martha Isabel Aguayo (Vice-Chairwoman)
Christine Loveridge
Heidi Avedician
Alexis Alvarez
Justin Bass
Louis Edwards
Jorge Leon
Fabian Uribe

BOARD MEMBERS ABSENT:

Janet Fortune

CITY STAFF INTRODUCTIONS

Daniel Chavira, Building & Permitting Development Program Manager
Luis Zamora, Chief Planner
Jesus Quintanilla, Assistant City Attorney 1, City Attorney's Office
Andrew Salloum, Senior Planner
Martha Macias, Sign Language Interpreter, City Clerk's Office
Jose Beltran, Planner
Myrna Aguilar, Planner
Nina Rodriguez, Senior Planner

AGENDA

Nina Rodriguez, Senior Planner read the opening statement into the record.

Vice-Chairwoman 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.*"

Luis Zamora, Chief Planner, stated no changes to agenda.

NO ACTION TAKEN.

AYES: N/A
NAYS: N/A
ABSTAIN: N/A

ABSENT: N/A
NOT PRESENT FOR THE VOTE: N/A

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**PUBLIC HEARING
REGULAR AGENDA:**

1. Board Member Elections: Chair and Vice Chair

Martha Aguayo nominated Justin Bass for the Chair position. Mr. Bass accepted nomination.

ACTION: Motion made by Jorge Leon, seconded by Martha Aguayo **TO NOMINATE JUSTIN BASS AS CHAIR** and unanimously approved.

Motion Passed.

Mr. Justin Bass took over meeting as Chair.
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- 2. PZBA24-00030:** A portion of Lot 15, Block 2, Coronado Country Estates Replat A, City of El Paso, El Paso County, Texas
ADDRESS: 1121 Thunderbird Dr.
APPLICANT: Anthony and Robin Furman
REPRESENTATIVE: Henry Ordonez
REQUEST: Special Exception C (Rear Yard Setback, Single-family Residence)
DISTRICT: 1
ZIP CODE: 79912
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 May 1, 2024 and June 6, 2024. The Planning Division received a phone call in opposition to the request, but was rescinded as the result of seeing the provided site plan. Staff recommends approval with condition of the exception request.

- That the existing structure encroaching into the side yard setback be modified to comply with zoning requirements.

Jose Beltran answered questions from the Board.

Henry Ordonez, Ordonez Construction, appeared for questions.

Public comment = None

ACTION: Motion by Martha Aguayo, seconded by Alexis Alvarez **TO APPROVE ITEM PZBA24-00030 WITH CONDITION BY STAFF** and unanimously approved.

Motion Passed.
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- 3. PZBA24-00033:** Lot 25 and portion of Lot 26, Block 21, Highland Park Addition, City of El Paso, El Paso County, Texas
ADDRESS: 2112 Tremont Ave.
APPLICANT: Trinney Meza
REPRESENTATIVE: Cesar Gonzalez
REQUEST: Special Exception B (Two or more nonconforming lots)
DISTRICT: 2

ZIP CODE: 79930
STAFF CONTACT: Nina Rodriguez, (915) 212-1561, RodriguezNA@elpasotexas.gov

Nina Rodriguez, Senior Planner, made a presentation to the Board. Public notices were mailed to property owners within 300 feet on May 3, 2024 and June 5, 2024. The Planning Division has not received any communications in support or opposition to the request. Planning Staff recommends approval with condition of the exception request:

- That the existing carport and shed be removed from the property.

Daniel Chavira, Building & Permitting Development Program Manager, answered questions from the Board. Nina Rodriguez, Senior Planner, answered questions from the Board.

Cesar Gonzalez, representing the owner appeared for questions. Chair Justin Bass asked representative if he understood what was being asked as condition to approval and if he agreed. Mr. Gonzalez replied yes, and that he agreed on the conditions.

Public Comment: None

ACTION: Motion made by Jorge Leon, seconded by Louis Edwards **TO APPROVE ITEM PZBA24-00033 AS RECOMMENDED BY STAFF** and unanimously approved.

Motion Passed.

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4. **PZBA24-00036:** A portion of Lot 5 and all Lots 6 to 16, Block 22, Cotton, City of El Paso, El Paso County, Texas
ADDRESS: 2111 Montana Ave.
APPLICANT: Richard L. Saunders Jr.
REPRESENTATIVE: Richard L. Saunders Jr.
REQUEST: Special Exception B (Two or More Nonconforming Lots)
DISTRICT: 8
ZIP CODE: 79903
STAFF CONTACT: Myrna Aguilar, (915) 212-1584, AguilarMP@elpasotexas.gov

Myrna Aguilar, Planner, made a presentation to the Board. Public notices were mailed to property owners within 300 feet on May 3, 2024 and June 6, 2024. The Planning Division has not received any communications in support or opposition to the request. Planning Staff recommends approval of the exception special request B to legalize the encroachment into the rear yard setback.

Myrna Aguilar answered questions from the Board.

Richard Saunders appeared for questions.

Public Comment: None

ACTION: Motion made by Martha Aguayo, seconded by Jorge Leon **TO APPROVE ITEM PZBA24-00036** and unanimously approved.

Motion Passed.

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5. **PZBA24-00039:** Lot 12, Block 43, Montecillo Unit 11 Replat B, City of El Paso, El Paso County, Texas
ADDRESS: 360 Vin Rambla Dr.
APPLICANT: Montecillo Retail Investments LP

REPRESENTATIVE: David Bogas
REQUEST: Variance from Section 21.80.020
DISTRICT: 8
ZIP CODE: 79912
STAFF CONTACT: Luis Zamora, (915) 212-1552, ZamoraLF@elpasotexas.gov

Luis Zamora, Chief Planner, made a presentation to the Board. Public notices were mailed to property owners within 300 feet on May 2, and June 5, 2024. The Planning division has not received any communications in support or opposition to the request. Planning Staff recommends approval of the variance request.

Luis Zamora, Chief Planner, answered questions from the Board.

Applicant/Owner not available for questions.

Public Comment: None

ACTION: Motion made by Heide Avedician, seconded by Martha Aguayo **TO POSTPONE ITEM PZBA24-00039 TO NEXT MEETING.**

VOTE:

Ayes – 7 (Loveridge, Avedician, Alvarez, Aguayo, Bass, Leon, Uribe)
Nays - 1 (Edwards)

Motion Passed.

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6. **PZBA24-00040:** A portion of Lots 5 and 6, Monte Vista #2, City of El Paso, El Paso County, Texas
ADDRESS: 5005 Meadowlark Dr.
APPLICANT: Tierra Rojo Property LLC
REPRESENTATIVE: Jonathan Prieto
REQUEST: Special Exception B (Two or More Nonconforming Lots)
DISTRICT: 1
ZIP CODE: 79922
STAFF CONTACT: Andrew Salloum, (915) 212-1603, SalloumAM@elpasotexas.gov

Andrew Salloum, Senior Planner, made a presentation to the Board through Martha Macias, American Sign Language interpreter. Public notices were mailed to property owners within 300 feet on May 1, 2024 and June 5, 2024. The Planning Division has not received any communications in support nor opposition to the request. Planning Staff recommends approval of the special exception B encroachment is less than the encroachment in the other two properties.

Jonathan Prieto, contractor, and agrees with all staff comments.

Public Comment: None

ACTION: Motion made by Martha Aguayo, seconded by Fabian Uribe **TO APPROVE ITEM PZBA24-00040** and unanimously approved.

Motion Passed.

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7. **PZBA24-00042:** Lot 24, Block 3, East Gate #1, City of El Paso, El Paso County, Texas
ADDRESS: 1740 Alan Shepard Ln.
APPLICANT: David P. and Patricia H. Theriault

REPRESENTATIVE: David P. and Patricia H. Theriault
REQUEST: Special Exception B (Two or More Nonconforming Lots)
DISTRICT: 6
ZIP CODE: 79936
STAFF CONTACT: Andrew Salloum, (915) 212-1603, SalloumAM@elpasotexas.gov

Andrew Salloum, Senior Planner, made a presentation to the Board through Dario Garcia, American Sign Language interpreter. Public notices were mailed to property owners within 300 feet on May 1, 2024 and June 5, 2024. The Planning Division has not received any communication in support or opposition to the special exception request. Planning Staff recommends approval with condition of the special exception request as the existing encroachments are less than the encroachments into that setback already present on at least two other neighboring properties. The condition is the following:

- Storage shed shall be removed from the 5-foot utility easement area, or the easement shall be vacated.

Andrew Salloum answered questions from the Board.

David Theriault appeared for questions.

Public Comment: None

ACTION: Motion made by Fabian Uribe, seconded by Martha Aguayo **TO APPROVE ITEM PZBA24-00042 WITH STAFF CONDITIONS** and unanimously approved.

Motion Passed.

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8. **PZBA24-00048:** Lots 22 to 28, A portion of Lots 29-32, Block 97, East El Paso Addition, City of El Paso, El Paso County, Texas
ADDRESS: 2900 Pershing Dr.
APPLICANT: 2900 Pershing LLC
REPRESENTATIVE: Bruno Vasquez, AIA
REQUEST: Special Exception B (Two or More Nonconforming Lots)
DISTRICT: 2
ZIP CODE: 79903
STAFF CONTACT: Andrew Salloum, (915) 212-1603, SalloumAM@elpasotexas.gov

Andrew Salloum, Senior Planner, made a presentation to the Board through Dario Garcia, American Sign Language interpreter. Public notices were mailed to property owners within 300 feet on June 6, 2024. The Planning Division has not received any communication in support or opposition to the special exception request. Planning Staff recommends approval of special exception request as the requested encroachment is less than or equal to encroachments in to the setback already present at least four other neighboring properties.

Andrew Salloum answered questions from the Board.

Leonardo Flores, Chief Plans Examiner, answered questions from Board.

Luis Zamora, Chief Planner, made comments to Board on item.

Bruno Vasquez was available for questions.

Public Comment: None

ACTION: Motion made by Justin Bass, seconded by Alexis Alvarez **TO APPROVE ITEM PZBA24-00048**

and unanimously approved.

Motion Passed.

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9. Approval of Minutes: April 15, 2024

ACTION: Motion made by Martha Aguayo, seconded by Jorge Leon **TO APPROVE THE APRIL 15, 2024 MINUTES** and unanimously approved.

Motion Passed.

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10. Adjournment

Chair Bass adjourned the meeting at 2:50 p.m.

ACTION: Motion made by Heidi Avedician, seconded by Martha Aguayo **TO ADJOURN MEETING** and unanimously approved.

Motion Passed.

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

A quorum of the Zoning Board of Adjustment must participate in the meeting.

Justin Bass
Christine Loveridge
Heidi Avedician
Alexis Alvarez

Fabian Uribe
Martha Isabel Aguayo
Janet Fortune
Jorge Leon

Audrey Gutierrez
Louis Edwards