



## **AGENDA FOR THE ZONING BOARD OF ADJUSTMENT PUBLIC HEARING**

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**June 15, 2026**  
**THORMAN CONFERENCE ROOM, 801 TEXAS AVE, BASEMENT**  
**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: 744 253 998#**

If you wish to sign up to speak, please send your request to [ZBA@elpasotexas.gov](mailto:ZBA@elpasotexas.gov) or call (915) 212-0088 no later than by the start of the meeting.

A sign-up form is available at the meeting location noted above for those who wish to sign-up on the day of the meeting. Requests to speak must be received by the time 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. **PZBA26-00021:** Lot 2, Block 3, Briarwood Estates, City of El Paso, El Paso County, El Paso Texas [BC-2162](#)  
 ADDRESS: 705 Coeur D'Alene Circle  
 APPLICANT: Ana & Alejandro Trachter  
 REPRESENTATIVE: Henry Ordoñez  
 REQUEST: Special Exception B (Two or More Nonconforming Lots) & Special Exception K (In Existence Fifteen Years or More)  
 DISTRICT: 1  
 ZIP CODE: 79922  
 STAFF CONTACT: Jose Beltran, (915) 212-1607, BeltranJV@elpasotexas.gov
2. **PZBA26-00022:** Tract 25, Richard Lee, City of El Paso, El Paso County, Texas [BC-2163](#)  
 ADDRESS: 9600 Farrell Road  
 APPLICANT: Victor M Rivera & Pedro R Cortez  
 REPRESENTATIVE: Vanessa Duran  
 REQUEST: Special Exception K (In Existence Fifteen Years or More)  
 DISTRICT: 7  
 ZIP CODE: 79927  
 STAFF CONTACT: Pratika Banjara, (915) 212-1644, BanjaraP@elpasotexas.gov
3. **PZBA26-00024:** Lot 10, Block 3, Green Brook Unit One, City of El Paso, El Paso County, El Paso Texas [BC-2164](#)  
 ADDRESS: 436 Bahia Kino Way  
 APPLICANT: Jesus L. Jaime  
 REPRESENTATIVE: Jesus L. Jaime  
 REQUEST: Special Exception J (Carport Over a Driveway)  
 DISTRICT: 7  
 ZIP CODE: 79915  
 STAFF CONTACT: Jose Beltran, (915) 212-1607, BeltranJV@elpasotexas.gov
4. **PZBA26-00026:** Lot 55, Block 9, Lomas Del Sol Unit 2, City of El Paso, El Paso County, El Paso Texas [BC-2165](#)  
 ADDRESS: 6561 Cabana Del Sol Drive  
 APPLICANT: Carolina Boudreau & Daniel Boudreau  
 REPRESENTATIVE: Carolina Boudreau & Daniel Boudreau  
 REQUEST: Special Exception C (Rear Yard Setback, Single-Family Residence)  
 DISTRICT: 1  
 ZIP CODE: 79911  
 STAFF CONTACT: Jose Beltran, (915) 212-1607, BeltranJV@elpasotexas.gov

5. **PZBA26-00027:** Tract 412, Loma Terrace No. 5A Section Two, City of El Paso, El Paso County, Texas [BC-2166](#)  
 ADDRESS: 8108 Margaret Lane  
 APPLICANT: Daniel Banda Ferrales  
 REPRESENTATIVE: Silvia Banda  
 REQUEST: Special Exception C (Rear yard setback, single-family residence)  
 DISTRICT: 7  
 ZIP CODE: 79907  
 STAFF CONTACT: Alejandra Gonzalez, (915) 212-1506, GonzalezAG@elpasotexas.gov
6. **PZBA26-00028:** Lots 39 & 40, Block 109, Austin Terrace Third Supplementary Map as Amended of Government Hill Addition, City of El Paso, El Paso County, Texas [BC-2167](#)  
 ADDRESS: 4652 Caples Circle  
 APPLICANT: Gwendolyn N West & Dorothy G Bailey  
 REPRESENTATIVE: Gwendolyn N West & Dorothy G Bailey  
 REQUEST: Special Exception B (Two or More Non-Conforming Lots) and K (In Existence Fifteen Years or More)  
 DISTRICT: 2  
 ZIP CODE: 79903  
 STAFF CONTACT: Pratika Banjara, (915) 212-1644, BanjaraP@elpasotexas.gov
7. **PZBA26-00029:** Lot 1, Block 2, Esplanada, City of El Paso, El Paso County, Texas [BC-2168](#)  
 ADDRESS: 1000 Esplanada Circle  
 APPLICANT: Jorge Luis Aguirre  
 REPRESENTATIVE: Xavier Escobedo  
 REQUEST: Special Exception J (Carport Over a Driveway)  
 DISTRICT: 1  
 ZIPCODE: 79932  
 STAFF CONTACT: Blanca Perez, (915) 212-1561, PerezBM@elpasotexas.gov
8. Approval of Minutes: May 04, 2026 [BC-2169](#)

**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 and translation services will be provided for this meeting upon request. Requests must be sent to [ZBA@elpasotexas.gov](mailto:ZBA@elpasotexas.gov) or by calling (915) 212-0088 a minimum of 72 hours prior to the date and time of this hearing.

Posted this the \_\_\_\_\_ of \_\_\_\_\_ at \_\_\_\_\_ AM/PM by \_\_\_\_\_



Legislation Text

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File #: BC-2162, Version: 1

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**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".*

**PZBA26-00021:** Lot 2, Block 3, Briarwood Estates, City of El Paso, El Paso  
County, El Paso Texas

ADDRESS: 705 Coeur D'Alene Circle

APPLICANT: Ana & Alejandro Trachter

REPRESENTATIVE: Henry Ordoñez

REQUEST: Special Exception B (Two or More Nonconforming Lots)  
& Special Exception K (In Existence Fifteen Years or More)

DISTRICT: 1

ZIP CODE: 79922

STAFF CONTACT: Jose Beltran, (915) 212-1607,  
BeltranJV@elpasotexas.gov

# 705 Coeur D'Alene

Zoning Board of Adjustment — June 15, 2026

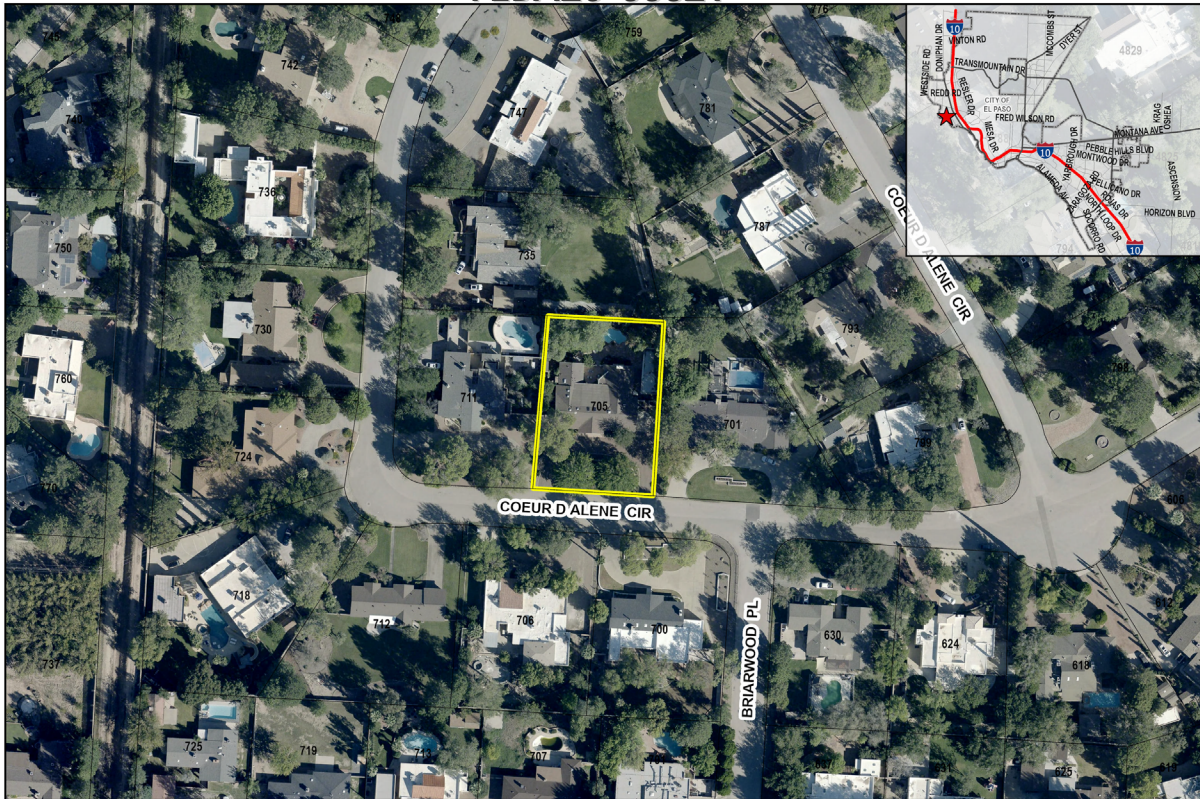


**CASE NUMBER:** PZBA26-00021  
**CASE MANAGER:** Jose Beltran, (915) 212-1607, [BeltranJV@elpasotexas.gov](mailto:BeltranJV@elpasotexas.gov)  
**PROPERTY OWNER:** Owner Name  
**REPRESENTATIVE:** Henry Ordonez  
**LOCATION:** 705 Coeur D'Alene Cir. (District 1)  
**ZONING:** R-1 (Residential)  
**REQUEST:** Special Exception B (Two or More Nonconforming Lots)  
**PUBLIC INPUT:** None received as of June 9, 2026

**SUMMARY OF REQUEST:** Applicant requests a Special Exception under Section 2.16.050 B (Two or More Nonconforming Lots) and Section 20.16.050 K (In Existence Fifteen Years or More) to allow to legalize an existing covered porch located in the side yard setback in an R-1 (Residential) zone district.

**SUMMARY OF STAFF'S RECOMMENDATION:** Staff recommends **APPROVAL** of the special exception requests as the requested encroachments are less than the encroachments into that setback already present on at least two other neighboring properties and has been in existence for more than fifteen (15) years.

## PZBA26-00021



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 30 60 120 180 240 Feet



Figure A. Aerial of Subject Property & Immediate Surroundings

**DESCRIPTION OF REQUEST:** The applicant is requesting two (2) special exceptions to allow to legalize the construction of an existing covered patio. The patio extends 15.6 feet into the required 24.3-foot side yard setback for 758 square feet of total encroachment. Of these 758 square feet, the applicant is requesting Special Exception B (Two or More Nonconforming Lots) to allow to legalize a 504 square foot portion, and Special Exception K (In Existence Fifteen Years or More) to allow to legalize the remaining 254 square foot portion.

**BACKGROUND:** The minimum side setback is 15 feet and the required side setback for the subject property is 24.3 feet to meet the required cumulative side setback of 40 feet in the R-1 (Residential) zone district.

Aerial photographs and site visits indicate that two (2) nearby properties located on the same block or abutting street also contain structures that encroach into their respective side yard setbacks, with encroachments larger than the subject property. These properties are located at 776 Coeur D’Alene Circle (624 SF Encroachment) and 730 Coeur D’Alene Circle (1,095 SF Encroachment) and have no issued permits on record.

According to El Paso Central Appraisal District records, the existing single-family dwelling was built in 1976. Based on 2010 aerial imagery, the 254 square foot portion of the existing covered patio, which was built in 2006, existed then as it does today and was not built by the current owner. However, the remaining 504 square foot portion of the existing covered patio was added on to the pre-existing covered patio in 2021 by the current owner.

SETBACKS	REQUIRED SETBACK	REQUESTED SETBACK
Front	55.41 feet	No Change
Rear	44.59 feet	No Change
Cumulative Front & Rear	100 feet	No Change
Side (Left)	15.7 feet	No Change
Side (Right)	24.3 feet	8.5 feet
Cumulative Side	40 feet	24.2 feet

<b>COMPLIANCE WITH SPECIAL EXCEPTION 2.16.050.B CRITERIA</b>	
The Zoning Board of Adjustment is empowered under Section 2.16.050.B to: <i>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:</i>	
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 (2) properties with structures located in the side yard setback.
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. 776 Coeur D’Alene and 730 Coeur D’Alene have structures that extend into their respective side yard setbacks and are in the same nature as the subject property.
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. The subject property is not located on a corner.

**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 June 4, 2026 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.

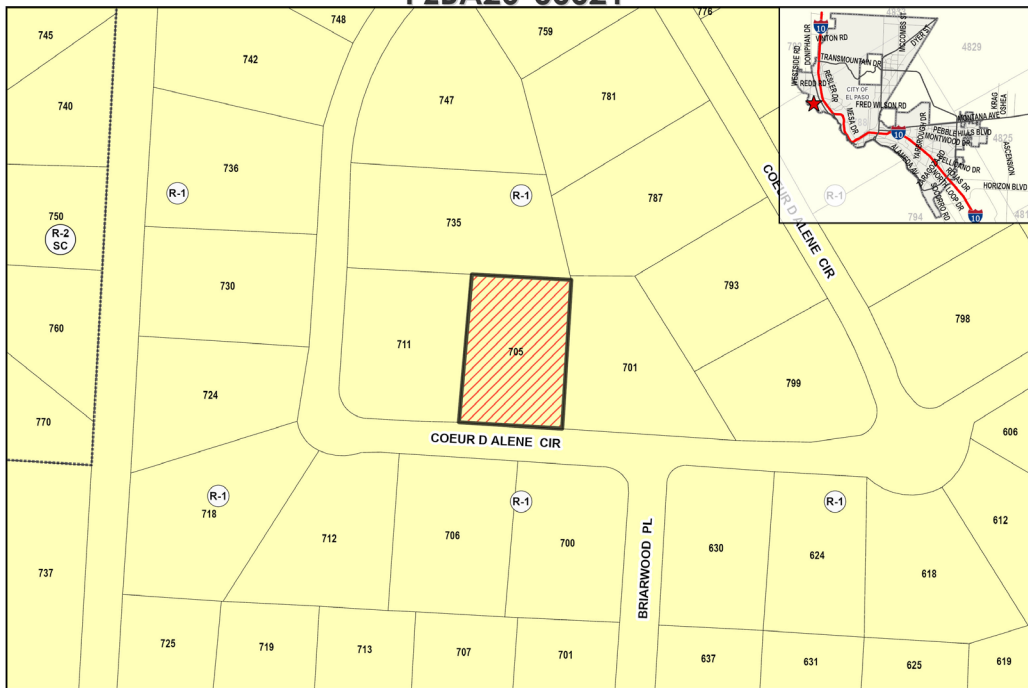
**ZONING BOARD OF ADJUSTMENT OPTIONS:**

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 requests, finding that the requests are 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 requests 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 requests, finding that the requests does not conform to the review criteria as provided in El Paso City Code Titles 2 and 20.

# ZONING MAP

PZBA26-00021



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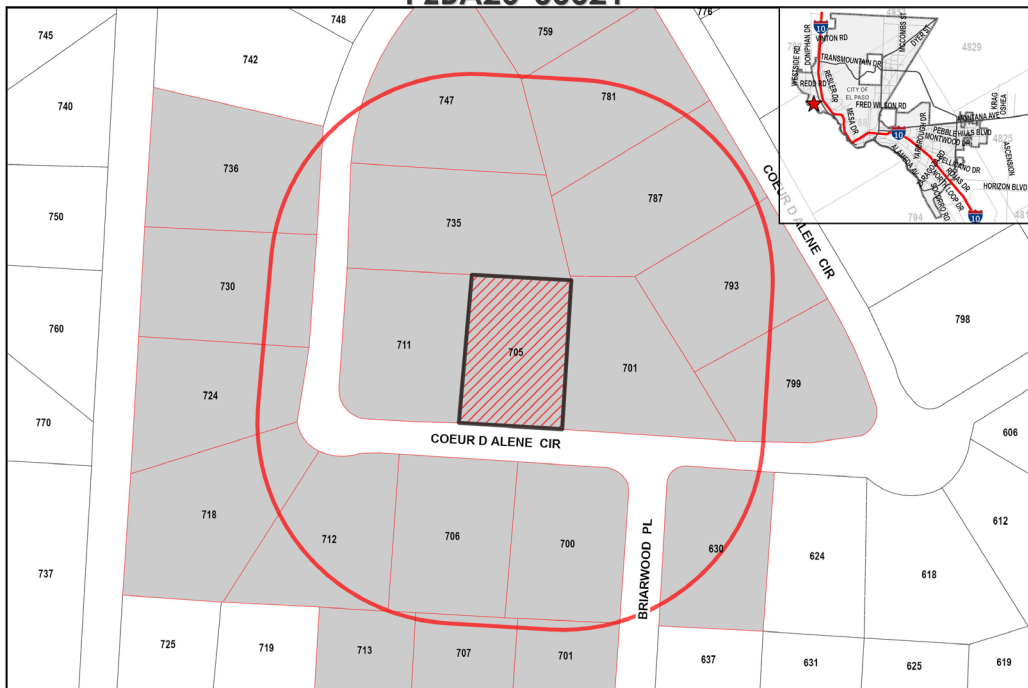
Subject Property

0 30 60 120 180 240 Feet



# NEIGHBORHOOD NOTIFICATION MAP

PZBA26-00021



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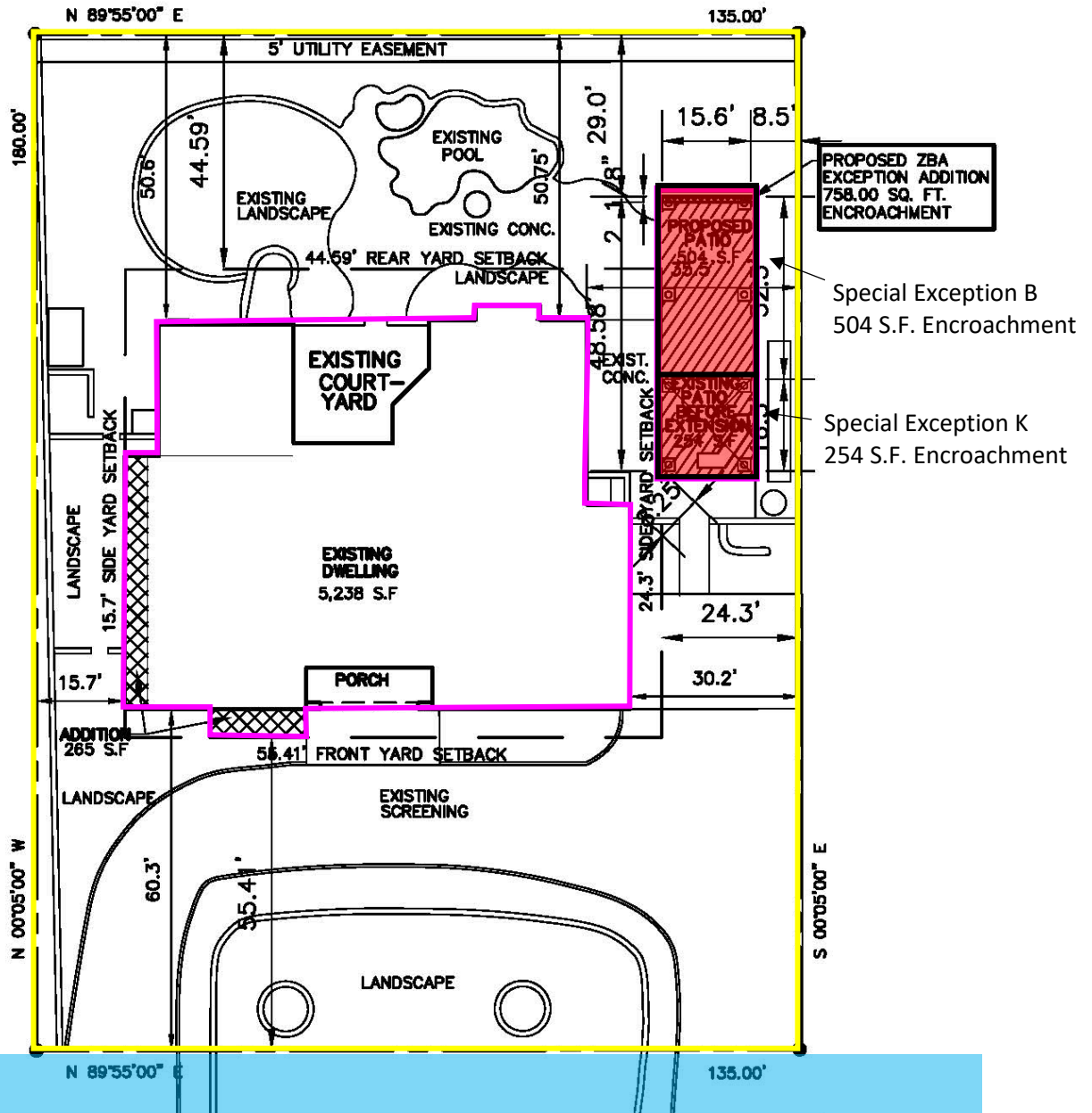


Subject Property  
300 Feet Notice Area  
Notified Properties

0 30 60 120 180 240 Feet



# SITE PLAN



705 COEUR D'ALENE CIRCLE



## SITE PLAN

Scale: 1" = 30.0"

### LEGAL DESCRIPTION

LOT 2, BLOCK 3 BRIARWOOD ESTATES,  
CITY OF EL PASO, EL PASO COUNTY, TEXAS.

**ZONE: R-1**

SETBACKS  
FRONT: 30'  
REAR : 30'  
CUMULATIVE: 100'  
(FRONT & BACK)  
SIDE : 15'  
CUMULATIVE: 40'

# NONCONFORMING LOTS

## PZBA26-00021



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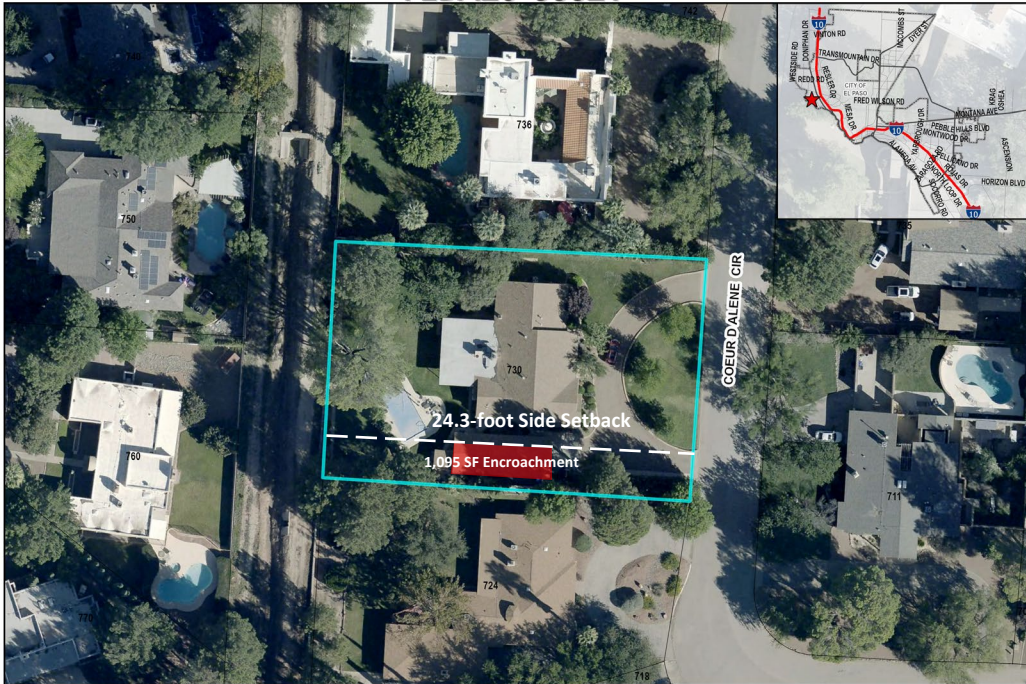


Subject Property



# NONCONFORMING LOT 1

## PZBA26-00021



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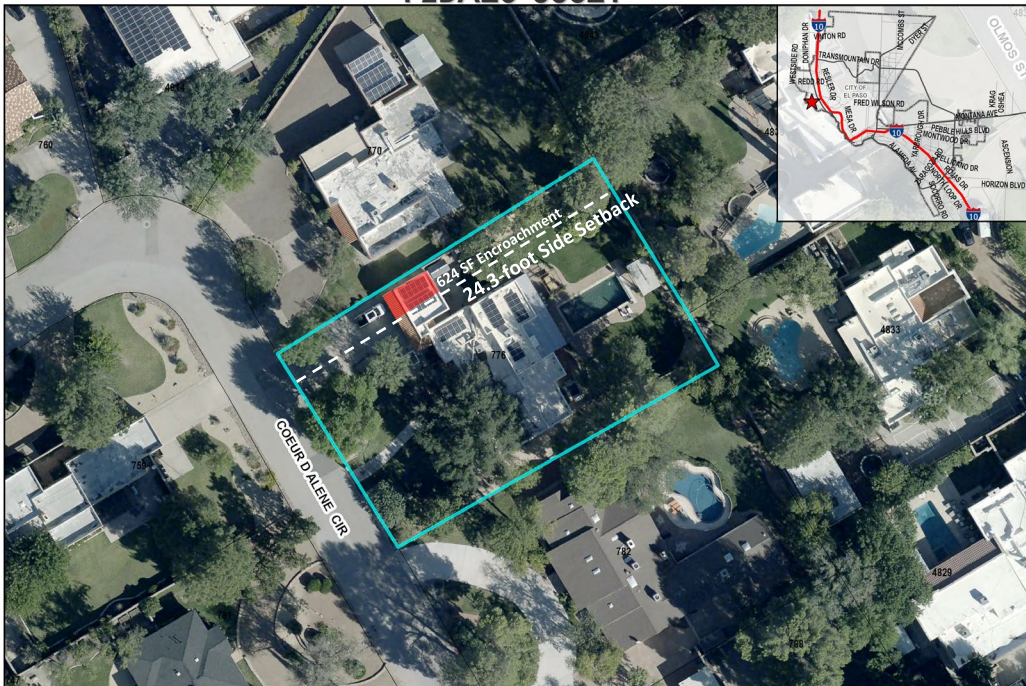


0 12.5 25 50 75 100 Feet



# NONCONFORMING LOT 2

## PZBA26-00021



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0 12.5 25 50 75 100 Feet



# 2010 AERIAL

## PZBA26-00021



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 Subject Property

0 20 40 80 120 160 Feet





Legislation Text

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File #: BC-2163, Version: 1

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

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**PZBA26-00022:** Tract 25, Richard Lee, City of El Paso, El Paso County,  
Texas  
ADDRESS: 9600 Farrell Road  
APPLICANT: Victor M Rivera & Pedro R Cortez  
REPRESENTATIVE: Vanessa Duran  
REQUEST: Special Exception K (In Existence Fifteen Years or More)  
DISTRICT: 7  
ZIP CODE: 79927  
STAFF CONTACT: Pratika Banjara, (915) 212-1644,  
BanjaraP@elpasotexas.gov

# 9600 Farrell

Zoning Board of Adjustment — June 15, 2026



**CASE NUMBER:** PZBA26-00022  
**CASE MANAGER:** Pratika Banjara, (915) 212-1644, [BanjaraP@elpasotexas.gov](mailto:BanjaraP@elpasotexas.gov)  
**PROPERTY OWNER:** Victor Rivera and Pedro Cortez  
**REPRESENTATIVE:** Vanessa Duran  
**LOCATION:** 9600 Farrell Rd. (District 7)  
**ZONING:** R-F (Ranch and Farm)  
**REQUEST:** Special Exception K (In Existence Fifteen Years or More)  
**PUBLIC INPUT:** None received as of June 9, 2026

**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 in a R-F (Ranch and Farm) zone district.

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

*For the structure attached to main home to be within the side street setback and other existing accessory structures to be demolished or relocated.*

## PZBA26-00022

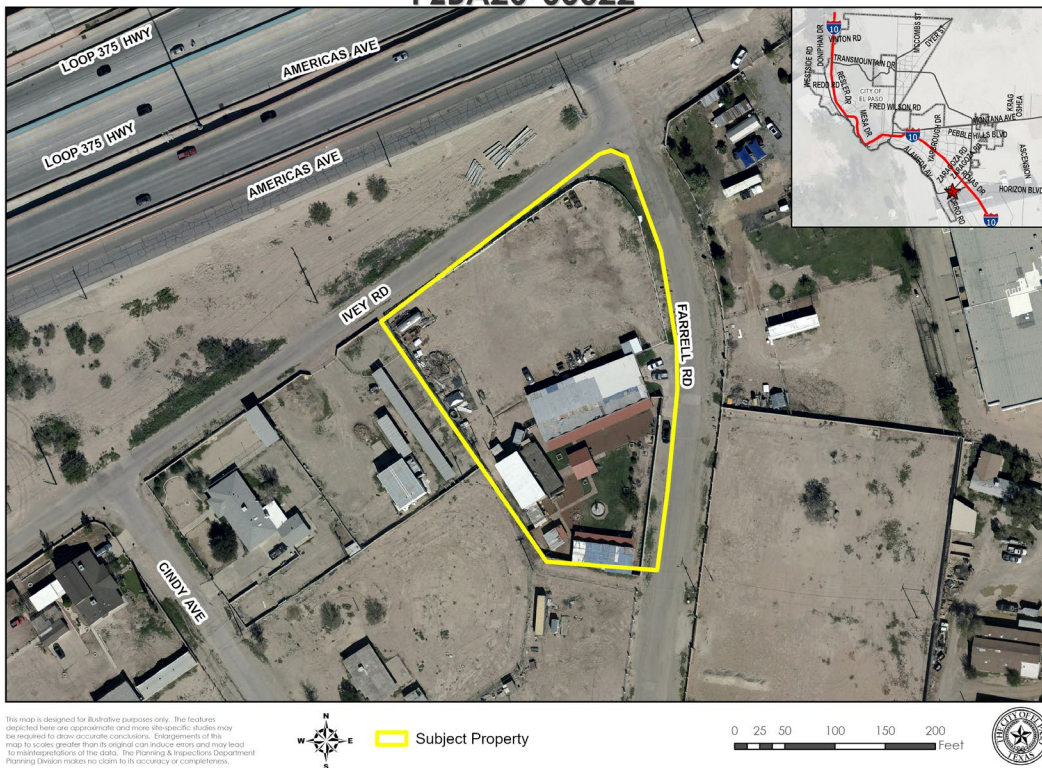


Figure A. Aerial of Subject Property & Immediate Surroundings

**DESCRIPTION OF REQUEST:** The applicant is requesting a special exception to legalize the construction of an existing home which extends 13 feet 7 inches and an area of 612.80 square feet which is encroaching into the required side yard setback.

**BACKGROUND:** The minimum side setback is 20 feet in the R-F (Ranch and Farm) zone district.

The current owner has owned the property since 2023 and the building was constructed in 2003 based on El Paso Central Appraisal District records. The existing encroachment has been in existence approximately for 23 years. Based on 2010 aerial imagery, the property existed back then as it does today, with the home in its current location.

SETBACKS	REQUIRED SETBACK	REQUESTED SETBACK
Front	50 Feet	No Change
Rear	50 Feet	No Change
Cumulative Front & Rear	N/A	N/A
Side	20 Feet	6 Feet 5 Inches
Side Street	25 Feet	No Change
Cumulative Side	N/A	N/A

<b>COMPLIANCE WITH SPECIAL EXCEPTION 2.16.050.K CRITERIA</b>	
The Zoning Board of Adjustment is empowered under Section 2.16.050.K to: <i>Permit the encroachment into the required yard setbacks for structures; provided, however, that the applicant can prove the following conditions:</i>	
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 June 3, 2026 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.

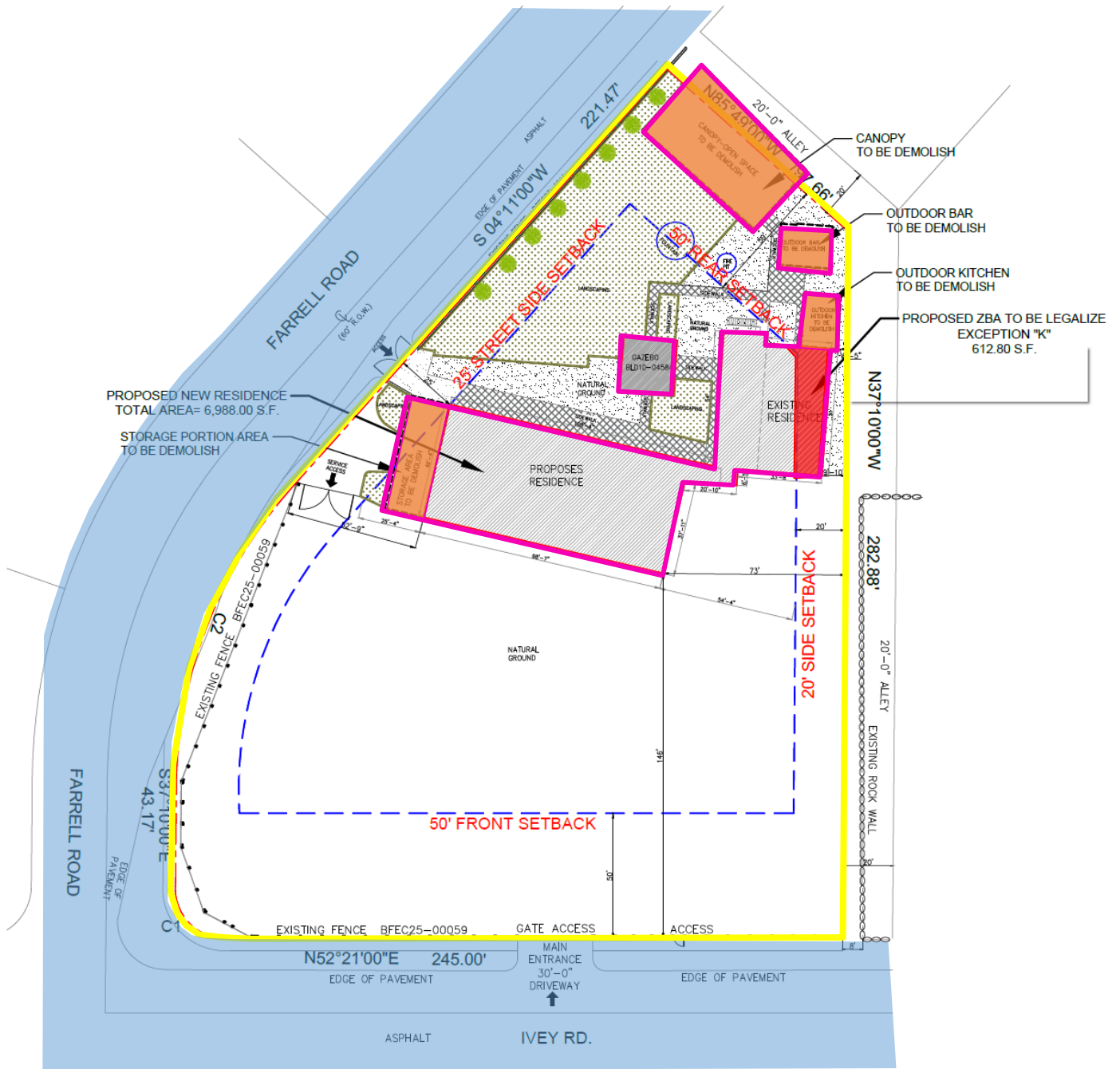
**ZONING BOARD OF ADJUSTMENT OPTIONS:**


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- 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.
- 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)**
- 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.



# SITE PLAN




**1 SITE PLAN**  
 Scale: 1" = 20'

# 2010 AERIAL MAP

## PZBA26-00022



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 Subject Property

0 25 50 100 150 200 Feet





Legislation Text

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File #: BC-2164, Version: 1

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

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**PZBA26-00024:** Lot 10, Block 3, Green Brook Unit One, City of El Paso, El Paso County, El Paso Texas

ADDRESS: 436 Bahia Kino Way

APPLICANT: Jesus L. Jaime

REPRESENTATIVE: Jesus L. Jaime

REQUEST: Special Exception J (Carport Over a Driveway)

DISTRICT: 7

ZIP CODE: 79915

STAFF CONTACT: Jose Beltran, (915) 212-1607,  
BeltranJV@elpasotexas.gov

# 436 Bahia Kino

Zoning Board of Adjustment — June 15, 2026



**CASE NUMBER:** PZBA26-00024  
**CASE MANAGER:** Jose Beltran, (915) 212-1607, [BeltranJV@elpasotexas.gov](mailto:BeltranJV@elpasotexas.gov)  
**PROPERTY OWNER:** Jesus L. Jaime  
**REPRESENTATIVE:** Jesus L. Jaime  
**LOCATION:** 436 Bahia Kino Way (District 3)  
**ZONING:** R-3 (Residential)  
**REQUEST:** Special Exception J (Carport Over a Driveway)  
**PUBLIC INPUT:** None received as of June 9, 2026

**SUMMARY OF REQUEST:** Applicant requests a Special Exception under Section 2.16.050 J (Carport Over a Driveway) to permit a proposed carport over a driveway in an R-3 (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 for a carport.

## PZBA26-00024



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Subject Property

0 25 50 100 150 200 Feet



Figure A. Aerial of Subject Property & Immediate Surroundings

**DESCRIPTION OF REQUEST:** The applicant is requesting a special exception to permit the construction of a proposed carport of approximately 18 feet by 18 feet and an area of 324 square feet, of which 306 square feet will encroach 17 feet into the front yard setback and be located to within 10 feet of the front property line.

**BACKGROUND:** The minimum front setback is 20 feet in the R-3 (Residential) zone district. The required front setback for the subject property is 27 feet to meet the cumulative front and rear setback of 50 feet in the R-3 (Residential) zone district.

Based on El Paso Central Appraisal District records, the existing single-family dwelling was built in 1973. The existing carport, which was built in 2015, will be demolished. In addition, the existing front porch will be modified and be permitted per Section 20.12.040 – Yards, which allows up to 150 square feet of encroachment into the front yard setback.

SETBACKS	REQUIRED SETBACK	REQUESTED SETBACK
Front	27 Feet	10 Feet
Rear	23 Feet	No Change
Cumulative Front & Rear	50 Feet	33 Feet
Side (Right)	5 Feet	No Change
Side (Left)	5 Feet	No Change
Cumulative Side	N/A	N/A

**CALCULATIONS FOR CARPORT:**

	TOTAL	CALCULATION
Maximum Permitted Area of Encroachment	364.8 Square Feet	1/5 of 1824 Sq. Ft. (House 1 <sup>st</sup> floor area)
Requested Area of Encroachment	306 Square Feet	18 Feet by 17 Feet (Encroachment only)

<b>COMPLIANCE WITH SPECIAL EXCEPTION 2.16.050.J CRITERIA</b>	
The Zoning Board of Adjustment is empowered under Section 2.16.050.J to: <i>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:</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 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 proposed carport does 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 proposed carport encroachment of 306 square feet is less than the maximum allowed area of 364.8 square feet.
5. Elevation drawings of the proposed structure shall be submitted;	Yes. Elevation drawings of the proposed 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 June 4, 2026 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

PZBA26-00024



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Subject Property

0 25 50 100 150 200 Feet



# NEIGHBORHOOD NOTIFICATION MAP

PZBA26-00024



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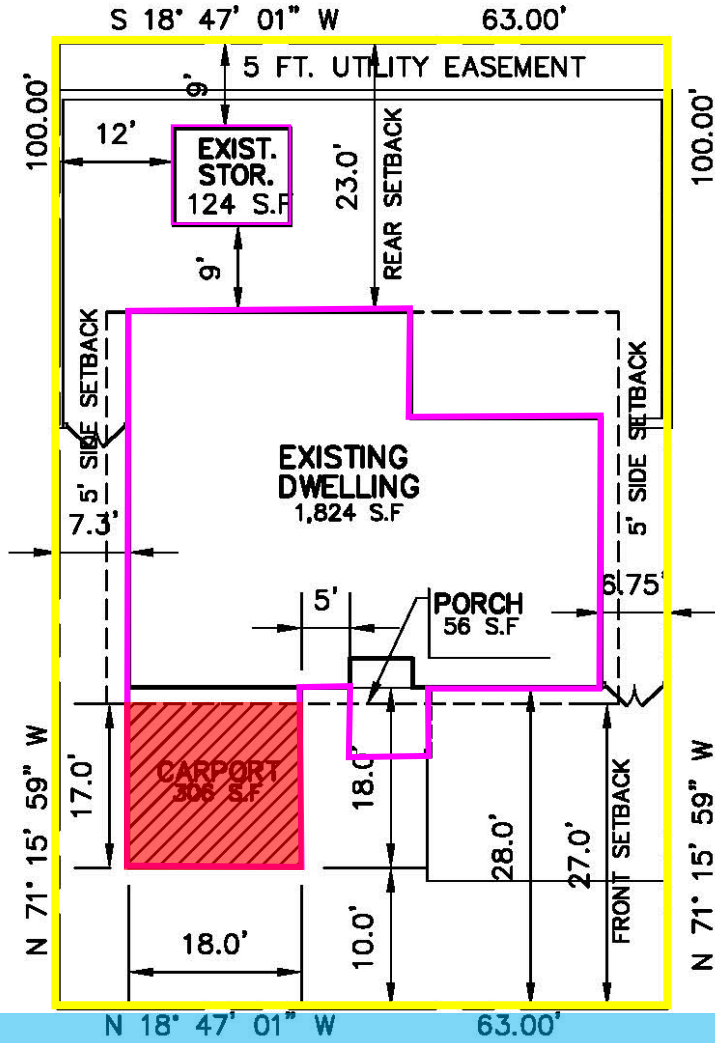


Subject Property  
 300 Feet Notice Area  
 Notified Properties

0 25 50 100 150 200 Feet



**SITE PLAN**



<b>ZONE: R-3</b>
SETBACKS
FRONT: 20'
REAR : 20'
CUMULATIVE: 50'
(FRONT & BACK)
SIDE : 5'
CUMULATIVE: N/A

436 BAHIA KINO WAY

**SITE PLAN**

SCALE: 1" = 20.0"

**LEGAL DESCRIPTION**

LOT 10, BLOCK 3 GREEN BROOK UNIT ONE,  
CITY OF EL PASO , EL PASO COUNTY , TEXAS.

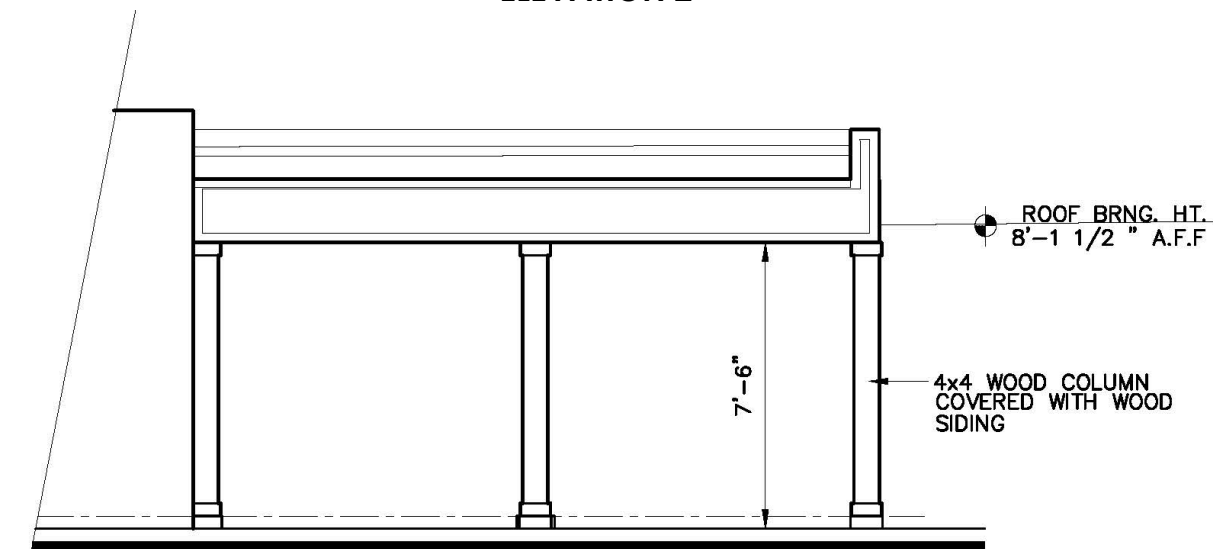
### ELEVATION 1



### FRONT ELEVATION

SCALE: 1/4" = 1' - 0"

### ELEVATION 2



### LEFT SIDE ELEVATION

SCALE: 1/4" = 1' - 0"



Legislation Text

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**File #: BC-2165, Version: 1**

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

**AGENDA LANGUAGE:**

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**PZBA26-00026:** Lot 55, Block 9, Lomas Del Sol Unit 2, City of El Paso, El Paso County, El Paso Texas

**ADDRESS:** 6561 Cabana Del Sol Drive

**APPLICANT:** Carolina Boudreau & Daniel Boudreau

**REPRESENTATIVE:** Carolina Boudreau & Daniel Boudreau

**REQUEST:** Special Exception C (Rear Yard Setback, Single-Family Residence)

**DISTRICT:** 1

**ZIP CODE:** 79911

**STAFF CONTACT:** Jose Beltran, (915) 212-1607,  
BeltranJV@elpasotexas.gov

# 6561 Cabana Del Sol

Zoning Board of Adjustment — June 15, 2026



**CASE NUMBER:** PZBA26-00026  
**CASE MANAGER:** Jose Beltran, (915) 212-1607, [BeltranJV@elpasotexas.gov](mailto:BeltranJV@elpasotexas.gov)  
**PROPERTY OWNER:** Carolina Boudreau and Daniel Boudreau  
**REPRESENTATIVE:** Carolina Boudreau and Daniel Boudreau  
**LOCATION:** 6561 Cabana Del Sol Dr. (District 1)  
**ZONING:** R-3A (Residential)  
**REQUEST:** Special Exception C (Rear Yard Setback, Single-Family Residence)  
**PUBLIC INPUT:** None received as of June 9, 2026

**SUMMARY OF REQUEST:** Applicant requests a Special Exception under Section 2.16.050 C (Rear Yard Setback, Single-Family Residence) to permit a proposed home addition in an R-3A (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.

## PZBA26-00026



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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 permit the construction of a proposed addition, 10 feet of which would extend into the 25-foot rear yard setback, resulting in a total encroachment area of 470 square feet and establishing a new rear yard setback of 15 feet.

**BACKGROUND:** The minimum rear setback is 15 feet in the R-3A (Residential) zone district. The required rear setback for the subject property is 25 feet to meet the cumulative front and rear setback of 45 feet in the R-3A (Residential) zone district.

According to El Paso Central Appraisal District records, the existing single-family dwelling was built in 2007. In addition, there is an existing rear covered patio that is permitted to encroach the rear yard setback per Section 20.12.040 – Yards, which allows 180 square feet of encroachment into the rear yard setback.

SETBACKS	REQUIRED SETBACK	REQUESTED SETBACK
Front	20 feet	No Change
Rear	25 feet	15 feet
Cumulative Front & Rear	45 feet	35 feet
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	1050.69 square feet	70.6' (210.13' average lot width ÷ 3) X 15' (3/5 of 25' required rear yard setback)
Requested Area of Encroachment	470 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 1,050.69 square feet, which is more than the requested area of encroachment of 470 square feet.
3. A minimum ten-foot rear yard setback shall be required;	Yes. The subject property will have a 15-foot 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 June 4, 2026 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.

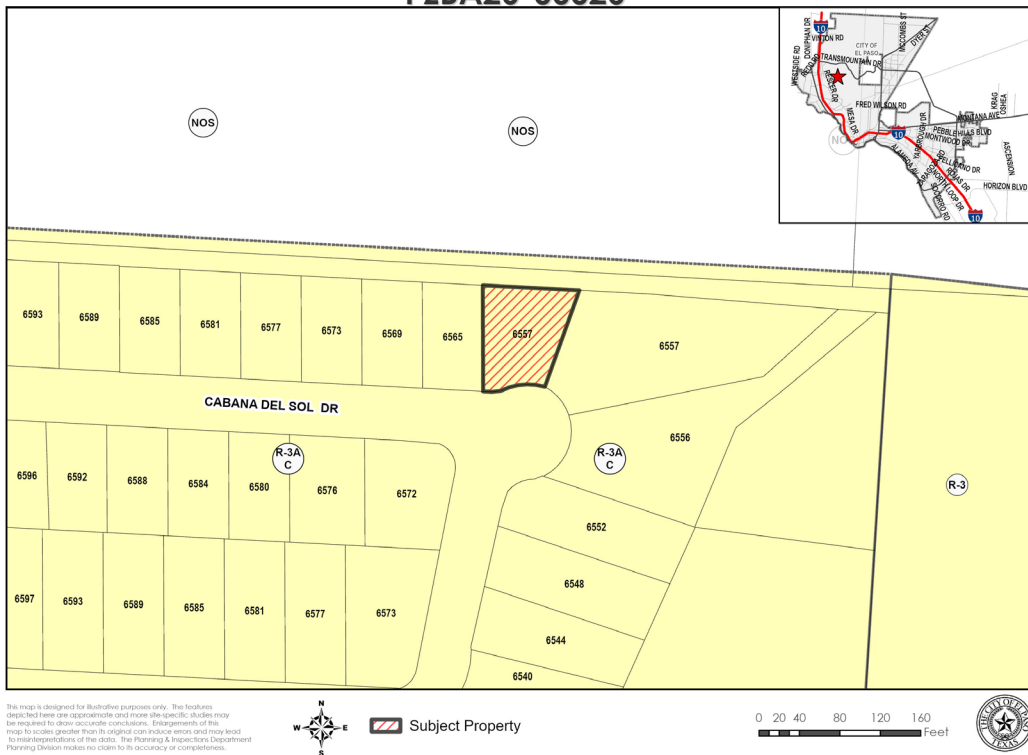
### **ZONING BOARD OF ADJUSTMENT OPTIONS:**

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.

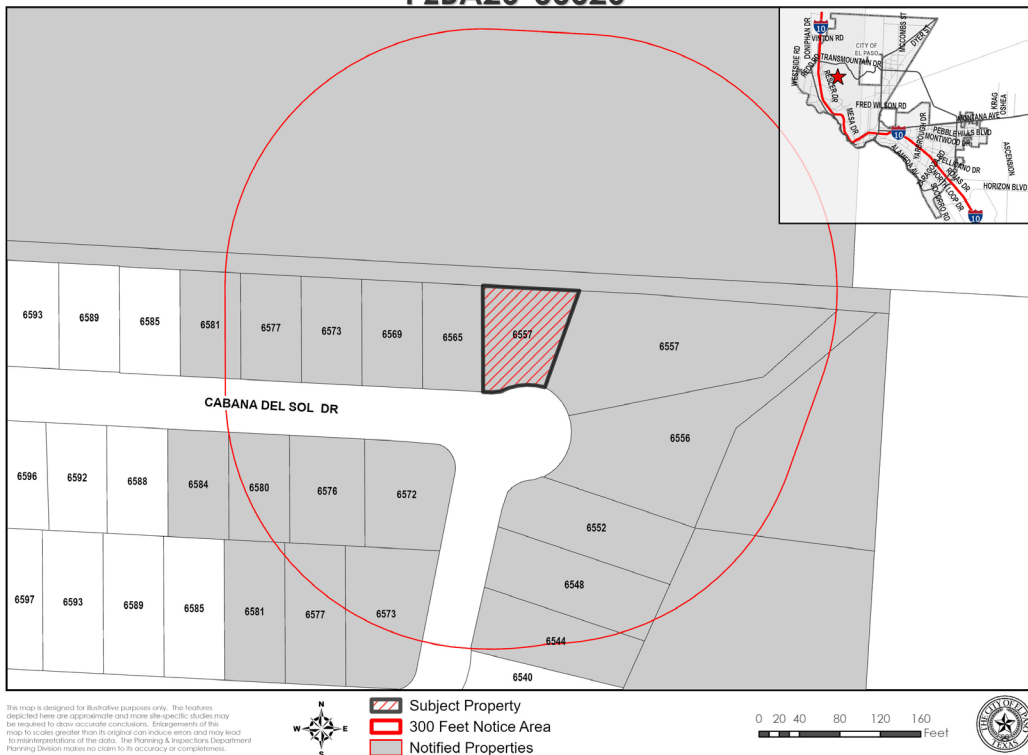
# ZONING MAP

PZBA26-00026

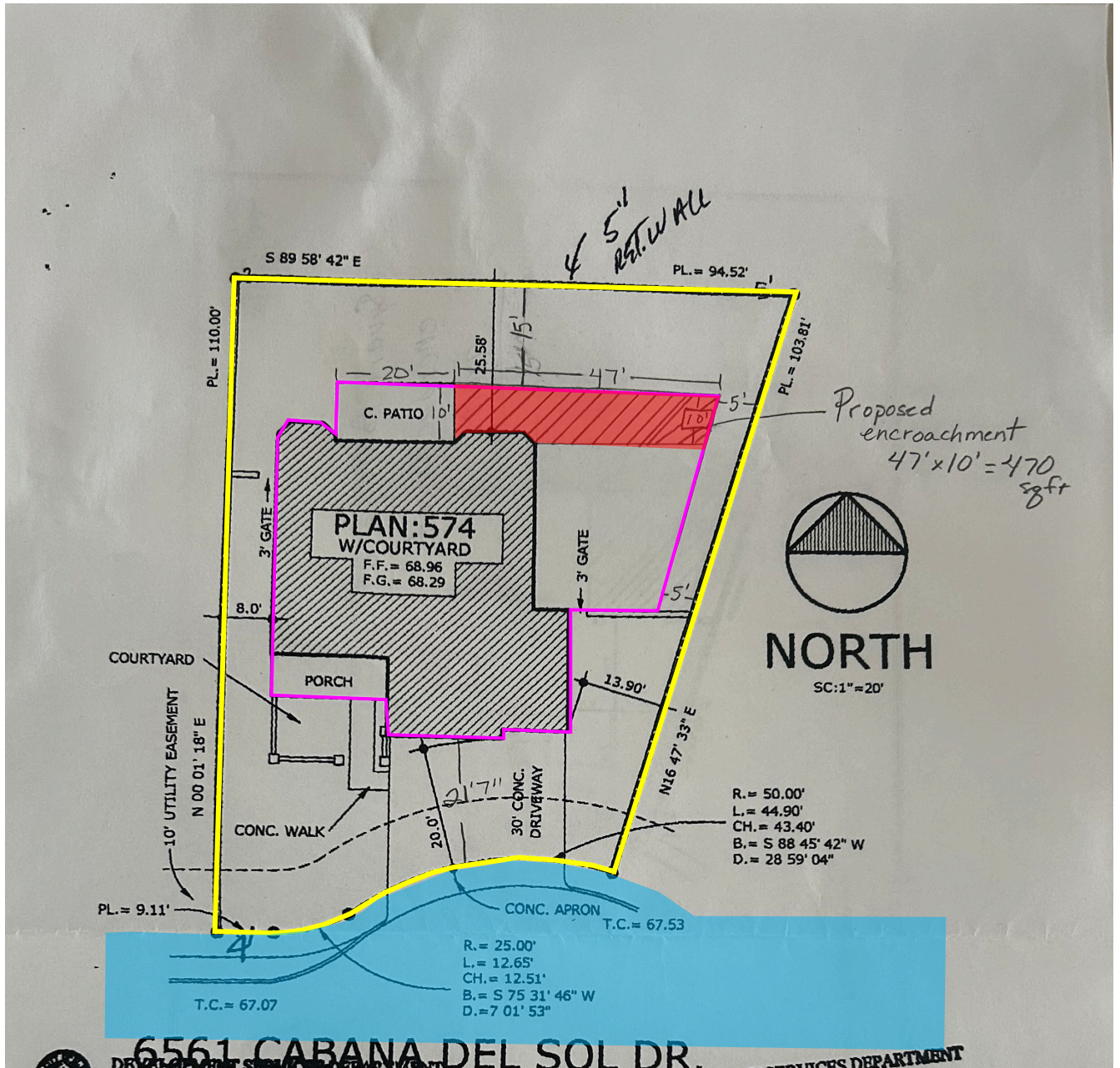


# NEIGHBORHOOD NOTIFICATION MAP

PZBA26-00026



# SITE PLAN





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**File #: BC-2166, Version: 1**

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

**AGENDA LANGUAGE:**

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**PZBA26-00027:** Tract 412, Loma Terrace No. 5A Section Two, City of El Paso, El Paso County, Texas

ADDRESS: 8108 Margaret Lane

APPLICANT: Daniel Banda Ferrales

REPRESENTATIVE: Silvia Banda

REQUEST: Special Exception C (Rear yard setback, single-family residence)

DISTRICT: 7

ZIP CODE: 79907

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

# 8108 Margaret

Zoning Board of Adjustment — June 15, 2026



**CASE NUMBER:** PZBA26-00027  
**CASE MANAGER:** Alejandra González, (915) 212-1506, GonzalezAG@elpasotexas.gov  
**PROPERTY OWNER:** Daniel Banda  
**REPRESENTATIVE:** Silvia Banda  
**LOCATION:** 8108 Margaret Ln. (District 7)  
**ZONING:** R-3 (Residential)  
**REQUEST:** Special Exception C (Rear Yard Setback, Single-Family Residence)  
**PUBLIC INPUT:** None received as of June 9, 2026

**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 in an R-3 (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.

## PZBA26-00027



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Subject Property

0 15 30 60 90 120 Feet



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 home addition, 12 feet 4 inches of which extends into the rear yard setback for a 356.70 square foot area of total encroachment.

**BACKGROUND:** The minimum rear setback is 20 feet in the R-3 (Residential) zone district. The required rear setback for the subject property is 27 feet to meet the cumulative front and rear setback of 50 feet in the R-3 (Residential) zone district. The owner has resided in the property since 2016 and the main building was constructed in 1956 based on El Paso Central Appraisal District records.

On June 9, 2022, this case was presented to and approved by the Zoning Board of Adjustment. However, the ZBA decision was expired twelve (12) months after the approval date, before the necessary building permits could be obtained for the existing construction.

SETBACKS	REQUIRED SETBACK	REQUESTED SETBACK
Front	23 feet	No Change
Rear	27 feet	14 feet 8 inches
Cumulative Front & Rear	50 feet	37 feet 8 inches
Side (Left)	5 feet	No Change
Side (Right)	5 feet	No Change

**CALCULATIONS:**

	TOTAL	CALCULATION
Maximum Permitted Area of Encroachment	372.27 square feet	22.98' (68.94' average lot width ÷ 3) X 16.2' (3/5 of 27' required rear yard setback)
Requested Area of Encroachment	356.70 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 372.27 square feet, which is more than the requested area of encroachment of 356.70 square feet.
3. A minimum ten-foot rear yard setback shall be required;	Yes. The subject property will have a 14 feet 8 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 June 3, 2026 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.

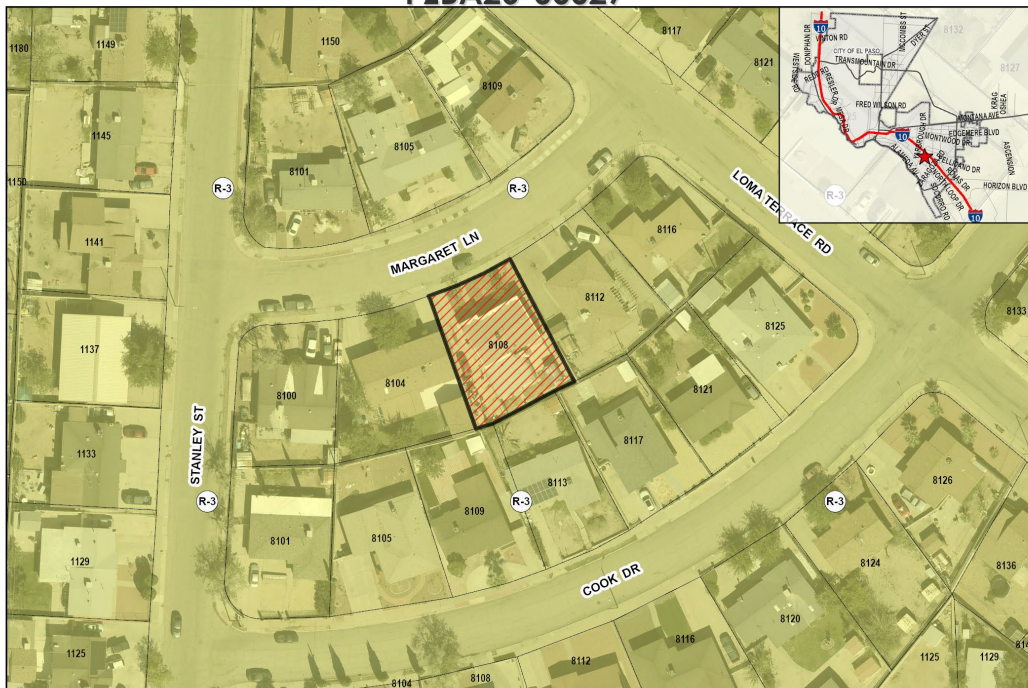
### **ZONING BOARD OF ADJUSTMENT OPTIONS:**

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

PZBA26-00027



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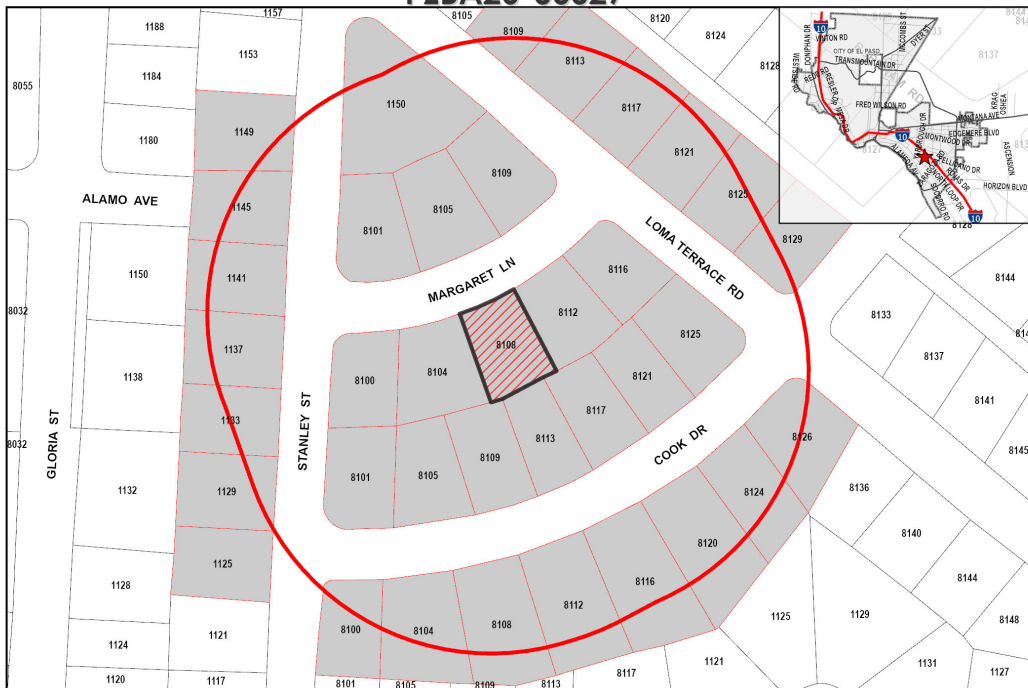
Subject Property

0 15 30 60 90 120 Feet



# NEIGHBORHOOD NOTIFICATION MAP

PZBA26-00027



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Subject Property  
300 Feet Notice Area  
Notified Properties

0 25 50 100 150 200 Feet



# SITE PLAN





Legislation Text

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File #: BC-2167, Version: 1

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

**AGENDA LANGUAGE:**

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**PZBA26-00028:** Lots 39 & 40, Block 109, Austin Terrace Third  
Supplementary Map as Amended of Government Hill  
Addition, City of El Paso, El Paso County, Texas

ADDRESS: 4652 Caples Circle

APPLICANT: Gwendolyn N West & Dorothy G Bailey

REPRESENTATIVE: Gwendolyn N West & Dorothy G Bailey

REQUEST: Special Exception B (Two or More Non-Conforming Lots) and  
K (In Existence Fifteen Years or More)

DISTRICT: 2

ZIP CODE: 79903

STAFF CONTACT: Pratika Banjara, (915) 212-1644,  
BanjaraP@elpasotexas.gov

# 4652 Caples

Zoning Board of Adjustment — June 15, 2026



**CASE NUMBER:** PZBA26-00028  
**CASE MANAGER:** Pratika Banjara, (915) 212-1644, [BanjaraP@elpasotexas.gov](mailto:BanjaraP@elpasotexas.gov)  
**PROPERTY OWNER:** Gwendolyn N West & Dorothy G Bailey  
**REPRESENTATIVE:** Gwendolyn N West & Dorothy G Bailey  
**LOCATION:** 4652 Caples Cir. (District 2)  
**ZONING:** R-4 (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 June 9, 2026

**SUMMARY OF REQUEST:** Applicant requests a Special Exception under Section 2.16.050 B (two or more Nonconforming Lots) and K (In Existence Fifteen Years or More) to legalize home additions in an R-4 (Residential) zone district.

**SUMMARY OF STAFF'S RECOMMENDATION:** Staff recommends **APPROVAL** 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 has been in existence for more than fifteen (15) years.

## PZBA26-00028



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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 legalize an existing addition on the right side of the property that encroaches 5 feet into the required side yard setback, resulting in an encroachment of 54 square feet. Additionally, the applicant is also requesting a special exception to legalize the addition on the left side of the property, which extends 5 feet into the rear setback and 5 feet into the side yard setback, resulting in a total of 335 square feet encroachment.

**BACKGROUND:** The minimum side setback is 5 feet in the R-4 (Residential) zone district. The minimum rear setback is 10 feet but the required rear setback for the subject property is 20 to meet the cumulative front and rear setback of 45 in the R-4 (Residential) zone.

Aerial imagery indicates that homes on the same block have similar encroachments. At 2029 Crescent Circle, the existing residence encroaches approximately 235 square feet into the required side setback. At 4644 Caples Circle, the residence encroaches approximately 100 square feet into the required side setback.

The current owner has owned the property since 2022 and the building was constructed in 1940 based on El Paso Central Appraisal District records. The existing encroachment has been in existence before 1997. Based on 2010 aerial imagery, the property existed back then as it does today, with the left addition in their current location and the addition on the right side of the property was built in the year 2017.

SETBACKS	REQUIRED SETBACK	REQUESTED SETBACK
Front	25 Feet	No Change
Rear	20 Feet	15 feet
Cumulative Front & Rear	45 Feet	40 feet
Side (Left)	5 Feet	0 feet
Side (Right)	5 Feet	0 Feet
Cumulative Side	N/A	N/A

<b>COMPLIANCE WITH SPECIAL EXCEPTION 2.16.050.B CRITERIA</b>	
The Zoning Board of Adjustment is empowered under Section 2.16.050.B to: <i>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:</i>	
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 setback.
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 other properties with single-family dwellings that encroach into their required side setbacks beyond the existing encroachment of the subject property.
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:*

<b>Criteria</b>	<b>Does the Request Comply?</b>
5. 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.
6. 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.
7. 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.
8. 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.
9. 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 June 3, 2026 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.





# NON-CONFORMING LOTS

## PZBA26-00028 | Non-Conforming Lots



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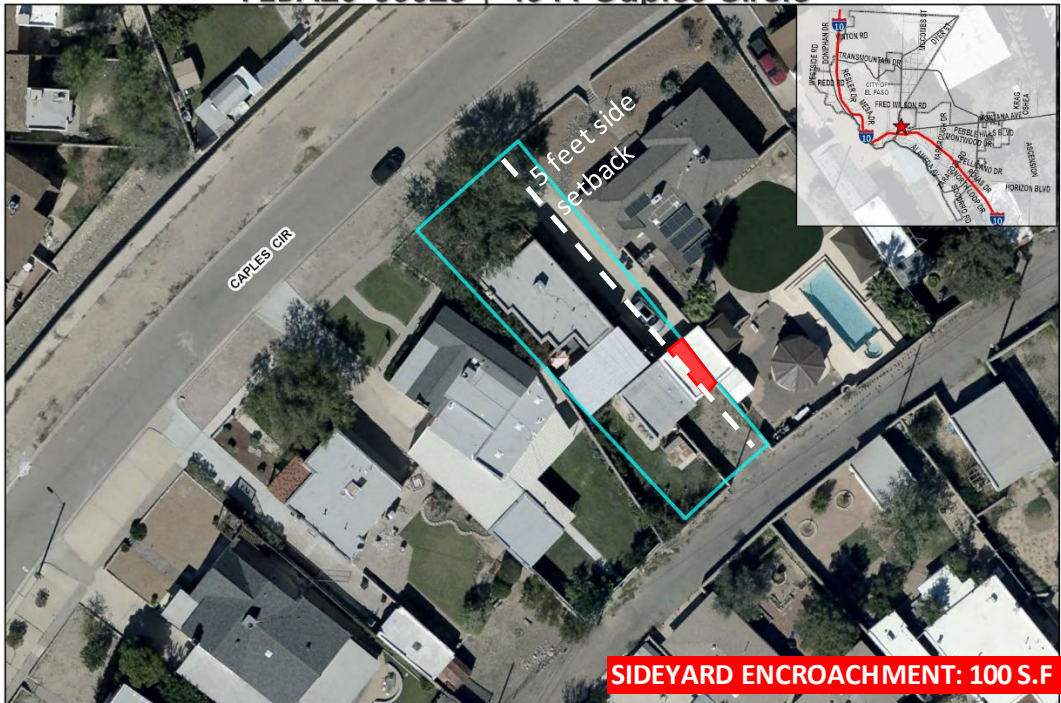
 Subject Property

0 35 70 140 210 280 Feet



# NONCONFORMING LOT 1

PZBA26-00028 | 4644 Caples Circle



**SIDEYARD ENCROACHMENT: 100 S.F**

This map is designed for illustrative purposes only. The features depicted here are approximate and more specific details may be required to draw accurate conclusions. Engagements of this map to scales greater than 1:10,000 may include errors and may lead to misinterpretations of the data. The Planning & Inspections Department Planning Division makes no claim to its accuracy or completeness.



Non-Conforming Lot



# NONCONFORMING LOT 2

PZBA26-00028 | 2029 Crescent Circle

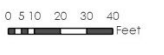


**SIDEYARD ENCROACHMENT: 235 S.F**

This map is designed for illustrative purposes only. The features depicted here are approximate and more specific details may be required to draw accurate conclusions. Engagements of this map to scales greater than 1:10,000 may include errors and may lead to misinterpretations of the data. The Planning & Inspections Department Planning Division makes no claim to its accuracy or completeness.



Non-Conforming Lot



2010 AERIAL

PZBA26-00028



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 Subject Property

0 5 10 20 30 40 Feet





Legislation Text

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**File #:** BC-2168, **Version:** 1

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**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".*

**PZBA26-00029:** Lot 1, Block 2, Esplanada, City of El Paso, El Paso County,  
Texas  
**ADDRESS:** 1000 Esplanada Circle  
**APPLICANT:** Jorge Luis Aguirre  
**REPRESENTATIVE:** Xavier Escobedo  
**REQUEST:** Special Exception J (Carport Over a Driveway)  
**DISTRICT:** 1  
**ZIPCODE:** 79932  
**STAFF CONTACT:** Blanca Perez, (915) 212-1561,  
PerezBM@elpasotexas.gov

# 1000 Esplanada

Zoning Board of Adjustment — June 15, 2026



**CASE NUMBER:** PZBA26-00029  
**CASE MANAGER:** Blanca Perez, (915) 212-1561, [PerezBM@elpasotexas.gov](mailto:PerezBM@elpasotexas.gov)  
**PROPERTY OWNER:** Jorge Luis Aguirre  
**REPRESENTATIVE:** Xavier Escobedo  
**LOCATION:** 1000 Esplanada Cir. (District 1)  
**ZONING:** R-2 (Residential)  
**REQUEST:** Special Exception J (Carport Over a Driveway)  
**PUBLIC INPUT:** None received as of June 9, 2026

**SUMMARY OF REQUEST:** Applicant requests a Special Exception under Section 2.16.050 J (Carport Over a Driveway) to allow to legalize an existing carport over a driveway in an R-2 (Residential) zone district.

**SUMMARY OF STAFF'S RECOMMENDATION:** Staff recommends **DENIAL** of the special exception request as the requested area of encroachment is greater than the maximum permitted for a carport and does not match the residential character of the neighborhood.

## PZBA26-00029



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 of approximately 26 feet 1 inch by 30 feet 5 inches and an area of 793.4 square feet, of which 793.4 square feet encroaches 35 feet into the front yard setback and is located to within 8 feet 11 inches of the front property line.

**BACKGROUND:** The minimum front yard setback is 25 feet in the R-2 (Residential) zone district. The required front yard setback for the subject property is 35 feet to meet the cumulative front and rear yard setback of 60 feet in the R-2 (Residential) zone district.

The carport encroachment was identified during the review of a building permit application for interior improvements submitted in 2026. Staff found that an existing carport, constructed in 2024 without permits, encroaches into the 35-foot front yard setback established by the recorded Esplanada Subdivision Plat. An existing garage was also found to encroach into the 15-foot side street yard setback. Because these setbacks were established on the subdivision plat, they cannot be modified through the Zoning Board of Adjustment (ZBA); a replat would be required to remove or amend them. While the zoning ordinance requires a minimum 25-foot front yard setback, the property remains subject to the 35-foot platted setback. Additionally, no other homes within the subdivision appear to have front yard setbacks less than 35 feet, indicating that the proposal is not consistent with the established development pattern of the neighborhood.

SETBACKS	REQUIRED SETBACK	REQUESTED SETBACK
Front	*35 Feet	8 Feet 11 Inches
Rear	25 Feet	No Change
Cumulative Front & Rear	60 Feet	33 Feet 11 Inches
Side	8 Feet	No Change
Side Street	**15 Feet	No Change
Cumulative Side	20 Feet	No Change

\*Front yard setback established by Esplanada Subdivision Plat

\*\*Accessory structure shall comply with side street yard setback established by Esplanada Subdivision Plat

**CALCULATIONS FOR CARPORT:**

	TOTAL	CALCULATION
Maximum Permitted Area of Encroachment	716.2 Square Feet	1/5 of 3,581 Sq. Ft. (House 1 <sup>st</sup> floor area)
Requested Area of Encroachment	793.4 Square Feet	26 Feet 1 Inch by 30 Feet 5 Inches (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 does 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	No. The existing carport encroachment of 793.4 square feet is greater than the maximum allowed area of 716.2 square feet.

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;	
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 yard 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 June 5, 2026 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.

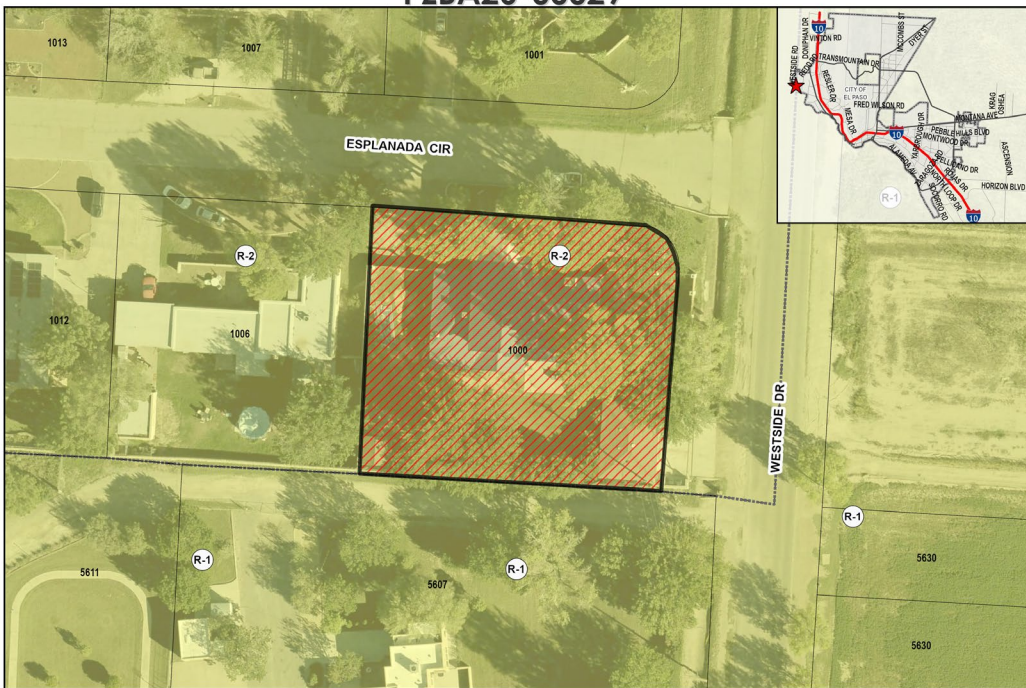
**ZONING BOARD OF ADJUSTMENT OPTIONS:**

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.
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. **(Staff Recommendation)**

# ZONING MAP

PZBA26-00029



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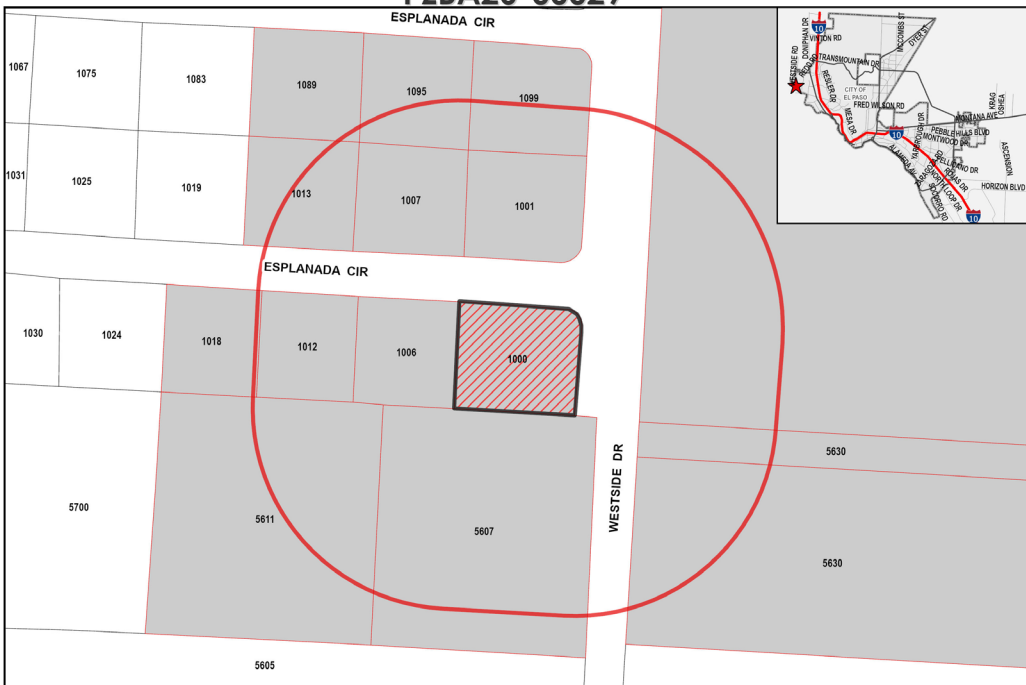
Subject Property

0 12.5 25 50 75 100 Feet



# NEIGHBORHOOD NOTIFICATION MAP

PZBA26-00029



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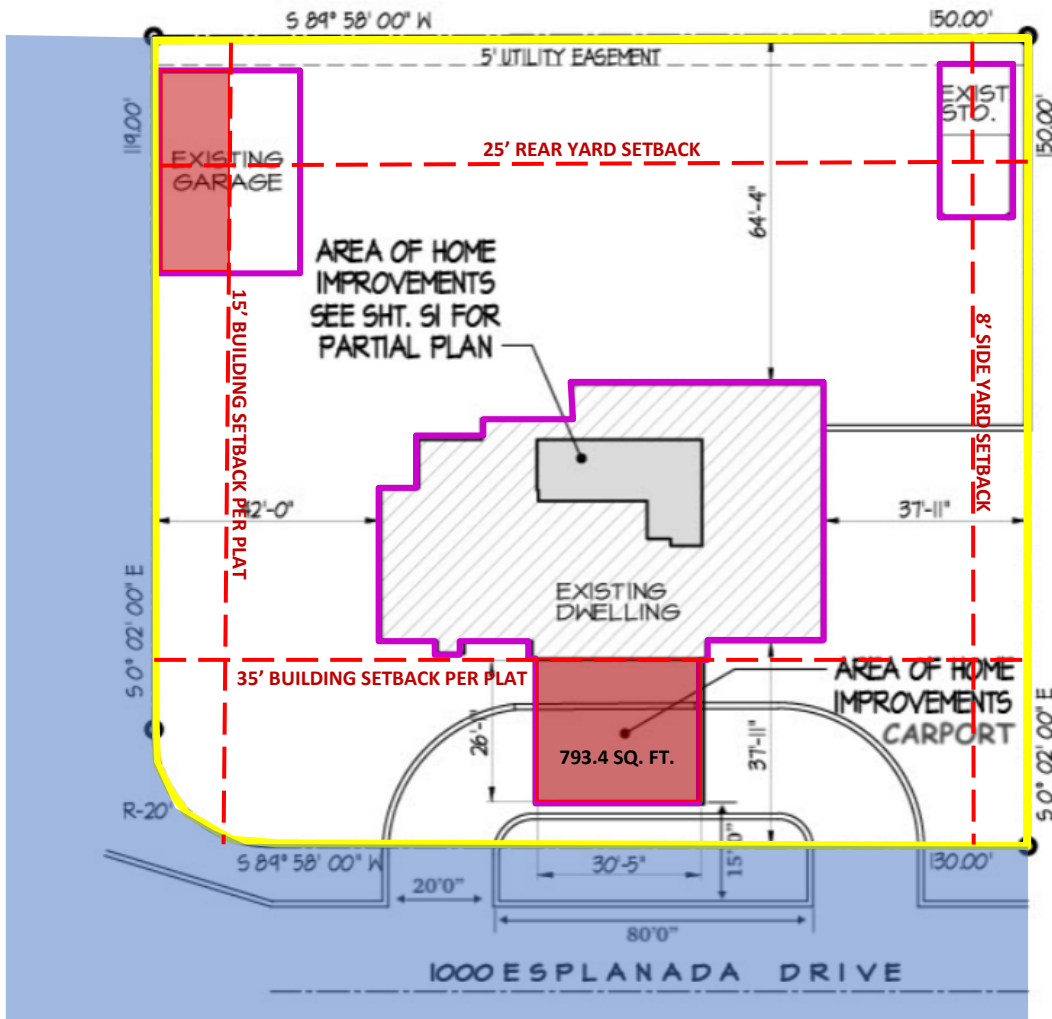


Subject Property  
 300 Feet Notice Area  
 Notified Properties

0 30 60 120 180 240 Feet



# SITE PLAN



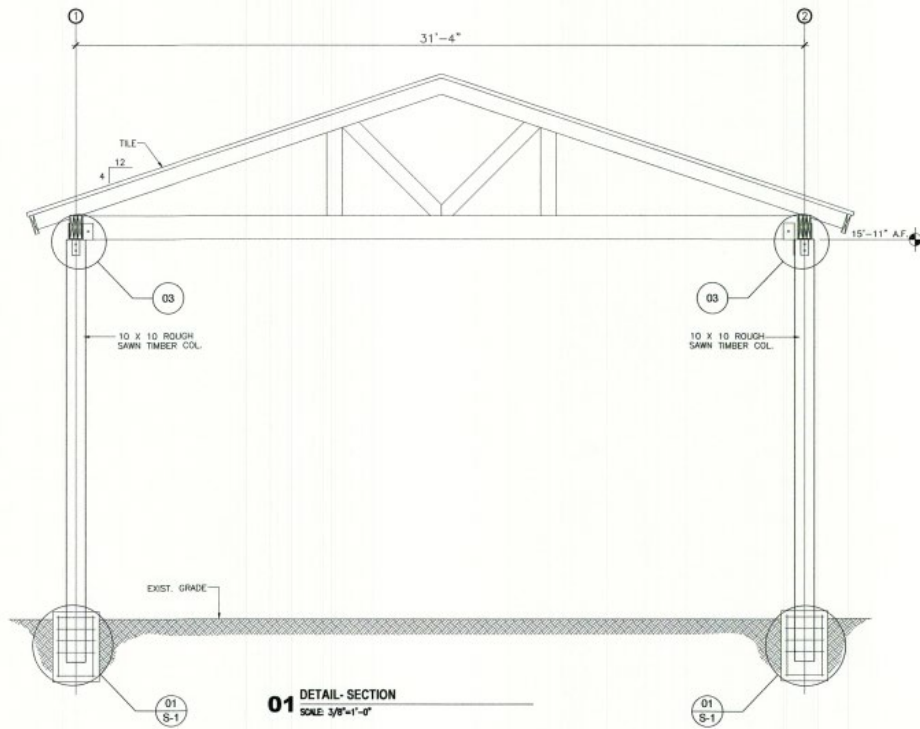
## SITE PLAN

SCALE: 1" = 30'

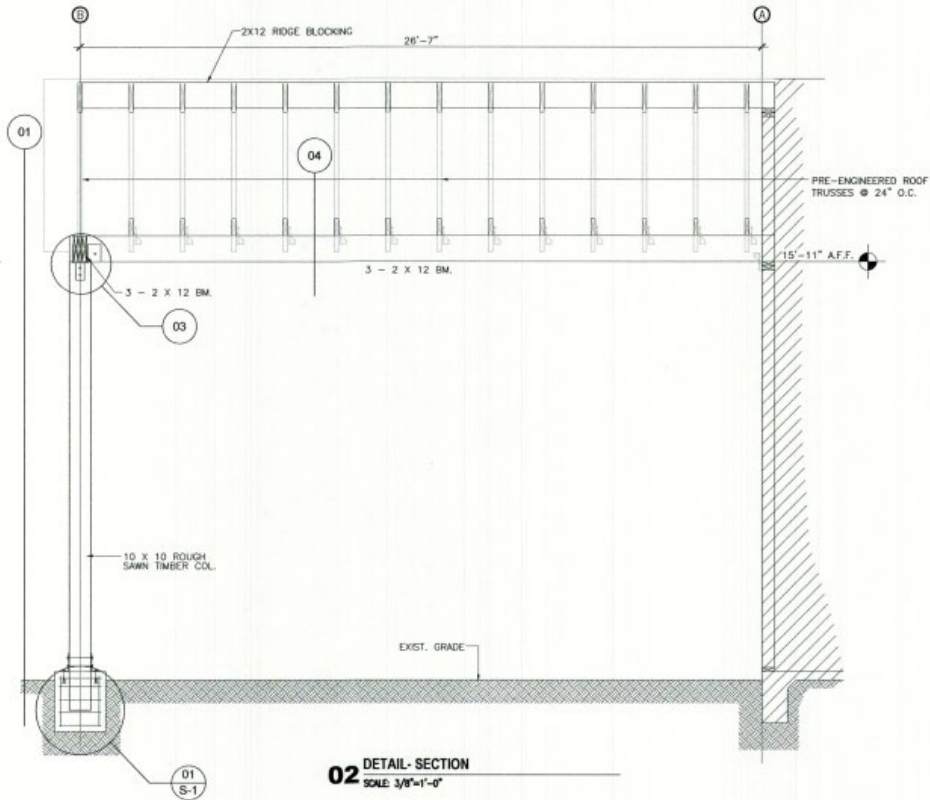
### LEGAL DESCRIPTION

1000 ESPLANADA DRIVE  
 LOT 1, BLOCK 2 ESPLANADA  
 EL PASO COUNTY, TEXAS.

# ELEVATION 1



# ELEVATION 2





El Paso, TX

300 N. Campbell  
El Paso, TX

Legislation Text

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**File #:** BC-2169, **Version:** 1

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**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.*

Approval of Minutes: May 04, 2026



**ZONING BOARD OF ADJUSTMENT MEETING**  
**Thorman Conference Room, 801 Texas Ave., Basement**  
**May 04 2026**  
**1:30 P.M.**

**MINUTES**

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

The meeting was called to order at 1:33 p.m. Chairman Justin Bass present and presiding and the following Board Members and City Staff answered roll call.

**BOARD MEMBERS PRESENT:**

Justin Bass (Chair)  
 Martha Isabel Aguayo (Vice-Chairwoman)  
 Sairy Cohen – arrived at 1:35 p.m.  
 Matthew Ibarra  
 Gloria Franco Clark  
 Christine Loveridge  
 Elizabeth Thurmond-Bengtson  
 Fabian Uribe

**BOARD MEMBERS ABSENT:**

Heidi Avedician  
 Al Jurado Jr. (Alt.)

**CITY STAFF INTRODUCTIONS**

Luis Zamora, Chief Planner  
 Russell Abeln, Senior Assistant City Attorney, City Attorney's Office  
 Andrew Salloum, Senior Planner  
 Saul Pina, Senior Planner  
 Jose Beltran, Planner  
 Blanca Perez, Planner  
 Alejandra Gonzalez, Planner  
 Venessa Rangel, Senior Plans Examiner

**AGENDA**

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

Chairman Bass 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 the following changes:  
 No changes

.....  
**PUBLIC HEARING  
REGULAR AGENDA:**

**1. PZBA25-00058:** A portion of Lot 1, Block 1, El Paso West, City of El Paso, El Paso County, Texas  
ADDRESS: 7850 Paseo Del Norte Blvd.  
APPLICANT: Amazon.com Services LLC  
REPRESENTATIVE: VTRE Development, LLC.  
REQUEST: Variance from City Code Section 20.18.450.A (Additional on-premises signs)  
DISTRICT: 1  
ZIP CODE: 79912  
STAFF CONTACT: Andrew Salloum, (915) 212-1603, SalloumAM@elpasotexas.gov

Andrew Salloum, Senior Planner, made a presentation to the Board. Public notices were mailed to property owners within 300 feet of subject property on January 16 and 30, February 13, and April 9, 2026. Planning Division has not received any communications in support or opposition to the request. Staff recommends approval with a condition of the Variance request to permit a total of 6 monument signs per premise. The condition is as follows:

- That no more than two (2) monument signs per frontage be permitted.

Staff also recommends denial of the Variance request to permit a total of 3 monument signs along Northwestern Drive.

Collins Corbett, representative attended via TEAMS and answered questions from the board.

**PUBLIC = None**

**ACTION:** Motion made by Board Member Ibarra **TO APPROVE ITEM WITH CONDITION TO PERMIT SIX (6) MONUMENT SIGNS ON THE PREMISES AND THAT NO MORE THAN TWO (2) FRONTAGE SIGNS BE PERMITTED**, seconded by Board Member Aguayo.

AYES: Elizabeth Thurmond-Bengtson, Christine Loveridge, Matthew Ibarra, Gloria Clark, Martha Aguayo, Sairy Cohen

NAYS: Justin Bass, Fabian Uribe,

ABSTAIN: N/A

ABSENT: Heidi Avedician, Al Jurado Jr.

NOT PRESENT FOR THE VOTE: N/A

Motion Failed due to 7 AYES needed to pass.

**ACTION:** Motion made by Board Member Bass **TO APPROVE ITEM PER STAFF RECOMMENDATION**, seconded by Board Member Aguayo and unanimously carried.

Motion Passed.  
.....

**2. PZBA26-00011:** Lot #1, Block 36, North Hills Unit 13, City of El Paso, El Paso County, Texas

ADDRESS: 4565 Loma Linda Circle  
 APPLICANT: Hugo & Sylvia Magallanes  
 REPRESENTATIVE: Lorena Armenta  
 REQUEST: Special Exception F (Side Street Yard Setback)  
 DISTRICT: 4  
 ZIP CODE: 79934  
 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 of subject property on April 23, 2026. Planning Division has not received any communications in support or opposition to the request. Staff recommends approval with a condition of the exception request. The condition is as follows:

- That the porch be modified to meet the required 5-foot setback from the roof line.

Sylvia Magallanes and Hugo Magallanes, property owners attended and answered questions from the board.

**PUBLIC = None**

**ACTION:** Motion made by Board Member Ibarra **TO APPROVE STAFF RECOMMENDATION WITHOUT CONDITIONS AND TO LEGALIZE THE PORCH WITHOUT HAVING TO MAKE MODIFICATIONS**, seconded by Board Member Cohen.

Luis Zamora, Planning and Inspection, noted that the board may not override the Special Exception F criteria.

Board member Ibarra withdrew motion.

**ACTION:** Motion made by Board Member Loveridge **TO APPROVE STAFF RECOMMENDATION**, seconded by Board Member Aguayo and unanimously carried.

Motion Passed.

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**3. PZBA26-00013:** Lot 17, Block 21, Ventanas Subdivision Unit Three Replat A, City of El Paso, El Paso County, Texas  
 ADDRESS: 3160 Green Harvest Dr  
 APPLICANT: Jessica P. Sandoval & Jose M.P. Chavez  
 REPRESENTATIVE: Jessica P. Sandoval & Jose M.P. Chavez  
 REQUEST: Special Exception C (Rear Yard Setback, Single-Family Residence)  
 DISTRICT: 5  
 ZIP CODE: 79938  
 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 of subject property on April 24, 2026. Planning Division has not received any communications in support or opposition to the request. Staff recommends approval of the exception request.

Oscar Estrada, representative for property owner and agreed with staff recommendation.

**PUBLIC = None**

**ACTION:** Motion made by Board Member Aguayo **TO APPROVE ITEM PZBA26-00013 PER STAFF RECOMMENDATIONS**, seconded by Board Member Clark and unanimously carried.

Motion Passed.

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**4. PZBA26-00014**                      Lot 13, Block 30, Coronado County Club Foothills,  
City of El Paso, El Paso County, Texas  
ADDRESS:                              305 Sundown Place  
APPLICANT:                            Kenneth E. Helms Jr. & Silvia Portillo-Koch & Daniel Koch  
REPRESENTATIVE:                    Marco A. Rochel-Siller  
REQUEST:                              Special Exception C (Rear Yard Setback, Single- Family  
Residence)  
DISTRICT:                              8  
ZIP CODE:                              79912  
STAFF CONTACT:                      Pratika Banjara, (915) 212-1644, BanjaraP@elpasotexas.gov

Saul Pina, Senior Planner, made a presentation to the Board on behalf of Pratika Banjara. Public notices were mailed to property owners within 300 feet of subject property on April 23, 2026. Planning Division received one email in opposition to the request. Staff recommends approval of the exception request.

Marco A. Rochel-Siller, representative for property owner attended and agreed with staff recommendation.

**PUBLIC = None**

**ACTION:** Motion made by Board Member Clark **TO APPROVE ITEM PZBA26-00014 PER STAFF'S RECOMMENDATION**, seconded by Board Member Uribe and unanimously carried.

Motion Passed.

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**5. PZBA26-00018:**                      Lots 35 and 36, Block 35, Kern Place Addition, City of El Paso,  
El Paso County, El Paso, Texas  
ADDRESS:                              918 Galloway Dr.  
APPLICANT:                            Luis M. Fernandez  
REPRESENTATIVE:                    Martina Lorey, Architect  
REQUEST:                              Special Exception B (Two or More Nonconforming Lots)  
DISTRICT:                              8  
ZIP CODE:                              79902  
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 of subject property on April 24, 2026. Planning Division has not received any communications in support or opposition to the request. Staff recommends approval of the exception request.

Martina Lorey, representative for property owner attended and agreed with staff

recommendation.

**PUBLIC = None**

**ACTION:** Motion made by Board Member Aguayo **TO APPROVE ITEM PZBA26-00018 PER STAFF RECOMMENDATION**, seconded by Board Member Uribe and unanimously carried.

Motion Passed.  
.....

**10. Approval of Minutes: April 20, 2026**

**ACTION:** Motion made by Board Member Loveridge, seconded by Board Member Ibarra **TO APPROVE MINUTES FOR April 20, 2026** and unanimously carried.

Motion Passed.  
.....

**11. Adjournment**

**ACTION:** Motion made by Board Member Aguayo **TO ADJOURN ZONING BOARD OF ADJUSTMENT MEETING**, seconded by Board Member Cohen and unanimously carried.

Motion Passed.

Chairman Bass adjourned the meeting at 2:58 p.m.  
.....

**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
- .....

Approved as to form:




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Luis Zamora, Zoning Board of Adjustments Executive Secretary

