



**ZONING BOARD OF ADJUSTMENT MEETING**  
**2<sup>nd</sup> Floor, Main Conference Room**  
**July 22, 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 1:37 p.m. by Luis Zamora, Chief Planner with the following Board Members and City Staff present.

**BOARD MEMBERS PRESENT:**

Heidi Avedician  
Alexis Alvarez  
Janet Fortune  
Gloria Franco Clark  
Audrey Gutierrez  
Christine Loveridge  
Elizabeth Thurmond-Bengtson

**BOARD MEMBERS ABSENT:**

Justin Bass (Chair)  
Martha Isabel Aguayo (Vice-Chairwoman)  
Fabian Uribe

**CITY STAFF INTRODUCTIONS**

Daniel Chavira, Building & Permitting Development Program Manager  
Leonardo Flores, Chief Building Officer  
Luis Zamora, Chief Planner  
Jesus Quintanilla, Assistant City Attorney 1, City Attorney's Office  
Andrew Salloum, Senior Planner  
Jose Beltran, Planner  
Myrna Aguilar, Planner

Luis Zamora advised the Board that there currently was not a Chair available to run meeting and needed a nomination and action made by Board.

**ACTION:** Motion made by Gloria Clark, seconded by Alexis Alvarez **TO APPOINT JANET FORTUNE AS CHAIR, TEMPORARILY FOR THIS MEETING, JULY 22, 2024** and unanimously carried.

Motion Passed.

**AGENDA**

Myrna Aguilar, Planner read the opening statement into the record.

Chairwoman Fortune 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.”*

Chairwoman Fortune asked if there were any changes on the agenda.

Luis Zamora, Chief Planner, noted Item 13 **PZBA24-00055** will be deleted.

**ACTION:** Motion made by Alvarez, seconded by Gutierrez **TO ACCEPT CHANGES TO THE AGENDA** and unanimously carried.

Motion Passed.

AYES: Avedician, Alvarez, Clark, Fortune, Gutierrez, Thurmond-Bengtson, Loveridge

NAYS: N/A

ABSTAIN: N/A

ABSENT: Bass, Aguayo, Uribe

NOT PRESENT FOR THE VOTE: N/A

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

- 1. **PZBA24-00010**                      Lot 29, Block 24, East Gate Subdivision Unit 2, City of El Paso, El Paso County, Texas.  
     ADDRESS:                        1747 Onizuka Dr.  
     APPLICANT:                      Lorenzo and Magdalena Maldonado  
     REPRESENTATIVE:              Lorenzo and Magdalena Maldonado  
     REQUEST:                        Special Exception B (Two or More Nonconforming Lots)  
     DISTRICT:                        6  
     ZIPCODE:                         79936  
     STAFF CONTACT:                JC Naranjo, 915-212-1604, [NaranjoJC@elpasotexas.gov](mailto:NaranjoJC@elpasotexas.gov)

Andrew Salloum, Senior Planner, filling in for Juan Naranjo made a presentation to the Board through James Garcia, American Sign Language interpreter. Public notices were mailed to property owners within 300 feet on July 10, 2024. The Planning Division has not received any communications in support or opposition to the request. Planning Staff recommends approval with condition of the special exception request as the requested encroachments are less than the encroachments and to the set back already present at least on two other in neighboring area

Lorenzo and Magdalena Maldonado appeared for questions.

**PUBLIC:**

Joe Gomez, architectural designer suggested 5’ removal of shed so easement can stay in place.

**ACTION:** Motion made by Audrey Gutierrez, seconded by Heidi Avedician **TO APPROVE ITEM PZBA24-00010 WITH CONDITIONS RECOMMENDED BY STAFF** and unanimously carried.

Motion Passed.

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- 2. **PZBA24-00019:**                      Lot 5, Block 5, Terry Allen, City of El Paso, El Paso County, Texas  
     ADDRESS:                        5107 Raymond Jays Rd.  
     APPLICANT:                      Jerry L. Swoveland  
     REPRESENTATIVE:              Jerry L. Swoveland  
     REQUEST:                        Special Exception B (Two or More Nonconforming Lots)

DISTRICT: 3  
ZIPCODE: 79903  
STAFF CONTACT: Juan C. Naranjo, (915) 212-1604, [NaranjoJC@elpasotexas.gov](mailto:NaranjoJC@elpasotexas.gov)

Andrew Salloum, Senior Planner, filling in for Juan Naranjo made a presentation to the Board through Martha Macias, American Sign Language interpreter. Public notices were mailed to property owners within 300 feet on July 10, 2024. The Planning Division has not received any communications in support or opposition to the request. Planning Staff recommends approval with condition of the special exception request.

The condition is as follows:

- 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.

Jerry Swoveland appeared to answer questions.

**Public:** Ray Alba - opposed

**ACTION:** Motion by Gloria Clark, seconded by Alexis Alvarez **TO APPROVE ITEM PZBA24-00019 WITH STAFF RECOMMENDATIONS** and unanimously approved.

Motion Passed.

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**3. PZBA24-00026:** Lot 21, Block 74, Vista Hills Unit Twenty-three, an Addition to the City of El Paso, El Paso County, Texas  
ADDRESS: 11680 Spencer Dr.  
APPLICANT: Daniel Gonzalez  
REPRESENTATIVE: Daniel Gonzalez  
REQUEST: Special Exception B (Two or More Nonconforming Lots)  
DISTRICT: 6  
ZIP CODE: 79936  
STAFF CONTACT: Juan C. Naranjo, (915) 212-1604, [NaranjoJC@elpasotexas.gov](mailto:NaranjoJC@elpasotexas.gov)

Luis Zamora, Chief Planner, filling in for Juan Naranjo made a presentation to the Board. Public notices were mailed to property owners within 300 feet on July 9, 2024. The Planning Division has not received any communications in support nor opposition to the request. Staff recommends approval with conditions of the exception request.

The condition is as follows:

- That the carport structure shall be modified to meet the required side setback.

Applicant not available for comment.

**Public:** None

**ACTION:** Motion made by Christine Loveridge, seconded by Gloria Clark **TO APPROVE ITEM PZBA24-00026 WITH STAFF CONDITIONS** and unanimously approved.

Motion Passed.

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4. **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](mailto:ZamoraLF@elpasotexas.gov)

**Public Comment:** None

Thurmond-Bengston - abstained

Jesus Quintanilla, Assistant City Attorney, noted that since there was one Board member abstaining from this item and only six Board members available of which seven are required, this item would need to be postponed to next meeting.

**NO ACTION TAKEN.**

5. **PZBA24-00041:** Lot 3, Block 18, Newport Estates No. 3, City of El Paso, El Paso County, Texas  
 ADDRESS: 11229 Sandcastle Court  
 APPLICANT: Ruben Carrasco and Delia D. Carrasco  
 REPRESENTATIVE: Omar Verduzco, Superior Roofing Construction  
 REQUEST: Special Exception B (Two or More Nonconforming Lots)  
 DISTRICT: 6  
 ZIPCODE: 79936  
 STAFF CONTACT: Jose Beltran, (915) 212-1607, [BeltranJV@elpasotexas.gov](mailto:BeltranJV@elpasotexas.gov)

Jose Beltran, Planner, made a presentation to the Board. Public notices were mailed to property owners within 300 feet on July 10, 2024. The Planning Division has received six (6) letters via email in support of the request from property owners within 300 feet. Staff recommends Approval with Conditions of the exception request.

1. Storage shed shall be removed or relocated from the 5-foot utility easement.
2. The gazebo shall be relocated 5 feet away from the main building as demonstrated on the site plan.
3. That the encroachment of the carport be no more than 20' in depth.

Jose Beltran answered questions from the Board.

Delia and Ruben Carrasco appeared for questions.

**Public Comment:** None

**ACTION:** Motion made by Alexis Alvarez, seconded by Heidi Avedician **TO APPROVE ITEM PZBA24-00041 WITH STAFF CONDITIONS** and unanimously carried.

Motion Passed.

6. **PZBA24-00043:** Lot 41, Block 76, Vista Hills Unit Twenty-Three, an Addition to the City of El Paso, El Paso County, Texas

ADDRESS: 11613 Kristy Weaver Dr.  
APPLICANT: German Armenta and Sylvia Armenta  
REPRESENTATIVE: Ray Mancera  
REQUEST: Special Exception B (Two or More Nonconforming Lots)  
DISTRICT: 6  
ZIPCODE: 79936  
STAFF CONTACT: Juan C. Naranjo, (915) 212-1604, [NaranjoJC@elpasotexas.gov](mailto:NaranjoJC@elpasotexas.gov)

Myrna Aguilar, Planner, filling in for Juan Naranjo made a presentation to the Board. Public notices were mailed to property owners within 300 feet on July 10, 2024. The Planning Division has not received any communications in support or opposition to the request. Staff recommends approval of the exception request.

Ray Mancera, representative for applicant agrees with all staff comments.

**Public:** Charles Hamilton - opposed  
Mrs. Hamilton - opposed

**ACTION:** Motion made by Alexis Alvarez, seconded by Christine Loveridge **TO APPROVE ITEM PZBA24-00043** and unanimously carried.

Motion Passed.

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7. **PZBA24-00045:** Lot 11, Block A, Eastridget, City of El Paso, El Paso County, Texas  
ADDRESS: 9780 Eastridge Dr.  
APPLICANT: Dora Medina  
REPRESENTATIVE: Joe Gomez/Dora Medina  
REQUEST: Special Exception B (Two or More Nonconforming Lots)  
DISTRICT: 7  
ZIPCODE: 79925  
STAFF CONTACT: Myrna Aguilar, (915) 212-1584, [AguilarMP@elpasotexas.gov](mailto:AguilarMP@elpasotexas.gov)

Myrna Aguilar, Planner, made a presentation to the Board. Public notices were mailed to property owners within 300 feet on July 11, 2024. The Planning Division has not received any communications in support or opposition to the request. Staff recommends approval of the exception request.

Joe Gomez, Dora Medina, Marcus Medina available to answer questions.

**Public:** Ray Baca – opposed

**ACTION:** Motion made by Gloria Clark, seconded by Audrey Gutierrez **TO APPROVE ITEM PZBA24-00045 with staff recommendations.**

1-opposed

Motion Failed.

Applicant would like to postpone item.

**ACTION:** Motion made by Gloria Clark , seconded by Audrey Gutierrez **TO RESCIND MOTION PREVIOUSLY MADE** and unanimously carried.

Motion Passed.

**ACTION:** Motion made by Heidi Avedician, seconded by Christine Loveridge **TO POSTPONE ITEM TO**

**NEXT MEETING** and unanimously carried.

Motion Passed.

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**8. PZBA24-00047:** Lot 33, Block 120, Cielo Vista Park, City of El Paso, El Paso County, Texas  
 ADDRESS: 9141 McFall Drive  
 APPLICANT: Timothy Holt  
 REPRESENTATIVE: Geronimo Cortez  
 REQUEST: Special Exception J (Carport Over a Driveway)  
 DISTRICT: 3  
 ZIP CODE: 79925  
 STAFF CONTACT: Jose Beltran, (915) 212-1607, [BeltranJV@elpasotexas.gov](mailto:BeltranJV@elpasotexas.gov)

Jose Beltran, Planner, made a presentation to the Board. Public notices were mailed to property owners within 300 feet on July 10, 2024. The Planning Division has received one (1) phone call in opposition to the request. Staff recommends approval of the exception request.

Geronimo Cortez, Designer, was available for questions.

**Public:** None

**ACTION:** Motion made by Gloria Clark, seconded by Christine Loveridge **TO APPROVE ITEM PZBA24-00047.**

1 - opposed

Motion Failed.

**ACTION:** Motion by Christine Loveridge, seconded by Gloria Clark **TO RESCIND PAST VOTE** and unanimously carried.

Motion Passed.

**Public:** Gus Matthew - opposed  
Ray Baca - opposed

**ACTION:** Motion by Elizabeth Thurmond-Bengston, seconded by Heidi Avedician **TO DENY RECOMMENDATION.**

1-OPPOSED

Motion Passed.

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**9. PZBA24-00049:** Lot 1-B, Block 7, Villa Lago Replat, City of El Paso, El Paso County, Texas  
 ADDRESS: 10304 Luella Drive  
 APPLICANT: Charles G. Fitzgerald and Yolanda Fitzgerald  
 REPRESENTATIVE: Vanessa Duran  
 REQUEST: Special Exception B (Two or More Nonconforming Lots)  
 DISTRICT: 3  
 ZIP CODE: 79925  
 STAFF CONTACT: Jose Beltran, (915) 212-1607, [BeltranJV@elpasotexas.gov](mailto:BeltranJV@elpasotexas.gov)

Jose Beltran, Planner, made a presentation to the Board. Public notices were mailed to property owners within 300 feet on July 10, 2024. The Planning Division received one (1) phone call of inquiry, one (1) email in support and one (1) phone call in opposition of the request. Staff recommends **Approval with Conditions** of the exception request with the following condition:

- That the existing pergola in the rear yard be modified to be out of the 5' utility easement area.

Vanessa Duran designer for owners available for questions.

Public: None

**0ACTION:** Motion made by Christine Loveridge, seconded by Gloria Clark **TO APPROVE ITEM PZBA24-00049 WITH MODIFICATIONS** and unanimously carried.

Motion Passed.

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**10. PZBA24-00050:** Lot 13, Block 2, Pleasant Valley, City of El Paso, El Paso County, Texas  
ADDRESS: 424 Valle Sereno Drive  
APPLICANT: Maria Emma Rosalez  
REPRESENTATIVE: Maria Emma Rosalez, Bruno Huizar, and Joe Gomez  
REQUEST: Special Exception B (Two or More Nonconforming Lots)  
DISTRICT: 7  
ZIP CODE: 79907  
STAFF CONTACT: Jose Beltran, (915) 212-1607, [BeltranJV@elpasotexas.gov](mailto:BeltranJV@elpasotexas.gov)

Jose Beltran, Planner, made a presentation to the Board. Public notices were mailed to property owners within 300 feet on July 10, 2024 and July 12, 2024. The Planning Division received one (1) phone call of inquiry of the request. Staff recommends **Approval with Conditions** of the exception request.

- That the rear storage be moved out of the 5' utility easement area or the easement shall be vacated.

Bruno Huizar owner appeared for questions.

Public = None

**ACTION:** Motion made by Audrey Gutierrez, seconded by Gloria Clark **TO APPROVE ITEM PZBA24-00050** and unanimously carried.

Motion Passed.

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**11. PZBA24-00051:** Lot 7, Block 764, River Bend Estates, an Addition to the City of El Paso, El Paso County, Texas  
ADDRESS: 4501 Parrot Way  
APPLICANT: Jonathan Scott Nehls  
REPRESENTATIVE: Jonathan Scott Nehls  
REQUEST: Special Exception B (Two or More Nonconforming Lots)  
DISTRICT: 1  
ZIPCODE: 79922  
STAFF CONTACT: Juan C. Naranjo, (915) 212-1604, [NaranjoJC@elpasotexas.gov](mailto:NaranjoJC@elpasotexas.gov)

Myrna Aguilar, Planner, filled in for Juan Naranjo and made a presentation to the Board. Public notices were mailed to property owners within 300 feet on July 10, 2024. The Planning Division has not received

any communications in support or opposition to the request. Staff recommends **approval with conditions** of the exception request. The conditions are as follows:

- Storage shed shall be removed from the 5-foot utility easement area, or the easement shall be vacated.
- The structure located on the left side of the property should be removed or modified to comply with the required minimum 10' side street setback.

Jonathan Nehls owner of property appeared for questions.

Public = None

**ACTION:** Motion made by Alexis Alvarez, seconded by Heidi Avedician **TO APPROVE ITEM PZBA24-00051** and unanimously carried.

Motion Passed.

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**12. PZBA24-00054:** A portion of Lot 130, Block 4, Del Norte Acres, City of El Paso, El Paso County, Texas  
 ADDRESS: 8701 Norton St.  
 APPLICANT: DSDB LLC.  
 REPRESENTATIVE: Ray Baca  
 REQUEST: Special Exception K (In existence 15 years or more)  
 DISTRICT: 2  
 ZIP CODE: 79904  
 STAFF CONTACT: Jose Beltran, (915) 212-1607, [BeltranJV@elpasotexas.gov](mailto:BeltranJV@elpasotexas.gov)

Jose Beltran, Planner, made a presentation to the Board. Public notices were mailed to property owners within 300 feet on July 10, 2024. The Planning Division has not received any communications in support or opposition to the request. Staff recommends APPROVAL of the exception request.

Ray Baca representing applicant appeared for questions.

Public = None

**ACTION:** Motion made by Heidi Avedician, seconded by Audrey Gutierrez **TO APPROVE ITEM PZBA24-00054 WITH STAFF RECOMMENDATIONS** and unanimously carried.

Motion Passed.

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**13. PZBA24-00055** Lot 2, Block 44, Montecillo Unit 10, City of El Paso, El Paso County, Texas  
 ADDRESS: 161 Vin Salou Wy.  
 APPLICANT: Montecillo Central Hotel LLC  
 REPRESENTATIVE: David Bogas  
 REQUEST: Variance from Section 21.50.060  
 DISTRICT: 8  
 ZIP CODE: 79912  
 STAFF CONTACT: Luis Zamora, (915) 212-1552, [ZamoraLF@elpasotexas.gov](mailto:ZamoraLF@elpasotexas.gov)

**DELETED**



**14. PZBA24-00057** Lots 19 to 22, Block 88, Bassett, City of El Paso, El Paso County, Texas  
ADDRESS: 2507 E. Yandell Dr.  
APPLICANT: Leon E. & Rita T. Gluck  
REPRESENTATIVE: John Speers  
REQUEST: Special Exception B (Two or More Nonconforming Lots)  
DISTRICT: 8  
ZIP CODE: 79903  
STAFF CONTACT: Myrna Aguilar, 915-212-1584, [AguilarMP@elpasotexas.gov](mailto:AguilarMP@elpasotexas.gov)

Myrna Aguilar, Planner, made a presentation to the Board. Public notices were mailed to property owners within 300 feet on July 11, 2024. The Planning Division has not received any communication in support or opposition to the request. Staff recommends Approval of the exception request.

Owner agrees with staff recommendations.

Public = None

**ACTION:** Motion made by Gloria Clark, seconded by Christine Loveridge **TO APPROVE ITEM PZBA24-00057 WITH STAFF RECOMMENDATIONS** and unanimously carried.

Motion Passed.

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**15. Approval of Minutes: June 17, 2024**

**ACTION:** Motion made by Alexis Alvarez, seconded by Christine Loveridge **TO APPROVE THE JUNE 17, 2024 MINUTES** and unanimously approved.

Motion Passed.

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**16. Adjournment**

Chair Fortune adjourned the meeting at 3:55 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

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