

205 Baywood

Zoning Board of Adjustment — November 10, 2025



CASE NUMBER: PZBA25-00019
CASE MANAGER: Jose Beltran, (915) 212-1607, BeltranJV@elpasotexas.gov
PROPERTY OWNER: Lizette Cobo
REPRESENTATIVE: Lizette Cobo
LOCATION: 205 Baywood Rd. (District 3)
ZONING: R-5 (Residential)
REQUEST: Special Exception B (Two or More Nonconforming Lots)
PUBLIC INPUT: Four (4) phone calls of inquiry received as of November 4, 2025

SUMMARY OF REQUEST: Applicant requests a Special Exception under Section 2.16.050 B (Two or More Nonconforming Lots) to allow to legalize an existing home addition in an R-5 (Residential) zone district.

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

1. That the overhang of the rear addition encroaching into the rear 5-foot utility easement be removed.
2. The existing carport encroaching into the southerly side setback shall be modified or removed to comply with the zoning requirements of the El Paso City Code.



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 rear addition, which extends 13.17 feet into the required rear yard setback for 171.21 square feet of encroachment and which extends 2 feet into the northerly side setback for a total encroachment area of 40 square feet.

BACKGROUND: The minimum front setback is 10 feet in the R-5 (Residential) zone district. The required rear setback for the subject property is 18.17 feet to meet the cumulative front and rear setback of 45 feet in the R-5 (Residential) zone district. The required side setback is 5 feet in the R-5 (Residential) zone district. Aerial photographs indicate that there are four (4) nearby properties located on the same block or abutting street that encroach into their respective rear and side setbacks, with encroachments equal to or larger than those on the subject property. These properties are located at 206 Baywood Road (272.45 S.F. side addition encroachment), 214 Baywood Road (208.24 S.F. side addition encroachment), 220 Arbor Place (177 S.F. rear addition encroachment and 139.49 S.F. side addition encroachment) and 222 Arbor Place (275 S.F. rear addition encroachment and 149.56 S.F. side addition encroachment). The property located at 222 Arbor Place was registered as legal nonconforming in 2025 for the rear and side addition encroachments, while the remainder of the aforementioned properties do not have any issued permits on record. The existing carport encroaching into the southerly side setback shall be modified or removed to have a two-foot (2') setback and a five-foot (5') masonry wall along the side property line as required to comply with zoning requirements.

Based on Central Appraisal District records, the single-family dwelling was built in 1958 and the carport and addition encroachments were built in 2021 by the current owner. The request is due to a code enforcement citation that was issued in August of 2024.

SETBACKS	REQUIRED SETBACK	REQUESTED SETBACK
Front	26.83 feet	No Change
Rear	18.17 feet	5 feet
Cumulative Front & Rear	45 feet	31.83 feet
Side (North)	5 feet	3 feet
Side (South)	5 feet	2 feet
Cumulative Side	N/A	N/A

COMPLIANCE WITH SPECIAL EXCEPTION 2.16.050.B CRITERIA

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

Permit the modification of setback requirements as the board deems necessary to secure an appropriate development of a lot, provided the following criteria is met:

Criteria	Does the Request Comply?
1. The lot is in a legally recorded and developed subdivision of at least ten years;	Yes. The lot is within a legally recorded subdivision of at least ten years.
2. There are two or more lots that do not conform to Title 20 located within the same block on the same side of the street or within the block directly across and abutting the street;	Yes. Through aerial photos and site visits, it was established that four (4) homes on the same block and abutting street have similar rear and side setback encroachments.
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 four (4) homes on the same block or abutting street located at 206 Baywood Road, 214 Baywood Road, 220 Arbor Place and 222 Arbor Place are in the same nature of encroachment 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	Yes. Only applicable lots are being considered.

used in determining the nonconforming lot restrictions of this special exception.	
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PUBLIC COMMENT: Public notice was sent on October 31, 2025 to all property owners within 300 feet of the subject property. The Planning Division has received four (4) phone calls of inquiry but no communication in support or opposition to the special exception request.

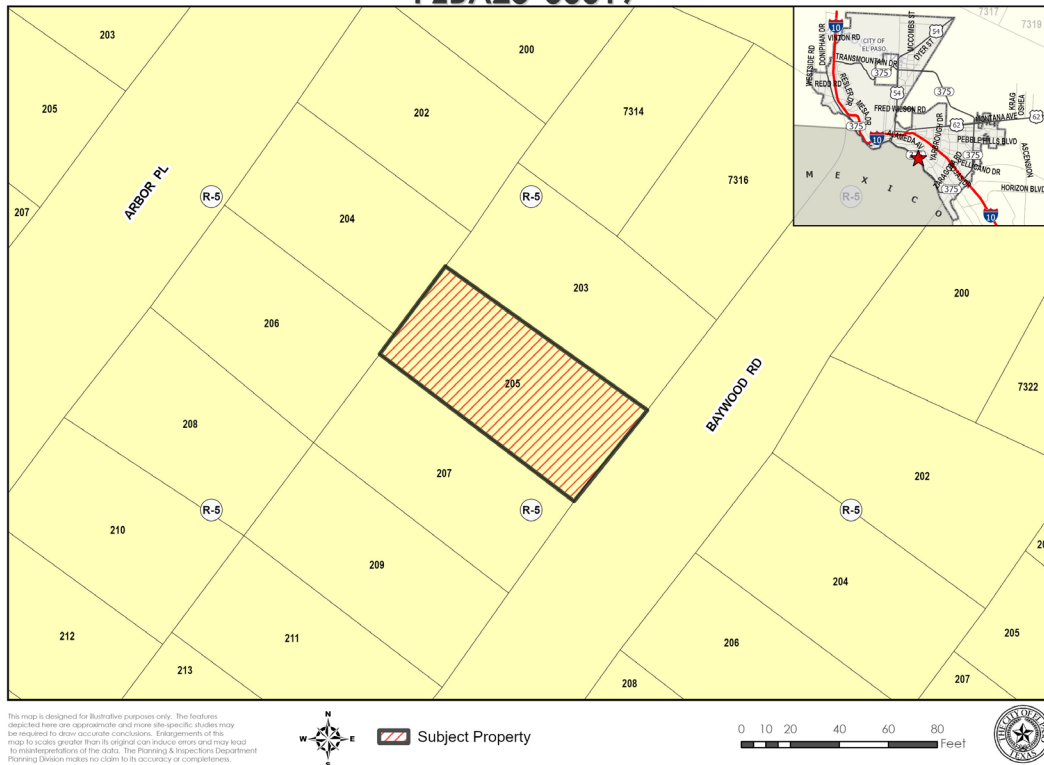
ZONING BOARD OF ADJUSTMENT OPTIONS:

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

1. **Approval** of the special exception request, finding that the request is in in harmony with the spirit and purposes of Titles 2 and 20, including the preservation of the essential character of the district in which the property is located, that the public convenience and welfare will be substantially served, and that the use of neighboring property will not be substantially injured.
2. **Approval with Modifications** of the special exception request to bring the request into conformance as provided in El Paso City Code Titles 2 and 20 as the board deems appropriate. (Staff Recommendation)
3. **Denial** of the special exception request, finding that the request does not conform to the review criteria as provided in El Paso City Code Titles 2 and 20.

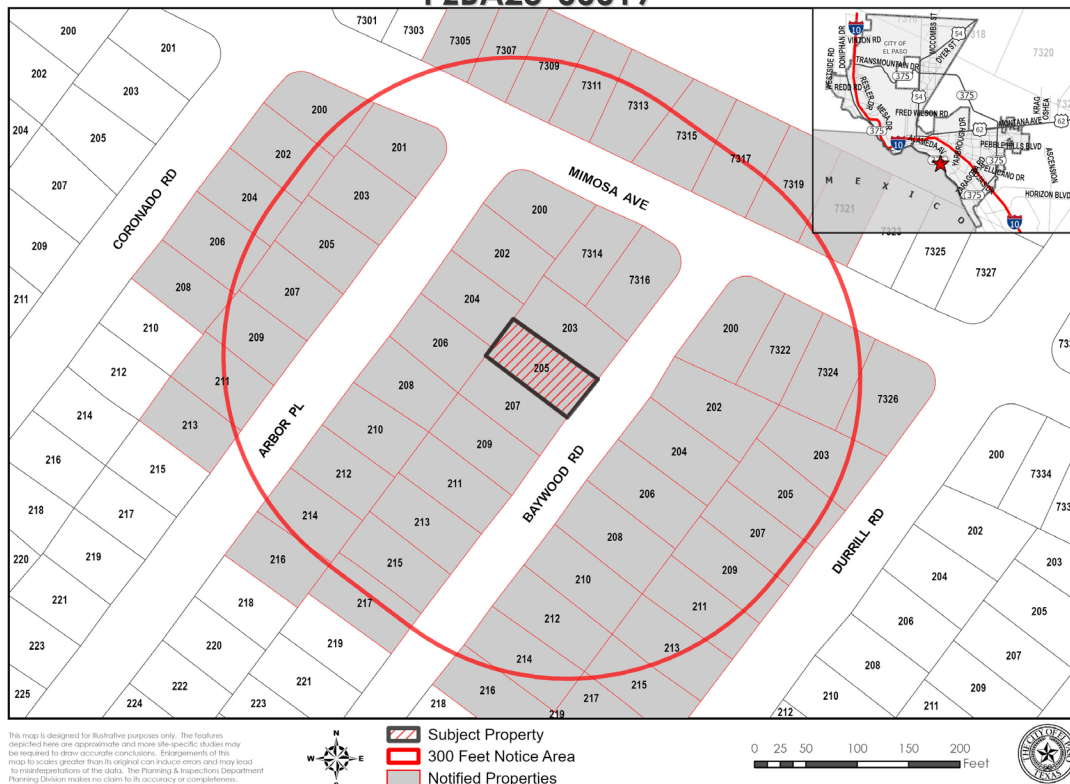
ZONING MAP

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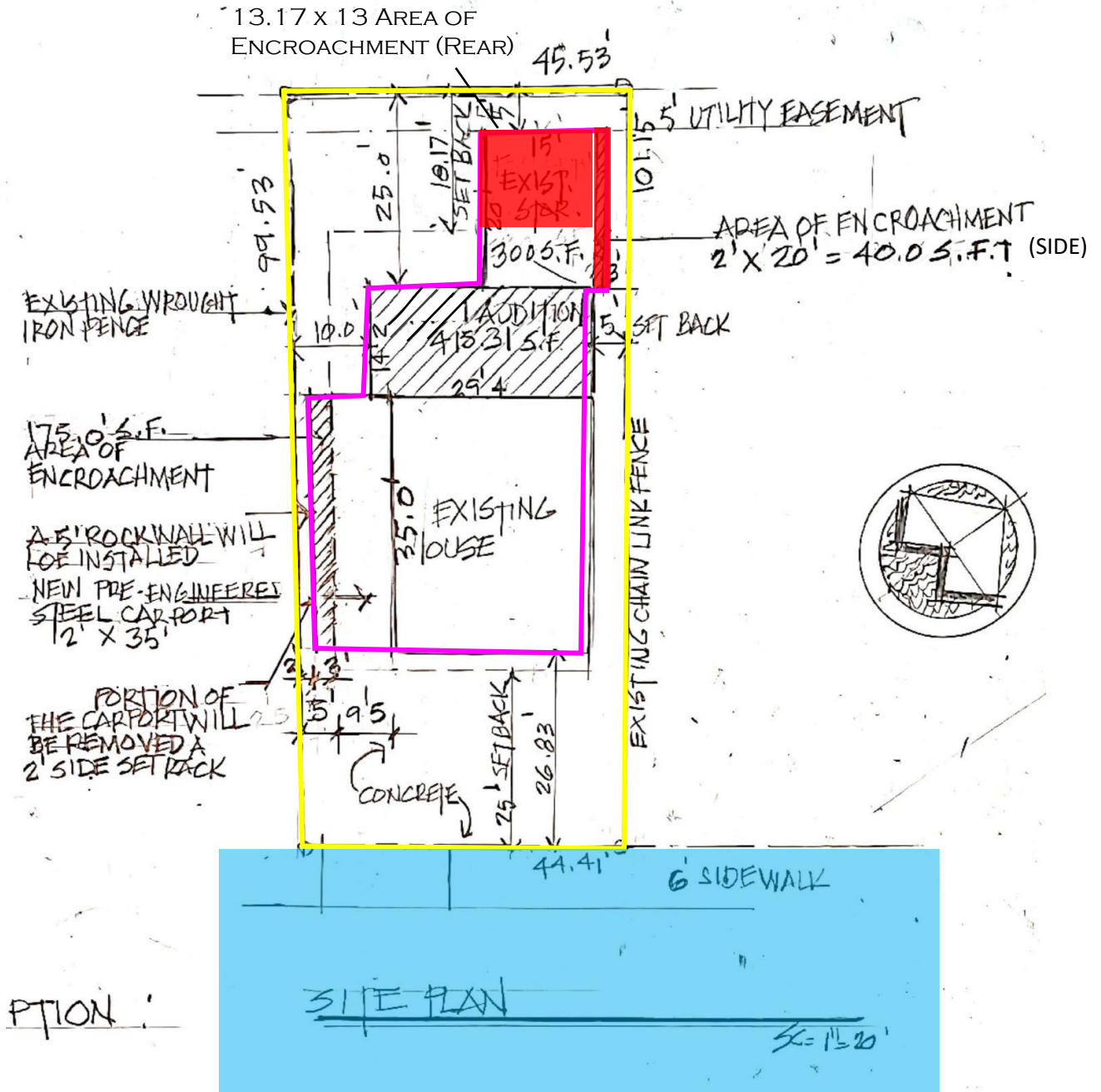


NEIGHBORHOOD NOTIFICATION MAP

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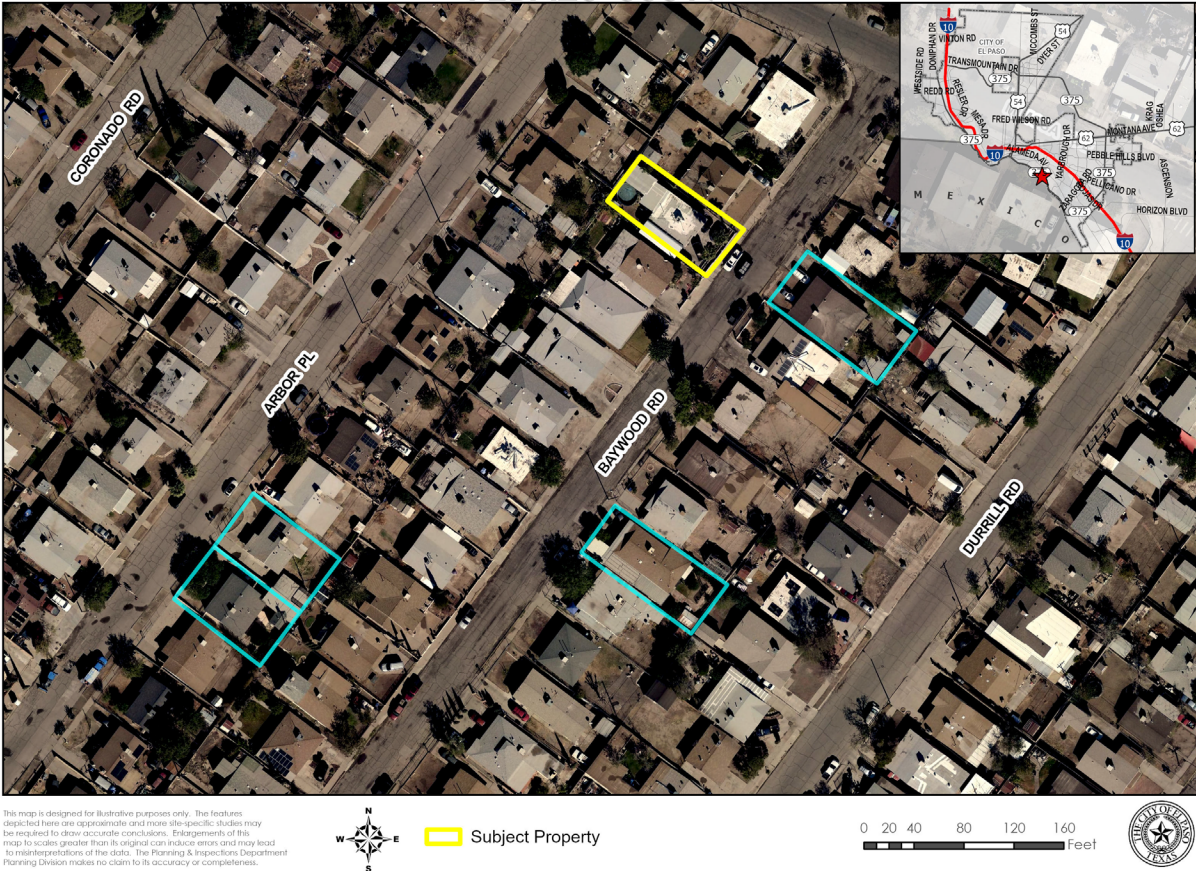


SITE PLAN



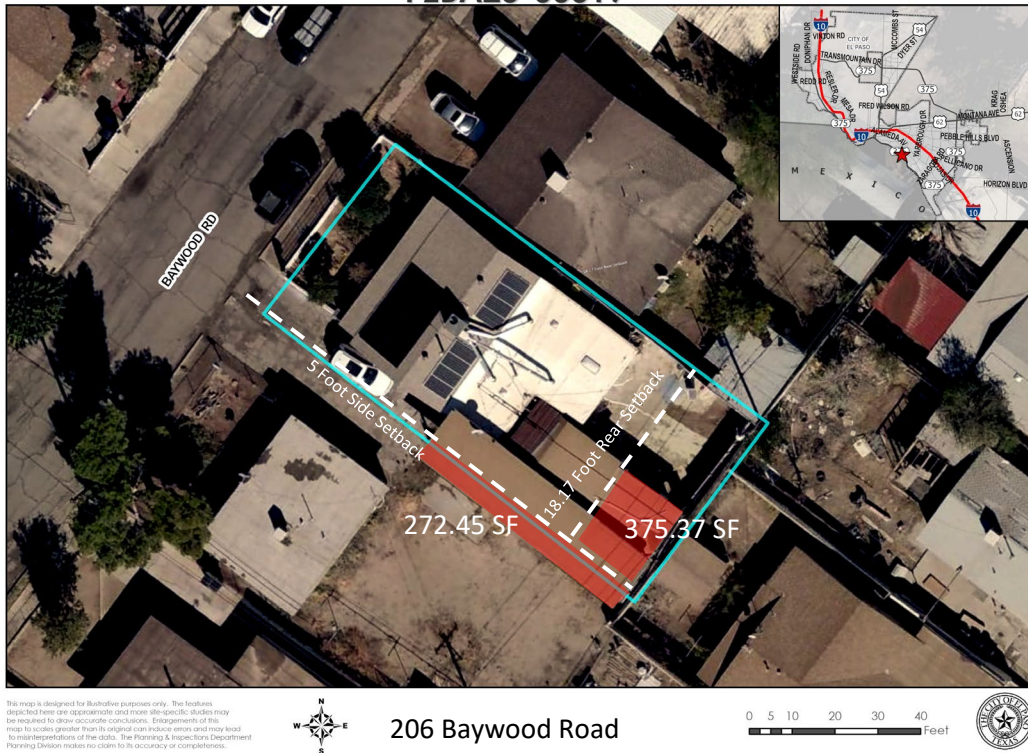
NONCONFORMING LOTS

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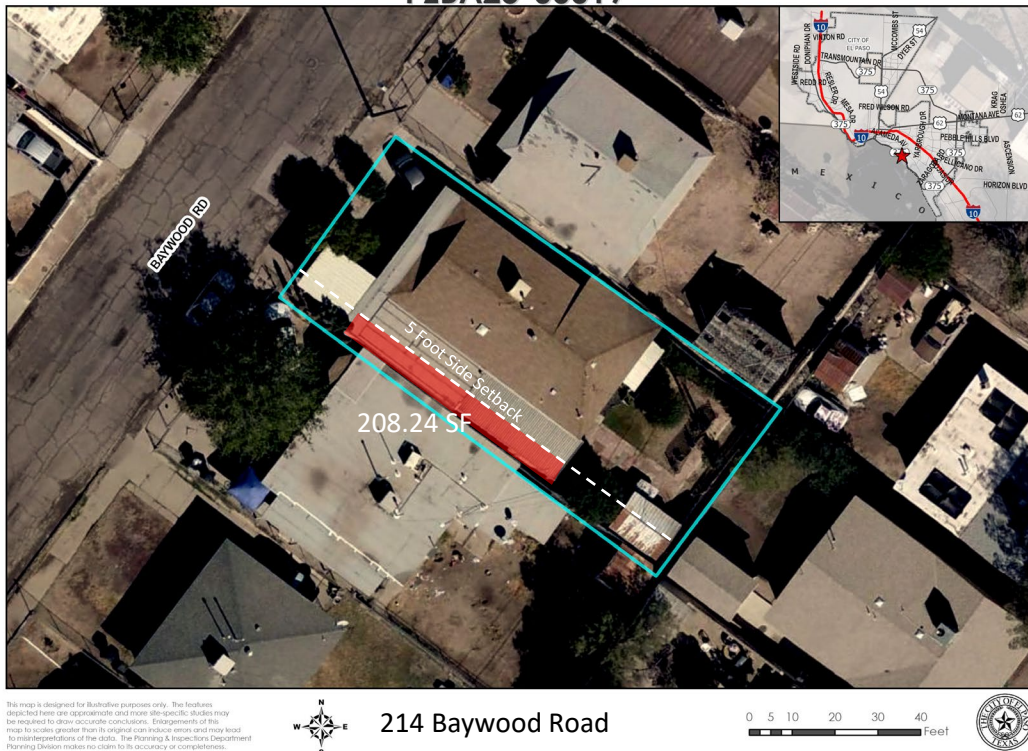
NONCONFORMING LOT 1

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NONCONFORMING LOT 2

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NONCONFORMING LOT 3

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NONCONFORMING LOT 4

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