

305 Sundown

Zoning Board of Adjustment — May 4, 2026

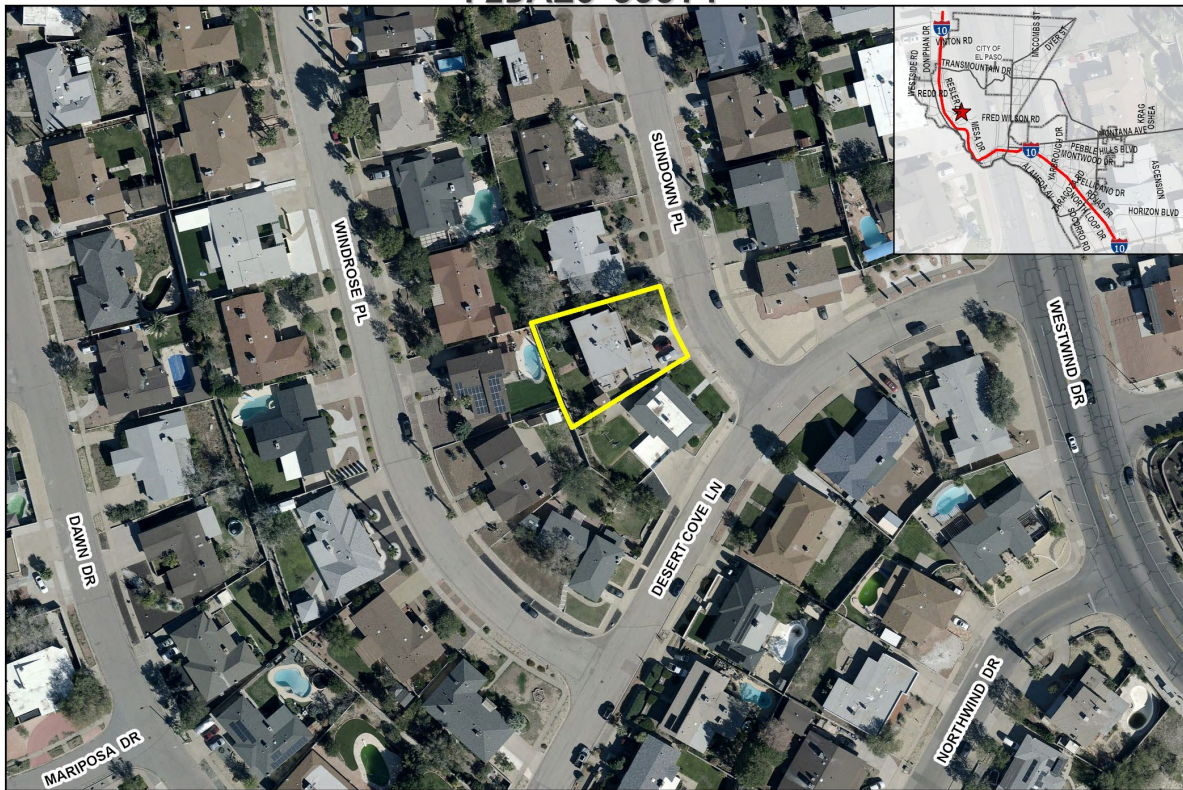


CASE NUMBER: PZBA26-00014
CASE MANAGER: Pratika Banjara, (915) 212-1644, BanjaraP@elpasotexas.gov
PROPERTY OWNER: Kenneth E. Helms Jr. & Silvia Portillo-Koch & Daniel Koch
REPRESENTATIVE: Marco A. Rochel-Siler
LOCATION: 305 Sundown Place (District 8)
ZONING: R-3 (Residential) district
REQUEST: Special Exception C (Rear Yard Setback, Single-Family Residence)
PUBLIC INPUT: One email was received as of April 28, 2026

SUMMARY OF REQUEST: Applicant requests a Special Exception under Section 2.16.050 C (Rear Yard Setback, Single-Family Residence) to permit the construction of a proposed addition in a 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.

PZBA26-00014



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 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 addition, 3.4 feet of which would extend into the rear yard setback for a 57 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 20 feet to meet the cumulative front and rear setback of 50 feet in the R-3 (Residential) zone district. According to the El Paso Central Appraisal District records, the home was built on 1968, and the current owner has owned it since 2011.

SETBACKS	REQUIRED SETBACK	REQUESTED SETBACK
Front	30 feet	No Change
Rear	20 feet	17.2 feet
Cumulative Front & Rear	50 feet	47.2 feet
Side (Left)	5 feet	No Change
Side (Right)	5 feet	No Change
Cumulative Side	10 feet	No Change

CALCULATIONS:

	TOTAL	CALCULATION
Maximum Permitted Area of Encroachment	316.28 square feet	26.36' (79.07' average lot width ÷ 3) X 12' (3/5 of 20' required rear yard setback)
Requested Area of Encroachment	57 square feet	

COMPLIANCE WITH SPECIAL EXCEPTION 2.16.050.C CRITERIA	
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 316.28 square feet, which is more than the requested area of encroachment of 57 square feet.
3. A minimum ten-foot rear yard setback shall be required;	Yes. The subject property will have a 10-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 April 23, 2026 to all property owners within 300 feet of subject property. The Planning Division received one email in opposition to the exception request.

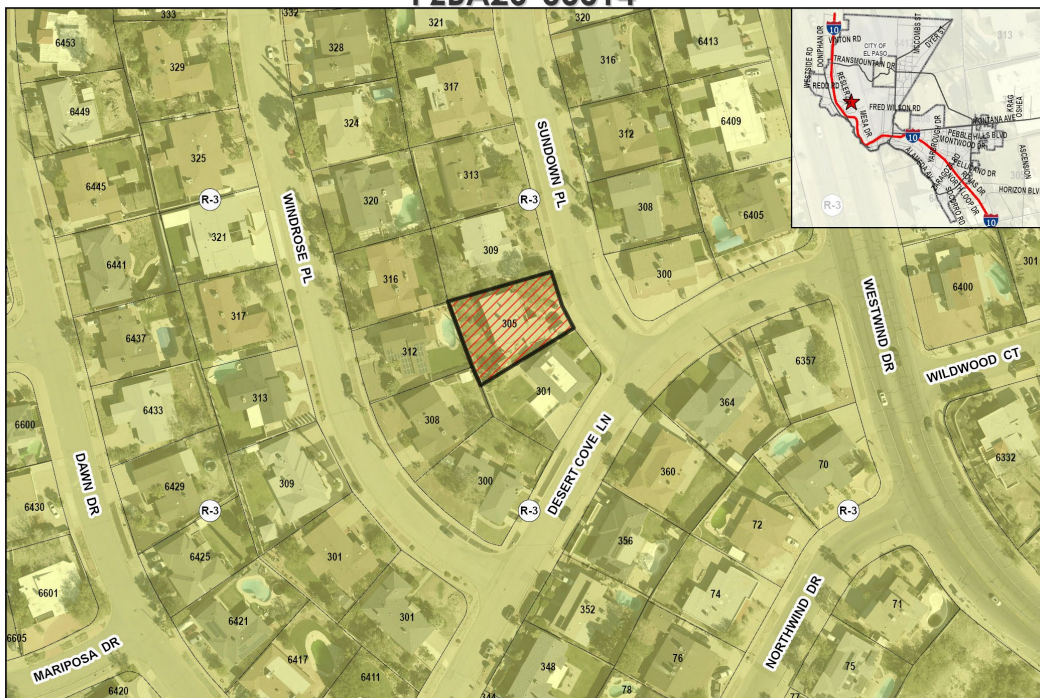
ZONING BOARD OF ADJUSTMENT OPTIONS:

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

PZBA26-00014



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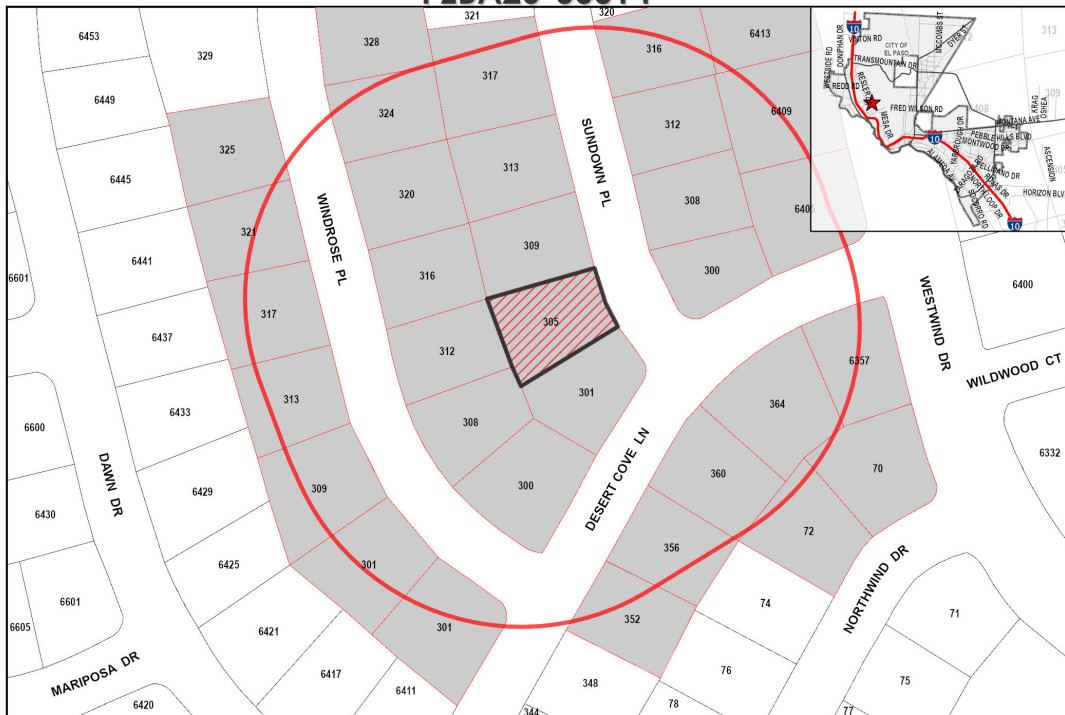


Subject Property



NEIGHBORHOOD NOTIFICATION MAP

PZBA26-00014



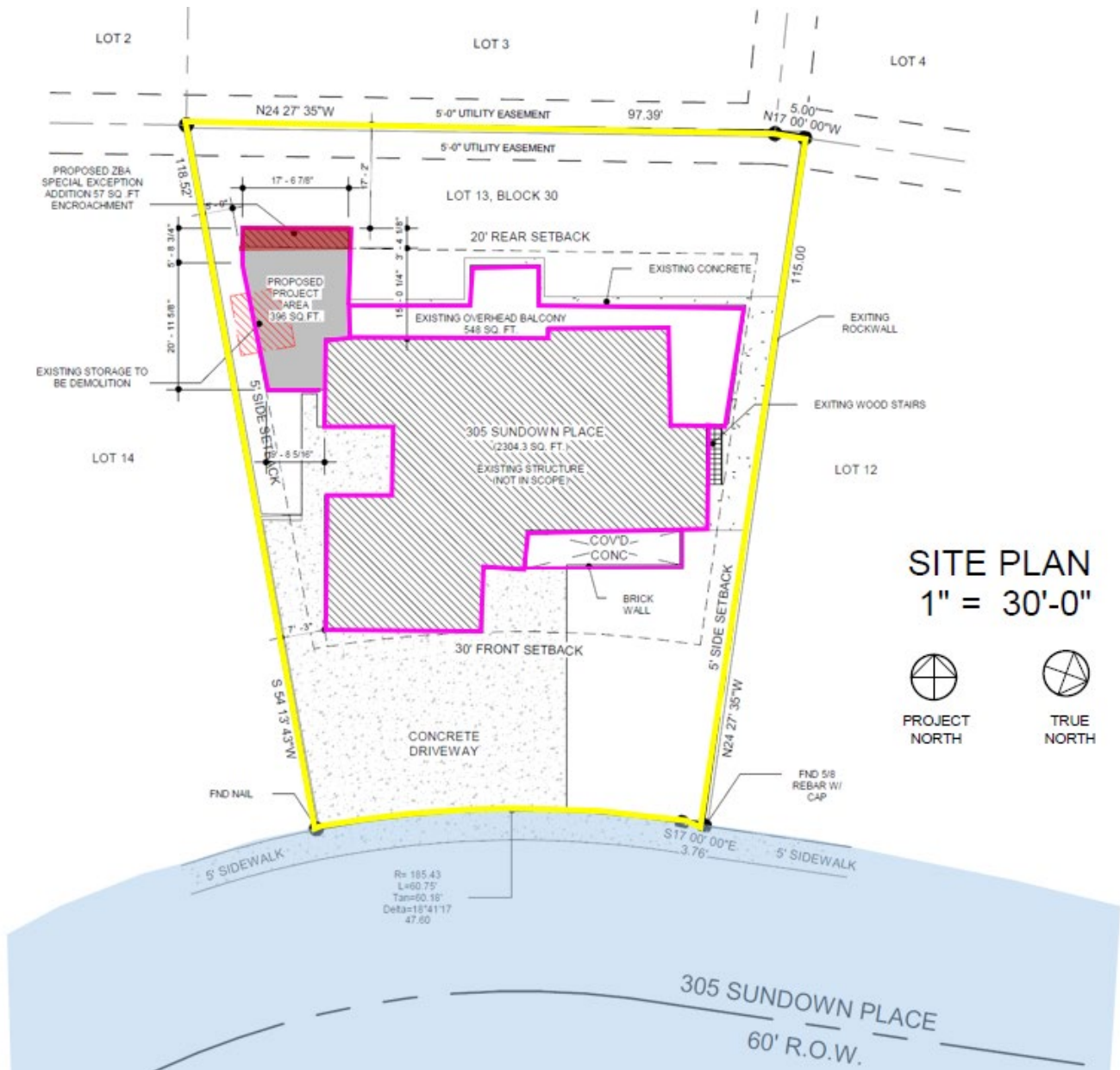
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Subject Property
 300 Feet Notice Area
 Notified Properties



SITE PLAN



SITE PLAN
1" = 30'-0"



From: [Ramiro Espinosa](#)
To: [Banjara, Pratika](#)
Subject: [External] - Proposed Residential Structure (Case #PZBA26-00014)
Date: Friday, April 24, 2026 5:14:03 PM

You don't often get email from air1rhe@yahoo.com. [Learn why this is important](#)

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Hi Patrika,

My name is Ramiro H Espinosa and I am the owner of the house on 308 Windrose Pl which is partially located behind the proposed structure and we vehemently oppose it!! We already have a huge rock wall in our back yard so this ridiculous structure would only close us in even more. I am in Houston and my wife is in Denver so it is very unlikely that we can attend the public hearing on May 4th. We don't want this structure built because it would be extremely unsightly and almost certainly lower our property value. Please do not approve this ridiculous request! Thank you very much!

Ramiro H Espinosa
Cell 832-633-0196