

249 Pyrite

Zoning Board of Adjustment — August 11, 2025



CASE NUMBER: PZBA25-00028
CASE MANAGER: Jose Beltran, (915) 212-1607, BeltranJV@elpasotexas.gov
PROPERTY OWNER: Jonathan Singer
REPRESENTATIVE: Fernando Roque
LOCATION: 249 Pyrite Dr. (District 1)
ZONING: R-3 (Residential)
REQUEST: Special Exception B (Two or More Nonconforming Lots)
PUBLIC INPUT: One (1) phone call of inquiry received as of August 5, 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 carport in a R-3 (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.

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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 & Inspection 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 allow to legalize an existing carport, which extends 18 feet into the required front yard setback for 198 square feet of total encroachment.

BACKGROUND: The minimum front setback is 20 feet in the R-3 (Residential) zone district. The required rear setback for the subject property is 30 feet to meet the cumulative front and rear setback of 50 feet in the R-3 (Residential) zone district. Aerial photographs indicate that two (2) nearby properties also encroach into their respective front yard setbacks located at 245 Pyrite Drive (241.95 square feet encroachment) and 241 Pyrite Drive (280.70 square feet encroachment).

According to El Paso Central Appraisal records, the single-family home was built in 1970 and the existing carport encroachment was built in 2025 by the current owner who has owned the home since 2010. This request is also due to a code enforcement citation.

SETBACKS	REQUIRED SETBACK	REQUESTED SETBACK
Front	20 feet	2 feet
Rear	30 feet	No Change
Cumulative Front & Rear	50 feet	32 feet
Side (North)	5 feet	No Change
Side (South)	5 feet	No Change

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 one house on the same block extends 18 feet into the front setback, and another house also extends 18 feet into the front 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 two (2) houses on the same block that encroach into their required 20-foot front yard setback located at 245 Pyrite Drive and 241 Pyrite Drive with encroachment areas of 241.95 square feet and 280.70 square feet, respectively.
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 on the same block or abutting street are being considered.

PUBLIC COMMENT: Public notice was sent on July 31, 2025 to all property owners within 300 feet of subject property. The Planning Division has received one (1) phone call of inquiry but no communications in support or opposition to the special exception request.

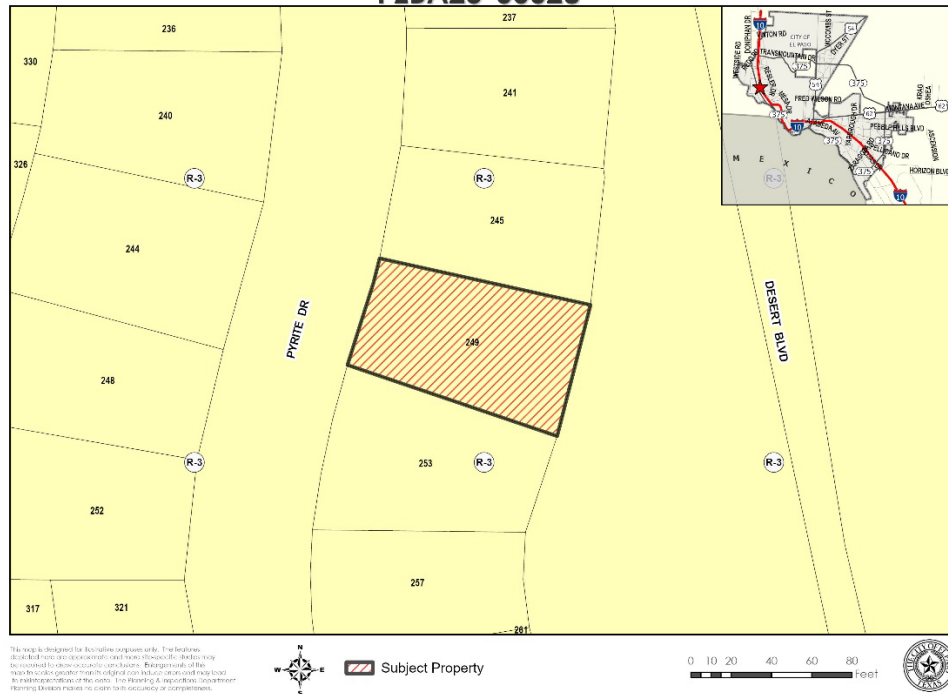
ZONING BOARD OF ADJUSTMENT OPTIONS:

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.

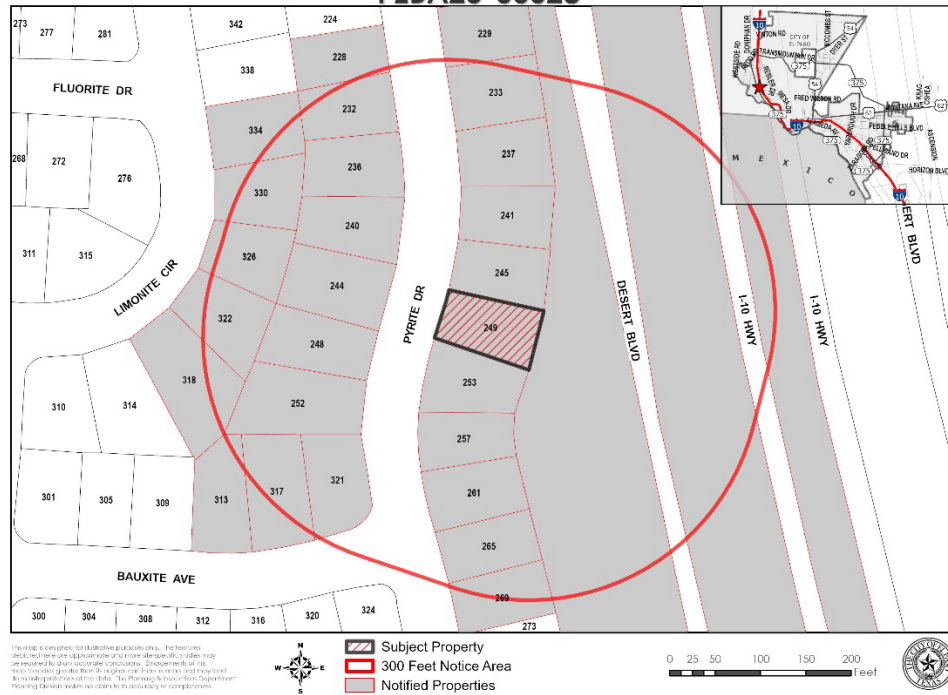
ZONING MAP

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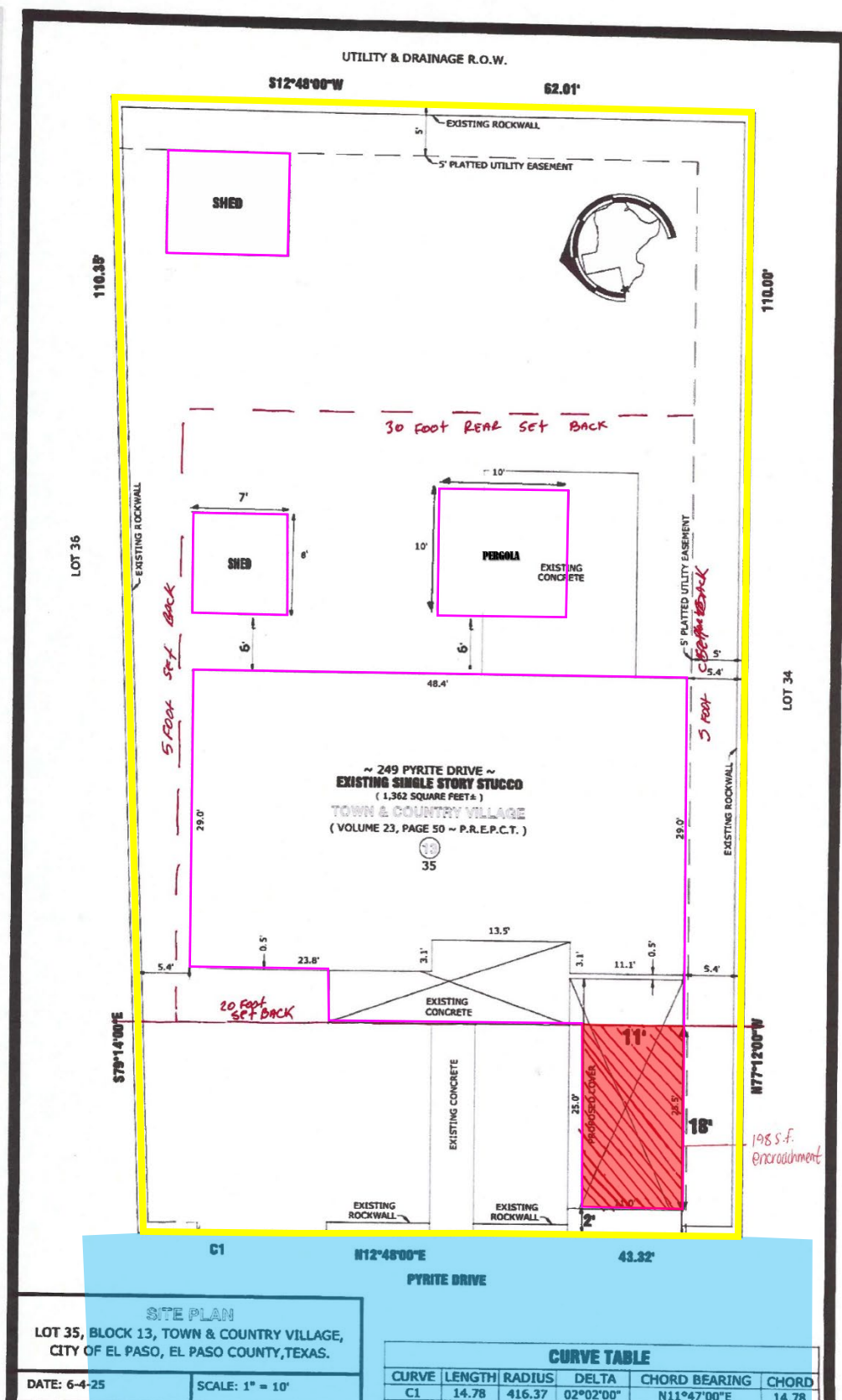


NEIGHBORHOOD NOTIFICATION MAP

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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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