

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	

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 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.

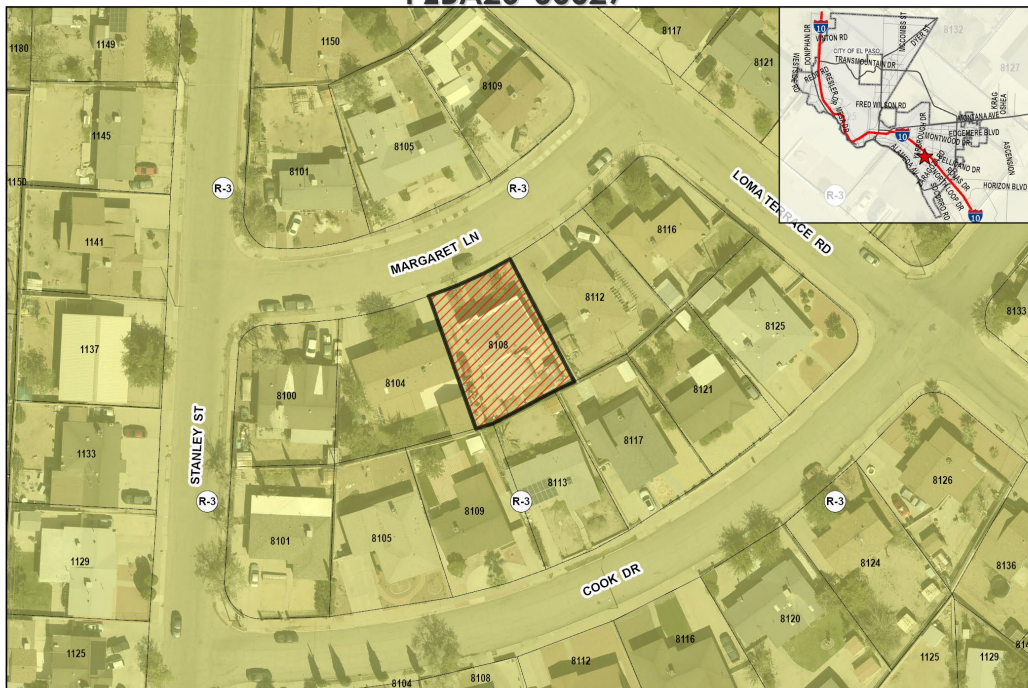
ZONING BOARD OF ADJUSTMENT OPTIONS:

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

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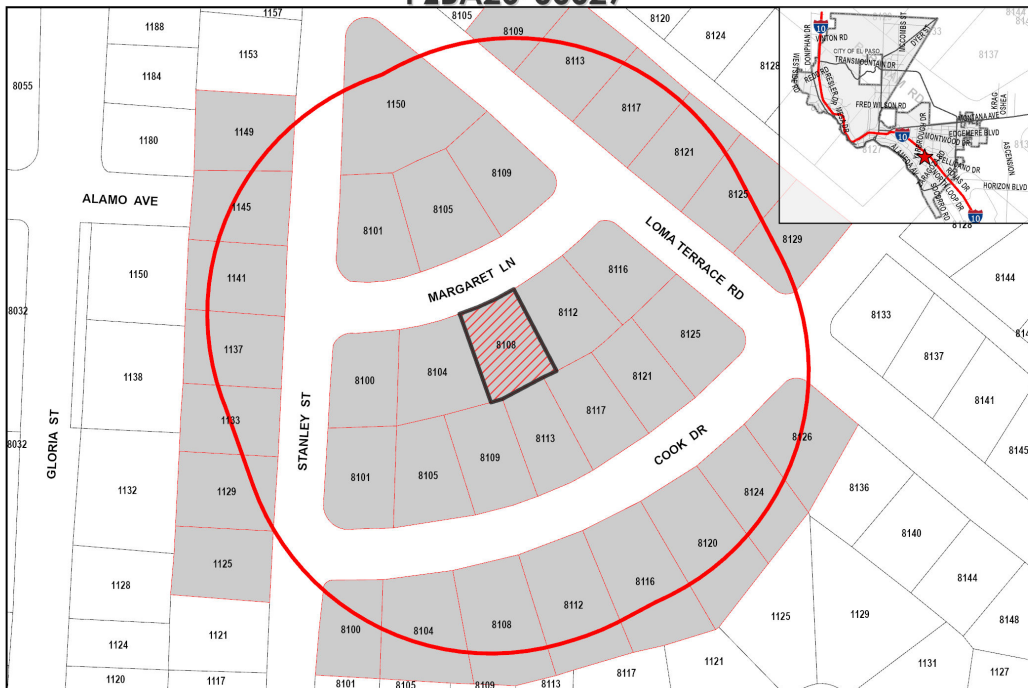
Subject Property

0 15 30 60 90 120 Feet



NEIGHBORHOOD NOTIFICATION MAP

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Subject Property
 300 Feet Notice Area
 Notified Properties

0 25 50 100 150 200 Feet



SITE PLAN

