

3005 Park North

Zoning Board of Adjustment — November 10, 2025



CASE NUMBER: PZBA25-00027
CASE MANAGER: Blanca Perez, (915) 212-1561, PerezBM@elpasotexas.gov
PROPERTY OWNER: Michael Ben and Norma J. Loustaunau
REPRESENTATIVE: Saul Anaya
LOCATION: 3005 Park North Dr. (District 2)
ZONING: R-2 (Residential)
REQUEST: Special Exception J (Carport Over a Driveway) and Special Exception K (In Existence Fifteen Years or More)
PUBLIC INPUT: None received as of November 4, 2025.

SUMMARY OF REQUEST: Applicant requests a Special Exception under Section 2.16.050 J (Carport Over a Driveway) and K (In Existence Fifteen Years or More) to allow to legalize an existing carport over a driveway and an existing home in a R-2 (Residential) zone district.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL** of special exception K request as the requested encroachment has been in existence for more than fifteen (15) years. Staff also recommends **APPROVAL WITH CONDITIONS** of the special exception J request as the requested area of encroachment is more than the maximum permitted for a carport. The conditions are as follows:

1. The carport shall resemble the main residence in scale and character.
2. The carport shall be modified to comply with the side setback requirement.
3. The carport shall be modified to comply with the maximum permitted area of 422 square feet, in accordance with Special Exception J criteria.

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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 carport of approximately 24 feet by 24 feet and an area of 576 square feet, of which 411.86 square feet encroaches 20.7 feet into the front yard setback and is located to within 4.3 feet of the front property line. The carport shall be modified to comply with the side setback requirement. The applicant is also requesting a special exception to legalize the construction of an existing home, which extends 3.6 feet into the side yard setback and of which 66.08 square feet of that structure encroach into the side yard setback.

BACKGROUND: The required front setback for the subject property is 25 feet to meet the cumulative front and rear setback of 60 feet in the R-2 (Residential) zone district. The required side setback for the subject property is 8 feet to meet the cumulative sides setback of 20 feet in the R-2 (Residential) zone district.

The current owner has owned the property since 2014 and the building was constructed in 1968 based on El Paso Central Appraisal District records. The existing home encroachment has been in existence approximately for 57 years. Based on 2009 aerial imagery, the property existed back then as it does today, with the home in its current location.

SETBACKS	REQUIRED SETBACK	REQUESTED SETBACK
Front	25 Feet	4.3 Feet
Rear	35 Feet	No Change
Cumulative Front & Rear	60 Feet	39.3 Feet
Side (Right)	12 Feet	No Change
Side (Left)	8 Feet	4.4 Feet
Cumulative Side	20 Feet	16.4 Feet

CALCULATIONS FOR CARPORT:

	TOTAL	CALCULATION
Maximum Permitted Area of Encroachment	422 Square Feet	1/5 of 2114 Sq. Ft. (House 1 st floor area)
Requested Area of Encroachment	411.86 Square Feet	20.7 Feet by 18.8 Feet (Encroachment only)

COMPLIANCE WITH SPECIAL EXCEPTION 2.16.050.J CRITERIA

The Zoning Board of Adjustment is empowered under Section 2.16.050.J to:
Permit the encroachment into the required front yard setback for a lot in a residential (R) district beyond other allowed modifications for a carport covering a driveway, provided the following criteria is met:

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 zoning board of adjustment has received the written approval of the structural design from the building official;	Yes. The Building Official has reviewed the request, and has provided written approval.
3. The carport shall resemble the main residential structure in scale and character and shall be open on three sides;	Yes. The existing carport shall resemble the main residential structure and is open on three sides.
4. The area of the carport shall not exceed one-fifth of the first-floor area under roof of the dwelling, with the first-floor area of the dwelling defined as the sum of the gross horizontal area, exclusive of garages, atriums, stairwells, and open porches, measured from the exterior faces of the exterior walls; and, shall be measured as the area covered by the carport roof, to include overhangs;	Yes. The existing carport encroachment of 411.86 square feet is less than the maximum allowed area of 422 square feet and shall not go over the maximum requirement.

5. Elevation drawings of the proposed structure shall be submitted;	Yes. Elevation drawings of the existing structure were submitted.
6. For a duplex, the total of all extensions for either unit of the duplex shall not exceed two-thirds of the average width of that unit;	Not applicable. This is not a duplex.
7. There is no other reasonable alternative to provide a carport in the front yard of the subject property without exceeding the encroachments allowed in Title 20 of this Code;	Yes. It is not possible to provide a carport in the front yard without encroaching into the required front setback.
8. Unless otherwise provided in this chapter, all remaining areas of the required front yard shall be permanent open space.	Yes. With the exception of any existing structures, remaining area shall be permanent open space

COMPLIANCE WITH SPECIAL EXCEPTION 2.16.050.K CRITERIA

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

Permit the encroachment into the required yard setbacks for structures; provided, however, that the applicant can prove the following conditions:

Criteria	Does the Request Comply?
1. The encroachment into the required yard setback has been in existence for more than fifteen years;	Yes. The encroachment has been in existence for more than fifteen years.
2. Neither the applicant nor current property owner is responsible for the construction of the encroachment;	Yes. Neither the applicant nor owner were responsible for the construction of the encroachment.
3. Neither the applicant nor the current property owner owned the property at the time the encroaching structure was constructed or built;	Yes. Neither the applicant nor owner owned the property at the time.
4. The encroachment, if into the required front yard setback, does not exceed fifty percent of the required front yard setback;	Not applicable. Encroachment is not into the front yard setback.
5. The encroachment does not violate any other provision of the El Paso City Code.	Yes. The encroachment does not violate any other provision of the El Paso City Code.

PUBLIC COMMENT: Public notice was sent on October 29, 2025 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.

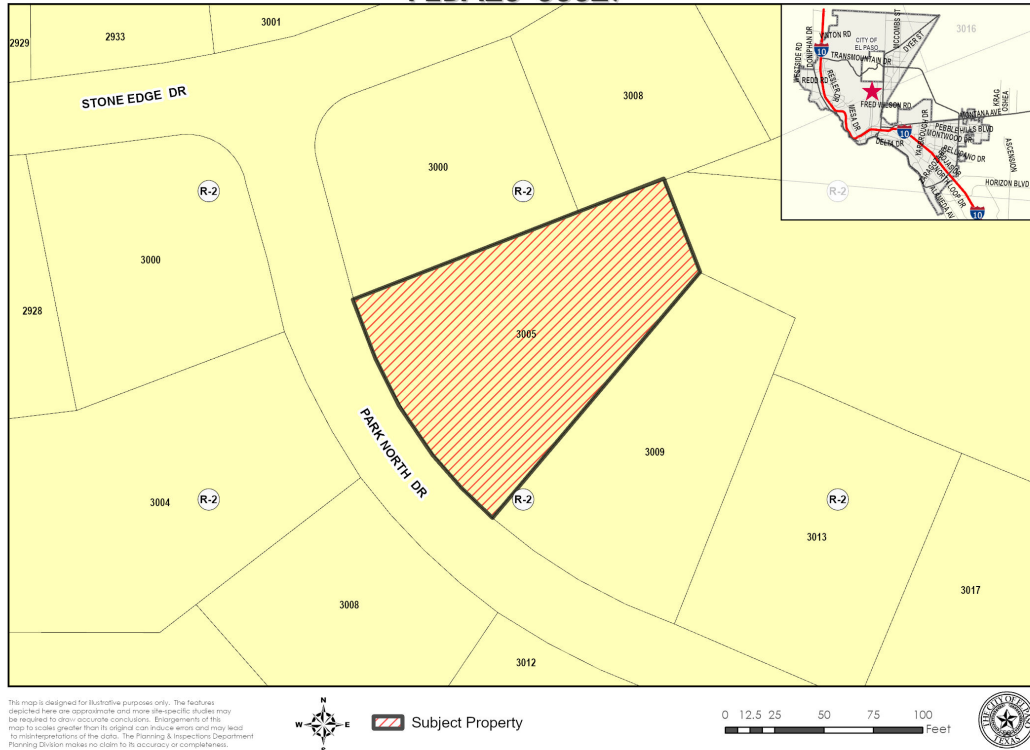
ZONING BOARD OF ADJUSTMENT OPTIONS:

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.
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.

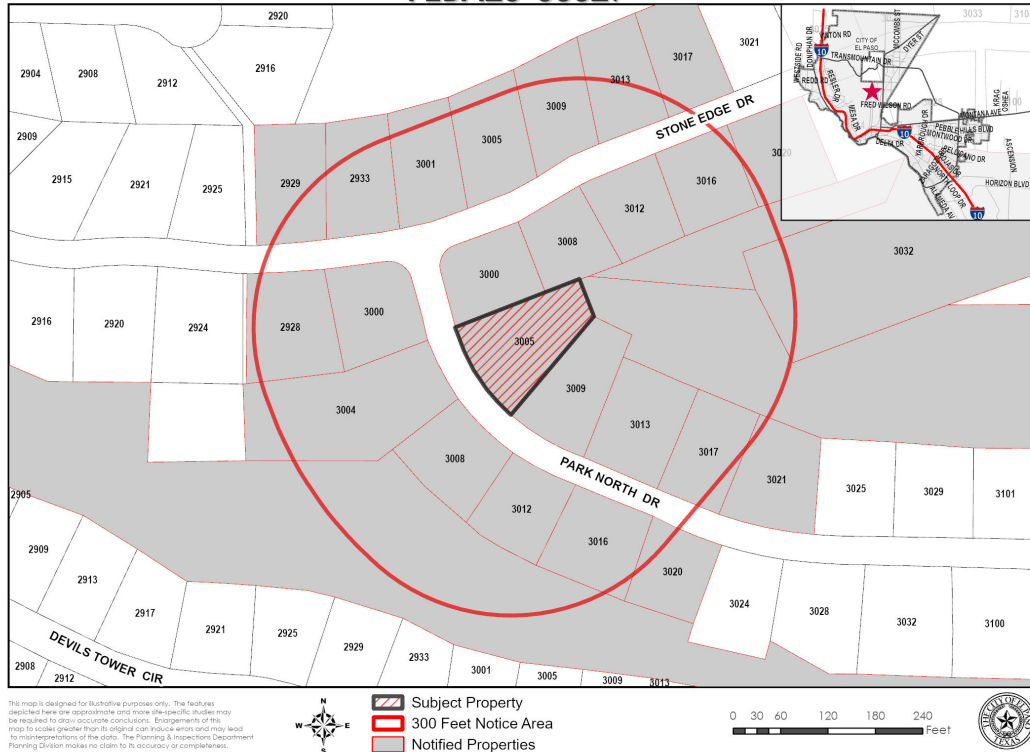
ZONING MAP

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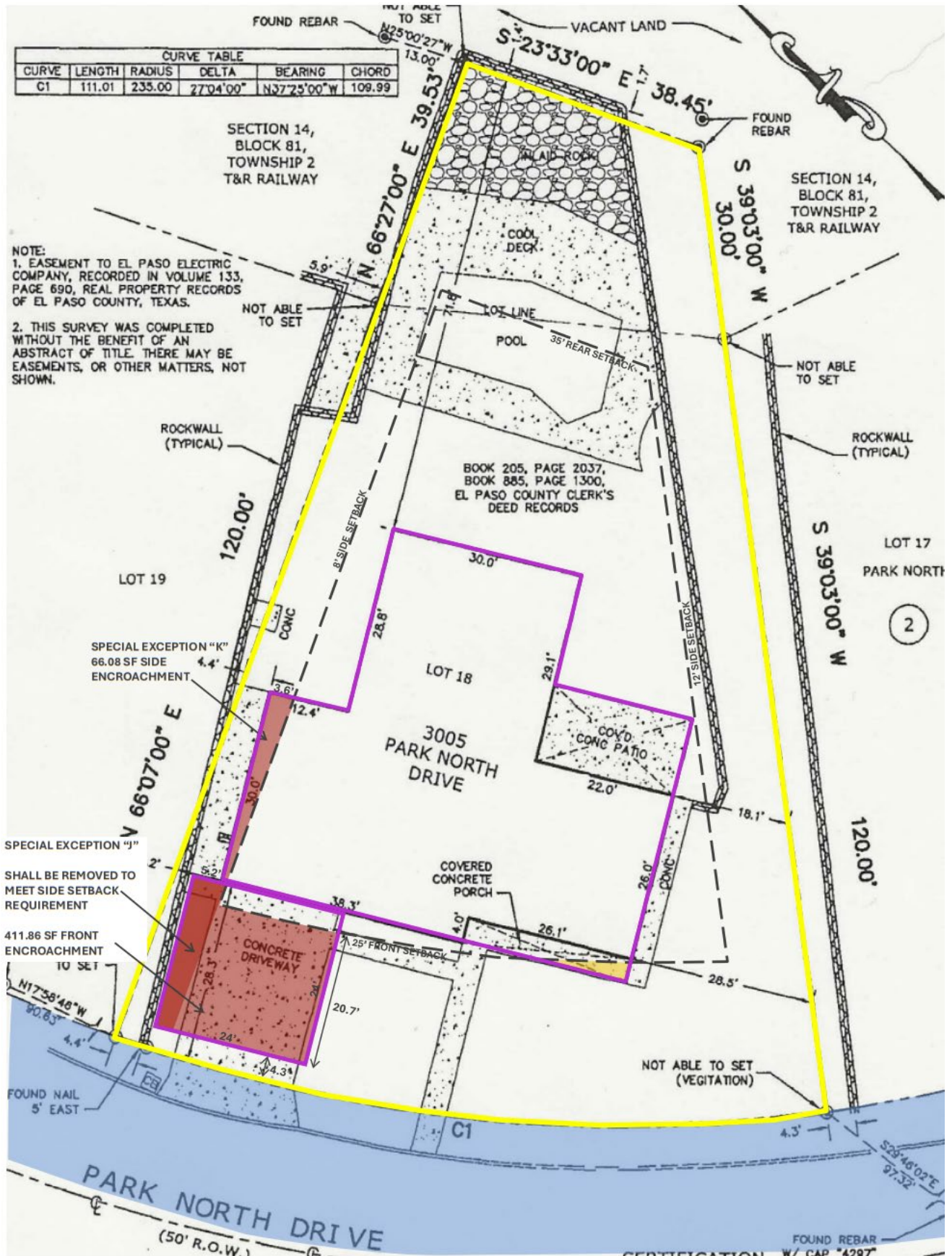


NEIGHBORHOOD NOTIFICATION MAP

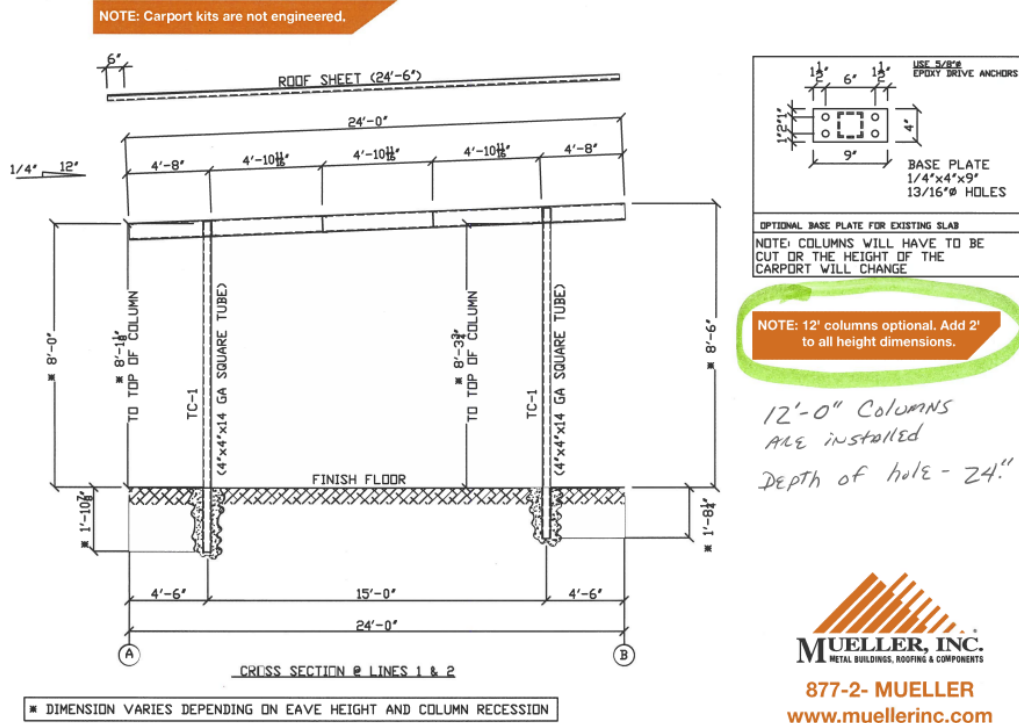
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SITE PLAN



ELEVATION



2009 Aerial

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