

3305 Hiawatha

City Plan Commission — January 29, 2026



CASE NUMBER:	PZST25-00013
CASE MANAGER:	Blanca Perez, (915) 212-1561, PerezBM@elpasotexas.gov
PROPERTY OWNER:	Arturo Ramirez Jr. and Marisan Eva Ramirez
REPRESENTATIVE:	Luis J. Lopez
LOCATION:	3305 Hiawatha Dr. (District 6)
PROPERTY AREA:	0.24 acres
EXISTING ZONING:	R-3/sp (Residential/special permit)
REQUEST:	Special Permit for reduction to side yard setback and Detailed Site Development Plan approval
RELATED APPLICATIONS:	None
PUBLIC INPUT:	Two (2) call of inquiry but no communications in support or opposition received as of January 22, 2026.

SUMMARY OF REQUEST: The applicant is requesting a special permit to allow for a side setback reduction in an existing single-family dwelling located in an R-3/sp (Residential/special permit) zone district.

SUMMARY OF STAFF RECOMMENDATION: Staff recommends **DENIAL** of the special permit request for side yard setback reduction and detailed site development plan for the following reasons:

1. The structure does not comply with the approved special permit for the Planned Residential Development, as the addition deviates from the setback standards originally approved by City Council for the development.
2. Approval of the request would be inconsistent with *Plan El Paso*'s goals and policies that guide private development decisions toward orderly, safe, and predictable development patterns, and would establish a negative precedent by encouraging unpermitted or unsafe lot development within a stable residential neighborhood.
3. The structure was constructed without the required building permits and has not yet demonstrated compliance with applicable municipal and building code requirements.



Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting a special permit to allow a reduction to the required side yard setback. An addition to an existing structure was constructed without building permits and has not demonstrated compliance with applicable municipal and building code requirements. The Detailed Site Development Plan shows a single-family dwelling totaling approximately 2,450 square feet, including a two-story addition constructed in 2020 that encroaches into the required five-foot side yard setback, prompting the request for setback reduction. Access to the property is from Hiawatha Drive. The applicant is requesting the following setback reduction:

R-3/sp (Residential/special permit) Zone District		
Density/Dimensional Standard	Required	Proposed
Side Yard Setback (East) (min.)	5 ft	1.60 ft

PREVIOUS CASE HISTORY: On January 6, 1998, Ordinance No. 13442 was adopted, granting a special permit to allow a Planned Residential Development within Lots 6 and 7 of the Hueco View Acres subdivision. In 1999, the property was subsequently replatted into Indian Ridge Unit 11, which includes the subject property and established a required side yard setback of five (5) feet.

STAFF ANALYSIS: The addition to the existing single-family dwelling was built in 2020 without issuance of building permits. State of the construction is unknown with no inspections having taken place to assess the safety of the construction, including assessment to protect the adjacent neighboring property. The addition encroaches into the required five-foot (5') side yard setback, and the roof overhang is located at or near the property line, creating the potential for drainage impacts onto the adjacent property.

Staff recommends denial of the request as it is inconsistent with *Plan El Paso*'s goals and policies that guide private development decisions toward orderly, safe, and predictable development patterns. Approving the request under these circumstances would allow to legalize unpermitted construction and establish a negative precedent by encouraging development to occur without proper approvals or inspections.

COMPLIANCE WITH SPECIAL PERMIT REQUIREMENTS (EL PASO CITY CODE SECTION 20.04.320.D)	
Criteria	Does the Request Comply?
1. The proposed development complies, except to the extent waived, varied or modified pursuant to the provisions of this title, with all of the standards and conditions applicable in the zoning district in which it is proposed to be located.	No. The request is a reduction to the required side yard setback; however, the addition was constructed without building permits and has not demonstrated compliance with applicable building or life-safety standards.
2. Further <i>Plan El Paso</i> and applicable neighborhood plans or policies.	Partially. While the residential use is consistent with <i>Plan El Paso</i> , approval would undermine orderly development by allowing unpermitted construction to be addressed after the fact, which is inconsistent with adopted planning policies.
3. Adequately served by and will not impose an undue burden upon public improvements.	Yes. The property is adequately served by existing local street as classified on the El Paso's Major Thoroughfare Plan (MTP), and no concerns were identified by reviewing departments.
4. Any impacts of the proposed development on adjacent property are adequately mitigated with the design, proposed construction and phasing of the site development.	No. The requested reduction is placing the structure approximately 1.6 feet from the property line and is potentially encroaching onto adjacent property. Surrounding properties comply with required setbacks, and approval would introduce an incompatible condition.
5. The design of the proposed development mitigates substantial environmental problems.	Yes. No environmental impacts were identified, and no concerns were noted by reviewing departments.
6. The proposed development provides adequate landscaping and/or screening where needed.	Yes. Landscaping requirements are not required for the residential use.

7. The proposed development is compatible with adjacent structures and uses.	No. Although the use is compatible, the proposed setback reduction is inconsistent with surrounding development, where properties comply with required setbacks.
8. The proposed development is not materially detrimental to the property adjacent to the site.	No. Approval would legitimize unpermitted construction that may impact adjacent properties and would create a negative precedent for unsafe or noncompliant development.

COMPLIANCE WITH PLAN EL PASO GOALS & POLICIES – When evaluating whether a proposed special permit is in accordance with *Plan El Paso*, consider the following factors:

Criteria	Does the Request Comply?
<p>Future Land Use Map: Proposed zone change is compatible with the Future Land Use designation for the property:</p> <p>G-3 Post-War: This sector applies to transitional neighborhoods typically developed from the 1950s through the 1980s. Streets were laid out with curvilinear patterns without alleys and shopping centers are located at major intersections behind large parking lots. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.</p>	The existing single-family residential use is consistent with the G-3 Post-War designation. However, approval of a special permit to legalize unpermitted construction is not consistent with the intent of orderly development promoted by <i>Plan El Paso</i> .
<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:</p> <p>R-3 (Residential) District: The purpose of the district is to promote and preserve residential development within the city to create basic neighborhood units. It is intended that the district regulations maintain a low density of dwelling units supporting a suburban-urban interface that permits developments utilizing varying lot configurations. The regulations of the district will permit primarily single-family and two-family residential areas, and recreational and institutional uses incidental to and serving the neighborhood.</p>	While the residential use is compatible, surrounding properties comply with required setback standards. The proposed setback reduction to approximately 1.6 feet is inconsistent with the established development pattern and would introduce an incompatible encroachment.

THE PROPOSED PROJECT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:

<p>Historic District or Special Designations & Study Area Plans: Any historic district or other special designations that may be applicable. Any adopted small areas plans, including land-use maps in those plans.</p>	The subject property is not located within a historic district, Neighborhood Conservation Overlay, or any other special designation area.
<p>Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested rezoning.</p>	Approval would allow the continuation of an unpermitted structure that has not demonstrated compliance with building or life-safety standards and may affect adjacent properties. Approval would also establish a negative precedent by encouraging development to occur without proper approvals.
<p>Natural Environment: Anticipated effects on the natural environment.</p>	There are no anticipated effects on the natural environment.
<p>Stability: Whether the area is stable or in transition.</p>	The surrounding area is a stable residential neighborhood with consistent development patterns. Approval of a significant setback reduction tied to

	unpermitted construction would undermine neighborhood stability.
Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	There are no changes to social, economic, or physical conditions that would render the current zoning inappropriate; the existing zoning continues to support residential use.

SUMMARY OF DEPARTMENTAL REVIEW COMMENTS: The Planning Division recommends denial of the special permit request for a side yard setback reduction and Detailed Site Development Plan due to the structure being constructed without permits, has not demonstrated compliance with applicable safety codes, and approval would be inconsistent with *Plan El Paso* and the intent of orderly development.

PUBLIC COMMENT: There are no neighborhood associations within the area. Notices were mailed to property owners within 300 feet of the subject property on January 16, 2026. As of January 22, 2026, the Planning Division has received two (2) call of inquiry but has not received any communications in support of or in opposition to the special permit request.

CITY PLAN COMMISSION OPTIONS: The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

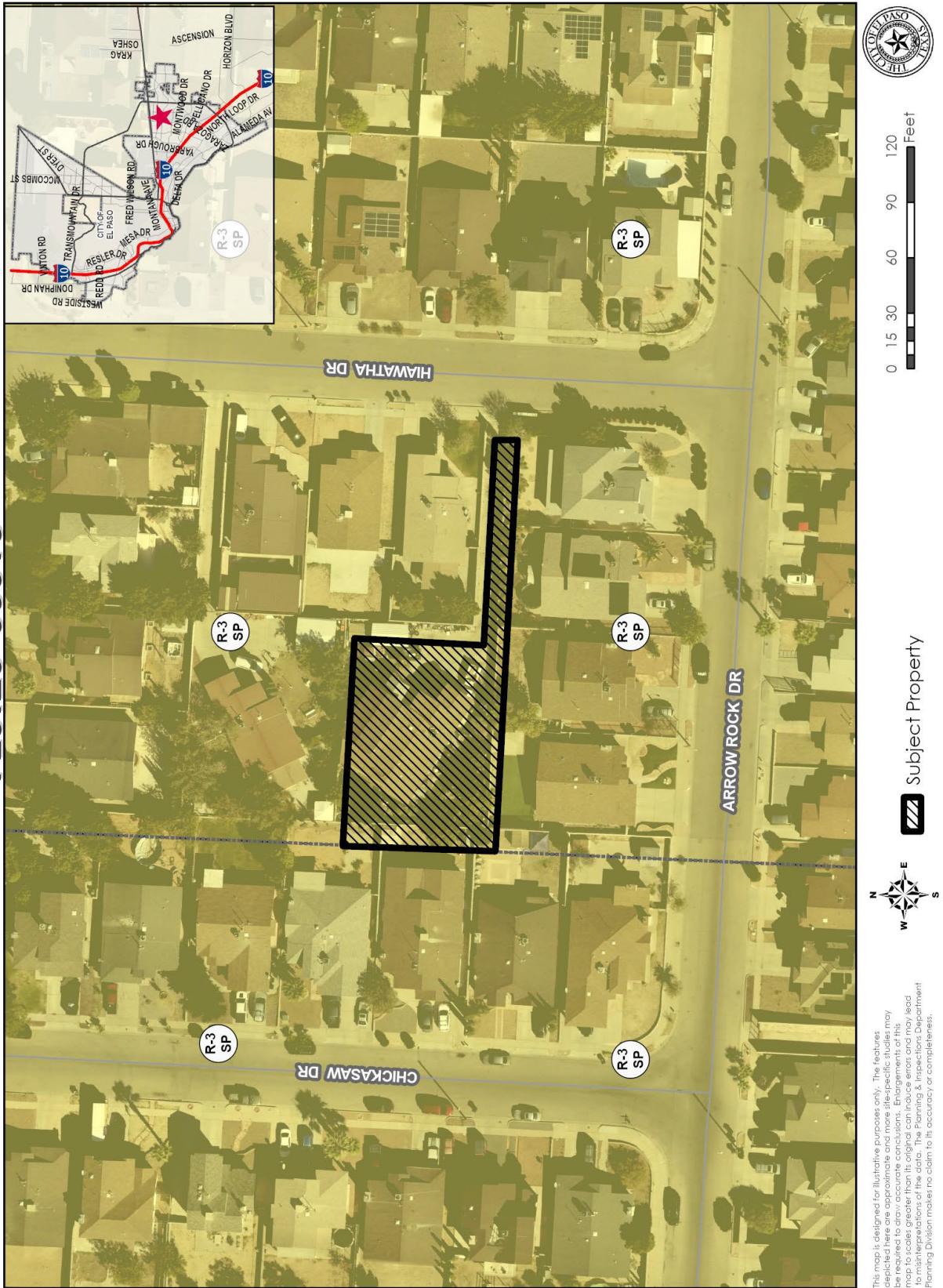
1. **Recommend Approval** of the special permit request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan.
2. **Recommend Approval of the special permit request With Modifications** to bring the request into conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan.
3. **Recommend Denial** of the special permit request, finding that the request does not conform to the review criteria of *Plan El Paso* as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan. **(Staff Recommendation)**

ATTACHMENTS:

1. Zoning Map
2. Detailed Site Development Plan
3. Elevations
4. Ordinance No. 13442
5. Department Comments
6. Neighborhood Notification Boundary Map

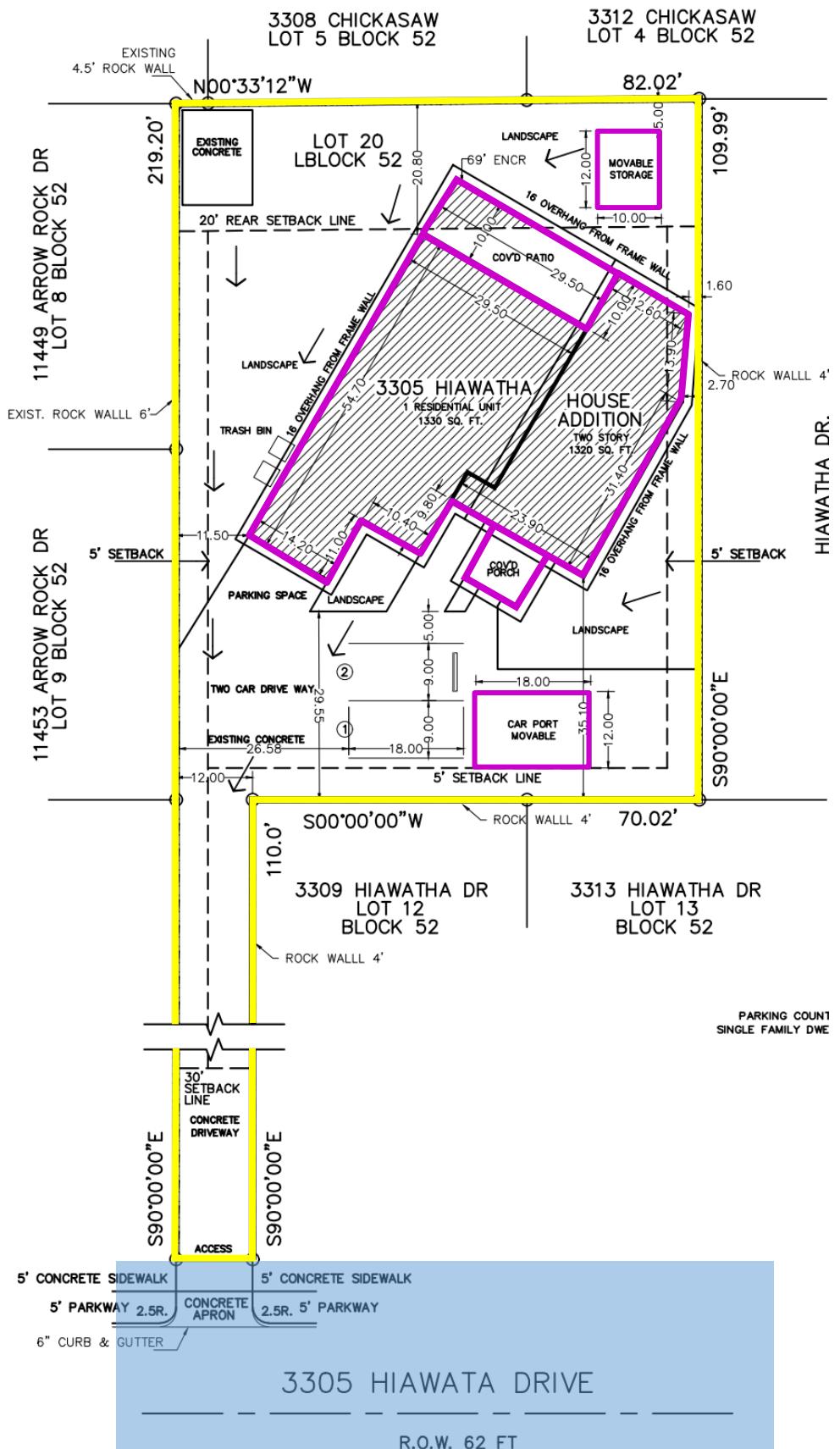
ATTACHMENT 1

PZST25-00013

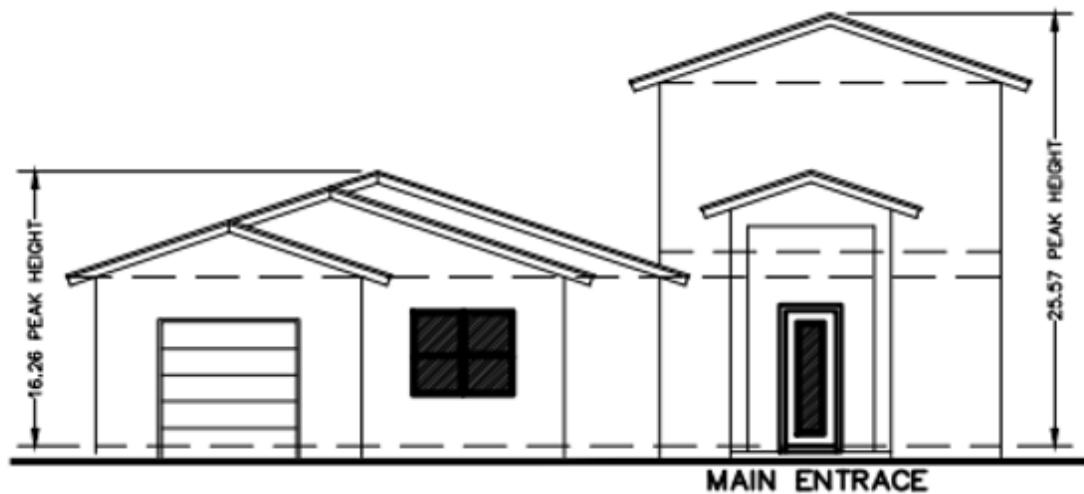


This map is designed for illustrative purposes only. The features depicted here are approximate and may not reflect the most current information. The City of El Paso, El Paso County, and the City of Juarez, Mexico, are not responsible for any errors or omissions. The data is subject to change and may not be used for legal or survey purposes. The Planning & Zoning Department of the City of El Paso, El Paso County, and the City of Juarez, Mexico, make no claim to the accuracy or completeness of the information contained in this map.

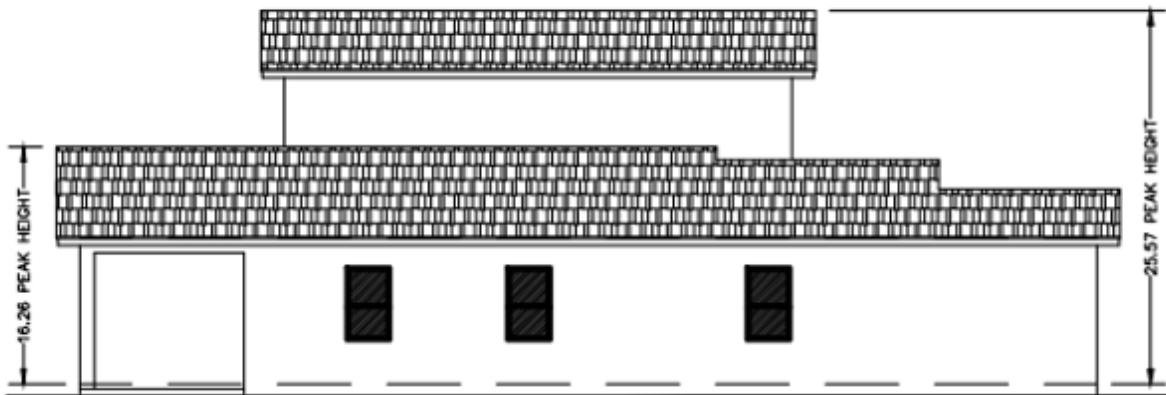
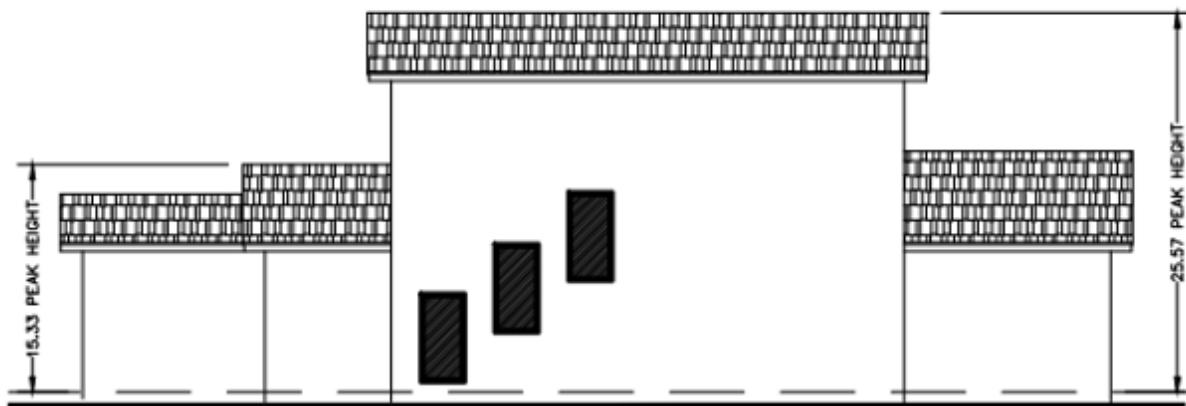
ATTACHMENT 2



ATTACHMENT 3



FRONT ELEVATION



ATTACHMENT 4

013442

ORDINANCE NO. _____

ORDINANCE GRANTING SPECIAL PERMIT NO. SP 97-28, TO ALLOW FOR A PLANNED RESIDENTIAL DEVELOPMENT ON LOTS 6 & 7, BLOCK 6, HUECO VIEW ACRES (INDIAN RIDGE UNIT 11) PURSUANT TO SECTION 20.12.040A (ZONING) OF THE EL PASO MUNICIPAL CODE.

WHEREAS, Tropicana Homes, Inc. has applied for a Special Permit under Section 20.12.040A of the El Paso Municipal Code, to allow for a planned residential development, and;

WHEREAS, a report was made to the City Plan Commission and a public hearing was held regarding such application;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the property described as follows is in an R-3 (Residential) District:

Lots 6 & 7, Block 6, HUECO VIEW ACRES, City and County of El Paso, Texas, as more particularly described in the attached and incorporated Exhibit "A", and municipally known as Indian Ridge Unit 11; and

2. That a planned residential development is authorized by Special Permit in R-3

(Residential) districts under Section 20.12.040A of the El Paso Municipal Code; and

3. That the requirements for a planned residential development under

Section 20.12.040A have been satisfied; and

4. That the City Council hereby grants a Special Permit under Section 20.12.040A of

the El Paso Municipal Code, to allow a planned residential development on the above-described

property; and

5. That this Special Permit is issued subject to the development standards in the R-3

(Residential) district regulations and subject to the approved Site Development Plan, signed by

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the Applicant, the Mayor and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "B" and incorporated herein by reference for all purposes; and

6. That the Applicant shall sign an Agreement incorporating the requirements of this

Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued; and

7. That if the Applicant fails to comply with any of the requirements of this

Ordinance, **Special Permit No. SP 97-28** shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases.

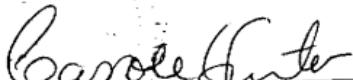
PASSED AND APPROVED this 6th day of January, 1998

THE CITY OF EL PASO



Mayor

ATTEST:



Carole Hunter

City Clerk

APPROVED AS TO FORM:



John F. Nance
Assistant City Attorney

APPROVED AS TO CONTENT:



Scott Stanfield
Dept. of Planning, Research & Development

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AGREEMENT

TROPICANA HOMES, INC., the Applicant referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Site Development Plan and in accordance with the standards identified in the R-3 (Residential) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 25th day of NOVEMBER, 1997.

TROPICANA HOMES, INC.

By: R. Bandy III
Title: PRESIDENT

ACKNOWLEDGMENT

THE STATE OF TEXAS)

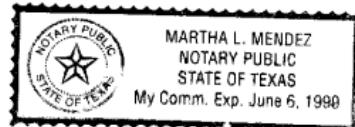
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COUNTY OF EL PASO)

This instrument is acknowledged before me on this 25th day of as
November, 1997, by R. Bandy III, on behalf of **TROPICANA HOMES, INC.**, as Applicant.

My Commission Expires:

Martha L. Mendez
Notary Public, State of Texas
Notary's Printed or Typed Name:



Special Permit #SP 97-28

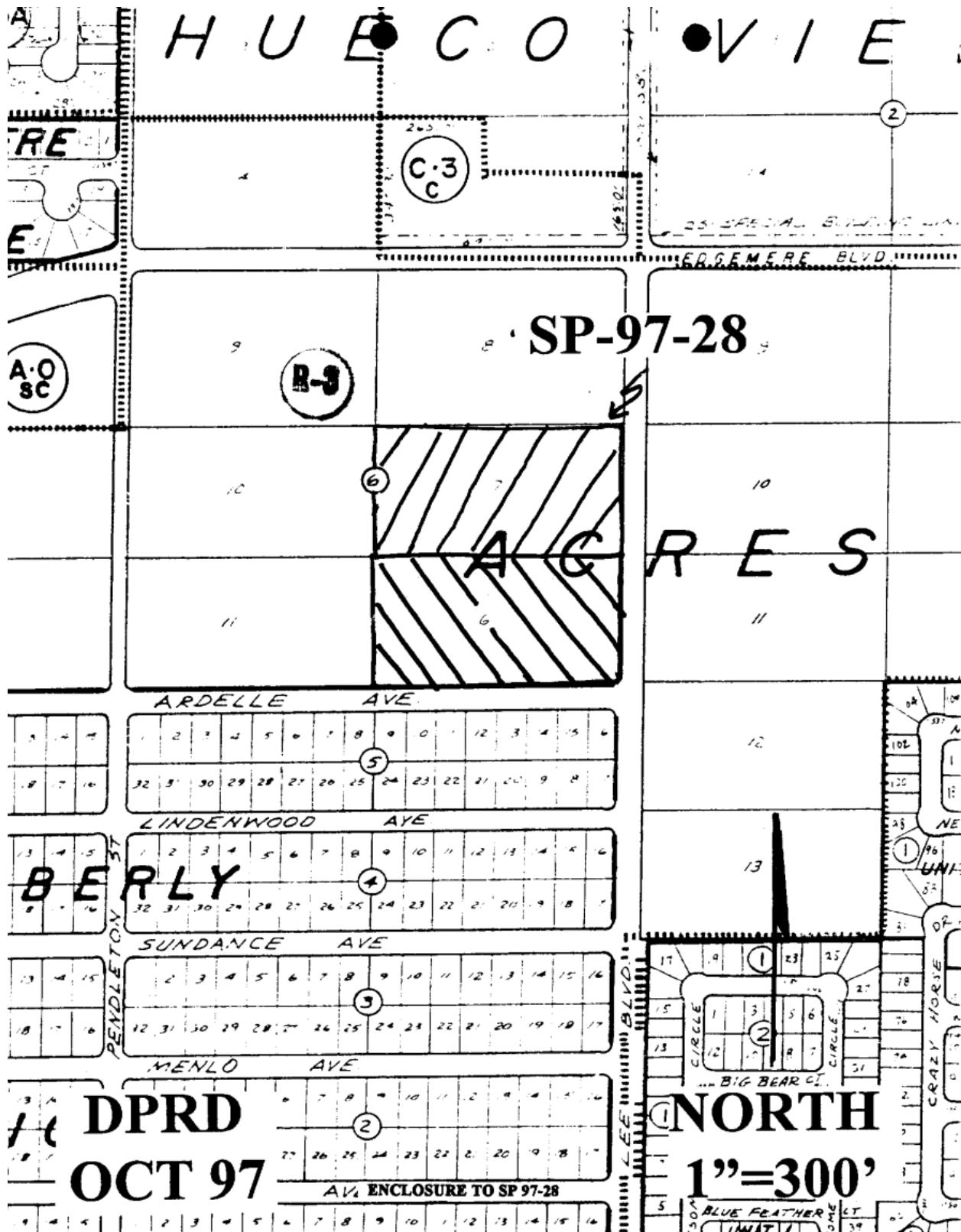
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ORDINANCE_____



ATTACHMENT 5

Planning and Inspections Department - Planning Division

Staff recommends denial of the special permit request for side yard setback reduction and detailed site development plan for the following reasons:

1. The structure was constructed without required permits and has not demonstrated compliance with applicable municipal and building code requirements, which is inconsistent with the intent of the special permit provisions of the El Paso City Code and the implementation framework of Plan El Paso.
2. Approval of the request would be inconsistent with *Plan El Paso's* goals and policies that guide private development decisions toward orderly, safe, and predictable development patterns, and would establish a negative precedent by encouraging unpermitted or unsafe lot development within a stable residential neighborhood.

Planning and Inspections Department – Plan Review & Landscaping Division

No objections to the proposed special permit. At the time of submittal for building permits, the project will need to comply with all applicable municipal and building code requirements.

Planning and Inspections Department – Land Development

No objections to proposed special permit plan.

Fire Department

No comments provided.

Police Department

No comments provided.

Environment Services

No comments provided.

Streets and Maintenance Department

Traffic and Transportation Engineering:

No objections to application.

Street Lights Department:

For the development of a project a complete set of plans shall be submitted to Street Lights Department for review showing the minimum requirements for street illumination proposals**. The submission shall contain but shall not necessarily be limited to plans indicating the location on the premises of all lighting fixtures, both proposed and existing on the site***. The description of all lighting fixtures, both proposed and existing. Photometric data. Plans shall show street illumination design and details. El Paso city code is applicable to this process, Street Design Manual (SDM)* and any other applicable standards or requirements of the city.

Street Lights Department requires that a project that involves a roadway is to be evaluated for lighting requirements based on the City of El Paso Street Design Manual (SDM) and the Design Standards for Construction (DSC) according to City of El Paso Codes (cited below). While developing a project or construction area the existing street illumination system shall be protected and preserved. Complete survey for street illumination system shall be shown on plans. Any change on existing street illumination systems shall be coordinated with Street Lights Department.

City of El Paso Codes to be followed:

*Title 19 - 19.16.010 - Streetlighting.

**18.18.190 – Submission contents.

*** 19.02.040 Criteria for approval.

Sun Metro

No comments provided.

El Paso Water

Does not object to this request.

EPWU-PSB Comments

There is an existing 6-inch diameter water main that extends along Hiawatha Dr, this main is located approximately 16-feet west of the east right-of-way line. This main is available to provide service.

Previous water pressure reading from fire hydrant #08098, located at the intersection of Hiawatha Drive and Arrow Rock Drive, yielded a static pressure of 72 psi, a residual pressure of 68 psi, and a discharge flow of 1,113 gallons per minute.

EPWater records indicate an active $\frac{3}{4}$ -inch water meter serving the subject property. The service address for this meter is 3305 Hiawatha Drive.

Sanitary Sewer

There is an existing 8-inch diameter sanitary sewer main that extends along Hiawatha Dr, this main is located approximately 21-feet east of the west right-of-way line. This main is available to provide service.

General

Service to be provided at the entrance of panhandle lots. The Owner is to provide the locations for the water services outside of the driveways. No vehicular traffic is allowed over the water meter boxes.

EPWater-PSB requires a new service application to provide additional service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWater-PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

Stormwater:

EPWater-SW has reviewed the proposal and has no objections.

El Paso County 911 District

No comments or concerns regarding this zoning.

Texas Department of Transportation

No adverse comments as there appears to be no work affecting the R.O.W.

El Paso County Water Improvement District #1

No comments provided.

Texas Gas Service

Texas Gas Service has an existing service line at 3305 Hiawatha, if an additional service line/meter will be needed for the addition, Texas gas will require an easement.

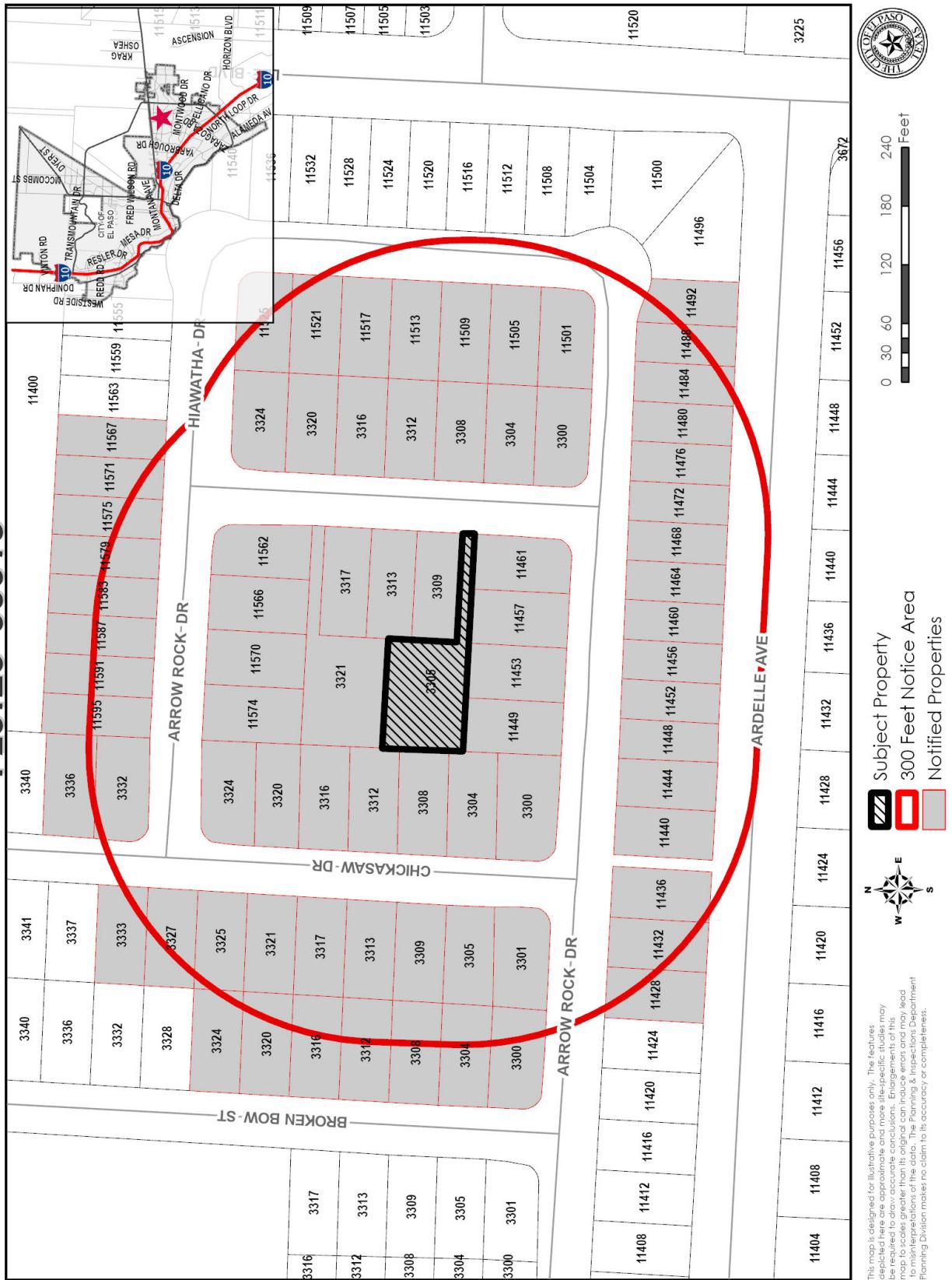
Disclaimer: Texas Gas Service does not allow permanent structures nor trees to be installed on top of TGS gas mains or service lines. If a conflict is anticipated, the developer, contractors or owner representative should contact TGS to relocate the gas main and/or service at the developer's expense.

El Paso Electric

No comments for 3305 Hiawatha Dr.

ATTACHMENT 6

PZST25-00013



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's Planning Division makes no claim to accuracy or completeness.