

4652 Caples

Zoning Board of Adjustment — June 15, 2026



CASE NUMBER: PZBA26-00028
CASE MANAGER: Pratika Banjara, (915) 212-1644, BanjaraP@elpasotexas.gov
PROPERTY OWNER: Gwendolyn N West & Dorothy G Bailey
REPRESENTATIVE: Gwendolyn N West & Dorothy G Bailey
LOCATION: 4652 Caples Cir. (District 2)
ZONING: R-4 (Residential)
REQUEST: Special Exception B (Two or More Nonconforming Lots) and Special Exception K (In Existence Fifteen Years or More)
PUBLIC INPUT: None received as of June 9, 2026

SUMMARY OF REQUEST: Applicant requests a Special Exception under Section 2.16.050 B (two or more Nonconforming Lots) and K (In Existence Fifteen Years or More) to legalize home additions in an R-4 (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 and has been in existence for more than fifteen (15) years.

PZBA26-00028



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Subject Property

0 20 40 80 120 160
 Feet



Figure A. Aerial of Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting a special exception to legalize an existing addition on the right side of the property that encroaches 5 feet into the required side yard setback, resulting in an encroachment of 54 square feet. Additionally, the applicant is also requesting a special exception to legalize the addition on the left side of the property, which extends 5 feet into the rear setback and 5 feet into the side yard setback, resulting in a total of 335 square feet encroachment.

BACKGROUND: The minimum side setback is 5 feet in the R-4 (Residential) zone district. The minimum rear setback is 10 feet but the required rear setback for the subject property is 20 to meet the cumulative front and rear setback of 45 in the R-4 (Residential) zone.

Aerial imagery indicates that homes on the same block have similar encroachments. At 2029 Crescent Circle, the existing residence encroaches approximately 235 square feet into the required side setback. At 4644 Caples Circle, the residence encroaches approximately 100 square feet into the required side setback.

The current owner has owned the property since 2022 and the building was constructed in 1940 based on El Paso Central Appraisal District records. The existing encroachment has been in existence before 1997. Based on 2010 aerial imagery, the property existed back then as it does today, with the left addition in their current location and the addition on the right side of the property was built in the year 2017.

SETBACKS	REQUIRED SETBACK	REQUESTED SETBACK
Front	25 Feet	No Change
Rear	20 Feet	15 feet
Cumulative Front & Rear	45 Feet	40 feet
Side (Left)	5 Feet	0 feet
Side (Right)	5 Feet	0 Feet
Cumulative Side	N/A	N/A

COMPLIANCE WITH SPECIAL EXCEPTION 2.16.050.B CRITERIA	
The Zoning Board of Adjustment is empowered under Section 2.16.050.B to: <i>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:</i>	
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 two houses on the same block extends 5 feet into the side 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 other properties with single-family dwellings that encroach into their required side setbacks beyond the existing encroachment of the subject property.
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 are being considered.

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?
5. 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.
6. 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.
7. 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.
8. 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.
9. 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 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

PZBA26-00028



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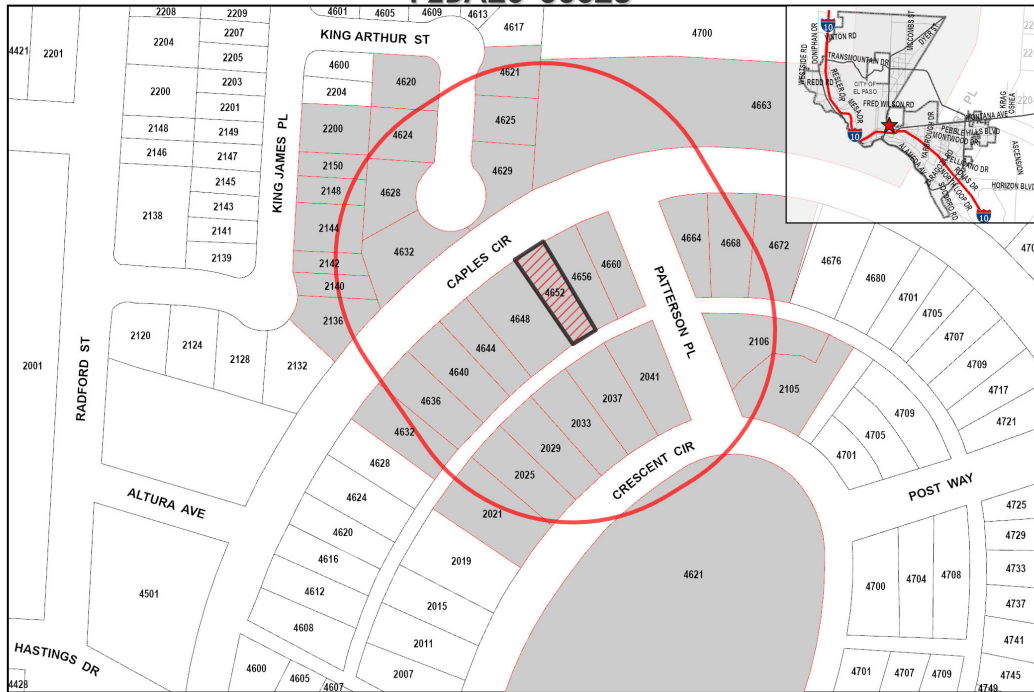
Subject Property

0 20 40 80 120 160 Feet



NEIGHBORHOOD NOTIFICATION MAP

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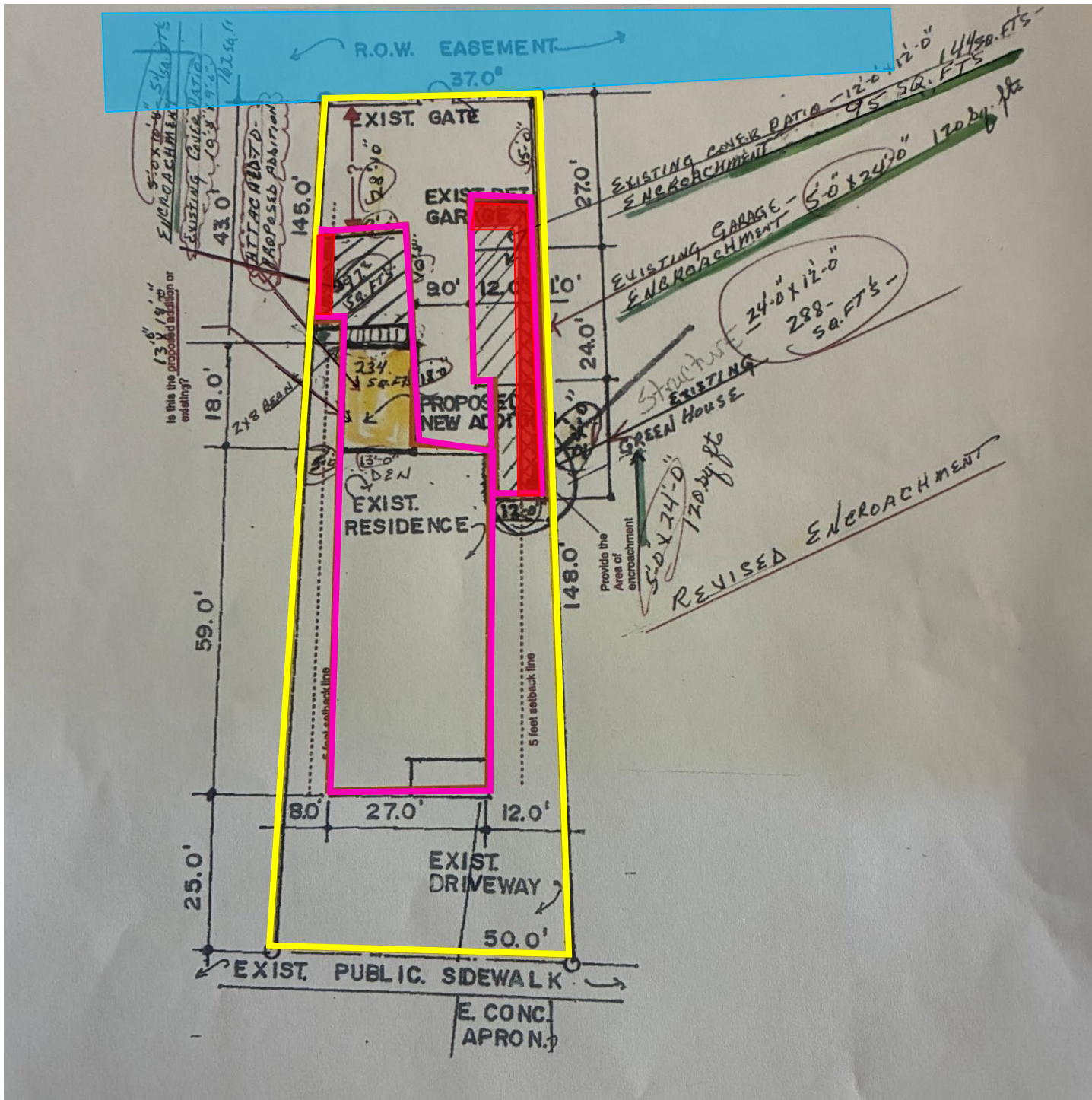


Subject Property
 300 Feet Notice Area
 Notified Properties

0 35 70 140 210 280 Feet



SITE PLAN



NON-CONFORMING LOTS

PZBA26-00028 | Non-Conforming Lots



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 Subject Property

0 35 70 140 210 280 Feet



NONCONFORMING LOT 1

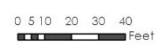
PZBA26-00028 | 4644 Caples Circle



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Non-Conforming Lot



NONCONFORMING LOT 2

PZBA26-00028 | 2029 Crescent Circle



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Non-Conforming Lot



2010 AERIAL

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 Subject Property

0 5 10 20 30 40
Feet

