

7158 North Loop

Zoning Board of Adjustment — August 11, 2025



CASE NUMBER: PZBA25-00025
CASE MANAGER: Alejandra González, (915) 212-1506, GonzalezAG@elpasotexas.gov
PROPERTY OWNER: Daniel J Vargas
REPRESENTATIVE: Vanessa Duran
LOCATION: 7158 North Loop Dr. (District 3)
ZONING: C-4/sc (Commercial/special contract)
REQUEST: Special Exception K (In Existence Fifteen Years or More)
PUBLIC INPUT: None received as of August 5, 2025

SUMMARY OF REQUEST: Applicant requests a Special Exception under Section 2.16.050 K (In Existence Fifteen Years or More) to allow to legalize an existing building into the side setback in a C-4 (Commercial) zone district.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL WITH A CONDITION** of the special exception request as the requested encroachment has been in existence for more than fifteen (15) years. The condition is as follows:

- The front structure portion shall be removed or relocated from the 10 feet side setback.

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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. Encouragements of this map to codes greater than its original can induce errors and may lead to misinterpretations of the data. The Planning & Inspections Department Planning Division makes no claim to its accuracy or completeness.



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 allow to legalize an existing building which extends 7 feet and 1 inch into the side yard setback and of which 522.76 square feet of that structure encroach into the side yard setback.

BACKGROUND: The minimum side setback is 10 feet in the C-4 (Commercial) zone district when abutting a residential or apartment district. The current owner has owned the property since 2024 and the building was constructed in 2003 based on El Paso Central Appraisal District records. The existing encroachment has been in existence approximately for 22 years. Based on 2009 aerial imagery, the property existed back then as it does today, with the building in its current location.

SETBACKS	REQUIRED SETBACK	REQUESTED SETBACK
Front	0 Feet	No Change
Rear	10 Feet	No Change
Side (Left)	10 Feet	2 Feet 11 inches
Side (Right)	10 Feet	No Change

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 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:

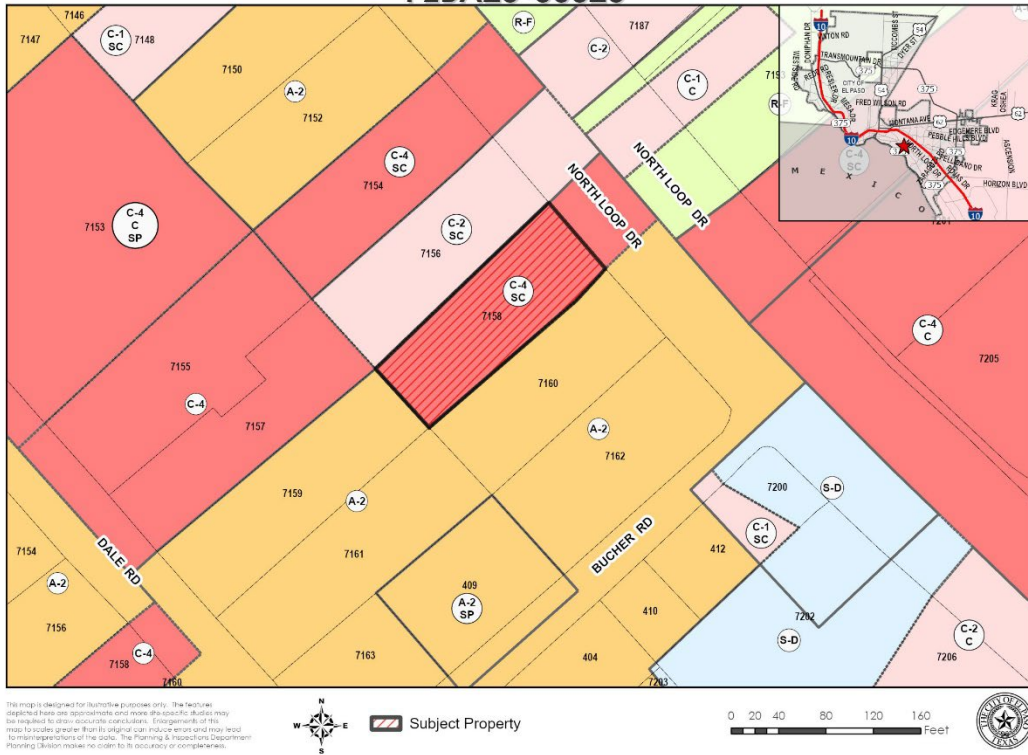
The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The Zoning Board of Adjustment (ZBA) has the authority to grant a special exception to the zoning code only as provided in El Paso City Code Titles 2 and 20. In evaluating the request, the ZBA 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.
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.

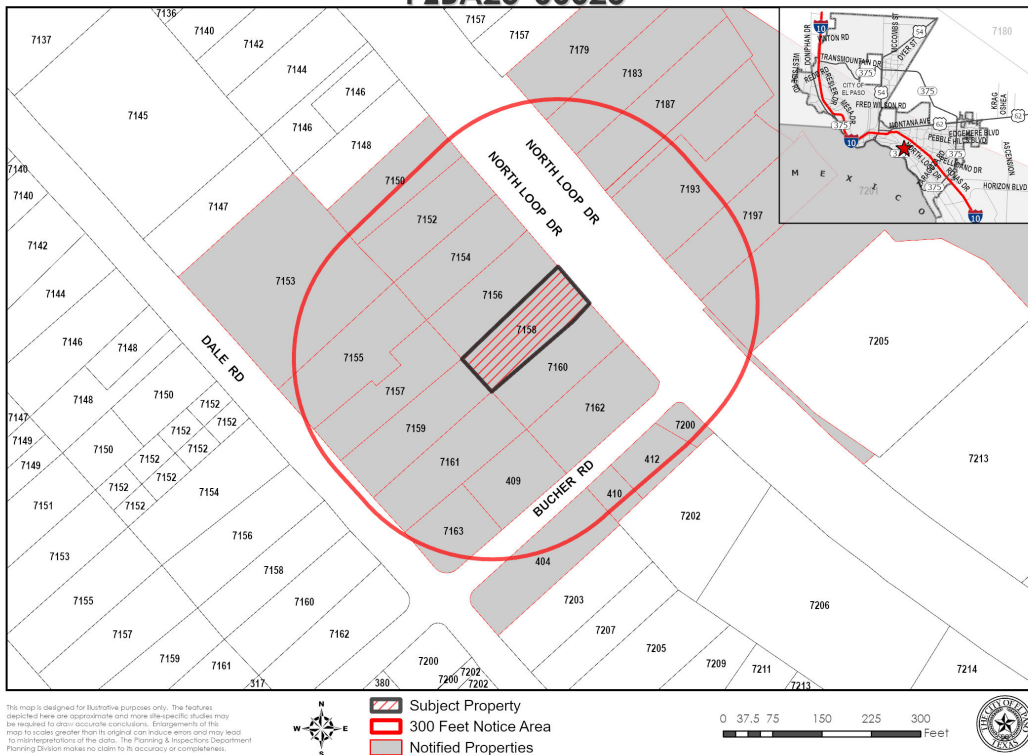
ZONING MAP

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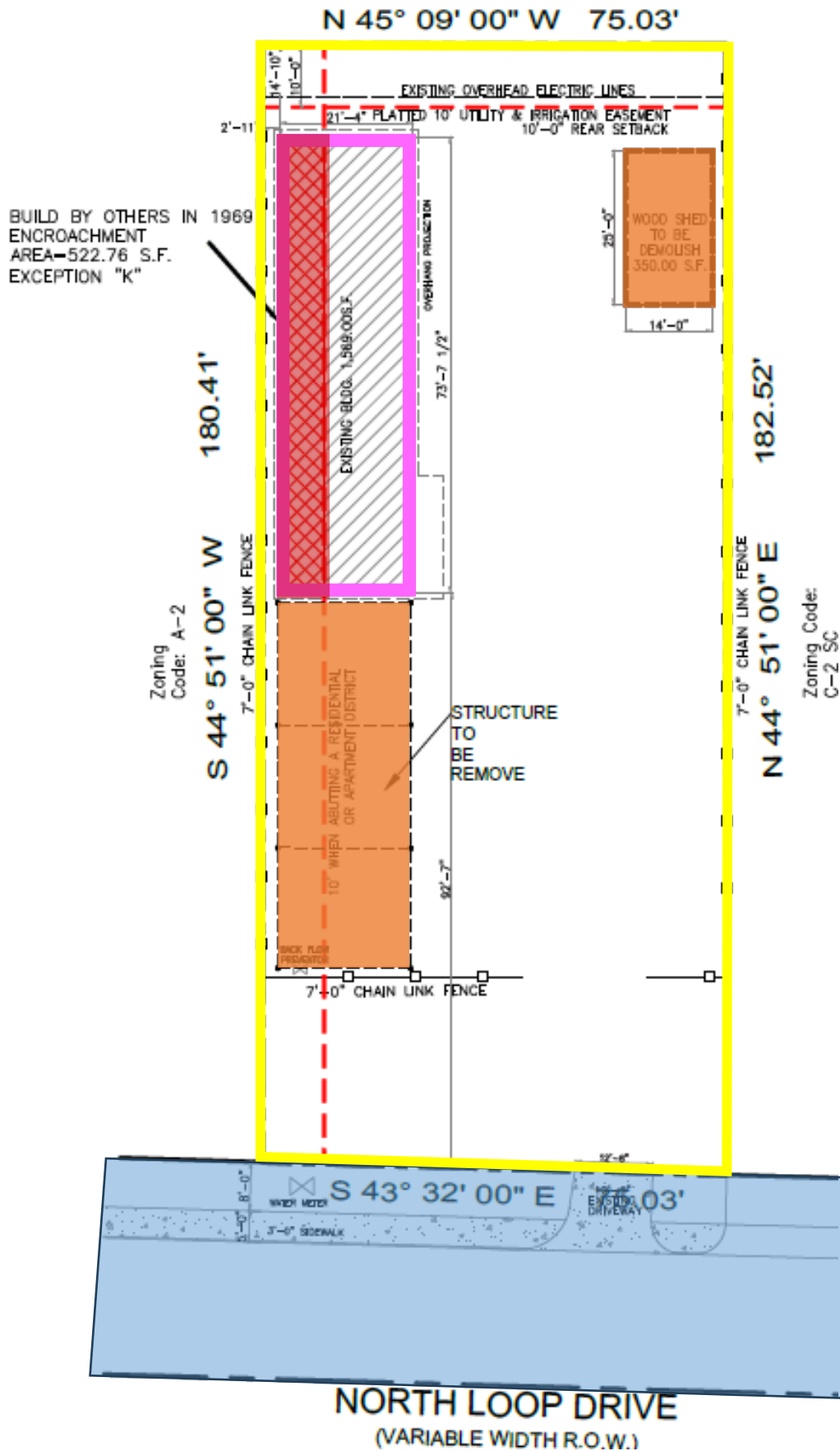


NEIGHBORHOOD NOTIFICATION MAP

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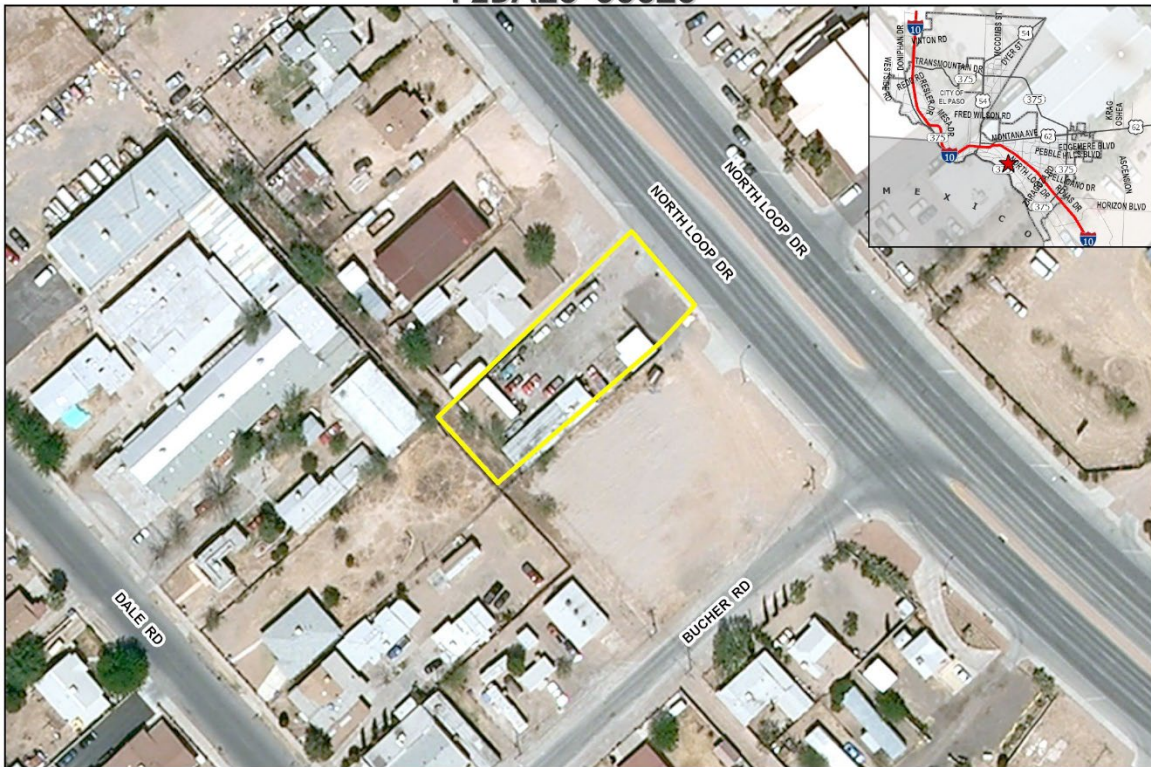


SITE PLAN



2009 AERIAL

PZBA25-00025



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