

8409 Hartford

Zoning Board of Adjustment — November 10, 2025



CASE NUMBER:	PZBA25-00032
CASE MANAGER:	Blanca Perez, (915) 212-1561, PerezBM@elpasotexas.gov
PROPERTY OWNER:	Justin and Jessica Holston
REPRESENTATIVE:	Flores General Construction
LOCATION:	8409 Hartford Dr. (District 7)
ZONING:	R-3 (Residential)
REQUEST:	Special Exception C (Rear Yard Setback, Single-Family Residence)
PUBLIC INPUT:	None received as of November 4, 2025

SUMMARY OF REQUEST: Applicant requests a Special Exception under Section 2.16.050 C (Rear Yard Setback, Single-Family Residence) to permit a proposed home addition and garage in an R-3 (Residential) zone district.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL WITH A CONDITION** of the special exception request as the requested area of encroachment is less than the maximum permitted. The condition is as follows:

- *The accessory structures shall be removed or relocated from the five-foot easement area.*

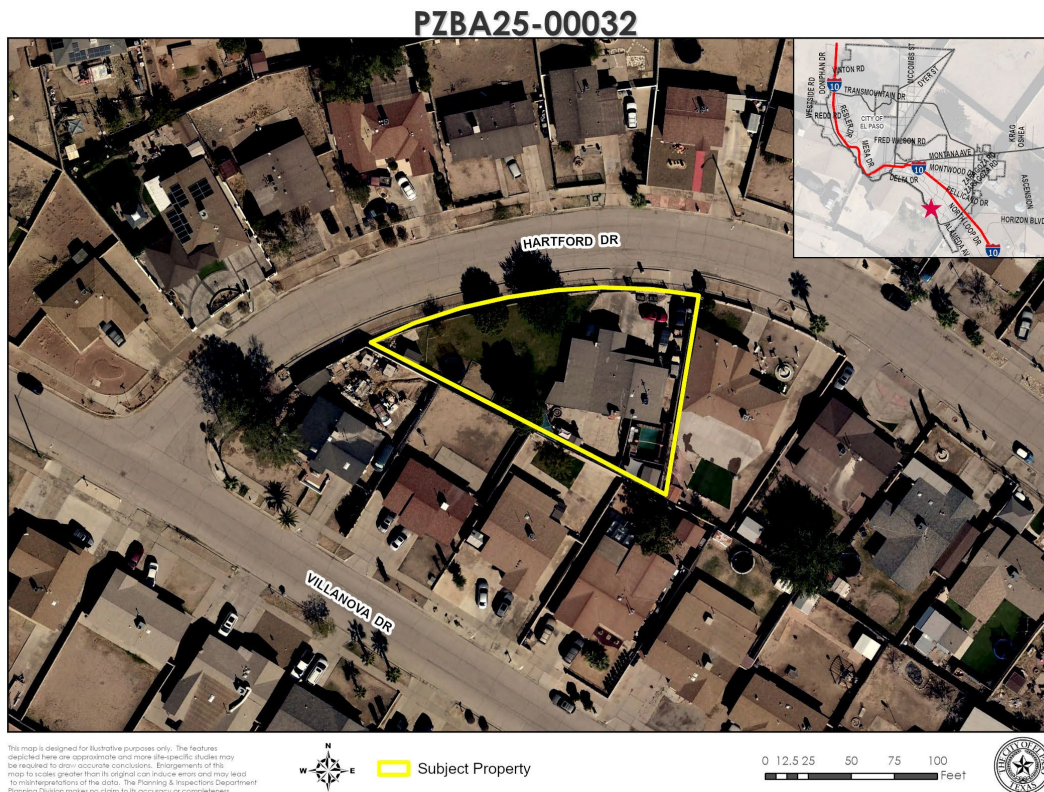


Figure A. Aerial of Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting a special exception to permit the construction of a proposed home addition and garage, 7 feet of which would extend into the rear yard setback for a 136.29 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 25 feet to meet the cumulative front and rear setback of 50 feet in the R-3 (Residential) zone district.

Based on Section 20.12.040 – Yards, open and unenclosed porches not exceeding 180 square feet in area may extend up to 12 feet into a required rear yard. The applicant is proposing an unenclosed porch, totaling 180 square feet, that would extend 8 feet into the proposed setback.

SETBACKS	REQUIRED SETBACK	REQUESTED SETBACK
Front	25 feet	No Change
Rear	25 feet	18 feet
Cumulative Front & Rear	50 feet	43 feet
Side	5 feet	No Change
Side Street	10 feet	No Change
Cumulative Side	N/A	N/A

CALCULATIONS:

	TOTAL	CALCULATION
Maximum Permitted Area of Encroachment	711.6 square feet	47.44' (142.31' average lot width ÷ 3) X 15' (3/5 of 25' required rear yard setback)
Requested Area of Encroachment	136.29 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:
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:

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 711.6 square feet, which is more than the requested area of encroachment of 136.29 square feet.
3. A minimum ten-foot rear yard setback shall be required;	Yes. The subject property will have a 10-foot rear yard setback.
4. The minimum side and side street yard setbacks shall not be reduced;	Yes. The minimum side and side street 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 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.

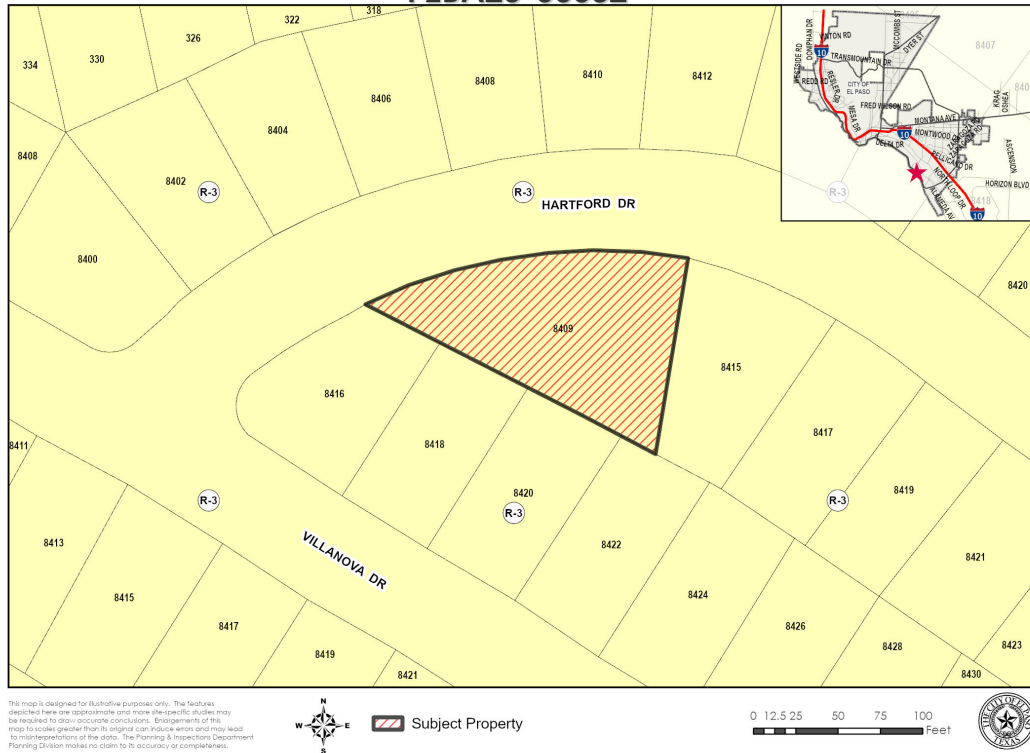
ZONING BOARD OF ADJUSTMENT OPTIONS:

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.

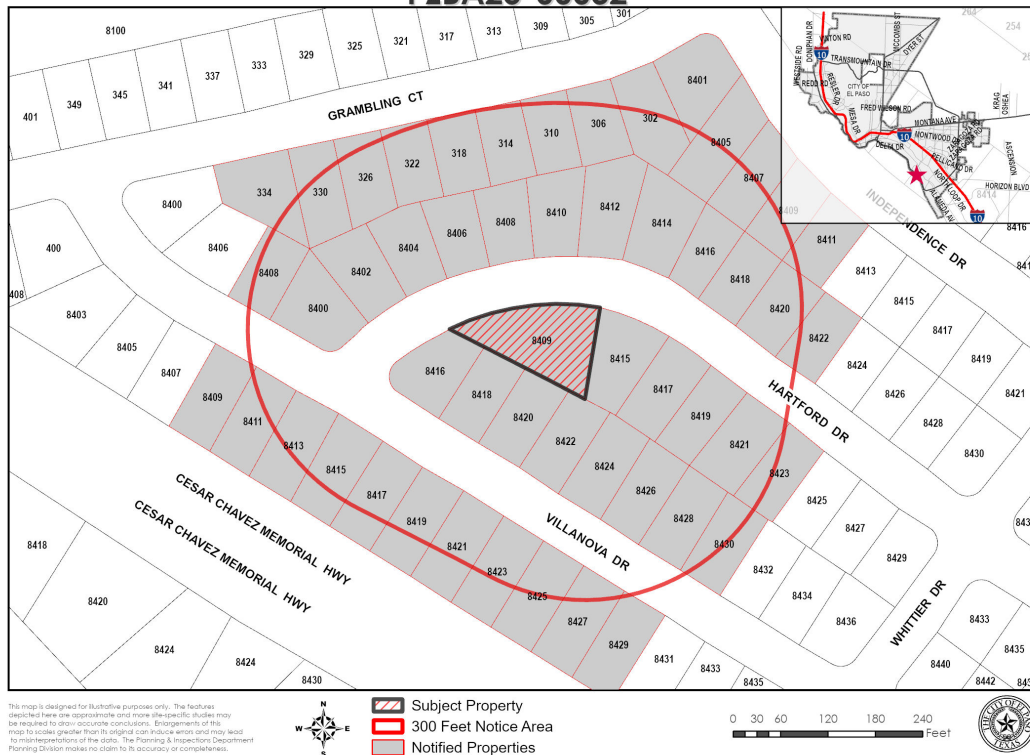
ZONING MAP

PZBA25-00032



NEIGHBORHOOD NOTIFICATION MAP

PZBA25-00032



LEGAL DESCRIPTION

CITY OF EL PASO, EL PASO COUNTY, TEXAS

54 S.F.
AREA OF ENCROACHMENT

SITE PLAN

$$x = 1'' - 20'$$