



AGENDA FOR THE ZONING BOARD OF ADJUSTMENT PUBLIC HEARING

**December 08, 2025
MAIN CONFERENCE ROOM, 300 NORTH CAMPBELL – 2ND FLOOR
1:30 PM**

Notice is hereby given that a Public Hearing of the Zoning Board of Adjustment will be conducted on the above date and time.

Members of the public may view the meeting via the following means:

Via the City's website. <http://www.elpasotexas.gov/videos>

Via television on City15,

YouTube: <https://www.youtube.com/user/cityofelpasotx/videos>

In compliance with the requirement that the City provide two-way communication for members of the public, members of the public may communicate with the Zoning Board of Adjustment during public comment, and regarding agenda items by calling the following number:

1-915-213-4096 or Toll Free Number: 1-833-664-9267

At the prompt please enter the corresponding Conference ID: 775 076 00#

If you wish to sign up to speak please contact Berenice Barron at BarronBC@elpasotexas.gov or (915) 212-1583 no later than by the start of the meeting.

A quorum of the Zoning Board of Adjustment members must be present and participate in the meeting.

PUBLIC COMMENT

ROLL CALL

AGENDA

1. Board Member Elections: Chair and Vice Chair

[BC-1476](#)

POSTPONED FROM NOVEMBER 10, 2025

2. **PZBA25-00037** Lot 218, Block 10, Valley View Heights, City of El Paso, El Paso County, Texas [BC-1477](#)
ADDRESS: 6530 Mohawk Drive
APPLICANT: Jose M. Romo
REPRESENTATIVE: Jose M. Romo
REQUEST: Special Exception B (Two or More Nonconforming Lots)
DISTRICT: 3
ZIP CODE: 79925
STAFF CONTACT: Blanca Perez, (915) 212-1561,
PerezBM@elpasotexas.gov
POSTPONED FROM NOVEMBER 10, 2025
3. **PZBA25-00040** Lot 21, Block 34, Vista Real Unit Three, Amending Subdivision, City of El Paso, El Paso County Texas [BC-1478](#)
ADDRESS: 11749 Riverstone Drive
APPLICANT: Susan Hernandez
REPRESENTATIVE: Susan Hernandez
REQUEST: Special Exception B (Two or More Nonconforming Lots)
DISTRICT: 6
ZIP CODE: 79936
STAFF CONTACT: Saul J. G. Pina, (915) 212-1604,
PinaSJ@elpasotexas.gov
4. **PZBA25-00049** Lot 4, Block 393, Vista del Sol Unit Ninety, City of El Paso, El Paso County, Texas [BC-1479](#)
ADDRESS: 11837 Chelita Drive
APPLICANT: Saul Marquez
REPRESENTATIVE: Saul Marquez
REQUEST: Special Exception J (Carport Over a Driveway) and Special Exception K (In Existence Fifteen Years or More)
DISTRICT: 6
ZIP CODE: 79936
STAFF CONTACT: Alejandra Gonzalez, (915) 212-1506,
GonzalezAG@elpasotexas.gov
5. **PZBA25-00053** Lot 25 and 26, Block 126, East El Paso, City of El Paso, El Paso County, Texas [BC-1480](#)
ADDRESS: 3614 Douglas Avenue
APPLICANT: Justin Churchman
REPRESENTATIVE: Daniel Aburto

REQUEST: Special Exception K (In Existence Fifteen Years or More)
DISTRICT: 2
ZIP CODE: 79903
STAFF CONTACT: Jose Beltran, (915) 212-1607,
BeltranJV@elpasotexas.gov

6. **PZBA25-00054** Lot 9, Block 23, Tobin Park Unit 2, City of El Paso, [BC-1481](#)
El Paso County, Texas
ADDRESS: 5716 Decatur Way
APPLICANT: Weise Gunnar
REPRESENTATIVE: Vanessa Duran
REQUEST: Special Exception J (Carport Over a Driveway)
DISTRICT: 4
ZIP CODE: 79924
STAFF CONTACT: Blanca Perez, (915) 212-1561,
PerezBM@elpasotexas.gov

7. Approval of Minutes: November 10, 2025 [BC-1482](#)

EXECUTIVE SESSION

The Zoning Board of Adjustment of the City of El Paso may retire into EXECUTIVE SESSION pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the items on this agenda. The Zoning Board of Adjustment will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

ADJOURN

NOTICE TO THE PUBLIC

Sign language interpreters will be provided for this meeting upon request. Requests must be made to Berenice Barron at BarronBC@elpasotexas.gov a minimum of 72 hours prior to the date and time of this hearing.

If you need Spanish Translation Services, please email BarronBC@elpasotexas.gov at least 72 hours in advance of the meeting.

Posted this the _____ of _____ at _____ AM/PM by _____



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: BC-1476, **Version:** 1

CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Board Member Elections: Chair and Vice Chair

POSTPONED FROM NOVEMBER 10, 2025



Legislation Text

File #: BC-1477, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

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PZBA25-00037 Lot 218, Block 10, Valley View Heights, City of El
Paso, El Paso County, Texas
ADDRESS: 6530 Mohawk Drive
APPLICANT: Jose M. Romo
REPRESENTATIVE: Jose M. Romo
REQUEST: Special Exception B (Two or More Nonconforming
Lots)
DISTRICT: 3
ZIP CODE: 79925
STAFF CONTACT: Blanca Perez, (915) 212-1561,
PerezBM@elpasotexas.gov

POSTPONED FROM NOVEMBER 10, 2025

6530 Mohawk

Zoning Board of Adjustment — December 8, 2025



CASE NUMBER: PZBA25-00037
CASE MANAGER: Blanca Perez, (915) 212-1561, PerezBM@elpasotexas.gov
PROPERTY OWNER: Jose M. Romo
REPRESENTATIVE: Jose M. Romo
LOCATION: 6530 Mohawk Dr. (District 3)
ZONING: R-4 (Residential)
REQUEST: Special Exception B (Two or More Nonconforming Lots)
PUBLIC INPUT: None received as of November 4, 2025

SUMMARY OF REQUEST: Applicant requests a Special Exception under Section 2.16.050 B (Two or More Nonconforming Lots) to allow to legalize an existing accessory dwelling unit (ADU) in an R-4 (Residential) zone district.

SUMMARY OF STAFF'S RECOMMENDATION: Pending.

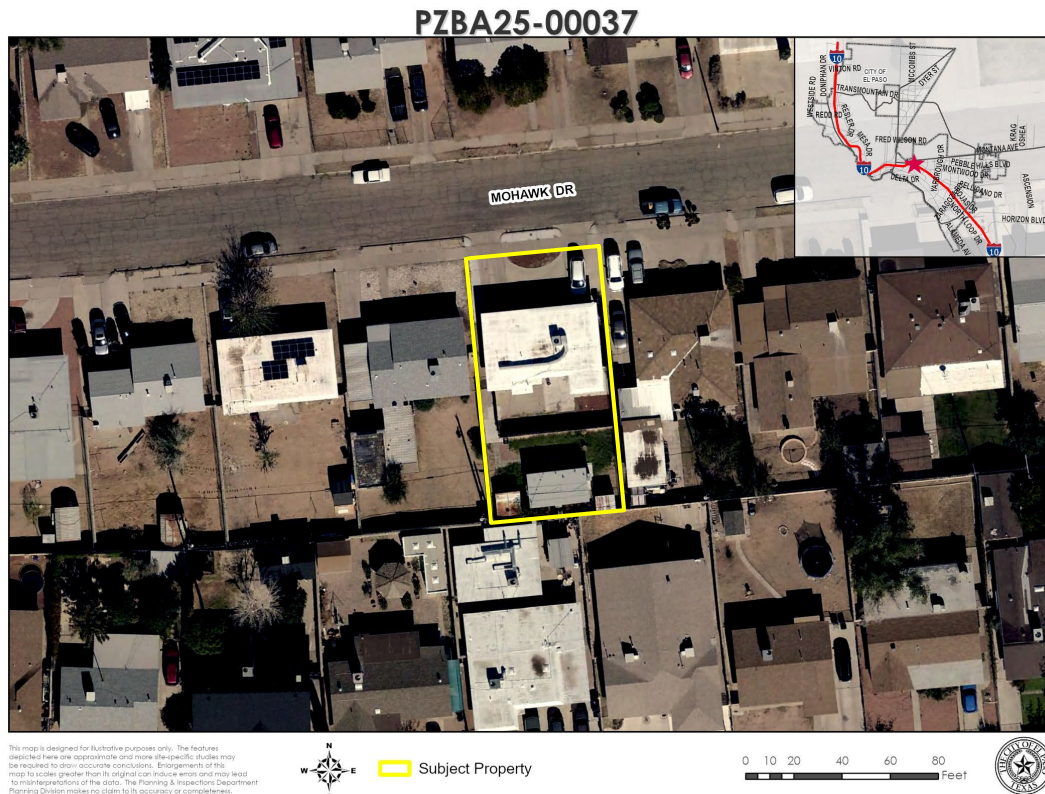


Figure A. Aerial of Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting a special exception to allow to legalize the construction of an existing accessory dwelling unit (ADU), which extends 5 feet into the required 10-foot rear yard setback for 114.5 square feet of total encroachment.

BACKGROUND: Accessory dwelling units (ADUs) are required to maintain a minimum setback of ten feet from any property line where the accessory use is permitted. Based on aerial imagery, permits, and El Paso Central Appraisal District records, there are at least two other properties on the same block with similar ADU encroachments. At 6519 Navajo Drive, the ADU encroaches approximately 285 square feet into the required setback; while a permit was issued, however inspections were never finalized. At 6511 Navajo Drive, the ADU encroaches approximately 215 square feet into the required setback, and no permit is on record for this structure.

SETBACKS FOR ADU	REQUIRED SETBACK	REQUESTED SETBACK
Front	10 feet	No Change
Rear	10 feet	5 feet
Side (West)	10 feet	No Change
Side (East)	10 feet	No Change

COMPLIANCE WITH SPECIAL EXCEPTION 2.16.050.B CRITERIA

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

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:

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 one house on the same block has an ADU that extends 10 feet into the rear setback, and another house has an ADU that extends 8 feet.
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 two other properties with ADUs that encroach into the rear required setback 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.

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:

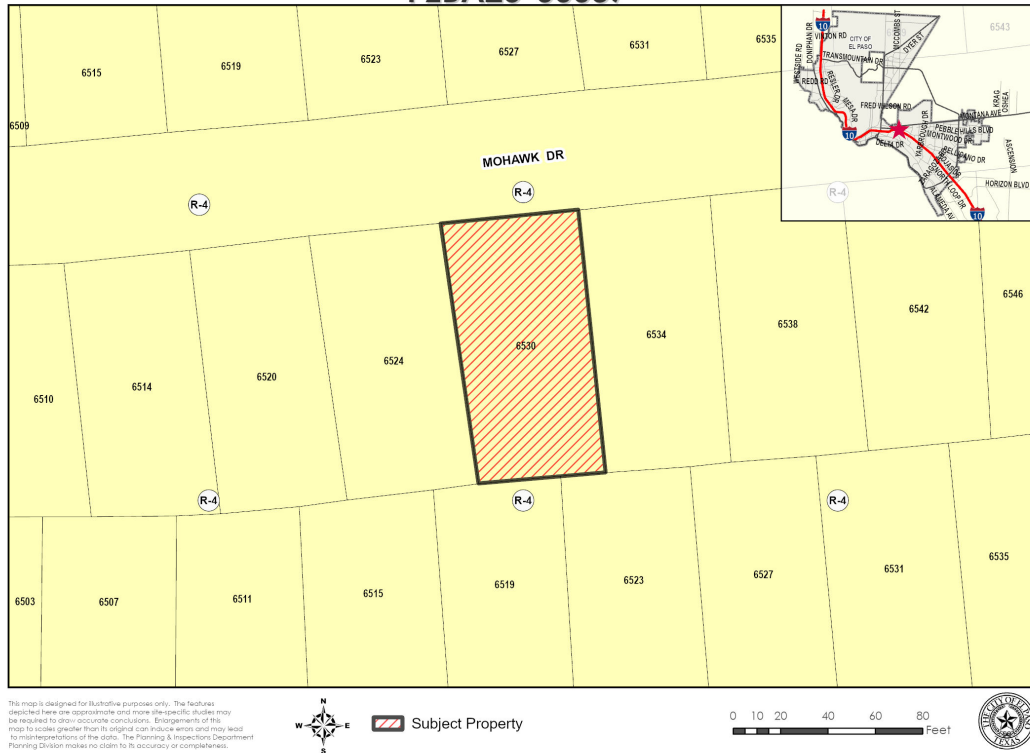
The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The Zoning Board of Adjustment (ZBA) has the authority to grant a special exception to the zoning code only as provided in El Paso City Code Titles 2 and 20. In evaluating the request, the ZBA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

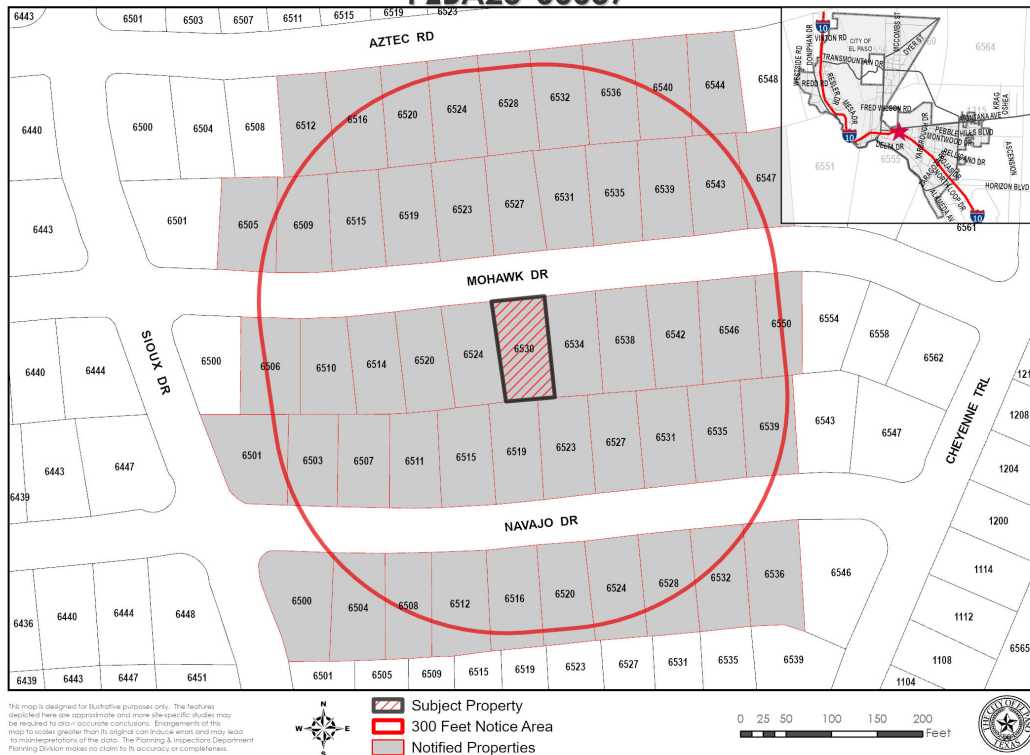
ZONING MAP

PZBA25-00037

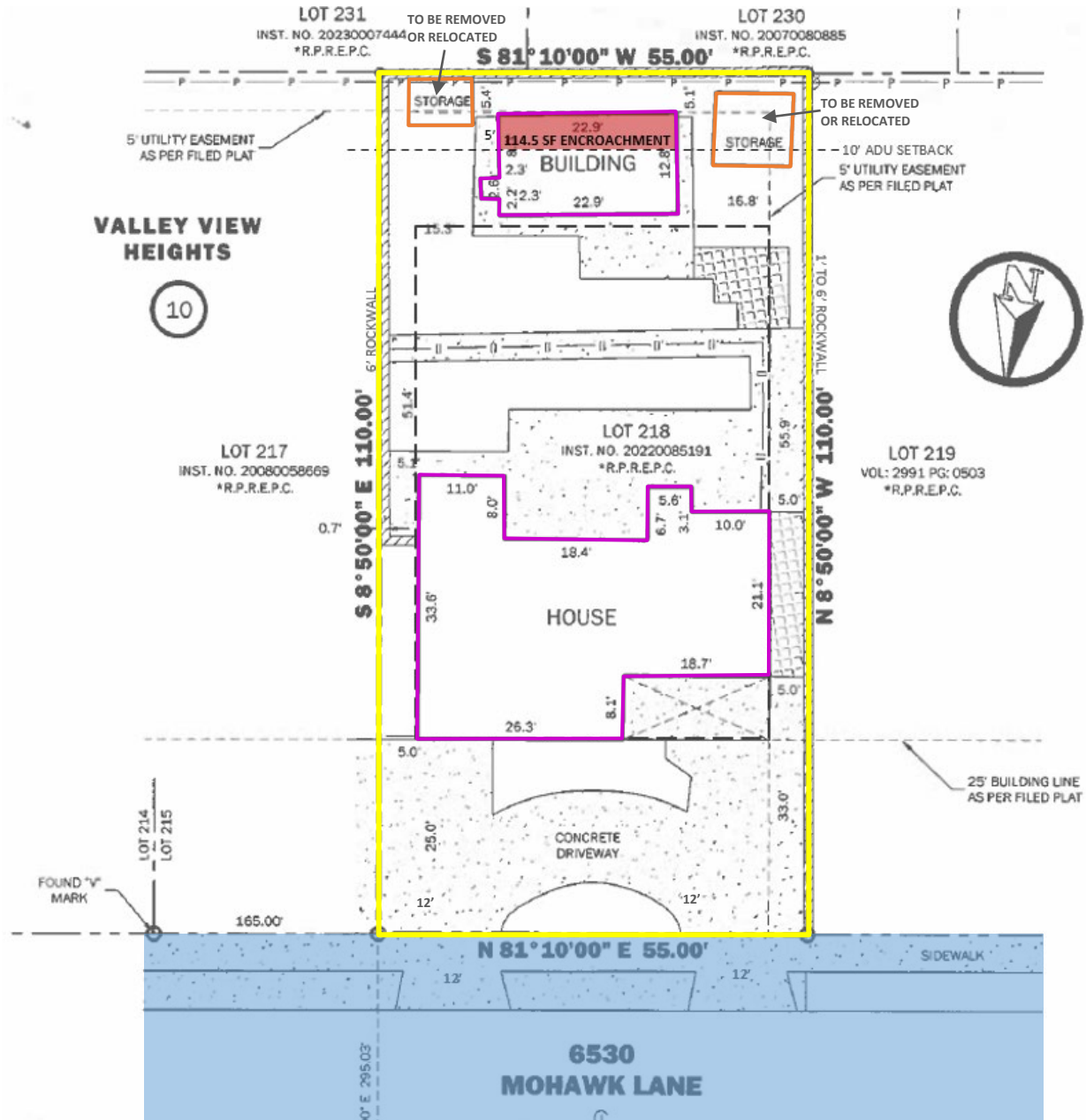


NEIGHBORHOOD NOTIFICATION MAP

PZBA25-00037

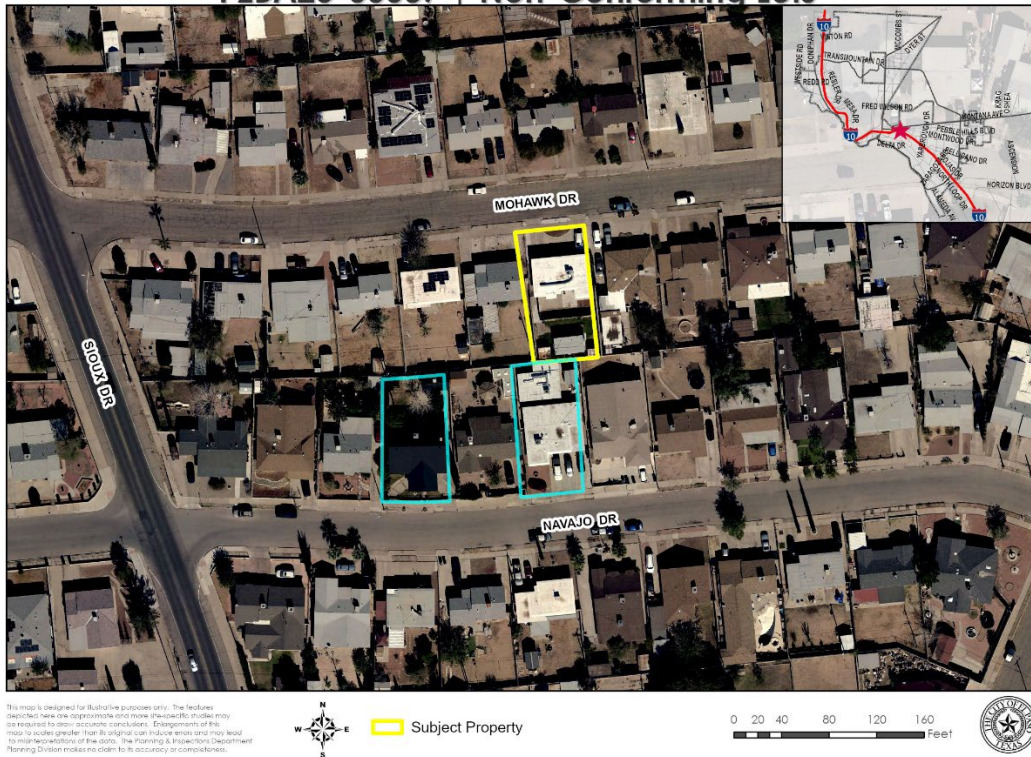


SITE PLAN



NONCONFORMING LOTS

PZBA25-00037 | Non-Conforming Lots



NONCONFORMING LOT 1

PZBA25-00037 | 6519 Navajo Dr.



NONCONFORMING LOT 2

PZBA25-00037 | 6511 Navajo Dr.





Legislation Text

File #: BC-1478, **Version:** 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

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Populate the table to maintain proper formatting. Copy and paste the agenda language in the designated area below. You may include more language after the table. Just make sure all posting language is populated between "TITLE" and "END".

PZBA25-00040 Lot 21, Block 34, Vista Real Unit Three, Amending
Subdivision, City of El Paso, El Paso County Texas
ADDRESS: 11749 Riverstone Drive
APPLICANT: Susan Hernandez
REPRESENTATIVE: Susan Hernandez
REQUEST: Special Exception B (Two or More Nonconforming
Lots)
DISTRICT: 6
ZIP CODE: 79936
STAFF CONTACT: Saul J. G. Pina, (915) 212-1604,
PinaSJ@elpasotexas.gov

11749 Riverstone

Zoning Board of Adjustment — December 8, 2025



CASE NUMBER: PZBA25-00040
CASE MANAGER: Saul J. G. Pina, (915) 212-1604, PinaSJ@elpasotexas.gov
PROPERTY OWNER: Susan Hernandez
REPRESENTATIVE: Susan Hernandez
LOCATION: 11749 Riverstone Drive (District 6)
ZONING: R-5/c (Residential/conditions)
REQUEST: Special Exception B (Two or More Nonconforming Lots)
PUBLIC INPUT: Four (4) signatures in support, one (1) call in opposition, and one (1) call of inquiry as of December 2, 2025

SUMMARY OF REQUEST: Applicant requests a Special Exception under Section 2.16.050 B (Two or More Nonconforming Lots) to allow to legalize existing additions, encroaching into both the required side yard setbacks and rear yard setback in the R-5 (Residential) zone district.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL WITH CONDITIONS** of the special exception request. The conditions are as follows:

1. That the shade (A) be modified or removed from the left side yard setback to comply with zoning requirements per El Paso City Code.
2. That the shade (E) and storage shed located on the right-side yard setback be removed as indicated on the site plan.
3. That the canopy (B) and shade (C) located in the rear of the home be removed as indicated on the site plan.
4. That the rear addition be modified to not exceed 280 square feet and not to exceed a 17-foot rear setback.



Figure A. Aerial of Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting a special exception to legalize existing addition structures encroaching into both side yard setbacks and rear yard setback, respectively. The structures and their encroachments under this request are listed below:

- Structure A (Left shade and storage shed): The 374 square foot attached shade encroaches 190 square feet into the 5-foot side yard setback and 282 square feet into the required 19-foot rear yard setback. The 60 square foot storage shed connected to the shade encroaches 30 square feet into the 5-foot side yard setback. To separate the shade from the canopy (Structure B), a 35 square foot portion will be removed.
- Structure B (Canopy): The 156 square feet structure is to be maintained without changes.
- Structure C (Shade): The 220 square feet structure encroaches 220 square feet into the required 19-foot rear yard setback. This structure shall be removed as indicated on the site plan.
- Structure D (Rear addition): The 448 square feet enclosed structure encroaches 323 square feet into the required 19-foot rear yard setback and 125 square feet into the 5-foot side yard setback. This structure is to be modified to meet exception requirements.
- Structure E (Right shade and storage shed): The 170 square foot attached structure encroaches 170 square feet into the 5-foot side yard setback. This structure shall be removed.

In summary, Structure D (Rear addition) will remain connected to the main dwelling. Structures A (Left shade), C (Shade), and E (Right shade) shall be modified or removed to comply with zoning requirements per El Paso City Code.

BACKGROUND: The minimum side yard setback is 5 feet in the R-5 (Residential) zoning district. The minimum front setback is 10 feet in the R-5 (Residential) zoning district. The required rear yard setback is 19 feet to meet the cumulative front and rear setback of 45 feet. The existing residence was built approximately in 1999, with the property owner residing since 2006. The structures were built without permits by the property owner, with construction starting around 2010. A code violation case has been active since July of this year.

Aerial photographs show that other nearby properties also encroach into their respective rear and side setbacks, with encroachments larger than those on the subject property. The following properties on Riverstone Drive have both open and enclosed structures that are nonconforming with current zoning requirements and were constructed without permits:

- 11712 Riverstone Drive: An attached addition that encroaches 281.62 square feet into the required 20-foot rear yard setback.
- 11776 Riverstone Drive: An attached accessory structure that encroaches 457.72 square feet into the required 20-foot rear yard setback.
- 3529 Riverstone Drive: An attached accessory structure and addition that encroaches 155.38 square feet into the 5-foot side yard setback.
- 3537 Riverstone Drive: An enclosed addition that encroaches 206.29 square feet into the 5-foot side yard setback.
- 3549 Riverstone Drive: An enclosed addition that encroaches 125.10 square feet into the 5-foot side yard setback.

SETBACKS	REQUIRED SETBACK	REQUESTED SETBACK
Front	26 feet	No Change
Rear	19 feet	0 feet
Cumulative Front & Rear	45 feet	26 feet
Side (East)	5 feet	0 feet
Side (West)	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:

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:

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 11704 and 11776 Riverstone Drive have non-conforming structures encroaching into the rear yard, while 3529, 3537, and 3549 Riverstone Drive have non-conforming structures encroaching into both side yard setbacks.
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. The properties at 11712, 11776, 3539, 3537, and 3549 Riverstone Drive have attached accessory structures and additions that do not conform to applicable zoning requirements and encroach into the rear and side yard setbacks.
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.

PUBLIC COMMENT: Public notice was sent on November 24, 2025 to all property owners within 300 feet of subject property. The Planning Division received four (4) signatures in support, one (1) call in opposition, and one (1) call of inquiry to the special exception request. The opposition call cited concerns about property damage resulting from stormwater gutter leakage.

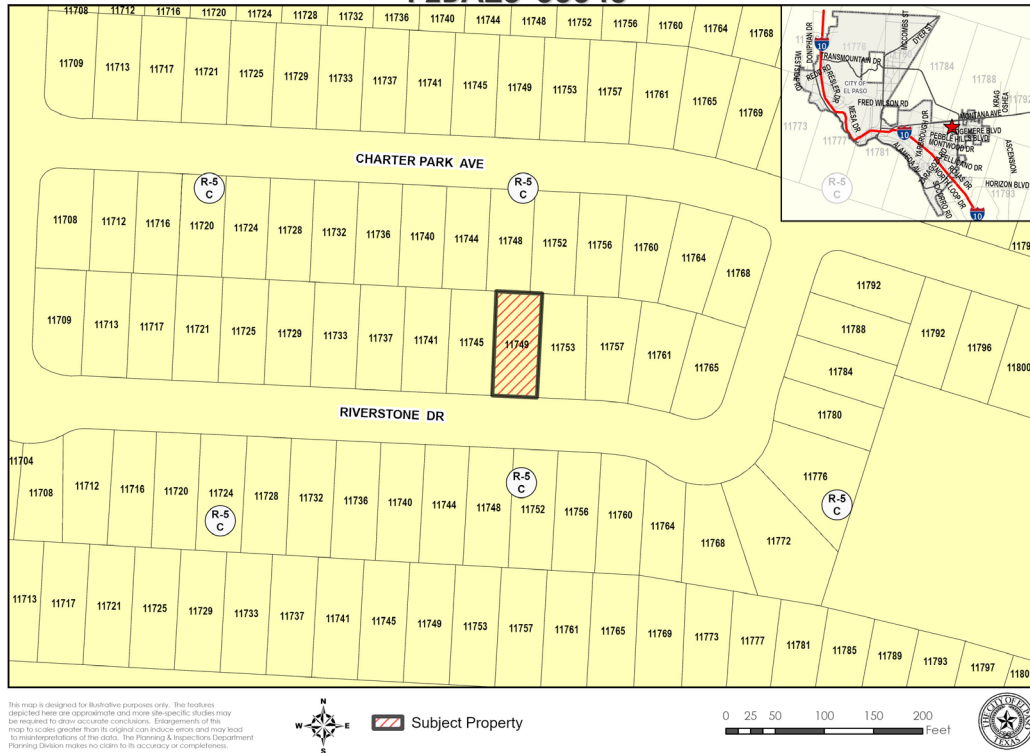
ZONING BOARD OF ADJUSTMENT OPTIONS:

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.

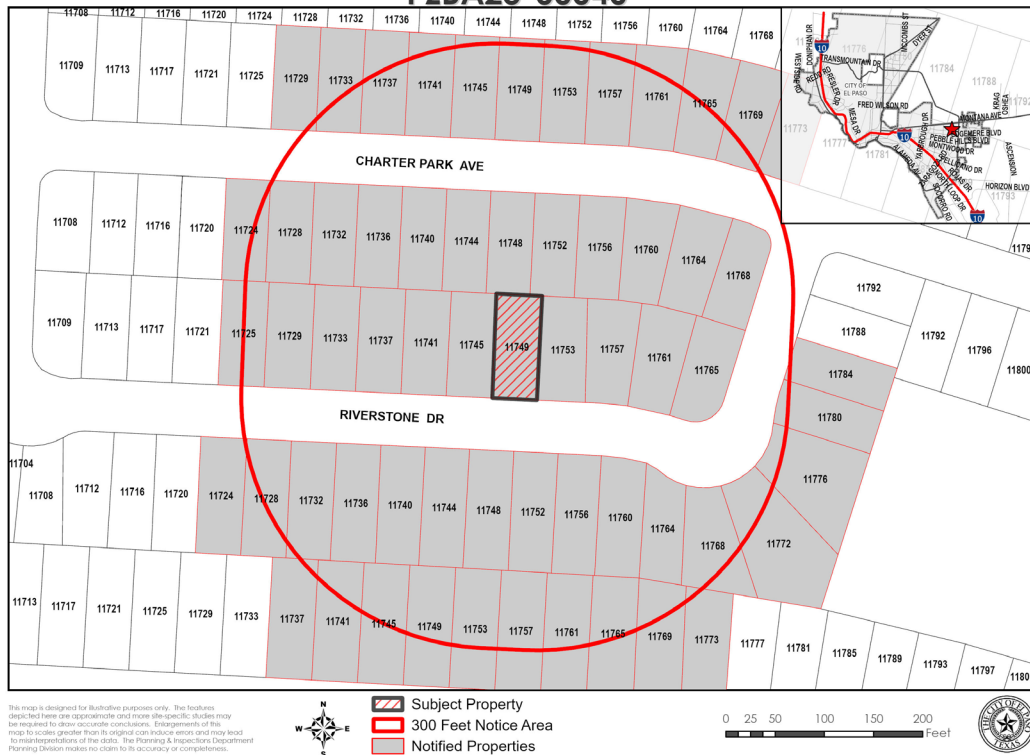
ZONING MAP

PZBA25-00040



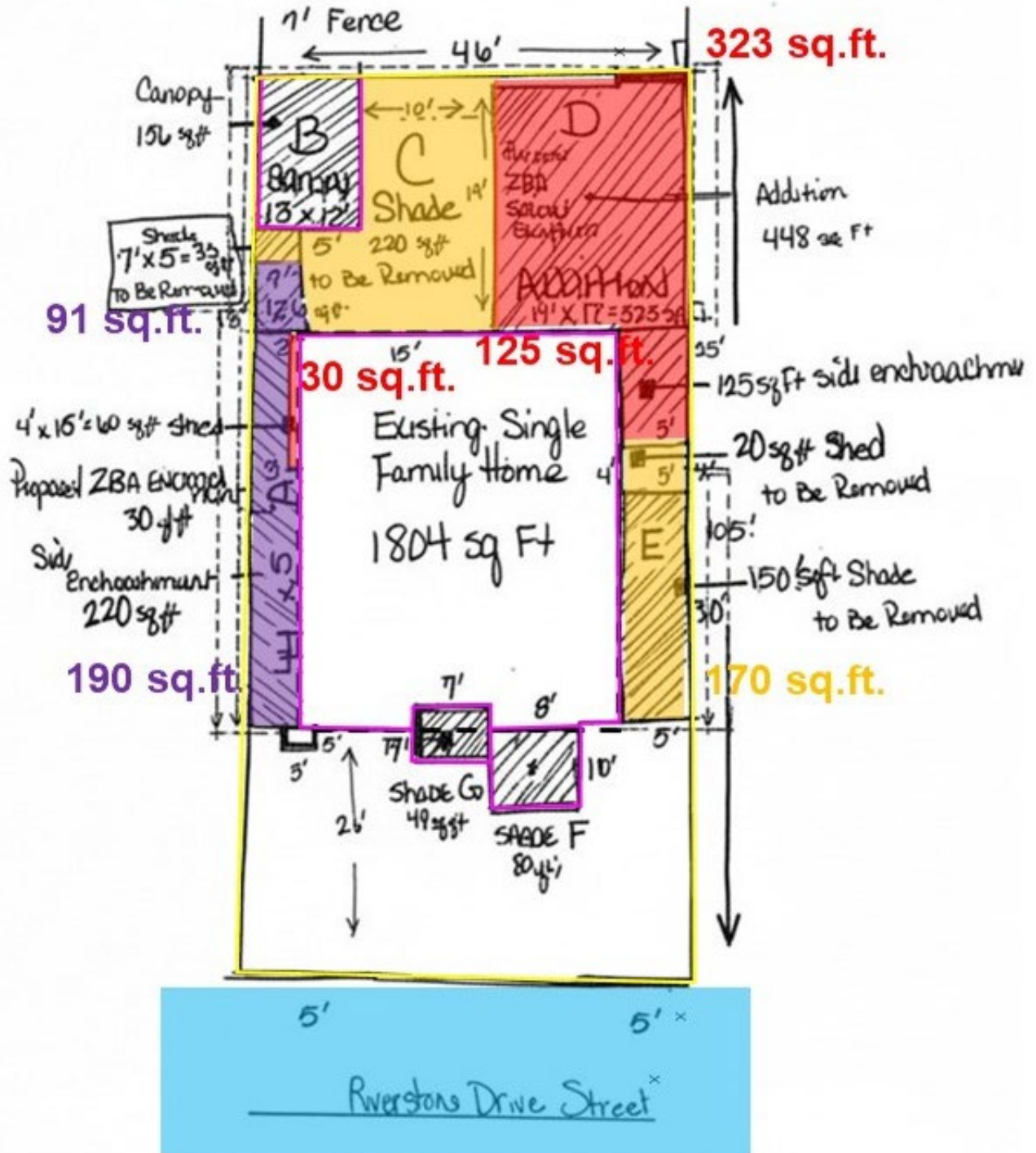
NEIGHBORHOOD NOTIFICATION MAP

PZBA25-00040



SITE PLAN

Site Development Plan 11749 Riverstone Drive



NONCONFORMING LOTS

PZBA25-00040



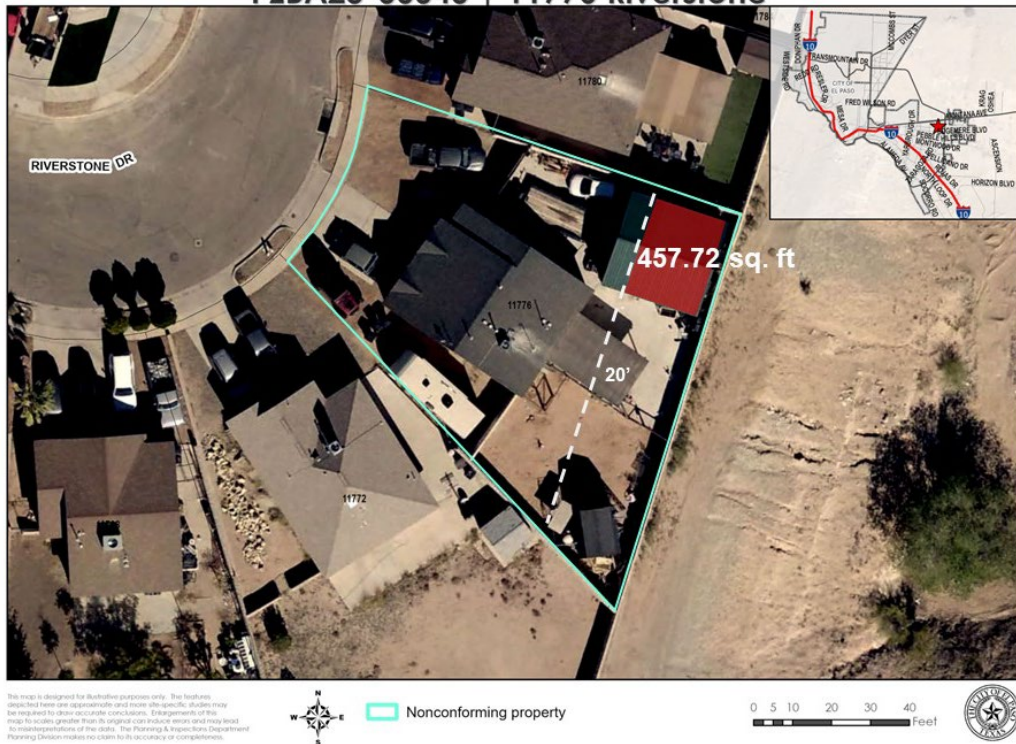
NONCONFORMING LOT 1 (REAR)

PZBA25-00040 | 11712 Riverstone



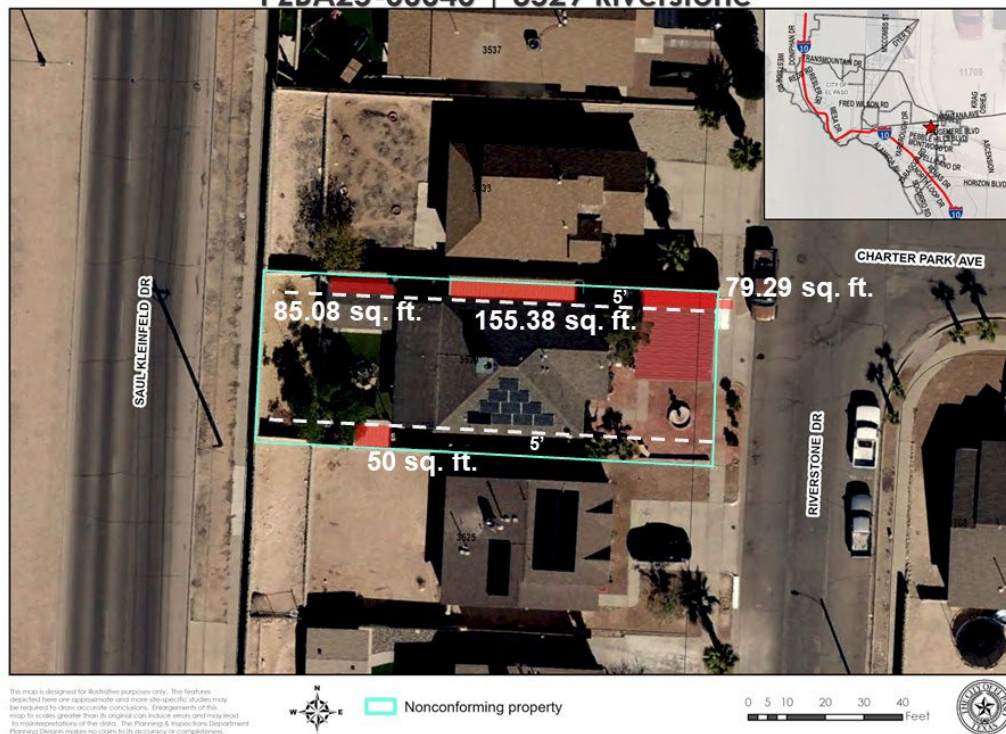
NONCONFORMING LOT 2 (REAR)

PZBA25-00040 | 11776 Riverstone



NONCONFORMING LOT 3 (SIDE)

PZBA25-00040 | 3529 Riverstone



NONCONFORMING LOT 4 (SIDE)

PZBA25-00040 | 3537 Riverstone



NONCONFORMING LOT 5 (SIDE)

PZBA25-00040 | 3549 Riverstone



PUBLIC INPUT

Dear Members of the Zoning Board of Appeals: Addition to the home

This correspondence constitutes a formal petition for a zoning variance concerning the structure constructed at our property located at 11749 Riverstone Drive, El Paso, Texas 79936. We are the lawful owners of the subject property. Our intent in commissioning the work was to enhance the safety, accessibility, and functionality of our residence for the benefit of our growing family and elderly relatives. At all times, we intended to comply fully with applicable zoning ordinances and building codes.

We engaged an individual, Jorge Martinez, who represented himself as a duly licensed and bonded contractor. Mr. Martinez explicitly assured us that all required permits and plans would be secured prior to and during construction. In reliance on these representations, we remitted \$25,000 in good faith to cover the cost of permits, plans, materials, and labor. We also paid him for the preparation of building plans, yet we never received a copy of those plans. Further, despite signing a contract, we were never provided with a copy of that contract or with any receipts for the monies paid. Mr. Martinez would appear only sporadically to perform work, each time assuring us he would provide the documents at his next visit. This continued until he abruptly ceased contact altogether and disappeared.

While initial work commenced and materials were delivered, repeated requests for permit documentation, receipts, and plans were met with delay or avoidance. Approximately 85% percent of the construction was completed before Mr. Martinez ceased all communication. Subsequent attempts to contact him have failed, as his telephone has been disconnected. His actions have left us with an unpermitted structure through no fault of our own.

The structure, as it stands, poses no threat to public health, safety, or welfare; it does not obstruct neighboring properties' views, nor does it interfere with their lawful use and enjoyment. On the contrary, the addition was designed to enhance the value and appearance of our home and surrounding neighborhood. We have obtained letters from adjoining property owners/residents confirming their full support for the variance requested.

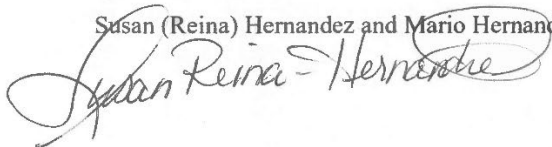
In light of the substantial financial investment already made, and given that the construction was undertaken in reliance on the contractor's assurances, we respectfully request that the Board allow the structure to remain in its current form, subject only to any minor modifications necessary for compliance. Demolition or removal would cause undue financial hardship and irreparable loss of the resources we have committed in good faith.

Accordingly, we request that the Board grant a variance permitting the existing structure to remain in place and be brought into compliance under the conditions you deem appropriate.

We remain committed to cooperating fully with all municipal requirements to resolve this matter lawfully and expediently.

Respectfully submitted,

Susan (Reina) Hernandez and Mario Hernandez

A handwritten signature in cursive script, appearing to read "Susan Reina Hernandez", written over a horizontal line.

To:

Zoning Board of Adjustment
Planning and Inspections Department
City of El Paso, Texas

Subject: Variance Request for Existing Side Porch at 11749 Riverstone Drive, El Paso, Texas 79936

Dear Members of the Zoning Board of Adjustment,

I respectfully submit this variance application under Section 2.16.030 of the El Paso City Code, seeking relief from the side setback requirement for an existing side porch at my property located at 11749 Riverstone Drive, El Paso, Texas 77936.

Property & Structure Background

- The side porch has been part of the residence since approximately [2001, 21 years ago]. It predates current setback regulations and has been maintained without issue, complaint, or visible impact on adjacent properties.
- The porch has no structural changes planned; this request is solely to allow the existing structure to remain.

Request Summary: I am requesting a variance to reduce the side yard setback requirement for this existing porch so that it may remain as is.

Justification Based on El Paso Criteria (Section 2.16.030)

- Unique Circumstances-The porch was constructed long before current zoning standards and is not a result of new development. Its long-standing presence in the community without complaint represents a unique historical circumstance.
- Undue Hardship from Literal Enforcement-Enforcing the current setback by removing or altering the porch imposes significant financial hardship and undermines the longstanding stability of the neighborhood. Removing a decades-old structure that has functioned safely serves no practical benefit to the public.
- Alignment with Public Interest & Ordinance Spirit-The porch causes no adverse impact: no blockage of views, no interference with neighboring properties, and no detriment to safety or welfare. In fact, it contributes to the architectural character of the area. Granting the variance allows justice and equitable treatment, in line with the spirit of City Code Section 2.16.030.

Supporting Documents Submitted with Application

In accordance with submission requirements, the following are included as part of my application package:

- Notarized and completed ZBA application form.
- Fee payment.
- Zoning map sheet with property outlined in red.
- Generalized plot plan showing the porch location, property lines, setbacks, and surrounding structures.
- Photographs of the existing porch.
- Neighborhood letters of support are attached.

Conclusion

Given the unique circumstances, the hardship that removal would impose, and the lack of negative impact, I respectfully request that the Board grant this variance to allow the side porch to remain in its existing location.

Thank you for your time and consideration. I am prepared to appear at the hearing and answer any questions. Please contact me at 915 777-4212 or email susannasgrowth@gmail.com if you require further information.

Sincerely,

Susan Reina-Hernandez
11749 Riverstone Drive,
El Paso, Texas 79936
Phone: 915 777-4212
Email: susannasgrowth@gmail.com

BEFORE THE ZONING BOARD OF APPEALS

CITY OF EL PASO, TEXAS

IN RE: Petition for Variance

Property Address: 11749 Riverstone Drive, El Paso, TX 79936

PETITION FOR VARIANCE FOR ADDITION

TO THE HONORABLE MEMBERS OF THE ZONING BOARD OF APPEALS:

COME NOW, Susan (Reina) Hernandez and Mario Hernandez, lawful owners of the property located at 11749 Riverstone Drive, El Paso, Texas 79936. We respectfully submit this Petition for Variance, and in support thereof would show the Board as follows:

1. **Property Ownership.** Petitioners are the lawful owners of the subject property located at 11749 Riverstone Drive, El Paso, Texas 79936.
2. **Purpose of Addition.** Petitioners commissioned the construction of an addition to enhance the safety, accessibility, and functionality of the residence for the benefit of their growing family and elderly relatives.
3. **Engagement of Contractor.** Petitioners engaged an individual, Jorge Martinez, who represented himself as a duly licensed and bonded contractor. Mr. Martinez expressly assured Petitioners that all required permits and plans would be secured.
4. **Payment Made.** In reliance upon these assurances, Petitioners remitted more than \$25,000 for permits, plans, materials, and labor, and separately compensated Mr. Martinez for preparation of building plans.
5. **Failure to Provide Documentation.** Despite repeated requests, Petitioners never received copies of the signed contract, building plans, or receipts for monies paid. Mr. Martinez repeatedly promised delivery of such documents but failed to provide them.
6. **Abandonment of Project.** Mr. Martinez performed work only sporadically, each time delaying or avoiding production of the required documentation, until ultimately ceasing all communication. His telephone has since been disconnected.
7. **Status of Construction.** Approximately eighty-five percent (75%-80%) of the addition was completed before abandonment, leaving Petitioners with an unpermitted structure through no fault of their own.
8. **Impact on Community.** The structure, as built, poses no threat to public health, safety, or welfare. It does not obstruct views or interfere with neighboring properties. On the contrary, the addition improves both the appearance and value of the Petitioners' residence and surrounding neighborhood.

9. **Neighbor Support.** Petitioners have obtained written confirmation of support from adjoining property owners and residents, attesting that they have no objection to the addition and are in favor of the requested variance.

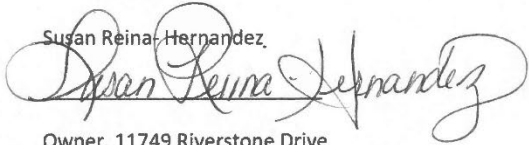
10. **Hardship.** Requiring demolition or removal of the structure would cause Petitioners extreme financial hardship and irreparable loss, given the substantial investment already made in good faith reliance upon Mr. Martinez's representations.

11. **Neighbor Support Letter for Zoning Variance Request attached.**

PRAYER: WHEREFORE, PREMISES CONSIDERED, Petitioners respectfully request that this Board grant a variance permitting the existing addition to remain in place, subject only to such conditions or modifications as the Board deems appropriate to bring the structure into compliance with applicable codes and regulations.

Respectfully submitted,

Susan Reina Hernandez

A handwritten signature in cursive script, reading "Susan Reina Hernandez", written over a horizontal line.

Owner, 11749 Riverstone Drive

El Paso, Texas 79936

Date: 8/19/25

Mr. and Mrs. Hernandez
11749 Riverstone Drive
El Paso, Texas, 79936
915 777-4212
susannasgrowth@gmail.com

Date: 8/7/25

To: Zoning Board of Appeals
Address: 811 Texas Ave, El Paso, TX 79901
Phone: (915) 212-0104

**Subject: Neighbor Support Letter for Zoning Variance Request – 11749
Riverstone Drive, El Paso, Texas 79936**

Dear Zoning Board of Appeals,

We, the undersigned neighbors of the property located at: **11749 Riverstone Drive, El Paso, Texas 79936** are writing to express our full support for the request made by the property owner, Susan and Mario Hernandez, regarding a proposed zoning variance for the construction of three front wooden and metal shading, left side Steele shading, Canopy 13x12 in the back yard, backyard and side yard fence, mesh and wood canopy on the right side of the house, and the addition to the right side and rear of the house. All of which may involve a minor encroachment on the existing utility easement (ESMT).

We understand that this request involves a zoning variance and a potential encroachment on a designated easement area. We hereby affirm the following:

- We have been fully informed of the proposed additions and improvements;
- We have no objections to the variance request, zoning designation, or the minor encroachment on the easement (ESMT);
- We do not believe these additions pose any risk, hazard, or inconvenience to our property or the neighborhood; and
- We support the granting of the requested zoning variance and understand the improvements are being made responsibly and with consideration to the community.

We respectfully ask that the Zoning Board of Appeals take our support into account when reviewing this request. It is our belief that this improvement is in harmony with the surrounding properties and will not negatively impact the character or safety of the neighborhood.

Sincerely,
(Neighbor Signatures)

1 of 2

Neighbor 1 Left Side
Name: Thelma Muller
Address: 11745 Riverstone Dr 79936
Signature: Thelma Muller
Date: 8/5/25

Neighbor 2 Right Side
Name: Erin Salas
Address: 11753 Riverstone Dr 79936
Signature: Erin Salas
Date: 8/8/25

Neighbor 3 Rear Yard
Name: Ricardo Hernandez
Address: 11752 Charter Park 79936
Signature: Ricky
Date: 08/08/2025

Neighbor 4 Rear yard
Name: Thelma Ponce
Address: 11748 Charter Park 79936
Signature: Thelma Ponce
Date: 08/19/2025

2 of 2

Neighbor Support Letter for Zoning Variance

Re: Zoning Appeal for [Your Address]

To Whom It May Concern,

I/We, the undersigned, am/are the property owner(s) and/or resident(s) of the neighboring property located at:

Address: 11753 Riverstone Dr 79936

I/We understand that the property owner at:

11749 Riverstone Drive, El Paso, TX 79936 is requesting a zoning variance and/or appeal regarding an existing [easement encroachment / structure / porch / addition] that is located at or near the [front / rear / side] property line and may encroach into the required easement or setback area.

After being informed of the details of the variance request, I/We hereby affirm that:

- I/We have no objection to the presence or continuation of the described structure or encroachment.
- I/We support the property owner's request for a zoning variance or appeal as described above.

Printed Name: Erin Salas

Signature: Erin Salas

Date: 8/8/25

Neighbor Support Letter for Zoning Variance

Re: Zoning Appeal for [Your Address]

To Whom It May Concern,

I/We, the undersigned, am/are the property owner(s) and/or resident(s) of the neighboring property located at:

Address: 11752 Charter Park

I/We understand that the property owner at:

11749 Riverstone Drive, El Paso, TX 79936 is requesting a zoning variance and/or appeal regarding an existing [easement encroachment / structure / porch / addition] that is located at or near the [front / rear / side] property line and may encroach into the required easement or setback area.

After being informed of the details of the variance request, I/We hereby affirm that:

- I/We have no objection to the presence or continuation of the described structure or encroachment.
- I/We support the property owner's request for a zoning variance or appeal as described above.

Printed Name: Ricardo Hernandez

Signature: RH

Date: 08/08/2025

Neighbor Support Letter for Zoning Variance

Re: Zoning Appeal for [Your Address]

To Whom It May Concern,

I/We, the undersigned, am/are the property owner(s) and/or resident(s) of the neighboring property located at:

Address: 11748 Charter Park

I/We understand that the property owner at:

11749 Riverstone Drive, El Paso, TX 79936 is requesting a zoning variance and/or appeal regarding an existing [easement encroachment / structure / porch / addition] that is located at or near the [front / rear / side] property line and may encroach into the required easement or setback area.

After being informed of the details of the variance request, I/We hereby affirm that:

- I/We have no objection to the presence or continuation of the described structure or encroachment.
- I/We support the property owner's request for a zoning variance or appeal as described above.

Printed Name: Janet Ponce

Signature: Janet Ponce

Date: 08/9/25



Legislation Text

File #: BC-1479, **Version:** 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

AGENDA LANGUAGE:

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Populate the table to maintain proper formatting. Copy and paste the agenda language in the designated area below. You may include more language after the table. Just make sure all posting language is populated between "TITLE" and "END".

PZBA25-00049 Lot 4, Block 393, Vista del Sol Unit Ninety, City of
El Paso, El Paso County, Texas
ADDRESS: 11837 Chelita Drive
APPLICANT: Saul Marquez
REPRESENTATIVE: Saul Marquez
REQUEST: Special Exception J (Carport Over a Driveway) and
Special Exception K (In Existence Fifteen Years or
More)
DISTRICT: 6
ZIP CODE: 79936
STAFF CONTACT: Alejandra Gonzalez, (915) 212-1506,
GonzalezAG@elpasotexas.gov

11837 Chelita

Zoning Board of Adjustment — December 8, 2025



CASE NUMBER: PZBA25-00049
CASE MANAGER: Alejandra González, (915) 212-1506, GonzalezAG@elpasotexas.gov
PROPERTY OWNER: Saul Javier Marquez Romero
REPRESENTATIVE: Saul Javier Marquez Romero
LOCATION: 11837 Chelita Dr. (District 6)
ZONING: R-5 (Residential)
REQUEST: Special Exception J (Carport Over a Driveway) and Special Exception K (Existence Fifteen Years or More)
PUBLIC INPUT: None received as of December 2, 2025

SUMMARY OF REQUEST: Applicant requests a Special Exception under Section 2.16.050 J (Carport Over a Driveway) to legalize an existing carport over a driveway and Section 2.16.050 K (Existence Fifteen Years or More) to allow to legalize an existing rear porch in an R-5 (Residential) zone district.

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

1. That the materials on the carport shall be in keeping with the main home and the slope of the canopy shall be in alignment with the roof structure of the main home.
2. That the accessory structure shall be relocated from the 5-foot easement area.

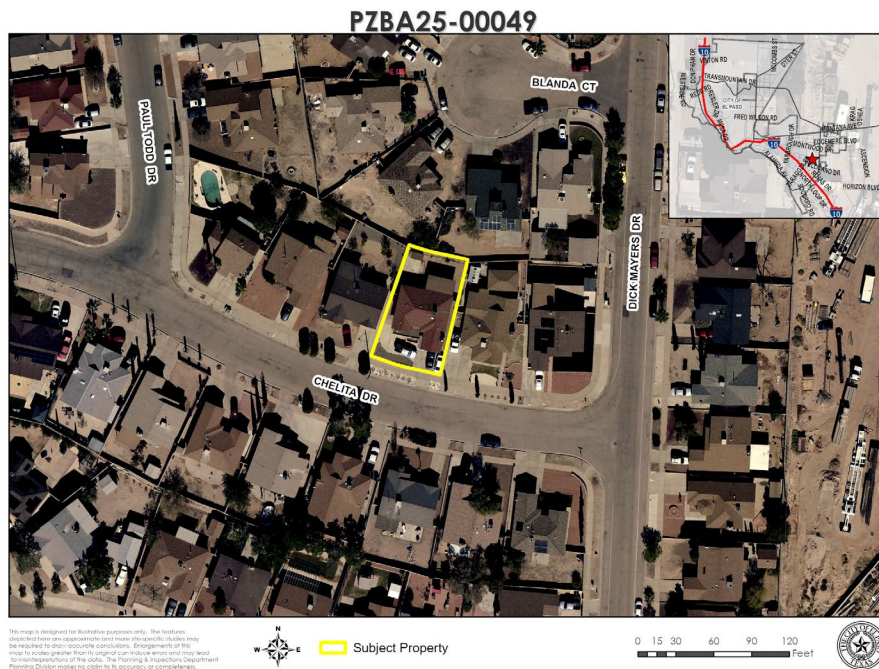


Figure A. Aerial of Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting a special exception to legalize the construction of an existing carport of approximately 19 feet 6 inches by 16 feet 1.5 inches and an area of 315 square feet, of which 238.07 square feet encroaches 12.08 feet into the front yard setback and is located within 1.67 feet of the front property line. The applicant is also requesting a special exception to allow to legalize an existing open porch of approximately 23 feet by 13 feet 9 inches and an area of 311.22 square feet which is encroaching 13 feet 9 inches into the required rear yard setback.

BACKGROUND: The minimum front setback is 10 feet in the R-5 (Residential) zone district. The required front setback for the subject property is 15 feet to meet the cumulative front and rear setback of 45 feet in the R-5 (Residential) zone district.

The current owner has owned the property since 2023 and the main building was constructed in 1985 based on El Paso Central Appraisal District records; however, the exact date of construction for the rear porch is unknown. Aerial imagery from 2009 confirms that the rear porch existed in its current location and condition at that time, indicating the encroachment has been presented for over 15 years.

SETBACKS	REQUIRED SETBACK	REQUESTED SETBACK
Front	15 Feet	1 Feet 8 inches
Rear	30 Feet	16 Feet 3 inches
Cumulative Front & Rear	45 Feet	17 Feet 11 inches
Side (Right)	5 Feet	No Change
Side (Left)	5 Feet	No Change
Cumulative Side	N/A	N/A

CALCULATIONS FOR CARPORT:

	TOTAL	CALCULATION
Maximum Permitted Area of Encroachment	261.28 Square Feet	1/5 of 1306.4 Sq. Ft. (House 1 st floor area)
Requested Area of Encroachment	238.07 Square Feet	12.08 Feet by 19 feet 6 inches 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 138.12 square feet is less than the maximum allowed area of 261.28 square feet.

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. The owner is not 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. The owner did not own 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 November 24, 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.

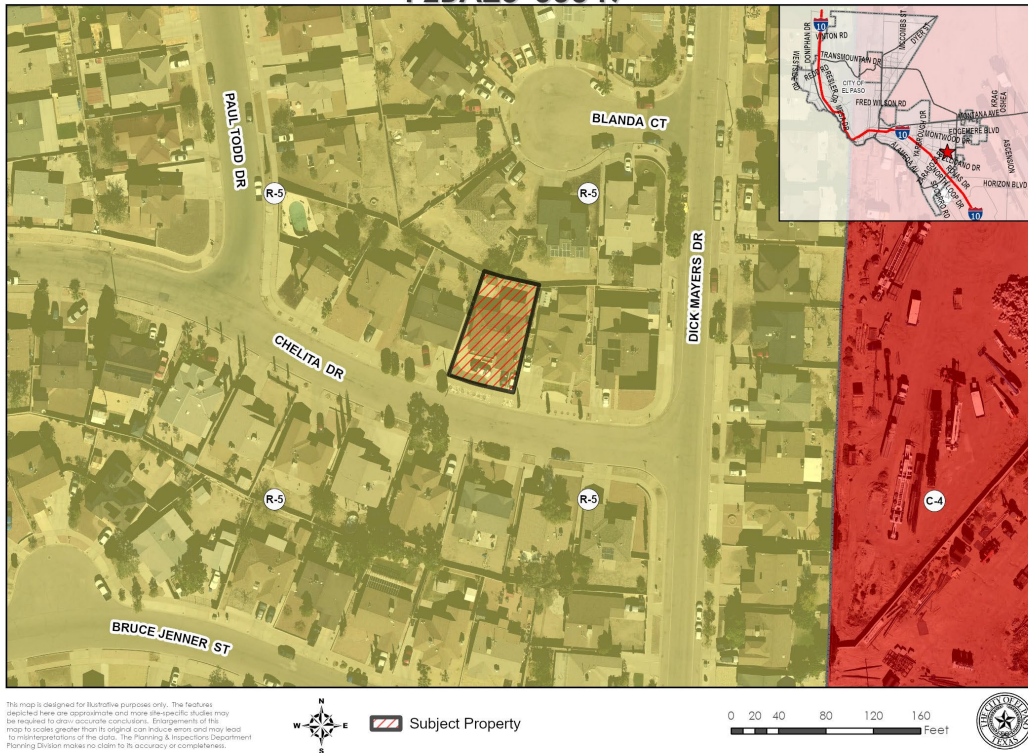
ZONING BOARD OF ADJUSTMENT OPTIONS:

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.

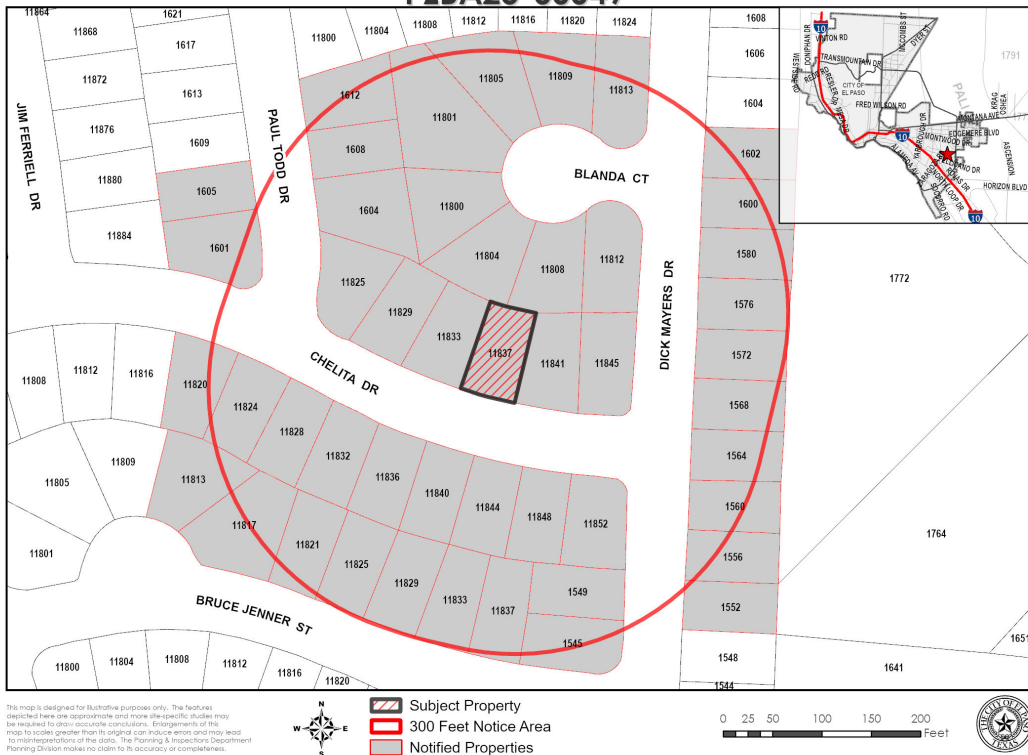
ZONING MAP

PZBA25-00049

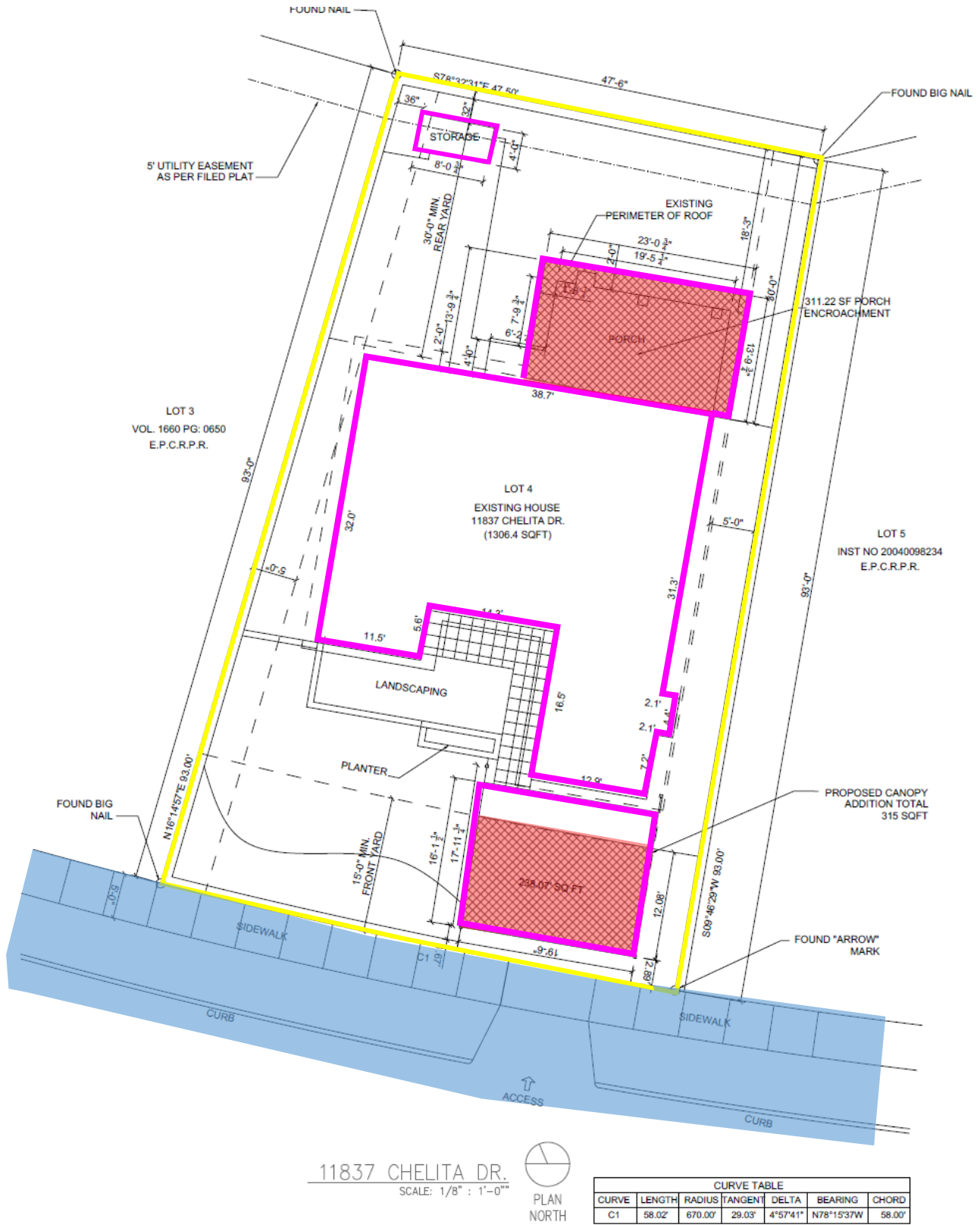


NEIGHBORHOOD NOTIFICATION MAP

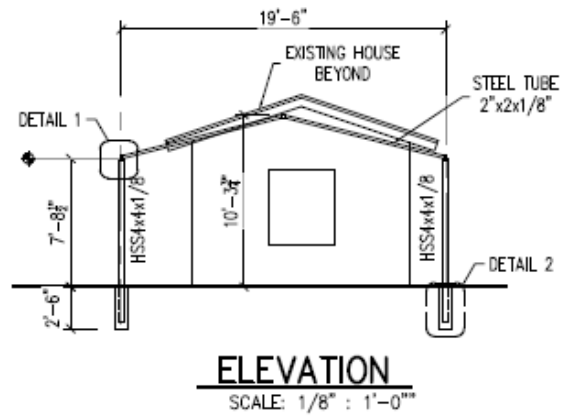
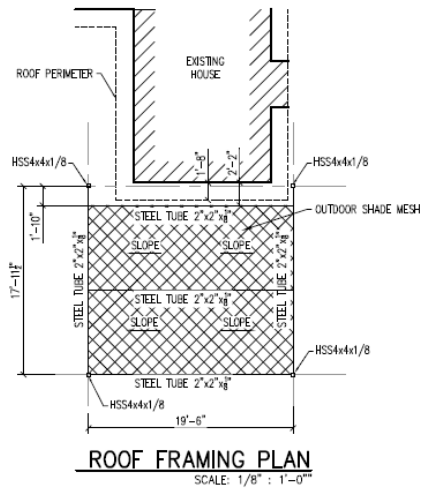
PZBA25-00049



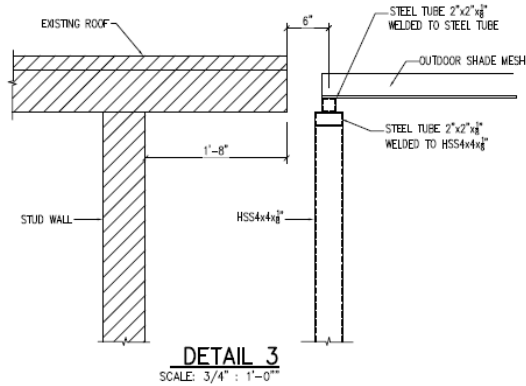
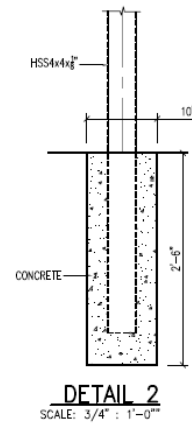
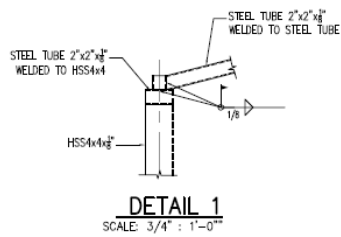
SITE PLAN



ELEVATION



DETAILS



2009 AERIAL

PZBA25-00049 | 2009 Aerial



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 error 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 5 10 20 30 40
Feet





Legislation Text

File #: BC-1480, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

AGENDA LANGUAGE:

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PZBA25-00053 Lot 25 and 26, Block 126, East El Paso, City of El
Paso, El Paso County, Texas
ADDRESS: 3614 Douglas Avenue
APPLICANT: Justin Churchman
REPRESENTATIVE: Daniel Aburto
REQUEST: Special Exception K (In Existence Fifteen Years or
More)
DISTRICT: 2
ZIP CODE: 79903
STAFF CONTACT: Jose Beltran, (915) 212-1607,
BeltranJV@elpasotexas.gov

3614 Douglas

Zoning Board of Adjustment — December 8, 2025



CASE NUMBER: PZBA25-00053
CASE MANAGER: Jose Beltran, (915) 212-1607, BeltranJV@elpasotexas.gov
PROPERTY OWNER: Justin Churchman
REPRESENTATIVE: Daniel Aburto
LOCATION: 3614 Douglas Ave. (District 3)
ZONING: A-2 (Apartment)
REQUEST: Special Exception K (In Existence Fifteen Years or More)
PUBLIC INPUT: None received as of December 2, 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 single-family dwelling and accessory dwelling unit (ADU) which will be converted to a triplex and accessory storage structures in an A-2 (Apartment) zone district.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL** of the special exception request as the requested encroachments have been in existence for more than fifteen (15) years.

PZBA25-00053



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Subject Property

0 10 20 40 60 80 Feet



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 single-family dwelling and accessory dwelling use (ADU) which will converted to a triplex and accessory structures, that extend 18 feet into the rear yard setback for a total encroachment area of 546 square feet and which extend 5 feet into the right-side setback for a total encroachment area of 126 square feet.

BACKGROUND: The minimum rear setback is 25 feet in the A-2 (Apartment) zone district and there is no required cumulative front and rear setback for triplex use. The required side setback for the subject property is 5 feet and there is no side cumulative setback.

The current owner has owned the property since 2023 and the buildings were constructed in 1950 and 1940, based on El Paso Central Appraisal District records. The existing encroachments have been in existence for at least 23 years based on aerial imagery from 2002. Based on 2009 aerial imagery, the property existed back then as it does today, with the single-family dwelling, ADU, and storage structures in their current configurations.

SETBACKS	REQUIRED SETBACK	REQUESTED SETBACK
Front	0 Feet	No Change
Rear	25 Feet	7 Feet
Cumulative Front & Rear	N/A	N/A
Side (Right)	5 Feet	0 Feet
Side (Left)	5 Feet	No Change
Cumulative Side	N/A	N/A

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 November 25, 2025 to all property owners within 300 feet of the 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:

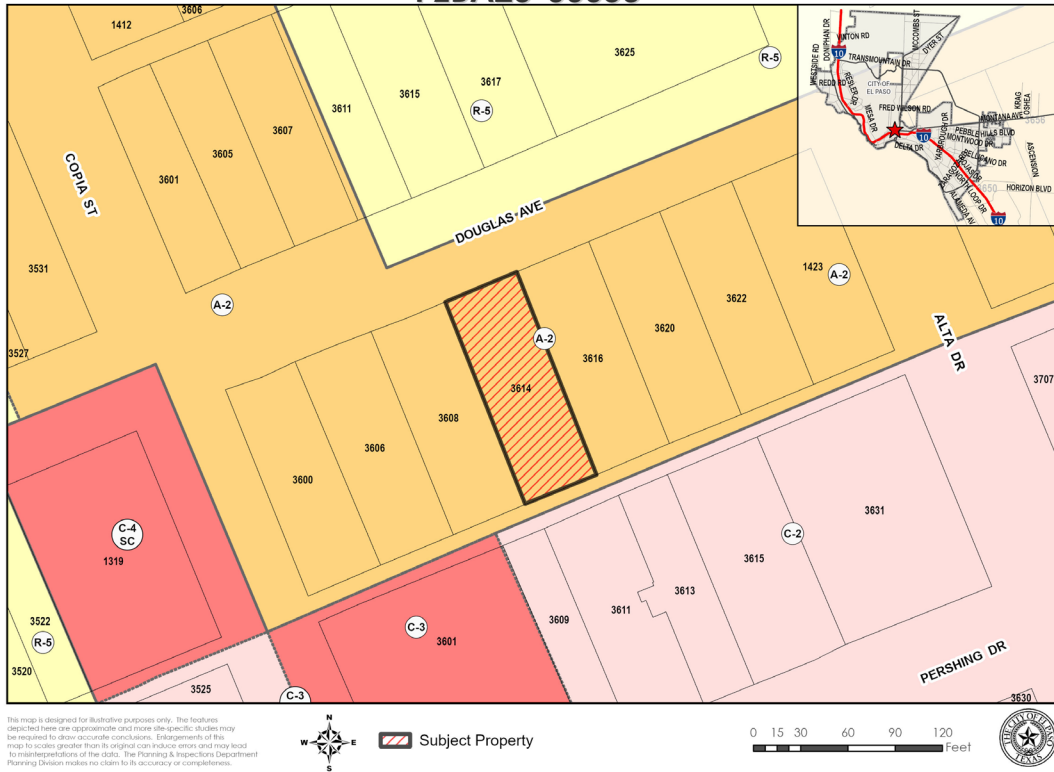
1. **Approval** of the special exception request, finding that the request is in in harmony with the spirit and purposes of Titles 2 and 20, including the preservation of the essential character of the district in which the

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.

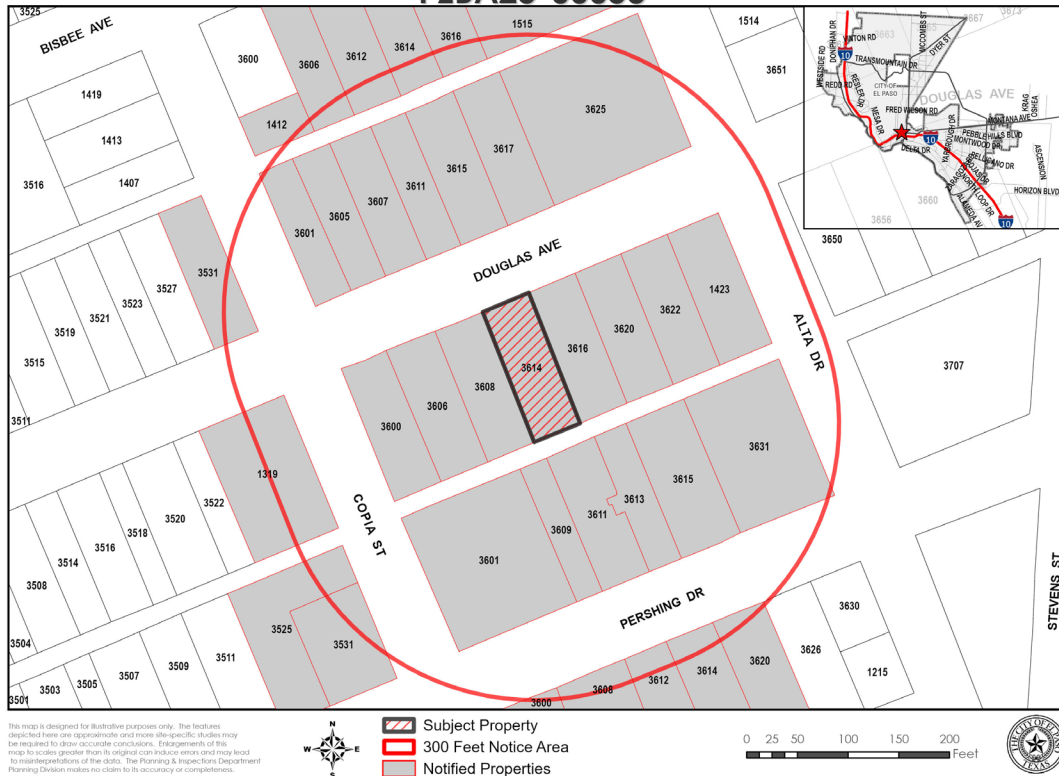
ZONING MAP

PZBA25-00053

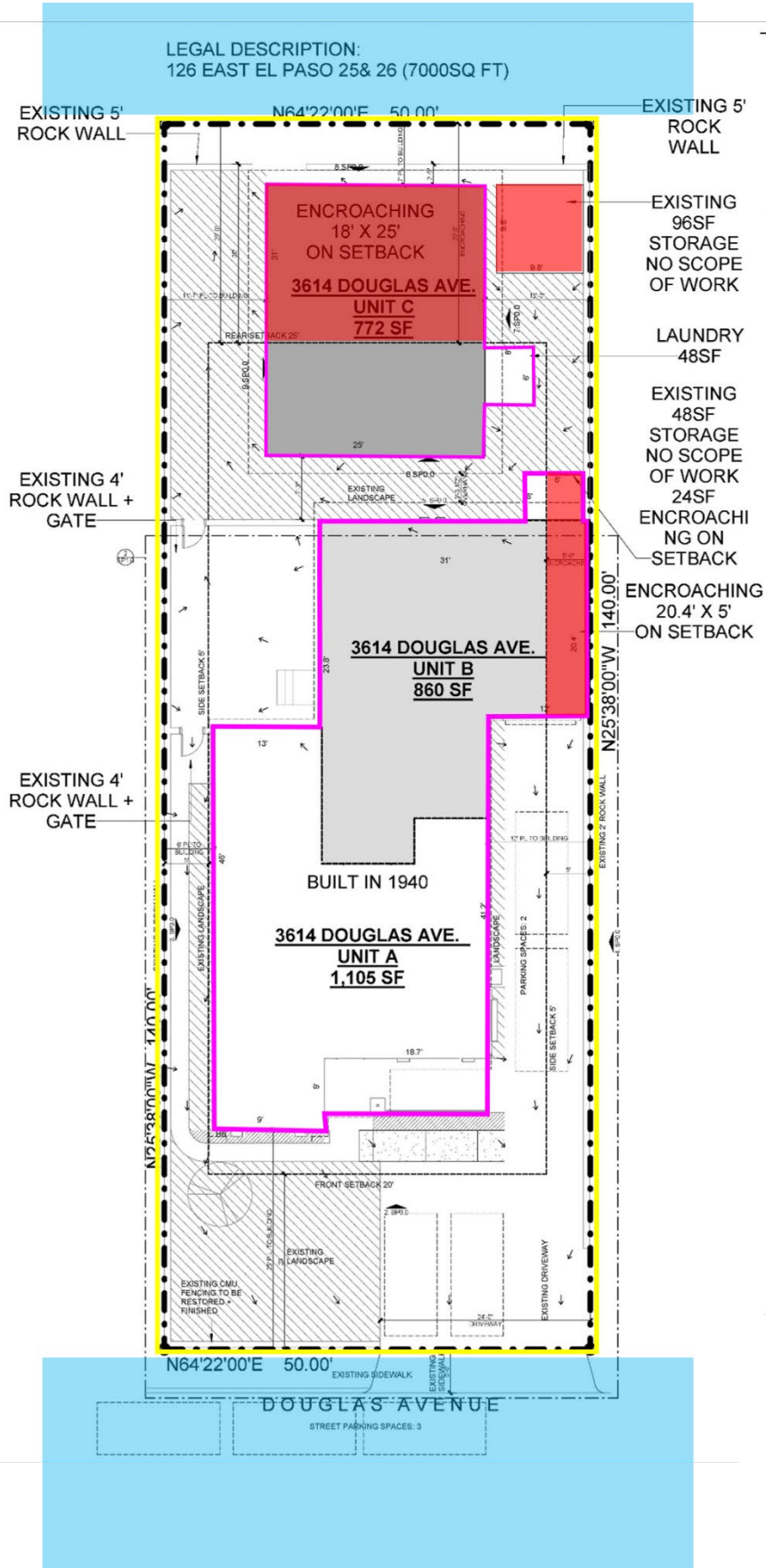


NEIGHBORHOOD NOTIFICATION MAP

PZBA25-00053



SITE PLAN



2009 AERIAL

PZBA25-00053



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 Planning Division makes no claim to its accuracy or completeness.



 Subject Property

0 10 20 40 60 80 Feet





Legislation Text

File #: BC-1481, **Version:** 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

AGENDA LANGUAGE:

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Populate the table to maintain proper formatting. Copy and paste the agenda language in the designated area below. You may include more language after the table. Just make sure all posting language is populated between "TITLE" and "END".

PZBA25-00054 Lot 9, Block 23, Tobin Park Unit 2, City of El Paso,
El Paso County, Texas
ADDRESS: 5716 Decatur Way
APPLICANT: Weise Gunnar
REPRESENTATIVE: Vanessa Duran
REQUEST: Special Exception J (Carport Over a Driveway)
DISTRICT: 4
ZIP CODE: 79924
STAFF CONTACT: Blanca Perez, (915) 212-1561,
PerezBM@elpasotexas.gov

5716 Decatur

Zoning Board of Adjustment — December 8, 2025



CASE NUMBER: PZBA25-00054
CASE MANAGER: Blanca Perez, (915) 212-1561, PerezBM@elpasotexas.gov
PROPERTY OWNER: Weiser Gunnar
REPRESENTATIVE: Vanessa Duran
LOCATION: 5176 Decatur Way (District 4)
ZONING: R-4 (Residential)
REQUEST: Special Exception J (Carport Over a Driveway)
PUBLIC INPUT: None received as of December 2, 2025

SUMMARY OF REQUEST: Applicant requests a Special Exception under Section 2.16.050 J (Carport Over a Driveway) to permit a proposed carport over a driveway in an R-4 (Residential) zone district.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL WITH CONDITIONS** of the special exception request as the requested area of encroachment is less than the maximum permitted for a carport. The conditions are as follows:

- The accessory structure over the easement shall be removed as reflected on the site plan.

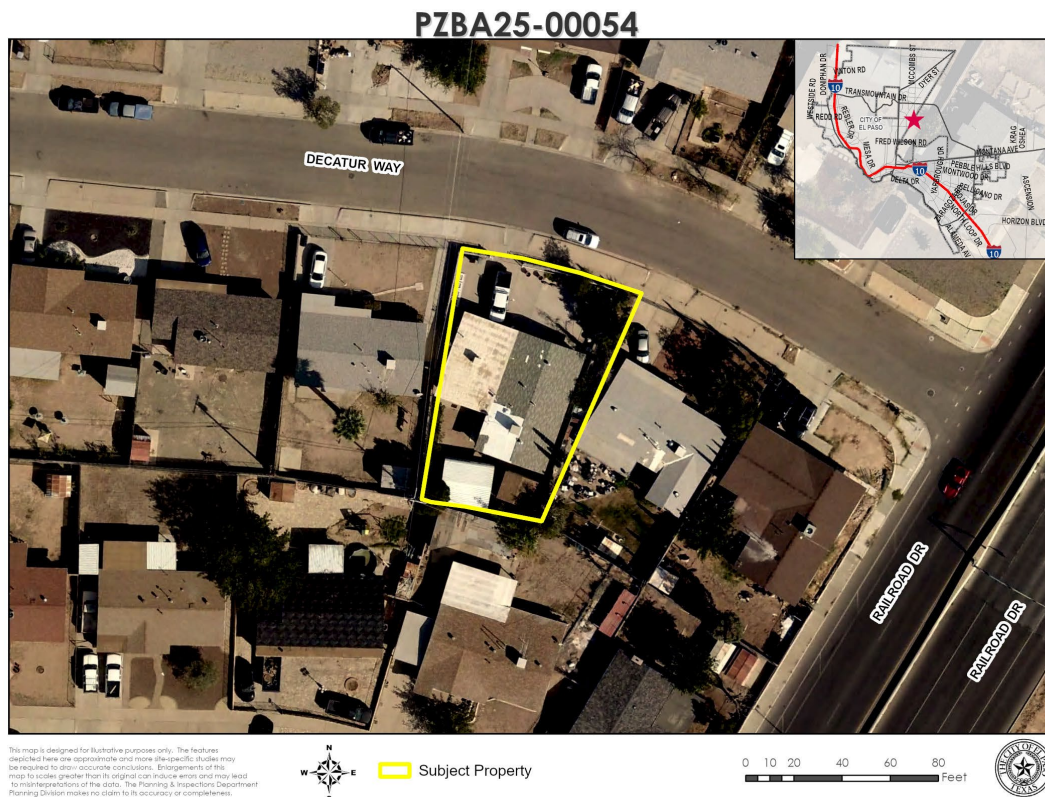


Figure A. Aerial of Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting a special exception to permit the construction of a proposed carport of approximately 21 feet 3 ¼ inches by 20 feet 7 ½ inches and an area of 438.40 square feet, of which 321.75 square feet encroaches 16 feet 4 ¼ inches into the front yard setback and is located to within 8 feet 4 inches of the front property line.

BACKGROUND: The minimum front setback is 20 feet in the R-4 (Residential) zone district. The required front setback for the subject property is 24 feet 2 inches to meet the cumulative front and rear setback of 45 feet in the R-4 (Residential) zone district.

SETBACKS	REQUIRED SETBACK	REQUESTED SETBACK
Front	24 Feet 7 Inches	8 Feet 4 Inches
Rear	20 Feet 5 Inches	No Change
Cumulative Front & Rear	45 Feet	28 Feet 9 Inches
Side (Right)	5 Feet	No Change
Side (Left)	5 Feet	No Change
Cumulative Side	N/A	N/A

CALCULATIONS FOR CARPORT:

	TOTAL	CALCULATION
Maximum Permitted Area of Encroachment	421.24 Square Feet	1/5 of 2106.20 Sq. Ft. (House 1 st floor area)
Requested Area of Encroachment	321.75 Square Feet	20 Feet 7 ½ Inches by 16 Feet 4 ¼ Inches (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 proposed carport does 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 proposed carport encroachment of 321.75 square feet is less than the maximum allowed area of 421.24 square feet.
5. Elevation drawings of the proposed structure shall be submitted;	Yes. Elevation drawings of the proposed 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

PUBLIC COMMENT: Public notice was sent on November 21, 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.

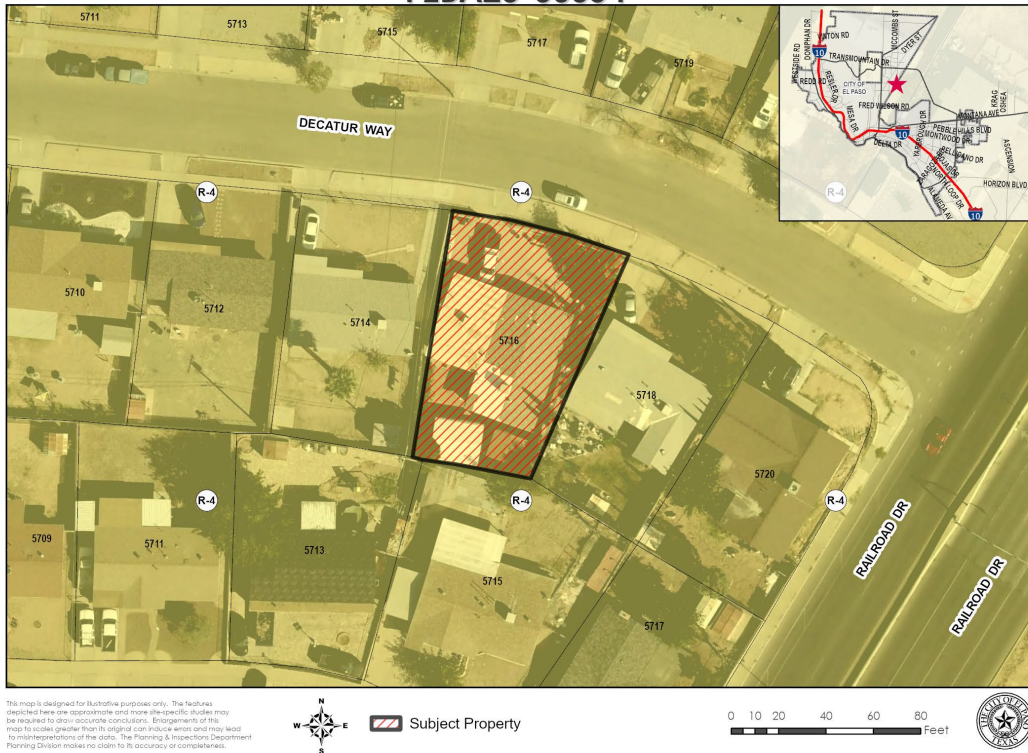
ZONING BOARD OF ADJUSTMENT OPTIONS:

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.

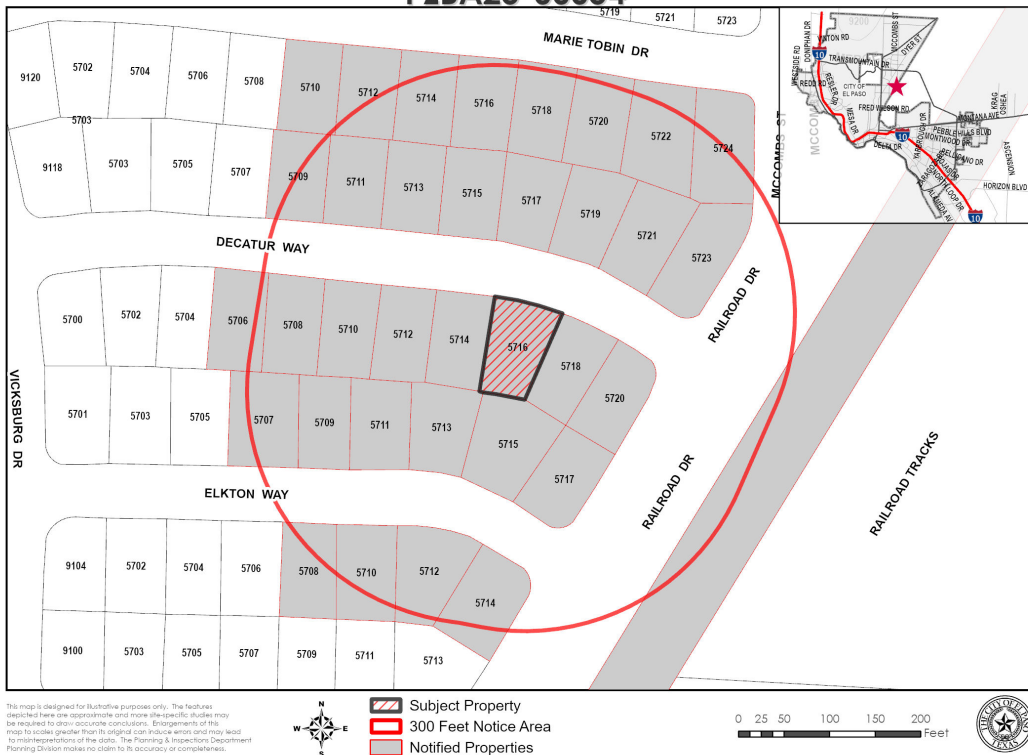
ZONING MAP

PZBA25-00054

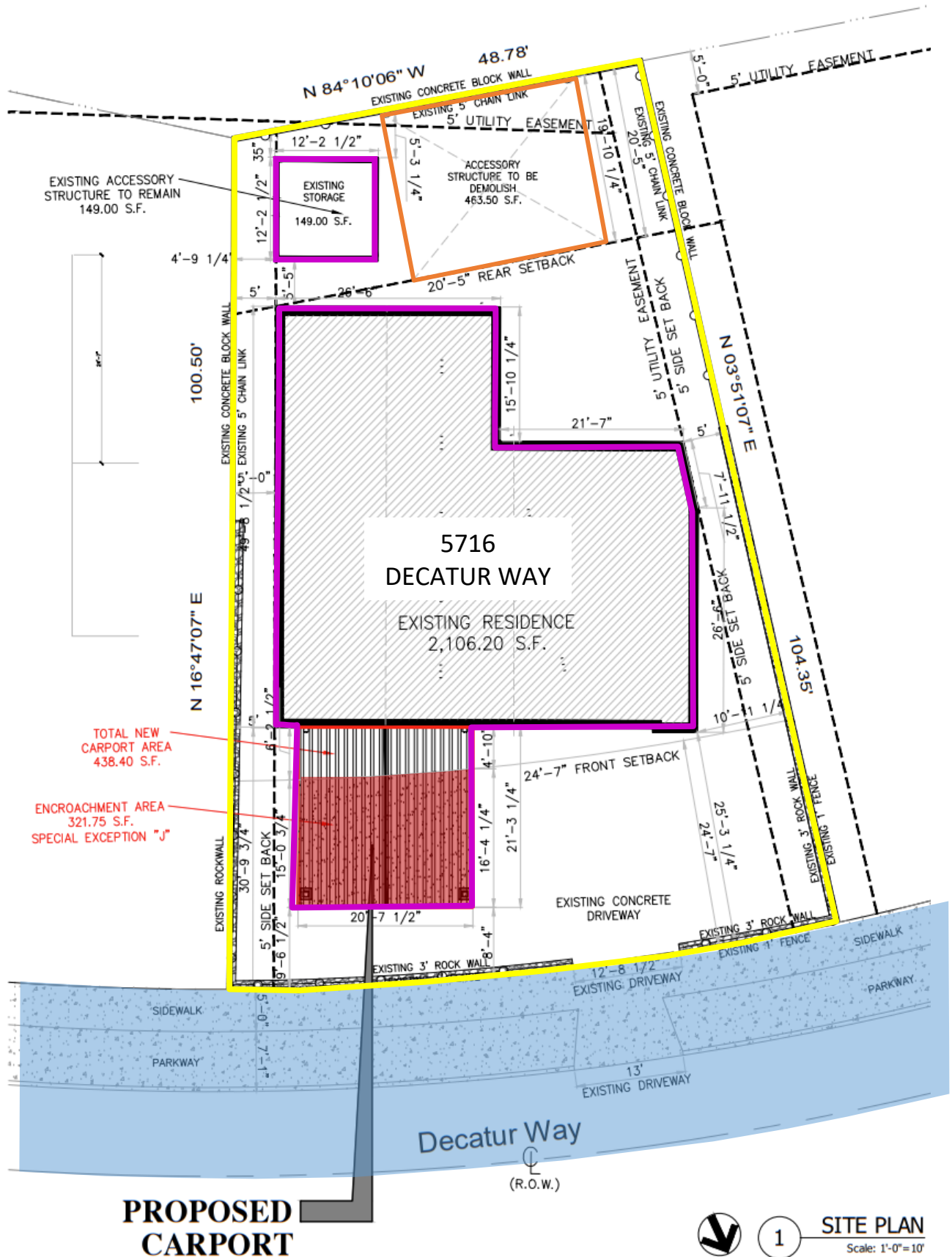


NEIGHBORHOOD NOTIFICATION MAP

PZBA25-00054



SITE PLAN

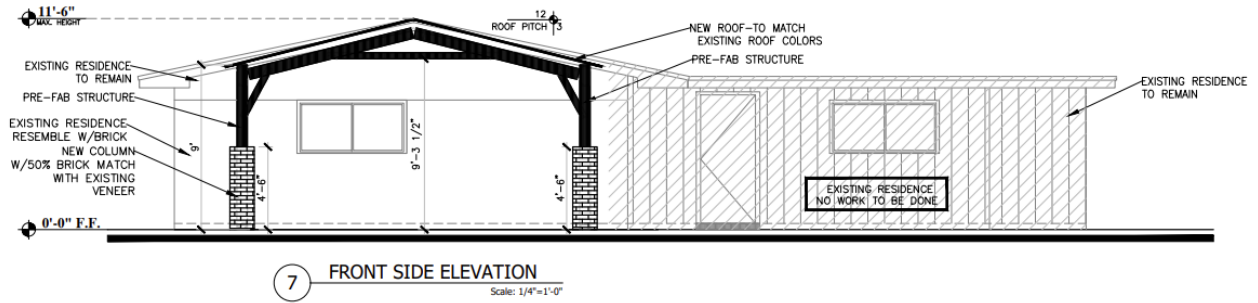


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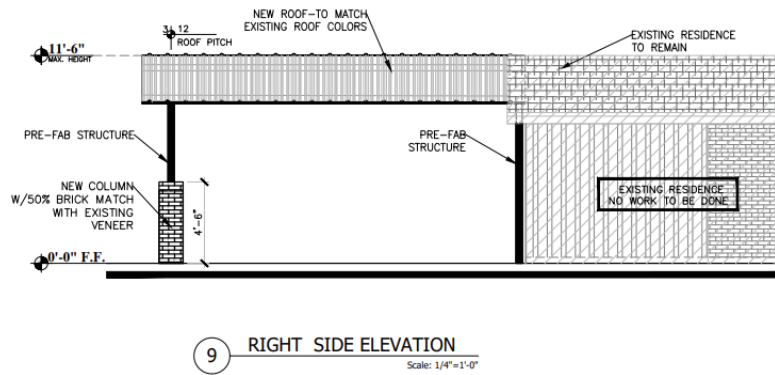
SITE PLAN

Scale: 1"=10'

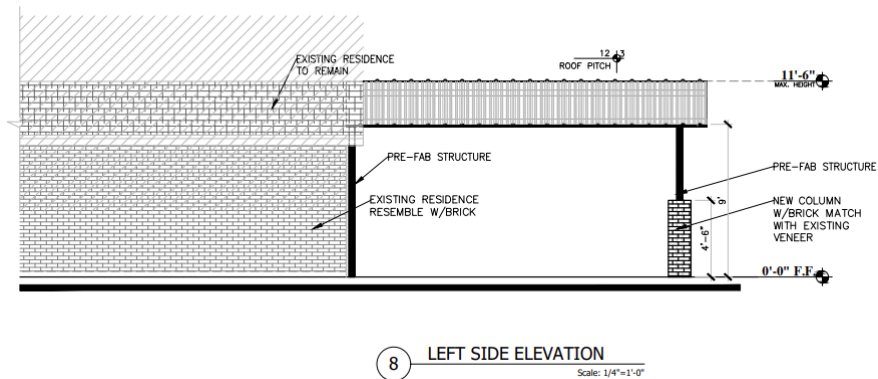
ELEVATION 1



ELEVATION 2



ELEVATION 3





El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: BC-1482, **Version:** 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Approval of Minutes: November 10, 2025



ZONING BOARD OF ADJUSTMENT MEETING
2nd Floor, Main Conference Room
November 10, 2025
1:30 P.M.

MINUTES

The Zoning Board of Adjustment met at the above place and date.

The meeting was called to order at 1:31 p.m. Chairwoman Martha Aguayo present and presiding and the following Board Members and City Staff answered roll call.

BOARD MEMBERS PRESENT:

Heidi Avedician
Sairy Cohen
Martha Isabel Aguayo (Vice-Chairwoman)
Audrey Gutierrez
Christine Loveridge
Elizabeth Thurmond-Bengtson
Fabian Uribe

BOARD MEMBERS ABSENT:

Justin Bass (Chair)
Gloria Franco Clark (joined virtually at 2:12 p.m.)

CITY STAFF INTRODUCTIONS

Luis Zamora, Chief Planner
Jesus Quintanilla, Assistant City Attorney, City Attorney's Office
Andrew Salloum, Senior Planner
Jose Beltran, Planner
Blanca Perez, Planner
Andrew Giraldi, Planner
Alejandra Gonzalez, Planner
Venessa Rangel, Senior Plans Examiner

AGENDA

Alejandra Gonzalez, Planner, read the opening statement into the record.

Chairwoman Aguayo asked everyone giving testimony today or online, please stand and raise your right hand *"Do you swear to tell the truth and nothing but the truth."*

Andrew Salloum, Senior Planner, noted the following changes:

- Item 6 to be deleted
- Item 8 to be postponed until the next meeting

ACTION: Motion made by Board Member Loveridge **TO APPROVE CHANGES**, seconded by Board Member Cohen and unanimously carried.

Motion Passed.

PUBLIC HEARING
REGULAR AGENDA:

1. Board Member Elections: Chair and Vice Chair

ACTION: Motion made by Board Member Avedician **TO POSTPONE THIS ITEM TO NEXT MEETING**, seconded by Board Member Cohen and unanimously carried.

Motion Passed.

2. Adoption of 2026 Zoning Board of Adjustments Meeting Schedule

ACTION: Motion made by Board Member Thurmond-Bengtson **TO APPROVE SCHEDULE**, seconded by Board Member Loveridge and unanimously carried.

Motion Passed.

- 3. PZBA23-00076** Lot 17 and a portion of Lot 16, Block 1, Shadow Mountain Heights Replat A, City of El Paso, El Paso County Texas
- ADDRESS: 433 Golden Spring Dr.
- APPLICANT: Stuart and Nancy Shiloff
- REPRESENTATIVE: George Halloul
- REQUEST: Special Exception B (Two or More Nonconforming Lots) And
Special Exception K (In Existence Fifteen Years or More)
- DISTRICT: 1
- ZIPCODE: 79912
- STAFF CONTACT: Andrew Salloum, (915) 212-1603,
SalloumAM@elpasotexas.gov

Andrew Salloum, Planner, made a presentation to the Board. Public notices were mailed to property owners within 300 feet of subject property on October 31, 2025. Planning Division has not received any communications in support or opposition to the request. Staff recommends approval of the exception request.

George Halloul, representative attended and agreed with staff recommendation.

PUBLIC = None

ACTION: Motion made by Board Member Uribe **TO APPROVE ITEM PZBA25-00076 WITH STAFF RECOMMENDATION**, seconded by Board Member Loveridge and unanimously carried.

Motion Passed.

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4. PZBA25-00019 Lot 15, Block 30, Cedar Grove Replat, City of El Paso,
El Paso County, Texas
ADDRESS: 205 Baywood Rd.
APPLICANT: Lizette Cobo
REPRESENTATIVE: Lizette Cobo
REQUEST: Special Exception B (Two or More Nonconforming Lots)
DISTRICT: 3
ZIPCODE: 79915
STAFF CONTACT: Jose Beltran, (915) 212-1607,
 BeltranJV@elpasotexas.gov

Jose Beltran, Planner, made a presentation to the Board. Public notices were mailed to property owners within 300 feet of subject property on October 30, 2025. Planning Division has received four (4) phone calls of inquiry, but no communications in support or opposition to the request. Staff recommends approval with a condition of the exception request. The condition is as follows:

- That the overhang of the rear addition encroaching into the rear 5-ft utility easement be removed.
- The existing carport encroaching into the southerly side setback shall be modified or removed to comply with the zoning requirements of the El Paso City Code.

No property owner or representative was present to answer any questions of the board.

PUBLIC = NONE

ACTION: Motion made by Board Member Avedician **TO APPROVE ITEM PZBA25-00019 WITH STAFF RECOMMENDATION**, seconded by Board Member Cohen.

Motion passes

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5. PZBA25-00027 Lots 18, Block 2, Park North Subdivision, and a portion of
Block 81, Township 2, Section 14, City of El Paso, El Paso
County, Texas
ADDRESS: 3005 Park North Dr.
APPLICANT: Michael Ben and Norma J. Loustauanau
REPRESENTATIVE: Saul Anaya
REQUEST: Special Exception J (Carport Over a Driveway) and K (In
Existence Fifteen Years or More)
DISTRICT: 2
ZIPCODE: 79904
STAFF CONTACT: Blanca Perez, (915) 212-1561,
 PerezBM@elpasotexas.gov

Blanca Perez, Planner, made a presentation to the Board. Public notices were mailed to property owners within 300 feet of subject property on October 31, 2025. Planning Division has received four (4) calls in support to the request. Staff recommends approval with conditions of the exception request. The conditions are as follows:

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

Michael Loustaunau, property owner attended and presented presentation.

ACTION: Motion made by Board Member Avedician **TO APPROVE EXTENSION OF PUBLIC SPEAKER TIME BY TWO (2) MINUTES**, seconded by Board Member Uribe.

Motion Passed.

PUBLIC = Frank Perry, Dr. and Mrs. Bridgette Rawson, Jerry McRae, and Dana Mills, spoke in support of this request.

ACTION: Motion made by Board Member Thurmond-Bengtson **TO APPROVE ITEM PZBA25-00027 WITH STAFF RECOMMENDATION**, seconded by Board Member Avedician.

Motion Passed.

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6. PZBA25-00032	Lot 1, Block 6, Enrique Franco Unit 1, City of El Paso, El Paso County, Texas
ADDRESS:	8409 Hartford Dr.
APPLICANT:	Justin and Jessica Holston
REPRESENTATIVE:	Flores General Construction
REQUEST:	Special Exception C (Rear yard setback, single-family residence)
DISTRICT:	7
ZIPCODE:	79907
STAFF CONTACT:	Blanca Perez, (915) 212-1561, PerezBM@elpasotexas.gov

THIS ITEM HAS BEEN DELETED.

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7. PZBA25-00036	Lot #7, Block 23, East Gate Subdivision Unit 2, City of El Paso, El Paso County, Texas
ADDRESS:	1746 Onizuka
APPLICANT:	Eduardo & Terri Davila
REPRESENTATIVE:	Eduardo & Terri Davila
REQUEST:	Special Exception B (Two or More Nonconforming Lots)
DISTRICT:	6
ZIPCODE:	79936
STAFF CONTACT:	Alejandra Gonzalez, (915) 212-1506, GonzalezAG@elpasotexas.gov

Alejandra Gonzalez, Planner, made a presentation to the Board. Public notices were mailed to property owners within 300 feet of subject property on October 29, 2025. Planning Division has not received any communications in support or opposition to the request. Staff recommends approval with conditions of the exception request. The conditions are as follows:

- The carport shall resemble the main residence in scale and character and shall be open on three (3) sides.
- The mesh canopy in the side yard shall be removed.

Eduardo and Terri Davila, property owners attended and agreed with staff recommendation.

PUBLIC = None

ACTION: Motion made by Board Member Thurmond-Bengtson **TO APPROVE ITEM PZBA25-00036 WITH STAFF RECOMMENDATION WITH THE EMPHASIS ON THE MATERIALS OF THE HOME MUST BE USED TO ENCASE THE STRUCTURE SO THAT IT IS IN KEEPING WITH THE CHARACTER OF THE HOME ALLOWING THE USE OF A MESH TOP**, seconded by Board Member Uribe and unanimously carried.

Motion Passed.

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8. PZBA25-00037 Lot 218, Block 10, Valley View Heights, City of El Paso,
El Paso County, Texas
ADDRESS: 6530 Mohawk Dr.
APPLICANT: Jose M. Romo
REPRESENTATIVE: Jose M. Romo
REQUEST: Special Exception B (Two or more non-conforming lots)
DISTRICT: 3
ZIPCODE: 79925
STAFF CONTACT: Blanca Perez, (915) 212-1561,
 PerezBM@elpasotexas.gov

ITEM POSTPONED TO NEXT MEETING.

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9. PZBA25-00041 A portion of Lot 36, Block 56, Pebble Hills Unit No. 8,
City of El Paso, El Paso County, Texas
ADDRESS: 3469 East Glen Drive
APPLICANT: Jason Rready
REPRESENTATIVE: Yancy Adan Quiñones
REQUEST: Special Exception B (Two or More Non-Conforming Lots)
DISTRICT: 3
ZIPCODE: 79936
STAFF CONTACT: Jose Beltran, (915) 212-1607,
 BeltranJV@elpasotexas.gov

Jose Beltran, Planner, made a presentation to the Board. Public notices were mailed to property owners within 300 feet of subject property on October 31, 2025. Planning Division has not received any communications in support or opposition to the request. Staff recommends approval with conditions of the exception request. The conditions are as follows:

- The accessory storage structure located in the rear of the property shall be modified, relocated, or removed from the five-foot (5') utility easement area.

- The carport shall resemble the main home in scale and character.

Yancy Adan Quiñones, representative attended and agreed with staff recommendation.

PUBLIC = None

ACTION: Motion made by Board Member Thurmond-Bengtson **TO APPROVE ITEM PZBA25-00041 WITH STAFF RECOMMENDATION WITH THE MODIFICATION THAT THE SIDE SETBACK NOT BE APPROVED AND WITH THE ADDITION THAT THE MATERIALS ON THE STRUCTURE BE ON KEEPING WITH THE HOME AND THE SLOPE OF THE CANOPY BE IN ALIGNMENT WITH THE ROOF'S STRUCTURE TO BE IN KEEPING WITH THE CHARACTER OF THE HOME**, seconded by Board Member Avedician and unanimously carried.

Motion Passed.

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10. PZBA25-00044	Lot 43, Block 30, Castner Heights Unit 7, City of El Paso, El Paso County, Texas
ADDRESS:	4509 General Maloney Cir.
APPLICANT:	Rogelio and Luz Carrillo
REPRESENTATIVE:	Rogelio and Luz Carrillo
REQUEST:	Special Exception B (Two or more non-conforming lots)
DISTRICT:	4
ZIPCODE:	79924
STAFF CONTACT:	Blanca Perez, (915) 212-1561, PerezBM@elpasotexas.gov

Blanca Perez, Planner, made a presentation to the Board. Public notices were mailed to property owners within 300 feet of subject property on October 31, 2025. Planning Division has received one (1) call of inquiry but has not received any communications in support or opposition to the request. Staff recommends approval with conditions of the exception request. The conditions are as follows:

- The existing porch shall remain open on three sides.
- The above ground pool shall be removed from 5' easement.

Roger Carrillo, property owner attended and agreed with staff recommendation.

PUBLIC = None

ACTION: Motion made by Board Member Clark **TO APPROVE ITEM PZBA25-00044 WITH STAFF RECOMMENDATION**, seconded by Board Member Loveridge and unanimously carried.

Motion Passed.

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11. PZBA25-00045	Lot 22, Block 359, Vista Del Sol Unit No. 78, City of El Paso, El Paso County, Texas
ADDRESS:	11765 Angelica Ct.
APPLICANT:	Eduardo and Yolanda Ochoa

REPRESENTATIVE: Eduardo and Pauline Ochoa
REQUEST: Special Exception C (Rear Yard Setback, Single-Family Residence)
DISTRICT: 6
ZIPCODE: 79936
STAFF CONTACT: Jose Beltran, (915) 212-1607,
BeltranJV@elpasotexas.gov

Jose Beltran, Planner, made a presentation to the Board. Public notices were mailed to property owners within 300 feet of subject property on October 31, 2025. Planning Division has not received any communications in support or opposition to the request. Staff recommends approval of the exception request.

Eduardo Ochoa, property owner attended and agreed with staff recommendation.

PUBLIC = None

ACTION: Motion made by Board Member Thurmond-Bengtson **TO APPROVE ITEM PZBA25-00045 WITH STAFF RECOMMENDATION**, seconded by Board Member Clark and unanimously carried.

Motion Passed.

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12. PZBA25-00046 Lot 5, Block 7, Womble Subdivision, City of El Paso,
El Paso County, Texas
ADDRESS: 6220 Cleveland Ave.
APPLICANT: Jorge and Gloria Lara
REPRESENTATIVE: Jorge and Gloria Lara
REQUEST: Special Exception B (Two or More Non-Conforming Lots)
DISTRICT: 2
ZIPCODE: 79905
STAFF CONTACT: Blanca Perez, (915) 212-1561,
PerezBM@elpasotexas.gov

Blanca Perez, Planner, made a presentation to the Board. Public notices were mailed to property owners within 300 feet of subject property on October 31, 2025. Planning Division has not received any communications in support or opposition to the request. Staff recommends approval with condition of the exception request. The condition is as follows:

- The existing and proposed carports shall remain open on three sides.

Jorge and Gloria Lara, property owners attended and agreed with staff recommendation.

PUBLIC = None

ACTION: Motion made by Board Member Clark **TO APPROVE ITEM PZBA25-00046 WITH STAFF RECOMMENDATION**, seconded by Board Member Thurmond-Bengtson and unanimously carried.

Motion Passed.

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13. PZBA25-00051 Lot #8, Block 5, Rim Road Addition, City of El Paso,
El Paso County, Texas
ADDRESS: 937 Rim Rd.
APPLICANT: George Salom Jr.
REPRESENTATIVE: Martina Lorey
REQUEST: Special Exception B (Two or More Nonconforming Lots)
DISTRICT: 8
ZIPCODE: 79902
STAFF CONTACT: Alejandra Gonzalez, (915) 212-1506,
 GonzalezAG@elpasotexas.gov

Alejandra Gonzalez, Planner, made a presentation to the Board. Public notices were mailed to property owners within 300 feet of subject property on October 29, 2025. Planning Division has not received any communications in support or opposition to the request. Staff recommends approval of the exception request.

Martina Lorey, representative attended and agreed with staff recommendation.

PUBLIC = None

ACTION: Motion made by Board Member Thurmond-Bengtson **TO APPROVE ITEM PZBA25-00051 WITH STAFF RECOMMENDATION**, seconded by Board Member Avedician and unanimously carried.

Motion Passed.

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14. Approval of Minutes: September 8, 2025

ACTION: Motion made by Board Member Loveridge, seconded by Board Member Cohen **TO APPROVE MINUTES FOR SEPTEMBER 8, 2025** and unanimously carried.

Motion Passed.

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15. Adjournment

ACTION: Motion made by Board Member Uribe **TO ADJOURN ZONING BOARD OF ADJUSTMENTS MEETING**, seconded by Board Member Avedician and unanimously carried.

Motion Passed.

Vice Chairwoman Aguayo adjourned the meeting at 3:28 p.m.

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EXECUTIVE SESSION

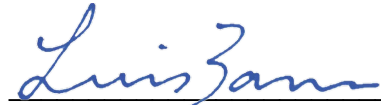
The Zoning Board of Adjustment of the City of El Paso may retire into EXECUTIVE SESSION pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the items on this agenda, consistent

with the terms of the Open Meetings Act. The Zoning Board of Adjustment will return to open session to take any final action.

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT
NEGOTIATIONS	

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Approved as to form:



Luis Zamora, Zoning Board of Adjustments Executive Secretary