

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:

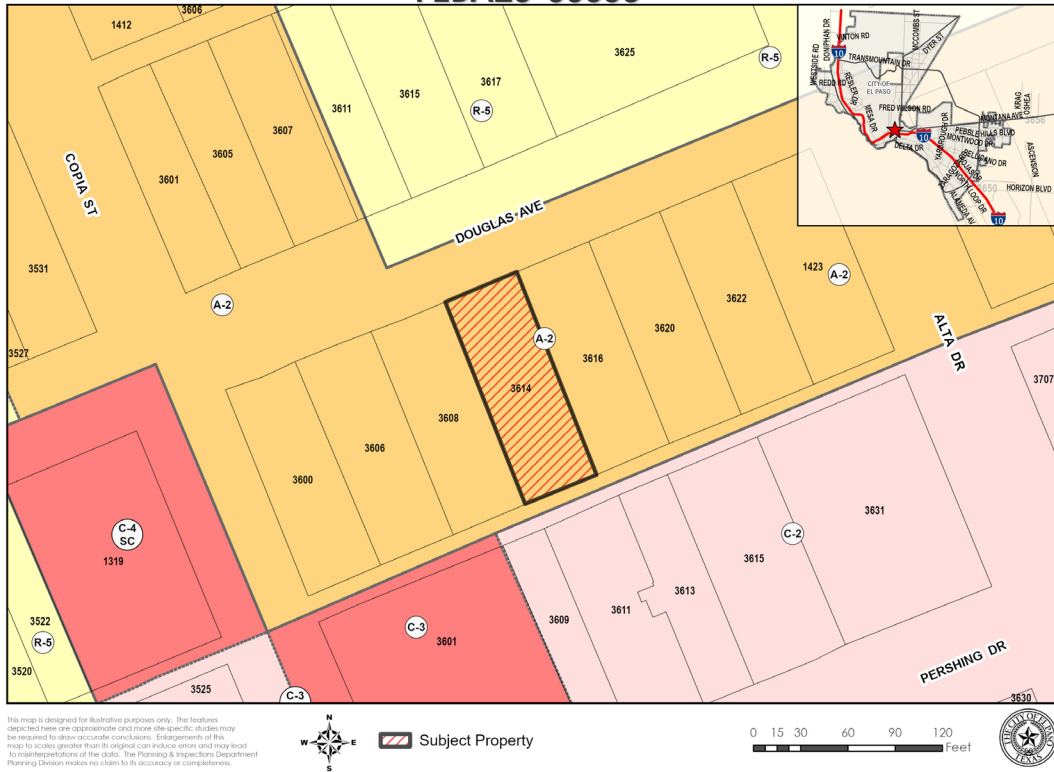
1. **Approval** of the special exception request, finding that the request is in in harmony with the spirit and purposes of Titles 2 and 20, including the preservation of the essential character of the district in which the

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.

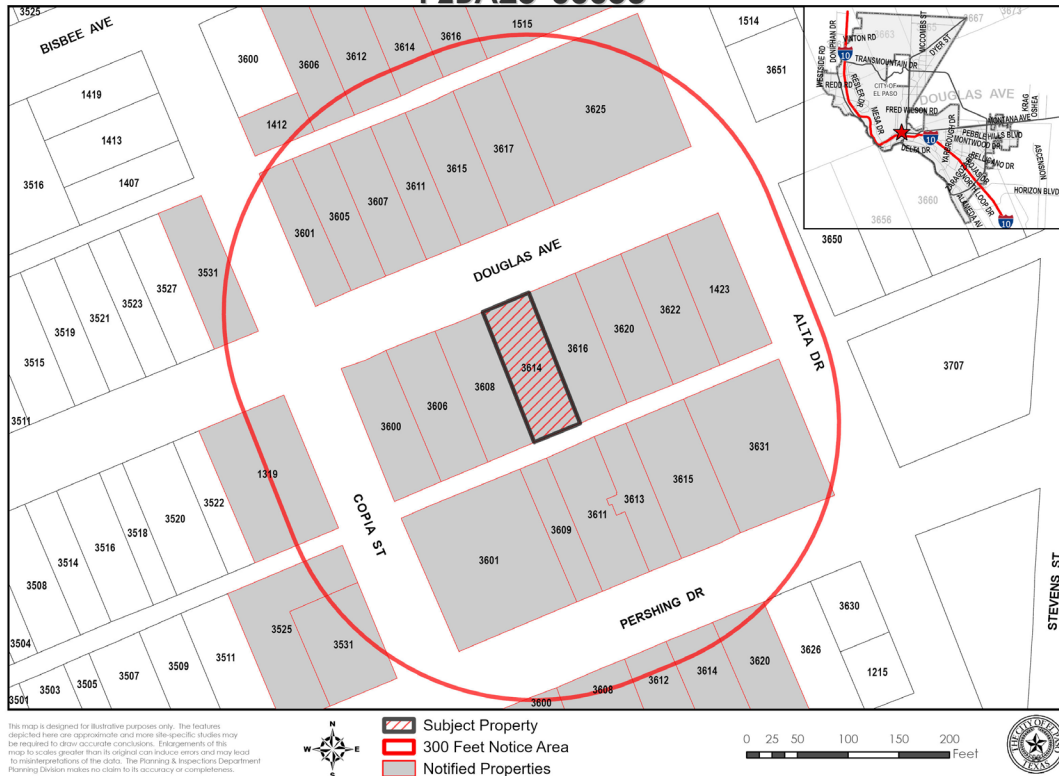
ZONING MAP

PZBA25-00053



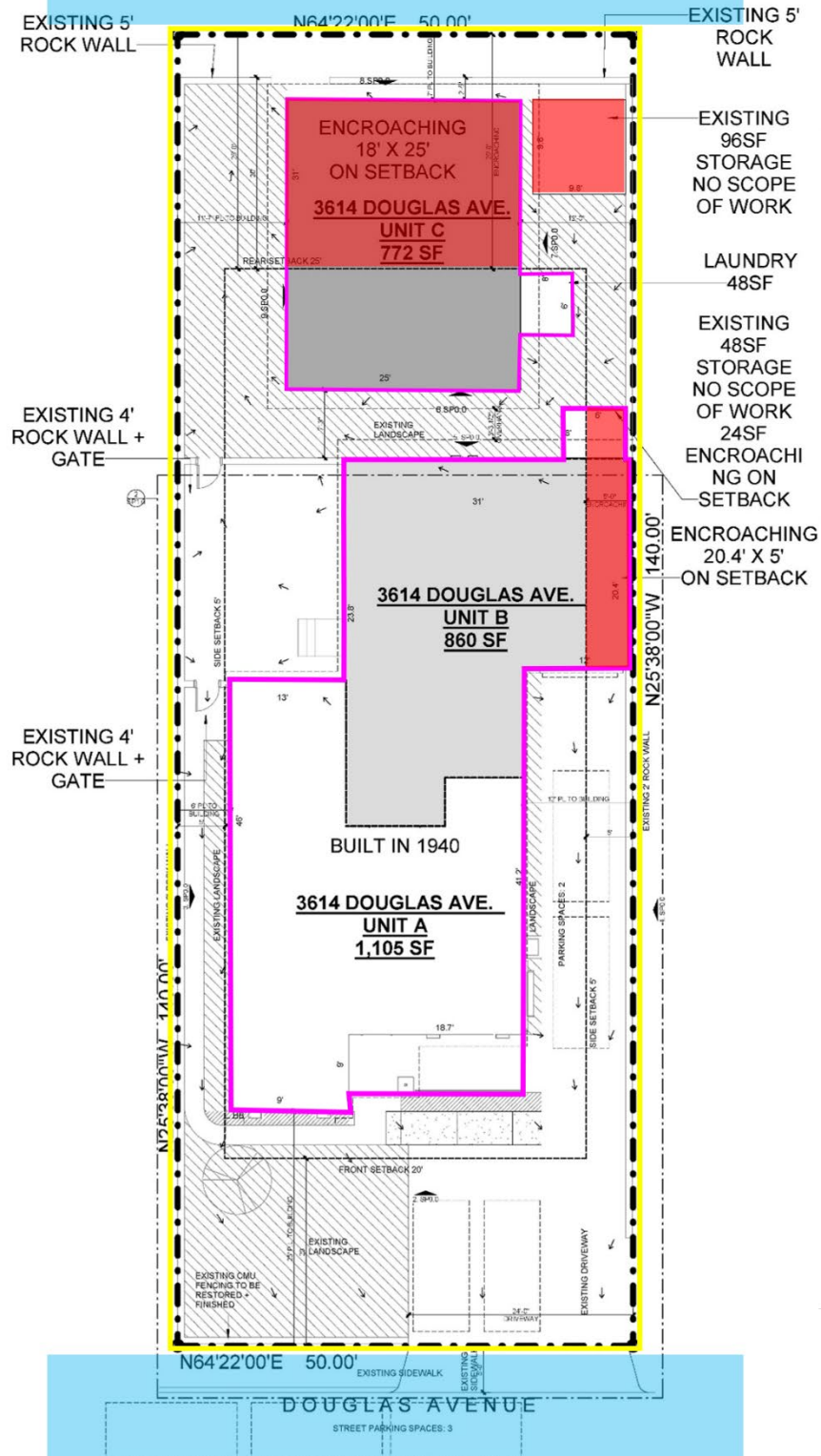
NEIGHBORHOOD NOTIFICATION MAP

PZBA25-00053



SITE PLAN

LEGAL DESCRIPTION:
126 EAST EL PASO 25& 26 (7000SQ FT)



2009 AERIAL

PZBA25-00053



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