



**\*\*\*CANCELED\*\*\***

## **AGENDA FOR THE ZONING BOARD OF ADJUSTMENT PUBLIC HEARING**

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**July 28, 2025**

**MAIN CONFERENCE ROOM, 300 NORTH CAMPBELL – 2ND FLOOR**

**1:30 PM**

MEETING FOR THE ZBA SCHEDULED FOR JULY 28, 2025 HAS BEEN CANCELLED.

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](mailto: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. PZBA25-00012** A portion of Tract 30, Country Club Place, City of El Paso, El Paso County, Texas

**BC-939**

ADDRESS: 601 Woodland Avenue  
APPLICANT: Rena Shea Herman  
REPRESENTATIVE: Jonathan Prieto  
REQUEST: Special Exception B (Two or More Non-Conforming Lots) and Special Exception K (In Existence for Fifteen Years or More)  
  
DISTRICT: 1  
ZIPCODE: 79922  
STAFF CONTACT: Blanca Perez, (915) 212-1561, PerezBM@elpasotexas.gov

2. **PZBA25-00018** Lot 7, Block 2, Spanish Pines Unit 1, City of El Paso, El Paso County, Texas **BC-940**  
  
ADDRESS: 1024 Los Moros Drive  
APPLICANT: Pablo Moreno and Sarai Perez  
REPRESENTATIVE: Sarai Perez  
REQUEST: Special Exception B (Two or More Non-Conforming Lots) and Special Exception J (Carport Over a Driveway)  
  
DISTRICT: 1  
ZIPCODE: 79922  
STAFF CONTACT: Blanca Perez, (915) 212-1561, PerezBM@elpasotexas.gov
3. **PZBA25-00021** Lot 4, Block 5, Montclair, City of El Paso, El Paso County, Texas **BC-941**  
  
ADDRESS: 2921 Prestwick Road  
APPLICANT: Sylvia Candelaria  
REPRESENTATIVE: Sylvia Candelaria  
REQUEST: Special Exception C (Rear Yard Setback, Single-Family Residence)  
  
DISTRICT: 3  
ZIPCODE: 79925  
STAFF CONTACT: Andrew Giraldi, (915) 212-1644, GiraldiAW@elpasotexas.gov
4. **PZBA25-00023** Lot 88, Block 8, Coronado Country Club Estates Unit 7, City of El Paso, El Paso County, Texas **BC-942**  
  
ADDRESS: 5708 Los Cerritos Drive  
APPLICANT: Laura Tate Goldman  
REPRESENTATIVE: Ray Marquez  
REQUEST: Special Exception C (Rear Yard Setback, Single-Family Dwelling) and Special Exception K (In Existence Fifteen Years or More)  
  
DISTRICT: 1

ZIPCODE: 79912  
STAFF CONTACT: Blanca Perez, (915) 212-1561,  
PerezBM@elpasotexas.gov

5. Approval of Minutes: June 2, 2025

**BC-943**

### **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 \_\_\_\_\_



Legislation Text

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File #: BC-939, Version: 1

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**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.*

*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".*

**PZBA25-00012**      A portion of Tract 30, Country Club Place, City of El Paso, El Paso County, Texas

ADDRESS:            601 Woodland Avenue

APPLICANT:        Rena Shea Herman

REPRESENTATIVE: Jonathan Prieto

REQUEST:           Special Exception B (Two or More Non-Conforming Lots) and Special Exception K (In Existence for Fifteen Years or More)

DISTRICT:           1

ZIPCODE:            79922

STAFF CONTACT:   Blanca Perez, (915) 212-1561,  
PerezBM@elpasotexas.gov

# 601 Woodland

Zoning Board of Adjustment — July 28, 2025



<b>CASE NUMBER:</b>	<b>PZBA25-00012</b>
<b>CASE MANAGER:</b>	Blanca Perez, (915) 212-1561, <a href="mailto:PerezBM@elpasotexas.gov">PerezBM@elpasotexas.gov</a>
<b>PROPERTY OWNER:</b>	Rena Shea Herman
<b>REPRESENTATIVE:</b>	Jonathan Prieto
<b>LOCATION:</b>	601 Woodland Ave. (District 1)
<b>ZONING:</b>	R-1 (Residential)
<b>REQUEST:</b>	Special Exception B (Two or More Non-Conforming Lots) and K (In Existence Fifteen Years or More)
<b>PUBLIC INPUT:</b>	None received as of July 24, 2025

**SUMMARY OF REQUEST:** Applicant requests a Special Exception under Section 2.16.050 B (Two or More Non-Conforming Lots) and K (In Existence Fifteen Years or More) to permit a proposed home addition and to allow to legalize an attached accessory structure in an R-1 (Residential) zone district.

**SUMMARY OF STAFF'S RECOMMENDATION:** Staff recommends **APPROVAL** of the special exception request as the requested encroachment is less than the encroachments into that setback already present on at least two other neighboring properties and have existed for at least fifteen years.

## PZBA25-00012

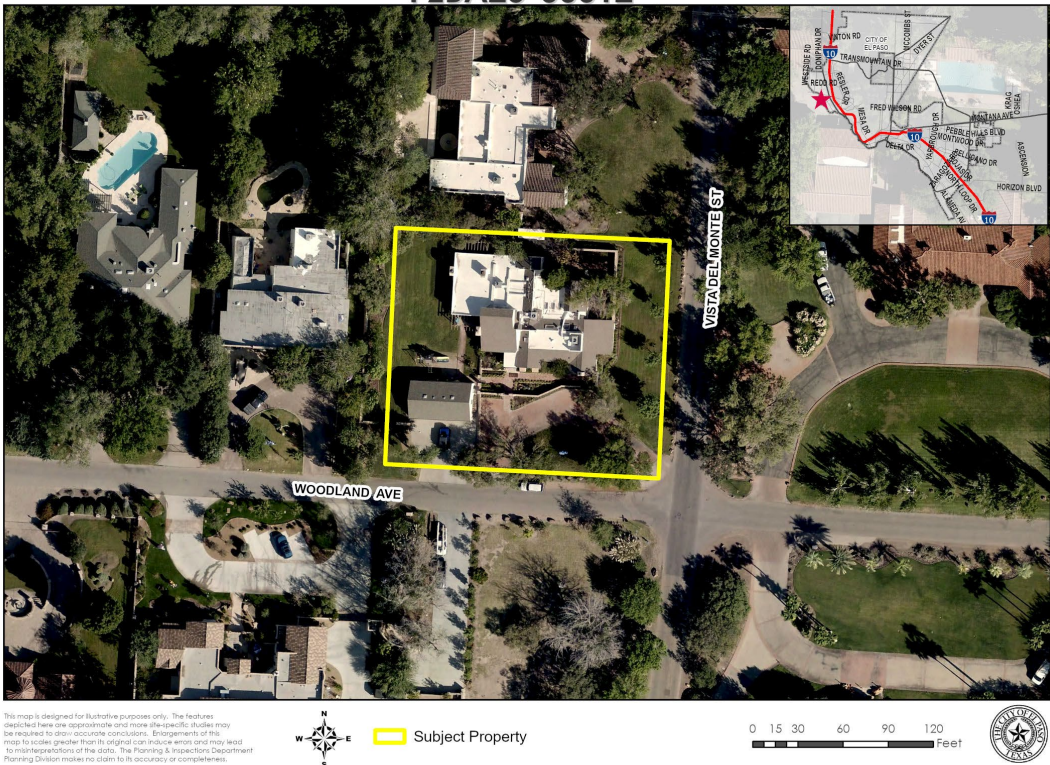


Figure A. Aerial of Subject Property & Immediate Surroundings

**DESCRIPTION OF REQUEST:** The applicant is requesting a special exception to permit the construction of a proposed home addition to an existing single-family dwelling, 13 feet 9 inches of which would extend into the required rear yard setback for a 481 square foot area of total encroachment and to allow to legalize an existing pergola extending 6 feet into the side yard setback for a total of 120 square foot area of total encroachment. Additionally, the applicant is requesting to allow to legalize an existing accessory structure, 15 feet of which would extend into the required side yard setback for a 270 square foot area of total encroachment.

**BACKGROUND:** The minimum rear setback is 30 feet in the R-1 (Residential) zone district. The required rear setback for the subject property is 64 feet to meet the cumulative front and rear setback of 100 feet in the R-1 (Residential) zone district. The minimum side setback is 15 feet to meet the cumulative side and side street setback of 40 feet in the R-1 (Residential) zone district. Aerial imagery indicates that at least two other homes on the same block show similar encroachments. The existing home at 4935 Vista del Monte Street encroaches approximately 485 square feet into the rear yard setback and 595 square feet into the side street setback. At 616 Linda Avenue, the existing home encroaches approximately 1,450 square feet into the rear setback. Additionally, the home at 607 Woodland Avenue encroaches into both side setback with the encroachment being approximately 750 square feet.

According to records from the El Paso Central Appraisal District, the current owner has owned the property since 2018. The attached accessory structure on the side yard is unknown since when it has been existent. However, based on a 2009 aerial imagery, the property existed in its current located and condition at that time, indicating the encroachment has been present for over 15 years. The existing rear porch complies with Section 20.10.040 – Yards, which permits an unenclosed porch to extend up to 12 feet and 180 square feet into the required rear yard setback.

SETBACKS	REQUIRED SETBACK	REQUESTED SETBACK
Front	36 feet	No Change
Rear	64 feet	50 feet 3 inches
Cumulative Front & Rear	100 feet	86 feet 3 inches
Side	15 feet	0 feet
Side street	25 feet	No Change
Cumulative Side	40 feet	25 feet

#### 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. Aerial photos and site visits confirm that two other homes on the same block have similar rear yard encroachments.
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 single-family dwellings that encroach into their required rear and side setbacks beyond the existing encroachment of the subject property.
4. If the subject lot is located at the intersection of two streets (a corner lot), then nonconforming lots within the same block on the same side of either intersecting street or directly across and abutting either intersecting street, but not lots located diagonally from the subject lot, may be used in determining the nonconforming lot restrictions of this special exception.	Yes. Only applicable lots are being considered.

**COMPLIANCE WITH SPECIAL EXCEPTION 2.16.050.K CRITERIA**

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

*Permit the encroachment into the required yard setbacks for structures; provided, however, that the applicant can prove the following conditions:*

Criteria	Does the Request Comply?
5. The encroachment into the required yard setback has been in existence for more than fifteen years;	Yes. The encroachment has been in existence for more than fifteen years.
6. Neither the applicant nor current property owner is responsible for the construction of the encroachment;	Yes. Neither the applicant nor owner were responsible for the construction of the encroachment.
7. Neither the applicant nor the current property owner owned the property at the time the encroaching structure was constructed or built;	Yes. Neither the applicant nor owner owned the property at the time.
8. The encroachment, if into the required front yard setback, does not exceed fifty percent of the required front yard setback;	Not applicable. Encroachment is not into the front yard setback.
9. The encroachment does not violate any other provision of the El Paso City Code.	Yes. The encroachment does not violate any other provision of the El Paso City Code.

**PUBLIC COMMENT:** Public notice was sent on July 17, 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.

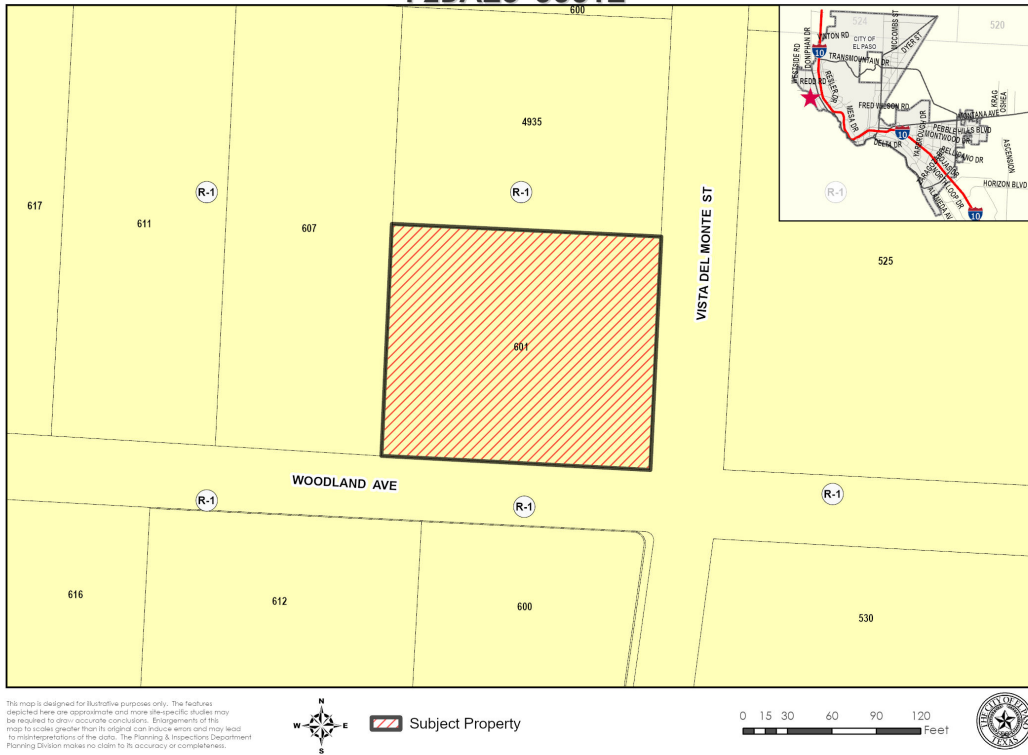
**ZONING BOARD OF ADJUSTMENT OPTIONS:**

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. **(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.

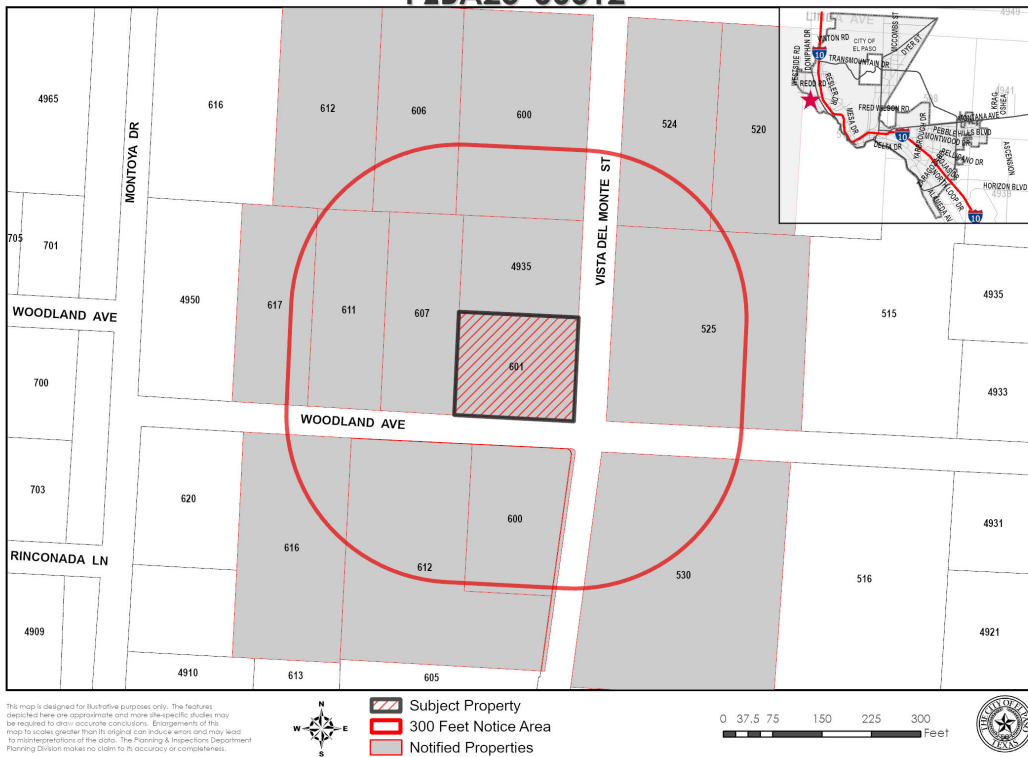
# ZONING MAP

PZBA25-00012

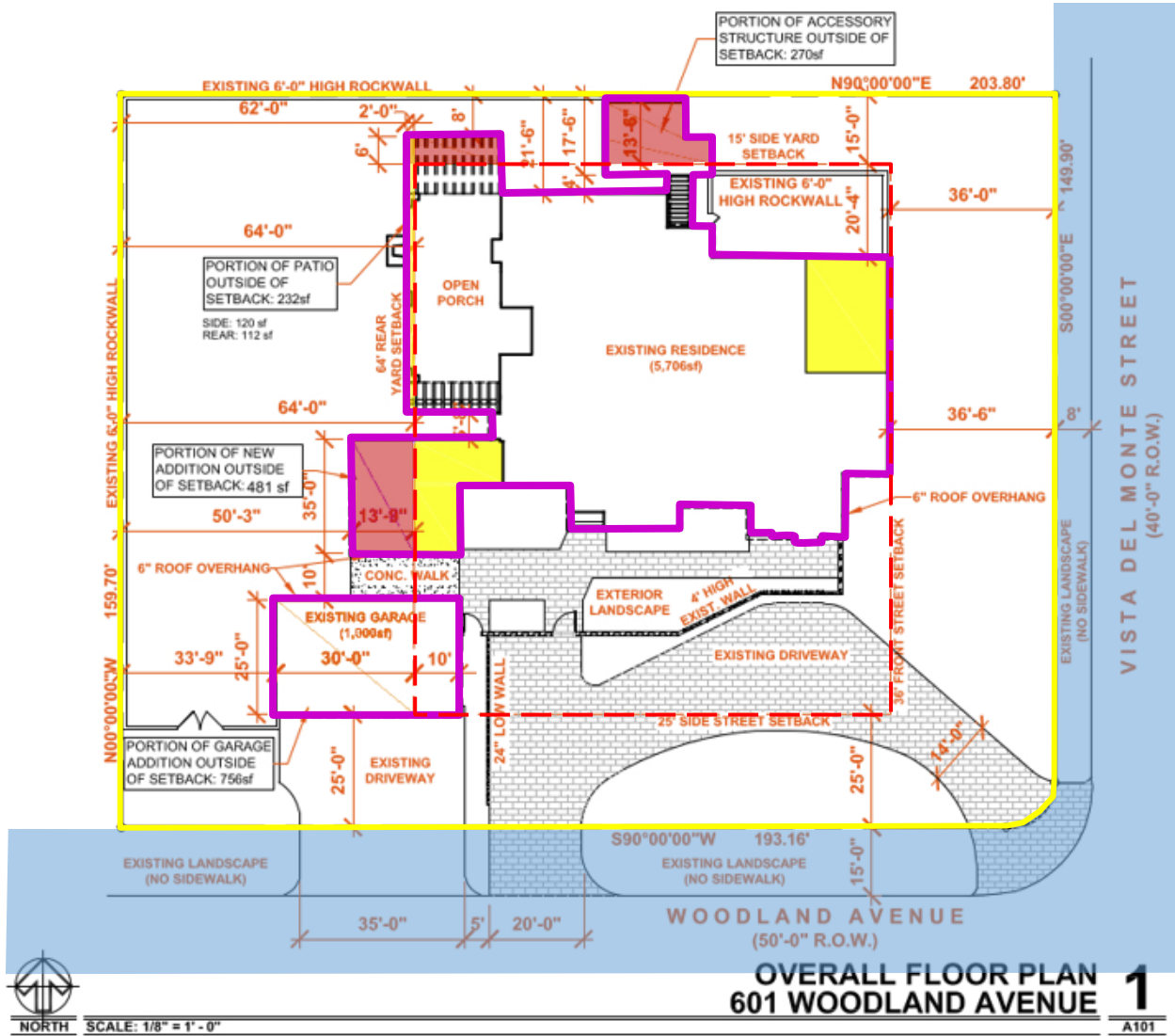


# NEIGHBORHOOD NOTIFICATION MAP

PZBA25-00012

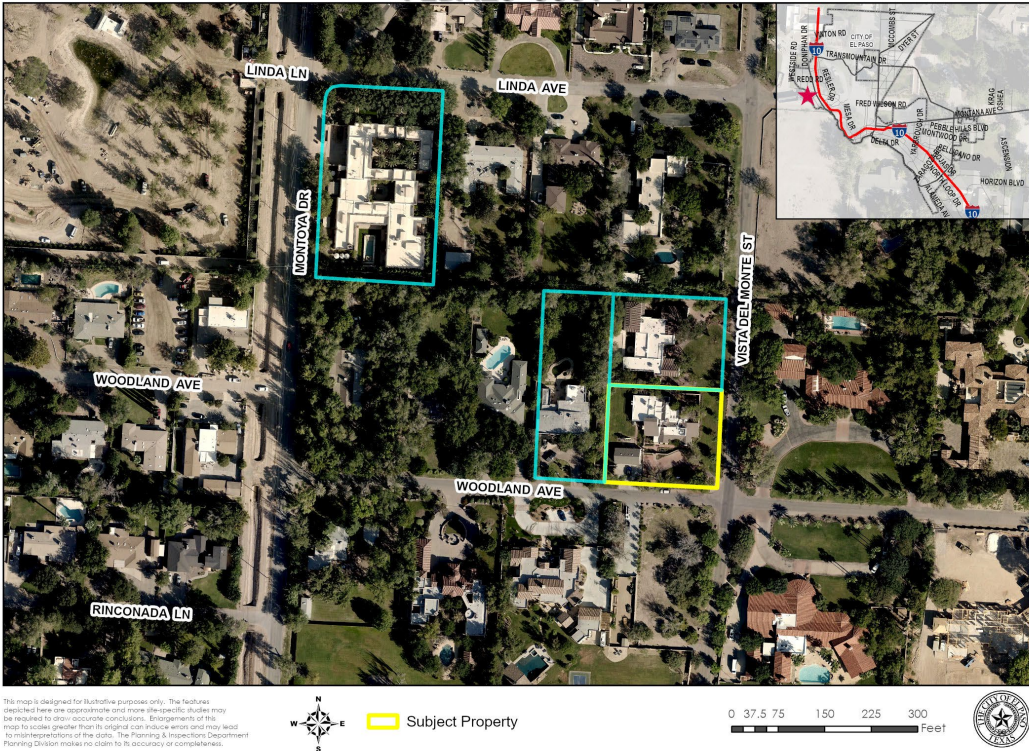


## SITE PLAN



NONCONFORMING LOTS

PZBA25-00014



NONCONFORMING LOT 1

4935 Vista del Monte St.



## NONCONFORMING LOT 2

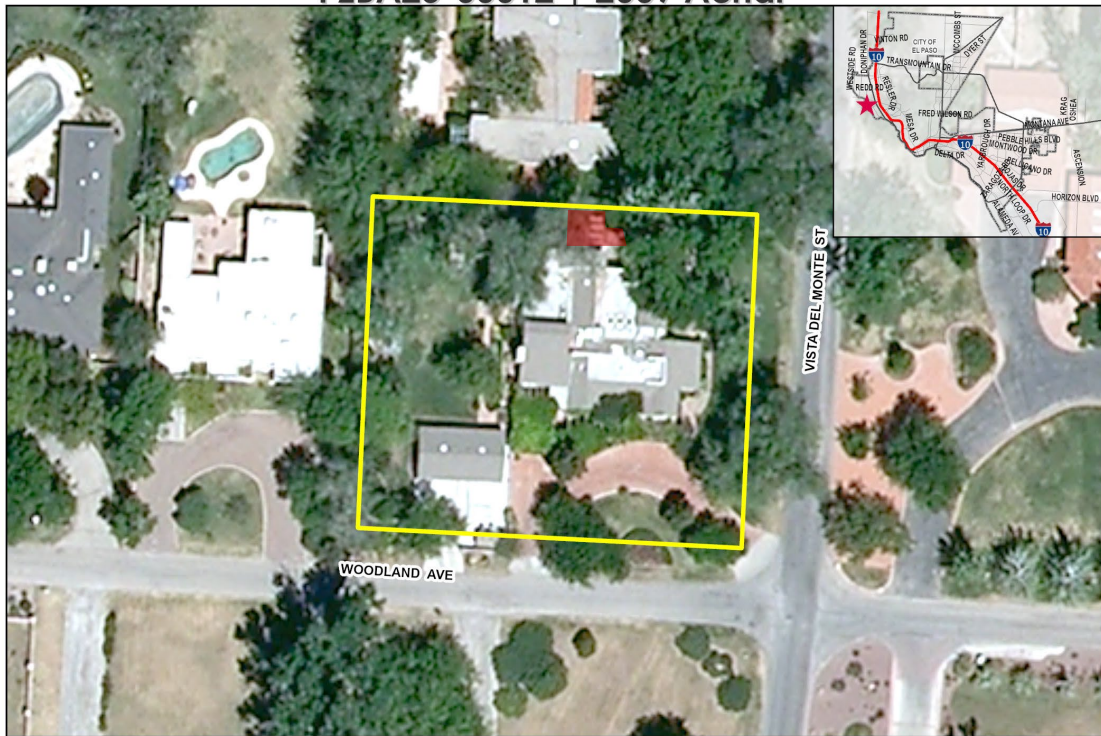


## NONCONFORMING LOT 3



# 2009 AERIAL

## PZBA25-00012 | 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 12.5 25 50 75 100 Feet





Legislation Text

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**File #:** BC-940, **Version:** 1

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

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**PZBA25-00018**      Lot 7, Block 2, Spanish Pines Unit 1, City of El Paso,  
El Paso County, Texas  
**ADDRESS:**          1024 Los Moros Drive  
**APPLICANT:**       Pablo Moreno and Sarai Perez  
**REPRESENTATIVE:** Sarai Perez  
**REQUEST:**          Special Exception B (Two or More Non-Conforming  
Lots) and Special Exception J (Carport Over a  
Driveway)  
**DISTRICT:**          1  
**ZIPCODE:**          79922  
**STAFF CONTACT:**   Blanca Perez, (915) 212-1561,  
PerezBM@elpasotexas.gov

# 1024 Los Moros

Zoning Board of Adjustment — July 28, 2025



**CASE NUMBER:** PZBA25-00018  
**CASE MANAGER:** Blanca Perez, (915) 212-1561, [PerezBM@elpasotexas.gov](mailto:PerezBM@elpasotexas.gov)  
**PROPERTY OWNER:** Pablo Moreno and Sarai Perez  
**REPRESENTATIVE:** Sarai Perez  
**LOCATION:** 1024 Los Moros Dr. (District 1)  
**ZONING:** R-2/sp (Residential/special permit)  
**REQUEST:** Special Exception B (Two or More Nonconforming Lots) and Special Exception J (Carport Over a Driveway)  
**PUBLIC INPUT:** One (1) e-mail in opposition as of July 24, 2025

**SUMMARY OF REQUEST:** Applicant requests a Special Exception under Section 2.16.050 B (Two or More Nonconforming Lots) and J (Carport Over a Driveway) to allow to legalize two existing carports in an R-2 (Residential) zone district.

**SUMMARY OF STAFF'S RECOMMENDATION:** Staff recommends **APPROVAL WITH A CONDITION** of the special exception request as the requested encroachment is less than the encroachments into that setback already present on at least two other neighboring properties and the requested area of encroachment is less than the maximum permitted for a carport. The condition is as follows:

- Carport shall resemble the main residence in scale and character.



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 carport that encroaches 8 feet into the required side yard setback, resulting in a total encroachment of approximately 160 square feet. In addition, the applicant is requesting a second special exception to allow to legalize an existing second carport measuring approximately 20 feet by 20 feet, with a total area of 400 square feet. Of that area, approximately 320 square feet encroach 16 feet into the required front yard setback, with the structure located within 10 feet of the front property line.

**BACKGROUND:** The required side setback for the subject property is 8 feet in order to meet the cumulative side setback requirement of 20 feet within the R-2 (Residential) zoning district. The required front setback is 26 feet to meet the cumulative front and rear setback requirement of 60 feet. A site visit revealed that at least two other homes on the same block or on the abutting street have similar side yard encroachments. Specifically, the property at 1035 Los Moros Drive has an unenclosed porch encroaching approximately 200 square feet into the side yard setback, and the property at 1076 Los Moros Drive has an unenclosed porch encroaching approximately 205 square feet into the side yard setback.

SETBACKS	REQUIRED SETBACK	REQUESTED SETBACK
Front	26 feet	10 feet
Rear	34 feet	No Change
Cumulative Front & Rear	60 feet	44 feet
Side (West)	12 feet	No Change
Side (East)	8 feet	0 feet
Cumulative Side	20 feet	12 feet

#### 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 extends 8 feet into the side setback, and another house 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 porches that encroach into their required side 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.

#### CALCULATIONS FOR CARPORT:

	TOTAL	CALCULATION
Maximum Permitted Area of Encroachment	451.4 Square Feet	1/5 of 2,257 Sq. Ft. (House 1 <sup>st</sup> floor area)
Requested Area of Encroachment	320 Square Feet	16 Feet by 20 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 will 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 320 square feet is less than the maximum allowed area of 451.4 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

**PUBLIC COMMENT:** Public notice was sent on July 17, 2025 to all property owners within 300 feet of subject property. The Planning Division has received one (1) e-mail in opposition to the special exception request.

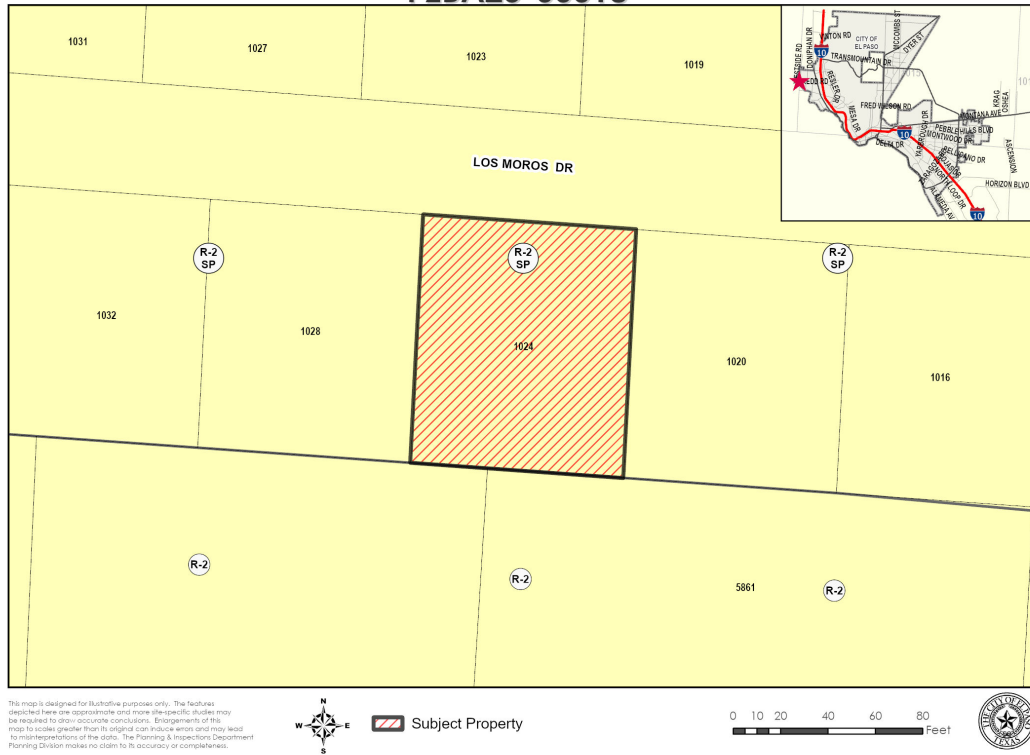
**ZONING BOARD OF ADJUSTMENT OPTIONS:**

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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.

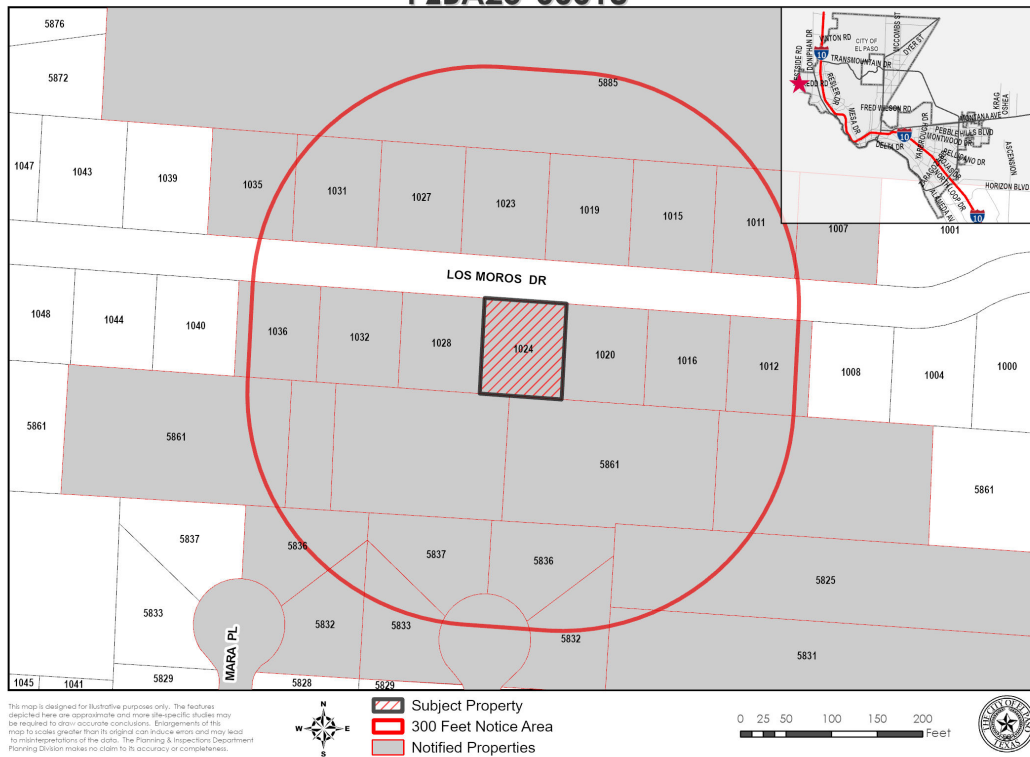
# ZONING MAP

PZBA25-00018



# NEIGHBORHOOD NOTIFICATION MAP

PZBA25-00018





# NONCONFORMING LOTS

## PZBA25-00018 | Non-Conforming Lots



# NONCONFORMING LOT 1

## PZBA25-00018 | 1035 Los Moros

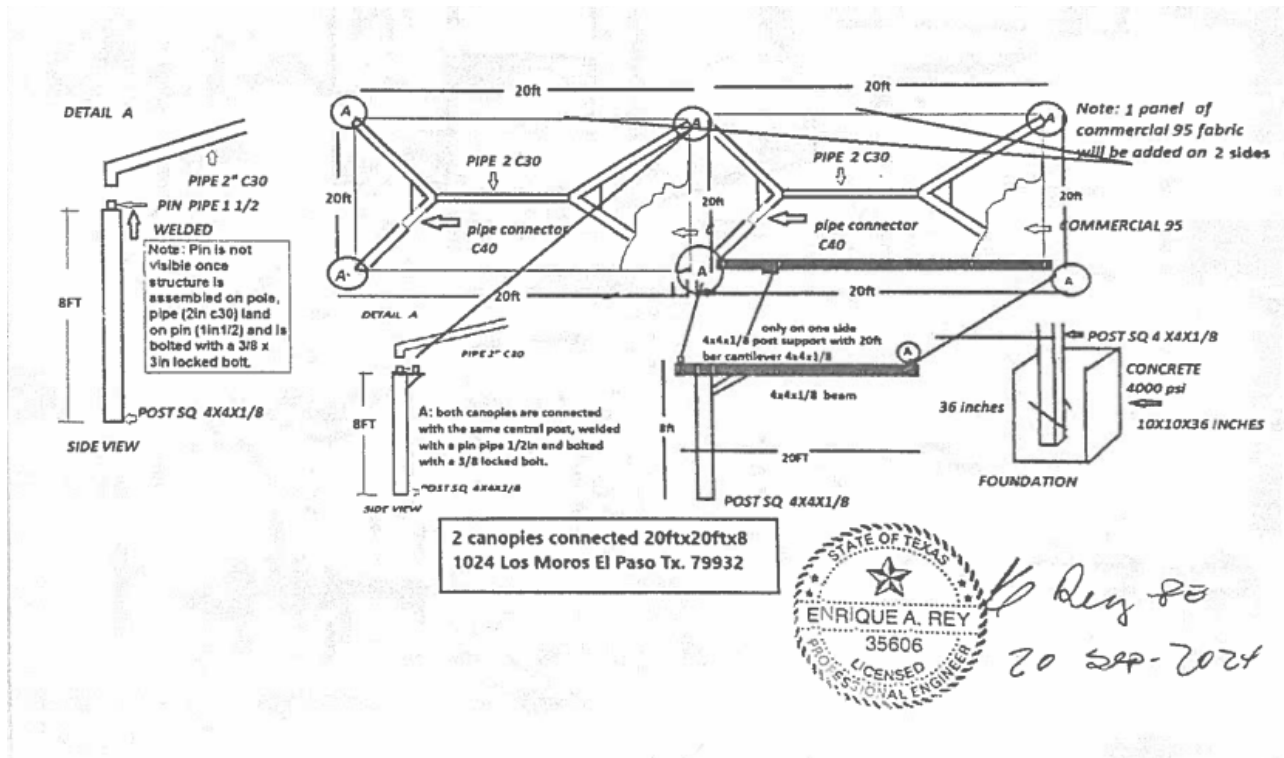


# NONCONFORMING LOT 2

PZBA25-00018 | 1076 Los Moros



## ELEVATIONS





Legislation Text

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**File #:** BC-941, **Version:** 1

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

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**PZBA25-00021**      Lot 4, Block 5, Montclair, City of El Paso, El Paso  
County, Texas  
**ADDRESS:**            2921 Prestwick Road  
**APPLICANT:**        Sylvia Candelaria  
**REPRESENTATIVE:** Sylvia Candelaria  
**REQUEST:**           Special Exception C (Rear Yard Setback,  
Single-Family Residence)  
**DISTRICT:**           3  
**ZIPCODE:**           79925  
**STAFF CONTACT:**   Andrew Giraldi, (915) 212-1644,  
GiraldiAW@elpasotexas.gov

# 2921 Prestwick

Zoning Board of Adjustment — July 28, 2025



**CASE NUMBER:** PZBA25-00021  
**CASE MANAGER:** Andrew Giraldi, (915) 212-1644, GiraldiAW@elpasotexas.gov  
**PROPERTY OWNER:** Sylvia Candelaria  
**REPRESENTATIVE:** Sylvia Candelaria  
**LOCATION:** 2921 Prestwick Road (District 3)  
**ZONING:** R-3 (Residential)  
**REQUEST:** Special Exception C (Rear Yard Setback, Single-Family Residence)  
**PUBLIC INPUT:** One (1) call of inquiry received as of July 24, 2025

**SUMMARY OF REQUEST:** Applicant requests a Special Exception under Section 2.16.050 C (Rear Yard Setback, Single-Family Residence) to permit a construction of a proposed addition to an existing single-family dwelling in an R-3 (Residential) zone district.

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

## PZBA25-00021

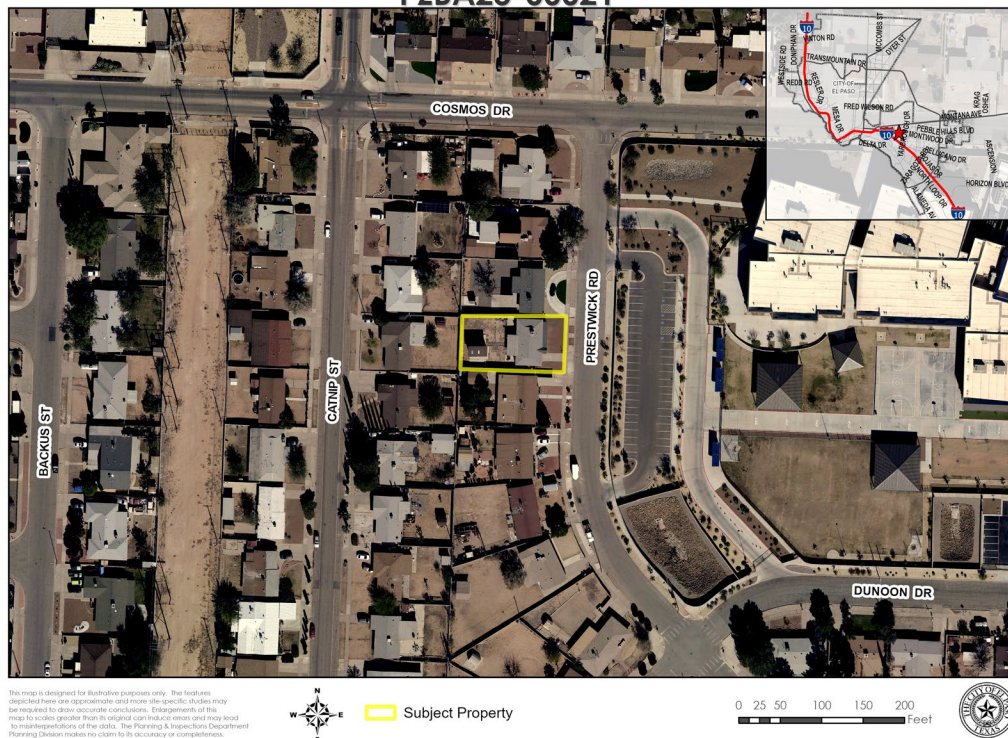


Figure A. Aerial of Subject Property & Immediate Surroundings

**DESCRIPTION OF REQUEST:** The applicant is requesting a special exception to permit the construction of a proposed home addition to an existing single-family dwelling, of which ten (10) feet would extend into the required 20.5-foot rear yard setback for a 200 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 20.5 feet to meet the cumulative front and rear setback of 50 feet in the R-3 (Residential) zone district. The home was built in 1958 per records found on the website for the El Paso Central Appraisal District.

SETBACKS	REQUIRED SETBACK	REQUESTED SETBACK
Front	29.5 feet	No Change
Rear	20.5 feet	10.5 feet
Cumulative Front & Rear	50 feet	40 feet
Side (Left)	5 feet	No Change
Side (Right)	5 feet	No Change
Cumulative Side	N/A	N/A

**CALCULATIONS:**

	TOTAL	CALCULATION
Maximum Permitted Area of Encroachment	275.48 square feet	22.40' (67.19' average lot width ÷ 3) X 12.30' (3/5 of 20.5' required rear yard setback)
Requested Area of Encroachment	200 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 275.48 square feet, which is more than the requested area of encroachment of 200 square feet.
3. A minimum ten-foot rear yard setback shall be required;	Yes. The subject property will have a 10.50-foot rear yard setback.
4. The minimum side and side street yard setbacks shall not be reduced;	Yes. The minimum side 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 July 17, 2025 to all property owners within 300 feet of subject property. As of today, the Planning Division has not received any communications in support or opposition to the special exception request.

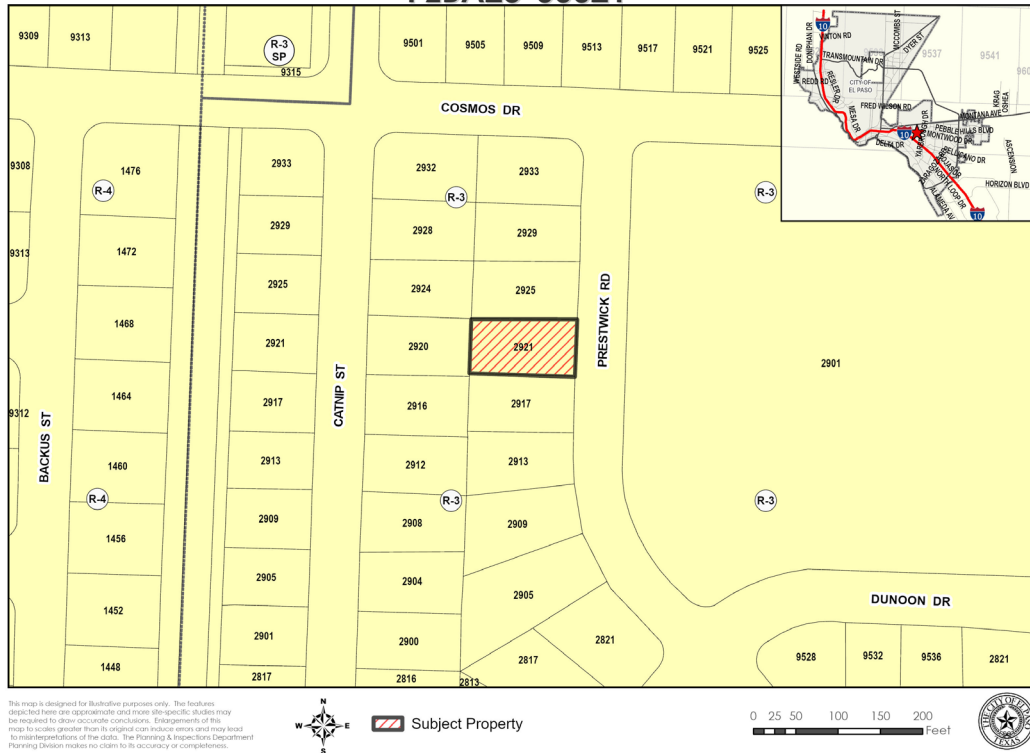
### **ZONING BOARD OF ADJUSTMENT OPTIONS:**

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.

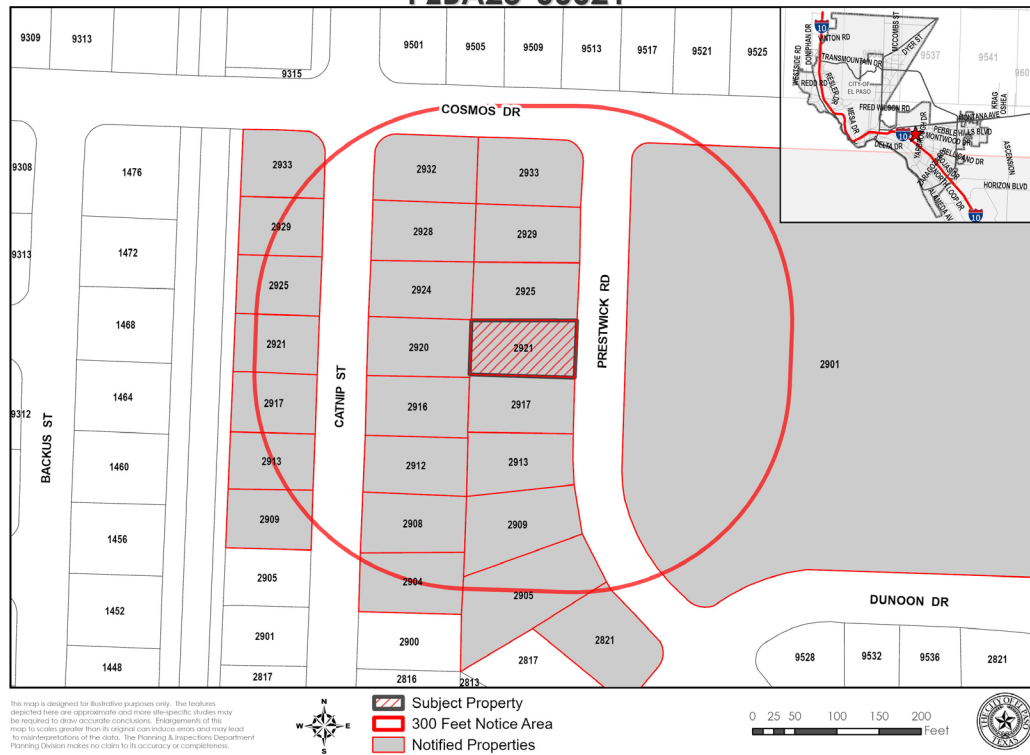
# ZONING MAP

PZBA25-00021

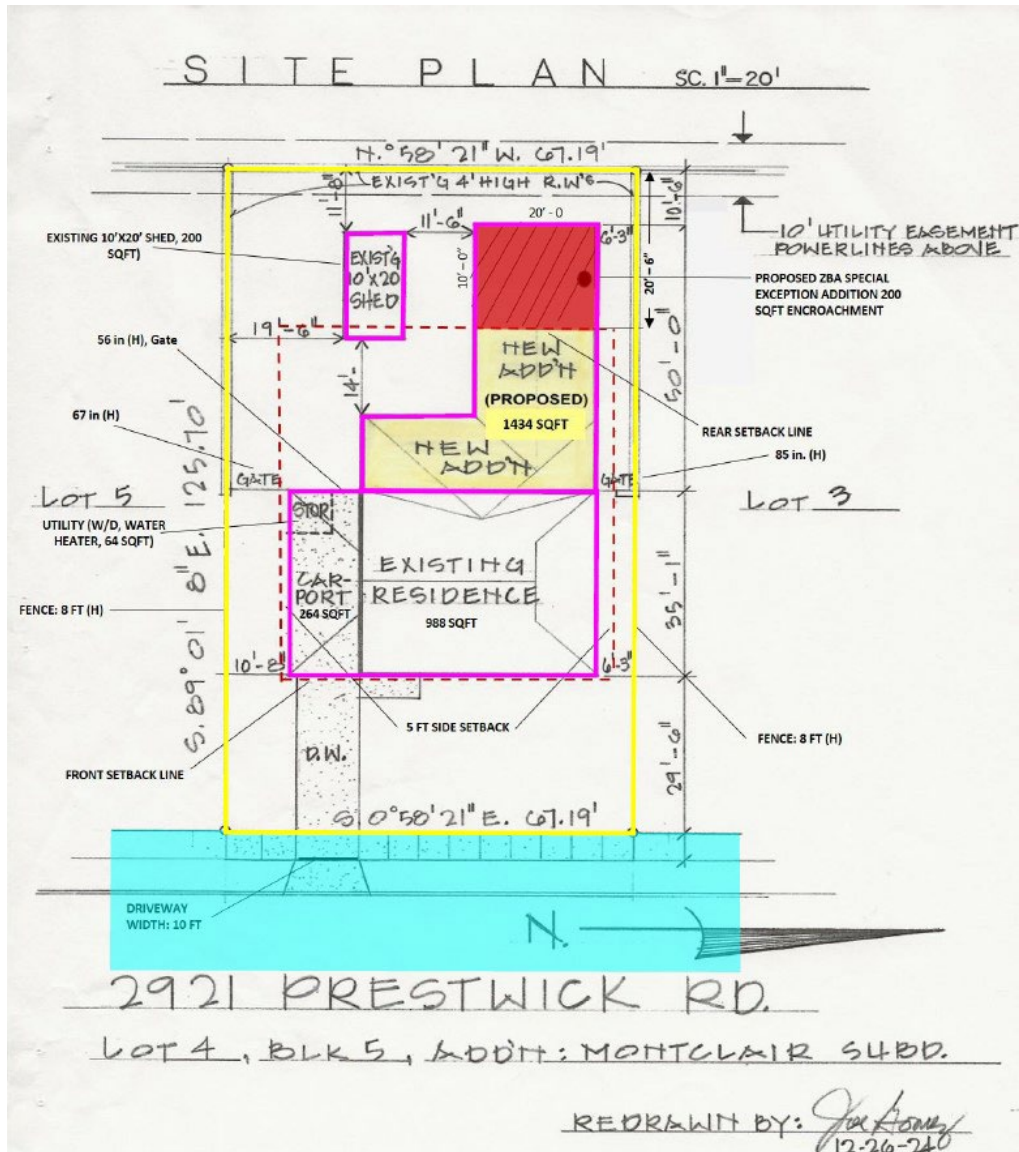


# NEIGHBORHOOD NOTIFICATION MAP

PZBA25-00021



# SITE PLAN





Legislation Text

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**File #: BC-942, Version: 1**

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**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.*

*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".*

**PZBA25-00023**      Lot 88, Block 8, Coronado Country Club Estates Unit  
7, City of El Paso, El Paso County, Texas  
**ADDRESS:**      5708 Los Cerritos Drive  
**APPLICANT:**      Laura Tate Goldman  
**REPRESENTATIVE:** Ray Marquez  
**REQUEST:**      Special Exception C (Rear Yard Setback,  
Single-Family Dwelling) and Special Exception K (In  
Existence Fifteen Years or More)  
**DISTRICT:**      1  
**ZIPCODE:**      79912  
**STAFF CONTACT:** Blanca Perez, (915) 212-1561,  
PerezBM@elpasotexas.gov

# 5708 Los Cerritos

Zoning Board of Adjustment — July 28, 2025



**CASE NUMBER:** PZBA25-00023  
**CASE MANAGER:** Blanca Perez, (915) 212-1561, [PerezBM@elpasotexas.gov](mailto:PerezBM@elpasotexas.gov)  
**PROPERTY OWNER:** Laura Tate Goldman  
**REPRESENTATIVE:** Ray Marquez  
**LOCATION:** 5708 Los Cerritos Dr. (District 1)  
**ZONING:** R-3 (Residential)  
**REQUEST:** Special Exception C (Rear Yard Setback, Single-Family Residence) and Special Exception K (In Existence Fifteen Years or More)  
**PUBLIC INPUT:** None received as of July 24, 2025

**SUMMARY OF REQUEST:** Applicant requests a Special Exception under Section 2.16.050 C (Rear Yard Setback, Single-Family Residence) and K (In Existence Fifteen Years or More) to permit a proposed home addition and to allow to legalize an existing home encroachment in an R-3 (Residential) zone district.

**SUMMARY OF STAFF'S RECOMMENDATION:** Pending.

## PZBA25-00023



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, 11 feet of which would extend into the rear yard setback for an 104 square foot area of total encroachment. The applicant is also requesting a special exception to allow to legalize an existing home, 11 feet 9 inches of which extends into the rear yard setback for a 599 square foot area of total encroachment.

**BACKGROUND:** The required rear setback for the subject property is 20 feet to meet the cumulative front and rear setback of 50 feet in the R-3 (Residential) zone district.

The current owner has owned the property since 2003 and the building was constructed in 1983 based on El Paso Central Appraisal District records. The existing encroachment has been in existence approximately for 42 years. Based on 2009 aerial imagery, the property existed back then as it does today, with the home in its current location.

SETBACKS	REQUIRED SETBACK	REQUESTED SETBACK
Front	30 feet	No Change
Rear	20 feet	8 feet 6 inches
Cumulative Front & Rear	50 feet	38 feet 6 inches
Side (Left)	5 feet	No Change
Side (Right)	5 feet	No Change
Cumulative Side	N/A	N/A

**CALCULATIONS:**

	TOTAL	CALCULATION
Maximum Permitted Area of Encroachment	480 square feet	40' (120' average lot width ÷ 3) X 12' (3/5 of 20' required rear yard setback)
Requested Area of Encroachment	104 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 480 square feet, which is more than the requested area of encroachment of 104 square feet.
3. A minimum ten-foot rear yard setback shall be required;	Yes. The addition 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 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

**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 18, 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.

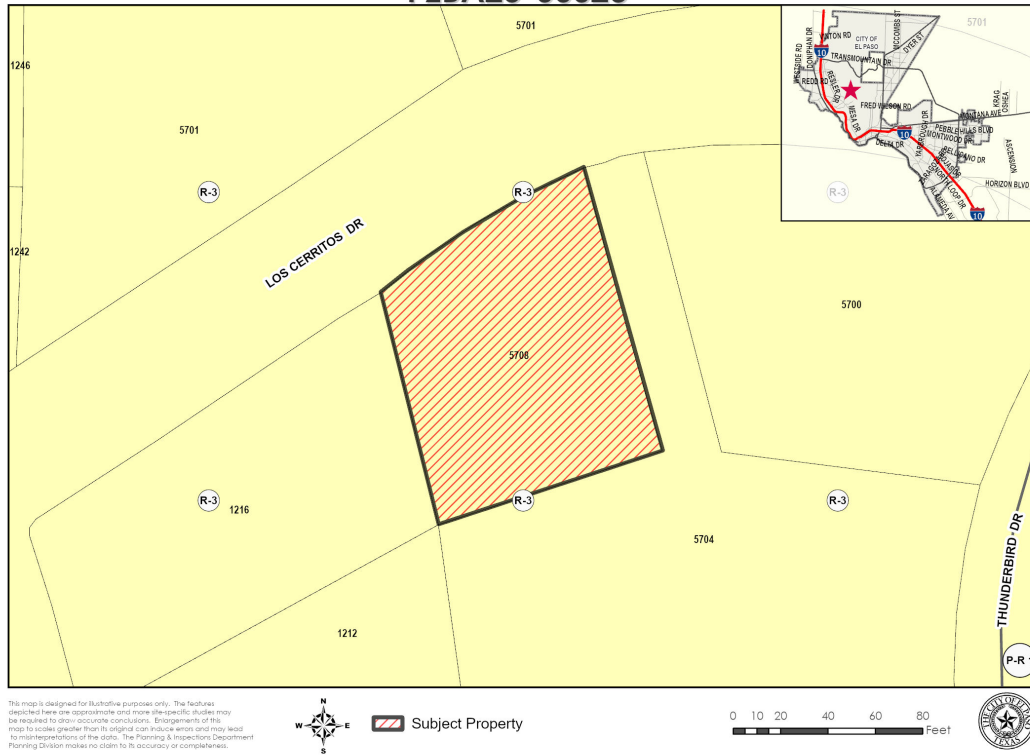
#### **ZONING BOARD OF ADJUSTMENT OPTIONS:**

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.

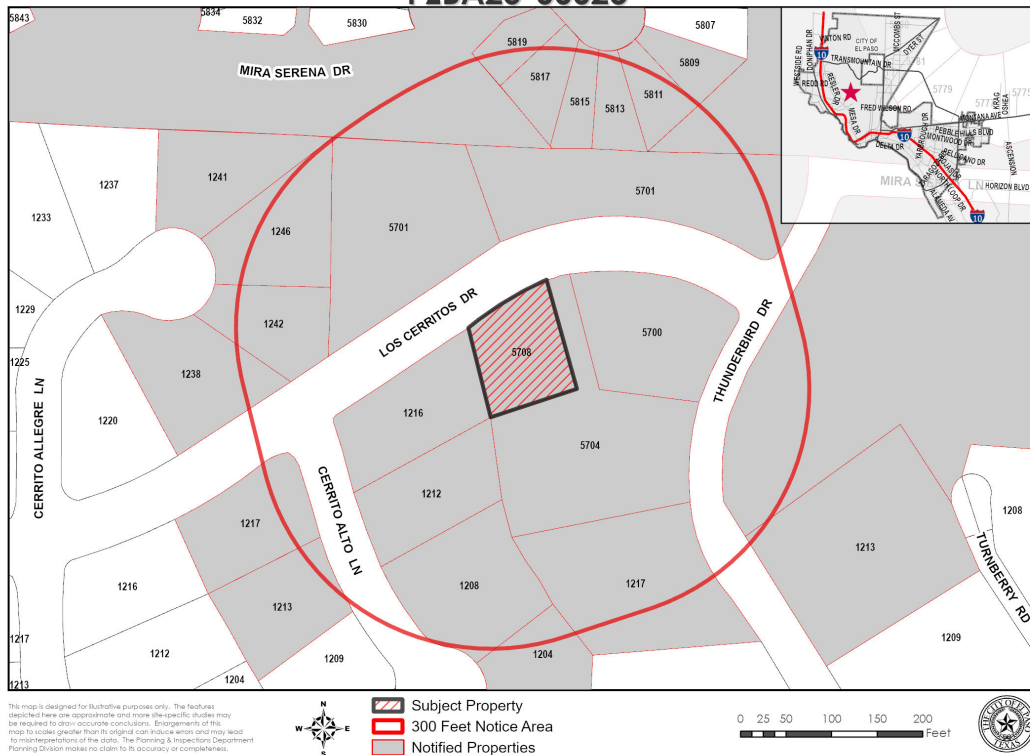
# ZONING MAP

PZBA25-00023

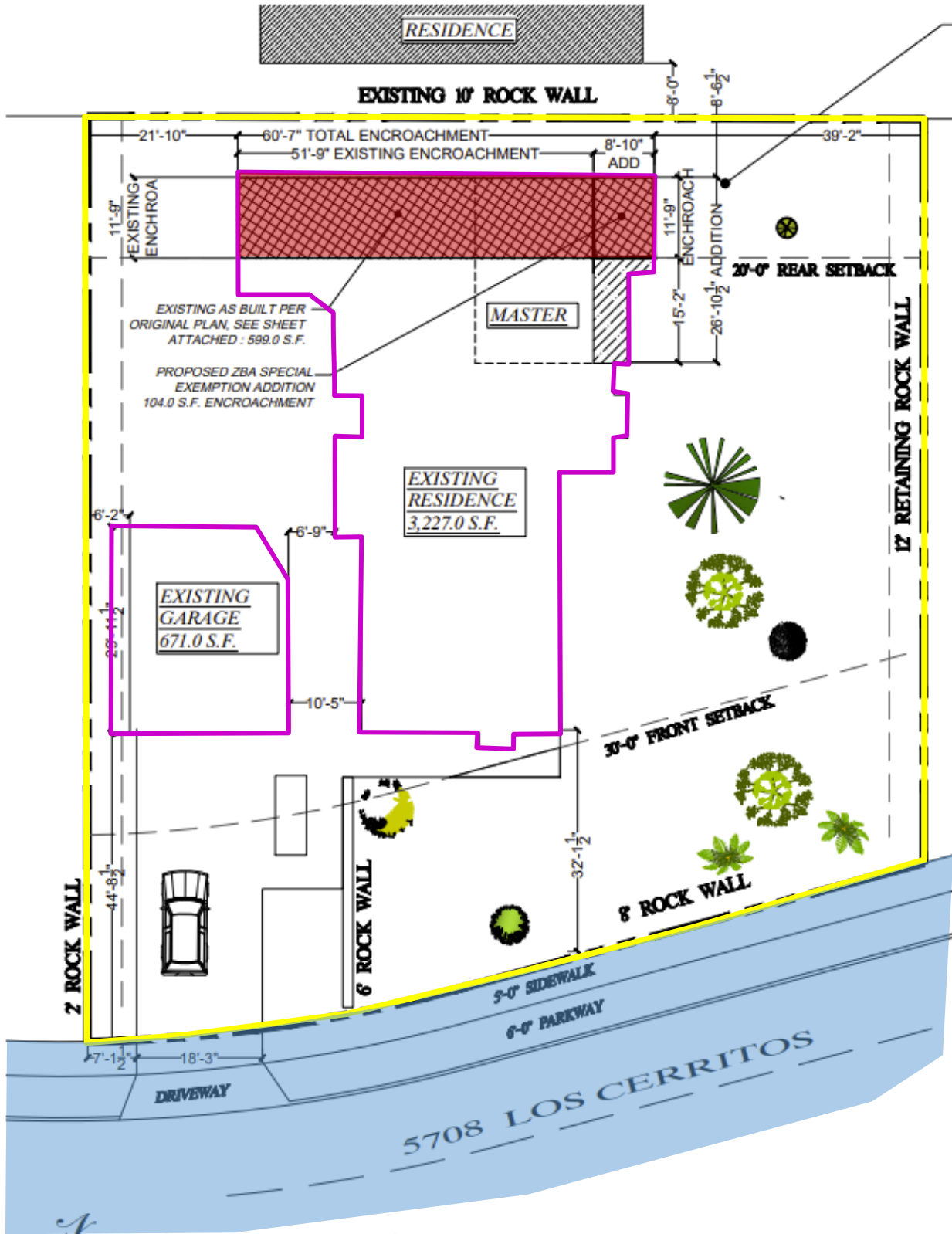


# NEIGHBORHOOD NOTIFICATION MAP

PZBA25-00023



# SITE PLAN



## " SITE PLAN AFFECTED AREA

SCALE 1/16



# 2009 AERIAL

PZBA25-00023



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





El Paso, TX

300 N. Campbell  
El Paso, TX

Legislation Text

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**File #: BC-943, Version: 1**

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

**AGENDA LANGUAGE:**

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Approval of Minutes: June 2, 2025



**ZONING BOARD OF ADJUSTMENT MEETING**  
**2<sup>nd</sup> Floor, Main Conference Room**  
**June 2, 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. Chairman Justin Bass present and presiding and the following Board Members and City Staff answered roll call.

**BOARD MEMBERS PRESENT:**

Justin Bass (Chair)  
Martha Isabel Aguayo (Vice-Chairwoman)  
Heidi Avedician  
Gloria Franco Clark  
Sairy Cohen  
Jorge Leon  
Christine Loveridge  
Elizabeth Thurmond-Bengtson

**BOARD MEMBERS ABSENT:**

Fabian Uribe

**CITY STAFF INTRODUCTIONS**

Luis Zamora, Chief Planner  
Jesus Quintana, Assistant City Attorney, City Attorney's Office  
Andrew Salloum, Senior Planner  
Jose Beltran, Planner  
Blanca Perez, Planner  
Andrew Giraldi, Planner  
Alejandra Gonzalez, Planner  
Francisco Mejia-Betancourt, Senior Plans Examiner

**AGENDA**

Blanca Perez, Planner, read the opening statement into the record.

Chairman Bass 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 that Item #2 PZBA25-00012 and Item #3 PZBA25-00014 be deleted from the agenda and no other changes.

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

Motion Passed.

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**PUBLIC HEARING  
REGULAR AGENDA:**

- 1. PZBA25-00003**                      A portion of Lot 15 and 16, Block 101, Government Hill,  
City of El Paso, El Paso County, Texas
- ADDRESS:                      4771 Cumberland Cir.
- APPLICANT:                      Patricia Beltran
- REPRESENTATIVE:                      Jorge Limon
- REQUEST:                      Special Exception B (Two or more nonconforming lots)  
and Special Exception K (In existence fifteen years or  
more)
- DISTRICT:                      2
- ZIPCODE:                      79903
- 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 April 25, 2025. Planning Division has received one (1) call 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:

- The accessory structure located to the rear of the property shall be relocated or removed to comply with zoning requirements.

Patricia Beltran and Jorge Limon attended and agreed with staff recommendation.

**PUBLIC = None**

**ACTION:** Motion made by Board Member Leon **TO APPROVE ITEM PZBA25-0003 WITH STAFF RECOMMENDATION AND CONDITION**, seconded by Board Member Aguayo.

Motion Passed.

- .....
- 2. PZBA25-00012**                      A portion of Tract 30, Country Club Place,  
City of El Paso, El Paso County, Texas
- ADDRESS:                      601 Woodland Ave.
- APPLICANT:                      Rena Shea Herman
- REPRESENTATIVE:                      Jonathan Prieto
- REQUEST:                      Special Exception B (Two or more non-conforming lots)  
and Special Exception C (Rear yard setback,  
single-family residence)
- DISTRICT:                      1
- ZIPCODE:                      79922
- STAFF CONTACT:                      Blanca Perez, (915)212-1561, PerezBM@elpasotexas.gov
- ITEM DELETED**

- .....
- 3. PZBA25-00014**                      A portion of Tract 54, Cinecue Park, City of El Paso,  
El Paso County, Texas
- ADDRESS:                      8172 Lowd Avenue
- APPLICANT:                      Armando and Leticia Urenda
- REPRESENTATIVE:                      Luis Armando Urenda

REQUEST: Special Exception B (Two or more nonconforming lots)  
DISTRICT: 7  
ZIPCODE: 79907  
STAFF CONTACT: Blanca Perez, (915)212-1561, PerezBM@elpasotexas.gov  
**ITEM DELETED**

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**4. PZBA25-00016** Lot 10, Block 145, Cielo Vista Park Unit CC,  
City of El Paso, El Paso County, Texas  
ADDRESS: 1337 Backus St.  
APPLICANT: Jorge Rodriguez  
REPRESENTATIVE: Vanessa Duran  
REQUEST: Special Exception J (Carport Over a Driveway)  
DISTRICT: 3  
ZIPCODE: 79925  
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 on May 23, 2025. As of today, Planning Division received one (1) phone call of inquiry but no communication in support or opposition to the request. Staff recommends approval with a condition of the exception request as the requested encroachment is less than the maximum permitted for a carport. The condition is as follows:

- That the portion of the existing carport that encroaches into the northerly (5) five feet side yard setback be removed.

Vanessa Duran attended and agreed with staff recommendation.

**PUBLIC** = Helen Chamlee – expressed concern

**ACTION:** Motion made by Board Member Thurmond-Bengtson **TO APPROVE ITEM PZBA25-00016 WITH ADDITIONAL CONDITION** that each column that's being built as part of this carport be covered 50% in height of brick or similar material as **REVISED** by Board Member Bass, seconded by Board Member Aguayo and unanimously carried.

Motion Passed.

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**5. PZBA25-00017** Lot 8, Block 146, Cielo Vista Park Unit CC,  
City of El Paso, El Paso County, Texas  
ADDRESS: 1344 Backus St.  
APPLICANT: Lourdes G. Alvarez  
REPRESENTATIVE: Vanessa Duran  
REQUEST: Special Exception B (Two or More Nonconforming Lots)  
and Special Exception K (In Existence 15 Years or More)  
DISTRICT: 3  
ZIPCODE: 79925  
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 on May 23, 2025. As of today, Planning Division received one (1) phone call of inquiry but no communication in support or opposition to the request. Staff recommends approval with conditions of the exception requests. The conditions are as follows:

- That the encroachments of the carport and single-family home into the southerly (5) five feet side yard setback be removed as demonstrated on the site plan.

- That the carport shall resemble the single-family home in scale and character.

Vanessa Duran attended and agreed with staff recommendation.

**PUBLIC** = Helen Chamlee – expressed concern

**ACTION:** Motion made by Board Member Thurmond-Bengtson **TO APPROVE ITEM PZBA25-00017 WITH REPLACEMENT OF SECOND CONDITION** that each column that's being built as part of this carport be covered 50% in height of brick or similar material as **REVISED** by Board Member Bass, seconded by Board Member Aguayo and unanimously carried

Motion Passed.

#### 6. Approval of Minutes: May 5, 2025

**ACTION:** Motion made by Board Member Aguayo, seconded by Board Member Leon **TO APPROVE MINUTES FOR MAY 5, 2025** and unanimously carried.

Motion Passed.

#### 7. Adjournment

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

Motion Passed.

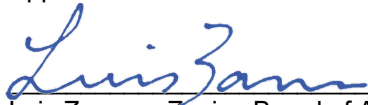
Chair Bass adjourned the meeting at 2:21 p.m.

### 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

Approved as to form:



Luis Zamora, Zoning Board of Adjustments Executive Secretary