

ORDINANCE NO. 019495

AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST23-00001, TO ALLOW FOR INFILL DEVELOPMENT WITH A REDUCTION IN LOT AREA, AVERAGE LOT WIDTH, REAR YARD SETBACK, AND CUMULATIVE FRONT AND REAR YARD SETBACK ON THE PROPERTY DESCRIBED AS LOT 33, HOWELL SUBDIVISION, 5833 MACIAS STREET, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.280 INFILL DEVELOPMENT OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Enrique Ayala, has applied for a Special Permit for infill development under Section 20.10.280 of the El Paso City for a reduction in lot area, average lot width, rear yard setback, and cumulative front and rear yard setback; and,

WHEREAS, a report was made to the City Plan Commission and a public hearing was held regarding such application; and,

WHEREAS, the City Plan Commission has recommended approval of the subject Special Permit; and,

WHEREAS, the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval; and,

WHEREAS, the City Council of the City of El Paso finds that the application conforms to all requirements of Sections 20.04.320 of the El Paso City Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the property described as follows is in a R-5 (Residential) Zone District:

Lot 33, Howell Subdivision, 5833 Macias Street, City of El Paso, El Paso County, Texas; and

2. That the City Council hereby grants a Special Permit under Sections 20.04.320 of the El Paso City Code, to allow an infill development for a reduction in lot area, average lot width, rear yard setback, and cumulative front and rear yard setback; and
3. That this Special Permit is issued subject to the development standards in the R-5 (Residential) District regulations and is subject to the approved Detailed Site Development Plan, signed by the Applicant, the City Manager and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "A" and incorporated herein by reference for all purposes; and

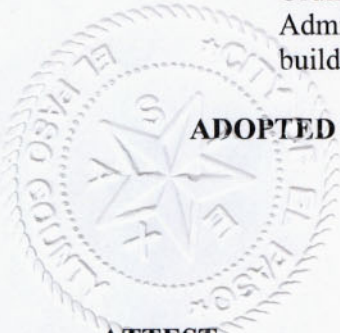
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4. That if at any time the Owners fail to comply with any of the requirements of this Ordinance, Special Permit No. PZST23-00001 shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases; and
5. That the Owners shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

ADOPTED this 9th day of May, 2023.



ATTEST:

Laura D. Prine
Laura D. Prine
City Clerk

THE CITY OF EL PASO

Oscar Deeser
Mayor

APPROVED AS TO FORM:

Joyce Garcia
Joyce Garcia
Assistant City Attorney

APPROVED AS TO CONTENT:

Kevin Smith for
Philip F. Etiwe, Director
Planning & Inspections Department

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AGREEMENT

Enrique Ayala, referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Detailed Site Development Plan attached to the same Ordinance, and in accordance with the standards identified in the R-5 (Residential) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 30 day of MARCH, 2023.

Enrique Ayala:

By: ENRIQUE AYALA, OWNER
(name/title)

[Signature]
(signature)

ACKNOWLEDGMENT

THE STATE OF TEXAS)
COUNTY OF EL PASO)

EXHIBIT "A"

This instrument is acknowledged before me on this 30th day of March, 2023, by Danielle M. Carbajal for [Enrique Ayala], as Owner.

My Commission Expires: 12/09/2026

[Signature]
Notary Public, State of Texas



Notary's Printed or Typed Name:

Danielle M. Carbajal

(Exhibit "A" on the following page)

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