



ZONING BOARD OF ADJUSTMENT MEETING
2nd Floor, Main Conference Room
September 16, 2024
1:30 P.M.

MINUTES

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

The meeting was called to order at 1:30 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)
Janet Fortune
Gloria Franco Clark
Jorge Leon
Christine Loveridge
Elizabeth Thurmond-Bengtson
Fabian Uribe

BOARD MEMBERS ABSENT:

Alexis Alvarez
Heidi Avedician
Audrey Gutierrez

CITY STAFF INTRODUCTIONS

Luis Zamora, Chief Planner
Jesus Quintanilla, Assistant City Attorney 1, City Attorney's Office
Andrew Salloum, Senior Planner
Jose Beltran, Planner
Myrna Aguilar, Planner
Saul Pina, Planner
Joel Muniz, Plans Examiner

AGENDA

Myrna Aguilar, 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.*"

Luis Zamora, Chief Planner, noted changes Item 2 be moved to end of agenda, Item 4 to be postponed to next meeting

ACTION: Motion by Board Member Loveridge, seconded by Martha Isabel Aguayo to **APPROVE CHANGES TO THE AGENDA** and unanimously carried.

Motion Passed.

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**PUBLIC HEARING
REGULAR AGENDA:**

- 1. **PZBA24-00043:** Lot 41, Block 76, Vista Hills Unit Twenty-Three (Addition), City of El Paso, El Paso County, Texas
 ADDRESS: 11613 Kristy Weaver Dr.
 APPLICANT: German and Sylvia Armenta
 REPRESENTATIVE: Ray Mancera
 REQUEST: Special Exception B (Two or more non-conforming lots)
 DISTRICT: 6
 ZIPCODE: 79936
 STAFF CONTACT: Myrna Aguilar, 915-212-1584; AguilarMP@elpasotexas.gov
RECONSIDERATION

Myrna Aguilar, Planner, made a presentation to the Board. Public notices were mailed to property owners within 300 feet on July 10 and on September 5, 2024. The Planning Division has not received any communications in support or opposition to the request. Staff recommends approval of the exception request to legalize the carport that was previously built.

Ray Mancera available for any comments

PUBLIC: None

ACTION: Motion made by Martha Isabel Aguayo, seconded by Janet Fortune **TO APPROVE ITEM PZBA24-00043** and unanimously carried.

Motion Passed.

- 2. **PZBA24-00035:** Lots 15 to 17, Block 6, Mundy Heights, City of El Paso, El Paso County, Texas
 ADDRESS: 1533 Upson Dr.
 APPLICANT: Paul D. Cicala
 REPRESENTATIVE: Jose G. Flores
 REQUEST: Variance from Section 20.10.030 and Section 20.12.020
 DISTRICT: 8
 ZIPCODE: 79902
 STAFF CONTACT: Luis Zamora, (915) 212-1552, ZamoraLF@elpasotexas.gov
ITEM TO BE MOVED TO END OF AGENDA

Luis Zamora, Chief Planner, made a presentation to the Board. Public notices were mailed to property owners within 300 feet on September 5, 2024. The Planning Division has not received any communications in support or opposition to the request. Staff recommends approval of the variance request.

Luis Zamora answered questions from the Board.

Paul Cicala was available for questions.

Public: None

ACTION: Motion made by Martha Iguayo, seconded by Gloria Clark **TO APPROVE ITEM PZBA24-00035** and unanimously approved.

Motion Passed.

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- 3. PZBA24-00038:** Lot 16, Block 1, Clardy Fox, City of El Paso, El Paso County, Texas
- ADDRESS: 720 S. Concepcion St.
APPLICANT: Maria Guadalupe Munoz
REPRESENTATIVE: Manny Aranda
REQUEST: Special Exception B (Two or More Nonconforming Lots) and
Special Exception F (Side Street Yard Setback)
DISTRICT: 2
ZIPCODE: 79905
STAFF CONTACT: Saul J. G. Pina, (915) 212-1612; PinaSJ@elpasotexas.gov

Saul Pina, Planner, made a presentation to the Board. Staff recommends approval of the two (2) special exception requests. As the requested encroachment is less than the encroachments present on at least two other neighboring properties and as the requested encroachment is equal to 50% of the required size street yard set back.

Maria Munoz property owner. Understands recommendation and agrees.

Public:

Gerry Ortiz – will this affect his property on taxes
Tessie Alvarado – doesn't know why they received letter. Concerned on property taxes along with other neighbors.

ACTION: Motion made by Janet Fortune, seconded by Jorge Leon **TO APPROVE ITEM PZBA24-00038.**

VOTE:

Ayes = 7

Nays = 1 (Thurmond-Bengtson)

Motion Passed.

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- 4. PZBA24-00056:** Lot 1, Block 1, Ardelle Subdivision, City of El Paso, El Paso County, Texas
- ADDRESS: 11313 Ardelle Ave.
APPLICANT: Kid Motors
REPRESENTATIVE: Denise Vedder
REQUEST: Special Exception G (Builder Error)
DISTRICT: 6
ZIPCODE: 79936
STAFF CONTACT: Andrew Salloum, (915) 212-1603, SalloumAM@elpasotexas.gov
POSTPONED FOR NEXT MEETING

- 5. PZBA24-00058:** Lot 22, Block 32, Bel-Air Estates, City of El Paso, El Paso County, Texas
- ADDRESS: 7954 Saggita Ct.
APPLICANT: Maria Beatriz Reyes
REPRESENTATIVE: Ricardo Ojeda
REQUEST: Special Exception C (Rear Yard Setback, Single-Family)

DISTRICT: Residence)
7
ZIPCODE: 79907
STAFF CONTACT: Myrna Aguilar, 915-212-1584,

Myrna Aguilar, Planner, made a presentation to the Board. Public notices were mailed to property owners within 300 feet on September 5, 2024. The Planning Division has not received any communications in support nor opposition to the request. Staff recommends approval special exception C to allow the construction of proposed home addition encroaching to the rear yard setback at the property located 7954 Saggita Ct.

Ricardo Ojeda, contractor, agrees with staff recommendations.

PUBLIC: None

ACTION: Motion made by Janet Fortune, seconded by Gloria Franco **TO APPROVE ITEM PZBA24-00058.**

Motion Passed.

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6. PZBA24-00061: Lot 39, Block 13, Sandstone Ranch Estates #5 Replat A, City of El Paso, El Paso County, Texas

ADDRESS: 5501 Mike Vane Dr.
APPLICANT: Andre Roland and Blanca C. Aragon
REPRESENTATIVE: Jose Martin Lopez
REQUEST: Special Exception B (Two or More Nonconforming Lots)
DISTRICT: 4
ZIPCODE: 79934
Staff Contact: Saul Pina

Saul Pina, Planner, made a presentation to the Board. Public notices were mailed to property owners within 300 feet on September 6, 2024. The Planning Division received one (1) call of inquiry but no communication in support or opposition to the special exception request. Staff recommends approval of the special exception request as the requested encroachment is less than the encroachments present in at least two other neighboring properties.

Saul Pina answered questions from the Board.

Andre Aragon available for questions and answered concerns from Board.

PUBLIC: Andrian Munoz – neighbor spoke on drainage, no flooding

ACTION: Motion made by Gloria Franco, seconded by Jorge Leon **TO APPROVE ITEM PZBA24-00061** and unanimously carried.

Motion Passed.

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7. PZBA24-00063: Lot 13, Block 7, Franklin Hills #3 (Amending), City of El Paso, El Paso County, Texas

ADDRESS: 6304 Franklin Bluff Dr.
APPLICANT: Steve & Faith Yapp

REPRESENTATIVE: Steve & Faith Yapp
REQUEST: Special Exception C (Rear Yard Setback, Single-Family Residence)
DISTRICT: 1
ZIPCODE: 79912
STAFF CONTACT: Myrna Aguilar, 915-212-1584, AguilarMP@elpasotexas.gov

Myrna Aguilar, Planner, made a presentation to the Board. Public notices were mailed to property owners within 300 feet on September 5, 2024. As of today, the Planning Division received one email asking about the proposed addition it did not communicate if they were in support or a decision on it. Staff recommends approval of the Special Exception request C to allow the proposed home addition encroaching into the rear yard set back for the property located at 6304 Franklin Bluff Dr.

Freddy Oliver agrees with all staff recommendations.

PUBLIC: None

ACTION: Motion made by Martha Iguayo, seconded by Gloria Franco **TO APPROVE ITEM PZBA24-00063** and unanimously carried.

Motion Passed.

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8. PZBA24-00071: Lot 5, Block 2, North Hill Unit Two, City of El Paso, El Paso County, Texas
ADDRESS: 4412 Loma de Brisas Dr.
APPLICANT: Pauline Fraser & Ron Cabrera
REPRESENTATIVE: Pauline Fraser & Ron Cabrera
REQUEST: Special Exception B (Two or more non-conforming lots)
DISTRICT: 4
ZIPCODE: 79934
STAFF CONTACT: Myrna Aguilar, 915-212-1584, AguilarMP@elpasotexas.gov

Myrna Aguilar, Planner, made a presentation to the Board. Public notices were mailed to property owners within 300 feet on September 5, 2024. The Planning Division has received two calls in support of the request. As of this morning, the department also received two emails in support of this request. Staff recommends approval of the Special Exception B to allow the property owner to continue having the structure on the side yard set back.

Ron Cabrera was available for questions.

PUBLIC: None

ACTION: Motion made by Janet Fortune, seconded by Gloria Franco **TO APPROVE ITEM PZBA24-00071** and unanimously carried.

Motion Passed.

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9. Approval of Minutes:
a. July 22, 2024
b. August 5, 2024

ACTION: Motion made by Martha Iguayo, seconded by Jorge Leon **TO APPROVE MINUTES FOR JULY 22, 2024 AND AUGUST 5, 2024** and unanimously carried.

Motion Passed.
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10. Adjournment

Chair Bass adjourned the meeting at 2.35 p.m.

ACTION: Motion by Martha Iguayo, seconded by Christine Loveridge to **ADJOURN MEETING** and unanimously carried.

Motion Passed.
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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

A quorum of the Zoning Board of Adjustment must participate in the meeting.

Justin Bass
Christine Loveridge
Heidi Avedician
Alexis Alvarez

Fabian Uribe
Martha Isabel Aguayo
Janet Fortune
Jorge Leon

Audrey Gutierrez
Louis Edwards