

Applicant is appealing an Administrative Official's Decision under Section 2.16.040 in an R-1/sp (Light Density Residential/Special Permit) zone.

St. Mark's United Methodist Church has filed an Appeal of an Administrative Official's Decision (**Case #ZBA08-00037**) with the Zoning Board of Adjustment under Section 2.16.040, Appeals, concerning property located at 5005 Love Road in an R-1 zone.

BACKGROUND

At the ZBA meeting of June 23, 2008, the applicant's representative, Harrel Davis, III, requested postponement of the case until the meeting of July 14, 2008. The applicant's representative has requested another postponement to the meeting of July 28, 2008.

Applicant's Statement

Please see enclosed statement of appeal and exhibits submitted by Harrel Davis, III, attorney for St. Mark's Church, regarding the City's denial of Building Permit No. BLD07-07891 for the property located at 223 Oleander.

City's Statement

The applicant submitted plans (Building Permit No. BLD07-07891) to the City in August 2007 for the change of occupancy of an existing building from office space to classroom space. The plans failed zoning review due to encroachments of existing buildings into the rear yard setback. The following Section of the El Paso Municipal Code applies to both churches and schools which are permitted non-residential uses in residential zoning districts:

20.12.040 Yards

A. Yards Generally. More than one principal building may be located on a lot in the following instances, however, the provision of these exceptions shall not be construed to allow any building to be constructed outside the buildable area of the lot:

- 1. Institutional buildings;*
- 2. Public or semipublic buildings;*
- 3. Multifamily dwellings or groups of single-family attached buildings;*
- 4. Commercial or industrial buildings;*
- 5. Homes for the elderly.*

The code does not permit encroachments into the required setbacks for non-residential uses. The issue may be resolved by rezoning the subject property to a zone that would permit a reduction in the setbacks.

Please see letters signed by thirty-three neighbors who are opposed to the issuance of Building Permit No. BLD07-07891 to St. Mark's Methodist Church.

STAFF RECOMMENDATION

The staff is not making a recommendation.

The Zoning Board of Adjustment is empowered under Section 2.16.040, Appeals, to:

Hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of Title 20. In exercising these powers the board may, in conformity with the state act and this chapter, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order,

requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken.

Also, please note the following in Section 2.16.020, Powers:

- B. The concurring vote of seven members of the board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under Title 20 of this code, or to effect any variation in requirements of Title 20.

Gordon Mott & Davis P.C.
ATTORNEYS AND COUNSELORS AT LAW

Julian Bernat
Marc Bernat
J. Morgan Broadbudd III
Kristen L. Choi
Douglas Cowan
Harrel L. Davis III
Robert V. Gibson
Juan H. Gil II
Yolanda Giner
C. Michael Ginnings

Patrick R. Gordon
M. Ryan Hoover
Timothy D. Johnson
David L. Leffman
Michael G. McLean
H. Christopher Mott
A. Marcelo Rivera
Michael J. Shane

Mailing Address:
Post Office Box 1322
El Paso, Texas 79947-1322
4695 North Mesa
El Paso, Texas 79912
Telephone (915) 545-1133
Telefax (915) 545-4433
Email info@gmdep.com
Web www.gmdep.com

July 9, 2008

Via Facsimile 541-4725

Department of Planning
Two Civic Center Plaza, 2nd Floor
El Paso, Texas 79901
Attention: Linda Castle

Re: 5000 and 5016 Love Road ("Property");
Case # ZBA07-00145 Appeal

Dear Ms. Castle:

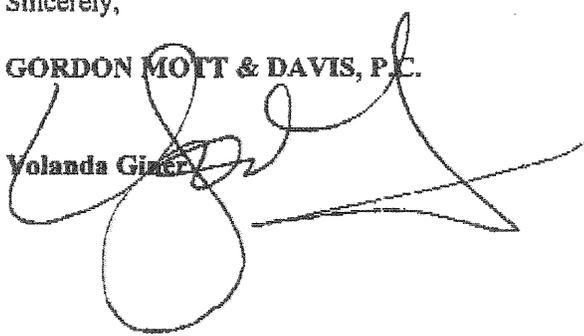
We respectfully request a two (2) week postponement of the ZBA Appeal referenced above which is currently set for Monday, July 14, 2008.

Thank you so much for your assistance and please call me at 545-1133 if you need more information and provide us your response as soon as possible to (915) 545-4433.

Sincerely,

GORDON MOTT & DAVIS, P.C.

Yolanda Giner



Cc: Lupe Cuellar
City Attorney's Office

Harrel Davis

**APPELLANT'S APPLICATION
AND
STATEMENT OF APPEAL
WITH
EXHIBITS**

Gordon Mott & Davis P.C.
ATTORNEYS AND COUNSELORS AT LAW

Harrel L. Davis III

April 14, 2008

Mailing Address:
Post Office Box 1322
El Paso, Texas 79947-1322
4695 North Mesa
El Paso, Texas 79912
Telephone (915) 545-1133
Telefax (915) 545-4433
Email hdavis@gmdep.com
Web www.gmdep.com

Via Hand Delivery

Zoning Board of Adjustment
Development Services Department
Attn: Linda Castle
2 Civic Center Plaza, 5th Floor
El Paso, Texas 79901

RE: St. Mark's United Methodist Church
Building Permit No. BLD07-07891

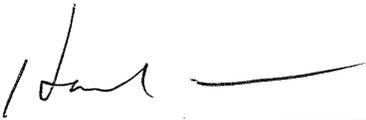
Dear Ms. Castle:

As we discussed, enclosed please find St. Mark's United Methodist Church's Zoning Board of Adjustment Application as described above. I am also enclosing a copy of the Site Plan, a Zoning Map, and a check in the amount of \$120 made payable to the City of El Paso. St. Mark's United Methodist Church is a tax-exempt organization and, therefore, there is no tax certificate.

I am also enclosing a duplicate copy of the Application and ask that you stamp it as "Received" and return it to my runner for my files. If you need additional copies of the site plan or anything else to process this application, please let me know as soon as possible.

Very truly yours,

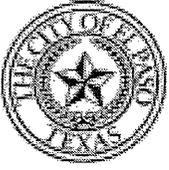
GORDON MOTT & DAVIS P.C.

By: 

Harrel L. Davis III

cc: St. Mark's Church
Yolanda Giner





**ZONING BOARD OF ADJUSTMENT APPLICATION
 PLANNING, RESEARCH & DEVELOPMENT DEPARTMENT
 CITY OF EL PASO, TEXAS**

1. CONTACT INFORMATION:

PROPERTY OWNER(S): St. Mark's United Methodist Church
 ADDRESS: 5005 Love Road ZIP CODE: 79922 PHONE: 581-444
 REPRESENTATIVE(S): Harrel L. Davis III, Gordon Mott & Davis P.C.
 ADDRESS: 4695 N. Mesa St. ZIP CODE: 79912 PHONE: 545-1133
 E-MAIL ADDRESS: hdavis@gmdep.com FAX: 545-4433

2. PARCEL INFORMATION:

PROPERTY IDENTIFICATION NUMBER: Not applicable 54349900000100
 LEGAL DESCRIPTION: Lots 1 and 2 and Part of Lot 3, Tract 4, Silverwood Addition
 STREET ADDRESS OR LOCATION: 5005 Love Road, El Paso, Texas 79922 REP DISTRICT: 8
 ACREAGE: 2.7 (approx.) PRESENT ZONING: R-1 PRESENT LAND USE: Church offices

3. SPECIAL EXCEPTION REQUEST:

TYPE: _____
 EXPLANATION OF REQUEST: _____

 RESIDENTIAL (\$102.60 APPLICATION FEE) COMMERCIAL (\$451.50 APPLICATION FEE)

4. VARIANCE REQUEST:

TYPE: Appeal of denial of Building Permit BLD07-07891 pursuant to EP City Code
 EXPLANATION OF REQUEST: Section 2.16.040

 RESIDENTIAL (\$102.60 APPLICATION FEE) COMMERCIAL (\$451.50 APPLICATION FEE)

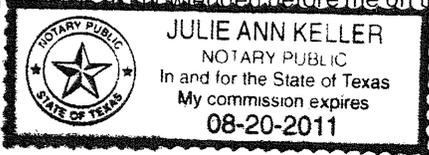
5. ADDITIONAL INFORMATION:

I attest that this application is complete and accurate to the best of my knowledge, and that the statements and exhibits submitted with this application are true and correct. I understand that any inaccurate or incomplete information provided on this application may delay the processing and scheduling of this request.

THE STATE OF TEXAS)
)
 COUNTY OF EL PASO)

Thomas E. Naylor
 SIGNATURE OF PROPERTY OWNER

This instrument is acknowledged before me on this 21st day of March, 2008.

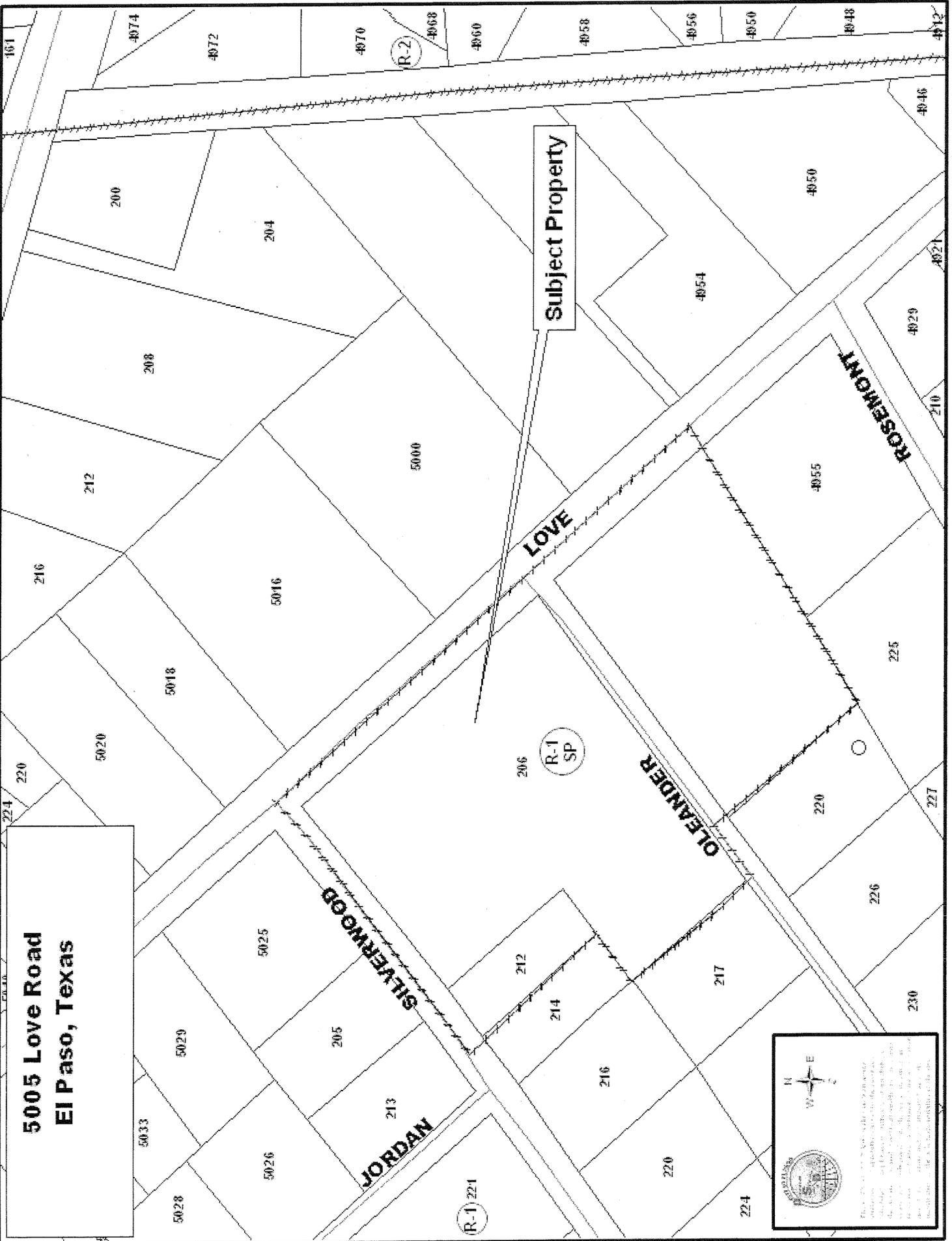


Julie Ann Keller
 STATE OF TEXAS NOTARY PUBLIC

****OFFICE USE ONLY****

CASE NUMBER: ZBA08-00037 RECEIVED DATE: 04/14/08 APPLICATION FEE: \$120
 ZBA REVIEW DATE: 05/19/08 (1:30 pm, City Council Chambers, 2nd Floor, City Hall Building)
 ACCEPTED BY: Linda Castle FUND - 01101, DEPT ID - 99010335, ACCOUNT - 404126

APR 14 2008



**5005 Love Road
El Paso, Texas**

Subject Property

This plat was prepared by the City of El Paso, Texas, under the authority of the City Engineer, and is subject to the provisions of the City Charter and the City Code. The City Engineer is not responsible for the accuracy of the information shown on this plat, and the user of this plat is advised to verify the information shown on this plat with the City Engineer's Office.

07051

RC DESIGN & DRAFTING

ST. MARK UNITED METHODIST CHURCH

DATE: 7/19/07
DRAWN BY: R. G.
REVIEWED: [Signature]
DRAWING TITLE: SITE PLAN
SHEET: A-1



REVIEWED AND APPROVED
For compliance with the
Development Services Department
Zoning Ordinance
City of Dallas
[Signature]

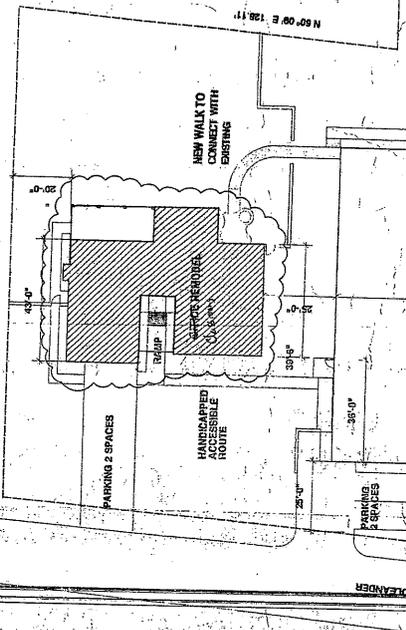
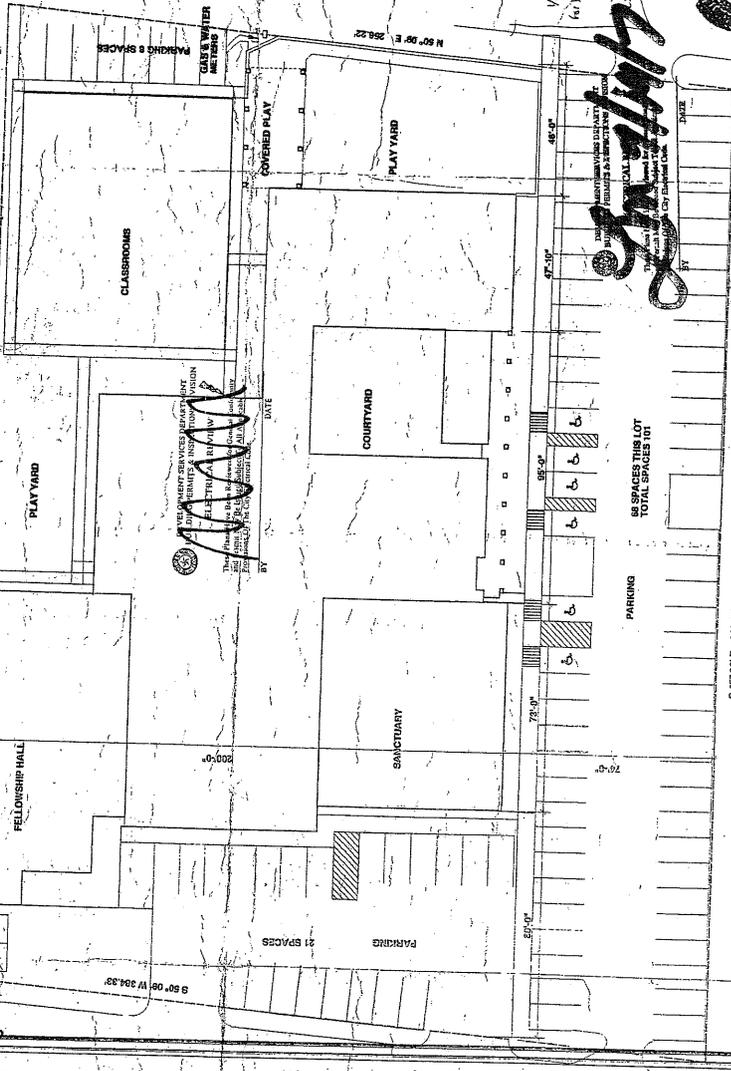
DEVELOPMENT SERVICES DEPARTMENT
ZONING
These Plans Have Been Reviewed For General Compliance
With The Application Of The City Of Dallas
Zoning Ordinance
[Signature]

DEVELOPMENT SERVICES DEPARTMENT
BUILDING PERMITS & INSPECTIONS DIVISION
ARCHITECTURAL REVIEW
These Plans Have Been Reviewed For General Compliance
With The City Of Dallas Building Code
[Signature]

LEGAL DESCRIPTION:
LOTS 12 AND A PORTION OF
LOTS 13 AND 14, BLOCK 4,
S.W. QUARTER, T. 10N, R. 10E,
COUNTY, TEXAS CONTAINING
(PARCEL #) 2479 ACRES

REVIEWED AND APPROVED
For compliance with the
Development Services Department
Zoning Ordinance
City of Dallas
[Signature]

DEVELOPMENT SERVICES DEPARTMENT
BUILDING PERMITS & INSPECTIONS DIVISION
MECHANICAL REVIEW
These Plans Have Been Reviewed For General Compliance
With The City Of Dallas Building Code
[Signature]



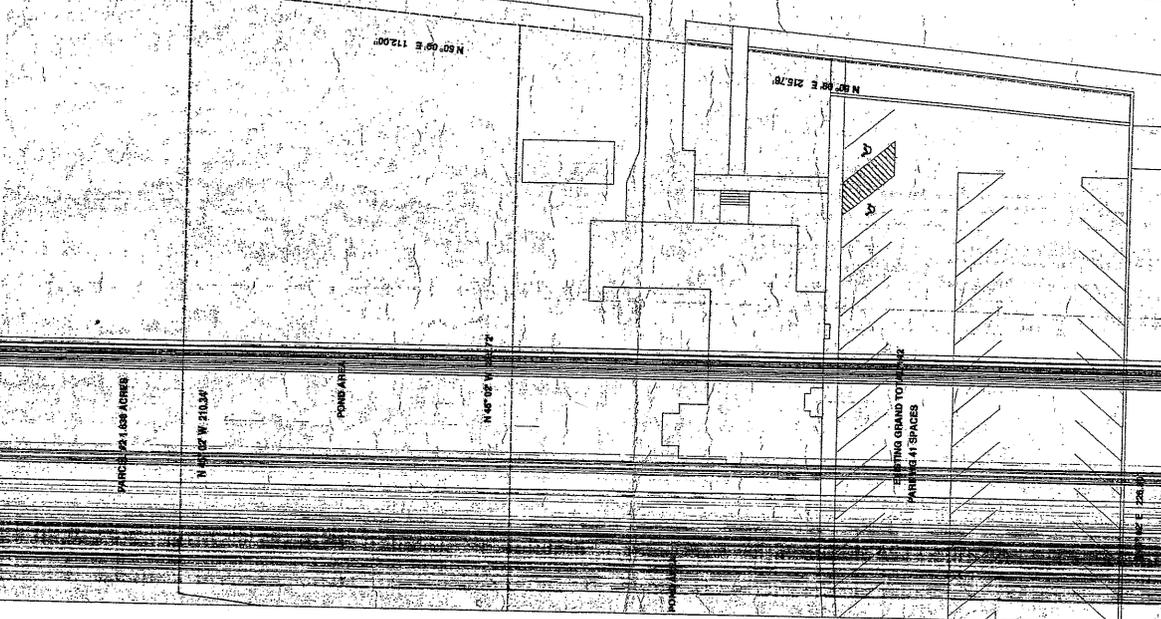
DEVELOPMENT SERVICES DEPARTMENT
BUILDING PERMITS & INSPECTIONS DIVISION
FLUORINE REVIEW
These Plans Have Been Reviewed For General Compliance
With The City Of Dallas Building Code
[Signature]

DEVELOPMENT SERVICES DEPARTMENT
BUILDING PERMITS & INSPECTIONS DIVISION
MECHANICAL REVIEW
These Plans Have Been Reviewed For General Compliance
With The City Of Dallas Building Code
[Signature]

DEVELOPMENT SERVICES DEPARTMENT
BUILDING PERMITS & INSPECTIONS DIVISION
SITE PLAN
SCALE: 1" = 20'-0"

LAND AREA: PARCELS #1 AND #2 4.100 ACRES

LOVE ROAD



ST. MARK UMC

**APPEAL TO THE ZONING BOARD OF ADJUSTMENT
CITY OF EL PASO, TEXAS**

Final Decision of Administrative Official: Denial of Building Permit for Conversion of Church Offices into Church School Classrooms on Property located at 223 Oleander, El Paso, Texas 79922.

Building Permit No. BLD07-07891

Owner: St. Mark's United Methodist Church
5005 Love Road
El Paso, Texas 79922

Property Identification Nos.: Not applicable.

Property: Lots 1 and 2 and Part of Lot 3, Block 4, Tract 4, Silverwood Addition to the City of El Paso.

Street Address: 223 Oleander, El Paso, Texas 79922.

Representative District: 8

Acreage: 2.7 acres (approx.)

Present Zoning: R-1

Present Land Use: Church Offices

Appellant: St. Mark's United Methodist Church

Appellant's Representative: Harrel L. Davis III
Gordon & Mott P.C.
4695 N. Mesa Street
El Paso, Texas 79912

Appellants hereby appeal the City of El Paso Development Services Department's denial of Building Permit No. BLD07-07891 for the property located at 223 Oleander, El Paso, Texas 79922. The City's denial of the permit was based on the City's position that a Church School is not an accessory use to the Church. A Church school is a permitted use in the district and therefore the denial of the permit was incorrect.

INTRODUCTION AND STATEMENT OF FACTS

St. Mark's acquired the property at 5005 Love Road where its sanctuary sits today in 1945 and held its first church service there in 1946. The Church School has been located at 5005 Love Road since the 1960's. The property where the parsonage is located has been part of the main church campus since at least the 1970's, when the parsonage was constructed.

In 2003, the parsonage was converted to Church offices in order to help accommodate the growth of the Church. Such was done with the knowledge, consent and approval of the City, which issued Building Permit No. BLD003-4921, for that project. The City determined at that time, correctly, that offices for Church personnel were part of the Church's main campus. In addition, at that time, the City evaluated the parking needs for the parsonage and the Church and found that they met City Code in all respects. They still do. Attached hereto as Exhibit 1 is the letter dated May 15, 2003 from Harrel L. Davis to Terry Williams enclosing the building permit and an April 4, 2000 letter from Chuy Papa related to the parking evaluation.

The Church submitted a site plan to convert the Church offices into classrooms for the Church School, which operates out of the same Church property whose address is 5005 Love Road. The Church school (and preschool) has been operating in that location continuously since the 1960's.

The City has denied the request, stating that the use of the Property for Church School classrooms is not an accessory use of the Church use. That position is incorrect for multiple reasons.

STATUTORY JURISDICTION

The ZBA is “empowered to hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of Title 20.” El Paso City Code (“EPCC”), Section 2.16.040.

STATUTORY STANDING

Appellants’ standing is conferred pursuant to Tex. Local Government Code Ann. Sec. 211.010(a). Appellant is the applicant for the building permit at issue.

ARGUMENT

The property where the Church, its school and its parsonage are located is zoned R-1. Under the City Code, both churches and private schools are permitted uses for property located in an R-1 district.

The Church has been in existence since 1945 and is a registered legal nonconforming use (Exhibit 2 attached hereto). The parsonage has been part of the Church’s main campus and used for a Church purpose since the 1970’s with the approval of the City of El Paso. As recently as

2003, the City issued permits and certificate of occupancy to modify and occupy the parsonage to be used as Church offices. The request of the applicant is to continue the Church's use of the parsonage property as classrooms for the Church School instead of a Church office.

CONCLUSION

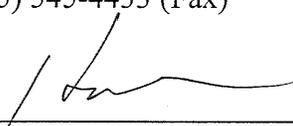
There was no basis under the City's Municipal Code to deny St. Mark's United Methodist Church its building permit. The decision must be set aside and the building permit approved.

DATED this 24th day of March, 2008.

Respectfully submitted,

GORDON & MOTT P.C.

4695 N. Mesa Street
El Paso, Texas 79912
(915) 545-1133
(915) 545-4433 (Fax)

By: 

Harrel L. Davis III
State Bar No. 05567560
Attorneys for St. Mark's United
Methodist Church

Krafsur Gordon Mott P.C.
ATTORNEYS AND COUNSELORS AT LAW

*A Member of the Network of Leading Law Firms
"A World-Wide Association of Independent Law Firms"*

Harrel L. Davis III

Mailing Address:
Post Office Box 1322
El Paso, Texas 79947-1322
4695 North Mesa
El Paso, Texas 79912
Telephone (915) 545-1133
Telefax (915) 545-4433
Email hdavis@kgmpc.com
Web www.kgmpc.com

May 15, 2003

Terry Williams
Deputy Director of Building Services
2 Civic Center Plaza, 5th Floor
El Paso, Texas 79901

Re: St. Mark's United Methodist Church
5005 Love Road, El Paso, Texas
Parsonage Remodel; Building Permit No. BL003-04927

Dear Terry:

The purpose of this letter is to follow up on your conversation with Yolanda Giner as well as your earlier meetings with Tom Nagle and Denny Neesen concerning certain construction projects to take place at the Church. I just want to make sure that there is no misunderstanding between us and that the Church does not do anything that catches you by surprise.

The first project that the Church is working on is the conversion of the pastor's parsonage to Church office space. It is our understanding that, since the parsonage is located on the main campus, a special permit is not required. Therefore, the Church has obtained a building permit for that construction, a copy of which is attached for your convenience.

The key question is whether or not this conversion adversely impacts the Church parking requirements and therefore potentially limits the use of any of the church facilities. I do not believe that it does. For your convenience, I am enclosing a copy of Chuy Papa's letter of August 4, 2000 regarding parking. For the record, the Church still asserts that it is only required to have 84 parking spots. However, Mr. Papa has indicated, in his letter, the number of parking spaces he felt were needed for each portion of the Church.

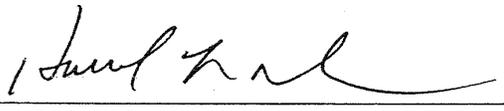
The pastor's house is approximately 1,800 feet and will, when converted, contain four offices and a reception area. Looking at Municipal Code Section 20.64.160 for office space, it appears that the house will require either four or five parking spaces and it presently has two. That will not require any additional parking as the offices will be used during the week when the sanctuary is not. Counting all of the other facilities as occupied during the week, including the fellowship hall, the Church needs, at most, using the City's method of calculation, 106 parking spaces and it has 142.

Terry Williams
May 15, 2003
Page 2

If I am mistaken in my assumptions or calculations, please let me know immediately. If there is anything else you feel we need to address, please also let me know. It is our goal to cooperate with the City and comply with all applicable ordinances.

Very truly yours,

KRAFSUR GORDON MOTT P.C.

By: 
Harrel L. Davis III

HLD/vr

cc: St. Mark's United Methodist Church
WR Albert Construction

36012119 404102



BUILDING PERMIT

PERMIT NO.: BLD03-04927
ISSUED: 5/13/2003
APPLIED: 5/2/2003
EXPIRES: 11/13/2003

SITE ADDRESS: 5005 LOVE RD
ASSESSOR'S PARCEL NO.: 5005 LOVE RD
PROJECT DESCRIPTION: OFFICE REMODEL

OWNER/APPLICANT ST MARK'S METHODIST CHURCH 5005 LOVE RD EL PASO TX 79922	CONTRACTOR WRA CONSTRUCTION CO., INC. 612 N RESLER EL PASO TX 79912
--	---

TYPE OF WORK: Alt/Add to Commercial	AREA	VALUE: \$6,000.00
TYPE OF USE: Church, Mosque, Synagogue, Terr	LOT: sf	<u>REQUIRED SETBACK:</u>
CENSUS CAT.: Add/Alt - Commercial	1ST FLR: 2,600.00sf	FRONT: ft
ZONING: R1 Residential District	2ND FLR: sf	SIDE 1: ft
<u>OCCUPANCY GROUPS:</u>	GAR/CARPORT: sf	SIDE 2: ft
1 A3 2	BASEMENT: sf	REAR: ft
3 4	OTHER: sf	
<u>CONSTRUCTION TYPE:</u>	NUMBER OF UNITS: 1.00	<u>REQUIRED PARKING:</u>
1 VB 2	STORIES: 1.00	TOTAL PARKING:
3 4	BUILDING HEIGHT: ft	HANDICAPPED:

Fees			
Type	By	Date	Amount
APPL	CM	5/2/2003	30.00
PRMT	EJC	5/13/2003	60.00
Total:			90.00

*** NOTICE ***

1. This permit is issued in accordance with the provisions of Chapter 18.02 of the Municipal Code and the applicant, in accepting it, obligates himself to comply fully with all the provisions of the Municipal Code and other applicable codes and ordinances insofar as they affect this permit including, but not limited to, calling for all required inspections.
2. This building permit or a copy thereof shall be kept on the site of work until completion of the project.

I hereby acknowledge that I have read this permit and state that the above information is correct, and agree to comply with all City, State and Federal Laws regulating activities covered by this permit.

Issued by

Contractor's, Owner's or Agent's Signature

A Minimum 24 Hour Notice Is Required For All Inspections

1. Original 2. Customer 3. Cashier 4. ELPCAD



CERTIFICATE OF OCCUPANCY

This certificate is issued pursuant to the requirements of the El Paso Building Code, Zoning Ordinance and other applicable codes and ordinances certifying that at the time of issuance, this structure is in compliance with the above mentioned codes and ordinances for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.

Building Permit Number: BLD03-04927

Code Edition: BC00

Use Class: Church, Mosque, Synagogue, Temple

Type Construction: VB / / /

Occupancy Group: A3 / / /

Design Occupant Load: / / /

Owner: ST MARK'S METHODIST
5005 LOVE RD
EL PASO TX 79922

Building Address: 5005 LOVE RD

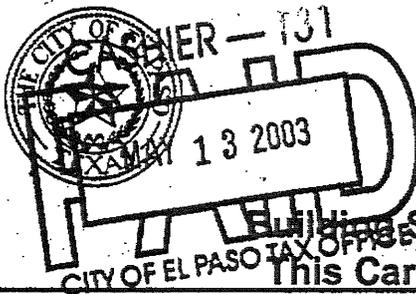
Building Official:


Terry Williams, AIA, Deputy Director for Building Services

Date: 8/8/03

**Post on the Premises in a Conspicuous Place
Shall Not Be Removed Except by Building Official**

O LEANDER



Building Services Department Commercial Permit Inspection Record

223

RUTH
842-8100

Building Services Department Approved Plans and
This Card Must Be on the Job During Inspection

Job Address No. 5005 Love Rd
 Building Permit No. BL003-04927 Date 5/13/03
 Plumbing Permit No. _____ Date _____
 Irrigation Permit No. _____ Date _____
 Electrical Permit No. ELE03-03393 Date 5/29/03
 HVAC Permit No. _____ Date _____
 Sidewalk Permit No. _____ Date _____
 Temporary Gas Permit No. _____ Date _____
 Work Authorized OFFICE REMODEL

Contractor URA Construction Valuation \$ 16000.00
 Type of Work: New Addition T.I. Other: _____

Underslab Rough-In _____ Sewer Tap to Curb _____
 Plumbing Rough [Signature] Sewer _____
 Underslab HVAC _____ Slab Electrical _____
 Foundation _____ Slab _____ Footing _____
 Approved to Pour Sidewalks _____ FINAL _____
 Approved to Pour Driveways _____ FINAL _____
 Approved to Pour Drainage Structures _____ FINAL _____

DO NOT PLACE CONCRETE UNTIL ABOVE IS APPROVED

HVAC Rough-In _____ Plumbing Top Out _____
 Electrical Rough-In 6-20-03 [Signature] Structural Framing 6/23/03 [Signature]

DO NOT COVER WORK UNTIL ABOVE IS APPROVED

CHP _____ ELECTRICAL FINAL 7-16-03 [Signature]
 PLUMBING FINAL 8-1-03 [Signature] ELECTRICAL SEAL # _____
 GAS SEAL # _____ HVAC FINAL _____
 FIRE DEPT. FINAL Final Inspection 8-6-03 REFRIGERATION FINAL _____
 LANDSCAPE FINAL _____ ENGINEERING FINAL _____
 BUILDING FINAL 8/8/03 [Signature]

**DO NOT OCCUPY BUILDING WITHOUT CERTIFICATE OF OCCUPANCY
THIS CARD IS NOT A CERTIFICATE OF OCCUPANCY**

FOR INSPECTIONS, CALL BETWEEN 8:00 A.M. AND 5:00 P.M. FOR NEXT DAY INSPECTIONS

COMMERCIAL INSPECTION	541-4700	DEVELOPMENT INSPECTION	541-4970
AC - NO - FO		FIRE DEPARTMENT	771-1090

CARLOS M. RAMIREZ
MAYOR

MONICA D. CUNNINGHAM
CHIEF ADMINISTRATIVE OFFICER

ESTRELLA ESCOBAR
EXECUTIVE ASSISTANT TO THE MAYOR

MARK THREADGILL
EXECUTIVE ASSISTANT TO THE MAYOR



BUILDING SERVICES DEPARTMENT
ZONING SECTION

CITY COUNCIL

JAN SUMRALL
DISTRICT NO. 1

ROSE RODRIGUEZ
DISTRICT NO. 2

LARRY M. MEDINA
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

PRESI ORTEGA, JR.
DISTRICT NO. 5

PAUL JOSEPH ESCOBAR
DISTRICT NO. 6

LUIS G. SARIÑANA
DISTRICT NO. 7

ELVIA G. HERNANDEZ
DISTRICT NO. 8

April 4, 2000

Krafsur, Gordon, Mott, Davis & Woody, P.C.
Attention: Mr. Harrel L. Davis III / Ms. Yolanda Giner
Post Office Box 1322
El Paso, Texas 79947-1322

Re: St. Mark's United Methodist Church, 5005 Love Road, El Paso, Texas

Dear Mr. Davis:

In reply to your request for information with regards to parking requirements for the above referenced property; the following are our findings.

We have reviewed the information submitted by you and the following is a list of the buildings, their use and their required parking:

1. *The new education building* which has twelve classrooms requires twenty-four parking spaces.
2. *School Annex* with four classrooms requires eight spaces.
3. *The old education building* having eleven classrooms and two nursery rooms requires twenty-six parking spaces.
4. *The sanctuary* having 420 seats (1 per 5 seats) requires eight-four parking spaces.
5. *Fellowship Hall* having 5,372 sq. ft. requires forty-three parking spaces.
6. *The Pastor's residence* requires two spaces.

Section 20.64.160 B of the El Paso Zoning Ordinance allows for parking requirement adjustments to be made where there are different hours of operation. Based on the time schedule submitted with your letter dated March 13, 2000, the parking requirement is one hundred and thirty-four spaces. The calculation made using the simultaneous use of the Sanctuary (84 spaces), the new education building (24 spaces) and the old education building (26 spaces). The Pastor's home has its own parking (2).



"Honor our Past..."

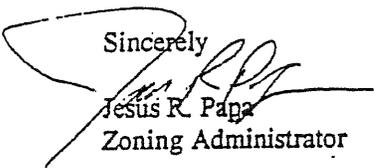
...Imagine our Future"

Page II
St. Mark's Church
4/4/00

Of the one hundred and thirty-four parking spaces five need to be sized and marked for use by the physically challenged and one of the five needs to be "Van Accessible".

In the event further information is needed you may contact this office at 541-4788.

Sincerely



Jesus R. Papa
Zoning Administrator

cc: Pastor, St. Marks Church
5005 Love Road
El Paso, Texas

WRA Construction Co., Inc.
Route #1, Box 628E
Anthony, New Mexico

George C. Dusang, AIA
Minjares Group Architects
122 W. Castellano Dr.
El Paso, Texas

Ms. Lupe Cuellar
Legal Department, 9th Floor, City Hall

Krafsur Gordon Mott P.C.

ATTORNEYS AND COUNSELORS AT LAW

Yolanda Giner

EXHIBIT "Z"

Mailing Address:
Post Office Box 1322
El Paso, Texas 79947-1322
4695 North Mesa
El Paso, Texas 79912
Telephone (915) 545-1133
Telefax (915) 545-4433
Email yginer@krafsur.com
Web www.krafsur.com

January 16, 2001

VIA HAND DELIVERY

City of El Paso
Building Services Department
2 Civic Center Plaza
El Paso, Texas 79901

Attention: Mr. Terry L. Williams

Re: Registration of Nonconforming Use

Dear Mr. Williams:

On behalf of our client, St. Mark's United Methodist Church ("St. Mark's"), we are submitting this correspondence to request that the existence of St. Mark's be registered with the City as a nonconforming condition. As per the City's requirements, we are enclosing the following information in support of this finding:

1. A copy of the 1977 El Paso City Directory listing St. Mark's as being located on 5005 Love Rd.
2. Certificate of Occupancy and Building Permits issued by the City to St. Mark's for the addition of classrooms to the existing structure.
3. A 1956 and 1973 City aerial photograph depicting the location of St. Mark's in its present location.
4. Three notarized written statements from Margie Cherry; Mary Lee Smith, and Bebe Mueller indicating that they have personal knowledge of the existence of the St. Mark's in its present location.
5. A copy of a St. Mark's newsletter dated as having been sent out in 1946, together with photographs of St. Mark's as it appeared on this date in its present location.
6. The City's Nonconforming Use Registration form.

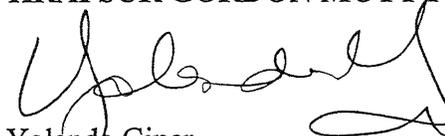
Mr. Terry Williams
January 16, 2001
Page 2

Additionally, St. Mark's records indicate that a registration of nonconforming use for the existence of the church was previously submitted to the City in 1999. I have discussed this matter with Mr. Robert Pena of your department; however, he was unable to locate any record of its submission. I am enclosing a copy of the original documentation as well.

Based on the supporting documents enclosed, we respectfully request that St. Mark's be registered in the City records as a nonconforming use.

Yours very truly,

KRAFSUR GORDON MOTT P.C.



Yolanda Giner

YG:ksw
Enclosures

cc: Harrel Davis [Firm]
Cindy Celum, City Attorney's Office
John Gates, City Attorney's Office
Pat Adatao, City of El Paso



BUILDING SERVICES DEPARTMENT
ZONING DIVISION

FORM TO BE FILLED OUT WHEN
REGISTERING A NONCONFORMING STRUCTURE OR USE

Name and telephone number of person registering nonconformity.
ST. MARK'S UNITED METHODIST CHURCH. CONTACT PERSON: YOLANDA GINER

Address of nonconforming structure or use.
5005 LOVE ROAD, EL PASO, TEXAS 79912

Legal description of nonconforming structure or use.
LOTS 1, 2 AND A PORTION OF LOT 3, BLOCK 4, SILVERWOOD ADDITION, EL PASO

What is it that is being declared as being nonconforming (A use or a structure)? USE

Since when has the structure or use existed (Code change or annexation)? PRIOR TO 1955

Is a scaled plot plan attached? N/A

Are three affidavits attached? YES

Are affidavits properly notarized? YES

If not, what is replaced, one for one, for the affidavits.
N/A

FINAL NOTE: Affidavits become a permanent part of our records, and therefore, we require they be typed on an 8 1/2" x 11" letter sized paper. Affidavits must state exactly what is being declared. Nonconforming as to height (State height), setbacks (State why - Example: 2' from front property line), use (Auto shop in C-2 zone), etc.

1977 EL PASO (EL PASO COUNTY, TEXAS) CITY DIRECTORY

Your New City Directory
contains **4**
major directories
in one volume

1

Buyers' Guide
and Classified
Business
Directory

2

Alphabetical
Directory

3

Street Directory
of Householder
and Businesses

4

Numerical
Telephone
Directory

AREA CODE 915

PRICE \$95.00

A Library Of
Out Of Town
City Directories
Available At
Public Library

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PUBLISHERS

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Tel. (214) 631-8210



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719 MYRTLE AV.

MARTIN TIRE CO.

El Paso's Oldest Independent Tire Dealer
Distributors Of Peerless Tires, Jackman & Lone Star Wheels

Tel. (915) 532-6519

SINCE 1945

901 Texas Av.



LOVE RD—Contd
EMORY RD ENDS
SHORTY LA ENDS
4865 Ruthardt Kenneth C @ 584-7672
4867 Aguilar Eugenio A Jr @ 584-0587
4895 Beeler Jack B @ 584-8419
LOMBARDY AV BEGINS
4903 Murray Geo T @ 584-1278
4907 Diamos Geo F @ 584-7745
4915*Callahan Steph 581-3632
Rear Vacant
4919*Schweidel K R Jr 581-1452
4921 Files Exterminating Co 584-0880
4929 Theriot Horace J @ 584-4075
4946 Casas Ricardo 584-8293
4950 Kitty Hawk Nursery
4954 Lundgren Magdalena Mrs @
4955 Carameros Alexander H @ 584-0846
ROSEMONT DR BEGINS
4962 Neilson Robt J @ 584-5359
4965 Koogle Lysle H 584-0865
OLEANDER AV BEGINS
5000 Pratt Gerald M @ 584-1726
5005 Saint Mark's United Methodist Church
584-0313
5016 Walker Richd W Jr @ 584-7997
5018 Christensen Albert @ 581-0607
5020 Smith Frank C @ 584-1274
SILVERWOOD WAY BEGINS
5025 Pettigrew Geo L @ 584-0545
5028*Gunter C C 584-1951
5029 Stromberg Jon 581-2875
5032 Tidwell W N @ 584-4936
5033 Dunbar A Carl 584-0569
5037 Munoz Hector 581-1619
5041 Lane Stanford B @ 584-1635
5045 Smith Robt H @ 584-3998

LOWD AV —FROM 429 RIVERSIDE DR EAST TO CINEQUE DR

ZIP CODE 79907
8000 Willcoxson Retha J @
8034 Church Of Universal Love 859-6592
8056 Humphreys Mary Mrs 859-9478
8080*Humphreys Carlos
8081*Taburno Joseph R @ 859-8357
FRESNO DR INTERSECTS
8100 Amis James H @ 859-9782
8104 Martin Andrew J @ 859-9820
8105 Valenzuela Antonio Jr @ 859-0353
8107 No Return
8108 Mitchell Harold J @ 859-5547
8117 Irrobali Nicolas @
8123 Vacant
8124 No Return
8125 Acevedo Jose I @ 859-6981
8126 Navarro Jesus @ 859-3741
8130 Urban Alfredo Jr @ 859-7368
8132 Monzon Pablo @ 859-6703
8133 Pitts Charles R @ 859-6733
Rear Howell Annie Mrs
8134 Garcia Jose C @ 859-9334
8136 Altamirano Hector 859-8079
8140 Regan James E @ 859-8980
8141 Cortez Ruben @ 859-6601
8148 Landers Johnny @ 859-5016
8149 Warren Geo A @ 859-8454
8156*Starnes P L
8157 Baeza Pedro P @ 859-6404
8158 Graham Michl 859-3406
8160 Leon Salvador @ 859-6510
8165 Jorgenson Martin Jr @ 859-6210
8169*Richard Genaro
8172 Urenda Luis P @ 859-6163
CINEQUE WAY INTERSECTS

LOWENSTEIN AV —FROM 116 YSLETA LA EAST TO HARRIS ST

ZIP CODE 79907
8924 Titus Lauren D @ 859-9579
8934 Granger Tom R @
8938 Higgins Mary H Mrs @ 859-7472
8940 Young Clifford G @ 859-7815
S SCHUTZ DR INTERSECTS

294

298

9000 Ortiz Ramon @ 859-8715
9018 Perez Tomasa @
9020 Borrego Ramon @

LUCERO LA —FROM 286 LINK WAY NORTHEAST IN A SEMI-CIRCLE

LINK DR INTERSECTS
ZIP CODE 79907
300 Vega Jose 859-6275
301 Rodriguez Rudulfo @ 859-0846
305 Bueno Hector @ 859-7655
306 Molina Esperanza 859-4090
309 Portillo Alberto @ 859-5916
310 Lindsey Wayne @ 859-3349
313 Morales Ricardo @ 859-9680
316 Pagan Carlos @ 895-6273
317*Bueno Hector
320 Frescas Alberto 859-5356
321 Delgado Carlos @ 859-8002
324 Castillo Arnulfo @ 859-5479
325*Garcia Tony G @ 859-2225
328*Barraza Pedro L @ 859-7893
329 Rodriguez G Pedro @ 859-5758
333 Medina Marcelino Jr @ 859-5625
336 Segovia Edw A @
337 No Return
341 Almaraz Francisco @ 859-8068
344 Vasquez Dimas Jr @ 859-6050
345 Burciaga Efrain @ 859-3681
348 Velasco Ruben @ 859-8453
349 Villarreal Victor M @ 859-4683
352 Lamas Jose I @ 859-6628
353 Corona Sergio @ 859-5177

LUELLA AV —FROM 3019 ORKNEY EAST TO KAREN ST

ZIP CODE 79925
10100 Chapline Edw @ 591-6246
10101 Fenley Bill J @ 598-0942
10104 Evans Robt U @ 598-9196
10105 Artalejo Benj @ 598-6917
10108 Short Robt C @ 598-0078
10109 Basurto Rodolfo @ 598-6174
10112*Style Fredric A @
10113 Neuville L X @ 591-2717
10116 Woodruff A M Mrs @
10117 Thompson Robt E @ 598-9258
10120 Allberg Joan W @ 591-9043
10121 Trimble Earl W @ 591-0478
10124 Brown Jimmy D @ 598-9778
10125 Cook Nathan E @ 598-0675
10128 Feedback Robt H @ 598-8413
10129 Zubiate Henry @ 598-8269
10132 Cole Harold @ 591-5275
10133 Wohlgenuth Fred L @ 598-3331
10136 Nelson Otto F @
10137 Brown Bertha E Mrs @ 592-3592
10140 Wert Jesse L @ 591-0647
10141 Moorman Richd R @ 598-3921
10144 Cozart Dale W @ 592-4307
10145 Highamith John H @ 591-5052
10148 Ortiz Joe @
10149 Wood Everett L 598-4218
10152*Cooper Whylen G @ 592-2957
10153 Ferguson James @ 598-7601

CORNWALL INTERSECTS
10200 Miller Clifford W @ 591-9217
10201 Ross Eug @ 591-3917
10204 Ptasnik Joseph A Jr @ 598-6502
10205 Shoemaker Woodrow W @ 591-0468
10208 Apodaca Jesus @ 591-5624
10209 Koptle Charles R @ 598-6123
10212 Wollenberg Otis @ 591-6310
10213*Hardison Geneva M Mrs @ 598-7939
10216 Pacillas Raul @ 598-4832
10217 Rios Manuel Jr @ 592-3550
10220 Mirabal Solomon Jr @ 591-8094
10221 Richardson Edw R @ 598-4357
10224 Loya Frank B @ 591-9832
10225 Mc Neely Joseph W @
10228 Kidwell Clarence L @ 591-0882
10229 Scholitt Frank F @
10232 Bukowski Joseph A @ 598-8505
10233 Carpenter A D @ 591-9251

284

268

10236 Mitchum Ray @ 598-8747
10237 Vacant
10240 Brown Glen A @ 591-2065
10241 Hailey Andrew S @ 591-5044
10244*Bannon E Bruce @
10245 Worsham Frank M @ 598-2936
10248 Maynes Hector A @ 598-7413
10249 Martinez Al @ 598-3914
10252 Robbins Jack E @ 598-2086
10253*Diaz Antonio J Jr @ 592-2594
10256 Anderson Walter W @ 598-3366
10257 Russell James E 598-3167
10260 Sampsel Don R @ 598-6032
10261 Gibbons Ralph @ 598-3688
10264 Maya John @ 591-4627
10265*Gonzalez Joe
SAIGON ST INTERSECTS
10300*Shreves James @ 592-4882
10301 Kurns Albin E @ 598-3266
10304 Wiley D W @
10305 Mc Donald Angel @ 592-1471
10308 Pike Michael 591-9758
10309 Shook Charles R @ 591-3666
10312 Ingram Emily G Mrs @ 598-5686
10313*Duke David
10316 Samaniego Leonardo @ 598-4421
10317 Copeland Robt C @ 598-0200
10320 Farley Danl J @
10321 Sharpe Christel Mrs @
10324 Bryant Lillie B Mrs @ 598-4386
10325 Miller Raymon W @
10328 Tovar Toby H Jr @ 591-6843
10329 Dzubinski John @ 598-8919
10332 Ksiatak Richd @ 592-1714
10333 Romero Leo @ 591-6546
10336 Williams Fern Mrs @ 591-2622
10337 Johnson Dave L @ 598-4371
10340*Alexander Fay @
10341 Beatty Charles @ 598-9442
10344 Crenshaw David C @ 591-0514
10345*Bassum Elbert @
10346 Powers Burl E @ 598-3790
10347 Evans Jack A @ 598-3883
10348 Rios Salvador @ 591-4738
10349 Osborne Robt W Jr @ 598-7211
10352 Austin Harry L @
10353 Sourina Willie @ 598-0149

LUFKIN WAY —FROM JUNCTION ST SOUTHWEST TO SUN VALLEY DR

ZIP CODE 79924
10312 Lowenberg Joe W @ 821-5915
10313 Simard Wilfred J @ 821-8746
10316 Webb Pamela G @ 821-9150
10317 Haviland Kenneth D @ 821-5674
10320 Quinones Ernest Jr @ 821-1570
10321 Laws Geo L @ 821-8474
10324*Crabb Carroll @
10325 Karasinski Eduard @
10328*Antwine Gerald D @ 821-0369
10329 Dwyer Darrel @ 821-7175
10332 Le Master Frederick P Jr @ 821-0315
10333 Steinbach David N @ 821-6729
10336 Hodson John C @ 821-1428
10337*Hester Della
10340*Gray Charles G @ 821-1341
10341*Garcia Sam @ 821-1592
10344*Wallace Gilbert L @ 821-0025
10345 Phelps Herbert B @ 821-3853
10348 Saunders Wendell A @ 821-7329

LULAC DR —FROM 301 ASCARATE WEST TO A DEAD END

ZIP CODE 79905
301a Garcia Soila Mrs 778-5654
301b*Vargas Eduarco 778-5951
303a No Return
303b Meza Jose G 779-2880
305a Saldivar Armando 778-5824
305b Martin Jerry 779-7624
307a Gomez Hector
307b*Pecina Manuela 772-7110
309a Rodriguez Vickie Mrs 778-2614
309b Vacant

The Gallery OF HOMES



THE HOVIOUS ASSOCIATES

800 - 810 E. Yandell Dr., Tel. 533-2635 1855 Trawood Dr., Tel. 592-8100



TO WHOM IT MAY CONCERN:

MY NAME IS MARGIE CHERRY AND I RESIDE AT 341 ARROYO GRANDE, EL PASO, TEXAS AND I HAVE LIVED IN EL PASO SINCE 1940 AND I AM AWARE OF THE EXISTING ST. MARK'S UNITED METHODIST CHURCH. ST. MARK'S UNITED METHODIST CHURCH HAS BEEN IN EXISTENCE AT THE SITE PRIOR TO 1954 AND I HAVE KNOWN OF THE EXISTENCE SINCE 1967.

Margie Cherry
Signature

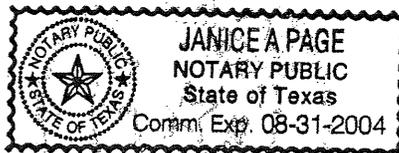
State of Texas
County of El Paso

Subscribed and sworn to before me this 10th day of January 2001.

Notary Public in and for the State of Texas

Janice Page

My commission expires: _____



TO WHOM IT MAY CONCERN:

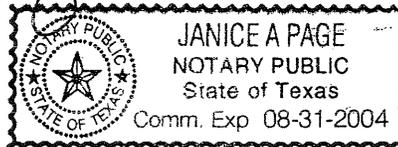
MY NAME IS MARY LEE SMITH AND I RESIDE AT 5018 YUCCA PLACE, EL PASO, TEXAS AND I HAVE LIVED IN EL PASO SINCE BEFORE 1955 AND I AM AWARE OF THE EXISTING ST. MARK'S UNITED METHODIST CHURCH. ST. MARK'S UNITED METHODIST CHURCH HAS BEEN IN EXISTENCE AT THE SITE SINCE PRIOR TO 1954.

Marilyn A. Smith
Signature

State of Texas
County of El Paso

Subscribed and sworn to before me this 17 day of January 2001.

Notary Public in and for the State of Texas Janice Page



TO WHOM IT MAY CONCERN:

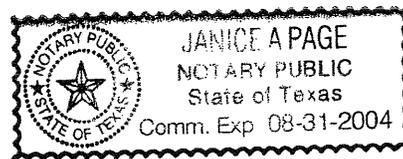
MY NAME IS BEBE MUELLER AND I RESIDE AT 427 STOTTS,
EL PASO, TEXAS AND I HAVE LIVED IN EL PASO SINCE BEFORE
1955 AND I AM AWARE OF THE EXISTING ST. MARK'S UNITED
METHODIST CHURCH. ST. MARK'S UNITED METHODIST
CHURCH HAS BEEN IN EXISTENCE AT THE SITE SINCE PRIOR
TO 1954.

Bebe J. Mueller
Signature

State of Texas
County of El Paso

Subscribed and sworn to before me this 12 day of January 2001.

Notary Public in and for the State of Texas Janice Page





St. Mark's Methodist Church

Requests the honor of your presence
at the

Ground-Breaking Ceremonies
For our new Church building

Sunday, August 4, 1946, at 5:00 P. M.

Upper Valley Building Site
Love Road, at Silverwood

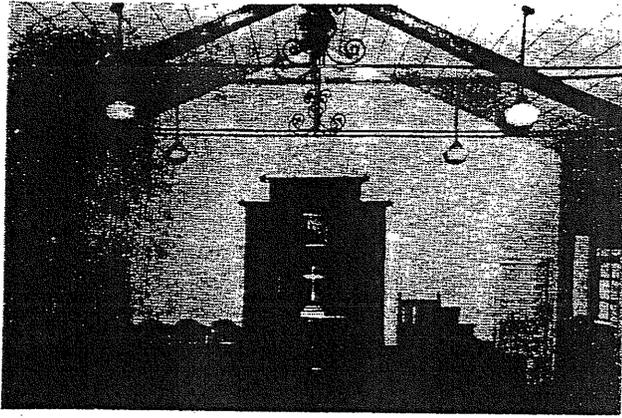
1946

GROUND BREAKING

The Charter Membership Book was officially closed on 6 October 1946, just before the first Annual Conference was held on 9 October 1946. The last Charter Member of St. Mark's Methodist Church was Albert E. Atkinson, Jr.

On 24 October 1946, the WSCS cleared \$196.40 on a spaghetti dinner. The money, representing a mighty heap of spaghetti, was donated to furnish the church kitchen.

St. Mark's was officially opened on 22 December 1946, though the work on the auditorium was still not yet completed. The sanctuary was beautifully decorated with candelabra, holly and greenery. The service was fully attended on this, the first Christmas for our little church on Love Road, according to the beautiful poem by Nancy Grass. The St. Mark's Girls Trio, staffed by Miss Delores Brown, Miss Glenna Rue Gwynn and Miss Marcella Newberry, sang "Oh, Sunlit Shore", by Franz Liszt.



The chancel furniture, in use even to this present day, was made by J.P.Stewart and E.Q.Gibson in Mr. Stewart's home woodworking workshop on Emory Road, a wonderful work of love and dedication.

The gold cross, two brass vases and the candelabra in the chancel were donated to this church by Rev. John L. Carpenter when he left this pastorate in May of 1947. These various religious artifacts were used by Reverend Carpenter when he served as a Chaplain in the U.S. Army during World War II.

The first all-church dinner was given by the WSCS on 29 January 1947.

The first infant born to parents of St. Mark's membership was Daniel P. Husband, son of Mr. and Mrs. Cecil Husband, according to the church bulletin of 26 January 1947. Daniel was a member of the first group of babies to be baptized during the Easter service that year.

The organizational meeting of the Men's Club was held on 19 February 1947. The organizing committee was composed of R.R. Hall, E.T.Skipworth and J.P.Stewart. The purpose of the club was to assist the boys of the immediate area surrounding the church in living wholesome, enjoyable and productive Christian lives. The officers of the newly organized Men's Club were: R.R.Hall, President; R.F.Nash, Vice-President; and J. Don Hudgens, Secretary-Treasurer.

The Dossal curtain for our altar was made by the following ladies of the church:

Mrs.A.T.Stewart
Mrs.E.P.Warren
Mrs.E.Q.Gibson
Mrs.J.L.Carpenter

Mrs.J.P.Stewart
Mrs.J.C.Warren
Mrs.C.C.Warren

Five babies were baptized during the 1947 Easter week service. These were:

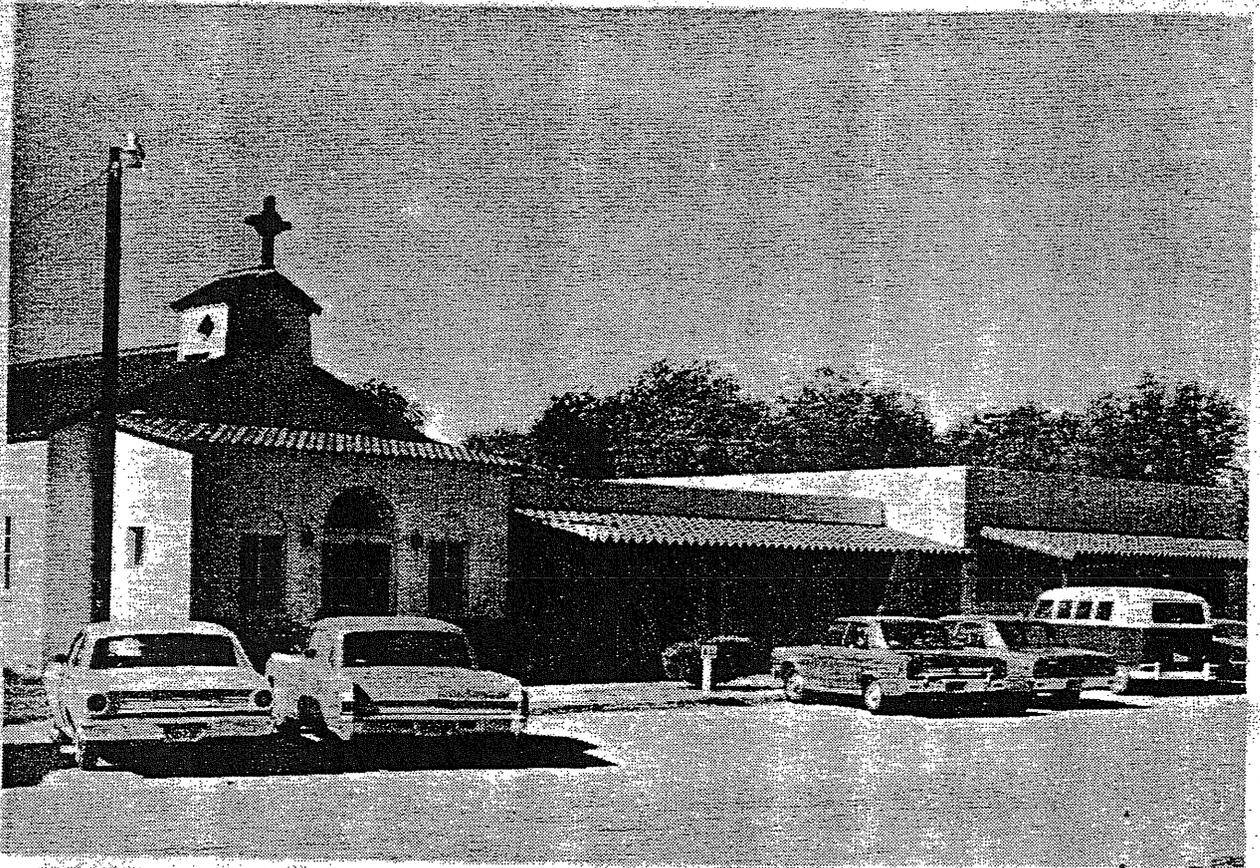
Richard B. Gillett
Daniel P. Husband
Elizabeth Ann Glass

Guy R. Hudgens
Robert A. Skipworth

Carpeting for the two Sunday School rooms of the new church was donated by the ladies of the WSCS, who raised the money to purchase it by holding two cake sales and a turkey dinner during the latter months of 1947. The WSCS won third prize in the radio station KROD's First Annual Community Club Contest. The piano in the main sanctuary of the church was presented by the family of Fannie Mae Gibson.

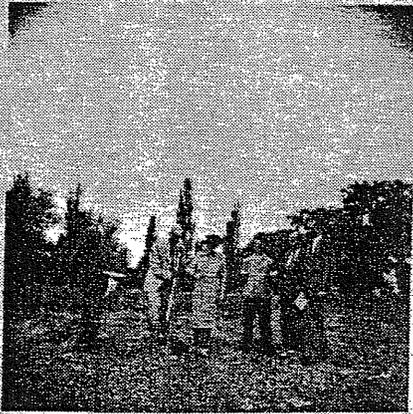
ABOUT THE LADIES

A word about the ladies of our church is in order at this point, if it is not already long overdue. The ladies constitute the very backbone, sinew and marrow of this church, as even a cursory study of our records will reveal in rich abundance. Throughout the years since our founding in 1945, the Women's Society of Christian Service, now called the United Methodist Women, has been in the forefront of each and every fund-raising event at this church. Examples of this wholehearted effort in behalf of our church abound. It would be impossible to count the cookies and the cakes that these women have baked and sold, the sandwiches they have made, the dinners that they have prepared and served throughout the years. Actually, whenever a need has arisen, the WSCS has stepped into the breach, ready and eager to help to meet that need, and alleviate suffering. A few examples are sufficient to prove the point. The air conditioner in the pastor's study, a range for the parsonage, a party at Christmastime to benefit the Hiroshima Girls' School, a hundred dollars donated to decorate the main sanctuary



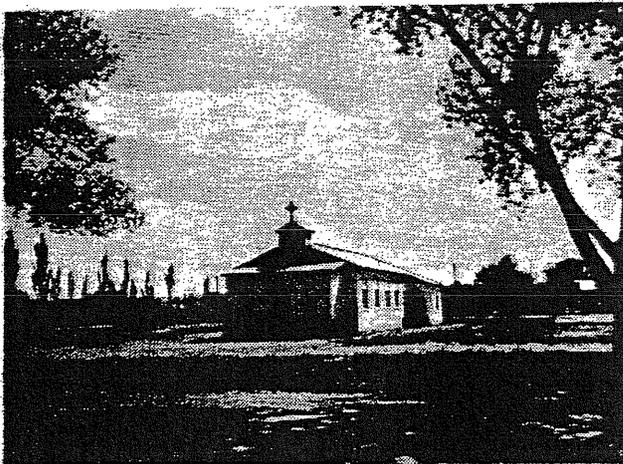
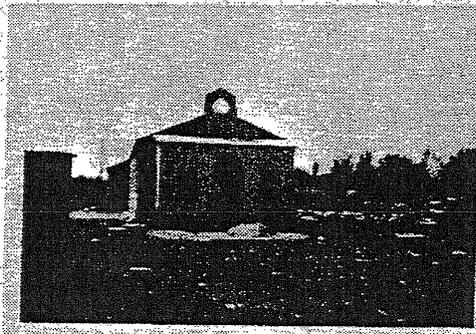
1975





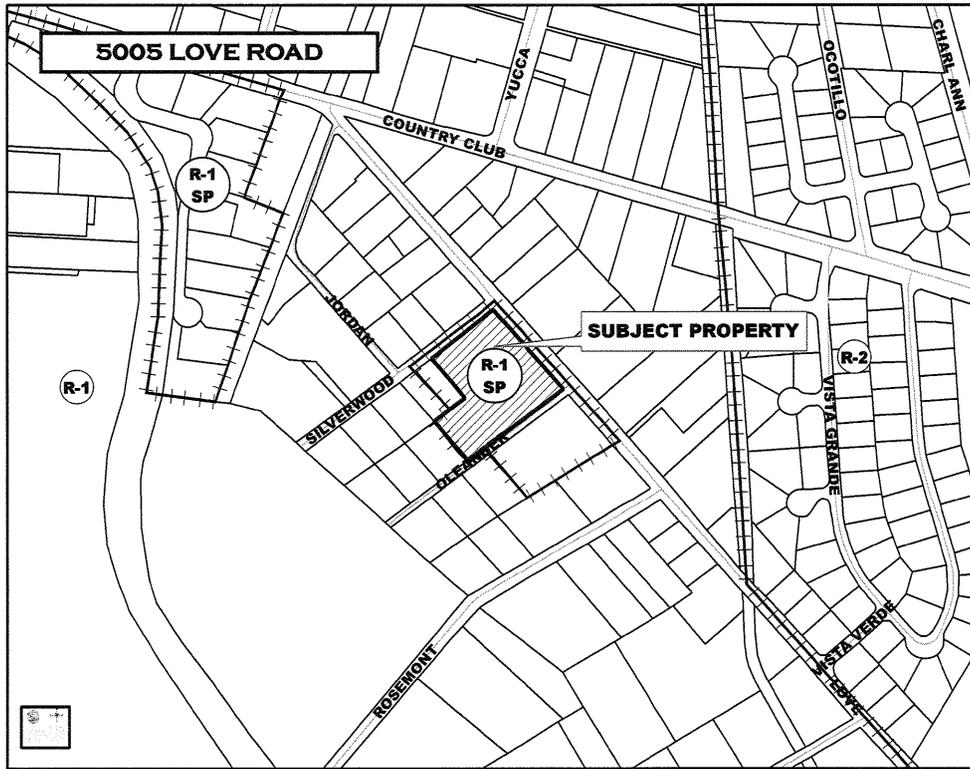
Aug. 4, 1946
GROUND-BREAKING

Oct. 6, 1946
UNDER
CONSTRUCTION

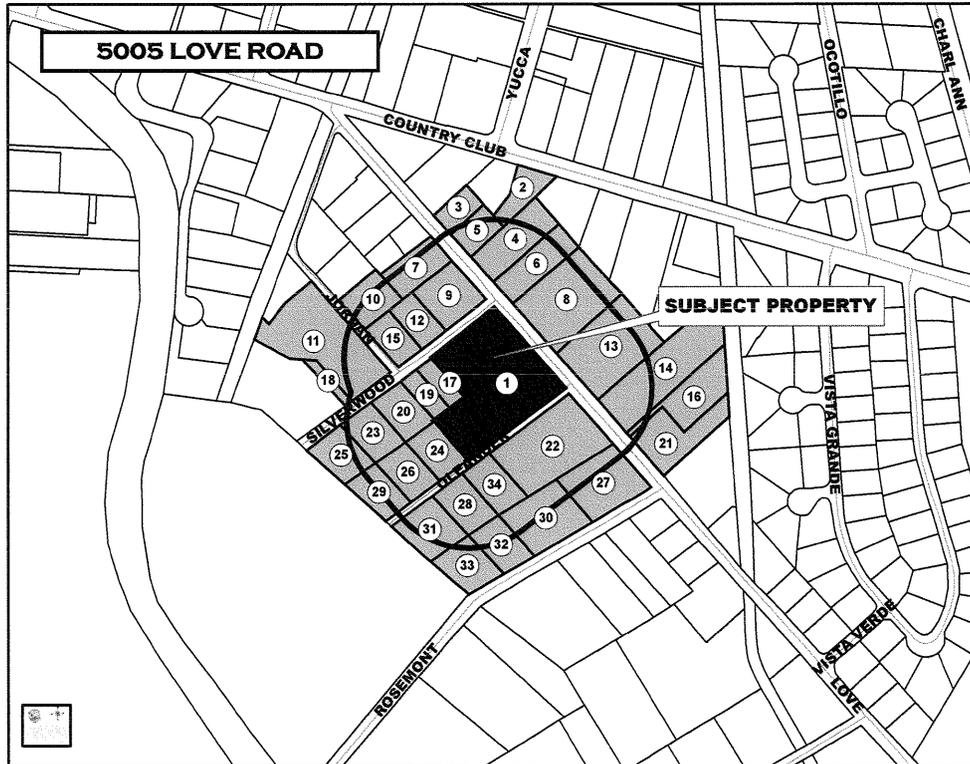


SUMMER 1947

ZONING MAP



NOTIFICATION MAP



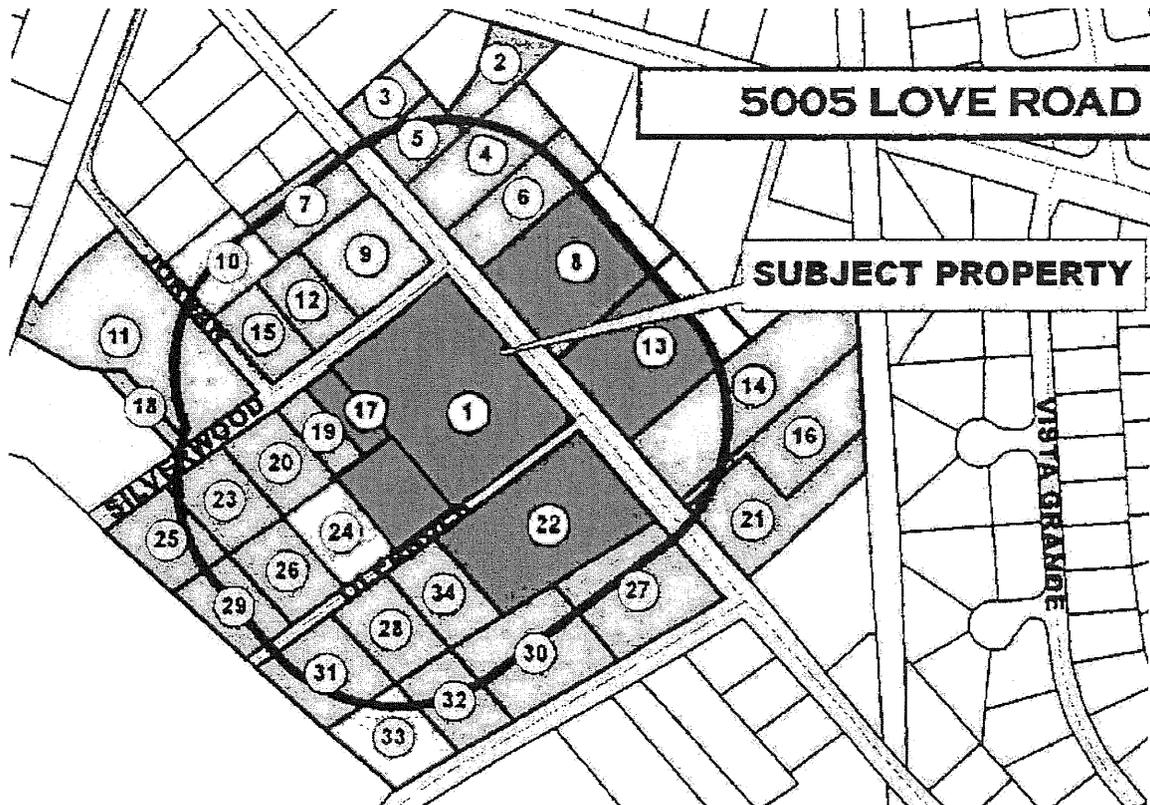
Zoning Board of Adjustment
City of El Paso
#2 Civic Center Plaza, 5th Floor
El Paso, TX 79901

Attn: Larry Nance, Chairman

Re: Agenda Item no. ZBA 08-00037, June 23, 2008 meeting

RECEIVED
JUN 23 2008

DSD Property Owner Notification Map for ZBA08-00037



- Map ID#1 St. Mark's Church (appellant)
- Map ID#17 St. Mark's Church (appellant)
- Map ID#22 St. Mark's Church (appellant)
- Map ID#8 St. Mark's Church (appellant)
- Map ID#13 St. Mark's Church (appellant)

PROPERTY OWNERS OPPOSED TO BLD07-07891

- | | | | |
|-----------|------------|-----------|-----------|
| Map ID#2 | Singh | Map ID#21 | Gutierrez |
| Map ID#3 | Brown | Map ID#23 | Stevens |
| Map ID#4 | Hermosilla | Map ID#25 | Hoover |
| Map ID#5 | Morton | Map ID#26 | Brandl |
| Map ID#6 | Barker | Map ID#27 | Carameros |
| Map ID#7 | Carmen | Map ID#28 | Clark |
| Map ID#9 | Rubio | Map ID#29 | Manzoor |
| Map ID#11 | Garcia | Map ID#30 | McCormack |
| Map ID#12 | Van Pelt | Map ID#31 | Powers |
| Map ID#14 | Granger | Map ID#32 | McDonough |
| Map ID#15 | Jordan | Map ID#33 | Welch |
| Map ID#16 | Gutierrez | Map ID#34 | Ramsey |
| Map ID#18 | Garcia | | |
| Map ID#19 | Meglorino | | |
| Map ID#20 | Coleman | | |

RECEIVED
JUN 23 2008

Neighbors opposed to the issuance of BLD07-07891
El Paso, TX 79922

June 16, 2008

Zoning Board of Adjustment
City of El Paso
#2 Civic Center Plaza, 5th Floor
El Paso, TX 79901

Attn: Larry Nance, Chairman

Re: Agenda Item no. ZBA 08-00037, June 23, 2008 meeting

Dear Mr. Nance and members of the Zoning Board of Adjustment:

We, the undersigned owners of land in the neighborhood of St. Mark's United Methodist Church, submit this letter to you to oppose the issuance to St. Mark's of BLD07-07891, a building permit to convert the church's parsonage on Oleander Way into a middle school for 112 students. We support the City Development Services Department's decision to deny the issuance of this building permit to St. Mark's on all of the grounds set forth in the Case Status Report for the permit application, a copy of which is enclosed.

Sincerely,

Name (print): ALMA RAMSEY
Signature: Alma Ramsey
Address: 220 OLEANDER
Revised DSD Map ID#: 34

Name (print): JOSEPH R. HOOVER, JR + CHELLIE S. HOOVER
Signature: Joseph Hoover Chellie S Hoover
Address: 224 SILVERWOOD WAY
Revised DSD Map ID#: 25

RECEIVED
JUN 23 2008

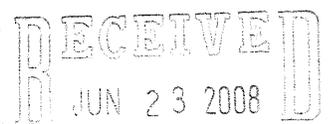
Signatures in opposition to BLD07-07891

Name (print): RICHARD + MARY O. GARCIA
Signature: Richard Garcia
Address: 221 SILVERWOOD
Revised DSD Map ID#: 11

Name (print): Judy McDonough
Signature: Judy McDonough
Address: 227 Rosemont
Revised DSD Map ID#: 32

Name (print): NORMAN + HAZEL BRANDL
Signature: Norman Brandl Hazel Brandl
Address: 229 OLEANDER WAY
Revised DSD Map ID#: #26

Name (print): Beatrice Migliorino
Signature: Beatrice Migliorino
Address: 214 Silverwood Way
Revised DSD Map ID#: #19



Signatures in opposition to BLD07-07891

Name (print): MARIA L. GUTIERREZ

Signature: Maria L. Gutierrez

Address: 4954 Love Rd

Revised DSD Map ID#: 21

Name (print): Yolanda Gutierrez

Signature: Yolanda Gutierrez

Address: 4954 Love Rd

Revised DSD Map ID#: 21

Name (print): Salvador Gutierrez

Signature: Salvador Gutierrez

Address: 4954 Love Rd

Revised DSD Map ID#: 16

Name (print): AMIR MANZOUR

Signature: Amir Manzour

Address: 233 OCEANVIEW

Revised DSD Map ID#: 10 # 29



Signatures in opposition to BLD07-07891

Name (print): BARBARA COLEMAN

Signature: Barbara Helen Coleman

Address: 216 SILVERWOOD WAY

Revised DSD Map ID#: 20

Name (print): MRS FRANK S. JORDAN

Signature: Mrs. Frank S. Jordan

Address: 213 SILVERWOOD

Revised DSD Map ID#: 15

Name (print): DEBRA VAN BELT SIGNED TWICE

Signature: 

Address: 205 SILVERWOOD WAY

Revised DSD Map ID#: 12

Name (print): MARY ANN CARAMIEROS

Signature: Mary Ann Caramieros

Address: 4955 LOVE ROAD

Revised DSD Map ID#: 27

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JUN 23 2008

Signatures in opposition to BLD07-07891

Name (print): MANUEL + ROSE RUBIO
Signature: Mr. & Mrs. Manuel Rubio
Address: 5025 Love El Paso, TX 79922
Revised DSD Map ID#: 9

Name (print): AMIR + DEBRA MANZOOR
Signature: ALREADY SIGNED ON ANOTHER
Address: SHEET
Revised DSD Map ID#: 29

Name (print): PAUL + LISA POWERS
Signature: ALREADY SIGNED ON ANOTHER SHEET
Address: _____
Revised DSD Map ID#: 31

✓ Name (print): ANDREW + ELAINE MORTON OUT OF TOWN?
Signature: Elaine Morton
Address: 5028 Love
Revised DSD Map ID#: 5

DECEIVED
JUN 23 2008

Neighbors opposed to the issuance of BLD07-07891
El Paso, TX 79922

June 16, 2008

Zoning Board of Adjustment
City of El Paso
#2 Civic Center Plaza, 5th Floor
El Paso, TX 79901

Attn: Larry Nance, Chairman

Re: Agenda Item no. ZBA 08-00037, June 23, 2008 meeting

Dear Mr. Nance and members of the Zoning Board of Adjustment:

We, the undersigned owners of land in the neighborhood of St. Mark's United Methodist Church, submit this letter to you to oppose the issuance to St. Mark's of BLD07-07891, a building permit to convert the church's parsonage on Oleander Way into a middle school for 112 students. We support the City Development Services Department's decision to deny the issuance of this building permit to St. Mark's on all of the grounds set forth in the Case Status Report for the permit application, a copy of which is enclosed.

Sincerely,

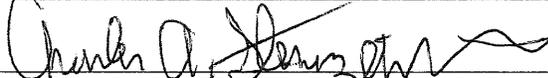
Name (print): DEBORAH VAN PELT

Signature: 

Address: 205 SILVERWOOD WAY

Revised DSD Map ID#: 12

Name (print): CHARLES STANISZEWSKI

Signature: 

Address: 205 SILVERWOOD WAY

Revised DSD Map ID#: 12

RECEIVED
JUN 23 2008

Neighbors opposed to the issuance of BLD07-07891
El Paso, TX 79922

June 16, 2008

Zoning Board of Adjustment
City of El Paso
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Sincerely,

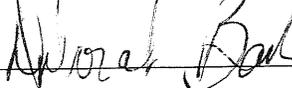
Name (print): Debbie A. Carmel

Signature: 

Address: 5029 Love Rd, El Paso, TX 79922

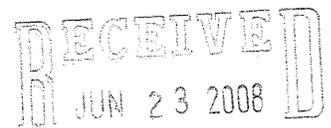
Revised DSD Map ID#: #7

Name (print): Debbie + Wayne Barker

Signature: 

Address: 5018 Love Rd 79922

Revised DSD Map ID#: #6



Neighbors opposed to the issuance of BLD07-07891
El Paso, TX 79922

June 16, 2008

Zoning Board of Adjustment
City of El Paso
#2 Civic Center Plaza, 5th Floor
El Paso, TX 79901

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Sincerely,

Name (print): Paul Powers
Signature: Paul Powers
Address: 230 Oleander Way
Revised DSD Map ID#: 31

Name (print): LISA POWERS
Signature: Lisa Powers
Address: 230 Oleander Way
Revised DSD Map ID#: 31

RECEIVED
JUN 23 2008

Neighbors opposed to the issuance of BLD07-07891
El Paso, TX 79922

June 16, 2008

Zoning Board of Adjustment
City of El Paso
#2 Civic Center Plaza, 5th Floor
El Paso, TX 79901

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Sincerely,

Name (print): J. MONTELUPE STEVENS

Signature: 

Address: 220 SILVERWOOD WAY

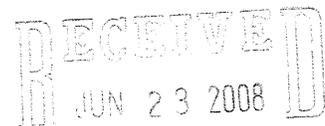
Revised DSD Map ID#: 23

Name (print): _____

Signature: _____

Address: _____

Revised DSD Map ID#: _____



Neighbors opposed to the issuance of BLD07-07891
El Paso, TX 79922

June 16, 2008

Zoning Board of Adjustment
City of El Paso
#2 Civic Center Plaza, 5th Floor
El Paso, TX 79901

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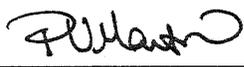
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Sincerely,

Name (print): Patricia Martin

Signature: 

Address: 223 Silverwood

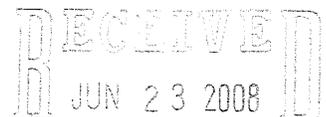
Revised DSD Map ID#: 18

Name (print): Adam Martin

Signature: 

Address: 223 Silverwood

Revised DSD Map ID#: 18



Neighbors opposed to the issuance of BLD07-07891
El Paso, TX 79922

June 16, 2008

Zoning Board of Adjustment
City of El Paso
#2 Civic Center Plaza, 5th Floor
El Paso, TX 79901

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Sincerely,

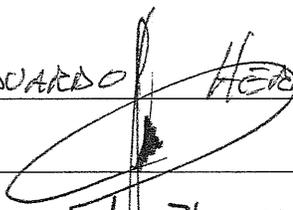
Name (print): Vicki Brown
Signature: Vicki Brown
Address: 5032 Love Rd 79922
Revised DSD Map ID#: #3

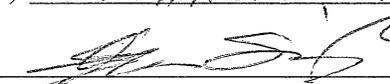
Name (print): Hector Muñoz
Signature: Hector Muñoz
Address: 5032 Love Rd 79922
Revised DSD Map ID#: _____

RECEIVED
JUN 23 2008

Signatures in opposition to BLD07-07891

✓ Name (print): DENNIS CARMEN SIGNED TWICE
Signature: 
Address: 5029 LOVE RD, EL PASO, TX 79922
Revised DSD Map ID#: 7

✓ Name (print): EDUARDO HERMOSILLA
Signature: 
Address: 5020 LOVE RD - EL PASO - TEXAS - 79922
Revised DSD Map ID#: 4

Name (print): ELEANOR SINGH
Signature: 
Address: 276 COUNTRY CLUB RD 79932
Revised DSD Map ID#: 2

Name (print): _____
Signature: _____
Address: _____
Revised DSD Map ID#: _____



Neighbors opposed to the issuance of BLD07-07891
El Paso, TX 79922

June 16, 2008

Zoning Board of Adjustment
City of El Paso
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Sincerely,

Name (print): Row M. Grauer

Signature: *Row M. Grauer*

Address: 4962 Low Rd, El Paso TX

Revised DSD Map ID#: 14

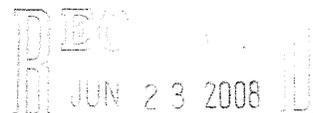
Phi

Name (print): William McCormack

Signature: *William J. McCormack*

Address: 225 ROSEMONT

Revised DSD Map ID#: 30





- Online Services**
Home
- Status**
Permit Information
- Parcel**
What is a Status?
- Department**
Contact Information
- Help**
Instructions

View Case Status

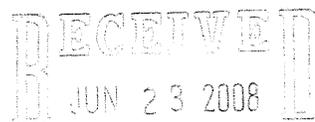
The information below summarizes the case you selected.

Case Number: BLD07-07891 **Status:**

Name:	 WRA CONSTRUCTION CO INC
Application Date:	8/20/2007 10:08:57 AM
Address:	5005 LOVE RD

Activities

Type	Requested	Scheduled	Completed	Disp (done by)		Notes
Plumbing Review	10/9/2007	10/16/2007	10/9/2007	PASS	JAS	Plans routed to HFC, pass. Met the 8/22/07 commentary.
Hold for Corrections			10/9/2007	DONE	JAS	Plans routed to HFC bin.
Plan Review Notification			10/8/2007	DONE	MPN	Notified Designer
Hold for Corrections			10/8/2007	DONE	MPN	Plans in CPR HFC bin
Plumbing Review	10/3/2007	10/10/2007	10/3/2007	FAIL	JAS	Plans routed to Mike N., fail. 1.- Commentariy not addressed.
Planning Division Review	10/1/2007		10/2/2007	FAIL	LJC	1. Five classrooms will require 10 parking spaces. Show ALL existing parking spaces, at 4965 and 5005 Love Road, and submit parking calculations for all uses to ensure that there is enough parking for the change from office to educational use. 2. Building not meeting rear setback for R-1 district.
Zoning Review	10/2/2007	10/9/2007	10/2/2007	FAIL	MPN	Plans sent to Fire. 1. As per Planning Dept. - Residential property should not have been absorbed into Church property when it was purchased. Residential property should have retained it's own property lines with correct frontage on Oleander, this would avoid causing a non-conforming use as to rear set-back for this building. This occured when the residence's side



set-back became the rear set-back for the Church/School. 2. Provide parking calculations. 3. Provide Certificate of Occupancy to show where Residence was changed to Business.

EPFD Fire Review	10/2/2007		10/2/2007	PASS	CM	To MPN 10/2/2007. PASSED 1. Minimum size fire extinguisher: 2A10BC/3000 sq feet.
Override - Parcel Holds			10/1/2007	DONE	MSG	Plans copied for Open Records Request as directed by LFN ... returned to MPN.
Architectural Review	10/1/2007	10/8/2007	10/1/2007	PASS	MPN	Plans sent to Planning Dept.
Routed to Plan Review			9/27/2007		RVJ	routed to Mike N
2nd Revised Plans Received			9/27/2007	DONE	MPN	
Out for Corrections			9/21/2007		RS1	BY MARIA REYES (857-0604) {W/DESIGNER}
Electrical Review	9/18/2007	9/25/2007	9/19/2007	PASS	LM	Routed to Mike N.
Architectural Review	9/18/2007	9/25/2007	9/18/2007	FAIL	MPN	Plans sent to Electrical 1. Architectural seals required on change of occupancy to Educational & if over 1000 sq. ft. All other items corrected
1st Revised Plans Received			9/17/2007	DONE	MPN	
Out for Corrections			8/23/2007	DONE	CA	OFC BY ROGER GONZALEZ
Plumbing Review	8/21/2007	8/28/2007	8/22/2007	FAIL	JAS	Plans routed to Mike N., fail. 1.- Need students age group to determine the height of the plumbing fixtures.
Mechanical Review	8/21/2007	8/28/2007	8/22/2007	PASS	JAS	Plans routed to plumbing, pass.
PBA Review	8/20/2007	9/6/2007	8/22/2007	DONE	MPN	
Plan Review Notification			8/22/2007	DONE	MPN	Called Roger Gonzalez. He will pick up plans and make corrections
Hold for Corrections			8/22/2007	DONE	MPN	Plans in CPR HFC bin pending pick up and correction
Electrical Review	8/20/2007	8/27/2007	8/21/2007	FAIL	LM	Routed to Mike N. The plans failed because; 1.Need the 2001 IEC lighting report. 2.Need the Dark Sky Ordinance calculations. 3.Need the load calculations. 4.Need the riser diagram.



Architectural Review	8/21/2007	8/28/2007	8/21/2007	FAIL	MPN	Plans sent to Plum/Mech review 1. Two exits are required. 2. Corridors must be one hour fire rated. 3. Additional exit signage will be required. 4. Pre-fab truss details are missing. 5. Asbestos report required for demolition. 6. What are the ages of the children that will occupy these classrooms?
EPFD Fire Review	8/20/2007		8/20/2007	FAIL	CM	To MPN 8/20/2007. FAILED 1. Two exits are required based on occupant load 2. Egress shall not pass through adjoining or intervening rooms or areas
Application Received			8/20/2007	DONE	MPN	
Zoning Review	8/20/2007	8/27/2007	8/20/2007	FAIL	MPN	Plans sent to EPFD & Electrical reivew. 1. Permit application is incomplete. 2. Provide occupant loads, type of construction, parking calculations, etc. 3. Parking spaces are being indicated in the required front, side, & side street set-backs. 4. Has the building being registered as legal non-conforming as to rear set-backs?

Fees

Item	Fee Amount	Fee Remaining
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Conditions

Title	Id	Tag	Status
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Use this page to view the details of the selected case.

- If your jurisdiction allows you to attach new files to a case, you can click **Upload new document**.
- To pay fees for this case, click **Pay Fees**.
- If your jurisdiction allows you to view parcel information as a map, click **View GIS**.

