





CITY DEVELOPMENT DEPARTMENT-PLANNING  
ZONING BOARD OF ADJUSTMENT MEETING MINUTES

Ms. Castle gave a presentation and noted the existing carport cover would be demolished. Additionally, Staff received one phone call regarding this request; the caller requested additional information regarding the case.

Chairman Concha, Vice-Chairman Garland and Board Members Mr. Skarda, Mr. De La Cruz, Mr. Bray, and Mr. Cordova commented.

Mr. Juan Lomeli, property owner, responded to comments and questions from the Board.

**MOTION:**

*Motion made by Mr. De La Cruz, seconded by Vice-Chairman Garland AND UNANIMOUSLY CARRIED TO APPROVE.*

**ITEM 3:**

PZBA14-00022                      950 W. Sunset Drive (Road)                      Ameen F. & Rose M. Ayoub  
Applicants request a Special Exception under Section 2.16.050 C (Rear Yard Setback) in an R-1 (Residential) zone. This would allow an existing 45.3' by 8' portion of the house (362.40 sq. ft.) and a new 25' by 11' (275 sq. ft.) addition which is proposed to be located to within 10 feet of the rear property line. The required front and rear yard cumulative setback total in the R-1 zone district is 100 feet. The applicants requested a building permit for the addition of a closet, and it was noted at plan review that a portion of the existing house plus the proposed addition encroach in the required rear yard setback. The applicant is requesting the special exception for the new addition and to legalize the existing encroachment. *A site visit shows that the entry to the house is on the side street, Portsmouth.*

**STAFF RECOMMENDS APPROVAL OF THE REQUEST AS IT MEETS THE REQUIREMENTS OF THE SPECIAL EXCEPTION C.**

Ms. Castle gave a presentation and noted Staff received one phone call regarding the case. The caller was curious as to the location of the proposed addition.

Chairman Concha, Board Members Mr. Bray and Mr. Cordova commented.

Mr. Ameen Ayoub, property owner, responded to comments and questions from the Board.

**MOTION:**

*Motion made by Vice-Chairman Garland, seconded by Mr. Michael Bray AND UNANIMOUSLY CARRIED TO APPROVE.*

*Prior to the meeting, Staff distributed copies of the Revised Site Plan to Board Members*

**ITEM 4:**

PZBA14-00023                      7831 Porche Street                      Monica & Juan Esparza  
Applicants request a Special Exception under Section 2.16.050 C (Rear Yard Setback) and Section 2.16.50 J (Carport over a Driveway) in an R-3 (Residential) zone. This would allow a 12.8' by 8'7" (110 sq. ft.) portion of an existing addition which is located to within 16 feet of the rear property line. Further, this would allow a new 19' by 19'6" carport (370.50 square feet)



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which is proposed to encroach in the required front yard setback and to be located to within 10 feet of the front property line. The required front and rear yard cumulative setback total in the R-3 zone district is 50 feet. The applicants applied for a building permit for remodeling their house and adding a carport. They were stopped by plan review and asked to legalize an existing addition which encroaches in the rear yard setback and to request a special exception for the carport. Their submitted site plan shows the removal of an existing carport roof, and the proposed addition of a carport.

The existing addition in the rear yard meets the requirements of the Special Exception C (the property line is beyond the rear wall). The carport is proposed to match the new design of the house in materials and design and the carport roof will rise no higher than the proposed new roof of the house. The carport is proposed to be 10 feet from the front property line. Building Development & Permitting has reviewed the structural plans and notes no objections.

A site visit shows two accessory buildings in the rear yard. The roof of the accessory structure in the southeasterly corner overhangs the southerly side property line. Staff has received two phone calls from neighbors.

**STAFF RECOMMENDS APPROVAL OF THE REQUIREMENTS OF THE SPECIAL EXCEPTIONS C AND J ARE MET, WITH A CONDITION:**

**THAT THE ROOF OF THE ACCESSORY STRUCTURE AT THE SOUTHERLY SIDE PROPERTY LINE BE RELOCATED SO THAT WATER IS NOT SHED OVER THE SIDE PROPERTY LINE; AND**

**NOTE TO THE APPLICANT: REGARDING EL PASO CITY CODE REQUIREMENTS, SECTION 20.14.040. A., ARRANGEMENT OF RESIDENTIAL PARKING SPACES, AND SECTION 20.14.080 B.5., NO PARKING ON AREAS NOT SPECIFICALLY DESIGNATED FOR PARKING.**

Ms. Castle gave a presentation and noted Staff received two phone calls from neighbors. The neighbors were concerned that property owners were operating a business out of their home.

Chairman Concha, Board Members Mr. De La Cruz and Mr. Gonzalez commented.

Mr. Juan Esparza, property owner, responded to comments and questions from the Board. For Mr. Esparza, Mr. De La Cruz provided Spanish language translation assistance.

Per the revised site plan, Mr. Tony De La Cruz, Senior Plans Examiner, clarified right and left side yard setbacks and proposed demolition.

**1<sup>ST</sup> MOTION:**

*Motion made by Mr. De La Cruz TO APPROVE SUBJECT TO ALL STAFF COMMENTS.*

*Motion withdrawn to allow further discussion.*

**FINAL MOTION:**

*Motion made by Mr. De La Cruz, seconded by Mr. Skarda AND UNANIMOUSLY CARRIED TO APPROVE SUBJECT TO ALL STAFF COMMENTS.*



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ITEM 5:

PZBA14-00024 1020 Madeline Drive Lorenia C. Hutson  
Applicant requests a Special Exception under Section 2.16.050 C (Rear Yard Setback) in an R-3 (Residential) zone. This would allow a new 28.75' by 17'9" addition of which a 28.75' by 8' portion (224 sq. ft.) is proposed to encroach in the required rear yard setback and to be located to within 18 feet of the rear property line. The required front and rear yard cumulative setback total in the R-3 zone district is 50 feet. The applicant is requesting the special exception for an addition, a portion of which will encroach in the required rear yard setback. The garage (437 square feet) in the rear yard has existed since before 1955 and is conforming to current code requirements for accessory structures.

STAFF RECOMMENDS APPROVAL OF THE REQUEST AS IT MEETS THE REQUIREMENTS OF THE SPECIAL EXCEPTION C.

Ms. Castle gave a presentation and noted Staff did not receive any phone calls in favor of or in opposition to this request.

Chairman Concha and Board Members Mr. Bray and Mr. De La Cruz commented.

Ms. Lorenia C. Hutson, property owner, and Ms. Sherry Mowles, architect/representative, responded to comments and questions from the Board.

MOTION:

Motion made by Mr. De La Cruz, seconded by Mr. Graham AND UNANIMOUSLY CARRIED TO APPROVE.

Prior to the presentation, Board Member Mr. Barela recused himself from the meeting. (Affidavit on file in the Municipal Clerk's office)

ITEM 6:

PZBA14-00026 11317 Menlo Avenue Armando Rueda  
Applicant requests a Special Exception under Section 2.16.050 C (Rear Yard Setback) in an R-3 (Residential) zone. This would allow a new 19' by 15' addition (285 sq. ft.) which is proposed to encroach in the required rear yard setback and to be located to within 10 feet of the rear property line. The required front and rear yard cumulative setback total in the R-3 zone district is 50 feet. The applicant is requesting the special exception for a bedroom and bath addition which is proposed to encroach in the required rear yard setback.

STAFF RECOMMENDS APPROVAL OF THE REQUEST AS IT MEETS THE REQUIREMENTS OF THE SPECIAL EXCEPTION C.

Ms. Castle gave a presentation and noted Staff received one phone call from the neighbor residing behind the applicant.

Chairman Concha commented.



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Mr. Rueda, property owner, was present. Board Members had no comments and/or questions for the property owner.

**MOTION:**

*Motion made by Vice-Chairman Garland, seconded by Mr. Cordova AND UNANIMOUSLY CARRIED TO APPROVE.*

*Mr. Barela returned to the meeting after the vote.*

**ITEM 7:**

PZBA14-00027 11557 Spencer Drive Paul G. McDonough  
Applicant requests a Special Exception under Section 2.16.050 J (Carport over a Driveway) in an R-3A/sc (Residential/special contract) zone. This would allow an 18' by 18' carport (324 square feet) which is proposed to encroach in the required front yard setback and to be located to within 2 feet of the front property line. The required front and rear yard cumulative setback total in the R-3A/sc zone district is 45 feet. The applicant is requesting to add a carport over a driveway which is proposed to match the house in materials and design and to rise no higher than the roof of the house. There is a utility easement at the front property line and the applicant's representative is asking the utility companies to review the request. Building Development & Permitting has reviewed the structural plans and notes no objections.

**STAFF RECOMMENDS APPROVAL OF THE REQUEST AS IT MEETS THE REQUIREMENTS OF THE SPECIAL EXCEPTION J.**

Ms. Castle gave a presentation and noted Staff did not receive any phone calls in favor of or in opposition to this request. Additionally, Staff has not received copies of the utility company letters from the applicant and/or representative. Further, prior to issuing permits, the representative must provide copies of the utility company letters to Staff. Ms. Castle noted the special contract concerned landscaping and median cuts on Pebble Hills.

Chairman Concha and Board Members Mr. De La Cruz, Mr. Bray, and Mr. Cordova commented.

Mr. Ruben Gallegos, representative, noted he received from the El Paso Water Utility and the El Paso Electric Company.

**1<sup>ST</sup> MOTION:**

*Motion made by Mr. Cordova TO APPROVE SUBJECT TO, PRIOR TO ISSUING PERMITS, REPRESENTATIVE MUST PROVIDE COPIES OF UTILITY COMPANY LETTERS TO STAFF.*

*Motion withdrawn to allow further discussion.*

**FINAL MOTION:**

*Motion made by Mr. Bray, seconded by Mr. Cordova AND UNANIMOUSLY CARRIED TO APPROVE STAFF RECOMMENDATIONS SUBJECT TO RECEIVING THOSE LETTERS.*



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Prior to discussing the following agenda item, Staff presented agenda item 1. PZBA14-00008 (see page 1)

**Other Business – Discussion and Action:**

8. Site plan requirements for submittals to Zoning Board of Adjustment

Ms. Castle noted that the Board had asked Staff to place an item on the agenda as a result of the discussion, regarding site plans, at the July ZBA meeting. Staff provided a copy of the current ZBA application, with a sample plot plan, for Board Members. She explained that on numerous occasions, applicants submit their own site plan drawings. Staff tries their best to ensure the applicant include all the necessary requirements in their site plan drawings, which at times can be very difficult for both the applicant and Staff.

From the July meeting, Mr. Skarda explained, one concern that Board Members had was site plans not drawn “to scale.” He requested Staff add another requirement to the list of requirements shown in the “Sample Plot Plan,” specifically “L. Drawing Must Be To Scale As Noted On The Drawing”. Mr. Skarda felt adding that language would clear up questions Board Members may have; additionally, it would alleviate the applicant having to pay additional monies for professional drawings.

Mr. De La Cruz seconded Mr. Skarda’s request and stated that requirement should be at the top of the list.

For clarification, Chairman Concha asked Mr. Skarda if the request to add an additional requirement to the “Sample Plot Plan.”

On the “Sample Plot Plan” page, Mr. Skarda explained, if Staff would add the following to the already listed “a. through k.” requirements:

*“l. Drawing Must Be To Scale as Noted/Stated on Drawing Plan”*

Vice-Chairman Garland requested setback dimensions be shown in all drawings submitted to visually assist Board Members.

Mr. Bray noted some subdivisions in the CCRs have two setbacks, the zoning setback and the CCR setback.

Mr. Cordova explained the city cannot enforce covenants.

Ms. Castle agreed.

Per the “Sample Plot Plan,” Vice-Chairman Garland reiterated letters “a. through k.” are **Required:** of applicants to include in their plans prior to submitting to Staff. He asked Staff to enforce what was already required for site/plot plans.



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Regarding the ZBA application, specifically "*Rep. District*", Mr. Bray asked Staff if that information was tracked and/or necessary.

Ms. Castle responded yes and explained Staff prepares "End of the (Fiscal and/or Calendar) Year" reports and the **Rep. District** information is included in those reports.

*No action was taken.*

- 9. Approval of Minutes: July 14, 2014

Chairman Concha asked Board Members if they had any additions, corrections, and/or revisions for staff. *There were none.*

**MOTION:**

*Motion made by Vice-Chairman Garland, seconded by Mr. Skarda AND UNANIMOUSLY CARRIED TO APPROVE THE JULY 14, 2014 MEETING MINUTES.*

**ABSTAIN:** *Chairman Concha and Board Members Sam Barela, Jeff Gonzalez, and James Graham*

At the September ZBA meeting, Ms. Castle explained she would be discussing Board Member's terms.

Vice-Chairman Garland asked Ms. Castle if the September ZBA meeting would be held in Council Chambers.

Ms. Castle replied yes.

**MOTION:**

*Motion made by Mr. De La Cruz, seconded by Mr. Gonzalez AND UNANIMOUSLY CARRIED TO ADJOURN.*

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Linda Castle, Senior Planner



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