

ZONING BOARD OF ADJUSTMENT
MINUTES
March 28, 2005

The Zoning Board of Adjustment held a public hearing in the City Council Chambers, 2nd Floor of the City Hall Building, on Monday, March 28, 2005, at 1:30 p.m., with the following board members present:

Board Members

Vicente Ordoñez
Anna Gill
James Major
Larry Nance
Oscar V. Perez
Robert Veliz
David Marquez
Betsy Braver

Staff Members

Kimberly Forsyth, Zoning Administrator
Linda Castle, Planner I
Javier de la Cruz, Plan Examiner
Margie Barajas, Recording Secretary

Kimberly Forsyth, Planning Department, opened the meeting and read the Statement of Authority and Limitations on the Laws and Ordinance governing the Board. Vicente Ordoñez, ZBA Chair, introduced himself and other board members to the audience. He swore in all who wished to testify.

Item 1 03-039-05 12716 Tierra Monje Southwestern Classic Homes

Applicant requests a Variance from Section 20.14.090 (Yard Standards) R-5 Zone of the City of El Paso Zoning Ordinance. Tierra Del Este Unit 27, Block 112, Lot 29. This would permit the construction of a 38' by 59' structure located to within 23' of the rear property line. A 25' rear yard setback is required in an R-5 zone.

Linda Castle read the case into the record and made a slide presentation of the property. The Department is recommending denial as a variance. Vicente Ordoñez asked if there was anyone in the audience who wished to speak in favor or against this request. Raymond Downing, owner of Southwestern Classic Homes and representative, was in attendance to represent this case.

Larry Nance read aloud the four items to be considered in order to grant a Variance. Mr. Downing explained that the encroachment is about 50 square feet and that the reason for requesting a variance is that the lot is of an unusual shape. Mr. Downing noted that approval of the variance would permit a 1,662 square foot single-story home. Ms. Forsyth noted that this is a small amount of an encroachment; however, the City did not find that there was any particular unusual condition of the lot that would prohibit the applicant from building either a smaller house, taking a few feet off the back, or possibly putting this structure on another lot that would accommodate the structure. She noted that there are a number of alternatives that would not require a variance or an exception from the City. Mr. Downing requested a postponement in an effort to find another alternative.

James Major made a motion to **POSTPONE** this request for a variance as requested by the applicant. Anna Gill seconded the motion. Board was polled and motion passed unanimously (8-0).

Item 2 03-041-05 9705 La Morenita Manuel Chavez

Applicant requests a Special Exception under Section 2.16.050 G (Rear Yard Setback) R-3A Zone of the City of El Paso Zoning Ordinance. Mission Pass, Block 2, Lot 12. This would

permit the construction of a 16' by 14' addition located to within 16' of the rear property line. A 25' rear yard setback is required in an R-3A zone.

Linda Castle read the case into the record and made a slide presentation of the property. The Department is recommending approval as a special exception. Vicente Ordoñez asked if there was anyone in the audience who wished to speak in favor or against this request. Javier Lopez, Representative, was present to represent this case.

Larry Nance made a motion to **APPROVE** this request on the basis that the application meets all the requirements for the special exception. David Marquez seconded the motion. Board was polled and motion passed unanimously (8-0).

Item 3 03-042-05 844 Springfire Jack & Alma Holland

Applicant requests a Special Exception under Section 2.16.050 G (Rear Yard Setback) R-3A/sc/c Zone of the City of El Paso Zoning Ordinance. West Hills Unit 15, Block 38, Lot 42. This would permit the existence of a 16' by 7' portion of a structure located to within 18' of the rear property line. A 25' rear yard setback is required in this R-3A/sc/c zone.

Linda Castle read the case into the record and made a slide presentation of the property. The Department is recommending approval as a special exception. Vicente Ordoñez asked if there was anyone in the audience who wished to speak in favor or against this request. Carlos Orozco was present to represent this case. Javier De La Cruz, BP&I, noted that the applicant wants to legalize the portion of the patio that encroaches on the setback so they can enclose that portion as a screened porch.

James Major made a motion to **APPROVE** this request on the basis that the application meets all the requirements for the special exception. Betsy Braver seconded the motion. Board was polled and motion passed unanimously (8-0).

Item 4 03-043-05 12153 Blue Quail Emilio Barraza

Applicant requests a Special Exception under Section 2.16.050 G (Rear Yard Setback) R-5 Zone of the City of El Paso Zoning Ordinance. Quail Run, Block 12, Lot 20. This would permit the construction of a 17' by 12' addition located to within 16' of the rear property line. A 25' rear yard setback is required in an R-5 zone.

Linda Castle read the case into the record and made a slide presentation of the property. The Department is recommending approval as a special exception. Vicente Ordoñez asked if there was anyone in the audience who wished to speak in favor or against this request. Emilio Barraza, Owner, was present to represent this case.

Larry Nance made a motion to **APPROVE** this request on the basis that the application meets all the requirements for the special exception. Oscar Perez seconded the motion. Board was polled and motion passed unanimously (8-0).

Item 5 03-044-05 5504 Edmonton Carlos Cabral

Applicant requests a Special Exception under Section 2.16.050 G (Rear Yard Setback) R-4 Zone of the City of El Paso Zoning Ordinance. Colonia Verde, Block 29, Lot 11. This would permit the construction of a 20' by 18' addition located to within 19' of the rear property line. A 25' rear yard setback is required in an R-4 zone.

Linda Castle read the case into the record and made a slide presentation of the property. It was noted that the revised dimensions were read into the record. The Department is recommending approval as a special exception. Vicente Ordoñez asked if there was anyone in the audience

