

**ZONING BOARD OF ADJUSTMENT**  
**MINUTES**  
**July 11, 2005**

The Zoning Board of Adjustment held a public hearing in the City Council Chambers, 2<sup>nd</sup> Floor of the City Hall Building, on Monday, July 11, 2005, at 1:30 p.m., with the following board members present:

**Board Members**

James Major, Acting Chair  
Jose Melendez  
Oscar V. Perez  
Robert Veliz  
David Marquez  
Roger Rappe  
Servando Hernandez  
Bradley Roe

**Staff Members**

Kimberly Forsyth, Zoning Administrator  
Robert Peña, ZBA Secretary  
Linda Castle, Planner  
Javier de la Cruz, Plan Examiner  
Margie Barajas, Secretary

Motion made by Bradley Roe, seconded by Roger Rappe, to elect James Major as Acting Chair for the meeting of July 11, 2005. Mr. Major accepted, and the motion passed unanimously.

Robert Peña, Zoning Board Secretary, Planning Department, opened the meeting and read the Statement of Authority and Limitations on the Laws and Ordinance governing the Board. James Major swore in all who wished to testify.

**Item 1            07-099-05            1924 Preview Place            Antonio Peralta**  
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. Vista Hills Unit 13, Replat B, Block 45, Lot 24 and a Portion of Lot 23. This would permit the construction of a 24' by 10' addition located to within 15' of the rear property line. A 25' rear yard setback is required in an R-3A zone.

Robert Peña read the case into the record and made a slide presentation of the property. The Department is recommending approval as a special exception. James Major asked if there was anyone in the audience who wished to speak in favor or against this request. Carlos Garcia, Representative, was present for this case. No opposition was presented.

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

**Item 2            07-100-05            1517 Dennis Place            Sergio Guzman**  
Applicant requests a Special Exception under Section 2.16.050 Q (Carport Over a Driveway) R-4 Zone of the City of El Paso Zoning Ordinance. Cielo Vista Park, Block 17, Lot 13. This would permit the construction of a 22' by 22.5' carport located within 3' of the front property line. A 20' front yard setback is required in an R-4 zone.

Robert Peña read the case into the record and made a slide presentation of the property. The Department is recommending approval as a special exception. James Major asked if there was anyone in the audience who wished to speak in favor or against this request. Albert Minor, Representative, was present for this case. No opposition was presented. Kimberly Forsyth noted that Traffic Engineering submitted written verification of no apparent traffic issues or problems.

Roger Roe 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**            **07-101-05**            **6000 Morning Glory**            **Maria Dominguez**

Applicant requests a Special Exception under Section 2.16.050 G (Rear Yard Setback) A-2 Zone of the City of El Paso Zoning Ordinance. Summer Field, Block 1, Portion of Lot 1. This would permit the construction of a 22' by 15' addition located to within 10' of the rear property line. A 25' rear yard setback is required in an A-2 zone.

Robert Peña read the case into the record and made a slide presentation of the property. The Department is recommending approval as a special exception. James Major asked if there was anyone in the audience who wished to speak in favor or against this request. Maria Dominguez, Owner, was present to represent this case. No opposition was presented. Kimberly Forsyth commented that since this is a duplex, and since calculation of the 1/3 width is based on the entire lot, the adjoining property owner did co-sign the application.

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

**Item 4**            **07-102-05**            **4643 R.L. Shoemaker**            **Jesus & Ruth Nevarez**

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. Castner Heights Unit 1, Block 8, Lot 18. This would permit the construction of a 31'5" by 10'8" addition located to within 19' of the rear property line. A 25' rear yard setback is required in an R-4 zone.

Robert Peña read the case into the record and made a slide presentation of the property. The Department is recommending approval as a special exception. James Major asked if there was anyone in the audience who wished to speak in favor or against this request. Jesse Chavez, Representative, was present to represent this case. No opposition was presented. Kimberly Forsyth noted that the maximum width of this enclosure could be 28.5 feet using the 1/3 width of the lot calculation and that only 27 feet will actually be enclosed.

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

**Item 5**            **07-103-05**            **2600 San Diego**            **Pablo & Ramona Morales**

Applicant requests a Special Exception under Section 2.16.050 U (Side Yard Setback) R-5 Zone of the City of El Paso Zoning Ordinance. Highland Park, Block 52, Lots 31 & 32.

Bradley Roe made a motion to **DELETE** this request as requested by staff. Roger Rappe seconded the motion. Board was polled and motion passed unanimously (8-0).

**Item 6**            **07-104-05**            **289 Amelia**            **Martin Espinoza**

Applicant requests a Special Exception under Section 2.16.050 Q (Carport Over a Driveway) R-4 Zone of the City of El Paso Zoning Ordinance. Mesa Encantada Addition, Block 1, Lot 3. This would permit the construction of an 18' by 20' carport located within 7' of the front property line. A 20' front yard setback is required in an R-4 zone.

Robert Peña read the case into the record and made a slide presentation of the property. The Department is recommending approval as a special exception. James Major asked if there was anyone in the audience who wished to speak in favor or against this request. Martin Espinoza, Representative, was present for this case. No opposition was presented. Robert Peña noted that Traffic has no objections and structural qualifications were also met per BP & I.

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

**Item 7**      **07-105-05**      **9837 Heather**      **Sallie Eastman**

Applicant requests a Special Exception under Section 2.16.050 G (Rear Yard Setback) R-3 Zone of the City of El Paso Zoning Ordinance. Eastwood Heights, Block 152, Lot 13. This would permit the construction of a 25' by 14' addition located to within 21' of the rear property line. A 25' rear yard setback is required in an R-3 zone.

Robert Peña read the case into the record and made a slide presentation of the property. The Department is recommending approval as a special exception. James Major asked if there was anyone in the audience who wished to speak in favor or against this request. Daryl Devantier, Representative, was present to represent this case. No opposition was presented.

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

**Item 8**      **07-106-05**      **541 Sharondale**      **Terry Barragan**

Applicant requests a Special Exception under Section 2.16.050 C (Front Yard Setback) R-3 Zone of the City of El Paso Zoning Ordinance. Mesa Hills Unit 10, Block 24, Lot 3. This would permit the construction of an 87' by 34' structure located to within 10' of the front property line.

Bradley Roe made a motion to **POSTPONE** for two weeks (7/25/05) as requested by staff. Roger Rappe seconded the motion. Board was polled and motion passed unanimously (8-0).

**Item 9**      **07-107-05**      **10436 Bon Aire**      **Angel & Bertha Moran**

Applicant requests a Special Exception under Section 2.16.050 G (Rear Yard Setback) R-3/sc Zone of the City of El Paso Zoning Ordinance. Apollo Heights, Block 35, Lot 8. This would permit the construction of a 26' by 5' portion of a structure located to within 20' of the rear property line. A 25' rear yard setback is required in an R-3/sc zone.

Robert Peña read the case into the record and made a slide presentation of the property. The Department is recommending approval as a special exception. James Major asked if there was anyone in the audience who wished to speak in favor or against this request. Bertha Moran, Owner, was present to represent this case. No opposition was presented.

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

**Item 10**      **07-108-05**      **1319 Myrtle**      **Refugio De La O**

Applicant requests a Special Exception under Section 2.16.050 C (Front Yard Setback) C-4 Zone of the City of El Paso Zoning Ordinance. Franklin Heights, Block 31, Lots 25 & 26.

This would permit the construction of a 31' by 14.5' addition located to within 0' of the front property line. A 15' front yard setback is required in a C-4 zone.

Bradley Roe made a motion to **POSTPONE** for two weeks (7/25/05) as requested by staff. Roger Rappe seconded the motion. Board was polled and motion passed unanimously (8-0).

**Item 11      07-109-05      712 Camino Real      Antonio & Sylvia Ortega**

Applicant requests a Special Exception under Section 2.16.050 C (Front and Side Yard Setbacks) R-1 Zone of the City of El Paso Zoning Ordinance. Upper Valley, Block 4, Tract 14-C-1. This would permit the construction of a 24' by 10'9" addition located to within 39' of the front property line and 13' of the side property line, and a 24' by 4'4" addition located to within 15' of the side property line. A 50' front yard setback and a 20' side yard setback are required in an R-1 zone.

Robert Peña read the case into the record and made a slide presentation of the property. The Department is recommending approval of the side setback and denial of the front setback. Robert Peña noted that there are no other properties within the block, on the same side of the street, that encroach into the front setback to the extent that is requested by the applicant. He said, however, there are two or more lots that do not meet the side setback requirements. James Major asked if there was anyone in the audience who wished to speak in favor or against this request. Mardi Crupper, Representative, was present for this case. No opposition was presented.

Bradley Roe made a motion to **APPROVE** the side setback and **DENY** the front yard setback. Servando Hernandez seconded the motion. Board was polled and motion passed unanimously (8-0).

**Other Business:**

Approval of Minutes: Motion made and seconded to approve the minutes of June 13, and June 27, 2005. The motion passed (7-0); there was one abstention (Bradley Roe).

It was announced that the next meeting is set for July 25, 2005, at 1:30 p.m.

Adjournment: The meeting adjourned at approximately 2:05 p.m.



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Robert Peña  
Zoning Board Secretary