

**ZONING BOARD OF ADJUSTMENT**  
**MINUTES**  
**July 25, 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 25, 2005, at 1:30 p.m., with the following board members present:

**Board Members**

Anna Gill, Chair  
Larry Nance  
James Major  
Oscar V. Perez  
Robert Veliz  
David Marquez  
Roger Rappe  
Betsy Braver  
Servando Hernandez

**Staff Members**

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

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. Anna Gill swore in all who wished to testify.

**Item 1            07-106-05            541 Sharondale            Terry Barragan**

Applicant requests a Variance from Section 20.54.080 E (Front Yard Setback) PR-1/sc 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. A 20' front yard setback is required in this PR-1/sc zone.

James Major made a motion to **POSTPONE** to the meeting of 8/08/2005, per applicant request, pending receipt of revised plan or letter asking for deletion of the request. Roger Rappe seconded the motion. Board was polled and motion passed unanimously (9-0).

**Item 2            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.

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. Anna Gill asked if there was anyone in the audience who wished to speak in favor or against this request. Carlos Velasquez Representative, was present to represent 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. David Marquez seconded the motion. Board was polled and motion passed unanimously (9-0).

**Item 3            07-110-05                            12517 Tierra Nogal                            Elsia Donaldson**

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. Tierra Del Este Unit 15, Block 71, Lot 21. This would permit the construction of a 19' by 10' addition located to within 10' of the rear property line. A 25' rear yard setback is required in an R-5 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. Anna Gill asked if there was anyone in the audience who wished to speak in favor or against this request. Elsia Donaldson owner, was present to represent this case. No opposition was presented.

James Major 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 (9-0).

**Item 4            07-111-05                            8700 Clavel                            Efrain de Los Santos**

Applicant requests a Special Exception under Section 2.16.050 G (Rear Yard Setback) R-4/sc Zone of the City of El Paso Zoning Ordinance. Penrose, Block 3, Lot 39. This would permit the construction of a 20' by 3' portion of a structure located within 22' of the rear property line. A 25' rear yard setback is required in an R-4/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. Anna Gill asked if there was anyone in the audience who wished to speak in favor or against this request. Efrain de Los Santos, owner, was present to represent this case. No opposition was presented.

Larry Nance 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 (9-0).

**Item 5            07-112-05                            1909 Sun Tide                            Sherwin Lacsamana**

Applicant requests a Special Exception under Section 2.16.050 G (Rear Yard Setback) R-3A/sc Zone of the City of El Paso Zoning Ordinance. Sun Ridge Unit 1, Block 3, Lot 18. This would permit the construction of a 19'3" by 12' addition located to within 13' of the rear property line. A 25' rear yard setback is required in an R-3A/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. Anna Gill asked if there was anyone in the audience who wished to speak in favor or against this request. Daryl Devantier Representative, was present for this case. No opposition was presented.

Larry Nance 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 (9-0).

**Item 6            07-113-05                            12215 Rancho Grande                            J. Alfredo Acosta**

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. Ranchos Del Sol Unit 4, Block 7, Lot 10. This would permit the construction of a 24' by 10' portion of a structure located to within 15' 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. Anna Gill asked if there was anyone in the audience who wished to speak in favor or against this request. Alfredo Acosta owner, was present to represent this case. No opposition was presented.

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 (9-0).

**Item 7            07-114-05            4703 Maxwell            Project Vida, Inc.**  
Applicant requests a Variance from Section 20.36.080 (Yard Standards) C-1 Zone of the City of El Paso Zoning Ordinance. Maxwell, Lot 8. This would permit the construction of a 102' by 32' six unit apartment building located to within 6'10" of the side property line abutting a street.

Robert Peña read the case into the record and made a slide presentation of the property. The Department is recommending approval of the variance. Anna Gill asked if there was anyone in the audience who wished to speak in favor or against this request. Gus Pellati, Representative, was present for this case. No opposition was presented.

Larry Nance made a motion to **POSTPONE** this request for a variance to the meeting of 8/08/2005, with applicant to provide more information as to site plan design. James Major seconded the motion. Board was polled and motion passed unanimously (9-0).

**Item 8            07-115-05            10840 Aquamarine            Fernando & Celia Ramos**  
Applicants request a Special Exception under Section 2.16.050 Q (Carport Over a Driveway) R-3 Zone of the City of El Paso Zoning Ordinance. Shearman Unit 1, Block 3, Lot 46. This would permit the construction of a 30' by 15.5' carport located within 9.5' of the front property line. A 25' front 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. Anna Gill asked if there was anyone in the audience who wished to speak in favor or against this request. Michael K. Livingston, Representative, was present for this case. No opposition was presented.

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 (9-0).

**Item 9            07-116-05            2921 Gilberto Avila            Christina Cortes**  
Applicant requests a Special Exception under Section 2.16.050 K (Side Yard Setback) R-5/sc Zone of the City of El Paso Zoning Ordinance. Vista Del Sol Unit 112, Block 487, Lot 1. This would permit the construction of a 22' by 9' addition located to within 7' of the side street property line. A 10' side yard setback abutting a street is required in an R-5/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 and asking that the request be changed to within 5' of the side street property line. Anna Gill asked if there was anyone in the audience who wished to speak in favor or against this request. Christina Cortes, owner, was present to represent this case. No opposition was presented.

The applicant stated is in the process of getting a building permit for the existing patio structure and needs approval of this special exception.

James Major 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 (9-0).

**Item 10      07-117-05      6521 Jim de Groat      Nadia Lopez**

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. Chaparral Park Unit 31, Block 141, Lot 37. This would permit the construction of a 22' by 20' addition located to within 17' 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. Anna Gill asked if there was anyone in the audience who wished to speak in favor or against this request. Victor Hernandez, Representative, was present for this case. No opposition was presented.

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 (9-0).

**Other Business:**

Approval of Minutes: Motion made and seconded to postpone approval of July 11, 2005 minutes. The motion passed unanimously (9-0).

It was announced that the next meeting is set for August 8, 2005, at 1:30 p.m.

Adjournment: The meeting adjourned at approximately 2:25 p.m.



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Robert Peña,  
Zoning Board Secretary