



**TOWN OF HORIZON CITY  
Planning and Zoning Commission Staff Report**

**Case No.:** SDV24-0002  
**Application Type:** Utility Easement Vacation  
**P&Z Hearing Date:** March 18, 2024  
**Staff Contact:** Art Rubio, Chief Planner  
 915-852-1046 ext.407; arubio@horizoncity.org  
**Address/Location:** 14476 Desert Sage Dr., located North of Eastlake Blvd. and East of Horizon Mesa Blvd.  
**Property ID No.:** 610908  
**Legal Description:** A Portion of Lot 13, Block 32, Horizon Mesa Unit 6, Town of Horizon City, El Paso County, Texas  
**Existing Use:** Single-Family Dwelling  
**Owner:** Delia & Jacob Gonzalez & 1  
**Applicant:** Delia Gonzalez  
**Nearest Park:** Horizon Mesa Park  
**Nearest School:** Horizon Heights Elementary School

<b>SURROUNDING PROPERTIES:</b>		
	<b>Zoning</b>	<b>Land Use</b>
<b>N</b>	R-9 (Single-Family Dwelling)	Residential
<b>E</b>	R-3 (Single-Family Dwelling)	Vacant
<b>S</b>	R-3 (Single-Family Dwelling)	Vacant
<b>W</b>	R-9 (Single-Family Dwelling)	Residential
<b>LAND USE AND ZONING:</b>		
	<b>Existing</b>	<b>Proposed</b>
<b>Land Use</b>	Residential	No Change Proposed
<b>Zoning</b>	R-9 (Single-Family Dwelling)	No Change Proposed

**Application Description:**

The applicant is requesting to vacate a 10' foot utility easement due to an accessory open porch encroachment over the easement.

**Notice:**

In accordance with Horizon City Code of Ordinance, Chapter 1 General Provisions, Article 1.08 Vacation of Public Easement or Right-of-Way, Section 1.08.003 Procedure; Notice of Public Hearings (b) (2) Public Easement Vacation, notice of the planning and zoning commission and the city council hearing shall not be required personally to abutting property owners when the application is for vacation of a public easement. Any responses received by staff will be presented to the Commission at the meeting.

**Staff Recommendation:**

Staff recommend **approval** based on not receiving any objections from any of the reviewing utility companies in the area.

**Horizon Regional Municipal Utility District**

No objections

**El Paso Electric**

Thank you for the clarification, we can accept the vacation of the easement shown on the survey.

**Texas Gas Service**

No objections

**AT&T**

No objections

**Spectrum**

No objections

**Attachments:**

**Attachment 1 – Zoning Map**

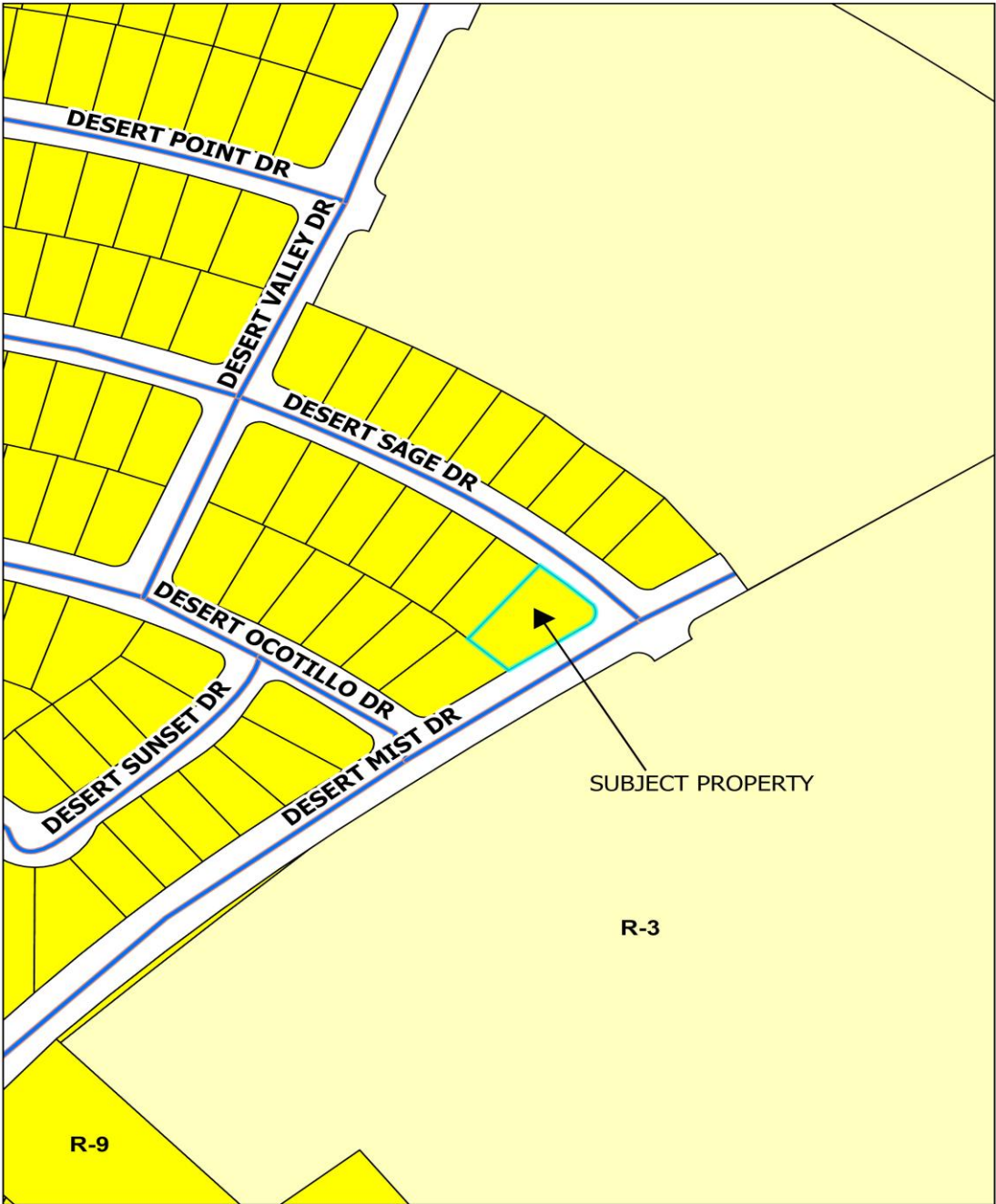
**Attachment 2 – Aerial**

**Attachment 3 – Survey**

**Attachment 4 – Application**

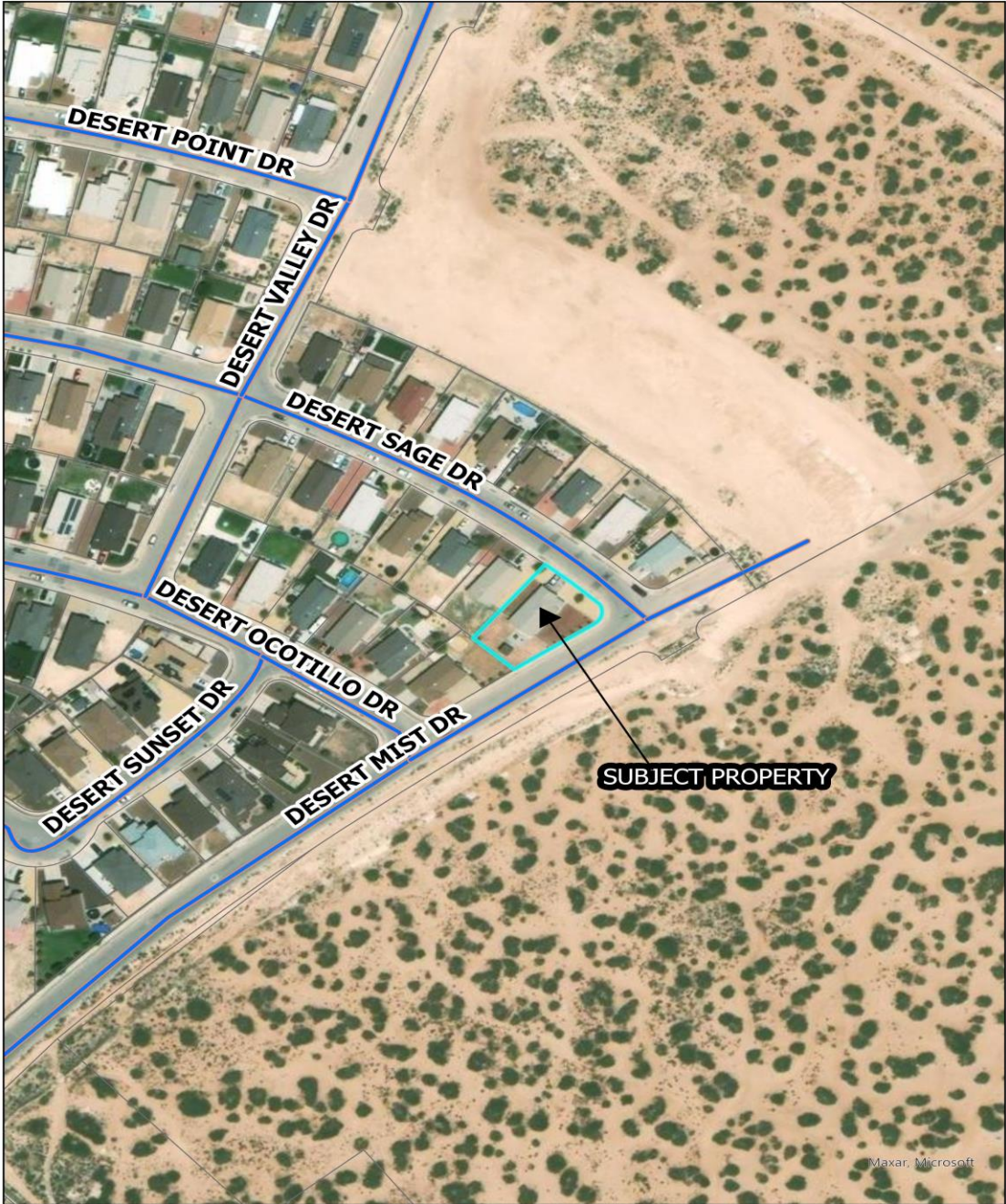
Attachment 1: Zoning Map

**Planning & Zoning Commission  
10' Foot Easement Vacation  
14476 Desert Sage Dr.**

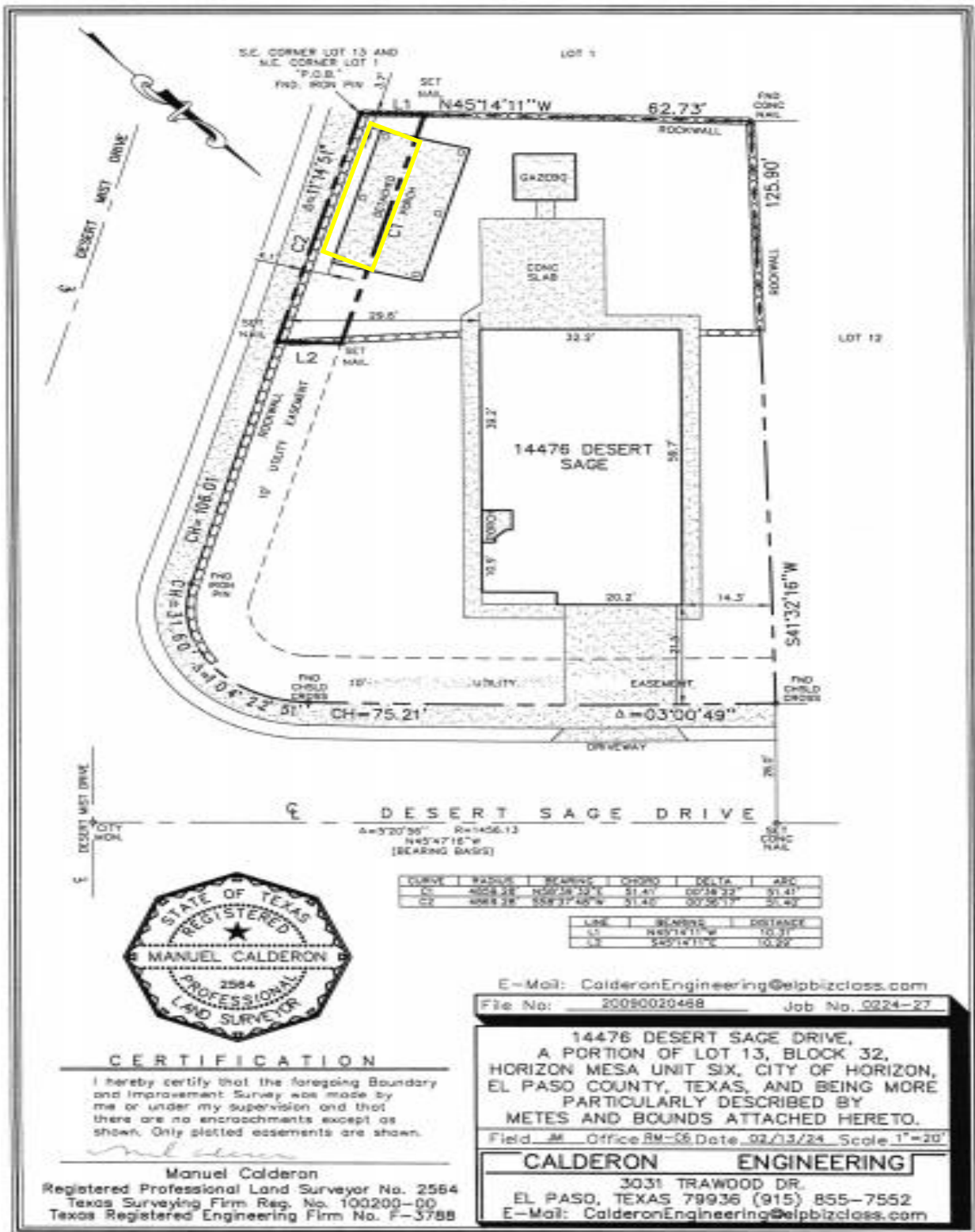


Attachment 2: Aerial

**Planning & Zoning Commission  
10' Foot Easement Vacation  
14476 Desert Sage Dr.**



**Attachment 3: Survey and M&B**



**Attachment 3: Survey and M&B**

**Calderon Engineering**

3031 Trawood Drive  
El Paso, Texas 79936  
(915) 855-7552  
Fax: 855-8350  
calderonengineering@elpbizclass.com

February 13, 2024

**14476 Desert Sage Drive  
METES & BOUNDS DESCRIPTION**

Description of a parcel of land being a portion of Lot 13, Block 32, Horizon Mesa Unit Six, City of Horizon, El Paso County, Texas, as filed and recorded in File No. 20090020468, Deed Records of El Paso County, Texas; and being more particularly described by metes and bounds as follows;

Beginning at a found iron pin marking the Southeast corner of Lot 13 and the Northeast corner of Lot 1 on the West R.O.W. line of Desert Mist Drive, all in Block 32, Horizon Mesa Unit Six, City of Horizon, El Paso County, Texas;

Thence North 45°14'11" West along the common Lot line between Lots 1 and 13 a distance of 10.31 feet to a set nail;

Thence 51.41 feet along arc of a curve to the right, whose interior angle is 00°36'22", whose radius is 4859.28 feet and whose chord bears North 58°39'32" East a distance of 51.41 feet to a set nail;

Thence South 45°14'11" East a distance of 10.29 feet to a set nail;

Thence 51.40 feet along arc of a curve to the left and along the West R.O.W. line of Desert Mist Drive, whose interior angle is 00°36'17", whose radius is 4869.28 feet and whose chord bears South 58°37'48" West a distance of 51.40 feet to the "Point of Beginning" and containing in all 514.00 square feet or 0.011 acres of land more or less. A plat of survey dated February 13, 2024 is a part of this description and is attached hereto.



*Manuel Calderon*  
Manuel Calderon  
Calderon Engineering  
Registered Professional Land Surveyor No. 2564  
Registered Professional Engineer No. 42333  
Texas Registered Engineering Firm No. F-3788  
Texas Licensed Surveying Firm No. 100200-00

VP-C1  
Desert Sage

**Attachment 3: Application**



Case No. \_\_\_\_\_

### VACATION OF PUBLIC EASEMENTS & RIGHTS-OF-WAY APPLICATION

Date: 2/21/2024

- APPLICANT'S NAME: Delia Gonzalez  
ADDRESS: 14476 Desert Sage ZIP CODE: 79928 TELEPHONE: 915 1329-2741 / 915 215-0649
- PROPERTY OWNER: Delia Gonzalez  
ADDRESS: 14476 Desert Sage ZIP CODE: 79928 TELEPHONE: \_\_\_\_\_
- Request is hereby made to vacate the following: (check one) Street  Alley  Easement  Other   
Street Name / Location: Same as owner - Above  
Subdivision Name: \_\_\_\_\_
- Reason for vacation request: building porch structure on top of easement
- Surface Improvements located in subject property to be vacated:  
None  Paving  Curb & Gutter  Power Lines/Poles  Fences/Walls  Structures  Other
- Underground Improvements located in the existing rights-of-way:  
None  Telephone  Electric  Gas  Water  Sewer  Storm Drain  Other
- Future use of the vacated right-of-way: N/A  
Yards  Parking  Expand Building Area  Replat with abutting Land  Other
- Related applications which are pending (give name or file number): Zoning  Board of Adjustment   
Subdivision  Building Permits  Other
- Signatures: All owners of properties which abut the property to be vacated must appear below with an adequate legal description of the properties they own (use additional paper if necessary): N/A

Signature	Legal Description	Telephone
_____	_____	_____
_____	_____	_____

The undersigned Owner/Applicant/Agent understands that the processing of this Application will be handled in accordance with the procedure for Requesting Vacations and that no action on processing will be taken without payment of the non-refundable processing fee. It is further understood that acceptance of this application and fee in no way obligates the Town of Horizon City to grant the Vacation.

The undersigned acknowledges that he or she is authorized to do so, and upon the Town's request will provide evidence satisfactory to the Town's confirming these representations.

The granting of a vacation request shall not be construed to be a waiver of or an approval of any violation of any of the provisions of any applicable ordinances.

OWNER / APPLICANT SIGNATURE: [Signature] REPRESENTATIVE: Same as owner

Easement Fee: \$75  
Right-of-Way Fee: \$150

Note: Applicant is responsible for all expenses incurred by the City in connection with this request, including but not limited to attorney's fees, engineering fees, appraisals, and publication. Charges will be invoiced separately. Applicant's initials: N/A

**Please see reverse side for a list of items required when submitting the Vacation application.**

NOTE: SUBMITTAL OF AN APPLICATION DOES NOT CONSTITUTE ACCEPTANCE FOR PROCESSING UNTIL THE PLANNING DEPARTMENT REVIEWS THE APPLICATION FOR ACCURACY AND COMPLETENESS.