

AGENDA

**ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING
AUGUST 5, 2015 - 5:30 PM
MCALLEN MUNICIPAL BUILDING - 1300 HOUSTON AVENUE
CITY COMMISSION CHAMBERS, 3RD FLOOR**

CALL TO ORDER – ROBERT MOREHEAD, CHAIRPERSON

1. MINUTES:

- a) Minutes for regular meeting held on July 15, 2015

2. PUBLIC HEARINGS:

- a) Request of Andres Padilla-Oviedo for variance requests to the City of McAllen Zoning Ordinance to allow: **1)** a rear yard setback of 1 foot instead of 10 feet for a storage building measuring 7 feet by 11 feet, **2)** a side yard setback of 2 feet instead of 6 feet for a storage building measuring 7 feet by 11 feet, for Lot 4, Derby Downs Subdivision, Hidalgo County, Texas; 2212 North 48th Street. **(ZBA2015-0034)**
- b) Request of Victoria Moncayo for variances to the City of McAllen Zoning Ordinance to allow: **1)** a side yard setback along the east property line of 3 feet instead of 6 feet for a storage building measuring 10.08 feet by 10.41 feet, **2)** a side yard setback along the east property line of 3 feet instead of 6 feet for a porch measuring 18.66 feet by 39 feet, for Lot 59, Morris Subdivision Unit 3, Hidalgo County, Texas; 2641 Quebec Avenue. **(ZBA2015-0030)**
- c) Request of J.M. Moffitt Construction for variances to the City of McAllen Zoning Ordinance to allow: **1)** a side yard setback of 1 foot along the south property line instead of 4 feet for a duplex for Lot 13, **2)** a minimum lot width of 40 feet instead of 50 feet for Lot 13, **3)** a rear yard setback of 0 feet instead of 10 feet for a carport for Lots 12 and 13, **4)** a side yard setback of 0 feet instead of 4 feet along the south property line for a carport for Lot 13, **5)** a side yard setback of 0 feet instead of 5 feet along the north property line for a carport for Lot 12, Clegg Addition, Hidalgo County, Texas; 1121 Redwood Avenue and 1718 North 12th Street. **(ZBA2015-0033)**
- d) Request of Marco Leal for variances to the City of McAllen Zoning Ordinance to allow: **1)** a rear yard setback of 0 feet instead of 10 feet for a carport measuring 22 feet by 22 feet, **2)** a side yard setback along the south property line of 2 feet instead of 7 feet for a carport measuring 22 feet by 22 feet, **3)** a side yard setback along the north property line of 3 feet instead of 5 feet for a gazebo measuring 10 feet by 10 feet, **4)** a rear yard setback of 1 feet instead of 10 feet for a gazebo measuring 10 feet by 10 feet, for Lot 4, Block 24, North McAllen Addition, Hidalgo County, Texas; 507 North 17th Street. **(ZBOA2015-0027)**
- e) Request of Antonia Mendoza for a variance request to the City of McAllen Zoning Ordinance to allow: a front yard setback of 5 feet instead of 25 feet for an existing carport measuring 18 feet by 20 feet, for Lot 110, Idela Park Unit 2 Subdivision, Hidalgo County, Texas; 3032 Norma Avenue. **(ZBA2015-0031)**

- f) Request of Yvonne Stewart to allow a special exception to the City of McAllen Zoning Ordinance to not provide 1 parking space beyond the front yard setback for Lot 20, Saddle Creek Unit 1, Hidalgo County, Texas; 3204 Northwestern Avenue. **(ZBA2015-0026) (TABLED: 7/15/2015 UNTIL 8/19/2015)**
- g) Request of Fidel and Magdalena Perez for a variance request to the City of McAllen Zoning Ordinance to allow: 1) a rear yard setback of 4.67 feet instead of 10 feet for a proposed swimming pool measuring 14.0 feet by 30.0 feet, for Lot 27, T.H.E. Enterprise Subdivision Unit 2, Hidalgo County, Texas; 1301 Xanthisma Avenue. **(ZBA2015-0029) (TABLED: 7/15/2015)**
- h) Request of Olga Ruiz for variance requests to the City of McAllen Zoning Ordinance to allow: **1) a rear yard setback of 14 feet instead of 20 feet for a covered patio measuring 12 feet by 10 feet, 2) a rear yard setback of 10.9 feet instead of 20 feet for a chimney, for Lot 58, Saddle Creek Unit 3 Subdivision, Hidalgo County, Texas; 3112 Rutgers Avenue. (ZBA2015-0020) (TABLED: 6/17/2015) (REMAIN TABLED: 7/1/2015) (TABLED: 7/15/2015)**
- i) Request of Yasminia Barbosa to allow the following special exception to the City of McAllen Off-street Parking and Loading Ordinance: to allow 4 parking spaces instead of the required 11 parking spaces for a daycare center, for 1.17 acres out of Lot 287, John H. Shary Subdivision, Hidalgo County, Texas; 2916 North Taylor Road. **(ZBA2015-0023) (TABLED: 7/1/2015) (TABLED: 7/15/2015)**
- j) Request of Jose Luis Galindo to allow the following variance requests to the City of McAllen Zoning Ordinance: **1) side yard setback of 2.25 feet instead of 5 feet for a carport measuring 24.16 feet by 25.25 feet, 2) front yard setback of 2.41 feet instead of 25 feet for a carport measuring 24.16 feet by 25.25, for Lot 18, Block 3, McAllen Heights Subdivision, Hidalgo County, Texas; 1009 South 27th Street. (ZBA2014-0026) (TABLED: 11/19/2014 UNTIL MEETING OF 1/21/2015) (TABLED UNTIL JULY 15, 2015) (TABLED: 7/15/2015)**
- k) Request of Daniel R. Valdez to allow the following variance requests to the City of McAllen Zoning Ordinance: **1) a front yard setback of .5 feet instead of 20 feet for a carport measuring 19.75 feet by 19.66 feet, 2) a side yard setback of 0 feet instead of 6 feet for a storage building measuring 10 feet by 12.83 feet, 3) a side yard setback of 0 feet instead of 6 feet for a pool pump storage building measuring 7 feet by 4.16 feet, 4) a rear yard setback of 0 feet instead of 15 feet for a water fountain measuring 4 feet by 4.41 feet, for Lot 94, Oak Terrace Subdivision, Hidalgo County, Texas; 1924 North 34th Street.(ZBA2014-0041) (TABLED: UNTIL JANUARY 7, 2015) (ITEM #1: TABLED: 1/7/2015 UNTIL JULY 15, 2015) (TABLED: 7/15/2015 UNTIL 9/17/2015)**

3. DISCUSSION:

4. EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY)

ADJOURNMENT

IF ANY ACCOMMODATION FOR A DISABILITY IS REQUIRED, NOTIFY THE PLANNING DEPARTMENT AT (956) 681-1250 SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING DATE. WITH REGARD TO ANY ITEM, THE ZONING BOARD OF ADJUSTMENT AND APPEALS MAY TAKE VARIOUS ACTIONS INCLUDING BUT NOT LIMITED TO RESCHEDULING AN ITEM IN ITS ENTIRETY FOR A FUTURE DATE OR TIME.

**NOTICE OF REGULAR MEETING TO BE HELD BY
THE MCALLEN ZONING BOARD OF ADJUSTMENT AND APPEAL**

DATE: Wednesday, August 5, 2015

TIME: 5:30 p.m.

PLACE: McAllen Municipal Building
1300 Houston Avenue
Commissioners' Room - 3rd Floor
McAllen, Texas 78501

SUBJECT MATTERS: SEE FOREGOING AGENDA

C E R T I F I C A T I O N

I, the undersigned authority, do hereby certify that the attached agenda of the meeting of the Zoning Board of Adjustments and Appeals is a true and correct copy and that I posted a true and correct copy of said notice on the bulletin board in the municipal building, a place convenient and readily accessible to the general public at all times, and said notice was posted on the 31st day of July 2015 at 3:00 pm and will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with Chapter 551 of the Texas Government Code.

Dated this the July 31, 2015

Carmen White, Secretary