AGENDA

ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING
NOVEMBER 19, 2014 - 5:30 PM
MCALLEN MUNICIPAL BUILDING - 1300 HOUSTON AVENUE
CITY COMMISSION CHAMBERS, 3RD FLOOR

CALL TO ORDER – JOSE G. GONZALEZ, CHAIRPERSON

1. MINUTES:

Submission of minutes for meeting of November 5, 2014

2. PUBLIC HEARINGS:

a) Request of Mauro Esquivel, Jr. to allow the following variance request to the City of McAllen Zoning Ordinance: a front yard setback of 13.33 feet instead of 20 feet for a porch measuring 7 feet by 37.83 feet, for Lot 151, Shadow Brook Subdivision Unit 1, Hidalgo County, Texas; 1920 Hawk Avenue **(ZBA2014-0033)**

b) Request of Alejandra Rodriguez to allow the following variances to the City of McAllen Zoning Ordinance: **1)** a front yard setback of 13.33 feet instead of 20 feet for a porch measuring 7 feet by 27.25 feet, **2)** a rear yard setback of 5.5 feet instead of 10 feet for a storage building measuring 10 feet by 12 feet, and **3)** a side yard setback of 3.75 feet instead of 6 feet for a storage building measuring 10 feet by 12 feet, for Lot 152, Shadow Brook Subdivision Unit 1, Hidalgo County, Texas; 1916 Hawk Avenue. **(ZBA2014-0035)**

c) 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)**

d) Request of Jose T. Pena to allow the following variance to the City of McAllen Zoning Ordinance: a front yard setback of 12 feet instead of 25 feet for a porch and carport measuring 11.41 feet by 37.5 feet, Colonia McAllen 29th Street Lot Subdivision, Hidalgo County, Texas; 2321 South 29th Street **(ZBA2014-0034)**

e) Request of Robert Fountila to allow the following variances to the City of McAllen Zoning Ordinance: **1)** a front yard setback of 0 feet instead of 25 feet for a pergola measuring 25 feet by 20.5 feet, **2)** a front yard setback of 5 feet instead of 25 feet for a covered patio measuring 14.5 feet by 14.5 feet, **3)** a side yard setback of 1.5 feet instead of 6 feet for a covered patio measuring 14.5 feet by 14.5 feet, **4)** a front yard setback of 14.5 feet for a deck measuring 10.5 feet by 19.5 feet, **5)** a front yard setback of 20 feet instead of 25 feet for a swimming pool measuring 9 feet by 26.8 feet, **6)** a front yard setback of 8 feet instead of 25 feet for a Jacuzzi measuring 10.5 feet by 9.25 feet, **7)** a rear yard setback of 4.75 feet instead of 10 feet for a porch measuring 5.75 feet by 5.83 feet, for Lot 16,

Fairway Grande Village Unit No. 2, Hidalgo County, Texas; 3224 South Rose Ellen Boulevard. **(ZBA2014-0039)**

f) Request of Vicente Arevalo Garza to allow the following variance requests to the City of McAllen Zoning Ordinance: **1)** side yard setbacks of 0 feet instead of 6 feet, **2)** entrance to a garage or enclosed carport setback from streets or alleys of 5 feet instead of 18 feet, **3)** a special exception for 1 parking space instead of 2 parking spaces, for Lot 97, Fairway Grande Village Unit No. 2 Subdivision, Hidalgo County, Texas; 3102 South Rose Ellen Boulevard **(ZBA2014-0025) (TABLED: 11/5/2014)**

g) Request of Shaddai Leasing, LLC for a variance request to the City of McAllen Zoning Ordinance to allow a front yard setback of 11 feet instead of 20 feet for 2 carports measuring 18 feet by 36 feet for Lot 1, Shary Landing Subdivision, Hidalgo County, Texas; 416 South 49th Street **(ZBA2014-0015) (TABLED: 6/4/2014) (TABLED: 6/18/14) (REMAINED TABLED: 7/2/2014) (TABLED: 7/17/2014) REMAINED TABLED**

h) Request of Ruben Romero to allow the following variances to the City of McAllen Zoning Ordinance: **1)** a side yard setback of 0 feet instead of 6 feet for an irregularly shaped covered patio and Jacuzzi measuring 9.66 feet by 17.5 feet, **2)** a side yard setback of 0 feet instead of 6 feet for a storage unit measuring 5.67 feet by 20.58 feet, and **3)** a rear yard setback of 5.58 feet instead of 10 feet for a storage unit measuring 5.67 feet by 20.58 feet, for Lot 26, The Gardens Subdivision, Hidalgo County, Texas; 7132 North 5th Street **(ZBA2014-0037) (TABLED: 11/5/2014 - UNTIL 12/3/2014)**

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.

ZBA2014-0026

JAMES E. DARLING, Mayor
HILDA SALINAS, Mayor Pro-Tem and Commissioner District 3
AIDA RAMIREZ, Mayor Pro-Tem and Commissioner District 4
SCOTT C. CRANE, Commissioner District 1
TREY PEBLEY, Commissioner District 2
JOHN J. INGRAM, Commissioner District 5
VERONICA VELA WHITACRE, Commissioner District 6

ROEL RODRIGUEZ, P.E., City Manager

LEGAL NOTICE

You are hereby notified that there will be a public hearing before the Zoning Board of Adjustment and Appeals, created under the McAllen Zoning Ordinance (Chapter 138 of the McAllen Code of Ordinances) to be held at McAllen Municipal Building Commission Room, 3rd Floor, 1300 Houston Avenue, McAllen, Texas on **November 19, 2014 at 5:30 p.m.** to consider the following:

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)**

All interested citizens are invited to appear and be heard. If any accommodations for disability are required please notify the Planning Department at (956) 681-1250 prior to the date of the meeting.

WITNESS MY HAND this 29th day of October, 2014.

PLANNING DEPARTMENT

Rodrigo Sanchez

Rodrigo Sanchez
Planner II

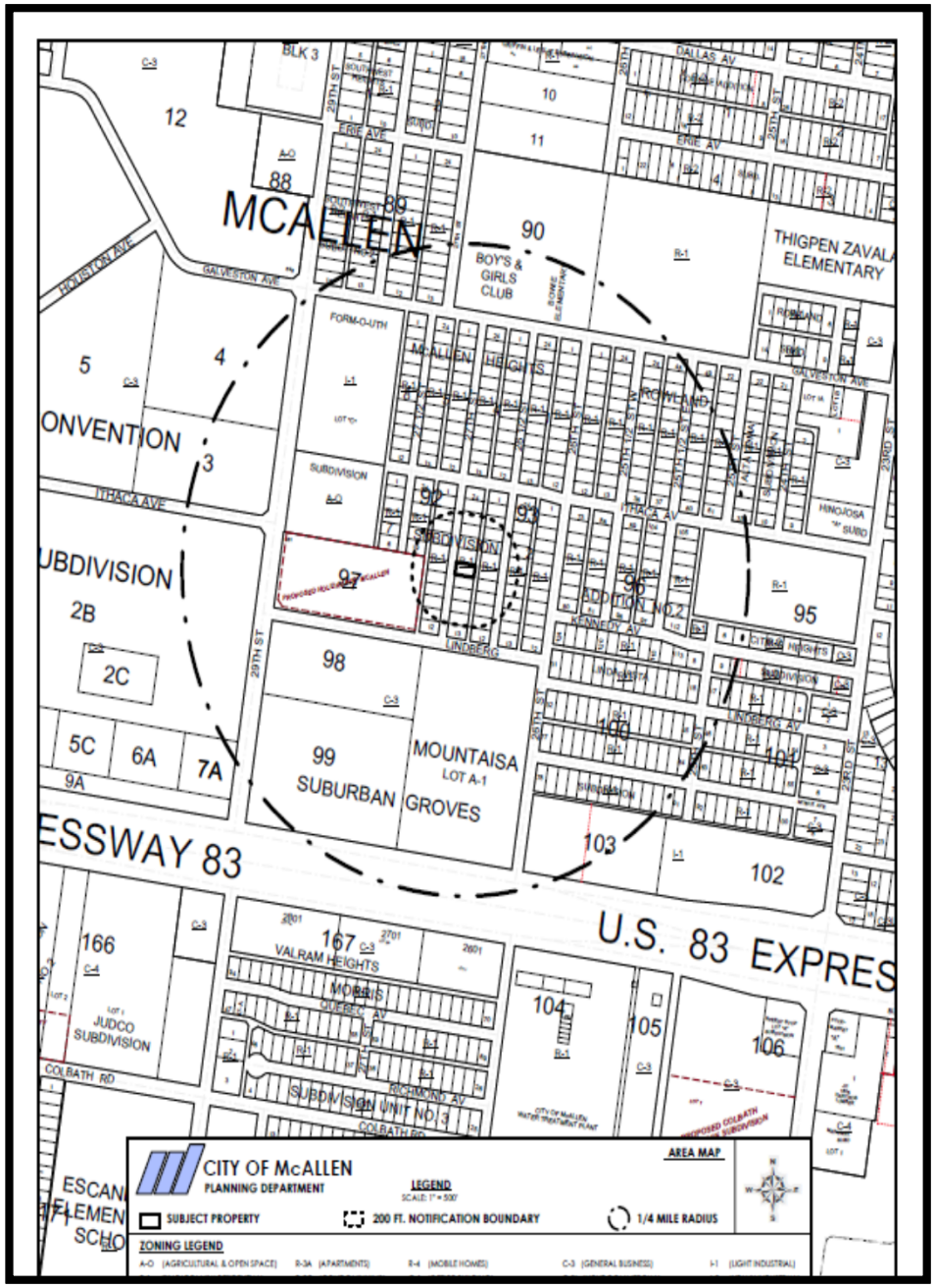
AVISO LEGAL

Por medio de este aviso queda usted notificado que habrá una audiencia publica ante La Mesa Directiva De Ajustes Y Apelaciones, creado bajo la Ordenanza de Zonificación (Capítulo 138 del Código de Ordenanzas de la Ciudad De McAllen) que se llevara a cabo en el Edificio Municipal, en el tercer piso situado en la dirección 1300 Avenida Houston, McAllen, Texas, el **19 de Noviembre del 2014**, a las **5:30 p.m.** para considerar lo siguiente:

Jose Luis Galindo ha solicitado excepciones a la Ordenanza de Zonificación de la ciudad de McAllen: **1)** un límite fijado lateral de 2.25 pies en lugar de 5 pies para una cochera midiendo 24.16 pies por 25.25 pies, **2)** 2.41 pies como límite fijado de enfrente del lote de la propiedad en lugar de 25 pies para una cochera midiendo 24.16 pies por 25.25, para Lote 18, Manzana 3, Subdivisión McAllen Heights, Condado de Hidalgo, Texas; 1009 Calle 27 Sur **(ZBA2014-0026)**

Todos los interesados pueden presentarse para expresarse. Si alguna comodidad es necesaria por discapacidad favor de notificar al departamento de Planeación antes del día de la junta al (956) 681-1250.

DOY FE FIRMANDO POR MI PUÑO Y LETRA este día 29 de Octubre de 2014.



ZBA2014-0033

JAMES E. DARLING, Mayor
HILDA SALINAS, Mayor Pro-Tem and Commissioner District 3
AIDA RAMIREZ, Mayor Pro-Tem and Commissioner District 4
SCOTT C. CRANE, Commissioner District 1
TREY PEBLEY, Commissioner District 2
JOHN J. INGRAM, Commissioner District 5
VERONICA VELA WHITACRE, Commissioner District 6

ROEL RODRIGUEZ, P.E., City Manager

LEGAL NOTICE

You are hereby notified that there will be a public hearing before the Zoning Board of Adjustment and Appeals, created under the McAllen Zoning Ordinance (Chapter 138 of the McAllen Code of Ordinances) to be held at McAllen Municipal Building Commission Room, 3rd Floor, 1300 Houston Avenue, McAllen, Texas on **November 19, 2014 at 5:30 p.m.** to consider the following:

Request of Mauro Esquivel, Jr. to allow the following variance request to the City of McAllen Zoning Ordinance: a front yard setback of 13.33 feet instead of 20 feet for a porch measuring 7 feet by 37.83 feet, for Lot 151, Shadow Brook Subdivision Unit 1, Hidalgo County, Texas; 1920 Hawk Avenue **(ZBA2014-0033)**

All interested citizens are invited to appear and be heard. If any accommodations for disability are required please notify the Planning Department at (956) 681-1250 prior to the date of the meeting.

WITNESS MY HAND this 29th day of October, 2014.

PLANNING DEPARTMENT

Rodrigo Sanchez
Rodrigo Sanchez
Planner II

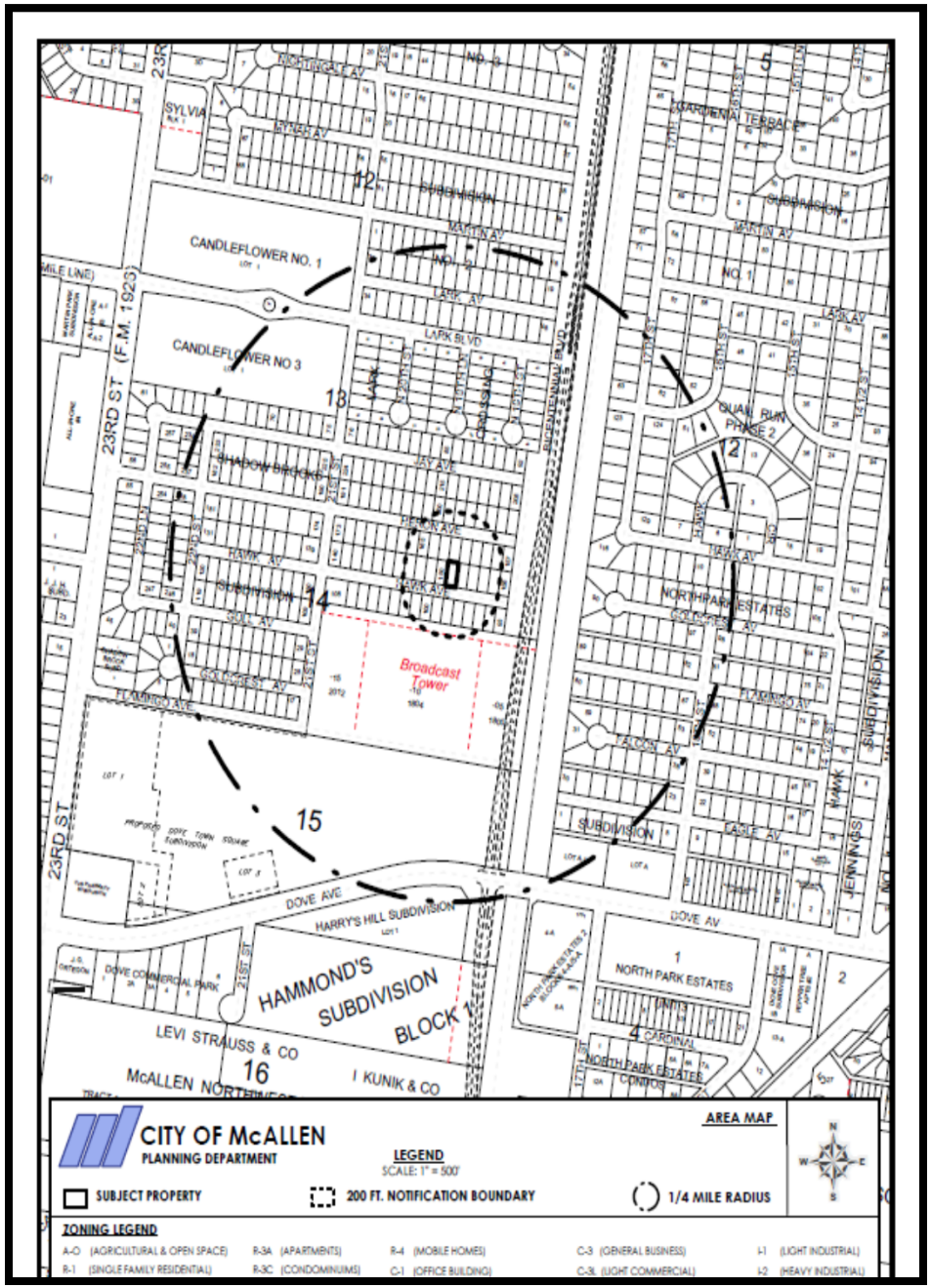
AVISO LEGAL

Por medio de este aviso queda usted notificado que habrá una audiencia publica ante La Mesa Directiva De Ajustes Y Apelaciones, creado bajo la Ordenanza de Zonificación (Capítulo 138 del Código de Ordenanzas de la Ciudad De McAllen) que se llevara a cabo en el Edificio Municipal, en el tercer piso situado en la dirección 1300 Avenida Houston, McAllen, Texas, el **19 de Noviembre del 2014**, a las **5:30 p.m.** para considerar lo siguiente:

Mauro Esquivel, Jr. ha solicitado excepción a la Ordenanza de Zonificación de la ciudad de McAllen: 13.33 pies como límite fijado de enfrente del lote de la propiedad en lugar de 20 pies para un porche midiendo 7 pies por 37.83 pies, para Lote 151, Subdivisión Shadow Brook Unit 1, Condado de Hidalgo, Texas; 1920 Avenida Hawk **(ZBA2014-0033)**

Todos los interesados pueden presentarse para expresarse. Si alguna comodidad es necesaria por discapacidad favor de notificar al departamento de Planeación antes del día de la junta al (956) 681-1250.

DOY FE FIRMANDO POR MI PUÑO Y LETRA este día 29 de Octubre de 2014.



ZBA2014-0034

JAMES E. DARLING, Mayor
HILDA SALINAS, Mayor Pro-Tem and Commissioner District 3
AIDA RAMIREZ, Mayor Pro-Tem and Commissioner District 4
SCOTT C. CRANE, Commissioner District 1
TREY PEBLEY, Commissioner District 2
JOHN J. INGRAM, Commissioner District 5
VERONICA VELA WHITACRE, Commissioner District 6

ROEL RODRIGUEZ, P.E., City Manager

LEGAL NOTICE

You are hereby notified that there will be a public hearing before the Zoning Board of Adjustment and Appeals, created under the McAllen Zoning Ordinance (Chapter 138 of the McAllen Code of Ordinances) to be held at McAllen Municipal Building Commission Room, 3rd Floor, 1300 Houston Avenue, McAllen, Texas on **November 19, 2014 at 5:30 p.m.** to consider the following:

Request of Jose T. Pena to allow the following variance to the City of McAllen Zoning Ordinance: a front yard setback of 12 feet instead of 25 feet for a porch and carport measuring 11.41 feet by 37.5 feet, Colonia McAllen 29th Street Lot Subdivision, Hidalgo County, Texas; 2321 South 29th Street **(ZBA2014-0034)**

All interested citizens are invited to appear and be heard. If any accommodations for disability are required please notify the Planning Department at (956) 681-1250 prior to the date of the meeting.

WITNESS MY HAND this 29th day of October, 2014.

PLANNING DEPARTMENT

Rodrigo Sanchez
Rodrigo Sanchez
Planner II

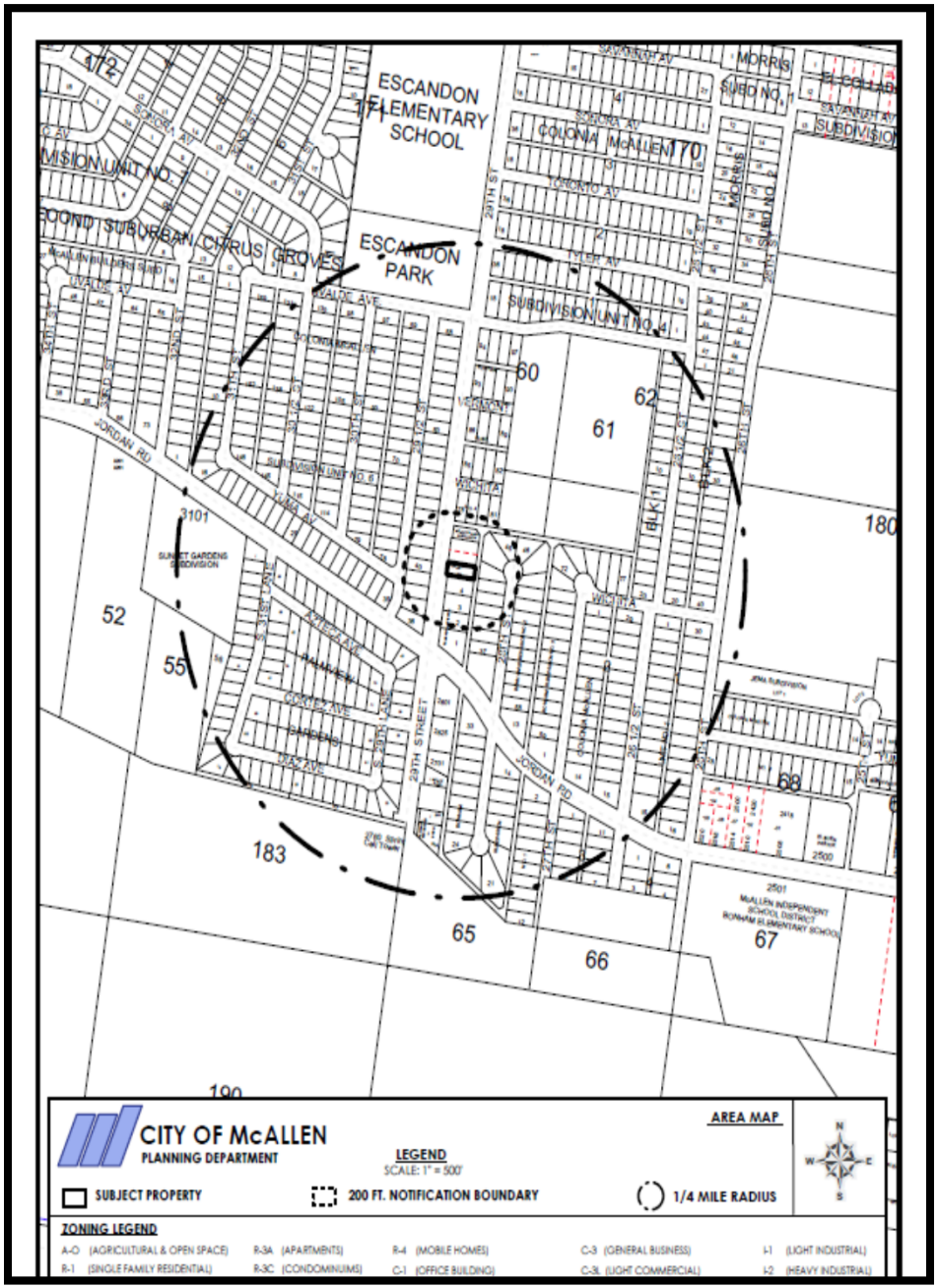
AVISO LEGAL

Por medio de este aviso queda usted notificado que habrá una audiencia publica ante La Mesa Directiva De Ajustes Y Apelaciones, creado bajo la Ordenanza de Zonificación (Capítulo 138 del Código de Ordenanzas de la Ciudad De McAllen) que se llevara a cabo en el Edificio Municipal, en el tercer piso situado en la dirección 1300 Avenida Houston, McAllen, Texas, el **19 de Noviembre del 2014**, a las **5:30 p.m.** para considerar lo siguiente:

Jose T. Pena ha solicitado excepción a la Ordenanza de Zonificación de la ciudad de McAllen: 12 pies como límite fijado de enfrente del lote de la propiedad en lugar de 25 pies para un porche y una cochera midiendo 11.41 por 37.5 pies, para Subdivisión Colonia McAllen 29th Street Lot, Condado de Hidalgo, Texas; 2321 Calle 29 Sur **(ZBA2014-0034)**

Todos los interesados pueden presentarse para expresarse. Si alguna comodidad es necesaria por discapacidad favor de notificar al departamento de Planeación antes del día de la junta al (956) 681-1250.

DOY FE FIRMANDO POR MI PUÑO Y LETRA este día 29 de Octubre de 2014.



ZBA2014-0035

JAMES E. DARLING, Mayor
HILDA SALINAS, Mayor Pro-Tem and Commissioner District 3
AIDA RAMIREZ, Mayor Pro-Tem and Commissioner District 4
SCOTT C. CRANE, Commissioner District 1
TREY PEBLEY, Commissioner District 2
JOHN J. INGRAM, Commissioner District 5
VERONICA VELA WHITACRE, Commissioner District 6

ROEL RODRIGUEZ, P.E., City Manager

LEGAL NOTICE

You are hereby notified that there will be a public hearing before the Zoning Board of Adjustment and Appeals, created under the McAllen Zoning Ordinance (Chapter 138 of the McAllen Code of Ordinances) to be held at McAllen Municipal Building Commission Room, 3rd Floor, 1300 Houston Avenue, McAllen, Texas on **November 19, 2014 at 5:30 p.m.** to consider the following:

Request of Alejandra Rodriguez to allow the following variances to the City of McAllen Zoning Ordinance: **1)** a front yard setback of 13.33 feet instead of 20 feet for a porch measuring 7 feet by 27.25 feet, **2)** a rear yard setback of 5.5 feet instead of 10 feet for a storage building measuring 10 feet by 12 feet, and **3)** a side yard setback of 3.75 feet instead of 6 feet for a storage building measuring 10 feet by 12 feet, for Lot 152, Shadow Brook Subdivision Unit 1, Hidalgo County, Texas; 1916 Hawk Avenue. **(ZBA2014-0035)**

All interested citizens are invited to appear and be heard. If any accommodations for disability are required please notify the Planning Department at (956) 681-1250 prior to the date of the meeting.

WITNESS MY HAND this 29th day of October, 2014.

PLANNING DEPARTMENT

Rodrigo Sanchez

Rodrigo Sanchez
Planner II

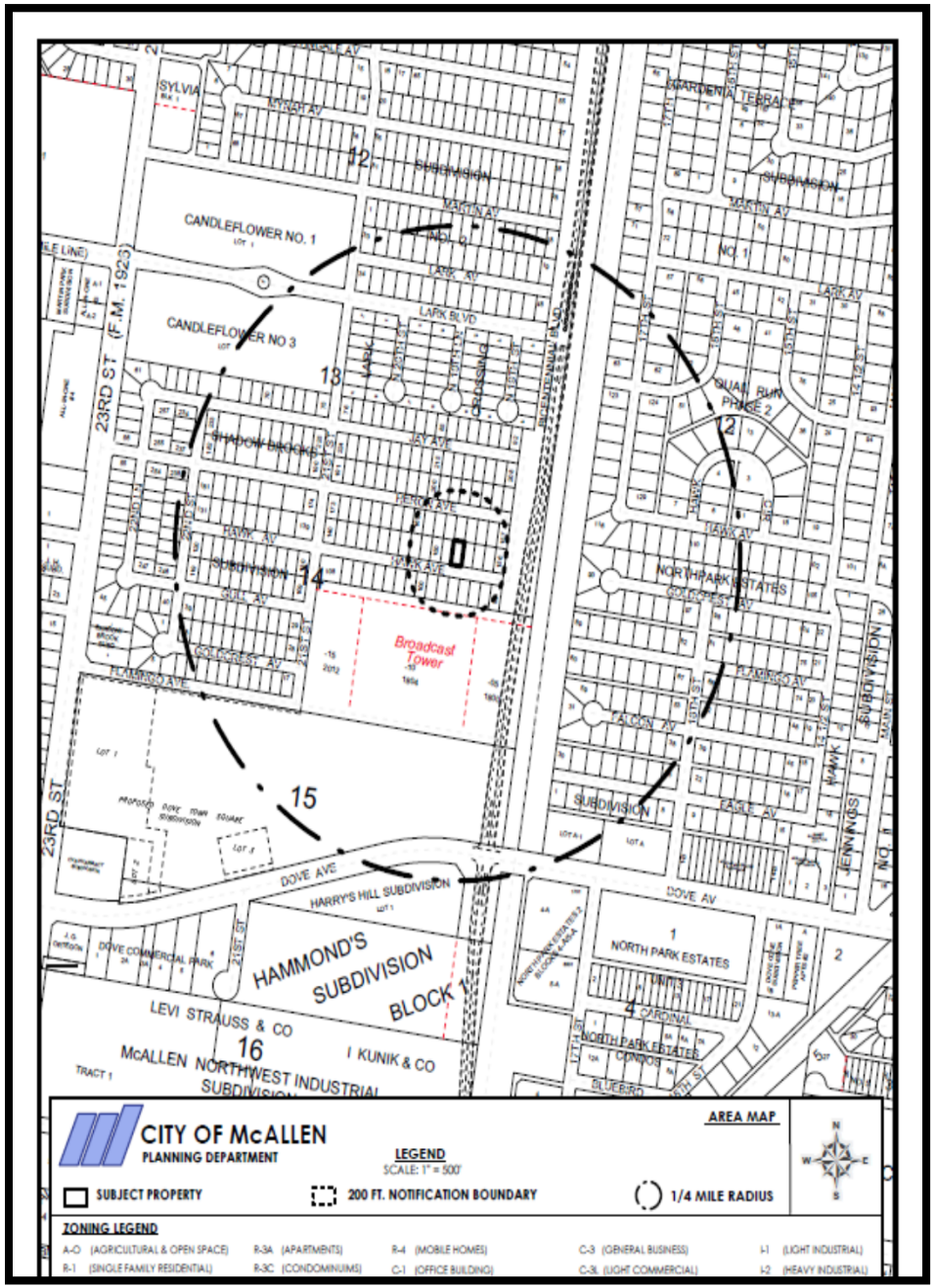
AVISO LEGAL

Por medio de este aviso queda usted notificado que habrá una audiencia publica ante La Mesa Directiva De Ajustes Y Apelaciones, creado bajo la Ordenanza de Zonificación (Capítulo 138 del Código de Ordenanzas de la Ciudad De McAllen) que se llevara a cabo en el Edificio Municipal, en el tercer piso situado en la dirección 1300 Avenida Houston, McAllen, Texas, el **19 de Noviembre del 2014**, a las **5:30 p.m.** para considerar lo siguiente:

Alejandra Rodriguez ha solicitado excepciones a la Ordenanza de Zonificación de la ciudad de McAllen: **1)** 13.33 pies como límite fijado de enfrente del lote de la propiedad en lugar de 20 pies para un porche midiendo 7 pies por 27.25 pies, **2)** un límite fijado de 5.5 pies en lugar de 10 pies para un edificio para almacenamiento midiendo 10 pies por 12 pies, **3)** un límite fijado lateral de 3.75 pies en lugar de 6 pies para un edificio para almacenamiento midiendo 10 pies por 12 pies, para Lote 152, Subdivisión Shadow Brook Unit 1, Condado de Hidalgo, Texas; 1916 Avenida Hawk **(ZBA2014-0035)**

Todos los interesados pueden presentarse para expresarse. Si alguna comodidad es necesaria por discapacidad favor de notificar al departamento de Planeación antes del día de la junta al (956) 681-1250.

DOY FE FIRMANDO POR MI PUÑO Y LETRA este día 29 de Octubre de 2014.



ZBA2014-0039

JAMES E. DARLING, Mayor
HILDA SALINAS, Mayor Pro-Tem and Commissioner District 3
AIDA RAMIREZ, Mayor Pro-Tem and Commissioner District 4
SCOTT C. CRANE, Commissioner District 1
TREY PEBLEY, Commissioner District 2
JOHN J. INGRAM, Commissioner District 5
VERONICA VELA WHITACRE, Commissioner District 6

ROEL RODRIGUEZ, P.E., City Manager

LEGAL NOTICE

You are hereby notified that there will be a public hearing before the Zoning Board of Adjustment and Appeals, created under the McAllen Zoning Ordinance (Chapter 138 of the McAllen Code of Ordinances) to be held at McAllen Municipal Building Commission Room, 3rd Floor, 1300 Houston Avenue, McAllen, Texas on **November 19, 2014 at 5:30 p.m.** to consider the following:

Request of Robert Fountila to allow the following variances to the City of McAllen Zoning Ordinance: **1)** a front yard setback of 0 feet instead of 25 feet for a pergola measuring 25 feet by 20.5 feet, **2)** a front yard setback of 5 feet instead of 25 feet for a covered patio measuring 14.5 feet by 14.5 feet, **3)** a side yard setback of 1.5 feet instead of 6 feet for a covered patio measuring 14.5 feet by 14.5 feet, **4)** a front yard setback of 14.5 feet for a deck measuring 10.5 feet by 19.5 feet, **5)** a front yard setback of 20 feet instead of 25 feet for a swimming pool measuring 9 feet by 26.8 feet, **6)** a front yard setback of 8 feet instead of 25 feet for a Jacuzzi measuring 10.5 feet by 9.25 feet, **7)** a rear yard setback of 4.75 instead of 10 feet for a porch measuring 5.75 feet by 5.83 feet, for Lot 16, Fairway Grande Village Unit No. 2, Hidalgo County, Texas; 3224 South Rose Ellen Boulevard. **(ZBA2014-0039)**

All interested citizens are invited to appear and be heard. If any accommodations for disability are required please notify the Planning Department at (956) 681-1250 prior to the date of the meeting.

WITNESS MY HAND this 29th day of October, 2014.

PLANNING DEPARTMENT

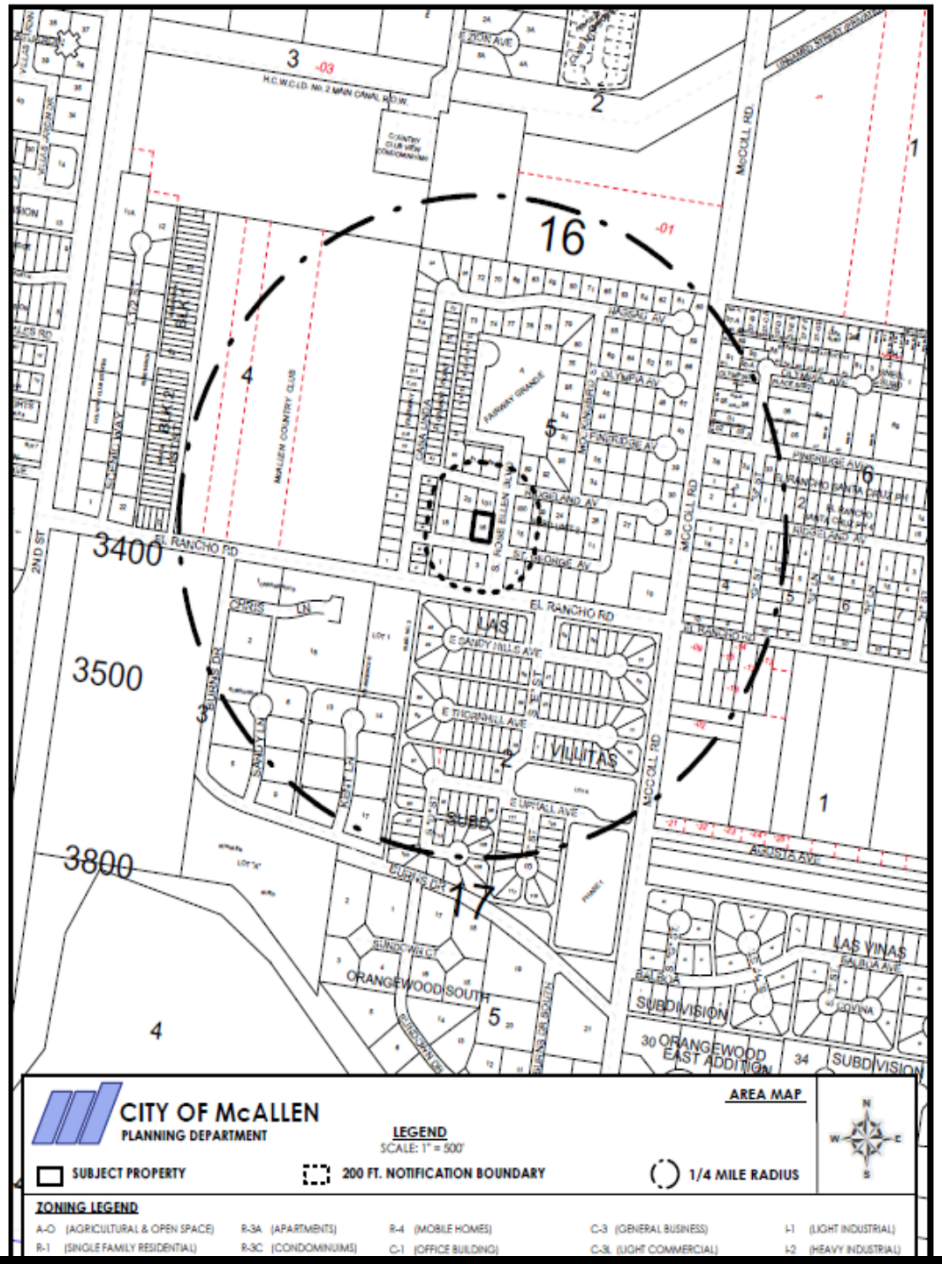
Rodrigo Sanchez

Rodrigo Sanchez
Planner II

AVISO LEGAL

Por medio de este aviso queda usted notificado que habrá una audiencia publica ante La Mesa Directiva De Ajustes Y Apelaciones, creado bajo la Ordenanza de Zonificación (Capítulo 138 del Código de Ordenanzas de la Ciudad De McAllen) que se llevara a cabo en el Edificio Municipal, en el tercer piso situado en la dirección 1300 Avenida Houston, McAllen, Texas, el **19 de Noviembre del 2014**, a las **5:30 p.m.** para considerar lo siguiente:

Robert Fountila ha solicitado excepciones a la Ordenanza de Zonificación de la ciudad de McAllen: **1)** 0 pies como límite fijado de enfrente del lote de la propiedad en lugar de 25 pies para una pérgola midiendo 25 pies por 20.5 pies, **2)** 5 pies como límite fijado de enfrente de la propiedad en lugar de 25 pies para un patio cubierto midiendo 14.5 pies por 14.5 pies, **3)** un límite fijado lateral de 1.5 pies en lugar de 6 pies para un patio cubierto midiendo 14.5 por 14.5 pies, **4)** 14.5 pies como límite fijado de enfrente de la propiedad para una cubierta midiendo 10.5 pies por 19.5 pies, **5)** 20 pies como límite fijado de enfrente del lote en lugar de 25 pies para una piscina midiendo 9 pies por 26.8 pies, **6)** 8 pies como límite fijado de enfrente del lote de la propiedad en lugar de 25 pies para un Jacuzzi midiendo 10.5 pies por 9.25 pies, y **(7)** un límite fijado para la parte de atrás del lote de 4.75 pies en lugar de 10 pies para un porche midiendo 5.75 pies por 5.83 pies para la parte de atrás del lote para Lote 16, Subdivisión Fairway Grande Village Unit No. 2, Condado de Hidalgo, Texas; 3224 Sur Rose Ellen Boulevard **(ZBA2014-0039)**

Todos los interesados pueden presentarse para expresarse. Si alguna comodidad es necesaria por discapacidad favor de notificar al departamento de Planeación antes del día de la junta al (956) 681-1250.

DOY FE FIRMANDO POR MI PUÑO Y LETRA este día 29 de Octubre de 2014