

AGENDA

**ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING
WEDNESDAY, APRIL 15, 2020 - 4:30 PM
MCALLEN CITY HALL, 1300 HOUSTON AVENUE
CITY COMMISSION CHAMBERS, 3RD FLOOR**

JOIN WEBEX MEETING

<https://mcallen.webex.com/mcallen/j.php?MTID=m7e3d25234c20c6ade790538a50da1b34>

Meeting password: ZBOA

JOIN BY PHONE

+1-408-418-9388

At any time during the course of this meeting, the Zoning Board of Adjustment and Appeals may retire to Executive Session under Texas Government Code 551.071(2) to confer with its legal counsel on any subject matter on this agenda in which the duty of the attorney to the Zoning Board of Adjustment and Appeals under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code. Further, at any time during the course of this meeting, the Zoning Board of Adjustment and Appeals may retire to Executive Session to deliberate on any subject slated for discussion at this meeting, as may be permitted under one or more of the exceptions to the Open Meetings Act set forth in Title 5, Subtitle A, Chapter 551, Subchapter D of the Texas Government Code.

CALL TO ORDER – CHAIRPERSON DAVID SALINAS

1. MINUTES:

- a) Minutes for Regular Meeting held on April 1, 2020

2. PUBLIC HEARINGS:

- a) Request of U.S. Rags, Inc. for a special exception to the City of McAllen Off-Street Parking and Loading Ordinance and a variance to the City of McAllen Zoning Ordinance to allow: **1) 22 parking spaces instead of the required 36 parking spaces for a proposed commercial building measuring 13,000 sq. ft. and 2) an encroachment of 10 ft. into the 15 ft. side yard setback along the north and south property lines for a proposed commercial building measuring 13,000 sq. ft. at 0.99 acre tract of land out of Lot 18, Block 3, C.E. Hammond's Subdivision, Hidalgo County, Texas; 2621 South 23rd Street. (ZBA2020-0013)**
- b) Request of Steve Barajas on behalf of Rodrigo Martinez Rodriguez for a variance to the City of McAllen Zoning Ordinance to allow an encroachment of 1.08 ft. into the 25 ft. front yard setback for a proposed single family residence at Lot 46, Idela Park Unit 2 Subdivision, Hidalgo County, Texas; 5017 South 33rd Street. **(ZBA2020-0008) (TABLED: 04/01/2020)**
- c) Request of Randy Cleveland on behalf of Tae and Kyong Pyun for a special exception to the City of McAllen Off-Street Parking and Loading Ordinance and variances to the City of McAllen Zoning Ordinance to allow: **1) 29 parking spaces instead of the required 42 parking spaces, 2) a front yard setback of 0 ft. instead of the required 32.5 ft. front yard setback for an existing commercial building, 3) a front yard setback of 0 ft. instead of the required 32.5 ft. front yard setback for a proposed building expansion measuring 9.85 ft. by 6.1 ft., 4) Issuance of a building permit in excess of 10% replacement value for non-conforming use, 5) a variance to the 10% landscaping requirement, and 6) to not provide 50% of the required landscaped area to be visible from the street fronting the property, at all of Lots 1, 2, & 3, Block 55, North McAllen Townsite and that part of Ash Avenue lying between Lot 3, Block 55, North McAllen Townsite and the right-of-way of the St. Louis, Brownsville and Mexico Railway Company, Hidalgo County, Texas; 101 North 16th Street. (ZBA2020-0014)**

- d) Request of Sofia Garza for a variance to the City of McAllen Zoning Ordinance to allow an encroachment of 16.5 ft. into the 20 ft. front yard setback for an existing single family residence with a porch, at Lot 5, Block 3, Colonia Guadalupe Subdivision, Hidalgo County, Texas; 1709 Oakland Avenue. **(ZBA2020-0012) (TABLED: 04/01/2020)**
- e) Request of Juan A. Ruiz on behalf of San Juanita Ruiz for the following special exception and variances to the City of McAllen Zoning Ordinance: **1)** to allow an encroachment of 7.5 ft. into the 10 ft. rear yard setback for an existing carport measuring 17 ft. by 31 ft., **2)** to allow an encroachment of 5 ft. into the 10 ft. rear yard setback for an existing storage building measuring 10 ft. by 12 ft., and **3)** to allow an encroachment of 3 ft. into the 6 ft. north side yard setback for an existing storage building measuring 10 ft. by 12 ft., at Lot 2, Block 1, El Rancho Santa Cruz Subdivision Phase IV, Hidalgo County, Texas; 3113 South McColl Road. **(ZBA2019-0060) (TABLED: 01/15/2020) (REMAIN TABLED: 02/05/2020, 03/04/2020, 04/01/2020)**
- f) Request of Oralia Rodriguez for a special exception to the City of McAllen Zoning Ordinance to allow an encroachment of 25 ft. into the 25 ft. front yard setback for a wooden carport with decorative columns measuring 25.0 ft. by 20.0 ft., at Lot 131, Plantation Gap Subdivision Phase 1, Hidalgo County, Texas; 4400 Sandpiper Avenue **(ZBA2019-0057) (TABLED: 01/15/2020) (TABLED: 02/05/2020, 03/04/2020, 04/01/2020)**

3. FUTURE AGENDA ITEMS

- a) NONE

ADJOURNMENT:

IF ANY ACCOMMODATIONS FOR A DISABILITY ARE REQUIRED, PLEASE NOTIFY THE PLANNING DEPARTMENT (681-1250) 72 HOURS BEFORE THE MEETING DATE. WITH REGARD TO ANY ITEM, THE PLANNING & ZONING COMMISSION MAY TAKE VARIOUS ACTIONS, INCLUDING BUT NOT LIMITED TO RESCHEDULING AN ITEM IN ITS ENTIRETY FOR PARTICULAR ACTION AT A FUTURE DATE.

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

DATE: Wednesday, April 15, 2020

TIME: 4:30 PM

PLACE: McAllen City Hall
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 above agenda for the Meeting of the McAllen Zoning Board of Adjustment and Appeals Commission 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 9th day of April, 2020 at 3:00 p.m. 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.

Date this the 9th day April, 2020.

Jessica Cavazos, Administrative Supervisor