

## AGENDA

### ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING WEDNESDAY, AUGUST 17, 2022 - 4:30 PM MCALLEN CITY HALL, 1300 HOUSTON AVENUE CITY COMMISSION CHAMBERS, 3<sup>RD</sup> FLOOR

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 Sylvia Hinojosa

#### 1. MINUTES:

- a) Minutes for the meeting held on August 3, 2022

#### 2. PUBLIC HEARINGS:

- a) Request of Felipe Angel Cuellar for a special exception request to the City of McAllen Zoning Ordinance to allow an encroachment of 15 feet into the 20 feet front yard setback for a proposed metal carport measuring 15 feet by 20 feet on Lot 12, Ponderosa Park Phase 6, Hidalgo County, Texas; 3409 North 36th Lane **(ZBA2022-0044)**
- b) Request of Andres Montiero, Jr. for a special exception request to the City of McAllen Zoning Ordinance to allow an encroachment of 9 feet into the 20 feet front yard setback for an existing carport measuring 14 feet by 18 feet on Lot 89, Ponderosa Park Phase II, Hidalgo County, Texas; 3221 Iris Avenue. **(ZBA2022-0045)**
- c) Request of Vanny A. Ramirez for a Variance request to the City of McAllen Zoning Ordinance to allow the height of a proposed townhouse to be at 32.50 feet rather than the required 25 feet on Lot 89, Diamante Village Subdivision, Hidalgo County, Texas; 6729 North 4th Street. **(ZBA2022-0046)**
- d) Request of Rio Delta Engineering for a Variance request to the City of McAllen Zoning Ordinance to be exempted from the 8-foot buffer requirement along the north and west side of the subject property located at the 6.713 Acres out of Lot 7, E.M. Card Survey No. 1 and out of Lot 14, Section 279, Tex-Mex Railway Company Survey Subdivision, Hidalgo County, Texas; 2300 Oxford Avenue. **(ZBA2022-0047)**
- e) Request of Juana Carballo for special exception and variance requests to the City of McAllen Zoning Ordinance to allow: **1)** encroachment of 8 feet into the 10 feet rear yard setback, and 3 feet into the 5 feet side yard setback to the north side of property for a proposed irregularly shaped carport, **2)** encroachments of 8 feet into the 10 feet rear yard setback, and 4 feet into the 7 feet south side yard setback for an apartment dwelling, **3)** encroachments of 3 feet into the 7 feet south side yard setback for a dog house measuring 8 feet by 8 feet, **4)** encroachments of 5 feet into the 7 feet side yard setback and 20 feet into the 30 feet front yard setback for a pergola measuring 10 feet by 14 feet, **5)** an encroachment of 2.5 feet into the 5 feet north side yard setback for a wooden porch/carport measuring 11 feet by 42 feet at Lot 9, North McAllen Addition, Hidalgo County, Texas; 614 North 17th Street. **(ZBA2022-0049)**
- f) Request of Elizabeth L. Garza for the following Variance to the City of McAllen Zoning Ordinance to allow an encroachment of 4 feet into the 10 feet South side yard setback for an existing single family home, at Lot 124, Vendome Subdivision Phase II, Hidalgo County, Texas; 13818 North 33rd Lane. **(ZBA2022-0037) (TABLED: 07/07/2022) (REMAIN TABLED: 07/20/2022, 08/03/2022)**

- g)** Request of Emma Veras for the following Special Exception request to the City of McAllen Zoning Ordinance to allow an encroachment of 15 feet into the 20 feet front yard setback for an existing carport measuring 12 feet by 15 feet, at Lot 47, Brookwood Unit II Subdivision, Hidalgo County, Texas; 3824 Zinnia Avenue. **(ZBA2022-0038) (TABLED: 07/20/2022) (REMAIN TABLED: 08/03/2022)**

### **3. FUTURE AGENDA ITEMS**

- a)** 425 East Shasta Avenue
- b)** 2420 South 25th Street
- c)** 2400 Helena Avenue
- d)** 5909 North 22nd Lane

#### **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 ZONING BOARD OF ADJUSTMENTS AND APPEALS 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, August 17, 2022

**TIME:** 4:30 PM

**PLACE:** McAllen City Hall  
1300 Houston Avenue  
Commissioners' Room – 3<sup>rd</sup> 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 12<sup>th</sup> day of August, 2022 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 12<sup>th</sup> day of August, 2022.

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Jessica Cavazos, Administrative Supervisor