

AGENDA

ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING WEDNESDAY, AUGUST 18, 2021 - 4:30 PM MCALLEN DEVELOPMENT CENTER, 311 NORTH 15TH STREET EXECUTIVE CONFERENCE ROOM

Web: <https://zoom.us/join> or phone: (346) 248-7799

Meeting ID: 672 423 1883

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 Erick Diaz

1. MINUTES:

- a) Minutes for the meeting held on August 4, 2021.

2. PUBLIC HEARINGS:

- a) Request of Zoila V. Ramirez, for the following Variance to the City of McAllen Zoning Ordinance to allow an encroachment of 10 feet into the 20 feet front yard setback for a proposed swimming pool measuring 14 feet by 25 feet, at Lot 1, Block 3, Colonia McAllen Unit No. 4, Hidalgo County, Texas; 2604 Toronto Avenue. **(ZBA2021-0033)**
- b) Request of Mark Jasso, for the following Variance to the City Of McAllen Zoning Ordinance to allow an increase of a non-conforming use, at Lot 8 out of the South part of 10.31 net acres, of the northeast ¼ of Block 8, Hidalgo Canal Company-McAllen, Hidalgo County, Texas; 401A & 401B North 2nd Street. **(ZBA2021-0034)**
- c) Request of Bethel Balbontin for the following variances to the City of McAllen Zoning Ordinance to allow: **1)** an encroachment of 7.75 ft. into the 25 ft. rear yard setback for a proposed house, and **2)** an encroachment of 9.75 ft. into the 25 ft. rear yard setback for a proposed swimming pool measuring 25 ft. by 12 ft. at Lot 2, The Embers Subdivision, Hidalgo County, Texas; 405 Cornell Avenue. **(ZBA2021-0035)**
- d) Request of Erick M. Chavez for the following variances to the City of McAllen Zoning Ordinance to allow: **1)** an encroachment of 1 ft. into the 6 ft. side yard setback for an existing structure, and **2)** not to provide the 6 ft. side yard landscape requirement along the west property line, at Lot 23, Jackson Meadows Subdivision, Hidalgo County, Texas; 1325 East Keeton Avenue. **(ZBA2021-0036)**
- e) Request of Rafael de la Fuente for the following special exception to the City of McAllen Zoning Ordinance to allow an encroachment of 24.5 ft. into the 25 ft. front yard setback for an existing canvas carport measuring 22.9 ft. by 19.8 ft., at Lot 83, Ponderosa Park Phase 7 Subdivision, Hidalgo County, Texas; 3416 Esperanza Avenue. **(ZBA2021-0030) (TABLED: 08/04/2021)**
- f) Request of Ignacio Guerra III for the following special exception and variances to the City of McAllen Zoning Ordinance to allow: **1)** an encroachment of 10 ft. into the 10 ft. rear yard setback for a proposed irregular shaped metal carport, **2)** to not require a 5 ft. separation for an accessory building to the main building for a proposed irregular shaped metal carport, **3)** to allow an encroachment of 10 ft. into the 10 ft. corner side yard setback along the west property line for an existing jacuzzi, and **4)** to allow an encroachment of 10 ft. into the 10 ft. corner side yard setback along the west property line for a proposed porch canopy measuring 17 ft. by 34 ft., at Lot 82, Las Villas Subdivision Unit No. 2, Hidalgo County, Texas; 101 East Marigold Avenue. **(ZBA2021-0032) (TABLED: 08/04/2021)**

3. FUTURE AGENDA ITEMS:

- 1) 3608 Upas Avenue
- 2) 8909 North 10th Street
- 3) 1207 North 8th Street

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, August 18, 2021

TIME: 4:30 PM

PLACE: McAllen Development Center
311 North 15th Street
Executive Conference Room
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 13th day of August, 2021 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 13th day of August, 2021.

Jessica Cavazos, Administrative Supervisor