

## AGENDA

### ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING WEDNESDAY, DECEMBER 21, 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 December 7, 2022.

#### 2. PUBLIC HEARINGS:

- a) Request of Steve Barajas on behalf of Marcos Granados (property owner) for the following Special Exception request to the City of McAllen Zoning Ordinance to allow: **1)** an encroachment of 20 feet into the 20 feet front yard setback for an existing metal carport measuring 21 feet by 21.66 feet, and **2)** to allow an encroachment of 3.5 feet into the 6 feet west side yard setback for an existing metal carport measuring 21 feet by 21.66 feet, at Lot 109, Los Encinos Subdivision, Hidalgo County, Texas; 3609 Queta Avenue. **(ZBA2022-0111)**
- b) Request of Jesus Trevino, Jr. for the following Variance request to the City of McAllen Zoning Ordinance to allow an encroachment of 5 feet into the 10 feet rear yard setback for an existing porch canopy measuring 9 feet by 32 feet, at Lot 1, Terranova Subdivision, Hidalgo County, Texas; 2813 Fullerton Avenue. **(ZBA2022-0114)**
- c) Request of Rene Tapia 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 canvas carport measuring 12 feet by 14 feet, at Lot 5, Brookwood Unit 2 Subdivision, Hidalgo County, Texas; 3801 Zinnia Avenue. **(ZBA2022-0108)**
- d) Request of Jesus C. Muniz for a Special Exception to the City of McAllen Zoning Ordinance to allow: **1)** An encroachment of 10 feet into the 10 feet rear yard setback for an existing canvas roof carport measuring 19.5 feet by 17 feet, **2)** a variance for an encroachment of 6 feet into the 6 feet south side yard setback for an existing porch canopy measuring 9.5 feet by 14 feet, **3)** a variance for an encroachment of 6 feet into the 6 feet south side yard setback for an existing porch cover measuring 22 feet by 14 feet on Lot 7, Shady Oaks Unit 1 Subdivision, Hidalgo County, Texas; 6101 North 8th Street. **(ZBA2022-0109)**
- e) Request of David Perez for a Variance to the City of McAllen Off-Street Parking and Loading Ordinance to not provide one required parking space beyond the front yard setback line at Lot 94, Los Encinos III Subdivision, Hidalgo County, Texas; 2801 Ursula Avenue. **(ZBA2022-0110)**
- f) Request of Humberto Karr on Behalf of Jose Garza (owner) for the following Variance request to the City of McAllen Zoning Ordinance to allow an encroachment of 5 feet into the 20 feet rear yard setback along the south side for a proposed porch that measures 12 feet by 15 feet, at Lot 93, Gardenia Terrace No. 23 Subdivision, Hidalgo County, Texas; 3201 Eagle Avenue. **(ZBA2022-0117)**

- g) Request of Michael Perez for the following Special Exception request to the City of McAllen Zoning Ordinance to allow an encroachment of 25 feet in into the 25 feet front yard setback for an existing metal carport measuring 19 feet by 20 feet, at Lot 149, Saddle Creek Unit 2 Subdivision, Hidalgo County, Texas; 3404 Providence Avenue. **(ZBA2022-0107)**
- h) Request of Johnny Hinojosa for the following Special Exception request to the City of McAllen Zoning Ordinance to allow: **1)** an encroachment of 20 feet into the 20 feet front yard setback for an existing wood and metal roof carport measuring 20 feet by 40 feet and **2)** an encroachment of 6 feet into the 6 feet south side yard setback for an existing wood and metal roof carport measuring 20 feet by 40 feet at Lot 2, Block 1, Golden Acres Retirement Subdivision No. 2, Hidalgo County, Texas; 615 North 36th Street. **(ZBA2022-0115)**
- i) Request of David Omar Salinas on Behalf of Maria Eugenia Zabaleta (owner) for the following Variance request to the City of McAllen Off-Street Parking and Loading Ordinance to allow 5 parking spaces instead of the required 10 parking spaces for proposed commercial use at Lot 8, Floyd Bennet Subdivision, Hidalgo County, Texas; 1605 North 6th Street. **(ZBA2022-0118)**
- j) Request of Luis D. Waldo on Behalf of Rene Castellanos (owner) for the following Variance request to the City of McAllen Vegetation Ordinance to allow the required landscaped area to be synthetic grass instead of natural grass at Lot 17, Vineyard Estates Subdivision Phase 1A, Hidalgo County, Texas; 3817 Cosentino Drive. **(ZBA2022-0126)**

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

- a) 2005 Gavelston Avenue
- b) 3121 Ursula Avenue
- c) 3109 Ursula Avenue
- d) 2728 Norma Avenue
- e) 3025 Ursula Avenue
- f) 301 North 3rd Street
- g) 3001 Teresa Avenue
- h) 4101 Violet Avenue
- i) 3524 Lucille Avenue
- j) 2921 North 40th Street
- k) 9002 North 22nd Lane
- l) 4804 South 29th Street
- m) 7809 North Ware Road - TBA

### **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, December 21, 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 16<sup>th</sup> day of December, 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 16<sup>th</sup> day of December, 2022.

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Jessica Cavazos, Administrative Supervisor