

AGENDA

ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING WEDNESDAY, DECEMBER 6, 2023 - 4:30 PM MCALLEN CITY HALL, 1300 HOUSTON AVENUE CITY COMMISSION CHAMBERS, 3RD 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 Jose Gutierrez

1. MINUTES:

- a) Minutes for the meeting held on November 15, 2023

2. PUBLIC HEARINGS:

- a) Request of Jesus C. Muniz for a Special Exception to the City of McAllen Zoning Ordinance to allow an encroachment of 8 feet into the 10 feet rear yard setback for a proposed metal carport measuring 21 feet by 18 feet, at Lot 2, Shady Oaks Subdivision Unit II, Hidalgo County, Texas; 6205 North 8th Street. **(ZBA2023-0099)**
- b) Request of Corando Trevino for a Special Exception to the City of McAllen Zoning Ordinance to allow an encroachment of 16 feet into the 20 feet front yard setback for an existing metal carport measuring 25 feet by 16 feet, at Lot 11, Block 3, Colonia McAllen Unit No. 4 Subdivision, Hidalgo County, Texas; 2716 Toronto Avenue. **(ZBA2023-0100)**
- c) Request of Hector Rodriguez for the following Special Exception to the City of McAllen Zoning Ordinance to allow: 1) an encroachment of 1.33 feet into the 6 feet west side yard setback for a carport measuring 19.58 feet by 10 feet and, 2) an encroachment of 13 feet into the 20 feet front yard setback for a carport measuring 19.58 feet by 10 feet, at Lot 99, Villa De Palmas Subdivision, Hidalgo County, Texas; 4104 Gardenia Avenue **(ZBA2023-0101)**

3. FUTURE AGENDA ITEMS

- a) 8508 North 33rd Lane
- b) 6304 North 36th Street
- c) 12505 North 40th Street
- d) 3305 Whetstone Avenue
- e) 3500 Ventura Avenue
- f) 12509 North 40th Street
- g) 4012 Ventura Avenue
- h) 12500 North 33rd Lane
- i) 12606 North 33rd Lane
- j) 3300 Wolf Creek Avenue

- k) 3700 Ventura Avenue
- l) 3302 Wolf Creek Avenue
- m) 3300 Whetstone Avenue

END OF PUBLIC HEARING

4. EXECUTIVE SESSION

- a) Consultation with City Attorney regarding pending litigation: Cause No. C-4698-23-M; Sharybak I, LLC v. The City of McAllen and McAllen Zoning Board of Adjustment and Appeals (Section 551.071, T.G.C.)

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 6, 2023

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 1st day of December, 2023 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 1st day of December, 2023.

Jessica Cavazos, Administrative Supervisor