

AGENDA

ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING WEDNESDAY, FEBRUARY 22, 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 February 8, 2023

2. PUBLIC HEARINGS:

- a) Request of Cesar Martinez for a variance to the City of McAllen Zoning Ordinance to allow: 1) an encroachment of 7 feet into the 25-foot front yard setback for a garage, and 2) an encroachment of 10 feet into the 25-foot front yard setback for a proposed single-family residence at Lot P1, Vineyard Estates Subdivision Phase 1A, Hidalgo County, Texas; 13321 Atlas Peak Court. **(ZBA2023-0005)**
- b) Request of Heriberto Padron, Jr. for a variance to the City of McAllen Zoning Ordinance to allow an encroachment of 10 feet into the 25 feet rear yard setback on a double-fronting Lot for a proposed swimming pool measuring 16 feet by 26 feet at Lot 7, Vine Ridge Estates Subdivision, Hidalgo County, Texas; 3520 Upas Avenue. **(ZBA2023-0006)**
- c) Request of Nora Lisa Lozano on behalf of Cesar A. Flores for a special exception to the City of McAllen Zoning Ordinance to allow an encroachment of 10 feet into the 10 feet sideyard setback along North 16th Street for a proposed metal carport measuring 23 feet by 23 feet at Lot 22 Less the East 5 feet, Sycamore Heights Subdivision, Hidalgo County, Texas; 1509 Sycamore Avenue. **(ZBA2023-0009)**
- d) Request of Sylvia Yolanda Garza for the following Special Exception to the City of McAllen Zoning Ordinance to allow an encroachment of 18 feet into the 30 feet front yard setback for a proposed metal carport measuring 12 feet by 18 feet, at Lot 4, Silvestre Garza Subdivision, Hidalgo County, Texas; 705 North 29th Street. **(ZBA2023-0004)**
- e) Request of David T. Marroquin for the following Special Exception request to the City of McAllen Zoning Ordinance to allow an encroachment of 10 feet into the 10 feet rear yard setback for an existing metal carport measuring 23.83 feet by 16.16 feet, at Lot 64, Las Villas Subdivision Unit No. 2, Hidalgo County, Texas; 100 East Kerria Avenue. **(ZBA2022-0132)**
- f) Request of Oscar Cancino on behalf of Marissa Cantu (property owner) for the following Special Exception and Variance requests to the City of McAllen Zoning Ordinance to allow: 1) an encroachment of 3.04 feet into the 10 feet rear yard setback for an existing metal carport measuring 23.66 feet by 24.66 feet, and 2) A Variance to allow an encroachment of 5.5 feet into the 7 feet south side yard setback for an existing metal storage building measuring approximately 5 feet by 19.2 feet, at Lot 4, Block 7, North McAllen Subdivision, Hidalgo County, Texas; 709 North 16th Street. **(ZBA2023-0003)**

- g) Request of Jose M. Guerra for the following Variance requests to the City of McAllen Zoning Ordinance to allow: **1)** an encroachment of 6 feet into the 6 feet north side yard setback for an existing metal porch measuring 6 feet by 37 feet, and **2)** to allow an encroachment of 6 feet into the 6 feet south side yard setback for an existing triangular shaped metal porch, at Lot 161, Gardenia Terrace No. 12 Subdivision, Hidalgo County, Texas; 5912 North 35th Street. **(ZBA2022-0113)**
- h) 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) (TABLED: 12/21/2022) (TABLED: 01/05/2023) (REMAIN TABLED: 01/18/2023, 02/08/2023)**
- i) 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) (TABLED: 12/21/2022) (REMAIN TABLED: 01/05/2023, 01/18/2023, 02/08/2023)**

3. FUTURE AGENDA ITEMS

- a) 909 North Jackson Road
- b) 1800 Dove Avenue
- c) 2400 North 46th Street
- d) 120 South 4th Street
- e) 3405 Vendome Avenue
- f) 2716 Lucille Avenue

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, February 22, 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 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

Jessica Cavazos, Administrative Supervisor