

AGENDA

ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING WEDNESDAY, JULY 23, 2025 - 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 -

1. MINUTES:

- a) Minutes for the meeting held on June 18, 2025
- b) Minutes for the meeting held on July 9, 2025

2. PUBLIC HEARINGS:

- a) Request of David J. Puente for a Special Exception to the City of McAllen Zoning Ordinance to allow an encroachment of 5 feet into the 10-foot rear yard setback for a proposed carport that measures 17 feet by 21 feet at Lot 23A, Lots 15A Thru 32A, Block 5 Trenton Park Estates Subdivision Phase I, Amended, Hidalgo County, Texas; 7432 North 20th Street. **(ZBA2025-0031)**
- b) Request of Della Robles on behalf of Guzman Construction LLC for a variance to the City of McAllen Zoning Ordinance to allow an encroachment of 15 feet into the 25-foot rear yard setback for a proposed storage shed and 6 feet into the 25-foot rear yard setback for a proposed pool at Lot 285, La Floresta Subdivision Phase II, Hidalgo County, Texas; 9301 North 22nd Street. **(ZBA2025-0035)**
- c) Request of Nathan Chamberlain, on behalf of AEP Texas Inc. for a variance to the City of McAllen Zoning Ordinance to allow 36.30 feet instead of the minimum 50-foot lot width requirement for a 4.899-acre tract of land out of Lot 338, John H. Shary Subdivision, Hidalgo County, Texas; 4612 Buddy Owens Boulevard. **(ZBA2025-0034)**
- d) Request of Antonio Davila, on behalf of Villa Homes RGV LLC, for a variance request to the City of McAllen Zoning ordinance to allow an encroachment of 6 inches into the 6-foot west side yard setback for an existing house at Lot 35, Block I, Eldorado at Thousand Oaks I, II, III Subdivision, Hidalgo County, Texas; 4001 Whetstone Avenue. **(ZBA2025-0036)**
- e) Request of Casey Swenson, for a variance request to the City of McAllen Zoning Ordinance to allow encroachment of 2.5 feet into the 6-foot east side yard setback for an existing garage located in the rear of Lot 3, Block 4, Hackberry Place subdivision, Hidalgo County, Texas; 813 Ivy Avenue. **(ZBA2025-0033)**
- f) Request of Humberto Salinas for a Special Exception to the City of McAllen Zoning Ordinance to allow an encroachment of 20 feet into the 20-foot front yard setback for an existing carport at Lot 13, Block 1, McAllen Heights Subdivision, Hidalgo County, Texas; 821 South 26th ½ Street. **(ZBA2025-0017) (TABLED: 06/04/2025) (REMAIN TABLED: 06/18/2025, 07/09/2025)**
- g) Request of Gerardo Morales for a variance request to the City of McAllen Zoning Ordinance to allow an encroachment of 18 feet into the 18-foot rear yard setback for a hot tub with a pergola at Lot 65, Spanish Oaks @ Frontera Subdivision, Hidalgo County, Texas; 705 Grambling Avenue. **(ZBA2025-0021) (TABLED: 06/04/2025) (REMAIN TABLED: 06/18/2025, 07/09/2025)**

3. FUTURE AGENDA ITEMS

- a) 5805 North 58th 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.

**STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF MCALLEN**

The McAllen Zoning Board of Adjustment and Appeals convened in a Regular Meeting on Wednesday, June 18, 2025 at 4:30 p.m. in the McAllen City Hall, Commission Chambers with the following present:

Present:	Jose Gutierrez	Chairperson
	Hiram Gutierrez	Member
	Daniel Santos	Member
	Juan Mujica	Alternate
	Alex Lamela	Alternate
	Erick Diaz	Alternate
Absent:	Hugo Avila	Vice-Chairperson
	Ivan Garcia	Member
	Nancy Valenzuela	Alternate
Staff Present:	Norma Borrego	Assistant City Attorney I
	Omar Sotelo	Planning Director
	Hilda Tovar	Planner II
	Samantha Trevino	Planner I
	Jessica Puga	Technician II
	Magda Ramirez	Administrative Assistant

CALL TO ORDER –Chairperson Jose Gutierrez

1. MINUTES:

- a) Minutes for the meeting held on June 4, 2025 will be voted on the next meeting.

2. PUBLIC HEARINGS:

- a) Request of Edgar Chapa for a Variance to the City of McAllen Zoning Ordinance to allow an encroachment of 3 1/2 feet into the 25-foot front yard setback for an existing porch measuring 8 feet by 20 feet at Lot 11, Block 21, Balboa Acres Subdivision, Hidalgo County, Texas; 3212 Covina Avenue. **(ZBA2025-0023)**

Ms. Trevino stated the applicant was requesting to encroach 3-1/2 feet into the 25-foot front yard setback for an existing front porch.

The subject property is located along the north side of Covina Avenue, east of South 33rd Street. The subject property is currently Zoned R-1 (single-family residential-OC) District.

Balboa Acres Subdivision was recorded on December 27, 1962. Several stop work orders have been issued between March 2025 and May 2025 for residential construction without a permit. A building permit was rejected May 9, 2025, for a porch encroachment. An application for a variance request was submitted on May 16, 2025.

The applicant is requesting to encroach 3 1/2 feet into the 25-foot front yard setback for an existing front porch. The applicant states that porch is needed to protect the front door from

weather elements and to prevent rain from entering the house. The recorded plat does not show any utility easements along the front of the property,

In the past there have been several variances granted in Balboa Acres Subdivision for encroachments into the front yard setback.

Staff has not received any phone calls, emails, or letters in opposition to the special exception request.

Staff recommended disapproval of the variance requests. If the request is approved it should be subject to the site plan.

Mr. Edgar Chapa, 3212 Covina Avenue, McAllen. He stated he had built the porch for protection against the rain entering the house and for sun protection. He had built it 3-1/2 feet out more than the required measurements. Chairperson Gutierrez asked the applicant when the construction was finished. Mr. Chapa stated about 2 months. He also needed the variance request in order to connect light for the front porch. Chairperson Gutierrez asked the applicant if he discussed with staff about modifying the porch. He stated yes and that he was asked to reduce it back 3-1/2 feet. Board member Diaz asked the applicant if he had applied for a building permit. Mr. Chapa stated yes, for the remodeling of the house but not the porch.

Chairperson Jose Gutierrez asked if there was anyone present to speak in favor of the Variance request. There was no one to speak in favor of the Variance request.

Chairperson Jose Gutierrez asked if there was anyone present to speak in opposition of the Variance request. There was no one to speak in opposition of the Variance request.

Following discussion, Mr. Juan Mujica **moved** to disapprove the Variance request as recommended by staff. Mr. Erick Diaz seconded the motion. The Board voted to disapprove the Variance request with five members present and voting.

- b) Request of Maria Morales for a variance to the City of McAllen Zoning Ordinance for a garage enclosure at Lot 26, Plantation Gap Phase I Subdivision, Hidalgo County, Texas; 4704 Toucan Avenue. (ZBA2025-0028)**

Ms. Trevino stated the applicant is requesting to enclose their garage in order to utilize the area for storage of educational materials and their washer and dryer.

The subject property was located along the North side of Toucan Avenue. The subject property is currently Zoned R-1 (single-family residential-OC) District.

Plantation Gap Phase I Subdivision was recorded on December 20, 2004. A building permit has not yet been submitted. An application for a variance request was submitted on May 21, 2025.

The applicant is requesting to enclose their garage in order to utilize the area for storage of educational materials and their washer and dryer. The applicant states that she is unable to utilize her garage because of it being too narrow to fit her SUV inside.

In the past there have been several variances granted in phase II of Plantation Gap Subdivision for garage enclosures, but none on file in Plantation Gap Phase I Subdivision.

Section 138-397 of the Zoning Ordinance required two parking spaces per dwelling unit; however, one parking space must be beyond the front yard setback. Enclosing the existing garage will prevent the subject property from complying with this requirement.

Staff has not received any phone calls, emails, or letters in opposition to the special exception request.

Staff recommended disapproval of the variance request.

Ms. Maria Morales, 4704 Toucan Avenue, McAllen. She stated needed the garage space because her house was too small for storage. She was a teacher and needed her educational materials to be stored in an a/c environment to keep from going to waste.

Board member Mujica explained the recommendation of staff was because the City has an ordinance of the amount of parking that every house needs to have. You have a driveway and there's parking outside but the garage is essentially a parking place as well. By enclosing, the garage and making it as a living space and not a garage that would put at non-compliance of the parking requirement.

Chairperson Jose Gutierrez asked if there was anyone present to speak in favor of the Variance request. There was no one to speak in favor of the Variance request.

Chairperson Jose Gutierrez asked if there was anyone present to speak in opposition of the Variance request. There was no one to speak in opposition of the Variance request.

Board member Gutierrez asked staff if there were any similar variances granted in that neighborhood. Staff stated that in Phase I there was none. There were some illegal enclosures. In Phase II there was one approved about 5 years ago.

Following discussion, Mr. Daniel Santos **moved** to approve the Variance request against staff's recommendation. Mr. Hiram Gutierrez seconded the motion. The Board voted to approve the Variance request with five members present and voting.

- c) Request of Jorge E. Vallina on behalf of Faith Developments and Leasing for a Variance to the City of McAllen Zoning Ordinance to allow an encroachment of **1)** 4 feet into the 10-foot corner side yard setback and **2)** An encroachment of 6 feet into the 18-foot rear yard setback feet for a proposed single family home at Lot 4A, Block 23, Ewing's Additions Subdivision, Hidalgo County, Texas; 801 North 15th Street. **(ZBA2025-0029)**

Ms. Trevino stated the applicant was requesting to encroach 4 feet into the 10-foot corner side yard setback and 6 feet into the 18-foot rear yard setback for a proposed single-family home.

The subject property is located along the west side of North 15th Street North of Hackberry Avenue. The subject property is currently Zoned R-1 (single-family residential-OC) District.

Ewing's Addition Subdivision was recorded on February 13, 1920. A building permit was rejected April 28, 2025 for setback encroachments. An application for a variance request was submitted on May 21, 2025.

The applicant is requesting to encroach 4 feet into the 10-foot corner side yard setback, and 6 feet into the 18-foot rear yard setback for a proposed single-family home. The recorded plat does not show any utility easements that run along the either sides of the property. The recorded plat requires 10-foot rear yard setback except for garage, which required 18 feet. Section 138-356 of the Zoning Ordinance calls for a corner side yard setback to be 10 feet except when a garage or enclosed carport are proposed, then the setback becomes 18 feet from the street or alley.

In the past, there have been a couple of Variances granted in Ewing's Addition Subdivision for encroachments into the front yard setback.

Staff has not received any phone calls, emails, or letters in opposition to the variance request.

Staff recommended disapproval of the variance requests. If the request is approved, it should be subject to the site plan.

Mr. Jerry Garza, 801 North 15th Street, McAllen. He stated they bought the property for a new home and the survey dictated all the requirements. When they tried to obtain a permit, they were given a plat with the requirements. They wanted to keep the neighboring corners, which were within 12 feet building from the back of the curb.

Ms. Daniela Hellmund, the designer for the project. She stated when they went with the survey with the standard procedure to design the home. She stated they were surprised when the City had a new rule if you had a garage in the alley the setbacks changes. There was no note on the survey. They then designed the home taking into account the survey and the City denied the permit. Ms. Hellmund stated they have space for a spare vehicle in the front. They would like a fence for the back to where they would only park in their garage.

Chairperson Jose Gutierrez asked if there was anyone present to speak in favor of the Variance request. There was no one to speak in favor of the Variance request.

Chairperson Jose Gutierrez asked if there was anyone present to speak in opposition of the Variance request. There was no one to speak in opposition of the Variance request.

Following discussion, Mr. Juan Mujica **moved** to the table the item until the next meeting. Mr. Daniel Santos seconded the motion. The Board voted to table the Variance request with five members present and voting.

- d) Request of Jaime Valdez for a special exception to the City of McAllen Zoning Ordinance to allow an encroachment of 18 feet into the 25-foot front yard setback for a proposed carport measuring 20 feet by 20 feet at Lot 167, Lincoln Terrace UT No. 5 Subdivision, Hidalgo County, Texas; 2508 Upas Avenue. **(ZBA2025-0024)**

Ms. Trevino stated the applicant was requesting to encroach 18 feet into the 25-foot front yard setback for a proposed carport measuring 20 feet by 20 feet.

The subject property was located along the north side of Upas Avenue, west of North 25th Lane. The subject property is currently Zoned R-1 (single-family residential-OC) District.

Lincoln Terrace UT No. 5 Subdivision was recorded on October 8, 1971. A building permit was rejected May 19, 2025 for an encroachment into the front yard setback. An application for a special exception request was submitted on May 16, 2025.

The applicant is requesting to encroach 18 feet into the 25-foot front yard setback for a proposed carport measuring 20 feet by 20 feet proposed to provide shade and protection for the applicant's mother who has medical conditions as well as for shade for their vehicles. There are no utility easements that run along the front or sides of the property.

Staff did not find any special exceptions granted in Lincoln Terrace UT 5 Subdivision for encroachments into the front yard setback for carports.

Staff had not received any phone calls, emails, or letters in opposition to the special exception request.

Staff recommended disapproval of the special exception requests. If the request is approved it should be subject to the site plan provided.

Jaime Valdez, 2508 Upas Avenue. He stated that his mother-in-law resides with them and needed the carport for her medical condition and for protection against inclement weather for their vehicles.

Maria Davila, 2508 Upas Avenue. She stated her mother was in a wheelchair and made it difficult to put her into the vehicle when it is raining so having the carport would help.

Chairperson Jose Gutierrez asked if there was anyone present to speak in favor of the Special Exception. There was no one to speak in favor of the Special Exception.

Chairperson Jose Gutierrez asked if there was anyone present to speak in opposition of the Special Exception. There was no one to speak in opposition of the Special Exception.

Following discussion, Mr. Erick Diaz **moved** to go against staff's recommendation and approve the Special Exception. Mr. Juan Mujica seconded the motion. The Board voted to approve the Special Exception with five members present and voting.

- e) Request of Victor Barrera for a variance to the City of McAllen Zoning Ordinance to allow an encroachment of 3 feet into the 20-foot front yard setback for an existing porch that measures 12 feet by 12 feet at Lot 4, Block 23, Youngs Subdivision, Hidalgo County, Texas; 310 South 24th Street. **(ZBA2025-0025)**

Ms. Tovar stated the applicant was requesting a variance to allow an encroachment of 3 feet into the 20-foot front yard setback for an existing porch.

The subject property was located along the west side of South 24th Street approximately 100.0 feet north of Dallas Avenue. The subject property has an area of 7,000 square feet. The property is zoned R-2 (Duplex-Fourplex Residential O.C.) District. The adjacent zoning is R-2 District O.C. in all directions.

The Youngs Subdivision was officially recorded on 1920's. A variance request was submitted on May 16, 2025. The existing porch was built without a building permit, and a building permit for the existing porch has not been submitted yet.

The variance request is for an existing 12 ft. x 12 ft. porch in front of the house to attach to the home entrance.

The applicant stated their grandmother needed an upgraded porch in order to use the stairs that were already broken and flimsy. The existing porch would provide extra shade for their grandmother. The applicant stated that the porch was existing but 7 ft. were added to increase its size for security reasons. The front-facing entry is consistent with neighboring homes, thereby aligning the property with the prevailing neighborhood character.

Staff has not received any phone calls, emails or letters in opposition to the variance request.

Staff recommended disapproval of the variance request since unnecessary hardship has not been established. However, if the Board approves the request, it should be limited to the encroachment shown on the submitted site plan.

Ms. Alondra for 310 South 24th Street. Mr. Victor Barrera, 310 South 24th Street. She stated she had pictures and building permit that was obtained three weeks ago. Board member Mujica asked Mr. Barrera when they obtained the permit to construct the porch, did he build it to the permit conditions or made it larger. Mr. Barrera stated to make it 3 feet larger. He stated the posts were not there and pavement in front was larger than normal.

Chairperson Jose Gutierrez asked if there was anyone present to speak in favor of the Variance request. There was no one to speak in favor of the Variance request.

Chairperson Jose Gutierrez asked if there was anyone present to speak in opposition of the Variance request. There was no one to speak in opposition of the Variance request.

Following discussion, Mr. Hiram Gutierrez **moved** to go against staff's recommendation and approve the Variance request limited to the encroachment shown on the submitted site plan. Mr. Daniel Santos seconded the motion. The Board voted to approve the Variance request with fiver members present and voting.

- f) Request of Aldo Salazar for a Special Exception to the City of McAllen Zoning Ordinance to allow an encroachment of 18 feet into the 20-foot front yard setback for an existing carport measuring 20 feet by 18 feet at Lot 21, Block 1, Gardenia Terrace No. 8 Subdivision, Hidalgo County, Texas; 6004 North 30th Street. **(ZBA2025-0026)**

Ms. Tovar stated the applicant was requesting a special exception for an encroachment into the front yard setback for an existing 400 square feet metal carport that measures 20 feet by 20 feet. According to the applicant, the carport is to be built to protect his vehicles from the weather elements. The applicant has also stated on his application that the carport is for medical related reasons.

The subject property is located along the East side of North 30th Street, 140 feet South of Hummingbird Avenue. The lot size is 7,700 square feet. The surrounding land use is single family residential.

Gardenia Terrace No. 8 was recorded on May 31, 1978, and the plat specifies a 20 feet front yard setback. A stop work order was issued by the Building Permits and Inspections Department on April 4, 2022. An application for a building permit was submitted on April 4, 2022 and an application for Special Exception was submitted to the Planning department

on April 11, 2022. The request was disapproved at the Zoning Board of Adjustments meeting of May 18, 2022.

The applicant is requesting a special exception to allow an encroachment of 18 feet into the 20 feet front yard setback for an existing metal carport measuring 20 feet by 20 feet built over an existing concrete driveway. The front yard setbacks are important in establishing the character of a single-family neighborhood by providing landscaping to enhance the residence and curb appeal of the street view. Approval of the request to allow the carport within the front yard may encourage future carports to be constructed in the front yard. There is an existing two-car garage that is part of the residence. The applicant stated that the garage is currently being used for storage of medical supplies. In addition, the applicant is a senior citizen and is requesting the special exception for the existing carport to protect his health. The carport will also help to protect the vehicles from excessive heat and weather conditions.

A review of Planning Department records did not reveal any variances or special exceptions granted within this subdivision.

A windshield survey of the area did not reveal any other existing carports in this area.

The construction of the existing carport appears to encroach into street right of way; however, measurements provided are without benefit of a survey.

There was no alley on the subject property that would allow for relocation of the proposed carport.

Special exceptions are issued to an individual and recorded; however, if a new owner purchases the home they will have to apply as the new owner.

Staff recommended disapproval of the special exception request. However, if the Board approves the request it should be limited to the encroachment shown in the submitted site plan.

Ms. Tovar mentioned the Special Exception was previously requested in 2022 but it was for the carport as it was currently 20 x 20 feet. The applicant was requesting to possibly reducing the carport to encroach 18 feet instead of the 20 feet.

Chairperson Gutierrez asked staff what the reason was for the person that was opposing the request. Staff stated that because there were no other carports in the neighborhood built in front and that it might trigger other neighbors to do the same.

Mr. Aldo Salazar, 6004 North 30th Street, McAllen. He stated he had pictures in the surrounding area from Ware Road to 29th Street and from Lark Avenue to Dove Avenue. Board member Mujica mentioned to the applicant that even though there are several other carports it does not mean that they obtained a building permit. Mr. Salazar stated that his truck did not fit in the garage. He stated the carport was built 3 years ago. He has resided there for 20 years and never had a problem.

Chairperson Jose Gutierrez asked if there was anyone present to speak in favor of the Special Exception. There was no one to speak in favor of the Special Exception.

Chairperson Jose Gutierrez asked if there was anyone present to speak in opposition of the Special Exception. There was no one to speak in opposition of the Special Exception.

Following discussion, Mr. Alex Lamela moved to go against staff's recommendation and approve the Special Exception. Mr. Erick Diaz seconded the motion. The Board voted to approve the Special Exception with five members present and voting.

- g)** Request of Briana Martinez for a Variance to the City of McAllen Zoning Ordinance to allow an encroachment of 6 feet into the 6-foot side yard setback and 10 feet into the 10-foot rear yard setback for an existing patio measuring 20 feet by 20 feet and an existing shed measuring 6 feet by 20 feet at Lot 8, Block 3, Primrose Terrace UT No. 1 Subdivision, Hidalgo County, Texas; 1406 Orchid Avenue. **(ZBA2025-0027)**

Ms. Tovar stated the applicant was requesting a variance to allow an encroachment of 6 feet into the 6-foot side yard setback and 10 feet into the 10-foot rear yard setback for an existing patio measuring 20 feet by 20 feet and an existing shed measuring 6 feet by 20 feet.

The subject property is located along the north side of Orchid Avenue approximately 78.5 feet west of North Main Street. The subject property has an area of 9,420 square feet. The property is zoned R-1 (Single Family Residential-OC) District. The adjacent zoning is R-1 (Single Family Residential-OC) District in all directions except to the east across North Main Street.

The Primrose Terrace UT No. 1 Subdivision was officially recorded on April 8, 1963. A building permit was submitted in August 1, 2022 for a residential addition which included adding a "porch and a future kitchen expansion". The permit was renewed in February 18, 2025. The building permit was disapproved by planning department since the site plan did not specify if the patio and the kitchen were existing or proposed. Building department requested additional details for their review such as framings details to include location and height. A variance request is required since the existing patio and shed are encroaching into the rear and side setback. The variance request was submitted on May 20, 2025.

The variance request is for an existing patio and an existing shed, which are considered accessory structures and require to comply with setbacks. The existing patio consists of an outdoor kitchen and a bar area. The applicant built the existing patio and shed to enjoy outdoor activities.

The submitted site plan shows that the existing patio is encroaching 6 feet into the six foot side yard setback along the west side of property line and an existing shed encroaching 10 feet into the ten foot rear setback and encroaching 6 feet into the six foot side yard setback along the west side of property line. The recorded plat does not show any utility easements that would be impacted by the proposed encroachment.

Staff had not received any phone calls, emails or letters in opposition to the variance request.

Staff recommended disapproval of the variance request since unnecessary hardship has not been established. However, if the Board approves the request, it should be limited to the encroachment shown on the submitted site plan.

Briana Martinez, 1406 Orchid Avenue, McAllen. She stated originally when she went for the permit was for the expansion of the kitchen. They had decided to build the patio outside instead because they had water and electricity. The brown shed that was against the wall was there when they purchased the house. She was informed to do the shed as a variance as well. She stated building permits department informed her to get an engineer to approve the structure was well built but because she did not want to pay \$2000.00. Building Permits informed her as long as she gave the engineer's approval, we will clear you. She stated she had a letter from the neighbors that the shed was not disturbing them. Board member Diaz stated there could be a possible to move the shed in 6 feet from the fence to be in compliance.

Board member Mujica suggested tabling the item to discuss with her husband to possibly making some adjustments on the porch and may not have to return.

Chairperson Jose Gutierrez asked if there was anyone present to speak in favor of the Variance request. There was no one to speak in favor of the Variance request.

Chairperson Jose Gutierrez asked if there was anyone present to speak in opposition of the Variance request. There was no one to speak in opposition of the Variance request.

Following discussion, Mr. Erick Diaz **moved** to table the Variance request until the next meeting. Mr. Hiram Gutierrez seconded the motion. The Board voted to table the Variance request with five members present and voting.

- h) Request of Humberto Salinas for a Special Exception to the City of McAllen Zoning Ordinance to allow an encroachment of 20 feet into the 20-foot front yard setback for an existing carport at Lot 13, Block 1, McAllen Heights Subdivision, Hidalgo County, Texas; 821 South 26th ½ Street. **(ZBA2025-0017) (TABLED: 06/04/2025)**

This item was to remain tabled.

- i) Request of Gerardo Morales for a variance request to the City of McAllen Zoning Ordinance to allow an encroachment of 18 feet into the 18-foot rear yard setback for a hot tub with a pergola at Lot 65, Spanish Oaks @ Frontera Subdivision, Hidalgo County, Texas; 705 Grambling Avenue. **(ZBA2025-0021) (TABLED: 06/04/2025)**

This item was to remain tabled.

ADJOURNMENT

There being no further business to come before the Zoning Board of Adjustment and Appeal, Chairperson Jose Gutierrez **moved** to adjourn the meeting.

Chairperson Jose Gutierrez

Carmen White, Administrative Assistant

1b)

Minutes for the meeting held on July 9, 2025 will be submitted at the next meeting.

Memo

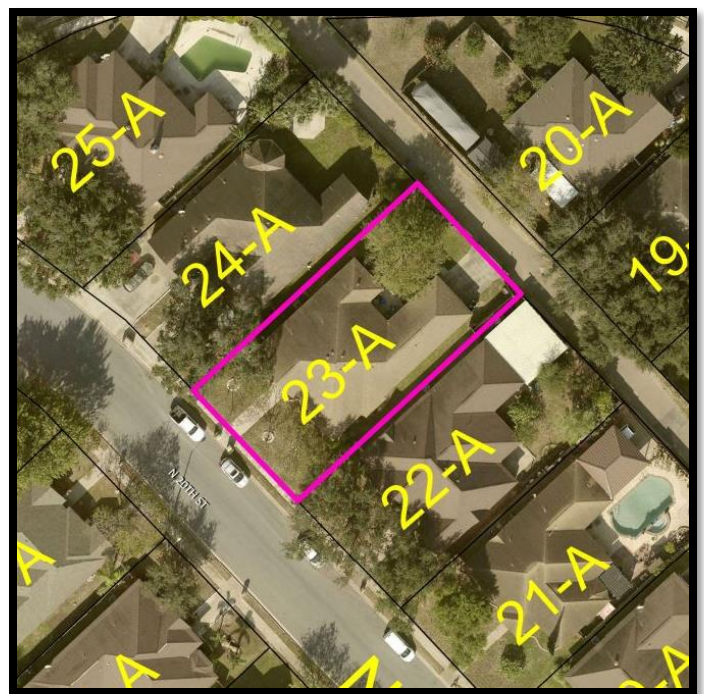
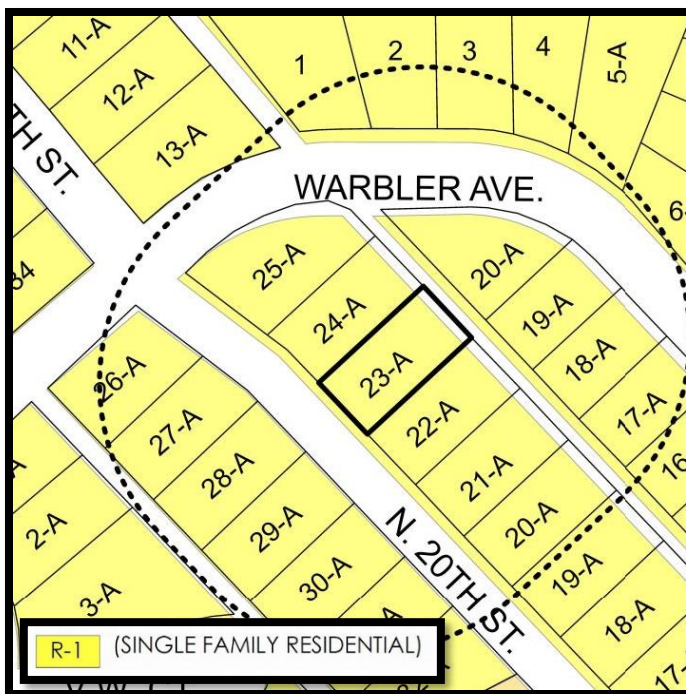
TO: Zoning Board of Adjustment & Appeals

FROM: Planning Staff

DATE: July 17, 2025

SUBJECT: REQUEST OF DAVID J. PUENTE FOR A SPECIAL EXCEPTION TO THE CITY OF MCALLEN ZONING ORDINANCE TO ALLOW AN ENCROACHMENT OF 5 FEET INTO THE 10-FOOT REAR YARD SETBACK FOR A PROPOSED CARPORT THAT MEASURES 17 FEET BY 21 FEET AT LOT 23A, LOTS 15A THRU 32A, BLOCK 5 TRENTON PARK ESTATES SUBDIVISION PHASE I, AMENDED, HIDALGO COUNTY, TEXAS; 7432 NORTH 20TH STREET. (ZBA2025-0031)

REASON FOR APPEAL: The applicant is requesting a special exception for an encroachment into the rear yard setback for a proposed 357 square feet metal carport that measures 17 feet by 21 feet. According to the applicant, the carport is to be built to protect his vehicles from the weather elements.



PROPERTY LOCATION AND VICINITY: The subject property is located along the northeast side of North 20th Street and it is zoned R-1 (Single-Family Residential) District. The surrounding land use is single family residential in all directions.

BACKGROUND AND HISTORY: Lots 15A thru 32A, Block 5, Trenton Park Estates Subdivision Phase I, Amended was recorded on February 2, 1988, and the plat specifies a 10-foot rear yard setback. There is a 5-foot utility easement that run along the rear of the property. A building permit has not been submitted yet.

ANALYSIS: The applicant is requesting a special exception to allow an encroachment of 5 feet into the 10-foot rear yard setback for a proposed carport that measures 17 feet by 21 feet. There is an existing two-car garage that is part of the residence which has access from the alley on the rear of the property. The garage is already being used to park vehicles but the carport will provide additional space to park more vehicles and protect them from excessive heat and weather conditions. The proposed carport will be built over the existing driveway.

A review of Planning Department records revealed one special exception granted within this subdivision for an encroachment into the side yard setback for a carport.

The proposed carport does not appear to encroach into the 5-foot utility easement; however, measurements provided are without benefit of a survey.

Special exceptions are issued to an individual and recorded; however, if a new owner purchases the home they will have to apply as the new owner.

Staff has not received any phone calls, emails or letters in opposition to the special exception request.

RECOMMENDATION: Staff recommends approval of the special exception request. If the request is approved, it should be limited to the encroachment shown on the submitted site plan.



City of McAllen

Planning Department

APPEAL TO ZONING BOARD OF

ADJUSTMENT TO MCALLEN ZONING ORDINANCE

311 North 15th Street
McAllen, TX 78501
P. O. Box 220
McAllen, TX 78505-0220
(956) 681-1250
(956) 681-1279 (fax)

Case Number: ZBA 2025-0031 ZBOA Meeting: July 9, 2025
Accepted By: [Signature]

PROJECT

Legal Description 23A 5 Amended

Subdivision Name Trenton Park Estates Ph 1

Street Address 7432 N. 20th STREET

Number of lots 1 Gross acres _____

Existing Zoning R-1 Existing Land Use Residential

Reason for Appeal (please use other side if necessary) request to encroach 5' into the 10' rear yard setback. [Signature]

☒ \$300.00 non-refundable filing fee + ☒ \$50.00 Recording Fee for Special Exception (carport)

☐ Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required

APPLICANT

Name David J Puente Phone 956-648-7522

Address 7432 N. 20th Street E-mail djp2416@netzero.com

City McAllen State TX Zip 78504

OWNER

Name Same as Above Phone 956-648-7522

Address 7432 N 20th Street E-mail djp2416@netzero.com

City McAllen State TX Zip 78504

AUTHORIZATION

To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?

☐ Yes ☒ No

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable)

OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature [Signature]

Date 6-3-25

Print Name David J Puente

☒ Owner

☐ Authorized Agent

RECEIVED
JUL 17 2025

BY: HT
RECEIVED
JUN 03 2025
By: NG



City of McAllen

Planning Department

REASON FOR APPEAL & BOARD ACTION

*A variance will not be granted to relieve a self-created or personal hardship, nor shall it be based solely on economic gain or loss. In order to make a finding of hardship and grant the variance, the Zoning Board of Adjustment will consider any combination of the following: *(Please use an additional page if necessary to complete responses)*

**Information provided here by the applicant does not guarantee that the Board will grant a variance.

***Applicant should include all information they determine is relevant, but it is not required to provide responses to all sections listed below.

1. Describe the special circumstance or condition affecting the land involved such that the strict application of the provisions required would deprive the applicant of the reasonable use of the land:

Multi vehicles, Hail Storm,

2. Describe how the variance is necessary for the preservation and enjoyment of the legal property rights of the owner:

Shade for cars, BBQ's,

3. Describe how the variance will not be detrimental to the public health, safety or welfare or injurious to the legal rights other property owners enjoy in the area:

It fits inside property line & neighbors have them also.

4. Describe special conditions that are unique to this applicant or property:

Multi vehicles and shade when washing cars.

Reason for Appeal

Board Action

Chairman, Board of Adjustment
Signature

D.J.

Date

HOME

print-graph-paper.com

Garage

6"

(21' WIDE

(17'

SIDE

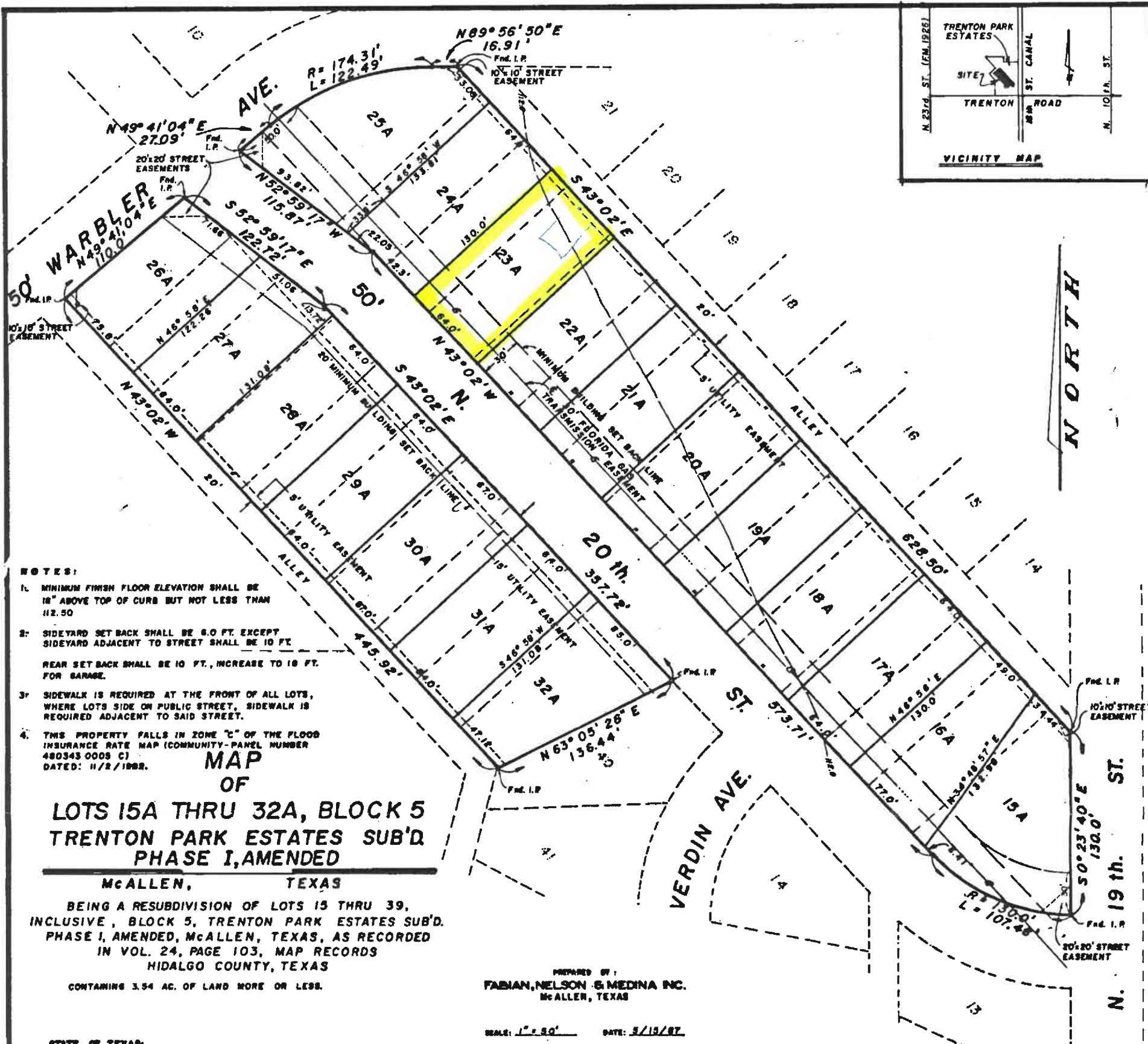
(2'

(5'

← FRONT PORCH

RECEIVED
JUN 03 2025
By NG

01
81



NOTES:

1. MINIMUM FINISH FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB BUT NOT LESS THAN 112.50
2. SIDEYARD SET BACK SHALL BE 6.0 FT. EXCEPT SIDEYARD ADJACENT TO STREET SHALL BE 10 FT. REAR SET BACK SHALL BE 10 FT. INCREASE TO 15 FT. FOR GARAGE.
3. SIDEWALK IS REQUIRED AT THE FRONT OF ALL LOTS, WHERE LOTS SIDE ON PUBLIC STREET, SIDEWALK IS REQUIRED ADJACENT TO SAID STREET.
4. THIS PROPERTY FALLS IN ZONE "C" OF THE FLOOD INSURANCE RATE MAP (COMMUNITY-PANEL NUMBER 480343 0005 C) DATED: 11/2/1988.

MAP
OF

LOTS 15A THRU 32A, BLOCK 5
TRENTON PARK ESTATES SUB'D
PHASE I, AMENDED

McALLEN, TEXAS

BEING A RESUBDIVISION OF LOTS 15 THRU 39,
INCLUSIVE, BLOCK 5, TRENTON PARK ESTATES SUB'D.
PHASE I, AMENDED, McALLEN, TEXAS, AS RECORDED
IN VOL. 24, PAGE 103, MAP RECORDS
HIDALGO COUNTY, TEXAS

CONTAINING 3.54 AC. OF LAND MORE OR LESS.

PREPARED BY:
FABIAN, NELSON & MEDINA INC.
McALLEN, TEXAS

SCALE: 1" = 50' DATE: 5/15/87

STATE OF TEXAS:
COUNTY OF HIDALGO:

I, (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS THE SUBDIVISION TO THE CITY OF McALLEN, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS, WATERLINES, SEWER LINES, STORM SEWERS, FIRE HYDRANTS AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH I (WE), WILL CAUSE TO BE INSTALLED THEREON SHOWN OR NOT SHOWN IF REQUIRED OTHERWISE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF McALLEN ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED, EITHER ON THE PLAT HEREOF OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF McALLEN.

STATE OF TEXAS:
COUNTY OF HIDALGO:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED W. D. MOSCHEL KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE PLAT HEREOF AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED, GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE 27th DAY OF December, 1987

W. D. Moschel, Trustee

Jane Ellen Rios
NOTARY PUBLIC

I, THE UNDERSIGNED, CHAIRMAN OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF McALLEN HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

Carl D. Rios
CHAIRMAN, PLANNING COMMISSION

STATE OF TEXAS:
COUNTY OF HIDALGO:

I, THE UNDERSIGNED, A REGISTERED PUBLIC SURVEYOR 1990 IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND IS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

Plinio C. Medina
PLINIO C. MEDINA
REGISTERED PUBLIC SURVEYOR
McAllen, Texas

I, THE UNDERSIGNED, MAYOR OF THE CITY OF McALLEN, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF SUBDIVISION REGULATIONS OF THIS CITY WHEREIN, MY APPROVAL IS REQUIRED.

John A. Rios
MAYOR, CITY OF McALLEN

APPROVED FOR RECORDING
BY: *[Signature]*
DATE: 2-2-88

CHECKED FOR DRAINAGE
BY: *[Signature]*

Recorded in Book 25 Page 99B
of the map records of Hidalgo
County, Texas
Malden and Hunt, Inc.
County Surveyors

APPROVED FOR RECORDING
BY
CORRECTOR COUNTY
Book 25 Page 99B
WILLIAM "BILL" LEE, County Clerk
Hidalgo County, Texas
BY: *[Signature]* Deputy

32476
FILED
FEB 2 - 1988
HIDALGO COUNTY CLERK
McAllen, Texas



NOTICE
VARIANCE
SPECIAL EXCEPTION
FOR
THIS PROPERTY
ZBA2025-0031
CITY OF McALLEN PLANNING DEPT.
1000 W. 10TH
WWW.MCALLEN.TX

7432

Memo

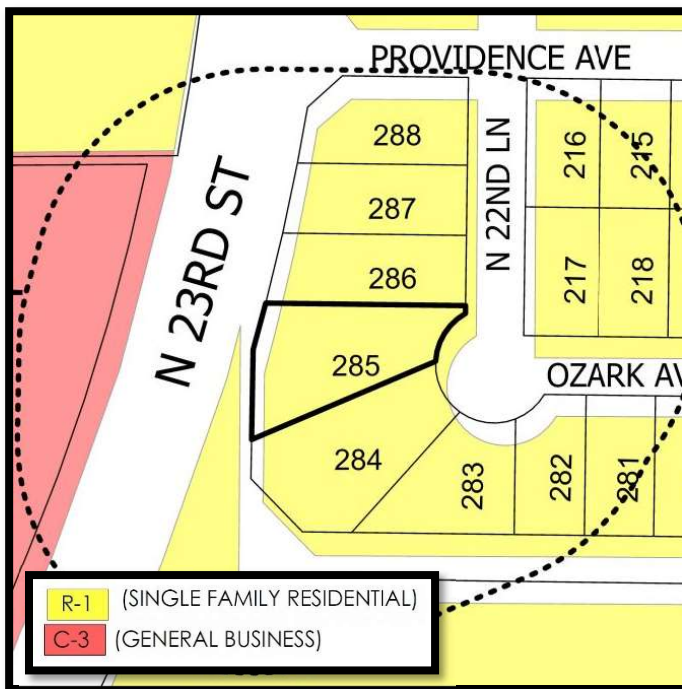
TO: Zoning Board of Adjustment & Appeals

FROM: Planning Staff

DATE: July 17, 2025.

SUBJECT: REQUEST OF DELLA ROBLES ON BEHALF OF GUZMAN CONSTRUCTION LLC FOR A VARIANCE TO THE CITY OF MCALLEN ZONING ORDINANCE TO ALLOW AN ENCROACHMENT OF 15 FEET INTO THE 25-FOOT REAR YARD SETBACK FOR A PROPOSED STORAGE SHED AND 6 FEET INTO THE 25-FOOT REAR YARD SETBACK FOR A PROPOSED POOL AT LOT 285, LA FLORESTA SUBDIVISION PHASE II, HIDALGO COUNTY, TEXAS; 9301 NORTH 22ND LANE. (ZBA2025-0035)

REASON FOR APPEAL: The applicant is requesting a variance to allow an encroachment of 15 feet into the 25-foot rear yard setback for a proposed storage shed and 6 feet into the 25-foot rear yard setback for a proposed pool.



PROPERTY LOCATION AND VICINITY: The property is a double fronting lot located on the west side of North 22nd Lane, with one frontage on North 22nd Lane and the rear of the property fronting North 23rd Street. The property is zoned R-1 (Single-Family Residential-OC) District. The adjacent zoning is R-1 (Single-Family Residential-OC) District in all directions except to the west across North 23rd Street which is C-3 (General business-OC) District.

BACKGROUND AND HISTORY: La Floresta Subdivision was officially recorded on July 8th, 2016. The plat specifies a 25-foot rear yard setback and a 10-foot utility easement for all double fronting lots including the subject property. A building permit for the existing residence was submitted on November

26th, 2024, however, a building permit for the proposed storage shed and pool have not been submitted yet. The variance request was submitted on June 18th, 2025.

ANALYSIS: The applicant stated that the proposed shed will be used strictly for non-commercial residential purposes, including the storage of lawn equipment, tools, household items, and other personal belongings. Also, the applicant is stated that the swimming pool will likewise be used solely for personal, non-commercial recreation.

According to the submitted site plan, both the shed and the pool will respect the 10-foot utility easement. The shed is proposed to match the appearance of the primary residence.

At the time of recording the plat, the Zoning Ordinance required the front setback for the front and rear side of double fronting lots; however, the City amended Section 136-367 of the Zoning Ordinance in 2021 to the following: "Where lots have double frontage, running through from one street to another, a required front yard shall be provided on one street only."

A review of Planning Department records revealed two variances granted within this subdivision for encroachments into the 25-foot rear yard setback.

Staff has not received any phone calls, emails or letters in opposition to the variance request.

RECOMMENDATION: Staff recommends approval of the variance request since it complies with section 136-367 (b) of the Zoning Ordinance.



City of McAllen
Planning Department
APPEAL TO ZONING BOARD OF

ADJUSTMENT TO MCALLEN ZONING ORDINANCE

311 North 15th Street
McAllen, TX 78501
P. O. Box 220
McAllen, TX 78505-0220
(956) 681-1250
(956) 681-1279 (fax)

Case Number: ZBA2025-0035 ZBOA Meeting: 7/23/25
Accepted By: Alexis

PROJECT

Legal Description LOT 285, LA FLORESTA SUBDIVISION PHASE II, INSTRUMENT NO. 2727734, H.C.M.R.
CITY OF McALLEN, HIDALGO COUNTY, TEXAS
Subdivision Name LA FLORESTA SUBDIVISION PHASE II
Street Address 9301 N. 22ND LANE, McALLEN, TEXAS 78504
Number of lots 1 LOT Gross acres 0.30 ACRES / 13,099 SQ FT
Existing Zoning R-1 SINGLE FAMILY RESIDENTIAL Existing Land Use SINGLE FAMILY RESIDENTIAL HOME
Reason for Appeal (please use other side if necessary) TO PLACE A STORAGE SHED WITHIN THE 25' SETBACK
PLEASE VIEW ATTACHED LETTER. AND SWIMMING POOL
☒ \$300.00 non-refundable filing fee + ☒ \$50.00 Recording Fee for Special Exception (carport)
☐ Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required

APPLICANT

Name DELLA ROBLES Phone (956) 867-3287
Address 601 HIGHLAND AVENUE E-mail jd2mir@yahoo.com
City McALLEN State TEXAS Zip 78501

OWNER

Name GUZMAN CONSTRUCTION LLC Phone c/o (956) 867-3287
Address 4229 EXPRESSWAY 83 STE 5 E-mail c/o jd2mir@yahoo.com
City McALLEN State TEXAS Zip 78503

AUTHORIZATION

To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?

☐ Yes ☒ No

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable)

OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

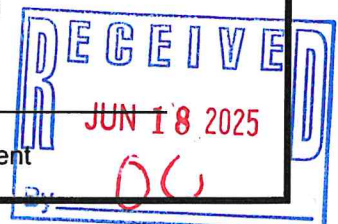
Signature [Signature]

Date 06.11.2025

Print Name Victor Guzman

☒ Owner

☐ Authorized Agent





City of McAllen
Planning Department
REASON FOR APPEAL & BOARD ACTION

*A variance will not be granted to relieve a self-created or personal hardship, nor shall it be based solely on economic gain or loss. In order to make a finding of hardship and grant the variance, the Zoning Board of Adjustment will consider **any combination of** the following: *(Please use an additional page if necessary to complete responses)*

****Information provided here by the applicant does not guarantee that the Board will grant a variance.**

*****Applicant should include all information they determine is relevant, but it is not required to provide responses to all sections listed below.**

1. Describe the special circumstance or condition affecting the land involved such that the strict application of the provisions required would deprive the applicant of the reasonable use of the land:

View attached variance request letter.

2. Describe how the variance is necessary for the preservation and enjoyment of the legal property rights of the owner:

3. Describe how the variance will not be detrimental to the public health, safety or welfare or injurious to the legal rights other property owners enjoy in the area:

4. Describe special conditions that are unique to this applicant or property:

Reason for Appeal

Board Action

Chairman, Board of Adjustment
Signature

Date

Curve Table					
Curve #	Data	Radius	Length	Tangent	Chord Length
"C1"	057° 26' 02"	50.00	50.12	27.39	48.05
"C2"	001° 11' 20"	1978.86	41.06	20.83	41.06

FLOOD ZONE
ZONE "X" (UNSHADED)
 AREAS DETERMINED TO BE OUTSIDE 500-YEAR
 FLOODPLAIN.
 COMMUNITY PANEL NUMBER: 480334 0375 C
 MAP REVISED: JUNE 6, 2006



Line Table		
Line #	Direction	Length
"L1"	S 09° 04' 37" W	6.70

ADDRESS: 9301 N. 22ND LANE
McALLEN, TEXAS

FOR:

LEGEND

- FOUND NO. 4 REBAR
- ⊙ WATER METER
- ⊞ TELEPHONE PEDESTAL
- ⊞ COMMUNICATION BOX
- ⊞ 1/2" ELECTRIC BOX
- ⊞ 4x4" CONCRETE BASE FOR AIR CONDITION UNIT
- ⊞ 2x2" COLUMN
- ⊞ 1.1x1.1" COLUMN
- ⊞ MAIL BOX
- 1' WIDE BLOCK FENCE
- WOOD FENCE
- ▨ ASPHALT AREA
- ▨ CONCRETE AREA
- ▨ COVERED AREA
- S-S- BACK OF CURB TO BACK OF CURB
- R.O.W. - RIGHT OF WAY
- H.C.M.R. - HIDALGO COUNTY MAP RECORDS
- N.W. COR. - NORTHWEST CORNER

- NOTES:**
1. SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.
 2. BEARING BASIS IS FROM THE NO. 4 REBAR FOUND AT THE NORTHWEST CORNER AND THE NO. 4 REBAR FOUND AT THE NORTHEAST CORNER OF SAID LOT 285.
 3. SURVEY WAS PREPARED WITH THE BENEFIT OF SAN JACINTO TITLE SERVICES OF TEXAS, L.L.C. COMMITMENT OF NO. 22420060.



MELDEN & HUNT INC.
 CONSULTANTS • ENGINEERS • SURVEYORS

TYPE 1 No. 100000

116 W. MCINTYRE
 EDINBURG, TX 78541
 PH: (806) 331-0991
 FAX: (806) 331-7830
 ESTABLISHED 1947
www.meldenandhunt.com

BOOK: T-1289, PG. 25
 DATE: 08/12/2025
 JOB No. 25478.00-06
 FILE NAME: 25478.00
 DRAWN BY: ETEMA

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**PLAT SHOWING
 LOT 285,
 LA FLORESTA SUBDIVISION PHASE II,
 INSTRUMENT NUMBER 2727734, H.C.M.R.
 CITY OF McALLEN,
 HIDALGO COUNTY, TEXAS**

THE UNDERSIGNED HEREBY CERTIFIES THAT THIS SURVEY AS DESCRIBED HEREON, WAS MADE ON THE GROUND ON 05/20/2025 UNDER MY DIRECTION, THAT THE ONLY IMPROVEMENTS ON THE GROUND ARE AS SHOWN, THAT THERE ARE NO VISIBLE ENCROACHMENTS, VISIBLE OVERLAPPING, APPARENT CONFLICTS, OR VISIBLE EASEMENTS, EXCEPT AS SHOWN HEREON.



Roberto N. Tamez
 ROBERTO N. TAMEZ, R.P.LS No. 6238 DATE: 05/20/2025

RECEIVED
 JUN 18 2025
 By *OC*

JUL 17 2025
 BY: *HT*

CURVE DATA				
CURVE	DELTA	RADIUS	TANGENT	CHORD
C1-C3	57°28'40"	50.00'	27.49'	50.13'
C4	37°30'55"	50.00'	17.50'	32.82'
C5	25°28'58"	50.00'	11.31'	22.24'
C6	57°39'58"	50.00'	27.53'	50.32'
C7	47°41'11"	50.00'	27.68'	50.56'
C8	62°49'49"	50.00'	30.50'	54.77'
C9	2°31'38"	1710.00'	30.25'	60.50'
C10	2°11'40"	1710.00'	32.75'	65.49'
C11	2°10'29"	1710.00'	32.46'	64.90'
C12	2°10'18"	1710.00'	32.41'	64.82'
C13	1°44'32"	1710.00'	26.00'	52.00'
C14	01°44'22"	1760.00'	26.55'	53.09'
C15	03°26'58"	1760.00'	53.00'	109.97'
C16	03°17'05"	1760.00'	55.59'	111.12'
C17	01°11'20"	1978.85'	20.53'	41.05'
C18	01°46'57"	1978.85'	30.78'	61.56'
C19	01°46'15"	1978.85'	30.58'	61.16'
C20	01°28'05"	1978.85'	26.30'	50.70'
C21	01°09'46"	1978.85'	20.08'	40.16'
C22	01°44'26"	1978.85'	30.06'	60.11'
C23	00°32'59"	1978.85'	9.43'	18.95'
C24	00°45'14"	1550.00'	10.42'	20.94'
C25	04°32'35"	1550.00'	63.07'	126.04'
C26	02°11'10"	1550.00'	30.34'	60.66'
C27	02°18'58"	1550.00'	30.79'	60.87'
C28	02°09'55"	1550.00'	30.05'	60.09'
C29	02°09'53"	1550.00'	30.04'	60.07'
C30	02°09'50"	1550.00'	30.03'	60.06'
C31	02°23'38"	1550.00'	33.15'	66.79'
CENTER LINE CURVE				
"A"	08°46'55"	1735.00'	133.23'	265.68'
"B"	02°58'17"	1735.00'	45.00'	89.95'
"C"	10°00'47"	1540.00'	244.09'	484.16'

IRREGULAR LOT AREAS		
LOT #	SQ. FT.	ACRES
188	8,452	0.19
189	9,629	0.22
245	7,585	0.17
246	7,963	0.18
247	8,075	0.18
248	7,774	0.18
249	7,697	0.18
250	8,051	0.19
251	7,877	0.18
252	9,421	0.22
253	9,352	0.22
254	7,517	0.17
255	7,061	0.16
282	6,884	0.16
283	9,386	0.22
284	14,364	0.33
285	13,099	0.30
286	9,921	0.23
287	9,625	0.21
288	10,029	0.23
289	7,658	0.18
290	7,335	0.18
291	6,917	0.16
292	7,021	0.16

GENERAL NOTES

- THIS PROPERTY IS LOCATED IN ZONE "X" ON A FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 480334 0325 C, REVISED JUNE 06, 2000.
- MINIMUM FINISHED FLOOR ELEVATION SHALL BE 18 INCHES ABOVE THE TOP OF CURB AS MEASURED FROM THE CENTER OF THE LOT.
- MINIMUM BUILDING SETBACK LINES SHALL BE AS FOLLOWS:
FRONT: 25 FEET
REAR: 10 FEET EXCEPT 25 FEET FOR DOUBLE FRONTING LOTS, LOTS 246-253 ALONG N. 23RD STREET ELEV. +11.11.
LOTS 284-292 ALONG N. 23RD STREET AND LOTS 245-284 ALONG HOBBS DRIVE.
IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR EASEMENT.
INTERIOR SIDES: 10 FEET
CORNER: 10 FEET
GARAGE: 18 FEET EXCEPT GREATER SETBACK IS REQUIRED; GREATER SETBACK APPLIES.
- 6 FEET OPAQUE BUFFER IS REQUIRED FROM ADJACENT/MULTIFAMILY RESIDENTIAL AND COMMERCIAL OR INDUSTRIAL ZONES/USES AND ALONG N. BICENTENNIAL BLVD. N. 23RD STREET AND HOBBS DRIVE.
- 8 MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL OR MULTIFAMILY RESIDENTIAL ZONES/USES.
- THE DEVELOPER SHALL PROVIDE AN ENGINEERED DETENTION PLAN, APPROVED BY THE ENGINEERING DEPARTMENT, PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.
- A 4 FOOT WIDE MINIMUM SIDEWALK REQUIRED ON N. BICENTENNIAL BLVD., HOBBS DRIVE AND ON BOTH SIDES OF ALL INTERIOR STREETS. A 5 FOOT WIDE SIDEWALK REQUIRED ON N. 23RD STREET OR AS APPROVED BY TxDOT.
- NO BUILDING OR BUILDING STRUCTURES SHALL BE CONSTRUCTED OVER ANY EASEMENT.
- UNDER MARK DRAFT INLET LOCATED 200 FEET NORTH OF THE NORTHWEST CORNER OF THIS PROPERTY ON THE EAST END OF N. 23RD STREET ELEV. +11.11. U.S. 42 - 30" ALUMINUM PIPE WITH A 3-1/4" BRASS MONUMENT CAP ON TOP LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF N. 23RD STREET AND MILE 6 LINE ROAD ELEV. +11.11.
- A TOTAL OF 3.88 ACRE FEET OF STORM WATER DETENTION IS REQUIRED FOR THIS SUBDIVISION A TOTAL OF 1,174 CUBIC FEET OF STORM WATER DETENTION IS REQUIRED FOR EACH LOT.
- NO CURB CUT, ACCESS, OR LOT FRONTAGE PERMITTED ALONG N. BICENTENNIAL BLVD., N. 23RD STREET AND HOBBS DRIVE.
- A 4 INCH DIAMETER IRON ROD SHALL BE SET ON ALL LOT CORNERS STAMPED WITH "C.V.O. L.S." PLASTIC CAP, UNLESS OTHERWISE NOTED.
- A 25" BY 25" SIGHT OBSTRUCTION EASEMENT IS REQUIRED AT ALL STREET INTERSECTIONS.

METES AND BOUNDS

A TRACT OF LAND CONTAINING 34.76 ACRES, SITUATED IN HIDALGO COUNTY, TEXAS AND ALSO BEING PART OR PORTION OF LOTS 15 AND 16, SECTION 278, TEXAS-MEXICAN RAILWAY COMPANY SURVEY, MAP REFERENCE: VOLUME 24, PAGE 170, H.C.D.R., AND SAID 34.76 ACRES OF LAND ALSO BEING ALL OF THAT TRACT OF LAND DEEDED TO PECHERO FAMILY PARTNERSHIP, RECORDED IN DOCUMENT NO. 785588, H.C.D.R., AND ALL OF THAT TRACT DEEDED TO GREEN LEAF TRANSPLANTS, INC., RECORDED IN VOLUME 2475, PAGE 336, H.C.D.R., AND SAID 34.76 ACRES OF LAND ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING IN THE CENTER LINE OF A COUNTY ROAD (NOT OPEN) AND THE SOUTHWEST CORNER OF SAID LOT 15, FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE N 09° 20' 40" E, ALONG THE WEST LINE OF SAID LOT 15, AT A DISTANCE OF 280.59 FEET PASS THE EAST RIGHT-OF-WAY LINE OF NORTH 23RD STREET (FM 1926) ROAD EASEMENT, AS RECORDED IN A DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 1149, PAGE 641, H.C.D.R., AND CONTINUING A TOTAL DISTANCE OF 735.01 FEET TO THE SOUTHWEST CORNER OF LA FLORESTA SUBDIVISION, RECORDED IN VOLUME 55, PAGE 169 H.C.D.R., FOR THE NORTHWEST CORNER ON THIS TRACT;

THENCE S 80° 55' 20" E, ALONG THE SOUTH LINE OF SAID LA FLORESTA SUBDIVISION, AT A DISTANCE OF 40.47 FEET PASS A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "C.V.O. L.S." FOUND ON THE EAST RIGHT-OF-WAY LINE OF 23RD STREET (FM 1926), AT A DISTANCE OF 60.47 FEET PASS A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "C.V.O. L.S." FOUND ON THE SOUTHWEST CORNER OF LOT 1 OF SAID LA FLORESTA SUBDIVISION, AND CONTINUING A TOTAL DISTANCE OF 176.46 FEET TO THE WEST RIGHT OF WAY LINE OF N. 22ND STREET, FOR AND OUTSIDE CORNER OF THIS TRACT;

THENCE S 09° 04' 40" W, A DISTANCE OF 25.00 FEET TO A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "C.V.O. L.S." FOUND ON THE SOUTH RIGHT OF WAY LINE OF QUEENS AVENUE, FOR AN INSIDE CORNER OF THIS TRACT;

THENCE S 80° 55' 20" E, ALONG THE SOUTH RIGHT OF WAY LINE OF SAID QUEENS AVENUE, A DISTANCE OF 828.00 FEET TO A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "C.V.O. L.S." FOUND ON THE EAST RIGHT OF WAY LINE OF N. 20TH STREET, FOR AN OUTSIDE CORNER OF THIS TRACT;

THENCE S 09° 04' 40" W, ALONG THE EAST OF SAID N. 20TH STREET, A DISTANCE OF 110.00 FEET TO A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "C.V.O. L.S." FOUND ON THE SOUTHWEST CORNER OF LOT 147 OF SAID LA FLORESTA SUBDIVISION, FOR AN INSIDE CORNER OF THIS TRACT;

THENCE S 80° 55' 20" E, ALONG THE SOUTH LINE OF SAID LA FLORESTA SUBDIVISION, A DISTANCE OF 118.69 FEET TO A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "C.V.O. L.S." FOUND ON THE WEST RIGHT OF WAY LINE OF N. 17TH STREET, FOR AN INSIDE CORNER OF THIS TRACT;

THENCE N 27° 37' 37" E, ALONG THE WEST RIGHT OF WAY LINE OF SAID N. 17TH STREET, A DISTANCE OF 23.62 FEET TO A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "C.V.O. L.S." FOUND, FOR AN OUTSIDE CORNER OF THIS TRACT;

THENCE S 69° 22' 23" E, ALONG THE SOUTH LINE OF SAID LA FLORESTA SUBDIVISION, AT A DISTANCE OF 50.00 FEET PASS THE EAST RIGHT OF WAY LINE OF SAID N. 17TH STREET, AT A DISTANCE OF 170.00 FEET THE WEST RIGHT OF WAY LINE OF N. BICENTENNIAL BLVD. AND CONTINUING A TOTAL DISTANCE OF 270.00 FEET TO A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "C.V.O. L.S." FOUND ON POINT OF CURVATURE, THE EAST RIGHT OF WAY LINE OF SAID BICENTENNIAL BLVD. AND THE SOUTHWEST CORNER OF SAID LA FLORESTA SUBDIVISION, FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE ALONG SAID CURVE TO THE LEFT WITH AN INTERIOR ANGLE OF 18° 32' 57", A RADIUS OF 1490.00 FEET, AN ARC LENGTH OF 462.38 FEET, A TANGENT OF 243.32 FEET AND AN ARC LENGTH THAT BEARS S87°10'W, A DISTANCE OF 480.27 FEET TO A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "C.V.O. L.S." SET ON A POINT OF TANGENCY OF THIS TRACT;

THENCE S 09°04'40" W, A DISTANCE OF 62.51 FEET TO A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "C.V.O. L.S." SET ON THE SOUTH LINE OF SAID LOT 16, FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE N 80° 55' 20" E, ALONG THE SOUTH LINE OF SAID LOT 16, AT A DISTANCE OF 952.67 FEET PASS A 3" IRON ROD WITH A PLASTIC CAP STAMPED "C.V.O. L.S." SET ON THE COMMON SOUTH CORNER OF SAID LOTS 15 AND 16, AN CONTINUING ALONG THE SOUTH LINE OF SAID LOT 15, AT A DISTANCE OF 2292.86 FEET PASS THE EXISTING EAST RIGHT-OF-WAY LINE OF A COUNTY ROAD (NOT OPEN), AND CONTINUING A TOTAL DISTANCE OF 2312.85 TO THE POINT OF BEGINNING, CONTAINING 34.76 ACRES OF LAND, MORE OR LESS.

AS PER DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR LA FLORESTA SUBDIVISION PHASE II, RECORDED AS DOCUMENT NUMBER 222416111, HIDALGO COUNTY, DEED RECORDS, DEVELOPER/HOMEOWNER'S ASSOCIATION/OWNER, THEIR SUCCESSORS AND/OR ASSIGNEES, AND NOT THE CITY OF McALLEN SHALL BE RESPONSIBLE FOR INSTALLATION, MAINTENANCE AND OTHER REQUIREMENTS AS PER SECTION 110-72 OF THE CODE OF ORDINANCES OF THE CITY OF McALLEN, INCLUDING BUT NOT LIMITED TO COMMON AREAS. ANY AMENDMENT TO DECLARATIONS THAT CONFLICT WITH THE REQUIREMENTS OF SECTION 110-72 SHALL BE NULL AND VOID.

THIS PLAT APPROVED BY HIDALGO COUNTY IRRIGATION DISTRICT NO. 1, THIS THE 2ND DAY OF JUNE, 2016 A.D. NO IMPROVEMENTS OF ANY KIND SHALL BE PLACED ON HIDALGO COUNTY IRRIGATION DISTRICT NO. 1 RIGHTS-OF-WAY OR EASEMENTS WITHOUT THE EXPRESS WRITTEN PERMISSION OF THE HIDALGO COUNTY IRRIGATION DISTRICT NO. 1.

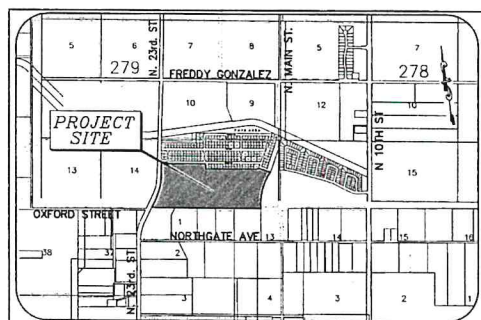
Maisha SECRETARY
Robert P. Bell PRESIDENT

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEXAS WATER CODE 49.21(C). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER AND HIS ENGINEER TO MAKE THESE DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

Raul E. Sesh R.E. SESH, P.E., C.E.M.
GENERAL MANAGER

07/06/16
DATE



LOCATION MAP
N.T.S.

DATE OF PREPARATION: NOVEMBER 14, 2014 DRAWN BY: P. GONZALEZ

JAVIER HINOJOSA ENGINEERING
CONSULTING ENGINEERS
416 E. DOVE AVENUE, McALLEN, TEXAS 78504
PHONE (956) 658-1558
jeh@jeh-engineering.com
TBP# FIRM NO. F-1293

SHEET 2 OF 2

SUBDIVISION PLAT OF LA FLORESTA SUBDIVISION PHASE II

A TRACT OF LAND CONTAINING 34.76 ACRES, SITUATED IN HIDALGO COUNTY, TEXAS AND ALSO BEING PART OR PORTION OF LOTS 15 AND 16, SECTION 278, TEXAS-MEXICAN RAILWAY COMPANY SURVEY, MAP REFERENCE: VOLUME 24, PAGE 170, H.C.D.R., AND SAID 34.76 ACRES OF LAND ALSO BEING ALL OF THAT TRACT OF LAND DEEDED TO PECHERO FAMILY PARTNERSHIP, RECORDED IN DOCUMENT NO. 785588, H.C.D.R., AND ALL OF THAT TRACT DEEDED TO GREEN LEAF TRANSPLANTS, INC., RECORDED IN VOLUME 2475, PAGE 336, H.C.D.R., AND SAID 34.76 ACRES OF LAND;

STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS LA FLORESTA SUBDIVISION PHASE II, AN ADDITION TO THE CITY OF McALLEN, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, SEWAGE LINES, WATER COURSES, STORM SEWERS, FIRE HYDRANTS, AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH I WILL CAUSE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF McALLEN, ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED, EITHER ON THE PLAT OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF McALLEN.

[Signature] 6-7-16
OWNED: PECHERO FAMILY PARTNERSHIP
1008 E. MOLANA LOOP
McALLEN, TX 78504
BY: RUBEN PECHERO, PRESIDENT

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, RUBEN PECHERO PERSONALLY APPEARED AND PROVED, THROUGH HIS DECLARATION OF PUBLIC SAFETY DRIVER'S LICENSE, TO BE THE PERSON WHOSE NAME ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT. FURTHERMORE, AFTER BEING DULY SWORN BY ME, THEY DECLARED THAT THE STATEMENTS CONTAINED THEREIN ARE TRUE AND CORRECT, AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREBY EXPRESSED. GIVEN UNDER MY HAND AND SEAL OF OFFICE DATED

THIS 27th DAY OF June, 2016 A.D.
[Signature]
NOTARY PUBLIC FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES ON 9/9/2019

[Signature]
I, THE UNDERSIGNED MAYOR OF THE CITY OF McALLEN HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

[Signature] 6/28/16
MAYOR, CITY OF McALLEN
DATE

THIS SUBDIVISION PLAT OF LA FLORESTA SUBDIVISION PHASE II HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF McALLEN, TEXAS AND IS HEREBY APPROVED BY SUCH COMMISSION.

DATED THIS 28th DAY OF June, 2016 A.D.
[Signature]
CHAIRMAN, PLANNING AND ZONING COMMISSION

STATE OF TEXAS
COUNTY OF HIDALGO

I, JAVIER HINOJOSA, REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT.

[Signature] 6/13/16
JAVIER HINOJOSA, P.E.
REGISTERED PROFESSIONAL ENGINEER NO. 74808
DATE

STATE OF TEXAS
COUNTY OF HIDALGO

I, CARLOS VASQUEZ, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

[Signature] 6/13/16
CARLOS VASQUEZ, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4608
CVO LAND SURVEYORS LLC
517 BEAUMONT
McALLEN, TEXAS 78501
(956) 618-1551
TBP# FIRM NO. 10119600

DATE SURVEYED: 08-27-14

June 11, 2025

City of McAllen
Planning Department
Attn: Omar Sotelo, CPM
311 N. 15th St.
McAllen, TX 78501

Subject: Variance Request for Double Fronting Lot – Placement of Storage Shed and Swimming Pool - Property Address: 9301 N. 22nd Lane, McAllen, Texas 78504

To Whom It May Concern,

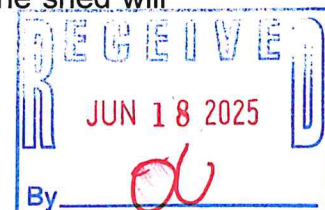
I am respectfully requesting a variance from the City of McAllen's zoning regulations concerning double fronting lots. The property is located at 9301 N. 22nd Lane, with one frontage on N. 22nd Lane and the rear of the property fronting N. 23rd Street.

I am seeking approval to place a personal storage shed and a swimming pool within the rear yard setback, specifically within the portion that is typically subject to front yard setback restrictions due to the lot's double frontage. If this property were to be platted under current standards, as outlined in Chapter 110: Subdivisions, Section 110-72(b) of the McAllen Code of Ordinances, this would not be considered a variance request. That ordinance states:

"Double frontage lots shall be avoided except where essential to provide separation of residential development from major traffic arteries or to overcome specific disadvantages of topography or orientation. Where double frontage lots are permitted, a non-access easement of at least ten feet shall be provided along the rear of the lot."

The proposed shed will be used strictly for non-commercial residential purposes, including the storage of lawn equipment, tools, household items, and other personal belongings. The swimming pool will likewise be used solely for personal, non-commercial recreation. I understand that accessory structures are generally restricted in double fronting lots; however, this requirement creates a practical hardship due to the limited usable rear yard space caused by its designation as a double fronting lot. This hardship is a direct result of the lot configuration that would likely not occur under current subdivision design standards, which now discourage double frontage lots altogether.

Both the shed and pool will comply with all other applicable zoning and construction requirements, including setbacks, height, and safety regulations. The structures will respect all easements and will not obstruct visibility along N. 23rd Street. The shed will



be designed to match the appearance of the primary residence, and landscaping will be maintained to minimize visual impact from the street. The swimming pool will meet all safety and drainage standards established by the city. This variance request allows for reasonable and functional use of the property while maintaining compatibility with the surrounding neighborhood and without negatively impacting adjacent properties.

A site plan has been included for review. I am available to attend any meetings or hearings necessary to discuss this request further. Thank you for your time and consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Della Robles', with a long horizontal flourish extending to the right.

Della Robles



**NOTICE
VARIANCE
SPECIAL EXCEPTION
FOR
THIS PROPERTY
ZBA2025-0035**

 CITY OF MCALLEN PLANNING DEPT.
956-681-1250
WWW.MCALLE.NET



Memo

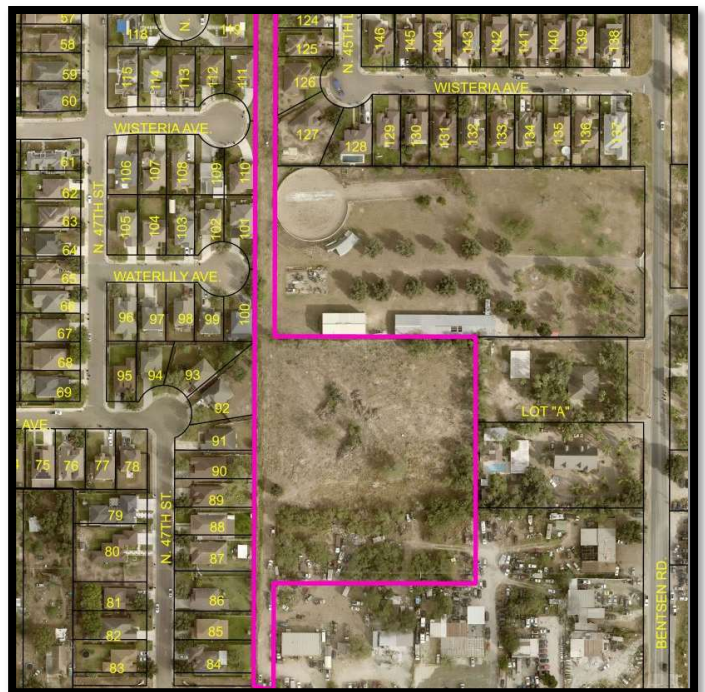
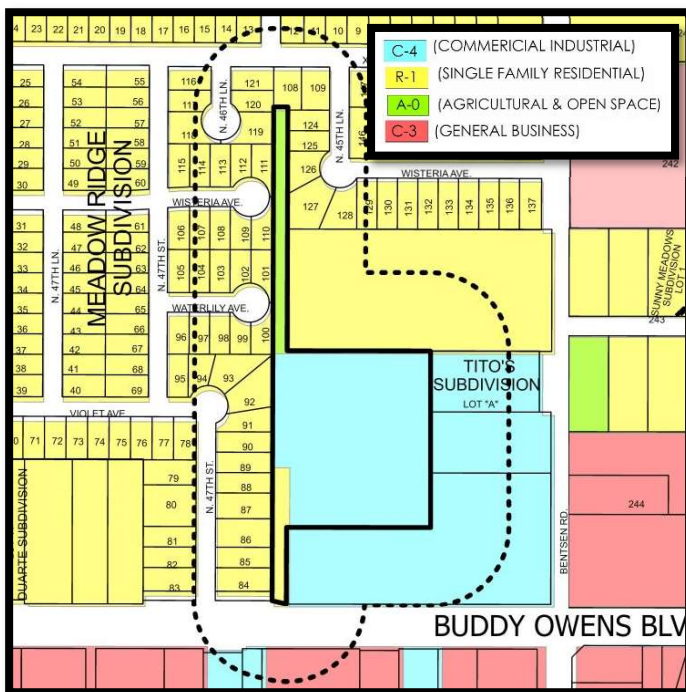
TO: Zoning Board of Adjustment & Appeals

FROM: Planning Staff

DATE: July 17, 2025.

SUBJECT: REQUEST OF NATHAN CHAMBERLAIN, ON BEHALF OF AEP TEXAS INC. FOR A VARIANCE TO THE CITY OF MCALLEN ZONING ORDINANCE TO ALLOW 36.30 FEET INSTEAD OF 50-FOOT LOT WIDTH REQUIREMENT FOR A 4.899 ACRE TRACT OF LAND OUT OF LOT 338, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 4612 BUDDY OWENS BOULEVARD. (ZBA2025-0034)

REASON FOR APPEAL: The applicant is requesting a variance to allow 36.30 feet instead of the 50-foot lot width requirement for a proposed electrical substation.



PROPERTY LOCATION AND VICINITY: The property is located on the north side of Buddy Owens Boulevard, with only one frontage. The property is zoned R-1 (Single-Family Residential-OC) District on the south side, C-4 (Commercial Industrial-OC) District on the east side and A-O (Agricultural and Open Space-OC) District to the north. The adjacent zoning is R-1 (Single-Family Residential-OC) District to the west, north and northeast, and is C-4 (Commercial Industrial-OC) District to the east and south east. There is also C-3 (General Business-OC) District to the south across Buddy Owens Boulevard.

BACKGROUND AND HISTORY: The property is currently vacant and it is under review for a proposed subdivision under the name of "Buddy Owens Station Subdivision".

A Conditional Use Permit for an electrical substation is currently under review. The variance request was submitted on June 17th, 2025.

ANALYSIS: The applicant is requesting a variance to allow 36.30 feet instead of the 50-foot lot width requirement. The minimum width of a building site shall be 50 feet of frontage on a public street, as per section 138-356 of the Zoning Ordinance.

The property has only one frontage access from Buddy Owens Boulevard. The applicant states that the electrical substation will be unoccupied and will have very low traffic from the street.

Staff has not received any phone calls, emails or letters in opposition to the variance request.

RECOMMENDATION: Staff recommends approval of the variance request due to the anomaly of the lot and the reduced width of the frontage.



City of McAllen

Planning Department

APPEAL TO ZONING BOARD OF

ADJUSTMENT TO MCALLEN ZONING ORDINANCE

311 North 15th Street
McAllen, TX 78501
P. O. Box 220
McAllen, TX 78505-0220
(956) 681-1250
(956) 681-1279 (fax)

Case Number: 2BA2025-0034 ZBOA Meeting: 7/23/2025
Accepted By: _____

PROJECT

Legal Description John H Shary W 36.3' -E735.24' & AN AIIR TR
W367.60'-E699.40'-N449.99'-S696.79' LOT 238 4.899 AC GR 4.86 AC NET

Subdivision Name Buddy Owens Station Subdivision

Street Address 4550 Buddy Owens Rd

Number of lots 1 4.86

Existing Zoning C-4 Comm 4 lot 2 buddy Land Use Vacant Lot
C-2 Neighborhood Comm owens Variance to lot width
C-2 Neighborhood Comm Blvd utilities

☒ \$300.00 non-refundable fee for Special Exception (carport)

☒ Current Survey and Metes required (if the legal description of the tract is a portion of a lot) is

APPLICANT

Name Nathan Chamberlain, PE Phone 210-888-6097
Address 17215 Jones Maltsberger Rd. #101 E-mail nathan.chamberlain@ttlusa.com
City San Antonio State TX Zip 78247

OWNER

Name AEP Texas Phone 866-223-8508
Address 1 Riverside Plaza E-mail jamaldonado1@aep.com
City Corpus Christi State TX Zip 78401

AUTHORIZATION

To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?

☐ Yes ☒ No

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable)

OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature [Signature] Date 6/2/25
Print Name jamaldonado1@aep.com ☐ Owner ☒ Authorized Agent

JUN 17 2025

BY: CP



City of McAllen
Planning Department
REASON FOR APPEAL & BOARD ACTION

*A variance will not be granted to relieve a self-created or personal hardship, nor shall it be based solely on economic gain or loss. In order to make a finding of hardship and grant the variance, the Zoning Board of Adjustment will consider **any combination of** the following: *(Please use an additional page if necessary to complete responses)*

****Information provided here by the applicant does not guarantee that the Board will grant a variance.**

*****Applicant should include all information they determine is relevant, but it is not required to provide responses to all sections listed below.**

1. Describe the special circumstance or condition affecting the land involved such that the strict application of the provisions required would deprive the applicant of the reasonable use of the land:

Lot Width at entrance is 36.30'. Per code, 50' of lot frontage is required.

2. Describe how the variance is necessary for the preservation and enjoyment of the legal property rights of the owner:

50' of frontage cannot be obtained for this lot because this land is owned by others.

3. Describe how the variance will not be detrimental to the public health, safety or welfare or injurious to the legal rights other property owners enjoy in the area:

This variance will not be detrimental to public health, safety or welfare of other property owners in this area as the current frontage is wide enough for a two lane driveway. This will be an un-occupied electric substation and will have an insignificant daily traffic count. By leaving this frontage as is this prevserves the land rights of the adjacent property owners.

4. Describe special conditions that are unique to this applicant or property:

This property is for an electric substation. This will have very low traffic from the street. This is a special case because the land already exists with 36.30' of frontage, we are not subdividing a new property. In order to widen to 50' we would have to own additional property from adjacent house and business.

Reason for Appeal

Board Action

Chairman, Board of Adjustment
Signature

Date

TITLE COMMITMENT NOTES (SCHEDULE B ITEM # 10):

- a.) CDS Muery has no knowledge of any rights of parties in possession.
- b.) CDS Muery has no knowledge of any rights of third parties in possession, as tenants only, under unrecorded lease agreements.
- c.) CDS Muery has no knowledge of any visible and apparent easements affecting the Land and not shown in the Public records.
- d.) CDS Muery has no knowledge of any leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals. There may be leases, grants, exceptions or reservations of mineral interest that are not listed.
- e.) Central Power and Light Company
Right of Way Easement Vol. 329, Pg. 123 (O.R.H.C.) Affects this tract - Shown
- f.) South Texas Natural Gas Gathering Company
Right of Way Easement Vol. 945, Pg. 56 (D.R.H.C.) Does not affect this Affect
- g.) State of Texas
Right of Way Easement Vol. 1270, Pg. 575 (D.R.H.C.) Affects this tract - Shown
- h.) State of Texas
Right of Way Easement Vol. 1286, Pg. 655 (D.R.H.C.) Affects this tract - Shown
- i.) Hidalgo County
Right of Way Easement Vol. 886, Pg. 334 (D.R.H.C.) Affects this tract - Shown
- j.) Easements and Conditions
As Shown on the Plat of John H. Shary Subdivision Vol. 1, Pg. 17 (M.R.H.C.) Affects This Tract - Blanket in nature
- k.) United Irrigation District
Easements, Rights, Rules, and Regulation No Recording Information No Information Provided
- l.) Mineral Interest
Rio Roy Citrus to Robert G. Jacobsen Vol. 1281, Pg. 485 (D.R.H.C.) Affects this tract - Blanket in nature
- m.) Reservation of All Oil, Gas, and Other Mineral Rights
Texas Citrus Development Corp. to
George L. Breyfogle, et al Vol. 1379, Pg. 965 (D.R.H.C.) Affects this tract - Blanket in nature
Vol. 1382, Pg. 279 (D.R.H.C.)
- n.) All leases, grants, exceptions or reservation of coal, lignite, oil, gas, and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the public records whether listed in Schedule B or not. There may be leases, grants, exceptions or reservations of mineral interest that are not listed. (as to Tract 2)
- o.) Any claim or allegation that the land described in Schedule A of this policy, was conveyed in violation of V.A.T.C. Local Government Code, Sections 212.004, et seq. or 232.001, or in violation of any county or municipal ordinance affecting subdivisions, or any loss of the use of the land by reason thereof.
- p.) Lack of a right of access to and from the Land. (as to Tract 1)

SURVEYOR'S NOTES

1. The property described on this survey lies within an area of Hidalgo County, Texas, with minimal flooding, as defined on the Federal Emergency Management Agency's flood insurance rate map identified as Community Panel Number 4803340400C, Effective Date January 02, 1981. No flood plain study or analysis was performed by CDS Muery.
2. This survey was performed with the benefit of a Title Commitment by Republic Title of Texas, Inc., GF No. 1001-366622-RTT, Effective Date: June 08, 2022.
3. The bearing basis for this survey is Grid North, NAD 1983 (2011), Texas State Plane Coordinate System, South Zone. Distances shown hereon are surface distances. Surface Adjustment Factor: Surface = GRID X 1.00002.
4. Vertical Datum: North American Vertical Datum 1988.
5. This property abuts Buddy Owens Boulevard.
6. Current Zoning Classification was not provided to CDS Muery.
7. Adjoining Landowner names obtained from Hidalgo County Appraisal District and from deed records.
8. Address of surveyed property was not provided or obtained.

SURVEYOR'S CERTIFICATION

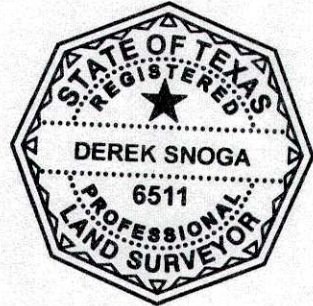
To AEP Texas Inc and First American Title Guaranty Company:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 5, 13, and 14 of Table A thereof. The field work was completed in January 2021.

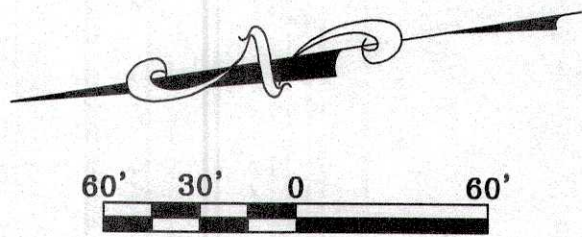
Executed this 8th day of September 2022.

Derek Snoga

Derek Snoga
Registered Professional Land Surveyor
Registration No. 6511
Derek.Snoga@CDSmuery.com



LINE	BEARING	DISTANCE
L1	N81°22'05"W	36.30'
L2	S81°22'05"E	36.30'
	(S81°18'51"E	36.30')



FIELD NOTE DESCRIPTION
4.899 ACRES

HIDALGO COUNTY, TEXAS

BEING a 4.899 acre tract of land lying in the Ydefonso Quiroga Survey, Section 60, Abstract 43, Hidalgo County Texas, same being a portion of a 6.18 acre tract of land described and recorded in document number 691904, Official Records of Hidalgo County, Texas, all of a 2.642 acre tract of land described and recorded in document number 1378819, Official Records of Hidalgo County, Texas, and all of a 1.10 acre tract of land described and recorded in document number 1742177, Official Records of Hidalgo County, Texas, same also being wholly within Lot 338 of the John H. Shary Subdivision described and recorded in volume 1, page 42, Map Records of Hidalgo County, Texas, and more particularly described as follows:

COMMENCING at a point in the intersection of the centerline of Buddy Owens Boulevard (100 foot wide right-of-way) and the centerline of Bentzen Road (40 foot wide right-of-way), being the ostensible southeast corner of Lot 338 of the aforementioned John H. Shary Subdivision and being the southeast corner of the aforementioned 6.18 acre tract;

THENCE along the centerline of the aforementioned Buddy Owens Boulevard, the south line of the aforementioned 6.18 acre tract and the common line of the aforementioned Lot 338 and Lot 328, N81°22'05"W a distance of 699.40 feet to a point for the southwest corner of said 6.18 acre tract and the southeast corner of the aforementioned 1.10 acre tract, the PLACE OF BEGINNING and the most southerly southeast corner of the herein described 4.899 acre tract;

THENCE continuing along the centerline of the aforementioned Buddy Owens Boulevard, the south line of the aforementioned 1.10 acre tract and common line of the aforementioned Lot 338 and Lot 328, N81°22'05"W a distance of 36.30 feet to a point for the southwest corner of said 1.10 acre tract and the southwest corner of the herein described 4.899 acre tract;

THENCE leaving the centerline of the aforementioned Buddy Owens Boulevard and common line of the aforementioned Lot 338 and Lot 328, N08°37'55"E, along the west line of the aforementioned 1.10 acre tract, passing a 1/2" iron rod set with plastic cap stamped "CDS/MUERY S.A. TX." in the north right of way line of said Buddy Owens Boulevard, at a distance of 50.00 feet, continuing with the west line of said 1.10 acre tract and the most southerly east line of the Meadow Ridge Subdivision as described and recorded in volume 49, page 168 of the Map Records of Hidalgo County, Texas, a total distance of 1,320.07 feet (Record-N08°41'09"E per volume 49, page 168) to a 1/2" iron rod set with plastic cap stamped "CDS/MUERY S.A. TX." for the northwest corner of said 1.10 acre tract, the most westerly southwest corner of Lot 122 of said Meadow Ridge Subdivision and the northwest corner of the herein described 4.899 acre tract;

THENCE along the north line of the aforementioned 1.10 acre tract and a south line of the aforementioned Lot 122, S81°22'05"E a distance of 36.30 feet (Record-S81°18'51"E 36.30' per volume 49, page 168) to a wood fence corner post found for the northeast corner of said 1.10 acre tract, an interior corner of said Lot 122 and the most northerly northeast corner of the herein described 4.899 acre tract;

THENCE along the east line of the aforementioned 1.10 acre tract, an inner west line of the aforementioned Meadow Ridge Subdivision and the west line of a 5.00 acre tract of land as described and recorded in document number 2594528, Official Records of Hidalgo County, Texas, S08°37'55"W a distance of 623.27 feet (Record-S08°41'09"W per volume 49, page 168) to a 1/2" iron rod set with plastic cap stamped "CDS/MUERY S.A. TX." for the northwest corner of the aforementioned 2.642 acre tract, the southwest corner of the said 5.00 acre tract and an interior corner of the herein described 4.899 acre tract;

THENCE along the north line of the aforementioned 2.642 acre tract and the south line of the aforementioned 5.00 acre tract, S81°22'05"E a distance of 367.70 feet (Record-S81°18'51"E 369.36' per document number 1378819) to a 1/2" iron rod set with plastic cap stamped "CDS/MUERY S.A. TX." for the northeast corner of said 2.642 acre tract, the northwest corner of Lot A of Tito's Subdivision as described and recorded in volume 27, page 126 B, Map Records of Hidalgo County, Texas, and the most easterly northeast corner of the herein described 4.899 acre tract;

THENCE along the east line of the aforementioned 2.642 acre tract, the west line of the aforementioned Tito's Subdivision and the west line of a remaining portion of a 2.118 acre tract of land as described and recorded in document number 1277223, Official Records of Hidalgo County, Texas, and further described in volume 2751, page 517, Official Records of Hidalgo County, Texas, and over and across the aforementioned 6.18 acre tract, S08°37'55"W a distance of 449.99 feet to a 1/2" iron rod set with plastic cap stamped "CDS/MUERY S.A. TX." for the most easterly southeast corner of the herein described 4.899 acre tract;

THENCE continuing over and across the aforementioned 6.18 acre tract, N81°22'05"W a distance of 367.70 feet to a 1/2" iron rod set with plastic cap stamped "CDS/MUERY S.A. TX." in the west line of said 6.18 acre tract and the east line of the aforementioned 1.10 acre tract for an interior corner of the herein described 4.899 acre tract;

THENCE along the west line of the aforementioned 6.18 acre tract and the east line of the aforementioned 1.10 acre tract, S08°37'55"W, passing a 1/2" iron rod set with plastic cap stamped "CDS/MUERY S.A. TX." in the north right-of-way line of Buddy Owens Boulevard at a distance of 196.80 feet, a total distance of 246.80 feet to a to the PLACE OF BEGINNING and containing 4.899 acres of land, of which 0.042 acres lies within Buddy Owens Boulevard.

DATUM INFORMATION:

VERTICAL DATUM:
NORTH AMERICAN VERTICAL DATUM 1988.

HORIZONTAL DATUM:
GRID NORTH, TEXAS STATE PLANE
COORDINATE SYSTEM, NAD 1983(2011),
TEXAS SOUTH ZONE.

BENCHMARK
SQUARE CHISELED MARK IN CONCRETE ON TOP OF STORM DRAIN
NORTHING: 16,616,566.76
EASTING: 1,061,474.91
ELEVATION: 126.24'

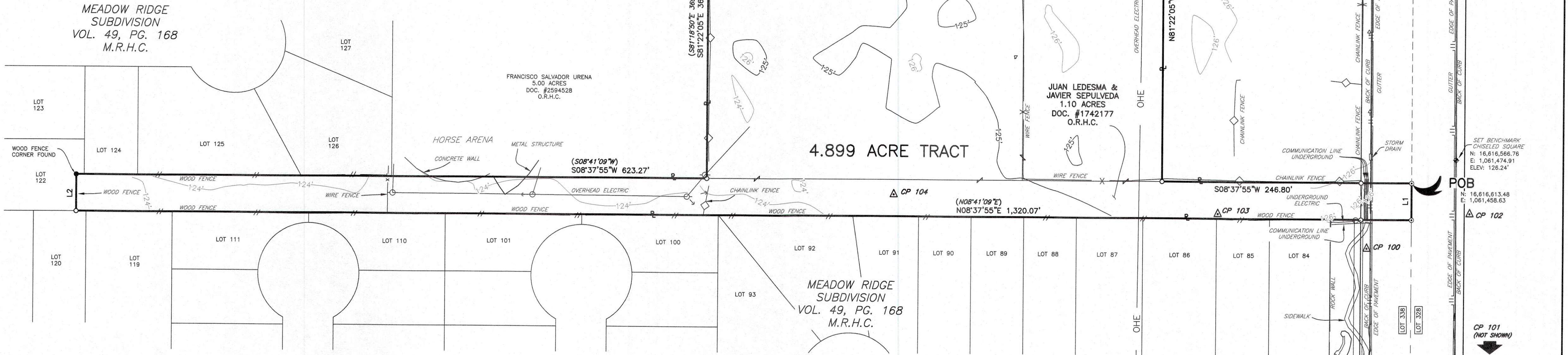
CP 100
1/2" IRON ROD WITH PLASTIC CAP STAMPED "CDS/MUERY S.A. TX."
NORTHING: 16,616,666.79
EASTING: 1,061,401.32
ELEVATION: 125.43'

CP 101 (NOT SHOWN)
1/2" IRON ROD WITH PLASTIC CAP STAMPED "CDS/MUERY S.A. TX."
NORTHING: 16,616,705.00
EASTING: 1,061,148.35
ELEVATION: 124.35'

CP 102
1/2" IRON ROD WITH PLASTIC CAP STAMPED "CDS/MUERY S.A. TX."
NORTHING: 16,616,561.24
EASTING: 1,061,420.35
ELEVATION: 126.53'

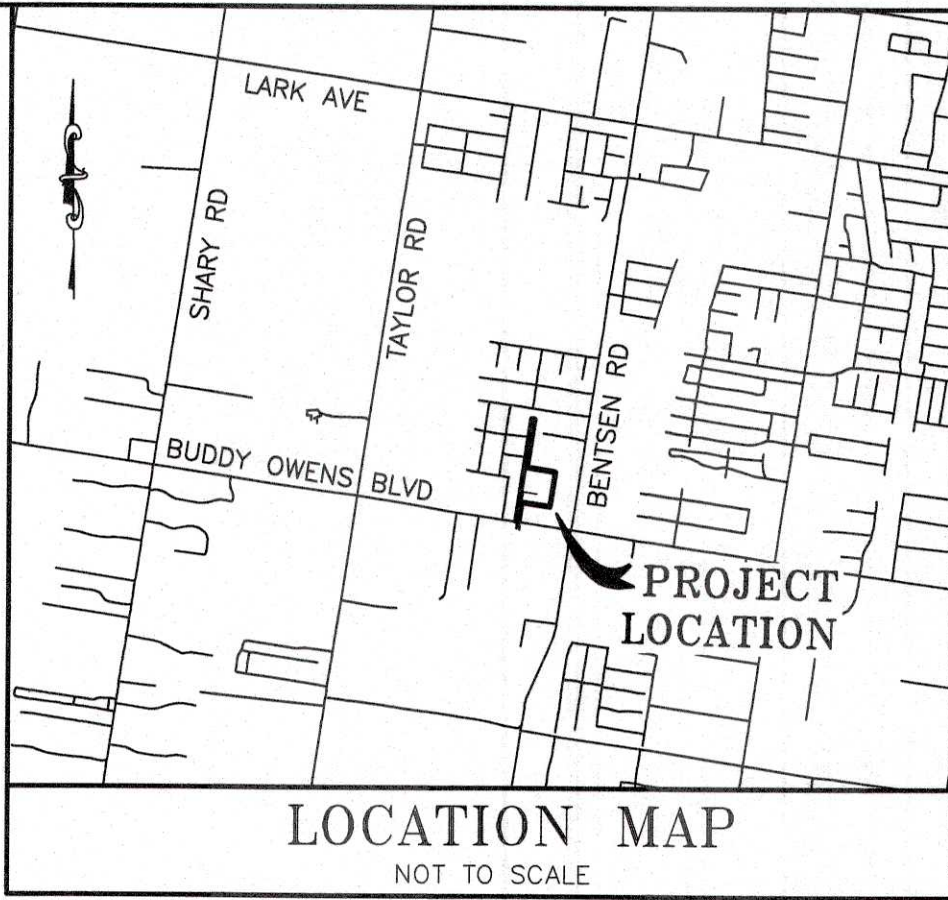
CP 103
1/2" IRON ROD WITH PLASTIC CAP STAMPED "CDS/MUERY S.A. TX."
NORTHING: 16,616,807.63
EASTING: 1,061,456.17
ELEVATION: 124.70'

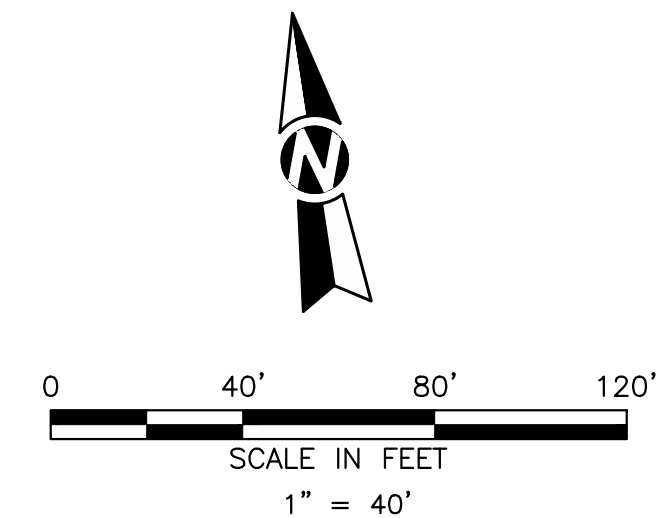
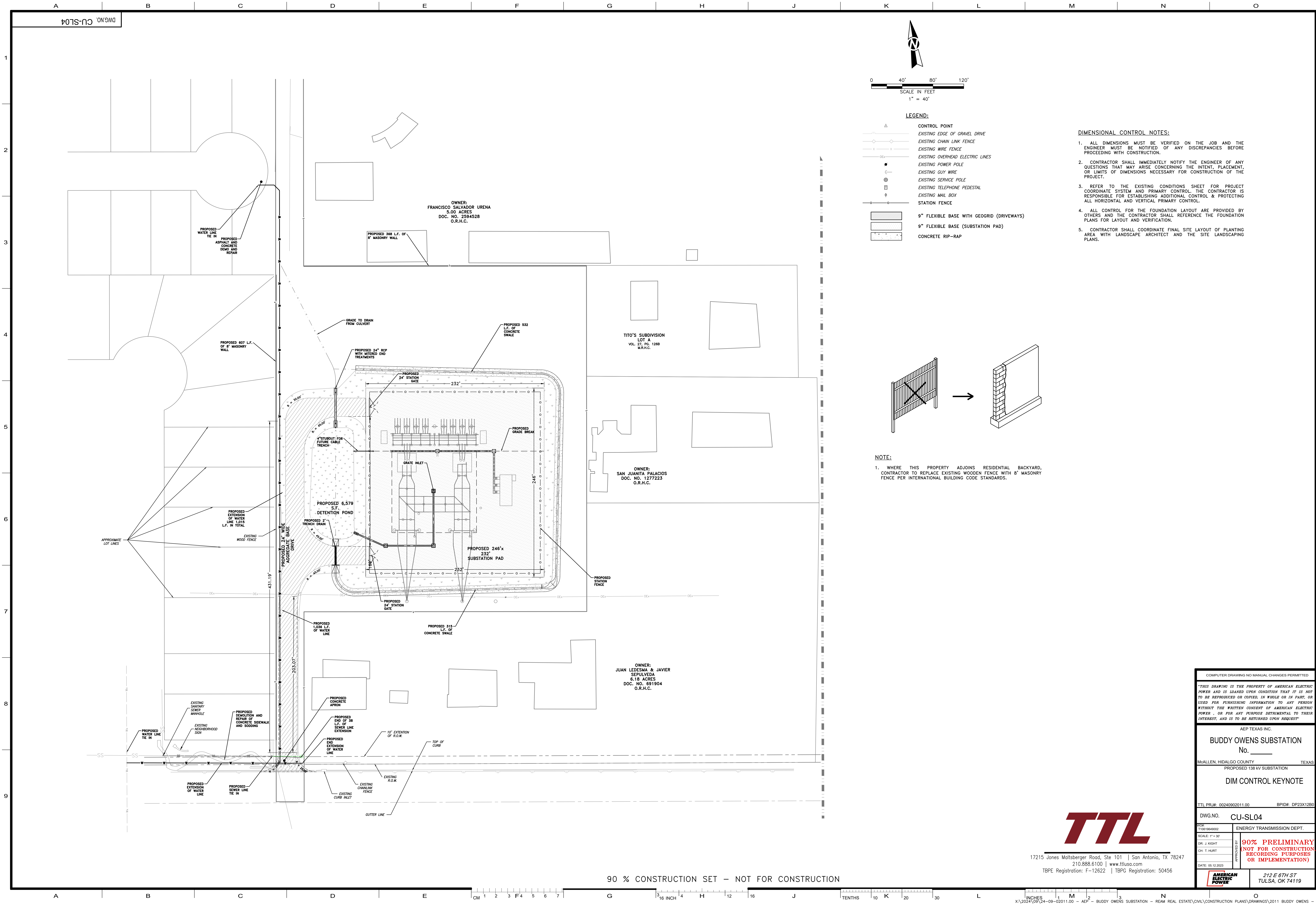
CP 104
1/2" IRON ROD WITH PLASTIC CAP STAMPED "CDS/MUERY S.A. TX."
NORTHING: 16,617,121.82
EASTING: 1,061,520.97
ELEVATION: 124.29'



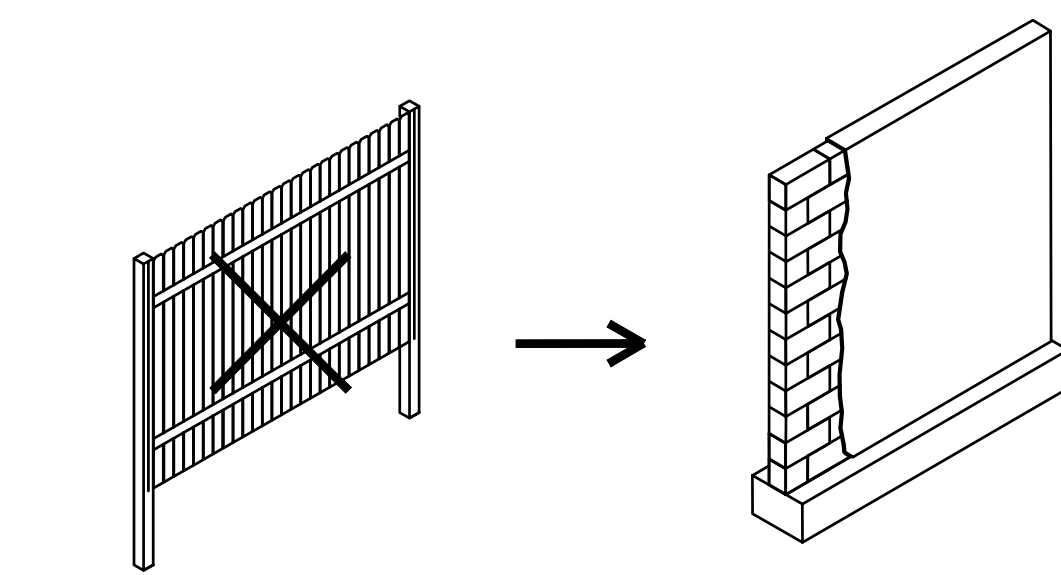
LEGEND

- DENOTES 1/2" IRON ROD SET WITH PLASTIC CAP STAMPED "CDS/MUERY S.A. TX."
- FOUND MONUMENTATION
- ⊙ UNMONUMENTED POINT
- △ CONTROL POINT
- ⬢ BENCHMARK
- POB PLACE OF BEGINNING
- POC PLACE OF COMMENCEMENT
- ℙ PROPERTY LINE
- R.O.W. RIGHT-OF-WAY
- X WIRE FENCE
- ◇ CHAIN LINK FENCE
- //— WOOD FENCE
- ||— EDGE OF ASPHALT
- OHE— OVERHEAD ELECTRIC LINES
- - - REFERENCE LINE
- 126' 1 FOOT CONTOUR LINE
- 125' 5 FOOT CONTOUR LINE
- + SIGN
- POWER POLE
- ⊙ GUY ANCHOR
- ⊠ TRANSMISSION LINE STRUCTURE
- ⊞ WATER METER
- ⊞ FAUCET
- ⊞ MAILBOX
- D.R.H.C. DEED RECORDS OF HIDALGO COUNTY
- M.R.H.C. MAP RECORDS OF HIDALGO COUNTY
- O.R.H.C. OFFICIAL RECORDS OF HIDALGO COUNTY





- LEGEND:**
- △ CONTROL POINT
 - EXISTING EDGE OF GRAVEL DRIVE
 - EXISTING CHAIN LINK FENCE
 - EXISTING WIRE FENCE
 - EXISTING OVERHEAD ELECTRIC LINES
 - EXISTING POWER POLE
 - EXISTING GUY WIRE
 - EXISTING SERVICE POLE
 - EXISTING TELEPHONE PEDESTAL
 - ⊕ EXISTING MAIL BOX
 - STATION FENCE
 - 9" FLEXIBLE BASE WITH GEOGRID (DRIVEWAYS)
 - 9" FLEXIBLE BASE (SUBSTATION PAD)
 - CONCRETE RIP-RAP



NOTE:

1. WHERE THIS PROPERTY ADJOINS RESIDENTIAL BACKYARD, CONTRACTOR TO REPLACE EXISTING WOODEN FENCE WITH 6" MASONRY FENCE PER INTERNATIONAL BUILDING CODE STANDARDS.

- DIMENSIONAL CONTROL NOTES:**
- ALL DIMENSIONS MUST BE VERIFIED ON THE JOB AND THE ENGINEER MUST BE NOTIFIED OF ANY DISCREPANCIES BEFORE PROCEEDING WITH CONSTRUCTION.
 - CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER OF ANY QUESTIONS THAT MAY ARISE CONCERNING THE INTENT, PLACEMENT, OR LIMITS OF DIMENSIONS NECESSARY FOR CONSTRUCTION OF THE PROJECT.
 - REFER TO THE EXISTING CONDITIONS SHEET FOR PROJECT COORDINATE SYSTEM AND PRIMARY CONTROL. THE CONTRACTOR IS RESPONSIBLE FOR ESTABLISHING ADDITIONAL CONTROL & PROTECTING ALL HORIZONTAL AND VERTICAL PRIMARY CONTROL.
 - ALL CONTROL FOR THE FOUNDATION LAYOUT ARE PROVIDED BY OTHERS AND THE CONTRACTOR SHALL REFERENCE THE FOUNDATION PLANS FOR LAYOUT AND VERIFICATION.
 - CONTRACTOR SHALL COORDINATE FINAL SITE LAYOUT OF PLANTING AREA WITH LANDSCAPE ARCHITECT AND THE SITE LANDSCAPING PLANS.



17215 Jones Maltzberger Road, Ste 101 | San Antonio, TX 78247
210.888.6100 | www.ttlusa.com
TBPE Registration: F-12622 | TBPG Registration: 50456

90 % CONSTRUCTION SET – NOT FOR CONSTRUCTION

COMPUTER DRAWING NO MANUAL CHANGES PERMITTED	
THIS DRAWING IS THE PROPERTY OF AMERICAN ELECTRIC POWER AND IS LOANED UPON CONDITION THAT IT IS NOT TO BE REPRODUCED OR COPIED, IN WHOLE OR IN PART, OR USED FOR FURNISHING INFORMATION TO ANY PERSON WITHOUT THE WRITTEN CONSENT OF AMERICAN ELECTRIC POWER, OR FOR ANY PURPOSE DETRIMENTAL TO THEIR INTEREST, AND IS TO BE RETURNED UPON REQUEST.	
AEP TEXAS INC.	
BUDDY OWENS SUBSTATION No. _____	
McALLEN, HIDALGO COUNTY TEXAS	
PROPOSED 138 kV SUBSTATION	
DIM CONTROL KEYNOTE	
TTL PROJ#: 00240802011.00 BPID#: DP23X1280	
DWG.NO. CU-SL04	ENERGY TRANSMISSION DEPT.
DATE: 05.12.2023	90% PRELIMINARY NOT FOR CONSTRUCTION RECORDING PURPOSES OR IMPLEMENTATION
212 E 6TH ST TULSA, OK 74119	

PROJECTWSE 30" x 46" C-BORDER AEPUS_REPO.DWG REV:00 11-03-03
PLOTTED 21.05.2025 AT 15:11 ENERGY TRANSMISSION DEPT. - 2nd FLOOR GAHANNA

**NOTICE
VARIANCE
SPECIAL EXCEPTION
FOR
THIS PROPERTY
ZBA2025-0034**



CITY OF MCALLEN PLANNING DEPT.
956-681-1250
WWW.MCALLEN.NET



TY
0



Memo

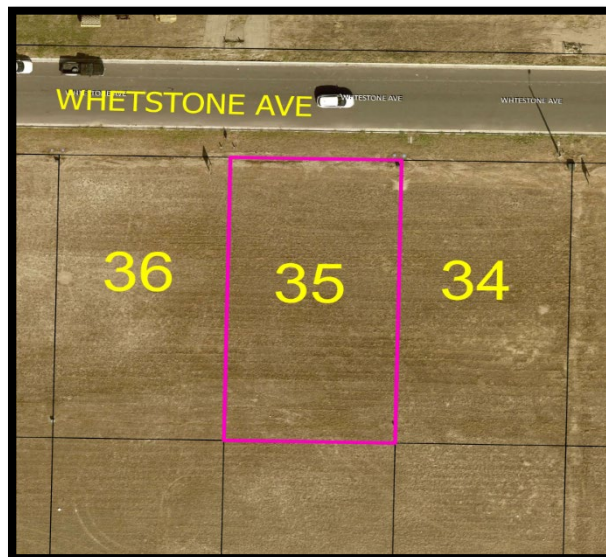
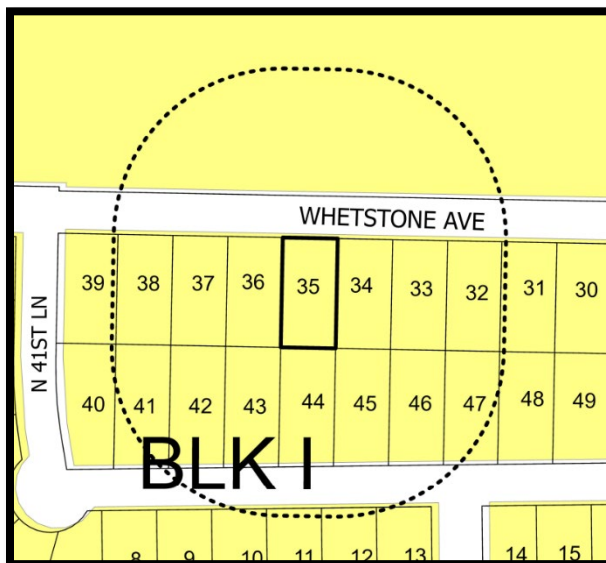
TO: Zoning Board of Adjustment & Appeals

FROM: Planning Staff

DATE: July 16, 2025

SUBJECT: REQUEST OF ANTONIO DAVILA ON BEHALF OF VILLA HOMES, RGV, LLC, FOR A VARIANCE TO THE CITY OF MCALLEN ZONING ORDINANCE TO ALLOW AN ENCROACHMENT OF 6 INCHES INTO THE 6 FOOT WEST SIDE YARD SETBACK FOR AN EXISTING HOME AT LOT 35 BLOCK I, ELDORADO AT THOUSAND OAKS I, II, III SUBDIVISION, HIDALGO COUNTY, TEXAS; 4001 WHETSTONE AVE. (ZBA2025-0036)

REASON FOR APPEAL: The applicant is requesting a variance to allow an encroachment of 6 inches into the 6 foot west side yard setback for an existing home on the property.



PROPERTY LOCATION AND VICINITY: The property is located on the south side of Whetstone Avenue, approximately 275 feet east of 41st Lane. Adjacent properties are zoned R-1 (Single-Family Residential – OC) District in all directions.

BACKGROUND AND HISTORY: Eldorado at Thousand Oaks I, II, III Subdivision was recorded on July 20, 2023 with a plat note that specifies a 6 foot side yard setback for interior lots. Building permit application for the existing house was submitted on March 10th, 2025 and was issued on June 13th, 2025. During construction, it was determined that the home encroaches 6 inches into the west side yard setback. Variance application was submitted on July 23, 2025.

ANALYSIS: The applicant has stated that the existing house was built in compliance to the required setback, according to the existing pins on the corners of the subject property.

During inspection, applicant discovered that the pin on the northwest corner of the property was either incorrectly positioned or had been moved, resulting in the home encroaching 6 inches into the mandated 6-foot side yard setback on the west side. To address this encroachment, the applicant is requesting a variance. The recorded plat does not depict any easement on the east or west side of the subject property.

Approval of the request will allow the building permit to be finalized.

Staff has not received any opposition to this variance request through phone calls, emails, or letters.

RECOMMENDATION: Staff recommends approval of the variance request. If the request is approved, it should be limited to the encroachments shown on the submitted site plan.



City of McAllen

Planning Department

APPEAL TO ZONING BOARD OF

ADJUSTMENT TO MCALLEN ZONING ORDINANCE

311 North 15th Street
McAllen, TX 78501
P. O. Box 220
McAllen, TX 78505-0220
(956) 681-1250
(956) 681-1279 (fax)

Case Number: ZBA20250036 ZBOA Meeting: 7/23/25
Accepted By: NL

PROJECT

Legal Description LOT 35
Subdivision Name ELdorado at Thousand Oaks BLK 1
Street Address 4001 Whetstone AVE
Number of lots 1 Gross acres 8.450 s.c.
Existing Zoning R2 Existing Land Use single family
Reason for Appeal (please use other side if necessary) West side setback, Engineers
reset Property Pins, Request for 5.5' side setback West side
☒ \$300.00 non-refundable filing fee + ☐ \$50.00 Recording Fee for Special Exception (carport)
☐ Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required

APPLICANT

Name Villa Homes RGV LLC - Antonio Davila Phone 956-584-7711 0 956-292-1958 c
Address 1231 Villa ST. E-mail Villahomesrgv@yahoo.com
City Mission State TX Zip 78572

OWNER

Name RGV Villa Investments LLC Phone 956-584-7711
Address 1301 E. 8th ST. suite 103 E-mail Villahomesrgv@yahoo.com
City Mission State TX Zip 78572

AUTHORIZATION

To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?

☐ Yes ☒ No

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable)

OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

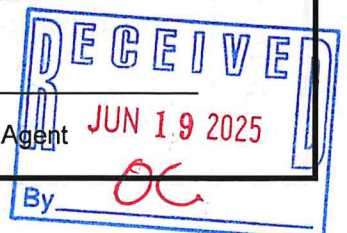
Signature [Signature]

Date 6/18/25

Print Name Antonio Davila

☐ Owner

☒ Authorized Agent





City of McAllen

Planning Department

REASON FOR APPEAL & BOARD ACTION

*A variance will not be granted to relieve a self-created or personal hardship, nor shall it be based solely on economic gain or loss. In order to make a finding of hardship and grant the variance, the Zoning Board of Adjustment will consider **any combination** of the following: (Please use an additional page if necessary to complete responses)

**Information provided here by the applicant does not guarantee that the Board will grant a variance.

***Applicant should include all information they determine is relevant, but it is not required to provide responses to all sections listed below.

1. Describe the special circumstance or condition affecting the land involved such that the strict application of the provisions required would deprive the applicant of the reasonable use of the land:

The reset Pin when Engineers moved it to 18 causing us
From financial institute to close on Home. Pins were reset
After the fact of Approved Construction Permit

2. Describe how the variance is necessary for the preservation and enjoyment of the legal property rights of the owner:

1. Variance is needed for owner to be able to move in their home.
2. Bank will need variance to be able to finance new home.

3. Describe how the variance will not be detrimental to the public health, safety or welfare or injurious to the legal rights other property owners enjoy in the area:

1. Variance for home will not detrimental to the public because
its for homestead family living.

4. Describe special conditions that are unique to this applicant or property:

Engineers After the fact & permit was cleared for construction
reset pins. Firm Quintanilla & Headley

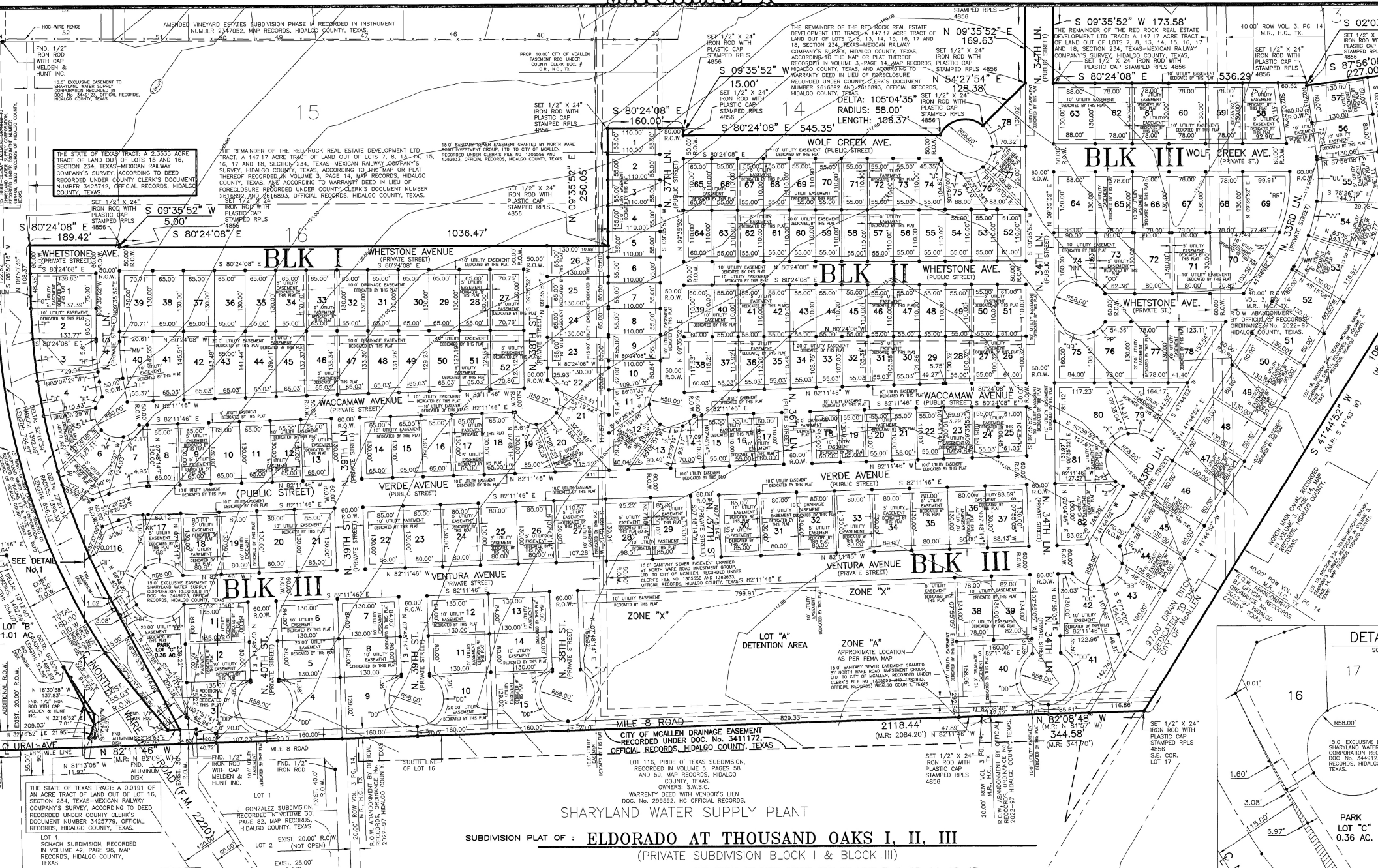
Reason for Appeal

Board Action

Chairman, Board of Adjustment
Signature

Date

MATCHLINE A



SHARYLAND WATER SUPPLY PLANT

SUBDIVISION PLAT OF : ELDORADO AT THOUSAND OAKS I, II, III
(PRIVATE SUBDIVISION BLOCK I & BLOCK .III)

A 79.2369 ACRES TRACT OF LAND BEING 79.2560 ACRES OUT OF LOTS 7, 8, 13, 14, 16, 17 AND 18, SECTION 234, TEXAS—MEXICAN RAILWAY COMPANY'S SURVEY, HIDALGO COUNTY, TEXAS, ACCORDING TO THE PLAT OR MAP THEREOF RECORDED IN VOLUME 3, PAGE 14, MAP RECORD, HIDALGO COUNTY, TEXAS, AND ACCORDING TO WARRANTY DEED WITH VENDOR'S LIEN RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 3081767, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, SAID ACRES BEING THAT STATE OF TEXAS TRACT 0.0175 ACRES OUT OF LOTS 7, 8, 13, 14, 16, 17 AND 18, SECTION 234, TEXAS—MEXICAN RAILWAY COMPANY'S SURVEY, ACCORDING TO DEED RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 3425779, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

QUINTANILLA, HEADLEY AND ASSOCIATES, INC.

CONSULTING ENGINEERS • LAND SURVEYORS
124 E. STUBBS ST. PHONE 956-381-6480
EDINBURG, TEXAS 78539 FAX 956-381-0527
ENGINEERING REGISTRATION NUMBER F-1513 ALFONSO@QHA-ENG.COM
SURVEYING REGISTRATION NUMBER 100411-00

DATE PREPARED: JANUARY 16, 2020

FILENAME : Z:\DATA\SUBD.\MCALLEN\ELDORADO\DWGS\PLAT			
DATE PREPARED	PREPARED BY	CHECKED BY	APPROVED BY
JAN. 16, 2020	JG		
DATE REVISED	REVISED BY	CHECKED BY	APPROVED BY
JUNE. 23, 2023	JG		

C URAL AVE

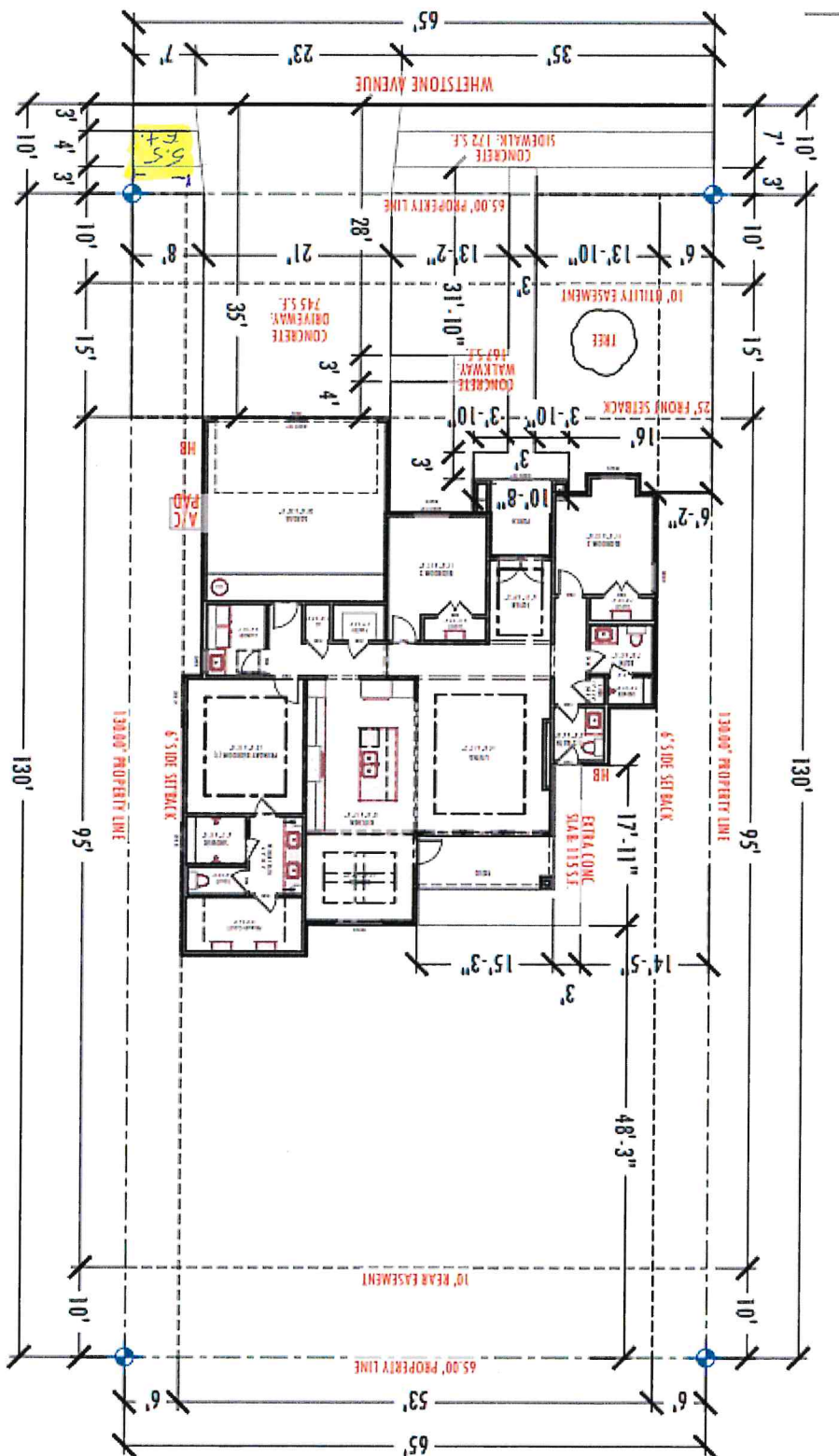
A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS,
THAT THIS PLAT IS TRUE AND CORRECT, AND WAS MADE AND PREPARED
IN ACCORDANCE WITH THE REQUIREMENTS OF THE ACTS RELATIVE TO
THE SURVEYING OF LAND, AND THAT THE SAME IS A TRUE AND CORRECT
COPY OF THE ORIGINAL SURVEY DONE ON THE GROUND UNDER MY SUPERVISION

DATE

EULALIO RAMIREZ	DATE
P.E. No. 77062	

DATE _____

ALFONSO QUINTANILLA
R.P.L.S. No. 4856





4001 LOT 35
WHETSTONE

NOTICE
VARIANCE
FOR
THIS PROPERTY
ZBA2025-0036
CITY OF AUSTIN PLANNING DEPT
800-881-8400
WWW.AUSTIN.TX

Memo

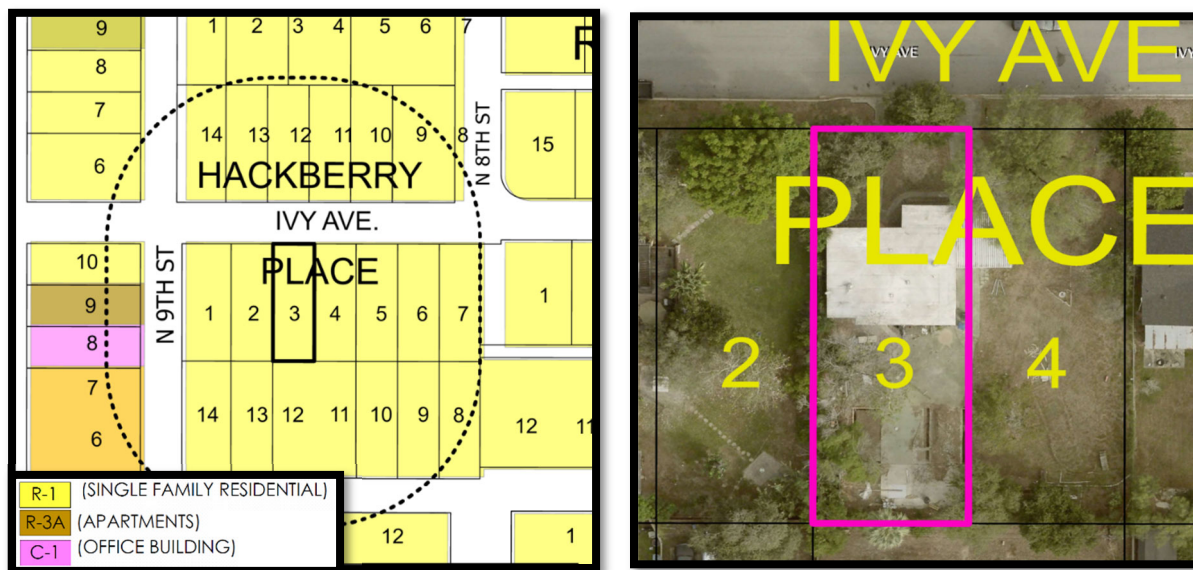
TO: Zoning Board of Adjustment & Appeals

FROM: Planning Staff

DATE: July 18, 2025

SUBJECT: REQUEST OF CASEY SWENSON FOR A VARIANCE REQUEST TO THE CITY OF MCALLEN ZONING ORDINANCE TO ALLOW AN ENCROACHMENT OF 2.5 FEET INTO THE 6 FOOT EAST SIDE YARD SETBACK FOR AN EXISTING GARAGE LOCATED IN THE REAR OF LOT 3 BLOCK 4, HACKBERRY PLACE SUBDIVISION, HIDALGO COUNTY, TEXAS; 813 IVY AVE. (ZBA2025-0033)

REASON FOR APPEAL: The applicant is requesting a variance to allow an encroachment of 2.5 feet into the 6 foot side setback for a proposed garage being built on the south side of the lot.



PROPERTY LOCATION AND VICINITY: The property is located on the south side of Ivy Avenue, approximately 140 feet east of North 9th Street. Property is zoned R-1 (Single-Family Residential-OC) District. All adjacent properties are zoned R-1 (OC) District as well.

BACKGROUND: Hackberry Subdivision was recorded in 1937. There is an existing residence on the property. On May 16, 1990, The Zoning Board of Adjustments granted a variance for a garage, reducing the rear setback from 10 feet to 5 feet. In February 2025, the applicant demolished said structure from 1990 and began construction of a new garage (secondary structure) on the south side of the property without obtaining a building permit. As a result, the City issued a citation and a stop work order on February 27, 2025. During inspection of property, staff noted a carport structure attached to the existing home that was found to cross the shared property line between Lots 3 and 4. The applicant agreed to remove the carport that crossed property lines between east side of Lot 3 and west side of Lot 4. Applicant is requesting a variance for the partially constructed garage that encroaches 2.5 feet on the east side of lot 3.

ANALYSIS: Section 138-356 of the Zoning Ordinance requires a 6 foot side yard setback. Staff has not received any phone calls, emails, or letters in opposition to the variance request. During a site visit to the vicinity of the subject property, it was observed that there are a multiple structures that likely encroach setbacks, along with several existing developments spanning multiple lots within Blocks 3 and 4 of Hackberry Place Subdivision.

RECOMMENDATION: Staff recommends disapproval of the variance request as there is sufficient yard space for applicant to develop without encroachment of setbacks.



City of McAllen

Planning Department

APPEAL TO ZONING BOARD OF

ADJUSTMENT TO MCALLEN ZONING ORDINANCE

311 North 15th Street
McAllen, TX 78501
P. O. Box 220
McAllen, TX 78505-0220
(956) 681-1250
(956) 681-1279 (fax)

Case Number: ZBA2025-0033 ZBOA Meeting: 7.23.2025
Accepted By: [Signature]

PROJECT

Legal Description

Hackberry Place Lt. 3 Blk 4

Subdivision Name

Hackberry Place

Street Address

813 Ivy

Number of lots 1 Gross acres

Existing Zoning

Res.

Existing Land Use

Res.

Reason for Appeal (please use other side if necessary)

3'6" into 6' side yard SB. Rear Garage / ~~Driveway~~ encroaching post Setback line

☒ \$300.00 non-refundable filing fee + ☐ \$50.00 Recording Fee for Special Exception (carport)

☒ Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required

For rear garage

APPLICANT

Name Casey Swenson

Phone (956) 460-3570

Address 1200 Hwy 83

E-mail casey@swensonsCS.com

City Alamo

State TX

Zip 78516

OWNER

Name same as above

Phone

Address

E-mail

City

State

Zip

AUTHORIZATION

To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?

☐ Yes

☒ No

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable)

OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature

[Signature]

Date

6/5/25

JUN 13 2025

Print Name

Casey Swenson

☒ Owner

☐ Authorized Agent

BY: [Signature]



City of McAllen
Planning Department
REASON FOR APPEAL & BOARD ACTION

*A variance will not be granted to relieve a self-created or personal hardship, nor shall it be based solely on economic gain or loss. In order to make a finding of hardship and grant the variance, the Zoning Board of Adjustment will consider **any combination** of the following: (Please use an additional page if necessary to complete responses)

**Information provided here by the applicant does not guarantee that the Board will grant a variance.

***Applicant should include all information they determine is relevant, but it is not required to provide responses to all sections listed below.

1. Describe the special circumstance or condition affecting the land involved such that the strict application of the provisions required would deprive the applicant of the reasonable use of the land:

Rebuilt Garage is 3'6" from property line
only for 20' in depth. Existing driveway to be
saw cut right on property line.

2. Describe how the variance is necessary for the preservation and enjoyment of the legal property rights of the owner:

Full use of Rear garage/workshop that has
been rebuilt

3. Describe how the variance will not be detrimental to the public health, safety or welfare or injurious to the legal rights other property owners enjoy in the area:

The conditions already exist in the
area. Example, home across street has
driveway on the property line.

4. Describe special conditions that are unique to this applicant or property:

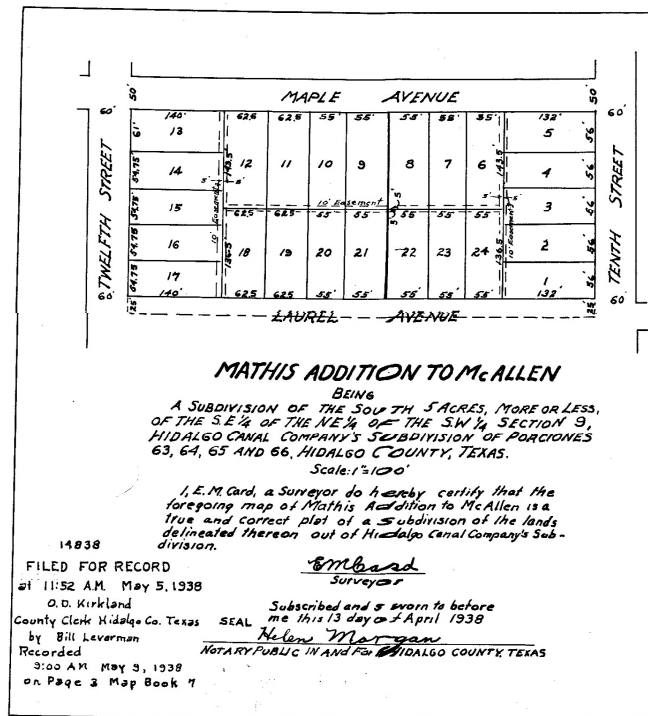
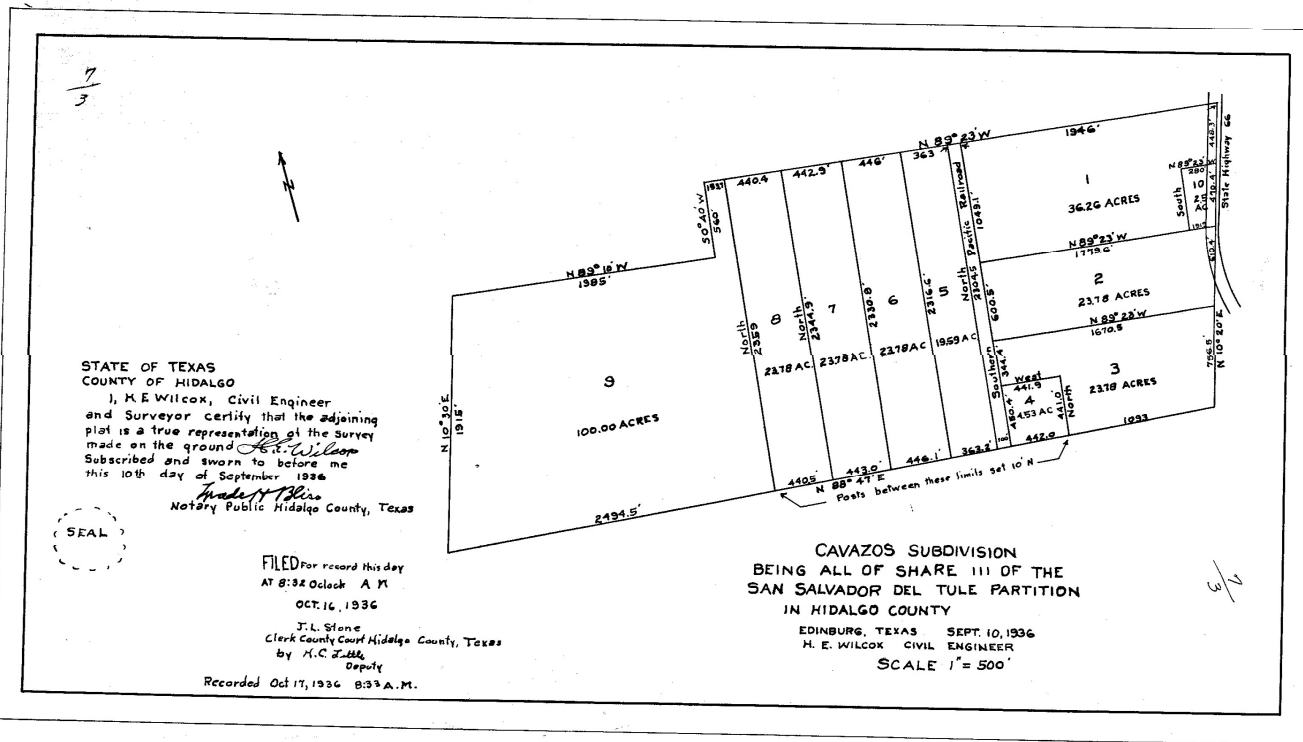
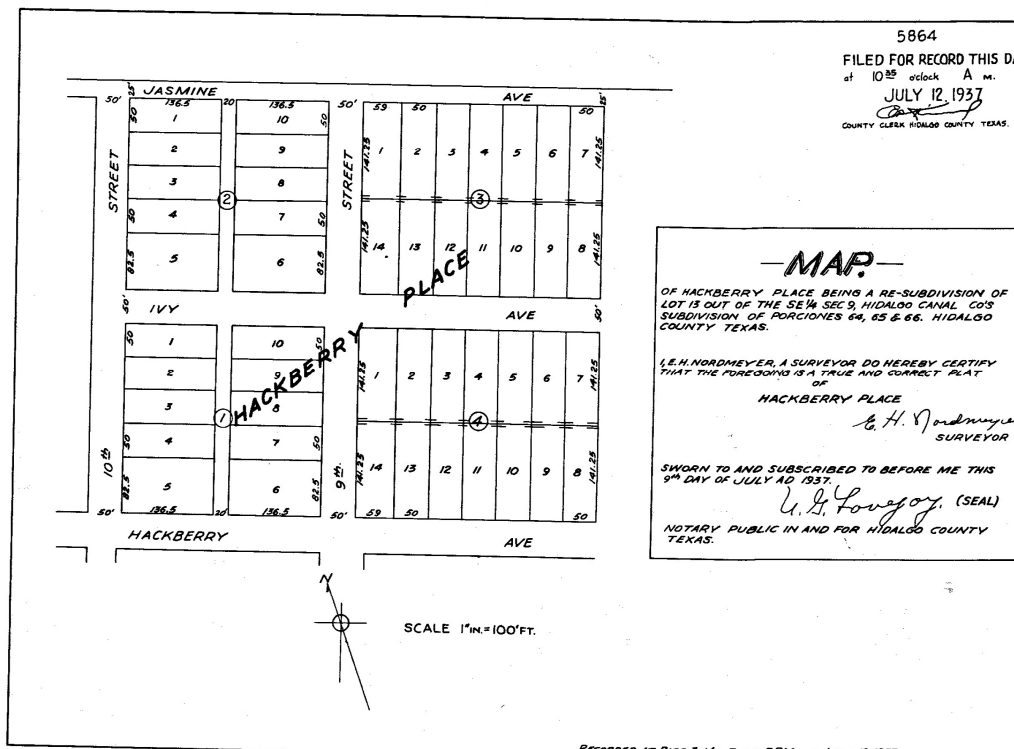
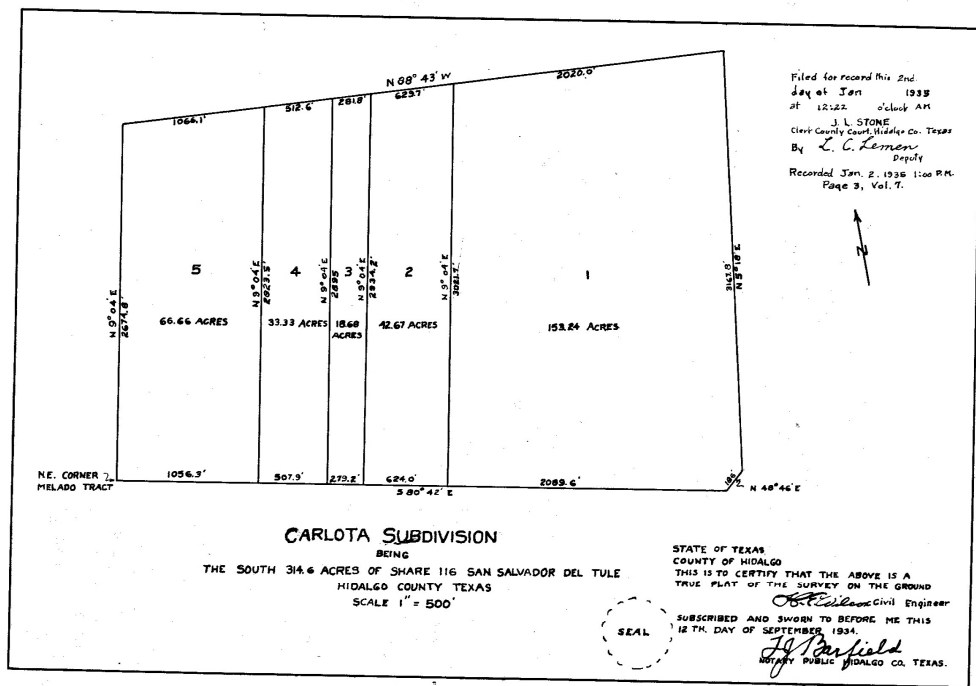
nothing special, other houses in area
have similar condition

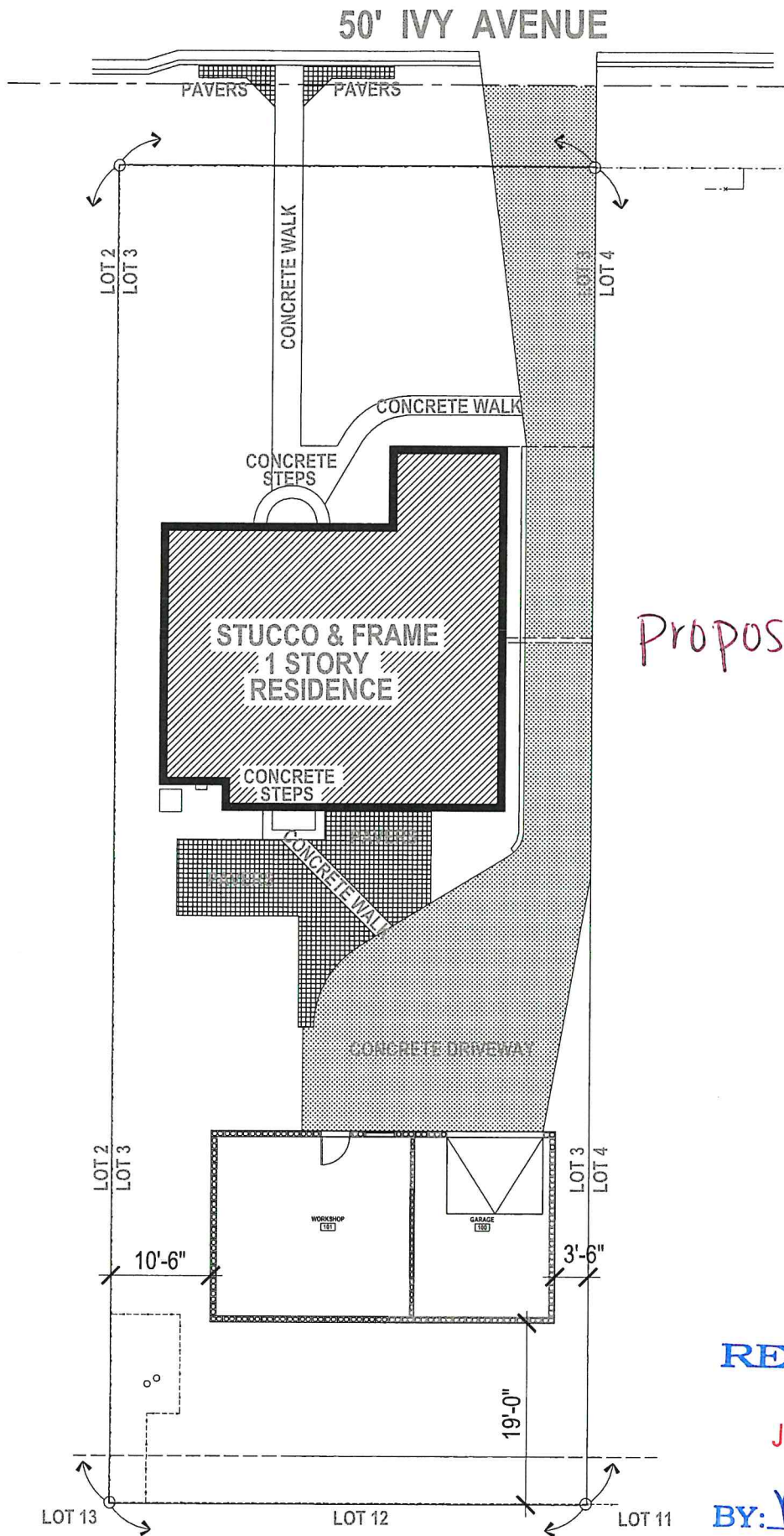
Reason for Appeal

Board Action

Chairman, Board of Adjustment
Signature

Date





Proposed

RECEIVED

JUN 13 2025

BY: mr

NOTICE
VARIANCE
SPECIAL EXCEPTION
FOR
THIS PROPERTY
ZBA2025-0033
CITY OF MCALLEN PLANNING DEPT.
956-681-1235
WWW.MCALLE.NET

1813

Memo

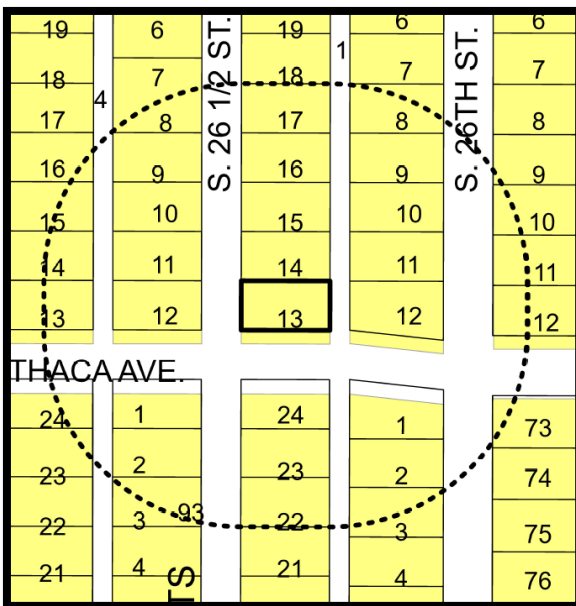
TO: Zoning Board of Adjustment & Appeals

FROM: Planning Staff

DATE: May 27, 2025

SUBJECT: REQUEST OF HUMBERTO SALINAS FOR A SPECIAL EXCEPTION TO THE CITY OF MCALLEN ZONING ORDINANCE TO ALLOW AN ENCROACHMENT OF 20 FEET INTO THE 20 FOOT FRONT YARD SETBACK FOR AN EXISTING CARPORT AT LOT 13, BLOCK 1, MCALLEN HEIGHTS SUBDIVISION, HIDALGO COUNTY, TEXAS; 821 SOUTH 26TH ½ STREET. (ZBA2025-0017)

REASON FOR APPEAL: The applicant is requesting a special exception to allow an encroachment of 20 feet into the 20 foot front yard setback for an existing metal carport used for protection of their vehicles from severe weather.



PROPERTY LOCATION AND VICINITY: The subject property is located at the northeast corner of Ithaca Avenue and South 26 ½ Street. The subject property has an area of 4,500 square feet. The property is zoned R-1 (Single-Family Residential-OC) District. The adjacent zoning is R-1 (Single-Family Residential-OC) District in all directions.

BACKGROUND AND HISTORY: McAllen Heights Subdivision was officially recorded on January 23, 1959. The applicant received a notice of violation related to electrical work performed on the existing carport. Subsequently, the permit for the electrical work was properly obtained and approved, the review process revealed that the carport had been constructed without a permit and encroaches into

the front yard setback. A building permit for the existing metal carport was submitted on February 11, 2025. The applicant applied on April 30, 2025 for a special exception to address the encroachment.

ANALYSIS: The applicant is requesting the special exception for an existing metal carport measuring 14.2 feet x 41.6 feet with a total of 591 square feet which exceeds the 400 square foot size not allowed by ordinance. The carport currently encroaches 20.0 feet into the front yard setback and upon conducting a site inspection, staff identified that the carport extends covering nearly the entire required five-foot setback along the north side. The applicant is not proposing to reduce the square footage of the carport to comply with the size requirement established by ordinance. Applicant states the structure provides necessary shade and protection for his vehicles from severe weather conditions.

Staff has not received any phone calls, emails or letters in opposition to the variance request.

RECOMMENDATION: Staff recommends disapproval of the special exception request.

At the meeting of June 4, 2025, item was tabled to give applicant time to discuss with Planning dept to propose to reduce carport square footage.

Applicant request for the item to be tabled to the next ZBOA meeting of July 9, 2025.



City of McAllen

Planning Department

APPEAL TO ZONING BOARD OF

ADJUSTMENT TO MCALLEN ZONING ORDINANCE

311 North 15th Street
McAllen, TX 78501
P. O. Box 220
McAllen, TX 78505-0220
(956) 681-1250
(956) 681-1279 (fax)

Case Number: ZBA-2025-0017 ZBOA Meeting: 06/04/25

Accepted By: _____

PROJECT

Legal Description

Lt 13 Blk 1

Subdivision Name

McAllen Heights

Street Address

821 S 26th

Number of lots

1

Gross acres

Existing Zoning

R1

Existing Land Use

House

Reason for Appeal (please use other side if necessary)

1. Upgrade into pet back

☒ \$300.00 non-refundable filing fee + ☐ \$50.00 Recording Fee for Special Exception (carport)

☐ Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required

APPLICANT

Name

Humberto Salinas

Phone

956 212 9650

Address

821 S. 26th

E-mail

hsalinas17@yahoo.com

City

McAllen

State

TX

Zip

78521

OWNER

Name

Humberto (Same)

Phone

Address

E-mail

City

State

Zip

AUTHORIZATION

To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?

☐ Yes

☒ No

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable)

OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature

Humberto Salinas

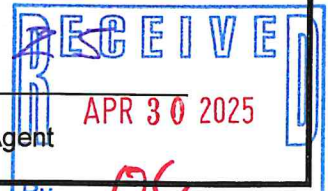
Date

4-30-25

Print Name

☒ Owner

☐ Authorized Agent



By

OC



City of McAllen
Planning Department
REASON FOR APPEAL & BOARD ACTION

*A variance will not be granted to relieve a self-created or personal hardship, nor shall it be based solely on economic gain or loss. In order to make a finding of hardship and grant the variance, the Zoning Board of Adjustment will consider **any combination** of the following: (*Please use an additional page if necessary to complete responses*)

****Information provided here by the applicant does not guarantee that the Board will grant a variance.**

*****Applicant should include all information they determine is relevant, but it is not required to provide responses to all sections listed below.**

Reason for Appeal

1. Describe the special circumstance or condition affecting the land involved such that the strict application of the provisions required would deprive the applicant of the reasonable use of the land:

2. Describe how the variance is necessary for the preservation and enjoyment of the legal property rights of the owner:

3. Describe how the variance will not be detrimental to the public health, safety or welfare or injurious to the legal rights other property owners enjoy in the area:

4. Describe special conditions that are unique to this applicant or property:

Board Action

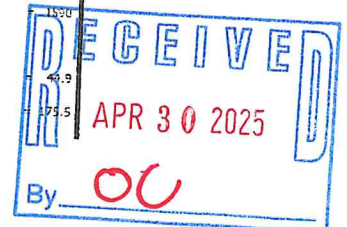
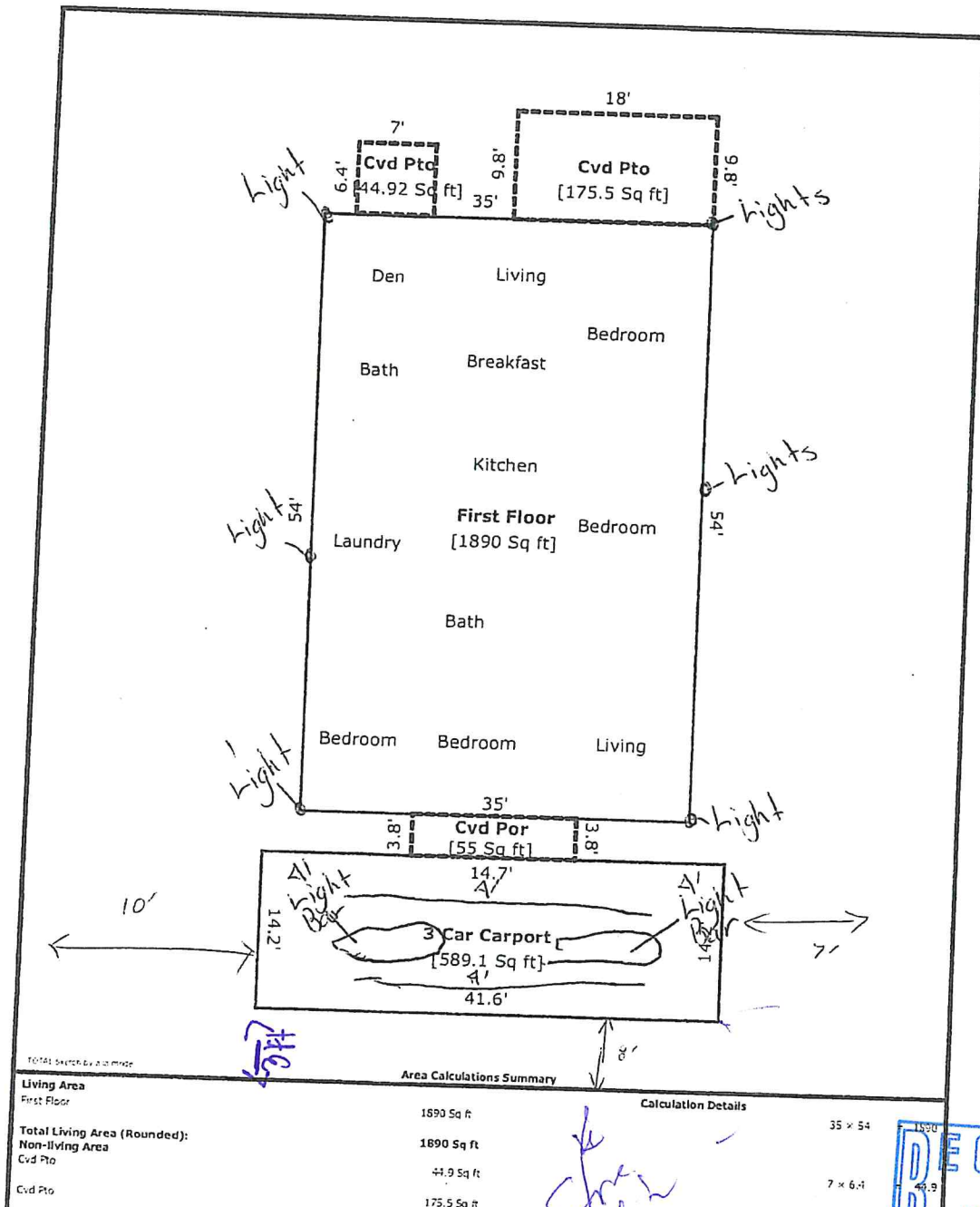
Chairman, Board of Adjustment
Signature

Date

Building Sketch

PHA VA Case No. 514-3991465

Borrower	Humberto Salinas & Juanita D Salinas		
Property Address	821 S 26 1/2 St		
City	McAllen	County	Hidalgo
Lender Client	Mutual of Omaha Mortgage, Inc.	State	TX
		Zip Code	78501





142 900





**NOTICE
VARIANCE
SPECIAL EXCEPTION
FOR
THIS PROPERTY
ZBA2025-0017**

CITY OF MCALLEN PLANNING DEPT.
956-681-1250
WWW.MCALLEN.TX

Memo

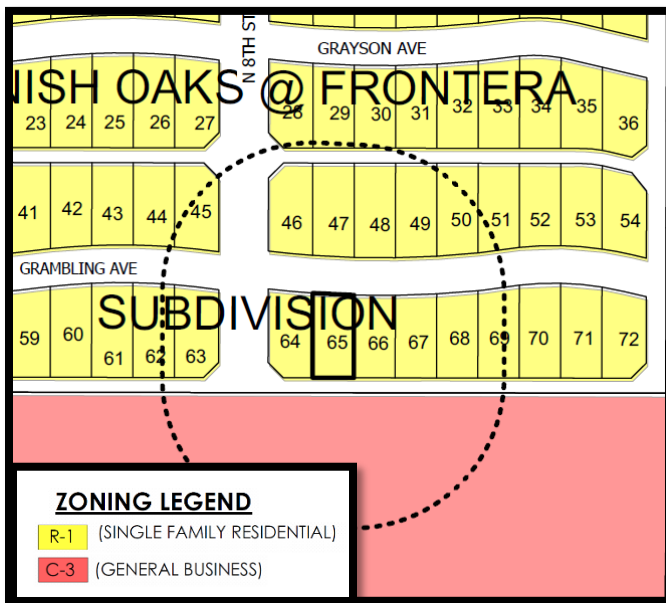
TO: Zoning Board of Adjustment & Appeals

FROM: Planning Staff

DATE: May 30, 2025

SUBJECT: REQUEST OF GERARDO MORALES FOR A VARIANCE TO THE CITY OF MCALLEN ZONING ORDINANCE TO ALLOW AN ENCROACHMENT OF 18 FEET INTO THE 18 FEET REAR YARD SETBACK FOR A PERGOLA AT LOT 65, SPANISH OAKS @ FRONTERA SUBDIVISION, HIDALGO COUNTY, TEXAS; 705 GRAMBLING AVENUE. (ZBA2025-0021)

REASON FOR APPEAL: The applicant is requesting a variance for an encroachment of 18 feet into the 18-foot rear yard setback for pergola measuring 10 feet by 10 feet. The property owner is proposing a pergola to cover a therapeutic hot tub.



PROPERTY LOCATION AND VICINITY: The subject property is located south of Grambling Avenue, second lot east of North 8th street, at Spanish Oaks @ Frontera Subdivision. The property is zoned R-1 (Single-Family Residential -OC) District. Adjacent zoning is R-1 (Single-Family Residential -OC) District to the east, north and west. Adjacent zoning the south is C-3 (General Business -OC) District. Surrounding land uses are single-family residences and vacant land.

BACKGROUND AND HISTORY: Spanish Oaks @ Frontera Subdivision was recorded on May 08, 2018. The rear building setback is 18 feet as per plat. A citation was issued September 28, 2023 for a

construction at southeast section of the lot without a permit and inspection. Subsequently the applicant applied for a variance on November 10, 2023. The Zoning Board of Adjustments (ZBOA) denied the request at the meeting on January 11, 2024. A building permit for the pergola was submitted August 11, 2023. The proposed location for the pergola as part of this variance request is located adjacent to the rear driveway with a rear 18 feet encroachment.

ANALYSIS: The request is for a variance to allow an encroachment of 18 feet into the 18 feet rear building setback to allow the placement of a 10 x 10 feet pergola. The applicant is applying for second time for a variance, stating that he wanted to protect a therapeutic hot tub that is in his rear yard.

Previous analysis staff had concluded relocation of pergola would minimize the invasion into the rear building setback and the elimination of side setback encroachment.

There have been no calls or emails received in opposition of the variance request.

Review from Planning Department records does not show any variance previously granted to this lot.

RECOMMENDATION: Staff recommends disapproval of the variance since pergola in being placed on the 18 feet rear building setback



City of McAllen

Planning Department

APPEAL TO ZONING BOARD OF

ADJUSTMENT TO MCALLEN ZONING ORDINANCE

311 North 15th Street
McAllen, TX 78501
P. O. Box 220
McAllen, TX 78505-0220
(956) 681-1250
(956) 681-1279 (fax)

Case Number: ZBA2025 0021

ZBOA Meeting: 01/4/2025

☐ Routed

Receipt No: 111186

☐ Scanned

Accepted by: P: SJA S: _____

Customer Acknowledgment (Int.): JM

PROJECT

Legal Description

Spanish Oaks @ Frontera Lot #65

Subdivision Name

Spanish Oaks

Street Address

705 Grambling Ave

Number of lots

1

Gross acres

Existing Zoning

R1

Existing Land Use

Home

Reason for Appeal (please use other side if necessary)

Encroaching 10 ft in to the 18 ft

☒ \$300.00 non-refundable filing fee ☒ \$50.00 Recording Fee for Special Exception (carport)

☐ Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required

APPLICANT

Name

Gerardo Morales

Phone

956-929-0330

Address

Same

E-mail

g.morales@yahoo.com

City

McAllen

State

TX

Zip

78504

OWNER

Name

Same as above

Phone

Address

E-mail

City

State

Zip

AUTHORIZATION

To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?

☐ Yes

☐ No

RECEIVED

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable)

OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature

[Signature]

Date

BY: MR

Print Name

Gerardo Morales

☒ Owner

☐ Authorized Agent



City of McAllen

Planning Department

REASON FOR APPEAL & BOARD ACTION

*A variance will not be granted to relieve a self-created or personal hardship, nor shall it be based solely on economic gain or loss. In order to make a finding of hardship and grant the variance, the Zoning Board of Adjustment will consider any combination of the following: (Please use an additional page if necessary to complete responses)

**Information provided here by the applicant does not guarantee that the Board will grant a variance.

***Applicant should include all information they determine is relevant, but it is not required to provide responses to all sections listed below.

1. Describe the special circumstance or condition affecting the land involved such that the strict application of the provisions required would deprive the applicant of the reasonable use of the land:

Pergola to cover hot tub for therapy body
Set back is usually 10 feet but this subdivision
is 18 feet

2. Describe how the variance is necessary for the preservation and enjoyment of the legal property rights of the owner:

Pergola to cover hot tub for therapy for body

3. Describe how the variance will not be detrimental to the public health, safety or welfare or injurious to the legal rights other property owners enjoy in the area:

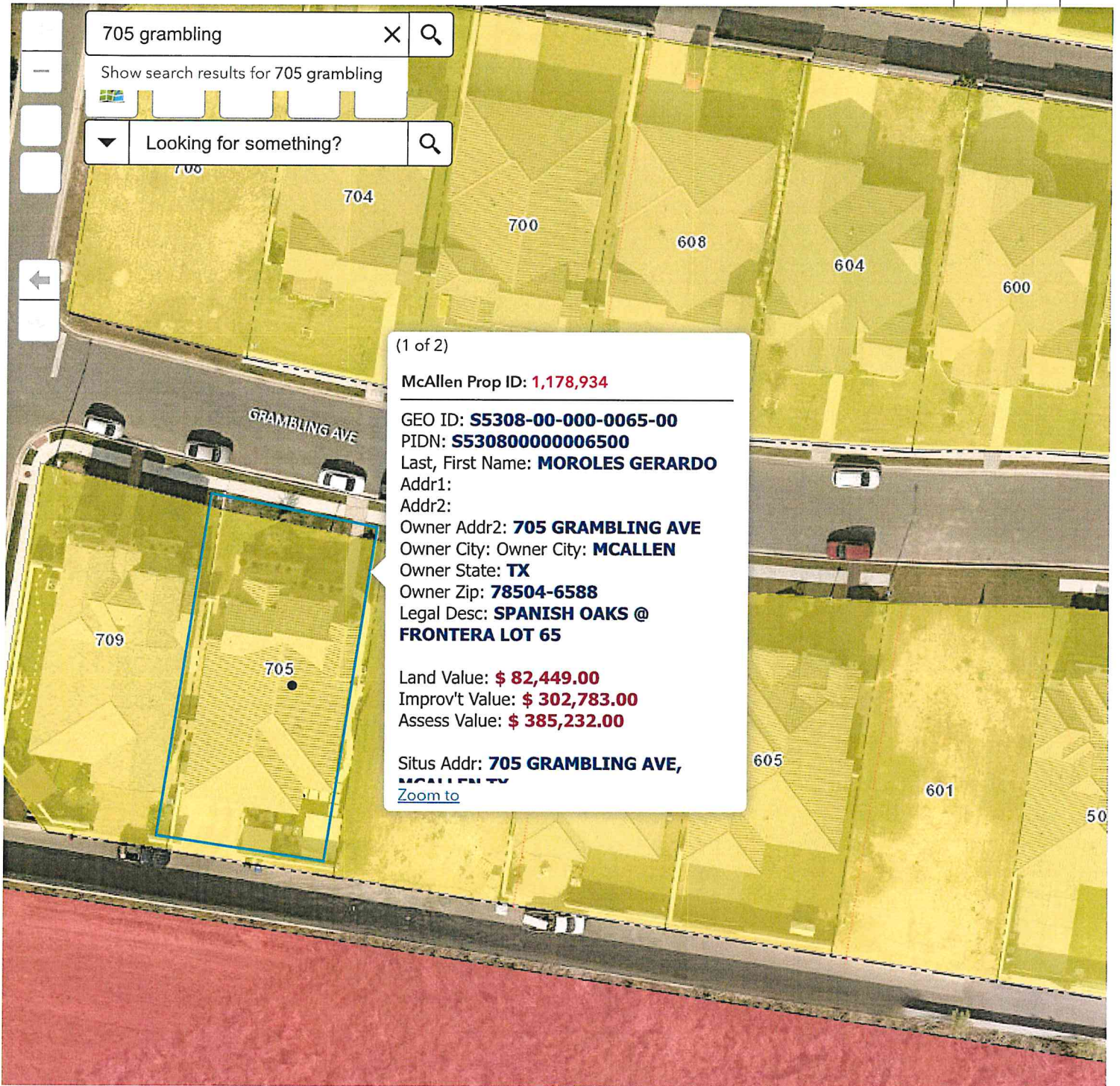
To my knowledge pergola will not affect
neighbors

4. Describe special conditions that are unique to this applicant or property:

Pergola to cover hot tub for therapy
Extreme heat in the valley. Pergola needed
to body

Chairman, Board of Adjustment
Signature

Date



705 grambling



Show search results for 705 grambling



Looking for something?



(1 of 2)

McAllen Prop ID: **1,178,934**

GEO ID: **S5308-00-000-0065-00**

PIDN: **S530800000006500**

Last, First Name: **MOROLAS GERARDO**

Addr1:

Addr2:

Owner Addr2: **705 GRAMBLING AVE**

Owner City: Owner City: **MCALLEN**

Owner State: **TX**

Owner Zip: **78504-6588**

Legal Desc: **SPANISH OAKS @
FRONTERA LOT 65**

Land Value: **\$ 82,449.00**

Improv't Value: **\$ 302,783.00**

Assess Value: **\$ 385,232.00**

Situs Addr: **705 GRAMBLING AVE,**

MCALLEN TX

[Zoom to](#)

709

705

704

700

608

604

600

605

601

50

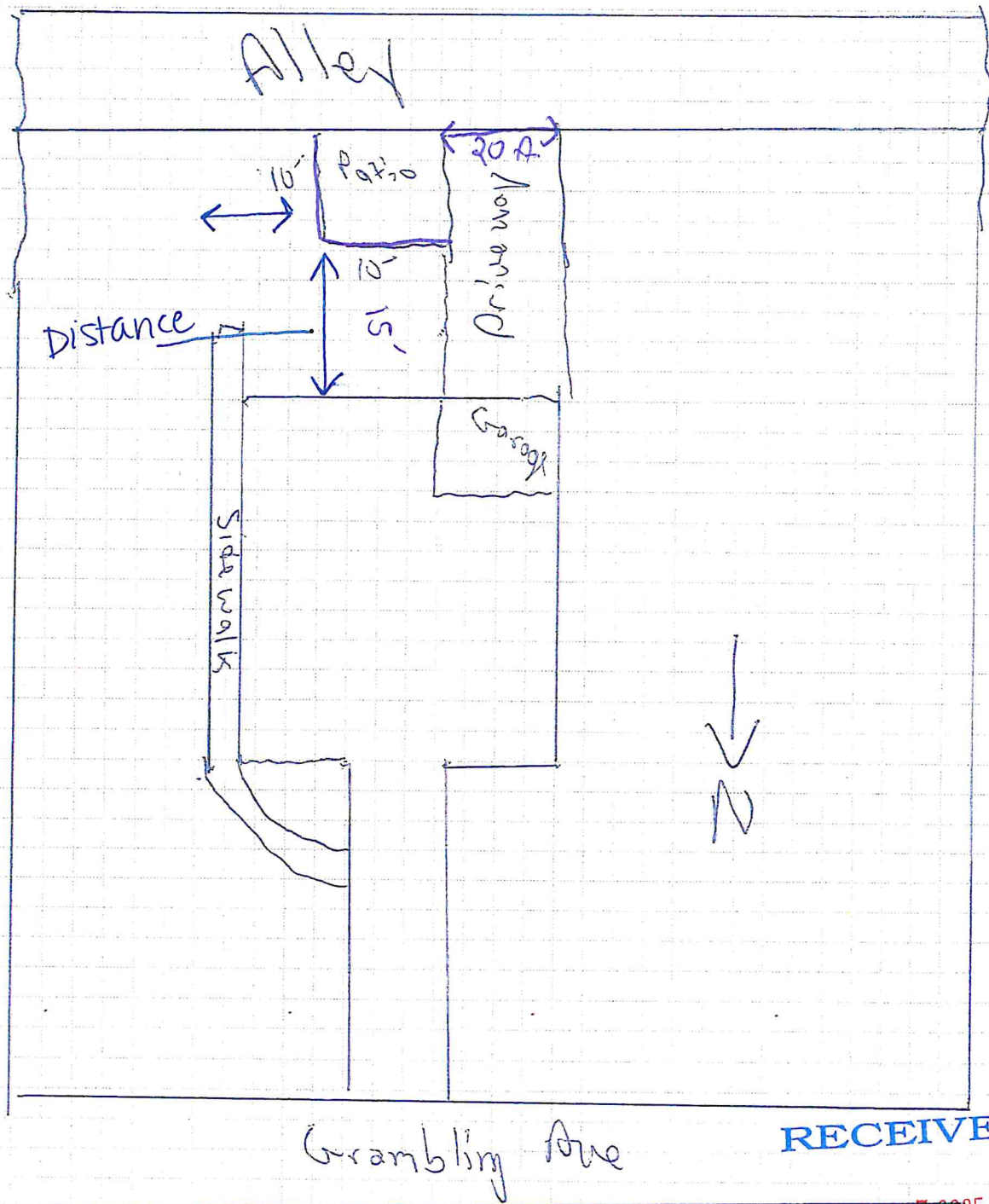
GRAMBLING AVE

40ft

-98.213 26.279 Degrees

RECEIVED

MAY 07 2025



Wall Legend:

Existing

Proposed

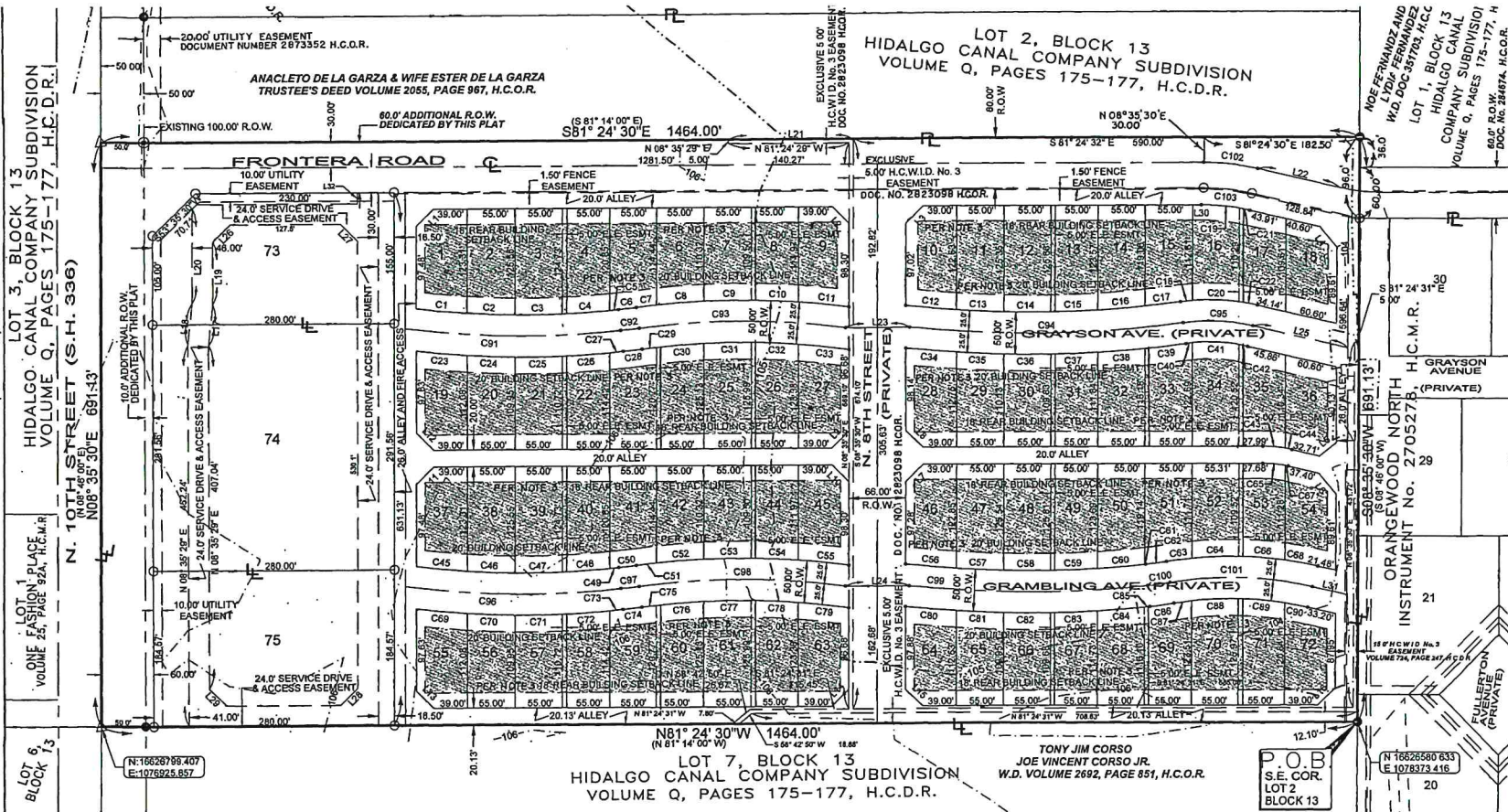
Demolition

Symbol Legend:

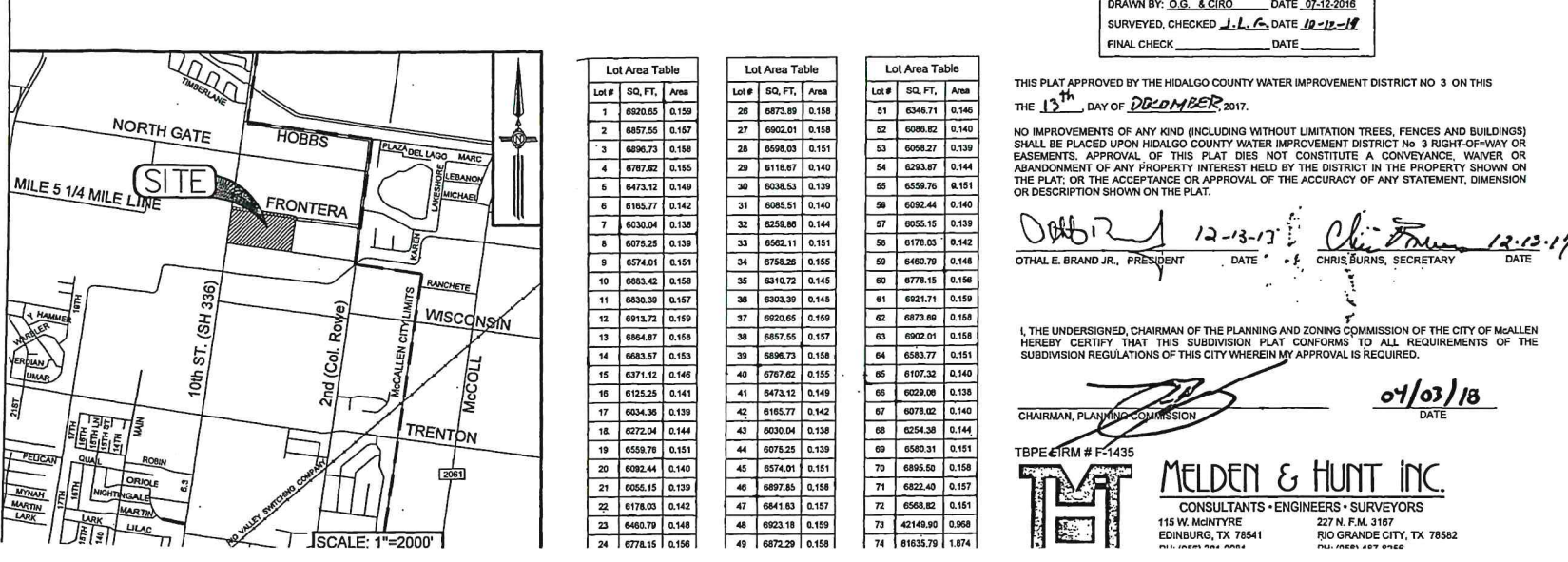


Application and documents can be submitted electronically to
BLDGPERMITS@MCALLEN.NET





Curve #	Delta	Radius	Length	Tangent	Chord Length	Chord Direction
C1	3° 25' 53"	960.13	50.00	28.60	50.00	S 75° 45' 53" E
C2	3° 11' 00"	960.13	50.00	27.53	50.00	S 79° 04' 31" E
C3	3° 11' 00"	960.13	50.00	27.53	50.00	S 82° 15' 32" E
C4	3° 11' 00"	960.13	50.00	27.53	50.00	S 85° 26' 48" E
C5	3° 05' 18"	960.13	50.00	26.47	50.00	S 87° 35' 00" E
C6	1° 17' 44"	960.13	100.00	10.00	100.00	S 88° 16' 40" E
C7	1° 17' 44"	960.13	100.00	10.00	100.00	S 88° 00' 50" W
C8	3° 25' 53"	960.13	50.00	28.60	50.00	S 85° 41' 29" W
C9	3° 25' 53"	960.13	50.00	28.60	50.00	S 82° 15' 32" W
C10	3° 25' 53"	960.13	50.00	28.60	50.00	S 85° 41' 29" W
C11	3° 25' 53"	960.13	50.00	28.60	50.00	S 82° 15' 32" W
C12	3° 25' 53"	960.13	50.00	28.60	50.00	S 85° 41' 29" W
C13	3° 25' 53"	960.13	50.00	28.60	50.00	S 82° 15' 32" W
C14	3° 25' 53"	960.13	50.00	28.60	50.00	S 85° 41' 29" W
C15	3° 25' 53"	960.13	50.00	28.60	50.00	S 82° 15' 32" W
C16	3° 25' 53"	960.13	50.00	28.60	50.00	S 85° 41' 29" W
C17	3° 25' 53"	960.13	50.00	28.60	50.00	S 82° 15' 32" W
C18	3° 25' 53"	960.13	50.00	28.60	50.00	S 85° 41' 29" W
C19	3° 25' 53"	960.13	50.00	28.60	50.00	S 82° 15' 32" W
C20	3° 25' 53"	960.13	50.00	28.60	50.00	S 85° 41' 29" W
C21	3° 25' 53"	960.13	50.00	28.60	50.00	S 82° 15' 32" W
C22	3° 25' 53"	960.13	50.00	28.60	50.00	S 85° 41' 29" W
C23	3° 25' 53"	960.13	50.00	28.60	50.00	S 82° 15' 32" W
C24	3° 25' 53"	960.13	50.00	28.60	50.00	S 85° 41' 29" W
C25	3° 25' 53"	960.13	50.00	28.60	50.00	S 82° 15' 32" W
C26	3° 25' 53"	960.13	50.00	28.60	50.00	S 85° 41' 29" W
C27	3° 25' 53"	960.13	50.00	28.60	50.00	S 82° 15' 32" W
C28	3° 25' 53"	960.13	50.00	28.60	50.00	S 85° 41' 29" W
C29	3° 25' 53"	960.13	50.00	28.60	50.00	S 82° 15' 32" W
C30	3° 25' 53"	960.13	50.00	28.60	50.00	S 85° 41' 29" W



SPANISH OAKS @ FRONTERA

(PRIVATE SUBDIVISION)
23.228 ACRES OUT OF
LOT 2, BLOCK 13, HIDALGO CANAL COMPANY SUBDIVISION
VOLUME Q, PAGES 175-177, H.C.D.R.,
CITY OF McALLEN, HIDALGO COUNTY, TEXAS

METES AND BOUNDS DESCRIPTION:
23.228 ACRES (1,011,814.32 SQUARE FEET) SITUATED IN THE CITY OF McALLEN, HIDALGO COUNTY, TEXAS, BEING A PART OR PORTION OUT OF LOT 2, BLOCK 13, HIDALGO CANAL COMPANY SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME Q, PAGES 175-177, HIDALGO COUNTY DEED RECORDS, SAID 23.228 ACRES (1,011,814.32 SQUARE FEET) ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

BEGINNING AT A NO 4 REBAR FOUND [NORTHING 1078373 416] AT THE SOUTHEAST CORNER OF SAID LOT 2, BLOCK 13, AND THE NORTHEAST CORNER OF LOT 7, BLOCK 13, OF SAID HIDALGO CANAL COMPANY SUBDIVISION, FOR THE SOUTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;

- THENCE, N 81° 24' 30" W (N 81° 14' 00" W DEED CALL) ALONG THE SOUTH LINE OF SAID LOT 2, BLOCK 13, AND THE NORTH LINE OF SAID LOT 7, BLOCK 13, AT A DISTANCE OF 1414.00 FEET PASS A NO 4 REBAR FOUND ON THE EXISTING EAST RIGHT-OF-WAY LINE OF N 10TH STREET (S H 336), CONTINUING A TOTAL DISTANCE OF 1464.00 FEET TO A COTTON PICKER SPINDLE SET (NORTHING 1662679 407, EASTING 1076925 857) ON THE SOUTHWEST CORNER OF SAID LOT 2, BLOCK 13, FOR THE SOUTHWEST CORNER OF THIS TRACT;
- THENCE, N 08° 35' 30" E (N 08° 46' 00" E DEED CALL) ALONG THE WEST LINE OF SAID LOT 2, BLOCK 13, AND WITHIN THE RIGHT-OF-WAY OF N 10TH STREET (S H 336), A DISTANCE OF 691.12 FEET TO A COTTON PICKER SPINDLE SET FOR THE NORTHWEST CORNER OF THIS TRACT;
- THENCE, S 08° 35' 30" E (S 08° 14' 00" E DEED CALL) AT A DISTANCE OF 50.00 FEET PASS A 2 INCH PIPE FOUND ON THE EXISTING EAST RIGHT-OF-WAY LINE OF N 10TH STREET (S H 336), CONTINUING A TOTAL DISTANCE OF 1464.00 FEET TO A NO 4 REBAR FOUND ON THE EAST LINE OF SAID LOT 2, BLOCK 13, FOR THE NORTHEAST CORNER OF THIS TRACT;
- THENCE, S 08° 35' 30" W (S 08° 46' 00" W DEED CALL) ALONG THE EAST LINE OF SAID LOT 2, BLOCK 13, AND THE WEST BOUNDARY LINE OF GRANGEWOOD NORTH AS RECORDED IN INSTRUMENT NUMBER 2705278 HIDALGO COUNTY MAP RECORDS, AT A DISTANCE OF 56.00 FEET PASS A NO 4 REBAR FOUND ON THE EAST LINE OF SAID LOT 2, BLOCK 13, CONTINUING A TOTAL DISTANCE OF 691.12 FEET TO THE POINT OF BEGINNING, AND CONTAINING 23.228 ACRES (1,011,814.32 SQUARE FEET) OF LAND, OF WHICH 0.793 OF ONE ACRE (34,556.50 SQUARE FEET) LIES WITHIN THE EXISTING RIGHT-OF-WAY OF N 10TH STREET (S H 336), AND 0.159 OF ONE ACRE (6,911.30 SQUARE FEET) LIES WITHIN THE FUTURE RIGHT-OF-WAY OF N 10TH STREET (S H 336), LEAVING A NET OF 22.276 ACRES (970,346.52 SQUARE FEET) OF LAND, MORE OR LESS

GENERAL NOTES
1 THE BUILDABLE AREAS OF EACH LOT LIES IN ZONE "X" SHADED THE STREETS LIES IN ZONE "A" WHEN PERTAINING TO FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NUMBER 480334 0325 D AND FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NUMBER 480334 0425 D.
2 ZONE "X" SHADED - AREA OF 500-YEAR FLOOD, AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREA LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES FROM 100-YEAR FLOOD & ZONE "A" - NO BASE FLOOD DETERMINED, BASE FLOOD ELEVATION HAS BEEN DETERMINED TO BE 107.0 AND ZONE "X" SHADED ZONE "A" SHOWN ON COMMUNITY-PANEL NUMBER 480334 0325 D MAP REVISED JUNE 8, 2000 FURTHER REVISED TO REFLECT LOMR MAY 17, 2001 AND COMMUNITY-PANEL NUMBER 480334 0425 D MAP REVISED NOVEMBER 16, 1992 BFE-107.00
ALL FURTHER REVISED TO REFLECT LOMR-F CASE NO. 18-06-0802A

- MINIMUM FINISH FLOOR NOTE: MINIMUM FINISH FLOOR ELEVATION SHALL BE 10' ABOVE TOP OF CURB AT CENTER OF LOT OR ELEVATION OF 107.50 WHICH EVER IS HIGHER. ELEVATION CERTIFICATE IS REQUIRED FOR LOTS LOCATED OUTSIDE A DESIGNATED FLOOD ZONE AT THE TIME FOR A DEVELOPMENT PERMIT APPLICATION TO VERIFY PRE AND POST CONSTRUCTION FLOOD ELEVATIONS. AN ELEVATION CERTIFICATE SHALL BE REQUIRED FOR ALL LOTS WITHIN A DESIGNATED FLOOD ZONE AT THE TIME FOR A DEVELOPMENT PERMIT APPLICATION.
- MINIMUM SETBACKS SHALL COMPLY WITH THE CITY OF McALLEN ZONING CODE. ALL SETBACKS SHOWN ON PLAT SHALL BE AS FOLLOWS:
LOTS 1-72
FRONT 20 FEET OR GREATER FOR EASEMENTS
REAR 18 FEET GARAGE EXCEPT WHERE GREATER SETBACK IS REQUIRED. GREATER SETBACK APPLIES
SIDE CORNER 10 FEET OR GREATER FOR EASEMENTS
INTERIOR SIDES 6 FEET ON THE EAST SIDE AND 2 FEET ALONG THE WEST SIDE SUCH THAT MINIMUM SETBACK BETWEEN BUILDINGS IS 8 FEET WITH 6 FEET MINIMUM BETWEEN ROOF LINES NO OVERHANG IS ALLOWED OVER LOT LINES A 10 FEET SETBACK IS REQUIRED ON THE EAST SIDE OF LOTS 18, 36, 54 AND 72, WEST SIDE OF LOTS 1, 19, 37 AND 55.
- LOTS 73-75
FRONT 10th STREET 60 FEET OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS
FRONTIERA ROAD 30 FEET OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS
REAR 42.5 FEET OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS
INTERIOR SIDES - IN ACCORDANCE WITH ZONING ORDINANCES, OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS

- DETENTION DETENTION FOR STORM SEWER RUNOFF PER THE APPROVED DRAINAGE REPORT SHALL BE 3.558 AC. FT. DETENTION WILL BE PROVIDED WITHIN THE WIDENING OF McALLEN LATERAL AS APPROVED BY THE CITY OF McALLEN
- CITY OF McALLEN BENCHMARK "MC50," 1" FROM THE CITY OF McALLEN G.P.S. REFERENCE MARKS LIST PREPARED BY ARANDA & ASSOCIATE ON SEPTEMBER 09, 2002 BEING LOCATED ON THE WEST SIDE OF 10TH ST BETWEEN TRENTON AND FULLERTON ROAD 30" ALUM PIPE WITH A 3" BRASS MONUMENT CAP ON TOP AT ELEVATION = 106.511 (NAVD83)
- TEMPORARY BENCHMARK SQUARE CUT SET ON TYPE A INLET LOCATED 353 FEET SOUTH AND 43 FEET EAST OF THE NORTHWEST CORNER OF THIS SUBDIVISION GEODETIC G.P.S. TEXAS STATE PLANE GRID COORDINATE SYSTEM NAD 83 TEXAS ZONES 4205 ELEVATION PER NAVD 89 (GEOID 2003) N=10652123 929 E=1077019 789 ELEV=106 30

- NO BUILDING ALLOWED OVER ANY EASEMENT
- 4 FT WIDE SIDEWALK REQUIRED ALONG SOUTH SIDE OF FRONTERA ROAD AND ON BOTH SIDES OF ALL INTERIOR STREETS 5 FT WIDE SIDEWALK REQUIRED ALONG EAST SIDE OF N 10th STREET
- 8 FT MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONUSES A 6 FT OPAQUE BUFFER IS REQUIRED FORM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, OR INDUSTRIAL ZONUSES AND ALONG FRONTERA ROAD
- COMMON AREAS MUST BE MAINTAINED BY LOT OWNERS AND NOT THE CITY OF McALLEN
- NO CURB CUT ACCESS, OR LOT FRONTAGE PERMITTED ALONG FRONTERA ROAD
- 25'x25' SIGHT OBSTRUCTION EASEMENT IS REQUIRED AT ALL STREET INTERSECTIONS A 10'x10' IS REQUIRED AT ALL STREET/ALLEY INTERSECTIONS
- SITE PLAN MUST BE APPROVED BY THE PLANNING AND ZONING COMMISSION PRIOR TO BUILDING PERMIT ISSUANCE FOR LOTS 73, 74 AND 75.
- COMMON AREAS FOR COMMERCIAL DEVELOPMENTS PROVIDED FOR COMMON PARKING, ACCESS, SETBACKS, LANDSCAPING, ETC
- DEVELOPER/HOMEOWNER'S ASSOCIATION/OWNER, THEIR SUCCESSORS AND ASSIGNEES, AND NOT THE CITY OF McALLEN SHALL BE RESPONSIBLE FOR COMPLIANCE OF INSTALLATION AND MAINTENANCE AND OTHER REQUIREMENTS PER SECTION 134-168 OF THE SUBDIVISION ORDINANCE, INCLUDING BUT NOT LIMITED TO COMMON AREAS AND ITS PRIVATE STREETS
- AS PER DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR SPANISH OAK AT FRONTERA, RECORDED AS DOCUMENT NUMBER 2914392, HIDALGO COUNTY, DEED RECORDS, DEVELOPER/HOMEOWNER ASSOCIATION/OWNER, THEIR SUCCESSORS AND/OR ASSIGNS, AND NOT THE CITY OF McALLEN SHALL BE RESPONSIBLE FOR INSTALLATION, MAINTENANCE AND OTHER REQUIREMENTS AS PER SECTION 134-168 OF THE CODE OF ORDINANCE OF THE CITY OF McALLEN, INCLUDING BUT NOT LIMITED TO THE COMMON AREAS AND PRIVATE STREETS ANY AMENDMENT TO DECLARATIONS THAT CONFLICT WITH THE REQUIREMENTS OF SECTION 134-168 SHALL BE NULL AND VOID
- THE 15 FOOT FENCE EASEMENT SHALL BE MAINTAINED BY THE LOT OWNERS AND/OR HOMEOWNERS ASSOCIATION AND NOT THE CITY OF McALLEN

I, THE UNDERSIGNED, MAYOR OF THE CITY OF McALLEN, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED

James E. Darling
MAYOR, CITY OF McALLEN
DATE 4/9/10

Chris Burns
CITY SECRETARY
DATE 4/9/10

APPROVED BY DRAINAGE DISTRICT:
HIDALGO COUNTY DRAINAGE DISTRICT NO.1 HEREBY CERTIFYING THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEXAS WATER CODE 6-8-211 (C). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER AND HIS ENGINEER TO MAKE THESE DETERMINATIONS.

James E. Darling
MAYOR, CITY OF McALLEN
DATE 4/9/10

Chris Burns
CITY SECRETARY
DATE 4/9/10

James E. Darling
MAYOR, CITY OF McALLEN
DATE 4/9/10

Chris Burns
CITY SECRETARY
DATE 4/9/10

WE, THE UNDERSIGNED, OWNERS OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS SPANISH OAKS @ FRONTERA, DO HEREBY GRANT AN ACCESS AND UTILITY EASEMENT TO THE CITY OF McALLEN AND THOSE WHO MAY NOW OR HEREAFTER HOLD FRANCHISE UNDER SAID CITY THE USE OF THE STREETS, ALLEYS, AND EASEMENTS THEREON SHOWN, SURFACE USE OF THE STREETS AND ALLEYS ARE RESTRICTED TO THE EMPLOYEES AND AGENTS OF THE CITY OF McALLEN, TO THE EMPLOYEES OF THE UTILITY OPERATING UNDER FRANCHISE TO THE CITY OF McALLEN, AND RESIDENTS OF THE SUBDIVISION AND THEIR GUESTS ADDITIONAL PUBLIC RIGHT-OF-WAY FOR N 10th STREET (S H 336) AND FRONTERA ROAD IS BEING DEDICATED BY THIS PLAT

10/12/17
DATE

8400 / 8500 N 10TH DEVELOPMENT, LLC
A TEXAS LIMITED LIABILITY COMPANY
JOSEPH W. HOLLAND, MANAGER
P.O. BOX 610
McALLEN, TX 78505

10/12/17
DATE

8400 / 8500 N 10TH DEVELOPMENT, LLC
A TEXAS LIMITED LIABILITY COMPANY
ANNIE HOLLAND MILLER, MANAGER
P.O. BOX 610
McALLEN, TX 78505

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JOSEPH W. HOLLAND, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS 12th DAY OF October, 2017

Joseph W. Holland
JOSEPH W. HOLLAND, MANAGER
NOTARY PUBLIC, FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES July 13, 2019

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ANNIE HOLLAND MILLER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS 12th DAY OF October, 2017

Annie Holland Miller
ANNIE HOLLAND MILLER, MANAGER
NOTARY PUBLIC, FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES July 13, 2019

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MARK VOSS, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS 12th DAY OF October, 2017

Mark Voss
MARK VOSS, SENIOR VICE-PRESIDENT
PLANSOURCE CAPITAL BANK
2323 VICTORY AVENUE, SUITE 1400
DALLAS, TEXAS 75219

STATE OF TEXAS
COUNTY OF HIDALGO

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STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED, FRED L. KURTH, A LICENSED PROFESSIONAL ENGINEER AND REGISTERED PROFESSIONAL LAND SURVEYOR, IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT, AND THAT IT IS A TRUE AND ACCURATE REPRESENTATION OF THE SUBDIVISION OF THE LANDS HEREON DESCRIBED

Fred L. Kurth
FRED L. KURTH, P.E. # 54151, R.L.S. # 4750
DATE SURVEYED 12-15-15
DATE PREPARED 01-26-15
T-1004, PG. 60-31
ENGINEERING JOB NO. 15165.00
SURVEYING JOB NO. 15165.00

FILED FOR RECORD IN
HIDALGO COUNTY
ARTURO GUJARDO, JR.
HIDALGO COUNTY CLERK

ON: 5/9/2018 AT 04:18 AM/PM
INSTRUMENT NUMBER 2914397
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

Arturo Guajardo, Jr.
HIDALGO COUNTY CLERK



NOTICE
VARIANCE
FOR
THIS PROPERTY
ZBA2025-0021
CITY OF MCALLEN PLANNING DEPT
356-681-1256
WWW.MCALLEN.NET