

AGENDA

**ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING
THURSDAY, SEPTEMBER 17, 2020 - 4:30 PM
MCALLEN CITY HALL, 1300 HOUSTON AVENUE
CITY COMMISSION CHAMBERS, 3RD FLOOR**

**Web: <https://zoom.us/join> or phone: (346) 248-7799
Meeting ID: 672 423 1883**

At any time during the course of this meeting, the Zoning Board of Adjustment and Appeals may retire to Executive Session under Texas Government Code 551.071(2) to confer with its legal counsel on any subject matter on this agenda in which the duty of the attorney to the Zoning Board of Adjustment and Appeals under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code. Further, at any time during the course of this meeting, the Zoning Board of Adjustment and Appeals may retire to Executive Session to deliberate on any subject slated for discussion at this meeting, as may be permitted under one or more of the exceptions to the Open Meetings Act set forth in Title 5, Subtitle A, Chapter 551, Subchapter D of the Texas Government Code.

CALL TO ORDER -

1. MINUTES:

- a) Minutes for the meeting held on August 19, 2020

2. INFORMATION ONLY:

- a) Introduction to new Board member and Alternates

3. PUBLIC HEARINGS:

- a) Request of America I. Lopez for the following special exceptions and variances to the City of McAllen Zoning Ordinance to allow: **1)** an encroachment of 7 ft. into the 7 ft. side yard setback on the east property line for an existing storage building measuring 7 ft. by 17 ft., **2)** to allow an encroachment of 5 ft. into the 5 ft. side yard setback on the west property line for an existing storage building measuring 8 ft. by 10 ft., **3)** to allow an encroachment of 23 ft. into the 30 ft. front yard setback for a proposed carport measuring 19 ft. by 20 ft., **4)** to allow an encroachment of 7 ft. into the 7 ft. side yard setback on the east side for a proposed carport measuring 19 ft. by 20 ft., **5)** to allow an encroachment of 23 ft. into the 30 ft. front yard setback for a proposed carport measuring 20 ft. by 30 ft. ,and **6)** to allow an encroachment of 5 ft. into the 5 ft. side yard setback on the west property line for a proposed carport measuring 20 ft. by 30 ft. at Lot 17, Block 1, Western Acres Subdivison, Hidalgo County, Texas; 1508 Upas Avenue. **(ZBA2020-0040) (TABLED: 08/19/2020)**
- b) Request of Eva Barrera for the following Special Exception to the City of McAllen Zoning Ordinance: to allow an encroachment of 16.5 ft. into the 20 ft. front yard setback for an existing carport measuring 18 ft. by 38 ft. at Lot 23, Block 5, Colonia McAllen Unit No.7 Subdivision, Hidalgo County, Texas; 1909 South 33rd Street. **(ZBA2020-0044)**
- c) Request of Ivan Garcia on behalf of Rio Delta Engineering for the following variance to the City of McAllen Zoning Ordinance: to allow an encroachment of 27 ft. into the 75 ft. front yard setback for a new meeting room addition to existing building, at Lot 2, T.M.J.C. Subdivision, Hidalgo County, Texas; 612 Expressway 83. **(ZBA2020-0047)**
- d) Request Dora Hilda Quintero for the following variance to the City of McAllen Zoning Ordinance to: not provide one required parking space beyond the front yard setback at Lot 167, Cielo Vista Subdivision Phase II, Hidalgo County, Texas; 2913 Wanda Avenue. **(ZBA2020-0048)**

- e) Request of Jose L. Salinas for the following variance to the City of McAllen Zoning Ordinance to allow: an encroachment of 10 ft. into the 10 ft. side yard setback for an existing pergola measuring 10 ft. by 20 ft. at Lot 10, Block 1, The Courtlands Subdivision, Hidalgo County, Texas; 409 Dove Avenue. **(ZBA2020-0049)**
- f) Request of Daniel Aguirre on behalf of Jose Luis Diaz for the following variance to the City of McAllen Zoning Ordinance to allow: an encroachment of 2 ft. into the 7 ft. side yard setback for a proposed new garage and game room measuring 19.08 ft. by 23.33 ft. at Lot 2, Rancho Subdivision, Hidalgo County, Texas; 5517 South 29th Street. **(ZBA2020-0053)**
- g) Request of David Rutledge for the following Special Exception to the City of McAllen Zoning Ordinance to allow: an encroachment of 6 ft. into the 6 ft. side yard setback for an existing carport measuring 16 ft. by 36 ft. at Lot 4, North Garden Estates Subdivision, Hidalgo County, Texas; 301 Pelican Avenue. **(ZBA2020-0054)**
- h) Request of Cesar Pavel Cal Camarillo for the following special exception to the City of McAllen Zoning Ordinance: to not provide one required parking space beyond the front yard setback at Lot 21, Trinity Oaks Subdivision Phase I, Hidalgo County, Texas; 3209 Guadalupe Avenue. **(ZBA2020-0046)**
- i) Request of Rafael Colegio for the following special exceptions and variances to the City of McAllen Zoning Ordinance **1)** to allow an encroachment of 16.67 ft. into the 20 ft. front yard setback for a proposed metal carport measuring approximately 19 ft. by 24 ft., **2)** to allow an encroachment of 2 ft. into the 5 ft. side yard setback along the north property line for a proposed metal carport measuring approximately 19 ft. by 24 ft., **3)** to allow an encroachment of 3.25 ft. into the 5 ft. side yard setback along the north property line for an existing wooden storage building measuring 6 ft. by 19 ft., **4)** to allow an encroachment of 1.33 ft. into the 10 ft. rear yard setback for an existing wooden storage building measuring 6 ft. by 19 ft., **5)** to allow a building separation of 0 ft. from the main building instead of the required 5 ft. for an existing wooden storage building measuring 6 ft. by 19 ft., at Lot 3, Block 4, Pecan Terrace Subdivision, Hidalgo County, Texas; 1504 North 22nd Street. **(ZBA2020-0052)**
- j) Request of Gerardo Lopez for the following special exception to the City of McAllen Zoning Ordinance to allow an encroachment of 14.5 ft. into the 20 ft. front yard setback for an existing metal carport measuring approximately 20 ft. by 30 ft., at Lot 50, Apollo Gardens Subdivision, Hidalgo County, Texas; 2113 Hibiscus Avenue. **(ZBA2020-0051)**
- k) Request of Juana L. De Leon for the following special exceptions and variances to the City of McAllen Zoning Ordinance **1)** to allow an encroachment of 6 ft. into the 6 ft. side yard setback along the east property line for an existing carport measuring 21 ft. by 25 ft., **2)** to allow an encroachment of 6 ft. into the 6 ft. side yard setback for an existing porch along the east property line measuring 6 ft. by 58.5 ft., **3)** to allow an encroachment of 20 ft. into the 20 ft. front yard setback for an existing wooden carport, **4)** to allow an encroachment of .58 ft. into the 3 ft. rear yard setback for an existing storage room measuring 16.4 ft. by 13 ft., **5)** to allow an encroachment of 6 ft. into the 6 ft. side yard setback along the east property line for an existing storage room measuring 16.4 ft. by 13 ft., **6)** to allow an encroachment of 3 ft. into the 3 ft. rear yard setback for an existing wooden porch measuring 16.66 ft. by 20.33 ft., and **7)** to allow an encroachment of 6 ft. into the 6 ft. side yard setback along the west property line for an existing wooden porch measuring 16.66 ft. by 20.33 ft. at Lot 4, Block 1, Colonia McAllen Unit No. 4, Hidalgo County, Texas; 2616 Uvalde Avenue. **(ZBA2020-0042) (TABLED: 08/19/2020)**

- l) Request of Robert Zamora for the following special exception and variance to the City of McAllen Zoning Ordinance **1)** to allow an encroachment of 6 ft. into the 6 ft. side yard setback along the west property line for an existing carport with an encroachment area measuring 2.9 ft. by 25 ft., **2)** to allow an encroachment of 6 ft. into the 6 ft. side yard setback along the west property line for an existing wooden storage building measuring 12.4 ft. by 19 ft., and **3)** to allow an encroachment of 20 ft. into the 20 ft. front yard setback for an existing carport with an encroachment area measuring 2.9 ft. by 20 ft. at Lot 3, Block 1, Colonia McAllen Unit No. 4, Hidalgo County, Texas; 2612 Uvalde Avenue. **(ZBA2020-0041)**
- m) Request of San Juanita San Miguel for the following variances to the City of McAllen Zoning Ordinance to allow: **1)** an encroachment of 5.17 ft. into the 6 ft. side yard setback along the north property line for an existing covered patio measuring 10 ft. by 24.33 ft., **2)** an existing covered patio measuring 10 ft. by 24.33 ft. with a distance of 3.17 ft. instead of 5 ft. to the main building, and **3)** an encroachment of 6 ft. into the 6 ft. side yard setback along the south property line for an existing storage building measuring 12.75 ft. by 13.33 ft., at Lot 154, Colonia McAllen Unit No. 6 Subdivision, Hidalgo County, Texas; 2121 South 31st Street. **(ZBA2020-0034)(TABLED: 08/05/2020) (REMAIN TABLED: 08/19/2020)**
- n) Request of Cesar H. Sanchez for the following variance to the City of McAllen Zoning Ordinance: to allow an unattached structure in the R-2 (duplex- fourplex residential) District, at the east 6 ft. of Lot 4, Block 7 and all of Lot 5, Block 7, Larkspur Subdivision No.2, Hidalgo County, Texas; 1607 Nolana Avenue. **(ZBA2020-0045)**
- o) Request of Eduardo Barnhart for the following variances to the City of McAllen Zoning Ordinance: **1)** to allow an encroachment of 2.5 ft. into the 10 ft. rear yard setback for a proposed irregular shaped swimming pool, and **2)** to allow an encroachment of 3.67 ft. into the 6 ft. side yard setback along the west property line for a proposed irregular shaped swimming pool, at Lot 8, Arboledas Subdivision Phase I, Hidalgo County, Texas; 7723 North 4th Court. **(ZBA2020-0050)**

4. FUTURE AGENDA ITEMS

- a) 3008 Zenaida Avenue
- b) 1916 North 35th Street
- c) 4508 North 5th Lane
- d) 1820 South Bentsen Road
- e) 2805 Quamasia Avenue
- f) 4204 Worthington Avenue

ADJOURNMENT:

IF ANY ACCOMMODATIONS FOR A DISABILITY ARE REQUIRED, PLEASE NOTIFY THE PLANNING DEPARTMENT (681-1250) 72 HOURS BEFORE THE MEETING DATE. WITH REGARD TO ANY ITEM, THE PLANNING & ZONING COMMISSION MAY TAKE VARIOUS ACTIONS, INCLUDING BUT NOT LIMITED TO RESCHEDULING AN ITEM IN ITS ENTIRETY FOR PARTICULAR ACTION AT A FUTURE DATE.

**NOTICE OF REGULAR MEETING TO BE HELD BY
THE MCALLEN ZONING BOARD OF ADJUSTMENT AND APPEAL**

DATE: Thursday, September 17, 2020

TIME: 4:30 PM

PLACE: McAllen City Hall
1300 Houston Avenue
Commissioners' Room – 3rd Floor
McAllen, Texas 78501

SUBJECT MATTERS: SEE FOREGOING AGENDA

C E R T I F I C A T I O N

I, the undersigned authority, do hereby certify that the above agenda for the Meeting of the McAllen Zoning Board of Adjustment and Appeals Commission is a true and correct copy and that I posted a true and correct copy of said notice on the bulletin board in the municipal building, a place convenient and readily accessible to the general public at all times, and said notice was posted on the 11th day of September, 2020 at 3:00 p.m. and will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with Chapter 551 of the Texas Government Code.

Date this the 11th day of September, 2020.

Jessica Cavazos, Administrative Supervisor