

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

The McAllen Zoning Board of Adjustment and Appeals convened in a Regular Meeting on Wednesday, August 5, 2026, 2026 at 4:31 p.m. in the McAllen City Hall, Commission Chambers with the following present:

Present:	Jose Gutierrez	Chairperson
	Hugo Avila	Vice-Chairperson
	Hiram Gutierrez	Member
	Daniel Santos	Member
	Ivan Garcia	Member
	Juan Mujica	Alternate
	Alex Lamela	Alternate
	Francisco Davila	Alternate
Absent:	Erick Diaz	Alternate
Staff Present:	Norma Borrego	Assistant City Attorney I
	Omar Sotelo	Planning Director
	Kaveh Forghanparast	Senior Planner
	Mia Fuentes	Planner I
	Jessica Puga	Technician II
	Valerie Ramos	Administrative Assistant

CALL TO ORDER –Chairperson Jose Gutierrez

1. MINUTES:

- a) Minutes for meeting held on July 22, 2026.

The minutes for the meeting held on July 22, 2026. The motion to approve the minutes were made by Vice-Chairperson Hugo Avila. Mr. Alex Lamela seconded the motion, which carried unanimously with five members present and voting.

2. PUBLIC HEARINGS:

- a) Request of Hilda M. De Gonzalez and Jose Elias Alvarado Saucedo, for a variance to allow 3.5-foot side setbacks, at the East ½ of Lot 5, Block 14, College Heights Subdivision, Hidalgo County, Texas; 2117 Lindberg Circle. **(ZBA2026-0029)**

Mr. Lopez stated the applicant was requesting a variance to the minimum side setbacks.

The subject property was located along the south side of Lindberg Circle, between South 21st Street and South 22nd Street, and was zoned R-2 (Duplex Fourplex Residential-OC) District.

College Heights was recorded on December 28, 1926. A certificate of compliance was issued on February 4, 2025, since Lot 5 was split before October 15, 1973.

The applicant was requesting side setbacks of 3.5 feet on both sides in order to build a larger home, the width of the parcel is 25 feet, and the minimum side setback for R-2 (Single-Family Residential-OC) is 6 feet.

Staff had received one phone call in opposition to this request.

Staff recommended disapproval of the variance request.

Ms. Hilda M. De Gonzalez, 121 E. Denny Drive, Pharr, Texas. She stated they were requesting a variance because their property is very small. They wanted to build a house on it. She stated their property was 25 feet and they were requesting 3.5 feet on each side to have their house a little more spacious.

Chairperson Gutierrez explained to the applicants that the variance ran with the land and not the owners.

Board member Mujica asked the applicant on the site plan that was provided only had lines. He asked how they knew what they needed since they were requesting 3.5 feet on the side yard setback. Ms. Gonzalez stated the first site plan they had was when they applied for the variance. When they took the site plan to the architect at the time, he stated that the 5 feet was not permitted because the lot size was small. The architect had the site plan with the setbacks of 3.5 feet on each side.

Mr. Jose Elias Alvarado Saucedo, 121 E. Denny Drive, Pharr, Texas. He stated that originally the lot was large but he did not know why they subdivided. It was sold from one owner to another owner.

Chairperson Gutierrez asked staff if the new regulations stipulate 5 feet instead of 6 feet. Director Sotelo stated that this particular area had split lots. When you have lot of records, for example, Bicentennial Blvd, Houston Avenue and Jackson Avenue, you have lot of records of 25 feet they were allowed 3.5 feet. They were split prior to 1973 so they are lot of records. On Lot 5, they have a split lot and the south of the property, it was a triangle piece, which it was also a split lot and that was why it had two houses.

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 one to speak in opposition of the Variance request.

Ms. Leticia Reyes, 2116 Newport Avenue, McAllen, Texas 78501. She stated that they had been taking care of the area cleaning it, the property behind her. Staff mentioned to the applicant there was no alley and showed where her property was located.

Vice-Chairperson Avila mentioned to the applicant to obtain a surveyor to indicate where her property line was located.

Board member Mujica stated that most properties have steel rods that will identify the edge of your property. You would be able to put up a fence within your property. He asked the applicant what was her opposition to the applicant's request. She stated there was a fence after her property. There was another fence and that was their property. There was a space in between which she had called the alley and said she was maintaining it for a long time.

She asked if she could put up a fence. Board member Mujica stated to get a survey first to know that it was her property.

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

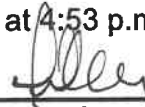
Following discussion, Mr. Alex Lamela moved to go against staff's recommendation and approve Variance request. Vice-Chairperson Hugo Avila seconded the motion. The Board voted to approve with five members present and voting.

ADJOURNMENT

There being no further business to come before the Zoning Board of Adjustment and Appeal, Chairperson Jose Gutierrez moved to adjourn the meeting at 4:53 p.m.



Carmen White, Administrative Assistant



Chairperson Jose Gutierrez