

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF MCALLEN

The McAllen Zoning Board of Adjustment and Appeals convened in a Regular Meeting on Thursday, July 25, 2024 at 4:30 p.m. in the McAllen Development Center, 311 North 15th Street, Executive Conference Room with the following present:

Present:	Jose Gutierrez	Chairperson
	Ann Tafel	Vice-Chairperson
	Hugo Avila	Member
	Rogelio Rodriguez	Member
	Hiram A. Gutierrez	Member
	Juan Mujica	Alternate
	Alex Lamela	Alternate
	Daniel Santos	Alternate
Absent:	Pablo Garcia	Alternate
Staff Present:	Benito Alonzo	Assistant City Attorney I
	Edgar Garcia	Planning Director
	Edson Lara	Planner II
	Alexis Martinez	Planner I
	Victor Grey	Planning Technician I
	Carmen White	Administrative Assistant

CALL TO ORDER –Chairperson Jose Gutierrez

1. MINUTES:

- a) Minutes for the meeting held on July 11, 2024

The minutes for the meeting held on July 11, 2024 were approved. The motion to approve the minutes were made by Mr. Hugo Avila. Mr. Hiram Gutierrez seconded the motion, which carried unanimously with five members present and voting.

2. PUBLIC HEARINGS:

- a) Request of William Garcia for a Special Exception to the City of McAllen Zoning Ordinance to allow an encroachment of 18 feet 8 inches into the 20 feet front yard setback for a proposed metal and canvas carport measuring 17 feet 5 inches by 18 feet 8 inches at Lot 35, Locksley Phase I Subdivision, Hidalgo County, Texas; 3816 Mynah Avenue. (ZBA2024-0023)

Mr. Lara stated the applicant was requesting an encroachment of 18 feet 8 inches into the 20 feet front yard setback for a proposed carport measuring 17 feet 5 inches by 18 feet 8 inches.

The subject property was located along the north side of Mynah Avenue. The property has a frontage of 60 feet and a depth of 100.25 feet. The property is zoned R-1 (single family residential) District. There are single-family residences in all directions.

Locksley Phase 1 Subdivision was recorded on September 13, 1993. The plat indicated a 20 feet front yard setback and 6 feet side yard setback on both sides for the subdivision. The house was built in 1994 with a 2-car garage. A building permit application for the proposed carport has not been submitted.

The applicant was requesting an encroachment of 18 feet 8 inches into the 20 feet front yard setback for a proposed carport measuring 17 feet 5 inches by 18 feet 8 inches.

In accordance to the site plan submitted, the proposed structure size is a total of 329 square feet. The proposed structure will be constructed of metal and canvas. The main purpose for building the carport is to protect their children from excessive heat accumulated inside the vehicles, and protect vehicles from weather and tree branches.

During the site visit, staff did not notice any other encroachments or similar structures along the front or rear yards within Locksley Phase 1 Subdivision. In addition, a review of the Planning Department records did not reveal any other similar variances or special exceptions approved in this area.

Measurements provided are without benefit of a survey.

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

Staff recommended disapproval of the special exception request since it does not present any undue hardship and the proposed carport will not align with the current character of the subdivision.

Vice-Chairperson Tafel asked staff if there were any easements in the front. Staff stated there were none.

Mr. William Garcia, 3816 Mynah Avenue. He stated he wanted to build a carport to protection his vehicles from inclement weather. They did have a two car garage in which they park one car in the garage but also exercise equipment which limits his space. Chairperson Gutierrez asked the applicant if they had any room in their back yard. Mr. Garcia stated they had patio but it took up most of the space but that they use that area but they use it for the children to play.

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

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

Board member Mujica stated he did not see a due hardship. There was space in the back yard.

Vice-Chairperson Tafel commented that anytime you build a carport on the front of the garage it does lower the property value and of the neighbors.

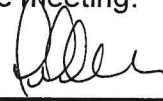
Following discussion, Mr. Hugo Avila **moved** to disapprove the Special Exception. Mr. Hiram Gutierrez seconded the motion. The Board voted to disapprove the Special Exception with five members present and voting.

ADJOURNMENT

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



Carmen White, Administrative Assistant



Chairperson Jose Gutierrez