

AGENDA

ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING WEDNESDAY, APRIL 8, 2026 - 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 March 18, 2026

2. PUBLIC HEARINGS:

- a) Request of Pedro Ramirez Jr. for a variance to allow an encroachment of 5 feet into the 6-foot side yard setback for a metal patio, at Lot 20, Villa de Palmas Subdivision, Hidalgo County, Texas; 3337 North 42nd Street. **(ZBA2026-0013)**
- b) Request of Joel M. Ramos. for a variance to allow an encroachment of 5 feet into the 10-foot rear yard setback for a proposed swimming pool at Lot 80, La Floresta Subdivision Phase I, Hidalgo County, Texas; 1805 Rice Avenue. **(ZBA2026-0006) (TABLED:03/18/26)**
- c) Request of David S. Valdez, on behalf of LDF Investments, for a Variance to allow an encroachment of 9.5 feet into the 15-foot front yard setback and 9.33 feet into the 10-foot corner setback for an existing metal carport at Lot 7, Block 48, North McAllen Subdivision, Hidalgo County, Texas, 220 North 11th Street. **(ZBA2026-0008) (TABLED:03/18/26)**

3. FUTURE AGENDA ITEMS

- a) 1608 Thunderbird Avenue

ADJOURNMENT:

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

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

The McAllen Zoning Board of Adjustment and Appeals convened in a Regular Meeting on Wednesday, March 18, 2026 at 4:30 p.m. in the McAllen City Hall, Commission Chambers with the following present:

Present:	Jose Gutierrez	Chairperson
	Hugo Avila	Vice-Chairperson
	Hiram Gutierrez	Member
	Juan Mujica	Alternate
	Alex Lamela	Alternate
	Erick Diaz	Alternate
	Francisco Davila	Alternate

Absent:	Daniel Santos	Member
	Ivan Garcia	Member

Staff Present:	Austin Stevenson	City Attorney
	Norma Borrego	Assistant City Attorney I
	Omar Sotelo	Planning Director
	Even Gonzalez	Development Engineer
	Porfirio Hernandez	Planner II
	Nicolas Lopez	Planner II
	Jessica Puga	Technician II
	Arlene Vasquez	Administrative Assistant
	Carmen White	Administrative Assistant

CALL TO ORDER –Chairperson Jose Gutierrez

1. MINUTES:

- a) Minutes for meeting held on March 4, 2026.

The minutes for the meeting held on March 4, 2026. The motion to approve the minutes were made by Vice-Chairperson Hugo Avila. Mr. Erick Diaz seconded the motion, which carried unanimously with five members present and voting.

2. PUBLIC HEARINGS:

- a) Request of Martha S. Maldonado for a special exception, to allow an encroachment of 20 feet into the 20-foot front yard setback for an existing carport, at Lot 83, Colonia McAllen Unit No. 6 Subdivision, Hidalgo County, Texas; 2301 South 30th Street. **(ZBA2026-0007)**

Mr. Hernandez stated the applicant was requesting a special exception to allow an encroachment of 20 feet into the 20-foot front yard setback for an existing carport.

The subject property was located on the east side of South 30th Street, north of Yuma Avenue and is zoned R-1 (Low-Density Residential-UDC) District.

Colonia McAllen Unit No. 6 Subdivision was recorded on August 2, 1976. A building permit for

the existing carport was submitted on January 5, 2026, which was rejected due to the encroachment into the setbacks. A special exception request was submitted on January 30, 2026.

The plat notes require a 20-foot front yard setback and a 6-foot side yard setback. The applicant is requesting a special exception to allow the existing carport to remain. The applicant states the carport was built to provide protection for their vehicles from the extreme heat and weather conditions and a safe and accessible entry and exit from their vehicles and home due to their medical conditions. They added that the carport is necessary to provide a continuous covered pathway from the property line to the residence, reducing risks associated with limited mobility and exposure to extreme heat, heavy rain, hail, and other hazardous weather conditions that could otherwise endanger their health and safety.

The existing carport was larger than 400 square feet and encroaches into the front and side yard setbacks. The applicant proposes to reduce the carport's size to 22 feet by 18 feet, ensuring compliance with the 6-foot side yard setback on the north side and the maximum 400 sq. ft. allowable carport size for a special exception.

As per our records, three special exception requests have been granted for a carport within this subdivision.

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

Staff recommended approval of the special exception request since it conforms to the existing neighborhood characteristics.

Chairperson Gutierrez asked staff if there was a signed documentation stating to reduce the square footage. Staff stated yes.

Board member Mujica mentioned to staff that it showed one side of the carport was close to the property line it will go in towards the property side. Staff stated yes, that was the side where they will reduce to stay free of the 6-foot side setback.

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. Hiram Gutierrez **moved** to approve the Special Exception. Vice-Chairperson Hugo Avila seconded the motion. The Board voted to approve the Special Exception with five members present and voting.

- b) Request of Ala Qubbaj for a variance, to allow an encroachment of 9.5 feet into the 10-foot rear yard setback for an existing swimming pool and proposed expansion of the house, at Lot 21, Shady Oaks Subdivision Unit II, Hidalgo County, Texas; 6213 North 8th Street. (ZBA2026-0010)**

Mr. Hernandez stated the applicant was requesting a variance to allow an encroachment of 9.5 feet into the 10-foot rear yard setback for an existing swimming pool and proposed house expansion.

The subject property was located on the west side of North 8th Street, north of Jay Avenue and is zoned R-1 (Single-Family Residential-OC) District.

Shady Oaks Subdivision Unit II was recorded on May 19, 1993. The home was built in 2004. A building permit for construction of a swimming pool was approved on June 23, 2009, and the pool was built later that same year. An application to abandon the 10-foot utility easement at the rear side of the property was submitted on January 15, 2025. A license agreement was recorded on March 11, 2026 to allow the encroachment of the existing swimming pool and the proposed expansion.

The recorded plat required a 10-foot rear yard setback. The applicant states that the irregular shape of the lot limits the ability to expand the home without requesting a variance. They added that the current kitchen is too small to adequately serve a family of six and needs to be expanded and remodeled to meet the household's needs. The applicant also states that there are no neighboring homes directly adjacent to the lot, and the proposed expansion will not adversely affect surrounding properties.

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

Staff recommended approval of the variance request since the irregular shaped lot could be considered a hardship and that there is no other adjacent property to the subject property.

Board member Mujica mentioned to staff that he saw two utility easements, a 10-foot and a second one. Staff stated it was a 10-foot utility easement in the rear. Mujica stated they were requesting to encroach 3 feet onto that 10-foot easement. Staff stated it was to encroach 9 ½ feet into the 10 foot rear utility easement. There was an abandon an electric utility line.

Mr. Ala Qubbaj, 6213 North 8th Street. He stated given the shape of the lot his wife wanted to expand on the kitchen. He stated he had letters from the neighbors and they were in favor of the request. All the utility companies came out and they were fine with the easements. The electric lines were far away from the 10-foot easement.

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, Vice-Chairperson Hugo Avila **moved** approve the Variance request as presented. Mr. Hiram Gutierrez seconded the motion. The Board voted to approve the Variance request with five members present and voting.

- c) Request of Joel M. Ramos for a variance, to allow an encroachment of 5 feet into the 10-foot rear yard setback for a proposed swimming pool, at Lot 80, La Floresta Subdivision Phase I, Hidalgo County, Texas; 1805 Rice Avenue. **(ZBA2026-0006)**

The applicant requested the item to be tabled until the next meeting.

Being no discussion, Mr. Juan Mujica **moved** to table the Variance request. Mr. Erick Diaz seconded the motion. The Board voted to table the Variance request with five members present and voting.

- d) Request of David S. Valdez, on behalf of LOF Investments, for a variance, to allow an encroachment of 9.5 feet into the 15-foot front yard setback and 9.33 feet into the 10-foot corner setback for an existing metal carport at Lot 7, Block 48, North McAllen Subdivision, Hidalgo County, Texas; 220 North 11th Street. **(ZBA2026-0008)**

Mr. Lopez stated the applicant was requesting a variance to allow an encroachment of 9.5 feet into the 15-foot front yard setback and 9.33 into the corner setback for an existing metal carport measuring 882 square feet.

The subject property was located on the east side of North 11th Street and south of Cedar Avenue. The property is zoned C-3 (General Business-OC) District.

Hidalgo County Appraisal District records show that the current building was built in 1998. On January 26, 2026, a stop work order was issued for this property for a carport without a permit. A variance request was submitted on February 1, 2026.

The applicant stated that he maintains 11 company vehicles on the property and that the vehicles are exposed to bird droppings and other outdoor conditions overnight. He indicates that this requires staff to clean the vehicles each morning before they can be placed into service, resulting in added time and operational expense. To improve efficiency and provide covered parking for the fleet, the applicant requests this variance to keep the existing carport, capable of accommodating all company vehicles.

The existing metal carport encroaches into the front and side yard setback and measures 49 ft. by 18 ft. for a total size of 882 square feet. Since the carport is larger than 400 square feet, the request is submitted as a variance. If the applicant proposes to reduce the carport size to 400 square feet, it could be considered as a special exception.

Section 138-356 of the Zoning Ordinance requires a minimum 15 ft. front yard setback and 10 ft. side yard setback in C-3 (General Business-OC) District.

Staff's research did not reveal an approved variance into the front or side yard setback in vicinity of the subject property.

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

Staff recommended disapproval of the variance request since it does not comply with minimum setback requirements.

Board member Mujica asked what was adjacent to the property, was all C-3 commercial. Staff stated yes.

Staff stated the applicant had 11 vehicles that he sends out on service calls for copy machines. The vehicles were parked trees where birds leave their droppings on them and that was his concern.

Planning Director Sotelo stated that prior to the meeting they met with the applicant and advised him that if they moved the carport abutting the building they could keep it. They might have to get with traffic to open up the curb cut on the 11th Street versus Cedar Avenue. Moving the carport to abut the building, they could comply with the setbacks and they would not have to reduce anything.

David Valdez, 220 North 11th Street, the owner of the property. He stated he would consider entering through 11th Street providing there were no utility lines. In addition, if the trees will not obstruct from entering there as well.

Board member Mujica mentioned to Mr. Valdez by removing the carport to abut the building; was there anything there that would hinder him moving it. Mr. Valdez stated he could remove the carport because it was bolted down with plates.

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 table the Variance request. Mr. Hiram Gutierrez seconded the motion. The Board voted to table the Variance request with five present and voting.

- e) Request of Christian Canseco for a special exception, to allow an encroachment of 15 feet into the 20-foot front yard setback and 1.9 feet into the 6-foot side yard setback for an existing metal carport located at Lot 61, Hackberry Creek Unit 2 Subdivision, Hidalgo County, Texas; 1905 Fairmont Avenue. **(ZBA2026-0009)**

Mr. Hernandez stated the applicant was requesting a special exception to allow an encroachment of 15 feet into the 20-foot front yard setback and 1.9 feet into the 6-foot side yard setback for an existing metal carport.

The subject property was located on the south side of Fairmont Avenue, west of North 18th Lane and is zoned R-1 (Single-Family Residential-OC) District.

Hackberry Creek Unit 2 Subdivision was recorded on September 18, 2000. The house was built in 2001 as per Hidalgo County Appraisal District records. The initial building permit for the existing carport was submitted on April 12, 2024, which was rejected due to the encroachment into the setbacks. A stop work order was issued on January 21, 2026 for the 180-day follow up due to no permit issued for the carport. A special exception request was submitted on February 4, 2026.

According to the plat, the property included a 5-foot utility easement along the front, a 20-foot front yard setback, and a 6-foot side yard setback. The applicant is requesting a special exception to allow the existing carport to remain. The applicant states that the carport was built to provide protection from hail and rain for the residents and their vehicles, and that the structure does not negatively impact neighboring properties or the public street. He further explains that the carport assists with safely transferring his mother into and out of vehicles using a wheelchair, while protecting her from inclement weather.

Applicant also notes that he had begun the process of applying for the required permit; however, due to an unexpected medical condition, he was unable to complete the application process. The applicant proposes to reduce the carport's size to 20 feet by 15 feet, respecting the 5-foot utility easement in front of the lot.

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

Staff recommended disapproval of the special exception request since it does not meet the setback requirement.

Board member Diaz asked staff if the picture that was shown of the carport has it been moved. Staff stated no. He is proposing to reduce it to get it out of the utility easement.

Mr. Christian Canseco, 1900 Fairmont Avenue. Mr. Hugo Canseco, applicant's son stated he was in favor as well as the other neighbors who came in with the letter. Due to the disability of his grandmother, his father went through a widow maker, which operates 50% of his heart is gone. They built the carport to protect the vehicles from inclement weather.

Chairperson Jose Gutierrez asked if there was anyone present to speak in favor of the Variance request. There was one to speak in favor of the Variance request.

Ms. Lisa Pena, 1909 Fullerton Avenue. She stated they had carport built and were going through the same process for building permit. She stated her mother was also disabled in which she used a walker. They recently obtained her with a motorized wheelchair.

Chairperson Jose Gutierrez asked if there was anyone present to speak in favor of the Variance request. There was no one else 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, Vice-Chairperson Hugo Avila **moved** to go against staff's recommendation and approve the Special Exception contingent on the size to comply with the utility easement encroachment. Mr. Erick Diaz seconded the motion. The Board voted to approve the Special Exception with five members present and voting

- f) Request of Hamlin Pools, on behalf of Jesus Garza III, for a variance, to allow an encroachment of 2 feet and 6 inches into the 10-foot rear yard setback for a proposed swimming pool at Lot 7, Block 1, Nerea Estates Subdivision, Hidalgo County, Texas; 5704 North 3rd Street. **(ZBA2026-0011)**

Mr. Lopez stated the applicant was requesting a variance to allow an encroachment of 2 feet, and 6 inches into the 10-foot rear yard setback for a proposed pool measuring 445 square feet.

The subject property was located on the north side of Dove Avenue, between North 2nd Street (North Col. Row Boulevard) and North 3rd Street and was zoned R-1 (Single-Family Residential-OC) District.

Nerea Estates Subdivision was officially recorded on October 7, 2005. A residential home was approved and built on the property in 2007. The variance request for the proposed pool was submitted on February 5, 2026.

Section 138-356, "Table of height and yard requirements" of the Zoning Ordinance specified that rear setback in properties zoned R-1 was 10 feet.

The client had expressed a desire to install a swimming pool to enhance the recreational aspects of the home and improve the overall quality of the property for himself and future owners. To maximize usability and functionality, the applicant seeks permission for the pool to encroach upon the setback area. The proposed pool will encroach 2 feet, 6 inch into the 10 feet rear yard setback, avoiding the 7-foot, 6-inch utility easement. The plat notes a 10-foot rear yard setback and depicts a 7 foot, 6 inch-utility easement along the rear side of the property.

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

Just a note that there was no encroachment on the easement. In addition, there was an 8-foot concrete masonry (CMU) wall between the street and where the proposed pool would be built. There was also an 8-foot landscape barrier on the other side of the CMU wall.

Staff recommended disapproval of the variance request since it does not comply with minimum setback requirements.

Mr. Andrew Edson, 2609 Pelican Avenue of Hamlin Pools representing Mr. Jesus Garza, 5704 North 3rd Street. He stated they would like to be able to encroach on the portion of the setback

by 2-½ feet and bud up to the utility easement.

Chairperson Jose Gutierrez asked if there was anyone present to speak in favor of the Variance request. There was one to speak in favor of the Variance request.

Ms. Lauren Christy, 5704 North 3rd Street, owner of the property. She stated behind the house there was a wall and behind there was an alley another wall before the street. She stated she wanted to build the pool for her children.

Chairperson Jose Gutierrez asked if there was anyone present to speak in favor of the Variance request. There was no one else 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, Vice-Chairperson Hugo Avila **moved** to go against staff's recommendation and approve the Variance request as presented. Mr. Erick Diaz seconded the motion. The Board voted to approve the Variance request with five members present and voting.

- g) Request of Mario A. Reyna, on behalf of Urban City Developers, LLC, for a variance to the landscape requirements at Lots 1-78, Enclave on Jackson Subdivision, Hidalgo County, Texas; 1200-1417 East Whitewing Avenue. (ZBA2026-0012)**

The applicant requested the item to be withdrawn.

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 5:08 p.m.

Chairperson Jose Gutierrez

Carmen White, Administrative Assistant

Memo

TO: Zoning Board of Adjustment & Appeals

FROM: Planning Staff

DATE: April 8, 2026

SUBJECT: REQUEST OF PEDRO RAMIREZ JR. FOR A VARIANCE TO ALLOW AN ENCROACHMENT OF 5 FEET INTO THE 6-FOOT SIDE SETBACK FOR A METAL PATIO, LOCATED AT LOT 20, VILLA DE PALMAS SUBDIVISION, HIDALGO COUNTY, TEXAS; 3337 NORTH 42ND STREET. (ZBA2026-0013)

REASON FOR APPEAL: The applicant is requesting a variance to allow an encroachment of 5 feet into the 6-foot side yard setback for an existing metal patio.



PROPERTY LOCATION AND VICINITY: The subject property is located along North 42nd Street, south of Hibiscus Avenue and is zoned R-1 (Single-Family Residential-OC) District.

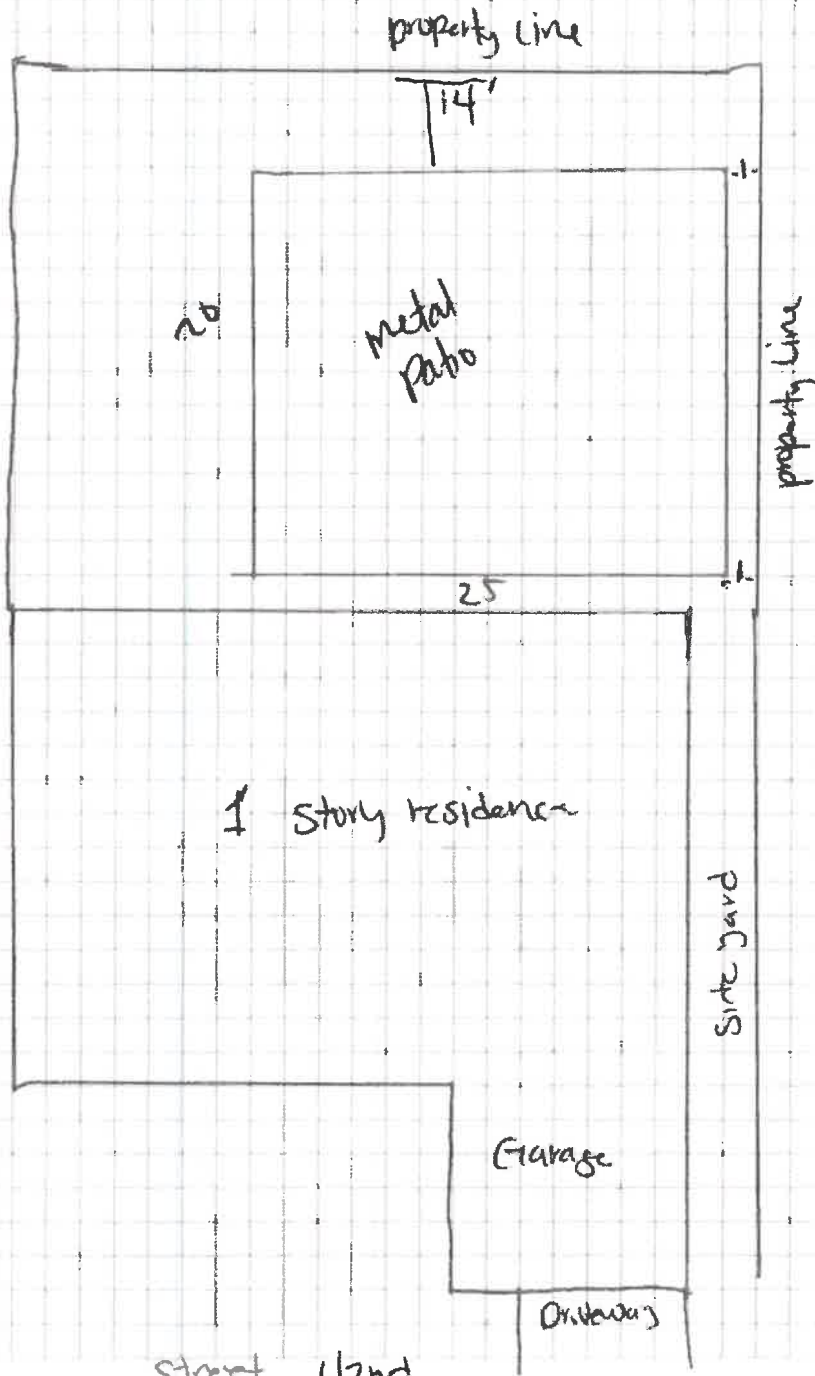
BACKGROUND AND HISTORY: Villa de Palmas Subdivision was recorded on September 22, 1999. The home was built in 2000. A stop work order was issued on November 3, 2025 for building without a permit. A building permit for the metal structure was submitted by the applicant on February 2, 2026, which was rejected due to an encroachment into the north side setback. An application for a variance was submitted on February 13, 2026.

ANALYSIS: The recorded plat requires a 6-foot side yard setback In accordance with Section 138-356 of the Zoning Ordinance The applicant states that the porch was constructed to provide weather protection and shade for his family and pets. The applicant also stated that he spoke to the neighbor in regards to the porch and indicated they were not affected by it.

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

RECOMMENDATION: Staff recommends disapproval of the variance request since it does not meet the setback requirement.

Park



Wall Legend:

- Existing
- Proposed
- Demolition

Street 42nd
Symbol Legend:

- Door
- Window
- Electrical Panel
- A/C Unit
- Toilet
- Sink

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









3337

ZBA2026-0013
NOTICE
VARIANCE
FOR THIS
PROPERTY
CITY OF McALLEN PLANNING DEPT
786-681-1236
WWW.MCALLEN.NET



Memo

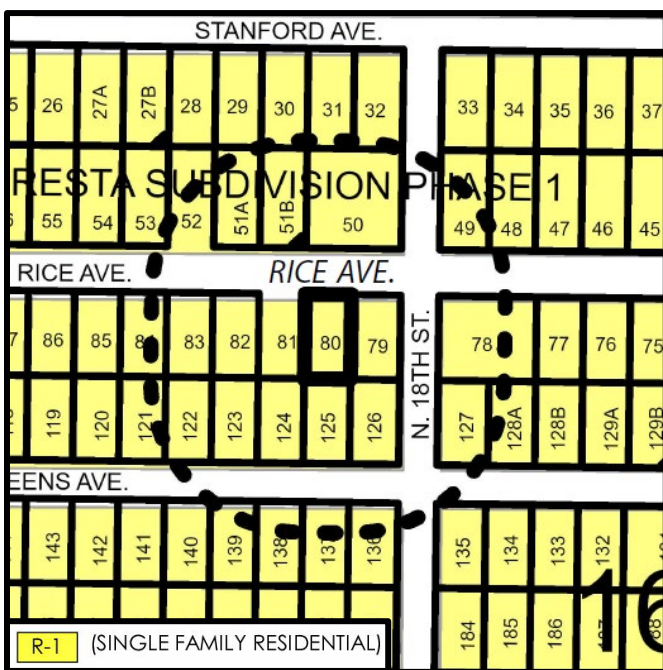
TO: Zoning Board of Adjustment & Appeals

FROM: Planning Staff

DATE: March 18, 2026

SUBJECT: REQUEST OF JOEL M. RAMOS. FOR A VARIANCE TO ALLOW AN ENCROACHMENT OF 5 FEET INTO THE 10-FOOT REAR YARD SETBACK FOR A PROPOSED SWIMMING POOL AT LOT 80, LA FLORESTA SUBDIVISION PHASE I, HIDALGO COUNTY, TEXAS; 1805 RICE AVENUE. (ZBA2026-0006)

REASON FOR APPEAL: The applicant is requesting a variance to allow an encroachment of 5 feet into the 10-foot rear yard setback for a proposed swimming pool.



PROPERTY LOCATION AND VICINITY: The subject property is located on the south side of Rice Avenue, west of North 18th Street and is zoned R-1 (Single-Family Residential-OC) District.

BACKGROUND AND HISTORY: La Floresta Subdivision Phase I was recorded on September 5, 2008. An abandonment application was submitted on September 12, 2024. However, no approval was granted for the abandonment. Instead, a license agreement was entered and recorded on December 5, 2025 to allow the property owner to build a swimming pool within the utility easement.

ANALYSIS: The recorded plat requires a 10-foot rear yard setback and shows a 10-foot utility easement along the rear lot line. The applicant states that he would like to create a “summer oasis” in the backyard while fully respecting all applicable building regulations. He is requesting a variance for a proposed swimming pool measuring 10 ft. by 20 ft.

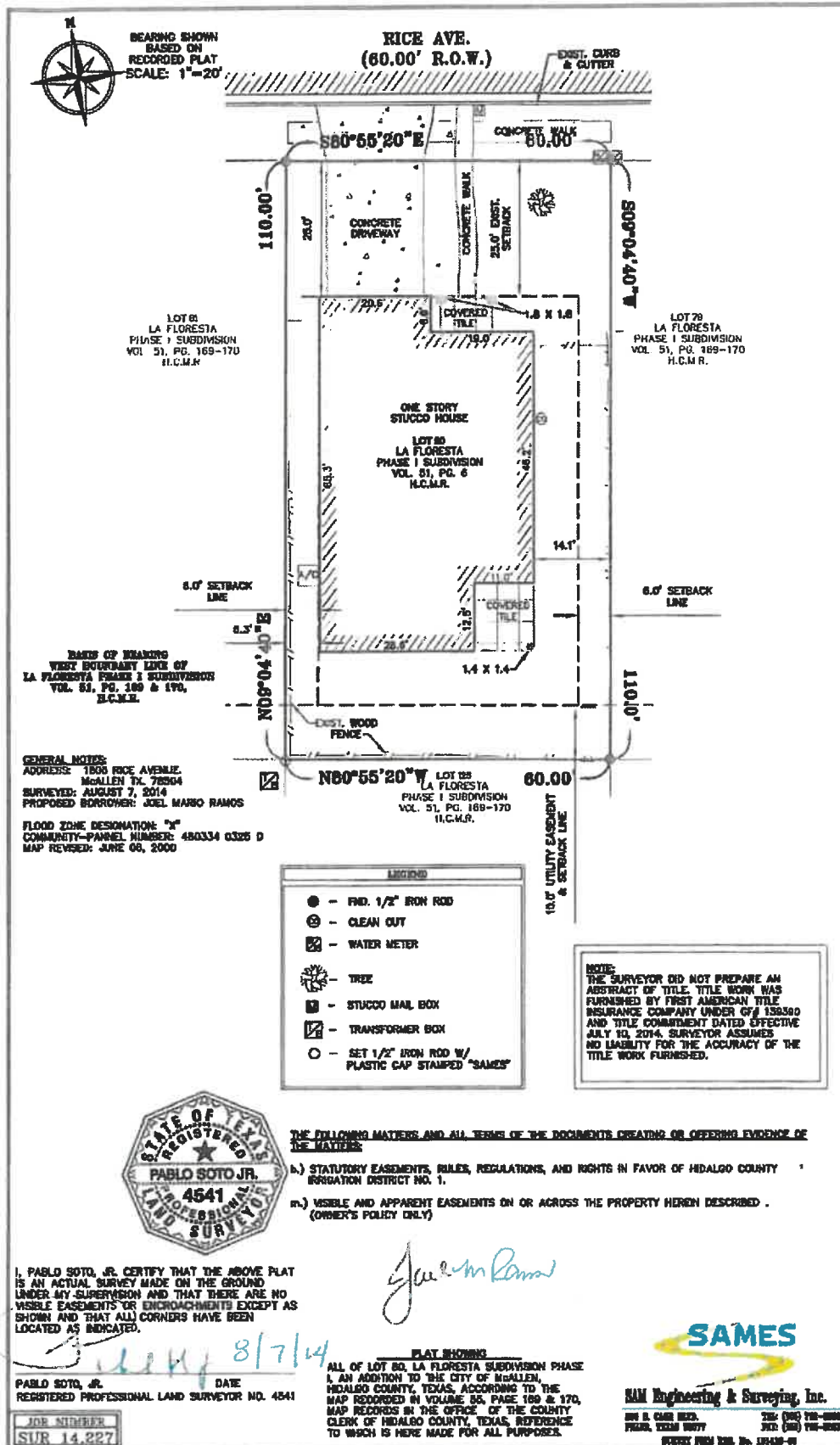
Section 138-356 of the Zoning Ordinance and Section 2.2.2 of the Unified Development Code require minimum 10 ft. rear yard setback.

Staff's research did reveal six other variances for swimming pools granted within this subdivision for double fronting lots.

There has been one resident within the notification zone that is in opposition of the variance request.

RECOMMENDATION: Staff recommends disapproval of the variance request since it does not comply with the setback requirement.

EXHIBIT "A"



BEARING SHOWN
BASED ON
RECORDED PLAT
SCALE: 1"=20'

LOT 80
LA FLORESTA
PHASE I SUBDIVISION
VOL. 51, PG. 169-170
H.C.M.R.

LOT 79
LA FLORESTA
PHASE I SUBDIVISION
VOL. 51, PG. 169-170
H.C.M.R.

ONE STORY
STUCCO HOUSE
LOT 80
LA FLORESTA
PHASE I SUBDIVISION
VOL. 51, PG. 6
H.C.M.R.

BASED ON BEARING
WEST BOUNDARY LINE OF
LA FLORESTA PHASE I SUBDIVISION
VOL. 51, PG. 169 & 170,
H.C.M.R.

GENERAL NOTES:
ADDRESS: 1808 RICE AVENUE,
McALLEN TX. 78204
SURVEYED: AUGUST 7, 2014
PROPOSED BORROWER: JOEL MARCO RAMOS

FLOOD ZONE DESIGNATION: "X"
COMMUNITY-PANEL NUMBER: 480334 0325 D
MAP REVISED: JUNE 06, 2000

LEGEND	
●	- FIN. 1/2" IRON ROD
⊙	- CLEAN CUT
⊠	- WATER METER
🌳	- TREE
✉	- STUCCO MAIL BOX
⊠	- TRANSFORMER BOX
○	- SET 1/2" IRON ROD W/ PLASTIC CAP STAMPED "SAMES"

NOTE:
THE SURVEYOR DID NOT PREPARE AN
ABSTRACT OF TITLE. TITLE WORK WAS
FURNISHED BY FIRST AMERICAN TITLE
INSURANCE COMPANY UNDER GP# 138360
AND TITLE COMMITMENT DATED EFFECTIVE
JULY 10, 2014. SURVEYOR ASSUMES
NO LIABILITY FOR THE ACCURACY OF THE
TITLE WORK FURNISHED.



THE FOLLOWING MATTERS AND ALL TERMS OF THE DOCUMENTS CREATING OR OFFERING EVIDENCE OF THE MATTERS:

- (b.) STATUTORY EASEMENTS, RULES, REGULATIONS, AND RIGHTS IN FAVOR OF HIDALGO COUNTY IRRIGATION DISTRICT NO. 1.
- (c.) VISIBLE AND APPARENT EASEMENTS ON OR ACROSS THE PROPERTY HEREIN DESCRIBED. (OWNER'S POLICY ONLY)

Joel Marco Ramos

I, PABLO SOTO, JR. CERTIFY THAT THE ABOVE PLAT IS AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS EXCEPT AS SHOWN AND THAT ALL CORNERS HAVE BEEN LOCATED AS INDICATED.

PABLO SOTO, JR. DATE 8/7/14
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4541

JOB NUMBER
SUR 14.227

PLAT SHOWING
ALL OF LOT 80, LA FLORESTA SUBDIVISION PHASE I, AN ADDITION TO THE CITY OF McALLEN, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN VOLUME 55, PAGE 169 & 170, MAP RECORDS IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS, REFERENCE TO WHICH IS HERE MADE FOR ALL PURPOSES.

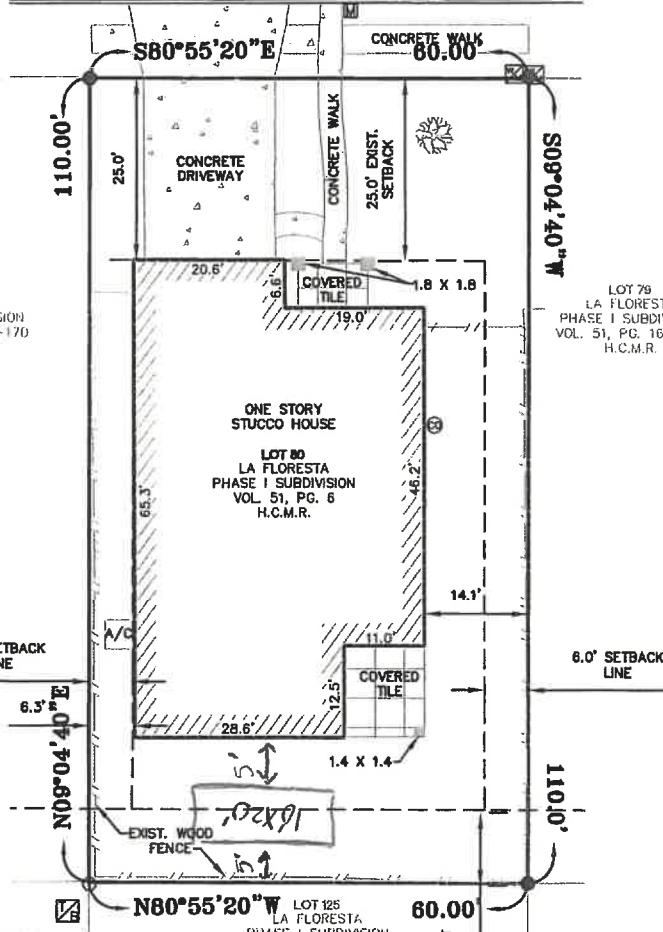
SAMES
SAMES Engineering & Surveying, Inc.
100 S. CARL REED, FRIAR, TEXAS 78577
TEL: (361) 778-8888 FAX: (361) 778-8888
SECRET FROM THE STATE OF TEXAS



BEARING SHOWN
BASED ON
RECORDED PLAT
SCALE: 1"=20'

RICE AVE.
(60.00' R.O.W.)

EXIST. CURB
& GUTTER



LOT 81
LA FLORESTA
PHASE I SUBDIVISION
VOL. 51, PG. 169-170
H.C.M.R.

LOT 79
LA FLORESTA
PHASE I SUBDIVISION
VOL. 51, PG. 169-170
H.C.M.R.

LOT 80
LA FLORESTA
PHASE I SUBDIVISION
VOL. 51, PG. 6
H.C.M.R.

LOT 125
LA FLORESTA
PHASE I SUBDIVISION
VOL. 51, PG. 169-170
H.C.M.R.

BASIS OF BEARING
WEST BOUNDARY LINE OF
LA FLORESTA PHASE I SUBDIVISION
VOL. 51, PG. 169 & 170,
H.C.M.R.

GENERAL NOTES:
ADDRESS: 1805 RICE AVENUE,
McALLEN TX. 78504
SURVEYED: AUGUST 7, 2014
PROPOSED BORROWER: JOEL MARIO RAMOS

FLOOD ZONE DESIGNATION: "X"
COMMUNITY-PANNEL NUMBER: 480334 0325 D
MAP REVISED: JUNE 08, 2000

LEGEND	
●	- FND. 1/2" IRON ROD
⊙	- CLEAN OUT
⊠	- WATER METER
🌳	- TREE
M	- STUCCO MAIL BOX
⊞	- TRANSFORMER BOX
○	- SET 1/2" IRON ROD W/ PLASTIC CAP STAMPED "SAMES"

NOTE:
THE SURVEYOR DID NOT PREPARE AN
ABSTRACT OF TITLE. TITLE WORK WAS
FURNISHED BY FIRST AMERICAN TITLE
INSURANCE COMPANY UNDER GF# 139390
AND TITLE COMMITMENT DATED EFFECTIVE
JULY 10, 2014. SURVEYOR ASSUMES
NO LIABILITY FOR THE ACCURACY OF THE
TITLE WORK FURNISHED.



THE FOLLOWING MATTERS AND ALL TERMS OF THE DOCUMENTS CREATING OR OFFERING EVIDENCE OF THE MATTERS:

- b.) STATUTORY EASEMENTS, RULES, REGULATIONS, AND RIGHTS IN FAVOR OF HIDALGO COUNTY IRRIGATION DISTRICT NO. 1.
- m.) VISIBLE AND APPARENT EASEMENTS ON OR ACROSS THE PROPERTY HEREIN DESCRIBED (OWNER'S POLICY ONLY)

Joel Mario Ramos

I, PABLO SOTO, JR. CERTIFY THAT THE ABOVE PLAT IS AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS EXCEPT AS SHOWN AND THAT ALL CORNERS HAVE BEEN LOCATED AS INDICATED.

PABLO SOTO, JR. DATE
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4541

JOB NUMBER
SUR 14.227

PLAT SHOWING
ALL OF LOT 80, LA FLORESTA SUBDIVISION PHASE I, AN ADDITION TO THE CITY OF McALLEN, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN VOLUME 55, PAGE 169 & 170, MAP RECORDS IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS, REFERENCE TO WHICH IS HERE MADE FOR ALL PURPOSES.



SAM Engineering & Surveying, Inc.
200 S. CAGE BLVD. TEL: (956) 762-2686
PEARL, TEXAS 76277 FAX: (956) 762-2685
SURVEY FIRM REG. No. 101410-00

Memo

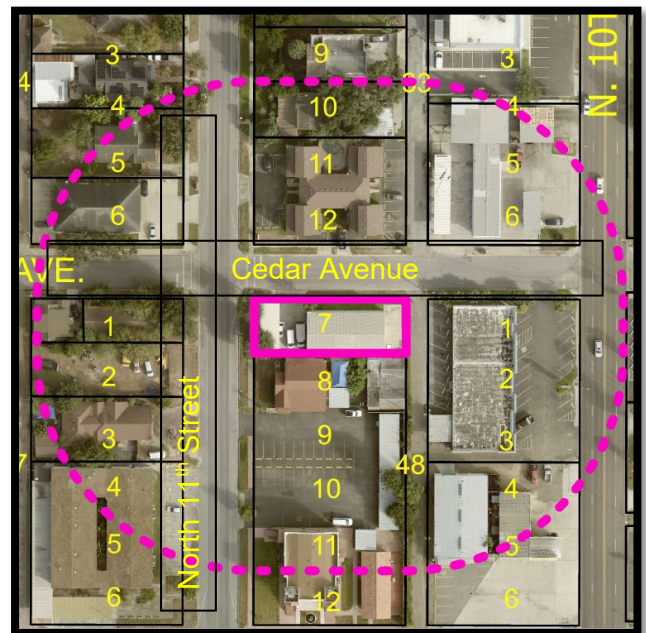
TO: Zoning Board of Adjustment & Appeals

FROM: Planning Staff

DATE: April 8, 2026

SUBJECT: REQUEST OF DAVID S. VALDEZ, ON BEHALF OF LDF INVESTMENTS, FOR A VARIANCE TO ALLOW AN ENCROACHMENT OF 9.5 FEET INTO THE 15-FOOT FRONT YARD SETBACK AND 9.33 FEET INTO THE 10 FOOT CORNER SETBACK FOR AN EXISTING METAL CARPORT AT LOT 7, BLOCK 48, NORTH MCALLEN SUBDIVISION, HIDALGO COUNTY, TEXAS, 220 NORTH 11TH STREET. (ZBA2026-0008)

REASON FOR APPEAL: The applicant is requesting a variance to allow an encroachment of 9.5 feet into the 15-foot front yard setback and 9.33 into the corner setback for an existing metal carport measuring 882 square feet.



PROPERTY LOCATION AND VICINITY: The subject property is located on the east side of North 11th Street and south of Cedar Avenue. The property is zoned C-3 (General Business-OC) District.

BACKGROUND AND HISTORY: Hidalgo County Appraisal District records show that the current building was built in 1998. On January 26, 2026, a stop work order was issued for this property for a carport without a permit. A variance request was submitted on February 1, 2026.

ANALYSIS: The applicant states that he maintains 11 company vehicles on the property and that the vehicles are exposed to bird droppings and other outdoor conditions overnight. He indicates that this requires staff to clean the vehicles each morning before they can be placed into service, resulting in added time and operational expense. To improve efficiency and provide covered parking for the fleet, the applicant requests this variance to keep the existing carport, capable of accommodating all company vehicles.

The existing metal carport encroaches into the front and side yard setback and measures 49 ft. by 18 ft. for a total size of 882 square feet. Since the carport is larger than 400 square feet, the request is submitted as a variance. If the applicant proposes to reduce the carport size to 400 square feet, it could be considered as a special exception.

Section 138-356 of the Zoning Ordinance requires a minimum 15 ft. front yard setback and 10 ft. side yard setback in C-3 (General Business-OC) District.

Staff's research did not reveal an approved variance into the front or side yard setback in vicinity of the subject property.

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

RECOMMENDATION: Staff recommends disapproval of the variance request since it does not comply with minimum setback requirements.

11th St.

20ft from curb to post

SIDEWALK

5.5ft from fence to roof top

Carport 49x18

5" from fence to post roof top

Existing Concrete Pad

10ft from curb to post

Cedar



Copy Graphics Warehouse

SIDEWALK

Existing Concrete

Alley

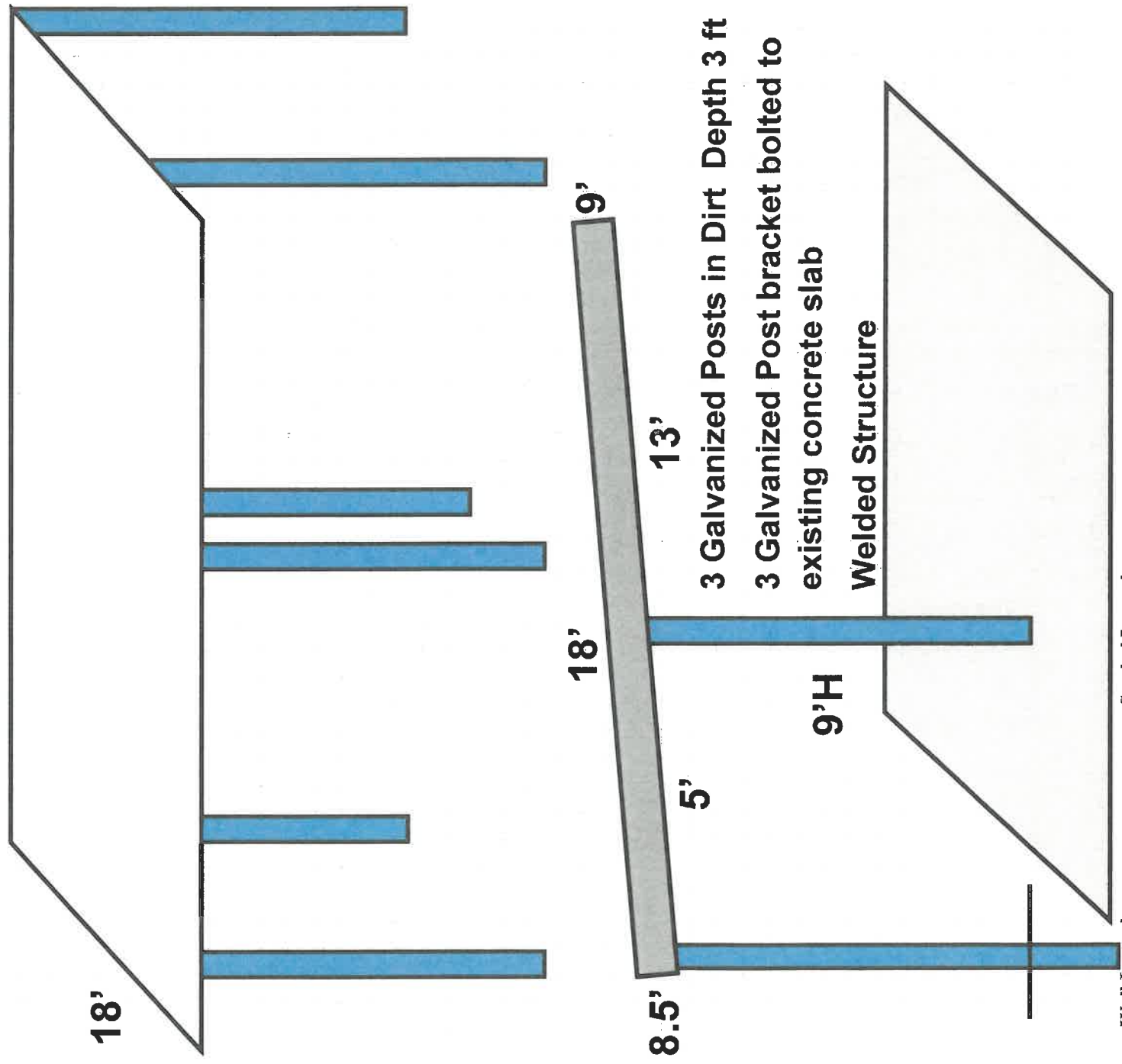
RECEIVED

FEB 04 2026

BY: AV

Carport 49'x18'

18'



8.5'

13'

18'

9'

5'

9'H

3 Galvanized Posts in Dirt Depth 3 ft
3 Galvanized Post bracket bolted to existing concrete slab

Welded Structure

Wall Legend:

- Existing
- Proposed
- Demolition

Symbol Legend:

- Door
- Window
- Electrical Panel
- A/C Unit
- Toilet
- Sink

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

RECEIVED

FEB 04 2026

BY: AR





ZBA2026-0008
NOTICE
VARIANCE
FOR THIS
PROPERTY

CITY OF DALLAS PLANNING DEPT.
3000 MARSHALL AVENUE
DALLAS, TX 75216
WWW.MISSLES.COM