

AGENDA

ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING WEDNESDAY, AUGUST 19, 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 August 5, 2026

2. PUBLIC HEARINGS:

- a) Request of Fan Zhou, for a variance to allow an existing tree house encroaching 6 feet into the 6-foot side setback on Lot 95 of The Gardens at Trinity Oaks Subdivision, Hidalgo County, Texas; 3208 Hondo Avenue **(ZBA2026-0030)**
- b) Request of Jose Luis Garcia, for a special exception to allow an encroachment of 4' into the 6' side setback and 10' into the 20' front yard setback on Lot 18 of the Kerria Crossing Subdivision, Hidalgo County, Texas; 4104 Kerria Avenue **(ZBA2026-0031)**
- c) Request of Josefina Rangel, for a special exception to allow an encroachment of 20' into the 20' front setback for a carport on Lot 90 of Harvey Terrace UT 2 PH I & 2 Subdivision, Hidalgo County, Texas; 2808 North 26th Street **(ZBA2026-0032)**
- d) Request of Jorge Sanchez, for a variance to the minimum lot area for a duplex on Lot 5 Blk 1 of South McAllen Subdivision, Hidalgo County, Texas; 809 South Bicentennial Boulevard **(ZBA2026-0033)**
- e) Request of Socorro Hinojosa, for a special exception to allow an encroachment of 20' into the 20' front setback for a carport on Lot 31 of the Arrowhead PH 1 Subdivision, Hidalgo County, Texas; 3705 Whitewing Avenue **(ZBA2026-0034)**

3. FUTURE AGENDA ITEMS

- a) 2004 Westway Avenue
- b) 1702 Kennedy Avenue
- c) 100 East Hackberry Avenue
- d) 3501 Vendome Drive

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, 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.

Chairperson Jose Gutierrez

Carmen White, Administrative Assistant

Memo

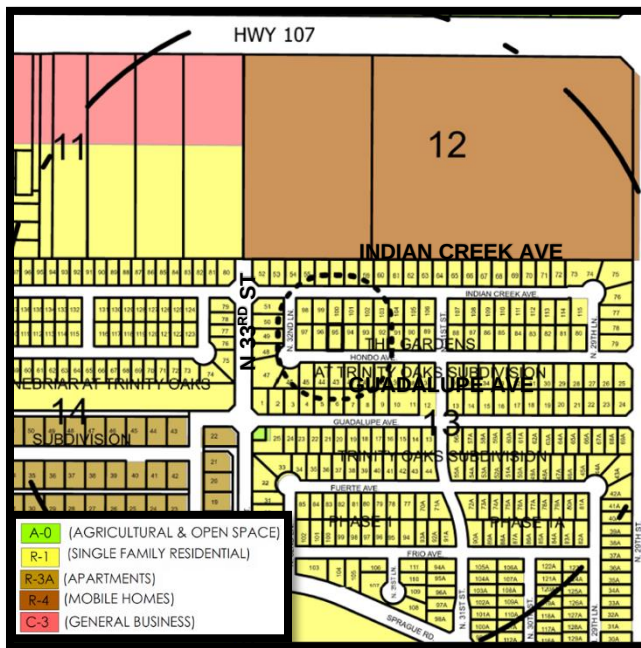
TO: Zoning Board of Adjustment & Appeals

FROM: Planning Staff

DATE: August 19, 2026

SUBJECT: REQUEST OF FAN ZHOU, FOR A VARIANCE TO ALLOW AN EXISTING TREE HOUSE ENCROACHING 6 FEET INTO THE 6 FOOT SIDE SETBACK ON LOT 95 OF THE GARDENS AT TRINITY OAKS SUBDIVISION, HIDALGO COUNTY, TEXAS; 3208 HONDO AVENUE (ZBA2026-0030)

REASON FOR APPEAL: The applicant is requesting a variance to allow an existing tree house on the subject property. The variance request is to allow 6-foot encroachment into the required 6-foot side setback.



PROPERTY LOCATION AND VICINITY: The subject property is located on the north side of Hondo Avenue, east of North 32nd Lane. The surrounding land use includes single family residences.

BACKGROUND AND HISTORY: The Gardens at Trinity Oaks Subdivision was recorded on February 26, 2006. The home was built in 2016 and an addition to the house was done in 2018 (family room).

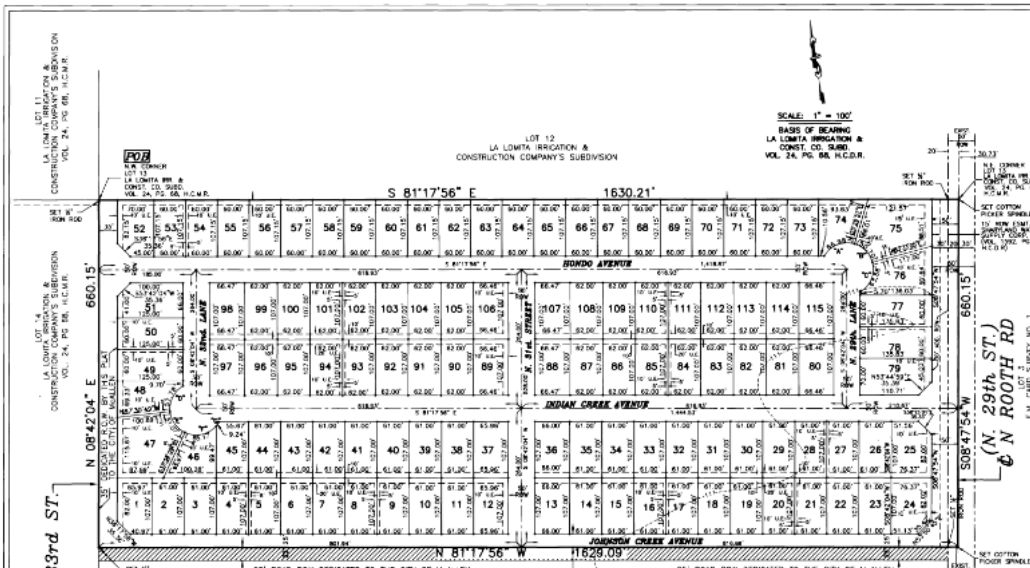
ANALYSIS: The recorded plat requires a 6-foot side yard setback. The purpose of this request is to allow an existing tree house that was built in 2024 as per the applicant.

As per Section 138-372(b)(1)(2), The zoning board of adjustment may grant a special exception to the minimum setback requirements for a tree house when, in the opinion of the board:

- (1) There are no safety concerns regarding the location of the tree house; and
- (2) The tree house will not have a detrimental impact on surrounding properties.

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

RECOMMENDATION: Staff recommends disapproval of the variance request due to noncompliance with plat note requirements.

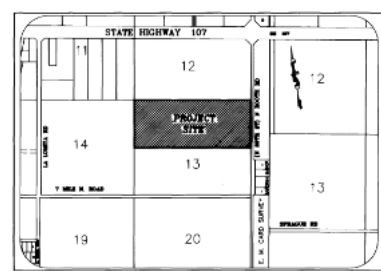


IRREGULAR LOT AREAS

LOT #	ACRES	FEET
1	1.746	0.15
2	1.746	0.15
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CURVE DATA

CURVE	DELTA	RADIUS	TANGENT	CHORD
1	78°44'33"	50.00'	39.50'	66.98'
2	58°09'08"	50.00'	27.77'	46.58'
3	72°08'58"	50.00'	38.47'	61.98'
4	66°12'53"	50.00'	32.60'	57.78'
5	58°31'03"	50.00'	28.01'	46.88'
6	74°50'27"	50.00'	38.12'	62.17'
7	10°35'08"	50.00'	4.63'	9.24'



DATE OF PREPARATION: MAY 1, 2003 DRAWN BY: P. GONZALEZ

J.E.H. JAVIER HINOJOSA ENGINEERING CONSULTING ENGINEERS

418 E. DOVE AVENUE MALLEN, TEXAS 78054

PHONE (858) 568-1588

METES AND BOUNDS DESCRIPTION

A TRACT OF LAND CONTAINING 24.697 ACRES, SITUATED IN HIDALGO COUNTY, TEXAS AND ALSO BEING A PART OR PORTION OF LOT 13, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION, MAP REFERENCE VOLUME 24, PAGE 68, H.C.M.R. AND SAID 24.697 ACRES ALSO BEING ALL OF THAT TRACT OF LAND DESCRIBED AS THE NORTH HALF OF SAID LOT 13, DECEDED TO JUAN F. JIMENEZ, MD PENSION PLAN, RECORDED IN DOCUMENT NO. 176702, H.C.M.R. AND SAID 24.697 ACRES OF LAND ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING ON A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "CIVILIST" SET ON THE NORTHWEST CORNER OF SAID LOT 13, FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE S 81°17'56" E, ALONG THE NORTH LINE OF SAID LOT 13, AT A DISTANCE OF 1086.95 FEET PASS THE WEST LINE OF A 15.0 FOOT EASEMENT TO SHARPE AND WATER SUPPLY CORPORATION, RECORDED IN VOLUME 1502, PAGE 328, H.C.M.R. AT A DISTANCE OF 1601.95 FEET PASS A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "CIVILIST" SET ON THE WEST RIGHT-OF-WAY LINE OF ROOTH ROAD (29th STREET) AND CONTAINING A TOTAL DISTANCE OF 1629.12 FEET TO A COTTON PICKER SPINDLE SET ON THE NORTHEAST CORNER OF SAID LOT 13 AND THE CENTER LINE OF SAID ROOTH ROAD, FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE S 08°50'28" W, ALONG THE EAST LINE OF SAID LOT 13 AND THE CENTER LINE OF SAID ROOTH ROAD, A DISTANCE OF 660.16 FEET TO A COTTON PICKER SPINDLE SET ON THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED AS THE SOUTH HALF OF SAID LOT 13, DECEDED TO CARL OWEN MISHAWAN, RECORDED IN DOCUMENT NO. 359062, H.C.M.R. FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE S 81°17'56" W, ALONG THE NORTH LINE OF SAID SOUTH HALF TRACT, AT A DISTANCE OF 20.00 FEET PASS A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "CIVILIST" SET ON THE WEST RIGHT-OF-WAY LINE OF SAID ROOTH ROAD, AT A DISTANCE OF 35.00 FEET PASS THE WEST LINE OF SAID 15.0 FOOT EASEMENT, AND CONTAINING A TOTAL DISTANCE OF 1629.12 FEET TO A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "CIVILIST" SET ON THE WEST LINE OF SAID LOT 13, THE NORTHWEST CORNER OF SAID SOUTH HALF, FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE S 08°47'07" E, ALONG THE WEST LINE OF SAID LOT 13, A DISTANCE OF 860.19 FEET TO THE POINT OF BEGINNING, CONTAINING 24.697 ACRES OF LAND, OF WHICH C. 24.697 ACRES LIES IN THE RIGHT-OF-WAY OF SAID ROOTH ROAD, 0.227 OF ONE ACRE LIES IN SAID 15.0 FOOT EASEMENT, LEAVING A NET OF 24.025 ACRES OF LAND, MORE OR LESS.

- GENERAL NOTES**
- NO STRUCTURES PERMITTED OVER ANY EASEMENTS.
 - SETBACK AS FOLLOWS:
FRONT 25 FEET
REAR 10 FEET OR GREATER FOR EASEMENT
EXCEPT 25 FEET FOR LOTS 48-51, 76-79, EAST REAR PORTION OF LOT 75 ALONG N. 29th STREET AND THE WEST REAR PORTION OF LOT 47 ALONG N. 33rd STREET.
 - THIS PROPERTY IS LOCATED IN ZONE "M" ON A FLOOD INSURANCE RATE MAP - COMMUNITY PANEL NO. 480334 0325 C, REVISED NOVEMBER 16, 1982.
 - THE DEVELOPER SHALL PROVIDE AN ENGINEERED DETENTION PLAN, APPROVED BY THE ENGINEERING DEPARTMENT PRIOR TO AN APPLICATION FOR A BUILDING PERMIT.
 - DRAINAGE DETENTION REQUIRED OF 3.07 ACRE FEET OR 165 CUBIC FEET PER LOT.
 - MINIMUM PERMISSIBLE FINISHED FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB AT MID POINT OF EACH LOT.
 - FINISH GRADE ELEVATION = 111.84
EXISTING SANITARY SEWER MANHOLE LOCATED 85 FEET SOUTH AND 40 FEET WEST OF THE NORTHEAST CORNER OF THIS PROPERTY (MC 58).
 - A 25' x 25' CORNER CLIP EASEMENT IS HEREBY DEDICATED TO ALL STREET INTERSECTIONS.
 - A 4' FOOT WIDE SIDEWALK IS REQUIRED ON N. 29th STREET, N. 33rd STREET, JOHNSON CREEK AVENUE AND ON BOTH SIDES OF ALL INTERIOR STREETS.
 - A 36" DIAMETER IRON ROD WITH A PLASTIC CAP STAMPED "CIVILIST" SET ON ALL LOT CORNERS, UNLESS OTHERWISE NOTED ON THIS PLAN.
 - A 6" BUTTER IS REQUIRED ALONG N. 29th STREET, N. 33rd STREET AND FROM ADJACENT COMMERCIAL ZONE/USFS.
 - NO CURB CUTS, LOT FRONTAGE, OR ACCESS PERMITTED ALONG N. 29th STREET AND N. 33rd STREET.

SUBDIVISION PLAT OF THE GARDENS AT TRINITY OAKS SUBDIVISION

APPROVED AS (DIAMOND POINT SUBDIVISION)

A TRACT OF LAND CONTAINING 24.697 ACRES, SITUATED IN HIDALGO COUNTY, TEXAS AND ALSO BEING A PART OR PORTION OF LOT 13, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION, MAP REFERENCE VOLUME 24, PAGE 68, HIDALGO COUNTY MAP RECORDS.

STATE OF TEXAS
COUNTY OF HIDALGO

WE, THE UNDERSIGNED OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS THE GARDENS AT TRINITY OAKS SUBDIVISION, AN ADDITION TO THE CITY OF MALLEN, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERE TO, HEREBY DEDICATE TO THE USE OF THE PUBLIC, ALL STREETS, ALLEYS, PARKS, SEWER 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 SUPERVISION AND APPROVAL OF THE CITY OF MALLEN, ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED, EITHER ON THE PLAT OR ON THE OFFICIAL MAPS OF THE APPLICABLE AUTHORITIES OF THE CITY OF MALLEN.

GARZA CONSTRUCTION COMPANY, LTD.
BY ITS GENERAL PARTNER: HALLMARK CONSTRUCTION, LLC
BY CARLOS J. GARZA, MANAGER
1801 S. 2nd STREET
MALLEN, TX 78051

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED, CARLOS J. GARZA, KNOWN TO ME TO BE THE INDIVIDUAL WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE.

THIS THE 11th DAY OF January, 2003 A.D.
Javier Hinojosa, P.E.
NOTARY PUBLIC, TEXAS
MY COMMISSION EXPIRES: 5-26-06

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

Adriana F. Escalante, Mayor
CITY OF MALLEN, TEXAS

THIS SUBDIVISION PLAT OF THE GARDENS AT TRINITY OAKS SUBDIVISION, HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF MALLEN, TEXAS, AND IS HEREBY APPROVED BY SUCH COMMISSION.

DATE: 11/11/03

CHARTERED PLANNING & 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.

Javier Hinojosa, P.E.
REGISTERED PROFESSIONAL ENGINEER NO. 74808

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 DURING:

12/15/05
CARLOS VASQUEZ, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4800
CIVIL LAND SURVEYORS
217 BELMONT
MALLEN, TEXAS 78051
(568) 618-1551
DATE SUBMITTED JULY 24, 2003

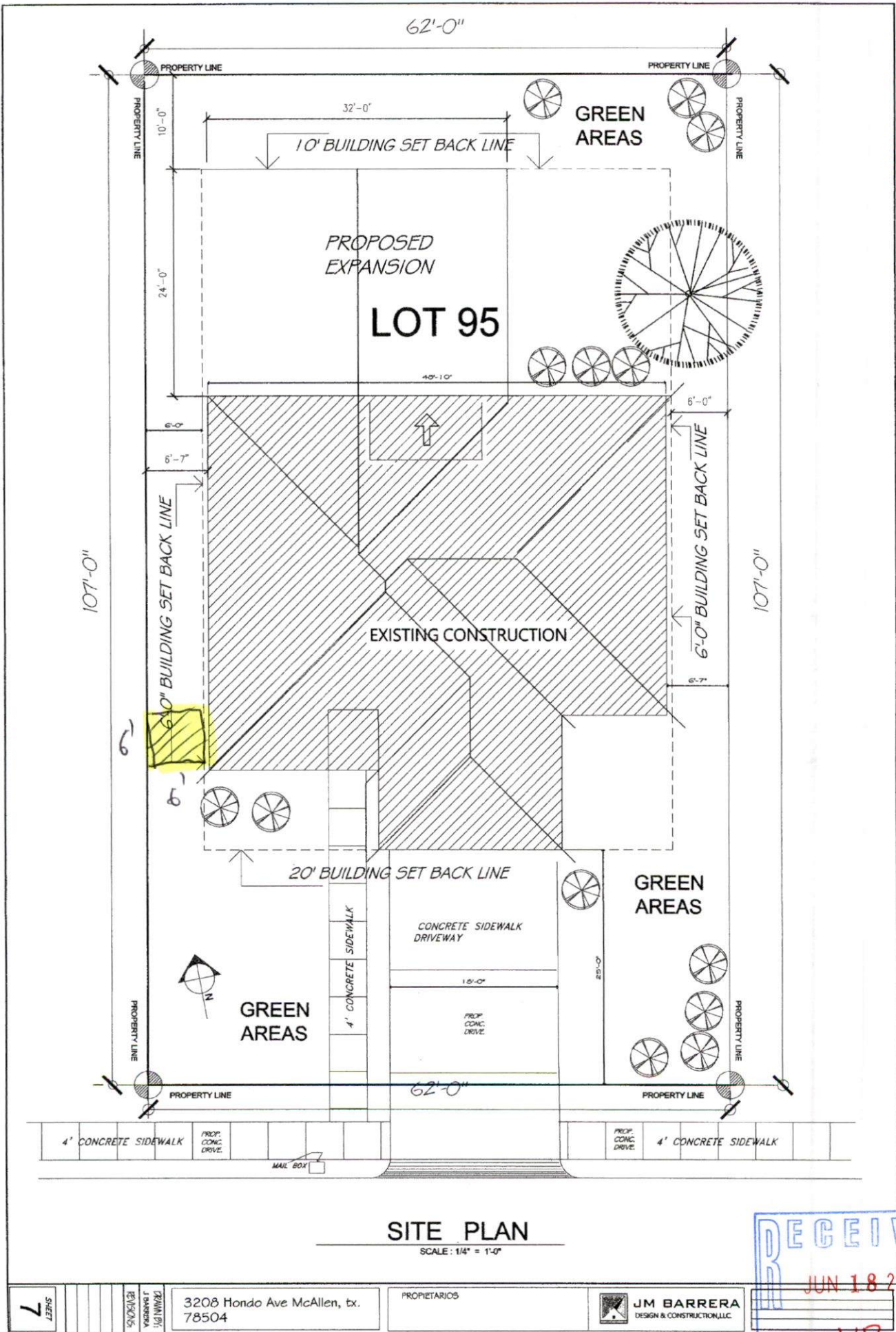
STATE OF TEXAS
COUNTY OF HIDALGO

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEXAS WATER CODE §48.21(c). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER OF THE SUBDIVISION AND ITS ENGINEER TO MAKE THESE DETERMINATIONS.

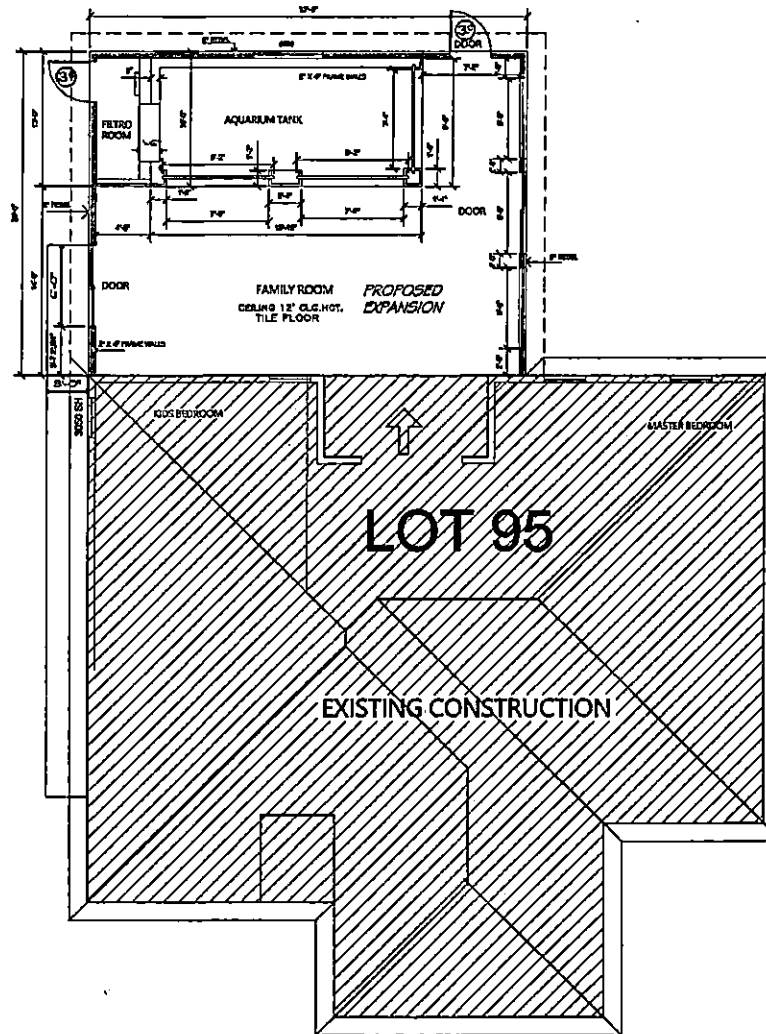
HIDALGO COUNTY DRAINAGE DISTRICT NO. 1
BY: [Signature] 12/15/05

THIS PLAT, APPROVED BY HIDALGO COUNTY IRRIGATION DISTRICT NO. 1, THIS THE 11th DAY OF January, 2003, A.D. AND NO IMPROVEMENTS OF ANY KIND SHALL BE PLACED ON HIDALGO COUNTY IRRIGATION DISTRICT NO. 1 RIGHT-OF-WAY OR EASEMENTS WITHOUT THE EXPRESSED WRITTEN PERMISSION OF THE HIDALGO COUNTY IRRIGATION DISTRICT NO. 1.

[Signature] 12/15/05



RECEIVED
JUN 18 2026
By VPZ



FLOOR PLAN

SCALE: 1/4" = 1'-0"

AREAS:	SQ. FT.
LIVING AREA	767 SQ. FT.
TOTAL:	767 SQ. FT.

JIM BARRERA
DESIGN & CONSTRUCTION LLC

PROPRIETARIES

3208 Honda Ave McAllen, tx.
78504

DRAWN BY:
J BARRERA
REVISIONS:

SHEET
2







3208

ZBA2026-0030
• NOTICE •
VARIANCE
SPECIAL EXCEPTION
FOR THIS
PROPERTY
CITY OF MCALLEN PLANNING DEPT
956-681-1250
WWW.MCALLEN.NET

Memo

TO: Zoning Board of Adjustment & Appeals

FROM: Planning Staff

DATE: August 19, 2026

SUBJECT: REQUEST OF JOSE LUIS GARCIA, FOR A SPECIAL EXCEPTION TO ALLOW AN ENCROACHMENT OF 4' INTO THE 6' SIDE SETBACK AND 10' INTO THE 20' FRONT YARD SETBACK ON LOT 18 OF THE KERRIA CROSSING SUBDIVISION, HIDALGO COUNTY, TEXAS; 4104 KERRIA AVENUE (ZBA2026-0031)

REASON FOR APPEAL: The applicant is requesting a special exception to allow a 4-foot encroachment into the required 6-foot side yard setback and a 10-foot encroachment into the required 20-foot front yard setback for a carport.



PROPERTY LOCATION AND VICINITY: The subject property is located on the north side of Kerria Avenue, west of North 41st Lane. The surrounding land use includes single family residences.

BACKGROUND AND HISTORY: Kerria Crossing Subdivision was recorded on July 28, 1999. No prior variance requests have been submitted for the property.

ANALYSIS: The existing carport measures 20-foot by 20-foot and encroaches 10-feet into the existing utility easement. The applicant has indicated that he is willing to reduce the carport size 10-feet by 20-feet to avoid encroaching into the easement; however, due to declining health and associated financial constraints, he is unable to afford the additional costs required to modify the existing structure at the moment.

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

RECOMMENDATION: Staff recommends disapproval of the variance request due to noncompliance with plat note requirements.



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:

I am willing to cut it back 10' to stay away from the easement

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:

I am willing to request assistance with necessary carport due to my health condition and limited income. I am 61 years old and have suffered both a stroke and heart attack. As a result I am currently struggling with mobility and walking safely. I am on a low income and am unable to afford the modifications I urgently need. At this time I am seeking help

4. Describe special conditions that are unique to this applicant or property:
to keep a carport, which is very important for protecting my vehicle and making it safer and easier for me to access my home. Additionally I will need assistance in the future to build a wheelchair access ramp to improve my mobility and independence. These modifications would make a significant difference in

my daily life and help me remain safe in my home. I would greatly appreciate any guidance, resources, or financial assistance you may be able to provide. Thank You.

Chairman, Board of Adjustment
Signature

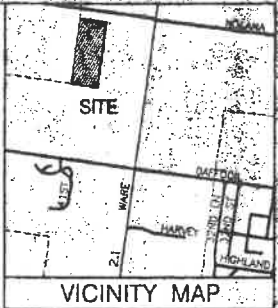
Date

PLAT 73, PG 68, D/R

LETTER AND BOUND

A 7.39 ACRE TRACT OF LAND OUT OF LOT 115, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION, OF PORCIONES 61, 62 AND 63, HIDALGO COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOL. 24, PG. 68, DEED RECORDS, HIDALGO COUNTY, TEXAS.

BEGINNING at a point on the South line of Lot 115, for the Southeast corner hereof; said point located North 81° 17' 30" East, 50 feet from the Southeast corner of Lot 115, said point being the Southwest corner of dedicated North 41st Street;
THENCE, with the South line of Lot 115, North 81° 17' 30" East, 325.0 feet to a point, for the Southwest corner hereof;
THENCE, parallel to the East line of Lot 115, North 81° 17' 30" East, 990.0 feet to a point, for the Northwest corner hereof;
THENCE, parallel to the North line of Lot 115, South 81° 17' 30" East, 325.0 feet to a point, for the Northeast corner hereof; said point being the Northeast corner of dedicated North 41st Street;
THENCE, with the West line of dedicated North 41st Street, South 81° 17' 30" East, 990.0 feet to the PLACE OF BEGINNING. Containing 7.39 acres of land, more or less.



MAP OF KERRIA CROSSING SUBDIVISION

BEING A SUBDIVISION OF A 7.39 ACRE TRACT OF LAND OUT OF LOT 115, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION, OF PORCIONES 61, 62 AND 63, HIDALGO COUNTY, TEXAS, RECORDED IN VOL. 24, PG. 68, D/R

PREPARED BY:
FABIAN, NELSON & MEDINA, INC.
320 N. 15TH STREET, MCALLEN, TEXAS
SCALE: 1" = 100' DATE: 8-17-98

Filed for Record in
Hidalgo County
by Juan B. Salinas III
County Clerk
On: Jul 28, 1999 at 05:40P
As a
Map - Final
Document Number: 794091
Total Fees: 48.50
Receipt Number: 230063
By: Ben Cruz

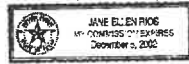
CURVE	RADIUS (FT.)	LENGTH (FT.)	CHORD (FT.)	ANGLE (DEG.)	CURVE	RADIUS (FT.)	LENGTH (FT.)	CHORD (FT.)	ANGLE (DEG.)
A	977.5	50.02	50.02	2° 55' 55"	N	1590.0	27.07	27.07	0° 58' 31"
B	977.5	47.65	47.64	2° 47' 34"	Q	1590.0	50.06	50.06	1° 48' 14"
C	1027.5	2.51	2.51	0° 08' 23"	P	1590.0	50.01	50.01	1° 48' 07"
D	1027.5	50.14	50.13	2° 47' 45"	Q	1540.0	50.01	50.01	1° 51' 38"
E	1027.5	50.02	50.02	2° 47' 21"	R	1540.0	50.06	50.06	1° 51' 45"
F	1027.5	50.02	50.02	2° 47' 21"	S	1540.0	23.06	23.06	0° 51' 29"
G	1027.5	50.14	50.13	2° 47' 45"	T	1590.0	27.07	27.07	0° 58' 31"
H	1027.5	2.51	2.51	0° 08' 23"	U	1590.0	50.06	50.06	1° 48' 14"
I	977.5	47.65	47.64	2° 47' 34"	V	1590.0	50.01	50.01	1° 48' 07"
J	977.5	50.02	50.02	2° 55' 55"	W	50.0	22.01	21.83	25° 13' 04"
K	1540.0	50.01	50.01	1° 51' 38"	X	50.0	46.8	45.11	53° 31' 33"
L	1540.0	50.06	50.05	1° 51' 45"	Y	50.0	46.8	45.11	53° 31' 32"
M	1540.0	23.06	23.06	0° 51' 29"	Z	50.0	38.91	37.94	44° 35' 14"

STATE OF TEXAS:
COUNTY OF HIDALGO:

I, (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED AS THE KERRIA CROSSING SUBDIVISION TO THE CITY OF MCALLEN, TEXAS, AND WHOSE NAME(S) IS (ARE) SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINAGE, EASEMENTS, WATER LINES, 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 RECORDS 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 EMILY SPOOR AND STEPHEN SPOOR, 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 CONSIDERATION THEREIN STATED.



Jane Ellen Parris
NOTARY PUBLIC

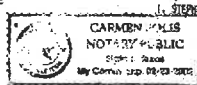
I, THE UNDERSIGNED, CHAIRMAN OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF MCALLEN, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

STATE OF TEXAS:
COUNTY OF HIDALGO:

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR # 1590 IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND IS BASED UPON AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

STATE OF TEXAS:
COUNTY OF HIDALGO:

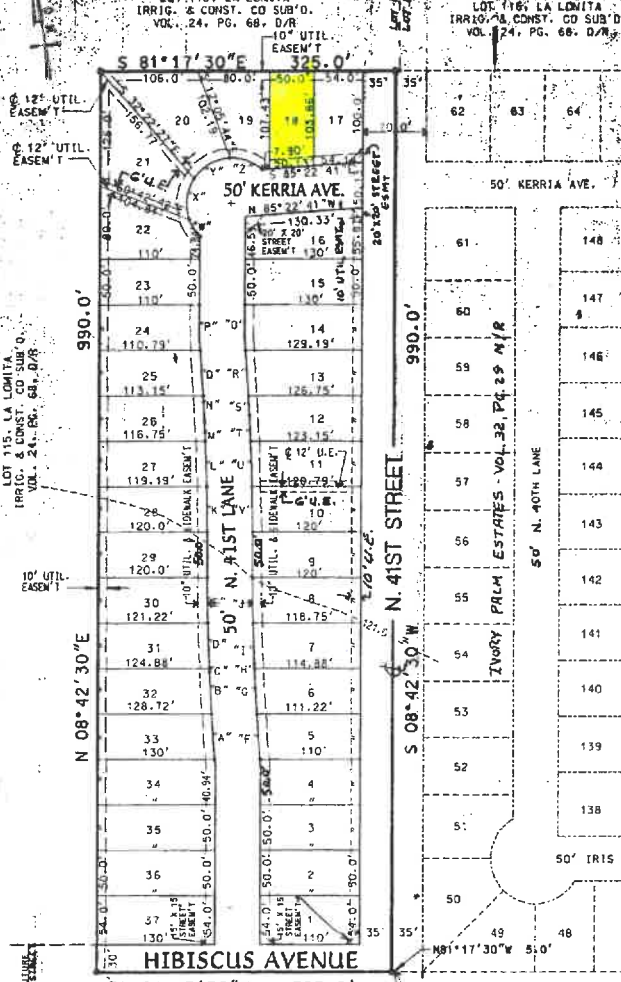
I, STEPHEN SPOOR, REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROPER ENGINEERING CONSULTATION HAS BEEN GIVEN TO THIS PLAT.



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 SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

THIS PLAT IS HEREBY APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT NO. 1 ON THIS 6 DAY OF August, 1999.

HIDALGO COUNTY IRRIGATION DISTRICT NO. 1
WILL NOT BE RESPONSIBLE FOR DRAINAGE OR DELIVERY OF WATER TO ANY LOT IN THIS SUBDIVISION IF IT IS NOT SHOWN ON THIS PLAT.



- NOTES:
- MINIMUM FINISHED FLOOR ELEVATION SHALL BE 10 INCHES ABOVE TOP OF CURB MEASURED AT FRONT CENTER OF LOT.
 - THIS PROPERTY FALLS IN ZONE "C" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 480343 0005 C, REVISED NOVEMBER 2, 1982.
 - RAINFALL DETENTION OF 0.52 AC-FT SHALL BE REQUIRED FOR THIS SUBDIVISION.
 - SIDEWALKS REQUIRED ON NORTH 41ST STREET, HIBISCUS AVENUE, AND ON BOTH SIDES OF NORTH 41ST LANE AND KERRIA AVENUE.
 - MINIMUM BUILDING SETBACKS:
 - A. FRONT - 20 FT
 - B. REAR - 10 FT
 - C. SIDE - 6 FT EXCEPT SIDE STREET - 10 FT
 - D. GARAGE - 18 FT, EXCEPT WHERE GREATER SETBACK REQUIRED.
 - E. 6 FT BUFFER REQUIRED ON WEST SIDE NORTH 41ST STREET AND ON NORTH SIDE HIBISCUS AVENUE.
 - F. 6 FT BUFFER REQUIRED FROM ANY COMMERCIAL ZONE/USE.
 - G. NO CURB CUTS OR LOT FRONTAGE IS PERMITTED ON NORTH 41ST STREET OR HIBISCUS AVENUE.

STATE OF TEXAS
COUNTY OF HIDALGO
I, (WE), THE UNDERSIGNED, HOLDER(S) (OR DULY AUTHORIZED OFFICERS OF THE HOLDER(S)) OF A SECURITY INTEREST IN THE ABOVE DESCRIBED PROPERTY, BEING THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS KERRIA CROSSING SUBDIVISION OF THE CITY OF MCALLEN, TEXAS, DO HEREBY CONSENT TO THE SUBDIVISION OF THE PROPERTY AS PROVIDED FOR UNDER THE PLAT AND DO HEREBY PROVIDE THAT ANY FORECLOSURE RELATING TO THE SECURITY INTEREST ON THE ABOVE DESCRIBED PROPERTY SHALL BE SUBJECT TO THE PLATTING OF THE PROPERTY AS PROVIDED FOR HEREIN.

BY: CHRISTIE BACKMAN EXEC. VICE PRESIDENT

STATE OF TEXAS
COUNTY OF HIDALGO
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED CHRISTIE BACKMAN, EXEC. VICE PRESIDENT OF TEXAS STATE BANK 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 CONSIDERATION THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS 6 DAY OF August, 1999.

NOTARY PUBLIC

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 TEX. WATER CODE 49.211(c) THE DISTRICT HAS NOT REVIEWED A 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 OF THE SUBDIVISION AND ITS ENGINEER TO MAKE THESE DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

N.

Neighbor's House - Left

Neighbor's House - Right

4104 Kerria Ave.

Fence

Fence

Property Line

Property Line

Car Port

Height 8ft. 9in

19ft 7in

20ft

27'2"

Property Line

Side Walk

Drive way

Side Walk

S. Kerria Ave

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







4104

ZBA2026-0031
• NOTICE •
VARIANCE
FOR THIS
PROPERTY

CITY OF MCALLEN PLANNING DEPT
910-481-1250
WWW.MCALLEN.NET

4104 ★

Memo

TO: Zoning Board of Adjustment & Appeals

FROM: Planning Staff

DATE: August 19, 2026

SUBJECT: REQUEST OF JOSEFINA RANGEL, FOR A SPECIAL EXCEPTION TO ALLOW AN ENCROACHMENT OF 20' INTO THE 20' FRONT SETBACK FOR A CARPORT ON LOT 90 OF HARVEY TERRACE UT 2 PH I & 2 SUBDIVISION, HIDALGO COUNTY, TEXAS; 2808 NORTH 26TH STREET (ZBA2026-0032)

REASON FOR APPEAL: The applicant is requesting a special exception to allow a 20-foot encroachment into the required 20-foot front yard setback for a proposed 20-foot by 11-foot carport.



PROPERTY LOCATION AND VICINITY: The subject property is located between Daffodil Avenue and Harvey Drive, east of North 24th Street. The surrounding land use includes single family residences.

BACKGROUND AND HISTORY: Harvey Terrace UT 2 PH 1 & 2 Subdivision was recorded on July 17, 1998. No other requests have been made for the subject property.

ANALYSIS: The purpose of this request is to allow the build of a 20-foot by 20-foot carport. The applicant states that the carport is intended to provide the vehicle owner, who is elderly, with protection from the sun and rain.

The recorded plat requires 20-foot minimum front yard setback.

Staff's research did reveal five other properties which were approved by the board for carports in this subdivision.

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

RECOMMENDATION: Staff recommends disapproval of the variance request due to noncompliance with plat note requirements.

[illegible]

1. MINIMUM FLOOR ELEVATION FOR CONVENTIONAL HOMES SHALL BE AS SHOWN ABOVE.
2. MINIMUM FLOOR ELEVATION FOR VA. HOMES SHALL BE AS PER VA. GOODNESS PLAN.
3. FRONTYARD SETBACK SHALL BE 20' MINIMUM, EXCEPT AROUND CUL-DE-SACS WHEN SHALL BE 10' MINIMUM UNLESS OTHERWISE SHOWN.
4. SIDEYARD & BACKYARD SETBACKS SHALL BE 6' & 10' MINIMUM, EXCEPT AT CORNER LOTS SIDEYARD SETBACKS SHALL BE 10' MINIMUM.
5. CITY OF ALEXANDRIA SHALL HAVE A 55' EASEMENT AT ALL STREET INTERSECTIONS.
6. A SIDEWALK SHALL BE REQUIRED ON SOUTH SIDE OF DRIVE/ROAD, AVE/BLVD.

KERNOWSKI AND ASSOCIATES, INC.
Consulting Engineers / Planners
Boston **Toronto**



10. 1000 11. 1000 12. 1000 13. 1000 14. 1000 15. 1000 16. 1000 17. 1000 18. 1000 19. 1000 20. 1000 21. 1000 22. 1000 23. 1000 24. 1000 25. 1000 26. 1000 27. 1000 28. 1000 29. 1000 30. 1000 31. 1000 32. 1000 33. 1000 34. 1000 35. 1000 36. 1000 37. 1000 38. 1000 39. 1000 40. 1000 41. 1000 42. 1000 43. 1000 44. 1000 45. 1000 46. 1000 47. 1000 48. 1000 49. 1000 50. 1000 51. 1000 52. 1000 53. 1000 54. 1000 55. 1000 56. 1000 57. 1000 58. 1000 59. 1000 60. 1000 61. 1000 62. 1000 63. 1000 64. 1000 65. 1000 66. 1000 67. 1000 68. 1000 69. 1000 70. 1000 71. 1000 72. 1000 73. 1000 74. 1000 75. 1000 76. 1000 77. 1000 78. 1000 79. 1000 80. 1000 81. 1000 82. 1000 83. 1000 84. 1000 85. 1000 86. 1000 87. 1000 88. 1000 89. 1000 90. 1000 91. 1000 92. 1000 93. 1000 94. 1000 95. 1000 96. 1000 97. 1000 98. 1000 99. 1000 100. 1000

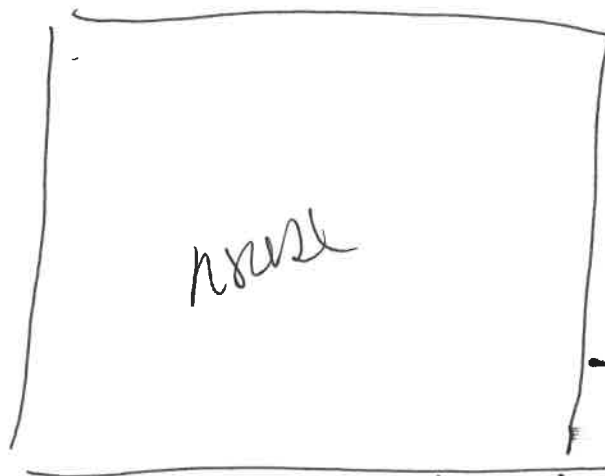
ROBERTSON AND ASSOCIATES, INC.
Consulting Engineers / Planners
1000 ...
... ..

JUN 26 2026

80012-0

allen

property line



house

- 6 FT -

to side property line

property line

20 ft

carport roof

11 ft

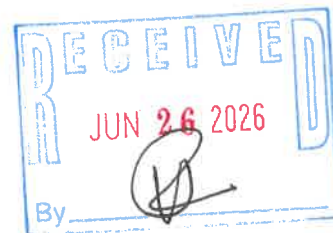
x 8 ft height

off to front property line

property line

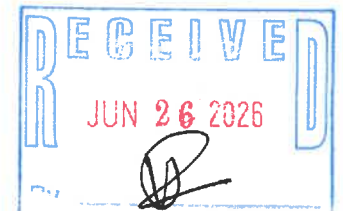
12 ft
←

26th St.





2808 N 26th St
McAllen, TX 78501





ZBA2026-0032
• NOTICE •
VARIANCE
SPECIAL EXCEPTION
FOR THIS
PROPERTY
CITY OF MCALLEN PLANNING DEPT.
956-681-1250
WWW.MCALLENNET

Memo

TO: Zoning Board of Adjustment & Appeals

FROM: Planning Staff

DATE: August 19, 2026

SUBJECT: REQUEST OF JORGE SANCHEZ, FOR A VARIANCE TO THE MINIMUM LOT AREA FOR A DUPLEX ON LOT 5 BLK 1 OF SOUTH MCALLEN SUBDIVISION, HIDALGO COUNTY, TEXAS; 809 SOUTH BICENTENNIAL BOULEVARD (ZBA2026-0033)

REASON FOR APPEAL: The applicant is requesting a variance to allow the construction of a duplex on a 2,375 sq. ft. lot.



PROPERTY LOCATION AND VICINITY: The subject property is located along South Bicentennial Boulevard, south of Houston Avenue. The surrounding land uses consist primarily of single-family residences and townhomes. The subject property is currently vacant and is zoned within the City-Core Downtown (CC-DT-UDC) zoning district.

BACKGROUND AND HISTORY: South McAllen Addition Subdivision was recorded on June 16, 1928. A permit was issued in July 2016 for the demolition of an exterior restroom associated with a condemned structure. Additionally, a moving permit was requested in May 2024 to relocate the existing residential structure.

ANALYSIS: The applicant is requesting a variance to allow the construction of a duplex on a 2,375 sq. ft lot. Although a duplex is permitted within the CC-DT (City Core–Downtown) District, the subject property is less than the required 4,000-square-foot minimum lot area established in the Unified Development Code (UDC), Section 2.3.3.

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

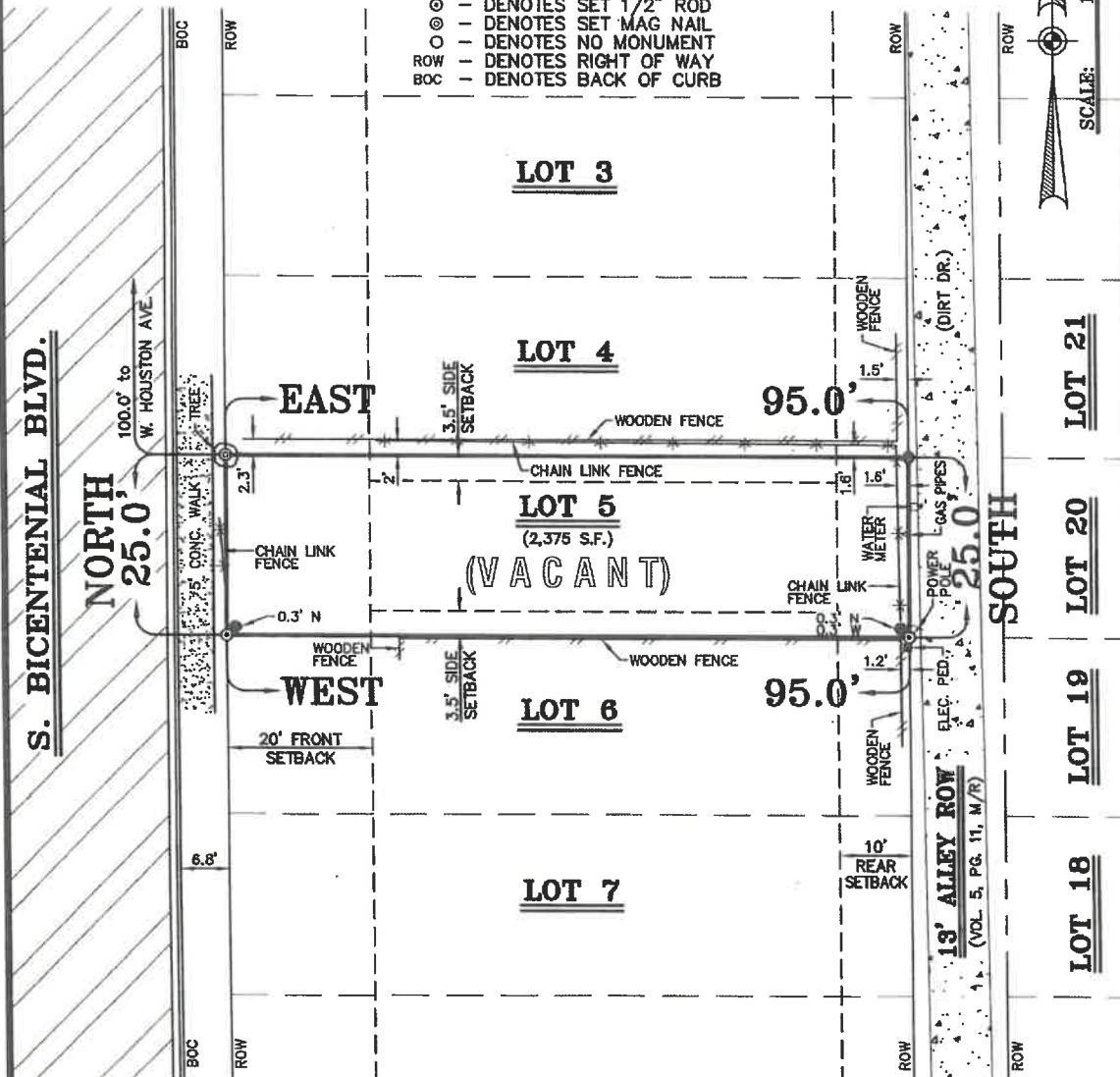
RECOMMENDATION: Staff recommends disapproval of the variance request due to noncompliance with UDC requirements.



1524 DOVE AVENUE, McALLEN, TEXAS 78504 PH: (956) 618-5585 FAX: (956) 618-5540

LEGEND

- - DENOTES FOUND 1/2" ROD
 ⊙ - DENOTES SET 1/2" ROD
 ⊗ - DENOTES SET MAG NAIL
 ○ - DENOTES NO MONUMENT
 ROW - DENOTES RIGHT OF WAY
 BOC - DENOTES BACK OF CURB



FLOOD ZONE DESIGNATION: The property shown herein lies in Zone C. Zone C areas are areas of "minimal flooding" and are not designated flood prone areas as per F.E.M.A. Flood Insurance Rate Map Panel Number 480343-0010-C dated 11-02-82.

PLAT NOTES:

1. There are no discrepancies, conflicts, shortages in area or boundary lines, encroachments, overlapping of improvements or visible or apparent easements, except as shown on this plat.
2. This survey plat is prepared in connection with Title Policy G.P. # MCAS25112827 and does not guarantee title. This survey is for the exclusive use of the client named hereon and may not be copied or transferred to another party without the express written consent of the surveyor.
3. This survey must contain an embossed seal and an original signature to be valid as per Section 681.46 and Section 683.19 of the "The Professional Land Surveying Practices Act".
4. This is a standard survey and does not include the location or subsurface investigation of underground utility, irrigation and/or gas lines.
5. Easements and Building Lines as set out on plat recorded in Volume 5, Page 11, Map Records, Hidalgo County, Texas.
6. Inclusion within the Hidalgo County Irrigation District No. 1. (Blank)
7. Building Setback Lines as per City Zoning Ordinance.
8. Subject to any water rights and/or oil, gas and mineral lease of record.
9. Bearing Basis: "The W. line of Lot 5, Block 1, South McAllen Addition."

BORROWER(s): Jorge Luis Sanchez

THIS IS TO CERTIFY THAT I HAVE, THIS DATE, PREPARED A SURVEY ON THE GROUND WHICH IS LOCATED AT 809 S. BICENTENNIAL BLVD., in McALLEN, TEXAS, DESCRIBED AS FOLLOWS:
LOT FIVE (5), BLOCK ONE (1), SOUTH McALLEN ADDITION TO THE TOWNSITE OF McALLEN, HIDALGO COUNTY, TEXAS, RECORDED IN VOLUME 2, PAGE 44 ACCORDING TO THE MAP OF PLAT THEREOF RECORDED IN VOLUME 2, PAGE 44, MAP RECORDS, HIDALGO COUNTY, TEXAS.

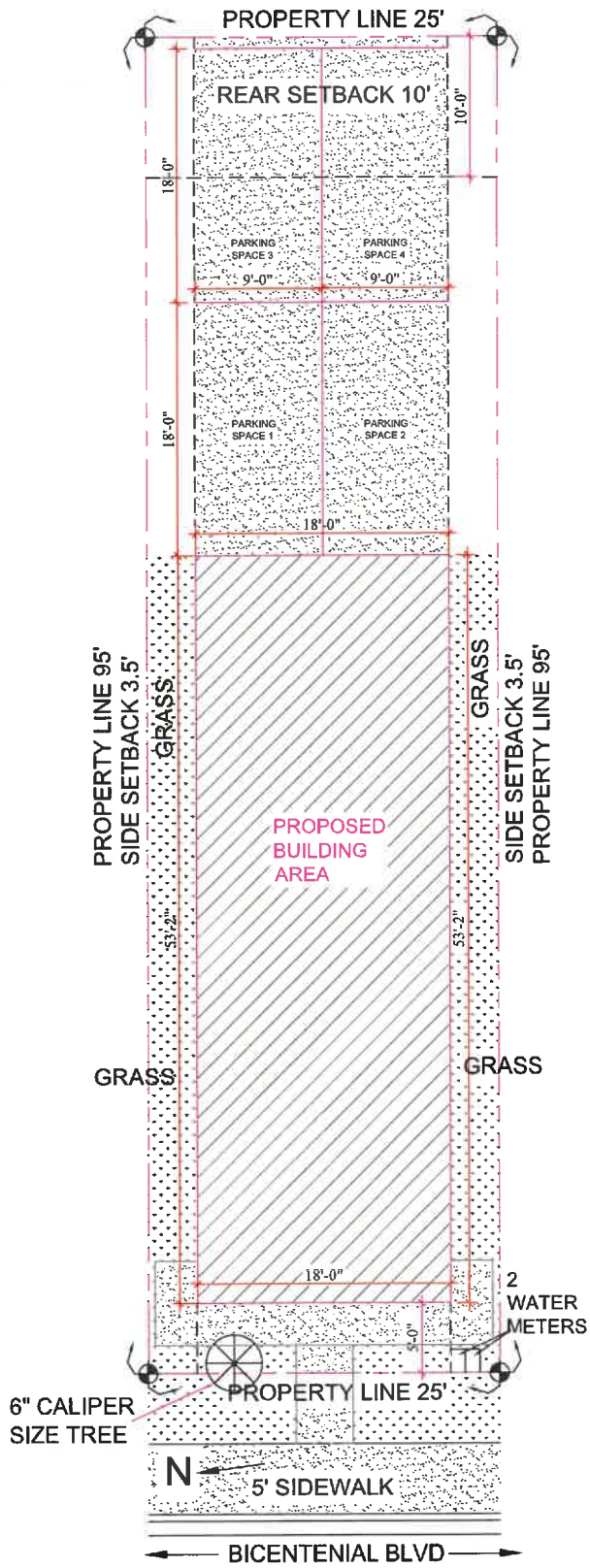
25-70679
Job No.

12-12-25
Date

© COPYRIGHT 2025 ART SALINAS ENGINEERING INC. THIS SURVEY WAS PROVIDED IN MULTIPLE ORIGINALS SOLELY FOR THE USE OF THE BORROWER NAMED HEREON. NO LICENSE HAS BEEN CREATED, EXPRESSED OR IMPLIED TO COPY THIS SURVEY.



Registered Professional Land Surveyor No. 4802



BUILDER MUST VERIFY ALL DIMENSIONS PRIOR TO ANY CONSTRUCTION OR SITE PREP. VERIFY COMPLIANCE WITH CITY ORDINANCE CODES & RESTRICTIONS WHERE STRUCTURE WILL BE BUILT. VERIFY SUBDIVISION REQUIREMENTS PRIOR TO BUILD.	DRAWN BY: ANABEL GONZALEZ 956-789-6524	SITE: 809 S BICENTENIAL BLVD MCALLEN TX 78501 LOT 5 BLK 1	OWNER: JORGE SANCHEZ 956-225-6002	UNIT 1: 879 UNIT 2: 866 STAIRS AREA: 72 TOTAL: 1817	SCALE: NTS	DATE: 06-27-2026	PLAN: SITE	SHEET No. 9 OF 9
--	---	--	--	--	-------------------	-------------------------	-----------------------	-----------------------------









813

ZBA2026-0033
• NOTICE •
VARIANCE
FOR THIS
PROPERTY
CITY OF MCALLEN PLANNING DEPT.
956-681-1250
WWW.MCALLEN.NET

Memo

TO: Zoning Board of Adjustment & Appeals

FROM: Planning Staff

DATE: August 19, 2026

SUBJECT: REQUEST OF SOCORRO HINOJOSA, FOR A SPECIAL EXCEPTION TO ALLOW AN ENCROACHMENT OF 20' INTO THE 20' FRONT SETBACK FOR A CARPORT ON LOT 31 OF THE ARROWHEAD PH 1 SUBDIVISION, HIDALGO COUNTY, TEXAS; 3705 WHITEWING AVENUE (ZBA2026-0034)

REASON FOR APPEAL: The applicant is requesting a special exception to allow a 20-foot encroachment into the required 20-foot front yard setback for a proposed 20-foot by 20-foot carport.



PROPERTY LOCATION AND VICINITY: The subject property is located along the south side of Whitewing Avenue, west of North Ware Road. The surrounding land use includes single family residences and vacant land.

BACKGROUND AND HISTORY: Arrowhead Phase I Subdivision was recorded on March 9, 1981. No other requests have been made for the subject property.

ANALYSIS: The purpose of this request is to allow the build of a 20-foot by 11-foot carport. They need protection for the natural elements to be able to protect their vehicles.

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

RECOMMENDATION: Staff recommends disapproval of the variance request due to noncompliance with plat note requirements.



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:

The strict application of the 20-foot front setback on this shallow 90 feet lot deprives the owner of reasonable use because the home was already built directly to the setback lines by the original developer, leaving no

conforming space to construct standard vehicle protection

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

The variance is necessary for the preservation of property rights by allowing the owner to protect their vehicles from severe natural elements a right already exercised already exercised by severe other owners with existing carports in the subdivision - while mitigating physical safety risks like slips and falls during inclement weather

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 variance is necessary for the preservation of property rights by allowing the owner to protect their vehicles from severe natural elements - a right already exercised by several other owners with existing carports in the subdivision - while mitigating physical safety

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

The property has a documented history of severe storm damage, including a specific incident where an unpermitted carport from a previous disaster punctured the home's roof. Also, the property owner is over 65 years of age. By building the carport, the risk of slips trips or falls during inclement weather will be reduced.

Board Action

Chairman, Board of Adjustment
Signature

Date

SUBDIVISION PLAT OF ARROWHEAD SUBDIVISION PHASE I

AN 11.73 ACRE TRACT OF LAND OUT OF LOT 128, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION AS RECORDED IN VOLUME 24, PAGE 68 OF THE DEED RECORDS OF HIDALGO COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

METES AND BOUNDS DESCRIPTION

AN 11.73 ACRE TRACT OF LAND OUT OF LOT 128, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION AS RECORDED IN VOLUME 24, PAGE 68 OF THE DEED RECORDS OF HIDALGO COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 128 FOR THE SOUTHEAST CORNER OF THIS TRACT; SAID POINT BEING 1.00 FOOT EAST OF THE CENTERLINE OF N. WARE ROAD;

THENCE N30°18'00"W AT 41.00 FEET THE WEST RIGHT-OF-WAY OF N. WARE ROAD, IN ALL A DISTANCE OF 570.00 FEET TO A POINT FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE N08°42'30"E A DISTANCE OF 140.00 FEET TO A POINT FOR AN EXTERIOR CORNER OF THIS TRACT;

THENCE S60°17'48"E A DISTANCE OF 24.48 FEET TO A POINT FOR AN INTERIOR CORNER OF THIS TRACT;

THENCE N08°42'30"E A DISTANCE OF 544.00 FEET TO A POINT FOR AN EXTERIOR CORNER OF THIS TRACT;

THENCE N00°17'03"W A DISTANCE OF 24.48 FEET TO A POINT FOR AN EXTERIOR CORNER OF THIS TRACT;

THENCE N00°42'30"E A DISTANCE OF 140.00 FEET TO A POINT FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE S60°17'30"E AT 529.00 FEET THE WEST RIGHT-OF-WAY OF N. WARE ROAD, IN ALL A DISTANCE OF 570.00 FEET TO A POINT FOR THE NORTHEAST CORNER OF THIS TRACT; SAID POINT BEING ON THE EAST LINE OF SAID LOT 128 AND BEING 1.00 FOOT EAST OF THE CENTERLINE OF N. WARE ROAD;

THENCE S09°45'30"W ALONG THE EAST LINE OF SAID LOT 128 A DISTANCE OF 924.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 11.73 ACRES OF LAND, MORE OR LESS.

STATE OF TEXAS
COUNTY OF HIDALGO

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

Arthur Zang
ARTHUR ZANG, V.P.
ARROWHEAD SUBDIVISION COMPANY, INC.
3222 WEST AVENUE
WILLOW, TEXAS 75070
ARTHUR ZANG, VICE PRESIDENT

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED ARTHUR ZANG, 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 EXPRESSED AND IN THE CAPACITY THEREIN STATED. I GAVE HIM MY HAND AND SEAL OF OFFICE

THIS 18 DAY of October, 1998



THE PLAT APPROVED BY HIDALGO COUNTY IRRIGATION DISTRICT NO. ONE

THIS 18 DAY of January, 1998

HIDALGO COUNTY IRRIGATION DISTRICT NO. ONE WILL NOT BE RESPONSIBLE FOR DRAINAGE OR DELIVERY OF WATER TO ANY LOT IN THIS SUBDIVISION, IF DESIRED THIS WILL BE THE SUBDIVISION'S EXPENSE.

Willard J. Smith

I, THE UNDERSIGNED MAYOR OF THE CITY OF WILLOW, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY OF WILLOW, TEXAS AND IS HEREBY APPROVED BY SUCH COMMISSION.

Joe Matlock 7-10-98

THIS SUBDIVISION PLAT OF ARROWHEAD SUBDIVISION HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF WILLOW, TEXAS AND IS HEREBY APPROVED BY SUCH COMMISSION.

DATED THIS 18 DAY of January, 1998

Richard Smith

STATE OF TEXAS
COUNTY OF HIDALGO

AFTER HIDALGO COUNTY REGISTERED PROFESSIONAL ENGINEER LEO L. RODRIGUEZ, JR. HAS REVIEWED THIS PLAT AND THE STATE OF TEXAS, HEREBY CERTIFY THAT THE SUBDIVISION PLAT CONFORMS TO THE REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY OF WILLOW, TEXAS AND IS HEREBY APPROVED BY SUCH COMMISSION.

Leo L. Rodriguez, Jr. 6/10/98

PERSONAL ENGINEER NO. 74808

LEO L. RODRIGUEZ, JR.

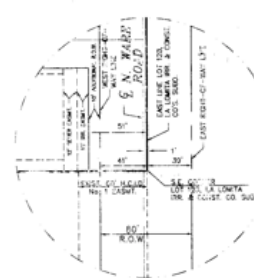
1448 S. JOHNSON ST. SUITE 100

WILLOW, TEXAS 75070

PROFESSIONAL LAND SURVEYOR NO. 2448

6/10/98

971203



DETAIL 'A'
N.T.S.

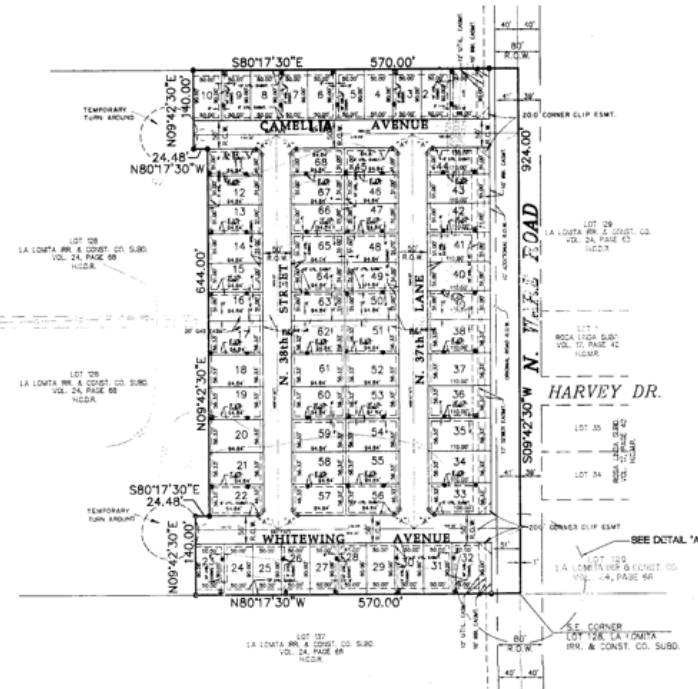
GENERAL NOTES

- THIS PROPERTY IS LOCATED WITHIN ZONE 1C ON A FLOOD INSURANCE RATE MAP - COMMUNITY PANEL NO. 48413 D002 C, REVED NOV. 2, 1992.
- MINIMUM FINISHED FLOOR ELEVATION SHALL BE AS SHOWN ON THE TABLE.
- THE PLANNING BOARD SETBACK LINES SHALL BE AS FOLLOWS:
FRONT 25.00 FEET
SIDE 10.00 FEET
REAR 10.00 FEET
CORNER 10.00 FEET
EACH 10.00 FEET
JURASSIC 18.00 FEET EXCEPT WHERE GREATER SETBACK IS REQUIRED.
N. WARE ROAD 22.00 FEET (LOTS 1 & 2)
- THE LOT FRONTAGE OR DURECTION SHALL BE ALLOWED ALONG N. WARE ROAD.
- A 10.00 FOOT LOTTER IS REQUIRED ALONG N. WARE ROAD AND FROM COASTAL, TIME OR USED.
- THE CITY OF WILLOW SHALL HAVE A 25' x 25' CORNER CLIP EASEMENT AT ALL STREET INTERSECTIONS.
- A TOTAL OF 600 ACRES OF STORMWATER DETENTION IS REQUIRED FOR THIS SUBDIVISION. OWNER IS REQUIRED TO SUBMIT AN ENGINEER'S DESIGN PLAN APPROVED BY THE ENGINEERING DEPARTMENT PRIOR TO BUILDING PERMIT.
- CENTRAL POWER AND LIGHT CO. IS HEREBY GRANTED AN EASEMENT AND RIGHT-OF-WAY ON EACH LOT IN THIS SUBDIVISION FOR AN UNDERGROUND ELECTRIC SERVICE LATERAL TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH PURPOSES AT THE POINT OF BEGINNING WHERE SUCH SERVICE LATERAL IS TO BE OR IS INSTALLED AND MAINTAINED FROM TIME TO TIME.
- AN ADDITIONAL 5.00' EASEMENT BEING 24.00' FROM THE RIGHT-OF-WAY IS HEREBY GRANTED TO CENTRAL POWER AND LIGHT CO. FOR THE FOLLOWING LOTS: 3, 6, 7, 10, 12, 15, 18, 22, 26, 30, 33, 36, 39, 44, 45, 51, 56, 57, 62, 65, 68.
- A 10.00 FOOT EASEMENT IS REQUIRED ALONG THE WEST SIDE OF N. WARE ROAD AND ALONG BOTH SIDES OF WHITEWING AVENUE.
- RECORDS SHOWN 1/2" FROM FIN.
- RECORDS SET 5.00' FROM FIN.
- TEMPORARY TURN ARROUND EXIST UNTIL SUCH TIME AS ADJACENT PROP. ENT. DEVELOPERS AND STREETS ARE EXTENDED.

Recorded in Volume 33, Page 105
of the Public Records of Hidalgo
County, Texas
Molton and Hart, Inc.

SCALE: 1"=100'

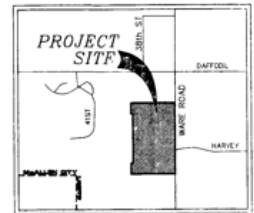
UNITED FORTYFOOT, CLASH 5400
VOL. 24, PAGE 68
HIDALGO



STREET	RIGHT-OF-WAY	ADJACENT	ADJACENT	ADJACENT
N. WARE ROAD	570.00'	570.00'	570.00'	570.00'
WHITEWING AVENUE	570.00'	570.00'	570.00'	570.00'
CAMELLIA AVENUE	570.00'	570.00'	570.00'	570.00'

LOT NO.	ACRES	ACRES
33	0.175	0.142
44	0.379	0.127
11, 45, 68	4.57	0.104
22, 56, 57	5.32	0.122

DATE OF PREPARATION: MARCH 13, 1998



LOCATION MAP
N.T.S.

FINISHED FLOOR ELEVATION TABLE	LOT #	ABOVE CURB	LOT #	ABOVE CURB
1	1	1	1	1
2	2	2	2	2
3	3	3	3	3
4	4	4	4	4
5	5	5	5	5
6	6	6	6	6
7	7	7	7	7
8	8	8	8	8
9	9	9	9	9
10	10	10	10	10
11	11	11	11	11
12	12	12	12	12
13	13	13	13	13
14	14	14	14	14
15	15	15	15	15
16	16	16	16	16
17	17	17	17	17
18	18	18	18	18
19	19	19	19	19
20	20	20	20	20
21	21	21	21	21
22	22	22	22	22
23	23	23	23	23
24	24	24	24	24
25	25	25	25	25
26	26	26	26	26
27	27	27	27	27
28	28	28	28	28
29	29	29	29	29
30	30	30	30	30
31	31	31	31	31
32	32	32	32	32
33	33	33	33	33
34	34	34	34	34
35	35	35	35	35
36	36	36	36	36
37	37	37	37	37
38	38	38	38	38
39	39	39	39	39
40	40	40	40	40
41	41	41	41	41
42	42	42	42	42
43	43	43	43	43
44	44	44	44	44
45	45	45	45	45
46	46	46	46	46
47	47	47	47	47
48	48	48	48	48
49	49	49	49	49
50	50	50	50	50
51	51	51	51	51
52	52	52	52	52
53	53	53	53	53
54	54	54	54	54
55	55	55	55	55
56	56	56	56	56
57	57	57	57	57
58	58	58	58	58
59	59	59	59	59
60	60	60	60	60
61	61	61	61	61
62	62	62	62	62
63	63	63	63	63
64	64	64	64	64
65	65	65	65	65
66	66	66	66	66
67	67	67	67	67
68	68	68	68	68



JAVIER HINOJOSA ENGINEERING
CONSULTING ENGINEERS
416 E. DOVE AVENUE WILLOW, TEXAS 75074
PHONE (958) 888-1588



3817 Whitewing Ave.



3905 Whitewing Ave.



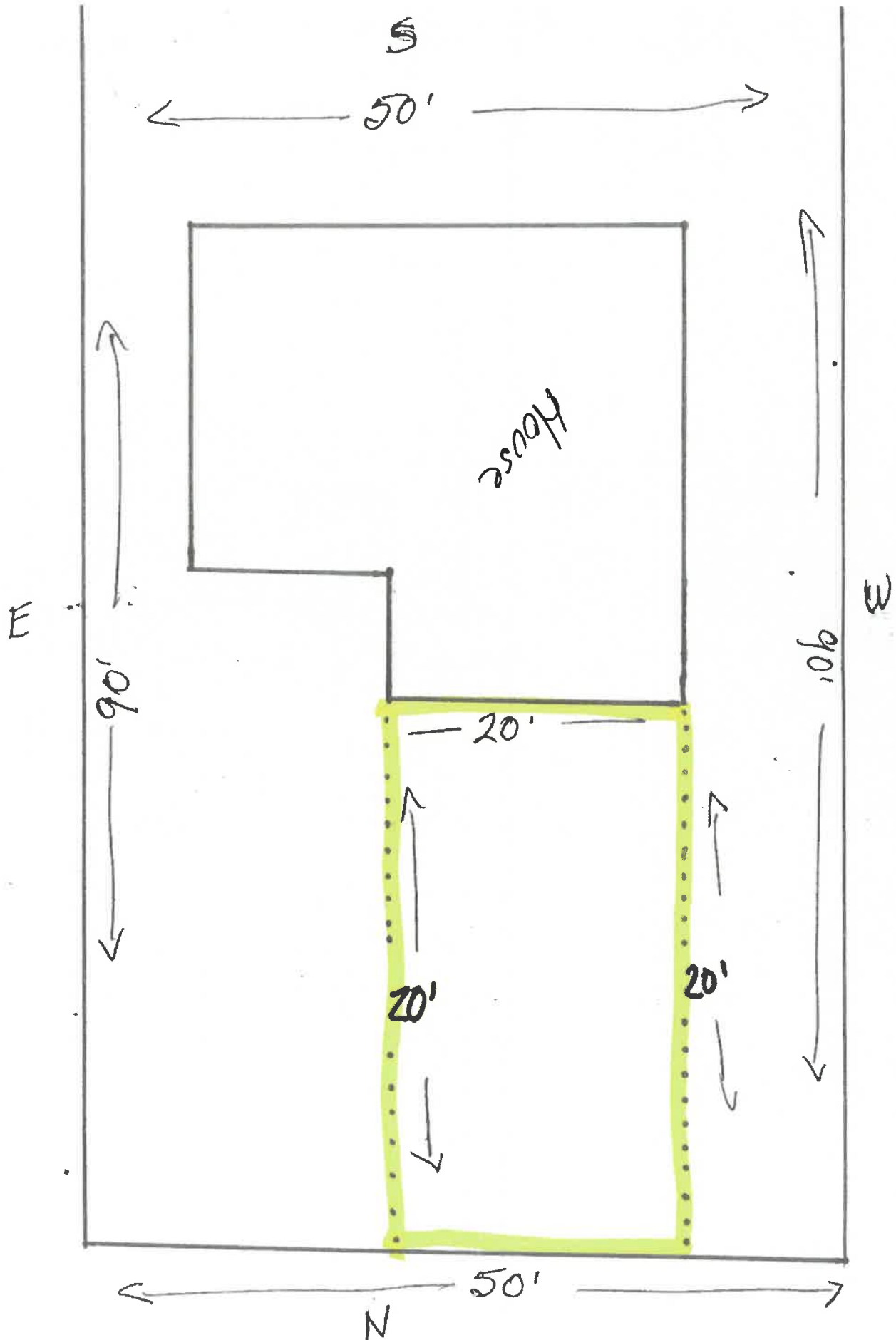
3717 Whitewing Ave.



2625 40th St. McAllen



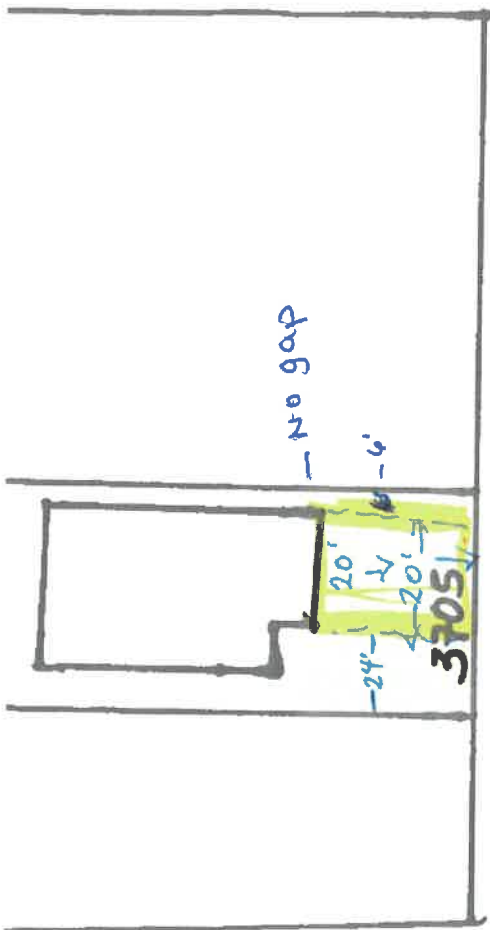
Houses on Same Street



40th st.

Whitewing Ave

Ware





ZBA2026-0034
• NOTICE •
VARIANCE
SPECIAL EXCEPTION
FOR THIS
PROPERTY
CITY OF MCALLEN PLANNING DEPT.
944-451-1720
WWW.MCALLEN.NET

