

AGENDA

ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING WEDNESDAY, AUGUST 7, 2024 - 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 – Chairperson Jose Gutierrez

1. MINUTES:

- a) Minutes for the meeting held on July 25, 2024

2. PUBLIC HEARINGS:

- a) Request of Adrian Hinojosa for a Special Exception to the City of McAllen Zoning Ordinance to allow an encroachment of 20 feet into the 20-foot front yard setback for an existing carport measuring 26 feet by 17.25 feet at Lot 133, Colonia McAllen Unit No. 6 Subdivision, Hidalgo County, Texas; 2108 South 30th ½ Street. **(ZBA2024-0027)**
- b) Request of Maria De La Rosa for a special exception to the City of McAllen Zoning Ordinance to allow an encroachment of 22 feet into the 30-foot front yard setback for a proposed carport measuring 18 feet by 22 feet at Lot 3, Block 3, Colonia McAllen Subdivision, Hidalgo County, Texas; 2709 South 27th Street. **(ZBA2024-0024)**
- c) Request of Josue Barroso on behalf of the McAllen North Spanish Congregation of Jehovah's Witnesses for a variance to the City of McAllen Zoning Ordinance to allow issuance of a building permit in excess of 10% replacement value for a non-conforming use at 0.815 of an acre, out of Lot 243, Pride O' Texas Subdivision, Hidalgo County, Texas; 4300 Kingdom Avenue. **(ZBA2024-0025)**

3. FUTURE AGENDA ITEMS

- a) 2004 Jefferson 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 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.

Chairperson Jose Gutierrez

Carmen White, Administrative Assistant

Memo

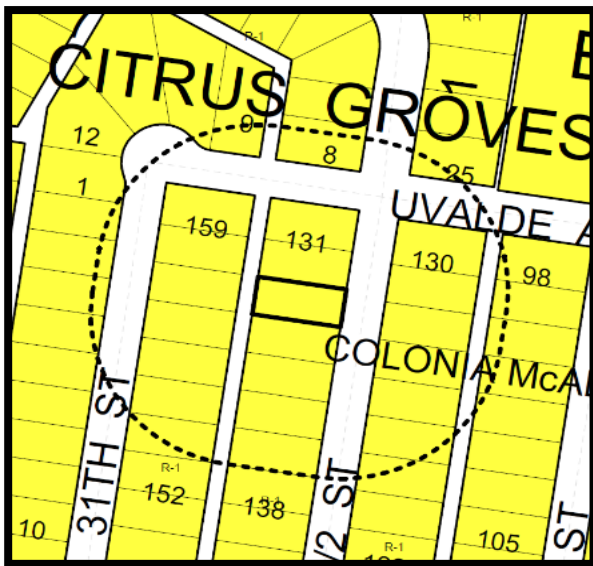
TO: Zoning Board of Adjustment & Appeals

FROM: Planning Staff

DATE: July 30, 2024

SUBJECT: REQUEST OF ADRIAN HINOJOSA FOR A SPECIAL EXCEPTION TO THE CITY OF MCALLEN ZONING ORDINANCE TO ALLOW AN ENCROACHMENT OF 20 FEET INTO THE 20 FOOT FRONT YARD SETBACK FOR AN EXISTING CARPORT MEASURING 26 FEET BY 17.25 FEET AT LOT 133, COLONIA MCALLEN UNIT NO. 6 SUBDIVISION, HIDALGO COUNTY, TEXAS; 2108 SOUTH 30TH ½ STREET. (ZBA2024-0027)

REASON FOR APPEAL: The applicant is requesting a Special Exception to encroach 20 feet into the 20 foot front yard setback for an existing carport measuring 26 feet by 17.25 feet. The carport is proposed to provide weather protection for the applicant's 81 - year old mother.



PROPERTY LOCATION AND VICINITY: The subject property is located along the West side of S. 30th ½ Street, approximately 100 feet South of Uvalde Avenue. The lot has 50.0 feet of frontage and 111.0 feet of depth for a total of 5,550 square feet. The property is zoned R-1 (single family residential) District. The surrounding zones include R-1(single family residential) in all directions.

BACKGROUND AND HISTORY: Colonia Mcallen Unit No. 6 Subdivision was recorded on August 2, 1976. The plat requires a 20 foot front yard setback. According to HCAD, the house was built in 1986 with a garage. On July 11, 2024, the applicant applied for a Special Exception to encroach 20 feet into

the 20 foot yard setback for an existing carport.

ANALYSIS: The applicant is requesting Special Exception to allow an encroachment of 20 feet into the 20 foot front yard setback for an existing mesh and metal carport measuring 26 feet by 17.25 feet. The carport was installed in order to provide protection from the weather elements for the applicants 81 - year old mother.

The front yard setbacks are important in establishing the character of a single-family neighborhood by providing landscaping to enhance the residence and curb appeal of the street view.

The applicant currently has access to an ally in the rear yard that contains a 3 ft. rear yard setback on their property which allows enough space to have the existing carport relocated to the backyard.

There were two other Special Exceptions on file for carports encroaching into the front yard setback for this subdivision. The applicant at Lot 152 was approved for a Special Exception of an encroachment of 20 ft. into the 20 foot front yard setback for a proposed metal carport measuring 25 ft by 20 ft. The applicant at Lot 62 was approved for a Special Exception of item #1) a 15 foot yard setback instead of 0 foot yard setback limited to the dimensions of the existing metal carport which is 18 ft. by 15 ft. after modifications. However, the board denied request #2) a 1.5 foot side yard setback instead of 6 feet.

A site visit by staff revealed twelve other carports in the subdivision that were illegally built without a permit.

Staff has not received any phone calls or concerns in regards to the special exception request.

Special exceptions are issued to and recorded for the present applicant/owner only. New property owners would need to apply for a new special exception request.

Measurements provided are without benefit of a survey.

RECOMMENDATION: Staff recommended disapproval of the Special Exception request since it does not align with the existing character of the majority of the subdivision and the applicant has access to a rear yard alley where the carport can be relocated and made to comply with the minimum building setbacks for the property. Further, the carport is over the 400 sq. ft. maximum size found in the zoning ordinance.



City of McAllen

Planning Department

APPEAL TO ZONING BOARD OF

ADJUSTMENT TO MCALLEN ZONING ORDINANCE

311 North 15th Street
McAllen, TX 78501
P. O. Box 220
McAllen, TX 78505-0220
(956) 681-1250
(956) 681-1279 (fax)

Case Number: ZBA 2024-00271

ZBOA Meeting: 8/7/24 A

Routed
 Scanned

Receipt No: 338163

Accepted by: P: AJM S: SEN

Customer Acknowledgment (Int.): AJT

PROJECT

Legal Description Lot #133

Subdivision Name Col. McAllen part #6

Street Address 2108 S 30th St

Number of lots 1 Gross acres _____

Existing Zoning R1 Existing Land Use Residence

Reason for Appeal (please use other side if necessary) La Razón es porque mi madre tiene 81 años y para facilitar que no tenga ningún accidente cuando llueve

\$300.00 non-refundable filing fee \$50.00 Recording Fee for Special Exception (carport)
 Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required

APPLICANT

Name Adrian Minoja Phone (956) 961 2855

Address 2108 S 30th St E-mail adrian67956@GMail.com

City McAllen State TX Zip 78503

OWNER

Name Adrian Minoja Phone (956) 961 2855

Address 2108 S 30th St E-mail adrian67956@GMail.com

City McAllen State TX Zip 78503

AUTHORIZATION

To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?
 Yes No

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable)
OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature [Signature]

Date 07/11/24

Print Name Adrian Minoja

Owner Authorized Agent





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:

La Razon por la construccion es el proteccion del sol y el granizo que ofitmanete nos a afectado. Carp port 26x15

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

para que me den permiso y permitan conservarlo para la proteccion de mis Carros.

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:

No hay problemas con los Vecinos ya hable con ellos y todo esta bien

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

para proteccion de granizo y la sombra para la pintura de los Carros

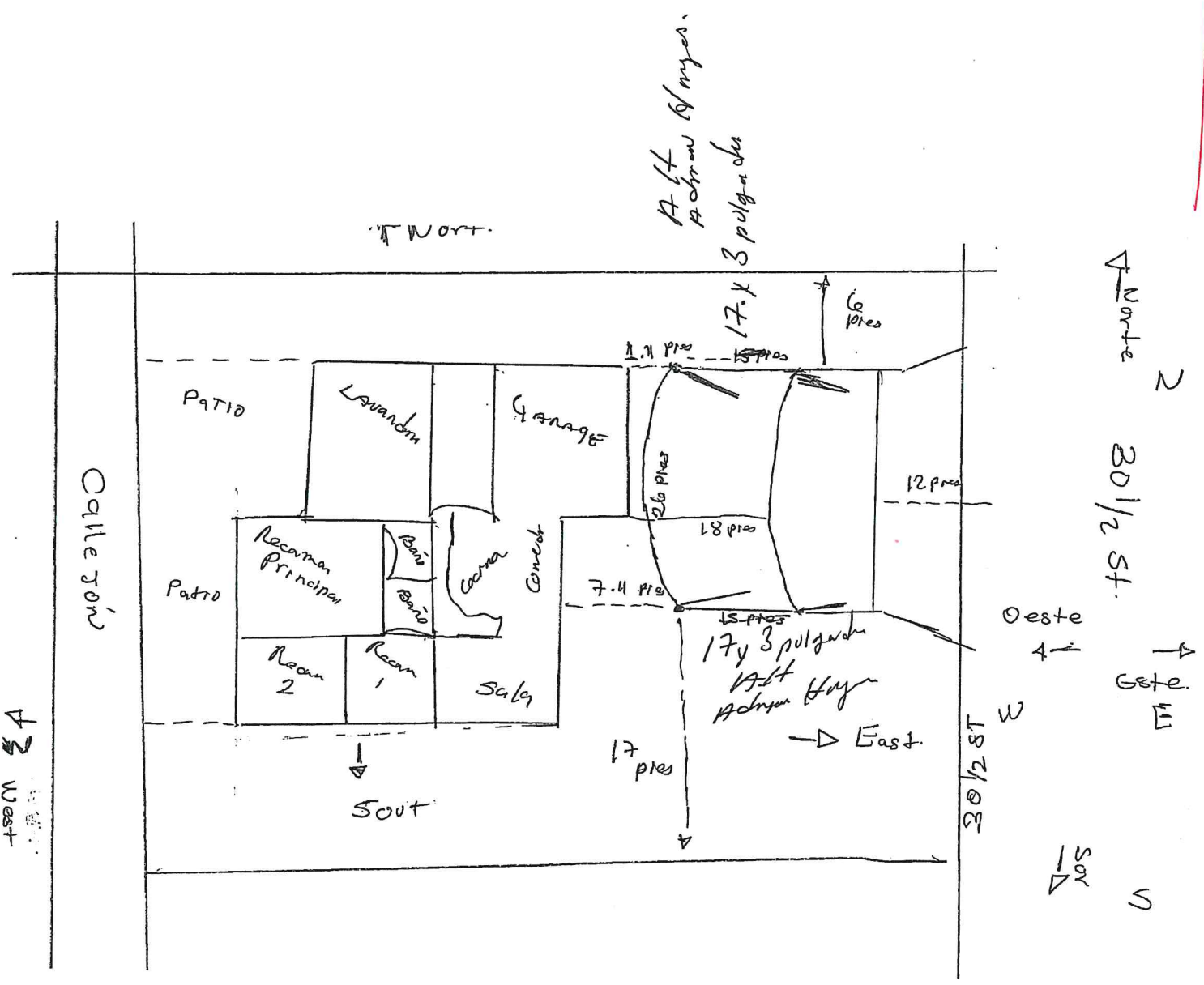
Reason for Appeal

Board Action

Chairman, Board of Adjustment
Signature

Date

Revised Site Plan







NOTICE
VARIANCE
SPECIAL EXEMPTION
ON
THIS PROPERTY
78A 2014-0021

2114

Memo

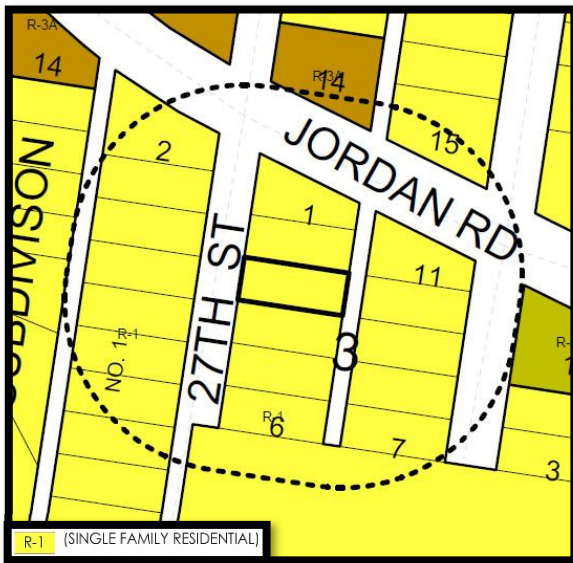
TO: Zoning Board of Adjustment & Appeals

FROM: Planning Staff

DATE: July 19, 2024

SUBJECT: REQUEST OF MARIA DE LA ROSA FOR A SPECIAL EXCEPTION TO THE CITY OF MCALLEN ZONING ORDINANCE TO ALLOW AN ENCROACHMENT OF 22 FEET INTO THE 30 FOOT FRONT YARD SETBACK FOR A PROPOSED CARPORT MEASURING 18 FEET BY 22 FEET AT LOT 3, BLOCK 3, COLONIA MCALLEN SUBDIVISION, HIDALGO COUNTY, TEXAS; 2709 SOUTH 27TH STREET. (ZBA2024-0024)

REASON FOR APPEAL: The applicant is requesting a Special Exception to encroach 22 feet into the 30 foot front yard setback for a proposed wooden carport measuring 18 feet by 22 feet for protection of vehicles from inclement weather.



PROPERTY LOCATION AND VICINITY: The subject property is located along the east side of South 27th Street just south of Jordan Road. The property is zoned R-1 (single family residential) District. The surrounding zones include R-1 (single family residential) in all directions.

BACKGROUND AND HISTORY: Colonia McAllen Subdivision was recorded on July 11, 1960. The plat shows a 30 foot front yard setback. The house was built in 2012 and, as with most houses in this subdivision, was built without a garage. A building permit application for the proposed carport was submitted on June 21, 2024. An application for a special exception request was submitted to the Planning department on July 8, 2024.

ANALYSIS: The applicant is requesting a Special Exception to allow an encroachment of 22 feet into

the 30 foot front yard setback for a proposed carport that will be used for protection of their vehicle from the sun and severe weather such as hail.

A site visit was conducted by staff and found a total of seven front yard carports in the immediate vicinity. No approved special exceptions or building permits were found on file for the carports that were observed.

Special exceptions are issued to and recorded for the present applicant/owner only. New property owners would need to apply for a new special exception request.

Measurements provided are without the benefit of a survey.

There have been no calls or emails received in opposition of the Special Exception request.

RECOMMENDATION: Staff is recommends disapproval of the Special Exception request.



City of McAllen

Planning Department

APPEAL TO ZONING BOARD OF

ADJUSTMENT TO MCALLEN ZONING ORDINANCE

311 North 15th Street
McAllen, TX 78501
P. O. Box 220
McAllen, TX 78505-0220
(956) 681-1250
(956) 681-1279 (fax)

Case Number: 2142024-0074

ZBOA Meeting: 8/7/24

Routed

Receipt No: 337901

Scanned

Accepted by: P: P.H. S: SEN

Customer Acknowledgment (Int.): mm

PROJECT

Legal Description

Colonia McAllen lote 3 block 3

Subdivision Name

Colonia McAllen

Street Address

2709 S. 27 St.

Number of lots 1

Gross acres _____

Existing Zoning R-1

Existing Land Use Residencia

Reason for Appeal (please use other side if necessary) Proponer carport 22x18 ft.

invadiendo 22 ft. de los 30 ft. setback frente.

\$300.00 non-refundable filing fee + \$50.00 Recording Fee for Special Exception (carport)

Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required

APPLICANT

Name Maria De la Rosa

Phone 956 616 34-81

Address 2709 S 27 St.

E-mail marzadelarosa7889@icloud.com

City McAllen

State Tx

Zip 78503

OWNER

Name Jorge Orta

Phone 956 438 6598

Address 2709 S 27 St.

E-mail marzadelarosa7889@icloud.com

City McAllen

State Tx

Zip 78503

AUTHORIZATION

To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?

Yes

No

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable)

OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

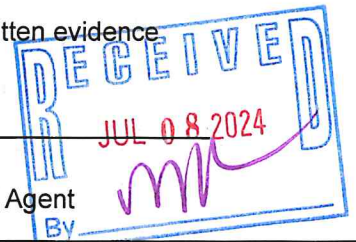
Signature Maria de la Rosa

Date 7/8/24

Print Name Maria de la Rosa

Owner

Authorized Agent





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:

protect my vehicles from any weather damage
or tree damage. - when any storm
(hot temperatures)

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

Front Carport (city won't approve without especial
exception.)

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:

neighbours are ok with it. They have no problem
with the front carport.

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

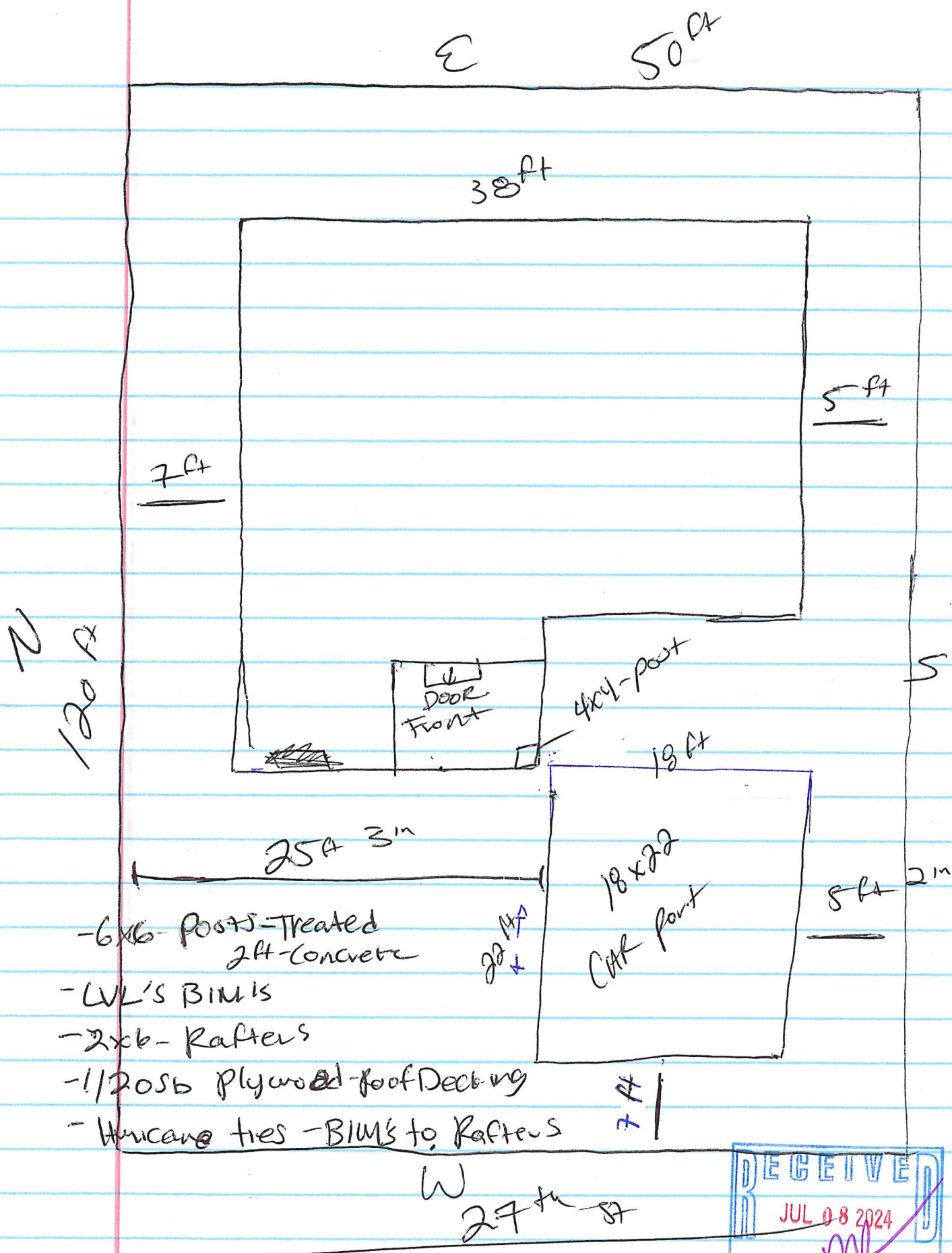
protect vehicles from bad weather (storms/heavy rains)
(Hail storm)

Reason for Appeal

Board Action

Chairman, Board of Adjustment
Signature

Date



- 6x6 Posts - Treated
- 2x4 Concrete
- LVL'S BIMS
- 2x6 Rafters
- 1/2 OSB Plywood Roof Decking
- Hurricane ties - BIMS to Rafters

RECEIVED
 JUL 08 2024
 By *M*



SMILE
YOUR NEIGHBOR

2709

GMC

TEXAS
MHD-7056

GMC

BEST DEAL

NOTICE
VARIANCE
SPECIAL EXCEPTION
FOR
THIS PROPERTY
ZBA2024-0024
CITY OF MIAMI PLANNING DEPT.
3300 N.W. 24th ST.
MIAMI, FL 33135



2709

1 MILE
- SW CAMERA



Memo

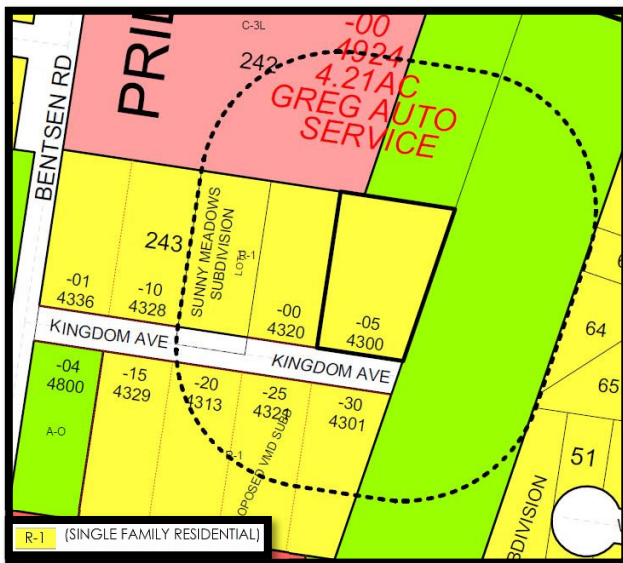
TO: Zoning Board of Adjustment & Appeals

FROM: Planning Staff

DATE: July 31, 2024

SUBJECT: REQUEST OF JOSUE BARROSO ON BEHALF OF THE MCALLEN NORTH SPANISH CONGREGATION OF JEHOVAH’S WITNESSES FOR A VARIANCE TO THE CITY OF MCALLEN ZONING ORDINANCE TO ALLOW ISSUANCE OF A BUILDING PERMIT IN EXCESS OF 10% REPLACEMENT VALUE FOR A NON-CONFORMING USE AT 0.815 OF AN ACRE, OUT OF LOT 243, PRIDE O’ TEXAS SUBDIVISION, HIDALGO COUNTY, TEXAS; 4300 KINGDOM AVENUE. (ZBA2024-0025)

REASON FOR APPEAL: The applicant is requesting a variance to allow issuance of a building permit in excess of 10% replacement value for a non-conforming use in order to remodel a building on the subject property. The applicant claims the variance is necessary to bring the building in compliance with current safety and ADA accessibility standards.



PROPERTY LOCATION AND VICINITY: The subject property is located along the north side of Kingdom Avenue approximately 400 ft. east of North Bentsen Road. The property is zoned R-1 (single family residential) District. The surrounding zoning includes R-1 (single family residential) District to the south and west, A-O (agricultural & open space) District to the north and east, and C-3L (light commercial) District to the northwest of the subject property.

BACKGROUND AND HISTORY: Pride O’ Texas Subdivision was filed for record on November 4, 1929. According to Hidalgo County Appraisal District records, the primary building was built in 1995. The current owner acquired the property in 1983.

On November 23, 2015 a building permit for a remodel of a parsonage was submitted. A Commercial building permit for the current proposed remodel was submitted on June 7, 2024.

ANALYSIS: The variance request is to allow the remodeling of the church building and to bring it into compliance with current safety standards.

The tract is unsubdivided property and Planning department records do not show a Conditional Use Permit (CUP) for the operation of a church at this location.

According to Section 138-89 (a) “on any nonconforming structure or portion of a structure containing a nonconforming use, no work may be done in any period of 12 consecutive months on ordinary repairs, or on repair or replacement of non-load-bearing walls, fixtures, wiring or plumbing to an extent exceeding ten percent of the current replacement cost of the nonconforming structure or nonconforming portion of the structure, as the case may be.”

The proposed remodeling will not increase the square footage of the current structure. The proposed remodeling however, will exceed the replacement value of the non-conforming structure in excess of 10%.

According to Hidalgo County Appraisal District, the current value of the non-conforming structure is \$211,453. Ten percent of the value is \$21,145.

According to the submitted estimates, the total cost of repairs to the main building would be \$214,400. This estimate total would exceed the 10% replacement value by 101.4%.

Measurements provided are without the benefit of a survey.

There have been no calls or emails received in opposition of the variance request.

RECOMMENDATION: Staff recommends disapproval of the variance request.



City of McAllen

Planning Department

APPEAL TO ZONING BOARD OF

ADJUSTMENT TO MCALLEN ZONING ORDINANCE

311 North 15th Street
McAllen, TX 78501
P. O. Box 220
McAllen, TX 78505-0220
(956) 681-1250
(956) 681-1279 (fax)

Case Number: ZBA 2024-0025 ZBOA Meeting: 8/7/2024 Routed
Receipt No: 338120 Scanned
Accepted by: P: NM S: SEN Customer Acknowledgment (Int.): JB

PROJECT

Legal Description PRIDE O' TEXAS AN IRR TR BEING NE 0.76AC- E165'-N225 LOT 243 A/K/A TR 5 0.76AC NET
Subdivision Name n/a
Street Address 4300 KINGDOM AVE
Number of lots 1 Gross acres .76
Existing Zoning CO (R-1) Existing Land Use Place of Worship
Reason for Appeal (please use other side if necessary) Advised by Planning Dept. that as per city ordinance, remodeling of building can only be 10% max of the structure replacement value, thus needing an approved variance to proceed.
 \$300.00 non-refundable filing fee + \$50.00 Recording Fee for Special Exception (carport)
 Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required

APPLICANT

Name Josue Barroso Phone 956-867-7757
Address 1327 Felix St. E-mail sway124@gmail.com
City Alamo State TX Zip 78516

OWNER

Name JEHOVAH'S WITNESSES TRUSTEE Phone 956-407-8441
Address 2612 UPAS AVE E-mail n/a
City McAllen State TX Zip 78501

AUTHORIZATION

To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?

Yes No

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable)
OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature

Date 7.10.2024

Print Name Josue Barroso

Owner Authorized Agent

RECEIVED
JUL 11 2024
BY:



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:

Interior remodeling of building could not proceed as planned. This is not an addition to the building, it's intended to bring the building in compliance with current safety and accessibility (ADA) standards.

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

n/a

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:

By bring the building up to compliance with safety and accessibility (ADA) standards, the community that attends this place of worship will have a more suitable place to assemble. Also, all the exterior and interior lighting, HVAC will be replaced with energy efficient fixtures and/or systems.

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

This was one of the first, if not the first, building in this neighborhood. Possibly part of Hidalgo County when it was first built. An interior renovation of the building is truly needed, and now as part of the City of McAllen, we are trying to comply with any and all applicable requirements.

Board Action

Chairman, Board of Adjustment
Signature

Date

RECEIVED
JUL 11 2024

BY:

COFFY GREGORY DEAN
4224 N. BOSTON ROAD
PROPERTY ID: 281717
GEO ID: P800-00-000-0211-00
LEGAL SEC: PINE C 0208
S0.2340-107.511 & LOT 242 EDC
E1307-405.241 1.81 AC NET
DMMG, CD

MARGE FERNANDO & ALDA
1213 WINDSON AVE
PROPERTY ID: 281751
GEO ID: P800-00-000-0212-15
LEGAL SEC: PINE C 0208
E1307-405.241 LOT 243
A/A/K TR & 0.51 AC NET
DMMG, CD

JOSE OF ONE STORY
PROPOSED
FT: 122.12

3205 SF
ONE STORY
PLACE OF WORSHIP
FT: 122.00

YANUARIA BUCARIC
4331 WINDSON AVE
PROPERTY ID: 281751
GEO ID: P800-00-000-0214-30
LEGAL SEC: PINE C 0208 W 8W
TR BEING 0.51 AC - E114 - E113 1/2 LOT
243 & PINE-C117 LOT 244 A/A/K/A
TR 10 0.51 AC NET
DMMG, CD

CITY OF McALLEN
PROPERTY ID: 721088
GEO ID: 1330-00-000-0012-02
LEGAL SEC: LA LOMPA (NPT)
1.94 AC BNG AB 08 16 0.00
A/BW LOT 102

DEMOLITION NOTES

1. REFER TO C-001 OWNER SHEET FOR GENERAL NOTES AND GENERAL PROJECT AND CONSTRUCTION INFORMATION. REFER TO SURVEY FOR ADDITIONAL INFORMATION AND DETAILS.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MARKING THE LOCATION OF ALL EXISTING ADJACENT AND OVERHEAD UTILITIES TO PRIOR TO COMMENCING DEMOLITION.
3. ALL EXISTING SITE FEATURES TO REMAIN SHALL BE PROTECTED THROUGHOUT THE CONSTRUCTION PERIOD. ANY FEATURES DAMAGED DURING CONSTRUCTION OPERATIONS SHALL BE REPAIRED OR REPLACED TO THE SATISFACTION OF THE OWNER'S REPRESENTATIVE AT NO ADDITIONAL COST.
4. ITEMS DESIGNATED FOR REMOVAL SHALL BE TAGGED BY CONTRACTOR AND APPROVED BY OWNER'S REPRESENTATIVE PRIOR TO COMMENCEMENT OF DEMOLITION.
5. CONTRACTOR SHALL PROVIDE AND MAINTAIN TRAFFIC CONTROL DEVICES IN CONFORMANCE WITH TEXAS MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES. TRAFFIC CONTROL DEVICES MUST BECOME OPERATIONAL AS WELL AS THE CITY OF McALLEN SIGN MATERIAL STANDARDS. SIGN INSTALLATION DEVICES AND SIGN LOCATION STANDARDS AS REQUIRED BY CITY OF McALLEN DURING CONSTRUCTION WHEN THE TRAFFIC SIGNAL CONTRACTOR SHALL BE RESPONSIBLE FOR TRAFFIC CONTROL IN THE PROJECT AREA.

PAVEMENT LEGEND

- EXISTING ASPHALT PAVEMENT TO REMAIN
- EXISTING CONCRETE PAVEMENT
DEMOLITION CONCRETE PAVEMENT
- EXISTING BRICK PAVEMENT
DEMOLITION BRICK PAVEMENT
- EXISTING BRICK PATIOS
DEMOLITION BRICK PATIERS

SYMBOLS LEGEND

	EXISTING	DEMOL
PROPERTY BOUNDARY	---	---
RAILLINE BENCHMARK	---	---
BUILDING	---	---
EDGE OF PAVEMENT	---	---
GRAVEL PAVEMENT	---	---
DURS	---	---
FENCE - CHAINLINK	---	---
FENCE - WROUGHT IRON	---	---
SOIL	---	---
ACCESSIBLE PARKING	---	---
LIGHT POLE (1-LIGHT)	---	---
UTILITY POLE	---	---
PARKING SPACE COUNT	---	---

Q SHEET KEYNOTES

1. EXISTING PAVEMENT AREAS
2. EXISTING BRICKWORK AND BRICKWORK CONTROLS TO REMAIN. MARKING AS NEEDED FOR RECONSTRUCTION. DEMO AND REPOSED PAVEMENT
3. REMOVE EXISTING CONCRETE PAVEMENT FULL DEPTH
4. REMOVE EXISTING PARKING STRIPS AND SYMBOLS
5. REMOVE EXISTING SIDEWALK
6. EXISTING SIDEWALK TO REMAIN
7. REMOVE PORTION OF EXISTING ROLLED CURB
8. EXISTING CONCRETE CURB TO REMAIN
9. EXISTING SIDEWALK LEAVINGS TO REMAIN
10. REMOVE EXISTING TREE 30" DIA. OR SM.
11. EXISTING TREE TO REMAIN 30" DIA. OR SM.
12. REMOVE EXISTING TREE SLUMP
13. REMOVE EXISTING BUILDING MOUNTED SIGN
14. REMOVE EXISTING BUILDING MOUNTED MEETING TABLE SIGN
15. EXISTING CHAINLINK FENCE TO REMAIN
16. EXISTING WROUGHT IRON FENCE TO REMAIN
17. REMOVE EXISTING WROUGHT IRON GATE TO REMAIN
18. REMOVE EXISTING OVERHEAD ELECTRICAL SERVICE LINE FROM UTILITY POLE TO BUILDING WATERTOWER
19. EXISTING WATERTOWER TO REMAIN
20. EXISTING OFF SITE DRAINAGE DRAIN
21. EXISTING OFF SITE DRAINAGE DRAIN
22. EXISTING OFF SITE DRAINAGE DRAIN
23. EXISTING OFF SITE DRAINAGE DRAIN
24. EXISTING OFF SITE DRAINAGE DRAIN
25. EXISTING OFF SITE DRAINAGE DRAIN
26. EXISTING OFF SITE DRAINAGE DRAIN
27. EXISTING SANITARY SEWER CLEANOUT TO SEPTIC SYSTEM
28. EXISTING SEWER ACCESS POINT TO REMAIN
29. REMOVE EXISTING POLE MOUNTED LIFE LINE UTILITY AND POLE
30. EXISTING UTILITY POLE AND POLE MOUNTED SITE LIGHT FEATURE TO REMAIN
31. EXISTING GUY WIRE TANK TO REMAIN
32. EXISTING CONCRETE PAD FOR MIDDLE BNG TO REMAIN
33. EXISTING HOSE CABIN TO BE REMOVED
34. EXISTING FENCE EVIDENCE

EXISTING INFORMATION INCLUDING BOUNDARY LINES, BOUNDARY DATA, IMPROVEMENTS, UTILITIES, EGRESS, ETC. SUPPLIED FROM SURVEY PREPARED BY RANDALL L. STOVALL, R.P.L.S. #1289 DATED MAY 11, 2016.

AARON ASHLEY
ARROYO, PE
1016 STARK ROAD
PORTLAND, TX 78174
(361) 232-3095
FIRM# 14229



JEROWAH'S WITNESSES
TRUSTEE
3815 SPANISH AVE.
McALLEN TX 78201

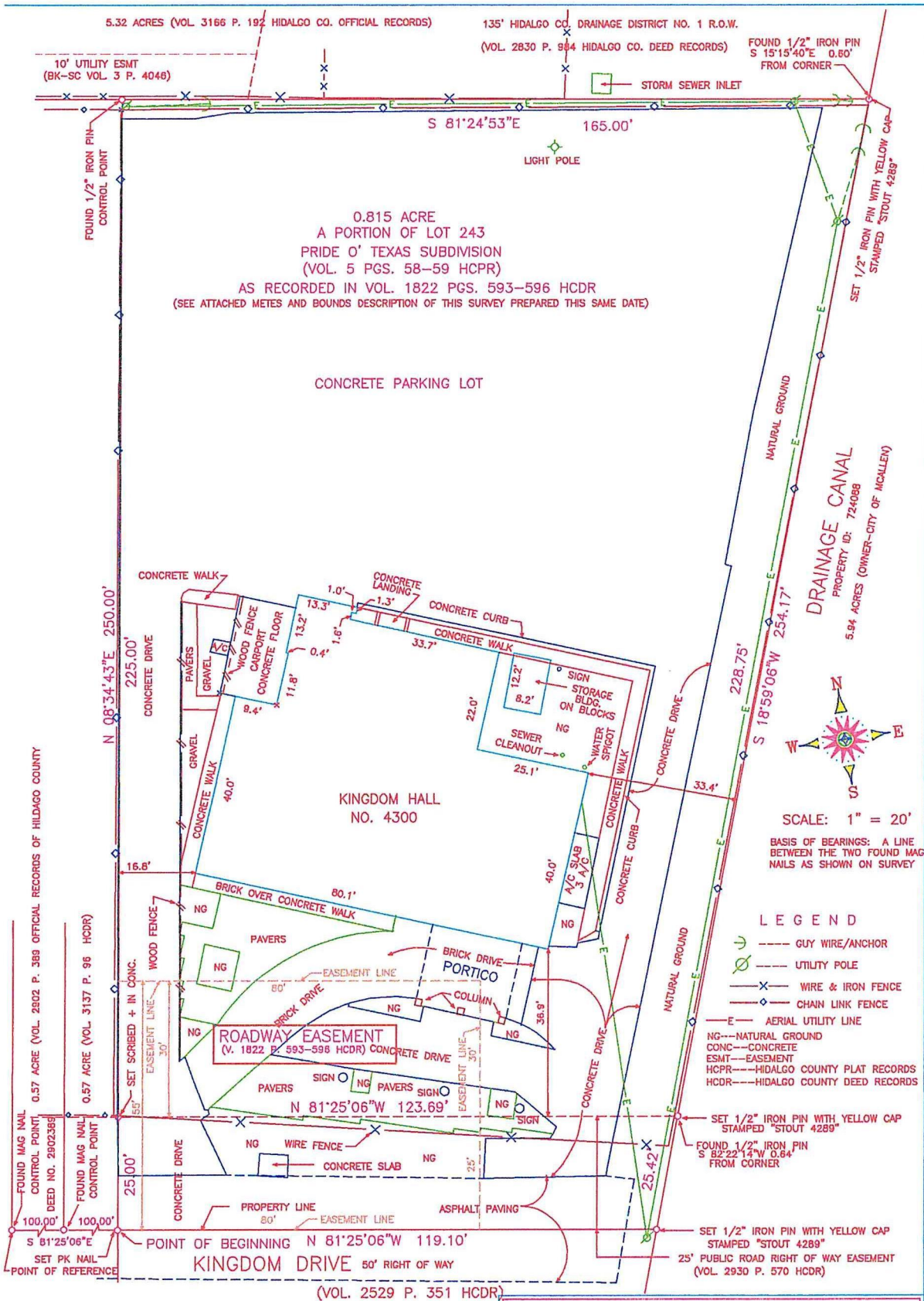
KINGDOM HALL
REMODEL
4300 KINGDOM AVE
McALLEN TX 78204

EXISTING SITE
AND DEMOLITION
PLAN

25355
CD101

1 PLAN - EXISTING SITE AND DEMOLITION





0.815 ACRE
 A PORTION OF LOT 243
 PRIDE O' TEXAS SUBDIVISION
 (VOL. 5 PGS. 58-59 HCPR)
 AS RECORDED IN VOL. 1822 PGS. 593-596 HCDR
 (SEE ATTACHED METES AND BOUNDS DESCRIPTION OF THIS SURVEY PREPARED THIS SAME DATE)

CONCRETE PARKING LOT

KINGDOM HALL
 NO. 4300

ROADWAY EASEMENT
 (V. 1822 P. 593-596 HCDR)

DRAINAGE CANAL
 PROPERTY ID: 724088
 5.94 ACRES (OWNER-CITY OF MCALLEN)

SCALE: 1" = 20'
 BASIS OF BEARINGS: A LINE BETWEEN THE TWO FOUND MAG NAILS AS SHOWN ON SURVEY

- LEGEND**
- GUY WIRE/ANCHOR
 - UTILITY POLE
 - WIRE & IRON FENCE
 - CHAIN LINK FENCE
 - AERIAL UTILITY LINE
 - NG---NATURAL GROUND
 - CONC---CONCRETE
 - ESMT---EASEMENT
 - HCPR---HIDALGO COUNTY PLAT RECORDS
 - HCDR---HIDALGO COUNTY DEED RECORDS

I HEREBY CERTIFY THAT THE ABOVE PLAT IS TRUE AND CORRECT ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THERE IS NO VISIBLE EVIDENCE OF EASEMENTS OR ENCROACHMENTS EXCEPT AS SHOWN HEREON.

THIS 11TH DAY OF JULY, 2015

RANDALL L. STOUT, RPLS NO 4289
 © 2015 - ALL RIGHTS RESERVED



PROPERTY & IMPROVEMENT SURVEY OF 0.815 ACRE, BEING A PORTION OF LOT 243, PRIDE O' TEXAS SUBDIVISION AS RECORDED IN VOL. 5, PGS. 58-59, HCPR HIDALGO COUNTY, TEXAS, AND BEING KNOWN AS 4300 KINGDOM AVENUE, CITY OF MCALLEN, HIDALGO COUNTY, TEXAS	
date: 7-11-15	revisions:
drawn by: RANDY	job no. 7612
checked MARY	
RANDALL L. STOUT, RPLS 7018 Jefferson Ridge Dr. Office: 210-655-0300 Converse, Tx. 78109 rstout43@gmail.com	

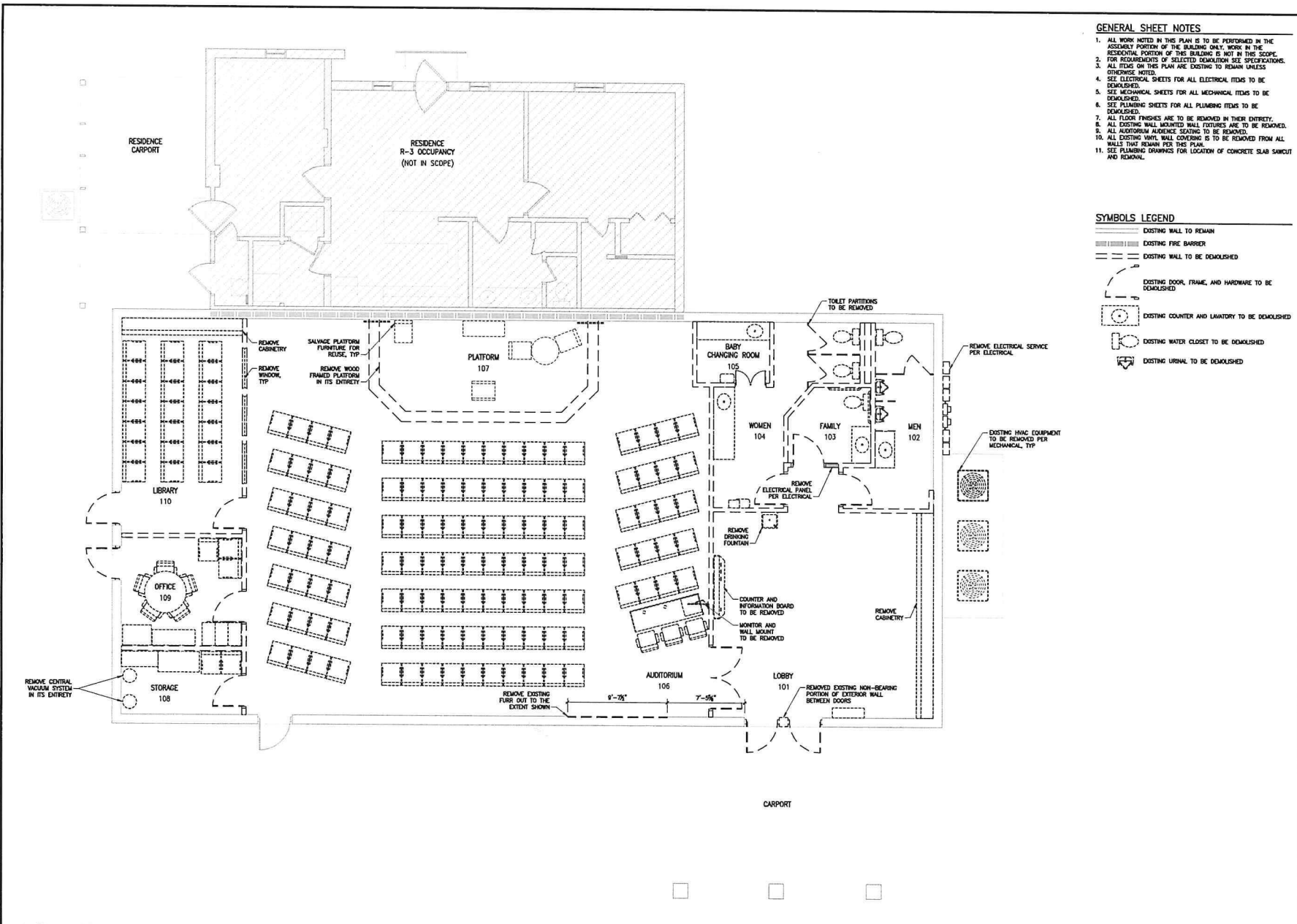
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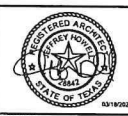
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FILE PATH: C:\Users\jhh\OneDrive\Documents\KINGDOM HALL Remodel\25355_AD101_DEMO_FLOOR.PLT



- GENERAL SHEET NOTES**
1. ALL WORK NOTED IN THIS PLAN IS TO BE PERFORMED IN THE ASSEMBLY PORTION OF THE BUILDING ONLY. WORK IN THE RESIDENTIAL PORTION OF THIS BUILDING IS NOT IN THIS SCOPE.
 2. FOR REQUIREMENTS OF SELECTED DEMOLITION SEE SPECIFICATIONS.
 3. ALL ITEMS ON THIS PLAN ARE EXISTING TO REMAIN UNLESS OTHERWISE NOTED.
 4. SEE ELECTRICAL SHEETS FOR ALL ELECTRICAL ITEMS TO BE DEMOLISHED.
 5. SEE MECHANICAL SHEETS FOR ALL MECHANICAL ITEMS TO BE DEMOLISHED.
 6. SEE PLUMBING SHEETS FOR ALL PLUMBING ITEMS TO BE DEMOLISHED.
 7. ALL FLOOR FINISHES ARE TO BE REMOVED IN THEIR ENTIRETY.
 8. ALL EXISTING WALL MOUNTED WALL FIXTURES ARE TO BE REMOVED.
 9. ALL AUDITORIUM AUDIENCE SEATING TO BE REMOVED.
 10. ALL EXISTING WALL COVERING IS TO BE REMOVED FROM ALL WALLS THAT REMAIN PER THIS PLAN.
 11. SEE PLUMBING DRAWINGS FOR LOCATION OF CONCRETE SLAB SAWCUT AND REMOVAL.

- SYMBOLS LEGEND**
- EXISTING WALL TO REMAIN
 - EXISTING FIRE BARRIER
 - EXISTING WALL TO BE DEMOLISHED
 - - - - - EXISTING DOOR, FRAME, AND HARDWARE TO BE DEMOLISHED
 - EXISTING COUNTER AND LAVATORY TO BE DEMOLISHED
 - EXISTING WATER CLOSET TO BE DEMOLISHED
 - EXISTING URINAL TO BE DEMOLISHED
 - EXISTING MECHANICAL EQUIPMENT TO BE REMOVED PER MECHANICAL TYP

JEFFREY D HOWELL
5122 EBONY DRIVE
SAN ANTONIO TX 78228
(505) 321-7632
jhowell_architect@man.com



CONTRACT NO.

DATE

DESCRIPTION

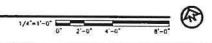
JEHOVAH'S WITNESSES TRUSTEE
2612 UPAS AVE
MCALLEN TX 78501

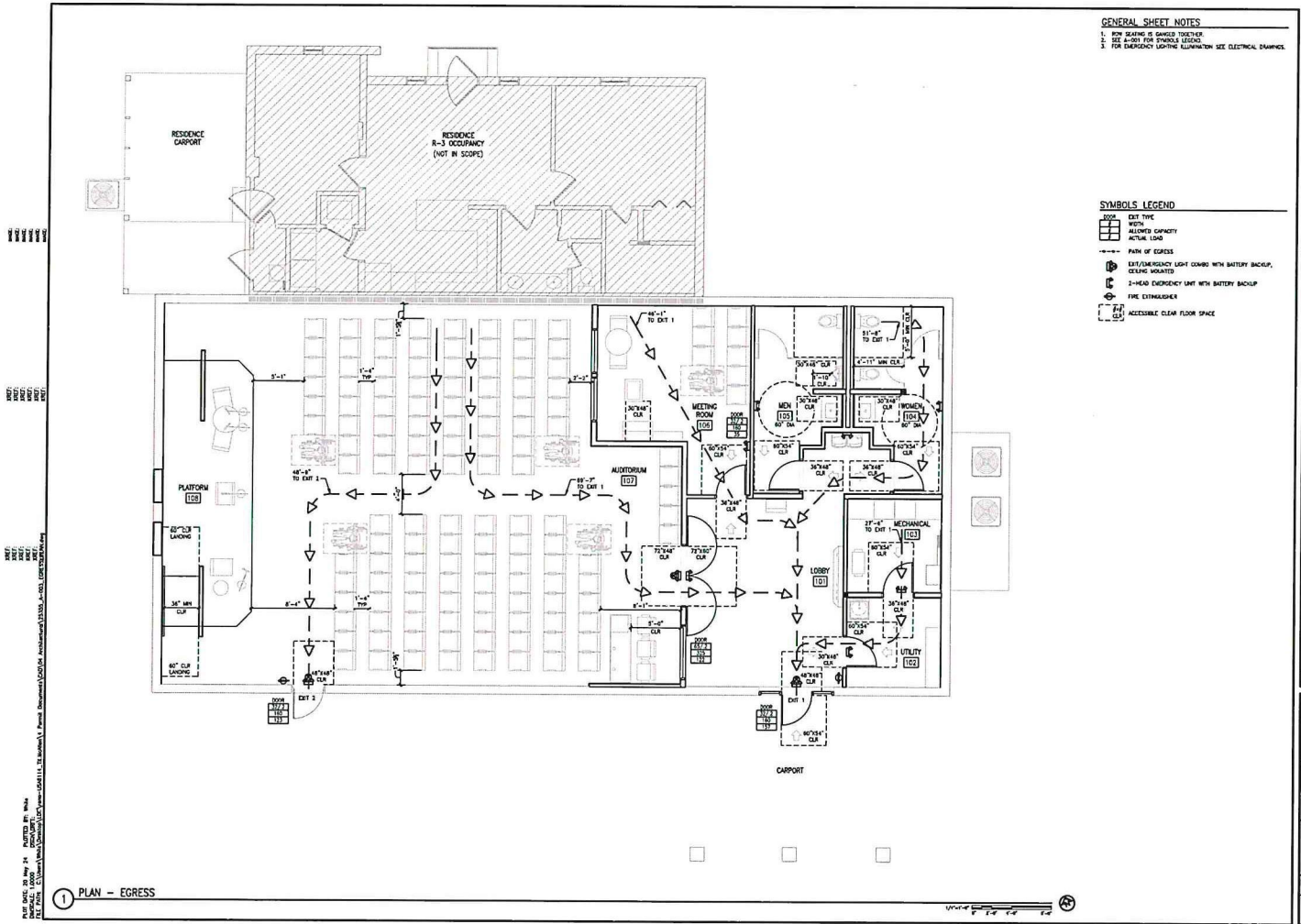
KINGDOM HALL REMODEL
4300 KINGDOM AVE
MCALLEN TX 78504

DEMOLITION FLOOR PLAN

25355
AD101

1 PLAN - DEMOLITION FLOOR





GENERAL SHEET NOTES

1. WITH REGARD TO DIMENSIONS: SEE PLAN
2. SEE A-001 FOR SYMBOL LEGEND
3. FOR EMERGENCY LIGHTING ILLUMINATION SEE ELECTRICAL DRAWINGS

SYMBOLS LEGEND

- EXIT TYPE
- WITH ALLOWED CAPACITY
- ACTUAL LOAD
- PATH OF EGRESS
- EXIT/EMERGENCY LIGHT CORING WITH BATTERY BACKUP, CEILING MOUNTED
- 2-HEAD EMERGENCY LIGHT WITH BATTERY BACKUP
- FIRE EXTINGUISHER
- ACCESSIBLE CLEAR FLOOR SPACE

JEFFREY D. HOWELL
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 SAN ANTONIO, TX 78228
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 jhowell_architect@gmail.com



JEHOVAH'S WITNESSES
 TRUSTEE
 3815 SPAN AND
 MCKELLEN TX 78051

KINGDOM HALL
 REMODEL
 4300 KINGDOM AVE
 MCKELLEN TX 78554

CODE COMPLIANCE
 ACCESSIBLE CLEARANCE
 AND EGRESS PLAN

25355
 A-003

RECEIVED
 JUL 11 2024
 BY: *[Signature]*

FINAL PROJECT APPROVAL

TX McAllen 4300 Kingdom Ave

Zone #8

Major Renovation.

ESTIMATOR: Morgan Henry | FR: Jose Torres



PROJECT TYPE
US Major Reno

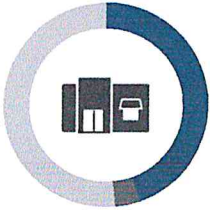


ESTIMATE 05-15-2024
CONSTRUCTION FINISH 02-28-2026



TAX \$0
INFLATION \$22,164
RISK \$0

Building: \$196,006



T & I: \$17,894

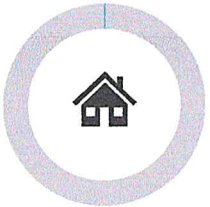
Tax (0.0%) \$0
Infl (9.1%) \$17,894

Risks: \$0

Building Total: \$213,900

Cost per bldg sq ft \$67
Reno Building sq ft 3,200
Seat Count 146
Auditoriums 1
Levels 1

SFTSH: \$453



T & I: \$41

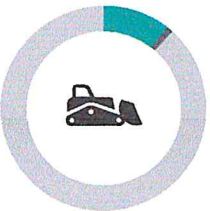
Tax (0.0%) \$0
Infl (9.1%) \$41

Risks: \$0

SFTSH Total: \$494

Cost per bldg sq ft \$0
Reno Residence sq ft 1,046

Site: \$46,323



T & I: \$4,229

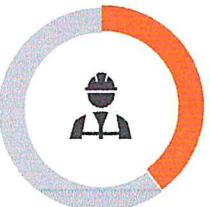
Tax (0.0%) \$0
Infl (9.1%) \$4,229

Risks: \$0

Site Total: \$50,552

Cost per bldg sq ft \$16
Reno Siteworks sq ft 34,000

Support:



T & I: \$0

Tax (0.0%) \$0
Infl (9.1%) \$0

Risks: \$0

Support Total:



SAL REINO JW

NOTICE
VARIANCE
FOR
THIS PROPERTY
ZBA2024-0025

VARIANCE
Be apply to
the house in the

4300