

AGENDA

ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING WEDNESDAY, DECEMBER 18, 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 -

1. MINUTES:

- a) Minutes for the meeting held on December 4, 2024

2. PUBLIC HEARINGS:

- a) Request of RSVP MCALLEN OWNER LLC for a special exception to the City of McAllen Zoning Ordinance to allow an encroachment of 19 feet into the 50-foot front yard setback for an existing carport at Lot 1, Premier Storage Subdivision, Hidalgo County, Texas; 301 East Trenton Road. **(ZBA2024-0054)**
- b) Request of Juan C. Ramos to allow the following special exception and variance to the City of McAllen Zoning Ordinance: **1)** A special exception to allow an encroachment of 20 feet into the 25-foot front yard setback for a proposed metal carport measuring 20 feet by 20 feet, **2)** A variance to allow an encroachment of 14.5 feet into the 25-foot front yard setback for a proposed metal porch measuring 14.5 feet by 43 feet at Lot 16, Block 13, Balboa Acres Subdivision, Hidalgo County, Texas; 2808 Helena Avenue. **(ZBA2024-0052)**
- c) Request of Francisco Pons Ballesteros for a Variance to the City of McAllen Zoning Ordinance to not provide a masonry screen eight feet in height and instead provide a six-foot cedar fence with columns for the proposed Georgetown Park Subdivision at 9.1 Acres out of Lot 1, Block 17, Steele & Pershing Subdivision and Lot 1, Block 9, A.J. McColl Subdivision, Hidalgo County, Texas; 1100 East El Rancho Road. **(ZBA2024-0048) (TABLED: 12/04/2024)**
- d) Request of Christopher Sebastian 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 20.2 feet by 23 feet at Lot 2, Ponderosa Park Phase 1 Subdivision, Hidalgo County, Texas; 3506 North 29th Lane. **(ZBA2024-0050)**
- e) Request of Matthew Akin 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 metal carport at Lot 118, Vine Terrace Unit No. 4 Subdivision, Hidalgo County, Texas; 2417 North 28th Street. **(ZBA2024-0053)**
- f) Request of Rafael Ayala for a special exception to the City of McAllen Zoning Ordinance to allow an encroachment of 20 feet into the 25-foot front yard setback for an existing carport at Lot 14, Schuster Acres Subdivision, Hidalgo County, Texas; 404 North 9th Street. **(ZBA2024-0051)**
- g) Request of Carlos Jimenez for a variance to the City of McAllen Zoning Ordinance to allow the following encroachments: **1)** 2.4 feet into the 5-foot North side yard setback, for an existing garage, **2)** 2.6 feet into the 5-foot North side yard setback for an existing covered patio, and **3)** 2.6 feet into the 5-foot North side yard setback for an existing storage room, at Lot 5 Block 1, Redwood Park Addition Subdivision, Hidalgo County, Texas; 1616 North 8th Street. **(ZBA2024-0049)**

3. FUTURE AGENDA ITEMS

- a) NONE

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, December 4, 2024 at 4:30 p.m. in the McAllen City Hall, Commission Chambers with the following present:

Present:	Jose Gutierrez	Chairperson
	Hugo Avila	Member
	Hiram A. Gutierrez	Member
	Daniel Santos	Member
	Ivan Garcia	Member
	Juan Mujica	Alternate
	Alex Lamela	Alternate
Absent:	Pablo Garcia	Alternate
Staff Present:	Michelle Rivera	Assistant City Manager
	Samuel Nunez	Senior Planner
	Porfirio Hernandez	Planner I
	Alexis Martinez	Planner I
	Jessica Puga	Planning Technician II
	Carmen White	Administrative Assistant

CALL TO ORDER –Chairperson Jose Gutierrez

1. MINUTES:

- a) Minutes for the meeting held on November 20, 2024

The minutes for the meeting held on November 20, 2024. 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 Maria Garcia Del Paz for a Variance to the City of McAllen Zoning Ordinance to allow an encroachment of seven feet into the 10-foot rear yard setback for an existing storage shed at Lot 19, The Village North Subdivision Unit 4, Hidalgo County, Texas; 605 Water Lilly Avenue. **(ZBA2024-0047)**

Mr. Hernandez stated the applicant was requesting a variance to encroach seven feet into the 10-foot rear yard setback for an existing wooden shed measuring 11 feet by 18 feet used for storing home and yard supplies.

The subject property was located along the south side of Water Lilly Avenue approximately 80 feet west of North 6th Street. The lot has 80.0 feet of frontage and 119.22 feet of depth for a total of 9,538 square feet. The property is zoned R-1 (Single Family Residential) District. The adjacent zoning is R-1 (Single Family Residential) District in all directions. There is R-3T (Multifamily Residential Townhouse) District to the south across Violet Avenue.

The Village North Subdivision Unit 4 was recorded on September 1, 1981. The plat indicates a 10-foot rear yard setback for the subdivision. A stop work order was issued on October 22, 2024 for “no building permit for a rear patio”. On October 24, 2024 a second stop work order was issued for no building permit for “no permit for rear patio” and “rear room in backyard”. Improvements to the storage shed include insulation and air conditioning and require a review through an application for a building permit. On October 24, 2024, the applicant submitted an application for a building permit for the patio addition and on October 30, 2024 for the rear storage shed. A variance application for the storage shed was submitted on November 6, 2024.

The applicant was requesting a variance to allow an encroachment of seven feet into the 10-foot rear yard setback for an existing wooden storage shed measuring 11 feet by 18 feet to be used for storing pool equipment, household items and garden tools. A picture of the structure in the rear yard shows a large shade tree that prevents relocation towards the interior of the property and out of the rear yard setback. The structure appears to be built on a concrete foundation.

No utility easements will be impacted by the encroachment into the rear yard setback.

The submitted site plan shows an existing swimming pool that appears to have been constructed with encroachments into the rear and west side yard setback. In the past swimming pools were allowed to be built within setbacks; however, a subsequent determination by the city’s legal department included swimming pools as structures which require compliance with setbacks. According to Hidalgo County Appraisal District records, the pool was built in 1994. The swimming pool may be considered a non-conforming structure.

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

Measurements provided are without the benefit of a survey.

Staff recommended approval of the variance request since strict adherence to the rear yard setback might require a significant portion of the shed to be demolished. There was also an existing tree that the property owner would like to keep.

Chairperson Gutierrez mentioned that the report presented by staff made reference to a site plan showing a swimming pool constructed with possible encroachments. Staff stated that in the past swimming pools were allowed to be built within setbacks. The structure can be considered as a non-conforming structure.

Board member Mujica asked staff what the reason for recommending approval on the Variance request. Staff stated that there was a provision on the local government code where a finding of an “unnecessary hardship”. The Board may consider if the cost of compliance is greater than 50% of the appraised value of the structure.

Ms. Maria Garcia Del Paz, 605 Water Lilly Avenue. She stated she bought the house two years ago and she needed storage space moving from the country. She was renting a storage facility at the time. She had Mr. Kolahdouz to build her a storage shed to blend in with the façade of the house and the neighborhood. She had Mr. Kolahdouz to call the City for obtaining any permits. They were told if the storage shed was less than 200

square feet they did not need a permit. She stated if the storage shed was put in of the tree it would have been 15 feet from the house so it would be put behind the tree.

Chairperson Gutierrez explained to the applicant how the Variance goes with the land and not the property owner.

Board member Avila stated he had concerns with safety issues that is why setbacks are made for the safety of their neighbor and themselves.

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

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

Following discussion, Mr. Hugo Avila **moved** to approve the Variance request as recommended by staff. Mr. Ivan Garcia seconded the motion. The Board voted to approve the Variance request with five members present and voting.

- b) Request of Francisco Pons Ballesteros for a Variance to the City of McAllen Zoning Ordinance to not provide a masonry screen eight feet in height and instead provide a six-foot cedar fence with columns for the proposed Georgetown Park Subdivision at 9.1 Acres out of Lot 1, Block 17, Steele & Pershing Subdivision and Lot 1, Block 9, A.J. McColl Subdivision, Hidalgo County, Texas; 1100 East El Rancho Road (ZBA2024-0048)**

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

Being no discussion, Mr. Hugo Avila **moved** to table the Variance request until the next meeting. Mr. Daniel Santos seconded the motion. The Board voted to table the Variance request with five members present and voting.

- c) Request of MCI Development, LLC for variances to the City of McAllen Zoning Ordinance to allow the following encroachments: 1) a garage door setback of 18 feet instead of 25 feet and 2) an encroachment of 10 feet into the 25-foot front yard setback, for a proposed single family residence at Lot 15, La Veranda Subdivision, Hidalgo County, Texas; 4709 Sweetwater Avenue. (ZBA2024-0045) (TABLED: 11/20/2024)**

Mr. Daniel Santos **moved** to remove the item from the table. Mr. Hiram Gutierrez seconded the motion. The Board voted unanimously with five members present and voting.

Ms. Martinez stated the applicant was requesting variances to allow the above-mentioned encroachments for a proposed single-family residential home. Approval of the variances will allow for a patio area as well as allow a larger size for the home.

The subject property was located along the south side of Sweetwater Avenue approximately 400 feet west of South 46th Street. The vacant lot has 92.24 ft. of frontage along Sweetwater Avenue and a depth of 85.74 ft. at its deepest point for a tract size of 6,669 sq. ft. The property is zoned R-1 (single family residential) District. The adjacent zoning is R-1 District in all directions. The surrounding land use is single-family

residential and vacant properties.

La Veranda Subdivision was recorded on January 20, 2006. Submittal of an application for a building permit is pending determination of the variance request. An application for the variance requests was submitted on October 23, 2024.

Variance #1 is to allow a garage door setback of 18 ft. instead of 25 ft. The McAllen Code of Ordinances states in Section 138-356 (footnote 2) “entrances to a garage or enclosed carport shall be a minimum of 18 feet from streets or alleys in the A-O, R-1, R-2, R-3A, R-3C and R-3T Districts unless otherwise specified by the Planning and Zoning Commission”. The plat specifies a front yard building setback of 25 ft. and states 18 ft. for a garage setback “except where greater setback is required – greater setback applies”. In this case, the greater setback of 25 ft. will apply. The site plan shows the proposed distance from the front property line to the proposed garage door at 18 feet. It does not show the 25 ft. front yard setback with the proposed area of encroachment.

Variance #2 is to allow construction of a proposed single-family residence with an encroachment of 10 ft. into the 25-foot front yard setback. The site plan shows the proposed distance from the front property line to the residence at 15 ft. It also shows the 25 ft. front yard setback with the proposed encroachment area.

The plat for this subdivision indicates a five-foot utility easement adjacent to the front property line and a 10-foot utility easement adjacent to the rear property line.

The subject property has partial frontage on a cul-de-sac, which gives the property an element of an irregular shape.

If the variance request is approved the applicant must comply with all other building and zoning ordinance requirements.

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

Variance request #1: Staff recommended **disapproval** since the site plan can be modified for compliance.

Variance request #2: Staff recommended **approval** since the partial frontage on the cul-de-sac makes for an irregular shaped lot. A 10-foot utility easement adjacent to the rear property line reduces the buildable area for this property.

No one appeared in opposition of the request. The Board made a motion to table the item, to allow the applicant to speak on their behalf or answer further questions that the Board would have. Staff had conferred with the applicant through email and phone requesting their presence at the upcoming meeting of December 4, 2024.

Mr. Marco Antonio Ramos, 4709 Sweetwater Avenue. He stated he was representing the applicant and owner Javier Barragan of the property. He stated they wanted to have the 18 feet instead of the 25 feet for the garage door setback. In addition, the 25 feet to 15 feet for the front yard setback.

Board member Mujica asked Mr. Ramos if anything had been built. Mr. Ramos stated no, they were just in the proposed stages of getting a permit for the construction. Board member Mujica asked him if they had tried to figure out a way to build in order to keep within the setbacks. Mr. Ramos stated they were proposing for the measurements of the property. The cul-de-sac was very small and they wanted to leave more space in the back.

Board member Ivan Garcia asked staff if any other variances had been granted for the garage setback in this subdivision. Ms. Martinez stated that for the garage setback there had not been similar approval. There had been one similar to this one across, Lot 18 and their request was for 15 feet for the front yard setback.

Chairperson Jose Gutierrez asked if there was anyone present to speak in favor of the Variance requests. There was no one to speak in favor of the Variance requests.

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

Following discussion, Mr. Hugo Avila **moved** to disapprove Variance request #1 and approve Variance request #2. Mr. Hiram Gutierrez seconded the motion. The Board voted to disapprove Variance request #1 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

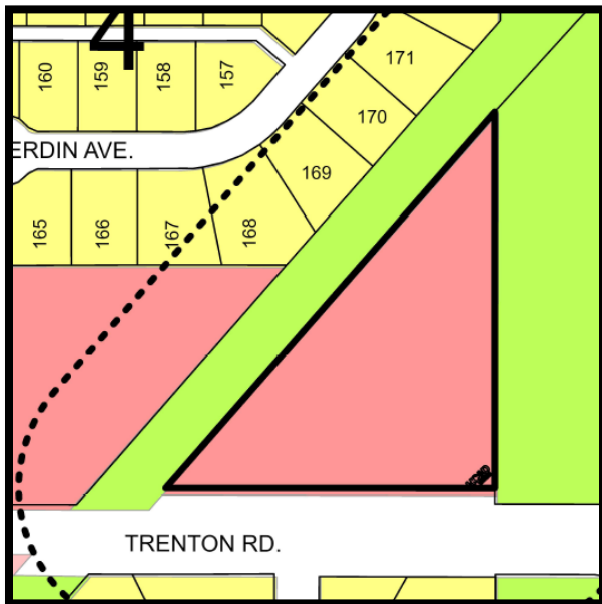
TO: Zoning Board of Adjustment & Appeals

FROM: Planning Staff

DATE: December 2, 2024

SUBJECT: REQUEST OF RSVP MCALLEN OWNER LLC FOR A SPECIAL EXCEPTION TO THE CITY OF MCALLEN ZONING ORDINANCE TO ALLOW AN ENCROACHMENT OF 19 FEET INTO THE 50 FOOT FRONT YARD SETBACK FOR AN EXISTING CARPORT AT LOT 1, PREMIER STORAGE SUBDIVISION, HIDALGO COUNTY, TEXAS; 301 EAST TRENTON ROAD. (ZBA2024-0054)

REASON FOR APPEAL: The applicant is requesting a special exception for an encroachment of 19 feet into the 50 feet front yard setback for a proposed metal (carport) measuring 21.51 feet by 44.24 feet. The new property owner for this lot is applying to obtain a new special exception for the existing carport on the property, which would be an amenity for the storage clients while they are unloading items from vehicles, especially during inclement weather.



PROPERTY LOCATION AND VICINITY: The subject property is located along the North side of Trenton Road, approximately 820 feet East of North 2nd Street. The lot is triangular shaped and has 464.47 feet of frontage along Trenton Avenue with a lot size of 2.613 Acres. The property is zoned C-3 (general business) District. Adjacent zoning is R-1 (single-family residential) District to the north and south, C-3 District to the west and A-O (agricultural-open space) District to the east and west. The surrounding land uses are single-family residences, vacant land, Southern Union Pacific Railroad, and Drainage R.O.W by the City of McAllen.

BACKGROUND AND HISTORY: Premier Storage Subdivision was recorded on May 17, 2022. The front yard setback is 50 feet as per plat. An application for a building permit for construction of a three story building was submitted to the Building Permits and Inspections Department on December 20, 2022. An application for a Special Exception request by the previous property owner was submitted to the Planning Department on June 02, 2022. The Special Exception request was approved at the Zoning Board of Adjustment & Appeals at the meeting of July 7, 2022. The current property owner submitted an application for a Special Exception request on November 25, 2024.

ANALYSIS: The request is for a special exception to allow an encroachment of 19 feet into the 50 feet front yard setback for a proposed metal (carport) measuring 21.51 feet by 44.24 feet. The applicant is applying for a special exception request to obtain new ownership for the existing carport on the property to provide a protection and convenient amenity while their clients from the storage facility load/unload items from their vehicles. No modifications have been made to the existing carport on site since a special exception was last approved.

The City of McAllen Zoning Ordinance Sec. 138-356 11(b)(3) requires a minimum of 15 feet for the front yard setback on commercial properties. However, the plat requires a 50 feet front yard setback.

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

Special exceptions are issued to an individual and recorded, however a change of ownership requires the new owner to apply for their own Special Exception.

RECOMMENDATION: Staff recommends approval of the Special Exception request since the city ordinance only requires a minimum of 15 feet for front yard setbacks on commercial properties and the request is due to a change of ownership.

ZBA2024-0054

ZBOA
12/18/24



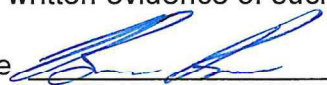

City of McAllen

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)

Project	<p>Legal Description <u>Lot 1, OF PREMIER STORAGE SUBDIVISION, A SUBDIVISION IN HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT</u> <u>THEREOF, RECORDED IN COUNTY CLERK'S FILE NO. 2022-3343225 OF THE OFFICIAL PUBLIC RECORDS OF HIDALGO COUNTY, TX</u></p> <p>Subdivision Name <u>PREMIER STORAGE SUBDIVISION, LOT 1</u></p> <p>Street Address <u>301 E. TRENTON ROAD, MCALLEN, TEXAS 78539</u></p> <p>Number of lots <u>one</u> Gross acres <u>2.822</u></p> <p>Existing Zoning <u>C3</u> Existing Land Use <u>self-storage facility</u></p> <p>Reason for Appeal (please use other side if necessary) <u>New ownership is seeking to obtain the same existing Special Exception to allow an encroachment of 19 feet into the 50 foot front yard setback for a canopy (carport)</u></p> <p><input checked="" type="checkbox"/> \$300.00 non-refundable filing fee + <input checked="" type="checkbox"/> \$50.00 Recording Fee for Special Exception (carport)</p> <p><input checked="" type="checkbox"/> Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required</p>
Applicant	<p>Name <u>RSVP MCALLEN OWNER LLC</u> Phone <u>310-490-0526</u></p> <p>Address <u>73 Rutlege Avenue</u> E-mail <u>matt@reframeholdings.com</u></p> <p>City <u>Charleston</u> State <u>SC</u> Zip <u>29401</u></p>
Owner	<p>Name <u>Trentbak I, LLC</u> Phone <u>210-835-5188</u></p> <p>Address <u>207 Roosevelt Ave.</u> E-mail <u>bbakke@bakkedc.com</u></p> <p>City <u>San Antonio</u> State <u>Texas</u> Zip <u>78209</u></p>
Authorization	<p>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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>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.</p> <p>Signature <u></u> Date <u>11-21-24</u></p> <p>Print Name <u>Brandt Bakke</u> <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Authorized Agent</p>
Office	<p>Accepted by <u>AS/SEN</u> Payment received by _____ Date <u>NOV 25 2024</u></p> <p>Rev 10/18 BY: <u></u></p>



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:

Previous ownership obtained a Special Exception (Document No: 3368475) to allow for the construction of a canopy (carport) that encroaches the 50 foot front yard setback by 19 feet. The canopy is an amenity used by storage users to avoid the elements while unloading items.

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

In order to remain compliant with the City's requirements, the new ownership is seeking to obtain the same special exception previously obtained by the developer so that it may enjoy the same legal property rights as the previous 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:

The variance will not be detrimental to the public health due to the fact that the structure already exists, and at the very least, helps protect customers of the facility from having to deal with inclement weather such as rainfall and extreme heat.

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

New ownership is solely focused on the continuation of the existing special exception and would greatly appreciate the Board granting it.

Board Action

Chairman, Board of Adjustment
Signature

Date





*NOTICE
VARIANCE
SPECIAL EXCEPTION
FOR
THIS PROPERTY
ZBA2024-0054



Memo

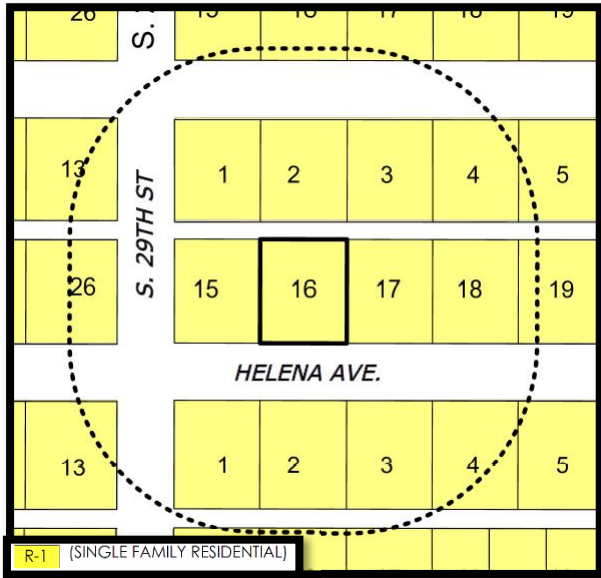
TO: Zoning Board of Adjustment & Appeals

FROM: Planning Staff

DATE: December 9, 2024

SUBJECT: REQUEST OF JUAN C. RAMOS TO ALLOW THE FOLLOWING SPECIAL EXCEPTION AND VARIANCE TO THE CITY OF MCALLEN ZONING ORDINANCE: 1) A SPECIAL EXCEPTION TO ALLOW AN ENCROACHMENT OF 20 FEET INTO THE 25-FOOT FRONT YARD SETBACK FOR A PROPOSED METAL CARPORT MEASURING 20 FEET BY 20 FEET, 2) A VARIANCE TO ALLOW AN ENCROACHMENT OF 14.5 FEET INTO THE 25-FOOT FRONT YARD SETBACK FOR A PROPOSED METAL PORCH MEASURING 14.5 FEET BY 43 FEET AT LOT 16, BLOCK 13, BALBOA ACRES SUBDIVISION, HIDALGO COUNTY, TEXAS; 2808 HELENA AVENUE. (ZBA2024-0052)

REASON FOR APPEAL: The applicant is requesting a special exception to allow an encroachment of 20 feet into the 25 foot front yard setback for a proposed metal carport and a variance to allow an encroachment of 14.5 feet into the 25 foot front yard setback for a proposed metal porch. Both carport and porch are to be used to ensure safe and accessible entry to his vehicle from adverse weather conditions.



PROPERTY LOCATION AND VICINITY: The subject property is located along the north side of Helena Avenue approximately 90 feet east of South 29th Street. The lot has 90.0 feet of frontage and 107.5 feet of depth for a total of 9,675 square feet. The property is zoned R-1 (Single-Family Residential) District. The adjacent zoning is R-1(Single-Family Residential) District in all directions.

BACKGROUND AND HISTORY: Balboa Acres Subdivision was recorded on December 27, 1962 and indicates a 25 foot front yard setback. An application for a building permit for a “ramp cover and driveway cover” was submitted on November 13, 2024. An application for a special exception and variance for the carport and porch over ramp was submitted on November 20, 2024

ANALYSIS: The applicant is requesting a special exception to allow an encroachment of 20 feet into the 25 foot front yard setback for a proposed metal carport measuring 20 feet x 20 feet. The carport will be used to provide protection for the applicant from severe weather conditions when accessing his vehicles. The applicant needs the protection due to physical limitations from medical conditions.

The applicant is requesting a variance to allow an encroachment of 14.5 feet into the 25 foot front yard setback for a proposed metal porch to cover an existing aluminum modular ramp. The ramp was installed to assist the applicant to safely and easily enter and exit his home. The applicant in the near future may need the use of a wheelchair due to mobility issues.

Following a site visit, staff observed other carports within the neighborhood and records indicate variances/ special exceptions for carports have been approved.

No utility easements will be impacted by the encroachment.

Staff had a nearby resident come in and are in favor of the special exception and variance request.

RECOMMENDATION: Staff recommends disapproval of the special exception request since there is access from a rear yard alley and an existing carport/bbq area. Staff recommends disapproval of the variance request since variances run with the land and remain as a condition for future owners and new constructions.

ZBOA:
12/18/24

City of McAllen Planning Department

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

APPEAL TO ZONING BOARD OF ADJUSTMENT TO MCALLEN ZONING ORDINANCE

Project

Legal Description Balboa Acres lot 16 Block 13

Subdivision Name Balboa Acres

Street Address 2808 HELENA AVE McALLEN TX 78503

Number of lots 1 Gross acres _____

Existing Zoning R-1 Existing Land Use RES.

Reason for Appeal (please use other side if necessary) _____

SEE ATTACHED-

\$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 JUAN C RAMOS Phone 956-569-1342

Address 2808 HELENA AVE E-mail _____

City MCALLEN State TEXAS Zip 78503

Owner

Name JUAN C. RAMOS Phone 956-569-1342

Address 2808 HELENA AVE E-mail _____

City MCALLEN State TEXAS 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.

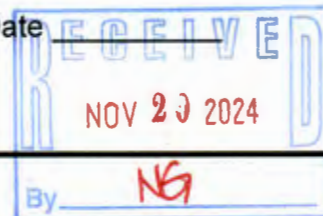
Signature Juan C. Ramos Date 11/20/24

Print Name _____ Owner Authorized Agent

Office

Accepted by [Signature] Payment received by _____ Date _____

Rev 09/20





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:

Build a CARPORT & RAMP COVER

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

I am a disabled VETERAN and need a COVER OVER THE ramp.

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:

Will not effect our neighbors -

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

Disabled veteran.

Reason for Appeal

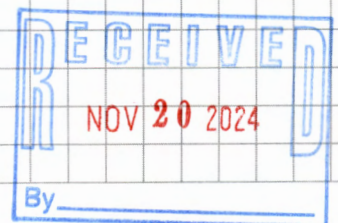
Board Action

Chairman, Board of Adjustment
Signature

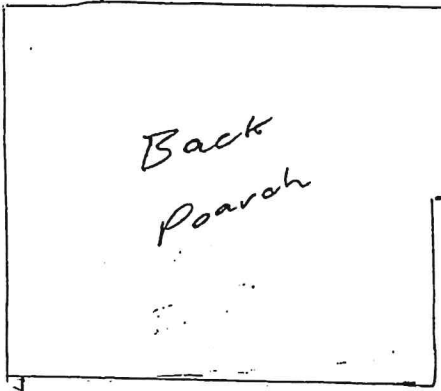
Date

① ~~12~~^{14.5'} ft by ~~47~~^{43'} ft porch encroaching ~~10~~^{14.5'} ft into the ~~20~~^{25'} ft front yard setback

② 20 ft by 20 ft carport encroaching 20 ft into the ~~20~~^{25'} ft front yard setback

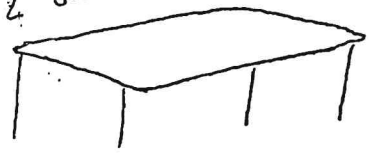


Cement

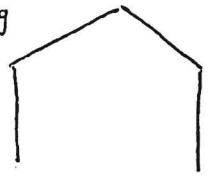


Back Porch

New porch
12'x47'
Slanted drop forward
Style porch
R-panel roof
2x6 purlins
2x6 rec. tubing
2 3/4 posts cemented
2' down

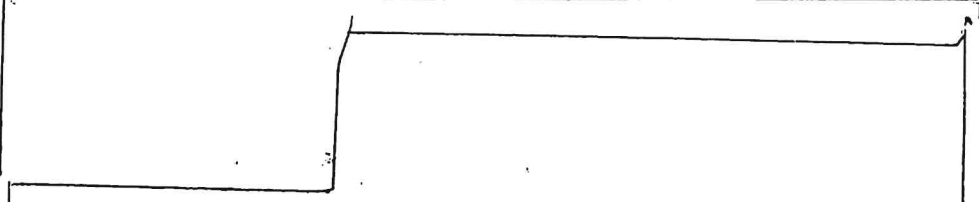


New porch
13x13
Upside down V shape
foot facing the house with
3x3 square tubing posts
Cemented 2' down
2x4 purlin
2x4 rec. tubing
R-panel rating



Total Price
\$4800

Cement

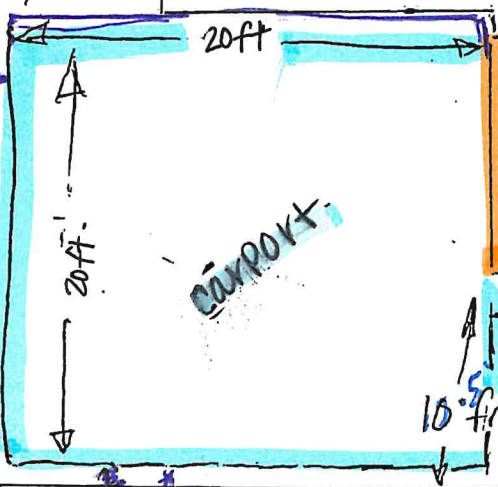


House

Cement

\$4,500

~~300~~
Dec. 2nd



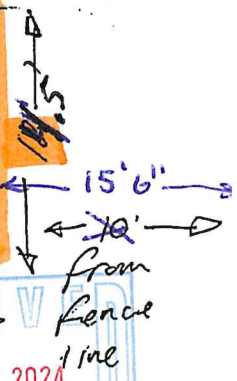
COURT

10' from fence line



New Porch
12x47

43'



15'6" from fence line

RECEIVED
NOV 20 2024

fence line



2808

BEWARE of DOG

BEWARE of DOG





BEWARE
of DOG

BEWARE
of DOG

NOTICE
VARIANCE
SPECIAL EXCEPTION
FOR
THIS PROPERTY
ZBA2024-0052

2808

Memo

TO: Zoning Board of Adjustment & Appeals

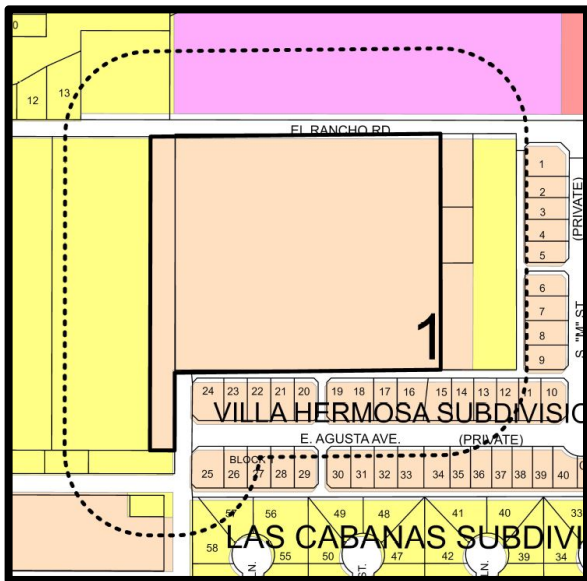
FROM: Planning Staff

DATE: November 26, 2024

SUBJECT: REQUEST OF FRANCISCO PONS BALLESTEROS FOR A VARIANCE TO THE CITY OF MCALLEN ZONING ORDINANCE TO NOT PROVIDE A MASONRY SCREEN EIGHT FEET IN HEIGHT AND INSTEAD PROVIDE A SIX-FOOT CEDAR FENCE WITH COLUMNS FOR THE PROPOSED GEORGETOWN PARK SUBDIVISION AT 9.1 ACRES OUT OF LOT 1, BLOCK 17, STEELE & PERSHING SUBDIVISION AND LOT 1, BLOCK 9, A.J. MCCOLL SUBDIVISION, HIDALGO COUNTY, TEXAS; 1100 EAST EL RANCHO ROAD. (ZBA2024-0048)

REASON FOR APPEAL:

The applicant is requesting a variance to not provide an eight foot masonry screen along the property adjacent to an R-1 (Single Family Residential) District street frontage and instead provide a six-foot cedar fence with columns.



PROPERTY LOCATION AND VICINITY:

The subject property is located along the south side of East El Rancho Road approximately 300 feet west of South “M” Street. The property is zoned R-3T (Multifamily Residential Townhouse) District. The adjacent zoning is R-1 (Single Family Residential) District to the west and southwest, R-3T (Multifamily Residential Townhouse) District to the east and south and C-1(Office Building) District to the north across East El Rancho Road. Surrounding land uses are single family residences and vacant land.

BACKGROUND AND HISTORY:

This property is currently undergoing the subdivision process with the name of Georgetown Park Subdivision and received final approval on November 21, 2023. An application for this variance request was submitted on November 8, 2024.

ANALYSIS:

This request is to not provide an eight foot buffer adjacent to an R-1(single family residential) District. Section 110-49(a) - Landscape Buffers states a masonry screen eight feet in height shall be required where a commercial, industrial or multifamily use has a side or rear property line in common with a single family use or zone. Where such use has 200 feet or less in common with any residential use or zone, the buffer shall be eight feet in height but may be cedar planks. This does not apply since the length adjacent to single family use is approximately 814 linear feet. Alternately, the applicant proposes a six foot cedar fence with columns.

The Planning Department has not received any emails or phone calls in opposition of the variance request.

RECOMMENDATION:

Staff recommends disapproval of the variance request since compliance with the ordinance would not create an unnecessary hardship.

At the meeting of December 4, 2024 the applicant requested the item to be tabled until the following meeting due to being ill.

ZBA 2024-0048

ZBOA
12/4/2024



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)

Project	Legal Description	9.18 AC. O/O LOT 1, BLK 17, STEELE & PERSHING SUBDIVISION (H.C.M.R. V 8 PGS 114-115) AND LOT 1, BLK 9, A.J. MCCOLL SUBDIVISION (H.C.M.R. V 21 PG 598)			
	Subdivision Name	GEORGETOWN PARK			
	Street Address	1100 E. EL RANCHO ROAD			
		Number of lots	82	Gross acres	9.18
	Existing Zoning	R-3T	Existing Land Use	VACANT	
	Reason for Appeal (please use other side if necessary)	To allow recording of subdivision plat without the installation of an 8 foot masonry wall buffer.			

\$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	FRANCISCO PONS BALLESTEROS		Phone	(956) 620-2981	
	Address	501 W. NOLANA AVE.		E-mail	FRANCISGOPONS@SEDELPRADO.COM	
	City	McALLEN	State	TEXAS	Zip	78504

Owner	Name	BONA FIDE RE, LLC		Phone	(956) 620-2981
	Address	501 W. NOLANA AVE.		E-mail	FRANCISGOPONS@SEDELPRADO.COM
	City	McALLEN	State	TEXAS	Zip

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?				
			<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> 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	11/08/2024

Print Name Francisco Pons B. Owner Authorized Agent

Office	Accepted by <u></u>	Payment received by _____	Date _____
---------------	---------------------	---------------------------	------------

Rev 10/18

NOV 08 2024

RY:



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:

Under the current ordinance, R-3T is considered as Multi-Family use.

Once the new UDC is approved, R-3T will be considered as Single-Family use.

Landscape Ordinance: Section 110-149 will not be applicable for R3-T, deeming the requirement of an 8 foot masonry wall obsolete.

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:

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

Reason for Appeal

Board Action

Chairman, Board of Adjustment
Signature

Date

LOT 6, BLOCK 16
STEELE AND PERSHING SUBDIVISION
VOL. 8, PGS. 114-115
D.R.H.C.T.

LOT 4, BLOCK 8
A.J. McCOLL SUBDIVISION
VOL. 21, PG. 598
D.R.H.C.T.

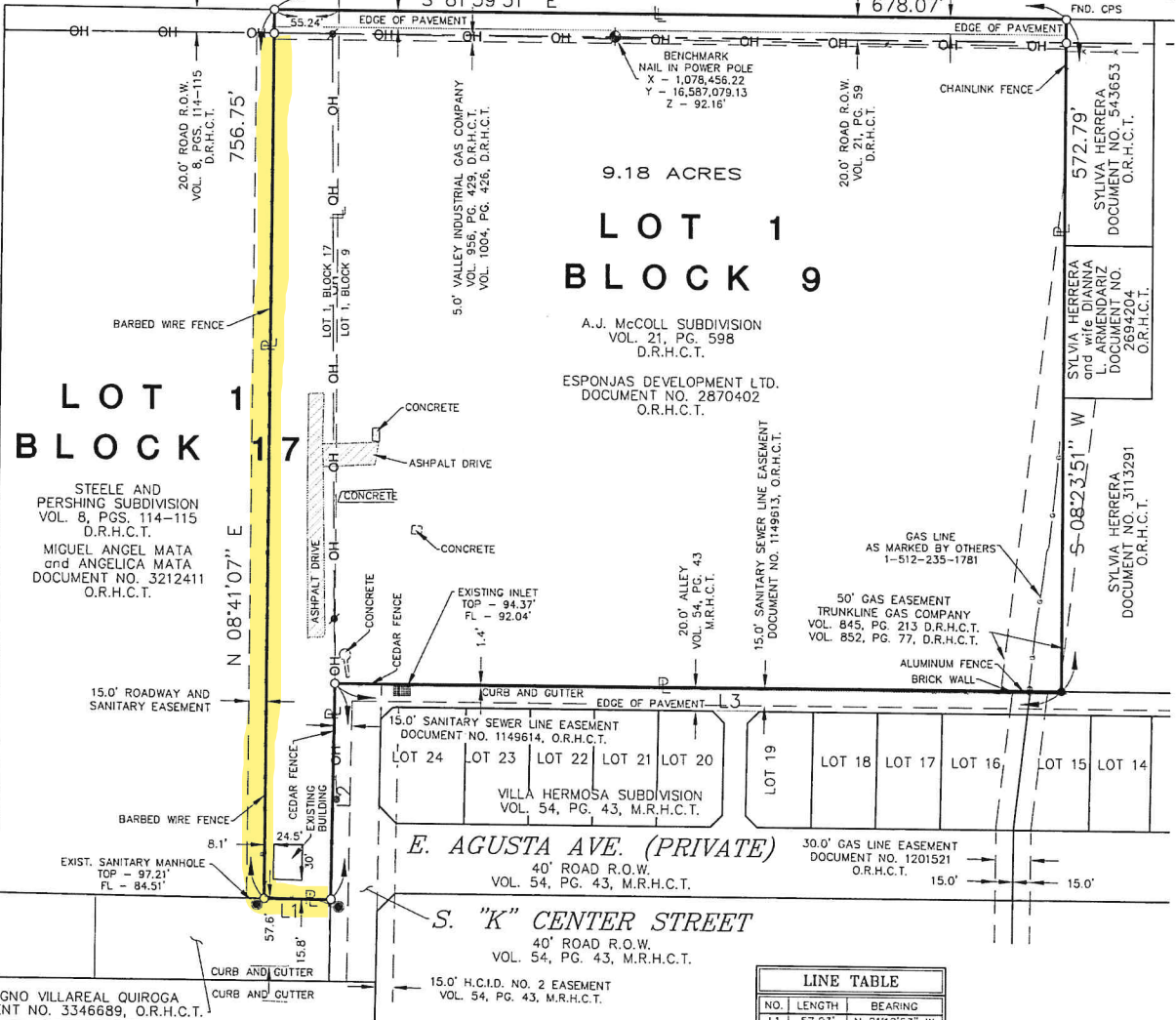
EL RANCHO ROAD

LEGEND

- - SET 1/2 INCH IRON ROD W/ A RED CAP STAMPED "RIO DELTA SURVEYING"
- - FD. 1/2 INCH IRON ROD
- X- - FENCE
- O-E- - POWER LINE
- G- - GAS LINE
- ⊕ - BENCHMARK
- ⊙ - INLET
- ⊙ - MANHOLE
- ⊙ - POWER POLE
- ⊙ - GAS MARKER
- ⊙ - LOT LINE
- P - PROPERTY LINE
- M.R.H.C.T. - MAP RECORDS HIDALGO COUNTY, TEXAS
- D.R.H.C.T. - DEED RECORDS HIDALGO COUNTY, TEXAS
- O.R.H.C.T. - OFFICIAL RECORDS HIDALGO COUNTY, TEXAS
- VOL. - VOLUME
- PGS. - PAGES
- R.O.W. - RIGHT OF WAY



SCALE: 1" = 100'



**LOT 1
BLOCK 17**

STEELE AND PERSHING SUBDIVISION
VOL. 8, PGS. 114-115
D.R.H.C.T.

MIGUEL ANGEL MATA
and ANGELICA MATA
DOCUMENT NO. 3212411
O.R.H.C.T.

9.18 ACRES

**LOT 1
BLOCK 9**

A.J. McCOLL SUBDIVISION
VOL. 21, PG. 598
D.R.H.C.T.

ESPONJAS DEVELOPMENT LTD.
DOCUMENT NO. 2870402
O.R.H.C.T.

SYLVIA HERRERA
and ANITA DIANNA
and ANTONIO
DOCUMENT NO. 543653
DOCUMENT NO. 2694204
O.R.H.C.T.

SYLVIA HERRERA
DOCUMENT NO. 3113291
O.R.H.C.T.

PLAT SHOWING

BEING 9.18 ACRES OUT OF A PART OR PORTION
OUT OF LOT 1, BLOCK 9, A.J. McCOLL
SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER
MAP RECORDED IN VOLUME 21, PAGE 598, DEED
RECORDS OF HIDALGO COUNTY, TEXAS AND A
PART OR PORTION OUT OF LOT 1, BLOCK 17,
STEELE AND PERSHING SUBDIVISION, HIDALGO
COUNTY, TEXAS, AS PER MAP RECORDED IN
VOLUME 8, PAGES 114-115, DEED RECORDS OF
HIDALGO COUNTY, TEXAS

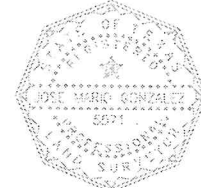
ADDRESS: E EL RANCHO ROAD
McALLEN, TEXAS

SURVEYED: JULY 18, 2023

REQUESTED BY:

FLOOD ZONE DESIGNATION: ZONE "B"
COMMUNITY-PANEL NUMBER: 480334 0425 C
MAP REVISED: NOVEMBER 16, 1982

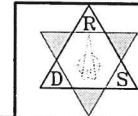
I, JOSE MARIO GONZALEZ, CERTIFY THAT THE ABOVE
PLAT IS AN ACTUAL SURVEY MADE ON THE GROUND
UNDER MY SUPERVISION AND THAT THERE ARE NO
VISIBLE EASEMENTS OR ENCROACHMENTS EXCEPT AS
SHOWN AND THAT ALL CORNERS HAVE BEEN LOCATED
AS INDICATED.



07-20-23

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5571

LINE TABLE		
NO.	LENGTH	BEARING
L1	57.03'	N 81°18'53" W
L2	184.31'	S 09°11'35" W
L3	622.27'	N 81°39'31" E



RIO DELTA SURVEYING

24593 FM 88, MONTE ALTO, TX 78538
(TEL) 956-380-5154 (FAX) 956-380-5156
EMAIL: MARIO@RIODELTASURVEYING.COM
T.B.P.E.L.S. FIRM # 10013900

BENIGNO VILLAREAL QUIROGA
DOCUMENT NO. 3346689, O.R.H.C.T.

JOB NUMBER
RIO 23 203

© COPYRIGHT 2023 RIO DELTA SURVEYING THIS SURVEY WAS
PREPARED BY MAXIMIZING ORIGINAL DATA FOR THE USE OF THE
SURVEYOR'S NAMES HEREON, NO LICENSE HAS BEEN CREATED,
EXPRESSED OR IMPLIED TO COPY THIS SURVEY.



NOTICE
VARIANCE
FOR
THIS PROPERTY
ZBA2024-0048



Memo

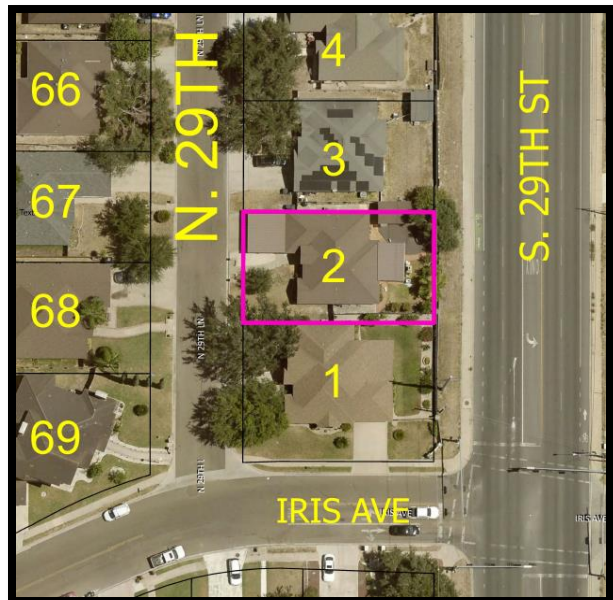
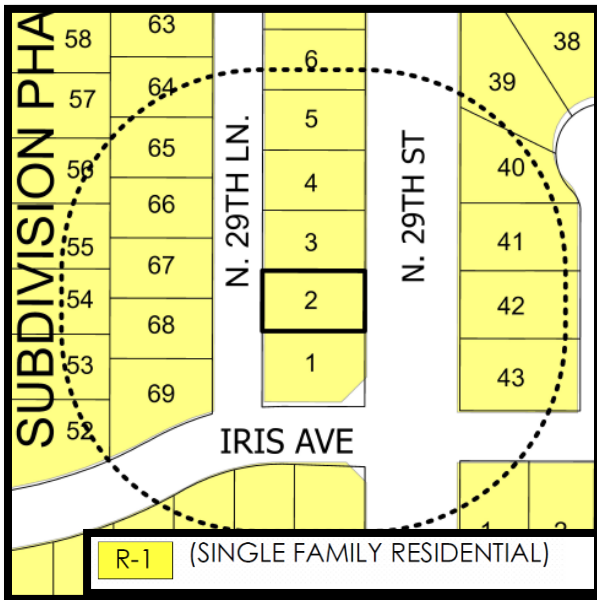
TO: Zoning Board of Adjustment & Appeals

FROM: Planning Staff

DATE: December 6, 2024

SUBJECT: REQUEST OF CHRISTOPHER SEBASTIAN 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 20.2 FEET BY 23 FEET AT LOT 2, PONDEROSA PARK PHASE 1 SUBDIVISION, HIDALGO COUNTY, TEXAS; 3506 NORTH 29TH LANE. (ZBA2024-0050)

REASON FOR APPEAL: The applicant is requesting a special exception to allow an encroachment of 20 feet into the 20 foot front yard setback for an existing carport measuring 20.2 feet by 23 feet. The applicant was unaware that a building permit was never obtained by the previous owner at the time of purchasing the home in July 2023. The applicant would like the structure to remain because the existing carport provides shade and protection during inclement weather for their multiple vehicles.



PROPERTY LOCATION AND VICINITY: The subject property is located north of Iris Avenue between North 29th Lane and North 29th Street. The lot along North 29th Lane has 60 feet of frontage and a depth of 102 feet with a tract size of 6,120 square feet. The property is zoned R-1 (single family residential) District. Surrounding land uses are single-family residences in all directions.

BACKGROUND AND HISTORY: The subdivision plat for Ponderosa Park Phase I Subdivision was recorded on July 29, 1997. As per plat, the front yard setback shall be 20 feet. According to Hidalgo County Appraisal District records the residential home was built in 1998. A stop work order

was issued by Buildings and Inspections Department staff on November 11, 2024 for the construction of a carport without a building permit. An application for a building permit for a carport was submitted to the Building Permits & Inspections Department on November 12, 2024. An application for a special exception request was submitted to the Planning Department on November 13, 2024 for the existing metal carport.

ANALYSIS: The special exception request is for an existing metal carport measuring 20.2 feet by 23 feet for an area of 464.6 square feet in size. The submitted site plan shows a carport encroaching 20 feet into the 20 foot front yard setback. A survey of this property shows the carport with an encroachment of 0.9' into the street right-of-way. The survey also appears to show a slight carport encroachment into the 6 foot setback along the north property line, however, distance is not specified. The applicant proposes reduction to the size of the carport which may resolve the depicted right-of-way encroachment and encroachment (if any) along the north side yard setback. A site plan showing proposed reductions is pending. Consideration of Special Exception requests are confined to within property line boundaries and do not include encroachments into the right of way.

There is no alley at the rear of the property where a carport could be alternatively built.

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. Carports being granted a Special Exception shall not exceed 400 square feet in size.

There is a garage that is part of the existing residence used to park family vehicles.

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

RECOMMENDATION: Staff recommends disapproval since approval may encourage other property owners to build similar structures after the character of the neighborhood on this block. Also, the carport exceeds the 400 square feet maximum size stated in the ordinance.

23A2624-0050

230A
12/18/24



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)

Project

Legal Description PONDEROSA PARK PH I LOT 2

Subdivision Name PONDEROSA PARK

Street Address 3506 N 29th LANE MCALLEN TX-78501

Number of lots 1 Gross acres _____

Existing Zoning R-1 Existing Land Use RESIDENTIAL

Reason for Appeal (please use other side if necessary) Existing car port is encroaching 20ft into the 20ft front yard set back See next page

\$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 CHRISTOPHER SEBASTIAN Phone 956-655-5236

Address 3506 N 29th LANE E-mail leer4faries@gmail.com

City MCALLEN State TX Zip 78501

Owner

Name Same as above Phone _____

Address _____ E-mail _____

City _____ State _____ Zip _____

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 11/13/24

Print Name Christopher Sebastian Owner Authorized Agent

Office

Accepted by [Signature] Payment received by _____

Rev 09/20



200-462845

2023-08-23



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:

Car port was built over setbacks without permit prior to purchase of the Home in July '23

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

Car port was built over setbacks without permit prior to purchase of the Home in July '23

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:

Does not disturb neighbors or anyone

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

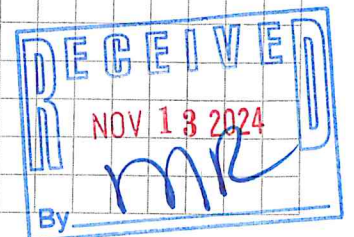
We need the Carports for our Multiple Vehicles

Board Action

Chairman, Board of Adjustment
Signature

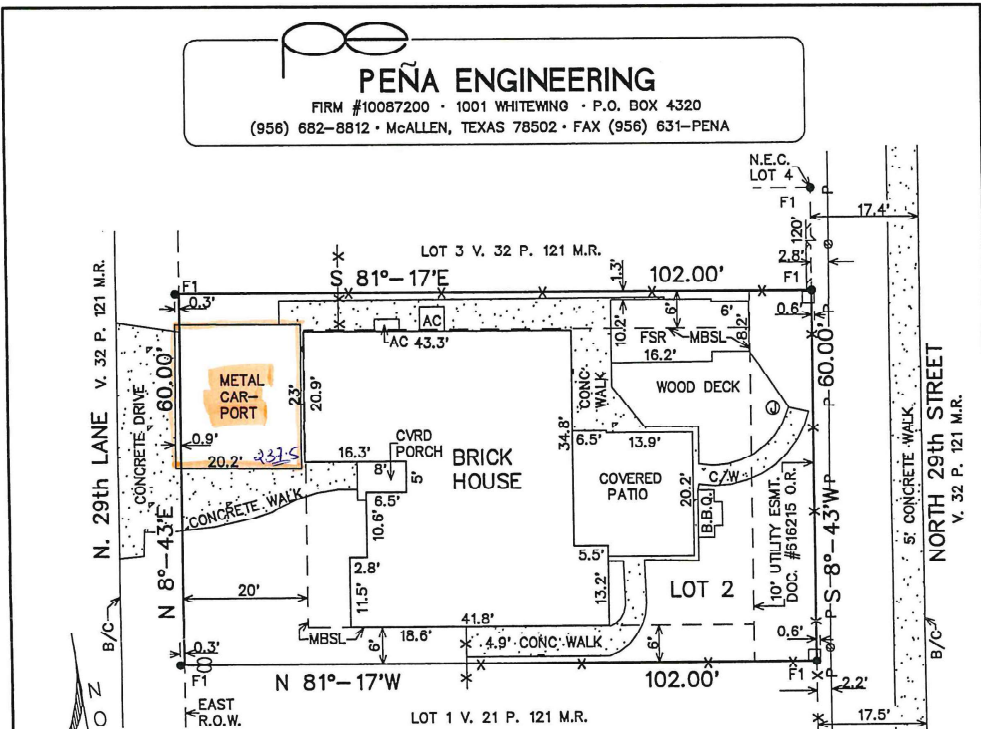
Date

Car port measures 20.2 inches by 23 ft for total
Square Footage of 464.6



RECEIVED
 NOV 13 2024
 By: *mm*

PEÑA ENGINEERING
 FIRM #10087200 • 1001 WHITEWING • P.O. BOX 4320
 (956) 682-8812 • McALLEN, TEXAS 78502 • FAX (956) 631-PENA



*Back to R
 18)*
*8.5
 ↓
 Roof*
*Link from
 roof top*
1

NOTE: BASIS OF BEARING IS THE EAST LINE OF LOTS 2-4, PONDEROSA PARK PHASE I SUB'D V. 32 P. 121 M.R.

SCALE: 1"=20'
 CAD: PONDEROSA PARK 2M
 JOB: #81183

EASEMENTS AS PER G.F. NO. 950039
 EFFECTIVE DATE: JUNE 9, 2023
 ISSUED DATE: JUNE 22, 2023

- LEGEND**
- F1 - FOUND 1/2" DIAMETER IRON ROD
 - MBSL - MINIMUM BUILDING SETBACK LINE
 - R.O.W. - RIGHT OF WAY
 - FSR - FRAME STORAGE ROOM ON CONG. SLAB
 - ⊙ - ABOVE GROUND HOT TUB
 - B/C - BACK OF CONCRETE CURB & GUTTER
 - P-P - POWER POLE LINE
 - ⊙ - POWER POLE
 - ⊙ - WATER METER
 - X-X - 6' CEDAR FENCE
 - CS - CONCRETE SLAB
 - C/W - CONCRETE WALK
 - - 6' BLOCK FENCE

1. BLANKET IRRIGATION EASEMENT V. 1108 P. 755 D.R.
2. BLANKET EASEMENT TO C.P. & L. DOC. #616215 O.R.
3. EASEMENTS, RULES, REGULATIONS AND RIGHTS IN FAVOR OF HIDALGO COUNTY IRRIGATION DISTRICT NO. 1..

07/21/23
7-21-23
 NORTH R.O.W.
 IRIS AVENUE
 V. 32 P. 121 M.R.

BUYER'S NAME: Christopher Sebastian & Rowena C. Sebastian

FLOOD ZONE: By GRAPHICAL PLOTTING Community Panel No. 480343 0005 C
 Map Revised: November 2, 1982

Zone "A" - This is to certify that this property is in a flood prone area.
 Zone "B" - This is to certify that this property is not in a flood prone area. However limits between the 100 year and 500 year flood are subject to flooding with average depths less than one foot.
 Zone "C" - This is to certify that this property is not in a flood prone area.

I certify that this plat represents the facts found on the ground at the time of survey and that there are no visible or apparent easements, discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments, or overlapping of improvements or visible easements except as shown on this plat. No subsurface utilities or service connections are shown, © copyright 2023 PENA ENGINEERING this survey was provided in multiple originals solely for the borrower named hereon, In conjunction with the original transaction which shall take place within 6 months after the survey was provided. No license has been created or implied to copy this Survey. Survey valid only if print has original seal and signature.

ADDRESS: _____

LEGAL DESCRIPTION: Lot 2, PONDEROSA PARK PHASE I, an Addition to the City of McAllen, Hidalgo County, Texas,
 ACCORDING TO THE MAP RECORDED IN VOLUME 32 PAGE 121
 OF THE _____ MAP _____ RECORDS OF _____ HIDALGO COUNTY, TEXAS.



Pablo Peña III
 PABLO PEÑA III
 REG. PROFESSIONAL LAND SURVEYOR No. 5242

07/12/2023
 DATE





NOTICE
VARIANCE
SPECIAL EXCEPTION
FOR
THIS PROPERTY
ZBA2024-0050

Memo

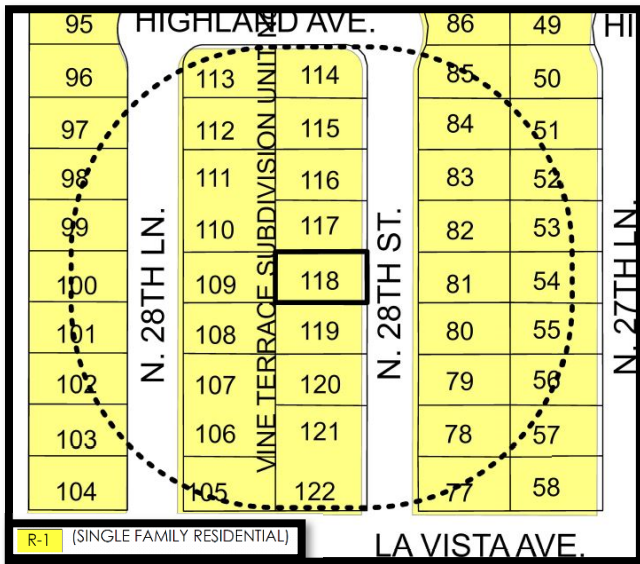
TO: Zoning Board of Adjustment & Appeals

FROM: Planning Staff

DATE: December 4, 2024

SUBJECT: REQUEST OF MATTHEW AKIN 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 METAL CARPORT AT LOT 118, VINE TERRACE UNIT NO. 4 SUBDIVISION, HIDALGO COUNTY, TEXAS; 2417 NORTH 28TH STREET. (ZBA2024-0053)

REASON FOR APPEAL: The applicant is requesting a special exception to allow an encroachment of 20 feet into the 20 foot front yard setback for an existing metal carport being used for protection of his vehicles from adverse weather elements and to provide shade for the family.



PROPERTY LOCATION AND VICINITY: The subject property is located along the west side of North 28th Street approximately 203 feet north of La Vista Avenue. The lot has 50.0 feet of frontage and 90.0 feet of depth for a total of 4,500 square feet. The property is zoned R-1 (Single-Family Residential) District. The adjacent zoning is R-1 (Single-Family Residential) District in all directions.

BACKGROUND AND HISTORY: Vine Terrace Unit No. 4 was recorded on November 13, 1989 and indicates a 20 foot front yard setback. This home and like several homes within this subdivision were built with a single car garage. A stop work order was issued on October 22, 2024 for “construction of carport without a permit”. On November 18, 2024 a second stop work order was issued. An application for a special exception for the carport was submitted on November 20, 2024. An application for a building permit has not been submitted at this time.

ANALYSIS: The applicant is requesting the special exception for an existing metal carport with an encroachment into the front yard setback. The carport was built for protection of their vehicles and to provide shade for family gatherings. The carport currently measures 20.33 ft. x 19.5 ft having a total of 396 sq. ft. The applicant is proposing to reduce the carport to 20.33 ft x 13.5 ft. The reduction brings the carport into compliance with the required six foot side yard setback and reduces the carport size to 274 sq. ft.

The applicant states that the existing single car garage does not provide sufficient space even for a small car and with the approval of the special exception, the homeowner will be able to store his vehicles in a proper and secure manner.

There is no alley at the rear of the property that may allow for relocation of the structure out of the front yard setback.

Following a site visit, staff observed several carports within the neighborhood and records indicate that a special exception for one of these carports had previously been approved.

No utility easements will be impacted by the encroachment.

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

RECOMMENDATION: Staff recommends disapproval of the special exception request since approval of this request may encourage other property owners in this subdivision to build their own carports, altering the existing character of the subdivision.



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: ZBA2024-0053 ZBOA Meeting: 12.18.24 Routed
Receipt No: _____ Scanned
Accepted by: P: SJA S: EE Customer Acknowledgment (Int.): MA

PROJECT

Legal Description Vine Terrace UT NO. 4 Lot 118
Subdivision Name Vine Terrace NO. 4
Street Address 2417 N. 28th St.
Number of lots 1 Gross acres _____
Existing Zoning R-1 single family residential Existing Land Use Existing Carport is encroaching
Reason for Appeal (please use other side if necessary) Existing Carport is encroaching set into the side yard setback, 20ft. into 20ft. front yard setback.
 \$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 SAME Phone _____
Address _____ E-mail _____
City _____ State _____ Zip _____

OWNER

Name Matthew Akin Phone 956-607-3392
Address 2417 N 28th St. E-mail matthew.akin1@yahoo.com
City McAllen State TX Zip 78501

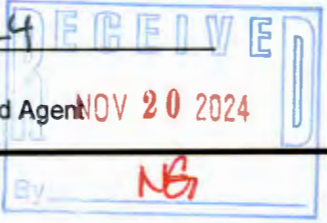
AUTHORIZATION

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 [Signature]
Print Name MATTHEW AKIN

Date 11/20/24
 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:

I have an usually narrow or irregularly shaped lot. The garage wasn't used for vehicles with the previous owner & they even advised me to consider a carport. The garage does not provide sufficient space to park even a small vehicle. Previous owner stated their vehicles sustained damage throughout the years.

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

Granting this variance would enable me as a property owner to use my land in a way that aligns with my property rights allowing me to store my vehicles properly & in a safe manner.

This would also allow my family as the owners the right to enjoy this property.

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:

My carport contributes to the aesthetic value & functionality of the property by providing covered parking & reducing potential street congestion that's an issue in this area. The carport has been functional for ^{about} 4 yrs. Multiple neighbors have told me that it makes the area look better & several have used it to store their vehicles during major storms.

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

This variance would allow me as the owner to exercise my rights to safely & reasonably use my property, which is a fundamental legal right for landowners. My house has already been reappraised & this type of upgrade raised the value & subsequently my taxes which I have already been paying.

Reason for Appeal

Board Action

Chairman, Board of Adjustment
Signature

Date

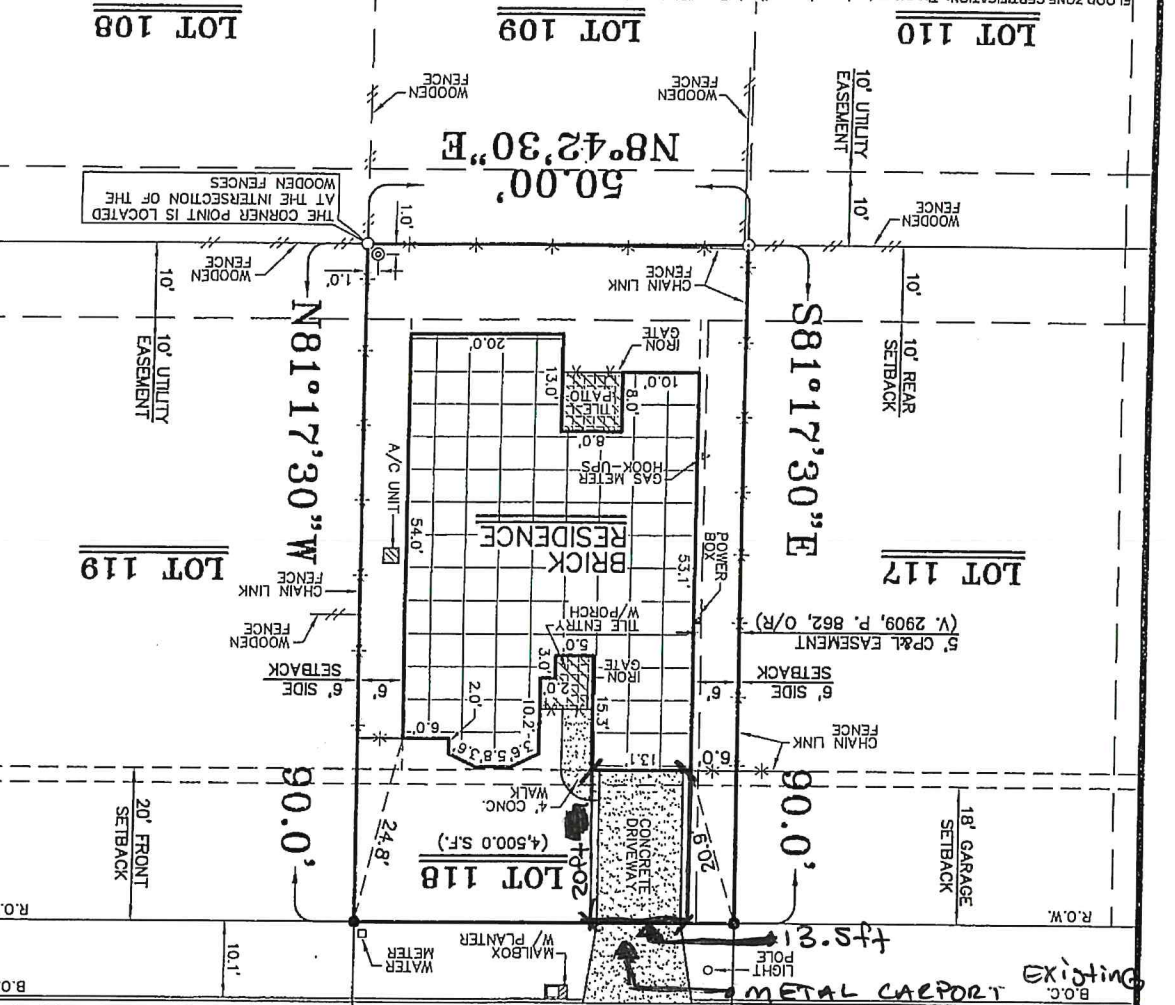
Job No. 14-45948
Date 08-11-14

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THIS IS TO CERTIFY TO THAT I HAVE, THIS DATE, PREPARED A SURVEY ON THE PROPERTY WHICH IS LOCATED AT 2417 N. 28th STREET, IN McALLEN, TEXAS, DESCRIBED AS FOLLOWS:
LOT 118, VINE TERRACE, UNIT NO. 4, AN ADDITION TO THE CITY OF McALLEN, HIDALGO COUNTY, TEXAS, ACCORDING TO MAP THEREOF RECORDED IN VOLUME 26, PAGE 60A, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

1. There are no discrepancies, conflicts, shortages in area or boundary lines, encroachments, overlapping of improvements or valuable or apparent easements except as shown on this plat.
2. This survey plat is prepared in connection with Title Policy G.F. # 102039, 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 original seal and signature to be valid as per Section 653.19 of the "The Professional Land Surveying Practices Act".
4. This is a standard survey and does not include a subsurface utility or topographic investigation.
5. Agreement dated February 7, 1990 between Central Power and Light Company and Alan Neuburg, recorded in Volume 2909, Page 862, Official Records of Hidalgo County, Texas.
6. Easement in favor of Central Power and Light Company on each lot in said Subdivision as shown on plat recorded in Volume 26, Page 60A, Map Records of Hidalgo County, Texas. (Blanket)
7. Easements, rights, titles, and regulations in favor of Hidalgo County Irrigation District No. 1. (Blanket)
8. Subject to any oil, gas and mineral leases of record.
9. Barring Basis: "E. Line of Lot 118 of Vine Terrace, Unit No. 4"

FLOOD ZONE CERTIFICATION: The property shown hereon lies in Zone "B". Zone "B" areas lie between limits of the 100-year flood and 500-year flood; or areas protected by levees from the base flood as per F.E.M.A. Flood Insurance Rate Map Panel No. 48034J-0005-C dated 11-02-82.



LEGEND

- - DENOTES FOUND 1/2" ROD
- - DENOTES SET MAG NAIL
- ⊙ - DENOTES SET 1/2" ROD
- - DENOTES NO MONUMENT
- - DENOTES RIGHT OF WAY
- B.O.C. - DENOTES BACK OF CURB

Existing METAL CARPORT
f5.5 ft
R.O.W.
B.O.C.

RECEIVED
NOV 20 2024



[Signature]



2417

2501

11688



2417

NOTICE
VARIANCE
SPECIAL EXCEPTION
FOR
THIS PROPERTY
ZBA2024-0053

2501

Memo

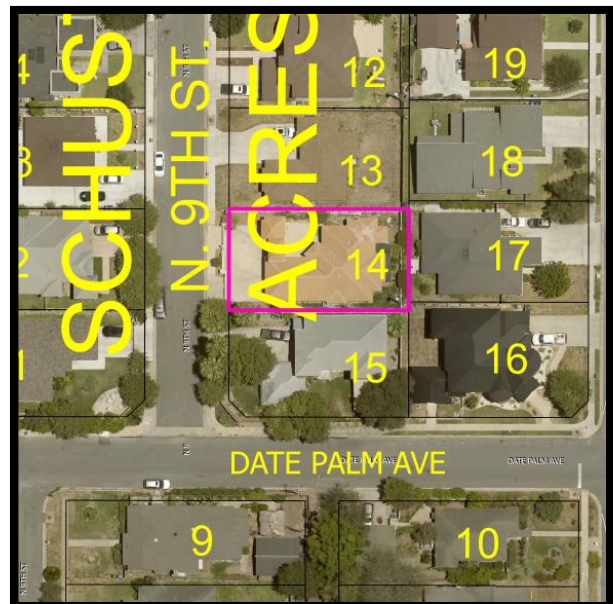
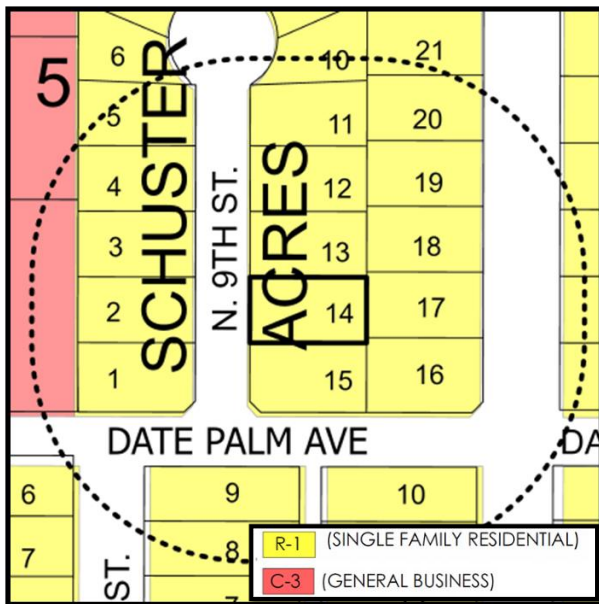
TO: Zoning Board of Adjustment & Appeals

FROM: Planning Staff

DATE: December 5, 2024

SUBJECT: REQUEST OF RAFAEL AYALA FOR A SPECIAL EXCEPTION TO THE CITY OF MCALLEN ZONING ORDINANCE TO ALLOW AN ENCROACHMENT OF 20 FEET INTO THE 25 FOOT FRONT YARD SETBACK FOR AN EXISTING CARPORT AT LOT 14, SCHUSTER ACRES SUBDIVISION, HIDALGO COUNTY, TEXAS; 404 NORTH 9TH STREET. (ZBA2024-0051)

REASON FOR APPEAL: The applicant is requesting a Special Exception to allow an encroachment of 20 feet into the 25 foot front yard setback for an existing carport measuring 20 feet by 20 feet measuring a total of 400 square feet in size. The carport is proposed to provide weather protection for the applicant’s vehicle.



PROPERTY LOCATION AND VICINITY: The subject property is located along the east side of North 9th Street approximately 63 feet north of Date Palm Avenue. The lot has 60 feet of frontage along North 9th Street and 107 feet of depth for a total of 6,420 square feet. The subject property is zoned R-1 (single-family residential) District. The adjacent zoning is R-1 District in all directions.

BACKGROUND AND HISTORY: Schuster Acres Subdivision was recorded on August 29, 2005. The plat requires a 25 foot front yard setback. According to the Hidalgo County Appraisal District, the

house was built with a two-car garage in 2014. On November 12, 2024 Building and Inspections Department issued a stop work order for no permit on file for a carport on the property. On November 14, 2024, the applicant applied for a Special Exception to allow an encroachment of 20 feet into the 25 foot front yard setback. An application for a building permit has not been submitted.

ANALYSIS: The applicant is requesting a Special Exception to allow an encroachment of 20 feet into the 25 foot front yard setback for an existing metal carport measuring 20 feet by 20 feet for a total of 400 square feet in size.

The applicant states the reason for the carport is to provide vehicle protection from severe weather conditions.

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 does not have access to an alley to have the carport relocated at the rear of the property.

Carports being granted a Special Exception shall not exceed 400 square feet in size.

A review of Planning Department records showed no previous special exception requests granted along North 9th Street within Schuster Acres subdivision.

Special Exceptions are issued to and recorded for the present owner only. New property owners would need to apply for a new Special Exception request.

Staff has not received any phone calls or emails with concerns in regards to the Special Exception request.

RECOMMENDATION: Staff recommends disapproval of the Special Exception request since no Special Exceptions have been approved within this subdivision and it is not compatible with the character of the neighborhood.

ZBA2024-0051

ZBOA:
12/18/24



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)

Project

Legal Description Shuster Acres Lot 14

Subdivision Name Shuster Acres

Street Address 404 N. 9th St.

Number of lots 1 Gross acres 0

Existing Zoning R-1 Existing Land Use Residential

Reason for Appeal (please use other side if necessary) Encroaching 20' into the 25' foot Set back, Existing Carport.

\$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 Rafael Ayala Phone 956-227-6423

Address 404 N. 9th St. E-mail shoncamaneia@yale.com

City McAllen State TX Zip 78501

Owner

Name SAA Phone SAA

Address _____ E-mail _____

City _____ State _____ Zip _____

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.

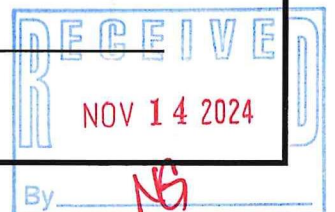
Signature Rafael Ayala Date 11/14/24

Print Name RAFAEL AYALA Owner Authorized Agent

Office

Accepted by [Signature] Payment received by CW Date _____

Rev 09/20





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:

Vehicle protection especially from Heil and specifically for my motorcycle.

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

Carport.

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:

Does not bother the neighbors, it looks just fine it is not nuisance

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

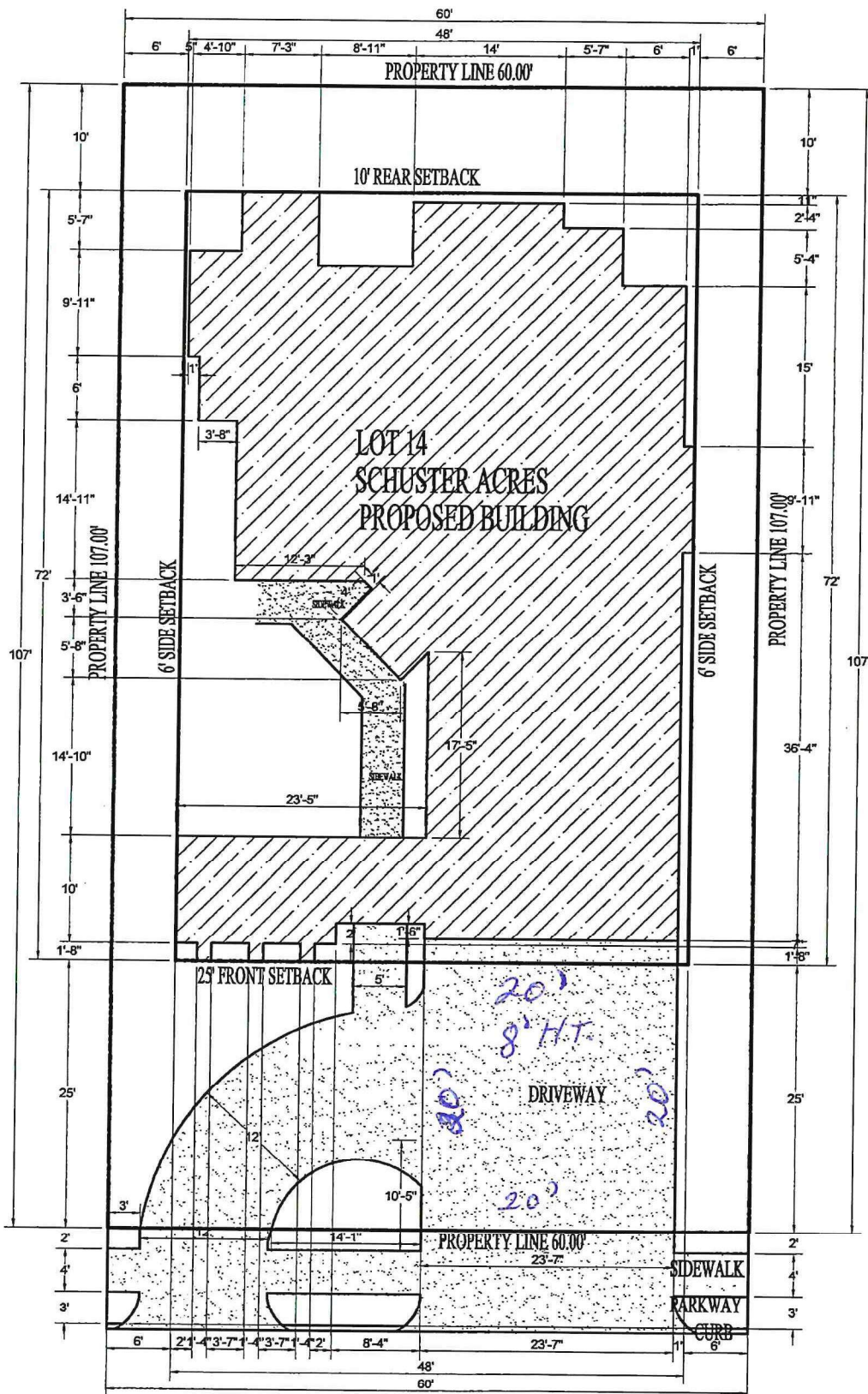
Basic needs, to park my motorcycle and we need extra protected space to park our pick up beside the two cars.

Reason for Appeal

Board Action

Chairman, Board of Adjustment
Signature

Date



SITE PLAN
SCALE: 3/16"=1'-0"

RECEIVED
NOV 14 2024
By: 146

DATE: 08-21-11	SHEET NO.: 1-7	LOT 14 SCHUSTER ACRES SUBD. RESIDENTIAL	TITLE: LOT 14 SCHUSTER ACRES CURB SIDEWALK	OWNER: SEMAR, VIALA A. YOLANDA A.	COMPANY: A & O DES BUILD LUXURY HOMES (954) 261-4318	PROJECT: RESIDENTIAL	RESIDENTIAL & COMMERCIAL PLANS	BORJAS DESIGNS (954) 576-3942	A & O DES BUILD LUXURY HOMES ALEJANDRO HERNANDEZ (954) 261-4318
SCALE: 1/8" = 1'-0"	SHEET TITLE(S): SITE PLAN								





NOTICE
VARIANCE
SPECIAL EXCEPTION
FOR
THIS PROPERTY
ZBA 2024-0051

4
0
4

Memo

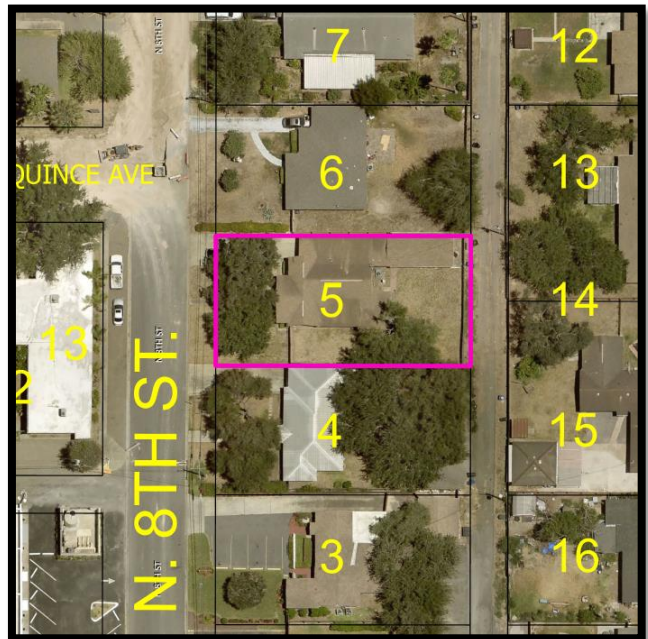
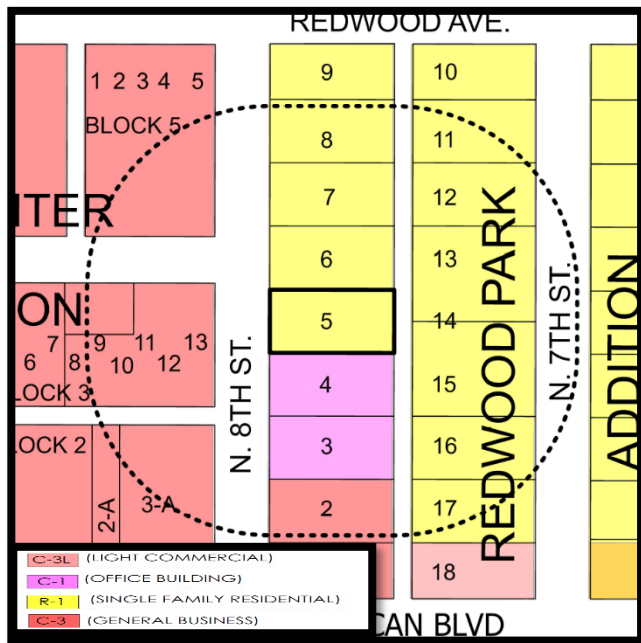
TO: Zoning Board of Adjustment & Appeals

FROM: Planning Staff

DATE: December 6, 2024

SUBJECT: REQUEST OF CARLOS JIMENEZ FOR A VARIANCE TO THE CITY OF MCALLEN ZONING ORDINANCE TO ALLOW THE FOLLOWING ENCROACHMENTS: 1) 2.4 FEET INTO THE 5 FOOT NORTH SIDE YARD SETBACK, FOR AN EXISTING GARAGE, 2) 2.6 FEET INTO THE 5 FOOT NORTH SIDE YARD SETBACK FOR AN EXISTING COVERED PATIO, AND 3) 2.6 FEET INTO THE 5 FOOT NORTH SIDE YARD SETBACK FOR AN EXISTING STORAGE ROOM, AT LOT 5 BLOCK 1, REDWOOD PARK ADDITION SUBDIVISION, HIDALGO COUNTY, TEXAS; 1616 NORTH 8TH STREET. (ZBA2024-0049)

REASON FOR APPEAL: The applicant is requesting a variance to allow the following encroachments of 1) 2.4 feet into the 5 foot North side yard setback, for an existing garage, 2) 2.6 feet into the 5 foot North side yard setback for an existing covered patio, and 3) 2.6 feet into the 5 foot North side yard setback for an existing storage room. The applicant states that they purchased the house not knowing that the construction had been done without a building permit. They wish to keep the structure so that they will not need to park on the street and do not wish to deal with a financial burden of having to cover the cost of structural removal.



PROPERTY LOCATION AND VICINITY: The subject property is located along the east side and North 8th Street between Redwood Avenue and Pecan Boulevard. The Lot has 69 feet of frontage and a depth of 135 feet for a total Lot size of 9,315 square feet. The subject property is zoned R-1 (single family residential) District. The adjacent zoning is R-1 District on the north and east, C-3 District to the west across North 8th Street and C-1 District to the south.

BACKGROUND AND HISTORY: The plat for Redwood Park Addition Subdivision was recorded on September 14, 1949. According to the Hidalgo County Appraisal Records, the home was constructed in 1983. The additions that compose the variance request were made in 2016. The application for the variance request was submitted on November 12, 2024. An application for a building permit has not been submitted.

ANALYSIS: The applicant is requesting a variance to allow the following encroachments of 1) 2.4 feet into the 5 foot North side yard setback, for an existing garage, 2) 2.6 feet into the 5 foot North side yard setback for an existing covered patio, and 3) 2.6 feet into the 5 foot North side yard setback for an existing storage room. The applicant would like for the structures to remain with the encroachments.

Although there were other lots in the subdivision that appeared to have similar property building encroachments, a review of Planning Department records did not reveal any approved permits or variances in the immediate area.

If the variance request is approved, the applicant must comply with all other building and zoning ordinance requirements.

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

RECOMMENDATION: Staff recommends disapproval since the structures can be modified to comply with rear and side setbacks.



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: ZBA2024-0049 ZBOA Meeting: 12/18/24 Routed
Receipt No: 347458 Scanned
Accepted by: P: NM S: SEN Customer Acknowledgment (Int.): CW

PROJECT

Legal Description Redwood Park ADDN Lot 5 Blk 1
Subdivision Name (R155000) Redwood Park
Street Address 1616 N. 8th St.
Number of lots 1 Gross acres .21
Existing Zoning RS Existing Land Use Residential
Reason for Appeal (please use other side if necessary) Encroaching 2.6 into the 5 ft side yard setback (on the north), for a garage, patio & storage.
 \$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 Carlos Jimenez Phone 815-671-0977
Address 8424 Alison Avenue E-mail cjimenez123@hotmail.com
City College Station State Tx Zip 77845

OWNER

Name CTRC Properties LLC Phone 815-671-0977
Address 8424 Alison Avenue E-mail cjimenez123@hotmail.com
City College Station State Tx Zip 77845

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 11-1-2024 NOV 12 2024
Print Name Carlos Jimenez Owner Authorized Agent BY: CW



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:

If I have to remove the garage due to variance, it would create two issues:

1. Decrease property value and increase my financial burden.

2. I would have to park on the street due to no room for garage.

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

I would like to sell the property to a married couple but unable due to the variance.

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:

It will not be detrimental to health or safety in any way as long as I do not have to disturb it current condition. Removal of encroachment would entail contractors and noise in the area for months.

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

I inherited the property without knowledge of encroachment.

Back variance is a storage area.

North variance is a garage.

Reason for Appeal

Board Action

Chairman, Board of Adjustment
Signature

Date

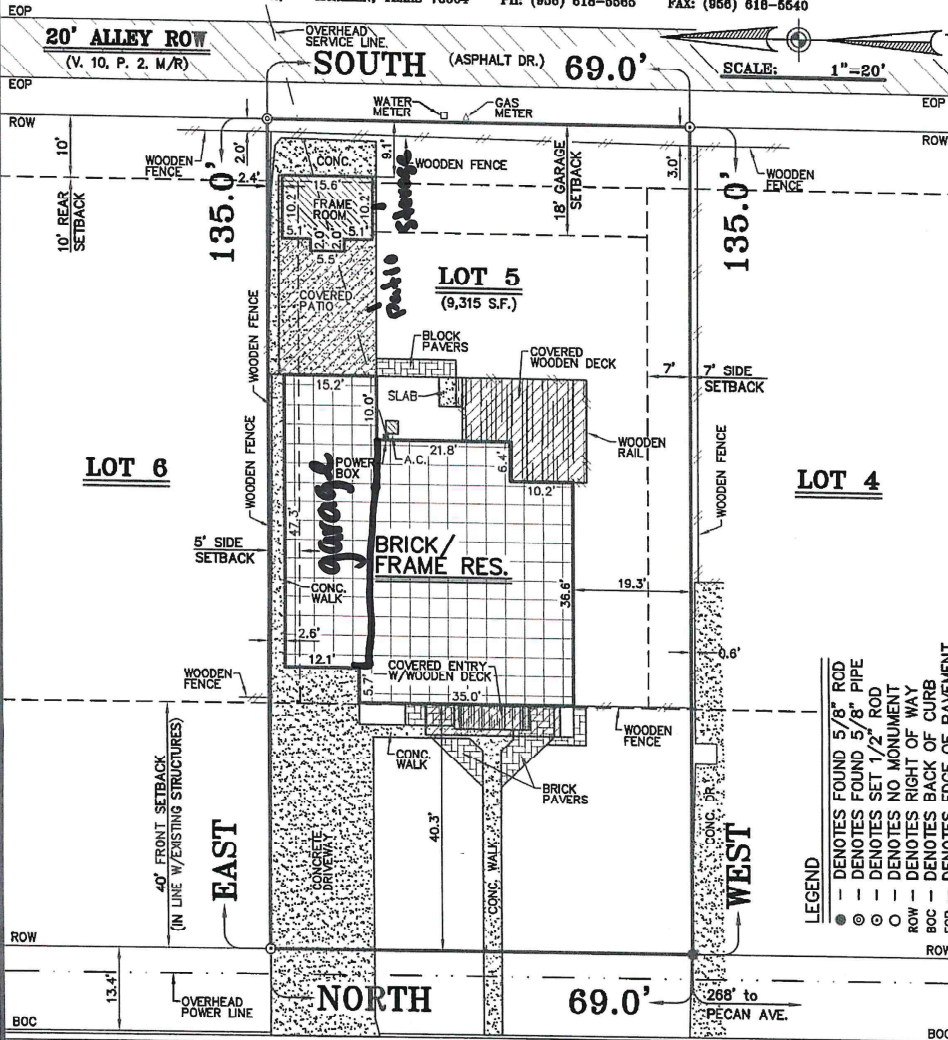
T.B.P.E. FIRM No.: F-5154



ART SALINAS ENGINEERING & SURVEYING

T.B.P.L.S. FIRM No.: 10004000

1624 DOVE AVENUE, McALLEN, TEXAS 78504 PH: (956) 618-5665 FAX: (956) 618-5640



N. 8th ST. (60' ROW-VOL 9, PG. 36, M/R)

FLOOD ZONE DESIGNATION: The property shown hereon lies in Zone "B". Zone "B" areas lie between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood as per F.E.M.A. Flood Insurance Rate Map Panel No. 480343-0005-C dated 11-02-02.

PLAT NOTES:

- 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.
 - This survey was prepared without the benefit of a Title Report or Commitment. Easement research is not within the scope of this survey.
 - This survey must contain an embossed seal and an original signature to be valid as per Section 661.46 and Section 663.19 of the "The Professional Land Surveying Practices Act".
 - This is a standard survey and does not include the location or subsurface investigation of underground utility, irrigation and/or gas lines.
 - Building setback lines as per City zoning ordinance.
 - Subject to any oil, gas and mineral lease of record.
 - Bearing Basis: "w. line of Lot 5, Block 1, Redwood Park"
- Client(s): CTRC Properties, LLC

THIS IS TO CERTIFY THAT I HAVE, THIS DATE, PREPARED A SURVEY ON THE GROUND WHICH IS LOCATED AT 1616 N. 8th ST., in McALLEN, TEXAS, DESCRIBED AS FOLLOWS:
ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND LYING AND SITUATED IN HIDALGO COUNTY, TEXAS, BEING LOT FIVE (5), BLOCK ONE (1), REDWOOD PARK, AN ADDITION TO THE CITY OF McALLEN, HIDALGO COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 10, PAGE 2, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS.

24-68395 11-07-24
Job No. Date

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Registered Professional Land Surveyor No. 4802

NOV 12 2024

BY:

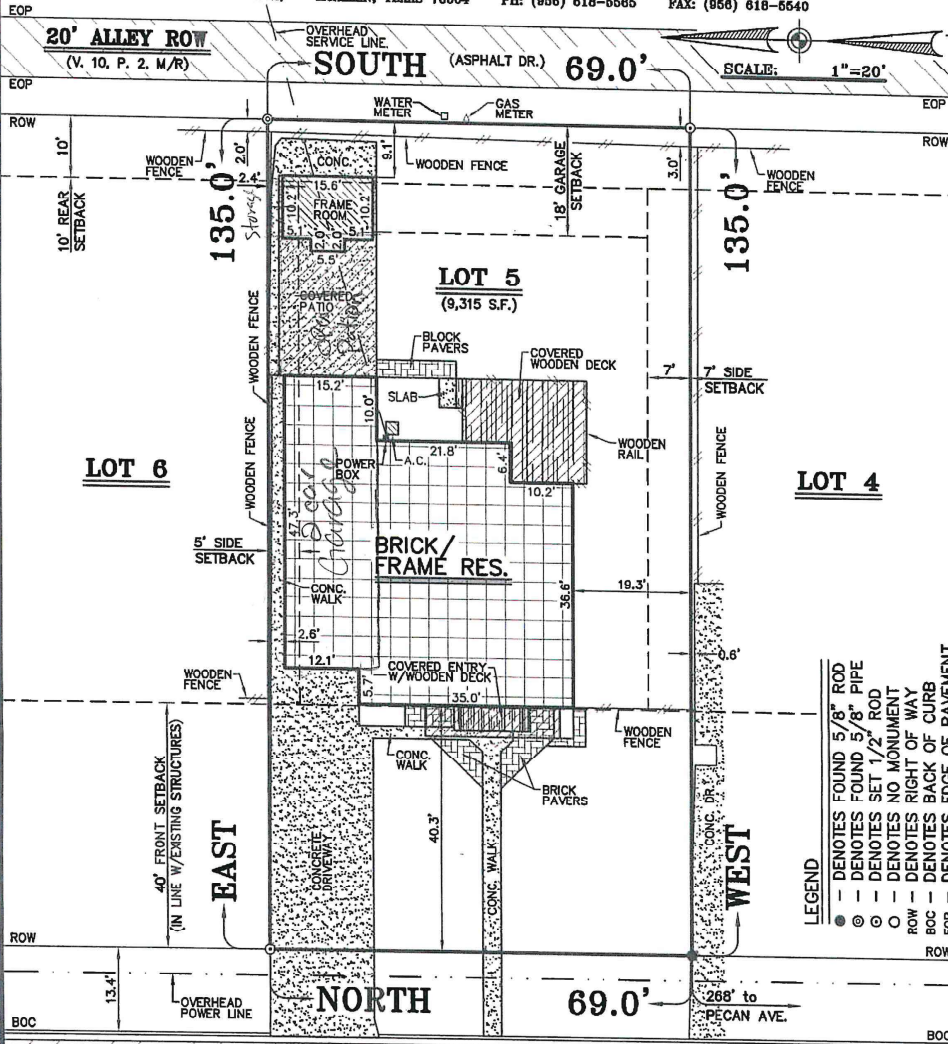
T.B.P.E. FIRM No.: F-5154



ART SALINAS ENGINEERING & SURVEYING

T.B.P.L.S. FIRM No.: 10004000

1624 DOVE AVENUE, McALLEN, TEXAS 78504 PH: (956) 618-5565 FAX: (956) 618-5640



- LEGEND**
- DENOTES FOUND 5/8" ROD
 - DENOTES FOUND 5/8" PIPE
 - DENOTES SET 1/2" ROD
 - DENOTES NO MONUMENT
 - ROW DENOTES RIGHT OF WAY
 - BOC DENOTES BACK OF CURB
 - EOP DENOTES EDGE OF PAVEMENT

N. 8th ST.
(60' ROW-VOL 9, PG. 36, M/R)

FLOOD ZONE DESIGNATION: The property shown hereon lies in Zone "B". Zone "B" areas lie between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood 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 was prepared without the benefit of a Title Report or Commitment. Easement research is not within the scope of this survey.
 3. This survey must contain an embossed seal and an original signature to be valid as per Section 661.46 and Section 663.19 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. Building setback lines as per City zoning ordinance.
 6. Subject to any oil, gas and mineral lease of record.
 7. Bearing Basis: "w. line of Lot 5, Block 1, Redwood Park"
- Client(s): CTRC Properties, LLC

THIS IS TO CERTIFY THAT I HAVE, THIS DATE, PREPARED A SURVEY ON THE GROUND WHICH IS LOCATED AT 1616 N. 8th ST., in McALLEN, TEXAS, DESCRIBED AS FOLLOWS:
ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND LYING AND SITUATED IN HIDALGO COUNTY, TEXAS, BEING LOT FIVE (5), BLOCK ONE (1), REDWOOD PARK, AN ADDITION TO THE CITY OF McALLEN, HIDALGO COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 10, PAGE 2, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS.

24-68395 Job No. 11-07-24 Date

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Registered Professional Land Surveyor No. 4802

NOV 12 2024
BY:







8109

**NOTICE
GUEST HOUSE
FOR
THIS PROPERTY
CUP2024-0136**

CITY OF MCALLEN PLANNING DEPT
PHONE 957-1210
WWW.MCALLEN.NET