

AGENDA

ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING WEDNESDAY, JULY 20, 2022 - 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 Sylvia Hinojosa

1. MINUTES:

- a) Minutes for the meeting held on July 7, 2022

2. PUBLIC HEARINGS:

- a) Request of Anita Flores to allow a Special Exception to the City of McAllen Off-Street Parking and Loading Ordinance to not provide one required parking space beyond the front yard setback line at Lot 72, Ware Gardens Subdivision, Hidalgo County, Texas; 3917 Umar Avenue. **(ZBA2022-0035)**
- b) Request of Ramos Pools for a variance to the City of McAllen Zoning Ordinance to allow an encroachment of 10 feet into the 25 feet rear yard setback for a proposed irregularly shaped swimming pool with a sun ledge measuring 8 feet by 10 feet and a swim spa measuring 8 feet by 8 feet, at Lot 25, The Embers Subdivision, Hidalgo County, Texas, 8004 North 3rd Street. **(ZBA2022-0036)**
- c) Request of West Wind Homes for the following Variance requests to the City of McAllen Zoning Ordinance to allow an encroachment of 15 feet into the 25 feet rear yard setback for a proposed swimming pool, the northwest corner of the existing residence, and patio located at the rear of the property, at Lot 87, Cobblestone Subdivision, Hidalgo County, Texas; 7303 North 55th Lane. **(ZBA2022-0040)**
- d) Request of Emma Veras for the following Special Exception request to the City of McAllen Zoning Ordinance to allow an encroachment of 15 feet into the 20 feet front yard setback for an existing carport measuring 12 feet by 15 feet, at Lot 47, Brookwood Unit II Subdivision, Hidalgo County, Texas; 3824 Zinnia Avenue. **(ZBA2022-0038)**
- e) Request of Elizabeth L. Garza for the following Variance to the City of McAllen Zoning Ordinance to allow an encroachment of 4 feet into the 10 feet South side yard setback for an existing single family home, at Lot 124, Vendome Subdivision Phase II, Hidalgo County, Texas; 13818 North 33rd Lane. **(ZBA2022-0037) (TABLED: 07/07/2022)**

3. FUTURE AGENDA ITEMS

- a) 1817 Jefferson Avenue
- b) 2412 Hibiscus Avenue
- c) 2912 Tamarack Avenue
- d) 8401 State Highway 107

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 7, 2022 at 4:30 p.m. in the McAllen City Hall, Commission Chambers with the following present:

Present:	Sylvia Hinojosa	Chairperson
	Jose Gutierrez	Vice-Chairperson
	Ann Tafel	Member
	Hugo Avila	Member
	Rogelio Rodriguez	Member
	Rebecca Millan	Alternate
	Mark Talbot	Alternate
	Juan Mujica	Alternate
	Sam Saldivar	Alternate
Staff Present:	Austin Stevenson	Assistant City Attorney
	Edgar Garcia	Planning Director
	Omar Sotelo	Senior Planner
	Marco Rivera	Planner I
	Samuel Nunez	Planner I
	Samantha Trevino	Planner I
	Porfirio Hernandez	Planning Technician II
	Magda Ramirez	Administrative Assistant

CALL TO ORDER –Chairperson Sylvia Hinojosa

1. MINUTES:

- a)** Minutes for the special meeting held on June 15, 2022.

The minutes for the special meeting held on June 15, 2022 were approved. The motion to approve the minutes were made by Mr. Hugo Avila. Ms. Ann Tafel seconded the motion, which carried unanimously with five members present and voting.

2. PUBLIC HEARINGS:

- a)** Request of Marc Millis for a Special Exception to the City of McAllen off-street parking and Loading ordinance to not provide the required parking for a proposed antique shop and a photographic studio, at Lot 1, Block 37, North McAllen Subdivision, Hidalgo County, Texas; 321 North Main Street. **(ZBA2022-0028)**

Mr. Rivera stated the applicant was requesting a variance to not provide the required parking at the subject property.

The subject property was located at the Southwest corner of Main Street and Date Palm Avenue. The property was zoned C-3 (general business) District. The adjacent zoning is C-3 District to the North, East, and South and C-1 (office building) District to the West.

Surrounding land uses include Birdies Restaurant and Benavides Driving School.

An application for a building permit was submitted on May 3, 2022 for the interior remodeling for an Antique Store and a Photographic Studio. An application for a Special Exception request to not provide the required parking spaces was submitted on May 11, 2022.

This request was to not provide the required 11 parking spaces due to the proposed change of use to operate an antique shop and a photographic studio. The change of use from residential apartment to commercial use (antique shop and a photograph studio) requires compliance with current parking requirements of Sec 138-88(4) "a nonconforming use is converted to a permitted use, the structure or structure and land combination shall not thereafter be used except in conformity with the regulations of the district in which it is located. As per square footage of the buildings, 11 parking spaces are required.

The applicant submitted a revised site plan showing 5 parking spaces are to be provided on site reducing the requirement from 11 parking spaces to 6 parking spaces needed on site.

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

Staff recommended disapproval of the Special Exception request since the change of use requires compliance with the parking requirement.

Board member Saldivar asked staff about the available parking that existed. Mr. Rivera stated it was parking for apartments that were there before which was a nonconforming building. Currently due to the Ordinance section 138-88(4), once there is a change of use which was commercial they were triggering the use of the requirement of the parking spaces into the area.

Board member Tafel asked staff they had received any opposition to this special exception. Mr. Rivera stated yes they had received a phone call.

Vice-Chairperson Gutierrez asked what the opposition was based on. Mr. Rivera stated because they were not providing the needed parking spaces inside of the property. They would be parking off street parking.

Chairperson Hinojosa asked staff if there any room in the front of the property. Mr. Rivera stated that in front of the property there was a sidewalk so there would not be any room on the side of Main Street. On the other side of the applicant was proposing to add a driveway from the alley where the parking spaces will be. He will be providing 5 parking spaces and will be reducing from 11 to 6 needed.

Mr. Mark Millis, 1305 Jasmine Avenue, the applicant stated he and his wife have been in residential/commercial real estate for 45 years combined. They have owned rental properties in McAllen since 2010. When they purchased the property at 321 North Main Street, it was an opportunity to renovating two dilapidated structures along Main Street that was being used a rundown boarding house with 19 tenants. They were aware of the sensitivity of the nonconforming lot and its lack of parking availability. They would be

looking for low impact tenants. He stated they have received several letters in support from people up and down the Main Street corridor.

Chairperson Hinojosa asked the applicant her concern was that he was going to have five parking spaces and employees working. If he had spoken to some of the neighbors about those people parking elsewhere. Mr. Millis stated Mr. Moffitt, to the north, the owner of the vacant lot to the north, Mr. Gutierrez to the west and the church. Mr. Gutierrez responded but he had plans for his property. He stated there would be two people working in the vintage shop up front and two employees in the back. He stated there three spaces on the west side of Main Street in front of the vintage shop.

Board member Tafel asked the applicant what would be the operating hours for these two businesses. Mr. Millis stated the photograph studio would be by appointment only, 10 a.m. to 5:00 p.m. The vintage shop would be Monday through Saturday, 9:00 a.m. to 6:00 p.m.

Vice-Chairperson Gutierrez asked the applicant how many customers at any given time. Mrs. Angela Millis stated that for the vintage shop it would be minimal. The employee would not be at the shop all day.

Chairperson Sylvia Hinojosa asked if there was anyone present in favor of the special exception. There was someone else in favor of the special exception.

Mr. John Ray Bocanegra, owner of the property at 316 N. Broadway Street. He stated they were in favor of the variance request and did not believe that a parking lot was required.

Leticia Escobedo, 400 N. 15th Street, stated they have always admired the Art Walk and that with this type of businesses they can bring it up again. The change of use was a plus.

Chairperson Sylvia Hinojosa asked if there was anyone present in opposition of the special exception. There was no one in opposition of the special exception.

Following discussion, Ms. Ann Tafel **moved** to approve the special exception as presented. Vice-Chairperson Jose Gutierrez seconded the motion. The Board voted to approve the special exception request with five members present and voting.

- b) Request of Sergio Vasquez for the following Variance request to the City of McAllen Zoning Ordinance to allow an encroachment of 14.5 feet into the 25 feet rear yard setback for an existing construction of a gazebo measuring 14.08 feet by 12.08 feet at Lot 54, Paseo Del Rio Subdivision, Hidalgo County, Texas; 4237 Tyler Avenue. **(ZBA2022-0032)**

Mr. Rivera stated the applicant was requesting a variance to the rear yard setback on a double fronting lot for an existing wooden gazebo measuring 14.08 feet by 12.08 feet. As per the applicant, the construction of the gazebo is for enjoyment and relaxing purposes.

The subject property was located at the elbow intersection of South 43th Street and Tyler Avenue. The property has an irregular shape and has an area of 7,244 square footage. The zoning of the property and adjacent zoning is R-1 (single family residential) District and A-O

(agricultural open space) to the South of Uvalde Avenue. The surrounding land use is single-family residential.

Paseo Del Rio Subdivision was recorded on June 2, 2005. An application for a building permit was submitted to the Building Permits & Inspections Department on August 1, 2019, but was never issued. A stop work order was posted on the property March 22, 2022 due to the expired application over 180 days to verify if there was any work done. An application was submitted to the Planning Department for a variance request for an encroachment of 14.5 feet into the 25 feet rear yard setback for an existing gazebo was submitted to the Planning Department on May 24, 2022.

Lot 54 in Paseo Del Rio has double frontage along Uvalde Avenue and a 25 feet rear yard setback as per plat note.

The variance request was to allow an encroachment of 14.5 feet into the 25 feet rear yard setback for an existing wood gazebo measuring 14.08 feet by 12.08 feet. The city of McAllen zoning ordinance states "where lots have double frontage... a required front yard shall be provided on one street only." The proposed site plan shows that the front yard setback along Tyler Avenue will be 25 feet. Since the setback plat notes require a 25 feet rear yard setback, a variance is needed to resolve the plat note requirement.

A review of Planning Department records revealed previous variances for rear yard encroachments on a double fronting lots were approved for Paseo Del Rio between 2011 and 2019.

A 10 feet utility easement adjacent to the rear property line of lot 54 runs concurrently with the 25 feet rear yard setback and will not be impacted by the proposed setback encroachment.

Staff had not received any phone calls or e-mails in regards to the variance requests.

In the past, the Zoning Board of Adjustments has generally approved variance requests for accessory uses but not for living areas.

Staff recommended approval of the variance request since the double frontage as per ordinance, requires the front yard setback to be provided on one street only. The required 25 feet front yard setback has been provided along Tyler Avenue.

Mr. Sergio Vasquez, the applicant stated he wanted to build the gazebo for him and his family to enjoy being outside but with shade.

Chairperson Sylvia Hinojosa asked if there was anyone present in favor of the variance request. There was no one else in favor of the variance request.

Chairperson Sylvia Hinojosa asked if there was anyone present in opposition of the variance request. There was no one in opposition of the variance request.

Being no discussion, Vice-Chairperson Jose Gutierrez **moved** to approve the variance request per staff's recommendation. Mr. Hugo Avila seconded the motion. The Board voted to approve the variance request with five members present and voting.

- c) Request of Frank Elizondo for the following Special Exception request to the City of McAllen Zoning Ordinance to allow an encroachment of 25 feet into the 25 feet front yard setback for an existing carport measuring 30 feet by 24.10 feet, at Lot 22, Saddle Creek Unit 2 Subdivision, Hidalgo County, Texas; 2924 Providence Avenue. **(ZBA2022-0033)**

Mr. Rivera stated the applicant was requesting a special exception for an encroachment into the front yard setback in order to construct a metal carport with a size of 723 square feet and dimensions of 30 feet x 24.10 feet. According to the applicant, the carport was built to protect his three vehicles from the weather elements and (due to the size of the vehicles) they do not fit inside the existing garage.

The subject property was located along the North side of Providence Avenue, 310 feet east of North 31st Street. The lot size is 5,007 square feet. The zoning is R-1 (single-family residential) District. The surrounding land use is single family residential.

Saddle Creek Unit 2 Subdivision was recorded on February 10, 2003, and the plat specifies a 25 feet front yard setback. A stop work order was issued by the Building Permits and Inspections Department on May 2, 2022 for the construction without a permit of the carport. An application for a building permit was submitted to the Building Permits and Inspections Department on May 13, 2022 and an application for Special Exception request was submitted to the Planning department on June 01, 2022.

The applicant was requesting a special exception to allow an encroachment of 25 feet into the 25 feet front yard setback for an existing metal carport measuring 30 feet by 24.10 feet over an existing concrete driveway. 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. Approval of the request to allow the carport within the front yard may encourage other carports to be constructed in the front yard. There is an existing one-car garage that is part of the residence that is currently being used as a storage room and weight room. The applicant owns two vehicles and a work assigned vehicle that are too high for the existing garage.

The Planning Department had not received any emails or calls in opposition to the Special Exception request.

A windshield survey of the area did not reveal any other existing carports in the general area.

At the Zoning Board of Adjustments meeting of June 17, 2015 the Board approved a variance request for a side yard encroachment of 4.5 feet into the 6 feet South yard setback for a wooden storage building measuring 16 feet by 10 feet.

There was no alley on the subject property that would allow for relocation of the proposed carport.

Special exceptions are issued to an individual and recorded, however if new owner purchases the home they will have to apply as new owner.

Staff recommended disapproval of the request due to the size of the carport and since

the home already has an existing garage. Approval of the request may encourage other property owners to build similar structures. However, if the Board approves the request it should be limited to the encroachment shown in the submitted site plan.

Vice-Chairperson Gutierrez asked staff if the carport went up the property line. Mr. Rivera stated yes.

Mr. Dallas Gutierrez on behalf of Frank Elizondo stated that he had found a contractor to build a carport not aware that they had not obtain the proper permits. He wanted to provide protection for three vehicles. After a large amount of money spent the applicant realized that it was not conforming he tried to find the contractor but could not be found.

Chairperson Sylvia Hinojosa asked if there was anyone present in favor of the special exception. There was someone else in favor of the special exception.

Ms. Nancy Garcia, neighbor on the next block to the applicant stated she was in favor of the special exception.

Mr. Jack Edwards, 1321 Jasmine Avenue, stated he did not know the applicant but said he was in favor.

Chairperson Sylvia Hinojosa asked if there was anyone present in opposition of the special exception. There was no one in opposition of the special exception.

Following discussion, Mr. Hugo Avila **moved** to disapprove the special exception request. Ms. Ann Tafel seconded the motion. The Board voted to disapprove the special exception request with four members voting aye and one voting nay, Mr. Rogelio Rodriguez.

- d) Request of Melden & Hunt, Inc. on behalf of Trentbak I, LLC for the following Special Exception request to the City of McAllen Zoning Ordinance to allow an encroachment of 19 feet into the 50 feet front yard setback for a proposed canopy (carport) measuring 21.51 feet by 44.24 feet, at Premier Storage Subdivision, Hidalgo County, Texas; 301 East Trenton Road. **(ZBA2022-0034)**

Mr. Rivera stated the applicant was requesting a special exception for an encroachment into the front yard setback in order to construct a metal carport. The recorded plat requires a 50 feet front yard setback.

The subject property was 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 and vacant land, Southern Union Pacific Railroad and Drainage R.O.W by the City of McAllen.

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 was submitted to the Planning Department on June 02, 2022.

The request was for a special exception to allow an encroachment of 19 feet into the 50 feet front yard setback for a proposed metal canopy (carport) measuring 21.51 feet by 44.24 feet.

The city of McAllen Zoning ordinance requires a minimum of 15 feet for the front yard setback on commercial properties. However, the plat requires a 50 feet front yard setback. A Special Exception was needed to resolve the encroachment. The proposed site plan shows the structure to be 31 feet away from the property line; a variance was needed to resolve the plat note requirement.

Measurements for the proposed encroachment provided are without the benefit of a survey.

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.

Staff recommended approval of the Special Exception request since the city ordinance only requires a minimum of 15 feet for the front yard setback for this property.

Chairperson Sylvia Hinojosa asked if there was anyone present in favor of the special exception. There was no one else in favor of the special exception.

Ms. Kelley Vela with Melden & Hunt stated she was present to answer any questions from the Board. There were no questions.

Chairperson Sylvia Hinojosa asked if there was anyone present in opposition of the special exception. There was no one in opposition of the special exception.

Following discussion, Ms. Ann Tafel **moved** to approve the special exception request. Vice-Chairperson Jose Gutierrez seconded the motion. The Board voted to approve the special exception request with five members present and voting.

- e) Request of Elizabeth L. Garza for the following Variance to the City of McAllen Zoning Ordinance to allow an encroachment of 4 feet into the 10 feet South side yard setback for an existing single family home, at Lot 124, Vendome Subdivision Phase II, Hidalgo County, Texas; 13818 North 33rd Lane. **(ZBA2022-0037)**

This item was tabled per the applicant until the next meeting.

Following discussion, Ms. Ann Tafel **moved** to table the item. Vice-Chairperson Jose Gutierrez seconded the motion. The Board voted to table the item with five members present and voting.

4. FUTURE AGENDA ITEMS:

- a) 3917 Umar Avenue
- b) 8004 North 3rd Street
- c) 3824 Zinnia Avenue
- d) 7303 North 55th Lane

ADJOURNMENT

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

Chairperson Sylvia Hinojosa

Magda Ramirez, Administrative Assistant

Planning Department

Memo

TO: Zoning Board of Adjustment & Appeals

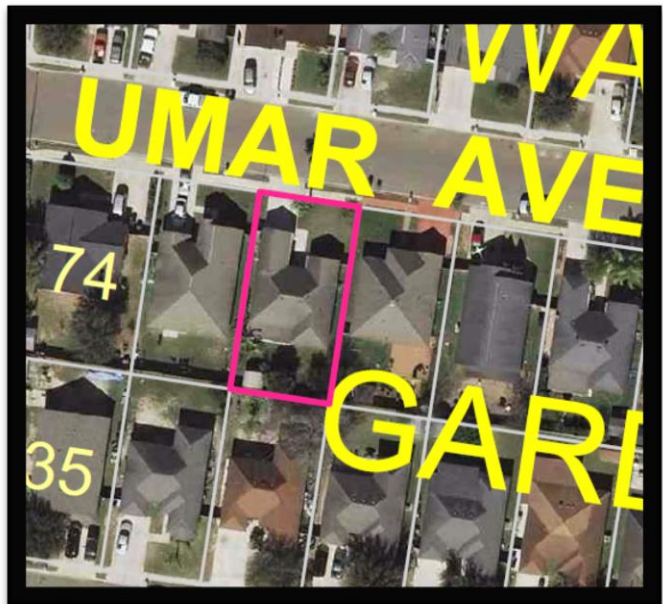
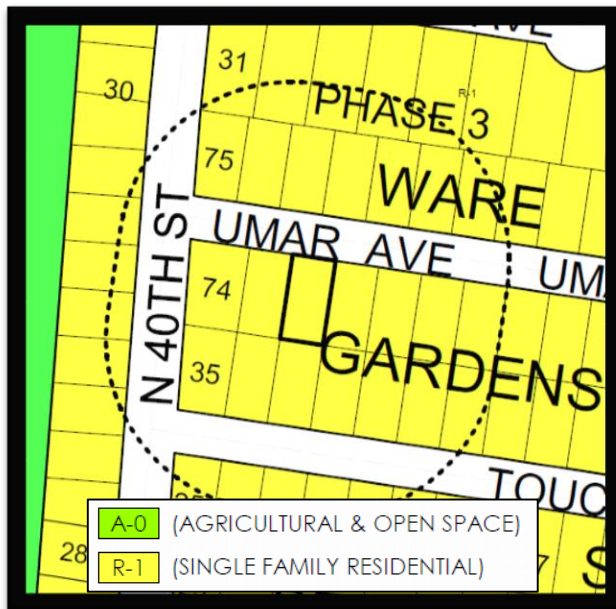
FROM: Planning Staff

DATE: July 14, 2022

SUBJECT: REQUEST OF ANITA FLORES TO ALLOW A SPECIAL EXCEPTION TO THE CITY OF MCALLEN OFF-STREET PARKING AND LOADING ORDINANCE TO NOT PROVIDE ONE REQUIRED PARKING SPACE BEYOND THE FRONT YARD SETBACK LINE AT LOT 72, WARE GARDENS SBDIVISION, HIDALGO COUNTY, TEXAS; 3917 UMAR AVENUE. (ZBA2022-0035)

REASON FOR APPEAL:

The applicant is requesting a special exception to the parking requirement of one off-street parking space beyond the front yard setback (as required by section 138-394). The applicant purchased her home in 2018 with an enclosed garage.



PROPERTY LOCATION AND VICINITY:

The subject property is located on the south side of Umar Avenue, approximately 119 ft. east of North 40th Street. The property has 50 ft. of frontage along Umar Avenue, with a depth of 98.75 ft. for a lot size of 4,937 square feet. The property is zoned R-1 (single family residential district). Surrounding land use is single family residential.

BACKGROUND AND HISTORY:

The subdivision application for Ware Gardens Subdivision was initially submitted in January 1999, and received preliminary and final approval on May 5, 1999. At the time, the parking requirement for single-family residential homes was two parking spaces with no requirement for parking beyond the front yard setback. The Board of Commissioners amended the zoning ordinance in November 1999 to require two parking spaces beyond the front yard setback (later reduced to one parking space beyond the front yard setback).

The plat for Ware Gardens Subdivision was recorded on August 21, 2000.

According to Hidalgo County Appraisal District, the house was built in 2002, and the garage was enclosed the same year by the previous owners (no building permit was found for this enclosure). The applicant received a non-compliance notice from the Building Permits and Inspections Department in 2019 for the enclosed garage, approximately one year after she purchased the home. The application for the special exception was submitted on June 7, 2022.

ANALYSIS:

The request is to not provide a required parking space beyond the front yard setback line. According to the site plan submitted, the enclosed garage area (now a living room/kitchen area) measures 12 ft. by 18.5 ft. Moreover, the front driveway measures approximately 16 ft. by 20 ft., which would accommodate two required parking spaces.

The intent for the requirement of locating one parking space beyond the front yard setback line is to improve the street yard appearance of single-family residential areas by reducing the number of cars parked along the street and within the front yard.

Approval of the request may encourage other property owners to enclose their garages.

A review of Planning Department records did not reveal any similar special exceptions approved in this subdivision.

Staff has not received any phone calls or emails in opposition to the special exception request.

RECOMMENDATION:

Staff recommends approval of the special exception request since the submission and approval of the Ware Gardens Subdivision was in January 1999 prior to the adoption of the ordinance that required parking beyond the front yard setback.

2BA2022-0035

2BDA-7/20/22



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 Ware Gardens Lot 72

Subdivision Name Ware Gardens Lot 72

Street Address 3917 Umar Ave

Number of lots 1 Gross acres

Existing Zoning R1 Existing Land Use R2

Reason for Appeal (please use other side if necessary) Not providing parking space. Beyond set back.

☒ \$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 Anita Flores Phone (956) 600-9859

Address 3917 Umar Ave E-mail afitsme@hotmail.com

City McAllen State TX Zip 78504

Owner

Name Anita Flores Phone (956) 600-9859

Address 3917 Umar Ave E-mail afitsme@hotmail.com

City McAllen State TX Zip 78504

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 Anita Flores

Date 6-7-22

Print Name Anita Flores

☒ Owner

☐ Authorized Agent

ENTERED

Office

Accepted by MR

Payment received by

Date JUN 07 2022

Rev 09/20

Initial: AF

05



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:

When Dought home enclosed Garage was done.
prior

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

It would be best effective

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:

home was purchased with enclosed Garage.

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

Enclosed Garage done prior

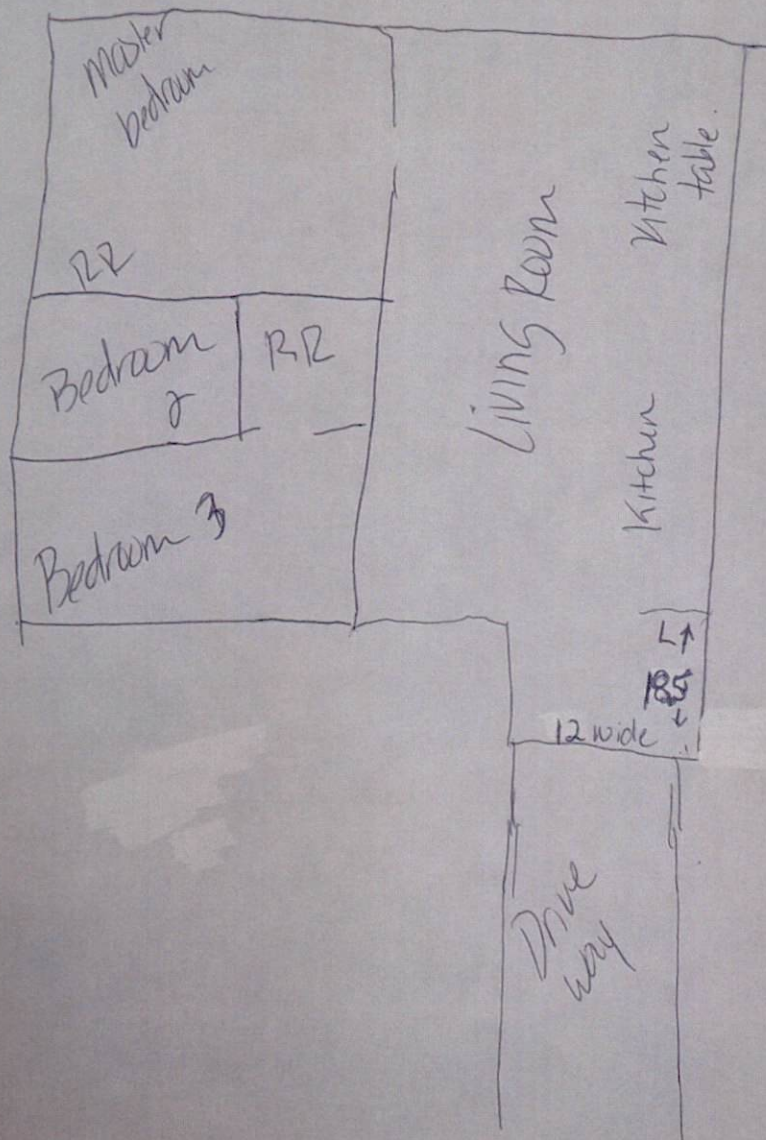
Reason for Appeal

Board Action

Chairman, Board of Adjustment
Signature

Date

Anita Flores
3917 Umar Ave
McAllen TX 78504



Side walk

Umar Ave

ENTERED

JUN 07 2022

Initial:

AF

SCALE: 1" = 100'

LEGEND

● FND. #4 REBAR

▲ FND. R.R. SPIKE

○ SET #4 REBAR

NOTE: SET #4 REBAR ON
ALL LOT CORNERS

PRIDE O' TEXAS SUBD.
(Vol. 5, Pg. 58-59, M.R.)
226

S 81°18'00" E 1405.52'

UMAR AVENUE

TOUCAN AVE.

N 81°18'00" W 1368.45'

PRIDE O' TEXAS SUBD. (Vol. 5, Pg. 58-59, M.R.)
224

5 MILE RD.

P.O.B.
N.E. COR.
LOT 225
PRIDE O' TEXAS SUBD.

METES AND BOUNDS DESCRIPTION

A TRACT OF LAND CONTAINING 15.761 ACRES SITUATED IN THE COUNTY OF HIDALGO, TEXAS, BEING ALL OF LOT 225, THE NORTH 1/2 OF LOT 224, PRIDE O' TEXAS SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 5, PAGE 58-59, HIDALGO COUNTY MAP RECORDS, AND A 0.761 ACRE (0.77 AC.) TRACT OUT OF LOT 66, LA LOMITA IRRIGATION & CONSTRUCTION COMPANY SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 24, PAGES 67-68, HIDALGO COUNTY DEED RECORDS, SAID 15.761 ACRES ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE CENTERLINE OF WARE ROAD FOR THE NORTHEAST CORNER OF SAID LOT 225, AND FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE S 08° 42' 00" W ALONG THE EAST LINES OF SAID LOTS 225 & 224, AND WITHIN SAID WARE ROAD R.O.W., A DISTANCE OF 495.00 FEET TO THE SOUTHWEST CORNER OF THIS TRACT;

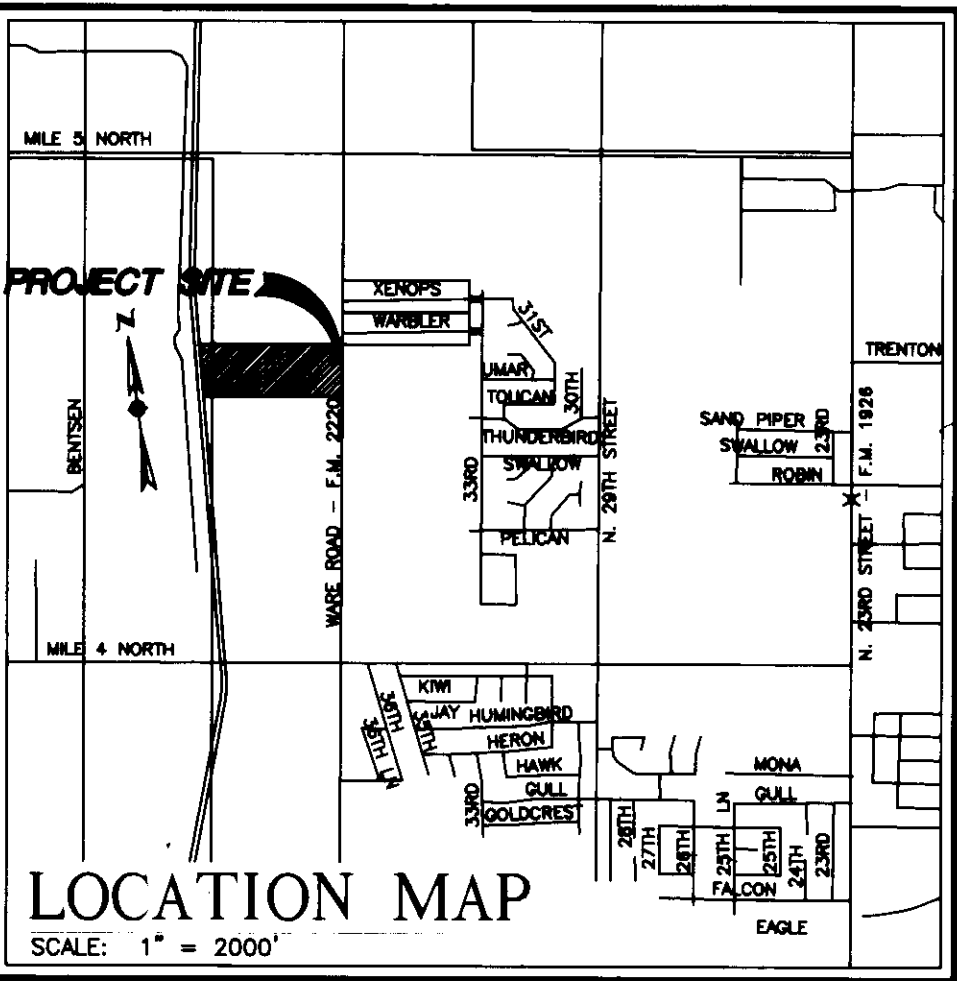
THENCE N 81° 18' 00" W PARALLEL TO THE NORTH LINE OF SAID LOT 224, AT A DISTANCE OF 40.00 FEET PASS THE WEST RIGHT-OF-WAY LINE OF SAID WARE ROAD AS DEDICATED BY VOL. 930, PG. 572, HIDALGO COUNTY DEED RECORDS, AT A DISTANCE OF 40.04 FEET PASS AN IRON ROD FOUND IN LINE, AT A DISTANCE OF 1320.00 FEET PASS THE WEST LINE OF SAID LOT 224, AND THE EAST LINE OF SAID LOT 66, AND CONTINUING A TOTAL DISTANCE OF 1368.45 FEET TO AN IRON ROD FOUND FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE N 04° 25' 02" E ALONG THE EAST LINE OF A 200.00 FOOT HIDALGO COUNTY IRRIGATION DISTRICT NO. 1 CANAL RIGHT-OF-WAY, A DISTANCE OF 496.39 FEET TO AN IRON ROD FOUND FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE S 81° 18' 00" E AT A DISTANCE OF 85.52 FEET PASS THE EAST LINE OF SAID LOT 66, AND THE NORTHWEST CORNER OF SAID LOT 225, AT A DISTANCE OF 1364.92 FEET PASS AN IRON ROD FOUND IN LINE, AT A DISTANCE OF 1365.52 FEET PASS THE WEST RIGHT-OF-WAY LINE OF SAID WARE ROAD, AND CONTINUING A TOTAL DISTANCE OF 1405.52 FEET TO THE POINT OF BEGINNING, AND CONTAINING 15.761 ACRES, OF WHICH 0.455 OF ONE ACRE LIES IN THE RIGHT-OF-WAY OF WARE ROAD, LEAVING A NET OF 15.306 ACRES OF LAND, MORE OR LESS.

CURVE	LENGTH	RADIUS	TANGENT	BEARING	CHORD	DELTA
"1"	36.56'	50.00'	19.14'	S74°04'23"W	35.75'	41°53'32"
"2"	40.04'	50.00'	21.16'	N62°02'25"W	38.98'	45°52'50"
"3"	33.61'	50.00'	17.47'	N19°50'40"W	32.98'	38°30'41"
"4"	32.85'	50.00'	17.04'	N18°14'07"E	32.27'	37°38'53"
"5"	15.02'	50.00'	7.57'	N45°39'58"E	14.97'	17°12'49"
"6"	12.72'	50.00'	6.39'	N28°35'07"W	12.69'	14°34'32"
"7"	32.38'	50.00'	16.78'	N03°44'40"W	31.82'	37°08'21"
"8"	32.38'	50.00'	16.78'	N33°21'41"E	31.82'	37°08'21"
"9"	30.81'	50.00'	15.91'	N69°34'03"E	30.33'	35°18'22"
"10"	30.81'	50.00'	15.91'	S75°07'36"E	30.33'	35°18'22"
"11"	18.98'	50.00'	9.80'	S46°30'01"E	18.86'	21°44'46"

IRREGULAR LOT AREAS		IRREGULAR LOT AREAS		IRREGULAR LOT AREAS	
LOT NO.	SQ. FT.	LOT NO.	SQ. FT.	LOT NO.	SQ. FT.
1	6,337	26	4,388	97	7,648
2	4,823	34	4,990	98	4,895
3	6,482	35	5,716	99	6,541
4	5,780	74	6,446		
5	4,571	75	5,302		
6	4,843	95	5,228		
25	5,090	96	6,305		



MAP OF WARE GARDENS SUBDIVISION

BEING 15.761 ACRES OUT OF LOTS 224 & 225,
PRIDE O' TEXAS SUBDIVISION
AS RECORDED IN VOLUME 5, PAGE 58-59, H.C.M.R.
AND LOT 66, LA LOMITA IRRIGATION & CONSTRUCTION CO. SUBD.
AS RECORDED IN VOLUME 24, PAGE 67-68, H.C.D.R.
McALLEN, HIDALGO COUNTY, TEXAS

GENERAL PLAT NOTES:

- SETBACK AS FOLLOWS: (EXCEPT WHERE GREATER SETBACK OR EASEMENT APPLIES)
FRONT..... 20 FEET
REAR..... 10 FEET
COMMON SIDE..... 6 FEET
SIDE CORNER..... 10 FEET
GARAGE..... 18 FEET (EXCEPT WHERE GREATER REQUIRED FOR SETBACK OR EASEMENT)
- MINIMUM PERMISSIBLE FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB AT THE MID POINT OF THE LOT OR NATURAL GROUND +12", WHICHEVER IS GREATER.
- BENCH MARK: FOUND SQUARE CUT ON N.W. COR. OF SOUTHWESTERN BELL CONC. SLAB LOCATED AT N.W. COR OF PASEO DEL NORTE PHASE 1, SUBD. EL = 122.11
- THIS SUBDIVISION IS LOCATED IN ZONE "C" ON FEMA'S FLOOD INSURANCE RATE MAP, COMMUNITY PANEL No. 480334 0400C, MAP REVISED NOV. 16, 1982.
- EACH LOT WILL BE REQUIRED TO DETAIN 618 C.F. OF STORM SEWER RUNOFF, FOR A TOTAL OF 61,227 C.F. OF DETENTION AS PER DRAINAGE REPORT.
- NO LOT CURB CUT OR LOT FRONTAGE SHALL BE ALLOWED TO WARE ROAD.
- A 15'x15' CORNER CLIP EASEMENT IS HEREBY DEDICATED AT ALL STREET INTERSECTIONS UNLESS OTHERWISE SHOWN.
- A 4 FT. SIDEWALK SHALL BE REQUIRED ALONG NORTH WARE ROAD, AND ON BOTH SIDES OF ALL INTERIOR STREETS AND N. 40th ST.
- A 6 FT. BUFFER FROM ADJACENT COMMERCIAL ZONE\ USE AND ALONG WARE RD.
- DRAINAGE DETENTION REQUIRED OF 1.40 ACRES - FEET.
- DEVELOPER REQUIRED TO PROVIDE AN ENGINEERED DETENTION PLAN APPROVED BY THE ENGINEERING DEPARTMENT, PRIOR TO APPLICATION FOR A BUILDING PERMIT.
- NO ENTRANCE TO LOTS 1 THRU 3 AND 97 THRU 99 FROM WARE ROAD.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEX. WATER CODE 49.21 (c). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER OF THE SUBDIVISION AND ITS ENGINEER TO MAKE THESE DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

BY: *[Signature]*

STATE OF TEXAS
COUNTY OF HIDALGO

I, V.E. THE UNDERSIGNED, HOLDER(S) (OR DULY AUTHORIZED OFFICERS OF THE HOLDER(S)) OF A SECURITY INTEREST IN THE ABOVE DESCRIBED PROPERTY, BEING THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS **WARE GARDENS SUBDIVISION** OF THE CITY OF McALLEN, TEXAS, DO HEREBY CONSENT TO THE SUBDIVISION OF THE PROPERTY AS PROVIDED FOR UNDER THE PLAT AND DO HEREBY PROVIDE THAT ANY FORECLOSURE RELATING TO THE SECURITY INTEREST ON THE ABOVE DESCRIBED PROPERTY SHALL BE SUBJECT TO THE PAYING OF THE PROPERTY AS PROVIDED FOR HEREIN.

DOUG BREADY
TEXAS STATE BANK

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED **DOUG BREADY**, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS 25th DAY OF February, 2000.

[Signature]
NOTARY PUBLIC, FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES:

[Signature]
My Comm. Exp. 03-26-2001

DRAWN BY: RUBEN (D.J.) DE JESUS DATE: 9-15-99
SURVEYED, CHECKED *[Signature]* DATE: 9-16-99
FINAL CHECK *[Signature]* DATE: 4-13-00

STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS **WARE GARDENS** SUBDIVISION TO THE CITY OF McALLEN, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAIN EASEMENTS, WATER LINES, SEWER LINES, STORM SEWERS, FIRE HYDRANTS, AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH I WILL CAUSE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF McALLEN ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED, EITHER ON THE PLAT HEREON OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF McALLEN.

MARK DIZDAR, OWNER
1409 N. MAIN ST.
McALLEN, TEXAS 78504

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED **MARK DIZDAR**, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE 25th DAY OF October, 1999.

[Signature]
NOTARY PUBLIC, FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES:

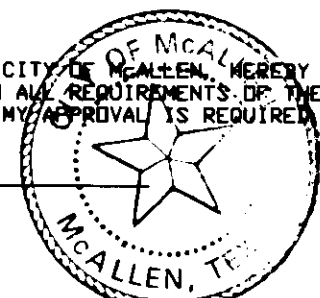


I, THE UNDERSIGNED, CHAIRMAN OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF McALLEN HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

[Signature]
CHAIRMAN, PLANNING COMMISSION

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

[Signature]
MAYOR, CITY OF McALLEN



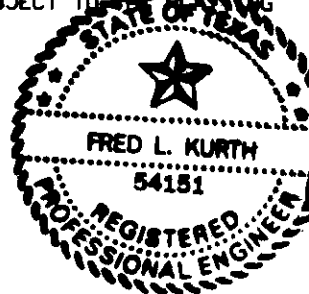
THIS PLAT APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT No. 1 ON THIS THE 25th DAY OF October, 1999.

ATTEST: *[Signature]*
NOTARY PUBLIC, FOR THE STATE OF TEXAS
[Signature]
PRESIDENT

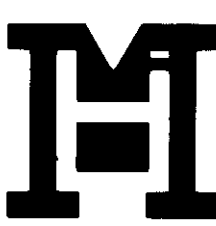
NOTE: HIDALGO COUNTY IRRIGATION DISTRICT NO. 1 WILL NOT BE RESPONSIBLE FOR DRAINAGE OR DELIVERY OF WATER TO ANY LOT IN THIS SUBDIVISION. IF DESIRED, THIS WILL NOT BE AT THE DISTRICTS EXPENSE. ALSO THERE WILL NOT BE ANY PERMANENT STRUCTURES ON DISTRICT RIGHT-OF-WAYS AND OR EASEMENTS.

STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED, FRED L. KURTH, A REGISTERED PROFESSIONAL ENGINEER AND REGISTERED PUBLIC LAND SURVEYOR, IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT AND IS A TRUE AND ACCURATE REPRESENTATION OF THE SUBDIVISION OF THE LANDS HEREON DESCRIBED.



[Signature]
FRED L. KURTH, RPE # 54151 RPLS #4750
DATE SURVEYED: 12-28-98
DATE PREPARED: 1-27-98
T-508, PG. 40-49, JOB No. 98174



MELDEN & HUNT INC.
CONSULTANTS • ENGINEERS • SURVEYORS

115 W. MCINTYRE
EDINBURG, TX 78539
E-MAIL: mhiang@aol.com
OFF: (956) 381-0881
FAX: (956) 381-1839
ESTABLISHED 1947

Memo

TO: Zoning Board of Adjustment & Appeals

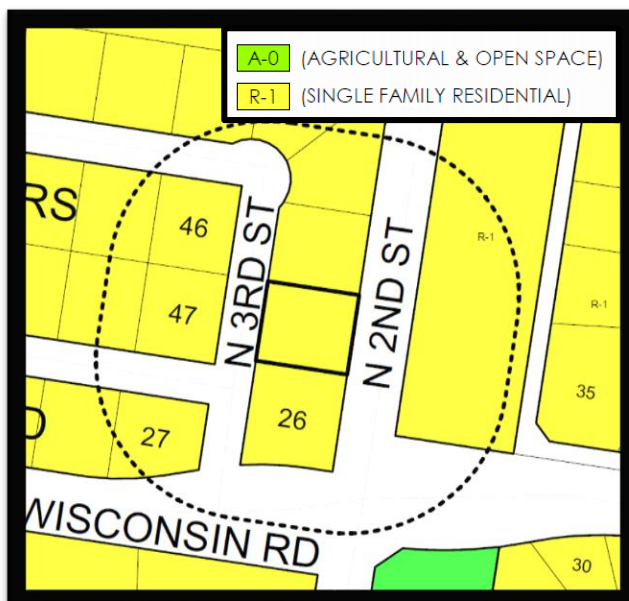
FROM: Planning Staff

DATE: July 14, 2022

SUBJECT: REQUEST OF RAMOS POOLS FOR A VARIANCE TO THE CITY OF MCALLEN ZONING ORDINANCE TO ALLOW AN ENCROACHMENT OF 10 FEET INTO THE 25 FEET REAR YARD SETBACK FOR A PROPOSED IRREGULARLY SHAPED SWIMMING POOL WITH A SUN LEDGE MEASURING 8 FEET BY 10 FEET AND A SWIM SPA MEASURING 8 FEET BY 8 FEET, AT LOT 25, THE EMBERS SUBDIVISION, HIDALGO COUNTY, TEXAS; 8004 NORTH 3RD STREET. (ZBA2022-0036)

REASON FOR APPEAL:

The applicant is requesting a variance to the rear yard setback on a double fronting lot for a proposed irregularly-shaped swimming pool with a sun ledge and swim spa. The applicant is requesting to allow the swimming pool to be constructed with an encroachment of 10 feet into the 25 feet rear yard setback as required on the subdivision plat.



PROPERTY LOCATION AND VICINITY:

The subject property is located in The Embers Subdivision (gated community), with frontage on North 3rd Street and North 2nd Street. The property has 100 ft. of frontage along North 3rd Street and a depth of 116 ft. for a lot size of 11,600 square feet. The property and adjacent zoning is R-1 (single-family residential) District. The surrounding land use is single-family residential and vacant land.

BACKGROUND AND HISTORY:

The Embers Subdivision was recorded on June 6, 2016. An application for a proposed swimming pool permit has not been submitted to the Building and Inspections Department. However, an application for the variance request was submitted on June 13, 2022.

ANALYSIS:

Lots 1 through 5 and 23 through 32 in The Embers Subdivision have double frontage with either Wisconsin Road or North 2nd Street at the rear property line of the lots. The recorded plat for the subdivision requires the aforementioned lots to have a 25 feet rear yard setback.

The variance request is to allow an encroachment of 10 feet into the 25 feet rear yard setback for a proposed irregularly-shaped swimming pool with a sun ledge measuring 8 feet by 10 feet and a swim spa measuring 8 feet by 8 feet. The City of McAllen Zoning Ordinance states “where lots have double frontage...a required front yard shall be provided on one street only.” The submitted site plan shows that the front yard setback along North 3rd Street is 25 feet. However, an approved variance request is still necessary to resolve the plat note setback requirement of 25 feet for the rear yard.

A 15 feet utility easement adjacent to the rear property line of Lot 25 runs concurrently with the 25 feet rear yard setback and will not be impacted by the proposed encroachment.

A review of the Planning Department’s records revealed that two similar variances were previously approved in the subdivision. At the Zoning Board of Adjustment & Appeals meeting of July 17, 2019, the Board approved an encroachment of 15 feet into the 25 feet rear yard setback for a proposed irregularly-shaped swimming pool for Lot 27. An approval was also granted at a later meeting on August 18, 2021 for a proposed swimming pool and landing area with an encroachment of 9.75. into the 25 ft. rear yard setback for Lot 2.

The Board has approved four other variances in this subdivision between the years 2019 and 2021 for encroachments into the front and rear yard setbacks for single family residential and accessory uses.

Staff has not received any phone calls or e-mails in regards to the variance request.

RECOMMENDATION:

Staff recommends approval of the variance request since the required front yard has 25 feet along North 3rd Street and is in compliance with the City of McAllen Zoning Ordinance requirement for double fronting lots.

ZBA 2022-0036

ZBA
7/20/2022

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 LOT 25 EMBERS S/D

Subdivision Name EMBERS

Street Address 8004 N. 3rd Street, McAllen TX 78504

Number of lots 1 Gross acres .25

Existing Zoning Residential Existing Land Use HOME UNDER CONSTRUCTION

Reason for Appeal (please use other side if necessary) Swimming pool construction.
REQUESTING USE OF 10' FT OF THE 25' FT 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 Ramos Pools Phone 956-435-5924

Address 1109 N. 27th St. E-mail Ramospools@outlook.com

City McAllen State TX Zip 78501

Owner

Name MARIO YSAGUIRRE Phone 956-279-4714

Address 412 E AVOCET AVE. E-mail BanKerdad1@yahoo.com

City McAllen State TX Zip 78504

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 6-10-2022Print Name MARIO YSAGUIRRE☒ Owner☐ Authorized Agent

Office

Accepted by _____ Payment received by _____ Date _____

Rev 10/18

JUN 13 2022

BY: [Signature]

J.L.F.



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 would like to construct a swimming pool in BACK YARD.

BACK YARD HAS 25' SET-BACK LINE. I AM REQUESTING PERMISSION

TO ENCROACH 10' FT INTO THE 25' FT SET-BACK. THE '15 FT UTILITY EASEMENT WILL NOT BE ENTERED INTO.

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

VARIANCE TO ALLOW 10 FT ENCROACHMENT INTO 25 FT SETBACK IS NECESSARY FOR PLACEMENT OF SWIMMING POOL. SEE MAP ATTACHED.

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:

VARIANCE IS FOR "ACCESSORY" USE NOT "LIVING AREA" USE. NO SURROUNDING NEIGHBORS WOULD BE EFFECTED BY VARIANCE APPROVAL.

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

NO SPECIAL CONDITIONS. Simply requesting permission to ENCROACH 10 FT INTO 25 FT SETBACK FOR CONSTRUCTION OF SWIMMING POOL. (SEE ATTACHED MAP)

Reason for Appeal

Board Action

Chairman, Board of Adjustment
Signature

Date

June 10, 2022

To City of McAllen Planning dept and members of the Zoning Board

Please be advised that, I Mario Ysaguirre, am the legal owner of lot 25 Embers Subdivision, addressed at 8004 North 3rd Street, McAllen TX 78504.

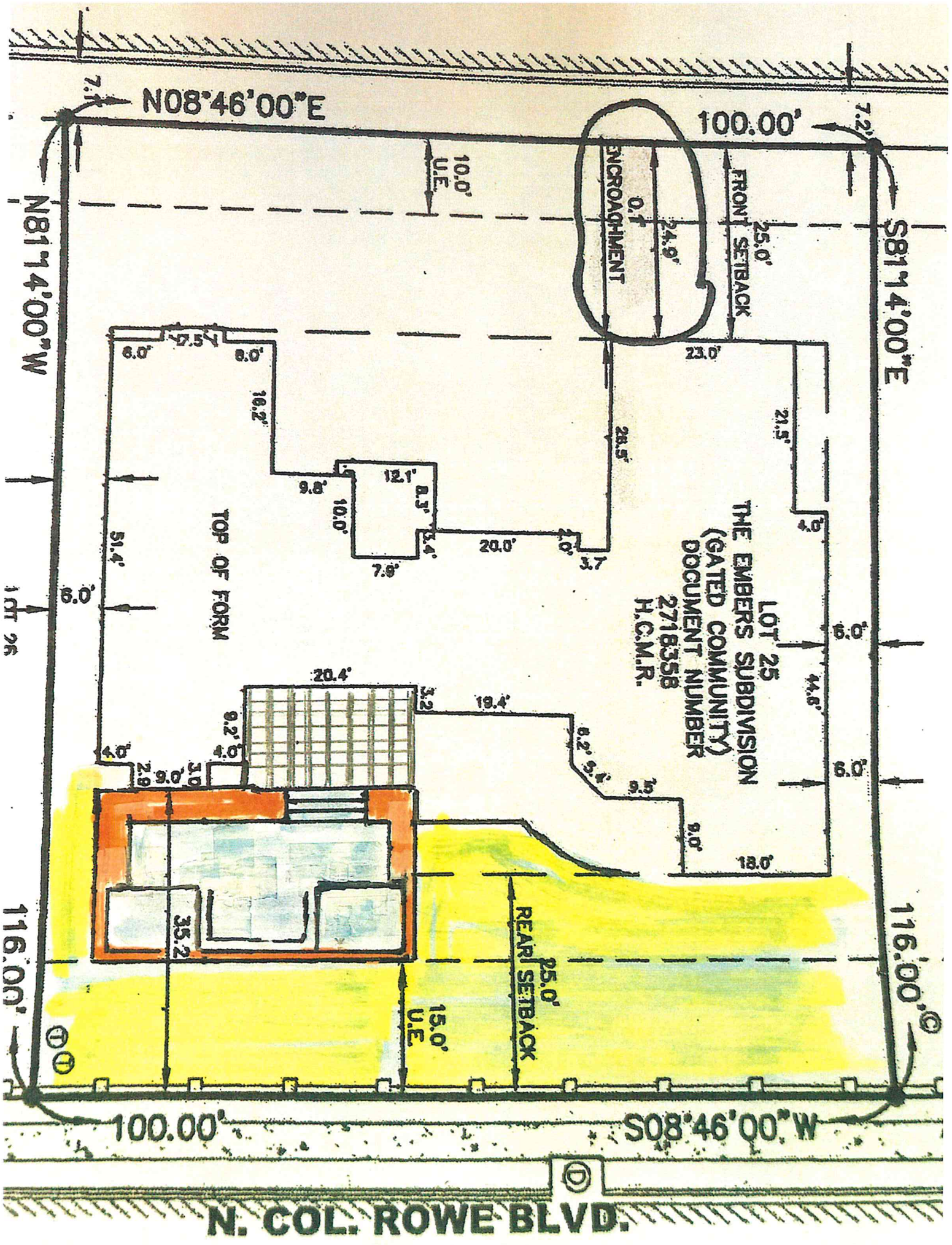
Please use this letter as my approval to **AUTHORIZE RAMOS POOLS** to act on my behalf concerning all matters related to requests for variance(s); in connection with the construction of a swimming pool at the same address mentioned in the opening of this letter.

If there are any questions – please do not hesitate to call me on my cell# at (956) 279-4714.

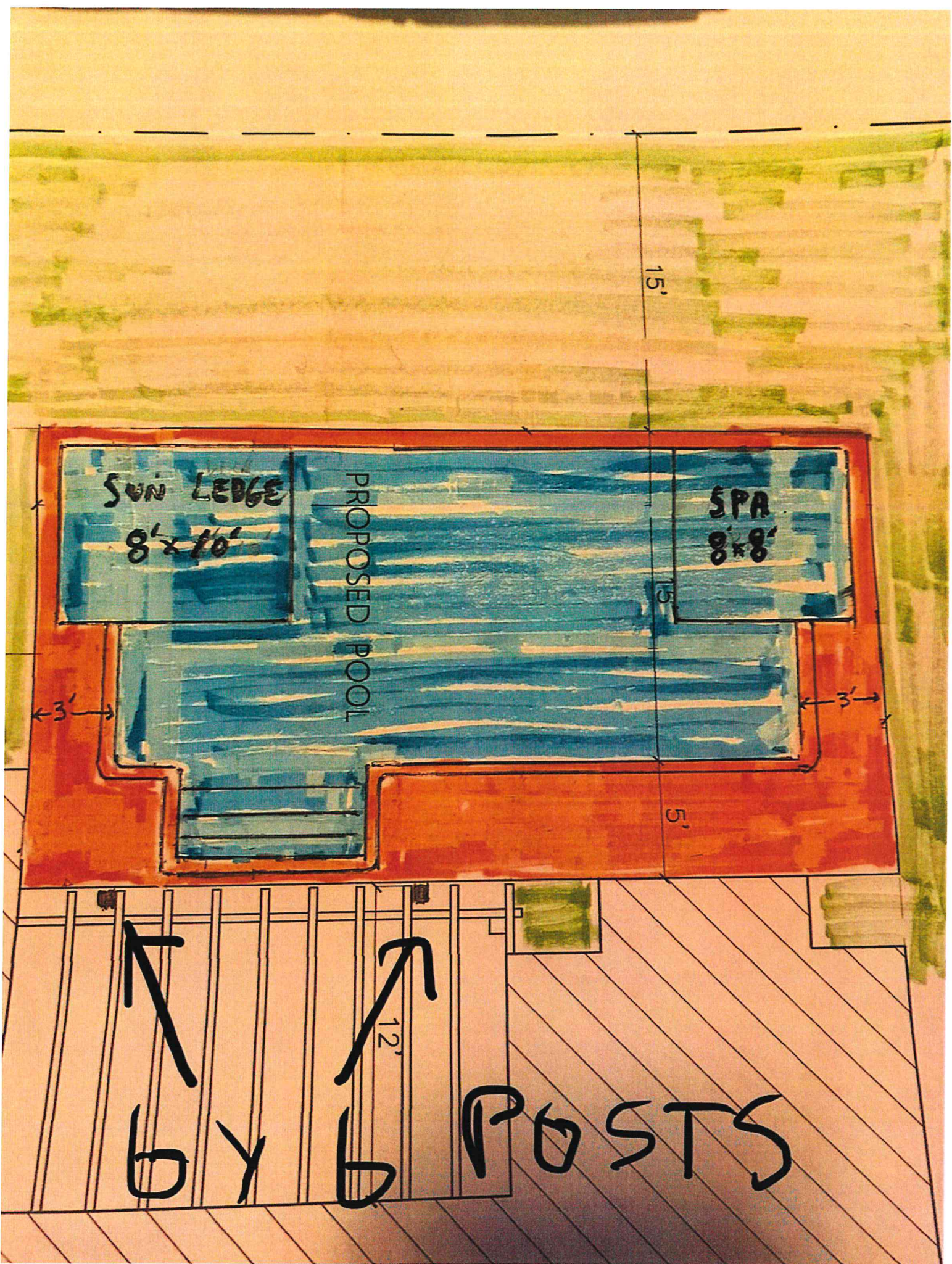
Thank you

A handwritten signature in black ink, appearing to read 'Mario Ysaguirre', written over a horizontal line.

Mario Ysaguirre



N. COL. ROWE BLVD.



SUN LEDGE
8' x 10'

PROPOSED POOL

SPA
8' x 8'

6 x 6 POSTS

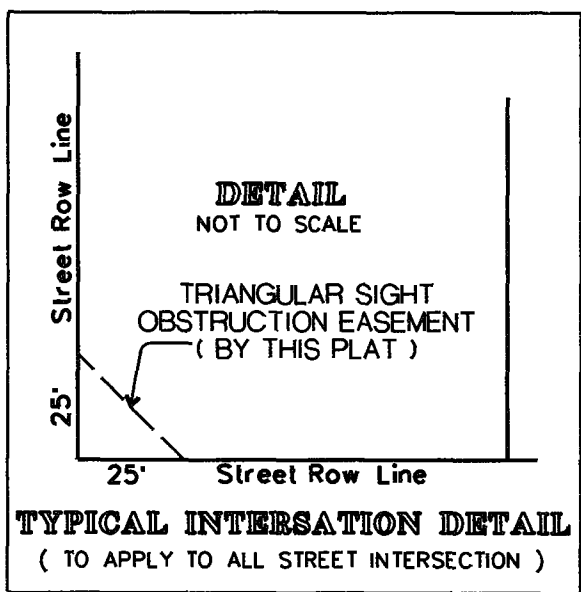


NOTICE
VARIANCE
FOR
THIS PROPERTY
ZBA2022-0036
CITY OF MCALLEN PLANNING DEPT.
956-684-1250
WWW.MCALLE.NET

HAWK
DISPOSAL
(956) 992-0496

1619





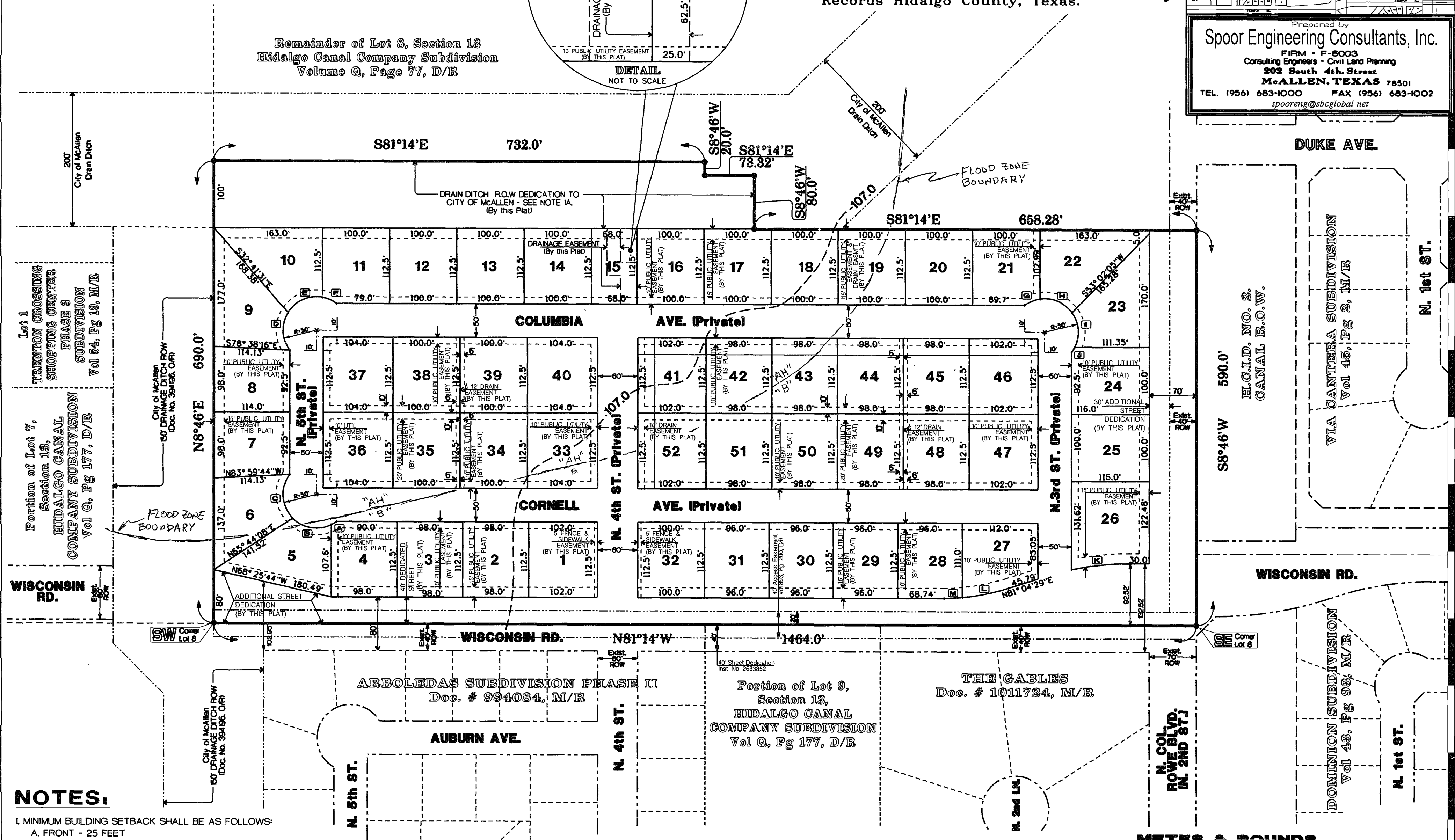
October 20, 2015
1"=100'

MAP OF THE EMBERS SUBDIVISION (GATED COMMUNITY)

City of McAllen, Texas

BEING A SUBDIVISION OF A 21.64 ACRES OF LAND OUT OF LOT 8, SECTION 13, HIDALGO CANAL COMPANY SUBDIVISION, of Porciones 64, 65, and 66, Hidalgo County, Texas recorded in vol. Q, page 177, Deed Records Hidalgo County, Texas.

Prepared by
Spoor Engineering Consultants, Inc.
FIRM # F-6003
Consulting Engineers - Civil Land Planning
302 South 4th Street
McAllen, TEXAS 78501
TEL. (956) 683-1000 FAX (956) 683-1002
spooreng@sbcglobal.net



NOTES:

- MINIMUM BUILDING SETBACK SHALL BE AS FOLLOWS:
 - FRONT - 25 FEET
 - CORNER - 10 FEET OR GREATER FOR EASEMENTS
 - GARAGE - 18 FEET EXCEPT WHERE GREATER IS REQUIRED, GREATER APPLIES
 - REAR -
 - Lots 1 through 5 and 23 through 32 - 25 feet
 - Lots 6 through 22 - 15 feet minimum
 - Lots 33 through 52 - 10 feet minimum
 - OTHERS - IN ACCORDANCE WITH ZONING ORDINANCE OR TO EASEMENT LINE, WHICHEVER IS GREATER
- MINIMUM FINISH FLOOR ELEVATION SHALL BE 18 INCHES ABOVE TOP OF CURB MEASURED AT FRONT CENTER OF LOT, OR ELEV. 107.0, WHICHEVER IS HIGHER.
- THIS PROPERTY FALLS IN ZONE "B" AND "AH" OF THE FLOOD INSURANCE RATE MAP, PANEL NO. 480 334 0425C, REVISED NOVEMBER 16, 1982.
- A 6 FT. OPAQUE BUFFER IS REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL OR INDUSTRIAL ZONEUSES, AN 8 FT. MASONRY WALL IS REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONEUSES
- A 4 FT. SIDEWALK IS REQUIRED ALONG THE NORTH SIDE OF WISCONSIN ROAD. THE WEST SIDE OF NORTH COL. ROWE BLVD. AND ALONG BOTH SIDES OF NORTH 3RD STREET, NORTH 4TH STREET, NORTH 5TH STREET, CORNELL AVENUE, AND COLUMBIA AVENUE.
- BENCHMARK - STATION NAME: MC 51 SET BY ARANDA AND ASSOC. LOCATED AT THE NORTHWEST CORNER OF WISCONSIN RD AND DRAIN DITCH ELEV:107.56 (NAVDS8)
- OWNER IS REQUIRED TO PROVIDE AND ENGINEERED STORM WATER DETENTION PLAN APPROVED BY THE CITY OF McALLEN ENGINEERING DEPARTMENT PRIOR TO ISSUANCE OF BUILDING PERMIT. MASTER DRAINAGE AND DETENTION IS ON FILE AT THE CITY ENGINEERING DEPARTMENT.
- STORM WATER DETENTION REQUIRED IS 2.34 ACRE-Feet, TO BE PROVIDED IN CITY DRAIN DITCH - NORTH SIDE OF SUBDIVISION
- A 6.0 FT. OPAQUE BUFFER IS REQUIRED ALONG N. COL. ROWE BLVD. AND WISCONSIN RD.
- NO CURB CUT, ACCESS, OR LOT FRONTAGE PERMITTED ALONG N. 2ND ST. AND WISCONSIN RD.
- AS PER DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR THE EMBERS SUBDIVISION, RECORDED AS DOCUMENT NO. 211,324,65, HIDALGO COUNTY, DEED RECORDS, DEVELOPER/HOMEOWNERS ASSOCIATION/OWNERS, THEIR SUCCESSORS AND/OR ASSIGNEES, AND NOT THE CITY OF McALLEN SHALL BE RESPONSIBLE FOR INSTALLATION, MAINTENANCE, AND OTHER REQUIREMENTS AS PER SECTION 134-168 OF THE CODE OF ORDINANCES OF THE CITY OF McALLEN, INCLUDING BUT NOT LIMITED TO COMMON AREAS AND PRIVATE STREETS. ANY AMENDMENT TO DECLARATIONS THAT CONFLICT WITH THE REQUIREMENTS OF SECTION 134-168 SHALL BE NULL AND VOID
- A 25 FT. BY 25 FT. SIGHT OBSTRUCTION EASEMENT IS REQUIRED AT ALL STREET RIGHTS-OF-WAY INTERSECTIONS. (SEE DETAIL AT TOP OF PAGE)
- LOT 15 IS A COMMON AREA, OWNED BY DEVELOPER/HOMEOWNERS ASSOCIATION.

CURVE DATA					
LINE	NO.	RADIUS	LENGTH	ANGLE	CHORD
1	A	50.0'	9.40'	10°46'14"	9.89'
2	B	50.0'	62.04'	71°05'58"	68.14'
3	C	50.0'	71.45'	81°52'18"	65.82'
4	D	50.0'	59.58'	68°27'11"	56.87'
5	E	50.0'	59.58'	68°27'11"	56.87'
6	F	50.0'	28.12'	26°29'46"	22.92'
7	G	50.0'	28.12'	26°29'46"	22.92'
8	H	50.0'	54.45'	62°28'45"	51.80'
9	I	50.0'	54.45'	62°28'45"	51.80'
10	J	50.0'	8.88'	10°14'44"	8.82'
11	K	409.0'	86.65'	12°08'17"	86.48'
12	L	329.0'	69.94'	12°10'46"	69.8'
13	M	329.0'	27.8'	04°46'19"	27.8'

IRREGULAR LOT AREA	
LOT NO.	AREA
4	11,004 Sq.Ft.
5	11,878 Sq.Ft.
6	11,816 Sq.Ft.
7	10,859 Sq.Ft.
8	10,859 Sq.Ft.
9	12,796 Sq.Ft.
10	12,612 Sq.Ft.
11	11,188 Sq.Ft.
21	11,114 Sq.Ft.
22	12,541 Sq.Ft.
23	12,439 Sq.Ft.
24	11,581 Sq.Ft.
26	14,468 Sq.Ft.
27	11,128 Sq.Ft.
28	10,785 Sq.Ft.

METES & BOUNDS

A 21.64 ACRE TRACT OF LAND OUT OF LOT 8, NORTH-EAST 1/4 SECTION 13, HIDALGO CANAL CO. SUBDIVISION OF PORCIONES 64, 65, AND 66, HIDALGO COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME Q, PAGE 177, DEED RECORDS, HIDALGO COUNTY, TEXAS.

BEGINNING at the Southwest corner of Lot 8, for the Southwest corner of the following described tract of land, said point being on the East line of City of McAllen, Drain Ditch R.O.W.,

THENCE, with the West line of Lot 8 and the East line of said drain ditch, North 08 Deg. 46 Min. East, at 590.0 feet pass the South line of Hidalgo County Drain Ditch R.O.W. and at 690.0 feet a point for the Northwest corner hereof,

THENCE, parallel to the South line of Lot 8, in said drain ditch, South 81 Deg. 14 Min. East, 732.0 feet to a point for the most northerly Northeast corner hereof,

THENCE, parallel to the West line of Lot 8, in said drain ditch, South 08 Deg. 46 Min. West, 200 feet to a point for an interior corner hereof,

THENCE, parallel to the South line of Lot 8, South 81 Deg. 14 Min. East, 733.2 feet to a point for the middle Northeast corner hereof,

THENCE, parallel to the West line of Lot 8, South 08 Deg. 46 Min. West, 800 feet to a point for an interior corner hereof, said point being on the South line of said Hidalgo County drain ditch,

THENCE, with the South line of said drain ditch and its projection, South 81 Deg. 14 Min. East, at 682.28 feet pass the West line of North 2nd Street and at 658.28 feet a point on the East line of Lot 8, for the most southerly Northeast corner hereof, said point being on the East line of North 2nd Street,

THENCE, with the East line of Lot 8, and the East line of North 2nd Street, South 08 Deg. 46 Min. West, 590.0 feet to the Southeast corner of Lot 8, for the Southeast corner hereof,

THENCE, with the South line of Lot 8, North 81 Deg. 14 Min. West, at 40.0 feet pass the West line of North 2nd Street, and at 1464.0 feet the POINT OF BEGINNING, Containing 21.64 acres of land, more or less.

STATE OF TEXAS: COUNTY OF HIDALGO:

I, THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS TO THE CITY OF McALLEN AND THOSE WHO MY NOW OR HEREFTER HOLD FRANCHISE UNDER SAID CITY, THE USE OF THE STREETS, ALLEYS AND EASEMENTS THERE ON SHOWN, SURFACE USE OF THE STREETS AND ALLEYS IS RESTRICTED TO THE EMPLOYEES OR AGENTS OF THE CITY OF McALLEN EMPLOYEES OF UTILITIES OPERATING UNDER FRANCHISE TO THE CITY OF McALLEN AND RESIDENTS OF THE SUBDIVISION AND THEIR GUESTS, EXCEPT WISCONSIN ROAD AND N. COL. ROWE BLVD., WHICH ARE BEING DEDICATED FOR PUBLIC USE BY THIS PLAT.

FILED FOR RECORD
HIDALGO COUNTY
ARTURO GUERRA, CLERK
DN: 6/6/16 AT 4:33 AM (PM)
INSTRUMENT NUMBER
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS
BY: *Arturo Guerra* DEPUTY

THE EMBERS SUBDIVISION (GATED COMMUNITY)

SUBDIVISION DO HEREBY GRANT AN EASEMENT TO THE CITY OF McALLEN AND THOSE WHO MY NOW OR HEREFTER HOLD FRANCHISE UNDER SAID CITY, THE USE OF THE STREETS, ALLEYS AND EASEMENTS THERE ON SHOWN, SURFACE USE OF THE STREETS AND ALLEYS IS RESTRICTED TO THE EMPLOYEES OR AGENTS OF THE CITY OF McALLEN EMPLOYEES OF UTILITIES OPERATING UNDER FRANCHISE TO THE CITY OF McALLEN AND RESIDENTS OF THE SUBDIVISION AND THEIR GUESTS, EXCEPT WISCONSIN ROAD AND N. COL. ROWE BLVD., WHICH ARE BEING DEDICATED FOR PUBLIC USE BY THIS PLAT.

RGV Grandeur Homes, LLC,
a Texas Limited Liability Company

By: *Marco Garcia*, Manager/Pres.
4801 N. 10th St.
McAllen, Texas 78504

STATE OF TEXAS: COUNTY OF HIDALGO:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED CHAD TOLAR, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE (SHE) EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE 15th DAY OF FEBRUARY, 2016.

STATE OF TEXAS: COUNTY OF HIDALGO:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MARCO GARCIA, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE (SHE) EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE 14th DAY OF February, 2016.

JORGE LUIS AMBRANO
Notary Public, State of Texas
Comm. Expires 01-21-2019
Notary ID: 130084148

Jose Zulo
NOTARY PUBLIC

Nikola Penson
NOTARY PUBLIC

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

STATE OF TEXAS: COUNTY OF HIDALGO:

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR # 4608 IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND IS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

STATE OF TEXAS: COUNTY OF HIDALGO:

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

SPOOR ENGINEERING CONSULTANTS, INC.
Registration # F-6003

REGISTERED PROFESSIONAL ENGINEER
P. E. REGISTRATION No. 56752

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

James E. Darling
MAYOR, CITY OF McALLEN

4/8/16
DATE

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT. UNDER TEX. WATER CODE 49.21(c) THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER OF THE SUBDIVISION AND ITS ENGINEER TO MAKE THESE DETERMINATIONS.

Raul E. Sesni, P.E.
GENERAL MANAGER

4/27/16
DATE

Planning Department

Memo

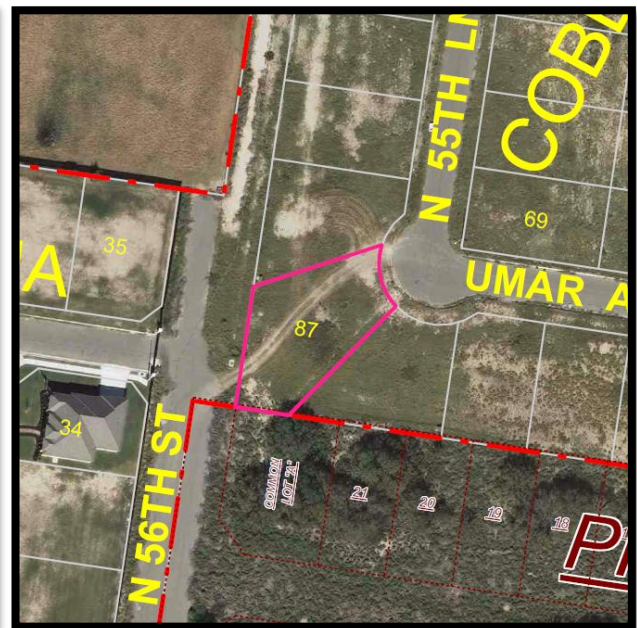
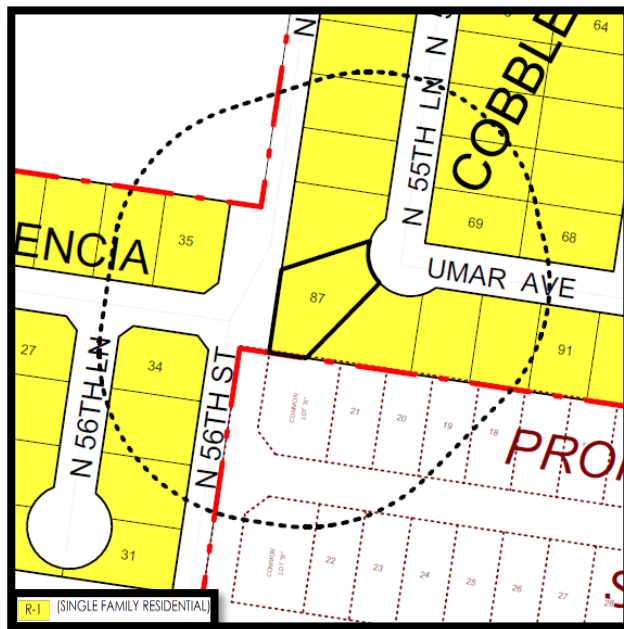
TO: Zoning Board of Adjustment & Appeals

FROM: Planning Staff

DATE: July 08, 2022

SUBJECT: Request of West Wind Homes for the following Variance requests to the City of McAllen Zoning Ordinance to allow an encroachment of 15 feet into the 25 feet rear yard setback for a proposed swimming pool, the northwest corner of the existing residence, and patio located at the rear of the property, at Lot 87, Cobblestone Subdivision, Hidalgo County, Texas; 7303 North 55th Lane. (ZBA2022-0040)

REASON FOR APPEAL: The applicant is requesting a variance for an irregularly shaped proposed swimming pool and the northwest corner of the existing residence, and a patio located at the rear of the property.



PROPERTY LOCATION AND VICINITY: The subject property is located along the cul-de-sac along Umar Avenue and North 55th Lane. The zoning for the property is R-1 (single-family residential) District. The adjacent zoning is R-1 (single-family residential) District in all directions. Surrounding land uses are single-family residences and vacant land.

BACKGROUND AND HISTORY: Cobblestone Subdivision was recorded in July 2020. As per Cobblestone Subdivision plat, the rear setback states “25.0 feet for double fronting lots”, however in March 2022, a building permit was approved at 10 feet and will be honored at that setback, rather than the 25 feet. McAllen’s City Commission passed Ordinance No. 2021-80, Section I(b), which

amended the requirements regarding to double-fronting lots, “where lots have double frontage, running through from one street to another, a required front yard shall be provided on one street only”. A variance request was submitted on June 24, 2022.

ANALYSIS: The applicant is requesting a variance for an irregularly shaped proposed swimming pool to be built at the rear of the property. The applicant is also requesting for the northwest corner of the existing residence and the patio located at the rear of the property to remain at their current location.

The property does lie within a cul-de-sac and is a double-fronting lot which does limit the amount of buildable area within the lot. There is a 25 feet rear yard setback and a 10 feet utility easement along the rear and the south side of the subject property. The applicant is not proposing the pool to be located within the easement. The existing structures are not built within the easement.

As per the applicant, the proposed swimming pool would be used for recreational purposes, and the existing structures help to maximize living area.

Staff has not received a phone call in support or opposition of the variance requests.

RECOMMENDATION: Staff recommends approval of the variance requests since the proposed and existing encroachments are not located within the easements, and the lot is irregular (situated on a cul-de-sac and is double-fronting). If the Board grants approval of the requests, it should be limited to the encroachments shown on the submitted site plan.

ZBA 2022-0040

ZBA
7/20/2022

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 Lot 87, Block 7, Cobblestone

Subdivision Name Cobblestone

Street Address 7303 N 55th Lane, McAllen Tx 78504

Number of lots 1 Gross acres 0.24 Acres

Existing Zoning Residential Existing Land Use Home being built

Reason for Appeal (please use other side if necessary) Rear encroachment on double facing lot. 15ft out of 25ft setback would be used. Rear patio and northwest corner of home would encroach on 25ft setback J.M.

☒ \$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 Tales Vieira Phone (903) 720-9010

Address 2913 San Rodrigo E-mail Vieira187@gmail.com

City Mission State Tx Zip 78572

Owner

Name Westwind Homes Phone (956) 558-9530

Address 4703 South Jackson Rd E-mail LCCAVAZOS@westwindhomes.co

City Edinburg State Tx Zip 78539

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 06/6/2022

Print Name

Tales Vieira☒ Owner☐ Authorized Agent

Office

Accepted by _____ Payment received by _____ Date _____

Rev 09/20

J.M.

Jonathan munoz w/ westwind homes.

Jmunoz@westwindhomes.com

JUN 24 2022

BY:

CW

OS KS



City of McAllen
Planning Department
REASON FOR APPEAL & BOARD ACTION

Reason for Appeal

*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:

lot 87 in Cobblestone is a front/rear facing lot. Backyard is affected by 25ft setback. Majority of lot is in setback & nothing would be able to be built without approved variance.

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

There is no community pool or local pool for childrens/Family enjoyment. A backyard pool would allow for family gatherings to happen without traveling for water fun.

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 pool would be within private property lines, and not for public. Property would be fully fenced, and pool would be maintained at a high standard.

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

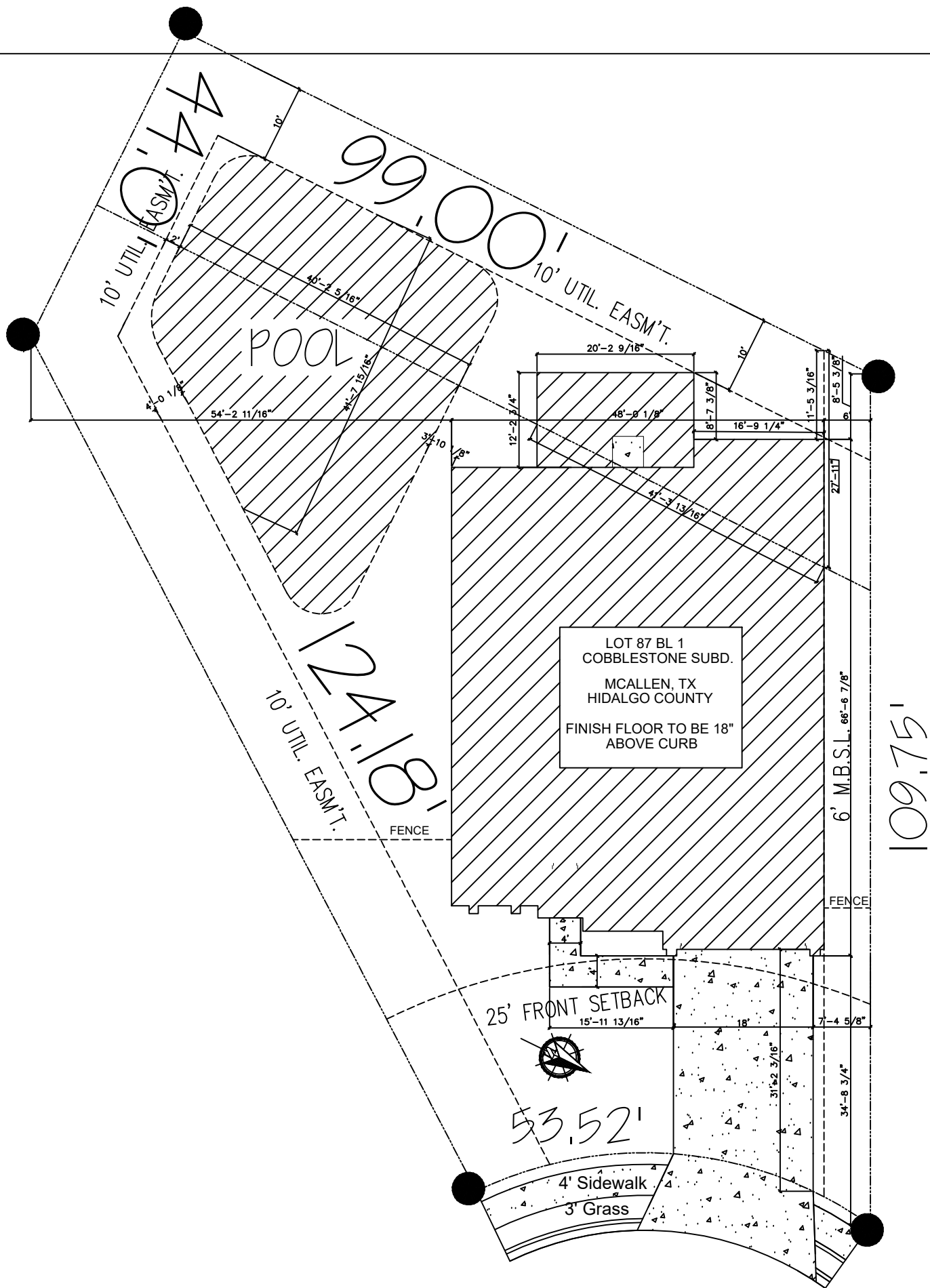
lot, with front/rear facing.

Property is a Cul-de-sac

Board Action

Chairman, Board of Adjustment
Signature

Date



MODEL: VICTORIA TRAD
COBBLESTONE SUBD.

A 24.553 ACRE TRACT OF LAND OUT OF LOTS 395 AND 396, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE PLAT OF MAP THEREOF RECORDED IN VOLUME 1, PAGES 42-A, 43 AND 43-A, MAP RECORDS HIDALGO COUNTY, TEXAS, AND ACCORDING TO WARRANTY DEED WITH VENDOR'S LIEN RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 2867629, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

MINIMUM FINISH FLOOR ELEVATION: 18" ABOVE THE TOP OF CURB OF THE STREET AT MID POINT OF EACH LOT.

WING FENCE: 27 FEET
REAR FENCE: 143 FEET

H-SIDEWALK: 84 SQ. FT.
E-SIDEWALKS: 189 SQ. FT.

DRIVEWAY: 506 SQ. FT.
APRON: 193 SQ. FT.

TOTAL CONCRETE: 972 SQ. FT.
(FRONT) GRASS: 1,489 SQ. FT.
(BACK) GRASS: 5,511 SQ. FT.

SCALE: 1/6" = 1'-0"



PROJECT TO:	WESTWIND DEVELOPMENT	
	RIO GRANDE VALLEY	
MODEL	VICTORIA TRAD	
APPROVED:		
ADDRESS		
REVISIONS		
BY		
DRAWN: SC:		
CHECKED: DATE:		
JOB (File) No.		
MODEL		
SHEET		
SITE		



Memo

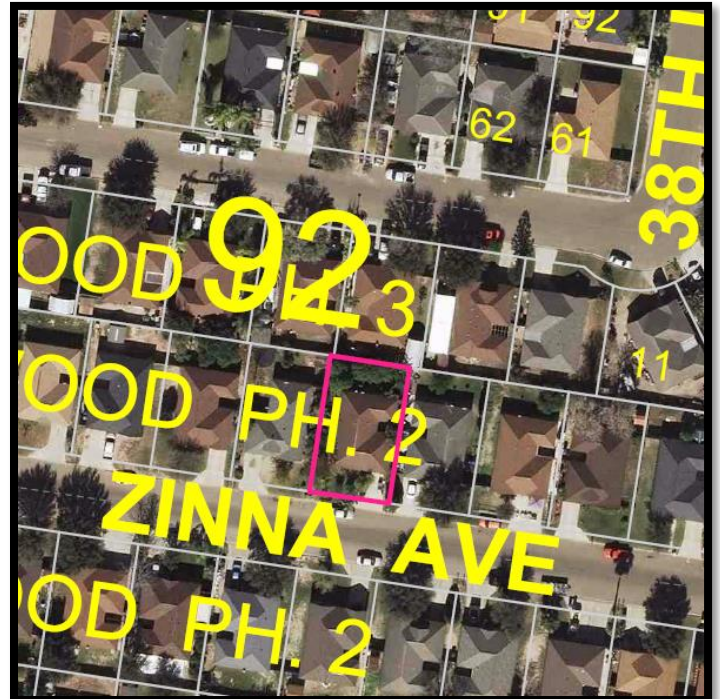
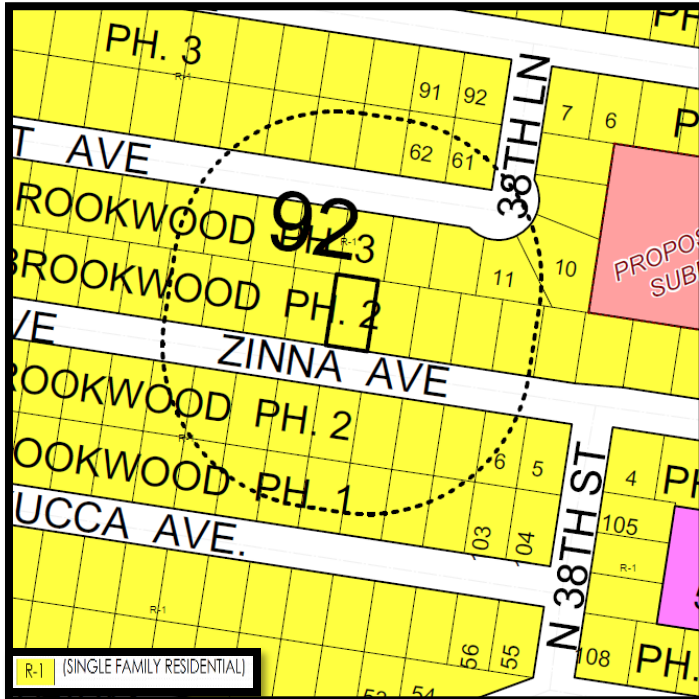
TO: Zoning Board of Adjustment & Appeals

FROM: Planning Staff

DATE: July 07, 2022

SUBJECT: Request of Emma Veras for the following Special Exception request to the City of McAllen Zoning Ordinance to allow an encroachment of 15 feet into the 20 feet front yard setback for an existing carport measuring 12 feet by 15 feet, at Lot 47, Brookwood Unit II Subdivision, Hidalgo County, Texas; 3824 Zinnia Avenue. (ZBA2022-0038)

REASON FOR APPEAL: The applicant is requesting a special exception for an encroachment into the front yard setback in order to allow an existing carport to remain in its current location. According to the applicant, the carport was built to hinder any accidents and protect a senior citizen resident. The applicant contracted a contractor to construct the carport, she was unaware that the contractor did not obtain the necessary building permit. The applicant also stated that the residence does not have a garage which would help shelter her vehicle from inclement weather.



PROPERTY LOCATION AND VICINITY: The subject property is located on the North side of Zinnia Avenue. The property has 51.50 feet of frontage and a depth of 86 feet, the lot size is 4,429 square feet according to the subdivision plat. The surrounding land use is single-family residential.

BACKGROUND AND HISTORY: There is a single-family residence on the subject property. The property is zoned R-1 (single family residential) District. Adjacent zoning is R-1 District in all directions. The resident applied for a building permit on June 08, 2022 after receiving a stop work order on June 03, 2022. The resident applied for a special exception request on June 13, 2022.

ANALYSIS: The special exception request is to allow an encroachment of 15 feet into the 20 feet front yard setback for an existing carport measuring 12 feet by 20 feet over an existing driveway. The carport is not enclosed which allows for visibility when entering or exiting the property.

The original site plan indicated that the existing carport is encroaching into the 5-foot utility easement along the front of the property. Subsequent to the Planning Department staff explaining the abandonment process to the applicant, she submitted an updated site plan displaying a proposed reduced footprint of the carport.

As per applicant, she is willing to reduce the dimension of the carport. The applicant has submitted a site plan with a proposed dimension of the carport, measuring 12 feet by 15 feet. The residence does not have a garage, so the existing carport helps protect her vehicle from inclement weather.

There is no alley access on the subject property. There is no room for relocation of the carport to any other area of the property as she has mature trees and a garden area at the front of the property.

During the site visit, staff noticed other similar encroachments, specifically carports located at the front yard, along Zinnia Avenue; there are three other encroaching carports, along with four other carports in the neighboring streets. The carport on the subject property is a characteristic of construction along the area. A review of the Planning Department records did reveal one special exception on Zinnia Avenue, approved by the Board in 2014.

There is a 5-foot utility easement along the front of the property. Should the carport encroach into the easement, the applicant must undergo the abandonment process at a later date.

Special exceptions are issued to an individual and recorded, however if new owner purchases the home they will have to apply as new owner.

RECOMMENDATION:

Staff recommends disapproval of the special exception request, unless the applicant reduces the footprint of the carport.

ZBA 2022-0038

ZBDA-7/20/22



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	<u>BROOKWOOD UT 2 LOT 47</u>		
	Subdivision Name	<u>Brookwood</u>		
Project	Street Address	<u>3824 Zinnia Ave.</u>		
	Number of lots	<u>.25</u>	Gross acres	
	Existing Zoning	<u>R-4</u>	Existing Land Use	<u>Residential</u>
	Reason for Appeal (please use other side if necessary) <u>existing carport measuring 20 ft. encroaching into the front setback. 21 by 12 ft.</u>			
	<input type="checkbox"/> \$300.00 non-refundable filing fee + <input type="checkbox"/> \$50.00 Recording Fee for Special Exception (carport) <input type="checkbox"/> Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required			
Applicant	Name	<u>Emma Veras</u>		Phone <u>(956) 451-3433</u>
	Address	<u>3824 Zinnia Ave.</u>		E-mail <u>cveras17@yahoo.com</u>
	City	<u>McAllen</u>	State <u>TX</u>	Zip <u>78504</u>
Owner	Name	<u>Emma Veras</u>		Phone <u>(956) 451-3433</u>
	Address	<u>3824 Zinnia Ave.</u>		E-mail <u>cveras17@yahoo.com</u>
	City	<u>McAllen</u>	State <u>TX</u>	Zip <u>78504</u>
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 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	<u>Emma Veras</u>		Date _____
Office	Print Name	<u>Emma Veras</u>		<input type="checkbox"/> Owner <input type="checkbox"/> Authorized Agent
	Accepted by _____	Payment received by _____	ENTERED Date <u>JUN 13 2022</u> Initial: <u>an</u>	

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:

I want to have an existing carport that encroaches 20 ft. into the 20 ft. front yard set back.

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

It allows to keep the current carport for protection of weather elements. Willing to cut whatever is necessary.

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 would not interfere with any neighbors.

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

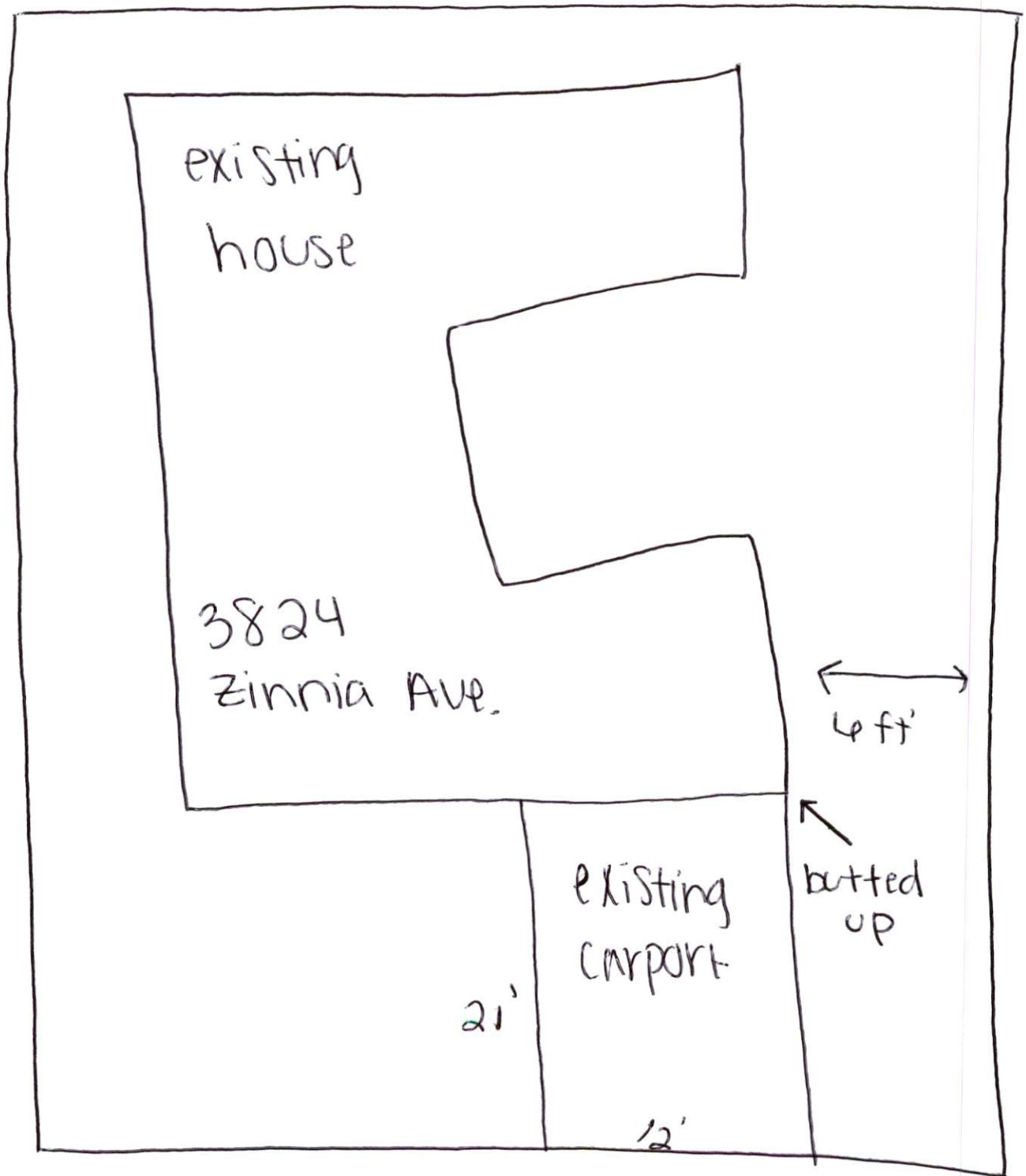
Currently house was constructed without a garage and protection from slips and falls, with senior citizen.

Reason for Appeal

Board Action

Chairman, Board of Adjustment
Signature

Date



up to **ENTERED**
Property line **JUN 13 2022**
Initial: An



up to
Property line
Initial: an

SUBDIVISION PLAT OF BROOKWOOD UNIT II

AN 8.72 ACRE TRACT OF LAND OUT OF LOTS 1 & 2
J.H. BEATTY SUBDIVISION OUT OF LA LOMITA IRRIG. &
CONST. CO'S SUBD. OF PORCIONES 61, 62 & 63, HIDALGO COUNTY, TEXAS
RECORDED IN VOLUME 2, PAGE 40. M/R

PREPARED BY: K K ENGINEERING CONSULTANTS
DATE: APRIL 29, 1998

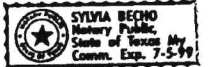
STATE OF TEXAS
COUNTY OF HIDALGO

I (WE), THE UNDERSIGNED, OWNER (S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS THE **BROOKWOOD SUBDIVISION UNIT II** SUBDIVISION TO THE CITY OF McALLEN, TEXAS, AND WHOSE NAME (S) IS (ARE) SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, SEWER LINES, WATER COURSES, STORM SEWERS, FIRE HYDRANTS AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH I (WE) WILL CAUSE TO BE INSTALLED THEREON SHOWN OR NOT SHOWN IF REQUIRED OTHERWISE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF McALLEN ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED, EITHER ON THE PLAT HEREOF OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF McALLEN.

OWNER: ADOBE HOLDINGS, INC.
DAVID O. ROGERS III, PRESIDENT
5516 NORTH MCCOLL ROAD
McALLEN, TEXAS 78504

STATE OF TEXAS
COUNTY OF HIDALGO
BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED **DAVID O. ROGERS III**

KNOWN TO ME TO BE THE PERSON (S) WHOSE NAME (S) IS (ARE) SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE (THEY) EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.



GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE 14TH DAY
OF OCTOBER, 1998.

Sylvia Becho

NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS
MY COMMISSION EXPIRES 7/5/99

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

Rob Robles
MAYOR, CITY OF McALLEN, TEXAS.

HIDALGO COUNTY DRAINAGE DISTRICT No. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEX. WATER CODE §49.21(c). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER OF THE SUBDIVISION AND ITS ENGINEER TO MAKE THESE DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT No. 1

BY: *[Signature]*

STATE OF TEXAS
COUNTY OF HIDALGO
THIS SUBDIVISION PLAT OF **BROOKWOOD UNIT II** HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF McALLEN, TEXAS AND IS HEREBY APPROVED BY SUCH COMMISSION.

DATED THIS 24TH DAY OF NOVEMBER, A. D. 1998

[Signature]
CHAIRMAN

STATE OF TEXAS
COUNTY OF HIDALGO

I, KAMBIZ S. KHADEMI, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT.

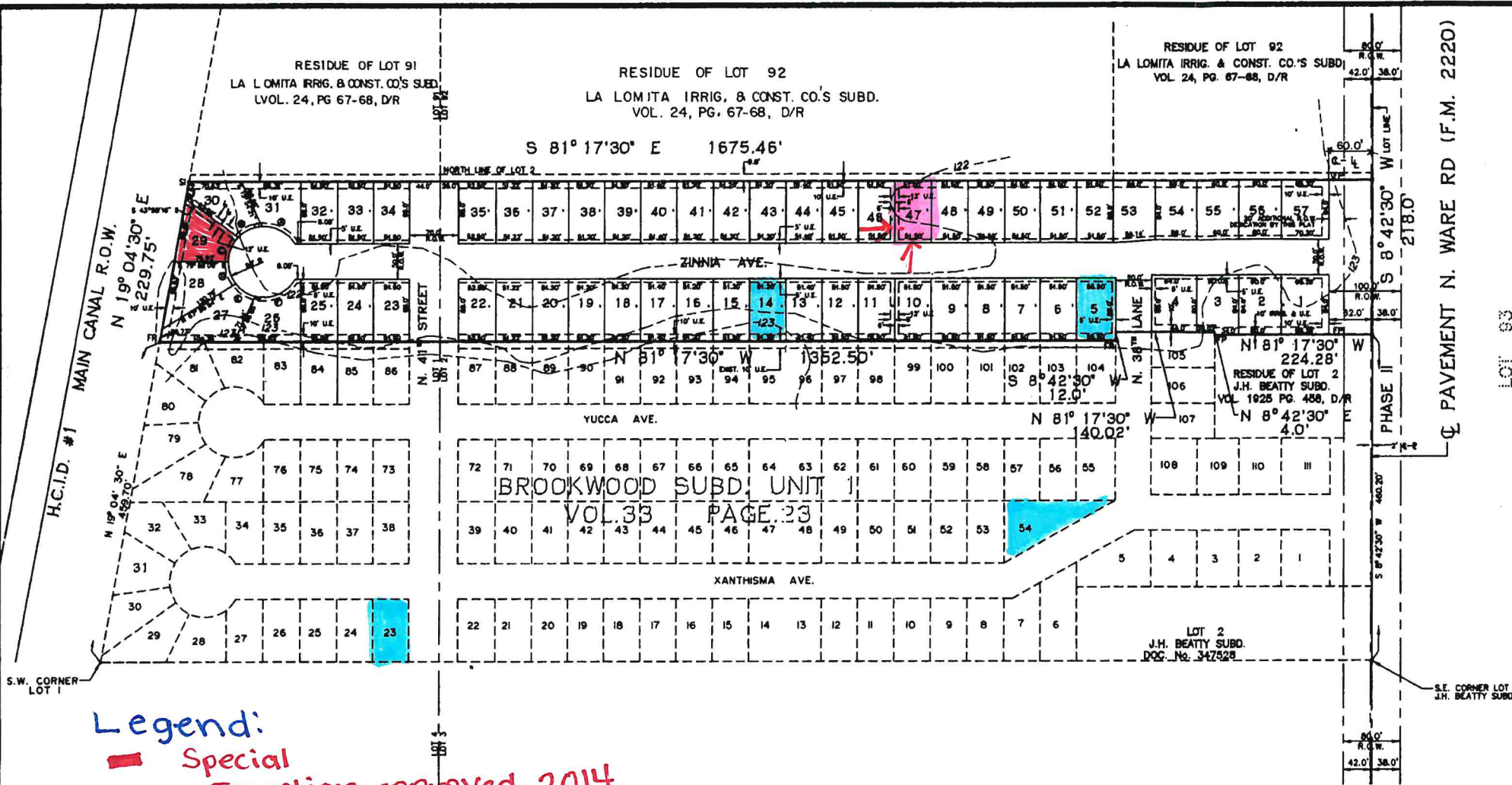
Kambiz S. Khademi
KAMBIZ S. KHADEMI, P.E.
REG. PROFESSIONAL ENGINEER No. 57767

STATE OF TEXAS
COUNTY OF HIDALGO

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



Reynaldo Robles
REYNALDO ROBLES
REGISTERED PROFESSIONAL LAND SURVEYOR No. 4032
P.O. BOX 476
WESLACO, TEXAS 78599



Legend:
 Special
 Exception approved 2014
 Subject Property
 Encroachments in area

METES AND BOUNDS

BEING 8.72 ACRES OF LAND SITUATED IN HIDALGO COUNTY, TEXAS, AND BEING OUT OF LOTS 1 AND 2, J.H. BEATTY SUBDIVISION AS PER MAP RECORDED IN VOLUME 2, PAGE 40 OF THE HIDALGO COUNTY MAP RECORDS, AND SAID 8.720 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD FOUND ON THE WEST LINE OF SAID LOT 1 FOR THE SOUTHWEST CORNER OF SAID TRACT HEREIN DESCRIBED, SAID 1/2-INCH IRON ROD BEARS NORTH 19°04'30" EAST, 456.70 FEET FROM THE SOUTHWEST CORNER OF SAID LOT 1;

THENCE, NORTH 19°04'30" EAST, 228.75 FEET WITH THE WEST LINE OF SAID LOT 1 TO A 1/2-INCH IRON ROD SET FOR THE NORTHWEST CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE, SOUTH 81°17'30" EAST, 1675.46 FEET TO A COTTON PICKER SPWOLE SET FOR THE NORTHEAST CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE, SOUTH 8°42'30" WEST, 218.00 FEET, WITH THE EAST LINE OF SAID LOT 2 TO A COTTON PICKER SPWOLE FOUND FOR THE SOUTHEAST CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE, NORTH 81°17'30" WEST, 224.28 FEET TO A 3/4-INCH IRON PIPE FOUND FOR CORNER;

THENCE, NORTH 8°42'30" EAST, 4.00 FEET TO A 1/2-INCH IRON ROD FOUND FOR CORNER;

THENCE, NORTH 81°17'30" WEST, 140.02 FEET TO A 1/2-INCH IRON ROD FOUND FOR CORNER;

THENCE, SOUTH 8°42'30" WEST, 12.00 FEET TO A 1/2-INCH IRON ROD FOUND FOR CORNER;

THENCE, NORTH 81°17'30" WEST, 1352.50 FEET TO THE POINT OF BEGINNING AND CONTAINING 8.72 ACRES OF LAND MORE OR LESS.

AREAS (SQ. FT.) OF IRREGULAR LOTS:		
LOT No.	NET AREA (SQ. FT.)	
3	4,938	
26	5,499	
27	6,327	
28	5,463	
29	4,966	
30	4,808	
31	5,074	
53	5,074	

CURVE DATA				
CURVE	RADIUS	LENGTH	CHORD	DELTA
A	50.00'	58.28'	55.04'	88°47'02"
B	-	34.35'	33.68'	38°21'38"
C	-	38.27'	37.34'	43°51'00"
D	-	33.18'	32.58'	38°01'21"
E	-	33.27'	32.68'	38°07'49"
F	50.00'	64.44'	60.08'	73°50'50"

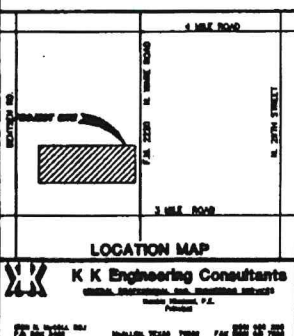
LEGEND

SI SET 1/2" IRON PIN
FP FOUND PIPE
FN FOUND NAIL
FM FOUND X-MARK
FR FOUND 1/2" IRON ROD

SCALE: 1" = 100'

GENERAL PLAT NOTES

- MINIMUM FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF THE CURB MEASURED IN CENTER OF THE LOTS.
- THE SUBDIVISION IS IN ZONE "C" ON A FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 480343-0005-C REVISED NOVEMBER 02, 1982.
- MINIMUM BUILDING SETBACK LINES SHALL BE:
FRONT: 20.00'
REAR: 10.00'
SIDE: 6.00' - STREET CORNER 10.00'
GARAGE: 18.0' EXCEPT WHERE GREATER SETBACK APPLIES
- THE CITY OF McALLEN SHALL HAVE A 25.0'X25.0' EASEMENT AT STREET INTERSECTIONS.
- 4.0' SIDEWALK IS REQUIRED ALONG THE WEST SIDE OF N. WARE ROAD, AND ALONG BOTH SIDES OF NORTH 4th STREET.
- 6.0' BUFFER REQUIRED FROM COMMERCIAL ZONE/USE AND ALONG N. WARE ROAD.
- NO CURB CUTS OR LOT FRONTAGE PERMITTED ON N. WARE ROAD AND NORTH 4th STREET.
- THERE SHALL BE AN ON-SITE LOT DETENTION OF 0.60 AC. FT. PROVIDED AS PART OF BUILDING PERMIT PROCESS AND DETENTION PLAN APPROVED BY THE ENGINEERING DEPARTMENT.
- ALL LOT CORNERS ARE MARKED WITH A 1/2-INCH IRON ROD 24" LONG.









Memo

TO: Zoning Board of Adjustment & Appeals

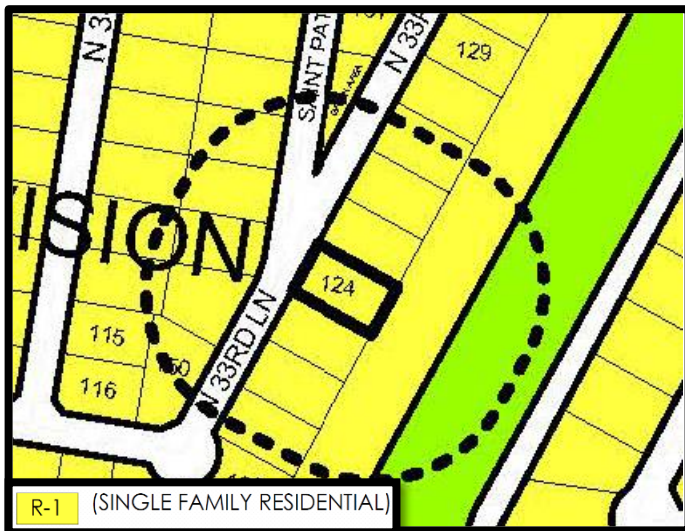
FROM: Planning Staff

DATE: June 24, 2022

SUBJECT: REQUEST OF ELIZABETH L. GARZA FOR THE FOLLOWING VARIANCE TO THE CITY OF MCALLEN ZONING ORDINANCE TO ALLOW AN ENCROACHMENT OF 4 FEET INTO THE 10 FEET SOUTH SIDE YARD SETBACK FOR AN EXISTING SINGLE FAMILY HOME, AT LOT 124, VENDOME SUBDIVISION PHASE II, HIDALGO COUNTY, TEXAS; 13818 NORTH 33RD LANE. (ZBA2022-0037)

REASON FOR APPEAL:

The applicant is requesting to allow an existing single family residential structure with an encroachment of 4 feet into the 10 feet south side yard setback to remain.



PROPERTY LOCATION AND VICINITY:

The subject property is located on the east side of North 33rd lane. The property has 74 feet. of frontage along North 33rd Lane and a depth of 125 feet for a lot size of 9,250 square feet. The subject property is zoned R-1 (single family residential) District. The surrounding land use is single-family residential, vacant land and Hidalgo Canal No. 1 Right of Way.

BACKGROUND AND HISTORY:

Vendome Subdivision Phase II was recorded on April 21, 2021. The original building permit application for the residential home was for Lot 126 however, a final survey of the construction revealed that the house was built on Lot 124 with an encroachment on the South side yard setback. A Certificate of Occupancy was issued April 28, 2022 for a single family home.

ANALYSIS:

The variance request is to allow an encroachment of 4 feet into the 10 feet side yard setback for an existing single family home. The survey provided indicates the structure was built with an encroachment of 3.8 feet into the south side yard setback. A 10 feet drainage easement runs concurrently with the setback. According Engineering Department plans, a 24-inch drain line runs through the middle of the 10 feet drainage easement. Any damage to the line may impact the structured integrity of the home and stability of its foundation. The actual construction of the home is approximately 1.2 feet from the drain line.

Staff has not received any phone calls or e-mails in regards to the variance requests.

RECOMMENDATION:

Staff recommends approval of the variance request since the drainage easement line is proposed to be relocated to approximately 6 feet away from the home.

ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING OF MAY 25, 2022:

At the Zoning Board of Adjustment and Appeals meeting of May 25, 2022 no one appeared in opposition of the variance request. Elizabeth Garza, the applicant, stated that a survey requested by their financial institution showed the recently constructed home encroaching into the 10 feet side yard setback and a drainage easement that run concurrently. Board member Mujica stated the proximity of the house to a drainage line within the easement was a cause for concern since potentially the line can leak, soften the soil, and thus impact the integrity of the foundation. The structure might also be impacted repair the line in the future. Felix Hernandez, the developer, provided a letter stating that if repairs were needed (caused by the proximity of the house to the drainage line) during a certain limited time period into the future, he would cover the expense of the repairs. Following further discussion, a motion to approve the request received three votes in the affirmative and two members voted nay thus, the motion did not pass due to the required supermajority vote.

Subsequent to the meeting, the applicant through their building contractor submitted a site plan as a request for relocation of the drainage line in order to provide greater distance from the already constructed house to the existing drainage line. The Engineering Department is in the process of reviewing the feasibility of the proposed drainage line relocation and a determination is pending this review process.

ZBA-5/18/22

ZBA 2022-0024



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

Lot 124

Subdivision Name

Vendome ph II

Street Address

13818 N. 33rd Ln

Number of lots

1

Gross acres

Existing Zoning

Residential

Existing Land Use

Residential

Reason for Appeal (please use other side if necessary)

4 ft. encroachment into the 10ft side yard/drainage.

☒ \$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 Elizabeth L. Garza

Phone (956) 605-8678

Address 1212 Lindberg St

E-mail elizabeth.louzada44@gmail.com

City Mission

State TX

Zip 78573

Owner

Name Elizabeth L. Garza

Phone (956) 605-8678

Address 1212 Lindberg St

E-mail elizabeth.louzada44@gmail.com

City Mission

State TX

Zip 78573

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

Elizabeth L. Garza

Date

5/2/2022

Print Name

Elizabeth L. Garza

☐ Owner

☐ Authorized Agent

Office

Accepted by MR

Payment received by

Date

ENTERED

Rev 10/18

MAY 02 2022

Initial:

AG



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:

The drainage easment runs alongside the property line, we left a 6'-2" easment.

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

We need the variance because the home has just been finished and having to demolish will a long & costly process.

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 affect anybody else it is inside our property line

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

There were some mistakes on the subdivision plats we started thinking it was lot 124 but on final plot it was 124. the house is finished and we were ready to close for the owner to move in.

Reason for Appeal

Board Action

Chairman, Board of Adjustment
Signature

Date



TREASURE
BUILDERS LLC.

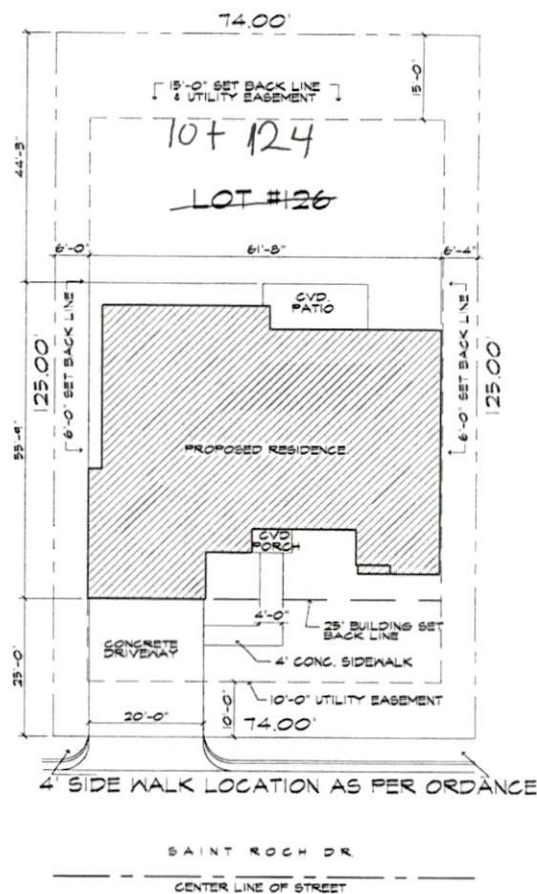
1. VERIFY JOINT LAYOUT FOR SIDEWALKS WITH CONTRACTOR PRIOR TO CONSTRUCTION.
2. ALL SITE WORK, INCLUDING LOCATION OF TRASH DUMPSTER, TEMPORARY TOILET FACILITIES, TEMPORARY CONSTRUCTION BARACADES/PENNING CONSTRUCTION TRAILER, CLEARING PROCEDURES, GRADING AND DRAINAGE, EROSION CONTROL, EROSION PREVENTION CONTROL, AND TEMPORARY UTILITY FACILITIES, ETC. SHALL BE IN ACCORDANCE WITH THE CITY AS WELL AS SUBDIVISION PROPERTY OWNERS ASSOCIATION GUIDELINES.
3. BUILDER AND OWNER SHALL BE RESPONSIBLE FOR ALL TEMPORARY UTILITIES TO THE CONSTRUCTION SITE.
4. CONTRACTOR SHALL BE RESPONSIBLE FOR FINAL GRADING ONLY. OWNER SHALL PROVIDE ALL LANDSCAPING, SOIL, AND IRRIGATION SYSTEMS.

LEGAL DESCRIPTION

LOT	126
PHASE	2
SUBDIVISION	VENEDINE
CITY	MCALLEN, TX
CONC. DRIVE	
	150 FT.
APPROX. TOTAL DRIVE PAV	400.0
APPROX. TOTAL SIDEWALK	114.0
TOTAL CONCRETE	514.0
NORTH ARROW	



① SITE PLAN
SCALE: 1"=10'-0"



PROJECT: *Garza Residence*

DATE: 05-11-21

2312 S. EXPRESSWAY 83 SUITE # B
HARLINGEN, TX. 78552
OFFICE: (956) 425-7040
FAX: (956) 425-7714

DISTINCTIVE
DRAFTING & DESIGN

SHEET

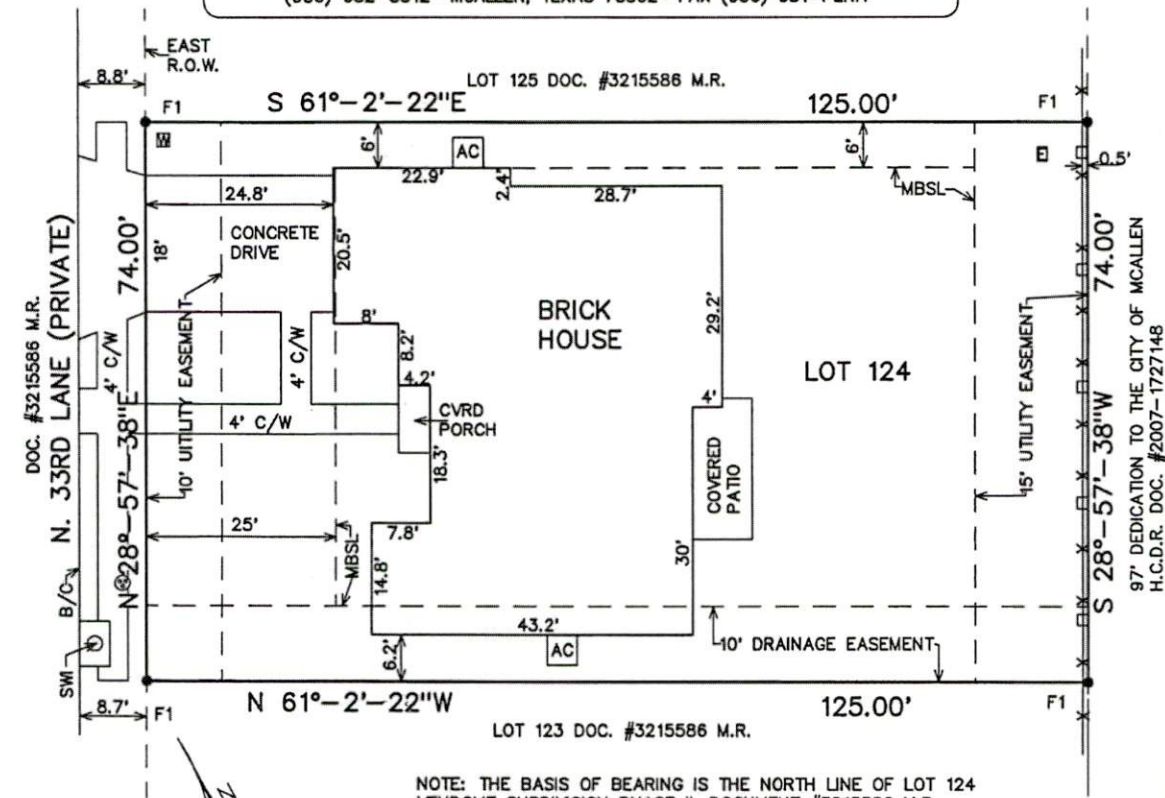
C-1

DISTINCTIVE DRAFTING & DESIGN HEREBY RESERVES ITS COMMON COPYRIGHT LAW & OTHER PROPERTY RIGHTS IN THESE PLANS & DESIGNS. THESE PLANS ARE NOT TO BE REPRODUCED, CHANGED OR COPIED IN ANY FORM OR MANNER WHATSOEVER, NOR ARE THEY TO BE ASSIGNED TO ANY THIRD PARTY, WITHOUT FIRST OBTAINING THE EXPRESS WRITTEN PERMISSION FROM DISTINCTIVE DRAFTING & DESIGN. DISTINCTIVE DRAFTING & DESIGN TAKES NO RESPONSIBILITY FOR THE CONSTRUCTION OF THE RESIDENCE OR BUILDING.

Initial:

PEÑA ENGINEERING

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



NOTE: THE BASIS OF BEARING IS THE NORTH LINE OF LOT 124
VENDOME SUBDIVISION PHASE II, DOCUMENT #3215586 M.R.

LEGEND

- F1 - FOUND 1/2" IRON DIAMETER IRON ROD
- B/C - BACK OR CONCRETE CURB & GUTTER
- R.O.W. - RIGHT OF WAY
- MBSL - MINIMUM BUILDING SETBACK LINE
- SWI - STORM WATER INLET
- WM - WATER METER
- EP - ELECTRICAL PEDESTAL
- C/W - CONCRETE WALK
- X-X-X - 6' IRON FENCE W/ CONC BLOCK PILLARS
- ⊙ - MANHOLE

SCALE 1"=20'
CAD: Vendome2-124SM
JOB #76312

VENDOME
DRIVE

DOC. #3215586 M.R.

NOTE:

- 1.) BLANKET FOR IRRIGATION LINES, PUMPS AND FACILITIES DOC. #583227 O.R.
- 2.) EASEMENTS, RULES, REGULATIONS AND RIGHTS IN FAVOR OF HIDALGO COUNTY IRRIGATION DISTRICT NO. 1.

BUYER'S NAME: John Mason Garza & Elizabeth Lima Louzada Garza

FLOOD ZONE: By GRAPHICAL PLOTTING Community Panel No. 480334 0325 D
Map Revised: June 6, 2000 LOMR May 17, 2001

- ☐ 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 "X" - 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 2022 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: 13902 N. 33RD. LANE, MCALLEN, TEXAS 78504
LEGAL DESCRIPTION: LOT 124, VENDOME SUBDIVISION, PHASE II (PRIVATE SUBDIVISION)
HIDALGO COUNTY, TEXAS,

ACCORDING TO THE MAP RECORDED IN DOCUMENT NUMBER 3215586
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS.

Pablo Peña III

02-14-2022
DATE

PABLO PEÑA III
REG. PROFESSIONAL LAND SURVEYOR No. 5242



ENTERED

MAY 02 2022

Initial: *AM*

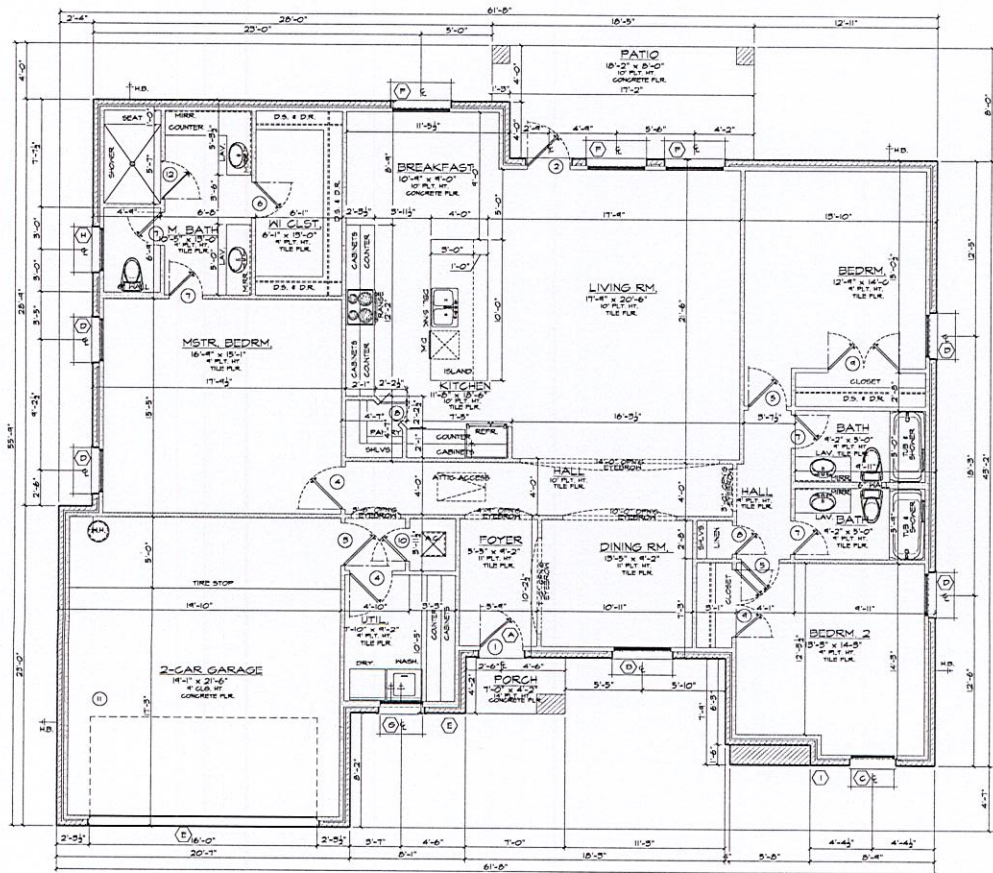
STORM
L.F. S=0.67%
117.40
105.61

PROP. SEWER 24" RCP 162 L.F. STORM S=0.68%

PROP. CONC.
RIP-RAP
F.L.=110.45

TO THE CITY OF McALLISTER
H.C.D.R. DOC# 2007-172

S 28°57'39"



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

GENERAL NOTES:

- A. THESE PLANS ARE INTENDED TO PROVIDE THE BASIC INFORMATION FOR CONSTRUCTION. THESE PLANS MUST BE VERIFIED AND CHECKED COMPLETELY BY THE GENERAL CONTRACTOR. ANY DISCREPANCY, ERROR AND/OR OMISSION, IF FOUND, IS TO BE BROUGHT IMMEDIATELY TO THE OWNER BEFORE CONSTRUCTION WORK OR PURCHASE IS MADE.
- B. FEDERAL, STATE, COUNTY, AND LOCAL CITY ORDINANCES AND BUILDING CODES TAKE PRECEDENCE OVER ANY PART OF THESE DRAWINGS. ANY CONFLICT MUST BE ADHERED TO THE PROJECT BEFORE AND DURING CONSTRUCTION.

DOOR SCHEDULE					
SYM	W	H	T	MATL	NOTES
1	3'-0"	6'-0"	1-3/4"	S.C. WOOD	EXTERIOR ENTRY DOOR
2	3'-0"	6'-0"	1-3/4"	GLASS	FRENCH DOOR
3	3'-0"	6'-8"	1-3/4"	S.C. WOOD	EXTERIOR DOOR
4	3'-0"	6'-8"	1-3/8"	H.C. WOOD	INTERIOR DOOR
5	2'-8"	6'-8"	1-3/8"	H.C. WOOD	INTERIOR DOOR
6	2'-8"	6'-8"	1-3/8"	H.C. WOOD	INTERIOR DOOR
7	2'-4"	6'-8"	1-3/8"	H.C. WOOD	INTERIOR DOOR
8	2'-0"	6'-8"	1-3/8"	H.C. WOOD	INTERIOR DOOR
9	2'-8"	6'-8"	1-3/8"	H.C. WOOD	DEL. CLST. DOORS
10	2'-4"	6'-8"	1-3/8"	H.C. WOOD	A.G. DOOR
11	6'-0"	8'-0"			GARAGE DOOR
12	2'-8"	5'-0"			SHOWER DOOR

WINDOW SCHEDULE				
SYM	W	H	TYPE	NOTES
A	3'-0"	2'-0"	EYEDROH TRANSHOM	
B	4'-0"	6'-0"	FIXED FRAME	DIVIDED LTB
C	3'-0"	6'-0"	EYEDROH SINGLE HUNG	DIVIDED LTB
D	3'-0"	5'-0"	SINGLE HUNG	
E	1'-6"	2'-0"	TRANSHOM	SEE ELEVATION
F	4'-0"	6'-0"	FIXED FRAME	DIVIDED LTB
G	3'-0"	3'-0"	SINGLE HUNG	DIVIDED LTB
H	3'-0"	1'-0"	SLIDER	OBSCURED GLASS
I	1'-6"	1'-6"	FIXED FRAME	



NOTES UNLESS NOTED OTHERWISE (N.O.)
 01. 2" x 4" STUDS @ 16" O.C. IN BRICK-EXTERIOR
 02. 2" x 4" STUDS @ 16" O.C. INTERIOR
 03. TOP OF EYE-DROH CASED OPENINGS TO BE @ 5'-0" A.F.F.

PROJECT: *Garga Residence*
 DATE: 05-11-21
 PLAN: #555-20

2312 S. EXPRESSWAY 83 SUITE # B
 HARLINGEN, TX 78552
 OFFICE: (956) 425-7040
 FAX: (956) 425-7714
D **DISTINCTIVE**
DRAFTING & DESIGN L.L.C.

SHEET
A-1

DISTINCTIVE DRAFTING & DESIGN RESERVES ITS COMMON COPYRIGHT LAW & OTHER PROPERTY RIGHTS IN THESE PLANS & DESIGNS. THESE PLANS ARE NOT TO BE REPRODUCED, CHANGED OR COPIED IN ANY FORM OR MANNER WHATSOEVER, NOR ARE THEY TO BE ASSIGNED TO ANY THIRD PARTY, WITHOUT FIRST OBTAINING THE EXPRESS WRITTEN PERMISSION FROM DISTINCTIVE DRAFTING & DESIGN. DISTINCTIVE DRAFTING & DESIGN TAKES NO RESPONSIBILITY FOR THE CONSTRUCTION OF THE RESIDENCE OR BUILDING.

13818 N 33rd Ln - UE Encroachment

Bilkis Olazaran <bolazaran@mcallen.net>

Mon 5/2/2022 10:18 AM

To: Marco Rivera <marco.rivera@mcallen.net>

Cc: Edgar Garcia <edgar.garcia@mcallen.net>; Mario Cruz <macruz@mcallen.net>

Marco,

Since this will be going before your board for consideration, we recommend disapproval. However, if the board decides to approve the encroachment, we recommend the following condition be included in the encroachment letter: *The home owner, not the City of McAllen, will be responsible for any damages related to the operation and/or maintenance of any utility lines within the 10ft utility easement along the south property line.*

Please let me know when this item will be taken for consideration. Thanks!

Bilkis



ENTERED

MAY 02 2022

Initial: am

AFFIDAVIT OF FELIX HERNANDEZ

STATE OF TEXAS

§

§

COUNTY OF HIDALGO

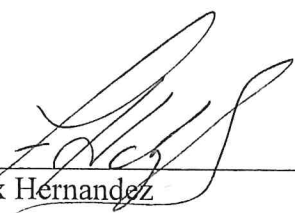
§

Before me, the undersigned authority, on this day personally appeared affiant Felix Hernandez who proved to me to be the person whose name is subscribed to this Affidavit and who acknowledged to me that he executed the same, and after he was duly sworn, upon his oath, he deposed and said:

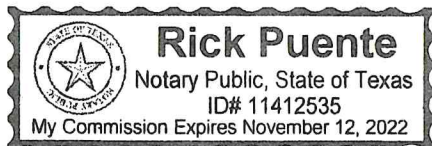
My name is Felix Hernandez. My address is 110 Becker St, Alamo, Texas 78516. I am over 18 years of age, of sound mind and capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.


I am the sole managing member of Treasure Builders LLC. We built a residential home at 13818 N. 33rd Ln, McAllen, Texas (Lot 124 Vendome Phase 2). The structure was built on the drainage easement because of an issue with the lot number. Treasure Builders LLC will be responsible for any damages to the home in the future caused by any repairs or maintenance to the drainage line within the easement part of the property. Treasure Builders LLC will restore the home to the condition it existed prior to the repairs and/or maintenance. This guarantee of repairs shall only be valid while the original owner is owner of the home and shall be voided once ownership is transferred. Once ownership of the home is transferred to another party, Treasure Builders LLC shall no longer bear any responsibility for this issue.

If you should have any questions or need any additional information, please feel free to contact me at 956-821-9710.


Felix Hernandez

SWORN TO and SUBSCRIBED before me by Felix Hernandez on this 18th day of May 2022.




Notary Public in and for the State of Texas
My Commission Expires on
November 12, 2022.



¹ Rick Puente-Notary Public: PO Box 1514, San Juan, TX 78589 (956) 782-8425

Treasure Builders LLC

110 Becker St.

Alamo, Texas 78516

May 18, 2022

To whom it may concerned:

This is an estimated cost bring the construction located at 13818 N. 33rd Ln. in McAllen, Texas into compliance.

Demolition of brick and lumber wall on the south side of the home

Removing all of the south portion of the roof

Cutting and excavating the slab foundation along the south side of the home

Removing all plumbing pipe, vents and water lines on both bathrooms

Removing all ac ducts and vents

Removing all electrical wiring

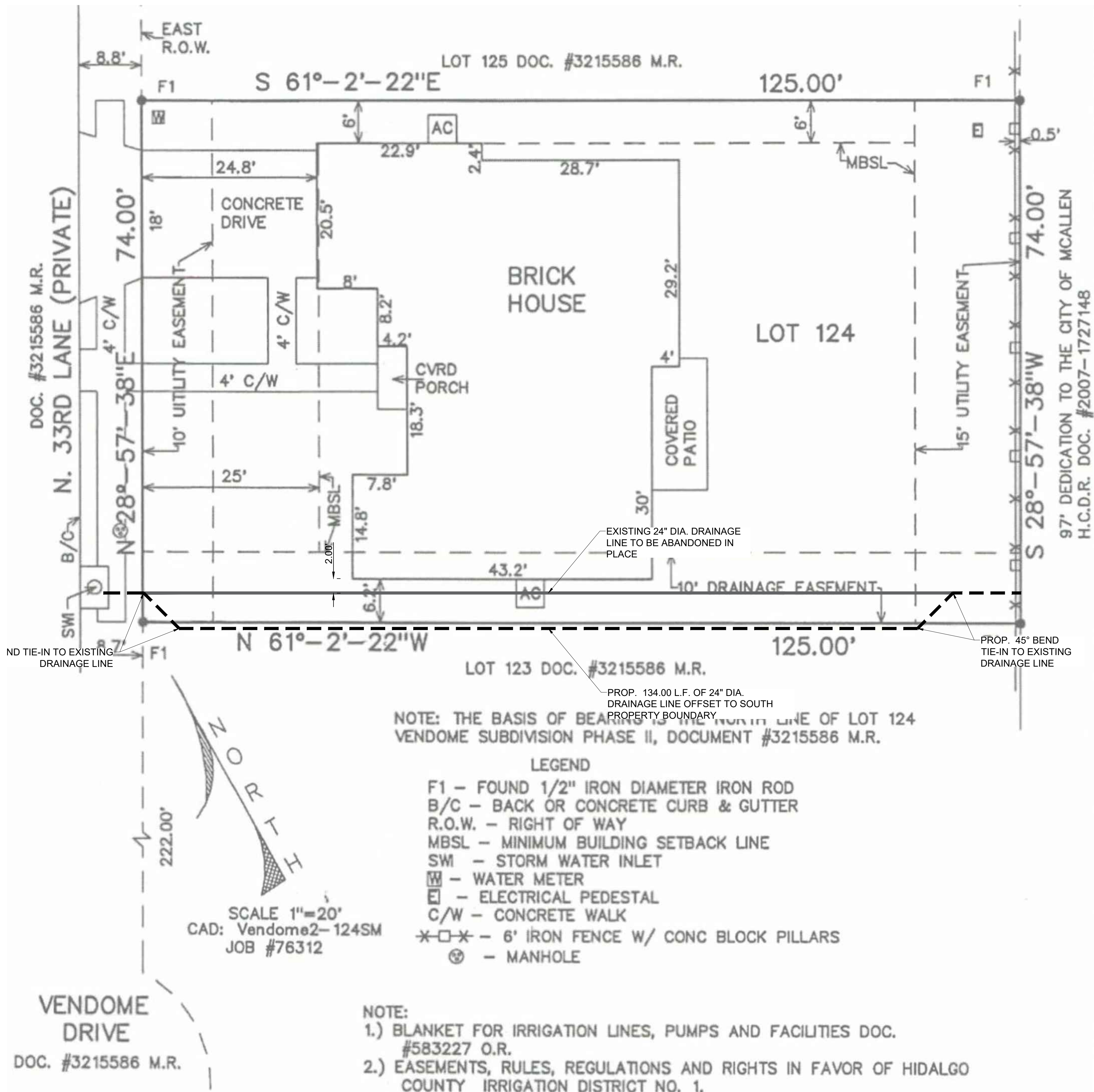
Rebuilding and reconfiguring everything back to the compliance line will leave the home without 2 bathrooms and without 2 bedrooms.

Total cost \$125,000.00



Felix Hernandez





GENERAL SITE NOTES

- SITE SURVEY PREPARED BY THIRD PARTY AND FOR THE SOLE RELIANCE OF ATLAS ENGINEERING CONSULTANTS LLC, FACILITY OWNER, AND ITS ASSIGNEES. ENGINEER SHALL NOT BE HELD RESPONSIBLE FOR THE COMPLETENESS OR ACCURACY OF DOCUMENTS PREPARED BY OTHERS.
- CIVIL SITE WORK COMPONENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH APPLICABLE INDUSTRY STANDARDS OR CITY STANDARDS, WITH THE MORE STRINGENT DESIGN CONSIDERED AS THE ACCEPTABLE SPECIFICATION.
- CONTRACTOR SHALL BE SOLE RESPONSIBLE PARTY FOR ENSURING COMPLIANCE WITH STATE AND FEDERAL LABOR, ENVIRONMENTAL, SAFETY, AND CONSTRUCTION GUIDELINES, RULES, AND REGULATIONS.
- CONTRACTOR SHALL BE RESPONSIBLE FOR REPORTING ANY CONFLICTS TO THE ENGINEER PRIOR TO CONSTRUCTION. ANY NECESSARY CHANGES OR MODIFICATIONS RESULTING FROM THE CONTRACTOR'S NEGLIGENCE, OR LACK OF WRITTEN COMMUNICATION WITH THE ENGINEER SHALL RESULT IN NON PAYMENT TO THE CONTRACTOR.
- CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR IDENTIFYING ANY BUILDINGS, ROADS, PARKING LOTS, BUILDING PADS, SIDEWALKS, SWALES, ETC. CONTRACTOR SHALL BE REQUIRED TO EMPLOY A STATE REGISTERED PROFESSIONAL LAND SURVEYOR FOR CONDUCTION CONSTRUCTION STAKING, WITH SAID SURVEYOR BEING RESPONSIBLE TO MAINTAIN SITE-BENCHMARK CONTROL POINTS THROUGHOUT THE DURATION OF THE PROJECT. SURVEYOR SHALL PROVIDE THE ENGINEER IN WRITING THE CUT SHEETS WHEN LAYING OUT UTILITIES, AND OR ROADWAYS. IN THE EVENT ANY CONSTRUCTION STAKING IS CONDUCTED BY NON-AUTHORIZED PERSONNEL, SAID STAKING ACTIVITIES WILL BE CONSIDERED NON COMPLIANT AND SUBJECT TO MONETARY RESTITUTION TO THE THE ENGINEER FOR REPAIRS.
- THE SURVEYOR SHALL PROVIDE IN WRITING TO THE ENGINEER DOCUMENTATION CERTIFYING THAT THE LAYOUT IN THE FIELD IS IN ACCORDANCE TO THE ENGINEER'S PLANS.
- CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS, AND PAY ALL APPLICABLE PERMIT FEES. CONTRACTOR SHALL PROVIDE PROOF TO THE ENGINEER THAT THESE PERMITS HAVE BEEN OBTAINED PRIOR TO COMMENCEMENT OF WORK.
- ENGINEER PROVIDED INFORMATION ON THE PLANS FOR CONVENIENCE TO THE CONTRACTOR. THE CONTRACTOR SHALL ACCEPT ALL RESPONSIBILITY FOR MAINTAINING AND IMPLEMENTING SAFE WORKING CONDITIONS DURING THE CONSTRUCTION OF WORK UNDER THE CONTRACTOR'S RESPONSIBILITY. NEITHER THE OWNER NOR THE ENGINEER ACCEPTS ANY LIABILITY IMPLIED OR OTHERWISE FOR THE CONSTRUCTION METHODS AND PROCESSES OF CONSTRUCTION.
- CONTRACTOR SHALL NOT COMMENCE WORK WITHOUT WRITTEN APPROVAL FROM THE OWNER OR THE REGULATING ENTITIES. ANY WORK CONSTRUCTED WITHOUT OWNER'S AUTHORIZATION SHALL CONSTITUTE THE CONTRACTOR'S TRESPASS ONTO THE OWNER'S PROPERTY.
- CONTRACTOR SHALL BE RESPONSIBLE TO NOTIFY THE ONE-CALL SYSTEM FOR UTILITY IDENTIFICATION PRIOR TO CONSTRUCTION, AS WELL AS RESPONSIBLE FOR THE COST OF REPAIRS TO ANY DAMAGED UTILITIES.
- CONTRACTOR SHALL EMPLOY NECESSARY TRAFFIC CONTROL MEASURES NECESSARY FOR CONSTRUCTION. CONTRACTOR SHALL PRESENT THE ENGINEER COPIES OF THE TRAFFIC CONTROL PLAN PRIOR TO CONSTRUCTION. ANY TRAFFIC CONTROL MEASURES SHALL COMPLY WITH CURRENT MUTCD (MANUAL OF TRAFFIC CONTROL DEVICES) AND TXDOT REGULATIONS.

EXISTING UTILITIES

- LOCATION AND DEPTH OF EXISTING UTILITIES SHOWN WITHIN UTILITY LAYOUT ARE APPROXIMATE ONLY. ACTUAL LOCATIONS AND DEPTHS MUST BE VERIFIED BY THE CONTRACTOR PRIOR TO THE CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THEIR PROTECTION DURING CONSTRUCTION.
- IT IS ESSENTIAL THAT 48 HOURS PRIOR TO CONSTRUCTION, ALL UTILITY COMPANIES BE NOTIFIED TO LOCATE AND TAG THEIR UNDERGROUND FACILITIES PRIOR TO EXCAVATION.
- THE CONTRACTOR NEEDS TO ALLOW FOR THE POSSIBILITY OF UNDETECTED UNDERGROUND UTILITIES. THE CONTRACTOR MUST ALLOW FOR CHANGES DUE TO UTILITIES BEING IN LOCATIONS DIFFERENT FROM THOSE SHOWN ON THE UTILITY DRAWINGS. THE CONTRACTOR IS RESPONSIBLE FOR LOCATING AND EXPOSING CONFLICTS PRIOR TO CONSTRUCTION.
- TRENCHES OR EXCAVATIONS MAY NOT BE LEFT OPEN OVERNIGHT UNLESS AUTHORIZED IN WRITING BY THE ENGINEERING DEPARTMENT. IN SUCH CASES, THE CONTRACTOR MUST PROVIDE 1/2" STEEL COVER PLATES WITH ANCHORING OR AS PER SPECIFICATIONS TO BE PROVIDED BY THE CITY.
- ANY DAMAGE TO FENCES, SIDEWALKS OR PRIVATE PROPERTY SHALL BE REPAIRED BY THE CONTRACTOR AT THEIR EXPENSE.
- IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO REMOVE ALL EXCAVATED MATERIAL & DEBRIS FROM THE SITE AT NO ADDITIONAL EXPENSE TO THE OWNER.
- THE CONTRACTOR IS RESPONSIBLE FOR SCHEDULING CONSTRUCTION MATERIALS TESTING THROUGH THE CITY'S DESIGNATED FIELD REPRESENTATIVE 24 HOURS PRIOR TO TESTING. CONTRACTOR IS RESPONSIBLE FOR ADHERING CLOSELY TO TESTING SCHEDULE AND AVOID ANY DELAYS IN THE FIELD.
- THE CONTRACTOR SHALL PROVIDE ALL CONSTRUCTION STAKING AND SURVEYING.
- EXISTING POWER POLES, CONCRETE STAND PIPES, ETC., WILL NEED TO BE BRACED DURING ADJACENT CONSTRUCTION.
- CONTRACTOR SHALL KEEP ALL WATER & SANITARY SEWER SERVICES OPERATIONAL.
- THE ENGINEER WILL BE THE FINAL AUTHORITY OF ALL CONFLICTS, DISCREPANCIES, AND THE INTERPRETATIONS OF THE DRAWINGS OR SPECIFICATIONS.

UTILITY WARNING

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS (IF ANY). THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. IT IS THE CONTRACTORS RESPONSIBILITY TO VERIFY AND LOCATE ALL UNDERGROUND UTILITIES PRIOR TO COMMENCING WORK.

IF CULTURE MATERIALS ARE ENCOUNTERED DURING CONSTRUCTION WORK SHALL CEASE IN THE IMMEDIATE AREA AND THE CONTRACTOR SHALL NOTIFY THE OWNER OR ENGINEER. THE OWNER OR ENGINEER SHALL CONTACT THE SECRETARY OF THE INTERIOR, (202-343-4104) IN ACCORDANCE WITH 36 CFR800. THE STATE HISTORIC PRESERVATION OFFICER (512-463-6069) SHALL ALSO BE NOTIFIED.

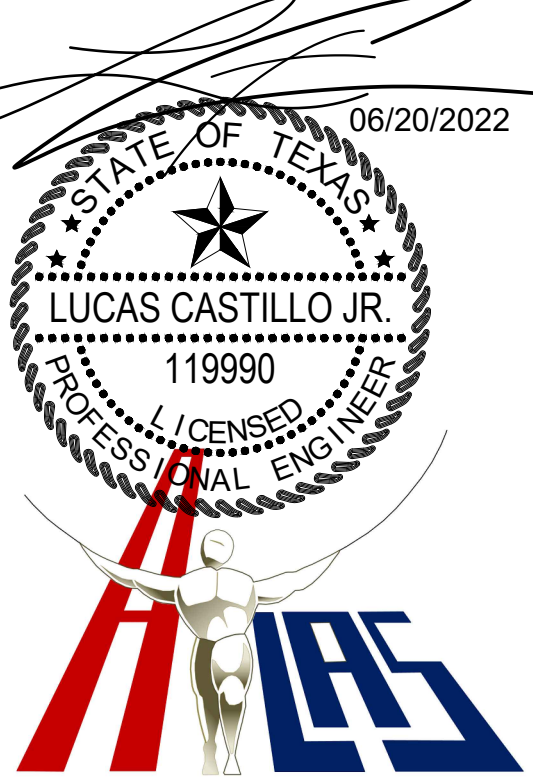
ALL SOILS ARE UNCLASSIFIED SOILS INCLUDING ROCK OR OTHER MATERIAL. NO SPECIAL PAYMENT WILL BE MADE TO THE CONTRACTOR FOR UNFORESEEN UNCLASSIFIED SOILS ENCOUNTERED. NO SPECIAL PROVISIONS ARE BEING MADE FOR UNCLASSIFIED SOILS.

PLAN NOTE:

- CONTRACTOR TO VERIFY EXISTING MATERIALS TO BE OFFSET AS SHOWN ON PLANS. INFORMATION REGARDING THE EXISTING MATERIALS WAS NOT AVAILABLE AT THE TIME THIS PLAN WAS PREPARED.
- CONTRACTOR MUST FOLLOW THE INSTALLATION REQUIREMENTS FOR THE NEW LINE IN ACCORDANCE WITH LOCAL CITY ORDINANCES AND REQUIREMENTS

ATLAS ENGINEERING CONSULTANTS

TSPE FIRM NO. 17057
2820 GULL, MCALLEN, TEXAS 78504
(956) 379-3852
lcastillo@atlaseng.com



THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY LUCAS CASTILLO JR. P.E. No. 119990. ALTERATION OF A SEALED DOCUMENT WITHOUT NOTIFICATION TO THE ENGINEER IS AN OFFENSE UNDER THE STATE OF TEXAS ENGINEERING PRACTICE ACT.

PROJECT:

VENDOME SUBDIVISION
LOT 124
McALLEN, TEXAS

DATE									
DESCRIPTION									
No.									

PROJECT No. CV22-034
DATE: 06/20/2022
DRAWN BY: L.C.
SCALE: AS NOTED


SITE PLAN


C1.0



13818

**NOTICE
VARIANCE
FOR
THIS PROPERTY
ZBA2022-0037**

 CITY OF MCALLEN PLANNING DEPT.
956-681-1250
WWW.MCALLEN.NET



2022 ATTENDANCE RECORD FOR ZONING BOARD OF ADJUSTMENT AND APPEALS

	01/05/22	01/19/22	02/02/22	02/17/22	03/03/22	03/17/22	04/06/22	04/20/22	05/04/22	05/18/22	06/01/22	05/25/22	06/15/22	06/29/22	07/07/22	07/20/22	08/03/22	08/17/22	09/08/22	09/21/22	10/05/22	10/19/22	11/02/22	11/16/22	12/07/22	12/21/22
ERICK DIAZ- CHAIRPERSON	P																									
SYLVIA HINOJOSA-CHAIRPERSON	P	P	P	P	A	A	P	P	P	P	P	P	P	LQ												
JOSE GUTIERREZ-VICE-CHAIR	P	P	P	P	P	P	P	P	P	P	P	P	A	LQ												
ANN TAFEL	A	P	P	P	P	P	P	P	P	P	P	A	P	LQ												
HUGO AVILA	P	P	P	P	P	P	P	P	A	P	P	P	P	LQ												
ROGELIO RODRIGUEZ	P	P	P	P	P	P	A	P	P	P	A	A	P	LQ												
REBECCA MILLAN (ALT 1)	P	P	P	P	P	P	P	A	P	P	P	P	P	LQ												
MARK TALBOT (ATL 2)				P	P	A	P	P	P	A	A	A	A	LQ												
SAM SALDIVAR (ALT 3)				P	P	A	P	P	P	A	P	A	A	LQ												
JUAN MUJICA (ALT 4)				P	P	P	P	P	P	P	P	P	A	LQ												

P - PRESENT

A - ABSENT

 NEW APPOINTMENT

MC - MEETING CANCELLED

NRM - NO MEETING

LOQ - LACK OF QUORUM

RS - RESIGNATION







PLANNING DEPARTMENT

311 N 15th Street McAllen, TX 78501
Phone: 956-681-1250 Fax: 956-681-1279



2022 CALENDAR

Meetings:

-  City Commission
-  Public Utility Board
-  Planning & Zoning Board
-  Zoning Board of Adjustment

HPC - Historic Preservation Council

Deadlines:

D- Zoning/CUP Application N - Public Notification

* **Holiday** - Office is closed

JANUARY 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
	A-1/18 & 1/19		N-1/18 & 1/19 D-2/1 & 2/2			
9	10	11	12	13	14	15
16	17	18	19	20	21	22
	A-2/1 & 2/2		N-2/1 & 2/2 D-2/16 & 2/17			
23	24	25	26	27	28	29
			HPC			
30	31					
	A-2/16 & 2/17					

FEBRUARY 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
			N- 2/16 & 2/17 D- 3/28 & 3/3			
6	7	8	9	10	11	12
13	14	15	16	17	18	19
	A-3/2 & 3/3		N-3/2 & 3/3 D-3/16 & 3/17			
20	21	22	23	24	25	26
				HPC		
27	28					
	A-3/16 & 3/17					

MARCH 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
			N-3/16 & 3/17 D - 4/5 & 4/6			
6	7	8	9	10	11	12
13	14	15	16	17	18	19
			D-4/19 & 4/20			
20	21	22	23	24	25	26
	A-4/5 & 4/6		N-4/5 & 4/6			
27	28	29	30	31		
			HPC			

APRIL 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
	A-4/19 & 4/20		N-4/19 & 4/20 D-5/3 & 5/4			
10	11	12	13	14	15	16
					HOLIDAY	
17	18	19	20	21	22	23
	A- 5/3 & 5/4		N- 5/3 & 5/4 D-5/17 & 5/18			
24	25	26	27	28	29	30
			HPC			

MAY 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
	A- 5/17 & 5/18		D: 6/1 & 6/7 N-5/17 & 5/18			
8	9	10	11	12	13	14
15	16	17	18	19	20	21
	A-6/1 ZBA		N-6/1 ZBA D-6/15 & 6/21			
22	23	24	25	26	27	28
	A-6/7 PZ		HPC		A-6/15 ZBA	
29			N-6/7 PZ			
	HOLIDAY					




JUNE 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
			N-6/15 ZBA D-7/6 & 7/7			
5	6	7	8	9	10	11
	A-6/21 P&Z		N-6/21 P&Z			
12	13	14	15	16	17	18
			D-7/19 & 7/20			
19	20	21	22	23	24	25
	A-7/6 & 7/7		N-7/6 & 7/7			
26	27	28	29	30		
			HPC			

Deadlines and Meeting Dates are subject to change at any time. Please contact the Planning Department at (956) 681-1250 if you have any questions.

2022 CALENDAR

Meetings:

-  City Commission
-  Planning & Zoning Board
-  Public Utility Board
-  Zoning Board of Adjustment





HPC - Historic Pres Council

Deadlines:






D- Zoning/CUP Application N - Public Notification

* **Holiday** - Office is closed





JULY 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
					A-7/19 & 7/20	
3	4 HOLIDAY	5	6 N-7/19 & 7/20 D-8/2 & 8/3	7	8	9
10	11 	12 	13	14	15	16
17	18 A-8/2 & 8/3	19	20 N-8/2 & 8/3 D-8/16 & 8/17	21	22	23
24	25 	26 	27 HPC	28	29	30
31						






AUGUST 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3 N- 8/16 & 8/17 D-9/7 & 9/8	4	5	6
	A- 8/16 & 8/17					
7	8 	9 	10	11	12	13
14	15	16	17 D-9/20 & 9/21	18	19	20
21	22 	23 	24 N-9/7 & 9/8	25 HPC	26	27
28	29	30	31			





SEPTEMBER 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
					A-10/20 & 10/21	
4	5 HOLIDAY	6	7 N-9/20 & 9/21 D-10/4 & 10/5	8	9	10
11	12 	13 	14	15	16	17
18	19 A-10/4 & 10/5	20	21 D-10/18 & 10/19 N-10/4 & 10/5	22	23	24
25	26 	27 	28 HPC	29	30	




OCTOBER 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5 N-10/18 & 10/19 D-11/1 & 11/2	6	7	8
	A-10/18 & 10/19					
9	10 	11 	12	13	14	15
16	17 A- 11/1 & 11/2	18	19 N- 11/1 & 11/2 D-11/16 & 11/17	20	21	22
23	24 	25 	26 HPC	27	28	29
30	31 A-11/16 & 11/17					

NOVEMBER 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2 N-11/16 & 11/17 D-12/6 & 12/7	3	4	5
6	7	8	9	10	11	12
13	14 	15 	16 D-12/20 & 12/21	17	18	19
20	21 A-12/6&12/7	22	23 N-12/6 & 12/7	24 HOLIDAY	25	26
27	28 	29 	30			

DECEMBER 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7 HPC D-1/3 & 1/4 N- 12/20& 12/21	8	9	10
	A-12/20 & 12/21					
11	12 	13 	14	15	16	17
18	19 A- 1/3 & 1/4	20	21 D-1/17 & 1/18 N- 1/3 & 1/4	22	23 HOLIDAY	24
25	26 HOLIDAY	27	28	29	30	31