

## AGENDA

### ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING WEDNESDAY, JUNE 17, 2026 - 4:30 PM MCALLEN CITY HALL, 1300 HOUSTON AVENUE CITY COMMISSION CHAMBERS, 3<sup>RD</sup> FLOOR

At any time during the course of this meeting, the Zoning Board of Adjustment and Appeals may retire to Executive Session under Texas Government Code 551.071(2) to confer with its legal counsel on any subject matter on this agenda in which the duty of the attorney to the Zoning Board of Adjustment and Appeals under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code. Further, at any time during the course of this meeting, the Zoning Board of Adjustment and Appeals may retire to Executive Session to deliberate on any subject slated for discussion at this meeting, as may be permitted under one or more of the exceptions to the Open Meetings Act set forth in Title 5, Subtitle A, Chapter 551, Subchapter D of the Texas Government Code.

#### CALL TO ORDER -

#### 1. MINUTES:

- a) Minutes for the meeting held on June 3, 2026

#### 2. PUBLIC HEARINGS:

- a) Request of Leo Aurelio Palacios, for a variance to encroach 15 feet into the 25-foot rear setback for a proposed swimming pool, at Lot 3, Antigua Subdivision, Hidalgo County, Texas; 3100 Zenaida Avenue. **(ZBA2026-0022)**
- b) Request of David Hernandez, for a variance to encroach 25 feet into the 35-foot rear setback for a proposed addition to an existing gazebo, at Lot 170, Northridge Park Phase IV Subdivision, Hidalgo County, Texas; 216 East Verdin Avenue. **(ZBA2026-0023)**
- c) Request of Ricardo Daniel Martinez on behalf of Habitat Development Group, for a variance to allow 3-foot side setbacks on the west, for Lots 3, 7, 12, 17, 32, and 36, Habitat at Ware Phase I Subdivision, Hidalgo County, Texas; 3709, 3717, 3807, 3819, 4009, and 4017 Jay Avenue. **(ZBA2026-0024)**
- d) Request of Rio Delta Engineering on behalf of Hollywood Development & Construction, LLC, for a variance to allow a lot width of 42.50 feet instead of the minimum 45 feet required for proposed Lot 2 of Imperio Estates Phase II Subdivision, at a 8.86-acre tract of land out of Lot 47, La Lomita Irrigation & Construction Company's Subdivision, Hidalgo County, Texas; 8600 North 29th Street. **(ZBA2026-0025)**

#### 3. FUTURE AGENDA ITEMS

- a) 2704 Redwood Avenue

#### ADJOURNMENT:

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

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

**The McAllen Zoning Board of Adjustment and Appeals convened in a Regular Meeting on Wednesday, June 17, 2026 at 4:33 p.m. in the McAllen City Hall, Commission Chambers with the following present:**

<b>Present:</b>	<b>Jose Gutierrez</b>	<b>Chairperson</b>
	<b>Hiram Gutierrez</b>	<b>Member</b>
	<b>Erick Diaz</b>	<b>Alternate</b>
	<b>Juan Mujica</b>	<b>Alternate</b>

<b>Absent:</b>	<b>Hugo Avila</b>	<b>Vice-Chairperson</b>
	<b>Daniel Santos</b>	<b>Member</b>
	<b>Ivan Garcia</b>	<b>Member</b>
	<b>Alex Lamela</b>	<b>Alternate</b>
	<b>Francisco Davila</b>	<b>Alternate</b>

<b>Staff Present:</b>	<b>Norma Borrego</b>	<b>Assistant City Attorney I</b>
	<b>Omar Sotelo</b>	<b>Planning Director</b>
	<b>Kaveh Forghanparast</b>	<b>Senior Planner</b>
	<b>Mia Fuentes</b>	<b>Planner I</b>
	<b>Jessica Puga</b>	<b>Technician II</b>
	<b>Valerie Ramos</b>	<b>Administrative Assistant</b>

**CALL TO ORDER –Chairperson Jose Gutierrez**

**1. MINUTES:**

- a) Minutes for meeting held on June 3, 2026.**

The minutes for the meeting held on June 3, 2026. The motion to approve the minutes were made by Mr. Alex Lamela. Mr. Hiram Gutierrez seconded the motion, which carried unanimously with four members present and voting.

**2. PUBLIC HEARINGS:**

- a) Request of Leo Aurelio Palacios, for a variance to encroach 15 feet into the 25-foot rear setback for a proposed swimming pool, at Lot 3, Antigua Subdivision, Hidalgo County, Texas; 3100 Zenaida Avenue. (ZBA2026-0022)**

Mr. Del Bosque stated the applicant was requesting a variance to encroach 15 feet into the 25-foot rear setback for a proposed swimming pool.

The subject property was located along the Northside of Zenaida Avenue, west of North 29<sup>th</sup> Street. The surrounding land uses include single-family residences and vacant land.

Antigua Subdivision was recorded on July 6, 2006. According to the plat notes, lots along Trenton Road are considered double fronting and require a minimum setback of 25 feet. A building permit for the construction of a single-family residence was issued on April 23, 2026. As per the submitted site plan, the home is not encroaching into the 25-foot rear setback. The variance request was submitted on April 22, 2026. A previous variance request for Lot 2 of Antigua Subdivision, to encroach 10 feet into the 25-foot rear setback, was approved on October 7, 2020.

The proposed encroachment will comply with the 10-foot rear setback requirement that is consistent for all other 15 lots not along Trenton Road and is the general constraint in this zoning district. This request would not be the first lot in this subdivision to be granted a variance to the rear setback requirement as previously mentioned.

As per Section 6.4.1.F. of the UDC, the Zoning Board of Adjustment shall not approve a variance unless it finds that:

- a. The variance is not contrary to the public interest;
- b. Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship; and
- c. The spirit of the varied provision is observed and substantial justice is done.

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

Staff recommended approval of the variance request.

Mr. Leo Aurelio Palacios, IV, 7025 North 5<sup>th</sup> Street, McAllen, Texas. He stated they were currently in to early stages in the building process trying to get a pool built in the rear of the property. Based on the plans and the size of the pool and the size of the lot, they were requesting that 10-foot variance with the setback.

Chairperson Gutierrez mentioned to the applicant that had to be five members present in order to have a full complete Board and there were four members present. He asked the applicant if he would like to continue or wait for a full Board at the next meeting to make the final decision. Mr. Palacios said he would like to continue.

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

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

Mr. Hiram Gutierrez **moved** to go with staff's recommendation approve the Variance request. Mr. Alex Lamela seconded the motion. The Board voted to approve the Variance request with four members present and voting.

- b) Request of David Hernandez, for a variance to encroach 25 feet into the 35-foot rear setback for a proposed addition to an existing gazebo, at Lot 170, Northridge Park Phase IV Subdivision, Hidalgo County, Texas; 216 East Verdin Avenue. (ZBA2026-0023)**

Mr. Del Bosque stated the applicant was requesting a variance to encroach 25 feet into the 35-foot rear setback for a proposed addition to an existing gazebo.

The subject property was located along the south side of East Verdin Avenue, west of North Cynthia Street. The surrounding land uses include single-family residences, commercial uses, and vacant land.

Northridge Park Phase IV Subdivision was recorded on September 20, 1994. According to the plat notes, only lots backing up to the railroad have a 35-foot rear setback. Staff's research did not reveal any records of variances being granted for this subdivision. A building permit for the extension of an existing gazebo was applied for on April 16, 2026; however, was rejected, pending the variance request. Staff's research also did not reveal any records of building permits being issued for the existing gazebo. The variance request was submitted on April 28, 2026.

The proposed encroachment will comply with the 10-foot rear setback requirement that is consistent for all other lots. A 10-foot rear setback is also standard for this zoning district.

As per Section 6.4.1.F. of the UDC, the Zoning Board of Adjustment shall not approve a variance unless it finds that:

- a. The variance is not contrary to the public interest;
- b. Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship; and
- c. The spirit of the varied provision is observed and substantial justice is done.

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

Staff recommended approval of the variance request.

Mr. David Hernandez, 216 East Verdin Avenue, McAllen, Texas 78504. He stated the old McAllen homes had little gazebos. They made plans to expand it 20 feet north along the fence line. They were unaware of encroaching into any setbacks. They have been in the house since 2020 so the City came out and informed them before they start anything they needed to comply and go with the zoning restrictions. .

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

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

Mr. Alex Lamela **moved** to go with staff's recommendation and approve the Variance request. Mr. Erick Diaz seconded the motion. The Board voted to approve the Variance request with four members present and voting.

- c) Request of Ricardo Daniel Martinez on behalf of Habitat Development Group, for a variance to allow 3-foot side setbacks on the west, for Lots 3, 7, 12, 17, 32, and 36, Habitat at Ware Phase I Subdivision, Hidalgo County, Texas; 3709, 3717, 3807, 3819, 4009, and 4017 Jay Avenue. **(ZBA2026-0024)**

Mr. Del Bosque stated the applicant requested the item to be tabled.

Mr. Erick Diaz **moved** to go to table the item. Mr. Hiram Gutierrez seconded the motion. The Board voted to table the item with four members present and voting.

- d) Request of Rio Delta Engineering on behalf of Hollywood Development & Construction, LLC, for a variance to allow a lot width of 42.50 feet instead of the minimum 45 feet required for proposed Lot 2 of Imperio Estates Phase II Subdivision, at a 8.86-acre tract of land out of Lot 47, La Lomita Irrigation & Construction Company's Subdivision, Hidalgo County, Texas; 8600 North 29th Street. **(ZBA2026-0025)**

Ms. Fuentes stated the applicant was requesting a variance to the minimum lot width requirement for Lot 2 in the proposed Imperio Estates Phase II Subdivision.

The subject property was located along the east side of North 29<sup>th</sup> Street, between Indian Hill Avenue and Grayson Avenue and is zoned R-1 (Low Density Residential-UDC) District.

Imperio Estates Phase II was approved in preliminary form on March 3, 2026 by the Planning and Zoning Commission subject to conditions. An application for the variance request was submitted on April 30, 2026.

Section 2.2.2. of the Unified Development Code requires a minimum width of 45 feet and lot area of 5,000 square feet. Lot 2 of proposed Imperio Estates Phase II is proposed to have a lot width of 42.5 feet and lot area of 5,937 square feet. The applicant stated that there are existing structures to the east that limits the ability of complying with the ordinance. If the number of lots is reduced by one, all lots would comply with minimum requirements.

Section 6.4.1 of the UDC states that the Zoning Board of Adjustment shall not approve a variance unless it finds that:

- a. The variance is not contrary to the public interest;
- b. Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship; and
- c. The spirit of the varied provision is observed and substantial justice is done.

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

Staff recommended disapproval of the variance request.

Mr. Edwin Pena, Rio Delta Engineering, 921 South 10<sup>th</sup> Street, Edinburg, Texas. He stated that this request was not reducing any setbacks. They were planning to comply with all the setbacks and all City's standards. The only consideration that they were requesting was for the lot frontage. There was an existing house on Lot 3. After providing enough room for the house and the setbacks, they did not have enough room on Lots 1 and 2 to comply with the minimum frontage of the lot. They would provide the site plan from the developer, which was also the homebuilder for the subdivision, complying with all the setbacks, the size of the house, and the City's requirements.

Chairperson Gutierrez stated to the applicant there were only four Board members present and there should be five. If one of the members votes against their petition, it would be denied. Being five Board members, one could vote against it and still be approved. He gave the applicant the option to table the item until the next meeting when they a full Board present.

Mr. Pena stated he would like to proceed with the case with four Board members present.

Board member Diaz mentioned that on Lot 1 they had 47.5 feet, was there any way to move that lot line a little to gain more space into the 42-foot request. Mr. Pena stated they would need three more feet on Lot 3 to comply with the lot frontage. They could move the lot line it but they still will not have enough.

Mr. Forghanparast stated they are complying with the lot size the only issue was that they wanted to have Lot 1 and Lot 2 separate. On the south side, Lot 37 was a larger lot. If they combined Lot 1 and Lot 2 into one lot, then they would not have issue with the requirement but want to keep them separate.

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

Ms. Ana Garcia, on behalf of Hollywood Development, 2201 West Dove Avenue, McAllen, Texas. She state they were the developers and builders. She stated they did comply with the square footage, which was 5,900, but they did not comply with the width. They proposed the house, which was going to comply with the setbacks, driveway to provide four vehicles.

Board member Gutierrez asked Ms. Garcia if Lots 1 and 2 could essentially combined and be similar to Lot 37 and a similar size house could be built there. Ms. Garcia stated on Lot 37 there was an existing house. They purchased that land with five existing homes. The two homes had to be torn down because they were not in good conditions but kept the other three. Someone was living there as the original owners and did not want to move out. The other two houses were good enough for them to salvage and fix.

Board member Diaz asked what happened on Lots 8, 28, and 29. She stated they had a gas line crossing on both of them. They were trying to work so they can build something because they cannot cross the gas line; they needed a 50' easement.

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

Chairperson Gutierrez asked staff what was the reason for limiting the 45-foot frontage. Mr. Forghanparast stated there were multiple types of zones inside the City in the new UDC. They have the low-density residential which is this type of development. There is also medium-density and high-density. With the low-density, it should be lower by the water laws and the 5,000 square feet was needed to keep the density lower. When you to the R-2 and R-3 zones which was medium and high density, they can have smaller lots.

Mr. Erick Diaz **moved** to go against staff's recommendation and approve the Variance request. Mr. Alex Lamela seconded the motion.

Chairperson Gutierrez stated there has to be the four members present to go with the motion otherwise it would be disapproved.

Board member Diaz asked if there was an opportunity for the applicant to table the item and wait for a full Board.

Ms. Garcia requested to table the item until the next meeting.

Board member Diaz withdrew his motion.

Mr. Erick Diaz **moved** to go to table the item until next meeting. Mr. Alex Lamela seconded the motion. The Board voted to table the item with four members present and voting.

## **ADJOURNMENT**

There being no further business to come before the Zoning Board of Adjustment and Appeal, Chairperson Jose Gutierrez **moved** to adjourn the meeting at 5:54 p.m.

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Chairperson Jose Gutierrez

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Carmen White, Administrative Assistant

Memo

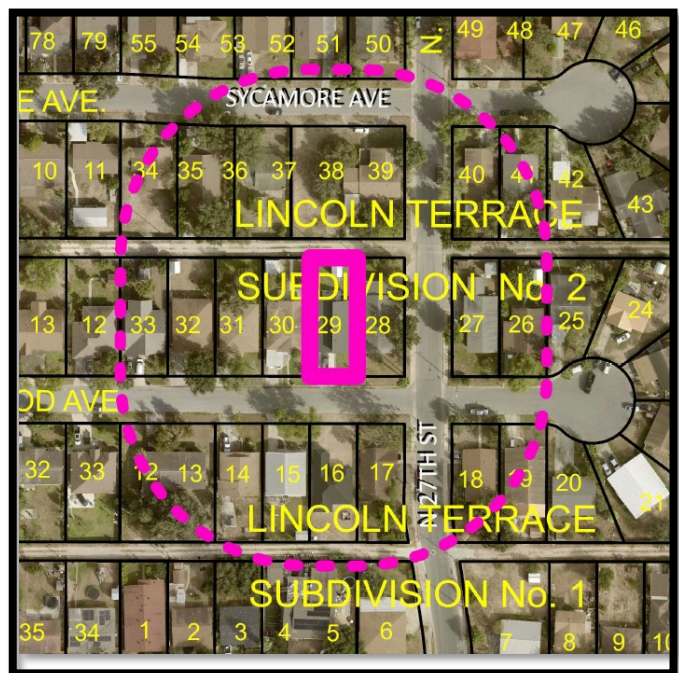
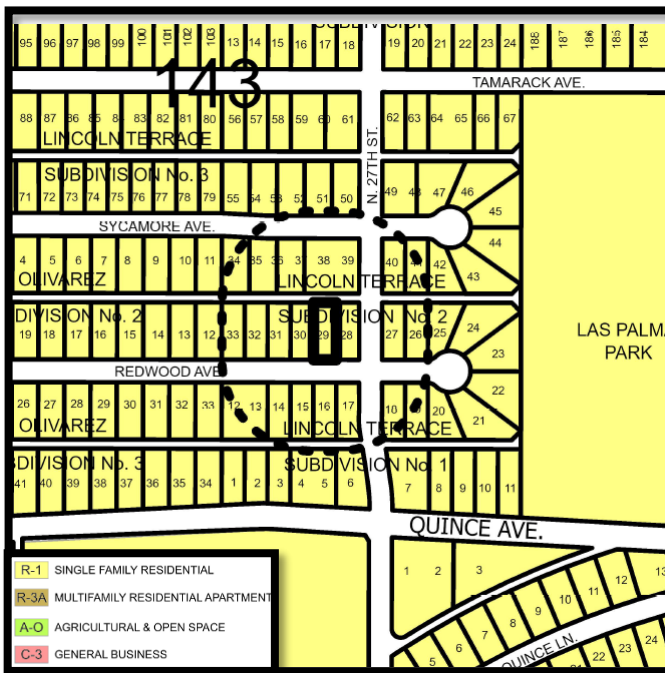
TO: Zoning Board of Adjustment & Appeals

FROM: Planning Staff

DATE: July 8, 2026

SUBJECT: REQUEST OF ERNEST AND PATRICE OCHOA FOR A SPECIAL EXEPTION TO ALLOW AN ENCROACHMENT OF 25 FEET INTO THE 30-FOOT FRONT SETBACK FOR A CARPORT AT LOT 29, LINCOLN TERRACE SUBDIVISION, HIDALGO COUNTY, TEXAS; 2704 REDWOOD (ZBA2026-0027)

REASON FOR APPEAL: The applicant is requesting a special exeption to allow an encroachment of 20 feet into the 25 foot front setback for a proposed carport.



PROPERTY LOCATION AND VICINITY: The subject property is located along the north side of Redwood Avenue, west of North 27<sup>th</sup> Street and is zoned R-1 (Single-Family Residential-OC) District.

BACKGROUND AND HISTORY: Lincoln Terrace Subdivision was recorded on April 30, 1968. The applicant submitted a building permit application for the carport on May 18, 2026, which was rejected by staff due to the encroachment. An application for the variance request was submitted on May 19, 2026.

ANALYSIS: The recorded plat requires 30-foot front setback. The proposed carport would measure 21 feet by 19 feet. The applicant stated that the carport would help protect himself and his family from the

weather elements. Multiple carports in the front setback in this subdivision were approved by the Zoning Board of Adjustments in the past, including one request along Redwood Avenue on November 4, 2009.

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

**RECOMMENDATION:** Staff recommends approval of the special exception request.



**Memo**

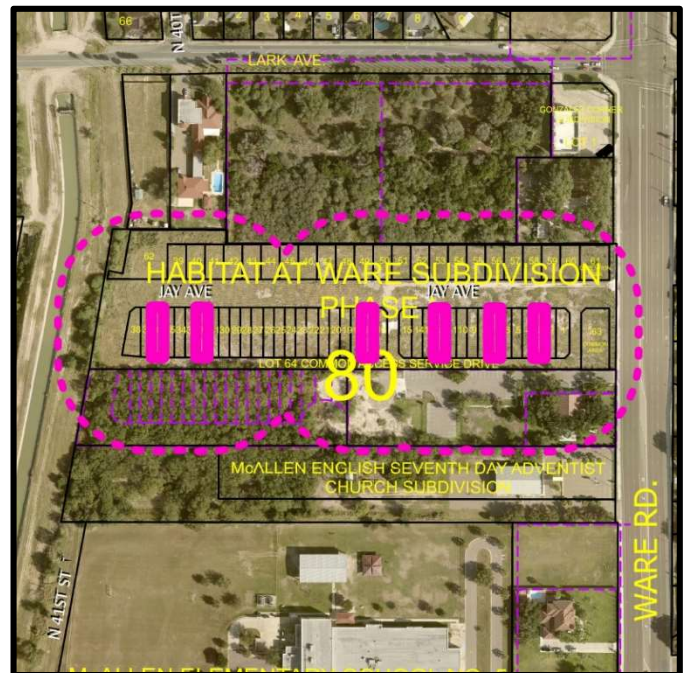
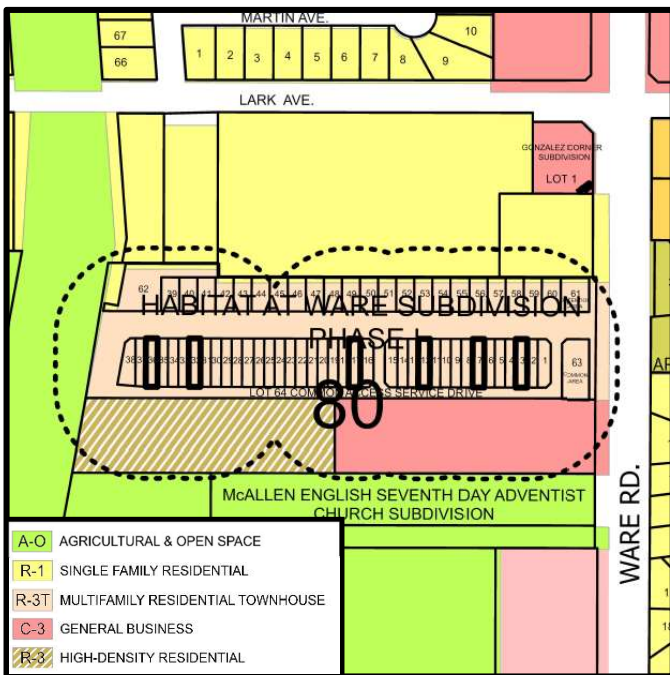
**TO:** Zoning Board of Adjustment & Appeals

**FROM:** Planning Staff

**DATE:** July 8, 2026

**SUBJECT: REQUEST OF HABITAT DEVELOPMENT GROUP, FOR A VARIANCE TO ALLOW 3-FOOT SIDE SETBACKS TO THE WEST, FOR LOTS 3, 7, 12, 17, 32, AND 36, HABITAT AT WARE PHASE I SUBDIVISION, HIDALGO COUNTY, TEXAS; 3709, 3717, 3807, 3819, 4009, AND 4017 JAY AVENUE. (ZBA2026-0024)**

**REASON FOR APPEAL:** The applicant is requesting a variance to allow 3-foot side setbacks to the west side of Lots 3, 7, 12, 17, 32, and 36 of Habitat at Ware Phase I Subdivision. The applicant intends to build townhomes that don't share a wall, creating a walkable hallway between the townhomes.



**PROPERTY LOCATION AND VICINITY:** The subject properties are located along the south side of Jay Avenue, west of North Ware Road. The surrounding land uses include single-family residences, institutional uses, commercial uses, and vacant land.

**BACKGROUND AND HISTORY:** Habitat at Ware Phase I Subdivision was recorded on February 12, 2026. According to the plat notes, the subject properties west side setbacks are in accordance with the Zoning Ordinance which is six feet where a townhouse is not separated from an adjacent structure by a firewall. A previous subdivision variance request to allow a three and a half foot side setback on the east side of Lots 2 through 15 and Lots 17 through 18 was approved by the Planning and Zoning Commission on August 20, 2024 as part of the subdivision process

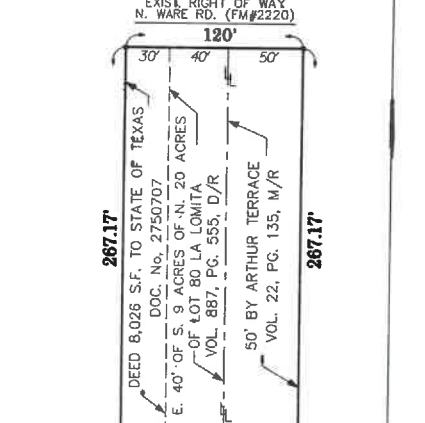
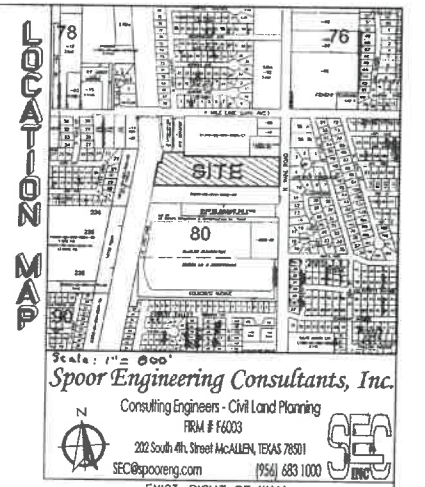
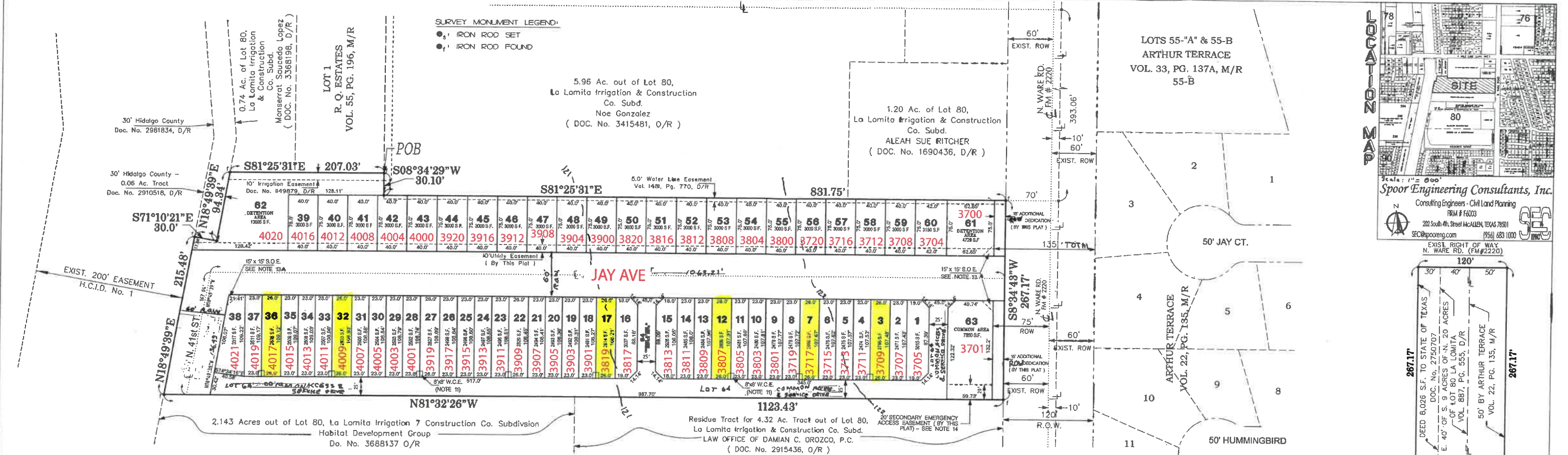
**ANALYSIS:** The subject properties will have a proposed total separation of six and a half feet from the west side of their proposed structures. The applicant stated that a one-hour firewall will be added to prevent the spread of fire.

As per Section 6.4.1.F., the Zoning Board of Adjustment shall not approve a variance unless it finds that:

- a. The variance is not contrary to the public interest;
- b. Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship; and
- c. The spirit of the varied provision is observed and substantial justice is done.

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

**RECOMMENDATION:** Staff recommends disapproval of the variance request due to noncompliance with plat requirements and zoning ordinance.



- NOTES:**
- MINIMUM BUILDING SETBACK SHALL BE AS FOLLOWS:  
 LOTS 1 AND 16:  
 FRONT: 10 FEET OR GREATER FOR EASEMENTS  
 REAR: IN ACCORDANCE WITH ZONING ORDINANCE OR GREATER FOR EASEMENTS  
 EAST SIDE: 10 FEET OR GREATER FOR EASEMENTS  
 WEST SIDE: IN ACCORDANCE WITH ZONING ORDINANCE OR GREATER FOR EASEMENTS AND SUBJECT TO COMPLIANCE WITH BUILDING CODE REQUIREMENTS  
 GARAGE: 18 FEET EXCEPT WHERE GREATER SETBACK IS REQUIRED, GREATER SETBACK APPLIES  
 LOTS 15 AND 38:  
 FRONT: 10 FEET OR GREATER FOR EASEMENTS  
 REAR: IN ACCORDANCE WITH ZONING ORDINANCE OR GREATER FOR EASEMENTS  
 EAST SIDE: IN ACCORDANCE WITH ZONING ORDINANCE OR GREATER FOR EASEMENTS AND SUBJECT TO COMPLIANCE WITH BUILDING CODE REQUIREMENTS  
 WEST SIDE: 10 FEET OR GREATER FOR EASEMENTS  
 GARAGE: 18 FEET EXCEPT WHERE GREATER SETBACK IS REQUIRED, GREATER SETBACK APPLIES  
 LOTS 2 THROUGH 14 AND 17 THROUGH 37:  
 FRONT: 10 FEET OR GREATER FOR EASEMENTS  
 REAR: IN ACCORDANCE WITH ZONING ORDINANCE OR GREATER FOR EASEMENTS  
 EAST SIDE: 3.5 FEET  
 WEST SIDE: IN ACCORDANCE WITH ZONING ORDINANCE OR GREATER FOR EASEMENTS AND SUBJECT TO COMPLIANCE WITH BUILDING CODE REQUIREMENTS  
 GARAGE: 18 FEET EXCEPT WHERE GREATER SETBACK IS REQUIRED, GREATER SETBACK APPLIES  
 LOTS 39 THROUGH 60:  
 FRONT: 10 FEET OR GREATER FOR EASEMENTS  
 REAR: IN ACCORDANCE WITH ZONING ORDINANCE OR GREATER FOR EASEMENTS  
 EAST SIDE: IN ACCORDANCE WITH ZONING ORDINANCE OR GREATER FOR EASEMENTS AND SUBJECT TO COMPLIANCE WITH BUILDING CODE REQUIREMENTS  
 WEST SIDE: IN ACCORDANCE WITH ZONING ORDINANCE OR GREATER FOR EASEMENTS AND SUBJECT TO COMPLIANCE WITH BUILDING CODE REQUIREMENTS  
 GARAGE: 18 FEET EXCEPT WHERE GREATER SETBACK IS REQUIRED, GREATER SETBACK APPLIES
  - MINIMUM FINISH FLOOR ELEVATION SHALL BE 18 INCHES ABOVE TOP OF CURB MEASURED AT FRONT CENTER OF LOT.
  - THIS PROPERTY FALLS IN ZONE "C" OF THE FLOOD INSURANCE RATE MAP, PANEL NO. 480 343 0005 C REVISED NOV. 2, 1982.
  - A 6' OPAQUE BUFFER IS REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL AND INDUSTRIAL ZONES/USES AND ALONG N. WARE ROAD AND N. 41ST STREET.
  - AN 8' MASONRY WALL IS REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
  - 5' WIDE MINIMUM SIDEWALK IS REQUIRED ON N. WARE RD. AND A 4' WIDE MINIMUM SIDEWALK IS REQUIRED ON N. 41ST STREET AND BOTH SIDES OF ALL INTERIOR STREETS.
  - BENCHMARK - STATION NAME: MC 76 SET BY ARANDA & ASSOC. LOCATED AT THE SOUTH-EAST OF WARE RD. AND MILE 4 RD ELEV. 125.83 (NAVD88)
  - OWNER IS REQUIRED TO PROVIDE AN ENGINEERED STORM WATER DETENTION PLAN APPROVED BY THE CITY OF McALLEN ENGINEERING DEPT. PRIOR TO ISSUANCE OF BUILDING PERMIT.
  - THE DEVELOPER SHALL BE RESPONSIBLE FOR DETAINING AND ACCOMMODATING MORE THAN THE DETAINED VOLUME SHOWN ON THIS PLAT IF IT IS DETERMINED AT THE PERMIT STAGE, THAT THE DETENTION REQUIREMENTS ARE GREATER THAN STATED ON THIS PLAT, DUE TO THE IMPERVIOUS AREA BEING GREATER THAN THE PLAT ENGINEER CONSIDERED IN THE HYDRAULIC CALCULATIONS FOR THIS SUBDIVISION.
  - DRAINAGE DETENTION OF 101 ACRE- FEET (43,940 CUBIC FEET) IS REQUIRED FOR THIS PROPERTY 10. 8'x8' WASTE COLLECTION EASEMENT (W.C.E.) SHOWN CENTERED ON LOT LINES BETWEEN LOTS 3 & 4, 7 & 8, 11 & 12, 17 & 18, 22 & 23, 27 & 28, 32 & 33, AND 36 & 37. W.C.E. DEDICATED BY THIS PLAT

**MAP OF PHASE I HABITAT AT WARE SUBDIVISION**

McAllen, Texas

BEING A SUBDIVISION OF A 6.87 AC (6.84 DEED) TRACT OF LAND OUT OF LOT 80, LA LOMITA IRRIGATION & CONSTRUCTION CO. SUBDIVISION, HIDALGO COUNTY, Texas; according to plat recorded in vol. 24, page 68, Deed Records Hidalgo County, Texas.

**METES & BOUNDS**

A 6.87 (6.84 DEED) ACRE TRACT OF LAND OUT OF LOT 80, LA LOMITA IRRIGATION & CONSTRUCTION CO. SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME 24, PAGE 68, DEED RECORDS, HIDALGO COUNTY, TEXAS.

BEGINNING at the southeast corner of Lot 1, R.O. Estates, City of McAllen, recorded in Volume 55, Page 196, Map Records, for the most northerly northeast corner of the following described tract of land, said point being on the West line of a 5.96 acre tract described in Deed recorded in Document No. 3415481, Official Records;

THENCE, with the West line of said 5.96 acre tract, South 08 Deg. 34 Min. 28 Sec. West, 30.10 feet to the southwest corner of said 5.96 acre tract for an interior corner hereof;

THENCE, with the South line of said 5.96 acre tract, South 81 Deg. 25 Min. 31 Sec. East, at 630.0 feet pass the southeast corner of said 5.96 acre tract, and at 831.75 feet a point on the West line of North Ware Road (FM#2220), for the most southerly northeast corner hereof;

THENCE, with the West line of North Ware Road, South 08 Deg. 34 Min. 43 Sec. West, 267.17 feet to the northeast corner of a 4.32 acre tract as described in Warranty Deed With Vendor's Line recorded in Document No. 2915436, Official Records;

THENCE, with the North line of said 4.32 acre tract, North 81 Deg. 32 Min. 26 Sec. West, 123.43 feet to the northwest corner of said 4.32 acre tract, for the southwest corner hereof, said point being on the East line of H.C.I.D. No. 1200 (east right-of-way);

THENCE, with the East line of said canal right-of-way, North 18 Deg. 49 Min. 39 Sec. East, 215.48 feet to a point for the most southerly northwest corner hereof, said point being the southwest corner of a 0.06 acre tract as described in Deed recorded in Document No. 2910518, Official Records;

THENCE, with the South line of said 0.06 acre tract, South 71 Deg. 10 Min. 21 Sec. East, 30.0 feet to the southeast corner of said 0.06 acre tract for an interior corner hereof;

THENCE, with the East line of said 0.06 acre tract, North 81 Deg. 39 Min. 29 Sec. East, 94.34 feet to the northeast corner of said 0.06 acre tract, for the most northerly northwest corner hereof;

THENCE, with the South line of Lot 1, R.O. Estates, and its projection, South 81 Deg. 25 Min. 31 Sec. East, 207.03 feet to the POINT OF BEGINNING, containing 6.87 acres of land, more or less.

STATE OF TEXAS, COUNTY OF HIDALGO:

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

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED RICARDO DANIEL MARTINEZ, 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 DAY OF 10-21-2024, 2024.

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, REYNALDO ROBLES, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE 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.

STATE OF TEXAS, COUNTY OF HIDALGO:

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

GARTHOK LENDING, LLC

BY: JAMES B. EZZELL, MANAGER  
502 CARDINAL  
McALLEN TX 78504

STATE OF TEXAS, COUNTY OF HIDALGO:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JAMES B. EZZELL, 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 DAY OF 10-21-2024, 2024.

NOTARY PUBLIC

STATE OF TEXAS, COUNTY OF HIDALGO:

I, THE UNDERSIGNED MAYOR 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.

MAYOR CITY OF McALLEN

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 (49.26) 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: RALPH E. SERRA, P.E., C.F.M., GENERAL MANAGER

**Memo**

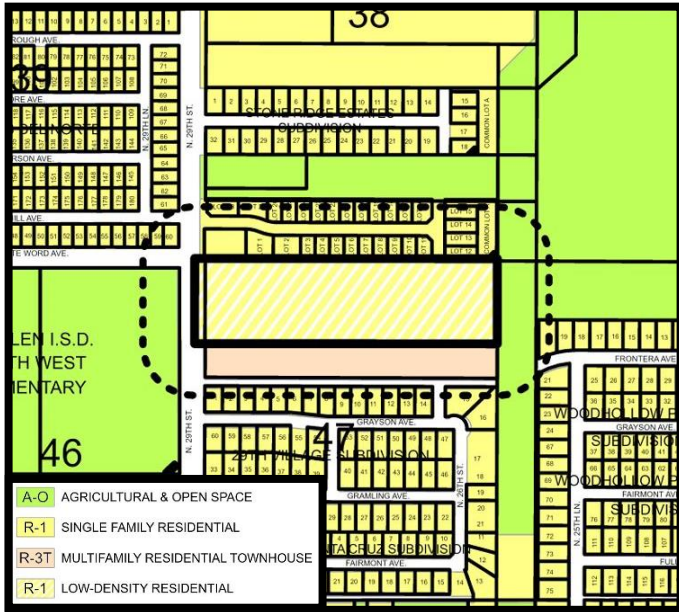
**TO:** Zoning Board of Adjustment & Appeals

**FROM:** Planning Staff

**DATE:** July 8, 2026

**SUBJECT: REQUEST OF RIO DELTA ENGINEERING ON BEHALF OF HOLLYWOOD DEVELOPMENT & CONSTRUCTION, LLC, FOR A VARIANCE TO ALLOW A LOT WIDTH OF 42.50 FEET INSTEAD OF THE MINIMUM 45 FEET REQUIRED FOR PROPOSED LOT 2 OF IMPERIO ESTATES PHASE II SUBDIVISION, AT A 8.86-ACRE TRACT OF LAND OUT OF LOT 47, LA LOMITA IRRIGATION & CONSTRUCTION COMPANY'S SURVEY, HIDALGO COUNTY, TEXAS; 8600 NORTH 29TH STREET. (ZBA2026-0025)**

**REASON FOR APPEAL:** The applicant is requesting a variance to the minimum lot width requirement for Lot 2 in the proposed Imperio Estates Phase II Subdivision.



**PROPERTY LOCATION AND VICINITY:** The subject property is located along the east side of North 29<sup>th</sup> Street, between Indian Hill Avenue and Grayson Avenue and is zoned R-1 (Low Density Residential-UDC) District.

**BACKGROUND AND HISTORY:** Imperio Estates Phase II was approved in preliminary form on March 3, 2026 by the Planning and Zoning Commission subject to conditions. An application for the variance request was submitted on April 30, 2026.

**ANALYSIS:** Section 2.2.2. of the Unified Development Code requires a minimum width of 45 feet and lot area of 5,000 square feet. Lot 2 of proposed Imperio Estates Phase II is proposed to have a lot width of 42.5 feet and lot area of 5,937 square feet. The applicant stated that there are existing structures to the east that limits the ability of complying with the ordinance. If the number of lots is reduced by one, all lots would comply with minimum requirements.

Section 6.4.1 of the UDC states that the Zoning Board of Adjustment shall not approve a variance unless it finds that:

- a. The variance is not contrary to the public interest;
- b. Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship; and
- c. The spirit of the varied provision is observed and substantial justice is done.

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

**RECOMMENDATION:** Staff recommends disapproval of the variance request.

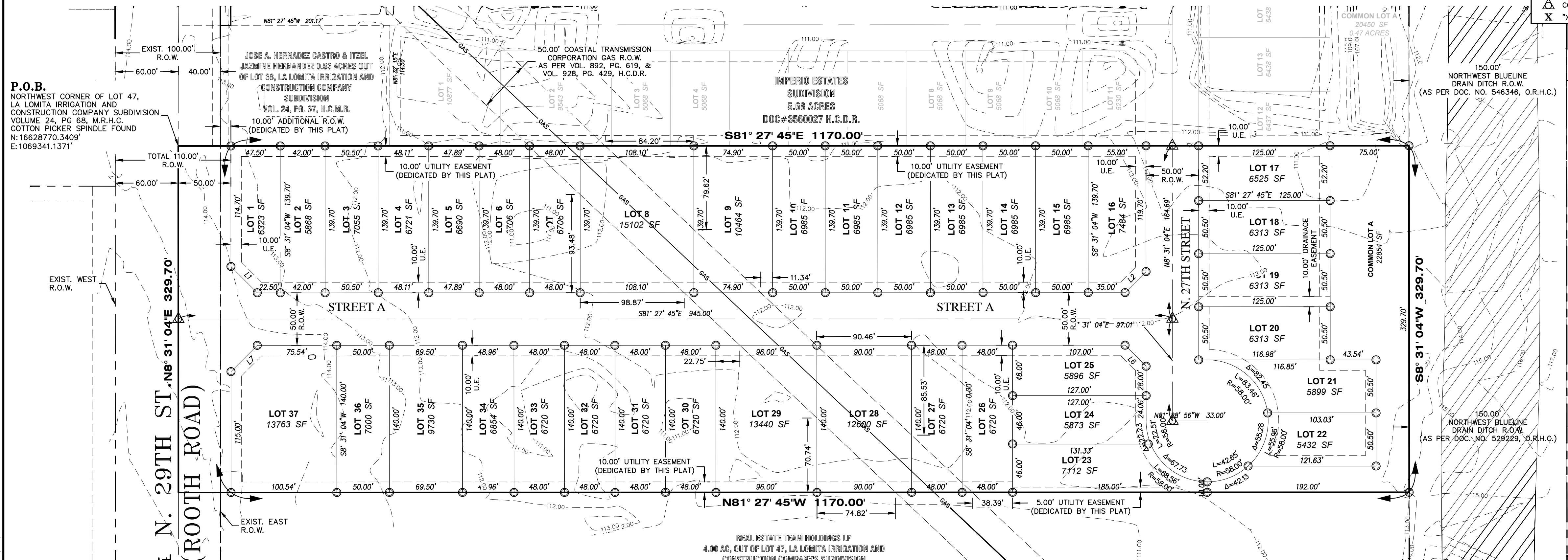
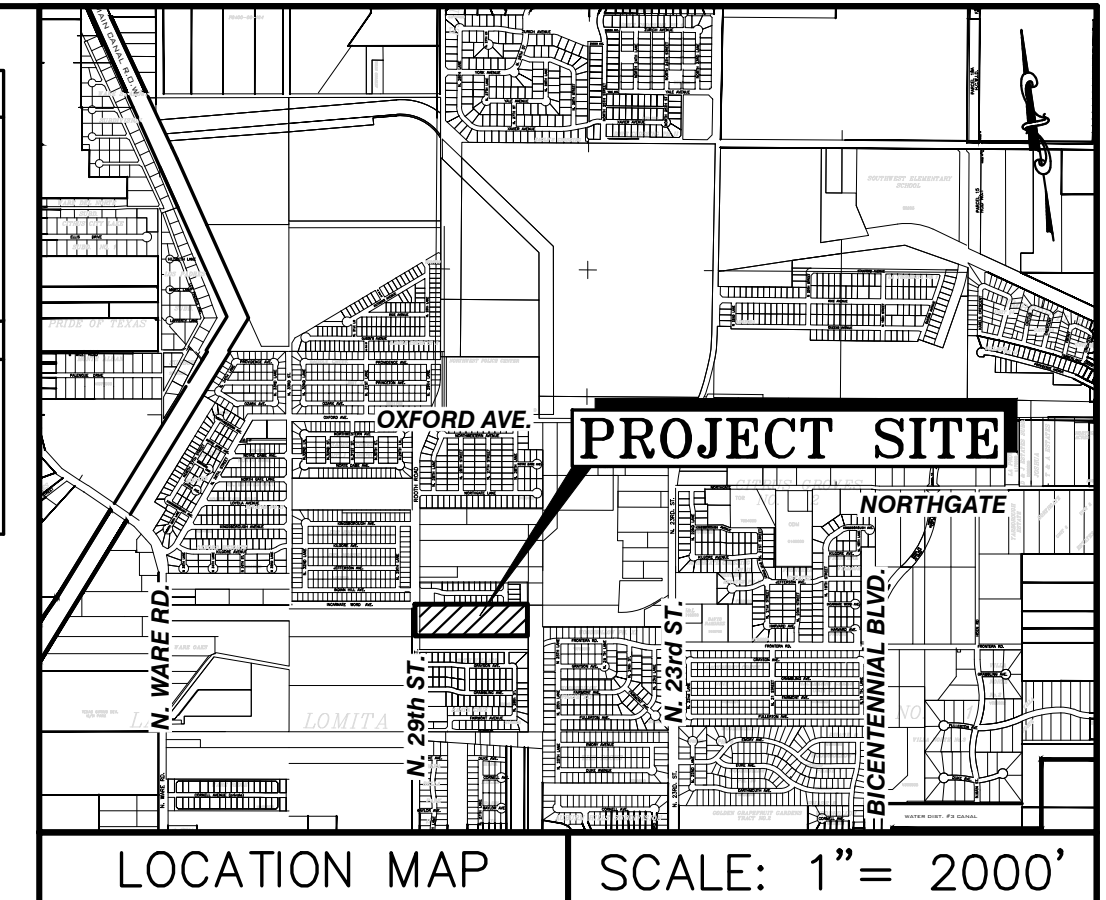
# IMPERIO ESTATES PHASE II SUBDIVISION

BEING A 8.86 ACRES TRACT OF LAND OUT OF LOT 47, LA LOMITA IRRIGATION & CONSTRUCTION COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 24, PAGE 68, MAP RECORDS OF HIDALGO COUNTY, TEXAS

ABBREVIATION LEGEND	
R.O.W.	RIGHT-OF-WAY
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
N.W.C.	NORTHWEST CORNER
F.T.	FARM TRACT
F.M.	FARM-TO-MARKET
U.E.	UTILITY EASEMENT
C.L.	CENTER LINE
L	LOT LINE
D.E.	DRAINAGE EASEMENT

LEGEND	
○	CAPPED 1/2" IRON ROD SET
●	1/2" IRON ROD FOUND
△	CALCULATED POINT
▲	COTTON PICKER SPINDLE SET
X	"X" MARK SET IN CONCRETE



Line #	Length	Direction
L1	35.36	S36° 28' 20"E
L2	28.28	N53° 31' 40"E
L6	28.29	N36° 28' 20"W
L7	35.35	S53° 31' 40"W

### METES AND BOUNDS DESCRIPTION:

BEING A 8.86 ACRES TRACT OF LAND OUT OF LOT 47, LA LOMITA IRRIGATION & CONSTRUCTION COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 24, PAGE 68, MAP RECORDS OF HIDALGO COUNTY, TEXAS, AND SAID 8.86 ACRES TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A COTTON PICKER SPINDLE FOUND AT THE COMMON WEST CORNER BETWEEN THE LOTS 38 & 47 OF THE SAID LA LOMITA IRRIGATION & CONSTRUCTION COMPANY'S SUBDIVISION, SAME BEING A POINT ON THE CENTERLINE OF N. 29TH STREET, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND THE POINT OF BEGINNING;

THENCE, S 81°27'45" E ALONG THE NORTH BOUNDARY LINE OF THE SAID LOT 47, TO A POINT ON THE WEST LINE OF A CALLED 150.00 FEET NORTHWEST BLUELINE DRAIN DITCH RIGHT-OF-WAY AS PER DOC #529229, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS, PASSING AT A DISTANCE OF 40.00 FEET TO A 1/2-INCH CAPPED IRON ROD SET ON THE EXISTING EAST RIGHT-OF-WAY LINE OF N. 29TH STREET, AND CONTINUING FOR A TOTAL DISTANCE OF 1170.00 FEET TO A 1/2-INCH CAPPED IRON ROD SET, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 08°31'04" W ACROSS THE SAID LOT 47, SAME BEING ALONG THE WEST LINE OF THE SAID 150.00 FEET NORTHWEST BLUELINE DRAIN DITCH RIGHT-OF-WAY, TO THE NORTHEAST CORNER OF A CALLED 4.00 ACRES TRACT CONVEYED TO REAL ESTATE TEAM HOLDINGS LP, RECORD #2662793, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS, A DISTANCE OF 329.70 FEET TO A 1/2-INCH CAPPED IRON ROD SET, FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 81°27'45" W ACROSS THE SAID LOT 47, SAME BEING ALONG THE NORTH BOUNDARY LINE OF THE SAID 4.00 ACRES TRACT, TO A POINT ON THE WEST LINE OF THE SAID LOT 47, SAME BEING A POINT ON THE CENTERLINE OF N. 29TH STREET, PASSING A DISTANCE OF 1130.00 FEET TO A 1/2-INCH CAPPED IRON ROD SET ON THE EXISTING EAST RIGHT-OF-WAY LINE OF N. 29TH STREET, AND CONTINUING FOR A TOTAL DISTANCE OF 1170.00 FEET TO A COTTON PICKER SPINDLE SET, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 08° 31' 04" E ALONG THE WEST BOUNDARY LINE OF THE SAID LOT 47, SAME BEING ALONG THE CENTERLINE OF N. 29TH STREET, A DISTANCE OF 329.70 FEET TO POINT AND PLACE OF BEGINNING, SAID TRACT CONTAINING 8.86 ACRES OF LAND, MORE OR LESS, OUT OF WHICH THE WEST 40.00 FEET (0.30 ACRES) LIES WITHIN THE EXISTING EAST RIGHT-OF-WAY OF N. 29TH STREET (100.00 FOOT EXISTING ROAD RIGHT-OF-WAY).

### OWNER'S ACKNOWLEDGMENT

STATE OF TEXAS  
COUNTY OF HIDALGO

I (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS IMPERIO ESTATES PHASE II 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, WATERCOURSES, DRAINS, EASEMENTS, WATER LINES, SEWER LINES, STORM SEWERS, FIRE HYDRANTS, AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH I (WE) WILL CAUSE TO BE INSTALLED THEREON, SHOWN OR NOT SHOWN, IF REQUIRED OTHERWISE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF McALLEN, ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED, EITHER ON THE PLAT HEREOF OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF McALLEN.

JORGE VALDEZ - PRESIDENT/CEO  
HOLLYWOOD DEVELOPMENT & CONSTRUCTION, LLC  
4120 N. 12TH ST., APT. 9  
MCALLEN, TEXAS 78504

DATE \_\_\_\_\_

### HOMEOWNERS' ASSOCIATION ACKNOWLEDGMENT

STATE OF TEXAS  
COUNTY OF HIDALGO

I, JORGE VALDEZ, PRESIDENT OF IMPERIO ESTATES PH II SUBDIVISION, HOMEOWNERS' ASSOCIATION, (DOCUMENT NUMBER \_\_\_\_\_ HIDALGO COUNTY DEED RECORDS), AGREE TO THE CONDITIONS STATED IN NOTE #12 OF THE PLAT NOTES.

JORGE VALDEZ - PRESIDENT/CEO  
HOLLYWOOD DEVELOPMENT & CONSTRUCTION, LLC  
2516 BUDDY OWENS  
MCALLEN, TEXAS 78504

DATE \_\_\_\_\_

### HIDALGO COUNTY IRRIGATION DISTRICT NO. 1

THIS PLAT IS HEREBY APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT NO. 1 ON THIS, THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, SUBJECT TO THE FOLLOWING:

NO IMPROVEMENTS OF ANY KIND (INCLUDING WITHOUT LIMITATION, TREES, FENCES, AND BUILDINGS) SHALL BE PLACED UPON HIDALGO COUNTY IRRIGATION DISTRICT NO. 1 RIGHT OF WAYS EASEMENTS WITH OUT THE EXPRESSED WRITTEN.

SECRETARY \_\_\_\_\_ PRESIDENT \_\_\_\_\_

### HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 CERTIFICATE

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 TEXAS WATER CODE NO. 49.211(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

### STATE OF TEXAS COUNTY OF HIDALGO MAYOR'S CERTIFICATE

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.

MAYOR, CITY OF McALLEN \_\_\_\_\_ DATE \_\_\_\_\_

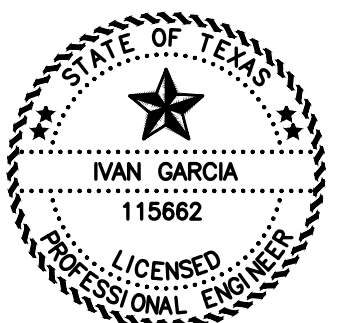
### STATE OF TEXAS COUNTY OF HIDALGO PLANNING AND ZONING COMMISSION CHAIR CERTIFICATE

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.

CHAIRMAN, PLANNING AND ZONING COMMISSION \_\_\_\_\_ DATE \_\_\_\_\_

### STATE OF TEXAS - COUNTY OF HIDALGO

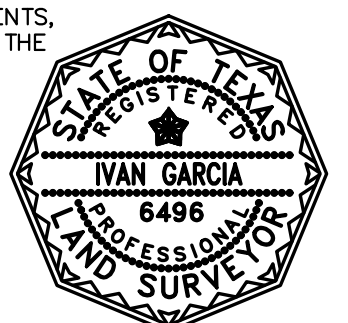
I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE PROPER ENGINEERING CONSIDERATIONS HAVE BEEN GIVEN TO THIS PLAT.



IVAN GARCIA P.E., R.P.L.S. DATE \_\_\_\_\_  
REG. PROFESSIONAL ENGINEER No. 115662

### STATE OF TEXAS - COUNTY OF HIDALGO

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE FROM AN ACTUAL SURVEY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, AND THAT THERE ARE NO APPARENT DISCREPANCIES, CONFLICTS, OR OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN ON THE ACCOMPANYING PLAT, AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF McALLEN AND HIDALGO COUNTY, TEXAS.



IVAN GARCIA P.E., R.P.L.S. DATE \_\_\_\_\_  
REG. PROFESSIONAL LAND SURVEYOR No. 6496  
SURVEY FIRM No. 10194027

### STATE OF TEXAS COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JORGE VALDEZ, 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 PURPOSES AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2026.

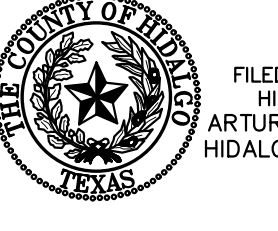
### STATE OF TEXAS COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JORGE VALDEZ, 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 PURPOSES AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2026.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS  
MY COMMISSION EXPIRES \_\_\_\_\_

RAUL E. SESIN, P.E., C.F.M. DATE \_\_\_\_\_  
GENERAL MANAGER



FILED FOR RECORD IN HIDALGO COUNTY  
ARTURO GUJARDO, JR.  
HIDALGO COUNTY CLERK

ON: \_\_\_\_\_ AT \_\_\_\_\_ AM/PM  
INSTRUMENT NUMBER \_\_\_\_\_  
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

BY: \_\_\_\_\_ DEPUTY

### PRINCIPAL CONTACTS:

NAME	ADDRESS	PHONE & FAX
OWNER(S): HOLLYWOOD DEVELOPMENT AND CONSTRUCTION LLC	4120 N. 12TH ST., APT. 9 McAlLEN TX. 78504	
SURVEYOR: IVAN GARCIA	921 S. 10TH AVENUE EDINBURG, TX. 78539	(956) 803-0341
ENGINEER: IVAN GARCIA	921 S. 10TH AVENUE EDINBURG, TX. 78539	(956) 380-5152 (956) 380-5083

**RIO DELTA ENGINEERING**  
FIRM REGISTRATION No. F-7628  
SURVEY FIRM No. 10194027  
921 S. 10TH AVENUE EDINBURG, TEXAS 78539  
(TEL) 956-380-5152 (FAX) 956-380-5083

ISSUED FOR:  
**FINAL**

**PLAT SHEET**  
**IMPERIO ESTATES SUBDIVISION**  
**CITY OF McALLEN**  
**HIDALGO COUNTY, TEXAS**

ENGINEER: IVAN GARCIA P.E. R.P.L.S.  
SURVEYOR: IVAN GARCIA P.E. R.P.L.S.  
CHECKED: IVAN GARCIA P.E. R.P.L.S.  
DRAWN: EP/FG/SC  
SCALE: 1"=60'  
DATE: APRIL 20, 2026  
PROJECT: SUB 25 048  
REVISIONS:  
PAGE NO: 1-OF-1

# ArcGIS Web Map



6/4/2026, 4:08:12 PM

City Corporate Limits	Arc	10100E165892N.sid	10127E166288N.sid	10127E166657N.sid	10153E165839N.sid	10259E165971N.sid	10311E166420N.sid	10338E166921N.sid	10338E167449N.sid	10338E167951N.sid	10549E165733N.sid	10549E166552
Extra Territorial Jurisdiction		Red: Band_1	Red: Band_1	Red: Band_1	Red: Band_1	Red: Band_1	Red: Band_1	Red: Band_1	Red: Band_1	Red: Band_1	Red: Band_1	Red:
Easement		Green: Band_2	Green: Band_2	Green: Band_2	Green: Band_2	Green: Band_2	Green: Band_2	Green: Band_2	Green: Band_2	Green: Band_2	Green: Band_2	Green:
Drain Ditch		Blue: Band_3	Blue: Band_3	Blue: Band_3	Blue: Band_3	Blue: Band_3	Blue: Band_3	Blue: Band_3	Blue: Band_3	Blue: Band_3	Blue: Band_3	Blue:
McAllen Parcels		Red: Band_1	Red: Band_1	Red: Band_1	Red: Band_1	Red: Band_1	Red: Band_1	Red: Band_1	Red: Band_1	Red: Band_1	Red: Band_1	Red:
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Subdivision-Private		Green: Band_2	Green: Band_2	Green: Band_2	Green: Band_2	Green: Band_2	Green: Band_2	Green: Band_2	Green: Band_2	Green: Band_2	Green: Band_2	Green:
Preliminary Subdivision		Blue: Band_3	Blue: Band_3	Blue: Band_3	Blue: Band_3	Blue: Band_3	Blue: Band_3	Blue: Band_3	Blue: Band_3	Blue: Band_3	Blue: Band_3	Blue:

1:1,596

0 0.01 0.02 0.04 mi

0 0.02 0.04 0.07 km

McAllen GIS Division, ESRI, Inc., McAllen GIS Division, ESRI, Inc., McAllen GIS Division, ESRI, Inc., EagleView Technologies, Inc.



# 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 property is constrained by its existing configuration and adjacent development. Lot 2 frontage width

cannot be reduced due to the presence of an existing building to the east, limiting the ability to

to comply with ordinance requirements.

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

The variance is necessary to maintain a functional site layout consistent with the intended residential

use. Modifying the lot frontage to meet ordinance requirements would reduce development

feasibility.

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 negatively impact public health, safety, or welfare, nor will it adversely affect the rights of

adjacent property owners.

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

The existing building located east of Lot 2 and the overall site configuration, which restrict design

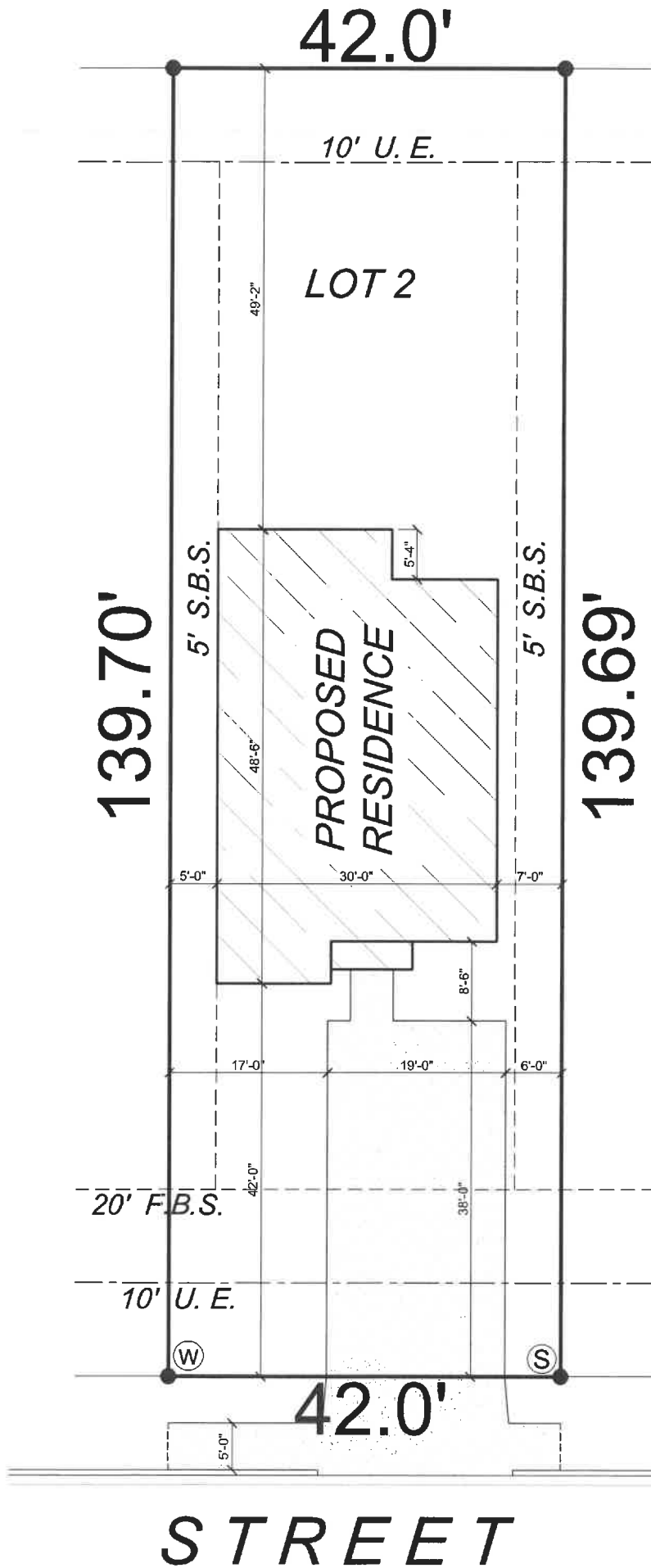
flexibility.

Reason for Appeal

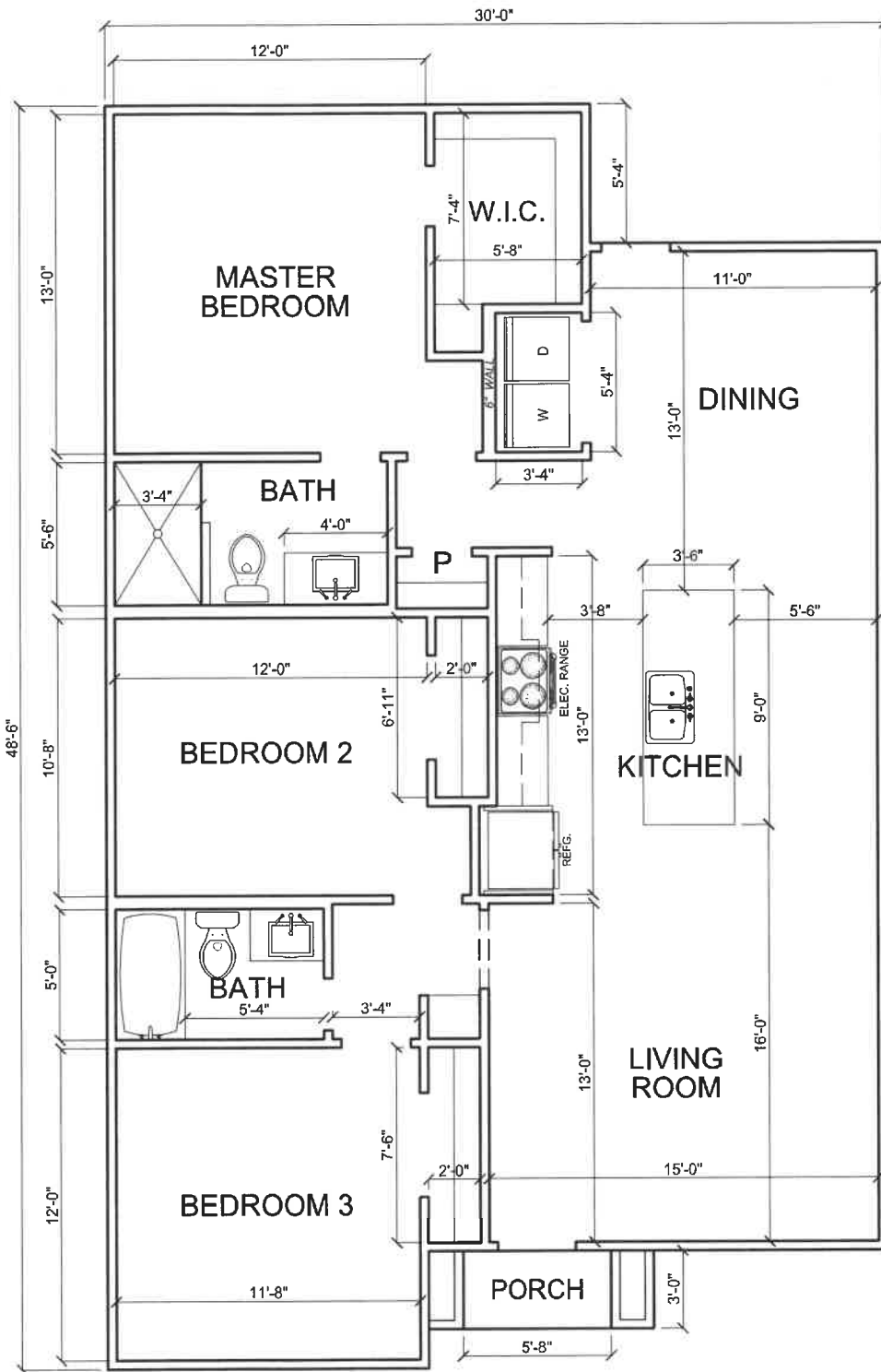
Board Action

Chairman, Board of Adjustment  
Signature

Date



STREET



AREAS (S.F.)	
LIVING AREA	1,315
PORCH	26
GRAND TOTAL	1,341

*Preliminary Floor Plan for  
Lot 2 Imperio Estates Subd. Ph.2*

ZBA2026-0025  
NOTICE  
VARIANCE  
FOR THIS  
PROPERTY

CITY OF MCALLEN PLANNING DEPT.  
956-411329  
WWW.MCALLEN.TX

