

## AGENDA

**ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING  
WEDNESDAY, MAY 22, 2024 - 4:30 PM  
MCALLEN DEVELOPMENT CENTER, 311 NORTH 15<sup>TH</sup> STREET  
EXECUTIVE CONFERENCE ROOM**

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

### **CALL TO ORDER – Chairperson Jose Gutierrez**

#### **1. MINUTES:**

- a) Minutes for the meeting held on May 8, 2024

#### **2. PUBLIC HEARINGS:**

- a) Request of Arnold Cavazos on behalf of Gabriel Alanis for a variance to the City of McAllen Zoning Ordinance to allow an encroachment of 10 feet into the 20-foot rear yard setback on the East Rear and South Rear portion for a proposed residence at Lot 19, Lago Vista Subdivision, Hidalgo County, Texas; 4501 South “M” Street. **(ZBA2024-0018)**
- b) Request of Walter B. Azuara for a variance to the City of McAllen Zoning Ordinance to allow an encroachment of up to 7 feet into the 10-foot rear yard setback for a garage at Lot 1, The John Collavo Subdivision, Hidalgo County, Texas; 720 North 6th Street. **(ZBA2024-0011)**  
**(TABLED: 05/08/2024)**

#### **3. FUTURE AGENDA ITEMS**

- a) 2164 Kennedy Circle
- b) 2213 North 46th Street
- c) 9216 North 30th Street
- d) 2323 Dallas Avenue
- e) 2025 Newport 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, May 8, 2024 at 4:30 p.m. in the McAllen Development Center, 311 North 15<sup>th</sup> Street, Executive Conference Room with the following present:

<b>Present:</b>	<b>Jose Gutierrez</b>	<b>Chairperson</b>
	<b>Hugo Avila</b>	<b>Member</b>
	<b>Hiram A. Gutierrez</b>	<b>Member</b>
	<b>Juan Mujica</b>	<b>Alternate</b>
	<b>Alex Lamela</b>	<b>Alternate</b>
	<b>Daniel Santos</b>	<b>Alternate</b>
<b>Absent:</b>	<b>Ann Tafel</b>	<b>Vice-Chairperson</b>
	<b>Rogelio Rodriguez</b>	<b>Member</b>
	<b>Pablo Garcia</b>	<b>Alternate</b>
<b>Staff Present:</b>	<b>Benito Alonzo</b>	<b>Assistant City Attorney I</b>
	<b>Edgar Garcia</b>	<b>Planning Director</b>
	<b>Rodrigo Sanchez</b>	<b>Senior Planner</b>
	<b>Samuel Nunez</b>	<b>Senior Planner</b>
	<b>Hilda Tovar</b>	<b>Planner II</b>
	<b>Natalie Moreno</b>	<b>Planner I</b>
	<b>Jessica Puga</b>	<b>Technician I</b>
	<b>Victor Grey</b>	<b>Technician I</b>
<b>Carmen White</b>	<b>Administrative Assistant</b>	

**CALL TO ORDER –Chairperson Jose Gutierrez**

**1. MINUTES:**

- a) Minutes for the meeting held on April 17, 2024.

The minutes for the meeting held on April 17, 2024 were approved. The motion to approve the minutes were made by Mr. Alex Lamela. Mr. Hiram Gutierrez seconded the motion, which carried unanimously with five members present and voting.

**2. PUBLIC HEARINGS:**

- a) Request of Walter B. Azuara for a variance to the City of McAllen Zoning Ordinance to allow an encroachment of up to 7 feet into the 10-foot rear yard setback for a garage at Lot 1, The John Collavo Subdivision, Hidalgo County, Texas; 720 North 6th Street. **(ZBA2024-0011)**

Mr. Hernandez stated the applicant was requesting an encroachment of up to 7 feet into the 10-foot rear yard setback for an existing unfinished structure that is proposed to be used as a garage. The garage will be used to protect the residents, family vehicles, as well as household tools and equipment.

The property was located at the southeast corner of Hackberry Avenue and North 6<sup>th</sup> Street. The property was zoned R-1 (single family residential) District. There was R-1 District in all directions.

The John Collavo Subdivision was recorded on January 10, 1948. A stop work order was issued February 27, 2024 for construction without a permit. An application for a building permit was submitted on March 1, 2024. An application for a variance request was submitted March 20, 2024.

The applicant was requesting an encroachment of up to 7 feet into the 10-foot rear yard setback for an unfinished 560 square foot structure proposed to be used as a garage.

Construction for the unfinished garage structure was started over an existing concrete foundation that previously contained a metal canopy carport. The applicant states "cement slab with metal rails on exterior and middle of slab along with metal tubes were used as part of the structural base then reinforced with additional rebar monolithic form filled. Four by four, 3/8 inch tubes were added at each corner along with existing galvanized tubes that were in original cement approximately every four feet, formed into original external walls that was all encased with block." The applicant was not aware of the requirement to maintain the required 10-foot rear yard setback nor the requirement to obtain a building permit for the new construction.

The applicant received approval for a right-of-way permit for driveway entrances from North 6<sup>th</sup> street and the alley at the rear of the property. Any driveway access to the proposed garage are required to be paved.

The applicant states that any previous structures shown with encroachments on the property survey (attached) were constructed during previous property ownership.

The existing unfinished building encroachment area measures approximately 149.3 square feet. The total rear yard setback is 860 square feet. The encroachment is 17% of the entire rear yard setback area.

The applicant has submitted a letter from the Department of Veteran Affairs that indicates that the new construction will help the applicant with mobility issues related to medical conditions.

The John Collavo Subdivision was recorded in 1948 and the plat does not indicate setbacks. Rear yard setbacks as per 1945 ordinance are three feet for accessory buildings. In 1979, the requirement changed to 10 feet. An aerial view of Lots within this subdivision shows existing encroachments into the rear yard setback. A site visit by staff confirmed the existing encroachments. A review of Planning Department records did not reveal any variances granted for encroachments. Building permits were issued for new accessory structures on Lots 11 and 12 in 2014 and 2012, respectively and the submitted site plans showed compliance with current setback requirements.

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

Staff recommended disapproval of the variance request. However, if the Board approves the request it should be limited to the footprint of the encroachment as shown on the submitted site plan.

Board member Gutierrez asked staff if there were some other homes pictured on the aerial view that showed they were encroaching. He stated there was a similar building within the three foot was that in violation of the encroachment. Staff stated there was a building permit for a remodeling for that property which was site #2 that was also a remodel for the rear structure.

Mr. Walter A. Azuara, the applicant stated in 2017 they purchased the current home they reside with the existing dilapidated and uneven cement slab/carports. He stated that their oldest neighbor stated the slab had been there since the late 1960's, early 1970's. As early 2018, they have had thieveries and trespassers onto their property. In 2019, his wife endured an attempted mugging at those carports outside exiting her vehicle. The same year, the City removed the traffic lights at their corner and some of the crashes were spilling onto their property. The traffic lights had been restored. In 2021, they added a bur around the perimeter for security to deter trespassing. In January 2022, he obtained permit and instructions on how to move their parking area to the other side for safety and security. He stated they had to remove the cement and asphalt coming in from Hackberry Avenue and move it to the other side. Mr. Azuara also asked about doing betterments to that carport for security issues. He had asked how we continue with the driveway and incasing the current carports to better them. Adding cement on top to make it safe incasing the tubes that had been there and enforcing them. In 2023, they resurfaced the cement to prevent from slipping during wet weather. He was informed that they could do 10% of betterments per year for that property, which they were doing so.

Chairperson Gutierrez mentioned to Mr. Azuara that the variance runs with the land and anyone in the future could build anything once granted.

Board member Mujica mentioned to the applicant he was looking at the garage but did not see an opening for a vehicle. Mr. Azuara stated they did not have the money at the time since they are keeping to the 10% betterments. He had a garage vendor in mind. Board member Mujica asked who was constructing the garage. Mr. Azuara stated he was constructing it himself.

Veronica Azuara, 720 North 6<sup>th</sup> Street stated that when they came to ask for the clarification, they were informed that they were grandfathered and because the building structure was already existing. They thought they were following the process.

Board member Lamela asked the applicant if the entrance would be off Hackberry Avenue. Mr. Azuara stated there was an entrance from Hackberry Avenue going in and the turn would be into the garage where the garage door would be open.

Staff mentioned to the Board that he was approved from Right-of-Way to enter from two entrances, Hackberry Avenue and 6<sup>th</sup> Street.

Chairperson Gutierrez asked staff if the applicant decided to do a carport instead of a garage. Planning Director Garcia stated a carport would be eligible for a Special Exception. Explaining that Special Exceptions do not go with the land but with the owner. If the owner decides to sell the property then the new owners would have to tear it down



or reply for a Special Exception. Mr. Azuara asked if they could enclose it. A Board member stated it would have to be open and it would have to be up 400 square feet.

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

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

Chairperson Gutierrez asked Mr. Garcia if the applicant could change on this same request to a Special Exception or would they have to apply for a different one. Mr. Garcia stated they could but some reducing would have to be made. If the applicant would like to table the item to see, where he would like to reduce it. Chairperson Gutierrez explained to Mr. Azuara if he would like to reconsider a change from a Variance request to a Special Exception, he could table the item as long as the carport was no more than 400 square feet.

Legal counsel, Mr. Alonzo stated a request could be made to table. The position for the Board should be limited to what was on the agenda. If there was a request that was being made by the individual that could happen.

Mr. Azuara stated he requested the item to be tabled in order to discuss with staff to be in compliance and to be within the period.

Following discussion, Mr. Alex Lamela **moved** to table the item to allow the applicant an opportunity to consider modification of the Variance request to a Special Exception. Mr. Hiram Gutierrez seconded the motion. The Board voted to table the request with five members present and voting.

- b) Request of Juan Roberto Moreno on behalf of Ricardo Rendon for the following variances to the City of McAllen Zoning Ordinance: 1) to allow an encroachment of 7 feet into the 10 feet rear yard setback and 2) 2 feet distance to the main building instead of the required 5 feet distance for a proposed palapa measuring 30 feet by 22 feet, at Lot 42, Candleflower Subdivision No. 2, Hidalgo County, Texas; 1925 Lark Avenue. (ZBA2024-0009) (TABLED: 04/03/2024) (04/17/2024)**

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

Ms. Tovar stated the applicant is requesting two variances to allow an encroachment of 7 feet into the 10 feet rear yard setback and 2 feet distance to the main building instead of the required 5 feet distance for a proposed palapa measuring 30 feet by 22 feet.

The subject property was located on the south side of Lark Avenue in between Lark Boulevard and Martin Avenue. Property has a frontage of 60 feet along Lark Avenue and a depth of 107 feet. The property is zoned R-1 (single family residential) District. There are single-family residences in all directions.

Candleflower Subdivision No.2 was recorded on April 12, 1982. The plat indicates a 10 feet rear yard setback and 6 feet side yard setback on both sides for the subdivision. The house was built in 1990. A building permit application was submitted on December 2023, for the proposed palapa and approved on January 2024. However, the project was not built to comply with permit conditions and failed inspections by the Building Department. On March 6, 2024, a variance application was submitted to resolve the encroachment of 7 feet into the 10 feet rear yard setback.

The applicant was requesting a variance to allow an encroachment of 7 feet into the 10 feet rear yard setback and 2 feet distance to the main building instead of the required 5 feet distance for a proposed palapa measuring 30 feet by 22 feet.

Applicant states that the palapa was approved with a building permit application. According to the site plan submitted, the proposed structure size is a total of 660 square feet. The palapa will be made out of concrete and it will include a kitchen, a restroom and a chimney. Initially, the site plan submitted for the building permit application did not show an encroachment into the setbacks. However, the rear yard setback was measured from the curb instead of the property line. In addition, site visit revealed that there is no distance between the main structure and the proposed patio.

During the site visit, staff did not notice any other encroachments or similar structures along the front or rear yards within Candleflower Subdivision No.2. In addition, a review of the Planning Department records did not reveal any other similar variances or special exceptions approved in this area.

Variances are issued to the property and remain as a condition for future owners and new constructions.

Measurements provided are without benefit of a survey.

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

At the meeting on April 3, 2024, the item was tabled by the board.

The board requested the building permit conditions and construction plans approved by staff to further discuss the variance requests. The applicant would also have the opportunity to provide additional pictures of the proposed palapa.

At the last meeting on April 17, 2024, the item was tabled by the board to further discuss other options with staff.

The board reviewed the building permit conditions and construction plans approved by staff and Mr. Moreno spoke with the board to explain the reasons of the variance requests. In addition, he provided letters from the neighbors in favor with the requests as well as additional pictures of the palapa. During the discussion, Mr. Moreno mentioned that he could propose an alternative layout of the palapa.

After discussion, the board recommended that the variance requests should be tabled for the next meeting.

Staff recommended disapproval of the variance requests.

Ms. Tovar stated that instead of having the two feet distance from the main structure to the palapa, he's having 5 feet and less encroachment into the rear yard setback. Instead of 7 feet it would be 4 feet.

Mr. Garcia stated that would eliminate Variance request #2.

Mr. Moreno, the applicant stated they reduced the rear yard encroachment. Instead of 7 feet he brought it back to 4 feet.

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

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

Following discussion, Mr. Alex Lamela **moved** to approve Variance request #1 subject to the revised site plan. Mr. Hugo Avila seconded the motion. The Board voted to approve with five members present and voting.

## **ADJOURNMENT**

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

---

Chairperson Jose Gutierrez

---

Carmen White, Administrative Assistant

**Memo**

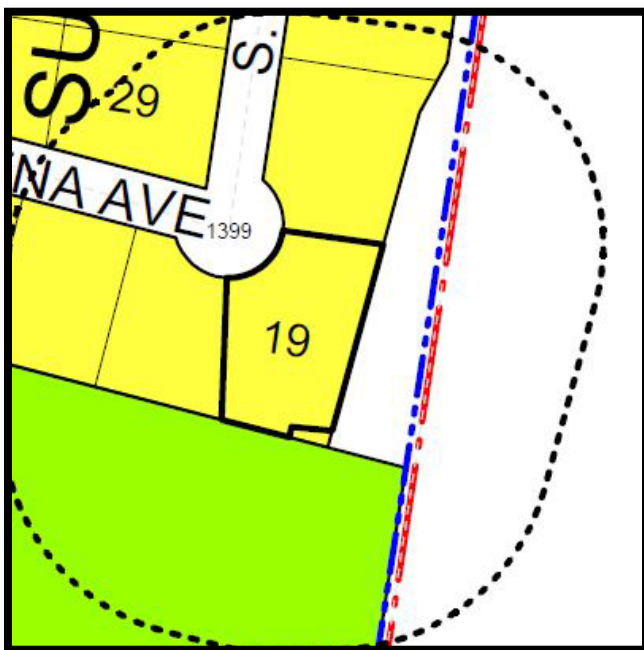
**TO:** Zoning Board of Adjustment & Appeals

**FROM:** Planning Staff

**DATE:** May 16, 2024

**SUBJECT: REQUEST OF ARNOLD CAVAZOS ON BEHALF OF GABRIEL ALANIS FOR A VARIANCE TO THE CITY OF MCALLEN ZONING ORDINANCE TO ALLOW AN ENCROACHMENT OF 10 FEET INTO THE 20 FOOT REAR YARD SETBACK ON THE EAST REAR AND SOUTH REAR PORTION FOR A PROPOSED RESIDENCE AT LOT 19, LAGO VISTA SUBDIVISION, HIDALGO COUNTY, TEXAS; 4501 SOUTH “M” STREET. (ZBA2024-0018)**

**REASON FOR APPEAL:** The applicant is requesting variances to allow an encroachment of 10 feet into the 20 foot rear yard setback into the east rear yard and into the south rear yard for a proposed single family residence with garage.



**PROPERTY LOCATION AND VICINITY:** The subject property is located on a partial cul-de-sac at the intersection of South “M” Street and Helena Avenue. The irregular shaped property is vacant and is zoned R-1 (single family residential) District. Adjacent zoning is R-1 District to the north and west. There is A-O (agricultural and open space) District to the south. The area to the east across South Jackson Road is in the city limits of Pharr.

**BACKGROUND AND HISTORY:** Lago Vista Subdivision was recorded on October 31, 2006. The plat indicates a front setback of 25 feet and 20 feet for a rear yard setback. Due to an oversight during the site plan review process the building permit was issued stating a rear yard setback of 10 feet,

instead of the required 20 feet for the rear yard setback. A variance request was submitted on May 2, 2024.

**ANALYSIS:** The applicant is requesting a variance to allow an encroachment of 10 feet into the 20 foot rear yard setback. The specific encroachment width are approximately 34.4 feet for the garage, 74.25 for the outdoor kitchen and extends 27.16 feet along the south portion of the rear yard setback. The plat shows an irrigation easement that was abandoned by the Hidalgo County irrigation District.

To the east side of of the property there is a ROW easement. As per discussion with Engineering Department, there are no plans of future expansion to Jackson Road at their location. To the south of the subject property is vacant land.

The standard setbacks for a R-1 district is 10 feet. Lots 8 through 18, just west of Lot 19 show a rear setback of 10 feet.

A review of the Planning Department records did not reveal any other similar variances approved in this area.

Variances run with the land and remain as a condition for future owners and new constructions.

Measurements provided on the site plan are without benefit of a survey.

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

**RECOMMENDATION:** Staff recommends approval of the variance request since the irregular shape of the Lot affects the construction design.

ZBA2024-0018

ZBA-5/22/24



# City of McAllen

## Planning Department

### APPEAL TO ZONING BOARD OF

### ADJUSTMENT TO MCALLEN ZONING ORDINANCE

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

<b>Project</b>	Legal Description	<u>Lago Vista Lot 19</u>	
	Subdivision Name	<u>Lago Vista Lot 19</u>	
	Street Address	<u>4501 South M. Street</u>	
	Existing Zoning	Number of lots _____ Gross acres _____	Existing Land Use <u>vacant.</u>
	Reason for Appeal (please use other side if necessary)	<u>allow encroachment of 10 feet. into the 20 ft. <del>side yard setback</del> and rear South, East rear portion of Lot 19</u>	
	<input checked="" 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		

<b>Applicant</b>	Name	<u>Arnold Cavazos</u>	Phone	<u>(956) 458-0884</u>
	Address	<u>2020 E. Silverbell</u>	E-mail	<u>arnold.cavazos21@gmail.com</u>
	City	<u>mission</u>	State	<u>TX</u>
			Zip	<u>78573</u>

<b>Owner</b>	Name	<u>Gabriel Alanis</u>	Phone	<u>956 703 0923</u>
	Address	<u>2504 S Veterans Blvd.</u>	E-mail	<u>Alanis2402@gmail.com</u>
	City	<u>San Juan</u>	State	<u>TX</u>
			Zip	<u>78589</u>

<b>Authorization</b>	To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?	
	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
	I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable) OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.	
	Signature	Date
<u>Gabriel Alanis</u>	<u>05/02/24</u>	
Print Name	<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Authorized Agent	
<u>Gabriel Alanis</u>		

<b>Office</b>	Accepted by _____	Payment received by _____
	Rev 10/18	Date _____



*Handwritten initials and marks at the bottom of the page.*





# 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:

Single Family Home - Custom design.

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

allow encroachment of 10 feet into the 20 feet side yard setback.

3. Describe how the variance will not be detrimental to the public health, safety or welfare or injurious to the legal rights other property owners enjoy in the area:

- will not affect any neighbors due to the fact that its on my property.

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

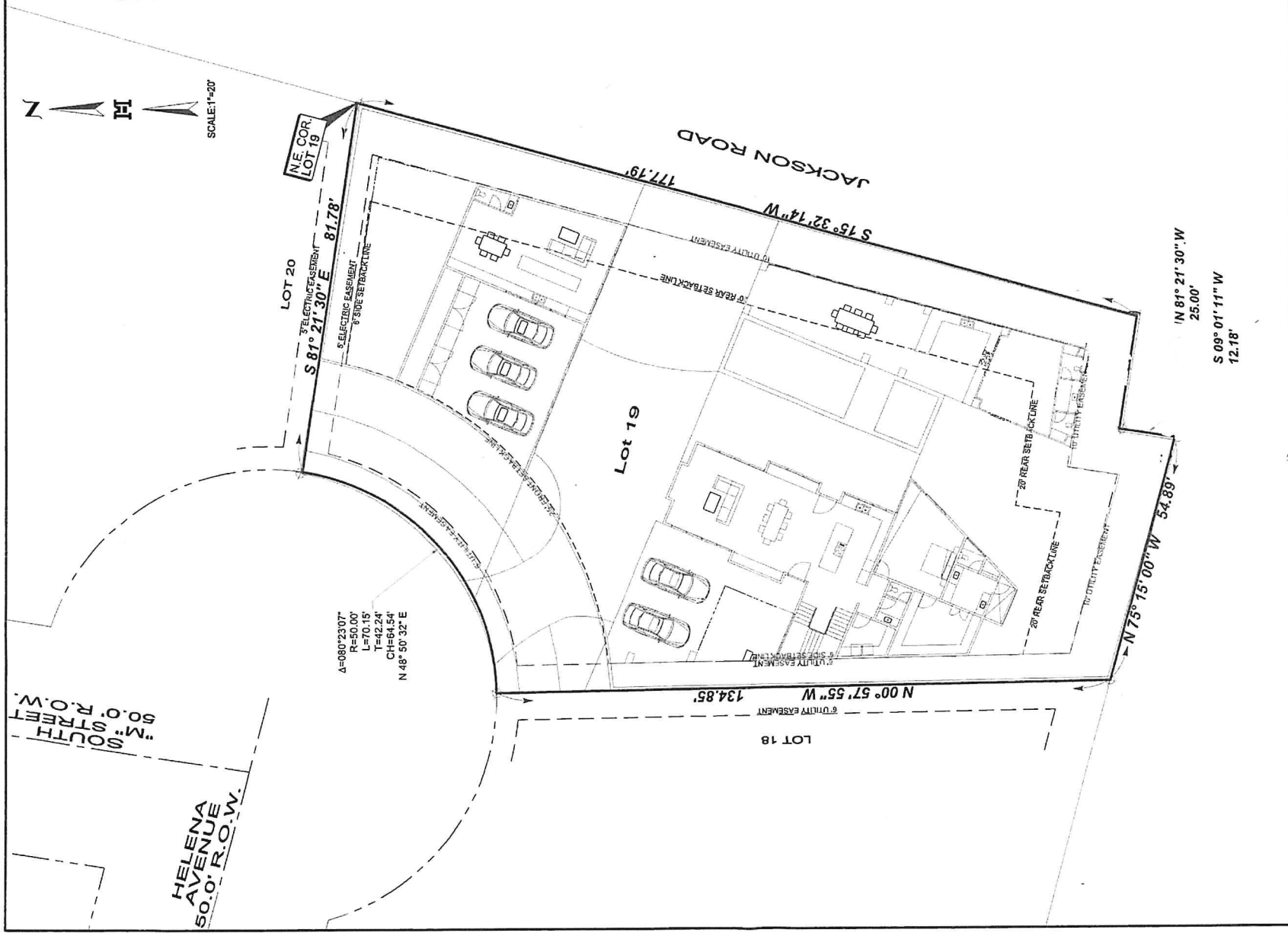
W / A.

Reason for Appeal

Board Action

Chairman, Board of Adjustment  
Signature

Date



SCALE: 1"=20'



**PLAT SHOWING  
LOT 19  
LAGO VISTA SUBDIVISION  
VOLUME 51, PAGE 151 H.C.M.R.  
CITY OF McALLEN  
HIDALGO COUNTY, TEXAS**

**MELDEN & HUNT INC.**  
CONSULTANTS • ENGINEERS • SURVEYORS

**MH**  
TBPELS No. 10066900

BOOK: T. 5G  
EDINBURG, TX 78641  
PLOT: (658) 381-0961  
JOB No. 24507.08  
FILE NAME: 24507.08  
ESTABLISHED 1947  
DRAWN BY: J.C.  
www.meldenandhunt.com

© COPYRIGHT 2024 MELDEN & HUNT, INC. ALL RIGHTS RESERVED

25/04/2024 04:23:07 PM D:\Projects\24507.08\24507.08.dwg, 4/19/2024 2:36:42 PM





**Proposed**

7,349 SQFT  
Double Story Home

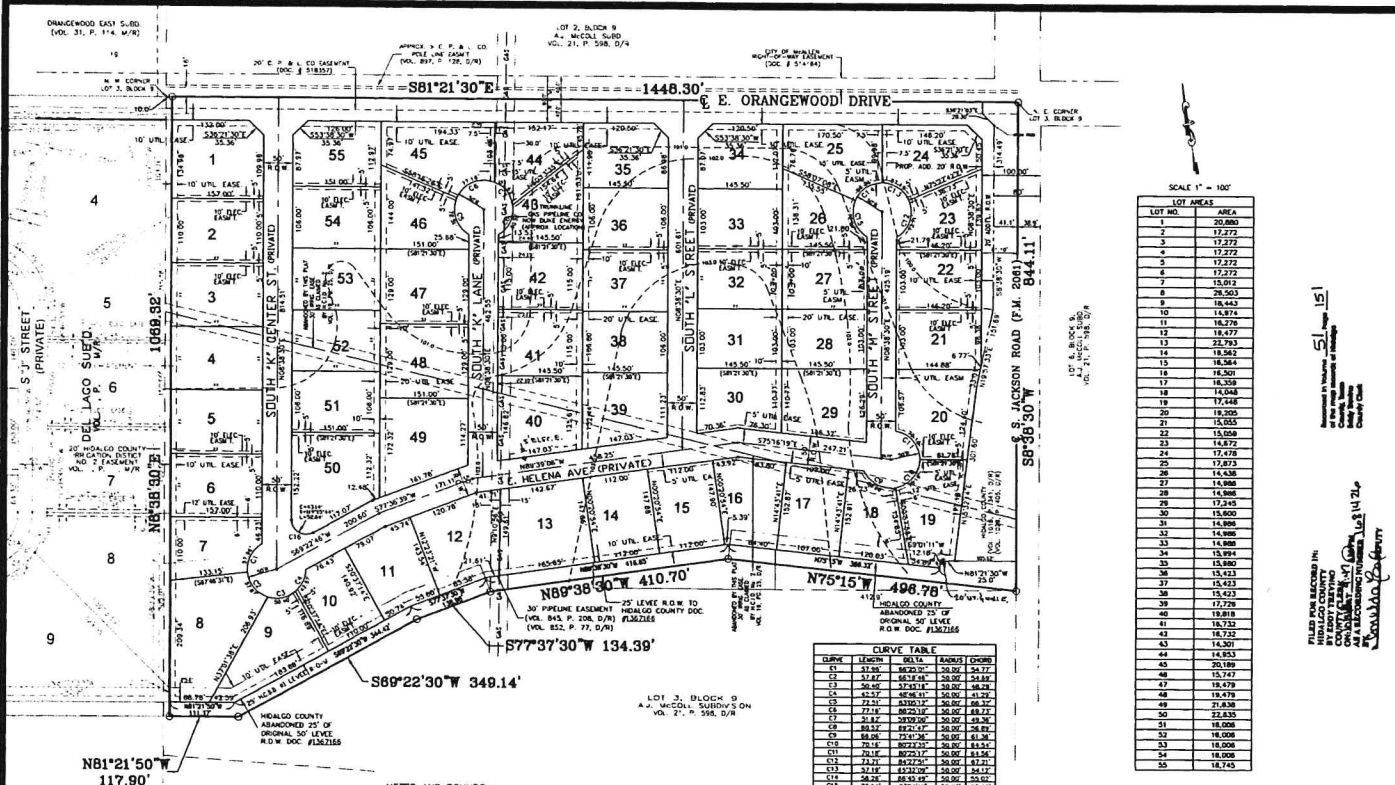
**Site**

Scale 1/8" = 1'

# SUBDIVISION PLAT OF LAGO VISTA SUBDIVISION

A 29.22 ACRE TRACT OF LAND OUT OF LOT 3, BLK. 9, A.J. MCCOLL SUBDIVISION  
OF PORCINE 68, HIDALGO COUNTY, TEXAS, RECORDED IN VOL. 21 PAGE 598 DEED RECORDS

PREPARED BY: K. K. ENGINEERING CONSULTANT  
DATE: MAY 9, 2003



SCALE 1" = 100'

LOT NO.	AREA
1	20,880
2	17,272
3	17,272
4	17,272
5	17,272
6	17,272
7	15,017
8	20,203
9	18,443
10	14,974
11	18,278
12	18,472
13	22,770
14	18,582
15	18,284
16	18,501
17	18,359
18	18,048
19	17,448
20	19,205
21	15,058
22	15,058
23	14,872
24	17,478
25	17,873
26	14,438
27	12,246
28	14,988
29	14,988
30	14,988
31	14,988
32	14,988
33	14,988
34	15,991
35	15,989
36	13,423
37	13,423
38	13,423
39	17,278
40	19,811
41	19,332
42	18,732
43	18,201
44	14,853
45	20,189
46	19,747
47	19,479
48	19,479
49	23,478
50	22,435
51	19,008
52	18,008
53	18,008
54	19,008
55	18,745

CHORD	LENGTH	BEARING	BEARING CHORD	
C1	47.88	88°20'32"	33.02	54.77
C2	52.82	85°18'18"	35.82	59.82
C3	50.82	37°42'18"	38.02	48.78
C4	52.82	85°18'18"	35.82	59.82
C5	72.21	83°03'32"	50.02	88.32
C6	72.21	83°03'32"	50.02	88.32
C7	51.82	20°02'06"	36.02	48.26
C8	68.32	82°27'32"	46.02	58.82
C9	68.32	22°27'32"	46.02	58.82
C10	70.18	80°27'32"	48.02	63.51
C11	68.32	22°27'32"	46.02	58.82
C12	72.21	83°03'32"	50.02	88.32
C13	52.82	85°18'18"	35.82	59.82
C14	48.28	88°49'38"	34.02	55.02
C15	52.82	85°18'18"	35.82	59.82
C16	52.84	11°13'44"	33.02	43.14

**METES AND BOUNDS**  
A 29.22 ACRE TRACT OF LAND OUT OF LOT 3, BLOCK 9, A.J. MCCOLL SUBDIVISION, OF PORCINE 68, HIDALGO COUNTY, TEXAS, RECORDED IN VOL. 21, PAGE 598, DEED RECORDS.

BEARING AT THE NORTHEAST CORNER OF LOT 3, FOR THE NORTHEAST CORNER OF THE FOLLOWING DESCRIBED TRACT OF LAND: SAID POINT BEING THE INTERSECTION OF EAST ORANGEWOOD DRIVE AND SOUTH JACKSON ROAD (F.M. NO. 2081).

TENACE, WITH THE EAST LINE OF LOT 3, IN SOUTH JACKSON ROAD, SOUTH 8 DEC. 38 MIN. 30 SEC. WEST, 844.11 FEET TO A POINT ON THE EASTERN PROJECTION OF THE CENTERLINE OF HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 DRAINAGE LEVEL, FOR THE SOUTHWEST CORNER HEREOF.

TENACE, WITH SAID PROJECTION AND THE CENTERLINE OF SAID LEVEL AS FOLLOWS: NORTH 75 DEC. 15 MIN. WEST, AT 121.11 FEET PASS AN IRON ROD ON THE WEST LINE OF SOUTH JACKSON ROAD AND AT 486.78 FEET TO AN IRON ROD; NORTH 89 DEC. 38 MIN. 30 SEC. WEST, 416.7 FEET TO AN IRON ROD; SOUTH 77 DEC. 37 MIN. 30 SEC. WEST, 134.38 FEET TO A POINT; SOUTH 88 DEC. 23 MIN. 30 SEC. WEST, 348.14 FEET TO A POINT; AND NORTH 81 DEC. 21 MIN. 30 SEC. WEST, 117.90 FEET TO A POINT, FOR THE SOUTHWEST CORNER HEREOF.

TENACE, PARALLEL TO THE WEST LINE OF LOT 3, NORTH 8 DEC. 38 MIN. 30 SEC. EAST, AT 50.0 FEET PASS AN IRON ROD ON THE NORTH LINE OF HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 LEVEL RIGHT-OF-WAY, AT 1,029.32 FEET PASS AN IRON ROD ON THE SOUTH LINE OF EAST ORANGEWOOD DRIVE, AND AT 1,008.32 FEET TO A POINT ON THE NORTH LINE OF LOT 3, FOR THE NORTHWEST CORNER HEREOF.

TENACE, WITH THE NORTH LINE OF LOT 3, IN EAST ORANGEWOOD DRIVE, SOUTH 81 DEC. 21 MIN. 30 SEC. EAST, AT 1,407.20 FEET PASS THE WEST LINE OF SOUTH JACKSON ROAD AND AT 1,448.50 FEET THE POINT OF BEGINNING. CONTAINING 29.22 ACRES OF LAND, MORE OR LESS, OF WHICH THE NORTH 40.0 FEET, COMPRISING 1.30 ACRE, LIES IN EAST ORANGEWOOD DRIVE RIGHT-OF-WAY, 1.24 ACRE ALONG THE EAST LINE, LIES IN SOUTH JACKSON ROAD (F.M. NO. 2081) RIGHT-OF-WAY, 1.12 ACRE ALONG THE SOUTH LINE, LIES IN HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 LEVEL RIGHT-OF-WAY.

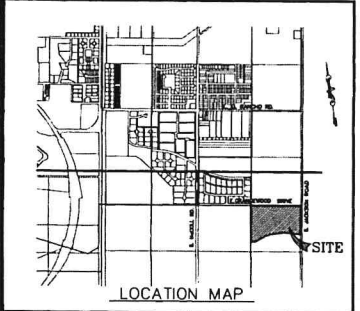
THIS PLAT IS HEREBY APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT #2 ON THIS, 29th DAY OF June, 20 03.

NO IMPROVEMENTS OF ANY KIND (INCLUDING WITHOUT LIMITATION, TREES, FENCES AND BUILDINGS) SHALL BE PLACED UPON HIDALGO COUNTY IRRIGATION DISTRICT #2 RIGHTS-OF-WAYS OR EASEMENTS.

*[Signature]* ATTEST: *[Signature]*  
PRESIDENT SECRETARY

**GENERAL PLAT NOTES:**

- MINIMUM FINISH FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB MEASURED AT FRONT CENTER OF EACH LOT.
- THE SUBDIVISION IS IN ZONE "B" OF THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 48033A-0423 C DATED NOVEMBER 18, 1982.
- MINIMUM BUILDING SETBACK SHALL BE AS FOLLOWS:  
FRONT: 25' OR GREATER FOR EASEMENTS.  
REAR: 10.00' OR TO THE EASTMENT LINE WHATEVER IS GREATER, EXCEPT REAR ON LOTS 20-23 AND THE EAST REAR PORTION OF LOTS 19 AND 24 ALONG S. JACKSON ROAD AND 20' ALONG S.E. REAR CORNER OF LOT 19.  
SIDE: 6.0' EXCEPT 15' ON EAST SIDE OF LOT 12, 15' ON WEST SIDE OF LOT 13, 22.5' WEST SIDE OF LOT 44, 7.5' ON EAST SIDE OF LOT 45 AND WHERE ADJACENT TO STREET SHALL BE 10' OR GREATER FOR EASEMENTS.  
GARAGE: 15' EXCEPT WHERE GREATER SETBACK REQUIRED.
- A TOTAL OF 2.53 ACRE FEET OF DETENTION IS REQUIRED (2,000 C.F. PER FOOT) FOR THIS SUBDIVISION AND AN ENGINEERED DRAINAGE DETENTION PLAN APPROVED BY THE ENGINEERING DEPT. IS REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMIT.
- THE CITY OF McALLEN HAS A 25'x25' CORNER CLIP EASEMENT AT STREET INTERSECTIONS, MEASURED FROM THE CURB.
- SIDEWALK REQUIRED ON S. JACKSON ROAD, E. ORANGEWOOD DR., AND BOTH SIDES OF INTERIOR STREETS.
- 6' BUFFER REQUIRED ON S. JACKSON ROAD AND ALONG E. ORANGEWOOD DR. AND FROM ANY ADJACENT COMMERCIAL ZONE/USE.
- NO LOT FRONTAGE OR ACCESS/CURB CUT FROM S. JACKSON ROAD AND FROM E. ORANGEWOOD DR.
- THIS SUBDIVISION IS IN AN EXISTING AIRPORT FLIGHT PATH, AIRCRAFT NOISE AFFECTS THE GENERAL AREA.
- BENCHMARK MANNING TOP IRON SOUTH SIDE ELEV. = 100.40 (U.S.C.S.) LOCATED AT THE NORTHWEST CORNER OF THE SUBDIVISION ON THE NORTH SIDE OF E. ORANGEWOOD DRIVE (McALLEN CODE NO. W03-ELEVATION-43).
- NATURAL GAS LINE AS SHOWN IS APPROXIMATE, LOT OWNER SHOULD CONTACT GAS COMPANY FOR EXACT LOCATION AT TIME OF CONSTRUCTION.



**K K Engineering Consultant**  
GENERAL PROFESSIONAL CIVIL ENGINEERING SERVICES

(H.O. CODE) P.O. BOX 3422 McALLEN, TEXAS 78502 FAX (956) 830 2125 (956) 830 2118

STATE OF TEXAS  
COUNTY OF HIDALGO  
THE OWNER OF THE LAND ON THIS PLAT AND DESIGNATED HEREIN AS LAGO VISTA SUBDIVISION, GENERAL PARTNER PROFFERANCE, INC., AN ADDITION TO THE CITY OF McALLEN, TEXAS DO HEREBY GRANT AN EASEMENT TO SAID CITY AND THOSE WHO MAY NOW OR HEREAFTER HOLD FRANCHISE UNDER SAID CITY, THE USE OF THE STREET IS RESTRICTED TO THE EMPLOYEES AND AGENTS OF THE CITY OF McALLEN EMPLOYEES OF UTILITIES UNDER FRANCHISE TO SAID CITY AND RESIDENTS OF THE SUBDIVISION AND THEIR GUEST, THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC THE PORTIONS OF E. ORANGEWOOD DR. AND S. JACKSON RD. FOR USE AS STREET RIGHT OF WAY DEDICATED TO THE CITY OF McALLEN.

OWNER:  
SOUTH VILLA HERBOSA, LTD.  
GENERAL PARTNER PROFFERANCE, INC.  
ALONZO CANTIL, PRESIDENT  
P.O. BOX 2873  
McALLEN TEXAS 78502

STATE OF TEXAS  
COUNTY OF HIDALGO  
I (WE), THE UNDERSIGNED, HOLDER(S) (OR DULY AUTHORIZED OFFICERS OF THE HOLDER(S)) OF A SECURITY INTEREST IN THE ABOVE DESCRIBED PROPERTY, BEING THE LAND SHOWN ON THIS PLAT AND DESIGNATE HERIN AS THE LAGO VISTA 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 THE ANY FORECLOSURES RELATING TO THE SECURITY INTEREST ON THE ABOVE DESCRIBED PROPERTY SHALL BE SUBJECT TO THE PLATTING OF THE PROPERTY AS PROVIDED HERIN.

*[Signature]*  
SECURITY INTEREST HOLDER: TEXAS STATE BANK  
CURTIS BROOKMAN, EXECUTIVE PRESIDENT & CHIEF LENDING OFFICER

STATE OF TEXAS  
COUNTY OF HIDALGO  
BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED ALONZO CANTIL AND CURTIS BROOKMAN, 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 2nd DAY OF October, 2003.

*[Signature]*  
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS  
MY COMMISSION EXPIRES 3/26/04

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, TEXAS.

STATE OF TEXAS  
COUNTY OF HIDALGO  
THIS SUBDIVISION PLAT OF LAGO VISTA SUBDIVISION 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 25th DAY OF October, A. D. 2003

*[Signature]*  
CHAIRMAN

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 § 48.211(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  
BY: *[Signature]*

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

*[Signature]*  
KAMRIZ S. KHADIMI, P.E.  
REG. PROFESSIONAL ENGINEER NO. 57767

STATE OF TEXAS  
COUNTY OF HIDALGO  
I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR 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 ON THE GROUND UNDER MY SUPERVISION.

*[Signature]*  
FLINDO M. MEDINA  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 1590  
320 N. 15th. STREET  
McALLEN, TEXAS 78501







**Memo**

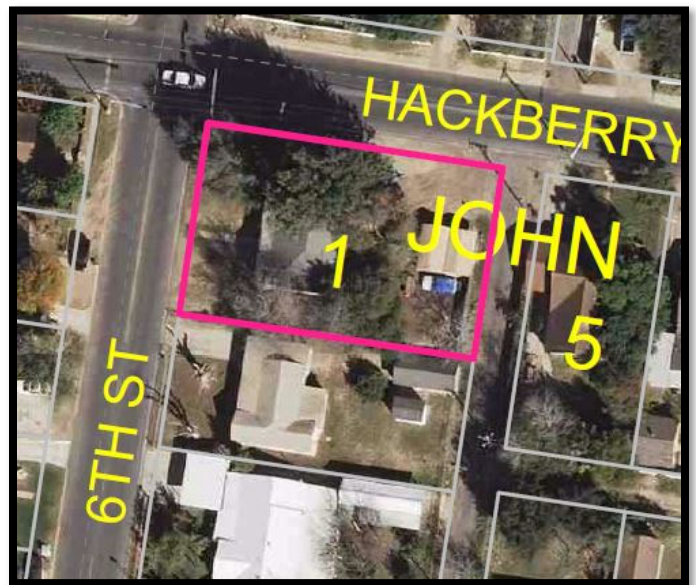
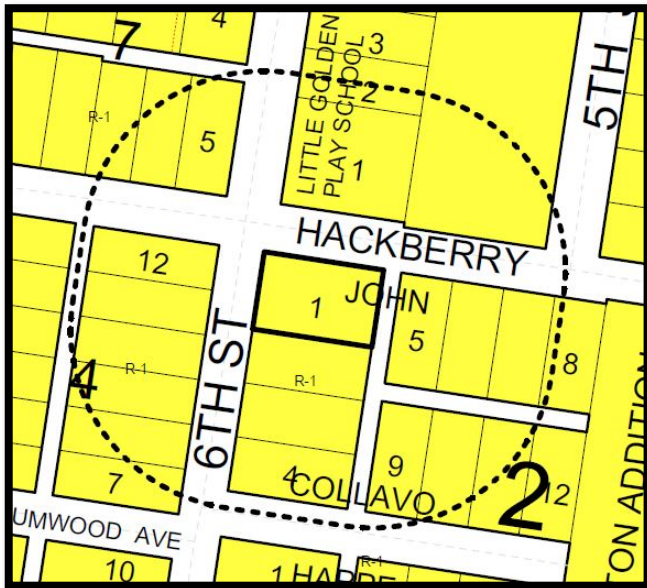
**TO:** Zoning Board of Adjustment & Appeals

**FROM:** Planning Staff

**DATE:** May 16, 2024

**SUBJECT: REQUEST OF WALTER B. AZUARA FOR A VARIANCE TO THE CITY OF MCALLEN ZONING ORDINANCE TO ALLOW AN ENCROACHMENT OF UP TO 7 FEET INTO THE 10 FOOT REAR YARD SETBACK FOR A GARAGE AT LOT 1, THE JOHN COLLAVO SUBDIVISION, HIDALGO COUNTY, TEXAS; 720 NORTH 6<sup>TH</sup> STREET. (ZBA2024-0011)**

**REASON FOR APPEAL:** The applicant is requesting an encroachment of up to 7 feet into the 10 foot rear yard setback for an existing unfinished structure that is proposed to be used as a garage. The garage will be used to protect the residents, family vehicles, as well as household tools and equipment.



**PROPERTY LOCATION AND VICINITY:** The property is located at the southeast corner of Hackberry Avenue and North 6<sup>th</sup> Street. The property is zoned R-1 (single family residential) District. There is R-1 District in all directions.

**BACKGROUND AND HISTORY:** The John Collavo Subdivision was recorded on January 10, 1948. A stop work order was issued February 27, 2024 for construction without a permit. An application for a building permit was submitted on March 1, 2024. An application for a variance request was submitted March 20, 2024.

**ANALYSIS:** The applicant is requesting an encroachment of up to 7 feet into the 10 foot rear yard setback for an unfinished 560 square foot structure proposed to be used as a garage.

Construction for the unfinished garage structure was started over an existing concrete foundation that previously contained a metal canopy carport. The applicant states “cement slab with metal rails on exterior and middle of slab along with metal tubes were used as part of the structural base then reinforced with additional rebar monolithic form filled. Four by four, 3/8 inch tubes were added at each corner along with existing galvanized tubes that were in original cement approximately every four feet, formed into original external walls that was all encased with block.” The applicant was not aware of the requirement to maintain the required 10 foot rear yard setback nor the requirement to obtain a building permit for the new construction.

The applicant received approval for a right-of-way permit for driveway entrances from North 6<sup>th</sup> street and the alley at the rear of the property. Any driveway access to the proposed garage are required to be paved.

The applicant states that any previous structures shown with encroachments on the property survey (attached) were constructed during previous property ownership.

The existing unfinished building encroachment area measures approximately 149.3 square feet. The total rear yard setback is 860 square feet. The encroachment is 17% of the entire rear yard setback area.

The applicant has submitted a letter from the Department of Veteran Affairs that indicates that the new construction will help the applicant with mobility issues related to medical conditions.

The John Collavo Subdivision was recorded in 1948 and the plat does not indicate setbacks. Rear yard setbacks as per 1945 ordinance are three feet for accessory buildings. In 1979, the requirement changed to 10 feet. An aerial view of Lots within this subdivision shows existing encroachments into the rear yard setback. A site visit by staff confirmed the existing encroachments. A review of Planning Department records did not reveal any variances granted for encroachments. Building permits were issued for new accessory structures on Lots 11 and 12 in 2014 and 2012, respectively and the submitted site plans showed compliance with current setback requirements.

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

**RECOMMENDATION:** Staff recommends disapproval of the variance request. However, if the Board approves the request it should be limited to the footprint of the encroachment as shown on the submitted site plan.

**ZBOA MEETING OF MAY 8, 2024:**

At the Zoning Board of Adjustments and Appeals meeting of May 8<sup>th</sup> 2024, the Board voted to table the item at the request of the applicant. The applicant will consider changing the proposed construction from a garage to a carport. The applicant will submit revised plans. The item was tabled until the next meeting.

ZBA 2024-0011

ZBA 05/18/24 @ 4:30pm



# City of McAllen

## Planning Department

### APPEAL TO ZONING BOARD OF ADJUSTMENT TO MCALLEN ZONING ORDINANCE

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

<b>Project</b>	Legal Description <u>THE JOHN COLLAVO LOT 1</u> Subdivision Name <u>THE JOHN COLLAVO</u> Street Address <u>720 N 6TH ST MCALLEN, TX 78501-2528</u> Number of lots <u>1</u> Gross acres <u>.26258</u> Existing Zoning <u>Residential</u> Existing Land Use <u>Residential</u> Reason for Appeal (please use other side if necessary) <u>Encroachment of 7ft into 10ft rear yard setback for a garage (metal carport) that was on the property when purchased.</u> <u>Replacing</u> <input checked="" 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
<b>Applicant</b>	Name <u>Walter B. Azuara</u> Phone <u>956-686-9797</u> Address <u>720 N 6th St</u> E-mail <u>azuarawb@gmail.com</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u>
<b>Owner</b>	Name <u>Veronica J. Azuara</u> Phone <u>956-686-9797</u> Address <u>720 N 6th St</u> E-mail <u>azuarawb@gmail.com</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u>
<b>Authorization</b>	To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable) OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization. Signature <u><i>Veronica Azuara</i></u> Date <u>3/18/2024</u> Print Name <u>Veronica Azuara</u> <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Authorized Agent
<b>Office</b>	Accepted by <u><i>DS</i></u> Payment received by _____ Date <u>MAR 20 2024</u> Rev 10/18 <u>NM</u> BY: <u><i>CU</i></u>





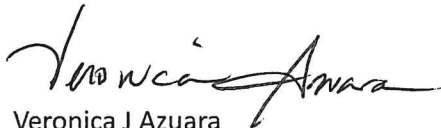
March 20, 2024

Attn: City of McAllen

To Whom It May Concern:

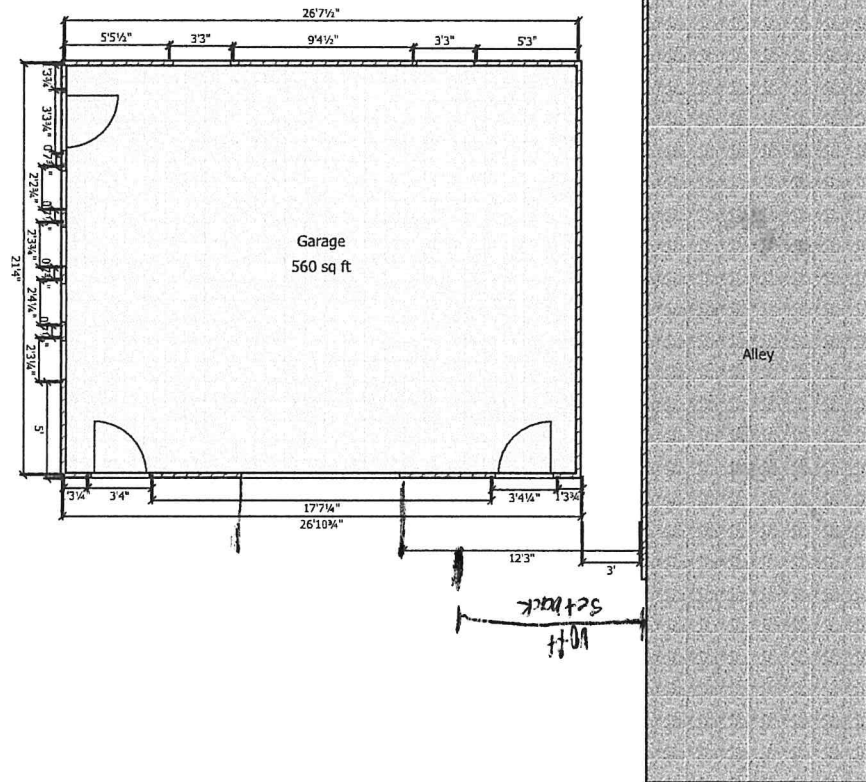
I, Veronica J Azura, authorize Walter B Azura, my husband, to represent me.

Respectfully,

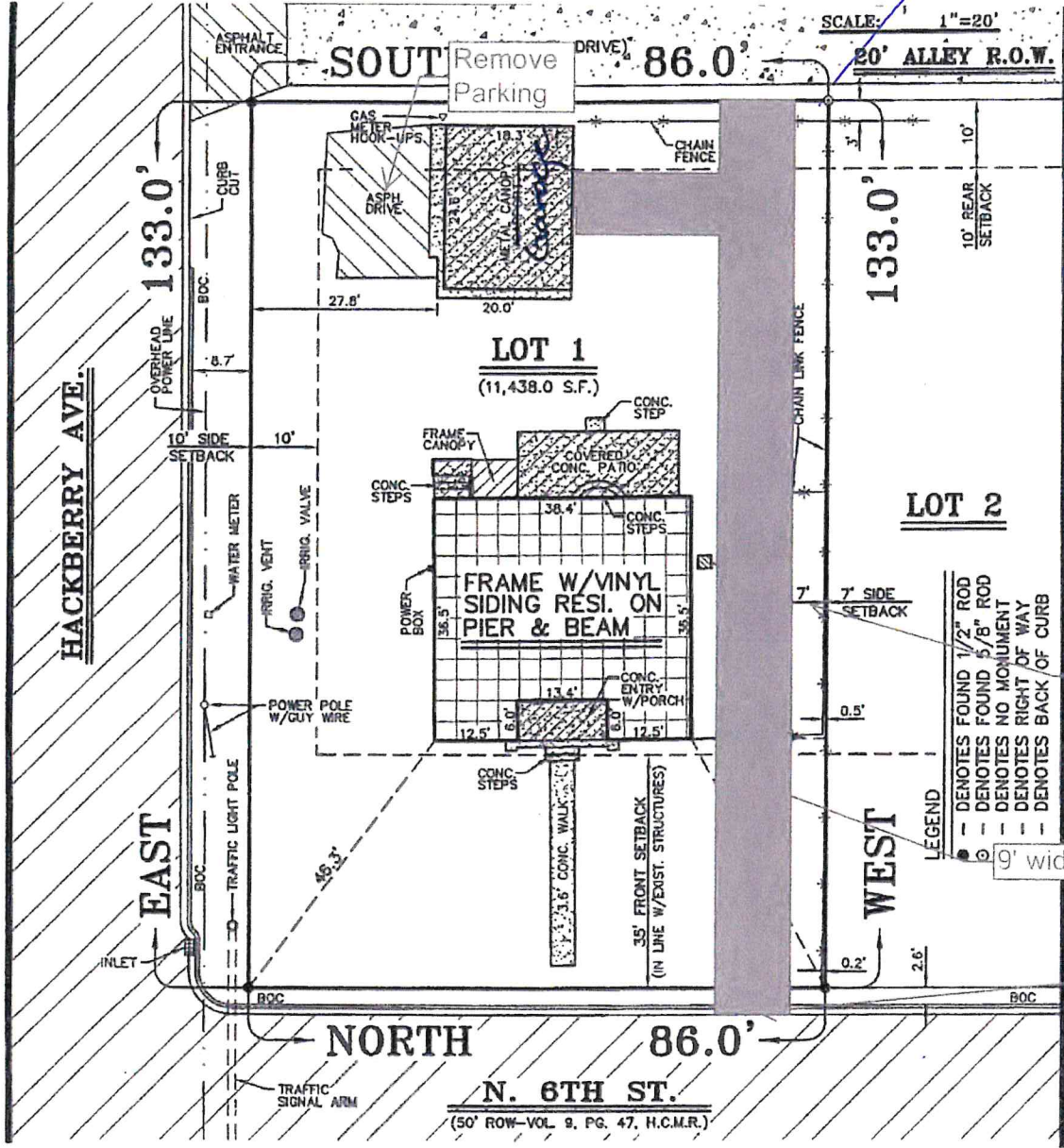
A handwritten signature in black ink that reads "Veronica J Azura". The signature is written in a cursive style with a large initial 'V' and a long, sweeping tail.

Veronica J Azuara  
a/k/a Veronica J Gonzalez  
720 N 6<sup>th</sup> St,  
McAllen, TX 78501





3ft



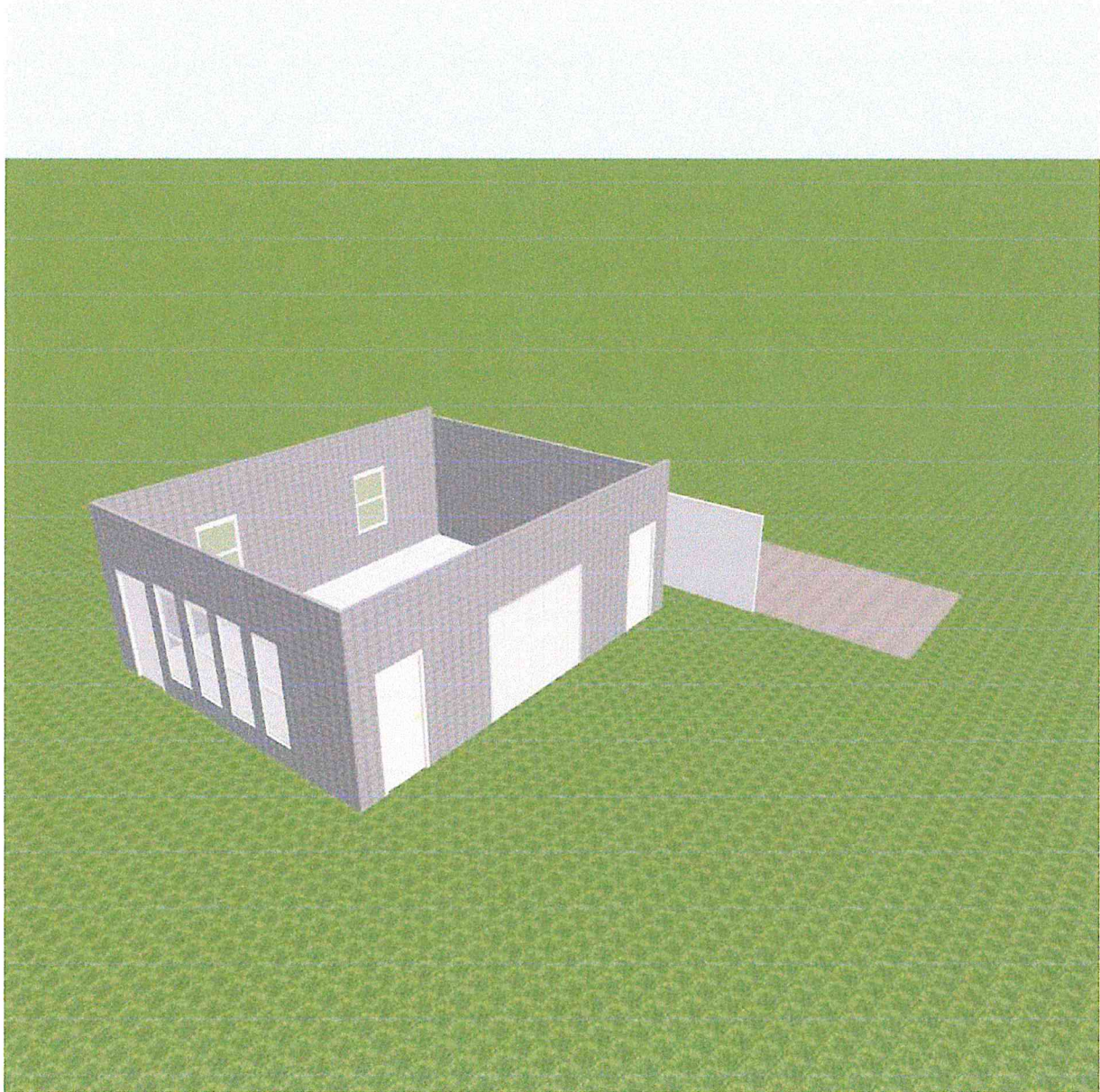
5.5' setback

9' wide driveway

curb cut



7/21











NO  
THRU  
TRAFFIC  
CITY 889 82-87



SCALE: 1"=20'

20' ALLEY R.O.W.

SOUTH 86.0'

Remove Parking

133.0'

133.0'

LOT 1  
(11,438.0 S.F.)

LOT 2

FRAME W/VINYL SIDING RESI. ON PIER & BEAM

HACKBERRY AVE.

EAST

WEST

NORTH 86.0'

N. 6TH ST.

(50' ROW-VOL. 9, PG. 47, H.C.M.R.)

ASPHALT ENTRANCE

DRIVE

GAS HEATER  
HOOK-UPS  
ASPH DRIVE

METAL CANOPY

CHAIN FENCE

CHAIN LINK FENCE

10' REAR SETBACK

CURB CUT

OVERHEAD POWER LINE

10' SIDE SETBACK

10'

WATER METER

IRRIG. VALVE

IRRIG. VENT

CONC. STEPS

FRAME CANOPY

COVERED CONC. PATIO

CONC. STEP

CONC. STEPS

POWER BOX

POWER POLE W/CUY WIRE

CONC. ENTRY W/PORCH

CONC. WALK

35' FRONT SETBACK (IN LINE W/EXIST. STRUCTURES)

7' SIDE SETBACK

- LEGEND
- DENOTES FOUND 1/2" ROD
  - DENOTES FOUND 5/8" ROD
  - DENOTES NO MONUMENT
  - DENOTES RIGHT OF WAY
  - DENOTES BACK OF CURB

5.5' setback

9' wide driveway

curb cut

INLET

TRAFFIC SIGNAL ARM

BOC

BOC

8.7

27.6'

20.0'

12'

9'

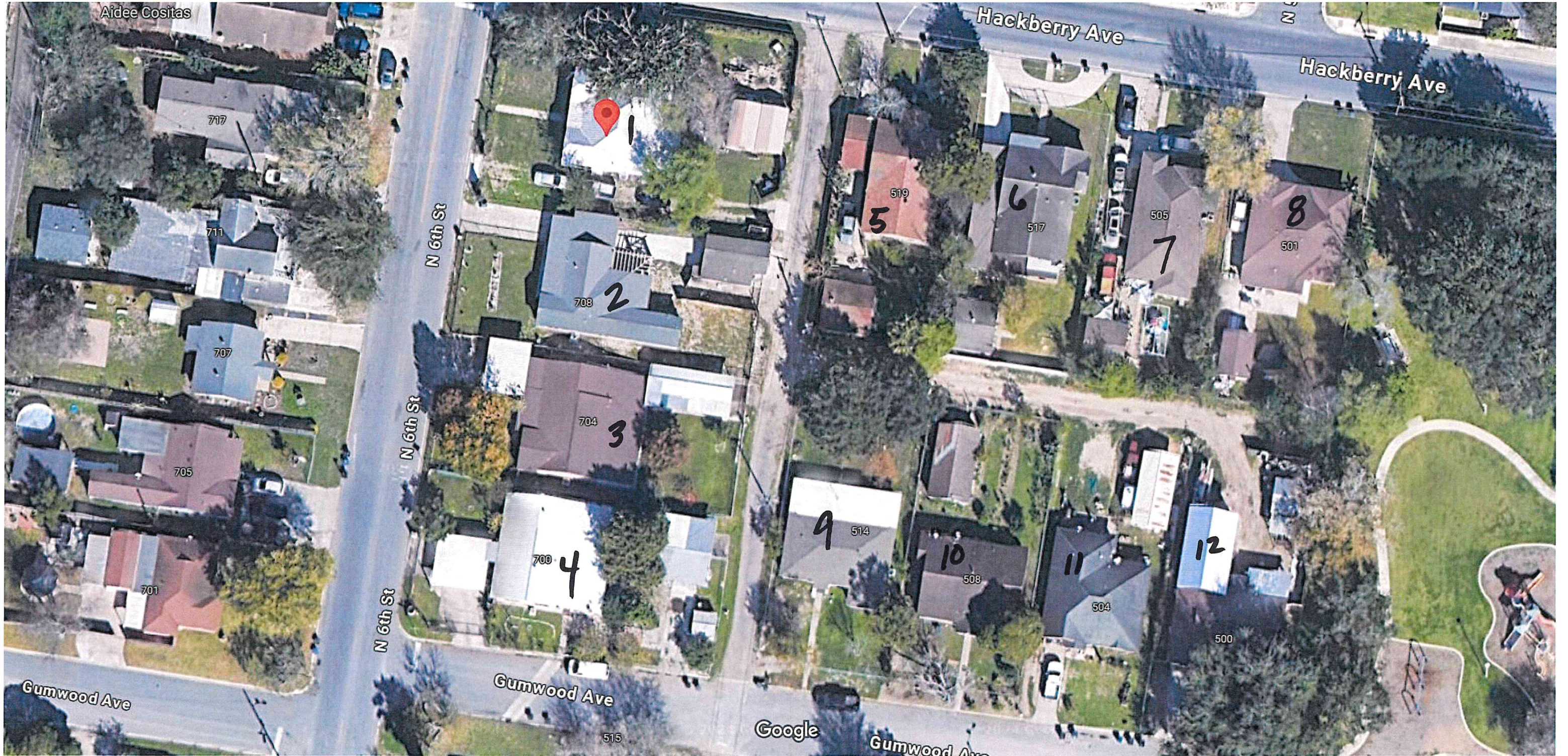
7'

0.5'

0.2'

2.6'









**DEPARTMENT OF VETERANS AFFAIRS**  
**VA Outpatient Clinic**  
**901 E. Hackberry Ave.**  
**McAllen, Texas 78501**

April 16, 2024

RE: Request for Special Accommodations for W. Azuara

To whom it may concern,

Please be advised that our patient, Walter Azuara, (Last 4 of SSN 6492) requires special accommodations, due to medical conditions he is being treated for. Mr. Azuara is being treated for service-connected conditions: limited motion of arm, intervertebral disc syndrome, limited extension of knee, sinusitis, maxillary, chronic, tendon inflammation, and paralysis of sciatic nerve along with other diagnosis. Additionally, he is being treated for mental health conditions- depression and anxiety. Consequently, Mr. Azuara reports difficulty coping with current issues affecting his residence and have caused an increase in emotional distress and associated symptoms.

Veteran was last seen by provider on 2/23/2024. Veteran experiences chronic pain due to complex medical conditions, and emotional distress that has exacerbated mental health conditions. He would benefit from accommodations.

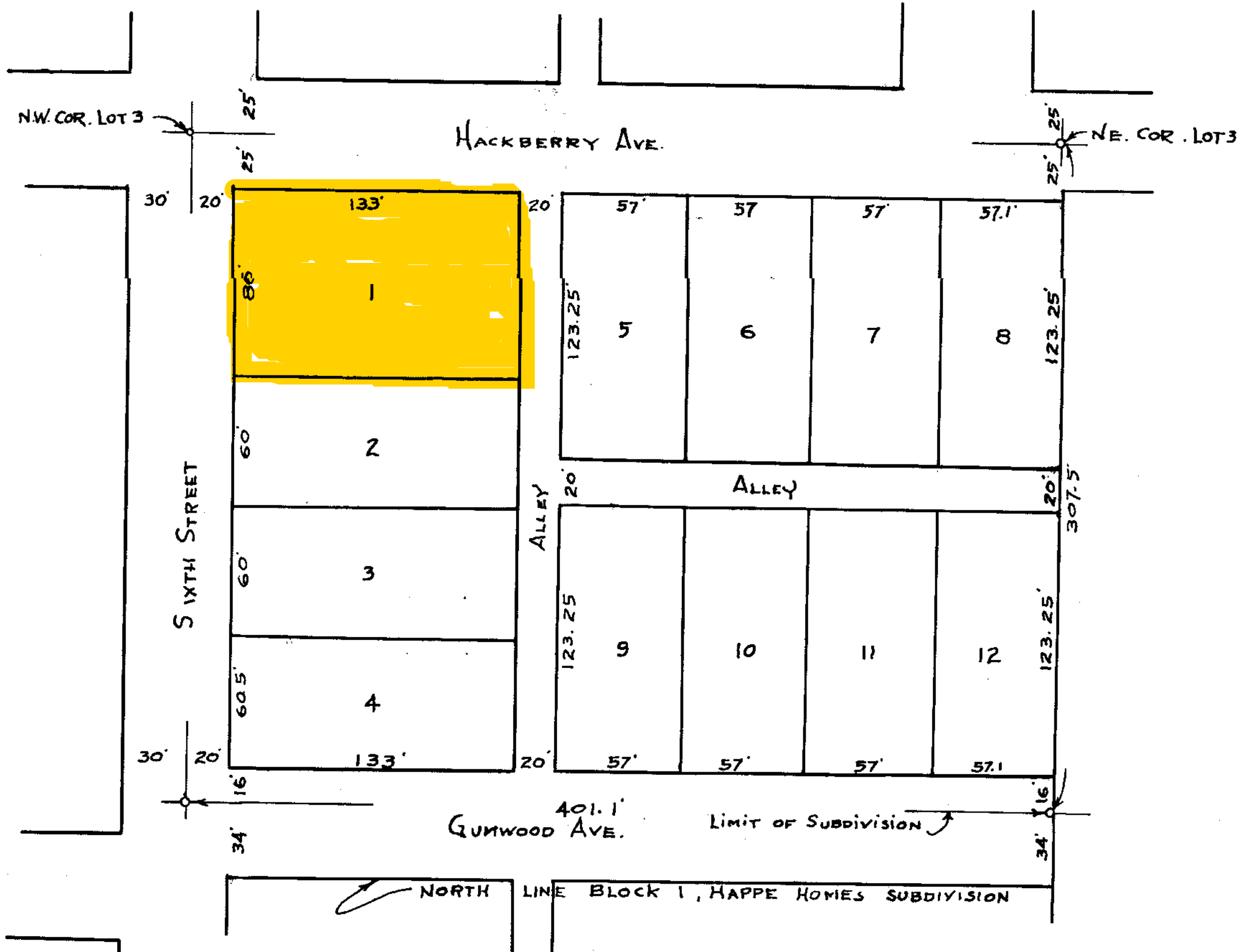
Your consideration and assistance with this matter are greatly appreciated on behalf of this Veteran who served his country honorably. Thank you.

Respectfully,

A handwritten signature in black ink, appearing to read "Abdias Brazier".

**Abdias Brazier MD**  
**PACT Team Provider**  
**McAllen VA Outpatient Clinic**  
**Tel. No. 956-618-7000**





I, C. L. Fabian, A Licensed Land Surveyor, do hereby certify the foregoing plat to be true and correct

Approved: Dec. 28, 1948  
W. N. Harris  
 W. N. Harris  
 City Engineer

Approved: Dec. 28, 1948  
 McAllen Zoning & Planning Board  
 by E. A. Greene  
 E. A. Greene, Chairman

Approved: December 31, 1948  
 City Commission of McAllen, Texas.  
 by J. B. White Jr.  
 Mayor.

Attest: December 31, 1948  
William L. Schupp  
 Wm. L. Schupp  
 City Secretary.

C. L. Fabian  
 C. L. Fabian  
 Licensed Land Surveyor

State of Texas:  
 County of Hidalgo

I, John Collavo, owner of the property hereon described, do hereby adopt, dedicate and confirm the foregoing map and do hereby dedicate to the public the roads and alleys designated thereon.

John Collavo  
 John Collavo

State of Texas:  
 County of Hidalgo:

Subscribed and sworn to before me on this 31 day of Dec A.D. 1948

E. L. Deer E. L. DEER  
 Notary Public in and for  
 Hidalgo County, Texas.

**MAP**  
 OF  
**THE JOHN COLLAVO SUBDIVISION**

MC ALLEN, TEXAS,  
 BEING A SUBDIVISION OF  
 THE NORTH 2.83 ACRES OF LOT NO. 3, BLOCK 2,  
 CODDINGTON ADDITION, MC ALLEN, TEXAS.

PREPARED BY  
 C. L. FABIAN  
 LICENSED LAND SURVEYOR  
 MCALLEN, TEXAS

SCALE 1" = 50'

DATE Dec. 17, 1948

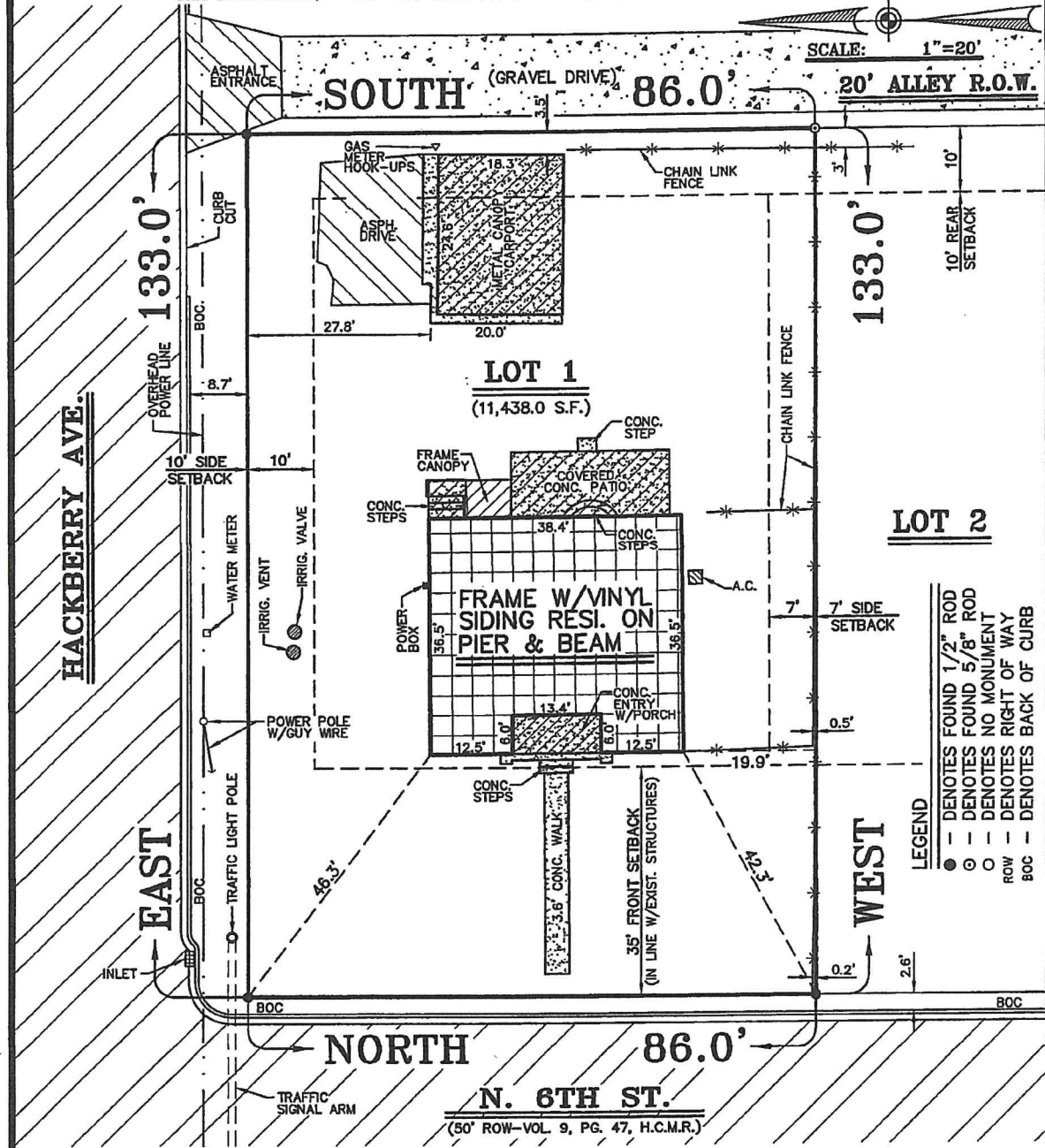
T.B.P.E. FIRM No.: F-5154

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

# ART SALINAS ENGINEERING & SURVEYING

1524 DOVE AVENUE, McALLEN, TEXAS 78504 PH: (956) 618-5555 FAX: (956) 618-5540

SCALE: 1"=20'



**LEGEND**

- DENOTES FOUND 1/2" ROD
- DENOTES FOUND 5/8" ROD
- DENOTES NO MONUMENT
- ROW DENOTES RIGHT OF WAY
- BOC DENOTES BACK OF CURB

**FLOOD ZONE CERTIFICATION:** The property shown hereon lies in Zone "B". Zone "B" areas lie between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood as per F.E.M.A. Flood Insurance Rate Map Panel No. 480343-0005-C dated 11-02-82.

**PLAT NOTES:**

1. There are no discrepancies, conflicts, shortages in area or boundary lines, encroachments, overlapping of improvements or visible or apparent easements, except as shown on this plat.
2. This survey plat is prepared in connection with Title Policy G.F. # 914099 and does not guarantee title. This survey is for the exclusive use of the client named hereon and may not be copied or transferred to another party without the express written consent of the surveyor.
3. This survey must contain an original seal and an original signature to be valid as per Section 661.46 and Section 663.19 of the "The Professional Land Surveying Practices Act".
4. This is a standard survey and does not include a subsurface utility line location or topographic investigation.
5. Easements, rules, regulations and rights in favor of Hidalgo County Water Improvement District No. 3. (Blanket)
6. Building setback lines as per City zoning ordinance.
7. Subject to any oil, gas and mineral lease of record.
8. Bearing Basis: "W. line of Lot 1, John Collavo Subdivision"

**BORROWER:** Veronica J. Gonzalez

**THIS IS TO CERTIFY THAT I HAVE, THIS DATE, PREPARED A SURVEY ON THE PROPERTY WHICH IS LOCATED AT 720 N. 6TH ST., in McALLEN, TEXAS, DESCRIBED AS FOLLOWS:  
LOT ONE (1), JOHN COLLAVO SUBDIVISION, AN ADDITION TO THE CITY OF McALLEN, HIDALGO COUNTY, TEXAS, AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME 9, PAGE 47, MAP RECORDS, HIDALGO COUNTY, TEXAS.**

17-52249      10-03-17  
Job No.      Date

© COPYRIGHT 2017 ART SALINAS ENGINEERING INC. THIS SURVEY WAS PROVIDED IN MULTIPLE ORIGINALS SOLELY FOR THE USE OF THE BORROWER NAMED HEREON. NO LICENSE HAS BEEN CREATED, EXPRESSED OR IMPLIED TO COPY THIS SURVEY.



Registered Professional Land Surveyor No. 4802





NOTICE  
VARIANCE  
FOR  
THIS PROPERTY  
ZBA2024 - 0011