

AGENDA

ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING WEDNESDAY, MAY 4, 2022 - 4:30 PM MCALLEN CITY HALL, 1300 HOUSTON AVENUE CITY COMMISSION CHAMBERS, 3RD FLOOR

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

CALL TO ORDER – CHAIRPERSON SYLVIA HINOJOSA

1. MINUTES:

- a) Minutes for the meeting held on April 20, 2022

2. PUBLIC HEARINGS:

- a) Request of Diana Chavez for the following special exception to the City of McAllen Zoning Ordinance to allow: an encroachment of 12ft into the 25ft. front yard setback for an existing carport measuring 408 square feet (17ft x 24ft) at Lot 112, Plantation Gap Subdivision Phase 1, Hidalgo County, Texas; 4425 Sandpiper Avenue. **(ZBA2022-0012)**
- b) Request of John M. Sczline for the following variance to the City of McAllen Zoning Ordinance to allow: an encroachment of 3 ft. – 8 in. into the 6 ft. side yard setback for a pergola measuring 168 square feet (12ft x 14ft) at Lot 46, Quail Crossing Subdivision, Hidalgo County, Texas; 2612 Brazos Court. **(ZBA2022-0013)**
- c) Request of Alberto Pedroza for the following special exception to the City of McAllen Zoning Ordinance to allow: an encroachment of 20ft into the 25ft. front yard setback for a carport measuring 528 square feet (22ft x 24ft) at Lot 7, Block 4 Frontier Gardens Subdivision, Hidalgo County, Texas; 808 Upas Avenue. **(ZBA2022-0014)**
- d) Request of Hamlin Pools (Joshua Stanberry) on behalf of Bethol Balbotin (owner) for the following Variances to the City of McAllen Zoning Ordinance: **1)** to allow an encroachment of 10 feet into the 25 feet rear yard setback for a proposed swimming pool landing area measuring 7 feet by 8 feet and **2)** to allow an encroachment of 4.5 feet into the East 6 feet side yard setback for a proposed swimming pool spa measuring 7 feet by 8 feet **3)** to allow an encroachment of 10 feet into the 25 feet rear yard setback for a proposed swimming pool spa measuring 7 feet by 8 feet, at Lot 2, The Embers Subdivision, Hidalgo County, Texas; 405 Cornell Avenue. **(ZBA2022-0015)**
- e) Request of Teresa Valenzuela Cox for the following Variance and Special Exception to the City of McAllen Zoning Ordinance: **1)** to allow an encroachment of 5 feet into the 5 feet side yard setback for an existing art studio building addition, **2)** to allow an encroachment of 5 feet into the 5 feet side yard setback for an existing carport, at Lot 5, Block 5, Orange Terrace Subdivision No. 3, Blocks 4 & 5, Hidalgo County, Texas; 1017 Orange Avenue. **(ZBA2022-0016)**
- f) Request of Ricardo D. Martinez, on behalf of Habitat Developers, LLC for the following Variance to the City of McAllen Zoning Ordinance: continuation of a non-conforming use to include enlarging the non-conforming use and issuance of a building permit in excess of 10% replacement value, at Lot 8, Block 42, North McAllen Subdivision, Hidalgo County, Texas; 218 North 17th Street. **(ZBA2022-0017)**

3. FUTURE AGENDA ITEMS

- a) 6004 North 30th Street
- b) 712 Daffodil Avenue
- c) 4600 South 29th Street

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

The McAllen Zoning Board of Adjustment and Appeals convened in a Regular Meeting on Wednesday, April 20, 2022 at 4:30 p.m. in the McAllen City Hall, Commission Chambers with the following present:

Present:	Sylvia Hinojosa	Chairperson
	Jose Gutierrez	Vice-Chairperson
	Ann Tafel	Member
	Hugo Avila	Member
	Rogelio Rodriguez	Member
	Mark Talbot	Alternate
	Sam Saldivar, Jr.	Alternate
	Juan Mujica	Alternate
Absent:	Rebecca Millan	Alternate
Staff Present:	Issac Tawil	City Attorney
	Michelle Rivera	Assistant City Manager
	Edgar Garcia	Planning Director
	Rodrigo Sanchez	Senior Planner
	Omar Sotelo	Senior Planner
	Jose Luis Flores, Jr.	Planner I
	Julian Hernandez	Planning Technician I
	Carmen White	Administrative Assistant

CALL TO ORDER –Chairperson Sylvia Hinojosa

1. MINUTES:

- a)** Minutes for the meeting held on April 20, 2022.

The minutes for the meeting held on April 6, 2022 were approved. The motion to approve the minutes was made by Mr. Hugo Avila. Ms. Ann Tafel seconded the motion, which carried unanimously with five members present and voting.

2. PUBLIC HEARINGS:

Request of Daniel Rosas for the following special exception to the City of McAllen Zoning Ordinance to allow: **1)** an encroachment of 13 ft. into the 20 ft. front yard setback for a metal carport measuring 20 ft. by 25 ft. at the front. **2)** an encroachment of 6 ft. into the 6 ft. side yard setback for an attachment to the proposed carport measuring 10ft. by 64 ft. at Lot 6, Block 15, C.E Hammond Subdivision, Hidalgo County, Texas; 2021 Ebony Avenue. **(ZBA2022-0010)**

Mr. Flores stated he applicant was requesting a special exception for an encroachment into the front yard and side yard setbacks in order to construct a metal carport. The carport measured 20 ft. x 25ft at the front and 10 ft. x 64ft. on the side. According to the applicant, the carport was to be built to protect his vehicles from the weather elements and

accommodate parking area for the front part of his property.

The subject property was located on the South side of Ebony Avenue. The property was located 100 feet from 21st Street the lot size was 7000 sq. feet according to the subdivision plat. The surrounding land use was all zoned single-family residential.

The property was located along the south side of Ebony Avenue, approximately 100 feet east of North 21st Street. The property had 50 feet of frontage along Ebony Avenue with a depth of 140 feet for a total area of 7,000 square feet. There was a single-family residence on the subject property. The property was zoned R-1 (single family residential) District. Adjacent zoning was R-1 (single family residential) District in all directions. The surrounding land use was single family residential. There had been no previous permits requested for this property.

Request number one was for a special exception to allow an encroachment of 13 feet into the 20 feet front yard setback for an existing metal carport measuring 20 feet by 25 feet over an existing patio. The carport was not enclosed which allowed for visibility when entering or exiting the property, since the car port was located 10 feet from the curb it does not pose any obstruction to traffic.

Request number two was for a special exception to allow an encroachment of 6 feet into the 6 feet side yard setback for an existing metal carport measuring 10 feet by 64 feet over an existing driveway. The carport was not enclosed which allows for visibility when entering or exiting the property, since the carport was located 10 feet from the curb it does not pose any obstruction to traffic. The carport forms an L-shape around the current residence.

The proposed carport will accommodate the placement of 5 vehicles on the property.

There was an alley on the property but no access on the subject property.

During the site visit, staff noticed other similar encroachments, specifically carports located at the front yard and side yard along Ebony Avenue; there are four other encroaching carports, in which they encroach both side and front yard setbacks within the same block along Ebony Ave. There are a total of six other carports along Ebony Ave and on the north side of Date Palm Ave between Bicentennial Blvd and North 23rd. The metal carport on the subject property was a characteristic of construction along the area. A review of the planning department records indicated a carport approved in 2019 and another previously in 2015.

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

Staff recommended disapproval of the special exception request of the proposed carport. However, if the Board approves the request it should be limited to the encroachment shown in the submitted site plan.

Board member Ann Tafel asked for clarification on demolishing current and replacing it with the proposed one.

Mr. Daniel Rosas, the applicant stated he bought the house in 2016. He stated the reason for the front and the side carport was to protect his vehicles from the inclement weather. Mr. Rosas stated he currently had approval from the Mujeres Unidas to park his vehicles there in the meantime while the construction of the carport was completed. He stated his house was constructed back in the 1950s and he lives in the rear house. There was no access from the alley except through the front.

Board member Hugo Avila asked the applicant if the carport was only for protection of the elements. Mr. Rosas stated yes and for other projects to be done under the carport. He wanted to rebuild the carport due to water damage. The front will have an electric gate, which allow access for both vehicles to both houses.

Board member Juan Mujica asked staff from the aerial view and from the site plan; it looked like it would be essentially a zero lot encroachment. Mr. Flores stated yes. Mr. Mujica asked this was for a carport. Mr. Flores stated yes. Mr. Mujica asked if it could be enclosed to the zero lot line. Mr. Flores stated no. Mr. Mujica asked staff if this property was the only R-2 on that street. Mr. Flores stated the surrounding properties were R-2. He stated this was a very old subdivision. Mr. Mujica if people park on the street or inside their property. Mr. Flores stated they park inside their property.

Mr. Edgar Garcia, Planning Director stated that with the subdivision being old prior to the current code someone only needed one parking space for a lot.

Chairperson Hinojosa asked staff if there were other similar situations in this area. Mr. Flores stated yes with different encroachments. It varies from side to front.

Chairperson Hinojosa asked staff if it could be reduce it so as not have the 6 feet into that area. Mr. Flores stated a vehicle would not fit if you reduce it 3 feet inside. Mr. Rosas stated that it will be feasible to fit a vehicle.

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

Chairperson Sylvia Hinojosa asked if there was anyone present in opposition of the special exception. There was one in opposition of the special exception.

Ms. Consuelo Mata, 2018 Ebony Avenue. She had received a letter regarding the special exception but was confused. She misunderstood that they were going to widen the street in front of where she lived. Chairperson Hinojosa clarified that the letter stated. Ms. Mata then stated she was in favor of the carport.

Board member Ann Tafel asked staff what was the measurement of the existing carport. Mr. Flores stated it measured 160 square feet.

Board member Sam Saldivar asked staff if the proposed carport was going to be wider on the side than the previous one. Mr. Flores stated it was wider. Mr. Saldivar asked was it wider than before. Mr. Rosas stated it was about the same. He stated the upper structure was further back.

Chairperson Hinojosa asked if the wooden fence next to the Mujeres Unidas was theirs. Mr. Rosas stated it was his wooden fence. He stated there was a chain link fence there but decided to put a wooden fence for privacy.

Vice-Chairperson Gutierrez asked Mr. Rosas if the carport to be attached to the house. Mr. Rosas stated after speaking with staff they stated it would not be an issue if the carport was attached to the house.

Board member Rogelio Rodriguez asked staff if the cement was all the way to the rear towards the carport. Mr. Flores stated yes.

Following discussion, Vice-Chairperson Jose Gutierrez **moved** to approve special exception #1 limited to the encroachment shown on the submitted site plan. Ms. Ann Tafel seconded the motion. The Board voted to approve the special exception with five members present and voting.

Vice-Chairperson Jose Gutierrez **moved** to disapprove special exception #2. Mr. Rogelio Rodriguez seconded the motion. The Board voted to disapprove the special exception with five members present and voting.

4. FUTURE AGENDA ITEMS:

- a) 4425 Sandpiper Avenue
- b) 2612 Brazos Court
- c) 808 Upas Avenue
- d) 405 Cornell Avenue
- e) 1017 Orange Avenue
- f) 218 North 17th Street

ADJOURNMENT

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

Chairperson Sylvia Hinojosa

Carmen White, Administrative Assistant

MEMO

TO: Zoning Board of Adjustment & Appeals

FROM: Planning Staff

DATE: April 20, 2022

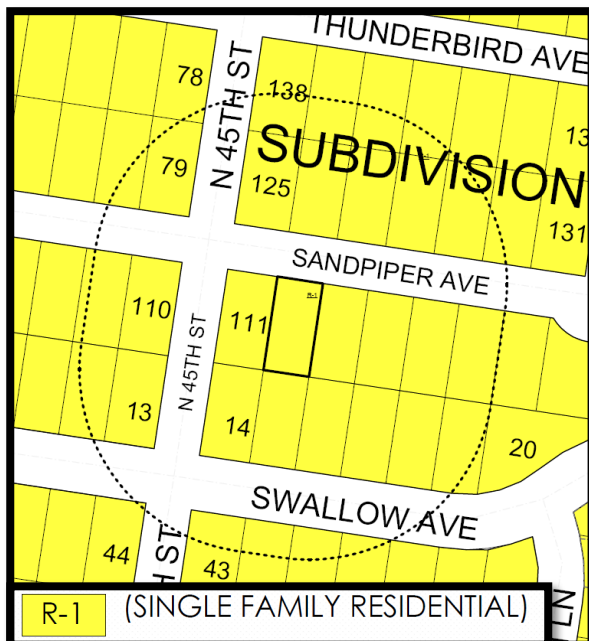
SUBJECT: REQUEST OF DIANA CHAVEZ FOR THE FOLLOWING SPECIAL EXCEPTION TO THE CITY OF MCALLEN ZONING ORDINANCE TO ALLOW: AN ENCROACHMENT OF 12 FT. INTO THE 25 FT. FRONT YARD SETBACK FOR AN EXISTING CARPORT MEASURING 408 SQUARE FEET (17 FT. BY 24 FT.) AT LOT 112, PLANTATION GAP SUBDIVISION PHASE I, HIDALGO COUNTY, TEXAS; 4425 SANDPIPER AVENUE. (ZBA2022-0012)

REASON FOR APPEAL:

Mrs. Diana Chavez, the property owner requests a special exception to allow an encroachment of 12 ft. into the 25 ft. front yard setback for a wooden carport with decorative columns measuring 17.0 ft. by 24.0 ft. The applicant has indicated that the basis for the request is allow the existing structure to remain.

PROPERTY LOCATION AND VICINITY:

The property is located on the south side of Sandpiper Avenue and 50 feet from North 45th Lane. The lot has 50 ft. of frontage along Sandpiper Avenue and a depth of 102.98 ft. for a lot size of 5,149 sq. ft. The property is zoned R-1 (single-family residential) District and a single-family residence is located on the property. The surrounding land uses are single-family residences in all directions.



BACKGROUND AND HISTORY:

Plantation Gap Subdivision Phase 1 was recorded on December 20, 2004. A general note on the subdivision plat indicates a front yard setback of 25 feet. The original building permit for construction of this residence was submitted on March 9, 2006. A citation for doing work without a permit was issued on March 07, 2022. The applicant applied for a building permit on March 16, 2022, and is pending ZBA board approval and compliance with building code requirements. An application for a special exception was submitted on March 21, 2022.

ANALYSIS:

The subdivision plat indicates there is a 25 ft. setback that runs along the front property line. The front yard setbacks are important in establishing the character of a single-family neighborhood by providing landscaping to enhance the residence and curb appeal of the street view. Approval of the special exception allowing a carport within the front yard may encourage future carports to be constructed in the front yard.

The submitted site plan indicates the proposed carport to be 13 feet from the front property line; however, measurements provided are without the benefit of a survey.

The carport is not enclosed which allows for visibility when entering or exiting the property, since the carport is located 23 feet from the back of curb it does not pose any obstruction to the flow of traffic.

During the site visit, staff noticed another encroaching carport that reaches the property line located at the end of Sandpiper Avenue, which was approved in June of 2019.

No phone calls have been received in opposition to the special exception request.

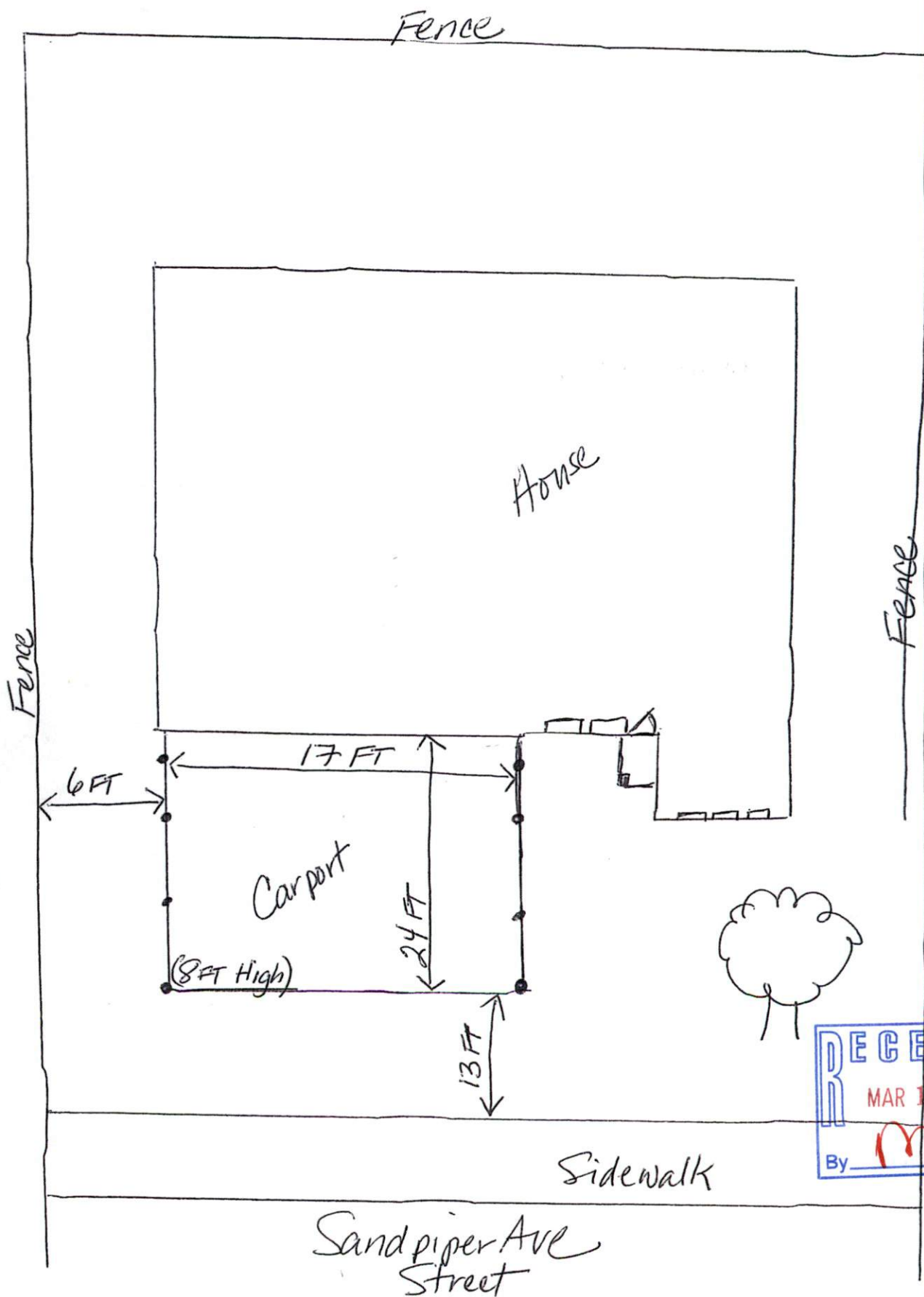
Special exceptions are issued to an individual and recorded, however if new owner purchases the home they will have to apply as the new owner.

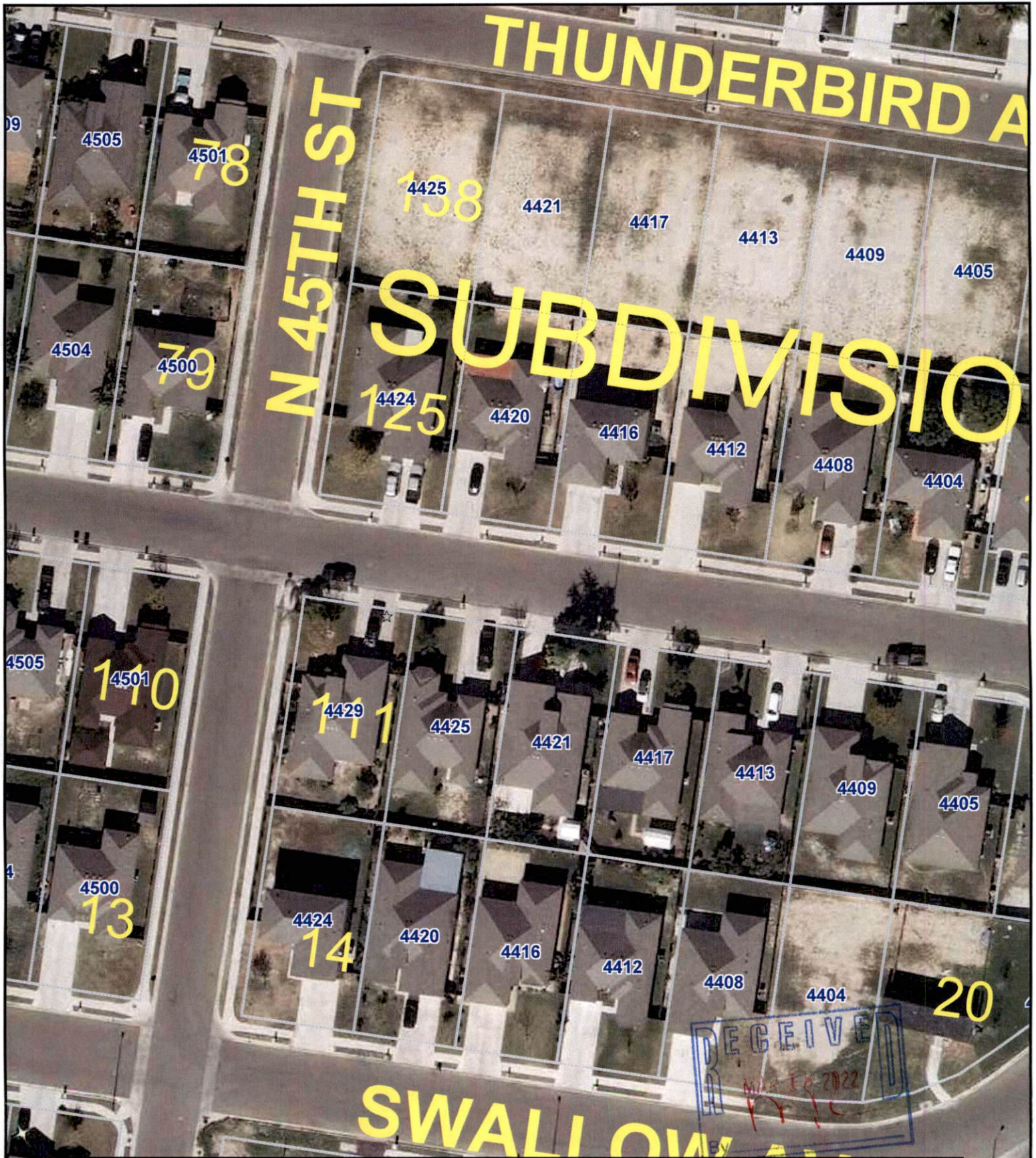
RECOMMENDATION:

Staff recommends approval of the request due to the previous approval of a 25 foot encroachment into the front setback. If the Board approves the request it should be limited to the existing encroachment.

4425 Sandpiper Ave

S





CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.



SUBJECT PROPERTY



200 FT. NOTIFICATION BOUNDARY



This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at <http://www.mcallen.net>. Furthermore, This map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes.



4425





4425



BJ9-3838







4425

NOTICE
VARIANCE
SPECIAL EXCEPTION
FOR
THIS PROPERTY
ZBA2022-0012
CITY OF McALLEN PLANNING DEPT.
956-481-1291
WWW.MCALLEN.MX

★ 4425

MEMO

TO: Zoning Board of Adjustment & Appeals

FROM: Planning Staff

DATE: April 21, 2022

SUBJECT: REQUEST OF JOHN M. SCZLINE FOR A VARIANCE TO THE CITY OF MCALLEN ZONING ORDINANCE TO ALLOW: AN ENCROACHMENT OF 3FT – 8 IN INTO THE 6FT. SIDE YARD SETBACK FOR A PERGOLA MEASURING 168 SQUARE FEET (12FT X 14FT) AT LOT 46, QUAIL CROSSING SUBDIVISION, HIDALGO COUNTY, TEXAS; 2612 BRAZOS COURT. (ZBA2022-0013)

REASON FOR APPEAL:

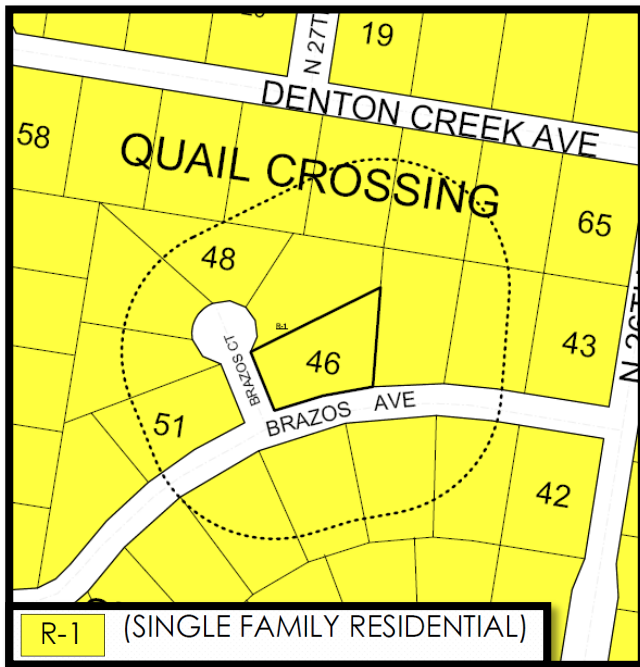
Mr. John Sczline, the property owner is requesting a variance to allow an encroachment of 3 ft. 8 in. into the 6 ft. side yard setback for a proposed pergola measuring 168 square feet (12 ft. by 14 ft.) The applicant has indicated that the basis for the request is the construction of the pergola to continue.

PROPERTY LOCATION AND VICINITY:

The property is located at the corner of Brazos Avenue and Brazos Court. The irregular lot has 98.45 ft. of frontage along Brazos Court, 155.00 ft. in the rear of the property, a depth of 225.71 ft. on the North side and 117.31' on the South side for a lot size of 22,212.47 sq. ft. The property is zoned R-1 (single-family residential) District and a single-family residence is located on the property. The surrounding land uses are single-family residences in all directions.

BACKGROUND AND HISTORY:

Quail Crossing Subdivision was recorded on January 27, 2006. As stated on the plat notes and restrictions the subdivision indicates a common side yard setback to be 6 feet. The original building permit for construction of this residence was submitted on July 30, 2012. A building permit for an attachment to the current residence was issued on March 24, 2022. After submitting a separate building permit for the pergola, customer was notified he would need a variance, and is requesting one to continue to construct the pergola.



ANALYSIS:

The subdivision plat indicates there is a 6 ft. setback that runs along the north property line. The side yard setbacks are important in establishing the character of a single-family neighborhood by promoting privacy, reduce fire danger and allow landscaping to enhance the residence and uniformity within the subdivision. Approval of the variance allowing the pergola within the side yard may encourage future side yard encroachments to be constructed in the side yard.

The submitted site plan indicates the proposed pergola to be 2 ft. – 4 in from the north property line; however, measurements provided are without the benefit of a survey.

The pergola is located at the rear of the property and does not pose any obstructions or cause any hardship to anyone.

During the site visit, staff noticed another encroaching sun tarp that reaches the property line located on the end of Brazos Court at the cul-de-sac, there is no permit on file for that structure.

No phone calls have been received in opposition to the special exception request.

RECOMMENDATION:

Staff recommends disapproval due to the R-1 zoning requirement in Section 138-356 of the ordinance and the subdivision requirement of a 6 foot side yard setback. If the Board approves the request it should be limited to the encroachment submitted on the site plan.

PLAT SHOWING
ALL OF LOT 46,
QUAIL CROSSING SUBDIVISION,
AN ADDITION TO
THE CITY OF McALLEN,
HIDALGO COUNTY, TEXAS,
VOL. 46, PG. 169, H.C.M.R.

LEGEND

- FND. NO. 4 REBAR
- CABLE PEDESTAL
- ELECTRIC BOX
- ELECTRICAL METER
- ✱ AC ELECTRIC CONNECTION
- WATER METER
- CURB INLET
- COLUMN
- U.E. UTILITY EASEMENT
- C.C.E. CORNER CLIP EASEMENT
- R.O.W. RIGHT OF WAY
- F.S.B.L. FRONT SETBACK LINE
- S.S.B.L. SIDE SETBACK LINE
- R.S.B.L. REAR SETBACK LINE
- G.S.B.L. GARAGE SETBACK LINE
- H.C.M.R. HIDALGO COUNTY MAP RECORDS
- H.C.O.R. HIDALGO COUNTY OFFICIAL RECORDS
- P-B PROPERTY LINE TO BACK OF CURB

FLOOD ZONE

ZONE "X" (UNSHADED)
AREAS DETERMINED TO BE OUTSIDE
500-YEAR FLOODPLAIN.
COMMUNITY-PANEL NUMBER: 460334 0325 D
REVISED TO REFLECT LCMR: MAY 17, 2001

BEARING
BASIS AS PER PLAT
QUAIL CROSSING SUBDIVISION,
VOL. 46, PG. 169, H.C.M.R.

SCALE: 1"=40'

CURVE DATA "b"
 $\Delta=13^{\circ}08'21"$
 $R=688.00'$
 $L=157.77'$



NOTES

1. SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.
2. SURVEY WAS PREPARED IN COORDINATION WITH SIERRA TITLE CO., COMMITMENT OF No. 3148586 EFFECTIVE DATE: FEB. 27, 2013

FROM SCHEDULE B:

- 10.d.- R.O.W. EASEMENT GRANTED TO BRUSH COUNTRY INVESTMENTS, L.L.C. TO THE CITY OF McALLEN, BY INSTR. DATED FEB. 20, 2006, FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS, ON FEB. 21, 2006, UNDER CLERK'S FILE NO. 1580638, H.C.O.R. (NOT APPLICABLE)
- 10.g.- R.O.W. EASEMENT GRANTED TO BRUSH COUNTRY INVESTMENTS II, L.L.C., HECTOR GUERRA, MEMBER TO MAGIC VALLEY ELEC. COOP. INC., A TEXAS CORP. BY INSTR. DATED JUNE 20, 2006, FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS, ON NOV. 1, 2006, UNDER CLERK'S FILE NO. 1682041, H.C.O.R. (NOT APPLICABLE)
- 10.l.- EASEMENTS AND CONDITIONS AS SHOWN ON THE MAP REC. IN VOL. 49, PG. 169, H.C.M.R.
- 10.i.- EASEMENTS, RIGHTS, RULES, AND REGULATIONS IN FAVOR OF HIDALGO COUNTY IRRIGATION DISTRICT NO. 1. (BLANKET)
3. NOTE LOCATION OF CONCRETE BEAM IN RELATION TO THE 6.0 FOOT SIDE SETBACK LINE ALONG THE NORTH SIDE OF PROPERTY AS SHOWN HEREON.

THE UNDERSIGNED HEREBY CERTIFIES THAT THIS SURVEY AS DESCRIBED HEREON, WAS MADE ON THE GROUND ON 03/12/13 UNDER MY DIRECTION, THAT THE ONLY IMPROVEMENTS ON THE GROUND ARE AS SHOWN, THAT THERE ARE NO ENCROACHMENTS, VISIBLE OVERLAP, INSTRUMENT CONFLICTS, OR VISIBLE MEASUREMENTS, EXCEPT AS SHOWN HEREON.

WILLIAM A. MANGUM DATE:

W & L MANGUM SURVEYING
11809 N. SHARY ROAD
MISSION, TEXAS 78573
PHONE (956) 578-2432
MANGUMSURVEYING@YAHOO.COM

ADDRESS: 2612 BRAZOS AVENUE
McALLEN, TEXAS 78504

BORROWER: KAREN L. BUENTELLO

DATE: 03-12-13 JOB No. 2013.03.24 DRAWN BY: T.N.T.

© COPYRIGHT W & L 2013 MANGUM SURVEYING ALL RIGHTS RESERVED

CURL PERGOLA
SITE PLAN
SCALE: 60"=1'-0"











NOTICE
VARIANCE
FOR
THIS PROPERTY
ZBA2022-0013

 CITY OF McALLEN PLANNING DEPT.
956-681-1250
WWW.MCALLENNET

Memo

TO: Zoning Board of Adjustment & Appeals

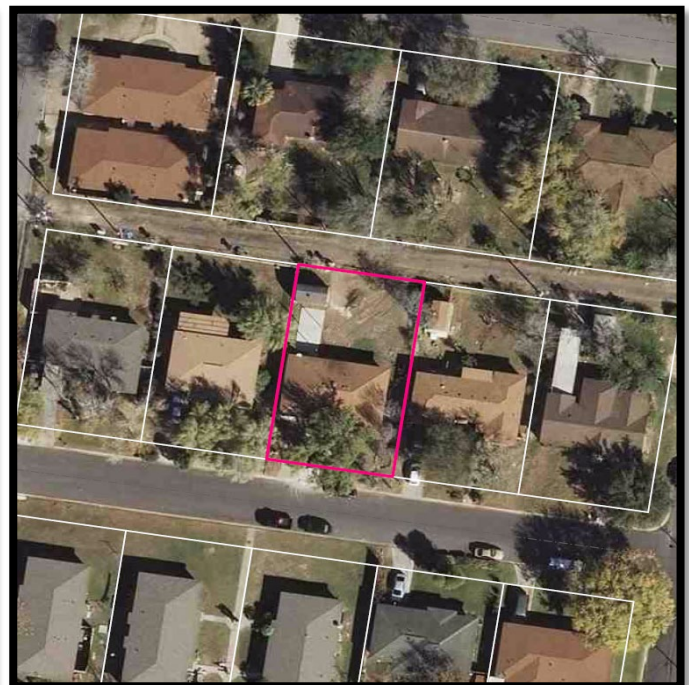
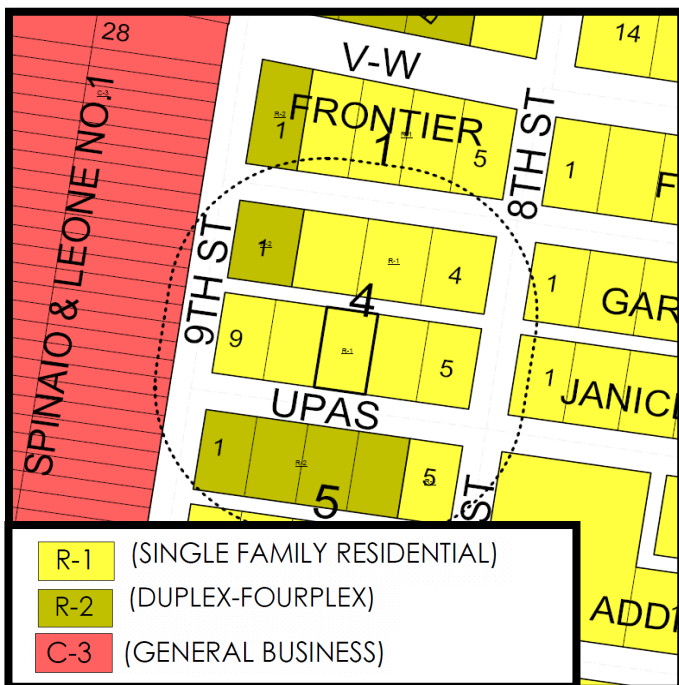
FROM: Planning Staff

DATE: April 20, 2022

SUBJECT: REQUEST OF ALBERTO PEDROZA FOR THE FOLLOWING SPECIAL EXCEPTION TO THE CITY OF MCALLEN ZONING ORDINANCE TO ALLOW: 1) AN ENCROACHMENT OF 22 FT. INTO THE 25 FT. FRONT YARD SETBACK FOR A METAL CARPORT MEASURING 22 FT. BY 24 FT. AT LOT 7, BLOCK 4 OF FRONTIER GARDENS SUBDIVISION HIDALGO COUNTY, TEXAS; 808 UPAS AVENUE. (ZBA2022-0014)

REASON FOR APPEAL:

The applicant is requesting a special exception for an encroachment into the front yard setback in order to construct a metal carport that measures a total of 528 square feet (22ft x 24ft). According to the applicant, the carport is to be built to protect his vehicles from the weather elements and increase the appeal of the house while also increasing the resell value of the home.



PROPERTY LOCATION AND VICINITY:

The subject property is located on the North side of Upas Avenue. The property is located 150 feet from North 9th Street the lot size is 7085 sq. feet according to the subdivision plat. The surrounding land use includes adjacent R-1 zoning along with R-2 zoning across the street and C-3 zoning off to the West.

BACKGROUND AND HISTORY:

The property is located along the south side of Ebony Avenue, approximately 100 feet east of North 21st Street. The property has 50 feet of frontage along Ebony Avenue with a depth of 140 feet for a total area of 7,000 square feet. There is a single-family residence on the subject property. The property is zoned R-1 (single family residential) District. Adjacent zoning is R-1 (single family residential) District in all directions. The surrounding land use is single family residential.

There has been no previous permits requested for this property.

ANALYSIS:

Applicants request is for a special exception to allow an encroachment of 22 feet into the 25 feet front yard setback for a proposed metal carport measuring 22 feet by 24 feet over an existing driveway; however, measurements provided are without the benefit of a survey.

The proposed carport is not enclosed which allows for visibility when entering or exiting the property, since the car port is located 13 feet from the curb it does not pose any obstruction to traffic.

There is an alley on the subject property.

During the site visit, staff noticed other similar encroachments, specifically carports located at the front yard along Upas, Tamarack and Vine Avenue; there are two other metal carports along Upas Avenue, in which they encroach the front yard setbacks within the same block. There are four other carports along Vine Ave and Tamarack Ave between N 6th and N 9th. The metal carport on the subject property is a characteristic of construction along the area.

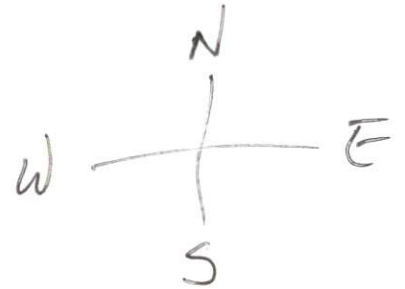
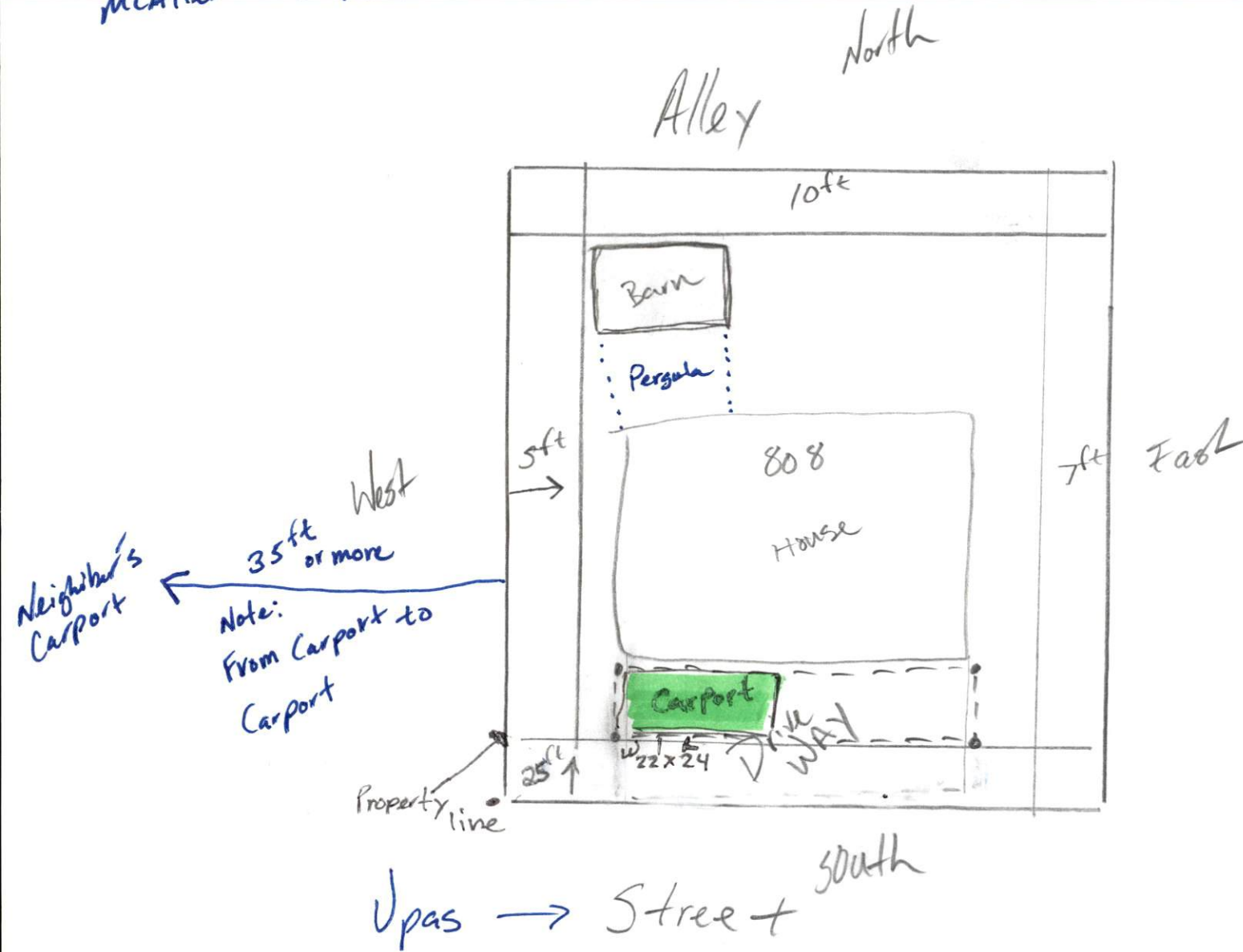
Other carports vary on distances from the property lines most carports are within 8 ft. of their respective property lines while 2 of them go all the way to the property line.

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

RECOMMENDATION:

Staff recommends disapproval of the request due to the R-1 district requirement of a 25 foot front yard setback. However, if the Board approves the request it should be limited to the encroachment shown in the submitted site plan.

Alberto Pedraza
808 Upas Ave
McAllen TX 78501



ENTERED

MAR 31 2022

Initial: ANL









NOTICE
VARIANCE
SPECIAL EXCEPTION
FOR
THIS PROPERTY
ZBA2022-0014
CITY OF McALLEN PLANNING DEPT.
956-681-1250
WWW.MCALLEN.NET

Planning Department

Memo

TO: Zoning Board of Adjustment & Appeals

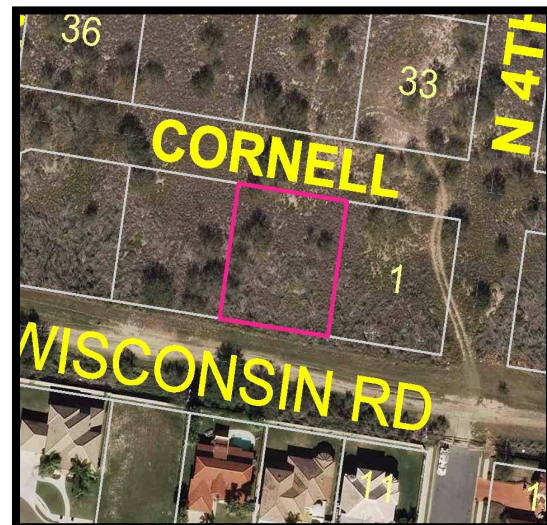
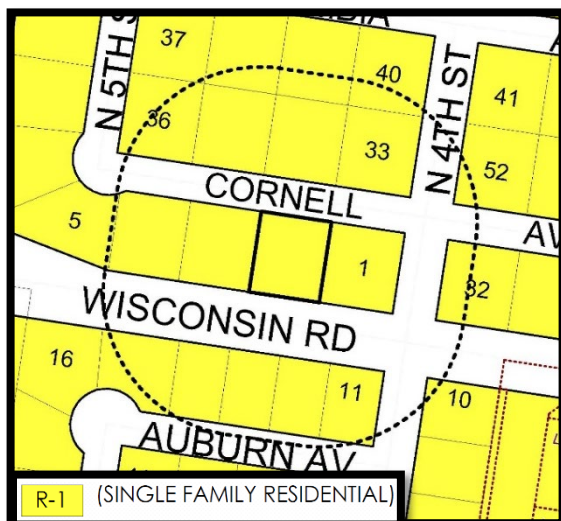
FROM: Planning Staff

DATE: April 27, 2022

SUBJECT: REQUEST OF HAMLIN POOLS (JOSHUA STANBERRY) ON BEHALF OF BETHOL BALBOTIN (OWNER) FOR THE FOLLOWING VARIANCES TO THE CITY OF MCALLEN ZONING ORDINANCE: 1) TO ALLOW AN ENCROACHMENT OF 10 FEET INTO THE 25 FEET REAR YARD SETBACK FOR A PROPOSED SWIMMING POOL LANDING AREA MEASURING 7 FEET BY 8 FEET AND 2) TO ALLOW AN ENCROACHMENT OF 4.5 FEET INTO THE EAST 6 FEET SIDE YARD SETBACK FOR A PROPOSED SWIMMING POOL SPA MEASURING 7 FEET BY 8 FEET 3) TO ALLOW AN ENCROACHMENT OF 10 FEET INTO THE 25 FEET REAR YARD SETBACK FOR A PROPOSED SWIMMING POOL SPA MEASURING 7 FEET BY 8 FEET AT LOT 2, THE EMBERS SUBDIVISION, HIDALGO COUNTY, TEXAS; 405 CORNELL AVENUE. (ZBA2022-0015)

REASON FOR APPEAL:

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



PROPERTY LOCATION AND VICINITY:

The subject property is located on the south side of Cornell Avenue, 102 feet west of North 4th Street. The property has 98 ft. of frontage along Cornell Avenue and a depth of 112.5 ft. with a lot size of 11,025 square feet. The property and adjacent zoning is R-1 (single family residential) District. The surrounding land use is single-family residential and vacant land.

BACKGROUND AND HISTORY:

The Embers Subdivision was recorded on June 6, 2016. An application for a variance request for the subject property for an encroachment of 9.75 feet into the 25 feet rear yard setback for a proposed swimming pool was approved by the Zoning Board of Adjustments and Appeals on August 18, 2021.

ANALYSIS:

Lots 1-5 and 27-32 in The Embers Subdivision have double frontage with Wisconsin Road at the rear of the lots and have a 25 feet rear yard setback requirement on the recorded plat.

Variance request #1 is to allow an encroachment of 10 feet into the 25 feet rear yard setback for a proposed swimming pool landing area measuring 7 feet by 8 feet. The proposed landing area will complement a proposed swimming pool. The city of McAllen zoning ordinance states "where lots have double frontage... a required front yard shall be provided on one street only." The proposed site plan shows that the front yard setback along Cornell Avenue will be 25 feet. Since the setback plat notes require a 25 feet rear yard setback, a variance is needed to resolve the plat note requirement.

Variance request #2 has been withdrawn in writing by the applicant.

Variance request #3 is to allow an encroachment of 10 feet into the 25 feet rear yard setback for a proposed swimming pool spa measuring 7 feet by 8 feet. A revised site plan submitted by the applicant shows the actual measurements to be 7.5 feet by 8.5 feet, however the encroachment area remains unchanged. The proposed pool spa will be connected to and will complement the proposed swimming pool and pool landing area. The City of McAllen Zoning Ordinance states "where lots have double frontage... a required front yard shall be provided on one street only." The proposed site plan shows that the front yard setback along Cornell Avenue will be 25 feet. A variance request is necessary to resolve the plat note setback requirement of 25 feet for the rear yard.

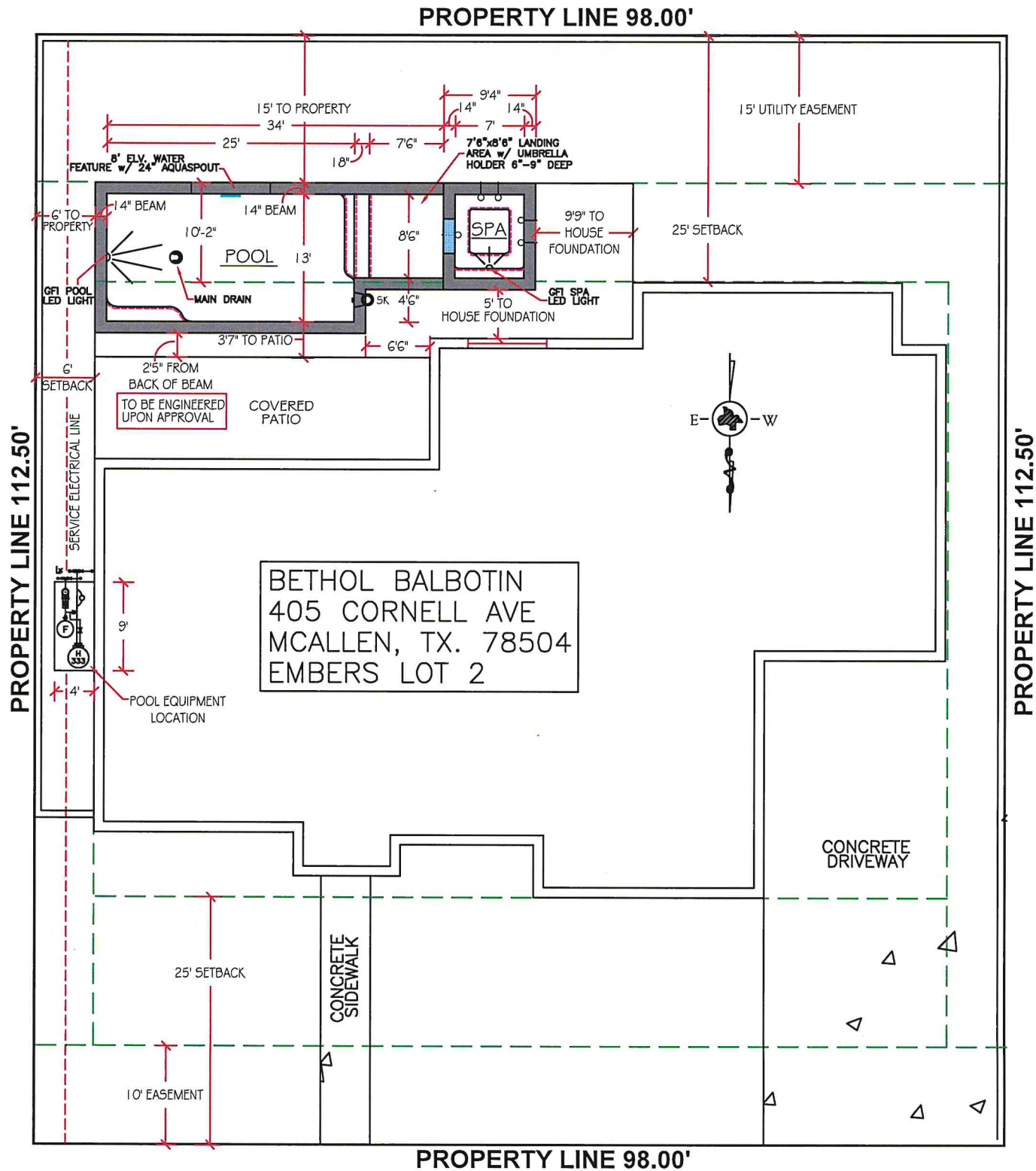
A 15 feet utility easement adjacent to the rear property line of lot 2 runs concurrently with the 25 feet rear yard setback and will not be impacted by the proposed encroachment.

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

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

RECOMMENDATION:

Staff recommends approval of the variance request since the required front yard is proposed to be at 25 feet along Cornell Avenue in compliance with the Zoning Ordinance.



*Revised
Side*



Apr 11, 2022 at 2:29:11 PM
409 Cornell Ave
McAllen TX 78504
United States



Apr 11, 2022 at 2:28:07 PM
405 Cornell Ave
McAllen TX 78504
United States





NOTICE
VARIANCE
FOR
THIS PROPERTY
ZBA2022-0015

CITY OF McALLEN PLANNING DEPT.
356-681-1250
WWW.MCALLE.NET

MEMO

TO: Zoning Board of Adjustment & Appeals

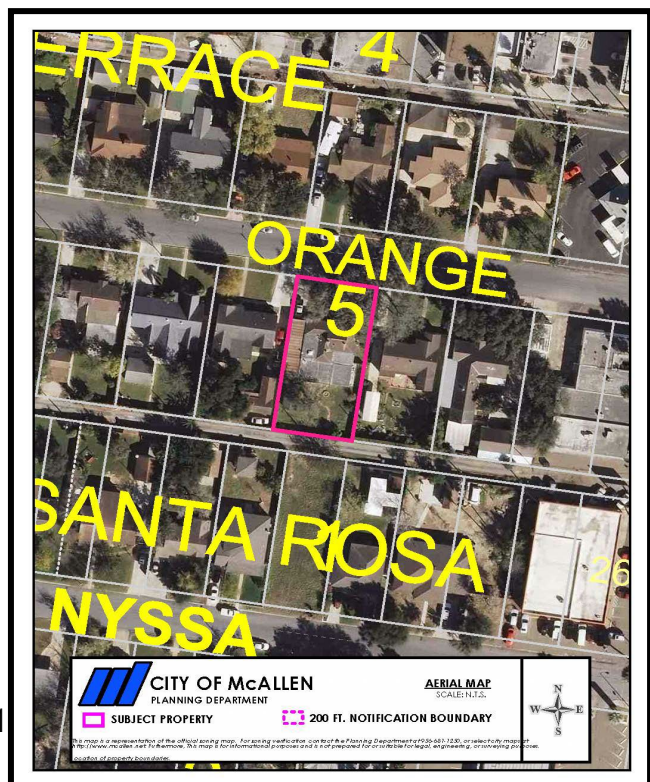
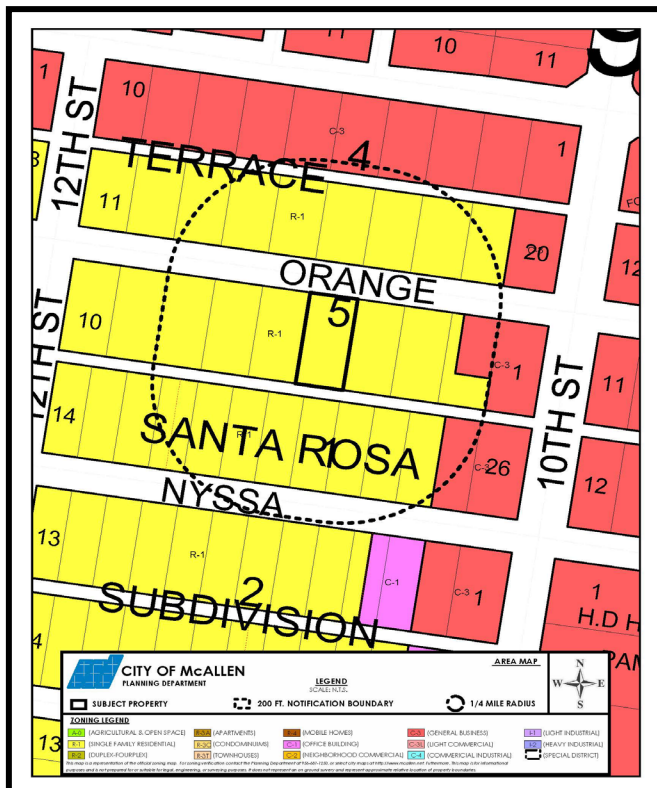
FROM: Planning Staff

DATE: April 27, 2022

SUBJECT: REQUEST OF TERESA VALENZUELA COX FOR THE FOLLOWING VARIANCE AND SPECIAL EXCEPTION TO THE CITY OF MCALLEN ZONING ORDINANCE: 1) TO ALLOW AN ENCROACHMENT OF 5 FEET INTO THE 5 FEET SIDE YARD SETBACK FOR AN EXISTING ART STUDIO BUILDING ADDITION, 2) TO ALLOW AN ENCROACHMENT OF 5 FEET INTO THE 5 FEET SIDE YARD SETBACK FOR AN EXISTING CARPORT, AT LOT 5, BLOCK 5, ORANGE TERRACE SUBDIVISION NO. 3, BLOCKS 4 & 5, HIDALGO COUNTY, TEXAS; 1017 ORANGE AVENUE. (ZBA2022-0016)

REASON FOR APPEAL:

Teresa Valenzuela Cox, is requesting a variance to allow an encroachment of 5 ft. into the 5 ft. side yard setback for an existing building addition comprising of an art studio and a special exception for an existing porch canopy. The applicant was unaware that a building permit was never obtained by the builder at the time of construction. The applicant uses the existing art studio for creating and displaying her artwork. She would also like the existing carport to remain as well.



PROPERTY LOCATION AND VICINITY:

The property is located along the south side of Orange Avenue, 270 ft. west of N. 10th Street. The lot has 67 ft. of frontage along Orange Avenue and a depth of 138 ft. for a lot size of 9,246 sq. ft. The property is zoned R-1 (single family residential) District. Adjacent zoning is R-1 District in all directions. There is a single family residence on the subject property. The surrounding land uses are single family residences and commercial business.

BACKGROUND AND HISTORY:

Orange Terrace Subdivision No. 3 was recorded on July 17, 1945. The plat does not indicate setbacks. The subdivision was recorded prior to 1979 and the applicable setbacks were subject to the 1945 Zoning Ordinance. The side yard setbacks are 7 feet on the east side and 5 feet along the west side. A stop work order was issued by Buildings and Inspections Department staff on July 02, 2021 for construction without a building permit. An application for a building permit was submitted to the Building and Inspections Department on August 18, 2021. An application for a variance request was submitted to the Planning Department on August 23, 2021 for the existing building addition. The variance request was disapproved by the Zoning Board of Adjustments and Appeals at the meeting of October 6, 2021. A new application was submitted April 4, 2022 for a consideration of the variance request once again.

ANALYSIS:

The submitted survey from 2021 shows a carport that is considered non-conforming since (according to Hidalgo County Appraisal district information) the existing carport was constructed in 1975. The carport was altered therefore requiring compliance with the Zoning Ordinance and Building Code requirements.

The art studio which measures approximately 21.75 ft. by 13.13 ft. is encroaching 5 ft. into the 5 ft. west side yard setback.

The remaining carport canopy measures approximately 33 ft. by 13.6 ft. and also encroaches 5 ft. into the 5 ft. west side yard setback. Both structures share the same roof line and are attached to the existing single family residence.

The encroachments could be reduced or eliminated by modifying the structure to be in compliance with setbacks. The application has submitted an estimate adding the concept that the financial cost of compliance cost to be \$28,745 and the amount may be greater than 50 percent of the value of the structure and this may result in unnecessary hardship.

The Buildings and Inspections Department may require (during the permitting process) fire protection modifications to comply with building fire rated requirements if an structure is to remain at zero property line.

The applicant has provided gutters along the west property line, to prevent rainfall from spilling into the neighbor's property.

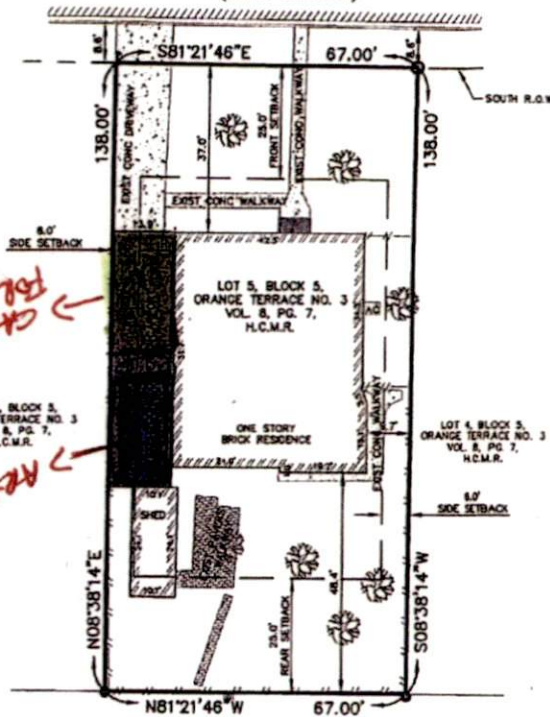
Staff has not received any calls in opposition.

RECOMMENDATION:

Staff recommends disapproval of the variance request. If the Board chooses to grant the variance, it should be limited to the footprint of the site plan submitted.



ORANGE AVENUE
(50.0' R.O.W.)



20.0' ALLEY

LEGEND

- - FND. 1/2" IRON ROD
- - FND. PK-NAIL
- - FND. IRON PIPE
- - CEDAR FENCE LINE
- - EXIST.
- - CONCRETE
- - ASPHALT
- - CONCRETE
- - BRICK
- H.C.M.R. - HIDALGO COUNTY MAP RECORDS
- H.C.D.R. - HIDALGO COUNTY DEED RECORDS
- O.R.H.C. - OFFICIAL RECORDS OF HIDALGO COUNTY
- R.O.W. - RIGHT OF WAY
- FND. - FOUND

GENERAL NOTES:

ADDRESS: 1017 ORANGE AVENUE, MCALLEN, TEXAS, 78501
SURVEYED: JANUARY 27, 2021 REQUESTED BY:
PROPOSED BORROWER: VERY GOOD REAL ESTATE LLC
FLOOD ZONE DESIGNATION: "ZONE C" - AREAS OF MINIMAL FLOODING
COMMUNITY-PANEL NUMBER: 49034300050
MAP REVISED: NOVEMBER 2, 1982

I, LEO L. RODRIGUEZ, JR., CERTIFY THAT THIS PLAT REPRESENTS THE FACTS FOUND ON THE GROUND AT THE TIME OF SURVEY AND THAT THERE ARE NO VISIBLE OR APPARENT ENCUMBRANCES, DISCREPANCIES, CONFLICTS, OR SHORTAGES IN AREA OR BOUNDARY LINES, OR ANY ENCROACHMENTS, OR OVERLAPPING OF IMPROVEMENTS OR VISIBLE EASEMENTS EXCEPT AS SHOWN ON THIS PLAT. NO SUBSURFACE UTILITIES OR SERVICE CONNECTIONS ARE SHOWN. © COPYRIGHT 2018 SAM ENGINEERING & SURVEYING. THIS SURVEY WAS PROVIDED IN MULTIPLE ORIGINALS SOLELY FOR THE BORROWER NAMED HEREON. IN CONJUNCTION WITH THE ORIGINAL TRANSACTION WHICH SHALL TAKE PLACE WITHIN 8 MONTHS AFTER THE SURVEY WAS PROVIDED NO LICENSE HAS BEEN CREATED OR IMPUED COPY THIS SURVEY. SURVEY VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE.



SURVEY NOTES:

1. BASIS OF BEARING THE SOUTH R.O.W. LINE OF ORANGE AVENUE, ORANGE TERRACE NO. 3 AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 8, PAGE 7, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

2. BEARINGS SHOWN ARE BASED ON ORANGE TERRACE NO. 3, AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 8, PAGE 7, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

3. ALL COORDINATES, BEARINGS, AND DISTANCES, ARE BASED ON THE TEXAS COORDINATE SYSTEM, (NAD 83), TEXAS STATE PLANES, SOUTH ZONE, US SURVEY FEET, GRID. BEARINGS AND DISTANCES SHOWN IN PARENTHESES ARE BASED ON RECORDED DOCUMENT.

4. ALL HORIZONTAL CONTROL ON THIS PROJECT WAS ESTABLISHED UTILIZING RTK GPS METHODS.

5. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THERE MAY BE EASEMENTS OR OTHER MATTERS THAT ARE NOT SHOWN.

THE FOLLOWING MATTERS AND ALL TERMS OF THE DOCUMENTS CREATING OR AFFECTING ANY OF THE MATTERS:

6. SUBJECT TO THE SUBDIVISION RULES AND REGULATIONS OF THE COUNTY OF HIDALGO AND/OR ORDINANCES OR GOVERNMENTAL REGULATIONS OF THE CITY IN WHICH THE PROPERTY MAY BE LOCATED OR HOLDING EXTRA TERRITORIAL JURISDICTION OF SAID PROPERTY.

PLAT SHOWING

ALL OF LOT 5, BLOCK 5, ORANGE TERRACE NO. 3, AN ABSTRACT OF THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME 8, PAGE 7, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

SAMES

SAM Engineering & Surveying

200 S. JEFF STREET, SUITE 1500 TEL: (361) 282-8800
MCALLEN, TEXAS 78501 FAX: (361) 792-8889

SURVEY PLAN 2021, No. 101410-00

LEO L. RODRIGUEZ, JR. DATE 01/28/21
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 2448

JOB NUMBER 21.075
DRAWN BY A.M.
REVISED BY L.L.R.
DATE 01/28/2021

SHEET 1 OF 1: SURVEY PLAT

ENTERED

APR 04 2022

AK

AUG 23 2021

Initial: NM

Berit Custom Homes LLC.

"Building on Honesty and Transparency."

2211 E Griffin Parkway
Mission, Texas 78572
Phone | Fax

INVOICE

DATE: April 4, 2022
INVOICE # 19
FOR: Demolish and New Construction.

BILL TO: Teresa Valenzuela

1017 Orange Ave
McAllen, Texas 78501
512-788-3510

DESCRIPTION	HOURS	RATE	AMOUNT
Demolish	32.00	\$200.00	\$ 6,400.00
Trash	1.00	\$800.00	\$ 800.00
Plans	1.00	\$1,000.00	\$ 1,000.00
Construction labor	32.00	\$200.00	\$ 6,400.00
Building materials	1.00	\$12,000.00	\$ 12,000.00
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
SUBTOTAL			\$ 26,600.00
TAX RATE			8.25%
SALES TAX			\$ 2,145.00
OTHER			
TOTAL			\$ 28,745.00

Make all checks payable to Berit Custom Homes LLC..

Total due in 15 days. Overdue accounts subject to a service charge of 1% per month.

THANK YOU FOR YOUR BUSINESS!

Apr 11, 2022 at 1:53:19 PM
1101 Orange Ave
McAllen TX 78501
United States



Apr 11, 2022 at 1:50:27 PM
1101 Orange Ave
McAllen TX 78501
United States



**NOTICE
VARIANCE
SPECIAL EXCEPTION
FOR
THIS PROPERTY
ZBA2022-0016**

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



Planning Department

Memo

TO: Zoning Board of Adjustment & Appeals

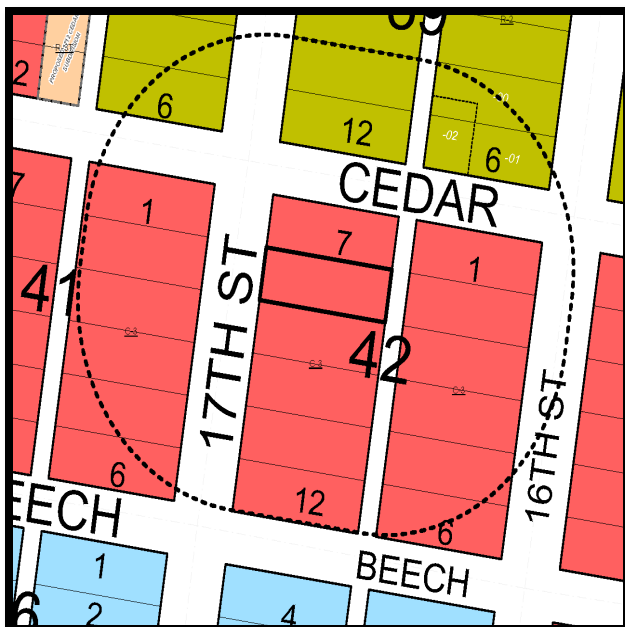
FROM: Planning Staff

DATE: April 28, 2022

SUBJECT: REQUEST OF RICARDO D. MARTINEZ, ON BEHALF OF HABITAT DEVELOPERS, LLC FOR THE FOLLOWING VARIANCE TO THE CITY OF MCALLEN ZONING ORDINANCE: CONTINUATION OF A NON-CONFORMING USE TO INCLUDE ENLARGING THE NON-CONFORMING USE AND ISSUANCE OF A BUILDING PERMIT IN EXCESS OF 10% REPLACEMENT VALUE, AT LOT 8, BLOCK 42, NORTH MCALLEN SUBDIVISION, HIDALGO COUNTY, TEXAS; 218 NORTH 17TH STREET. (ZBA2022-0017)

REASON FOR APPEAL:

The applicant is requesting a variance for continuation of a non-conforming use, enlarging the non-conforming use and issuance of a building permit in excess of 10% replacement value.



PROPERTY LOCATION AND VICINITY:

The subject property is located on the east side of North 17th Street, approximately 50 ft. south of Cedar Avenue. The property has 50 ft. of frontage along North 17th Street and a depth of 140 ft. with a lot size of 7,000 square feet. The zoning for the subject property and the adjacent zoning for surrounding properties is C-3 (general business) District in all directions. There is R-2 (duplex-fourplex residential) District to the north across Cedar Avenue. Surrounding land uses include Triumph Public High School and multifamily residential.

BACKGROUND AND HISTORY:

An application for a variance request for continuation of a non-conforming use to include enlarging the building and issuance of a building permit in excess of 10% replacement value for a proposed duplex was submitted to the Planning Department on April 6, 2022. The property was previously used for a duplex. A duplex is not allowed in the C-3 District. A request for a rezoning from C-3 District to R-3A (multifamily residential apartments) District was disapproved by the City Commission on May 4, 2021 due to the area being C-3 District. The applicant wishes to continue the previous use of a duplex on this property.

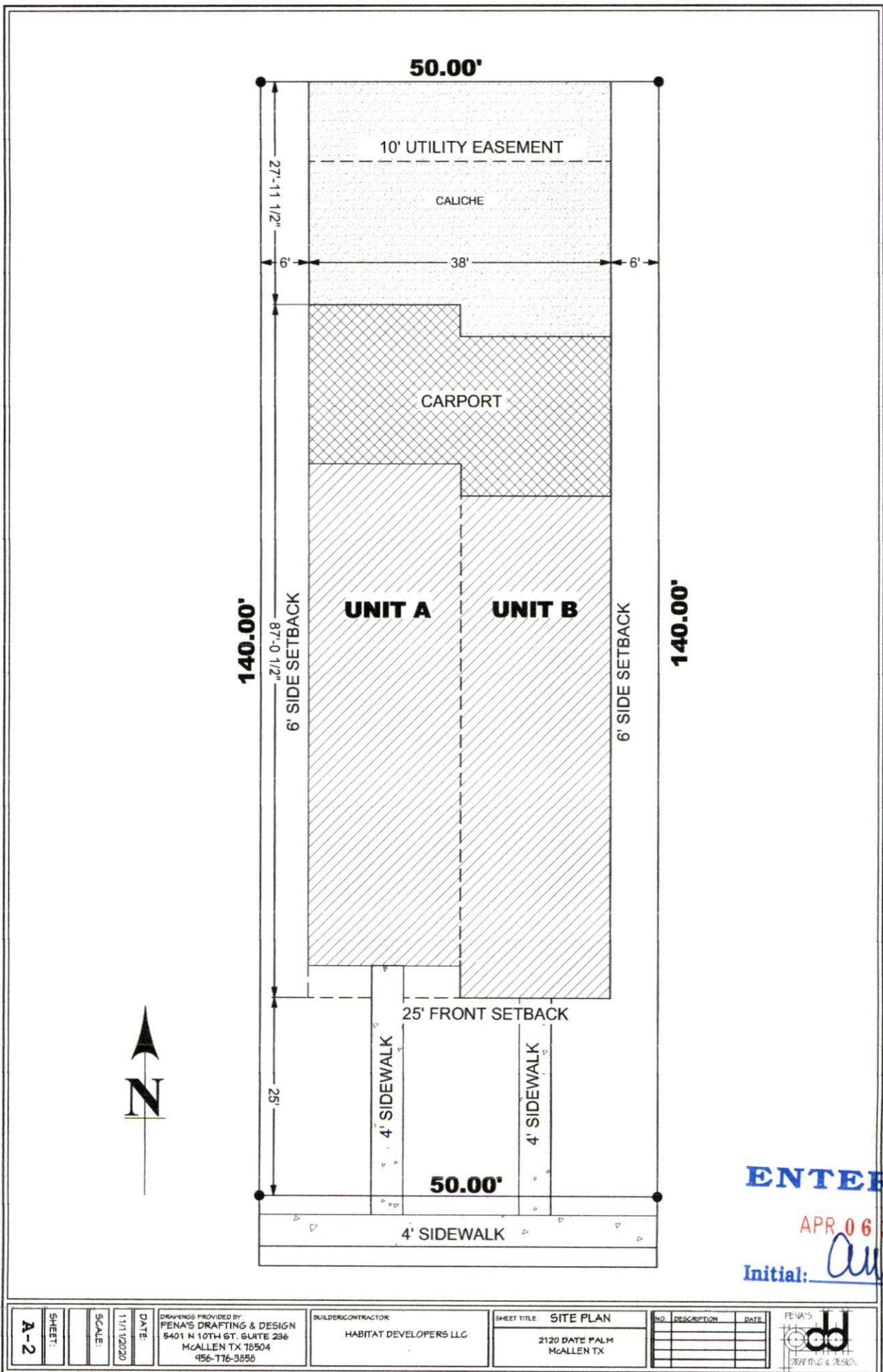
ANALYSIS:

The variance request is to allow the continuation of the use as a duplex. The building has been vacant for an undetermined amount of time. The developer is proposing to demolish the current structure and construct a duplex on the property. The proposed construction represents an increase in size of approximately 1,309 square feet from the current structure. The proposed construction represents replacement costs in excess of 10% replacement value especially in view of current construction costs. An approval of the request would allow for continuation of a duplex use.

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

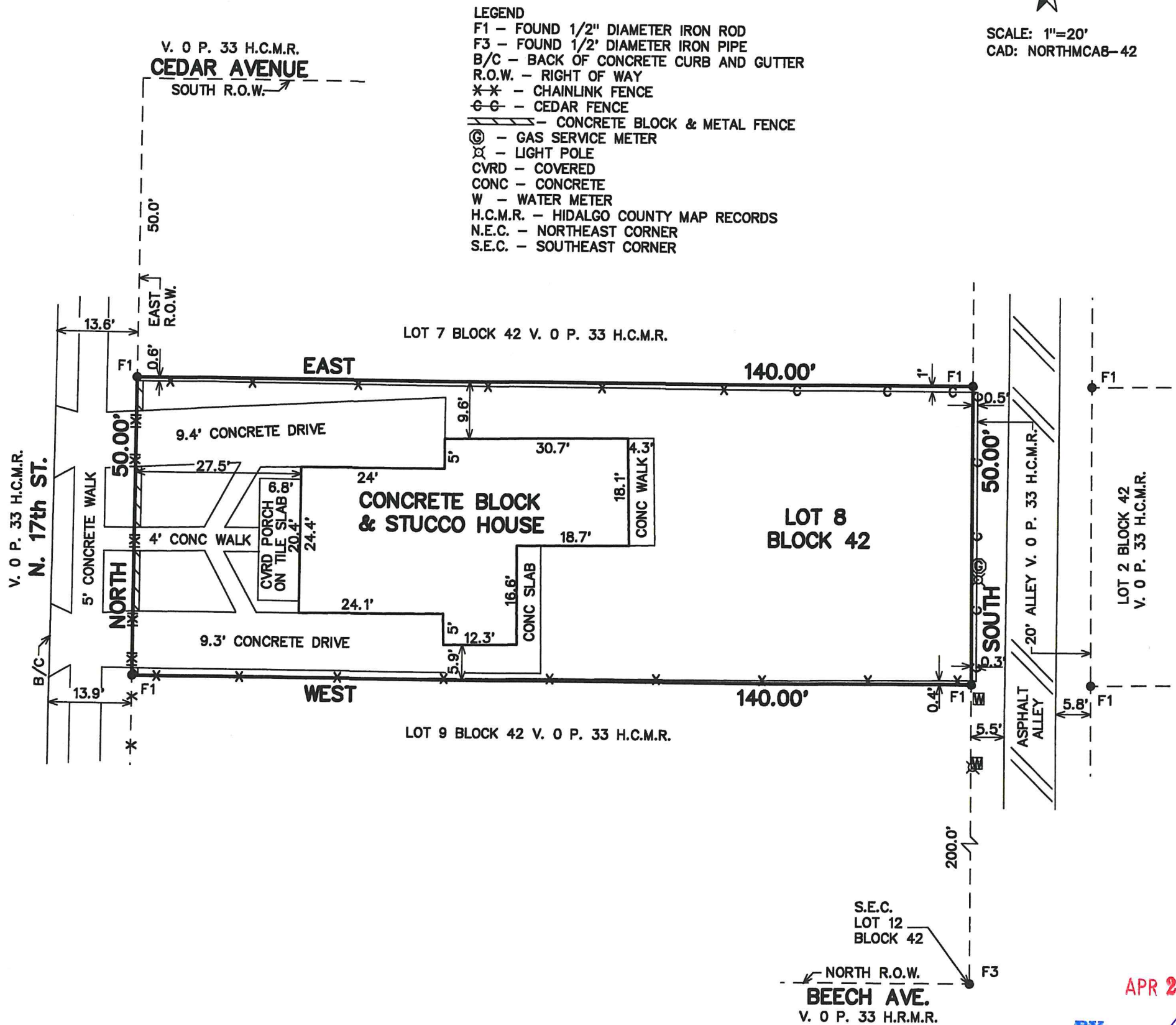
RECOMMENDATION:

Staff recommends disapproval of the variance request since the non-conforming structure would be increasing by 41%. If the Board chooses to approve the request, the approval should be limited to the footprint shown on the submitted site plan.



SHEET: A-2	SCALE: 	DATE: 11/11/2020	DRAWINGS PROVIDED BY: PENA'S DRAFTING & DESIGN 5401 N 10TH ST. SUITE 236 MCALLEN TX 78504 956-776-3556	BUILDER/CONTRACTOR: HABITAT DEVELOPERS LLC	SHEET TITLE: SITE PLAN	<table><tr><th>NO.</th><th>DESCRIPTION</th><th>DATE</th></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></table>	NO.	DESCRIPTION	DATE													<div>PENA'S</div> <div></div>
					NO.		DESCRIPTION	DATE														
2120 DATE PALM MCALLEN TX																						

**SURVEY PLAT OF ALL OF LOT 8 BLOCK 42, NORTH McALLEN TOWNSITE,
AN ADDITION TO THE CITY OF McALLEN, HIDALGO COUNTY, TEXAS, AS
RECORDED IN VOLUME 0 PAGE 33 OF THE MAP OF HIDALGO COUNTY
TEXAS;**



SCALE: 1"=20'
CAD: NORTHMCA8-42

NOTES:

- 1) SURVEY IS VALID ONLY IF PRINT HAS ELECTRONIC SEAL AND ORIGINAL SIGNATURE OF SURVEYOR.
- 2) SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE POLICY, WHICH MAY SHOW ADDITIONAL EASEMENTS AFFECTING THIS TRACT. SURVEYOR IS ADVISING THE RECIPIENT OF THIS PLAT THAT ADDITIONAL EASEMENTS MAYBE ON THIS TRACT.
- 3) THIS LOT IS SUBJECT TO RESTRICTIONS AS RECORDED IN VOLUME 0 PAGE 33 OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS.
- 4) HOMERO L. GUTIERREZ, DID NOT RESEARCH OR PREPARE A TITLE REPORT OR ABSTRACT OF TITLE ON THE ABOVE PROPERTY
- 5) THE EXISTENCE, IF ANY, UNDERGROUND GAS LINES OR OTHER UNDERGROUND UTILITIES NOT SHOWN ON THIS SURVEY SHOULD BE THOROUGHLY INVESTIGATED BY THE OWNER PRIOR TO ANY CONSTRUCTION ON THIS SITE. THE SURVEYOR HAS LIMITED HIS INVESTIGATION OF UNDERGROUND UTILITIES ON THIS SITE TO THAT WHICH CAN BE SEEN.
- 6) SURVEYOR'S STATEMENT: THE PROPERTY CORNERS OF THE TRACT SURVEYED WERE STAKED OUT BASED ON THE BEST FIT OF MONUMENTS FOUND FOR THIS PROPERTY AND OTHERS WITHIN THE IMMEDIATE VICINITY, TAKING INTO ACCOUNT THE INTENT OF THE SURVEYORS' ORIGINAL FOOT STEPS.
- 7) FLOOD ZONE: "B" - COMMUNITY PANEL NUMBER 480343 0005 C
MAP REVISED: NOVEMBER 02, 1982

ZONE "B" - THIS IS TO CERTIFY THAT THIS PROPERTY IS NOT IN A FLOOD PRONE AREA. HOWEVER LIMITS BETWEEN THE 100 YEAR AND 500 YEAR FLOOD ARE SUBJECT TO FLOODING WITH AVERAGE DEPTHS LESS TAN ONE FOOT
- 8) PROPERTY ADDRESS: 218 N. 17th ST. McALLEN, TEXAS
- 9) BASIS OF BEARING IS THE EAST LINE OF LOTS 8-12 BLOCK 42 NORTH McALLEN TOWNSITE, AS RECORDED IN VOLUME 0 PAGE 33 OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS



SURVEYOR'S CERTIFICATION

I, HOMERO LUIS GUTIERREZ, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, STATE THAT THIS PLAT REPRESENTS THE FACTS FOUND ON THE GROUND ON APRIL 11, 2022, AND THAT THERE ARE NO DISCREPANCIES, CONFLICTS OR SHORTAGES IN THE AREA OR BOUNDARY LINES, OR ANY ENCROACHMENTS, OR OVERLAPPING OF IMPROVEMENTS OR NO VISIBLE OR APPARENT EASEMENTS EXCEPT AS SHOWN ON THIS PLAT.

Homero Luis Gutierrez 04/12/2022
HOMERO LUIS GUTIERREZ, RPLS #2791 DATE

HOMERO L. GUTIERREZ, P.E., R.P.L.S.

**P.O. Box 548
McAllen, Texas 78505
(956) 369-0988**

DATE: 04/11/2022

JOB No. HIDALGO-0187

DRAWN BY: M.R.

**NOTICE
VARIANCE
FOR
THIS PROPERTY
ZBA2022-0017**



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



2022 ATTENDANCE RECORD FOR ZONING BOARD OF ADJUSTMENT AND APPEALS

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

P - PRESENT

A - ABSENT

 NEW APPOINTMENT

MC - MEETING CANCELLED

NRM - NO MEETING

LOQ - LACK OF QUORUM

RS - RESIGNATION







PLANNING DEPARTMENT

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



2022 CALENDAR

Meetings:

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

HPC - Historic Preservation Council

Deadlines:

D- Zoning/CUP Application N - Public Notification

* **Holiday** - Office is closed

JANUARY 2022

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

FEBRUARY 2022

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

MARCH 2022

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

APRIL 2022

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

MAY 2022

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





JUNE 2022

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

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

2022 CALENDAR

Meetings:





-  City Commission
  Planning & Zoning Board
 Public Utility Board
  Zoning Board of Adjustment
 HPC - Historic Pres Council

Deadlines:






- D- Zoning/CUP Application
 N - Public Notification

* **Holiday** - Office is closed





JULY 2022

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






AUGUST 2022

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





SEPTEMBER 2022

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




OCTOBER 2022

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

NOVEMBER 2022

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

DECEMBER 2022

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