

## AGENDA

### ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING THURSDAY, SEPTEMBER 7, 2023 - 4:30 PM MCALLEN CITY HALL, 1300 HOUSTON AVENUE CITY COMMISSION CHAMBERS, 3<sup>RD</sup> FLOOR

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

#### CALL TO ORDER – Chairperson Jose Gutierrez

#### 1. MINUTES:

- a) Minutes for the meeting held on August 23, 2023

#### 2. PUBLIC HEARINGS:

- a) Request of Ron Adkins for a Variance to the City of McAllen Zoning Ordinance to allow an encroachment of 9 feet into the 10 feet rear yard setback for a storage measuring 16 feet 2 inches by 17 feet at Milmore Subdivision lot 16, Block 8, Hidalgo County, Texas; 1106 North 15th Street. **(ZBA2023-0078)**
- b) Request of Jose Guadalupe Cantu for a Special Exception to the City of McAllen Zoning Ordinance to allow an encroachment of 5 feet into the 6 feet side yard setback for an existing metal carport measuring 21 feet by 24 feet at Lot 51, Alta Linda, Hidalgo County, Texas; 1909 South 39th Street. **(ZBA2023-0079)**
- c) Request of Nicolas Hernandez for a Special Exception to the City of McAllen Zoning Ordinance to allow an encroachment of 19 feet into the 20 feet front yard setback and 5 feet into the 10 feet side yard setback for metal carport measuring 18 feet by 18 feet at Colonia Hermosa No. 2, Lot 12, Block 7 Hidalgo County, Texas; 2001 Cortez Avenue. **(ZBA2023-0080)**
- d) Request of Carlos Alarcon on behalf of James Weaver for a Special Exception to the City of McAllen Zoning Ordinance to allow an encroachment of 6 feet into the 6 feet East side yard setback for a carport measuring 15 feet by 35 feet at Rancho de La Fruta No. 1 Lot E 142.5' of W 285' of N 184.22' of 11, Hidalgo County, Texas; 108 East Fresno Avenue. **(ZBA2023-0081)**
- e) Request of Gerardo Castillo for a Special Exception and Variance to the City of McAllen Zoning Ordinance to: **1)** allow an encroachment of 20 feet into the 20 feet front yard setback for a proposed wooden carport measuring 16 feet by 22 feet, **2)** to allow an encroachment of 6 feet into the 6 feet rear yard setback for an existing carport measuring 12.13 feet by 20 feet, **3)** to allow an encroachment of 6 feet in the 6 feet side yard setback and 6 feet into the 6 feet rear yard setback for an existing storage shed measuring 24.2 feet by 10.2 feet and **4)** to allow an encroachment of 6 feet into the 6 feet side yard setback and 6 feet into the 6 feet rear yard setback for an existing (L) shaped shed measuring 27.4 feet by 14.1 feet and 15.4 feet and 11.3 feet at Lot 28, McColl Terrace Subdivision, No. 2. Hidalgo County, Texas; 213 East Vine Avenue. **(ZBA2023-0073)**
- f) Request of Itzel Sanchez on behalf of Armando Sanchez for a Special Exception to the City of McAllen Zoning Ordinance to allow an encroachment of 25 feet into the 25 feet front yard setback for an existing metal carport with canvas cover measuring 16 feet by 27 feet at Lot 81, Cielo Vista Subdivision Phase 1, Hidalgo County, Texas; 3013 Ursula Avenue. **(ZBA2023-0077) (TABLED: 08/23/2023)**

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

- a)** 213 Upas Avenue
- b)** 2108 North 32nd Street
- c)** 3309 North 29th Street

#### **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, August 23, 2023 at 4:30 p.m. in the McAllen City Hall, Commission Chambers with the following present:**

<b>Present:</b>	<b>Jose Gutierrez</b>	<b>Chairperson</b>
	<b>Ann Tafel</b>	<b>Vice-Chairperson</b>
	<b>Rogelio Rodriguez</b>	<b>Member</b>
	<b>Hiram A. Gutierrez</b>	<b>Member</b>
	<b>Hugo Avila</b>	<b>Member</b>
	<b>Juan Mujica</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>Omar Sotelo</b>	<b>Senior Planner</b>
	<b>Natalie Moreno</b>	<b>Planner I</b>
	<b>Samantha Trevino</b>	<b>Planner I</b>
	<b>Jacob Salazar</b>	<b>Technician II</b>
	<b>Jessica Puga</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 August 9, 2023.
- b)** Minutes for the Workshop held on August 9, 2023.

The minutes for the meeting held on August 9, 2023 and were approved. The motion to approve the minutes were made by Mr. Hugo Avila. Vice-Chairperson Ann Tafel seconded the motion, which carried unanimously with five members present and voting.

**As per Chairperson Jose Gutierrez’s suggestion, the following items had been recommended for approval by staff. They are as follows:**

**2. PUBLIC HEARINGS:**

- a)** Request of Adelina Alexander for a Special Exception to the City of McAllen Zoning Ordinance to allow an encroachment of 20 feet into the 20 feet front yard setback for an existing metal carport measuring 19.9 feet by 22.5 feet at Lot 43, Apollo Gardens Subdivision, Hidalgo County, Texas; 2001 Hibiscus Avenue. **(ZBA2023-0047)**
- b)** Request of Omar Lopez for a Special Exception to the City of McAllen Zoning Ordinance to allow an encroachment of 22 feet into the 25-foot front yard setback for an existing metal carport measuring 20 feet by 20 at Lot 23, Casa Bonita Subdivision, Hidalgo County, Texas; 2504 Fir Avenue. **(ZBA2023-0076)**

Chairperson Jose Gutierrez asked if there was anyone present in opposition of these special exceptions. There was no one in opposition of these special exceptions.

Mr. Hiram Gutierrez **moved** to approve the previously outlined special exceptions listed on the agenda as **2a & 2b** as per staff's recommendation, limited to the submitted plans corresponding to each item. Mr. Hugo Avila seconded the motion. The Board voted unanimously to approve with five members present and voting.

- c) Request of Itzel Sanchez on behalf of Armando Sanchez for a Special Exception to the City of McAllen Zoning Ordinance to allow an encroachment of 25 feet into the 25 feet front yard setback for an existing metal carport with canvas cover measuring 16 feet by 27 feet at Lot 81, Cielo Vista Subdivision Phase 1, Hidalgo County, Texas; 3013 Ursula Avenue. **(ZBA2023-0077)**

Ms. Moreno stated the applicant requested the item to be tabled until the next meeting of September 7, 2023.

Vice-Chairperson Ann Tafel **moved** to table the special exception until the next meeting. Mr. Rogelio Rodriguez seconded the motion. The Board voted unanimously to table the special exception with five members present and voting.

- d) Request of Irma G. Presas de Hdz. for a Special Exception to the City of McAllen Zoning Ordinance to allow an encroachment of 20 feet into the 25 feet front yard setback for a proposed metal carport measuring 20 feet by 20 feet at Lot 14, Hunter's Cove Subdivision, Unit No. 2, Hidalgo County, Texas; 5416 North 35th Street. **(ZBA2023-0074)**

Ms. Trevino stated the applicant was requesting a special exception for an encroachment of 20 feet into the 25 feet front yard setback for a proposed metal carport measuring 20 feet by 20 feet that will be used to protect her vehicle from hail during inclement weather and for protection from the sun.

The property was located along the east side of North 35<sup>th</sup> Street just north of Bluebird Avenue. The lot has 50.0 feet of frontage and a depth of 102.0 feet for a lot size of 5,100 square feet. The property is zoned R-1 (single-family residential) District. There is R-1 district in all directions.

Hunter's Cove Subdivision, Unit No. 2 was recorded June 16, 2006. The plat showed a 25 feet front yard setback for the subdivision. A building permit has not been submitted. A special exception request application was submitted July 20, 2023.

The applicant was requesting a special exception in order to allow an encroachment of 20 feet into the 25 feet front yard setback for a proposed metal carport measuring 20 feet by 20 feet that will be used to protect her vehicle from hail during inclement weather and for protection from the sun.

During a site visit, staff noticed that there were two other carports within Hunter's Cove subdivision, Unit No. 2. A review of Building Inspections Department did reveal two building permits that were rejected within the subdivision. A review of Planning Department records did not reveal any special exception requests.

Special exceptions are issued to and recorded for the present applicant/owner only. New owners would need to apply for a new special exception request.

Measurements provided are without benefit of a survey.

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

Staff recommended disapproval of the special exception request due to no other special exceptions approved within the neighborhood.

Vice-Chairperson Tafel asked if there were any utility easements in this area. Ms. Trevino responded no.

Ms. Irma G. Presas de Hdz, the applicant stated this was the second time she attempted to build a carport but three years ago she was informed she could not because of the regulations. Afterwards, she noticed within her block her neighbors were putting up carports. Ms. Hdz decided to attempt again to get a building permit in which they sent her to the Planning Department. She stated she needed the carport to protect her vehicles from the inclement weather such as the two hailstorms, which damaged her vehicle.

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

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

Ms. Sonia Romero stated she has a house at 5409 North 35<sup>th</sup> Street. Her major concern was the people who had carports were fixing cars. Neighbors on that street were keeping up with their lawns and houses in maintaining the subdivision.

Chairperson Jose Gutierrez asked if there was anyone else present in opposition of the special exception. There was one else in opposition of the special exception.

Following discussion, Vice-Chairperson Ann Tafel **moved** to disapprove special exception until the next meeting. Mr. Hiram Gutierrez seconded the motion. The Board voted unanimously to disapprove the special exception with five members present and voting.

- e) Request of Robert J. Worster for a Special Exception and Variance to the City of McAllen Zoning Ordinance to: **1)** allow an encroachment of 8 feet into the 10 feet rear yard setback and 4 feet into the 6 feet west side yard setback for an existing metal carport measuring 26 feet by 15 feet and **2)** to allow an encroachment of 8 feet into the 10 feet rear yard setback for an existing patio measuring 20 feet by 15 feet at Lot 10, Block 2, Heritage Manor, Hidalgo County, Texas; 325 Bluebird Avenue. **(ZBA2023-0075)**

Ms. Moreno stated the applicant was requesting a special exception and variance to 1. Allow an encroachment of 8 feet into the 10 feet rear yard setback and 4 feet into the 6 feet west side yard setback and encroaching of 8 feet into the 10 feet rear yard setback. Both requests are to provide shade, protect wooden custom deck, and have vehicle protection and to accommodate his mother in law with health issues.

The subject property was located on the south side of Bluebird Avenue. The Lot had 70 feet of frontage along Bluebird Avenue and a depth of 105.24 feet for a total of square

feet of 7, 366.80 feet. The property is zoned R-1 (single- family residential) District. There was R-1 district in all directions.

Heritage Manor Subdivision was recorded on August 6, 1979. The plat stated that there is a 10 feet rear setback. In 2011, there was a building permit that was abandoned for a carport, but was not routed to planning. A non-compliance order was issued on March 22, 2023 for a carport built without a permit. The applicant applied for a building permit July 19, 2023. A special exception and variance was submitted on July 21, 2023.

The applicant was requesting this Special Exception and Variance in order to keep his patio and carport.

Site visit by staff revealed 10 carports in the subdivision, which did not have permits.

During a site visit, staff noticed that the encroachment of the patio is about 6 feet into the 10 feet rear yard setback. Staff requested a new site plan showing the correct dimensions but the applicant did not provide.

Staff was not able to provide alternate solution to the existing issue since the applicant requested to proceed with the request as is.

Applicant does have a garage which he stated he uses for his antique vehicle.

Special exception are issued to and recorded for the present applicant/owner only. New property owners would be responsible to apply for a new special exception if requested.

Measurement provided are without benefit of a survey.

Staff did not receive any phone calls, email or letter in opposition to this special exception request.

Staff recommended disapproval for both Special Exception and Variance since there have been no other approved Variances or Special Exceptions requests in the neighborhood.

Chairperson Gutierrez asked staff when they see carports that were built without a permit what is the next step. Planning Director Garcia stated once staff confirms that these carports were built without a permit they are then referred to the Building Permits Department. Chairperson Gutierrez mentioned that staff had discussed with the applicant for an alternate solution and if there was any resolution. Ms. Moreno stated during staff's visit she spoke with the applicant stating that it looked like it was encroaching less into the patio side than the carport side. Chairperson Gutierrez asked staff which was the variance and which one was the special exception. Ms. Moreno stated the variance would be for the patio side.

Vice-Chairperson Tafel asked if there were any utility easements compromised. Ms. Moreno responded no.

Mr. Robert J. Worster, the applicant stated in 2011 he had a contractor build a rear patio cover and a rear carport at the back of his house. It was to cover three vehicles now covers

two vehicles. He stated he had a handicapped, elderly mother-in-law who resides with them. Part of his garage was for her personal belongings and a large electric wheelchair. He stated there had been no complaints from the neighbors.

Chairperson Gutierrez explained to the applicant the difference between a special exception and a variance.

Chairperson Jose Gutierrez asked if there was anyone present in favor of the special exception/variance request. There was no one in favor of the special exception/variance request.

Chairperson Jose Gutierrez asked if there was anyone present in opposition of the special exception/variance request. There was no one present in opposition of the special exception/variance request.

Following discussion, Mr. Hugo Avila **moved** to approve the special exception. Mr. Hiram Gutierrez seconded the motion. The Board voted unanimously to approve the special exception with four members voting aye and one member, Mr. Rogelio Rodriguez voting nay.

Mr. Rogelio Rodriguez **moved** to disapprove the variance request. Vice-Chairperson Ann Tafel seconded the motion. The Board voted unanimously to disapprove the variance request with five members present and voting.

- f) Request of Mario & Diana Alejos for a special exception to the City of McAllen Zoning Ordinance to allow: **1)** An encroachment of 20 feet into the 20 feet front yard setback and **2)** an encroachment of 6 feet into the 6 feet south side yard setback for a detached proposed carport measuring 20 feet by 20 feet, at Lot 54, Montebello Subdivision Unit No. 2, Hidalgo County, Texas; 1808 North 32nd Street. **(ZBA2023-0070) (TABLED: 08/09/2023)**

Vice-Chairperson Ann Tafel **moved** to remove the item from the table. Mr. Hiram Gutierrez seconded the motion. The Board voted unanimously to remove the item from the table with five members present and voting.

Ms. Trevino stated the applicant was requesting to encroach 20 feet into the 20-foot front yard setback and 6 feet into the 6-foot side yard setback for a proposed carport measuring 20 feet by 20 feet that will be used to protect his vehicles from the harsh weather elements.

The property is located on the East side of North 32<sup>nd</sup> Street, and North of Redwood Avenue. The property is zoned R-1 (single-family residential) District. There is R-1 District in all directions.

A building permit has not been submitted. The special exception application was submitted July 11, 2023.

The applicant was requesting to encroach 20 feet into the 20-foot front yard setback and 6 feet into the 6-foot side yard setback for a proposed carport that will be used to protect his vehicles from harsh weather. The applicant does not have a garage.

Site visit by staff revealed a two other carports in the area, but no building permits or special exceptions were found.

Measurements provided are without benefit of a survey.

Special exceptions are issued to and recorded for the present applicant/owner only. The new property owners would need to apply for a new special exception request.

At the meeting of June 26, 2023 City Commission approved Ordinance 138-371(g) in reference to the maximum square footage of 400 square feet allowed for a carport.

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

Staff was recommending disapproval of the special exception request since there have been no other approved carports in the subdivision, nor is it characteristic of the neighborhood.

At the Zoning Board of Adjustments and Appeals meeting of August 8, 2023 Mrs. Alejos the applicant, stated that she would like to make modifications to the proposed carport to have it placed farther away from the neighbor's property line. The Board voted to table the special exception request to allow the applicant time to consider reductions to the proposed encroachments.

Chairperson Gutierrez asked if the applicant had reached out to staff regarding making any modifications. Ms. Trevino stated the applicant submitted a new site plan. They were proposing to move the carport over three feet from the property line but the front encroachment will remain the same, which was 20 feet into the 20 feet.

Board member Mujica asked staff if there other carports in the neighborhood. Ms. Trevino stated there were two but could not find any building permits.

Vice-Chairperson Tafel asked staff if there was a garage or was there one. Ms. Trevino responded no. This subdivision did not have very many garages but was not a requirement at the time.

Ms. Diana Alejos, the applicant stated of going into the 6 feet they decided to move further to the left 3 feet. The carport would go the property line, which was 10 feet from the street.

Vice-Chairperson Tafel asked the applicant what materials they were proposing to use for the carport. Ms. Alejos stated they would be using metal studs with a metal roof with gutters.

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

Chairperson Jose Gutierrez asked if there was anyone present in favor of the special exceptions. There was no one in favor of the special exceptions.

Following discussion, Vice-Chairperson Ann Tafel **moved** to approve special exceptions #1 and #2. Mr. Hugo Avila seconded the motion. The Board voted to approve the special exceptions with four members voting aye and one member, Mr. Rogelio Rodriguez voting nay.

**3. FUTURE AGENDA ITEMS:**

- a) 2001 Hibiscus Avenue
- b) 213 East Vine Avenue
- c) 5416 North 35<sup>th</sup> Street
- d) 325 Bluebird Avenue
- e) 2504 Fir Avenue
- f) 3013 Ursula Avenue

**ADJOURNMENT**

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

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Chairperson Jose Gutierrez

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Carmen White, Administrative Assistant

## Memo

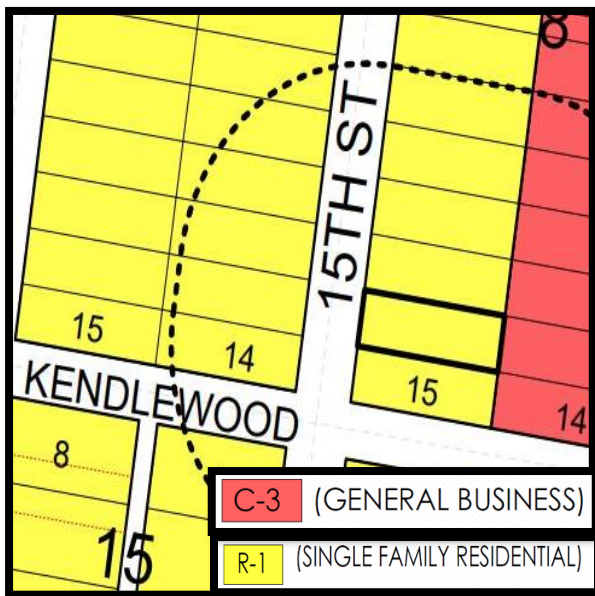
**TO:** Zoning Board of Adjustment & Appeals

**FROM:** Planning Staff

**DATE:** September 1, 2023

**SUBJECT:** REQUEST OF RON ADKINS FOR A VARIANCE TO THE CITY OF MCALLEN ZONING ORDINANCE TO ALLOW AN ENCROACHMENT OF 9 FEET INTO THE 10 FOOT REAR YARD SETBACK FOR A STORAGE MEASURING 16 FEET 2 INCHES BY 17 FEET AT MILMOR SUBDIVISION LOT 16, BLOCK 8, HIDALGO COUNTY, TEXAS; 1106 N. 15TH STREET. (ZBA2023-0078)

**REASON FOR APPEAL:** The applicant is requesting a Variance to encroach 9 feet into the 10 feet rear yard setback for a storage to have room to store household items and to protect from weather conditions.



**PROPERTY LOCATION AND VICINITY:** The subject property is located along the west side of 15<sup>th</sup> Street. The lot has 50 feet of frontage and 152.50 feet of depth for a total of 7, 625 square feet. The property is zoned R-1 (single family residential) District. There is R-1 and C-3 (General Business) District around the area.

**BACKGROUND AND HISTORY:** Milmor Subdivision was recorded on May 26, 1927. The plat shows a 10 feet rear yard setback for the subdivision. On July 12, 2023 a stop work order was issued. On July 13, 2023 the applicant applied for a building permit. On August 2, 2023 the applicant applied for a variance encroaching 9 feet into the 10 feet into the rear yard setback.

**ANALYSIS:** The applicant is requesting a Variance to keep the storage for household items. The applicant is going to enclose the structure since right now it looks like a patio.



Site visit by staff revealed 12 other rear encroachments within the subdivision, which did not have permits. Staff revealed only 2 approved variances.

The subdivision has received two variance requests for storages. At the Zoning Board Adjustment and Appeals meeting on May 1, 2019 both requests were approved encroaching 7.5 feet into the 10 foot rear yard setback measuring 9.41 feet by 10 feet & encroaching 6.75 feet into the 10 foot rear yard setback measuring 9.41 feet by 10 feet at Milmore Subdivision, blk 2, lot 19.

Measurements provided are without benefit of a survey.

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

**RECOMMENDATION:** Staff is recommending disapproval due to the amount of encroachment and that the structure would be available for other uses in the future. No hardship due to the land exists or has been claimed.

ZBOA:  
9/10/23



City of McAllen

Planning Department

APPEAL TO ZONING BOARD OF

ADJUSTMENT TO MCALLEN ZONING ORDINANCE

ZBA7023-0078

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)

Project

Legal Description MILMOR LOT 16 BLK 8

Subdivision Name MILMOR

Street Address 1106 N. 15<sup>TH</sup> STREET MCALLEN TX 78501

Number of lots 1 Gross acres 0.1750

Existing Zoning RS Existing Land Use Residential House

Reason for Appeal (please use other side if necessary) TO OBTAIN BUILDING PERMIT TO COMPLETE STORAGE AREA →

☒ \$300.00 non-refundable filing fee + ☐ \$50.00 Recording Fee for Special Exception (carport)

☐ Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required

Applicant

Name RON ADKINS Phone 956-631-6722

Address 1106 N 15<sup>TH</sup> STREET E-mail PRS.MCALLEN@GMAIL.COM

City MCALLEN State TX Zip 78501

Owner

Name SAME AS ABOVE Phone \_\_\_\_\_

Address \_\_\_\_\_ E-mail \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Authorization

To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?

☐ Yes ☒ No

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable) OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature Ron Adkins

Date 8-2-2023

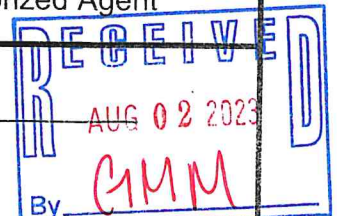
Print Name RON ADKINS

☒ Owner ☐ Authorized Agent

Office

Accepted by Sgt Payment received by \_\_\_\_\_ Date \_\_\_\_\_

Rev 10/18



Storage Building is encroachment into 10 ft. of  
rear Set Back

8-2-23



**City of McAllen**  
**Planning Department**  
**REASON FOR APPEAL & BOARD ACTION**

\*A variance will not be granted to relieve a self-created or personal hardship, nor shall it be based solely on economic gain or loss. In order to make a finding of hardship and grant the variance, the Zoning Board of Adjustment will consider any combination of the following: (Please use an additional page if necessary to complete responses)

\*\*Information provided here by the applicant does not guarantee that the Board will grant a variance.

\*\*\*Applicant should include all information they determine is relevant, but it is not required to provide responses to all sections listed below.

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:

To abide according to code would render my Storage Canopy Project useless due to Existing Structure would minimize usage

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

I need the area square footage for a proper size storage of my items

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

The structure end walls are inside of my property alley fencing and does not cause interference to city alley right of way or neighbor alley usage

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

I needed the proper distance from existing house to end of storage canopy to have room to store household items + protect from weather

Reason for Appeal

Board Action

Chairman, Board of Adjustment  
Signature

Date

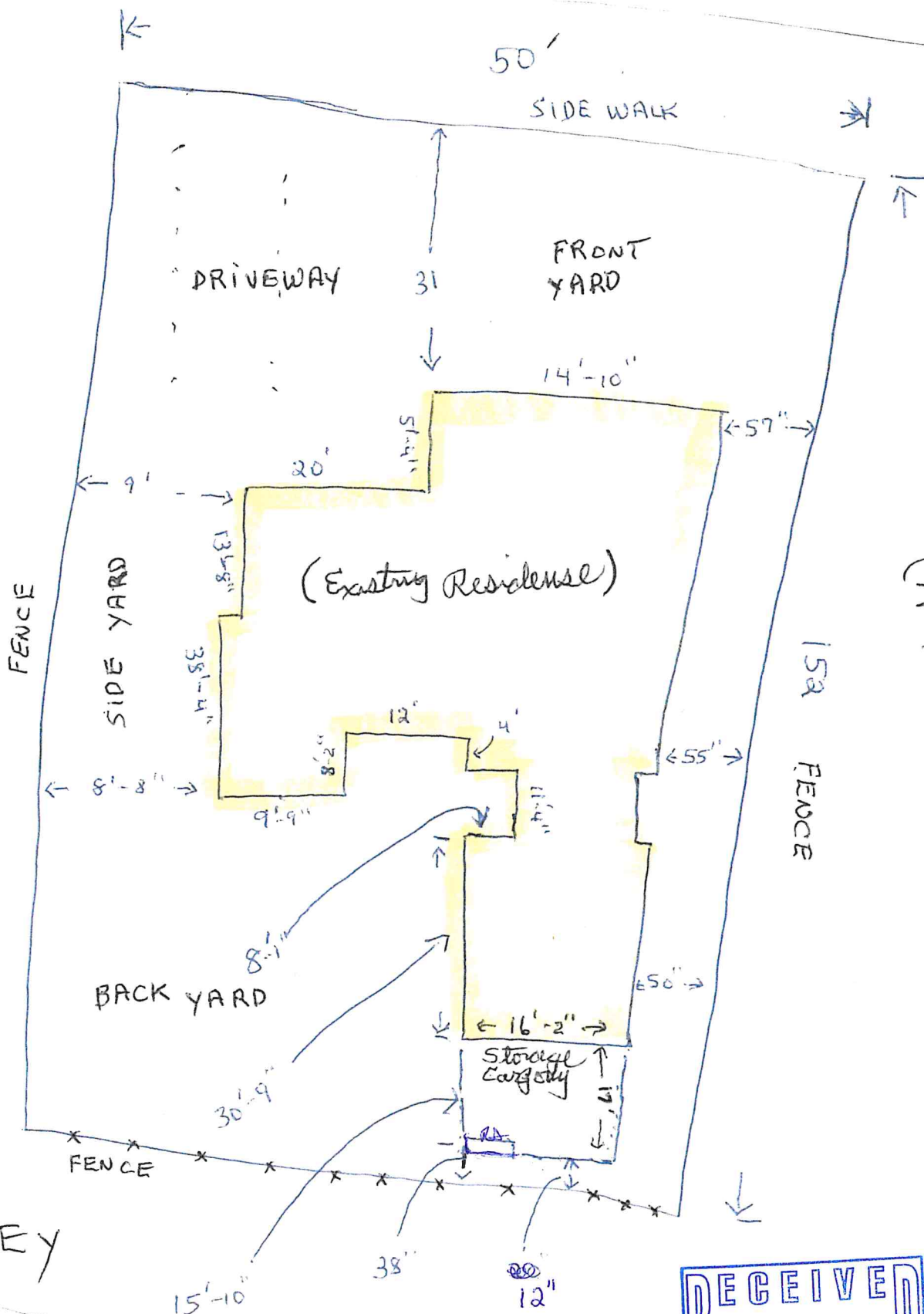
50' x 152'  
8-00 ACAD

(W)  
15th Street

(S)

(N)

ALLEY



(E)

RECEIVED  
AUG 02 2023  
By *GMN*













NOTICE  
VARIANCE  
SPECIAL EXCEPTION  
FOR  
THIS PROPERTY  
ZBA2023-0078

★ 1106



## **Memo**

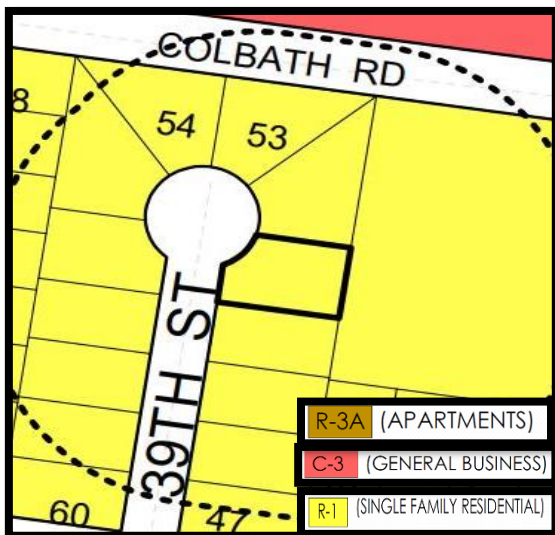
**TO:** Zoning Board of Adjustment & Appeals

**FROM:** Planning Staff

**DATE:** September 1, 2023

**SUBJECT: REQUEST OF JOSE GUADALUPE CANTU FOR A SPECIAL EXCEPTION TO THE CITY OF MCALLEN ZONING ORDINANCE TO ALLOW AN ENCROACHMENT OF 5 FEET INTO THE 6 FOOT SIDE YARD SETBACK FOR AN EXISTING METAL CARPORT MEASURING 21 FEET BY 24 FEET AT LOT 51, ALTA LINDA, HIDALGO COUNTY, TEXAS; 1909 SOUTH 39TH STREET. (ZBA2023-0079)**

**REASON FOR APPEAL:** The applicant is requesting a special exception to encroach 5 feet into the 6 foot side yard setback which will allow him to exercise in a shaded area and for vehicle protection.



**PROPERTY LOCATION AND VICINITY:** The subject property is located along the west side of 39<sup>th</sup> Street. The lot has 70 feet of frontage and 108 feet of depth for a total of 7, 560 square feet. The property is zoned R-1 (single family residential) District. There is R-1, R-3A (Apartments) and C-3 (General Business) Districts around the area.

**BACKGROUND AND HISTORY:** Alta Linda Subdivision was recorded on February 13, 1979. The plat shows a 25 foot front yard setback and a 10 feet setback on the curve. There is a 5 foot utility easement on the north side of the property. On August 23, 2022 a stop work order was issued. On August 24, 2022 a building permit was submitted. On January 16, 2023 a non-compliance order was issued. On May 13, 2023 another non-compliance order was issued. On August 2, 2023 a Special Exception application was submitted.

**ANALYSIS:** The applicant is requesting this Special Exception to keep the carport. Applicant is disabled and it will help him with his daily therapy exercise activities recommended by his doctor.

Site visit by staff revealed 1 other carport in the area, which did not have a permit.

During site visit the applicant was made aware that he has two other structures in the back that may be encroaching into the side yard setback and rear yard setback. Applicant stated he will be removing those structures.

Applicant does have a consent to encroachment letter by AEP, which the court recorded on January 04, 2023. Applicant mentioned it would be more costly for him to cut it back.

There is no garage in the property.

Special exceptions are issued to and recorded for the present applicant/owner only. New property owners would need to apply for a new special exception request.

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

Measurements provided are without benefit of a survey.

**RECOMMENDATION:** Staff is recommending disapproval for the Special Exception request due to exceeding the 400 square feet max for a carport stated in ordinance 138-371(g) and carports not being characteristic of area.

ZBA2023-0079

ZBA  
9/7/2023

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)

Project

Legal Description

Alta Linda, Lot 51

Subdivision Name

Alta Linda

Street Address

1909 S. 39 St.

Number of lots

Gross acres

Existing Zoning

R-1

Existing Land Use

SFH

Reason for Appeal (please use other side if necessary)

encroaching 5 ft into  
the 6 ft side set back☒ \$300.00 non-refundable filing fee + ☒ \$50.00 Recording Fee for Special Exception (carport)☐ Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required

Applicant

Name JOSE Guadalupe CANTU

Phone 956-605-4287

Address 1909 S. 39 St.

E-mail JOSE.CANTU1965@gmail.com

City MCALLEN

State TX

Zip 78503

Owner

Name JOSE Guadalupe Cantu

Phone 956-605-4287

Address 1909 S. 39 St.

E-mail JOSE.CANTU1965@gmail.com

City MCALLEN

State TX

Zip 78503

Authorization

To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?

☐ Yes☒ NoI 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

JOSE G. CANTU

Date

7-31-23

Print Name

JOSE G. CANTU

☒ Owner☐ Authorized Agent

Office

Accepted by

NM

Payment received by

Date

AUG 02 2023

Rev 10/18

BY:

CW





# City of McAllen

## Planning Department

### REASON FOR APPEAL & BOARD ACTION

\*A variance will not be granted to relieve a self-created or personal hardship, nor shall it be based solely on economic gain or loss. In order to make a finding of hardship and grant the variance, the Zoning Board of Adjustment will consider **any combination** of the following: (Please use an additional page if necessary to complete responses)

\*\*Information provided here by the applicant does not guarantee that the Board will grant a variance.

\*\*\*Applicant should include all information they determine is relevant, but it is not required to provide responses to all sections listed below.

1. Describe the special circumstance or condition affecting the land involved such that the strict application of the provisions required would deprive the applicant of the reasonable use of the land:

I am dissable, I've had spinal cord surgeries and this extra space helps me with my therapy exercises recommended by my doctor. Ex walking in the shaded areas

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

With this on my property I'm able to spend and give my grandchildren quality time to create memories that will last a lifetime.

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:

this structure is very well built, and will not be in the way my neighbors and will not affect them in any which way.

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

Having this on my property helps me in many ways. Here are some examples. It helps me protect my ~~vech~~ vehicles from and protect my house from extreme temperatures. I have

Reason for Appeal

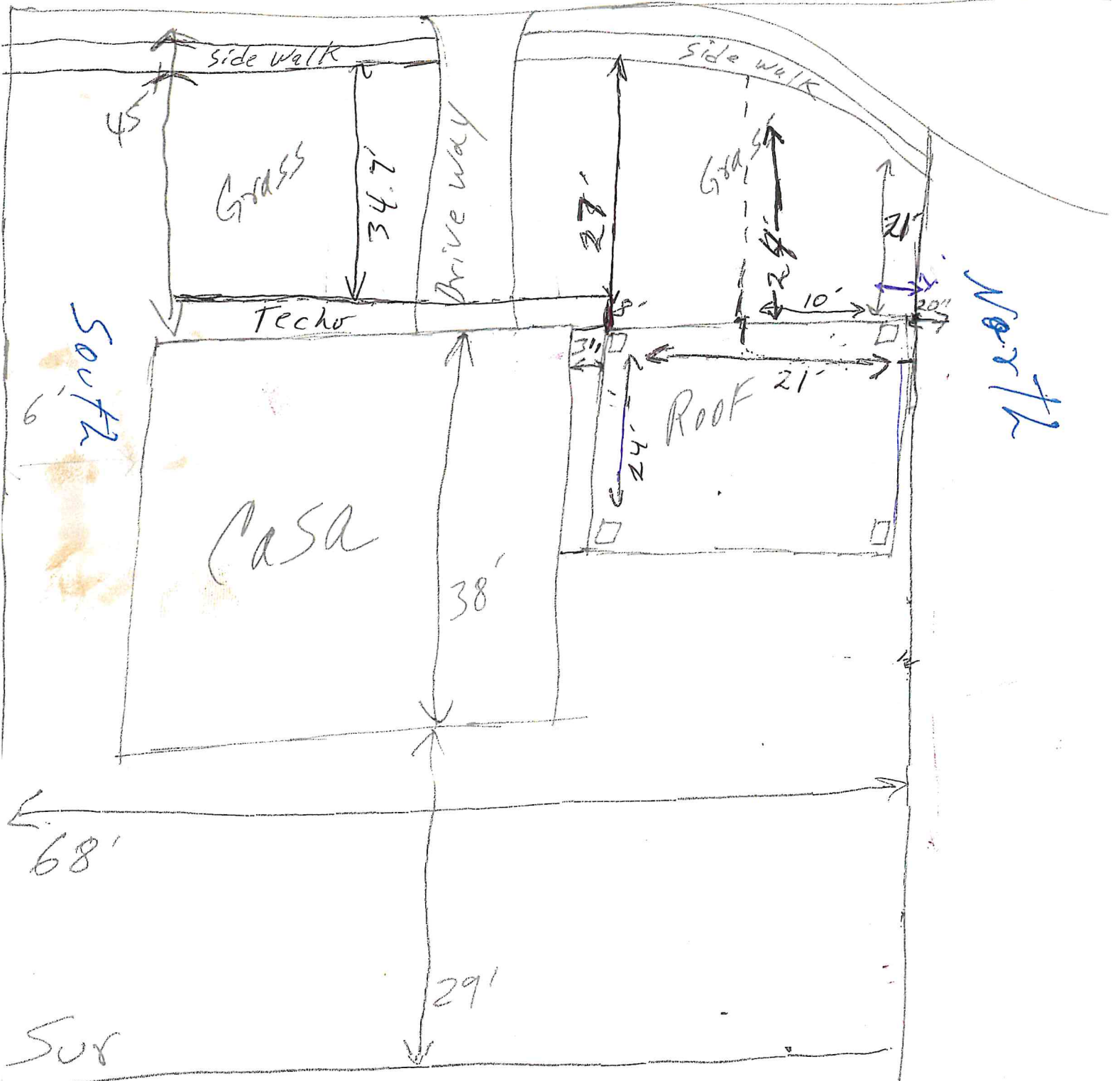
Board Action

Chairman, Board of Adjustment  
Signature

Date

~~15872~~

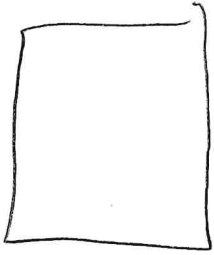
39 st.



~~22.9 from wall to post~~

21 from post to  
post

24



Post  
1.7 inches













NOTICE  
VARIANCE  
SPECIAL EXCEPTION  
FOR  
THIS PROPERTY  
ZBA2023-0079



## Memo

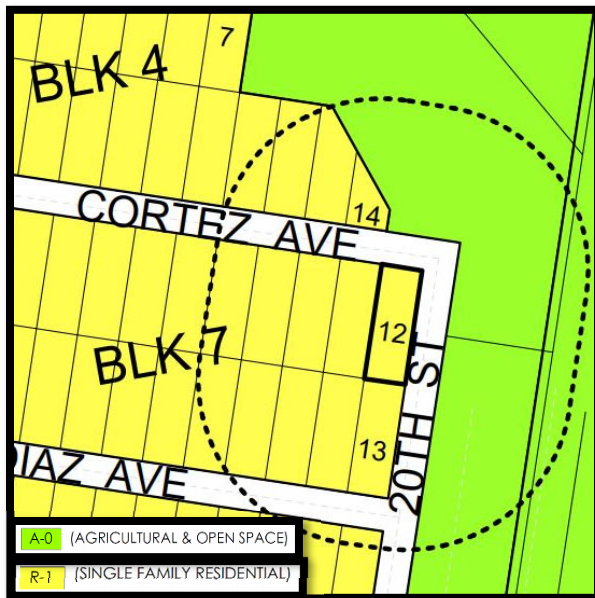
**TO:** Zoning Board of Adjustment & Appeals

**FROM:** Planning Staff

**DATE:** August 22, 2023

**SUBJECT: REQUEST OF NICOLAS HERNANDEZ FOR A SPECIAL EXCEPTION TO THE CITY OF MCALLEN ZONING ORDINANCE TO ALLOW AN ENCROACHMENT OF 19 FEET INTO THE 20 FOOT FRONT YARD SETBACK AND 5 FEET INTO THE 10 FOOT SIDE YARD SETBACK FOR A METAL CARPORT MEASURING 18 FEET BY 18 FEET AT COLONIA HERMOSA NO. 2, LOT 12, BLOCK 7 HIDALGO COUNTY, TEXAS; 2001 CORTEZ AVENUE. (ZBA2023-0080)**

**REASON FOR APPEAL:** The applicant is requesting a Special Exception to encroach 19 feet into the 20 foot front yard setback for an existing metal carport measuring 18 feet by 18 feet for protection from the sun for his vehicles and his son who has down syndrome with a skin condition in which he can play outside in the shade.



**PROPERTY LOCATION AND VICINITY:** The subject property is located along the south side of Cortez Avenue intersecting with South 20<sup>th</sup> Street. The Lot has 50 feet of frontage and 139.00 feet of depth for a total of 6,950 square feet. The property is zoned R-1 (single family residential) District. The surrounding zones include R-1(single-family residential) to the West and South, A-O (agricultural and open space) to the East.

**BACKGROUND AND HISTORY:** Colonia Hermosa No. 2 was recorded on November 28, 1947. The plat shows a 20 foot front yard setback and a 25 foot corner clip for the subdivision. On August 1, 2023 a stop work order was issued. On August 2, 2023 the applicant applied for a building permit. On August 7, 2023, the applicant applied for a Special Exception to encroach 19 feet into the 20 foot front yard

setback and 5 feet into the 10 foot side yard setback.

**ANALYSIS:** The applicant is requesting Special Exception to allow an encroachment of 19 feet into the 20 foot front yard setback and 5 feet into the 10 foot side yard setback for an existing metal carport measuring 18 feet by 18 feet for protection from the sun for his vehicles and his son who has down syndrome with a skin condition in which he can play outside in the shade. The carport is also encroaching into the 25 foot x 25 foot corner clip which is necessary for safety.

Site visit by staff revealed 9 other carports in the area, 8 of which are illegal.

At the Zoning Board Adjustment and Appeals meeting of October 21, 2015 the board unanimously voted to approved a variance request to allow a front yard setback of 2.41 feet instead of 20 feet for a carport measuring 17 feet by 22 feet for Lot 19, Block 9, Colonia Hermosa No.2 Subdivision.

Special exceptions are issued to and recorded for the present applicant/owner only. New property owners would need to apply for a new special exception request.

There was one phone call from a neighbor in favor of the request.

Measurements provided are without benefit of a survey.

**RECOMMENDATION:** Staff is recommending disapproval of the special exception since the carport falls into the 25ft x 25ft corner clip which causes a sight obstruction and does not comply with setbacks.

ZBA2023-0080

ZBA  
9/7/2023

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)

Project

Legal Description

Colonia Hermosa No. 2  
Lot 12 BLK 7

Subdivision Name

Colonia Hermosa No. 2

Street Address

2001 Colter Ave McAllen, TX 78503

Number of lots

1

Gross acres

Existing Zoning

R 1

Existing Land Use

Rosa

Reason for Appeal (please use other side if necessary)

Encroach 20 feet into  
the 20 feet yard setback and 5 feet into the 10 foot  
side yard☒ \$300.00 non-refundable filing fee + ☒ \$50.00 Recording Fee for Special Exception (carport)☐ Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required

Applicant

Name

Nicolas Hernandez

Phone

956-3136272

Address

2001 Colter Ave.

E-mail

City

McAllen

State

TX

Zip

78503

Owner

Name

Nicolas Hernandez

Phone

956 3136272

Address

2001 Colter Ave

E-mail

City

McAllen

State

TX

Zip

78503.

Authorization

To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?

☐ Yes☒ No

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable) OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature

Nicolas Hernandez

Date

8-7-23

Print Name

Nicolas Hernandez

☒ Owner☐ Authorized Agent

Office

Accepted by

Rev 09/20

EDG

Payment received by

Date

AUG 07 2023

BY:

CW





# City of McAllen

## Planning Department

### REASON FOR APPEAL & BOARD ACTION

\*A variance will not be granted to relieve a self-created or personal hardship, nor shall it be based solely on economic gain or loss. In order to make a finding of hardship and grant the variance, the Zoning Board of Adjustment will consider **any combination of** the following: (Please use an additional page if necessary to complete responses)

\*\*Information provided here by the applicant does not guarantee that the Board will grant a variance.

\*\*\*Applicant should include all information they determine is relevant, but it is not required to provide responses to all sections listed below.

1. Describe the special circumstance or condition affecting the land involved such that the strict application of the provisions required would deprive the applicant of the reasonable use of the land:

Restricting this metal carport would affect my son's ability to go outside and play, as he uses this structure to protect himself from the sun (due to skin condition).

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

This carport was built so that my son (who has Down Syndrome) could go outside and play without affecting his skin condition.

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:

This variance will not affect the public health, safety and welfare of others because the carport is in my own property.

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

This variance (carport) was built to protect my son from the sun as he plays. My son has Down Syndrome and has Vitiligo, a skin condition that affects the skin with sun exposure.

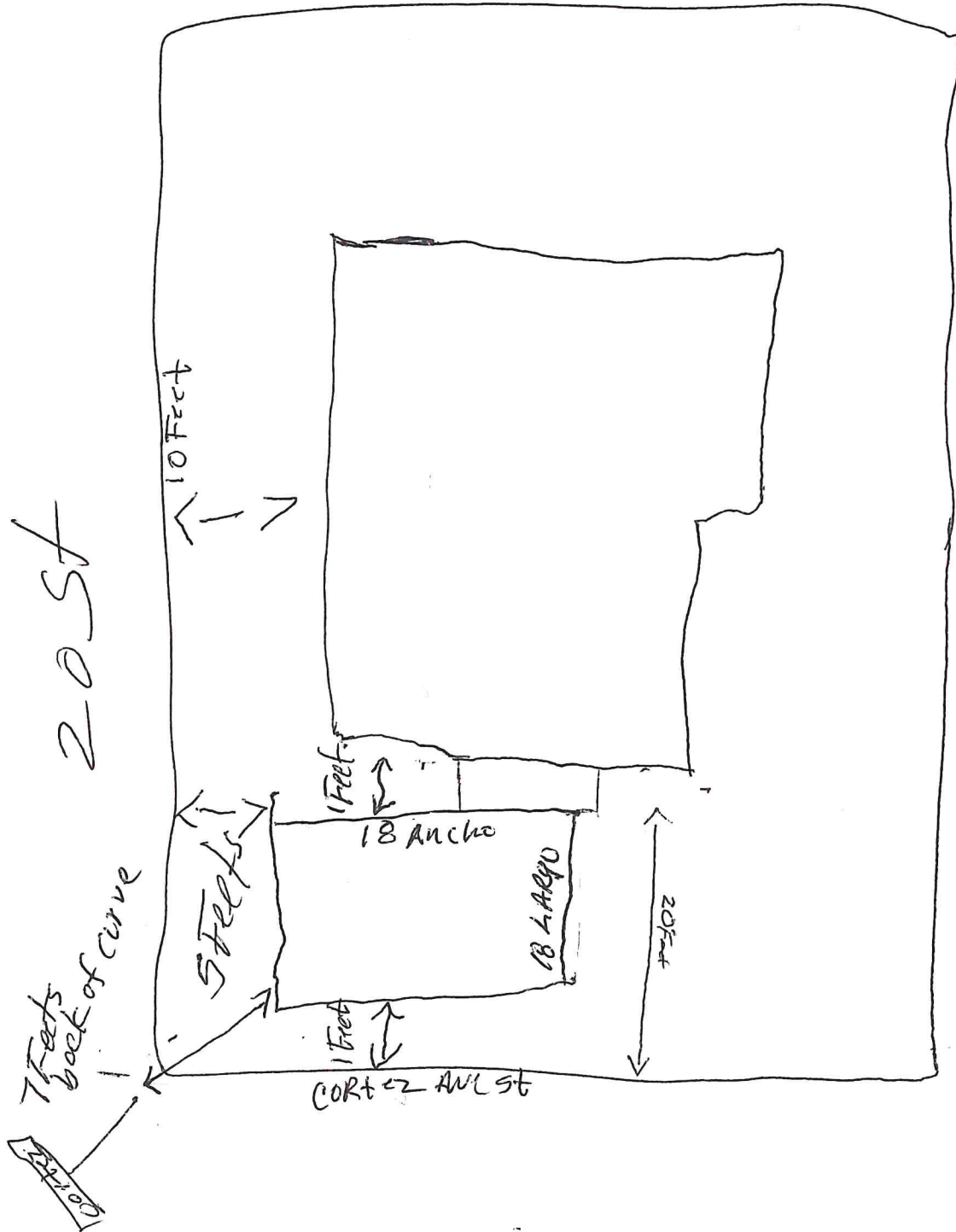
Reason for Appeal

Board Action

Chairman, Board of Adjustment  
Signature

Date

2001 Cortez Ave  
MS Allen TX  
Challegon





S 20TH ST 2000  
CORTEZ AVE 2000





S 20<sup>TH</sup> ST 3000 ←



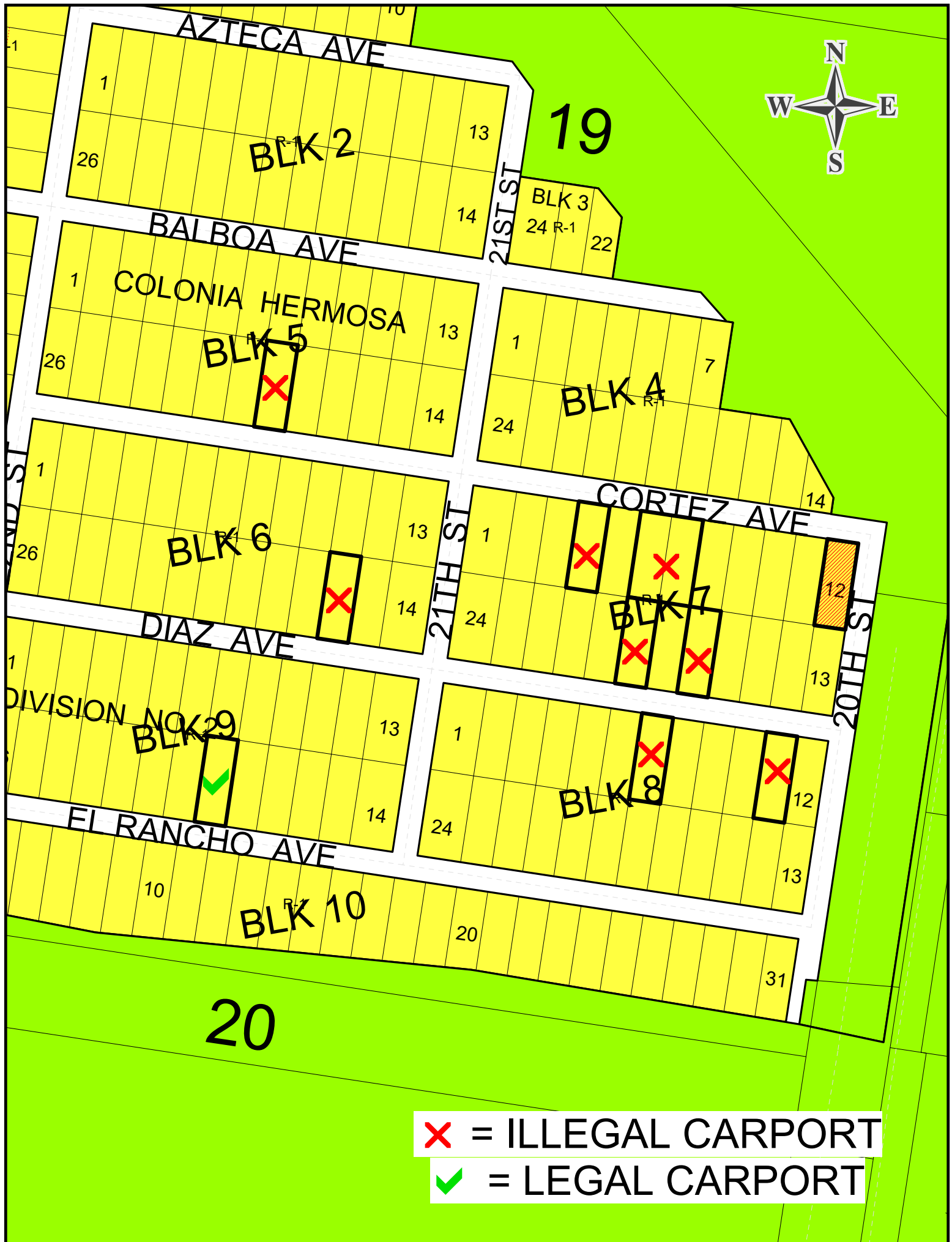




2001

NOTICE  
VARIANCE  
SPECIAL EXCEPTION  
FOR  
THIS PROPERTY  
ZBA2023-0080





## **Memo**

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

**FROM:** Planning Staff

**DATE:** August 22, 2023

**SUBJECT: REQUEST OF CARLOS ALARCON ON BEHALF OF JAMES WEAVER FOR A SPECIAL EXCEPTION TO THE CITY OF MCALLEN ZONING ORDINANCE TO ALLOW AN ENCROACHMENT OF 6 FEET INTO THE 6 FOOT EAST SIDE YARD SETBACK FOR A CARPORT MEASURING 15 FEET BY 35 FEET AT RANCHO DE LA FRUTA NO. 1, LOT E 142.5' OF W 285' OF N 184.22' OF 11, HIDALGO COUNTY, TEXAS; 108 EAST FRESNO AVENUE. (ZBA2023-0081)**

**REASON FOR APPEAL:** The applicant is requesting a Special Exception for an encroachment of 6 feet into the 6 feet East side yard setback to allow an existing metal carport which is needed based on the plan design of the house.



**PROPERTY LOCATION AND VICINITY:** The subject property is located along the South side of Fresno Avenue approximately 138 feet East of South 1<sup>st</sup> Street.. The lot has 142.50 feet of frontage and 169.22 feet of depth for a total of 24,113.85 square feet. The property is zoned R-1 (single family residential) District. The property is surrounded by R-1 in all directions.

**BACKGROUND AND HISTORY:** Rancho de la Fruta #1 was recorded on May 22, 1920. The plat shows a 6 foot side yard setback. On June 28, 2023 a stop work order was issued. On July 3, 2023 the applicant applied for a building permit. On August 7, 2023, the applicant applied for a special exception encroaching 6 feet into the 6 foot side yard setback.

**ANALYSIS:** The applicant is requesting a special exception in order to allow an encroachment of 6 feet



into the 6 foot East side yard setback to allow an existing metal carport that has no flammable materials in which is needed based on the plan design of the house. Applicant states there is a "Save and Except" that allows the carport to the limit of the property.

Site visit by staff revealed no other carports in the area. Staff noticed structures in the rear of property that could be encroaching onto the rear setback and will be attended at a later time.

Special exceptions are issued to and recorded for the present applicant/owner only. New property owners would need to apply for a new special exception request.

Measurements provided are without benefit of a survey.

**RECOMMENDATION:** Staff is recommending disapproval due to structure not being characteristic of the neighborhood and exceeding the 400 square foot max for a carport stated in ordinance 138-371(g). Further analysis revealed the "Save and Except " portion is not part of the lot, thus carport would be encroaching into neighboring property.

ZBA 2023-0081

ZBBA  
9-7-2023

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)

Project	<p>Legal Description <u>Lot E</u></p> <p>Subdivision Name <u>Rancho de la Fruta #I</u></p> <p>Street Address <u>108 E. Fresno Ave.</u></p> <p>Number of lots <u>1</u> Gross acres _____</p> <p>Existing Zoning <u>R-1</u> Existing Land Use <u>R-1</u></p> <p>Reason for Appeal (please use other side if necessary) <u>6' encroachment into 6' (Letter Attachment) - Side sets back (East Side)</u></p> <p><input checked="" type="checkbox"/> \$300.00 non-refundable filing fee + <input checked="" type="checkbox"/> \$50.00 Recording Fee for Special Exception (carport)</p> <p><input checked="" type="checkbox"/> Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required</p>
Applicant	<p>Name <u>Carlos Alarcon</u> Phone <u>(956) 295-1642</u></p> <p>Address <u>900 E. Dallas Ave #5</u> E-mail <u>alarcongroup@yahoo.com</u></p> <p>City <u>McAllen</u> State <u>Tx</u> Zip <u>78501</u></p>
Owner	<p>Name <u>James Weaver</u> Phone <u>(956) 624-4113</u></p> <p>Address <u>108 E. Fresno Ave</u> E-mail <u>alarcongroup@yahoo.com</u></p> <p>City <u>McAllen</u> State <u>Tx</u> Zip <u>78501</u></p>
Authorization	<p>To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable) OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.</p> <p>Signature <u>[Signature]</u> Date <u>8-3-2023</u></p> <p>Print Name <u>James Weaver</u> <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Authorized Agent</p>
Office	<p>Accepted by <u>SEN</u> Payment received by _____ Date <u>AUG 07 2023</u></p> <p>Rev 09/20 <u>OS</u> BY: <u>CW</u></p>





City of McAllen  
Planning Department  
REASON FOR APPEAL & BOARD ACTION

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\*\*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:

On East of my property a carport is needed under the plan of my house, based on a 1.5' by 184.22' on save and except limit to my property.

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

On the survey made by "Art Sainas engineering" and in plan the describes the location on my properties limits is the carport for my house. zoning R-1

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

It has no flammable materials, we have a property "Save and except" on the survey from the limits that allows me to the limit of my property

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

"SAVE and Except"

15' conveyed to Dwight by 35' between properties.

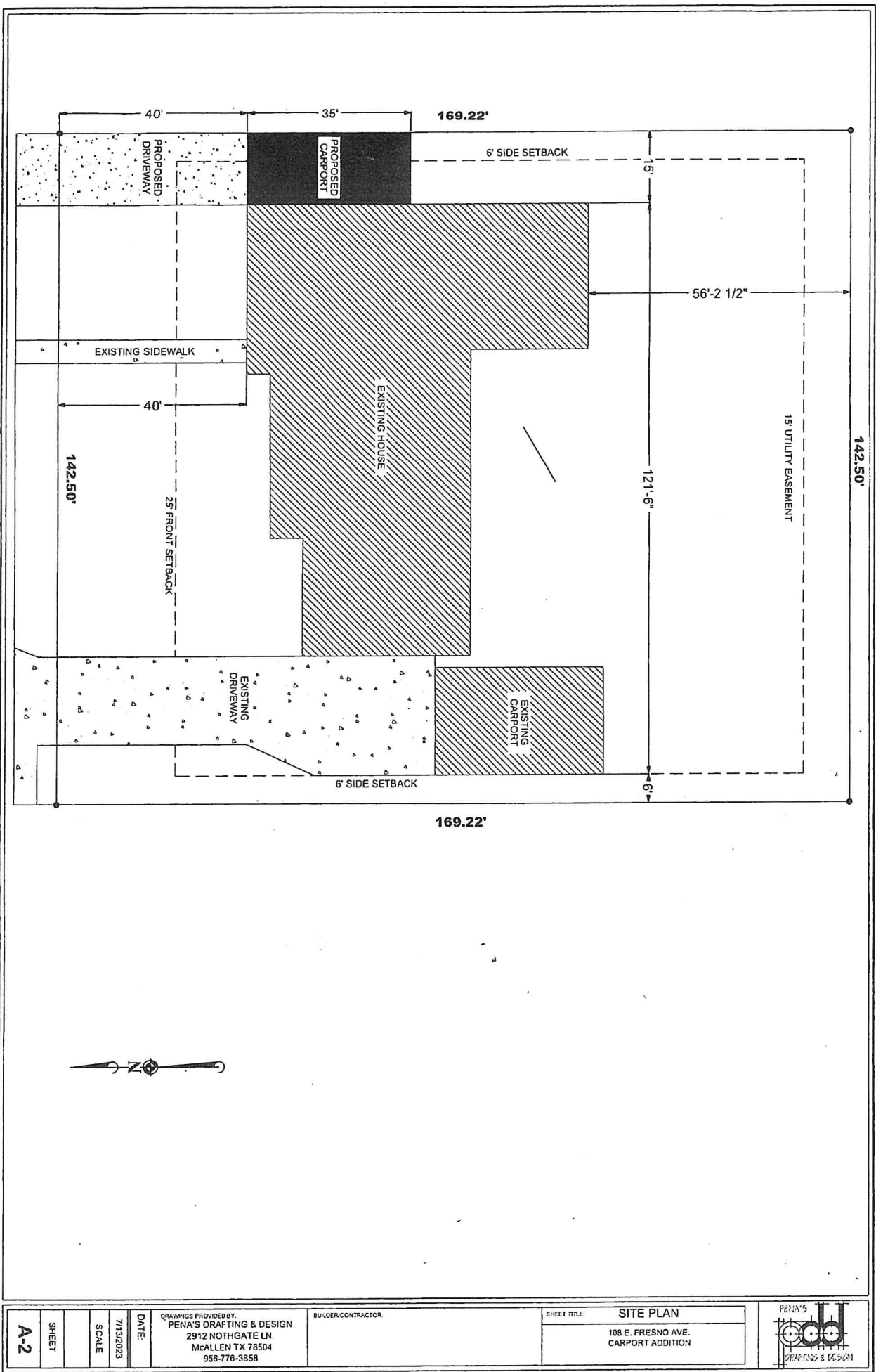
Reason for Appeal

Board Action

Chairman, Board of Adjustment  
Signature

Date





A-2

SHEET

SCALE

DATE:

7/13/2023

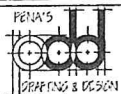
DRAWINGS PROVIDED BY:  
PENA'S DRAFTING & DESIGN  
2912 NOTHGATE LN.  
McALLEN TX 78504  
956-776-3858

BUILDER/CONTRACTOR

SHEET TITLE:

SITE PLAN

108 E. FRESNO AVE.  
CARPORT ADDITION























NOTICE  
ADVANCE  
SPECIAL EXCEPTION  
THIS PROPERTY  
ZBA2022-0081



## The State of Texas,

County of HIDALGO

2538

Know all Men by These Presents:

1.00  
ctg

That we, BOBBY H. ETCHISON and wife, WILLAVAE L. ETCHISON

of the County of Hidalgo, State of Texas, for and in consideration

of the sum of -----TEN AND NO/100 (\$10.00)-----

and other good and valuable consideration, -----DOLLARS,

to us in hand paid by DWIGHT H. ZACHMAN,  
the receipt of which is hereby acknowledged and confessed;

have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey, unto the said

DWIGHT H. ZACHMAN

of the County of Hidalgo, State of Texas, all that certain  
lot, tract or parcel of land situated in Hidalgo County, Texas, and de-  
scribed as follows, to wit:

The East Fifteen (E. 15) feet of the West Three Hundred (W. 300)  
feet of the North one Hundred Eighty-four and Twenty-two Hun-  
dredths (N. 184.22) feet of Lot Eleven (11) of the Rancho de la  
Fruta Subdivision No. One (1) in Hidalgo County, Texas, as per  
map or plat thereof on file and of record in the office of the  
County Clerk of Hidalgo County, Texas;

SUBJECT to any Oil and Gas Leases, mineral reservations and ease-  
ments of record;

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights  
and appurtenances thereto in anywise belonging unto the said

DWIGHT H. ZACHMAN, his

heirs and assigns forever and we do hereby bind ourselves, our

heirs, executors and administrators, to Warrant and Forever Defend, all and singular the said premises

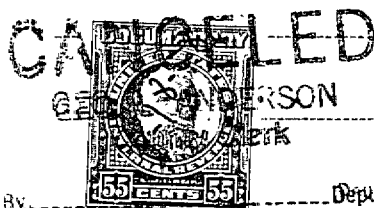
unto the said DWIGHT H. ZACHMAN, his

heirs and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any  
part thereof.

WITNESS our hands at McAllen, Texas,

this 1st day of February, 1958.

Witness at request of Grantor:



By: Deputy

Bobby H. Etchison

Bobby H. Etchison

Willavae L. Etchison

Willavae L. Etchison

## JOINT ACKNOWLEDGEMENT

THE STATE OF TEXAS,  
COUNTY OF HIDALGO

BEFORE ME, the undersigned, a Notary Public,

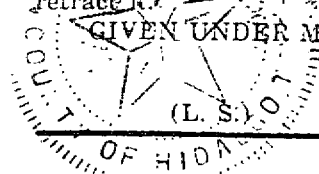
in and for said County, Texas, on this day personally appeared  
BOBBY H. ETCHISON and WILLAVAE L. ETCHISON

his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged  
to me that they each executed the same for the purposes and consideration therein expressed, and the said

WILLAVAE L. ETCHISON wife of the said BOBBY H. ETCHISON having been  
examined by me privily and apart from her husband, and having the same fully explained to her, she, the said

WILLAVAE L. ETCHISON acknowledged such instrument to be her act and deed, and she declared that  
she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to  
retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This 18 day of February, A. D. 1958.



J. F. EWERS, JR.  
Notary Public, Hidalgo County, Texas.

## WIFE'S SEPARATE ACKNOWLEDGEMENT



Filed for Record on the 18<sup>th</sup> day of February A. D. 1958 at 4<sup>10</sup> o'clock P.M.  
Duly Recorded this the 21<sup>st</sup> day of February A. D. 1958 at 3<sup>12</sup> o'clock P.M.  
Instrument No. 2538

GEO. L. ANDERSON, County Clerk  
Hidalgo County, Texas

By M. Hartman Deputy



## **Memo**

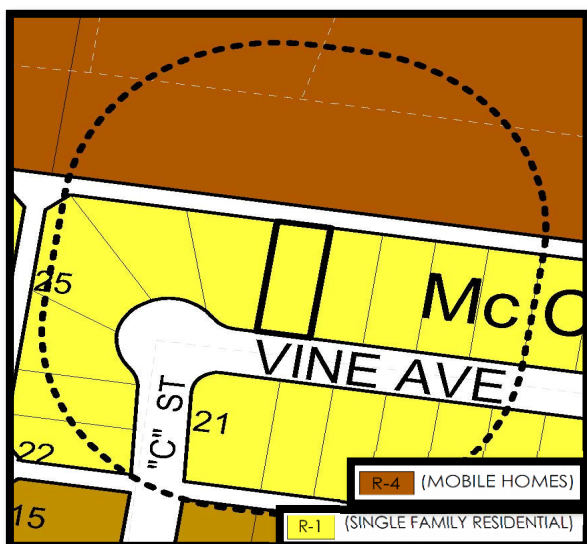
**TO:** Zoning Board of Adjustment & Appeals

**FROM:** Planning Staff

**DATE:** August 1, 2023

**SUBJECT:** REQUEST OF GERARDO CASTILLO FOR A SPECIAL EXCEPTION AND VARIANCE TO THE CITY OF MCALLEN ZONING ORDINANCE TO: 1.) ALLOW AN ENCROACHMENT OF 20 FEET INTO THE 20 FEET FRONT YARD SETBACK FOR A PROPOSED WOODEN CARPORT MEASURING 16 FEET BY 22 FEET AND 2.) TO ALLOW AN ENCROACHMENT OF 6 FEET INTO THE 6 FEET REAR YARD SETBACK FOR AN EXISTING CARPORT MEASURING 12.13 FEET BY 20 FEET AND 3.) TO ALLOW AN ENCROACHMENT OF 6 FEET IN THE 6 FEET SIDE YARD SETBACK AND 6 FEET INTO THE 6 FEET REAR YARD SETBACK FOR AN EXISTING STORAGE SHED MEASURING 24.2 FEET BY 10.2 FEET AND 4.) TO ALLOW AN ENCROACHMENT OF 6 FEET INTO THE 6 FEET SIDE YARD SETBACK AND 6 FEET INTO THE 6 FEET REAR YARD SETBACK FOR AN EXISTING (L) SHAPED SHED MEASURING 27.4 FEET BY 14.1 FEET AND 15.4 FEET AND 11.3 FEET AT LOT 28, MCCOLL TERRACE SUBDIVISION, NO. 2. HIDALGO COUNTY, TEXAS; 213 EAST VINE AVENUE. (ZBA2023-0073)

**REASON FOR APPEAL:** The applicant is requesting a special exception for an encroachment of 16 feet into the 20 feet front yard setback for a proposed wooden carport measuring 16 feet by 22 feet that will be used to protect his elderly mother when taking her to medical appointments and vehicles from the sun and falling debris during inclement weather. Applicant is also requesting to allow an encroachment for an existing carport in the rear, a covered area encroaching into the West sideyard setback and rear yard setback and an “L” shaped storage area encroaching into the East sideyard setback and rear yard setback.



**PROPERTY LOCATION AND VICINITY:** The property is located along the north side of East Vine



Avenue east of North "C" Street. The lot has 50.0 feet of frontage and a depth of 125.0 feet for a lot size of 6,250 square feet. The property is zoned R-1 (single-family residential) District. There is R-4 (mobile home) district to the north.

**BACKGROUND AND HISTORY:** McColl Terrace Subdivision No. 2 was recorded December 15, 1975. The plat shows a 20 feet front yard setback for the subdivision. A building permit has not been submitted. A special exception request application was submitted July 17<sup>th</sup>, 2023.

**ANALYSIS:** The applicant is requesting a special exception in order to allow an encroachment of 16 feet into the 20 feet front yard setback for a proposed wooden carport measuring 16 feet by 22 feet that will be used to protect his elderly mother when taking her to medical appointments and vehicles from the sun and falling debris during inclement weather. Applicant is considering to build the carport out of metal for stronger framework. The request to allow the special exception for the carport in the rear as well as the variances for the covered areas in the rear is for family gatherings and because the structures were there when they moved in to the property.

During a site visit, staff noticed that there were 6 other carports within McColl Terrace subdivision No. 2 in which 5 are considered illegal and 1 was granted request for a special exception.

At the Zoning Board of Adjustments and Appeals meeting of October 5, 2022 the Board unanimously voted to approve a special exception for an encroachment of 20 feet into the 20 feet front yard setback for a metal carport measuring 18 feet by 22 feet at Lot 37.

Special exceptions are issued to and recorded for the present applicant/owner only. New owners would need to apply for a new special exception request.

Measurements provided are without benefit of a survey.

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

**RECOMMENDATION:** Staff recommends disapproval of the special exception request for number 1 and 2 being that they are not characteristic of the neighborhood and encroachment of existing carport in the rear is all the way to the lot line.

Staff recommends disapproval of the variances number 3 and 4 being that structures are encroaching all the way to the lot lines which creates a safety issue in case of a fire and no hardship exists due to the land nor has one been claimed.



ZBA: 8/23/23

ZBA 2023-0073



City of McAllen

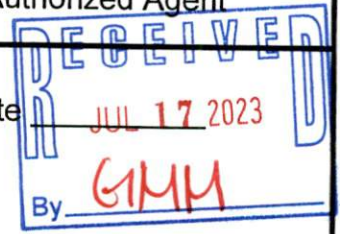
311 North 15<sup>th</sup> Street  
McAllen, TX 78501  
P. O. Box 220  
McAllen, TX 78505-0220  
(956) 681-1250  
(956) 681-1279 (fax)

Planning Department

APPEAL TO ZONING BOARD OF  
ADJUSTMENT TO MCALLEN ZONING ORDINANCE

Project	Legal Description	<u>Lot 28, McColl Terrace Subdivision</u>		
		<u>No. 2</u>		
	Subdivision Name	<u>McColl Terrace Subdivision No. 2</u>		
	Street Address	<u>213 E. Vine Ave</u>		
	Number of lots	<u>1</u>	Gross acres	
	Existing Zoning	<u>R-1</u>	Existing Land Use	<u>Residence</u>
	Reason for Appeal (please use other side if necessary)	<u>an encroachment of 16' into the 20' front yard setback for a wooden carport (16'x22')</u>		
	<input checked="" type="checkbox"/> \$300.00 non-refundable filing fee + <input checked="" type="checkbox"/> \$50.00 Recording Fee for Special Exception (carport)			
	<input checked="" type="checkbox"/> Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required			
Applicant	Name	<u>Gerardo Castillo</u>	Phone	<u>956 827-7558</u>
	Address	<u>213 E. Vine Ave</u>	E-mail	<u>Myrcastle9@gmail.com</u>
	City	<u>McAllen</u>	State	<u>TX</u>
			Zip	<u>78501</u>
Owner	Name	<u>Gerardo Castillo</u>	Phone	<u>956 827-7558</u>
	Address	<u>213 E. Vine Ave</u>	E-mail	
	City	<u>McAllen</u>	State	<u>TX</u>
			Zip	<u>78501</u>
Authorization	To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?			
	<input type="checkbox"/> Yes <input 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>Gerardo Castillo</u>	Date	<u>7-14-23</u>
	Print Name	<u>Gerardo Castillo</u>	<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Authorized Agent	
Office	Accepted by	<u>SEN</u>	Payment received by	
	Date			

*Handwritten initials*







**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:

an encroachment of 16' into the 20' front yard setback  
for a wooden carport (16'x22') Carport structure  
will be cantilever type / supports on west side

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

vehicles being damaged from birds droppings, branches falling during  
storms - also to shield my 89 year old mother from falling branches  
or rain

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

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

no built in garage and home was without garage  
when purchased

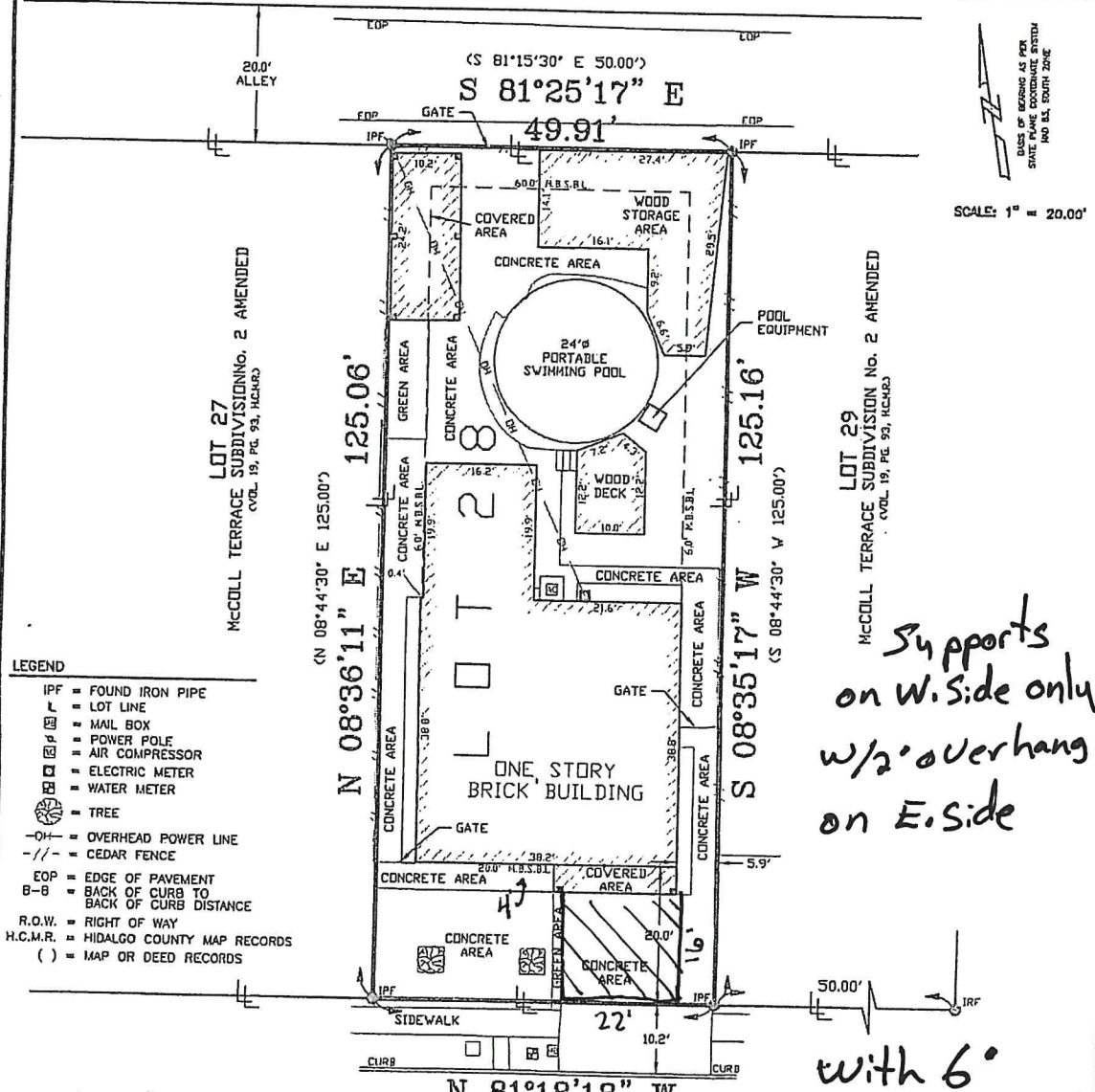
Reason for Appeal

Board Action

Chairman, Board of Adjustment  
Signature

Date





8/3/2023

Supports  
on W. Side only  
w/ 2' overhang  
on E. Side

with 6'  
clearance on E. Side

VINE AVENUE  
50.0' R.O.W. - 29.6' B-B

FOR: GERARDO CASTILLO AND SANDRA CORTEZ  
AND SECURITY SERVICES FEDERAL CREDIT UNION  
G.F. No.: TX6113-16002349-MJ  
EFFECTIVE DATE: AUGUST 24, 2016  
ISSUED DATE: AUGUST 30, 2016

**FLOOD DESIGNATION**

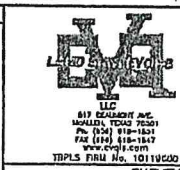
The flood designation for this property is "Zone B" which are "Areas between limits of the 100-year flood and the 500-year flood; or certain areas subject to 100-year flooding with average depths of less than one foot or where the contributing drainage areas less than one square mile; or areas protected by levees from the base flood". As per F.E.M.A.s Flood Insurance Rate Map Panel No.: 480343 0500 C

Map Revised: November 2, 1982

Flood Zone is determined by graphic plotting only. We do not assume responsibility for exact determination.

**LEGAL DESCRIPTION**

This plat is a true and correct representation of a survey made on the ground of the property located at: 213 E. VINE AVENUE, McAllen, Hidalgo County, Texas, described as follows: LOT 28, McCOLL TERRACE SUBDIVISION No. 2, AMENDED, on addition to the City of McAllen, Hidalgo County, Texas, according to the map or plat thereof recorded in Volume 19, Page 93, Map Records, Hidalgo County, Texas.



**SURVEYOR'S CERTIFICATION**

I, Carlos Vasquez, Registered Professional Land Surveyor, certify that the above is a true and accurate plot of the lands as surveyed under my direction on September 27, 2016, and there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or right-of-ways except as shown.

Carlos Vasquez  
R.P.L.S. No. 4508  
STATE OF TEXAS

**SURVEYED DATE:** 9/27/16  
**JOB No.:** 160921  
**DRAWN BY:** GTG  
**CHECKED BY:** C.V.  
**REVISIONS:**

**RECEIVED**  
AUG 03 2023  
By: *[Signature]*

























213

NOTICE  
VARIANCE  
SPECIAL EXCEPTION  
FOR  
THIS PROPERTY  
ZBA2023-0073

TEXAS  
PWC-9860



## Memo

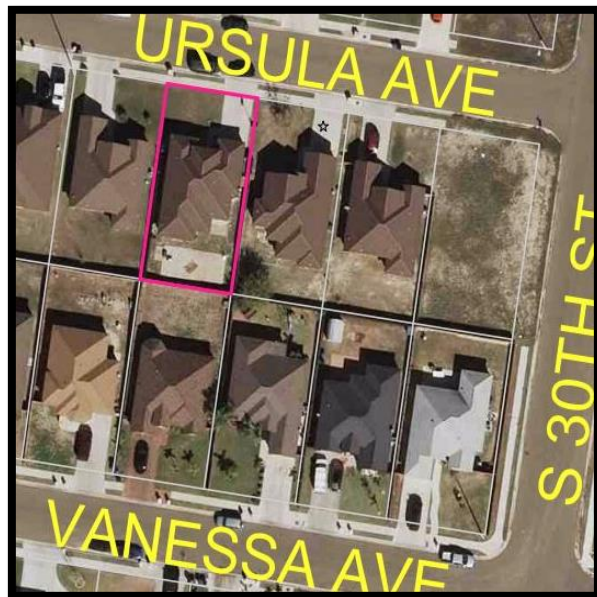
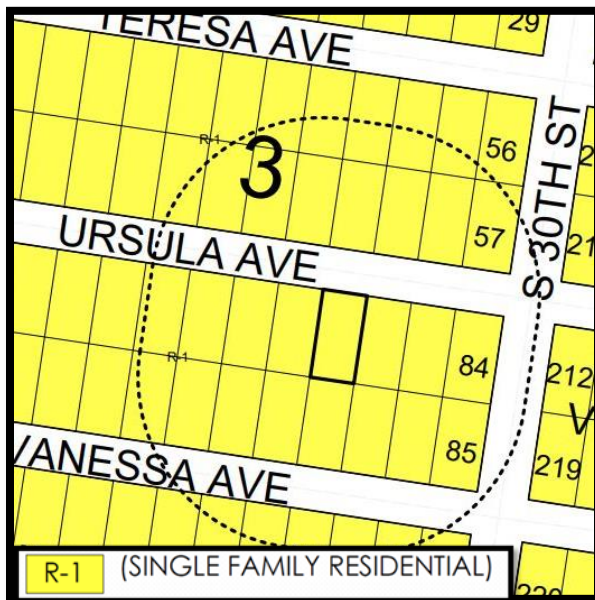
**TO:** Zoning Board of Adjustment & Appeals

**FROM:** Planning Staff

**DATE:** September 1, 2023

**SUBJECT:** REQUEST OF ITZEL SANCHEZ ON BEHALF OF ARMANDO SANCHEZ FOR A SPECIAL EXCEPTION TO THE CITY OF MCALLEN ZONING ORDINANCE TO ALLOW AN ENCROACHMENT OF 25 FEET INTO THE 25 FOOT FRONT YARD SETBACK FOR AN EXISTING METAL CARPORT WITH CANVAS COVER MEASURING 16 FEET BY 27 FEET AT LOT 81, CIELO VISTA SUBDIVISION PHASE 1, HIDALGO COUNTY, TEXAS; 3013 URSULA AVENUE. (ZBA2023-0077) (TABLED 08/23/2023).

**REASON FOR APPEAL:** The applicant is requesting a special exception to encroach 25 feet into the 25 foot front yard setback. The request is for an existing metal carport with canvas cover for other vehicles and for weather protection.



**PROPERTY LOCATION AND VICINITY:** The subject property is located along the south side of Ursula Avenue. The Lot has 52 feet of frontage along Ursula avenue and a depth of 103 feet for a total of 5,356 square feet. The property is zoned R-1 (single family residential) District. There is R-1 district in all directions.

**BACKGROUND AND HISTORY:** Cielo Vista Subdivision was recorded on March 3, 2007. The plat shows a front yard setback of 25 feet with no utility easement. A non compliance notice was issued on July 12, 2023 for a carport built without a permit. A building permit application was submitted on July 14, 2023. A special exception request application was submitted on July 25, 2023.



**ANALYSIS:** The applicant is requesting to keep the existing metal carport with canvas cover for weather reasons and because they have multiple large vehicles.

Carport seems to be encroaching into the right of way.

There is an existing one car garage which the applicant stated she uses it for her ATV since her vehicles are too large to fit.

Zoning Board of Adjustments has considered Special Exception requests for 6 properties within this subdivision. The Board approved six requests for Lots 2, 20, 21, 72, 75, and 78. Five of the requests were for encroachments of 25 feet into the 25 feet front yard setback and one request was for an encroachment of 24 feet into the 25 feet front yard setback.

At the meeting of June 26<sup>th</sup>, 2023 City Commission approved Ordinance 138-371(g) in reference to the maximum square footage of 400 square feet allowed for a carport.

Special Exception are issued to and recorded for the present applicant/owner only. New property owners would be responsible to apply for a new special exception if requested.

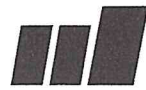
Measurements provided are without benefit of a survey.

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

**RECOMMENDATION:** Staff is recommending disapproval for the Special Exception request due to exceeding the 400 square feet max for a carport stated in ordinance 138-371(g) and due to the fact it may also be encroaching into the right of way.



ZBA 2023-0071

ZBA:  
8/23/2023

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)

Project

Legal Description Cielo Vista PH 1 Lot 81

Subdivision Name Cielo Vista

Street Address 3013 Ursula Ave. McAllen TX 78503

Number of lots 1 Gross acres \_\_\_\_\_

Existing Zoning R-1 Existing Land Use Home

Reason for Appeal (please use other side if necessary) Encroaching 25 into the 25 front yard Setback

☒ \$300.00 non-refundable filing fee + ☒ \$50.00 Recording Fee for Special Exception (carport)

☐ Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required

Applicant

Name Itzel Sanchez Phone (956) 460-4140

Address 2412 Gloria Ave E-mail itelsc92@gmail.com

City McAllen State TX Zip 78503

Owner

Name Armando E. Sanchez Phone (956) 442-63-63

Address 3013 Ursula Ave. E-mail Armando9345@gmail.com

City McAllen State TX Zip 78503

Authorization

To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?

☐ Yes☒ No

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable) OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature Armando E. SanchezDate 7-25-23Print Name Armando E. Sanchez☒ Owner☐ Authorized Agent

Office

Accepted by AS

Payment received by \_\_\_\_\_

Date JUL 25 2023

Rev 09/20

BY: CW





**City of McAllen**  
**Planning Department**  
**REASON FOR APPEAL & BOARD ACTION**

\*A variance will not be granted to relieve a self-created or personal hardship, nor shall it be based solely on economic gain or loss. In order to make a finding of hardship and grant the variance, the Zoning Board of Adjustment will consider **any combination of** the following: (Please use an additional page if necessary to complete responses)

\*\*Information provided here by the applicant does not guarantee that the Board will grant a variance.

\*\*\*Applicant should include all information they determine is relevant, but it is not required to provide responses to all sections listed below.

1. Describe the special circumstance or condition affecting the land involved such that the strict application of the provisions required would deprive the applicant of the reasonable use of the land:

I have 25 feet of Setback in the front and I am not being able to build within those 25 ft.

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

For weather reasons, have multiple cars, Car is too large to fit in garage. It's only a one car garage. Need shade for kids too play in the heat.

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:

To my knowledge, No.

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

I am not able to build within the setback. I have multiple cars and only one car garage. One car is too large to fit in garage. Have had several hail storms and been is too hot for vehicles to be under the sun.

Reason for Appeal

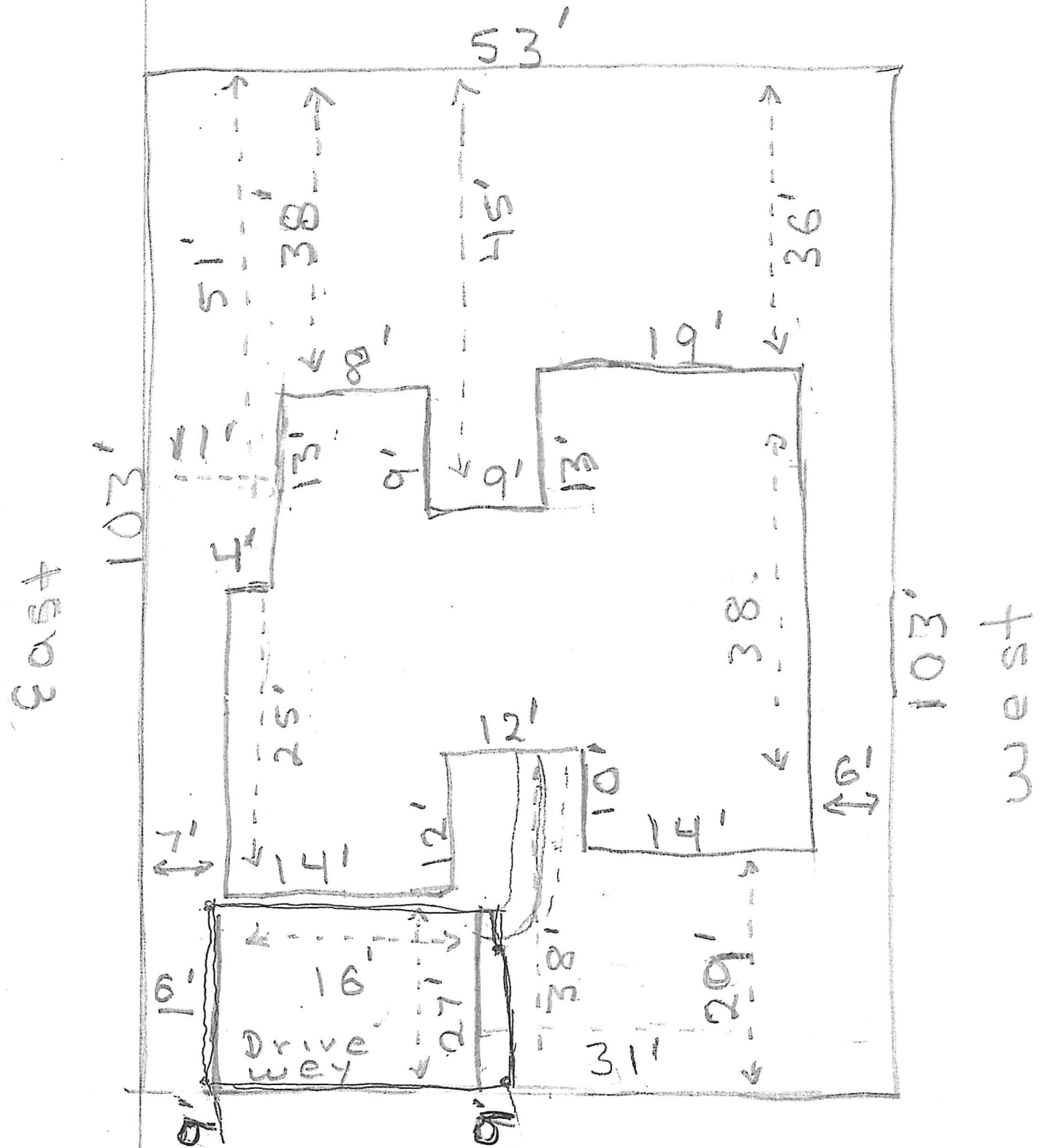
Board Action

Chairman, Board of Adjustment  
Signature

Date



South  
~~Worte~~



~~SUR~~  
North  
3013-Ursula

TS  
7/25/23









3013

NOTICE  
VARIANCE  
SPECIAL EXCEPTION  
FOR  
THIS PROPERTY  
ZBA2023-0077









# PLANNING DEPARTMENT

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



## 2023 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 2023

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





### FEBRUARY 2023

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





### MARCH 2023

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





### APRIL 2023

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

### MAY 2023

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

### JUNE 2023



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

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.



## 2023 CALENDAR





### Meetings:

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





### Deadlines:

- D- Zoning/CUP Application
- N - Public Notification
- \* **Holiday** - Office is closed





### JULY 2023

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





### AUGUST 2023

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





### SEPTEMBER 2023

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



### OCTOBER 2023

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

### NOVEMBER 2023

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

### DECEMBER 2023

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



## 2023 ATTENDANCE RECORD FOR ZONING BOARD OF ADJUSTMENT AND APPEALS

	01/05/23	01/18/23	02/08/23	02/22/23	03/08/23	03/22/23	04/05/23	04/19/23	05/03/23	05/17/23	06/07/23	06/21/23	07/13/23	07/27/23	08/09/23	08/23/23	09/07/23	09/20/23	10/04/23	10/18/23	11/01/23	11/15/23	12/06/23	12/20/23
SYLVIA HINOJOSA	P	P	P	P	P	P	P	P	A	P														
JOSE GUTIERREZ- CHAIRPERSON	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P								
ANN TAFEL- VICE-CHAIRPERSON	P	P	P	P	A	P	P	P	P	P	P	P	P	P	P	P								
HUGO AVILA	P	P	P	A	P	P	P	P	P	P	P	P	P	A	P	P								
ROGELIO RODRIGUEZ	A	P	A	P	P	P	P	A	P	P	A	P	P	P	P	P								
HIRAM A. GUTIERREZ											P	A	P	P	P	P								
REBECCA MILLAN (ALT 1)	P																							
MARK TALBOT (ATL 2)	A																							
SAM SALDIVAR (ALT 3)	P	P	P	P	P	P	A	P	P	A	P	P	P	A										
JUAN MUJICA (ALT 4)	P	P	A	P	P	P	A	P	P	P	P	P	P	A	P	P								
PABLO D. GARCIA (ALT 2)																								
ALEX A. LAMELA (ALT 3)																								

P - PRESENT

A - ABSENT

 NEW APPOINTMENT

MC - MEETING CANCELLED

NRM - NO MEETING

LOQ - LACK OF QUORUM

RS - RESIGNATION