

## AGENDA

### ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING WEDNESDAY, DECEMBER 2, 2020 - 4:30 PM MCALLEN CITY HALL, 1300 HOUSTON AVENUE CITY COMMISSION CHAMBERS, 3<sup>RD</sup> FLOOR

Web: <https://zoom.us/join> or phone: (346) 248-7799

Meeting ID: 672 423 1883

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 ERICK DIAZ

##### 1. MINUTES:

- a) Minutes for meeting held on November 4, 2020
- b) Minutes for meeting held on November 18, 2020

##### 2. PUBLIC HEARINGS:

- a) Request of Carlos Cantu and Gary R. Miller, for the following variances to the City of McAllen Zoning Ordinance **1)** to allow an encroachment of 15 ft. into the 25 ft. rear yard setback for a proposed pool house measuring 10 ft. by 16 ft., and **2)** to allow an encroachment of 13 ft. into the 25 ft. rear yard setback for an existing pool measuring 12 ft. by 22 ft. at Lot 2., La Floresta Subdivision, Hidalgo County, Texas; 9505 N 22nd Lane. **(ZBA2020-0075)**
- b) Request of Irma I. Rios for the following variance to the City of McAllen Zoning Ordinance to allow an encroachment of 10 ft. into the 10 ft. rear yard setback for an existing wooden porch canopy measuring 25.33 ft. by 14 ft., at Lot 87, Forest Valley Subdivision, Hidalgo County, Texas; 5812 North 39th Street. **(ZBA2020-0076)**
- c) Request of Brendan Roth for the following variance to the City of McAllen Zoning Ordinance to allow an encroachment of 3 ft. into the 15 ft. rear yard setback for an existing pool measuring 21.8 ft. by 9 ft., at Lot 30, Brisas Del Norte Subdivision, Hidalgo County, Texas; 2600 Notre Dame Avenue. **(ZBA2020-0077)**
- d) Request of Stephanie Ramirez, on behalf of Jaime Muriel for the following variance to the City of McAllen Zoning Ordinance to allow an encroachment of 11.7 ft. into the 11.7 ft. front yard setback for an existing extension of the metal porch measuring 11.7 ft. by 34 ft. at South 25' of Lot 3 and All of Lot 4, Block 17, Ewing's Addition Subdivision, Hidalgo County, Texas; 901 & 905 North Main Street. **(ZBA2020-0082)**
- e) Request of Derrick Munoz, for the following variances to the City of McAllen Zoning Ordinance: **1)** to allow an entrance of 5 ft. to a garage instead of the required 18 ft. for an existing garage structure measuring 20 ft. by 25 ft., and **2)** to allow an encroachment of 5 ft. into the 10 ft. west side yard setback for a proposed room addition measuring 19.67 ft. by 25 ft., on Lot 4, Block 20, Camellia Terrace Subdivision, Hidalgo County, Texas; 722 Harvey Drive. **(ZBA2020-0009) (TABLED: 11/18/2020) (WITHDRAWN)**

- f) Request of Derrick Munoz, for the following variances to the City of McAllen Zoning Ordinance: **1)** to allow an entrance of 4 ft. to a garage instead of the required 18 ft. for an existing garage structure measuring 20 ft. by 25 ft., **2)** to allow an encroachment of 5 ft. into the 10 ft. corner side yard setback for a proposed room addition measuring 19.67 ft. by 25 ft., and **3)** to allow an encroachment of 4.5 ft. into the 10 ft. corner side yard setback for an existing single family home at Lot 4, Block 20, Camellia Terrace Subdivision, Hidalgo County, Texas; 722 Harvey Drive. **(ZBA2020-0009)**
- g) Request of Alonzo Cantu for a variance to the City of McAllen Zoning Ordinance to allow a lot size of less than 2,000 sq. ft. with a minimum lot size of 1,580 sq. ft. for Lots 2-12, 1,705 sq. ft. for Lots 15-21, and 1924.54 sq. ft. for Lot 13, for a 1.23-acre tract of land out of Lot 1, Section 11, Hidalgo Canal Company Subdivision (proposed 2nd and Dove Subdivision), Hidalgo County, Texas; 201 Dove Avenue. **(ZBA2020-0073) (TABLED: 11/18/2020)**
- h) Request of Maricela Galvan, for the following variances to the City of McAllen Zoning Ordinance: **1)** allow an accessory use without a primary use for a proposed swimming pool, **2)** to allow an encroachment of 4 ft. into the 6 ft. east side yard setback for an existing pergola measuring 10 ft. 10 ft. on Lots 2 & 3, Oxford Heights Subdivision, Hidalgo County, Texas; 3504 and 3500 Kilgore Avenue. **(ZBA2020-0074) (TABLED: 11/18/2020) (WITHDRAWN)**

### 3. FUTURE AGENDA ITEMS

- a) 2208 South 30th 1/2 Street
- b) 2717 York Avenue
- c) 1820 South Bentsen Road
- d) 2716 Ursula Avenue
- e) 612 South 15th 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 PLANNING & ZONING COMMISSION MAY TAKE VARIOUS ACTIONS, INCLUDING BUT NOT LIMITED TO RESCHEDULING AN ITEM IN ITS ENTIRETY FOR PARTICULAR ACTION AT A FUTURE DATE.

**NOTICE OF REGULAR MEETING TO BE HELD BY  
THE MCALLEN ZONING BOARD OF ADJUSTMENT AND APPEAL**

**DATE:** Wednesday, December 2, 2020

**TIME:** 4:30 PM

**PLACE:** McAllen City Hall  
1300 Houston Avenue  
Commissioners' Room – 3<sup>rd</sup> Floor  
McAllen, Texas 78501

***SUBJECT MATTERS: SEE FOREGOING AGENDA***

**C E R T I F I C A T I O N**

I, the undersigned authority, do hereby certify that the above agenda for the Meeting of the McAllen Zoning Board of Adjustment and Appeals Commission is a true and correct copy and that I posted a true and correct copy of said notice on the bulletin board in the municipal building, a place convenient and readily accessible to the general public at all times, and said notice was posted on the 27<sup>th</sup> day of November, 2020 at 3:00 p.m. and will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with Chapter 551 of the Texas Government Code.

Date this the 27<sup>th</sup> day of November, 2020.

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Jessica Cavazos, Administrative Supervisor