

AGENDA

ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING WEDNESDAY, JANUARY 5, 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 Erick Diaz

1. MINUTES:

- a) Minutes for the meeting held on December 15, 2021

2. PUBLIC HEARINGS:

- a) Request of Ruben Escobedo for the following Special Exception to the City of McAllen Zoning Ordinance: to allow: **1)** an encroachment of 19 ft. into the 20 ft. front yard setback for an existing metal carport measuring 21 ft. by 13.5 ft., and **2)** an encroachment of 1 ft. into the 6 ft. side yard setback along the west property line for an existing metal carport measuring 21 ft. by 13.5 ft. at Lot 45, La Lomita Estates Subdivision, Hidalgo County, Texas; 3000 La Vista Avenue. **(ZBA2021-0071)**
- b) Request of Sahara Vasquez for the following Special Exception to the City of McAllen Zoning Ordinance: to allow: **1)** an encroachment of 20 ft. into the 20 ft. front yard setback for an existing metal carport measuring 20 ft. by 22 ft., and **2)** an encroachment of 5 ft. into the 6 ft. side yard setback along the north property line for an existing metal carport measuring 20 ft. by 22 ft. at Lot 4, Harvey Terrace Subdivision Unit 2- Phase I & II, Hidalgo County, Texas; 2721 North 27th Lane. **(ZBA2021-0072)**
- c) Request of Donato Pantoja for the following Variance to the City of McAllen Zoning Ordinance: to allow an encroachment of 3 ft. into the 10 ft. rear yard setback for an existing angled carport at Lot 81, Montebello Unit No. 3 Subdivision, Hidalgo County, Texas; 2116 North 32nd Street. **(ZBA2021-0060) (TABLED: 12/01/21) (REMAINED TABLED 12/15/21)**
- d) Request of Donato Pantoja for the following Variance to the City of McAllen Zoning Ordinance: to allow an encroachment of 5.67 ft. into the 10 ft. rear yard setback for an existing angled accessory structure at Lot 81, Montebello Unit No. 3 Subdivision, Hidalgo County, Texas; 2116 North 32nd Street. **(ZBA2021-0060)**
- e) Request of Eladio Ayala Jr. for the following Variances to the City of McAllen Zoning Ordinance: **1)** to allow an existing secondary structure (garage) remain in its current location with no primary structure and **2)** to allow an encroachment of 2 feet into the 6 feet side yard setback along the south side for an existing irregular shaped steel garage at Lot 47, Bonham Subdivision Unit No. 2, Hidalgo County, Texas; 2209 South 28th Street. **(ZBA2021-0065) (TABLED: 12/15/2021)**
- f) Request of Alicia Peralez for the following Variances to the City of McAllen Zoning Ordinance: **1)** to allow an encroachment of 10 feet into the 10 feet rear yard setback for a wooden canopy measuring 12 feet by 14 feet and **2)** to allow an encroachment of 6 feet into the 6 feet east side yard setback for a wooden canopy measuring 12 feet by 14 feet at Lot 4, Block 4, Colonia Del Norte Subdivision, Hidalgo County, Texas; 2415 Hackberry Avenue. **(ZBA2021-0069)**

- g)** Request of Marcy Edwards for the following special exception and variances to the City of McAllen Zoning Ordinance: to allow: **1)** an encroachment of 20 ft. into the 20 ft. front yard setback for an existing metal carport measuring 20 ft. by 22 ft., **2)** an encroachment of 1 ft. into the 6 ft. side yard setback along the south property line for an existing metal carport measuring 20 ft. by 22 ft., **3)** an encroachment of 9.5 ft. into the 20 ft. front yard setback for an existing porch canopy measuring 9 ft. by 17.1 ft., **4)** an encroachment of 10 ft. into the 10 ft. side yard setback along the north property line for an existing porch canopy measuring 9.7 ft. by 73 ft., **5)** an encroachment of 2.9 ft. into the 10 ft. rear yard setback for an existing porch canopy measuring 8 ft. by 40 ft., **6)** an encroachment of 1ft. into the 6 ft. side yard setback along the south property line for an existing porch canopy measuring 14 ft. by 11.3 ft., **7)** an encroachment of 6 ft. into the 6 ft. side yard setback for an existing storage building measuring 8.2 ft. by 10.2 ft. **8)** to not require a 5 ft. separation for an accessory building to the main building for an existing storage building measuring 8.2 ft. by 10.2 ft., at Lot 139, Harvey Terrace Subdivision Unit 2- Phase I & II, Hidalgo County, Texas; 2728 North 27th Lane. **(ZBA2021-0068)**
- h)** Request of Pedro “Pete” Ramirez for the following Variances to the City of McAllen Zoning Ordinance: **1)** to allow an encroachment of up to 3.92 feet into the 6 feet south side yard setback for an existing wooden storage shed measuring 12 feet by 12 feet, **2)** to allow an encroachment of up to 7.92 feet into the 10 feet rear yard setback for an existing wooden storage shed measuring 12 feet by 12 feet, **3)** to allow an encroachment of 10 feet into the 10 feet rear yard setback for an existing wooden hobby-related covered patio measuring 9 feet by 12 feet, **4)** to allow an existing wooden hobby-related patio to have a distance of less than 5 feet of separation from an accessory building to the main building, **5)** to allow an encroachment of up to 2.50 feet into the 10 feet rear yard setback for an existing detached accessory wooden structure, **6)** to allow an existing detached accessory wooden structure to have a distance of less than 5 feet of separation to the main building, and **7)** to allow an encroachment of 6 feet into the 6 feet north side yard setback for an existing wooden porch measuring 7.25 feet by 18 feet at Lot 53, Gardenia Terrace Unit No. 2 Subdivision, Hidalgo County, Texas; 3300 North 27 ½ Street. **(ZBA2021-0070)**

3. INFORMATION ONLY:

- a)** Election of Officers to be held on January 19, 2022

4. FUTURE AGENDA ITEMS

- a)** 817 North 5th 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, January 5, 2022

TIME: 4:30 PM

PLACE: McAllen City Hall
1300 Houston Avenue
Commissioners' Room – 3rd 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 30th day of December, 2021 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 30th day of December, 2021.

Jessica Cavazos, Administrative Supervisor