

## AGENDA

### ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING WEDNESDAY, NOVEMBER 2, 2022 - 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 Sylvia Hinojosa

#### 1. MINUTES:

- a) Minutes for the meeting held on October 19, 2022

#### 2. PUBLIC HEARINGS:

- a) Request of Maria Torres for a variance to the City of McAllen Zoning Ordinance to allow an encroachment of 6 feet into the 10 feet rear yard setback for an existing metal porch structure measuring 25 feet by 32 feet at Lot 12, Block 14, Ewing's Addition Subdivision, Hidalgo County, Texas; 1022 North 17th Street. **(ZBA2022-0090)**
- b) Request of Hamlin Pools (Joshua Stansberry) on behalf of Jose and Sandra Cadena for a variance to the City of McAllen Zoning Ordinance to allow an encroachment of 13 feet into the 25 feet rear yard setback for a proposed swimming pool measuring 13.33 feet by 28 feet at Lot 248 , La Floresta Subdivision Phase II, Hidalgo County, Texas; 9400 North 17th Street. **(ZBA2022-0093)**
- c) Request of Ruben Flores for a variance to the City of McAllen Zoning Ordinance to allow a distance of 3 feet 3 inches instead of the required 5 feet from the main building for a proposed secondary structure (pool house and storage) measuring 15 feet by 20 feet at Lot 30, Spanish Oak Estates Subdivision, Hidalgo County, Texas; 5012 Redwood Avenue. **(ZBA2022-0094)**
- d) Request of Ezequiel Rios 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 carport with a canvas roof measuring 18 feet by 21 feet on Lot 40, Los Encinos Subdivision, Hidalgo County, Texas; 3408 Rosalva Avenue. **(ZBA2022-0089)**
- e) Request of Luis A. Ortiz for a special exception and a variance to the City of McAllen Zoning ordinance to allow: **1)** an encroachment of 16 feet into the 26 feet front yard setback for an existing wooden carport measuring 16 feet by 20 feet, and **2)** a variance to allow an encroachment of 8 feet into the 10 feet corner side yard setback for an existing porch with a wheelchair ramp measuring 8 feet by 13 feet on Lot 112, Rowland Addition No. 2, Hidalgo County, Texas; 1013 South 25th ½ Street East. **(ZBA2022-0092)**
- f) Request of Hector Izaguirre for a special exception to the City of McAllen Zoning ordinance to allow an encroachment of 7 feet into the 7 feet south side yard setback for an existing wooden carport measuring 20 feet by 40 feet on Lot 4, Block, 25, North McAllen Addition, Hidalgo County, Texas; 413 North 17th Street. **(ZBA2022-0091)**
- g) Request of Trevino Engineering on behalf of Sonia Salkinder for a variance to the City of McAllen Vegetation Ordinance to not provide a masonry wall 8 feet in height along the west property line for the south 2.06 acres out of Lot 17, Ebony Heights Citrus Groves Unit 1 Subdivision (Proposed Salkinder Plaza Subdivision), Hidalgo County, Texas; 8801 North 10th Street. **(ZBA2022-0082) (TABLED: 10/05/2022, 10/19/2022)**

- h) Request of Villa Del Sol Construction LLC for the following Variance to the City of McAllen Zoning Ordinance to not provide one required parking space beyond the front yard setback line at Lot 41, Auburn Estates Phase II Subdivision, Hidalgo County, Texas; 7533 North 27th Street. **(ZBA2022-0079) (TABLED: 10/19/2022)**
- i) Request of Rio Delta Engineering for the Variance to the City of McAllen Zoning Ordinance to be exempted from the 8-foot CMU buffer requirement along the west side of the subject property located at the 6.713 Acres out of Lot 7, E.M. Card Survey No. 1 and out of Lot 14, Section 279, Tex-Mex Railway Company Survey Subdivision, Hidalgo County, Texas; 2300 Oxford Avenue. **(ZBA2022-0081) (TABLED: 10/19/2022)**
- j) Request of Baldemar Sanchez for the following Special Exception to the City of McAllen Zoning Ordinance to allow an encroachment of 22 feet into the 25 feet front yard setback and 3.5 feet into the 7 feet south side yard setback for an existing metal carport measuring 20 feet by 30 feet, at Lot 46, Idela Park Unit No. 1 Subdivision, Hidalgo County, Texas; 5101 South 29th Street. **(ZBA2022-0080) (TABLED: 10/19/2022)**
- k) Request of Elizabeth L. Garza for the following Variance to the City of McAllen Zoning Ordinance to allow an encroachment of 4 feet into the 10 feet South side yard setback for an existing single family home, at Lot 124, Vendome Subdivision Phase II, Hidalgo County, Texas; 13818 North 33rd Lane. **(ZBA2022-0037) (TABLED: 07/07/2022, 07/20/2022, 08/03/2022, 08/17/2022, 8/31/2022, 09/08/2022, 09/21/2022, 10/05/2022, 10/19/2022)**

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

- a) 817 South 22nd Street
- b) 3204 Northgate Lane
- c) 3221 La Puerta Avenue
- d) 3508 Upas Avenue
- e) 3620 Gumwood Avenue

### **ADJOURNMENT:**

IF ANY ACCOMMODATIONS FOR A DISABILITY ARE REQUIRED, PLEASE NOTIFY THE PLANNING DEPARTMENT (681-1250) 72 HOURS BEFORE THE MEETING DATE. WITH REGARD TO ANY ITEM, THE ZONING BOARD OF ADJUSTMENTS AND APPEALS MAY TAKE VARIOUS ACTIONS, INCLUDING BUT NOT LIMITED TO RESCHEDULING AN ITEM IN ITS ENTIRETY FOR PARTICULAR ACTION AT A FUTURE DATE.

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

**DATE:** Wednesday, November 2, 2022

**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 28<sup>th</sup> day of October, 2022 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 28<sup>th</sup> day of October, 2022.

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Jessica Cavazos, Administrative Supervisor