

## AGENDA

### ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING WEDNESDAY, OCTOBER 5, 2022 - 3:30 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 September 21, 2022

#### 2. PUBLIC HEARINGS:

- a) Request of Gilberto Saldana G. for a special exception to the City of McAllen Zoning Ordinance to allow an encroachment of 14 feet into the 20 feet front yard setback for a proposed carport measuring 20 feet by 12 feet on Lot 61-A, La Lomita Estates Subdivision, Hidalgo County, Texas; 2445 North 31st Street. **(ZBA2022-0061)**
- b) Request of Manuel Rodriguez for a variance to the City of McAllen Zoning Ordinance to allow an encroachment of 11 feet into the 20 feet front yard setback for an existing porch measuring 18 feet by 12 feet, at Lot 25, Block 5, Colonia McAllen Unit No. 7 Subdivision, Hidalgo County, Texas; 1901 South 33rd Street. **(ZBA2022-0062)**
- c) Request of Brandon Clay Probst for a special exception to the City of McAllen Zoning Ordinance to allow an encroachment of 23 feet into the 25 feet front yard setback for a proposed metal carport measuring 23 feet by 21 feet, at Lot 18, Saddle Creek Unit 1 Subdivision, Hidalgo County, Texas, 3112 Northwestern Avenue. **(ZBA2022-0064)**
- d) Request of Tirso Cavazos for a special exception to the City of McAllen Zoning Ordinance to allow an encroachment of 16 feet into the 26 feet front yard setback for a proposed carport measuring 20 feet by 20 feet, at Lot 2, Block 18, College Heights Subdivision, Hidalgo County, Texas; 2005 Newport Avenue. **(ZBA2022-0065)**
- e) Request of Ramon Garcia for a special exception to the City of McAllen Zoning Ordinance to allow an encroachment of 15 feet into the 20 feet front yard setback for an existing metal carport measuring 20 feet by 20 feet on Lot 14, Brookwood Unit II Subdivision, Hidalgo County, Texas; 3913 Zinnia Avenue. **(ZBA2022-0068)**
- f) Request of Jorge Vasquez for a special exception to the City of McAllen Zoning Ordinance to allow encroachments of 20 feet into the 25 feet front yard setback and 1.5 feet into the 5 feet west side yard setback for an existing metal carport measuring 20 feet by 20 feet on, Lot 3, Block 3, Pecan Terrace, Hidalgo County, Texas; 2205 Nyssa Avenue. **(ZBA2022-0069)**
- g) Request of Javier Garza on behalf of Saharai Elizondo for a variance to the City of McAllen Zoning Ordinance to allow an encroachment of 10 feet into the 25 feet rear yard setback for a proposed swimming pool measuring 14 feet by 27 feet with a landing area measuring 4 feet by 8 feet on Lot 23-A, Trinity Oaks Subdivision Phase IA, Hidalgo County, Texas; 10734 North 29th Lane. **(ZBA2022-0070)**

- h) Request of Frank Carrasco 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 wooden-frame carport with a metal roof measuring 16 feet by 10 feet on Lot 69, La Lomita Estates Subdivision, Hidalgo County, Texas; 2309 North 31st Street. **(ZBA2022-0071)**
- i) Request of Jose G. Perez for the following Special Exception to the City of McAllen Zoning Ordinance to allow an encroachment of 20 feet into the 20 feet front yard setback for a proposed metal carport measuring 18 feet by 22 feet, at Lot 37, McColl Terrace Subdivision No. 2 (Amended), Hidalgo County, Texas; 407 East Vine Avenue. **(ZBA2022-0074)**
- j) Request of Maria I. Sepulveda for the following Special Exception to the City of McAllen off-street parking and loading ordinance to not provide one parking space beyond the front yard setback, at Lot 14, Saddle Creek Unit 2 Subdivision, Hidalgo County, Texas; 9410 North 29th Lane. **(ZBA2022-0076)**
- k) Request of Patricia Madsen for the following Special Exception to the City of McAllen Zoning Ordinance to allow an encroachment of 15 feet into the 20 feet front yard setback for an existing metal carport measuring 20 feet by 16 feet, at Lot 122, Arrowhead Subdivision Phase II, Hidalgo County, Texas; 2801 North 39th Street. **(ZBA2022-0077)**
- l) Request of Nora Elia Garza for the following Special Exception to the City of McAllen off-street parking and loading ordinance to not provide one parking space beyond the front yard setback, at Lot 89, Villa De Palmas Subdivision, Hidalgo County, Texas; 4109 Gardenia Avenue. **(ZBA2022-0078)**
- m) Request of David Zuniga. for a variance to the City of McAllen Zoning Ordinance to allow an encroachment of 5 feet into the 25-foot front yard setback for a proposed single family home, at Lot 20 Blk 4 for Balboa Acres subdivision, Hidalgo County, Texas; 2400 Helena Avenue. **(ZBA2022-0052) (TABLED: 09/08/2022) (REMAIN TABLED: 09/21/2022)**
- n) Request of Nora Macias for a special exception to the City of McAllen Zoning Ordinance to allow an encroachment of 10 feet into the 10 feet corner side yard setback for a proposed carport measuring 14 feet by 25 feet, at Lot 81, Northpark Estates Subdivision, Hidalgo County, Texas; 1516 Flamingo Avenue. **(ZBA2022-0066)**
- o) Request of Dora A. Garcia for a variance to the City of McAllen Zoning Ordinance to allow an encroachment of 6 feet into the 6 feet side yard setback for an existing porch measuring 12 feet by 43 feet, at Lot 25, Gardenia Terrace No. 8 Subdivision, Hidalgo County, Texas; 6105 North 30th Street. **(ZBA2022-0067)**
- p) Request of Eloy Aguirre on behalf of Aguirre Family, LP for a variance to the City of McAllen Vegetation Ordinance to provide a cedar fence 8 feet in height for a buffer instead of the required masonry wall 8 feet in height along the west and south property lines for 1.724 acres out of Lot 14, Stewart's Addition (Proposed Lot 1, World of 4 Subdivision), Hidalgo County, Texas; 615 Dallas Avenue. **(ZBA2022-0072)**
- q) Request of Leobardo Mendoza for the following Special Exceptions and variance request to the City of McAllen Zoning Ordinance to **1)** allow an encroachment of 10 feet into the 10 feet rear yard setback for an existing metal carport measuring 29.9 feet by 10 feet, **2)** to allow an encroachment of 7 feet into the 10 feet rear yard setback, and an encroachment of 6 feet into the 10 feet south side yard setback for an existing metal carport measuring 24.7 feet by 9 feet, and **3)** a variance for an existing utility porch measuring 5 feet by 8 feet encroaching 5 feet into the 10 feet rear yard setback, at Lot 8, Whispering Winds Subdivision, Hidalgo County, Texas; 600 North 43rd Street. **(ZBA2022-0075)**

- r) 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)**
- s) Request of Aqua Mill, LLC on behalf of Velmej Investments, LLC for a variance to the City of McAllen Zoning Ordinance to allow an encroachment of 114 feet into the 120 feet front yard setback for a water kiosk on Lots 1 thru 14, Spring Glen Subdivision, Hidalgo County, Texas; 628 North McColl Road. **(ZBA2022-0060) (TABLED: 09/21/2022)**
- t) 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)**

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

- a) 7533 North 27th Street
- b) 5101 South 29th Street
- c) 2300 Oxford Avenue
- d) 3408 Lucille Avenue
- e) 604 South 15th Street
- f) 1801 North 12th Street
- g) 2250 Nolana Avenue
- h) 7608 North Ware Road

### **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, October 5, 2022

**TIME:** 3:30 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 30<sup>th</sup> day of September, 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 30<sup>th</sup> day of September, 2022.

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Jessica Cavazos, Administrative Supervisor