

AGENDA

**ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING
WEDNESDAY, JULY 21, 2010 - 5:00 PM
MCALLEN CITY HALL - 1300 HOUSTON AVENUE
CITY COMMISSION CHAMBERS, 3RD FLOOR**

CALL TO ORDER –DAVID SALINAS, CHAIRMAN

1. MINUTES:

Submission of minutes of meeting of June 17, 2010

2. EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY).

- a) Consultation with City Attorney regarding the request of Arcelia E. De Leon for a variance to allow a 17 foot by 35 foot carport to encroach 24.8 feet into the 30 foot front yard setback for Lot 18, Block 5, West Harvey Addition Unit No. 2 Subdivision, Hidalgo County, Texas; 2108 Harvey Drive. ZBA2009-0046

3. PUBLIC HEARINGS (to be conducted at 5:30 p.m.)

- a) Request of Arcelia E. De Leon for a variance to allow a 17 foot by 35 foot carport to encroach 24.8 feet into the 30 foot front yard setback for Lot 18, Block 5, West Harvey Addition Unit No. 2 Subdivision, Hidalgo County, Texas; 2108 Harvey Drive. ZBA2009-0046(Tabled 06/02/2010)(Tabled 06/17/2010)
- b) Request of Enrique Urueta, Jr. for variances to allow the following encroachments: (1) a 25 foot by 27 foot carport encroachment into the 25 foot front yard setback, (2) 6 foot by 25 foot carport encroachment into the 6 foot side yard setback, (3) an accessory building separation of 4 feet 8 inches and 7 feet 5 inches from the main building in the rear yard instead of 12 feet, (4) a patio cover encroachment of 10 feet by 13 feet 8 inches into the 10 foot rear yard setback, (5) a storage building encroachment of 10 feet by 10 feet into the 10 foot rear yard setback, and (6) a storage building encroachment of 6 feet by 11 feet into the 6 foot side yard setback, all for Lot 225, Idela Park Unit 3 Subdivision, Hidalgo County, Texas; 3513 Judith Avenue. ZBA2010-0021
- c) Request of James Timothy Obst for variances to allow: 1) a building encroachment of 20 feet by 24 feet into the 20 foot front yard setback, 2) a storage building encroachment of 9 feet by 12 feet into the 10 foot corner side yard setback and 14 feet by 9 feet into the 10 foot rear yard setback, 3) to allow a triangular storage building to encroach 10 feet into the 10 foot rear yard setback and 6 feet into the 6 foot side yard setback, 4) a building encroachment of 11 feet by 10 feet into the 10 foot side yard setback, and 5) a building encroachment of 6 feet by 37 feet into the 6 foot side yard setback, Lot 22, Block 3, Tierra Del Sol Subdivision Unit 1, Hidalgo County, Texas; 5801 North 25th Street. ZBA2010-0016(Tabled 06/17/2010)

- d) Request of Gelacio Cuellar for a variance to encroach 21 feet by 16 feet into the 25 foot front yard setback, for Lot 122, Idela Park Unit 2, Hidalgo County, Texas; 4908 South 31st Street. **ZBA2010-0022**(Tabled 06/17/2010)
- e) Request of Patricia Galvan for a variance to Section 138-43(1) of the McAllen Code of Ordinances to allow the following building encroachments: (1) existing encroachment of 6.5 feet by 22.5 feet into the rear yard setback, (2) new porch encroachment of 7 feet by 18 feet into the side yard setback and 3.5 feet by 10 feet into the rear yard setback, (3) 20 feet by 10 feet rear yard setback encroachment and 4.5 feet by 44 feet into the side yard setback and (5) a 3.5 feet accessory building separation from main building in the rear yard setback instead of 12 feet , Lot 16, Siebring Addition Subdivision, Hidalgo County, Texas; 803 North 27 ½ Street. **ZBA2010-0020**(Tabled 06/02/2010)(Tabled 06/17/2010)
- f) Request of AVL LP for a special exception to reduce the parking requirement from 54 to 13 parking spaces for restaurant uses located on Lot 10A, Block 45, North McAllen Addition, Hidalgo County, Texas; 210 North Main Street. **ZBA2010-0009**(Tabled 05/05/2010)(Tabled 05/19/2010)(Tabled 06/02/2010)(Tabled 06/17/2010)

4. OTHER BUSINESS:

ADJOURNMENT

IF ANY ACCOMMODATION FOR A DISABILITY IS REQUIRED, NOTIFY THE PLANNING DEPARTMENT AT 681-1250 SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING DATE. WITH REGARD TO ANY ITEM, THE ZONING BOARD OF ADJUSTMENT AND APPEALS MAY TAKE VARIOUS ACTIONS INCLUDING BUT NOT LIMITED TO RESCHEDULING AN ITEM IN ITS ENTIRETY FOR A FUTURE DATE OR TIME.

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

DATE: Wednesday, July 21, 2010

TIME: 5:00 p.m.

PLACE: McAllen Municipal Building
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 attached agenda of the meeting of the Zoning Board of Adjustments and Appeals 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 16th day of July, 2010 at 11:00 am 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.

Dated this the 16th of July, 2010

DulceVillalobos-Ocanas, Secretary