



CITY OF McALLEN, TEXAS

Permit No. \_\_\_\_\_

1300 HOUSTON AVENUE, McALLEN, TX 78501

P. O. BOX 220, McALLEN, TEXAS 78505-0220 • (956) 681-1250 • FAX (956) 681-1279

# GASOLINE SERVICE STATION OR RETAIL OUTLET WHERE GASOLINE PRODUCTS ARE SOLD

..... CONDITIONAL USE PERMIT APPLICATION.....

(Please print or type)

Application Date \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Applicant (first) (initial) (last) \_\_\_\_\_ PHONE NO.: \_\_\_\_\_

Mailing Address (city) (state) (zip) \_\_\_\_\_ PHONE NO.: \_\_\_\_\_

Property Owner (first) (initial) (last) \_\_\_\_\_ PHONE NO.: \_\_\_\_\_

Mailing Address (city) (state) (zip) \_\_\_\_\_

Property Location (street address) \_\_\_\_\_

Property Legal Description (if metes and bounds, attach survey of the property) (subdivision) (block) (lot) \_\_\_\_\_

Current use of property

Proposed use of property

TERM OF PERMIT: \_\_\_\_ 1 YEAR \_\_\_\_ MORE THAN 1 YEAR (requires City Commission approval)

### SITE PLAN (attach a drawing of the property showing the following)

- |  |  |
|--|--|
| _____ Scale, north arrow, legal description of property  | _____ Landscaping and fencing of yard                  |
| _____ Location and height of all structures              | _____ Off-street parking and loading                   |
| _____ Setback from property lines and between structures | _____ Driveway location & design                       |
| _____ Proposed changes and uses                          | _____ Location, type, height and lighting of all signs |

\_\_\_\_\_  
(Applicant signature) (date) (Property owner signature) (date)

### GENERAL INFORMATION

**NOTIFICATION AND PUBLIC HEARING:** Property owners within 200' of the subject property shall be notified within at least 10 working days of the Planning and Zoning Commission public hearing. Upon considering the recommendation of the Director of Planning, the Planning and Zoning Commission shall approve or disapprove the application.

**APPEALS PROCEDURE:** Any decision of the Planning and Zoning Commission may be appealed to the City Commission by presenting a petition to the City Commission within 10 days after the decision of the Planning and Zoning Commission and specifying the grounds for the appeal. A vote of 3/4 of the City Commission is required to overrule a vote of the Planning and Zoning Commission denying a conditional use permit.

**CANCELLATION:** A conditional use permit is automatically cancelled if not used within 6 months.

**REVOCACTION:** A conditional use permit may be revoked by the Planning and Zoning Commission at a public hearing upon failure of the applicant to remedy a violation of the conditions of the permit within a specified time period (10 to 30 days) as specified in a written notice to the applicant by the Code Enforcement Officer or Building Inspector.

**RENEWAL PERIOD:** A conditional use permit shall expire within 1 year unless otherwise specified by the Planning and Zoning Commission. Application for renewal of a permit shall be made prior to 20 days before permit expiration. A permit for more than 1 year shall be approved by the City Commission.

APPLICATION FILING FEE:  \$150.00 One Year  \$150.00 APPEAL  \$225.00 Life of the Use  
 cash/check # \_\_\_\_\_ Amount paid \_\_\_\_\_

**ZONING DISTRICT REQUIREMENTS**

REQUIRED ZONING DISTRICT: C-2 TO I-2  
 REZONING REQUIRED: \_\_\_\_\_ NO  
 SETBACKS: FRONT \_\_\_\_\_ SIDE \_\_\_\_\_ REAR \_\_\_\_\_  
 MINIMUM LOT SIZE: 13,000 SQ. FT.  
 CURRENT ZONING DISTRICT: \_\_\_\_\_  
 \_\_\_\_\_ YES, attach rezoning application  
 MAXIMUM HEIGHT: \_\_\_\_\_

**CONDITIONAL USE REQUIREMENTS**

The proposed use meets all the minimum standards established in applicable city ordinances; and will not be detrimental to the health, welfare and safety of the surrounding neighborhood or its occupants, nor be substantially or permanently injurious to neighboring properties.

**GENERAL REQUIREMENTS:**

1. No form of pollution shall emanate beyond the immediate property line of the permitted use.
2. Additional reasonable restrictions or conditions such as increased open space, loading and parking requirements, suitable landscaping, curbing, sidewalks or other similar improvements may be imposed in order to carry out the spirit of the Zoning Ordinance or mitigate adverse effects of the proposed use.

**SPECIFIC REQUIREMENTS:**

1. Activities limited to sale of gasoline, oil and minor accessories only, and incidental services. Repair work, steam cleaning or undercoating, vehicle body repair, painting, tire recapping, engine rebuilding, auto dismantling, upholstery, auto glasswork and such other activities whose external effects could adversely extend beyond the property line are not permitted.
2. Ingress or egress shall not be permitted at locations where it will tend to create traffic hazards. Entrances shall not be permitted within 25' of a street intersection.
3. Front yard building setback shall be 60', not including gas pumps or driveway covers (canopy).
4. Lighting shall be shielded from residential districts.
5. A 6' opaque wall shall be provided where abutting or adjacent to residential districts.
6. Gasoline service stations that have facilities for the repair or servicing of automobiles shall be a minimum of 13,000 square feet. Retail outlets for gasoline, oil and minor accessories without repair facilities may be permitted on lots less than 13,000 square feet.
7. Gas pumps/islands shall be set back at least 13' from the property line or 18' from the curb, whichever is greater.
8. Gas pump canopy shall be set back at least 9' from the property line or 10' from the curb, whichever is greater.
9. Gas pumps shall not be located within 100' from a residential district.

**DEPARTMENTAL REQUIREMENTS**

REQUIRED CONDITIONS	DEPARTMENT	MONTH/DAY
Complies with regulations	Health Inspection	/
Meet standard requirements	Fire Inspection	/
Subject to sections: 138-257 – 138-261 & 138-167	Planning	/
Permit #	Building/Electrical/Plumbing	/
	Other	/

**CITY BOARD REQUIREMENTS**

PLANNING & ZONING COMMISSION DATE \_\_\_\_/\_\_\_\_/\_\_\_\_ APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ 1 YEAR \_\_\_\_\_ OTHER \_\_\_\_\_  
 REQUIRED CONDITIONS: \_\_\_\_\_

CITY COMMISSION DATE \_\_\_\_/\_\_\_\_/\_\_\_\_ APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ 1 YEAR \_\_\_\_\_ OTHER \_\_\_\_\_  
 REQUIRED CONDITIONS: \_\_\_\_\_

**ACKNOWLEDGEMENT AND AGREEMENT TO CONDITIONS**

Note: Approval of this permit does not constitute approval to construct, alter or repair. Appropriate building permits must be obtained. The foregoing is a true and correct description of the existing conditions and contemplated action and I will have full authority over the operation and/or construction of same, and hereby agree to comply with all ordinances of the City and applicable Deed Restrictions and assume all responsibility for such compliance. I further agree to discontinue any violations of the conditions of the permit upon notice given to me or anyone in charge of the above property by the Code Enforcement Officer. If the permit is revoked I agree to cease operation of the use upon notification of revocation. I understand that any violation of this ordinance is subject to a Five Hundred Dollar (\$500.00) fine for each day of violation. **Please note that approval of this permit may result in a higher sanitation rate on your utility bill.**

\_\_\_\_\_  
 (Applicant signature) (date)

In consideration of the above application, a permit is hereby granted for the above action conditioned upon the terms and specifications set forth above, and the faithful observance of all provisions of the City Building Code, Zoning Ordinance, and all other ordinances applicable to the same.

\_\_\_\_\_  
 City Manager (or Agent) (date)