

## **AGENDA**

### **ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING THURSDAY, SEPTEMBER 25, 2025 - 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 -**

#### **1. MINUTES:**

- a) Minutes for the meeting held on August 20, 2025
- b) Minutes for the meeting held on September 11, 2025

#### **2. PUBLIC HEARINGS:**

- a) Request of Martha Galvan for a Special Exception to the City of McAllen Zoning Ordinance to allow an encroachment of 20 feet into the 20-foot front yard setback and 3 feet into the 6-foot side yard setback for an existing carport at Lot 20, Sandalwood Subdivision, Hidalgo County, Texas; 3408 La Vista Avenue. **(ZBA2025-0041)**
- b) Request of Jorge Alfaro for a Special Exception to the City of McAllen Zoning Ordinance to allow an encroachment of 15 feet into the 15-foot side yard setback and Drainage Easement for an existing carport measuring 52 feet by 15 feet at Lot 19, Auburn Estates Subdivision, Hidalgo County, Texas; 7608 North 26th Court. **(ZBA2025-0042)**
- c) Request of Dennis Blum for a special exception to the City of McAllen Zoning Ordinance to allow an encroachment of 25 feet into the 25-foot front yard setback for a proposed carport measuring 15 feet 5 inches by 23 feet 6 inches feet at Lot 6, Bedford Park Estates Subdivision, Hidalgo County, Texas; 6913 North 40th Street. **(ZBA2025-0043)**

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

- a) 6913 North 40th Street
- b) 2601 Vine Avenue
- c) 2800 Ursula Avenue
- d) 321 North Main 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 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.

**STATE OF TEXAS  
COUNTY OF HIDALGO  
CITY OF MCALLEN**

**The McAllen Zoning Board of Adjustment and Appeals convened in a Regular Meeting on Wednesday, August 20, 2025 at 4:30 p.m. in the McAllen City Hall, Commission Chambers with the following present:**

<b>Present:</b>	<b>Jose Gutierrez</b>	<b>Chairperson</b>
	<b>Hugo Avila</b>	<b>Vice-Chairperson</b>
	<b>Hiram Gutierrez</b>	<b>Member</b>
	<b>Alex Lamela</b>	<b>Alternate</b>
	<b>Erick Diaz</b>	<b>Alternate</b>

<b>Absent:</b>	<b>Daniel Santos</b>	<b>Member</b>
	<b>Ivan Garcia</b>	<b>Member</b>
	<b>Juan Mujica</b>	<b>Alternate</b>

<b>Staff Present:</b>	<b>Norma Borrego</b>	<b>Assistant City Attorney I</b>
	<b>Omar Sotelo</b>	<b>Planning Director</b>
	<b>Kaveh Forghanparast</b>	<b>Senior Planner</b>
	<b>Natalie Moreno</b>	<b>Planner II</b>
	<b>Jessica Puga</b>	<b>Technician II</b>
	<b>Carmen White</b>	<b>Administrative Assistant</b>

**CALL TO ORDER –Chairperson Jose Gutierrez**

**1. MINUTES:**

**a)** Minutes for the meeting held on July 23, 2025.

The minutes for the meeting held on July 23, 2025. The motion to approve the minutes were made by Mr. Alex Lamela. Vice-Chairperson Hugo Avila seconded the motion, which carried unanimously with five members present and voting.

**b)** Minutes for the meeting held on August 6, 2025.

The minutes for the meeting held on August 6, 2025. The motion to approve the minutes were made by Mr. Alex Lamela. Vice-Chairperson Hugo Avila seconded the motion, which carried unanimously with five members present and voting.

**2. PUBLIC HEARINGS:**

**a)** Request of Hamlin Pools, on behalf of Bryan Senker, for a variance request to the City of McAllen Zoning ordinance to allow an encroachment of 8 feet into the 18-foot rear yard setback for a proposed pool at Lot 4, Spanish Oaks at Frontera Subdivision, Hidalgo County, Texas; 900 Grayson Avenue. **(ZBA2025-0038)**

Mr. Lopez stated the applicant was requesting a variance for an encroachment of 8 feet into the 18-foot rear yard setback for a pool measuring approximately 12 feet by 16 feet.

The subject property is located on the north of Grayson Avenue, east of North 8<sup>th</sup> street.

The property is zoned R-1 (Single-Family Residential -OC) District. Adjacent zoning is R-1 (Single-Family Residential -OC) District on all directions. Surrounding land uses are single-family residences and vacant land.

Spanish Oaks at Frontera Subdivision was recorded on May 08, 2018. The rear building setback is 18 feet as per the recorded plat. A building permit for a single family residence was issued on March 12, 2025 and is currently under construction. A building permit application for a swimming pool was submitted on May 27, 2025 but was rejected by Planning Department, due to encroachment into the rear yard setback. The current variance request was submitted on July 23, 2025.

The request is for a variance to allow an encroachment of 8 feet into the 18 feet rear building for a proposed swimming pool measuring approximately 12 ft. x 16ft.

Section 138-356 of the Zoning Ordinance requires 10 ft. rear yard setback for residential lots. The recorded plat requires 18 ft. rear yard setback. The proposed swimming pool will respect the rear yard setback as required by city ordinance.

Staff have not received any phone calls, emails, or letters in opposition of the variance request.

Planning Department records show an approved variance request for an encroachment to the rear yard setback for a pergola in this subdivision in 2025.

Chairperson Jose Gutierrez asked if there was anyone present to speak in favor of the Variance request. There was no one to speak in favor of the Variance request.

Chairperson Jose Gutierrez asked if there was anyone present to speak in opposition of the Variance request. There was no one to speak in opposition of the Variance request.

Staff recommended approval of the variance request since it complies with minimum setback required by Section 138-356 of the zoning ordinance and will not impact the neighborhood's characteristic.

Following discussion, Vice-Chairperson Hugo Avila **moved** to approve the Variance request. Mr. Alex Lamela seconded the motion. The Board voted to approve the Variance request with five members present and voting.

- b) Request of Michael Ramirez and Maurilia Ramirez, on behalf of Chris Ryan Homes & Investments LLC, for a variance request to the City of McAllen Zoning ordinance to allow an encroachment of 8 feet into the 18-foot rear yard setback for a proposed pool at Lot 40, Spanish Oaks at Frontera Subdivision, Hidalgo County, Texas; 900 Grambling Avenue. (ZBA2025-0039)**

Mr. Lopez stated the applicant was requesting a variance for an encroachment of 8 feet into the 18-foot rear yard setback for an in-ground pool measuring approximately 14 feet by 18 feet.

The subject property is located on the north side of Grambling Avenue, east of North 8<sup>th</sup> street. The property is zoned R-1 (Single-Family Residential -OC) District. Adjacent zoning is R-1 (Single-Family Residential -OC) District on all directions. Surrounding land uses are single-family residences and vacant land.

Spanish Oaks at Frontera Subdivision was recorded on May 08, 2018. The rear building setback is 18 feet as per plat. A building permit to construct a single family residence was issued on September 19<sup>th</sup>, 2024 and the Certificate of occupancy was issued on June 10<sup>th</sup>, 2025. A building permit application for proposed pool was submitted on July 10, 2025 but was rejected by Planning Department, due to encroachment into the rear yard setback. The current variance request was submitted on July 25, 2025.

The request is for a variance to allow an encroachment of 8 feet into the 18 feet rear building for a proposed swimming pool measuring approximately 14 ft. x 18ft.

Section 138-356 of the Zoning Ordinance requires 10 ft. rear yard setback for residential lots. The recorded plat requires 18 ft. rear yard setback. The proposed swimming pool will respect the rear yard setback as required by city ordinance.

There have been no calls or emails received in opposition of the variance request.

Planning Department records show an approved variance request for an encroachment to the rear yard setback for a pergola in this subdivision in 2025.

Staff recommended approval of the variance request since it complies with minimum setback required by Section 138-356 of the zoning ordinance and will not impact the neighborhood's characteristic.

Chairperson Jose Gutierrez asked if there was anyone present to speak in favor of the Variance request. There was no one to speak in favor of the Variance request.

Mary Ramirez, owner of the residence 900 Grambling Avenue. She stated they were builders and have done six homes already. Other customers want swimming pools. She asked if it was necessary to come each time. Chairperson Gutierrez stated yes. If more, come at the same time they could vote on each one separately.

Chairperson Jose Gutierrez asked if there was anyone present to speak in opposition of the Variance request. There was no one to speak in opposition of the Variance request.

Following discussion, Mr. Hiram Gutierrez **moved** to approve the Variance request. Mr. Juan Mujica seconded the motion. The Board voted to approve the Variance request with five members present and voting.

## **ADJOURNMENT**

There being no further business to come before the Zoning Board of Adjustment and Appeal, Chairperson Jose Gutierrez **moved** to adjourn the meeting.

---

Chairperson Jose Gutierrez

---

Carmen White, Administrative Assistant

**STATE OF TEXAS  
COUNTY OF HIDALGO  
CITY OF MCALLEN**

**The McAllen Zoning Board of Adjustment and Appeals convened in a Regular Meeting on Thursday, September 11, 2025 at 4:30 p.m. in the McAllen City Hall, Commission Chambers with the following present:**

<b>Present:</b>	<b>Jose Gutierrez</b>	<b>Chairperson</b>
	<b>Hugo Avila</b>	<b>Vice-Chairperson</b>
	<b>Hiram Gutierrez</b>	<b>Member</b>
	<b>Alex Lamela</b>	<b>Alternate</b>
	<b>Erick Diaz</b>	<b>Alternate</b>

<b>Absent:</b>	<b>Daniel Santos</b>	<b>Member</b>
	<b>Ivan Garcia</b>	<b>Member</b>
	<b>Juan Mujica</b>	<b>Alternate</b>

<b>Staff Present:</b>	<b>Norma Borrego</b>	<b>Assistant City Attorney I</b>
	<b>Omar Sotelo</b>	<b>Planning Director</b>
	<b>Kaveh Forghanparast</b>	<b>Senior Planner</b>
	<b>Natalie Moreno</b>	<b>Planner II</b>
	<b>Jessica Puga</b>	<b>Technician II</b>
	<b>Carmen White</b>	<b>Administrative Assistant</b>

**CALL TO ORDER –Chairperson Jose Gutierrez**

**1. MINUTES:**

- a) Minutes for the meeting held on August 20, 2025 will be on the next meeting of September 25, 2025.

**2. PUBLIC HEARINGS:**

- a) Request of Victor Martinez, on behalf of Barry Franklin for a variance to the City of McAllen Zoning Ordinance to allow an encroachment of 7 feet into the 18-foot rear yard setback at Lot 29, Spanish Oaks at Frontera Subdivision, Hidalgo County, Texas; 705 Grayson Avenue. **(ZBA2025-0040)**

Ms. Tovar stated the subject property was located on the south of Grayson Avenue, east of North 8th street. The property is zoned R-1 (Single-Family Residential-OC) District. The adjacent zoning is R-1 (Single-Family Residential-OC) District on all directions. Surrounding land uses are single-family residences and vacant land.

Spanish Oaks at Frontera Subdivision was recorded on May 08, 2018. There is a rear yard setback of 18 feet as per the recorded plat. A building permit for a single-family residence was issued on April 23, 2019. The building permit application for this swimming pool was submitted on June 20, 2025 but was rejected by Planning Department for encroachment into the rear yard setback. The current variance request was submitted on July 28, 2025.

The request is for a variance to allow an encroachment of 7 feet into the 18 feet rear-building setback for a proposed swimming pool.

Section 138-356 of the Zoning Ordinance requires 10 feet rear yard setback for residential lots. The recorded plat requires 18 ft. rear yard setback. The proposed swimming pool will respect the rear yard setback as required by city ordinance.

Planning Department records show an approved variance request for an encroachment to the rear yard setback for a pergola and a pool within this subdivision.

Staff had not received any phone calls, emails, or letters in opposition to the variance request.

Staff recommended approval of the variance request since it complies with minimum setback required by Section 138-356 of the zoning ordinance.

Mr. Victor Martinez, 1001 West Expressway 83. He was present on behalf of Mr. Barry Franklin. He was the builder for the swimming pool being requested.

Chairperson Jose Gutierrez asked if there was anyone present to speak in favor of the Variance request. There was no one to speak in favor of the Variance request.

Mr. Barry Franklin, 705 Grayson Avenue. He was the owner of the swimming pool being built for him.

Chairperson Jose Gutierrez asked if there was anyone present to speak in opposition of the Variance request. There was no one to speak in opposition of the Variance request.

Staff recommended approval of the variance request since it complies with minimum setback required by Section 138-356 of the zoning ordinance and will not impact the neighborhood's characteristic.

Following discussion, Mr. Daniel Santos **moved** to approve the Variance request. Vice-Chairperson Hugo Avila seconded the motion. The Board voted to approve the Variance request with five members present and voting.

## **ADJOURNMENT**

There being no further business to come before the Zoning Board of Adjustment and Appeal, Chairperson Jose Gutierrez **moved** to adjourn the meeting.

---

Chairperson Jose Gutierrez

---

Carmen White, Administrative Assistant

## Memo

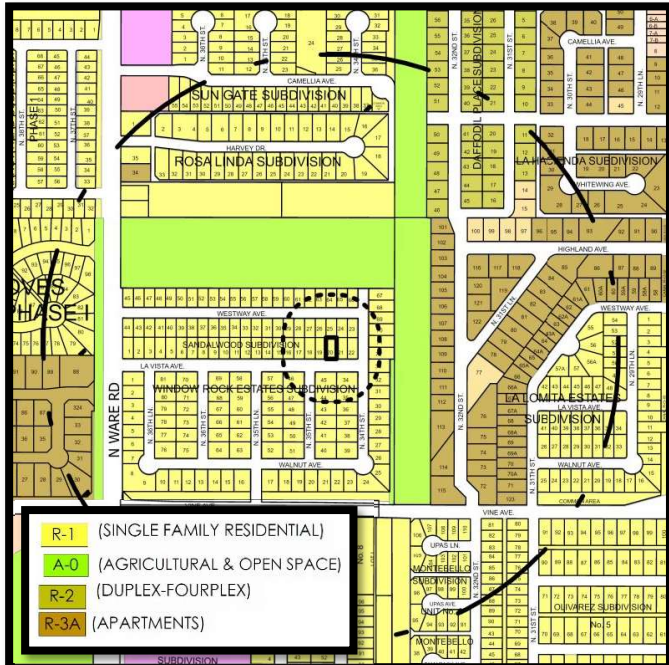
**TO:** Zoning Board of Adjustment & Appeals

**FROM:** Planning Staff

**DATE:** September 11, 2025

**SUBJECT: REQUEST OF MARTHA GALVAN FOR A SPECIAL EXCEPTION TO THE CITY OF MCALLEN ZONING ORDINANCE TO ALLOW AN ENCROACHMENT OF 20 FEET INTO THE 20-FOOT FRONT YARD SETBACK AND 3 FEET INTO THE 6-FOOT SIDE YARD SETBACK FOR AN EXISTING CARPORT AT LOT 20, SANDALWOOD SUBDIVISION, HIDALGO COUNTY, TEXAS; 3408 LA VISTA AVENUE. (ZBA2025-0041)**

**REASON FOR APPEAL:** The applicant is requesting a special exception for an encroachments into the rear yard and side yard setback for an existing metal carport that measures 20 feet by 23 feet. The applicant is proposing to reduce the size of the carport to 20 feet by 20 feet. According to the applicant, the carport was built to protect his vehicles from the weather elements. The applicant has also stated on his application that the carport is for medical related reasons.



**PROPERTY LOCATION AND VICINITY:** The subject property is located along the north side of La Vista Avenue and it is zoned R-1 (Single-Family Residential-OC) District. The adjacent zoning is R-1 (Single-Family Residential-OC) District on all directions. The surrounding land use is single family residential in all directions.

**BACKGROUND AND HISTORY:** Sandalwood Subdivision was recorded on January 29, 1997. There is a front yard setback of 20 feet as per recorded plat. The existing carport was built without a building permit. The current special exception request was submitted on July 29, 2025.

**ANALYSIS:** The applicant is requesting a special exception to allow an encroachment of 20 feet into the 20 feet front yard setback and 3 feet into the side yard setback for an existing metal carport.

The front yard setbacks are important in establishing the character of a single-family neighborhood by providing landscaping to enhance the residence and curb appeal of the street view. The existing residence does not have a garage. According to the applicant, the carport was built to protect his vehicles from the weather elements. The applicant has also stated that the carport is for medical related reasons.

A review of Planning Department records did not reveal any special exceptions granted within this subdivision.

The construction of the existing carport does not appear to encroach into street right of way; however, measurements provided are without the benefit of a survey.

There is no alley on the subject property that would allow for relocation of the proposed carport. Special exceptions are issued to an individual and recorded; however, if a new owner purchases the home they will have to apply as the new owner.

Staff did not receive any phone calls, emails, or letters in opposition to the special exception request.

**RECOMMENDATION:** Staff recommends disapproval of the special exception request. However, if the Board approves the request it should be limited to the encroachment shown in the submitted site plan.



City of McAllen

Planning Department

APPEAL TO ZONING BOARD OF

ADJUSTMENT TO MCALLEN ZONING ORDINANCE

311 North 15th Street  
McAllen, TX 78501  
P. O. Box 220  
McAllen, TX 78505-0220  
(956) 681-1250  
(956) 681-1279 (fax)

Case Number: ZBA 2025-0041 ZBOA Meeting: 9.11.2025  
Accepted By: SJA

**PROJECT**

Legal Description

Sandalwood lot #20

Subdivision Name

Sandalwood

Street Address

3408 La Vista Ave

Number of lots 1 Gross acres

Michael Vasquez  
8/21/25

Existing Zoning R1 Existing Land Use R1

Reason for Appeal (please use other side if necessary) existing car port encroaching  
20 into 20 ft front yard set back. proposed to set back 3 ft

- ☒ \$300.00 non-refundable filing fee + ☒ \$50.00 Recording Fee for Special Exception (carport) and encroach 3 ft  
into 20 ft. 6 ft side yard  
☐ Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is SETBACK  
required

**APPLICANT**

Name Martina Galvan Phone (956) 624-9790  
Address 3408 La Vista Ave E-mail mar.galvan7@gmail.com  
City McAllen State TX Zip 78501

**OWNER**

Name SAME Phone  
Address E-mail  
City State Zip

**AUTHORIZATION**

To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?

☐ Yes ☒ No

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable)

OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature [Signature]

Date 7/29/25

Print Name Martina Galvan

☒ Owner

☐ Authorized Agent

reviewed BY: CW AUG 21 2025

BY: CW JUL 24 2025



# City of McAllen

## Planning Department

### REASON FOR APPEAL & BOARD ACTION

\*A variance will not be granted to relieve a self-created or personal hardship, nor shall it be based solely on economic gain or loss. In order to make a finding of hardship and grant the variance, the Zoning Board of Adjustment will consider **any combination of** the following: (Please use an additional page if necessary to complete responses)

\*\*Information provided here by the applicant does not guarantee that the Board will grant a variance.

\*\*\*Applicant should include all information they determine is relevant, but it is not required to provide responses to all sections listed below.

1. Describe the special circumstance or condition affecting the land involved such that the strict application of the provisions required would deprive the applicant of the reasonable use of the land:

Perdon por haber echo un cart port pero lo necesitaba para mi mama de 84 años sobreviviente de cancer cuando llueve necesito proteccion para ella por su salud.

2. Describe how the variance is necessary for the preservation and enjoyment of the legal property rights of the owner:

necesito el techo para poner mi carro para que mi mama no se moje cuando llueve y tambien para proteccion cuando a llueviera y a cuando el granizo.

3. Describe how the variance will not be detrimental to the public health, safety or welfare or injurious to the legal rights other property owners enjoy in the area:

el cart port esta en mi propiedad y no afecta a nadie.

4. Describe special conditions that are unique to this applicant or property:

es necesario para una persona de la tercera edad (mi mama) sobreviviente de cancer y con varias condiciones de salud. cuando llueve y hace frio necesito protegerla.

Reason for Appeal

Board Action

Chairman, Board of Adjustment  
Signature

Date

7/28/25.



carport dimension : 20ft x 23ft 460 sq ft  
EXISTING

Michael Vasquez

8/21/25

*[Signature]*

\* Need <sup>PROPOSED</sup> 20 X 20  
400  
sq ft

AUG 21 2025 (Revised)  
BY: CW



NOTICE  
VARIANCE  
SPECIAL EXCEPTION  
FOR  
THIS PROPERTY  
ZBA2025-0041.  
CITY OF MOBILE DEPT. OF PLANNING & ZONING  
WWW.MOBILEALANET.COM

## **Memo**

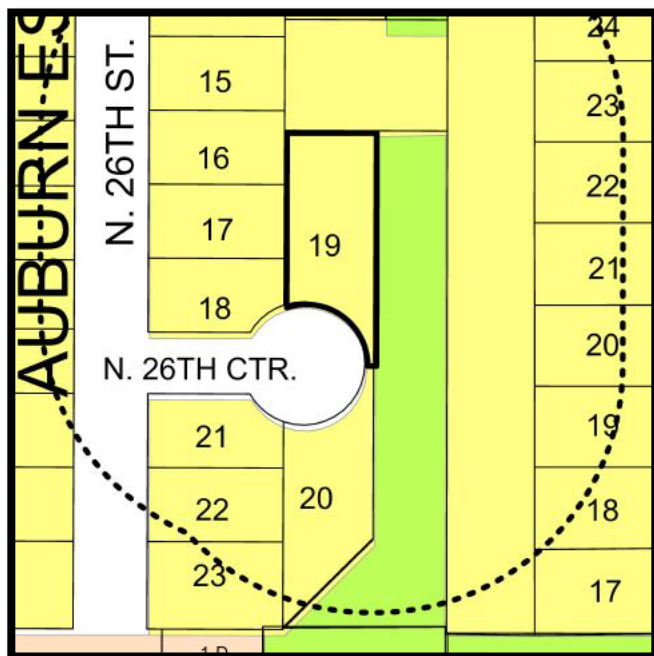
**TO:** Zoning Board of Adjustment & Appeals

**FROM:** Planning Staff

**DATE:** September 25, 2025

**SUBJECT: REQUEST OF JORGE ALFARO FOR A SPECIAL EXCEPTION TO THE CITY OF MCALLEN ZONING ORDINANCE TO ALLOW AN ENCROACHMENT OF 15 FEET INTO THE 15 FOOT SIDE YARD SETBACK AND DRAINAGE EASEMENT FOR AN EXISTING CARPORT MEASURING 52 FEET BY 15 FEET AT LOT 19, AUBURN ESTATES SUBDIVISION, HIDALGO COUNTY, TEXAS; 7608 NORTH 26TH COURT. (ZBA2025-0042)**

**REASON FOR APPEAL:** The applicant is requesting a special exception to allow an encroachment of 15 feet into the 15 feet front yard setback for an existing carport that will be used for protection of the applicants personal and work vehicles.



**PROPERTY LOCATION AND VICINITY:** The subject property is located along the west side of North 26<sup>th</sup> Street and is Zoned R-1 (Single-Family Residential-OC) District. The Adjacent zoning is R-1 (Single-Family Residential-OC) District to the north, west and south and A-O (Agricultural and Open Space-OC) District to the east.

**BACKGROUND AND HISTORY:** Auburn Estates Subdivision was recorded March 31, 2006. The subdivision plat indicates a side yard setback requirement of 15 feet which is also a utility easement. A stop work order was issued February 28, 2025 for building a carport without a permit. A Building

permit was submitted April 21, 2025 and rejected due to the encroachment on the 15 foot side yard setback and utility easement. An application for a Special Exception was submitted August 8, 2025.

**ANALYSIS:** The applicant is requesting a special exception to allow an encroachment of 15 feet into the 15 feet front yard setback for an existing carport that will be used for protection of the applicants personal and work vehicles. The carport does exceed the maximum requirement of 400 square feet for a carport as required per Section 138-371 (g). According to the applicant the Engineering Department agreed for the property owner to disassemble the carport for the City if they needed access to the easement.

Measurements provided are without benefit of a survey.

Special exceptions are issued to and recorded for the present applicant/owner only. New property owners would need to apply for a new special exception request.

Staff has not received any phone calls, emails or letters in opposition to the special exception request.

**RECOMMENDATION:** Staff recommends disapproval of the special exception request.



City of McAllen

Planning Department

APPEAL TO ZONING BOARD OF  
ADJUSTMENT TO MCALLEN ZONING ORDINANCE

311 North 15th Street  
McAllen, TX 78501  
P. O. Box 220  
McAllen, TX 78505-0220  
(956) 681-1250  
(956) 681-1279 (fax)

Case Number: ZBA2025-0042 ZBOA Meeting: 9.25.25  
Accepted By: SJT

**PROJECT**

Legal Description

Auburn Estates, Lot #19

Subdivision Name

Auburn Estates

Street Address

7608 N. 26th Court

Number of lots

1

Gross acres

Existing Zoning

R-1

Existing Land Use

Residential

Reason for Appeal (please use other side if necessary)

Enlarging Carport encroaching  
15ft into 15ft yard setback (52ft x 15ft)

☒ \$300.00 non-refundable filing fee + ☒ \$50.00 Recording Fee for Special Exception (carport)

☐ Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required

**APPLICANT**

Name

Jorge Alfaro

Phone

956-391-4284

Address

7608 N. 26th CT

E-mail

jhalfaro@yahoo.com

City

McAllen

State

TX

Zip

78504

**OWNER**

Name

Jorge Alfaro

Phone

956-391-4284

Address

7608 N. 26th CT

E-mail

jhalfaro@yahoo.com

City

McAllen

State

TX

Zip

78504

**AUTHORIZATION**

To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?



Yes

☐ No

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable)

OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization

Signature

Jorge Alfaro

Date

8/8/2025

Print Name

Jorge Alfaro

☒ Owner

☐ Authorized Agent

BY: OW



**City of McAllen**  
**Planning Department**  
**REASON FOR APPEAL & BOARD ACTION**

\*A variance will not be granted to relieve a self-created or personal hardship, nor shall it be based solely on economic gain or loss. In order to make a finding of hardship and grant the variance, the Zoning Board of Adjustment will consider any combination of the following: (Please use an additional page if necessary to complete responses)

\*\*Information provided here by the applicant does not guarantee that the Board will grant a variance.

\*\*\*Applicant should include all information they determine is relevant, but it is not required to provide responses to all sections listed below.

1. Describe the special circumstance or condition affecting the land involved such that the strict application of the provisions required would deprive the applicant of the reasonable use of the land:

The use of current carport/patio is to protect family vehicles from weather (hail storms, extreme heat, and hurricanes)

2. Describe how the variance is necessary for the preservation and enjoyment of the legal property rights of the owner:

Need th additional space to park and protect vehicles. Back in 2012, vehicles were affected due to hail storm and recently May 8, 2025 TX DPS vehicle damaged

3. Describe how the variance will not be detrimental to the public health, safety or welfare or injurious to the legal rights other property owners enjoy in the area:

Carport is built of metal with 2 in x 6 in beams that withstand two previous hurricanes. Carport is over 10 yrs old. Does not affect neighbor since there is none.

4. Describe special conditions that are unique to this applicant or property:

There is no neighbors to the north and east of property. Carport is on East side of property. Engineering Dept. is aware of carport and was agree to disassemble if necessary for city of McAllen ever need to do work.

Reason for Appeal

Board Action

Chairman, Board of Adjustment  
Signature

Date

North ↑

Residence

Patio

26th Street



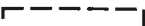
26th Court

58x15







63

15

Wall Legend:

Existing   
Proposed   
Demolition 

Symbol Legend:

 Door  Window  Electrical Panel  A/C Unit  Toilet  Sink

Application and documents can be submitted electronically to  
[BLDCPERMITS@MCALLEN.NET](mailto:BLDCPERMITS@MCALLEN.NET)



**NOTICE  
VARIANCE  
SPECIAL EXCEPTION  
FOR  
THIS PROPERTY  
ZBA2025-0042**

 CITY OF MCALLEN PLANNING DEPT.  
956-681-1250  
WWW.MCALLE.NET

