

## AGENDA

### ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING WEDNESDAY, FEBRUARY 8, 2023 - 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 January 18, 2023

#### 2. PUBLIC HEARINGS:

- a) Request of Jesus Amaya for a special exception to the City of McAllen Zoning Ordinance to allow: **1)** an encroachment of 23 feet into the 25 feet front yard setback for an existing carport measuring 19 feet by 16.67 feet and **2)** an encroachment of 4 feet into the 25 foot front yard setback for an existing porch measuring 4 feet by 23 feet at Lot 112, Idela Park Unit No. 1 Subdivision, Hidalgo County, Texas; 2732 Norma Avenue. **(ZBA2022-0134)**
- b) Request of Michael Steven Deck for a special exception to the City of McAllen Zoning Ordinance to allow an encroachment of: **1)** 25 feet into the 25 feet front yard setback including overhang and **2)** 6 feet into the 6 feet west side yard setback for an existing metal carport measuring 28 feet by 22 feet at Lot 34, Olivarez Subdivision Unit No. 4, Hidalgo County, Texas; 3005 Sycamore Avenue. **(ZBA2022-0137)**
- c) Request of Manuel Ramirez and Juana Ramirez for the following Variance request to the City of McAllen Zoning Ordinance to allow an encroachment of 9 feet into the 25-foot front yard setback for the construction of a house, at Lot 2, Ramirez Subdivision to McAllen, Hidalgo County, Texas; 2420 South 25th Street. **(ZBA2023-0007)**
- d) Request of Mireya Espinoza for a variance to the City of McAllen Zoning Ordinance to allow an encroachment of 10 feet into the 25-foot front yard setback for a proposed single family home, at the North 131' Lot 1, Block 6, Bryan's Addition Subdivision, Hidalgo County, Texas; 208 North 4th Street. **(ZBA2022-0135) (TABLED: 01/18/2023) WITHDRAWN**
- e) Request of David Omar Salinas on Behalf of Maria Eugenia Zabaleta (owner) for the following Variance request to the City of McAllen Off-Street Parking and Loading Ordinance to allow 5 parking spaces instead of the required 10 parking spaces for proposed commercial use at Lot 8, Floyd Bennet Subdivision, Hidalgo County, Texas; 1605 North 6th Street. **(ZBA2022-0118) (TABLED: 12/21/2022) (TABLED: 01/05/2023) (REMAIN TABLED: 01/18/2023)**
- f) Request of Luis D. Waldo on Behalf of Rene Castellanos (owner) for the following Variance request to the City of McAllen Vegetation Ordinance to allow the required landscaped area to be synthetic grass instead of natural grass at Lot 17, Vineyard Estates Subdivision Phase 1A, Hidalgo County, Texas; 3817 Cosentino Drive. **(ZBA2022-0126) (TABLED: 12/21/2022) (REMAIN TABLED: 01/05/2023, 01/18/2023)**

#### 3. DISCUSSION:

- a) Election of Officers

#### **4. FUTURE AGENDA ITEMS**

- a)** 5912 North 35th Street
- b)** 100 East Kerria Avenue
- c)** 709 North 16th Street
- d)** 705 North 29th Street
- e)** 13321 Atlas Court
- f)** 3520 Upas Avenue
- g)** 909 North Jackson Road
- h)** 1509 Sycamore 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, February 8, 2023

**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 3<sup>rd</sup> of February, 2023 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 3<sup>rd</sup> day of February, 2023.

\_\_\_\_\_  
Jessica Cavazos, Administrative Supervisor