

AGENDA

ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING WEDNESDAY, OCTOBER 21, 2020 - 4:30 PM MCALLEN CITY HALL, 1300 HOUSTON AVENUE CITY COMMISSION CHAMBERS, 3RD FLOOR

Web: <https://zoom.us/join> or phone: (346) 248-7799
Meeting ID: 672 423 1883

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 - VICE-CHAIRPERSON ERICK DIAZ

1. MINUTES:

- a) Minutes for the meeting held on October 7, 2020.

2. ELECTION OF OFFICERS:

- a) Chairperson
- b) Vice-Chairperson

3. PUBLIC HEARINGS:

- a) Request of Humberto F. Nunez for the following Variance to the City of McAllen Zoning Ordinance to allow: an encroachment of 4.17 ft. into the 10 ft. rear yard setback for a proposed swimming pool, at Lot 26, Heritage Manor No. 2 Subdivision, Hidalgo County, Texas; 4508 North 5th Lane. **(ZBA2020-0057) (TABLED: 10/7/2020)**
- b) Request of Raul De La Garza, on behalf of Jorge Gutierrez, for the following variances to the City of McAllen Zoning Ordinance **1)** to allow an encroachment of up to 6 feet into the west side yard setback for an existing irregularly shaped wooden deck measuring 41 ft. by 55 ft., **2)** to allow an encroachment of up to 3 feet into the west side yard setback for an existing circular above ground swimming pool measuring 11 ft. by 20 ft., **3)** to allow an encroachment of up to 10 ft. on the rear setback for an existing irregularly shaped wooden deck measuring 41 ft. by 55 ft., **4)** to allow an encroachment of up to 10 ft on the rear setback for an existing above ground swimming pool measuring 11 ft. by 20 ft., **5)** to allow an encroachment of up to 10 feet the rear side setback for an existing storage room measuring 6 ft. by 5 ft. at Lot 67, Falling Water Subdivision, Hidalgo County, Texas; 4204 Worthington Avenue. **(ZBA2020-0059) (TABLED: 10/7/2020)**
- c) Request of Aurora Pena for the following variances to the City of McAllen Zoning Ordinance to allow: **1)** an encroachment of 5 ft. into the 5 ft. west side yard setback for an existing covered patio measuring 6.33 ft. by 56 ft.; **2)** an encroachment of 9 ft. 9 in. into the rear yard setback for an existing wooden storage shed measuring 12.20 ft. by 12.25 ft.; **3)** to allow an accessory building separation from the main building of 3.75 ft. instead of the required 5 ft.; at Lot 12, Block 3, Amigo Park 1 Subdivision, Hidalgo County, Texas; 4405 West Gardenia Avenue. **(ZBA2020-0067)**
- d) Request of Fred Harms for the following variance to the City of McAllen Zoning Ordinance to allow an encroachment of 5 ft. into the 5 ft. rear yard setback for a proposed commercial building measuring 147 ft. 6 in. by 53 ft. at south 230 ft., Lot 1, Block 1, Coddington Addition Subdivision, Hidalgo County, Texas; 601 N. 2nd Street. **(ZBA2020-0064)**

- e) Request of Hector Bosquez for the following Variance to the City of McAllen Zoning Ordinance to allow: **1)** an encroachment of 3 ft. into the 6 ft. side yard setback for an existing L- Shaped porch with an area of 357 square feet. and **2)** an encroachment of 4 ft. into the 6 ft. side yard setback for an existing storage measuring 10 ft. by 18 ft., at Lot 25, Del Sol Subdivision Phase I, Hidalgo County, Texas; 2805 Quamasia Avenue. **(ZBA2020-0060) (TABLED: 10/7/2020)**
- f) Request of Jose Noe Herrera. for the following Variance to the City of McAllen Zoning Ordinance to allow: an encroachment of 6 ft. into the 6 ft. side yard setback for a proposed roof for an existing work area measuring 12.3 ft. by 43.6 ft. at Lot 78, Bedford Park Estates Subdivision, Hidalgo County, Texas; 3937 Swallow Avenue. **(ZBA2020-0063)**
- g) Request of Enrique Flores, on behalf of Madhouse Development Service, Inc., for the following variance to the City of McAllen Zoning Ordinance Section 110-49(a) to not comply with the 8 ft. masonry wall required between single family residential and commercial, industrial, or multi-family residential zones/uses and along the south property line at Lot 1, 2, 3, 4, 5, 6, 7, 8, and 9, Phase One Office Park Subdivision, Hidalgo County; 201, 205, 209, 213, 217, 221, 225, 229, and 223 South 2nd Street. **(ZBA2020-0068)**
- h) Request of Juan F. Valdez, for the following special exception to the City of McAllen Zoning Ordinance to allow an encroachment of 18 ft. into the 30 ft. front yard setback for a proposed wood carport measuring 18 ft. by 24 ft. at Lot 7, Block 8, Primrose Terrace Unit No. 4, Hidalgo County, Texas; 1719 Redbud Avenue. **(ZBA2020-0062)**
- i) Request of Narciso Palomera for the following special exception and variances to the City of McAllen Zoning Ordinance: **1)** to allow an encroachment of 20 ft. into the 20 ft. front yard setback for a proposed wooden carport with brick columns measuring approximately 20 ft. by 20 ft., **2)** to allow an encroachment of 3.25 ft. into the 6 ft. side yard setback along the west property line for an existing wooden storage building measuring approximately 10 ft. by 12 ft., and **3)** to allow an encroachment of 0.33 ft. into the 10 ft. rear yard setback for an existing wooden storage building measuring approximately 10 ft. by 12 ft., at Lot 11, Apollo Gardens Subdivision, Hidalgo County, Texas; 2009 Iris Avenue. **(ZBA2020-0065)**
- j) Request of Juan Lopez for the following Special Exception to the City of McAllen Zoning Ordinance to allow an encroachment of 20 ft. into the 20 ft. front yard setback for an existing carport measuring 17 ft. by 23 ft. at Lot 44, Oak Terrace Subdivision, Hidalgo County, Texas; 1916 North 35th Street. **(ZBA2020-0056) (TABLED: 10/7/2020)**
- k) Request of Daniel Conde Jr. for the following Special Exception to the City of McAllen Zoning Ordinance to allow: an encroachment of 18 ft. into the 20 ft. front yard setback for a proposed carport measuring 18 ft. by 24 ft. at Lot 107, Shadow Brook Subdivision Unit 1, Hidalgo County, Texas; 2021 Hawk Avenue. **(ZBA2020-0061)**
- l) Request of Gerardo Lopez for the following special exception to the City of McAllen Zoning Ordinance to allow an encroachment of 20 ft. into the 20 ft. front yard setback for an existing metal carport measuring 20 ft. by 30 ft., at Lot 50, Apollo Gardens Subdivision, Hidalgo County, Texas; 2113 Hibiscus Avenue. **(ZBA2020-0051) (TABLED: 10/7/2020)**

4. FUTURE AGENDA ITEMS

- a) 2400 North 25th Street
- b) 2108 Highland Avenue
- c) 800 East Pineridge Avenue
- d) 317 Uvalde 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 PLANNING & ZONING COMMISSION 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 21, 2020

TIME: 4:30 PM

PLACE: McAllen City Hall
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 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 16th day of October, 2020 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 16th day of October, 2020.

Jessica Cavazos, Administrative Supervisor