

## AGENDA

### ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING WEDNESDAY, SEPTEMBER 18, 2019 - 5:30 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, DAVID SALINAS

#### 1. MINUTES:

- a) Minutes for Regular Meeting held on September 4, 2019.

#### 2. PUBLIC HEARINGS:

- a) Request of Jose Manuel Huerta for the following special exceptions to the City of McAllen Zoning Ordinance: **1)** to allow an encroachment of 7 ft. into the 25 ft. front yard setback for an existing metal carport measuring 18 ft. by 18.41 ft.; **2)** to allow an encroachment of 8 ft. into the 10 ft. rear yard setback for an existing metal carport measuring 17.16 ft. by 14.33 ft.; and **3)** to allow an encroachment of 4.2 ft. into the 7 ft. east side yard setback for an existing metal carport measuring 17.16 ft. by 14.33 ft. at Lot 70, Lincoln Terrace Unit No. 3 Subdivision, Hidalgo County, Texas; 2836 Sycamore Avenue. **(ZBA2019-0040) (TABLED: 9/4/2019)**
- b) Request of Olga Martinez, on behalf of Patricia Salinas for the following variances to the City of McAllen Zoning Ordinance: **1)** to allow an encroachment of 4 ft. into the 7 ft. side yard setback for a proposed wooden storage shed measuring 10 ft. by 12 ft.; **2)** to allow an encroachment of 5 ft. into the 10 ft. rear yard setback for a proposed wooden storage shed measuring 10 ft. by 12 ft.; **3)** to allow an encroachment of 4.67 ft. into the 10 ft. rear yard setback for a proposed swimming pool measuring 20 ft. by 20 ft. at Lot 29, Alta Loma Subdivision, Hidalgo County, Texas; 805 South 25th Street. **(ZBA2019-0041) (TABLED: 9/4/2019)**
- c) Request of Jesus Olivares for the following special exception and variance to the City of McAllen Zoning Ordinance: **1)** to allow an encroachment of 6 ft. into the 6 ft. side yard setback on the north side for a proposed carport; **2)** to allow an encroachment of 1.54 ft. into the 25 ft. front yard setback for the existing building; **3)** to allow an encroachment of 3.5 ft. into the 6 ft. side yard setback on the south side for the existing building at the North 65 ft. of the South 249 ft. of the East 100 ft. of Lot 8, in the Southeast 1/4 of Section 8, Hidalgo Canal Company Subdivision, Hidalgo County, Texas; 700 South 2nd Street **(ZBA2019-0038) (TABLED: 9/4/2019)**
- d) Request of Ezequiel Baez for a special exception to the City of McAllen Zoning Ordinance to allow an encroachment of 20 ft. into the 20 ft. front yard setback for a carport measuring 10.66 ft. by 19.83 ft. at Lot 143, Los Encinos Subdivision, Hidalgo County, Texas; 3417 Paula Avenue. **(ZBA2019-0033)**

- e) Request of Hilda Morales for a variance to the City of McAllen Zoning Ordinance to allow an encroachment of 10 ft. into the 25 ft. rear yard setback for a proposed covered barbeque area measuring 10 ft. by 22 ft. at Lot 31, The Embers Subdivision, Hidalgo County, Texas; 317 Cornell Avenue. **(ZBA2019-0042)**
- f) Request of Sergio Martinez for the following variances to the City of McAllen Zoning Ordinance: **1)** to allow a 3,000 sq. ft. lot instead of the required 5,600 sq. ft. lot area as required per Section 138-356 of the Zoning Ordinance; **2)** to allow an encroachment of 12 ft. into the 20 ft. front yard setback for an 8 ft. by 8 ft. porch; **3)** to allow an encroachment of 2 ft. into the 10 ft. rear yard setback for a proposed residence; and **4)** to allow an encroachment of 2 ft. into the 6 ft. side yard setback on the west side at the North 60 ft. of Lot 1, Block 4, West Addition to McAllen, Hidalgo County, Texas; 2101 Erie Avenue **(ZBA2019-0036)**
- g) Request of Miguel Vargas for the following variances to the City of McAllen Zoning Ordinance: **1)** to allow an encroachment of 7.92 ft. into the 20 ft. front yard setback for a proposed living area; **2)** to allow an encroachment of 6 ft. into the 6 ft. north side yard setback for the existing residence; and **3)** to allow an encroachment of 10 ft. into the 10 ft. rear yard setback for the existing residence at the South 60 ft. of the East 55 ft. of Lot 1, Block 2, Golden Acres Retirement No. 1 Subdivision, Hidalgo County, Texas; 301 North 37 ½ Street **(ZBA2019-0037)**
- h) Request of Marcos Rivera for a special exception to the City of McAllen Zoning Ordinance to not require two off-street parking spaces as required in Section 138-394(1) of the Zoning Ordinance at Lot 83. Fairway Grande Village Unit 2 Subdivision, Hidalgo County, Texas; 3116 Rose Ellen Drive **(ZBA2019-0043)**

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

- a) NONE

#### **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, September 18, 2019

**TIME:** 5:30 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 13<sup>th</sup> day of September, 2019 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 13<sup>th</sup> day of September, 2019.

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Carmen White, Administrative Secretary