

AGENDA

ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING WEDNESDAY, SEPTEMBER 20, 2023 - 4:30 PM MCALLEN CITY HALL, 1300 HOUSTON AVENUE CITY COMMISSION CHAMBERS, 3RD 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 Jose Gutierrez

1. MINUTES:

- a) Minutes for the meeting held on September 7, 2023

2. PUBLIC HEARINGS:

- a) Request of Enrique Garza for a Special Exception and Variance to the City of McAllen Zoning Ordinance to allow: **1)** an encroachment of 5 feet 9 inches into the 6 foot side yard setback and encroaching 3 feet into the 10 foot rear yard setback for an existing metal carport measuring 20 feet by 25 feet and **2)** allow an encroachment of 2.5 feet into the 6 foot side yard setback and 5.5 feet into the 10 foot rear yard setback for an existing storage measuring 12 feet by 16 feet at Lot 2, Block 5, Carolyn Addition, Hidalgo County, Texas; 213 Upas Avenue. **(ZBA2023-0083)**
- b) Request of Alma Beraza for a Special Exception and Variance to the City of McAllen Zoning Ordinance to allow: **1)** an encroachment of 4 feet into the 6 foot side yard setback for an existing metal carport measuring 19 feet by 21.6 feet, **2)** to allow an encroachment of 3.2 feet into the 10 foot rear yard setback for an existing patio measuring 25 feet by 25 feet and **3)** to allow an encroachment of 5 feet into the 6 foot side yard setback for a storage measuring 10 feet by 7 feet at Lot 83, Montebello Unit No. 3, Hidalgo County, Texas; 2108 North 32nd Street. **(ZBA2023-0085)**
- c) Request of Javier Benavidez & Dalia Garcia for a Special Exception to the City of McAllen Zoning Ordinance to allow an encroachment of 14.5 feet into the 20 foot front yard setback for an existing metal carport measuring 19 feet by 24 feet at Lot 46 & North 5 ft. of 45, Gardenia Terrace Unit No. 2 Subdivision, Hidalgo County, Texas; 3309 North 27th Street. **(ZBA2023-0087)**
- d) Request of Jose Guadalupe Cantu for a Special Exception to the City of McAllen Zoning Ordinance to allow an encroachment of 5 feet into the 6 feet side yard setback for an existing metal carport measuring 21 feet by 24 feet at Lot 51, Alta Linda, Hidalgo County, Texas; 1909 South 39th Street. **(ZBA2023-0079) (TABLED: 09/07/2023)**
- e) Request of Carlos Alarcon on behalf of James Weaver for a Special Exception to the City of McAllen Zoning Ordinance to allow an encroachment of 6 feet into the 6 feet East side yard setback for a carport measuring 15 feet by 35 feet at Rancho de La Fruta No. 1 Lot E 142.5' of W 285' of N 184.22' of 11, Hidalgo County, Texas; 108 East Fresno Avenue. **(ZBA2023-0081) (TABLED: 09/07/2023)**

- f) Request of Gerardo Castillo for a Special Exception and Variance to the City of McAllen Zoning Ordinance to: **1)** allow an encroachment of 20 feet into the 20 feet front yard setback for a proposed wooden carport measuring 16 feet by 22 feet, **2)** to allow an encroachment of 6 feet into the 6 feet rear yard setback for an existing carport measuring 12.13 feet by 20 feet, **3)** to allow an encroachment of 6 feet in the 6 feet side yard setback and 6 feet into the 6 feet rear yard setback for an existing storage shed measuring 24.2 feet by 10.2 feet and **4)** to allow an encroachment of 6 feet into the 6 feet side yard setback and 6 feet into the 6 feet rear yard setback for an existing (L) shaped shed measuring 27.4 feet by 14.1 feet and 15.4 feet and 11.3 feet at Lot 28, McColl Terrace Subdivision, No. 2. Hidalgo County, Texas; 213 East Vine Avenue. **(ZBA2023-0073) (TABLED: 09/07/2023)**

3. FUTURE AGENDA ITEMS

- a) 704 Heron Avenue
- b) 4301 North 28th Street
- c) 3404 Providence Avenue
- d) 4416 Sandpiper 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, September 20, 2023

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 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

Jessica Cavazos, Administrative Supervisor