

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF MCALLEN

The McAllen Zoning Board of Adjustment and Appeals convened in a Regular Meeting on Wednesday, February 4, 2026 at 4:36 p.m. in the McAllen City Hall, Commission Chambers with the following present:

Present:	Jose Gutierrez	Chairperson
	Hugo Avila	Vice-Chairperson
	Hiram Gutierrez	Member
	Ivan Garcia	Member
	Alex Lamela	Alternate
	Erick Diaz	Alternate

Absent:	Daniel Santos	Member
	Juan Mujica	Alternate
	Francisco Davila	Alternate

Staff Present:	Austin Stevenson	City Attorney
	Norma Borrego	Assistant City Attorney I
	Kaveh Forghanparast	Senior Planner
	Porfirio Hernandez	Planner II
	Jessica Puga	Technician II
	Carmen White	Administrative Assistant
	Valerie Ramos	Administrative Clerk

CALL TO ORDER –Chairperson Jose Gutierrez

City Attorney Stevenson stated to the Board to make a motion to recess to Executive Session to update on an item that occurred since the last meeting related to the last meeting.

Vice-Chairperson Hugo Avila **moved** to go into Executive Session. Mr. Alex Lamela seconded the motion. The Board voted unanimously to go into Executive Session with five members present and voting at 4:37 p.m.

The Board reconvened at 4:52 p.m. to continue the regular meeting in session.

1. MINUTES:

- a) Minutes for meeting held on January 22, 2026.

The minutes for the meeting held on January 22, 2026. The motion to approve the minutes were made by Vice-Chairperson Hugo Avila. Mr. Alex Lamela seconded the motion, which carried unanimously with five members present and voting.

2. PUBLIC HEARINGS:

- a) Request of Jose Lopez for a Special Exception to the City of McAllen Zoning Ordinance to allow an encroachment of 19 feet into the 25-foot front yard setback for an existing metal carport at Lot 54, Idela Park Subdivision Unit No. 2, Hidalgo County, Texas; 4901 South 33rd Street. **(ZBA2025-0071)**

Mr. Hernandez stated the applicant was requesting a special exception to allow an encroachment of 19 feet into the 25-foot front yard setback for an existing metal carport measuring 18ft x 20ft.

The subject property was located on the southeast corner of South 33rd Street and Lucille Avenue and is zoned R-1 (Low-Density Residential-UDC) District.

Idela Park Subdivision Unit No. 2 was officially recorded on July 25, 1978. The recorded plat establishes a 25-foot front yard setback and a 6-foot side yard setback, with corner lots subject to a 10-foot side yard setback. A building permit for a carport along Lucille Avenue was issued on May 26, 2000. Subsequently, a right-of-way permit for a driveway along South 33rd Street was issued on May 20, 2009.

On October 16, 2023, a building permit application was submitted for a proposed carport along South 33rd Street; however, it was rejected by Planning due to setback encroachment and later cancelled by the applicant, who indicated that no structure had been built. On December 11, 2024, a notice of violation was issued for construction of a carport without a permit. The applicant then reapplied for a building permit for the carport, which was again rejected due to encroachment into the front yard setback, and the applicant was advised to seek a special exception. A request for a special exception was submitted on December 19, 2025.

The applicant was requesting a special exception to allow the existing carport to remain. The residence does not include a garage, and the carport was built to provide necessary protection for vehicles from weather related damage, sun exposure and use shaded area for relaxing and spending time with family.

Staff's research did reveal five other special exceptions and variances for carports granted within this subdivision between 2009 and 2015.

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

Staff recommended approval of the special exception request since the request conforms to the existing neighborhood characteristics.

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

Chairperson Jose Gutierrez asked if there was anyone present to speak in opposition of the Special Exception. There was one to speak in opposition of the Special Exception.

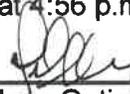
Following discussion, Mr. Alex Lamela moved to follow staff's recommendation and approve the Special Exception. Vice-Chairperson Hugo Avila seconded the motion. The Board voted to approve the Special Exception with five members present and voting.

ADJOURNMENT

There being no further business to come before the Zoning Board of Adjustment and Appeal, Chairperson Jose Gutierrez moved to adjourn the meeting at 4:56 p.m.



Carmen White, Administrative Assistant



Chairperson Jose Gutierrez