

AGENDA

ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING WEDNESDAY, NOVEMBER 20, 2024 - 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 November 6, 2024

2. PUBLIC HEARINGS:

- a) Request of MCI Development, LLC for variances to the City of McAllen Zoning Ordinance to allow the following encroachments: **1)** a garage door setback of 18 feet instead of 25 feet and **2)** an encroachment of 10 feet into the 25-foot front yard setback, for a proposed single family residence at Lot 15, La Veranda Subdivision, Hidalgo County, Texas; 4709 Sweetwater Avenue. **(ZBA2024-0045)**
- b) Request of Juan Gomez for a Special Exception to the City of McAllen Zoning Ordinance to allow an encroachment of 20 feet into the 20-foot front yard setback for a proposed metal carport at Lot 87, Bentsen Heights Unit Two Subdivision, Hidalgo County, Texas; 4520 Maple Avenue. **(ZBA2024-0044)**
- c) Request of Oscar Cancino for a variance to the City of McAllen Zoning Ordinance to allow an encroachment of 5.5 feet into the seven-foot side yard setback along the south property line for an existing metal storage building at Lot 4, Block 7, North McAllen Subdivision, Hidalgo County, Texas; 709 North 16th Street. **(ZBA2024-0046)**
- d) Request of Anita Moon on behalf of Greater McAllen Association of Realtors for the following variance to the City of McAllen Zoning Ordinance to allow an accessory building with a one-foot separation to the main building instead of the required five feet for rear yard structures at Lot B1, Aim Media Subdivision, Hidalgo County, Texas; 1324 East Nolana Avenue. **(ZBA2024-0036) (TABLED: 10/09/2024) (REMAIN TABLED: 10/23/2024, 11/06/2024) WITHDRAWN**

3. FUTURE AGENDA ITEMS

- a) 605 Water Lily Avenue
- b) 1100 East El Rancho Road

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.

**STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF MCALLEN**

The McAllen Zoning Board of Adjustment and Appeals convened in a Regular Meeting on Wednesday, November 6, 2024 at 4:30 p.m. in the McAllen City Hall, Commission Chambers with the following present:

Present:	Jose Gutierrez	Chairperson
	Hugo Avila	Member
	Hiram A. Gutierrez	Member
	Daniel Santos	Member
	Ivan Garcia	Member
	Juan Mujica	Alternate
	Alex Lamela	Alternate
Absent:	Pablo Garcia	Alternate
Staff Present:	Evaristo Garcia	Assistant City Attorney III
	Michelle Rivera	Assistant City Manager
	Luis Mora	Deputy Planning Director
	Rodrigo Sanchez	Senior Planner
	Samuel Nunez	Senior Planner
	Porfirio Hernandez	Planner I
	Jessica Puga	Planning Technician II
	Carmen White	Administrative Assistant

CALL TO ORDER –Chairperson Jose Gutierrez

1. MINUTES:

- a) Minutes for the meeting held on October 23, 2024

The minutes for the meeting held on October 23, 2024. The motion to approve the minutes were made by Mr. Hiram Gutierrez. Mr. Daniel Santos seconded the motion, which carried unanimously with five members present and voting.

2. PUBLIC HEARINGS:

- a) Request of Guadalupe Hernandez and Raquel Hinojosa for a Special Exception to the City of McAllen Zoning Ordinance to allow an encroachment of 8 feet into the 10-foot rear yard setback for an existing metal carport at Lot 6, Block 4, Highland Park Subdivision, Hidalgo County, Texas; 901 Sycamore Avenue. **(ZBA2024-0043)**

Mr. Hernandez stated the applicant was requesting a special exception to allow an encroachment of eight feet into the ten-foot rear yard setback for an existing metal carport being used for protection of their cars from adverse weather elements and to provide shade for the family.

The subject property was located along the south side of Sycamore Avenue approximately 285 feet east of North 10th Street. The subject property has an area of

8,450 square feet. The property was zoned R-1 (Single Family Residential) District. The adjacent zoning was R-1 District to the North, East and West and R-2 (Duplex-Fourplex Residential) District to the South.

Highland Park Subdivision was recorded on March 10, 1950. A stop work order was issued for no building permit on September 10, 2024. An application for a building permit was submitted on September 13, 2024. An application for the variance request was submitted on October 7, 2024.

The applicant is requesting the encroachment into the rear yard setback for an existing metal carport for protection of their vehicles; provide shade for family gatherings and ongoing home and art projects from inclement weather. The carport currently measures 26 ft. x 18 ft. and exceeds the 400 sq. ft. size not allowed by ordinance. The applicant is proposing to reduce the carport size to 22 ft. x 18 ft., which brings the carport into compliance with the required five-foot side yard setback, and concurrently reducing the total square footage to 396 sq. ft.

No utility easements will be impacted by the encroachment.

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

Staff recommended approval of the special exception request as its location in the rear of the property would help to maintain the neighborhood's front yard aesthetic character.

Chairperson Gutierrez asked staff if they had in writing for the size of the carport. Staff responded yes.

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 no one to speak in opposition of the Special Exception.

Ms. Raquel Hinojosa and Mr. Guadalupe Hernandez, 901 Sycamore Avenue. Chairperson Gutierrez asked the applicants when the carport was built. Ms. Hinojosa stated in 2022. Chairperson Gutierrez asked did someone report this. Ms. Hinojosa responded yes.

Following discussion, Mr. Hugo Avila **moved** to approve the Special Exception as recommended by staff. Mr. Hiram Gutierrez seconded the motion. The Board voted to approve the Special Exception with five members present and voting.

- b) Request of Martin Villanueva for a Variance to the City of McAllen Zoning Ordinance to allow an encroachment of 5 feet into the 25-foot front yard setback for a proposed single family residence at Lot 62, Villanueva Estates at Trinity Oaks Subdivision, Hidalgo County, Texas; 10321 North 31st Street. (ZBA2024-0042)**

Mr. Hernandez stated the applicant was requesting a variance to encroach five feet into the 25-foot front yard setback for the proposed construction of a single-family residence.

The subject property was vacant and is located along the west side of North 31st Street approximately 54 feet south of York Avenue. The irregular shaped lot has 188.81 feet of frontage along North 31st Street and a depth of 114.19 feet at its deepest point for a total lot size of 9,898 square feet. The property is zoned R-1 (Single Family Residential) District. The adjacent zoning is R-1 District in all directions.

Villanueva Estates at Trinity Oaks was recorded on August 6, 2018. An application for the variance request was submitted on October 3, 2024.

The applicant was proposing to construct a single family home on the property. However, due to the irregular shape of the lot and the required minimum building setbacks of the property, the house cannot be constructed in a manner that allows for construction of the home with a front porch and enhanced space for the backyard. Approval of a five-foot encroachment will accommodate the property owner's proposed concept for construction. The owner's situation is unique and not commonly experienced by others in the neighborhood. Additionally, the proposed use to be authorized by the variance will not change the fundamental character of the area.

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

Staff recommended approval of the variance request since the irregular shape of the Lot in essence might represent a unique plight of the owner.

Mr. Martin Villanueva, owner of Villanueva Construction Company, 1013 E. Alberta Road, Edinburg. He stated he wanted to build a larger house for his former spouse and grandchildren. Chairperson Gutierrez asked Mr. Villanueva on the design of the proposed family home if he had considered changing the drawing to accommodate instead of encroaching into the front yard setback. Mr. Villanueva stated after they had designed it, his former wife wanted to have the porch extended out more towards the front.

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

Chairperson Jose Gutierrez asked if there was anyone present to speak in opposition of the Variance request. There was no one to speak in opposition of the Variance request.

Following discussion, Mr. Hiram Gutierrez **moved** to approve the Variance request as recommended by staff. Mr. Ivan Garcia seconded the motion. The Board voted to approve the Variance request with five members present and voting.

- c) Request of Anita Moon on behalf of Greater McAllen Association of Realtors for the following variance to the City of McAllen Zoning Ordinance to allow an accessory building with a one-foot separation to the main building instead of the required five feet for rear yard structures at Lot B1, Aim Media Subdivision, Hidalgo County, Texas; 1324 East Nolana Avenue. **(ZBA2024-0036) (TABLED: 10/09/2024) (REMAIN TABLED: 10/23/2024)**

This item will remain tabled per the applicant.

ADJOURNMENT

There being no further business to come before the Zoning Board of Adjustment and Appeal, Chairperson Jose Gutierrez **moved** to adjourn the meeting.

Chairperson Jose Gutierrez

Carmen White, Administrative Assistant

Memo

TO: Zoning Board of Adjustment & Appeals

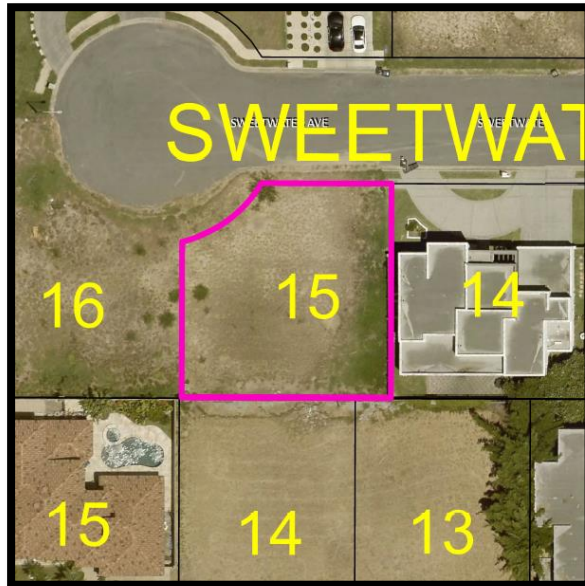
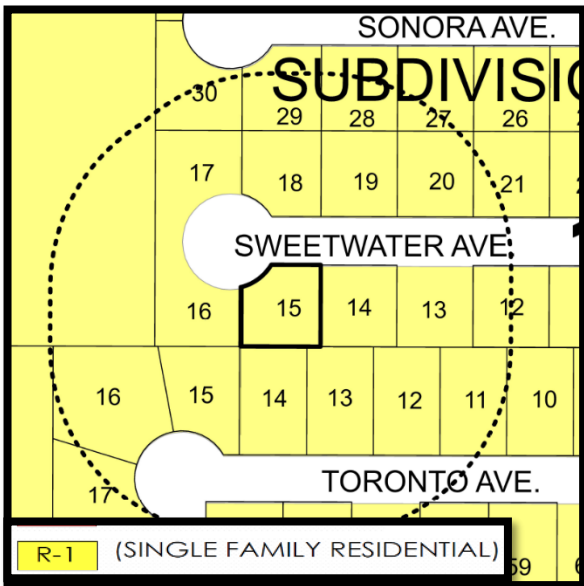
FROM: Planning Staff

DATE November 13, 2024

SUBJECT: REQUEST OF MCI DEVELOPMENT, LLC FOR VARIANCES TO THE CITY OF MCALLEN ZONING ORDINANCE TO ALLOW THE FOLLOWING ENCROACHMENTS: 1) A GARAGE DOOR SETBACK OF 18 FEET INSTEAD OF 25 FEET AND 2) AN ENCROACHMENT OF 10 FEET INTO THE 25 FOOT FRONT YARD SETBACK, FOR A PROPOSED SINGLE FAMILY RESIDENCE AT LOT 15, LA VERANDA SUBDIVISION, HIDALGO COUNTY, TEXAS; 4709 SWEETWATER AVENUE. (ZBA2024-0045)

REASON FOR APPEAL: The applicant is requesting variances to allow the above-mentioned encroachments for a proposed single-family residential home. Approval of the variances will allow for a patio area as well as allow a larger size for the home.

PROPERTY LOCATION AND VICINITY: The subject property is located along the south side of Sweetwater Avenue approximately 400 feet west of South 46th Street. The vacant lot has 92.24 ft. of frontage along Sweetwater Avenue and a depth of 85.74 ft. at its deepest point for a tract size of 6,669 sq. ft. The property is zoned R-1 (single family residential) District. The adjacent zoning is R-1 District in all directions. The surrounding land use is single-family residential and vacant properties.



BACKGROUND AND HISTORY: La Veranda Subdivision was recorded on January 20, 2006. Submittal of an application for a building permit is pending determination of the variance request. An application for the variance requests was submitted on October 23, 2024.

ANALYSIS:

Variance #1 is to allow a garage door setback of 18 ft. instead of 25 ft. The McAllen Code of Ordinances states in Section 138-356 (footnote 2) “entrances to a garage or enclosed carport shall be a minimum of 18 feet from streets or alleys in the A-O, R-1, R-2, R-3A, R-3C and R-3T Districts unless otherwise specified by the Planning and Zoning Commission”. The plat specifies a front yard building setback of 25 ft. and states 18 ft. for a garage setback “except where greater setback is required – greater setback applies”. In this case, the greater setback of 25 ft. will apply. The site plan shows the proposed distance from the front property line to the proposed garage door at 18 feet. It does not show the 25 ft. front yard setback with the proposed area of encroachment.

Variance #2 is to allow construction of a proposed single-family residence with an encroachment of 10 ft. into the 25-foot front yard setback. The site plan shows the proposed distance from the front property line to the residence at 15 ft. It also shows the 25 ft. front yard setback with the proposed encroachment area.

The plat for this subdivision indicates a five-foot utility easement adjacent to the front property line and a 10-foot utility easement adjacent to the rear property line.

The subject property has partial frontage on a cul-de-sac, which gives the property an element of an irregular shape.

If the variance request is approved the applicant must comply with all other building and zoning ordinance requirements.

Staff has not received any phone calls, emails, or letters in opposition to the variance requests.

RECOMMENDATION:

Variance request #1: Staff recommends **disapproval** since the site plan can be modified for compliance.

Variance request #2: Staff recommends **approval** since the partial frontage on the cul-de-sac makes for an irregular shaped lot. A 10-foot utility easement adjacent to the rear property line reduces the buildable area for this property.

ZBA2024-0045

ZB5A:
11/20/24



City of McAllen

Planning Department

APPEAL TO ZONING BOARD OF ADJUSTMENT TO MCALLEN ZONING ORDINANCE

311 North 15th Street
McAllen, TX 78501
P. O. Box 220
McAllen, TX 78505-0220
(956) 681-1250
(956) 681-1279 (fax)

Project	Legal Description	<u>Lot 15 4709 Sweetwater Avenue</u>	
	Subdivision Name	<u>La Veranda Subdivision</u>	
	Street Address	<u>Sweetwater Ave.</u>	
	Number of lots	<u>1</u>	Gross acres _____
	Existing Zoning	<u>B</u>	Existing Land Use <u>Vacant</u>
	Reason for Appeal (please use other side if necessary)	_____	
<input checked="" type="checkbox"/> \$300.00 non-refundable filing fee + <input type="checkbox"/> \$50.00 Recording Fee for Special Exception (carport) <input checked="" type="checkbox"/> Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required			

Applicant	Name	<u>MCI DEVELOPMENT, LLC</u>	Phone	<u>(956)627-6016</u>
	Address	<u>2807 Santa Lydia St.</u>	E-mail	<u>mcidevelopment958@gmail.com</u>
	City	<u>Mission,</u>	State	<u>Tx.</u> Zip <u>78572</u>

Owner	Name	<u>Jabavi Investments LLC</u>	Phone	<u>(956) 624-3015</u>
	Address	<u>2112 S. Shary RD. Ste 24</u>	E-mail	<u>pasallo@gmail.com</u>
	City	<u>Mission</u>	State	<u>Tx.</u> Zip <u>78572</u>

Authorization	To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?	
	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
	I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable) OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.	
	Signature	<u></u> Date <u>10/22/2024</u>
Print Name	<u>Javier Barragan Pasallo</u> <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Authorized Agent	

Office	Accepted by	Payment received by	Date
	<u>SEN EZ</u>	_____	<u>OCT 23 2024</u>
Rev 10/18		 By <u>NG</u>	



City of McAllen

Planning Department

REASON FOR APPEAL & BOARD ACTION

*A variance will not be granted to relieve a self-created or personal hardship, nor shall it be based solely on economic gain or loss. In order to make a finding of hardship and grant the variance, the Zoning Board of Adjustment will consider **any combination of** the following: (Please use an additional page if necessary to complete responses)

**Information provided here by the applicant does not guarantee that the Board will grant a variance.

***Applicant should include all information they determine is relevant, but it is not required to provide responses to all sections listed below.

Reason for Appeal

1. Describe the special circumstance or condition affecting the land involved such that the strict application of the provisions required would deprive the applicant of the reasonable use of the land:

Por el terreno que esta muy pequeño
Quedaría muy poco espacio para patio

2. Describe how the variance is necessary for the preservation and enjoyment of the legal property rights of the owner:

Me daría un poco mas espacio para
el patio

3. Describe how the variance will not be detrimental to the public health, safety or welfare or injurious to the legal rights other property owners enjoy in the area:

El espacio que estamos pidiendo es necesario
para la vista que tienen las otras casas

4. Describe special conditions that are unique to this applicant or property:

We require consideration of reducing the front side setback to 15' for the house
and 18' where the garage side setback would be,
given that a previous request for lot 17 was already approved.

Board Action

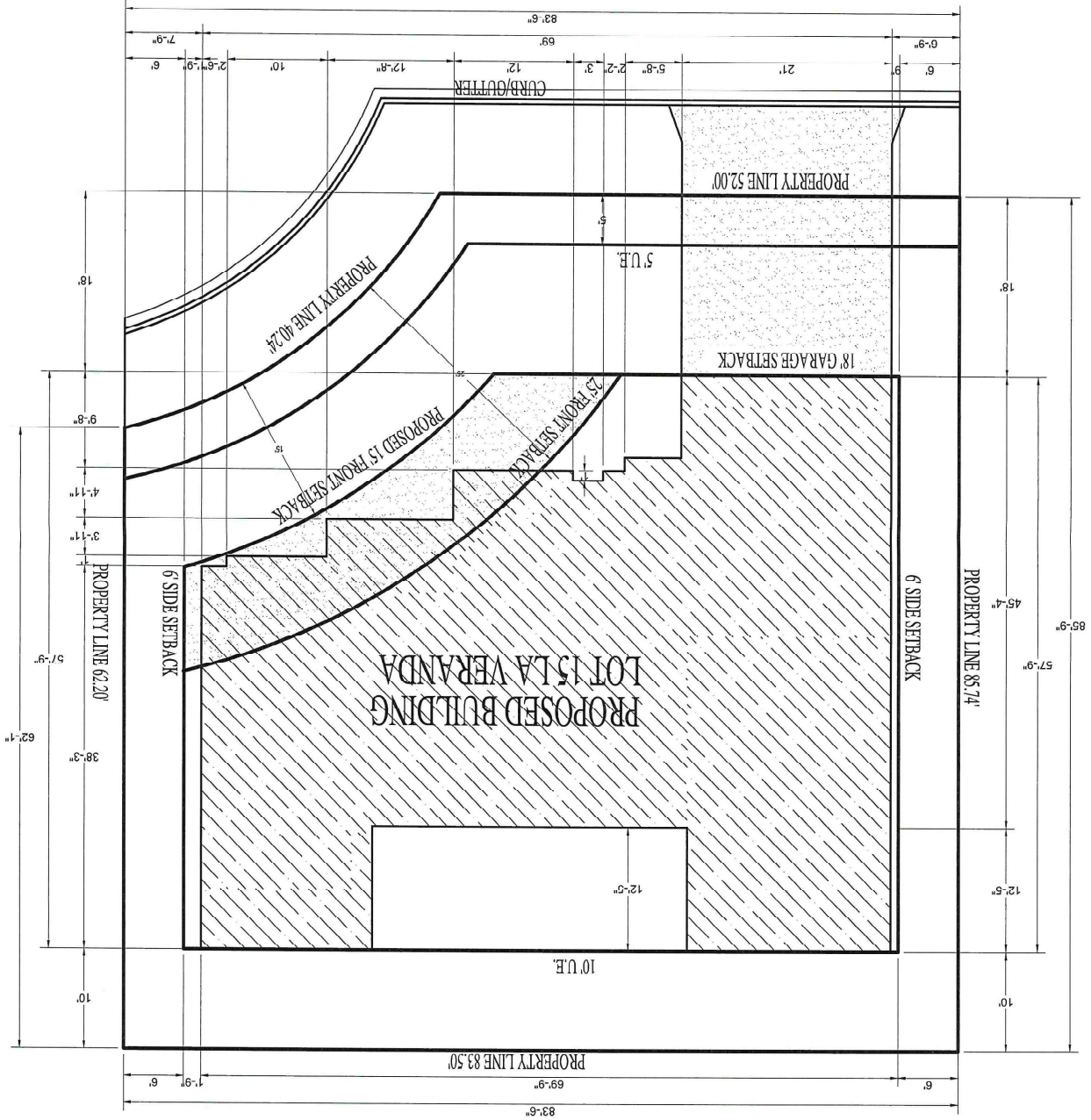
Chairman, Board of Adjustment
Signature

Date



SWEETWATER AVE.

SITE PLAN
SCALE 3/16"=1'-0"



T.B.P.E. FIRM No.: F-5154

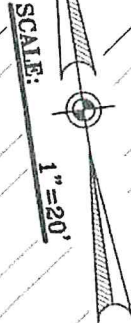


ART SALINAS
ENGINEERING & SURVEYING

T.B.P.L.S. FIRM No.: 10004000

1624 DOVE AVENUE, McALLEN, TEXAS 78504 PH: (956) 618-5565 FAX: (956) 618-5540

BOC



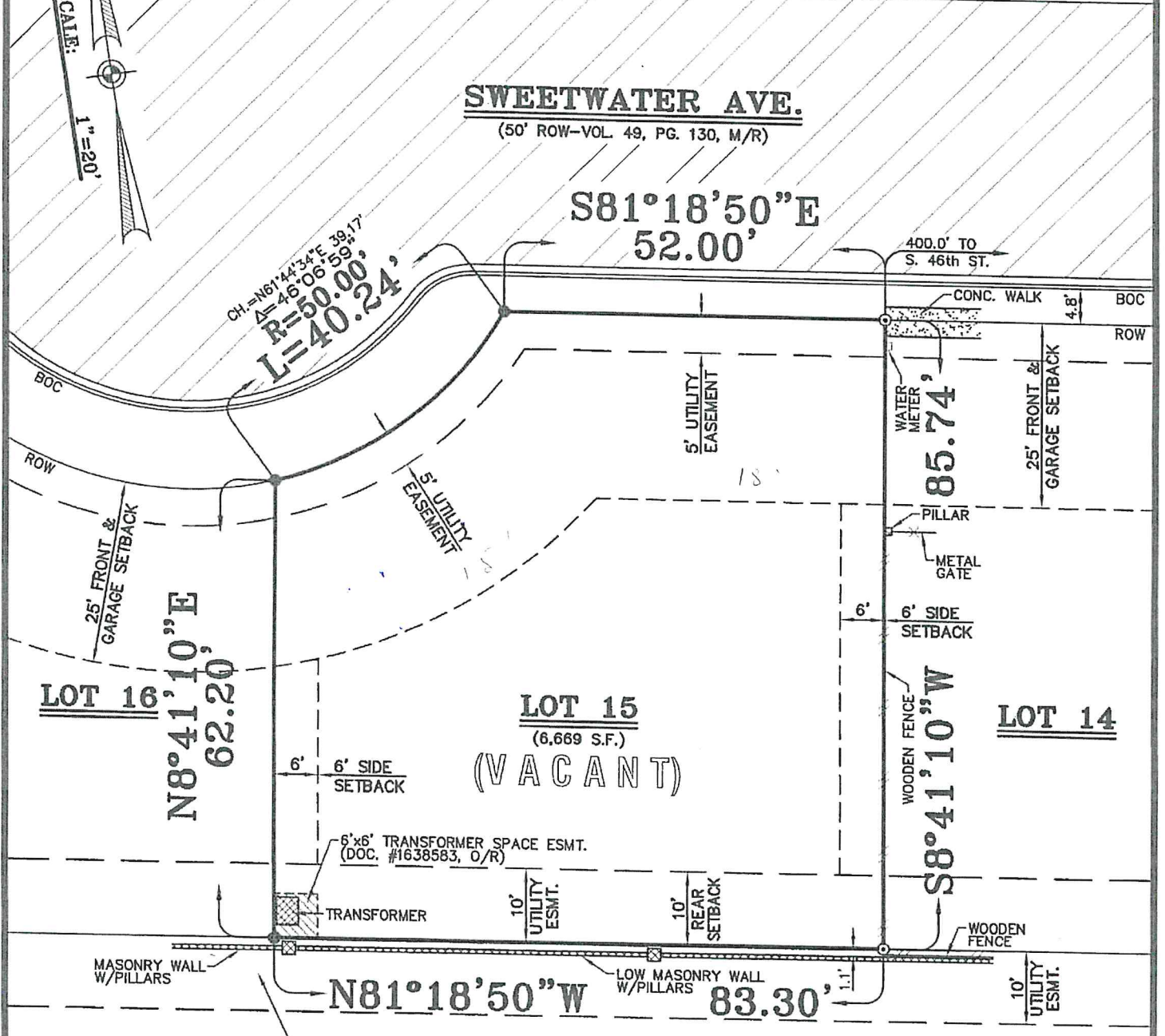
SWEETWATER AVE.

(50' ROW-VOL. 49, PG. 130, M/R)

S81°18'50"E
52.00'

400.0' TO
S. 46th ST.

CH. = N61°44'34"E 39.17'
Δ = 46°06'59"
R = 50.00'
L = 40.24'



LOT 16
N8°41'10"E
62.20'

LOT 15
(6,669 S.F.)
(VACANT)

LOT 14

S8°41'10"W
85.74'

N81°18'50"W
83.30'

SALTILLO AT BENTSEN LAKE SUBD.
(V. 47, P. 100, M/R)

LEGEND

- - DENOTES FOUND 1/2" ROD
- ⊙ - DENOTES SET 1/2" ROD
- - DENOTES NO MONUMENT
- ROW - DENOTES RIGHT OF WAY
- BOC - DENOTES BACK OF CURB

FLOOD ZONE DESIGNATION: The property shown hereon lies in Zone "B". Zone "B" areas lie between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood as per F.E.M.A. Flood Insurance Rate Map Panel No. 480334-0400-C dated 11-16-82 and amended by FEMA LOMR Case No. 05-06-1444A on 09-08-05.

PLAT NOTES:

1. There are no discrepancies, conflicts, shortages in area or boundary lines, encroachments, overlapping of improvements or visible or apparent easements, except as shown on this plat.
 2. This survey was prepared without the benefit of a Title Report or Commitment. Easement research is not within the scope of this survey.
 3. This survey must contain an embossed seal and an original signature to be valid as per Section 661.46 and Section 663.19 of the "The Professional Land Surveying Practices Act".
 4. This is a standard survey and does not include the location or subsurface investigation of underground utility, irrigation, and/or gas lines.
 5. Statutory rights, rules, regulations, easements and liens in favor of United Irrigation District, pursuant to applicable sections of the Texas Water Code. (Blanket)
 6. Contract, Easement and Use Restriction dated June 8, 2006, by and between AEP Texas Central Company, a Texas corporation and RGV Horizon Developers, Ltd., recorded under Clerk's File No. 1638583, Official Records, Hidalgo County, Texas. (Blanket)
 7. Zoning and building ordinances in favor of the City of McAllen
 8. Subject to any oil, gas and mineral lease of record.
 9. Bearing Basis: "N. line of Lot 15, La Veranda Subdivision"
- Client(s): Javier Barragan

THIS IS TO CERTIFY THAT I HAVE, THIS DATE, PREPARED A SURVEY ON THE GROUND WHICH IS LOCATED AT 4709 SWEETWATER AVE. in McALLEN, TEXAS, DESCRIBED AS FOLLOWS:
LOT 15, LA VERANDA SUBDIVISION, AN ADDITION TO THE CITY OF McALLEN, HIDALGO COUNTY, TEXAS, AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME 49, PAGE 130, MAP RECORDS, HIDALGO COUNTY, TEXAS.

24-68144 Job No. 09-23-24 Date

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Registered Professional Land Surveyor No. 4802

By NG



**NOTICE
VARIANCE
FOR
THIS PROPERTY
ZBA2024-0045**

CITY OF MCALLEN PLANNING DEPT.
956.681-1230
WWW.MCALLEN.TX.NET



Memo

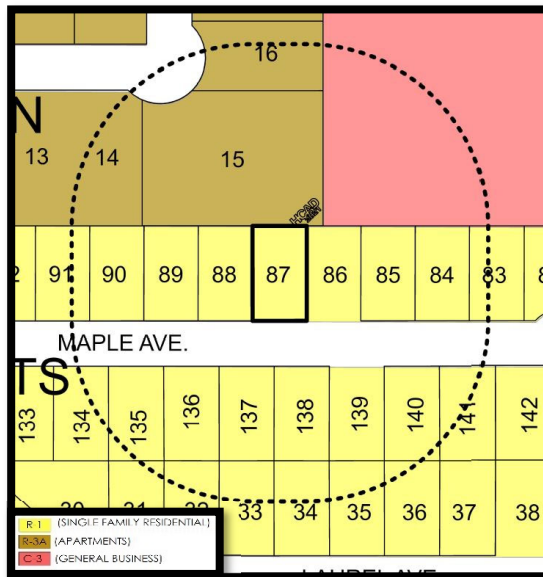
TO: Zoning Board of Adjustment & Appeals

FROM: Planning Staff

DATE: November 13, 2024

SUBJECT: REQUEST OF JUAN GOMEZ FOR A SPECIAL EXCEPTION TO THE CITY OF MCALLEN ZONING ORDINANCE TO ALLOW AN ENCROACHMENT OF 20 FEET INTO THE 20 FOOT FRONT YARD SETBACK FOR A PROPOSED METAL CARPORT AT LOT 87, BENTSEN HEIGHTS UNIT TWO SUBDIVISION, HIDALGO COUNTY, TEXAS; 4520 MAPLE AVENUE. (ZBA2024-0044)

REASON FOR APPEAL: The applicant is requesting a Special Exception to encroach 20 feet into the 20 foot front yard setback for a proposed metal carport measuring 20 feet by 20 feet for protection of vehicles from inclement weather.



PROPERTY LOCATION AND VICINITY: The subject property is located along the north side of Maple Avenue approximately 252.3 feet west of the intersection with North 45th Street. The lot has 60 feet of frontage along Maple Avenue and 105 feet of depth for a total size of 6,300 square feet. The property is zoned R-1 (Single Family Residential) District. The adjacent zoning includes R-1 (Single Family Residential) District to the south, east and west and R-3A (Multi-Family Residential Apartments) District to the north.

BACKGROUND AND HISTORY: Bentsen Heights Unit Two Subdivision was recorded on January 8, 1997. The plat indicates a 20 foot front yard setback for this lot. A building permit application for the proposed metal carport has not been submitted and is awaiting the decision on this request. An application for a special exception request was submitted to the Planning Department on October 23, 2024.

ANALYSIS: The applicant is requesting a Special Exception to allow an encroachment of 20 feet into the 20 foot front yard setback for a proposed metal carport that will be used for protection of their vehicle from the sun and severe weather conditions. A submitted site plan shows that the carport will have a pitched roof and will include rain gutters. Rain gutters on a pitched roof should be able to handle the volume of water and debris that drains off the roof.

The front yard setbacks are important in keeping the character of a single-family neighborhood by maintaining the street yard and curb appeal of properties in a subdivision.

The home has a garage that is being used to park one of their vehicles.

A review of Planning Department records did not reveal any special exceptions granted within the subdivision.

Special exceptions are issued to and recorded for the present applicant/owner only. New property owners would need to apply for a new special exception request.

There has been one phone call in opposition of the Special Exception request with concerns regarding rainfall runoff.

Measurements provided are without the benefit of a survey.

RECOMMENDATION: Staff recommends disapproval of the Special Exception request since no special exceptions have been approved within this subdivision and it is not compatible with the character of the neighborhood.



City of McAllen

Planning Department

APPEAL TO ZONING BOARD OF

ADJUSTMENT TO MCALLEN ZONING ORDINANCE

311 North 15th Street
McAllen, TX 78501
P. O. Box 220
McAllen, TX 78505-0220
(956) 681-1250
(956) 681-1279 (fax)

Case Number: ZBA2024-0044

ZBOA Meeting: 11/20/24

Routed
 Scanned

Receipt No: _____

Accepted by: P: EZ S: [Signature]

Customer Acknowledgment (Int.): [Signature]

PROJECT

Legal Description

Lot 87

Subdivision Name

Bentsen Height UT 2

Street Address

4520 W. Maple Ave

Number of lots 1

Gross acres _____

Existing Zoning

R-1

Existing Land Use

Homestead

Reason for Appeal (please use other side if necessary)

Add carport 20. feet
Front 20. feet into Front Set Back 20x20 feet.

\$300.00 non-refundable filing fee + \$50.00 Recording Fee for Special Exception (carport)

Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required

APPLICANT

Name

Juan Gomez

Phone

956-878-8531

Address

4520 W. Maple Ave

E-mail

gomez.johnny211@gmail.com

City

McAllen

State

TX

Zip

78501

OWNER

Name

Juan + Sandra Gomez

Phone

956-878-8531

Address

4520 W. Maple Ave

E-mail

gomez.johnny211@gmail.com

City

McAllen

State

TX

Zip

78501

AUTHORIZATION

To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?

Yes

No

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable)

OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature

[Signature]

Date

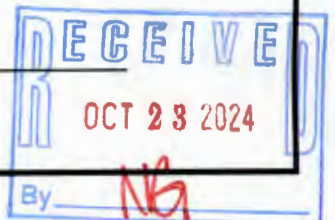
10/23/24

Print Name

Juan Gomez

Owner

Authorized Agent





City of McAllen

Planning Department

REASON FOR APPEAL & BOARD ACTION

*A variance will not be granted to relieve a self-created or personal hardship, nor shall it be based solely on economic gain or loss. In order to make a finding of hardship and grant the variance, the Zoning Board of Adjustment will consider **any combination of** the following: (Please use an additional page if necessary to complete responses)

**Information provided here by the applicant does not guarantee that the Board will grant a variance.

***Applicant should include all information they determine is relevant, but it is not required to provide responses to all sections listed below.

1. Describe the special circumstance or condition affecting the land involved such that the strict application of the provisions required would deprive the applicant of the reasonable use of the land:

I will be increasing A-20 lot entrance
Ft. to the Front Setback. I HAVE A ARCHIVE
PLAN

2. Describe how the variance is necessary for the preservation and enjoyment of the legal property rights of the owner:

Carport necessary to provide cover for vehicle
from inclement weather

3. Describe how the variance will not be detrimental to the public health, safety or welfare or injurious to the legal rights other property owners enjoy in the area:

Carport will be built as per approved setbacks
and will be built with quality material.

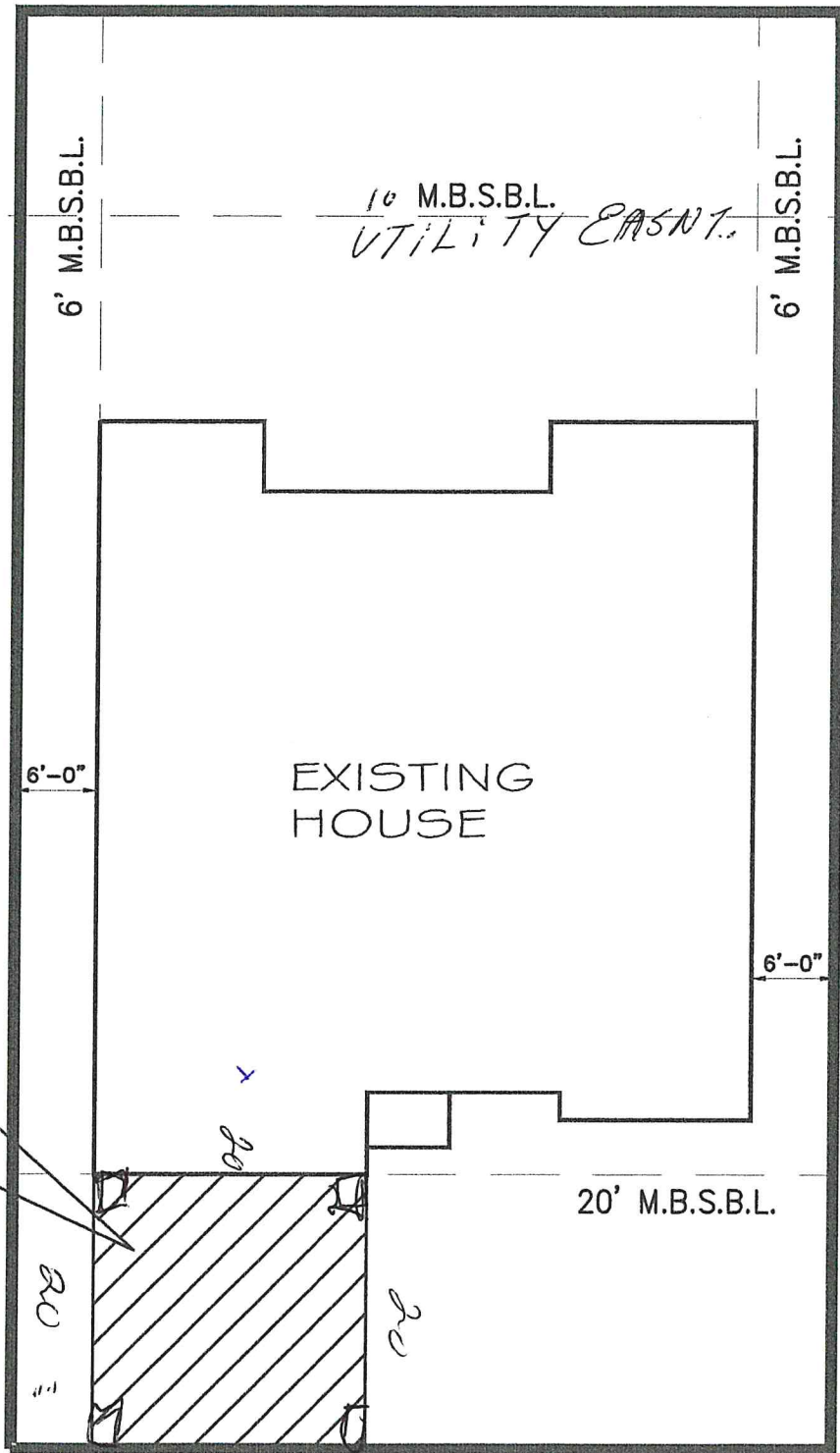
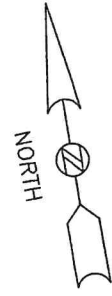
4. Describe special conditions that are unique to this applicant or property:

Reason for Appeal

Board Action

Chairman, Board of Adjustment
Signature

Date

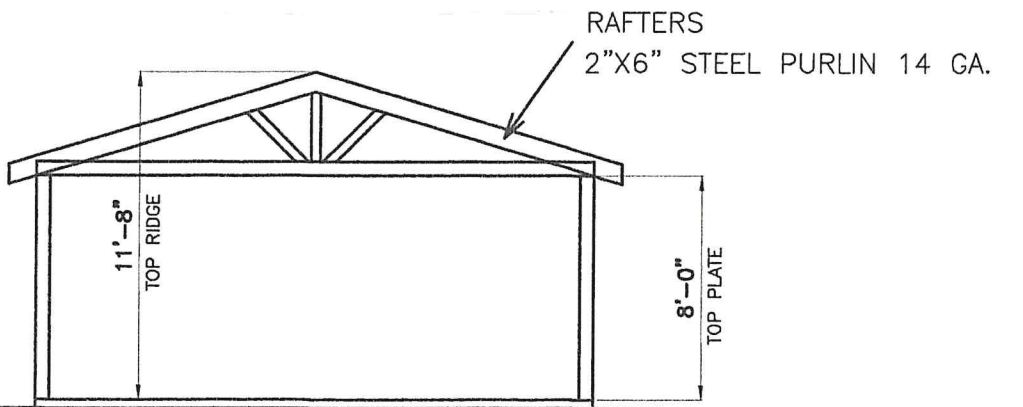
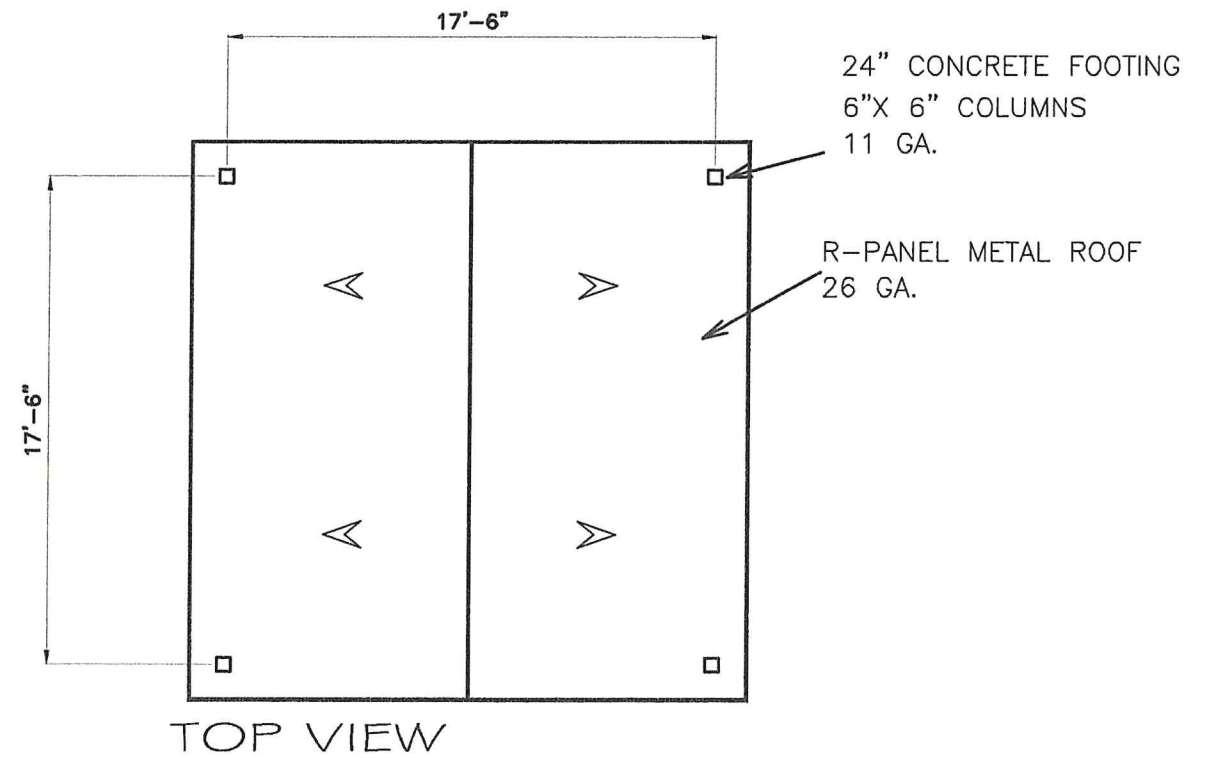


OWNER: JUAN GOMEZ
4520 MAPLE AVE.
McALLEN, TX

LOT 87
BENTSEN HEIGHTS UT 2

PROPOSED
METAL
CAR-PORT

MAPLE AVE.



FRONT VIEW
RAIN GUTTERY to be in place

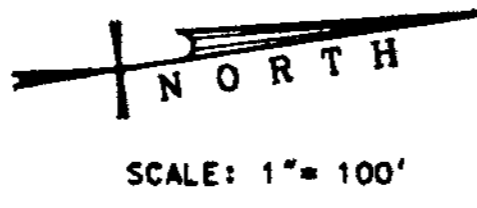
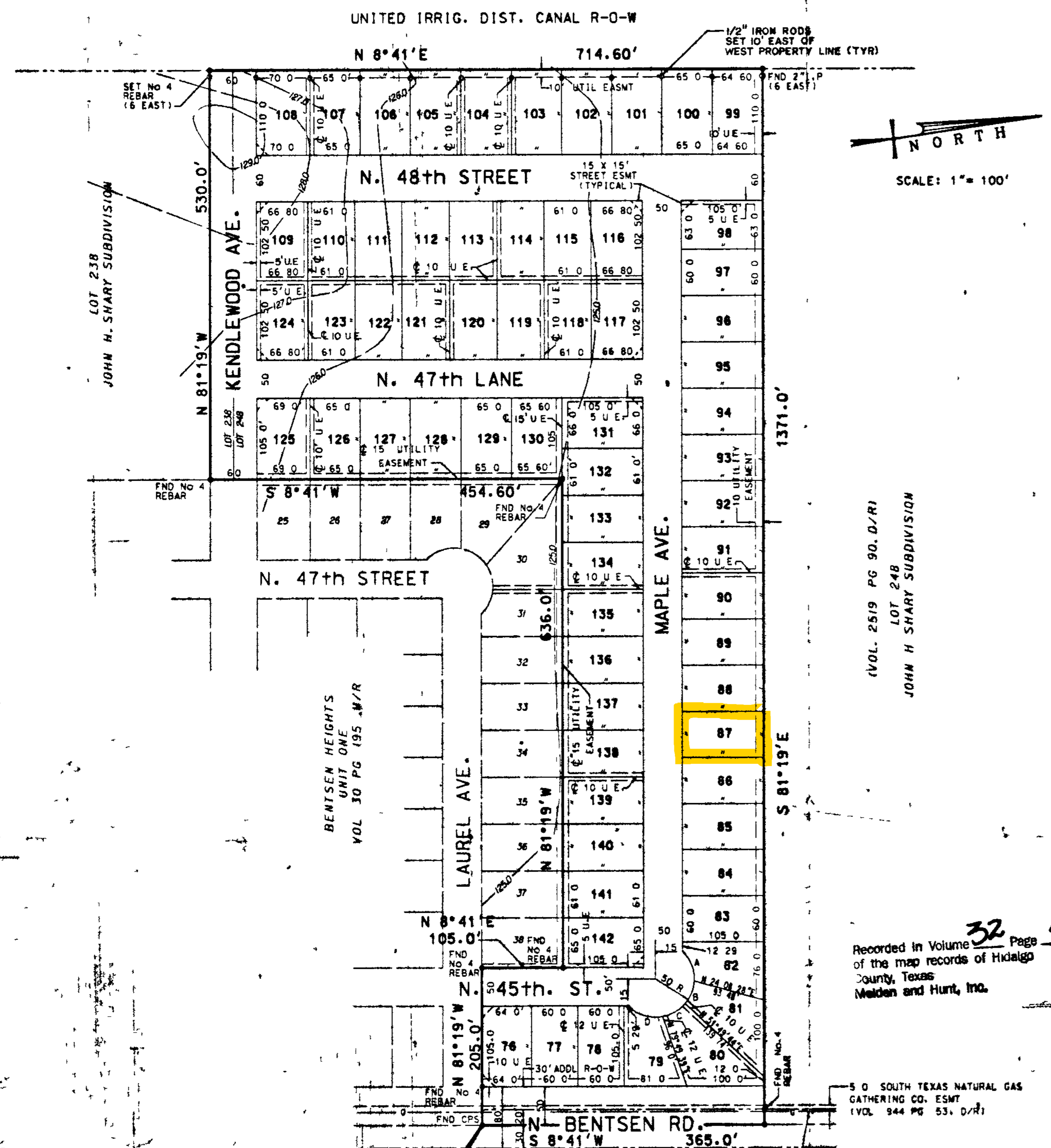
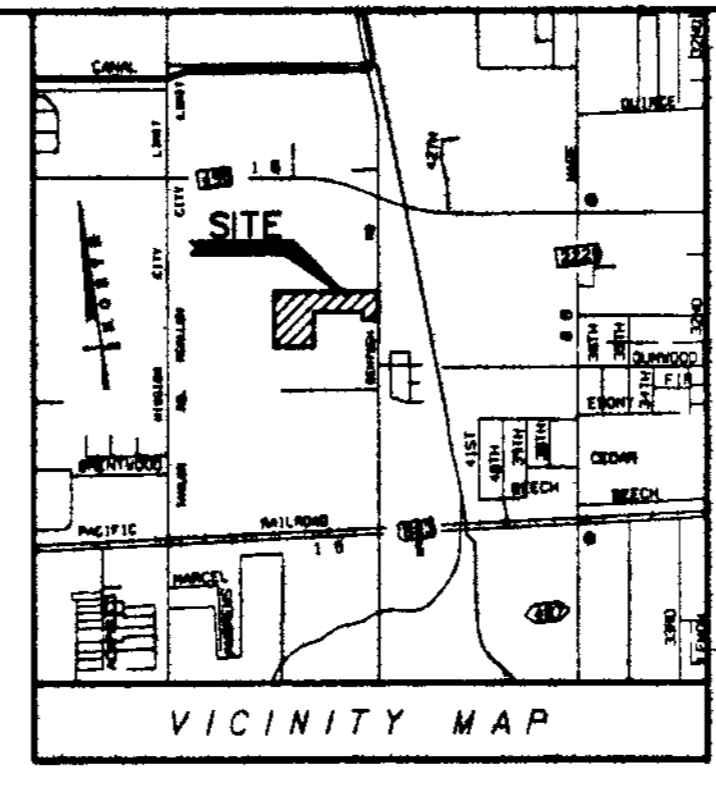
JG
11/8/24



BENTSEN HEIGHTS UNIT TWO

McALLEN, TEXAS

BEING A SUBDIVISION OF 14.20 ACRES OF LAND OUT OF LOTS 248 AND 238, JOHN H. SHARY SUBDIVISION PORCIONES 58, 59 AND 60 HIDALGO COUNTY, TEXAS VOL. 1 PAGE 17 AND 42, M/R.



METES AND BOUNDS DESCRIPTION

BEING A 14.20 ACRE TRACT OF LAND OUT OF LOT 248 & LOT 238 JOHN H. SHARY SUBDIVISION AS RECORDED IN VOLUME 1, PG. 17 & 42, MAP RECORDS, HIDALGO COUNTY, TEXAS; SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A C.P.S. FOUND FOR THE NORTHEASTERLY CORNER OF BENTSEN HEIGHTS UNIT ONE SUBDIVISION (VOL. 30, PG. 195 H.C.M.R.) AND THE SOUTHEASTERLY CORNER OF THIS DESCRIPTION:

THENCE NORTH 81 DEG 19 MIN 00 SEC WEST COINCIDENT WITH THE NORTH LINE OF SAID BENTSEN HEIGHTS UNIT ONE AT A DISTANCE OF 50.0 FEET PAST A NO. 4 REBAR FOUND FOR THE WEST RIGHT-OF-WAY LINE OF BENTSEN ROAD A TOTAL DISTANCE OF 205.0 FEET TO A NO. 4 REBAR FOUND FOR AND EXTERNAL CORNER OF SAID BENTSEN HEIGHTS UNIT ONE AND AN INTERNAL CORNER OF THIS DESCRIPTION;

THENCE NORTH 08 DEG 41 MIN. 00 SEC EAST COINCIDENT WITH AND EXTERIOR LINE OF SAID BENTSEN HEIGHTS UNIT ONE A DISTANCE OF 105.0 FEET TO A NO. 4 REBAR FOUND FOR AND INTERIOR ANGLE OF SAID BENTSEN HEIGHTS UNIT ONE AND AN EXTERNAL ANGLE OF THIS DESCRIPTION;

THENCE NORTH 81 DEG 19 MIN 00 SEC WEST COINCIDENT WITH THE NORTH LINE OF SAID BENTSEN HEIGHTS UNIT ONE A DISTANCE OF 636.0 FEET TO A NO. 4 REBAR FOUND FOR THE NORTHWESTERLY CORNER OF SAID BENTSEN HEIGHTS UNIT ONE AND AN INTERNAL CORNER OF THIS DESCRIPTION;

THENCE SOUTH 08 DEG 41 MIN 00 SEC WEST COINCIDENT WITH AND INTERIOR LINE OF SAID BENTSEN HEIGHTS UNIT ONE AT A DISTANCE OF 424.60 FEET PAST A POINT FOR THE SOUTH LINE OF SAID LOT 248 A TOTAL DISTANCE OF 154.60 FEET TO A NO. 4 REBAR FOUND FOR A POINT OF SAID BENTSEN HEIGHTS UNIT ONE AND AN EXTERNAL CORNER OF THIS DESCRIPTION;

THENCE NORTH 81 DEG. 19 MIN. 00 SEC WEST PARALLEL WITH THE SOUTH LINE OF SAID LOT 248 AT A DISTANCE OF 524.0 FEET PAST A NO. 4 REBAR SET A TOTAL DISTANCE OF 830.0 FEET TO A POINT FOR THE EASTLINE OF UNITED IRRIGATION DISTRICT CANAL RIGHT-OF-WAY AND THE SOUTHWESTERLY CORNER OF THIS DESCRIPTION;

THENCE NORTH 08 DEG 41 MIN. 00 SEC EAST COINCIDENT WITH THE EAST LINE OF SAID UNITED IRRIGATION DISTRICT CANAL RIGHT-OF-WAY A DISTANCE OF 714.60 FEET TO A POINT FOR THE NORTHWESTERLY CORNER OF THIS DESCRIPTION;

THENCE SOUTH 81 DEG 19 MIN. 00 SEC EAST AT A DISTANCE OF 6.0 FEET PAST A 2 INCH IRON PIPE FOUND CONTINUING AT A DISTANCE OF 1351.0 FEET PAST A NO. 4 REBAR FOUND FOR THE WEST RIGHT-OF-WAY LINE OF BENTSEN ROAD A TOTAL DISTANCE OF 1371.0 FEET TO A NO. 4 REBAR FOUND FOR THE NORTHEASTERLY CORNER OF THIS DESCRIPTION;

THENCE SOUTH 08 DEG 41 MIN 00 SEC WEST COINCIDENT WITH THE CENTERLINE OF SAID BENTSEN ROAD A DISTANCE OF 365.0 FEET TO A C.P.S. FOUND FOR THE NORTHEASTERLY CORNER OF SAID BENTSEN HEIGHTS UNIT ONE AND THE SOUTHEASTERLY CORNER OF THIS DESCRIPTION AND ALSO BEING THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINING 14.20 ACRES OF WHICH 13.84 ACRES ARE IN LOT 248 AND 0.36 ACRES ARE IN LOT 238, MORE OR LESS.

STATE OF TEXAS
COUNTY OF HIDALGO

I, (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS THE BENTSEN HEIGHTS UNIT TWO SUBDIVISION TO THE CITY OF McALLEN, TEXAS, AND WHOSE NAME IS (ARE) SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS, WATERLINES, SEWER LINES, STORM SEWERS, FIRE HYDRANTS AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH (WE), WILL CAUSE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF McALLEN, ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED EITHER ON THE PLAT HEREOF OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF McALLEN.

BRTO CONSTRUCTION CORPORATION
OWNER: MR. JOHN BRTO
113 WISTERIA
McALLEN, TEXAS 78504

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED JUAN BRTO KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS 12 DAY OF August, 1996.



Delma R. Jurek
NOTARY PUBLIC

I, THE UNDERSIGNED CHAIRMAN OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF McALLEN HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

Rob Wells
CHAIRMAN, PLANNING COMMISSION

STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR #3218 IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND IS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.



Samuel H. Paris
REGISTERED PROFESSIONAL LAND SURVEYOR
PO BOX 720355
McALLEN, TEXAS 78504

I, THE UNDERSIGNED, MAYOR OF THE CITY OF McALLEN, TEXAS, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.



James M. Klueck
MAYOR, CITY OF McALLEN

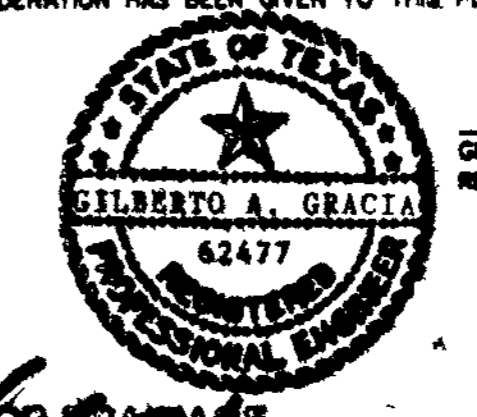
THIS PLAT IS HEREBY APPROVED BY UNITED IRRIGATION DISTRICT SUBJECT TO THE CONDITION THAT IF IRRIGATION FROM SAID DISTRICT IS DESIRED TO THE INDIVIDUAL LOTS IN SAID SUBDIVISION, PROVISION SHALL BE MADE FOR APPROPRIATE EASEMENTS FOR THE INSTALLATION OF NECESSARY IRRIGATION FACILITIES TO SUCH LOTS FROM THE CLOSEST WATER DISTRICT DELIVERY POINT AND IT SHALL BE THE RESPONSIBILITY OF THE OWNER OF THE PROPERTY TO INSTALL SUCH NECESSARY FACILITIES.

DATED THIS THE 29 DAY OF August, 1996

SECRETARY: A. Garcia PRESIDENT: Bill Zick

STATE OF TEXAS
COUNTY OF HIDALGO

I, GILBERTO ANTONIO GRACIA, REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT.



Gilberto A. Gracia
REGISTRATION NO. 62422
11/25/96

CHECKED FOR COMPLIANCE BY: [Signature]
12-23-96



APPROVED: [Signature]
Hidalgo County ROW Dept
and P&S 11

LOT	CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
76	0	50.0	48.8	26.4	26.4	N 26° 17' 36" E	155° 35' 33"
80	0	50.0	34.2	17.4	17.4	N 21° 15' 51" E	159° 11' 37"
81	0	50.0	42.8	22.4	22.4	N 17° 33' 58" E	145° 08' 42"

THROUGH LOTS	LOTS AREA (SQ. FT.)
76	6156.30
80	7507.45
81	6519.71

NOTED FOR RECORDING
HIDALGO CO. PLANNING DEPT
1-7-97

(VOL. 2519 PG. 90, D/R)
LOT 248
JOHN H. SHARY SUBDIVISION

Recorded in Volume 32 Page 4
of the map records of Hidalgo County, Texas
Welden and Hunt, Inc.

APPROVED FOR RECORDING BY
COMMISSIONERS' COURT
This the 7th day of Jan, 1997
JOSE ELOY PULIDO, County Clerk
Hidalgo County, Texas
By [Signature] Deputy

- GENERAL NOTES:**
- MINIMUM FINISHED FLOOR ELEVATION SHALL BE 12 INCHES ABOVE TOP OF CURB MEASURED AT FRONT CENTER OF EACH LOT.
 - MINIMUM BUILDING SETBACK LINES SHALL BE AS FOLLOWS:
FRONT- 20 FEET EXCEPT AT CUL-DE-SAC SHALL BE 15 FEET.
SIDE- 8 FEET EXCEPT ADJACENT TO STREET SHALL BE 10 FEET.
REAR- 10 FEET OR TO THE EASEMENT LINE WHICHEVER IS GREATER.
GARAGE- 10 FEET EXCEPT WHERE GREATER SETBACK IS REQUIRED.
NOTE: SETBACKS SUBJECT TO INCREASE FOR EASEMENTS
 - THIS PROPERTY FALLS IN ZONE "C" OF THE FLOOD INSURANCE RATE MAP OF THE COUNTY OF HIDALGO, COMMUNITY PANEL NO. 490334 00080 C, REVISED NOV 2 1982.
 - NO CURB CUTS OR LOT FRONTAGE IS PERMITTED ALONG BENTSEN ROAD.
 - A 6.0 FOOT HIGH BUFFER IS REQUIRED ALONG BENTSEN ROAD.
 - A 4.0 FOOT WIDE SIDEWALK IS REQUIRED ON THE WEST SIDE OF BENTSEN ROAD, AND ON BOTH SIDES OF KENDLEWOOD AVE AND N 48th ST.
 - A TOTAL OF 0.588 AC-FT WATER DETENTION IS REQUIRED FOR THIS SUBDIVISION.

RESUBDIVISION OF LOTS 15 & 16, BLOCK 2, C E HAMMOND'S SUBDIVISION (VOL. 2 PG. 58, M/R)

B. ALL LOT CORNERS ARE MARKED WITH 1/2" IRON ROD, UNLESS OTHERWISE NOTED.





14127

NOTICE
VARIANCE
FOR
THIS PROPERTY
ZBA2024-0044
CITY OF McALLEN PLANNING DEPT.
WWW.MCALLEN.TX
WWW.MCALLEN.NET

Memo

TO: Zoning Board of Adjustment & Appeals

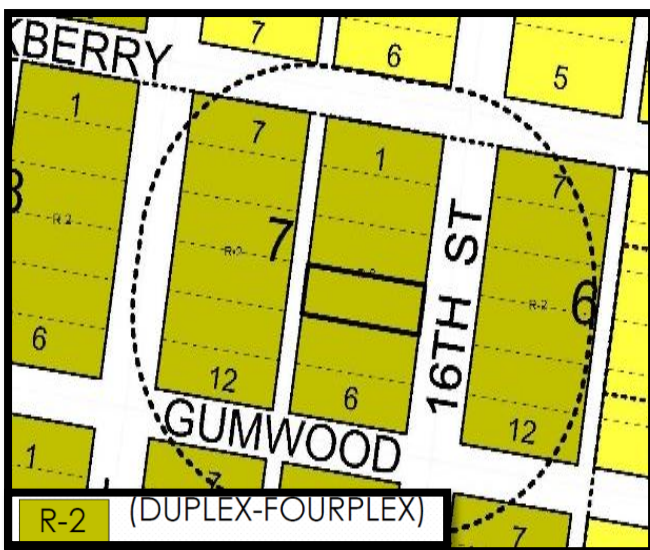
FROM: Planning Staff

DATE: November 13, 2024

SUBJECT: REQUEST OF OSCAR CANCINO FOR A VARIANCE TO THE CITY OF MCALLEN ZONING ORDINANCE TO ALLOW AN ENCROACHMENT OF 5.5 FEET INTO THE SEVEN FOOT SIDE YARD SETBACK ALONG THE SOUTH PROPERTY LINE FOR AN EXISTING METAL STORAGE BUILDING AT LOT 4, BLOCK 7, NORTH MCALLEN SUBDIVISION, HIDALGO COUNTY, TEXAS; 709 NORTH 16TH STREET. (ZBA2024-0046)

REASON FOR APPEAL: The applicant is requesting a variance for an existing metal storage building with an encroachment of 5.5 feet into the South side yard setback. The applicant states a contractor was hired to construct the building but did not obtain a building permit. The storage space is currently being used to store work equipment.

PROPERTY LOCATION AND VICINITY: The subject property is located along the west side of North 16th Street, between Hackberry and Gumwood Avenues. The lot has 50 feet of frontage along North 16th Street and a depth of 140 feet for a lot size of 7,000 square feet. The property is zoned R-2 (duplex-fourplex residential) District. The adjacent zoning is R-2 District in all directions.



BACKGROUND AND HISTORY:

According to Hidalgo County Appraisal District records, the main residence was built in 1993. A Stop Work order was posted by Building Permits and Inspections Department on September 20, 2022 for construction work without a building permit. An application for a building permit was submitted to Building Permits and Inspections Department on November 03, 2022 and an application for a variance request was submitted to the Planning Department on January 09, 2023. The Zoning Board of

Adjustments at their meeting of February 22, 2023 considered the requests and voted to approve the Special Exception request for an encroachment of 3.04 feet into the ten foot rear yard setback for an existing metal carport measuring 23.66 feet by 24.66 feet. At the same meeting the Board disapproved a variance request to allow an encroachment of 5.5 feet into the seven foot south side yard setback for an existing metal storage building measuring approximately five feet by 19.2 feet. The applicant has submitted a new application for a variance request for the same existing storage building. The new application was submitted October 24, 2024.

ANALYSIS: The applicant is requesting a variance to allow an encroachment of 5.5 feet into the seven foot south side yard setback for an existing metal storage building measuring approximately five feet by 19.2 feet. The property owner is a school teacher and the narrow storage space is used to store educational materials. The narrow storage building space is a component to a metal carport, however it was constructed encroaching into the south side yard setback.

The side yard setbacks for this property are seven feet on the south side and five feet on the north. The rear yard setback is ten feet.

The storage building has a carport component that was approved for a Special Exception on February 22, 2023. The storage building area that is the subject of the variance request is a narrow compartment that is part of a main storage area. It was disapproved as the same request at the meeting of February 22, 2023.

There have been no calls or emails received in opposition of the variance request.

RECOMMENDATION: Staff recommends disapproval since variances run with the land and buildings are not permitted within setbacks. If the Board chooses to approve the request, approval should be limited to the encroachment shown on the submitted site plan.

ZBA 2024-0046

11.20.24
ZBA



City of McAllen

Planning Department

APPEAL TO ZONING BOARD OF

ADJUSTMENT TO MCALLEN ZONING ORDINANCE

311 North 15th Street
McAllen, TX 78501
P. O. Box 220
McAllen, TX 78505-0220
(956) 681-1250
(956) 681-1279 (fax)

Project	Legal Description	Lot 4 Block 7		
		Vol 0 , Pg 33		
Applicant	Subdivision Name	North McAllen Subdivision		
	Street Address	709 N 16th St		
Owner	Number of lots	1	Gross acres	.15 acres
	Existing Zoning	Residential	Existing Land Use	Residential
Authorization	Reason for Appeal (please use other side if necessary)	Variance for the reconstruction of carport. <u>An encroachment of 5.5ft. into the 7ft. southside yard setback.</u>		
	<input type="checkbox"/> \$300.00 non-refundable filing fee + <input type="checkbox"/> \$50.00 Recording Fee for Special Exception (carport) <input checked="" type="checkbox"/> Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required			
Applicant	Name	Oscar Cancino	Phone	956.648.7245
	Address	5111 N. 10th St. #366	E-mail	ocancino@rgv.rr.com
Owner	City	McAllen	State	TX
	Zip	78504		
Authorization	Name	Marissa Cantu	Phone	956.566.6231
	Address	709 N 16th St	E-mail	javiercantu97@yahoo.com
Office	City	McAllen	State	TX
	Zip	78504		
<p>To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?</p> <p style="text-align: center;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable) OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.</p> <p>Signature <u></u> Date <u>10/16/24</u></p> <p>Print Name <u>Oscar Cancino, P.E.</u> <input type="checkbox"/> Owner <input checked="" type="checkbox"/> Authorized Agent</p>				
Office	Accepted by	Payment received by		Date
	<u>SEN</u> Rev 10/18	<u>NM</u>		

RECEIVED
 OCT 24 2024
 By NG



City of McAllen

Planning Department

REASON FOR APPEAL & BOARD ACTION

*A variance will not be granted to relieve a self-created or personal hardship, nor shall it be based solely on economic gain or loss. In order to make a finding of hardship and grant the variance, the Zoning Board of Adjustment will consider **any combination** of the following: *(Please use an additional page if necessary to complete responses)*

**Information provided here by the applicant does not guarantee that the Board will grant a variance.

***Applicant should include all information they determine is relevant, but it is not required to provide responses to all sections listed below.

Reason for Appeal

1. Describe the special circumstance or condition affecting the land involved such that the strict application of the provisions required would deprive the applicant of the reasonable use of the land:

The previous land use was for the use of carport and storage. The previous structure was damaged during a past storm event. The owner recovered insurance claim and reconstructed the previous structure as prior use.
family vehicle and storage use.

2. Describe how the variance is necessary for the preservation and enjoyment of the legal property rights of the owner:

The variance will help satisfy the previous existing conditions of having the ability to have covered parking for family vehicles as previously established and storage. Original plat setback requirements are not noted in initial plat.

3. Describe how the variance will not be detrimental to the public health, safety or welfare or injurious to the legal rights other property owners enjoy in the area:

The variance will not be detrimental to public health as the structure has been certified by a professional licenced engineer. The structure is a vast improvement to the previous structure where the new one has been constructed out of steel and concrete to assure safety and prevent failure during a storm event.

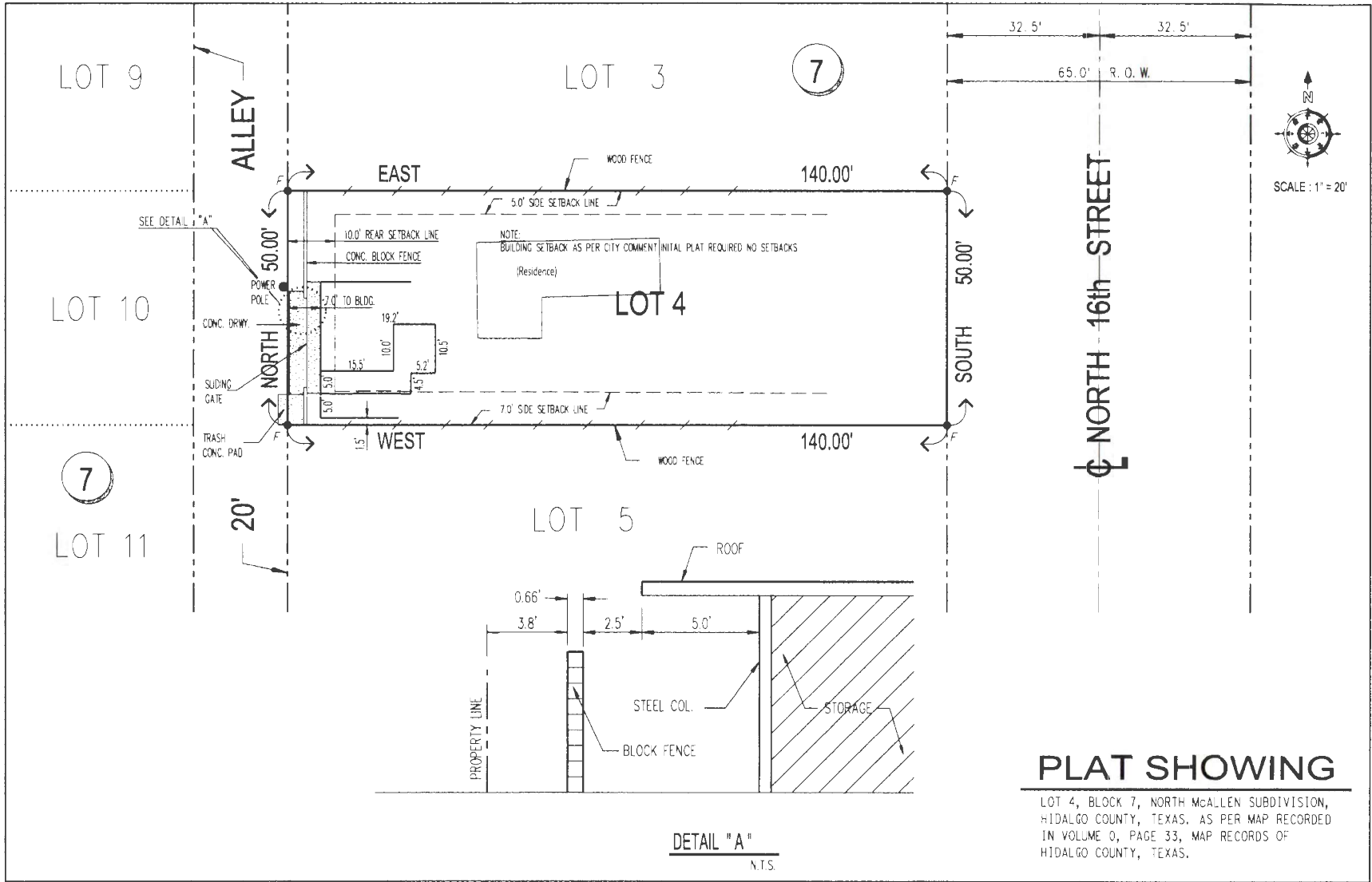
4. Describe special conditions that are unique to this applicant or property:

The majority of the neighboring homes also contain encroaching structure(s). Most homes in the area to alevae congestion along 16th street utilize the alley to access the rear of the home for parking. Again, the structure that has been constructed was due to the replacement of a previously damaged existing structure where the new structure has added a safer and more presentable structure to the neighboring community.

Board Action

Chairman, Board of Adjustment
Signature

Date



RECEIVED

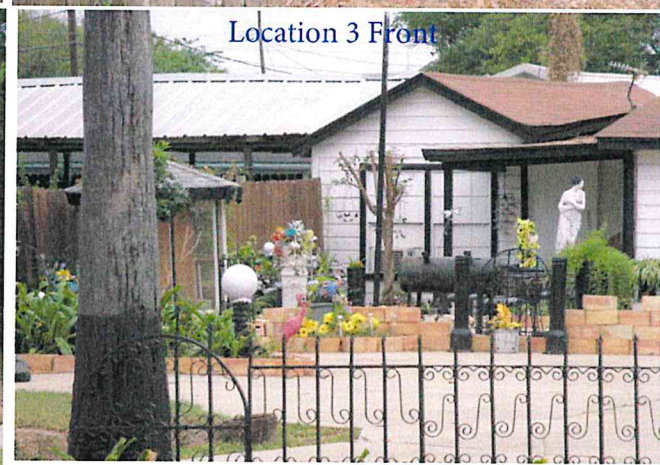
OCT 24 2024

By NG



REFLECT
OCT 24 2024
By NG

7	140	1
8		(1)
9		(2)
10		(6 a&b)
11		(3)
12		(4)
		(5)



March 7, 2023

RE: Petition for Letter of Support
Of Variance at 709 North. 16th St.

I Marissa Cantu of the aforementioned address have been approached by the City of McAllen in reference to existing improvements within my property. The city has directed myself to apply for a special exception for an existing carport to the Zoning Board of Adjustment as a result of code enforcement findings within my property by Planning Dept. In addition, as a result of this application process the Planning Department elected to add an additional item that consists of an existing storage shed within the carport. A hearing was held on February 22, 2023 denying my request for Variance to allow encroachment of the existing storage.

I am kindly requesting your support in this matter as I appeal to the City. I greatly appreciate your time and attention.

Regards,

Marissa Cantu

Community Support Resident:

Hilda Cuellar
Name

Hilda Cuellar
Signature

710 N. 17th, McAllen, TX
Address

March 7, 2023

RE: Petition for Letter of Support
Of Variance at 709 North. 16th St.

I Marissa Cantu of the aforementioned address have been approached by the City of McAllen in reference to existing improvements within my property. The city has directed myself to apply for a special exception for an existing carport to the Zoning Board of Adjustment as a result of code enforcement findings within my property by Planning Dept. In addition, as a result of this application process the Planning Department elected to add an additional item that consists of an existing storage shed within the carport. A hearing was held on February 22, 2023 denying my request for Variance to allow encroachment of the existing storage.

I am kindly requesting your support in this matter as I appeal to the City. I greatly appreciate your time and attention.

Regards,

Marissa Cantu

Community Support Resident:

María Inez Stringel
Name


Signature

705 N 16th McAllen TX
Address 78501

7 De Marzo De 2023

RE: Petición de Carta de Apoyo
De Varianza en 709 Norte. Calle 16

La ciudad de McAllen se acercó a mí, Marissa Cantu, de la dirección antes mencionada, en referencia a las mejoras existentes dentro de mi propiedad. La ciudad me ordenó solicitar una excepción especial para un estacionamiento techado existente a la Junta de Ajuste de Zonificación como resultado de los hallazgos de aplicación del código dentro de mi propiedad por parte del Departamento de Planificación. Además, como resultado de este proceso de solicitud, el Departamento de Planificación eligió agregar un elemento adicional que consista en un cobertizo de almacenamiento existente dentro de la cochera. El 22 de Febrero de 2023 se llevó a cabo una audiencia en la que se denegó mi solicitud de variación para permitir la invasión del almacenamiento existente.

Solicito amablemente su apoyo en este asunto mientras apelo a la Ciudad. Agradezco mucho su tiempo y atención.

Saludos,

Marissa Cantú

Residente de Apoyo Comunitario:

Francisca Moya

Nombre

Francisca Moya

Firma

713 N. 16 St. McAllen TX.

DIRECCIÓN



**NOTICE
VARIANCE
SPECIAL EXCEPTION
FOR
THIS PROPERTY
ZBA 2024-0046**
CITY OF MCALLEN PLANNING DEPT
956-681-1250
WWW.MCALLEN.NET

709

★ 709