

## AGENDA

**ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING  
WEDNESDAY, JANUARY 8, 2014 - 5:30 PM  
MCALLEN MUNICIPAL BUILDING - 1300 HOUSTON AVENUE  
CITY COMMISSION CHAMBERS, 3<sup>RD</sup> FLOOR**

### CALL TO ORDER – SENIOR BOARD MEMBER

#### 1. MINUTES:

**Submission of minutes for meeting of December 4, 2013**

#### 2. ELECTION OF OFFICERS: a) Chairperson

**b) Vice-Chairperson**

#### 3. PUBLIC HEARINGS:

- a) Request of Mark Giusti for variance requests to the City of McAllen Zoning Ordinance to allow the following variances: **1)** a rear yard setback of 5.16 feet instead of 10 feet for a proposed swimming pool, and **2)** a building separation of 10 feet instead of 12 feet for a proposed patio cover measuring 20 feet by 16.83 feet for Lot 2, Block 2, Bonita Heights Second Amended Map Subdivision, Hidalgo County, Texas; 1501 Esperanza Avenue. **(ZBA2013-0061)**
- b) Request of Primitivo Garza to allow a special exception request to not provide one parking space beyond the front yard setback line for Lot 97, Palmview Gardens Subdivision, Hidalgo County, Texas; 3004 Diaz Avenue **(ZBA2013-0062)**
- c) Request of Patrick Costello for variance requests to the City of McAllen Zoning Ordinance to allow the following variances: **1)** to provide 190.8 square feet instead of 912.6 square feet of landscape material in the front yard, and **2)** to provide 63.6 square feet instead of 360 square feet of landscape material in the side yards located within the front yard setback, for Lot 12, Waldron's Subdivision, Hidalgo County, Texas; 512 South 9<sup>th</sup> Street **(ZBA2013-0063)**
- d) Request of Laura Paras for a variance to the City of McAllen Zoning Ordinance to allow a side yard setback of 0 feet instead of 6 feet for a storage building measuring 8 feet by 16.2 feet, Lot 69, Valley Gardens Subdivision, Hidalgo County, Texas; 2133 Jonquil Avenue **(ZBA2013-0053) (TABLED: 11/20/2013) (REMAINED TABLED: 12/4/2013) (REMAINED TABLED: 12/18/2013)**
- e) Request of Ramon R. Garcia to allow the following variances to the City of McAllen Zoning Ordinance: **1)** a front yard setback of 19.9 feet instead of 25 feet for a porch measuring 5.1 feet by 11.83 feet, **2)** a side yard setback of 2.33 feet instead of 7 feet for a storage building and carport measuring 20 feet by 22 feet, **3)** a rear yard setback of 0 feet instead of 10 feet for a storage building and carport measuring 20

feet by 22 feet, for Lot 34, Tejas Subdivision Unit No. 2, Hidalgo County, Texas; 2808 Fir Avenue **(ZBA2013-0050) (TABLED: 11/20/2013) (REMAINED TABLED: 12/4/2013) (REMAINED TABLED: 12/18/2013)**

- f) Request of Patricia M. Guajardo to allow the following variances: **1)** to provide a 6 foot cedar fence instead of an 8 foot masonry wall along the west property line, and **2)** to not provide an 8 foot masonry wall along the south property line, for 0.80 acres out of Lot 4, Section 12, Hidalgo Canal Company's Subdivision, Hidalgo County, Texas; 1521 Trenton Road **(ZBA2013-0054) (TABLED: 12/4/2013) (REMAINED TABLED: 12/18/2013)**
  
- g) Request of David O. Salinas to allow the following variances: **1)** to provide a 5 foot landscape strip along South Jackson Road instead of a 10 foot landscape strip for Trevino's Acre Subdivision, and a 0.56 acre tract out of Lot 2, Block 8, A.J. McColl Subdivision, and **2)** to provide a 6 foot wood fence instead of an 8 foot masonry wall along the south property line for a .56 acre tract out of Lot 2, Block 8, A.J. McColl Subdivision, Hidalgo County, Texas; 2000 South Jackson Road **(ZBA2013-0057) (TABLED: 12/4/2013) (REMAINED TABLED: 12/18/2013)**

- 4. **DISCUSSION:**
  - a) **ADVISORY BOARD APPOINTMENTS**
  - b) **USE OF ELECTRONIC PACKETS**
  - c) **UPDATE OF BOARD RULES AND PROCEDURES**
  - d) **ADVISORY BOARD MEMBERS ATTENDANCE**

5. **EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY)**

**ADJOURNMENT**

**IF ANY ACCOMMODATION FOR A DISABILITY IS REQUIRED, NOTIFY THE PLANNING DEPARTMENT AT (956) 681-1250 SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING DATE. WITH REGARD TO ANY ITEM, THE ZONING BOARD OF ADJUSTMENT AND APPEALS MAY TAKE VARIOUS ACTIONS INCLUDING BUT NOT LIMITED TO RESCHEDULING AN ITEM IN ITS ENTIRETY FOR A FUTURE DATE OR TIME.**

# ZBA2013-0061



JAMES E. DARLING, Mayor  
HILDA SALINAS, Mayor Pro-Tem and Commissioner District 3  
AIDA RAMIREZ, Mayor Pro-Tem and Commissioner District 4  
SCOTT C. CRANE, Commissioner District 1  
TREY PEBLEY, Commissioner District 2  
JOHN J. INGRAM, Commissioner District 5  
VERONICA VELA WHITACRE, Commissioner District 6

MIKE R. PEREZ, City Manager

## LEGAL NOTICE

You are hereby notified that there will be a public hearing before the Zoning Board of Adjustment and Appeals, created under the McAllen Zoning Ordinance (Chapter 138 of the McAllen Code of Ordinances) to be held at McAllen Municipal Building Commission Room, 3<sup>rd</sup> Floor, 1300 Houston Avenue, McAllen, Texas on **January 08, 2014 at 5:30 p.m.** to consider the following:

Request of Mark Giusti for variance requests to the City of McAllen Zoning Ordinance to allow the following variances: 1) a rear yard setback of 5.16 feet instead of 10 feet for a proposed swimming pool, and 2) a building separation of 10 feet instead of 12 feet for a proposed patio cover measuring 20 feet by 16.83 feet for Lot 2, Block 2, Bonita Heights Second Amended Map Subdivision, Hidalgo County, Texas; 1501 Esperanza Avenue. **(ZBA2013-0061)**

All interested citizens are invited to appear and be heard. If any accommodations for disability are required please notify the Planning Department at (956) 681-1250 prior to the date of the meeting.

WITNESS MY HAND this 18th day of December, 2013.

PLANNING DEPARTMENT

*Rodrigo Sanchez*  
Rodrigo Sanchez  
Planner II

## AVISO LEGAL

Por medio de este aviso queda usted notificado que habrá una audiencia pública ante La Mesa Directiva De Ajustes Y Apelaciones, creado bajo la Ordenanza de Zonificación (Capítulo 138 del Código de Ordenanzas de la Ciudad De McAllen) que se llevara a cabo en el Edificio Municipal, en el tercer piso situado en la dirección 1300 Avenida Houston, McAllen, Texas, el **08 de Enero de 2014**, a las **5:30 p.m.** para considerar lo siguiente:

Mark Giusti ha solicitado una excepción del Código de Ordenanzas de la Ciudad De McAllen que permita 5.16 pies como limite fijado de la parte de atrás del Lote en lugar de 10 pies para una piscina propuesta, y 2) separación de edificios de 10 pies en lugar de 12 pies para un cubierto de patio con medidas de 20 pies por 16.83 pies para el Lote 2, Manzana 2 de la Subdivisión "Bonita Heights Second Amended Map", Condado de Hidalgo, Texas; 1501 Avenida Esperanza. **(ZBA2013-0061)**

Todos los interesados pueden presentarse para expresarse. Si alguna comodidad es necesaria por discapacidad favor de notificar al departamento de Planeación antes del día de la junta al (956) 681-1250

DOY FE FIRMANDO POR MI PUÑO Y LETRA este día 18 de Diciembre de 2013.



# ZBA2013-0062



JAMES E. DARLING, Mayor  
HILDA SALINAS, Mayor Pro-Tem and Commissioner District 3  
AIDA RAMIREZ, Mayor Pro-Tem and Commissioner District 4  
SCOTT C. CRANE, Commissioner District 1  
TREY PEBLEY, Commissioner District 2  
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Request of Primitivo Garza to allow a special exception request to not provide one parking space beyond the front yard setback line for Lot 97, Palmview Gardens Subdivision, Hidalgo County, Texas; 3004 Diaz Avenue (**ZBA2013-0062**)

All interested citizens are invited to appear and be heard. If any accommodations for disability are required please notify the Planning Department at (956) 681-1250 prior to the date of the meeting.

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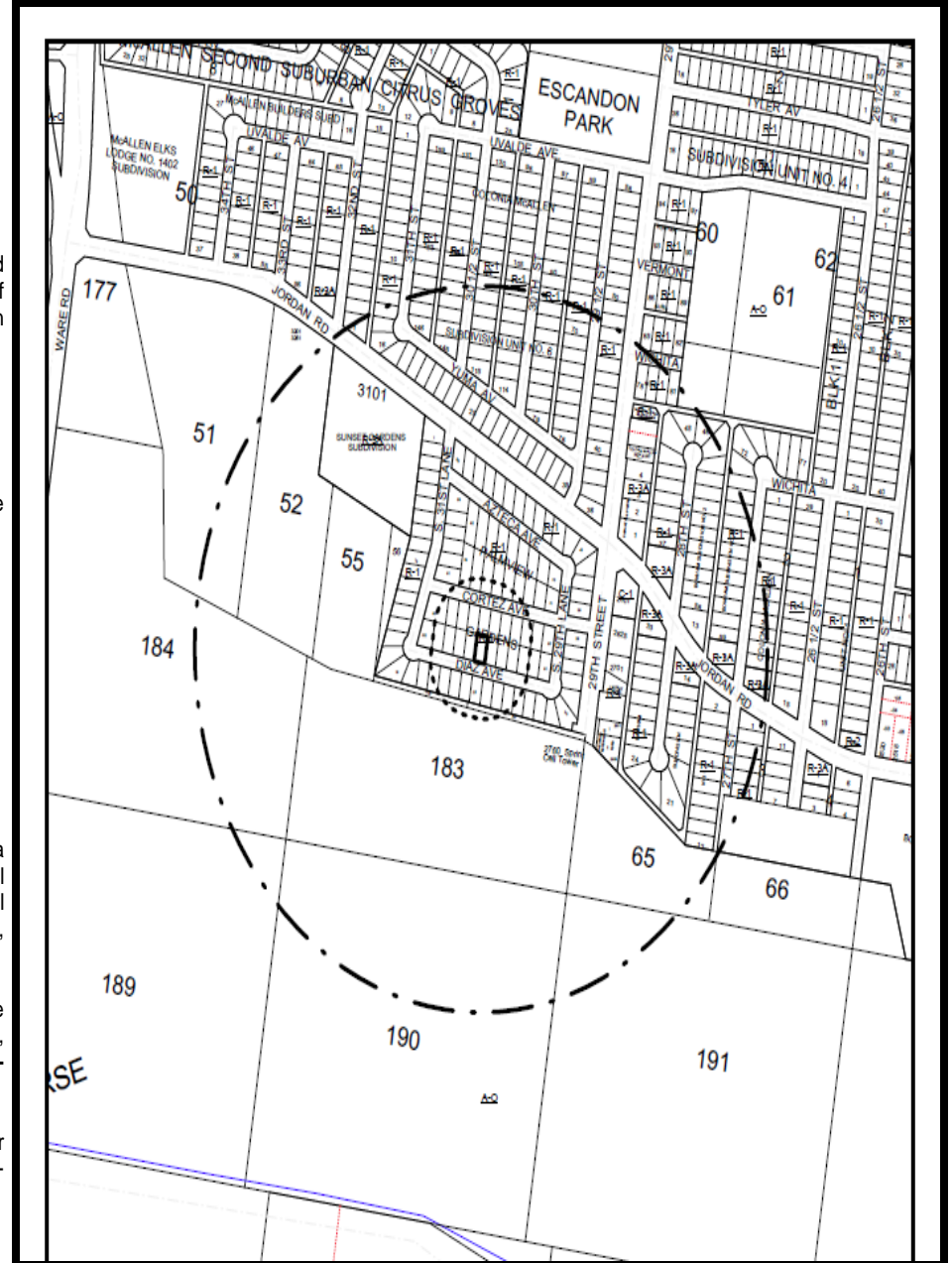
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Primitivo Garza ha solicitado una excepción del Código de Ordenanzas de la Ciudad De McAllen que permita no proveer un estacionamiento más allá del límite fijado de enfrente del Lote para el Lote 97, de la Subdivisión "Palmview Gardens", Condado de Hidalgo, Texas; 3004 Avenida Diaz. (**ZBA2013-0062**)

Todos los interesados pueden presentarse para expresarse. Si alguna comodidad es necesaria por discapacidad favor de notificar al departamento de Planeación antes del día de la junta al (956) 681-1250

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# ZBA2013-0063



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SCOTT C. CRANE, Commissioner District 1  
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Patrick Costello ha solicitado una excepción del Código de Ordenanzas de la Ciudad De McAllen que permita proveer 190.8 pies cuadrados en lugar de 912.6 pies cuadrados de paisaje en frente del limite fijado del Lote, y 2) para proveer 63.6 pies cuadrados de paisaje en lugar de 360 pies cuadrados de paisaje en los lados laterales dentro del límite fijado de enfrente del Lote, para el Lote 12, de la Subdivisión "Waldron's", Condado de Hidalgo, Texas; 512 Calle nueve Sur. (**ZBA2013-0063**)

Todos los interesados pueden presentarse para expresarse. Si alguna comodidad es necesaria por discapacidad favor de notificar al departamento de Planeación antes del día de la junta al (956) 681-1250

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