

NOTICE AND AGENDA
ZONING BOARD OF ADJUSTMENT
APRIL 28, 2021 – 4:00 P.M.
REGULAR MEETING
EDINBURG CITY HALL
415 WEST UNIVERSITY DRIVE
EDINBURG, TEXAS 78541

1. CALL MEETING TO ORDER, ESTABLISH QUORUM

- **A.** Prayer
- **B.** Pledge of Allegiance

2. CERTIFICATION OF PUBLIC NOTICE

3. PUBLIC COMMENTS

A. Public Comments are limited to three (3) minutes. If a resident desires to make a public comment, please notify the Chairperson prior to the start of the meeting. A spokesperson for large groups is required. We ask for everyone's cooperation in following these procedures.

4. THE FOLLOWING ARE THE MEETING PROCEDURES USED BY THE ZONING BOARD OF ADJUSTMENT:

- **A.** All items are generally considered as they appear on the agenda. As each item is introduced:
- **B.** Staff will present its findings and recommendation on the item being considered.
- C. The party making the request may make a presentation and may address the Board on any issues arising during the discussion of the item being considered.
- **D.** Anyone in the audience desiring to speak in favor or in opposition may do so. A 3-5 minute time limit will be given to each person interested in speaking on the item. The use of a spokesperson for large groups of people will be required.
- E. Once the Chair closes the public hearing, the Board may question anyone and maintain any discussion which clarifies the proposal and will then take what action it believes to be appropriate.
- **F.** A minimum of four votes are required for an item to be approved by the Board.

5. ABSENCES

A. Consider excusing the absence of Chairperson Juan Lopez from the March 31, 2021 Regular Meeting.

ZONING BOARD OF ADJUSTMENT REGULAR MEETING APRIL 28, 2021 PAGE 2

- **B.** Consider excusing the absence of Vice-Chairperson Dr. Samuel Simon from the March 31, 2021 Regular Meeting
- C. Consider excusing the absence of Board Member Andre Maldonado from the March 31, 2021 Regular Meeting
- **D.** Consider excusing the absence of Board Member Jorge Ortegon from the March 31, 2021 Regular Meeting
- **E.** Consider excusing the absence of Board Member Mario Escobar from the March 31, 2021 Regular Meeting.

6. MINUTES

A. Consider approval of the Minutes for the March 31, 2021 Regular Meeting

7. PUBLIC HEARINGS

- **A.** Consider Variance to the City's Unified Development Code, Article 3, Section 3.505 Easements & Utilities, being Lot 48, Santa Cruz Estates Phase II Subdivision, located at 3307 Francis Lane, as requested by Evelyn Rodriguez
- Consider Variance to the City's Unified Development Code, Article 2, Section 2.301
 (D) Fences Abutting A Golf Course, being Lot 88, Los Lagos Phase III Subdivision, located at 3302 Los Lagos Drive, as requested by Yolanda Amezcua
- C. Consider Variance to the City's Unified Development Code, Article 3, Section 3.505, Easement & Utilities, being Lot 30, Sugar Oaks Subdivision, located at 1817 Red River Avenue, as requested by Frank Gonzalez
- **D.** Consider Variance to the City's Unified Development Code Article 3, Section 3.301, Single Family Residential Bulk Standards, Setbacks, being Lot 32, Santa Gloria Subdivision, located at 4716 Uranus Street, as requested by Oralia Diaz Moreno
- E. Consider Variance to the City's Unified Development Code, Article 3, Section 3.505, Easements & Utilities, being Lots 1-7 & 57-63, The Heights On Wisconsin Phase II Subdivision, as requested by Julio Carranza
- F. Consider Variance to the City's Unified Development Article 3, Section 3.301, Single Family Residential Bulk Standard, Setbacks, being lot 58, The Heights On Wisconsin Phase II Subdivision, located at 1505 E Mayhem Drive, as requested by Julio Carranza

ZONING BOARD OF ADJUSTMENT REGULAR MEETING APRIL 28, 2021 PAGE 3

8. ADJOURNMENT

I hereby certify that this notice of meeting was posted in accordance with the Open Meetings Act, V.T.C.A., Government Code, Section 551.041, at the bulletin board located at the main entrance to the City offices of the City of Edinburg, (415 West University Drive), visible and accessible to the general public after regular working hours, at 4:15 P.M. on this 23rd day of April, 2021

Nikki Marie Cavazos

Nikki Marie Cavazos Urban Planner I

MEMBERS WHO ARE UNABLE TO ATTEND ARE ASKED TO NOTIFY THE PLANNING AND ZONING DEPARTMENT AT 956-388-8202

NOTICE

PERSONS WITH DISABILITIES WHO NEED TO COMMUNICATE MORE EFFECTIVELY WITH CITY OFFICIALS AND WHO MAY NEED AUXILIARY AIDS OR SERVICES SUCH AS INTERPRETERS FOR PERSONS WHO ARE DEAF OR HEARING IMPAIRED ARE REQUESTED TO CONTACT THE OFFICE OF THE CITY SECRETARY AT (956) 388-8204 THREE WORKING DAYS PRIOR TO ANY MEETING SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.



To: Zoning Board of Adjustment Board Members

From: Nikki Marie Cavazos, Administrative Assistant

Subject: Board Members Absence

Date: April 13, 2021

This is to advise you that action needs to be taken with regards to the absence of Chairperson Mr. Juan Lopez from the March 31, 2021 Regular Meeting.







To: Zoning Board of Adjustment Board Members

From: Nikki Marie Cavazos, Administrative Assistant

Subject: Board Members Absence

Date: April 13, 2021

This is to advise you that action needs to be taken with regards to the absence of Vice- Chairperson Dr. Samuel Simon from the March 31, 2021 Regular Meeting.







To: Zoning Board of Adjustment Board Members

From: Nikki Marie Cavazos, Administrative Assistant

Subject: Board Members Absence

Date: April 13, 2021

This is to advise you that action needs to be taken with regards to the absence of Board Member Andre Maldonado from the March 31, 2021 Regular Meeting.







To: Zoning Board of Adjustment Board Members

From: Nikki Marie Cavazos, Administrative Assistant

Subject: Board Members Absence

Date: April 13, 2021

This is to advise you that action needs to be taken with regards to the absence of Board Member Jorge Ortegon from the March 31, 2021 Regular Meeting.







To: Zoning Board of Adjustment Board Members

From: Nikki Marie Cavazos, Administrative Assistant

Subject: Board Members Absence

Date: April 13, 2021

This is to advise you that action needs to be taken with regards to the absence of Board Member Mario Escobar from the March 31, 2021 Regular Meeting.





NOTICE AND AGENDA
ZONING BOARD OF ADJUSTMENT
MARCH 31, 2021 -4:00 P.M.
REGULAR MEETING
EDINBURG CITY HALL
415 W UNIVERSITY DRIVE
EDINBURG, TEXAS 78541

MEMBERS PRESENT

Eddie Garza George Cardenas Jason De Leon Alex Rios

MEMBERS ABSENT

Mario Escobar Dr. Samuel Simon Jorge Ortegon Juan R. Lopez Andre Maldonado

STAFF

Brian Kelsey, Assistant City Manager Kimberly A. Mendoza, Director of Planning & Zoning Rita Lee Guerrero, Urban Planner Omar Ochoa, City Attorney Nikki M. Cavazos, Administrative Assistant Abel Beltran, Urban Planner

VISITORS

Dale Yontz

1. <u>CALL MEETING TO ORDER, ESTABLISH QUORUM</u>

Board Members voted to allow Board Member Mr. George Cardenas to be acting Chair Person . The meeting was formally called to order by Board Member Mr. George Cardenas at 4:00 P.M.

- A. Prayer- Announced by Board Member Mr. Eddie Garza
- **B.** Pledge of Allegiance All

2. <u>CERTIFICATION OF PUBLIC NOTICE</u>

Board Member Mr. George Cardenas verified the posting of the Zoning Board of Adjustment meeting notice and its compliance with the Open Meetings Act. Staff indicated the agenda had been posted on Friday, March 26, 2021 at 4:30 P.M.

3. <u>PUBLIC COMMENTS</u>

A. Public Comments are limited to three (3) Minutes. If a resident desires to make a public comment, please notify the Chair Person prior to the start of the meeting. A spokesperson for large groups is required. We ask for everyone's cooperation in following these procedures.

4. THE FOLLOWING ARE THE MEETING PROCEDURES USED BY THE ZONING BOARD OF ADJUSTMENTS:

Board Member Mr. George Cardenas reviewed the meeting procedures used by the Zoning Board of Adjustment. The procedures were as follows:

ZONING BOARD OF ADJUSTMENT REGULAR MEETING MARCH 31, 2021 PAGE 2

- **A.** All items are generally considered as they appear on the agenda.
- **B.** Staff will present its findings and recommendation on the item being considered.
- C. The party making the request may make a presentation and may address the Board on any issues arising during the discussion of the item being considered.
- **D.** Anyone in the audience desiring to speak in favor or in opposition may do so. A 3-5 minute time limit will be given to each person interested in speaking on the item. The use of a spokesperson for large groups of people will be required.
- E. Once the Chair closes the public hearing, the Board may question anyone and maintain any discussion which clarifies the proposal and will then take what action it believes to be appropriate.
- **F.** A minimum of four votes are required for an item to be approved by the Board.

5. ABSENCES

A. Consider excusing the absence of Board Member Mario Escobar from the February 24, 2021 Regular Meeting.

MOTION WAS MADE BY BOARD MEMBER MR. JASON DE LEON AND SECONDED BY BOARD MEMBER MR. ALEX RIOS TO EXCUSE THE ABSENCE OF BOARD MEMBER MR. MARIO ESCOBAR FROM THE FEBRUARY 24, 2021 REGULAR MEETING. MOTION WAS CARRIED UNANIMOUSLY

B. Consider excusing the absence of Board Member Alex Rios from the February 24, 2021 Regular Meeting

ITEM WAS TABLED DUE TO NO QUORUM

C. Consider excusing the absence of Board Member Eddie Garza from the February 24, 2021 Regular Meeting

ITEM WAS TABLED DUE TO NO QUORUM

D. Consider excusing the absence of Board Member Jorge Ortegon from the February 24, 2021 Regular Meeting

MOTION WAS MADE BY BOARD MEMBER MR. EDDIE GARZA AND SECONDED BY BOARD MEMBER MR. ALEX RIOS TO EXCUSE THE ABSENCE OF BOARD MEMBER MR. JORGE ORTEGON FROM THE FEBRUARY 24, 2021 REGULAR MEETING. MOTION WAS CARRIED UNANIMOUSLY.

ZONING BOARD OF ADJUSTMENT REGULAR MEETING MARCH 31, 2021 PAGE 3

6. MINUTES

A. Consider approval of the Minutes for the January 27, 2021 Regular Meeting

MOTION WAS MADE BY BOARD MEMBER MR. JASON DE LEON AND SECONDED BY BOARD MEMBER MR. ALEX RIOS TO APPROVE THE MINUTES FOR THE JANUARY 27, 2021 REGULAR MEETING. MOTION CARRIED UNANIMOUSLY.

B. Consider approval of the Minutes for the February 24, 2021 Regular Meeting

MOTION WAS MADE BY BOARD MEMBER MR. JASON DE LEON AND SECONDED BY BOARD MEMBER MR. ALEX RIOS TO APPROVE THE MINUTES FOR THE FEBRUARY 24, 2021 REGULAR MEETING. MOTION CARRIED UNANIMOUSLY.

7. PUBLIC HEARINGS

A. Consider Variance to the City's Unified Development Code, Article 3, Section 3.505, Easements and Utilities, being Lot 2, Bond & Bond Subdivision, located at 2701 West Freddy Gonzalez Drive, as requested by Dale Yontz, on behalf of Harvest Baptist Church

MOTION WAS MADE BY BOARD MEMBER MR. JASON DE LEON AND SECONDED BY BOARD MEMBER MR. ALEX RIOS TO APPROVE THE VARIANCE REQUEST OF DALE YONTZ, ON BEHALF OF HARVEST BAPTIST CHURCH TO ALLOW FOR AN ADDITION TO THE SINGLE FAMILY RESIDENTIAL HOME TO BE LOCATED 10 FT. WITHIN A 20 FT. UTILITY AND IRRIGATION EASEMENT, MOTION CARRIED UNANIMOUSLY

8. <u>INFORMATION</u>

A. Planning and Zoning Highlights

Mrs Kimberly Mendoza went over the annual indicators for permits and applications followed by monthly goals for this fiscal year. She also discussed Comprehensive Plan Recommendations and RFP No. 2021-006, which was awarded to Kendig Keast Collaborative to update the Unified Development Code.

9. ADJOURNMENT

There being no further business to consider, the meeting was adjourned at 4:29 PM

MOTION WAS MADE BY BOARD MEMBER MR. EDDIE GARZA AND SECONDED BY BOARD MEMBER MR. ALEX RIOS TO ADJOURN THE MEETING, MOTION CARRIED UANNIMOUSLY

ZONING BOARD OF ADJUSTMENT REGULAR MEETING MARCH 31, 2021 PAGE 4

Juan R. Lopez, Chairperson

Minutes Transcribed By: Nikki Marie Cavazos

ZONING BOARD OF ADJUSTMENT REGULAR MEETING April 28, 2021

Item: Consider Variance to the City's Unified Development Code, Article 3, Section 3.505 Easements & Utilities, Being Lot 48, Santa Cruz Estates Subdivision Phase II, Located at 3307 Francis Lane, As Requested By Evelyn Rodriguez

Request:

The applicant is requesting a variance to the City's Unified Development Code, Article 3, Section 3.505, Easements & Utilities. The applicant stated that the basis for the request is to allow for the construction of a pool located in a 10 ft. drainage swale located at the rear of the property.

Property Location and Vicinity:

The property is located on the north side of Francis Lane, approximately 785 ft. east of N. Doolittle Road. The property has 72 ft. of frontage along Francis Lane and 140 ft. of depth for a tract size of 10,080 square feet. This property is currently zoned Neighborhood Conservation 7.1 (NC7.1) District. The surrounding zoning in the area is Suburban Residential (S) District to the north, and Neighborhood Conservation 7.1 (NC7.1) District to the east, west and south. The area consists of residential uses.

Background and History:

Santa Cruz Gardens Subdivision Phase II was recorded on January 31, 2006. The applicant is proposing to construct a pool at the rear of the property located in a 10 ft. drainage swale. A site plan for the pool was received on March 17, 2021 and has been reviewed by staff. Should the variance be granted, a building permit will need to be submitted for the review by City staff. There have been no other variances granted within the surrounding areas.

Staff mailed a notice of the variance request to 34 neighboring property owners and one comment in favor and none against this request at the time of this report.

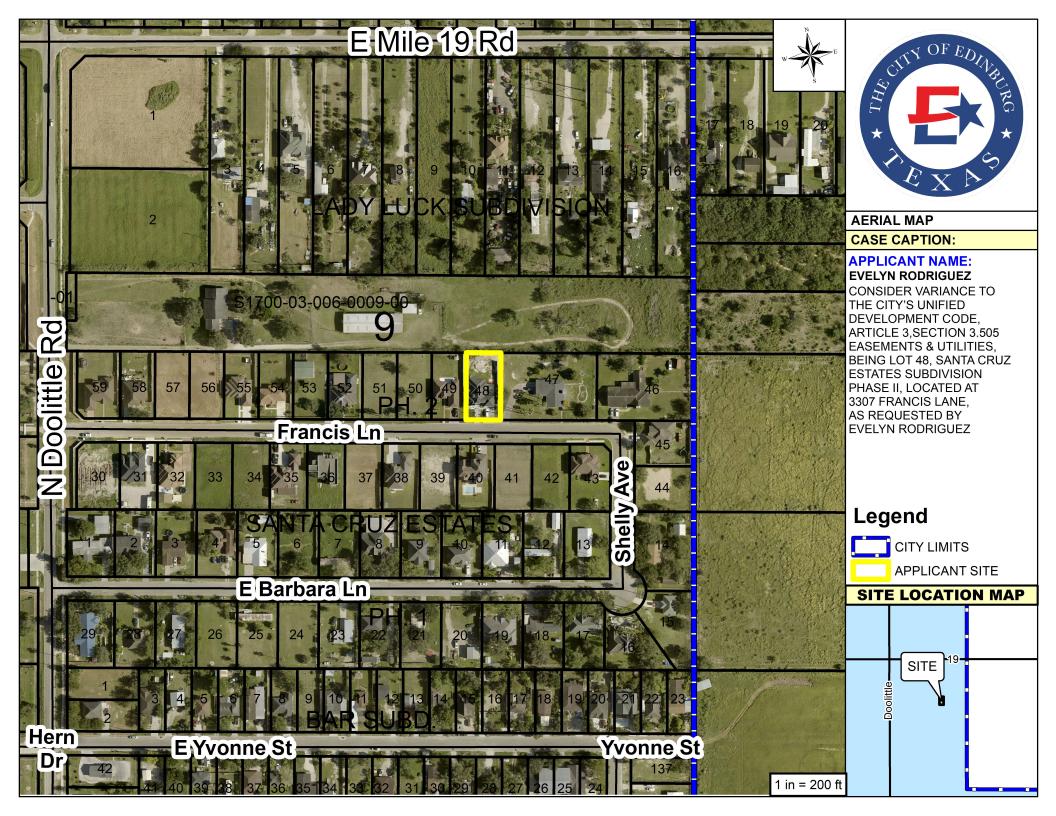
Analysis:

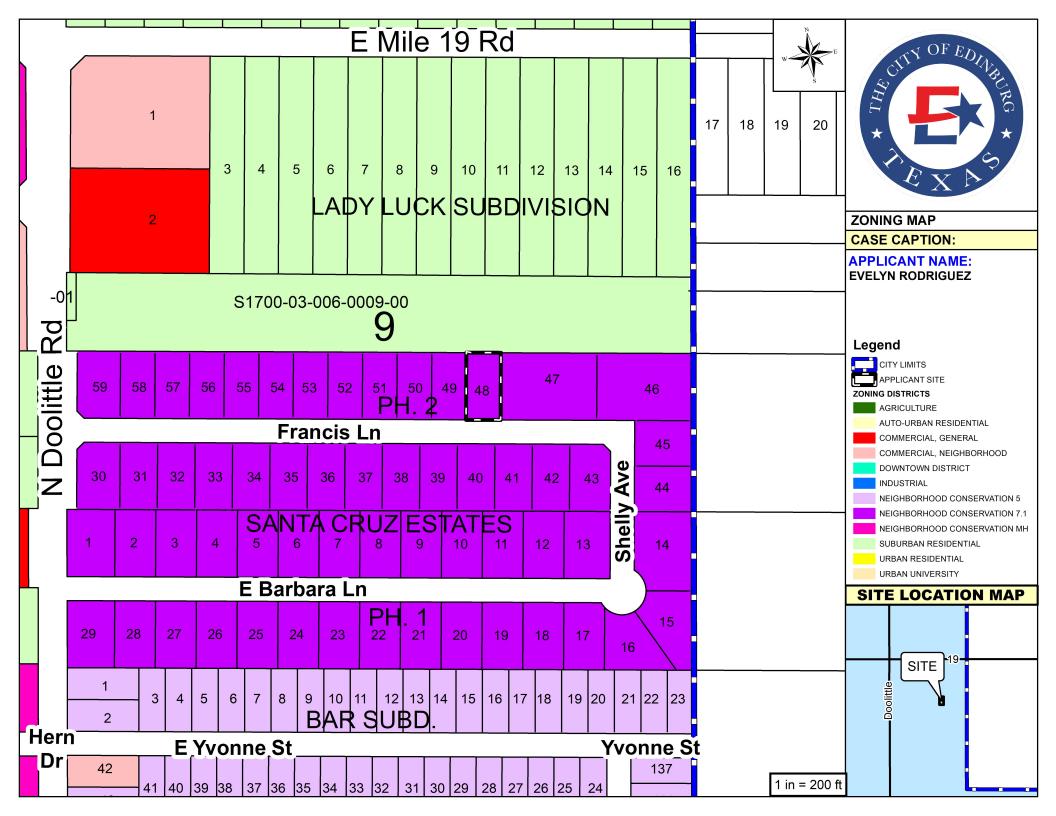
The applicant has indicated that the basis of the request is to allow for the construction of a pool within the 10 foot drainage swale. Drawings have been provided for the Board's consideration.

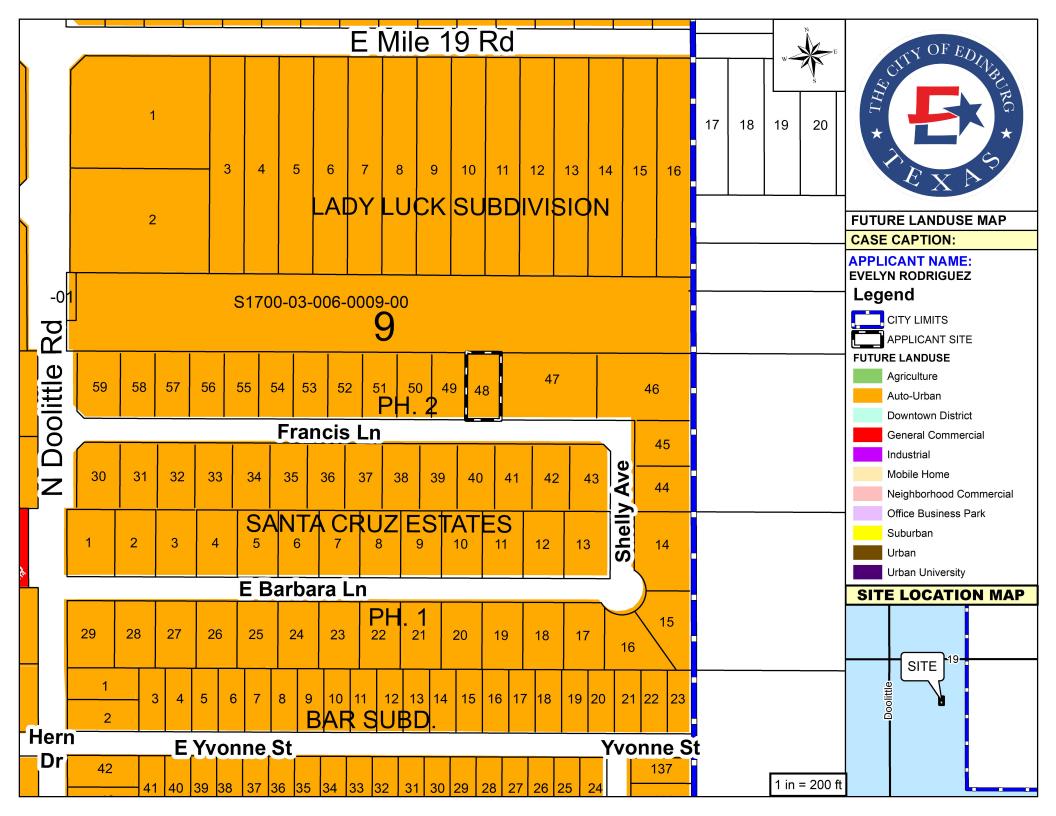
Recommendation

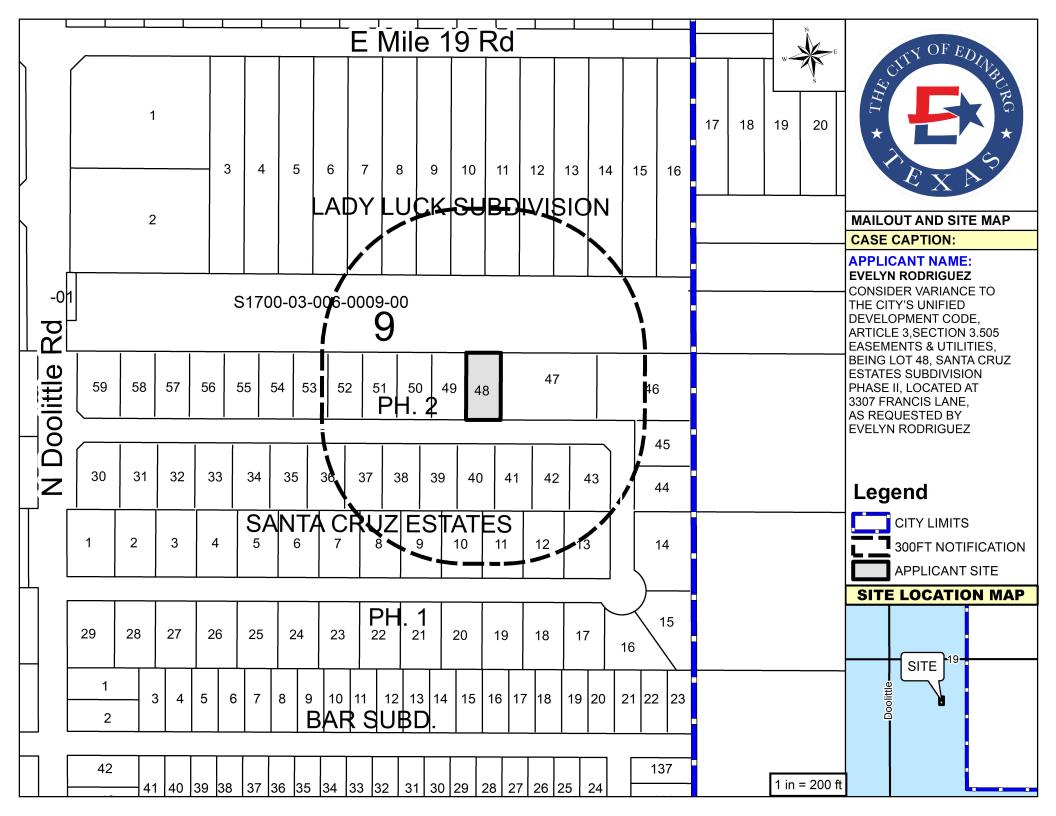
Staff recommends disapproval of the variance request. The site plan may be revised to comply with requirements. If approved, the applicant will need to comply with all other requirements during the permitting process including but not limited to building and fire codes, fire protection, parking, landscape buffer-yards, solid waste services, utility, pay a \$40 fee payable to the County of Hidalgo, County Clerk's Office for the recording of the ZBA order on this request, and any other City requirements, as applicable. A location map, aerial map, photo, subdivision plat, site plan, and response from property owner are attached for the Board's consideration.

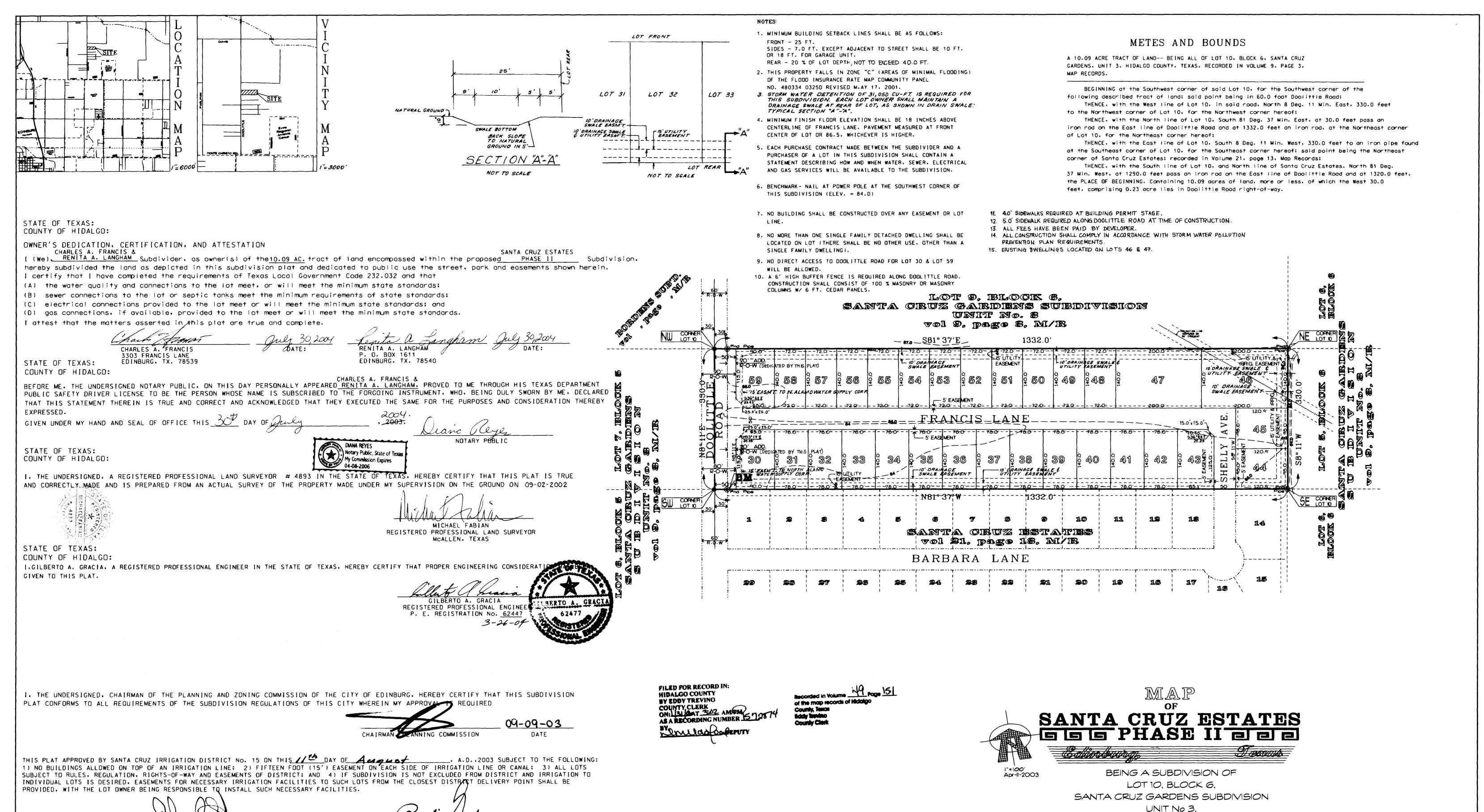
Prepared By: Rita Lee Guerrero Urban Planner Approved By: Kimberly A. Mendoza, MPA Director of Planning & Zoning











Hidalgo County, Texas.

recorded in vol 9, page 3, M/R,

containing 10.09 acres of land more or less

PREPARED BY

CONSULTANTS

3327 N. WARE RD. SUITE A.

McALLEN, TEXAS 78501

ALPHAMERICAN

ENGINEERING

TEL. (956) 687-6300

FAX (956) 687-6305 TEL. (956) 630 1432

SHEET NO

OF \$8 SHEETS

Right-Of-Way Surveying, Topography, Construction Stakeout, Subdivision Coordination, Well Locations Prepared by:

MICHAEL FABIAN SURVEYING, INC

McAllen, Texas 7850

LAND SURVEYING & CONSULTANTS
320 North 15th. Street

THE DEVELOPER OF THE SUBDIVISION AND ITS ENGINEER TO MAKE THESE DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. I HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEX. WATER CODE 49.211(c) THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1



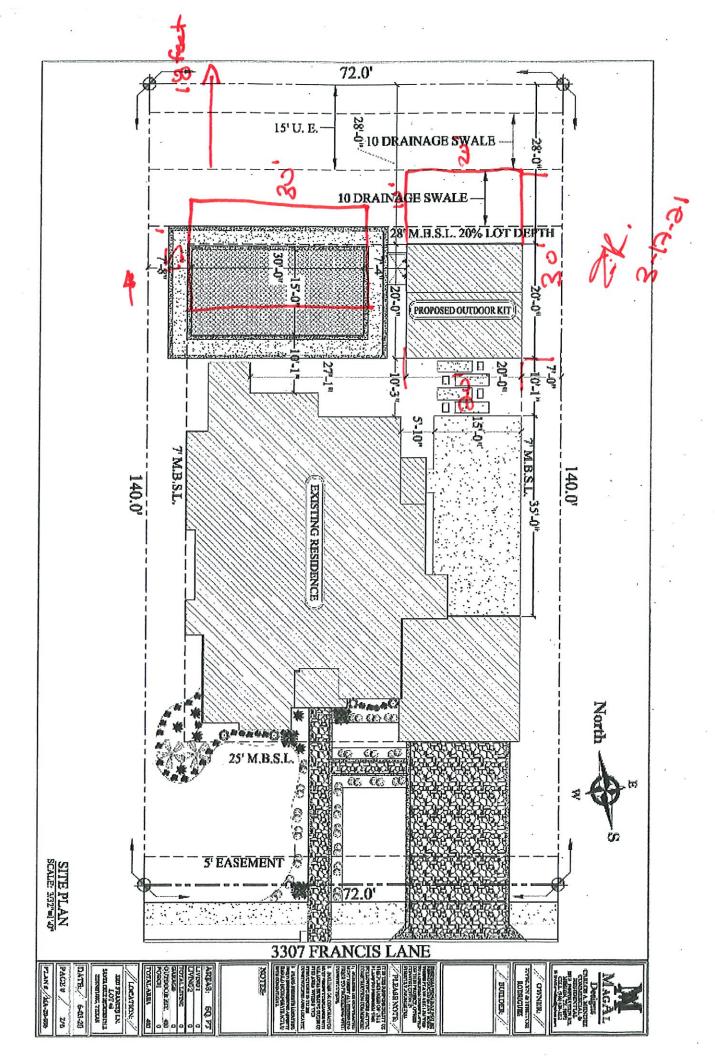
Planning & Zoning Department 415 W. University Dr. (956) 388-8202

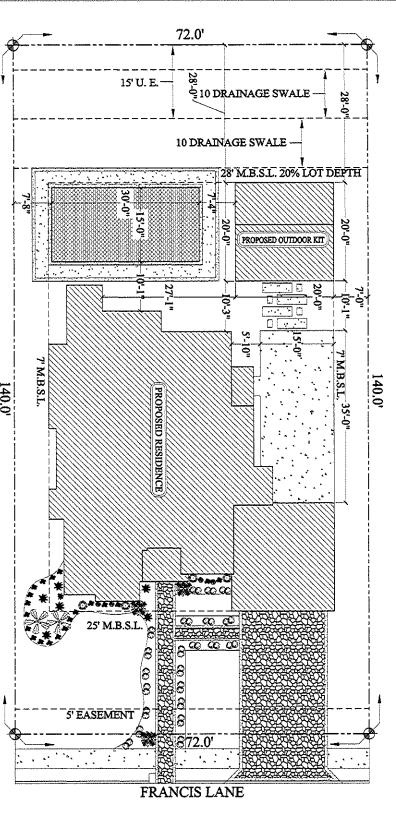
ZONING BOARD OF ADJUSTMENT APPLICATION REQUEST FOR VARIANCE

Nature of Request: We would like to be allowed to use 10-15 feet of our eastman
Reason for Hardship: We have an easymon of 20% which is 28 feet
on our property, we are seeking to build a swimming pool
and out door Kitchen. The Bibliming pool is too close to our house & to an emergency
Property Description: Lot 48. Santagraz Estatu. exit winde
Property Address: 3307 Francis Ln. Edinlary TX. 78542.
Present Property Zoning:
Person requesting Variance: Euclus Rodrinz
Mailing Address: 3347 Francis In. Edinbury 7x 76547. Street Address City/State Zip Code
Phone No. (Home):(Work):(Cell): 256325-8738.
Owner's Name: Fuelyn Rodriguez, and Hecke Rodriguez.
Mailing Address: 3307 Francis In: Ediplacy Tx 78540. Street Address City/State Zip Code
As owners or agents for the above described property, I, (we) hereby request a hearing before the Zoning Board of Adjustment.
Owner/Agent's Name (Please Print): Fuelyn Rody in
Owner/Agent's Name (Please Print): Fuely Production
\$450 Application Fee: Application Received by:
Application deadline: April 5,202 BA Hearing date: April 28,2021
\$40 ZBA Order Form- Make Check Payable to: Hidalgo County Clerk Submit survey if applicable
 Submit survey, if applicable Reduced copy of site plan & 1 blue print, if applicable RECEIVED

415 W. University Dr. • P. O. Box 1079 • Edinburg, TX 78540 Phone (956) 388-8202 • Fax (956) 292-2080 • www.cityofedinburg.com MAR 1 7 2021

Name:











NOTIFICATION

Dear Property Owner:

A public hearing will be held on Wednesday, April 28, 2021 at 4:00 p.m. by the Zoning Board of Adjustment to consider the following:

CONSIDER VARIANCE TO THE CITY'S UNIFIED DEVELOPMENT CODE, ARTICLE 3,SECTION 3.505 EASEMENTS & UTILITIES, BEING LOT 48, SANTA CRUZ ESTATES SUBDIVISION PHASE II, LOCATED AT 3307 FRANCIS LANE, AS REQUESTED BY EVELYN RODRIGUEZ

As part of a City effort to encourage greater participation in the process, the City is using this notice to solicit your input. You may return your response by the mail, fax or email by the following:

You may return your response by one of the following:

- P. O. Box 1079 Edinburg, Texas 78540
- Fax #: (956) 292-2080 by Wednesday, April 28, 2021
- > planning@cityofedinburg.com

Comments: A Four	de la	sainst/En Contra	Fuclyn R	No Comments/No Comentario	
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Maria F	Mark	20	(max	2/15 70/0	

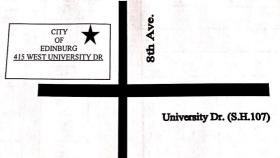
City: For Inhule

Should you have any questions or need more information regarding this notice, you may call (956) 388-8202.

NOTIFICACION

Si tiene preguntas ó necesita más información sobre esta peticion, llame al Departamento de Planeacion y Zonificacion al numero (956) 388-8202.

Planning and Zoning Department City of Edinburg 415 West University Drive Edinburg, TX 78541



RECEIVED

By Nikki Marie Cavazos at 2:39 pm, Apr 23, 2021

ZONING BOARD OF ADJUSTMENT REGULAR MEETING April 28, 2021

Item: Consider Variance to the City's Unified Development Code, Article 2, Section 2.301 (D) Fences Abutting a Golf Course, Being Lot 88, Los Lagos Phase III Subdivision, Located at 3302 Los Lagos Drive, As Requested By Yolanda Amezcua

Request:

The applicant is requesting a variance to the City's Unified Development Code, Article 2, Section 2.301 (D) Fences Facing or Abutting a Golf Course. The applicant stated that the basis for the request is to allow for a fence to be erected on her property that abuts Los Lagos Golf Course.

Property Location and Vicinity:

The property is located at the southeast corner of Los Lagos Drive and Macquarie Drive. The property is an irregular lot and has 43.48 ft. of frontage along Los Lagos Drive and 160.69 ft. at its deepest point for a total of 11,510.12 square feet. This property abuts Los Lagos Golf Course and is currently zoned Neighborhood Conservation 7.1 (NC7.1) District. The surrounding zoning in the area is Neighborhood Conservation 7.1 (NC7.1) District to the north, east, and west, Los Lagos Golf course Hole # 3 sits to the south. The area consists of residential uses.

Background and History:

Los Lagos Subdivision Phase III was recorded on August 20, 2003. The applicant is proposing to construct a fence at the rear of the property abutting a golf course. A site plan for a fence was received on April 16, 2021. Should the variance be granted, a building permit will be submitted for the fence. There have been three other variances of this nature that have been granted within this subdivision since December 2020.

On April 10, 2019, the City Council voted to amend the Unified Development Code to state no fence shall be constructed upon any lot adjoining a golf course. A copy of the ordinance is attached for the Board's Review.

Staff mailed a notice of the variance request to 22 neighboring property owners and received no comments in favor or against this request at the time of this report.

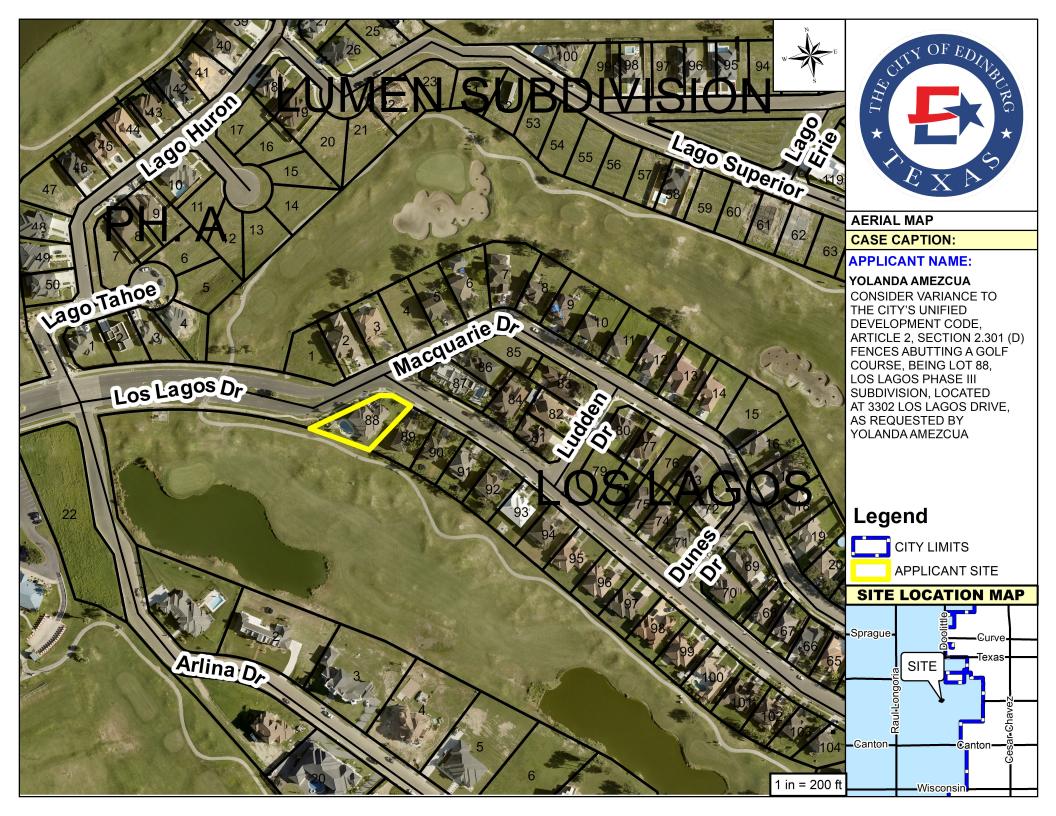
Analysis:

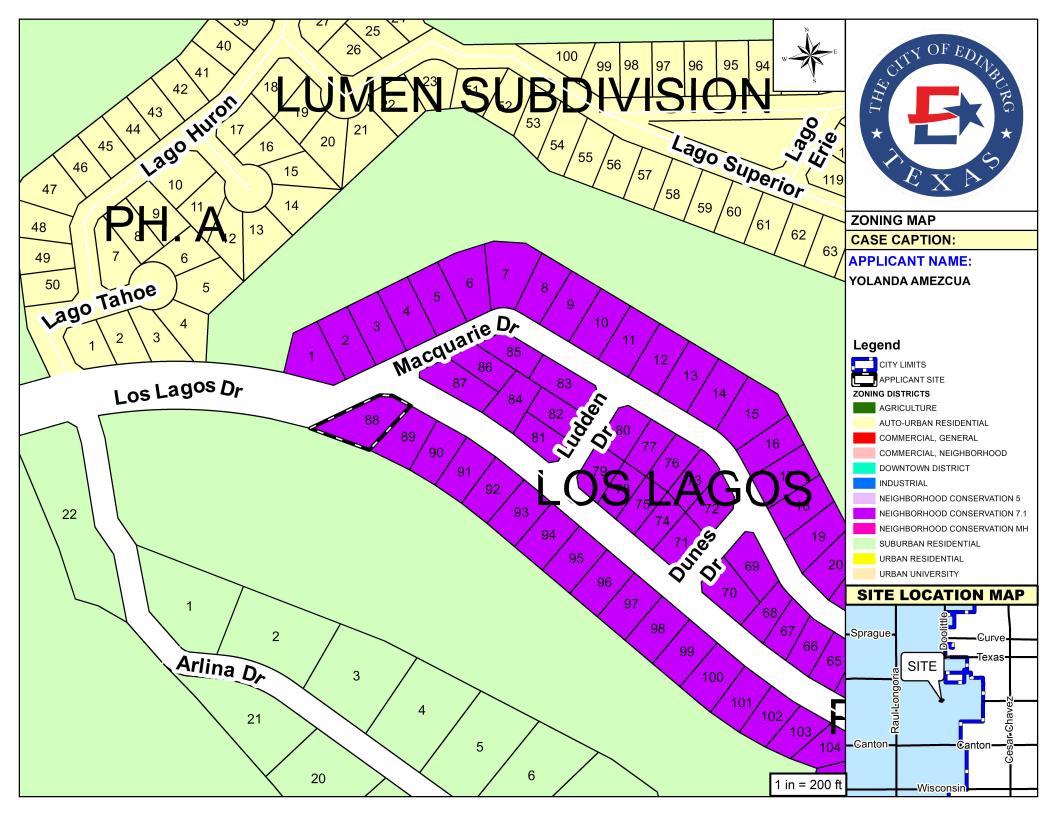
The applicant has indicated that the basis of the request is for safety and liability concerns. Pictures have been provided for the Board's consideration.

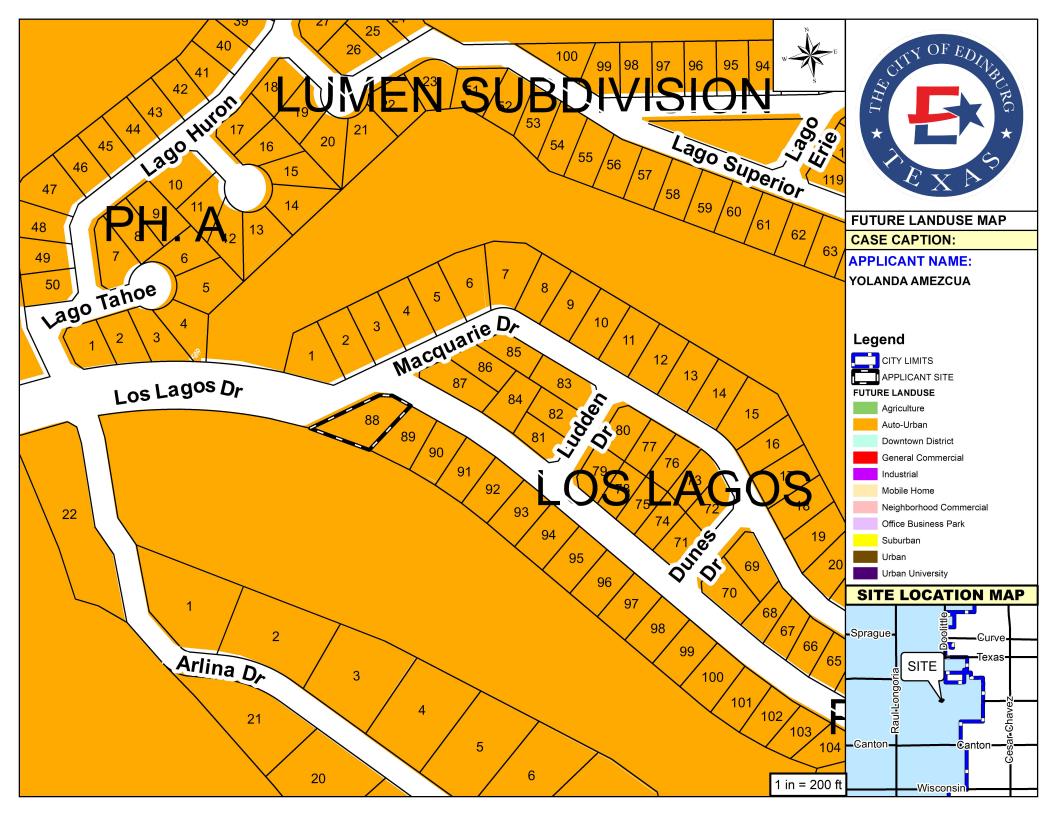
Recommendation

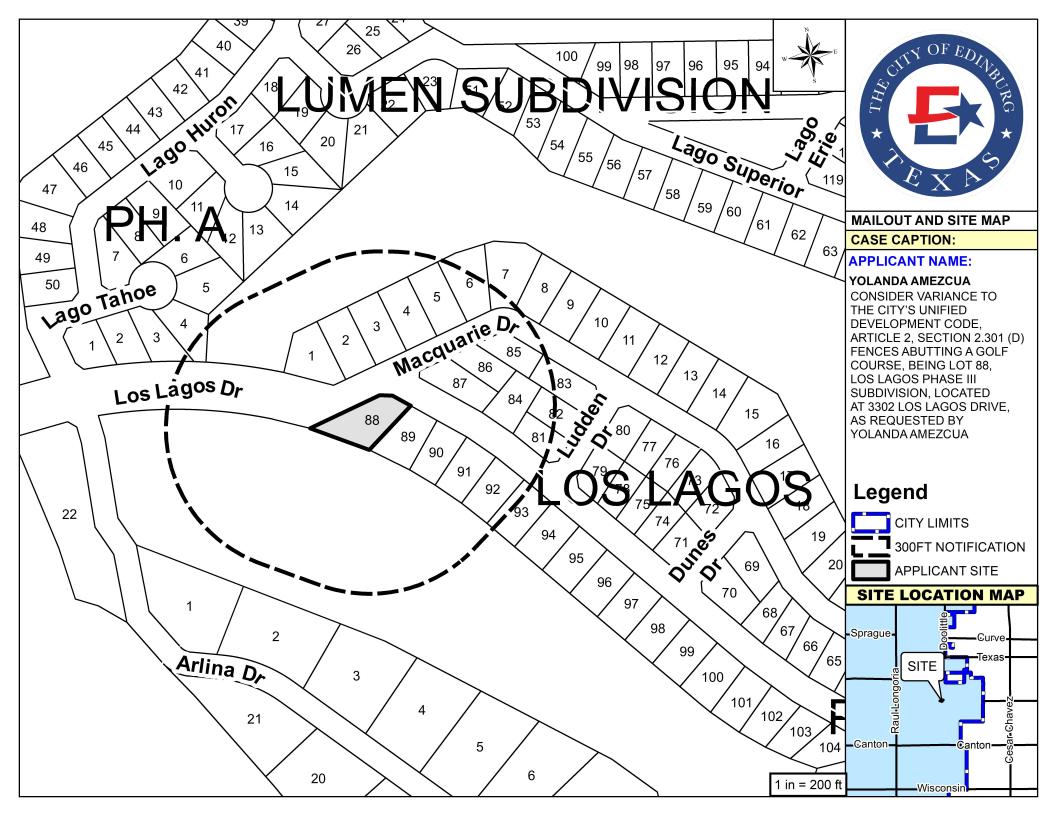
Staff recommends compliance with the ordinance requirement that states no fence shall be constructed on any lot adjoining a golf course. If approved, the applicant will need to comply with all other requirements during the permitting process including but not limited to building and fire codes, fire protection, parking, landscape buffer-yards, solid waste services, utility, pay a \$40 fee payable to the County of Hidalgo, County Clerk's Office for the recording of the ZBA order on this request, and any other City requirements, as applicable. A location map, aerial map, photo, subdivision plat, site plan, and response from property owner are attached for the Board's consideration.

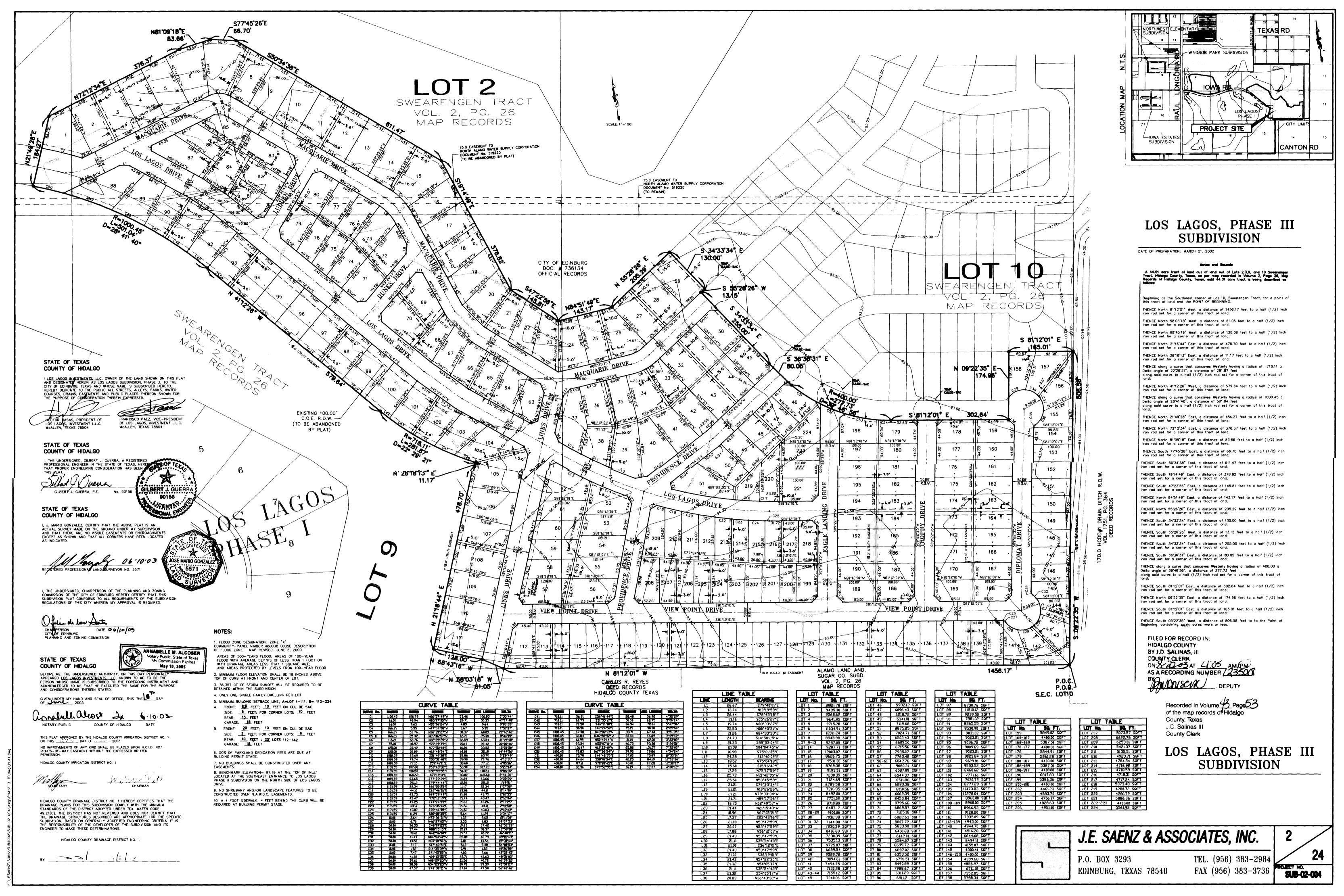
Prepared By: Rita Lee Guerrero Urban Planner Approved By: Kimberly A. Mendoza, MPA Director of Planning & Zoning













Planning & Zoning Department
415 W. University Dr.
(956) 388-8202

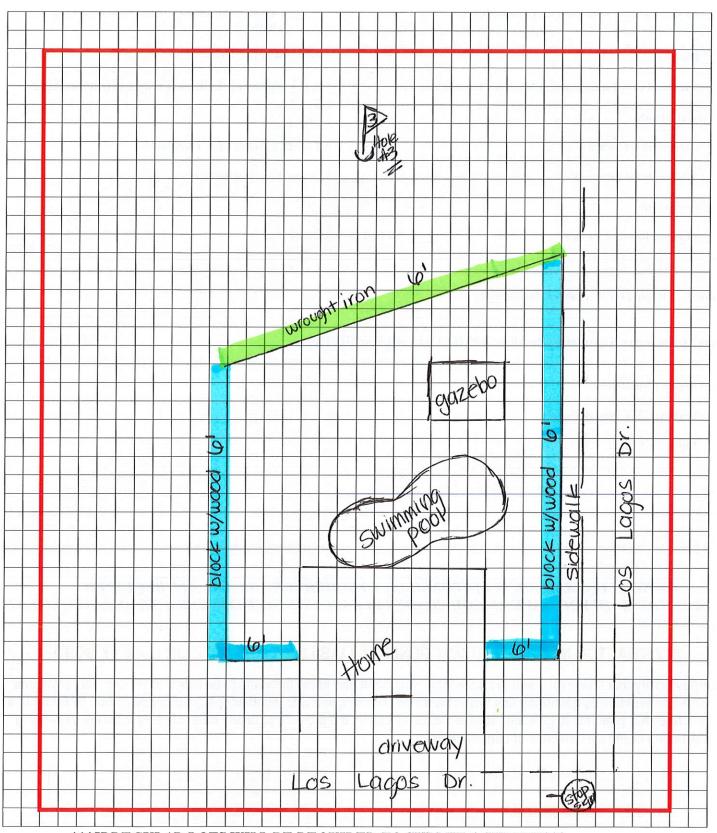
ZONING BOARD OF ADJUSTMENT APPLICATION REQUEST FOR VARIANCE

Nature of Request: Fence located in the golf course
Reason for Hardship: Foster parent, 2 puppies and traspossers golf carts on sidewalk
Property Description: Lot Block Subdivision
Property Address: 3302 Los Lagos DV.
Present Property Zoning:
Person requesting Variance: Yolanda Amezcua
Mailing Address: 3302 LOS LOGOS Dr. Edinburg 7x 78542 Street Address City/State Zip Code
Phone No. (Home): 950 (Work):(Cell): 950 2393581
Owner's Name: Yolanda Amezcua
Mailing Address: Street Address City/State Zip Code
As owners or agents for the above described property, I, (we) hereby request a hearing before th Zoning Board of Adjustment.
Signature: ZUIIII MOHO. Date: 4/6/2021
Signature: ZUIIII THOUSE. Date: 4/6/2021 Owner/Agent's Name (Please Print): YOLCINCIC AMEZCUA
\$450 Application Fee: Application Received by:
Application deadline: 46 202 ZBA Hearing date: April 28, 2021 @ 4'.00 p. m

- \$40 ZBA Order Form- Make Check Payable to: Hidalgo County Clerk
- Submit survey, if applicable
- Reduced copy of site plan & 1 blue print, if applicable

SITE PLAN AND FLOOR PLAN IS REQUIRED

REAR



IRREGULAR LOTS WILL BE REQUIRED TO SUBMIT A SURVEY

FRONT

ZONING BOARD OF ADJUSTMENT REGULAR MEETING April 28, 2021

Item: Consider Variance to the City's Unified Development Code, Article 3, Section 3.505, Easement & Utilities, Being Lot 30, Sugar Oaks Subdivision, Located at 1817 Red River Avenue, As Requested By Frank Gonzalez

Request:

The applicant is requesting a variance to the City's Unified Development Code, Article 3, Section 3.505, Easements & Utilities. The applicant stated that the basis for the request is to allow for the encroachment of 4 ft. over a 10 ft. utility easement on the west side property line.

Property Location and Vicinity:

The property is located at the end of the cul-de-sac of Red River Avenue and Nelson Avenue. The property is an irregular lot and has 52.36 ft. of frontage along Red River Avenue and 120 ft. of depth to its deepest point. This property is currently zoned Auto Urban Residential (AU) District. The surrounding zoning in the area is Auto Urban Residential (AU) District to the east, south and west and Neighborhood Conservation 5 (NC 5) District to the north. The area consists of residential uses.

Background and History:

Sugar Oaks Subdivision was recorded on August 30, 2017. The applicant submitted a building permit on December 3, 2019 and construction was completed on March 27, 2020. During the closing of the property a survey was conducted and it was indicated a 4 ft. encroachment had taken place over a 10 ft. utility easement on the west side property line. There have been no other variances granted within the surrounding areas.

Staff mailed a notice of the variance request to 35 neighboring property owners and received one comment in favor and none against this request at the time of this report.

Analysis:

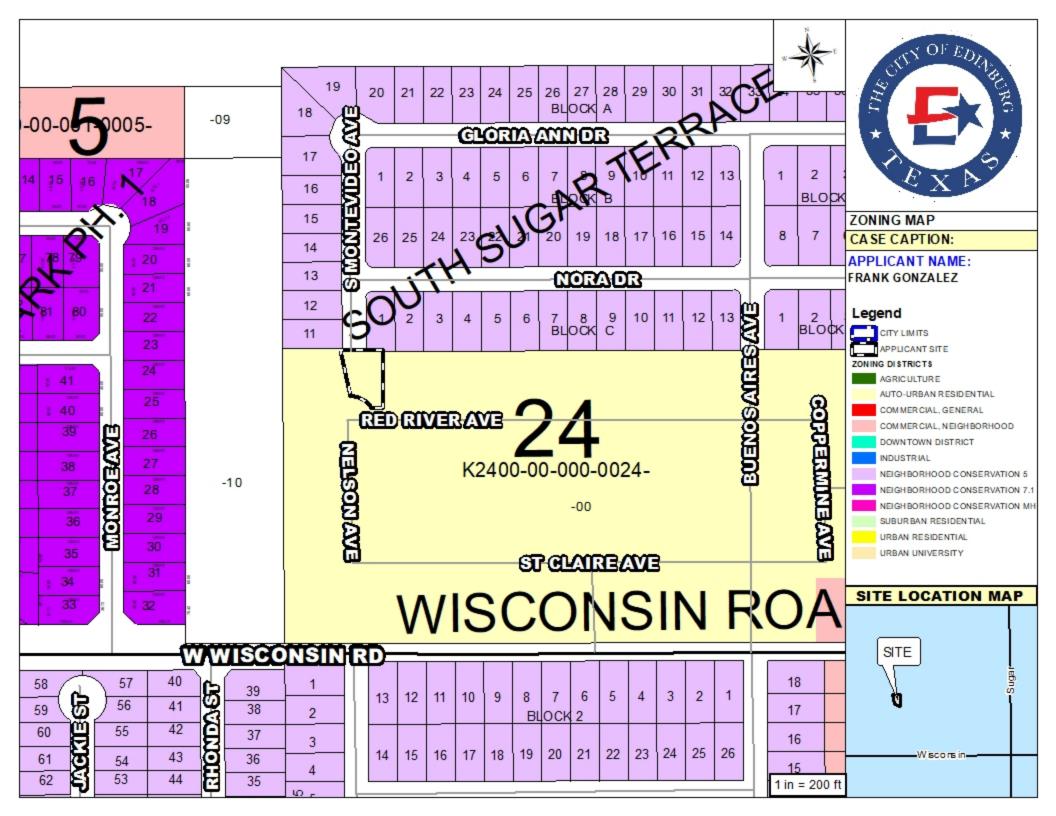
The applicant has indicated that the basis of the request is to allow for the construction of the home over the 10 ft. utility easement. Drawings have been provided for the Board's consideration.

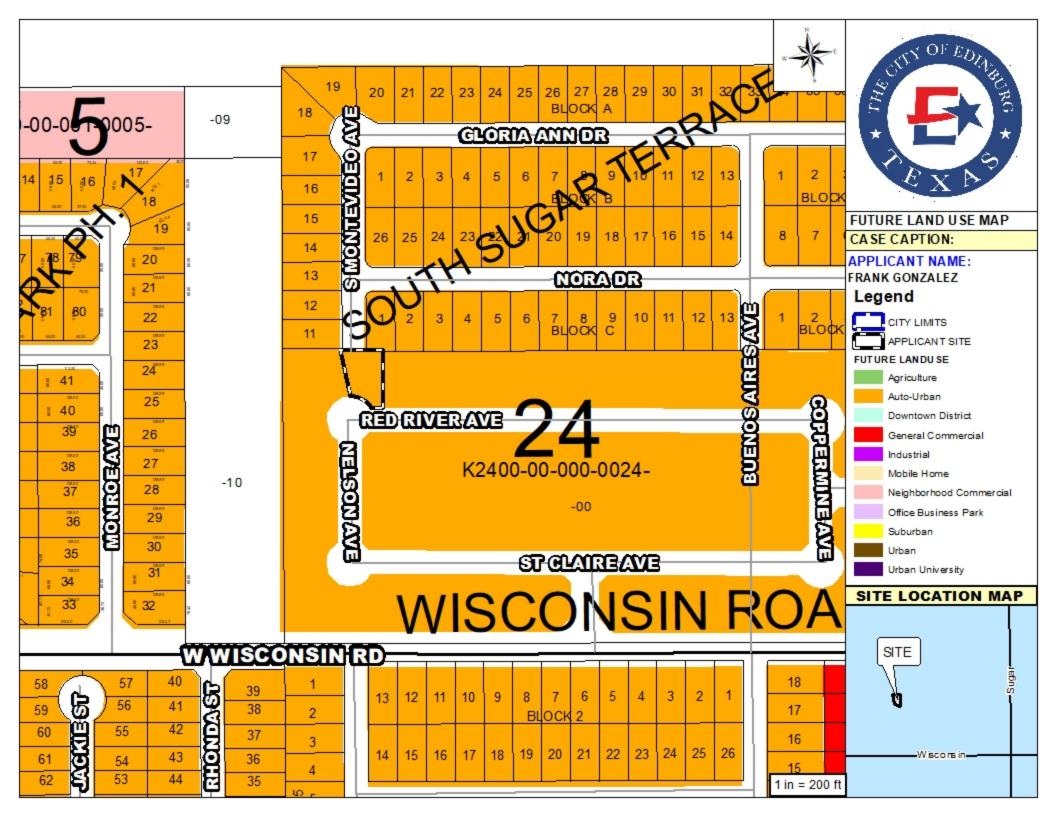
Recommendation

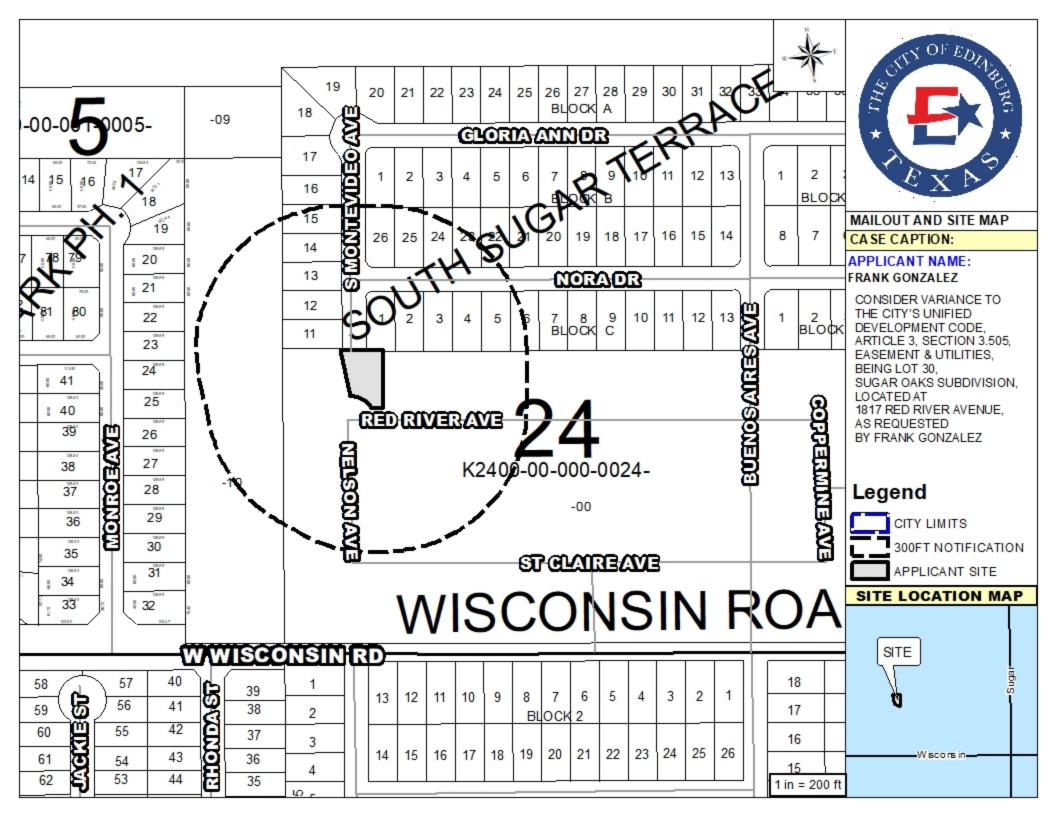
Staff recommends approval of the variance request based on the footprint provided. If approved, the applicant will need to comply with all other requirements during the permitting process including but not limited to building and fire codes, fire protection, parking, landscape buffer-yards, solid waste services, utility, pay a \$40 fee payable to the County of Hidalgo, County Clerk's Office for the recording of the ZBA order on this request, and any other City requirements, as applicable. A location map, aerial map, photo, subdivision plat, site plan, and response from property owner are attached for the Board's consideration.

Prepared By: Rita Lee Guerrero Urban Planner Approved By: Kimberly A. Mendoza, MPA Director of Planning & Zoning











Planning & Zoning Department 415 W. University Dr. (956) 388-8202

ZONING BOARD OF ADJUSTMENT APPLICATION REQUEST FOR VARIANCE

Nature of Request: Utility Easement Encroachment
Reason for Hardship: Correction of an oversight in the approved Building Permit for Lot 30, Sugar Oaks Subdivision (use other side if necessary)
for a 4' building encroachment on an existing 10' utility easement, said building being clear clear of any existing utilitie
A new 5' utility easement is proposed on Lot 29, Sugar Oaks Subdivision for access to maintenance. Reference attached survey exhibit.
Property Description: Lot 30 Sugar Oaks Subdivision Subdivision
Property Address: 1817 Red River
Present Property Zoning: Auto Urban Residential
Person requesting Variance: Frank Gonzalez
Mailing Address: 5301 H. Gunwood Ave Phan 78577 Street Address City/State Zip Code
Phone No. (Home): (Work): 976-782-5673 (Cell): (956) 454-4102
Owner's Name: Frank Gonzalez
Mailing Address: Street Address City/State Zip Code
As owners or agents for the above described property, I, (we) hereby request a hearing before the Zoning Board of Adjustment.
Signature: Date: Of-01-2021
Owner/Agent's Name (Please Print): Frank Gonzalez
\$450 Application Fee: Application Received by:
Application deadline: 04-05-702/ ZBA Hearing date: 04-28-202/

• \$40 ZBA Order Form- Make Check Payable to: Hidalgo County Clerk

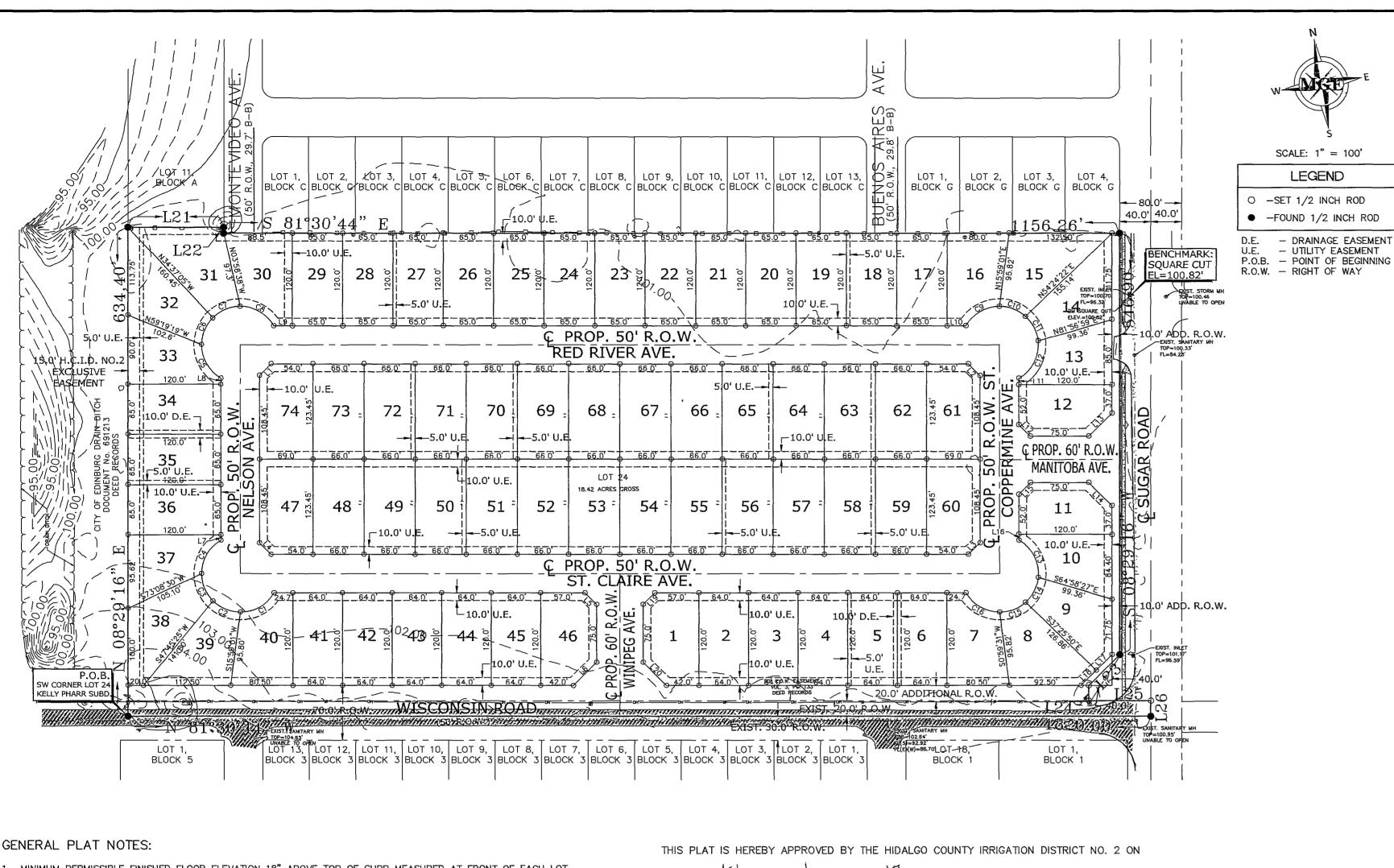
- Submit survey, if applicable
- Reduced copy of site plan & 1 blue print, if applicable

415 W. University Dr. • P. O. Box 1079 • Edinburg, TX 78540 Phone (956) 388-8202 • Fax (956) 292-2080 • www.cityofedinburg.com

RECEIVED

APR 01 2021

Name: 47 1:06 PM



- 1. MINIMUM PERMISSIBLE FINISHED FLOOR ELEVATION 18" ABOVE TOP OF CURB MEASURED AT FRONT OF EACH LOT.
- 2. THE SUBDIVISION IS IN ZONE "X". SHAPED AREAS OF 500-YEAR FLOOD; AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 100-YEAR FLOOD. F.I.R.M. COMMUNITY PANEL NO. 480338-0030-E DATED JUNE 6, 2000.
- PROPOSED SETBACKS FOR SINGLE FAMILY ZONED LOTS AS PER THE FOLLOWING OR GREATER FOR EASEMENT WHICHEVER IS GREATER.
- FRONT SET BACK 20 FEE FRONT CUL-DE-SAC - 15 FEET
- REAR CUL-DE-SAC 15 FET SIDE YARD
- 6 FEET OR GREATER FOR EASEMENT - 20 FEET WILL SERVE AS A BUFFER YARD REAR YARD
- GARAGE - 18' (EXCEPT WHERE GREATER SETBACK REQUIRED)
- 4. THIS SUBDIVISION IS PROPERLY SERVED BY CITY OF EDINBURG WATER AND SANITARY SEWER SYSTEM.
- 5. THERE SHALL BE 2. AS ACRE FEET OF OFF SITE DETENTION REQUIRED FOR THIS SUBDIVISION.
- 6. BENCHMARK SQUARE CUT TOP OF INLET LOCATED APPROXIMATELY 546 FEET NORTH OF THE INTERSECTION OF SUGAR AND WISCONSIN ROAD, BM ELEV=100.82'.
- 7. CORNER MARKERS, CONSISTING OF A ONE-HALF (1/2) INCH STEEL ROD TWO FEET IN LENGTH, HAVE BEEN DRIVEN FLUSH WITH THE GROUND SURFACE TO MARK THE CORNERS OF SAID LOT.
- 8. NO ACCESS TO LOTS 1-8 & 38-46 FROM WISCONSIN ROAD ALLOWED. NO ACCESS TO LOTS 9-14 FROM SUGAR ROAD ALLOWED.
- 9. ONE ACCESS (DRIVEWAY) IS ALLOWED TO LOT 47, 60, 61 & 74, PLACED AS FAR FROM THE STREET INTERSECTION.
- 10. ADDITIONAL FIRE HYDRANTS AND PROPERLY SIZED WATER LINES MAY BE REQUIRED IF SITE PLAN CHANGES OR BUILDING SIZE REQUIRES IT, OR AS PER FIRE CODE.
- 11. FIVE (5) FOOT SIDEWALK IS REQUIRED ALONG SUGAR AND WISCONSIN ROAD DURING SUBDIVISION CONSTRUCTION.
- 12. FIVE (5) FOOT SIDEWALK IS REQUIRED ALONG INTERIOR STREETS TO BE CONSTRUCTED AT BUILDING PERMIT STAGE INCLUDING HANDICAP RAMPS IN COMPLIANCE WITH ADA STANDARDS TO BE LOCATED 4.0' BEHIND BACK OF CURB.
- 13. NO PERMANENT STRUCTURES SHALL BE ALLOWED WITHIN UTILITY EASEMENTS, GAS EASEMENTS, AND IRRIGATION
- EASEMENTS, LOT LINES.
- 14. ALL CONSTRUCTION SHALL COMPLY WITH STORM WATER POLLUTION PREVENTION PLAN (SW3P) REQUIREMENTS.

15. ALL WATER AND SEWER SERVICES SHALL BE PROVIDED BY THE OWNER AT THE TIME OF SITE PLAN/BUILDING

- PERMIT REVIEW/APPROVAL. 16. A SEPARATE PERMIT IS REQUIRED FOR SIDEWALKS DURING BUILDING PERMIT STAGE FOR RESIDENTIAL USE.
- 17. SITE PLAN MUST BE REVIEWED/APPROVED BY THE CITY PRIOR TO ISSUANCE OF BUILDING PERMIT.
- 18. PROPERTY OWNER(S) ARE RESPONSIBLE FOR MAINTENANCE OF ACCESS/UTILITY/DETENTION EASEMENTS.
- 19. 50% PERCENT OF PARKLAND FEE WILL BE REQUIRED AT BUILDING PERMIT STAGE \$300.00.
- 20. PROPERTY ZONING IS AN AUTO URBAN RESIDENTIAL.

NO. | SHEET

THIS, THE 15+ DAY OF June, 20 17

NO IMPROVEMENTS OF ANY KIND (INCLUDING WITHOUT LIMITATION, TREES, FENCES, AND BUILDINGS) SHALL BE PLACED. HIDALGO COUNTY IRRIGATION DISTRICT #2 RIGHTS OF WAYS OR EASEMENTS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVI WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEX. WATER CODE 49.211(c). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER AND HIS ENGINEER TO MAKE THESE DETERMINATIONS.

NAYOR OF THE CITY OF EDINBURG, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS OF THE SUBDIVISION REGULATIONS OF THIS CITY MHEREIN MAY

STATE OF TEXAS COUNTY OF HIDALGO

I, THE UNDERSIGNED, CHAIRPERSON OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF EDINBURG, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT KNOWN AS SUGAR OAKS SUBDIVISION CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED AND HAS BEEN APPROVED FOR RECORDING ON THE 22 DAY OF Light 20 1.

CHAIRPERSON PLANNING AND ZONING COMMISSION

CURVE TABLE

Curve # Length Radius Delta Chord Direction Chord Length Tangent C13 57.34' 50.00' 65.70 S 18°39'50" E 54.25' 32.29' C14 36.78' 50.00' 42.15 S 35°15'41" W 35.96' 19.27' C15 36.78' 50.00' 42.15 S 77°24'38" W 35.96' 19.27' C16 52.36' 50.00' 60.00 N 51°30'53" W 50.00' 28.87'

LINE TABLE

Line #	Length	Direction
L1	21.21	S 53°29'16" W
L2	21.21'	N 36°30'44" E
L3	21.21'	N 53°29'16" E
L4	21.21'	S 36°30'44" E
L5	21.21'	S 36°30'44" E
L6	42.43'	N 53°29'16" E
L7	7.92'	N 08°29'16" E
L8 .	7.95'	N 08°29'16" E
L9	24.20	S 81°30'44" E
L10	24.20'	S 81°30'44" E
L11	8.45'	S 08°29'16" W
L12	21.21'	N 36°30'44" W
L13	42.43'	S 53°29'16" W
L14	42.43'	S 36°30'44" E
L15	21.21'	S 53°29'16" W
.L16	8.45'	S 08°29'16" W
L17	28.74	S 53°29'16" W
L18	27.83'	S 53°29'16" W
L19	21.21'	S 53°29'16" W
L20	42.43'	N 36°30'44" W
L21	123.72'	S 81°30'44" E
L22	7.50'	S 08°29'16" W
L23	56.57'	S 53°29'16" W
L24	20.00'	S 08°29'16" W
L25	80.02'	S 81°30'44" E
L26	20.00'	S 08°29'16" W

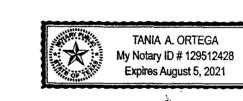
STATE OF TEXAS COUNTY OF HIDALGO

, (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS THE <u>SUGAR OAKS</u> <u>SUBDIVISION</u> AN ADDITION TO THE CITY OF EDINBURG, TEXAS, AND WHO'S NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE OF CONSIDERATION THEREIN EXPRESSED.

STATE OF TEXAS COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR PURPOSES AND CONSIDERATIONS THEREIN STATED.

STATE OF TEXAS MY COMMISSION EXPIRES AUG 5, 200



STATE OF TEXAS COUNTY OF HIDALGO

, THE UNDERSIGNED, A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROPER ENGINEERING

CONSIDERATION HAS BEEN GIVEN TO THIS PLAT. LICENSED PROFESSIONAL ENGINEE NO. 90956 STATE OF TEXAS



STATE OF TEXAS COUNTY OF HIDALGO

, JOSE MARIO GONZALEZ, REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE FROM AN ACTUAL SURVEY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, AND THAT THERE ARE NO APPARENT DISCREPANCIES, CONFLICTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN ON THE ACCOMPANYING PLAT, AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF EDINBURG,

ROFESSIONAL SURVEYOR STATE OF TEXAS





FILED FOR RECORD ! ARTURO GUALARDO JR HIDALGO COUNTY CLERK

3:25 INSTRUMENT NUMBER 2845406 OF THE MAD RECORDS OF HIDAGO COUNTY TEXAS

PROJECT SITE <u>WISCONSIN RD</u> 15161716 820 21222 2 2 2 2 2 2 DULCE REAL ESTATES _OCATION MAP SCALE: 1"=1,000 PREPARED BY: M. GARCIA ENGINEERING, LLC. 400 NOLANA SUITE H2 MCALLEN, TEXAS 78504 DATE PREPARED: SEPTEMBER 22, 2015 DATE SURVEYED: AUGUST 13, 2013 PROJECT NO. 15-21

METES AND BOUNDS

A 18.42 ACRE TRACT OF LAND BEING OUT OF LOT 24, KELLY PHARR SURBDIVISION AS RECORDED IN VOLUME 3, PAGES 133-134, DEED RECORDS, HIDALGO COUNTY, TEXAS SAID 18.42 ACRE TRACT IS BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

PLAT OF

PAGES 133-134, DEED RECORDS, HIDALGO COUNTY, TEXAS.

PLAT SHEET 1 OF 1

SUGAR OAKS SUBDIVISION A 18.42 ACRES OUT OF LOT 24 AS PER MAP RECORDED IN VOLUME 3,

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 24 IN THE RIGHT OF WAY OF WISCONSIN ROAD FOR THE SOUTHWEST CORNER OF THIS TRACT OF LAND AND THE POINT OF

THENCE N 08'29'16" E, WITH THE WEST LINE OF SAID LOT 24, AT A DISTANCE OF 20.00' PASS A 1/2" IRON ROD FOUND ON THE NORTH RIGHT OF WAY LINE OF SAID WISCONSIN ROAD, CONTINUING A TOTAL OF 634.40' TO A 1/2" IRON ROD FOUND ON THE SOUTHWEST CORNER OF SOUTH SUGAR TERRACE-PHASE I, AS RECORDED IN VOLUME 23, PAGE 160, MAP RECORDS, HIDALGO COUNTY, TEXAS, FOR THE NORTHWEST CORNER OF THIS TRACT OF LAND;

THENCE S 81'30'44" E, WITH THE SOUTH LINE OF SAID SOUTH SUGAR TERRACE PHASE SUBDIVISION, A DISTANCE OF 123.72' TO A 1/2" IRON ROD FOUND ON AN INSIDE CORNER OF SAID SOUTH SUGAR TERRACE PHASE I SUBDIVISION, FOR AN OUTSIDE CORNER OF THIS TRACT OF LAND;

THENCE S 08°29'16" W, CONTINUING WITH THE SOUTH LINE OF SAID SOUTH SUGAR TERRACE PHASE I SUBDIVISION, A DISTANCE OF 7.50' TO A 1/2" IRON ROD FOUND ON AN OUTSIDE CORNER OF SAID SOUTH SUGAR TERRACE PHASE I SUBDIVISION, FOR AN INSIDE CORNER OF THIS TRACT OF LAND;

THENCE S 81'30'44" E, CONTINUING WITH THE SOUTH LINE OF SAID SOUTH SUGAR TERRACE PHASE I SUBDIVISION, A DISTANCE OF 1156.26' TO A 1/2" IRON ROD SET ON THE WEST RIGHT OF WAY OF SUGAR ROAD, AS RECORDED IN VOLUME 3, PAGES 133-134, DOCUMENT No. 416128, DEED RECORDS, HIDALGO COUNTY, TEXAS, FOR THE NORTHEAST CORNER OF THIS TRACT OF LAND;

THENCE S 08'29'16" W, WITH THE WEST RIGHT OF WAY OF SAID SUGAR ROAD, A DISTANCE OF 546.90' TO A 1/2" IRON ROD SET, FOR AN OUTSIDE CORNER OF THIS TRACT OF LAND;

THENCE S 53"29'16" W, CONTINUING WITH THE WEST RIGHT OF WAY OF SAID SUGAR ROAD, A DISTANCE OF 56.57' TO A 1/2" IRON ROD SET, FOR AN INSIDE CORNER OF THIS TRACT OF

THENCE S 08"29'16" W, CONTINUING WITH THE WEST RIGHT OF WAY OF SAID SUGAR ROAD, A DISTANCE OF 20.00' TO A 1/2" IRON ROD SET ON THE NORTH RIGHT OF WAY LINE OF WISCONSIN ROAD, FOR AN INSIDE CORNER OF THIS TRACT OF LAND;

THENCE S 81'30'44" E, WITH THE NORTH RIGHTOF WAY OF SAID WISCONSIN ROAD, A DISTANCE OF 80.02' TO THE EAST LINE OF SAID LOT 24 IN THE RIGHT OF WAY OF SAID SUGAR ROAD, FOR AN OUTSIDE CORNER OF THIS TRACT OF LAND;

THENCE S 08'29'16" W, WITH THE EAST LINE OF SAID LOT 24 AND THE RIGHT OF WAY OF SAID SUGAR ROAD, A DISTANCE OF 20.00' TO THE SOUTHEAST CORNER OF SAID LOT 24 IN THE RIGHT OF WAY OF SAID WISCONSIN ROAD, FOR THE SOUTHEAST CORNER OF THIS TRACT OF LAND;

THENCE N 81'30'44" W, WITH THE SOUTH LINE OF SAID LOT 24 AND THE RIGHT OF WAY OF SAID WISCONSIN ROAD, A DISTANCE OF 1320.00' TO THE POINT OF BEGINNING, CONTAINING 18.42 ACRES OF LAND MORE OR LESS.

PLA⁷ SUGAR OAKS SUBDIVISION

A 18.42 ACRE TRACT OF LAND OUT OF LOT 24, AS RECORDED IN VOLUME 3, PAGES 133-134, DEED RECORDS, HIDALGO COUNTY, TEXAS.

JOB No. 15-21:

M GARCIA ENGINEERII -C-I-V-I-L-EN-G-IN-E-ER-IN-G-

400 W. Nolana, Ste. H2 McAllen, Texas 78504 Bus. 956.687.9421 Fax 956.687.3211

www.mgarciaengineering.com

DATE

APPROVED

REVISION

PRINCIPAL CONTACTS

OWNER: GGP INVESTMENT GROUP, LLC. ENGINEER: MARIANO GARCIA, P.E. SURVEYOR: JOSE MARIO GONZALEZ, R.P.L.S.

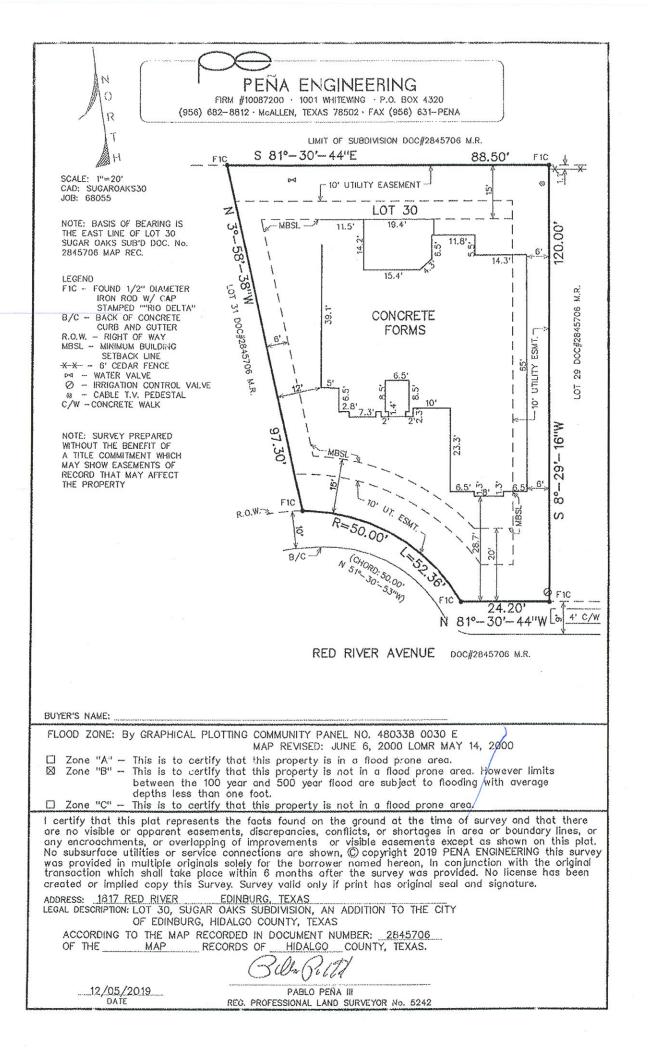
ADDRESS 5801 N. GUMWOOD AVE. 400 NOLANA SUITE H2 24593 FM 88

CITY, STATE & ZIP CODE PHARR, TEXAS 78577 MCALLEN, TEXAS 78504 MONTE ALTO, TEXAS 78538

(956) 687-9421 (956) 687-3211 (956) 380-5154 (956) 380-5156

PHONE

FAX







NOTIFICATION

Dear Property Owner:

A public hearing will be held on Wednesday, April 28, 2021 at 4:00 p.m. by the Zoning Board of Adjustment to consider the following:

CONSIDER VARIANCE TO THE CITY'S UNIFIED DEVELOPMENT CODE, ARTICLE 3, SECTION 3.505, EASEMENT & UTILITIES, BEING LOT 30, SUGAR OAKS SUBDIVISION, LOCATED AT 1817 RED RIVER AVENUE, AS REQUESTED BY FRANK GONZALEZ

As part of a City effort to encourage greater participation in the process, the City is using this notice to solicit your input. You may return your response by the mail, fax or email by the following:

You may return your response by one of the following:

- ➤ P. O. Box 1079 Edinburg, Texas 78540
- Fax #: (956) 292-2080 by Wednesday, April 28, 2021

> planning@cityofedinburg.com Should you have any questions or need more information regarding this notice, you may call (956) 388-8202. In Favor/A Favor ☐ Against/En Contra ☐ No Comments/No Comentario Print Name: Address: NOTIFICACION Si tiene preguntas ó necesita más información sobre esta peticion, llame al Departamento de Planeacion y Zonificacion al numero (956) 388-8202. Planning and Zoning Department City of Edinburg 415 West University Drive **EDINBURG** Edinburg, TX 78541 415 WEST UNIVERSITY DR

RECEIVED

By Nikki Marie Cavazos at 12:12 pm, Apr 21, 2021

University Dr. (S.H.107)

RECEIVED VIA EMAIL 04/21/2021 AT 12:06 PM

ZONING BOARD OF ADJUSTMENT REGULAR MEETING April 28, 2021

Item: Consider Variance to the City's Unified Development Code, Article 3, Section 3.301, Single Family Residential Bulk Standards, Setbacks, Being Lot 32, Santa Gloria Subdivision, Located at 4716 Uranus Street, As Requested By Oralia Diaz Moreno

Request:

The applicant is requesting a variance to the City's Unified Development Code, Article 3, Section 3.301, Single Family Residential Bulk Standards, Setbacks. The applicant stated that the basis for the request is to allow for an existing carport to be located in the front yard setback.

Property Location and Vicinity:

The property is located on the east side of Uranus Street, approximately 150 ft. north of Neptune Street. The property has 50 ft. of frontage along Uranus Street and 105 ft. of length for a lot size of 5,250 square feet. This property is currently zoned Neighborhood Conservation 5 (NC 5) District. The surrounding zoning in the area is Neighborhood Conservation 5 (NC 5) District to the north, west and south. The property to the east currently falls outside of the City Limits of Edinburg. The area consists of residential uses.

Background and History:

Santa Gloria Subdivision was recorded on January 31, 2008. The applicant constructed a carport without a permit located within the front yard setback and a stop work order was placed in January 2021, thence starting the variance request. Setbacks called for by plat are as follows: Front 25 ft., Side 6 ft. Rear 20% of lot depth (21ft.). A site plan / photo of the carport was submitted together with the variance application showing an encroachment of 25 ft. into the front yard setback. A variance of this nature was granted for Lot 31 in December 2020.

Staff mailed a notice of the variance request to 40 neighboring property owners and received no comments in favor or against this request at the time of this report.

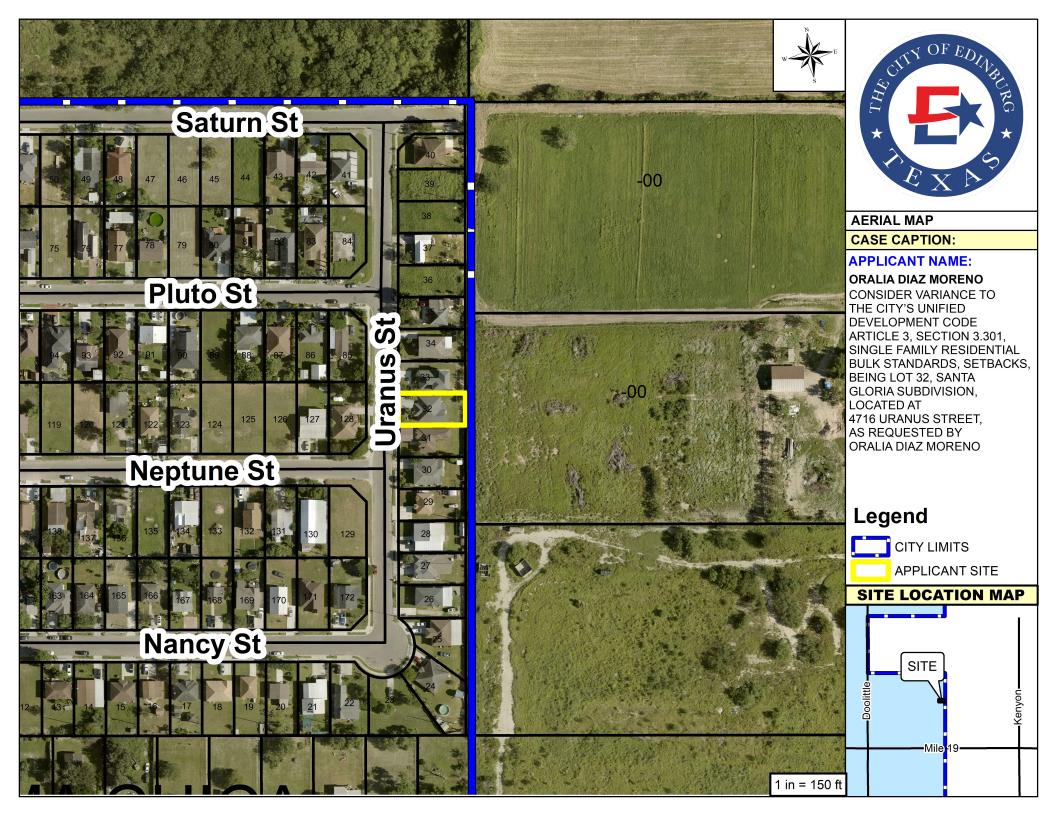
Analysis:

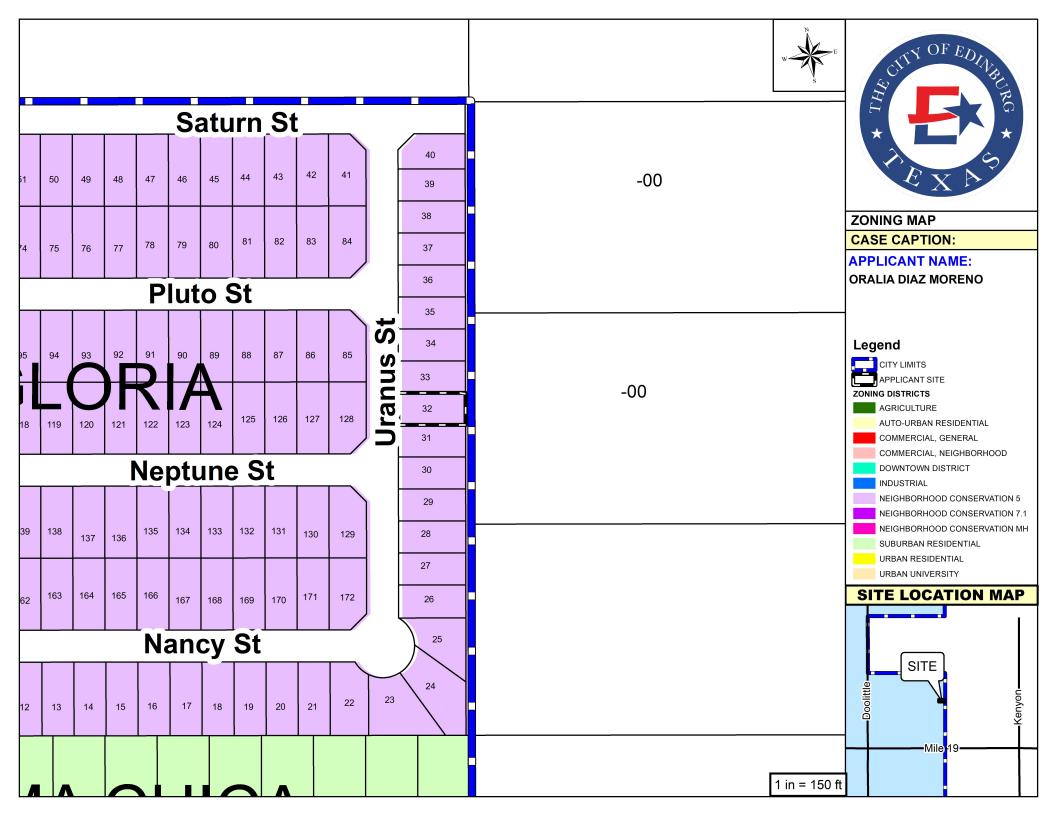
The applicant has indicated that the basis of the request is to allow the construction of the carport within the front yard setback. The level of encroachment appears to be 25 ft. into the front yard setback leaving a 0 ft. setback from structure to lot line.

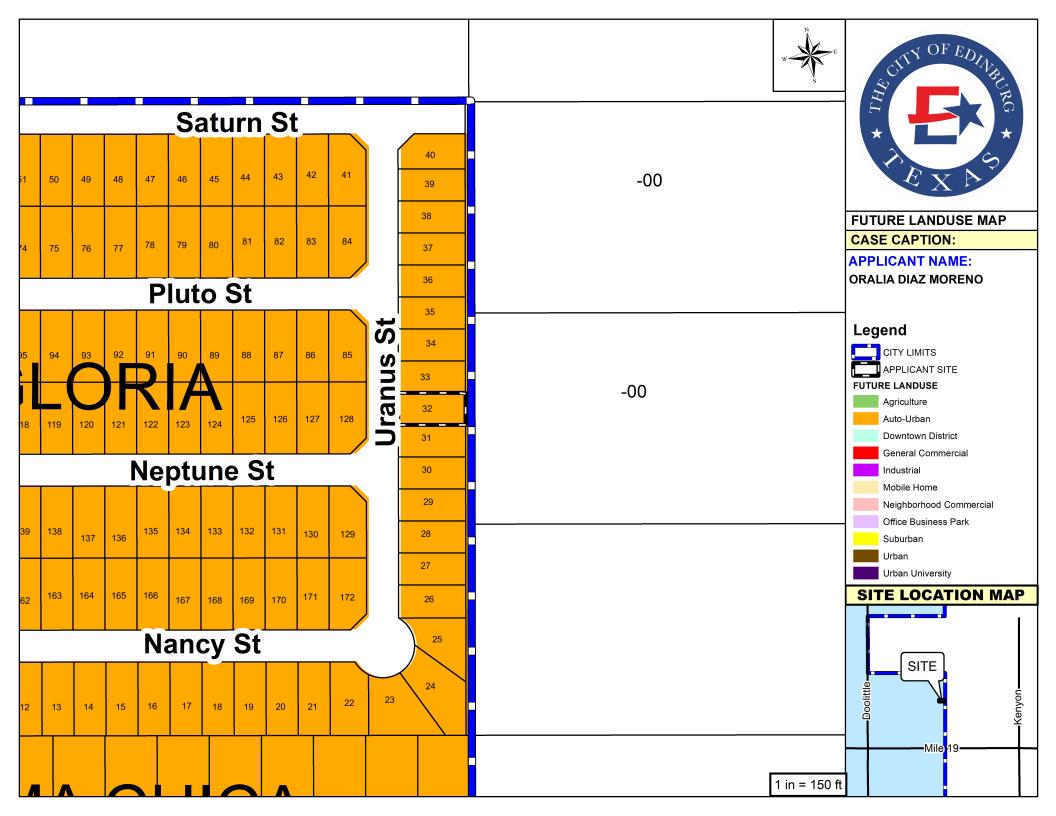
Recommendation

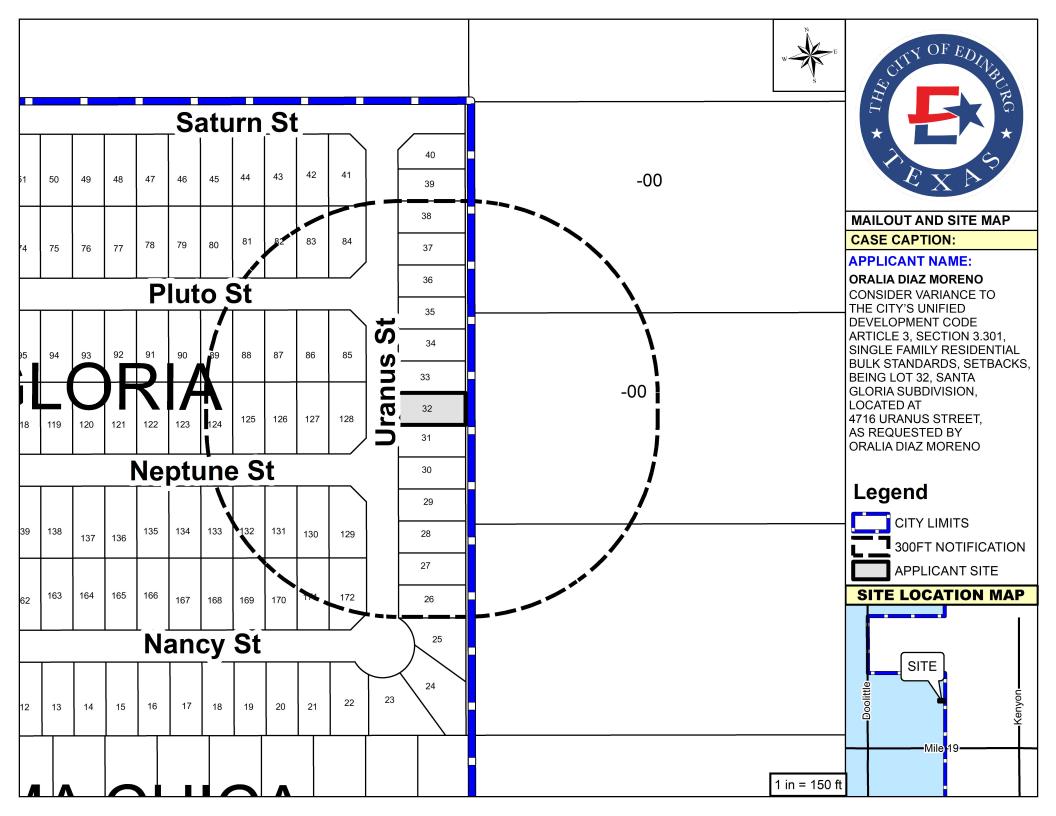
Staff recommends disapproval of the variance request. If approved, the applicant will need to comply with all other requirements during the permitting process including but not limited to building and fire codes, fire protection, parking, landscape buffer-yards, solid waste services, utility, pay a \$40 fee payable to the County of Hidalgo, County Clerk's Office for the recording of the ZBA order on this request, and any other City requirements, as applicable. A location map, aerial map, photo, subdivision plat, site plan, and response from property owner are attached for the Board's consideration.

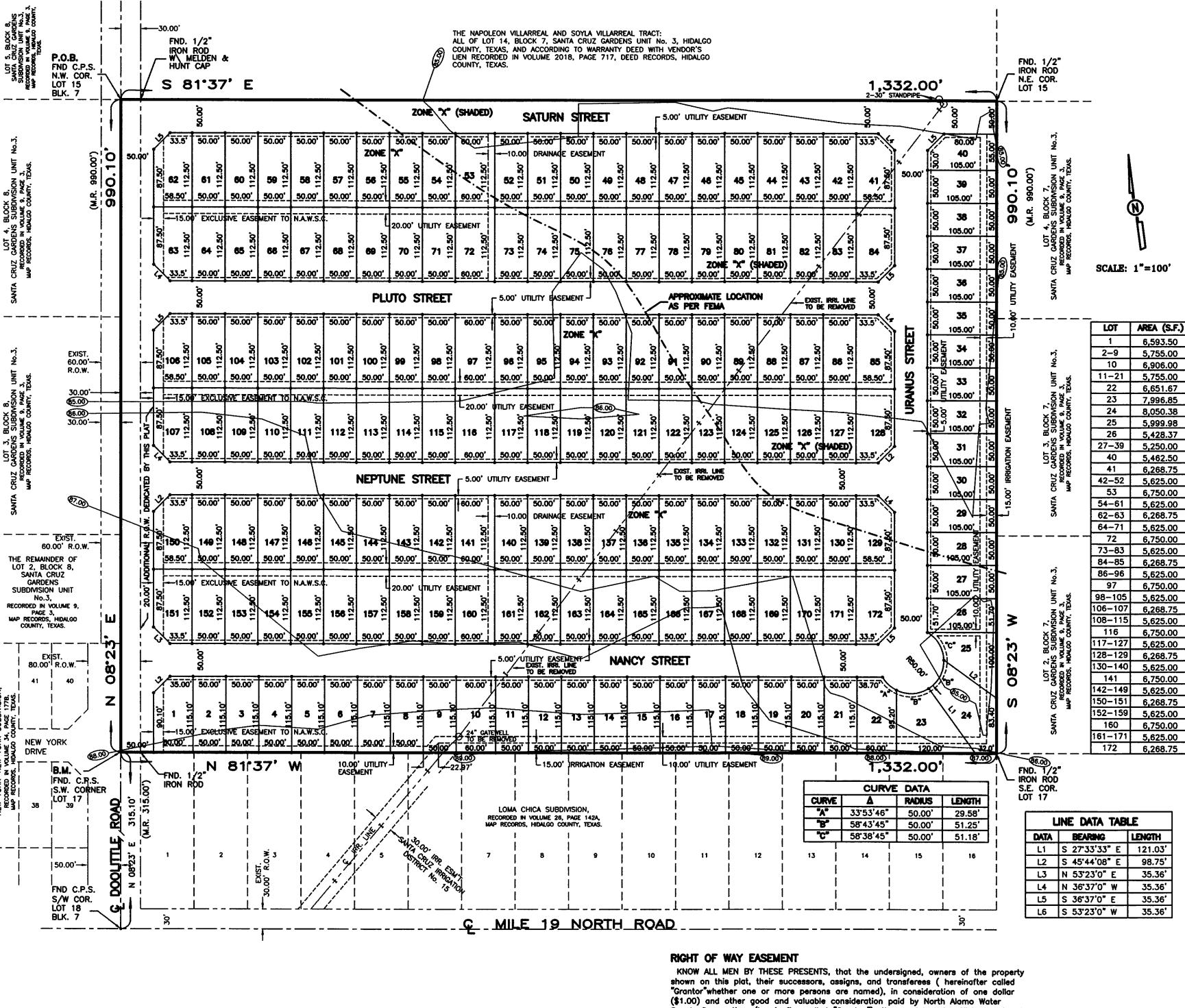
Prepared By: Rita Lee Guerrero Urban Planner Approved By: Kimberly A. Mendoza, MPA Director of Planning & Zoning











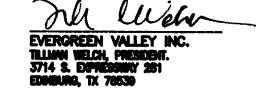
(\$1.00) and other good and valuable consideration paid by North Alamo Water Supply Corporation, (hereinafter called "Grantee"), the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell, transfer, and convey to said Grantee, its successors, and assigns, an exclusive perpetual easement with the right to erect, construct, install and thereafter use, operate, inspect, repair maintain, replace, and remove water distribution lines and appurtenances over and across the lands shown on this plat, together with the right of ingress and egress over Grantor's adjacent lands of the purpose for which the above mentioned rights are granted. The easement hereby granted shall not exceed 15' in width, and Grantee s hereby authorized to designate the course of the easement herein conveyed except that when the pipeline(s) is installed, the easement herein granted shall be limited to a strip of land 15' in width, the center line therof being the piplene installed.

In the event the easement hereby granted abuts on a public road and the city, county or state hereafter widens or relocates the public road so as to require the relocation of this water line as installed, Grantor further grants to Grantee an additional easement over and across the land shown on this plat for the purpose of laterally relocate said water line as may be necessary to clear the road improvements, which easement hereby granted shall be limited to a strip of land 15' in width, the center line thereof being the pipeline as relocated.

The consideration recited herein shall constitute payment in full for all damages sustained by Grantor by reason of the installation, maintenance, repair, replacement and relocation of the structures referred to herein. Thus agreement together with other provisions of this grant shall constitute an easement for the benefit of the Grantee, its successors, and assigns. The Grantor covenants that it is the owner of the above—described lands and that said lands are free and clear of all encumbrances and liens except the following:

The easement conveyed herein was obtained or improved through Federal financial assistance. This easement is subject to the provisions of Title VI of the Civil Rights Act of 1964 and the regulations issued pursuant thereto for so long as the easement continues to be used for the same or similar purpose for which financial assistance was extended or for so long as the Grantee owns it, whichever is

IN WITNESS WHEREOF the said Grantor executed this instrument this ethological structure of the said Grantor executed this instrument this ethological structure.



SANTA GLORIA SUBDIVISION

A 30.275 ACRE TRACT (MAP RECORD: 30.00 ACRES) OF LAND BEING ALL OF LOTS 15, 16 AND 17, BLOCK 7, SANTA CRUZ GARDENS SUBDIVISION UNIT No.3, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 9 PAGE 3. MAP RECORDS, HIDALGO COUNTY, TEXAS, AND ACCORDING TO WARRANTY DEED WITH VENDOR'S LIEN RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 1356491, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS

METES AND BOUNDS

A 30.275 ACRE TRACT (MAP RECORD: 30.00 ACRES) OF LAND BEING ALL OF LOTS 15, 16 AND 17, BLOCK 7, SANTA CRUZ GARDENS SUBDIVISION UNIT No.3, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 9, PAGE 3, MAP RECORDS, HIDALGO COUNTY, TEXAS, AND ACCORDING TO WARRANTY DEED WITH VENDOR'S LIEN RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 1356491, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, REFERENCE TO WHICH IS HERE MADE FOR ALL PURPOSES AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.

BEGINNING AT A COTTON PICKER SPINDLE FOUND IN THE CENTERLINE OF DOOLITTLE ROAD FOR THE NORTHWEST CORNER OF LOT 15 AND THE NORTHWEST CORNER OF THIS TRACT.

THENCE; S 81"37"E, ALONG THE NORTH LINE OF LOT 15, PASSING A 1/2" IRON ROD WITH CAP STAMPED MELDEN & HUNT FOUND AT 30.00 FEET FOR THE EAST RIGHT OF WAY LINE OF DOOLITTLE ROAD, A TOTAL DISTANCE OF 1,332.00 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF LOT 15 AND THE NORTHEAST CORNER

990.00 FEET) TO A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF LOT 17 AND THE SOUTHEAST CORNER OF THIS TRACT.

THENCE; N 81'37'W, ALONG THE SOUTH LINE OF LOT 17, PASSING A 12" IRON ROD FOUND AT 1,302.00 FEET FOR THE EAST RIGHT OF WAY LINE OF DOOLITLE ROAD, A TOTAL DISTANCE OF 1,332.00 FEET TO A COTTON PICKER SPINDLE FOUND IN THE CENTERLINE OF DOOLITLE ROAD FOR THE SOUTHWEST CORNER OF LOT 17 AND THE

THENCE: N 08°23'E, ALONG THE WEST LINE OF LOTS 15, 16 AND 17, AND THE CENTERLINE OF DOOLITTLE ROAD, A DISTANCE OF 990.10 FEET (MAP RECORD: 990.00 FEET) TO THE POINT OF BEGINNING AND CONTAINING 30.275 ACRES OF LAND MORE OR LESS.

BEARINGS ARE IN ACCORDANCE WITH LOMA CHICA SUBDIVISION, RECORDED IN VOLUME 26, PAGE 142-A, MAP RECORDS, HIDALGO COUNTY, TEXAS.

STATE OF TEXAS COUNTY OF HIDALGO

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







PLAT NOTES AND RESTRICTIONS:

1.- FLOOD ZONE STATEMENT: FLOOD ZONE DESIGNATION: ZONE "X" (SHADED)

AREAS OF 500-YEAR FLOOD; AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 100-YEAR FLOOD. ZONE DESIGNATION: ZONE "X" (NOT SHADED

AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN. COMMUNITY-PANEL No. 480334 0325 D

2.- SETBACKS:

EFECTIVE DATE: MAY 17, 2001.

25.00 FEET 20% OF LOT DEPTH NOT TO EXCEED 40.00 FEET CORNER SIDE 10.00 FEET CORNER GARAGE SIDE 18.00 FEET

15.00 FEET CORNER SIDE FOR LOTS 1, 62, 63, 106, 107, 150 & 151 6.00 FEET CUL-DE-SAC FRONT AND REAR 15.00 FEET

3.- NO MORE THAN ONE SINGLE FAMILY DETACHED DWELLING SHALL BE LOCATED PER LOT.

4.- MINIMUM FINISH FLOOR ELEVATION: 18" ABOVE TOP OF CURB

OR EASEMENT WHICHEVER IS GREATER ON ALL CASES

OF THE STREET AT CENTER OF LOT. 5.- LEGEND •- DENOTES 1/2" x 24" IRON ROD SET, WITH PLATIC CAP STAMPED R.P.L.S. 4856, UNLESS OTHERWISE NOTED.

6.- NO BUILDINGS SHALL BE CONSTRUCTED OVER ANY EASEMENT OR LOT LINE.

7.- DRAINAGE RETENTION PER LOT IS: 485.13 C.F.

8.- NO PERMANENT STRUCTURES SHALL BE ALLOWED

WITHIN UTILITY EASEMENTS OR IRRIGATION EASEMENTS

9.- BENCH MARK ELEV.- 87.27 C.P.S. SET IN THE CENTER LINE OF DOOLITTLE ROAD AT THE SOUTHWEST CORNER OF THE THIS SUBDIVISION, N.A.V.D. 88 DATUM.

10.- NO ACCESS WILL BE ALLOWED FROM LOTS 1, 62, 63, 106, 107, 150 AND 151 ONTO DOOLITTLE ROAD.

11.- 50% OF PARKLAND FEE WILL BE REQUIRED AT BUILDING PERMIT STAGE. (\$125.00)

12.- A 4.00 FEET SIDEWALK WILL BE REQUIRED TO BE CONSTRUCTED 4.0' BEHIND THE CURB AT BUILDING PERMIT STAGE.

13.- ALL SANITARY SEWER FEES WILL HAVE BEEN PAID BY DEVELOPER.

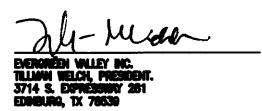
14.- A 5.0 FOOT SIDEWALK WITH ADA RAMPS ARE REQUIRED ALONG DOOLITTLE ROAD DURING SUBDIVISION CONSTRUCTION.

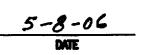
15.- ALL SUBDIVISION IMPROVEMENTS SHALL COMPLY WITH STORM WATER POLLUTION PREVENTION PLAN (SW3P) REQUIREMENTS.

16.- A SEPARATE PERMIT IS REQUIRED FOR SIDEWALKS DURING BUILDING PERMIT STAGE FOR RESIDENTIAL AREAS.

STATE OF TEXAS COUNTY OF HIDALGO

I,(WE) THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS THE SANTA GLORIA SUBCINISION TO THE CITY OF EDINBURG, AND WHOSE NAME(S) IS (ARE) SUBSCRIBED HERETO, HEREBY DEDI-CATE TO THE USE OF THE PUBLIC ALL STREETS, PARKS, WATER COURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.





STATE OF TEXAS COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ME TO BE THE PERSON(S) WHOSE NAME(S) IS (ARE) SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE (THEY) EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED.

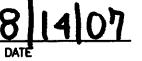
GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE THE DAY OF





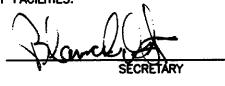
I, THE UNDERSIGNED, CHAIRPERSON OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF EDINBURG , TEXAS, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY approval is required





THIS PLAT APPROVED BY SANTA CRUZ IRRIGATION DISTRICT No. 15 ON THIS 7th DAY OF SALUARY ,200 & SUBJECT TO THE FOLLOWING: 1) NO BUILDINGS ALLOWED ON TOP OF AN IRRIGATION LINE; 2) FIFTEEN FOOT (15') EASEMENT ON EACH SIDE OF IRRIGATION LINE OR CANAL; 3) ALL LOTS SUBJECT TO RULES, REGULATION, RIGHTS-OF-WAY- AND EASEMENTS OF DISTRICT: AND A) IF SUBDIVISION IS NOT EVOLUTED EBOLD DISTRICT: AND A) IF SUBDIVISION IS NOT EVOLUTED EBOLD DISTRICT. OF DISTRÍCT; AND 4) IF SUBDIVISION IS NOT EXCLUDED FROM DISTRICT AND IRRIGATION TO INDMIDUAL LOTS IS DESIRED, EASEMENTS FOR NECESSARY IRRIGATION FACILITIES TO SUCH LOTS FROM THE CLOSEST DISTRICT DELIVERY POINT SHALL BE PROVIDED, WITH THE LOT OWNER BEING RESPONSIBLE TO INSTALL SUCH NECESSARY FACILITIES.





HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIMISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEXAS WATER CODE NO. 49.211(c). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDISSION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER OF THE SUBDIVISION AND ITS ENGINEER TO MAKE THESE DETERMINATIONS.

STATE OF TEXAS COUNTY OF HIDALGO

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE PROPER ENGINEERING CONSIDERATIONS HAVE BEEN GIVEN TO THIS PLAT.







Recorded in Volume St Page 142 withe map records of Hidalgo County, Texas Auturo Guajardo, Jr. County Clerk

FILED FOR RECORD IN: ##DALGO COUNTY BY ARTURO GUAJARDO, JR. COUNTY CLERK 4S A RECORDING NUMBER 1851468

QUINTANILLA, HEADLEY AND ASSOCIATES, INC. CONSULTING ENGINEERS

124 E. STUBBS ST. EDINBURG, TEXAS 78539

LAND SURVEYORS PHONE 956-381-6480 FAX 956-381-0527

FILENAME : F:\DATA\SUBD\EDINBURG\WISTERIA HEIGHTS\WISTERIA-PLAT DATE PREPARED PREPARED BY CHECKED BY APPROVED BY JUNE 23, 2005. J. GUAJARDO
DATE REVISED REVISED BY CHECKED BY APPROVED BY

LOCATION MAP

EDINBURG CITY LIMITS

MESQUITE MDPAL

MONTE CHRISTO ROAD

A AZALES AVE

SCALE: 1" = 2000'

DAVIS ROAD

1. NEW-YORK NEW-YORK

2. LOMA CHICA SUBDIVISION

SUBDIVISION

RAMSEYER RUAD



Submit survey, if applicable

Reduced copy of site plan & 1 blue print, if applicable

Planning & Zoning Department 415 W. University Dr. (956) 388-8202

ZONING BOARD OF ADJUSTMENT APPLICATION REQUEST FOR VARIANCE

Free Standing Fave Steel Carport

Address: 4716 Uranus St. Edinburg 78542 Street Address City/State Zip Code	Nature of Request:	1100 ctantaning Eart C		
roperty Description: 32		Language	barrier	
roperty Description: Santa Gloria Subdivision	(use other side if necessary)			
roperty Description: Santa Gloria Subdivision	Orali	7 does not	Speck En	Sish
roperty Address: 4716 Uranus St. Edinburg, Texas 78542 resent Property Zoning: Coralia Diaz Moreno Iailing Address: Street Address Oralia Diaz Moreno Home No. (Home): 956-624-6278 Work): Coralia Diaz Moreno Iailing Address: Oralia Diaz Moreno Iailing Address: 4716 Uranus St. Edinburg Fixed Address City/State Oralia Diaz Moreno Iailing Address: 4716 Uranus St. Edinburg T8542 Street Address City/State City/State Iailing Address: Oralia Diaz Moreno Oralia Diaz Moreno Oralia Diaz Moreno Date: Oralia Diaz Moreno Application Received by: Interval Address Subdivision Application Received by: Interval Block Subdivision Subdivision Subdivision Application Received by: Interval Block Subdivision Subdivision Application Received by: Interval Block Subdivision Application Received by: Interval				
resent Property Zoning: Property Zoning: Prope	Property Description:			
resent Property Zoning: Calia Diaz Moreno Calia Diaz Moreno	Property Address:	4=40.11		
Address: 4716 Uranus St. Edinburg 78542 Street Address City/State Zip Code 956-624-6278 (Work): (Cell): 956-624-6278 Street Address A716 Uranus St. Edinburg 78542 Street Address City/State Zip Code Street Address City/State Zip Code Street Address City/State Zip Code Sowners or agents for the above described property, I, (we) hereby request a hearing before oning Board of Adjustment. Street Address Date: 03/09/2021 Street Address Oralia Diaz Moreno Application Fee: Application Received by:		Roof L		
Street Address City/State Zip Code 956-624-6278 Nomer's Name: Oralia Diaz Moreno Gity/State City/State Gity/State Gity	Person requesting Var	iance: Oralia Diaz More	no	
Street Address hone No. (Home): 956-624-6278 (Work):	Mailing Address:			78542
Address: Oralia Diaz Moreno Iailing Address: 4716 Uranus St.	_	Street Address		•
Tailing Address: 4716 Uranus St. Edinburg 78542 Street Address City/State Zip Code s owners or agents for the above described property, I, (we) hereby request a hearing beforening Board of Adjustment. Ignature: Date: 03/09/2021 wner/Agent's Name (Please Print): Oralia Diaz Moreno Application Fee: Application Received by:	Phone No. (Home): _9	56-624-6278 (Work)	:	(Cell): <u>956-624-6278</u>
Street Address Street Address City/State Zip Code Sowners or agents for the above described property, I, (we) hereby request a hearing before oning Board of Adjustment. In the source of the above described property, I, (we) hereby request a hearing before oning Board of Adjustment. In the source of the above described property, I, (we) hereby request a hearing before oning Board of Adjustment. In the source of the above described property, I, (we) hereby request a hearing before oning Board of Adjustment. In the source of the above described property, I, (we) hereby request a hearing before oning Board of Adjustment. In the source of the above described property, I, (we) hereby request a hearing before oning Board of Adjustment. In the source of the so	Owner's Name:	Oralia Diaz Moreno		
Street Address City/State Zip Code s owners or agents for the above described property, I, (we) hereby request a hearing before oning Board of Adjustment. gnature: Ornica base Oralia Diaz Moreno Application Fee: Application Received by:	Mailing Address	4716 Uranus St.	Edinburg	78542
oning Board of Adjustment. gnature: Ornica has Date: 03/09/2021 wner/Agent's Name (Please Print): Oralia Diaz Moreno 450 Application Fee: Application Received by:	Maining Addi css.	Street Address	City/State	Zip Code
wner/Agent's Name (Please Print): Oralia Diaz Moreno 450 Application Fee: Application Received by:	Zoning Board of Adjus	stment.		
450 Application Fee: Application Received by:	Signature: \(\sum_{\range \range \lambda \range \r	7 DA2	Date: _	03/03/2021
	Owner/Agent's Name ((Please Print):	Oralia Diaz Mo	reno
Receipt No.	\$450 Application Fee:	Receipt No.	Application Received	by:
pplication deadline:ZBA Hearing date:				
 \$40 ZBA Order Form- Make Check Payable to: Hidalgo County Clerk 	Application deadline:	ZBA Hearing date	e:	

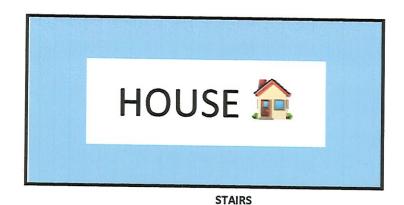
415 W. University Dr. • P. O. Box 1079 • Edinburg, TX 78540 Phone (956) 388-8202 • Fax (956) 292-2080 • www.cityofedinburg.com

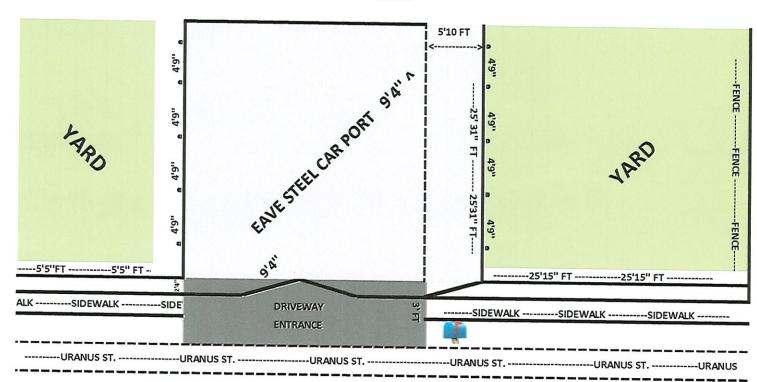
RECEIVED

MAR 1 5 2021

Name: alex 3:05PM

CONSTRUCTION SITE PLAN
ORALIA MORENO DIAZ
4716 URANUS ST.
EDINBURG, TEXAS 78542
SANTA GLORIA SUBDIVISION
LOT 32







ZONING BOARD OF ADJUSTMENT REGULAR MEETING April 28, 2021

Item: Consider Variance to the City's Unified Development Code, Article 3, Section 3.505, Easements & Utilities, Being Lots 1-7 & 57-63, The Heights on Wisconsin Phase II Subdivision, As Requested By Julio Carranza

Request:

The applicant is requesting a variance to the City's Unified Development Code, Article 3, Section 3.505, Easements & Utilities. The applicant stated that the basis for the request is to allow for the construction of a home over the 10 foot utility easement located in the rear of the property.

Property Location and Vicinity:

The property is located on the south side of East Wisconsin Road, approximately 300 ft. east of South Veterans Blvd. This property is currently under construction for single family residential homes. The property is currently zoned Urban Residential (UR) District. The surrounding zoning in the area is Suburban Residential (S) District to the north and west, Agriculture (AG) District to the east, and Urban Residential (UR) District to the south. The surrounding area consists of residential uses.

Background and History:

The Heights of Wisconsin Phase II Subdivision was recorded on February 11, 2021. The applicant is proposing to construct single family residential homes. Setbacks called for by plat are as follows, Front 10 ft., Rear 15 ft., Side 5 ft. or easement whichever is greater. A 25 ft. North Alamo Water supply and utility easement are located in the rear of these properties. A preliminary site plan for the proposed homes has been provided for the boards review. There have been no other variances granted within the surrounding areas.

Staff mailed a notice of the variance request to 20 neighboring property owners and received no comments in favor or against this request at the time of this report.

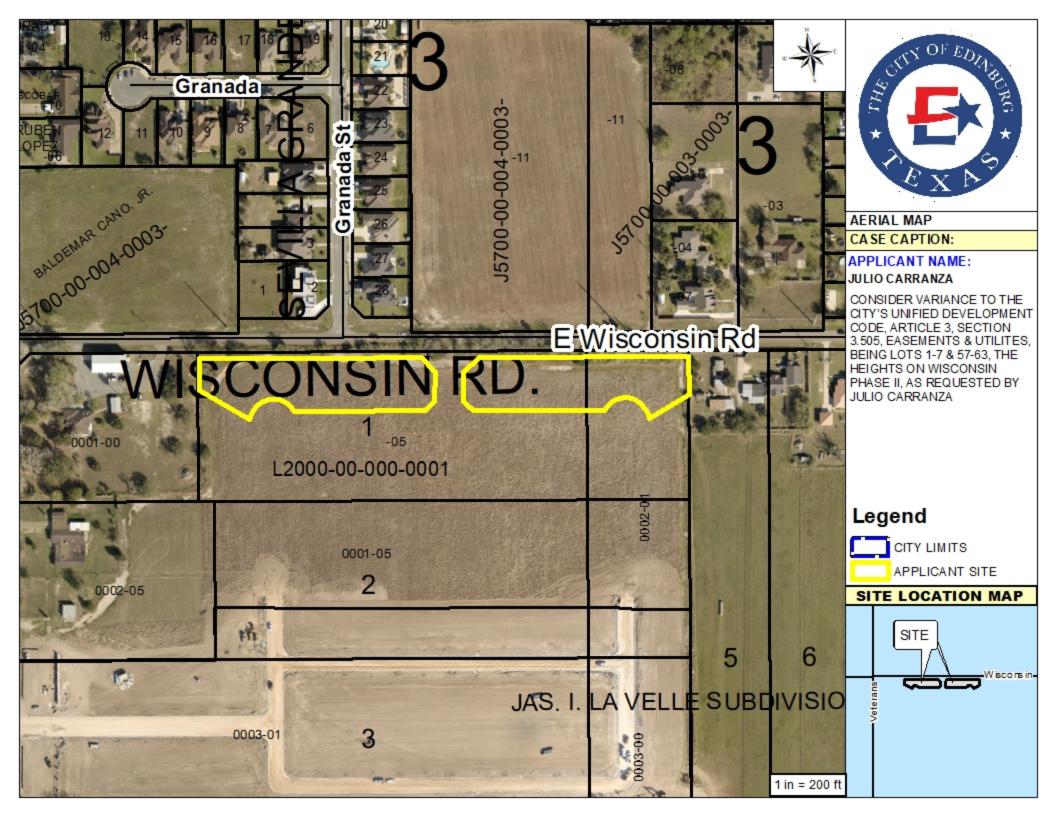
Analysis:

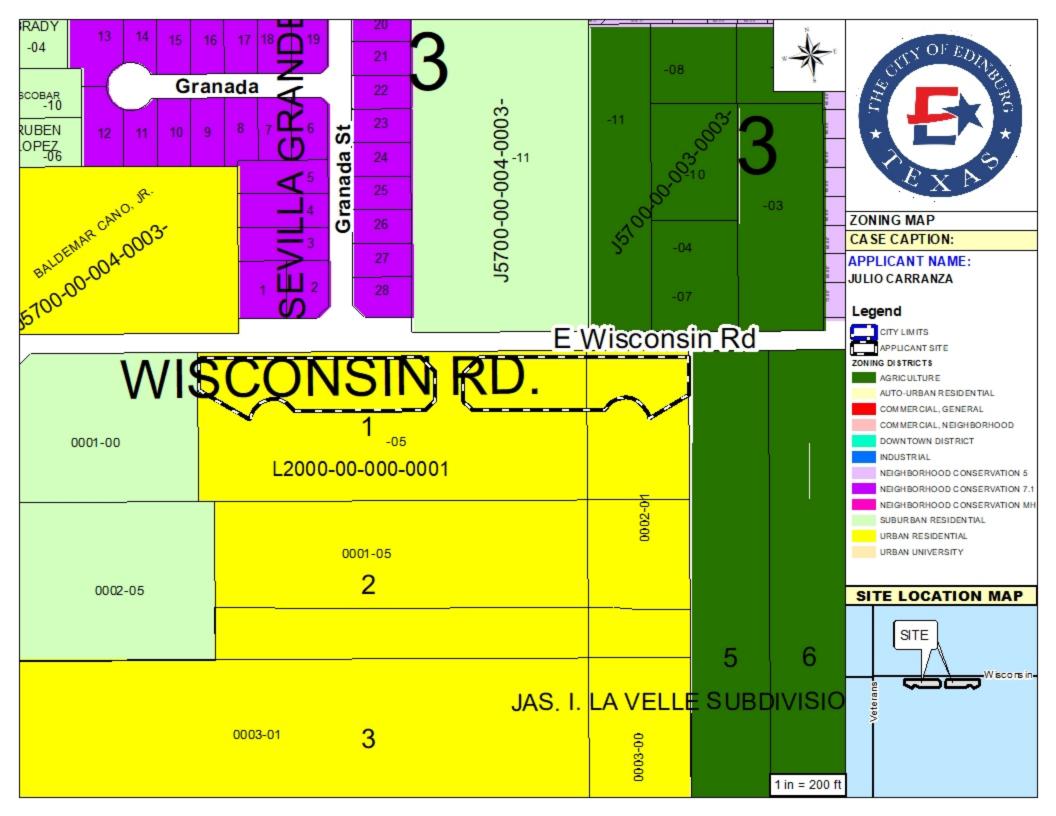
The applicant has indicated that the basis of the request is to allow for the construction of homes located over the 10 foot utility easement located in the rear of each lots, leaving a 15 foot separation from structure to rear yard property line, clearing the North Alamo Water Supply Easement.

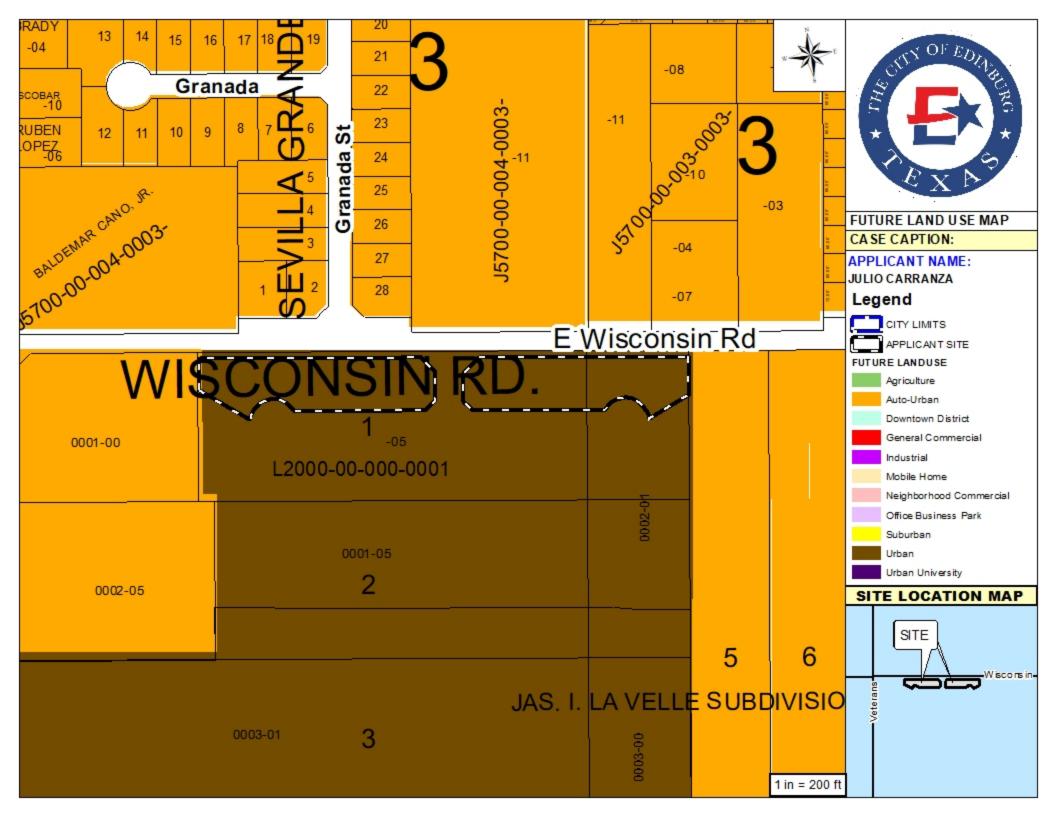
Recommendation

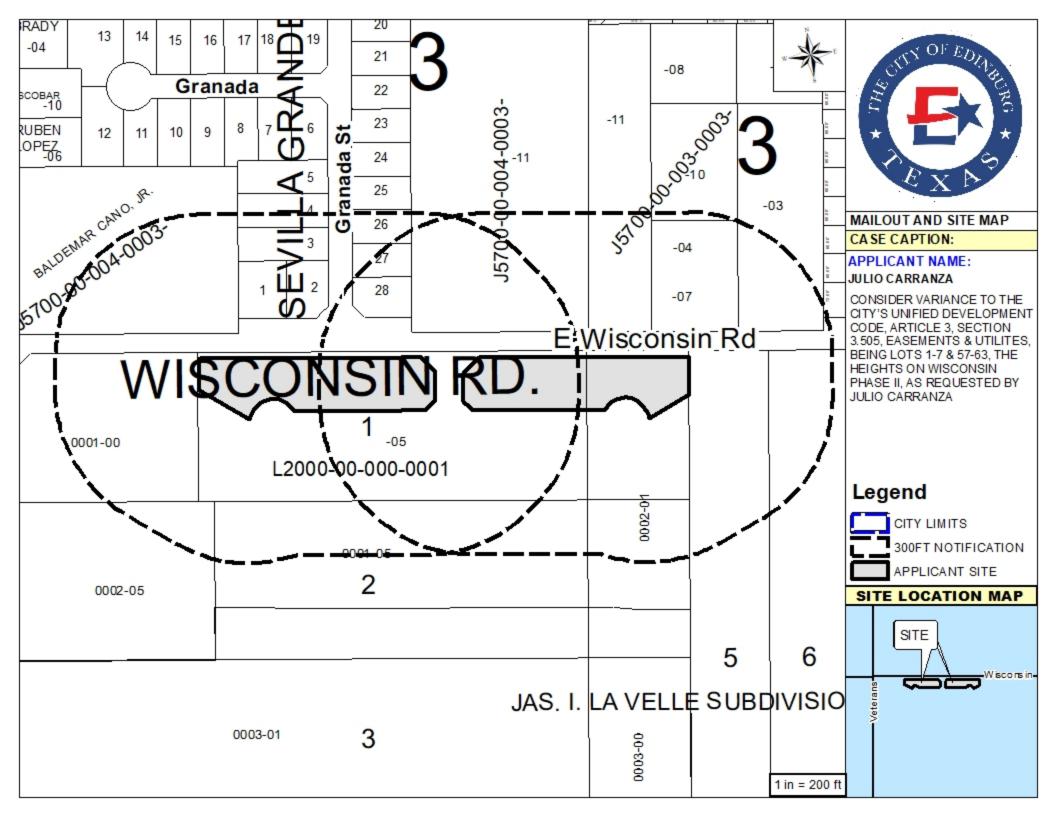
Staff recommends disapproval of the variance request. If approved, the applicant will need to comply with all other requirements during the permitting process including but not limited to building and fire codes, fire protection, parking, landscape buffer-yards, solid waste services, utility, pay a \$40 fee payable to the County of Hidalgo, County Clerk's Office for the recording of the ZBA order on this request, and any other City requirements, as applicable. A location map, aerial map, photo, subdivision plat, site plan, and response from property owner are attached for the Board's consideration.

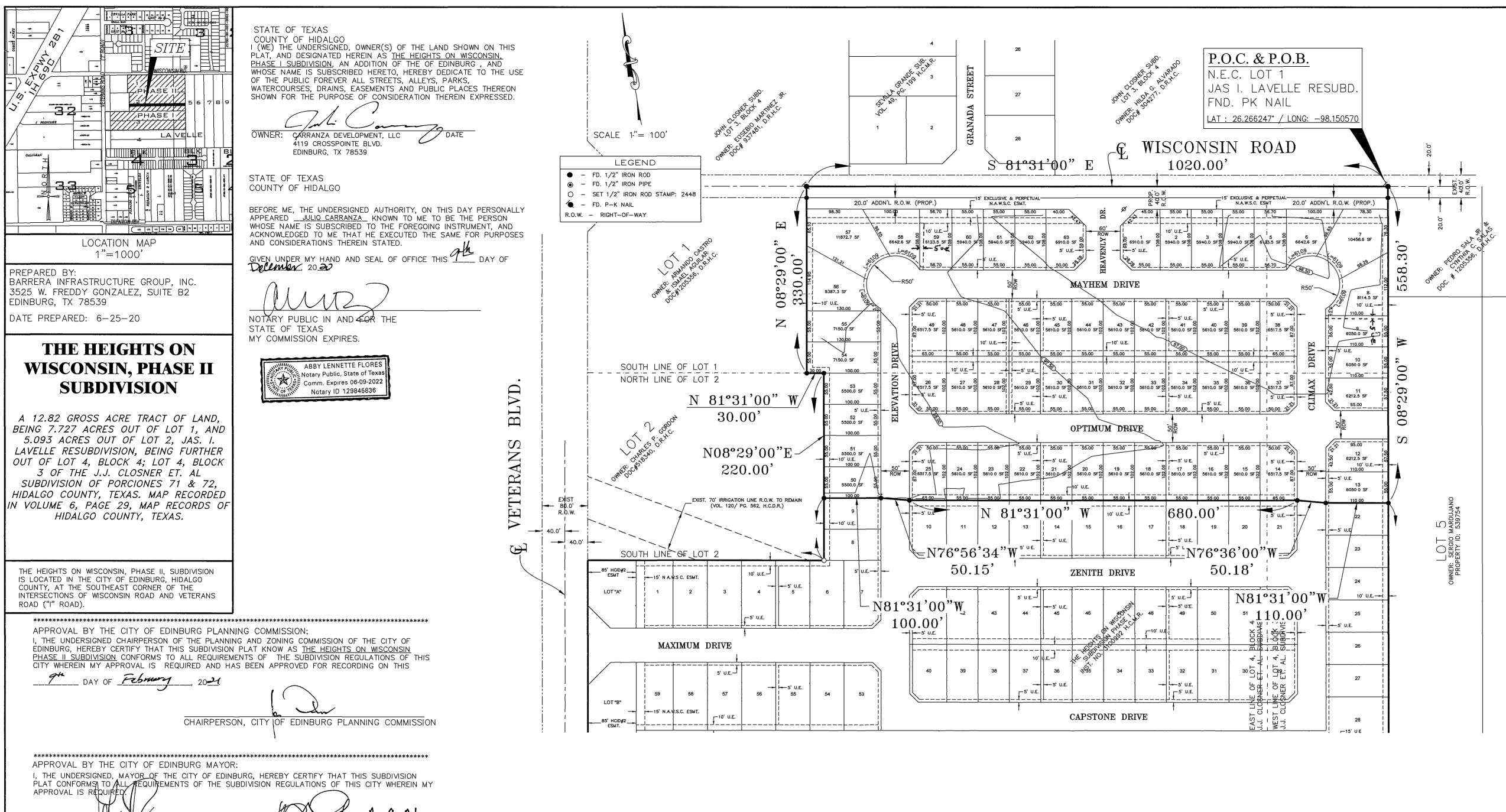
Prepared By: Rita Lee Guerrero Urban Planner Approved By: Kimberly A. Mendoza, MPA Director of Planning & Zoning











STATE OF TEXAS

PHARR, TX 78577

COUNTY OF HIDALGO

I, PABLO SOTO JR., REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS. DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE FROM AN ACTUAL SURVEY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, AND THAT THERE ARE NO APPARENT DISCREPANCIES, CONFLICTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN ON THE ACCOMPANYING PLAT, AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF EDINBURG, TEXAS.

_DAY OF JANUARY 2021

PABLO SOTO, JR. R.P.L.S REG. PROFESSIONAL LAND SURVEYOR #4541 1208 S. IRONWOOD

PABLO SOTO JR. 4541

HIDALGO COUNTY DRAINAGE DISTRICT No. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEXAS WATER CODE 49.211(c). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF DEVELOPER AND HIS ENGINEER TO MAKE THEIR DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT. NO. 1

4119 CROSSPOINTE BLVD. PRINCIPAL CONTACTS: EDINBURG, TX 78539 NAME **ADDRESS**

CARRANZA DEV. LLC **ENGINEER:** <u>rene barrera</u> PABLO SOTO JR SURVEYOR:

208 S. IRONWOOD

CITY & ZIP 4119 CROSSPOINTE BLVD. 3525 W. FREDDY GONZALEZ

PHONE FAX EDINBURG, TX. 78539 EDINBURG, TX. 78539 956-687-3355 956-992-880 PHARR, TX. 78577 956-783-0489

17th DAY OF December, 2020.

STATE OF TEXAS

COUNTY OF HIDALGO

NO. 86862 STATE OF TEXAS

TYFIAM NO: 6435

HIDALGO COUNTY IRRIGATION DISTRICT #2

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT

I CERTIFY THAT THE WATER AND SEWER SERVICE FACILITIES FOR LOTS INTENDED FOR RESIDENTIAL PURPOSES

day of December 20 20

THIS PLAT IS HEREBY APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT #2 ON THIS, THE

NO IMPROVEMENTS OF ANY KIND (INCLUDING WITHOUT LIMITATION, TREES, FENCES, AND BUILDIN

SHALL BE PLACED UPON HIDALGO COUNTY IRRIGATION DISTRICT #2 RIGHTS OF WAYS OR EASEMENTS

DESCRIBED ABOVE ARE IN COMPLIANCE WITH THE MODEL RULES ADOPTED UNDER SECTION 16.343, WATER CODE.

THE ESTIMATED COST TO INSTALL UNCONSTRUCTED WATER AND SEWAGE FACILITIES DESCRIBED ABOVE ARE AS

BARRERA

86862

PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT.

FOLLOWS: WATER FACILITIES: THESE FACILITIES WILL BE CONSTRUCTED

12/7/20

RIGHT OF WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS: THAT THE UNDERSIGNED, OWNERS OF THE PROPERTY SHOWN ON THE PLAT, THEIR SUCCESSORS, ASSIGNS, AND TRANSFEREES (HEREINAFTER CALLED "GRANTOR" WHETHER ONE OR MORE PERSONS ARE NAMED), IN CONSIDERATION OF ONE DOLLAR (\$1.00) AND OTHER GOOD AND VALUABLE CONSIDERATION PAID BY NORTH ALAMO WATER SUPPLY CORPORATION, (HEREINAFTER CALLED "GRANTEE"), THE RECEIPT AND SUFFICIENCY OF WHICH IS HEREBY ACKNOWLEDGED, DOES HEREBY GRANT, BARGAIN, SELL, TRANSFER AND CONVEY TO SAID GRANTEE, ITS SUCCESSORS, AND ASSIGNS AN EXCLUSIVE AND PERPETUAL EASEMENT WITH THE RIGHT TO ERECT, CONSTRUCT, INSTALL AND THEREAFTER USE, OPERATE, INSPECT. REPAIR, MAINTAIN, REPLACE AND REMOVE WATER DISTRIBUTION LINES AND APPURTENANCES OVER AND ACROSS LANDS SHOWN ON THIS PLAT, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER GRANTOR'S ADJACENT LANDS OF THE PURPOSE FOR WHICH THE ABOVE MENTIONED RIGHTS ARE GRANTED. THE EASEMENT HEREBY GRANTED SHALL NOT EXCEED 15'IN WIDTH, AND GRANTEE IS HEREBY AUTHORIZED TO DESIGNATE THE COURSE OF THE EASEMENT HEREIN CONVEYED EXCEPT THAT WHEN THE PIPELINE(S) IS INSTALLED, THE EASEMENT HEREIN GRANTED SHALL BE LIMITED TO A STRIP OF LAND 15'IN WIDTH, THE CENTER LINE THEREOF BEING THE PIPELINE INSTALLED.

IN THE EVENT THE EASEMENT HEREBY GRANTED ABUTS ON A PUBLIC ROAD AND THE CITY, COUNTY OR STATE HEREAFTER WIDENS OR RELOCATES THE PUBLIC ROAD SO AS TO REQUIRE THE RELOCATION OF THIS WATER LINE AS INSTALLED, GRANTOR FURTHER GRANTS TO GRANTEE AN ADDITIONAL EASEMENT OVER AND ACROSS THE LAND SHOWN ON THIS PLAT FOR THE PURPOSE OF LATERALLY RELOCATE SAID WATER LINE AS MAY BE NECESSARY TO CLEAR THE ROAD IMPROVEMENTS, WHICH EASEMENT HEREBY GRANTED SHALL BE LIMITED TO A STRIP OF LAND 15'IN WIDTH, THE CENTER LINE THEREOF BEING THE PIPELINE AS

THE CONSIDERATION RECITED HEREIN SHALL CONSTITUTE PAYMENT IN FULL FOR ALL DAMAGES SUSTAINED BY GRANTOR BY REASON OF THE INSTALLATION, MAINTENANCES, REPAIR, REPLACEMENT AND RELOCATION OF THE STRUCTURES REFERRED TO HEREIN, THUS AGREEMENT TOGETHER WITH OTHER PROVISIONS OF THIS GRANT SHALL CONSTITUTE AN EASEMENT FOR THE BENEFIT OF THE GRANTEE, ITS SUCCESSORS, AND ASSIGNS. THE GRANTOR COVENANTS THAT IT IS THE OWNER OF THE ABOVE-DESCRIBED LANDS AND THAT SAID LANDS ARE FREE AND CLEAR OF ALL ENCUMBRANCES AND LIENS EXCEPT THE FOLLOWING:

THE EASEMENT CONVEYED HEREIN WAS OBTAINED OR IMPROVED THROUGH FEDERAL FINANCIAL ASSISTANCE. THIS EASEMENT IS SUBJECT TO THE PROVISIONS OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 AND THE REGULATIONS ISSUED PURSUANT THERETO FOR SO LONG AS THE EASEMENT CONTINUES TO BE USED FOR THE SAME OR SIMILAR PURPOSE FOR WHICH FINANCIAL ASSISTANCE WAS EXTENDED OR FOR SO LONG AS THE GRANTEE OWNS IT. WHICHEVER IS LONGER.

114IN WITNESS WHEREOF, THE SAID GRANTOR HAS EXECUTED THIS INSTRUMENT THE DAY OF DECEMBER 20 20

CARRANZA DEVELOPMENT, LLC 4119 CROSSPOINT BWD. EDINGUAG, TEXAS 78539

A 12.82 GROSS ACRE TRACT OF LAND, BEING 7.727 ACRES OUT OF LOT 1, AND 5.093 ACRES OUT OF LOT 2, JAS. I. LAVELLE RESUBDIVISION, BEING FURTHER OUT OF LOT 4, BLOCK 4; LOT 4, BLOCK 3 OF THE J.J. CLOSNER ET. AL SUBDIVISION OF PORCIONES 71 & 72. HIDALGO COUNTY, TEXAS, MAP RECORDED IN VOLUME 6, PAGE 29, MAP RECORDS OF HIDALGO COUNTY, TEXAS; SAID 12.87 ACRES BEING MORE PARTICULARLY DESCIRBED BY METES AND BOUNDS AS FOLLOWS;

COMMENCING AT A PK-NAIL, FOUND ON THE CENTERLINE OF WISCONSIN ROAD AND THE NORTHEAST CORNER OF SAID LOT 1, OUT OF JAS. I. LAVELLE RESUBDIVISION, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF THIS TRACT OF LAND AND PLACE OF BEGINNING;

THENCE, SOUTH 08 deg 29' 00" WEST, ALONG THE EAST LINE OF SAID LOT 1, JAS. I. LAVELLE RESUBDIVISION, AT 20.00 FEET PASS A HALF INCH IRON ROD FOUND AT THE EXISTING SOUTH R.O.W. OF WISCONSIN ROAD, AT 330.00 FEET PASS THE SOUTH LOT LINE OF SAID LOT 1, CONTINUING ALONG THE THE EAST LINE OF SAID LOT 2, JAS. I. LAVELLE RESUBDIVISION, A TOTAL DISTANCE OF 558.30 FEET TO THE SOUTHEAST CORNER OF THIS

THENCE, NORTH 81 deg 31' 00" WEST, PARALLEL WITH THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 110.00 FEET TO A HALF INCH (1/2) IRON ROD (WITH A YELLOW PLASTIC CAP STAMPED: LLR 4540) FOUND FOR AN OUTER CORNER OF THIS TRACT;

THENCE, NORTH 76 deg 36' 00" WEST, A DISTANCE OF 50.18 FEET TO A HALF INCH (1/2) IRON ROD (WITH A YELLOW PLASTIC CAP STAMPED: LLR 4541) FOUND AT AN INSIDE CORNER

THENCE, NORTH 81 deg 31'00" WEST, PARALLEL WITH THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 680.00 FEET TO A HALF INCH (1/2) IRON ROD (WITH A YELLOW PLASTIC CAP STAMPED: LLR 4541) FOUND AT AN OUTSIDE CORNER OF THIS TRACT;

THENCE, NORTH 76 deg 56' 34" WEST, A DISTANCE OF 50.15 FEET TO A HALF INCH (1/2) IRON ROD (WITH A YELLOW PLASTIC CAP STAMPED: LLR 4541) FOUND AT AN INSIDE CORNER

THENCE, NORTH 81 deg 31' 00" WEST, PARALLEL WITH THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 100.00 FEET TO A HALF INCH (1/2) IRON ROD (WITH A YELLOW PLASTIC CAP STAMPED: LLR 454!) FOUND FOR THE SOUTHWEST CORNER OF THIS TRACT:

THENCE, NORTH 08 deg 29' 00" EAST, PARALLEL WITH THE EAST LINE OF LOT 2, JAS. I. LAVELLE RESUBDIVISION, AND ALONG WITH THE EAST LINE OF CHARLES P. GORDON'S TRACT, A DISTANCE OF 220.00 FEET TO A HALF INCH (1/2) IRON ROD (WITH A YELLOW PLASTIC CAP STAMPED: LLR 454) FOUND AT THE NORTH LINE OF SAID LOT 2 FOR AN INNER CORNER OF THIS TRACT;

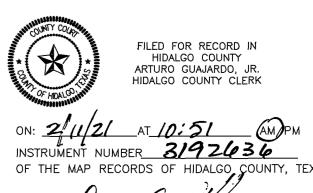
THENCE, NORTH 81 deg 31' 00" WEST, ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 30.00 FEET TO A HALF INCH (1/2) IRON ROD (WITH A YELLOW PLASTIC CAP STAMPED: LLR 4541 FOUND AT AN OUTER CORNER OF THIS TRACT:

THENCE, NORTH 08 deg 29' 00" EAST, PARALLEL WITH THE EAST LINE OF LOT 1, JAS, I. LAVELLE RESUBDIVISION, AND ALONG WITH THE EAST LINE OF ARMANDO CASTRO'S TRACI, AT 310.00 FEET PASS A HALF INCH (1/2) IRON PIPE FOUND AT THE SOUTH R.O.W. LINE OF SAID WISCONSIN ROAD, A TOTAL DISTANCÉ OF 330.00 FEET TO A PK-NAIL FOUND LYING ON THE CENTERLINE OF SAID WISCONSIN ROAD AND THE NORTH LINE OF SAID LOT 1 FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE, SOUTH 81 deg 31' 00" EAST, ALONG THE NORTH LINE OF SAID LOT 1, AND ALSO ALONG THE CENTERLINE OF SAID WISCONSIN ROAD, A DISTANCE OF 1020.00 FEET TO THE PLACE OF BEGINNING, CONTAINING 12.82 ACRES GROSS OF LAND MORE OR LESS.

GENERAL PLAT NOTES:

- THIS PROPERTY IS LOCATED WITHIN ZONE "X"-SHADED ON A FLOOD INSURANCE RATE MAP DEFINED AS AREAS OF 500-YEAR FLOOD; AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS OF LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 100-YEAR FLOOD. COMMUNITY PANEL NO. 480338 0035 E MAP REVISED BY L.O.M.R. DATED MAY 14, 2001
- MINIMUM FINISHED FLOOR ELEVATION SHALL BE 18 INCHES ABOVE TOP OF CURB MEASURED AT FRONT AND CENTER OF EACH LOT.
- MINIMUM SETBACKS ARE AS FOLLOWS: FRONT - 10 FEET OR EASEMENT, WHICHEVER IS GREATER - 18 FEET OR EASEMENT, WHICHEVER IS GREATER
 - 15 FEET OR EASEMENT, WHICHEVER IS GREATER - 5 FEET OR EASEMENT, WHICHEVER IS GREATER SIDE CORNER - 10 FEET OR EASEMENT, WHICHEVER IS GREATER
- THIS SUBDIVISION IS SERVED BY THE CITY OF EDINBURG WATER AND SANITARY SEWER
- 5. A TOTAL OF 154,518 CF (3.55 AC-FT) OF DETENTION IS REQUIRED FOR THE OVERALL PHASE I AND PHASE II SUBDIVISIONS (25.984 ACRE TRACT). THE PRO-RATA SHARE FOR THIS PHASE II DEVELOPMENT IS 73,297 C.F (1.68 AC-FT) DETENTION FOR PHASE II HAS BEEN ACHIEVED BY OFF-SITE DETENTION COMPLETED FOR THE HEIGHTS ON WISCONSIN PHASE I, DOC 3100992.
- 6. ALL LOTS CORNERS SHALL BE MARKED WITH A HALF (1/2) INCH IRON ROD UNLESS OTHERWISE NOTED.
- 7. BENCHMARK: TOP OF GRATE INLET LOCATED AT THE SOUTHEAST INTERSECTION OF WISCONSIN ROAD AND VETERANS BLVD. (ELEV. = 91.15)
- 8. 5 FT. SIDEWALK WITH ADA RAMPS IS REQUIRED AT BUILDING PERMIT STAGE OR AS APPROVED BY CITY ENGINEER ON ALL INTERIOR STREETS.
- 5 FT. SIDEWALK WITH A.D.A. RAMPS AND LANDINGS ARE TO BE CONSTRUCTED AT SUBDIVISION STAGE ALONG SOUTH SIDE OF WISCONSIN ROAD.
- NO PERMANENT STRUCTURES SHALL BE ALLOWED WITHIN UTILITY EASEMENTS OR
- IRRIGATION EASEMENTS. 11. 50% PARK FEE PER UNIT WILL BE DUE AT BUILDING PERMIT STAGE. (300.00 PER LOT)
- 12. THE ZONING CLASSIFICATION FOR THIS DEVELOPMENT IS URBAN RESIDENTIAL.
- 13. ALL CONSTRUCTION SHALL COMPLY WITH STORM WATER POLLUTION PREVENTION PLAN
- (SW3P) REQUIREMENTS.
- LOTS ARE TO BE SLOPED AT 1% FROM REAR OF LOTS TO FRONT OF LOTS IN ORDER TO PROVIDE POSITIVE DRAINAGE.





956-687-3355

956-992-8801 (FAX)

TEXAS FIRM NO: 6435



Submit survey, if applicable

Reduced copy of site plan & 1 blue print, if applicable

Planning & Zoning Department 415 W. University Dr. (956) 388-8202

ZONING BOARD OF ADJUSTMENT APPLICATION REQUEST FOR VARIANCE

Nature of Request:	Varians		
Reason for Hardshi (use other side if necessary)	p: limited be	ilding space	
Property Description	n: Cotr 1-5/59-63	The heights on Block Subdivis	W. toursig phase &
Property Address:			
	oning: Erben Res		
	ariance:Carrara		
Mailing Address:	4/19 Cressperiat Street Address	Blun Edinburg City/State	Zip Code
Phone No. (Home):	956 207 - 0967 (Work):	(Cc	ell):
Owner's Name:	Julio Correra		
Mailing Address:	Street Address	City/State	Zip Code
Zoning Board of Ad	s for the above described prijustment.	roperty, I, (we) hereby	request a hearing before
Signature:	ne (Please Print):	Date:	17/21
Owner/Agent's Nam	de (Please Print):	co Voria	
		application Received by:	
Application deadline:	ZBA Hearing date:	:	
• \$40 ZBA Orde	er Form- Make Check Pavabl	e to: Hidalgo County Clei	·k

415 W. University Dr. • P. O. Box 1079 • Edinburg, TX 78540 Phone (956) 388-8202 • Fax (956) 292-2080 • www.cityofedinburg.com

RECEIVED

APR 05 2021

Name:





ZONING BOARD OF ADJUSTMENT REGULAR MEETING April 28, 2021

Item: Consider Variance to the City's Unified Development Article 3, Section 3.301, Single Family Residential Bulk Standard, Setbacks, Being Lot 58, The Heights on Wisconsin Phase II Subdivision, Located at 1505 E Mayhem Drive, As Requested By Julio Carranza

Request:

The applicant is requesting a variance to the City's Unified Development Code, Article 3, Section 3.301, Setbacks. The applicant stated that the basis for the request is to allow for the construction of a home located within the 10 ft. front yard setback and 5 ft. side yard setback.

Property Location and Vicinity:

The property is located on the north side of Mayhem Drive, approximately 272 ft. west of Heavenly Drive. This property is currently under construction for single family residential homes. The property is currently zoned Urban Residential (UR) District and Urban Residential (UR) District to the south, east, and west. The surrounding area consists of residential uses.

Background and History:

The Heights of Wisconsin Phase II Subdivision was recorded on February 11, 2021. The applicant is proposing to construct single family residential homes. Setbacks called for by plat are as follows, Front 10 ft., Rear 15 ft., Side 5 ft. or easement whichever is greater. A 25 foot North Alamo Water supply and utility easement are located in the rear of these properties. A preliminary site plan for the proposed homes has been provided for the boards review. There have been no other variances granted within the surrounding areas.

Staff mailed a notice of the variance request to 12 neighboring property owners and received no comments in favor or against this request at the time of this report.

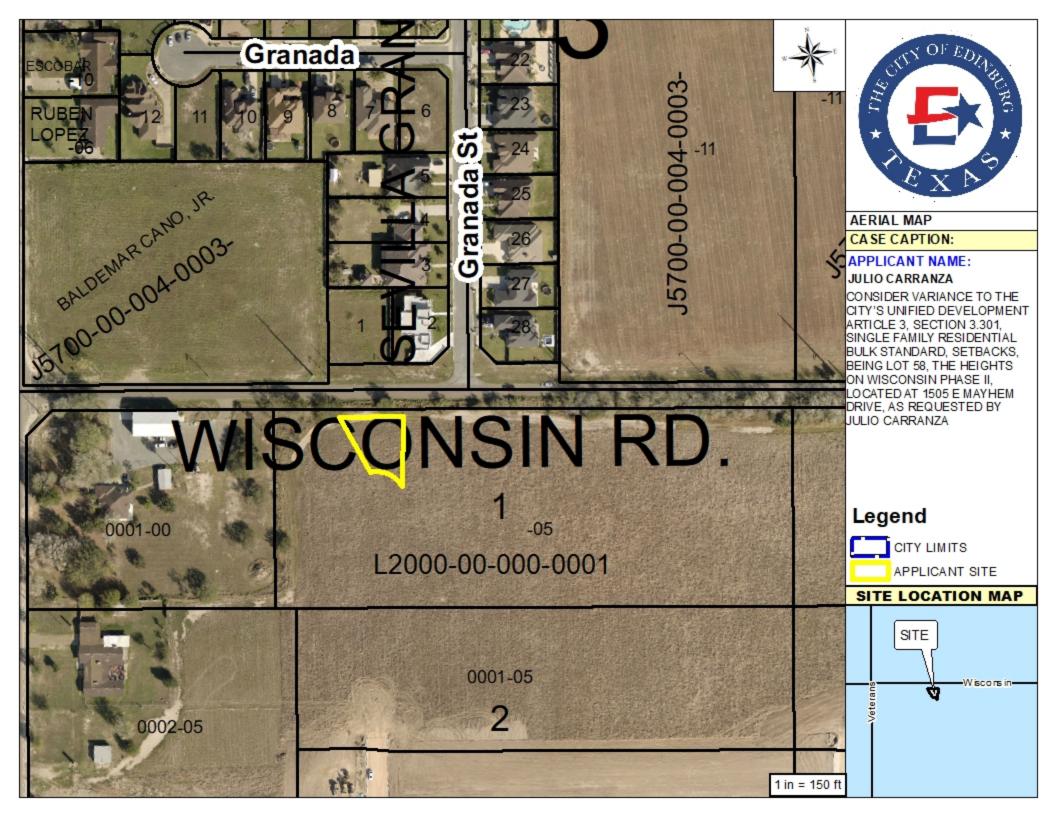
Analysis:

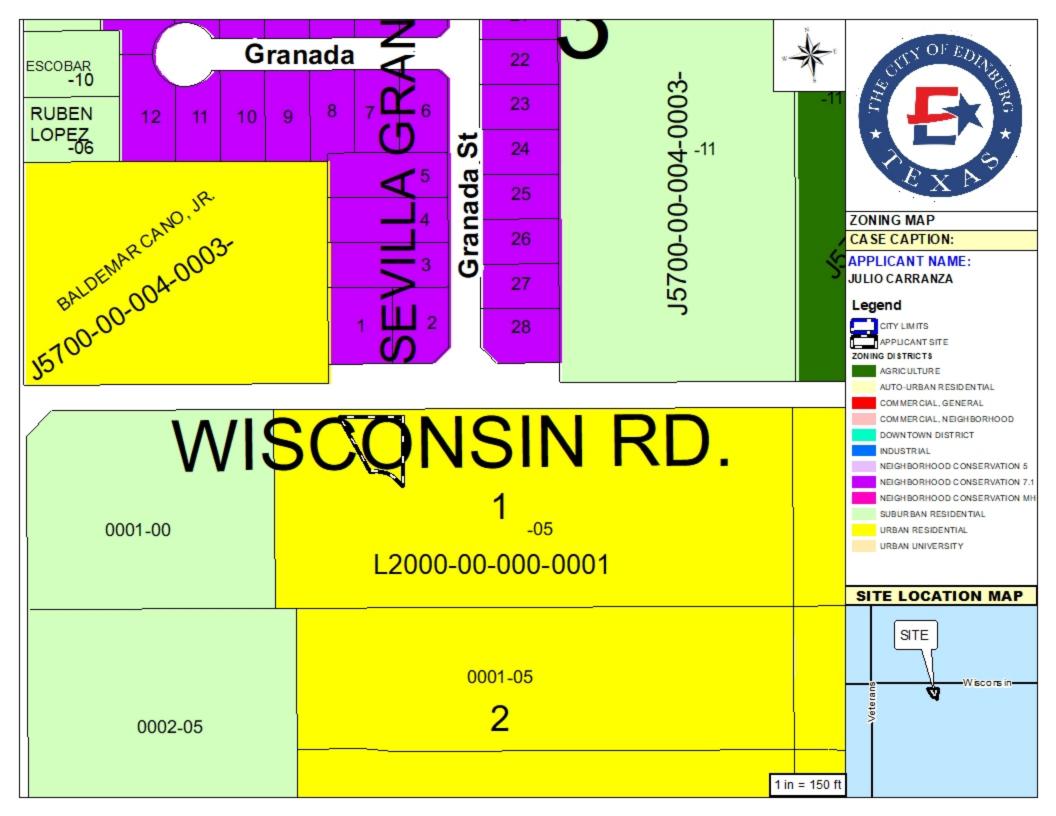
The applicant has indicated that the basis of the request is to allow for the construction of a home with a reduced front and side yard setback. The request is to have a 5ft. front yard setback and a 2 ft. side yard setback.

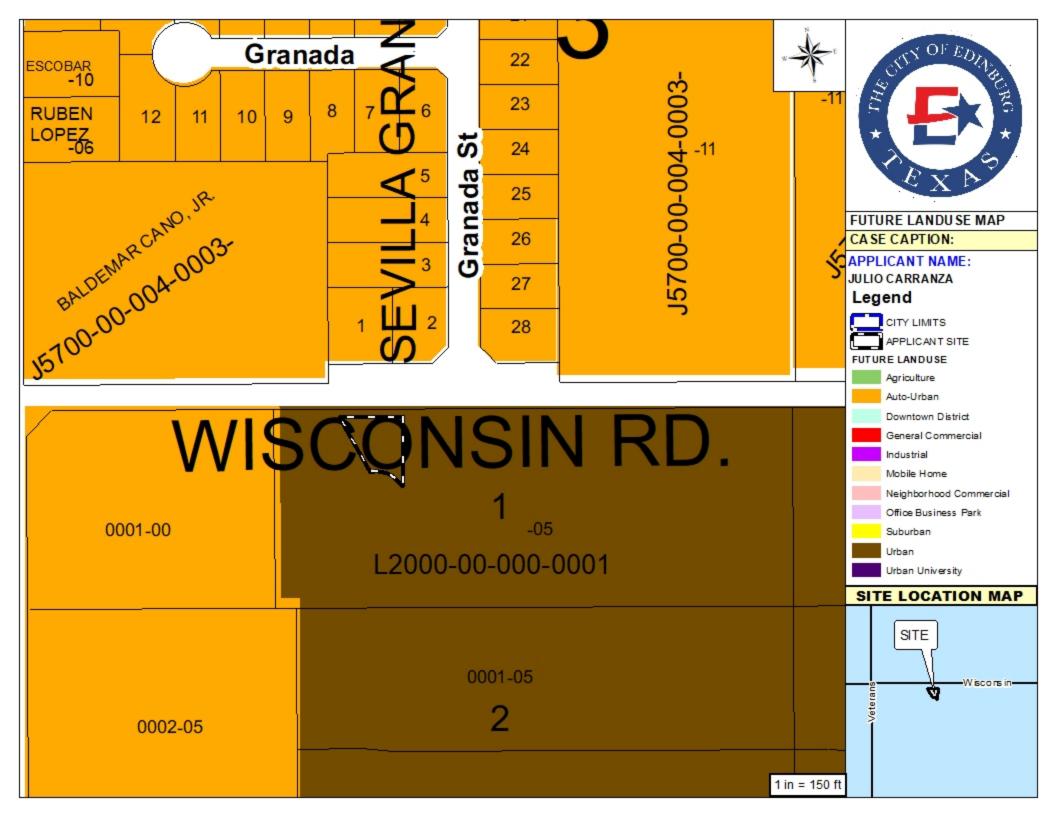
Recommendation

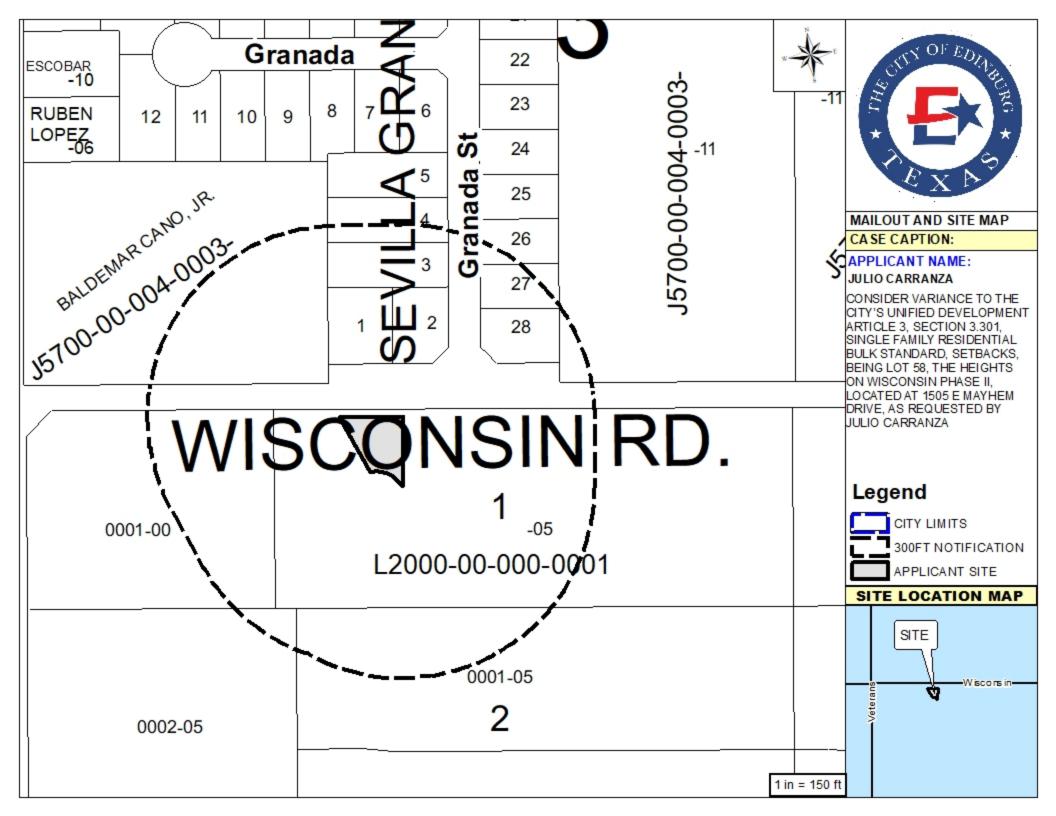
Staff recommends disapproval of the variance request. If approved, the applicant will need to comply with all other requirements during the permitting process including but not limited to building and fire codes, fire protection, parking, landscape buffer-yards, solid waste services, utility, pay a \$40 fee payable to the County of Hidalgo, County Clerk's Office for the recording of the ZBA order on this request, and any other City requirements, as applicable. A location map, aerial map, photo, subdivision plat, site plan, and response from property owner are attached for the Board's consideration.

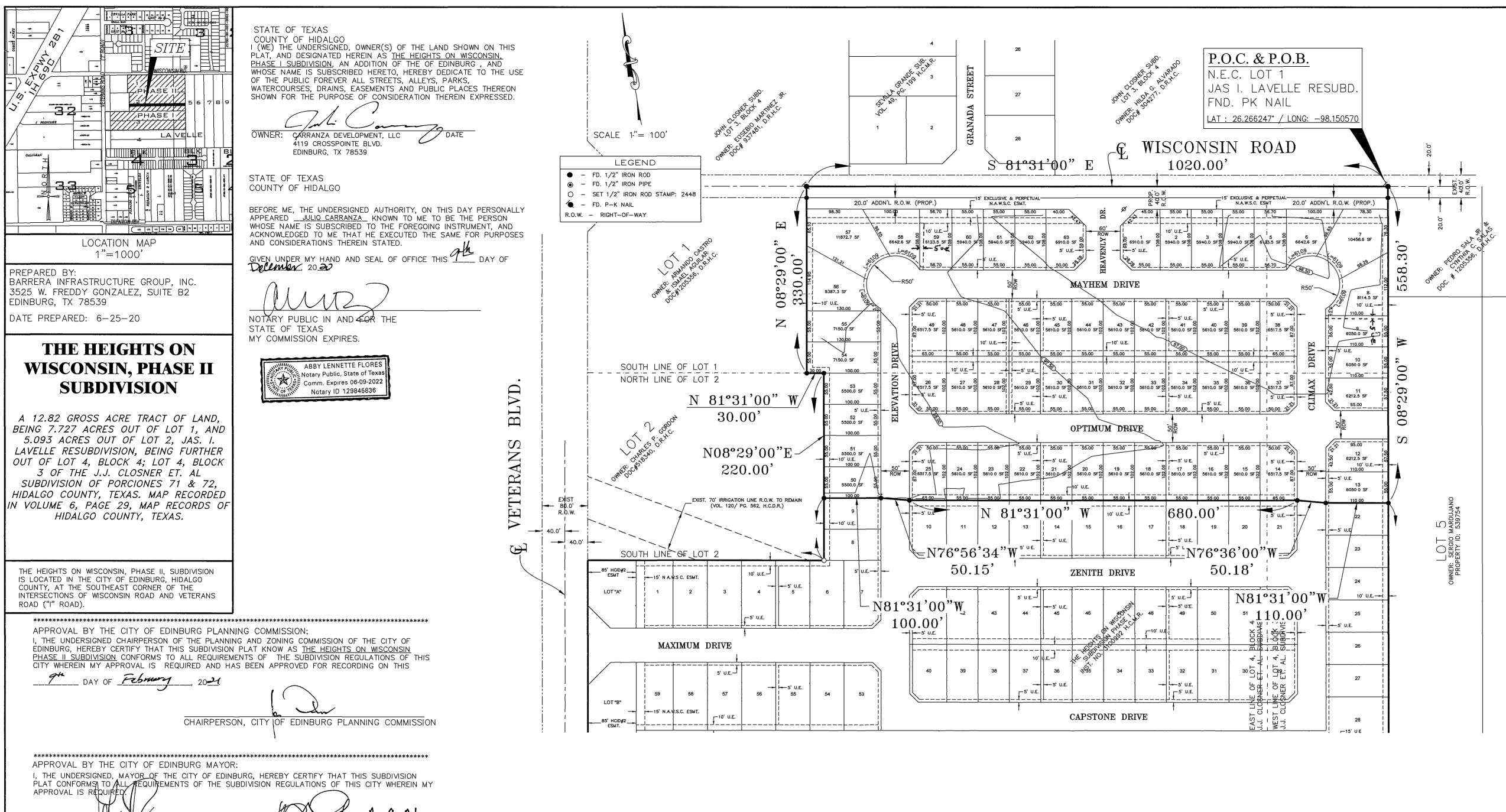
Prepared By: Rita Lee Guerrero Urban Planner Approved By: Kimberly A. Mendoza, MPA Director of Planning & Zoning











STATE OF TEXAS

PHARR, TX 78577

COUNTY OF HIDALGO

I, PABLO SOTO JR., REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS. DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE FROM AN ACTUAL SURVEY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, AND THAT THERE ARE NO APPARENT DISCREPANCIES, CONFLICTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN ON THE ACCOMPANYING PLAT, AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF EDINBURG, TEXAS.

_DAY OF JANUARY 2021

PABLO SOTO, JR. R.P.L.S REG. PROFESSIONAL LAND SURVEYOR #4541 1208 S. IRONWOOD

PABLO SOTO JR. 4541

HIDALGO COUNTY DRAINAGE DISTRICT No. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEXAS WATER CODE 49.211(c). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF DEVELOPER AND HIS ENGINEER TO MAKE THEIR DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT. NO. 1

4119 CROSSPOINTE BLVD. PRINCIPAL CONTACTS: EDINBURG, TX 78539 NAME **ADDRESS**

CARRANZA DEV. LLC **ENGINEER:** <u>rene barrera</u> PABLO SOTO JR SURVEYOR:

208 S. IRONWOOD

CITY & ZIP 4119 CROSSPOINTE BLVD. 3525 W. FREDDY GONZALEZ

PHONE FAX EDINBURG, TX. 78539 EDINBURG, TX. 78539 956-687-3355 956-992-880 PHARR, TX. 78577 956-783-0489

17th DAY OF December, 2020.

STATE OF TEXAS

COUNTY OF HIDALGO

NO. 86862 STATE OF TEXAS

TYFIAM NO: 6435

HIDALGO COUNTY IRRIGATION DISTRICT #2

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT

I CERTIFY THAT THE WATER AND SEWER SERVICE FACILITIES FOR LOTS INTENDED FOR RESIDENTIAL PURPOSES

day of December 20 20

THIS PLAT IS HEREBY APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT #2 ON THIS, THE

NO IMPROVEMENTS OF ANY KIND (INCLUDING WITHOUT LIMITATION, TREES, FENCES, AND BUILDIN

SHALL BE PLACED UPON HIDALGO COUNTY IRRIGATION DISTRICT #2 RIGHTS OF WAYS OR EASEMENTS

DESCRIBED ABOVE ARE IN COMPLIANCE WITH THE MODEL RULES ADOPTED UNDER SECTION 16.343, WATER CODE.

THE ESTIMATED COST TO INSTALL UNCONSTRUCTED WATER AND SEWAGE FACILITIES DESCRIBED ABOVE ARE AS

BARRERA

86862

PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT.

FOLLOWS: WATER FACILITIES: THESE FACILITIES WILL BE CONSTRUCTED

12/7/20

RIGHT OF WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS: THAT THE UNDERSIGNED, OWNERS OF THE PROPERTY SHOWN ON THE PLAT, THEIR SUCCESSORS, ASSIGNS, AND TRANSFEREES (HEREINAFTER CALLED "GRANTOR" WHETHER ONE OR MORE PERSONS ARE NAMED), IN CONSIDERATION OF ONE DOLLAR (\$1.00) AND OTHER GOOD AND VALUABLE CONSIDERATION PAID BY NORTH ALAMO WATER SUPPLY CORPORATION, (HEREINAFTER CALLED "GRANTEE"), THE RECEIPT AND SUFFICIENCY OF WHICH IS HEREBY ACKNOWLEDGED, DOES HEREBY GRANT, BARGAIN, SELL, TRANSFER AND CONVEY TO SAID GRANTEE, ITS SUCCESSORS, AND ASSIGNS AN EXCLUSIVE AND PERPETUAL EASEMENT WITH THE RIGHT TO ERECT, CONSTRUCT, INSTALL AND THEREAFTER USE, OPERATE, INSPECT. REPAIR, MAINTAIN, REPLACE AND REMOVE WATER DISTRIBUTION LINES AND APPURTENANCES OVER AND ACROSS LANDS SHOWN ON THIS PLAT, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER GRANTOR'S ADJACENT LANDS OF THE PURPOSE FOR WHICH THE ABOVE MENTIONED RIGHTS ARE GRANTED. THE EASEMENT HEREBY GRANTED SHALL NOT EXCEED 15'IN WIDTH, AND GRANTEE IS HEREBY AUTHORIZED TO DESIGNATE THE COURSE OF THE EASEMENT HEREIN CONVEYED EXCEPT THAT WHEN THE PIPELINE(S) IS INSTALLED, THE EASEMENT HEREIN GRANTED SHALL BE LIMITED TO A STRIP OF LAND 15'IN WIDTH, THE CENTER LINE THEREOF BEING THE PIPELINE INSTALLED.

IN THE EVENT THE EASEMENT HEREBY GRANTED ABUTS ON A PUBLIC ROAD AND THE CITY, COUNTY OR STATE HEREAFTER WIDENS OR RELOCATES THE PUBLIC ROAD SO AS TO REQUIRE THE RELOCATION OF THIS WATER LINE AS INSTALLED, GRANTOR FURTHER GRANTS TO GRANTEE AN ADDITIONAL EASEMENT OVER AND ACROSS THE LAND SHOWN ON THIS PLAT FOR THE PURPOSE OF LATERALLY RELOCATE SAID WATER LINE AS MAY BE NECESSARY TO CLEAR THE ROAD IMPROVEMENTS, WHICH EASEMENT HEREBY GRANTED SHALL BE LIMITED TO A STRIP OF LAND 15'IN WIDTH, THE CENTER LINE THEREOF BEING THE PIPELINE AS

THE CONSIDERATION RECITED HEREIN SHALL CONSTITUTE PAYMENT IN FULL FOR ALL DAMAGES SUSTAINED BY GRANTOR BY REASON OF THE INSTALLATION, MAINTENANCES, REPAIR, REPLACEMENT AND RELOCATION OF THE STRUCTURES REFERRED TO HEREIN, THUS AGREEMENT TOGETHER WITH OTHER PROVISIONS OF THIS GRANT SHALL CONSTITUTE AN EASEMENT FOR THE BENEFIT OF THE GRANTEE, ITS SUCCESSORS, AND ASSIGNS. THE GRANTOR COVENANTS THAT IT IS THE OWNER OF THE ABOVE-DESCRIBED LANDS AND THAT SAID LANDS ARE FREE AND CLEAR OF ALL ENCUMBRANCES AND LIENS EXCEPT THE FOLLOWING:

THE EASEMENT CONVEYED HEREIN WAS OBTAINED OR IMPROVED THROUGH FEDERAL FINANCIAL ASSISTANCE. THIS EASEMENT IS SUBJECT TO THE PROVISIONS OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 AND THE REGULATIONS ISSUED PURSUANT THERETO FOR SO LONG AS THE EASEMENT CONTINUES TO BE USED FOR THE SAME OR SIMILAR PURPOSE FOR WHICH FINANCIAL ASSISTANCE WAS EXTENDED OR FOR SO LONG AS THE GRANTEE OWNS IT. WHICHEVER IS LONGER.

114IN WITNESS WHEREOF, THE SAID GRANTOR HAS EXECUTED THIS INSTRUMENT THE DAY OF DECEMBER 20 20

CARRANZA DEVELOPMENT, LLC 4119 CROSSPOINT BWD. EDINGUAG, TEXAS 78539

A 12.82 GROSS ACRE TRACT OF LAND, BEING 7.727 ACRES OUT OF LOT 1, AND 5.093 ACRES OUT OF LOT 2, JAS. I. LAVELLE RESUBDIVISION, BEING FURTHER OUT OF LOT 4, BLOCK 4; LOT 4, BLOCK 3 OF THE J.J. CLOSNER ET. AL SUBDIVISION OF PORCIONES 71 & 72. HIDALGO COUNTY, TEXAS, MAP RECORDED IN VOLUME 6, PAGE 29, MAP RECORDS OF HIDALGO COUNTY, TEXAS; SAID 12.87 ACRES BEING MORE PARTICULARLY DESCIRBED BY METES AND BOUNDS AS FOLLOWS;

COMMENCING AT A PK-NAIL, FOUND ON THE CENTERLINE OF WISCONSIN ROAD AND THE NORTHEAST CORNER OF SAID LOT 1, OUT OF JAS. I. LAVELLE RESUBDIVISION, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF THIS TRACT OF LAND AND PLACE OF BEGINNING;

THENCE, SOUTH 08 deg 29' 00" WEST, ALONG THE EAST LINE OF SAID LOT 1, JAS. I. LAVELLE RESUBDIVISION, AT 20.00 FEET PASS A HALF INCH IRON ROD FOUND AT THE EXISTING SOUTH R.O.W. OF WISCONSIN ROAD, AT 330.00 FEET PASS THE SOUTH LOT LINE OF SAID LOT 1, CONTINUING ALONG THE THE EAST LINE OF SAID LOT 2, JAS. I. LAVELLE RESUBDIVISION, A TOTAL DISTANCE OF 558.30 FEET TO THE SOUTHEAST CORNER OF THIS

THENCE, NORTH 81 deg 31' 00" WEST, PARALLEL WITH THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 110.00 FEET TO A HALF INCH (1/2) IRON ROD (WITH A YELLOW PLASTIC CAP STAMPED: LLR 4540) FOUND FOR AN OUTER CORNER OF THIS TRACT;

THENCE, NORTH 76 deg 36' 00" WEST, A DISTANCE OF 50.18 FEET TO A HALF INCH (1/2) IRON ROD (WITH A YELLOW PLASTIC CAP STAMPED: LLR 4541) FOUND AT AN INSIDE CORNER

THENCE, NORTH 81 deg 31'00" WEST, PARALLEL WITH THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 680.00 FEET TO A HALF INCH (1/2) IRON ROD (WITH A YELLOW PLASTIC CAP STAMPED: LLR 4541) FOUND AT AN OUTSIDE CORNER OF THIS TRACT;

THENCE, NORTH 76 deg 56' 34" WEST, A DISTANCE OF 50.15 FEET TO A HALF INCH (1/2) IRON ROD (WITH A YELLOW PLASTIC CAP STAMPED: LLR 4541) FOUND AT AN INSIDE CORNER

THENCE, NORTH 81 deg 31' 00" WEST, PARALLEL WITH THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 100.00 FEET TO A HALF INCH (1/2) IRON ROD (WITH A YELLOW PLASTIC CAP STAMPED: LLR 454!) FOUND FOR THE SOUTHWEST CORNER OF THIS TRACT:

THENCE, NORTH 08 deg 29' 00" EAST, PARALLEL WITH THE EAST LINE OF LOT 2, JAS. I. LAVELLE RESUBDIVISION, AND ALONG WITH THE EAST LINE OF CHARLES P. GORDON'S TRACT, A DISTANCE OF 220.00 FEET TO A HALF INCH (1/2) IRON ROD (WITH A YELLOW PLASTIC CAP STAMPED: LLR 454) FOUND AT THE NORTH LINE OF SAID LOT 2 FOR AN INNER CORNER OF THIS TRACT;

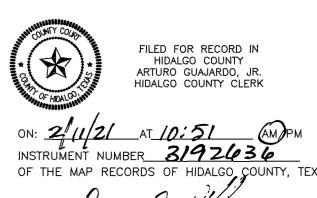
THENCE, NORTH 81 deg 31' 00" WEST, ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 30.00 FEET TO A HALF INCH (1/2) IRON ROD (WITH A YELLOW PLASTIC CAP STAMPED: LLR 4541 FOUND AT AN OUTER CORNER OF THIS TRACT:

THENCE, NORTH 08 deg 29' 00" EAST, PARALLEL WITH THE EAST LINE OF LOT 1, JAS, I. LAVELLE RESUBDIVISION, AND ALONG WITH THE EAST LINE OF ARMANDO CASTRO'S TRACI, AT 310.00 FEET PASS A HALF INCH (1/2) IRON PIPE FOUND AT THE SOUTH R.O.W. LINE OF SAID WISCONSIN ROAD, A TOTAL DISTANCÉ OF 330.00 FEET TO A PK-NAIL FOUND LYING ON THE CENTERLINE OF SAID WISCONSIN ROAD AND THE NORTH LINE OF SAID LOT 1 FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE, SOUTH 81 deg 31' 00" EAST, ALONG THE NORTH LINE OF SAID LOT 1, AND ALSO ALONG THE CENTERLINE OF SAID WISCONSIN ROAD, A DISTANCE OF 1020.00 FEET TO THE PLACE OF BEGINNING, CONTAINING 12.82 ACRES GROSS OF LAND MORE OR LESS.

GENERAL PLAT NOTES:

- THIS PROPERTY IS LOCATED WITHIN ZONE "X"-SHADED ON A FLOOD INSURANCE RATE MAP DEFINED AS AREAS OF 500-YEAR FLOOD; AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS OF LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 100-YEAR FLOOD. COMMUNITY PANEL NO. 480338 0035 E MAP REVISED BY L.O.M.R. DATED MAY 14, 2001
- MINIMUM FINISHED FLOOR ELEVATION SHALL BE 18 INCHES ABOVE TOP OF CURB MEASURED AT FRONT AND CENTER OF EACH LOT.
- MINIMUM SETBACKS ARE AS FOLLOWS: FRONT - 10 FEET OR EASEMENT, WHICHEVER IS GREATER - 18 FEET OR EASEMENT, WHICHEVER IS GREATER
 - 15 FEET OR EASEMENT, WHICHEVER IS GREATER - 5 FEET OR EASEMENT, WHICHEVER IS GREATER SIDE CORNER - 10 FEET OR EASEMENT, WHICHEVER IS GREATER
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- 7. BENCHMARK: TOP OF GRATE INLET LOCATED AT THE SOUTHEAST INTERSECTION OF WISCONSIN ROAD AND VETERANS BLVD. (ELEV. = 91.15)
- 8. 5 FT. SIDEWALK WITH ADA RAMPS IS REQUIRED AT BUILDING PERMIT STAGE OR AS APPROVED BY CITY ENGINEER ON ALL INTERIOR STREETS.
- 5 FT. SIDEWALK WITH A.D.A. RAMPS AND LANDINGS ARE TO BE CONSTRUCTED AT SUBDIVISION STAGE ALONG SOUTH SIDE OF WISCONSIN ROAD.
- NO PERMANENT STRUCTURES SHALL BE ALLOWED WITHIN UTILITY EASEMENTS OR
- IRRIGATION EASEMENTS. 11. 50% PARK FEE PER UNIT WILL BE DUE AT BUILDING PERMIT STAGE. (300.00 PER LOT)
- 12. THE ZONING CLASSIFICATION FOR THIS DEVELOPMENT IS URBAN RESIDENTIAL.
- 13. ALL CONSTRUCTION SHALL COMPLY WITH STORM WATER POLLUTION PREVENTION PLAN
- (SW3P) REQUIREMENTS.
- LOTS ARE TO BE SLOPED AT 1% FROM REAR OF LOTS TO FRONT OF LOTS IN ORDER TO PROVIDE POSITIVE DRAINAGE.





956-992-8801 (FAX)

TEXAS FIRM NO: 6435

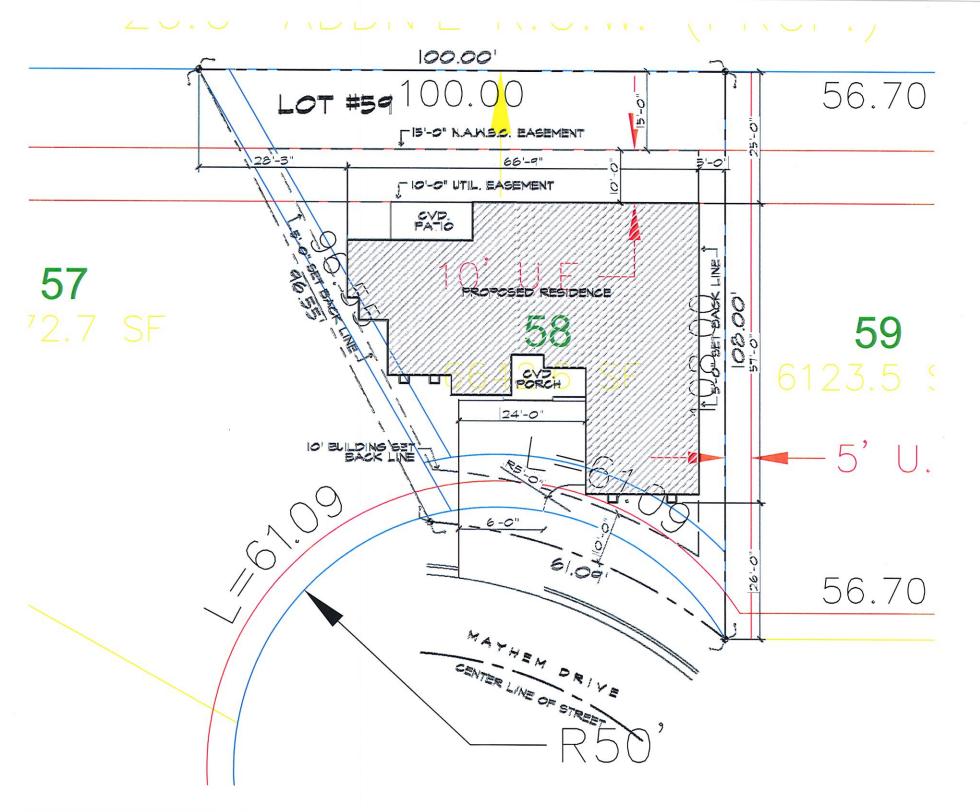


Planning & Zoning Department 415 W. University Dr. (956) 388-8202

ZONING BOARD OF ADJUSTMENT APPLICATION REQUEST FOR VARIANCE

Nature of Request: Variance on encrophiment frontside jands thack
Reason for Hardship: Umited building space
Property Description: 58 The Heights on Wisconsin Phase
Property Address: 1505 E. Mayhem Drive
Present Property Zoning: Urban Residential
Person requesting Variance: Julio Carranza
Mailing Address: 4/19 Crosspoint Blvd- Edinburg, TX 78542 Street Address City/State Zip Code
Phone No. (Home): 956 707-0977 (Work): 956-207-0987 (Cell): 956-207-0987
Owner's Name: M Carranza, Auto
Mailing Address: 4119 (rosspoint blud. Edinkry 7x 7854) Street Address City/State Zip Code
As owners or agents for the above described property, I, (we) hereby request a hearing before the Zoning Board of Adjustment.
Signature: Date: <u>4-5-2</u>
Owner/Agent's Name (Please Print): Julio Carvanza
\$450 Application Fee: Receipt No. Application Received by: Application Received by:
Application deadline:ZBA Hearing date:ZBA Hearing date:

- \$40 ZBA Order Form- Make Check Payable to: Hidalgo County Clerk
- Submit survey, if applicable
- Reduced copy of site plan & 1 blue print, if applicable







2021 ATTENDANCE RECORD ZONING BOARD OF ADJUSTMENTS COMMISSION MEETINGS												
ZUNING BUARD OF	01/27/21	02/24/21	03/31/21	113	JOIVII	WIISS	NON.	IVIEE	IIINC	33		
Juan Lopez- Chairperson	Р	Р	Α									
Samuel Simon- Co-Chairperson	Α	Р	Α									
George Cardenas- Regular	Р	Р	Р									
Jason De Leon- Regular	Р	Р	Р									
Andre Maldonado- Regular	Р	Р	Α									
Mario Escobar- Alternate	Α	Α	Α									
Eddie Garza- Alternate	Р	Α	Р									
Jorge Ortegon- Alternate	Α	Α	Α									
Alex Rios- Alternate	Р	Α	Р									
2021 ATTENDANCE RECORD ZONING BOARD OF ADJUSTMENTS COMMISSION WORKSHOPS												
Juan Lopez- Chairperson												
Samuel Simon- Co-Chairperson												
George Cardenas- Regular												
Jason De Leon- Regular												
Andre Maldonado- Regular												
Mario Escobar- Alternate												
Eddie Garza- Alternate												
Jorge Ortegon- Alternate												
Alex Rios- Alternate												