



**NOTICE AND AGENDA  
ZONING BOARD OF ADJUSTMENT  
AUGUST 25, 2021 - 4:00 P.M.  
REGULAR MEETING  
CITY HALL - COUNCIL CHAMBERS  
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 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 July 28, 2021 Regular Meeting

**6. MINUTES**

- A. Consider approval of the Minutes for the July 28, 2021 Regular Meeting

**7. PUBLIC HEARINGS**

- A. Consider Variance to the City's Unified Development Code, Article 8, Section 8.503, Minimization (C) Pervious Pavements, being Lots 2 & 3, Block 47, Santa Cruz Gardens Subdivision Unit No. 2, located at 900 West F.M. 2812, as requested by Armando Contreras
- B. Consider Variance to the City's Unified Development Code, Article 3, Section 3.301, Single Family Residential Bulk Standards, Setbacks, being Lot 72, Danielle Estates Subdivision, located at 2405 Annette Avenue, as requested by Enrique Casarez
- C. Consider Variance to the City's Unified Development Code Article 3, Section 3.301, Single Family Residential Bulk Standards, Setbacks, being Lot 72, Solana Subdivision Phase 1, located at 814 Imelda Street, as requested by Willmar G. Herrera
- D. Consider Variance to the City's Unified Development Code Article 3, Section 3.505, Easements & Utilities, being Lot 7, Summerset Estates Subdivision, located at 5001 Juno Court, as requested by Rogelio & Christina Deleon

**8. DIRECTOR'S REPORT**

- A. Unified Development Code Update

**9. INFORMATION ONLY**



A. Zoning Board of Adjustments- Attendance Roster

**10. 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, at 4:00 P.M. on this 20th day of August, 2021.

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Alejandra Gonzalez, Administrative Assistant

**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.**

# Memo

**To:** Zoning Board of Adjustment Board Members

**From:** Alejandra Gonzalez, Administrative Assistant

**Subject:** Board Members Absence

**Date:** August 20, 2021

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This is to advise you that action needs to be taken with regards to the absence of Board Member Mario Escobar from the July 28, 2021 Regular Meeting.

Should you have any questions, you may call me at 956-388-8202.

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

**MEMBERS PRESENT**

Dr. Samuel Simon  
Alex Rios  
Andre Maldonado  
George Cardenas  
Jorge Ortegon  
Jason De Leon  
Eddie Garza

**MEMBERS ABSENT**

Mario Escobar

**STAFF**

Brian Kelsey, Assistant City Manager  
Kimberly A. Mendoza, Director of Planning & Zoning  
Rita L. Guerrero, Planner I  
Nikki M. Cavazos, Planner I  
Patrizia Longoria, Engineer III  
Peter Hermida, Engineer III  
Daniel A. Colina, Planner I  
Alejandra Gonzalez, Administrative Assistant  
Tilfred Farley, Planning Assistant  
Jaime Ayala, Planner II  
Abel Beltran, Planner I  
Omar Ochoa, City Attorney  
Omar Garza, Fire Marshal

**VISITORS**

Hugo Sotelo  
Fidel Cortez  
Juan Betancourt  
Rick Maldonado  
Rene Solis  
Aldo Saravia  
Ruben Palacios

Alma Cortez  
Norma Betancourt  
Jenifer Betancourt  
Pablo Santos  
David Baird  
Connie Trevino

**1. CALL MEETING TO ORDER, ESTABLISH QUORUM**

The meeting was formally called to order by Vice Chairperson Dr. Samuel Simon at 4:01 P.M.

- A. Prayer – Announced by Vice Chairperson Dr. Samuel Simon.
- B. Pledge of Allegiance – The Pledge of Allegiance was said.

**2. CERTIFICATION OF PUBLIC NOTICE**

Vice Chairperson Dr. Samuel Simon 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, July 23, 2021 at 5:00 P.M.

**ZONING BOARD OF ADJUSTMENT  
REGULAR MEETING  
JULY 28, 2021  
PAGE 2**

**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 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 June 30, 2021 Regular Meeting

**MOTION WAS MADE BY BOARD MEMBER MR. EDDIE GARZA AND SECONDED BY BOARD MEMBER MR. JORGE ORTEGON TO EXCUSE THE ABSENCE OF BOARD MEMBER MR. MARIO ESCOBAR FROM THE JUNE 30, 2021 REGULAR MEETING. MOTION CARRIED UNANIMOUSLY WITH A VOTE OF 7-0.**

- B. Consider excusing the absence of Board Member Jorge Ortegon from the June 30, 2021 Regular Meeting

**MOTION WAS MADE BY BOARD MEMBER MR. ALEX RIOS AND SECONDED BY BOARD MEMBER MR. JASON DE LEON TO EXCUSE THE ABSENCE OF BOARD MEMBER MR. JORGE ORTEGON FROM THE JUNE 30, 2021 REGULAR MEETING. MOTION CARRIED WITH 7 BOARD MEMBERS PRESENT, 6 VOTING AYE, AND ONE ABSTENTION. BOARD MEMBER MR. JORGE ORTEGON ABSTAINED.**

**ZONING BOARD OF ADJUSTMENT  
REGULAR MEETING  
JULY 28, 2021  
PAGE 3**

- C. Consider excusing the absence of Board Member Andre Maldonado from the June 30, 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. ANDRE MALDONADO FROM THE JUNE 30, 2021 REGULAR MEETING. MOTION CARRIED WITH 7 BOARD MEMBERS PRESENT, 6 VOTING AYE, AND ONE ABSTENTION. BOARD MEMBER MR. ANDRE MALDONADO ABSTAINED.**

- D. Consider excusing the absence of Board Member Alex Rios from the June 30, 2021 Regular Meeting

**MOTION WAS MADE BY BOARD MEMBER MR. GEORGE CARDENAS AND SECONDED BY BOARD MEMBER MR. ANDRE MALDONADO TO EXCUSE THE ABSENCE OF BOARD MEMBER MR. ALEX RIOS FROM THE JUNE 30, 2021 REGULAR MEETING. MOTION CARRIED WITH 7 BOARD MEMBERS PRESENT, 6 VOTING AYE, AND ONE ABSTENTION. BOARD MEMBER MR. ALEX RIOS ABSTAINED.**

**6. MINUTES**

- A. Consider approval of the Minutes for the June 30, 2021 Regular Meeting

**MOTION WAS MADE BY BOARD MEMBER MR. EDDIE GARZA AND SECONDED BY BOARD MEMBER MR. JASON DE LEON TO APPROVE THE MINUTES FOR THE JUNE 30, 2021 REGULAR MEETING. MOTION CARRIED UNANIMOUSLY WITH A VOTE OF 7-0.**

**7. PUBLIC HEARINGS**

- A. Consider Variance to the City's Unified Development Code, Article 2, Section 2.301, Residential Uses (D) Fences, being a 4.75 acre tract of land out of Lot 12, Section 240, Texas-Mexican Railway Company's Survey, located at 3310 West Rogers Road, as requested by Julia G. Cuevas Guerra (WITHDRAWN)

**NO MOTION WAS MADE DUE TO ITEM BEING WITHDRAWN.**

- B. Reconsider Variance to the City's Unified Development Code, Article 3, Section 3.301, Single Family Residential Bulk Standards, Setbacks, being Lot 27, Amended Plat of Telfair Subdivision, located at 441 Manshir Circle, as requested by Rene Solis

**MOTION WAS MADE BY BOARD MEMBER MR. ALEX RIOS AND SECONDED BY BOARD MEMBER MR. GEORGE CARDENAS TO DISAPPROVE THE VARIANCE REQUEST OF RENE SOLIS, TO ALLOW FOR THE ENCROACHMENT OF A CARPORT LOCATED IN THE 20 FT. FRONT YARD SETBACK, AS SHOWN ON THE SITE PLAN. MOTION CARRIED UNANIMOUSLY WITH A VOTE OF 7-0.**

**ZONING BOARD OF ADJUSTMENT  
REGULAR MEETING  
JULY 28, 2021  
PAGE 4**

- C. Consider Variance to the City's Unified Development Code, Article 3, Section 3.301, Single Family Residential Bulk Standards, Setbacks, being Lot 57, Los Lagos Subdivision Phase IV, located at 2739 Seton Street, as requested by Eduardo Lopez

**MOTION WAS MADE BY BOARD MEMBER MR. ALEX RIOS AND SECONDED BY BOARD MEMBER MR. JORGE ORTEGON TO APPROVE THE VARIANCE REQUEST OF EDUARDO LOPEZ, TO THE FRONT 10 FT. SETBACK AND TO DISAPPROVE THE REQUEST FOR THE 10 FT. REAR SETBACK. MOTION CARRIED UNANIMOUSLY WITH A VOTE OF 7-0.**

- D. Consider Variance to the City's Unified Development Code, Article 3, Section 3.301, Single Family Residential Bulk Standards, being the South 18 ft. of Lot 47 and the North 32 ft. of Lot 46, Tropical Subdivision, located at 1208 Lee Circle, as requested by Hugo & Melba Sotelo

**MOTION WAS MADE BY BOARD MEMBER MR. GEORGE CARDENAS AND SECONDED BY BOARD MEMBER MR. JASON DE LEON TO APPROVE THE VARIANCE REQUEST BY HUGO AND MELBA SOTELO, TO ALLOW FOR THE PLACEMENT OF THE PROPOSED CAR PORT, TO BE IN LINE WITH THE EXISTING DRIVEWAY. MOTION CARRIED UNANIMOUSLY WITH A VOTE OF 7-0.**

- E. Consider Variance to the City's Unified Development Code, Article 3, Section 3.301, Single Family Residential Bulk Standards, Setbacks, being Lot 19, Block 4, Mirasol Subdivision, located at 807 South 20th Avenue, as requested by Juan Betancourt

**MOTION WAS MADE BY BOARD MEMBER MR. JASON DE LEON AND SECONDED BY BOARD MEMBER MR. ALEX RIOS TO APPROVE THE VARIANCE REQUEST OF JUAN BETANCOURT, TO ALLOW FOR A SIDE SETBACK OF 4 FT. 6 IN. FOR A COVERED CARPORT WITH THE CONDITION THAT RAIN GUTTERS ARE INSTALLED. MOTION CARRIED UNANIMOUSLY WITH A VOTE OF 7-0.**

- F. Consider Variance to the City's Unified Development Code Article 3, Section 3.505, Easement & Utilities, being Lot 25, Canton Village Subdivision, located at 2918 Cuarzo Street, as requested by Jason De Leon

**MOTION WAS MADE BY BOARD MEMBER MR. GEORGE CARDENAS AND SECONDED BY BOARD MEMBER MR. ALEX RIOS TO APPROVE THE VARIANCE REQUEST OF JASON DE LEON, TO ALLOW FOR AN ENCROACHMENT OF 6 FT. OF THE POOL, LEAVING ONLY A 14 FT. SEPARATION FROM PROPERTY LINE TO STRUCTURE, AS SHOWN ON THE SITE PLAN. MOTION CARRIED WITH 7 BOARD MEMBERS PRESENT, 5 VOTING AYE, AND 2 ABSTENTIONS. BOARD MEMBER MR. JASON DE LEON AND BOARD MEMBER MR. JORGE ORTEGON ABSTAINED.**

**ZONING BOARD OF ADJUSTMENT  
REGULAR MEETING  
JULY 28, 2021  
PAGE 5**

- G.** Consider Variance to the City's Unified Development Code, Article 4, Section 4.203, Standards for New Construction, and Substantial Improvements, being a 0.16 acre tract of land out of Lots 3 & 4 of the Monte Cristo Heights Subdivision, located at 200 West Monte Cristo Heights Road, as requested by Pablo Santos

**MOTION WAS MADE BY BOARD MEMBER MR. JASON DE LEON AND SECONDED BY BOARD MEMBER MR. ANDRE MALDONADO TO APPROVE THE VARIANCE REQUEST OF PABLO SANTOS, TO ALLOW FOR A BASE FLOOD ELEVATION OF 85.5 FT. , AS SHOWN ON THE SITE PLAN. MOTION CARRIED UNANIMOUSLY WITH A VOTE OF 7-0.**

- H.** Consider Variance to the City's Unified Development Code, Article 9, Section 9.404, Access Dimensions, being Lot 7, Cactus Land Phase 1 Subdivision, located at 201 Cactus Lane, as requested by Fidel Cortez

**MOTION WAS MADE BY BOARD MEMBER MR. ALEX RIOS AND SECONDED BY BOARD MEMBER MR. ANDRE MALDONADO TO APPROVE THE VARIANCE REQUEST OF FIDEL CORTEZ, TO ALLOW FOR A DRIVEWAY WITH A MEASUREMENT OF 42 FT. LOCATED IN FRONT OF THE PROPERTY, AS SHOWN ON THE SITE PLAN. MOTION CARRIED UNANIMOUSLY WITH A VOTE OF 7-0.**

**8. PRESENTATION**

- A.** Unified Development Code Update by: Kendig Keast Collaborative

**CONSULTANT DAVID BAIRD PRESENTED UPCOMING CHANGES TO THE UNIFIED DEVELOPMENT CODE.**

**9. ADJOURNMENT**

There being no further business to consider, the meeting was adjourned at 5:57 P.M.

*Alejandra Gonzalez*  
Alejandra Gonzalez, Administrative Assistant

**ZONING BOARD OF ADJUSTMENT REGULAR MEETING  
AUGUST 25, 2021**

**Item:**

Consider Variance to the City's Unified Development Code, Article 8, Section 8.503, Minimization (C) Pervious Pavements, being Lots 2 & 3, Block 47, Santa Cruz Gardens Subdivision Unit No. 2, located at 900 West F.M. 2812, as requested by Armando Contreras

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**Request:**

The applicant is requesting a variance to the City's Unified Development Code Article 2, Section 2.438, Vehicle Sales, Rental and Service (B) Parking. The applicant stated that the basis for the request is to allow for the placement of millings for a proposed drive thru open air market in lieu of the required asphalt pavement or concrete.

**Property Location and Vicinity:**

The property is located on the south side of West FM 2812, approximately  $\frac{3}{4}$  of a mile west of I-69C and is currently vacant. The tract has 300 ft. of frontage along West FM 2812 and 1,231.72 ft. of depth to its deepest point for a tract size of 7.736 acres. The property was currently zoned Commercial General (CG) District by the City Council on May 4, 2021. The surrounding zoning in the area is Agriculture (AG) District to the north, east west, and Industrial (I) District to the south. The surrounding area consists of vacant land.

**Background and History:**

The applicant is proposing a drive thru open air market of similar natures in surrounding cities. The applicant submitted a site plan and during the review from staff it was determined a pervious area is required for the use of the land. During meeting with the applicant it has been discussed a secondary emergency access easement constructed of millings will be in place. Fire Department and Solid Waste rely heavily on paved areas for the utilization of heavy vehicles such as fire trucks and waste collection trucks. The applicant has proposed to place millings for the parking and drive isle access in lieu of the required pervious asphalt or concrete.

Staff mailed a notice of the variance request to 13 neighboring property owners and received no comments in favor or against this request at the time of this report.

**Analysis:**

They have proposed to place millings for the parking and drive isle access in lieu of the required pervious asphalt or concrete. If approved a building permit will need to be submitted to City of Edinburg for review of compliance with all other requirements.

**Recommendation:**

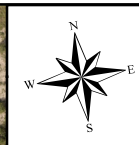
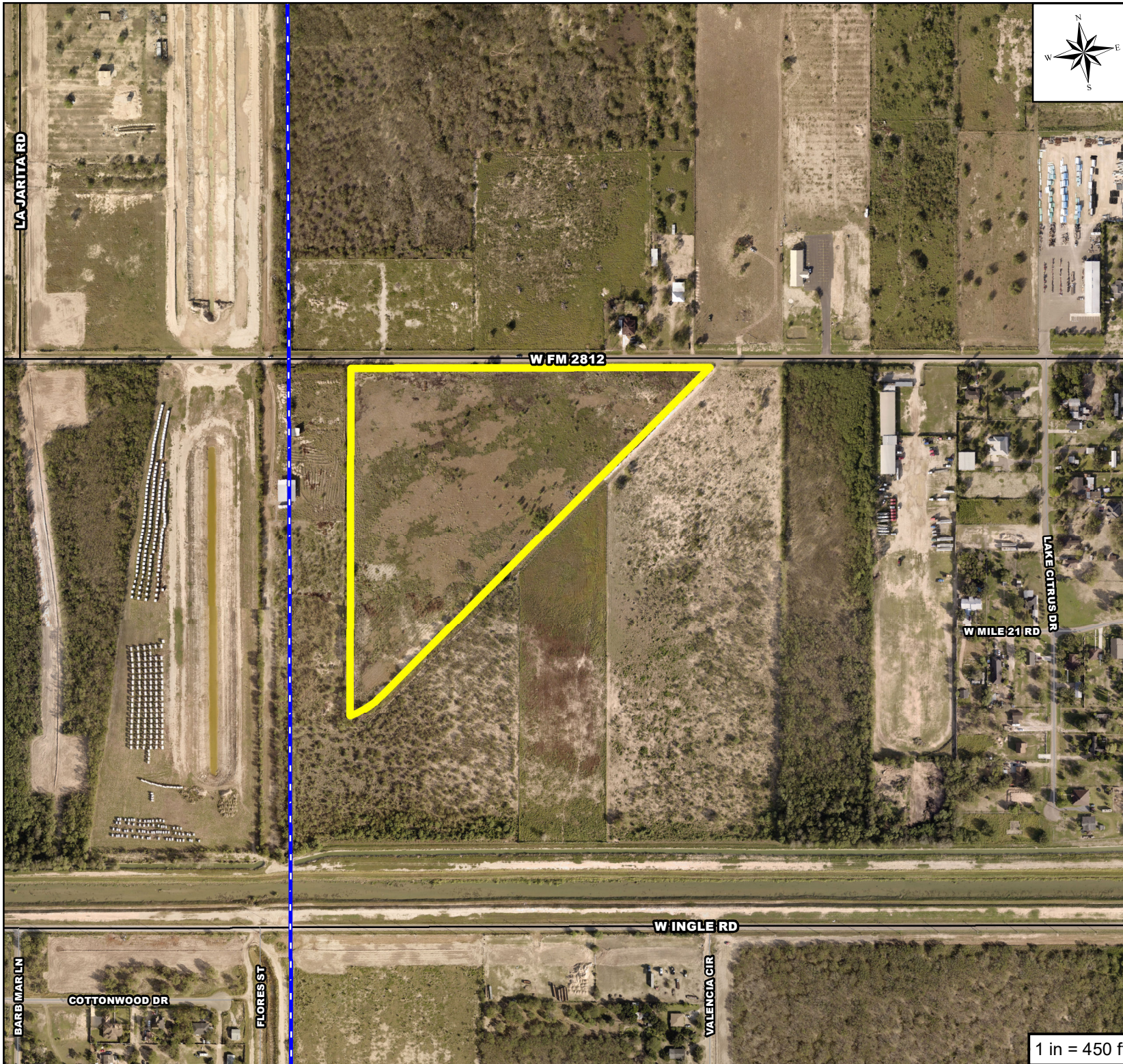


Staff recommends disapproval of the variance request. If approved, the applicant will need to comply with all other requirements during the permitting process including but not limited to building and fire codes, fire protection, parking, landscape buffer-yards, solid waste services, utility, pay a \$40 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  
Planner I

Approved By:  
Kimberly A. Mendoza, MPA  
Director of Planning & Zoning





## AERIAL MAP

### CASE CAPTION:

### APPLICANT NAME:

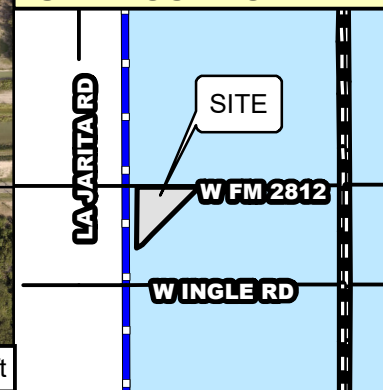
ARMANDO CONTRERAS

CONSIDER VARIANCE TO THE CITY'S UNIFIED DEVELOPMENT CODE, ARTICLE 8, SECTION 8.503, MINIMIZATION (C) PERVIOUS PAVEMENTS, BEING LOTS 2 & 3, BLOCK 47, SANTA CRUZ GARDENS UNIT NO.2, LCOATED AT 900 WEST FM 2812, AS REQUESTED BY ARMANDO CONTRERAS

## Legend

-  CITY LIMITS
-  APPLICANT SITE

## SITE LOCATION MAP





LA JARITARD

BARB MARLIN

COTTONWOOD DR

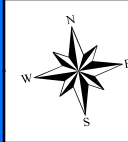
FLORES ST

W FM 2812

W INGLE RD

VALENCIA CIR

W MILE 24 RD



## ZONING MAP

CASE CAPTION:

**APPLICANT NAME:**  
**ARMANDO CONTRERAS**

## Legend

- CITY LIMITS
- APPLICANT SITE
- ZONING DISTRICTS**
  - AGRICULTURE
  - AUTO-URBAN RESIDENTIAL
  - COMMERCIAL, GENERAL
  - COMMERCIAL, NEIGHBORHOOD
  - DOWNTOWN DISTRICT
  - INDUSTRIAL
  - NEIGHBORHOOD CONSERVATION 5
  - NEIGHBORHOOD CONSERVATION 7.1
  - NEIGHBORHOOD CONSERVATION MH
  - SUBURBAN RESIDENTIAL
  - URBAN RESIDENTIAL
  - URBAN UNIVERSITY

## SITE LOCATION MAP

LA JARITARD

SITE

W FM 2812

W INGLE RD

1 in = 450 ft

LA JARITARD

BARB MARLIN

COTTONWOOD DR

FLORES ST

W INGLE RD

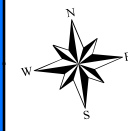
VALENCIA CIR

W FM 2812

W MILE 24 RD

LAKE CIRRUS DR

1 in = 450 ft



## FUTURE LANDUSE MAP

CASE CAPTION:

**APPLICANT NAME:**  
ARMANDO CONTRERAS

### Legend

- CITY LIMITS
- APPLICANT SITE
- ZONING DISTRICTS**
  - AGRICULTURE
  - AUTO-URBAN RESIDENTIAL
  - COMMERCIAL, GENERAL
  - COMMERCIAL, NEIGHBORHOOD
  - DOWNTOWN DISTRICT
  - INDUSTRIAL
  - NEIGHBORHOOD CONSERVATION 5
  - NEIGHBORHOOD CONSERVATION 7.1
  - NEIGHBORHOOD CONSERVATION MH
  - SUBURBAN RESIDENTIAL
  - URBAN RESIDENTIAL
  - URBAN UNIVERSITY

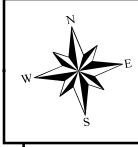
## SITE LOCATION MAP

LA JARITARD

SITE

W FM 2812

W INGLE RD



**MAILOUT AND SITE MAP**

**CASE CAPTION:**

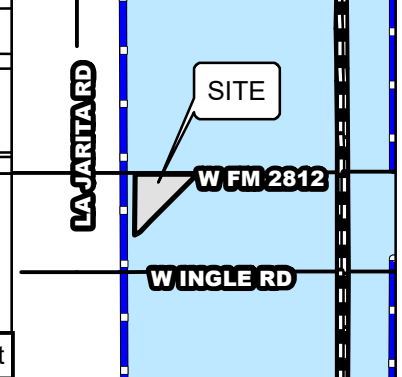
**APPLICANT NAME:**  
**ARMANDO CONTRERAS**

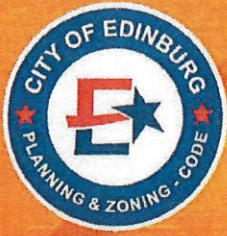
CONSIDER VARIANCE TO THE CITY'S UNIFIED DEVELOPMENT CODE, ARTICLE 8, SECTION 8.503, MINIMIZATION (C) PVIOUS PAVEMENTS, BEING LOTS 2 & 3, BLOCK 47, SANTA CRUZ GARDENS UNIT NO.2, LCOATED AT 900 WEST FM 2812, AS REQUESTED BY ARMANDO CONTRERAS

**Legend**

- CITY LIMITS
- 300FT NOTIFICATION
- APPLICANT SITE

**SITE LOCATION MAP**





Case #

Edinburg

Planning & Zoning Department  
415 W. University Drive  
Edinburg, Texas 78539  
(956) 388-8202

## Zoning Board of Adjustment Application Request for Variance

Nature of Request: Market place (Flea Market)

Reason for Hardship (attach additional pages if necessary)

The request is we may — the relief of required asphalt paving and permission for milling asphalt. The area will have no dirt or Caliche - Thank You.

Property Description: Lot #2 Block 47 Subdivision Santa Cruz Gardens #2Property Address: 900 West FM 2812Present Property Zoning: Commercial GeneralPerson requesting Variance: Armando ContrerasMailing Address: 1201 Fincher Mission TX 78572  
Street Address City/State Zip CodePhone No. (Home): 956-683-5115 (Work): 956-566-0047 (Cell): 956-683-5115Owner's Name: Armando ContrerasMailing Address: Same as above  
Street Address City/State Zip Code

As owners or agents for the above described property, I (we) hereby request a hearing before the City of Edinburg Zoning Board of Adjustment.

Signature: [Signature] Date: 08/09/2021Owner/Agent's Name (Please Print): Lou Contreras

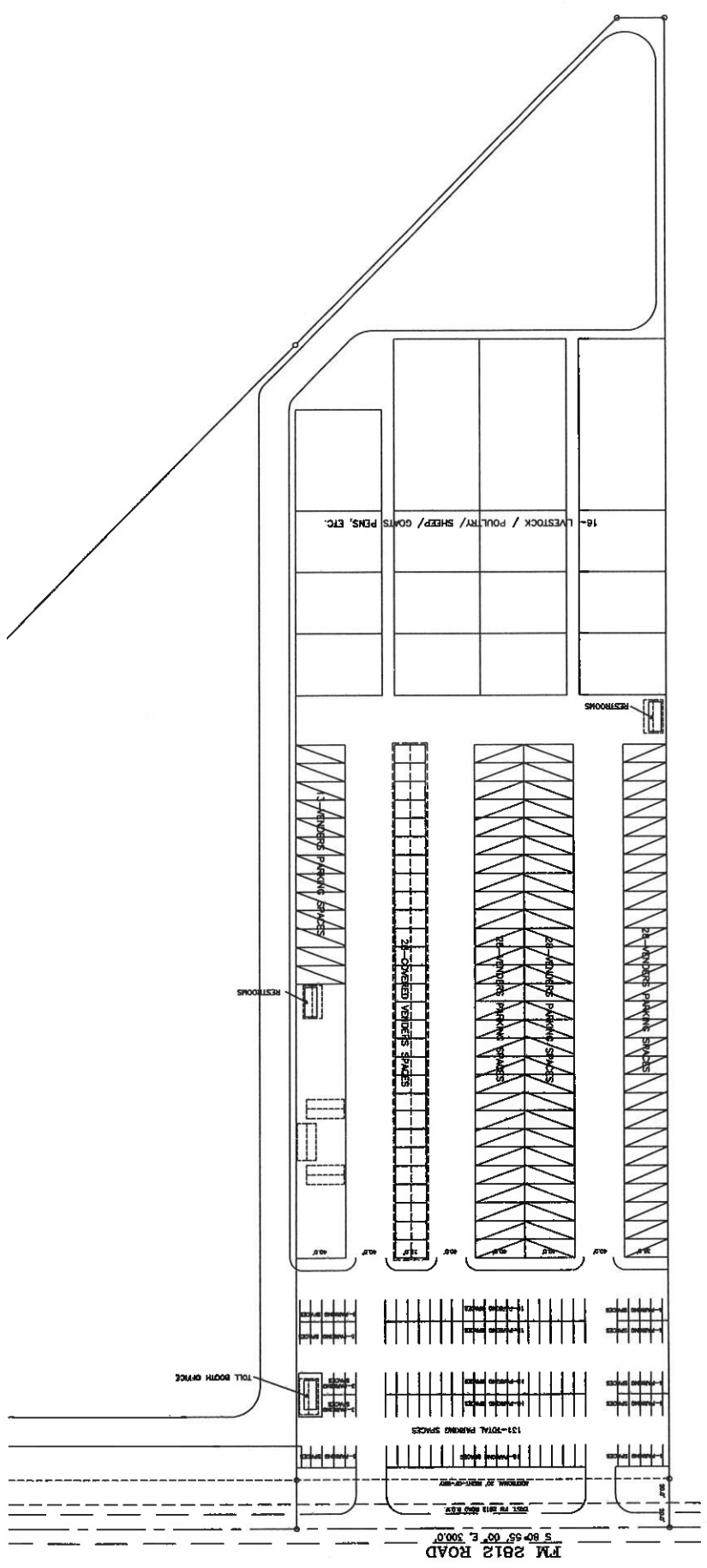
\$450 Application Fee: \_\_\_\_\_ Application Received by: \_\_\_\_\_

Receipt No. \_\_\_\_\_

**OFFICE USE ONLY**

Application deadline: \_\_\_\_\_ 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



PM 2812 ROAD  
S 80° 05' 00" E, 300.0'

RECEIVED  
MAY 1 8 5051  
Name:



---

**Planning and Zoning Department**

August 10, 2021

Armando Contreras  
1201 Fincher Street  
Mission, TX 78572

**Subject: Contreras Flea Market located at 900 FM 2812**

Dear Mr. Contreras;

The City of Edinburg is requiring the following before issuing a permit for your proposed subject venture.

- 1 8" water line needs to be extended to property. The estimated length is (+)(-)3200ft. This includes looping this same line around the property in order to properly install 4 fire hydrants.
- 2 Need to provide fire access all around the property.
- 3 All entrances to property should be concrete.
- 4 Solid Waste Plan (Dumpster Locations).
- 5 Engineering plan for grading of land, detention pond and storm water run-off must be designed by Professional Engineer.
- 6 Provide Utility layout showing water and sewer connections.
- 7 Parking lot and vendor aisles should be paved within six months of opening venue but only with the approval of the Zoning Board of Adjustments Variance Appeal as to not pave parking for the first six months of this commercial venture. All parking and driveway surfaces should be prepped with caliche.
- 8 If non-compliance is determined by City of Edinburg, actions may take place in order to force compliance with code.





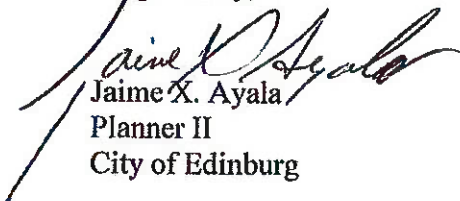
# THE CITY OF Edinburg

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- 9 A hold harmless agreement, to absolve the City of Edinburg from all liability may be required at the time a building permit is issued.

Should you have any questions and or require further information or clarification please contact me at your convenience.

Respectfully,

  
Jaime X. Ayala  
Planner II  
City of Edinburg





# THE CITY OF **Edinburg** FIRE DEPARTMENT



## **Preliminary Staff Review**

August 6, 2021

### **RE: PRELIMINARY REVIEW – CONTRERAS/281 FLEA MARKET**

After reviewing the above referenced plat, the following are the preliminary phase submittal comments:

1. Need to extend 8" water line to property.
2. Need to provide fire hydrants every 300 feet.
3. All entrances to property must be paved to city standards.
4. Parking lot should also be paved to city standards.
5. Need to provide fire department access to the entire property with all-weather surface. The access road should be at least 20 feet wide.
6. I strongly recommend that there be no vehicle traffic between vendors.
7. Need to submit an approved site and building plans.

Any questions, please feel free to contact me.

Sincerely,

Omar Garza  
Fire Marshal

Email: [ogarza@cityofedinburg.com](mailto:ogarza@cityofedinburg.com)

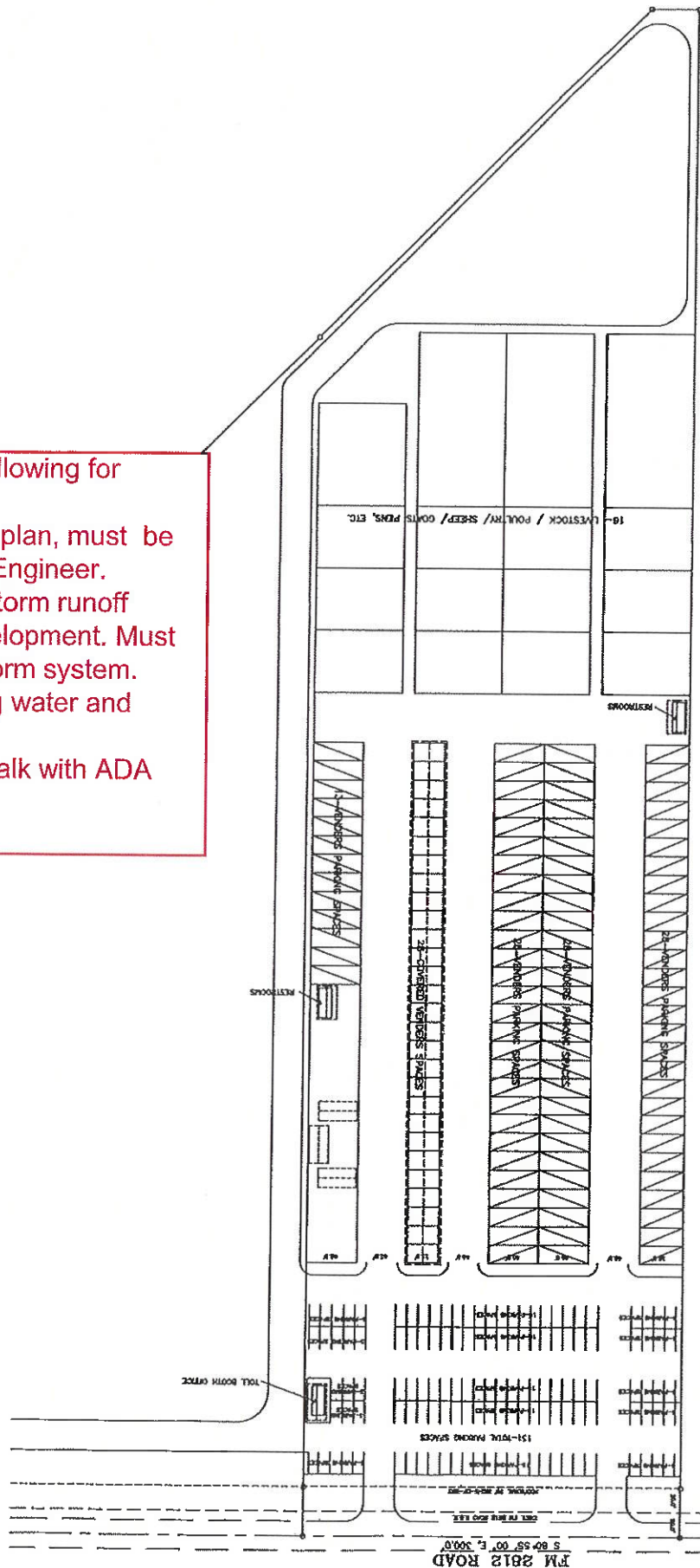
212 W. McIntyre St.  
Edinburg, TX 78539

#### References:

Unified Development Code and 2012 International Fire Code

Need to provide the following for review.

1. Paving and grading plan, must be done by Professional Engineer.
2. Detention pond for storm runoff generated by this development. Must be bleed to nearest storm system.
3. Utility layout showing water and sewer connections.
4. Install 5' wide sidewalk with ADA ramps along 2812.



















**ZONING BOARD OF ADJUSTMENT REGULAR MEETING  
AUGUST 25, 2021**

**Item:**

Consider Variance to the City's Unified Development Code, Article 3, Section 3.301, Single Family Residential Bulk Standards, Setbacks, being Lot 72, Danielle Estates Subdivision, located at 2405 Annette Avenue, as requested by Enrique Casarez

---

**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 has constructed a carport in the street yard setback of an existing single family residential lot.

**Property Location and Vicinity:**

The property is located on the west side of Annette Avenue, approximately 65 ft. north of Danielle Drive. The property has 60 ft. of frontage along Annette Avenue and 127.75 ft. of depth for a tract size of 7,665 sq. ft. The property is zoned Neighborhood Conservation 5 (NC 5) District. The surrounding zoning is Neighborhood Conservation 5 (NC 5) District in all directions. The area consists of residential uses.

**Background and History:**

This property is part of Danielle Estates Subdivision, which was recorded on March 5, 1996. The applicant constructed a 22 ft. x 27 ft. carport in the front yard setback of the property.

On August 10, 2021, a Code Enforcement Officer placed a stop work order notice on said construction, hence the variance application. A drawing was submitted to staff and after review it was determined the proposed construction is encroaching into the 25 ft. front yard setback by 25 ft. and 2ft. into the City of Edinburg right-of-way.

Staff mailed a notice of the variance request to 44 neighboring property owners and received 2 comments in favor and none against this request at the time of this report.

**Analysis:**

The proposed carport will cover approximately 594 sq. ft. of driveway and right-of-way in front of an existing single-family dwelling. The carport constructed leaves a 0 ft. separation from property line to structure. Exhibits from the applicant have been provided for the Boards review.

**Recommendation:**

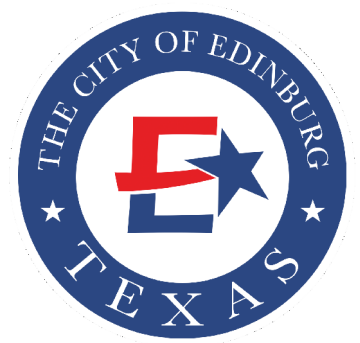
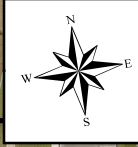


Staff recommends disapproval of the variance as requested. If approved, the applicant will need to comply with all other requirements during the permitting process and pay a \$40 fee payable to the County of Hidalgo, submitted to the County Clerk's Office for the recording of the Zoning Board of Adjustment's order on this request, and any other City requirements, as applicable. A location map, aerial map, photo, site plan, and application from property owner are attached for the Board's consideration.

Prepared By:  
Rita Lee Guerrero  
Planner I

Approved By:  
Kimberly A. Mendoza, MPA  
Director of Planning & Zoning







### AERIAL MAP

#### CASE CAPTION:

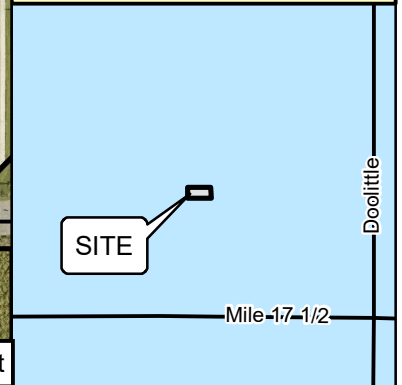
**APPLICANT NAME:**  
**ENRIQUE CASAREZ**

CONSIDER VARIANCE TO THE CITY'S UNIFIED DEVELOPMENT CODE, ARTICLE 3, SECTION 3.301, SINGLE FAMILY RESIDENTIAL BULK STANDARDS, SETBACKS, BEING LOT 72, DANIELLE ESTATES, LOCATED AT 2405 ANNETTE AVENUE, AS REQUESTED BY ENRIQUE CASAREZ

### Legend

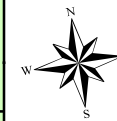
-  CITY LIMITS
-  APPLICANT SITE

### SITE LOCATION MAP



1 in = 200 ft





## ZONING MAP

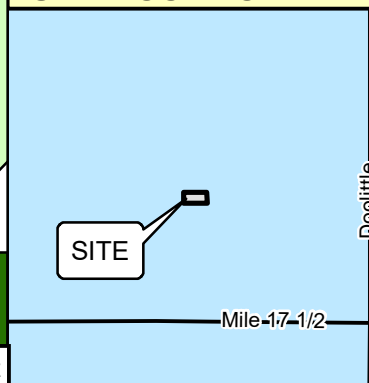
### CASE CAPTION:

**APPLICANT NAME:**  
ENRIQUE CASAREZ

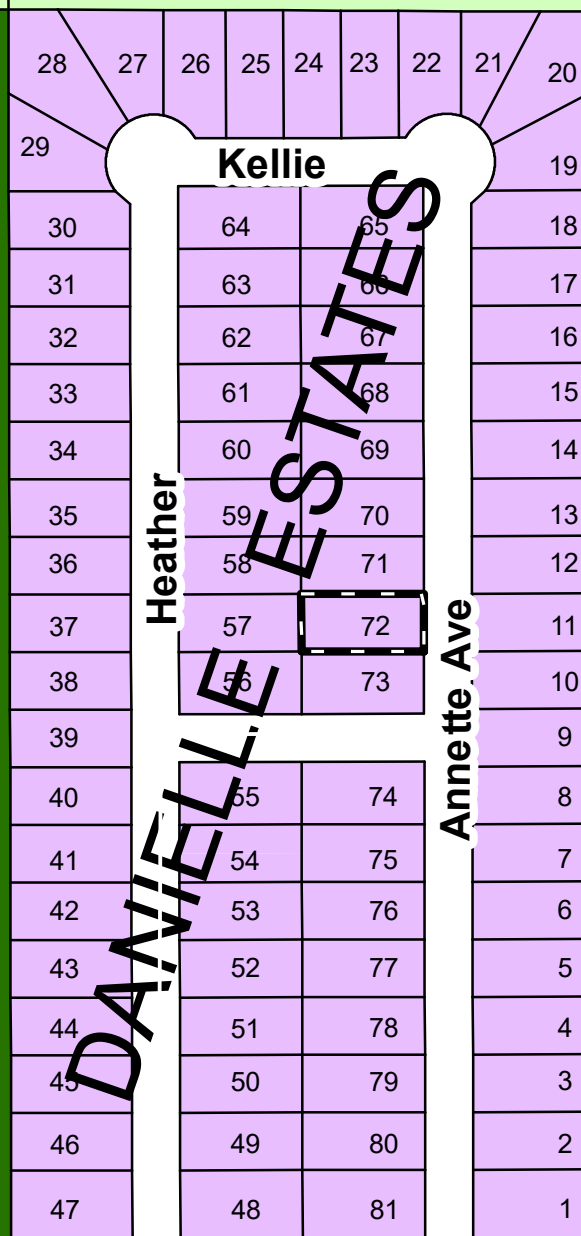
### Legend

- CITY LIMITS
- APPLICANT SITE
- ZONING DISTRICTS**
- AGRICULTURE
- AUTO-URBAN RESIDENTIAL
- COMMERCIAL, GENERAL
- COMMERCIAL, NEIGHBORHOOD
- DOWNTOWN DISTRICT
- INDUSTRIAL
- NEIGHBORHOOD CONSERVATION 5
- NEIGHBORHOOD CONSERVATION 7.1
- NEIGHBORHOOD CONSERVATION MH
- SUBURBAN RESIDENTIAL
- URBAN RESIDENTIAL
- URBAN UNIVERSITY

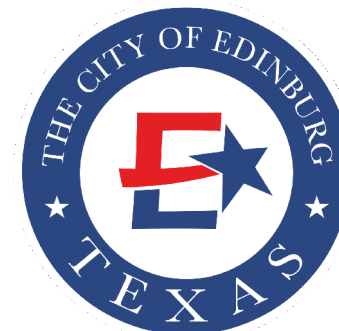
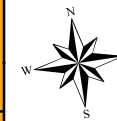
### SITE LOCATION MAP



1 in = 200 ft



E Mile 17 1/2 Rd
















## FUTURE LANDUSE MAP

### CASE CAPTION:

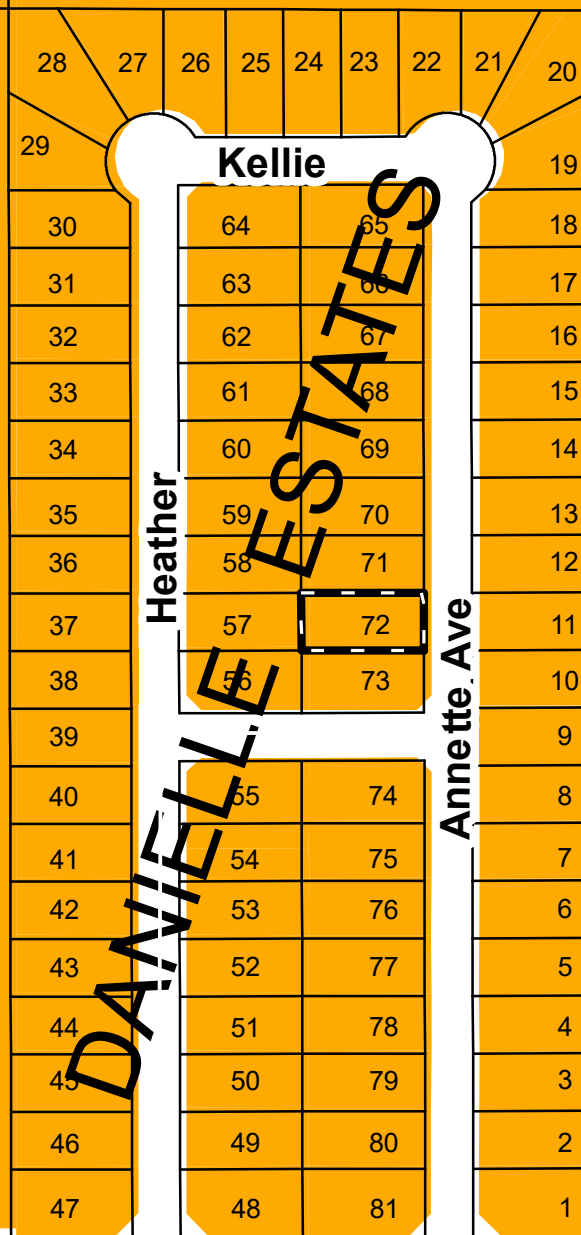
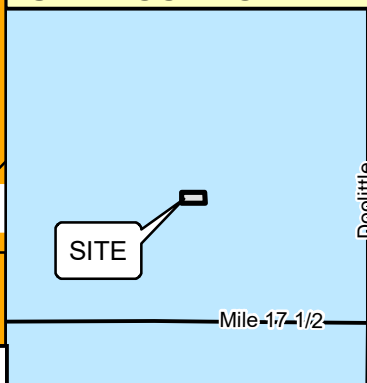
#### APPLICANT NAME:

ENRIQUE CASAREZ

### Legend

-  CITY LIMITS
-  APPLICANT SITE
- FUTURE LANDUSE**
-  Agriculture
-  Auto-Urban
-  Downtown District
-  General Commercial
-  Industrial
-  Mobile Home
-  Neighborhood Commercial
-  Office Business Park
-  Suburban
-  Urban
-  Urban University

### SITE LOCATION MAP

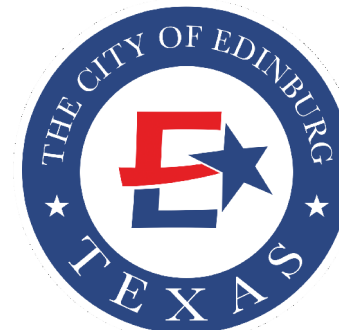
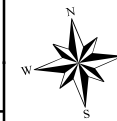


14

T2100-00-248-0014-10

E Mile 17 1/2 Rd

1 in = 200 ft



## MAIL OUT AND SITE MAP




### CASE CAPTION:

#### APPLICANT NAME:

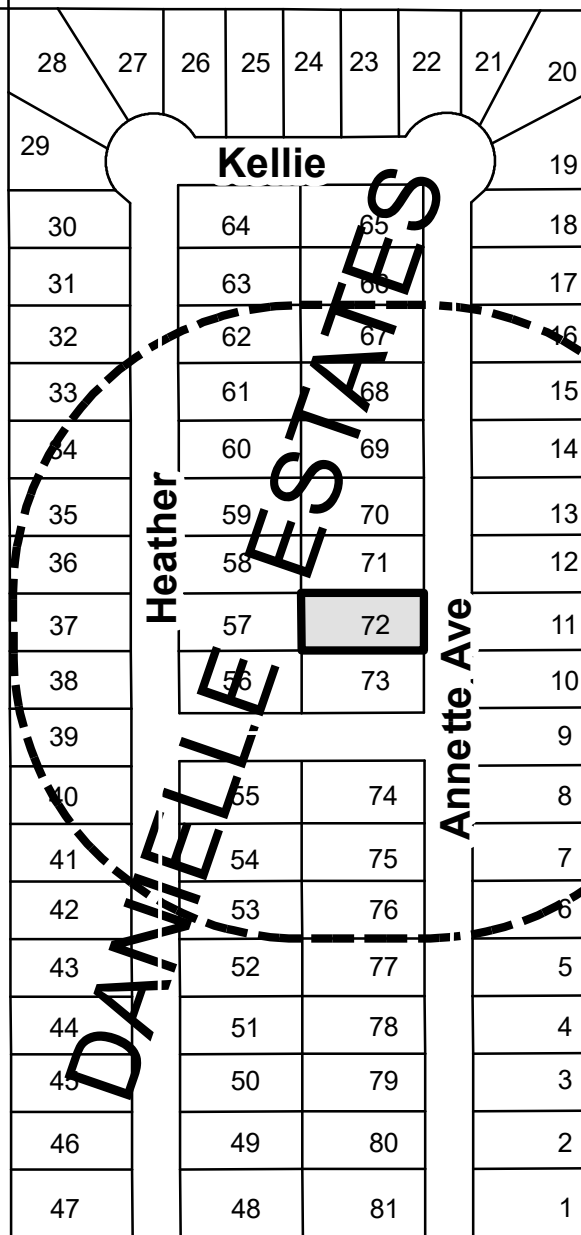
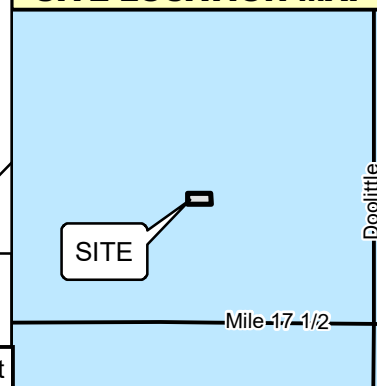
**ENRIQUE CASAREZ**

CONSIDER VARIANCE TO THE CITY'S UNIFIED DEVELOPMENT CODE, ARTICLE 3, SECTION 3.301, SINGLE FAMILY RESIDENTIAL BULK STANDARDS, SETBACKS, BEING LOT 72, DANIELLE ESTATES, LOCATED AT 2405 ANNETTE AVENUE, AS REQUESTED BY ENRIQUE CASAREZ

### Legend

-  CITY LIMITS
-  300FT NOTIFICATION
-  APPLICANT SITE

### SITE LOCATION MAP



T2100-00-248-0014-10

E Mile 17 1/2 Rd

1 in = 200 ft



Case #

Edinburg THE CITY OF

Planning & Zoning Department  
415 W. University Drive  
Edinburg, Texas 78539  
(956) 388-8202

## Zoning Board of Adjustment Application Request for Variance

Nature of Request: Car port

Reason for Hardship (attach additional pages if necessary)

Bad weather, extreme heat - protection for family and vehicle.Property Description: Lot 22 Block \_\_\_\_\_ Subdivision Danielle Estates.Property Address: 2405 Annette Ave.

Present Property Zoning: \_\_\_\_\_

Person requesting Variance: Enrique CasarezMailing Address: 2405 Annette Ave. Edinburg TX 78542.  
Street Address City/State Zip CodePhone No. (Home): \_\_\_\_\_ (Work): \_\_\_\_\_ (Cell): 956-207-9717Owner's Name: Enrique CasarezMailing Address: 4911 Dana Dr. Edinburg TX 78542.  
Street Address City/State Zip Code

As owners or agents for the above described property, I (we) hereby request a hearing before the City of Edinburg Zoning Board of Adjustment.

Signature: [Signature] Date: 8/6/21Owner/Agent's Name (Please Print): Enrique Casarez.

\$450 Application Fee: \_\_\_\_\_ Application Received by: \_\_\_\_\_

Receipt No. \_\_\_\_\_

**OFFICE USE ONLY**

Application deadline: \_\_\_\_\_ 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

AUG 06 2021

Name: af 1:53

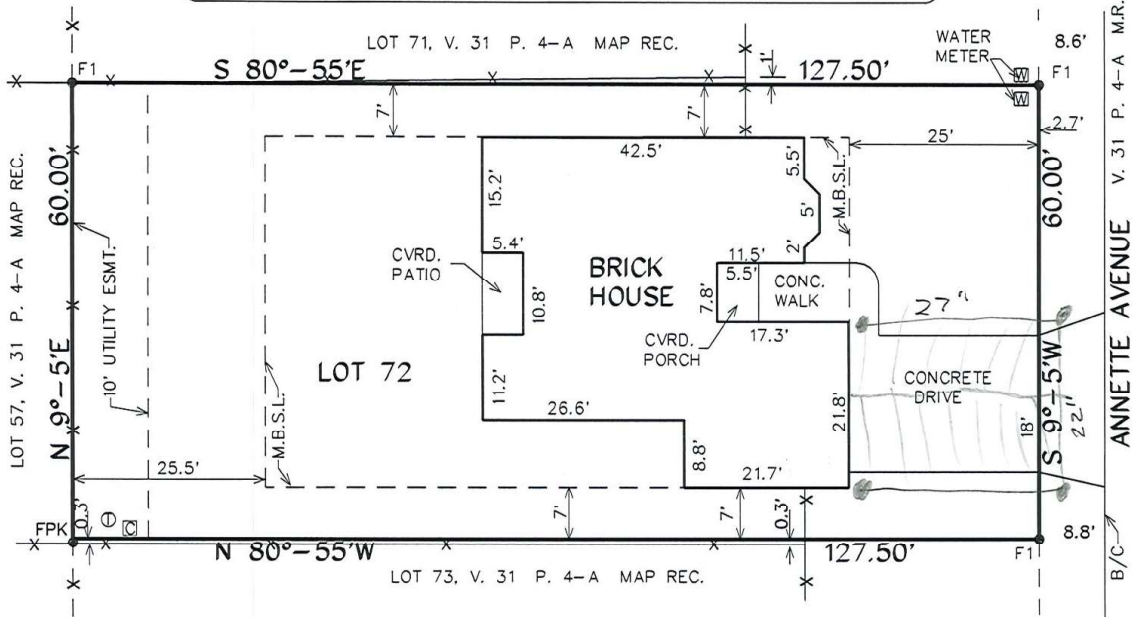


AUG 06 2021



# PEÑA ENGINEERING

FIRM #10087200 • 1001 WHITEWING • P.O. BOX 4320  
(956) 682-8812 • McALLEN, TEXAS 78502 • FAX (956) 631-PENA

Name: ax 1:53

## LEGEND

FPK - FOUND "PK" NAIL IN CONC.  
F1 - FOUND 1/2" DIAMETER IRON ROD  
M.B.S.L. - MINIMUM BUILDING SETBACK LINE  
B/C - BACK OF CONCRETE CURB & GUTTER  
X-X - 6" CEDAR FENCE  
⊗ - CABLE PEDESTAL  
⊙ - TELEPHONE PEDESTAL

NOTE: BASIS OF BEARING,  
THE NORTH LINE OF LOT 72  
DANIELLE ESTATES, V. 31 P. 4-A  
MAP REC.



SCALE 1"=20'  
CAD5: DANIELLE-72L  
JOBNo. 61492

NORTH R.O.W.  
DANIELLE DRIVE

EASEMENTS AS PER GF#0003173698  
EFFECTIVE DATE: 9-20-2017  
ISSUED DATE: 9-27-2017  
10-D. EASEMENTS RIGHTS, RULES, AND REGULATIONS  
IN FAVOR OF HIDALGO CO. IRR. DISTRICT NO. 1.

BUYER'S NAME: ENRIQUE CASAREZ AND ARACELI CASAREZ

FLOOD ZONE: By GRAPHICAL PLOTTING  
COMMUNITY PANEL NO. 480338 0020 E MAP REV: MAY 14, 2001

- ☐ Zone "A" - This is to certify that this property is in a flood prone area.  
☒ Zone "B" - This is to certify that this property is not in a flood prone area. However limits between the 100 year and 500 year flood are subject to flooding with average depths less than one foot.  
☐ Zone "C" - This is to certify that this property is not in a flood prone area.

I certify that this plat represents the facts found on the ground at the time of survey and that there are no visible or apparent easements, discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments, or overlapping of improvements or visible easements except as shown on this plat. No subsurface utilities or service connections are shown, © copyright 2017 PENA ENGINEERING this survey was provided in multiple originals solely for the borrower named hereon, In conjunction with the original transaction which shall take place within 6 months after the survey was provided. No license has been created or implied to copy this Survey. Survey valid only if print has original seal and signature.  
ADDRESS: 2405 ANNETTE AVENUE EDINBURG, TEXAS 78541

LEGAL DESCRIPTION: ALL OF LOT 72, DANIELLE ESTATES, AN ADDITION TO THE  
CITY OF EDINBURG, HIDALGO COUNTY, TEXAS,

ACCORDING TO THE MAP RECORDED IN VOLUME 31 PAGE 4-A  
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS.

*Bill Peña III*

10-3-2017  
DATE

PABLO PEÑA III  
REG. PROFESSIONAL LAND SURVEYOR No. 5242

48'-0" square tubing 4x4" cor 1/8"

500'-0" Porlin 6x2"

(26) Laminas 12'-0" x 3'-0" wide

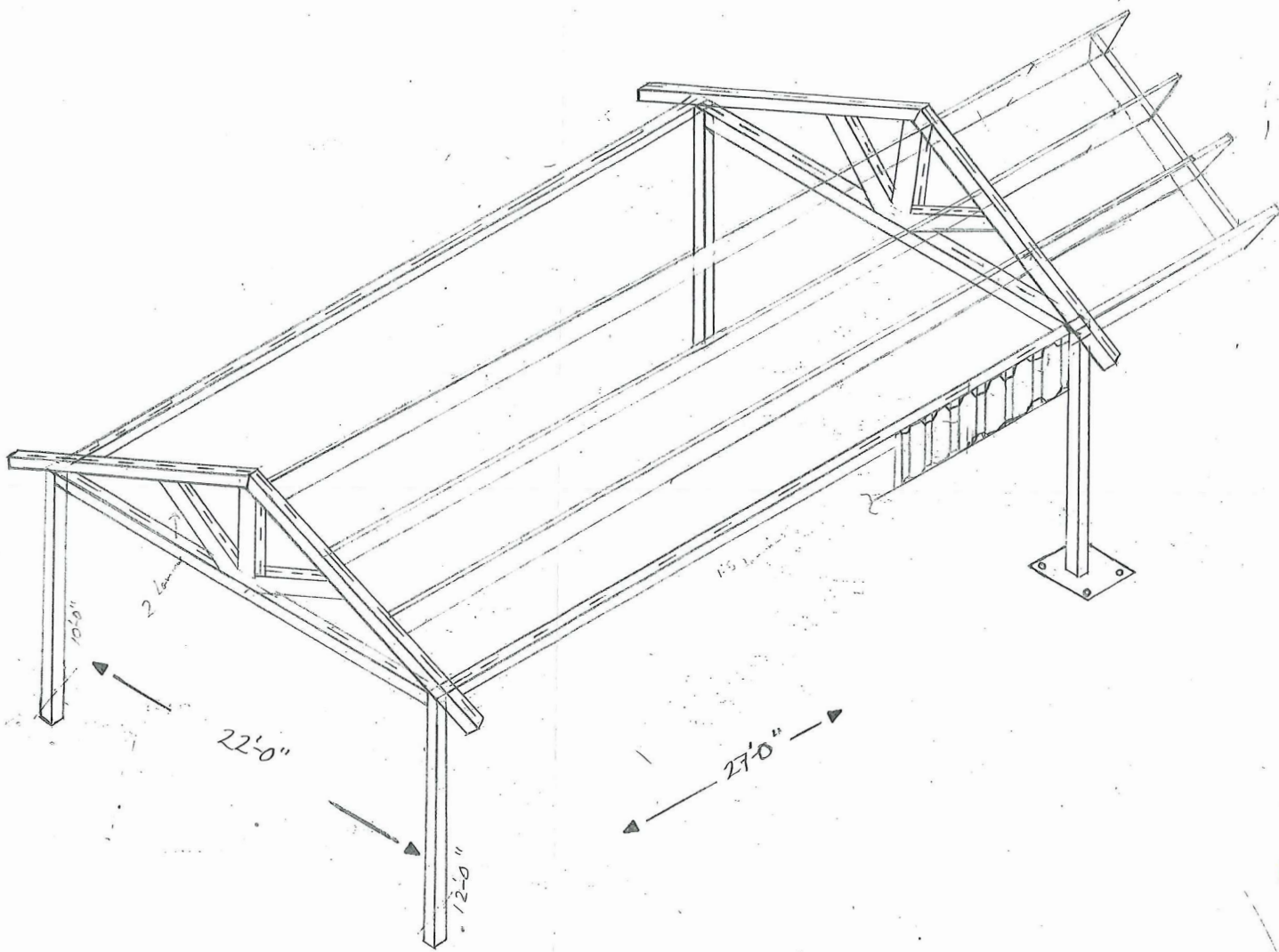
34'-0" caballete 9" wide

(2) Box metal blade

220'-0"  
216'-0"  
56'-0"

25 Porlin 6x2"

Pendiente 68'-0" square tubing 2x2"  
Pendiente 2 laminas



24 3' x 12'-0" laminas

RECEIVED

AUG 06 2021

Name: 29 1.53







# THE CITY OF Edinburg

## NOTIFICATION

Dear Property Owner:

A public hearing will be held on Wednesday, August 25, 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 8, SECTION 8.503, MINIMIZATION (C) PERVIOUS PAVEMENTS, BEING LOTS 2 & 3, BLOCK 47, SANTA CRUZ GARDENS UNIT NO.2, LOCATED AT 900 WEST FM 2812, AS REQUESTED BY ARMANDO CONTRERAS**

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, August 25, 2021
- [planning@cityofedinburg.com](mailto: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

Comments: \_\_\_\_\_

Print Name: Eduardo Gonzalez

Phone No.:

956-586-9314

Address:

420 W Cheyenne Ave

City: Pharr

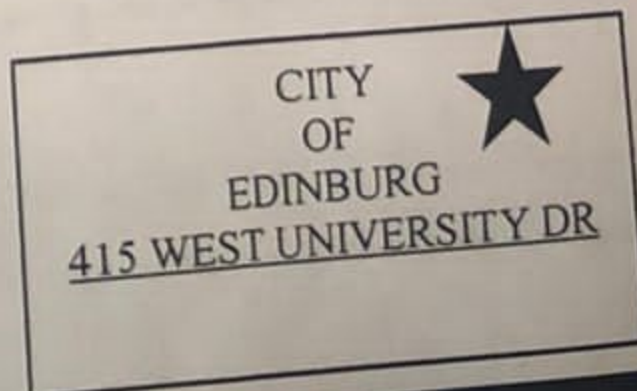
State: TX

Zip: 78577

## NOTIFICACION

Si tiene preguntas ó necesita más información sobre esta petición, 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



8th Ave.

University Dr. (S.H.107)





### NOTIFICATION

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A public hearing will be held on Wednesday, August 25, 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 3.301, SINGLE FAMILY RESIDENTIAL BULK STANDARDS, SETBACKS, BEING LOT 72, DANIELLE ESTATES, LOCATED AT 2405 ANNETTE AVENUE, AS REQUESTED BY ENRIQUE CASAREZ**

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☒ In Favor/A Favor ☐ Against/En Contra ☐ No Comments/No Comentario

Comments: I dont have any problem, it would  
look nice and make are neighborhood look better.

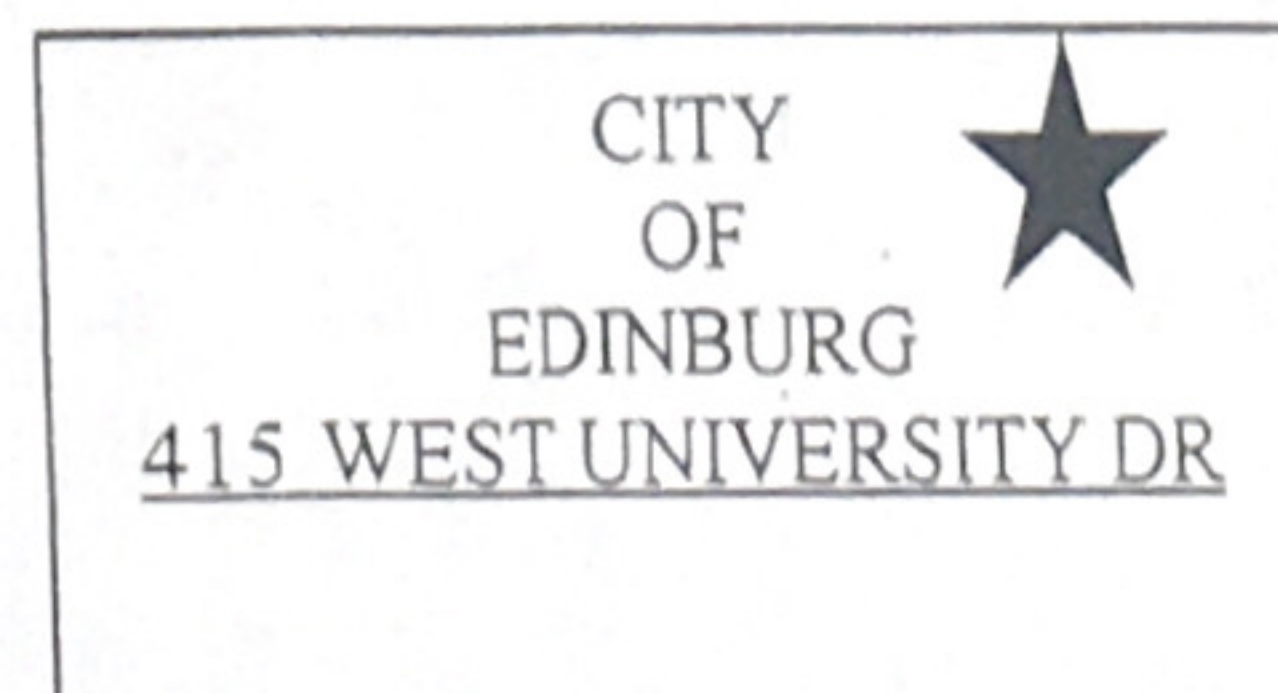
Print Name: Jose L. Chavez. Phone No.: 956 750 11 59

Address: 2410 Annette Ave City: Edinburg State: TX Zip: 78542

### NOTIFICACION

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University Dr. (S.H.107)





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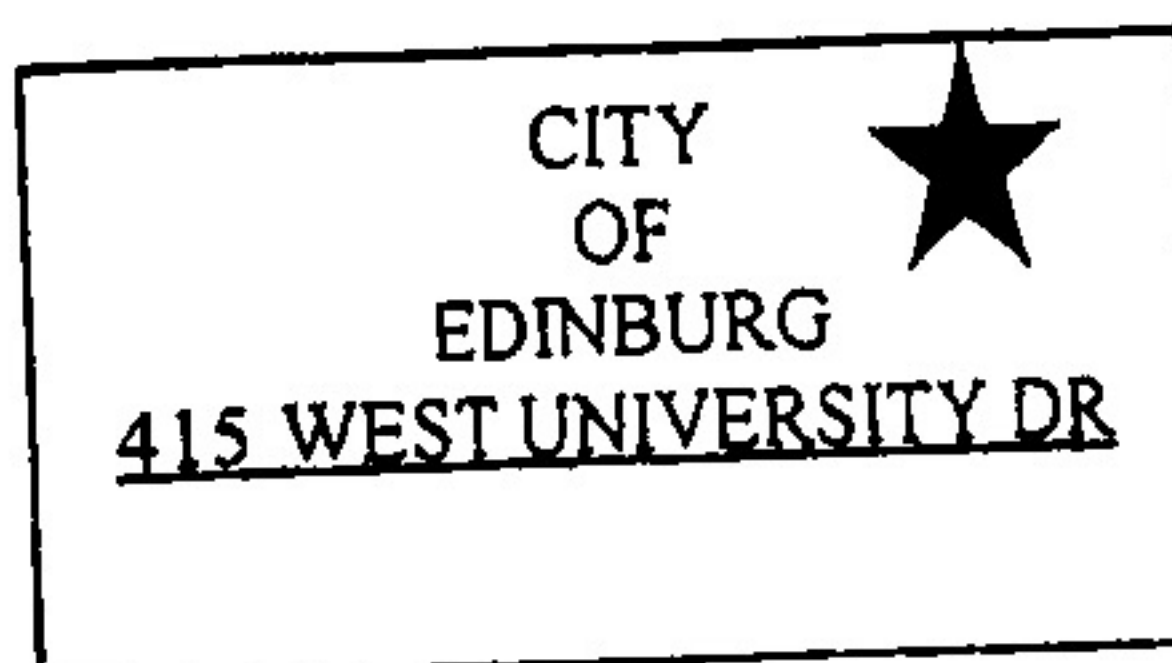
Comments: NO ISSUES w/ it.

Print Name: Jorge L. Cereza Phone No.: 956-322-7767  
Address: 2303 Annette Ave City: Edinburg State: TX Zip: 78542

## NOTIFICACION

Si tiene preguntas ó necesita más información sobre esta petición, 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



8th Ave.

University Dr. (S.H.107)





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☒ In Favor/A Favor

☐ Against/En Contra

☐ No Comments/No Comentario

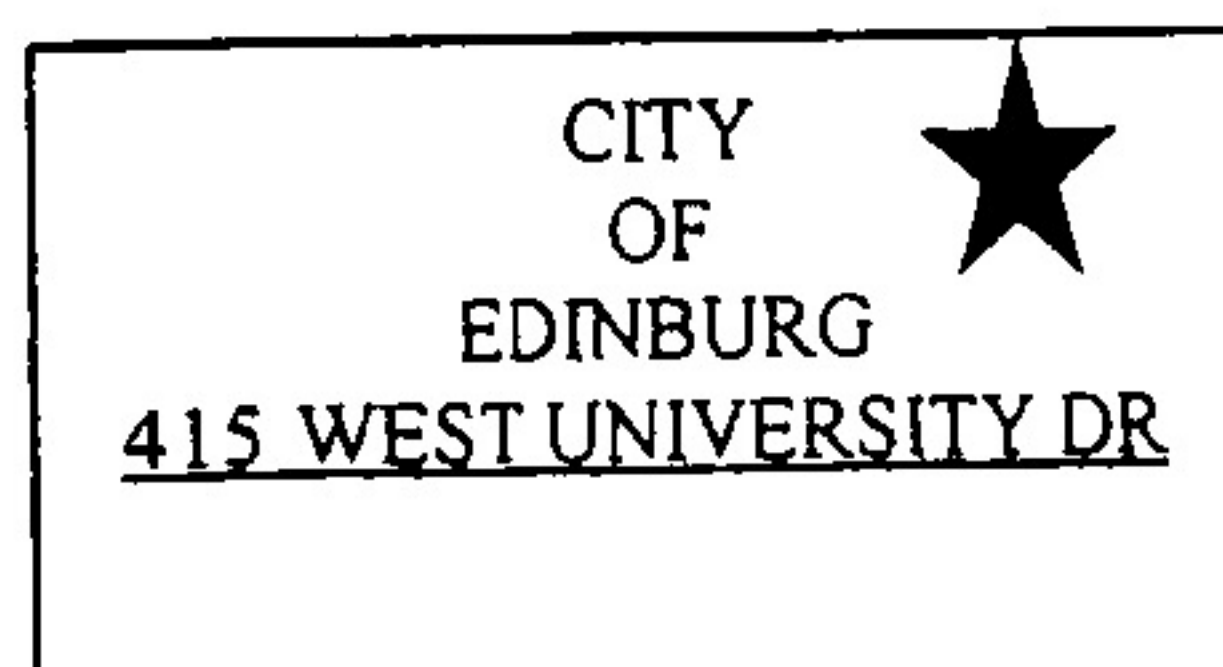
Comments: \_\_\_\_\_

Print Name: Leandro E. Cano Phone No.: (956) 328-6464  
Address: 2311 Annette Ave City: Edinburg State: Tx Zip: 78542

### NOTIFICACION

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University Dr. (S.H.107)





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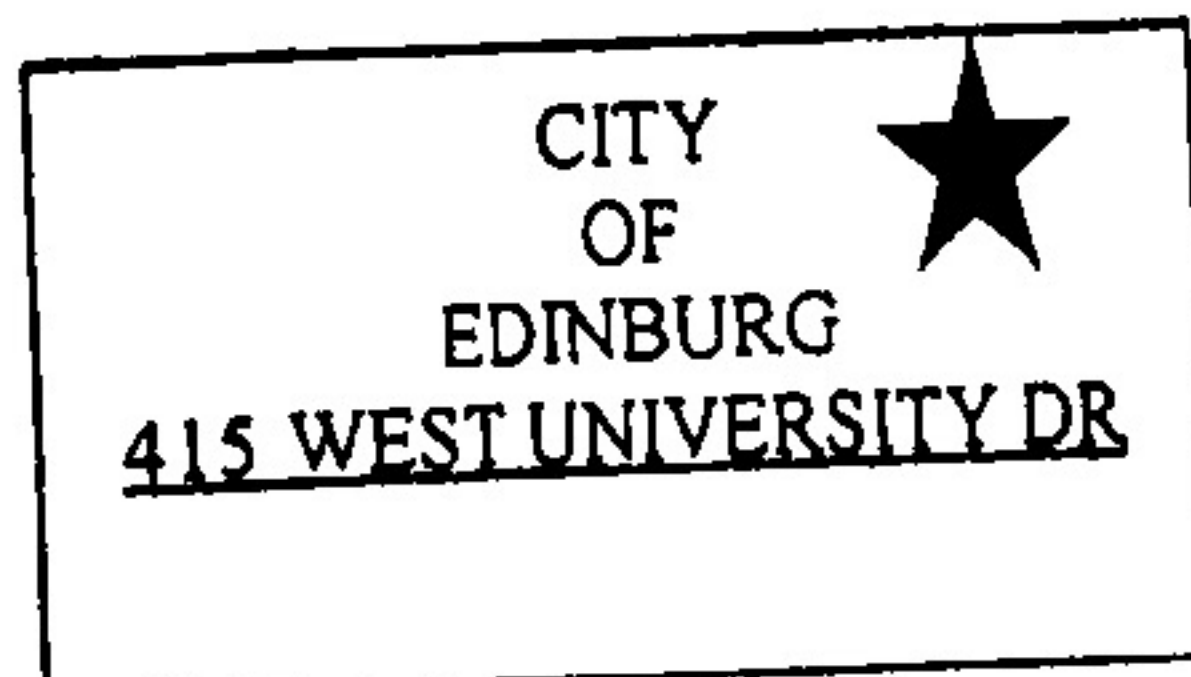
Comments: I don't have problem with building  
any thing around this area P.S. Blanca

Print Name: Blanca Ortiz Phone No.: 616-1768  
Address: 2312 Annette Ave City: Edinburg State: TX Zip: 78542

## NOTIFICACION

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Planning and Zoning Department  
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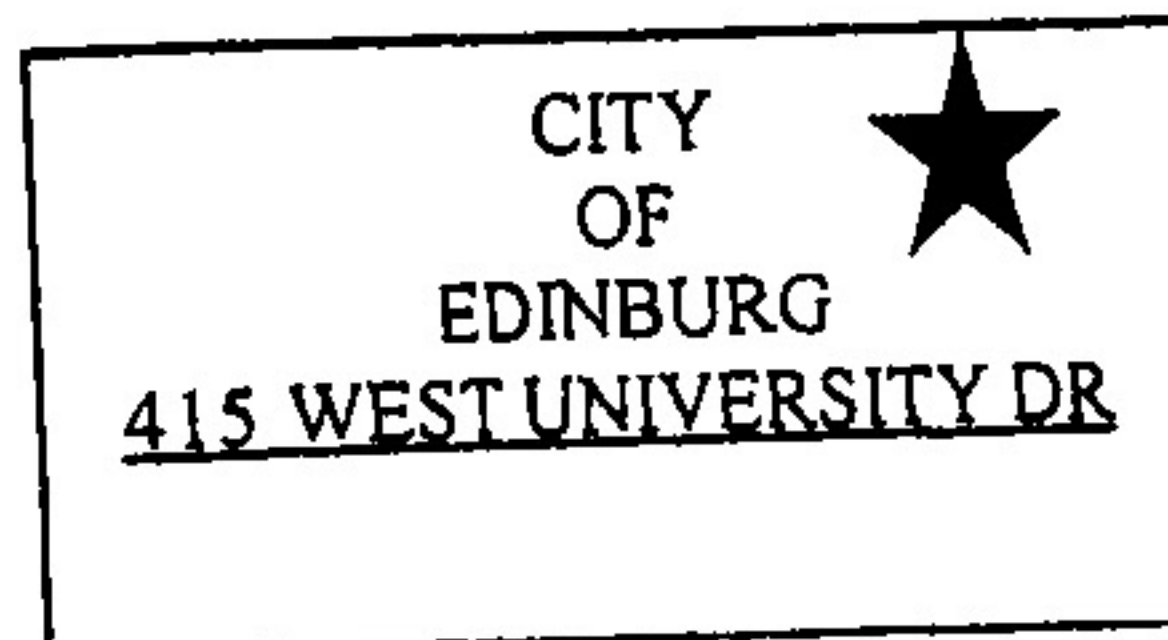
Comments: A mi no me molesta la construcción

Print Name: Noelia G. Martinez Phone No.: \_\_\_\_\_  
Address: 2421 Annette Ave City: Edinburg State: Tx. Zip: 78542

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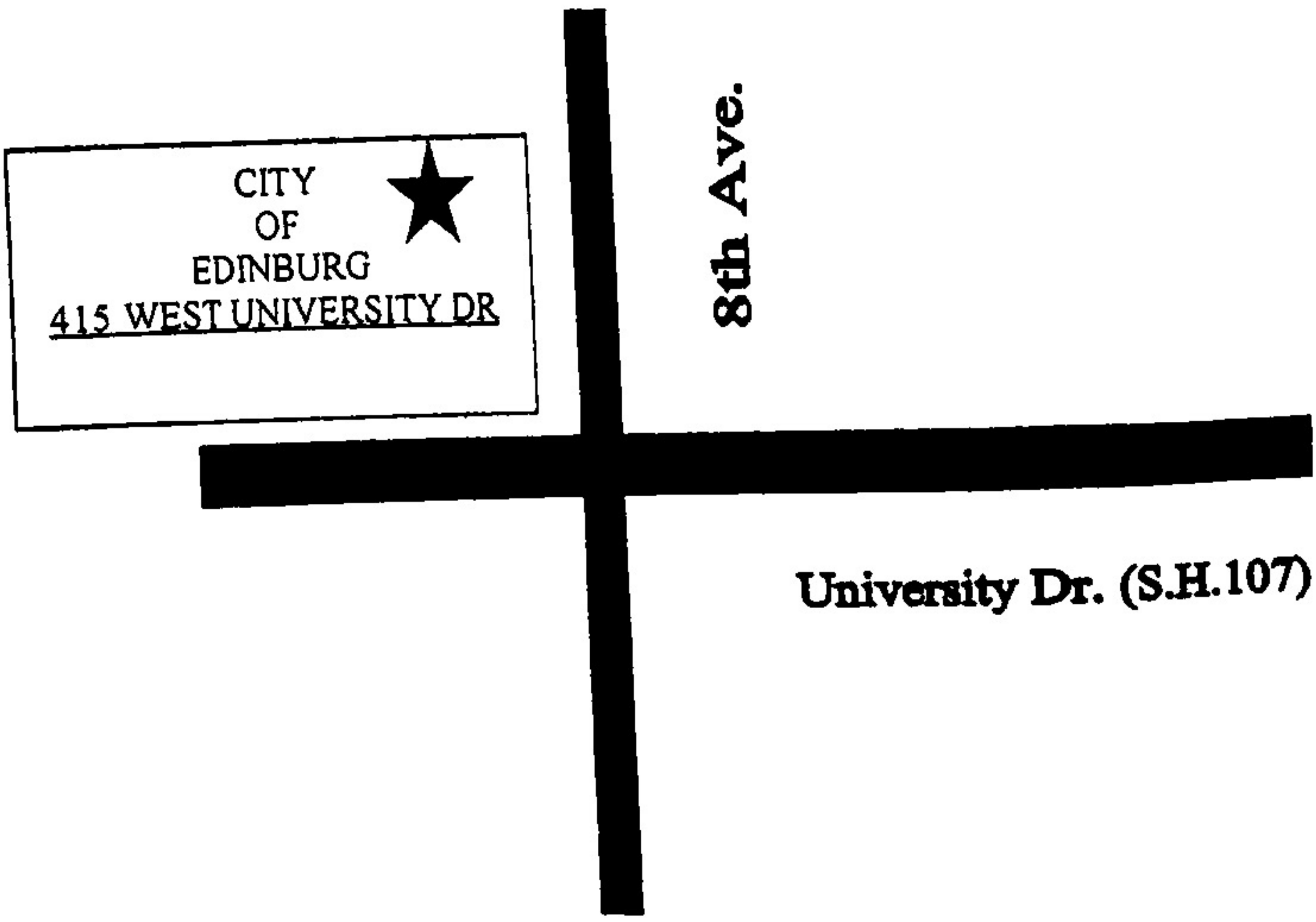
Comments: \_\_\_\_\_

Print Name: Olivier Mendoza Phone No.: 956-624-6926  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

## NOTIFICACION

Si tiene preguntas ó necesita más información sobre esta petición, 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







## NOTIFICATION

Dear Property Owner

A public hearing will be held on Wednesday, August 25, 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 3.301, SINGLE FAMILY RESIDENTIAL BULK STANDARDS, SETBACKS, BEING LOT 72, DANIELLE ESTATES, LOCATED AT 2405 ANNETTE AVENUE, AS REQUESTED BY ENRIQUE CASAREZ**

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, August 25, 2021
- [planning@cityofedinburg.com](mailto: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

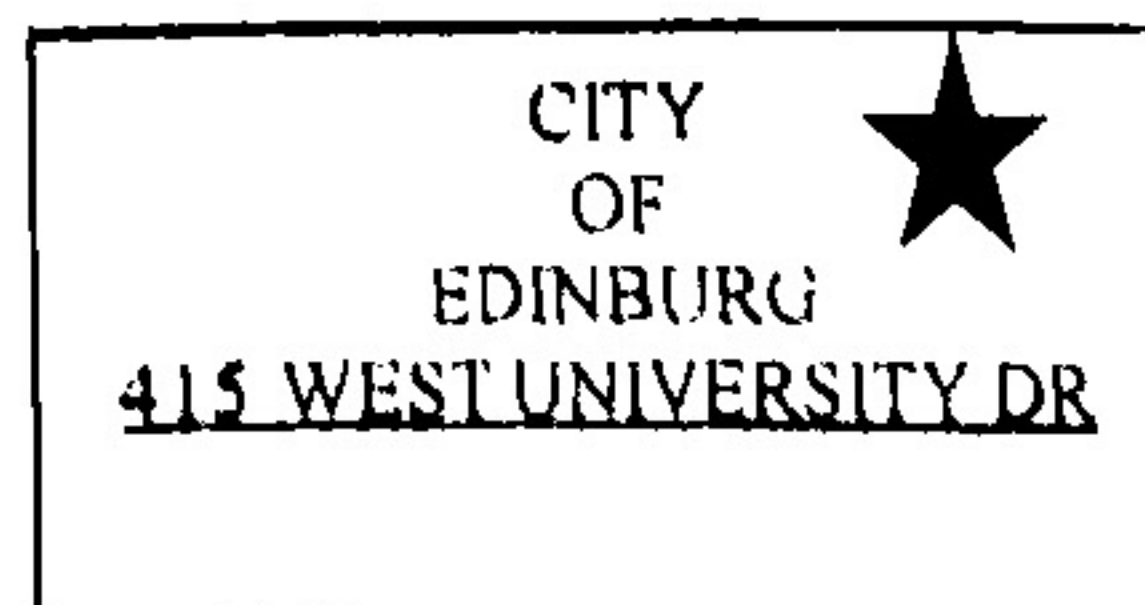
Comments

Print Name: IRIS Dela Garza Phone No.: 956-607-0766  
Address: 2401 Annette Ave City: Edinburg State: TX Zip: 78542

## NOTIFICACION

Si tiene preguntas ó necesita más información sobre esta petición, 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



8th Ave.

University Dr. (S.H.107)

**ZONING BOARD OF ADJUSTMENT REGULAR MEETING  
AUGUST 25, 2021**

**Item:**

Consider Variance to the City's Unified Development Code Article 3, Section 3.301, Single Family Residential Bulk Standards, Setbacks, being Lot 72, Solana Subdivision Phase 1, located at 814 Imelda Street, as requested by Willmar G. Herrera

---

**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 is proposing to construct a carport within the street yard setback of an existing single family residential lot.

**Property Location and Vicinity:**

The property is located on the south side of Imelda Street, approximately 160 ft. west of Brenda Street. The property has 51.5 ft. of frontage along Imelda Street and 100.82 ft. of depth for a tract size of 5,192 sq. ft. The property is zoned Neighborhood Conservation 5 (NC 5) District. The surrounding zoning is Neighborhood Conservation 5 (NC 5) District to the north, east, west and Agriculture (AG) District to the south. The area consists of residential uses and vacant land.

**Background and History:**

This property is part of Solana Subdivision Phase 1, which was recorded on August 20, 1999. The applicant is proposing to construct a 20 ft. x 18 ft. carport within the front yard setback of the property.

On August 5, 2021, City of Edinburg Code Enforcement received a complaint regarding several violations located within the subdivision. Upon field verification it was noted the construction of a carport was being done without a building permit. The applicant submitted a residential building permit application on that day and during the review, it was determined the proposed construction is encroaching into the front yard setback by 18 ft. into the 20 ft. front yard setback.

Staff mailed a notice of the variance request to 35 neighboring property owners and received no comments in favor or against this request at the time of this report.

**Analysis:**

The proposed carport will cover approximately 360 sq. ft. of driveway at the front of an existing single-family dwelling. If constructed, the encroachment will be 18 ft. into the required 20 ft. front yard setback, leaving 2 ft. of separation from structure to property line. The applicant has stated the basis for the request is have protection for their elderly grandmother from the weather conditions when outside.

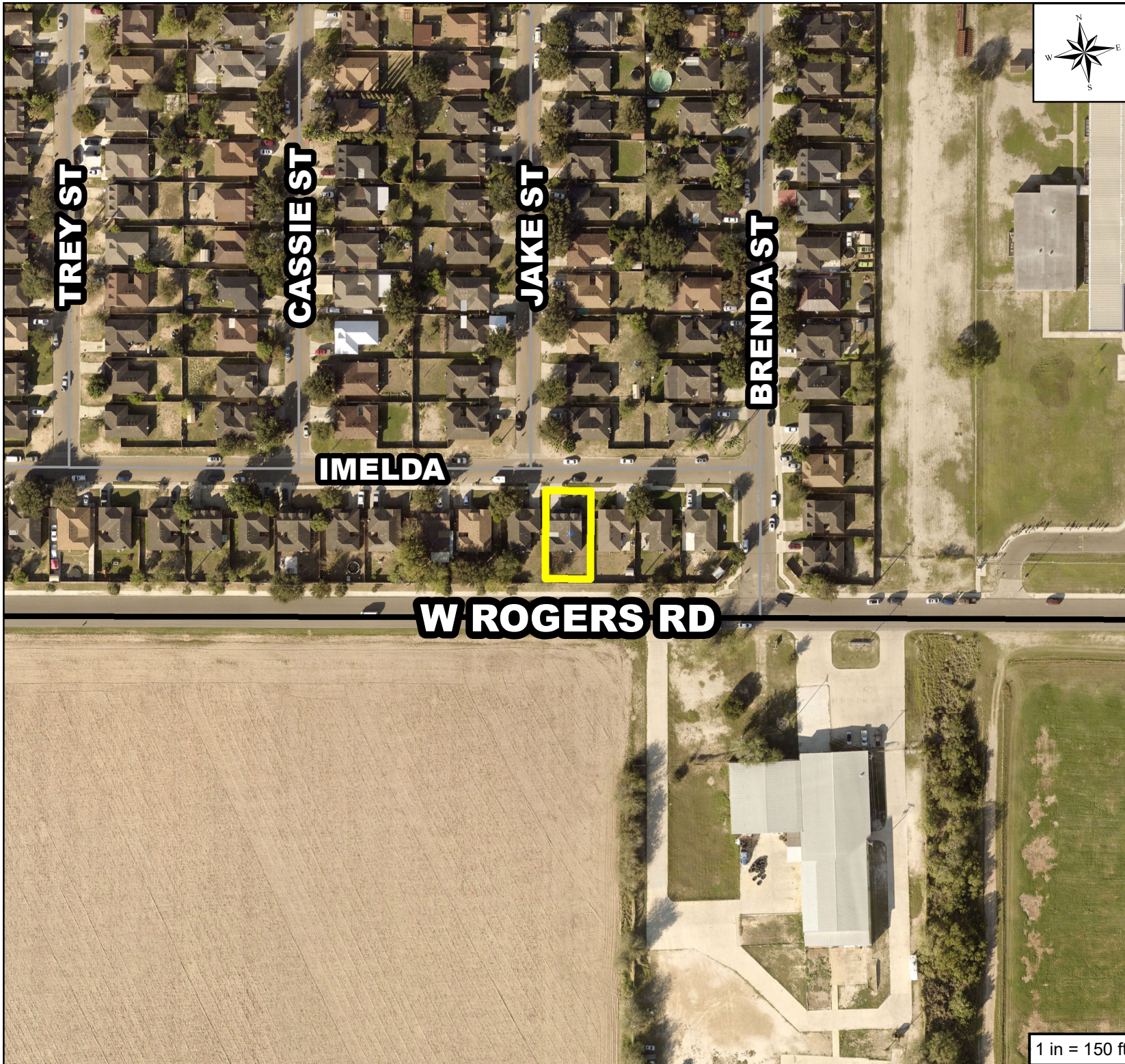
**Recommendation:**

Staff recommends disapproval of the variance as requested. If approved, the applicant will need to comply with all other requirements during the permitting process and pay a \$40 fee payable to the County of Hidalgo, submitted to the County Clerk's Office for the recording of the Zoning Board of Adjustment's order on this request, and any other City requirements, as applicable. A location map, aerial map, photo, site plan, and application from property owner are attached for the Board's consideration.

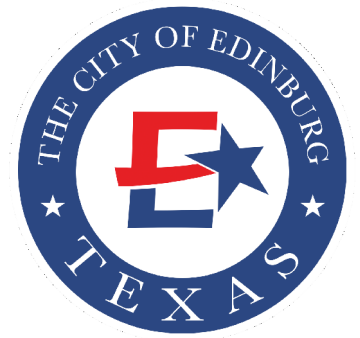
Prepared By:  
Rita Lee Guerrero  
Planner I

Approved By:  
Kimberly A. Mendoza, MPA  
Director of Planning & Zoning





1 in = 150 ft





### AERIAL MAP

#### CASE CAPTION:

**APPLICANT NAME:**  
**WILLMAR G HERRERA**

CONSIDER VARIANCE TO THE CITY'S UNIFIED DEVELOPMENT CODE ARTICLE 3, SECTION 3.301, SINGLE FAMILY RESIDENTIAL BULK STANDARDS, SETBACKS, BEING LOT 72, SOLANA SUBDIVISION PHASE 1, LOCATED AT 814 IMELDA STREET, AS REQUESTED BY WILLMAR G. HERRERA

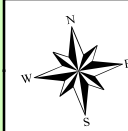
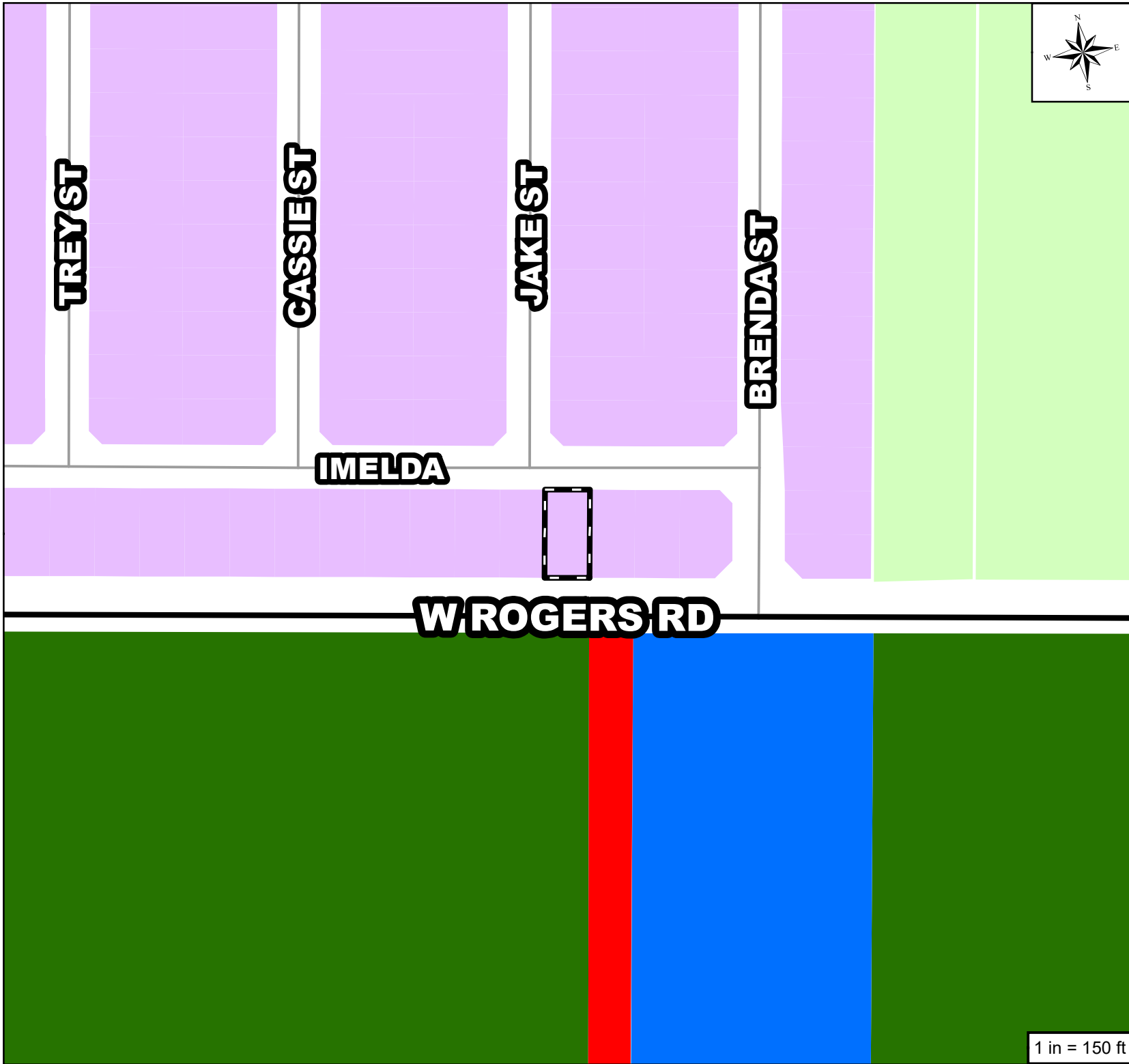
### Legend

-  CITY LIMITS
-  APPLICANT SITE

### SITE LOCATION MAP







**ZONING MAP**

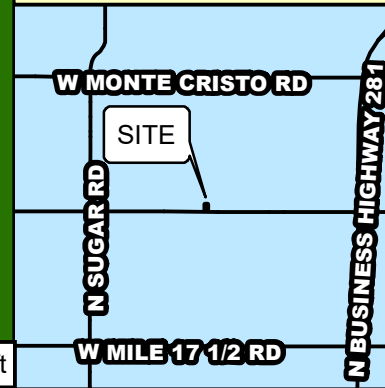
**CASE CAPTION:**

**APPLICANT NAME:**  
WILLMAR G HERRERA

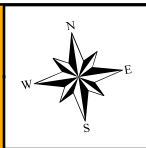
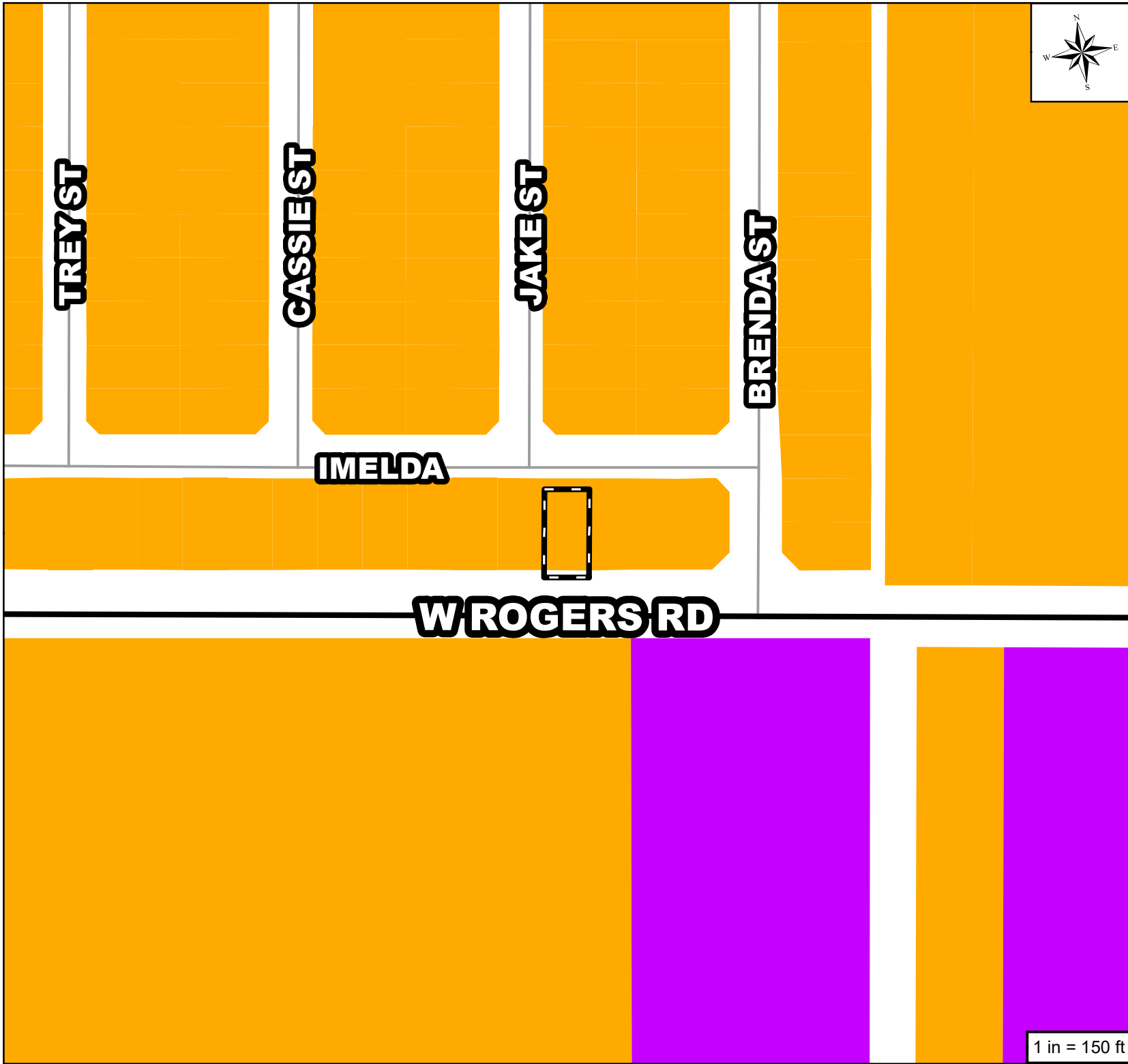
**Legend**

- CITY LIMITS
- APPLICANT SITE
- ZONING DISTRICTS**
  - AGRICULTURE
  - AUTO-URBAN RESIDENTIAL
  - COMMERCIAL, GENERAL
  - COMMERCIAL, NEIGHBORHOOD
  - DOWNTOWN DISTRICT
  - INDUSTRIAL
  - NEIGHBORHOOD CONSERVATION 5
  - NEIGHBORHOOD CONSERVATION 7.1
  - NEIGHBORHOOD CONSERVATION MH
  - SUBURBAN RESIDENTIAL
  - URBAN RESIDENTIAL
  - URBAN UNIVERSITY

**SITE LOCATION MAP**



1 in = 150 ft
















#### FUTURE LANDUSE MAP

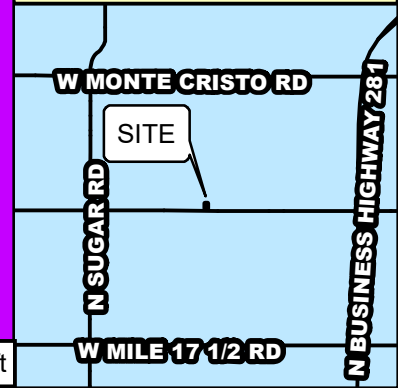
#### CASE CAPTION:

**APPLICANT NAME:**  
WILLMAR G HERRERA

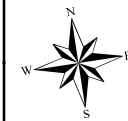
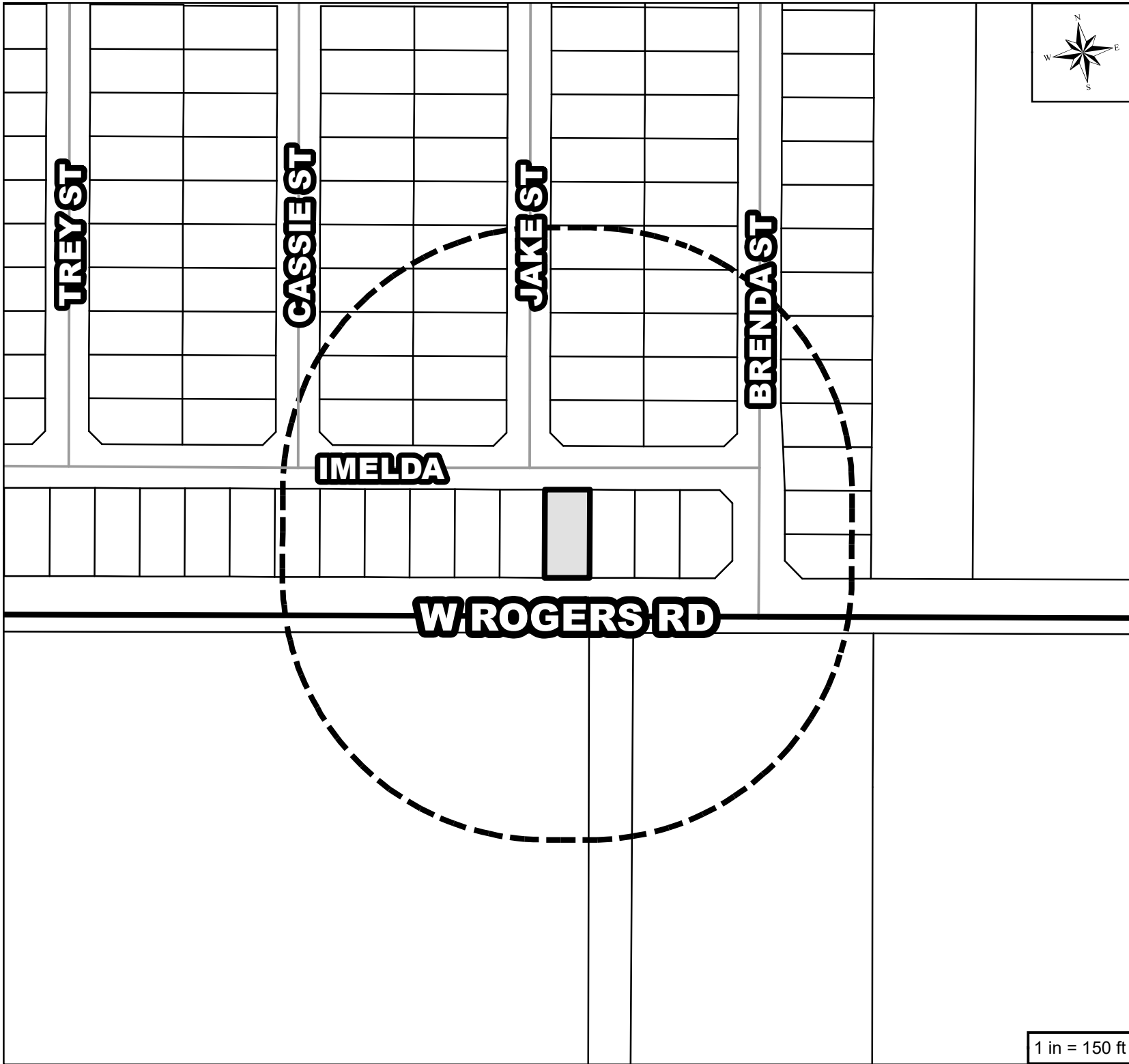
#### Legend

-  CITY LIMITS
-  APPLICANT SITE
- FUTURE LANDUSE**
  -  Agriculture
  -  Auto-Urban
  -  Downtown District
  -  General Commercial
  -  Industrial
  -  Mobile Home
  -  Neighborhood Commercial
  -  Office Business Park
  -  Suburban
  -  Urban
  -  Urban University

#### SITE LOCATION MAP



1 in = 150 ft






#### MAILOUT AND SITE MAP

##### CASE CAPTION:

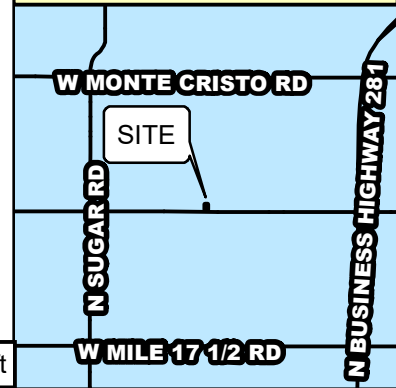
**APPLICANT NAME:**  
**WILLMAR G HERRERA**

CONSIDER VARIANCE TO THE CITY'S UNIFIED DEVELOPMENT CODE ARTICLE 3, SECTION 3.301, SINGLE FAMILY RESIDENTIAL BULK STANDARDS, SETBACKS, BEING LOT 72, SOLANA SUBDIVISION PHASE 1, LOCATED AT 814 IMELDA STREET, AS REQUESTED BY WILLMAR G. HERRERA

#### Legend

-  CITY LIMITS
-  300FT NOTIFICATION
-  APPLICANT SITE

#### SITE LOCATION MAP



1 in = 150 ft



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

**ZONING BOARD OF ADJUSTMENT APPLICATION  
REQUEST FOR VARIANCE**

Nature of Request: Car Port Over Driveway of Home

Reason for Hardship: My Grandmother (Aurora Medina Martinez) is  
(use other side if necessary)  
living with us for 6 months. She is 87 Years old and has  
trouble in the heart. The car port will protect her → (other side)

Property Description: \_\_\_\_\_  
Lot Block Subdivision

Property Address: 814 Imelda Edinburg Tx 78541

Present Property Zoning: \_\_\_\_\_

Person requesting Variance: Willmar G. Herrera

Mailing Address: 814 Imelda Edinburg Tx 78541  
Street Address City/State Zip Code

Phone No. (Home): 956-225-4953 (Work): \_\_\_\_\_ (Cell): 956-225-4953

Owner's Name: Willmar G. Herrera

Mailing Address: 814 Imelda Edinburg Tx 78541  
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: 8-5-21

Owner/Agent's Name (Please Print): Willmar G. Herrera

\$450 Application Fee: \_\_\_\_\_ Application Received by: \_\_\_\_\_  
Receipt No.

Application deadline: \_\_\_\_\_ 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

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

**RECEIVED**

**AUG 06 2021**

Name: WGH



cont. → will protect her from the Valley heat and will also protect her when it rains. This will ensure she stays dry and avoids slippery surfaces.

Attached is her passport and security stamp showing that she will live with us.

This car port will also protect her during winter since she can avoid any cold rain.

My Grandmother visits very often and for extended periods of time. We saved up and can finally build the car port but we need this variance to build it.

SUBMITTED BY: \_\_\_\_\_

DATE: \_\_\_\_\_



COMPLETE: \_\_\_\_\_  
INCOMPLETE: \_\_\_\_\_  
APPROVED BY: \_\_\_\_\_

**RESIDENTIAL & MULTIFAMILY  
BUILDING PERMIT APPLICATION**

ADDRESS: 415 W. UNIVERSITY DR. (PO BOX 1079), Edinburg TX 78540

PHONE (956) 388-8203 Fax (956) 292-2080

PERMIT NO.: \_\_\_\_\_ DATE ISSUED: \_\_\_\_\_

GENERAL CONTRACTOR Willmar G. Herrera

PHONE NO. \_\_\_\_\_

ADDRESS 814 Imelda

( ) - (OFFICE)

CITY, STATE & ZIP Edinburg Tx 78541

(956) 225-4953 (MOBILE)

EMAIL ADDRESS willmar.herrera@hotmail.com

PROJECT SITE ADDRESS: 814 IMELDA

IMPROVEMENT  
VALUE \$ 1000

LOT(S): \_\_\_\_\_ BLOCK: \_\_\_\_\_ SUBDIVISION: \_\_\_\_\_ SUBD. GATE CODE \_\_\_\_\_

SCOPE OF WORK: Adding a metal car port to home / 4x4 metal post for support  
16 gauge galvanized steel sheets 1 3/4 screws to hold. 2x4 post to hold sheets  
2x6 post to hold sides

NEW \_\_\_\_\_ ADDITION \_\_\_\_\_ REMODEL \_\_\_\_\_ REPAIR \_\_\_\_\_ FENCE \_\_\_\_\_ DEMOLITION (NEED APPROVAL: SWD)

PLEASE CHECK ONE: RESIDENTIAL \_\_\_\_\_ MULTI-FAMILY \_\_\_\_\_

TOTAL BLDG SQ. FT. \_\_\_\_\_ # PARKING \_\_\_\_\_ SQ. FT. LOT \_\_\_\_\_ FLOOR ELEVATION \_\_\_\_\_  
SQ. FT. LIVING \_\_\_\_\_ SPACE \_\_\_\_\_ LOT \_\_\_\_\_ ABOVE TOP OF CURB \_\_\_\_\_

NO. OF NO. OF NO. OF NO. OF SQ. FT. FLOOD BLDG.  
UNITS FLOORS BDRMS BATHRMS CARPORT ZONE HEIGHT

**BUILDING DISTANCE FROM PROPERTY LINES**

FRONT SIDE REAR SIDE

FOUNDATION EXT WALLS INTERIOR WALL ROOF OTHER CONDITIONS

CONCRETE SLAB MASONRY VENEER SHEETROCK ROOF SHINGLES PUBLIC SIDEWALK  
CONCRETE PIER MASONRY SOLID PANEL COMPOSITION CORNER LOT  
CONCRETE BLOCK METAL SIDING SEALED METAL CUL-DE-SAC  
CONCRETE BEAM COMPOSITION TEXTONE CLAY TILE OTHER

OWNER: Willmar G. Herrera

PHONE NO. (956) 225-4953

ADDRESS: 814 IMELDA

MOBILE NO. ( ) -

CITY: Edinburg

STATE TX

ZIP 78541

\*\*\*\*\*

PERMIT FEE \$ \_\_\_\_\_

PARKLAND FEE \$ \_\_\_\_\_

TOTAL PERMIT FEE \$ \_\_\_\_\_

OFFICE USE ONLY

EFFECTIVE IMMEDIATELY

PROJECT ID: \_\_\_\_\_

Inspections requested between 8:00 A.M to 11:30 A.M will be conducted that same afternoon (time permitting).

Inspections requested between 11:31 A.M to 4:30 P.M will be conducted the following (business) morning (time permitting).

The Code Enforcement Department would like to inform the general public as well all construction contractors of our plan submittal process.

The following items will need to be turned in when submitting a plan for Apartments, Duplex's, Residential Construction, Remodeling and Additions.

**CODE'S USED**

2012 International Residential Code   2012 International Plumbing Code   2012 International Mechanical Code  
2009 International Energy Code   2008 National Electrical Code   2012 International Wildlife-Urban  
Interface Code

**Site Plan : Dimensions**

- |   |   |
|---|---|
| <input type="checkbox"/> One (1) set to scale 8 ½ X 11  | <input type="checkbox"/> Final Submittal approval required (PDF- CD or E-Mailed)  |
| <input type="checkbox"/> Foot print of the proposed structure and all existing building and distance to proposed structure.         | <input type="checkbox"/> Driveway or Parking Layout (with Dimensions)   |
| <input type="checkbox"/> Front Building Setback   | <input type="checkbox"/> Existing conditions or structure (If applicable)   |
| <input type="checkbox"/> Rear Building Setback  | <input type="checkbox"/> Show north arrow   |
| <input type="checkbox"/> Side Building Setback <u>Circle applied direction</u><br>north / west      south / east<br>front      rear | <input type="checkbox"/> Indicate all easements on the site plan  |
| <input type="checkbox"/> Accessory structure location, if applicable  | <input type="checkbox"/> Location of water service, gas and sewer to be installed. (must call 1-800-344-8377 before digging is started) |

**Building Documents: One (1) copy to be drawn to scale and dimensioned with the Following:**

- |   |  |
|---|--|
| <input type="checkbox"/> Front Elevation <input type="checkbox"/> Rear Elevation <input type="checkbox"/> Sides Elevation   |  |
| <input type="checkbox"/> Cross section detail specifically for the structure  |  |
| <input type="checkbox"/> Label wall section indicating materials and stud spacing   |  |
| <input type="checkbox"/> Roof covering 905 IRC  |  |
| <input type="checkbox"/> Foundation Plans with following: Footing size, depth and width Minimum 12" below grade. 403 IRC<br>Foundation Details, Steel placement and size<br>(NOTE: Post Tension Slab require, location of cables and calculations with engineer seal) |  |
| <input type="checkbox"/> Framing details (bracing as per 2012 IRC (if using engineered trusses, provide engineering details of trusses to be used, along with a layout plan showing location of trusses. (requires engineer seal)                                     |  |
| <input type="checkbox"/> Roof plan showing / slope, venting location (Soffit, Air Hawks and Ridge Vents)  |  |
| <input type="checkbox"/> Size span and support of all beams and headers   | <input type="checkbox"/> Exterior finishes: example (brick, wood siding) |
| <input type="checkbox"/> Insulation type and R factor for walls, ceilings   | <input type="checkbox"/> Attic Calculations                              |
| <input type="checkbox"/> Water heater location and installation details   | <input type="checkbox"/> A/C location and installation details           |

**Stair Details: (Interior and Exterior)**

- |  |   |
|--|---|
| <input type="checkbox"/> Rise maximum 7 ¾" and Tread minimum 10" for residential |   |
| <input type="checkbox"/> Stairway with location & height 36" for residential     | <input type="checkbox"/> Headroom 6' – 8"   |
| <input type="checkbox"/> Handrails and Guardrails RR 315.1 & RR 316.1            | <input type="checkbox"/> The above stair details are specific to this plan (not typical drawings) |



<b>Floor Plans</b>	
<input type="checkbox"/> Layout of main floor with all rooms labeled	<input type="checkbox"/> Layout of secondary floors with all rooms labeled
<input type="checkbox"/> Door sizes	<input type="checkbox"/> Window sizes
<input type="checkbox"/> Attic and crawl spaces access locations labeled and size	<input type="checkbox"/> Dash lines indicating ceiling heights and shape
<b>Electrical Details</b>	
<input type="checkbox"/> Service panel location	<input type="checkbox"/> All lights, switches, and receptacles
<input type="checkbox"/> Smoke alarm locations	<input type="checkbox"/> Exhaust Fan (restroom(s) )
<b>Plumbing Details</b>	
<input type="checkbox"/> Furnace location and size	<input type="checkbox"/> All fuel gas locations
<b>Manual - J Report for mechanical installations</b>	
<b>Energy Compliance Report and Checklist: 2009 IECC (13 SEER or HIGHER )</b>	
<b>Wind Storm Compliance</b>	
<input type="checkbox"/> Wall Bracing Plan & Details	
<input type="checkbox"/> Engineer Sealed	
<b>Notes:</b>	

**OWNER/CONTRACTOR IS RESPONSIBLE TO SCHEDULE ANY AND ALL REQUIRED INSPECTIONS. IF YOU HAVE ANY QUESTIONS PLEASE CONTACT THE PERMITS DEPARTMENT AT 956-388-8203.**

**CONTRACTOR NEEDS TO SUBMIT GENERAL LIABILITY INSURANCE OR SURETY BOND.**

I hereby certify that I have read and examined this document and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. Granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction

REVIEWER/INSPECTOR \_\_\_\_\_ DATE \_\_\_\_\_

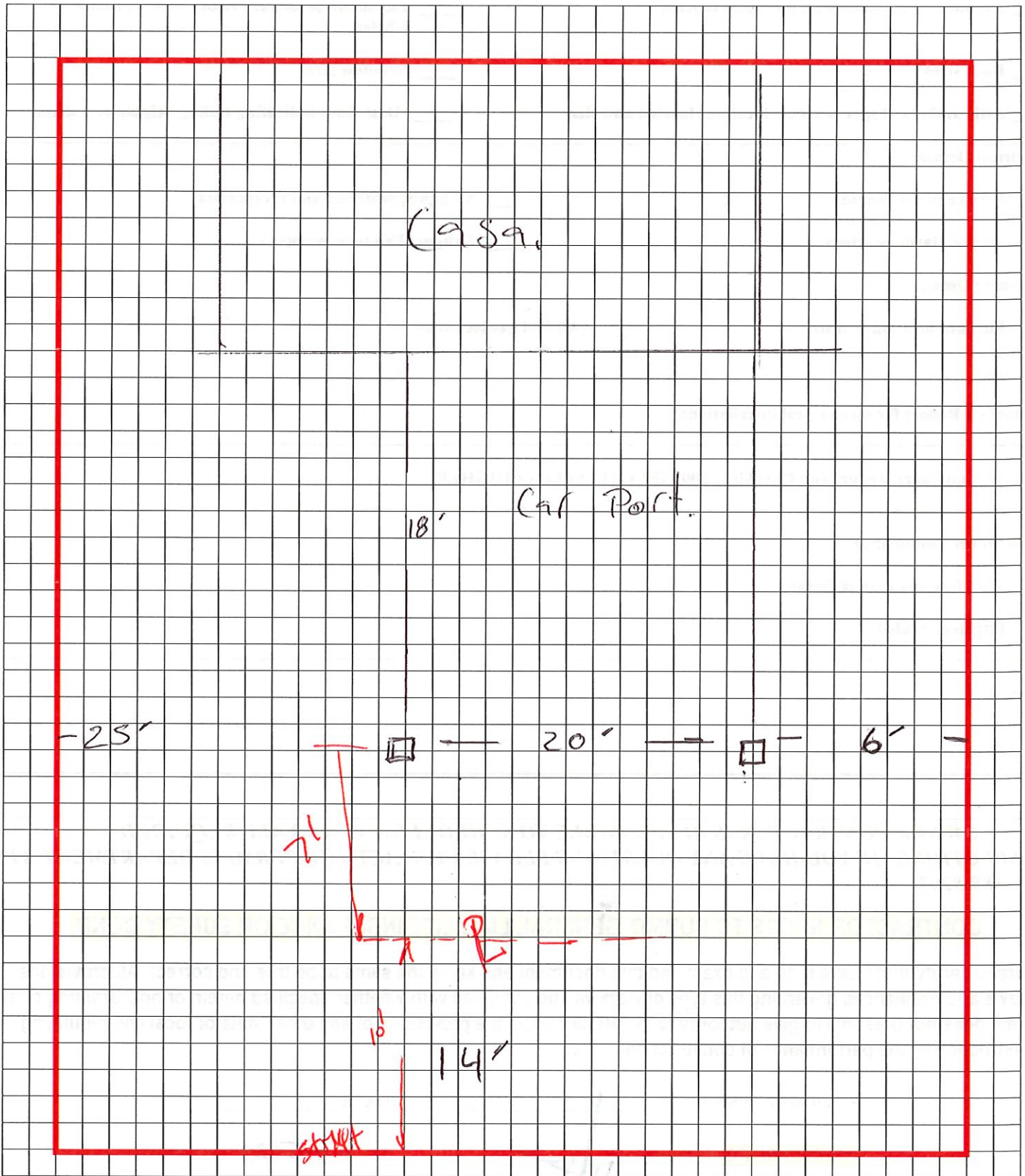
**AGENT/OWNER** \_\_\_\_\_ DATE 8-5-21

(DEMOLITION) SOLIDWASTE APPROVAL: \_\_\_\_\_ DATE: \_\_\_\_\_

**TURN PAGE OVER TO DRAW SITE PLAN**  
 \*\*\*\*\* APPLIES TO MINOR IMPROVEMENTS ONLY\*\*\*\*\*

SITE PLAN AND FLOOR PLAN IS REQUIRED

REAR



\*\*\*IRREGULAR LOTS WILL BE REQUIRED TO SUBMIT A SURVEY\*\*\*

FRONT

Materials

~~16~~ 16 Gauge Galvanize sheets  
screws  $\rightarrow$  1 3/4 to hold laminated sheets  
4x4 metal post For support  
2x4 Purlin Post to hold laminated sheet

2x6 purlin to  
hold sides.



## List of Stormwater Requirements for Residential Construction

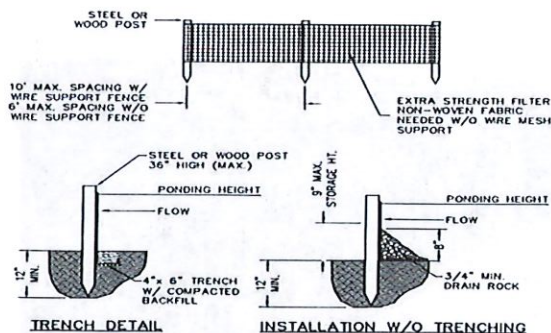
### *During Construction:*

1. Contractor will Maintain Good Housekeeping practices. Examples, cleaning of dirt, silt, mud, and construction materials on and off of project site.
2. Silt Fence is required around and in front of property, Silt fence will keep runoff and debris from flowing and blowing onto street.
3. Contractor will keep all vehicles from coming on and off of site. Tracking mud, sand, and dirt are a Violation of city Ordinance (Ordinance # 2010-3464) and under the City of Edinburg's State Permit TXR040323. Routine Stormwater inspection will be conducted, if contractor continues to be in violation of tracking mud, sand, and dirt onto city streets, the contractor will be required to install a rock entrance, or can be issued a stop work order with a citation up to \$2,000 under the Texas Code of Criminal Procedure Article 4.14 and Texas Government Code Section 29.003.
4. Contractor is required to have a dumpster on project site. 4x8 plywood dumpster is allowed, unless the contractor wishes to have a commercial dumpster.
5. Contractor will assure that all paved surfaces will be swept as needed after the work day is completed. Using water to wash paved surfaces is not allowed and is prohibited.
6. Contractor will assure that all concrete wash outs will be washed on assigned wash out area. If dumped on city property or streets, citation will be issued to contractor and concrete facility. It is the contractor's responsibility for having a designated area for all wash outs.
7. Inlet protection needed if storm drain is close to project site.

### *Post-Construction:*

1. Contractor will assure that all BMPs will not be taken down until 70% of vegetation is installed. All BMPs will be maintained during the duration of the construction.
2. Contractor will continue to Maintain Good Housekeeping practice
3. Contractor will not leave any construction material on street or any city right a-way. In addition, contractors will assign a cleanup crew for street and curbs after the work day is complete.

Failure to meet these requirements will and can result on a stop work order and/or citation. If you have any questions, please feel free to contact the Stormwater Inspector Robert Valenzuela at (956) 388-8211. [rvalenzuela@cityofedinburg.com](mailto:rvalenzuela@cityofedinburg.com) or Cell phone 956-250-7767



**Silt Fence Required!**



## Lista de requisitos para la construccion residencial

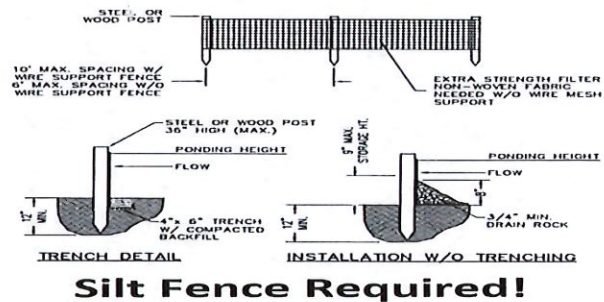
### *Durante la construccion:*

1. El contratista deve mantener buenas practicas de limpieza. Por ejemplo: limpieza de limo, lodo y materiales para contruccion dentro y fuera del sitio del Proyecto.
2. Se requiere cerca de limo alrededor y delante de la propiedad, la cerca de limo evitara que la escorrentia y los escombros fluyan y soplen hacia la calle.
3. El contratista deve mantener a todos los vehiculos fuera y dentro del sitio. El rastreo de lodo, arena, y suciedad son una violacion de la ordenanza de la ciudad. (Ordenanza #2010-3464) y de bajo del permiso estatal de la ciudad de Edinburg TXR040323. Una inspeccion de rutina sera conducida si el contratista sigue violando las reglas, el contratista tendra que instalar una entrada de rocas, o se puede emitir una orden para parar el trabajo con una citacion de hasta \$2,000 bajo el codigo de Texas de procedimiento penal del gobierno seccion 29.003.
4. El contratista esta obligado a tener un contenedor de basura en el sitio de contruccion. El contendedor deve tener las medidas de 4X8, un contendedor de madera contrachapada esta permitido, a menos que el contratista desee tener un contenedor comercial.
5. El contratista deve asegurarse que todas las sonas pavimentadas esten limpias despues de aver terminado con el trabajo del dia. El uso de agua para limpiar no esta permitido.
6. El contratista deve asegurarse de que todas las sonas pavimentadas sean limpiadas apropiadamente. Si se vierten en las propiedades o calles de la ciudad, se emitara la citacion a el contratista. Es responsabilidad de el contratista de tener areas designadas para todo tipo de materiales y objetos usados para el trabajo.
7. Se necesita proteccion de entrada si el drenaje de tormentas esta cerca del sitio del proyecto.

### *Despues de la construccion:*

1. El contratista deve asegurarse que todos los BMPs no se quitaran asta que el 70% de vegetacion este instalada. Todos los BMPs estaran instaladas durante la contriccion.
2. El contratista continuara teniendo buena practica de limpieasa.
3. El contratista no deve dejar material de construccion en la calle o en ninguna area de la ciudad. El contratista deve assignar a un grupo de limpieza para las calles despues de que se haya acavado el dia de construccion.

Al no estar al pie con estos requisistos puede resultar con una orden para parar la contruccion o con una multa. Si tiene alguna pregunta puede contactar a el inspector Robert Valenzuela at numero 956-388-8211









# THE CITY OF Edinburg

## NOTIFICATION

Dear Property Owner:

A public hearing will be held on Wednesday, August 25, 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 3.301, SINGLE FAMILY RESIDENTIAL BULK STANDARDS, SETBACKS, BEING LOT 72, SOLANA SUBDIVISION PHASE 1, LOCATED AT 814 IMELDA STREET, AS REQUESTED BY WILLMAR G. HERRERA**

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, August 25, 2021
- [planning@cityofedinburg.com](mailto: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

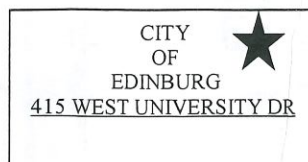
Comments: \_\_\_\_\_

*In favor to continue*  
Print Name: Mary Alice & Joe Ponce Phone No.: 956-534-5927  
Address: 900 Imelda St City: Edbg State: TX Zip: 78541

## NOTIFICACION

Si tiene preguntas ó necesita más información sobre esta petición, 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



8th Ave.

University Dr. (S.H.107)

RECEIVED

AUG 17 2021

Name: cel 4:53

**ZONING BOARD OF ADJUSTMENT REGULAR MEETING  
AUGUST 25, 2021**

**Item:**

Consider Variance to the City's Unified Development Code Article 3, Section 3.505, Easements & Utilities, being Lot 7, Summerset Estates Subdivision, located at 5001 Juno Court, as requested by Rogelio & Christina Deleon

---

**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 of the request is to allow for the construction of a pool within two easements totaling 40 feet. One of the easements is a 10 ft. utility easement and the other is a 30 ft. exclusive easement to Hidalgo County Irrigation District #2 located at the rear of the property.

**Property Location and Vicinity:**

The property is located at the end of the cul-de-sac on Juno Court, approximately 350 ft. north of Maravilla Drive. The property is located on a cul-de-sac and has 41.48 ft. of frontage along Juno Court and 126.24 ft. of depth to its deepest point for a tract size of 8,779.3 square feet. This property is currently zoned Auto Urban Residential (AU) District. Surrounding zoning is Auto Urban Residential (AU) District to the north, east and south, and Commercial General (CG) District to the west. The adjacent land uses consist of residential uses.

**Background and History:**

Summerset Estates Division was recorded on August 22, 2014. The applicant is proposing to construct a pool at the rear of the property located within a 40 ft. drainage and utility easement. A site plan for the pool was received on June 18, 2021 and has been reviewed by staff. During the review it was determined a section of the home was constructed over the utility easement leaving only a 30 ft. separation from the home to the rear yard property line. A building permit for the home was issued on October 21, 2016. However, there is no record of a variance for the portion of the home that is encroaching. Should the variance be granted for the pool, a building permit will need to be submitted for review by City staff. No other variances of this nature have been granted in this area.

Staff mailed a notice of the variance request to 44 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 a pool within the 40 ft. Hidalgo County Irrigation District and utility easement. The applicant has requested leaving only an 11.2 ft. separation from north property line to pool and 39.10 ft. from west property line to pool. Drawings have been provided for the Board's consideration.



**Recommendation:**

Staff recommends approval of the variance request for the pool with a contingency that a letter of approval from the Hidalgo County Irrigation District #2 be provided prior to building permit issuance. Staff also recommends approval of the non-conforming home that is encroaching into the 10 ft. utility easement as shown on the survey. If approved, it will bring the existing home into conformance 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



-02

3AR F

SUMMER DR

JUNO DR

AUGUST DR

MAY DR

NEVIS DR

W ALBERTA RD

S SUGAR RD

JUNO CT

AUGUST CT

MARAVILLA DR

BEAMAN SUBD.

LOT 1A

LOT 1B

-02

K2400-00600-0058-

1 in = 200 ft





AERIAL MAP

CASE CAPTION:

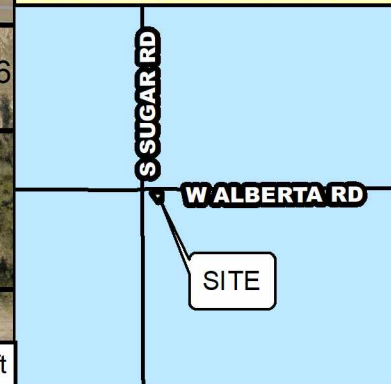
APPLICANT NAME:

ROGELIO & CHRISTINA DE LEON  
CONSIDER VARIANCE  
TO THE CITY'S  
UNIFIED DEVELOPMENT CODE  
ARTICLE 3, SECTION 3.505,  
EASEMENTS & UTILITIES,  
BEING LOT 7,  
SUMMERSET ESTATES,  
LOCATED AT 5001 JUNO COURT,  
AS REQUESTED BY  
ROGELIO & CHRISTINA DELEON

Legend

-  CITY LIMITS
-  APPLICANT SITE

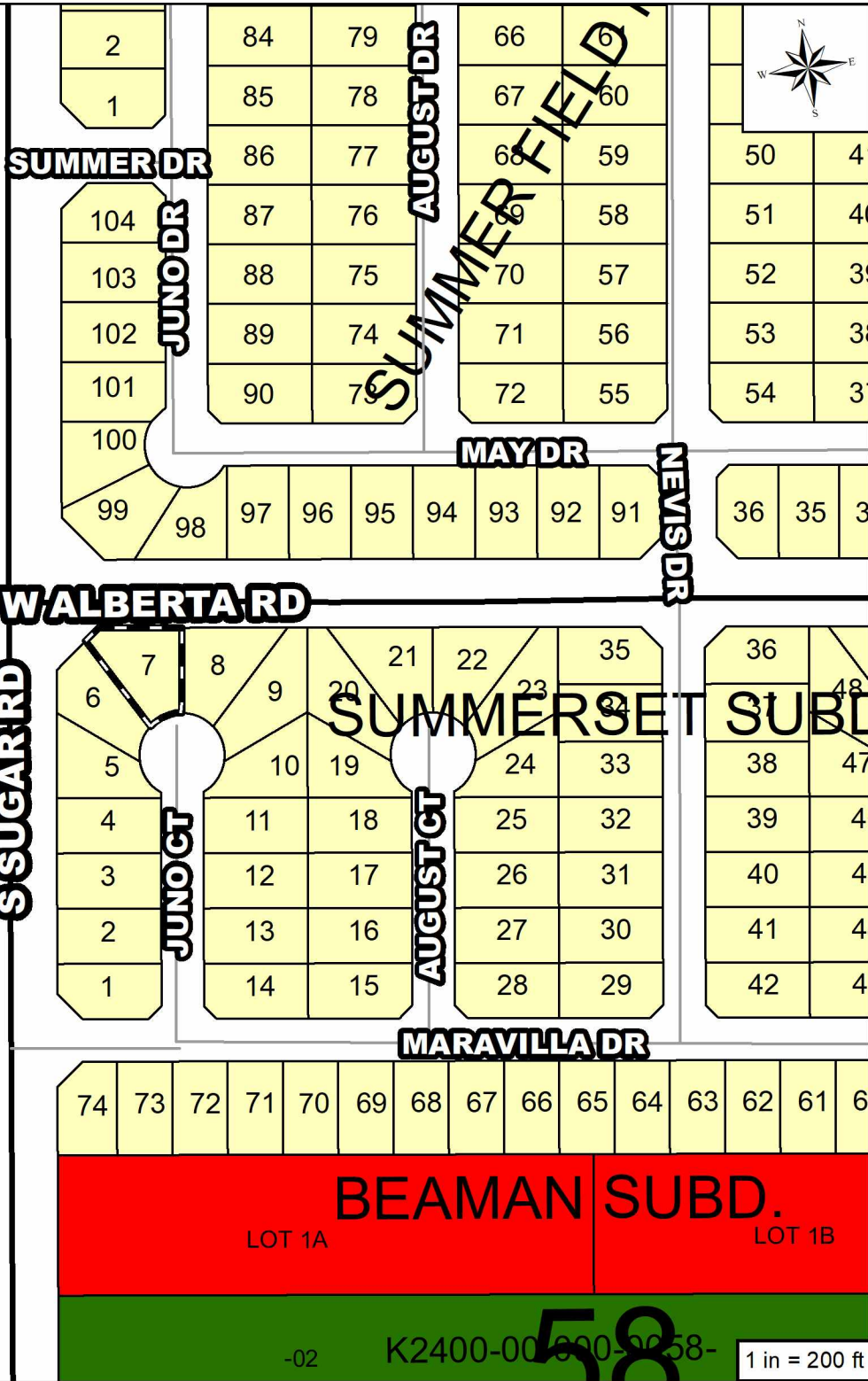
SITE LOCATION MAP





0-00-000-0056-  
-02  
SUGAR F  
A ROAD

PREMIUM HELIUM  
SUBDIVISION  
1  
2  
3  
4  
5



**ZONING MAP**  
**CASE CAPTION:**  
**APPLICANT NAME:**  
ROGELIO & CHRISTINA DE LEON

**Legend**

- CITY LIMITS
- APPLICANT SITE
- ZONING DISTRICTS**
  - AGRICULTURE
  - AUTO-URBAN RESIDENTIAL
  - COMMERCIAL, GENERAL
  - COMMERCIAL, NEIGHBORHOOD
  - DOWNTOWN DISTRICT
  - INDUSTRIAL
  - NEIGHBORHOOD CONSERVATION 5
  - NEIGHBORHOOD CONSERVATION 7.1
  - NEIGHBORHOOD CONSERVATION MH
  - SUBURBAN RESIDENTIAL
  - URBAN RESIDENTIAL
  - URBAN UNIVERSITY

**SITE LOCATION MAP**

1 in = 200 ft



0-00-000-0056-  
-02

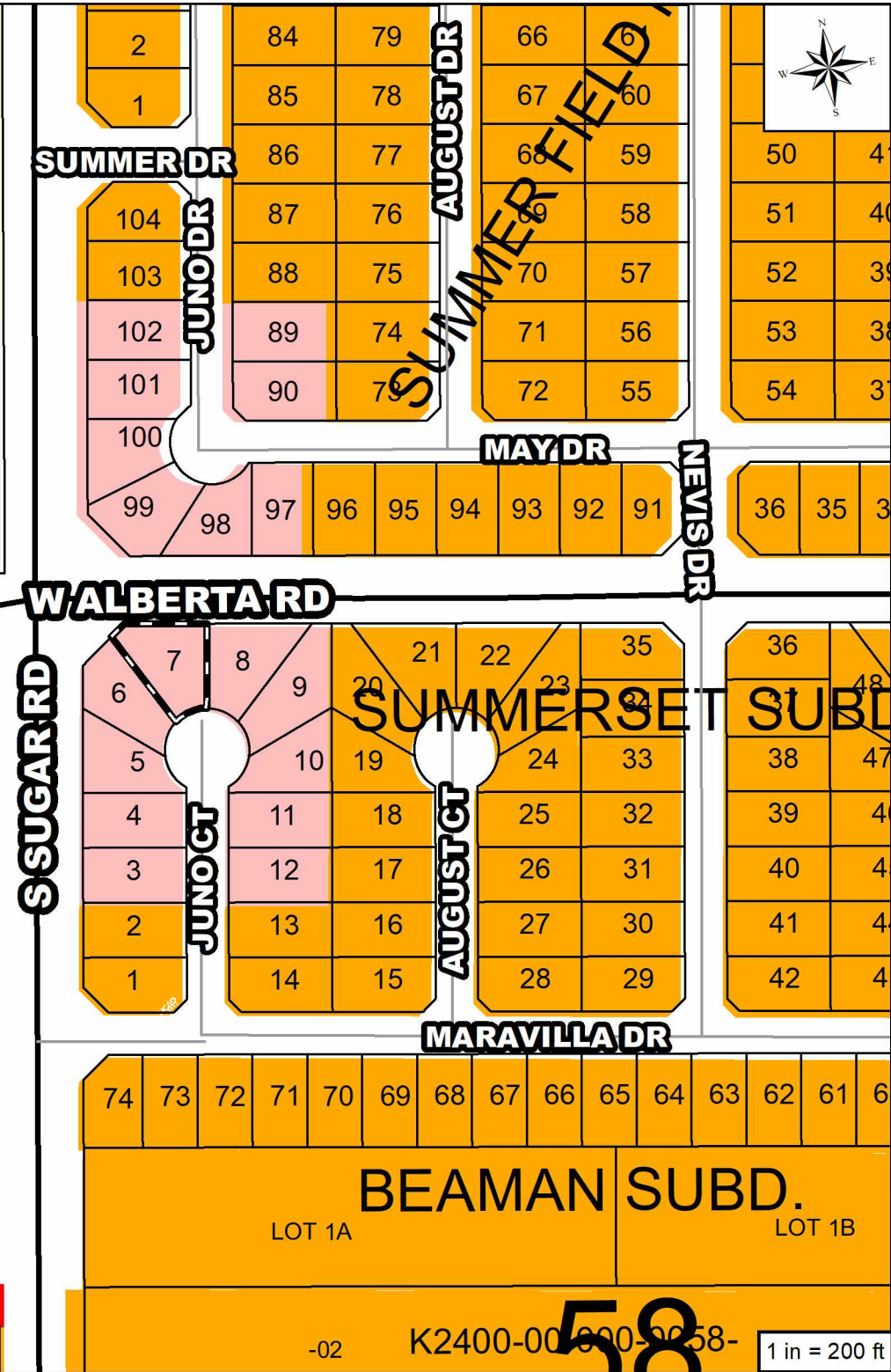
**SUGAR F**


**A ROAD**

**PREMIUM HELIUM**  
1  
2  
3  
4  
5

**SUBDIVISION**

**HCAD 2012**


















**FUTURE LANDUSE MAP**


**CASE CAPTION:**

**APPLICANT NAME:**  
ROGELIO & CHRISTINA DE LEON

**Legend**

-  CITY LIMITS
-  APPLICANT SITE
- FUTURE LANDUSE**
-  Agriculture
-  Auto-Urban
-  Downtown District
-  General Commercial
-  Industrial
-  Mobile Home
-  Neighborhood Commercial
-  Office Business Park
-  Suburban
-  Urban
-  Urban University

**SITE LOCATION MAP**



**SUGAR RD**

**W ALBERTA RD**

**SITE**

**1 in = 200 ft**






## MAILOUT AND SITE MAP

### CASE CAPTION:

### APPLICANT NAME:

ROGELIO & CHRISTINA DE LEON  
CONSIDER VARIANCE  
TO THE CITY'S  
UNIFIED DEVELOPMENT CODE  
ARTICLE 3, SECTION 3.505,  
EASEMENTS & UTILITIES,  
BEING LOT 7,  
SUMMERSET ESTATES,  
LOCATED AT 5001 JUNO COURT,  
AS REQUESTED BY  
ROGELIO & CHRISTINA DELEON

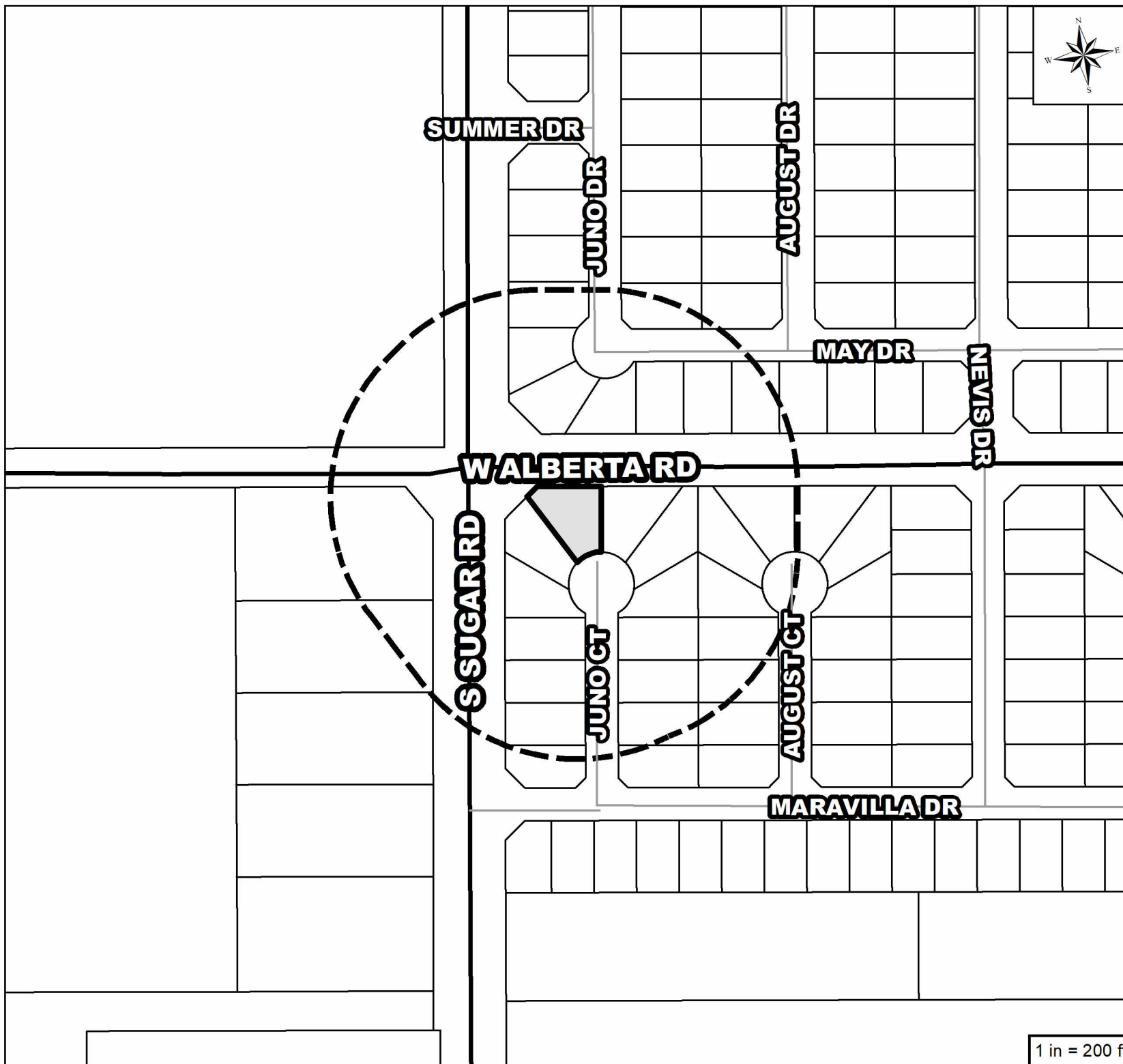
## Legend

-  CITY LIMITS
-  300FT NOTIFICATION
-  APPLICANT SITE

## SITE LOCATION MAP



1 in = 200 ft







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

**ZONING BOARD OF ADJUSTMENT APPLICATION  
REQUEST FOR VARIANCE**

Nature of Request: Variance request to encroach on easement due pool

Reason for Hardship: Property owners are requesting a variance to encroach on  
(use other side if necessary) current easement for the purpose of building a pool in back yard.

Property Description: 7 Summerset Estates  
Lot Block Subdivision

Property Address: 5007 Juno Court, Edinburg Texas 78539

Present Property Zoning: \_\_\_\_\_

Person requesting Variance: Rogelio DeLeon, Jr. and Christina L. DeLeon

Mailing Address: 5001 Juno Court Edinburg, TX 78539  
Street Address City/State Zip Code

Phone No. (Home): 7609948940 (Work): \_\_\_\_\_ (Cell): 7609948938

Owner's Name: Rogelio DeLeon, Jr. and Christina L. DeLeon

Mailing Address: 5001 Juno Court Edinburg, Tx 78539  
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: Rogelio DeLeon Jr. + Christina L. DeLeon Date: 8-5-21

Owner/Agent's Name (Please Print): Rogelio DeLeon Jr. & Christina L. DeLeon

\$450 Application Fee: \_\_\_\_\_ Application Received by: \_\_\_\_\_  
Receipt No.

Application deadline: \_\_\_\_\_ 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

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

**RECEIVED**

AUG 09 2021

Name: ag 9:24



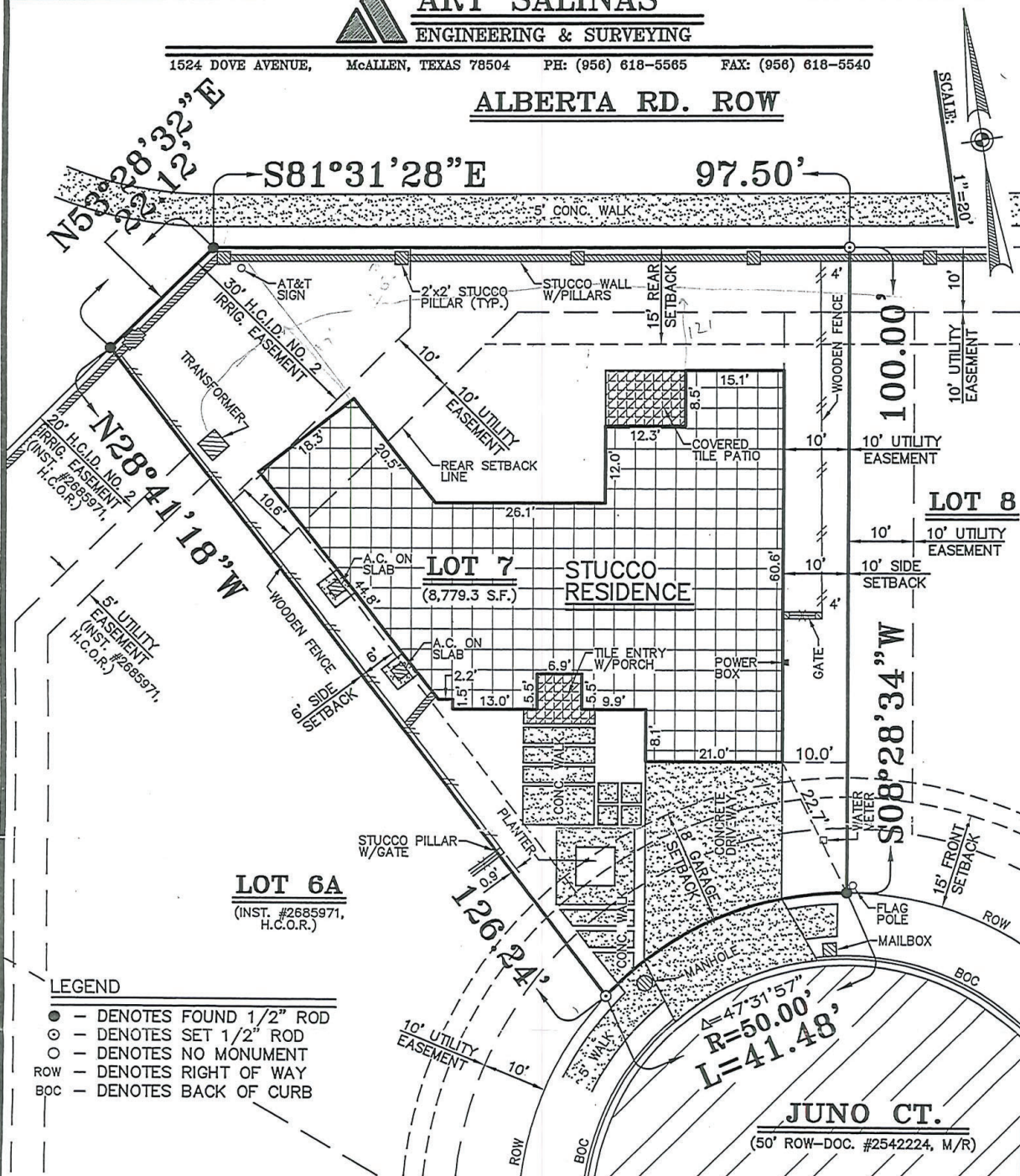


# ART SALINAS

## ENGINEERING & SURVEYING

1524 DOVE AVENUE, McALLEN, TEXAS 78504 PH: (956) 618-5565 FAX: (956) 618-5540

### ALBERTA RD. ROW



**FLOOD ZONE CERTIFICATION:** The property shown hereon lies in Zone "X". Zone "X" areas are 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 as per F.E.M.A. Flood Insurance Rate Map No. 480338-0030-E dated 06-06-00.

**THIS IS TO CERTIFY THAT I HAVE, THIS DATE, PREPARED A SURVEY ON THE PROPERTY WHICH IS LOCATED AT 5001 JUNO CT., in EDINBURG, TEXAS, DESCRIBED AS FOLLOWS:**

ALL OF LOT 7, SUMMER ESTATES SUBDIVISION, AN ADDITION TO THE CITY OF EDINBURG, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP FILED AUGUST 22, 2014 UNDER DOCUMENT NUMBER 2014-2542224 IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS, REFERENCE TO WHICH IS HERE MADE FOR ALL PURPOSES.

17-52037  
Job No.

08-24-17  
Date

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Registered Professional Land Surveyor No. 4802







# RESIDENTIAL SPEC. SHEET HAMLIN POOLS

PERMIT: MCALLEN ELECT. (YES)/NO PLMNG (YES)/NO DATE: 8/6/21

NAME: CHRISTINA DE LEON

ADDRESS: 5001 JUNO COURT EDINBURG TX 78539

LEGAL: LOT 7, SUMMERSET ESTATES

HOME.: — Mob.: 760-994-8938

E-MAIL ADDRESS: —

## POOL

SIZE 16'6"x27'1"

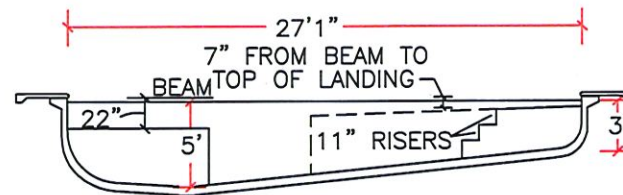
AREA 550 s.f

PERIMETER 106'

INT. SURF. 974 s.f

VOLUME 16,000 gl

DEPTHS 3'-5'



**DETAIL: POOL PROFILE**

SCALE: 1/8"=1'

## POOL SPECIFICATIONS

**PUMP:** VSF PUMP WHISPERFLOW

FLOW RATE: 40 gpm

TURN OVER RATE: 6 hrs.

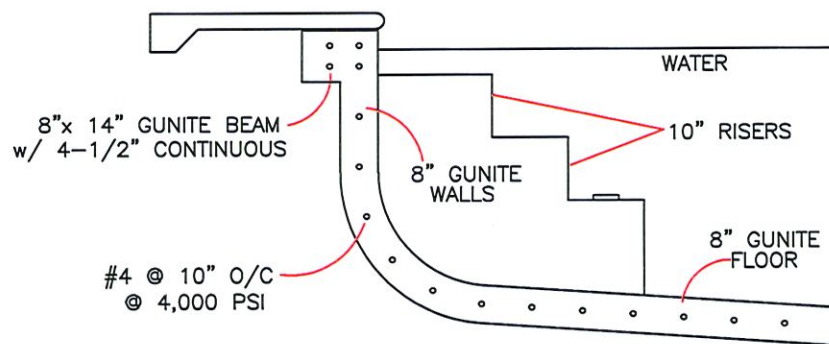
**FILTRATION:** FNS NAUTILUS

SIZE: 36 s.f./D.E.

**HEATER:** NONE

SIZE: n/a

**MAKE-UP WATER:** WATER LEVELER, CONNECTED TO A BACKFLOW PREVENTER THAT IS TIED TO THE MAIN WATER LINE



**DETAIL: SHELL**

SCALE: 1/4"=1'

Name: 208 4:24

AUG 09 2021

RECEIVED









### NOTIFICATION

Dear Property Owner:

A public hearing will be held on Wednesday, August 25, 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 7, SUMMERSET ESTATES, LOCATED AT 5001 JUNO COURT, AS REQUESTED BY ROGELIO & CHRISTINA DELEON**

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, August 25, 2021
- [planning@cityofedinburg.com](mailto: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

Comments: We, the property owners of 5006 Juno Court, are in favor of the  
variance to the property located at 5001 Juno Court.

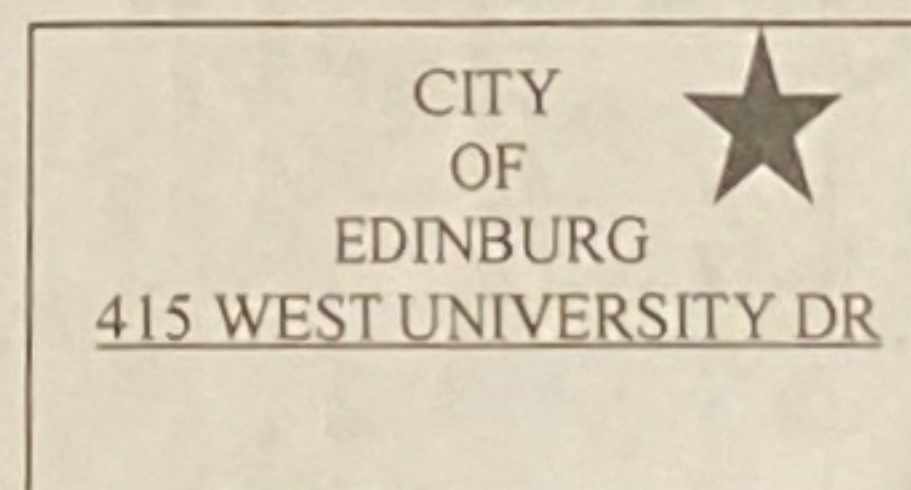
Print Name: Mark A. Garza and Cristina DeLa Fuente-Garza Phone No.: \_\_\_\_\_

Address: 5006 Juno Court City: Edinburg State: TX Zip: 78539

### NOTIFICACION

Si tiene preguntas ó necesita más información sobre esta petición, 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



8th Ave.

University Dr. (S.H.107)



<b>2021 ATTENDANCE RECORD</b> <b>ZONING BOARD OF ADJUSTMENTS COMMISSION MEETINGS</b>
---

	01/27/21	02/24/21	03/31/21	04/28/21	05/26/21	06/30/21	07/28/21					
Juan Lopez- Chairperson	P	P	A									
Samuel Simon- Co-Chairperson	A	P	A	P	P	P	P					
George Cardenas- Regular	P	P	P	A	A	P	P					
Jason De Leon- Regular	P	P	P	P	P	P	P					
Andre Maldonado- Regular	P	P	A	P	A	A	P					
Mario Escobar- Alternate	A	A	A	A	A	A	A					
Eddie Garza- Alternate	P	A	P	P	P	P	P					
Jorge Ortegon- Alternate	A	A	A	A	A	A	P					
Alex Rios- Alternate	P	A	P	P	P	A	P					

<b>2021 ATTENDANCE RECORD</b> <b>ZONING BOARD OF ADJUSTMENTS COMMISSION WORKSHOPS</b>
--

[illegible]