



**NOTICE AND AGENDA  
ZONING BOARD OF ADJUSTMENT  
MARCH 30, 2022 - 04:00 PM  
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. DISCLOSURE OF CONFLICT OF INTEREST**

**4. 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.

**5. 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.

## **6. MINUTES**

- A.** Consider approval of the Minutes for the February 23, 2022 Regular Meeting

## **7. PUBLIC HEARINGS**

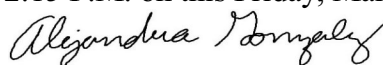
- A.** Reconsider Variance to the City's Unified Development Code, Section 3.201(C), Residential Use District Standards, Density, Lots 1 and 2, Stonebrook Estates Subdivision, located at 2002 and 2008 Brandi Lane, as requested by Erica Edith Canales
- B.** Consider Variance to the City's Unified Development Code, Section 12.301(A)(4), On Premise Signs, Free Standing Sign, being Lot 2, West Meadows Plaza Subdivision, located at 3021 West Freddy Gonzalez Drive, as requested by PongoRGV Holdings LLC.
- C.** Consider Variance to the City's Unified Development Code, Section 2.301(D)(9), Fences Facing or Abutting a Golf Course, Lot 12, Los Lagos Phase I Subdivision, located at 2320 Arlina Drive, as requested by Glenda Garcia on behalf of Moses T. Ashukem
- D.** Consider Variance to the City's Unified Development Code, Section 3.301, Single Family Residential Bulk Standards, Setbacks, Lot 56, Bentley Estates Subdivision, located at 4809 Sheffield Street, as requested by Ali Famitafreshi
- E.** Consider Variances to the City's Unified Development Code: 1) Section 3.301 Single-Family Lot and Building Standards, Setbacks, 2) Section 3.505(A) Easements and Utilities, and 3) 2.301(B)(2)(a) Accessory Structures to Single Family Uses, Floor Area, Lot 2, Willow Creek Subdivision, located at 1611 South Jackson Road, as requested by Alfonso Quintanilla, P.E., on behalf of Vivian Villarreal
- F.** Consider Variance to the City's Unified Development Code, Section 3.303, Multifamily Lot and Building Standards, Setbacks, 29.130 acres out of Lot 3, Section 276, Texas-Mexican Railway Company's Survey, Lots 1-76 of proposed North McColl Estates Subdivision, located at 501 North McColl Road, as requested by Melden & Hunt, Inc. on behalf of Marilyn K. Houts

## **8. INFORMATION ONLY**

- A.** Attendance Roster

## **9. 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 during regular working hours, at 2:15 P.M. on this Friday, March 25, 2022.



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Alejandra Gonzalez, Planning Assistant  
Planning & Zoning Department



**PERSONS WITH DISABILITIES WHO NEED TO COMMUNICATE MORE EFFECTIVELY WITH CITY OFFICIALS AND WH  
MAY NEED AUXILIARY AIDS OR SERVICES SUCH AS INTERPRETERS FOR PERSONS WHO ARE DEAF OR HEARIN  
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.**



**NOTICE AND AGENDA  
ZONING BOARD OF ADJUSTMENT  
FEBRUARY 23, 2022 - 4:00 P.M.  
REGULAR MEETING  
CITY HALL COUNCIL CHAMBERS  
415 W. UNIVERSITY DR.  
EDINBURG, TEXAS 78539**

**MINUTES**

**Members:**

Alex Rios, Eddie Garza, George Cardenas, Diane Teter, Andre Maldonado, Ponciano Longoria, Marc Moran, Michael Cantu

**Visitors:**

Raul A. Garza  
Guadalupe Garza  
Adrian Guzman  
James Curtz  
M. Garza  
Hector Moreno  
Moses Ashukem  
Yasmin Diaz  
Ringo Trevino  
Glenda Garcia  
Eli Olivarez

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

Chairperson Alex Rios called the meeting to order at 4:00 P.M.

**A.** Prayer – Prayer was announced.

**B.** Pledge of Allegiance - The Pledge of Allegiance was said.

**2. CERTIFICATION OF PUBLIC NOTICE**

Daniel Colina certified the agenda had been posted on February 17, 2022 at 4:30 P.M.

### **3. DISCLOSURE OF CONFLICT OF INTEREST**

No Conflict of Interest was mentioned.

### **4. 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.

No Public Comments.

### **5. 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.

### **6. OTHER BUSINESS**

A. Consider designating order of Alternate Members

Chairperson Alex Rios advised of order of alternate members being Marc Moran, Michael Cantu, and Ponciano Longoria. Regular members are Alex Rios, Eddie Garza, Andre Maldonado, George Cardenas, and Diane Teter.

### **7. MINUTES**

A. Consider approval of the Minutes for the January 20, 2022 Regular Meeting

Item was discussed after item 10A. Motion was made by Board Member Diane Teter and seconded by Board Member Eddie Garza to approve the Minutes for the January 20, 2022 Regular Meeting. Motion carried unanimously with a vote of 5-0.

## **PUBLIC HEARINGS**

- A.** Consider Variances to the City's Unified Development Code: 1) Section 3.301, Single Family Residential Bulk Standards, Setbacks, and 2) Section 3.505, Easements and Utilities, Lot 24, Block 2, Olivia Estates Subdivision Section 2, located at 3719 Ora Street, as requested by Ringo G. Treviño.

Board member George Cardenas walked in.

There was public comments expressing their concerns regarding how close the structure was to the fence.

After brief discussion, motion was made by Board Member Diane Teter and seconded by Board Member George Cardenas to disapprove the Variance request. Motion carried unanimously with a vote of 5-0.

- B.** Consider Variance to the City's Unified Development Code, Section 2.301 (D) (9), Fences Facing or Abutting a Golf Course, Lot 4, Los Lagos Phase III Subdivision, located at 3321 Macquarie Drive, as requested by Adrian Guzman

The applicant addressed the Board and advised he will be using the same type of fence as Lumen. After brief discussion, motion was made by Vice Chairperson Eddie Garza and seconded by George Cardenas to approve the Variance request. Motion carried unanimously with a vote of 5-0.

- C.** Consider Variance to the City's Unified Development Code, Section 3.201(C), Residential Use District Standards, Density, Lots 1 and 2, Stonebrook Estates Subdivision, located at 2002 & 2008 Brandi Lane, as requested by Erica Edith Canales

Chairperson Alex Rios abstained from the item.

There was no public comments. After brief discussion, motion was made by Board Member Diane Teter and seconded by Board Member George Cardenas to disapprove the Variance request. Motion carried with 5 members voting aye, 0 naye, and one abstention.

- D.** Consider Variances to the City's Unified Development Code: 1) Section 3.201(C), Density; 2) Section 3.303, Multifamily Lot and Building Standards, Lot Area; 3) Section 3.303 Multifamily Lot and Building Standards, Lot Width; 4) Section 10.405, Parking Lot Bufferyards; and 5) Section 9.301, Parking Space Standards, Driving Aisle Width, Lot 18, Block 263, West Addition to Edinburg Subdivision, located at 1021 West Cano Street, as requested by Ricardo Caballero

Board Member George Cardenas abstained from the item.

There was public comments expressing their concerns. After brief discussion, motion was made by Vice Chairperson Eddie Garza and seconded by Board Member Diane Teter to disapprove the Variance request. Motion carried with 5 members voting aye, 0 voting naye, and one abstention.

- E.** Consider Variances to the City's Unified Development Code: 1) Section 3.201(C), Density; 2) Section 3.303, Multifamily Lot and Building Standards, Lot Area; 3) Section 3.303 Multifamily Lot and Building Standards, Lot Width; 4) Section 10.405, Parking Lot Bufferyards; and 5) Section 9.301, Parking Space Standards, Driving Aisle Width, Lot 1, Block 265, West Addition to Edinburg Subdivision, located at 1126 West Cano Street, as requested by Ricardo Caballero

Board Member George Cardenas abstained from the item.

There was public comments expressing their concerns. After brief discussion, motion was made by Vice Chairperson Eddie Garza and seconded by Board Member Diane Teter to disapprove the Variance request. Motion carried with 5 members voting aye, 0 voting naye, and one abstention.

- F.** Consider Variance to the City's Unified Development Code, Section 3.303, Multifamily Lot and Building Standards, Setbacks, a 0.776 acre tract of land out of Lot 26, Kelly-Pharr Subdivision, located at 1420 West Wisconsin Road, as requested by Glenda Garcia on behalf of Moses Ashukem

Applicant was present and addressed the Board. After brief discussion regarding them being in compliance with multiple departments, motion was made by Vice Chairperson Eddie Garza and seconded by Board Member George Cardenas to approve the item. Motion carried with 4 members voting aye and 1 voting naye.

## **9. DIRECTOR'S REPORT**

### **A. Unified Development Code Update**

Mrs. Kimberly Mendoza discussed the upcoming Steering Committee Meetings and advised recordings of the UDC meetings are available.

## **10. INFORMATION ONLY**

### **A. Attendance Roster**

After this item, the Board went back to item 7A.

## **11. 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 during regular working hours at 4:30 P.M. on Thursday, February 17, 2022.



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Alejandra Gonzalez, Administrative Assistant  
Planning & Zoning Department

**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.**

There being no further discussion, meeting was adjourned.

## Planning & Zoning Staff Report

Prepared on: March 18, 2022

### ZONING BOARD OF ADJUSTMENT

Regular Meeting: March 30, 2022

#### **Agenda Item 7A**

Reconsider Variance to the City's Unified Development Code, Section 3.201(C), Residential Use District Standards, Density, Lots 1 and 2, Stonebrook Estates Subdivision, located at 2002 and 2008 Brandi Lane, as requested by Erica Edith Canales

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#### **Request**

The applicant is requesting a variance to the City's Unified Development Code (UDC), Section 3.201 (C) as it pertains to density for multifamily developments. The applicant is proposing to construct 84 apartment units on a lot that allows a maximum of 62 units by UDC standards.

#### **Property Location and Vicinity**

The property is located at the northeast corner of Brandi Lane and South Jackson Road, and is zoned Urban Residential (UR) District. Adjacent zoning is Neighborhood Conservation (NC5) District to the north, Commercial Neighborhood (CN) District to the south and east, and Auto-Urban (AU) District to the west. Surrounding land uses are residential to the north and west with vacant land to the south and east.

#### **Background and History**

The property is part of the Stonebrook Estates Subdivision, which was recorded on June 4, 1998. The applicant is proposing a multifamily development on the subject property. A Subdivision Application for re-plat of Stonebrook Estates was submitted on January 18, 2022. Review of the site plan submitted with the subdivision application showed that the intended development exceeded maximum density standards allowed by the UDC.

An Application for a Variance Request was submitted on January 18, 2022, to accommodate the project. This request was disapproved by this Board at its regular meeting of February 23, 2022. Since that time, the applicant has reduced the number of proposed dwelling units from 95 to 84 and has requested that the case be brought back for reconsideration.

Staff mailed notice of this variance request to 23 neighboring property owners. No comments in favor or against this request had been received at the time this report was prepared.

#### **Analysis**

The property is comprised of Lots 1 & 2 of the Stonebrook Estates Subdivision with a combined area of 2.861 acres. The property is zoned Urban Residential (UR) District, the residential district that allows for the highest possible residential densities in the City. UDC Section 3.201(C) allows a maximum of 21.55 dwelling units per acre for multifamily developments in this District. With this density, a maximum of 62 dwelling units are allowed on the 2.861 acre area proposed.

# Planning & Zoning Staff Report

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This multifamily development originally planned 95 dwelling units on the subject property. Since the February 23 ZBA meeting, the applicant has indicated that the number of proposed units is now 84, an 11.6% reduction to the number of dwelling units. This is still 35.5% over the maximum density allowed by UDC in this District.

## **Recommendation**

Staff recommends disapproval of this variance request. Urban Residential (UR) Zoning District held by the subject property allows the highest possible density of any residential district, a density intended only for areas with an urban character, such as around the downtown square. The applicant is proposing to exceed maximum density by over 35%. No extraordinary or exceptional conditions to justify this variance request have been established, as is required by UDC Section 14.404(D) for variance approval.

If approved, the applicant will need to comply with all other requirements during the permitting process. If approved, \$40 fee, payable to the County of Hidalgo, County Clerk's Office, for the recording of the ZBA order is also required. A location map, aerial map, photo, subdivision plat, site plan, and application from the property owner are attached for the Board's consideration.

Prepared by:

**D. Austin Colina**

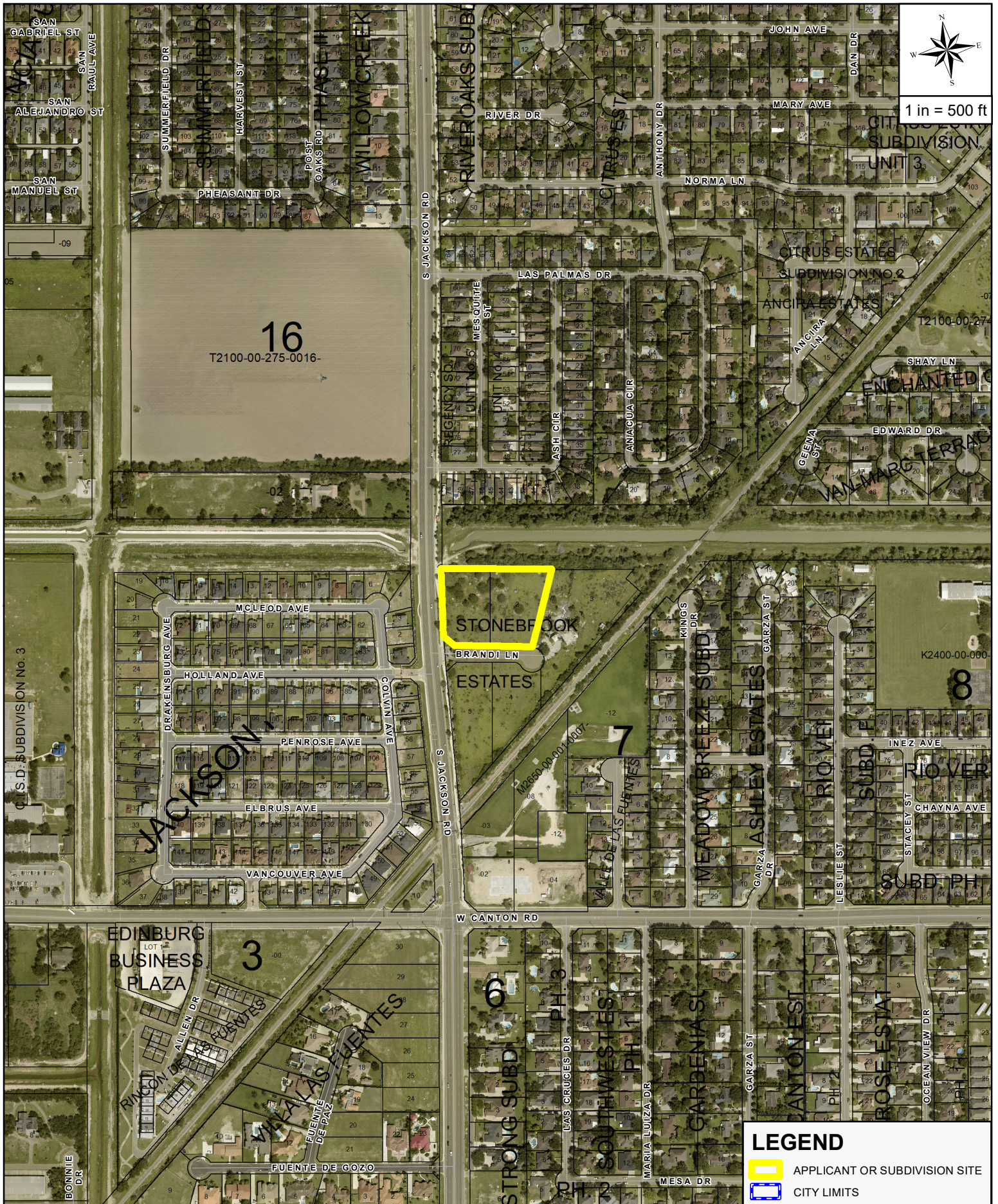
Planner I

Approved by:

**Kimberly A. Mendoza, MPA**

Director of Planning & Zoning



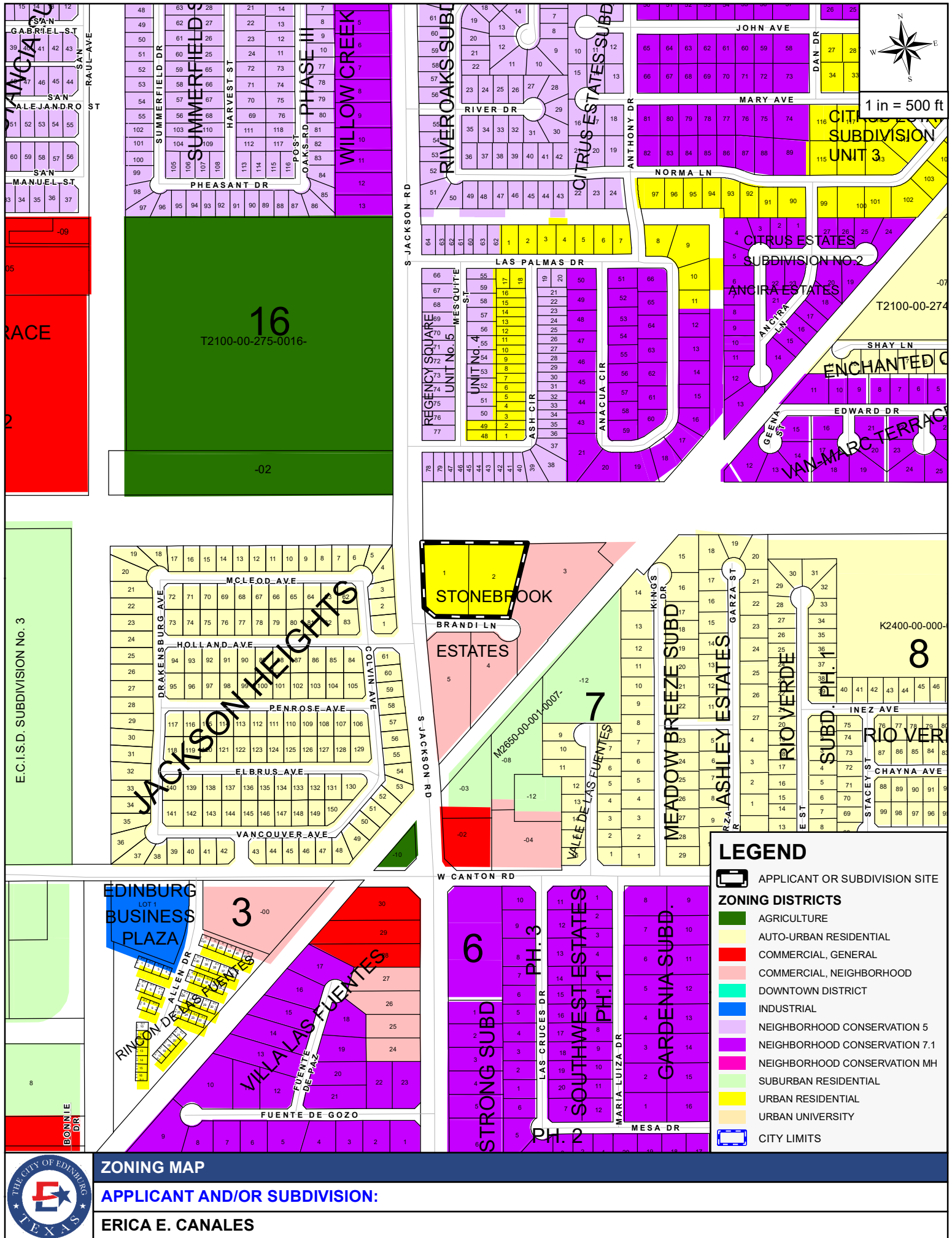


**AERIAL MAP**

**APPLICANT AND/OR SUBDIVISION:**

**ERICA E. CANALES**





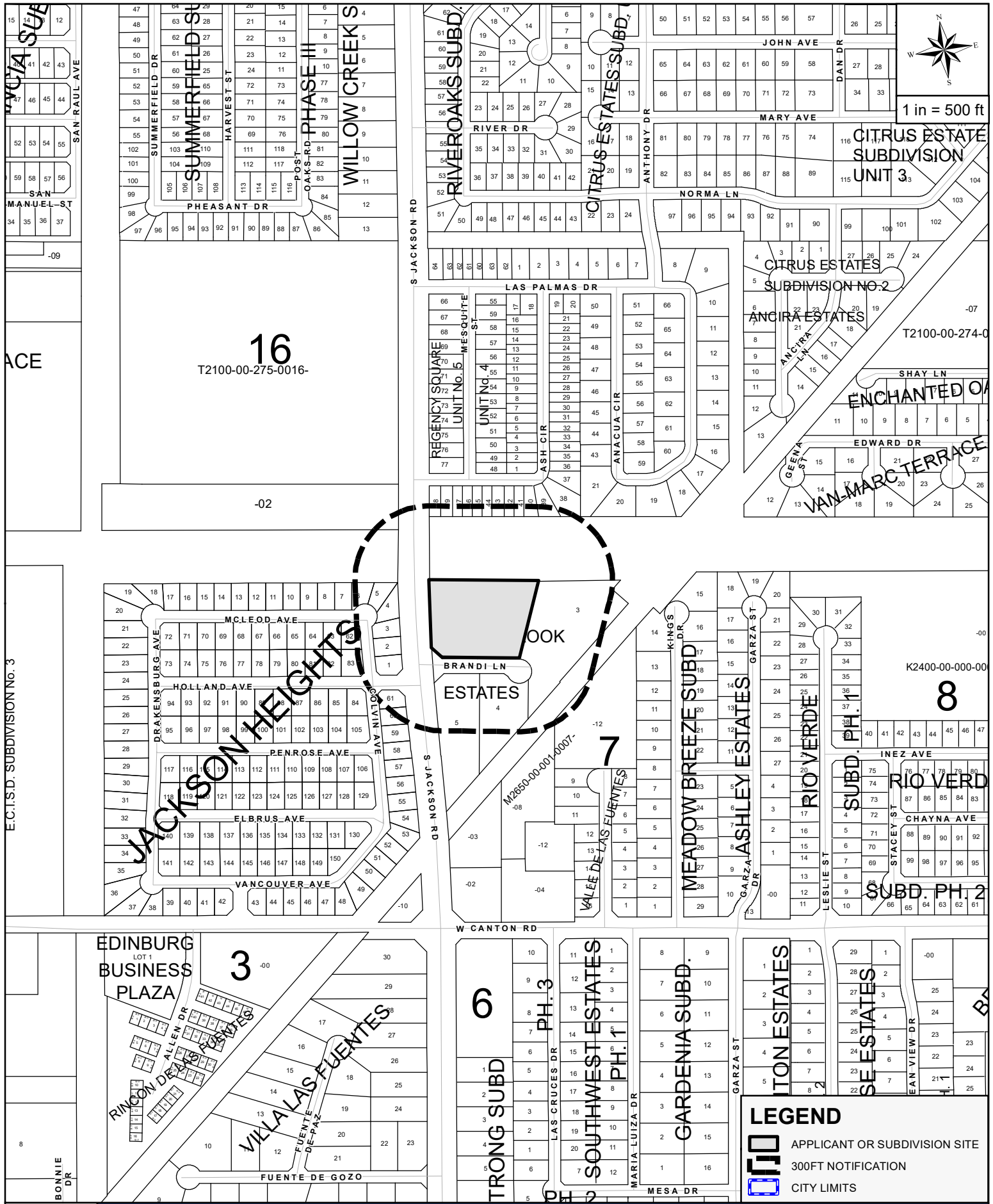
**ZONING MAP**

**APPLICANT AND/OR SUBDIVISION:**

**ERICA E. CANALES**

**LEGEND**

- APPLICANT OR SUBDIVISION 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
- CITY LIMITS



**MAILOUT AND SITE MAP**

**APPLICANT AND/OR SUBDIVISION:**

**ERICA E. CANALES**



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: Variance request Article 3 Section 3.0 Density for Urban Residential

Reason for Hardship (attach additional pages if necessary)

UDC Sec. 3.201(C)

Density allowed to build 62 units requesting 95 units

Property Description: Lot 1&2 Block \_\_\_\_\_ Subdivision Stonebrook Stone Brook Estates

Property Address: 1900 Brandi Ln. 2002-2008 Brandi Lane

Present Property Zoning: UR - Urban Residential

Person requesting Variance: To build more units to accomadate the demand in the area

Mailing Address: 310 S Closner Blvd Edinburg/Tx 78539  
Street Address City/State Zip Code

Phone No. (Home): (956) 578-9568 (Work): (956) 605-0836 (Cell): \_\_\_\_\_

Owner's Name: Erica Edith Canales

Mailing Address: 310 S Closner Blvd 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 City of Edinburg Zoning Board of Adjustment.

Signature: Erica E. Canales Date: January 7, 2022

Owner/Agent's Name (Please Print): Erica E Canales

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

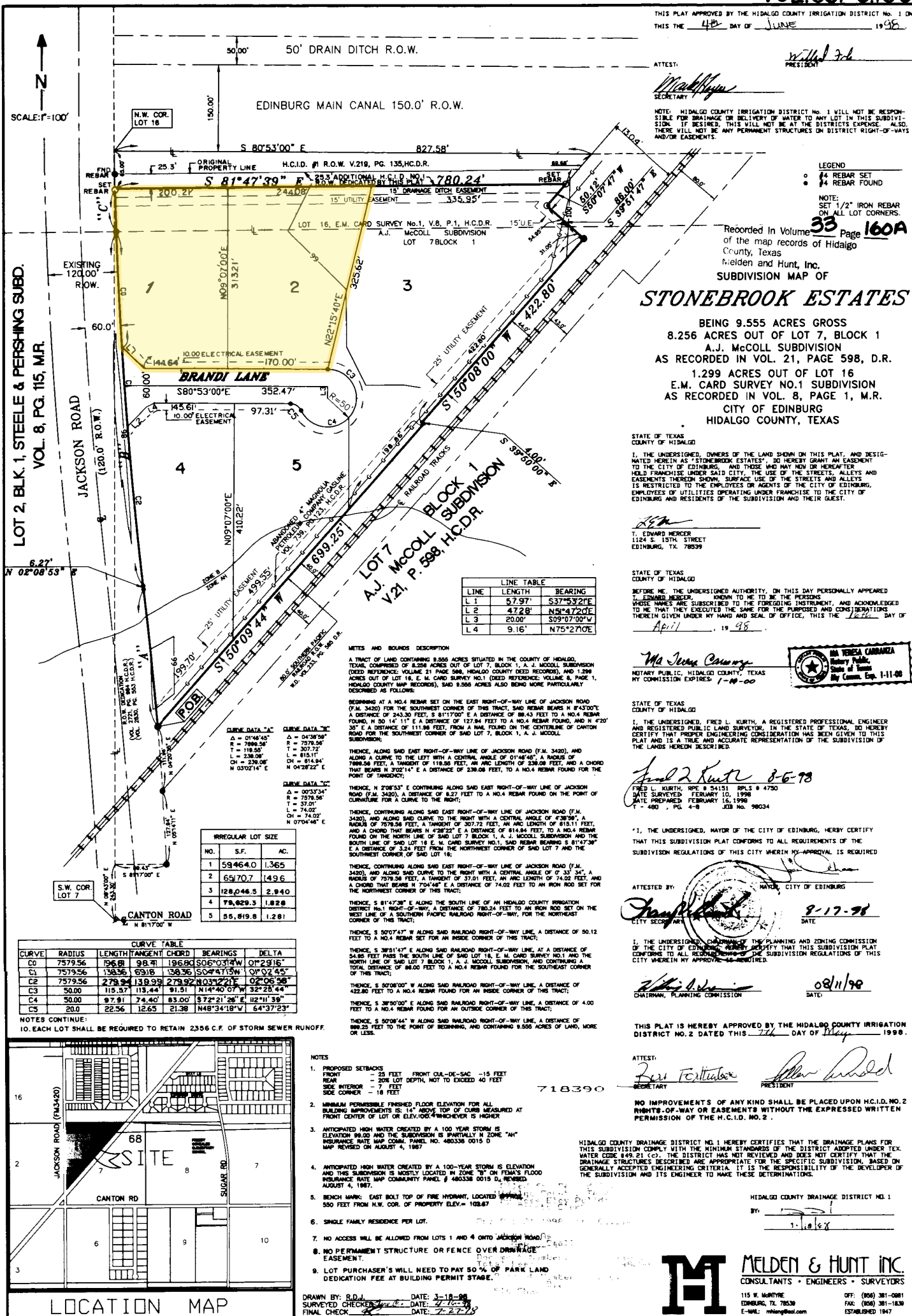
OFFICE USE ONLY

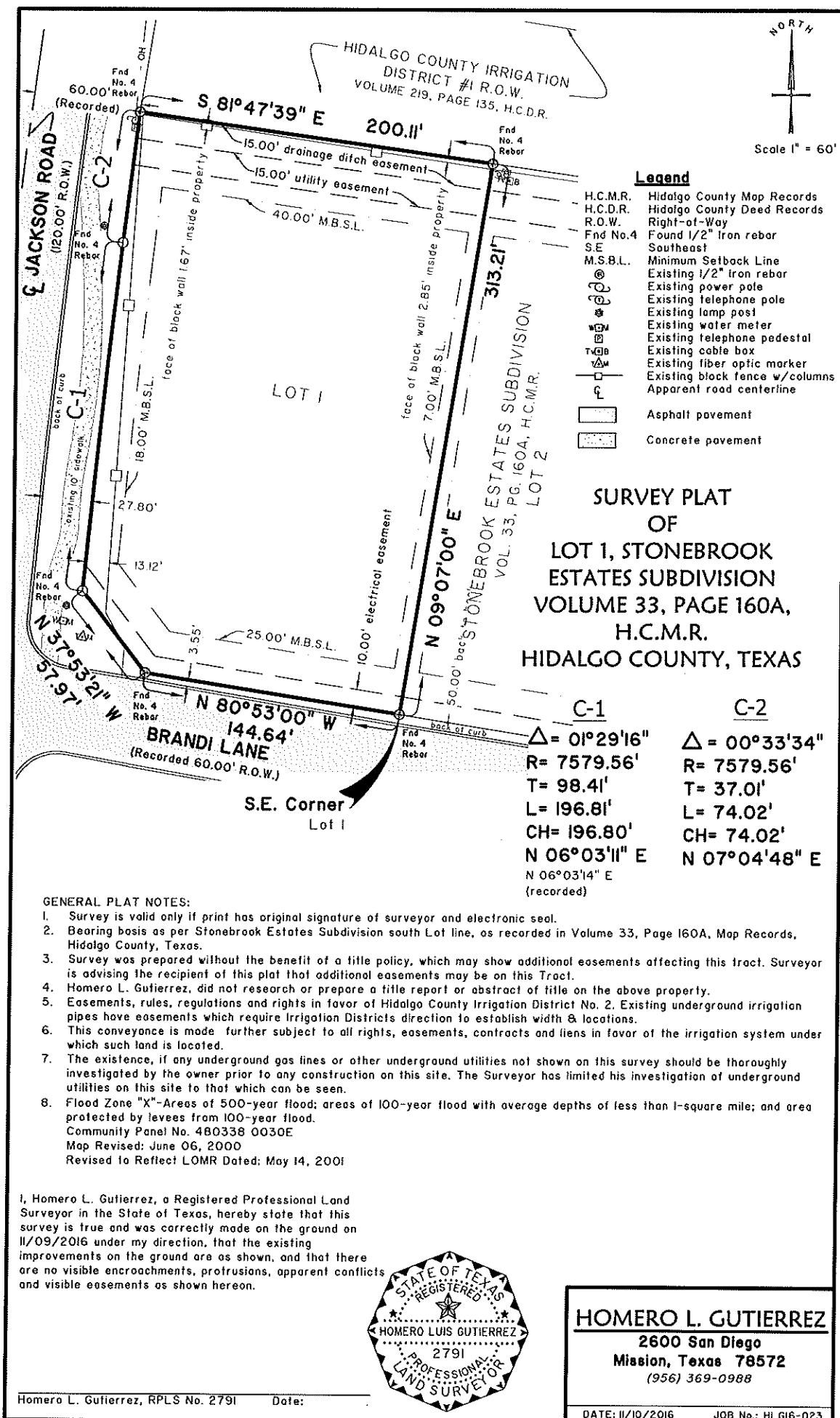
Application deadline: \_\_\_\_\_ ZBA Hearing date: \_\_\_\_\_ Name: 3:30p.m.

- \$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

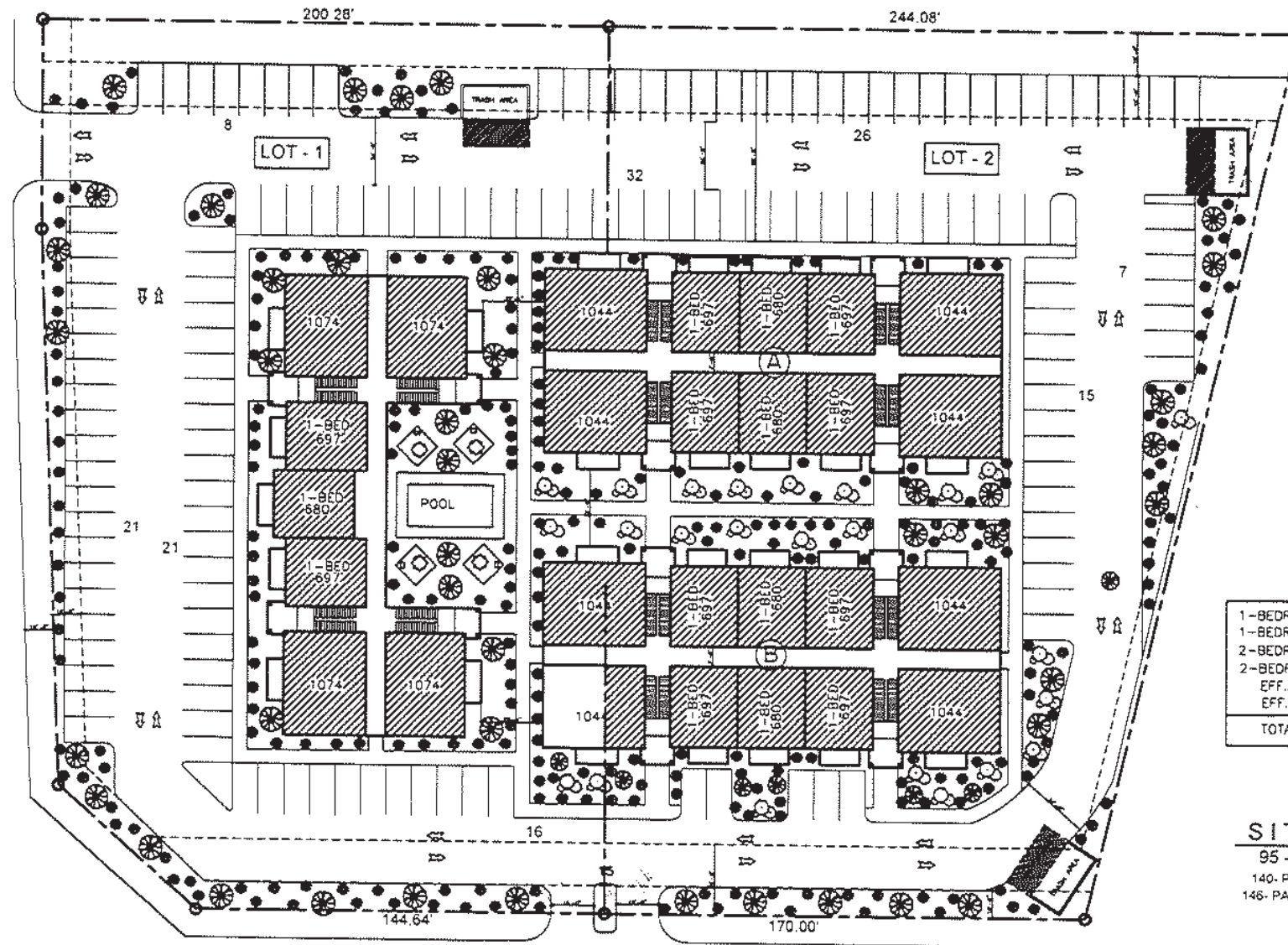


THIS PLAT APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT No. 1 ON  
THIS THE 4th DAY OF JUNE 1998





JACKSON ROAD



1-BEDRM-697.0FT	= 30 UNITS
1-BEDRM-680.0FT	= 15 UNITS
2-BEDRM-1074.0FT	= 6 UNITS
2-BEDRM-1044.0FT	= 16 UNITS
EFF.APT-537.0FT	= 12 UNITS
EFF.APT-522.0FT	= 16 UNITS
TOTAL OF UNITS = 95 UNITS	

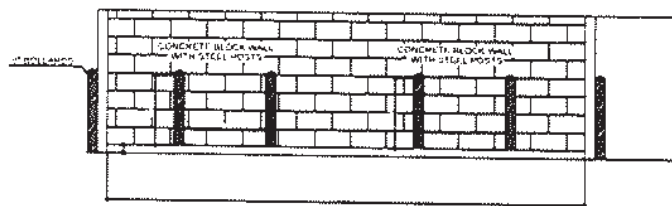
## SITE PLAN

95 - APTS. UNITS

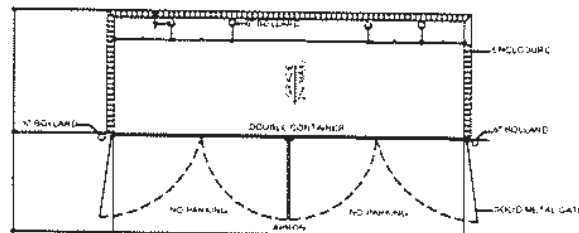
140. PARKING SPACES REQ

146. PARKING SPACES PROVIDED

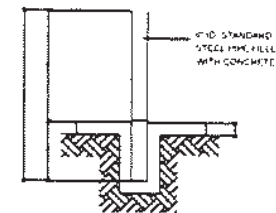
## BRANDI LANE



SECTION  
SINGLEWASTE CONTAINER ENCLOSURE



PLAN  
SINGLEWASTE CONTAINER ENCLOSURE



BOLLARD

South Texas Design



PROJECT

OWNER • BUILDER

3111 BELLA SURE V. HALLER, ROAD 7004 (66) 007-1403

SCALE 1"=20'

CONSTRUCTION SHALL VERIFY ALL  
DIMENSIONS AND LOCATIONS OF  
UTILITIES AND ADJACENT  
PROPERTIES. THE DESIGNER  
SHALL BE RESPONSIBLE FOR  
THE ACCURACY OF THE  
DIMENSIONS AND LOCATIONS  
OF UTILITIES AND ADJACENT  
PROPERTIES.

REVISIONS

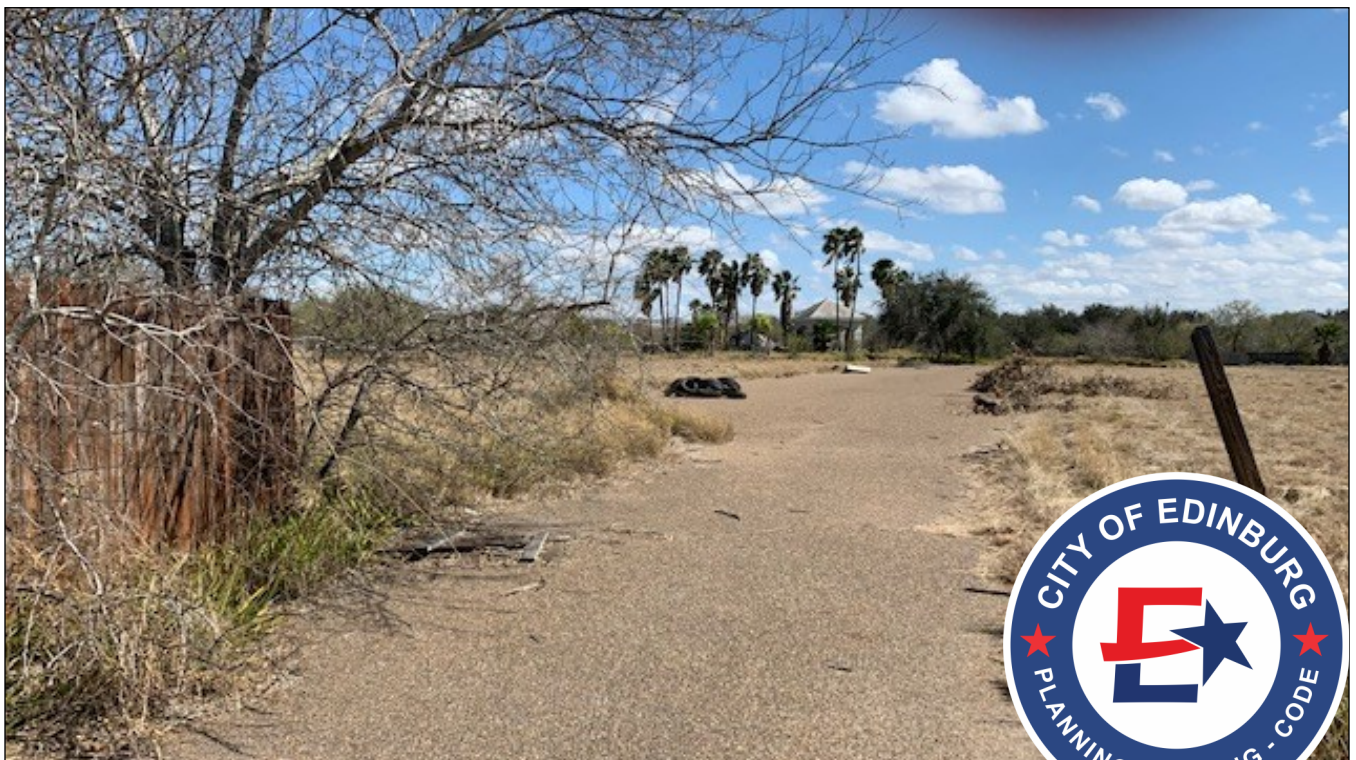
BY



# Zoning Board of Adjustment

Site Photos for meeting of March 30, 2022

ERICA EDITH CANALES





## Planning & Zoning Staff Report

Prepared on: March 18, 2022

### ZONING BOARD OF ADJUSTMENT

Regular Meeting: March 30, 2022

#### **Agenda Item 7B**

Consider Variance to the City's Unified Development Code, Section 12.301(A)(4), On Premise Signs, Free Standing Sign, being Lot 2, West Meadows Plaza Subdivision, located at 3021 West Freddy Gonzalez Drive, as requested by PongoRGV Holdings LLC

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#### **Request**

The applicant is requesting variance to the City's Unified Development Code (UDC) to place a freestanding commercial sign in a City of Edinburg utility easement.

#### **Property Location and Vicinity**

The property is located at the corner of West Freddy Gonzalez Drive and South McColl Road, and is zoned Commercial General District. Adjacent zoning is Neighborhood Conservation 7.1 (NC7.1) and Commercial General (CG) Districts to the north, Agriculture (AG) and Commercial General (CG) Districts to the south, and Commercial General (CG) District to the east and west. Adjacent land uses are commercial, residential, and vacant land.

#### **Background and History**

The property is part of the West Meadows Plaza Subdivision, recorded on December 28, 2010. The applicant received variances for sign height and area requirements by the City Council in 2019. The sign now proposed on Freddy Gonzalez Road would be located approximately 16.3 ft. into a 20 ft. utility easement belonging to the City of Edinburg. The sign would be approximately 4 ft. from a 15-inch sewer line. Multiple discussions and meetings have been held with City staff since this time.

Staff mailed notice of this variance request to 27 neighboring property owners. No comments in favor or against this request had been received at the time this report was prepared.

#### **Analysis**

The property has an "L" shape around the true corner of these roads with 250 ft. of frontage on Freddy Gonzalez Drive and 190 ft. of frontage on South McColl Road for a lot area of approximately 3.62 acres. A site plan submitted by the applicant shows a proposed sign located 16.3 ft. into a City of Edinburg utility easement along West Freddy Gonzalez Drive. UDC Section 12.301(A)(4) prohibits free standing signs from overhanging into a public ROW or being placed in a utility easement. However, placement of the sign outside of the utility easement would overhang the parking lot, creating an unsafe conditions for emergency vehicles.

# Planning & Zoning Staff Report

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## Recommendation

Staff recommends approval of this variance request with conditions. The inability to overhang either parking area or ROW has created an exceptional circumstance in this case. This condition has not resulted from the actions of the applicant, and literal interpretation of the UDC would deprive the applicant of rights commonly enjoyed by other residents of the district in which the property is located. Staff recommends that approval be subject to the signing of a Hold Harmless Agreement between the applicant and the City. This agreement was proposed by the applicant, and City Engineering and Utilities Departments have stated that proposed placement of this sign would be acceptable with an agreement of this type in place.

If approved, the applicant will need to comply with all other requirements during the permitting process. If approved, \$40 fee, payable to the County of Hidalgo, County Clerk's Office, for the recording of the ZBA order is also required. A location map, aerial map, photo, subdivision plat, site plan, and application from the property owner are attached for the Board's consideration.

### Prepared by:

**D. Austin Colina**  
Planner I

### Approved by:

**Kimberly A. Mendoza, MPA**  
Director of Planning & Zoning





## LEGEND

- APPLICANT OR SUBDIVISION SITE
- CITY LIMITS

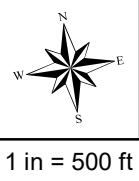
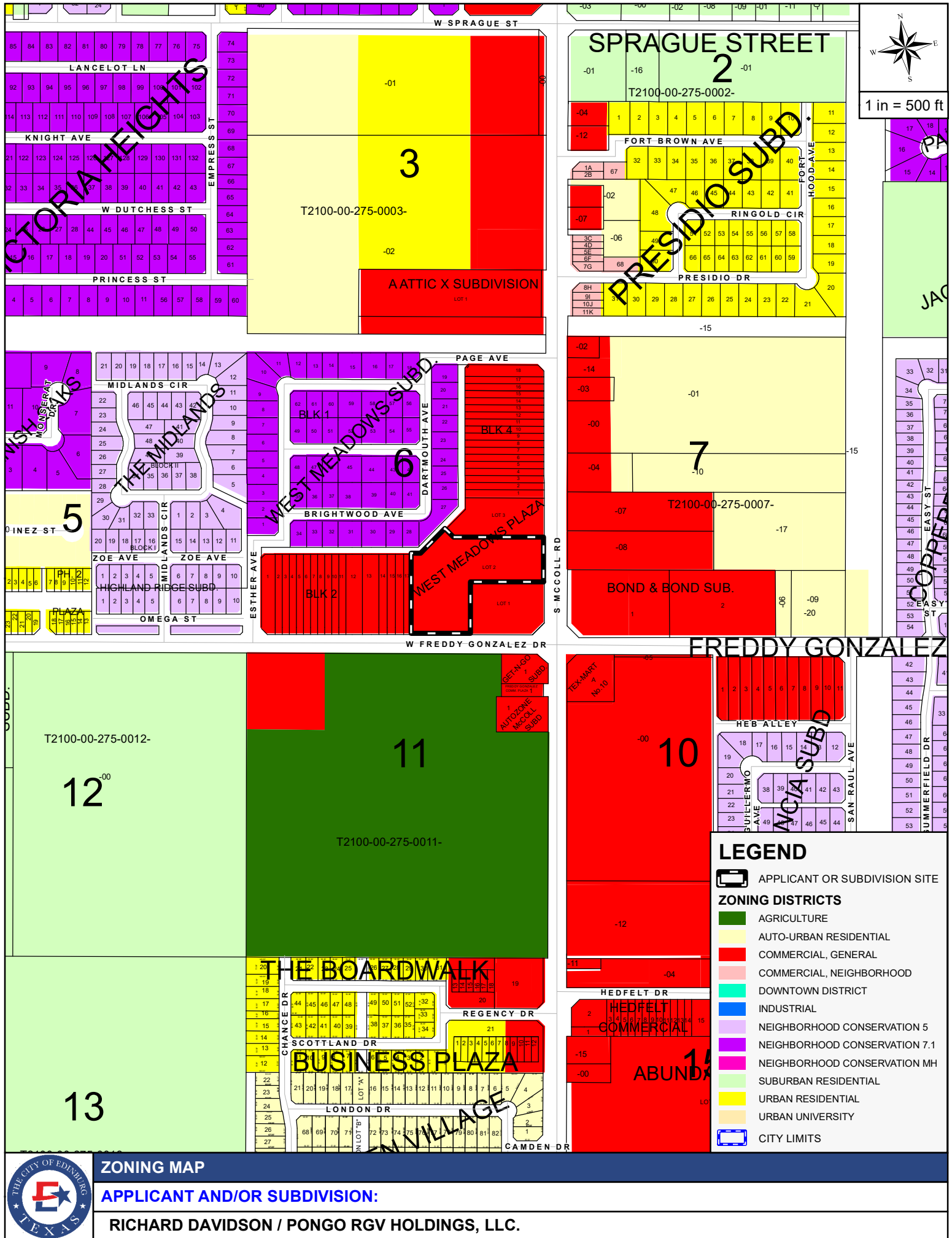


**AERIAL MAP**

**APPLICANT AND/OR SUBDIVISION:**

**RICHARD DAVIDSON / PONGO RGV HOLDINGS, LLC.**





**LEGEND**

APPLICANT OR SUBDIVISION SITE

**ZONING DISTRICTS**

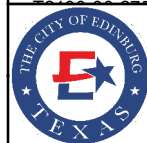
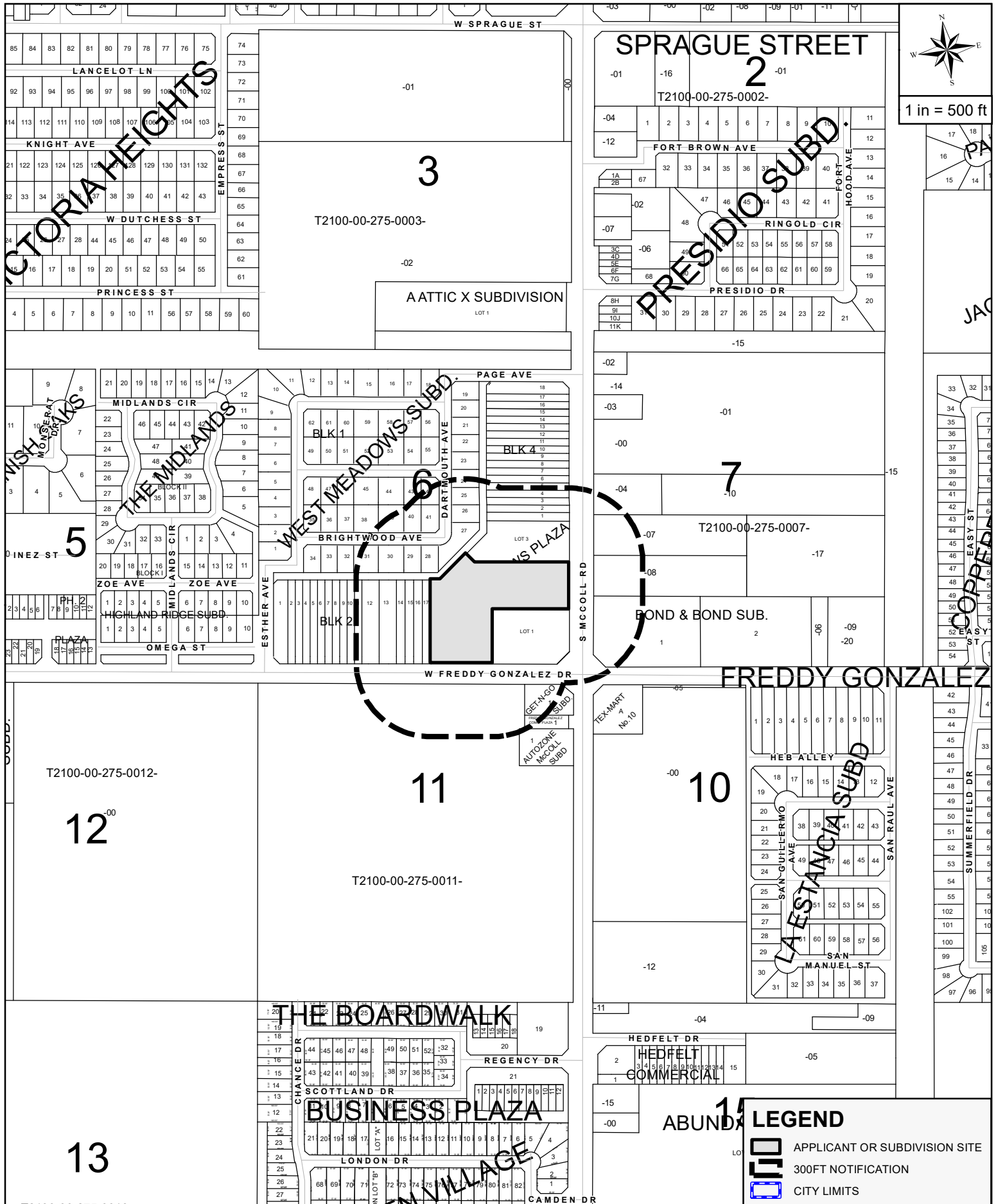
- AGRICULTURE
- AUTO-URBAN RESIDENTIAL
- COMMERCIAL, GENERAL
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- DOWNTOWN DISTRICT
- INDUSTRIAL
- NEIGHBORHOOD CONSERVATION 5
- NEIGHBORHOOD CONSERVATION 7.1
- NEIGHBORHOOD CONSERVATION MH
- SUBURBAN RESIDENTIAL
- URBAN RESIDENTIAL
- URBAN UNIVERSITY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

**ZONING MAP**

**APPLICANT AND/OR SUBDIVISION:**

**RICHARD DAVIDSON / PONGO RGV HOLDINGS, LLC.**





**MAIL OUT AND SITE MAP**

**APPLICANT AND/OR SUBDIVISION:**

**RICHARD DAVIDSON / PONGO RGV HOLDINGS, LLC.**



Case #

THE CITY OF  
**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: Place pylon sign within City owned ROW along Freddy Gonzalez

Reason for Hardship *(attach additional pages if necessary)*

2 easements exist in the area where our Pylon sign can be place. A 20' city owned ROW and a 10' ROW owned by HCID#1. We would like to put the sign at the south edge of the City owned ROW

Property Description: Lot 2 Block West Meadows Subdivision West Meadows Plaza

Property Address: 1501 - 1519 S McColl

Present Property Zoning: CN - Commercial, Neighborhood

Person requesting Variance: Richard Davidson

Mailing Address: PO Box 4752

Street Address

City/State

Zip Code

Phone No. (Home): \_\_\_\_\_ (Work): \_\_\_\_\_ (Cell): (956) 358-2269

Owner's Name: PongoRGV Holdings LLC

Mailing Address: PO Box 4752

McAllen Tx

78502

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:  Date: March 18, 2022

Owner/Agent's Name (Please Print): Richard Davidson

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

Receipt No.

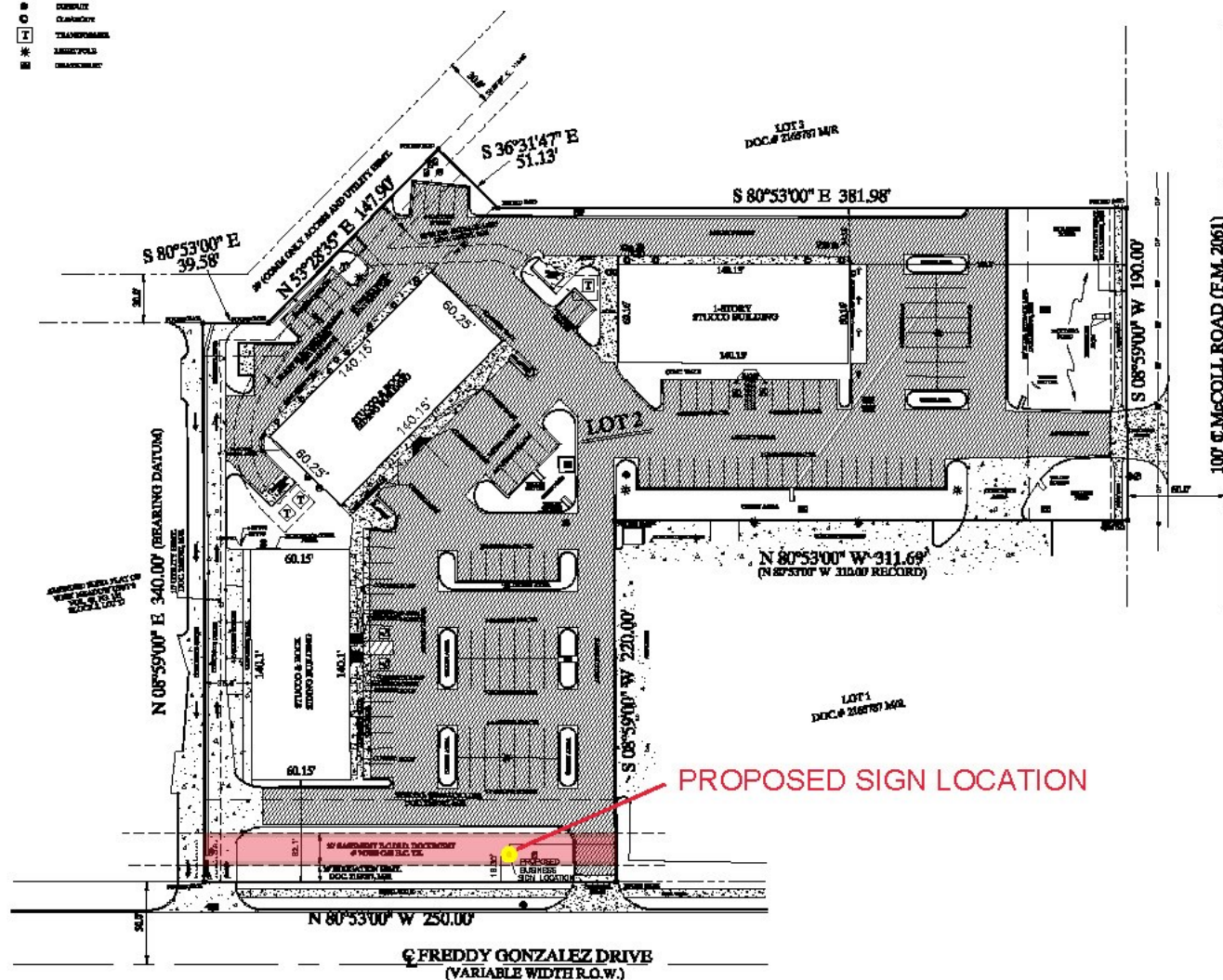
### OFFICE USE ONLY

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**





[illegible]

REVISED: 10/02/2021 ADDED NEW BUILDING  
& BUSINESS SIGN

REVISID: 10/20/2020 20 EASEMENT E.C.L.S.D

**MICHAEL FABIAN**  
REGISTERED PROFESSIONAL LAND SURVEYOR  
MOLLEN, TEXAS



PREPARED BY  
MICHAEL FABIAN SURVEYING, INC.  
1203 E. HACKBERRY AVE.  
MCALLEN, TEXAS 78501

**MICHAEL FABIAN**  
REGISTERED PROFESSIONAL  
LAND SURVEYOR

WD # 00046	CRD: NAME	PRINT NAME: ARCH C
------------	-----------	--------------------

EMAIL ADDRESS: SURVEY@MEASURINGSURVEYING.COM  
FIRM # 16100045



# Zoning Board of Adjustment

Site Photos for meeting of March 30, 2022

PONGORGV HOLDINGS LLC - 3021 WEST FREDDY GONZALEZ DRIVE



STATE OF TEXAS §

COUNTY OF HIDALGO §

### HOLD HARMLESS AGREEMENT

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**THIS HOLD HARMLESS AGREEMENT** (“Agreement”) is entered on this the \_\_\_\_\_ day of \_\_\_\_\_ 2022, by \_\_\_\_\_ (hereinafter referred to as “Applicant”) and **CITY OF EDINBURG**, (hereinafter referred to as “City”), a municipal corporation of the State of Texas relating to City right of way property situated in the City of Edinburg, County of Hidalgo, State of Texas, which is depicted on the attached hereto marked Exhibit A and by this reference incorporated herein, (“Property”).

#### WITNESSETH:

**WHEREAS**, Applicant is a [COMMERCIAL DEVELOPER]; and

**WHEREAS**, Applicants seeks to [PUT A SIGN IN THE CITY OF EDINBURG UTILITY EASMENT]; and

**WHEREAS**, the City Ordinance prohibits installation of a sign on any utility easement

**WHEREAS**, Applicant has requested that the Zoning Board of Adjustments grant a variance to City Ordinance to allow Applicant to install a sign on a Utility Easement at the Property, as depicted in the attached

**WHEREAS**, the City has required Applicant to apply for a variance through the process Required by City Ordinance and in addition to, but without promising Approval of such variance, requires that Applicant agree to the terms of this Hold Harmless Agreement.

**NOW, THEREFORE**, for and in consideration of the mutual covenants and conditions hereinafter set forth, the parties hereto agree as follows:

Applicant does hereby agree, bind, and obligate Applicant and Applicant’s heirs, successors, and assigns as follows:

1. **No other improvements.** No other structures, buildings or other improvements shall be placed in, on, or along said right of way other than the specific signage requested by Applicant in connection with this agreement.
2. **No interference with City’s access to right of way.** The City reserves all access rights to the right of way, including, without limitation, access to, across, along, under and upon the right of way, to enter upon such right of way at any time to engage in such activities as may be necessary, requisite, or appropriate in connection therewith, and to bring and operate such equipment thereupon as may be necessary or appropriate to effectuate the purposes for the right of way.

3. **No interference with City right of way use.** The City reserves the right to use the surface of the right of way in any manner permitted by law, including, without limitation, the right to construct and maintain pavement, parking, sidewalks, curb-cuts, lighting systems, landscaping and fences.
4. **No City liability.** The City and/or its agents shall be and will be released from any and all liability as a result of any damage to any of Applicant's property, including the specific signage requested by Applicant in connection with this agreement, occasioned by and in reasonable exercise of Grantee's rights.
5. **Removal upon request.** Any and all improvements, including the specific signage requested by Applicant in connection with this agreement, shall be removed upon City's request within a reasonable time of such request.
6. **Conflict with Applicable Law.** Nothing in this Agreement shall be construed so as to require the commission of any act contrary to law, and whenever there is any conflict between any provision of their Agreement and any present or future law, ordinance or administrative, executive or judicial regulation, order or decree, or amendment thereof, contrary to which the parties have no legal right to contract, the latter shall prevail, but in such event the affected provision or provisions of this Agreement shall be modified only to the extent necessary to bring them within the legal requirements and only during the times such conflict exists.
7. **No Waiver.** No waiver by any party hereto of any breach of any provision of the Agreement shall be deemed to be a waiver of any preceding or succeeding breach of the same or any other provision hereof.
8. **Other Applicable Law.** City and Applicant acknowledge and agree that the scope of this Agreement is limited to the specific signage requested by Applicant in connection with this agreement. Applicant acknowledges and agrees that in no way does the City grant any permissions or opinions regarding the future right or development of the City's right of way. Applicant acknowledges and agrees to follow all other applicable requirements of the City's Unified Development Code and State law as applicable.
9. **Entire Agreement.** This Agreement contains the entire agreement between the parties hereto, and each party acknowledges that neither has made (either directly or through any agent or representative) any representation or agreement in connection with this Agreement not specifically set forth herein. This Agreement may be modified or amended only by agreement in writing executed by the Owner and City and not otherwise.
10. **Texas Law to Apply.** This Agreement shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Hidalgo County, Texas. The parties hereby consent to personal jurisdiction in the City of Edinburg, the County of Hidalgo, and in the State of Texas.

11. **Dispute Resolution.** For any controversy, claim, or dispute arising out of or relating to this Agreement, Applicant and City shall first attempt to informally resolve such controversy, claim, or dispute. Thereafter, Applicant and City shall submit in good faith to mediation before commencing a legal proceeding. Each party shall bear its own costs and expenses, including attorneys' fees and costs, in seeking to enforce the terms of this Agreement.
12. **Successors.** This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective elected officials, officers, employees, legal representatives, successors, and assigns where permitted by this Agreement.
13. **Headings.** The headings and captions contained in this Agreement are solely for convenience reference and shall not be deemed to affect the meaning or interpretation of any provision or paragraph hereof.
14. **Gender and Number.** All pronouns used in this Agreement shall include the other gender, whether used in the masculine, feminine or neuter gender, and singular shall include the plural whenever and so often as may be appropriate.
15. **Immunities:** Nothing in this Agreement is intended to and City does not hereby waive, release or relinquish any right to assert any of the defenses City enjoys by virtue of the state or federal constitution, laws, rules or regulations, and any sovereign, official or qualified immunity available to City as to any claim or action of any person, entity, or individual against City.
16. Owner and HOA acknowledge having carefully read and reviewed this Agreement, and Owner and HOA represent that each fully understands and voluntarily executes the same.

It is further stipulated and agreed that the laws of the State of Texas shall control in the construction of this instrument.

**WITNESS THE HANDS OF THE PARTIES** effective as of the day and year first written above.

**APPLICANT:**

**BY:** \_\_\_\_\_  
PONGORGV LLC HOLDINGS

THE STATE OF TEXAS   §

COUNTY OF HIDALGO   §

**ACKNOWLEDGMENT**

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by  
[\_\_\_\_\_] on her own behalf.

**GIVEN UNDER MY HAND AND SEAL OF OFFICE** on this the \_\_\_\_\_ day of  
\_\_\_\_\_, 2021.

\_\_\_\_\_  
Notary Public, State of Texas

**CITY OF EDINBURG**

By: \_\_\_\_\_  
Myra L. Ayala, Interim City Manager

**ATTEST:**

**APPROVED AS TO FORM:**  
**OMAR OCHOA LAW FIRM, P.C.**

\_\_\_\_\_  
, Interim City Secretary

By: \_\_\_\_\_  
Omar Ochoa, City Attorney

## Planning & Zoning Staff Report

Prepared on: March 15, 2022

### ZONING BOARD OF ADJUSTMENT

Regular Meeting: March 30, 2022

#### Agenda Item 7C

Consider Variance to the City's Unified Development Code, Section 2.301(D)(9), Fences Facing or Abutting a Golf Course, Lot 12, Los Lagos Phase I Subdivision, located at 2320 Arlina Drive, as requested by Glenda Garcia on behalf of Moses T. Ashukem

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#### Request

The applicant is requesting a variance to the City's Unified Development Code (UDC), Section 2.301(D)(9), to construct a fence along the rear property line of a residential lot abutting a golf course. Fences along a golf course are prohibited by the aforementioned section of the UDC.

#### Property Location and Vicinity

The property is located on the east side of Arlina Drive, towards the end of a winding cul-de-sac approximately ¼ mile southeast of Los Lagos Drive, and is zoned Suburban Residential (S) District. Adjacent zoning is Suburban Residential (S) District in all directions. The Los Lagos Golf Course is located immediately west of the subject property.

#### Background and History

The property is part of the Los Lagos Subdivision, Phase I, recorded on April 16, 2002. The applicant is proposing to construct a fence approximately 198.53 ft. along the rear property line. The applicant submitted a building permit application for a fence on December 1, 2021. Review of the plans showed the subject property along the perimeter of the Los Lagos Golf Course. After discussion with staff, the applicant submitted a Variance Request on February 28, 2022, to accommodate the project.

Staff mailed notice of this variance request to 21 neighboring property owners. No comments in favor or against this request had been received at the time this report was prepared.

#### Analysis

The property has an irregular shape, being one of four lots along the end of the Arlina Drive cul-de-sac. The lot has approximately 161.48 ft. of frontage on Arlina Drive and a total lot area of 25,271.70 sq. ft. Staff review of a building permit application for a fence identified the property as abutting the Los Lagos Golf Course. UDC Section 2.301(D)(9) prohibits any fence facing or abutting a golf course. Variance is required for the applicant to proceed with the project.

The permit indicated that the proposed fence would be of a wrought iron type. The fence would extend along the rear property line, approximately 198.53 ft., bordering a portion of the Los Lagos Golf Course. The basis for the request is the privacy and security of the applicant's family.

# Planning & Zoning Staff Report

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## **Recommendation**

Staff recommends compliance with UDC requirements. Similar variances have been granted in the Los Lagos development. Most recent approval was granted at the Zoning Board of Adjustment meeting of February 23, 2022, for a property located in the nearby Los Lagos Phase III Subdivision. This Ordinance is being reviewed as part of the UDC update.

If approved, the applicant will need to comply with all other requirements during the permitting process. If approved, \$40 fee, payable to the County of Hidalgo, County Clerk's Office, for the recording of the ZBA order is also required. A location map, aerial map, photo, subdivision plat, site plan, and application from the property owner are attached for the Board's consideration.

### **Prepared by:**

**D. Austin Colina**  
Planner I

### **Approved by:**

**Kimberly A. Mendoza, MPA**  
Director of Planning & Zoning



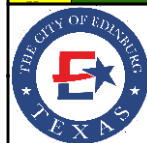
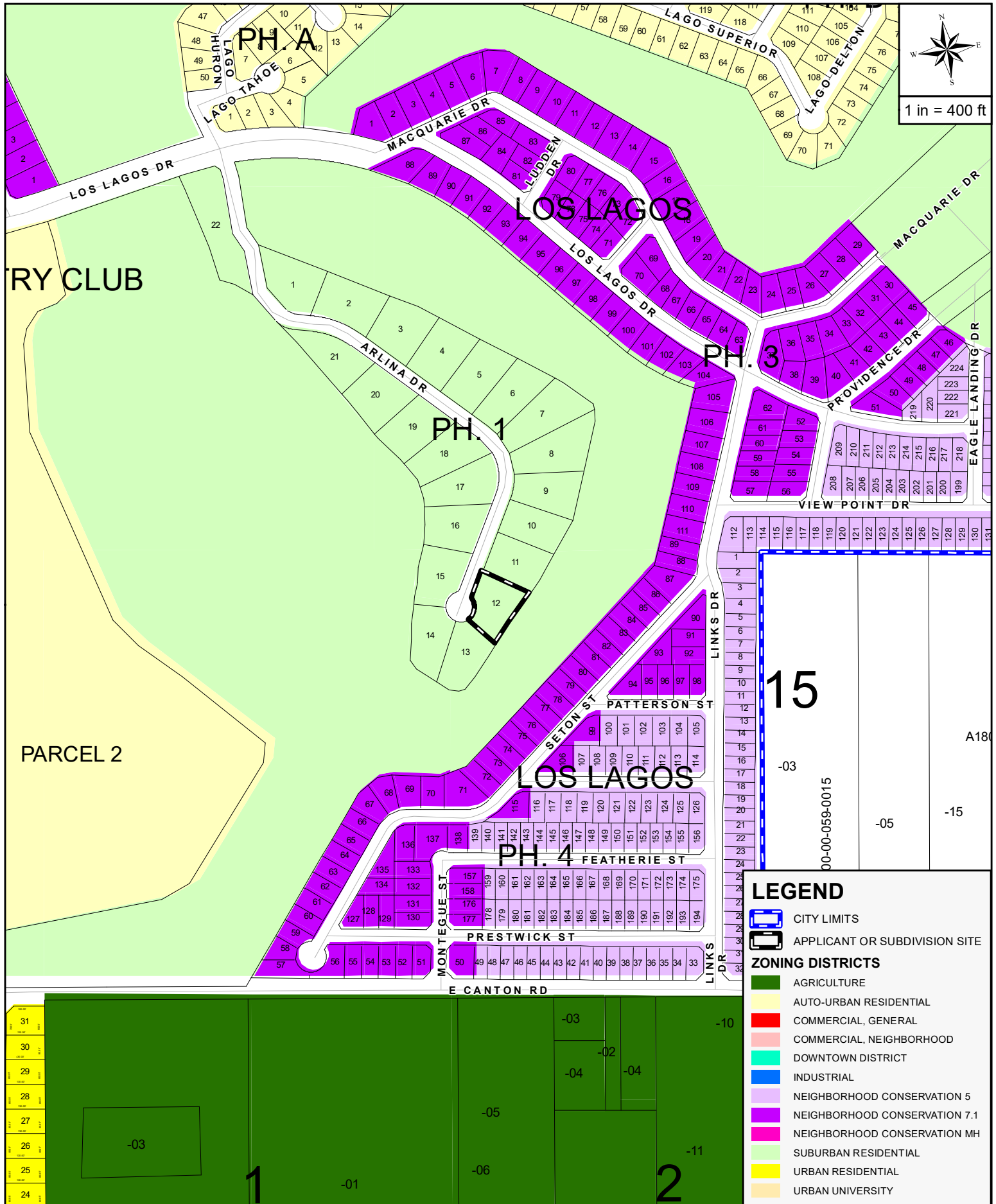


**AERIAL MAP**

**APPLICANT AND/OR SUBDIVISION:**

**GLENDIA GARCIA / LOS LAGOS PHASE I, LOT 12**

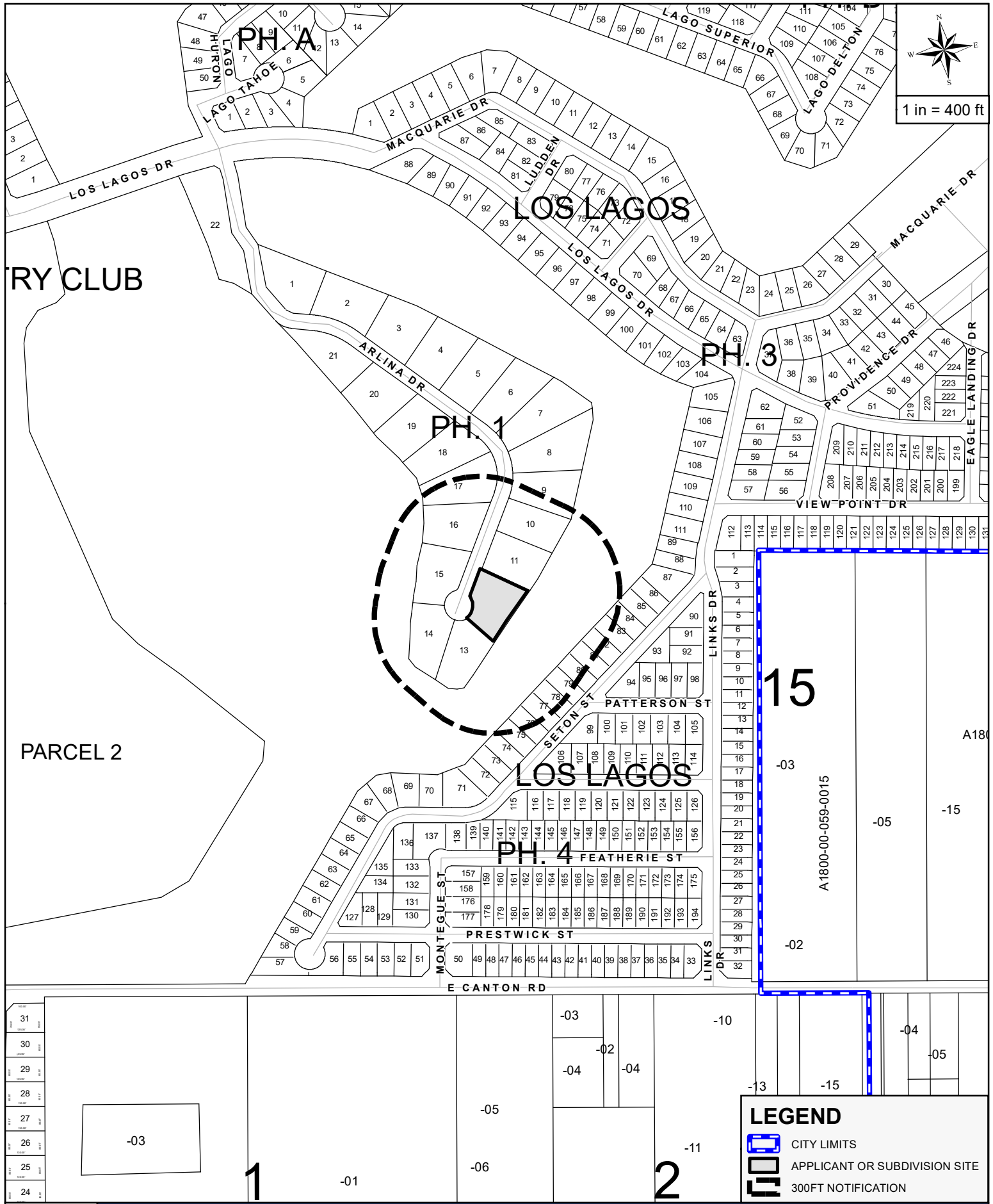




**ZONING MAP**

**APPLICANT AND/OR SUBDIVISION:**

**GLENDIA GARCIA / LOS LAGOS PHASE I, LOT 12**



**MAILOUT AND SITE MAP**

**APPLICANT AND/OR SUBDIVISION:**

**GLENDIA GARCIA / LOS LAGOS PHASE I, LOT 12**



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: fencing the Property 3 sides

Reason for Hardship (attach additional pages if necessary)

We Are Asking Permission To Build a Fence sides and Back to the Property (Please Note: The Property have A Golf Course Behind -)

Property Description: Lot 12 Block \_\_\_\_\_ Subdivision Los Lagos Phase 1

Property Address: 2320 Arlina DR. Edinburg TX 78539

Present Property Zoning: Residential

Person requesting Variance: Glenda Garcia

Mailing Address: 405 West 12th st San Juan TX 78589

Street Address

City/State

Zip Code

Phone No. (Home): 956 252 7062

(Work):

(Cell):

Owner's Name: Mose T Asbueren

Mailing Address: 2110 E. Sunland Ave Phoenix AZ 85040

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: Glenda Garcia

Date: 2/28/22

Owner/Agent's Name (Please Print): Glenda Garcia

\$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**



STATE OF TEXAS  
COUNTY OF HIDALGO

THE Hector Casas OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS LOS LAGOS SUBDIVISION, PHASE 1, TO THE CITY OF EDINBURG, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATER COURSES, 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 AP-  
PEARED Hector Casas, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS  
SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME  
THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS  
THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS 17 DAY OF March  
2002.



Annabelle M. Alcor Notary Public  
COUNTY OF HIDALGO

THIS PLAT APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT NO. 1  
THIS 21 DAY OF December, 2002.

NO IMPROVEMENTS OF ANY KIND SHALL BE PLACED UPON H.C.I.D. #2 EAST WITHOUT  
THE EXPRESSED WRITTEN PERMISSION OF H.C.I.D. #2.

Bob Forthuber  
SECRETARY

Alan Wilson  
PRESIDENT

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

Mike Barrigan DATE 04/02/02  
CITY OF EDINBURG  
PLANNING AND ZONING COMMISSION

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 TEX. WATER CODE § 49.21(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 OF THE SUBDIVISION AND ITS ENGINEER  
TO MAKE THESE DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

BY: [Signature] DATE 4/2/02

STATE OF TEXAS  
COUNTY OF HIDALGO

I, THE UNDERSIGNED, JOSE E. SAENZ, A REGISTERED PROFESSIONAL  
ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROPER  
ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT.

STATE OF TEXAS  
COUNTY OF HIDALGO

I, LEO RODRIGUEZ, JR., CERTIFY THAT THE ABOVE PLAT IS AN  
ACTUAL SURVEY MADE ON THE GROUND UNDER MY  
SUPERVISION AND THAT THERE ARE NO VISIBLE EASEMENTS OR  
ENCROACHMENTS EXCEPT AS SHOWN AND THAT ALL CORNERS  
HAVE BEEN LOCATED AS INDICATED.



REGISTERED PROFESSIONAL LAND SURVEYOR NO. 2448  
612 NOLANA LOOP SUITE 320 McALLEN, TEXAS 78504  
PHONE (956) 687-7291

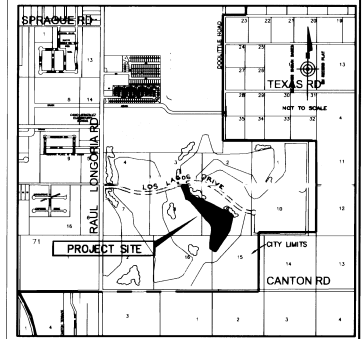
## LOS LAGOS SUBDIVISION, PHASE 1

A 16.87 ACRE TRACT OF LAND, MORE OR LESS, BEING 3.94 ACRES OUT OF LOT 8, AND 9.46 ACRES OUT OF LOT 9, AND 0.25 OF  
AN ACRE OUT OF LOT 3, SWEARENGEN TRACT, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN VOLUME 2, PAGE  
28, MAP RECORDS OF HIDALGO COUNTY, TEXAS, AND BEING 1.17 ACRES OF LOT 16, BLOCK 59, AND 2.05 ACRES OUT OF LOT 15,  
BLOCK 59, ALAMO LAND AND SUGAR COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN  
VOLUME 1, PAGES 24-26, MAP RECORDS OF HIDALGO COUNTY, TEXAS.  
DATE OF PREPARATION MARCH 13, 2002

LINE	LENGTH	BEARING
L1	48.00	S67°21'30"E
L2	82.81	S32°27'27"E
L3	117.23	S45°15'17"E
L4	17.88	S62°31'10"E
L5	36.11	S09°33'10"E
L6	182.85	S42°46'08"E
L7	130.30	S47°07'47"E
L8	84.86	S42°07'58"E
L9	55.81	S42°31'09"E
L10	26.11	S63°31'22"E
L11	30.74	N74°32'50"W
L12	128.57	N47°26'00"W
L13	34.12	N32°24'38"W
L14	66.53	N12°31'17"E
L15	53.94	N10°41'38"E
L16	28.55	N15°29'17"E
L17	34.64	N12°28'30"E
L18	24.87	N15°28'03"E
L19	45.99	N18°29'10"E
L20	50.79	N11°47'34"E
L21	75.53	N42°21'48"E
L22	63.40	N12°48'40"E
L23	84.70	N08°36'13"E
L24	65.45	N08°19'38"E
L25	85.29	N32°07'35"E
L26	100.82	N47°21'42"E
L27	101.02	N28°31'37"E
L28	57.74	N30°17'10"E
L29	120.11	N32°08'18"E
L30	110.04	N32°18'45"E
L31	68.96	N10°13'12"E
L32	50.14	N54°22'44"E
L33	111.52	N08°30'21"E
L34	47.45	N13°05'47"E
L35	18.87	N80°30'14"E
L36	49.29	N27°31'30"E
L37	88.92	N25°27'22"E
L38	142.84	N01°35'27"E
L39	103.64	N32°18'45"E
L40	4.38	N35°08'18"E
L41	66.24	N70°38'28"E
L42	21.95	N50°28'30"E

CURVE	RADIUS	LENGTH	DELTA	TANGENT	CHD	ORD	CHORD
C1	1000.45	188.07	9°42'07"	84.73	584.50	42.76	188.86
C2	95.00	14.45	14°08'27"	23.13	5.85	2.31	14.45
C3	275.00	148.56	30°34'10"	75.07	180.22	21.76	144.83
C4	180.00	235.05	74°49'53"	137.66	180.74	44.76	238.70

LEGEND  
• SET 1/2" IRON ROD  
ALL LOTS MARKED WITH  
1/2" IRON RODS



LOCATION MAP  
N.T.S.

### METES AND BOUNDS

A 16.87 ACRE TRACT OF LAND, MORE OR LESS, BEING 3.94 ACRES  
OUT OF LOT 8, AND 9.46 ACRES OUT OF LOT 9, AND 0.25 OF AN  
ACRE OUT OF LOT 3, SWEARENGEN TRACT, HIDALGO COUNTY, TEXAS,  
ACCORDING TO THE MAP RECORDED IN VOLUME 2, PAGE 28, MAP  
RECORDS OF HIDALGO COUNTY, TEXAS, AND BEING 1.17 ACRES OF  
LOT 16, BLOCK 59, AND 2.05 ACRES OUT OF LOT 15, BLOCK 59,  
ALAMO LAND AND SUGAR COMPANY SUBDIVISION, HIDALGO COUNTY,  
TEXAS, ACCORDING TO THE MAP RECORDED IN VOLUME 1, PAGES  
24-26, MAP RECORDS OF HIDALGO COUNTY, TEXAS, AND BEING  
MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS  
FOLLOWS, TO-WIT:

COMMENCING AT A 60-D NAIL FOUND AT THE NORTHEAST CORNER  
OF LOT 8, SWEARENGEN TRACT;  
THENCE, NORTH 08°45'00" EAST, A DISTANCE OF 63.67 FEET TO A  
60-D NAIL FOUND FOR AN ANGLE POINT HEREOF;  
THENCE, NORTH 81°50'00" WEST, A DISTANCE OF 452.95 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER OF THIS TRACT OF  
LAND, AND THE PLACE OF BEGINNING;  
THENCE, SOUTH 07°21'30" EAST, A DISTANCE OF 48.08 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, SOUTH 00°11'42" EAST, A DISTANCE OF 168.41 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, SOUTH 22°27'27" EAST, A DISTANCE OF 87.81 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, SOUTH 59°51'18" EAST, A DISTANCE OF 554.78 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, SOUTH 53°28'17" EAST, A DISTANCE OF 532.47 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, SOUTH 45°15'17" EAST, A DISTANCE OF 117.23 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, SOUTH 02°51'15" EAST, A DISTANCE OF 17.86 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, SOUTH 06°30'10" WEST, A DISTANCE OF 38.16 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, SOUTH 21°02'27" WEST, A DISTANCE OF 331.38 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, SOUTH 38°09'50" WEST, A DISTANCE OF 221.89 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, SOUTH 43°46'08" WEST, A DISTANCE OF 162.85 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, SOUTH 42°07'47" WEST, A DISTANCE OF 130.30 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, SOUTH 42°07'58" WEST, A DISTANCE OF 84.86 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, SOUTH 45°15'00" WEST, A DISTANCE OF 50.81 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, SOUTH 80°51'52" WEST, A DISTANCE OF 23.11 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 74°32'50" WEST, A DISTANCE OF 30.74 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 47°50'00" WEST, A DISTANCE OF 128.57 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 30°24'38" WEST, A DISTANCE OF 34.13 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 12°31'17" EAST, A DISTANCE OF 66.53 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 10°41'38" EAST, A DISTANCE OF 53.94 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 15°29'17" EAST, A DISTANCE OF 28.55 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 15°28'03" EAST, A DISTANCE OF 34.64 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 15°28'03" EAST, A DISTANCE OF 24.87 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 15°28'03" EAST, A DISTANCE OF 45.99 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;

CONTINUED...

THENCE, NORTH 11°47'34" EAST, A DISTANCE OF 50.79 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 22°24'44" EAST, A DISTANCE OF 78.53 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 12°40'40" EAST, A DISTANCE OF 63.40 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 06°36'13" EAST, A DISTANCE OF 84.70 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 08°45'00" WEST, A DISTANCE OF 63.67 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 32°07'35" WEST, A DISTANCE OF 85.29 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 37°42'42" WEST, A DISTANCE OF 100.82 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 59°51'18" WEST, A DISTANCE OF 101.02 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 53°28'17" WEST, A DISTANCE OF 110.04 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 45°15'17" WEST, A DISTANCE OF 117.23 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 42°51'15" WEST, A DISTANCE OF 17.86 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 06°30'10" WEST, A DISTANCE OF 38.16 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 21°02'27" WEST, A DISTANCE OF 331.38 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 38°09'50" WEST, A DISTANCE OF 221.89 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 43°46'08" WEST, A DISTANCE OF 162.85 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 42°07'47" WEST, A DISTANCE OF 130.30 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 42°07'58" WEST, A DISTANCE OF 84.86 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 45°15'00" WEST, A DISTANCE OF 50.81 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 80°51'52" WEST, A DISTANCE OF 23.11 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 74°32'50" WEST, A DISTANCE OF 30.74 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 47°50'00" WEST, A DISTANCE OF 128.57 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 30°24'38" WEST, A DISTANCE OF 34.13 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 12°31'17" EAST, A DISTANCE OF 66.53 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 10°41'38" EAST, A DISTANCE OF 53.94 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 15°29'17" EAST, A DISTANCE OF 28.55 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 15°28'03" EAST, A DISTANCE OF 34.64 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 15°28'03" EAST, A DISTANCE OF 24.87 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
THENCE, NORTH 15°28'03" EAST, A DISTANCE OF 45.99 FEET TO A  
HALF (1/2) INCH IRON ROD FOUND FOR A CORNER HEREOF;  
CONTAINING 16.87 ACRES, MORE OR LESS.

FILED FOR RECORD IN  
HIDALGO COUNTY  
BY J.D. SALINAS, III  
COUNTY CLERK  
ON 04/02/02  
ALL RECORDING NUMBER 107248  
BY Annabelle M. Alcor DEPUTY

Recorded in volume 39, Page 154  
of the map records of Hidalgo  
County, Texas  
J.D. Salinas III  
County Clerk

### NOTES:

- FLOOD ZONE DESIGNATION: ZONE "X"  
COMMUNITY-PANEL NUMBER 480038 0035E  
MAP REVISED: JUNE 6, 2000  
AREAS OF 500-YEARS 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.
- MINIMUM FLOOR ELEVATION SHALL BE 18 INCHES  
ABOVE TOP OF CURB AT FRONT AND CENTER OF LOT,  
EXCEPT FOR LOT 22, WHICH WILL BE GOVERNED BY  
CITY OF EDINBURG ZONING ORDINANCE.
- 36,257 CF OF STORM RUNOFF WILL BE REQUIRED TO BE  
DETAINED WITHIN THE SUBDIVISION  
LOT 1 THRU 22= 1655 CF. EACH
- ONLY ONE SINGLE FAMILY DWELLING PER LOT, EXCEPT FOR LOT 22.
- MINIMUM BUILDING SETBACK LINE:  
FRONT: 25'; 15' ON CUL DE SAC FOR LOT 22  
SIDE: 7', 18' FOR GARAGE/10' FOR LOT 22  
REAR: 20' X OF LOT 22, 20' FOR LOT 22
- 50% OF PARCEL DEDICATION FEES ARE DUE AT  
BUILDING PERMIT STAGE.
- NO BUILDINGS SHALL BE CONSTRUCTED OVER ANY EASEMENTS.
- LOT OWNERS WILL BE RESPONSIBLE FOR THE MAINTENANCE OF  
ALL ACCESS EASEMENTS, STREETS, AND COMMON AREAS  
WITHIN THE SUBDIVISION.
- ADDITIONAL FIRE HYDRANTS MAY BE REQUIRED FOR LOT 22  
AT BUILDING PERMIT STAGE.
- BENCHMARK IS THE TOP OF SANITARY SEWER MANHOLE  
LOCATED AT THE ENTRANCE OF ARJUNA DRIVE.  
ELEVATION=96.13
- MINIMUM FLOOR ELEVATION SHALL BE 18 INCHES  
ABOVE TOP OF CURB AT FRONT & CENTER OF LOT.

THIS PLAT APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT NO. 1  
ON THIS 21 DAY OF December, 2002.

NO IMPROVEMENTS OF ANY KIND SHALL BE PLACED UPON H.C.I.D. NO.1  
RIGHTS-OF-WAY EASEMENT WITHOUT THE EXPRESSED WRITTEN  
PERMISSION.

HIDALGO COUNTY IRRIGATION DISTRICT NO. 1

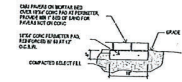
Madley SECRETARY  
Alan Wilson CHAIRMAN

LOT 16, BLOCK 59  
ALAMO LAND AND  
SUGAR CO. SUBDIVISION

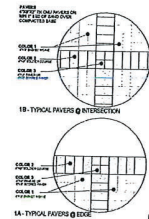
LOT 15, BLOCK 59  
ALAMO LAND AND  
SUGAR CO. SUBDIVISION



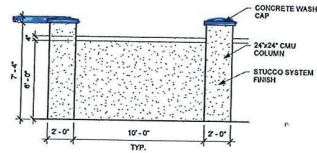
**J.E. SAENZ & ASSOCIATES, INC.**  
P.O. BOX 3293  
EDINBURG, TEXAS 78540  
TEL. (956) 383-2984  
FAX (956) 383-3736



4 PAVES DETAIL @ PERIMETER  
1/2" = 1'-0"



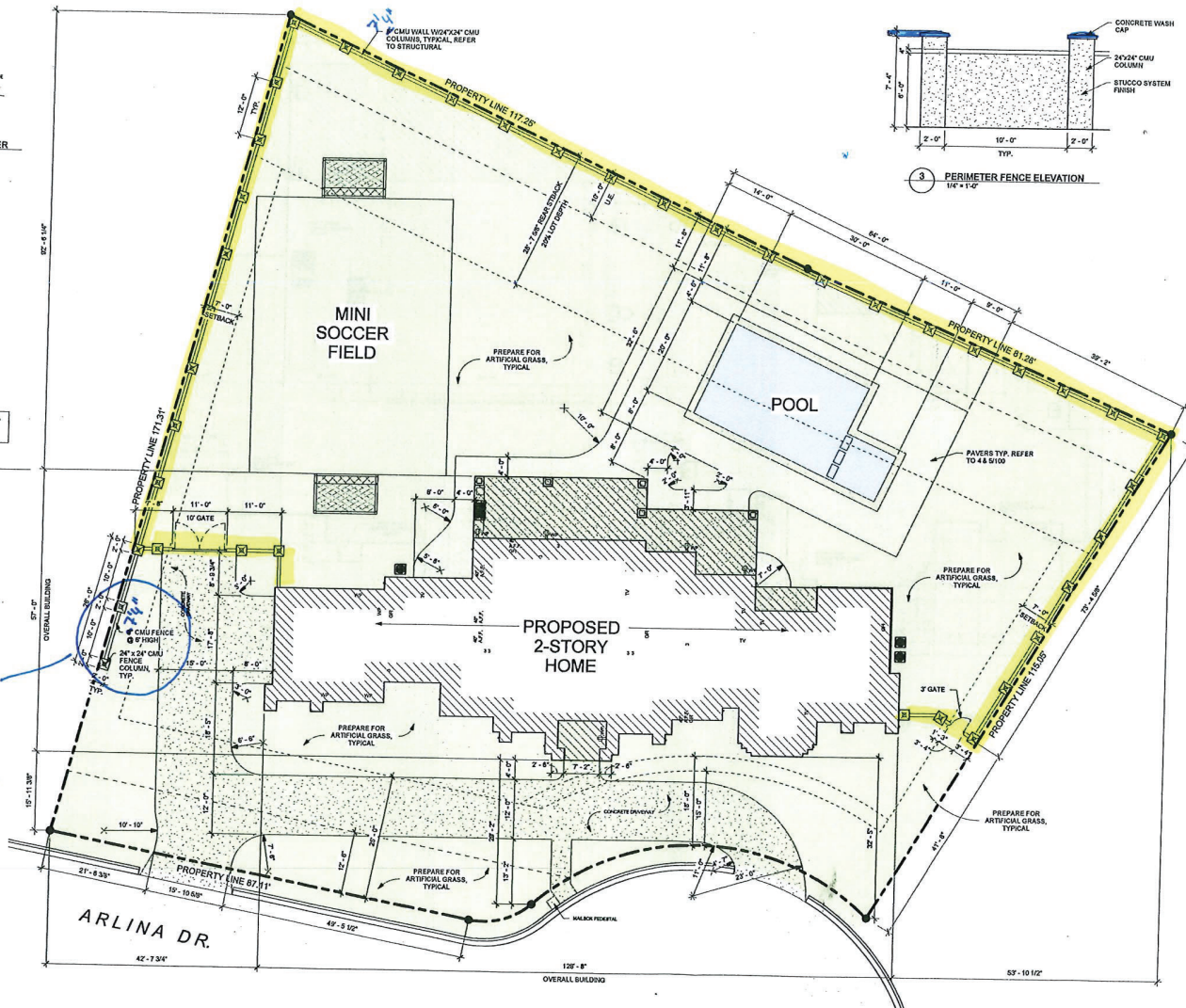
5 PAVES PATTERN DETAILS  
1/2" = 1'-0"



3 PERIMETER FENCE ELEVATION  
1/4" = 1'-0"

# **SITE GENERAL NOTES:**

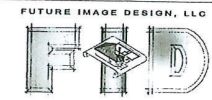
1. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS & CONDITIONS PRIOR TO COMMENCING ANY WORK.
2. FINAL SITE GRADING TO SLOPE AWAY FROM THE STRUCTURE AND SHALL PREVENT WATER FROM POOLING IN THE AREAS ADJACENT TO THE STRUCTURE.
3. CONSTRUCTION AREAS REMOVE ALL VEGETATION, TOPSOIL, ROOTS AND OTHER DELETERIOUS MATERIALS TYPICALLY 6 TO 12 INCHES IN DEPTH, SHALL BE REMOVED TO DISTANCE OF 6'-0" OUTSIDE FROM THE PROPOSED BUILDING LINE.
4. THERE SHALL BE 8" DROP FROM THE SLAB FINISH FLOOR ELEVATION TO FINISH GRADE, THEN A 2% SLOPE FOR THE FIRST 10' AND A 1% SLOPE TO THE STREET OR REAR YARD.
5. OWNER, BUILDER, AND SURVEYOR TO APPROVE LOCATION OF HOUSE ON LOT, AND TO VERIFY ALL EASEMENTS AND BUILDING LINES PRIOR TO COMMENCING ANY CONSTRUCTION. DESIGNER SHALL BE NOTIFIED OF ANY DEVIATION FROM THIS SITE PLAN.



See structural  
plan  
CMU wall  
details page  
91.0

11/6

PLANS NOTE:  
FUTURE IMAGE DESIGN, LLC HAS ASSURED LIABILITY FOR ANY STRUCTURE CONSTRUCTED FROM THESE PLANS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY STRUCTURE CONSTRUCTED FROM THESE PLANS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY STRUCTURE CONSTRUCTED FROM THESE PLANS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY STRUCTURE CONSTRUCTED FROM THESE PLANS.



fidyoman@gmail.com OMAR SERNA 956.246.6878

Plan Submittals:

PERMIT SET/ CONSTRUCTION SET

Date: NOV. 24, 2021

Project Name and Address:

**MOSES ASHUKEM  
RESIDENCE**

LOT #12, LOS LAGOS SUBDIVISION PHASE 1,  
EDINBURG, TEXAS  
OWNER: MOSES ASHUKEM  
PH: 240.821.0260  
EMAIL: m.ashukem@tuttnml.vcu.edu

Plan No: FID21037

Drawing Title:  
**SITE PLAN**

Drawing No:  
**100**



# Zoning Board of Adjustment

Site Photos for meeting of March 30, 2022

GLEND A GARCIA/MOSES T. ASHUKEM - 2320 ARLINA DRIVE



## Planning & Zoning Staff Report

Prepared on: March 17, 2022

### ZONING BOARD OF ADJUSTMENT

Regular Meeting: March 30, 2022

#### Agenda Item 7D

Consider Variance to the City's Unified Development Code, Section 3.301, Single Family Residential Bulk Standards, Setbacks, Lot 56, Bentley Estates Subdivision, located at 4809 Sheffield Street, as requested by Ali Famitafreshi

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#### Request

The applicant is requesting a variance to the City's Unified Development Code (UDC), Section 3.301 as it applies to single-family residential setbacks. The applicant is proposing to reduce the rear yard setback from 25 ft. to 13 ft. for construction of a residential home.

#### Property Location and Vicinity

The property is located on the west side of Sheffield Street, approximately 45 ft. south of Churchill Avenue, and is zoned Neighborhood Conservation 7.1 (NC7.1) District. Adjacent zoning is Neighborhood Conservation 7.1 (NC7.1) District to the north, south and east, and Commercial General (CG) District to the west. Surrounding land uses are single-family residential with vacant land to the west.

#### Background and History

The property is part of the Bentley Estates Subdivision, recorded on August 19, 2005. The applicant is proposing to construct a single-family home into the required rear yard setback. The applicant discussed proposed plans with City staff in February 2022. A site plan provided showed the primary structure approximately 12 ft. from the property line. Subsequently, the applicant submitted a Variance Request on February 18, 2022, to accommodate the project.

Staff mailed notice of this variance request to 25 neighboring property owners. No comments in favor or against this request had been received at the time this report was prepared.

#### Analysis

The property has 80 ft. of frontage on Sheffield Street and a depth of 125 ft. for a total lot area of 10,000 sq. ft. The site plan submitted shows a residential structure with a total area of 5,989 sq. ft. The floor plan has a large central courtyard that is open to the northern side yard. There is a 10 ft. utility easement along the rear of the property. Construction will take place 2 ft. clear of this easement. A 22 ft. private access alley exists west of the rear property line, and there is a 50 ft. easement to the west of this private alley. The alley and easement create a buffer between the residential units and the vacant property to the west.

The applicant indicated that he and his wife prefer the large central courtyard and additional living space instead of a large rear yard.



# Planning & Zoning Staff Report

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## **Recommendation**

Staff recommends compliance with UDC requirements. No hardship as such exists to support the variance requested. There are at least two other properties in this subdivision that have received variances of this nature to required setbacks. For these cases, the Bentley Estates Homeowner's Association requests that the property owner seek variance with the City of Edinburg before seeking approval from their board.

If approved, the applicant will need to comply with all other requirements during the permitting process. If approved, \$40 fee, payable to the County of Hidalgo, County Clerk's Office, for the recording of the ZBA order is also required. A location map, aerial map, photo, subdivision plat, site plan, and application from the property owner are attached for the Board's consideration.

Prepared by:

**D. Austin Colina**  
Planner I

Approved by:

**Kimberly A. Mendoza, MPA**  
Director of Planning & Zoning



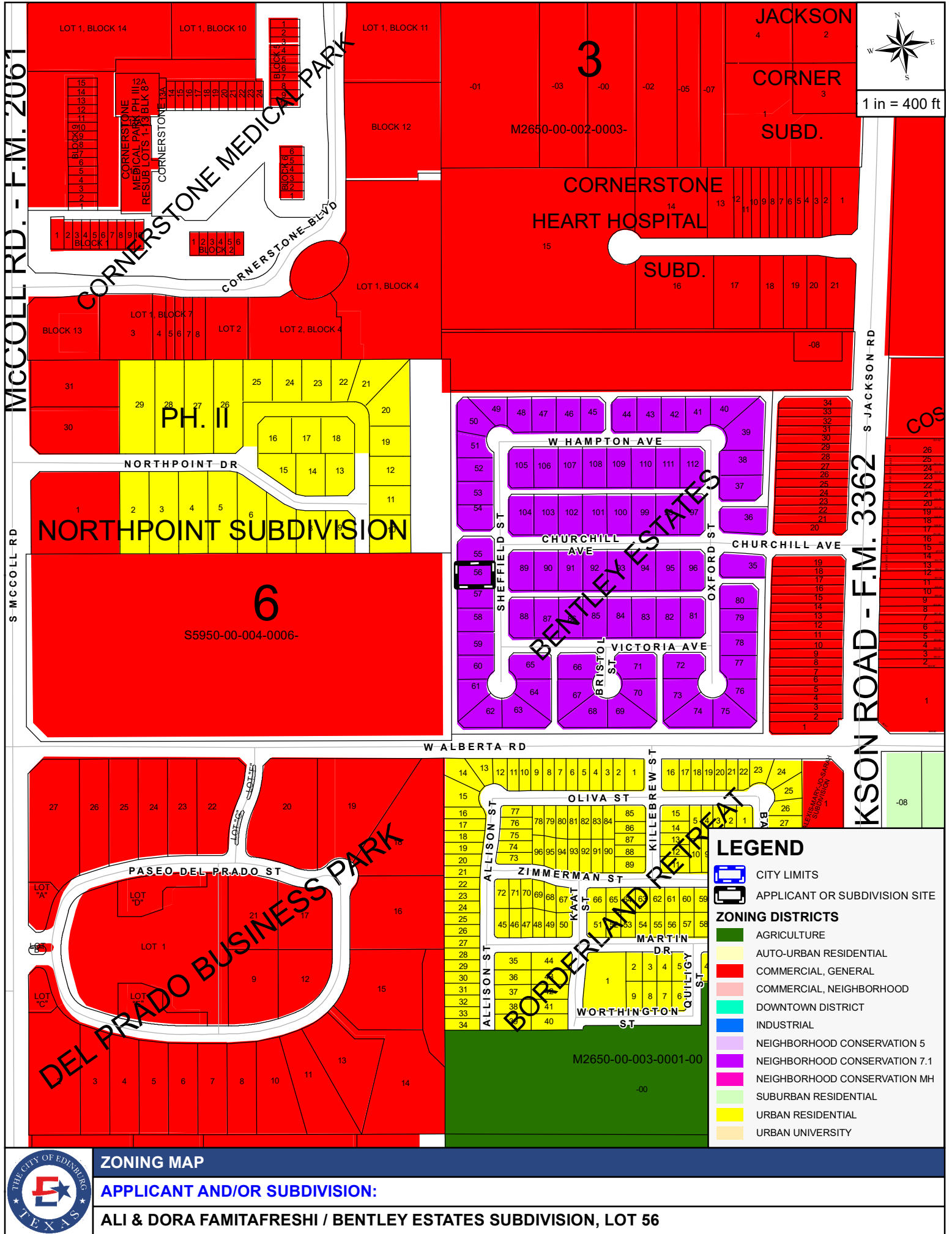


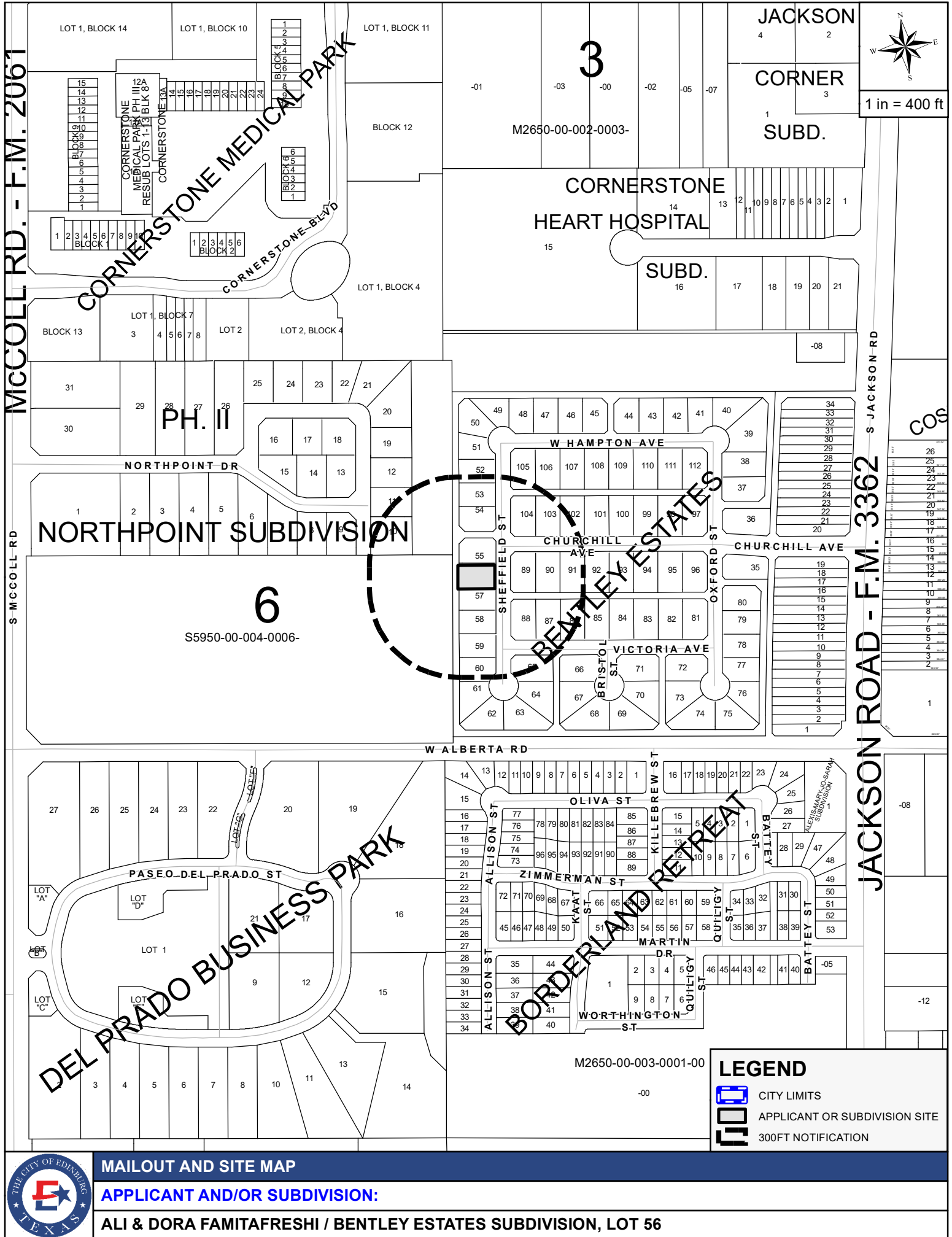
## AERIAL MAP

**APPLICANT AND/OR SUBDIVISION:**

**ALI & DORA FAMITAFRESHI / BENTLEY ESTATES SUBDIVISION, LOT 56**







McCOLL RD. - F.M. 2061

S McCOLL RD



JACKSON  
4 2  
CORNER  
3  
SUBD.

CORNERSTONE  
HEART HOSPITAL

SUBD.

CORNERSTONE MEDICAL PARK  
RESUB LOTS 1-13 BLK 8A  
CORNERSTONE PH II  
CORNERSTONE PH II  
CORNERSTONE PH II

PH. II

NORTHPOINT SUBDIVISION

6

S5950-00-004-0006-

BENTLEY ESTATES




W ALBERTA RD

DEL PRADO BUSINESS PARK

BORDERLAND RETREAT

JACKSON ROAD - F.M. 3362

LEGEND

-  CITY LIMITS
-  APPLICANT OR SUBDIVISION SITE
-  300FT NOTIFICATION



MAILOUT AND SITE MAP

APPLICANT AND/OR SUBDIVISION:

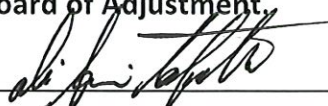
ALI & DORA FAMITAFRESHI / BENTLEY ESTATES SUBDIVISION, LOT 56



Case #

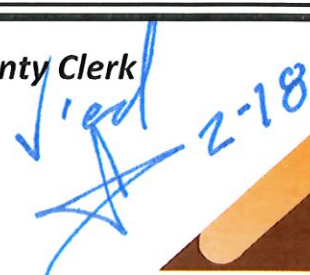
THE CITY OF  
**Edinburg**Planning & Zoning Department  
415 W. University Drive  
Edinburg, Texas 78539  
(956) 388-8202

## Zoning Board of Adjustment Application Request for Variance

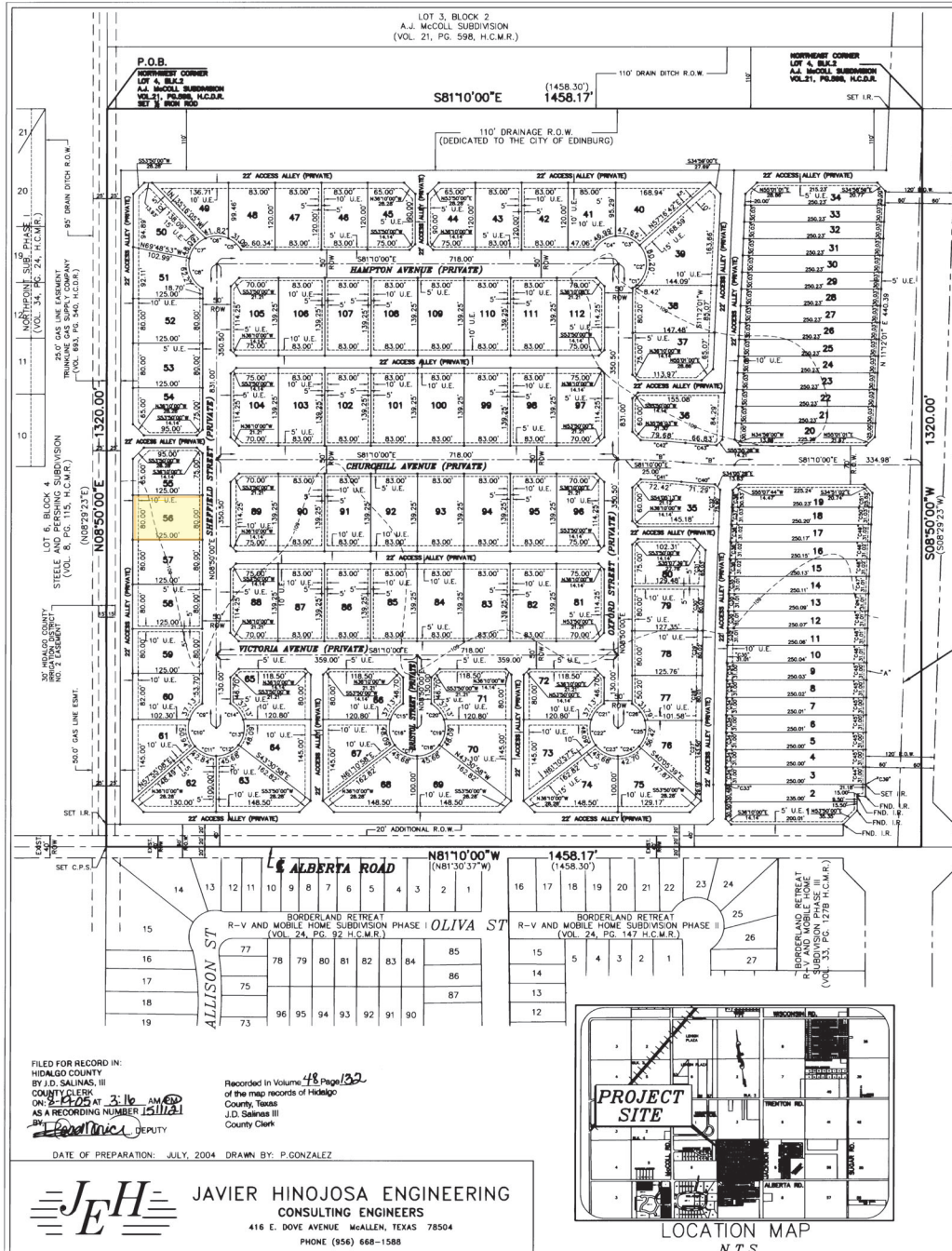
Nature of Request: Rear Yard setbacks, UDC sec. 3.301Reason for Hardship (required; attach additional pages if necessary)To accommodate larger court yard and additional roomProperty Description: Lot 56 Block \_\_\_\_\_ Subdivision Bently estatesProperty Address: 4809 sheffield stPresent Property Zoning: NC 7.1Person requesting Variance: Ali Famitafreshi Email: famialit@gmail.comMailing Address: 316 Cornell Ave McAllen, Texas 78504  
Street Address City/State Zip CodePhone No. (Home): 956 443 5233 (Work): \_\_\_\_\_ (Cell): 956 443 5233Owner's Name: Ali & Dora Famitafreshi Email: famialit@gmail.comOwner's Address: 316 Cornell Ave McAllen Texas 78504  
Street Address City/State Zip CodeAs owners or agents for the above described property, I (we) hereby request a hearing before the  
City of Edinburg Zoning Board of Adjustment.Signature:  Date: 2/18/2022Owner/Agent's Name (Please Print): Ali Famitafreshi\$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







## SUBDIVISION PLAT OF BENTLEY ESTATES SUBDIVISION

A TRACT OF LAND CONTAINING 44.19 ACRES, SITUATED IN THE CITY OF EDINBURG, HIDALGO COUNTY, TEXAS AND ALSO BEING ALL OF LOT 4, BLOCK 2, A. J. MCCOLL SUBDIVISION, MAP REFERENCE: VOLUME 21, PAGE 598, H.C.D.R.

STATE OF TEXAS  
COUNTY OF HIDALGO

WE, THE UNDERSIGNED OWNERS OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS BENTLEY ESTATES SUBDIVISION DO HEREBY GRANT AN EASEMENT TO THE CITY OF EDINBURG AND THOSE WHO MAY NOW OR HEREINAFTER HOLD FRANCHISE UNDER SAID CITY, THE USE OF THE STREETS, ALLEYS AND EASEMENTS THEREON SHOWN, SURFACE USE OF THE STREETS AND ALLEYS IS RESTRICTED TO THE EMPLOYEES OR AGENTS OF THE CITY OF EDINBURG EMPLOYEES OF UTILITIES OPERATING UNDER FRANCHISE TO THE CITY OF EDINBURG AND RESIDENTS OF THIS SUBDIVISION AND THEIR OWNERS.

STATE OF TEXAS  
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, JORGE S. MALDONADO AND RAMIRO MATA PERSONALLY APPEARED AND PROVED, THROUGH THEIR ATTORNEYS, THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPOINTMENT IS REQUIRED. GIVEN UNDER MY HAND AND SEAL OF OFFICE.

THIS 22nd DAY OF July, 2005 A.D.

VERONICA GARCIA, Notary Public for the State of Texas  
My Commission Expires on June 30, 2008

I, THE UNDERSIGNED, CHAIRPERSON OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF EDINBURG, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPOINTMENT IS REQUIRED. GIVEN UNDER MY HAND AND SEAL OF OFFICE.

DATED THIS 12 DAY OF October, 2004 A.D.

CHAIRPERSON, PLANNING & ZONING COMMISSION

STATE OF TEXAS  
COUNTY OF HIDALGO

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

Javier Hinojosa, P.E.  
7/22/05  
REGISTERED PROFESSIONAL ENGINEER No. 74808

STATE OF TEXAS  
COUNTY OF HIDALGO

I, CARLOS VASQUEZ, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

Carlos Vasquez, R.L.S.  
7/22/05  
REGISTERED PROFESSIONAL LAND SURVEYOR No. 4608  
CIVIL LAND SURVEYORS  
2014 NORTH WARE ROAD  
MCCALLEN, TEXAS 78051  
(956) 516-1551  
DATE SURVEYED: 02-16-04

THIS PLAT IS HEREBY APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT #2 ON THIS 22nd DAY OF July, 2005

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

ATTEST: *[Signature]*  
SECRETARY

### GENERAL NOTES

- THIS PROPERTY IS LOCATED IN ZONE "X" ON A FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 480338 0030 E, REVISED JUNE 6, 2000. ZONE "X" FOR ENTIRE PROPERTY AS PER LOMA LETTER, EFFECTIVE DATE OF AMENDMENT, JULY 11, 2003. ZONE "X" IS DEFINED AS AREAS OF THE 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 THE 100-YEAR FLOOD.
- MINIMUM FINISHED FLOOR ELEVATION SHALL BE EIGHTEEN (18) INCHES ABOVE THE TOP OF CURB AS MEASURED AT THE FRONT CENTER OF THE LOT.
- MINIMUM BUILDING SETBACK LINES SHALL BE AS FOLLOWS: RESIDENTIAL LOTS (RESIDENTIAL LOTS 35-112)
  - FRONT: 25 FEET; 15 FEET FOR CUL-DE-SACS OR EASEMENT, WHICHEVER IS GREATER
  - REAR: 10 FEET OR EASEMENT, WHICHEVER IS GREATER
  - SIDE (INTERIOR): 7 FEET OR EASEMENT, WHICHEVER IS GREATER
  - SIDE CORNER (STREET): 10 FEET OR EASEMENT, WHICHEVER IS GREATER
  - SIDE CORNER GARAGE: 15 FEET OR EASEMENT, WHICHEVER IS GREATER
 (COMMERCIAL LOTS 1-34)
  - FRONT: 60 FEET OR EASEMENT, WHICHEVER IS GREATER
  - REAR: 10 FEET OR EASEMENT, WHICHEVER IS GREATER
  - SIDE (INTERIOR): 0 FEET OR EASEMENT, WHICHEVER IS GREATER
  - SIDE CORNER (STREET): 10 FEET OR EASEMENT, WHICHEVER IS GREATER
- A 4' WIDE SIDEWALK 4' BEHIND THE CURB IS REQUIRED ALONG THE FRONTAGE OF ALL RESIDENTIAL LOTS AT THE BUILDING PERMIT STAGE.
- THIS SUBDIVISION IS SERVED BY THE CITY OF EDINBURG WATER AND SANITARY SEWER SYSTEMS.
- A 6" DIAMETER IRON ROD SHALL BE SET ON ALL LOT CORNERS, UNLESS OTHERWISE NOTED ON THIS PLAT.
- 50% PARKLAND DEDICATION FEE WILL BE DUE AT THE BUILDING PERMIT STAGE ON ALL RESIDENTIAL LOTS.
- BENCH MARK: ELEVATION = 109.59 TOP OF CURB INLET LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF JACKSON ROAD AND ALBERTA ROAD.
- A TOTAL OF 209,163 CUBIC FEET (4.80 ACRE FEET) OF STORM WATER DETENTION IS REQUIRED FOR THIS SUBDIVISION.
- NO MORE THAN ONE DETACHED DWELLING WILL BE PERMITTED ON EACH RESIDENTIAL LOT.
- 5' SIDEWALK IS REQUIRED ALONG THE NORTH SIDE OF ALBERTA ROAD AND THE WEST SIDE OF JACKSON ROAD AS PART OF THIS SUBDIVISION.
- ALL PRIVATE STREETS, PRIVATE ACCESS ALLEYS, LANDSCAPING AREAS, FENCE EASEMENTS, ETC. WITHIN THE SUBDIVISION ARE TO BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
- NO PERMANENT STRUCTURES SHALL BE ALLOWED WITHIN UTILITY EASEMENTS, GAS EASEMENTS, IRRIGATION EASEMENTS AND LOT LINES.
- RECIPROCAL ACCESS AGREEMENT IS REQUIRED BETWEEN LOTS 13-34.
- SITE PLAN IS REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMIT FOR COMMERCIAL DEVELOPMENT.
- ALL PARKING FOR LOTS 1-19 AND LOTS 20-34 SHALL BE HELD IN COMMON FOR ALL LOTS.

### METES AND BOUNDS

A TRACT OF LAND CONTAINING 44.19 ACRES, SITUATED IN THE CITY OF EDINBURG, HIDALGO COUNTY, TEXAS AND ALSO BEING ALL OF LOT 4, BLOCK 2, A. J. MCCOLL SUBDIVISION, MAP REFERENCE: VOLUME 21, PAGE 598, H.C.D.R., AND SAID 44.19 ACRES OF LAND ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING ON A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "CVO L5" SET ON THE NORTHWEST CORNER OF SAID LOT 4, FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE S 81° 10' 00" E, ALONG THE NORTH LINE OF SAID LOT 4, AT A DISTANCE OF 1380.00 FEET PASS A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "CVO L5" SET ON THE WEST RIGHT-OF-WAY LINE OF JACKSON ROAD (F.M. 3420) AS RECORDED IN DOCUMENT NO. 688490, H.C.D.R. AND CONTINUING A TOTAL DISTANCE OF 1458.17 FEET (1458.30 FEET) TO THE NORTHEAST CORNER OF SAID LOT 4, FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE S 80° 50' 00" W (S 80° 29' 23" W), ALONG THE EAST LINE OF SAID LOT 4 AND WITHIN THE RIGHT-OF-WAY OF SAID JACKSON ROAD, A DISTANCE OF 1320.00 FEET TO THE CENTER LINE OF ALBERTA ROAD AND THE SOUTHEAST CORNER OF SAID LOT 4, FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE N 81° 10' 00" W (N 81° 30' 37" W), ALONG THE CENTER LINE OF ALBERTA ROAD, AT A DISTANCE OF 140.00 FEET PASS A COTTON PICKER SPINDLE SET ON THE WEST RIGHT-OF-WAY LINE OF SAID JACKSON ROAD (F.M. 3420), AND CONTINUING A TOTAL DISTANCE OF 1458.17 FEET (1458.30 FEET) TO A COTTON PICKER SPINDLE SET ON THE SOUTHWEST CORNER OF SAID LOT 4, FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE N 81° 10' 00" W (N 80° 29' 23" E), ALONG THE WEST LINE OF LOT 4, AT A DISTANCE OF 40.00 FEET PASS A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "CVO L5" SET ON THE NORTH RIGHT-OF-WAY LINE OF SAID ALBERTA ROAD AS RECORDED IN DOCUMENT NO. 688493, H.C.D.R. AND CONTINUING A TOTAL DISTANCE OF 1320.00 FEET TO THE POINT OF BEGINNING, CONTAINING 44.19 ACRES OF LAND OF WHICH 0.81 ACRES LIE IN THE RIGHT-OF-WAY OF SAID ALBERTA ROAD AND 2.64 ACRES LIE IN THE RIGHT-OF-WAY OF JACKSON ROAD, LEAVING A NET OF 40.84 ACRES OF LAND, MORE OR LESS.

STATE OF TEXAS  
COUNTY OF HIDALGO

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEXAS WATER CODE 49-21(C). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER OF THE SUBDIVISION AND ITS ENGINEER TO MAKE THESE DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1  
BY: *[Signature]*

FILED FOR RECORD IN:  
HIDALGO COUNTY  
BY J.D. SALINAS, III  
COUNTY CLERK  
ON 7/22/05 AT 3:16 AM  
AS A RECORDING NUMBER 151111  
J.D. Salinas III  
County Clerk

Recorded in Volume 48 Page 132  
of the map records of Hidalgo  
County, Texas  
J.D. Salinas III  
County Clerk

DATE OF PREPARATION: JULY, 2004 DRAWN BY: P.GONZALEZ

**J.E.H.**  
JAVIER HINOJOSA ENGINEERING  
CONSULTING ENGINEERS  
416 E. DOVE AVENUE, MCCALLEN, TEXAS 78504  
PHONE (956) 668-1588

LOCATION MAP  
N.T.S.

SHEET 1 OF 3





ALLEY

REAR  
SETBACK

COURTYARD

M/A  
Custom Plans  
382 PARKWAY AUSTIN, TX  
(512) 338-8877  
WWW.M/ACUSTOMPLANS.COM  
LOT 30 BENTLEY LANE WES

PROJECT DATA

UNRE:	5,280.0 SQ. FT.
UNR3:	3,487.0 SQ. FT.
UNR2:	1,793.0 SQ. FT.
CARPCE:	536.0 SQ. FT.
PORCH:	820.0 SQ. FT.
PATIO:	538.0 SQ. FT.
BALCONY:	95.0 SQ. FT.
TOTAL:	8,386.0 SQ. FT.

SHELFIELD ST



- Drive way would be 18' instead of 25'
- House setback would be 12' instead of 25'

# Zoning Board of Adjustment

Site Photos for meeting of March 30, 2022

ALI FAMITAFRESHI - 4809 SHEFFIELD STREET



## Planning & Zoning Staff Report

Prepared on: March 18, 2022

### ZONING BOARD OF ADJUSTMENT

Regular Meeting: March 30, 2022

#### Agenda Item 7E

Consider Variances to the City's Unified Development Code: 1) Section 3.301 Single-Family Lot and Building Standards, Setbacks, 2) Section 3.505(A) Easements and Utilities, and 3) 2.301(B)(2)(a) Accessory Structures to Single Family Uses, Floor Area, Lot 2, Willow Creek Subdivision, located at 1611 South Jackson Road, as requested by Alfonso Quintanilla, P.E., on behalf of Vivian Villarreal

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#### Request

The applicant is requesting three variances to the City's Unified Development Code (UDC) to accommodate existing accessory structures that are located in the side yard setbacks and over a utility easement. These structures exceed 30% of the floor area of the principal structure.

#### Property Location and Vicinity

The property is located on the west side of South Jackson Road, approximately 110 ft. south of West Freddy Gonzalez Drive, and is zoned Neighborhood Conservation 7.1 (NC7.1) District. Adjacent zoning is Neighborhood Conservation 7.1 (NC7.1) District to the north and south, and Neighborhood Conservation 5 (NC5) District to the east and west. Adjacent land uses are residential in all directions.

#### Background and History

The property is part of the Willow Creek Subdivision, recorded on May 26, 1993. The applicant wishes to sell the subject property; however, numerous accessory structures were built by the applicant without necessary building permits. Applicant and agent met with City staff on March 10, 2022, to discuss the request. Variances are needed to proceed with sale of the property.

Staff mailed notice of this variance request to 39 neighboring property owners. No comments in favor or against this request had been received at the time this report was prepared.

#### Analysis

The property has 97.51 ft. of frontage on South Jackson Road and a depth 233.73 ft. for a total lot area of 22, 716.9 sq. ft. A survey of the subject property shows eight accessory structures in the rear yard. Of these structures, four are located in the side yard setbacks, two are located in a utility easement, and two are located in both the side yard setback and utility easement. At least two of the structures are built over existing property lines. The total floor area of these structures exceeds 30% of the floor area of the principle structure. UDC Section 3.301 requires 7 ft. side yard setbacks for this zoning district and prohibits structures in this area. UDC Section 3.505 prohibits any intrusion structures in utility easements. UDC Section 2.301 limits the floor



# Planning & Zoning Staff Report

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area of freestanding accessory structures to 30% of the floor area of the principle structure. None of the existing structures were built with proper permitting or inspection by the City.

The applicant stated that the accessory structures and related covered areas were built for medical purposes applicable at the time.

## **Recommendation**

Staff recommends disapproval of these variance requests and that the applicant respect required setbacks and easements. No extraordinary or exceptional conditions to justify these requests have been established, as is required by UDC Section 14.404(D) for variance approval. Should the variances be granted, staff recommends that it be with the following conditions:

1. Variance is limited to the footprint of the existing structures as indicated on the survey.
2. Existing structures are inspected and certified for structural integrity by a third-party licensed professional engineer.

If approved, the applicant will need to comply with all other requirements during the permitting process. If approved, \$40 fee, payable to the County of Hidalgo, County Clerk's Office, for the recording of the ZBA order is also required. A location map, aerial map, photo, subdivision plat, site plan, and application from the property owner are attached for the Board's consideration.

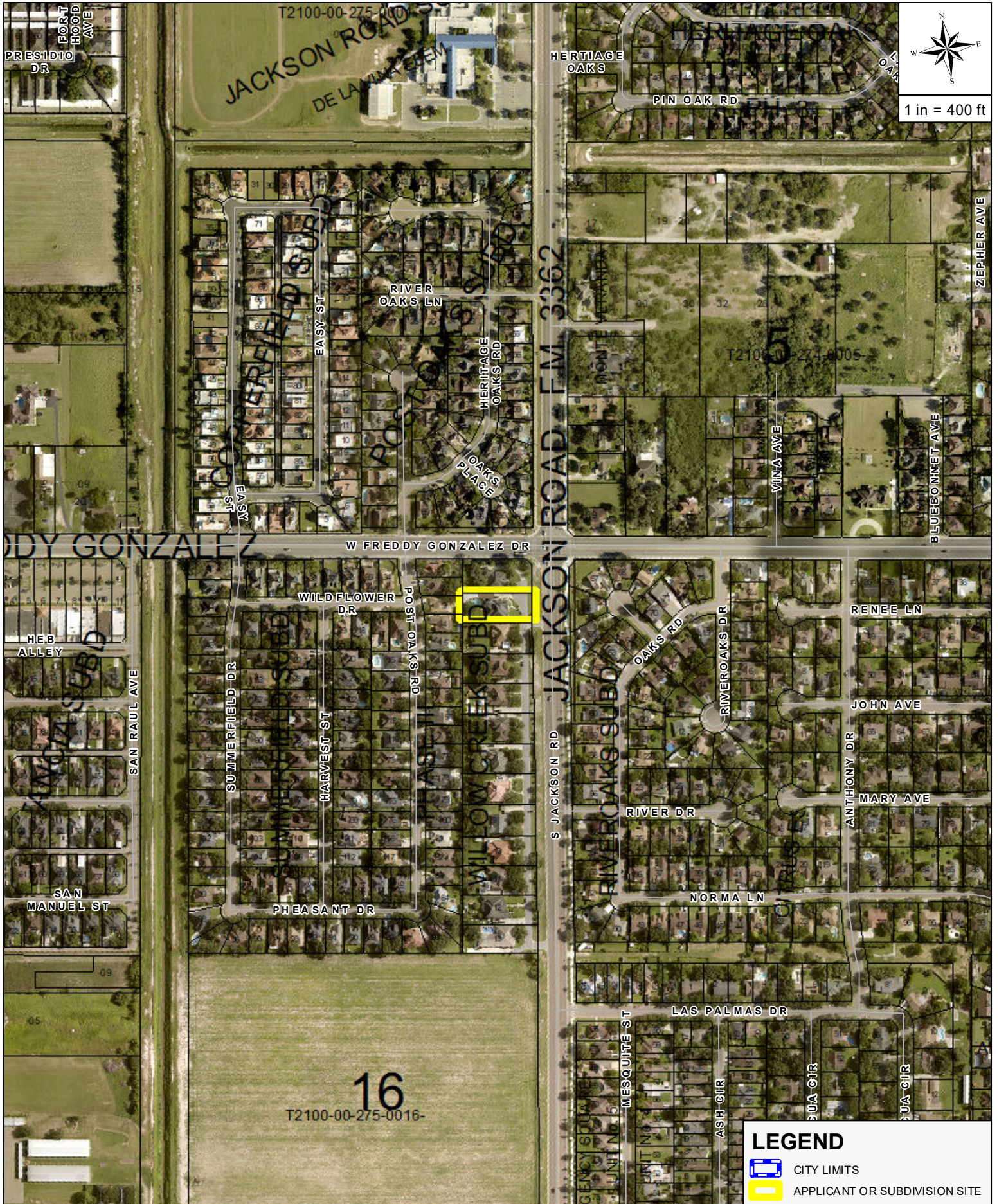
Prepared by:

**D. Austin Colina**  
Planner I

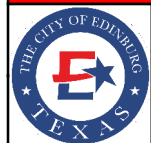
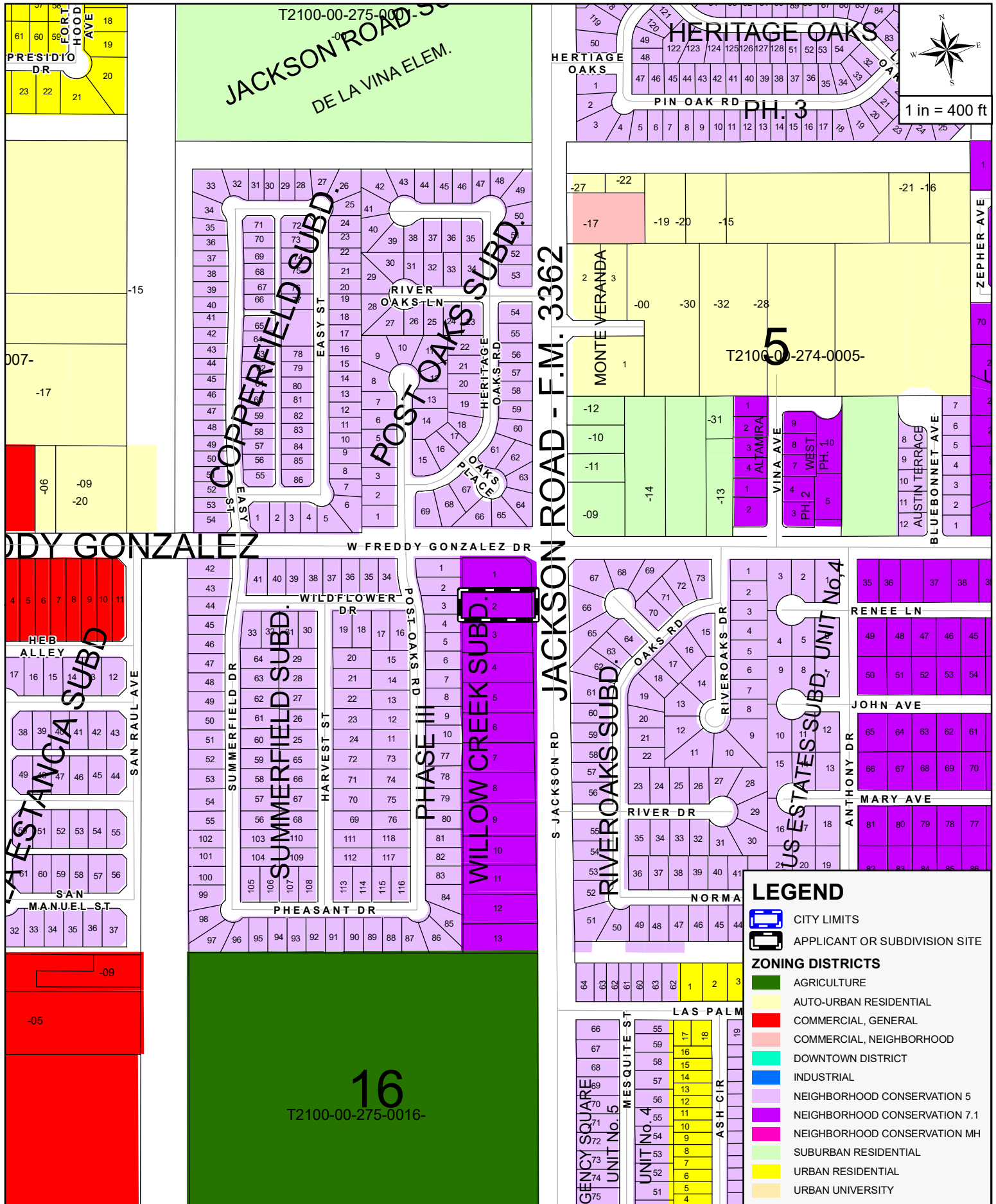
Approved by:

**Kimberly A. Mendoza, MPA**  
Director of Planning & Zoning







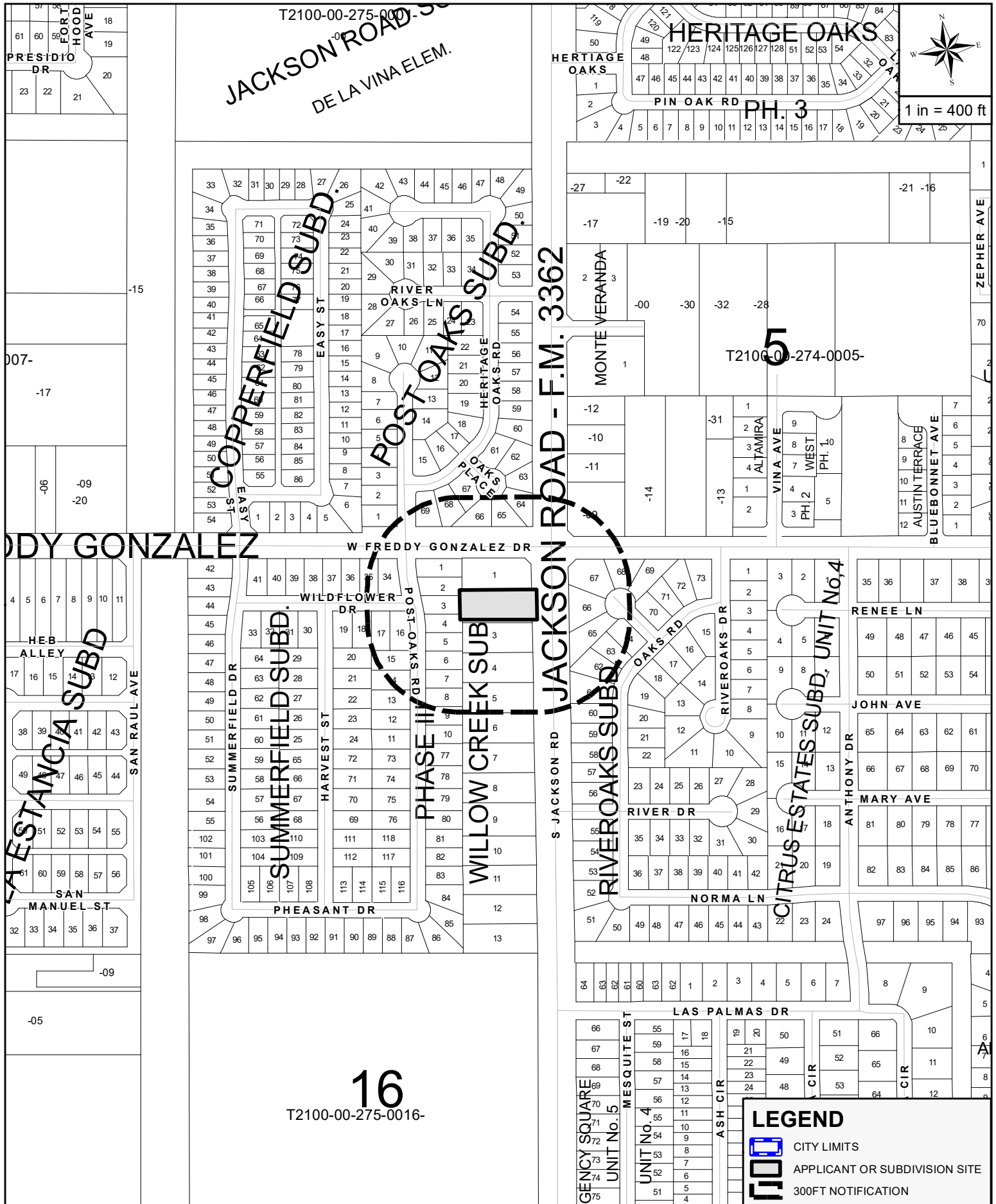


# ZONING MAP

APPLICANT AND/OR SUBDIVISION:

ALFONSO QUINTANILLA / VIVIAN VILLARREAL







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

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

3.301, 3.505, +2.301

**Nature of Request:** Side Setback Encroachment, Utility Easement Encroachment, Accessory Structure Over Area Limit

**Reason for Hardship:** Built covered areas within utility easement, rear and side setbacks to provide  
(use other side if necessary) therapy to now deceased husband.

**Property Description:** Lot 2 Willow Creek Subdivision  
Lot Block Subdivision

**Property Address:** 1611 S. Jackson Road Edinburg, TX 78539

**Present Property Zoning:** Neighborhood Conservation 7.1

**Person requesting Variance:** Alfonso Quintanilla, P.E.

**Mailing Address:** 124 E. Stubbs St. Edinburg, TX 78539  
Street Address City/State Zip Code

**Phone No. (Home):** \_\_\_\_\_ **(Work):** (956) 381-6480 **(Cell):** \_\_\_\_\_

**Owner's Name:** Vivian Villarreal

**Mailing Address:** 1611 S. Jackson Road 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:** Vivian L. Villarreal **Date:** 3-14-2022

**Owner/Agent's Name (Please Print):** Vivian L. Villarreal

**\$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**

**MAR 14 2022**

**Name:** \_\_\_\_\_



324223

MAY 28

Eddie Dizon

# MAP OF WILLOW CREEK SUBDIVISION

BEING A SUBDIVISION OF THE 7.249 ACRES  
OF THE EAST 10.00 ACRES OF LOT 9, SECTION 275,  
TEXAS-MEXICAN RAILWAY CO. SURVEY  
CITY OF EDINBURG, HIDALGO COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF HIDALGO

I, THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS THE "WILLOW CREEK SUBDIVISION" ADDITION TO THE CITY OF EDINBURG, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE OF CONSIDERATIONS THEREIN EXPRESSED.

STATE OF TEXAS  
COUNTY OF HIDALGO

BEFORE ME THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED BARRY BURD, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ADMITTED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED, GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS 27 DAY OF MAY 1993.

CELESTINE STEWART  
Notary Public, State of Texas  
My Comm. Exp. 8-28-93

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

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

ATTEST BY: *[Signature]* MAYOR, CITY OF EDINBURG

## METES AND BOUNDS DESCRIPTION

A tract of land containing 7.249 acres, situated in Hidalgo County, Texas and also being a part or portion of LOT 9 SECTION 275, TEXAS-MEXICAN RAILWAY CO. SURVEY (Deed Reference: Volume 24, Page 166-171, H.C.D.R.) and said 7.249 acres of land also being more particularly described as follows:

BEGINNING on the north line of said Lot 9 and the center line of said Freddy Gonzalez Road and the west right-of-way of Jackson Road (P.M. 3420), for the northeast corner of this tract, said corner bears N 81° 53' W a distance of 119.71 feet to the northeast corner of said Lot 9;

THENCE S 8° 33' 44" W along the west right-of-way line of said Jackson Road, at a distance of 40.00 feet to the south right-of-way line of said Freddy Gonzalez Road, for an inside corner of this tract;

THENCE S 34° 23' 03" E, continuing along the west right-of-way line of said Jackson Road, at a distance of 18.33 feet, for an outside corner of this tract;

THENCE S 00° 06' 55" W continuing along the west right-of-way line of said Jackson Road, at a distance of 1280.19 feet to the south line of said Lot 9, for the southeast corner of this tract;

THENCE N 80° 33' W, along the south line of said Lot 9 a distance of 219.98 feet to the southwest corner of this tract;

THENCE N 81° 53' E at a distance of 1280 feet to the south right-of-way line of said Freddy Gonzalez Road, and containing a total distance of 1320 feet to the north line of said Lot 9 and the center line of said Freddy Gonzalez Road, for the northeast corner of this tract;

THENCE S 80° 33' E along the north line of said Lot 9 and the center line of said Freddy Gonzalez Road, a distance of 119.29 feet to the POINT OF BEGINNING, containing 7.249 acres of land, of which 0.170 of one acre lies to the right-of-way of said Freddy Gonzalez Road, leaving a net of 7.074 acres of land, more or less.

APPROVED FOR RECORDING  
DATE: 5/25/93

Recorded in Volume 28 Page 97A  
of the map records of Hidalgo  
County, Texas  
Melden and Hunt, Inc.  
County Surveyors

STATE OF TEXAS  
COUNTY OF HIDALGO

I, THE UNDERSIGNED, FRED L. KURTH, A REGISTERED PROFESSIONAL ENGINEER AND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY, MADE UNDER MY SUPERVISION IN THE PRESENCE OF TWO OTHER REGISTERED PROFESSIONAL ENGINEERS, AND FURTHER CERTIFY THAT THESE ENGINEERS' CONSENT HAS BEEN GIVEN TO THIS PLAT.

FRED L. KURTH  
54151  
REGISTERED PROFESSIONAL ENGINEER AND SURVEYOR  
EXPIRATION DATE: 11-17-95  
T-338, P.O. 2-4, JOB #92100

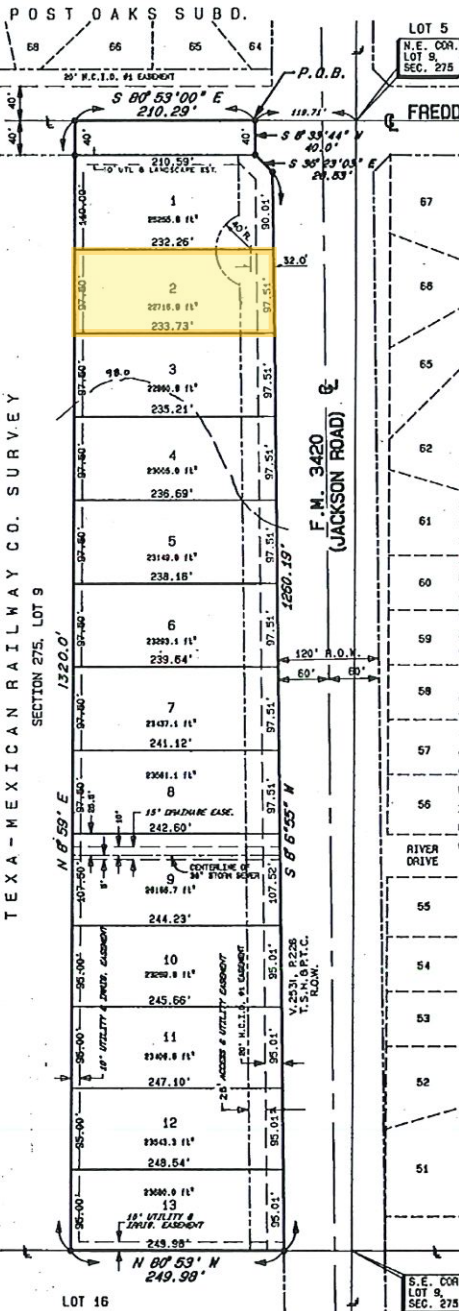
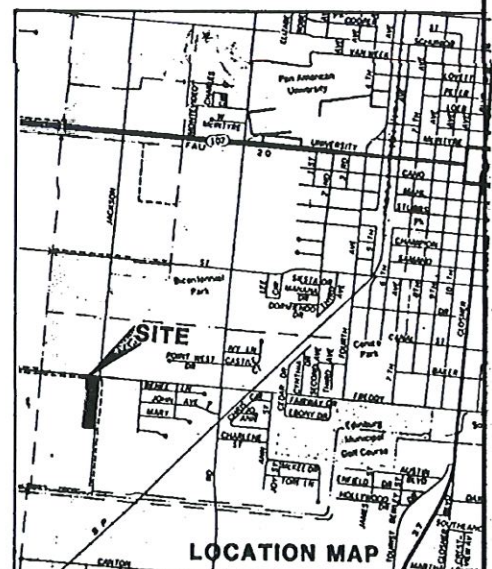
FRED L. KURTH ENGINEER  
54151

THIS PLAT APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT NO. 1, ON THIS 18 DAY OF MAY 1993.

ATTEST: *[Signature]* PRESIDENT, WILLIAM F. LEO

NOTE: HIDALGO COUNTY IRRIGATION DISTRICT NO. 1 WILL NOT BE RESPONSIBLE FOR DRAINAGE OR DELIVERY OF WATER TO ANY LOT IN THIS SUBDIVISION.

APPROVED FOR RECORDING  
BY  
COMMISSIONERS' COURT  
This the 25th day of May 1993  
WILLIAM "BILLY" LEO, County Clerk  
Hidalgo County, Texas  
By: *[Signature]* Deputy



SET CONC. MONUMENT AT ALL  
S/D CORNERS

### NOTES:

1. PROPOSED SETBACKS AS FOLLOWS:  
FRONT - 65 FEET  
REAR - 20' OF DEPTH  
SIDE INTERIOR - 7 FEET  
SIDE CORNER - (LOT 13, 10 FT.) (LOT 1, 20 FT.)
2. MINIMUM PERMISSIBLE FINISHED FLOOR ELEVATION FOR ALL BUILDING IMPROVEMENTS IS ELEVATION 90.00
3. AREAS OF 100-YEAR SHALLOW FLOODING WHERE DEPTHS ARE BETWEEN ONE (1) AND THREE (3) FEET; BASE FLOOD ELEVATIONS ARE SHOWN, BUT NO FLOOD HAZARD FACTORS ARE DETERMINED. THIS SUBDIVISION IS IN ZONE "AH" ON FEMA'S FLOOD INSURANCE RATE MAP COMMUNITY PANEL #480338 0015 C, MAR. 2, 1992
4. BENCH MARK SQUARE CUT ON SOUTH SIDE OF CONC. BRIDGE AND CENTERLINE OF FREDDY GONZALEZ DRIVE APPROXIMATELY 1320' EAST OF MCCOLL ROAD, ELEV. = 90.05
5. EACH LOT WILL BE REQUIRED TO DETAIN 1729 C.F.

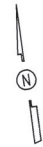
CHECKED FOR DRAINAGE  
BY: *[Signature]*  
5-12-93



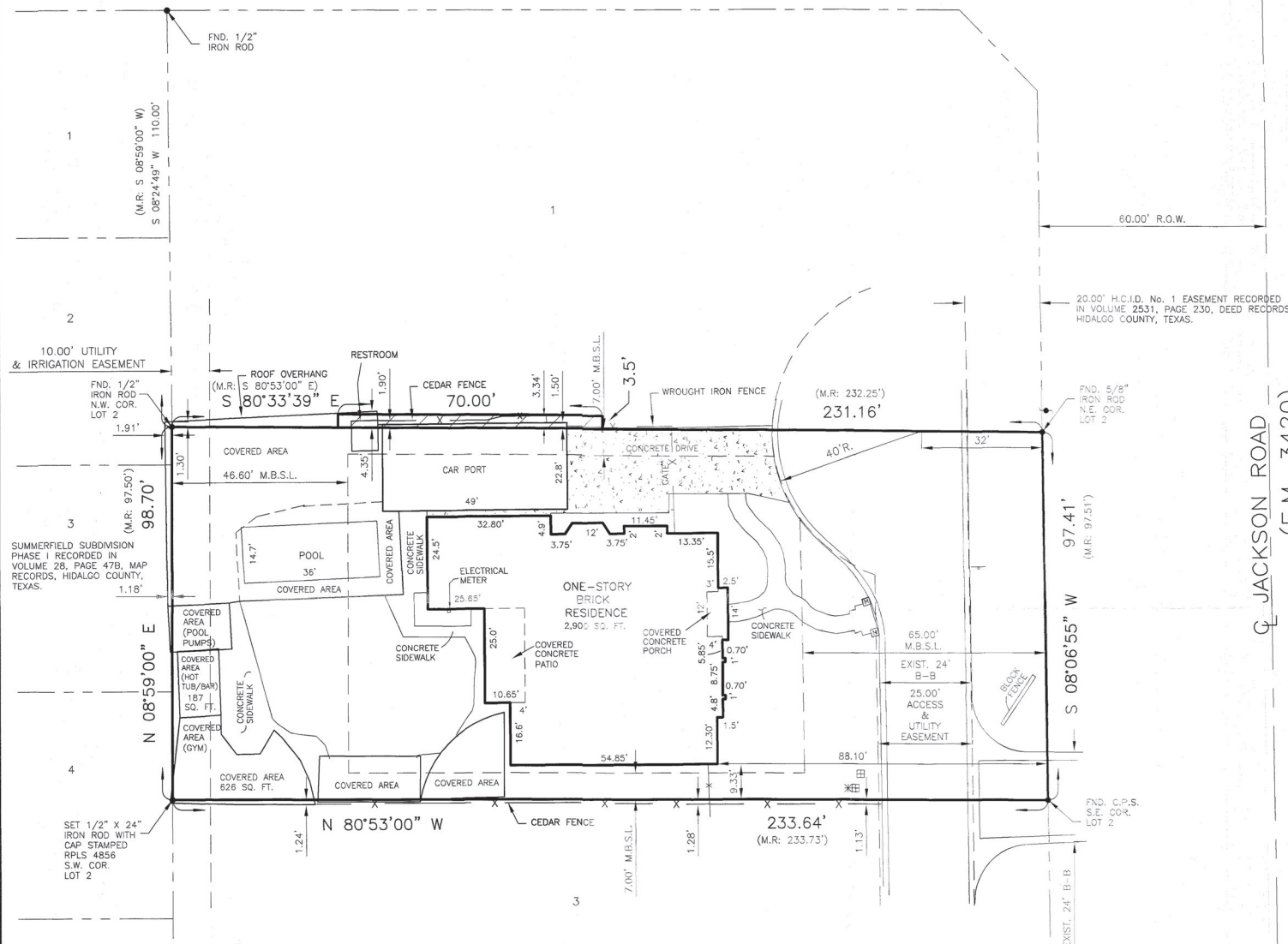
MELDEN & HUNT INC.  
CONSULTING ENGINEERS & SURVEYORS  
203 S. 10th ST.  
EDINBURG, TEXAS 78539  
(512) 381-0881 / FAX 381-1839



FREDDY GONZALEZ DRIVE



SCALE 1" = 20'



G JACKSON ROAD  
(F.M. 3420)

- LEGEND
- ⬤ = POWER POLE
  - ☐ = MAILBOX
  - ⊕ = WATER METER
  - = SIGN
  - \* = SPRINKLER VALVE

CONTRACT, EASEMENT, AND USE RESTRICTION DATED FEBRUARY 4, 1993 ENTERED INTO BY AND BETWEEN CENTRAL POWER AND LIGHT COMPANY AND GARY BURCH CONSTRUCTION, INC., FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO, TEXAS UNDER CLERK'S FILE NUMBER 326771.  
(APPLY-AS SHOWN HEREON)

RIGHT OF WAY EASEMENT DATED SEPTEMBER 23, 1978 FROM BURCH CONSTRUCTION, INC. TO CENTRAL POWER AND LIGHT COMPANY, RECORDED IN VOLUME 1468, PAGE 378, DEED RECORDS, HIDALGO COUNTY, TEXAS.  
(APPLY-BLANKET IN NATURE)

RIGHT OF WAY EASEMENT DATED NOVEMBER 23, 1987 FROM VANCE D. HOFFMASTER, TO HIDALGO COUNTY IRRIGATION DISTRICT NO. 1, RECORDED IN VOLUME 2531, PAGE 230, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.  
(APPLY-AS SHOWN HEREON)

FLOOD ZONE DESIGNATION: ZONE "X"  
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. COMMUNITY-PANEL NUMBER 480338 0030 E  
MAP REVISED: MAY 14, 2001 L.O.M.R.

BEARINGS SHOWN ON THIS SURVEY PLAT ARE IN ACCORDANCE WITH WILLOW CREEK SUBDIVISION RECORDED IN VOLUME 28, PAGE 97A, MAP RECORDS, HIDALGO COUNTY, TEXAS.

THE PROPERTY SHOWN ON THIS SURVEY PLAT MAY BE SUBJECT TO THE SUBDIVISION REGULATIONS OF THE COUNTY OF HIDALGO AND/OR ORDINANCES OR GOVERNMENTAL REGULATIONS OF THE CITY IN WHICH THE PROPERTY MAY BE LOCATED OR HOLDING EXTRA TERRITORIAL JURISDICTION.

I, ALFONSO QUINTANILLA, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THE FOREGOING PLAT TO BE A TRUE AND CORRECT REPRESENTATION OF THE LANDS SHOWN AS THE RESULT OF AN ACTUAL SURVEY DONE ON THE GROUND UNDER MY DIRECTION, AND THERE ARE NOT ANY DISCREPANCIES, CONFLICTS, EASEMENTS, OR SHORTAGES IN AREA OR BOUNDARY LINES, OR ANY ENCROACHMENTS, OR ANY OVERLAPPING OF IMPROVEMENTS EXCEPT AS SHOWN ON THIS PLAT.



ALFONSO QUINTANILLA  
REGISTERED PROFESSIONAL LAND SURVEYOR  
No. 4856

M.B.S.L. = MINIMUM BUILDING SETBACK LINE  
NOTE: THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

PLAT SHOWING

LOT 2, WILLOW CREEK SUBDIVISION, AN ADDITION TO THE CITY OF EDINBURG, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 28, PAGE 97A, MAP RECORDS, HIDALGO COUNTY, TEXAS, AND ACCORDING TO WARRANTY DEED RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 349909, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.








QUINTANILLA, HEADLEY AND ASSOCIATES, INC.  
CONSULTING ENGINEERS LAND SURVEYORS  
124 E. STUBBS ST. PHONE 956-381-6480  
EDINBURG, TEXAS 78539 FAX 956-381-0527  
ENGINEERING REGISTRATION NUMBER F-1513 ALFONSO@QHA-ENG.COM  
SURVEYING REGISTRATION NUMBER 100411-00

VOL. 28 PAGE 97A  
SURVEYED: MARCH 11, 2022  
ADDRESS: 1611 S. JACKSON ROAD  
EDINBURG, TEXAS 78539  
OWNER: VIVIAN LOUISE VILLARREAL  
JOB No. \_\_\_\_\_  
BOOK No. \_\_\_\_\_  
F:\DATA\SURVEY\SUR21\WILLOW CREEK L2

SCALE 1" = 20'

SCALE 1" = 20'

-  = POWER POLE
-  = MAILBOX
-  = WATER METER
-  = SIGN
-  = SPRINKLER VALVE

RIGHT OF WAY EASEMENT DATED SEPTEMBER 23, 1978 FROM  
BRIGHT CONSTRUCTION, INC. CENTRAL POWER AND LIGHT  
COMPANY. RECORDED IN VOLUME 1468, PAGE 378, DEED  
RECORDS, HIDALGO COUNTY, TEXAS.  
(APPLY-BLANKET IN NATURE)

RIGHT OF WAY EASEMENT DATED NOVEMBER 23, 1987 FROM  
VANCE D. HOFFMASTER, TO HIDALGO COUNTY IRRIGATION DISTRICT  
NUMBER 1. RECORDED IN VOLUME 2531, PAGE 230, OFFICIAL  
RECORDS, HIDALGO COUNTY, TEXAS.  
(APPLY-AS SHOWN HEREON)

BEARINGS SHOWN ON THIS SURVEY PLAT ARE IN  
ACCORDANCE WITH WILLOW CREEK SUBDIVISION  
RECORDED IN VOLUME 28, PAGE 97A,  
MAP RECORDS, HIDALGO COUNTY, TEXAS.

THE PROPERTY SHOWN ON THIS SURVEY PLAT MAY BE SUBJECT TO THE SUBDIVISION REGULATIONS OF THE COUNTY OF HIDALGO AND/OR ORDINANCES OR GOVERNMENTAL REGULATIONS OF THE CITY IN WHICH THE PROPERTY MAY BE LOCATED OR HOLDING EXTRA TERRITORIAL JURISDICTION.

ALFONSO QUINTANILLA  
REGISTERED PROFESSIONAL LAND SURVEYOR  
No. 4856

VOL. 28 PAGE 97A  
SURVEYED MARCH 11, 2022  
ADDRESS 1611 S. JACKSON ROAD  
EDINBURG, TEXAS 78539  
OWNER VIVIAN LOUISE VILLARREAL  
  
JOB No. \_\_\_\_\_  
BOOK No. \_\_\_\_\_ PAGE \_\_\_\_\_  
F:\DATA\SURVEY\SUR21\WILLOW CREEK L2

NOTE: THIS SURVEY WAS DONE WITHOUT THE  
BENEFIT OF A TITLE COMMITMENT.

LOT 2, WILLOW CREEK SUBDIVISION, AN ADDITION TO THE CITY OF EDINBURG, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 28, PAGE 97A, MAP RECORDS, HIDALGO COUNTY, TEXAS, AND ACCORDING TO WARRANTY DEED RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 349909, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

**Q** **QUINTANILLA, HEADLEY AND ASSOCIATES, INC.**

<b>CONSULTING ENGINEERS</b>	<b>LAND SURVEYORS</b>
124 E. STUBBS ST.	PHONE 956-381-6480
EDINBURGH, TEXAS 78539	FAX 956-381-0527

ENGINEERING REGISTRATION NUMBER F-1513  
SURVEYING REGISTRATION NUMBER 10041-00

ALFONSO@QHA-ENG.COM

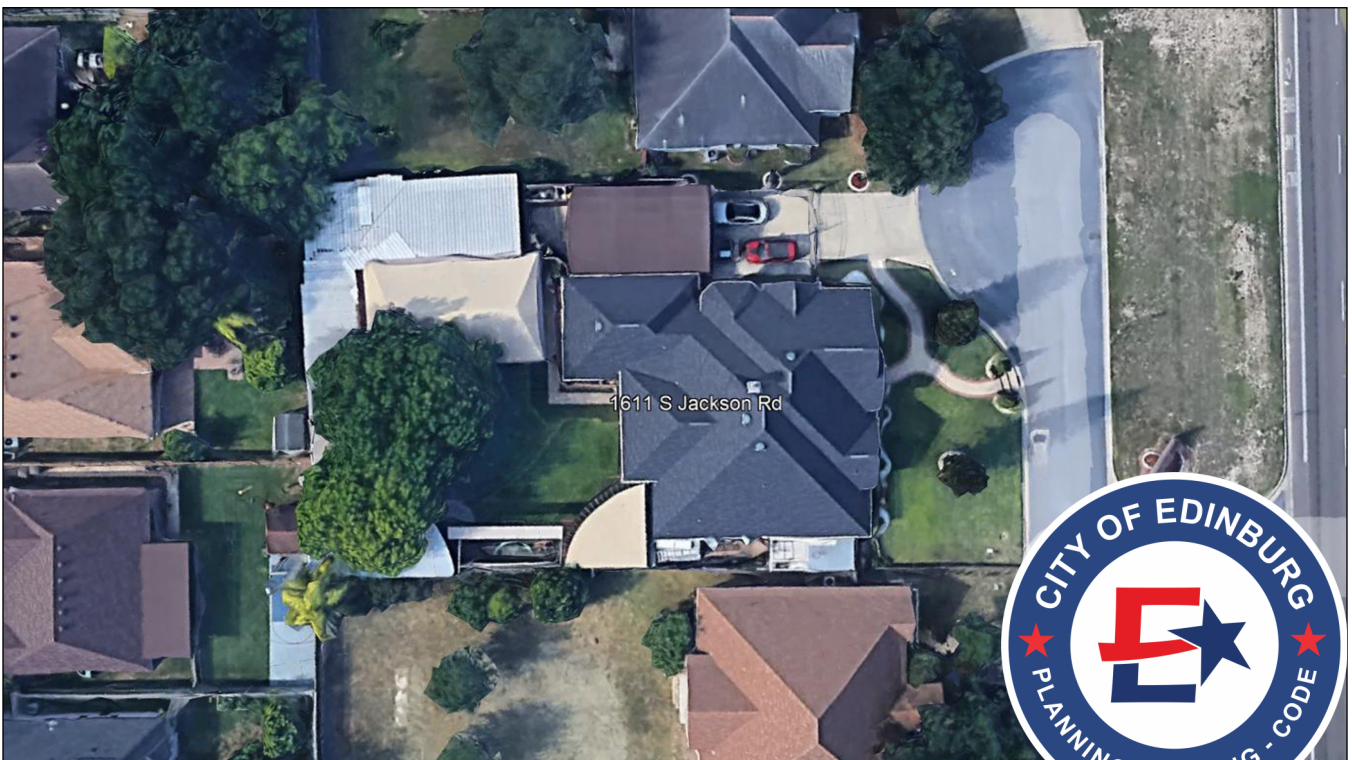




# Zoning Board of Adjustment

Site Photos for meeting of March 30, 2022

VIVIAN VILLARREAL - 1611 SOUTH JACKSON ROAD







## NOTIFICATION

Dear Property Owner:

A public hearing will be held on Wednesday, March 30, 2022, at 4:00 P.M. in the Edinburg City Hall, City Council Chambers, located at 415 West University Drive, at which time the Zoning Board of Adjustment will consider the following:

**CONSIDER VARIANCES TO THE CITY'S UNIFIED DEVELOPMENT CODE: 1) SECTION 3.301 SINGLE-FAMILY LOT AND BUILDING STANDARDS, SETBACKS, 2) SECTION 3.505(A) EASEMENTS AND UTILITIES, AND 3) 2.301(B)(2)(A) ACCESSORY STRUCTURES TO SINGLE FAMILY USES, FLOOR AREA, LOT 2, WILLOW CREEK SUBDIVISION, LOCATED AT 1611 SOUTH JACKSON ROAD, AS REQUESTED BY ALFONSO QUINTANILLA, P.E., ON BEHALF OF VIVIAN VILLARREAL**

The variances requested would reduce required side yard setbacks, allow construction in a utility easement of record, and allow accessory structures in excess of 30% of the floor area of the principal structure for a single-family lot.

All property owners within 300 ft. of the subject property are sent this notice. **The City is using this notice to solicit your input, but no action or response is required.** Please note that the meeting date, time, and agenda are subject to change. Please call on the date of the meeting to verify an item will proceed as planned. Should you have any questions or need more information regarding this notice, you may call (956) 388-8202.

You may return your response by one of the following:

- MAIL: P. O. Box 1079 Edinburg, Texas 78540
- FAX: (956) 292-2080 by Tuesday, March 29, 2022
- EMAIL: [planning@cityofedinburg.com](mailto:planning@cityofedinburg.com) by Tuesday, March 29, 2022

Please check the appropriate box to indicate if you are in favor, against, or have no comments on this request.

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

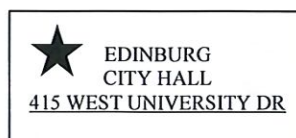
Comments: Please refer to attached letter with pictures.

Print Name: Dina G. Rodriguez Phone No. (956) 457-3941  
Address: 1614 Post Oaks Road City: Edinburg State: TX Zip: 78539

## NOTIFICACIÓN

Si tiene preguntas o necesita información sobre esta aplicación en español, por favor llame al 956-388-8202.

Planning and Zoning Department  
City of Edinburg  
PO BOX 1079  
Edinburg, TX 78540-1079



RECEIVED

MAR 25 2022

Name: 8:17a.m.

University Dr. (S.H.107)

8th Ave.

Date: March 20, 2022

To: Planning and Zoning Department  
City of Edinburg  
PO Box 1079  
Edinburg, Texas 78540

From: Dina Rodriguez  
1614 Post Oaks Road  
Edinburg, Texas 78539  
ddigandre@aol.com

Re: Lot 2 Willow Creek Subdivision  
1611 South Jackson Road  
Edinburg, Texas 78539

To whom it may concern,

As the family that lives partly behind this location, I am opposed to anything further being built on this property. The property above has not taking into consideration the neighbors to the back of them. Our backyard lines up to a part of their backyard.

The owner of 1606 Post Oaks Road, Edinburg, Texas 78539-David Villarreal had previously put in a complaint to the City and building investor had come out and said there was a building violation on their part but no one did anything about it.

I have attached pictures so the City of Edinburg Planning committee can see what we live with everyday. We now have a cracked fence because they have pushed so hard against the fence line that our fence cracked as you can see in the picture (#1). The roof of the shed or structure comes over our fence line and drips all the water into our yard in which we already have a flooding problem when it rains. Plus, the shed was so poorly constructed that pieces of the tarps have now come undone and flapping and breaking off into our yard. (picture #2 and #3)

There is also the problem of trash such as leaves and we have seen rats coming out of the shed or back structure and running along the fence.

I am asking The Edinburg Planning and Zoning department to ask this individual to fix the current problems before anymore building or structures are made on their property which seems to affect others around them.

Sincerely,

Dina Rodriguez



RECEIVED

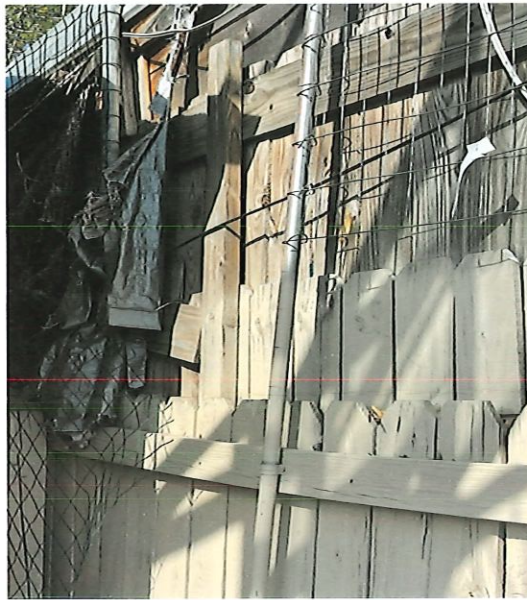
MAR 25 2022

Name: 8:17a.m

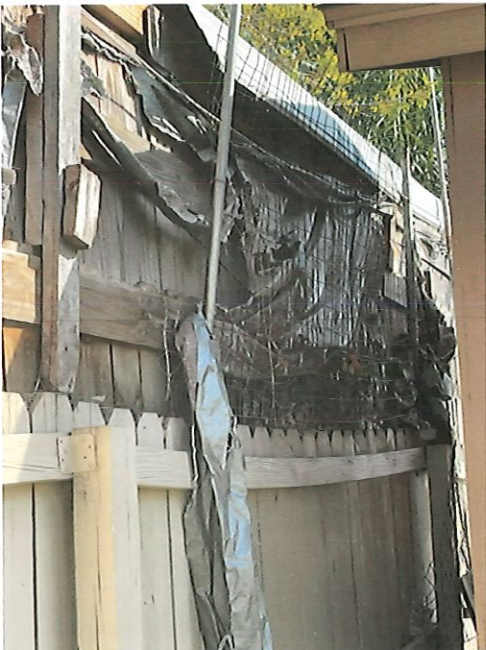




Picture #1 Cracked fence from structure  
Pushing against fence



Picture #2 Lining of tarps and trash over our  
fence



put up a barrier to help trash out.

Picture #3 Roof was over our fence line so my husband

**RECEIVED**

MAR 25 2022

Name: 8:17a.m.





## NOTIFICATION

Dear Property Owner:

A public hearing will be held on Wednesday, March 30, 2022, at 4:00 P.M. in the Edinburg City Hall, City Council Chambers, located at 415 West University Drive, at which time the Zoning Board of Adjustment will consider the following:

**CONSIDER VARIANCES TO THE CITY'S UNIFIED DEVELOPMENT CODE: 1) SECTION 3.301 SINGLE-FAMILY LOT AND BUILDING STANDARDS, SETBACKS, 2) SECTION 3.505(A) EASEMENTS AND UTILITIES, AND 3) 2.301(B)(2)(A) ACCESSORY STRUCTURES TO SINGLE FAMILY USES, FLOOR AREA, LOT 2, WILLOW CREEK SUBDIVISION, LOCATED AT 1611 SOUTH JACKSON ROAD, AS REQUESTED BY ALFONSO QUINTANILLA, P.E., ON BEHALF OF VIVIAN VILLARREAL**

The variances requested would reduce required side yard setbacks, allow construction in a utility easement of record, and allow accessory structures in excess of 30% of the floor area of the principal structure for a single-family lot.

All property owners within 300 ft. of the subject property are sent this notice. **The City is using this notice to solicit your input, but no action or response is required.** Please note that the meeting date, time, and agenda are subject to change. Please call on the date of the meeting to verify an item will proceed as planned. Should you have any questions or need more information regarding this notice, you may call (956) 388-8202.

You may return your response by one of the following:

- MAIL: P. O. Box 1079 Edinburg, Texas 78540
- FAX: (956) 292-2080 by Tuesday, March 29, 2022
- EMAIL: [planning@cityofedinburg.com](mailto:planning@cityofedinburg.com) by Tuesday, March 29, 2022

Please check the appropriate box to indicate if you are in favor, against, or have no comments on this request.

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

Comments: Cannot assent an opinion because no one answers the phone @ Planning + Zoning. Also no one returns calls. I've been waiting for a return call since Friday 3/18/22

Print Name: Teresa Cornejo Phone No. (956) 316-2266 If you are going to return

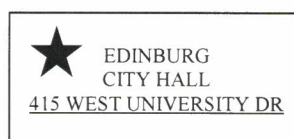
Address: 1708 Postroads Rd City: Edinburg State: TX Zip: 78539

## NOTIFICACIÓN

Si tiene preguntas o necesita información sobre esta aplicación en español, por favor llame al 956-388-8202. the calls, then don't say that

### Planning and Zoning Department

City of Edinburg  
PO BOX 1079  
Edinburg, TX 78540-1079



University Dr. (S.H.107)

8th Ave.

on your voicemail recording, obviously you really do not want comments.

## Planning & Zoning Staff Report

Prepared on: March 21, 2022

### ZONING BOARD OF ADJUSTMENT

Regular Meeting: March 30, 2022

#### **Agenda Item 7F**

Consider Variance to the City's Unified Development Code, Section 3.303, Multifamily Lot and Building Standards, Setbacks, 29.130 acres out of Lot 3, Section 276, Texas-Mexican Railway Company's Survey, Lots 1-76 of proposed North McColl Estates Subdivision, located at 501 North McColl Road, as requested by Melden & Hunt, Inc. on behalf of Marilyn K. Houts

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#### **Request**

The applicant is requesting a variance to the City's Unified Development Code (UDC), Section 3.303, as it applies to multifamily residential setbacks. The applicant is proposing to reduce the front, side, and rear setbacks for 76 lots in the proposed North McColl Estates Subdivision by as much as 50% of UDC requirements.

#### **Property Location and Vicinity**

The properties are located on the south side of West Schunior Street, approximately 300 ft. west of North McColl Road (FM 2061) and is within the City of Edinburg city limits. The property was rezoned from Neighborhood Conservation 7.1 (NC 7.1) District to Auto Urban Residential (AU) District at the City Council meeting of March 9, 2021.

Adjacent zoning is Urban Residential (UR) District to the north, Auto Urban Residential (AU) District to the east and Commercial General (CG) District to the east and south, Agriculture (AG) District also to the south, and Neighborhood Conservation 7.1 (NC 7.1) District and Neighborhood Conservation 5 (NC 5) District to the west. The surrounding area consists of single family, multi-family, and commercial uses.

#### **Background and History**

The proposed North McColl Estates Subdivision received preliminary approval by the Planning & Zoning Commission on January 17, 2022. The applicant is proposing to develop a multifamily residential development at this location.

Subdivision Variances reducing the required right of way and paving width, required lot width, and block length for this subdivision were granted by the City Council at their February 1, 2022 meeting. A Zoning Board of Adjustment Request for Variance Application with a letter from the project engineer, was received on February 2, 2022. The applicant is requesting a reduction for front, side, and rear setbacks for lots 1 through 76 of this subdivision.



# Planning & Zoning Staff Report

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Staff mailed notice of this variance request to 59 neighboring property owners. No comments in favor and one against this request had been received at the time this report was prepared.

## **Analysis**

The subdivision is in an “L” shape and has 317.89 ft. of frontage on North McColl Road and 1,270 ft. at its deepest point for a tract size of 29.130 acres. There are proposed access points on West Schunior Street on the north side and a connection to North McColl Road on the east side.

Multi-Family Lot and Building Standards, as required by the UDC, call for 20 ft. setbacks for street yards and rear yards and 6 ft. setbacks per side. The plat submitted to the City during the subdivision review and variance process showed proposed structures that met the required 20 ft. front/rear and 6 ft. side setbacks. The variance now requested proposes a reduction to the front and rear setbacks, from 20 ft. to 10 ft., and a reduction to the side setbacks from 6 ft. to 5 ft., reductions of 50% and 16.67% respectively. The preliminary plat proposes a 15 ft. utility easement along the street yards. This easement is greater than the setback requested and may pose a problem without reduction of the easement or further variance.

Three Subdivision Variances have been approved for this subdivision, reducing the required street right-of-way by 20%, paving by 7%, increasing the maximum block length 16.87%, and reducing the required lot width by 15% or more per lot.

## **Recommendation**

Staff recommends disapproval of this request. Setbacks provide for more desirable development by providing access, visibility, ventilation, lighting, sound dispersion, drainage, and landscaping. Similar variances have been granted by the board and these requirements are being discussed as part of the UDC update.

If approved, the applicant will need to comply with all other requirements during the permitting process. If approved, \$40 fee, payable to the County of Hidalgo, County Clerk’s Office, for the recording of the ZBA order is also required. A location map, aerial map, photo, subdivision plat, site plan, and application from the property owner are attached for the Board’s consideration.

Prepared by:

**Adan A. Elizondo, MPA**

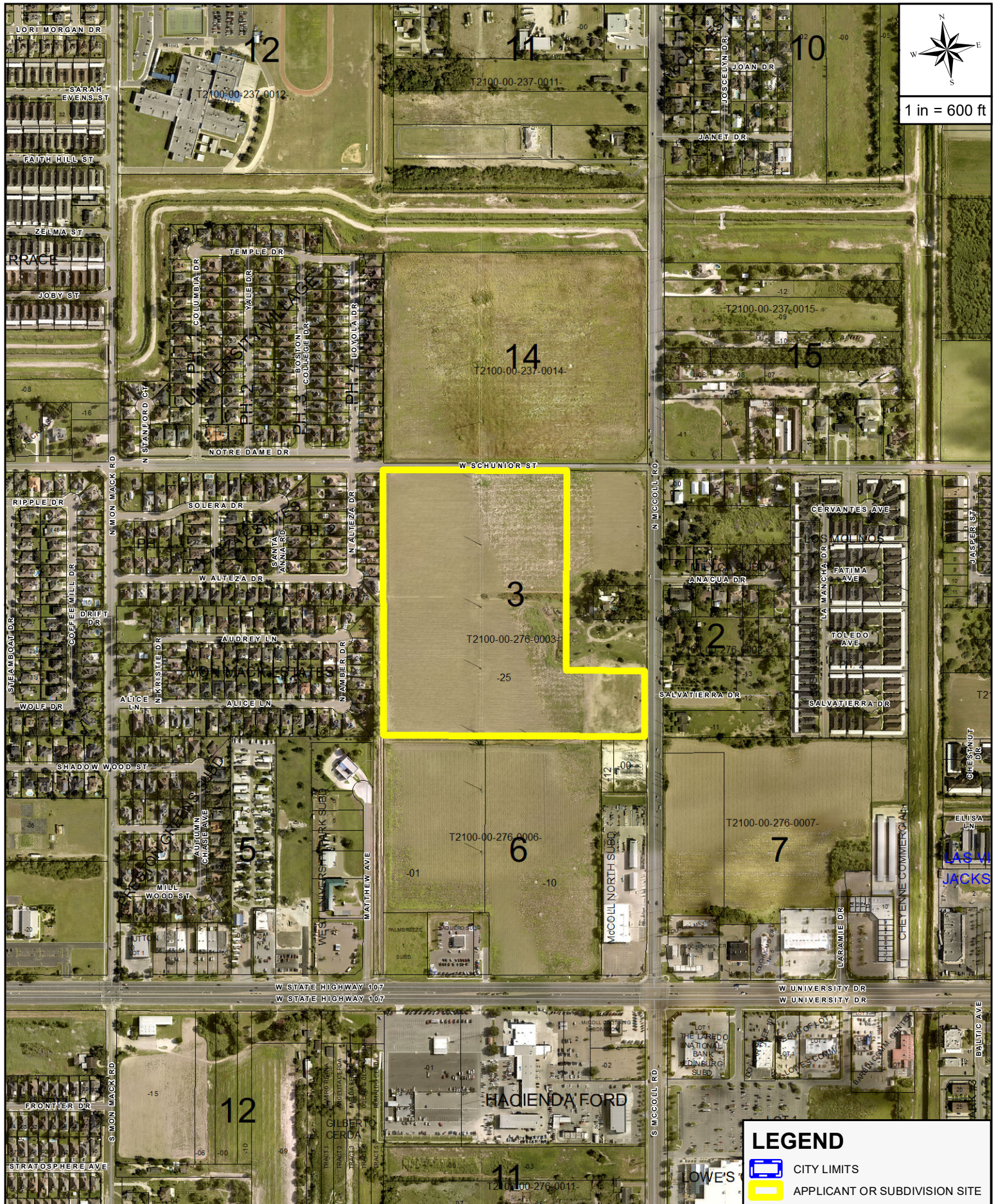
Planner I

Approved by:



**Kimberly A. Mendoza, MPA**

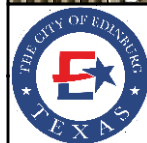
Director of Planning & Zoning





# LEGEND

-  CITY LIMITS
-  APPLICANT OR SUBDIVISION SITE



**AERIAL MAP**

**APPLICANT AND/OR SUBDIVISION:**

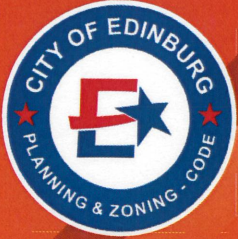
**MARILYN HOUTS / MELDEN & HUNT**











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: Variance for Setbacks

Reason for Hardship (attach additional pages if necessary)

Please see attached letter

Property Description: Lot 3 Block 276 Subdivision Texas Mexican Railway Co. Sur

Property Address: N/A

Present Property Zoning: UR - Urban Residential

Person requesting Variance: Melden & Hunt, Inc. c/o Mario A. Reyna


Mailing Address: 115 W. McIntyre Street Edinburg TX 78541  
Street Address City/State Zip Code

Phone No. (Home): \_\_\_\_\_ (Work): (956) 381-0981 (Cell): (956) 500-2734

Owner's Name: Marilyn K. Houts

Mailing Address: 515 N. McColl Rd. 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 City of Edinburg Zoning Board of Adjustment.

Signature:  Digitally signed by: Mario A. Reyna  
DN: cn = Mario A. Reyna, email = mario@meldenandhunt.com C =  
US O = Melden and Hunt Inc. OU = PE  
Date: 2022.02.01 16:37:10 -0500 Date: \_\_\_\_\_

Owner/Agent's Name (Please Print): MARIO A. REYNA

\$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**





TBPELS Firm # F-1435  
TBPELS # 10096900

# MELDEN & HUNT INC.

CONSULTANTS • ENGINEERS • SURVEYORS

FRED L. KURTH • ALLAN F. BOOE • KELLEY A. HELLER-VELA • ROBERTO N. TAMEZ • MARIO A. REYNA • RUBEN JAMES DE JESUS

February 1, 2022

Nikki Cavazos, Planner I  
**CITY OF EDINBURG PLANNING DEPT.**  
415 W. University Drive  
Edinburg, TX 78541

**RE: NORTH MCCOLL ESTATES – VARIANCE REQUEST ON SETBACKS**

Dear Ms. Cavazos -

On behalf of the developer, Acero Investments, LLC and in reference to North McColl Estates, we respectfully request a variance on the following items:

**1. SETBACKS FOR AUTO-URBAN RESIDENTIAL**

{request variance on current 20-foot front setback}

{request variance on current 6-foot side setback}

{request variance on current 20-foot rear setback}:

- a.) Lots 1 thru 76 – change front setback from 20 feet to 10 feet
- b.) Lots 1 thru 76 – change side setback from 6 feet to 5 feet
- c.) Lots 1 thru 76 – change rear setback from 20 feet to 10 feet

Please consider this request and advise us as soon as possible on your decision. If you have any questions or comments, please contact our office. Thank you.

Sincerely,  
MELDEN & HUNT, INC.

Mario A. Reyna, P.E.  
President

Cc: Acero Investments, LLC, Developer



# SUBDIVISION MAP OF NORTH McCOLL ESTATES

BEING 29.130 ACRES  
OUT OF LOT 3, SECTION 276  
TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY  
VOLUME 1, PAGE 12 H.C.M.R.  
CITY OF EDINBURG,  
HIDALGO COUNTY, TEXAS

1" = 100'



# Zoning Board of Adjustment

Site Photos for meeting of March 30, 2022

MELDEN & HUNT/MARILYN K. HOUTS - 501 NORTH MCCOLL ROAD







## NOTIFICATION

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**CONSIDER VARIANCE TO THE CITY'S UNIFIED DEVELOPMENT CODE, SECTION 3.303, MULTIFAMILY LOT AND BUILDING STANDARDS, SETBACKS, 29.130 ACRES OUT OF LOT 3, SECTION 276, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY, LOTS 1-76 OF PROPOSED NORTH MCCOLL ESTATES SUBDIVISION, LOCATED AT 501 NORTH MCCOLL ROAD, AS REQUESTED BY MELDEN & HUNT, INC. ON BEHALF OF MARILYN K. HOUTS**

The variance requested would reduce required front yard setbacks from 20 ft. to 10 ft., reduce rear yard setbacks from 20 ft. to 10 ft., and reduce side yard setbacks from 6 ft. to 5 ft. on 76 lots in this subdivision.

All property owners within 300 ft. of the subject property are sent this notice. **The City is using this notice to solicit your input, but no action or response is required.** Please note that the meeting date, time, and agenda are subject to change. Please call on the date of the meeting to verify an item will proceed as planned. Should you have any questions or need more information regarding this notice, you may call (956) 388-8202.

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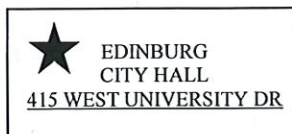
Comments: The side yard will be to short. (5ft.)  
Keep the 6ft

Print Name: Luz Losada and Yoalveth Losada Phone No. 956-279-6052  
Address: 607 Alteza dr. City: Edinburg State: TX Zip: 78541

## NOTIFICACIÓN

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RECEIVED

MAR 25 2022

Name: 8:14am.

University Dr. (S.H.107)

8th Ave.



[illegible][illegible]