



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

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

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

**2. CERTIFICATION OF PUBLIC NOTICE**

**3. PUBLIC COMMENTS**

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

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

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

**5. ABSENCES**

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

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- B.** Consider excusing the absence of Board Member Alex Rios from the February 24, 2021 Regular Meeting
- C.** Consider excusing the absence of Board Member Eddie Garza from the February 24, 2021 Regular Meeting
- D.** Consider excusing the absence of Board Member Jorge Ortegon from the February 24, 2021 Regular Meeting

**6. MINUTES**

- A.** Consider approval of the Minutes for the January 27, 2021 Regular Meeting
- B.** Consider approval of the Minutes for the February 24, 2021 Regular Meeting

**7. PUBLIC HEARINGS**

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

**8. INFORMATION**

- A.** Planning and Zoning Highlights

**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 after regular working hours, at 4:30 P.M. on this 26<sup>th</sup> day of March, 2021

*Nikki Marie Cavazos*

Nikki Marie Cavazos, Administrative Assistant

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

**NOTICE**

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

# Memo

**To:** Zoning Board of Adjustment Board Members  
**From:** Nikki Marie Cavazos, Administrative Assistant  
**Subject:** Board Members Absence  
**Date:** March 26, 2021

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This is to advise you that action needs to be taken with regards to the absence of Board Member Mr. Mario Escobar from the February 24, 2021 Regular Meeting.

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

# Memo

**To:** Zoning Board of Adjustment Board Members  
**From:** Nikki Marie Cavazos, Administrative Assistant  
**Subject:** Board Members Absence  
**Date:** March 26, 2021

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This is to advise you that action needs to be taken with regards to the absence of Board Member Mr. Alex Rios from the February 24, 2021 Regular Meeting.

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

# Memo

**To:** Zoning Board of Adjustment Board Members  
**From:** Nikki Marie Cavazos, Administrative Assistant  
**Subject:** Board Members Absence  
**Date:** March 26, 2021

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This is to advise you that action needs to be taken with regards to the absence of Board Member Mr. Eddie Garza from the February 24, 2021 Regular Meeting.

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

# Memo

**To:** Zoning Board of Adjustment Board Members  
**From:** Nikki Marie Cavazos, Administrative Assistant  
**Subject:** Board Members Absence  
**Date:** March 26, 2021

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This is to advise you that action needs to be taken with regards to the absence of Board Member Mr. Jorge Ortegon from the February 24, 2021 Regular Meeting.

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

**NOTICE AND AGENDA  
ZONING BOARD OF ADJUSTMENT  
JANUARY 27, 2021 -4:00 P.M.  
REGULAR MEETING  
EDINBURG CITY HALL  
415 W UNIVERSITY DRIVE  
EDINBURG, TEXAS 78541**

**MEMBERS PRESENT**

Juan R. Lopez  
George Cardenas  
Jason De Leon  
Eddie Garza  
Andre Maldonado  
Alex Rios

**MEMBERS ABSENT**

Mario Escobar  
Dr. Samuel Simon  
Jorge Oregon

**STAFF**

Ron Garza, City Manager  
Brian Kelsey, Assistant City Manager  
Kimberly A. Mendoza, Director of Planning & Zoning  
Omar Ochoa, City Attorney  
Omar Garza, Deputy Chief  
Gerardo Carmona, City Engineer  
Jessica Lee Ramirez, Urban Planner  
Nikki M. Cavazos, Administrative Assistant  
Daniel Vera, Director of Information Technology  
Natalia Velasquez, Chief Building Official  
Roberto Hernandez, Engineering Graphic Technician

**VISITORS**

Dusty Gallas	Brad Durham	Yadira Estrada
Norman Cordova	Rosio Carr	Cesar Guerra
Milos Salinas	Bertha Guerra	

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

The meeting was formally called to order by Chairperson, Mr. Juan Lopez, Chair at 4:03 P.M.

- A. Prayer- Announced by Chairperson Mr. Juan Lopez
- B. Pledge of Allegiance- Announced by Board Member Mr. Alex Rios

**2. CERTIFICATION OF PUBLIC NOTICE**

Chairperson, Mr. Juan Lopez, verified the posting of the Zoning Board of Adjustment meeting notice and its compliance with the Open Meetings Act. Staff indicated the agenda had been posted on Wednesday, January 22, 2021 at 4:45 P.M.

**3. PUBLIC COMMENTS**

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

## **ZONING BOARD OF ADJUSTMENT MINUTES**

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4. The following are the meeting procedures used by the Zoning Board of Adjustments:

Ms. Jessica L. Ramirez, reviewed the meeting procedures used by the Zoning Board of Adjustment. The procedures were as follows:

- A. All items are generally considered as they appear on the agenda.
  - B. Staff will present its findings and recommendation on the item being considered.
  - C. The party making the request may make a presentation and may address the Board on any issues arising during the discussion of the item being considered.
  - D. Anyone in the audience desiring to speak in favor or in opposition may do so. A 3-5 minute time limit will be given to each person interested in speaking on the item. The use of a spokesperson for large groups of people will be required.
  - E. Once the Chair closes the public hearing, the Board may question anyone and maintain any discussion which clarifies the proposal and will then take what action it believes to be appropriate.
  - F. A minimum of four votes are required for an item to be approved by the Board.
5. Consider excusing the absence of Board Member Mario Escobar from the December 30, 2020 Regular Meeting

**MOTION WAS MADE BY BOARD MEMBER MR. EDDIE GARZA AND SECONDED BY BOARD MEMBER MR. ALEX RIOS TO EXCUSE THE ABSENCE OF BOARD MEMBER MR. MARIO ESCOBAR FROM THE DECEMBER 30, 2020 REGULAR MEETING. MOTION WAS CARRIED UNANIMOUSLY**

6. Consider approval of the Minutes for the December 30, 2020 Regular Meeting

**MOTION WAS MADE BY BOARD MEMBER MR. ALEX RIOS AND SECONDED BY BOARD MEMBER MR. ANDRE MALDONADO TO APPROVE THE MINUTES FOR THE DECEMBER 30, 2020 REGULAR MEETING, MOTION CARRIED UNANIMOUSLY.**

Chairperson, Juan R. Lopez, moved up Item # 8- 1102 West Trenton Road, As Requested by Dusty Gallas

7. Consider Variance to the City's Unified Development Code Article 3, Section 3.304, Nonresidential Bulk Requirements, Building Height, Being Lot 1, Trenton Street Subdivision, Located at 1102 West Trenton Road, As Requested by Dusty Gallas

**MOTION WAS MADE BY BOARD MEMBER MR. EDDIE GARZA AND SECONDED BY BOARD MEMBER MR. ALEX RIOS TO APPROVE THE VARIANCE REQUEST OF MR. DUSTY GALLAS TO ALLOW A BUILDING HEIGHT OF 84 FEET FOR THE PROPOSED FIVE-STORY MEDICAL TOWER AND SUBJECT TO APPROVAL BY THE FEDERAL AVIATION ADMINISTRATION, AS MAY BE REQUIRED, MOTION CARRIED UNANIMOUSLY**

## **ZONING BOARD OF ADJUSTMENT MINUTES**

**JANUARY 27, 2021**

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8. Consider Variance to the City's Unified Development Code Article 4, Section 4.203, Standards for New & Substantial Improvements (B) Residential Buildings, Being Lot 6, Block 6, Lull Townsite, Located at 4201 North Salinas Street, As Requested by Yadira Estrada

**MOTION WAS MADE BY BOARD MEMBER MR. ALEX RIOS AND SECONDED BY BOARD MEMBER MR. EDDIE GARZA TO APPROVE THE VARIANCE REQUEST OF MRS. YADIRA ESTRADA TO ALLOW THE APPROVAL OF THE FINISHED FLOOR ELEVATION OF 88.5 FEET, REMOVAL OF THE EXISTING STRUCTURE AND SUBJECT TO COMPLY WITH ALL OTHER REQUIREMENTS AND CONDITIONS DURING THE PERMITTING PROCESS, MOTION CARRIED UNANIMOUSLY**

9. Consider Variance to the City's Unified Development Code Article 2, Section 2.302, General Use Standards, Non-Residential Use, Storage and Utility Sheds, Being Lot 10, Cibolo Estates Subdivision, Located at 12506 North Bail Bond Drive, As Requested by Norman Cordova

**MOTION WAS MADE BY BOARD MEMBER MR. ANDRE MALDONADO AND SECONDED BY BOARD MEMBER MR. ALEX RIOS TO APPROVE THE VARIANCE REQUEST OF MR. NORMAN CORDOVA TO GRANT THE ISSUANCE OF A PERMIT TO ALLOW A 529 SQ. FT. STORAGE BUILDING TO BE CONSTRUCTED ON LOT 10 (VACANT) AND SUBJECT TO COMPLIANCE WITH THE MINIMUM BUILDING SETBACKS AS REQUIRED ON THE RECORDED PLAT, MOTION CARRIED UNANIMOUSLY**

10. Consider Variance to the City's Unified Development Code Article 7, Section 7.200 Covenants, Conditions and Restrictions for Site Plans, Plats and Subdivisions, Being Lot 1, Sugarland Apartments Subdivision, Located at 2326 North Sugar Road, As Requested by Victoriano E. Guerra

**MOTION WAS MADE BY BOARD MEMBER MR. EDDIE GARZA AND SECONDED BY BOARD MEMBER MR. ANDRE MALDONADO TO APPROVE THE VARIANCE REQUEST OF MR. VICTORIANO E. GUERRA TO ALLOW AN ACCESS TO LOT 1 ALONG NORTH SUGAR ROAD, MOTION CARRIED UNANIMOUSLY**

11. Consider Variance to the City's Unified Development Code Article 3, Section 3.301 Single Family Residential Bulk Standards, Setbacks, Being the North 3.5 Acres of the South 7.5 Acres of the North 15 Acres of Lot 5, Section 239, Texas-Mexican Railway Company's Survey, Located at 3026 North Jackson Road, As Requested by Jamie Serna

**MOTION WAS MADE BY BOARD MEMBER MR. GEORGE CARDENAS AND SECONDED BY BOARD MEMBER MR. EDDIE GARZA TO APPROVE THE VARIANCE REQUEST OF MR. JAIME SERNA TO ALLOW CONSTRUCTION OF A SINGLE FAMILY RESIDENCE WITH AN ENCROACHMENT OF 9 FEET INTO THE EAST SIDE YARD SETBACK AND 7 FEET INTO THE WEST SIDE INTO THE 15 FOOT SIDE YARD SETBACKS, MOTION CARRIED UNANIMOUSLY**

**ZONING BOARD OF ADJUSTMENT MINUTES  
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- 12. Consider Variance to the City's Unified Development Code Article 4, Section 4.203, Standards for New & Substantial Improvements (B) Residential Buildings, Being Lot 18, 281 Estates, Located at 1002 Orange Avenue, As Requested By Stephen Bechtel**

**MOTION WAS MADE BY BOARD MEMBER MR. GEORGE CARDENAS AND SECONDED BY BOARD MEMBER MR. ANDRE MALDONADO TO TABLE THE VARIANCE REQUEST OF MR. STEPHEN BECHTEL TO ALLOW FOR THE EXISTING FINISH FLOOR ELEVATION AT 83.4 FT., 4.6 FT. BELOW THE 88 FT. ELEVATION, MOTION CARRIED UNANIMOUSLY**

**13. ADJOURNMENT**

There being no further business to consider, the meeting was adjourned at 5:27 P.M.

**MOTION WAS MADE BY BOARD MEMBER MR. GEORGE CARDENAS AND SECONDED BY MR. EDDIE GARZA TO ADJOURN THE MEETING AT 5:27 P.M., MOTION CARRIED UNANIMOUSLY**

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Juan R. Lopez, Chairperson

Minutes Transcribed By: Nikki Marie Cavazos

**NOTICE AND AGENDA  
ZONING BOARD OF ADJUSTMENT  
FEBRUARY 24, 2021 -4:00 P.M.  
REGULAR MEETING  
EDINBURG CITY HALL  
415 W UNIVERSITY DRIVE  
EDINBURG, TEXAS 78541**

**MEMBERS PRESENT**

Juan R. Lopez  
George Cardenas  
Jason De Leon  
Dr. Samuel Simon  
Andre Maldonado

**MEMBERS ABSENT**

Eddie Garza  
Mario Escobar  
Jorge Ortegon  
Alex Rios

**STAFF**

Brian Kelsey, Assistant City Manager  
Kimberly A. Mendoza, Director of Planning & Zoning  
Rita Lee Guerrero, Urban Planner  
Omar Ochoa, City Attorney  
Patrizia Longoria, Engineer III  
Mardoqueo Hinojosa, City Engineer  
Gerardo Carmona, City Engineer  
Nikki M. Cavazos, Administrative Assistant  
Natalia Velasquez, Chief Building Official

**VISITORS**

Albert Aguirre  
Martha Ivonne Lopez  
Alma Solis

Hector Guerra  
Stephen Bechtel  
Eduardo Casas

Juan Gonzalez  
Alfonso Quintanilla  
Darian De Leon

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

The meeting was formally called to order by Chairperson, Mr. Juan Lopez, Chair at 4:02 P.M.

- A. Prayer- Announced by Board Member Dr. Samuel Simon
- B. Pledge of Allegiance - All

**2. CERTIFICATION OF PUBLIC NOTICE**

Chairperson, Mr. Juan Lopez, verified the posting of the Zoning Board of Adjustment meeting notice and its compliance with the Open Meetings Act. Staff indicated the agenda had been posted on Friday, February 19, 2021 at 4:20 P.M.

**3. PUBLIC COMMENTS**

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

**ZONING BOARD OF ADJUSTMENT MINUTES**  
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**4. The following are the meeting procedures used by the Zoning Board of Adjustments:**

Mr. Juan Lopez reviewed the meeting procedures used by the Zoning Board of Adjustment. The procedures were as follows:

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

**5. ABSENCES**

- A. Consider excusing the absence of Board Member Mario Escobar from the January 27, 2021 Regular Meeting

**MOTION WAS MADE BY BOARD MEMBER DR. SAMUEL SIMON AND SECONDED BY BOARD MEMBER MR. GEORGE CARDENAS TO EXCUSE THE ABSENCE OF BOARD MEMBER MR. MARIO ESCOBAR FROM THE JANUARY 27, 2021 REGULAR MEETING. MOTION WAS CARRIED UNANIMOUSLY**

- B. Consider excusing the absence of Board Member Dr. Samuel Simon from the January 27, 2021 Regular Meeting

**MOTION WAS MADE BY BOARD MEMBER MR. GEORGE CARDENAS AND SECONDED BY BOARD MEMBER MR. JASON DE LEON TO EXCUSE THE ABSENCE OF BOARD MEMBER DR. SAMUEL SIMON FROM THE JANUARY 27, 2021 REGULAR MEETING. MOTION CARRIED THREE TO ONE, DR. SAMUEL SIMON ABSTAINED.**

- C. Consider excusing the absence of Board Member Jorge Ortegon from the January 27, 2021 Regular Meeting

**MOTION WAS MADE BY BOARD MEMBER MR. GEORGE CARDENAS AND SECONDED BY BOARD MEMBER DR. SAMUEL SIMON TO EXCUSE THE ABSENCE OF BOARD MEMBER MR. JORGE ORTEGON FROM THE JANUARY 27, 2021 REGULAR MEETING. MOTION WAS CARRIED UNANIMOUSLY**

**ZONING BOARD OF ADJUSTMENT MINUTES**  
**FEBRUARY 24, 2021**  
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**6. EXECUTIVE SESSION**

The Board will convene in Executive Session, in accordance with the Texas Open Meetings Act, Vernon's Texas Statutes and Codes Annotated, Government Code, Chapter 551, Subchapter D, Exceptions to Requirement that Meetings be Open. The City Council May Elect To Go Into Executive Session On Any Item Whether Or Not Such Item Is Posted As An Executive Session Item At Any Time During The Meeting When Authorized By The Provisions Of The Open Meetings Act.

- A. Consultation with City Attorney. (§551.071. Consultation with Attorney; Closed Meeting)

**7. OPEN SESSION**

The Board will convene in Open Session to take necessary action, if any, in accordance with Chapter 551, Open meetings, Subchapter E, Procedures Relating to Closed Meeting, §551.102, Requirement to Vote or Take Final Action in Open Meeting.

**8. PUBLIC HEARINGS**

- A. Consider Variance to the City's Unified Development Code, Article 3, Section 3.301, Single Family Residential Bulk Standards, Setbacks, Being Lot 60, Discovery Estates Subdivision Phase II, located at 5022 South Hummer Lane, As Requested By Albert Aguirre

**MOTION WAS MADE BY BOARD MEMBER MR. JASON DE LEON AND SECONDED BY BOARD MEMBER MR. SAMUEL SIMON TO APPROVE THE VARIANCE REQUEST OF MR. ALBERT AGUIRRE TO ALLOW AN ENCROACHMENT OF 9 FT. INTO THE 25 FT. FRONT SETBACK, TO ALLOW CONSTRUCTION OF A 10 FT. X 14 FT. PERGOLA, AS SHOWN ON THE SITE PLAN AND SUBJECT TO THE FOOTPRINT, MOTION CARRIED UNANIMOUSLY**

- B. Consider Variance to the City's Unified Development Code, Article 2, Section 2.301 (D) Fences Facing or Abutting a Golf Course, being Lot 3, Los Lagos Subdivision Phase 1, located at 2124 Arlina Drive, As Requested By Rolando De Leon & Alma Solis

**MOTION WAS MADE BY BOARD MEMBER MR. ANDRE MALDONADO AND SECONDED BY BOARD MEMBER MR. JASON DE LEON TO APPROVE THE VARIANCE REQUEST OF MR. ROLANDO DE LEON & ALMA SOLIS TO ALLOW FOR A WROUGHT IRON FENCE TO BE ERECTED ON THE PROPERTY, MOTION CARRIED FOUR TO ONE, CHAIRPERSON, MR. JUAN LOPEZ OBJECTED**

- C. Consider Variance to the City's Unified Development Code, Article 9, Section 9.201, Minimum Parking & Loading Requirements, Multi-Family, Being Lot 14, Block 263, West Addition to Edinburg Subdivision, Located at 1005 W. Cano Street, As Requested By Martha Ivonne Lopez

**ZONING BOARD OF ADJUSTMENT MINUTES**

**FEBRUARY 24, 2021**

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**MOTION WAS MADE BY BOARD MEMBER MR. GEORGE CARDENAS AND SECONDED BY BOARD MEMBER DR. SAMUEL SIMON TO APPROVE THE VARIANCE REQUEST OF MS. MARTHA IVONNE LOPEZ TO ALLOW FOR 11 PARKING SPACES INSTEAD OF THE 12 REQUIRED, MOTION CARRIED UNANIMOUSLY**

- D. Consider Variance to the City's Unified Development Code Article 3, Section 3.304, Non-Residential Bulk Requirements, Setbacks, Being Lot 9, Big Horn Business Park Subdivision, Located at 914 Big Horn Drive, as requested by Hector Guerra, Jr.

**MOTION WAS MADE BY BOARD MEMBER MR. JASON DE LEON AND SECONDED BY BOARD MEMBER MR. GEORGE CARDENAS TO APPROVE THE VARIANCE REQUEST OF MR. HECTOR GUERRA JR. TO ALLOW FOR AN ENCROACHMENT OF 10 FT. INTO THE 15 FT. SIDE YARD SETBACK ALONG THE EAST SIDE OF THE PROPERTY, LEAVING A 5 FT. SEPARATION FROM BUILDING TO PROPERTY LINE AND SUBJECT TO MEET ALL CITY REQUIREMENTS, MOTION CARRIED UNANIMOUSLY**

- E. Consider Variance to the City's Unified Development Code, Article 3, Section 3.304, Multi-Family Lot & Building Standards, Setbacks, Being Lot 2, Monmack Terrace Subdivision No. 2, Located at 3613 Zelma Street, As Requested By Alicia Y. Garza, on behalf of Talgaos, LLC

**MOTION WAS MADE BY BOARD MEMBER DR. SAMUEL SIMON AND SECONDED BY BOARD MEMBER MR. GEORGE CARDENAS TO APPROVE THE VARIANCE REQUEST OF MS. ALICIA Y. GARZA, ON BEHALF OF TALGAOS, LLC. TO ALLOW AN ENCROACHMENT OF 7 FT. INTO THE 32 FT. REAR YARD SETBACK ALONG THE NORTH SIDE OF THE PROPERTY, LEAVING A 25 FT. SEPARATION FROM BUILDING TO PROPERTY LINE AND SUBJECT TO THE FOOTPRINT AS SHOW ON THE SITE PLAN, MOTION CARRIED UNANIMOUSLY**

- F. Consider Variance to the City's Unified Development Code Article 4, Section 4.203, Standards for New & Substantial Improvements (B) Residential Buildings, Being Lot 18, 281 Estates, Located at 1002 Orange Avenue, As Requested By Stephen Bechtel

**MOTION WAS MADE BY BOARD MEMBER MR. JASON DE LEON AND SECONDED BY BOARD MEMBER MR. SAMUEL SIMON TO APPROVE THE VARIANCE REQUEST OF MR. STEPHEN BECHTEL TO ALLOW FOR THE EXISTING FINISH FLOOR AT 83.4 FT., 4.6 FT. BELOW THE 88 FT. ELEVATION AS SHOWN ON THE SITE PLAN AND SUBJECT TO THE FOOTPRINT, MOTION FAILED WITH A VOTE OF THREE TO TWO. REQUEST WAS DISAPPROVED, CHAIRPERSON JUAN LOPEZ AND BOARD MEMBER GEORGE CARDENAS OBJECTED.**

**ZONING BOARD OF ADJUSTMENT MINUTES**  
**FEBRUARY 24, 2021**  
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**9. INFORMATION**

A. Training Opportunity: March 4, 2021- 8:30 A.M.- 12:00 P.M.

Director of Planning and Zoning, Mrs. Kimberly Mendoza stated the Planning Department would like to invite the Board Members of Zoning Board of Adjustments and Planning and Zoning to attend a Training Opportunity scheduled on March 4, 2021 from 8:30 A.M.- 12:00 P.M. .

**10. ADJOURNMENT**

There being no further business to consider, the meeting was adjourned at 5:41 P.M.

**MOTION WAS MADE BY BOARD MEMBER JASON DE LEON AND SECONDED  
BY BOARD MEMBER MR. GEORGE CARDENAS TO ADJOURN THE MEETING  
AT 5:41 P.M., MOTION CARRIED UNANIMOUSLY**

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Juan R. Lopez, Chairperson

Minutes Transcribed By: Nikki Marie Cavazos

**ZONING BOARD OF ADJUSTMENT REGULAR MEETING**  
**March 31, 2021**

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

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**Request:**

The applicant is requesting a variance to the City's Unified Development Code, Article 3, Section 3.505, Easements and Utilities. The applicant stated that the basis for the request is to allow for an addition to the single family residential home to be located 10 ft. within a 20 ft. utility and irrigation easement.

**Property Location and Vicinity:**

The property is located on the north side of West Freddy Gonzalez Drive, approximately 400 ft. east of South McColl Road. The property has 450 ft. of frontage along West Freddy Gonzalez Drive and a depth of 290 ft. for a tract size of 3 acres. This property is currently zoned Commercial General (CG) District. The surrounding zoning in the area is Commercial General (CG) District and Auto Urban Residential (AU) District to the north, Auto Urban Residential (AU) District to the east, and Commercial General (CG) District to the south and west. The area consists of commercial and residential uses.

**Background and History:**

Bond & Bond Subdivision was recorded on November 7, 1989. The applicant currently has a single family residential home that serves as a related accessory use to the existing church located on the property and is proposing to construct an additional bedroom. A building permit was submitted for review by the City on February 12, 2021 and it was determined the proposed addition encroaches into a 20 ft. utility and drainage easement as stated on the plat. There have been no other variances granted of this nature within the surrounding locations.

Staff mailed a notice of the variance request to 21 neighboring property owners and received no comments in favor or against this request at the time of this report.

**Analysis:**

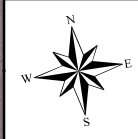
The applicant has indicated that the basis of the request is to allow the expansion of the existing residential home. Pictures have been provided for the board's consideration.

**Recommendation**

Staff recommends disapproval and recommends the applicant respect the 20 ft. irrigation and utility easement. If approved, the applicant will need to comply with all other requirements during the permitting process including but not limited to building and fire codes, fire protection, parking, landscape buffer-yards, solid waste services, utility, pay a \$40 fee payable to the County of Hidalgo, County Clerk's Office for the recording of the ZBA order on this request, and any other City requirements, as applicable. A location map, aerial map, photo, subdivision plat, site plan, and response from property owner are attached for the Board's consideration.

Prepared By:  
Rita Lee Guerrero  
Urban Planner

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



**AERIAL MAP**



**CASE CAPTION:**

**APPLICANT NAME:**

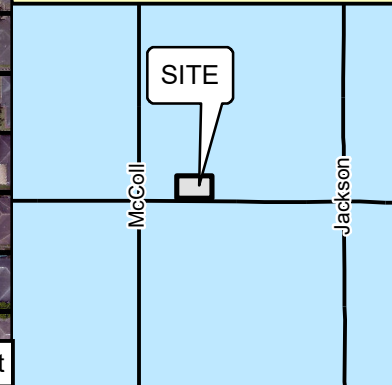
**DALE YONTZ**

CONSIDER VARIANCE TO THE CITY'S UNIFIED DEVELOPMENT CODE ARTICLE 3, SECTION 3.301, SINGLE FAMILY RESIDENTIAL BULK STANDARDS, SETBACKS, BEING LOT 2, BOND & BOND SUBDIVISION, LOCATED AT 2701 W FREDDY GONZALEZ DRIVE, AS REQUESTED BY DALE YONTZ, ON BEHALF OF HARVEST BAPTIST CHURCH

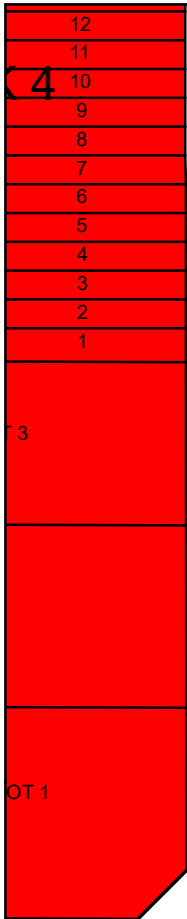
**Legend**

-  CITY LIMITS
-  APPLICANT SITE

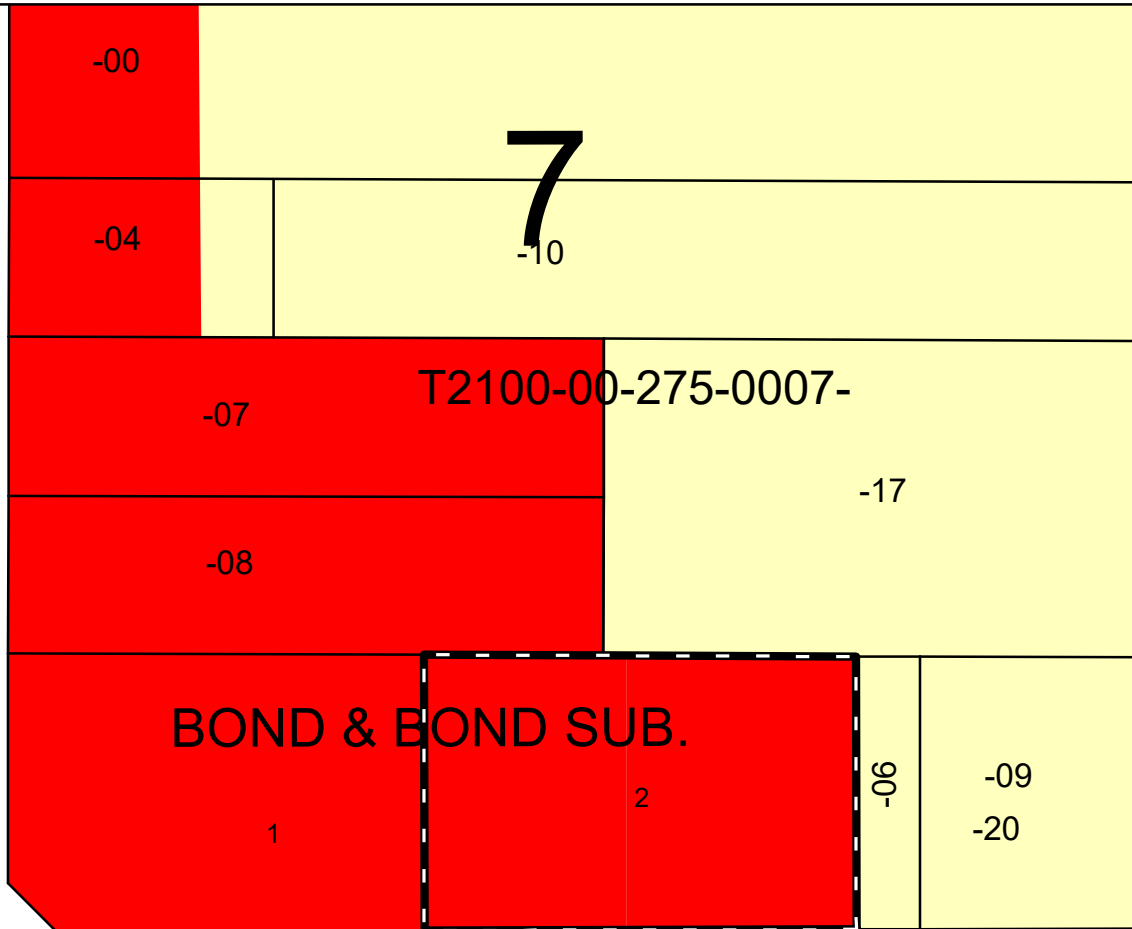
**SITE LOCATION MAP**



1 in = 200 ft

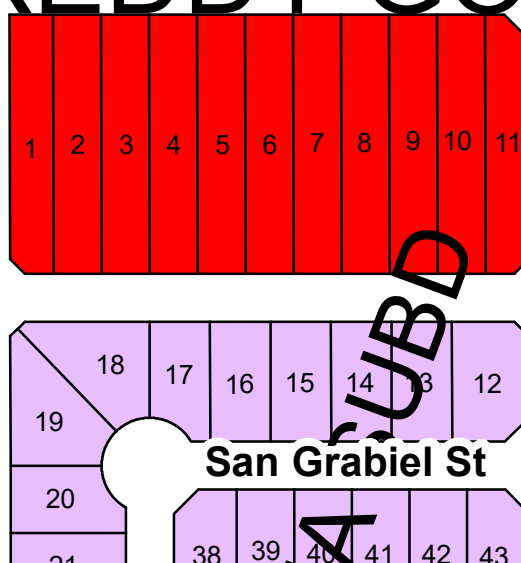
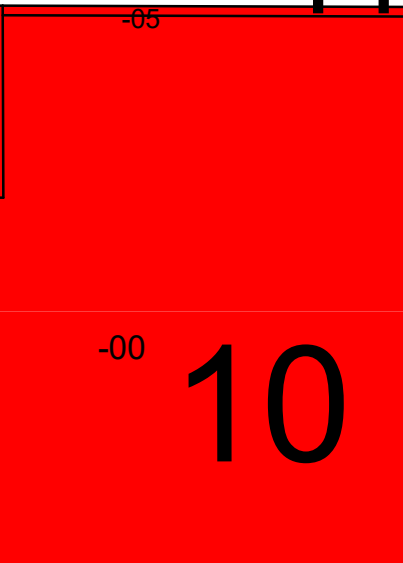


S McCoil Rd



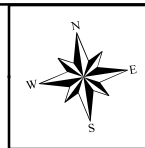
W Freddy Gonzalez Dr

FREDDY GONZALEZ



San Raul Ave

San Gabiel St



**ZONING MAP**

**CASE CAPTION:**

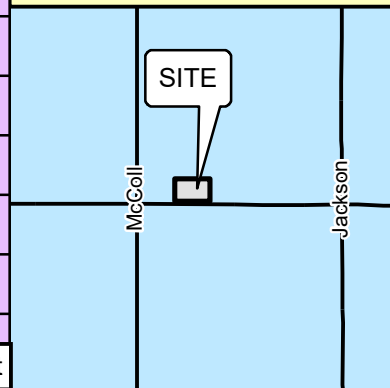
**APPLICANT NAME:**

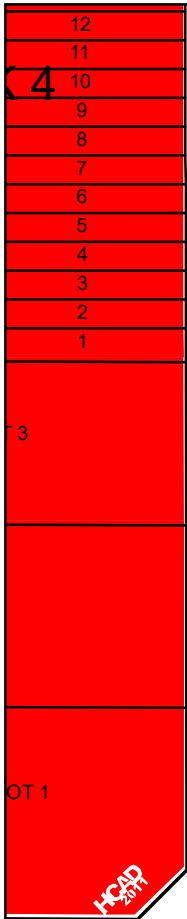
**DALE YONTZ**

**Legend**

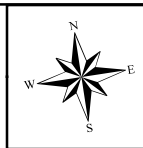
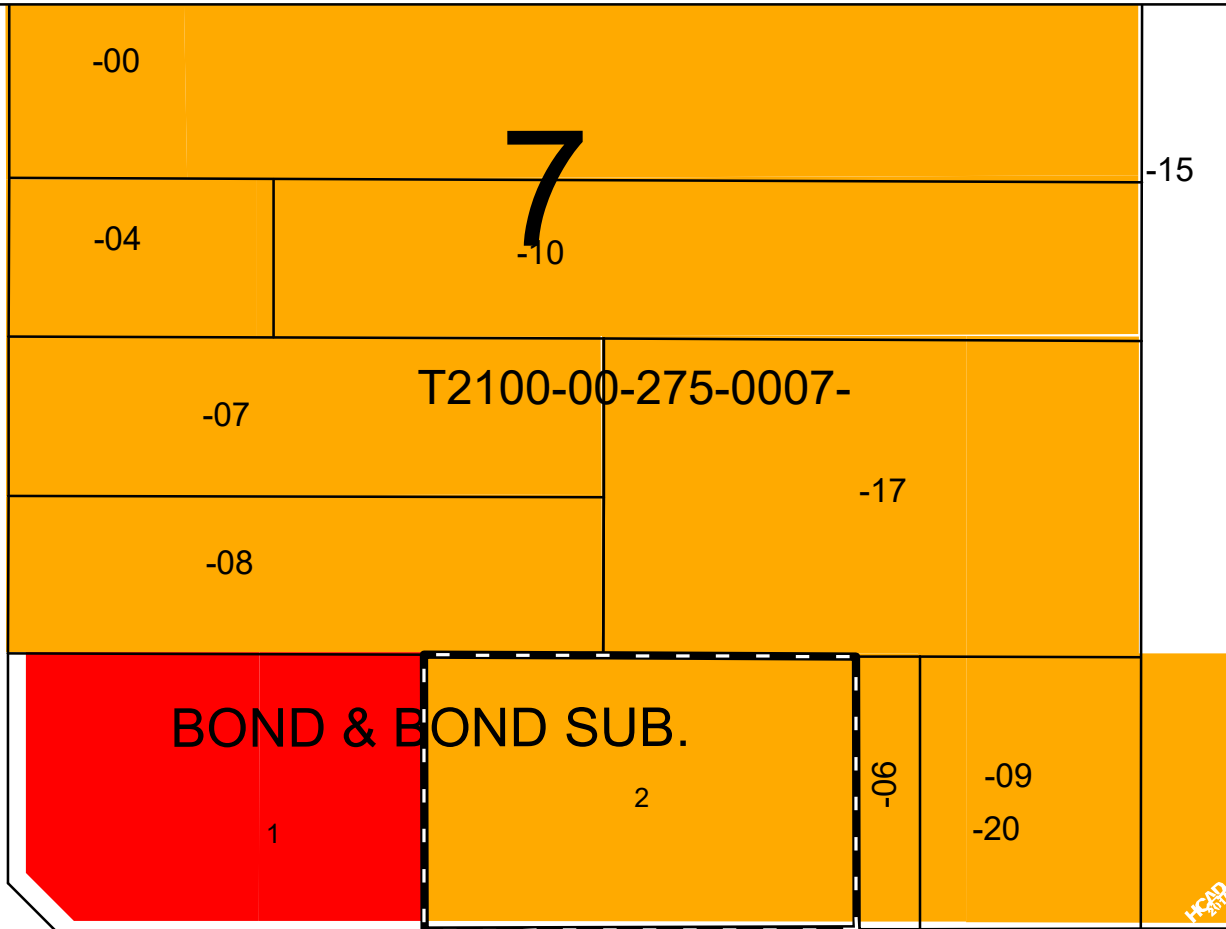
- CITY LIMITS
- APPLICANT SITE
- ZONING DISTRICTS**
- AGRICULTURE
- AUTO-URBAN RESIDENTIAL
- COMMERCIAL, GENERAL
- COMMERCIAL, NEIGHBORHOOD
- DOWNTOWN DISTRICT
- INDUSTRIAL
- NEIGHBORHOOD CONSERVATION 5
- NEIGHBORHOOD CONSERVATION 7.1
- NEIGHBORHOOD CONSERVATION MH
- SUBURBAN RESIDENTIAL
- URBAN RESIDENTIAL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

**SITE LOCATION MAP**





S McColl Rd



**FUTURE LAND USE MAP**

**CASE CAPTION:**

**APPLICANT NAME:**

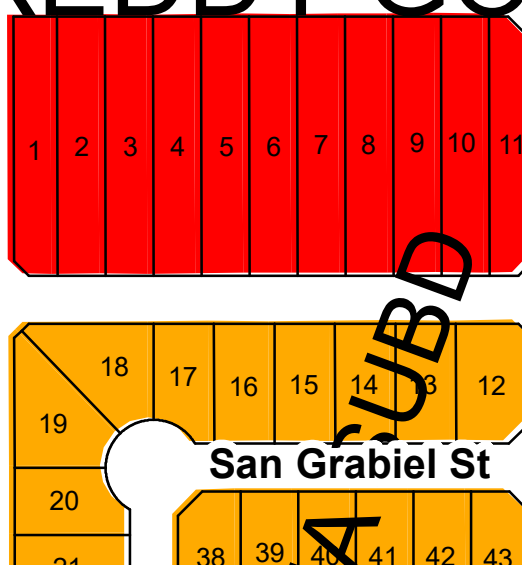
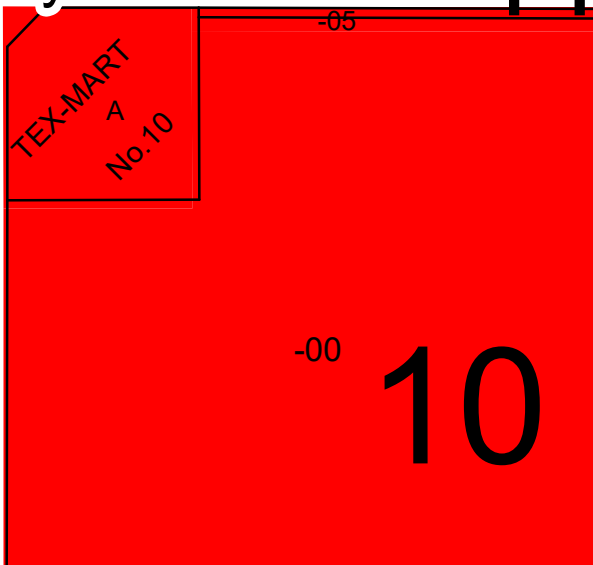
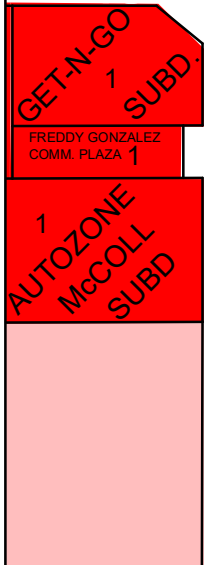
**DALE YONTZ**

**Legend**

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

W Freddy Gonzalez Dr

**FREDDY GONZALEZ**

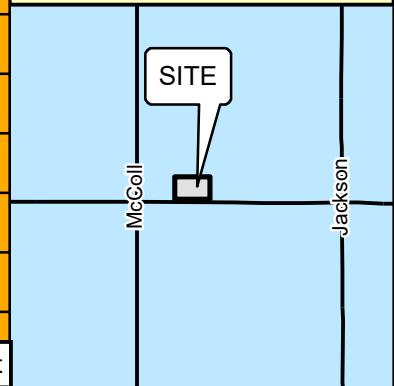


San Raul Ave

San Grabel St

1 in = 200 ft

**SITE LOCATION MAP**









CONSISTENTLY THEREIN EXPRESSLY  
*Lionel E. Larsen Mary E. Larsen*  
 LIONEL E. LARSEN MARY E. LARSEN  
*Frank Hayward*  
 FRANK HAYWARD FOR HARVEST BAPTIST  
 CHURCH  
*Oscar Ed. "Pete" Bond*  
 OSCAR ED. "PETE" BOND

GIVEN UNDER MY HAND AND SEAL OF  
OFFICE, THIS THE 30<sup>th</sup> DAY  
OF August, 1989  
MY COMMISSION EXPIRES 3-31-90  
STATE OF TEXAS

*William S. J. ...*  
-CHAIRMAN, PLANNING COMMISSION

*P.R. Rinaldi*  
MAYOR, CITY OF EDINBURG

James H. Hays      W. L. M. Hays  
PRESIDENT      SECRETARY

NOTES

1. THIS AREA IS IN FLOOD ZONE "B" AND "AH" COMMUNITY-PANEL NUMBER 480334 0325 C MAP REVISED NOV. 16, 1982.

2. ELEVATION OF ANY FUTURE  
CONSTRUCTION SHALL BE TOP OF CURB +  
IS AT FRONT OF BUILDING

SPRAGUE ST.

JACKSON RD.

FREDDY

GONZALES DR.

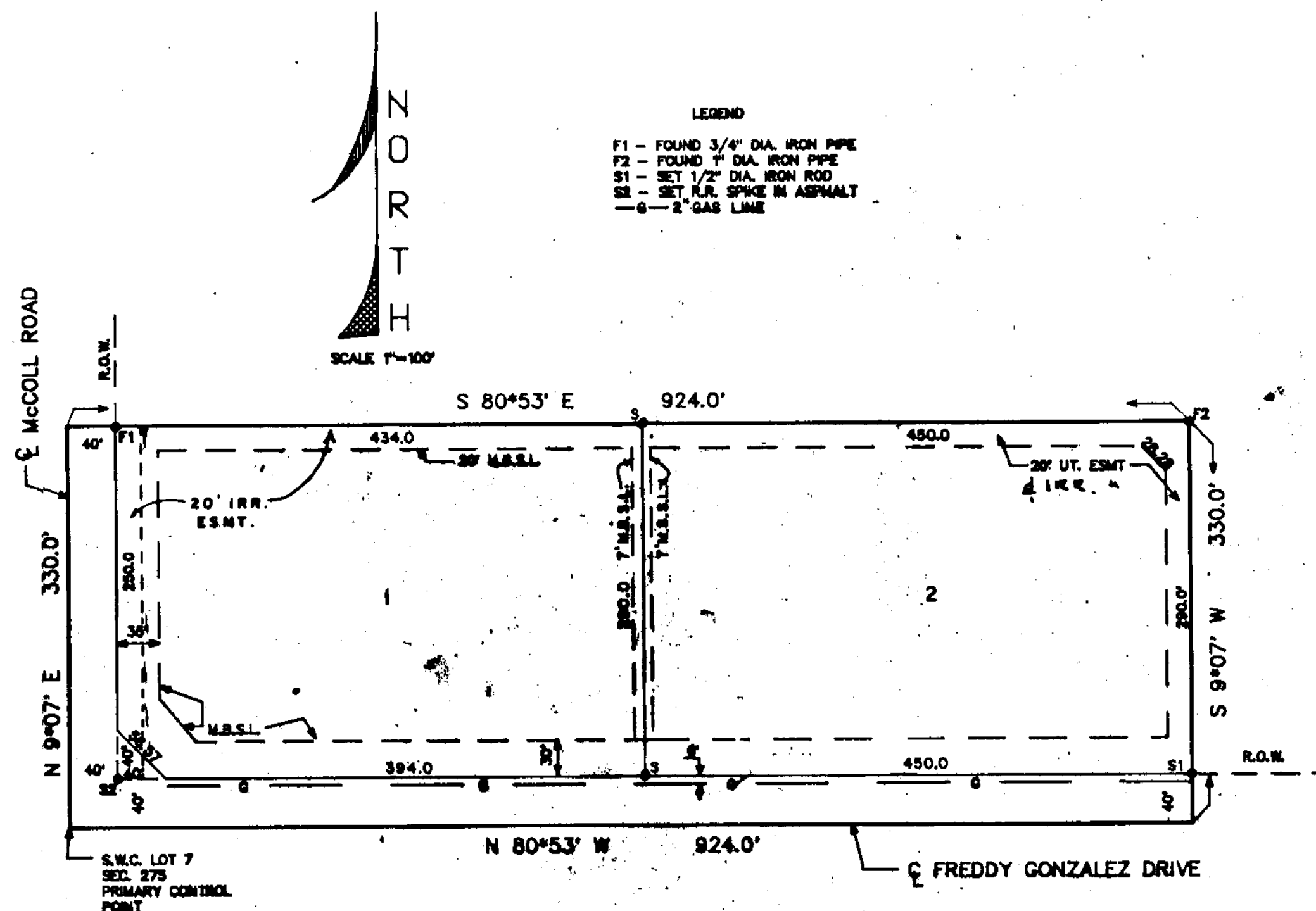
SUB LOCATION

LOCATION MAP SCALE

1" = 2000'

### LEGEND

F1 - FOUND 3/4" DIA. IRON PIPE  
F2 - FOUND 1" DIA. IRON PIPE  
S1 - SET 1/2" DIA. IRON ROD  
S2 - SET P.L.R. SPIKE IN ASPHALT  
—G— 2" GAS LINE



**LEGAL DESCRIPTION:**

THAT PARCEL BEING THE SOUTH 330.0 FEET OF THE WEST 924.0 FEET OF LOT 7, SECTION 275 TEX-MEX RAILWAY CO. SUBDIVISION, HIDALGO COUNTY, TEXAS; SAID PARCEL HEREIN CONVEYED BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING AT THE SOUTHEAST CORNER OF  
SAID LOT FOR THE SOUTHEAST CORNER  
HEREOF;**

THENCE WITH THE WEST LINE OF SAID LOT  
NORTH 9° 07' EAST 330.0 FEET TO THE  
NORTHWEST CORNER HEREOF;

THENCE SOUTH 80° 53' EAST 924.0 FEET  
TO THE NORTHEAST CORNER HEREOF;

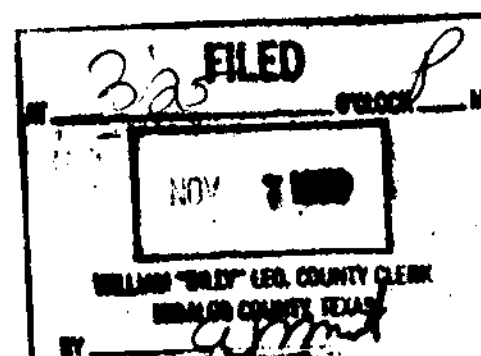
THENCE SOUTH 9° 07' WEST 330.0 FEET  
TO A POINT ON THE SOUTH LINE OF SAID  
LOT FOR THE SOUTHEAST CORNER HEREOF;

THENCE NORTH 80° 53' WEST 924.0 FEET  
TO THE PLACE OF BEGINNING, CONTAINING  
SEVEN (7.00) ACRES, MORE OR LESS.

BOND & BOND SUB.

BEING A RESUBDIVISION OF THE SOUTH 330.0  
FEET OF THE WEST 924.0 FEET OF LOT 7, SECTION  
275 TEX-MEX RAILWAY CO. SUBDIVISION.

**137050**



APPROVED FOR RECORDING  
HIDALGO CO. PLANNING DEPT  
BY: [Signature]  
DATE: 11-7-89

Filed in Book 26 Page 59B  
 the exp records of Middle  
 County, Texas  
 Sheldon and Hunt, Inc.  
 County Surrogate

**APPROVED FOR RECORDING**

**CONSIDERING THAT**

TABLE 25 cont'd (11 of 15)

**WILLIAM TULLER**, MD., FRCPC, FRCGS  
 Director, Department of Cardiology,  
 St. Michael's Hospital, Toronto, Ontario

\_\_\_\_\_

**WALL STREET**

I, THE UNDERSIGNED, ENGINEER AND SURVEYOR, IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT REPRESENTS THE FACTS FOUND ON THE GROUND AT THE TIME OF SURVEY AND THAT PROPER ENGINEERING CONSIDERATIONS HAVE BEEN GIVEN.

संक्षेपः

Pablo F. Peña Jr.

DATE: 6-25-87



**CHECKED FOR DRAINAGE**

ON BEHALF OF THE UNITED STATES  
BY *[Signature]*

VOL. 26 PG. 59B

LOT 2  
BOND & BOND  
SUBDIVISION  
EDINBURG, TX  
2701 FREDDY  
GONZALEZ DR.

BUILDING AREAS:		
ADDITION:	796 FT <sup>2</sup>	
LIVING:	24 FT <sup>2</sup>	
PATIO:		820 FT <sup>2</sup>

CUSTOMER:  
HARVEST BAPTIST CHURCH  
EDINBURG, TX

CONTRACTOR:

THESE DRAWINGS ARE THE  
EXCLUSIVE PROPERTY OF  
K-GEM CONSULTING &  
DESIGN, AND MAY NOT BE  
REPRODUCED IN ANY WAY  
WITHOUT PRIOR WRITTEN  
PERMISSION FROM K-GEM.  
ALL INFORMATION  
PROVIDED ON THE  
DRAWINGS ARE FOR USE  
ON THE SPECIFIED PROJECT  
ONLY AND SHALL NOT BE  
USED OTHERWISE.

DATE: 2-02-21

REVISIONS:



Drawn By: J.M.  
Reviewed By: J.M.

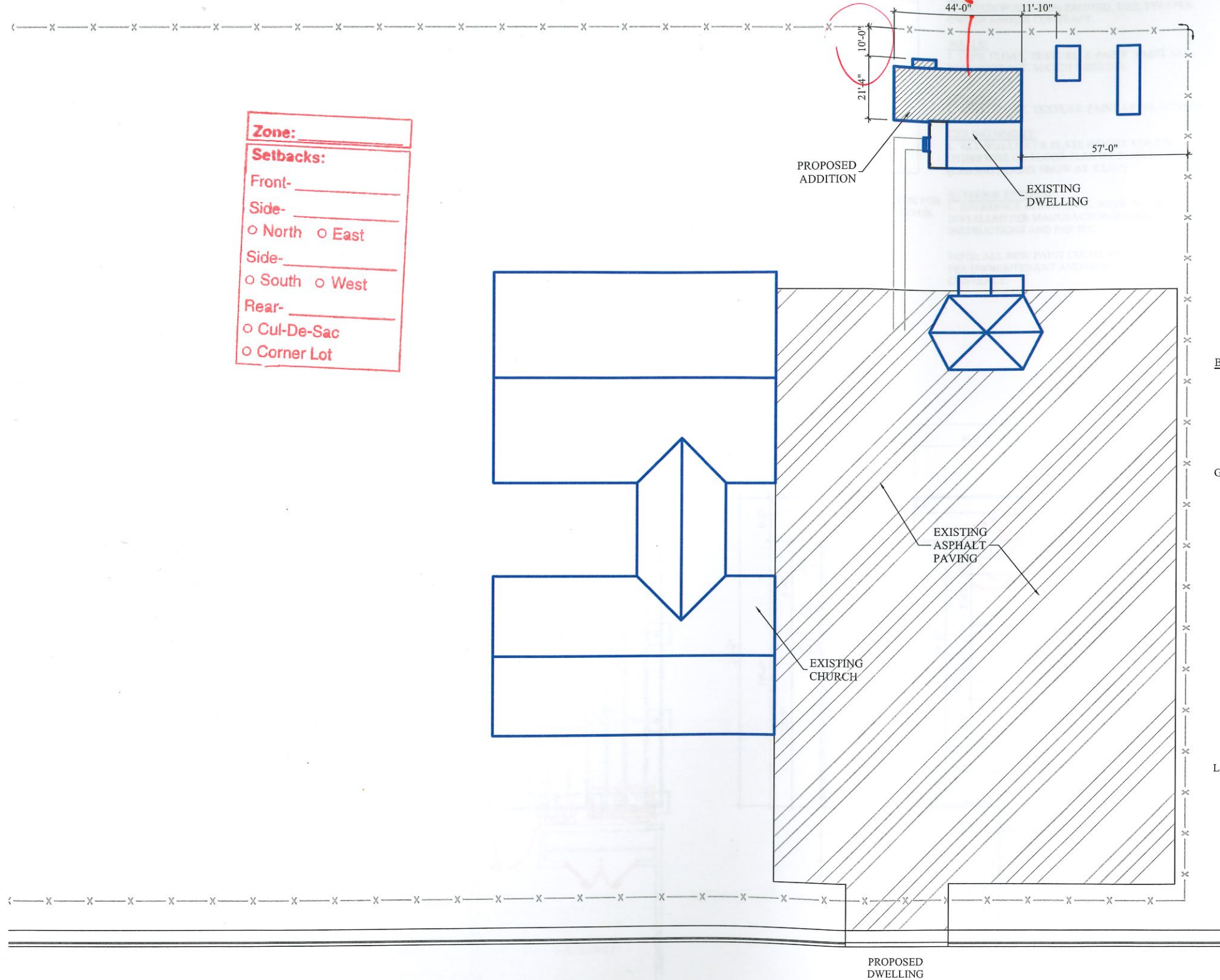
SITE PLAN

SCALE: PER DETAIL

PAGE NO.

1.0

PROJECT NO.  
105-020



GENERAL NOTES:  
1. CONTRACTOR, CUSTOMER, AND/OR OWNER IS RESPONSIBLE CONTRACTOR FOR  
THIS PROJECT. DESIGNER IS NOT RESPONSIBLE FOR ANY CONTRACTING AND/OR  
CONSTRUCTION.

SITE PLAN (FOR REFERENCE ONLY)

Scale: 1:20



## MEMORANDUM PLANNING & ZONING HIGHLIGHTS

### BRIEF DESCRIPTION

The Planning & Zoning Department guides and manages the growth and development of our city through the policies, decisions and regulations adopted by the Mayor and City Council. We implement the guidelines through Planning documents, such as the Comprehensive Plan and the Unified Development Code. We also promote a high quality of life, and a positive community environment through orderly growth that is healthy and safe. The following table represents Planning & Zoning annual indicators for permits and applications followed by goals for this fiscal year.

### INDICATORS: JANUARY 2020 – FEBRUARY 2021

PERMITS & APPLICATIONS	AVERAGE MONTHLY	TOTAL ANNUAL
Subdivision Plats	5	66
Subdivision Variances	4	59
Certificates of Compliance	14	191
Sign Variances	0	3
Abandonments	0	2
Annexations	1	9
Special Use Permits	0	5
Commercial Building Permits	47	664
Comprehensive Plan Amendments & Zoning	2	31
Zoning	3	35
Zoning Board of Adjustment Variances	5	65

### MAJOR GOALS FY 2020 - 2021

- Comprehensive Plan Recommendations – Final report received in January 2021
- Unified Development Code Update – The City Council voted to award RFP No. 2021-006 to Kendig Keast Collaborative to update the Unified Development Code at their meeting on March 2, 2021.
- EnerGov – City is transitioning to an Online Permit Portal known as EnerGov, which allows for Online Application Submittals and concurrent reviews by city staff. Timeline to implement is June/July 2021.

<b>2021 ATTENDANCE RECORD</b> <b>ZONING BOARD OF ADJUSTMENTS COMMISSION MEETINGS</b>
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[illegible]

<b>2021 ATTENDANCE RECORD</b> <b>ZONING BOARD OF ADJUSTMENTS COMMISSION WORKSHOPS</b>
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[illegible]