



**NOTICE AND AGENDA  
ZONING BOARD OF ADJUSTMENT**

**JUNE 29, 2022 - 05:30 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 3-5 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.

## **6. MINUTES**

- A.** Consider approval of the Minutes for the May 25, 2022 Regular Meeting

## **7. PUBLIC HEARINGS**

- A.** Consider Variance to the City's Unified Development Code: Article 12, Section 12.301(4), On-Premise Signs in Agricultural, Residential, Commercial, and Industrial Districts, Free Standing Sign, being Lots 1-5, Ebony Heights Subdivision, located at 904 South 12<sup>th</sup> Avenue, as requested by AAA Electrical Signs on behalf of Edinburg C.I.S.D.
- B.** Consider Variance to the City's Unified Development Code, Article 3, Section 3.303, Multi-family Residential Bulk Standards, Setbacks, being a 4.795 acre tract of land out of Lots 1 & 8, Section 238, Texas-Mexican Railway Company's Survey, located at 1709 North Mon Mack Road, as requested by Melden & Hunt, Inc. on behalf of Mon Mack Development LLC. (Proposed Valencia Trails Phase I Subdivision)
- C.** Consider Variance to the City's Unified Development Code, Article 3, Section 3.304, Non Residential Bulk Requirements, Setbacks, being Lot 23, Owassa Gardens Mobile Home Subdivision, located at 5600 South Veterans Boulevard, as requested by Jesus Vazquez on behalf of Jose Dolores Vazquez Solache
- D.** Consider Variance to the City's Unified Development Code, Article 3, Section 3.505, District and Bulk Standards, Easements and Utilities, Lot 94, Hacienda Las Fuentes Subdivision, located at 3710 Tigris Drive, as requested by Jose C. Zacarias
- E.** Consider Variance to the City's Unified Development Code Article 3, Section 3.303, District and Bulk Standards, Multifamily, Setbacks, being a 16.74 acre tract of land out of Lot 5, Block 1, John Closner, Et Al Subdivision, located at 3301 South Raul Longoria Road, as requested by Michael Aaron Cantu on behalf of Maverick Valley Builders, LLC.

## **8. DIRECTOR'S REPORT**

- A.** Unified Development Code Update

## **9. INFORMATION ONLY**

- A.** Attendance Roster

## **10. ADJOURNMENT**

I hereby certify that this notice of meeting was posted in accordance with the Open Meetings Act, V.T.C.A., Government Code, Section 551.041, at the bulletin board located at the main entrance to the City offices of the City of Edinburg, (415 West University Drive), visible and accessible to the general public after regular working hours, at 3:10 P.M. on this 24th day of June 2022.



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Claudia Mariscal, Administrative Assistant

**MEMBERS WHO ARE UNABLE TO ATTEND ARE ASKED TO NOTIFY THE PLANNING AND ZONING DEPARTMENT**



**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.**



**NOTICE AND AGENDA  
ZONING BOARD OF ADJUSTMENT  
MAY 25, 2022 - 5:30 P.M.  
REGULAR MEETING  
CITY HALL COUNCIL CHAMBERS  
415 W. UNIVERSITY DR.  
EDINBURG, TEXAS 78539  
MINUTES**

**Members Present:**

Eddie Garza  
Ponciano Longoria  
Marc Moran  
Diane Teter  
Michael Cantu

**Absent:**

Alex Rios  
George Cardenas  
Andre Maldonado  
Abraham Garcia

**Staff:**

Jesus Saenz, Assistant City Manager  
Kimberly A. Mendoza, Director of Planning & Zoning  
Jaime Ayala, Planner II  
Daniel A. Colina, Planner I  
Adan Elizondo, Planner I  
Mardoqueo Hinojosa, City Engineer  
Patrizia Longoria Engineer III  
Peter Hermida, Engineering Department  
Omar Ochoa, City Attorney  
Rita Guerrero, Management Analyst

**Visitors:**

Jesus A. Aguirre  
Omar Garcia

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

Vice Chairperson Eddie Garza called the meeting to order at 5:35 P.M.

**A. Prayer** – Prayer was announced.

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

## **2. CERTIFICATION OF PUBLIC NOTICE**

Kimberly Mendoza certified the agenda had been posted on May 20, 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. MINUTES**

**A.** Consider approval of the Minutes for the April 27, 2022 Regular Meeting

Board member Michael Cantu moved to consider approval of the Minutes for the April 27, 2022 Regular Meeting. Seconded by Board member Ponciano Longoria the motion. The motion to approve carried unanimously with a vote of 5-0

After the voting for the minutes was done Alternate Board Member Diane Teter stated that the recordings for ZBA meetings on February 23, 2022 and March 9, 2022 were not online as well adding the Special Meeting on March 9, 2022 to the attendance.

## **7. PUBLIC HEARINGS**

- A.** Reconsider Variance to the City's Unified Development Code, Section 2.301(C)(2), Storage and Utility Sheds, Building type, Lot 1, Dogwood Subdivision, located at 1000 South 6<sup>th</sup> Avenue, as requested by Imelda Pena Cain.

Vice Chairperson Eddie Garza asked if the applicant was present and Ms. Imelda Cain was present and explained she is buying materials to build her home little by little and is storing those materials there until building begins. The board asked what kind of materials were in the container and Ms. Cain stated that there would be electrical materials, wood and plumbing items. Vice Chairperson Eddie Garza asked if there was anyone else present who had a comment regarding the variance request. Mr. Kevin Garza who lives near the property was present and stated that he was against having the container on the property. He stated that having the container there was an eye soar and he was concerned with drainage due to the fact that Ms. Cain is going to build her home four feet higher than the curb. Vice Chairperson Eddie Garza asked if there was anyone else present with comments regarding the variance request and Mr. Jesus Trejo was present who lives behind the property of the variance request. Mr. Trejo explained that he was concerned with the future drainage issues and Ms. Diana Trejo was present as well and stated that she was in opposition of the variance request. Mr. Longoria asked staff if there was a building permit given to the customer and Mr. Adam Elizondo informed that board that there was building permit given back in December. Mr. Robert Ontiveros, the contractor was present and explained why he suggested for Ms. Cain to have the storage and that he would be responsible for it if it got approved to stay.

After the discussion, motion was made by Board Member Marc Moran and seconded by Board Member Ponciano Longoria to disapprove the Variance request. Motion carried unanimously with a vote of 5-0, with a timeframe by Code Enforcement requirements.

- B.** Consider Variance to the City's Unified Development Code, Section 3.505, Easements and Utilities, Lot 38, The Boardwalk Subdivision, located at 3103 Scotland Drive, as requested by Avinash Samtami

This item was tabled as requested by applicant.

Motion was made by Board Member Ponciano Longoria and seconded by Board member Michael Cantu to table the item. Motion carried unanimously with a vote of 5-0.

- C.** Consider Variance to the City's Unified Development Code, Section 3.303, Multifamily Lot and Building Standards, Setbacks, Lots 1-39, New Castle Subdivision, located at 2601 West Wisconsin Road, as requested by Red Rock Real Estate Development Group, LTD

There was no public comment.

Vice Chairperson Eddie Garza asked if the applicant was present and the Engineer Alfonso Quintanilla was present as well as Manuel Cantu. Mr. Quintanilla explained that the carport will encroach the setbacks. It was explained that the columns of the carport meet the requirement but the overhang of the carport would encroach the setbacks. Board Member Ponciano Longoria asked about the utilities that were under the easements and how it would affect them if the utility companies needed to access them. Mr. Quintanilla stated that as long as there was a minimum of an eight foot clearance they would be able to access the utility lines. Board member Marc Moran asked what the height of the carport was going to be and Mr. Quintanilla stated no less than eight feet.

After the discussion, motion was made by Board Member Marc Moran and seconded by Board Member Michael Cantu to approve the Variance request. Motion carried with a vote of 4-1.

- D.** Consider Variances to the City's Unified Development Code: 1) Section 2.301 (B)(2)(c) Accessory Structures, Side Yards and 2) Section 3.505, Easements and Utilities, Lot 29 and the North ½ of Lot 28, Chateau Estates Subdivision, located at 2906 Chateau Street, as requested by Steve Sandoval on behalf of Steve & Adhara Sandoval.

Vice Chairperson Eddie Garza asked if the applicant was present and Mr. Steve Sandoval was present. Mr. Sandoval stated that he was not aware of needing to apply for a permit. Board Member Ponciano Longoria asked what type of foundation was used for the structure, and Mr. Sandoval stated that it was about four inches of concrete. Mr. Austin Colina explained that none of the structures were encroaching setbacks; however, structures are not allowed on side yards, and there is concern for way the structures were built.

It was motioned that the two variances be voted on separately. The first vote was on the existing patio. Board Member Ponciano Longoria motioned to approve with the condition that the applicant can provide letters from the utility companies approving the structure location and was seconded by Board Member Diane Teter. Motion carried unanimously with a vote of 5-0. The second vote was on the proposed swimming pool, Board Member Michael Cantu motioned to approve with the condition that a letter from a structural engineer be provided stating that the proposed pool will not cause any structural risk to surrounding structures and seconded by Board Member Marc Moran. Motion carried unanimously with a 5-0 vote.

## **8. DIRECTOR'S REPORT**

#### A. Unified Development Code Update

Ms. Kimberly Mendoza spoke about the Joint meeting that was held on May 19, 2022 and explained the proposed schedule for adoption of the Unified Development Code Update. Ms. Diane Teter inquired about the online survey and about questions she submitted. Mr. D. Austin Colina explained that he had received her questions and is working on a response.

### 9. INFORMATION ONLY

#### A. Attendance Roster

### 10. ADJOURNMENT

There being no further business to consider, the meeting was adjourned at 7:06 P.M.

*Claudia Mariscal*

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Claudia Mariscal, 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: 6-21-22

### ZONING BOARD OF ADJUSTMENT

Regular Meeting: 6-29-22

#### Agenda Item 7A

Consider Variance to the City's Unified Development Code: Article 12, Section 12.301(4), On-Premise Signs in Agricultural, Residential, Commercial, and Industrial Districts, Free Standing Sign, Being Lots 1-5, Ebony Heights Subdivision, Located at 904 South 12<sup>th</sup> Avenue, As Requested by AAA Electrical Signs on Behalf of Edinburg C.I.S.D. [Alejandra Gonzalez, Planning Assistant]

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#### Request

The applicant is requesting a variance to the City's Unified Development Code (UDC), Article 12, Section 12.301(4), as it applies to Free Standing Signs. The applicant is proposing to remove the existing free standing sign and to add a new illuminated free standing sign on a minor street.

#### Property Location and Vicinity

The property is located on the south side of 12<sup>th</sup> avenue, approximately 165 ft. south of East Sprague Street, and is zoned Auto-Urban Residential (AU) District. Adjacent zoning is Neighborhood Conservation 5 (NC5) District to the north, Auto-Urban Residential (AU) District to the east, Urban Residential (UR) District to the south, and Commercial General (CG) District to the west.

#### Background and History

The property is part of Ebony Heights Subdivision, which was recorded on September 16, 1924, predating the current UDC. The applicant submitted a sign permit application on March 24, 2022 to remove the existing sign and to install a new illuminated sign in a different location. The applicant was informed that free standing signs may only be illuminated if located along a collector, arterial, or higher roadway classification according to the City's Thoroughfare Plan. The Variance Application and related documents were submitted to the City on May 17, 2022.

Staff mailed notice of this variance request to 55 neighboring property owners. No comments in favor and none against this request had been received at the time this report was prepared

#### Analysis

The property has 444.5 ft. of width along south 12<sup>th</sup> Street and 490 ft. of depth for a total area of 217,805 sq. ft. The proposed sign is 14 ft. and 8 in. in height and 8 ft. and 10 1/8 in. wide. The LED Display dimensions are 3 ft. and 1 13/16 in. in height and 7 ft. and 1 1/16 in. wide with a total square footage of 22.3 sq. ft on each side. The proposed sign is approximately 15 ft. away from the front property line and 17 ft. away from the sidewalk as shown on the site plan. Free standing



# Planning & Zoning Staff Report

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sign location requirements consist of a minimum setback of 5 ft. from the property line, provided the sign does not overhang into public right-of-way, and is not placed in a utility easement or below electric power lines.

## **Recommendation**

Staff recommends approval of this request. The proposed sign meets all other requirements and has been approved by the Building department. Other schools within the City have similar signs.

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, sign details, and application from the property owner are attached for the Board's consideration.

Prepared by:

**Alejandra Gonzalez**

Planning Assistant

Approved by:

**Rita Lee Guerrero**

Management Analyst











**AAA ELECTRICAL SIGNS, EDINBURG C.I.S.D.**

Case # **VAR-2022-0096****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: SIGN RE-LOCATION *Requesting a free standy sign; eliminate sign on a minor street*  
Reason for Hardship (attach additional pages if necessary) *Article 12 DIVISION 12.300 Sect. 12.301 Free standy sign*  
TO INSTALL EDINBURG ISD STANDARD SCHOOL SIGN  
SEE SITE PLAN

Property Description: Lot 1-5 Block \_\_\_\_\_ Subdivision EBONY HEIGHTSProperty Address: 904 S. 12TH AVE.Present Property Zoning: JABPerson requesting Variance: AAA ELECTRICAL SIGNS *(833) 228-2361*Mailing Address: 2407 E. BUS. 83 DONNA, TX 78537  
Street Address City/State Zip CodePhone No. (Home): \_\_\_\_\_ (Work): 956-464-3221 (Cell): \_\_\_\_\_Owner's Name: EDINBURG INDEPENDENT SCHOOL DISTRICTMailing Address: 411 N. 8TH ST. 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: *Paul W Sullivan* Date: 04/28/2022Owner/Agent's Name (Please Print): PAUL W. SULLIVAN\$450 Application Fee: \_\_\_\_\_ Application Received by: \_\_\_\_\_  
Receipt No.**RECEIVED**

OFFICE USE ONLY

Application deadline: \_\_\_\_\_ ZBA Hearing date: MAY 17 2022

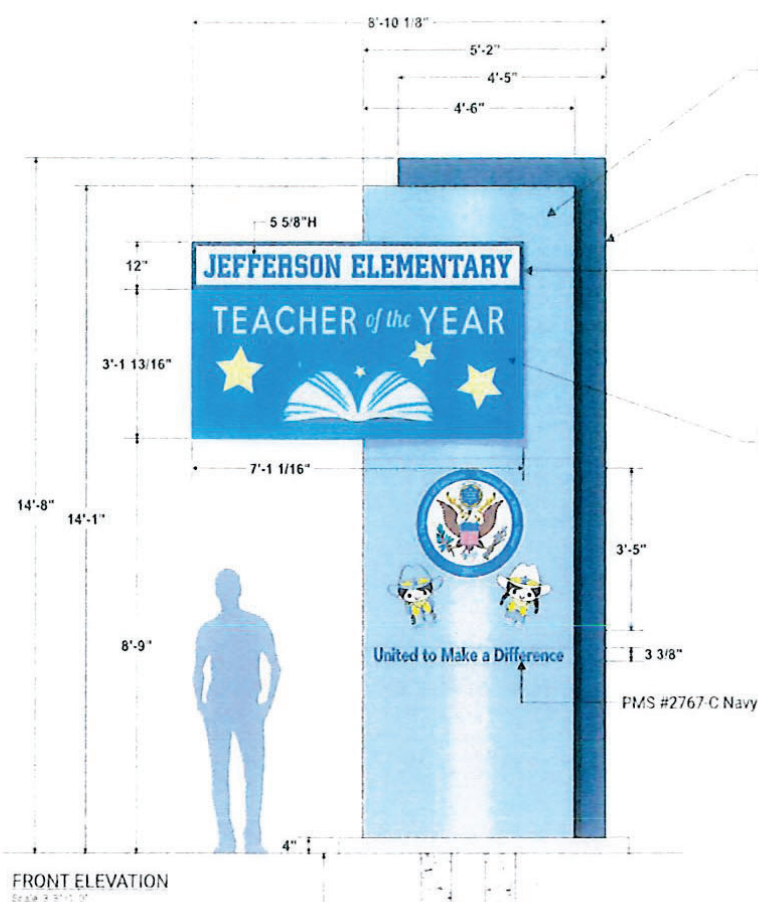
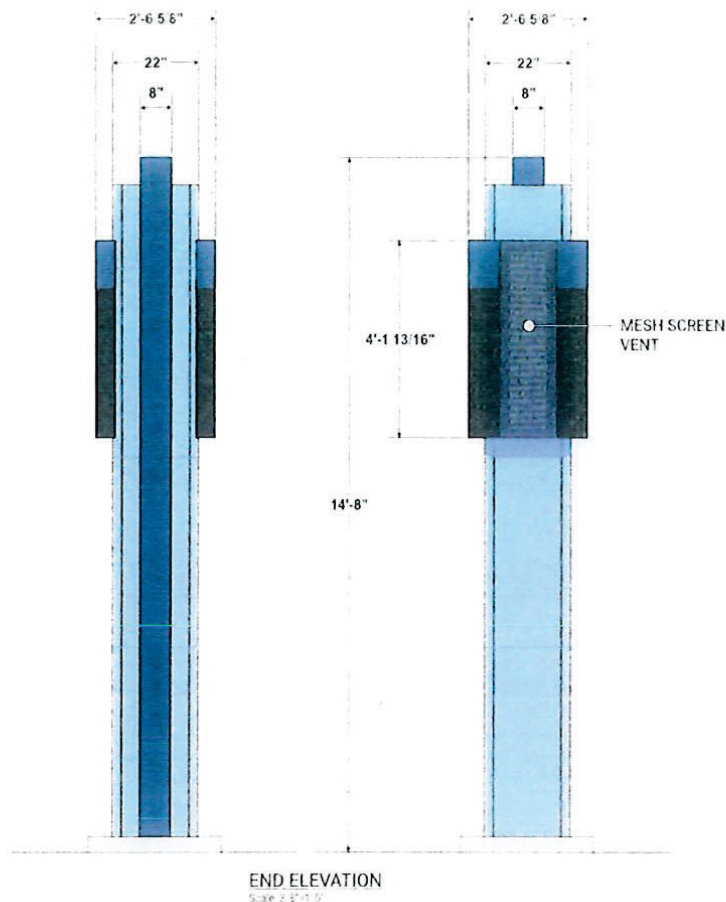
- Name: *[Signature]*
- \$40 ZBA Order Form- Make Check Payable to: Hidalgo County Clerk
  - Submit survey, if applicable
  - Reduced copy of site plan & 1 blue print, if applicable











(1) DOUBLE FACED MARQUEE SIGN w. COLOR VIDEO

1 ALUMINUM SIGN CABINET w. FRAMELESS LOOK  
125" Curved Aluminum Cladding over Welded (Angle) Frame  
Frame Ptd. Automotive Acrylic Enamel, PMS #877-C Silver  
\* Digitally Printed Vinyl Graphics Applied First Surface

2 DECORATIVE ALUMINUM ELEMENT  
125" Aluminum Cladding over Welded (Angle) Frame  
Frame Ptd. Automotive Acrylic Enamel, PMS #2767-C Navy

3 (2) S/F ALUMINUM SIGN CABINETS  
125" Aluminum over Welded (Angle) Frame  
Frame Ptd. Automotive Acrylic Enamel, PMS #2767-C Navy  
Retainers to be 1", Alum. Fabricated  
Flat Acrylic Face with Embossed Copy Ptd. PMS #2767-C Navy  
Illuminated by Samsung IP68 White LED's, DC 12V  
Power 1.5W. Wired to U.L. Specifications

4 D/F COLOR LED DISPLAY MODEL AAA-Q-001665-012

LED Display Specifications

LED Pixel Pitch: 20.0mm  
Matrix Size: 48 x 108 (HxV)  
Cabinet Type: Module  
Communication: Ethernet, Remote RF Wireless (up to 2500 ft), DSL Telephone Line  
PC Furnished by Customer  
Controller: 93312  
Total # of LED's: 5.5 inches  
Character Size: 6 line(s), 18 characters  
# of Lines/Char. Line: 9500 NITS  
Brightness: 281 Trillion Colors  
Number of Colors: 140° Horizontal  
Viewing Angle: 281.95 lbs per face  
Display Net Weight: Rear  
Ventilation: Windows Based with 5 years  
Software: Software Upgrades  
Dimming Capabilities: 256 Levels, Schedule or Manual  
Digital Temperature Probe: Included

LED Display Dimensions

Active Display Size: 3'-1 13/16" x 7'-1 1/16"  
Active Display SQ. FT.: 22.3 sq. ft. per side  
Cabinet Size: 3'-1 13/16" x 7'-1 1/16"  
Individual Cabinet Width: 6 1/2"

Graphic & Video Support

Display Capability: Video, Graphic, Text (WMV, AVI, GIF, JPG, BMP, PNG)  
Video Frame Rate: 60 FPS

Electrical Requirements

AC Power Required: Single Phase 120V or 240V  
Total Boot Up Amps: 15.6 (120V)  
Regular Operating Amps: 4.51 (120V)

Software Training

On-Site Training: Up to 4 hrs Training w/ "Local Certified Factory Trained Technicians"

SIGN FOUNDATION IS BASED ON 2012 IBC

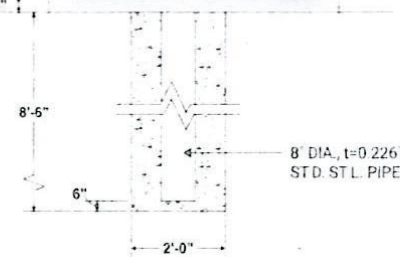
Basic Wind Speed = 140 MPH  
(3 sec gust wind)

Pole Design

Torsion = 6218 Lb-ft STD. STL PIPE  
Sec. Mod. Req'd USE A53  
S = 10.23 8" Dia., t=0.226"

Footing Design (nonconstrained)

Diameter = 2.00 FT  
Soil Pressure = 100.00 PSF/FT  
S = 563.33 PSF  
A = 4.17 FT EMBED = 8.45 FT  
24" Dia. Depth = 8' 6"



**AAA Electrical Signs**

Customer: EDINBURG CISD  
Address: 904 S. 12th Ave.  
City: Edinburg, TX 78539  
Phone: 361-2222

Design# 145-2022  
Disc# 3  
Scale 3/8"=1'-0"  
Date 1-16-2022

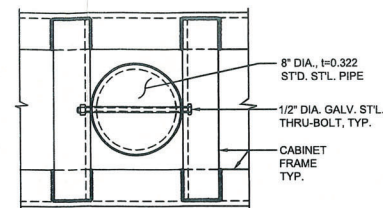
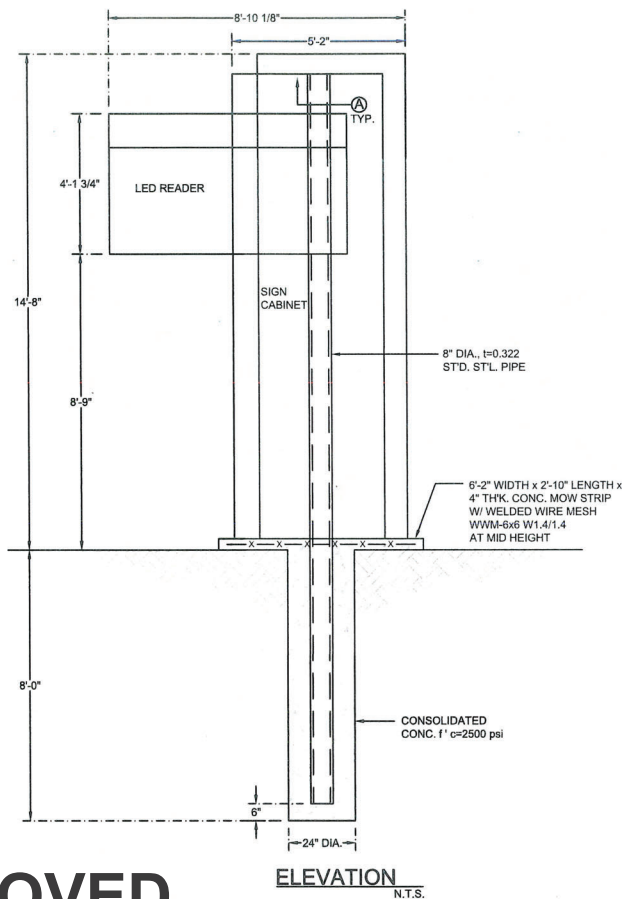
Copyright ©  
This original design was created 2021 by AAA Electrical Sign, Owner. It cannot be used, copied or reproduced in any form. It is protected under Copyright Act of 1976.

**CUSTOMER APPROVAL**

Customer Signature / Date

ARROWVILLE 546-2735  
CONROE 887-6844  
DUNN 461-3221  
LUBBOCK 800-825-5376  
STATE LICENSE #13935  
Buy or Lease  
800-825-5376

**PRIMARY ELECTRICAL**  
CIRCUIT TO SIGN  
PROVIDED BY CUSTOMER



**A CONNECTION DETAIL**  
(3 PLACES) N.T.S.

# Sign Design Based On 2015 IBC

Job # JTS\_53122  
Project Jefferson Elementary - Pylon  
Job Location 904 S. 12th Ave.  
Edinburg, TX

## INPUT DATA

Exposure category (B, C or D) = C  
Risk Category = III  
Ultimate Design Windspeed  $V_{ULT}$  = 135 MPH  
Topographic factor  $K_{zt}$  = 1 Flat  
Height of the sign  $h$  = 14.67 FT  
Average Vertical dimension (for wall,  $s = h$ )  $s$  = 10.25 FT  
Horizontal dimension  $B$  = 6.84 FT  
Dimension of return corner  $L$  = 1.83 FT

## ANALYSIS

**Velocity pressure**  
 $q_s = 0.00256 K_z K_{zt} K_d V^2$  = 33.71 PSF  
where:  
 $q_s$  = velocity pressure at height  $h$ , (Eq. 29.3-1, page 249)  
 $K_z$  = velocity pressure exposure coefficient = 0.85  
evaluated at height above gRnd. level,  $h$  (Tab. 29.3-1, page 251)  
 $K_d$  = wind directionality factor, (Tab. 26.6-1, page 194) = 0.85

## Wind Force Case A: resultant force through geometric center

Max horizontal wind pressure =  $p = q_s G C_f$  = 48 PSF  
where  $G$  = gust effect factor, (Sec. 26.9, page 199) = 0.85  
 $C_f$  = net force coefficient, (Fig. 29.4-1, page 252) = 1.66  
 $A_g = B s$  = the gross area = 90.69 FT<sup>2</sup>  
Estimated sign cabinet weight = 1033 LBS

## DESIGN SUMMARY

Allowable Stress Design Wind Factor = 0.60  
Design Wind Pressure = 28.61 x  $p$  = 28.61 PSF  
Design Windforce,  $F$  = 2.59 KIPS  
Moment Arm = 7.86 FT  
Design Moment = 20.39 KIP-FT

## Footings Design (Nonconstrained)

Diameter = 2.00 FT  
Soil Pressure = 150.00 PSF/FT  
 $S_1$  = 794.34 PSF  
 $A$  = 3.82 FT  
EMBED. = 7.94 FT

24" DIA. DEPTH = 8' - 0"

## Pole Design

Sec. Mod. Req'd. USE STD. STL. PIPE A53 GR. B  $F_y = 35000$  PSI  
 $S = 12.17$  8" DIA.,  $t = 0.322$ "  $S = 15.80$  IN<sup>3</sup>  
Shear torque Torsion = 2829 LB-FT  $J = 136.00$  IN<sup>4</sup>  
 $t = 1077$  O.D. = 8.63 IN  
Shear Stress  $A = 7.85$  IN<sup>2</sup>  
 $f_v = 661$  Total V Stress = 1738 allow  $f_v = 14000$   
Unity =  $(12.17 / 15.80) + (1738 / 14000) = 0.89 < 1$  (OK)

## NOTES:

### GENERAL:

- SIGN DESIGN IS BASED ON ADEQUATE EXISTING SUPPORT ELEMENTS.
- PROVIDE ISOLATION OF DISSIMILAR MATERIALS.
- COAT ALUMINUM IN CONTACT WITH CONCRETE WITH ZINC RICH PAINT.
- THERE IS NO PROTECTION ZONE AS DEFINED IN AISC 341-10.
- PROVIDE FULLY WELDED END CAPS AT EXPOSED OPEN ENDS OF STEEL / ALUM. TUBES, MATCH THICKNESS LIKE FOR LIKE.
- SLOPE TOP OF EXPOSED FOOTING AWAY FROM DIRECT BURIAL POSTS
- ALL EXPOSED STEEL TO BE PRIMED & PAINTED (POWDER COAT AS AN OPTION) OR ALTERNATIVELY USE GALVANIZED STEEL.

### ANCHORS:

- BRAND NAME APPROVED POST INSTALLED ANCHORS SPECIFIED ON PLANS MAY BE SUBSTITUTED BY APPROVED EQUAL.

### STEEL:

- DESIGN AND FABRICATION ACCORDING TO 2015 IBC
- PLATE, ANGLE, CHANNEL TEE: ASTM A36
- WIDE FLANGE: ASTM A992
- ROUND PIPE: ASTM A53 GRADE B OR EQUIVALENT.
- HSS ROUND, SQUARE, AND RECTANGULAR TUBE: ASTM A500 GRADE B OR EQUIVALENT.
- ALL ANCHORS BOLTS SHOULD BE: ASTM F1554
- ALL STEEL MACHINED BOLTS SHOULD BE: ASTM A307 OR ASTM A449
- ALL STAINLESS STEEL MACHINED BOLTS SHOULD BE: ASTM A276
- ALL BOLTS TO BE ZINC COATED: ASTM B633
- DEFORMED REINFORCING REBAR: ASTM A615 GRADE 60.
- ALUMINUM:
- DESIGN AND FABRICATION ACCORDING TO 2015 ALUM. DESIGN MANUAL
- PLATES, ANGLES, CHANNELS, TEE, AND SQUARE TUBING: ALUMINUM
- ALLOY 6061 - T6 WITH 0.098 LBS PER CUBIC INCH.

### WELDING:

- STEEL
- DESIGN AND FABRICATION ACCORDING TO AWS D1.1 / D1.3
- AWS CERTIFICATION REQUIRED FOR ALL STRUCTURAL WELDERS.
- E70 XX ELECTRODE FOR SMAW PROCESS.
- E70S XX ELECTRODE FOR GMAW PROCESS.
- E70T XX ELECTRODE FOR FCAW PROCESS.
- ALL WELDS SHALL BE MADE WITH A FILLER METAL THAT CAN PRODUCE WELDS THAT HAVE A MINIMUM CHARPY V-NOTCH TOUGHNESS OF 20FT-LB AT ZERO 0" AS DETERMINED BY THE APPROPRIATE AWS AS CLASSIFICATION TEST METHOD OR MFG'S. CERTIFICATION.
- ALUMINUM
- DESIGN AND FABRICATION ACCORDING TO AWS D1.2. ALL WELDING IN ACCORDANCE WITH THE LATEST EDITION OF THE AWS A.5.10.
- FILLER ALLOYS PER TABLES M.9.1 & M.9.2 OF 2015 ALUMINUM DESIGN MANUAL.

### CONCRETE:

- DESIGN AND CONSTRUCTION ACCORDING TO ACI 318-14
- COMPRESSIVE STRENGTH AT 28 DAYS,  $f'_c = 2500$  PSI MINIMUM.
- CEMENT TYPE II OR IV. W/C RATIO 0.45 BY WEIGHT FOR PIER AND CAISSON
- FOOTINGS CONCRETE MUST BE POURED AGAINST UNDISTURBED EARTH.
- MAINTAIN A MINIMUM 3" CONCRETE COVER OVER ALL EMBEDDED STEEL.

### SOIL:

- LATERAL SOIL BEARING PER IBC CLASS 4 TABLE 1806.2 (150 PSF/FT), MODIFIED PER SECTION 1806.3.4.

APPROVED



JEFFERSON ELEMENTARY  
PYLON

|                         |                                 |          |           |            |  |         |
|-------------------------|---------------------------------|----------|-----------|------------|--|---------|
| DRN BY: J.J.            | DATE LAST REVISED: Mar 28, 2022 | REV. NO. | REV. DATE | REVISED BY | PROJECT JOB #: JTS_53122 Jefferson Elementary Pylon 12th Ave Edinburg TX.dwg | SHEET # |
| CHK BY: T.J.            | PROJ. START DATE: Mar 25, 2022  | 1        | ---       | ---        | PROJECT LOCATION: JEFFERSON ELEMENTARY<br>904 S. 12TH AVE.<br>EDINBURG, TX   | 1 OF 1  |
| REV BY: T.J.            | SCALE: AS SHOWN                 | 2        | ---       | ---        |  |         |
| PLOTTED BY: Sara Boykin | ON 3/28/2022 1:54:48 PM         | 3        | ---       | ---        |  |         |



# Zoning Board of Adjustment

Site Photos for meeting of June 29, 2022

AAA ELECTRICAL SIGNS—904 S. 12TH AVENUE



## Planning & Zoning Staff Report

Prepared on: 06-20-22

### ZONING BOARD OF ADJUSTMENT

Regular Meeting: 06-29-22

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

Consider Variance to the City's Unified Development Code, Article 3, Section 3.303, Multi-Family Residential Bulk Standards, Setbacks, Being a 4.795 Acre Tract of Land out Of Lots 1 & 8, Section 238, Texas-Mexican Railway Company's Survey, and Located at 1709 North Mon Mack Road, As Requested By Melden & Hunt, Inc. On Behalf Of Mon Mack Development LLC. (Proposed Valencia Trails Phase I Subdivision) [Tilfred Ricardo Farley, Planner I]

#### **Request**

The applicant is requesting a variance to the City's Unified Development Code, Section 3.303 as it applies to multifamily residential setbacks. The applicant is proposing to reduce the front yard setback from 20 feet to 10 feet, side yard setback from 6 feet to 5 feet, and the rear yard setback from 20 feet to 10 feet.

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

The property is located on the west side of Monmack Road, approximately 1200 ft. north of West Chapin Road and is within the City of Edinburg city limits. The property was part of a volunteer annexation that was approved by City Council at their April 21, 2020 meeting. The property was rezoned to Auto Urban Residential (AU) District at the City Council meeting on June 2, 2020.

Adjacent zoning is Auto Urban Residential (UR) District to the north, Suburban Residential (S) District to the east and south. The property to the west is outside of city limits. The surrounding area consists of single family, and multi-family uses.

#### **Background and History**

The proposed Valencia Trails Subdivision received preliminary plat approval by the Planning & Zoning Commission on August 11, 2020. The applicant is proposing to develop 19.112 acres with 72 lots is proposed for single family uses and 17 lot for multi-family residential uses. The Multifamily residential Lots are part of Valencia Trails Phase 1 Subdivision.

Subdivision Variances reducing the required lot width, and lot area for this subdivision (Valencia Trails) were granted by the City Council at their December 15, 2020 meeting. A Zoning Board of Adjustment Request for Variance Application for (Valencia Trails Subdivision Phase I Subdivision) with a letter from the project engineer, was received on May 20, 2022. The applicant is requesting

# Planning & Zoning Staff Report

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a reduction for front, side, and rear setbacks for lots 73 through 90 of this subdivision.

Staff mailed notice of this variance request to 31 neighboring property owners. No comments in favor and one against this request had been received at the time this report was prepared.

## **Analysis**

The multifamily lots within this proposed subdivision have a minimum frontage ranging from 80 ft. to 84 ft. and have an average of 8,400 to 9,400 square feet and subdivision variances to lot area and lot width have been approved. Multi-Family Lot and Building Standards, as required by the UDC calls for setbacks comparable to lots having 10,000 square feet. The proposed reduction for the front, side and rear setbacks would be more comparable to the lot width and area that were previously approved.

## **Recommendation**

Staff recommends approval of this request due to property constraints for the proposed Multi-Family Residential Development.

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:**

**Tilfred Ricardo Farley**

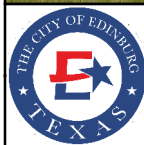
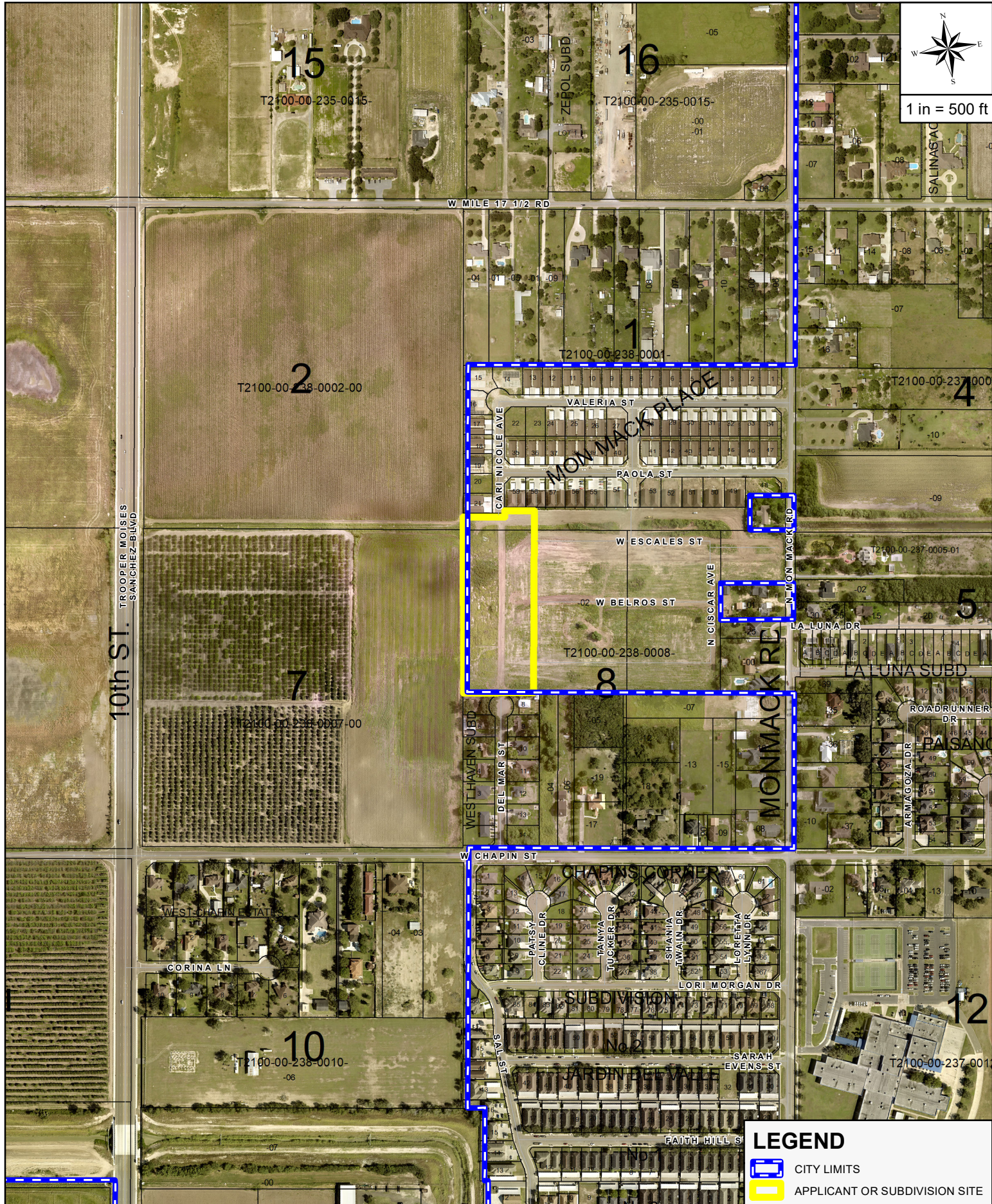
Planner I

**Approved by:**

**Rita Lee Guerrero**

Management Analyst





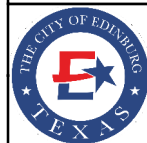
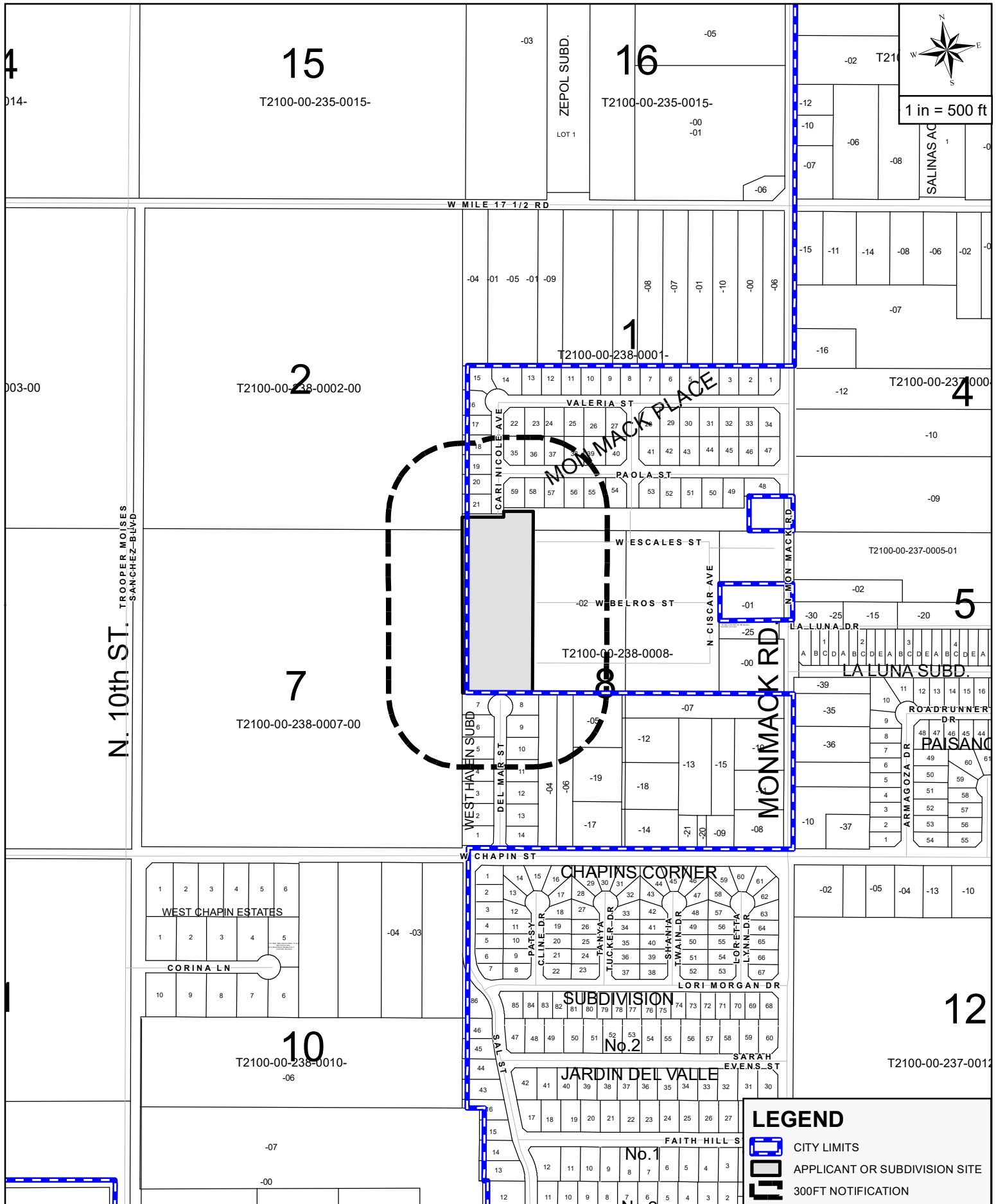
## AERIAL MAP

**APPLICANT AND/OR SUBDIVISION:****MELDEN & HUNT / MONMACK DEVELOPMENT**












**MAILOUT AND SITE MAP**

**APPLICANT AND/OR SUBDIVISION:**

**MELDEN & HUNT / MONMACK DEVELOPMENT**

**LEGEND**

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



Case # **VAR-2022-0098**

**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 (Side)

Reason for Hardship (attach additional pages if necessary)

Please see attachment

Property Description: Lot 1 & 8 Block 238 Subdivision Texas Mexican Railway Compan

Property Address: \_\_\_\_\_

Present Property Zoning: AU - Auto-Urban Residential

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

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

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

Owner's Name: Monmack Development, LLC

Mailing Address: 5105 N. 10th Street, Suite B McAllen, Texas 78504  
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: May 20, 2022

Owner/Agent's Name (Please Print): Mario A. Reyna, P.E.

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

OFFICE USE ONLY

Application deadline: \_\_\_\_\_ ZBA Hearing date: \_\_\_\_\_ Name: \_\_\_\_\_

- **\$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

MARIO A. REYNA • ALLAN F. BOOE • KELLEY A. HELLER-VELA • ROBERTO N. TAMEZ • RUBEN JAMES DE JESUS • MICHAEL HERNANDEZ

May 20, 2022

Kimberly Mendoza, Director  
CITY OF EDINBURG PLANNING DEPT.  
415 West University Drive  
Edinburg, Texas 78541

RE: VALENCIA TRAILS PHASE I – VARIANCE REQUEST ON SETBACKS

Dear Ms. Mendoza,

On behalf of the developer, Monmack Development, and in reference to Valencia Trails Phase I Subdivision, 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 73 thru 90 – change front setback from 20 feet to 10 feet
  - b.) Lots 73 thru 90 – change side setback from 6 feet to 5 feet
  - c.) Lots 73 thru 90 – 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: Monmack Development, LLC

**RECEIVED**

MAY 20 2022

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





# Zoning Board of Adjustment

Site Photos for meeting of June 29, 2022

MELDEN & HUNT, INC, MON MACK DEVELOPMENT, LLC. - 1709 NORTH MON MACK ROAD



## **Planning & Zoning Staff Report**

Prepared on: 06-20-22

### **ZONING BOARD OF ADJUSTMENT**

Regular Meeting: 06-29-22

#### **Agenda Item 7C**

Consider Variance To The City's Unified Development Code, Article 3, Section 3.304, Non Residential Bulk Requirements, Setbacks, Being Lot 23, Owassa Gardens Mobile Home Subdivision, Located At 5600 South Veterans Boulevard, As Requested By Jesus Vazquez [Tilfred Ricardo Farley, Planner I]

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The applicant is requesting a variance to the City's Unified Development Code (UDC), Section 3.304, as it applies to setbacks. The applicant is proposing to reduce the front yard setback of an accessory structure to an existing building.

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

The property is located at the south east intersections of South Veterans Boulevard and Bract Street and is zoned Agriculture (AG) District. Adjacent zoning is Agriculture District in all directions. Surrounding area includes commercial, and single-family residential land uses as well as vacant land.

#### **Background and History**

This property is part of Owassa Gardens Mobile Home Subdivision, recorded on September 22, 1998. The applicant asked for a facility inspection on April 4, 2022, during the inspection, Planning Staff noticed that an accessory structure was built without a building permit. Thereafter on May 31, 2022; the applicant applied for a building permit for the accessory structure. The permit was not approved because the accessory structure does not meet the required 25 foot front setback. Accessory structures for nonresidential use shall not be located within the required front, side, street or rear yards. Request for Variance Application, sample site plan, and related documents were submitted to the City on June 7, 2022.

Staff mailed a notice of this variance request to 40 property owners within 300 ft. of the subject property. No comments in favor or against this request had been received at the time this report was prepared.

#### **Analysis**

This is an irregular shape Lot that has 50 foot of frontage along South Veterans Boulevard. This Lot was annexed into the City on December 13<sup>th</sup> 2015. The City's initial zoning at the time of annexing was Agriculture (AG) District. Also at the time of recording an additional 20 foot of right-of-way was required. The

# **Planning & Zoning Staff Report**

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Accessory structure is used for outdoor dining and is open on all sides. And is located approximately 3 feet from the street right-of-way line.

## **Recommendation**

Staff recommends disapproval of this request based on the level of encroachment.

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:

**Tilfred Ricardo Farley**

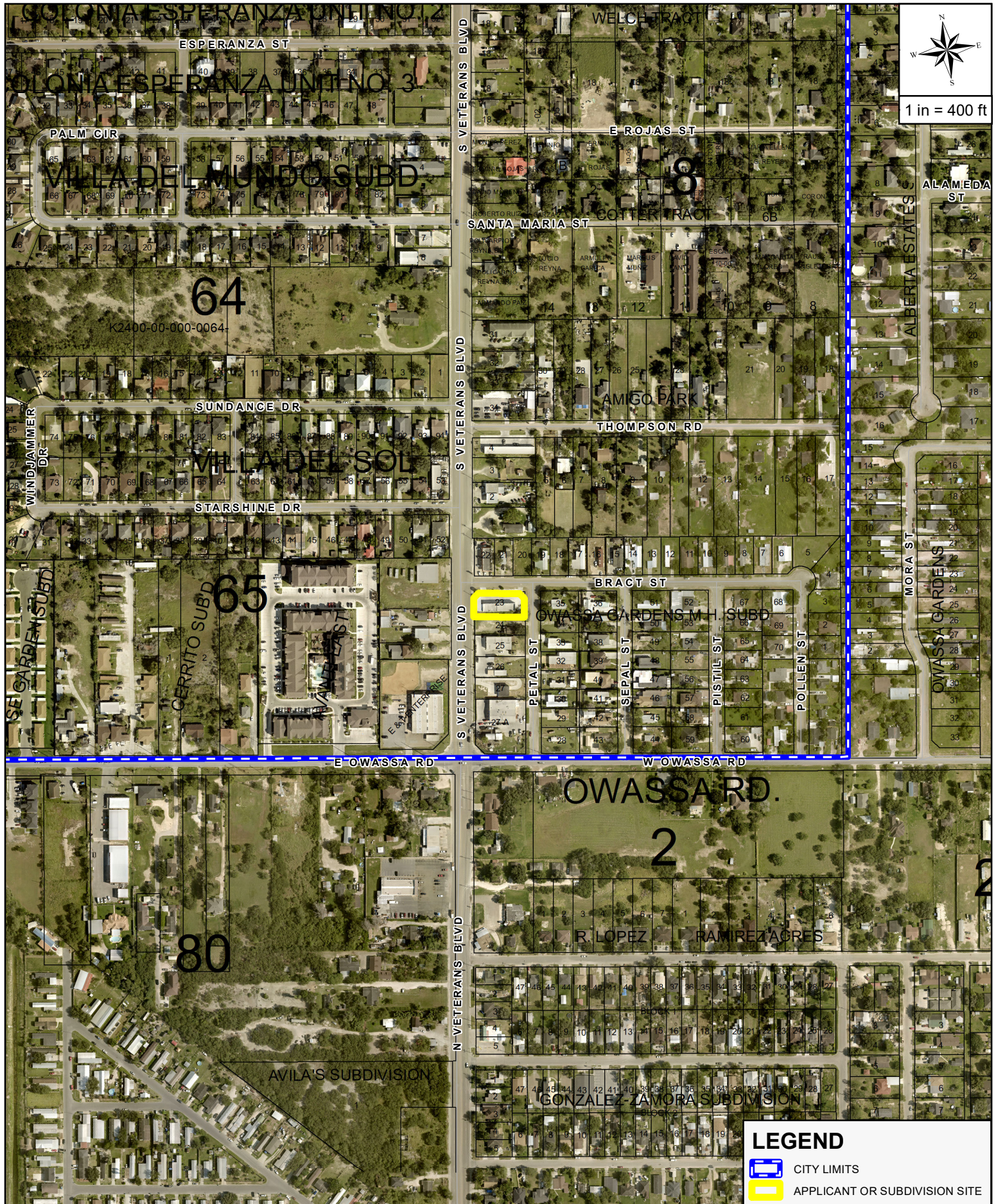
Planner I

Approved by:

**Rita Lee Guerrero**

Management Analyst





**AERIAL MAP**

**APPLICANT AND/OR SUBDIVISION:**

**JESUS VASQUEZ**

**LEGEND**

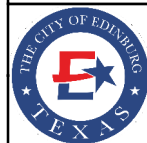
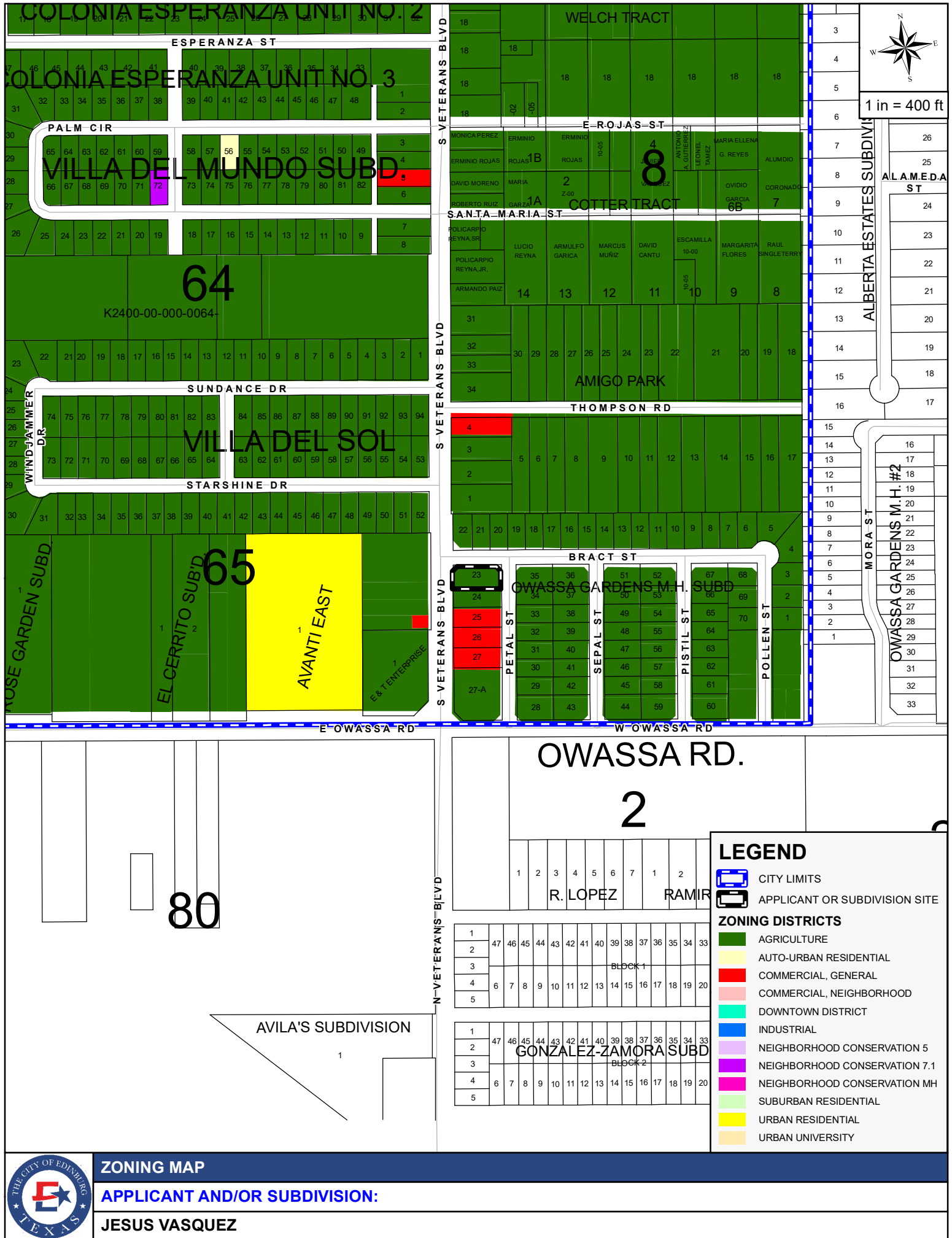


CITY LIMITS



APPLICANT OR SUBDIVISION SITE

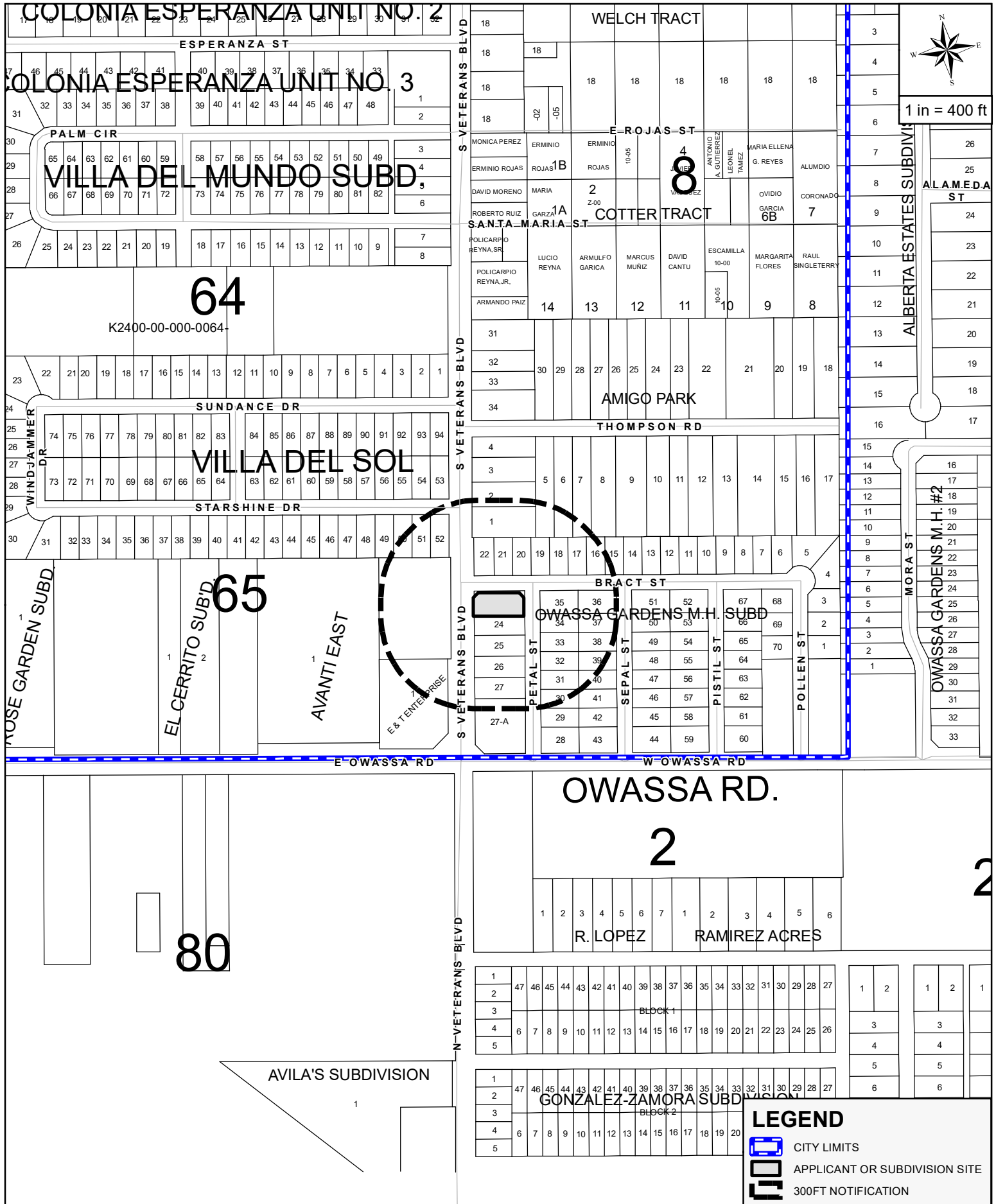




**ZONING MAP**

**APPLICANT AND/OR SUBDIVISION:**

**JESUS VASQUEZ**





Case # **VAR-2022-0103**

**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: Shorten setback from 25ft. 5ft

Reason for Hardship (attach additional pages if necessary)

Existing structure content part is the same  
from more than 20 years. Constraints due to  
Row being increased by the city of Edinburg

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

Property Address: 5600 S. Veterans

Present Property Zoning: agriculture

Person requesting Variance: S.

Mailing Address: 5810 Nueva Esperanza Pharr TX  
Street Address City/State Zip Code

Phone No. (Home): 956-405-4166 (Work): \_\_\_\_\_ (Cell): 1

Owner's Name: \_\_\_\_\_

Mailing Address: Jesus 369975@gmail.com  
Street Address City/State Zip Code

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

Signature: \* [Signature] Date: 6/7/22

Owner/Agent's Name (Please Print): J. Jesus VAZQUEZ **RECEIVED**

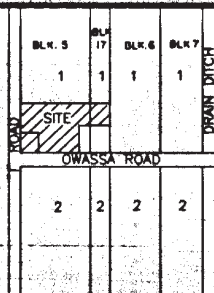
\$450 Application Fee: R01731830 Application Received by: JUN 07 2022  
Receipt No. Name

### OFFICE USE ONLY

Application deadline: May 31<sup>st</sup> ZBA Hearing date: June 29<sup>th</sup>

- \$40 ZBA Order Form- Make Check Payable to: Hidalgo County Clerk
- Submit survey, if applicable • Letter of Authorization
- Reduced copy of site plan & 1 blue print, if applicable
- Application • Project plans • Survey • Warranty Deed





LOCATION MAP

SC. 1"=100'

## METES AND BOUNDS

A 18.73 ACRES NET OUT OF LOT 1, BLOCK 5, AND LOT 1, BLOCK 17, JOHN CLOSER SUBDIVISION, HIDALGO COUNTY, TEXAS, RECORDED IN VOL. 0, PAGE 3 AND 4 OF HIDALGO COUNTY MAP RECORDS, MORE OR LESS, PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 5;

THENCE, N 81°35' E ALONG THE WEST LINE OF LOT 1, BLOCK 5, A DISTANCE OF 731.0 FT. TO A POINT FOR THE NORTHWEST CORNER HEREOF;

THENCE, S 81°35' E, PARALLEL WITH THE SOUTH LINE OF LOT 1, A DISTANCE OF 1902.16 FT. TO A POINT FOR THE NORTHEAST CORNER HEREOF;

THENCE, S 81°35' E, ALONG THE EAST LINE OF LOT 1, BLOCK 17, A DISTANCE OF 400.0 FT. TO A POINT FOR AN OUTSIDE CORNER HEREOF;

THENCE, N 81°35' W ALONG THE NORTH LINE OF CITRUS RANCHITOS SUBDIVISION A DISTANCE OF 856.0 FT. TO A POINT FOR AN INSIDE CORNER HEREOF;

THENCE, S 81°35' W ALONG THE WEST LINE OF CITRUS RANCHITOS SUBDIVISION A DISTANCE OF 856.0 FT. TO A POINT FOR THE SOUTHWEST CORNER HEREOF;

THENCE, N 81°35' W ALONG THE SOUTH LINE OF SAID LOT 1, BLOCK 5 & 17, A DISTANCE OF 877.16 FT. TO THE PLACE OF BEGINNING AND CONTAINING 18.73 ACRES OF LAND MORE OR LESS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THE SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER THE TEX. WATER CODE SEC. 49.211(C). THIS DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER OF THE SUBDIVISION AND ITS ENGINEER TO MAKE THE DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

BY: alwhe

STATE OF TEXAS:

COUNTY OF HIDALGO:

I (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, DRAINS, EASEMENTS, WATER COURSES, AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

Rolando Palacios

(OWNER OF LOT 27-A ONLY) ROLANDO PALACIOS

STATE OF TEXAS:

COUNTY OF HIDALGO:

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE 22 DAY OF May, 1998.



I, NOE GARZA, P.E. (A REGISTERED PROFESSIONAL ENGINEER/REGISTERED PUBLIC SURVEYOR), DO HEREBY CERTIFY THE FOREGOING PLAT TO BE A TRUE AND CORRECT REPRESENTATION OF THE SUBDIVISION OF THE LANDS HEREON DESCRIBED AS SURVEYED ON THE GROUND AND SUBDIVIDED UNDER MY DIRECTION.



NOE GARZA, P.E. REGISTERED PROFESSIONAL ENGINEER #30486  
REGISTERED PUBLIC SURVEYOR #2589  
THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY NOE GARZA PE 30486. ALTERATION OF A SEALED DOCUMENT WITHOUT PROPER NOTIFICATION TO THE RESPONSIBLE ENGINEER IS AN OFFENSE UNDER THE TEXAS ENGINEERING PRACTICE ACT.

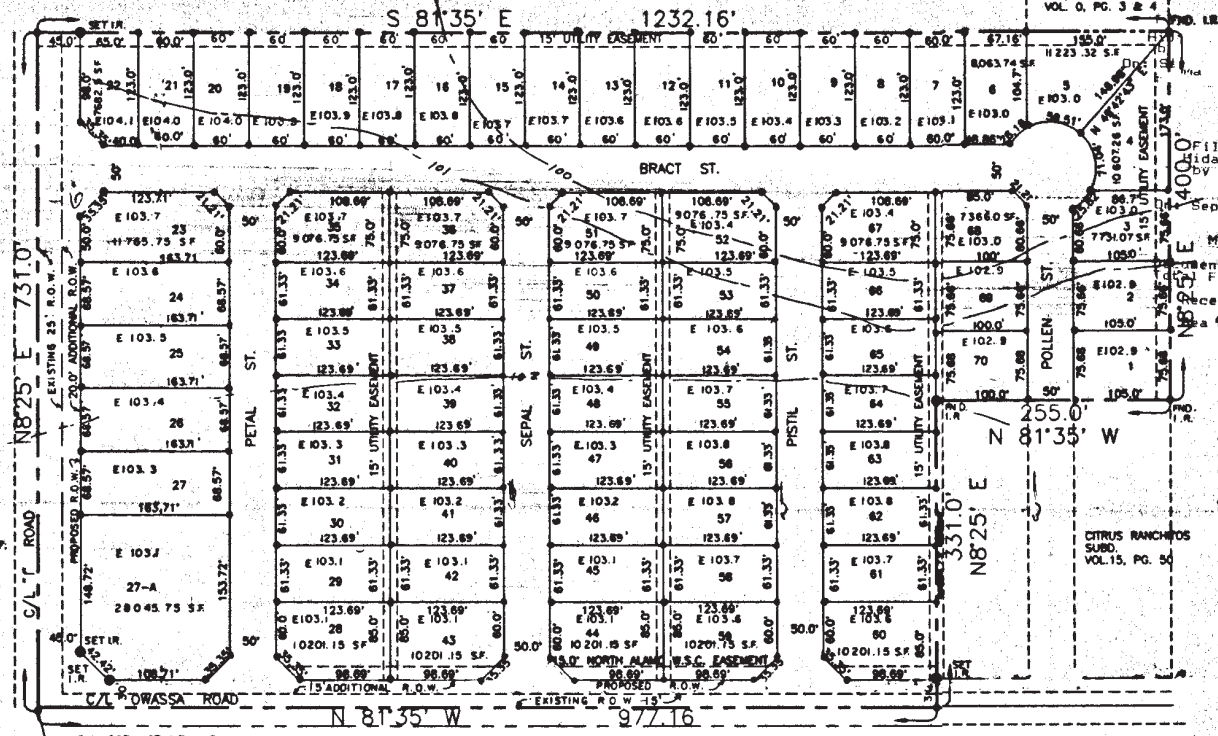


Recorded in Volume 33 Page 148A  
of the map records of Hidalgo County, Texas  
Melden and Hunt, Inc.

NOTARY PUBLIC IN AND FOR HIDALGO COUNTY, TEXAS

APPROVED FOR RECORDING  
HIDALGO COUNTY PLANNING DEPT.  
BY: 6-11-98  
DATE: 6-11-98

5-22-98



OWASSA GARDENS MOBILE HOME SUBDIVISION  
A 18.73 ACRES GROSS OUT OF LOT 1, BLOCK 5, AND LOT 1, BLOCK 17, JOHN CLOSER SUBDIVISION  
HIDALGO COUNTY, TEXAS. (RECORDED IN VOL. 0, PAGE 3 & 4)

1. NO BUILDING SHALL BE CONSTRUCTED OVER ANY EASEMENT OR LOT LINE.
2. SEWERAGE SYSTEM EACH LOT ON THIS PLAT WILL HAVE DISPOSAL OF DOMESTIC SEWAGE INTO WASTEWATER COLLECTION OF THE CITY OF EDINBURG.
3. POTABLE WATER SOURCE: NORTH ALAMO WATER SUPPLY CORPORATION IS THE PROVIDER OF POTABLE WATER. LETTER OF APPROVAL TO BE SUBMITTED TO HIDALGO COUNTY COMMISSIONER'S COURT IN CARE OF EMILIO GARCIA, COUNTY PLANNER.
4. LEGEND: @ DENOTE 1/2" IRON ROD UNLESS OTHERWISE NOTED.
5. ONE SINGLE FAMILY DWELLING PER LOT.
6. MINIMUM SET BACK LINE, FRONT 25' EXCEPT FOR CUBES SAC LOTS 18' REAR 20% OF LOT DEPTH FOR CONVENTIONAL HOME AND APTS.
7. NO ACCESS ALONG "T" ROAD, AND OWASSA ROAD EXCEPT LOT 27-A.
8. OWASSA "T" ROAD SUB-ENTRANCE 25' CUP EASEMENTS AND 15' ALL CORNERS INTERSECTION WITHIN THE SUBDIVISION.
9. CONVENTIONAL HOME LOTS 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67.
10. MANUFACTURED HOME LOTS 6 THROUGH 22, AND 35 THROUGH 67.
11. MANUFACTURED HOME LOTS SET BACK LINES FRONT 20', SIDE 10', REAR 10'.
12. ALL MANUFACTURED HOMES WITH FIVE OR MORE YEARS OF USE ARE REQUIRED TO BE INSPECTED BY CITY INSPECTOR.
13. 8" MIN. ELEVATION 103.75 AT 600 NAIL IN POWER POLE S.E. COR. OF SUBD. AT THE CENTER OF THE FRONT OF EACH LOT.
14. THERE ARE NO WATER WELLS WITHIN 150 FEET FROM THE BOUNDARIES OF THIS SUBDIVISION.

I, THE UNDERSIGNED, MAYOR OF THE CITY OF EDINBURG, TEXAS, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS WITH ALL THE CITY REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY.

Jose Villanueva 6/1/98 DATE  
CITY SECRETARY  
6/1/98 DATE  
MAYOR

APPROVAL BY PLANNING AND ZONING COMMISSION:

I, Amari Lopez, VICE-CHAIRMAN OF THE PLANNING AND ZONING COMMISSION, HEREBY CERTIFY THAT THE SUBDIVISION PLAT CONFORMS TO THE REQUIREMENTS OF THE SUBDIVISION REGULATION OF THE COUNTY OF HIDALGO APPROVED THIS THE 22 DAY OF JUNE, 1998.

Vice-CHAIRMAN, PLANNING AND ZONING COMMISSION

THIS PLAT IS HEREBY APPROVED BY HIDALGO COUNTY IRRIGATION DISTRICT NO. 2 ON THIS 21st DAY OF May, 1998.  
NO IMPROVEMENTS OF ANY KIND SHALL BE PLACED UPON H.C.I.D. NO. 2 RIGHT-OF-WAY OR EASEMENTS WITH/OUT EXPRESSED WRITTEN PERMISSION OF H.C.I.D. NO. 2

PRESIDENT

DATE 5-21-98

SECRETARY

DATE 5/5/97



APPROVED FOR RECORDING BY COMMISSIONERS' COURT This the 22nd day of Sept. 1998  
JOSE ELOY PULIDO, County Clerk  
Hidalgo County, Texas  
By: Jennifer Carth Deputy

DATE: 9/5/97

\$6450 AS NOTED

SHEET 1 OF 1

712651

712651 97.00

Receipt Number - 176333

By: Maria Cruz

Map - Small

As a

Sep 25, 1998 at 04:44p

Filed for Record in

Hidalgo County, Texas

by Jose Eloy Pulido

County Clerk

712651

97.00

Receipt Number - 176333

By: Maria Cruz

Map - Small

As a

Sep 25, 1998 at 04:44p

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Hidalgo County, Texas

by Jose Eloy Pulido

County Clerk

712651

97.00

Receipt Number - 176333

By: Maria Cruz

Map - Small

As a

Sep 25, 1998 at 04:44p

Filed for Record in

Hidalgo County, Texas

by Jose Eloy Pulido

County Clerk

712651

97.00

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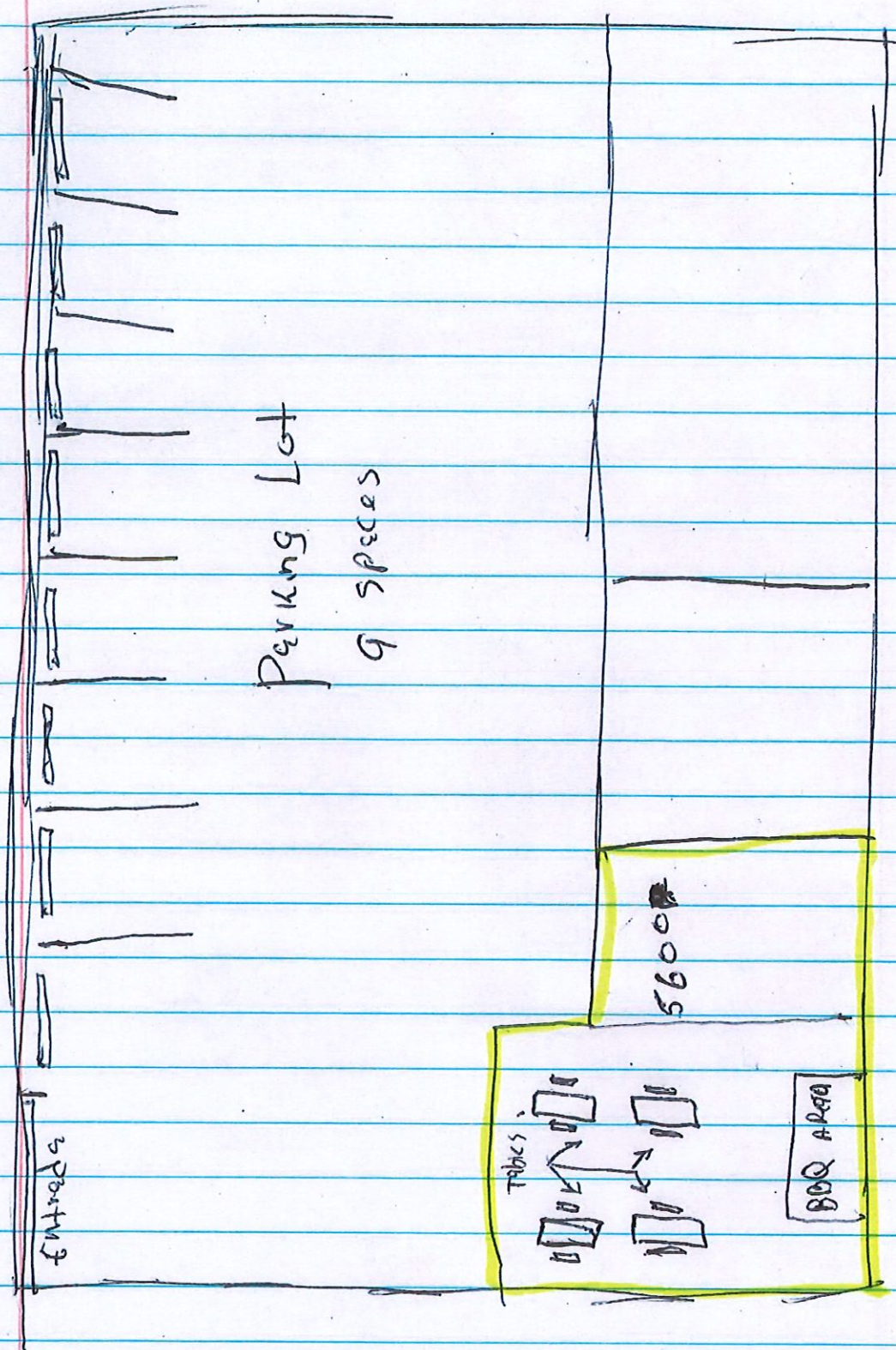
Filed for Record in

Hidalgo County, Texas

by Jose Eloy Pulido

County Clerk





RECEIVED

JUN 07 2022

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







# Zoning Board of Adjustment

Site Photos for meeting of June 29, 2022

JESUS VAZQUEZ, JOSE DOLORES VAZQUEZ SOLACHE– 5600 SOUTH VETERANS BOULEVARD





## Planning & Zoning Staff Report

Prepared on: 6-21-22

### ZONING BOARD OF ADJUSTMENT

Regular Meeting: 6-29-22

#### Agenda Item 7D

Consider Variance to the City's Unified Development Code, Article 3, Section 3.505, District and Bulk Standards, Easements and Utilities, Lot 94, Hacienda Las Fuentes Subdivision, Located at 3710 Tigris Drive, As Requested by Jose C. Zacarias [Alejandra Gonzalez, Planning Assistant]

---

#### Request

The applicant is requesting a variance to the City's Unified Development Code (UDC), Article 3, Section 3.505, as it applies to Easements and Utilities. The applicant is proposing to add an 18 by 18 carport to an existing concrete foundation. The proposed carport would be encroaching 9 ft. into a 10 ft. Utility Easement in the rear yard.

#### Property Location and Vicinity

The property is located on the south side of Tigris Drive, approximately 860 ft. west of South Jackson Road, and is zoned Neighborhood Conservation 7.1 (NC7.1) District. Adjacent zoning is Neighborhood Conservation 7.1 (NC7.1) District in all directions.

#### Background and History

The property is part of Hacienda Las Fuentes Subdivision, which was recorded on November 24, 2003, predating the current UDC. The applicant submitted a building permit on May 16, 2022 to add a carport to an existing concrete foundation and was informed that the proposed carport would be encroaching on a 10 ft. Utility Easement in the rear yard. It was also found that the proposed carport would be 1 ft. away from the surrounding property lines and the home. The Variance Application and related documents were submitted to the City on June 8, 2022.

Staff mailed notice of this variance request to 45 neighboring property owners. No comments in favor and none against this request had been received at the time this report was prepared

#### Analysis

The property has 88 ft. of width along Tigris Drive and 94.50 ft. of depth for a total area of 8,316 sq. ft. The subdivision plat for Hacienda Las Fuentes Subdivision shows a 10 ft. Utility Easement at the rear (north end) of the subject property. A neighboring property also has a similar structure in their side yard. The proposed carport would be encroaching in approximately 90% of the required utility easement. The applicant stated that the accessory structure is for protection of vehicle damage.

# Planning & Zoning Staff Report

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## Recommendation

Staff recommends disapproval of this request. The UDC prohibits accessory structures in any easement.

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, survey, and application from the property owner are attached for the Board's consideration.

Prepared by:

**Alejandra Gonzalez**

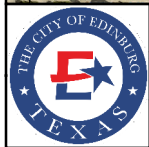
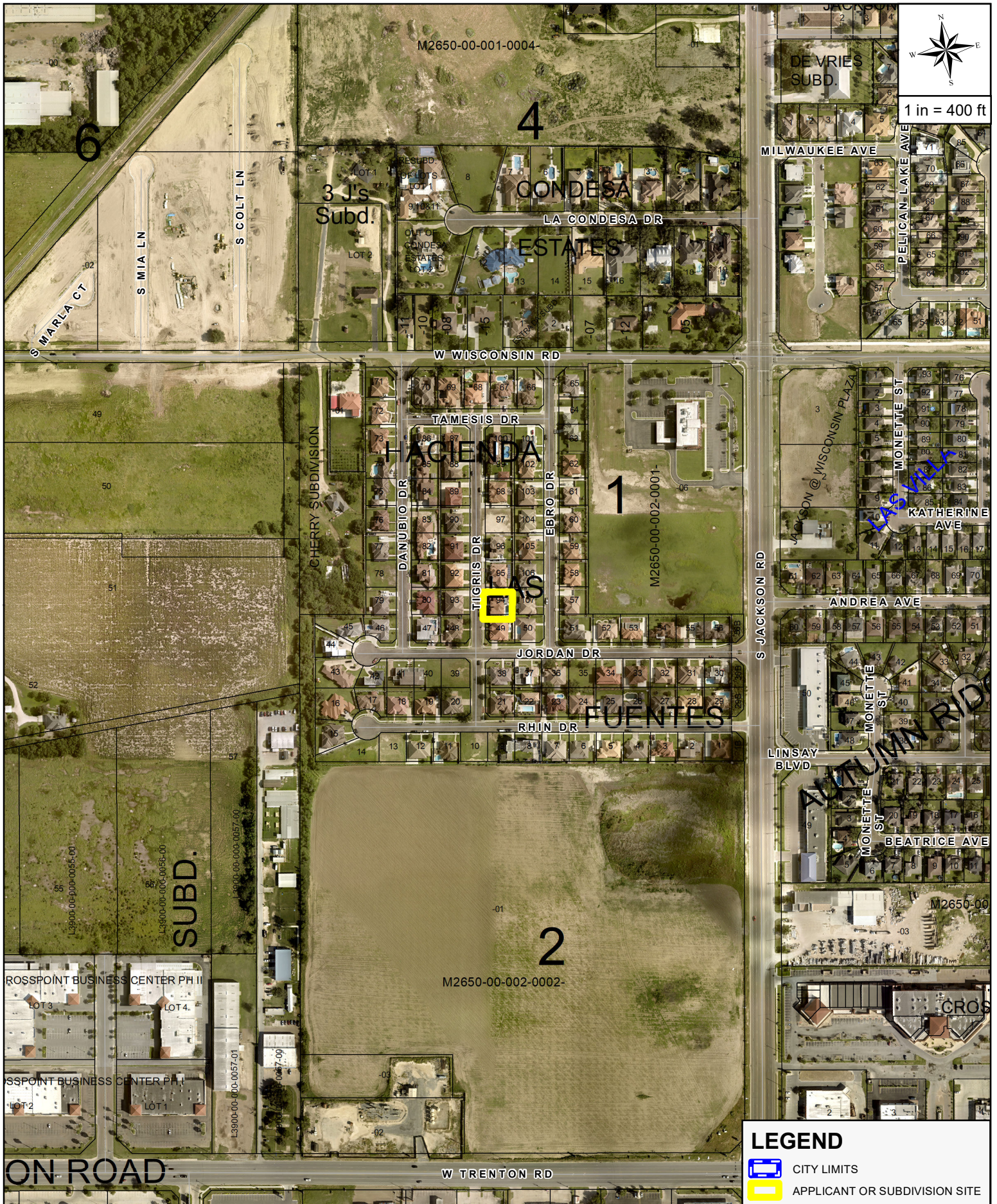
Planning Assistant

Approved by:

**Rita Lee Guerrero**

Management Analyst



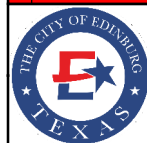
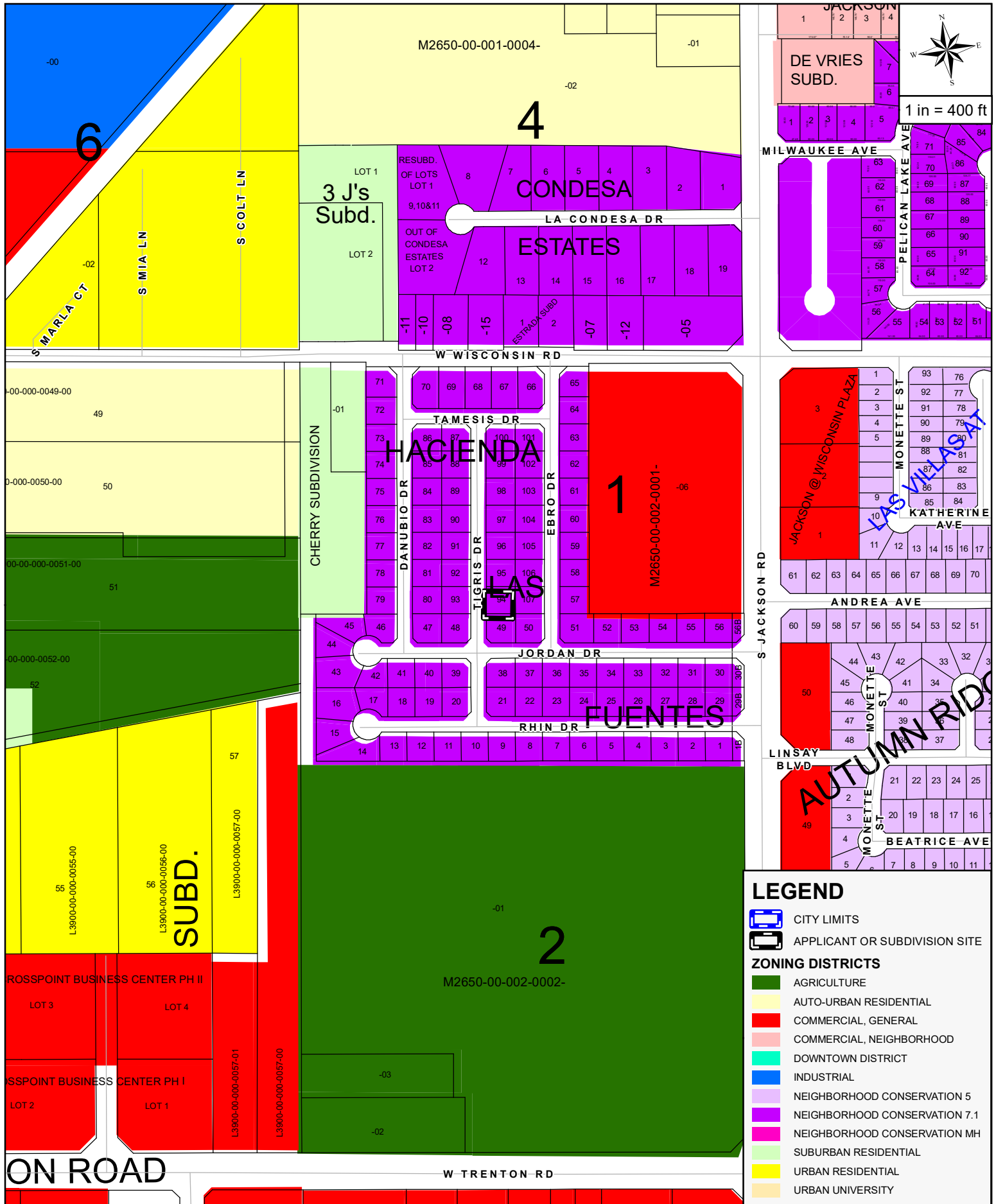


**AERIAL MAP**

**APPLICANT AND/OR SUBDIVISION:**

**JOE ZACARIAS**



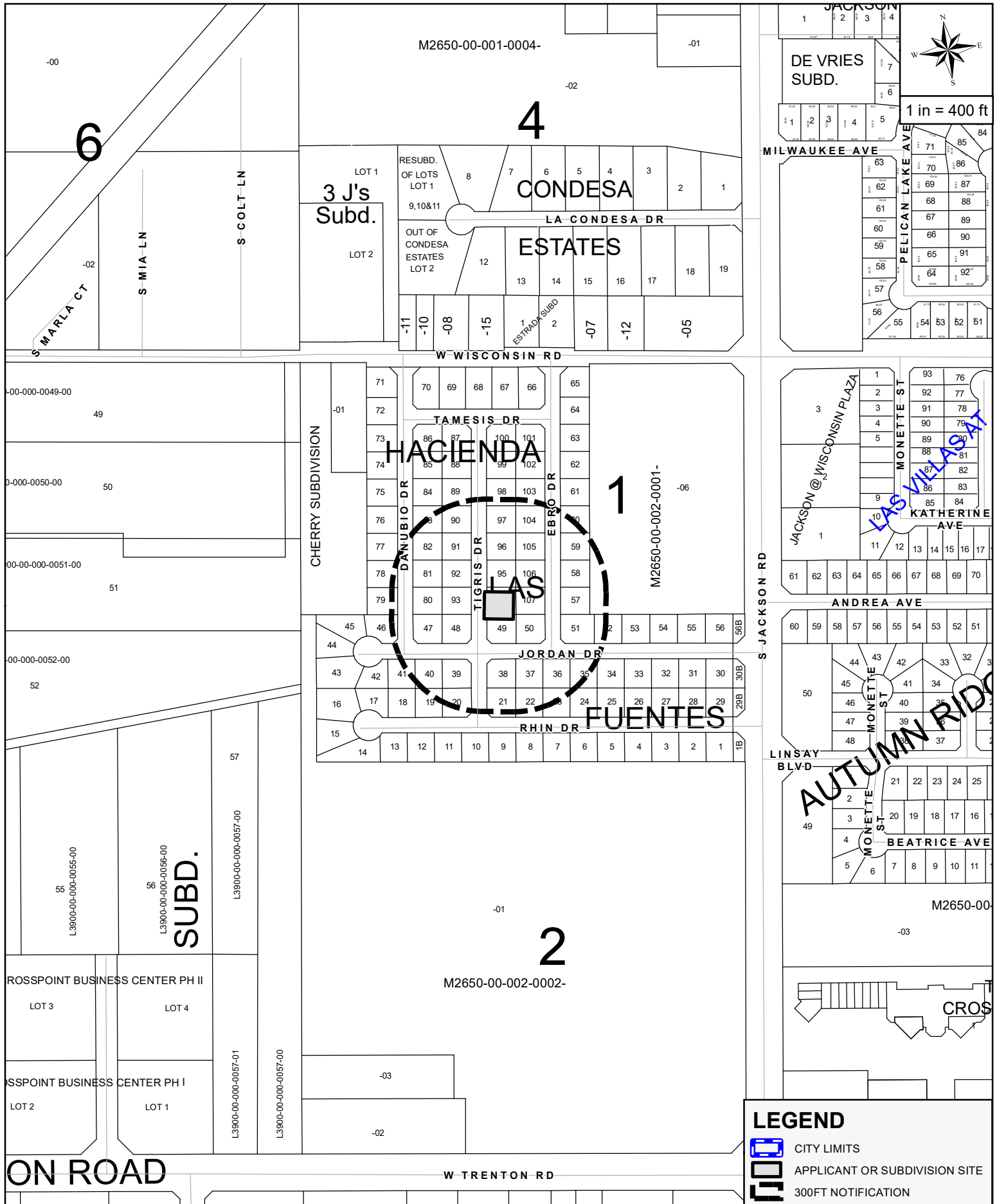


# ZONING MAP

APPLICANT AND/OR SUBDIVISION:

JOE ZACARIAS









Case # **VAR-2022-0104**

**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: request to build a car storage within property easement

Reason for Hardship (*required; attach additional pages if necessary*)  
protection of vehicle damage from heat, hail storms,

Property Description: Lot 94 Block \_\_\_\_\_ Subdivision hacienda las fuentes

Property Address: 3710 tigris drive edinburg TX 78539

Present Property Zoning: S - Suburban Residential

Person requesting Variance: joe zacarias Email: drz@brightersmilesrgv.com

Mailing Address: 820 w nolana ave suiteB MCALLEN 78504  
Street Address City/State Zip Code

Phone No. (Home): \_\_\_\_\_ (Work): \_\_\_\_\_ (Cell): (956) 624-8484

Owner's Name: Joe C Zacarias Email: drz@brightersmilesrgv.com

Owner's Address: 3710 tigris drive 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.

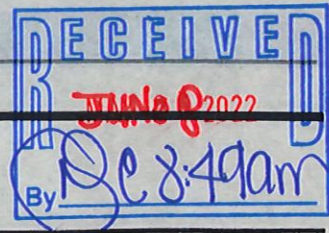
Signature: \_\_\_\_\_ Date: May 16, 2022

Owner/Agent's Name (Please Print): jose c zacarias

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

### OFFICE USE ONLY

Application deadline: May 31<sup>st</sup> ZBA Hearing date: June 29<sup>th</sup>



- **\$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**



# HACIENDA LAS FUENTES

BEING A 29.40 ACRE TRACT OF LAND OUT OF LOT 1, BLOCK 2, A. J. MCCOLL SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER MAP RECORDED IN VOLUME 21, PAGE 598, DEED RECORDS, HIDALGO COUNTY, TEXAS.

DATE OF PREPARATION: SEPTEMBER 30, 2003. SCALE: 1"=100'

FILED FOR RECORD IN:  
HIDALGO COUNTY  
BY J.B. SALINAS, III  
COUNTY CLERK  
ON 11-24-03 AT 10:55 AM  
AS A RECORDING NUMBER 1262697  
DEPUTY

Recorded in Volume 44, Page 7  
of the map records of Hidalgo  
County, Texas  
A.D. Salinas III  
County Clerk

METES AND BOUNDS  
A 29.40 ACRE TRACT OF LAND OUT OF LOT 1, BLOCK 2, A. J. MCCOLL SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT RECORDED IN VOLUME 21, PAGE 598, DEED RECORDS, HIDALGO COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 60 PENNY NAIL SET ON THE NORTH LINE OF LOT 1, AND IN THE CENTERLINE OF WISCONSIN ROAD FOR THE NORTHEAST CORNER OF THIS TRACT, SAID NAIL BEARS A 81° 09' 00" W. A DISTANCE OF 522.24 FEET FROM THE NORTHEAST CORNER OF LOT 1, BLOCK 2.

THENCE S 08° 51' 00" W. PASSING AT 20.00 FEET TO A 1/2" IRON ROD FOUND AT THE SOUTH R.O.W. LINE OF WISCONSIN ROAD, A TOTAL DISTANCE OF 842.10 FEET TO A 1/2" IRON ROD FOUND FOR AN INTERIOR CORNER OF THIS TRACT.

THENCE S 81° 09' 00" E. PASSING AT 502.34 FEET A 1/2" IRON ROD FOUND AT THE WEST R.O.W. LINE OF JACKSON ROAD, A TOTAL DISTANCE OF 522.24 FEET TO A POINT ON THE EAST LINE OF LOT 1, FOR AN INTERIOR CORNER OF THIS TRACT.

THENCE S 08° 51' 00" E. ALONG THE EAST LINE OF LOT 1, A DISTANCE OF 477.90 FEET TO A POINT FOR THE SOUTHEAST CORNER OF LOT 1, AND THE SOUTHEAST CORNER OF THIS TRACT.

THENCE N 81° 09' 00" W. ALONG THE SOUTH LINE OF LOT 1, PASSING AT 20.00 FEET A 1/2" IRON ROD FOUND AT THE WEST R.O.W. LINE OF JACKSON ROAD, A TOTAL DISTANCE OF 1408.30 FEET TO A 1/2" IRON ROD SET FOR THE SOUTHWEST CORNER OF THIS TRACT.

THENCE N 08° 51' 00" E. A DISTANCE OF 477.90 FEET TO A 1/2" IRON ROD SET FOR AN INTERIOR CORNER OF THIS TRACT.

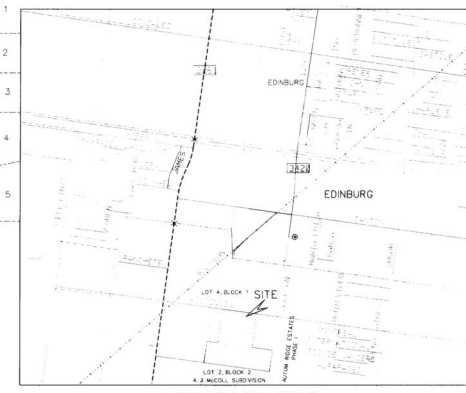
THENCE S 81° 09' 00" E. A DISTANCE OF 164.38 FEET TO A 1/2" IRON ROD FOUND FOR AN INTERIOR CORNER OF THIS TRACT.

THENCE S 81° 09' 00" E. ALONG THE NORTH LINE OF LOT 1, AND THE CENTERLINE OF WISCONSIN ROAD, A DISTANCE OF 721.68 FEET TO THE POINT OF BEGINNING, AND CONTAINING 29.40 ACRES OF MORE OR LESS.

- GENERAL NOTES:
- SETBACKS AS FOLLOWS (AS PER VARIANCE):  
FRONT - 20.0' TO 15.0' AT CURB-TO-CURB;  
REAR - 20.0' OF LOT DEPTH OR AS NOTED;  
SIDE INTERIOR - 7.0';  
SIDE CORNER - 20.0'
  - MINIMUM PERMISSIBLE FINISHED FLOOR ELEVATION FOR ALL BUILDING IMPROVEMENTS IS: 18' ABOVE TOP OF CURB MEASURED AT THE FRONT CENTER OF THE LOT.
  - THIS SUBDIVISION LIES IN ZONE "X1" ON TEXAS FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 480338 0030E MAP REV. JUNE 6, 2000. ZONE "X1" AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD, OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD.
  - NO ACCESS TO LOTS 65 THRU 71 FROM WISCONSIN ROAD AND FOR LOTS 1, 29, 30 AND 58 FROM JACKSON ROAD.
  - ALL LOT CORNERS SET HALF INCH (1/2") IRON RODS WITH RED CAP STAMPED R.P.L.S. NO. 4541 OR AS NOTED.
  - OWNER, ITS SUCCESSOR SHALL NOT PLACE ANY STRUCTURES OR IMPROVEMENTS OF ANY TYPE OR ANY TREES UPON OR WITHIN THE GAS EASEMENTS WITHOUT A WRITTEN PERMISSION FROM THE GAS COMPANY.
  - NO BUILDINGS SHALL BE PLACED UPON ANY EASEMENT.
  - SIDEWALK NOTE:  
A 4.0' INTERIOR STREET AT BUILDING PERMIT  
B 5.0' EXTERIOR ALONG JACKSON ROAD AND 4.0' ALONG WISCONSIN ROAD.
  - BENCH MARK: 68.92' TOP OF CURB AT SOUTHEAST CORNER OF LOT 1, BLOCK 2, A. J. MCCOLL SUBDIVISION.
  - DENOTES HALF (1/2") IRON ROD FOUND.
  - PRIVATE GATED COMMUNITY.
  - DENOTES 6.0' X 6.0' TRANSFORMER SPACE EASEMENT TO C.P. & L.
  - EACH LOT SHALL REQUIRE 725 CF OF ON-SITE DETENTION.
  - LOTS 1 THRU 107 SUBJECT TO RESTRICTIONS AS RECORDED IN THE OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS.
  - ALL GREEN AREAS AND STREET IMPROVEMENTS WILL BE MAINTAINED BY THE HOME-OWNERS ASSOCIATES.

| CURVE | DELTA     | RADIUS | LENGTH | TANGENT | CHORD  |
|-------|-----------|--------|--------|---------|--------|
| A     | 99°22'01" | 50.0'  | 78.86' | 50.32'  | 70.93' |
| B     | 47°46'15" | 50.0'  | 41.68' | 22.14'  | 40.49' |
| C     | 66°35'40" | 50.0'  | 58.11' | 32.84'  | 54.90' |
| D     | 82°58'51" | 50.0'  | 72.43' | 44.23'  | 66.26' |
| E     | 12°16'07" | 50.0'  | 10.71' | 5.37'   | 10.68' |
| F     | 75°55'34" | 50.0'  | 68.26' | 39.01'  | 61.51' |
| G     | 57°00'13" | 50.0'  | 49.74' | 27.15'  | 47.72' |
| H     | 45°38'43" | 50.0'  | 39.83' | 21.04'  | 38.79' |
| I     | 54°18'13" | 50.0'  | 47.35' | 25.64'  | 45.63' |
| J     | 37°04'11" | 50.0'  | 38.57' | 33.71'  | 55.28' |

AUTUMN RIDGE ESTATES PHASE I



LOCATION MAP

STATE OF TEXAS  
COUNTY OF HIDALGO  
I, THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED AS HACIENDA LAS FUENTES, DOES HEREBY GRANT AN EASEMENT FOR THE USE OF THE STREETS, ALLEYS AND EASEMENTS THEREON AS SHOWN TO THE CITY OF EDINBURG AND TO THOSE WHO MAY NOW OR HEREFTER HOLD FRANCHISES UNDER SAID CITY SURFACE USE OF THE STREETS AND ALLEYS IS TO RESTRICTED EMPLOYEES OR AGENTS OF THE CITY OF EDINBURG, EMPLOYEES OF UTILITIES OPERATING UNDER FRANCHISE TO THE CITY OF EDINBURG, AND SUBJECT TO THE SUBDIVISION AND THEIR GUESTS.

STATE OF TEXAS  
COUNTY OF HIDALGO  
ACKNOWLEDGMENT  
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME, THIS 11th DAY OF November 2003, BY PEDRO S. SOTO, JR., AS PRESIDENT OF BERT SOTO JR. & ASSOCIATES, L.L.C., A TEXAS LIMITED LIABILITY COMPANY, AS GENERAL PARTNER OF BERT SOTO JR. & ASSOCIATES, L.L.C., A TEXAS LIMITED PARTNERSHIP, ON BEHALF OF SAID LIMITED PARTNERSHIP.

STATE OF TEXAS  
COUNTY OF HIDALGO  
NOTARY PUBLIC, STATE OF TEXAS  
MY COMMISSION EXPIRES: 10-23-2004

THIS PLAT APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT No. 2  
ON THIS 14th DAY OF November 2003

ATTEST:  
Pablo Soto Jr.  
SECRETARY

NO IMPROVEMENTS OF ANY KIND SHALL BE PLACED UPON H.C.I.D. NO. 2 RIGHTS-OF-WAY EASEMENT WITHOUT THE EXPRESSED WRITTEN PERMISSION OF H.C.I.D. NO. 2

HIDALGO COUNTY DRAINAGE DISTRICT NO. 2  
THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEXAS WATER CODES 49.21(c) THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, AND ON THE 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. 2  
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 APPROVAL IS REQUIRED.

STATE OF TEXAS  
COUNTY OF HIDALGO  
I, THE UNDERSIGNED, PABLO SOTO JR., A PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT, I MADE AND PREPARED FROM MY ACTUAL SURVEY OF THE LAND MADE UNDER MY SUPERVISION ON THE LAND.

STATE OF TEXAS  
COUNTY OF HIDALGO  
PABLO SOTO JR.  
R.P.L.S. NO. 4541

STATE OF TEXAS  
COUNTY OF HIDALGO  
PABLO SOTO JR.  
REGISTERED  
P.E. NO. 66278

STATE OF TEXAS  
COUNTY OF HIDALGO  
PABLO SOTO JR.  
REGISTERED  
P.E. NO. 66278

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COUNTY OF HIDALGO  
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REGISTERED  
P.E. NO. 66278

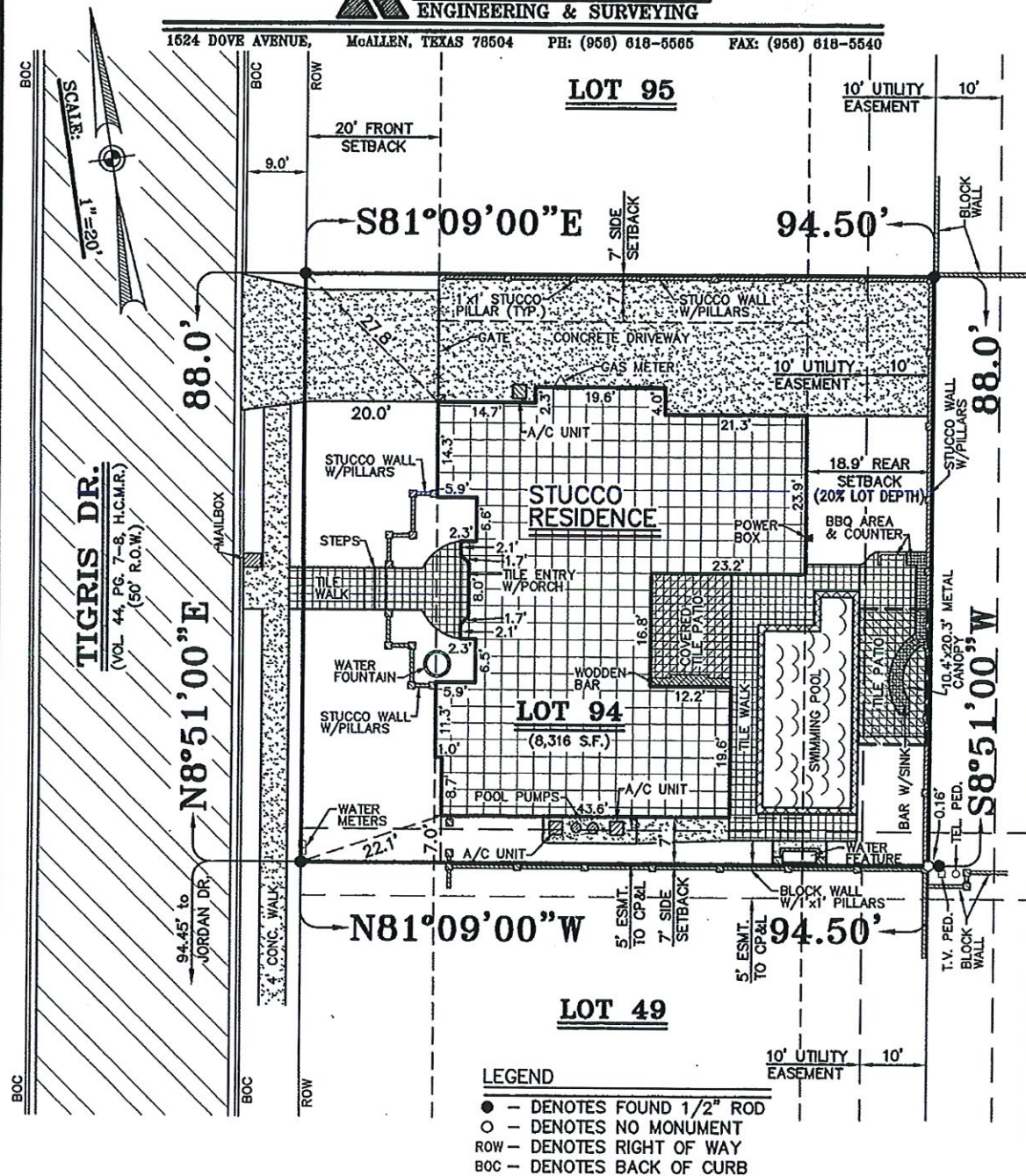




# ART SALINAS

## ENGINEERING & SURVEYING

1624 DOVE AVENUE, McALLEN, TEXAS 78504 PH: (956) 618-5505 FAX: (956) 618-5540



**FLOOD ZONE DESIGNATION:** The residence shown hereon lies in Zone "X". Zone "X" areas are areas of 500-year flood; areas of 100-year flood with average depths of less than 1 foot or with drainage areas of less than 1 square mile; and areas protected by levees from 100-year flood as per F.E.M.A. Flood Insurance Rate Map No. 480338-0030-E dated 06-06-00.

**PLAT NOTES:**

- There are no discrepancies, conflicts, shortages in area or boundary lines, encroachments, overlapping of improvements or visible or apparent easements except as shown on this plat.
- This survey plat is prepared in connection with Title Policy G.F. # 323410 does not guarantee title. This survey is for the exclusive use of the client named hereon and may not be copied or transferred to another party without the express written consent of the surveyor.
- This survey must contain an embossed seal and an original signature to be valid as per Section 661.46 and Section 663.19 of the "The Professional Land Surveying Practices Act".
- This is a standard survey and does not include the location or subsurface investigation of underground utility, irrigation and/or gas lines.
- Easement and/or other rights, if any, as set forth in untitled instrument dated July 25, 1912, recorded in Volume 19, Page 289, Deed Records, Hidalgo County, Texas. (Blanket)
- Easements, rules, regulations and rights in favor of Hidalgo County Irrigation District No. 2. (Blanket)
- Subject to any oil, gas and mineral lease of record.
- Bearing Basis: "W. line of Lot 94, Hacienda Las Fuentes"

Borrower(s): Jose Cruz Zacarias

THIS IS TO CERTIFY TO THAT I HAVE, THIS DATE, PREPARED A SURVEY ON THE GROUND WHICH IS LOCATED AT 3710 TIGRIS DR., in EDINBURG, TEXAS, DESCRIBED AS FOLLOWS:  
LOT 94, HACIENDA LAS FUENTES, AN ADDITION TO THE CITY OF EDINBURG, HIDALGO COUNTY, TEXAS, AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME 44, PAGES 7 AND 8, MAP RECORDS, HIDALGO COUNTY, TEXAS.

20-58635  
Job No.

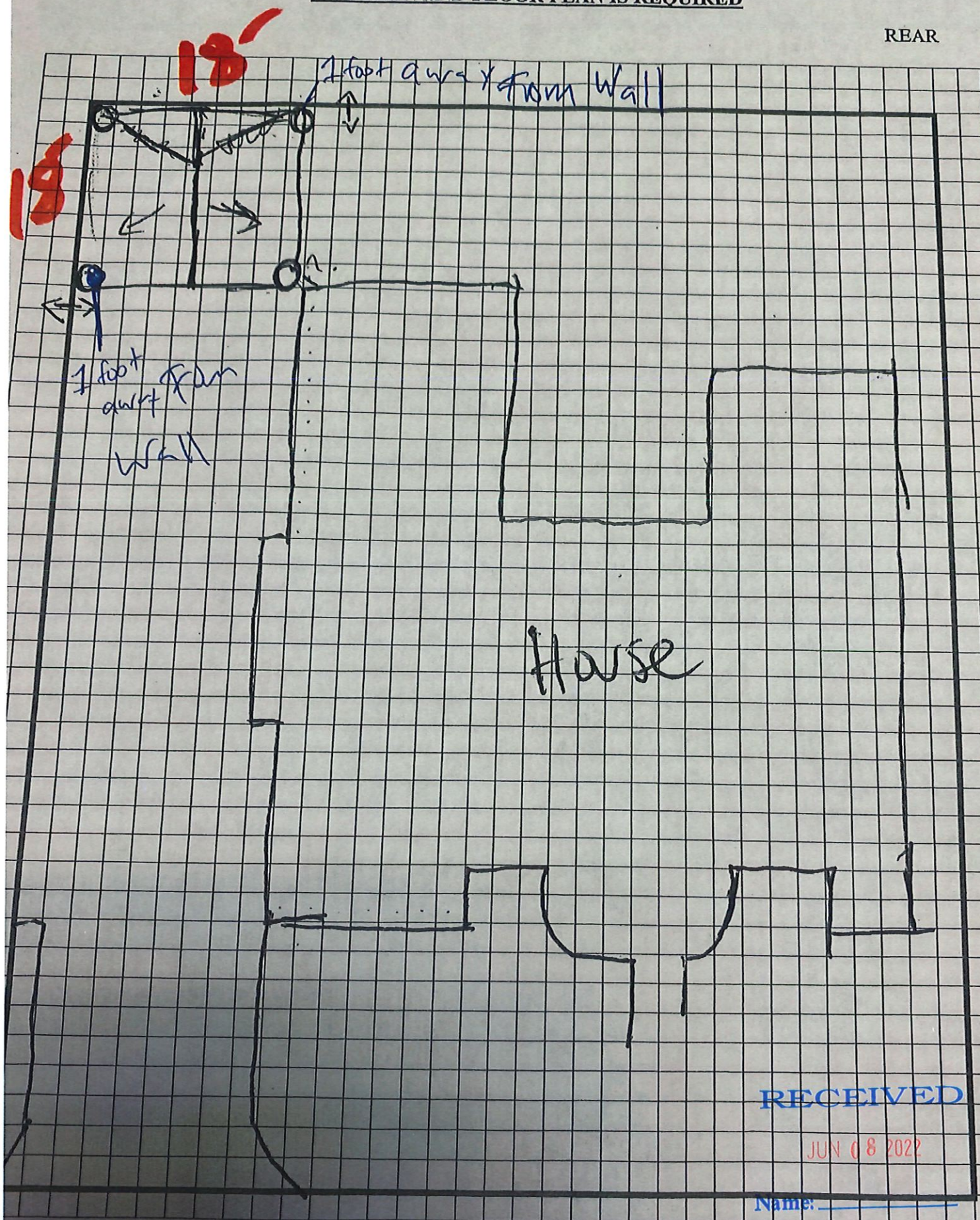
07-17-20  
Date

© COPYRIGHT 2020 ART SALINAS ENGINEERING INC. THIS SURVEY WAS PROVIDED IN MULTIPLE ORIGINALS FOR A SINGLE TRANSACTION BY THE BORROWER NAMED HEREON. NO LICENSE HAS BEEN CREATED, EXPRESSED OR IMPLIED TO COPY THIS SURVEY.





## REAR

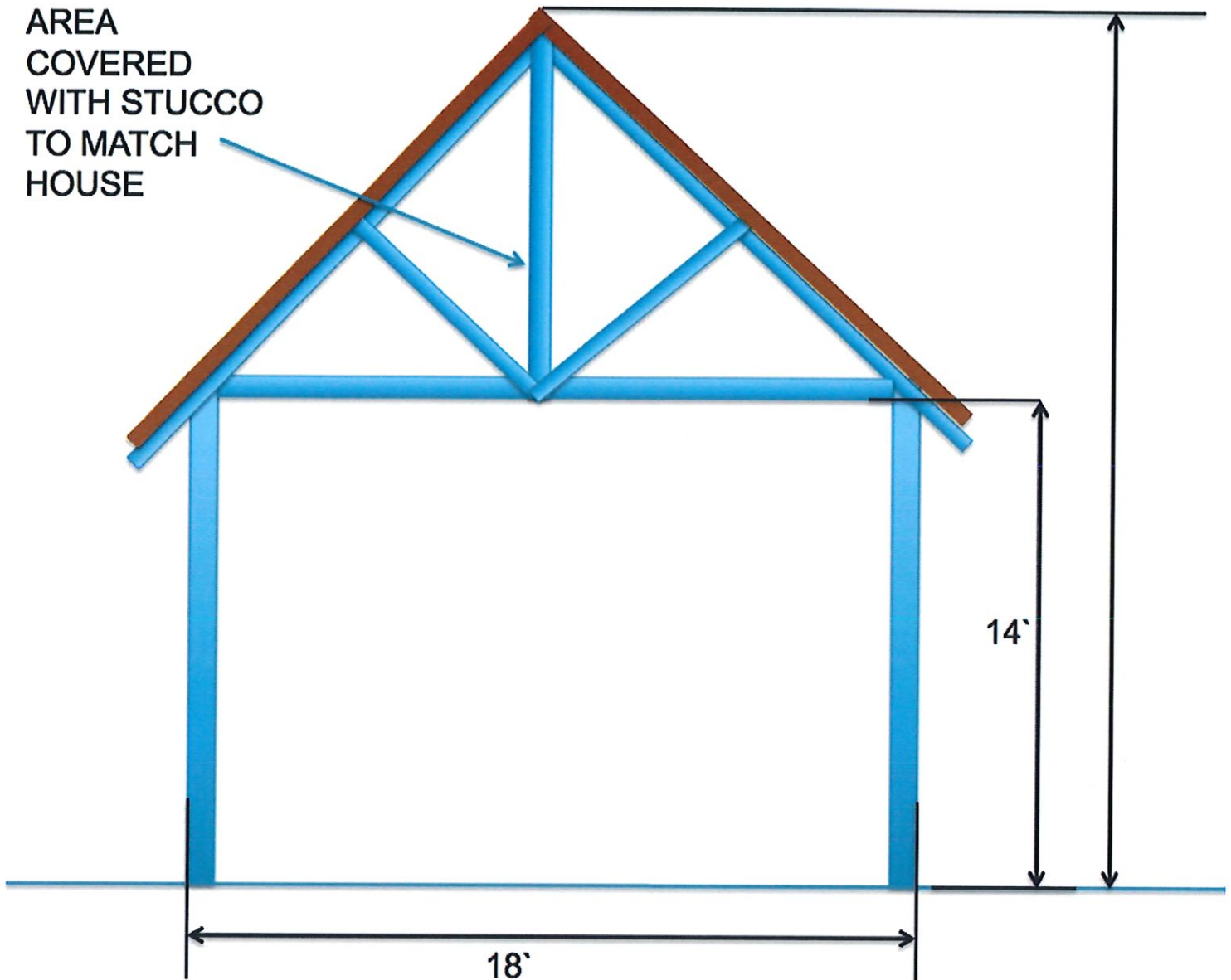


**\*\*\*IRREGULAR LOTS WILL BE REQUIRED TO SUBMIT A SURVEY\*\*\***

FRONT



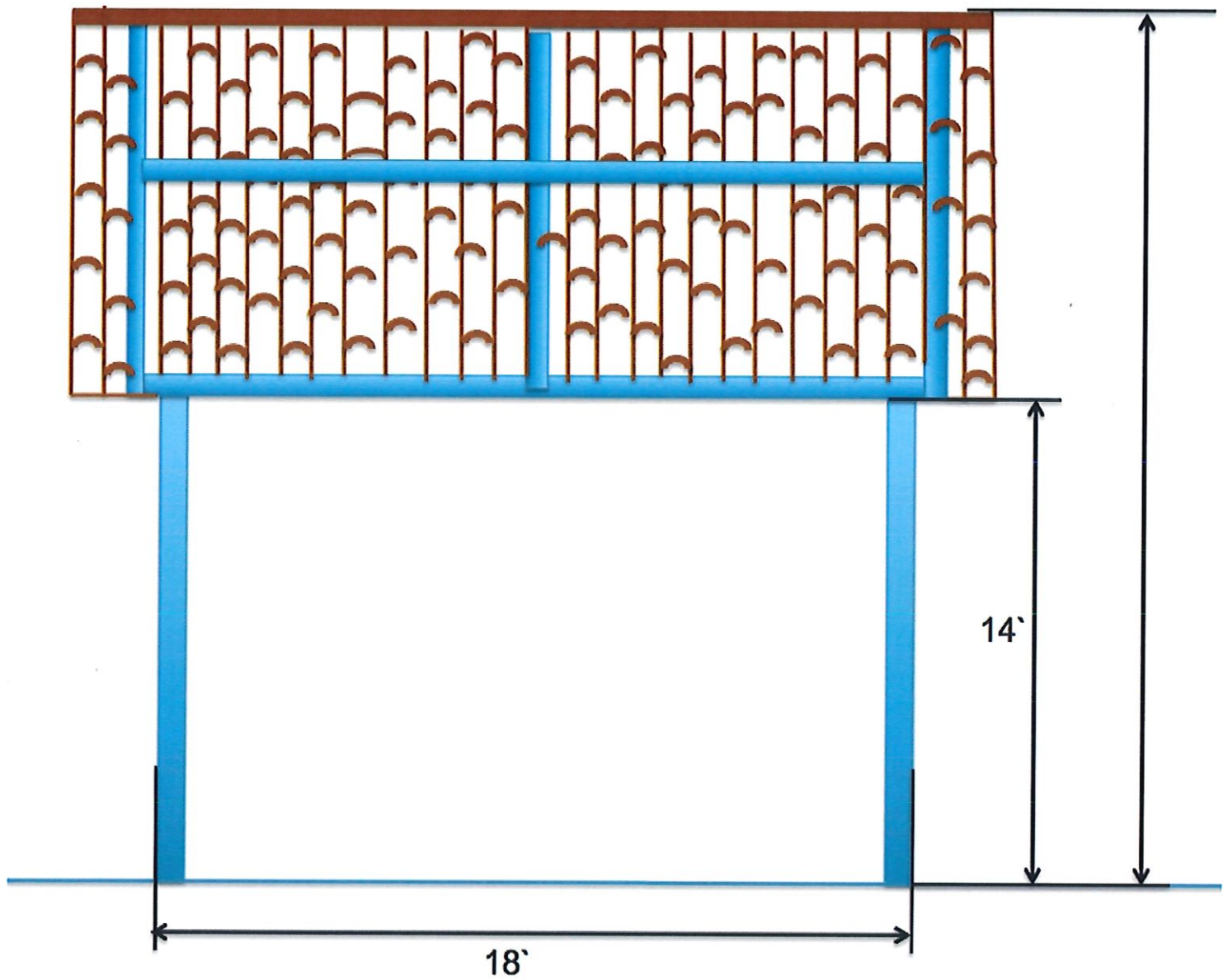
AREA  
COVERED  
WITH STUCCO  
TO MATCH  
HOUSE



RECEIVED

JUN 08 2022

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



RECEIVED

JUN 08 2022

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



# Zoning Board of Adjustment

Site Photos for meeting of June 29, 2022

JOSE C. ZACARIAS - 3710 TIGRIS DRIVE



## Planning & Zoning Staff Report

Prepared on: 06-20-22

### ZONING BOARD OF ADJUSTMENT

Regular Meeting: 06-29-22

#### **Agenda Item 7E**

Consider Variance to the City's Unified Development Code, Article 3, Section 3.303, District and Bulk Standards, Multifamily, Setbacks, being a 16.74 acre tract of land out of lot 5, Block 1, John Closner, et al Subdivision, located at 3301 South Raul Longoria Road, as requested by Michael Aaron Cantu on behalf of Maverick Valley Builders, LLC. [Tilfred Ricardo Farley, Planner I]

---

#### **Request**

The applicant is requesting a variance to the City's Unified Development Code (UDC), Section 3.303 as it applies to setbacks. The applicant is proposing to construct a multifamily subdivision, the applicant is also proposing to reduce the front yard setback from 20 feet to 10 feet, side yard setback from 6 feet to 5 feet, and the rear yard setback from 20 feet to 10 feet.

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

The property is located on the west side of South Raul Longoria Road, approximately 340 ft. north of East Wisconsin Road and is zoned Auto-Urban Residential (AU) District. Adjacent zoning is Agriculture District in all directions. Surrounding area includes commercial, and single-family residential land uses as well as vacant land.

#### **Background and History**

This property was rezoned to Auto- Urban Residential (AU) District on May 4, 2022; and was considered for preliminary plat approval on June 14, 2022. Variances to reduce Lot Area and Width, will go before City Council for final recommendation on July 5, 2022. The applicant is proposing to construct a multi-family 54 Lot subdivision. A request for Variance Application, sample site plan and related documents were submitted to the City on May 17, 2022. The preliminary site plan shows the proposed Lots and street layout.

Staff mailed notice of this variance request to sixteen (16) neighboring property owners. Staff received one comment against and none in favor of this request at the time this report was prepared.

#### **Analysis**

Most of the lots in the proposed development range between 9,500 sq. ft. and 12,000 sq. ft. and the majority of the lots in the proposed development range between 80 and 85 ft. in width. The basic of the request is to allow for more buildable space on the lots for the multi-family development. Similar variance have been approved for other similar developments.

# Planning & Zoning Staff Report

---

## Recommendation

Staff recommends approval of the variance for the setbacks.

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:

**Tilfred Ricardo Farley**

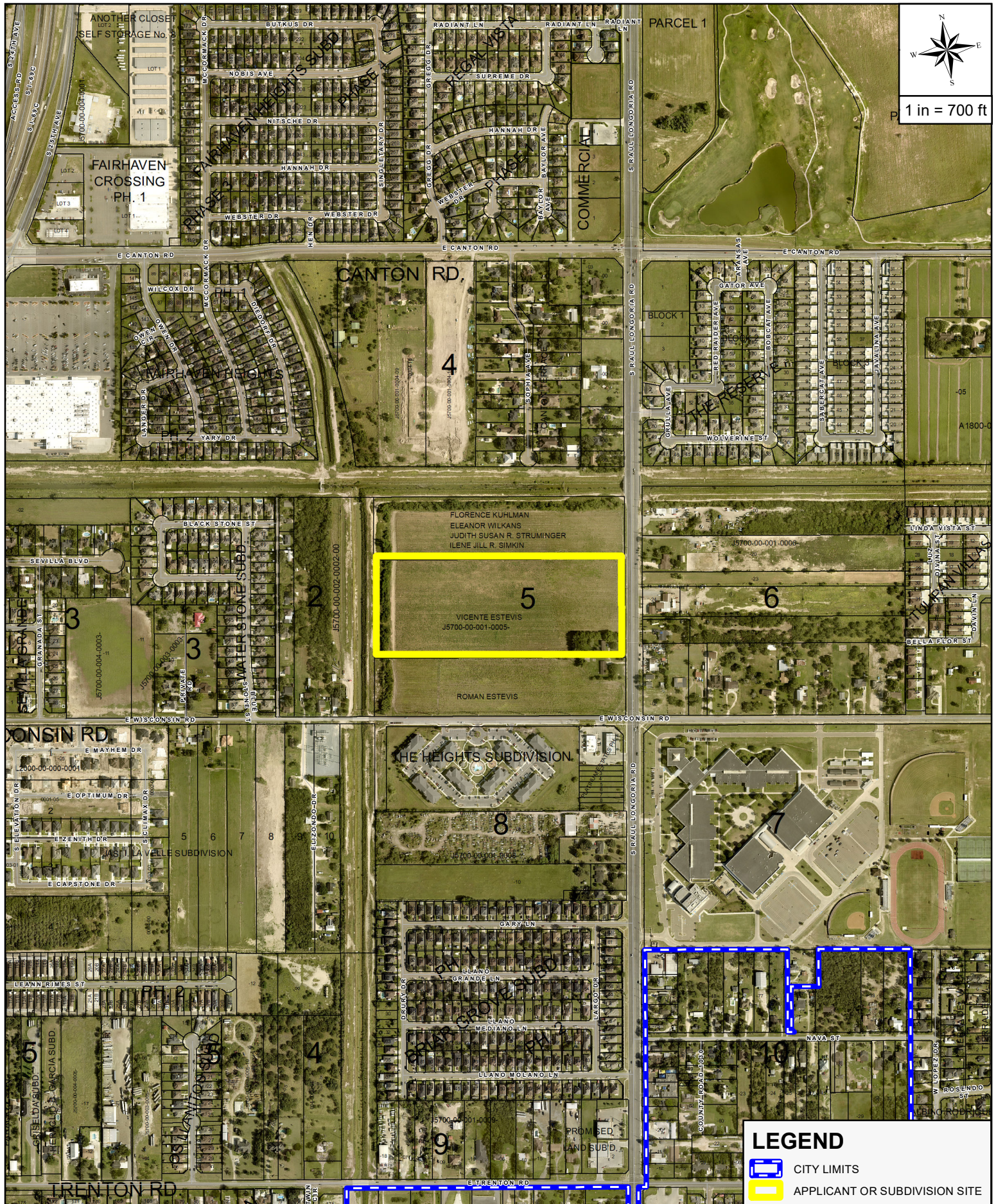
Planner I

### Approved by:

**Rita Lee Guerrero**

Management Analyst





**AERIAL MAP**

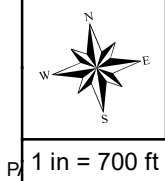
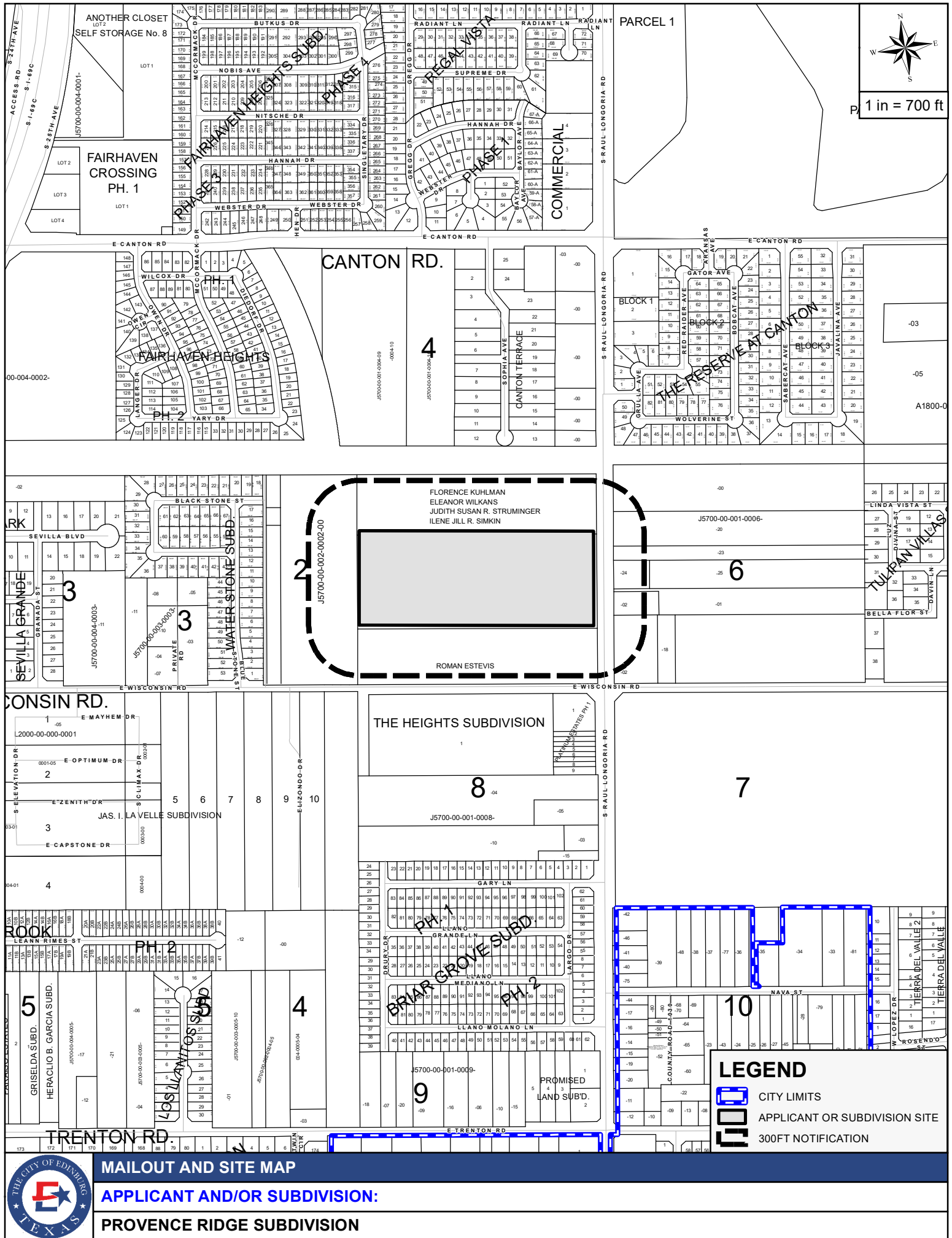
**APPLICANT AND/OR SUBDIVISION:**

**PROVENCE RIDGE SUBDIVISION**









**LEGEND**

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

**MAILOUT AND SITE MAP**  
**APPLICANT AND/OR SUBDIVISION:**  
**PROVIDENCE RIDGE SUBDIVISION**





Case # VAR-2022-0097

**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 & Density

Reason for Hardship (attach additional pages if necessary)

Please see attachment

Property Description: Lot 5 Block John Closner Subdivision John Closner

Property Address: \_\_\_\_\_

Present Property Zoning: AU - Auto-Urban Residential

Person requesting Variance: IN Civil Designs LLC -Isidro Navarro

Mailing Address: 305 E Clinton Ave Alton, TX 78573  
Street Address City/State Zip Code

Phone No. (Home): - (Work): (956) 205-3845 (Cell): -

Owner's Name: Maverick Valley Builders LLC -Michael Cantu

Mailing Address: 1106 Goodrich Drive 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: [Signature] Date: 5/16/22

Owner/Agent's Name (Please Print): \_\_\_\_\_

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

Receipt No.

**RECEIVED**

### OFFICE USE ONLY

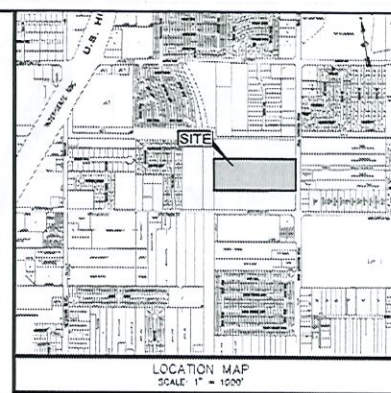
Application deadline: \_\_\_\_\_ ZBA Hearing date: \_\_\_\_\_

MAY 17 2022

Name: [Signature]

- \$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

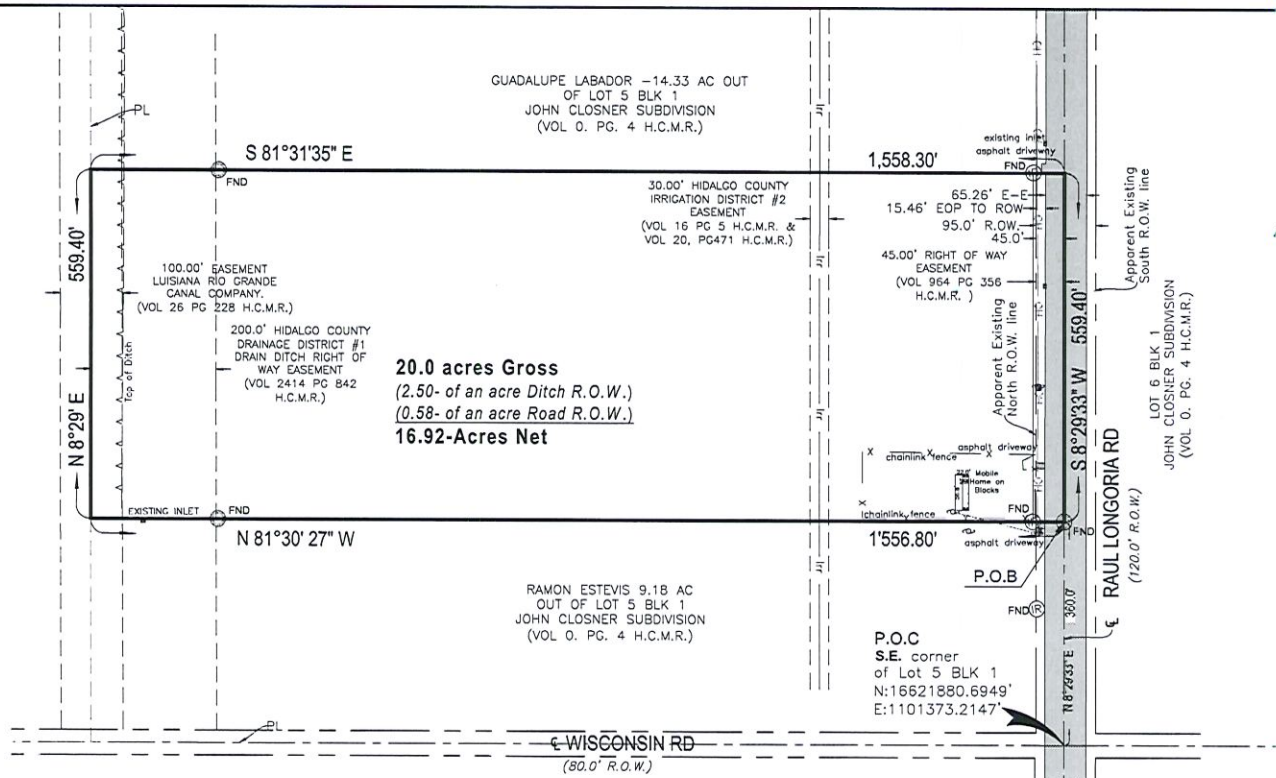




[www.incivildesigns.com](http://www.incivildesigns.com)



Scale 1" = 200'



SURVEY PLAT SHOWING  
A 20.00-ACRE TRACT OUT OF LOT 5, BLOCK 1,  
JOHN CLOSSNER SUBDIVISION,  
HIDALGO COUNTY, TEXAS,  
VOLUME 0, PAGE 4, H.C.M.R.  
(See Exhibit "A" for Metes and Bounds description)

#### Legend

|  |  |
|--|--|
| H.C.M.R.                                   | Hidalgo County Map Records                 |
| H.C.O.R.                                   | Hidalgo County Official Records            |
| H.C.D.R.                                   | Hidalgo County Dead Records                |
| P.O.B.                                     | Point of Beginning                         |
| P.O.C.                                     | Point of Commencing                        |
| R.O.W.                                     | Right-of-Way                               |
| N.E.                                       | Northeast                                  |
| Fnd  | Found No. 4 Rebar                          |
| Set  | Set No. 4 Rebar w/plastic cap stamped 2791 |
| Edge of pavement                           | Edge of pavement                           |
| Edge to Edge                               | Edge to Edge                               |
| Found No. 4 Rebar                          | Found No. 4 Rebar                          |
| Set No. 4 Rebar w/plastic cap stamped 2791 | Set No. 4 Rebar w/plastic cap stamped 2791 |
| Existing clean out                         | Existing clean out                         |
| Existing wire fence                        | Existing wire fence                        |
| Existing overhead power line               | Existing overhead power line               |
| Existing power pole                        | Existing power pole                        |
| Existing down guy                          | Existing down guy                          |
| Existing mailbox                           | Existing mailbox                           |
| Cable pedestal                             | Cable pedestal                             |
| Existing telephone pedestal                | Existing telephone pedestal                |
| Existing water valve                       | Existing water valve                       |
| Existing water fire hydrant                | Existing water fire hydrant                |
| Existing irrigation standpipe              | Existing irrigation standpipe              |
| Existing irrigation gate valve             | Existing irrigation gate valve             |
| Asphalt pavement                           | Asphalt pavement                           |
| Caliche pavement                           | Caliche pavement                           |

#### General Notes

1. Survey is valid only if print has original electronic seal and signature of surveyor.
2. Bearing basis as per the NAD 1983 State Plane Texas South FIPS 4205 Feet.
3. Commitment of Title Insurance by Alliant National Title Insurance Company. Reference: A 20.00-Acre tract out of Lot 5, Block 1, John Clossner Subdivision. To: Maverick Valley Builders LLC, a Texas limited liability company, ILLAB Investments, LLC, A Texas limited liability company. CR: 173184.
4. Also, see Schedule B.10a thru 10k for additional easement and property matters.
5. Easements, rules, regulations and rights in favor of united irrigation district. Existing underground irrigation pipes have easements which require irrigation districts direction to establish width and locations.
6. Homero L. Gutierrez did not research or prepare a title report or abstract of title on the above property.
7. Building, zoning, platting and/or regulatory laws and/or ordinances at any municipal and/or other governmental authority will apply.
8. The existence, if any, of underground gas lines or other underground utilities not shown on this survey should be thoroughly investigated by the owner prior to any construction on this site. The Surveyor has limited his investigation of underground utilities on this site to that which can be seen.
9. Surveyor's statement: The property corners of the tract surveyed were staked out based on the best fit of monuments found for this property and others within the immediate vicinity, taking into account the intent of the surveyors' original foot steps. A survey of the original mother tracts to correctly establish minor discrepancies that were found in the property corners would not be a feasible option for the parties concerned. The client has been made aware of any discrepancies found and the respective action taken to stake out his property as per the found and set monuments shown herein.  
Flood Zone "B"-Areas between limits of the 100-year flood and 500-year flood, or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile, or areas protected by levees from the base flood.  
(Medium shading)  
Community Panel No. 4803340425 C  
Map Revised: November, 16 1982.



#### Surveyor's Certification

I, Homero Luis Gutierrez, a Registered Professional Land Surveyor in the State of Texas, state that this plat represents the facts found on the ground on December 15, 2021, and that there are no discrepancies, conflicts or shortages in the area or boundary lines, or any encroachments, or over-lapping of improvements or no visible apparent easements except as shown on this plat.

*Homero Luis Gutierrez*  
Homero Luis Gutierrez, RPLS #2791  
Date: 12/18/21

HOMERO L. GUTIERREZ, P.E., R.P.L.S.

P.O. Box 548  
McAllen, Texas 78505  
(956) 369-0988

DATE: 12-17-21 JOB No. HLG12-17-21 DRAWN BY: CH



Jaime Ayala, Planner II  
City of Edinburg Planning Department  
415 W. University Drive  
Edinburg TX 78541

Dear Mr. Ayala,

We respectfully request the following two variances in reference to the proposed multifamily subdivision Province Ridge:

1. Setbacks for Auto Urban Residential
  - a. Change front setback from 20 feet to 10 feet
  - b. Change side setback from 6 feet to 5 feet
  - c. Change rear setback from 20 feet to 10 feet
2. Density for Auto Urban Residential
  - a. Requesting to match the current density requirement for Auto Urban residential zoning -Change from 16.83 dwelling units per acre to 27.16 dwelling units per acre.

*Michael Cook*

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MAY 17 2022

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

# Zoning Board of Adjustment

Site Photos for meeting of June 29, 2022

MICHAEL AARON CANTU, MAVERICK VALLEY BUILDERS, LLC. - 3301 SOUTH RAUL LONGORIA ROAD







## NOTIFICATION

Dear Property Owner:

A public hearing will be held on Wednesday, June 29, 2022, at 5:30 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, AS FOLLOWS: 1) ARTICLE 3, SECTION 3.201(C), RESIDENTIAL USE DISTRICT STANDARDS, MAXIMUM DENSITY, 2) ARTICLE 3, SECTION 3.303, DISTRICT AND BULK STANDARDS, MULTIFAMILY, SETBACKS, BEING A 16.74 ACRE TRACT OF LAND OUT OF LOT 5, BLOCK 1, JOHN CLOSNER, ET AL SUBDIVISION, LOCATED AT 3301 SOUTH RAUL LONGORIA ROAD, AS REQUESTED BY MICHAEL AARON CANTU ON BEHALF OF MAVERICK VALLEY BUILDERS, LLC.**

The variance requested would allow reduced setbacks and density for a multifamily development.

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, June 28, 2022
- EMAIL: [planning@cityofedinburg.com](mailto:planning@cityofedinburg.com) by Tuesday, June 28, 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: unless they make the frontage of  
Raul Longoria Rd Commercial.

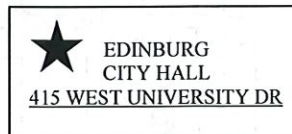
6-19-22

Print Name: Juan Trevino Jr & Ester Trevino Phone No. 956-5980  
Address: 3302 S. Raul Longoria City: Edinburg State: TX Zip: 7852

## 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

JUN 24 2022

Name: q.wam  
via mail

University Dr. (S.H.107)

8th Ave.

# 2022 ATTENDANCE RECORD

## ZONING BOARD OF ADJUSTMENTS MEETINGS

|                                | 01/20/22 | 02/23/22 | SPECIAL<br>03/09/22 | 03/30/22 | 04/27/22 | 05/25/22 |  |  |  |  |  |  |
|--------------------------------|----------|----------|---------------------|----------|----------|----------|--|--|--|--|--|--|
| Alex Rios - Chairperson        | A        | P        | P                   | P        | P        | A        |  |  |  |  |  |  |
| Eddie Garza - Vice Chairperson | P        | P        | P                   | P        | P        | P        |  |  |  |  |  |  |
| Andre Maldonado - Regular      | P        | P        | P                   | P        | P        | A        |  |  |  |  |  |  |
| George Cardenas - Regular      | A        | P        | P                   | P        | P        | A        |  |  |  |  |  |  |
| Ponciano Longoria - Regular    | P        | P        | P                   | A        | P        | P        |  |  |  |  |  |  |
| Marc Moran - Alternate         | P        | P        | P                   | A        | P        | P        |  |  |  |  |  |  |
| Michael Cantu - Alternate      | P        | P        | A                   | P        | P        | P        |  |  |  |  |  |  |
| Diane Teter - Alternate        | P        | P        | P                   | P        | P        | P        |  |  |  |  |  |  |
| Abraham Garcia - Alternate     |          |          |                     |          | P        | A        |  |  |  |  |  |  |