



**NOTICE AND AGENDA
ZONING BOARD OF ADJUSTMENT
AUGUST 30, 2023 - 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. ABSENCES

- A. Consider excusing the absence of Board Member Gregory Vasquez from the July 26, 2023 Regular Meeting

7. MINUTES

- A. Consider Approval of the minutes for the July 26, 2023 Regular Meeting

8. PUBLIC HEARINGS

- A. Consider Variances to the City's Unified Development Code as follows: 1.) Section 3.102-1, Single Family Detached Building Standards, Setbacks and 2.) Section 5.207(F), Easements, Encroachments and Removal of Encroachments, Lot 4, The Heights on Wisconsin Phase III, Located at 1433 East Pinnacle Drive, As Requested By Javier Aguirre
- B. Consider Variance to the City's Unified Development Code Article 2, Section 2.206 Accessory Use and Structure Standards Non-Residential Uses (F2) Being Lots 13 through 21, Block 248, Edinburg Original Townsite Subdivision, Located at 621 East Cano, As Requested By Rachel Ann Hernandez
- C. Consider Variance to the City's Unified Development Code Article 3. Section 3.202-1 Non-Residential and Mixed Use Lot Standards, Floor Area Ratio, Being Lots 6 and 8, Block 2, Vela Subdivision, A resubddivision of the south 6.52 acres of the north 14.40 acres of lot 7, section 268, Texas Mexican Railway Company Survey, Located at 313 South Raul Longoria Road, As Requested By Julio Carranza
- D. Consider Variance to appeal the Administrator's Determination denying the Replat of Lot 10-A Lake James Unit No.2 UT 2 In accordance with Article 9, Section 9.604 Replat, Being Lot 10-A Lake James Unit No.2 UT 2, Located at 3006 Laurie Lane, As Requested By Alejandro Tey and Clara Tey

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 3:00 P.M. on Friday August 25, 2023.



Claudia Mariscal, 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.



**NOTICE AND AGENDA
ZONING BOARD OF ADJUSTMENT
JULY 26, 2023 - 5:30 P.M.
REGULAR MEETING
CITY HALL COUNCIL CHAMBER
415 W. UNIVERSITY DR.
EDINBURG, TEXAS 78539
MINUTES**

Members Present:

Marc Moran, Chairman
Ponciano Longoria, Vice Chairman
Michael Cantu
Ruben Ruiz
Eliseo Garza Jr.
Marc A. Gonzalez
Diane Teter
Alexandra Rodriguez

Absent:

Gregory Vasquez

1. CALL MEETING TO ORDER, ESTABLISH QUORUM

Chairperson Marc Moran called the meeting to order at 5:31 P.M.

- A.** Prayer – Prayer was announced.
- B.** Pledge of Allegiance - The Pledge of Allegiance was said.

2. CERTIFICATION OF PUBLIC NOTICE

Jaime Acevedo certified the agenda had been posted on July 21, 2023 at 3:40 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 Chairperson prior to the start of the meeting. A spokesperson

for large groups is required. We ask for everyone's cooperation in following these procedures.

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

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

5. ABSENCES

- A. Consider excusing the absence of Board Member Gregory Vasquez from the May 31, 2023 Regular Meeting.

BOARD MEMBER, MICHAEL CANTU MOVED TO CONSIDER APPROVAL OF THE ABSENCE OF GREGORY VASQUEZ FOR THE MAY 31, 2023 REGULAR MEETING. SECONDED BY VICE CHAIRPERSON, PONCIANO LONGORIA. THE MOTION TO APPROVE CARRIED UNANIMOUSLY WITH A VOTE OF 8-0

6. MINUTES

- A. Consider approval of the Minutes for the May 31, 2023 Regular Meeting

BOARD MEMBER, DIANE TETER MOVED TO CONSIDER APPROVAL OF THE MINUTES FOR THE MAY 31, 2023 REGULAR MEETING. SECONDED BY VICE CHAIRPERSON, PONCIANO LONGORIA. THE MOTION TO APPROVE CARRIED UNANIMOUSLY WITH A VOTE OF 8-0

7. PUBLIC HEARINGS

- A. Consider Variances to the City's Unified Development Code as follows: 1) Section 3.102-4, Multiplex and Apartment and Building Standards, Setbacks and 2) Section 5.207(F), Easements, Encroachments and Removal of Encroachments, Lots 22 and 23, Monmack Place Phase I Subdivision, located at 3912 and 3908 Valeria Street, as requested by Cesar Ledesma on behalf of German Aguilar Mendoza

MR. CESAR LEDESMA WAS PRESENT BUT DID NOT ADDRESS THE BOARD. BOARD MEMBER MICHAEL CANTU ASKED IF THERE WOULD BE AN UPDATE TO THE UDC REGARDING CARPORTS ENCROACHING. MR. JAIME ACEVEDO, DIRECTOR OF PLANNING AND ZONING EXPLAINED THAT IT STATES IN THE UDC THAT A CARPORT IS ALLOWED TO ENCROACH BUT WHAT MAKES THAT SITUATION DIFFERENT IS THAT IT WILL ENCROACH ON A UTILITY LINE. VICE CHAIRPERSON PONICANO LONGORIA INQUIRED ABOUT THE LOTS THAT REQUESTED THE VARIANCES SINCE ONE LOT WAS A CORNER LOT, HE WAS CONCERNED WITH THE CARPORT BEING IN THE WAY OF THE DRIVERS.

AFTER THE DISCUSSION, A MOTION WAS MADE BY BOARD MEMBER, RUBEN RUIZ AND WAS SECONDED BY BOARD MEMBER ELISEO GARZA JR. TO APPROVE THE VARIANCE REQUEST. MOTION CARRIED WITH UNANIMOUS VOTE OF 8-0.

10. INFORMATION ONLY

- A. Attendance Roster

11. ADJOURNMENT

There being no further business to consider, the meeting was adjourned.

MOTION WAS MADE BY BOARD MEMBER ELISEO GARZA JR. AND SECONDED BY VICE CHAIRPERSON PONCIANO LONGORIA TO ADJOURN. THE MOTION CARRIED UNANIMOUSLY.

Claudia Mariscal

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.

Planning & Zoning Staff Report

Prepared on: August 21, 2023

ZONING BOARD OF ADJUSTMENT

Regular Meeting: August 30, 2023

Agenda Item

Consider Variances to the City's Unified Development Code as follows: 1) Section 3.102-1, Single Family Detached Building Standards, Setbacks and 2) Section 5.207(F), Easements, Encroachments and Removal of Encroachments, Lot 4, The Heights on Wisconsin Phase III, Located at 1733 East Pinnacle Drive, As requested by Javier Aguirre

Request

The applicant is requesting a variance to the City's Unified Development Code (UDC) Section 3.102-1, Single Family Detached Building Standards, Setbacks and Section 5.207(F), Easements, Encroachments and Removal of Encroachments, as it applies to setbacks and easement encroachments. The applicant is wanting to construct a single family residential home.

Property Location and Vicinity

The property is located on the North side of East Pinnacle Drive approximately 270 feet West of Solstice Road. The property is zoned Residential, Multi Family (RM) District. Adjacent zoning is Residential, Multi Family a (RM) District to the south, east, west and Agriculture and Open Space (AO) District to the north. Surrounding land uses are single family residential uses and vacant land.

Background and History

The property is part of The Heights on Wisconsin Phase III Subdivision that was recorded on January 30, 2023. The lot is 5,900 square feet in total. A building permit for a single-family residential home was submitted on June 16, 2023 and it was determined there was a 5-foot encroachment over a 10-foot utility easement located on the west side of the property. The applicant is aware of the encroachment but is asking for options. The applicant is asking for the allowance to reduce the side yard setback from 5-feet to 4-feet on the east side of the property or the allowance of an encroachment of 1-foot into the 10-foot utility easement on the west side of the property.

Staff mailed notice of this variance request to 11 neighboring property owners and received no comments in favor or against this request at the time this report was prepared.

Analysis

The property currently has 59 feet in width, and the proposed home being built is 45 feet in wide. A 10-foot utility easement is indicated on the Subdivision Plat on the west side of the property and a 5-foot setback is required on the east side of the property.

Recommendation

Staff recommends denial of the variance request. 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:

Rita Lee Guerrero

Assistant Director of Planning & Zoning

Approved by:

Jaime Acevedo

Director of Planning & Zoning

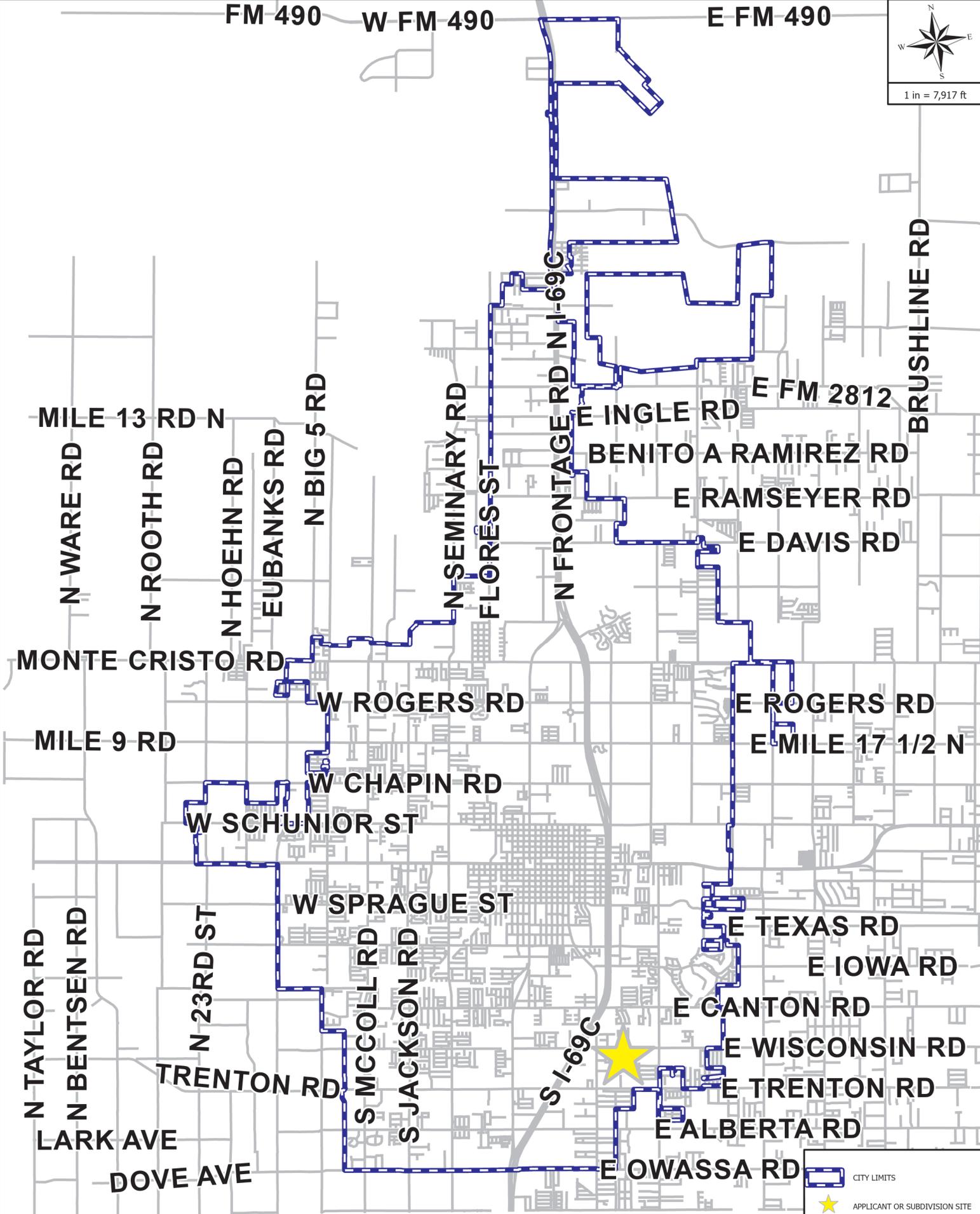
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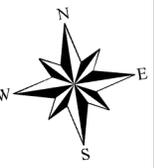
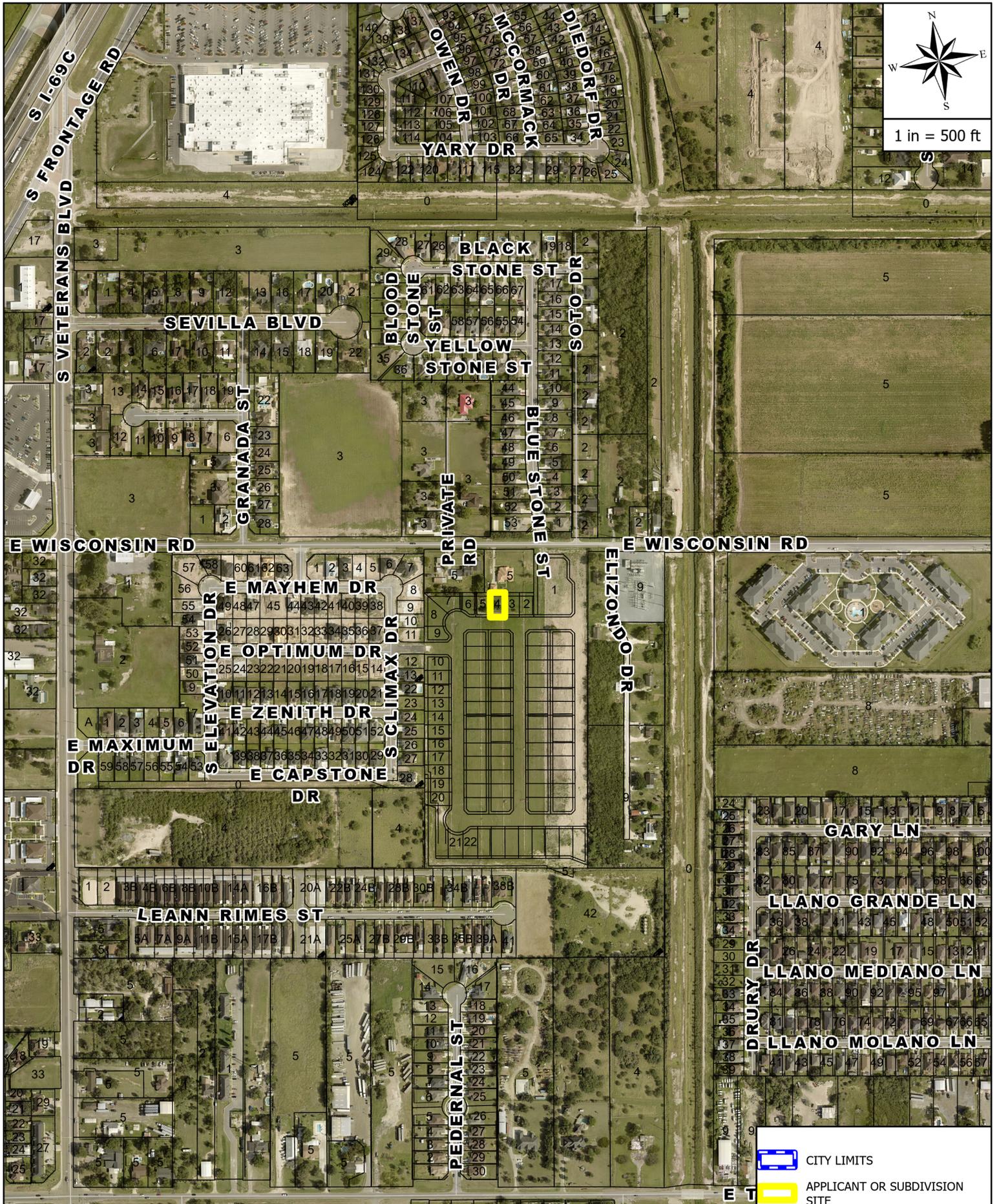


1 in = 7,917 ft



 CITY LIMITS

 APPLICANT OR SUBDIVISION SITE



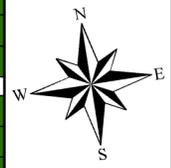
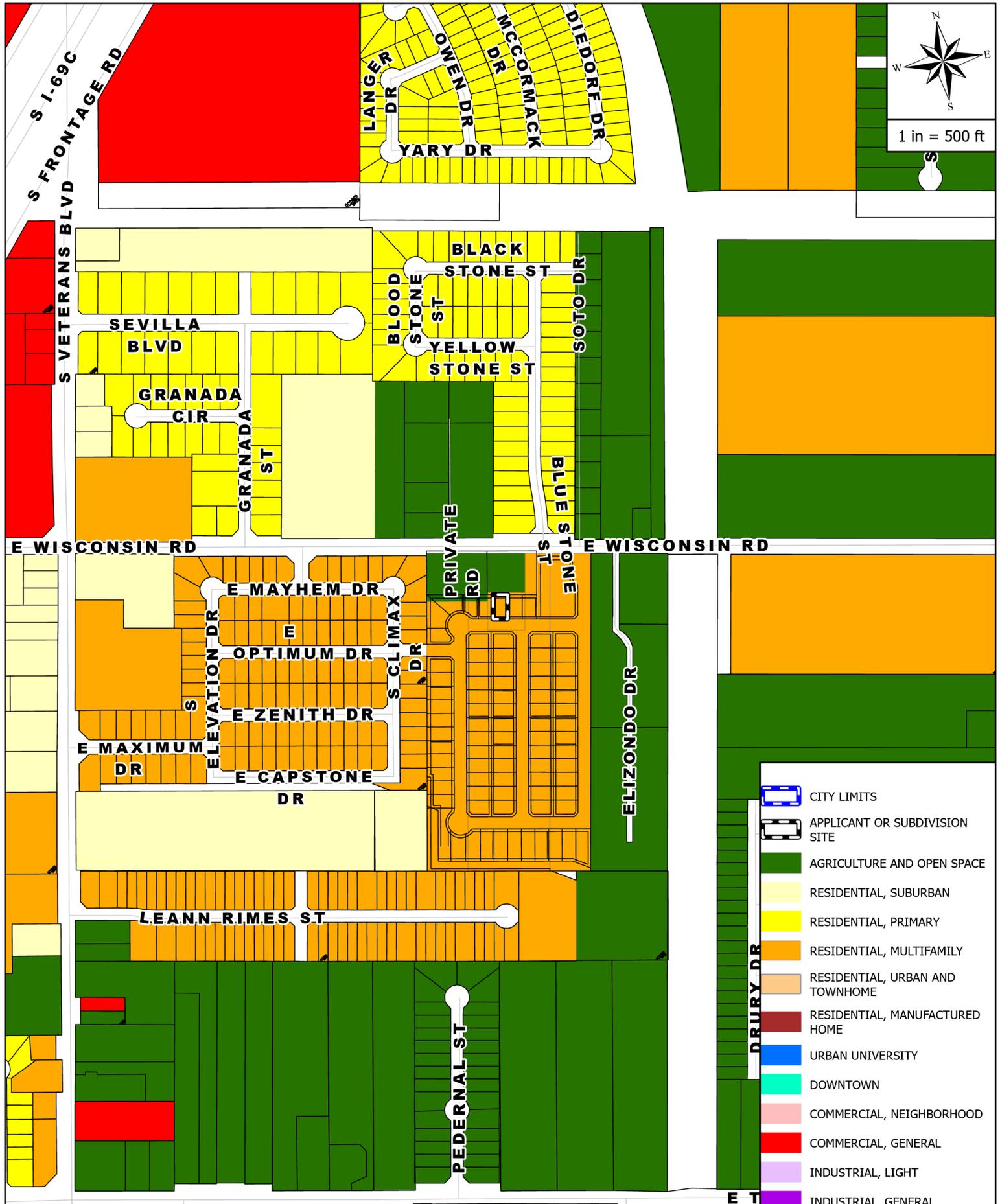
1 in = 500 ft

-  CITY LIMITS
-  APPLICANT OR SUBDIVISION SITE



AERIAL MAP
APPLICANT AND/OR SUBDIVISION:

JAVIER AGUIRRE VAR-2023-0186



1 in = 500 ft



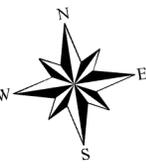
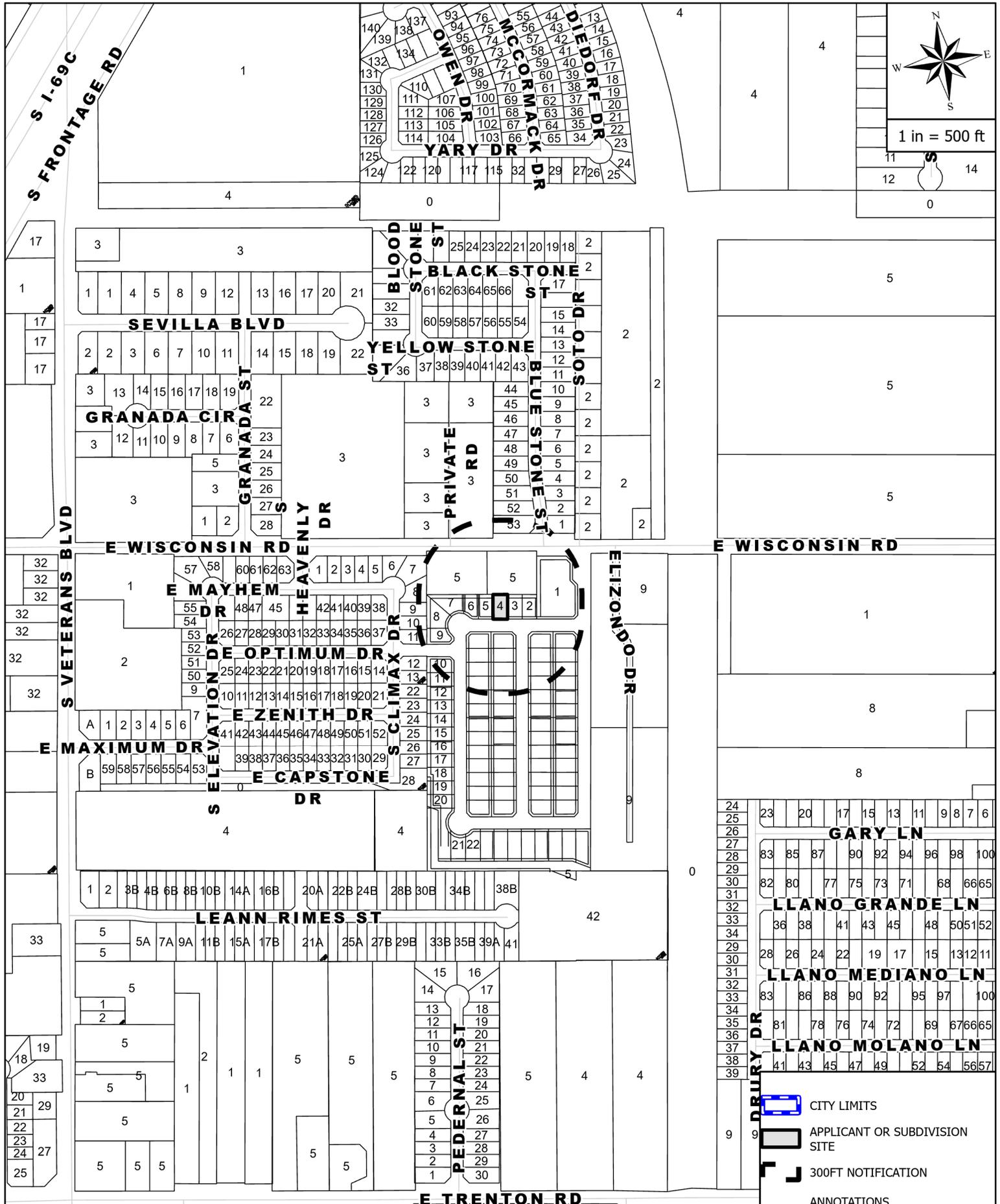
ZONING MAP

APPLICANT AND/OR SUBDIVISION:

JAVIER AGUIRRE VAR-2023-0186

BA

E T



1 in = 500 ft

24	23	20	17	15	13	11	9	8	7	6
25	83	85	87	90	92	94	96	98	100	
26	82	80	77	75	73	71	68	66	65	
27	GARY LN									
28	LLANO GRANDE LN									
29	36	38	41	43	45	48	50	51	52	
30	28	26	24	22	19	17	15	13	12	11
31	LLANO MEDIANO LN									
32	83	86	88	90	92	95	97	100		
33	LLANO MOLANO LN									
34	81	78	76	74	72	69	67	66	65	
35	41	43	45	47	49	52	54	56	57	
36										
37										
38										
39										

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



MAILOUT AND SITE MAP
APPLICANT AND/OR SUBDIVISION:
 JAVIER AGUIRRE VAR-2023-0186



Site Photo

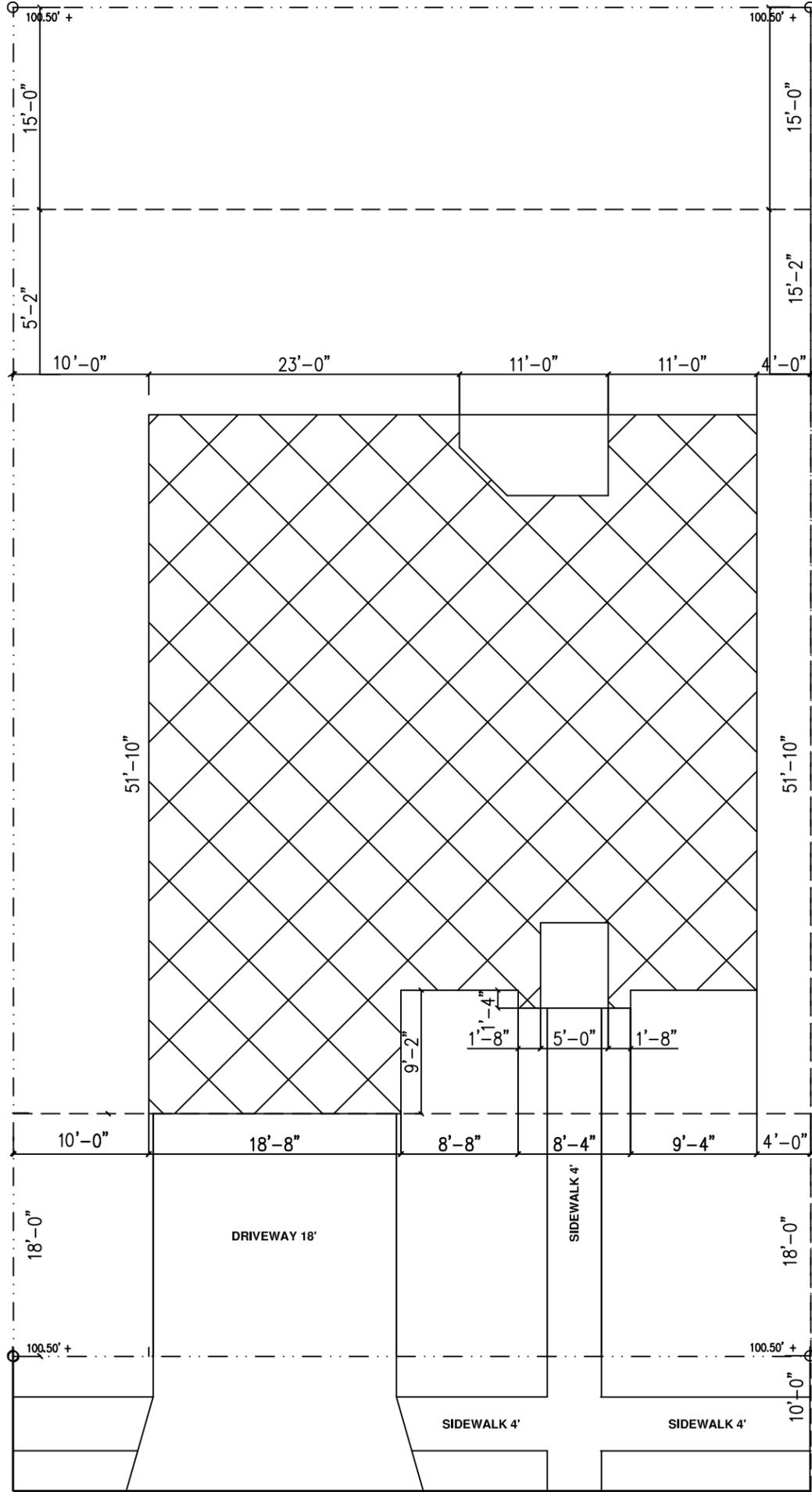
Javier Aguirre

1733 East Pinnacle Drive



100'-0"

59'-0"



LOT. 04

SHEET NO.
8 - 8

ELEVATION
SCALE: 1/8" = 1'-0"

DRAWN BY: O.C.	REVISED DATE:
CHECKED BY:	MAY - 14 - 2023
COMPUTER:	

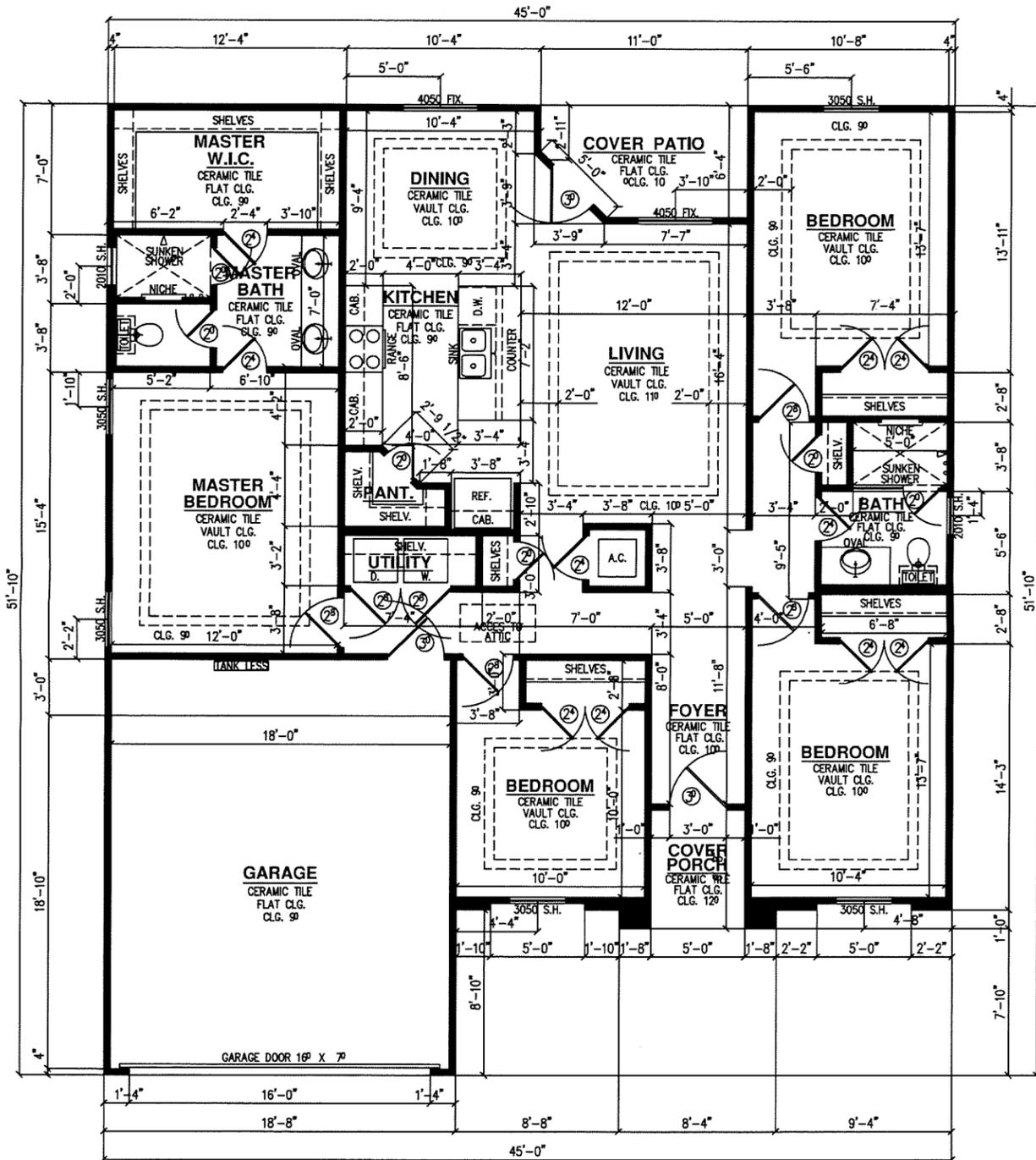
PROJECT NAME: Proposed Residence for
LEGAL DESCRIPT. LOT. 04 E. PINNACLE DR. THE HEIGHTS ON WISCONSIN 111 CITY OF EDINBURG, HIDALGO COUNTY OF TEXAS

CESAR H. SANCHEZ
Design Group

McAllen, Hidalgo
County of Texas

phone (956) 225 65 82
architectsanchez@live.com

PROJECT NO.
051423



FLOOR PLAN

SCALE: 1/8" = 1'-0"

AREAS		
LIVING	1,597.00	SQ. FT.
GARAGE	409.00	SQ. FT.
COVER PORCH	36.00	SQ. FT.
COVER PATIO	60.00	SQ. FT.
TOTAL	2,102.00	SQ. FT.

SHEET NO.
3-8

FLOOR PLAN
SCALE: 1/8" = 1'-0"

DRAWN BY: O.C.	REVISED DATE:
CHECKED BY:	MAY - 14 - 2023
COMPUTER:	

PROJECT NAME:
Proposed Residence for

LEGAL DESCRIPT.
LOT. 04 E. PINNACLE DR.
THE HEIGHTS ON WISCONSIN 111
CITY OF EDINBURG, HIDALGO COUNTY OF TEXAS

CESAR H. SANCHEZ
Design Group

McAllen, Hidalgo
County of Texas

phone (956) 225 65 82
architectsanchez@live.com

PROJECT NO.
051423

Planning & Zoning

415 West University Drive Edinburg,
Texas 78539
(956) 388-8202



THE CITY OF
Edinburg

Zoning Variance Application

ENERGOV CASE # **VAR-2023-0186**

Property Owner Name: **Javier Aguirre (Yanega Construction L.L.C)**

Owner Contact Information

Mailing Address: **1715 Montreal** **Edinburg, TX** **78539**
Street Address City/State Zip Code

Phone (Home): _____ (Work): _____ (Cell): **956-867-0890**

Email: **elcazzador@hotmail.com**

Agent/Applicant Name (if different than Owner): **N/A**

Applicant Contact Information

Mailing Address: _____
Street Address City/State Zip Code

Phone (Home): _____ (Work): _____ (Cell): _____

Email: _____

Property Address for Variance: **1733 E PINNACLE DR** **Edinburg, TX** **78542**
Street Address City/State Zip Code

Property Legal Description: **4** **The Heights on Wisconsin III**
Lot Block Subdivision

Present Property Zoning: **RU - Residential, Urban** Property ID#: **539754**

Nature of Request (cite all applicable issues needing variance):

UDC Sec. 3.102-1 Single-Family Lot and Building Standards, Side Setbacks

--Reduction from 5' to 4' (or 4.5')

UDC Sec. 5.507(F) Easements, Encroachments and Removal of Encroachments

--Reduction from 10' to 9' (or 9.5')

Reason for Appeal

Variance will not be granted to relieve personal hardships, to accommodate conditions created by the owner or applicant, and will not be based solely on economic gain or loss. However, if there are circumstances the applicant wishes to be known to the Zoning Board of Adjustment, please list below. Attach additional pages if necessary. Information provided here is not required and does not guarantee approval of this request.

To accommodate proposed construction of a new residence

OFFICE USE ONLY:

UDC Section(s) Requiring Variance: **UDC 3.102-1 and UDC 5.207(F)**

Reviewed by: *[Signature]* Date: **8/3/23**

**ZONING CASE
OWNER NOTIFICATION LIST**

MANDUJANO SERGIO & BELINDA J
1714 E WISCONSIN RD
EDINBURG, TX 78542-9158

CARRANZA DEVELOPMENT LLC
4119 CROSSPOINT BLVD
EDINBURG, TX 78539-1803

ALVARADO IVAN
3411 BLUE STONE ST
EDINBURG, TX 78542-2541

CARRANZA DEVELOPMENT LLC
4119 CROSSPOINT BLVD
EDINBURG, TX 78539-1803

RED ROCK REAL ESTATE DEV GROUP LTD
2912 S JACKSON RD
MCALLEN, TX 78503

ZEPEDA JUAN F
1716 E WISCONSIN RD
EDINBURG, TX 78542-9158

ARTEAGA RICHARD & JANNETTE P
1713 E WISCONSIN RD
EDINBURG, TX 78542

SALAS PEDRO JR & CYNTHIA
PO BOX 6092
MCALLEN, TX 78502-6092

AGMD INVESTMENTS LLC
2001 46TH ST
MCALLEN, TX 78501-3047

DE LA CRUZ LEOPOLDO & TERESA E
3520 S CLIMAX DR
EDINBURG, TX 78542

AGMD INVESTMENTS LLC
2001 46TH ST
MCALLEN, TX 78501-3047

FERNANDEZ KATHLEEN MARIE & JOHN
ANTHONY BARRAGAN
3609 MONETTE ST
EDINBURG, TX 78539

PADILLA RAYMUNDO HERNANDEZ
1629 MAYHEM DR
EDINBURG, TX 78542

Planning & Zoning Staff Report

Prepared on: August 22, 2023

ZONING BOARD OF ADJUSTMENT

Regular Meeting: August 30, 2023

Agenda Item

Consider Variance to the City's Unified Development Code Article 2, Section 2.206 Accessory Use and Structure Standards Non-Residential Uses (F2), Being Lots 13 through 21, Block 248, Edinburg Original Townsite Subdivision, Located at 621 East Cano, As Requested By Rachel Ann Hernandez

Request

The applicant is requesting a variance to the City's Unified Development Code (UDC) Article 2, Section 2.206 Accessory Use and Structure Standards Non-Residential Uses (F2), as it applies to accessory structures in non-residential areas. The applicant has placed a modular shipping container on an adjoining empty lot for the storage of equipment for the main business.

Property Location and Vicinity

The property is located on the North side of East Cano Street between south 16th Avenue and South 17th Avenue. The property currently houses La Paloma Restaurant as well as a location next door formally known as Club Rio. The property is zoned Downtown (DD) District. Adjacent zoning is Downtown (DD) District in all directions. Surrounding land uses consist of commercial uses and some vacant land.

Background and History

The property is part of The Edinburg Original Townsite that consists of commercial business. These lots are all owned by the same owner. City of Edinburg Code Enforcement went out to location on May 23, 2023 and it was identified a modular shipping container was placed on a vacant lot without a obtaining a permit. Code Enforcement contacted the owner of the shipping container and it was mentioned the shipping container was purchased to store equipment for the adjacent restaurant La Paloma.

Staff mailed notice of this variance request to 47 neighboring property owners and received no comments in favor or against this request at the time this report was prepared.

Analysis

A modular storage container was placed on a vacant land without a primary structure located on the lot. The Unified Development Code also does not allow for the use of converted semi-trailers, manufactured homes, modular shipping containers, dumpsters, or similar structures or equipment shall not be used for storage.

Recommendation

Staff recommends denial of the variance request. If approved staff recommends the shipping container comply with setbacks and be screened from the public view. 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:

Rita Lee Guerrero

Assistant Director of Planning & Zoning

Approved by:

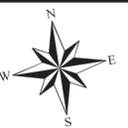
Jaime Acevedo

Director of Planning & Zoning

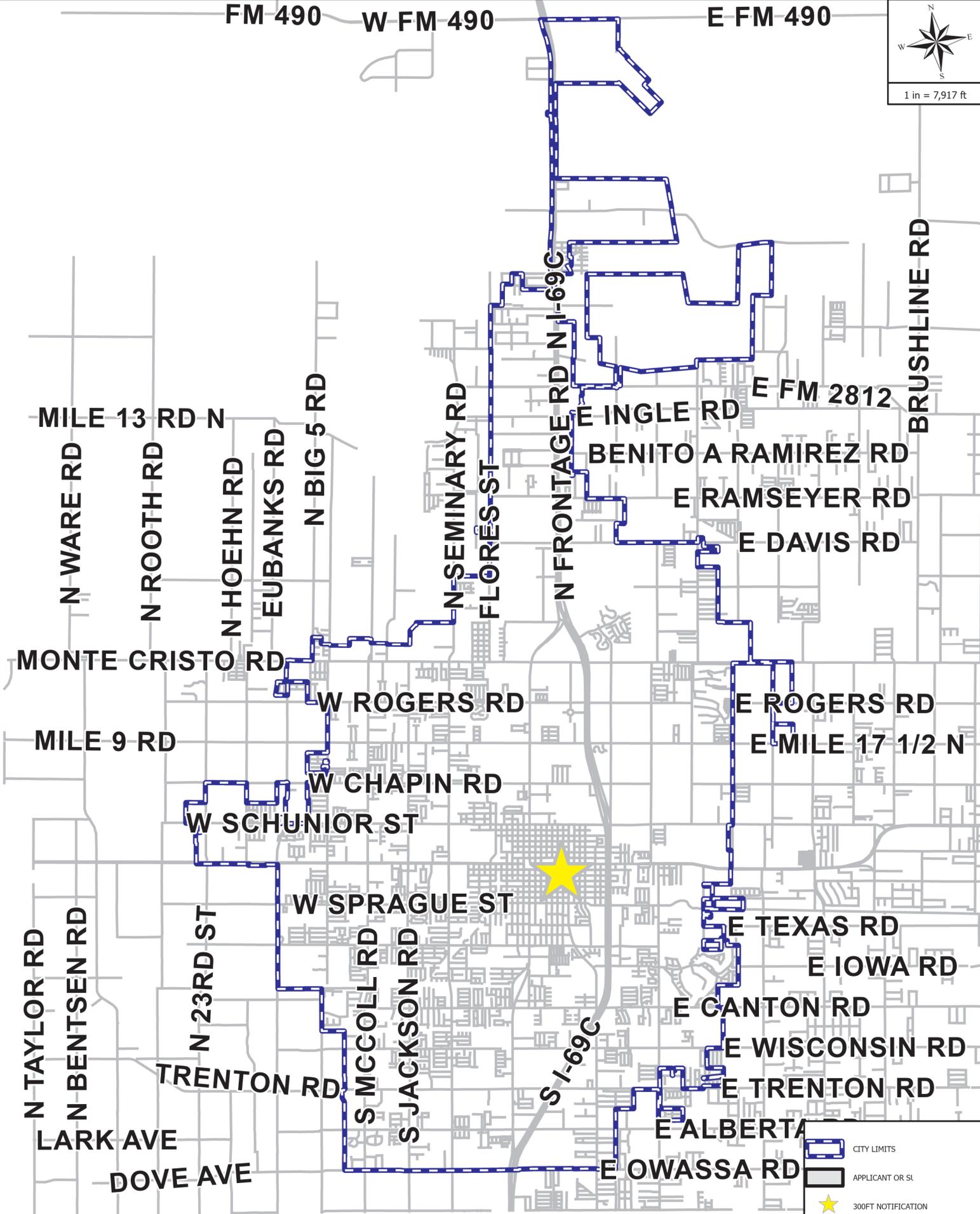
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E FM 490



1 in = 7,917 ft



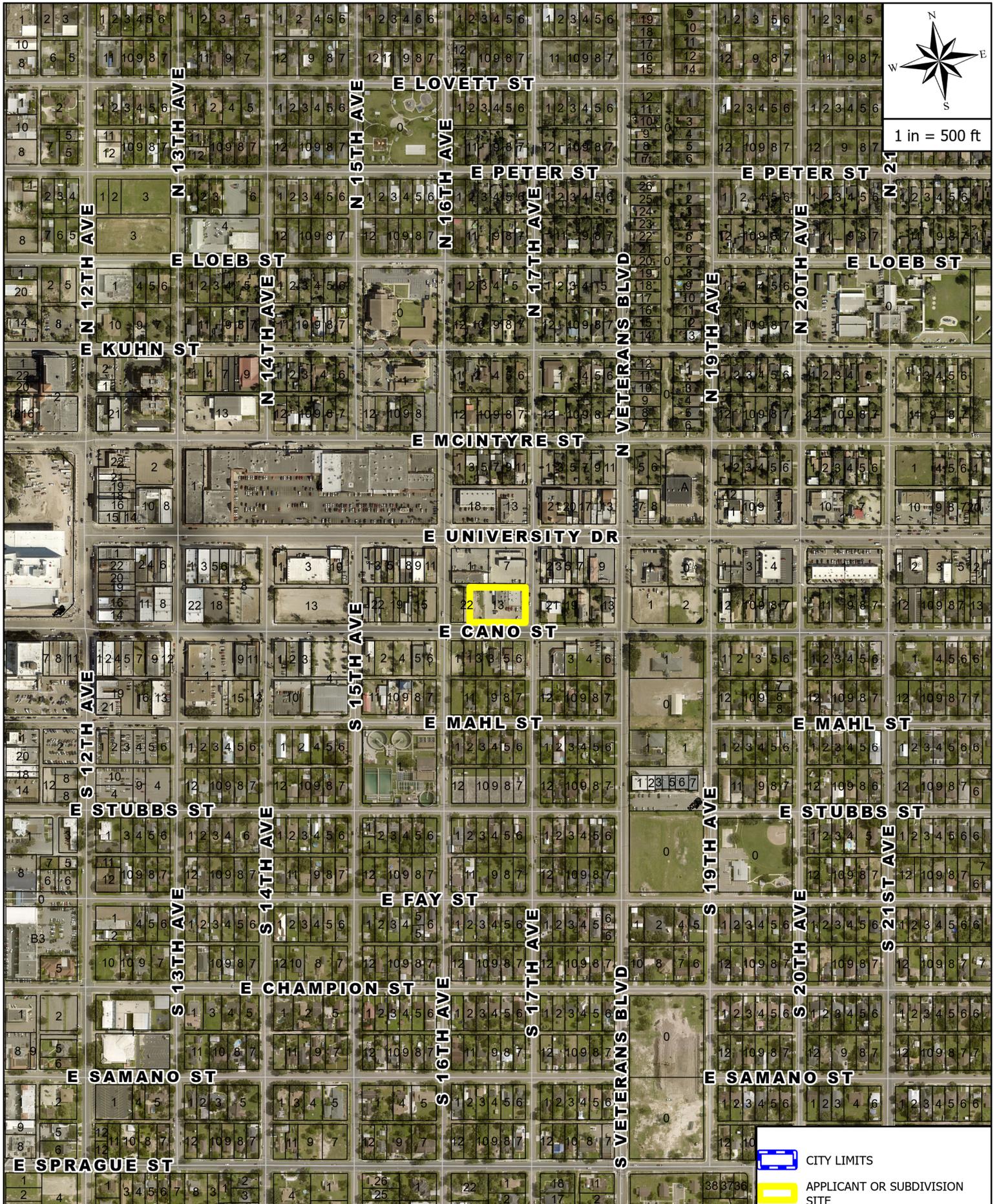
-  CITY LIMITS
-  APPLICANT OR SL
-  300FT NOTIFICATION



EDINBURG NEW DEVELOPMENT MAP

APPLICANT AND/OR SUBDIVISION:

RACHEL HERNANDEZ VAR-2023-0185

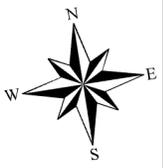


AERIAL MAP

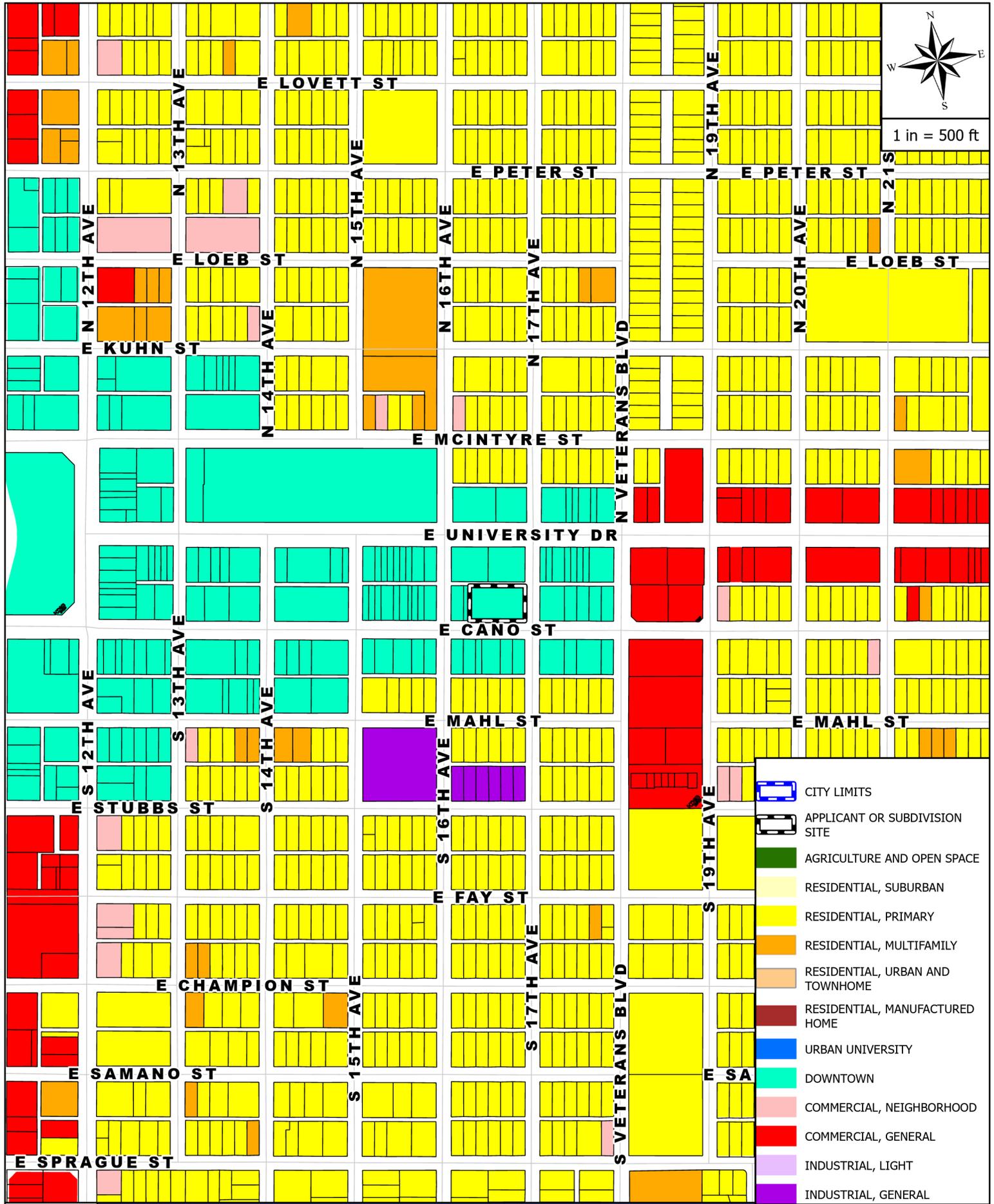
APPLICANT AND/OR SUBDIVISION:

RACHEL HERNANDEZ VAR-2023-0185





1 in = 500 ft



-  CITY LIMITS
-  APPLICANT OR SUBDIVISION SITE
-  AGRICULTURE AND OPEN SPACE
-  RESIDENTIAL, SUBURBAN
-  RESIDENTIAL, PRIMARY
-  RESIDENTIAL, MULTIFAMILY
-  RESIDENTIAL, URBAN AND TOWNHOME
-  RESIDENTIAL, MANUFACTURED HOME
-  URBAN UNIVERSITY
-  DOWNTOWN
-  COMMERCIAL, NEIGHBORHOOD
-  COMMERCIAL, GENERAL
-  INDUSTRIAL, LIGHT
-  INDUSTRIAL, GENERAL

ZONING MAP

BA

APPLICANT AND/OR SUBDIVISION:

RACHEL HERNANDEZ VAR-2023-0185





MAILOUT AND SITE MAP

APPLICANT AND/OR SUBDIVISION:

RACHEL HERNANDEZ VAR-2023-0185





Site Photo

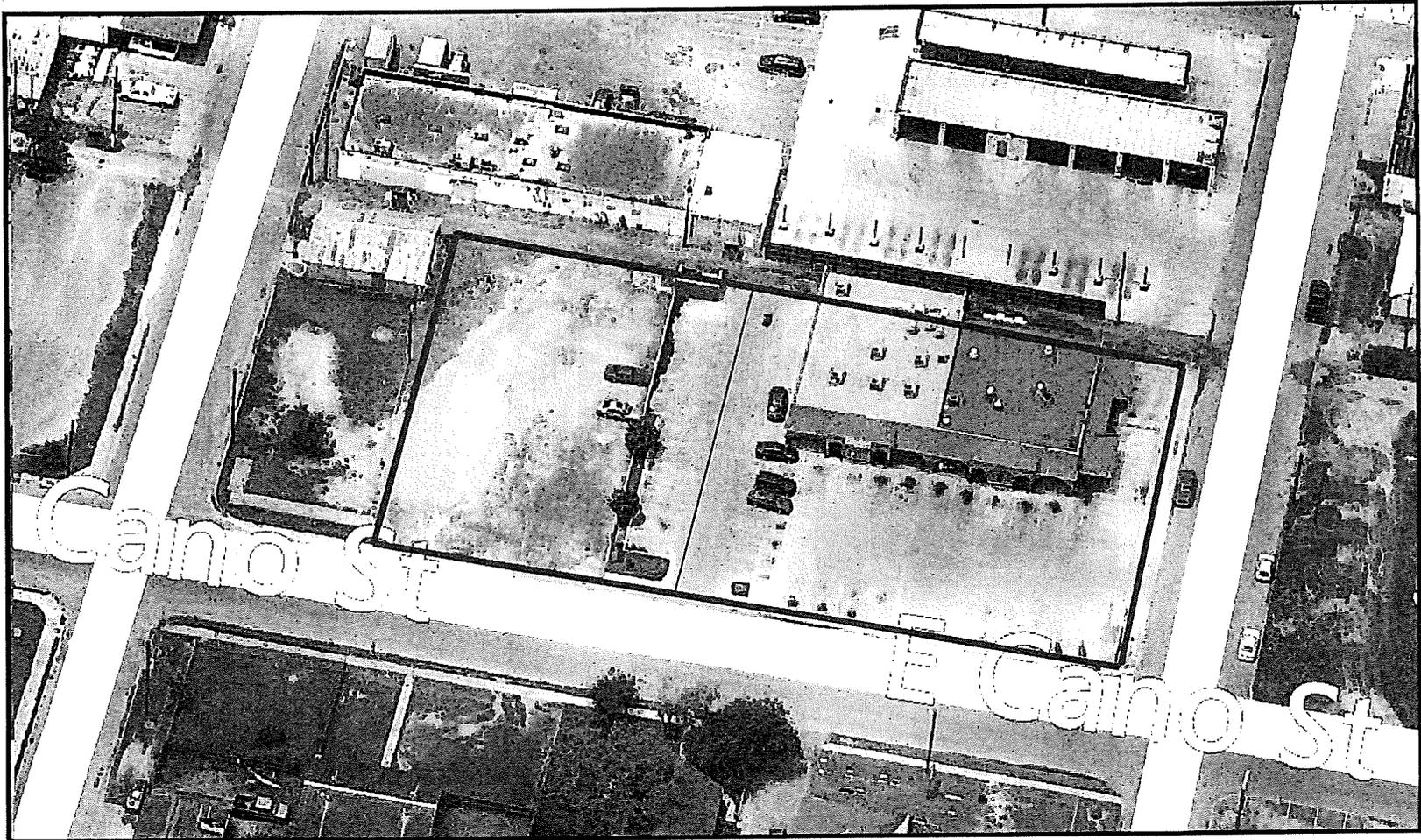
Rachel Ann Hernandez

621 East Cano Street

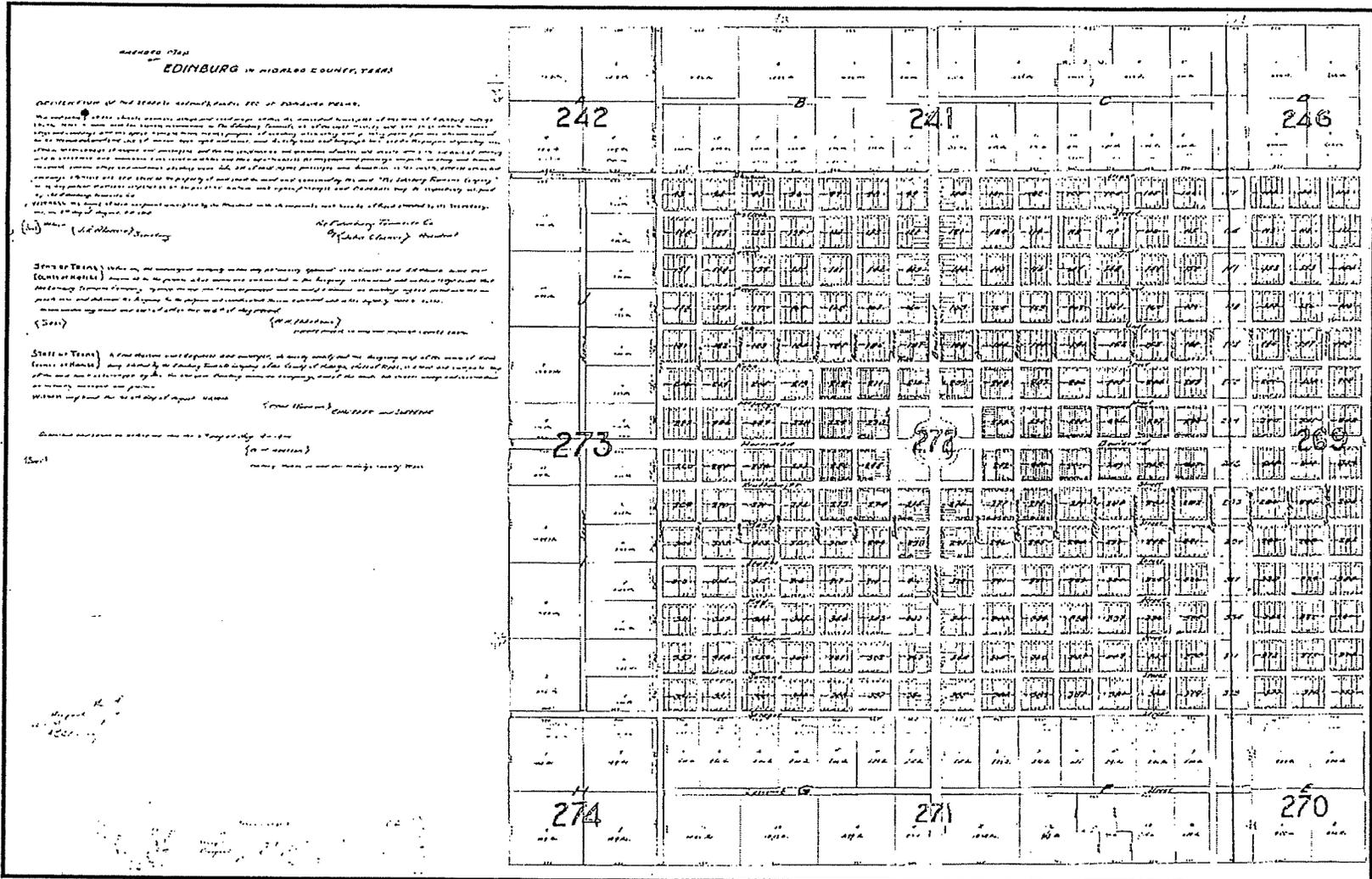
Monday, May 22, 2023 at 4:42 PM
Edinburg



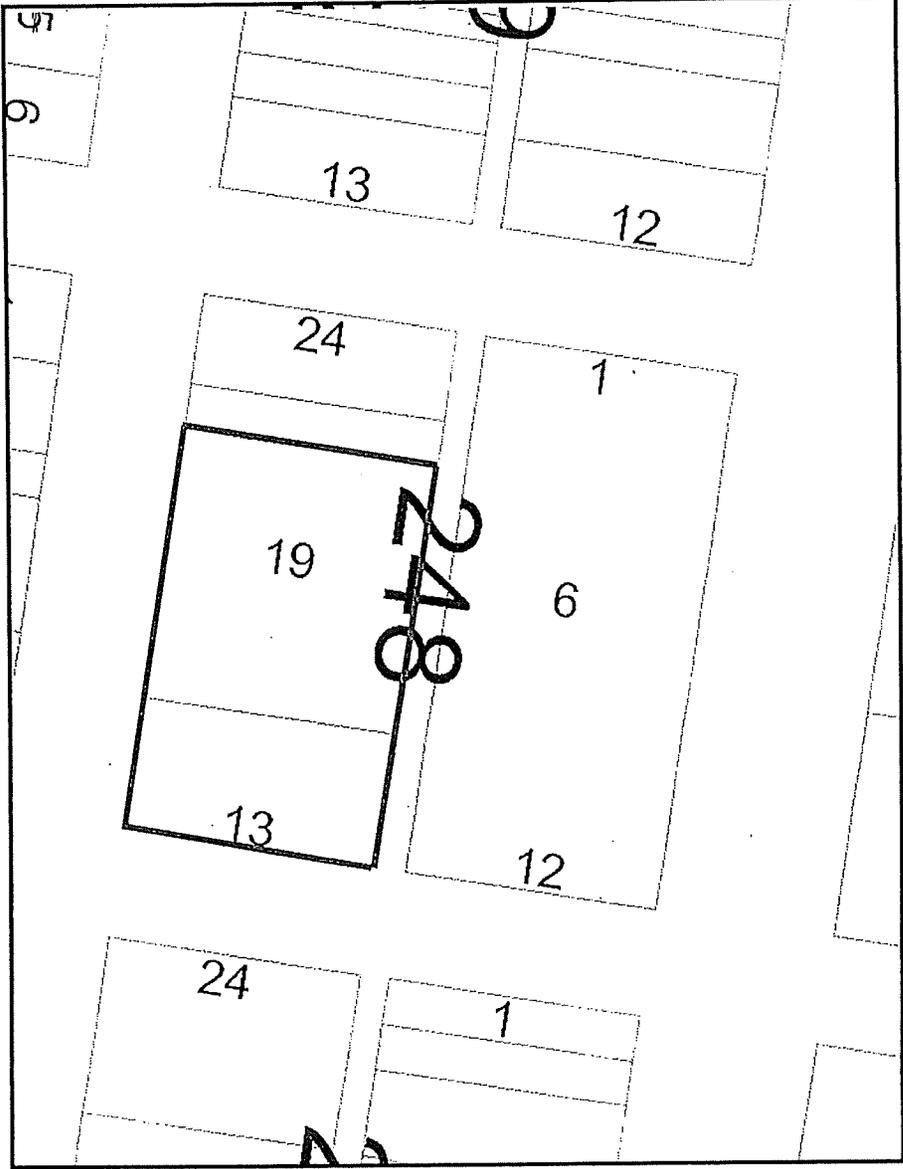
AERIAL PHOTOGRAPH



RECORDED SUBDIVISION PLAT



PARCEL MAP



Planning & Zoning

415 West University Drive Edinburg, Texas 78539 (956) 388-8202



Zoning Variance Application

ENERGOV CASE # VAR-2023-0185

Property Owner Name: Rachel Ann Hernandez

Owner Contact Information

Mailing Address: 621 E. Cano St. Edinburg Tx 78539

Phone (Home): (Work): 956 316 1515 (Cell): 832-721-1182

Email: ayraguelita@aol.com

Agent/Applicant Name (if different than Owner): La Paloma Taqueria

Applicant Contact Information

Mailing Address: 621 E. Cano Edinburg Tx 78539

Phone (Home): (Work): 956 316 1155 (Cell):

Email:

Property Address for Variance: Cano st. Edinburg Tx 78539

Property Legal Description: 13-20 248 Edinburg Townsite

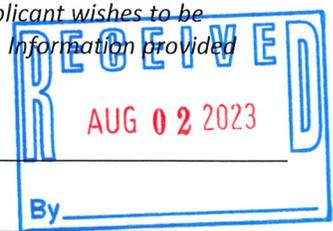
empty gravel & grass lot

Present Property Zoning: store kitchen equipment

Nature of Request (cite all applicable issues needing variance): Storage units ^{too} pricey / Containers flat fee. \$\$ Beautification murals. no graffiti.

Reason for Appeal

Variance will not be granted to relieve personal hardships, to accommodate conditions created by the owner or applicant, and will not be based solely on economic gain or loss. However, if there are circumstances the applicant wishes to be known to the Zoning Board of Adjustment, please list below. Attach additional pages if necessary. Information provided here is not required and does not guarantee approval of this request.



OFFICE USE ONLY:

UDC Section(s) Requiring Variance:

Reviewed by: [Signature] Date: 8/2/2023

**ZONING CASE
OWNER NOTIFICATION LIST**

MARTINEZ DAVID & ORALIA
3913 PELICAN AVE
MCALLEN, TX 78504-5914

ZAMORANO RODOLFO SR
921 S 19TH AVE
EDINBURG, TX 78539-5816

CUEVAS HERMINIA E
700 E UNIVERSITY DR
EDINBURG, TX 78539-3630

GARCIA FELIPE & LUCRECIA
PO BOX 356
HIDALGO, TX 78557-0356

GRH INVESTMENTS LLC
621 E CANO ST
EDINBURG, TX 78539-4711

ROMERO IRMA G & MARIA GARCIA
1007 E EBONY LN
EDINBURG, TX 78539-5840

RAMIREZ ADALIA K & LICINIO GALDAMEZ
GARCIA
615 MAHL
EDINBURG, TX 78539-4745

GARCIA REBECCA H
1203 JOANN ST
EDINBURG, TX 78539-6017

HESBROOK ESTELA O
612 E CANO ST
EDINBURG, TX 78539-4712

HESBROOK ESTELA O
612 E CANO ST
EDINBURG, TX 78539-4712

CARAVERO YOLANDA
909 PEREGRIN DR
EDINBURG, TX 78542-1163

GONZALEZ LEONARDA & LEONARDO
CAMERO
709 E MAHL ST
EDINBURG, TX 78539-4747

ZAMORA EDDY G
2426 LLANO GRANDE LN
EDINBURG, TX 78542-2640

615 EAST UD LLC
615 E UNIVERSITY DR
EDINBURG, TX 78539

CUEVAS HERMINIA E
2510 N CLOSNER BLVD
EDINBURG, TX 78541-5452

AMAAA GROUP INC
622 E LOEB
EDINBURG, TX 78539

ROSILLO ADOLFO
212 UNIVERSITY DR
EDINBURG, TX 78539-3548

ROMERO MIGUEL A
PO BOX 176
EDINBURG, TX 78540-0176

LEAL JESUS JR
521 E CANO ST
EDINBURG, TX 78539-4709

GARZA JAVIER & MARIA A
910 FRANCIS DR
EDINBURG, TX 78542-5132

SOLIS JUAN & NATALIA
623 E MAHL ST
EDINBURG, TX 78539-4745

**ZONING CASE
OWNER NOTIFICATION LIST**

GALDAMEZ HERMELINDA DE T
615 E MAHL ST
EDINBURG, TX 78539-4745

GARZA ALFREDO RUBEN
1920 MARY AVE
EDINBURG, TX 78539-5952

TIJERINA GLORIA
1009 E FAY ST
EDINBURG, TX 78539-4941

SOLIS JOSEFINA
6000 CHERRY CREEK DR
AUSTIN, TX 78745-3422

ROMERO MIGUEL A
PO BOX 176
EDINBURG, TX 78540-0176

SANTANA JUDITH M
2720 LESLIE ST
EDINBURG, TX 78539-3721

CUEVAS HERMINIA E
700 E UNIVERSITY DR
EDINBURG, TX 78539-3630

TREVINO SERGIO & JULIE
7 FRANK LN
RIO GRANDE CITY, TX 78582

MORIN MATIAS C
719 E CANO ST
EDINBURG, TX 78539-4713

GARCIA REBECCA H
1203 JOANN ST
EDINBURG, TX 78539-6017

MORIN SANTOS L & SYLVIA S
717 E CANO ST
EDINBURG, TX 78539-4713

ESTEVEZ ROSALINDA
1302 S ATHOL ST
PHARR, TX 78577-6217

PARRA LOAN CO
744 E WASHINGTON ST
BROWNSVILLE, TX 78520-5907

EL BUEN PASTOR
705 E UNIVERSITY DR
EDINBURG, TX 78539-3629

FRAGA ISIDRO & KANG
2111 DEBBIE DR
EDINBURG, TX 78542-5121

GRH INVESTMENTS LLC
621 E CANO ST
EDINBURG, TX 78539-4711

ALEJOS JOSE ENRIQUE
1209 S VETERANS BLVD
EDINBURG, TX 78539-5809

TEXAS FINANCIAL INVESTMENTS LLC
706 E UNIVERSITY DR
EDINBURG, TX 78539-3630

ALDRETE BALTAZAR JR
520 E CANO ST
EDINBURG, TX 78539-4710

PALACIOS NICOLAS JR
2919 N KENYON RD
EDINBURG, TX 78542-1597

BERGERON GARY JOSEPH
524 E CANO ST
EDINBURG, TX 78539-4710

CANTU ALMA VIOLA
3304 N VERONICA LN
EDINBURG, TX 78542-8640

**ZONING CASE
OWNER NOTIFICATION LIST**

ALEJOS JOSE E
524 E UNIVERSITY DR
EDINBURG, TX 78539-3552

ROMERO IRMA G & MARIA GARCIA
1007 E EBONY LN
EDINBURG, TX 78539-5840

CORONA LETICIA
515 E CANO ST
EDINBURG, TX 78539-4709

CAVAZOS HILARIO
701 E MCINTYRE
EDINBURG, TX 78541-3621

HESBROOK ESTELA O
612 E CANO ST
EDINBURG, TX 78539-4712

AGUILAR JOSE I SR
4218 LOAN OAK
HOUSTON, TX 77093-3716

HINOJOSA ERIKA YVETTE ETAL
1815 CASSANDRA
MISSION, TX 78542

GONZALEZ IRMA & CAMILA VENEGAS
PO BOX 1506
MCALLEN, TX 78505

ZAMORA EDDY G
2426 LLANO GRANDE LN
EDINBURG, TX 78542-2640

B-Y EDINBURG CENTER LTD
4629 MACRO
SAN ANTONIO, TX 78218-5420

GARCIA TORIBIO
420 W FAY ST
EDINBURG, TX 78539-4329

FLORES FRANCISCO
10509 N WARE RD
MCALLEN, TX 78504

Planning & Zoning Staff Report

Prepared on: August 23, 2023

ZONING BOARD OF ADJUSTMENT

Regular Meeting: August 30, 2023

Agenda Item

Consider Variance to the City's Unified Development Code Article 3, Section 3.202-1 Non-Residential and Mixed-Use Lot Standards, Floor Area Ratio, Being Lots 6 and 8, Block 2, Vela Subdivision, A resubdivision of the south 6.52 acres of the north 14.40 acres of lot 7, section 268, Texas Mexican Railway Company Survey, located at 313 South Raul Longoria Road, As Requested By Julio Carranza

Request

The applicant is requesting a variance to the City's Unified Development Code (UDC) Article 3, Section 3.202-1 Non-Residential and Mixed Use Lot Standards, Floor Area Ratio as it applies to floor area ratio in commercial locations. The applicant is wanting to construct a commercial building that exceeds the floor area ratio allowed by the Unified Development Code.

Property Location and Vicinity

The property is located on the East side of Raul Longoria approximately 875 feet south of University Drive (107). The property is currently vacant and is about 13,000 square feet in total. The property is zoned Commercial General (CG) District. Adjacent zoning is Residential Primary (RP) District to the north, south, west, and Residential Primary (RP) District and Commercial General (CG) District to the east. Surrounding land uses consist of commercial uses and single-family residential homes.

Background and History

The property is part of Vela Subdivision that consists of single-family residential homes and commercial business. The applicant is wanting to construct his business headquarters at this location. This area was recently rezoned from Residential Primary (RP) District to Commercial General (CG) District on November 1, 2022.

Staff mailed notice of this variance request to 53 neighboring property owners and received no comments in favor or against this request at the time this report was prepared.

Analysis

A building permit for this location was submitted on March 17, 2023. During the review it was determined the building exceeded the Floor Area Ratio by 3,370 square feet. Maximum Floor Area allowed based on the size of lot is 4,121 square feet. The applicant is proposing a building of 7,491 square feet.

Recommendation

Staff recommends denial of the variance request. 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:

Rita Lee Guerrero

Assistant Director of Planning & Zoning

Approved by:

Jaime Acevedo

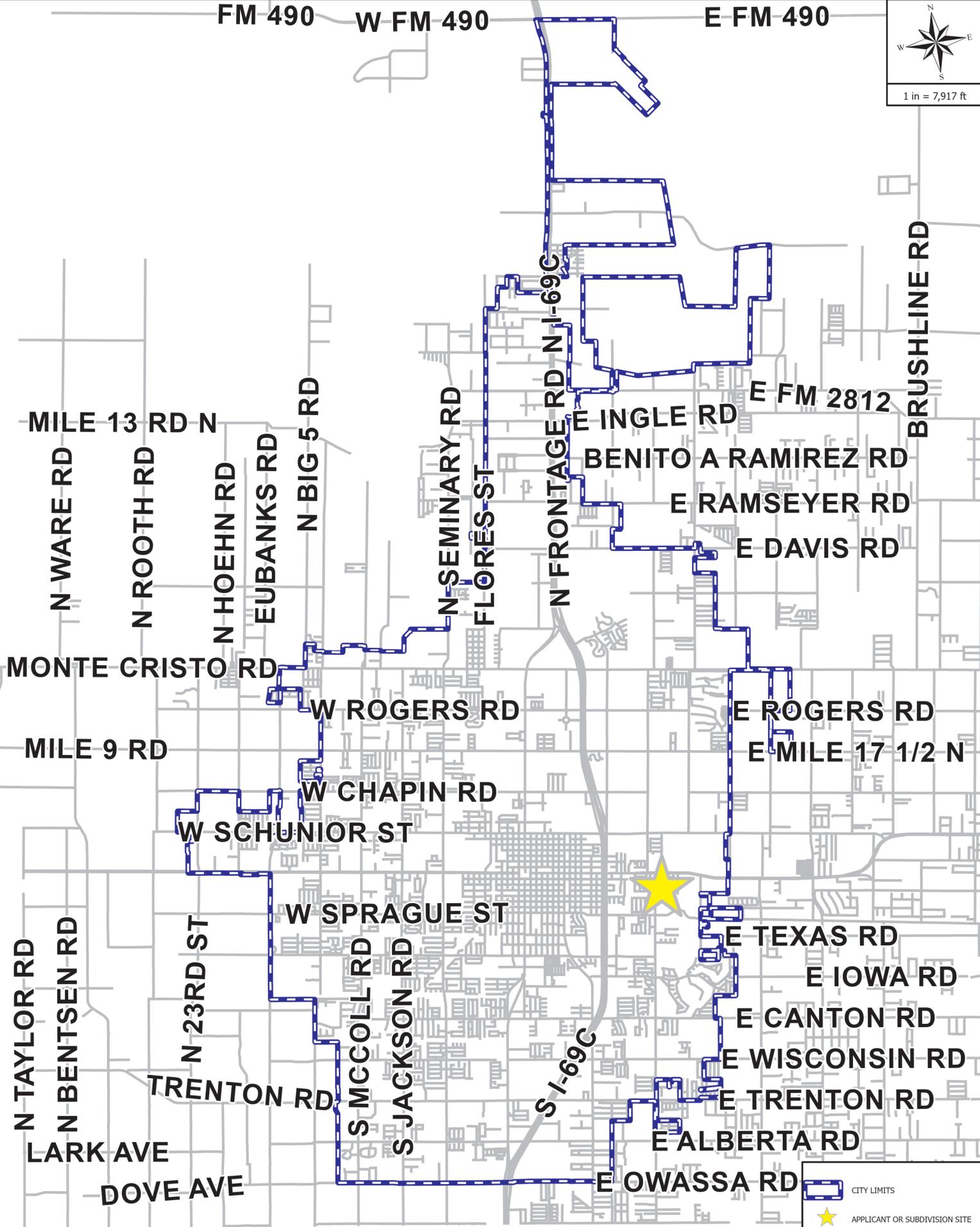
FM 490

W FM 490

E FM 490



1 in = 7,917 ft



 CITY LIMITS

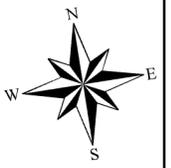
 APPLICANT OR SUBDIVISION SITE



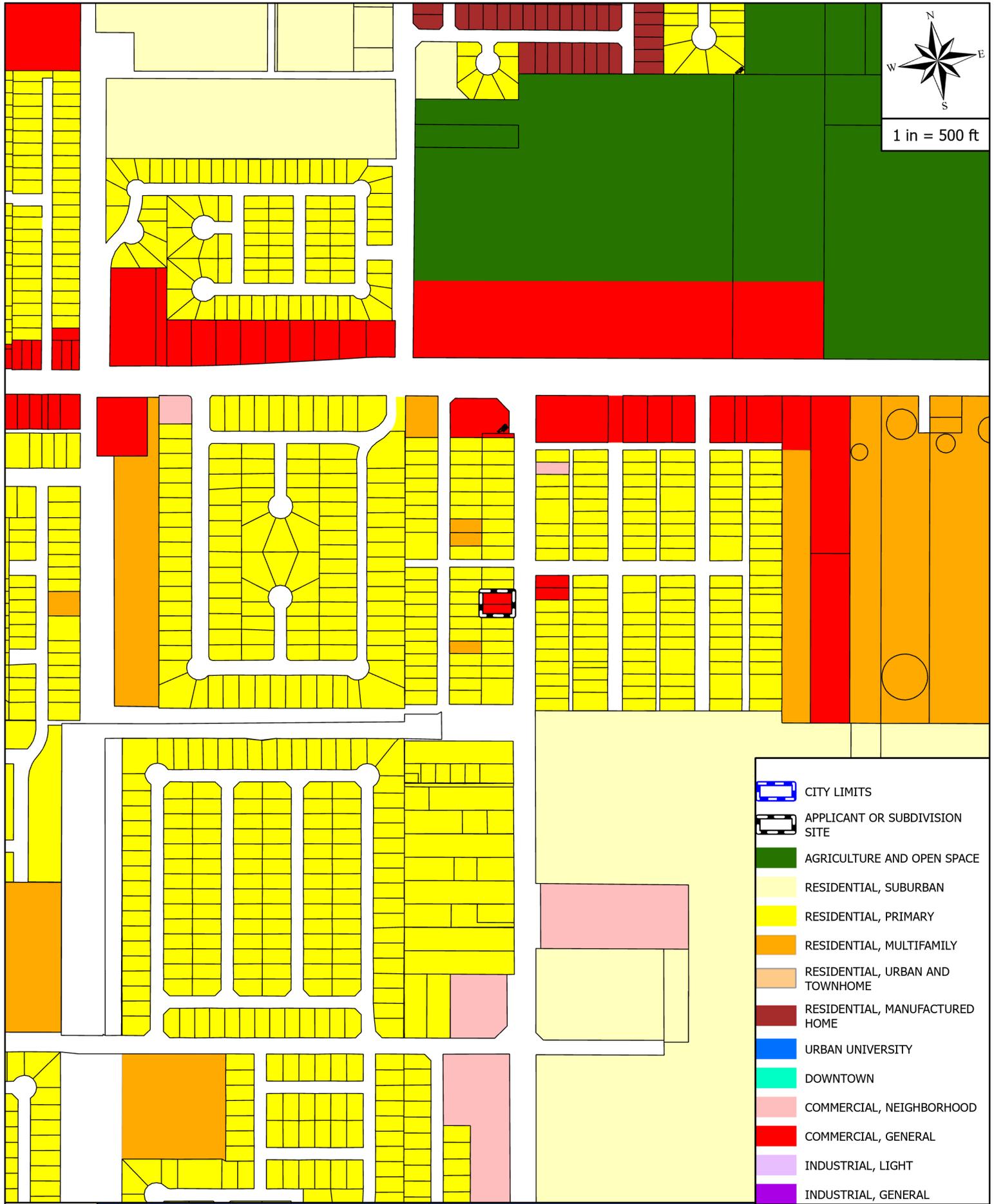
EDINBURG NEW DEVELOPMENT MAP

APPLICANT AND/OR SUBDIVISION:

CARRANZA DEVELOPMENT VAR-2023-0184



1 in = 500 ft



-  CITY LIMITS
-  APPLICANT OR SUBDIVISION SITE
-  AGRICULTURE AND OPEN SPACE
-  RESIDENTIAL, SUBURBAN
-  RESIDENTIAL, PRIMARY
-  RESIDENTIAL, MULTIFAMILY
-  RESIDENTIAL, URBAN AND TOWNHOME
-  RESIDENTIAL, MANUFACTURED HOME
-  URBAN UNIVERSITY
-  DOWNTOWN
-  COMMERCIAL, NEIGHBORHOOD
-  COMMERCIAL, GENERAL
-  INDUSTRIAL, LIGHT
-  INDUSTRIAL, GENERAL

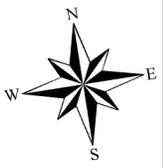


ZONING MAP

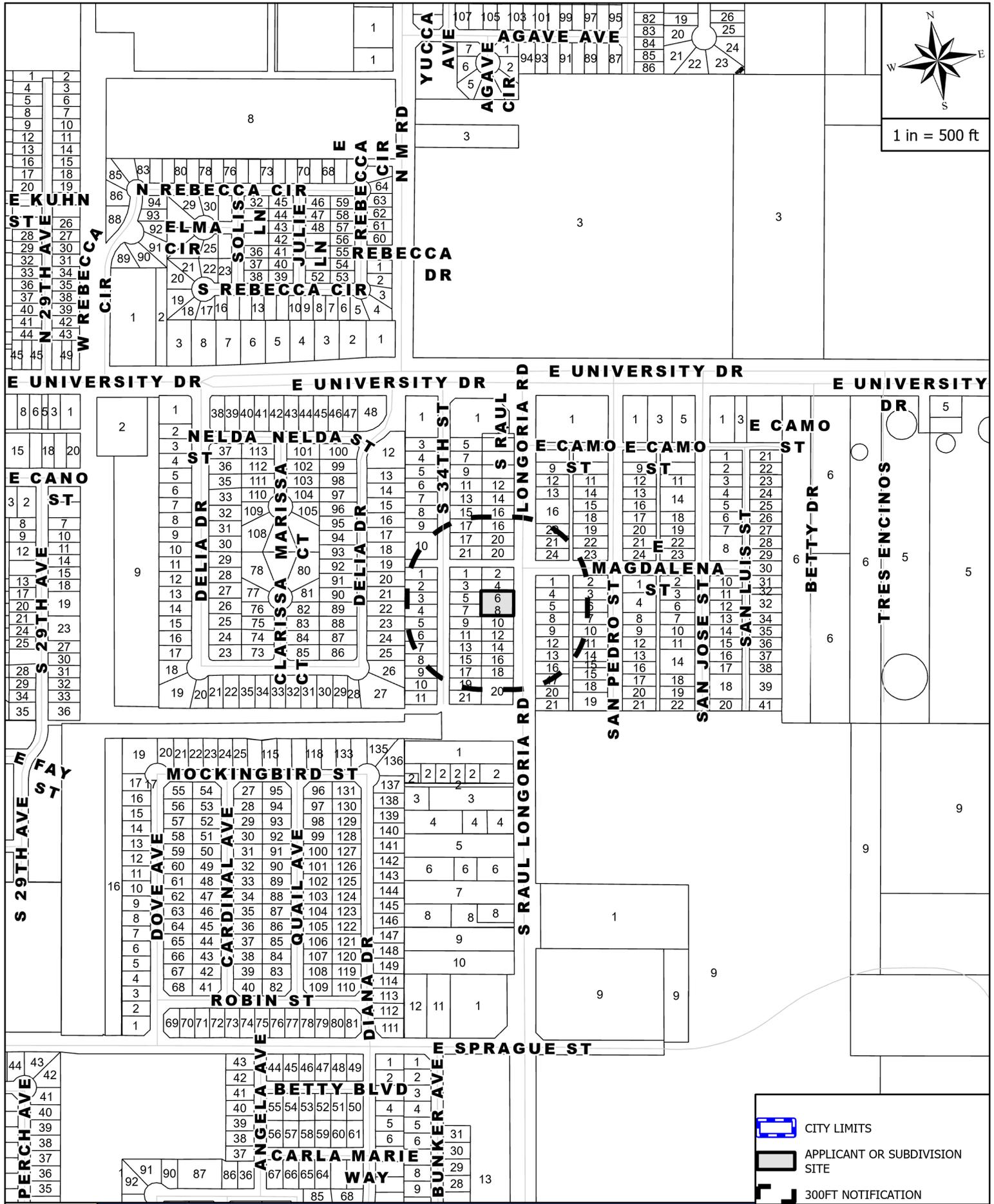
BA

APPLICANT AND/OR SUBDIVISION:

CARRANZA DEVELOPMENT VAR-2023-0184



1 in = 500 ft



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

MAILOUT AND SITE MAP

APPLICANT AND/OR SUBDIVISION:

CARRANZA DEVELOPMENT VAR-2023-0184



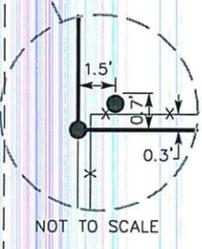
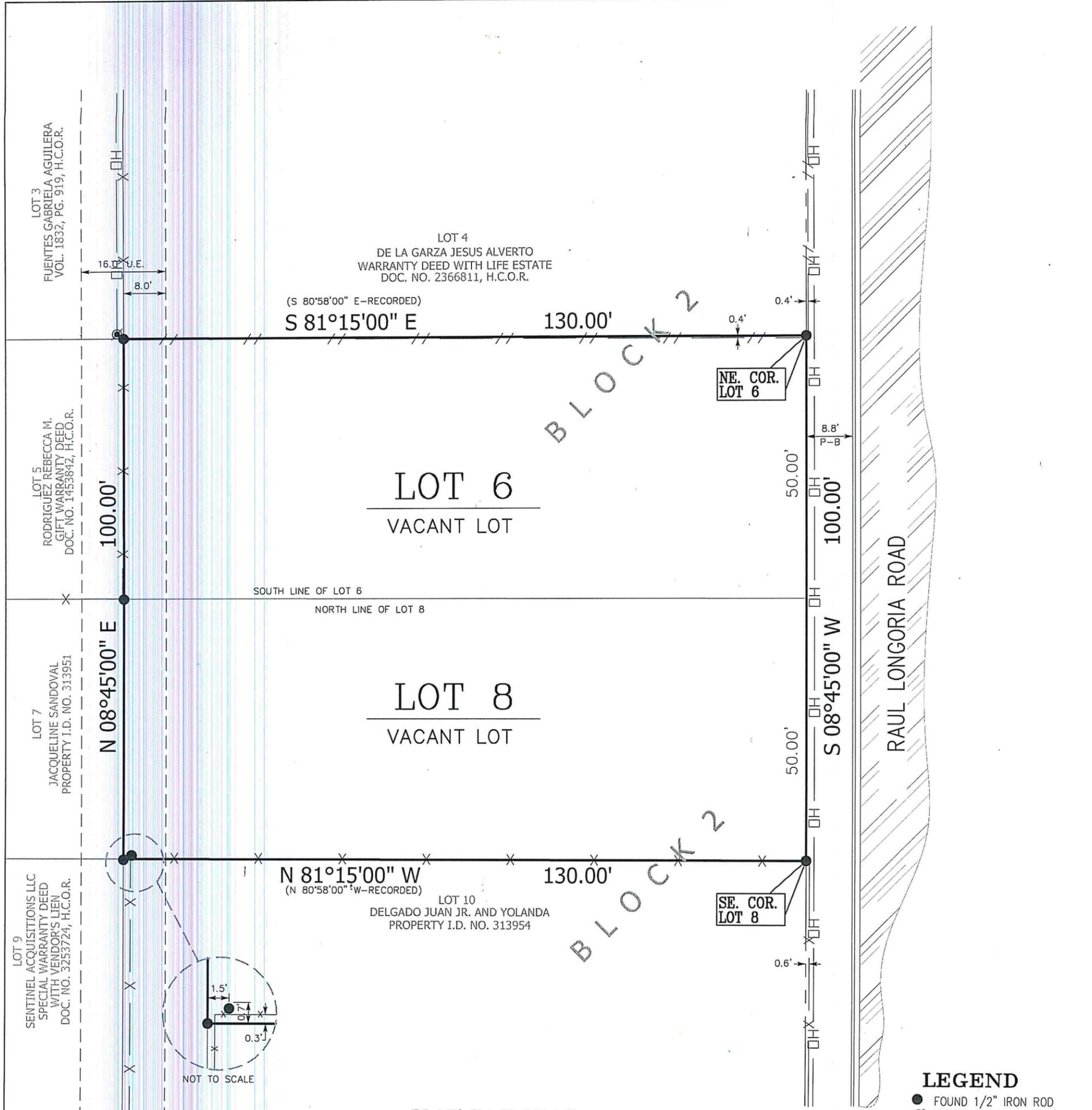


Site Photo

Julio Carranza

313 South Raul Longoria Road





PLAT SHOWING
ALL OF LOTS 6 AND 8, BLOCK 2,
UNRECORDED VELA SUBDIVISION,
A RESUBDIVISION OF LOT 7, SECTION 268,
TEXAS-MEXICAN RAILWAY COMPANY SURVEY,
HIDALGO COUNTY, TEXAS,
VOL. 1222, PG. 820, H.C.D.R.

FLOOD ZONE
 ZONE "X" (SHADED)
 AREAS OF 500-YEAR FLOOD; AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 100-YEAR FLOOD.
 COMMUNITY-PANEL NUMBER: 480338 0020 E
 MAP REVISED: JUNE 6, 2000

- LEGEND**
- FOUND 1/2" IRON ROD
 - ⊙ POWER POLE
 - OH- OVERHEAD POWERLINE
 - //- WOOD FENCE
 - X- CHAINLINK FENCE
 - U.E. UTILITY EASEMENT
 - R.O.W. RIGHT OF WAY
 - P-B PROPERTY LINE TO BACK OF CURB
 - H.C.D.R. HIDALGO COUNTY DEED RECORDS
 - H.C.O.R. HIDALGO COUNTY OFFICIAL RECORDS

- NOTES:**
1. SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.
 2. TITLE COMPANY: SIERRA TITLE CO.
 COMMITMENT OF No. 3194783
 EFFECTIVE DATE: APRIL 21, 2022
 ISSUED DATE: MAY 4, 2022
 FROM SCHEDULE B:
 10.b.- R.O.W. EASEMENT REC. IN VOL. 328, PG. 155, H.C.D.R. (BLANKET)
 10.b.- R.O.W. EASEMENT REC. IN VOL. 727, PG. 180, H.C.D.R. (BLANKET)
 10.d.- EASEMENTS, RIGHTS, RULES AND REGULATIONS IN FAVOR OF HIDALGO COUNTY IRRIGATION DISTRICT NO. 1. (BLANKET)
 10.e.- EASEMENTS OR CLAIMS OF EASEMENTS WHICH ARE NOT A PART OF THE PUBLIC RECORD.
 4. MINIMUM FLOOR ELEVATIONS, SETBACK LINES, EASEMENTS AND RESTRICTIONS AS SHOWN ACCORDING TO THE MAP OF VELA SUBDIVISION.
 5. THE EXISTENCE, IF ANY 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.
 6. MINIMUM SETBACK LINE AS PER CITY ORDINANCE.

BEARING BASIS 8, BLOCK 2,
 BEARING BASIS 6 AND 8, BLOCK 2,
 EAST LINE OF LOTS 6 AND 8, BLOCK 2,
 VELA SUBDIVISION,
 A RESUBDIVISION OF THE SOUTH 6.52
 ACRES OF THE NORTH 14.40-ACRES
 OF SECTION 268, TEXAS-MEXICAN
 RAILWAY COMPANY SURVEY,
 VOL. 1222, PG. 820, H.C.D.R.

SCALE: 1"=20'

THE UNDERSIGNED HEREBY CERTIFIES THAT THIS SURVEY AS DESCRIBED HEREON, WAS MADE ON THE GROUND ON 05/20/22 UNDER MY DIRECTION AND THAT THE ONLY IMPROVEMENTS ON THE GROUND ARE AS SHOWN, THAT THERE ARE NO VISIBLE ENCROACHMENTS, VISIBLE OVERLAPPING, APPARENT CONFLICTS, OR VISIBLE EASEMENTS, EXCEPT AS SHOWN HEREON.

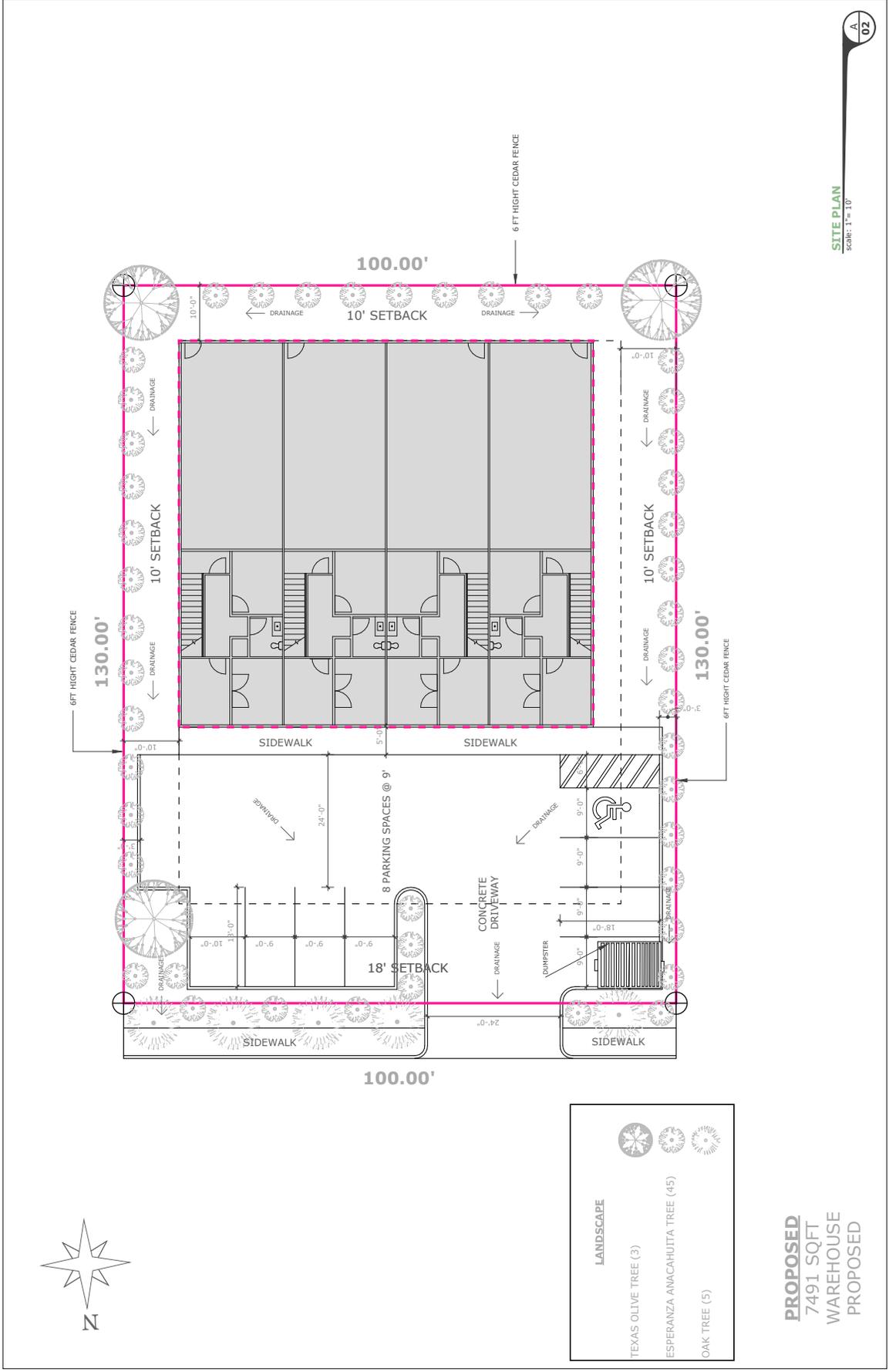
William A. Mangum
 WILLIAM A. MANGUM, RPLS
 4353
 PROFESSIONAL SURVEYOR

W & L MANGUM SURVEYING
 2520 BUDDY OWENS BLVD.
 McALLEN, TEXAS 78504
 PHONE (956)249-8061
 FIRM NUMBER 10113300
 wlmangumsurveying@gmail.com

DATE: 05-23-22 JOB No.2022.05.33 BOOK: R, PG. X
 T.B.P.L.S. PHONE NO. 512-239-5263
 © COPYRIGHT 2022 W & L MANGUM SURVEYING ALL RIGHTS RESERVED

BORROWER: CARRANZA DEVELOPMENT, LLC

SITE PLAN
SCALE: 1" = 10'



LANDSCAPE

TEXAS OLIVE TREE (3)

ESPERANZA ANACAHUITA TREE (45)

OAK TREE (5)

PROPOSED
7491 SQFT
WAREHOUSE
PROPOSED

Planning & Zoning

415 West University Drive Edinburg,
Texas 78539
(956) 388-8202



Zoning Variance Application

ENERGOV CASE # VAR-2023-0184

Property Owner Name: Carranza Development

Owner Contact Information

Mailing Address: 4119 Crosspoint Blvd Edinburg, TX 78539

Street Address

City/State

Zip Code

Phone (Home): _____ (Work): 956-656-0151 (Cell): 956-207-0987

Email: admin@mycjehome.com/ eloisa@mycjehome.com

Agent/Applicant Name (if different than Owner): _____

Applicant Contact Information

Mailing Address: _____

Street Address

City/State

Zip Code

Phone (Home): _____ (Work): _____ (Cell): _____

Email: _____

Property Address for Variance: 313 S Raul Longoria rd Edinburg TX 78542

Street Address

City/State

Zip Code

Property Legal Description: Lot 6 & 8 2 Vela

Lot

Block

Subdivision

Present Property Zoning: _____ Property ID#: 313952

Nature of Request (cite all applicable issues needing variance):

Floor Area Ratio

Reason for Appeal

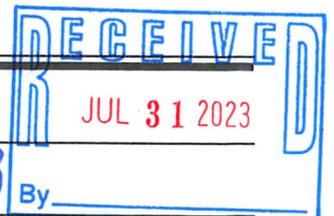
Variance will not be granted to relieve personal hardships, to accommodate conditions created by the owner or applicant, and will not be based solely on economic gain or loss. However, if there are circumstances the applicant wishes to be known to the Zoning Board of Adjustment, please list below. Attach additional pages if necessary. Information provided here is not required and does not guarantee approval of this request.

OFFICE USE ONLY:

UDC Section(s) Requiring Variance: _____

Reviewed by: [Signature]

Date: 8/2/2023



**ZONING CASE
OWNER NOTIFICATION LIST**

CARDENAS PEDRO JR & BLANCA A
1419 CASTILLE CT
EDINBURG, TX 78539-5316

YBARRA PEDRO & SOCORRO
309 SAN PEDRO ST
EDINBURG, TX 78542-6729

TREVINO PRISCILLA
315 SAN PEDRO ST
EDINBURG, TX 78539

BOCHAS JOSE A & ROSA N
2045 E DAVIS RD
EDINBURG, TX 78542-2401

ORNELAS MANUEL JR
222 S RAUL LONGORIA RD
EDINBURG, TX 78542-6720

LA FLORIDA MULTISERVISES LLC
1701 QUAMASIA AVE
MCALLEN, TX 78504

GARZA GRACIELA & FELIPE LOPEZ JR &
ISRAEL ELI OCHOA
217 SAN PEDRO ST
EDINBURG, TX 78542

FLORES BLANCA E
617 S RAUL LONGORIA RD
EDINBURG, TX 78542-5143

MARTINEZ EDUARDO & DOLORES D
319 SAN PEDRO ST
EDINBURG, TX 78542-6729

SANDOVAL CRISTOBAL MENDOZA
902 INDIANA ST
SOUTH HOUSTON, TX 77587-4075

ALARCON OSCAR & MARIA
406 S RAUL LONGORIA RD
EDINBURG, TX 78542-6724

TIJERINA SUSANA L
210 S RAUL LONGORIA RD
EDINBURG, TX 78542-6720

RIOS HECTOR JAVIER JR
5321 MAURITUS
EDINBURG, TX 78542-7591

RIOS ROXANNA
5321 MAURITIUS LN
EDINBURG, TX 78542-7591

DELGADO MARISA
310 S RAUL LONGORIA RD
EDINBURG, TX 78542-6722

RENTERIA GILBERTO (DEC'D)
314 S RAUL LONGORIA RD
EDINBURG, TX 78542-6722

SANCHEZ ANTONIO & CLAUDIA
313 SAN PEDRO ST
EDINBURG, TX 78542-6729

RENTERIA GILBERT III
1803 S CESAR CHAVEZ RD
EDINBURG, TX 78542-9112

GARZA ELISEO
121 S RAUL LONGORIA
EDINBURG, TX 78542

CASTILLO ATANACIO JR
8855 WESTERN RD
MISSION, TX 78574-6508

PARDO SEFERINO
6709 E STATE HIGHWAY 107
EDINBURG, TX 78542-3829

RODRIGUEZ REBECCA M
214 34TH ST
EDINBURG, TX 78542-6736

**ZONING CASE
OWNER NOTIFICATION LIST**

VALDEZ JOSE A & MARIA I
2329 ISAIAH ST
EDINBURG, TX 78542-3878

PEQUENO VIVIANO
219 34TH ST
EDINBURG, TX 78542-6746

VALDEZ JOSE A & MARIA I
2329 ISAIAH ST
EDINBURG, TX 78542-3878

MADRIGAL MARIA DEL REFUGIO
218 34TH ST
EDINBURG, TX 78542-6745

MADRIGAL MARIA DEL REFUGIO
218 34TH ST
EDINBURG, TX 78542-6745

RODRIGUEZ MARIA LOURDES RIVERA &
JOSE LUIS SR
215 S RAUL LONGORIA RD
EDINBURG, TX 78542

RODRIGUEZ MARIA LOURDES RIVERA &
JOSE LUIS SR
215 S RAUL LONGORIA RD
EDINBURG, TX 78542

ALMANZA CRISTINA GAMBOA &
GUADALUPE ALMANZA JR
222 S 34TH ST
EDINBURG, TX 78542-6745

REYNA DIAMANTINA
13226 BEECH AVE
EDINBURG, TX 78542-5216

GAMINO MARIA ALICIA REYES
415 S RAUL LONGORIA RD
EDINBURG, TX 78542-6723

GARZA VICENTE O & ROSA IDALIA
421 N 29TH AVE
EDINBURG, TX 78542-0615

DELGADO JUAN JR & YOLANDA
315 S RAUL LONGORIA RD
EDINBURG, TX 78542-6721

CHAVEZ PAULA LOPEZ
315 34TH ST
EDINBURG, TX 78542-6737

DELGADO RENE
319 SOUTH RAUL LONGORIA RD
EDINBURG, TX 78542-6721

HUERTA GINA MARIE FLORES & JOSE
HUERTA JR
905 CHERIL RD
MISSION, TX 78573

GARCIA IRMA
406 34TH ST
EDINBURG, TX 78542-6740

GARCIA GENARO
406 34TH ST
EDINBURG, TX 78542-6740

GARCIA GENARO
406 34TH ST
EDINBURG, TX 78542-6740

LAMAS MARGARITA T
411 S RAUL LONGORIA RD
EDINBURG, TX 78542-6723

PEREZ ALEJANDRO
302 34TH ST
EDINBURG, TX 78542-6738

CARRANZA DEVELOPMENT LLC
4119 CROSSPOINT BLVD
EDINBURG, TX 78539-1803

**ZONING CASE
OWNER NOTIFICATION LIST**

CARRANZA DEVELOPMENT LLC
4119 CROSSPOINT BLVD
EDINBURG, TX 78539-1803

LOPEZ RAUL JR
1233 W OWASSA RD
EDINBURG, TX 78539-2504

GARCIA IRMA
406 34TH ST
EDINBURG, TX 78542-6740

CANO EVANGELICA S
206 34TH ST
EDINBURG, TX 78542-6736

RESENDEZ RAMIRO A
1001 S 10TH ST
MCALLEN, TX 78501-5049

AGUILAR BEATRIZ MIRELLA
301 34TH STREET
EDINBURG, TX 78542-6737

FUENTES GABRIELA AGUILERA
306 S 34TH ST
EDINBURG, TX 78542-6738

REYES FELICIA (DECEASED)
309 34TH ST
EDINBURG, TX 78542-6737

DE LA GARZA JESUS ALVERTO
305 S RAUL LONGORIA RD
EDINBURG, TX 78542-6721

MARTINEZ OMAR CASTILLO & ANA LAURA
RIVERA FLORES
325 OHARA DR
PHARR, TX 78557

RODRIGUEZ REBECCA M
214 S 34TH ST
EDINBURG, TX 78542-6745

NACIENCENO INTERESTS LLC
8615 CAMPANA DR
EDCOUCH, TX 78538

LOPEZ ISRAEL JR
5416 LUZ ESCOBEDO
EDINBURG, TX 78542-9477

MARROQUIN MARIA DJ & MANUEL
401 SAN PEDRO ST
EDINBURG, TX 78542-6731

CHAVEZ PAULA LOPEZ
315 34TH ST
EDINBURG, TX 78542-6737

SALINAS JESUS GERARDO
1000 S 16TH AVE
EDINBURG, TX 78539-5727

CANO EVANGELICA S
206 34TH ST
EDINBURG, TX 78542-6736

AGUILAR ADRIAN G
305 VELA ST
EDINBURG, TX 78542-6737

Planning & Zoning Staff Report

Prepared on: August 21, 2023

ZONING BOARD OF ADJUSTMENT

Regular Meeting: August 30, 2023

Agenda Item

Consider Variance to Appeal the Administrator's Determination Denying Construction on a Platted Lot Where No Permanent Structures are Permitted By Plat Note, Being Lot 10-A Lake James Unit No.2 UT 2, Located at 3006 Laurie Lane, As Requested By Alejandro Tey And Clara Tey

Request

The applicant is requesting a variance to the administrator's determination on denying construction on a platted lot where no permanent structures are permitted by plat note. The applicant is wanting to construct a single-family residential home on a lot that was replatted in June 25, 1984.

Property Location and Vicinity

The property is located at the end of the cul-de-sac of Laurie Lane. The property is zoned Residential Primary (RP) District. Adjacent zoning is Residential Primary (RP) District in all directions. Surrounding land uses are single family residential uses and vacant land.

Background and History

The property is part of The Resubdivision Plat of Lot 10-Lake James Subdivision No.2 Unit 2. The Lot was recorded on June 25, 1984. From Lot 10 to Lot 10-A and 39-A. The applicant owns lots 9 and 10-A. Lot 10-A had tennis courts constructed on the property at a point in time and now currently vacant. The applicant has now submitted a building permit to construct a single-family residential home on the Lot 10-A for his mother. The plat contains a plat note indicating no permanent living quarters should be built on either tract out of the original Lot 10.

Staff mailed notice of this variance request to 23 neighboring property owners and received one comment in favor and no comments against this request at the time of this report was prepared. The applicant has received a letter of approval from the Home Owners Association regarding this request.

Analysis

The property currently has 80 feet of frontage along Laurie Lane and a depth of 184 feet to its deepest point, totaling an estimated 16,500 square feet. Residential Primary (RP) District requires a minimum lot area of 5,000 square feet and minimum lot width of 50 feet.

Recommendation

Staff recommends the Board upholds the Determination of the Administrator to deny the request for variance/appeal. Should the applicant's variance request be approved staff

ALEJANDRO TEY AND CLARA TEY



recommends the applicant complies with the following stipulations 1.) The applicant signs a Hold Harmless Agreement with the City of Edinburg 2.) The applicant agrees to follow all other applicable requirements of the City's Unified Development Code, The Texas Local Government Code, and the Texas Property Code as applicable. 3.) The applicant pay \$40 fee payable to the County of Hidalgo, County Clerk's Office for the recording of the ZBA Order on this request as applicable. The Boards role is to approve, modify, or deny this request.

Prepared by:

Rita Lee Guerrero

Assistant Director of Planning & Zoning

Approved by:

Jaime Acevedo

Director of Planning & Zoning

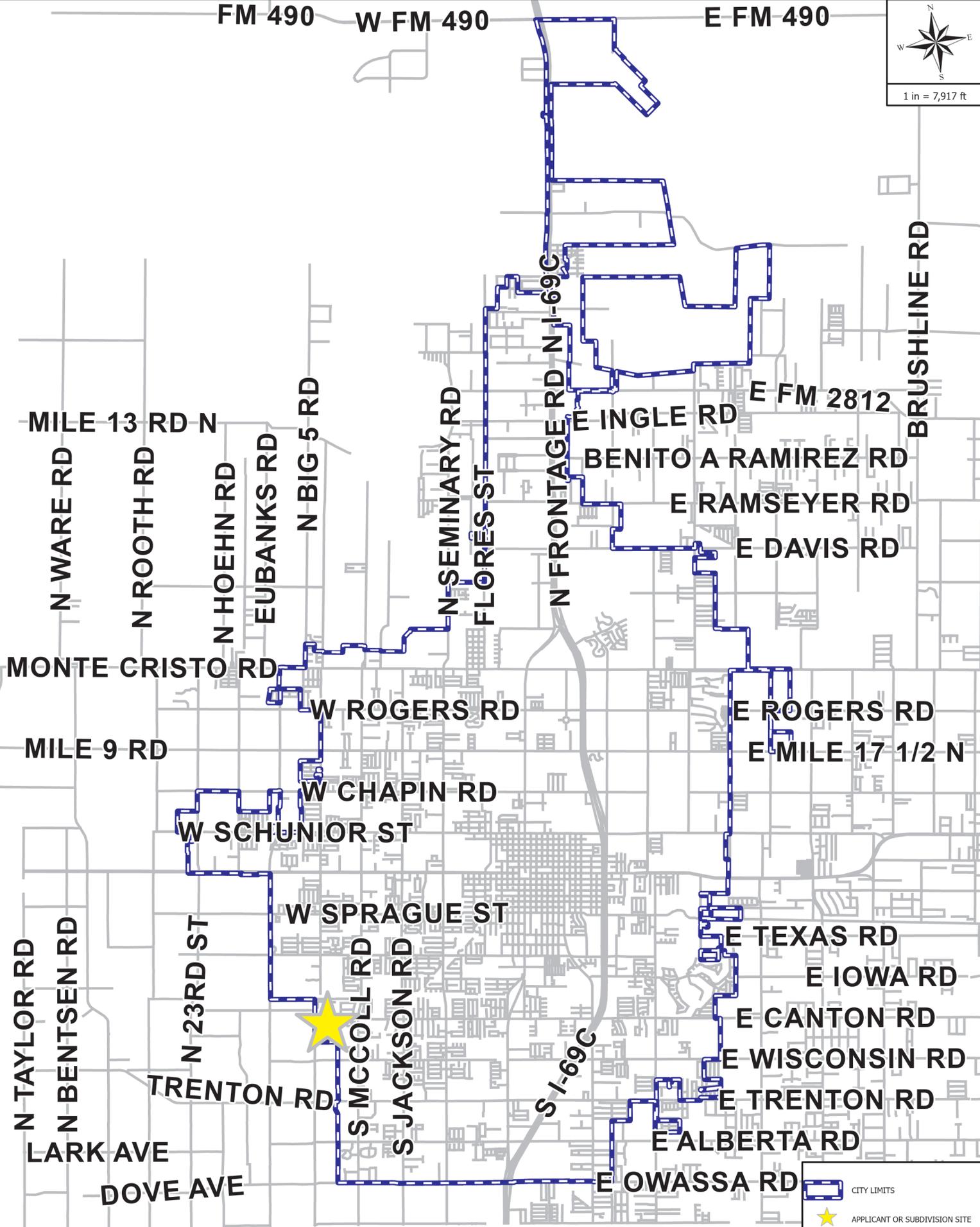
FM 490

W FM 490

E FM 490



1 in = 7,917 ft



 CITY LIMITS

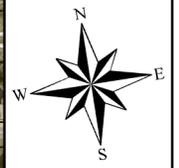
 APPLICANT OR SUBDIVISION SITE



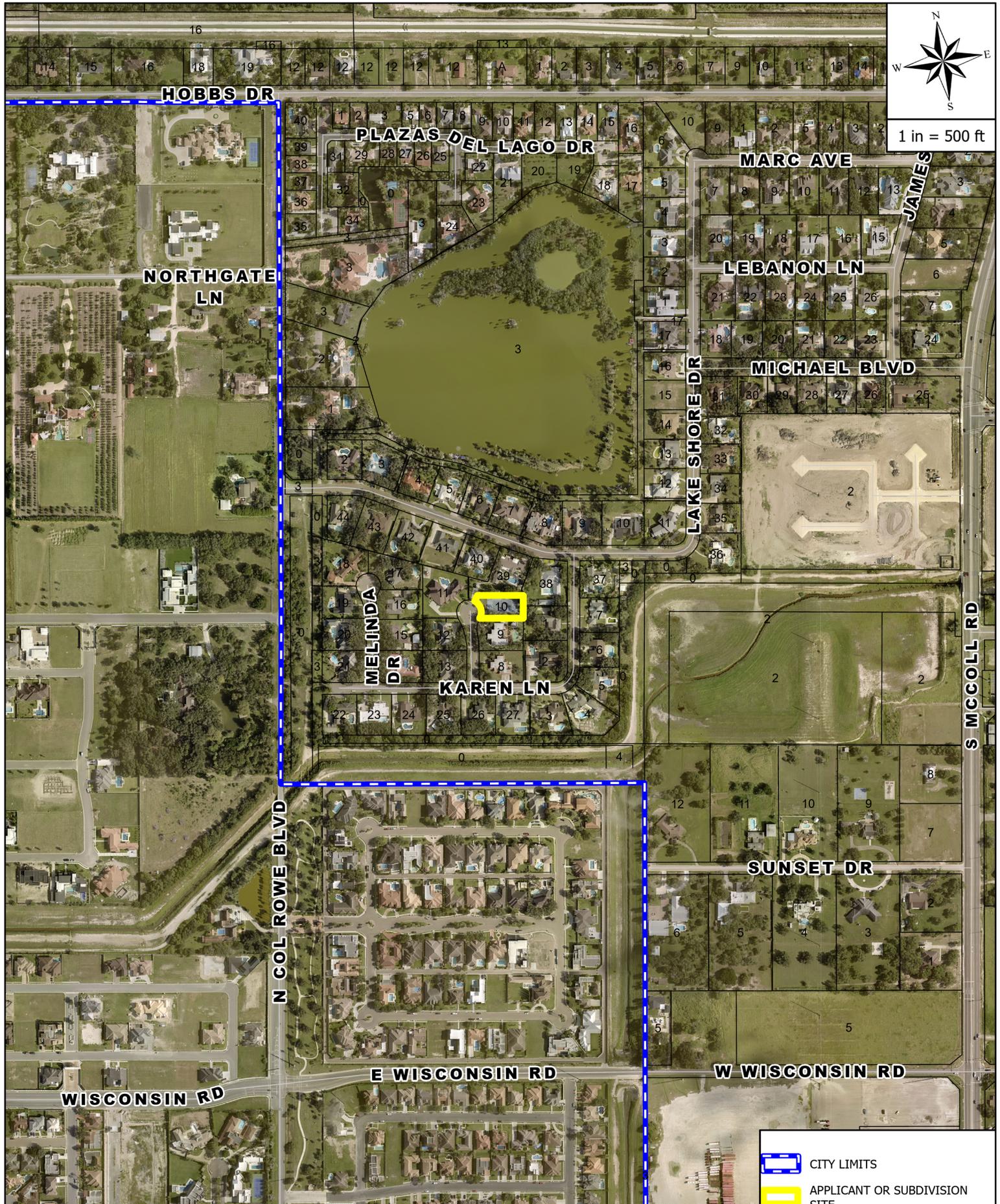
EDINBURG NEW DEVELOPMENT MAP

APPLICANT AND/OR SUBDIVISION:

ALEJANDRO AND CLARA TEY



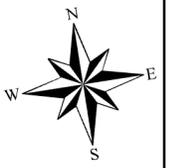
1 in = 500 ft



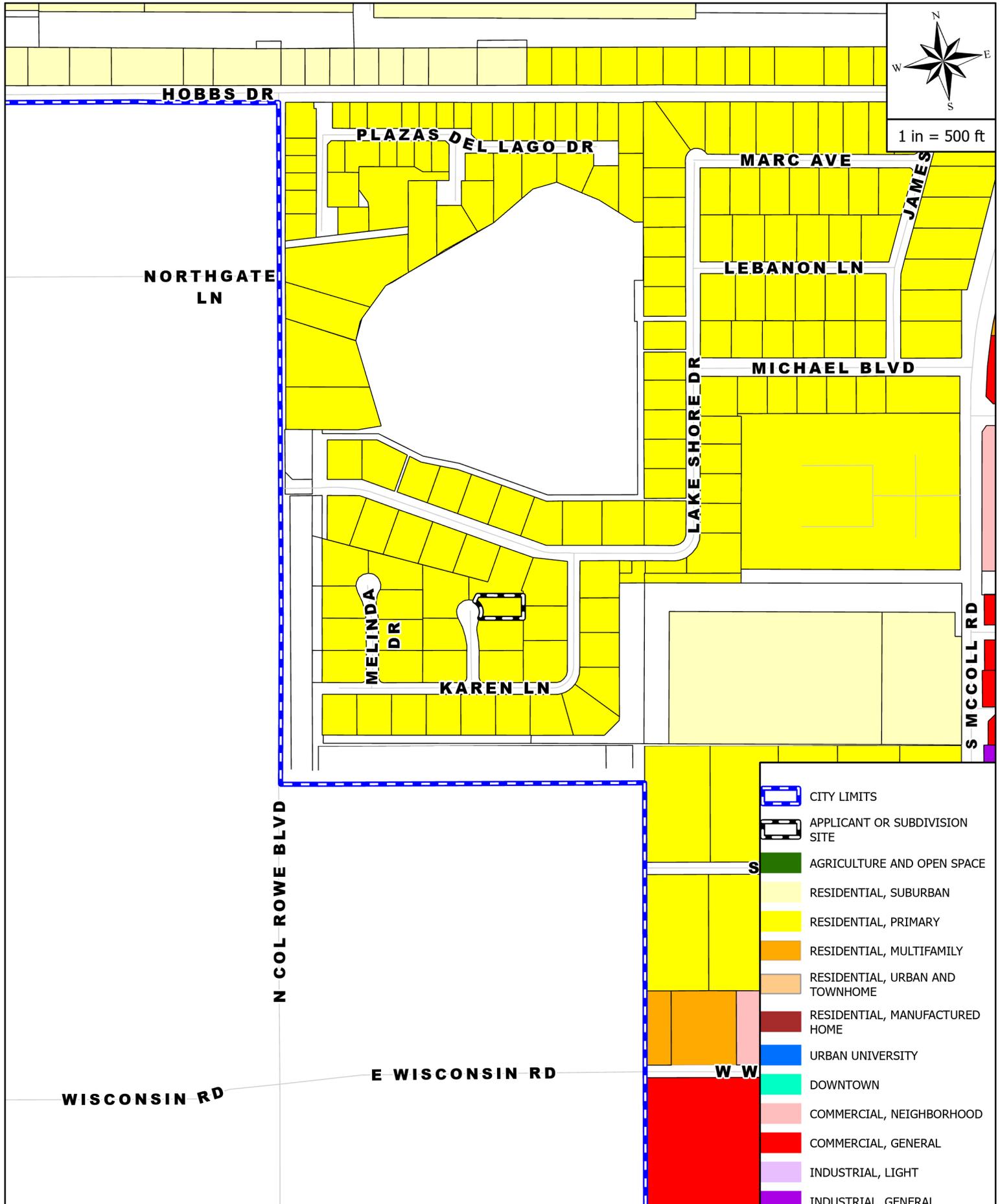
-  CITY LIMITS
-  APPLICANT OR SUBDIVISION SITE



AERIAL MAP
APPLICANT AND/OR SUBDIVISION:
ALEJANDRO AND CLARA TEY



1 in = 500 ft



-  CITY LIMITS
-  APPLICANT OR SUBDIVISION SITE
-  AGRICULTURE AND OPEN SPACE
-  RESIDENTIAL, SUBURBAN
-  RESIDENTIAL, PRIMARY
-  RESIDENTIAL, MULTIFAMILY
-  RESIDENTIAL, URBAN AND TOWNHOME
-  RESIDENTIAL, MANUFACTURED HOME
-  URBAN UNIVERSITY
-  DOWNTOWN
-  COMMERCIAL, NEIGHBORHOOD
-  COMMERCIAL, GENERAL
-  INDUSTRIAL, LIGHT
-  INDUSTRIAL, GENERAL

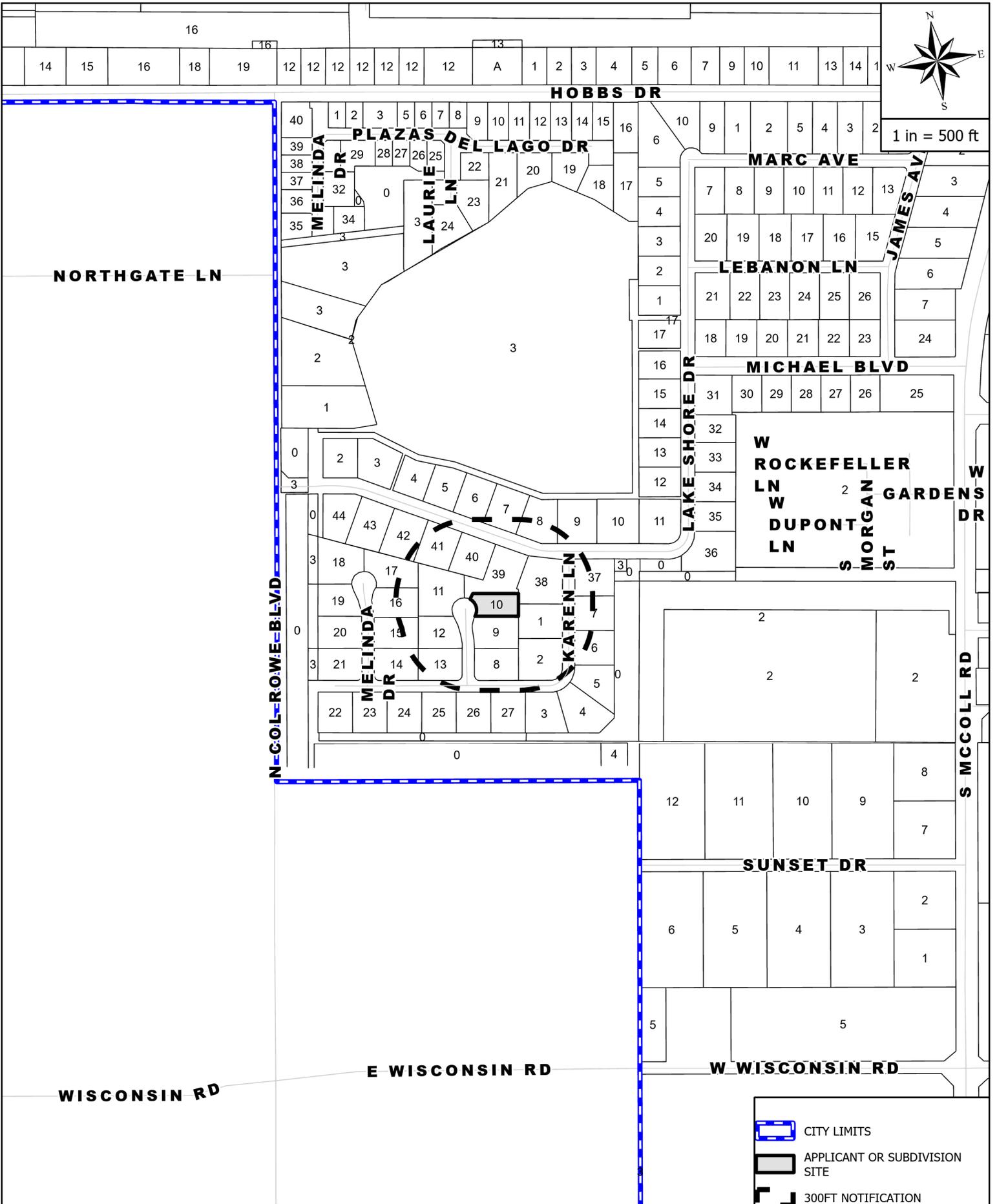


ZONING MAP

BA

APPLICANT AND/OR SUBDIVISION:

ALEJANDRO AND CLARA TEY



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



MAILOUT AND SITE MAP
APPLICANT AND/OR SUBDIVISION:
 ALEJANDRO AND CLARA TEY



Site Photo

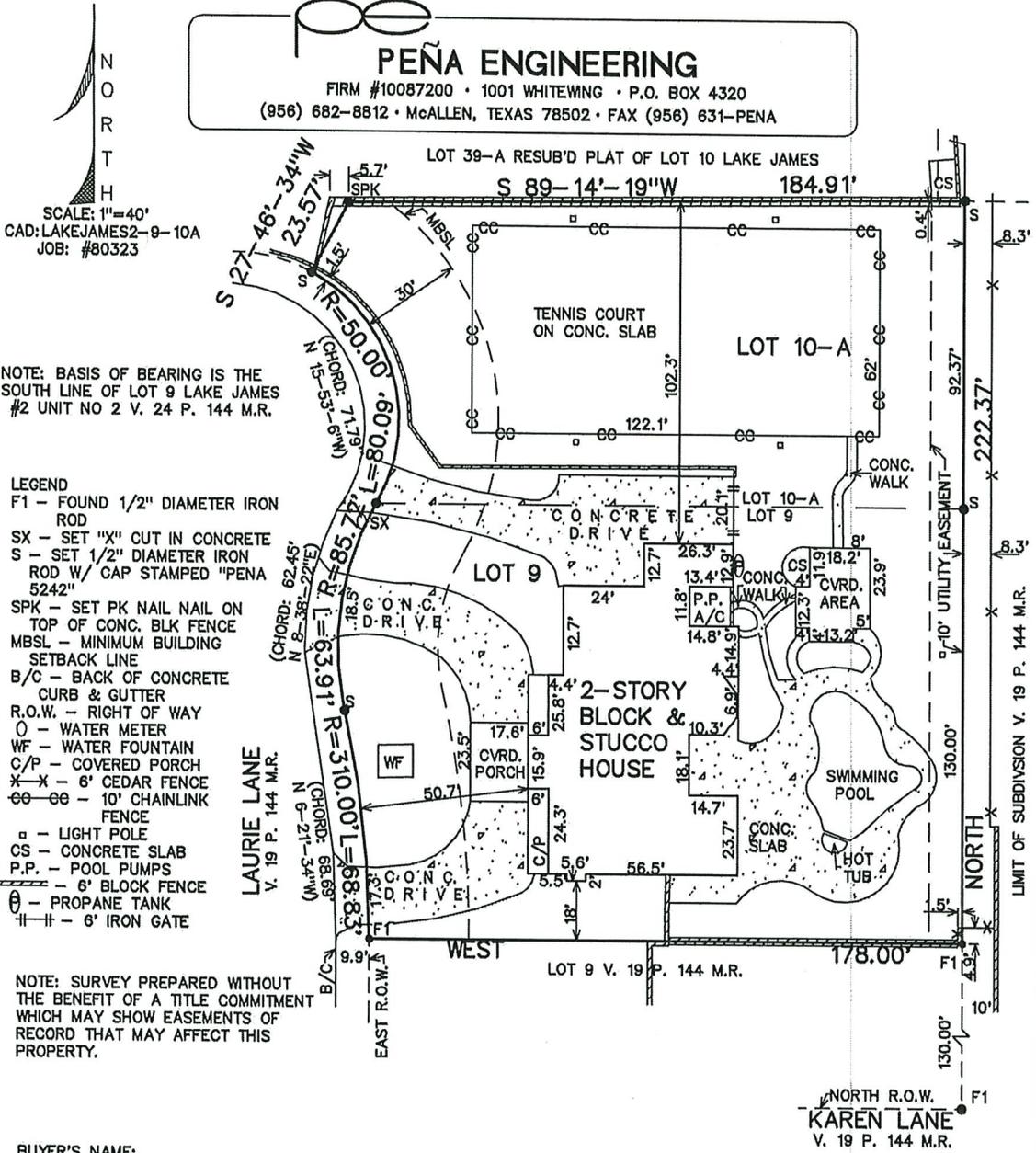
Alejandro Tey

3006 Laurie Lane



PEÑA ENGINEERING

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



SCALE: 1"=40'
 CAD: LAKEJAMES2-9-10A
 JOB: #80323

NOTE: BASIS OF BEARING IS THE SOUTH LINE OF LOT 9 LAKE JAMES #2 UNIT NO 2 V. 24 P. 144 M.R.

- LEGEND**
- F1 - FOUND 1/2" DIAMETER IRON ROD
 - SX - SET "X" CUT IN CONCRETE
 - S - SET 1/2" DIAMETER IRON ROD W/ CAP STAMPED "PENA 5242"
 - SPK - SET PK NAIL NAIL ON TOP OF CONC. BLK FENCE
 - MBSL - MINIMUM BUILDING SETBACK LINE
 - B/C - BACK OF CONCRETE CURB & GUTTER
 - R.O.W. - RIGHT OF WAY
 - O - WATER METER
 - WF - WATER FOUNTAIN
 - C/P - COVERED PORCH
 - X-X - 6' CEDAR FENCE
 - OO - 10' CHAINLINK FENCE
 - - LIGHT POLE
 - CS - CONCRETE SLAB
 - P.P. - POOL PUMPS
 - - 6' BLOCK FENCE
 - ⊕ - PROPANE TANK
 - || - 6' IRON GATE

NOTE: SURVEY PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT WHICH MAY SHOW EASEMENTS OF RECORD THAT MAY AFFECT THIS PROPERTY.

BUYER'S NAME: _____

FLOOD ZONE: By GRAPHICAL PLOTTING Community Panel No. 480338 0030 E
 Map Revised: May 14, 2001

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

I certify that this plat represents the facts found on the ground at the time of survey and that there are no visible or apparent easements, discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments, or overlapping of improvements or visible easements except as shown on this plat. No subsurface utilities or service connections are shown, © copyright 2023 PENA ENGINEERING this survey was provided in multiple originals solely for the borrower named hereon, in conjunction with the original transaction which shall take place within 6 months after the survey was provided. No license has been created or implied to copy this Survey. Survey valid only if print has original seal and signature.
 ADDRESS: 3012 Laurie Lane Edinburg, Texas 78539

LEGAL DESCRIPTION: All of Lot 9, Lake James No. 2 Unit No. 2, an addition to the City of Edinburg, Hidalgo County, Texas, according to the Map Recorded in Volume 19 Page 144 of the Map Records of Hidalgo County, Texas, & LOT 10-A a resubdivision Plat of Lot 10-LAKE JAMES SUBDIVISION NO. 2 UNIT NO. 2, according to the Map Recorded in Volume 24 Page 28B of the Map Records of Hidalgo County, Texas,

RECEIVED
 AUG 09 2023
 By _____

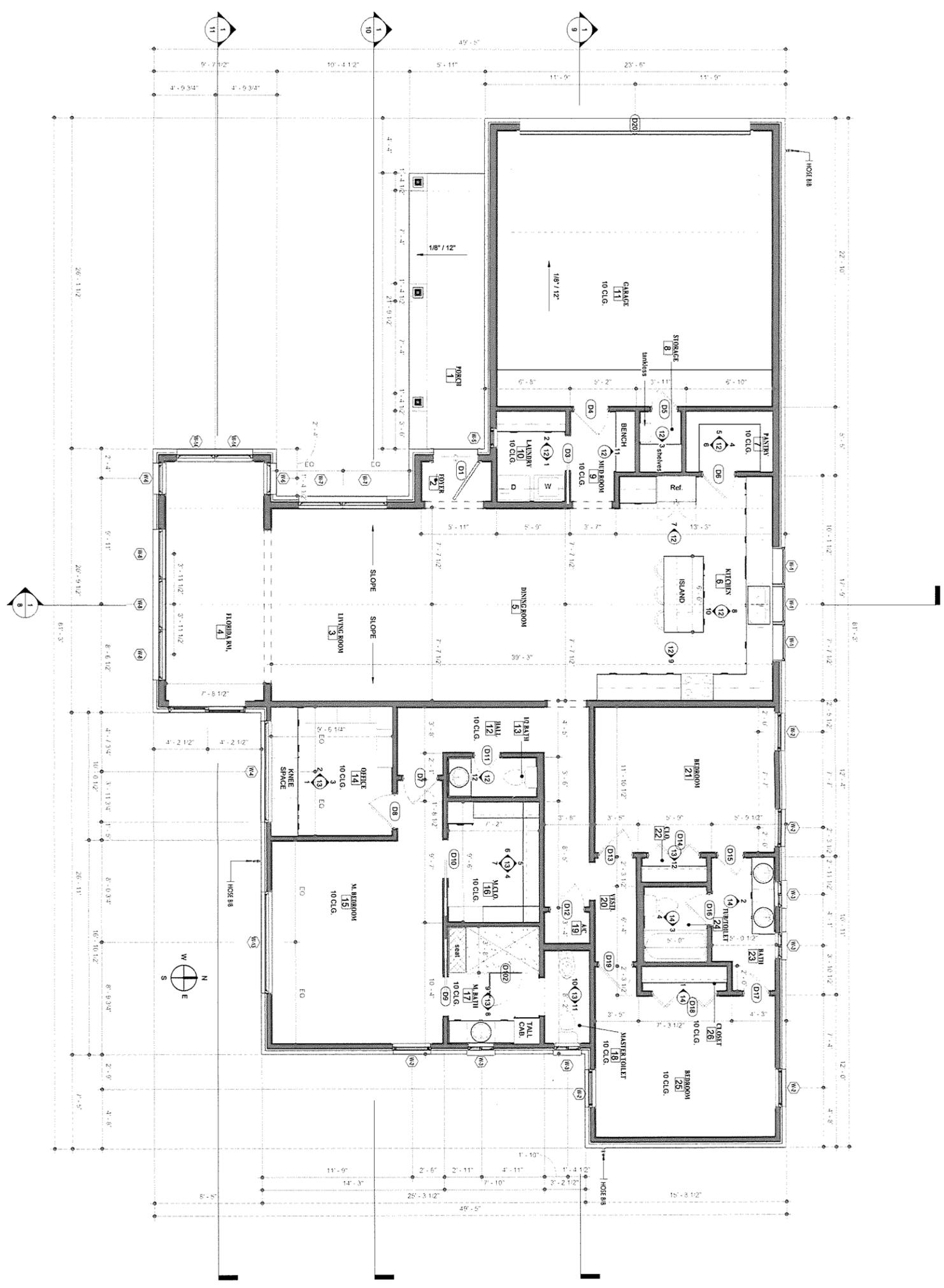
Pablo Peña III



04/20/2023
 DATE

PABLO PEÑA III
 REG. PROFESSIONAL LAND SURVEYOR No. 5242

1
First Floor
1/4" = 1'-0"



Area Schedule (Gross Building)	
Name	Area
1. LIVING AREA	2211 SF
2. GARAGE	549 SF
3. FRONT PORCH	146 SF
Grand total:	2907 SF

SHEET NO.
4

Scale: 1/4" = 1'-0"

Tej Residence
FIRST FLOOR
PLAN

PROJ. NO. 2023-025
DRAWN BY: SC
CHECKED BY: SC

RESIDENCE FOR:
CLARA A.
AND ALEJANDRO TEJ
3006 LALURIE LN.
EDINBURG, TX

S.C. DRAFTING
AND DESIGN
1305 E HOLYMAN SUITE G
MCALLEN, TX 78904
(959)818-4890

WORKING DRAWINGS SHALL NOT BE SCALED. BEFORE PROCEEDING WITH ANY WORK OR ORDERING MATERIALS, THE CONTRACTOR AND/OR SUB-CONTRACTOR SHALL VERIFY ALL NOTES AND MEASUREMENTS. CONTRACTOR SHALL REPORT ANY DISCREPANCIES IN OR OMISSIONS FROM THE WORKING DRAWINGS. DETAILS AND DRAWINGS ARE BUILDERS' TYPE, AND THE DESIGNER OF THIS SET OF PLANS HEREBY NOTIFIES BOTH OWNER AND CONTRACTOR THAT, I.E., THE CONTRACTOR RELIEVES HIMSELF OF LIABILITIES TO PROBLEMS AT SITE IN REFERENCE TO SAID WORKING DRAWINGS. ALL OF THE DESIGN CONCEPTS, WORKING DRAWINGS AND DETAILS PLANS CONTAINED HEREON REMAIN THE SOLE AND EXCLUSIVE PROPERTY OF S.C. DRAFTING AND DESIGN, WHO EXPRESSLY RESERVES AND RETAINS THE RIGHT TO DUPLICATE OR REPRODUCE THESE PLANS IN WHOLE OR IN PART TO ITS SOLE DISCRETION. IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO INSURE THAT THE CONSTRUCTION OF THIS PROJECT MEETS ALL LOCAL STRUCTURAL CODES.

Planning & Zoning

415 West University Drive Edinburg,
Texas 78539
(956) 388-8202



Zoning Variance Application

ENERGOV CASE # VAR-2023-0188

Property Owner Name: Alejandro Tey and Clara Tey

Owner Contact Information

Mailing Address: 3012 Laurie Ln Edinburg/TX 78539
Street Address City/State Zip Code

Phone (Home): _____ (Work): _____ (Cell): 956-451-3442

Email: _____

Agent/Applicant Name (if different than Owner): Roy Vela

Applicant Contact Information

Mailing Address: 5117 N. McColl Rd McAllen/TX 78504
Street Address City/State Zip Code

Phone (Home): _____ (Work): _____ (Cell): 956-2702432

Email: roy@ervbuilders.com

Property Address for Variance: 3006 Laurie Ln Edinburg/TX 78539
Street Address City/State Zip Code

Property Legal Description: 10-A Lake James
Lot Block Subdivision

LAKE JAMES NO. 2 UT 2 LOT 10-A

Present Property Zoning: RS - Residential, Suburban Property ID#: 214283

Nature of Request (cite all applicable issues needing variance):

Build a new construction home for Clara Tey, HOA has approved the plans and build. Lot currently has a restriction of no permanent structure date back to 1985. Dr. Alejandro Tey would like this removed to build his mom's 3,000 sq ft home.

Reason for Appeal

Variance will not be granted to relieve personal hardships, to accommodate conditions created by the owner or applicant, and will not be based solely on economic gain or loss. However, if there are circumstances the applicant wishes to be known to the Zoning Board of Adjustment, please list below. Attach additional pages if necessary. Information provided here is not required and does not guarantee approval of this request.

see attached

OFFICE USE ONLY:

UDC Section(s) Requiring Variance: _____

Reviewed by: _____ Date: _____



Reason for Appeal

Property owner wants to build a 3,000 sq ft home for his mom. Currently the site has been cleared and was a tennis court at one point. What I was told by planning and zoning was that the property has a restriction from 1985 on the lot that no permanent structure can be built on it. The lot has its own legal address, its own GEO number and is being taxed on based on just land. We don't understand why this restriction is there since there is no need for it.

The owner has received the **approval** from the HOA to build the home (see attached email) and all departments have passed the permit process minus the planning and zoning.

This home would be a great benefit not only to the subdivision but to the City of Edinburg. This home has a potential tax home value of \$400,000 that would be beneficial to the City. We ask that you please allow us the opportunity to build this home for Mrs. Tey.



FW: Plans for 3006 Laurie Ln in Lake James

2 messages

roy@ervbuilders.com <roy@ervbuilders.com>

Mon, Aug 7, 2023 at 3:39 PM

To: "alexgonzalez@cityofedinburg.com" <alexgonzalez@cityofedinburg.com>

Good Afternoon, please see below approval from the HOA president of Lake James.

Respectfully,

Roy Vela

President of Operations

Cell: (956) 270-2432

ERV Builders LLC

RGV Office

[5117 N. McColl Rd.](#)

[McAllen TX 78504](#)

[Office \(956\) 739-0049](#)

www.ervbuilders.com



In God We Trust

"This message is intended only for the use of the individual or entity to which it is addressed. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by replying to the sender of this E-Mail or by telephone."

Begin forwarded message:

From: "Agustin" <agustin@negretecpa.com>

Subject: RE: Plans for 3006 Laurie Ln in Lake James

Date: July 7, 2023 at 10:08:51 AM CDT

To: "Roy Vela REALTOR" <royvelarealtor@gmail.com>

Roy

Presented to board and all seems okay.

Agustin Negrete

[5401 N McColl Rd](#)

[McAllen, Texas 78504](#)

[956-683-8171](#)

956-683-8177 Fax

From: Roy Vela REALTOR <royvelarealtor@gmail.com>

Sent: Wednesday, July 05, 2023 3:42 PM

To: Agustin <agustin@negretecpa.com>

Subject: Plans for 3006 Laurie Ln in Lake James

Good Afternoon Mr. Negrete,

Attached are the plans for 3006 Laurie Ln. We had the architect go over all the subdivision requirements to make sure everything was meet. We also made sure to give the home a Lake James feel and provided it with sufficient living sq footage to be comparable to the other homes in Lake James. Being a licensed Real Estate Broker and Certified Residential Specialist, this

home, after construction will have a market value between \$400,000-\$500,000 which will help tremendously the subdivision. We look forward to a positive outcome on the approval from the ACC so we can submit to city and get this home started for Dr. Tey's mom.

Respectfully,

Roy Vela

Alejandra Gonzalez <alexgonzalez@cityofedinburg.com>
To: "roy@ervbuilders.com" <roy@ervbuilders.com>

Tue, Aug 8, 2023 at 1:51 PM

Good afternoon,

As discussed, I have attached the application and deadline calendar for our Zoning Board of Adjustment meetings. If you have any questions, don't hesitate to contact me.

Thank you,

Alex



Alejandra Gonzalez
Planner II
Planning & Zoning

✉: alexgonzalez@cityofedinburg.com

🌐: cityofedinburg.com



Sign up now for City of Edinburg's [CodeRED](#), to get important notifications and dial **311** for any city information/request.

CONFIDENTIALITY STATEMENT: This email and attachments are intended for the above name only and are confidential. If you are not the intended addressee, or the person responsible for delivering it to the intended addressee, you may neither copy, disseminate, nor distribute it to anyone else or use it in any unauthorized manner; to do so is strictly prohibited and may be unlawful. If you receive this email by mistake, please advise the sender immediately by using the reply facility in your mail software and delete it from your computer.

[Quoted text hidden]

2 attachments

Edinburg Zoning Variance Application4.20.23 (3).pdf
363K

ZBA- Deadlines_2023 (6).pdf
98K



NOTIFICATION

Dear Property Owner:

A public hearing will be held on Wednesday, August 30, 2023, 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 VARIANCE TO APPEAL THE ADMINISTRATOR'S DETERMINATION DENYING CONSTRUCTION ON A PLATTED LOT WHERE NO PERMANENT STRUCTURES ARE PERMITTED BY PLAT NOTE, BEING LOT 10-A LAKE JAMES UNIT NO.2 UT 2, LOCATED AT 3006 LAURIE LANE, AS REQUESTED BY ALEJANDRO TEY AND CLARA TEY

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, August 29, 2023
- EMAIL: planning@cityofedinburg.com by Tuesday, August 29, 2023

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

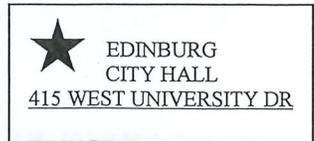
Comments: *Our understanding is they own the property & should be allowed to do as they wish with it. Change the Administrator's determination.*

Print Name: *Michael + Sandra Propst* Phone No. *956/624-2599*
Address: *3009 Karen Lane* City: *Edinburg* State: *TX* Zip: *78539*

NOTIFICACIÓN

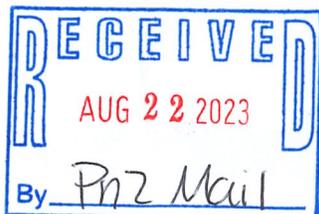
Si tiene preguntas o necesita información sobre esta aplicación en español, por favor llame al 956-388-8202.

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



University Dr. (S.H.107)

8th Ave.



**ZONING CASE
OWNER NOTIFICATION LIST**

GARZA LUIS F & SUZANNE D
3101 LAKESHORE
EDINBURG, TX 78539-7734

ORFANOS G ATHANASI & MYRA
3013 LAKE SHORE DR
EDINBURG, TX 78539-7715

RICHARDS BRICE & JOYCE
3003 LAKE SHORE DR
EDINBURG, TX 78539-7715

LOPEZ GREGORIO R
4415 N MCCOLL RD
MCALLEN, TX 78504-2464

WURTZEL PAUL S & PATRICIA A CO-
TRUSTEES REVOCABLE TRUST
3020 MELINDA DR
EDINBURG, TX 78539-7721

BARAJAS JORGE & SUSANA K CANO
7017 N 10TH ST STE N2
MCALLEN, TX 78504

ROMERO ANTONIO & JACLYN
3011 LAURIE LN
EDINBURG, TX 78539-7716

SHAH RAMESH C & BERNADETTE
3021 LAURIE LN
EDINBURG, TX 78539-7716

SCOTT RALPH K & LOLA L
3120 LAKE SHORE DR
EDINBURG, TX 78539-7745

TEY ALEJANDRO A
3012 LAURIE LN
EDINBURG, TX 78539-7716

BAUTISTA LEONEL RODRIGUEZ
AV XALAPA 351 VERACRUZ CP 93603
MEXICO

NULL, NULL

ARNOLD JEFFREY A & ELIZABETH C
3106 LAKE SHORE DR
EDINBURGE, TX 78539-7745

LOZANO ROBERT L & LAURIE G
3002 LAKE SHORE DR
EDINBURG, TX 78539-7714

SANCHEZ MIGUEL A
3111 LAKE SHORE DR
EDINBURG, TX 78539-7734

HENDERSON JAMES G JR & BRENDA
3204 LAKE SHORE DR
EDINBURG, TX 78539-7733

OLMEDO THERESA DE URIBE
PO BOX 1127
PHARR, TX 78577-1621

ESTRADA JOSE LUIS
3020 LAURIE LN
EDINBURG, TX 78539

SEAL JASON & AMY
3012 KAREN LN
EDINBURG, TX 78539-7701

VIELMA JOSE R & BARBARA Z
3000 MELINDA DR
EDINBURG, TX 78539-7721

ORFANOS GERARDO ATHANASI
3005 KAREN LN
EDINBURG, TX 78539

GARZA FRED & NELDA MUNIZ
3010 LAKE SHORE DR
EDINBURG, TX 78539

**ZONING CASE
OWNER NOTIFICATION LIST**

ZAMORA JUAN JR & LUCINDA S LEYVA
ZAMORA
3020 LAKE SHORE DR
EDINBURG, TX 78539

TEY ALEJANDRO A
3012 LAURIE LN
EDINBURG, TX 78539-7716

PROPST MICHAEL E & SANDRA C
3009 KAREN LN
EDINBURG, TX 78539-7702

GARZA FRED & NELDA MUNIZ
3010 LAKE SHORE DR
EDINBURG, TX 78539

2023 ATTENDANCE RECORD ZONING BOARD OF ADJUSTMENTS MEETINGS

	01/25/23	02/22/23	03/29/23	04/26/23	05/31/23	no meeting	07/26/23					
Ponciano Longoria - Vice Chair	P	P	P	P	P		P					
Marc Moran - Chairperson	P	P	A	P	P		P					
Michael Cantu - Regular	A	P	P	P	P		P					
Ruben Ruiz- Regular		P	P	P	P		P					
Eliseo Garza Jr - Regular			P	P	P		P					
Diane Teter - Alternate	P	P	A	P	P		P					
Gregory A. Vasquez- Alternate	P	P	P	P	A		A					
Marc A. Gonzalez- Alternate	P	P	P	P	P		P					
Alexandra Rodriguez							P					

