



**NOTICE AND AGENDA  
ZONING BOARD OF ADJUSTMENT  
AUGUST 31, 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 July 27, 2022 Regular Meeting

**7. PUBLIC HEARINGS**

- A.** Consider Variance to the City's Unified Development Code as follows: **1)** Section 3.202-1, Non Residential and Mixed-Use Lot Standards, Commercial, General, Offices and lodging, Floor Area Ratio, **2)** Section 3.302-2, Non Residential and Mixed-Use Building Placement Standards, Commercial, General, Office and lodging, Side Yard, **3)** Section 4.103-1, Minimum Parking and Loading Requirements, Non Residential Uses, Commercial, Office, being Lot 5, Villa Del Mundo Subdivision, located at 5121 South Veterans Boulevard, as requested by Jonathan Valencia on behalf of Jose Pardo
- B.** Consider Variance to the City's Unified Development Code, Section 3.102-4, Multiplex and Apartment and Building Standards, Multiplex, Rear Yard, being Lot 1, Martinez 12 Subdivision, located at 1514 West Carmen Avenue, as requested by Jorge Herrera

**8. OTHER BUSINESS**

**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 3:30 P.M. on Friday August 26, 2022 .



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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 27, 2022 - 5:30 P.M.  
REGULAR MEETING  
CITY HALL COUNCIL CHAMBERS  
415 W. UNIVERSITY DR.  
EDINBURG, TEXAS 78539  
MINUTES**

**Members Present:**

Alex Rios  
Eddie Garza  
Ponciano Longoria  
George Cardenas  
Marc Moran  
Diane Teter

**Absent:**

Michael Cantu  
Andre Maldonado  
Abraham Garcia

**Staff:**

Jesus Saenz, Assistant City Manager  
Jaime Acevedo , Director of Planning & Zoning  
Jaime Ayala, Planner II  
Daniel A. Colina, Planner I  
Fred Farley, Planner I  
Patrizia Longoria Engineer III  
Peter Hermida, Engineering Department  
Omar Ochoa, City Attorney  
Rita Guerrero, Management Analyst  
Natalia Velasquez, Building Official

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

Vice Chairperson Eddie Garza called the meeting to order at 5:32 P.M.

**A.** Prayer – Prayer was announced.

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

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

Austin Colina certified the agenda had been posted on July 22, 2022 at 4:30 P.M.

## **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.

Board member Ponciano Longoria joined the meeting.

## **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 June 29, 2022 Regular Meeting

Vice Chairperson Eddie Garza moved to consider approval of the Minutes for the June 29, 2022 Regular Meeting. Seconded by Board member George Cardenas the motion. The motion to approve carried unanimously with a vote of 6-0

## **7. PUBLIC HEARINGS**



- A.** Consider Variance to the City's Unified Development Code, Section 3.301, Single Family Residential Bulk Standards, Setbacks, being Lot 7, Block 325, Edinburg Original Townsite, located at 621 East Fay Street, as requested by Hugo Leal

There was no one present in opposition or in favor present.

Applicant Hugo Leal was present and explained his reasons for applying for variances. Fire Marshall Omar Garza was present and stated that having 6 feet is best for safety reasons.

After the brief explanation, motion was made by Board Member George Cardenas that construction shall take place no less than nine feet from the eastern property line and no less than six feet from the western property line and seconded by Vice Chairperson Eddie Garza to approve the Variance request. Motion carried unanimously with a vote of 6-0.

- B.** Consider Variance to the City's Unified Development Code, Section 3.301, Single Family Residential Bulk Standards, Setbacks, being Lot 8, Block 325, Edinburg Original Townsite, located at 619 East Fay Street, as requested by Hugo Leal.

There was no one present in opposition or in favor present. Applicant was present but briefly addressed the board.

After the brief discussion a motion was made by Board Member Marc Moran and seconded by Vice Chairperson Eddie Garza to approve the variance request. Motion carried unanimously with a vote of 6-0.

- C.** Consider Variance to the City's Unified Development Code as follows: 1) Section 3.304, Non Residential Bulk Standards, Setbacks, 2) Section 3.201, Floor Area Ratio, and 3) Section 9.201, Parking and Loading Requirements, being Lot 5, Villa Del Mundo Subdivision, located at 5121 South Veterans Boulevard, as requested by Jonathan Valencia on behalf of José Pardo.

There was no one in opposition or in favor present.

The applicant was not present and the board discussed the use of the building. Ms. Emma Gonzalez was present and attempted to answer as many questions she could from the board members.

After the discussion, motion was made by Vice Chairperson Eddie Garza to table the item and seconded by Board Member Marc Moran to table the item. Motion carried with a vote of 6-0.

- D.** Consider Variances to the City's Unified Development Code as follows: 1) Section 3.301, Single Family Residential Bulk Standards, Setbacks and 2) Section 3.505, Easements and

Utilities, being Lot 98, Hacienda Las Fuentes Subdivision, located at 3614 Tigris Drive, as requested by George Boghs

There was no one in opposition or in favor present.

Applicant George Boghs was present and explained his reason for the variance request was to make a carport and have some extra storage. The board asked the applicant if he checked the utilities were in the setbacks he was requesting the variance for and Mr. Boghs did have a dig test done.

After the brief discussion Vice Chairperson Eddie Garza motioned to approve with the 5 foot rear setback and a 6 foot side setback and was seconded by Board Member George Cardenas. Motion carried unanimously with a vote of 6-0.

- E.** Consider Variance to the City's Unified Development Code, Section 2.301 (D) Fences, being Lot 15, Dulce Real Estates Phase 'B' Subdivision, located at 1709 Dulcinea Avenue, as requested by Omar Anzaldua

There was no in opposition or in favor present.

Mr. Anzaldua was present and explained why he requested the variance. Mr. Ponciano Longoria abstained from voting on this item.

After the discussion, motion was made by Board Member George Cardenas and seconded by Vice Chairperson Eddie Garza to deny the Variance request. Motion carried with a vote of 5 with 1 abstained.

- F.** Consider Variance to the City's Unified Development Code, Section 7.405 (C), Lots, Double Frontage Lots, being Lot 1, Windsor Estates, located at 2402 North McColl Road, as requested by PinPoint Construction

There was no one present in opposition.

The Applicant was not present. Ms. Patrizia Longoria from the Engineering department was present and explained the reason it was recommended for the driveway to be facing McColl. It was also recommended for the applicant to get a permit from TXdot but that had yet to be done.

After the brief discussion a motion was made by Vice Chairperson Eddie Garza as recommended by staff and seconded by Board Member Marc Moran to approve the variance request. Motion carried unanimously with a vote of 6-0.

**G.** Consider Variance to the City's Unified Development Code, Section 7.405 (C), Lots, Double Frontage Lots, being Lot 34, Windsor Estates, located at 2420 North McColl Road, as requested by PinPoint Construction

There was no one present in opposition and the applicant was not present.

After the brief discussion a motion was made by Vice Chairperson Eddie Garza to approve as recommended by staff and seconded by Board Member Marc Moran to approve the variance request. Motion carried unanimously with a vote of 6-0.

**H.** Consider Variance to the City's Unified Development Code, Section 3.301, Single Family Residential Bulk Standards, Setbacks, being Lot 133, Chapin Crossing Subdivision, located at 2313 Eisenhower Street, as requested by Carlos Gonzalez

Applicant Carlos Gonzalez was present and explained that he was not aware that a permit was needed to build a carport. There was no one present in opposition,

After the brief discussion a motion was made by Board member George Cardenas to deny the variance request and seconded by Vice Chairperson Eddie Garza to deny the variance request. Motion carried unanimously with a vote of 6-0.

Board Member Ponciano Longoria left the meeting at this time.

**I.** Consider Variance to the City's Unified Development Code, Section 3.301, Single Family Residential Bulk Standards, Setbacks, being Lot 1, River Rock Subdivision, located at 2804 River Rock Drive, as requested by David & Maria Nava

There was no one present in opposition.

Applicants David and Maria Nava were present and explained that they were under the impression that the person building their carport had requested a permit but they did not.

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

**J.** Consider Variance to the City's Unified Development Code, Section 3.301, Single Family Residential Bulk Standards, Setbacks, being Lot 11, Block 2, Gernetz Subdivision, located at 121 San Jose Street, as requested by José Peña

Mr. Jose Pena the applicant was present and explained what his plans were if the variance request was approved. No one was present in opposition.

After the brief discussion a motion was made by Vice Chairperson Eddie Garza and seconded by Board Member Marc Moran to approve the variance request. Motion carried unanimously with a vote of 5-0.

**K.** Consider Variance to the City's Unified Development Code, Section 3.303, Multi-Family Bulk Regulations, Setbacks, being Lot 10, McColl Estates Subdivision, located at 1316 North McColl Road, as requested by Cesar Cardenas

There was no one present in opposition. Mr. Cesar Cardenas the applicant was present and approached the board.

After the brief discussion a motion was made by Board Member Marc Moran and seconded by Vice Chairperson Eddie Garza to approve the variance request. Motion carried unanimously with a vote of 5-0.

## **8. OTHER BUSINESS**

**A.** Discussion Regarding Proposed Revisions to the Unified Development Code and Possible Action to Provide Recommendations to the City Council regarding the Proposed Revisions.

Mr. Austin Colina addressed the Board and explained that there was a Joint UDC meeting on July 18, 2022 and a few items will be tweaked. He also provided the date that UDC will be adopted.

Ms. Diane Teter addressed staff regarding a forester and parkland fees. Mr. Acevedo Director of Planning and Zoning stated that the City was trying to hire a Forester for the new budget. Assistant City Manager Jesus Saenz was present and addressed the parkland fee that Ms. Teter was inquiring about. Mr. Saenz explained that the City uses the fees for various projects and existing parks in the City.

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

**A.** Unified Development Code Update

Mr. Jaime Acevedo Director of Planning was present and introduced himself to the Board.

## **9. INFORMATION ONLY**

**A.** Attendance Roster

## **10. ADJOURNMENT**

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

*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**

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There being no further discussion, meeting was adjourned.

## Planning & Zoning Staff Report

Prepared on: August 22, 2022

### ZONING BOARD OF ADJUSTMENT

Regular Meeting: August 31, 2022

#### Agenda Item

Consider Variance to the City's Unified Development Code as follows: 1) Article 3, Section 3.202-1, Non Residential and Mixed-Use Lot Standards, Commercial, General, Offices and Lodging, Floor Area Ratio, 2) Article 3, Section 3.202-2, Non-Residential and Mixed-Use Building Placement Standards, Commercial, General, Offices and Lodging, Side Yard, and 3) Article 4, Section 4.103-1, Minimum Parking and Loading Requirements, Non-Residential Uses, Commercial, Office, being Lot 5, Villa Del Mundo Subdivision, located at 5121 South Veterans Boulevard, as requested by Jonathan Valencia on behalf of José Pardo.

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#### Request

The applicant is requesting three variances to proceed with construction for a proposed commercial office for electrical service and repair. The variances would reduce the required side yard setbacks, reduce the required floor area ratio, and reduce the number of required parking spaces.

#### Property Location and Vicinity

The property is located on the west side of South Veterans Boulevard, approximately 60 ft. north of Santa Maria Street. The property is zoned Commercial General (CG) District. Adjacent zoning is Agriculture (AG) District in all directions. Adjacent land uses are single and multifamily with mixed commercial uses further north and south along South Veterans Boulevard.

#### Background and History

The property is part of the Villa Del Mundo subdivision, recorded on May 10, 1982. This is part of areas annexed by the City on December 10, 2013. As per City of Edinburg Unified Development Code (UDC) Section 1.203, "Any newly annexed land shall be designated Agriculture (AG) District unless controlled by a pre-annexation agreement that provides otherwise." The subject property was vacant when annexed and has remained vacant since that time. The property was rezoned from AG District to CG District on May 4, 2022, by the owner. The owner is now proposing to establish a commercial office for electrical services at this location.

A Commercial Building Permit Application was submitted by the applicant on May 23, 2022. Review of the plans showed side setbacks of 6 ft., a building area of 4,969 sq. ft., and 6 parking spaces. Variances for these items is needed to proceed with the proposed construction. An Application Request for Variance was received on June 24, 2022.

Staff mailed a notice of the variance requests to 39 neighboring property owners and received no comments in favor or against this request at the time that this report was prepared.

# Planning & Zoning Staff Report

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## **Analysis**

The subject property, as rezoned, meets minimum lot area requirements for the CG District (10,000 sq. ft.). Proposed plans show 6 ft. setbacks on both side yards. UDC Section 3.202 requires a minimum side yard of 10 ft. for office use in the CG District.

Plans for the proposed construction show a 3,788 sq. ft. commercial building and a carport of 1,181 sq. ft. for a total coverage of 4,969 sq. ft. on this lot. UDC standards allow a maximum coverage of 3,424 sq. ft. for a lot of this size (10,699.618 sq. ft. x .32 Floor Area Ratio). The proposed construction is 45% over the maximum coverage allowed. Drainage and landscaping would be adversely impacted by this extent of coverage.

Plans for the proposed construction show 6 parking spaces. Analysis of the plans indicated that 11 parking spaces are required for a structure of this size, as per UDC Section 4.103. At the time this variance application was submitted, the UDC required 9 parking spaces.

The applicant stated that the proposed office would be “too small” if UDC guidelines are followed. No viable constraints of this property were noted.

## **Recommendation**

Staff recommends disapproval of these variances and that the applicant comply with all UDC requirements. No hardship or extraordinary conditions exist to justify approval as is required by UDC Section 9.501(B).

If approved, the applicant will need to comply with all other requirements during the permitting process and pay a \$40 fee payable to the County of Hidalgo, submitted to the County Clerk’s office for the recording of the Zoning Board of Adjustments order on this request, and any other City requirements as applicable.

Prepared by:

**Nikki Cavazos**

Planner I

Approved by:

**Jaime Acevedo**

Director of Planning & Zoning

# Planning & Zoning Staff Report

## ARTICLE 3 - LOT AND DESIGN STANDARDS

### Division 3.200, Standards for Nonresidential and Mixed-Use Development

#### Sec. 3.202, Standards for Nonresidential and Mixed-Use Development

- A. **District Standards.** The district standards that are applicable to all nonresidential uses are provided in Table 3.202-1, *Nonresidential Use District Standards*. The table includes provisions for intensity, utility requirements, minimum site area, and maximum height. Information relating to these standards and their abbreviations follows:
1. **Use District and Development Types.** The first column of both tables reflects the zoning districts and permitted uses.
  2. **Landscaped Surface Ratio (LSR).** The second column reflects the minimum landscaped surface ratio required on a site. The ratio is calculated as a percentage of the site area, for example, 0.25 indicates 25 percent of a site must be open space (residential) or landscaped area (nonresidential).
  3. **Maximum Floor Area Ratio.** The fifth column sets out the maximum allowable intensity of nonresidential uses, which is measured by a floor area ratio (FAR). Floor area ratio is calculated as provided in Division 3.300, *Measurements and Exceptions*.
  4. **Minimum Site Area.** The fourth column indicates the minimum area that is required for the listed development type.
  5. **Maximum Height.** The last column indicates the maximum allowable height by use and district.

Table 3.202-1 Nonresidential and Mixed-Use Lot Standards					
District and Development Type	Minimum			FAR	Maximum
	LSR	Lot Area	Lot Width (ft.)		Height (ft.)
Commercial, General (CG)					
Commercial retail	0.15	10,000 sf.	50	0.280	45
Offices and lodging	0.30	10,000 sf.	50	0.320	50
Services	0.15	10,000 sf.	50	0.317	45
Industrial	0.20	20,000 sf.	100	0.462	45
Warehouse	0.20	20,000 sf.	100	0.567	45
All other nonresidential uses	0.15	20,000 sf.	100	0.388	45

Table 3.202-2 Nonresidential and Mixed-Use Building Placement Standards				
District and Use	Minimum			
	Build-To Line (ft.)	Front and Exterior Side Yard (ft.)	Side Yard (ft.)	Rear Yard (ft.)
<b>Commercial, General (CG)</b>				
Commercial retail	NA	25	8	10
Offices and lodging	NA	25	10	10
Services	NA	25	10	10
Industrial	NA	25	10	10
Warehouse	NA	25	10	10
All other nonresidential uses	NA	25	10	10



# Planning & Zoning Staff Report

## ARTICLE 4 - DEVELOPMENT STANDARDS

### Division 4.100, Parking and Loading

#### Sec. 4.103, Required Off-Street Parking and Loading Spaces

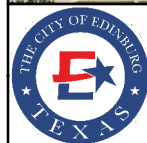
**A. Calculation of Required Parking Spaces.**

1. *Per Square Feet (SF)*. Where the number of parking spaces in Table 4.103-1, *Minimum Parking and Loading Requirements*, is calculated based on the gross floor area of the use not including restrooms and areas that are designed and used exclusively for storage.
2. *Fractional Spaces*. When the number of required off-street parking spaces results in a fractional space, the fractional space shall be rounded up to the next highest whole number.
3. *Per Dwelling Unit (DU) or Per Bedroom*. The phrase "per DU" means that the number of parking spaces is calculated based on the number of dwelling units. In some cases, the parking requirements are based on the number of bedrooms in the dwelling unit.
4. *Per Seat Capacity*. The phrase "per # seats" means that the number of parking spaces is based on the number of seats that are provided for guests (patrons, members, etc.), with benches or pews measured as one seat per each two feet of width;
5. *Per Employee*. The phrase "per employee" means the requirement is based on the number of employees on the maximum shift.
6. *Per Bed*. The phrase "per bed" means the requirement is based on the maximum number of patient beds that the facility may accommodate.
7. *Multiple Nonresidential Uses*. If several nonresidential uses occupy a single parcel or building, the off-street parking and loading requirements shall be the additive total for all uses.
8. *Special Study*. Where a special study is required in Table 4.103-1, the applicant shall provide a special study in accordance with Section 4.106.B.

- B. Minimum Off-Street Parking and Loading Requirements.** The minimum off-street parking and loading space requirements for the uses set out in this Code are established in Table 4.103-1, *Minimum Parking and Loading Requirements*, below.

Table 4.103-1 Minimum Parking and Loading Requirements			
SF = square feet   NA = Not Applicable			
Use Category	Land Use	Parking Spaces	Loading Spaces
Nonresidential Uses			
Commercial	Mixed Use	Refer to Sec. 4.106, <i>Shared and Off-Site Parking</i>	1 per 30,000 SF of nonresidential uses
	Office	4 spaces minimum for first 1,000 SF / 1 per 333 SF above 1,000 SF	1 per 50,000 SF
	Restaurant	1 per 200 SF or 1 per 3 seats, which ever is greater	1
	Services	Dry cleaner: 1 per 350 SF Funeral home: 1 per 4 seats All Other: 1 per 300 SF	1 per 30,000 SF





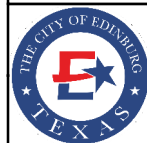
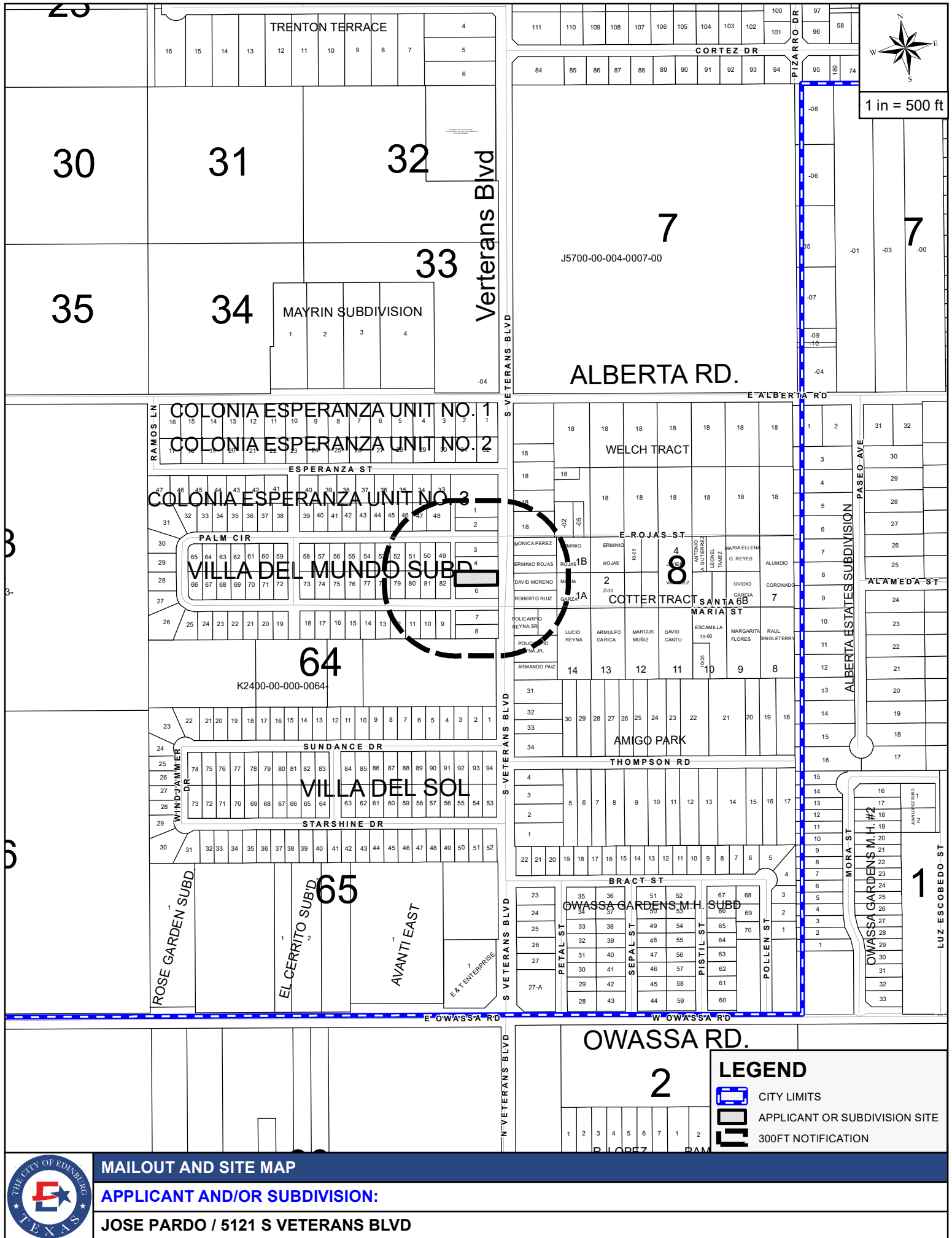
## AERIAL MAP

APPLICANT AND/OR SUBDIVISION:

JOSE PARDO / 5121 S VETERANS BLVD







**MAILOUT AND SITE MAP**  
**APPLICANT AND/OR SUBDIVISION:**  
**JOSE PARDO / 5121 S VETERANS BLVD**



Case # **VAR-2022-0111**

**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: SETBACK VARIANCE

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

CITY REQUIRES 10' SETBACK ON SIDES, BUT WE WOULD  
REQUIRE THE SETBACKS TO BE 6' ON EACH SIDE  
BUT IF THE SET BACK STAYS THE SAME THE BUILDING WILL BE  
TO SMALL

Property Description: Lot 5 Block \_\_\_\_\_ Subdivision VILLA DEL MUNDO

Property Address: 5121 S VETERANS

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

Person requesting Variance: JONATHAN VALENCIA Email: jj88845@gmail.com

Mailing Address: 816 San Angel St San San Juan Tx 78577  
809 W CHEYENNE PHARR TX 78577  
Street Address City/State Zip Code

Phone No. (Home): 956 900 5423 (Work): \_\_\_\_\_ (Cell): \_\_\_\_\_

Owner's Name: JOSE PARDO Email: jj88845@gmail.com

Owner's Address: 809 W CHEYENNE PHARR TX 78577  
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] / [Signature] Date: \_\_\_\_\_

Owner/Agent's Name (Please Print): Jonathan Valencia / Jose A. Pardo

\$450 Application Fee: 201748726 Application Received by: Jaime Ayala  
Receipt No.

### OFFICE USE ONLY

Application deadline: June 27 ZBA Hearing date: July 27

- \$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

**RECEIVED**

Name: [Signature]

Alberta

Road

NORTH LINE OF LOT 64

NE CORNER  
OF LOT 64

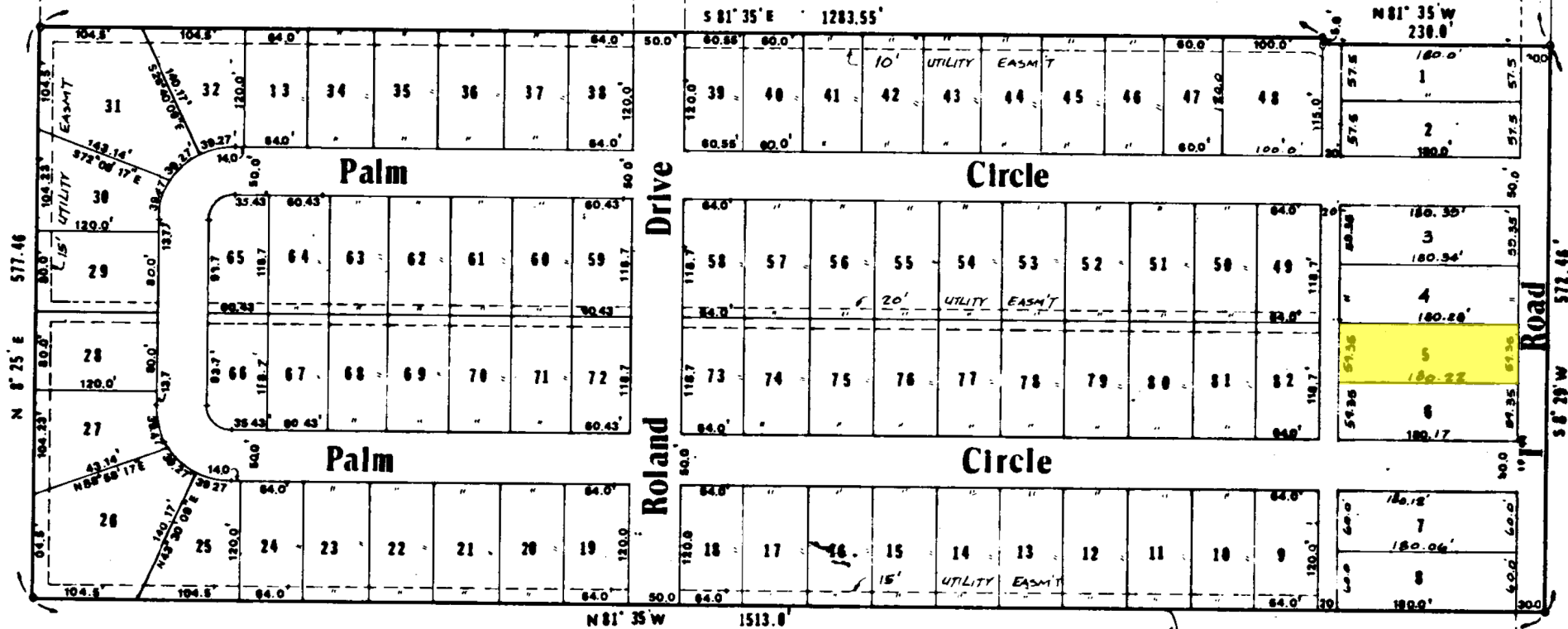


Ramos Lane

Esperanza

Street

EAST LINE  
OF LOT 64



APPROVED FOR RECORDING

COMMISSIONERS' COURT

This the day of \_\_\_\_\_ 1982  
SANTOS SALDANA, County Clerk  
Hidalgo County, Texas

# VILLA DEL MUNDO SUBDIVISION

BEING A SUBDIVISION OF A 20.03 ACRE TRACT OUT OF OUT OF LOT 64, KELLY-PHARR SUBDIVISION, HIDALGO COUNTY, TEXAS

Surveyed by Book 22 Page 108  
of the public records of Hidalgo  
County, Texas  
Weldon and Hunt, Inc.  
County Surveyors

**APPROVED  
FOR RECORDING**  
Hidalgo Co. Right of Way Dept.  
By Donna Walker  
Date May 10, 1982





JONA VALENZUELA  
ENGINEERING  
PH. 956.900.5423  
E M A I L :  
JH8845@GMAIL.COM

## SHEET INDEX

T-1.0	COVER SHEET & SITE PLAN
S-1.0	FOUNDATION & PLUMBING
S-2.0	ROOF PLAN
A-1.0	FLOOR PLAN
A-2.0	EXTERIOR ELEVATIONS
E-1.0	ELECTRICAL PLAN

PROJECT

PARDO  
METAL  
BUILDING

LOCATION

5121 S. VETERANS LOT 5  
VILLA DEL MUNDO  
SUBDIVISION  
EDINBURG, TEXAS

DATE 05-19-22  
PROJECT NO. 2224

AREAS

AREA 3,788 SQFT  
GARAGE 1,181 SQFT  
TOTAL 4,969 SQFT

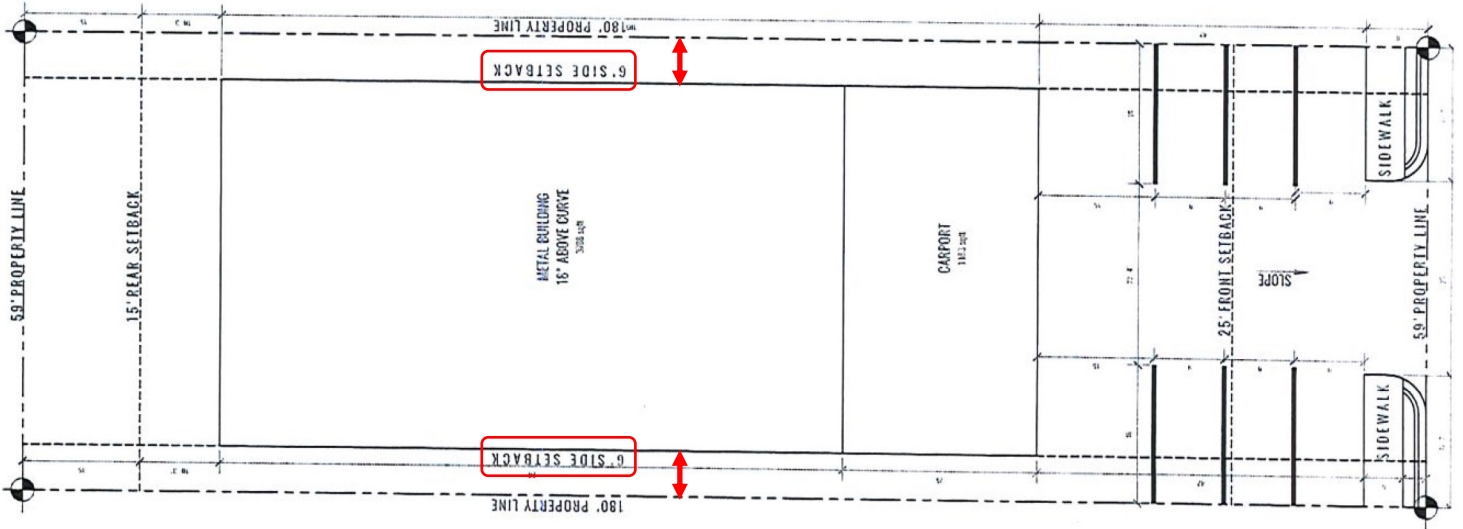
T-1.0

IV

1 SITE PLAN  
SCALE 1/8" = 1'-0"

RECEIVED

JUN 24 2022





PH. 956.900.5423  
E M A I L :  
JJ88845@GMAIL.COM

### CONSTRUCTION NOTES:

1. ALL MILLWORK, APPLIANCES AND EQUIPMENT SIZES TO BE MEASURED ON SITE BEFORE ORDERING.
2. ALL FUR-OUT WALLS TO BE FRAMED BY 2X4 STUDS.
3. SOME PLUMBING WALLS TO BE FRAMED WITH 2X6 STUDS.
4. WINDOWS IN BATHROOMS WILL HAVE OBSCURED GLASS.
5. ALL DIMENSIONS TO BE FIELD VERIFIED.
6. ALL WORK WILL BE INSPECTED PRIOR TO COVER.
7. ALL MATERIAL SHALL BE NEW AND OF THE GOOD QUALITY.
8. PROVIDE WATER RESIST GYP. BOARD AT SHOWER WALLS.
9. ALL INTERIOR WALLS TO BE 2X4 AT 16" O.C. W/1-PLY 1/2" GYP. BOARD AT EACH SIDE UNLESS NOTED OTHERWISE.
10. ALL EXTERIOR WALL TO BE 2X4 AT 16" O.C. OR TO FOLLOW FEDERAL, STATE, COUNTY AND/ OR CITY ORDINANCES AND BUILDING CODES.
11. PROVIDE EXTERIOR HOSE BIDS. REFER TO SITE PLAN FOR LOCATIONS.
12. FINISH FLOOR ELEVATIONS SHALL BE 18" ABOVE EXISTING CONCRETE CURB, OR TO FOLLOW FEDERAL, STATE, COUNTY AND/ OR CITY ORDINANCES AND BUILDING CODES.

#### WALL LEGEND:

2X WOOD STUD WALL (6" PLUMBING WALLS)

CMU WALL

BRICK WALL / STONE

NOTE: WALL TYPES NOT ALWAYS USED.

### PROJECT PARDO METAL BUILDING

LOCATION:  
5121 S. VETERANS LOT 5  
VILLA DEL MUNDO  
SUBDIVISION  
EDINBURG, TEXAS

DATE 05-19-22  
PROJECT NO. 2224

AREAS:  
AREA 3,788 SQFT  
GARAGE 1,181 SQFT  
TOTAL 4,969 SQFT

# A-1.0

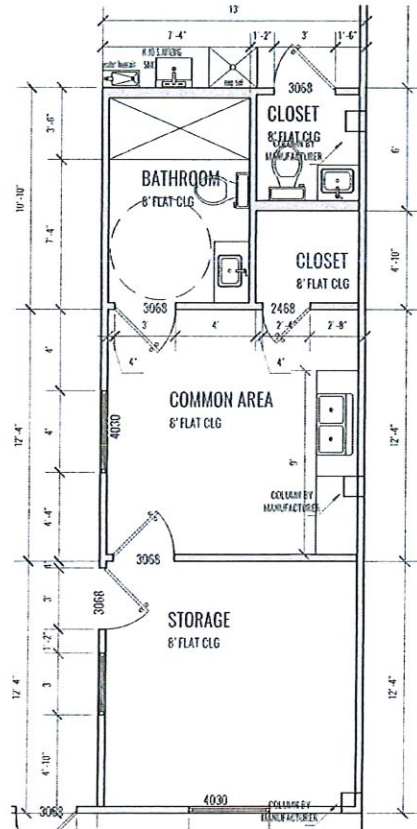
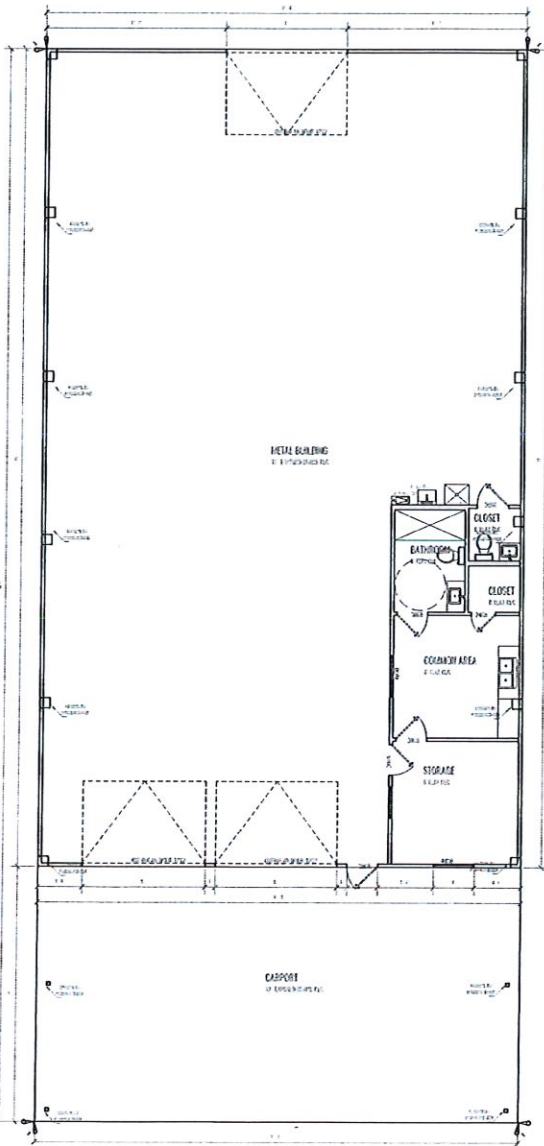
DATE: 05-19-22

# RECEIVED

1 FLOORPLAN LVL 1  
SCALE: 1/4" = 1'-0"

JUN 24 2022

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







### COMMERCIAL

## BUILDING PERMIT APPLICATION

ADDRESS: 415 W. UNIVERSITY DR (PO BOX 1079), EDINBURG TX, 78540  
PHONE: 956/388/8203 FAX: 956/292/2080

PERMIT NO.: Bldg-2022-7825 DATE ISSUED: \_\_\_\_\_

GENERAL CONTRACTOR Jose A. pardo PHONE NO. \_\_\_\_\_  
ADDRESS 816 San Angel St. (956) 68 (OFFICE)  
CITY, STATE & ZIP San Juan, TX 78589 (956) 984 9336 (MOBILE)  
EMAIL ADDRESS jpelectric81@gmail.com

PROJECT SITE ADDRESS: 5121 S. Veterans IMPROVEMENT \_\_\_\_\_  
BUSINESS NAME: JP Electrical Service VALUE \$ 60,000  
LOT(S): 5 BLOCK: \_\_\_\_\_ SUBDIVISION: Villa Del Mundo GATE CODE: \_\_\_\_\_

SCOPE OF WORK: build new metal building  
Compañia Servicios Electricos  
storage my Vans

☒ NEW ☐ ADDITION ☐ REMODEL ☐ REPAIR ☐ SIGN ☐ DEMOLITION (NEED APPROVAL: ☐ SWD)

TOTAL BLDG SQ. FT. # PARKING SQ. FT. LOT  
SQ. FT. 3788 LIVING \_\_\_\_\_ SPACE \_\_\_\_\_ LOT 10620 FRONT 59' FLOOR ELEVATION \_\_\_\_\_ FLOOD ZONE \_\_\_\_\_

FOUNDATION	EXT WALLS	INTERIOR WALL	ROOF	OTHER CONDITIONS
<input checked="" type="checkbox"/> CONCRETE SLAB	<input type="checkbox"/> MASONRY VENEER	<input type="checkbox"/> SHEETROCK	<input type="checkbox"/> ROOF SHINGLES	<input checked="" type="checkbox"/> PUBLIC SIDEWALK
<input type="checkbox"/> CONCRETE PIER	<input type="checkbox"/> MASONRY SOLID	<input type="checkbox"/> PANEL	<input type="checkbox"/> COMPOSITION	<input type="checkbox"/> CORNER LOT
<input type="checkbox"/> CONCRETE BLOCK	<input checked="" type="checkbox"/> METAL SIDING	<input type="checkbox"/> SEALED	<input checked="" type="checkbox"/> METAL	<input type="checkbox"/> CUL-DE-SAC
<input type="checkbox"/> CONCRETE BEAM	<input type="checkbox"/> COMPOSITION	<input type="checkbox"/> TEXTONE	<input type="checkbox"/> CLAY TILE	<input type="checkbox"/> OTHER _____

OWNER: Jose A. pardo PHONE NO. ( ) \_\_\_\_\_  
ADDRESS: 816 San Angel St. MOBILE NO. (956) 984 9336  
CITY: San Juan TX STATE TX ZIP 78589

\*\*\*\* GENERAL LIABILITY INSURANCE OR SURETY BOND (\$10,000) IS REQUIRED \*\*\*\*

Inspections requested between 8:00 A.M to 4 :30 P.M will be conducted the following business day.

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

AGENT/OWNER(PLEASE PRINT) Jose A. pardo DATE 5/23/22

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



# Zoning Board of Adjustment

Site Photos for meeting of July 27, 2022

JOSÉ PARDO - 5121 SOUTH VETERANS BOULEVARD





## Planning & Zoning Staff Report

Prepared on: August 22, 2022

### ZONING BOARD OF ADJUSTMENT

Regular Meeting: August 31, 2022

#### Agenda Item

Consider Variance to the City's Unified Development Code as follows: 1) Article 3, Section 3.102-4, Multiplex and Apartment and Building Standards, Multiplex, Rear Yard , being Lot 1, Martinez 12 Subdivision, located at 1514 West Carmen Avenue, as requested by Jorge Herrera.

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#### Request

The applicant is requesting a variance to the City's Unified Development Code, Article 3, Section 3.102-4 as it applies to Multiplex and Apartment setbacks. The applicant is proposing to reduce the rear yard setback from 15 feet to 10 feet, the variance being requested is to allow the construction of a multiplex at the subject property.

#### Property Location and Vicinity

The property is located on the southeast corner of North Sugar Road and West Carmen Avenue. The property is zoned Residential, Multifamily and Urban (RM) District. Adjacent zoning is Residential, Multifamily and Urban (RM) District to the north, south, and east and Residential Suburban (RS) District to the west. Adjacent land uses are single-family residential and multiplex and vacant land.

#### Background and History

The property is part of the Martinez 12 Subdivision, recorded on November 18, 1999. The applicant is proposing a multiplex development on the subject property. A building permit was submitted on June 20, 2022. Review of the site plan submitted with the building permit showed that the intended development had a 5 foot encroachment in the rear yard setback as per the Unified Development Code. A variance for this project is needed to proceed with the proposed Multiplex. A Zoning Board of Adjustments Variance Request Application was submitted on August 9, 2022, to accommodate the project.

The applicant has met with City Staff to revise the initial Site Plan to accommodate a safer parking layout for the subject property.

Staff mailed a notice of the variance requests to 19 neighboring property owners and received no comments in favor or against this request at the time that this report was prepared.

#### Analysis

The property is a corner side irregular lot with 80 feet of width and a total lot area of 7,725 sq. ft. The Unified Development Code, Section 3.102, Table 3.102-4, Multiplex and Apartment and Building Standards, requires a minimum of 15 ft. for the rear yard in the Residential, Multifamily, and Urban (RM) District. This district is the highest intensity residential district and is intended to meet the community's need for infill and multifamily housing.

# Planning & Zoning Staff Report

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## **Recommendation**

Staff recommends approval of the variance as presented due to similar multiplexes in the subject area.

If approved, the applicant will need to comply with all other requirements during the permitting process and pay a \$40 fee payable to the County of Hidalgo, submitted to the County Clerk's office for the recording of the Zoning Board of Adjustments order on this request, and any other City requirements as applicable.

Prepared by:

**Nikki Marie Cavazos**

Planner I

Approved by:

**Jaime Acevedo**

Director of Planning & Zoning

# Planning & Zoning Staff Report

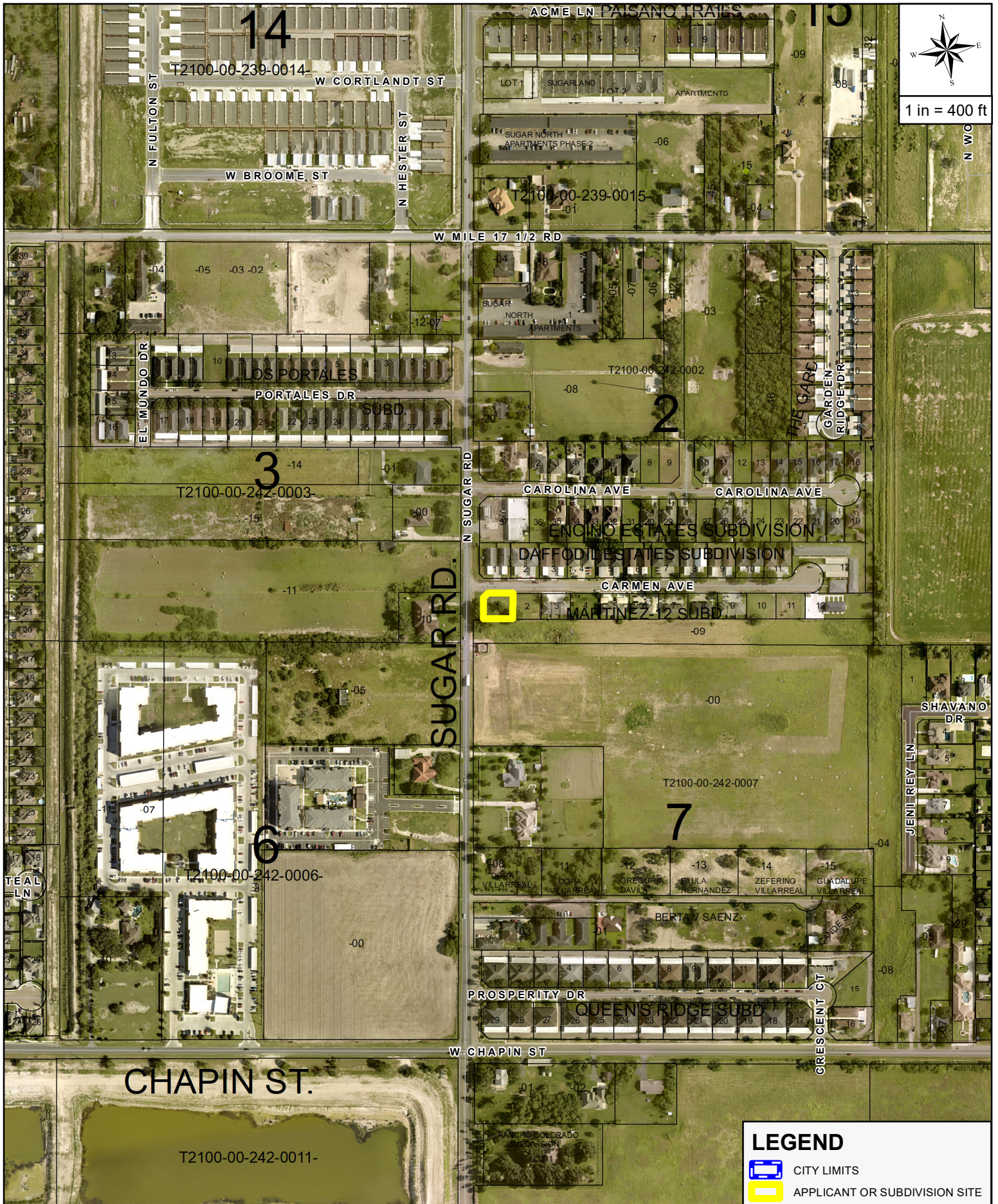
## ARTICLE 3 - LOT AND DESIGN STANDARDS

### Division 3.100, Standards for Rural and Residential Districts

#### Sec. 3.102, Standards for Rural and Residential Development

Table 3.102-4 Multiplex and Apartment and Building Standards										
Development Type	Minimum								Maximum	
	Site Area / Building (sf.)	Lot Area / du. (cf.)	Lot Width (ft.)	Street Yard (ft.) <sup>2</sup>	Rear Yard (ft.)	Building Separation (ft.)	Parking Setback from Curb (ft.)	Parking Setback Rear and Side (ft.)	Height (ft.)	Density (dwellings per acre)
Multiplex	8,000	2,000	80	10	15	12	20	na	35	Efficiency / 1
Apartment	11,500	1,400	80 <sup>1</sup>	10	20	30	Not permitted in street yard	8	72	Bedroom: 40 2 Bedroom: 30 3+ Bedroom: 20
<b>TABLE NOTES:</b>										
<sup>1</sup> Along arterials, frontages in excess of the minimum lot width may be required. See <a href="#">Sec. 5.208</a> , Access Management.										
<sup>2</sup> Setback from public street rights-of-way. Where private internal circulation is used, 12 feet is permissible.										





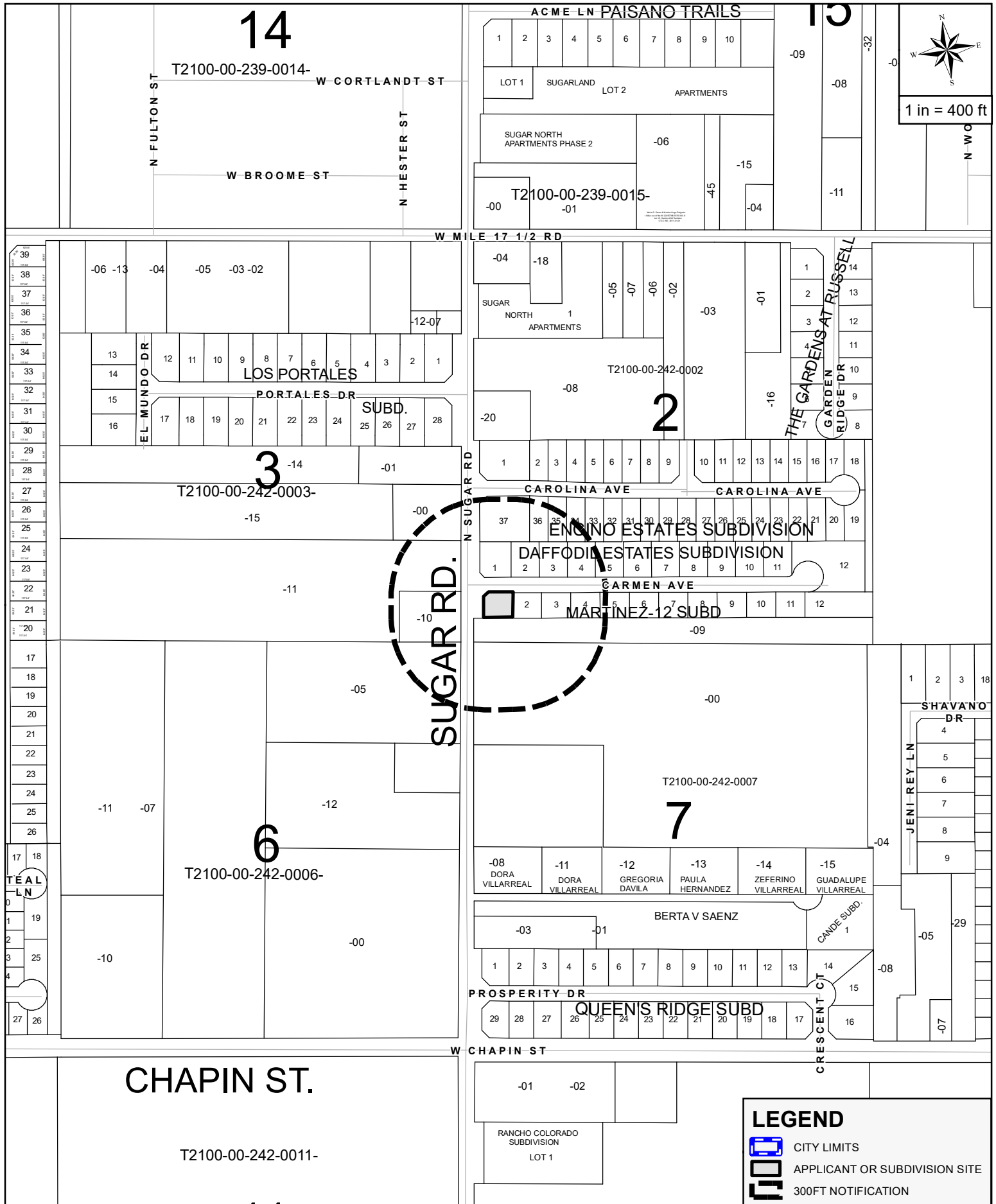
**AERIAL MAP**

**APPLICANT AND/OR SUBDIVISION:**

**JORGE HERRERA / 1514 W CARMEN AVE**











Case # **VAR-2022-0123**

**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: TO ENCROACH TO 6'-6" INTO REAR SETBACK

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

CONSTRAINING LOT

Property Description: Lot 1 Block \_\_\_\_\_ Subdivision MARTINEZ 12 SUB

Property Address: 1514 W CARMEN AVE

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

Person requesting Variance: JORGE HERRERA Email: jorgeherrera4112@gmail.com

Mailing Address: 6701 N 8th St APT D MCALLEN TX 78504  
Street Address City/State Zip Code

Phone No. (Home): \_\_\_\_\_ (Work): \_\_\_\_\_ (Cell): 956-624-1065

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

Owner's Address: \_\_\_\_\_  
Street Address City/State Zip Code

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

Signature: [Signature] Date: 08/09/22

Owner/Agent's Name (Please Print): SAME

\$450 Application Fee: 201795896 Application Received by: J. Ayala  
Receipt No.

**RECEIVED**

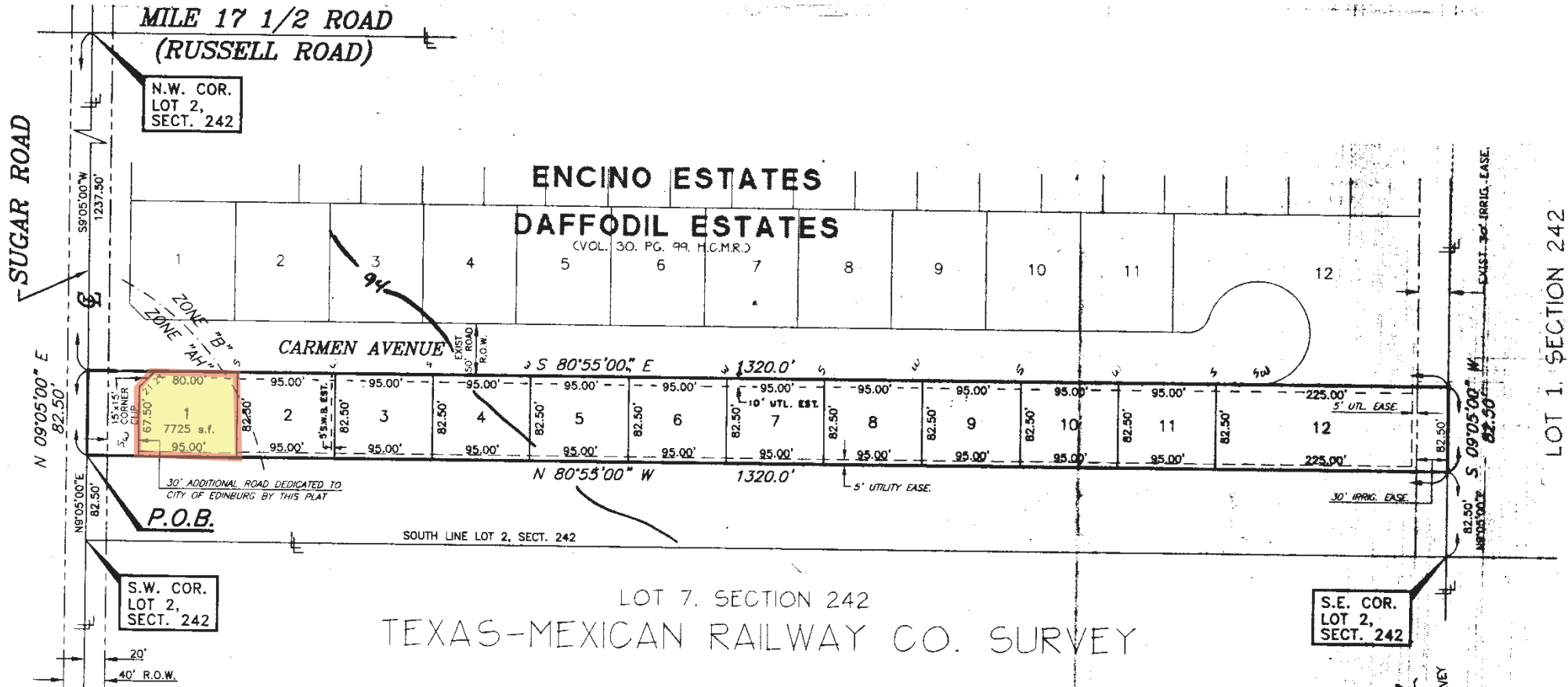
OFFICE USE ONLY

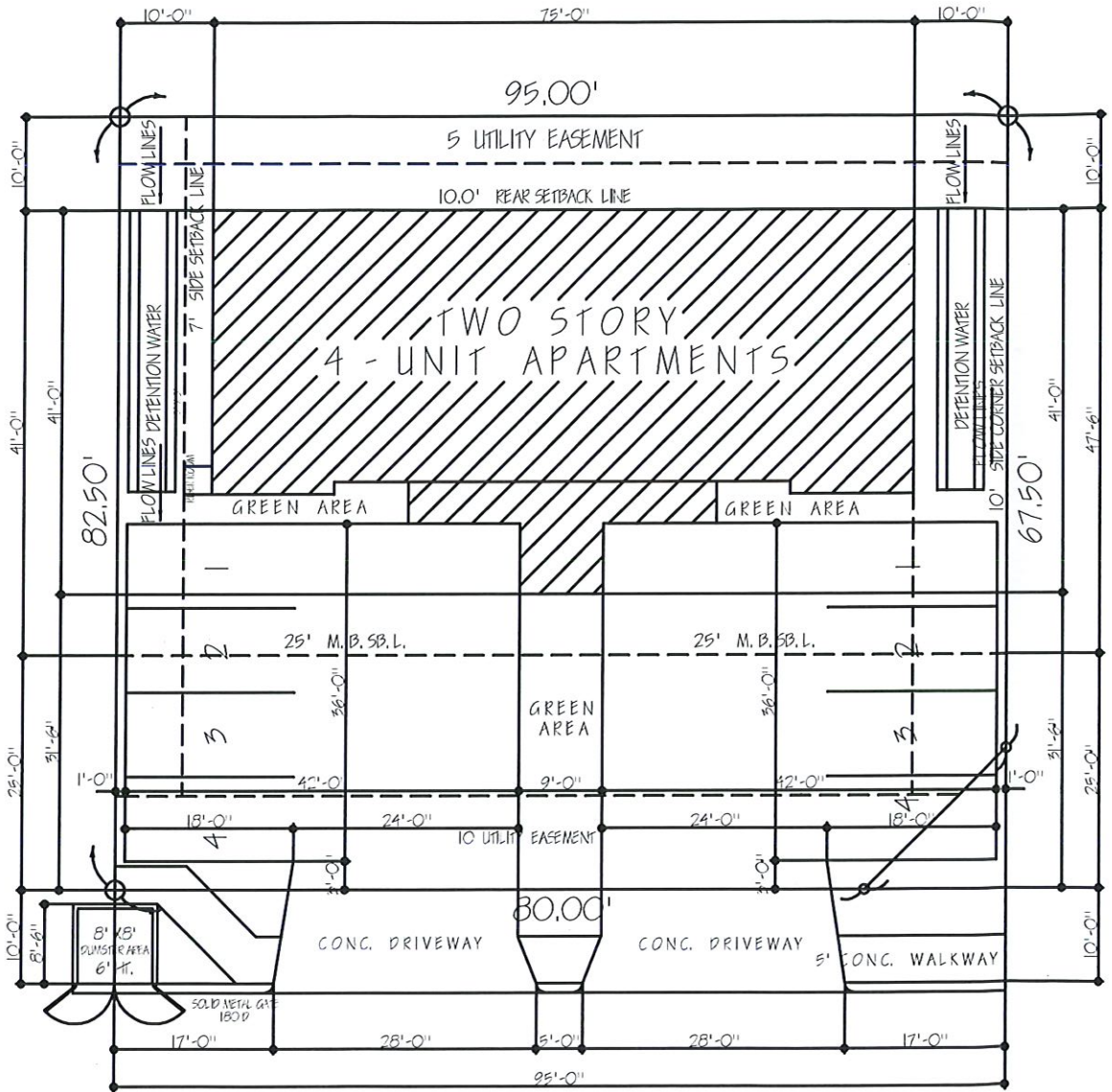
Application deadline: Aug 29<sup>th</sup> ZBA Hearing date: Sept. 28<sup>th</sup>

AUG 09 2022

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
- Warranty deed. • project plans • Letter of Authorization (if not property owner).





1514 W CARMEN AVENUE





**RESIDENTIAL & MULTIFAMILY  
BUILDING PERMIT APPLICATION**

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

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

PERMIT NO. BDM-2022-8466 DATE ISSUED: \_\_\_\_\_

GENERAL CONTRACTOR TODAY'S HOMES

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

ADDRESS 6701 N 8th St D

( ) - (OFFICE)

CITY, STATE & ZIP MCALLEN TX 78504

( ) - (MOBILE)

EMAIL ADDRESS jorgeherrera4712@gmail.com

PROJECT SITE ADDRESS: 1514 W CARMON AVE

IMPROVEMENT  
VALUE \$ 390,000.00

LOT(S): 1 BLOCK: \_\_\_\_\_ SUBDIVISION: MARTINE - 12 SUBD. GATE CODE \_\_\_\_\_

SCOPE OF WORK: NEW CONSTRUCTION

☒ NEW ☐ ADDITION ☐ REMODEL ☐ REPAIR ☐ FENCE ☐ DEMOLITION (NEED APPROVAL: SWD)

PLEASE CHECK ONE: RESIDENTIAL ☒ MULTI-FAMILY ☐

TOTAL BLDG SQ FT 4780 SQ. FT LIVING 4424 # PARKING SPACE 8 SQ FT LOT 6412 LOT FRONT 80' FLOOR ELEVATION ABOVE TOP OF CURB 18"

NO. OF UNITS 4 NO. OF FLOORS 2 NO. OF BDRMS 2 NO. OF BATHRMS 2 SQ FT CARPORT 648 FLOOD ZONE \_\_\_\_\_ BLDG. HEIGHT 25'

**BUILDING DISTANCE FROM PROPERTY LINES**

FRONT SIDE REAR SIDE

FOUNDATION	EXT WALLS	INTERIOR WALL	ROOF	OTHER CONDITIONS
<input checked="" type="checkbox"/> CONCRETE SLAB	<input checked="" type="checkbox"/> MASONRY VENEER	<input checked="" type="checkbox"/> SHEETROCK	<input type="checkbox"/> ROOF SHINGLES	<input checked="" type="checkbox"/> PUBLIC SIDEWALK
<input type="checkbox"/> CONCRETE PIER	<input type="checkbox"/> MASONRY SOLID	<input type="checkbox"/> PANEL	<input checked="" type="checkbox"/> COMPOSITION	<input checked="" type="checkbox"/> CORNER LOT
<input type="checkbox"/> CONCRETE BLOCK	<input type="checkbox"/> METAL SIDING	<input type="checkbox"/> SEALED	<input type="checkbox"/> METAL	<input type="checkbox"/> CUL-DE-SAC
<input type="checkbox"/> CONCRETE BEAM	<input type="checkbox"/> COMPOSITION	<input type="checkbox"/> TEXTONE	<input type="checkbox"/> CLAY TILE	<input type="checkbox"/> OTHER _____

OWNER: JORGE HERRERA

PHONE NO. ( ) - \_\_\_\_\_

ADDRESS: 6701 N 8th St D

MOBILE NO. 956-624-1065

CITY: MCALLEN

STATE TX

ZIP 78504

\*\*\*\*\*  
EFFECTIVE IMMEDIATELY

Inspections requested between 8:00 A.M to 4 :30 P.M will be conducted the following business day.

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

<input type="checkbox"/> Layout of main floor with all rooms labeled  <input checked="" type="checkbox"/> Door sizes  <input checked="" type="checkbox"/> Attic and crawl spaces access locations labeled and size	<input checked="" type="checkbox"/> Layout of secondary floors with all rooms labeled  <input checked="" type="checkbox"/> Window sizes  <input type="checkbox"/> Dash lines indicating ceiling heights and shape
<b>Electrical Details</b> <input checked="" type="checkbox"/> Service panel location <input checked="" type="checkbox"/> All lights, switches, and receptacles <input checked="" type="checkbox"/> Smoke alarm locations <input checked="" type="checkbox"/> Exhaust Fan (restroom(s) )	
<b>Plumbing Details</b> <input type="checkbox"/> Furnace location and size <input type="checkbox"/> All fuel gas locations	
<b>Energy Compliance Report and Checklist: 2018 IECC (13 SEER or HIGHER )</b>	
<b>Manual J - Report for Mechanical Installation</b>	
<b>Wind Storm Compliance</b> <input checked="" type="checkbox"/> Wall Bracing Plan & Details <input type="checkbox"/> Engineer Sealed	
<b>Notes:</b> <hr/> <hr/>	

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

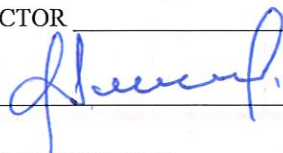
**Inspections requested between 8:00 A.M to 4:30 P.M. will be conducted the following business day.**

**GENERAL LIABILITY INSURANCE OR SURETY BOND (\$10,000) IS REQUIRED**

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

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

AGENT/OWNER



DATE 06/16/22

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

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



# Zoning Board of Adjustment

Site Photos for meeting of August 31, 2022

JORGE HERRERA— 1514 WEST CARMEN AVENUE





## 2022 ATTENDANCE RECORD

### ZONING BOARD OF ADJUSTMENTS MEETINGS

	01/20/22	02/23/22	SPECIAL 03/09/22	03/30/22	04/27/22	05/25/22	06/29/22	07/27/22				
Alex Rios - Chairperson	A	P	P	P	P	A	A	P				
Eddie Garza - Vice Chairperson	P	P	P	P	P	P	P	P				
Andre Maldonado - Regular	P	P	P	P	P	A	P	A				
George Cardenas - Regular	A	P	P	P	P	A	P	P				
Ponciano Longoria - Regular	P	P	P	A	P	P	P	P				
Marc Moran - Alternate	P	P	P	A	P	P	P	P				
Michael Cantu - Alternate	P	P	A	P	P	P	P	A				
Diane Teter - Alternate	P	P	P	P	P	P	P	P				
Abraham Garcia - Alternate					P	A	A	A				