



**NOTICE AND AGENDA
ZONING BOARD OF ADJUSTMENT
NOVEMBER 16, 2022 - 03:30 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 October 26, 2022 Regular Meeting

7. PUBLIC HEARINGS

- A. Consider Variance to the City's Unified Development Code, Article 5.210-E, Utilities, Sanitary Sewers, Lot 2, Lady Luck Subdivision, Located at 4528 North Doolittle Road, as requested by Leni I. Cepeda Jr. & Amanda Cepeda
- B. Consider Variance to the City's Unified Development Code, Section 3.301, Single Family Residential Bulk Standards, Setbacks, Lot 69, Autumn Ridge Estates Phase I Subdivision, located at 2007 Andrea Avenue, as requested by Marcelo Gutierrez Construction/Remodeling, Inc. on behalf of Gary and Aurora Halford

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 3:00 P.M. on Thursday November 10, 2022 .



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



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

Members Present:

Eddie Garza
Ponciano Longoria
Michael Cantu
Diane Teter
Abraham Garcia

Absent:

Alex Rios
Marc Moran

Staff:

Jaime Acevedo , Director of Planning & Zoning
Jaime Ayala, Planner II
Peter Hermida, Engineering Department
Omar Ochoa, City Attorney
Claudia Mariscal, Administrative Assistant

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

Jaime Ayala certified the agenda had been posted on October 21, 2022 at 3:00 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.

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 October 5, 2022 Regular Meeting

Board Member, Michael Cantu moved to consider approval of the Minutes for the August 31, 2022 Regular Meeting. Seconded by Board Member, Ponciano Longoria the motion. The motion to approve carried unanimously with a vote of 5-0

7. PUBLIC HEARINGS

- A.** Consider Variance to the City's Unified Development Code, Section 4.103-1, Minimum Parking and Loading Requirements, being all of Lots 2-44, Bel-Air Estates Subdivision, located at 2519 North Closner Boulevard, as requested by Steve Spencer

Steve Spencer was present and explained that the drainage wasn't caught until construction was being done. Mr. Jaime Ayala clarified that approval of the variance

would be for less parking spaces and adding conditions to stripe a no parking area. Director of Planning Jaime Acevedo explained that the driveway is located to one side of the parking area, due to the location of the drainage.

AFTER THE BRIEF DISCUSSION, MOTION WAS MADE BY BOARD MEMBER, MICHAEL TO APPROVE AND WAS SECONDED BY BOARD MEMBER, PONCIANO LONGORIA TO APPROVE THE VARIANCE REQUEST. MOTION CARRIED UNANIMOUSLY WITH A VOTE OF 5-0.

8. OTHER BUSINESS

9. INFORMATION ONLY

A. Attendance Roster

10. ADJOURNMENT

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

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: November 8, 2022

ZONING BOARD OF ADJUSTMENT

Regular Meeting: November 16, 2022

Agenda Item 7A

Consider Variance to the City's Unified Development Code, Article 5.210-E, Utilities, Sanitary Sewers, Lot 2, Lady Luck Subdivision, Located at 4528 North Doolittle Road, as requested by Leni I. Cepeda Jr. & Amanda Cepeda

Request

The applicant is requesting a variance to the City's Unified Development Code (UDC), Section 5.201(E) as it applies to requirements for sanitary sewer. The applicant is proposing to utilize an on-site sewage facility rather than connect to the public sanitary sewer system.

Property Location and Vicinity

The property is located on the east side of North Doolittle Road, approximately 235 ft. south of East Mile 19 North, and is zoned Residential, Suburban (RS) District. Adjacent zoning is Commercial, Neighborhood (CN) District to the north, Commercial, Neighborhood (CN) and Residential, Manufactured Home (MH) Districts to the west, and Residential, Suburban (RS) District to south and east. Surrounding land uses are single-family residential and vacant land.

Background and History

The property is part of the Lady Luck Subdivision, recorded August 6, 1996. A single-family residential structure is nearing completion on the subject property. A Variance Request was received from the applicant on October 25, 2022. The applicant is proposing to utilize an on-site sewage facility (septic tank) for the newly completed home rather than connect to the public sewer system as required by the UDC.

Staff mailed notice of this variance request to 30 neighboring property owners. No comments in favor and one against this request had been received at the time this report was prepared.

Analysis

The property has 218.50 ft. of frontage on North Doolittle Road and an average depth of 290.18 ft. for a total lot area of approximately 1.46 acres. UDC Section 5.210(E) states that "All uses shall be required to be served by public sanitary sewer systems..." An allowance for on-site sewer systems is made for lots in excess of 400 ft. from a reasonably accessible sewer system. The subject property is approximately 60 ft. from the City of Edinburg Sewer lines located on the west side of North Doolittle Road and does not qualify for this exception.

Excessive cost of connecting to this sewer line was cited as the basis for this request. Texas Local Government Code, Section 211.009(4)(b-1)(1) provides guidelines for variance approval if "the

Planning & Zoning Staff Report

financial cost of compliance is greater than 50 percent of the appraised value of the structure...” Most recent information received from the Hidalgo County Appraisal District (HCAD) has valued the structure at \$153,072 at 90% completion. Connection to the existing sewer system would not exceed the required “50 percent” of the total value of this structure, even in its unfinished state. No other grounds for approval based on hardship set forth by Texas Local Government Code apply to this case.

The UDC Section 9.501(B), Specific Review Criteria, does not provide for financial gain or loss as a basis for variance approval. No extraordinary or exceptional conditions pertaining to the subject property that are not applicable to other lands or structures in the same district were noted. No other Specific Review Criteria that could serve as basis for approval request apply to this case.

Recommendation

Staff recommends disapproval of this variance request and that the applicant respect required setbacks and easements. No grounds to justify approval of this request have been established, either by UDC Specific Review Criteria requirements or by Texas Local Government Code guidelines. It is noted a similar case was approved this Board at its regular meeting of November, 2017, five years ago.

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

Prepared by:

D. Austin Colina

Planner I

Approved by:

Jaime Acevedo

Director of Planning & Zoning

UNIFIED DEVELOPMENT CODE

(Ord. No. [2022-4764](#), 08/09/2022)

ARTICLE 5 - SUBDIVISION STANDARDS

Division 5.200, Subdivision Design Standards

Sec. 5.210, Utilities

...

E. Sanitary Sewers.

1. *Public Sanitary Systems.* All uses shall be required to be served by public sanitary sewer systems, except for permitted uses in the AO District, which are permitted to use on-site systems. The presence of adequate public sanitary sewer capacity shall be certified by the City Engineer and/or Utility Director. Construction shall be approved by the City Engineer, or a designee, unless on-site systems are permitted by this Section for specific conditions.
2. *Requirements for Sanitary Sewer.*
 - a. Lots of record on the effective date of this Code shall be allowed to use on-site systems, provided that the lot is not within 400 feet of a reasonably accessible sewer system. Lots of record that are located within 400 feet of a reasonably accessible sewer system shall connect to the system at the earliest of:
 - i. The time a building permit is applied for;
 - ii. A change in the use of a structure or land use;
 - iii. A septic tank on the lot fails; or
 - iv. An addition is made to existing structure on the lot.

UNIFIED DEVELOPMENT CODE

(Ord. No. [2022-4764](#), 08/09/2022)

ARTICLE 9 – DEVELOPMENT REVIEW PROCEDURES

Division 9.500, Quasi-Judicial Review Procedures

Sec. 9.501, Variances

...

B. Specific Review Criteria.

1. *Review Criteria.* In determining whether to approve, approve with conditions, or deny a Variance, the review bodies shall consider the applicable common decision criteria in Sec. 9.205, Common Decision Criteria, and should not grant a variance unless the following conditions are satisfied:
 - a. There are extraordinary and exceptional conditions pertaining to the subject property because of its size, shape, or topography that are not applicable to other lands or structures in the same district;
 - b. The need for a Variance or the extraordinary and exceptional conditions do not result from the actions of the applicant;
 - c. Granting the Variance will not confer on the applicant any special privilege that is denied to other lands or structures in the same district;
 - d. A literal interpretation of the provisions of this UDC would deprive the applicant of rights commonly enjoyed by other residents of the district in which the property is located;
 - e. Granting of the Variance will be in harmony with the general purpose and intent of this UDC and will not be injurious to the neighborhood or otherwise detrimental to the public welfare;
 - f. The Variance requested is the minimum variance that will make possible a permitted use of the land, building, or structure;
 - g. The Variance will not permit a use of land, building, or structure that is not otherwise permitted in the applicable district;
 - h. The Variance will not permit an intensity of use of land that is not permitted in the applicable district; and
 - i. The Variance is consistent with the City's Comprehensive Plan.
2. *Affirmative Findings.* In order to approve an application for a Variance, the final decision-making body shall make affirmative findings on all of the applicable decision criteria.

LOCAL GOVERNMENT CODE

TITLE 7. REGULATION OF LAND USE, STRUCTURES, BUSINESSES, AND RELATED ACTIVITIES

SUBTITLE A. MUNICIPAL REGULATORY AUTHORITY

CHAPTER 211. MUNICIPAL ZONING AUTHORITY

SUBCHAPTER A. GENERAL ZONING REGULATIONS

Sec. 211.009. AUTHORITY OF BOARD.

...

(4)

(b-1) In exercising its authority under Subsection (a) (3), the board may consider the following as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship:

- (1) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01, Tax Code;
- (2) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur;
- (3) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement;
- (4) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
- (5) the municipality considers the structure to be a nonconforming structure.

TESORO DE
SANTA CRUZ

SANTA CRUZ
3 GARDENS
UT NO. 3

NEW YORK-NEW YORK

BORDERS

PLAZA LAS
CANTERAS

3 HERN

SANTA GLORIA

LOMA CHICA

LADY LUCK

MONTEREAL
ESTATES

LADY
LUCK #2

SANTA CRUZ ESTATES PH 2

SANTA CRUZ ESTATES

BAR UT NO. 5

KENYON

1 in = 400 ft

CITY LIMITS

APPLICANT OR SUBDIVISION
SITE



AERIAL MAP

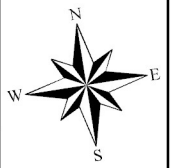
AERIAL

APPLICANT AND/OR SUBDIVISION:

LENI I. CEPEDA JR. & AMANDA CEPEDA - LADY LUCK, LOT 2

TESORO DE
SANTA CRUZ

14



1 in = 400 ft

SANTA CRUZ
3 GARDENS
UT NO. 3

2

NEW YORK-NEW YORK

SANTA GLORIA

LOMA CHICA

MONTEREAL
ESTATES

LADY LUCK

LADY
LUCK #2

BORDERS

PLAZA LAS
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3 HERN

BAR UT NO. 5

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



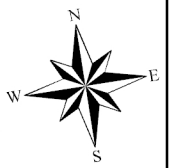
ZONING MAP

APPLICANT AND/OR SUBDIVISION:

LENI I. CEPEDA JR. & AMANDA CEPEDA - LADY LUCK, LOT 2

TESORO DE
SANTA CRUZ

14



1 in = 400 ft

SANTA CRUZ
3 GARDENS
UT NO. 3

2

60
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58 56 53 50 49 47 45 43 41
NEW YORK-NEW YORK
20 22 24 26 28 30 32 34 36 38
19 17 15 12 10 8 7 6 5 4 3 2 1

61 59 57 55 53 51 49 47 45 43 41
64 66 68 70 72 74 76 78 80 82 84



Case # **VAR-2022-0137**

Edinburg THE CITY OF

0137

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

Subdivision Appeals / Variance Application

Submittal Date: 10/24/22

Legal Description:

4528 N. Doolittle Road.
Edinburg, Texas 78542.

Variance Requested (Identify section of code for which variance is being requested):

5.210(E), Utilities, Sanitary Sewers

Reason for Request:

Need approval for septic system on property

Lent I Cepeda Jr & Amanda Cepeda

Property Owner (Print legibly or type)

4528 N. Doolittle Road

Address

Edinburg, Texas 78542

City, State, Zip

956-244-1188 / 956-605-0117

Telephone

amanda.garza2@yahoo.com

Email address

Applicant / Agent (Print legibly or type)

Address

City, State, Zip

Telephone

Email address

Signature

Amanda Cepeda

Signature

\$450 Application Fee:

RECEIVED

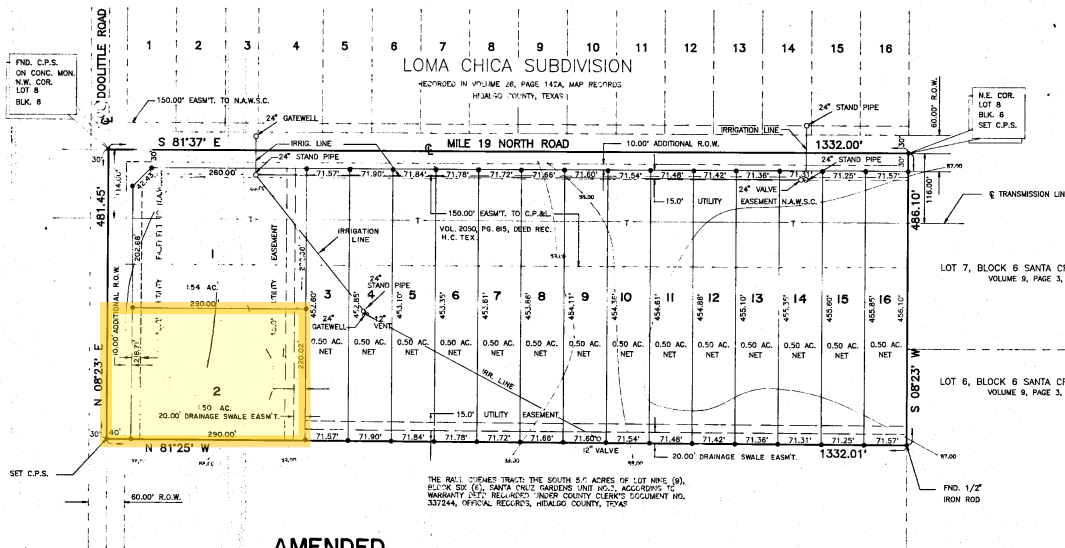
OCT 25 2022

Received By:

Name: Adan Elizalde

Application
✓ Plat or Subdivision
✓ Letter or Request

Pn2 meeting
Date: Dec 13th 22



AMENDED LADY LUCK SUBDIVISION

BEING A SUBDIVISION OF 14.79 ACRES BEING ALL OF LOT 8, AND THE NORTH 5.09 ACRES OF LOT 9, BLOCK 6, SANTA CRUZ GARDENS UNIT NO. 3, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 9, PAGE 3, MAP RECORDS, HIDALGO COUNTY, TEXAS.

METES AND BOUNDS

A 14.79 ACRE TRACT OF LAND BEING ALL OF LOT 8, AND THE NORTH 5.09 ACRES OF LOT 9, BLOCK 6, SANTA CRUZ GARDENS UNIT NO. 3, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 9, PAGE 3, MAP RECORDS, HIDALGO COUNTY, TEXAS, AND ACCORDING TO WARRANTY DEED RECORDED UNDER COUNTY CLERK'S DOCUMENT NO. 492919, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A COTTON PICKER SPINDLE FOUND ON TOP OF A CONCRETE MONUMENT AT THE INTERSECTION OF THE CENTERLINES OF MILE 19 NORTH ROAD, AND DOOLITTLE ROAD FOR THE NORTHWEST CORNER OF LOT 8, AND THE NORTHWEST CORNER OF THIS TRACT.

THENCE: S 81°37' E, ALONG THE NORTH LINE OF LOT 8, AND THE CENTERLINE OF MILE 19 NORTH ROAD, A DISTANCE OF 1332.00 FEET TO A COTTON PICKER SPINDLE SET FOR THE NORTHWEST CORNER OF LOT 7, THE NORTHEAST CORNER OF LOT 8, AND THE NORTHEAST CORNER OF THIS TRACT.

THENCE: S 08°23' W, ALONG THE WEST LINE OF LOTS 6 AND 7, AND THE EAST LINE OF LOTS 8 AND 9, PASSING A 1/2" IRON ROD 24" IN LENGTH SET AT 30.00 FEET FOR THE SOUTH R.O.W. LINE OF MILE 19 NORTH ROAD, A TOTAL DISTANCE OF 486.10 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF THE RAIL GARDENS TRACT (THE SOUTH 5.00 ACRES OF LOT NINE (9), BLOCK SIX (6), SANTA CRUZ GARDENS UNIT NO. 3, ACCORDING TO WARRANTY DEED RECORDED UNDER COUNTY CLERK'S DOCUMENT NO. 337244, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS), AND THE SOUTHEAST CORNER OF THIS TRACT.

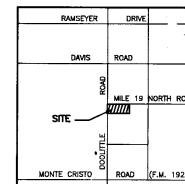
THENCE: N 81°25' W, ALONG THE NORTH LINE OF THE RAIL GARDENS TRACT, PASSING A 1/2" IRON ROD 24" IN LENGTH SET AT 1292.01 FEET FOR THE EAST R.O.W. LINE OF DOOLITTLE ROAD, A TOTAL DISTANCE OF 1332.01 FEET TO A COTTON PICKER SPINDLE SET ON THE WEST LINE OF LOT 9, AND IN THE CENTERLINE OF DOOLITTLE ROAD FOR THE NORTHWEST CORNER OF THE RAIL GARDENS TRACT, AND THE SOUTHWEST CORNER OF THIS TRACT.

THENCE: N 08°23' E, ALONG THE WEST LINE OF LOTS 8 AND 9, AND THE CENTERLINE OF DOOLITTLE ROAD, A DISTANCE OF 481.45 FEET TO THE POINT OF BEGINNING, AND CONTAINING 14.79 ACRES OF LAND MORE OR LESS.

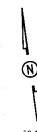
BEARINGS SHOWN ON THIS SURVEY ARE IN ACCORDANCE WITH SANTA CRUZ GARDENS UNIT NO. 3, RECORDED IN VOLUME 9, PAGE 3, MAP RECORDS, HIDALGO COUNTY, TEXAS.

GENERAL NOTES

1. FLOOD ZONE DESIGNATION: ZONE "C" AREAS OF MINIMAL FLOODING. C.F.A. 480334 0325 C.
2. ONE SINGLE FAMILY DWELLING PER LOT.
3. MINIMUM FINISHED FLOOR ELEVATION: 12' ABOVE THE CENTERLINE OF THE STREET.
4. LEGEND: ■ - DENOTES 1/2" IRON ROD SET UNLESS OTHERWISE SHOWN.
5. THERE ARE NO WATER WELLS WITHIN 150 FEET FROM THE BOUNDARIES OF THIS SUBDIVISION.
6. CULVERTS MUST BE PROVIDED FOR ALL DRAINAGES.
7. MINIMUM BUILDING SETBACK LINES:
FRONT - 25.00' FOR LOTS 1-2 AND 180.00' FOR LOTS 3-16
REAR - 10.00'
SIDE ABUTTING STREET - 15.00'
8. BENCHMARK ELEVATION = 89.87, COTTON PICKER SPINDLE IN POWER POLE AT THE NORTHEAST CORNER OF DOOLITTLE ROAD AND MILE 19 NORTH ROAD.
9. NO BUILDINGS SHALL BE CONSTRUCTED ON ANY EASEMENT OR LOT LINE.
10. DRAINAGE RETENTION PER LOT: 1929.27 C.F.
11. NO FILL OR PERMANENT STRUCTURES SHALL BE ALLOWED WITHIN DRAINAGE SWALE EASEMENT AND LOT OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THIS SWALE.
12. LOT OWNERS WILL BE ASSESSED FOR FUTURE PAVING IMPROVEMENTS ON DOOLITTLE ROAD AND MILE 19 NORTH ROAD.



LOCATION MAP



STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS THE LADY LUCK SUBDIVISION, A SUBDIVISION TO THE COUNTY OF HIDALGO, TEXAS, AND WHERE MADE IS SUBSCRIBED TO BY ME TO BE THE PERSON LEDGED TO THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATER COURSES, EASEMENTS, DRAINAGE AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

EDUARDO A. GARCIA
(OWNER)

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED EDUARDO A. GARCIA, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND AGAINTHE EASEMENTS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE 12th day of Dec., 1985



Susan J. Headley
SUSAN J. HEADLEY - NOTARY PUBLIC

THIS PLAT IS HEREBY APPROVED BY THE SANTA CRUZ IRRIGATION DISTRICT NO. 15 SUBJECT TO THE CONDITION THAT IF IRRIGATION FROM SAID DISTRICT IS DESIRED TO THE LOTS IN SAID SUBDIVISION, PROVISIONS SHALL BE MADE FOR APPROPRIATE EASEMENTS FOR THE INSTALLATION OF NECESSARY IRRIGATION FACILITIES TO SUCH LOTS FROM THE CLOSEST WATER DISTRICT DELIVERY POINT AND IT SHALL BE THE RESPONSIBILITY OF PROPERTY OWNER TO INSTALL SUCH NECESSARY FACILITIES. THERE SHALL BE NO BUILDINGS ALLOWED TO BE SITUATED WITHIN THE IRRIGATION LINES. THERE IS A FIFTEEN FOOT EASEMENT ON BOTH SIDES OF IRRIGATION LINE OR CANAL.

EDUARDO A. GARCIA
EDUARDO A. GARCIA
SECRETARY

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

01/09/86
DATE

Edna J. Headley
CHAIRMAN PLANNING COMMISSION

- SEWERAGE SYSTEM: A. SEPTIC TANK SYSTEM FOR DISPOSAL OF DOMESTIC SEWERAGE
B. LACK OF LOT ON THIS PLAT CONFORMS WITH THE MINIMUM 21,750 SQUARE FOOT LOT AREA WITH POTABLE WATER SUPPLIER
C. FINISH, DEVELOPMENT AND APPROVAL OF WASTEWATER COLLECTION AND TREATMENT SYSTEM NOT REQUIRED
D. WRITTEN AGREEMENT TO CONNECT TO EXISTING WASTEWATER TREATMENT SYSTEM NOT REQUIRED
E. PERCOLATION TESTS HAVE BEEN SUBMITTED TO HIDALGO COUNTY HEALTH DEPARTMENT AND MAY BE ALSO SET ON THE UTILITY LAYOUT FOR THIS SUBDIVISION AS SUBMITTED TO THE HIDALGO COUNTY PLANNING DEPARTMENT.

POTABLE WATER SOURCE: NORTH ALAMO WATER SUPPLY CORPORATION IS THE PROVIDER OF POTABLE WATER. LETTER OF APPROVAL FROM THE WATER SUPPLIER IS DATED 12/15/85. SIGNED BY CHARLES BROWNING, ASSISTANT MANAGER, AND SUBMITTED TO THE HIDALGO COUNTY COMMISSIONER'S COURT IN CARE OF MR. EDUARDO GARCIA, COUNTY PLANNER.

STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT, AND WAS MADE AND PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY DONE ON THE GROUND UNDER MY SUPERVISION.



Jack A. Headley
JACK A. HEADLEY
R.L.S. No. 4384

STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE PROPER ENGINEERING CONSIDERATIONS HAVE BEEN GIVEN TO THIS PLAT.



Manab W. Hamoudi
MANAB W. HAMOUDI
P.E. No. 44549 7/31/85

QUINTANILLA, HEADLEY AND ASSOCIATES, INC.
CONSULTING ENGINEERS AND LAND SURVEYORS
124 E. STUBBS ST., EDINBURG, TEXAS 78539 PH. (210) 381-8480

FILE NAME	DATE PREPARED	PREPARED BY	CHECKED BY
1010101	01/09/86	J.E. GARCIA	A.S.
REVISION(S)	REVISION(S)	CHECKED BY	APPROVED BY
DATE SUBMITTED	REMARKS		

Zoning Board of Adjustment

Site Photos for meeting of November 16, 2022

LENI I. CEPEDA JR. & AMANDA CEPEDA - 4528 NORTH DOOLITTLE ROAD



Planning & Zoning Staff Report

Prepared on: November 8, 2022

ZONING BOARD OF ADJUSTMENT

Regular Meeting: November 16, 2022

Agenda Item 7B

Consider Variance to the City's Unified Development Code, Section 3.102-1, Single Family Detached Lot and Building Standards, Rear Yard, Lot 69, Autumn Ridge Estates Phase I Subdivision, located at 2007 Andrea Avenue, as requested by Gary and Aurora Halford

Request

The applicant is requesting a variance to the City's Unified Development Code (UDC), Section 3.102-1 as it applies to single-family residential setbacks. The applicant is proposing to reduce the rear yard setback from 22 ft. to 15 ft. and 9 in. for construction of additional living area in a residential home.

Property Location and Vicinity

The property is located on the north side of Andrea Avenue, approximately 535 ft. east of South Jackson Road, and is zoned Residential, Primary (RP) District. Adjacent zoning is Residential, Primary (RP) District in all directions. Surrounding land uses are single-family residential.

Background and History

The property is part of the Autumn Ridge Estates Phase I Subdivision, recorded January 2, 2003. The applicant is proposing to construct an expansion to an existing single-family home into the required rear yard setback. A proposed site plan provided by the applicant shows the expansion approximately 15 ft. 9 in. from the property line. Plat Note #3 for this Subdivision requires 20% of lot depth for rear setbacks, 22 ft. for this property. Subsequently, the applicant submitted a Variance Request on April 6, 2022, to accommodate the project. This case was withdrawn by the applicant at the regular meeting of this Board on April 27, 2022. The applicant now wishes to proceed with this Variance Request.

Staff mailed notice of this variance request to 60 neighboring property owners. No comments in favor or against this request had been received at the time this report was prepared.

Analysis

The property has 64.60 ft. of frontage on Andrea Avenue and a depth of 110.00 ft. for a total lot area of 7,106 sq. ft. The existing single-family residence was constructed in 2003 and included a portion of the primary structure (porch) extending approximately 6 ft. 3 in. into the 22 ft. rear setback. UDC Section 3.301, Measurements, allows projection into the rear yard by porches on single-family residential structures. Rear porches may project up to 20 feet, or five feet to any property line (whichever is less) on a lot of this size.

Planning & Zoning Staff Report

The proposed site plan submitted by the applicant shows an expansion to the living area of the primary structure to the extent of the existing porch. The UDC does not allow for this type of projection into any required yard. The required setback of 22 ft. established by Plat Note must be respected for all living areas that are part of the principle structure.

There is a 10 ft. utility easement exists along the rear of the property. The proposed construction would take place 5 ft. 9 in. clear of this easement, but would encroach approximately 6 ft. 3 in. into the required 22 ft. rear setback. City of Edinburg Zoning for the Residential, Primary (RP) District requires a 20 ft. setback for this lot.

Recommendation

Staff recommends disapproval of this variance request and that the applicant respect required setbacks and easements. No extraordinary or exceptional conditions to justify these requests have been established. No other Specific Review Criteria, as is required by UDC Section 9.501(B) for variance approval, apply to this case.

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

Prepared by:

D. Austin Colina

Planner I

Approved by:

Jaime Acevedo

Director of Planning & Zoning

UNIFIED DEVELOPMENT CODE

(Ord. No. [2022-4764](#), 08/09/2022)

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 3.102-1 Single-Family Detached Lot and Building Standards							
Zoning District	Minimum						Maximum
	Lot Area	Lot Width (ft)	Street Yard ¹ (ft)	Street Side Yard (ft)	Side Yard (ft)	Rear Yard (ft)	Building Height (ft)
Agriculture and Open Space (AO)	5 ac.	330	60	30	30	40 ⁴	35 / 60 ²
Residential, Suburban (RS)	15,000 sf	90	30	15	15	30 ⁴	35
Residential, Primary (RP)	5,000 sf	50	20 / 18 ³	10	6	20 ⁴	35
Residential, Multifamily and Urban (RM)	4,000 sf ⁵	40 ⁵	10 / 18 ³	10	5 ⁶	15	35

TABLE NOTES:

¹Street yard refers to front yard of lot. The minimum street yard setback shall be 15 feet for cul-de-sac and irregular lots.

²The second height refers to agricultural structures.

³The first number is the house setback; the second is the setback for a front load garage.

⁴For cul-de-sac and irregular lots, the minimum rear yard setback is 15 feet.

⁵If adjacent to an AO or RS district, lots on the perimeter of the subdivision shall meet the lot area and lot width requirements of the RP district.

⁶A minimum building separation of 12 feet is required and may be reduced only for structures meeting approved building and fire codes.

UNIFIED DEVELOPMENT CODE

(Ord. No. [2022-4764](#), 08/09/2022)

ARTICLE 3 - LOT AND DESIGN STANDARDS

Division 3.300, Measurements and Special Allowances

Sec. 3.301, Measurements

...

E. Projections into Required Yards.

1. *General.* The following structures may project into a required yard, beyond the building setback line:
 - a. *Awnings/Canopies.* Awnings and canopies may project no more than three feet from the building wall into a required yard.
 - b. *Bay windows.* Bay windows may project no more than two feet from the building wall into:
 - i. Front and rear yards of any lot; and
 - ii. Side yards only on the lots are greater than 10,000 square feet.
 - c. *Chimneys.* Chimneys may project no more than two feet from the building wall into a required yard.
 - d. *Eaves.* Overhanging roof, eave, gutter, cornice, or other architectural features may project no more than three feet into a required yard. Where greater overhangs are desired architecturally, the building shall be moved back so as to intrude no further than three feet into the yard.
 - e. *Marquees.* Marquees, where permitted by Division 4.300, Signs, may project to the property line or 15 feet, whichever is less, in front yards. Intrusion into side yards is permitted only where the fire department indicates that it will not hinder fire access. No intrusion is permitted into rear yards. In the DT district, where buildings are built to the sidewalk line a marquee may extend over the sidewalk provided its lowest point is at least 15 feet above the sidewalk, and the City Engineer approves clearance from any overhead lines. The number of street trees required for the use shall not be reduced.
 - f. *Steps.* Steps or stairs to a dwelling, non-enclosed, not to project more than four feet into a required yard from a building wall or the edge of a porch.
 - g. *Planting boxes.* Planting boxes may project no more than 18 inches from the building wall into a required yard.
 - h. *Porches (low).* Non-enclosed porches, decks, or terraces that are no more than two feet above grade at their highest point may project:
 - i. Into front yards: four feet.
 - ii. Into rear yards of lots that are greater than 15,000 square feet in area: one-half the depth of the rear yard or 50 feet from the building wall, whichever is less.
 - iii. Into rear yards of lots that are 15,000 square feet in area or less: 20 feet, or five feet to any property line, whichever is less.
 - i. *Porches (elevated).* Non-enclosed porches, decks, and terraces that are more than two feet in height may project into the rear yard, but not the front or side yards. The maximum projection into the rear yard is one-third the depth of the rear yard. For lots with an area that is less than 15,000 square feet, the deck shall be set back from property lines five feet, plus two feet for every foot the deck's maximum height exceeds two feet.
 - j. *Carports.* In the AO, RS, and RP districts, a carport for a single-family detached dwelling, twin house, or duplex may encroach into a front setback by a maximum of 10 feet.
 - k. *Swimming Pools.* A swimming pool may encroach into a required side yard or a street side yard provided it is screened by a completely opaque fence or wall. In no case may a pool encroach into an easement.

UNIFIED DEVELOPMENT CODE

(Ord. No. [2022-4764](#), 08/09/2022)

ARTICLE 9 – DEVELOPMENT REVIEW PROCEDURES

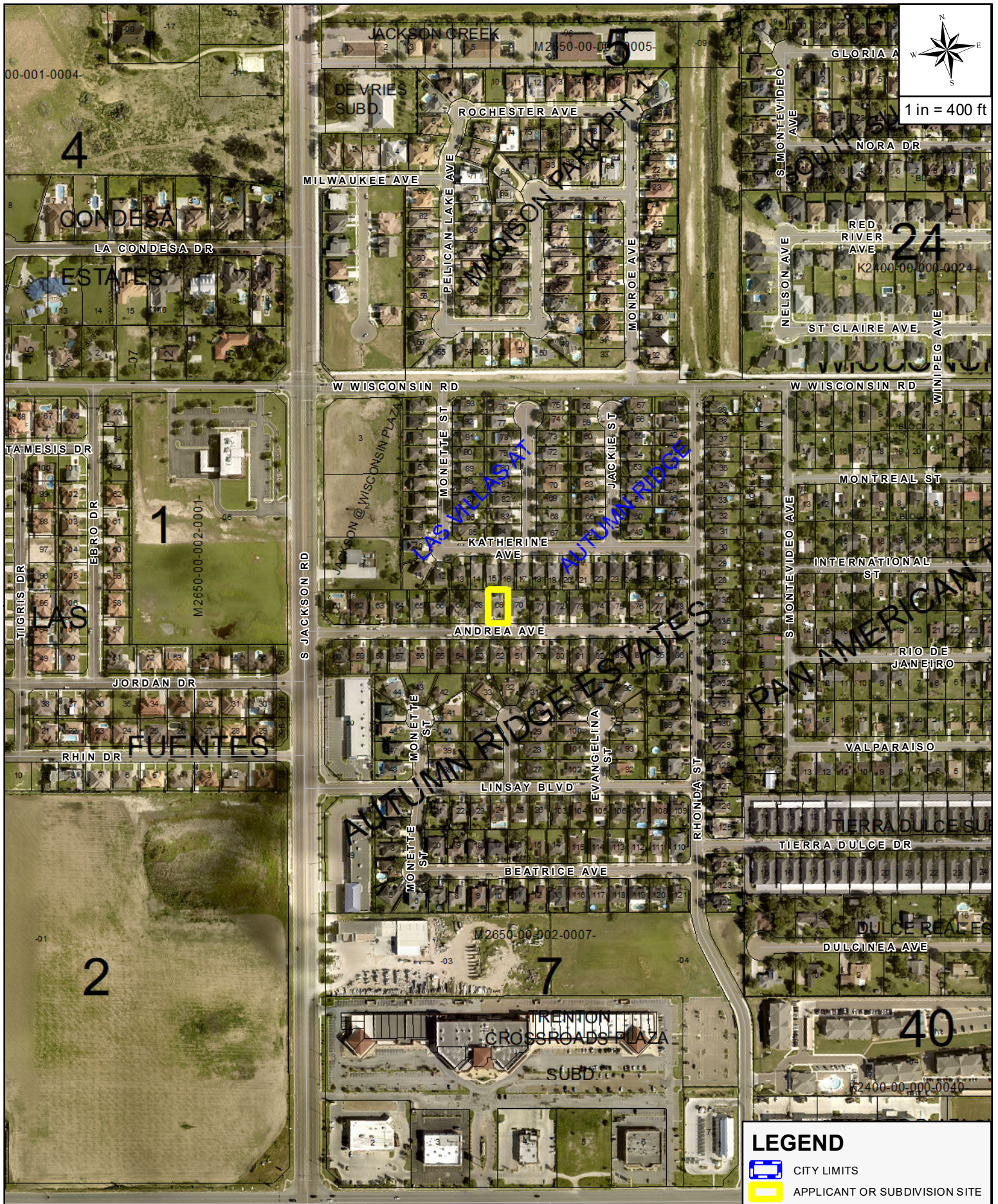
Division 9.500, Quasi-Judicial Review Procedures

Sec. 9.501, Variances

...

B. Specific Review Criteria.

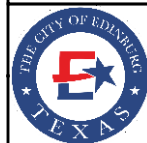
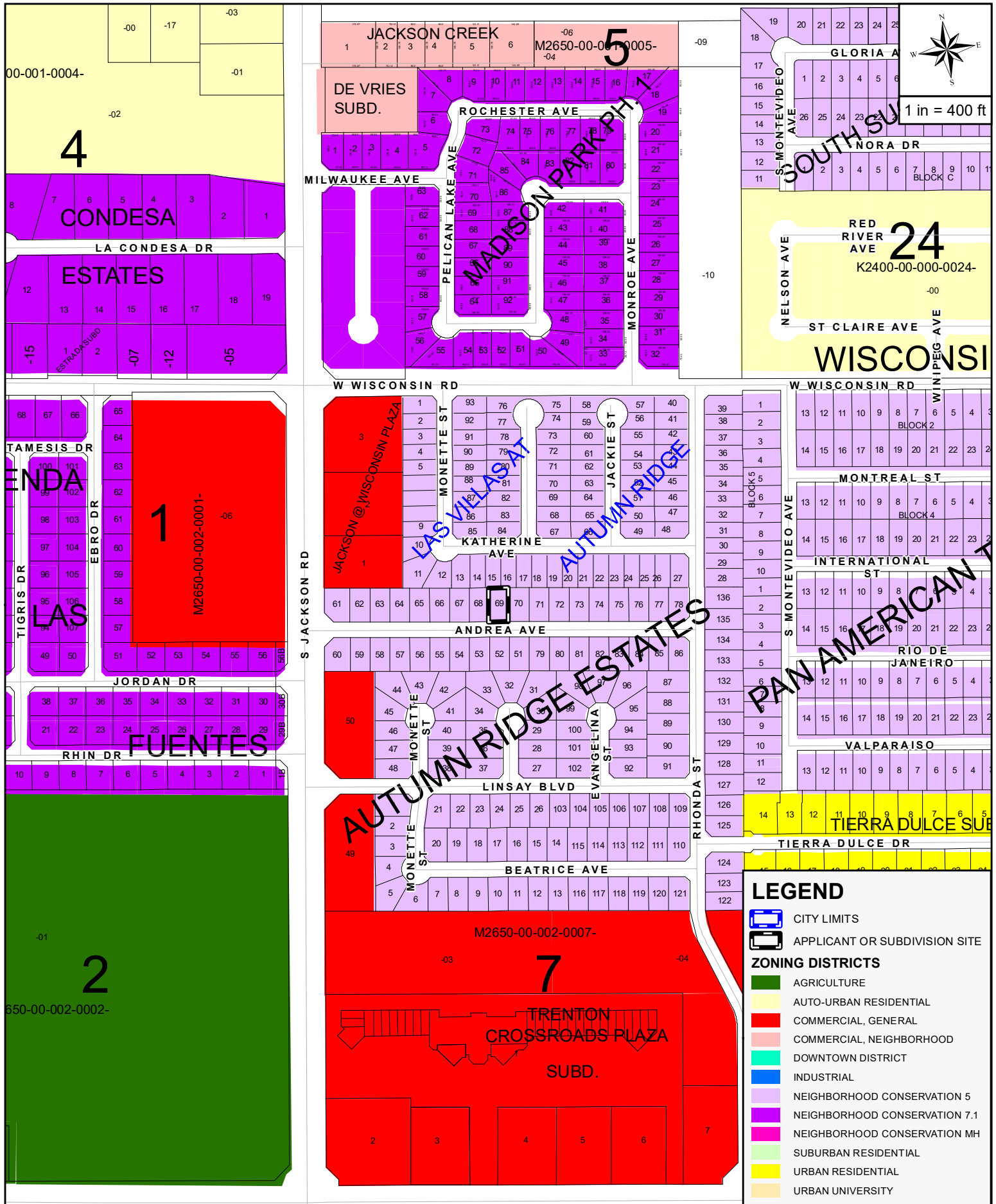
1. *Review Criteria.* In determining whether to approve, approve with conditions, or deny a Variance, the review bodies shall consider the applicable common decision criteria in Sec. 9.205, Common Decision Criteria, and should not grant a variance unless the following conditions are satisfied:
 - a. There are extraordinary and exceptional conditions pertaining to the subject property because of its size, shape, or topography that are not applicable to other lands or structures in the same district;
 - b. The need for a Variance or the extraordinary and exceptional conditions do not result from the actions of the applicant;
 - c. Granting the Variance will not confer on the applicant any special privilege that is denied to other lands or structures in the same district;
 - d. A literal interpretation of the provisions of this UDC would deprive the applicant of rights commonly enjoyed by other residents of the district in which the property is located;
 - e. Granting of the Variance will be in harmony with the general purpose and intent of this UDC and will not be injurious to the neighborhood or otherwise detrimental to the public welfare;
 - f. The Variance requested is the minimum variance that will make possible a permitted use of the land, building, or structure;
 - g. The Variance will not permit a use of land, building, or structure that is not otherwise permitted in the applicable district;
 - h. The Variance will not permit an intensity of use of land that is not permitted in the applicable district; and
 - i. The Variance is consistent with the City's Comprehensive Plan.
2. *Affirmative Findings.* In order to approve an application for a Variance, the final decision-making body shall make affirmative findings on all of the applicable decision criteria.



AERIAL MAP

APPLICANT AND/OR SUBDIVISION:

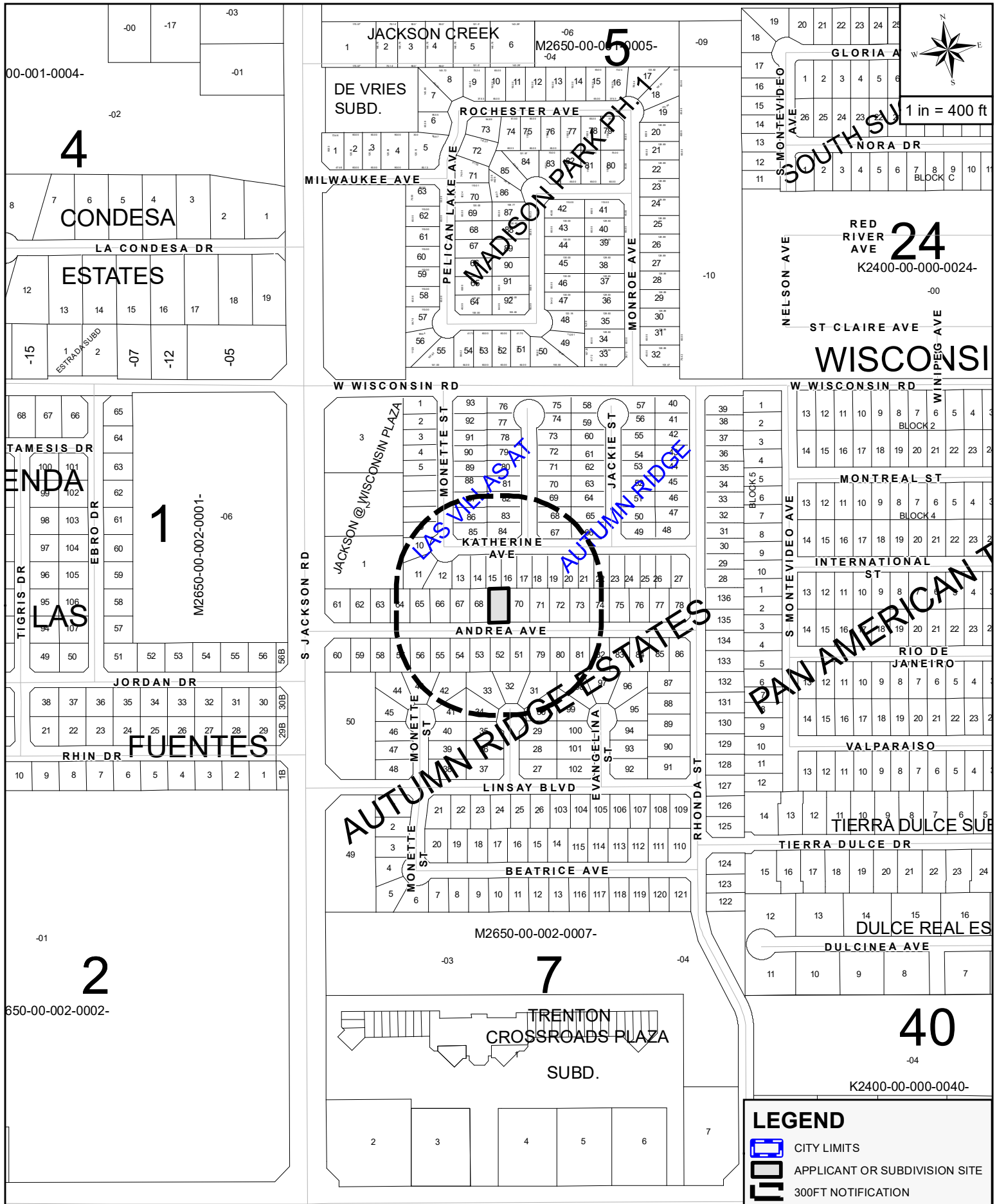
GARY & AURORA HALFORD



ZONING MAP

APPLICANT AND/OR SUBDIVISION:

GARY & AURORA HALFORD





Case # **VAR-2022-0082**

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: Addition to Home UDC Section 3.102-1

Reason for Hardship (attach additional pages if necessary)

Building on Set Back

Property Description: Lot 69 Block _____ Subdivision Autumn Ridge Estates PH1

Property Address: 2007 Andrea Ave., Edinburg, TX 78539

Present Property Zoning: RS Residential, Primary (RP) District

Person requesting Variance: ~~Marcelo Gutierrez Construction/Remodeling, Inc.~~

Mailing Address: 402 W. Mahl St. Edinburg, TX 78539
Street Address City/State Zip Code

Phone No. (Home): 956-279-6437 (Work): 956-279-6437 (Cell): 956-279-6437
956-249-9163

Owner's Name: Gary & Aurora Halford

Mailing Address: 2007 Andrea Ave Edinburg TX 78539
Street Address City/State Zip Code

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

Signature: Marcelo Gutierrez Date: 4/6/2022

Owner/Agent's Name (Please Print): Marcelo Gutierrez

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

Receipt No.

APR 06 2022
Name: [Signature]

OFFICE USE ONLY

Application deadline: _____ ZBA Hearing date: _____

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

SUBDIVISION PLAT OF AUTUMN RIDGE ESTATES PHASE I

A TRACT OF LAND CONTAINING 17.69 ACRES, SITUATED IN HIDALGO COUNTY, TEXAS AND ALSO BEING A PART OR PORTION OF LOTS 7 AND 8, BLOCK 2, A. J. MCCOLL SUBDIVISION, MAP REFERENCE; VOLUME 21, PAGE 598, H.C.D.R.

STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS AUTUMN RIDGE ESTATES PHASE I, AN ADDITION TO THE CITY OF EDINBURG, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY FOREVER DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINAGE EASEMENTS, AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE OF CONSIDERATION THEREIN EXPRESSED.

Julia R. Rendon
JULIA R. RENDON
SPONSOR DEVELOPMENT, LLC
1429 E. TAMARACK AVENUE
MCALLEN, TEXAS 78501
BY: JULIA RENDON

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED JULIA RENDON, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED, GIVEN UNDER MY HAND AND SEAL OF OFFICE.

THIS THE 20th day of December, A.D. 2002.

Mabelle E. Steward
MABELLE E. STEWARD
NOTARY PUBLIC, TEXAS
EXPIRATION DATE: 06/24/2004



THIS PLAT APPROVED BY HIDALGO COUNTY IRRIGATION DISTRICT NO. 2 THIS THE 14th DAY OF December, A.D. 2002.

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

ATTEST: *Zuel Follis* SECRETARY *Alan Rendon* PRESIDENT

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

DATED THIS 12TH DAY OF November, A.D. 2002.

Ofelia de la Sota
OFELIA DE LA SOTA
CHAIRPERSON, PLANNING COMMISSION

STATE OF TEXAS
COUNTY OF HIDALGO

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

Javier Hinojosa 12/18/02
JAVIER HINOJOSA, P.E.
REGISTERED PROFESSIONAL ENGINEER No. 74808

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

Carlos Vasquez
CARLOS VASQUEZ, P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR No. 4608
C.V.G. LAND SURVEYING COMPANY
2014 NORTH WAKE ROAD
MCALLEN, TEXAS 78502
TEL (956) 618-1551 DATE SURVEYED: APRIL 25, 2002



GENERAL NOTES

- THIS PROPERTY IS LOCATED WITHIN ZONE "X" ON A FLOOD INSURANCE RATE MAP -- COMMUNITY PANEL NO. 480338 0030 E, REVISED JUNE 6, 2000. (ZONE "X": AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOOD-PLAIN)
- MINIMUM FINISHED FLOOR ELEVATION SHALL BE 1/4" +18" AS MEASURED AT CENTER OF EACH LOT.
- THE MINIMUM BUILDING SETBACK LINES SHALL BE AS FOLLOWS FOR LOTS 1-48:
FRONT: 25.00 FEET; 15 FEET FOR CUL-DE-SACS.
SIDE (INTERIOR): 7.00 FEET
REAR: 10.00 FEET
20% OF LOT DEPTH
- MINIMUM BUILDING SETBACKS FOR LOTS 49 & 50 SHALL BE IN CONFORMANCE WITH THE CITY OF EDINBURG ZONING ORDINANCE.
- THIS SUBDIVISION IS SERVED BY THE CITY OF EDINBURG WATER AND SANITARY SEWER SYSTEMS.
- A TOTAL OF 48,978 CUBIC FEET (700.00 CUBIC FEET PER LOT) OF DETENTION IS REQUIRED FOR THIS SUBDIVISION.
- ALL LOT CORNERS 1/2" IRON ROD, OR AS NOTED ON THIS PLAT.
- BENCH MARK: ELEV. = 112.26 TOP OF DRAIN MANHOLE LOCATED ON THE EAST R.O.W. OF JACKSON ROAD AND 151'FEET SOUTH OF THE SOUTH PROPERTY LINE OF THIS SUBDIVISION
- NO ACCESS OR LOT FRONTAGE WILL BE ALLOWED FOR NEW LOTS 60 & 61 FROM JACKSON ROAD.
- 50% PARKLAND DEDICATION FEE WILL BE DUE AT BUILDING PERMIT STAGE ON ALL RESIDENTIAL LOTS.
- A 4' SIDEWALK WILL BE REQUIRED ALONG THE FRONTAGE OF ALL RESIDENTIAL LOTS AT THE BUILDING PERMIT STAGE.
- DRIVEWAYS FOR LOTS 49 & 50 WILL REQUIRE APPROVAL FROM THE CITY'S PUBLIC WORK DEPARTMENT.
- NO MORE THAN ONE DETACHED DWELLING WILL BE PERMITTED FOR LOTS 1-48 AND LOTS 51-70.

FILED FOR RECORD IN
HIDALGO COUNTY
BY J.D. SALINAS, III
COUNTY CLERK
ON: 12-23-02 AT 10:23 AM
BOOK: 103 RECORDING NUMBER 153937
BY: [Signature] DEPUTY



Recorded in Volume 41 Page 103
of the map records of Hidalgo
County, Texas
J.D. Salinas III
County Clerk

METES AND BOUNDS DESCRIPTION

A TRACT OF LAND CONTAINING 17.69 ACRES, SITUATED IN HIDALGO COUNTY, TEXAS AND ALSO BEING A PART OR PORTION OF LOTS 7 AND 8, BLOCK 2, A. J. MCCOLL SUBDIVISION, MAP REFERENCE, VOLUME 21, PAGE 598, H.C.D.R., AND SAID 17.69 ACRES ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING ON A 1/2" IRON ROD FOUND ON THE NORTHEAST CORNER OF SAID LOT 7 AND THE NORTHEAST CORNER OF A TRACT DEEDED TO PAJAMCO FAMILY LTD. RECORDED IN DOCUMENT NO. 690017, H.C.D.R.; THENCE S 08° 25' 00" W, ALONG THE EAST LINE OF SAID LOT 7, A DISTANCE OF 391.00 FEET FROM A 1/2" IRON ROD FOUND; THENCE N 81° 35' 00" W, A DISTANCE OF 570.00 FEET TO A 1/2" IRON ROD SET FOR THE SOUTHWEST CORNER OF THIS TRACT AND THE POINT OF BEGINNING;

THENCE N 81° 35' 00" W, A DISTANCE OF 788.29 FEET TO A 1/2" IRON ROD FOUND ON THE EAST RIGHT-OF-WAY LINE OF JACKSON ROAD; AS RECORDED IN DOCUMENT NO. 829849, H.C.D.R., FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE N 08° 25' 00" E, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID JACKSON ROAD, AT A DISTANCE OF 391.00 FEET FROM A 1/2" IRON ROD FOUND ON THE COMMON LINE OF SAID LOT 7 AND 8, AND CONTINUING A TOTAL DISTANCE OF 1048.15 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE S 81° 35' 00" E, A DISTANCE OF 664.09 FEET TO A 1/2" IRON ROD SET, FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE S 08° 25' 00" W, A DISTANCE OF 270.00 FEET TO 1/2" IRON ROD SET, FOR AN INSIDE CORNER OF THIS TRACT;

THENCE S 81° 35' 00" E, A DISTANCE OF 86.41 FEET TO A 1/2" IRON ROD SET, FOR AN OUTSIDE CORNER OF THIS TRACT;

THENCE S 08° 25' 00" W, A DISTANCE OF 398.15 FEET TO 1/2" IRON ROD SET, FOR AN OUTSIDE CORNER OF THIS TRACT;

THENCE N 81° 35' 00" W, A DISTANCE OF 21.81 FEET TO A 1/2" IRON ROD SET, FOR AN INSIDE CORNER OF THIS TRACT;

THENCE S 08° 25' 00" W, A DISTANCE OF 110.00 FEET TO 1/2" IRON ROD SET, FOR AN INSIDE CORNER OF THIS TRACT;

THENCE S 81° 35' 00" E, A DISTANCE OF 56.71 FEET TO A 1/2" IRON ROD SET, FOR AN OUTSIDE CORNER OF THIS TRACT;

THENCE S 08° 25' 00" W, A DISTANCE OF 160.00 FEET TO A 1/2" IRON ROD SET, FOR AN OUTSIDE CORNER OF THIS TRACT;

THENCE S 81° 35' 00" E, A DISTANCE OF 2.89 FEET TO A 1/2" IRON ROD SET, FOR AN OUTSIDE CORNER OF THIS TRACT;

THENCE S 08° 25' 00" W, A DISTANCE OF 110.00 FEET TO THE POINT OF BEGINNING, CONTAINING 17.69 ACRES OF LAND, MORE OR LESS.

WISCONSIN ROAD

LOT 8, BLOCK 2
A. J. MCCOLL SUBDIVISION
VOL. 21, PAGE 598, H.C.D.R.
HILLVIEW MANAGEMENT CORP.
VOL. 1803, PG. 305,
H.C.D.R.

SCALE: 1" = 100'
BASIS OF BEARING
A. J. MCCOLL SUBDIVISION
VOL. 21 PG. 598, H.C.D.R.

STONE OAK DEVELOPMENT, L.L.C.
WD #1090364

STONE OAK DEVELOPMENT, L.L.C.
WD #1090364

LOT 7, BLOCK 2
A. J. MCCOLL SUBDIVISION
VOL. 21, PAGE 598, H.C.D.R.
PAJAMCO FAMILY LTD.
DOC. # 690017
H.C.D.R.

LOT 7, BLOCK 2
A. J. MCCOLL SUBDIVISION
VOL. 21, PAGE 598, H.C.D.R.

RENE & BEATRICE MALDONADO
VOL. 2037, PG. 223 H.C.D.R.

LOT #	SQ. FT.	ACRES
1	1,188.04	0.197
2	1,188.04	0.197
3	1,188.04	0.197
4	1,188.04	0.197
5	1,188.04	0.197
6	1,188.04	0.197
7	1,188.04	0.197
8	1,188.04	0.197
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33	1,188.04	0.197
34	1,188.04	0.197
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36	1,188.04	0.197
37	1,188.04	0.197
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39	1,188.04	0.197
40	1,188.04	0.197
41	1,188.04	0.197
42	1,188.04	0.197
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44	1,188.04	0.197
45	1,188.04	0.197
46	1,188.04	0.197
47	1,188.04	0.197
48	1,188.04	0.197
49	1,188.04	0.197
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51	1,188.04	0.197
52	1,188.04	0.197
53	1,188.04	0.197
54	1,188.04	0.197
55	1,188.04	0.197
56	1,188.04	0.197
57	1,188.04	0.197
58	1,188.04	0.197
59	1,188.04	0.197
60	1,188.04	0.197
61	1,188.04	0.197
62	1,188.04	0.197
63	1,188.04	0.197
64	1,188.04	0.197
65	1,188.04	0.197
66	1,188.04	0.197
67	1,188.04	0.197
68	1,188.04	0.197
69	1,188.04	0.197
70	1,188.04	0.197

CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD
1	129.07°	730.00	25.10	50.00	49.99
2	129.07°	280.00	30.25	20.00	60.79

CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD
1	48.17°	50.00	22.41	43.14	41.90
2	45.96°	50.00	21.19	40.09	39.02
3	33.19°	50.00	14.98	29.02	28.67
4	44.84°	50.00	20.67	35.19	38.20
5	69.14°	50.00	29.83	44.43	43.98
6	129.07°	250.00	29.83	50.44	50.35
7	69.36°	305.00	25.71	51.30	51.24
8	129.07°	205.00	22.34	44.57	44.48
9	81.26°	50.00	43.03	71.07	65.23
10	38.13°	50.00	13.33	23.30	23.76
11	76.93°	50.00	39.19	66.37	61.80
12	143.05°	50.00	8.27	12.47	12.43

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEX. WATER CODE §49.21(C). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER OF THE SUBDIVISION AND ITS ENGINEER TO MAKE THESE DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

BY: *[Signature]* 12/11/02

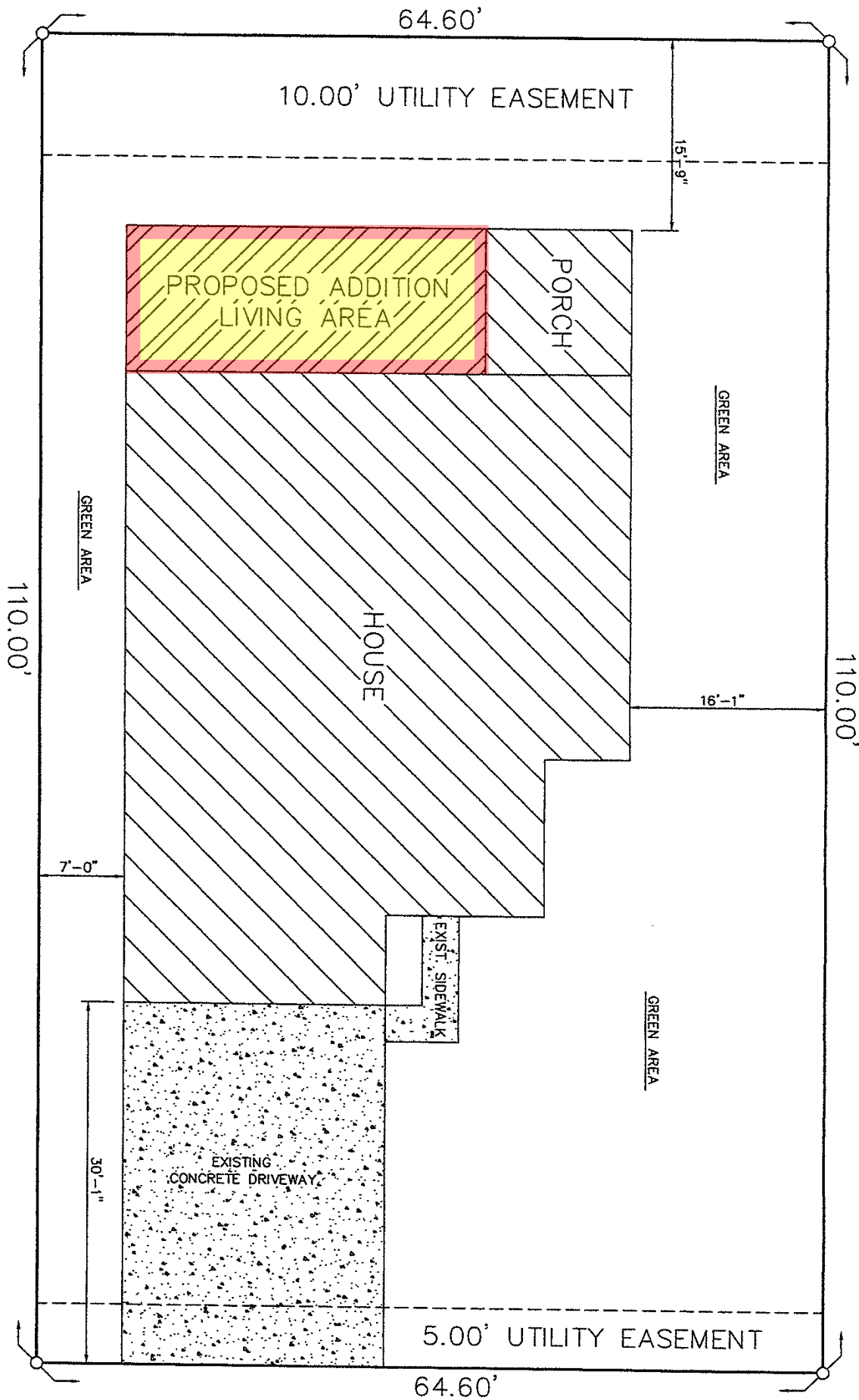
LOCATION MAP

N.T.S.

DATE OF PREPARATION: 04/25/02 DRAWN BY: J.B.G., A.O.J., M.F. & M.M.

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

SHEET 1 OF 2



PROPOSED SITE PLAN

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

GENERAL NOTES:

ALL BUILDING SETBACKS AND
EASEMENTS AND ADJACENT
WALLS SHALL BE VERIFIED BY CONTINUATION
AND OWNER

Scale:
1/4" = 1'-0"
Sheet No.
1 of 1

Zoning Board of Adjustment

Site Photos for meeting of November 16, 2022

GARY AND AURORA HALFORD - 2007 ANDREA AVE



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	08/31/22	10/05/22	10/26/22	
Alex Rios - Chairperson	A	P	P	P	P	A	A	P	A	A	A	
Eddie Garza - Vice Chairperson	P	P	P	P	P	P	P	P	P	P	P	
Andre Maldonado - Regular	P	P	P	P	P	A	P	A	P			
George Cardenas - Regular	A	P	P	P	P	A	P	P	P	P	A	
Ponciano Longoria - Regular	P	P	P	A	P	P	P	P	P	P	P	
Marc Moran - Alternate	P	P	P	A	P	P	P	P	P	P	A	
Michael Cantu - Alternate	P	P	A	P	P	P	P	A	P	P	P	
Diane Teter - Alternate	P	P	P	P	P	P	P	P	P	P	P	
Abraham Garcia - Alternate					P	A	A	A	A	A	P	