



**NOTICE AND AGENDA
ZONING BOARD OF ADJUSTMENT
DECEMBER 21, 2021 - 04:00 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. PUBLIC COMMENTS**
 - A. Public Comments are limited to three (3) minutes. If a resident desires to make a public comment, please notify the Chairperson prior to the start of the meeting. A spokesperson for large groups is required. We ask for everyone's cooperation in following these procedures.
- 4. THE FOLLOWING ARE THE MEETING PROCEDURES USED BY THE ZONING BOARD OF ADJUSTMENT:**
 - A. All items are generally considered as they appear on the agenda, as each item is introduced.
 - B. Staff will present its findings and recommendation on the item being considered.
 - C. The party making the request may make a presentation and may address the Board on any issues arising during the discussion of the item being considered.

- D. Anyone in the audience desiring to speak in favor or in opposition may do so. A 3-5 minute time limit will be given to each person interested in speaking on the item. The use of a spokesperson for large groups of people will be required.
- E. Once the Chair closes the public hearing, the Board may question anyone and maintain any discussion which clarifies the proposal and will then take what action it believes to be appropriate.
- F. A minimum of four votes are required for an item to be approved by the Board.

5. MINUTES

- A. Consider approval of the Minutes for the November 17, 2021 Regular Meeting

6. PUBLIC HEARINGS

- A. Consider Variance to the City's Unified Development Code, Section 3.301, Single Family Residential Bulk Standards, Setbacks, Lot 210, Fairhaven Heights Subdivision Phase III, located at 1815 Nitsche Drive, as requested by Ericka Vicente Lopez
- B. Consider Variance to the City's Unified Development Code, Section 3.301, Single Family Residential Bulk Standards, Setbacks, 31.124 acres out of Lot 14, Section 237, Texas-Mexican Railway Company's Survey, proposed Woodlands Estates Subdivision, Lots 1-89, located at 1001 North McColl Road, as requested by Escanaba, LLC.
- C. Consider Variance to the City's Unified Development Code, Section 3.301, Single Family Residential Bulk Standards, Setbacks, being 19.641 acres out of Lots 7 and 8, Texas-Mexican Railway Company's Survey, Lots 1-51 of proposed Sugar Mill Estates Subdivision, located at 1700 North Sugar Road, as requested by Novellini, LTD.

7. DIRECTOR'S REPORT

- A. Unified Development Code Update

8. INFORMATION ONLY

- A. Attendance Roster

9. ADJOURNMENT

I hereby certify that this notice of meeting was posted in accordance with the Open Meetings Act, V.T.C.A., Government Code, Section 551.041, at the bulletin board located at the main entrance to the City offices of the City of Edinburg, (415 West University Drive), visible and accessible to the general public during regular working hours, on Friday, December 17, 2021 at 3:30 P.M.



Alejandra Gonzalez, 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.

**NOTICE AND AGENDA
ZONING BOARD OF ADJUSTMENT
NOVEMBER 17, 2021 – 4:00 P.M.
REGULAR MEETING
EDINBURG CITY HALL
415 W. UNIVERSITY
EDINBURG, TEXAS 78539**

MEMBERS PRESENT

Jorge Ortegon
Eddie Garza
Jason De Leon
Alex Rios

MEMBERS ABSENT

Andre Maldonado
George Cardenas

STAFF

Brian Kelsey, Assistant City Manager
Rita L. Guerrero, Management Analyst
Peter Hermida, Engineer III
Kimberly A. Mendoza, Director of Planning & Zoning
Nikki M. Cavazos, Planner I
Daniel A. Colina, Planner I
Alejandra Gonzalez, Administrative Assistant
Tilfred Farley, Planning Assistant
Jaime Ayala, Planner II
Omar Ochoa, City Attorney

1. CALL MEETING TO ORDER, ESTABLISH QUORUM

The meeting was formally called to order by Chairperson Alex Rios at 4:25 P.M.

- A.** Prayer – Announced by Chairperson Mr. Alex Rios
- B.** Pledge of Allegiance – The Pledge of Allegiance was said by all.

2. CERTIFICATION OF PUBLIC NOTICE

Mr. Daniel A. Colina verified the posting of the Zoning Board of Adjustment meeting notice and it's Compliance with the Open Meetings Act. Staff indicated the agenda had been posted on Friday, November 12, 2021 during regular working hours, at 3:00 P.M.

3. PUBLIC COMMENTS

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

Announced by Chairperson Mr. Alex Rios.

**ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
NOVEMBER 17, 2021**

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

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

Announced by Chairperson Mr. Alex Rios.

5. MINUTES

- A.** Consider approval of the Minutes for the October 27, 2021 Regular Meeting

MOTION WAS MADE BY BOARD MEMBER MR. EDDIE GARZA AND SECONDED BY BOARD MEMBER MR. JASON DE LEON TO APPROVE THE MINUTES FOR THE OCTOBER 27, 2021 REGULAR MEETING. MOTION CARRIED UNANIMOUSLY WITH A VOTE OF 4-0.

6. PUBLIC HEARINGS

- A.** Consider Variance to the City's Unified Development Code, Section 3.301 Single Family Residential Bulk Standards, Setbacks, being Lot 12, Block 346, Original Edinburg Townsite Subdivision, located at 524 West Champion Street, as requested by Daniel Guillen.

MOTION WAS MADE BY BOARD MEMBER MR. JORGE ORTEGON AND SECONDED BY BOARD MEMBER MR. JASON DE LEON TO APPROVE THE VARIANCE REQUEST OF DANIEL GUILLEN, TO ALLOW THE CONSTRUCT OF A SWIMMING POOL IN THE FRONT YARD OF A SINGLE-FAMILY RESIDENTIAL LOT, AS SHOWN ON THE SITE PLAN. MOTION DID NOT CARRY. BOARD MEMBER MR. ALEX RIOS AND BOARD MEMBER MR. EDDIE GARZA DENIED THE REQUEST. MOTION WAS DENIED WITH A VOTE OF 2-2.

**ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
NOVEMBER 17, 2021
PAGE 3**

- B.** Consider Variance to the City's Unified Development Code, Section 3.303, Multi-Family Residential Bulk Standards, Setbacks, All of Lots 2-44, Bel-Air Estates Subdivision located at 2519 North Closner Boulevard, as requested by Parul Desai.

MOTION WAS MADE BY BOARD MEMBER MR. JASON DE LEON AND SECONDED BY BOARD MEMBER MR. EDDIE GARZA TO APPROVE THIS VARIANCE REQUEST OF PARUL DESAI, TO ALLOW FOR THE REDUCE FRONT YARD SETBACKS OF A MULTI-FAMILY SUBDIVISION FROM 20 FT. TO 10 FT. IN ORDER TO CONSTRUCT CARPORTS IN THIS AREA, AS SHOWN ON THE SITE PLAN. MOTION CARRIED UNANIMOUSLY WITH A VOTE OF 4-0.

- C.** Consider Variance to the City's Unified Development Code, Section 3.301, Single Family Residential Bulk Standards, Setbacks, & Section 3.505, Easements and Utilities, Lot 52, The Village at Los Lagos Subdivision, located at 1907 Malachi Street, as requested by Henry Gonzalez.

MOTION WAS MADE BY BOARD MEMBER MR. JORGE ORTEGON AND SECONDED BY BOARD MEMBER MR. EDDIE GARZA TO APPROVE THE VARIANCE REQUEST OF HENRY GONZALEZ, TO ALLOW FOR AN EXISTING BUILDING THAT WAS CONSTRUCTED IN THE REQUIRED FRONT YARD SETBACK AND AN EXISTING CONCRETE PATIO AREA CONSTRUCTED OVER A 5FT. UTILITY EASEMENT, AS SHOWN ON THE SITE PLAN. MOTION CARRIED UNANIMOUSLY WITH A VOTE OF 4-0.

- D.** Consider Variance to the City's Unified Development Code, Section 3.301, Single Family Residential Bulk Standards, Setbacks, & Section 3.505, Easements & Utilities, Lot 1, Chateau Estates Subdivision, located at 2701 Chateau Street, as requested by Joel A. Rios.

MOTION WAS MADE BY BOARD MEMBER MR. JORGE ORTEGON AND SECONDED BY BOARD MEMBER MR. EDDIE GARZA TO APPROVE THE VARIANCE REQUEST OF JOEL A. RIOS, TO ALLOW FOR THE CONSTRUCTION OF A POOL IN THE REQUIRED REAR YARD SETBACK AND UTILITY EASEMENT, AS SHOWN ON THE SITE PLAN. MOTION CARRIED UNANIMOUSLY WITH A VOTE OF 4-0.

- E.** Consider Variance to the City's Unified Development Code, Section 3.301 Single Family Residential Bulk Standards, Setbacks, being Lot 9, Block 239, Texas-Mexican Railway Company's Survey Subdivision, as per map of plat thereof recorded in Volume 1, Page 12, Map Road, as requested by Rio Delta Engineering.

**ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
NOVEMBER 17, 2021
PAGE 4**

MOTION WAS MADE BY BOARD MEMBER MR. EDDIE GARZA AND SECONDED BY BOARD MEMBER MR. JASON DE LEON TO APPROVE THE VARIANCE REQUEST OF RIO DELTA ENGINEERING, TO ALLOW FOR THE REDUCE REAR YARD SETBACKS TO 10 FT. AS SHOWN ON THE SITE PLAN. MOTION CARRIED UNANIMOUSLY WITH A VOTE OF 4-0.

- F.** Consider Variance to the City's Unified Development Code, Section 3.505, Easement & Utilities, Being Lot 21 A, Stonny Brook Phase I Subdivision, located at 1602 Leann Rimes, as requested by Benito Gonzalez.

MOTION WAS MADE BY BOARD MEMBER MR. EDDIE GARZA AND SECONDED BY BOARD MEMBER MR. JORGE ORTEGON TO APPROVE WITH A CONDITION OF OBTAINING AN APPROVAL LETTER FROM RELIANT ENERGY FOR THE VARIANCE REQUEST OF BENITO GONZALEZ, TO ALLOW FOR THE CONSTRUCTION OF A CARPORT IN AN ELECTRICAL UTILITY EASEMENT AT THE REAR OF DUPLEX APARTMENTS, AS SHOWN ON THE SITE PLAN. MOTION CARRIED UNANIMOUSLY WITH A VOTE OF 4-0.

- G.** Consider Variance to the City's Unified Development Code, Section 3.505, Easement & Utilities, Being Lot 21 B, Stonny Brook Phase I Subdivision, located at 1606 Leann Rimes, as requested by Benito Gonzalez.

MOTION WAS MADE BY BOARD MEMBER MR. EDDIE GARZA AND SECONDED BY BOARD MEMBER MR. JORGE ORTEGON TO APPROVE WITH A CONDITION OF OBTAINING AN APPROVAL LETTER FROM RELIANT ENERGY FOR THE VARIANCE REQUEST OF BENITO GONZALEZ, TO ALLOW FOR THE CONSTRUCTION OF A CARPORT IN AN ELECTRICAL UTILITY EASEMENT AT THE REAR OF DUPLEX APARTMENTS, AS SHOWN ON THE SITE PLAN. MOTION CARRIED UNANIMOUSLY WITH A VOTE OF 4-0.

- H.** Consider Variance to the City's Unified Development Code, Section 2.301 (D), Fences, being lot 135, Los Lagos Phase IV Subdivision, located at 2716 Seton Street, as requested by Cesar & Blanca De La Garza.

MOTION WAS MADE BY BOARD MEMBER MR. EDDIE GARZA AND SECONDED BY BOARD MEMBER MR. JORGE ORTEGON TO APPROVE THE VARIANCE REQUEST OF CESAR & BLANCA DE LA GARZA, TO ALLOW FOR THE PLACEMNET OF A FENCE IN THE FRONT OF THEIR PROPERTY ALONG SETON STREET, AS SHOWN ON THE SITE PLAN. MOTION CARRIED UNANIMOUSLY WITH A VOTE OF 4-0.

7. **DIRECTOR'S REPORT**

MRS. KIMBERLY MENDOZA DISCUSSED THE UNIFIED DEVELOPMENT CODE UPDATE. SHE DISCUSSED MODULE 1 AND ADVISED THAT THE UNIFIED DEVELOPMENT CODE STEERING COMMITTEE WILL BE MEETING LATER IN THE MONTH AND ARE EXPECTING THE DRAFT FOR MODULE 2 OF THE UDC UPDATE.

8. **INFORMATION ONLY**

9. **ADJOURNMENT**

There being no further business to consider, the meeting was adjourned at 5:38 P.M.

Alejandra Gonzalez

Alejandra Gonzalez, Administrative Assistant

Planning & Zoning Staff Report

December 7, 2021

ZONING BOARD OF ADJUSTMENT

Regular Meeting: December 21, 2021

Agenda Item 6A

Consider Variance to the City's Unified Development Code, Section 3.301, Single Family Residential Bulk Standards, Setbacks, Lot 210, Fairhaven Heights Subdivision Phase III, located at 1815 Nitsche Drive, as requested by Ericka Vicente Lopez

Request

The applicant is requesting a variance to the City's Unified Development Code (UDC), Section 3.301, as it applies to setbacks. The applicant is proposing to construct a carport in the front yard of a single-family residential lot.

Property Location and Vicinity

The property is located on the north side of Nitsche Drive, approximately 175 ft. east of South McCormack Drive, and is zoned Neighborhood Conservation 7.1 (NC7.1) District. Adjacent zoning is Neighborhood Conservation 7.1 (NC7.1) District in all directions.

Background and History

The property is part of the Fairhaven Heights Subdivision Phase III, which was recorded on July 28, 2006. The applicant is proposing to construct a carport no larger than 20 x 20 ft. up to 20 ft. into the required 25 ft. front yard setback. The applicant submitted a Building Permit Application for a carport on October 20, 2021. The plans show the structure encroaching in the front setback along Nitsche Drive. Subsequently, a Variance Request was submitted on November 23, 2021 to accommodate the project.

Staff mailed notice of this variance request to 67 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 53.75 ft. of frontage on Nitsche Drive and 108 ft. of depth for a total lot area of 5,805 sq. ft. The lot and its single-family residential structure are typical for this neighborhood and surrounding area. There are four houses on Nitsche Drive with existing carports, and several others throughout the Fairhaven Heights Subdivision Phase III. However, of the houses on Nitsche Drive, none have a building permit or variance on file with the City. Code Enforcement is investigation possible violations at these locations.

The applicant stated that the carport is for medical reasons pertaining to her son. There is ample room in the rear yard for such a structure without requiring a variance or further compromising

Planning & Zoning Staff Report

the character of the neighborhood.

There is a 5 ft. utility easement at the front of the subject property. The applicant indicated verbally that she would be agreeable to reducing the length of the proposed carport to respect the existing easement.

Recommendation

Staff recommends disapproval of this request. The UDC expressly prohibits accessory structures in front yards. All of the carports on Nitsche Drive appear to have been built without proper permitting or variance. Allowing accessory structures in street yards would further compromise the quality and character of this neighborhood and should not be allowed. The applicant could consider replacing the shade tree that used to exist by the driveway. A shade structure in the rear yard could also be constructed without requiring a variance.

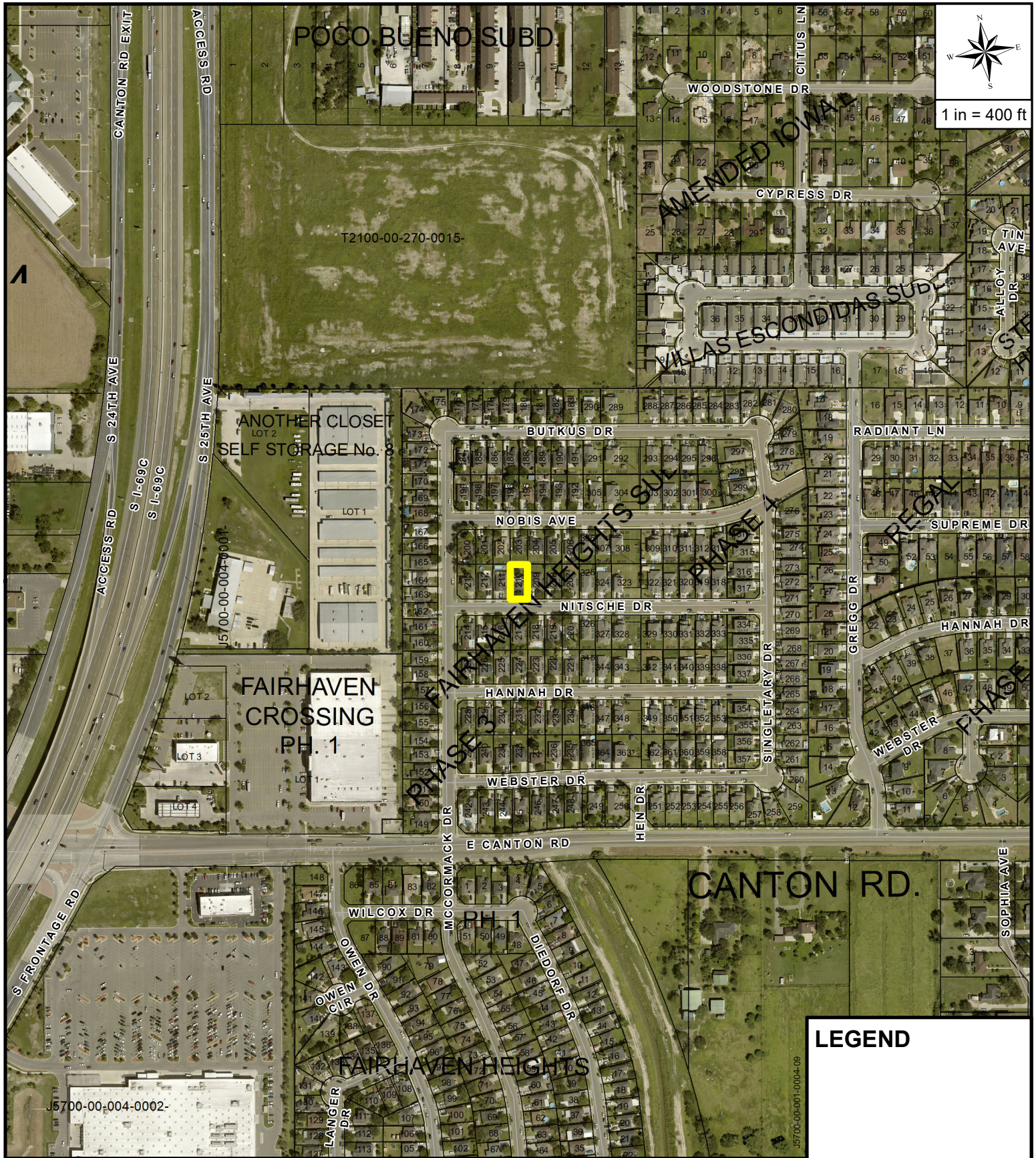
If approved, the applicant will need to comply with all other requirements during the permitting process. If approved, \$40 fee, payable to the County of Hidalgo, County Clerk's Office, for the recording of the ZBA order is also required. A location map, aerial map, photo, subdivision plat, site plan,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

Prepared by:

D. Austin Colina
Planner I


Approved by:


Kimberly A. Mendoza, MPA
Director of Planning & Zoning

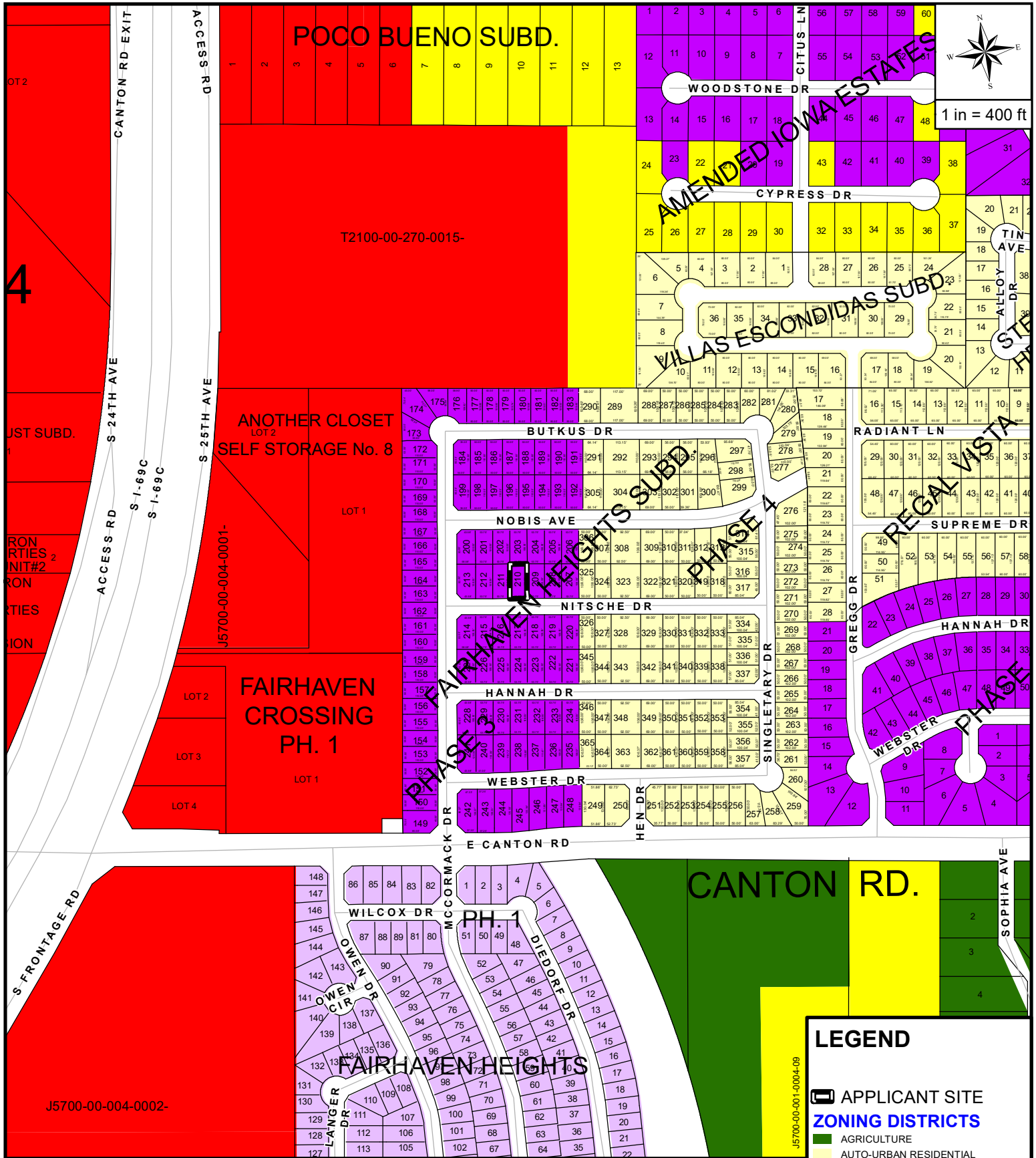


AERIAL MAP
APPLICANT AND/OR SUBDIVISION:
ERICKA VICENTE LOPEZ
FAIRHAVEN HEIGHTS PH 3

LEGEND

 APPLICANT SITE

 CITY LIMITS



ZONING MAP

APPLICANT AND/OR SUBDIVISION:

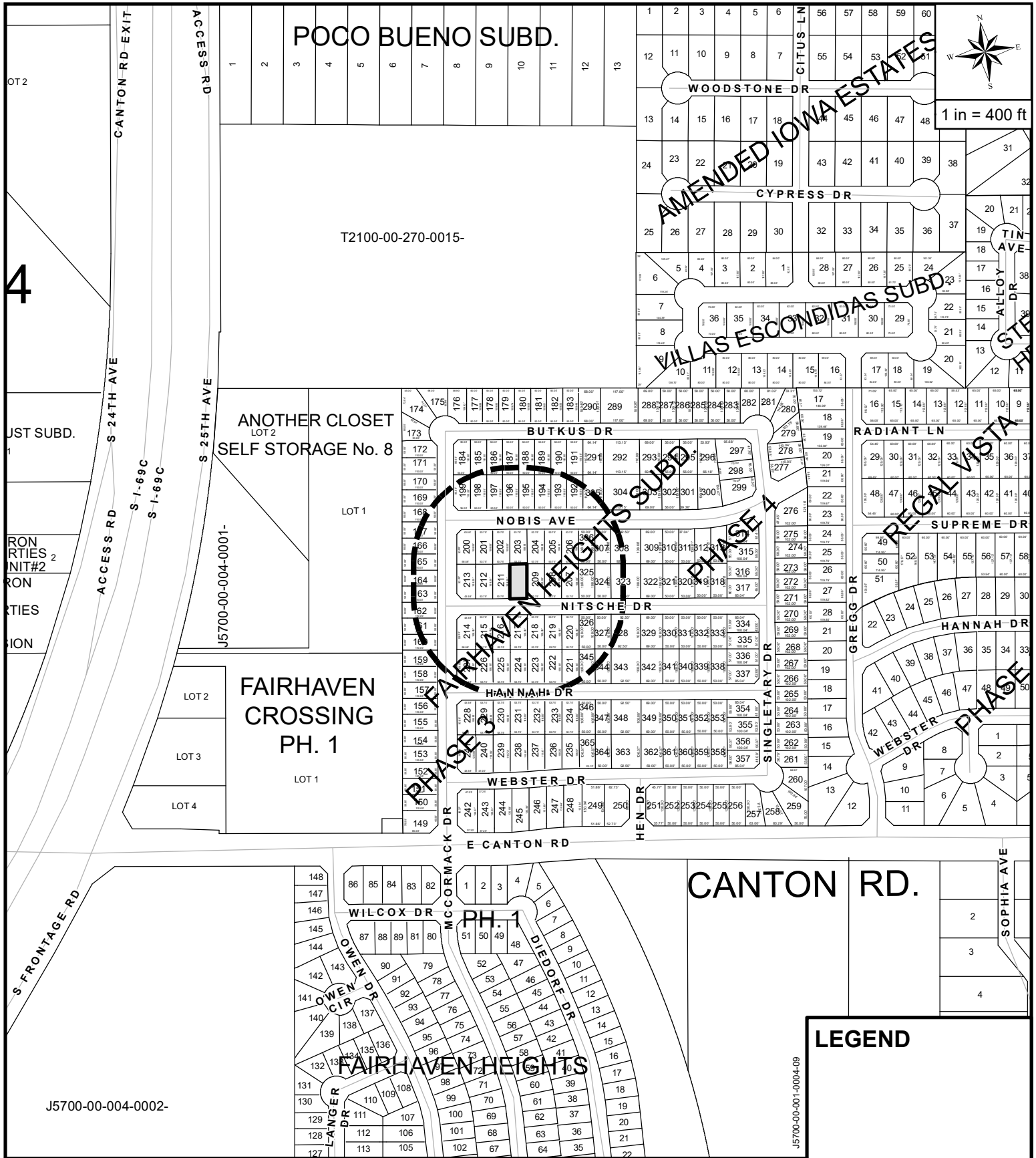
ERICKA VICENTE LOPEZ

FAIRHAVEN HEIGHTS PH 3

LEGEND

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





AERIAL MAP

APPLICANT AND/OR SUBDIVISION:

ERICKA VICENTE LOPEZ

FAIRHAVEN HEIGHTS PH 3

LEGEND

- APPLICANT SITE
- 300FT NOTIFICATION
- CITY LIMITS



Case #

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

VAR-2021-0054

Zoning Board of Adjustment Application Request for Variance

Nature of Request: 23'-3" INTO THE REQUIRED
INSTEAD OF 25' FRONT YARD SETBACK

Reason for Hardship (attach additional pages if necessary)

Tengo un hijo con necesidades especiales que tenemos que sacarlo afuera para que él se calme cuando le da la ansiedad.

Property Description: Lot _____ Block _____ Subdivision _____

Property Address: 1815 NITSCHKEPresent Property Zoning: Nc 7-1Person requesting Variance: Ericka Vicente LópezMailing Address: 1815 Nitsche Dr. Edinburg TX. 78542
Street Address City/State Zip CodePhone No. (Home): 956-5627290 (Work): _____ (Cell): _____Owner's Name: Ericka Vicente LopezMailing Address: erickalopez1234567@gmail.com
Street Address City/State Zip Code

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

Signature: [Signature] Date: 11/9/21

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

RECEIVED

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

Receipt No.

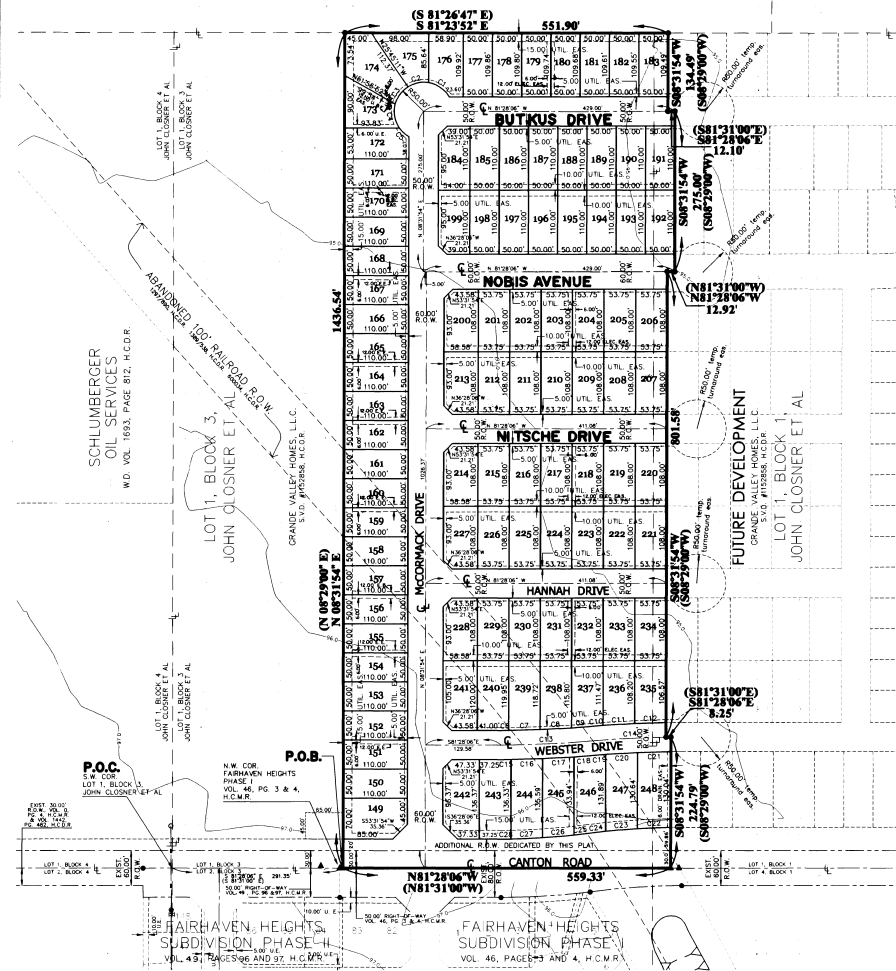
NOV 23 2021
Name: [Signature] 9:36a.m.

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

LOT 15, SECTION 270
TEXAS-MEXICAN RAILWAY COMPANY SURVEY



MAP OF
**Fairhaven Heights
Subdivision Phase III**

BEING A RESUBDIVISION OF 18.297 ACRES, COMPRISED OF 0.885 ACRES OUT OF LOT 1, BLOCK 1, AND 17.412 ACRES OUT OF LOT 1, BLOCK 3, JOHN CLOSER ET AL SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 0, PAGE 4, HIDALGO COUNTY MAP RECORDS, DATED 10/27/03.



MELDEN & HUNT INC.
CONSULTANTS • ENGINEERS • SURVEYORS
10 N. MOORE ST. OFF: (936) 381-0881
EDINBURG, TX 78541 FAX: (936) 381-0839
E-MAIL: melden@mhinc.com ESTABLISHED 1947

DRAWN BY: *de Jure* DATE: 7-11-05
SURVEY CHECKED: *de Jure* DATE: 7-11-05
FINAL CHECK: *de Jure* DATE: 4-28-06

METES AND BOUNDS DESCRIPTION

A TRACT OF LAND CONTAINING 18.297 ACRES SITUATED IN THE CITY OF EDINBURG, COUNTY OF HIDALGO, TEXAS, COMPRISED OF 0.885 ACRES OUT OF LOT 1, BLOCK 1, AND 17.412 ACRES OUT OF LOT 1, BLOCK 3, JOHN CLOSER ET AL SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 0, PAGE 4, HIDALGO COUNTY MAP RECORDS, DATED 10/27/03. ALSO BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

- COMMENCING AT A POINT LOCATED WITHIN THE RIGHT-OF-WAY OF CANTON ROAD, FOR THE SOUTHWEST CORNER OF SAID LOT 1, BLOCK 3, JOHN CLOSER ET AL SUBDIVISION;
- THENCE, S 81°28'06" E (S 81°31'00" E), AT A DISTANCE OF 285.81 FEET PASS A COTTON PICKER SPINDLE FOUND FOR THE NORTHWEST CORNER OF FAIRHAVEN HEIGHTS PHASE I, RECORDED IN VOLUME 46, PAGE 3, AND A HIGALGO COUNTY MAP RECORD, AND CONTINUING A TOTAL DISTANCE OF 291.35 FEET TO A COTTON PICKER SPINDLE SET FOR THE SOUTHWEST CORNER OF BEGINNING OF THIS HEREIN DESCRIBED TRACT;
- THENCE, N 08°31'54" E (N 08°29'00" E), ALONG A LINE PARALLEL TO THE WEST LINE OF SAID LOT 1, BLOCK 3, AT A DISTANCE OF 30.00 FEET PASS THE NORTH RIGHT-OF-WAY LINE OF SAID CANTON ROAD, AND CONTINUING A TOTAL DISTANCE OF 4.38 54 FEET TO A #4 REBAR SET ON THE NORTH LINE OF SAID LOT 1, BLOCK 3, FOR THE NORTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT;
- THENCE, S 81°23'32" E (S 81°24'47" E), ALONG THE NORTH LINES OF SAID LOT 1, BLOCK 3, AND LOT 1, BLOCK 1, AT A DISTANCE OF 528.09 FEET PASS THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 3, AND CONTINUING A TOTAL DISTANCE OF 1.43 54 FEET TO A #4 REBAR SET ON THE NORTH LINE OF SAID LOT 1, BLOCK 1, FOR THE NORTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;
- THENCE, S 81°28'06" E (S 81°31'00" E), A DISTANCE OF 12.10 FEET TO A #4 REBAR SET FOR AN EXTERIOR CORNER OF THIS HEREIN DESCRIBED TRACT;
- THENCE, S 08°31'54" W (S 08°29'00" W), ALONG A LINE PARALLEL TO THE WEST LINE OF SAID LOT 1, BLOCK 1, A DISTANCE OF 275.00 FEET TO A #4 REBAR SET FOR AN EXTERIOR CORNER OF THIS HEREIN DESCRIBED TRACT;
- THENCE, N 81°28'06" W (N 81°31'00" W), A DISTANCE OF 12.92 FEET TO A #4 REBAR SET FOR AN INTERIOR CORNER OF THIS HEREIN DESCRIBED TRACT;
- THENCE, S 08°31'54" W (S 08°29'00" W), ALONG A LINE PARALLEL TO THE WEST LINE OF SAID LOT 1, BLOCK 1, A DISTANCE OF 80.58 FEET TO A #4 REBAR SET FOR AN EXTERIOR CORNER OF THIS HEREIN DESCRIBED TRACT;
- THENCE, S 81°28'06" E (S 81°31'00" E), A DISTANCE OF 8.25 FEET TO A #4 REBAR SET FOR AN EXTERIOR CORNER OF THIS HEREIN DESCRIBED TRACT;
- THENCE, S 08°31'54" W (S 08°29'00" W), ALONG A LINE PARALLEL TO THE WEST LINE OF SAID LOT 1, BLOCK 1, AT A DISTANCE OF 194.79 FEET PASS THE NORTH RIGHT-OF-WAY LINE OF SAID CANTON ROAD, AND CONTINUING A TOTAL DISTANCE OF 224.79 FEET TO A COTTON PICKER SPINDLE SET WITHIN THE RIGHT-OF-WAY OF SAID CANTON ROAD, FOR THE SOUTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT;
- THENCE, N 81°28'06" W (N 81°31'00" W), ALONG THE SOUTH LINES OF SAID LOT 1, BLOCK 1, AND LOT 1, BLOCK 3, AND WITHIN THE RIGHT-OF-WAY OF CANTON ROAD, A DISTANCE OF 558.33 FEET TO THE POINT OF BEGINNING, AND CONTAINING 18.297 ACRES, OF WHICH 0.885 OF ONE ACRE LIES WITHIN THE RIGHT-OF-WAY OF SAID CANTON ROAD, FOR THE SOUTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT.

*BEARINGS IN PARENTHESES ARE AS PER JOHN CLOSER ET AL SUBDIVISION, REC. IN VOL. 0, PAGE 4, H.C.M.R.

CURVE NO.	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	50.00	14.33	23.74	42.09	N45°53'57" E	50°47'36"
C2	50.00	36.21	18.94	35.42	S86°59'41" W	47°29'16"
C3	50.00	17.28	28.08	26.79	S44°39'09" E	73°02'32"
C4	50.00	42.86	22.85	41.56	S01°28'49" E	49°36'58"
C5	50.00	22.19	11.08	22.01	S38°40'10" E	25°02'48"
C6	1722.80	12.72	6.38	12.75	N84°10'45" E	2°25'27"
C7	1722.80	53.77	26.89	53.76	S82°47'16" E	1°47'31"
C8	1722.80	53.88	26.90	53.87	S84°53'17" W	1°47'32"
C9	1722.80	31.84	15.92	31.84	S86°00'00" E	1°03'32"
C10	1722.80	22.85	11.42	22.85	N86°00'00" E	0°42'30"
C11	1722.80	53.85	26.93	53.85	N84°55'43" W	1°44'26"
C12	1722.80	53.78	26.89	53.77	N84°51'22" W	1°44'27"
C13	1747.80	154.37	172.14	154.34	S01°39'56" E	3°33'43"
C14	1747.80	135.56	131.52	135.52	N84°11'24" W	4°20'43"
C15	1722.80	16.72	8.37	16.72	N84°11'24" W	0°42'31"
C16	1722.80	54.89	27.81	54.82	S82°53'57" E	1°44'45"
C17	1722.80	54.98	27.87	54.88	S84°09'59" E	1°44'53"
C18	1722.80	31.78	15.89	31.75	S86°09'59" E	1°03'34"
C19	1722.80	52.42	26.81	52.42	N86°09'59" W	0°44'49"
C20	1722.80	54.10	27.48	54.10	S84°53'17" W	1°47'31"
C21	1722.80	57.82	28.51	57.82	N87°02'11" W	1°53'47"
C22	1843.74	16.75	8.37	16.75	N86°13'12" W	0°42'30"
C23	1843.74	54.19	27.59	54.18	N86°13'12" W	0°29'47"
C24	1843.74	31.23	15.61	31.23	N88°11'14" W	1°08'19"
C25	1843.74	23.82	11.98	23.82	S88°11'14" W	1°09'20"
C26	1843.74	54.28	27.43	54.28	S86°22'00" E	0°42'59"
C27	1843.74	27.83	13.91	27.83	S88°11'14" W	1°09'20"
C28	1843.74	16.75	8.37	16.75	N81°53'16" E	0°50'29"

LEGEND:	
FOUND C.P.S.	▲
SET C.P.S.	●
FOUND IRON ROD	■
SET IRON W/PLASTIC CAP STAMPED "MELDEN AND HUNT"	○
U.E. = REBAR UTILITY EASEMENT	
E.E. = INDICATES ELECTRICAL EASEMENT	

LOT AREAS	
Lot: 149	Area: 7,387.50 S.F.
Lot: 150	Area: 5,500.00 S.F.
Lot: 151	Area: 5,500.00 S.F.
Lot: 152	Area: 5,500.00 S.F.
Lot: 153	Area: 5,500.00 S.F.
Lot: 154	Area: 5,500.00 S.F.
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Lot: 235	Area: 5,500.00 S.F.
Lot: 236	Area: 5,500.00 S.F.
Lot: 237	Area: 5,500.00 S.F.
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Lot: 241	Area: 5,500.00 S.F.
Lot: 242	Area: 5,500.00 S.F.
Lot: 243	Area: 5,500.00 S.F.
Lot: 244	Area: 5,500.00 S.F.
Lot: 245	Area: 5,500.00 S.F.
Lot: 246	Area: 5,500.00 S.F.
Lot: 247	Area: 5,500.00 S.F.
Lot: 248	Area: 5,500.00 S.F.
Lot: 249	Area: 5,500.00 S.F.
Lot: 250	Area: 5,500.00 S.F.

STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS: FAIRHAVEN HEIGHTS SUBDIVISION PHASE III, AN ADDITION TO THE CITY OF EDINBURG, TEXAS, AND WHOSE NAME IS SUBMITTED HEREIN, HEREBY DECLARE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREIN SHOWN FOR THE PURPOSE OF CONSIDERATION THEREIN EXPRESSED.

John Closer
JOHN CLOSER
GRANDE VALLEY HOME L.L.C.
1100 N. MAIN
MOLLEN, TX 78551

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED *Lidia Hous* KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBMITTED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE REQUESTED THE SAME FOR THE PURPOSES AND CONSIDERATION HEREIN GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS *20* DAY OF *July*, 2005.

Lidia Hous
LIDIA HOUS
NATURAL PUBLIC, HIDALGO COUNTY, TEXAS
MY COMMISSION EXPIRES 06-20-2008

I, THE UNDERSIGNED, CHAIRPERSON OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF EDINBURG HEREBY CERTIFIES THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEN IN APPEAL, IS REQUIRED.

Chairperson
CHAIRPERSON, PLANNING COMMISSION
DATE: 01/10/05

THIS PLAT IS HEREBY APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT # 2 ON THIS THE *21st* DAY OF *July*, 2005.

NO IMPROVEMENTS OF ANY KIND (INCLUDING WITHOUT LIMITATION: TREES, FENCES, DRAINAGE PLANS) SHALL BE PLACED UPON HIDALGO COUNTY IRRIGATION DISTRICT # 2 RIGHTS OF WAY OR EASEMENTS.

President
PRESIDENT
Secretary
SECRETARY

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION CONFORM WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEX. WATER CODE, §9.21. THE DISTRICT HAS REVIEWED THE PLANS AND HAS DETERMINED 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.

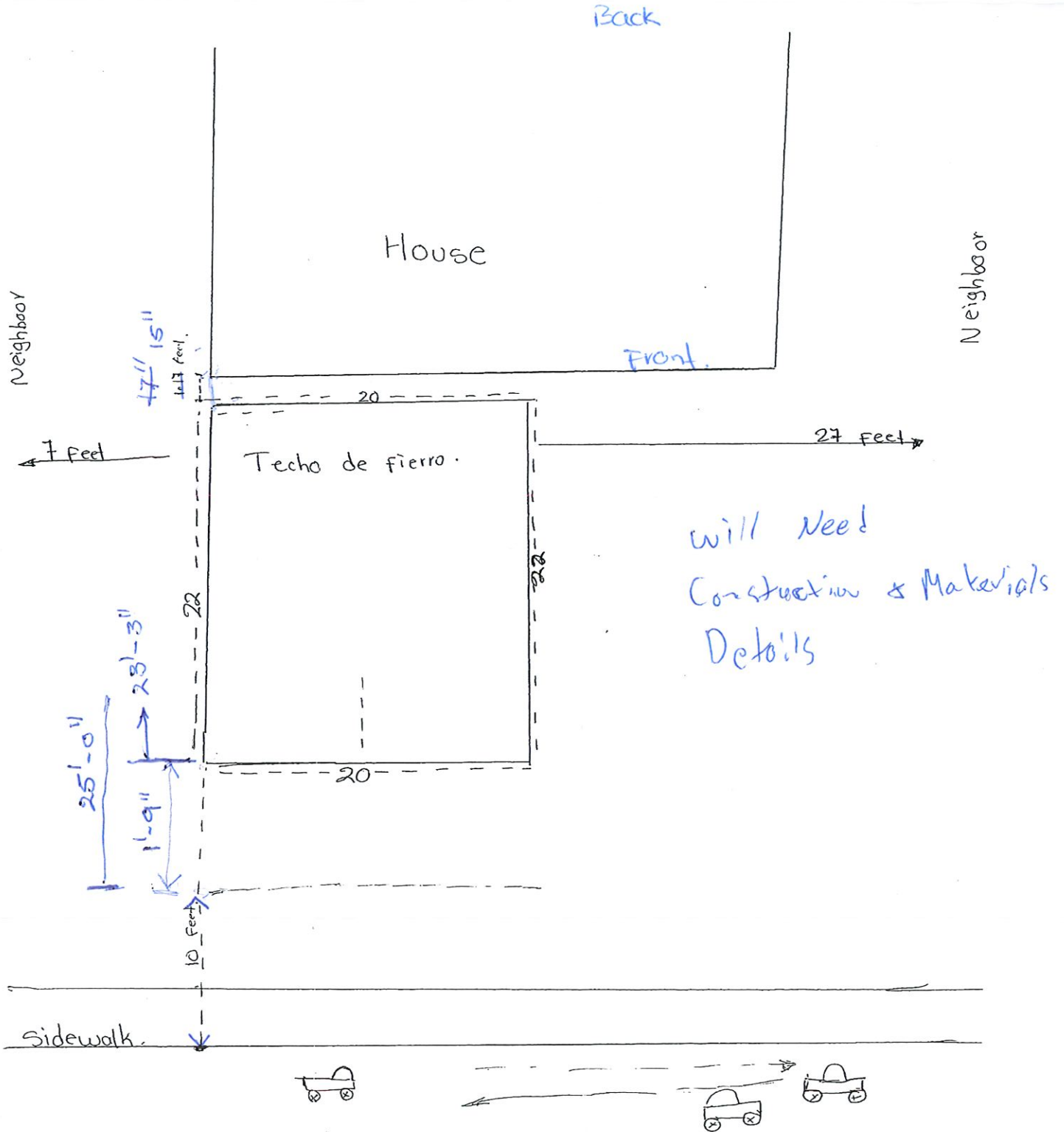
HIDALGO COUNTY DRAINAGE DISTRICT NO. 1
BY: *John Closer*

STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED, FREE L. KURTZ, A REGISTERED PROFESSIONAL ENGINEER AND REALTOR, IN CONNECTION WITH THE SUBDIVISION OF THE LAND SHOWN ON THIS PLAT, HEREBY CERTIFY THAT I AM A TRUE AND ACCURATE REPRESENTATIVE OF THE SUBDIVISION OF THE LANDS HEREIN DESCRIBED.

Free L. Kurtz
FREE L. KURTZ, RPL # 54151, RPLS # 4790
DATE SUBMITTED: 08-07-05
DATE PREPARED: 05-13-05
C.D.S. NO. 58
JOB NO. 05071.00

51-24
51-24



1815 Nitsche Dr. Edinburg Tx. 78542

Construccion: Techo de Fierro. Soldado. 20 x 22. de dos aguas.

enterrado con cemento 30 pulgadas, Lámina atornillada con tornillo. (250 pcs)
altura 9 pies, Tubo cuadrado 4x4,
Purlin 4x2 11 pcs.

RECEIVED

NOV 23 2021

Tel. 956-5627290
Santos & Enicka Rodriguez.

Name: 9:36am

SETBACKS AS PER PLAT:

FRONT 25'
REAR 20'
SIDE 6'
GAR 18'

NC 7.1

FAIRHAVEN HEIGHTS PH3 LOT 210

Zoning Board of Adjustment

Site Photos for meeting of December 17, 2021

ERICKA VICENTE LOPEZ



Planning & Zoning Staff Report

December 7, 2021

ZONING BOARD OF ADJUSTMENT

Regular Meeting: December 21, 2021

Agenda Item 6B

Consider Variance to the City's Unified Development Code, Section 3.301, Single Family Residential Bulk Standards, Setbacks, being 31.124 acres out of Lot 14, Section 237, Texas-Mexican Railway Company's Survey, Lots 1-89 of proposed Woodlands Estates Subdivision, located at 1001 North Mccoll Road, as requested by Escanaba, LLC.

Request

The applicant is requesting a variance to the City's Unified Development Code (UDC), Section 3.301, as it applies to setbacks. The applicant is proposing to reduce the front, side, and rear setbacks for 89 lots in the proposed Woodlands Estates Subdivision by as much as 50% of UDC requirements.

Property Location and Vicinity

The properties are located in the proposed Woodlands Estates Subdivision at the northwest corner of North McColl Road and West Schunior Street. Zoning for these lots is Urban Residential (UR) District. Adjacent zoning is Suburban Residential (S) District to the north, Auto-Urban Residential (AU) District to the south, Suburban Residential (S) and Auto-Urban (AU) Districts to the east, and Neighborhood Conservation 5 (NC5) District to the west. Surrounding land uses are residential and vacant land.

Background and History

The proposed Woodlands Estates Subdivision received preliminary approval by the City of Edinburg Planning & Zoning Commission on May 11, 2021. Rezoning from Agriculture (AG) District to Urban Residential (UR) District was approved by City Council on June 1, 2021. The applicant is proposing to develop a multifamily development of duplexes at this location.

This subdivision has already received three Subdivision Variances through the Planning & Zoning Commission (P&Z) and City Council. All three variances were considered at the P&Z meeting of July 13, 2021 and approved by City Council on August 17, 2021. The first variance was to the required lot width, reducing this requirement by over 20%, from 100 ft. to 76-79 ft. The second variance reduced the minimum lot area by approximately 15% from 10,000 sq. ft. to 8,500 sq. ft. The third variance reduced required street paving with for this subdivision from 43 ft. to 40 ft.

A Zoning Board of Adjustment Request for Variance Application, with a letter from the project engineer, was submitted to the City on December 6, 2021. The application is requesting a reduction for front, side, and rear setbacks for lots 1 through 89 in this subdivision.

Planning & Zoning Staff Report

Staff mailed notice of this variance request to 67 neighboring property owners. No comments in favor or against this request had been received at the time this report was prepared.

Analysis

This request is for all lots in the proposed Woodlands Estates Subdivision with the exception of Lot 90 that is designated non-residential for a City of Edinburg lift station location. The plat for the proposed subdivision shows 1028.47 ft. of frontage on North McColl Road and 1320 ft. of frontage on West Schunior Street. The plat proposes three access points: two on North McColl Road and one on West Schunior Street.

Multi-Family Lot and Building Standards, as required by the UDC, call for 20 ft. setbacks for street yards and rear yards and 6 ft. setbacks per side. The variance requested proposes large reductions to the front and rear setbacks, from 20 ft. to 10 ft., and a reduction to the side setbacks from 6 ft. to 5 ft., a reduction of 50% and 16.67% respectively. The proposed plat proposes a 15 ft. utility easement along the street yards for these properties. This easement is greater than the setback requested, and may pose a problem without reduction of the easement or further variance.

Three Subdivision Variances have been approved for this subdivision, reducing the required lot width by 20% or more per lot, reducing the required lot area by 15%, and reducing street paving width by almost 7%.

Recommendation

Staff recommends disapproval of this request. Setbacks provide for more desirable development by providing access, visibility, ventilation, lighting, sound dispersion, drainage, and landscaping. The reduction of front and rear setbacks by 50% and side setbacks by 16.67% would result in a substandard development. The developer has already been given two variances to our development code for this subdivision, and no viable hardship has been established.

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:

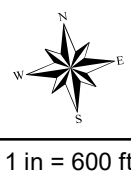
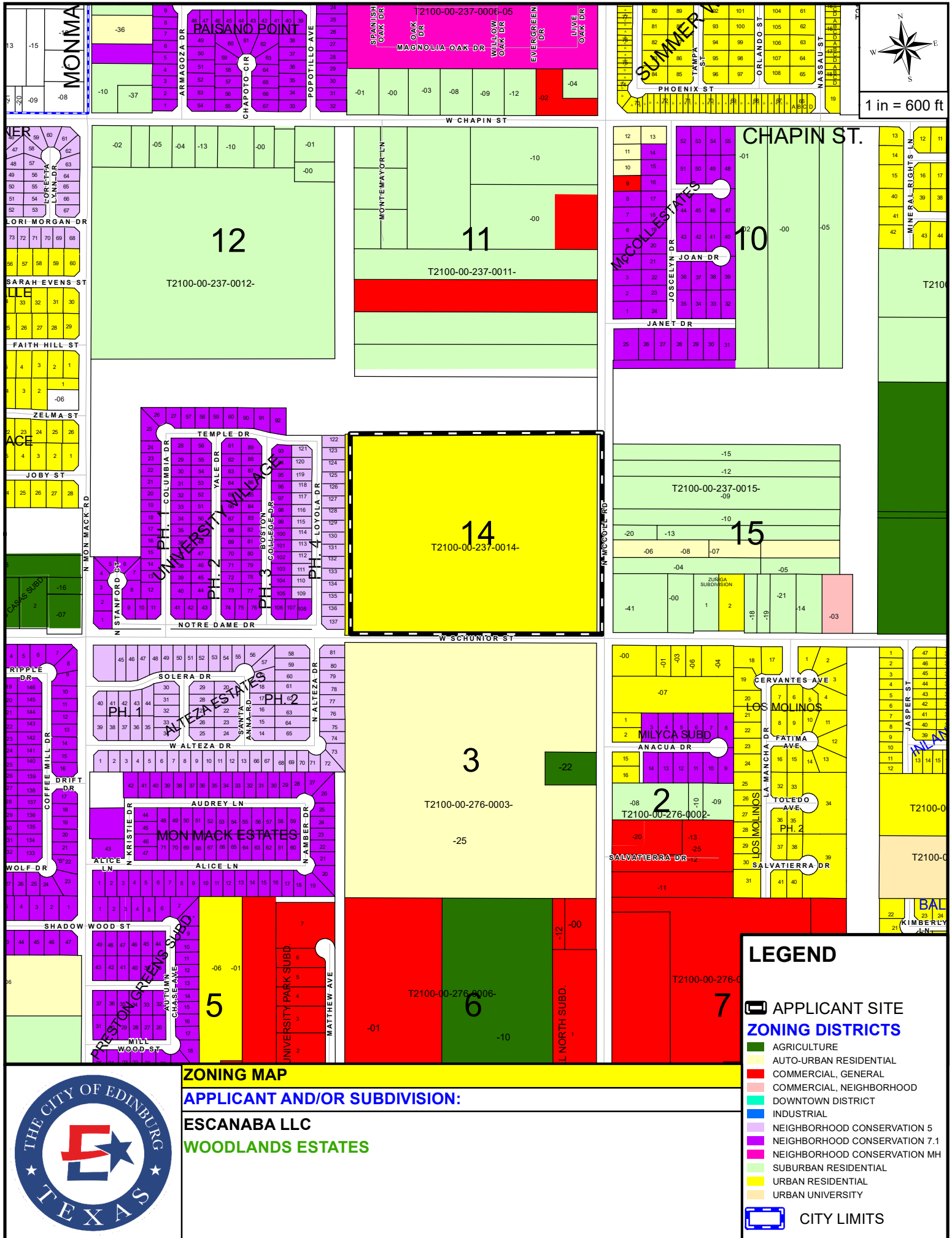
D. Austin Colina

Planner I

Approved by:

Kimberly A. Mendoza, MPA

Director of Planning & Zoning



LEGEND

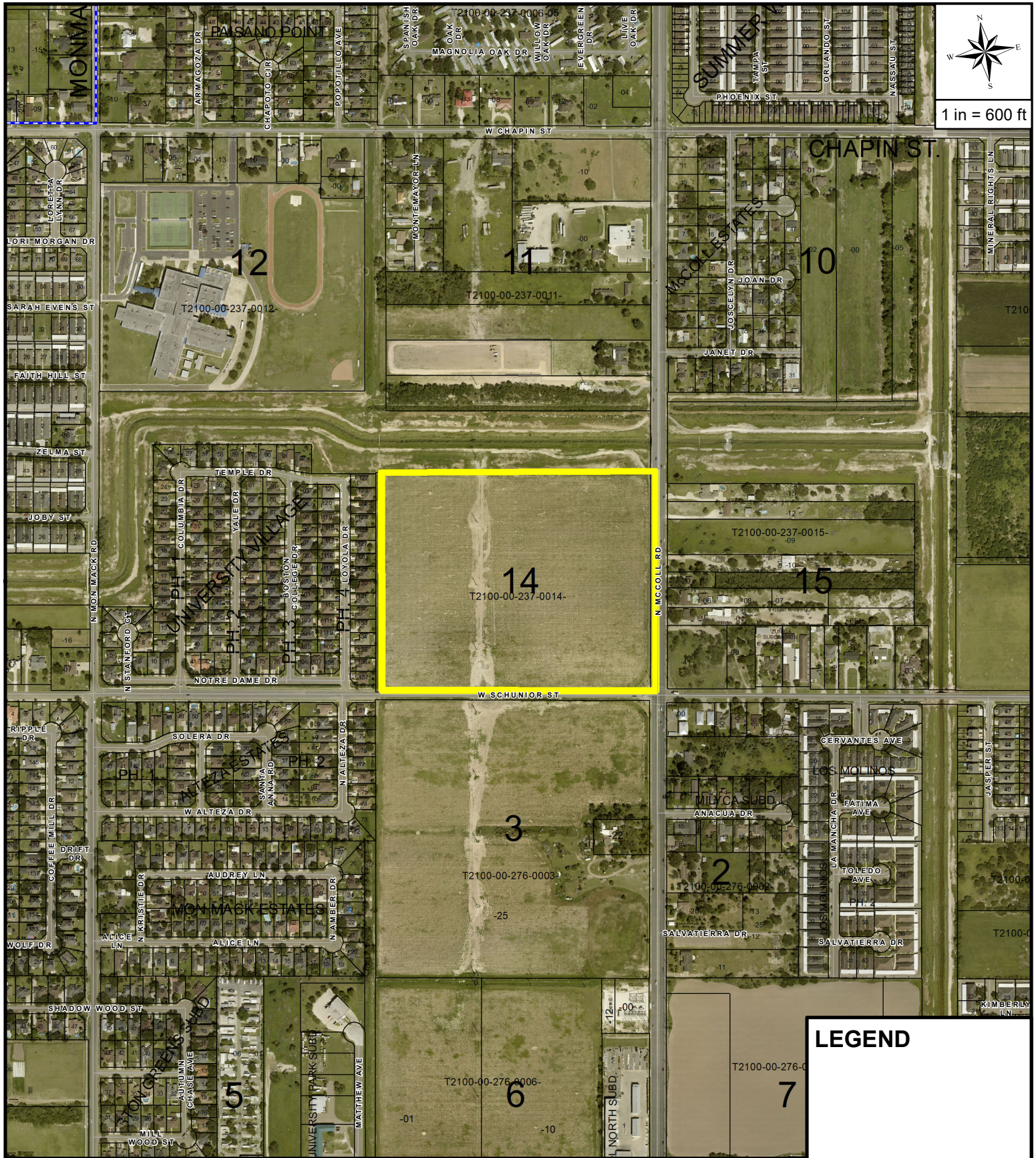
- APPLICANT SITE
- ZONING DISTRICTS**
- AGRICULTURE
- AUTO-URBAN RESIDENTIAL
- COMMERCIAL, GENERAL
- COMMERCIAL, NEIGHBORHOOD
- DOWNTOWN DISTRICT
- INDUSTRIAL
- NEIGHBORHOOD CONSERVATION 5
- NEIGHBORHOOD CONSERVATION 7.1
- NEIGHBORHOOD CONSERVATION MH
- SUBURBAN RESIDENTIAL
- URBAN RESIDENTIAL
- URBAN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

ZONING MAP

APPLICANT AND/OR SUBDIVISION:


ESCANABA LLC
WOODLANDS ESTATES




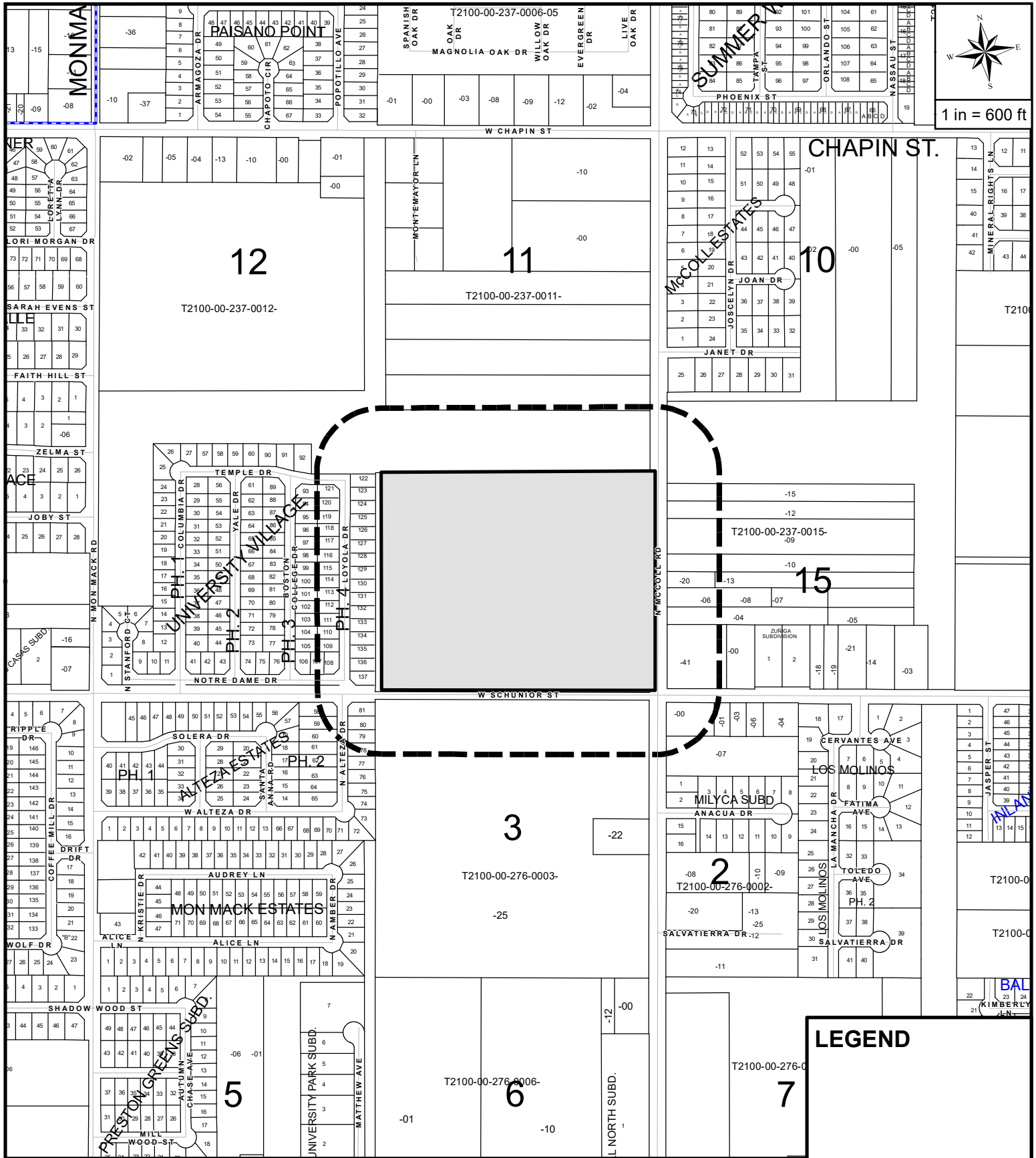


SITE MAP	
APPLICANT AND/OR SUBDIVISION:	
ESCANABA LLC	
WOODLANDS ESTATES	

LEGEND

 APPLICANT SITE

 CITY LIMITS



SITE MAP	
APPLICANT AND/OR SUBDIVISION:	
ESCANABA LLC	
WOODLANDS ESTATES	

LEGEND

- APPLICANT SITE
- 300FT NOTIFICATION
- CITY LIMITS



Case #

Edinburg THE CITY OF

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

Zoning Board of Adjustment Application Request for Variance

Nature of Request: Variance for Setbacks

Reason for Hardship (attach additional pages if necessary)

Please see attachment

Property Description: Lot 14 Block Sec 237 Subdivision Tex-Mex Survey

Property Address: _____

Present Property Zoning: UR - Urban Residential

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

Mailing Address: 115 W. McIntyre Street

Street Address

City/State

Zip Code

Phone No. (Home): _____

(Work): 381-0981

(Cell): _____

Owner's Name: Escanaba LLC

Mailing Address: 3520 Buddy Owens

Street Address

McAllen TX

City/State

78504

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: 12-6-21

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

\$450 Application Fee: _____

Application Received by: _____

Receipt No. _____

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**



TBPELS Firm # F-1435
TBPELS # 10096900

MELDEN & HUNT INC.

CONSULTANTS • ENGINEERS • SURVEYORS

FRED L. KURTH • ALLAN F. BOOE • KELLEY A. HELLER-VELA • ROBERTO N. TAMEZ • MARIO A. REYNA • RUBEN JAMES DE JESUS

December 6, 2021

Nikki Cavazos, Planner I
CITY OF EDINBURG PLANNING DEPT.
415 W. University Drive
Edinburg, TX 78541

RE: WOODLANDS ESTATES – VARIANCE REQUEST ON SETBACKS

Dear Ms. Cavazos -

On behalf of the developer, Escanaba, LLC., and in reference to Woodlands Estates, we respectfully request a variance on the following items:

1. SETBACKS FOR URBAN RESIDENTIAL

{request variance on current 20-foot front setback}
{request variance on current 6-foot side setback}
{request variance on current 20-foot rear setback};

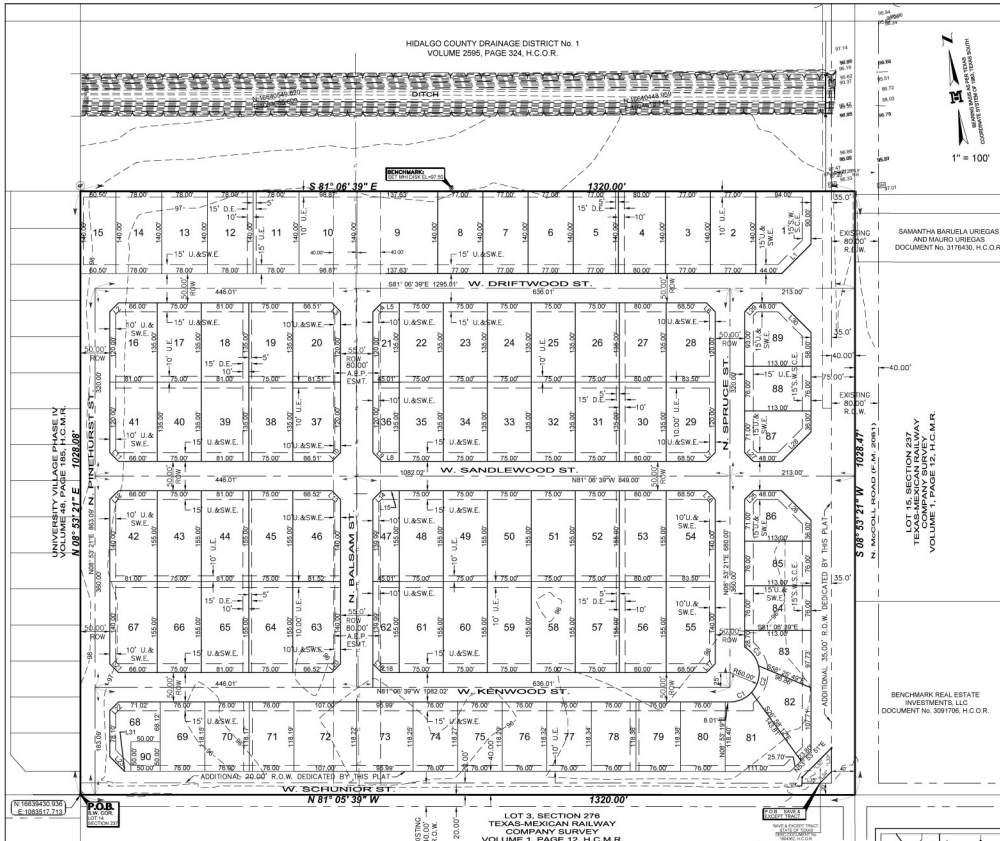
- a.) Lots 1 thru 89 – change front setback from 20 feet to 10 feet
- b.) Lots 1 thru 89 – change side setback from 6 feet to 5 feet
- c.) Lots 1 thru 89 – change rear setback from 20 feet to 10 feet

Please consider this request and advise us as soon as possible on your decision. If you have any questions or comments, please contact our office. Thank you.

Sincerely,
MELDEN & HUNT, INC.

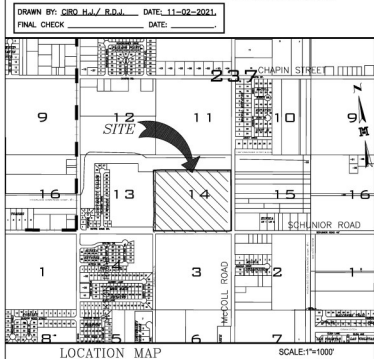
Mario A. Reyna, P.E., R.P.L.S.
Vice-President

Cc: Escanaba, LLC, Developer



LEGEND

- FOUND NO. 4 REBAR
- FOUND NO. 5 REBAR
- FOUND PIPE
- SET NO. 4 REBAR WITH PLASTIC CAP STAMPED MELDEN & HUNT
- SET NAIL
- S.W.S.C.E. - SHARYLAND WATER SUPPLY CORPORATION
- U.S.E. - UTILITY AND SIDEWALK EASEMENT
- A.P.E. ESMT. - AMERICAN ELECTRIC POWER EASEMENT
- D.E. - DRAINAGE EASEMENT
- R.O.W. - RIGHT OF WAY
- H.C.M.R. - HIDALGO COUNTY MAP RECORDS
- H.C.D.R. - HIDALGO COUNTY DEED RECORDS
- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCING
- N.W. COR. - NORTHWEST CORNER
- S.E. COR. - SOUTHEAST CORNER
- S.W.E. - SIDEWALK EASEMENT
- U.S.W.E. - UTILITY AND SIDEWALK EASEMENT
- A.P.E. ESMT. - AMERICAN ELECTRIC POWER EASEMENT
- D.E. - DRAINAGE EASEMENT



Lot Area Table			Lot Area Table			Lot Area Table		
Lot #	SQ. FT.	Area	Lot #	SQ. FT.	Area	Lot #	SQ. FT.	Area
1	10780.00	0.247	30	10780.00	0.248	61	11625.01	0.267
2	10780.00	0.247	31	10125.00	0.232	62	11625.01	0.267
3	10780.00	0.247	32	10125.00	0.232	63	12555.01	0.288
4	11200.00	0.257	33	10125.00	0.232	64	11625.01	0.267
5	10780.00	0.247	34	10125.00	0.232	65	9972.53	0.226
6	10780.00	0.247	35	10125.00	0.232	70	9979.91	0.228
7	10780.00	0.247	36	10125.00	0.232	71	9994.49	0.228
8	10780.00	0.247	37	10125.00	0.232	72	12048.14	0.282
9	10780.00	0.247	38	10254.96	0.235	73	12048.14	0.282
10	10780.00	0.247	39	10254.96	0.235	74	9997.54	0.228
11	10780.00	0.247	40	10254.96	0.235	75	9997.54	0.228
12	10780.00	0.247	41	11625.01	0.267	76	9997.54	0.228
13	10780.00	0.247	42	12555.01	0.288	77	9997.54	0.228
14	10780.00	0.247	43	11625.01	0.267	78	9997.54	0.228
15	10780.00	0.247	44	11625.01	0.267	79	9997.54	0.228
16	10780.00	0.247	45	11625.01	0.267	80	9997.54	0.228
17	10780.00	0.247	46	11625.01	0.267	81	11780.68	0.270
18	10780.00	0.247	47	11625.01	0.267	82	2000.00	0.045
19	10780.00	0.247	48	11625.01	0.267	83	2000.00	0.045
20	10780.00	0.247	49	11625.01	0.267	84	2000.00	0.045
21	10780.00	0.247	50	11625.01	0.267	85	2000.00	0.045
22	10780.00	0.247	51	11625.01	0.267	86	2000.00	0.045
23	10780.00	0.247	52	11625.01	0.267	87	2000.00	0.045
24	10780.00	0.247	53	11625.01	0.267	88	2000.00	0.045
25	10780.00	0.247	54	11625.01	0.267	89	2000.00	0.045
26	10780.00	0.247	55	11625.01	0.267	90	2000.00	0.045
27	10780.00	0.247	56	11625.01	0.267			

Line Table				Line Table			
Line #	Direction	Length	Area	Line #	Direction	Length	Area
1	N 89° 02' 21" E	21.21	0.000	13	N 89° 02' 21" E	21.21	0.000
2	N 89° 02' 21" E	21.21	0.000	14	N 89° 02' 21" E	21.21	0.000
3	N 89° 02' 21" E	21.21	0.000	15	N 89° 02' 21" E	21.21	0.000
4	N 89° 02' 21" E	21.21	0.000	16	N 89° 02' 21" E	21.21	0.000
5	N 89° 02' 21" E	21.21	0.000	17	N 89° 02' 21" E	21.21	0.000
6	N 89° 02' 21" E	21.21	0.000	18	N 89° 02' 21" E	21.21	0.000
7	N 89° 02' 21" E	21.21	0.000	19	N 89° 02' 21" E	21.21	0.000
8	N 89° 02' 21" E	21.21	0.000	20	N 89° 02' 21" E	21.21	0.000
9	N 89° 02' 21" E	21.21	0.000	21	N 89° 02' 21" E	21.21	0.000
10	N 89° 02' 21" E	21.21	0.000	22	N 89° 02' 21" E	21.21	0.000
11	N 89° 02' 21" E	21.21	0.000	23	N 89° 02' 21" E	21.21	0.000
12	N 89° 02' 21" E	21.21	0.000	24	N 89° 02' 21" E	21.21	0.000
25	N 89° 02' 21" E	21.21	0.000	26	N 89° 02' 21" E	21.21	0.000
27	N 89° 02' 21" E	21.21	0.000	28	N 89° 02' 21" E	21.21	0.000
29	N 89° 02' 21" E	21.21	0.000	30	N 89° 02' 21" E	21.21	0.000
31	N 89° 02' 21" E	21.21	0.000	32	N 89° 02' 21" E	21.21	0.000
33	N 89° 02' 21" E	21.21	0.000	34	N 89° 02' 21" E	21.21	0.000
35	N 89° 02' 21" E	21.21	0.000	36	N 89° 02' 21" E	21.21	0.000
37	N 89° 02' 21" E	21.21	0.000	38	N 89° 02' 21" E	21.21	0.000
39	N 89° 02' 21" E	21.21	0.000	40	N 89° 02' 21" E	21.21	0.000
41	N 89° 02' 21" E	21.21	0.000	42	N 89° 02' 21" E	21.21	0.000
43	N 89° 02' 21" E	21.21	0.000	44	N 89° 02' 21" E	21.21	0.000
45	N 89° 02' 21" E	21.21	0.000	46	N 89° 02' 21" E	21.21	0.000
47	N 89° 02' 21" E	21.21	0.000	48	N 89° 02' 21" E	21.21	0.000
49	N 89° 02' 21" E	21.21	0.000	50	N 89° 02' 21" E	21.21	0.000
51	N 89° 02' 21" E	21.21	0.000	52	N 89° 02' 21" E	21.21	0.000
53	N 89° 02' 21" E	21.21	0.000	54	N 89° 02' 21" E	21.21	0.000
55	N 89° 02' 21" E	21.21	0.000	56	N 89° 02' 21" E	21.21	0.000
57	N 89° 02' 21" E	21.21	0.000	58	N 89° 02' 21" E	21.21	0.000
59	N 89° 02' 21" E	21.21	0.000	60	N 89° 02' 21" E	21.21	0.000
61	N 89° 02' 21" E	21.21	0.000	62	N 89° 02' 21" E	21.21	0.000
63	N 89° 02' 21" E	21.21	0.000	64	N 89° 02' 21" E	21.21	0.000
65	N 89° 02' 21" E	21.21	0.000	66	N 89° 02' 21" E	21.21	0.000
67	N 89° 02' 21" E	21.21	0.000	68	N 89° 02' 21" E	21.21	0.000
69	N 89° 02' 21" E	21.21	0.000	70	N 89° 02' 21" E	21.21	0.000
71	N 89° 02' 21" E	21.21	0.000	72	N 89° 02' 21" E	21.21	0.000
73	N 89° 02' 21" E	21.21	0.000	74	N 89° 02' 21" E	21.21	0.000
75	N 89° 02' 21" E	21.21	0.000	76	N 89° 02' 21" E	21.21	0.000
77	N 89° 02' 21" E	21.21	0.000	78	N 89° 02' 21" E	21.21	0.000
79	N 89° 02' 21" E	21.21	0.000	80	N 89° 02' 21" E	21.21	0.000
81	N 89° 02' 21" E	21.21	0.000	82	N 89° 02' 21" E	21.21	0.000
83	N 89° 02' 21" E	21.21	0.000	84	N 89° 02' 21" E	21.21	0.000
85	N 89° 02' 21" E	21.21	0.000	86	N 89° 02' 21" E	21.21	0.000
87	N 89° 02' 21" E	21.21	0.000	88	N 89° 02' 21" E	21.21	0.000
89	N 89° 02' 21" E	21.21	0.000	90	N 89° 02' 21" E	21.21	0.000
91	N 89° 02' 21" E	21.21	0.000	92	N 89° 02' 21" E	21.21	0.000
93	N 89° 02' 21" E	21.21	0.000	94	N 89° 02' 21" E	21.21	0.000
95	N 89° 02' 21" E	21.21	0.000	96	N 89° 02' 21" E	21.21	0.000
97	N 89° 02' 21" E	21.21	0.000	98	N 89° 02' 21" E	21.21	0.000
99	N 89° 02' 21" E	21.21	0.000	100	N 89° 02' 21" E	21.21	0.000

SUBDIVISION MAP OF WOODLANDS ESTATES BEING 31.124 ACRES OUT OF LOT 14, SECTION 237 TEXAS-MEXICAN RAILWAY COMPANY SURVEY VOLUME 1, PAGE 12, H.C.M.R. CITY OF EDINBURG, HIDALGO COUNTY, TEXAS

METERS AND BOUNDS DESCRIPTION

A TRACT OF LAND CONTAINING 31.124 ACRES SITUATED IN THE CITY OF EDINBURG, COUNTY OF HIDALGO, TEXAS, BEING A PART OR PORTION OUT OF LOT 14, SECTION 237, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY, VOLUME 1, PAGE 12, HIDALGO COUNTY MAP RECORDS, WHICH SAID LOT 14 IS A CERTAIN TRACT CONVEYED TO LLOYD M. SOUTHWICK, JR., LINDA A. JONSON, LESLIE H. SOUTHWICK, BY VIRTUE OF AN ORDER ADMITTING WILL TO PROBATE AND AUTHORIZING LETTERS TESTAMENTARY RECORDED IN CAUSE NO. 27-201-01 IN THE COUNTY OF HIDALGO, TEXAS, AND TO LESLIE H. SOUTHWICK BY VIRTUE OF A WARRANTY DEED RECORDED UNDER DOCUMENT NUMBER 286916, HIDALGO COUNTY OFFICIAL RECORDS, SAID LOT 14 ACRES ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A TRACT OF LAND FOUND ON THE SOUTHWEST CORNER OF SAID LOT 14, SECTION 237 FOR THE SOUTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT.

1. THENCE, N 89° 02' 21" E ALONG THE WEST LINE OF SAID LOT 14, SECTION 237, AND THE EAST LINE OF UNIVERSITY VILLAGE PHASE IV, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 48, PAGE 185, HIDALGO COUNTY MAP RECORDS, AT A DISTANCE OF 20.00 FEET PASS A NO. 4 REBAR SET ON THE NORTH RIGHT-OF-WAY LINE OF SCHOLARD STREET, AT A DISTANCE OF 20.00 FEET PASS A NO. 4 REBAR FOUND IN LINE, AT A DISTANCE OF 100.00 FEET PASS A NO. 4 REBAR FOUND IN LINE, AT A DISTANCE OF 238.32 FEET PASS A NO. 4 REBAR FOUND IN LINE, CONTAINING A TOTAL DISTANCE OF 1,028.41 FEET TO A NAIL SET FOR THE SOUTHWEST CORNER OF THIS TRACT.
2. THENCE, S 89° 02' 21" E ALONG THE EAST LINE OF SAID LOT 14, SECTION 237, AND WITHIN THE EXISTING RIGHT-OF-WAY LINE OF MCCOLL ROAD, AT A DISTANCE OF 1,028.41 FEET TO A NAIL SET ON THE SOUTHWEST CORNER OF SAID LOT 14, SECTION 237, FOR THE SOUTHWEST CORNER OF THIS TRACT.
3. THENCE, N 89° 02' 21" E ALONG THE WEST LINE OF SAID LOT 14, SECTION 237, AND WITHIN THE EXISTING RIGHT-OF-WAY LINE OF SCHOLARD STREET, AT A DISTANCE OF 1,320.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 31.124 ACRES, EXCEPT A 0.008 ACRE TRACT CONVEYED TO STATE OF TEXAS BY VIRTUE OF A DEED RECORDED UNDER DOCUMENT NUMBER 18486, HIDALGO COUNTY OFFICIAL RECORDS, LEAVING 31.124 ACRES OF ONE ACRE OR MORE WITHIN THE EXISTING RIGHT-OF-WAY OF MCCOLL ROAD AND 1.575 OF ONE ACRE OR MORE WITHIN THE EXISTING RIGHT-OF-WAY OF SCHOLARD STREET, LEAVING A NET OF 20.887 ACRES OF LAND, MORE OR LESS.

SAVE & EXCEPT:
A TRACT OF LAND CONTAINING 0.008 OF ONE ACRE SITUATED IN THE CITY OF EDINBURG, COUNTY OF HIDALGO, TEXAS, BEING A PART OR PORTION OUT OF LOT 14, SECTION 237, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY, VOLUME 1, PAGE 12, HIDALGO COUNTY MAP RECORDS, WHICH SAID 0.008 OF ONE ACRE CONVEYED TO STATE OF TEXAS BY VIRTUE OF A DEED RECORDED UNDER DOCUMENT NUMBER 18486, HIDALGO COUNTY OFFICIAL RECORDS, SAID 0.008 OF ONE ACRE ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A NAIL FOUND ON THE SOUTHWEST CORNER OF SAID LOT 14, SECTION 237:

THENCE, S 89° 02' 21" E ALONG THE SOUTH LINE OF SAID LOT 14, AT A DISTANCE OF 1,286.41 FEET;

1. THENCE, N 89° 02' 21" E ALONG THE SOUTH LINE OF SAID LOT 14, AT A DISTANCE OF 1,286.41 FEET;
2. THENCE, N 89° 02' 21" E ALONG THE SOUTH LINE OF SAID LOT 14, AT A DISTANCE OF 1,286.41 FEET;
3. THENCE, N 89° 02' 21" E ALONG THE SOUTH LINE OF SAID LOT 14, AT A DISTANCE OF 1,286.41 FEET;
4. THENCE, S 89° 02' 21" E ALONG THE SOUTH LINE OF SAID LOT 14, AT A DISTANCE OF 1,286.41 FEET;
5. THENCE, S 89° 02' 21" E ALONG THE SOUTH LINE OF SAID LOT 14, AT A DISTANCE OF 1,286.41 FEET;

GENERAL PLAT NOTES & RESTRICTIONS

1. BUILDING SETBACKS:
 - A. FRONT YARD SETBACK LINE SHALL BE TWENTY (20) FEET OR EASEMENT WHICHEVER IS GREATER ON ALL CASES.
 - B. REAR YARD SETBACK LINE SHALL BE TEN (10) FEET OR EASEMENT WHICHEVER IS GREATER ON ALL CASES.
 - C. SIDE YARD SETBACK LINE SHALL BE SIX (6) FEET OR EASEMENT WHICHEVER IS GREATER ON ALL CASES.
 - D. CORNER SIDE YARD SETBACK, TEN (10) FEET.
2. FLOOD ZONE "X" (SHADED) AREAS OF 500-YEAR FLOOD AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES FROM 100-YEAR FLOOD, COMMUNITY PANEL NUMBER: 40338 015 E MAP REVISED: JUNE 4, 2005 REVISED TO REFLECT LOUIN MAY 14, 2007.
3. MINIMUM FINISHED FLOOR ELEVATION SHALL BE 18 INCHES ABOVE THE TOP OF CURB OR BASE FLOOD ELEVATION WHICH EVER IS GREATER.
4. ZONE CLASSIFICATION AUTO-URBAN RESIDENTIAL.
5. A FIVE (5) FOOT SIDEWALK THREE (3) FEET BEHIND THE BACK OF CURB IS REQUIRED FOR INTERIOR STREETS AT THE BUILDING PERMIT STAGE, WITH A.D.A. RAMPS.
6. NO PERMANENT STRUCTURES SHALL BE ALLOWED WITHIN UTILITY EASEMENTS, GAS EASEMENTS, IRRIGATION EASEMENTS OR LOT LINES.
7. ALL INTERIOR LOT CORNERS WILL HAVE A NO. 4 REBAR SET WITH PLASTIC CAP STAMPED MELDEN & HUNT, INC.

BENCH MARK NOTE:
T.B.M. NO. 1, SET BY M.H. BRASS LOCATED 60 FEET WEST AND 103 FEET NORTH FROM THE CENTERLINE INTERSECTION OF MCCOLL ROAD WITH SCHOLARD STREET, NO. 386 CONTROL BY U.S.G.S. 1985 49° 50' N, 104° 03' 35" E, 104° 03' 35" E, 104° 03' 35" E.

8. ALL CONSTRUCTION SHALL COMPLY WITH STORM WATER POLLUTION PREVENTION PLAN (SWPP) REQUIREMENTS.

9. DRAINAGE NOTE:
IN ACCORDANCE WITH THE HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 AND HIDALGO COUNTY DRAINAGE REQUIREMENTS, THIS DEVELOPER IS REQUIRED TO OBTAIN A TOTAL OF 29.93 AC. OF 8.33 AC. AT 11" 510PM WATER RUNOFF DRAINAGE DETENTION IN ACCORDANCE WITH THE LOCAL REQUIREMENTS WILL BE ACCOMPLISHED AS STATED IN THE DRAINAGE REPORT.

10. 5 FOOT SIDEWALK ALONG THE WEST SIDE OF MCCOLL ROAD AND THE NORTH SIDE OF SCHOLARD ROAD BY DEVELOPER DURING CONSTRUCTION, WITH A.D.A. RAMPS, SIDEWALKS TO GO INTO THE SUBDIVISION MONUMENT OR GATE.

11. LOT 8 AND THRU 82 SHALL HAVE NO ACCESS FROM SCHOLARD ROAD, LOTS 1 & 2 THRU 81, SHALL HAVE NO ACCESS FROM MCCOLL ROAD.

12. THE SUBDIVISION WILL BE UTILIZING SHARED DUMPSTERS LOCATED ADJACENT BETWEEN LOTS 1, THE RESPONSIBILITY WILL BE DISTRIBUTED BETWEEN THE ADJACENT LOT OWNERS FOR CONSTRUCTION AND FOR THE MAINTENANCE OF SERVICES FOR EACH DUMPSTER. THE DEVELOPER SHALL DETERMINE ADEQUATE TO PLACEMENT SO THE HOMEOWNERS/RESIDENTS KNOW WHICH BIN/ENCLOSURES ARE THEIRS. OWNER/RESIDENTS SHALL USE THEIR DESIGNATED ENCLOSURES ONLY.

13. LOT 90 DESIGNATED NON-RESIDENTIAL FOR CITY OF EDINBURG LOT PLACEMENT LOCATION.

14. ALL CONSTRUCTION SHALL COMPLY WITH STORMWATER POLLUTION PREVENTION PLAN (SWPP) REQUIREMENTS, EROSION AND SEDIMENTATION CONTROLS CONSTRUCTED IN ACCORDANCE WITH THE STORMWATER ORDINANCE 98.30 OF THE CITY OF EDINBURG ARE REQUIRED FOR ALL CONSTRUCTION ON EACH LOT INCLUDING SINGLE FAMILY AND DUPLEX/UNIT-FAMILY CONSTRUCTION.

15. POST DEVELOPMENT LOT GRADING FROM ROAD TO FRONT TO BE AT 1%.

THIS PLAT IS HEREBY APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT NO. 1
ON THIS _____ DAY OF _____, 20____.

HIDALGO COUNTY IRRIGATION DISTRICT NO. 1
ONE WILL NOT BE RESPONSIBLE FOR DRAINAGE OR DELIVERY OF WATER TO ANY LOT IN THIS SUBDIVISION ALSO THERE WILL BE NO PERMANENT STRUCTURE ON THE DISTRICT RIGHT-OF-WAY AND/OR EASEMENT.

NO IMPROVEMENTS OF ANY KIND SHALL BE PLACED UPON THE RIGHT-OF-WAY OR EASEMENTS WITHOUT THE EXPRESSED WRITTEN PERMISSION OF HDICR.

PRESIDENT _____ SECRETARY _____

MELDEN & HUNT, INC.
CONSULTANTS & ENGINEERS - SURVEYORS

119 W. MCINTYRE - EDINBURG, TX 78841
PH: (830) 381-0881 - FAX: (830) 381-1038
ESTABLISHED 1947 - www.meldenandhunt.com

STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED, OWNERS OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS WOODLANDS ESTATES, DO HEREBY GRANT AN EASEMENT TO THE CITY OF EDINBURG AND THOSE WHO MAY NOW OR HEREFTER HOLD FRANCHISE UNDER SAID CITY, THE STREETS, STREET LIGHTS, TRAFFIC CONTROL DEVICES, SIDEWALKS AND OTHER IMPROVEMENTS AND EASEMENTS THEREON SHOWN, SURFACE USE OF THE STREET AND ALLEYS IS RESTRICTED TO THE EMPLOYEES OR AGENTS OF THE CITY OF EDINBURG. EMPLOYEES OF THE PUBLIC OPERATING UNDER FRANCHISE TO THE CITY OF EDINBURG AND RESIDENTS OF THE SUBDIVISION AND THEIR GUESTS, AS REFLECTED UPON THE SUBDIVISION PLAT, HAVE NOT BEEN DEDICATED TO THE PUBLIC FOR PUBLIC ACCESS NOR HAVE BEEN ACCEPTED BY THE CITY AS PUBLIC IMPROVEMENTS AND THE STREETS, STREET LIGHTS, TRAFFIC CONTROL DEVICES, SIDEWALKS AND OTHER IMPROVEMENTS SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION WITHIN THE SUBDIVISION. THE STREETS SHALL ALWAYS BE OPEN TO EMERGENCY VEHICLES, PUBLIC AND PRIVATE UTILITY SERVICE PERSONNEL, THE U.S. POSTAL SERVICE AND GOVERNMENTAL EMPLOYEES IN PURSUIT OF THEIR OFFICIAL DUTIES. THE OWNER OF LOTS SERVED BY THE PRIVATE STREETS, ALLEYS AND ACCESS EASEMENTS WITHIN THIS PLAT AGREE TO RELEASE, DEFEND, OBTAIN AND HOLD HARMLESS ANY GOVERNMENTAL ENTITY FOR DAMAGES TO THE PRIVATE STREETS, ALLEYS, AND ACCESS EASEMENTS OCCASIONED BY THE REASONABLE USE THEREOF BY THE GOVERNMENTAL ENTITY FOR GOVERNMENTAL PURPOSES, AND TO RELEASE, DEFEND AND HOLD HARMLESS ANY GOVERNMENTAL ENTITY FOR DAMAGES ARISING FROM THE CONDITION OF PRIVATE STREETS, ALLEYS, OR PRIVATE ACCESS EASEMENTS. THE MAINTENANCE OF PRIVATE STREET SIGNS SHALL NOT BE RESPONSIBILITY OF THE CITY OF EDINBURG.

BY LLOYD M. SOUTHWICK, JR.
HIDALGO COUNTY, TEXAS

Sample Site Plan submitted for Woodlands Estates Lot 3 showing required setbacks.

10' U.E.

20' REAR SETBACK

10'-0"

NEW DUPLEX
F.F. = 1'6" ABOVE CURB

BUILDING "A"

BUILDING "B"

LOT 3

20' FRONT SETBACK

15' U.E.

78.00'

10' U.E.

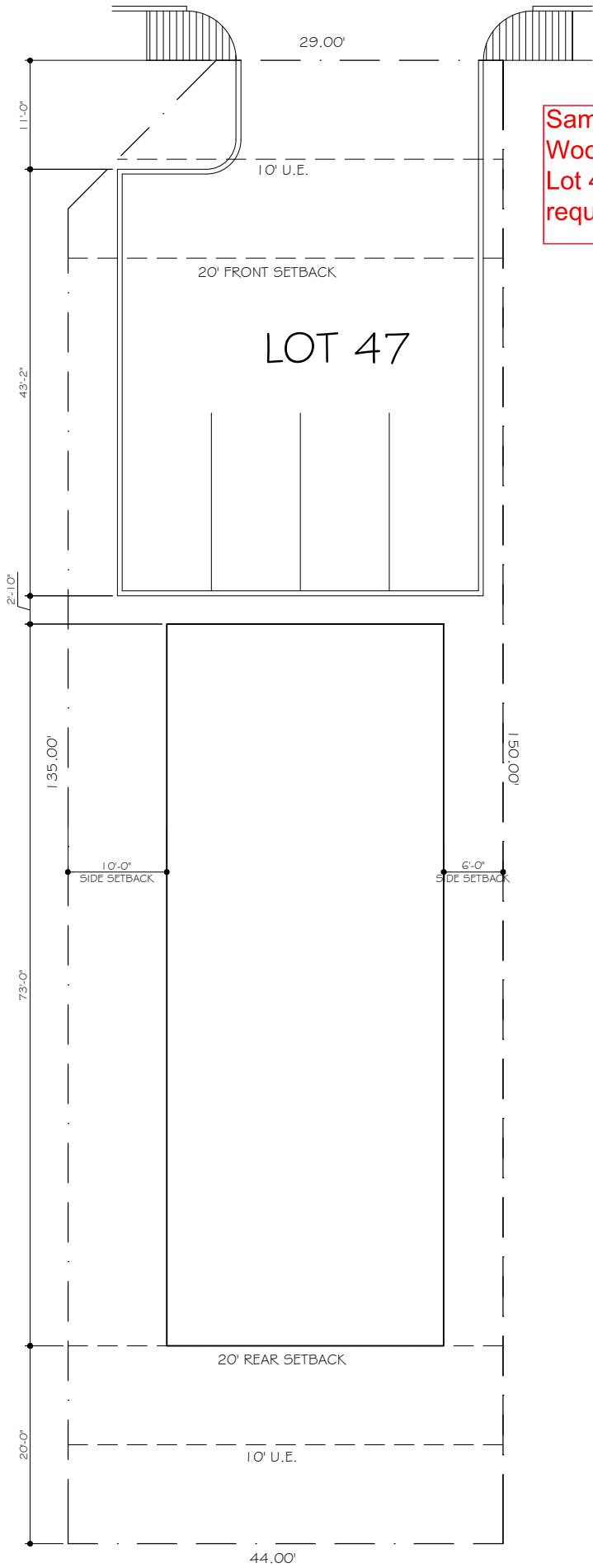
$$\frac{1}{O'-O''}$$

NEW DUPLEX
F.F. = 18" ABOVE CURB

BUILDING "B"

20' FRONT SETBACK

78.00'



Sample Site Plan for
Woodlands Estates
Lot 47 showing
required setbacks.

Zoning Board of Adjustment

Site Photos for meeting of December 17, 2021

ESCANABA, LLC



Planning & Zoning Staff Report

December 7, 2021

ZONING BOARD OF ADJUSTMENT

Regular Meeting: December 21, 2021

Agenda Item 6C

Consider Variance to the City's Unified Development Code, Section 3.301, Single Family Residential Bulk Standards, Setbacks, being 19.641 acres out of Lots 7 and 8, Texas-Mexican Railway Company's Survey, Lots 1-51 of proposed Sugar Mill Estates Subdivision, located at 1700 North Sugar Road, as requested by Novellini, LTD.

Request

The applicant is requesting a variance to the City's Unified Development Code (UDC), Section 3.301, as it applies to setbacks. The applicant is proposing to reduce the front, side, and rear setbacks for 51 lots in the proposed Sugar Mill Estates Subdivision by as much as 50% of UDC requirements.

Property Location and Vicinity

The properties are located in the proposed Sugar Mill Estates Subdivision on the east side of North Sugar Road, approximately 950 ft. north of West Chapin Street. Zoning for these lots was rezoned to Urban Residential (UR) District on June 1, 2021. Adjacent zoning is Urban Residential (UR) District to the north, Suburban Residential (S) District to the south and west, and Neighborhood Conservation 7.1 (NC7.1) District to the east. Surrounding land uses are residential with some vacant land.

Background and History

The proposed Sugar Mill Estates Subdivision received preliminary approval by the Planning & Zoning Commission on May 11, 2021. The applicant is proposing to develop a multifamily development of duplexes at this location.

Subdivision Variances reducing the required right of way for streets, required lot width, and required lot area for this subdivision were granted by the City Council at their meeting of August 17, 2021.

A Zoning Board of Adjustment Request for Variance Application, with a letter from the project engineer, was submitted to the City on December 6, 2021. The application is requesting a reduction for front, side, and rear setbacks for lots 1 through 51 in this subdivision.

Staff mailed notice of this variance request to 70 neighboring property owners. No comments in favor or against this request had been received at the time this report was prepared.

Planning & Zoning Staff Report

Analysis

The lots associated with this request constitute the majority of the proposed Sugar Mill Estates Subdivision. The plat for the proposed subdivision has approximately 330 ft. of frontage on North Sugar Road and an “L” shape that gives it 85.72 ft. of frontage on West Chapin Road. The plat shows a main access point on North Sugar Road at the northwest side and a connection to Shavano Drive at the northeast side.

Multi-Family Lot and Building Standards, as required by the UDC, call for 20 ft. setbacks for street yards and rear yards and 6 ft. setbacks per side. Site plans submitted to the City during the subdivision review and variance process showed proposed structures that met the required 20 ft. front/rear and 6 ft. side setbacks. The variance now requested proposes a drastic reduction the front and rear setbacks, from 20 ft. to 10 ft., and a reduction to the side setbacks from 6 ft. to 5 ft., a reduction of 50% and 16.67% respectively. The preliminary plat proposes a 15 ft. utility easement along the street yards for some lots. This easement is greater than the setback requested and may pose a problem without reduction of the easement or further variance.

Two Subdivision Variances have been approved for this subdivision, reducing the required street right-of-way by 16.67% and the reducing the required lot width by 20% or more per lot.

Recommendation

Staff recommends disapproval of this request. Setbacks provide for more desirable development by providing access, visibility, ventilation, lighting, sound dispersion, drainage, and landscaping. The reduction of front and rear setbacks by 50% and side setbacks by 16.67% would result in a substandard development. The developer has already been given three variances to our development code for this subdivision, and no viable hardship has been established.

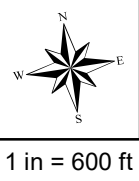
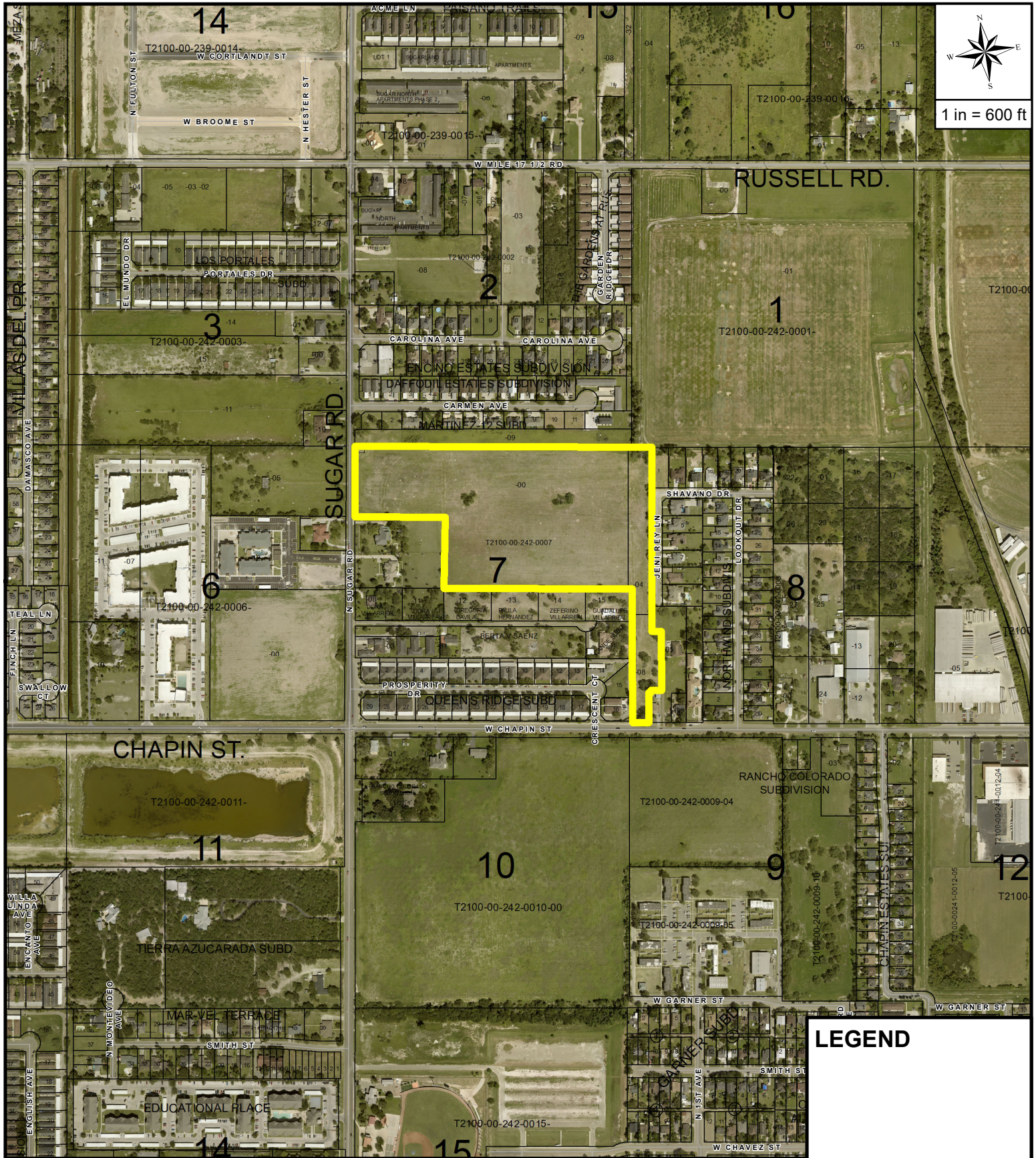
If approved, the applicant will need to comply with all other requirements during the permitting process. If approved, \$40 fee, payable to the County of Hidalgo, County Clerk’s Office, for the recording of the ZBA order is also required. A location map, aerial map, photo, subdivision plat, site plan,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


Prepared by:

D. Austin Colina
Planner I


Approved by:


Kimberly A. Mendoza, MPA
Director of Planning & Zoning

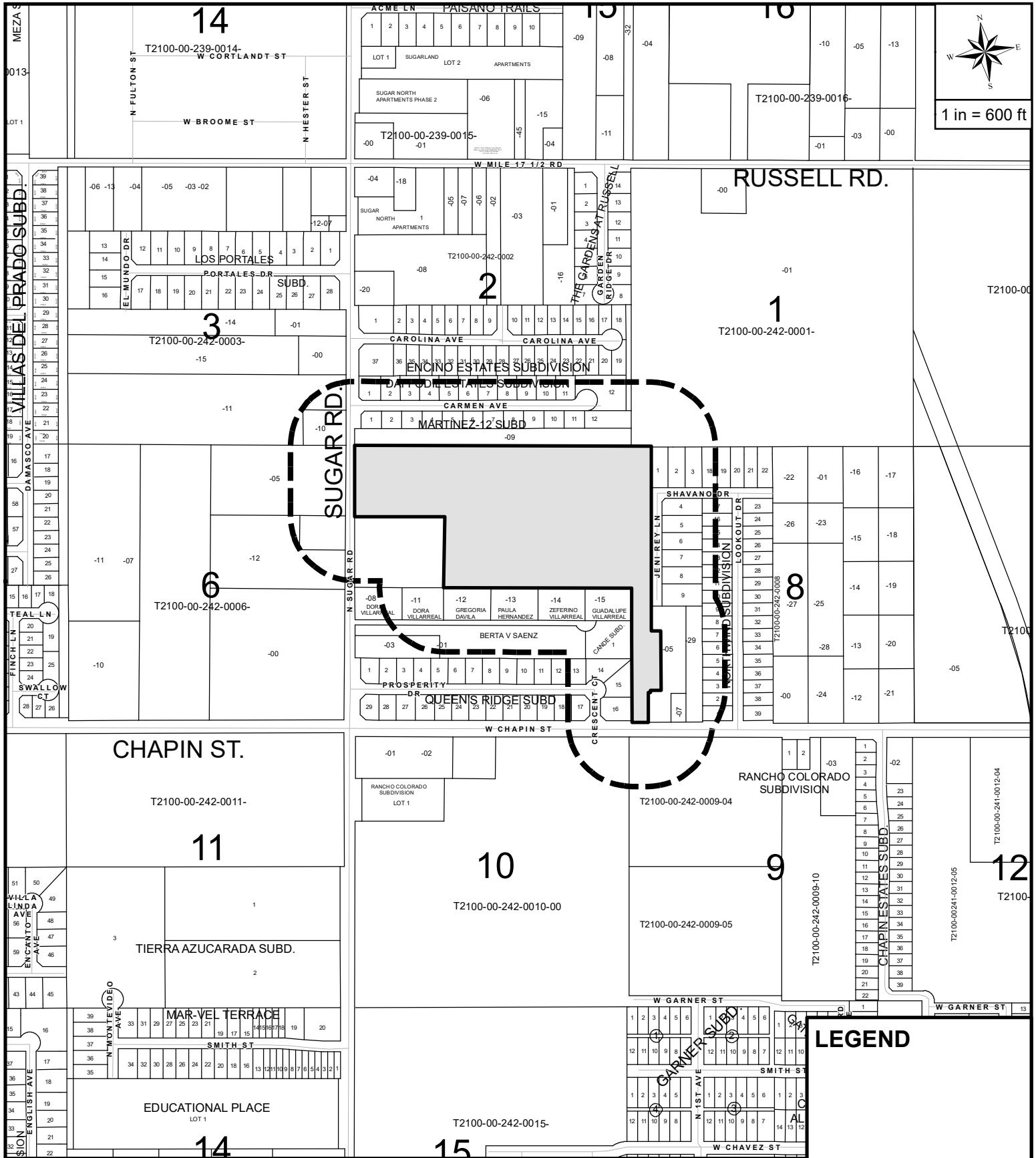


	
AERIAL MAP	
APPLICANT AND/OR SUBDIVISION:	
NOVELLINI LTD	
SUGAR MILL ESTATES	

LEGEND

 APPLICANT SITE

 CITY LIMITS






SITE MAP

APPLICANT AND/OR SUBDIVISION:

NOVELLINI LTD

SUGAR MILL ESTATES

LEGEND

-  APPLICANT SITE
-  300FT NOTIFICATION
-  CITY LIMITS





Case #

Edinburg
THE CITY OF

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

Zoning Board of Adjustment Application Request for Variance

Nature of Request: Variance for Setbacks

Reason for Hardship (attach additional pages if necessary)

Please see attachment

Property Description: Lot 7&8 Block _____ Subdivision Texas Mexican Railway Compan

Property Address: _____

Present Property Zoning: AU - Auto-Urban Residential

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

Mailing Address: 115 W. McIntyre Street

Street Address

City/State

Zip Code

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

Owner's Name: Novellini, LTD

Mailing Address: 4001 S Shary Rd Ste 550

Street Address

Mission TX

City/State

78572

Zip Code

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

Signature:  Date: 12-6-21

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


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

Receipt No.

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**

RECD
12-6-21




TBPELS Firm # F-1435
TBPELS # 10096900

MELDEN & HUNT INC.

CONSULTANTS • ENGINEERS • SURVEYORS

FRED L. KURTH • ALLAN F. BOOE • KELLEY A. HELLER-VELA • ROBERTO N. TAMEZ • MARIO A. REYNA • RUBEN JAMES DE JESUS

December 6, 2021

Nikki Cavazos, Planner I
CITY OF EDINBURG PLANNING DEPT.
415 W. University Drive
Edinburg, TX 78541

RE: SUGAR MILL ESTATES – VARIANCE REQUEST ON SETBACKS

Dear Ms. Cavazos -

On behalf of the developer, Novellini, LTD., and in reference to Sugar Mill Estates, we respectfully request a variance on the following items:

1. SETBACKS FOR URBAN RESIDENTIAL

{request variance on current 20-foot front setback}
{request variance on current 6-foot side setback}
{request variance on current 20-foot rear setback}:

- a.) Lots 1 thru 51 – change front setback from 20 feet to 10 feet
- b.) Lots 1 thru 51 – change side setback from 6 feet to 5 feet
- c.) Lots 1 thru 51 – change rear setback from 20 feet to 10 feet

Please consider this request and advise us as soon as possible on your decision. If you have any questions or comments, please contact our office. Thank you.

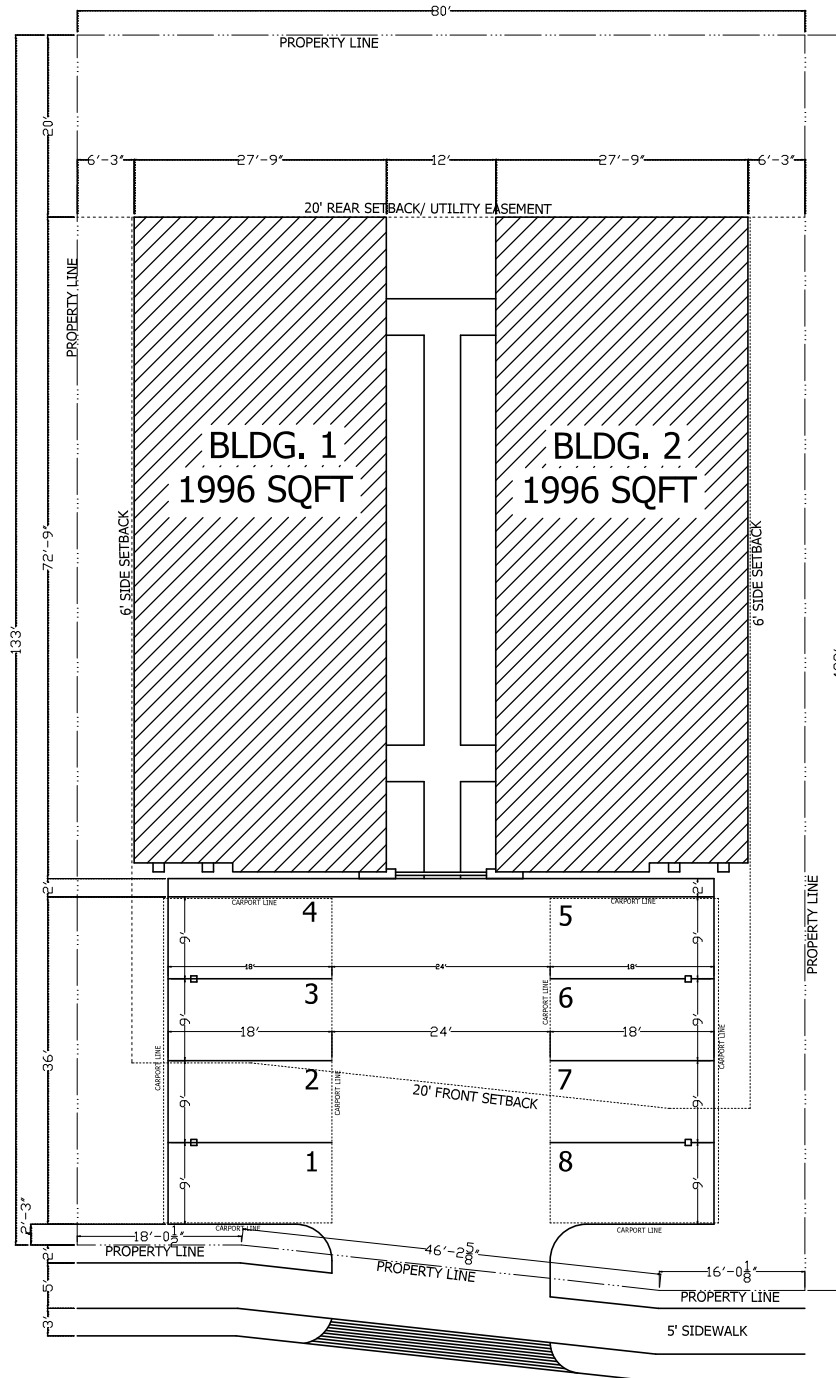
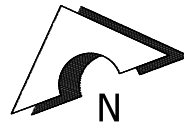
Sincerely,
MELDEN & HUNT, INC.

Mario A. Reyna, P.E., R.P.L.S.
Vice-President

Cc: Novellini, LTD, Developer

SUGAR MILL ESTATES SBDV. Lot 2

Sample Site Plan submitted
showing required setbacks.



1	SITE PLAN	3992 SQFT TOTAL	G.R. LOERA DESIGN (956) 570 04 96 geraloeira@hotmail.com
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Zoning Board of Adjustment

Site Photos for meeting of December 17, 2021

NOVELLINI, LTD



2021 ATTENDANCE RECORD
ZONING BOARD OF ADJUSTMENTS COMMISSION MEETINGS

	01/27/21	02/24/21	03/31/21	04/28/21	05/26/21	06/30/21	07/28/21	08/25/21	09/08/21	09/29/21	10/27/21	11/17/21
Juan Lopez- Chairperson	P	P	A									
Samuel Simon- Co-Chairperson	A	P	A									
George Cardenas- Regular	P	P	P	A	A	P	P	NO QUORUM	A	P	A	A
Jason De Leon- Regular	P	P	P	P	P	P	P		P	P	P	P
Andre Maldonado- Regular	P	P	A	P	A	A	P		P	P	P	A
Mario Escobar- Alternate	A	A	A	A	A	A	A		A	A	A	A
Eddie Garza- Alternate	P	A	P	P	P	P	P		P	P	P	P
Jorge Ortegon- Alternate	A	A	A	A	A	A	P		A	P	A	P
Alex Rios- Alternate	P	A	P	P	P	A	P		P	A	P	P