

**AGENDA**  
**BOARD OF ADJUSTMENT**  
***City Commissioner's Room***  
***118 S. Cage Blvd. August 7, 2019 - 6:00 PM***

The City of Pharr has called this meeting as allowed pursuant to Texas law, city charter, and Ordinance O-2018-45. The governing body may recess from day to day when it does not complete consideration of a particularly long subject as authorized by law.

If during the course of the meeting, the BOARD OF ADJUSTMENT should determine that a closed, or executive session of the BOARD is required, then such closed or executive session or meeting is authorized by Sections 551.071 et seq. of the Texas Government Code. Notice of closed or executive session will be given after the commencement of the meeting covered by this notice.

Should any final action, decision, or vote be required in the opinion of the Commission with regard to any item during the meeting, then such final action, final decision, or final vote shall be made during the open meeting covered by this notice upon the reconvening of the public meeting.

In compliance with Section 551.041 et seq. of the Texas Government Codes, VTCS (Open Meetings Act), notice is given that the Board of Adjustments Commission will meet to consider and act upon the following:

1. CALL TO ORDER:

A) Roll call and possible action on the excusing of any absent member of the governing body.

2. APPROVAL OF MINUTES:

A) Minutes of June 6, 2018.

3. PUBLIC HEARINGS: (Ordinance No. O-2018-45): *A registered speaker during the public hearing may not exceed three (3) minutes when addressing the board. A sign-in form for participation in public a hearing shall be promulgated by the city clerk and be made available at the city clerk's office. The public hearing sign-in form shall include the person or entity's name, address, telephone number, other contact information, organization if applicable, and other notices, authorizations, and acknowledgements as may be allowed by law from time to time. No registered speaker may be allowed to address the governing body once the public hearing has closed.*

A) International Weight Inspections Services, LLC., has filed with the Board of Adjustment a request for a variance to the City of Pharr's Sign Ordinance. The variance request is for the height, square footage and allowable percentage of sign area on a CEDVMS ground pole sign. The property is legally described as being all of Lots 1 - 4, Aziz No. 8 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 10500 South Cage Boulevard. **BOA#190647**


4. ANNOUCEMENTS/OTHER BUSINESS:

5. ADJOURNMENT:

I, the undersigned authority, do hereby certify that the above notice of said Meeting of the Board of Adjustment of the City of Pharr was posted on the bulletin board at City Hall and on the City's web page at [www.pharr-tx.gov](http://www.pharr-tx.gov). This Notice was posted on the 2<sup>nd</sup> day of August 2019 at 3:00 p.m. and will remain posted continuously for at least 72 hours preceding the scheduled time of said Meeting, in compliance with Chapter 551 of the Government Code, Vernon's Texas Codes, Annotated (Open Meetings Act).

**WITNESS MY HAND AND SEAL, this 2<sup>nd</sup> day of August 2019 at 3:00 p.m.**



  
HILDA PEDRAZA, TRMC, CMC  
CITY CLERK



## AGENDA MEMORANDUM



**BOARD:** Board of Adjustment

**AGENDA ITEM #:** 2.A.

**DATE SUBMITTED:** August 1, 2019

**MEETING DATE:** August 7, 2019

**FROM:** Iris Mata, Secretary

**DEPARTMENT:** Development Services

**DIRECTOR:** Melanie Cano

**Agenda Item:** Minutes of June 6, 2018.

**Classification:** Regular

(\* If closed session, City Attorney must review and approve.)

**Exclude Material from Public Packet?** No

**Reason:**

**Issue:**

**Financial Consideration:**

**Staff Recommendation:**

**Alternatives:**

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### **ROUTING:**

Iris Mata  
Roland Gomez  
Melanie Cano

Created/Initiated - 8/1/2019  
Approved - 8/1/2019  
Final Approval - 8/2/2019



on the City's website, and bulletin should be considered an invitation. He continued to state the notice had not been published for three (3) consecutive days in The Monitor, so staff should consider voiding the requested variance. Mr. Fletcher stated per the Ordinance, a notice is to be published fifteen (15) days prior to the hearing, but state law requires sixteen (16) days.

There being no one else wishing to speak, Vice Chairman, Danny Wylie closed the Public Comments and proceeded to the next item.

#### **ITEM 4. PUBLIC HEARING**

- A. ELISEO & MARISSA MACIAS (OWNER), IS REQUESTING A VARIANCE TO THE CITY OF PHARR ZONING ORDINANCE IN ORDER TO ALLOW A FIVE (5) FOOT SIDE SETBACK AS OPPOSED TO THE REQUIRED TEN (10) FOOT SIDE SETBACK IN A PLANNED UNIT DEVELOPMENT. THE PROPERTY IS LEGALLY DESCRIBED AS ALL OF LOT 26, BLOCK 33, PLANTATION SOUTH SUBDIVISION UNIT NO 16, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 607 GABLE DRIVE. BOA#180425**

George Martinez, Building Official, introduced the item and stated the property is currently zoned Planned Unit Development District (PUD). The surrounding area is zoned Planned Unit Development District (PUD) in all directions. The area is generally designated for residential use in the Land Use Plan. He further reported twenty-nine (29) surrounding property owners were notified of the request by letter and a legal notice was published in the McAllen Monitor. He stated staff received no response to the letters or the legal notice. Mr. Martinez stated per Plantation South Subdivision Unit 16, Plat Note #3, a corner setback of ten (10) feet is required per City Ordinance.

Vice Chairman, Danny Wylie opened the public hearing and asked if anyone signed up to speak. There being no one who signed up, the public hearing was closed. Mr. Wylie opened the item for discussion and action.

At this time, Guadalupe Cano recommended the item be discussed in closed session. There was no objection.

**CLOSED SESSION: IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOV'T. CODE, THE BOARD OF ADJUSTMENT HEREBY GIVES NOTICE THAT IT MAY MEET IN A CLOSED (NON-PUBLIC) EXECUTIVE SESSION TO DISCUSS THE ITEMS LISTED ON THE PUBLIC PORTION OF THE MEETING AGENDA IN ACCORDANCE WITH THE FOLLOWING BELOW**

The time being 6:08 p.m., Vice Chairman Wylie stated the commission would be entering into closed session in accordance with Chapter 551 of the Texas Govt. Code to discuss agenda items listed in the public portion of the agenda and Pursuant to Sections 551.071, 551.072, 551.074, 551.076, 551.084 and 551.087

**RECONVENE:**

The time being 6:31 p.m., Vice Chairman Wylie stated the commission would be resuming the open meeting.

- A. ELISEO & MARISSA MACIAS (OWNER), IS REQUESTING A VARIANCE TO THE CITY OF PHARR ZONING ORDINANCE IN ORDER TO ALLOW A FIVE (5) FOOT SIDE SETBACK AS OPPOSED TO THE REQUIRED TEN (10) FOOT SIDE SETBACK IN A PLANNED UNIT DEVELOPMENT. THE PROPERTY IS LEGALLY DESCRIBED AS ALL OF LOT 26, BLOCK 33, PLANTATION SOUTH SUBDIVISION UNIT NO 16, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 607 GABLE DRIVE. BOA#180425**

There being no discussion Vice Chairman Wylie opened up the item for motion.

Rogelio Torres moved to approve the request for a variance to allow a five (5) foot side setback as opposed to the required ten (10) foot side setback in a Planned Unit Development. Guadalupe Cano seconded the motion and when put to a vote, it carried unanimously.

**ITEM 5. ANNOUNCEMENTS/OTHER BUSINESS**

None.

**ITEM 6. ABSENTEE REPORT**

Chairman, Hector Guerra, Sr., and Rafael Munguia were the absent members. Rogelio Torres moved to excuse the absence of the members. Ruben Luna second the motion and when put to a vote, it carried unanimously.

**ITEM 7. ADJOURNMENT**

There being no further business, Guadalupe Cano moved to adjourn. Ruben Luna second the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:32 p.m.

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Danny Wylie, Vice Chairman

ATTEST:

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Rafael Munguia, Secretary

APPROVED: \_\_\_\_\_



## AGENDA MEMORANDUM

**BOARD:** Board of Adjustment

**AGENDA ITEM #:** 3.A.

**DATE SUBMITTED:** August 2, 2019

**MEETING DATE:** August 7, 2019

**FROM:** Iris Mata, Secretary

**DEPARTMENT:** Development Services

**DIRECTOR:** Melanie Cano

**Agenda Item:** International Weight Inspections Services, LLC., has filed with the Board of Adjustment a request for a variance to the City of Pharr's Sign Ordinance. The variance request is for the height, square footage and allowable percentage of sign area on a CEDVMS ground pole sign. The property is legally described as being all of Lots 1 - 4, Aziz No. 8 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 10500 South Cage Boulevard. **BOA#190647**

**Classification:** Regular

(\* If closed session, City Attorney must review and approve.)

**Exclude Material from Public Packet?** No

**Reason:**

**Issue:** International Weight Inspections Services, LLC., has filed with the Board of Adjustment a request for a variance to the City of Pharr's Sign Ordinance.

**Financial Consideration:**

**Staff Recommendation:**

**Alternatives:**

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### ROUTING:

Iris Mata

Created/Initiated - 8/2/2019

Melanie Cano

Final Approval - 8/2/2019



# Pharr

Development Services



## MEMORANDUM

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**DATE** WEDNESDAY, AUGUST 07, 2019

**TO:** BOARD OF ADJUSTMENT

**FROM:** DEVELOPMENT SERVICES

**SUBJECT:** VARIANCE TO THE CITY OF PHARR SIGN ORDINANCE  
FILE NO. BOA#190647

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### GENERAL INFORMATION:

**APPLICANT:** International Weight Inspections Services, LLC., has filed with the Board of Adjustment a request for a variance to the City of Pharr's Sign Ordinance. The variance request is for the height, square footage and allowable percentage of sign area on a CEDVMS ground pole sign.

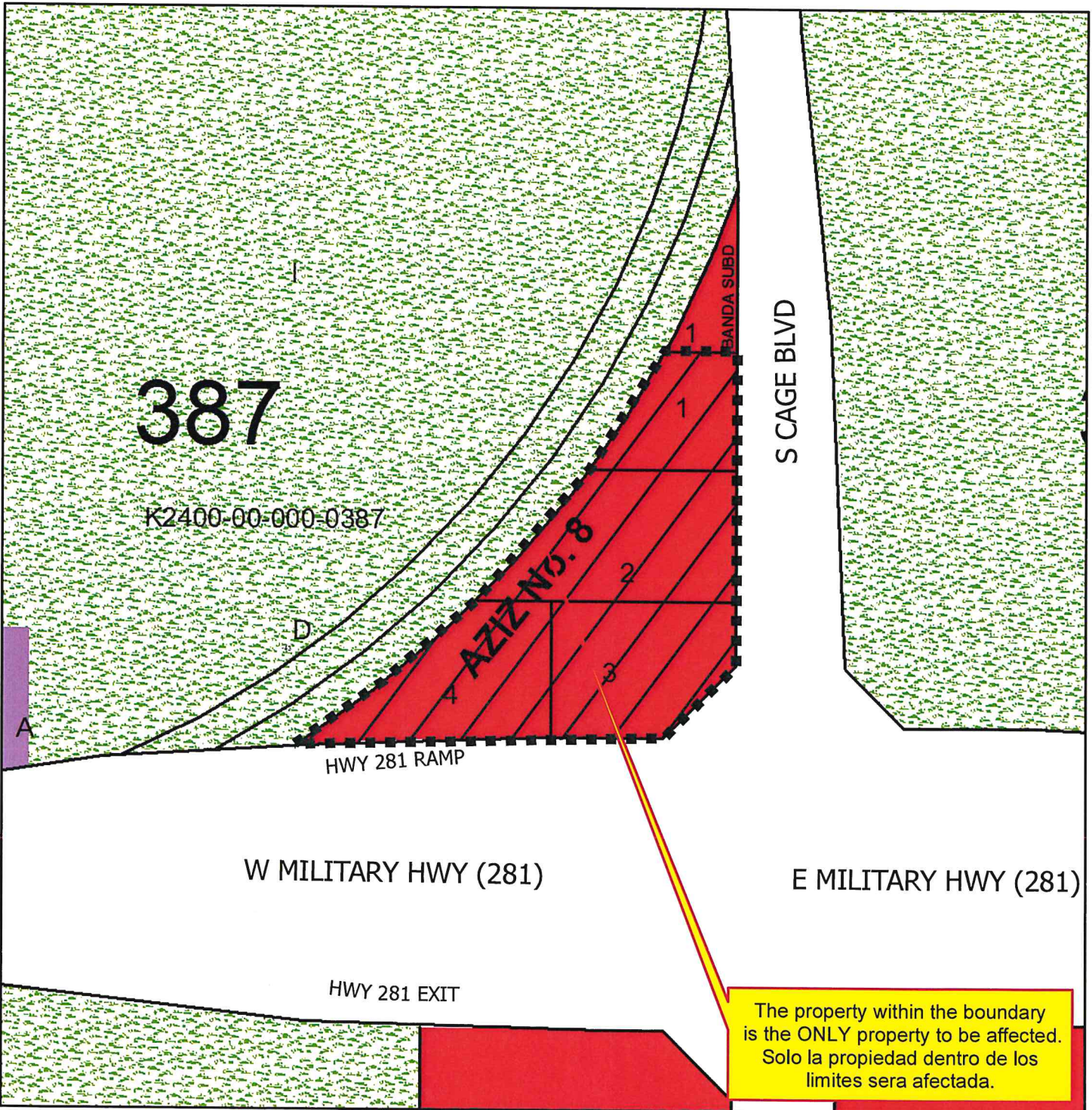
**LEGAL DESCRIPTION:** The property is legally described as being all of Lots 1 - 4, Aziz No. 8 Subdivision, Pharr, Hidalgo County, Texas.

**LOCATION:** The property's physical address is 10500 South Cage Boulevard.

**ZONING:** The property is currently zoned General Business District (C). The surrounding area is zoned General Business District (C) to north, south and west and Agricultural & Open space District (A-O) to the east. The area is generally designated for commercial use in the Land Use Plan.

**NOTIFICATION OF PUBLIC:** Six (6) surrounding property owners were notified of the request by letter and a legal notice was published in the McAllen Monitor. Staff received no response to the letters or the legal notice.

Request for Variance  
 AZIZ No 8 Lots 1-4  
 Hans Herman Humphrey



G:\City of Pharr\GIS\Projects\1-Planning\Board of Adjustment\BOA AZIZ No 8 Lot 1-4\MXD\BOA Base.mxd

- |                             |                           |                   |                         |                          |
|-----------------------------|---------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space     | High Density Multi-Family | Government Owned  | Heavy Industrial        | Hidalgo ISD              |
| Single Family               | Mobile Home               | General Business  | Limited Industrial      | Valley View ISD          |
| Single Family Small Lot     | Townhouse                 | Business District | Neighborhood Commercial | Planned Unit Development |
| Two Family                  | HUD Code                  | Drainage Easement | Office Professional     |                          |
| Medium Density Multi-Family | Rail Road R.O.W.          | Heavy Commercial  | PSJA ISD                |                          |

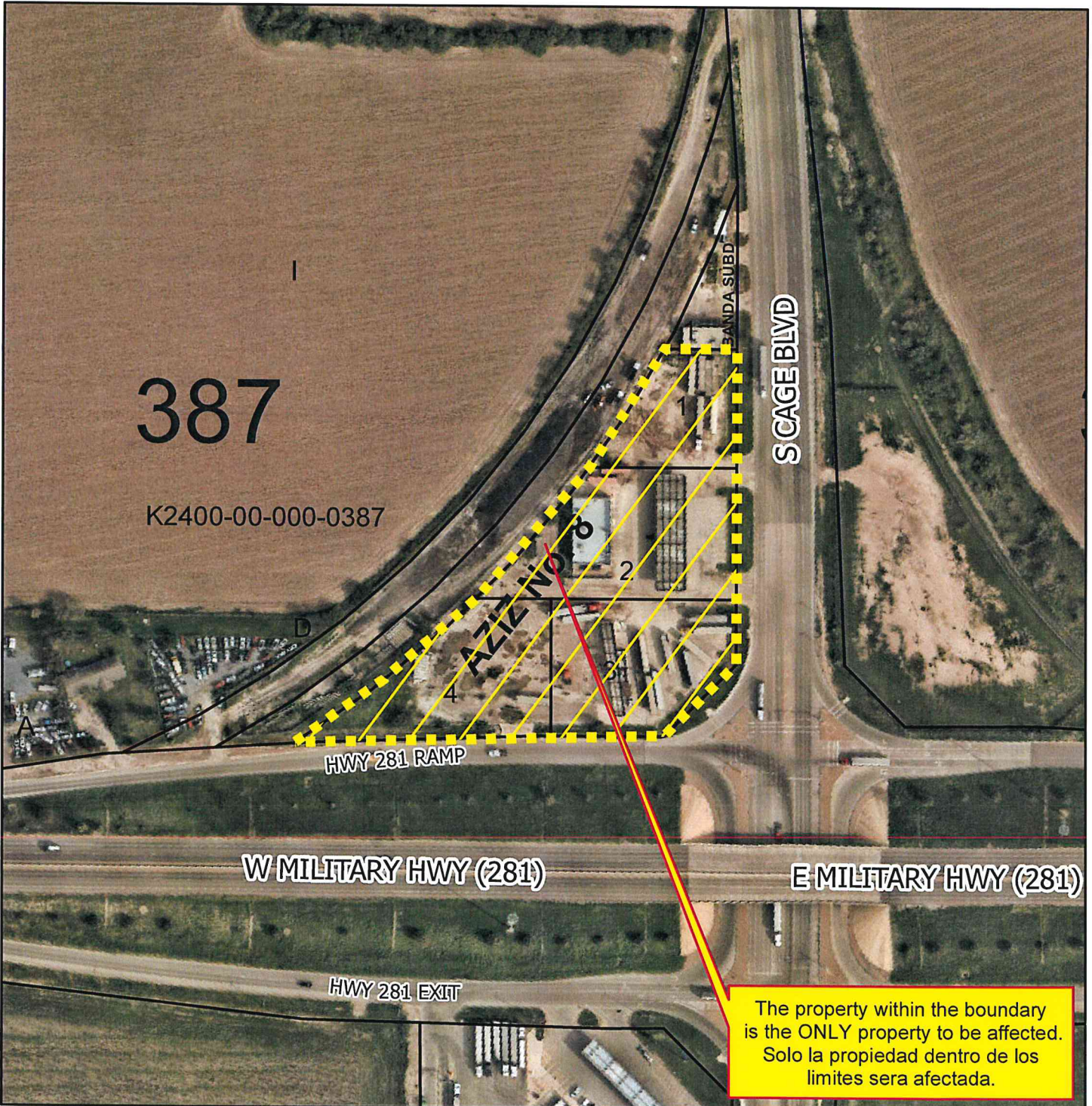
City of Pharr, Texas  
 Engineering Department  
 956.702.5355

Scale: 1 inch = 200 feet



Date: 7/17/2019

Request for Variance  
 AZIZ No 8 Lots 1-4  
 Hans Herman Humphrey



The property within the boundary is the ONLY property to be affected.  
 Solo la propiedad dentro de los limites sera afectada.

- |                             |                           |                   |                         |                          |
|-----------------------------|---------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space     | High Density Multi-Family | Government Owned  | Heavy Industrial        | Hidalgo ISD              |
| Single Family               | Mobile Home               | General Business  | Limited Industrial      | Valley View ISD          |
| Single Family Small Lot     | Townhouse                 | Business District | Neighborhood Commercial | Planned Unit Development |
| Two Family                  | HUD Code                  | Drainage Easement | Office Professional     |                          |
| Medium Density Multi-Family | Rail Road R.O.W.          | Heavy Commercial  | PSJA ISD                |                          |

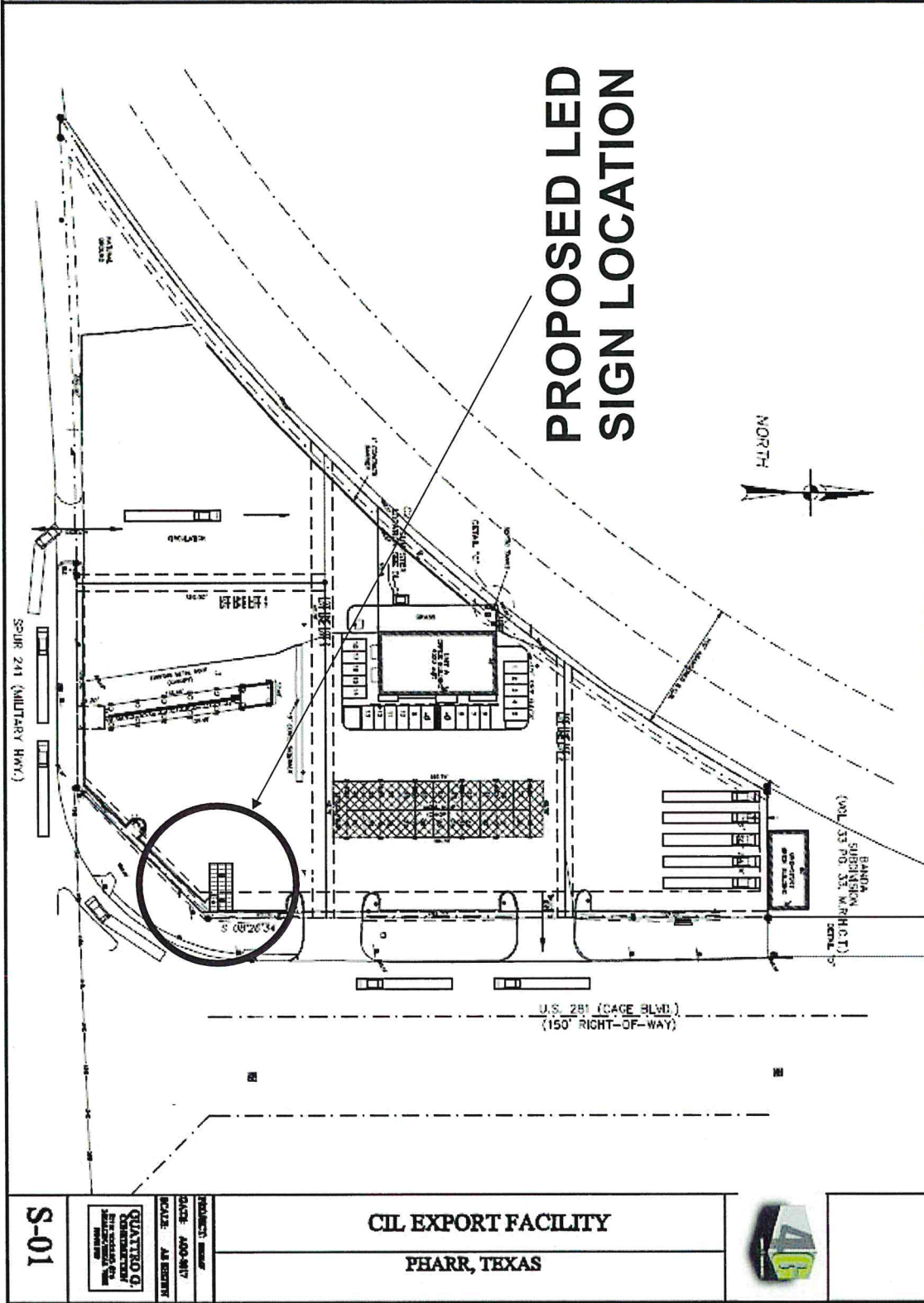
City of Pharr, Texas  
 Engineering Department  
 956.702.5355

Scale: 1 inch = 200 feet



Date: 7/17/2019

G:\City of Pharr\GIS\Projects\11-Planning\Board of Adjustment\BOA AZIZ No 8 Lot 1-4\MXD\BOA Base.mxd



**State  
Licence  
No. 18036**

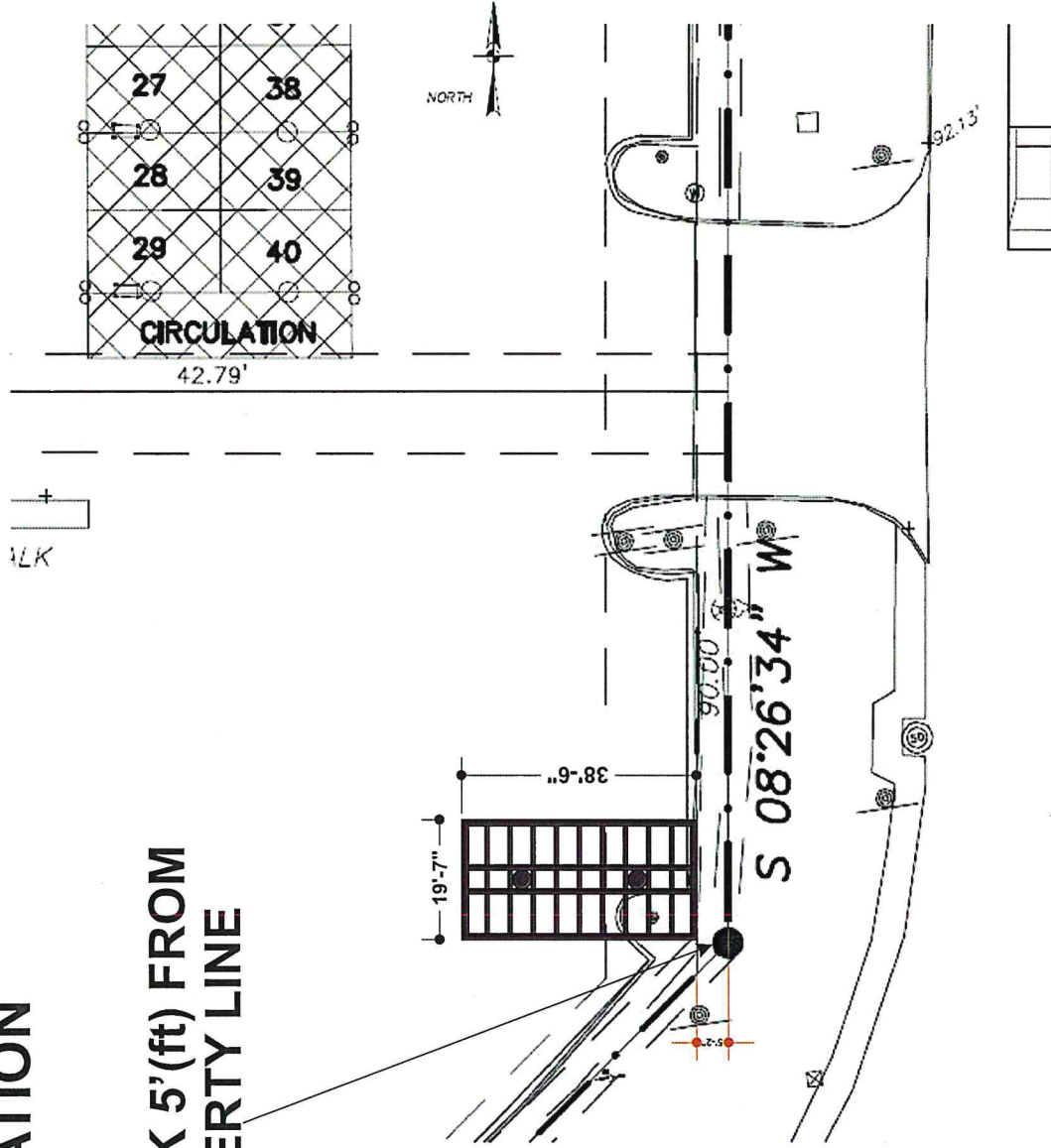
**Phone:** (956) 973-9000  
 (956) 322-3081  
**Fax:** (956) 322-3082  
 design@acdcsigngroup.com

**AC-DC Sign Group L.L.C.**  
 1902-C Joe Stephens Ave  
 Weslaco, TX 78599



# PROPOSED LED SIGN LOCATION

SETBACK 5'(ft) FROM  
PROPERTY LINE

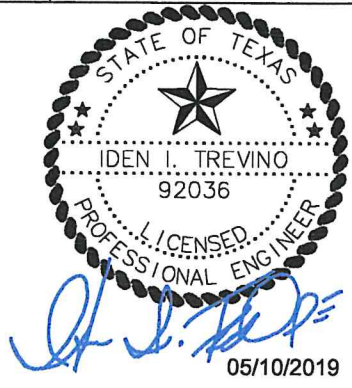


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#	DATE	REVISION



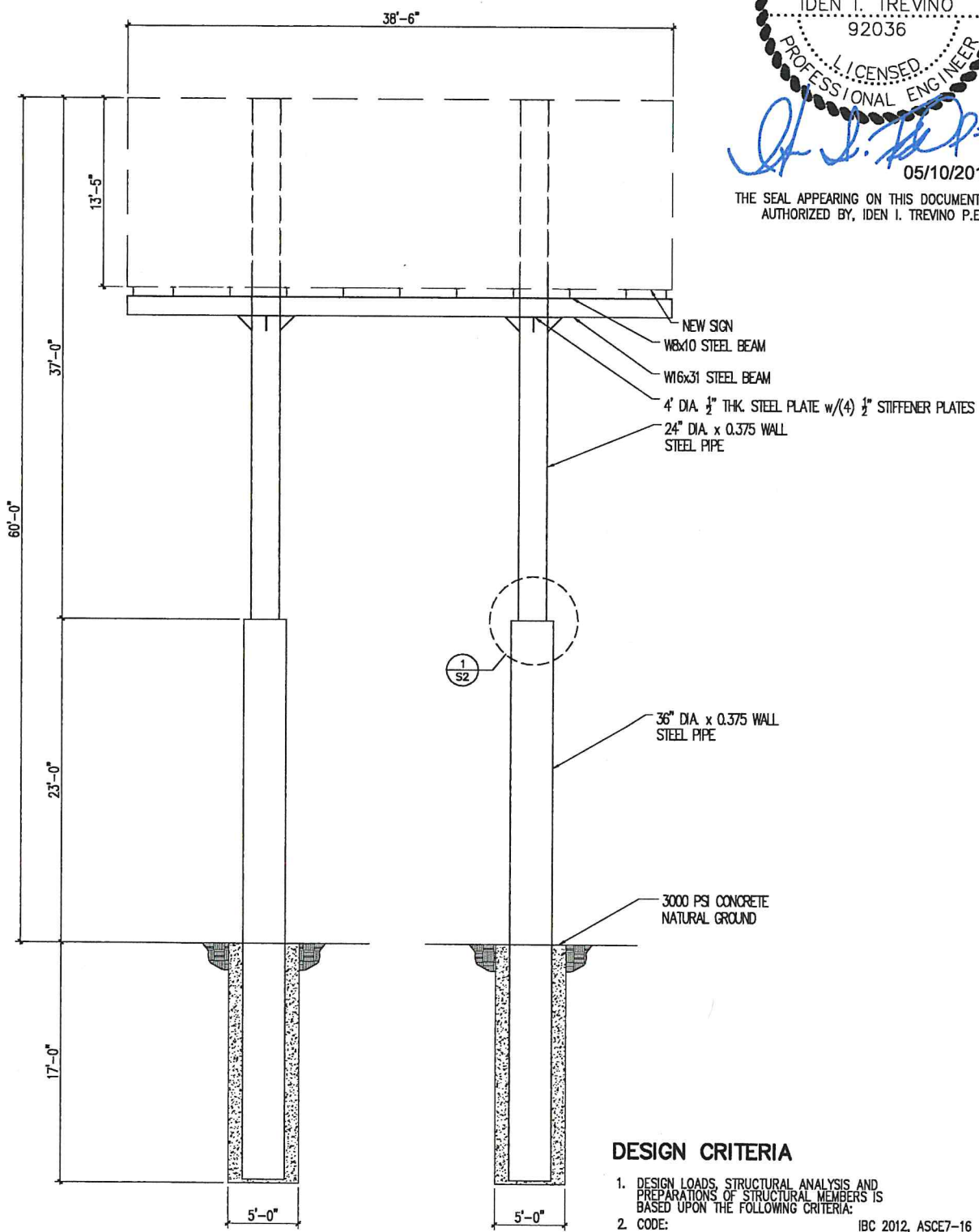
THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY IDEN I. TREVINO P.E.

DATE:  
05/10/2019

SCALE:  
3/32" = 1'-0"

SHEET **S1**  
OF 3

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY IDEN I. TREVINO P.E. 92036. ALTERATION OF A SEALED DOCUMENT WITHOUT PROPER NOTIFICATION TO THE RESPONSIBLE ENGINEER IS AN OFFENSE UNDER THE TEXAS ENGINEERING PRACTICE ACT.



**TREVINO ENGINEERING**  
FIRM No. F-7906

200 S. 10th St. Ste. 1207  
McAllen, Texas 78501

TEL No. (956) 285-8847  
ident@trevinoengineering.com

**SIGN FOR**  
**COLIMAR INTERNATIONAL**  
**ELECTRONIC MESSAGE CENTER**  
**PHARR,**  
**TEXAS**

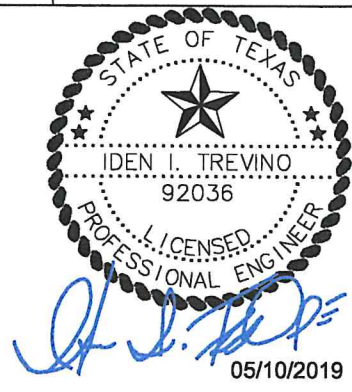
- DESIGN CRITERIA**
- DESIGN LOADS, STRUCTURAL ANALYSIS AND PREPARATIONS OF STRUCTURAL MEMBERS IS BASED UPON THE FOLLOWING CRITERIA:
  - CODE: IBC 2012, ASCE7-16
  - BASIC WIND SPEED ( $V_{3s}$  ULT - 3 SECOND GUST): 130 MPH
  - EXPOSURE CATEGORY C
  - IMPORTANCE FACTOR 0.77
  - BUILDING CATAGORY I

#	DATE	REVISION

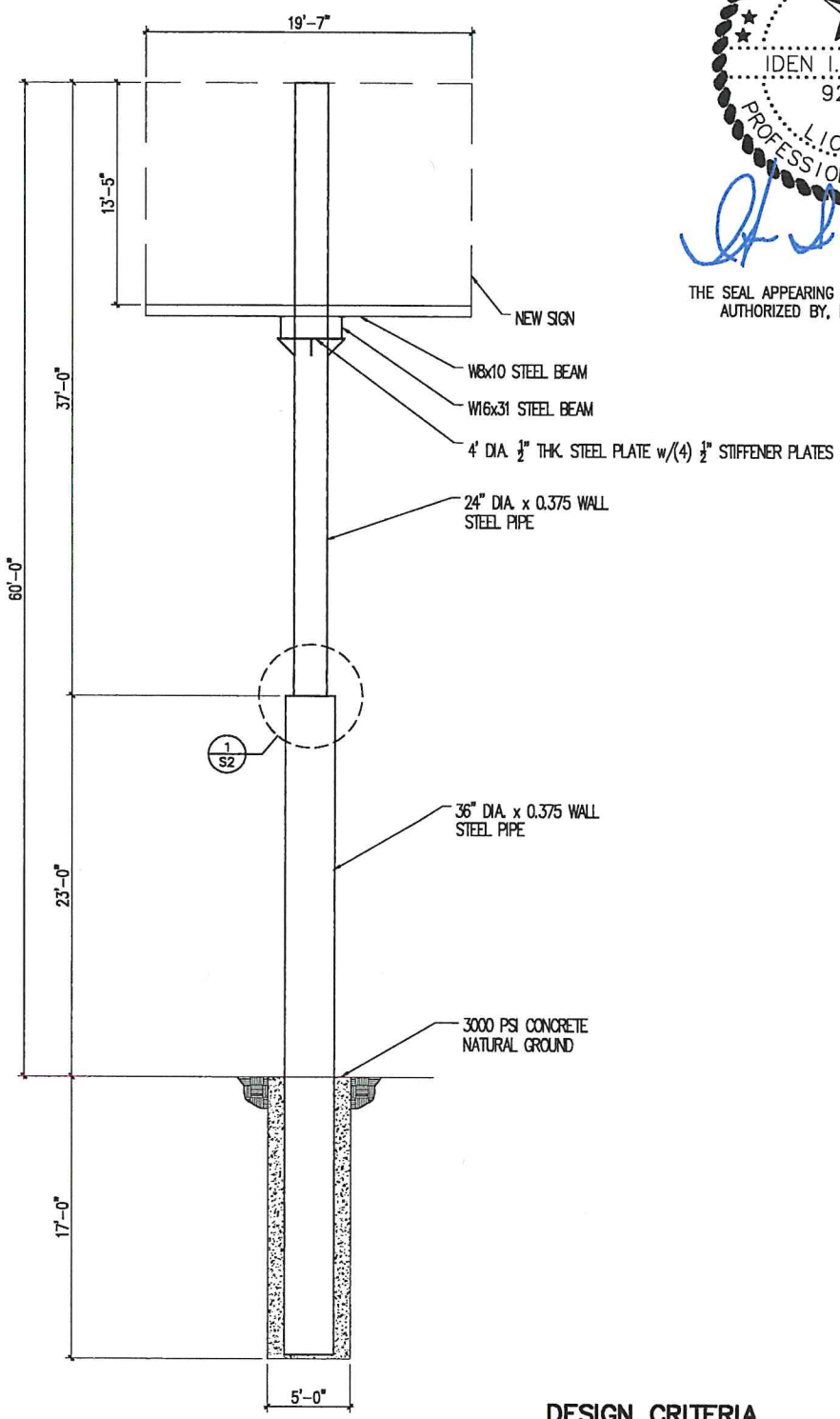
DATE:  
05/10/2019

SCALE:  
3/32" = 1'-0"

SHEET **S2**  
OF 3



THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY, IDEN I. TREVINO P.E.



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**TREVIÑO ENGINEERING**  
FIRM No. F-7906

TEL No. (956) 283-8847  
ident@trevinoengineering.com

200 S. 10th St. Ste. 1207  
McAllen, Texas 78501



**SIGN FOR**  
**COLIMAR INTERNATIONAL**  
**ELECTRONIC MESSAGE CENTER**  
**PHARR,**  
**TEXAS**

**DESIGN CRITERIA**

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- EXPOSURE CATEGORY C
- IMPORTANCE FACTOR 0.77
- BUILDING CATAGORY I

side view



60'-0"



AC-DC Sign Group L.L.C. Phone: (956) 973-9000  
 1902-C Joe Stephens Ave (956) 322-3081  
 Weslaco, TX 78599 Fax: (956) 322-3082  
[design@acdcsigngroup.com](mailto:design@acdcsigngroup.com)

State  
 Licence  
 No. 18036





Wednesday, July 31, 2019  
Eddie