



**LEGALLY DESCRIBED AS BEING LOT 42, LOS LAURELES SUBDIVISION,  
PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL  
ADDRESS IS 2101 SOUTH DANA DRIVE. BOA#230610**

Joe Garza, Assistant Director of Development Services, introduced the item and stated the property was currently zoned Single-Family Residential District (R-1) and the surrounding properties were zoned Single-Family Residential District (R-1) to the north, south, east and west. He further stated the area was generally designated for single-family residential use in the Land Use Plan and reported seventeen (17) letters were mailed out to the surrounding property owners within a two hundred (200) foot radius on August 2, 2023. He further reported a legal notice was published in the McAllen Monitor on July 21, 2023, and stated staff received 2 responses to the letters or the legal notice in opposition due to safety and drainage.

Joe Garza, Assistant Director of Development Services, briefly explained the applicant was proposing a fifty-six-foot (56') wide driveway as opposed to the maximum twenty-foot (20') wide driveway allowed along the south side of the lot that extends to the property line on the east side of the property. He stated all other guidelines will be adhered to and followed in a Single-Family Residential District (R-1).

Chairman Danny Wylie, ask if applicant had any comments. Victor Guzman, Project Manager, stated the driveway had been added since there was no other entrance to the back of the property.

Board member, Guadalupe Cano, asked if the driveway had been built. Victor Guzman stated 17 feet were added, but the concrete had not been installed.

Chairman, Danny Wylie, voiced his concern with the sidewalk. Victor Guzman stated a sidewalk was on other side. Chairman, Danny Wylie, stated the sidewalk needed to be leveled. Mr. Guzman stated the sidewalk had been inspected.

Alyn Cervantes, Plans Examiner, stated inspection was denied due to the square foot being added without a permit. He stated the owner was advised of city standards, but the driveway was poured after it had been denied and three extra feet had been poured. He added a requirement of a 2% slope on sidewalk was required and applicant poured without an inspection.

Alyn Cervantes, Plans Examiner, further stated in case the sidewalk was not approved he would have to cut the extra feet and would have to reapply to meet requirements.

Chairman, Danny Wylie, asked if a gate had been approved. Mr. Cervantes stated the applicant would have to apply for a fence permit and noted the existing fence belongs to the neighbor.

Board member, Rogelio Torres, voiced his concern with the fence and the house construction permits and asked if the driveway had been approved. Alyn Cervantes, Plans Examiner, briefly explained the previous driveway submittal was for a 35-foot driveway the previous plans examiner had approved for extra square footage was not in compliance with the city requirements.

Board member, Ramiro Gutierrez, asked why an extra car garage was needed if a 3-car garage was already being constructed. Alyn Cervantes, Plans Examiner, responded that an inspection had to be conducted to verify if the slope met requirements.

Chairman, Danny Wylie, questioned how much had been poured on sidewalk. Mr. Cervantes briefly explained a 35-foot 10 in drive had been approved and 38 feet had been poured.

Board member, Rogelio Torres, asked the contractor how long he had been doing construction. Victor Guzman, Project Manager, stated he had been doing construction for 15 years.

Board member, Rogelio Torres, briefly stated the permit would state only approval requirements for construction and the applicant had gone beyond. Victor Guzman, Project Manager, stated that drawing showed otherwise and they did not continue to pour since the last inspection failed.

Chairman, Danny Wylie, explained the area on the back was poured and it had not been approved. Victor Guzman briefly stated he thought it was the right way.

Board member, Ramiro Gutierrez, questioned why access to the back was needed. Victor Guzman, Project Manager, explained they would like to have access in case they want a vehicle parked at the back.

Chairman, Danny Wylie, questioned if driveways had full drive thru access. Victor Guzman stated only the first two garages.

Chairman, Danny Wylie, questioned gate. Alyn Cervantes, Plans Examiner, stated the fence would be able to be up to a 10-foot property line and 20 feet would need to be solid material to have access to upcoming traffic view.

Alyn Cervantes, Plans Examiner, further stated in case the sidewalk was not approved he would have to cut the extra feet and would have to reapply to meet requirements.

Chairman, Danny Wylie, asked if a gate had been approved. Mr. Cervantes stated the applicant would have to apply for a fence permit and noted the existing fence belongs to the neighbor.

There being no further discussion, Ramiro Gutierrez moved to **approve** the request for a variance to the City of Pharr Standards Manual Section VII - Driveway Entrance to allow a fifty-six-foot (56 ft.) wide driveway as opposed to the maximum twenty-foot (20 ft.) wide driveway allowed in a Single-Family Residential District (R-1). There being no second, the motion failed. Rogelio Torres moved to **deny** the request. Guadalupe Cano seconded the motion along with four (4) other members and when put to vote, it was carried by majority 1 yay and 5 nay.

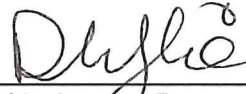
**ITEM 4. ANNOUNCEMENTS/OTHER BUSINESS**

None.

**ITEM 5. ADJOURNMENT**

There being no further business, Ruben Luna **moved** to adjourn. Ramiro Gutierrez seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 6:30 p.m.

BOARD OF ADJUSTMENT



Chairman, Danny Wylie

ATTEST:



Rafael Munguia, Secretary

APPROVED: November 1, 2023