



**NOTICE AND AGENDA
ZONING BOARD OF ADJUSTMENT
NOVEMBER 19, 2025 – 5:30 P.M.
REGULAR MEETING
CITY HALL-COUNCIL CHAMBERS
415 WEST UNIVERSITY DRIVE
EDINBURG, TEXAS 78539**

AGENDA

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 three (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 Board.

6. **ABSENCES**

A. Consider excusing the absence of board member Marc Gonzalez from the October 29, 2025, regular meeting.

7. **PUBLIC HEARINGS**

A. Variance request by Victoriano E. Guerra & Bertha A. Guerra for a Variance to the City of Edinburg Unified Development Code to allow the following to be over a 10-foot utility easement located along the east side property line: 1) concrete slab to rear property line, 2) existing structures (storage shed, propane tank, freezer, etc.), and 3) construct a canopy to rear property line, Being Lot 1, Sugarland Apartments Subdivision, Hidalgo County, Texas, Located at 2326 N. Sugar Road.

B. Variance request by Oscar Gerardo Boeta for a variance to the City of Edinburg Unified Development Code to allow the encroachment of a pergola over the rear setback and east side setback, being lot 54, Los Lagos Phase IV subdivision, located at 3314 Prestwick street.

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 Edinburg City Hall Building, 415 West University Drive, Edinburg, Texas, visible and accessible to the general public after regular working hours, at 5:00 P.M. on this 12th day of November, 2025.



Erika Monreal

Erika Monreal, Administrative Assistant
Planning & Zoning Department

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 12, 2025

Zoning Board of Adjustment

Regular Meeting: November 19, 2025

Agenda Item

Variance request by Victoriano E. Guerra & Bertha A. Guerra for a Variance to the City of Edinburg Unified Development Code to allow the following to be over a 10-foot utility easement located along the east side property line: 1) concrete slab to rear property line, 2) existing structures (storage shed, propane tank, freezer, etc.), and 3) construct a canopy to rear property line, Being Lot 1, Sugarland Apartments Subdivision, Hidalgo County, Texas, Located at 2326 N. Sugar Road.

Request

The applicant is seeking a variance to Unified Development Code (UDC) Article 3, Section 3.301, as it applies to Measurements and Special Allowances (Easements and Utilities). The applicant has constructed and placed structures over a 10-foot utility easement that is located parallel to the rear yard property line. The applicant is also proposing to construct a canopy to rear property line over a 10-foot utility easement.

Property Location and Vicinity

The property is located on the northeast corner of S. Sugar Road and W. Cortland Street. Current property zoning is Commercial, Neighborhood (CN) District. Adjacent zoning is Residential, Multifamily (RM) District in all directions. Adjacent land uses are multi-family residential uses.

Background and History

The property is part of Sugarland Apartments Subdivision that was recorded on August 8, 2004. This property has a total square footage of 16,960 square feet. Setbacks for this lot are as follows: Front 70 feet from Sugar Road, Side 6 feet, and Rear 20 feet, a 10-foot utility easement sits parallel to the east side rear yard property line. Staff received a zoning board of adjustment application on August 4, 2025. This item was heard by the Zoning Board of Adjustment for the first time on August 27, 2025. Board requested renderings to be brought for further review and item was tabled. Second time item was heard by the board was September 24, 2025. Proposed canopy required more information for review, board requested applicant for missing documentation to be presented and item was tabled again. Item was schedule to be heard for the third time on November 19, 2025. The applicant has brought a new rendering and canopy details which has been provided to the board for consideration.

Staff mailed a notice of the variance request to 27 neighboring property owners on November 7, 2025, and received no comments in favor and or against this request at the time that this report was prepared.

Analysis

The applicant has constructed a concrete slab and placed structures within the rear 10-foot utility easement. It appears there is an existing manhole located within the easement. The applicant is wanting to keep the concrete slab as well as the existing structures located within the easement and to construct a canopy to the rear property line.

Recommendation

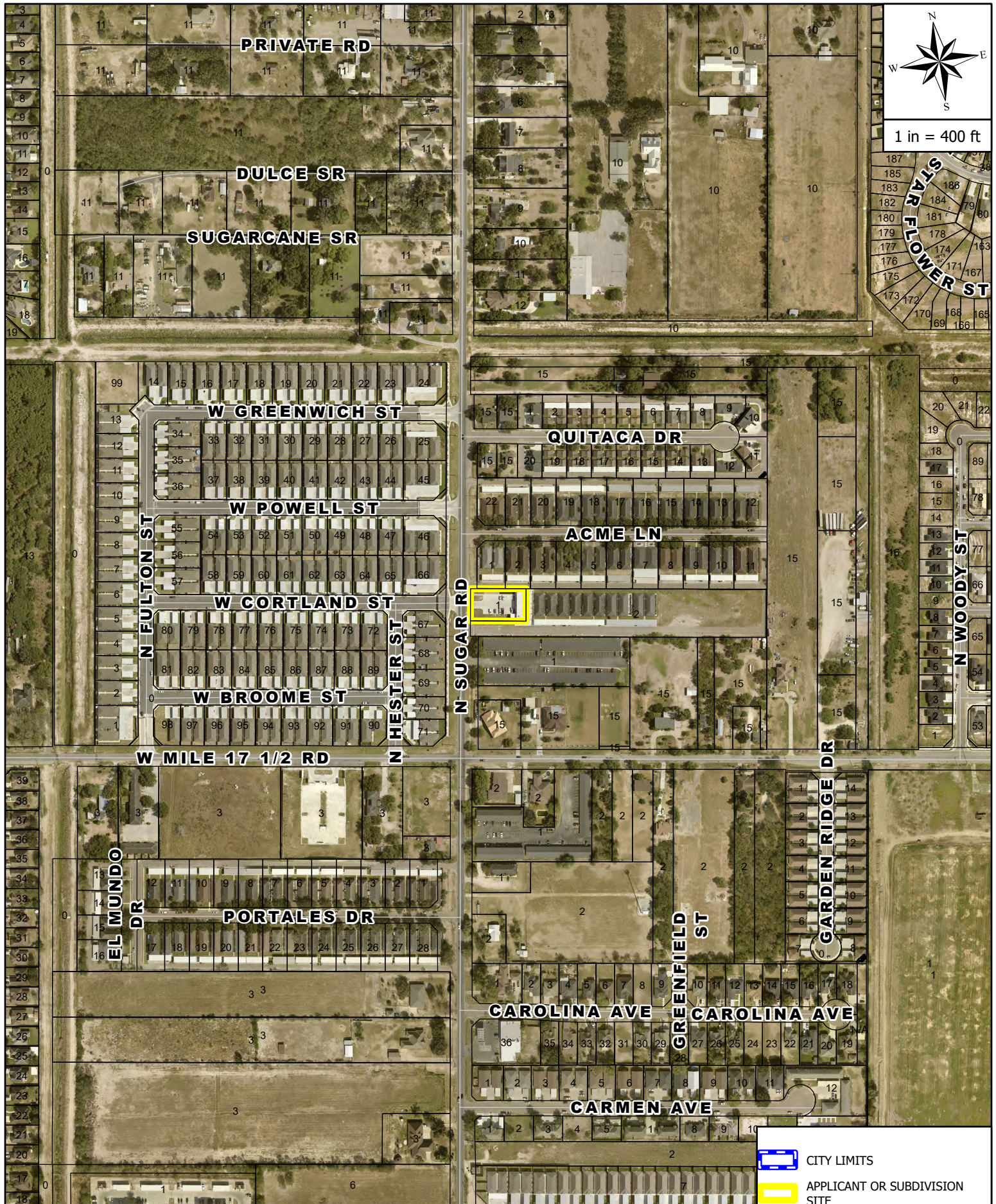
Staff recommends denial of the variance request. If approved, the applicant will also need to comply with all other requirements during the permitting process and pay a \$40 fee payable to the County of Hidalgo, submitted to the County Clerk's office for the recording of the Zoning Board of Adjustments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

Planning & Zoning Staff Report

request, and any other City requirements as applicable.



Prepared by:
Juan Rodriguez
Planner I

Approved by:
Jaime Acevedo
Director of Planning & Zoning



1 in = 400 ft

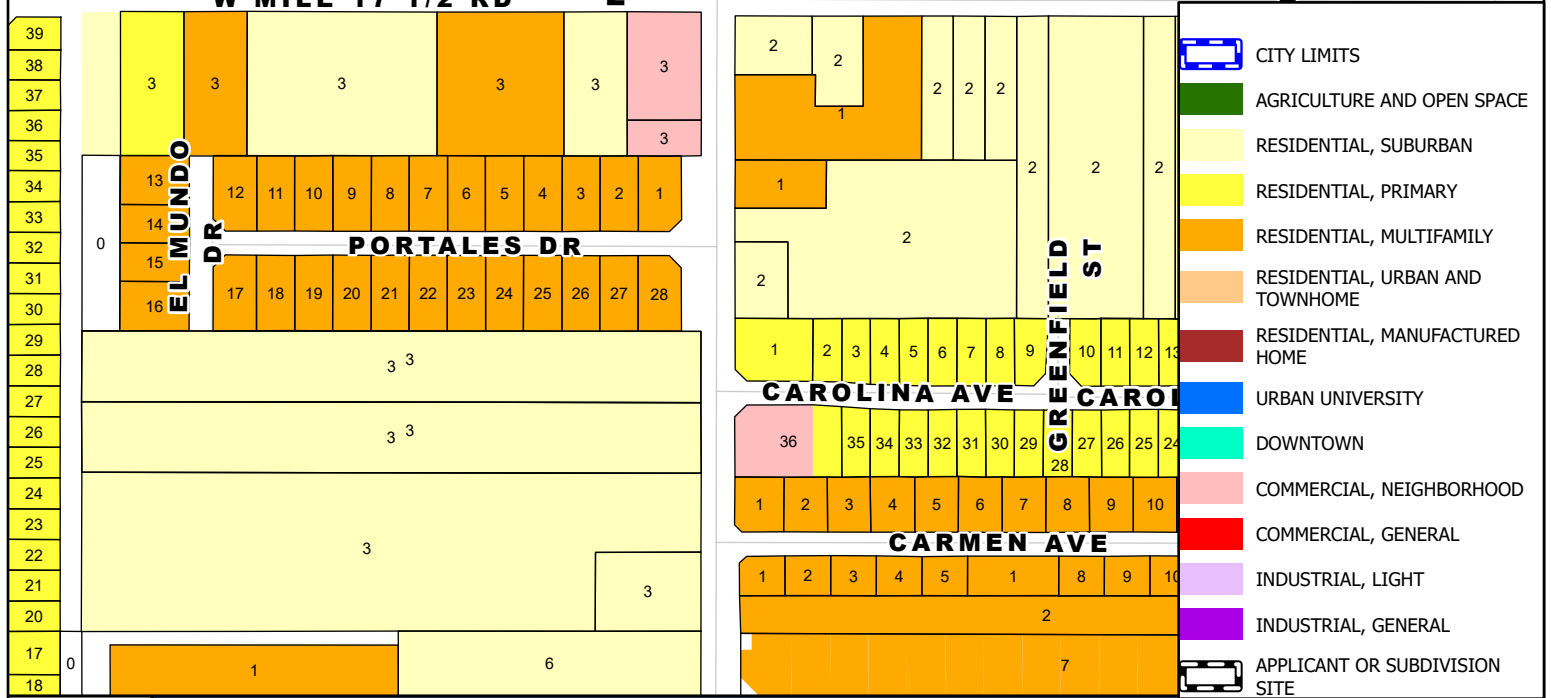
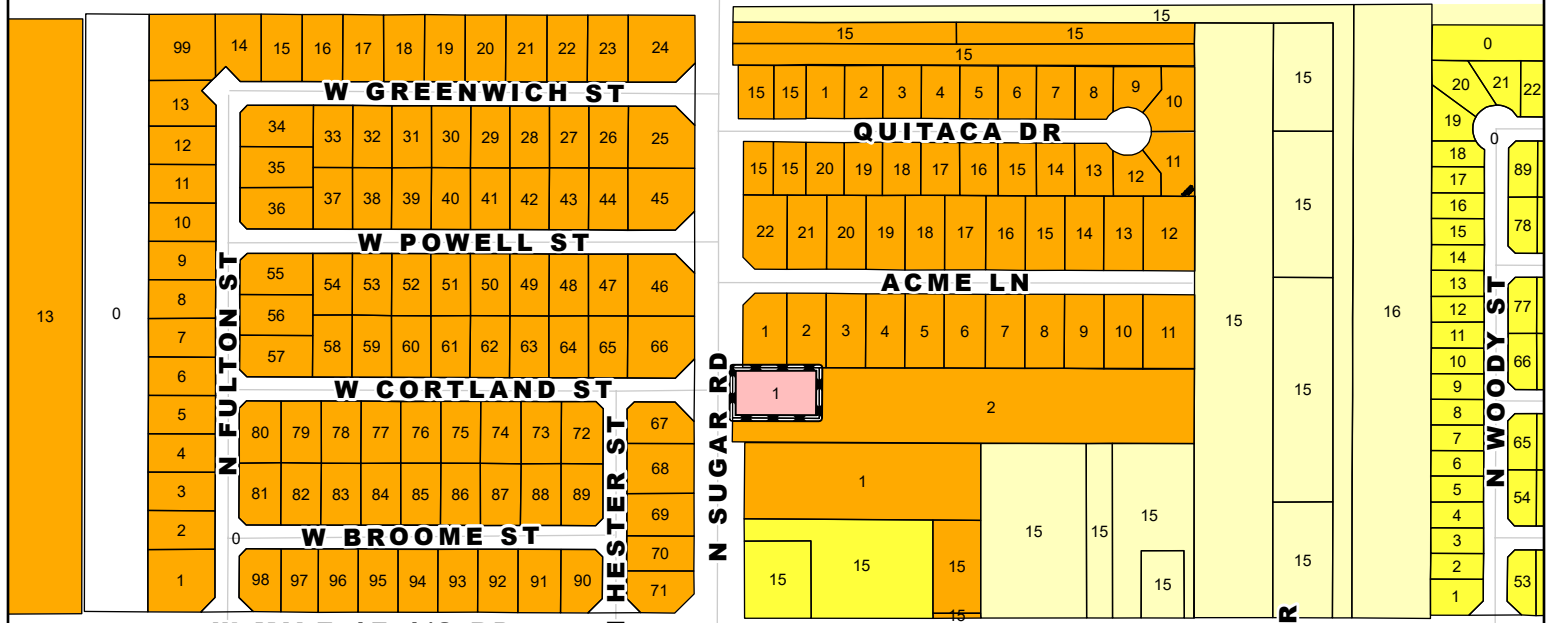
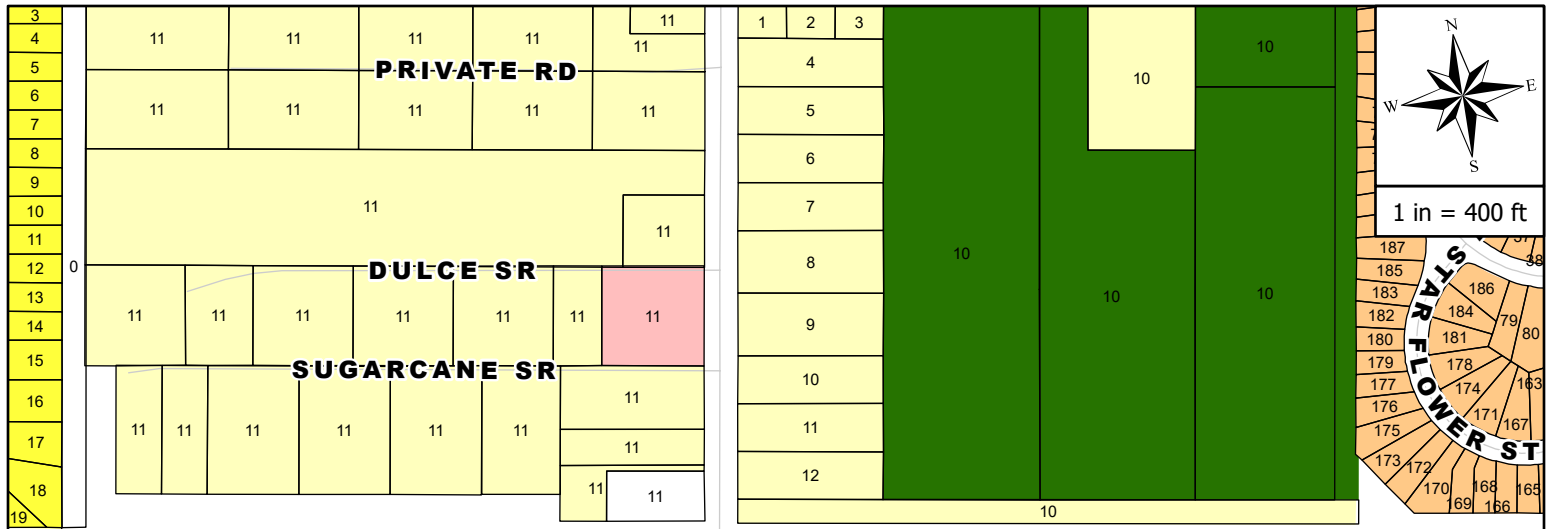
















-  CITY LIMITS
-  APPLICANT OR SUBDIVISION SITE

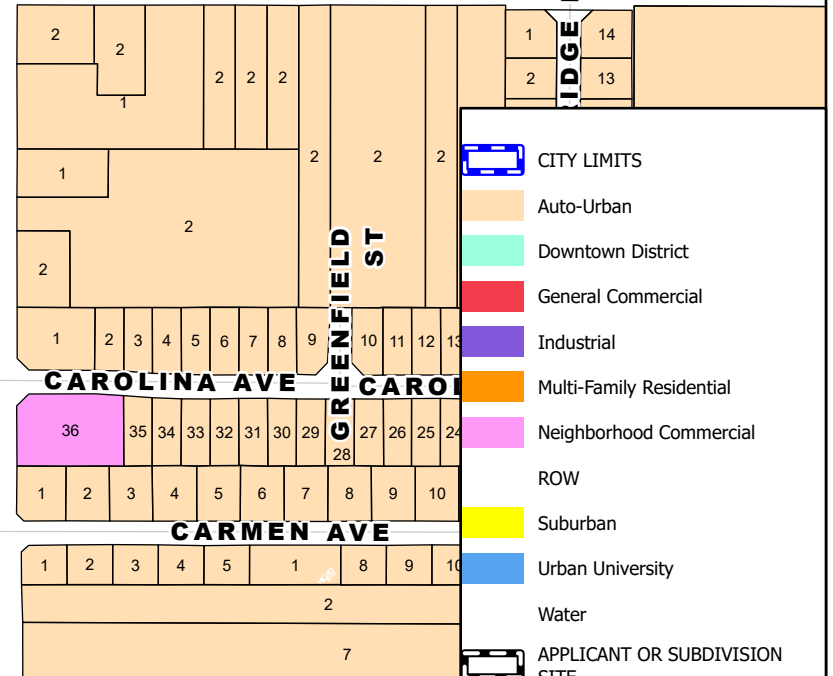
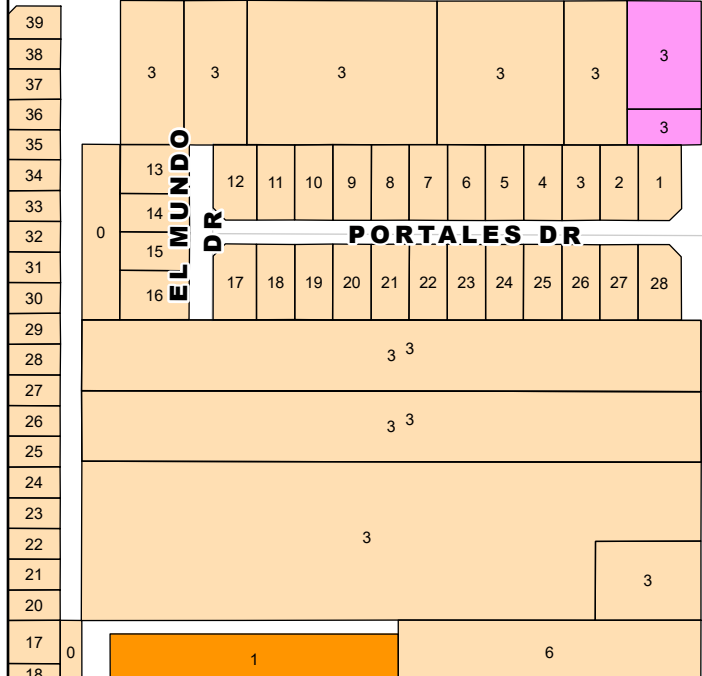
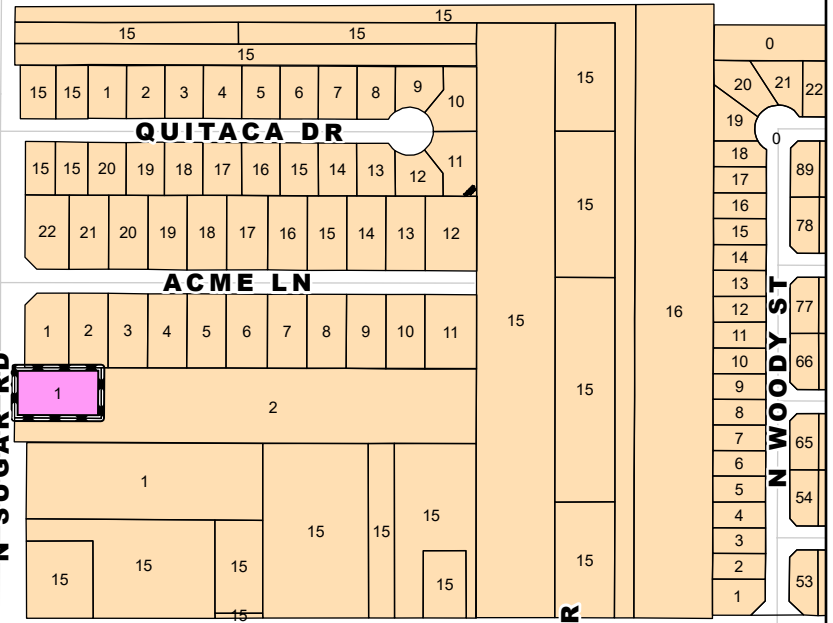
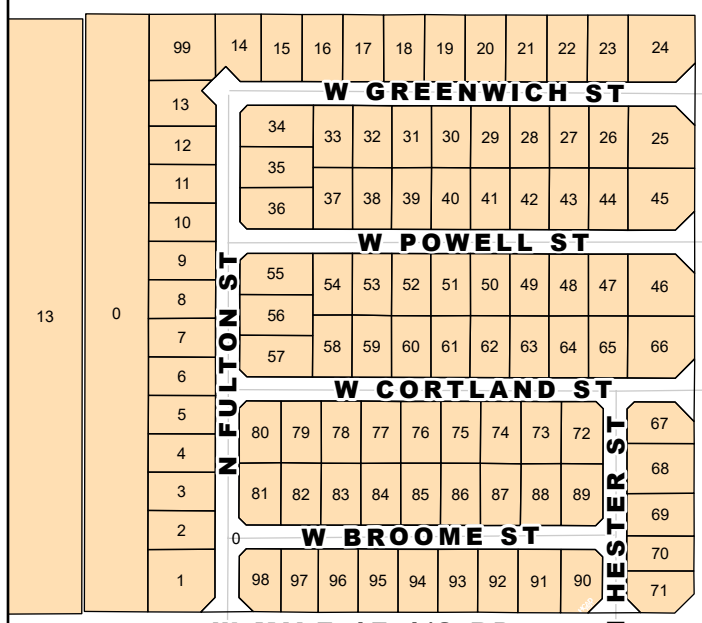
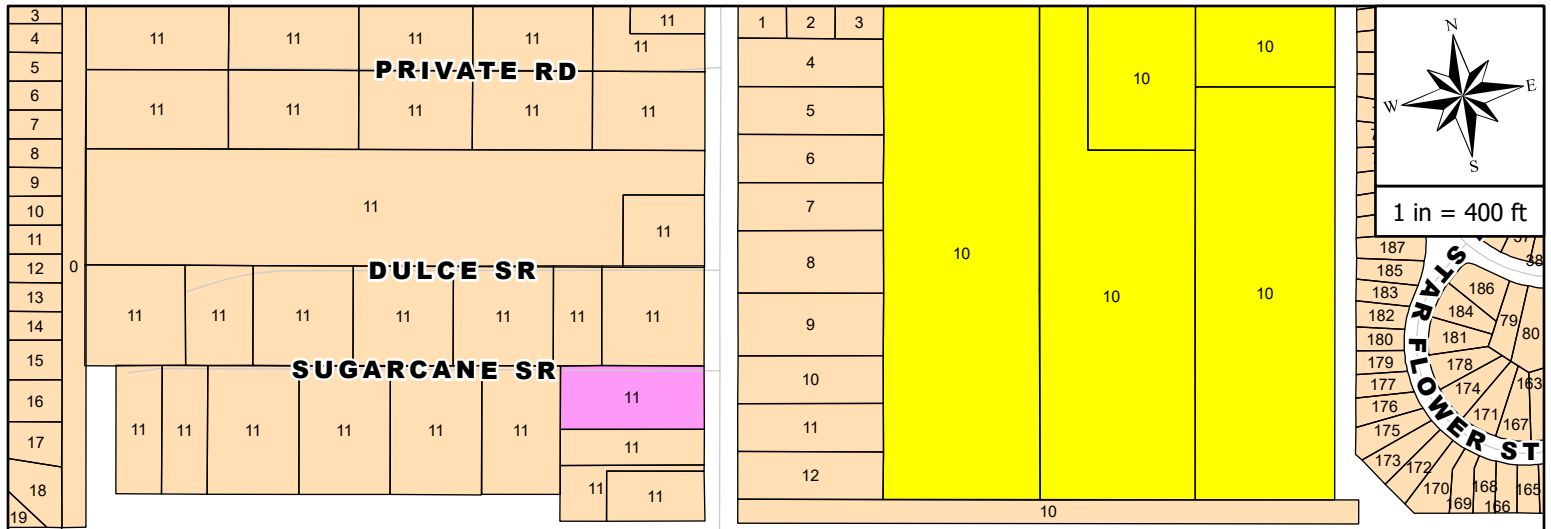














AERIAL MAP
APPLICANT AND/OR SUBDIVISION:

VAR-2025-0307 2326 N SUGAR RD UNIT 1



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

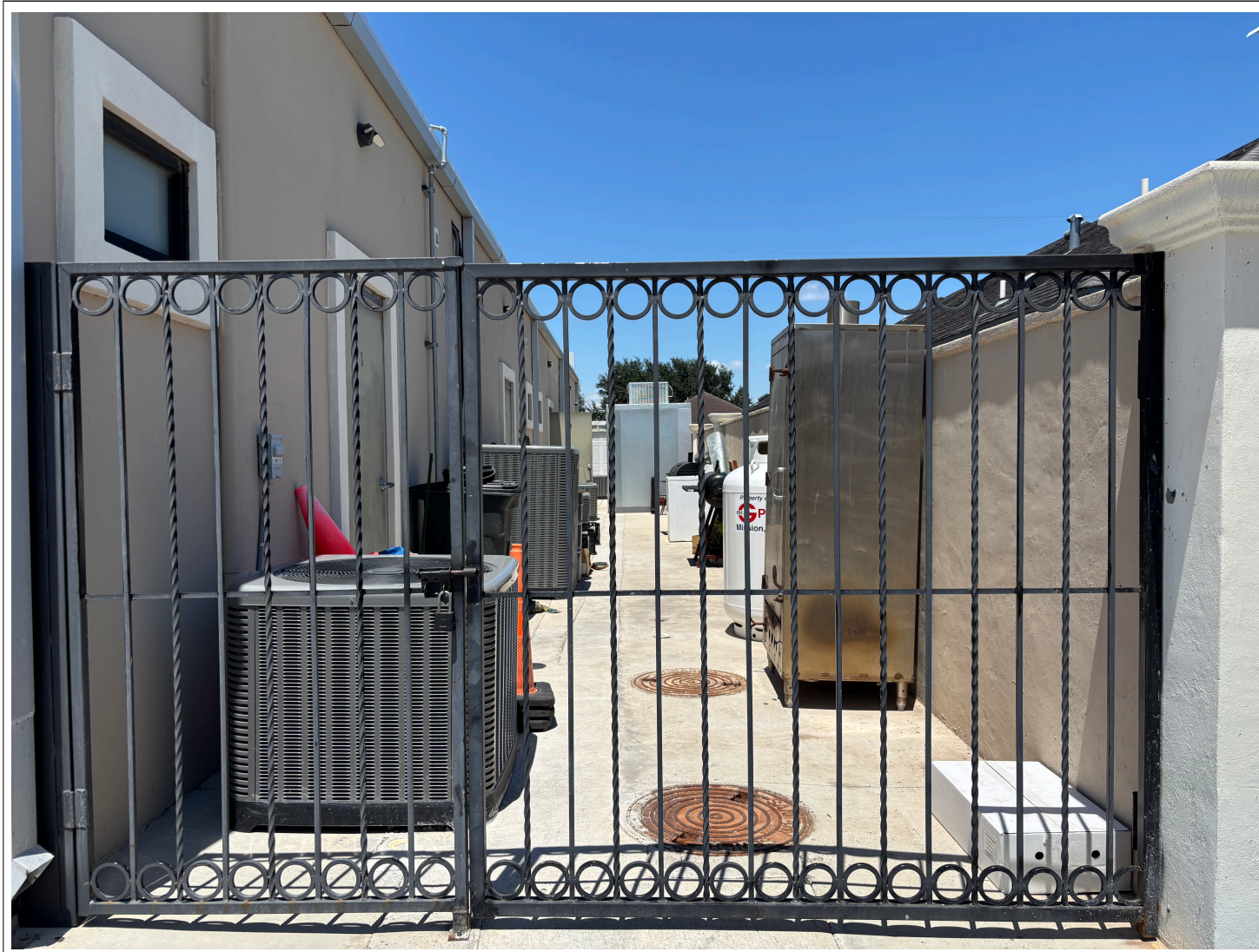


-  CITY LIMITS
-  Auto-Urban
-  Downtown District
-  General Commercial
-  Industrial
-  Multi-Family Residential
-  Neighborhood Commercial
-  ROW
-  Suburban
-  Urban University
-  Water
-  APPLICANT OR SUBDIVISION SITE



Variance Request Site Photo

Victoriano E. Guerra & Bertha A. Guerra
2326 N Sugar Rd



SUGARLAND APARTMENTS SUBDIVISION

STATE OF TEXAS
COUNTY OF HIDALGO

A 3.56 ACRE TRACT OF LAND OUT OF A CERTAIN 8.52 ACRE TRACT (DEED RECORD: 8.50 ACRES), OUT OF LOT FIFTEEN (15), SECTION TWO HUNDRED THIRTY-NINE (239), TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 12, MAP RECORDS, HIDALGO COUNTY, TEXAS, AND ACCORDING TO CORRECTING WARRANTY DEED RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 460849, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

I, (WE) THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS THE SUBDIVISION TO THE CITY OF EDINBURG, TEXAS, AND WHOSE NAME(S) IS (ARE) SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATER COURSES, EASEMENTS, DRAINS, AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

Victoriano Guerra
VICTORIANO GUERRA
3209 UMAR
MCALLEN, TX 78501
PH. 631-7935

Bertha A. Guerra
BERTHA A. GUERRA
3209 UMAR
MCALLEN, TX 78501
PH. 631-7935

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED VICTORIANO GUERRA & BERTHA A. GUERRA WHOSE NAME(S) IS (ARE) SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE (THEY) EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE 20th DAY OF Aug., 2003

Susan J. Headley
SUSAN J. HEADLEY
NOTARY PUBLIC
June 28, 2000

Susan J. Headley
SUSAN J. HEADLEY
NOTARY PUBLIC

METES AND BOUNDS

A 3.56 ACRE TRACT OF LAND OUT OF A CERTAIN 8.52 ACRE TRACT (DEED RECORD: 8.50 ACRES) OUT OF LOT FIFTEEN (15), SECTION TWO HUNDRED THIRTY-NINE (239), TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 12, MAP RECORDS, HIDALGO COUNTY, TEXAS, AND ACCORDING TO CORRECTING WARRANTY DEED RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 460849, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, REFERENCE TO WHICH IS HERE MADE FOR ALL PURPOSES, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.

BEGINNING AT A COTTON PICKER SPINDLE FOUND ON THE WEST LINE OF LOT 15, AND IN THE CENTERLINE OF SUGAR ROAD FOR THE SOUTHWEST CORNER OF THIS TRACT, SAID SPINDLE BEARS N 09°05'E, 393.80 FEET FROM A 1/2" IRON ROD FOUND AT THE INTERSECTION OF THE CENTERLINES OF SUGAR ROAD AND MILE 17 1/2 NORTH ROAD FOR THE SOUTHWEST CORNER OF LOT 15.

THENCE: N 09°05'E, ALONG THE WEST LINE OF LOT 15, AND THE CENTERLINE OF SUGAR ROAD, A DISTANCE OF 156.38 FEET TO A COTTON PICKER SPINDLE FOUND FOR THE SOUTHWEST CORNER OF PAISANO TRAILS SUBDIVISION (RECORDED IN VOLUME 39, PAGES 152 AND 153, MAP RECORDS, HIDALGO COUNTY, TEXAS), AND THE NORTHWEST CORNER OF THIS TRACT.

THENCE: S 80°55'E (DEED RECORD: EAST-DOCUMENT NUMBER 940919), ALONG THE SOUTH LINE OF PAISANO TRAILS SUBDIVISION PASSING A 1/2" IRON ROD 24" IN LENGTH WITH PLASTIC CAP STAMPED RPLS 4856 SET AT 40.00 FEET FOR THE EAST R.O.W. LINE OF SUGAR ROAD (ACCORDING TO HIGHWAY RIGHT OF WAY EASEMENT RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 485221, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS), A TOTAL DISTANCE OF 991.50 FEET (DEED RECORD: 991.57 FEET) TO A 1/2" IRON ROD FOUND ON THE WEST LINE OF THE IGNACIO SERRATO TRACT (A 4.97 ACRE TRACT OF LAND, MORE OR LESS, BEING THE WEST 4.97 ACRES OF THE EAST 8.99 ACRES OF LOT 15, SECTION 239, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY, ACCORDING TO WARRANTY DEED WITH VENDOR'S LIEN RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 944978, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS) FOR THE SOUTHEAST CORNER OF PAISANO TRAILS SUBDIVISION AND THE NORTHEAST CORNER OF THIS TRACT.

THENCE: S 09°05'W, ALONG THE WEST LINE OF THE IGNACIO SERRATO TRACT, A DISTANCE OF 156.38 FEET (DEED RECORD: 156.43 FEET) TO A 1/2" IRON ROD 24" IN LENGTH WITH PLASTIC CAP STAMPED RPLS 4856 SET FOR THE NORTHEAST CORNER OF THE MARIA G. RAMOS TRACT (THE EAST 4.00 ACRES OF THE SOUTH 8.99 ACRES OF THE WEST 28.99 ACRES OF LOT 15, SECTION 239, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY, ACCORDING TO WARRANTY DEED RECORDED IN VOLUME 1830, PAGE 16, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS), AND THE SOUTHEAST CORNER OF THIS TRACT.

THENCE: N 80°55'W, ALONG THE NORTH LINE OF THE MARIA G. RAMOS TRACT AND THE NORTH LINE OF THE MIGUEL ANGEL BENAVIDES TRACT (THE WEST 220.00 FEET OF THE EAST 4 ACRES OF THE SOUTH 8.99 ACRES OF THE WEST 28.99 ACRES OF LOT 15, SECTION 239, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY, ACCORDING TO WARRANTY DEED RECORDED IN VOLUME 2347, PAGE 448, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS), PASSING AT 442.50 FEET THE NORTHWEST CORNER OF THE MIGUEL ANGEL BENAVIDES TRACT, PASSING A 1/2" IRON ROD 24" IN LENGTH WITH PLASTIC CAP STAMPED RPLS 4856 SET AT 951.50 FEET FOR THE EAST R.O.W. LINE OF SUGAR ROAD, A TOTAL DISTANCE OF 991.50 FEET TO THE POINT OF BEGINNING, AND CONTAINING 3.56 ACRES OF LAND MORE OR LESS.

BEARINGS IN THIS METES AND BOUNDS DESCRIPTION ARE IN ACCORDANCE WITH CORRECTING WARRANTY DEED RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 460849, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

THE PROPERTY DESCRIBED IN THIS METES AND BOUNDS MAY BE SUBJECT TO THE SUBDIVISION REGULATIONS OF THE COUNTY OF HIDALGO AND/OR ORDINANCES OR GOVERNMENTAL REGULATIONS OF THE CITY IN WHICH THE PROPERTY MAY BE LOCATED OR HOLDING EXTRA TERRITORIAL JURISDICTION.

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

THIS PLAT APPROVED BY HIDALGO COUNTY IRRIGATION DISTRICT NO. 1 ON THIS THE _____ DAY OF _____, 2003

NO IMPROVEMENTS OF ANY KIND SHALL BE PLACED UPON H.C.I.D. NO. 1 RIGHTS-OF-WAY OR EASEMENTS WITHOUT THE EXPRESSED WRITTEN PERMISSION OF THE H.C.I.D. NO. 1

Jose W. ... SECRETARY
D. ... PRESIDENT

STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN TEXAS, HEREBY CERTIFY THAT THE ABOVE PLAT AND DESCRIPTION OF THE SUGARLAND APARTMENTS SUBDIVISION, WERE PREPARED FROM A SURVEY OF THE PROPERTY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION ON 5-01-01



Alfonso Quintanilla
ALFONSO QUINTANILLA
R.P.L.S. No. 1856

5-01-01
DATE

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

August 13, 2003
DATE

Ofelia de la ...
CHAIRPERSON PLANNING COMMISSION

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 TEXAS WATER CODE NO. 49.211(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: 12/17/03

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.

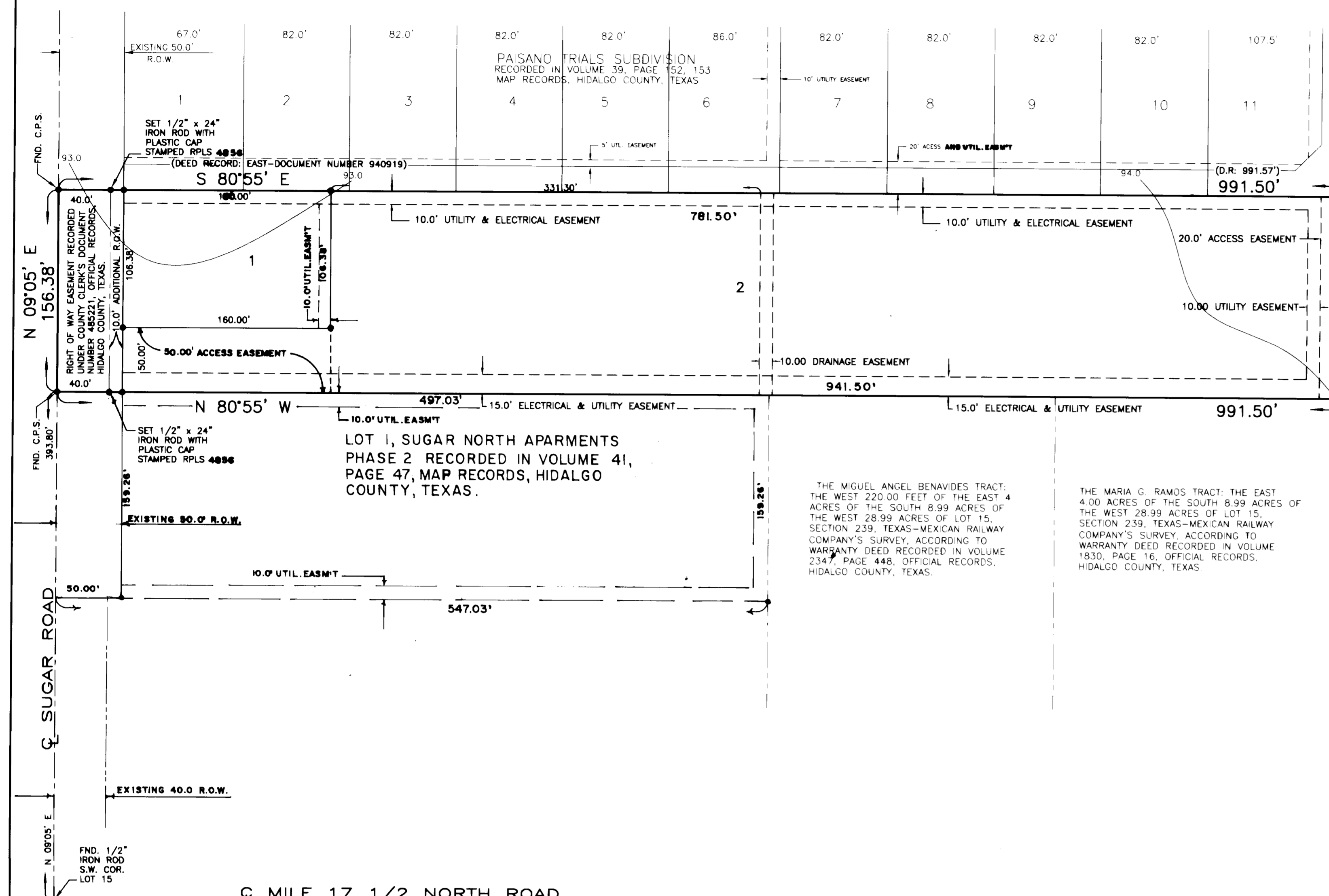


Eulalio Ramirez
EULALIO RAMIREZ
P.E. No. 77082

FILED FOR RECORD IN:
HIDALGO COUNTY
BY J.D. SALINAS, III
COUNTY CLERK
ON 8-21-03 AT 8:50 AM PM
AS A RECORDING NUMBER 128653
BY *...* DEPUTY

Recorded in Volume 44 Page 53
of the map records of Hidalgo
County, Texas
J.D. Salinas III
County Clerk

SCALE: 1" = 60'



THE MIGUEL ANGEL BENAVIDES TRACT: THE WEST 220.00 FEET OF THE EAST 4 ACRES OF THE SOUTH 8.99 ACRES OF THE WEST 28.99 ACRES OF LOT 15, SECTION 239, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY, ACCORDING TO WARRANTY DEED RECORDED IN VOLUME 2347, PAGE 448, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

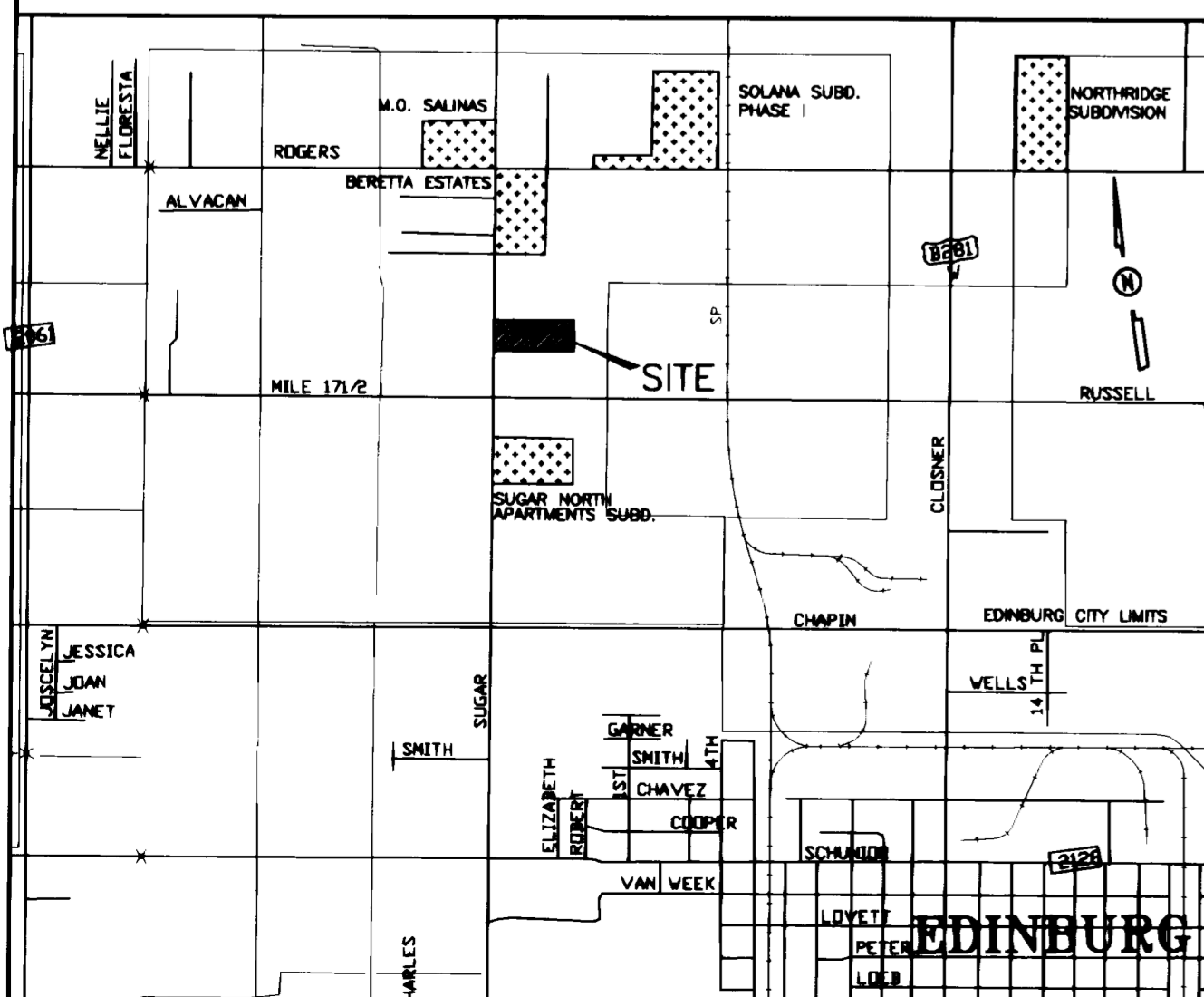
THE MARIA G. RAMOS TRACT: THE EAST 4.00 ACRES OF THE SOUTH 8.99 ACRES OF THE WEST 28.99 ACRES OF LOT 15, SECTION 239, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY, ACCORDING TO WARRANTY DEED RECORDED IN VOLUME 1830, PAGE 16, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

PLAT NOTES AND RESTRICTIONS:

- FLOOD ZONE DESIGNATION: ZONE "A" AREAS OF 500-YEAR FLOOD; AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEEVES FROM 100-YEAR FLOOD. COMMUNITY-PANEL NUMBER 480338 0015 E MAP REVISED: MAY 14, 2001 LOMR
- MINIMUM FINISH FLOOR ELEVATION: 18" ABOVE CENTERLINE OF STREET.
- LEGEND: ● - DENOTES 1/2" IRON ROD SET UNLESS OTHERWISE NOTED.
- THERE ARE NO WATER WELLS WITHIN 150 FEET FROM THE BOUNDARIES OF THIS SUBDIVISION.
- MINIMUM BUILDING SETBACK LINES:
LOT 1
FRONT..... 70.00' FROM SUGAR ROAD
REAR..... 20.00'
SIDE..... 6.00' OR EASEMENT LINE
WHICHEVER IS GREATER
LOT 2
FRONT..... 175.00' FROM SUGAR ROAD
REAR..... 35.00'
SIDE..... 6.00' OR EASEMENT LINE
WHICHEVER IS GREATER
- NO BUILDINGS SHALL BE CONSTRUCTED OVER ANY EASEMENT OR LOT LINE.
- DRAINAGE DETENTION IS: LOT 1 - 1456.28 C.F. LOT 2 - 11782.64 C.F.
- BENCH MARK: 94.02 - C.P.S. LOCATED ON THE CENTERLINE OF SUGAR ROAD AT THE SOUTHWEST CORNER.
- 50% OF PARK LAND DEDICATION FEE WILL BE COLLECTED AT BUILDING PERMIT STAGE.
- DEVELOPER SHALL PROVIDE AN ENGINEERED SITE PLAN APPROVED BY CITY PRIOR TO APPLICATION FOR BUILDING PERMIT.
- NO FILL OR PERMANENT STRUCTURES SHALL BE ALLOWED WITHIN EASEMENTS AND LOT OWNER SHALL BE RESPONSIBLE FOR MAINTENANCE.
- ACCESS EASEMENTS AND OTHER COMMON AREAS WILL BE MAINTAINED BY THE LOT OWNER.
- ALL WATER AND SANITARY SEWER FEES HAVE TO BE PAID BY THE DEVELOPER.
- ACCESS TO LOT 1 AND LOT 2 WILL BE THRU THE 50.0' ACCESS EASEMENT.
- 5' SIDEWALK AT BLDG. PERMIT ALONG SUGAR RD.

LOCATION MAP

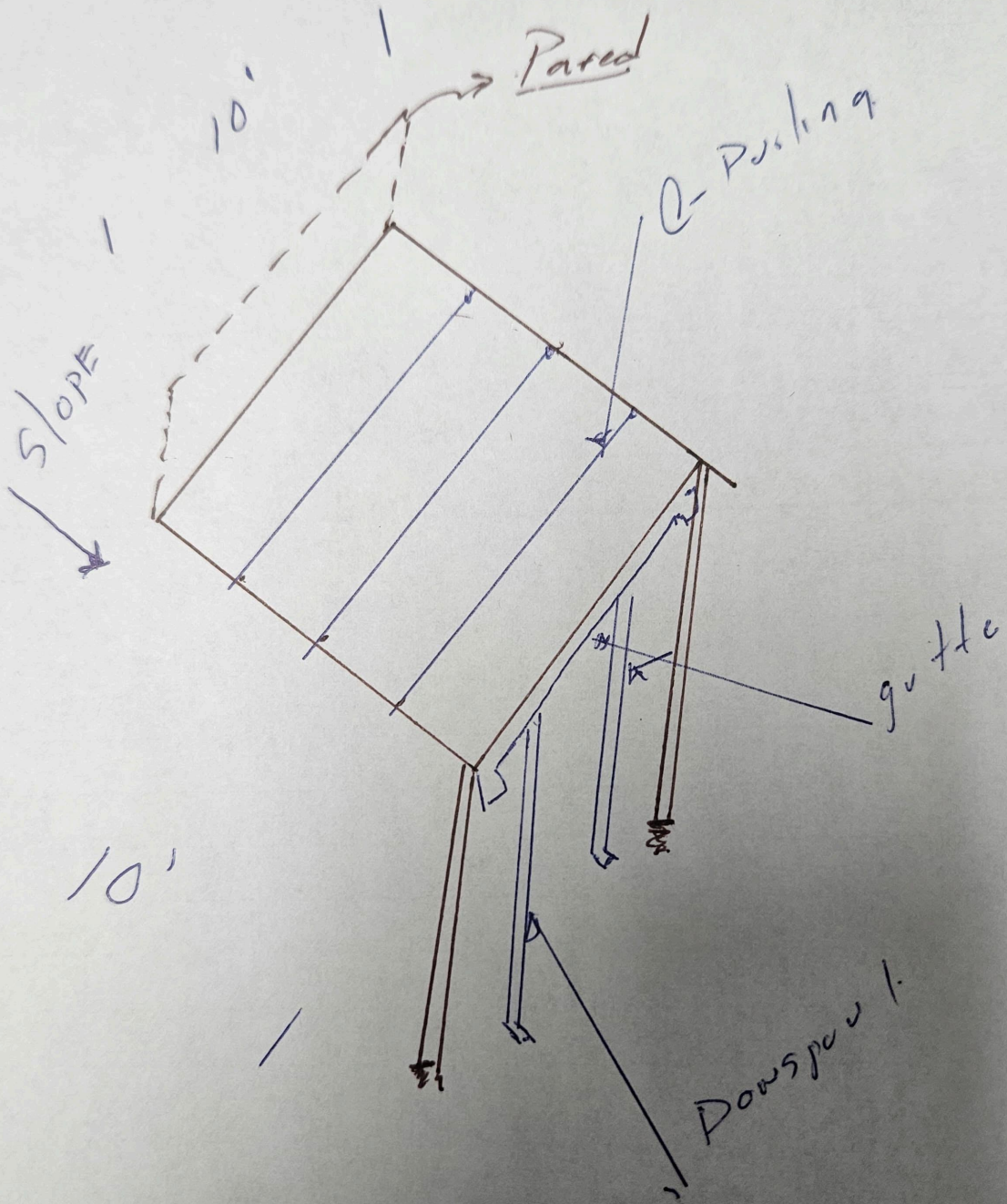
SCALE 1" = 2000'



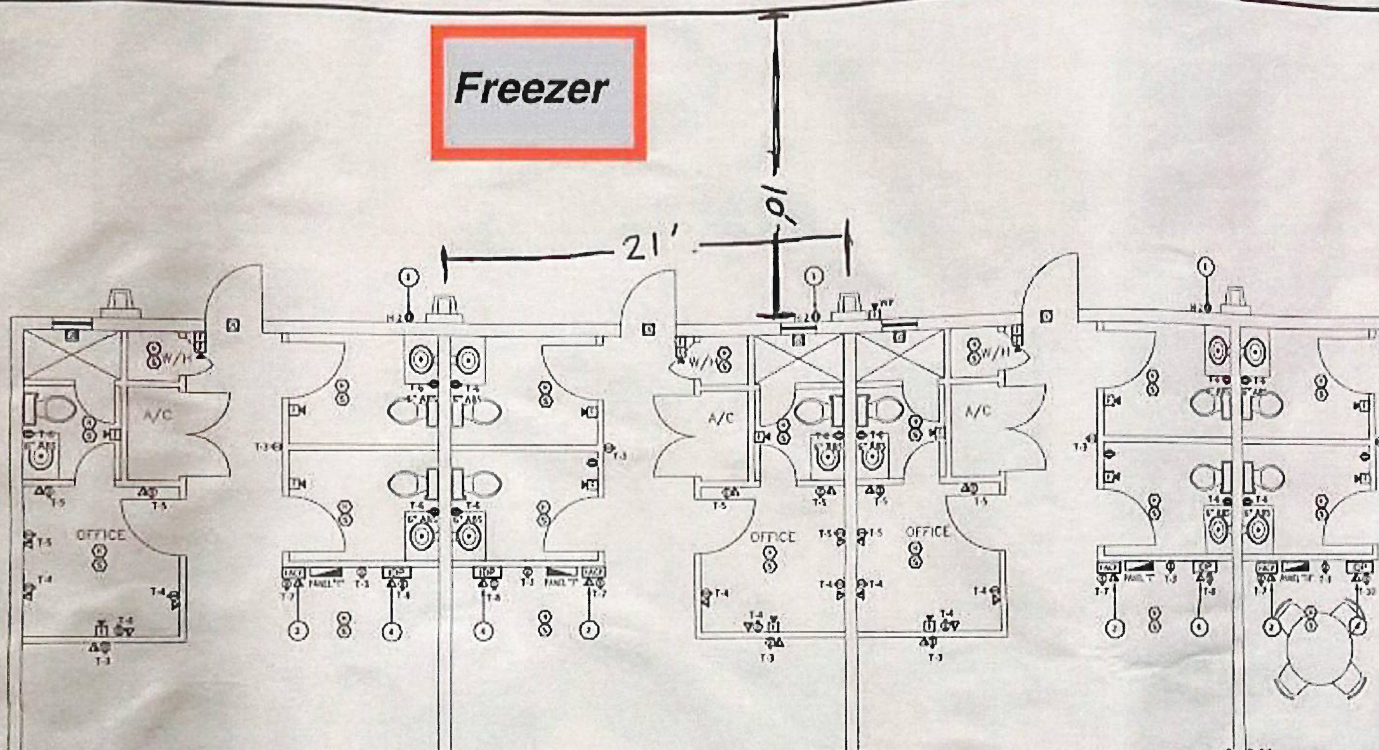
FILENAME : F:\DATA\SUBDIVISION\EDINBURG\SUGARLAND\PLAT				
DATE PREPARED	PREPARED BY	CHECKED BY	APPROVED BY	
MAY 1, 2001	J.L. GAFFORD			
DATE REVISED	REVISED BY	CHECKED BY	APPROVED BY	
JUNE 30, 2003				

QUINTANILLA, HEADLEY AND ASSOCIATES, INC.
CONSULTING ENGINEERS • LAND SURVEYORS
124 E. STUBBS ST. EDINBURG, TEXAS 78539
PHONE 956-381-6480 FAX 956-381-0527





Freezer



Planning & Zoning Staff Report

Prepared on: November 10, 2025

Zoning Board of Adjustment

Regular Meeting: November 19, 2025

Agenda Item

Variance request by Oscar Gerardo Boeta for a variance to the City of Edinburg Unified Development Code to allow the encroachment of a pergola over the rear setback and east side setback, being lot 54, Los Lagos Phase IV subdivision, located at 3314 Prestwick street.

Request

The applicant is seeking a variance to Unified Development Code (UDC) Article 3, Section 3.102 Standards for Rural and Residential Development. The applicant is proposing to construct an attached pergola in the back yard.

Property Location and Vicinity

The property is located approximately 220 feet to the west from the intersection of Montegue Street and Prestwick Street. East Canton Road runs along the rear of the property. Current zoning is Residential, Primary (RP) District. Adjacent zoning consists of Residential, Primary (RP) District to the north, east, and west, and Residential, Multifamily (RM) District to the south along Canton Road. Adjacent land uses include single-family residential and multifamily residential uses.

Background and History

The property is part of Los Lagos Phase IV, which was recorded on September 06, 2005. Lot, number 54, has a total lot area of 6,050 square feet. On October 4, 2025, the Code Enforcement Department conducted a field inspection at the subject property to verify compliance with applicable building permit requirements for ongoing construction. During the inspection, the property owner was notified that no valid permit had been issued and was directed to submit a formal application to the City.

The applicant submitted a building permit application on October 6, 2025. During staff review, it was determined that the proposed porch encroaches into the required 22-foot rear yard setback and the 6-foot east side yard setback, this is a concern when applying the zoning and development standards as per the Unified Development Code (UDC).

Staff mailed a notice of the variance request to 33 neighboring property owners on November 7, 2025, and received no comments in favor and or against this request at the time that this report was prepared.

Analysis

The applicant is proposing to construct of a 12-foot by 25-foot pergola that is being attached to the house in the rear yard. The proposed structure encroaches 3 feet 11 inches into the required 22-foot rear yard setback, the structure also encroaches 7 inches into the 6-foot side yard setback. There is a 15-foot utility easement along the rear of the property; the proposed structure does not encroach into this easement. Additionally, there is a 5-foot easement along the east side of the property, which will also remain unaffected by the proposed construction.

Planning & Zoning Staff Report

Recommendation

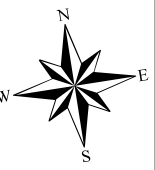
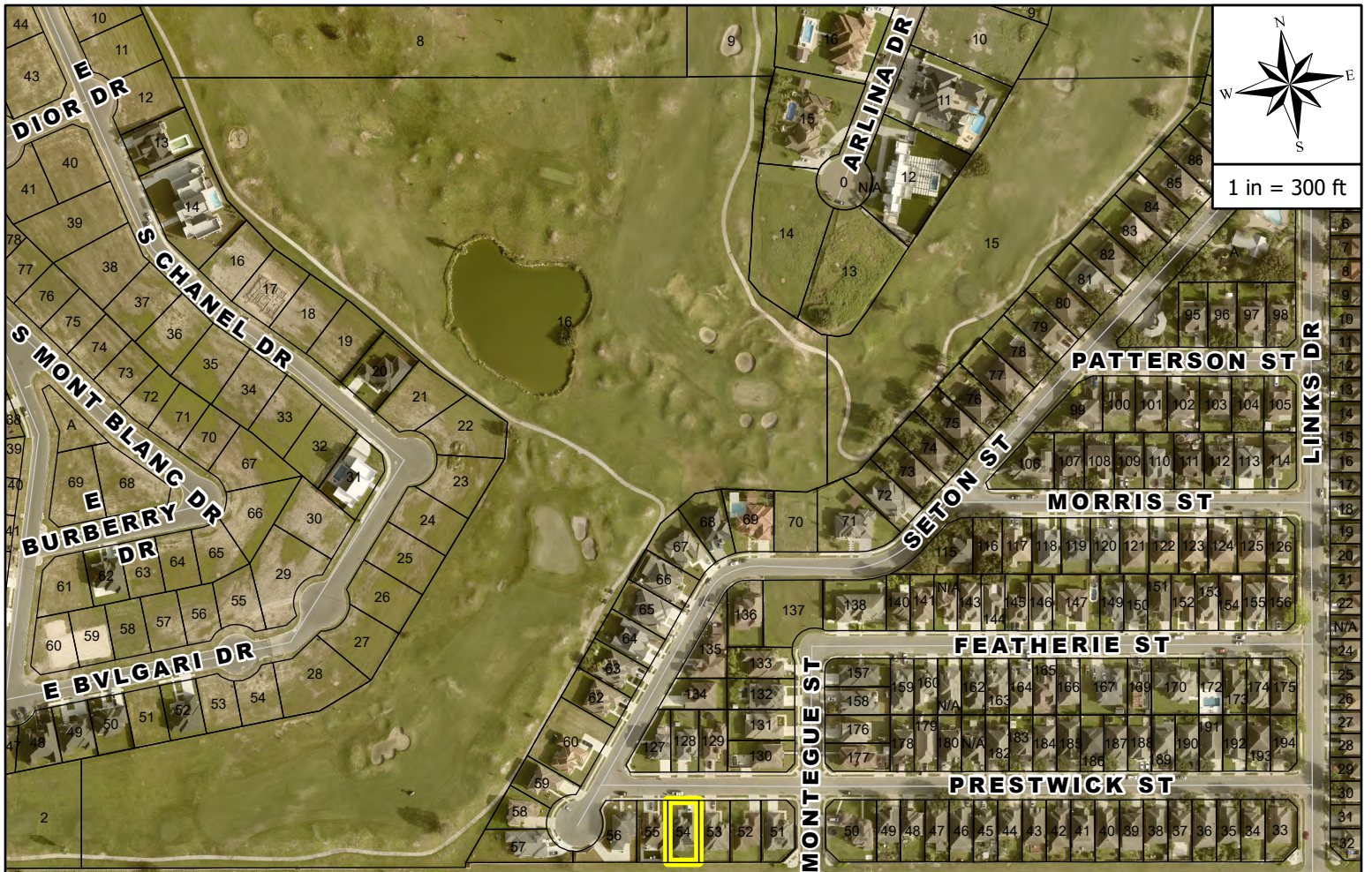
Staff recommends approval of the variance request. If approved, the applicant will also need to comply with all other requirements during the permitting process and pay a \$40 fee payable to the County of Hidalgo, submitted to the County Clerk's office for the recording of the Zoning Board of Adjustments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

Prepared by:

Anna Gabriela Cantu
Planner I



Approved by:

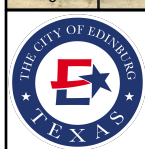
Jaime Acevedo
Director of Planning & Zoning



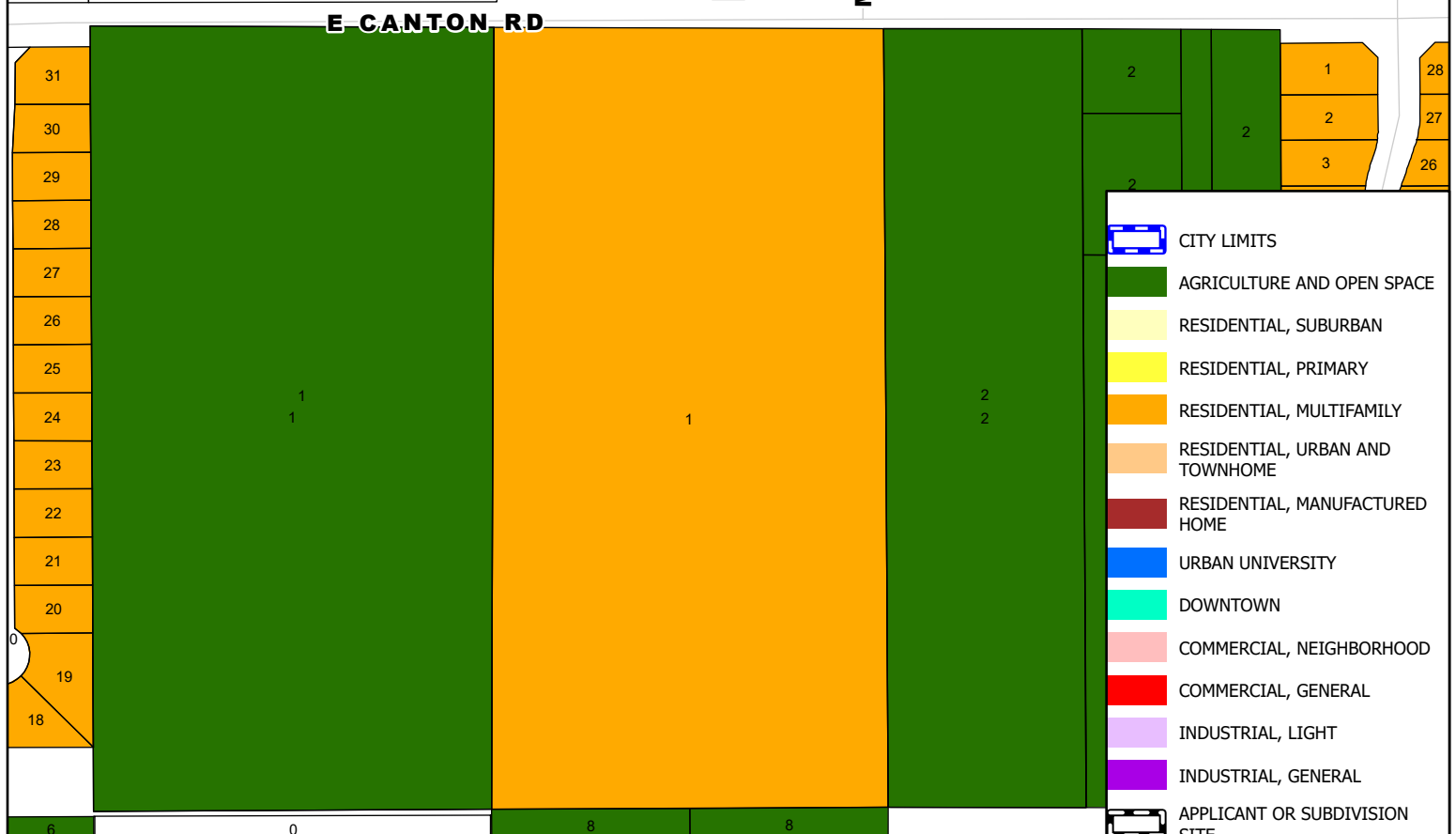
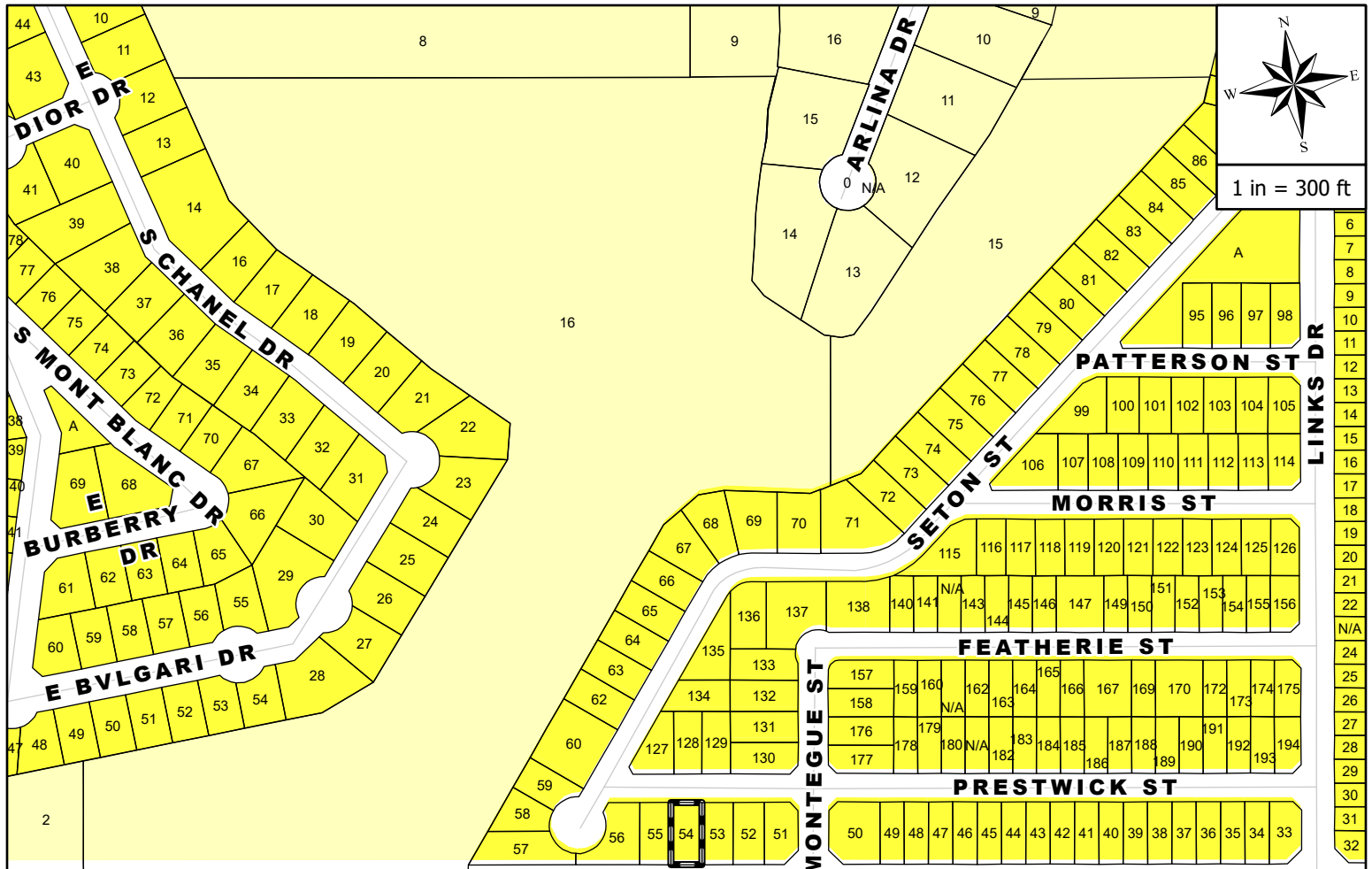
1 in = 300 ft

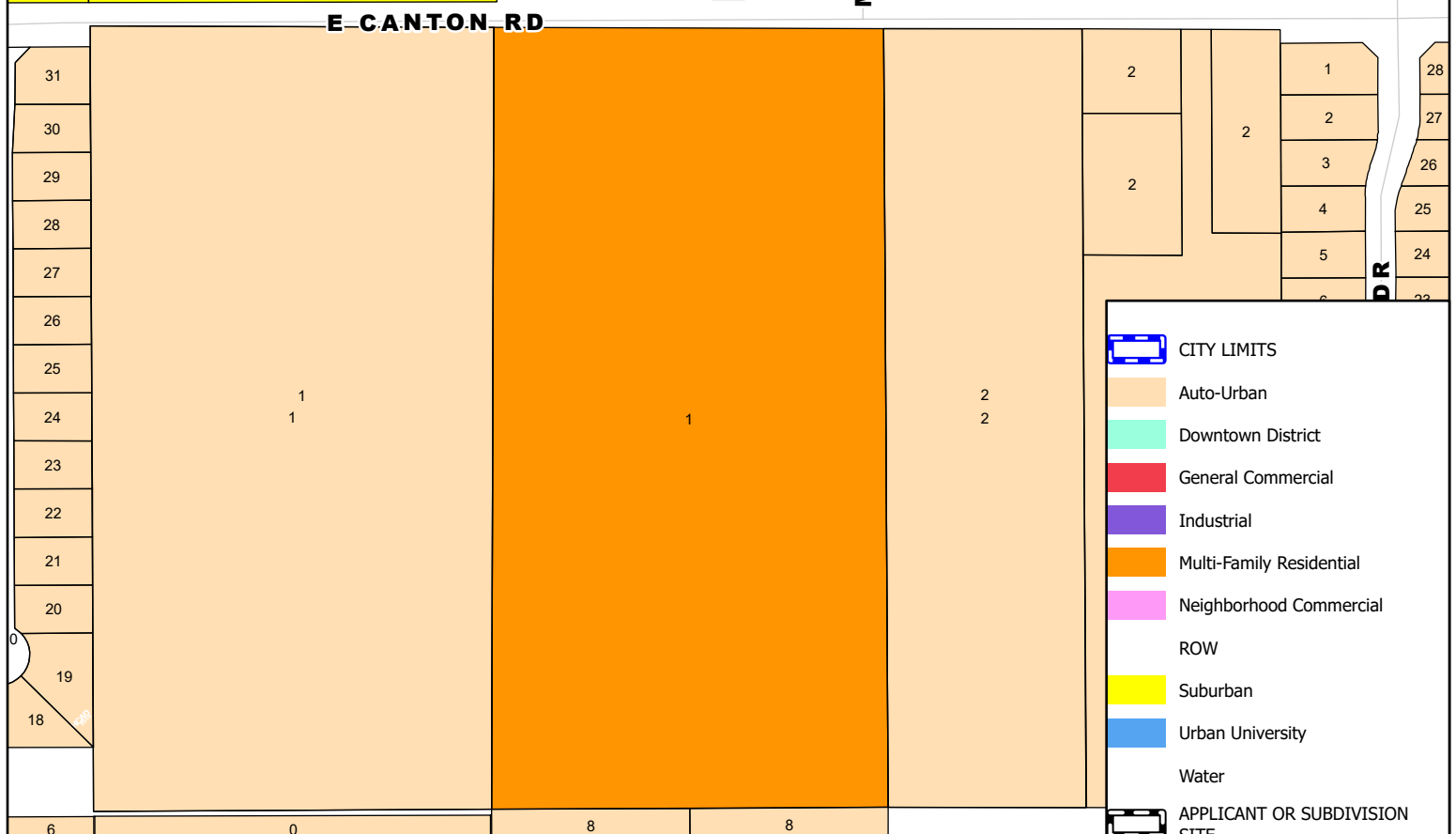
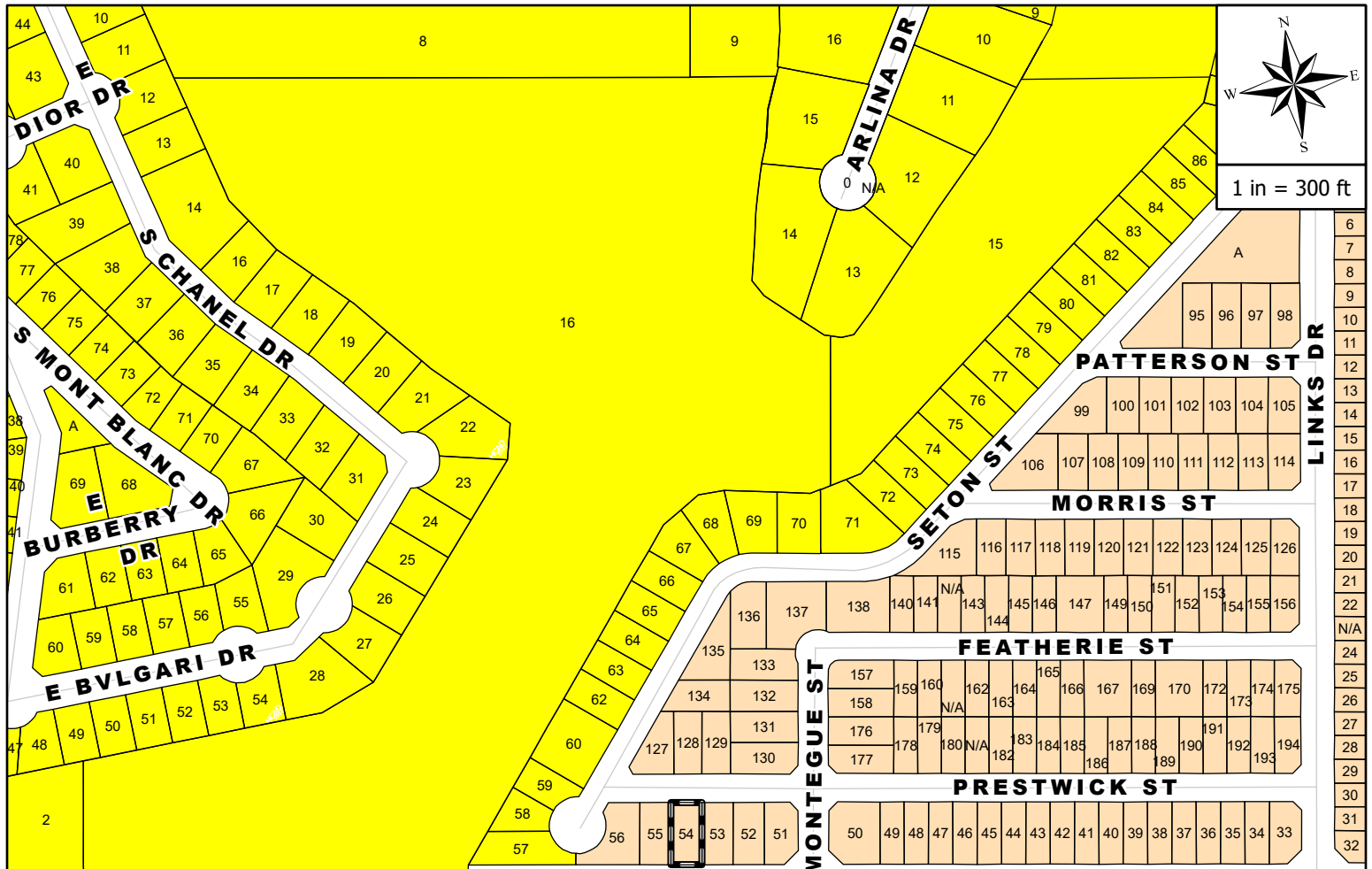


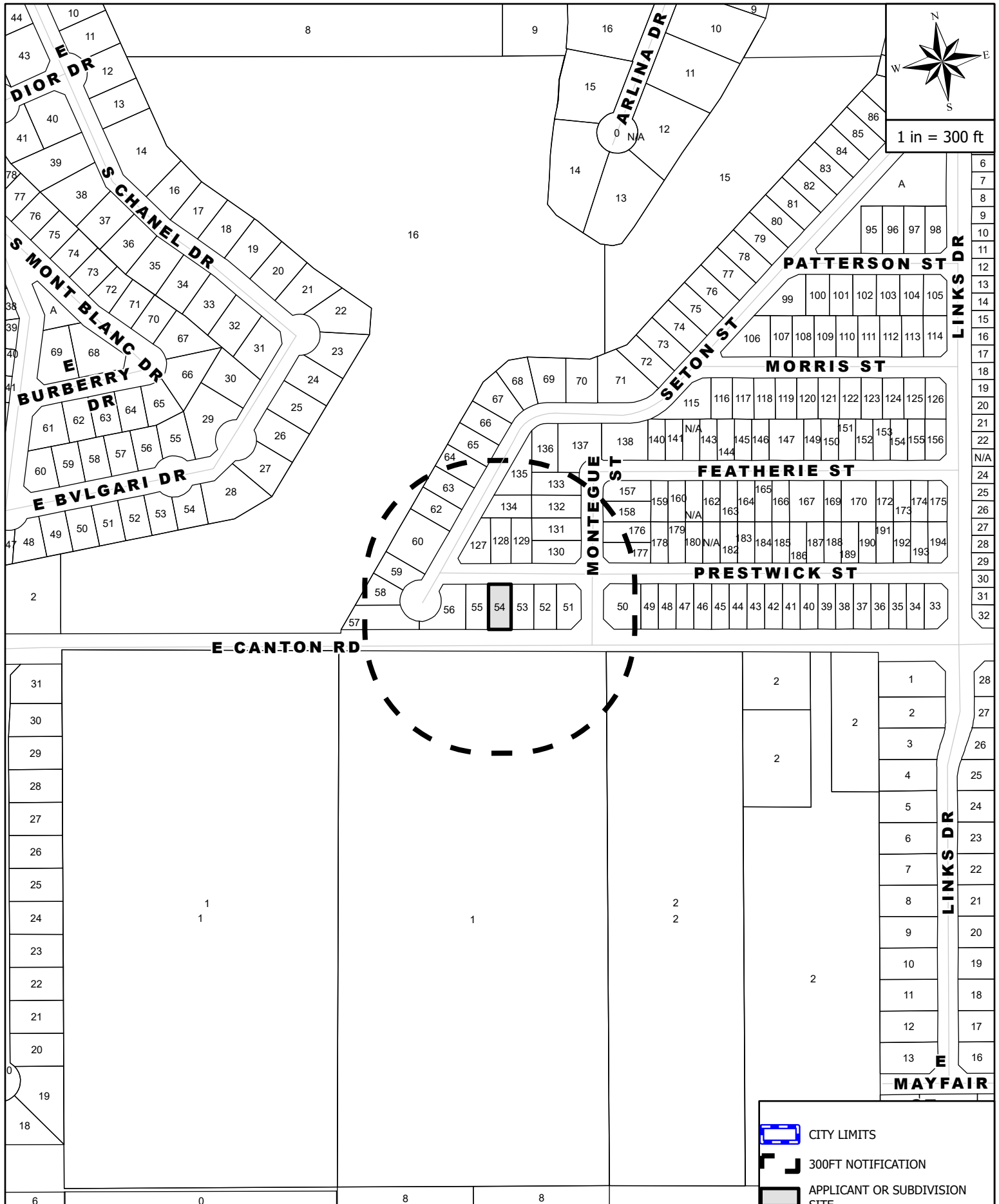
-  CITY LIMITS
-  APPLICANT OR SUBDIVISION SITE






AERIAL MAP
APPLICANT AND/OR SUBDIVISION:
 VAR-2025-0337 3314 PRESTWICK ST







1 in = 300 ft

-  CITY LIMITS
-  300FT NOTIFICATION
-  APPLICANT OR SUBDIVISION SITE

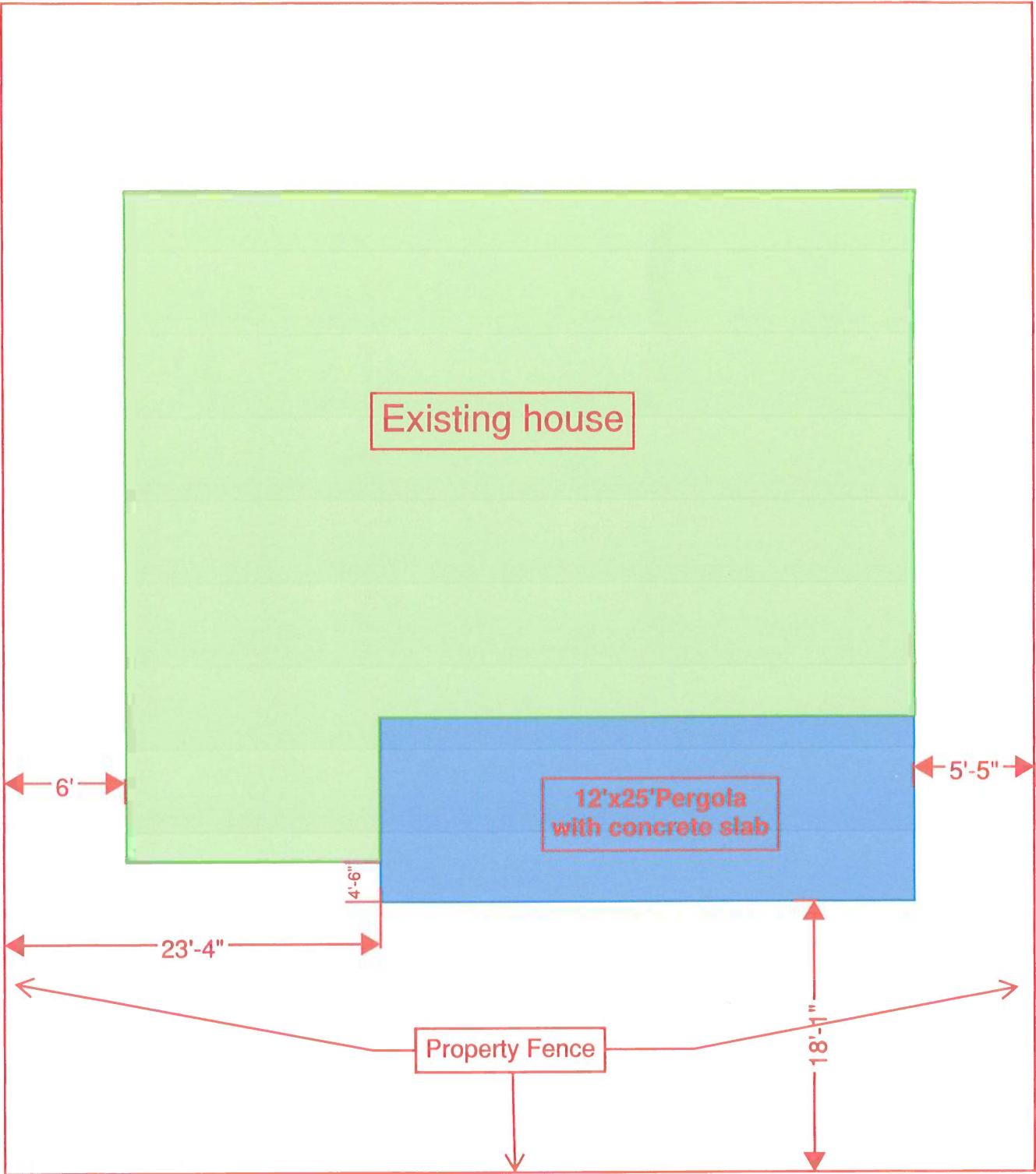


Variance Request Site Photo

Variance Request by Oscar Gerardo Boeta

3314 Prestwick Street





**2025 ATTENDANCE RECORD
ZONING BOARD OF ADJUSTMENTS MEETINGS**

	01/29/25	02/26/25	03/26/25	04/30/25	05/07/25 SPL MTG	05/28/25	06/25/25	07/30/25	08/27/25	09/24/25	10/29/25	
Michael Cantu - Chairperson	P	P	P	P	P	A	P	P	P	P	P	
Eliseo Garza Jr - Vice Chairperson	P	P	P	P	P	P	P	P	P	P	P	
Ruben Ruiz	P	P	A	P	A	P	P	P	P	P	P	
Andrew Almaguer	P	P	P	P	P	P	P	A	P	P	P	
Dustin Garza	P	P	P	P	P	P	A	P	P	P	P	
Marc A. Gonzalez	P	P	P	P	P	P	P	P	P	P	A	
Omar Govea	P	P	A	P	P	P	P	P	P	P	P	
Matthew Cruz				P	P	P	P	P	A	P	P	
Tony Garza								P	P	P	P	