



**Zoning Board of
Adjustment &
Appeals
Regular Meeting
July 7, 2021**

AGENDA



**ZONING BOARD OF ADJUSTMENTS AND APPEALS REGULAR MEETING
WEDNESDAY, JULY 7, 2021, AT 5:30 P.M.
COUNCIL CHAMBERS, CITY HALL BUILDING
100 SOUTH MONORE STREET, EAGLE PASS, MAVERICK COUNTY, TEXAS**

ESTABLISHMENT OF QUORUM

OATH OF OFFICE

CITIZENS COMMUNICATIONS

SELECTION OF CHAIRPERSON

SELECTION OF VICE-CHAIRPERSON

MINUTES

1. Approval of the minutes of the May 5, 2021.

PUBLIC HEARING(S)

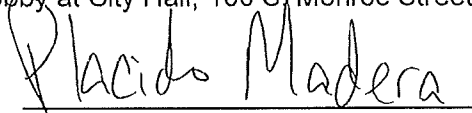
2. Public hearing on a variance request submitted by Jesus R. Perez, to reduce the required rear and side yard building setback areas from 5-feet to 0-feet, to allow for an extension of an existing storage and future construction of a carport and an additional storage, including a variance from the minimum fence height, on property located at 3094 Calle Carr; closing of public hearing and possible action.
3. Public hearing on a variance request from Section 15 (h)(c) of Appendix A Zoning Ordinance regulating for placement of signs and billboards submitted by Ernesto Fuentes, to allow for the construction of a sign, on property located at 269 Ceylon Street; closing of public hearing and possible action.
4. Public hearing on a variance request submitted by Mauricio Perches Jr., to reduce the required side yard building setback area from 10-feet to 5-feet, to allow for the construction of a new home, on property located at 1204 Bryan Street; closing of public hearing and possible action.
5. Public hearing on a variance request submitted by Manuel and Eglantina Lopez, to reduce the required front yard building setback area from 25-feet to 11-feet, to allow for the construction of an attached carport, on property located at 1004 Salonika Drive; closing of public hearing and possible action.

ADJOURNMENT

Note: The Board reserves the right to consider business out of the posted agenda order and reserves the right to adjourn into executive session to discuss an item(s) not listed as an executive session on the posted agenda but which qualifies to be discussed in closed session pursuant to Texas Government Code Chapter 551.

CERTIFICATION

I, THE UNDERSIGNED PLANNING DIRECTOR, do hereby certify that the agenda mentioned above was posted on the Bulletin Board Located in the Lobby at City Hall, 100 S. Monroe Street, Eagle Pass, Texas, on July 2, 2021 at 3:10 p.m.

A handwritten signature in black ink that reads "Placido Madera". The signature is written in a cursive style and is positioned above a horizontal line.

Placido C. Madera
Planning Director

Item #1

THE STATE OF TEXAS)
COUNTY OF MAVERICK)
CITY OF EAGLE PASS)

The Zoning Board of Adjustments and Appeals of the City of Eagle Pass held their Regular meeting on May 5, 2021, at 5:30 p.m. in the City Council Chambers of Eagle Pass City Hall, 100 S. Monroe Street. All legal notices were duly posted in accordance with the law.

ESTABLISHMENT OF QUORUM

Present: Chairperson, Eugenio Mireles, Jr.; Vice-Chairperson, Ruben Herrera; Board Members: Jessica Perez, Jesus Diaz-Wever, and Onesimo Elizondo

Absent: None

Staff present: Planning Director, Placido Madera, Assistant Planning Director, Mariebelle Rodriguez, and Records Management Specialist, Ita A. Cortinas

A quorum being present, Chairperson Mireles called the meeting to order, and the items were considered as follows:

CITIZENS COMMUNICATIONS

At this moment, anyone wishing to address the Board on any item was welcome to speak, keeping in mind that although the Board would be unable to take formal action on such item, they would be glad to take it under consideration.

There were not any citizens communication forms submitted.

MINUTES

1. Approval of the minutes of the April 7, 2021 meeting.

Motion: To approve the minutes, as presented.
Made: Elizondo
Second: Herrera
Ayes: 5
Nays: 0
Absent: 0

PUBLIC HEARING(S)

2. Public hearing on a variance request submitted by Joe Villa, to reduce the required off-street parking from fifty (50) spaces to twenty-nine (29) spaces, to allow for the construction of

an athletic gymnasium on property located at 2008 N. Bibb Ave; closing of public hearing and possible action.

Chairperson Mireles opened the public hearing at 5:38 p.m. and invited the public to express their comments.

Planning Director, Placido Madera provided the Board with details on the variance request and recommends the denial of the variance request, based on City Ordinance.

Mr. Joe Villa spoke, stating that he does not foresee the reduction in parking spaces being an issue because he does not anticipate much traffic, being that most of his clients are dropped off. He also mentioned that the gymnasium is for a very specific group of clientele, and therefore will not be open to the general public, per se.

There being no further comments from the public, Chairperson Mireles closed the public hearing at 6:10 p.m.

Motion: To approve the request of Mr. Joe Villa.
Made: Diaz-Wever
Second: Elizondo
Ayes: 5
Nays: 0
Absent: 0

ADJOURNMENT

Motion: To adjourn the meeting at 6:13 p.m.
Made: Elizondo
Second: Herrera
Ayes: 5
Nays: 0
Absent: 0

ATTEST:

Eugenio Mireles, Jr.
Chairperson

Ita A. Cortinas
Records Management Specialist

Item #2

The proposed and existing constructions measure as specified below:

- Existing addition and labeled #1 is approximately 1,159-square feet
- Future storage labeled #2 is approximately 200-feet
- Future carport labeled #3 is approximately 600-feet
- Existing fence is 7- feet high and 9 feet high in one section

and as shown in the attached proposed Site Layout. Projects are non-complaint with the following:

- Rear yard regulations set forth in Section 12(7)(c) of Appendix A - Zoning Ordinance
- Side yard regulations set forth in Section 5(c)(2) of Appendix A - Zoning Ordinance
- Fence height regulations set forth in Section 12(d)(1)(c) of Appendix A - Zoning Ordinance
- Fence impediment regulations set for in Section 23-94(k) of Chapter 23 Subdivisions
- Utility Easements regulations set forth in Section 23-62(b)(5) of Chapter 23 Subdivisions

Although the construction may comply with the Building Code it does not meet the Fire Code requirements. The construction labeled #1 is a risk as any exposed combustible material shall be covered with fire rated material to prevent any fire to spread from adjacent structures. Non-complaint structures are obstructing the utility easement located in rear of this property. Planning staff is concerned with the disruption of the neighborhood character that comes with this request.

12 notices were mailed to the abutting property owners within a 200 feet radius of the subject property.

Staff Recommendation

Staff recommends the **DENIAL** of the applicant's variance requests for property located at 3094 Calle Carr as existing and proposed construction do not meet City of Eagle Pass Code requirements as noted in the above-mentioned bullet points.



PLANNING DEPARTMENT

3295 Bob Rogers Drive, Eagle Pass, Texas 78852 • Phone: (830) 773-7781 • Fax: (830) 773-7803

VARIANCE APPLICATION (ZBAA)

#10209

Applicant Information	Name: <u>JESUS R. PEREZ</u>
	Mailing Address: <u>3094 CALLE CARR</u>
	Phone: <u>(830) 968-8391</u> E-mail: <u>j.r.p.securitysystems@live.com</u>
	Note: if you are not the owner of the property, you must attach a letter from the owner authorizing you to submit this application.

Property Owner Information	Name: <u>JESUS R. PEREZ</u>
	Mailing Address: <u>3094 CALLE CARR</u>
	Phone: <u>(830) 968-8391</u> E-mail: <u>j.r.p.securitysystems@live.com</u>

Property Information	Site Address: <u>3094 CALLE CARR</u> MCAD Property ID # <u>9503</u>
	Legal Description: Lot(s) <u>B</u> Block <u>2</u> Subdivision <u>57 Heights</u> (Property must be legally subdivided or be lot of record)
	Front Yard Width (feet) _____ Rear Yard Width (feet) _____ Side Yard Width (feet) _____

Description of Project:	<u>① Addition to storage room between already existing storage and cinder block fence wall.</u>
	<u>② Close in North-East corner of cinder block fence (existing) & add a roof for storage lawn mowers & ladders for protection of weather & thieves.</u>
	<u>③ Addition of a carport to protect from weather (Hail & Sun)</u>

Detailed Explanation of Variance Request
How does the strict application of the zoning code impose practical difficulties or particular hardship for your project? <u>I'm asking to build between existing storage and cinder block wall, inside the property which would inconvenience anyone. I'm in the process of installing gutters to divert any rain run off to the neighbors property. The cinder wall has been raised and changes framing changes have been made to accommodate the neighbor even though they weren't needed.</u>
How is your variance request consistent with the general purpose and intent of the zoning code? <u>It is needed to finish the construction of our project.</u>



How will the granting of the variance not merely serve as a convenience to you, but will alleviate some demonstrable hardship or difficulty so great as to warrant the variance? Granting the variance would alleviate hardship by allowing to use extra storage because I recently had open heart surgery and my daughter came to live with us, and another daughter that is in college had to return because of the pandemic and all their belongings are in need of storage.

Is your variance request necessary because of exceptional narrowness, shallowness, or shape of your property? No, but the existing storage room made it easier and least expensive by just adding (2) walls and using the existing cinder block fence as another wall.

Is your variance necessary because of exceptional topographical conditions or other extraordinary or exceptional situation or condition of your property?

No

Will the strict application of the zoning code result in peculiar and exceptional practical difficulties and particular hardship to you, and amount to a practical confiscation of the property and not a mere inconvenience? Yes, because I already spend money on building my project, work has been difficult with the pandemic situation. I had started without a building permit because I thought it wasn't needed. Previously I had gotten permits for the house remodel and for the privacy fence.

Will the granting of the variance create substantial detriment to the public good?

No, it would inconvenience anyone.

Will your variance impair an adequate supply of light and air to adjacent property? No, my home already has privacy fencing, as many homes in my neighborhood. The lots are very large so adequate supply of light and air is available.

Will your variance materially increase the traffic congestion on public streets? No, the storage room is on the opposite side of the street and could not impair any traffic.

Will your variance increase the public danger of fires and safety? No, I believe that
No fire hazard is present. Having the storage in the location
that it is helps my families safety, because illegals would hide
between the private wall and the storage room. I would continue
to find water bottles and sleeping bags before the walk were up.

Will your variance materially diminish or impair established property values within the surrounding area?

No, on the contrary # values would increase.

Will your variance impair the public health, safety, comfort, morals and welfare of the City of Eagle Pass?

No, In my opinion it should help boost the appearance
of our neighborhood.

Applicant Authorization

I authorize the City of Eagle Pass to conduct any site visits necessary to evaluate this variance application.

I hereby state that I have prepared this application and that, to the best of my knowledge, the information contained herein is complete, accurate, and a true representation of the variance request. I further attest that I have the authority to submit this application and agree to comply with any and all conditions of variance approval. I agree to provide any additional information requested by the City as they deem necessary for the processing of this application.


 Applicant Signature

Date

4/27/21

Office Use

Date Application Accepted for Review: 5-12-21 By: ML

Contact Date for Supplemental Info: NA Supplemental Info Received: NA

Completeness Review Date: 5-13-21 By: ML

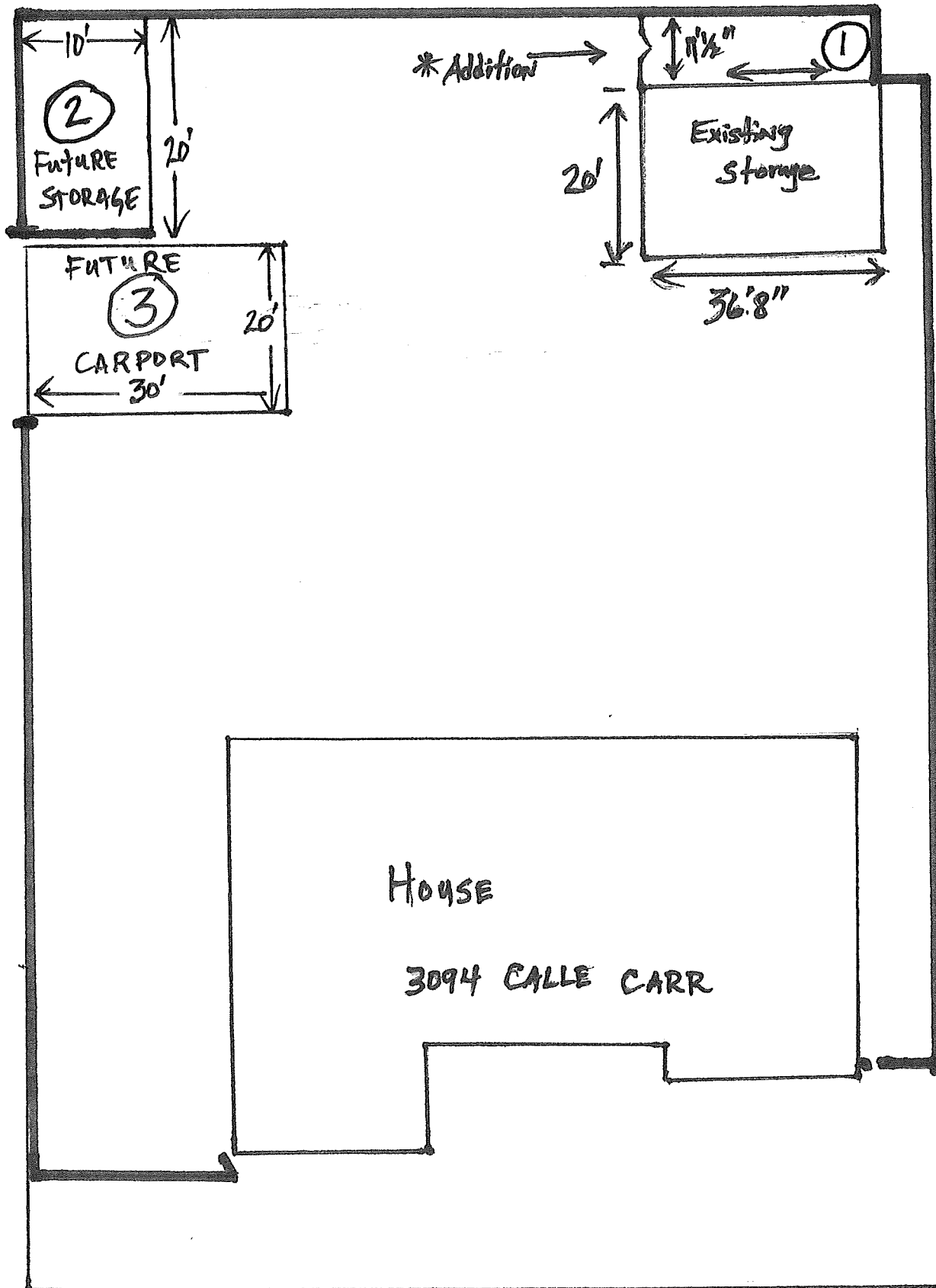
Application Returned to Applicant: NA (when applicable)

Note: Processing fee will be invoiced along with newspaper publication fee.

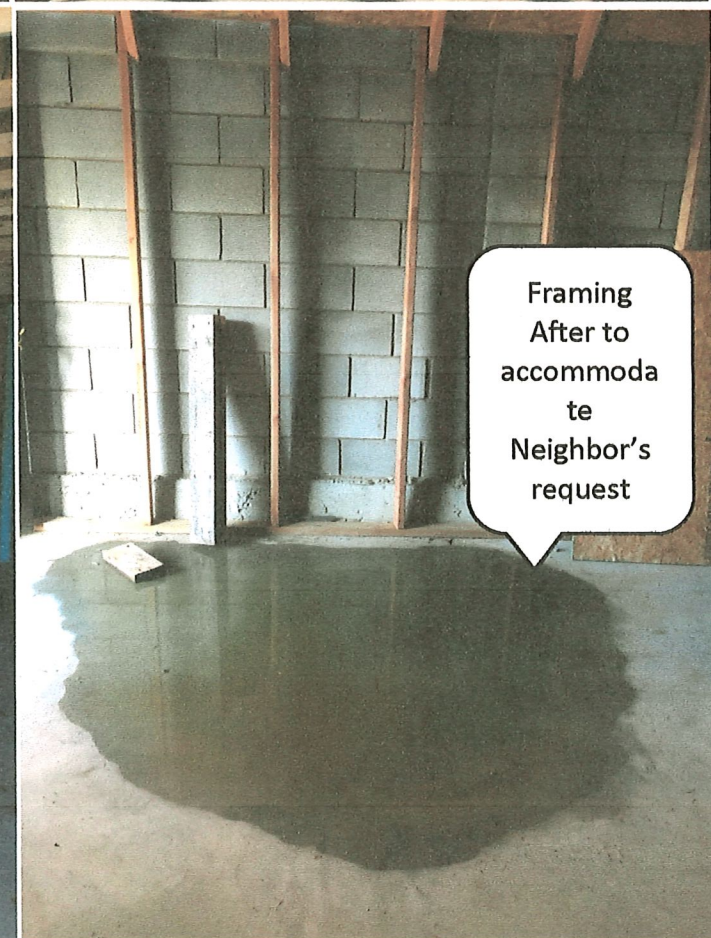
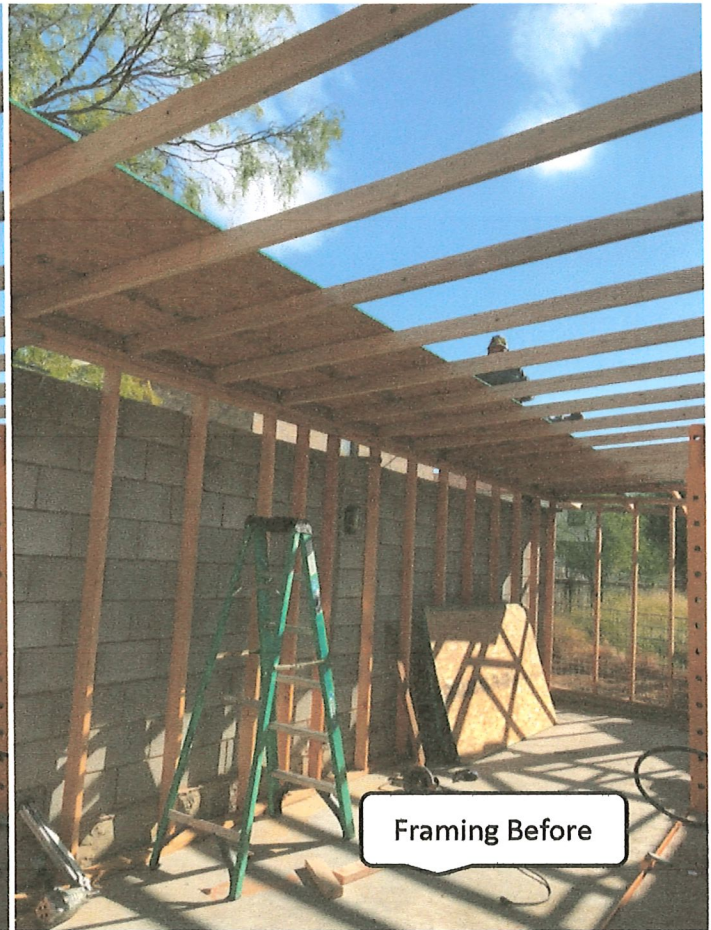
\$140 processing fee paid check #1357 ML

MR:9/2016

CHELO ST.

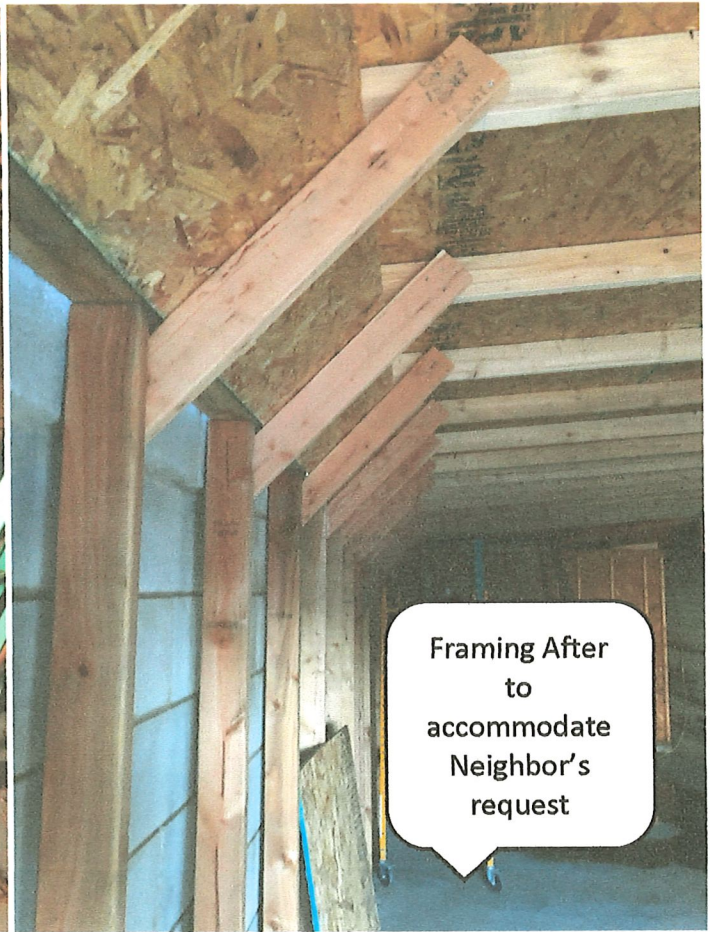


CARR ST.

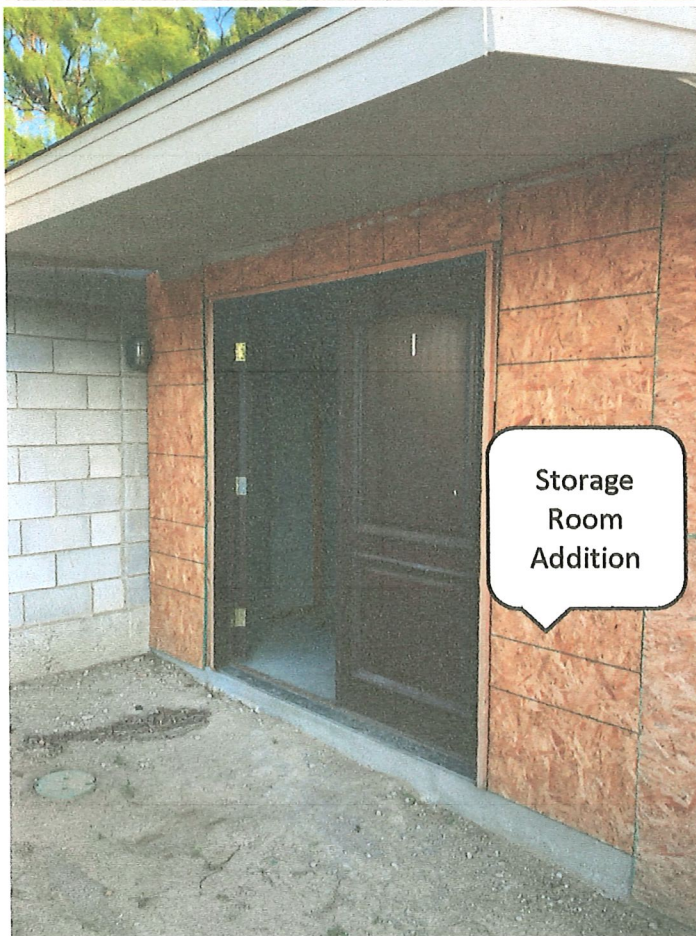




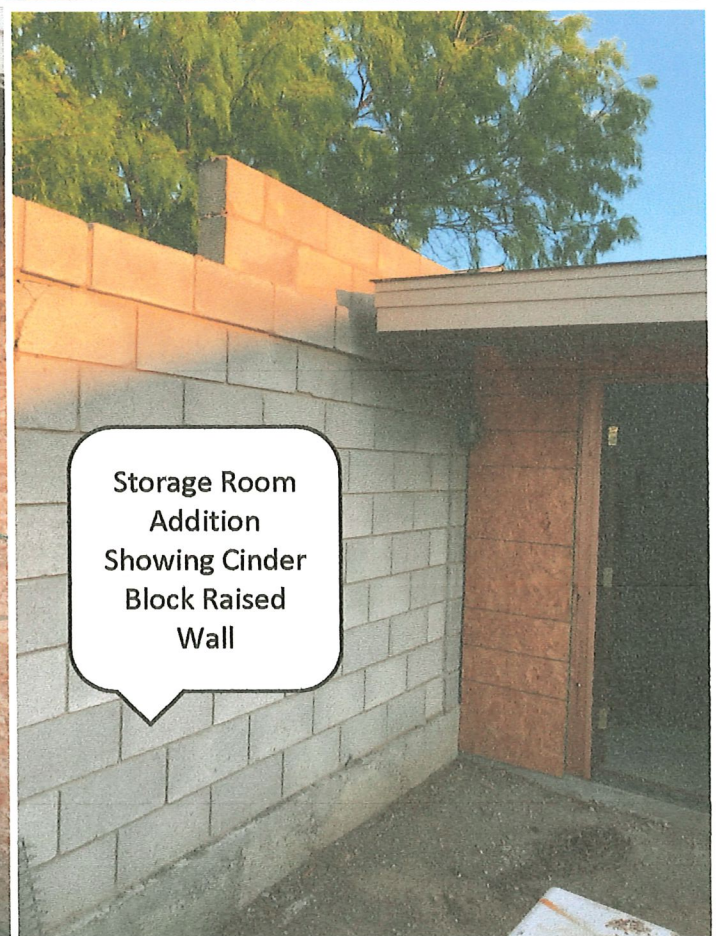
Framing After
to
accommodate
Neighbor's
request



Framing After
to
accommodate
Neighbor's
request

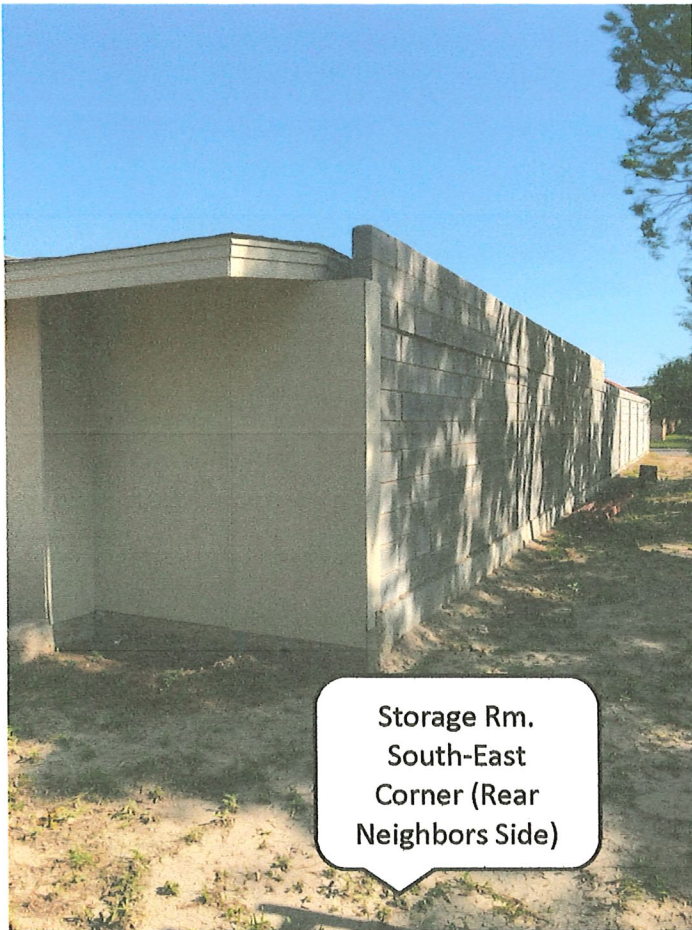


Storage
Room
Addition



Storage Room
Addition
Showing Cinder
Block Raised
Wall





Storage Rm.
South-East
Corner (Rear
Neighbors Side)



Home Showing
Gutters to be
Installed in
Storage Rm.

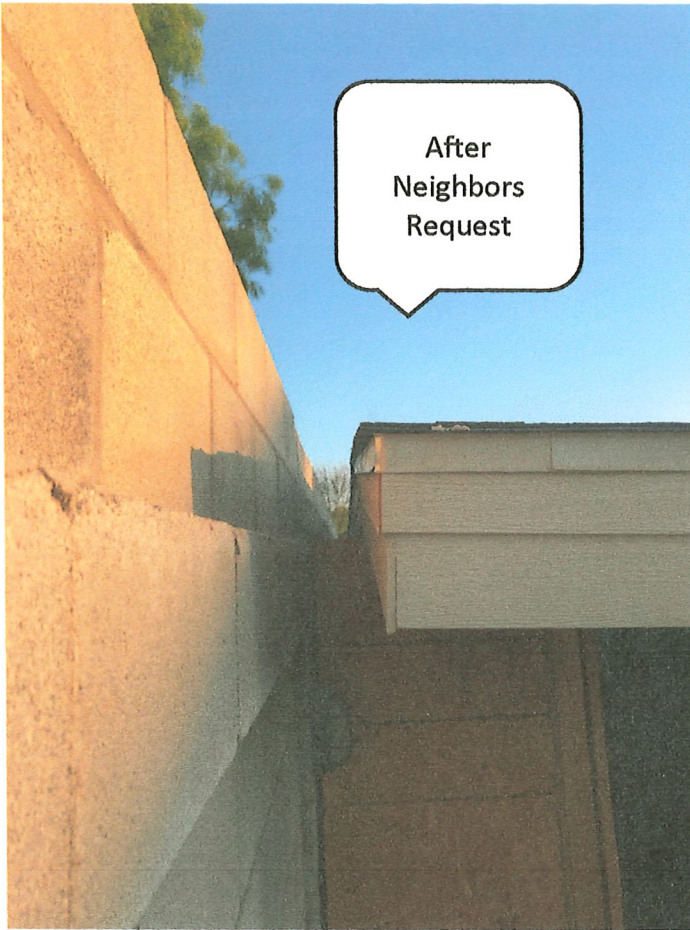
Gutters were installed on the home and monetary deposit has been given for installation in the storage room. Although, the gutter company is from Houston, Tx and the owner had two deaths in the family due to Covid. So, the gutter installation is currently postponed.



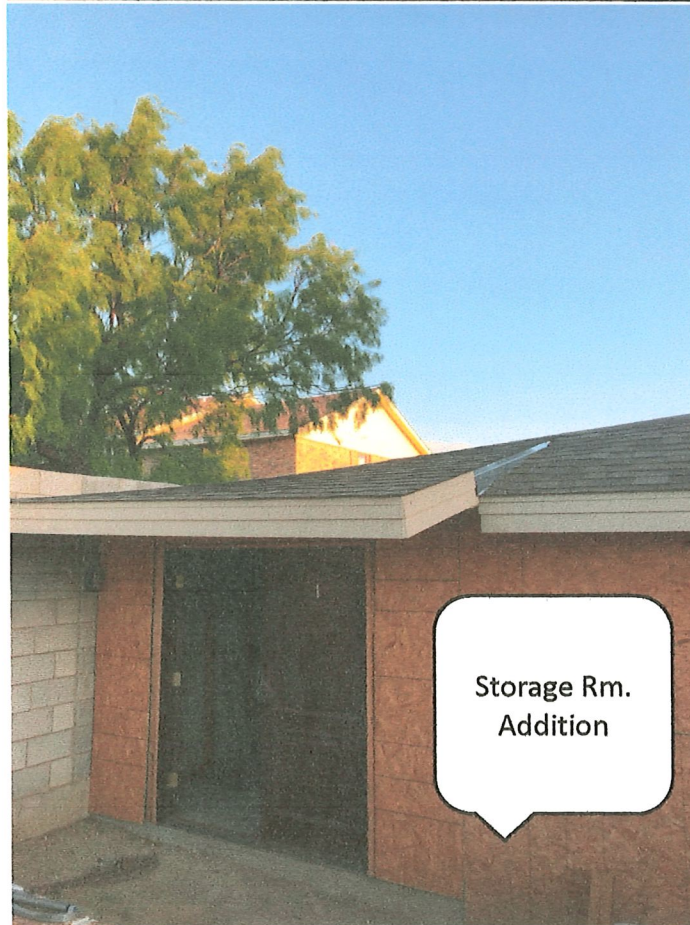
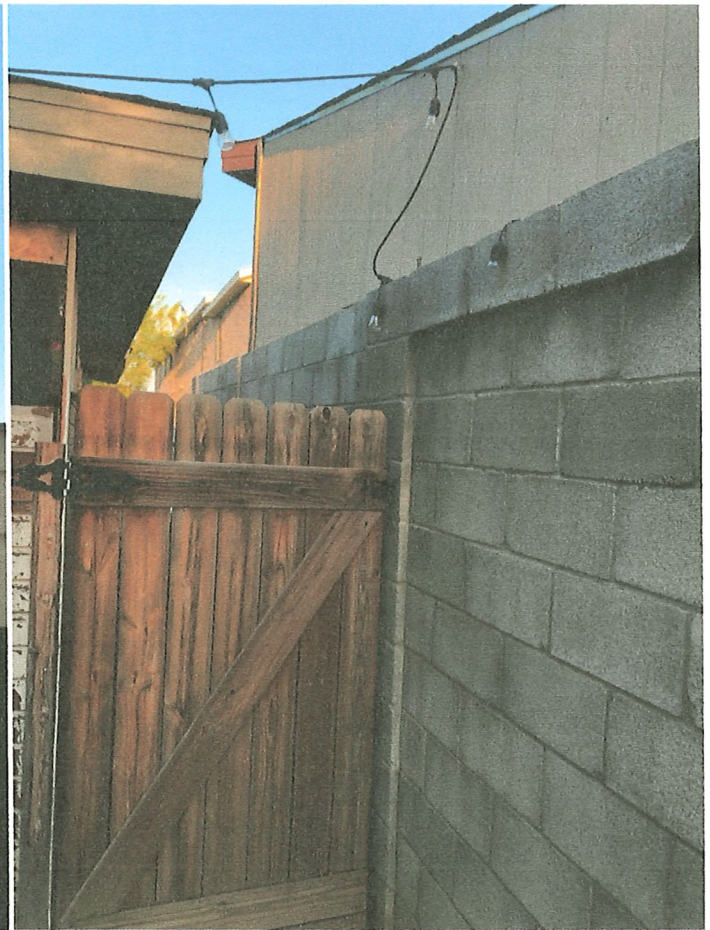
Future Storage (Project #2)



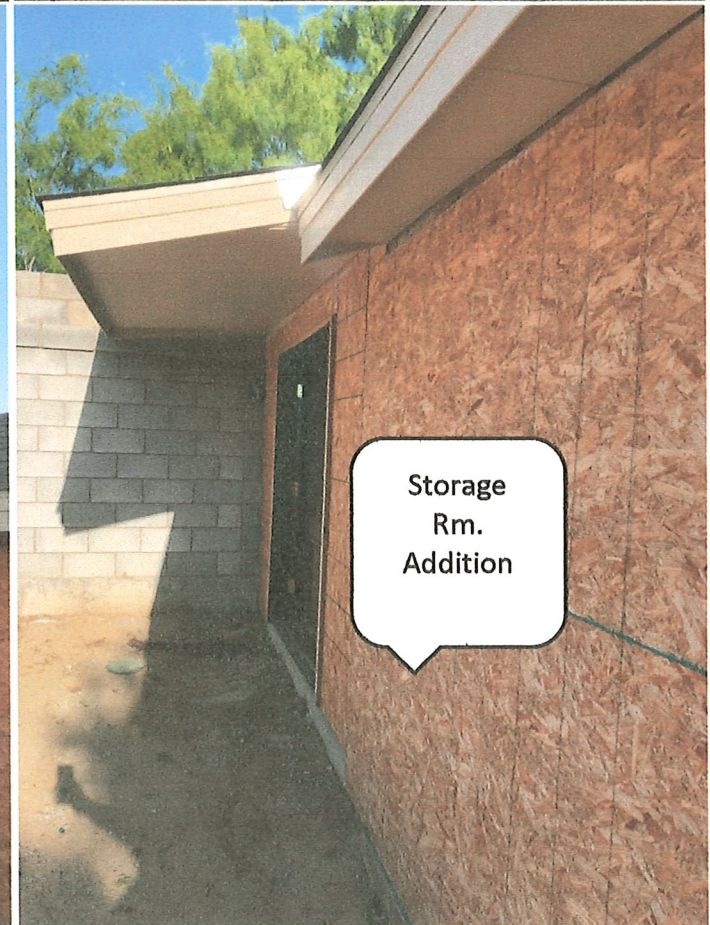
Future Carport (Project #3)



After
Neighbors
Request



Storage Rm.
Addition



Storage
Rm.
Addition

PID 9503 | 3094 CALLE CARR

Property Summary Report | Year 2021
Online Services | Maverick County Appraisal District

General Info

ACCOUNT
Property ID: **9503**
Geographic ID: **F2000020000800**
Type: **R**
Zoning:
Agent:
Legal Description: **FIFTY-SEVEN HEIGHTS, BLOCK 2, LOT 8**

Property Use:

LOCATION
Address: **3094 CALLE CARR EAGLE PASS TX 78852**
Market Area:
Market Area CD: **NHGA016**
Map ID:

PROTEST
Protest Status:
Informal Date:
Formal Date:

OWNER
Name: **PEREZ, JESUS R & IRMA G**
Secondary Name:
Mailing Address: **3094 CALLE CARR EAGLE PASS TX 78852**
Owner ID: **39348**
% Ownership: **100.00 %**
Exemptions: **HS**

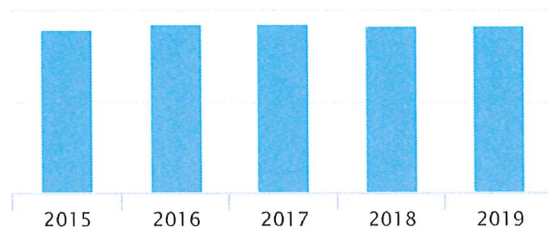


Values

CURRENT VALUES

Land Homesite	25,350
Land Non-Homesite	0
Special Use Land Market	0
Total Land	25,350
Improvement Homesite	161,150
Improvement Non-Homesite	0
Total Improvement	161,150
Market	186,500
Special Use Exclusion (-)	0
Appraised	186,500
Value Limitation Adjustment (-)	0
Net Appraised	186,500

VALUE HISTORY



Values for the current year are preliminary and are subject to change.

VALUE HISTORY

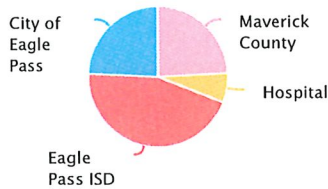
Year	Land Market	Improvement	Special Use Exclusion (-)	Appraised	Value Limitation Adj (-)	Net Appraised
2015	25,350	155,060	0	180,410	58,983	121,427
2016	25,350	160,870	0	186,220	46,840	139,380
2017	25,350	160,870	0	186,220	32,902	153,318
2018	25,350	159,580	0	184,930	16,280	168,650
2019	25,350	159,580	0	184,930	0	184,930

PID 9503 | 3094 CALLE CARR

Property Summary Report | Year 2021
Online Services | Maverick County Appraisal District

Taxing Units

Owner: **PEREZ, JESUS R & IRMA G**
% Ownership: **100 %**
Total Value: **186,500**



Unit	Description	Tax Rate	Net Appraised	Taxable Value	Estimated Tax
GMC	Maverick County	0.538571	186,500	186,500	1,004.43
HOS	Hospital	0.148960	186,500	186,500	277.81
SCH	Eagle Pass ISD	1.146640	186,500	161,500	1,851.82
CIT	City of Eagle Pass	0.540743	186,500	186,500	1,008.49
TOTAL TAX RATE:		2.374914			
* ESTIMATED TAXES WITH CURRENT EXEMPTIONS:					4,142.55
* ESTIMATED TAXES WITHOUT EXEMPTIONS:					4,429.21

* DO NOT PAY FROM THIS ESTIMATE. This is only an estimate provided for informational purposes and may not include any special assessments that may also be collected. Please contact the tax office for actual amounts.

Improvement

Improvement #1: **RESIDENTIAL**
State Code: **A1**

Improvement Value: **\$ 161,150**

Main Area: **2,763 sqft**
Gross Building Area: **4,519 sqft**

Type	Description	Class CD	Exterior Wall	Number of Units	EFF Year Built	Year Built	SQFT
MA	MAIN AREA	M4		0	1998	1997	1,418
ADDN	ADDITION	M4		0	2015	2014	1,345
CP	CARPORT	M4		0	1998	1997	483
OP	OPEN PORCH	M4		0	2015	2014	448
STGF	STORAGE FRAME	M4		0	2003	2002	423
OP	OPEN PORCH	M4		0	2015	2014	48
OP	OPEN PORCH	M4		0	1998	1997	32
SHED	SHED	SW		1	2003	2002	320

Improvement Features

MA Construction Style: **F** Exterior Wall: **BV** Plumbing: **2** Interior Finish: **SR** Roof Style: **H,CS** Heating/Cooling:
CA,CH Flooring: **T,C** Foundation: **S**

PID 9503 | 3094 CALLE CARR

Property Summary Report | Year 2021
Online Services | Maverick County Appraisal District

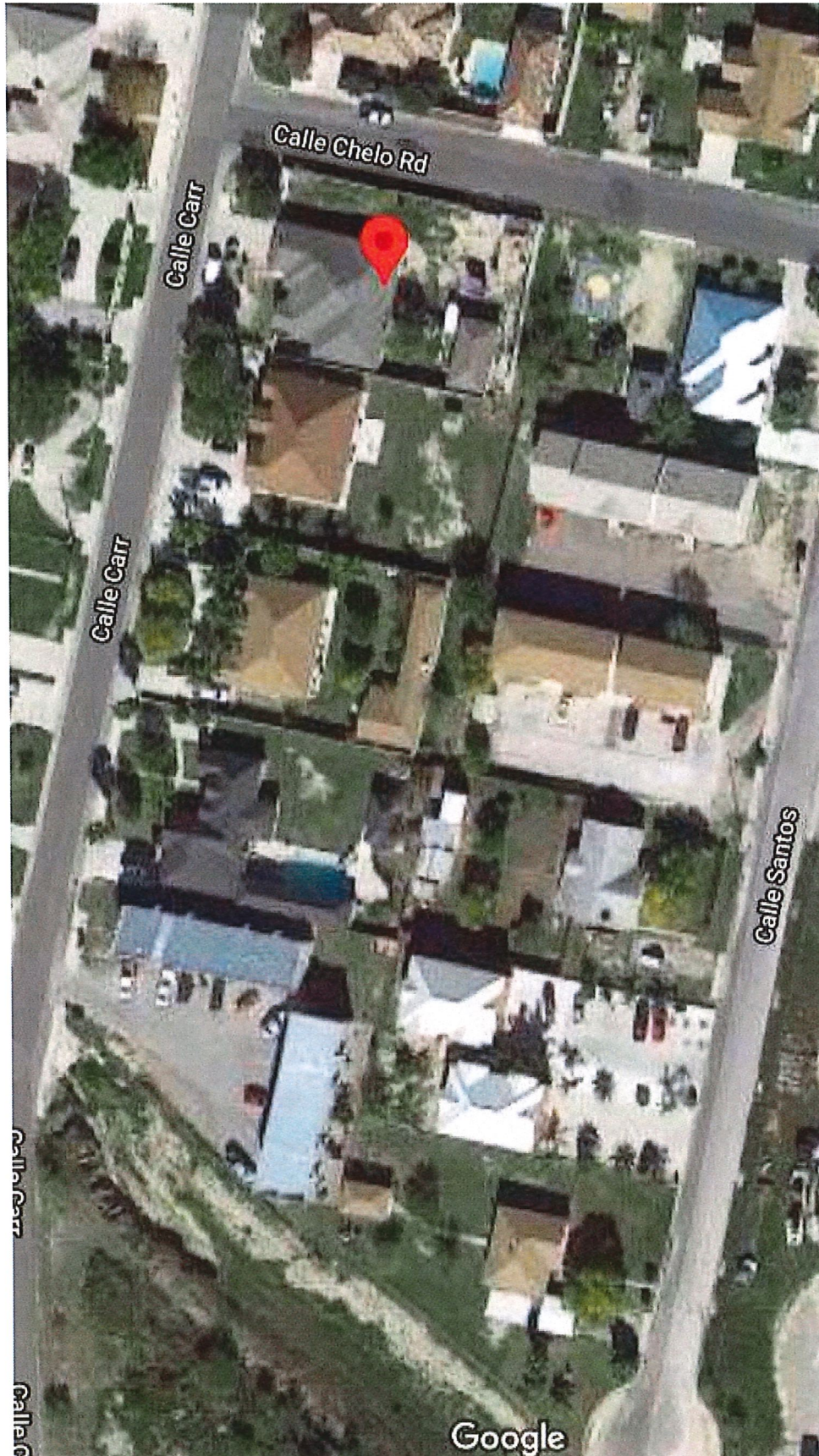
Land

Land	Description	Acres	SQFT	Cost per SQFT	Market Value	Special Use Value ⓘ
RS	RES SINGLE FAMILY	0.39	16,900.00	1.50	25,350	0

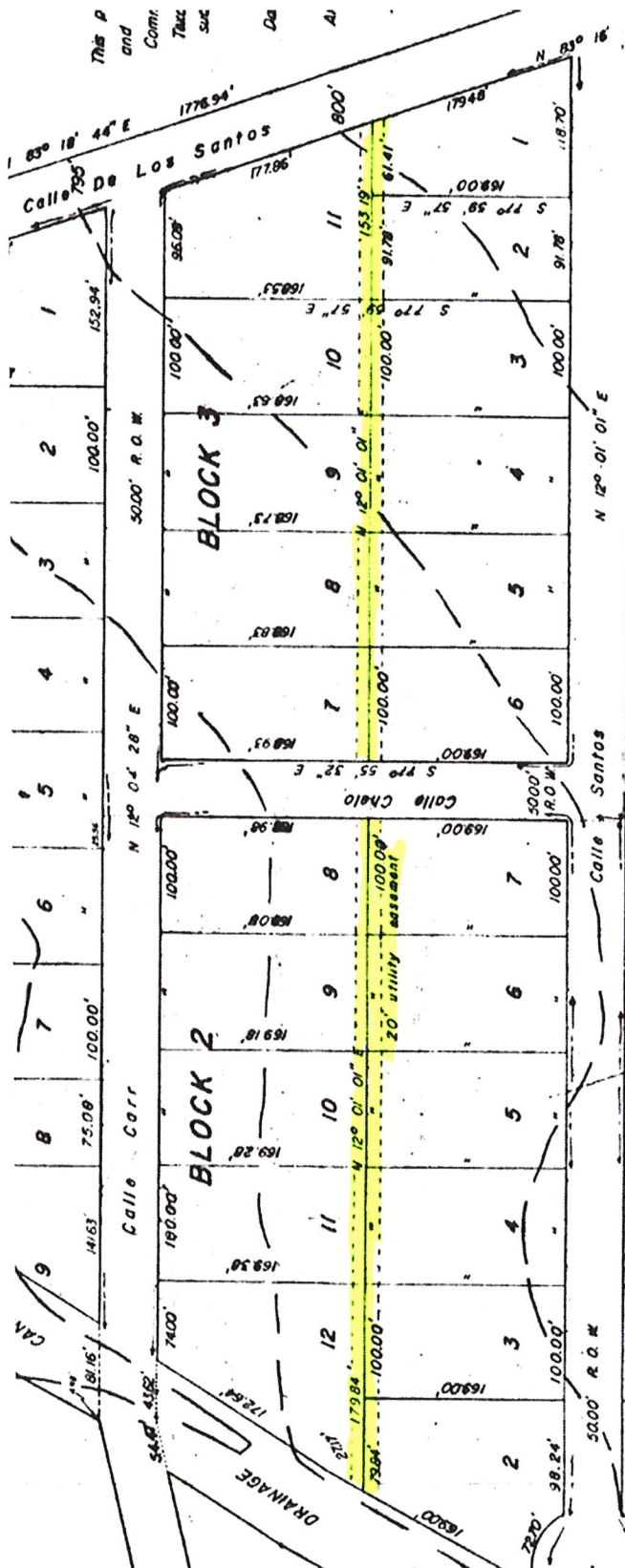
Deed History

Deed Date	Type	Description	Grantor/Seller	Grantee/Buyer	Book ID	Volume	Page	Instrument
1997-05-19	WD	WARRANTY DEED	EL DORADO BUILDERS INC	PEREZ, JESUS R & IRMA G	457	457	308	
1997-01-30	WD	WARRANTY DEED	SCHMERBER, TOM & BLANCA L	EL DORADO BUILDERS INC	449	449	60	
1997-01-24	WD	WARRANTY DEED		SCHMERBER, TOM & BLANCA L	447	447	177	

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Recorded Plat



Item #3



Planning Department
Report to the Zoning Board of Adjustment and Appeals

I. APPLICANT & PROPERTY INFORMATION

Applicant: Ernesto Fuentes Case #6422
Location: 226 Ceylon Street
Legal Desc: New Range Unit # 1, Block 2, Loy 4-6, (North 35 ft of Lot 4, Less North 5 ft of West 65 ft of Lot 5, & less West 65 ft of Lot 6)
MCAD PIN: 13690
Parcel Size: 15,164-square feet
Existing Use: Commercial Development
Zoning: B-2 General Business District
Master Plan: Commercial
Request: Reduction of required front setback to allow to keep and alter the existing sign.

II. CURRENT CONDITIONS

Infrastructure: Property is serviced by public utilities/franchises
Vegetation: commercial landscaping
Vicinity: Property is bordered by a mix of commercial and residential developments.

III. STAFF ANALYSIS

Applicant is requesting a reduction of required front building setback area , to allow for the alteration of a an existing sign on property located at 236 Ceylon Street as shown in Figure 1.

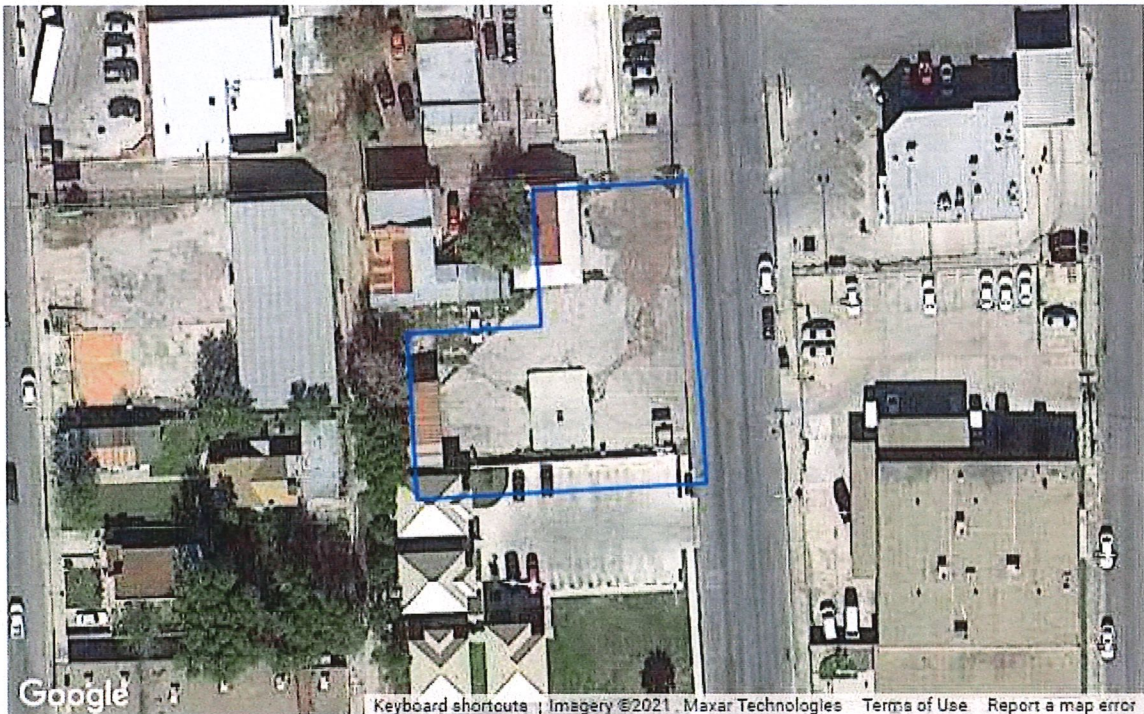


Figure 1. Area Map

If variance was to be granted the proposed construction as shown in the enclosed proposed Site Layout will be located at one (1) foot from the property line deviating from the 10-foot minimum requirement set forth by Section 15(h)(c) of Appendix a – Zoning Ordinance. Planning Staff is concerned with the hazards projected with the sign obstruction that may contribute to traffic accidents as visibility from the private property to the right of way is limited.

Sixteen notices were mailed to the abutting property owners within a 200 foot radius of the subject property.

Staff Recommendation

Staff recommends the **DENIAL** of the applicant's variance as this is non-compliant with the sign and billboard regulations as set forth by Section 15(h)(c) of Appendix a – Zoning Ordinance, for property located at 269 Ceylon Street.



PLANNING DEPARTMENT

3295 Bob Rogers Drive, Eagle Pass, Texas 78852 • Telephone: (830) 773-7781 • Fax: (830) 773-7803
www.eaglepasstx.us • planning@eaglepasstx.us

VARIANCE APPLICATION (ZBAA)

Case No. 10422

Applicant Information	Name: <u>Ernesto Fuentes</u>
	Mailing Address: <u>269 Ceylon St Eagle Pass Texas</u>
	Phone: <u>830-968-0033</u> E-mail: <u>Ernesto@efuenteslaw.com</u>
	<u>Note: if you are not the owner of the property, you must attach a letter from the owner authorizing you to submit this application.</u>

Property Owner Information	Name: <u>Gonzalez and Associates</u>
	Mailing Address: <u>269 Ceylon St. Eagle Pass Texas</u>
	Phone: <u>830-757-8323</u> E-mail: _____

Property Information	Site Address: <u>269 Ceylon Street</u> MCAD Property ID # <u>13690</u>
	Legal Description: Lot(s) <u>4-6</u> Block <u>2</u> Subdivision <u>New range Unit #1</u> (Property must be legally subdivided or be lot of record) <u>See enclosed prop. info.</u>
	Front Yard Width (feet) _____ Rear Yard Width (feet) _____ Side Yard Width (feet) _____

Description of Project:
Placement of electronic sign within the setback

Detailed Explanation of Variance Request
How does the strict application of the zoning code impose practical difficulties or particular hardship for your project?
Folowing the set back regulations, would disrupt the current ADA ramp

How is your variance request consistent with the general purpose and intent of the zoning code?
We feel the variance request outweighs the prejudice of having to modify the ADA ramp.

How will the granting of the variance not merely serve as a convenience to you, but will alleviate some demonstrable hardship or difficulty so great as to warrant the variance?

since we are a personal injury lawfirm we have, injured clients who constantly use the ramp, in a wheelchair or in crutches.

Is your variance request necessary because of exceptional narrowness, shallowness, or shape of your property?

not necessarily.

Is your variance necessary because of exceptional topographical conditions or other extraordinary or exceptional situation or condition of your property?

NO

Will the strict application of the zoning code result in peculiar and exceptional practical difficulties and particular hardship to you, and amount to a practical confiscation of the property and not a mere inconvenience?

IT would be a hardship, since this is really the only spot to afix the sign, but we do not wantt to disrupt the ADA ramp

Will the granting of the variance create substantial detriment to the public good?

No, on the other hand it will allow us to keep the ramp as is.

Will your variance impair an adequate supply of light and air to adjacent property?

No

Will your variance materially increase the traffic congestion on public streets?

NO

Will your variance increase the public danger of fires and safety?

NO

Will your variance materially diminish or impair established property values within the surrounding area?

NO

Will your variance impair the public health, safety, comfort, morals and welfare of the City of Eagle Pass?

No, this sign will be for self promotion and will only allow us to more adversting

Applicant Authorization

I authorize the City of Eagle Pass to conduct any site visits necessary to evaluate this variance application.

I hereby state that I have prepared this application and that, to the best of my knowledge, the information contained herein is complete, accurate, and a true representation of the variance request. I further attest that I have the authority to submit this application and agree to comply with any and all conditions of variance approval. I agree to provide any additional information requested by the City as they deem necessary for the processing of this application.

Applicant Signature

Date

Office Use

Date Application Accepted for Review: 6/1/21 By: PM

Contact Date for Supplemental Info: 6-3-21 Supplemental Info Received: 6-4-21

Completeness Review Date: 6/4/21 By: WR

Application Returned to Applicant: NR (when applicable)

Note: Processing fee of \$100.00. will be invoiced. WR

MR:6/2020

PID 13690 | 269 CEYLON ST

Property Summary Report | Year 2021
Online Services | Maverick Appraisal District

General Info

ACCOUNT
Property ID: 13690
Geographic ID: N5001020000400
Type: R
Zoning: B2
Agent:
Legal Description: NEW RANGE UNIT # 1, BLOCK 2, LOT 4-6, (NORTH 35 FT OF LOT 4, LESS NORTH 5 FT OF WEST 65 FT OF LOT 5, & LESS WEST 65 FT OF LOT 6)

OWNER
Name: GONZALEZ, ANTONIO & HECTOR
Secondary Name:
Mailing Address: 269 CEYLON ST EAGLE PASS TX 78852
Owner ID: 106590
% Ownership: 100.00 %
Exemptions:



Property Use:

LOCATION
Address: 269 CEYLON ST EAGLE PASS TX 78852
Market Area:
Market Area CD: NHGA039
Map ID:

PROTEST
Protest Status:
Informal Date:
Formal Date:

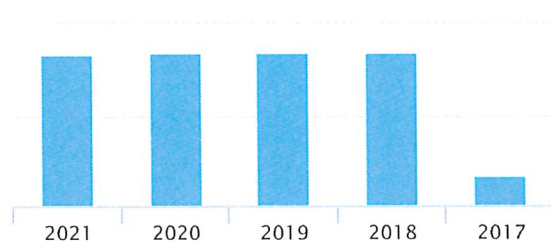


Values

CURRENT VALUES

Land Homesite 0
Land Non-Homesite 113,730
Special Use Land Market 0
Total Land 113,730
Improvement Homesite 0
Improvement Non-Homesite 719,996
Total Improvement 719,996
Market 833,726
Special Use Exclusion (-) 0
Appraised 833,726
Value Limitation Adjustment (-) 0
Net Appraised 833,726

VALUE HISTORY



Values for the current year are preliminary and are subject to change.

VALUE HISTORY

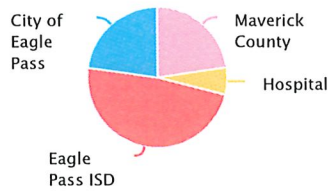
Year	Land Market	Improvement	Special Use Exclusion (-)	Appraised	Value Limitation Adj (-)	Net Appraised
2021	113,730	719,996	0	833,726	0	833,726
2020	113,730	729,840	0	843,570	0	843,570
2019	113,730	729,840	0	843,570	0	843,570
2018	113,730	729,840	0	843,570	0	843,570
2017	113,730	51,860	0	165,590	0	165,590

PID 13690 | 269 CEYLON ST

Property Summary Report | Year 2021
Online Services | Maverick Appraisal District

Taxing Units

Owner: **GONZALEZ, ANTONIO & HECTOR**
% Ownership: **100 %**
Total Value: **833,726**



Unit	Description	Tax Rate	Net Appraised	Taxable Value	Estimated Tax
GMC	Maverick County	0.538571	833,726	833,726	4,490.21
HOS	Hospital	0.148960	833,726	833,726	1,241.92
SCH	Eagle Pass ISD	1.146640	833,726	833,726	9,559.84
CIT	City of Eagle Pass	0.540743	833,726	833,726	4,508.31
TOTAL TAX RATE:		2.374914			
* ESTIMATED TAXES WITH CURRENT EXEMPTIONS:					19,800.28
* ESTIMATED TAXES WITHOUT EXEMPTIONS:					19,800.28

* DO NOT PAY FROM THIS ESTIMATE. This is only an estimate provided for informational purposes and may not include any special assessments that may also be collected. Please contact the tax office for actual amounts.

Improvement

Improvement #1: **COMMERCIAL**
State Code: **F1**

Improvement Value: **\$ 719,996**

Main Area: **16,282 sqft**
Gross Building Area: **21,566 sqft**

Type	Description	Class CD	Exterior Wall	Number of Units	EFF Year Built	Year Built	SQFT
MA	MAIN AREA	POGF		0	2018	2017	8,141
CACH	CENTRAL AIR, CENTRAL HEAT	GD		1	2018	2017	8,141
AGF2	ATTACHED GARAGE FINISHED, 2 CAR	POGF		0	2018	2017	484
CONC	CONCRETE	4IN		1	2018	2017	4,680
CNPY1	CANOPY	POGF		0	2018	2017	120

Improvement Features

MA Construction Style: **F** Exterior Wall: **ST** Plumbing: **3** Interior Finish: **SR** Roof Style: **F,MT** Flooring: **T** Foundation: **S**

PID 13690 | 269 CEYLON ST

Property Summary Report | Year 2021
Online Services | Maverick Appraisal District

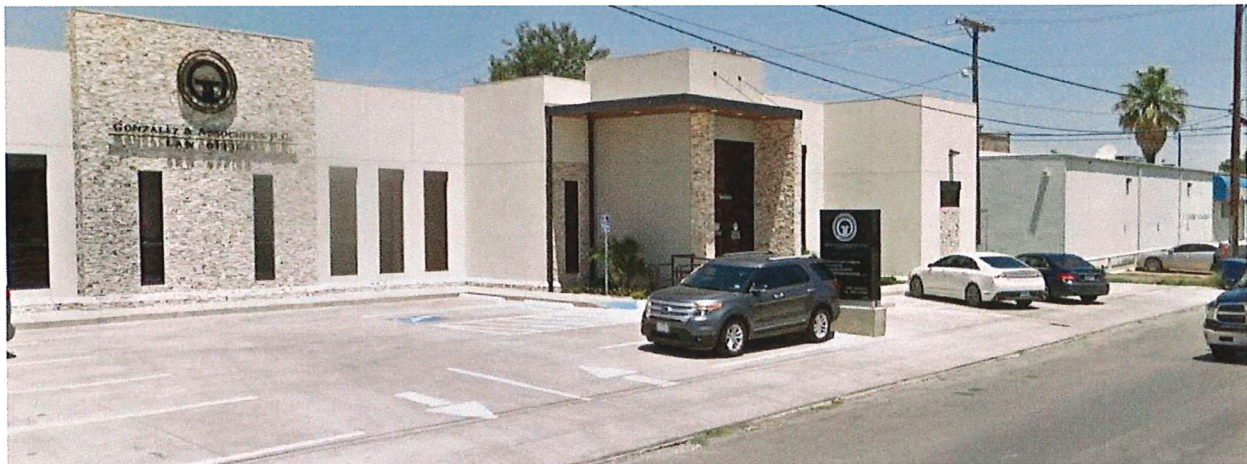
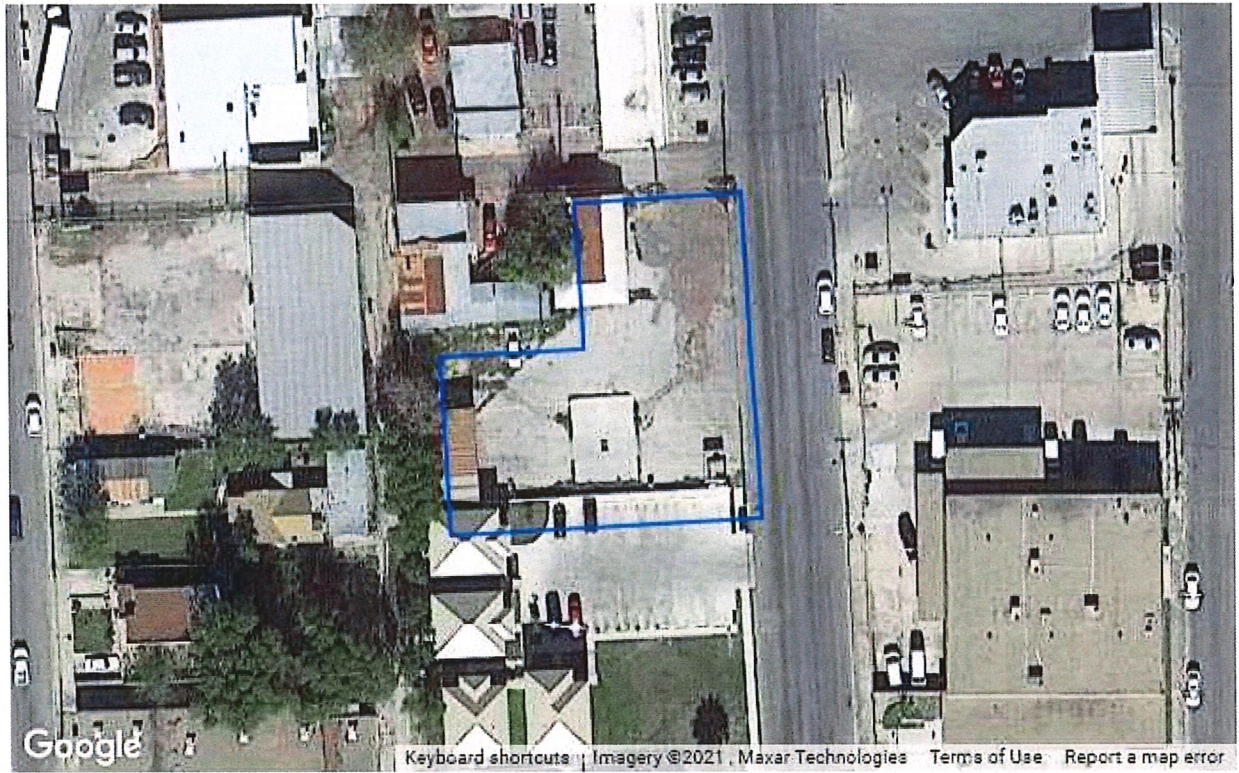
Land

Land	Description	Acres	SQFT	Cost per SQFT	Market Value	Special Use Value ⓘ
CC	COMMERCIAL CITY	0.35	15,164.00	7.50	113,730	0

Deed History

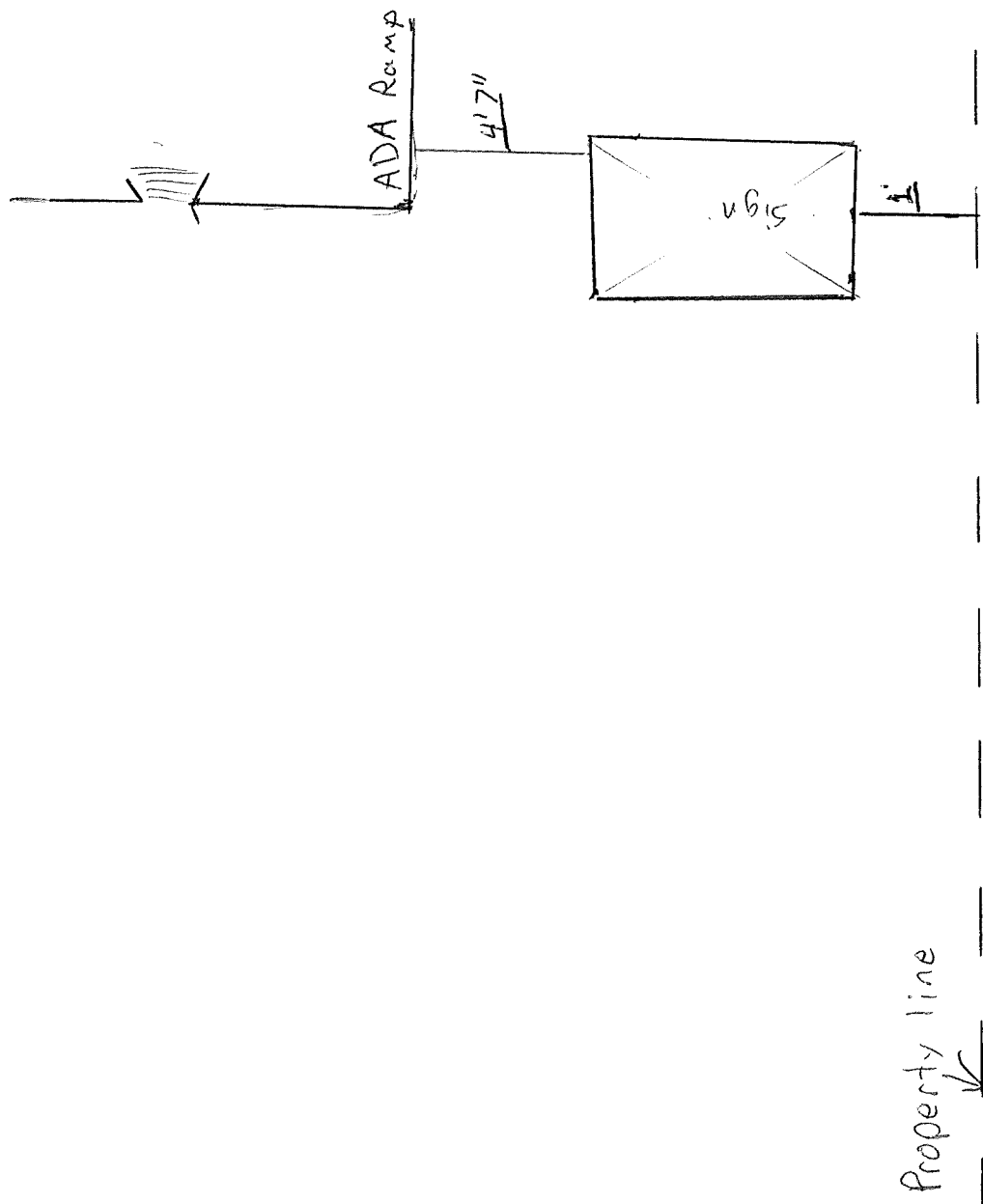
Deed Date	Type	Description	Grantor/Seller	Grantee/Buyer	Book ID	Volume	Page	Instrument
2015-10-01	WD	WARRANTY DEED	GONZALEZ, DIANA M	GONZALEZ, ANTONIO & HECTOR	1542	1542	111	188544
1970-06-02	LW	LAST WILL OR TESTAMENT	GONZALEZ, VIDAL, GONZALEZ, VIDAL & DIANA	GONZALEZ, DIANA M				
1957-09-26	D	DEED	TREVIÑO, MAURO & ELENA CARTER	GONZALEZ, VIDAL & DIANA	53	53	164	

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Legacy Map / Recorded Plat

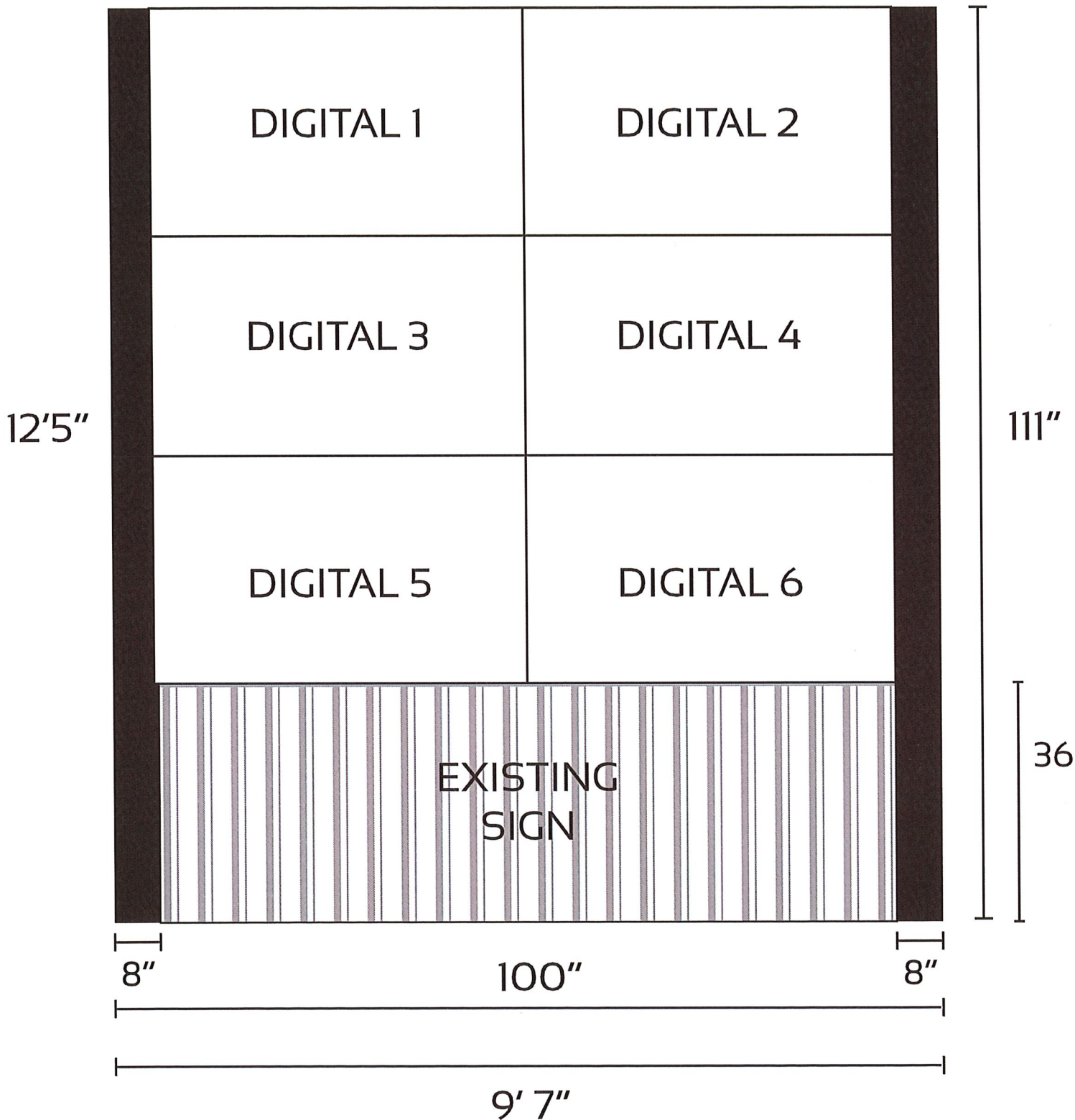




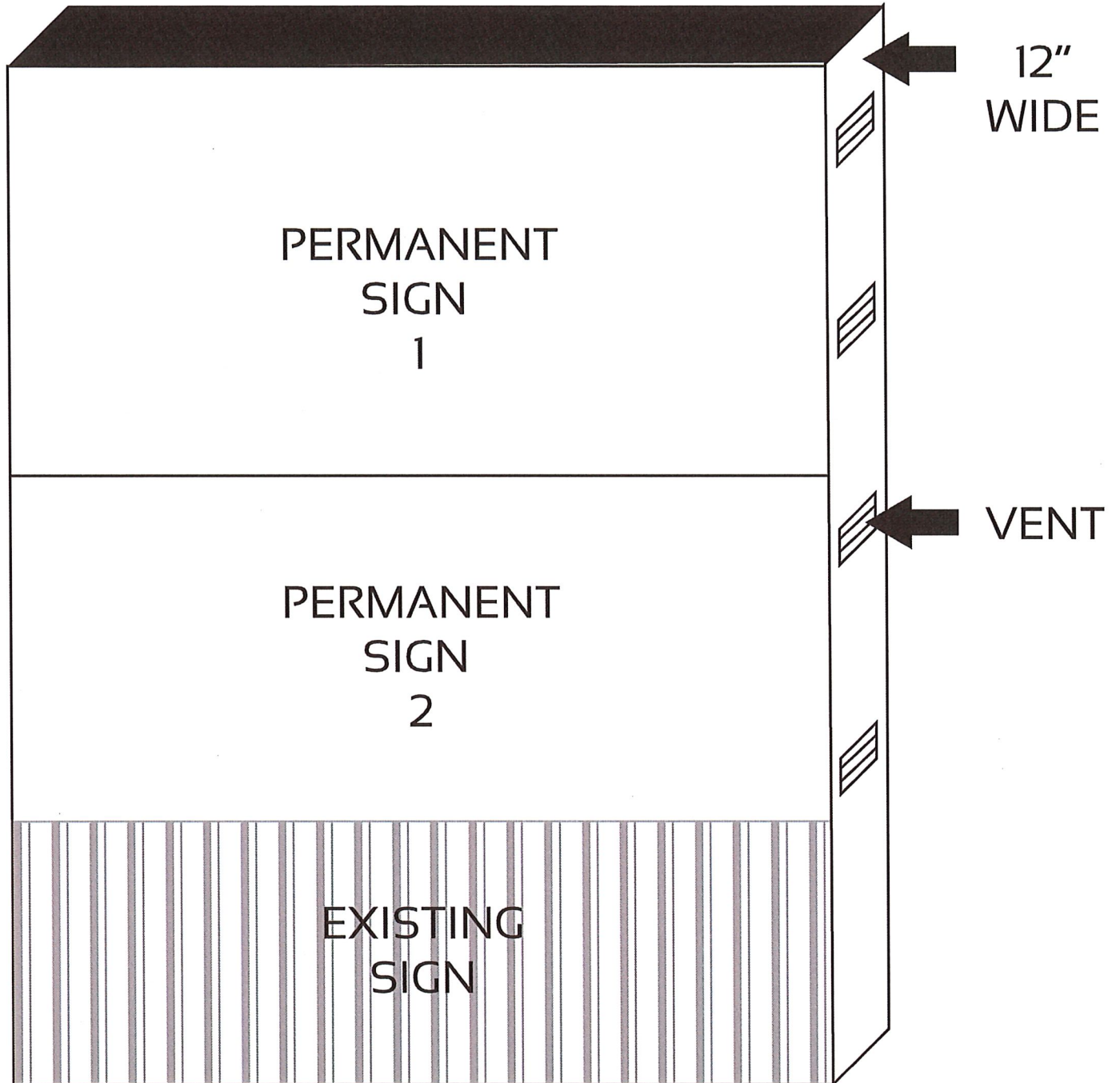
269 Ceylon

DIGITAL FRONT VIEW

9'3" H X 8'4" L



REAR AREA





GONZALEZ & ASSOCIATES P.C.
LAW OFFICE

PERSONAL INJURY ATTORNEYS
CAR ACCIDENTS
18 WHEELER ACCIDENTS
WRONGFUL DEATH ACCIDENTS

269 N. CEYLON ST.
TEL. (830) 757-8323



Item #4



Planning Department
Report to the Zoning Board of Adjustment and Appeals

I. APPLICANT & PROPERTY INFORMATION

Applicant:	Mauricio Perches Jr	Case #6435
Location:	1204 Bryan Street	
Legal Desc:	Lot 1, Block 1, South Heights Unit 1	
MCAD PIN:	19462	
Parcel Size:	7,000-square feet	
Existing Use:	Vacant	
Zoning:	R-3 Duplex District	
Master Plan:	Residential	
Request:	Reduction of side yard building setback area from 10 feet to 5-feet for the construction of a new home.	

II. CURRENT CONDITIONS

Infrastructure: Property is serviced by public utilities/franchises
Vicinity: Property is bordered by residential developments

III. STAFF ANALYSIS

Applicant is requesting a side yard building setback reduction from 10 feet to 5 feet to accommodate the construction of a new home at property located at Bryan Street and Pierce Street as shown in Figure 1.



Figure 1. Area Map

The proposed construction measure approximately 2,800-square feet as shown in the attached proposed Preliminary Site Layout. Although the construction will conform with all applicable building codes it does not meet the requirements set forth in the Zoning Ordinance of the City of Eagle Pass. Planning staff is concerned with the visibility obstruction caused by encroachment of a side or front setback on a corner lot. Setback encroachment also is a disruption of the neighborhood character. However, two nearby properties encroach on the front yard setback.

14 notices were mailed to the abutting property owners within a 200 feet radius of the subject property.

Staff Recommendation

Staff recommends the **DENIAL** of the applicant's variance request of a reduction to the side yard building setback from 10 feet to 6 feet, for property located at 1204 Bryan Street, as it does not conform with the regulations set forth in Section 7(c)(2) of Appendix A - Zoning Ordinance.



PLANNING DEPARTMENT

3295 Bob Rogers Drive, Eagle Pass, Texas 78852 • Telephone: (830) 773-7781 • Fax: (830) 773-7803
www.eaglepasstx.us • planning@eaglepasstx.us

VARIANCE APPLICATION (ZBAA)

Case No. 4435

Applicant Information	Name: <u>Mauricio Perches Jr</u>
	Mailing Address: <u>1902 Southwood Dr</u>
	Phone: <u>956-337-2638</u> E-mail: <u>mauricio_perches@yahoo.com</u>
	<u>Note: if you are not the owner of the property, you must attach a letter from the owner authorizing you to submit this application.</u>

Property Owner Information	Name: <u>Mauricio Perches Jr and Esmeralda Gonzalez</u>
	Mailing Address: <u>1902 Southwood Dr</u>
	Phone: <u>956-337-2638</u> E-mail: <u>mauricio_perches@yahoo.com</u>

Property Information	Site Address: <u>1204 Bryan St</u> MCAD Property ID # <u>19462</u>
	Legal Description: Lot(s) <u>1</u> Block <u>1</u> Subdivision <u>South Heights Unit #1</u> (Property must be legally subdivided or be lot of record)
	Front Yard Width (feet) <u>50</u> Rear Yard Width (feet) <u>50</u> Side Yard Width (feet) <u>140</u>

Description of Project:
<u>New residential home</u>

Detailed Explanation of Variance Request
How does the strict application of the zoning code impose practical difficulties or particular hardship for your project?
<u>Because on one side I have to leave 5 feet as a setback and on the other end I have to leave 10 feet as a setback since it's a corner lot.</u>
<u>I would like to maximize the width of the property to build the house at least 40 feet wide versus 35 feet wide only.</u>
<u>I could use those extra 5 feet to my advantage since the new house is going to be 40X75 instead of 35X75. If the variance request is accepted, I could use those extra 375 sq ft.</u>

How is your variance request consistent with the general purpose and intent of the zoning code?
<u>It is consistent with the general purpose and intent of the zoning code because I am asking for 5 feet to build the house 40 feet wide instead of 35</u>
<u>feet wide. It doesn't deviate from the zoning code because it's being used to build a residence.</u>

How will the granting of the variance not merely serve as a convenience to you, but will alleviate some demonstrable hardship or difficulty so great as to warrant the variance?
It will not be a convenience to me only because if the variance request is granted, more property taxes are going to be
paid for the extra square feet that I am requesting.

Is your variance request necessary because of exceptional narrowness, shallowness, or shape of your property?
Yes. Because of the narrowness of the property.

Is your variance necessary because of exceptional topographical conditions or other extraordinary or exceptional situation or condition of your property?
N/A

Will the strict application of the zoning code result in peculiar and exceptional practical difficulties and particular hardship to you, and amount to a practical confiscation of the property and not a mere inconvenience?
Yes

Will the granting of the variance create substantial detriment to the public good?
No

Will your variance impair an adequate supply of light and air to adjacent property?
No

Will your variance materially increase the traffic congestion on public streets?
No

Will your variance increase the public danger of fires and safety?
No

Will your variance materially diminish or impair established property values within the surrounding area?
No

Will your variance impair the public health, safety, comfort, morals and welfare of the City of Eagle Pass?
No

Applicant Authorization	I authorize the City of Eagle Pass to conduct any site visits necessary to evaluate this variance application. I hereby state that I have prepared this application and that, to the best of my knowledge, the information contained herein is complete, accurate, and a true representation of the variance request. I further attest that I have the authority to submit this application and agree to comply with any and all conditions of variance approval. I agree to provide any additional information requested by the City as they deem necessary for the processing of this application.
	Applicant Signature _____ Date _____

Office Use	Date Application Accepted for Review: <u>6/17/21</u> By: <u>AK</u>
	Contact Date for Supplemental Info: <u>NA</u> Supplemental Info Received: <u>NA</u>
	Completeness Review Date: <u>6/17/21</u> By: <u>AK</u>
	Application Returned to Applicant: <u>NA</u> (when applicable)
	Note: Processing fee of \$100.00. <u>will be invoiced. AK</u>

PID 19462 | 229 PIERCE

Property Summary Report | Year 2021
Online Services | Maverick County Appraisal District

General Info

ACCOUNT
Property ID: **19462**
Geographic ID: **S5501010000100**
Type: **R**
Zoning: **R3**
Agent:
Legal Description: **SOUTH HEIGHTS UNIT # 1, BLOCK 1, LOT 1**

Property Use:

LOCATION
Address: **229 PIERCE STREET EAGLE PASS TX 78852**
Market Area:
Market Area CD: **NHGA028**
Map ID:

PROTEST
Protest Status:
Informal Date:
Formal Date:

OWNER
Name: **PERCHES, MAURICIO JR. & ESMERALD A GONZALEZ**
Secondary Name:
Mailing Address: **1902 SOUTHWOOD DR EAGLE PASS TX US 78852**
Owner ID: **117903**
% Ownership: **100.00 %**
Exemptions:

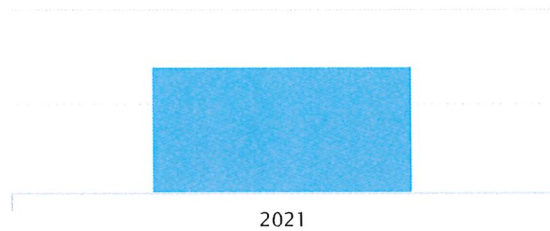


Values

CURRENT VALUES

Land Homesite	0
Land Non-Homesite	28,000
Special Use Land Market	0
Total Land	28,000
Improvement Homesite	0
Improvement Non-Homesite	0
Total Improvement	0
Market	28,000
Special Use Exclusion (-)	0
Appraised	28,000
Value Limitation Adjustment (-)	0
Net Appraised	28,000

VALUE HISTORY



Values for the current year are preliminary and are subject to change.

VALUE HISTORY

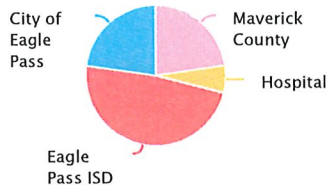
Year	Land Market	Improvement	Special Use Exclusion (-)	Appraised	Value Limitation Adj (-)	Net Appraised
2021	28,000	0	0	28,000	0	28,000

PID 19462 | 229 PIERCE

Property Summary Report | Year 2021
Online Services | Maverick County Appraisal District

Taxing Units

Owner: **PERCHES, MAURICIO JR. & ESMERALDA GONZALEZ**
% Ownership: **100 %**
Total Value: **28,000**



Unit	Description	Tax Rate	Net Appraised	Taxable Value	Estimated Tax
GMC	Maverick County	0.538571	28,000	28,000	150.80
HOS	Hospital	0.148960	28,000	28,000	41.71
SCH	Eagle Pass ISD	1.146640	28,000	28,000	321.06
CIT	City of Eagle Pass	0.540743	28,000	28,000	151.41
TOTAL TAX RATE:		2.374914			
* ESTIMATED TAXES WITH CURRENT EXEMPTIONS:					664.98
* ESTIMATED TAXES WITHOUT EXEMPTIONS:					664.98

* DO NOT PAY FROM THIS ESTIMATE. This is only an estimate provided for informational purposes and may not include any special assessments that may also be collected. Please contact the tax office for actual amounts.

Land

Land	Description	Acres	SQFT	Cost per SQFT	Market Value	Special Use Value ⓘ
RM	RES MULTI-FAMILY	0.16	7,000.00	4.00	28,000	0

PID 19462 | 229 PIERCE

Property Summary Report | Year 2021
Online Services | Maverick County Appraisal District

Deed History

Deed Date	Type	Description	Grantor/Seller	Grantee/Buyer	Book ID	Volume	Page	Instrument
2021-05-13	WD	WARRANTY DEED	DE LOS SANTOS, MARIO M & MARIA T	PERCHES, MAURICIO JR. & ESMERALDA GONZALEZ				2110236
2006-08-25	GWD	GIFT WARRANTY DEED	TREVINO, MARCOS	DE LOS SANTOS, MARIO M & MARIA T	974	974	412	138393
1999-10-14	WD	WARRANTY DEED	RAMOS, MARIA OLGA	TREVINO, MARCOS	556	556	431	

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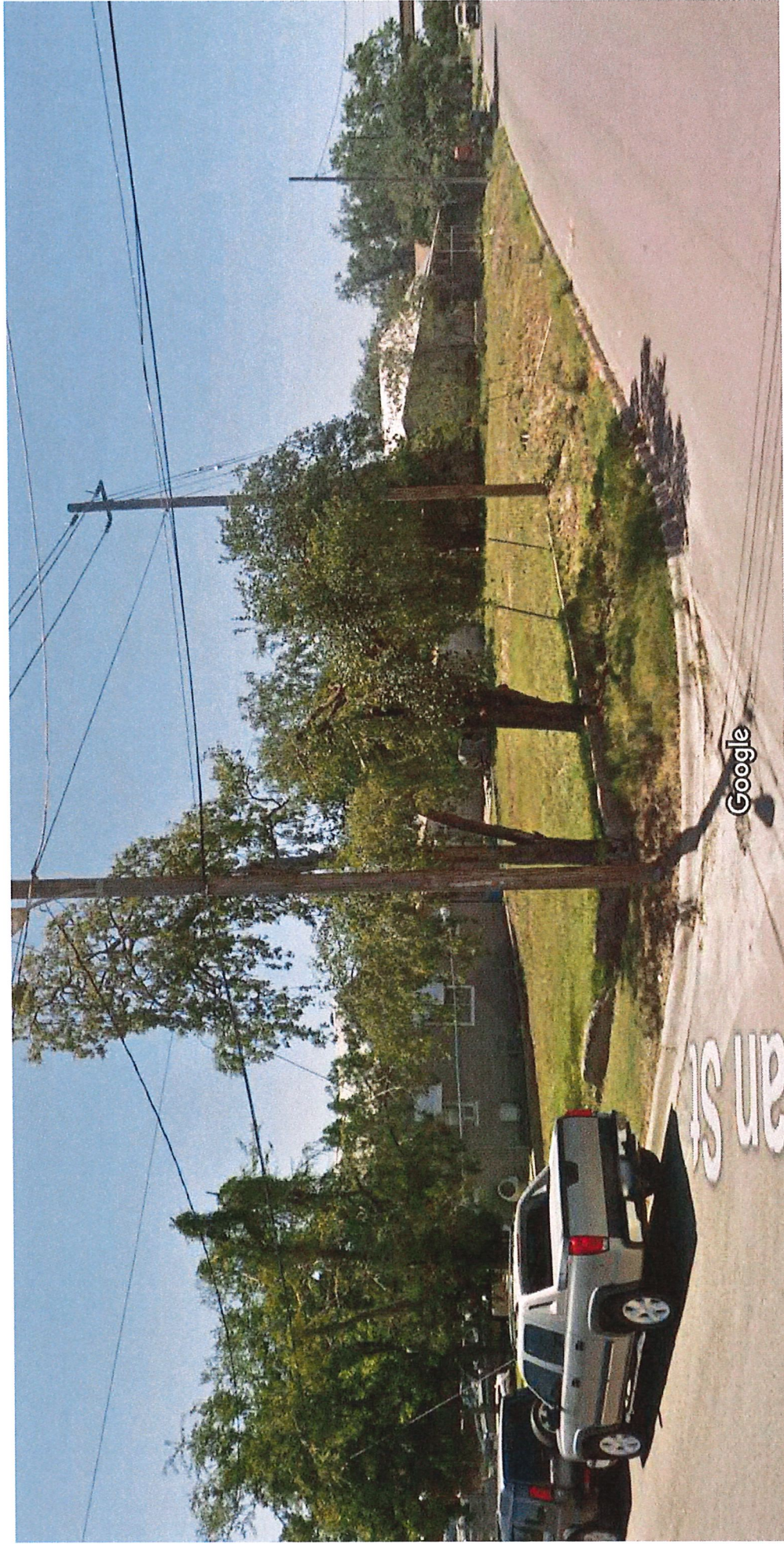


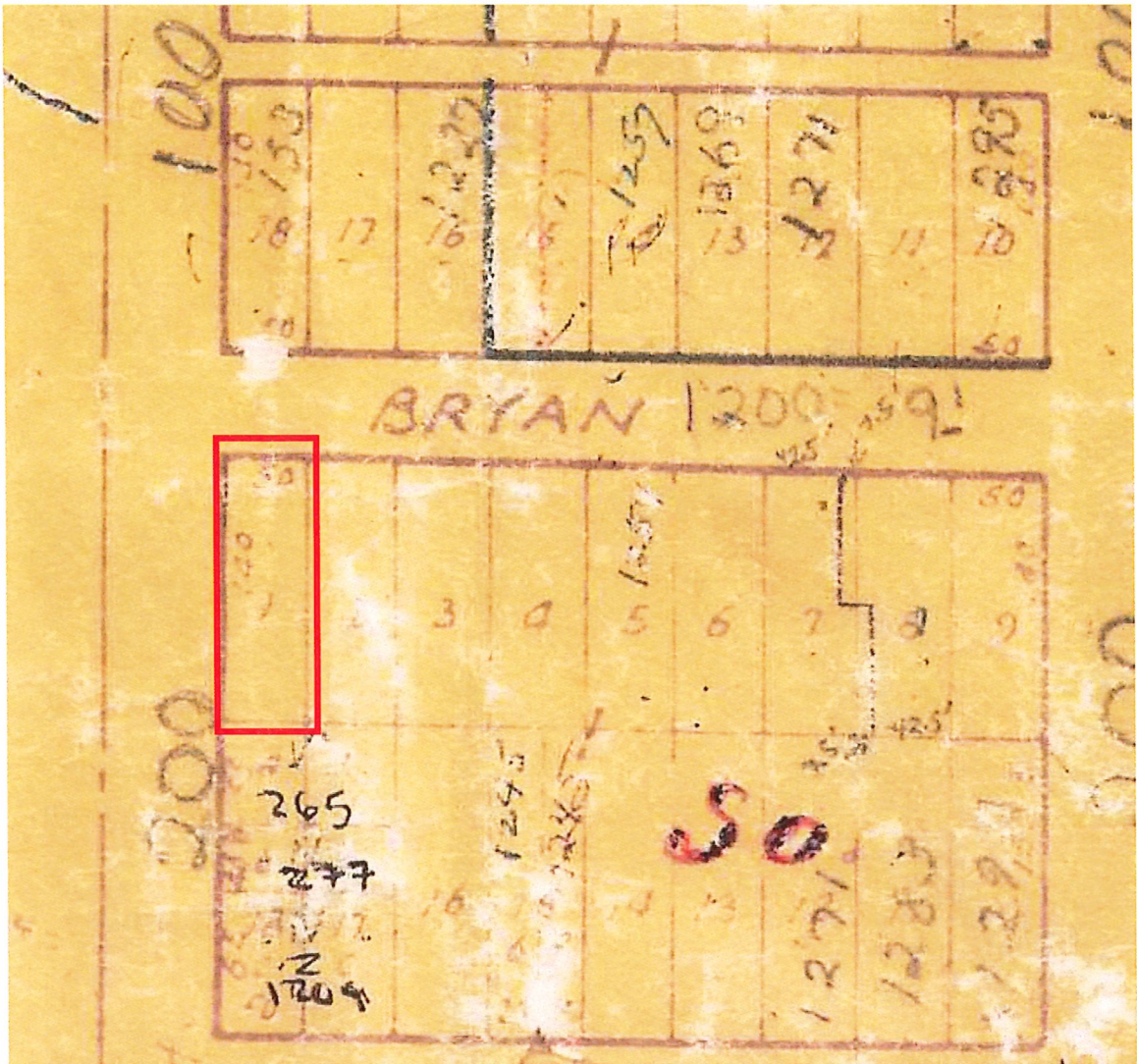
Image capture: Jun 2019 © 2021 Google

Eagle Pass, Texas



Street View

LEGACY MAP





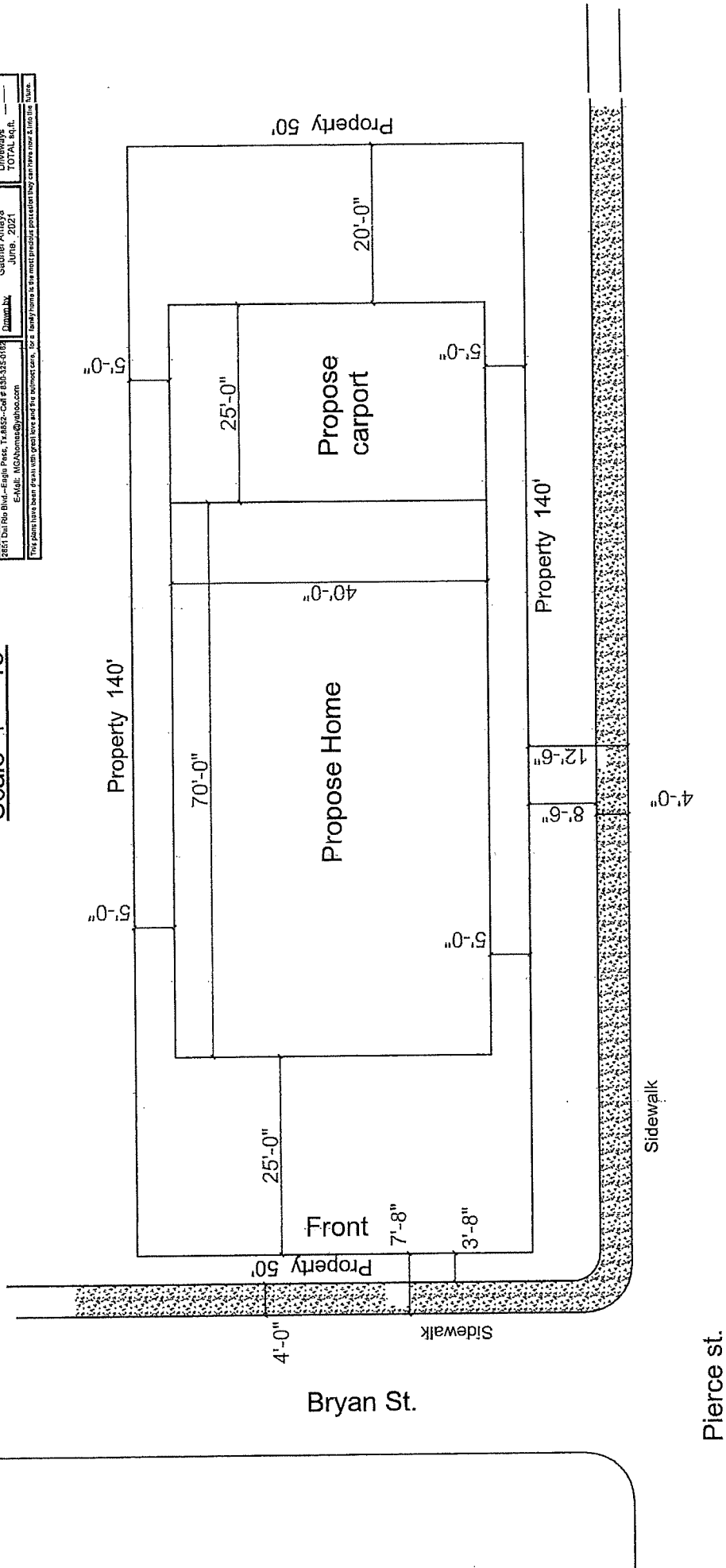
MLGA Enterprises Co.
 Designers of
 Custom Home Plans
 2851 Dai Rio Blvd - Eagle Pass, TX 78852 - Call 830-335-0182
 E-Mail: MLGAhomes@yahoo.com



Builder:
 Owner: Mauricio Perches Jr.
 Subdiv. Eagle Pass, Tx. 78852
Drawn by: Gabriel Amaya
 June, 2021

Living area
 Kitchen
 Bath
 Sub-total
 Garage
 Appx. sq. ft.
 Sub-total
 Sidewalks
 Driveways
 TOTAL sq. ft.

Plat
 Scale 1" = 15'



Item #5



Planning Department

Report to the Zoning Board of Adjustment and Appeals

I. APPLICANT & PROPERTY INFORMATION

Applicant: Manuel & Eglantina Lopez Case #6178
Location: 1004 Salonika Drive
Legal Desc: Lot 7, Block 9, Carthage Place Unit 3
MCAD PIN: 6270
Parcel Size: 7,500-square feet
Existing Use: Residential dwelling
Zoning: R-2 Second One-Family Dwelling District
Master Plan: Residential
Request: Reduction of front yard building setback from 25 feet to 11 feet for the construction of a detached carport.

II. CURRENT CONDITIONS

Infrastructure: Property is serviced by public utilities/franchises
Vegetation: residential vegetation
Vicinity: Property is bordered by residential and commercial developments.

III. STAFF ANALYSIS

Applicant is requesting a front yard building setback reduction from 25 feet to 11 feet to accommodate the construction of a detached carport at property located at Salonika Drive as shown in Figure 1.

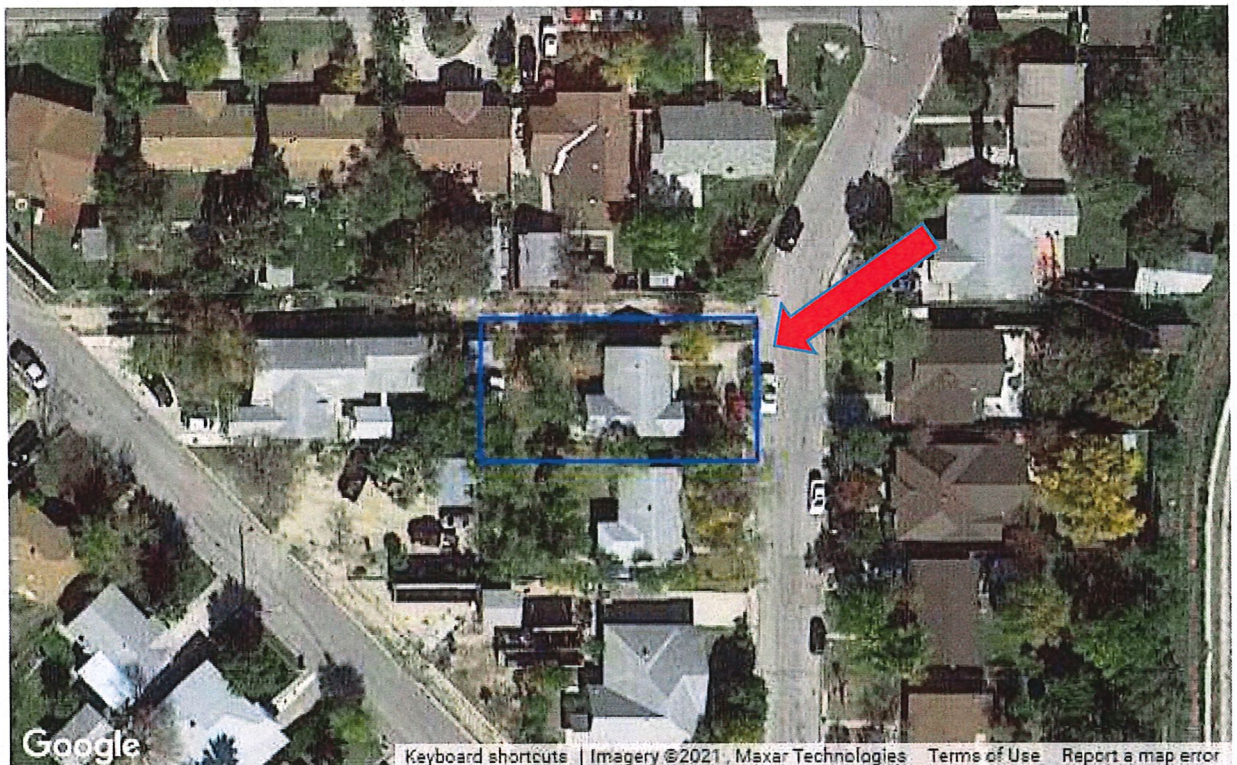


Figure 1. Area Map

The proposed construction measures approximately 240-square feet as shown in the attached proposed Site Layout. Although the construction will conform with all applicable building codes it does not meet the requirements set forth in the Zoning Ordinance. Planning staff is concerned with the disruption of the neighborhood character that comes with this request and that no other property within the immediate vicinity has encroached or failed to observe a front yard.

21 notices were mailed to the abutting property owners within a 200 feet radius of the subject property.

Staff Recommendation

Staff recommends the **DENIAL** of the applicant's variance request of a reduction to the front yard building setback from 25 feet to 11 feet, for property located at 1004 Salonika Drive, as it does not conform with the regulations set forth in Section 6(c)(1) of Appendix A - Zoning Ordinance.



PLANNING DEPARTMENT

3295 Bob Rogers Drive, Eagle Pass, Texas 78852 • Telephone: (830) 773-7781 • Fax: (830) 773-7803
www.eaglepasstx.us • planning@eaglepasstx.us

VARIANCE APPLICATION (ZBAA)

Case No. Ref. P# 6178

Applicant Information	Name: <u>Manuel & Eglantina Lopez</u>
	Mailing Address: <u>1004 Salonika Dr.</u>
	Phone: <u>(830) 773-7708</u> E-mail: <u>dec30ays@sbcglobal.net</u>
	<u>Note: if you are not the owner of the property, you must attach a letter from the owner authorizing you to submit this application.</u>

Property Owner Information	Name: <u>same as above</u>
	Mailing Address: _____
	Phone: _____ E-mail: _____

Property Information	Site Address: <u>1004 Salonika Dr.</u> MCAD Property ID # <u>6270</u>
	Legal Description: Lot(s) <u>7</u> Block <u>9</u> Subdivision <u>Carthage Place Unit #3</u> (Property must be legally subdivided or be lot of record)
	Front Yard Width (feet) <u>30</u> Rear Yard Width (feet) _____ Side Yard Width (feet) _____

Description of Project:
<u>Construction of a vehicle carport.</u>

Detailed Explanation of Variance Request
How does the strict application of the zoning code impose practical difficulties or particular hardship for your project?
<u>The carport would only be constructed for the average length of one vehicle. A Building permit was approved on 5/6/21 by the city with a fee paid of \$124 for a the building of a 20x12x8 carport.</u>

How is your variance request consistent with the general purpose and intent of the zoning code?
<u>The 25 ft set back, is mandated for sidewalk installations. Since the construction of the neighborhood, 40 years ago, sidewalks have not been constructed by the city. No safety obstruction or hazard would be made or created due to the carport. An alley is adjacent to the property which has always been kept clean and available for any emergency city vehicle.</u>

How will the granting of the variance not merely serve as a convenience to you, but will alleviate some demonstrable hardship or difficulty so great as to warrant the variance?

Property owners are elderly, and in need of medical attention at times. Due to the extreme heat of temperatures reaching over 100 degrees and occasional thunderstorms. The need to avoid any atmosphere damage to an open larynx caused by throat cancer and to avoid any future falls caused by water.

Is your variance request necessary because of exceptional narrowness, shallowness, or shape of your property?

Yes, the length of the front yard.

Is your variance necessary because of exceptional topographical conditions or other extraordinary or exceptional situation or condition of your property?

Yes, extra property given for the adjacent alley.

Will the strict application of the zoning code result in peculiar and exceptional practical difficulties and particular hardship to you, and amount to a practical confiscation of the property and not a mere inconvenience?

Yes, will be unable to provide a safe environment for property and self.

Will the granting of the variance create substantial detriment to the public good?

No, other homes within the same street and same neighborhood have similar or larger carports and do not follow ordinance.

No obstruction for emergency vehicles will be created with the construction of the carport.

This will not cause any decrease in property values.

Will your variance impair an adequate supply of light and air to adjacent property?

No

Will your variance materially increase the traffic congestion on public streets?

No

Will your variance increase the public danger of fires and safety?

No

Will your variance materially diminish or impair established property values within the surrounding area?

No

Will your variance impair the public health, safety, comfort, morals and welfare of the City of Eagle Pass?

No

Applicant Authorization

I authorize the City of Eagle Pass to conduct any site visits necessary to evaluate this variance application.

I hereby state that I have prepared this application and that, to the best of my knowledge, the information contained herein is complete, accurate, and a true representation of the variance request. I further attest that I have the authority to submit this application and agree to comply with any and all conditions of variance approval. I agree to provide any additional information requested by the City as they deem necessary for the processing of this application.


Applicant Signature

6/21/21
Date

Office Use

Date Application Accepted for Review: 6/21/21 By: MLC

Contact Date for Supplemental Info: 6/23/21 Supplemental Info Received: _____

Completeness Review Date: _____ By: _____

Application Returned to Applicant: _____ (when applicable)

Note: Processing fee of \$100.00. ✓ Cash

MR:6/2020

PID 6270 | 1004 SALONIKA

Property Summary Report | Year 2021
Online Services | Maverick Appraisal District

General Info

ACCOUNT
Property ID: 6270
Geographic ID: C1003090000700
Type: R
Zoning: R2
Agent:
Legal Description: CARTHAGE PLACE UNIT # 3, BLOCK 9, LOT 7

OWNER
Name: LOPEZ, MANUEL JR. & ETAL
Secondary Name:
Mailing Address: 1004 SALONIKA DRIVE EAGLE PASS T X 78852
Owner ID: 116407
% Ownership: 100.00 %
Exemptions:

Property Use:

LOCATION
Address: 1004 SALONIKA DRIVE EAGLE PASS TX 78852
Market Area:
Market Area CD: NHGA007
Map ID:

PROTEST
Protest Status:
Informal Date:
Formal Date:

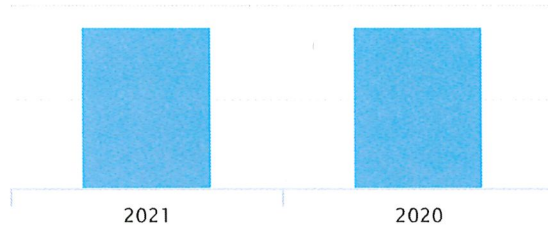


Values

CURRENT VALUES

Land Homesite	0
Land Non-Homesite	37,500
Special Use Land Market	0
Total Land	37,500
Improvement Homesite	0
Improvement Non-Homesite	51,651
Total Improvement	51,651
Market	89,151
Special Use Exclusion (-)	0
Appraised	89,151
Value Limitation Adjustment (-)	0
Net Appraised	89,151

VALUE HISTORY



Values for the current year are preliminary and are subject to change.

VALUE HISTORY

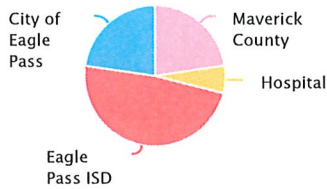
Year	Land Market	Improvement	Special Use Exclusion (-)	Appraised	Value Limitation Adj (-)	Net Appraised
2021	37,500	51,651	0	89,151	0	89,151
2020	37,500	51,650	0	89,150	0	89,150

PID 6270 | 1004 SALONIKA

Property Summary Report | Year 2021
Online Services | Maverick Appraisal District

Taxing Units

Owner: **LOPEZ, MANUEL JR. & ETAL**
% Ownership: **100 %**
Total Value: **89,151**



Unit	Description	Tax Rate	Net Appraised	Taxable Value	Estimated Tax
GMC	Maverick County	0.538571	89,151	89,151	480.14
HOS	Hospital	0.148960	89,151	89,151	132.80
SCH	Eagle Pass ISD	1.146640	89,151	89,151	1,022.24
CIT	City of Eagle Pass	0.540743	89,151	89,151	482.08
TOTAL TAX RATE:		2.374914			
* ESTIMATED TAXES WITH CURRENT EXEMPTIONS:					2,117.26
* ESTIMATED TAXES WITHOUT EXEMPTIONS:					2,117.26

* DO NOT PAY FROM THIS ESTIMATE. This is only an estimate provided for informational purposes and may not include any special assessments that may also be collected. Please contact the tax office for actual amounts.

Improvement

Improvement #1: **RESIDENTIAL**
State Code: **A1**

Improvement Value: **\$ 51,651**

Main Area: **1,134 sqft**
Gross Building Area: **1,172 sqft**

Type	Description	Class CD	Exterior Wall	Number of Units	EFF Year Built	Year Built	SQFT
MA	MAIN AREA	M3		0	0	0	930
ADDN	ADDITION	M3		0	1996	1995	204
OP	OPEN PORCH	M3		0	0	0	30
STG	STORAGE	M3		0	1996	1995	8
STG	STORAGE	SP		1			0

Improvement Features

MA Construction Style: **F** Exterior Wall: **BV** Plumbing: **1** Interior Finish: **SR** Roof Style: **G,CS** Heating/Cooling:
CA,CH Flooring: **T** Foundation: **S**

PID 6270 | 1004 SALONIKA

Property Summary Report | Year 2021
Online Services | Maverick Appraisal District

Land

Land	Description	Acres	SQFT	Cost per SQFT	Market Value	Special Use Value ⓘ
RS	RES SINGLE FAMILY	0.17	7,500.00	5.00	37,500	0

Deed History

Deed Date	Type	Description	Grantor/Seller	Grantee/Buyer	Book ID	Volume	Page	Instrument
2020-07-24	GWD	GIFT WARRANTY DEED	LOPEZ, MANUEL & EGLANTINA F	LOPEZ, MANUEL JR. & ETAL	1845	1845	487	215055

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1004 Salonika Dr

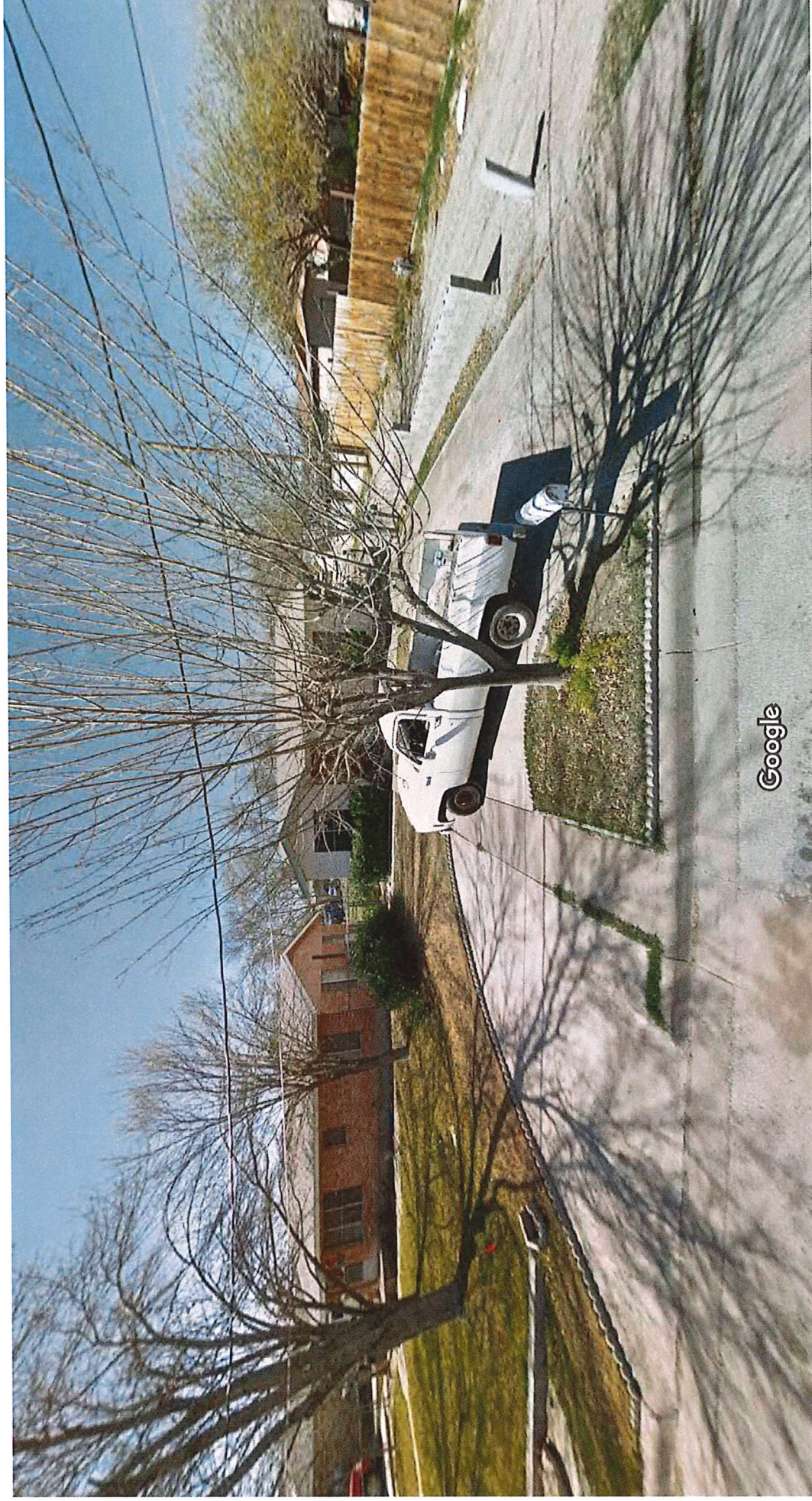


Image capture: Feb 2013 © 2021 Google

Eagle Pass, Texas

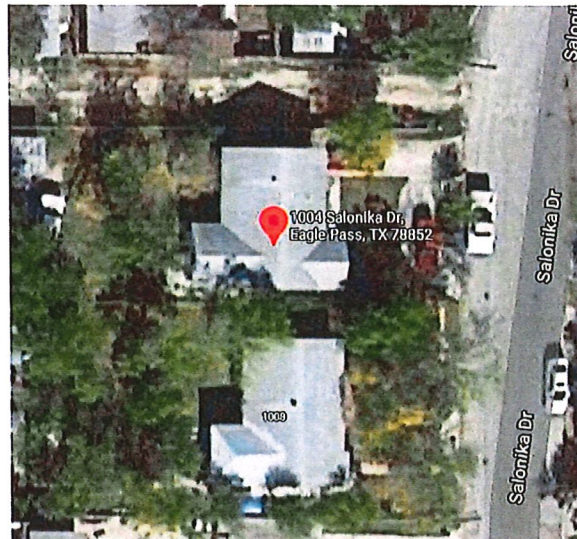
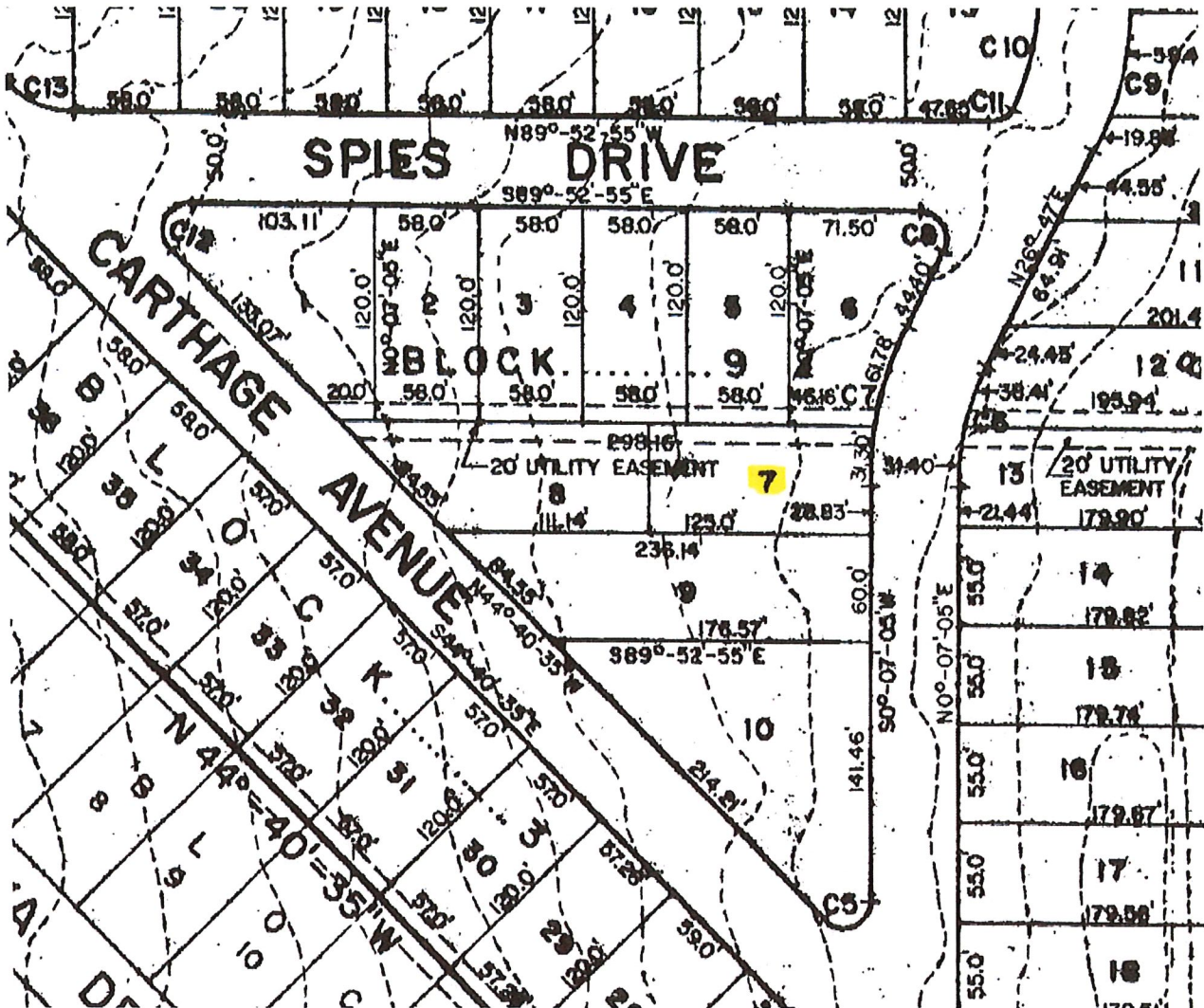


Street View

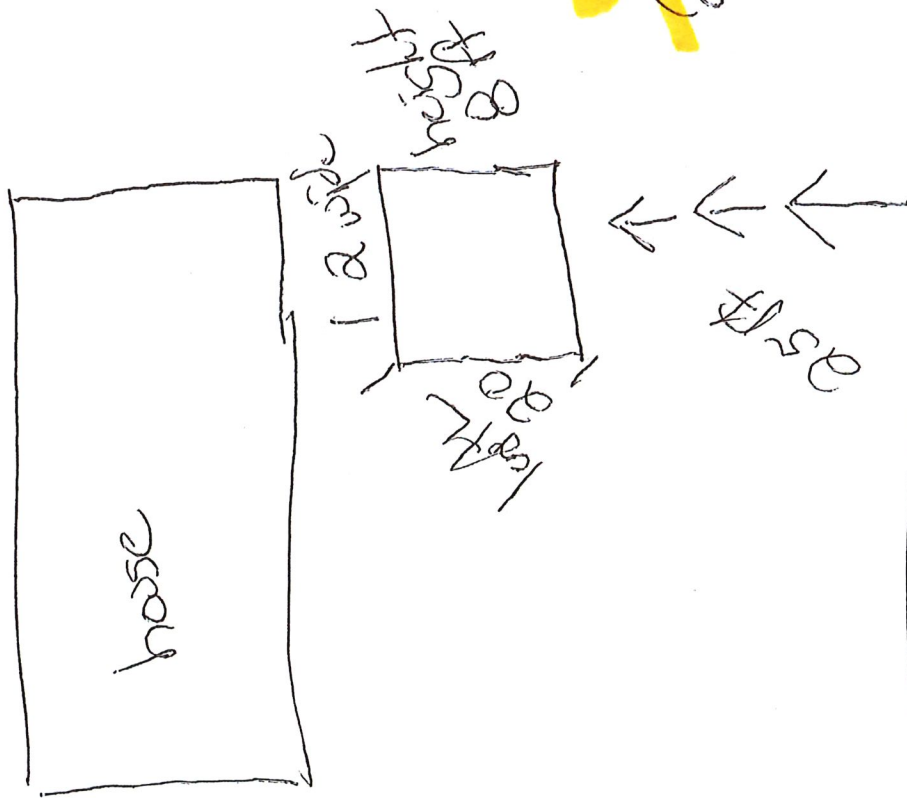


Plat of Record - CARTHAGE PLACE UNIT # 3, BLOCK 9, LOT 7

1004 SALONIKA DRIVE



1004 SPONTANA



front set back of
25' need to be line
from property line

Street