# CITY OF EAGLE PASS
# AGENDA

## ZONING BOARD OF ADJUSTMENTS AND APPEAL SPECIAL MEETING
**Council Chambers, City Hall,**
**100 S. Monroe Street, Eagle Pass,**
**Maverick County, Texas**
**Tuesday, July 16, 2024, at 5:30 p.m. CST**

**ESTABLISHMENT OF QUORUM**

**CITIZENS COMMUNICATIONS**

**MINUTES**

1. Approval of the minutes of the June 5, 2024 meeting.

**EXECUTIVE SESSION**

2. Executive Session pursuant to Section 551.071 of Chapter 551, Texas Government Code–Consultation with Attorney–Consideration and possible action on the reconsideration of a public hearing for the petition submitted by Roberto Zarate, requesting a variance from *City of Eagle Pass Code of Ordinances Appendix A Zoning Ordinance Section 6 (c)(1)* regulating front yards for property located at 2208 Beverly Hills Boulevard.

**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.

**C E R T I F I C A T I O N**

I, THE UNDERSIGNED COMMUNITY DEVELOPMENT 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 12, 2024 at 12:00 p.m.

Placido Madera

Placido Madera
Community Development 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 Wednesday, June 5, 2024, 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: Vice-Chairperson, Antonio Elizondo; Board Member, Maria A. Chio; Board Member, Julie Mathiwos; and Alternative Board Member, Crawford Adams Rhodes

Absent: Chairperson, Matthew Gary; and Alternate Vice-Chairperson, Priscilla Puente-Chacon

Staff present: Community Development Director, Placido Madera; Assistant Community Development Director, Mariebelle Rodriguez; City Attorney, Ana Sophia Garcia; and Records Management Specialist, Sydney Rodriguez

A quorum being present, Vice-Chairperson Elizondo 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 no citizen communications forms submitted.

**MINUTES**

**1.** Approval of the minutes of the May 1, 2024, meeting.

Board Member, Chio moved to approve the minutes. Seconded by Alternate Board Member, Rhodes. **MOTION PASSED**- Unanimously

| | |
|---|---|
| AYES: | Elizondo, Chio, Mathiwos, and Rhodes |
| NAYS: | None |
| ABSTAINED: | None |
| ABSENT: | Gary and Puente-Chacon |

**PUBLIC HEARING(S)**

**2.** Public hearing on the petition submitted by Amigos Hospitality, seeking a variance from City of Eagle Pass Code of Ordinances Appendix A Zoning Ordinance Section 15(h)(d)(1)(a)

DRAFT

regulating placement of signs. Applicant seeks to erect more than the allowed wall-mounted signs on property located at 1060 Patsy Winn Boulevard; closing of public hearing and possible action.

Community Development Director, Placido Madera, provided details on the item. The staff recommends granting the applicant's variance request for property located at 1060 Patsy Winn Boulevard.

A discussion ensued on the item.

Community Development Director Madera answered questions from the board, as well as further explained the item.

Vice-Chairperson Elizondo opened the Public Hearing at 5:52 p.m.

There being no comments from the public, Vice-Chairperson Elizondo closed the Public Hearing at 5:52 p.m.

Alternative Board Member, Rhodes motioned to approve the item. Second by Board Member. Chio. **MOTION PASSED-** Unanimously

| | |
|---|---|
| AYES: | Elizondo, Chio, Mathiwos, and Rhodes |
| NAYS: | None |
| ABSTAINED: | None |
| ABSENT: | Gary and Puente-Chacon |

**3.** Public hearing on the petition submitted by Carlos Moreno Jr., requesting a variance from City of Eagle Pass Code of Ordinances Appendix A Zoning Ordinance Section 6(c)(1). The applicant seeks to reduce the front yard building setback from 25 feet to 19', to accommodate the construction of an attached carport on property located at 1703 Champion Circle; closing of public hearing and possible action.

Vice-Chairperson Elizondo opened the Public Hearing at 5:53 p.m.

Community Development Director Madera provided details on the item. The staff recommends granting the applicant's variance request for property located at 1703 Champion Circle.

A discussion ensued on the item.

A representative for the applicant approached the Board to give more details on the item and answer the Board's questions.

Vice-Chairperson Elizondo closed the Public Hearing at 6:03 p.m.

Board Member, Mathiwos motioned to approve the item. Second by Board Member, Chio **MOTION PASSED-** Unanimously

| | |
|---|---|
| AYES: | Elizondo, Chio, Mathiwos, and Rhodes |
| NAYS: | None |
| ABSTAINED: | None |
| ABSENT: | Gary and Puente-Chacon |

**EXECUTIVE SESSION**

The Zoning Board of Adjustments and Appeals adjourned into Executive Session at 6:04 p.m. to consider the item below. The Board reconvened in open session at 6:22 p.m.

**4**. Executive Session pursuant to Section 551.071 of Chapter 551, Texas government Code- Consultation with Attorney- Consideration and possible action on the reconsideration of a public hearing for the petition submitted by Four DLS Properties, LLC, requesting a variance from City of Eagle Pass Code of Ordinances Appendix A Zoning Ordinance Section 12(d)(5) governing landscape requirements for property located at 2027 Microstar Way.

Board Member, Chio motioned to rehear the item. Second by Alternative Board Member, Rhodes **MOTION PASSED-** Unanimously

| | |
|---|---|
| AYES: | Elizondo, Chio, Mathiwos, and Rhodes |
| NAYS: | None |
| ABSTAINED: | None |
| ABSENT: | Gary and Puente- Chacon |

**5**. Executive Session pursuant to Section 551.071 of Chapter 551, Texas government Code- Consultation with Attorney- Consideration and possible action on the reconsideration of a public hearing for the petition submitted by Roberto Zarate, requesting a variance from City of Eagle Pass Code of Ordinances Appendix A Zoning Ordinance Section 6(c)(1) regulating front yards for property located at 2208 Beverly Hills Boulevard.

The applicant requested for the item to be tabled.

Alternative Board Member, Rhodes motions to table the item. Second by Board Member, Chio. **MOTION PASSED-** Unanimously

| | |
|---|---|
| AYES: | Elizondo, Chio, Mathiwos, and Rhodes |
| NAYS: | None |
| ABSTAINED: | None |
| ABSENT: | Gary and Puente-Chacon |

**ADJOURNMENT**

Board Member, Mathiwos moved to adjourn the meeting at 6:23 p.m. Second by Board Member, Chio. **MOTION PASSED-** Unanimously

Passed and approved on _____2024.

_____
Antonio Elizondo
Vice-Chairperson

ATTEST:

_____
Sydney Rodriguez
Records Management Specialist

# Item #2

LONGORIA & KELLY, PLLC

1858 E. Main St.
Eagle Pass, Texas, 78852
Tel: (830) 776-7644
Fax: (830) 776-7636
clongoria@lklawtx.com

Attorneys and Counselors at Law
www.lklawtx.com

310 E. Nopal St.
Carrizo Springs, Texas, 78834
Tel: (830) 876-9706
Fax: (830) 776-7636

May 31, 2024

Zoning Board of Adjustments
c/o Mr. Placido Madera
City of Eagle Pass

**VIA HAND DELIVERY**

**RE: 2208 BEVERLY HILLS BLVD.**

Dear Mr. Madera,

Our firm represents Roberto Zarate, owner of 2208 Beverly Hills Blvd, Eagle Pass, Texas. As you are aware, Mr. Zarate recently requested a variance from the City related to the carport that was built on his property. It is my understanding that the Board of Adjustments denied the request for a variance on October 4, 2023, but notice of the denial was not sent to Mr. Zarate until earlier this month.

On behalf of Mr. Zarate, we are requesting a rehearing by the board of adjustments because good cause exists for the rehearing as all factors were not presented or considered by the board of adjustments at the time of the initial hearing.

Enclosed herein is the $600.00 processing fee required by the City Ordinance. Please present my request to the Board of Adjustments and notify me when the Board will convene to rehear this matter.

If you need additional information, please do not hesitate to contact me.

Sincerely,

Catrina Longoria

Cc: Ms. Ana Sophia Garcia, City Attorney
**VIA EMAIL PDF**

Mr. Claudio Heredia
**VIA EMAIL PDF**

Mr. Roberto Zarate
**VIA EMAIL PDF**

RECEIVED
5/31/24

**City of Eagle Pass Planning Department**
**Zoning Board of Adjustment Appeal**
**to Eagle Pass Zoning Ordinance**

3295 Bob Rogers Drive
Eagle Pass, TX 78852
(830) 773-7781
planning@eaglepasstx.us
eaglepasstx.us

**Project**

Legal Description: Treasure Hills Subdivision Block 1 lot 3
Site Address: 2208 Beverly Hills Blvd.
Acres: _____ Square feet: 5750 Existing land use: _____

**Owner**

Name: Roberto & Sonia Zarate Phone: 830 968 4203
Address: 2208 Beverly Hills Blvd E-mail: sonia-cz@live.com
City: Eagle Pass State: TX Zip: 78852

**Applicant** If not owner

Name: _____ Phone: _____
Address: _____ E-mail: _____
City: _____ State: _____ Zip: _____
Relationship to owner: _____

**Authorization**

To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?
Yes ___ No ✓

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (included corporate name if applicable). Attach written evidence (i. e. corporate documents) of such authorization.

I acknowledge that application and publication fees are non-refundable, and that incomplete applications will not be accepted or processed.

If additional information or documentation is pending submittal before a deadline, the item is subject to be removed from the agenda and the applicant is subject to cover re-advertising fees.

Signature: Sonia Zarate Date: 8/1/23
Print Name: Sonia Zarate ☑Applicant ☐Authorized Agent

D-2 Zoning

| | |
|---|---|
| **Board Action** | Description:<br><br>Board Chairman Signature _____ Date _____ |
| **Office** | Accepted by KV Payment received by RR Date 8/1/23<br>Zoning Classification R2 Case No. 9459 |

The commission may authorize a variance from these regulations when, in its opinion, undue hardship will result from requiring strict compliance. In granting a variance, the board shall prescribe only conditions that it deems necessary or desirable to the public interest. No such variance shall be granted unless the board finds that the applicant meets the following conditions.

**Description of variance request:** I'm requesting this variant because I didn't know that I had to request permission to make a carpet that is inside my property and that does not obstruct anything and does not affect my neighbor because my house is in the middle of two single lots and there is no construction. People can walk on the sidewalk without any problem and without any danger. → next page.

**For each question, check yes or no and provide a detailed explanation.**

1. Is the financial cost of compliance greater than 50 percent of the appraised value of the structure?
Yes ☐ No ☑ Explain: No because the value of the carpet is $15,500.00

2. Will compliance result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur?
Yes ☐ No ☑ Explain: No because the carpet is open and it does not affect either side or the sidewalk.

3. Will compliance result in the structure not following a requirement of a municipal ordinance, building code, or other requirement?
Yes ☐ No ☑ Explain: No that I have the knowledge because there are other similar carports already built in my neighborhood.

4. Will compliance result in the unreasonable encroachment on an adjacent property or easement?
Yes ☐ No ☑ Explain: No because it is on the driveway, and both sides of my house there are no house.

This carpet that was made out of necessity to cover the cars the hail and that every year affects.

Here I attach a copy of the claim to the insurance for the damage to my truck and also attach photographs of the other carports that are in the neighborhood.

5. Does the municipality consider the structure to be a nonconforming structure?

Yes ☐ No ☐ Explain: I don't know because I have never taken the time to read if there are restrictions or not.

6. Is the variance necessary for the preservation and enjoyment of a substantial property right of the applicant?

Yes ☑ No ☐

Explain: Yes, because is necessary to protect the cars from the hail.

7. Could the granting of the variance be detrimental to the public health, safety, or welfare, or injurious to other property in the area? Yes ☐ No ☑

Explain: No, because the carpot is open and I don't have neighbort next to my house and people can walk perfectly on the sidewalk withaut any danger.

# VARIANCE APLICATION CHECKLIST

APPLICATION COMPLETENESS REQUIREMENTS:

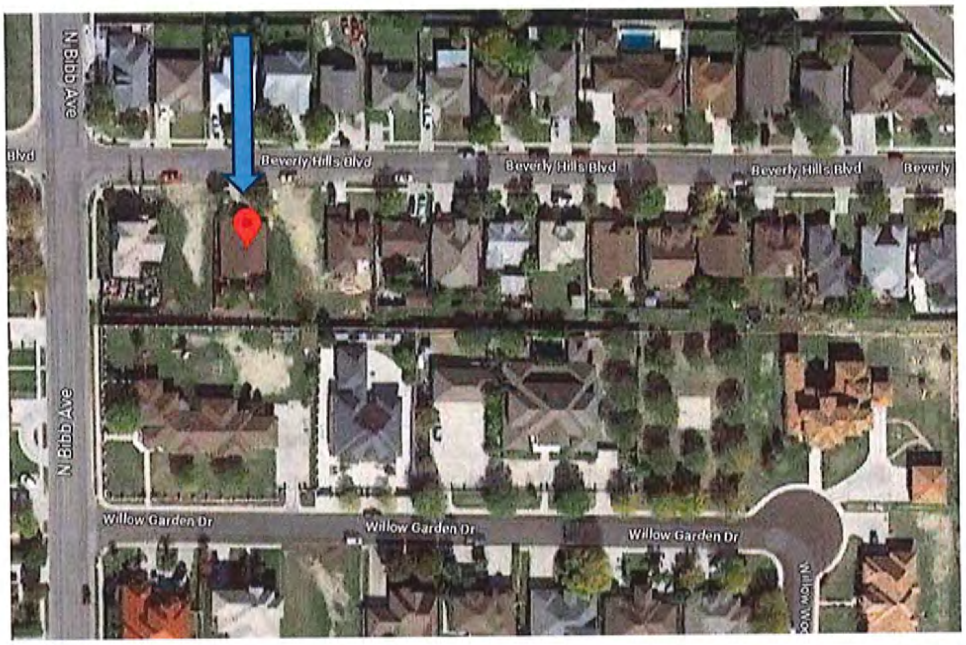
☐ Development Application signed by owner or notarized affidavit
☐ This checklist (signed by applicant/representative)

| Applicant | Staff | Not Applicable | | **TECHNICHAL REQUIREMENTS** Any application that is missing information will be considered incomplete and will not be processed. |
|---|---|---|---|---|
| | | | 1 | A scaled site plan of the subject property showing property dimensions, building locations, setback dimensions, and other applicable information. |
| | | | 2 | Application Fee of $100.00 is due upon submittal. (Money order or check made out to City of Eagle Pass) A Publication Fee will be invoiced and collected before the meeting date. **These fees are non-refundable**. |
| | | | 3 | Notarized owner authorization letter if application is submitted by individual other than the property owner. Proof of ownership as follows: Estate documents (i. e. Probate, Affidavit of Heirship, Administration), copy of the recorded warranty deed or copy of a purchase contract, copy of lease agreement. |
| | | | 4 | Copy of subdivision restrictions for subject property, as recorded in the Maverick County Court House. If no subdivision restrictions are filed, a copy of the certificate of no restrictions will be required. |
| | | | 5 | Photographs of site, project, and adjacent areas deemed appropriate for justification. Prior construction history, as applicable to the situation. |

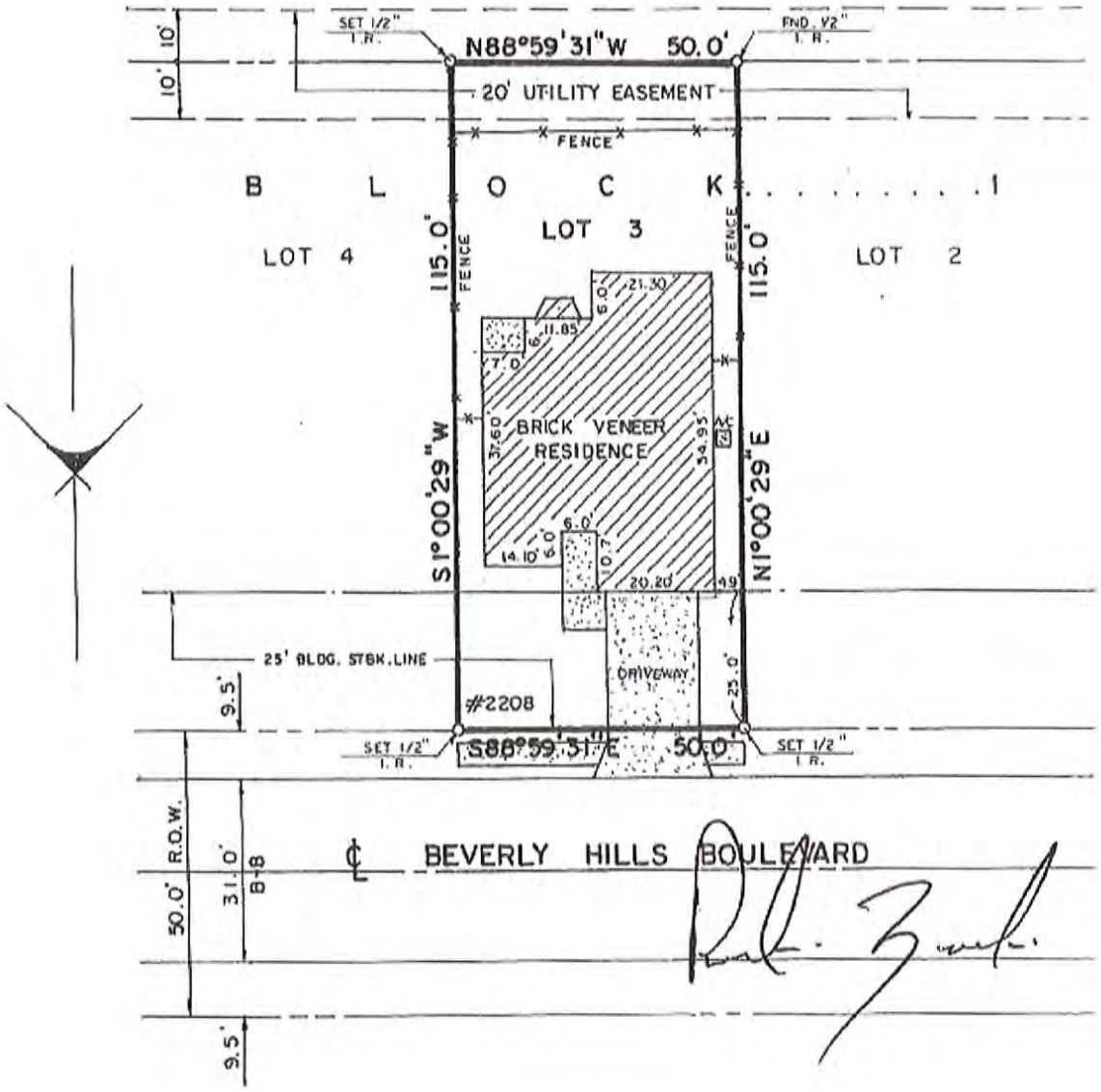
NOTE: By state law public hearing notices shall be published in a newspaper with a second-class postage.

Applicant Acknowledgment

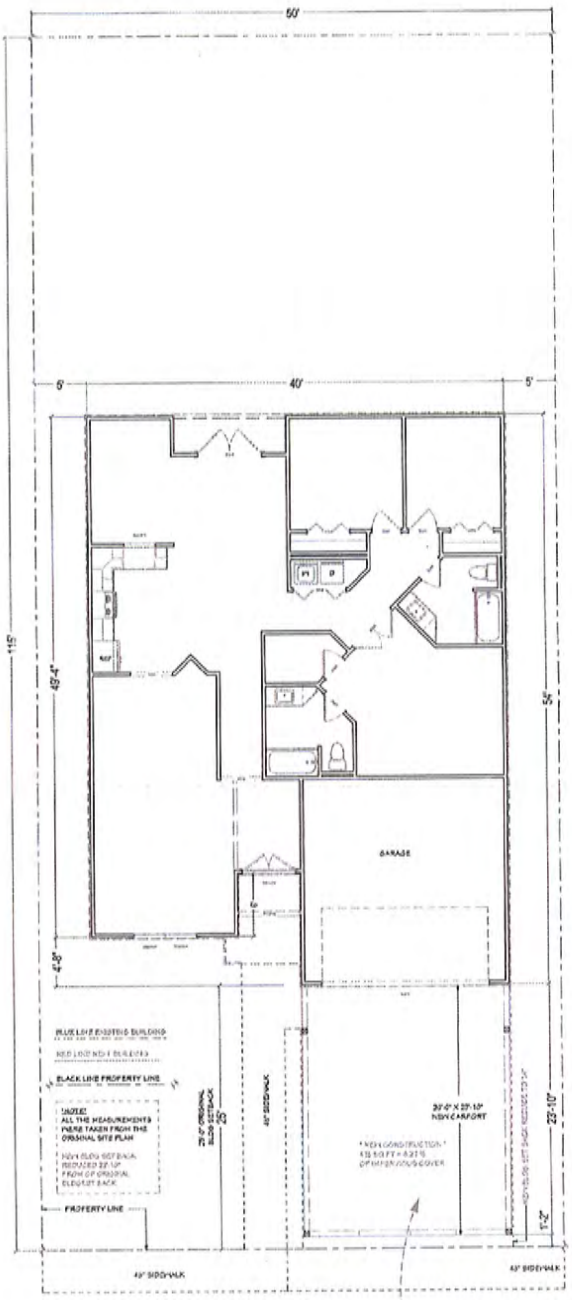
8/1/23
Date

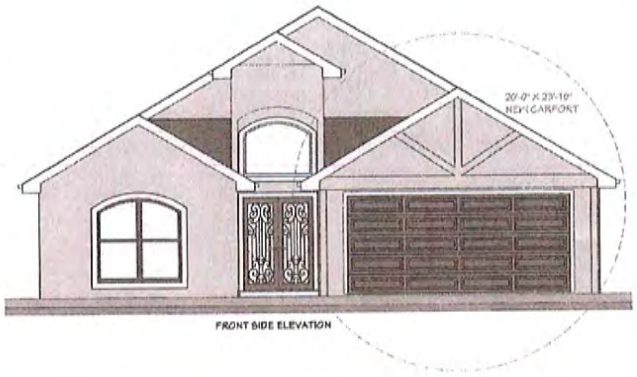

N Bibb Ave
Beverly Hills Blvd
Beverly Hills Blvd
Beverly Hills Blvd
Willow Garden Dr
Willow Garden Dr
Willow Garden Dr

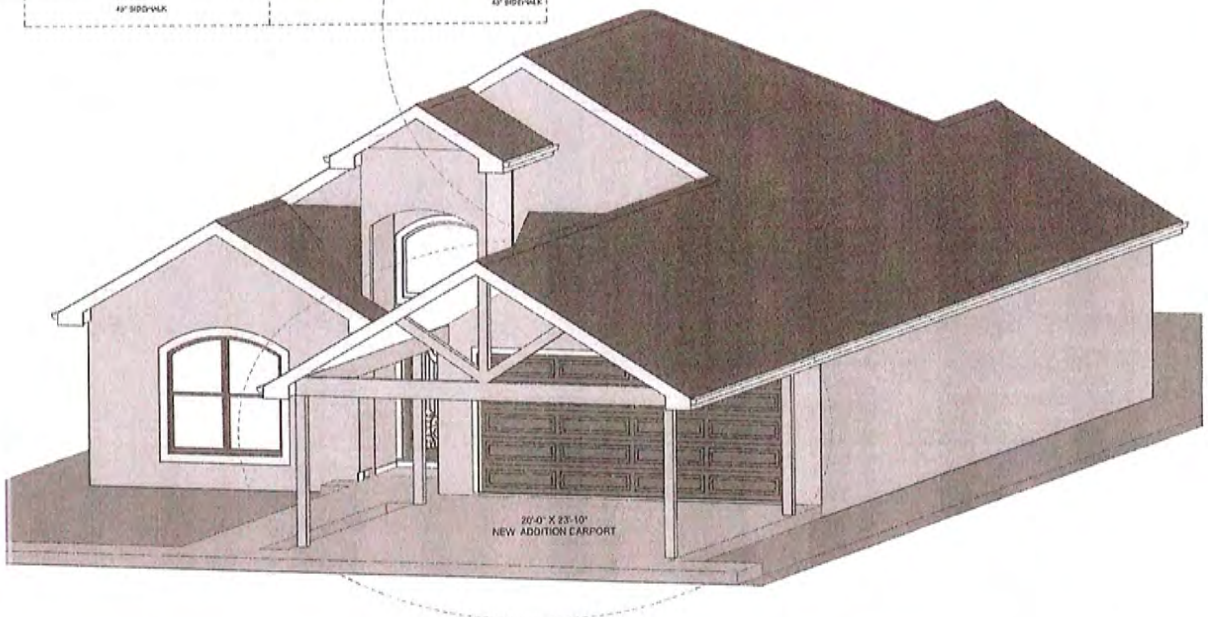
# Survey


SET 1/2" I.R.
N88°59'31"W 50.0'
FND. 1/2" I.R.
10'
10'
20' UTILITY EASEMENT
FENCE
B L O C K 1
LOT 4
LOT 3
LOT 2
115.0'
FENCE
FENCE
115.0'
21.30
6.0
11.85
6'
7.0'
37.60
BRICK VENEER RESIDENCE
34.95
2.2'
S1°00'29"W
N1°00'29"E
6.0
14.10'
6.0'
10.7'
20.20'
4.9'
25' BLDG. STBK. LINE
9.5'
DRIVEWAY
23.0'
#2208
SET 1/2" I.R.
S88°59'31"E 50.0'
SET 1/2" I.R.
50.0' R.O.W.
31.0'
B-B
℄ BEVERLY HILLS BOULEVARD
9.5'

ROBERTO & SONIA ZARATE
2208 BEVERLY HILLS BLVD
LOT 3 BLK 1
TREASURE HILLS UNIT 1
EAGLE PASS TEXAS



# WARRANTY DEED

Date: June 25, 1999

Grantor: ZuTerra Investments, L.L.C., a Texas Limited Liability Company

Grantor's Mailing Address (including county):

695 Main Street, Eagle Pass,
Eagle Pass, Maverick County, Texas 78852

Grantee: Roberto Zarate and wife, Sonia Zarate

Grantee's Mailing Address (including county):

1055 Florence Street, Eagle Pass,
Maverick County, Texas 78852

Consideration: TEN AND NO/100 DOLLARS ($10.00) and other valuable consideration

**Property (including any improvements):**

**Being all that certain tract or parcel of land, together with all improvements thereon, and being Lot 3, in Block 1, Treasure Hills Subdivision, Unit 1, an Addition to the City of Eagle Pass, Maverick County, Texas, as shown on the plat of said Unit 1 which is of record in Envelope 217, Side B, Map Records of Maverick County, Texas.**

Reservations from and Exceptions to Conveyance and Warranty:

1. Terms and conditions of the Building and Use Restrictions contained in instrument recorded in Book 541, Pages 432-434, Official Public Records of Maverick County, Texas.
2. Easement granted to Texas Gas Utilities Company in instrument recorded in Volume 26, Page 260, Deed Records of Maverick County, Texas.
3. Easement granted to the City of Eagle Pass in instrument recorded in Volume 260, Page 229, Deed Records of Maverick County, Texas.
4. Easement and Right of Way granted to Central Power and Light Co., in instrument recorded in Volume 52, Page 450, Deed Records of Maverick County, Texas.
5. Subject to the terms and conditions of that certain contract between Central Power and Light Co. and Lucino Galvan and Jose de Luna, recorded in Volume 530, Page 494, Official Public Records of Maverick County, Texas.
6. Easement and Right of Way granted to Central Power and Light Co., in instrument recorded in Volume 531, Page 227, Official Public Records of Maverick County, Texas.
7. A 25 foot building setback line as shown on the plat of said Unit 1 which is of record in Envelope 217, Side B, Map Records of Maverick County, Texas.
8. Utility easement as shown on the plat of said Unit 1 which is of record in Envelope 217, Side B, Map Records of Maverick County, Texas.

AFTER RECORDING RETURN TO:

Mr. and Mrs. Roberto Zarate
1055 Florence Street
Eagle Pass, Texas 78852

Re: M&B File #19461-0004; ZuTerra Investment, L.L.C./Zarate, Roberto & Sonia

PREPARED IN THE LAW OFFICE OF:

**MATTHEWS & BRANSCOMB**
**A Professional Corporation**
Attorneys at Law
Title Guaranty Bldg.
675 Main Street
Eagle Pass, Texas 78852-4520

State of Texas County of Maverick
I hereby certify that this instrument was filed on the date and time stamped thereon by me and was duly recorded in the OFFICIAL PUBLIC RECORD of Maverick County, Texas

Sara Montemayor
Sara Montemayor
County Clerk Maverick County

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

Doc# 94873
Book: 543
Pages: 224 - 227
Filed & Recorded
06/29/99 03:32:04 PM
SARA MONTEMAYOR
COUNTY CLERK
MAVERICK

| | | |
|---|---|---|
| RECORDING FEE | $ | 9.00 |
| RECORDS PRESERV | $ | 5.00 |
| COURTHOUSE SECU | $ | 1.00 |

CS

# BUILDING AND USE RESTRICTIONS

THE STATE OF TEXAS:

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF MAVERICK:

THAT, ZuTerra Investments, L.L.C., being the owner of the hereinafter property, do hereby make and publish the following limitations and restrictions which are to apply to, and to become part of all contracts of sale, deeds and other legal instruments whereby title or possession is divested out of the present owners and invested in another person or persons, to any and all lots and blocks contained in Treasure Hills Unit I, a subdivision in Maverick County, Texas, the map to which is recorded in Envelope 217, Side B, in the Map Records of said County, and to which map reference is here made, to all of which the undersigned does hereby bind itself, the sole owner of said lots and blocks.

(A) FULLY PROTECTED RESIDENTIAL AREA. The residential area covenants hereinafter contained in their entirety shall apply to all lots.

(B) LAND USE AND BUILDING TYPE. No lot shall be used except for residential purposes. No building shall be erected, altered, placed or permitted to remain on any lot other than one detached single-family Residential dwelling not to exceed two stories in height and a private garage for not more than two cars. All homes to be built shall be at least 51% masonry exterior.

(C) ARCHITECTURAL CONTROL. No building shall be erected, placed or altered on any lot until the construction plans and specifications and a plan showing the location of the structure have been approved by the Architectural Control Committee as to quality of workmanship and materials, harmony of external design with existing structures, and as to location with respect to topography and finish grade elevation. No fence or wall shall be erected, placed or altered on any lot nearer to any street than the minimum building setback line as shown on said plat.

(D) DWELLING COSTS, QUALITY AND SIZE. No dwelling exclusive of open porches, garages, car-ports and patios shall be permitted on any lot at a cost of less than $40,000.00 based upon cost levels prevailing on the date these covenants are recorded, it being the intention and purpose of this covenant to assure that all dwellings shall be of a quality workmanship and materials substantially the same or better than that which can be produced on the date these covenants are recorded at the minimum cost stated herein for the permitted dwelling size. The ground floor area of all one-story main structures, exclusive of one-story porches and garages, shall be no less than 1,000 square feet. Ground floor area of all two-story structures shall not be less than 600 square feet.

(E) BUILDING LOCATION

(1) No building shall be located on any lot nearer to the front lot line or nearer to the side street line than the minimum building setback lines shown on the recorded plat. In any event, no building shall be located on any lot nearer than 25 feet minimum, to the front lot line, or nearer than 10 feet to any side street line. For the purposes of these covenants the term building shall be defined as any part of the structure including porches, carports, garages, etc.

(2) No building shall be located nearer than 5 feet to an interior property line, except that no side yard shall be required for a garage or other permitted accessory building located 50 feet or more from the minimum building setback line.

(3) For the purpose of this covenant, eaves, steps and uncovered concrete slabs, terraces, or patios shall not be considered as a part of a building, provided, however, this shall not be constructed to permit any portion of a building, on a lot to encroach another lot.

(4) No fence, wall or hedge shall be built or maintained forward of the front wall line of the respective house on a lot.

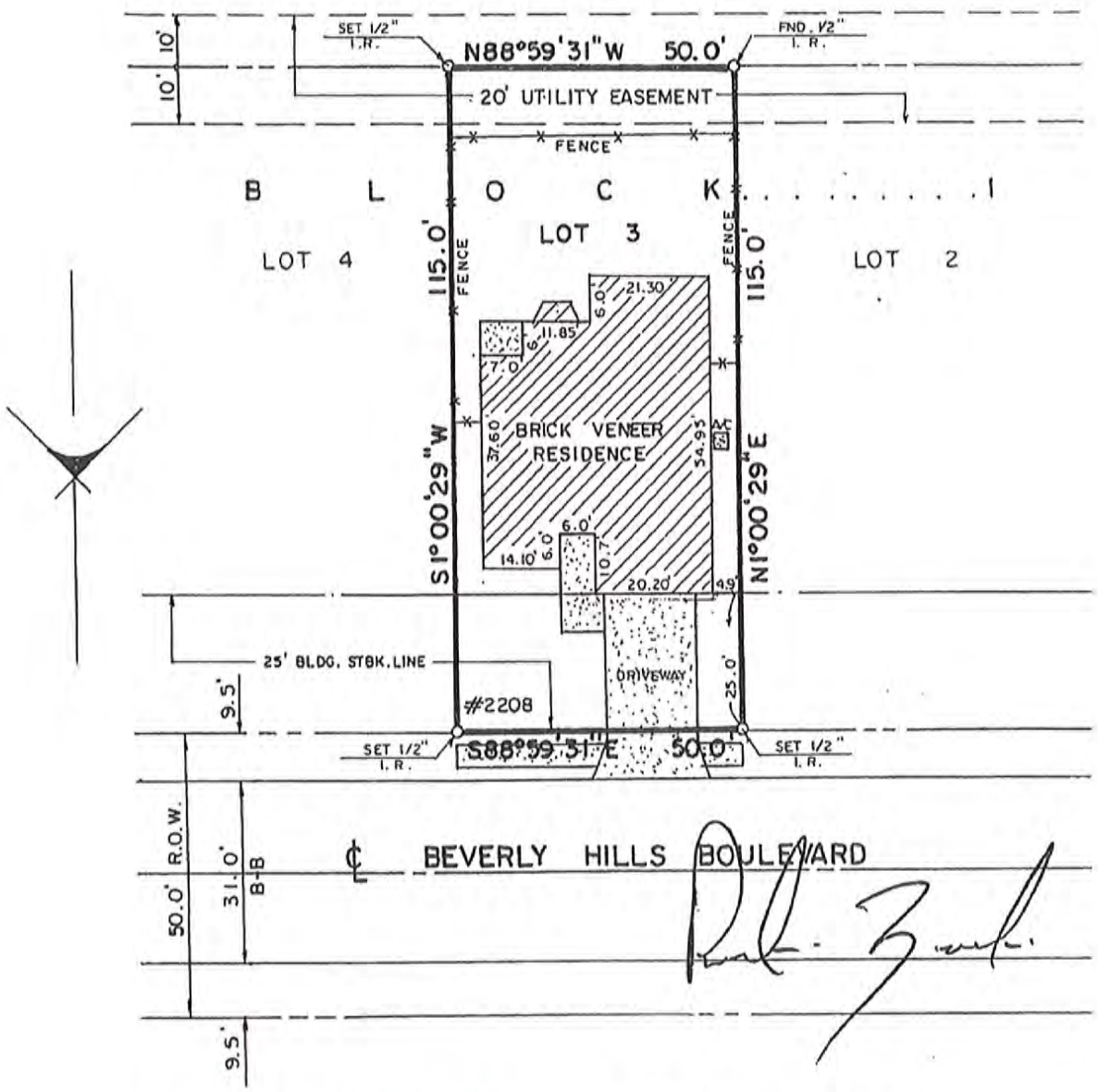
(5) No existing dwelling shall be moved onto any lot in this subdivision.

(6) No building erected in Lot 1, Block 1 and Lot 1, Block 2, Treasure Hills Subdivision Unit #1 shall face Bibb Avenue.

(F) NUISANCES. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood.

(G) TEMPORARY STRUCTURES. No structure of a temporary character, such as mobile home, manufactured home, trailer, basement, tent, shack, garage, barn or other outbuilding shall be used on any lot at any time as a residence either temporarily or permanently.

(H) SIGNS. No signs of any kind shall be displayed to the public view on any lot except one professional sign of not more than five square feet to advertise the property during the construction period and sales period.




# PLAT SHOWING IMPROVEMENTS ON LOT 3, BLOCK 1, TREASURE HILLS SUBDIVISION, EAGLE PASS, MAVERICK COUNTY, TEXAS

JULY 2004 SCALE 1" = 30'

I, Francisco Gaytan, Registered Professional Land Surveyor, hereby certify that the foregoing plat was prepared from a survey con on the ground under my supervision on July 16, 2004; that it correctly shows the boundaries, line and location of said property as in **Envelope 217, Side B** of the Map Records of Maverick County, Texas; and that there are no encroachments, protrusions or c between the improvements and the boundaries of record except as shown above. This property is not in the 100 year flood p published by the Federal Flood Insurance Program.

STATE OF TEXAS
REGISTERED
FRANCISCO GAYTAN
5474
PROFESSIONAL
LAND SURVEYOR

7/19/04

Fran Gayt

Francisco Gaytan
Registered Professional Land Surveyor
Texas No. 5474

(I) OIL AND MINING OPERATIONS. No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any lot, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any lot. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained or permitted upon any lot.

(J) LIVESTOCK AND POULTRY. No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except dogs, cats or other household pets may be kept provided that they are not kept, bred or maintained for any commercial purposes.

(K) GARBAGE AND REFUSE DISPOSAL. No lot shall be used for or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept, except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition. No lot shall be used to store old or inoperative farm equipment or vehicles. Inoperative vehicles are defined as vehicles which are inoperable due to flat tires, missing parts or which have an expired license or inspection sticker.

(L) NON-REGULAR PASSENGER VEHICLES. There shall be no parking of any vehicle within the subdivision, except regular passenger vehicles (occupancy of eight persons or less) and pick-up trucks not to exceed one ton; provided, however, standard delivery trucks or moving vans shall be permitted provided that such vehicles shall not remain within the subdivision for a period longer than eight hours.

(M) ALCOHOLIC BEVERAGES. Public consumption of alcoholic beverages shall not be permitted on the property; provided, however, this restriction shall not be interpreted to prohibit the private consumption of alcoholic beverages in a personal or private residence located on the property. In addition, no property owner shall be permitted to sell alcoholic beverages for the purpose of on-premises consumption.

(N) All residents shall have provisions for off street parking.

(O) ARCHITECTURAL CONTROL COMMITTEE

(1) MEMBERSHIP. The Architectural Control Committee is composed of Jose de Luna, Eagle Pass, Texas; Lucino Galvan, Eagle Pass, Texas and Marisa de Luna, Eagle Pass, Texas. A majority of the committee may designate a representative to act for it. In the event of death or resignation of any member of the committee, the remaining members shall have full authority to designate a successor. Neither the members of the committee nor its designated representative shall be entitled to any compensation for services performed pursuant to this covenant. Any time, the then record owners of a majority of lots shall have the power through a duly recorded written instrument to change the membership committee or withdraw from the committee or restore to it any of its powers and duties.

(2) PROCEDURE. The committee's approval or disapproval as required in these covenants shall be in writing. In the event the committee, or its designated representative fails to approve or disapprove within 30 days after plans and specifications have been submitted to it, or in any event, if no suit to enjoin the construction has been commenced prior to the completion thereof, approval will not be required and compliance with the related covenants shall be deemed to have occurred.

(P) GENERAL PROVISION.

(1) TERM. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of 30 years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of 10 years unless an instrument signed by a majority of the then owners of the lots has been recorded, agreeing to said covenants in whole or in part.

(2) ENFORCEMENT. Enforcement shall be by proceedings at law or in equity against any persons in violation or attempting to violate any covenant either to restrain violation or to recover damages.

(3) SEVERABILITY. Invalidation of any one of these covenants by judgment or court order shall be in no wise affect any of the other provisions which shall remain in full force and effect.

EXECUTED this the 14th day of May, 1999.

Jose de Luna

Jose de Luna

Lucino Galvan

Lucino Galvan

ACKNOWLEDGEMENT

THE STATE OF TEXAS X

COUNTY OF MAVERICK X

This instrument was acknowledged before me on this the 14th day of May, 1999, by Jose de Luna.

PATRICIA M. PEREZ
Notary Public, State of Texas
My Commission Expires 02-01-2002

Patricia M. Perez
Notary Public in and for Maverick County, Texas

ACKNOWLEDGEMENT

THE STATE OF TEXAS X

COUNTY OF MAVERICK X

This instrument was acknowledged before me on this the 14th day of May, 1999, by Lucino Galvan.

PATRICIA M. PEREZ
Notary Public, State of Texas
My Commission Expires 02-01-2002

Patricia M. Perez
Notary Public in and for Maverick County, Texas

Doc# 94681
Book: 541
Pages: 432 - 434
Filed & Recorded
06/15/99 04:46:42 PM
SARA MONTEMAYOR
COUNTY CLERK
MAVERICK
RECORDING FEE $ 7.00
RECORDS PRESERV $ 5.00
COURTHOUSE SECU $ 1.00 CS

State of Texas County of Maverick
I hereby certify that this instrument was filed on the date and time stamped thereon by me and was duly recorded in the OFFICIAL PUBLIC RECORD of Maverick County, Texas

Sara Montemayor
County Clerk Maverick County

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

DOC #198293
BOOK 1655 PAGE 366

# RELEASE OF LIEN

Loan Number 0194817714

**When Recorded Return To:**
**Wells Fargo Home Mortgage**
**C/O Nationwide Title Clearing, Inc.**
**2100 Alt. 19 North**
**Palm Harbor, FL 34683**

THE STATE OF TEXAS
COUNTY OF MAVERICK

**KNOW ALL MEN BY THESE PRESENTS**, that the undersigned acknowledges the payment in full, according to the face and tenor thereof, of a certain promissory note in the original principal sum of $39,000.00 and secured by a Deed of Trust executed by **ROBERTO ZARATE** with **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR FIELDSTONE MORTGAGE COMPANY, ITS SUCCESSORS AND ASSIGNS** as the Beneficiary, described in a certain Deed of Trust dated 07/21/2004 and recorded in Volume 815, on Page 348, or Clerk # 124219 of the records of Real Property of MAVERICK County, Texas:

Property Address: 2208 BEVERLY HILLS BLVD, EAGLE PASS, TX 78852

Now therefore, **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR FIELDSTONE MORTGAGE COMPANY, ITS SUCCESSORS AND ASSIGNS**, as the beneficiary of the Deed of Trust securing payment of said note, does hereby release the Deed of Trust lien shown by said instrument to exist upon the previously described property, to secure payment of said note.

IN WITNESS WHEREOF, the said Corporation has caused these to be signed by its duly authorized officer, on 7/11/2017 (MM/DD/YYYY).

**MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR FIELDSTONE MORTGAGE COMPANY, ITS SUCCESSORS AND ASSIGNS**

By: _____
**Amanda Jones**
**VICE PRESIDENT**

All persons whose signatures appear above have qualified authority to sign and have reviewed this document and supporting documentation prior to signing.

**Document Prepared By: Robert E. Fletcher - c/o NTC, 2100 Alt. 19 North, Palm Harbor, FL 34683**
**(800)346-9152**
WFHRC 399382964 MIN 100102373625126657 MERS PHONE 1-888-679-6377 MERS Mailing Address: P.O. Box 2026, Flint, MI 48501-2026 DOCR T061707-04:45:17 [C-2] RCNTXN1_WFHRC

*D00242691894*

Loan Number 0194817714

## ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF PINELLAS
The foregoing instrument was acknowledged before me on 7/1/2017 (MM/DD/YYYY), by Amanda Jones as VICE PRESIDENT of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR FIELDSTONE MORTGAGE COMPANY, ITS SUCCESSORS AND ASSIGNS, who, as such VICE PRESIDENT being authorized to do so, executed the foregoing instrument for the purposes therein contained. He/she/they is (are) personally known to me.

Elizabeth A. Mustard
Notary Public - State of FLORIDA
Commission expires: 08/27/2019

EUZABETH A. MUSTARD
Notary Public - State of Florida
Commission # FF 224631
My Comm. Expires August 27,2019

**Document Prepared By: Robert E. Fletcher - c/o NTC, 2100 Alt. 19 North, Palm Harbor, FL 34683 (800)346-9152**

When Recorded Return To: Wells Fargo Home Mortgage
C/O Nationwide Title Clearing, Inc.
2100 Alt. 19 North
Palm Harbor, FL 34683

WFHRC 399382964 MIN 100102373625126657 MERS PHONE 1-888-679-6377 MERS Mailing Address: P.O. Box 2026, Flint, MI 48501-2026 DOCR T061707-04:45:17 [C-2] RCNTXN1_WFHRC

*D0024269189*

**Doc #: 198293**
**Book: 1655**
**Pages: 366 - 368**

Filed & Recorded:
07/17/2017 03:44PM
SARA MONTEMAYOR
COUNTY CLERK
MAVERICK

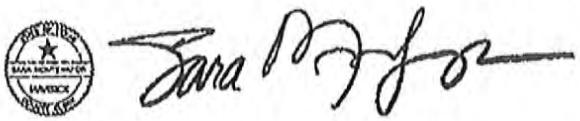
| | |
|---|---|
| Recording Fee - Land Recs | $9.00 |
| Records Management | $10.00 |
| Records Preservation Fund | $10.00 |
| Courthouse Security Fee | $3.00 |

Leticia Perez, Deputy

STATE OF TEXAS,
COUNTY OF MAVERICK
I hereby certify that this instrument was filed on the date and time stamped thereon by me and was duly recorded in the OFFICIAL PUBLIC RECORDS of Maverick County, Texas.

Any provisions herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

SARA MONTEMAYOR
COUNTY CLERK MAVERICK COUNTY, TEXAS



FARMERS INSURANCE

Toll Free: (800) 435-7764
Fax: (877) 217-1389
Email: myclaim@farmersinsurance.com
Please include your claim # on any correspondence
National Document Center
P.O. Box 268994
Oklahoma City, OK 73126-8994

June 6, 2023

ROBERTO ZARATE
2208 BEVERLY HILLS BLVD
EAGLE PASS TX 78852
Delivered by email to: hitechrz@yahoo.com

insurance claim for hail damage.

| | | |
|---|---|---|
| RE: | Claim Number: | 502276562 |
| | Insured: | Sonia Zarate |
| | Policy Number: | 0518714964 |
| | Loss Date: | 04/28/2023 |
| | Subject: | Settlement Let |

Dear Roberto Zarate:

We've enclosed the additional damage estimate for your 2022 C
based on our review. I have processed payment electronically tc
payment for your vehicle damages based on the estimate minus y

While we make every effort to write a full repair estimate during our initial inspection, there may be times additional damages are found once a vehicle is taken to a repair shop. Should your shop of choice find additional damages, our contact information is located on the estimate of repairs with instructions on how they should notify us.

Our goal is for you to have a clear understanding of your claims process. If at any time during the course of your claim you have questions, please feel free to contact me either by phone or e-mail.

Thank you.

Troy Sheets
Catastrophe Claims Representative
(815) 621-4813
Farmers Texas County Mutual Insurance Company

Email communications are preferred and should be sent to myclaim@farmersinsurance.com. If hard copies of communications are required, they should be sent to our National Document Center at P.O. Box 268994, Oklahoma City, OK 73126-8994.

Enclosure(s):
Estimate/Invoice -

Website:
www.ProDentExpress.com

# PROFESSIONAL DENT EXPRESS LLC

Corporate Info:
TAX ID: 82-4291487
210 Sparks Ct.• Laredo, TX 78045
E-mail: info@prodentexpress.com
(956) 286-5628

11087

Paintless Dent Removal at its Best,
HAIL DAMAGE, MINOR DENTS and DOOR DINGS
Satisfaction Guaranteed

**David Durden - (956) 286-5628**

*Servicing South Texas + Since 1998*

## HAIL DAMAGE REPAIR ESTIMATE / RECEIPT / WORK

(PINK COPY) (YELLOW COPY) (WHITE COPY)

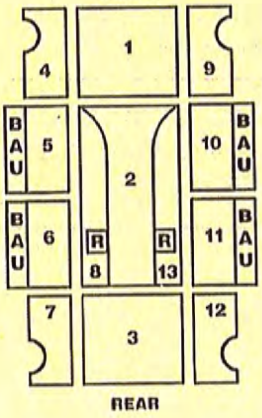
**Estimator:** _____ **Date:** _____ (VALID 45 DAYS)

**Technician:** _____

| | |
|---|---|
| **INS** | Farmers |
| **CLAIM #** | 502376362-1-1 |

| | | | |
|---|---|---|---|
| NAME | Roberto Zarate | | YEAR 2022 |
| EMAIL | | | MODEL GMC Sierra |
| ADDRESS | | | COLOR Blue |
| CITY | STATE | ZIP CODE | VIN 2Z644689 |
| CELL # (830)768-5681 | OTHER # | | |

FRONT




REAR

OTHER

2nd deposit to pick up

| | R & I | DESCRIPTION OF WORK | SIZE | +25% | OVER SIZE | INS EST | OUR EST |
|---|---|---|---|---|---|---|---|
| | | HOOD LINER | DNO | | | HOOD 1 | |
| R & I | | | | | | | |
| LUG RACK ANTENNA | | HEAD LINER SUN ROOF | DNO | | | ROOF 2 | |
| HATCH LINER | | DECK LID TAIL GATE | DNO | | | REAR 3 | |
| | | LAMP LINER | DNO | | | LF FENDER 4 | |
| | | BELT T-PANEL | DNO | | | LF DOOR 5 | |
| | | BELT T-PANEL | DNO | | | LR DOOR 6 | |
| | | LAMP LINER | DNO | | | L QUARTER 7 | |
| | | | DNO | | | L ROOF RAIL 8 | |
| | | LAMP LINER | DNO | | | RF FENDER 9 | |
| | | BELT T-PANEL | DNO | | | RF DOOR 10 | |
| | | BELT T-PANEL | DNO | | | RR DOOR 11 | |
| | | LAMP LINER | DNO | | | R QUARTER 12 | |
| | | | DNO | | | R ROOF RAIL 13 | |
| | | | | | | PDR TOTAL | |
| | | | | | | R & I TOTAL | |
| | | | | | | PARTS TOTAL | |
| | | | | | | GRAND TOTAL | 5726.44 |

Dent removal only; no panels painted - this is not a scratch or paint chip repair. Note that this estimate is for repair of metal panels only - Molding replacement not included unless noted. If we are preparing an insurance estimate we will take a very close look at the damages and dent counts and the totals will change accordingly. With request for repairs the owner acknowledges the right of repair shop to place a mechanic's lean on vehicle should it be necessary in absence of payment for service rendered. **Lifetime Warranty** - Dent Express gaurantees all repairs made to your vehicle by Dent Express for the life time of the vehicle unless otherwise stated on the estimate or invoice. Our gaurantee includes the paint: Dent Express provides a lifetime warranty repair that will not cause the exterior paint to deteriorate, crack, flake, or pit due to our process of repair. Customer Obligation: In order to obtain the benefits of this warranty, the owner must present owners' copy of this warranty document to the warrantor. No warranty on BP "Best Possible" panels. Should Dent Express fail to meet agreed-upon standards you will not be charged for the panel(s) in question.

**Thank You! We appreciate your business.**

# PLANNING DEPARTMENT

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

**Permit #:** 9179
**Permit Type:**
**Address:** 2208 BEVERLY HILLS BLVD
**City:** EAGLE PASS
**State:** TX
**Zip:** 78852
**Owner:** ZARATE, ROBERTO & SONIA
**Owner Address:** 2208 BEVERLY HILLS
**Owner City:** EAGLE PASS
**Owner State:** TX
**Owner Zip:** 78853
**Owner Phone:**
**Owner Email:**
**Receipt #:** 9310
**Date:** 05/15/2023
**Paid By:** Roberto Zarate
**Description:** Building Driveway Permit
**Payment Type:** Credit Card
**Payment Type Description:** 9323
**Accepted By:** Rita Robledo

**Fees Paid**

| Fee Name | Fee Type | Description | Factor | Total Fee Amount | Amount Paid |
|---|---|---|---|---|---|
| Building Permit Fee Partial | Building | Building Permit (Partial Fee) | 0.00 | 30.00 | 30.00 |
| | | | | **Total:** | **$30.00** |

# PLANNING DEPARTMENT

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

## DRIVEWAY PERMIT APPLICATION

Permit No. 9179

| | | | |
|---|---|---|---|
| 1. JOB ADDRESS: 2208 Beverly Hills | | | MCAD PROPERTY ID NO.: 598960 |
| 2. LEGAL DESCRIPTION | LOT: | BLOCK: | SUBDIVISION NAME: |
| 3. APPLICANT: ☑ OWNER ☐ CONTRACTOR | | | APPLICANT NAME OR DBA: ROBERTO ZARATE |
| ADDRESS: 2208 Beverly Hills | | | |
| PHONE NO.: 830 968 5689 | | | EMAIL: hitechrz@yahoo.com |

4. CONSTRUCTION INFORMATION: ☒ Residential ☐ Commercial ☐ Industrial

Driveway Ord No 2018-01 (No Curb Cut Required)

| 5. DESCRIBE WORK: | 6. COST OF PROJECT (Material plus Labor): |
|---|---|
| Repar. Driveway | $5300 |

| Building Permit Fees | |
|---|---|
| Base Permit Fee | $ ~~20.00~~ 30 |
| Doubling of Fee (Fees double if work is performed without permit being issued) | $ 28 |
| It is recommended that a Concrete Contractor to be hired to perform the work and also be held responsible to request required inspection. | SUBTOTAL: $ 58.00 |

NOTICE

THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 6 MONTHS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF ONE YEAR AT ANY TIME AFTER WORK IS COMMENCED.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NO THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCITON OR THE PREFORMANCE OR CONSTRUCTION.

SIGNATURE 05-08-23 DATE

| Office Use | | | |
|---|---|---|---|
| | Date Application received for review: 5/08/23 | Received by: ar | Routed to: Planning |
| | Missing Supporting Documents, if applicable: | | |
| | Date Supplemental Info or Supporting Documents Received: | | Received by: |
| | Permit Issuance Date: 5/15/2023 | | Issued by: RR |

MR:6/2020

RECEIVED 5/8/23 VB

APPROVED

# EAGLE PASS PLAN REVIEW

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

Permit # 9179

| LV / MR / (VB) | Date Received: 5/9/23 | ☑ Approved ☐ Denied | Date: 5/9/23 |
|---|---|---|---|
| Site Address: 2208 Beverly Hills Blvd. | | | |
| Legal Description: Treasure Hills Unit #1, Block 1, Lot 3 | | | |
| Zoning: R2 | Type of Construction: Driveway repair | | |
| Front Yard: 25 | Rear Yard: 10 | Side Yard: 5 | Street Yard Side: 10 | Height: 35 |

| Y | N | N/A | Plan Review | Comments |
|---|---|---|---|---|
| ✓ | | | Is this a Legal Lot | |
| | ✓ | | Will this require a Subdivision Variance | |
| | ✓ | | Floodplain | |
| | ✓ | | Fence Upgrade | |
| | ✓ | | Historic District | |
| | ✓ | | Owner verification required | |
| | ✓ | | TxDOT approval required | |
| | | | **CO Only** | |
| | | | Alcohol consumed on premises | |
| | | | Food consumed on premises | |
| | | ✓ | Application emailed to Health Inspector | |
| | | | Application emailed to Fire Marshal | |

**Comments:**

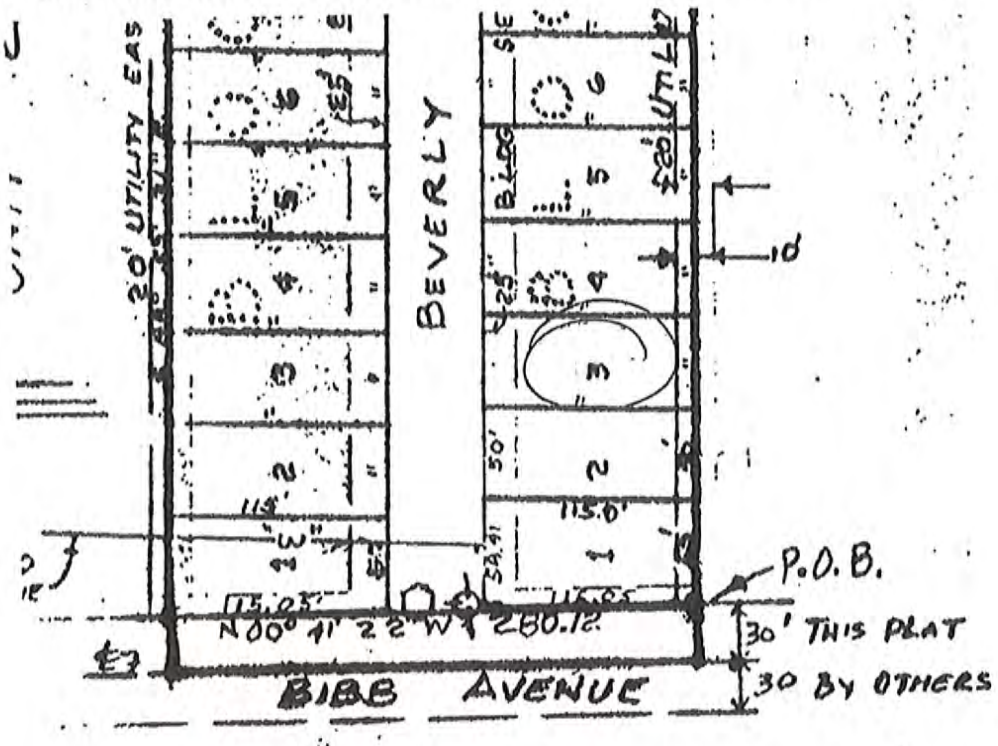
| MS / IR / LV / (VB) | Date Received: 5/9/23 | (VB) ☐ Approved ☐ Denied | Date: 5/9/23 |
|---|---|---|---|

| Y | N | N/A | Plan Review | Comments |
|---|---|---|---|---|
| | | | Drainage required | |
| | | | Parking | |
| | | | Sidewalks | |
| | | | Landscaping | |
| | | | **CO Only** | |
| | | | Inspection may be scheduled | |
| | | | Total number of striped parking spaces on site: | |
| | | | Total parking spaces required: | |
| | | | Total square footage to be occupied: | |

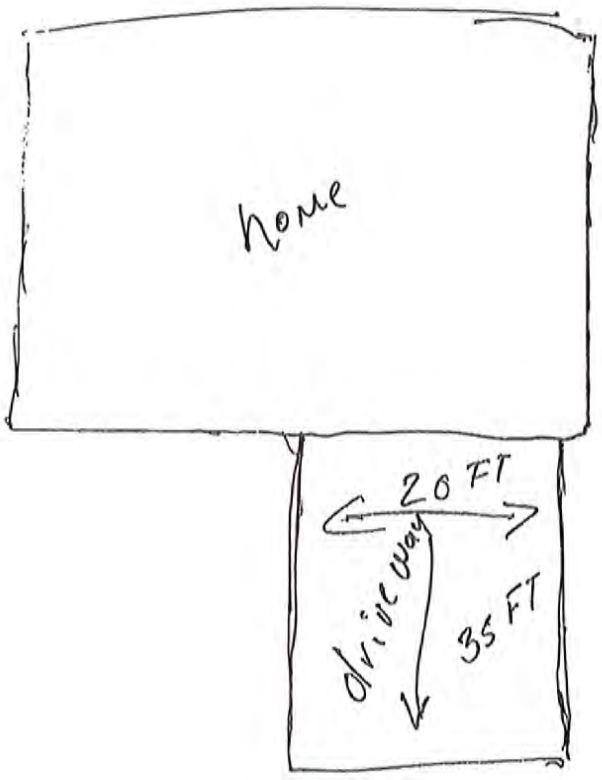
**Comments:** Must comply w/ADA requirments

| Health Inspector | Date Received: | ☐ Approved ☐ Denied | Date: |
|---|---|---|---|
| **Eagle Pass Plan Review** | | | |
| **Fire Marshal** | Date Delivered: | ☐ Approved ☐ Denied | By: |
| Comments: | | | |
| **Waste Management:** | Date Delivered: | ☐ Approved ☐ Denied | By: |
| Comments: | | | |
| **Main Street Manager** | Date Delivered: | ☐ Approved ☐ Denied | By: |
| Comments: | | | |
| **Engineering/Public Works** | Date Delivered: | ☐ Approved ☐ Denied | By: |
| Comments: | | | |

Plat of Record – Treasure Hills Unit #1, Block 1, Lot 3




" TREASURE HILLS SUBDIV. UNIT 1




2208 Beverly Hills

## Sec. 6. "R-2" Second one-family dwelling districts.

The following regulations shall apply to the "R-2" Second one-family dwelling district:

A. *Use regulations:* A building or premises shall be used only for the following purposes:

(1) Any use permitted in the "R-1" First one-family dwelling district.

B. *Height regulations:* No building shall exceed two and one-half (2½) stories or thirty-five (35) feet in height except as provided in section 11 hereof.

C. *Yard regulations:*

(1) *Front yard.* There shall be a front yard along the front line of the lot. The minimum depth of such front yard shall be twenty-five (25) feet.

(2) *Side yards.* There shall be a side yard on each side of a building and shall not be less than five (5) feet in width. Where there is a corner lot, side yard shall not be less than ten (10) feet from the side of the building to the property line running adjacent to any street.

(3) *Rear yard.* The depth of the rear yard shall not less than sixteen (16) feet in depth.

(4) *Depth of lot.* The lot shall have a minimum depth of one hundred (100) feet.

D. *Intensity of use:*

(1) Every lot or tract of land shall have an area of not less than five thousand five hundred (5,500) square feet and an average width of not less than fifty-five (55) feet, except that if a lot or tract should have less area or width than is herein required and its boundary lines along their entire length should touch lands under other ownership on the effective date of the ordinance from which this section is derived and shall not have been changed since said date, such parcel of land may be used for a single-family dwelling.

(2) Maximum impervious cover for a residential lot in R-2 district is fifty-five (55) percent. Impervious surfaces include any artificial structures that are covered by water-resistant materials such as: concrete, brick, stone, pavement and rooftops.

E. *Parking regulations:* Off-street parking shall be provided on a basis of two (2) concrete surfaced off-street parking spaces per dwelling. Other standards contained in Section 12.1, Parking Requirements shall also apply.

F. *Additional use, height, and area regulations:*

(1) Additional use, height, and area regulations and exceptions are found in section 12 herein.

(2) Signs:

(a) One unlighted sign, which shall not exceed one (1) square foot in area, indicating the name of the occupant or occupation of a customary home occupation, provided the sign is attached flatwise to the building.

(b) One sign, which shall not exceed eighteen (18) square feet, for church or school.

(c) One sign which shall not exceed four (4) square feet in area for temporary unlighted sign pertaining to the lease, hire, or sale of building or premises, provided the sign is immediately removed upon the lease, hire, or sale of such building or premises.

(Ord. No. 06-13, § 2, 7-11-2006; Ord. No. 2020-08 , § 1, 4-21-2020; Ord. No. 2022-08 , § 1, 3-17-2022)