



---

## **AGENDA**

Pursuant to V.T.C.A. Gov. Code Section 551.001, et. Seq., the Zoning Board of the City of Mission, Texas will hold a Regular Meeting on Wednesday, **July 23, 2025 at 4:30 p.m.** in the **City Hall's Council Chamber, 1201 E. 8th Street** and by Teleconference, to consider the following matters:

The Public Dial Information to Participate Via Zoom/Telephone Meeting is as Follows:  
Time: July 23 2025 04:30 PM Central Time (US and Canada)

Meeting ID: 827 2262 8060

Passcode: 326815

Or Dial by Telephone +13462487799 Meeting ID 827 2262 8060 Password: 326815

### **REGULAR MEETING**

1. Call to Order
2. Disclosure of Conflict of Interest
3. Citizens Participation
4. Approval of Minutes for ZBA Meeting June 25, 2025

### **PUBLIC HEARING**

5. Public hearing and take action to consider a variance to allow a 2' rear setback instead of the required 10' and a 4' side setback instead of the required 6' for a 27' by 19' Patio Structure and to allow a 1' rear setback instead of the required 10' and a 1' side setback instead of the required 6' for a 10' by 8' Shed and to allow a 0' garage setback instead of the required 18' for a 18' by 21' Carport, being Lot 37, Montecristo Subdivision, located at 1909 W. 26th Street, Applicant: Craig King - Cervantes

### **ADJOURNMENT**

Signed this the 17th day of July, 2025

\_\_\_\_\_  
Xavier Cervantes, Director of Planning

## **C E R T I F I C A T E**

I, the undersigned City Secretary do certify that the above notice of meeting was posted on the bulletin board of City Hall, 1201 E. 8th Street, Mission, Texas on this the 17th day of July, 2025 at \_\_\_\_ a.m./p.m.

\_\_\_\_\_  
Anna Carrillo, City Secretary

**ZONING BOARD OF ADJUSTMENTS  
JUNE 25, 2025  
CITY HALL'S COUNCIL CHAMBERS**

**ZBA PRESENT**

Alberto Salazar  
Humberto Garza  
Heraclio Flores  
William Ueckert Jr.  
Dolly Elizondo

**ZBA ABSENT**

**STAFF PRESENT**

Xavier Cervantes  
Susie De Luna  
Jessica Munoz  
Patricio Martinez

**GUESTS PRESENT**

Dolores Ueckert  
Fidela Elsa Covarrubias

**CALL TO ORDER**

Chairman Flores called the meeting to order at 4:37p.m.

**CITIZENS PARTICIPATION**

Chairman Flores asked if there was anyone in the audience that had anything to present or express that was not on the agenda.

There was none.

**APPROVAL OF MINUTES FOR MAY 28, 2025**

Chairman Flores asked if there were any corrections to the minutes. Mr. Salazar moved to approve the minutes as presented. Ms. Elizondo seconded the motion. Upon a vote, the motion passed unanimously.

**ITEM # 5**

**TO ALLOW A 3-FOOT REAR SETBACK INSTEAD OF THE REQUIRED 15 FEET REAR SETBACK AND A 1 FOOT 6 INCH SIDE SETBACK INSTEAD OF THE REQUIRED 6 FOOT SIDE SETBACK AT 2219 LAKE VIEW DRIVE, BEING LOT 26, BLOCK 1, MEADOW CREEK COUNTRY CLUB SUBDIVISION PHASE I-B AS REQUESTED BY ELSA COVARRUBIAS**

Mr. Cervantes stated that the subject site was located approximately 450 feet north of River Bend Drive along the west side of Lake View Drive. Meadow Country Club Phase 1B was recorded on March 17, 1987. The regular lot measures a total of 8,394 square feet. The applicant is requesting a variance to keep an already constructed 17' x 40' roof structure partly located within the rear setback.

There is currently an existing 1,357 square foot single-family residence on the property. The applicant constructed a roof structure without obtaining the property building permits. City officials from the Code Enforcement Division noticed the roof structure in the backyard and gave the property owner a notice of the violation.

Staff notes that the applicant applied for a building permit on April 7, 2025, but it was denied due to not meeting the setbacks. A revised application was submitted on April 11, 2025 indicating that she was proposing a 10' rear setback, but it was also denied. The required rear setback is 15' due to a utility easement. The applicant was advised that the 15' requirement needed to be met. The

applicant signed the application, indicating that the structure would be constructed meeting setbacks. The permit was issued on April 23, 2025, however that was not what was done at the site.

Staff recommends disapproval of the variance request as: 1) The request does not meet the standards for the issuance of a variance as described in the City of Mission Code of Ordinances; and 2) This is a self-imposed hardship.

However, if ZBA is inclined to approve this variance request, then staff would recommend that the applicant comply with the following: 1) Sign a hold harmless agreement stating that the structure will remain perpetually "open and to its footprint" and if the structure is ever removed, the prevailing setbacks shall be complied with thereafter, with an acknowledgement of the utility easement and no access from Inspiration Road, and 2) The vehicle access gate must be modified to a pedestrian gate.

Ms. Elizondo asked if the gate was the buffer?

Mr. Cervantes replied yes. He added that the carport could be used for gatherings but not for the use of vehicles to go in and out through Inspiration Road. He mentioned that the gate had to be modified for the use of a pedestrian only.

Chairman Flores asked if there was anyone in favor or against this request.

The applicant Mrs. Elsa Covarrubias was present. She mentioned that she would like the board to consider approving her carport as is, since it was built already and would cost her money to modify it. She added that she would use the carport for gatherings and to protect her belongings from the heat or ugly weather.

Chairman Flores asked if the board had any questions for the applicant?

Ms. Elizondo stated that the applicant applied proposing to modify the carport to 10 feet instead of the required 15 feet. She stated that the applicant had no intention to modify the carport.

Mrs. Elsa Covarrubias mentioned that she wanted a solution to the problem, but then she started to think about all the money that was needed to modify the carport. She stated that she had invested a lot of money on the carport, and didn't have money to modify it.

Mr. Ueckert asked if staff spoke to the applicant in regards to leaving the carport as is, and removing the gate and making it into a pedestrian entrance only.

Mr. Cervantes replied that he was going to explain to the applicant during the meeting. He stated in Spanish to the applicant the recommendation that was being proposed.

Mrs. Elsa Covarrubias mentioned that she agreed to the proposal, but she needed time so she can build a carport in the front to protect her vehicles. She stated that she didn't have the funds to do any modifications at the moment.

Mr. Cervantes asked how much time was needed to fix the gate.

Mrs. Elsa Covarrubias replied if that was the solution to leave everything as is and build a small gate or seal it, she would need enough time to build a carport in the front.

Mr. Cervantes replied that she could take as much time that she needed to build the carport in the front. He stated that the problem was the gate.

Mrs. Elsa Covarrubias replied that she would need a month.

There being no further discussion. Chairman Flores entertained a motion to close the public hearing. Ms. Elizondo moved to close the public hearing. Mr. Salazar seconded the motion. Upon a vote, the motion passed unanimously.

Chairman Flores entertained a motion. Mr. Ueckert moved to approve the variance request to comply with the following: 1) Sign a hold harmless agreement stating that the structure will remain perpetually “open and to its footprint” and if the structure is ever removed, the prevailing setbacks shall be complied with thereafter, with an acknowledgement of the utility easement and no access from Inspiration Road, and 2) The vehicle access gate must be modified to a pedestrian gate. Ms. Elizondo seconded the motion. Upon a vote, the motion passed unanimously.

Mr. William Ueckert abstained from voting on item #6

#### **ITEM # 6**

#### **TO ALLOW A 2.1’ REAR SETBACK INSTEAD OF THE REQUIRED 10’ FOR A 9’ BY 12’ GAZEBO STRUCTURE, AT 2601 E. 20<sup>TH</sup> STREET, BEING LOT 11, OLIVE TREE ESTATES SUBDIVISION, AS REQUESTED WILLIAM UECKERT**

Mr. Cervantes stated that the site was located along the North side of E. 20<sup>th</sup> Street approximately 880 feet West of Taylor Road. The applicant is requesting a variance to construct a 9’ by 12’ gazebo partly within the 10’ rear setback. The subject property is a rectangular lot that has a depth of 118.55 feet and a width of 80 feet along 20<sup>th</sup> Street. The applicant submitted emails from utility companies with no objections.

Mr. Cervantes mentioned that the applicant was proposing a hold harmless agreement and, that if a utility company would need to access his property he would agree to remove the structure.

#### **STAFF RECOMMENDATION:**

Staff recommends denial. This request does not qualify as an undue hardship.

However, if ZBA is inclined to approve this variance request then the applicant would need to comply with the following: 1) Sign a hold harmless agreement stating that the structure will remain perpetually “open and to its footprint” and if structure is ever removed, the prevailing setbacks shall be complied with thereafter, and 2) obtaining a building permit fee.

Chairman Flores asked if the board had any questions for staff.

There was none.

Chairman Flores asked if the applicant was present.

Mrs. Dolores Ueckert who resides at 2601 E. 20<sup>th</sup> Street was present. She mentioned that she was asking for consideration from the board to allow her to place the 9’x12’ Gazebo. She added that the gazebo was not a permanent structure that it would be installed by her and her husband, and would be placed over the pavers they had.

Ms. Elizondo stated that if the structure was not part of the lot, it was not an improvement.

Mr. Cervantes replied that a building permit was submitted for review and was denied because of the encroachment.

Ms. Elizondo asked if it was considered a structure, since it was not placed into the ground?

Mr. Cervantes replied that it would be placed on the ground but was removeable.

Mrs. Ueckert stated that it probably needed to be drilled on the ground, was not sure.

There being no further discussion. Chairman Flores entertained a motion to close the public hearing. Ms. Elizondo moved to close the public hearing. Mr. Garza seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion. Chairman Flores entertained a motion. Mr. Garza moved to approve the variance request. Mr. William Ueckert abstained. Ms. Elizondo seconded the motion. Upon a vote, the motion passed unanimously.

## **OTHER BUSINESS**

There was none.

## **ADJOURNMENT**

There being no further business, Ms. Elizondo moved to adjourn. Mr. Salazar seconded the motion. Upon a vote, the motion passed unanimously at 4:59 p.m.

---

Heraclio Flores, Chairman  
Zoning Board of Adjustments



# CITY OF MISSION

## AGENDA ITEM & RECOMMENDATION SUMMARY

**MEETING DATE:** July 23, 2025

**PRESENTED BY:** Xavier Cervantes, AICP, CPM, Director of Planning

**AGENDA ITEM:** Public hearing and take action to consider a variance to allow a 2' rear setback instead of the required 10' and a 4' side setback instead of the required 6' for a 27' by 19' Patio Structure and to allow a 1' rear setback instead of the required 10' and a 1' side setback instead of the required 6' for a 10' by 8' Shed and to allow a 0' garage setback instead of the required 18' for a 18' by 21' Carport, being Lot 37, Montecristo Subdivision, located at 1909 W. 26<sup>th</sup> Street, Applicant: Craig King - Cervantes

### NATURE OF REQUEST:

#### Project Timeline:

- June 1, 2025 – Application for Variance Request submitted to the City
- July 9, 2025 – In accordance with State and local law, notice of the required public hearings mailed to all property owners within 200 feet of the subject tract.
- July 23, 2025 – Public hearing and consideration of the requested variance by the Zoning Board of Adjustments.

#### Summary:

- The request is for a variance not to comply with Section 1.371 (5) (h) of the Mission Code of Ordinances, which states: Minimum distance from the public right-of-way to the entrance to a garage or enclosed carport, unless otherwise approved by the Zoning Board of adjustments: 18 feet.
- The request is for a variance not to comply with Section 1.371 (5) (g) of the Mission Code of Ordinances, which states: Minimum width of side setback: (1) Internal lot: 6 feet
- The request is for a variance not to comply with Section 1.371 (5) (f) of the Mission Code of Ordinances, which states: Minimum depth of the rear setback: 10 feet or to the easement line, whichever is greater.
- The site is located along the South side of 26<sup>th</sup> Street approximately 230 feet West of Inspiration Road.
- The applicant is requesting a variance to keep an already-constructed carport, patio structure and shed.
- The Montecristo Subdivision was recorded on May 30, 2018. The subject property is a rectangular-shaped lot that has a depth of 100 feet and a width of 60 feet.
- City officials from the Code Enforcement Division noticed the carport structure and gave the property owner notice of violation for the construction of the structure without a building permit.
- There is no history of variances in this subdivision.
- The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out 27 legal notices to the surrounding property owners.

**STAFF RECOMMENDATION:**

Staff recommends denial. The structures need to be modified or removed to comply with the required setbacks.

However, if the ZBA is inclined to approve this variance request then the applicant would need to comply with the following: 1) Sign a hold harmless agreement stating that the structures will remain perpetually "open and to its footprint" and if the structures are ever removed, the prevailing setbacks shall be complied with thereafter, and 2) obtaining a building permit and paying a double fee.

**RECORD OF VOTE:****APPROVED:** \_\_\_\_\_**DISAPPROVED:** \_\_\_\_\_**TABLED:** \_\_\_\_\_

\_\_\_\_\_ AYES

\_\_\_\_\_ NAYS

\_\_\_\_\_ DISSENTING \_\_\_\_\_

## LEGAL NOTICE MAP



#19 SUBD.

# N LATERAL

SITE

LOCATION

DOL #4 SUBD.

LOT 1

# The School

ER RESUB.

C

D

## 200' RADIUS MAILOUT

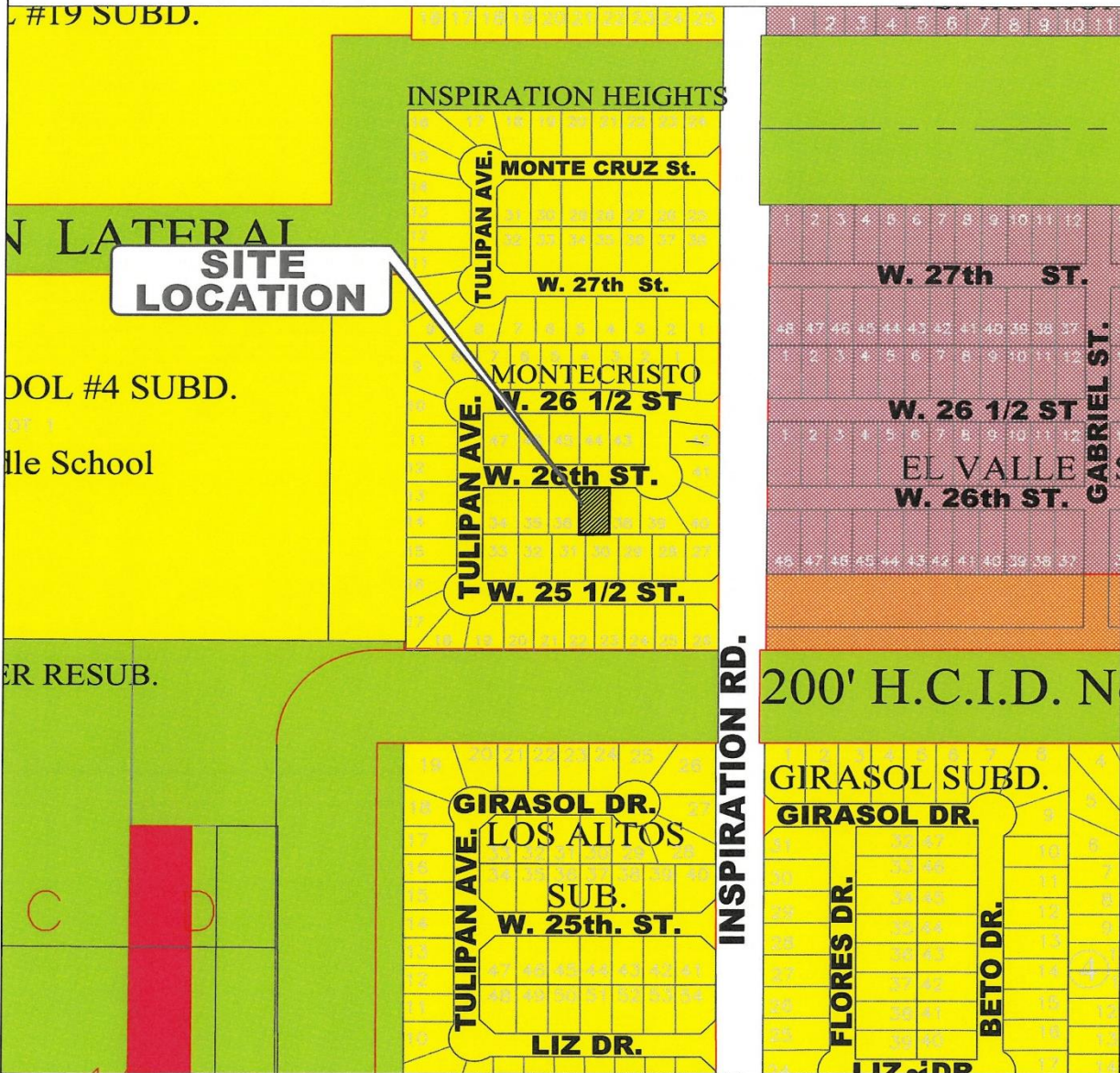


## AERIAL MAP





# ZONING MAP



## ZONING LEGEND

- A0-I AGRICULTURAL OPEN INTERIM
- AO-P AGRICULTURAL OPEN PERMANENT
- R-1A LARGE LOT SINGLE FAMILY
- R-1T TOWNHOUSE RESIDENTIAL
- R-1 SINGLE FAMILY RESIDENTIAL
- R-2 DUPLEX-FOURPLEX RESIDENTIAL

- R-3 MULTI-FAMILY RESIDENTIAL
- R-4 MOBILE & MODULAR HOME
- R-5 HIGH DENSITY MFCT'D HOUSING
- C-1 OFFICE BUILDING
- C-2 NEIGHBORHOOD COMMERCIAL
- C-3 GENERAL BUSINESS

- C-4 HEAVY COMMERCIAL
- C-5 ADAPTIVE COMMERCIAL
- I-1 LIGHT INDUSTRIAL
- I-2 HEAVY INDUSTRIAL
- PUD PLANNED UNIT DEVELOPMENT
- P PUBLIC





CARPORT PHOTO





CARPORT PHOTO



CARPORT PHOTO









PATIO STRUCTURE PHOTO





PATIO STRUCTURE PHOTO





SHED PHOTO





SHED PHOTO



## MAILOUT LIST

PROP_ID	file_as_na	addrDeliveryLine	addrCity	addrState	addrZip
1180718	PORTILLO ALEJANDRO	4105 HILLCREST DR	MISSION	TX	78573-6737
1180716	CERVANTES ARTURO	1908 W 26TH ST	MISSION	TX	78574
1180714	TARBUTTON CHRISTOPHER LEE	1904 W 26TH ST	MISSION	TX	78574-8300
1180713	LUCERO ERIKA	2316 PARIS ST	MISSION	TX	78574-5729
1180712	HINOJOSA JESUS E JR	2600 CRISANTEMA ST	MISSION	TX	78574
1180711	AYALA JORGE JR & YTZEL HINOJOSA	1903 W 26TH ST	MISSION	TX	78574-8300
1180710	SALINAS CLAUDIA JEANNETTE	2508 E BUSINESS HWY 83 APT #10	MISSION	TX	78572-9120
1180709	BALDERAS CYNTHIA LORENA	1907 W 26TH ST	MISSION	TX	78574-8300
1180708	KING CRAIG DAVID & OLGA TERESITA	1909 W 26TH ST	MISSION	TX	78574-8300
1180707	MARRERO RAMSEY	1911 W 26ST	MISSION	TX	78574
1180706	GARCIA ADRIAN & LAURA PRADO	1913 W 26TH ST	MISSION	TX	78574-8300
1180705	ALAFFA NANCY	1915 W 26TH ST	MISSION	TX	78574-8300
1180704	GONZALEZ JUAN A & KARINA Y	1912 W 25TH 1/2 ST	MISSION	TX	78574
1180703	CASTILLO ANGEL E & ALEJANDRO MUNIZ	1910 W 25TH 1/2 ST	MISSION	TX	78574-7619
1180702	CHAPA SERGIO ALBERTHO	1908 W 25TH 1/2 ST	MISSION	TX	78574-7619
1180701	CANTU KAREN LILIANA	1726 W 20TH ST	MISSION	TX	78572-7327
1180700	MARTINEZ ABRAN	1726 W 20TH ST	MISSION	TX	78572-7327
1180699	MISKIN ALAN STEPHEN & ROSIO TANGUMA	1902 W 25TH 1/2 ST	MISSION	TX	78574-7619
1180698	GALLARDO PRISCILLA & JOSE EDUARDO HERNANDEZ	1900 W 25TH 1/2 ST	MISSION	TX	78574-7619
1180696	GAYTAN ERIK & ASHLEY M FLORES	2610 LINCOLN AVE	MISSION	TX	78574-0505
1180695	CORTEZ KEVIN & SHEILA SAENZ	4624 N TROSPER RD	PALMHURST	TX	78573-0850
1180694	URTEAGA JOAQUIN JACOB	1907 W 25TH 1/2 ST	MISSION	TX	78574-7619
1180693	VASQUEZ ROBERT	1909 W 25TH 1/2 ST	MISSION	TX	78574-7619
1180692	GUZMAN LINDSEY IMELDA & CHRISTIAN ARMANDO	1911 W 25TH 1/2 ST	MISSION	TX	78574-7619
1180691	BARBOZA JAIME ROEL & NORIE GARZA	1913 W 25TH 1/2 ST	MISSION	TX	78574-7619
1180715	CANTU MIRTHALA FLORES & MANUEL	3211 AMETHYST AVE	MISSION	TX	78573-2119
1180717	CANTU ARNOLD DAVID	<Null>	<Null>	<Null>	<Null>
1180668		<Null>	<Null>	<Null>	<Null>