



AGENDA

Pursuant to V.T.C.A. Gov. Code Section 551.001, et. Seq., the Zoning Board of Adjustments of the City of Mission, Texas will hold a Special Meeting on Thursday, **May 8, 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: May 8, 2025 04:30 PM Central Time (US and Canada)

Meeting ID: 812 6244 4594

Passcode: 168536

Or Dial by Telephone +13462487799 Meeting ID 812 6244 4594 # Password: 168536

REGULAR MEETING

1. Call to Order
2. Disclosure of Conflict of Interest
3. Citizens Participation
4. Approval of Minutes
1. Approval of Minutes for ZBA Meeting - March 13, 2025

PUBLIC HEARING

2. Consider a variance request to allow a 6 foot rear setback instead of the required 10 feet utility plus a 15 feet irrigation easement for a total of 25 feet rear setback for a swimming pool, being Lot 58, Shary Villas Subdivision, located at 2416 E. 20th Street. Applicant: Yuliana Salinas - Cervantes
3. Consider a variance request to allow a total of 4,982.00 square feet, instead of the maximum 2,125.60 square feet which equals to 40 percent allowed for accessory structures at a .87 acre tract of land out of the north 600 feet of the south 1,016.00 feet and a .97 acre tract of land out of the north 600 feet of the south 1,016.00 feet of the east 330 feet both out of Lot 282, John H. Shary Subdivision, located at 3009 N. Glasscock Road, Applicant: Mark M. & Deedre Payne - Cervantes
4. Consider a variance request to allow an accessory structure (carport) to encroach eight (8) feet into the required eighteen (18) foot front yard setback for carports in a R-1 (Single Family Residential District), located at 614 Ramirez Lane, being Lot 7, Mayberry Gardens Subdivision. Applicant: Jeffery Miller - Cervantes
5. Consider a variance request to allow a total of 4,428 square feet instead of the maximum 2,802 square feet, which equals 40 percent allowed for an accessory structure for an enclosed Storage/Garage building, being Lot 33B, Southwind Estates Unit II Subdivision, located at 1907 Royal Palm Drive. Applicant: Carlos Lerma - Cervantes

6. Consider a variance to allow a 6' rear setback instead of the required 10' for a 26' by 28' detached rear patio structure, being Lot 20, Hillcrest Valley Subdivision, located at 3106 Hillcrest Drive, Applicant: Blanca Morin - Cervantes

OTHER BUSINESS

ADJOURNMENT

Signed this the 2nd day of May, 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 2nd day of May, 2025 at _____ a.m. /p.m.

Anna Carrillo, City Secretary

NOTICE OF SPECIAL MEETING OF THE ZONING BOARD OF ADJUSTMENTS OF THE CITY OF MISSION

Notice is hereby given that on the **8th day of May, 2025** the Zoning Board of Adjustments of the City of Mission will hold a regular meeting at 4:30 p.m. at 1201 E. 8th Street, Mission, Texas to consider the following matters. The subjects to be discussed are listed on the agenda, which is attached to and made a part of this Notice.

If, during the course of the meeting covered by this Notice, the Board should determine that a closed or executive meeting or session of the Council is required, then such closed or executive meeting or session as authorized by the Texas Open Meetings Act, Texas Government Code Section 551.001 et seq., will be held by the Board at the date, hour and place given in this Notice or as soon after the commencement of the meeting covered by this Notice as the Board may conveniently meet in such closed or executive meeting or session concerning any and all purposed permitted by the Act, including, but not limited to the following sections and purposes.

Texas Government Code Section:

551.071 (1) (2)	Consultation with Attorney.
551.072	Deliberation regarding real property.
551.073	Deliberation regarding prospective gifts.
551.074	Personnel matters.
551.076	Deliberation regarding security devices or security audits.
551.0785	Deliberations involving medical or psychiatric records of individuals.
551.084	Investigation; exclusion of witness from hearing.
551.087	Deliberation regarding economic development negotiations
551.088	Deliberation regarding test item

Should any final action, final decision, or final vote be required in the opinion of the Board with regard to any matter considered in such closed or executive meeting or session, then the final action, final decision, or final vote shall be either:

- (a) in the open meeting covered by the Notice upon the reconvening of the public meeting;
or
- (b) at a subsequent public meeting of the Board upon notice thereof; as the Board shall determine.

On this the 2nd **day of May, 2025** this Notice was emailed to news media who had previously requested such Notice and an original copy was posted on the bulletin board at City Hall, 1201 E. 8th Street at _____ a.m./p.m. on said date.

Anna Carrillo, City Secretary

**ZONING BOARD OF ADJUSTMENTS
MARCH 13, 2025
CITY HALL'S COUNCIL CHAMBERS**

ZBA PRESENT

Alberto Salazar
Heraclio Flores, Jr.
Dolly Elizondo
William Ueckert Jr.

ZBA ABSENT

Humberto Garza

STAFF PRESENT

Susie De Luna
Irasema Dimas
Jessica Munoz
Alex Hernandez
Patricio Martinez

GUESTS PRESENT

Maria Botello
Conne A. Gomez
Patricia Gomez
Anna Silva Cantu

CALL TO ORDER

Chairman Heraclio Flores called the meeting to order at 4:43p.m.

CITIZENS PARTICIPATION

Chairman Heraclio 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 FEBRUARY 22, 2025

Chairman Heraclio 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 #1.1

TO ALLOW A TOTAL OF 1,257.15 SQ.FT. INSTEAD OF THE MAXIMUM 800 SQ. FT. ALLOWED FOR AN ACCESSORY STRUCUTRE (BBQ TERRACE/SPA) AT 3104 GRANITE DRIVE, LOT 15, STONEGATE SUBDIVISION PH. I AS REQUESTED BY CARLOS RAINHA

Ms. De Luna stated that the subject site is located approximately 220' north of Stonegate Drive along the east side of Granite Drive. The irregular lot has a total 18,148.97 sq.ft.

The applicant would like the Board to consider the above-mentioned variance to construct a BBQ Terrace/SPA 457.15 sq.ft. over the 800 sq.ft. maximum allowed. Staff notes that the proposed structures would be meeting the required setbacks.

Accessory structures are allowed in lots zoned R-1 (Single Family Residential), however, they need to meet the requirements below.

On December 16, 2013 the City Council approved Ordinance #4044 which states: An accessory use customarily related to a principal use authorized in this district. Furthermore, any non-living accessory structure, such as a carport or a garage, whether as an addition or as a detached building, shall not exceed a maximum size equal to 40% of the primary structure's living area; and shall not exceed the primary structure's total height, as measured to the top of its roof. However, if the primary structure's living area totals less than 2,000 square feet, the accessory structure may be constructed to

maximum size of 800 square feet. No carport, whether temporary or not, shall have a roof composed of tarp, canvas, or other similar fabric-like material. It is noted that the total living area for the home is 1,797 sq.ft. Item 1.

Staff notes that ZBA has considered the following variances within this subdivision

Staff mailed out 13 notices to the surrounding property owners within 200' radius to get their input in regards to this request.

RECOMMENDATION: Denial.

Chairman Heraclio Flores asked if there was anyone in favor or against the variance request.

Mr. Carlos Rainha who resides at 3104 Granite Drive was present. He stated that his lot was a very large lot and had enough space to build another home. He added that what he was proposing to built was an open Bar-b-que area, a gym with two restrooms that his guest use and a spa.

Ms. Dolly Elizondo stated that Mr. Rainha was proposing to built a pergola with one enclosed area which was a spa.

Mr. Carlos Rainha replied yes.

Ms. Dolly Elizondo asked how was he proposing to build the roof?

Mr. Carlos Rainha replied that it was a covered roof to protect him from the heat. He added that the structure he wanted to built was only for him and his family. He added that he attended the gym on daily but would like one in the back of his house to wake up at whatever time in morning and just go.

Chairman Heraclio Flores entertained a motion to close the public hearing. Ms. Dolly Elizondo moved to close the public hearing. Mr. William Ueckert seconded the motion. Upon a vote, the motion passed unanimously.

Ms. Dolly Elizondo stated that the lot was an irregular lot and exceptions could be made. She added that it was a pergola and not a living area.

Mr. Alberto Salazar asked what was the propose of city council only approving 800sq.ft. for accessory structures.

Ms. Dolly Elizondo stated limit the accessory structures.

Ms. Susnana De Luna replied that it was to limit the size of the accessory structures.

Mr. Alberto Salazar stated that setbacks give you the limitations on what can be built.

Chairman Heraclio Flores entertained a motion. Ms. Dolly Elizondo moved to approve the variance request. Mr. Alberto Salazar seconded the motion. Upon a vote, the motion passed unanimously.

ITEM #1.2

TO KEEP A 11.5' SIDE SETBACK INSTEAD OF THE REQUIRED 18' AND A 1' REAR SETBACK INSTEAD OF THE REQUIRED 10' FOR A CARPORT, AT 1911 JOHNATHON DRIVE, BEING LOT 109, THE OAKS AT CIMARRON, AS REQUESTED BY MARIA BOTELLO

Ms. De Luna stated that the site is located at the northwest corner of Red River and Jonathon. The lot measures 75'x 120' for a total 9,000 sq.ft.

Item 1.

The applicant would like the Board to consider the above-mentioned variance to keep a 20'x21.9' carport that was built without a permit. This violation was discovered by Code Enforcement while doing an inspection in the area.

Staff notes that ZBA has not approved or considered any variances within this subdivision. Staff mailed out 24 notices to the surrounding property owners within 200' radius to get their input in regards to this request.

RECOMMENDATION: Denial.

Chairman Heraclio Flores asked if there was anyone in favor or against the variance request.

Ms. Maria Botello who resides at 1911 Johnathon Drive was present. She mentioned that when she applied for her permit she said that it was a carport but she doesn't use it to park her cars. She added that she uses the structure, as a patio, shade for her dogs, parties, and bar-b-cue's. She stated that the cement was there already and she built the carport/patio the size of the cement.

Chairman Heraclio Flores asked if the cement had a permit.

Ms. Maria Botello replied that she purchased the home with the cement.

Mr. Alberto Salazar asked if she applied for a building permit.

Ms. Maria Botello replied that she was not aware that she needed a permit.

Mr. William Ueckert asked when was the carport/patio built?

Ms. Maria Botello replied that she had it built 6 months ago.

Ms. Dolly Elizondo stated that she was reading that the permit was denied.

Ms. Maria Botello replied that is what I was told.

Ms. Dolly Elizondo asked that if Ms. Maria Botello continued with the construction after the permit was denied.

Ms. Maria Botello replied that she was not aware she needed a permit. She mentioned that she applied for the permit after the carport/patio was build.

Chairman Heraclio Flores entertained a motion to close the public hearing. Ms. Dolly Elizondo moved to close the public hearing. Mr. William Ueckert seconded the motion. Upon a vote, the motion passed unanimously.

Chairman Heraclio Flores stated that it wasn't only a utility easement issue but also a fire hazard.

Chairman Heraclio Flores entertained a motion. Ms. Dolly Elizondo moved to deny the variance request as presented. Mr. Alberto Salazar seconded the motion. Upon a vote, the motion passed unanimously.

ITEM #1.3

TO KEEP A 0' FRONT SETBACK INSTEAD OF THE REQUIRED 20' AND A 1' SIDE SETBACK INSTEAD OF THE REQUIRED 6' FOR A CARPORT AT 114 RESPLANDOR, BEING LOT 6, BLOCK 8, TIERRA DORADA SECTION 2, AS REQUESTED BY IRMA EMMA GOMEZ

No Action was taken.

Chairman Heraclio Flores entertained a motion to un-table Item 1.4. Mr. Alberto Salazar moved to un-table the variance request. Ms. Dolly Elizondo seconded the motion. Upon a vote, the motion passed unanimously.

TABLED ITEM #1.4

TO KEEP A 5' SIDE SETBACK INSTEAD OF THE REQUIRED 6' AND A 5' REAR SETBACK INSTEAD OF THE REQUIRED 10' AT 1713 AUDREY DRIVE, BEING LOT 92, THE LEGENDS AT CIMARRON, AS REQUESTED BY CONNE A. GOMEZ

Ms. Deluna stated that This item was previously tabled during the January 22, 2025 meeting to allow the applicant time to call 811 to schedule an appointment to mark the utility lines and provide letters from the utility locator.

The subject site is located at the northwest corner of Princeton Drive and Audrey Drive. The irregular lot has a total area of 10,451.21 sq.ft.

The applicant would like the Board to consider the above-mentioned variance to keep the following: a 10'x55' canopy patio cover and a 21'x21' patio w/outdoor kitchen. Staff notes that a building permit for the patio w/outdoor kitchen was obtained on 1/29/10 and it was meeting setbacks. The applicant recently modified the patio w/outdoor kitchen and added the canopy patio cover without obtaining a permit. This violation was discovered by Code Enforcement while doing an inspection in the area. The applicant did mention that the canopy patio cover was added for privacy from the adjoining properties for the new swimming pool.

Staff mailed out 28 notices to the surrounding property owners within 200' radius to get their input in regards to this request. As of this writing staff has not received any comments in favor or against the request.

RECOMMENDATION: Denial. The structures must be modified to comply with the required setbacks.

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

Chairman Heraclio Flores asked if there was anyone in favor or against the variance request.

Mr. Conne Gomez who resides at 1713 Audrey Drive was present. He mentioned that the purpose for the canopy covered patio was for security/privacy purposes for the pool he had built. He added that his pool was not a public pool but a private one. He mentioned that when he hired the contractor to build the "canopy" he told him that he needed privacy from his neighbors that had a two-story house. He stated that later on he found out that the contractor he hired didn't obtain the proper permit for the canopy.

Ms. Dolly Elizondo asked if staff received the utility locator letter?

Ms. Susana De Luna replied that pictures were taken where the utilities were located.

Item 1.

Mrs. Anna Silva Cantu wife of Jose Manuel Cantu who resides at 1711 Audrey Drive was present. She mentioned that she was terrified when she received the notice of the public hearing, she stated that she didn't know what was going on. She added that she's resided at her home for last 14 years and no modifications had been done to her home. She mentioned that she was not present to harm anyone or to accuse anyone of anything, that she was invited to come to this meeting in reference to the item being presented. She stated that she doesn't agree with her neighbors comment that he needs privacy, but understands that everyone needs their privacy, when setback lines are respected. She added that Mr. Gomez would call her husband everyday to sign a document for him that he had no problem with the structure that was built. She mentioned that she called her insurance and her insurance informed her that if she would sign the document and something would happen her house the insurance would not be cover any damages. She added that her neighbors when they purchased their home knew she had a two-story home.

Chairman Heraclio Flores entertained a motion to close the public hearing. Ms. Dolly Elizondo moved to close the public hearing. Mr. Alberto Salazar seconded the motion. Upon a vote, the motion passed unanimously.

Chairman Heraclio Flores entertained a motion. Mr. William Ueckert moved to deny the variance request as presented. Ms. Dolly Elizondo seconded the motion. Upon a vote, the motion passed unanimously.

2.0 OTHER BUSINESS

There was none.

3.0 ADJOURNMENT

There being no further business, Ms. Dolly Elizondo moved to adjourn. Mr. William Ueckert seconded the motion. Upon a vote, the motion passed unanimously at 5:21 p.m.

Heraclio Flores, Chairman
Zoning Board of Adjustments



CITY OF
MISSION

AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: May 8, 2025

PRESENTED BY: Xavier Cervantes, Director of Planning

AGENDA ITEM: Consider a variance request to allow a 6 foot rear setback instead of the required 10 feet utility plus a 15 feet irrigation easement for a total of 25 feet rear setback for a swimming pool, being Lot 58, Shary Villas Subdivision, located at 2416 E. 20th Street. Applicant: Yuliana Salinas - Cervantes

NATURE OF REQUEST:

Project Timeline:

- March 14, 2025 – Application for Variance Request submitted to the City.
- April 11, 2025 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- April 23, 2025 – Public hearing and consideration of requested variance by the Zoning Board of Adjustments. Due to no quorum, the meeting was cancelled and rescheduled for May 8, 2025.
- May 8, 2025 - Public hearing and consideration of requested variance by the Zoning Board of Adjustments.

Summary:

- 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.
 - Where a building setback has been established by plat or ordinance and such setback requires a greater or lesser rear yard setback than is prescribed by this article for the district in which the building is located, the required rear yard setback shall comply with the building line so established by such plat or ordinance.
- The site is located along the South side of E. 20th Street approximately 600 feet East of N. Shary Road (F.M. 494).
- The applicant is requesting a variance to construct a swimming pool in the rear of the property.
- Shary Villas Subdivision was recorded on October 30, 2003. The subject property fronts E. 20th Street with a width of 72 feet and a length of 128 feet on one side and 112 feet on the other side.
- The Planning Staff has not received any objections to the request from surrounding property owners. Staff mailed out (16) legal notices to surrounding property owners.
- The applicant would like for the Board to consider the above-mentioned variance for construction of the swimming pool.
- On July 19, 2023 at 2408 E. 20th Street the applicant requested a variance to keep a 1.8 feet side setback instead the required 6 feet and a 7.11 feet rear setback instead the required 15 feet for a 18feet by 30 feet open patio. The Zoning Board of Adjustments voted to approve the variance request subject to obtaining a building permit.

- The City of Mission Code of Ordinances Appendix A – Zoning, Section 1.17 states ZBA may:
 - “Permit the reconstruction, extension, or enlargement of a building occupied by a non-conforming use on the lot tract occupied by such building provided such reconstruction does not prevent the return of such property to a conforming use”, and
 - Authorize in specific cases a variance from the terms of a zoning ordinance if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the ordinance is observed and substantial justice is done.”
 - There is a new state law, HB1475, that allows variances to be granted if:
 - The financial cost compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessors for the municipality under Section 26.01, Tax Code;
 - Compliance would 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;
 - Compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other department; Compliance would result in the unreasonable encroachment on an adjacent property or easement; or
 - The municipality considers the structure to be a nonconforming structure.

STAFF RECOMMENDATION:

Staff recommends denial of the request subject to compliance with the following conditions:

1. Must comply with the required easement and setbacks.

RECORD OF VOTE:

APPROVED: _____

DISAPPROVED: _____

TABLED: _____

_____ AYES

_____ NAYS

_____ DISSENTING _____

Attachment I



ZONING BOARD OF ADJUSTMENTS APPLICATION

NAME: Yuliana Salinas PHONE: (956) 400-8600
 ADDRESS: 2416 E 20th St. RECEIVED BY: _____
 CITY: Mission Tx. DATE: _____

SUBDIVISION: Shary Villas LOT: 58 BLOCK: _____

APPROX. LOCATION: _____

ZONE: _____

PURPOSE: Building 15X30 swimming pool

OFFICE USE ONLY

ZBA ACTION: _____ PASSED _____ TABLED _____ FAILED DATE: _____

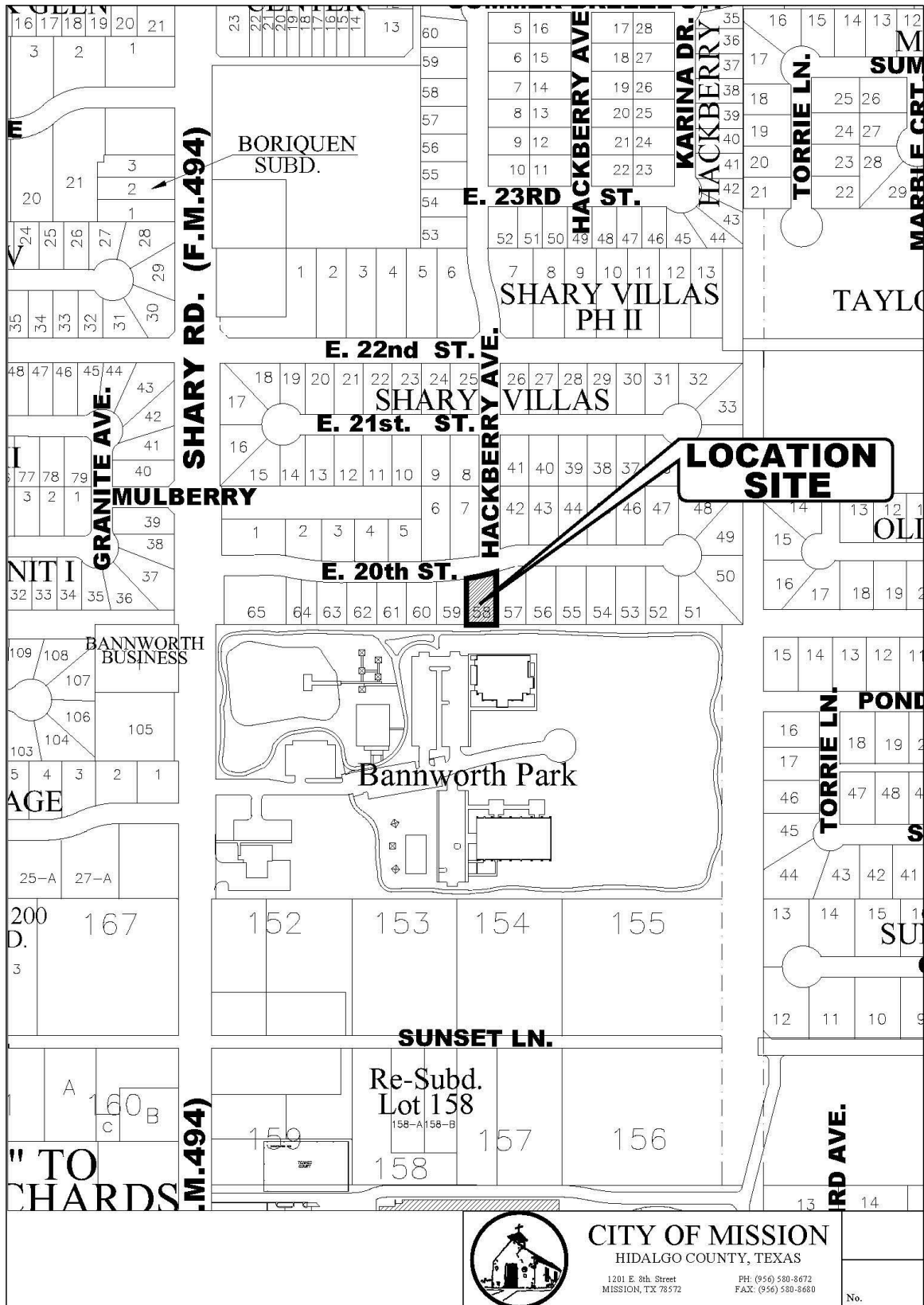
COMMENTS: _____

LETTERS MAILED: _____ FILING FEE: \$250.00 RECEIPT NO.: 20250224

APPLICANT'S SIGNATURE: Yuliana Salinas

March 19

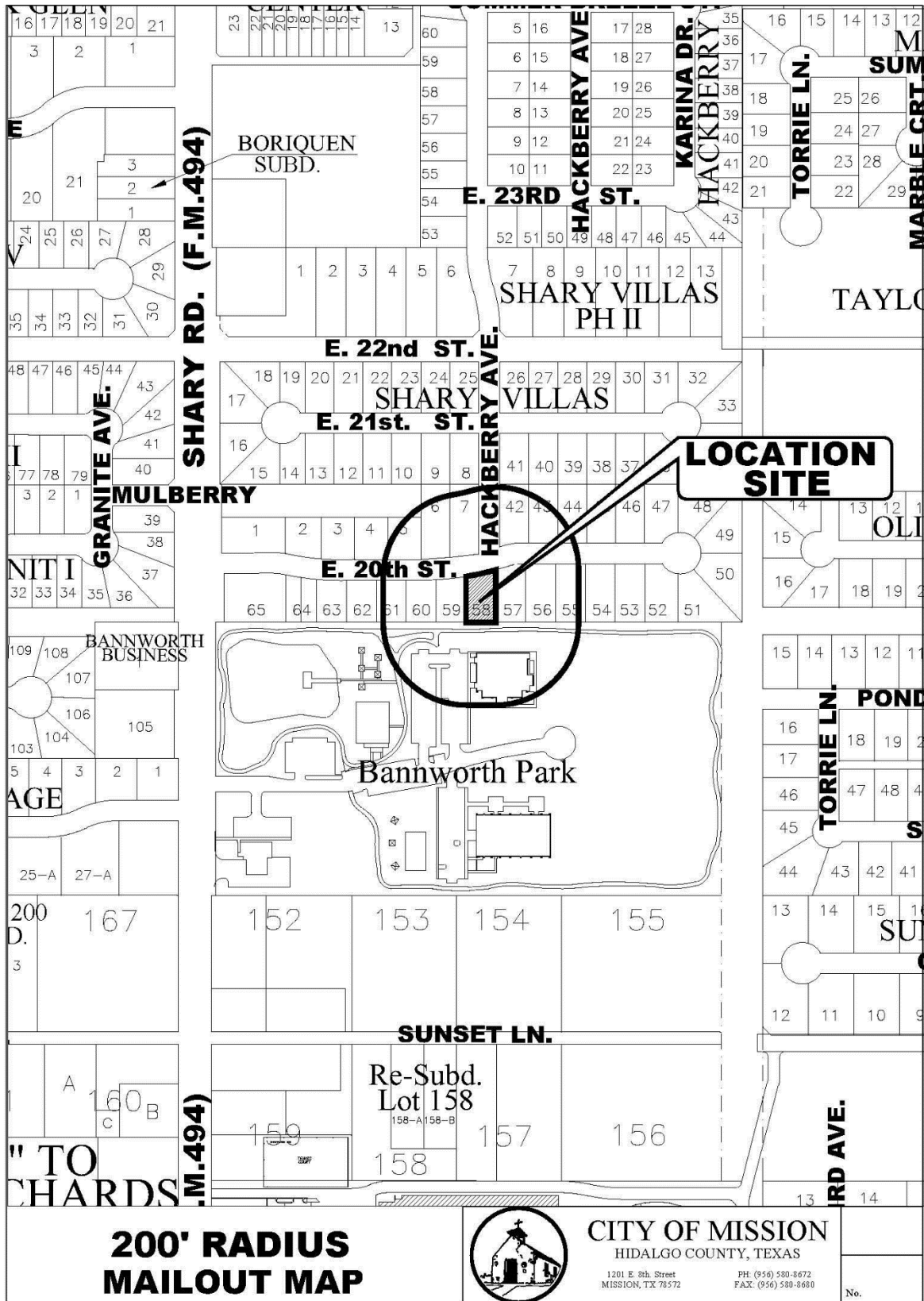
Attachment II




Attachment III



Attachment IV

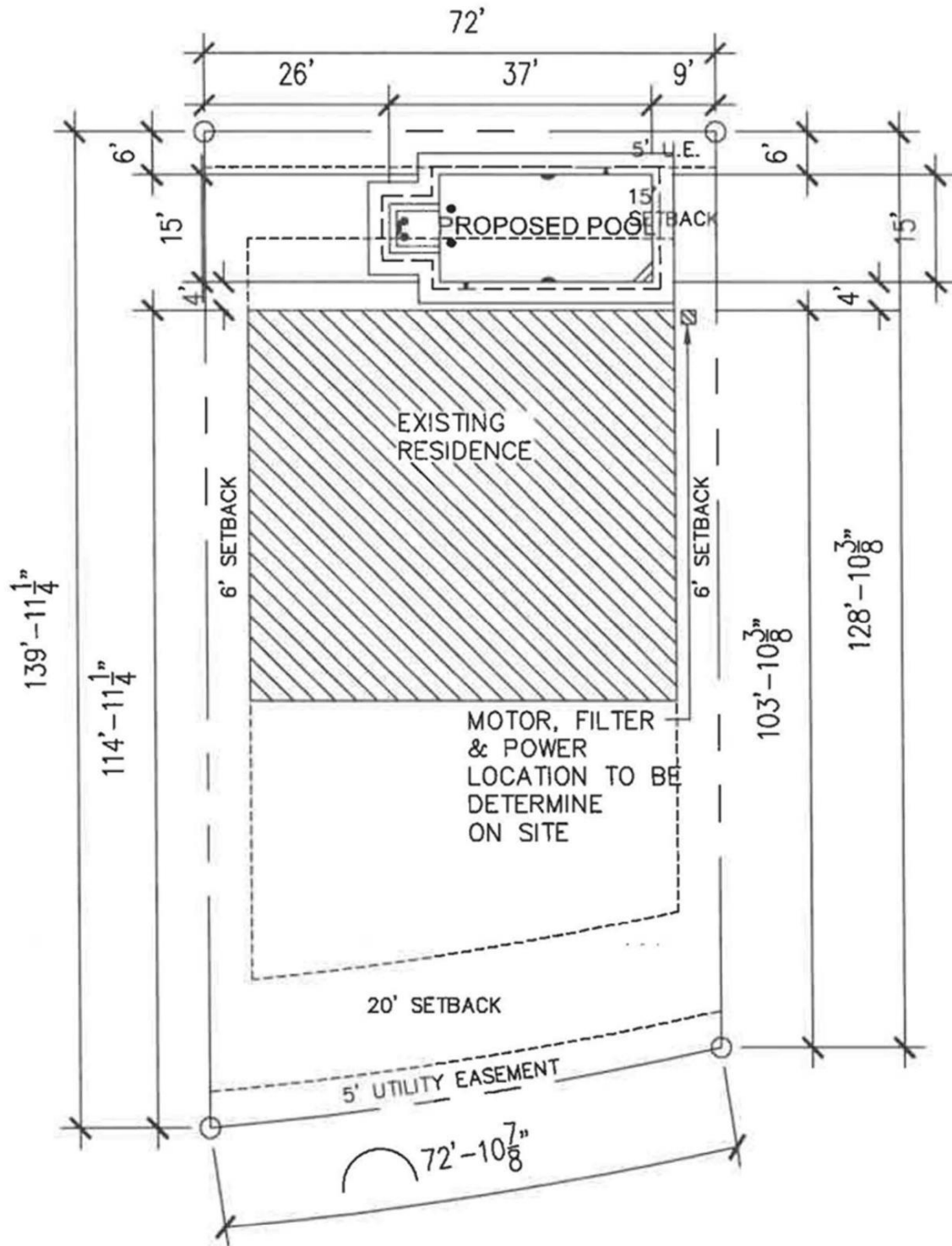


Attachment V

Hidalgo County Appraisal District										PROPERTY FIELD REVIEW CARD 2025-0-0										Valuation Method: cost-plus										March 14, 2025									
PROPERTY ID AND LEGAL DESCRIPTION										OWNER ID, NAME, AND ADDRESS										EXEMPTIONS										VALUES									
672861 2416 20TH ST										SALINAS YULIANA										1298654										2024 2025									
SHARY VILLAS LOT 26 TYPE: R DRA GEO ID: S3011-00-000-0059-00 Ref ID: 453785 Ref ID: R672861 MKT AREA: S3LAD11 LEGAL ACREAGE:										2416 E 20TH ST MISSION TX US 78572										100.00%										IMPROVEMENTS LAND MARKET MARKET VALUE SPECIAL USE EXCL APPRAISED VALUE HS VALUE LIMIT CIRCUIT BRKR LIMIT NET APPRAISED									
PROP USE: S301100 SUBTYPE: RES SUB MKT: TIF APPR VAL METHOD: cost-plus										MAP ID: CMS VOL 43 MAP SCO: TIF EFF DATE:										2024 2025																			
UTILITIES: AL, HY TOPOGRAPHY: LV ROAD ACCESS: PCG LAST INSP COMP DT: NEXT INSP DT: 2011-01-01 NEXT REASON: RECHECK REASON NOTES: 1										ZONING: RS TAGS: LAST APPR DT: 2024-11-05 SUBSET:										REMARKS (2025) ADJ DEPR: ALLW: NP20(2018) ADJ DEPR: ALLW: EQUITY & NEW PRGLS(2018) ADJ DEPR: 16: ALLW: SALES(2018) ADJ DEPR: & RMVD: ARB CODE: ALLW: SALES(2018) ADJ DEPR: ALLW: SALES(2018) NC(2011) ADJ AIC & RMVD % COMP 2011(2010) NEW JMS 2010/RECH 2011(2009) VAC(2008) VAC/RECH 09/2007 VAC DT/RECH 08										SKETCH									
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GRI: 0 UNITS: 0 NRA: 0 RENT: 0																																							
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PAT PATIO RES STUWG 128 29.38 1 1 2009 2009 AV 3,761 87.00 100.00 100.00 100.00 0.87 3,272																				Interior Finish SRK																			
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1 LOT L S301100 A1 Yes SF 8647.00 sf 11.25 1,000 AS Code: 100.00% Market Area: 100.00%										97,279 A										No 0.00 0																			



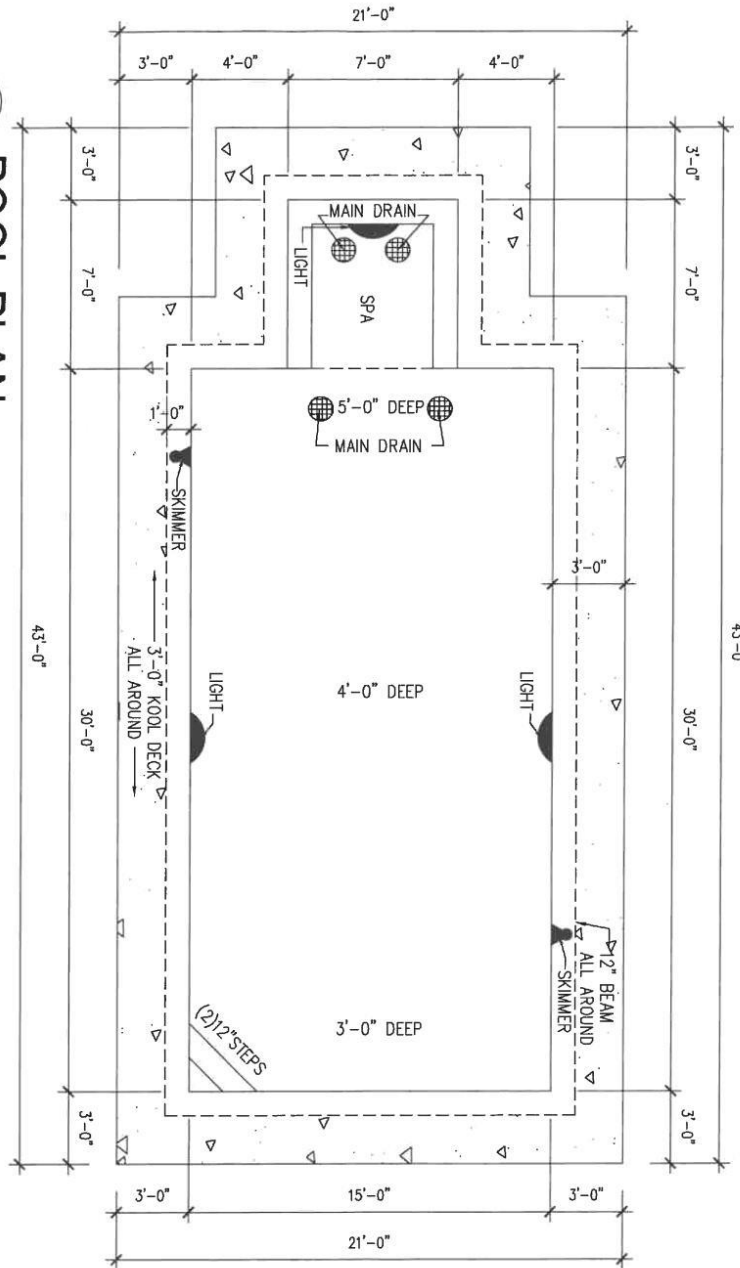
Attachment VI



Attachment VII

NOTES:
1. SEE SHEET 30f2 FOR POOL DECK
2. SEE SHEET 30f3 FOR POOL DECK

1 POOL PLAN
SCALE: 1/4" = 1'-0"

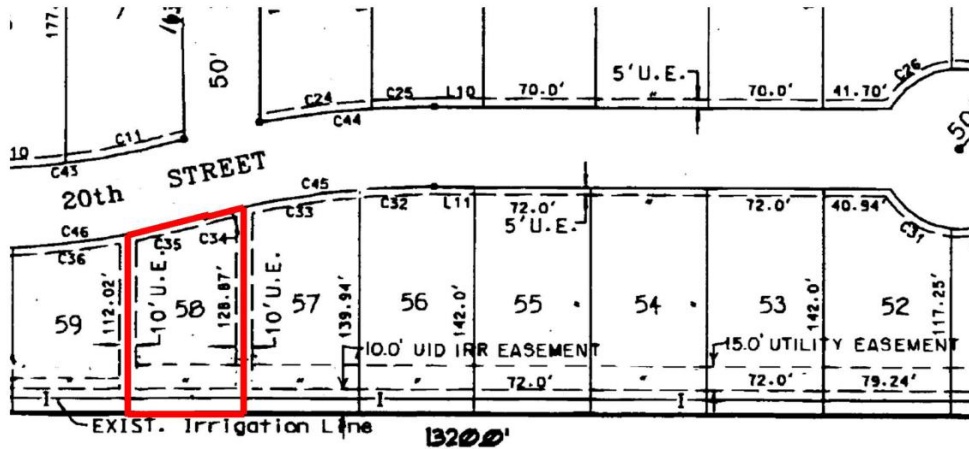
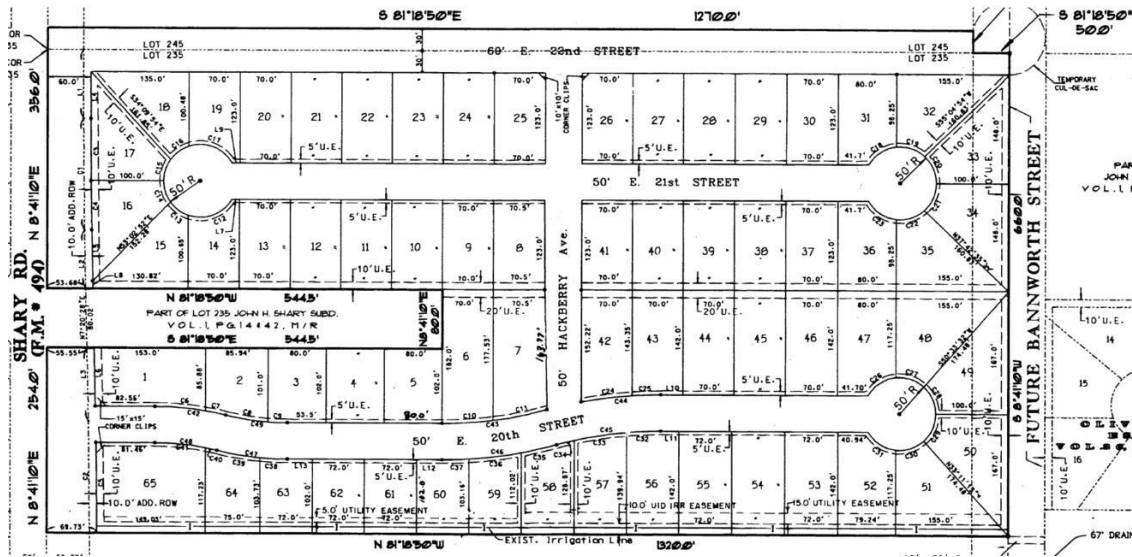


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SHEET: 30f3	 Sanchez Garcia	Sanchez Garcia DESIGN SERVICES Enrique "Ricky" Sanchez Certified Drafter Donna, Texas 78537 Tel: (956) 472-3758 ensadesignservices@yahoo.com	PROJECT: 2416 F. 26TH ST. MISSION, TX. OWNER: MRS. YULIANA & MR. HECTOR SALINAS	PROJECT #: 00000000 DATE: 02/16/2022 DRAWN BY: AAS CHECKED BY: E. SANCHEZ REVISION: 1. XXXX 2. XXXX 3. XXXX 4. XXXX
				<small>SANCHEZ GARCIA DESIGN SERVICES EXPRESSLY DISCLAIMS ITS COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THIS DOCUMENT. THIS DOCUMENT SHALL NOT BE REPRODUCED, COPIED, OR OTHERWISE USED IN ANY FORM OR MANNER WHATSOEVER WITHOUT FIRST OBTAINING THE EXPRESS WRITTEN CONSENT OF SANCHEZ GARCIA, LLC.</small>

[illegible]

Attachment IX



ANNWORTH PARK

P

Attachment X

NOTES:

1. MINIMUM FINISHED FLOOR ELEVATION SHALL BE 18 INCHES ABOVE TOP OF CURB MEASURED AT FRONT CENTER OF LOT.
2. THIS PROPERTY FALLS IN ZONE " X " OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 480345 0005 C, REVISED NOVEMBER 20, 1991.
3. MINIMUM BUILDING SETBACK LINE SHALL BE IN ACCORDANCE WITH CITY OF MISSION ZONING ORDINANCE OR TO THE EASEMENT LINE, WHICHEVER IS GREATER.
4. 5.0 FT. SIDEWALK REQUIRED OF DEVELOPER ALONG SHARY ROAD (F.M. # 494), E. 22nd STREET FUTURE BANNWORTH STREET THE NORTH SIDE OF LOT 65 AND 4 Ft. SIDEWALKS ALONG ALL OTHER INTERIOR STREETS.
5. STORM WATER DETENTION OF 1.16 AC-FT. IS REQUIRED FOR THIS SUBDIVISION.
* STORM WATER DETENTION PER LOT IS: 382 cu-ft.
6. NO DRIVEWAY PERMITTED ONTO SHARY ROAD (F.M. #494), E. 22nd STREET AND FUTURE BANNWORTH STREET.
7. DEVELOPER SHALL BE REQUIRED TO PROVIDE BUFFER ALONG SHARY ROAD (F.M. #494) & E. 22nd STREET. A WOOD FENCE BUFFER SHALL BE REQUIRED DURING THE PERMIT PROCESS FOR LOTS HAVING REAR FRONTAGE TO THE FUTURE BANNWORTH STREET.
8. DEVELOPER SHALL BE RESPONSIBLE TO HAVE LOT 65 's DRIVEWAY RE-CONSTRUCTED TO ACCESS E. 20th STREET AND ELIMINATE DRIVEWAY ACCESS TO SHARY ROAD.
9. NO FRONT UTILITY EASEMENT SHALL BE FENCED.
10. BENCHMARK- CHISEL MARK AT TOP OF CURB ON THE EAST SIDE OF SHARY ROAD (F.M. #494) AT THE SOUTHWEST CORNER OF THIS PROPERTY ELEV. = 128.95.

Attachment XI

PROP_ID	Property Owner	addrDeliveryLine	addrCity	addrState	addrZip
672847	CARDENAS JORGE F	2425 E 20TH ST	MISSION	TX	78572-3389
672863	MARINES ANTONIO & SARA M	2410 EAST 20TH ST	MISSION	TX	78572-3389
672807	ZECCA CESAR	2901 LA VISTA AVE	MCALLEN	TX	78501-1632
672809	DAMON HARLANY M	2413 E 20TH ST	MISSION	TX	78572-3389
672858	TREVINO JOSE ANGEL & VERONICA GUZMAN	2420 E 20TH ST	MISSION	TX	78572-3389
672859	TREVINO JOSE ANGEL & VERONICA GUZMAN	2420 E 20TH ST	MISSION	TX	78572-3389
672862	SEVILLA LUIS E RAMIREZ & PATRICIA E NUNEZ VERA	CA QUINTANA ROO NTE 501 COL SECTOR POPULAR	TOLUCA 50040 MEXICO	NULL	NULL
672864	BENSON ADRIANA	2408 EAST 20TH ST	MISSION	TX	78572-3389
672808	CANTU ANA L NAVA	2409 E 20TH ST	MISSION	TX	78572-3389
672845	POLICARPIO BENJAMIN A & ALMA RAFANAN	2419 E 20TH ST	MISSION	TX	78572-3389
672860	CHAVEZ MIGUEL	2418 E 20TH ST	MISSION	TX	78572-3389
672861	SOLIS JAIME OMAR & YULIANA SALINAS	2416 E 20TH ST	MISSION	TX	78572
672810	ROBLES ALEJANDRO RIVERA & AURORA BRAVO CO-TRUSTEES FAMILY RVBL TRUST	2417 E 20TH ST	MISSION	TX	78572-3389
672843	CONTRERAS DANIEL R	2421 E 20TH ST	MISSION	TX	78572-3389
281200	GARCIA ARTURO	2008 N SHARY RD	MISSION	TX	78572-3235
281198	CITY OF MISSION	1201 E 8TH ST	MISSION	TX	78572-5812
281199	CITY OF MISSION	1201 E 8TH ST	MISSION	TX	78572-5812



CITY OF MISSION

AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: May 8, 2025

PRESENTED BY: Xavier Cervantes, Director of Planning

AGENDA ITEM: Consider a variance request to allow a total of 4,982.00 square feet, instead of the maximum 2,125.60 square feet which equals to 40 percent allowed for accessory structures at a .87 acre tract of land out of the north 600 feet of the south 1,016.00 feet and a .97 acre tract of land out of the north 600 feet of the south 1,016.00 feet of the east 330 feet both out of Lot 282, John H. Shary Subdivision, located at 3009 N. Glasscock Road, Applicant: Mark M. & Deedre Payne - Cervantes

NATURE OF REQUEST:

Project Timeline:

- March 10, 2025 – Application for Variance Request submitted to the City.
- April 11, 2025 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- April 23, 2025 – Public hearing and consideration of requested variance by the Zoning Board of Adjustments. Due to no quorum, the meeting was cancelled and rescheduled for May 8, 2025.
- May 8, 2025 - Public hearing and consideration of requested variance by the Zoning Board of Adjustments.

Summary:

- The request is for a variance not to comply with Section 1.371 (2)(d) of the Mission Code of Ordinances, which states:
- any non-living accessory structures, such as a carport or a garage, whether as an addition or as a detached building, shall not exceed a maximum size equal to 40% of the primary structure's living area; and shall not exceed the primary structure's total height, as measured to the top of its roof. However, if the primary structure's living area totals less than 2,000 square feet, the accessory structure may be constructed to a maximum size of 800 square feet. No carport, whether temporary or not, shall have a roof composed of tarp, canvas, or other similar fabric-like material.
- The site is located at the Southwest corner of N. Glasscock Road and Payton Drive.
- The applicant is requesting a variance to construct a gym, cabana, covered porch, and greenhouse for a total of 4,982.00 square feet instead of the maximum 40 percent being 2,125.60 square feet.
- There is currently an existing 5,314 square foot single-family residence on the property. The applicant is proposing to build a gym, cabana, covered porch and a greenhouse.
- The Planning Staff has not received any objections to the request from surrounding property owners. Staff mailed out (25) legal notices to surrounding property owners.

- The applicant would like the Board to consider the above-mentioned variance for construction of the accessory structures.
- The City of Mission Code of Ordinances Appendix A – Zoning, Section 1.17 states ZBA may:
 - “Permit the reconstruction, extension, or enlargement of a building occupied by a non-conforming use on the lot tract occupied by such building provided such reconstruction does not prevent the return of such property to a conforming use”, and
 - Authorize in specific cases a variance from the terms of a zoning ordinance if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the ordinance is observed and substantial justice is done.”
- There is a new state law, HB1475, that allows variances to be granted if:
 - The financial cost compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessors for the municipality under Section 26.01, Tax Code;
 - Compliance would 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;
 - Compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other department; Compliance would result in the unreasonable encroachment on an adjacent property or easement; or
 - The municipality considers the structure to be a nonconforming structure.
- Staff notes that ZBA has considered the following variance in this site:
- Previous property owner requested a variance to keep a 2 feet side setback instead of the required 6 feet side setback.

STAFF RECOMMENDATION:

Staff recommends denial of the request subject to compliance with the following conditions:

1. Must comply with required maximum 40 percent being 2,125.60 square feet.

RECORD OF VOTE:

APPROVED: _____

DISAPPROVED: _____

TABLED: _____

_____ AYES

_____ NAYS

_____ DISSENTING _____

Attachment I

GUERRA MARTINEZ SUBD.

RYAN SUBD.

E. 2 MILE RD.

SAND STONE DR.

SOMMERSET SUBD.

VIOLA

WISTERIA

PAYTON DR.

SCURLOCK SUBD. UNIT NO. 1

GLASSCOCK RD.

CORONADO SUBD.

LAS COLINAS LN

FAIROAKS SUBD.

TAURUS No. 7

E. 29th ST.

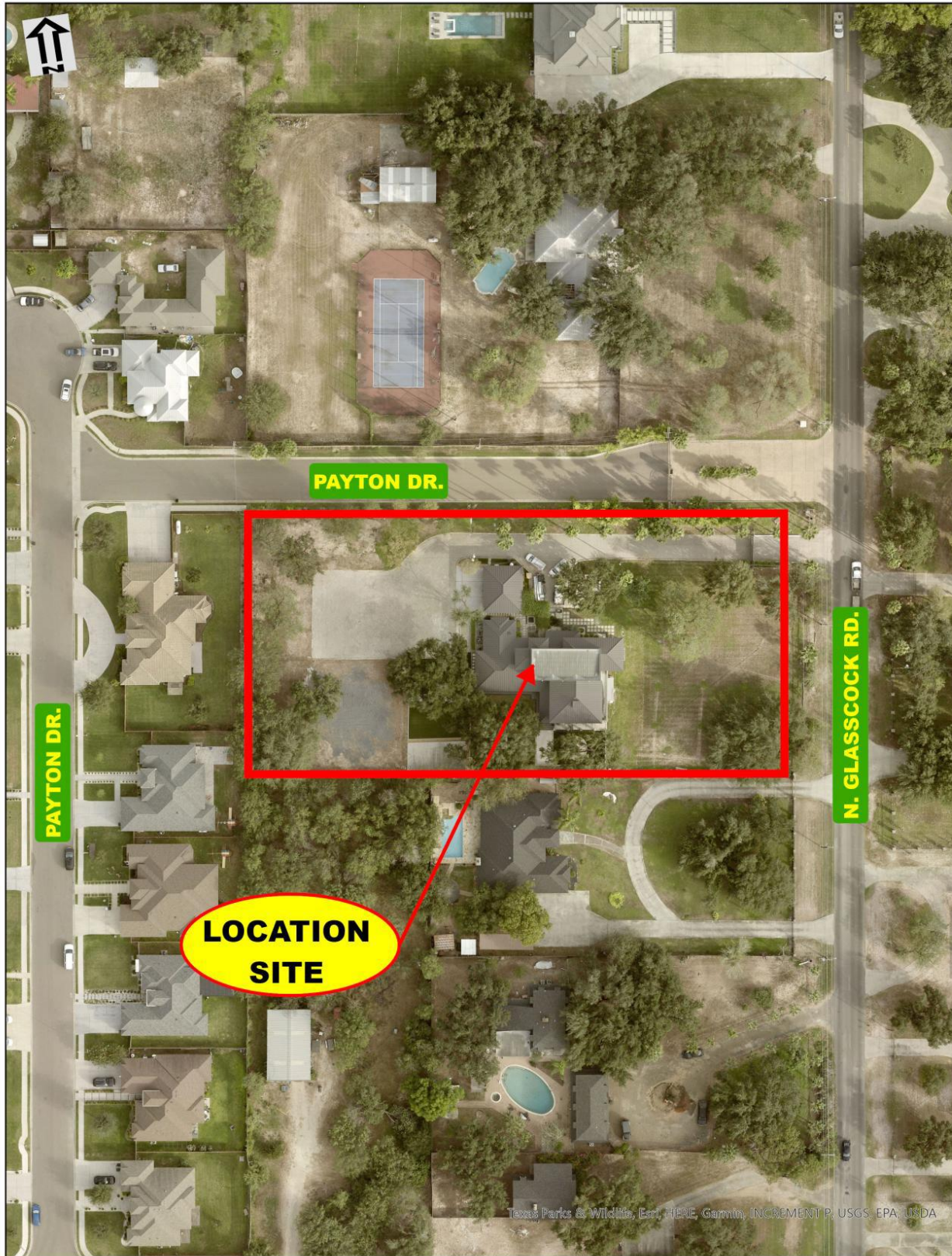
LOCATION SITE

272

273

CITY OF MISSION
HIDALGO COUNTY, TEXAS
1201 E. 8th Street
MISSION, TX 78572
PH: (956) 580-8672
FAX: (956) 580-8680

Attachment II

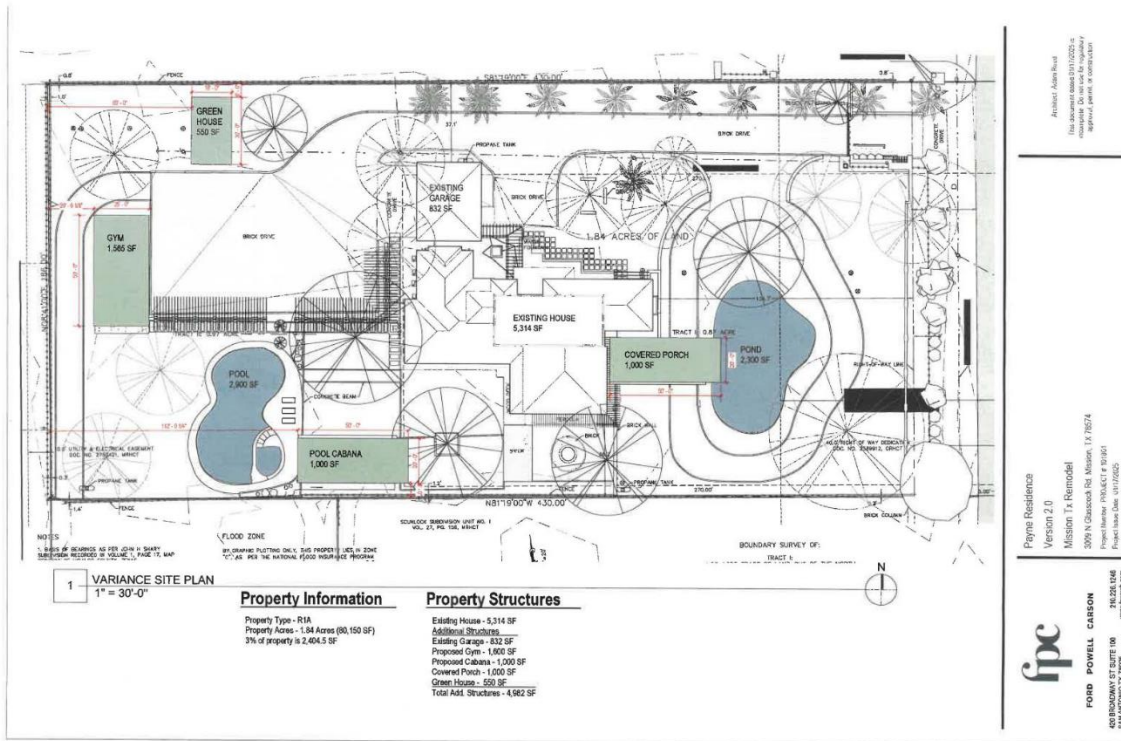


[illegible]

Attachment IV



Attachment V



Attachment VI

Hidalgo County Appraisal District		PROPERTY FIELD REVIEW CARD 2025-0-0		Valuation Method: cost-local		March 14, 2025	
PROPERTY ID AND LEGAL DESCRIPTION		OWNER ID, NAME, AND ADDRESS		OWNER ID / %		EXEMPTIONS	
281448 3009 N GLASSCOCK, TX		PAYNE MARK M & DEEDRE		1296096		HS	
JOHN H SHARY E300'-N186'-S616' LOT 282 & E100' X 186' ABND CNL ROW 1.84AC GR 1.87AC NET		3009 N GLASSCOCK RD MISSION TX 78574-2041		100.00%		TAXING UNITS	
TYPE: R DBA: GEO ID: S2930-00-000-0282-25 Ref ID: 281448 Ref ID2: R081448 Mkt Area: S314012 LEGAL ACREAGE: 1.8700 ac		AS CODE: S296000 MAP ID: CMS SUBTYPE: RES TIF: MKT LAND COMM APPR 2024-11-19		APPR VAL METHOD: cost-local		CAD 100.00 CMS 100.00 DR1 100.00 GHD 100.00 JCD 100.00 SBL 100.00 SST 100.00	
GENERAL		REMARKS		SKETCH		VALUES	
UTILITIES: AL ZONING: RS LEGACY APPR: NEMO APPR: AG RES CR		(2025) ADJ CL & MA2 SPECIES (2022) ADJ DEPR-ALL W-SALES(2017) ADJ DIMS A/C RMDV % COMP: A/P B/P(2016) NEW IMP: RECH % COMP 2016(2014) RMDV IMP2 2014(2013) ADJ CL & DEPR 2013; ALL W-BASED ON DAMAGE PICS PROVIDED; RECH 2014(2010) ADJ % & RMDV DEPR 10(2009) RMDV DEPR 08(2008) RMDV DEPR 08(2007) ADJ % & DEPR 07, RECH 08; COM-ALLOW-MOLD DAMAGE				IMPROVEMENTS 571,278 648,011 LAND MARKET 113,730 113,730 MARKET VALUE = 685,008 761,741 SPECIAL USE EXCL. APPRAISED VALUE = 685,008 761,741 HS VALUE LIMIT - 0 0 CIRCUIT BRKR LIMIT - 0 0 NET APPRAISED = 685,008 761,741	
TOPOGRAPHY: LV TAGS: LAST APPR DT: 2024-11-19		NEXT REASON: RECHECK		HEASON NOTES: PMT16 W-4			
BUILDING PERMITS		PICTURE					
B# ISSUE DT PERM # TYPE ACTIVE EST VAL APPR BUILDER COMMENT							
INCOME APPROACH DATA							
CBA: 0 UNITS: 0 RENT: 0							
APPEAL HISTORY		DEED HISTORY					
YEAR APPEAL ID TYPE STATUS PROTESTER FINL DATE		DATE TYPE BOOK/PG INST # BUYER SELLER					
2024 645 0 FC1 OSCAR ENRIQUEZ 2024-08-08		2024-09-16 WD null/null 3582208 PAYNE MARK M & KAZEM					
2023 58724 0 FC1 OSCAR ENRIQUEZ 2023-08-01		2023-06-26 WD null/null 2424683 KAZEM FOX CHARLES					
2022 124882 0 FC1 OSCAR ENRIQUEZ 2022-07-18		2012-12-28 GWD null/null 2368886 FOX CHARLES REYES MARIA					
SALES HISTORY		DEED HISTORY					
DATE TYPE/QUAL/SR/RATIO PRICE BUYER		DATE TYPE BOOK/PG INST # BUYER SELLER					
2024-09-20 SFR/Qualified Sale/MLS 1,371,99		2024-09-16 WD null/null 3582208 PAYNE MARK M & KAZEM					
2013-06-26 INV null/null/GA 315,000 KAZEM ADRIENNE		2013-06-26 WD null/null 2424683 KAZEM FOX CHARLES					
2012-07-12 PA null/null null		2012-12-28 GWD null/null 2368886 FOX CHARLES REYES MARIA					
IMPROVEMENT VALUATION		IMPROVEMENT DETAIL ADJ		IMPROVEMENT FEATURES			
# TYPE DESCRIPTION MODEL CLASS AREA UN PRC UNITS STY BUILT EFF YR COND VALUE DEP PHYS ECON FUNC COMP ADJ VALUE	# ADJ TYPE ADJ AMT ADJ %		DESC CODE FEATURES VALUE				
GAR GARAGE RES BRKVG 832 58.52 1 1 2015 2015 AV 48,689 92.00 100.00 100.00 100.00 0.92 44,784			JACUZZI JAZ				
POR PORCH RES BRKVG 497 29.26 1 1 2015 2015 AV 14,542 92.00 100.00 100.00 100.00 0.92 13,379			BATH 2				
PAT PATIO RES BRKVG 444 29.26 1 1 2015 2015 AV 12,991 92.00 100.00 100.00 100.00 0.92 11,952			Construction RES				
BRZ BREEZEWAY RES BRKVG 263 29.26 1 1 2015 2015 AV 7,695 92.00 100.00 100.00 100.00 0.92 7,079			Custom 3				
CAN CANOPY RES BRKVG 174 29.26 1 1 2015 2015 AV 5,091 92.00 100.00 100.00 100.00 0.92 4,684			Exterior Wall DBRK				
BAL BALCONY RES BRKVG 24 29.26 1 1 2015 2015 AV 702 92.00 100.00 100.00 100.00 0.92 646			Flooring 7H				
SWPO SWPO CL 9M-SP RES BRKVG 104 0.00 1 1 2000 2000 * 0 100.00 100.00 100.00 100.00 1.00 0			Foundation SLB				
HC HIGH CEILING RES BRKVG 1,020 29.26 1 1 2015 2015 AV 29,845 92.00 100.00 100.00 100.00 0.92 27,457			Heating/Cooling AND				
MA Residential Main RES BRKVG 3,725 117.05 1 1 2015 2015 AV 436,011 92.00 100.00 100.00 100.00 0.92 401,130			Interior Finish SRC				
MA2 MAIN 2ND FL RES BRKVG 1,589 52.64 1 1 2015 2015 AV 148,794 92.00 100.00 100.00 100.00 0.92 136,860			Number of 5.00				
1 Style: Finish Out: 100 Area: 5,314 Quality: VG Structure: Y (100.00%) 704,360 AS Code: 100.00% Market Area: 100.00% 648,011			Plumbing 2				
			Roof Style H/P				
			BATH 2				
			Construction RES				
			Custom 3				
LAND VALUATION		LAND ADJUSTMENTS		PRODUCTIVITY VALUATION			
LR DESCRIPTION TYPE SOIL CLS TABLE SC HS METH DIM UNIT PRC ADJ M ADJ VAL SRC MKT VAL SEQ ADJ TYPE ADJ AMT ADJ % AG USE TABLE UNIT AG VALUE	1 ACREAGE AC STS35000 A1 Yes AC 1.6700 ac 68102.00 1.000 A 113,730		No		0.00 0		
CONT W-35; AS Code: 100.00% Market Area: 100.00%							



Attachment VII



Attachment VII



Attachment IX



Attachment X

PROP_ID	Property Owners	addrDeliveryLine	addrCity	addrState	addrZip
154053	CRUZ DAVID & TEODULA T	2900 S 23RD ST	MCALLEN	TX	78503-5605
154045	CANTU JESUS & DIANA C	3100 N GLASSCOCK RD	MISSION	TX	78574-2022
154047	HINOJOSA NORMA	3006 N GLASSCOCK RD	MISSION	TX	78574-2021
154051	MANCHA MARIA LUISA	3004 N GLASSCOCK RD	MISSION	TX	78574-2021
154048	HINOJOSA NORMA	3006 N GLASSCOCK RD	MISSION	TX	78574-2021
281442	ROJAS CRISTOBAL & MARIA R	3003 N GLASSCOCK RD	MISSION	TX	78574-2041
542017	LOPEZ CARLOS E & NORMA	3301 N SHARY RD TRLR 3	MISSION	TX	78573-8437
281448	KAZEMI ADRIENNE & JOSHUA STEWART	3009 N GLASSCOCK RD	MISSION	TX	78574-2041
517003	LOPEZ MIGUEL & ERICKA	3005 N GLASSCOCK RD	MISSION	TX	78574-2041
1070796	HUERTA PABLO PEREZ & MARIA I	3014 PAYTON DR	MISSION	TX	78574-3523
1070795	TREVINO LAURA MARIA O & FERNANDO GARZA	3010 PAYTON DR	MISSION	TX	78574-3523
1070794	FRAIRE MEREDITH ALEXIS & RICARDO JAMES	3008 PAYTON DR	MISSION	TX	78574-3523
1070793	RIOS JOAQUIN	3006 PAYTON	MISSION	TX	78574-3523
1070792	HUERTA PABLO PEREZ & MARIA IRENE	1100 E JASMINE AVE	MCALLEN	TX	78501-4393
1070786	OVIEDO VERONICA CASTRO	3700 PAYTON DR	MISSION	TX	78574
1070784	LONGORIA JONATHAN J & MY TRANG	3011 PAYTON DR	MISSION	TX	78574-3523
1070783	LOPEZ GUADALUPE B SANCHEZ	3013 PAYTON	MISSION	TX	78574-3523
1070782	GODINEZ MIGUEL A & ALYSSA M CANTU	3015 PAYTON	MISSION	TX	78574-3523
1070779	RODRIGUEZ GABRIEL G & LIZBET A	3102 PAYTON	MISSION	TX	78574-3512
1070778	GALVAN CLAUDIO ALEJANDRO	3100 PAYTON DR	MISSION	TX	78574-3512
1070777	CHANDLER ESPERANZA	PO BOX 536	MCALLEN	TX	78505
1070781	CONFIDENTIAL	<Null>	<Null>	<Null>	<Null>
1070775	RGV VILLA HOMES LLC	519 E 9TH STREET STE B	MISSION	TX	78572-4271



CITY OF MISSION

AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: May 8, 2025

PRESENTED BY: Xavier Cervantes, Director of Planning

AGENDA ITEM: Consider a variance request to allow an accessory structure (carport) to encroach eight (8) feet into the required eighteen (18) foot front yard setback for carports in a R-1 (Single Family Residential District), located at 614 Ramirez Lane, being Lot 7, Mayberry Gardens Subdivision. Applicant: Jeffery Miller - Cervantes

NATURE OF REQUEST:

Project Timeline:

- March 4, 2025 – Application for Variance Request submitted to the City.
- April 11, 2025 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- April 23, 2025 – Public hearing and consideration of requested variance by the Zoning Board of Adjustments. Due to no quorum, the meeting was cancelled and rescheduled for May 8, 2025.
- May 8, 2025 - Public hearing and consideration of requested Variance application by the Zoning Board of Adjustments (ZBA).

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.
 - Where a building setback has been established by plat or ordinance and such setback requires a greater or lesser front yard setback than is prescribed by this article for the district in which the building is located, the required front yard setback shall comply with the building line so established by such plat or ordinance.
- The applicant is requesting a variance to allow an accessory structure (carport) to encroach eight (8) feet into the required eighteen (18) foot front yard setback for carports to allow for protection of his vehicles during inclement weather.
- Mayberry Gardens Subdivision was recorded on April 26, 2007. The subject property is located along the south side of Ramirez Lane approximately 386' west of Mayberry Road. The subject property fronts Ramirez Lane with a width of 60.79 feet and a length of 127.30 feet. The subject lot has an area of 7,327 square feet.
- There is currently an existing 2,060 square foot single-family residence on the property. The applicant constructed a 20'x20' carport without obtaining the proper building permit. The applicant shared that he asked the builder several times if a permit was required for the proposed carport and was told all the times that no permit was required. The applicant is a 100% disabled veteran and federal officer and didn't mean to break any rules. He was just not aware that a permit was needed until he was told by a Code Enforcement Officer.
- The lots the north, south, east and west are developed as Single-Family Residences.

- Staff has not received any calls regarding the variance request. Staff mailed out 24 notices to the surrounding property owners.
- Staff notes that ZBA has considered and approved the following variance within this subdivision: 10' front yard setback for Lot 19 on 3/16/11.
- The City of Mission Code of Ordinances Appendix A – Zoning, Section 1.17 states ZBA may:
 - “Permit the reconstruction, extension, or enlargement of a building occupied by a non-conforming use on the lot or tract occupied by such building provided such reconstruction does not prevent the return of such property to a conforming use”, and
 - “Authorize in specific cases a variance from the terms of a zoning ordinance if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the ordinance is observed and substantial justice is done.”
- There is a new state law, HB1475, that allows variances to be granted if:
 - The financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessors for the municipality under Section 26.01, Tax Code;
 - Compliance would 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;
 - Compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other department; Compliance would result in the unreasonable encroachment on an adjacent property or easement; or
 - The municipality considers the structure to be a nonconforming structure.

STAFF RECOMMENDATION:

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;
2. The carport was built without a permit, and
3. This is a self-imposed hardship.

RECORD OF VOTE:

APPROVED: _____

DISAPPROVED: _____

TABLED: _____

_____ AYES

_____ NAYS

_____ DISSENTING _____

Attachment I



ZONING BOARD OF ADJUSTMENTS APPLICATION

NAME: Jeffery Miller956-579-3326
PHONE: 325-260-0238ADDRESS: 614 Ramirez Lane

RECEIVED BY: _____

CITY: Mission, TX 78573DATE: 4 Mar 2025SUBDIVISION: Mayberry Garden LOT: _____ BLOCK: _____APPROX. LOCATION: 2 Mile / 2 mile / Mayberry

ZONE: _____

PURPOSE: Had 20x20 Carport built, not attached, Literally asked
builder (7) times if we needed city Permit or if it was illegal,
builder said No to all (7) times. Code Enforcement says I
Need Permit which I do not mind Getting. I am just asking
if I could keep my Carport. I am a 100% disabled Veteran &
Federal Officer & did not have Carport built to be Mean. I did not
KNOW.

OFFICE USE ONLY

ZBA ACTION: _____ PASSED _____ TABLED _____ FAILED DATE: _____

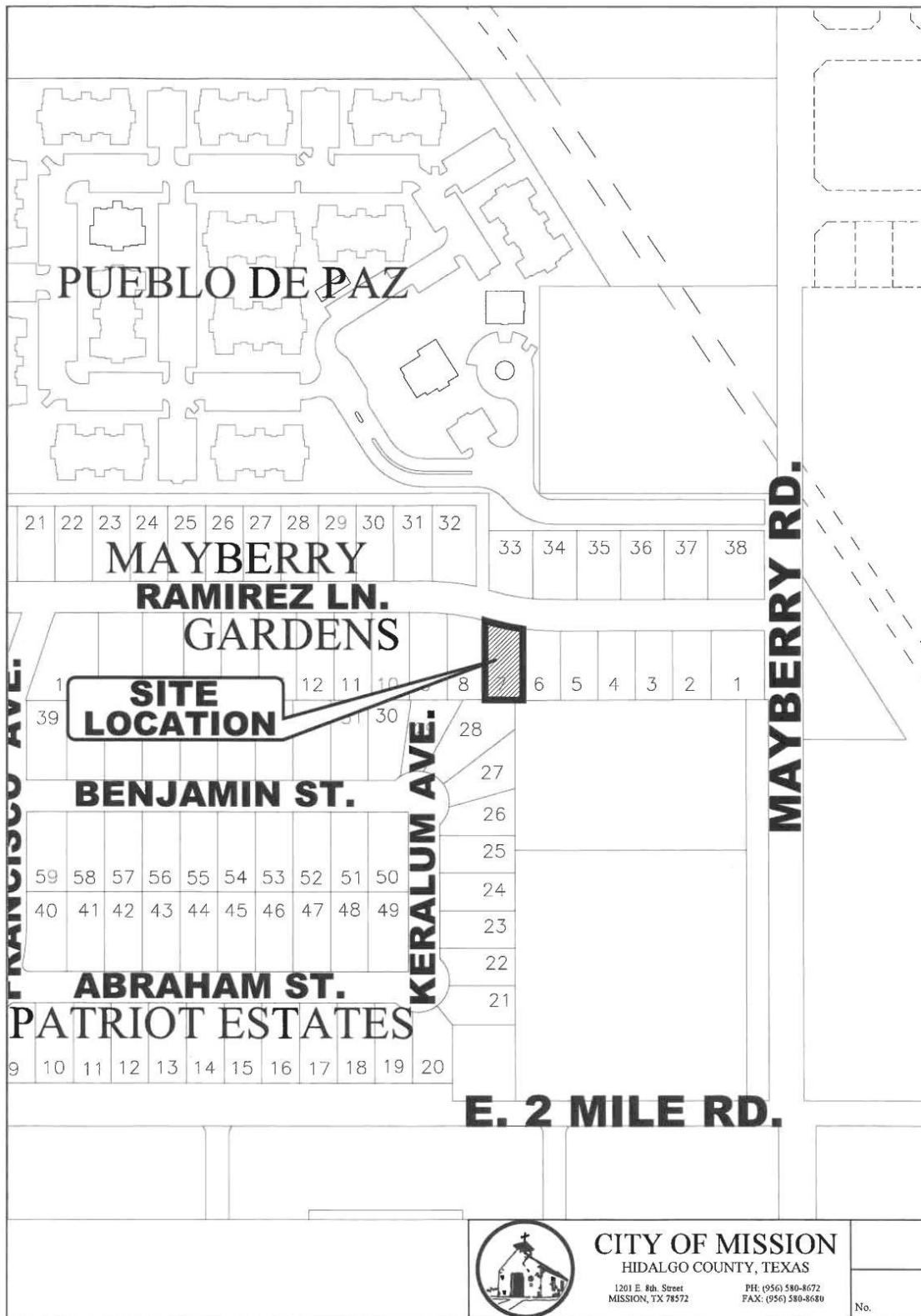
COMMENTS: _____

LETTERS MAILED: _____ FILING FEE: \$250.00 RECEIPT NO.: 20250198

APPLICANT'S SIGNATURE: _____

Jeffery Miller
Jeffery Miller

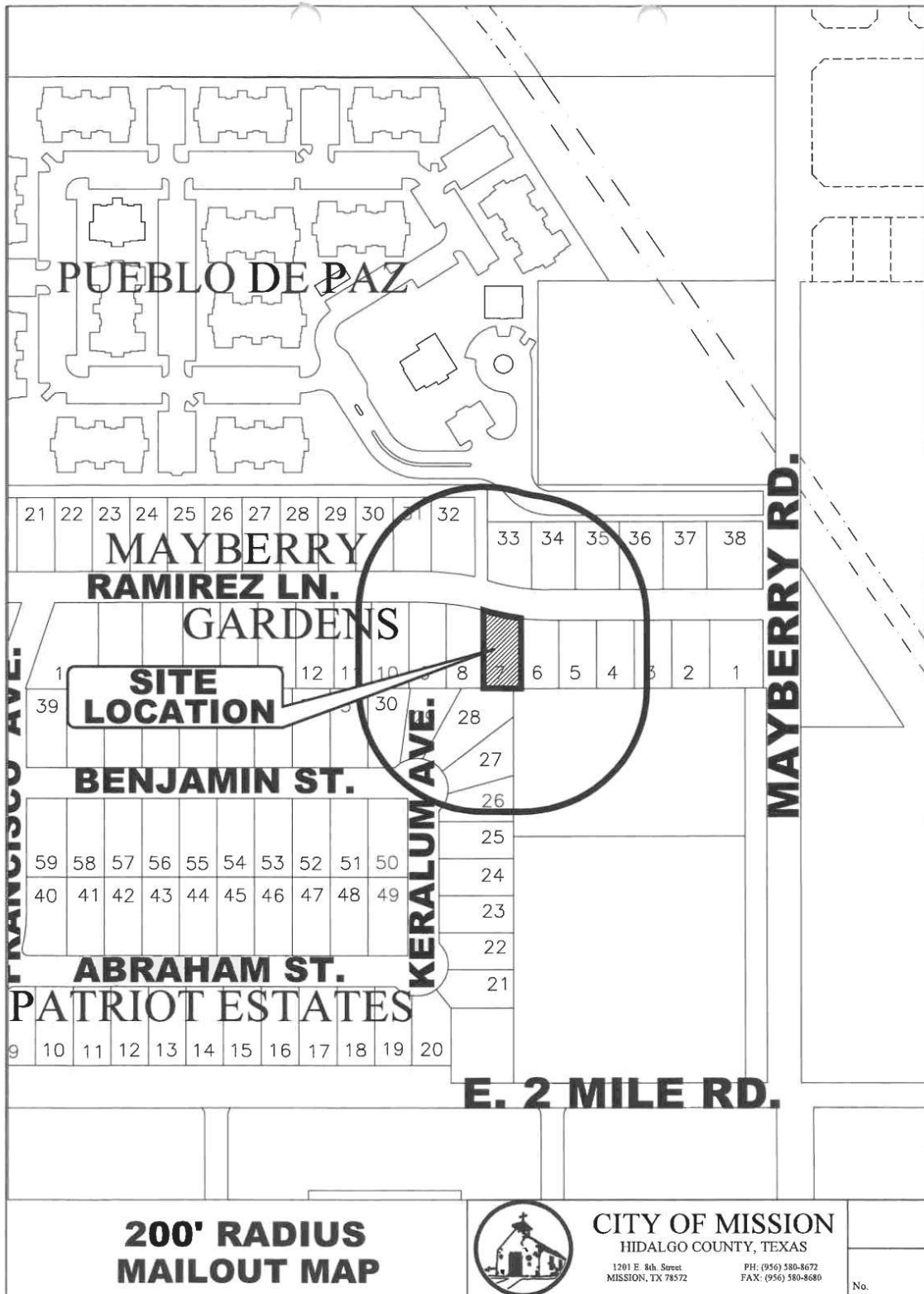
Attachment II



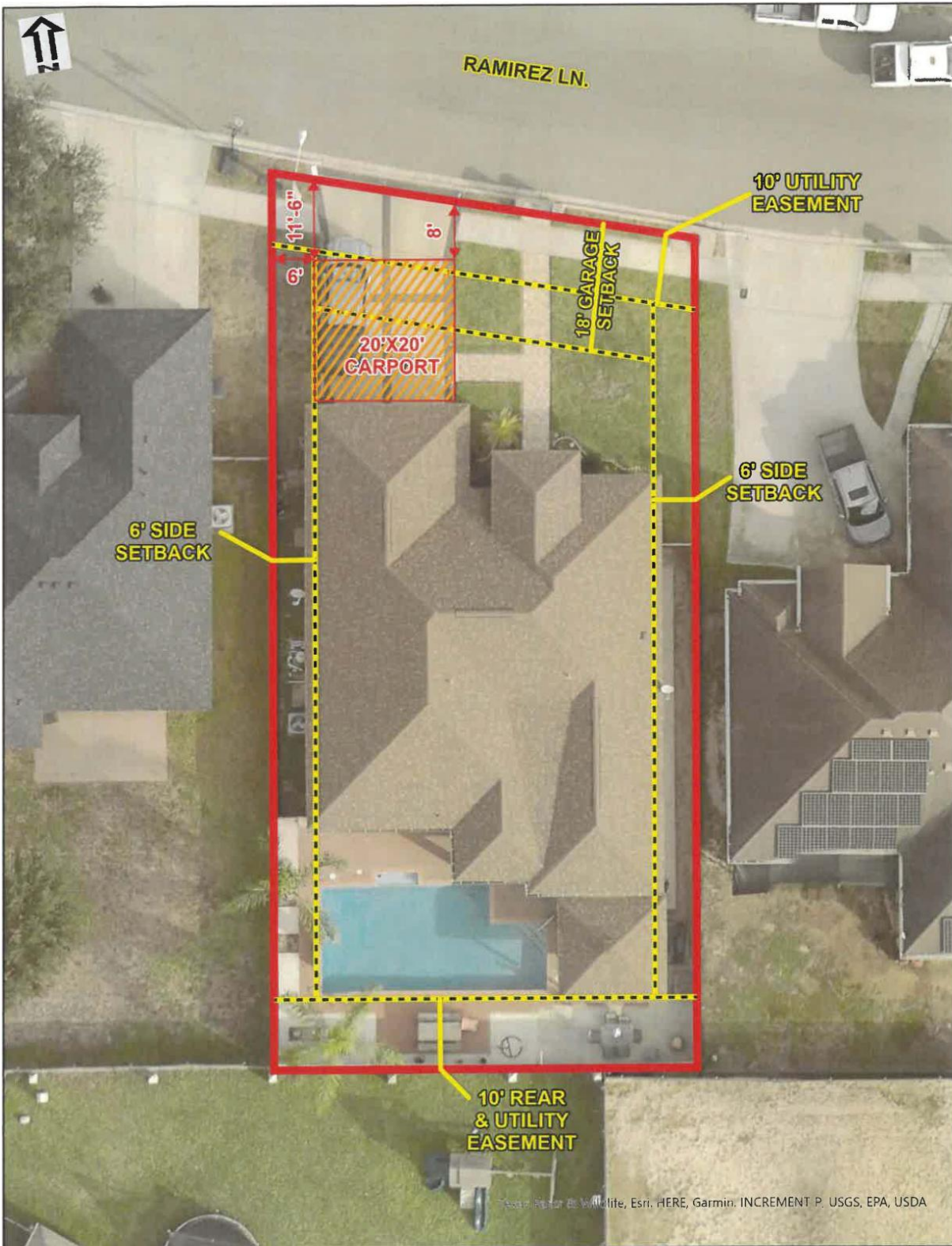
Attachment III



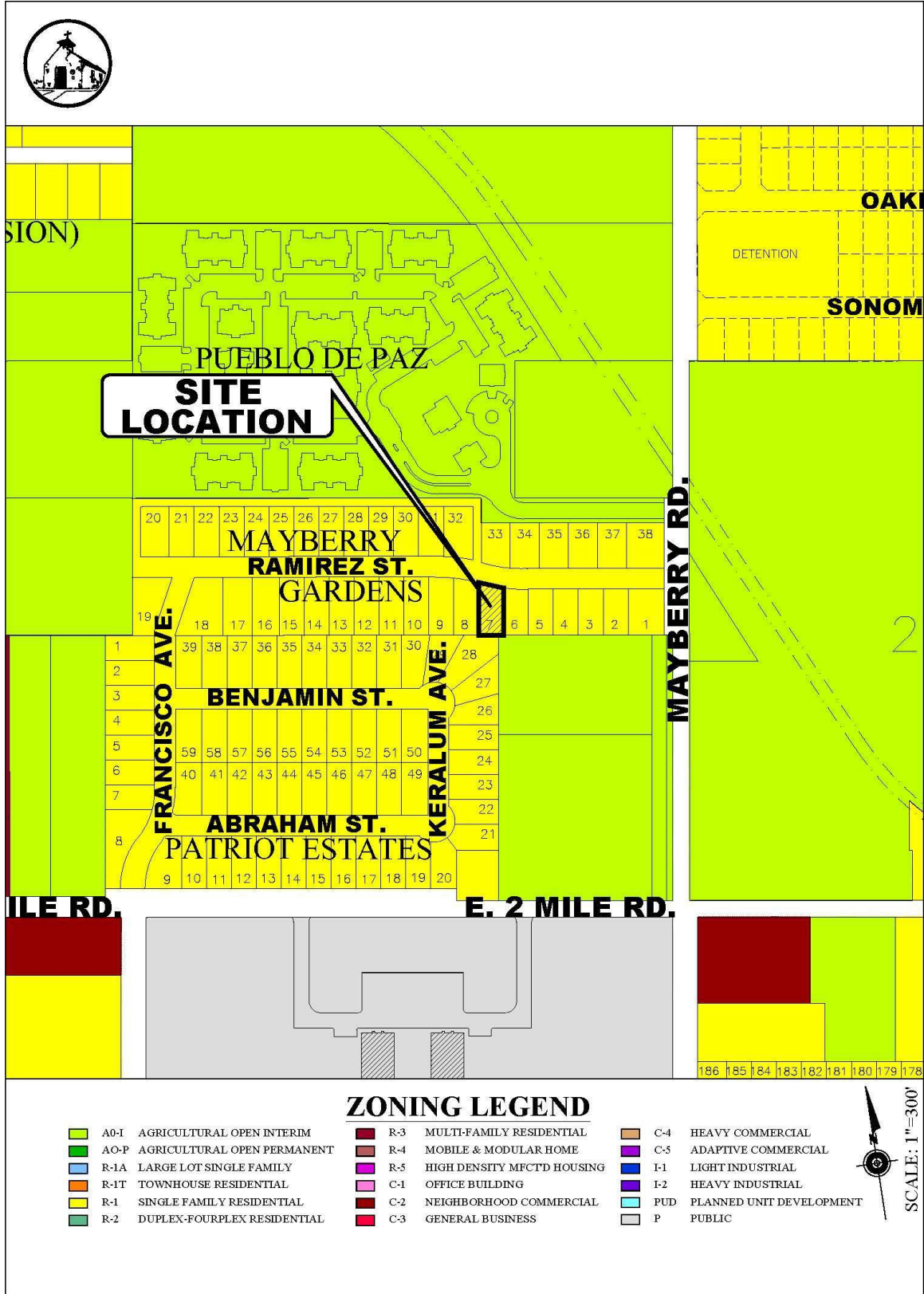
Attachment IV



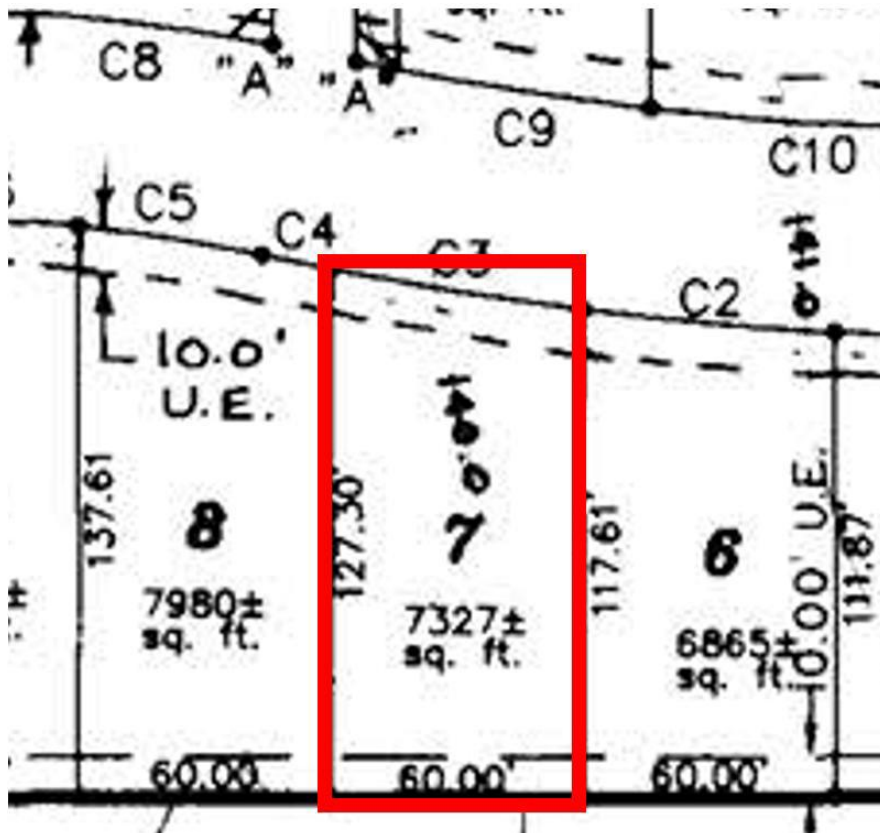
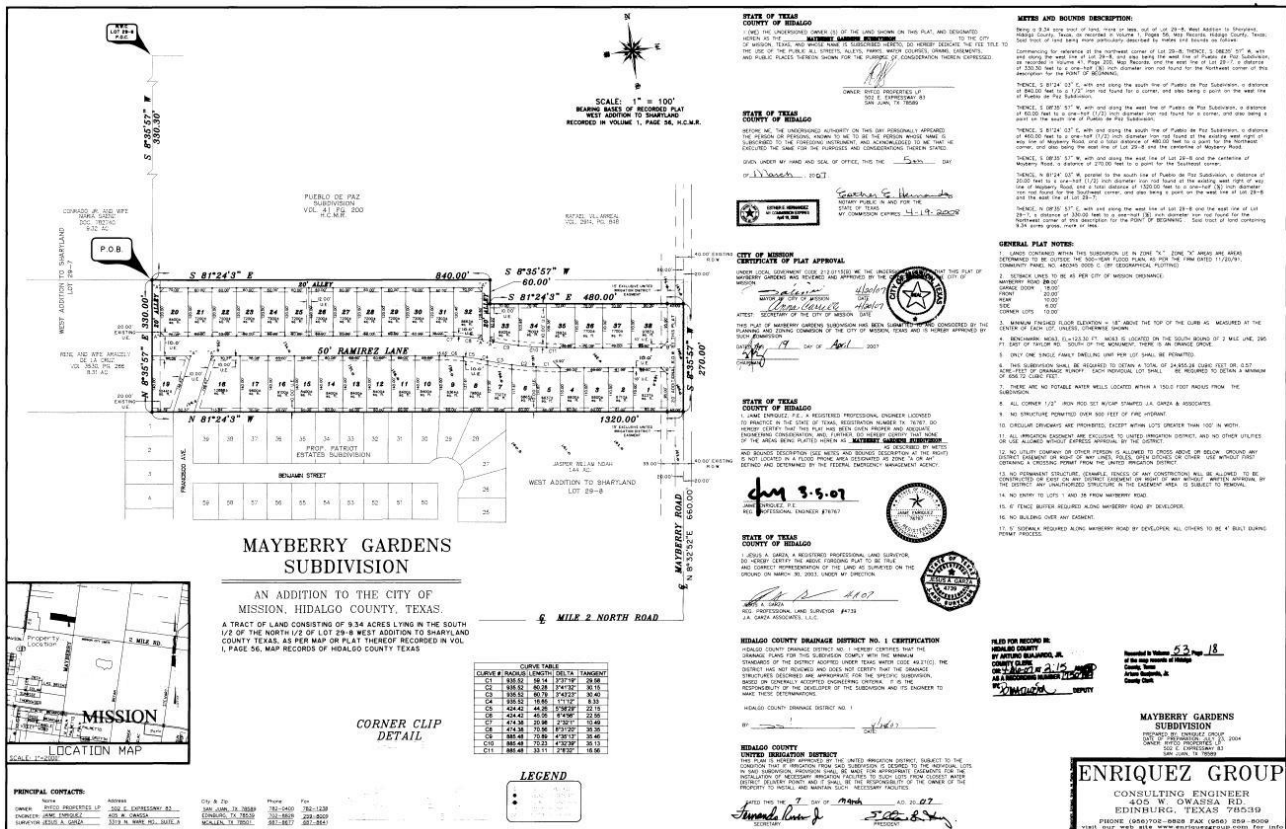
Attachment V



Attachment VI



Attachment VII



Attachment VIII



Attachment IX



Attachment X

Hidalgo County Appraisal District		PROPERTY FIELD REVIEW CARD 2025-0-0		Valuation Method: cost-local		March 17, 2025	
PROPERTY ID AND LEGAL DESCRIPTION		OWNER ID, NAME, AND ADDRESS		EXEMPTIONS		VALUES	
716985 614 RAMIREZ LN, MISSION TX		MILLER JEFFERY D & MELISSA Y 1177176		DWS, HS		2024 2025	
MYBERRY GARDENS LOT 7 TYPE: R DBA: GEO ID: M1855-000-000-000-00 Ref ID1: 528670 AS CODE: M185500 MIP ID: CMS VOL 53 Ref ID2: R715985 SUBTYPE: RES MAPSCO: TIF: MKT AREA: 5M5A012 SUB MKT: EFF SIZE: LEGAL ACREAGE: APPR VAL METHOD: cost-local		614 RAMIREZ LANE MISSION TX US 78573-8707 AGENT: EFF DATE: EXP DATE:		TAXING UNITS CAD 100.00 CMS 100.00 DR1 100.00 GHD 100.00 JCC 100.00 SMS 100.00 SST 100.00		IMPROVEMENTS 211,451 199,357 LAND MARKET 48,358 48,358 MARKET VALUE 259,809 247,715 SPECIAL USE EXCL 0 0 APPRAISED VALUE 259,809 247,715 HS VALUE LIMIT 0 0 CIRCUIT BRKR LIMIT 0 0 NET APPRAISED 259,809 247,715	
UTILITIES: AL ZONING: RS LEGACY APPR EL: (2025) Adj d TOPOGRAPHY: LV TAGS: (2019) ADJ S6 CL (2019) NEW PATS & SWP (2013) ADJ CL ROAD ACCESS: PCO LAST APPR. DT: 2021-10-12 RES AV LAST INSP COMPT DT: TMT LAND COMM APPR NEXT INSP. DT: SUBSET: NEXT REASON: REASON NOTES:		REMARKS		SKETCH			
BUILDING PERMITS B# ISSUE DT PERM # TYPE ACTIVE EST VAL APPR BUILDER COMMENT		PICTURE					
INCOME APPROACH DATA CBA: 0 UNITS: 0 NRA: 0 RENT: 0							
APPEAL HISTORY YEAR APPEAL ID TYPE STATUS PROTESTER FINL DATE							
SALES HISTORY DATE TYPE QUAL SRC RATIO PRICE BUYER 2020-05-12 A1 null null 186,004 MILLER JEFFERY D 2011-05-03 PA null null 10 GOMEZ JOSE & 2009-01-27 null null null 10 CASTILLO		DEED HISTORY DATE TYPE BOOK PG INST # BUYER SELLER 2020-05-13 WDV null null 3111871 MILLER JEFFERY SOTO EZEQUIEL 2019-03-07 AWD null null 2993362 SOTO EZEQUIEL GOMEZ JOSE & 2011-05-16 WDV null null 2206933 GOMEZ JOSE & S & Z					
IMPROVEMENT VALUATION # TYPE DESCRIPTION MODEL CLASS AREA UN PRC UNITS STY BUILT EF YR COND VALUE DEP PHYS ECON FUNC COMP ADJ VALUE MA Residential Main RES BRKAV 2,080 91.96 1 1 2009 2009 AV 189,438 84.00 100.00 100.00 100.00 0.84 169,128 GAR GARAGE RES BRKAV 441 45.98 1 1 2009 2009 AV 23,277 84.00 100.00 100.00 100.00 0.84 17,033 POR PORCH RES BRKAV 64 91.96 1 1 2009 2009 AV 5,865 84.00 100.00 100.00 100.00 0.84 4,943 PAT PATIO RES BRKAV 66 91.96 1 1 2009 2009 AV 6,059 84.00 100.00 100.00 100.00 0.84 5,059 SWPAG-SWP AVG CL 6M RES BRKAV 96 0.00 1 1 2010 2010 * 0 100.00 100.00 100.00 100.00 1.00 0 PAT PATIO RES BRKAV 154 91.96 1 1 2010 2010 * 14,162 85.00 100.00 100.00 100.00 0.85 12,038 PAT PATIO RES BRKAV 186 91.96 1 1 2010 2010 * 1,176 85.00 100.00 100.00 100.00 0.85 1,117 1 Style: STCD: A1 3,077 Area: 2,080 Homesite: Y (100.00%) 237,007 AS Code: 100.00% Market Area: 100.00% 199,357 Finish Out: 100 Quality: AV Structure: Ext Wall: BRK		IMPROVEMENT DETAIL ADJ # ADJ TYPE ADJ AMT ADJ % BATH Construction RES 2 Custom 1 Exterior Wall DBRK Flooring TIL Foundation SLB Heating/Cooling AND Interior Finish SRK Number of 3.00 Plumbing 2 Roof Style HRP		IMPROVEMENT FEATURES # ADJ TYPE ADJ AMT ADJ % BATH Construction RES 2 Custom 1 Exterior Wall DBRK Flooring TIL Foundation SLB Heating/Cooling AND Interior Finish SRK Number of 3.00 Plumbing 2 Roof Style HRP			
LAND VALUATION LF DESCRIPTION TYPE SOIL CLS TABLE SC HS METH D/V UNIT PRC ADJ MADJ VAL SRC 1 LOT L M185500 A1 Yes SF 7321.00 sf 6.00 1.00 48,358 A AS Code: 100.00% Market Area: 100.00%		LAND ADJUSTMENTS SEQ ADJ TYPE ADJ AMT ADJ % No		PRODUCTIVITY VALUATION AG USE TABLE UNIT AG VALUE No 0.00 0			



Attachment XI



CITY OF
MISSION

Irasema Dimas, Code Enforcement Supervisor
Arturo Lerma, Senior Code Enforcement Officer
Nancy Chavira, Code Enforcement Officer
Joseph Flores, Code Enforcement Officer
Angel Garcia Jr., Code Enforcement Officer
Yvette Villarreal, Code Enforcement Clerk

February 5, 2025

Case# 25-02-G-006

Jeffery D. Miller
 614 Ramirez Lane
 Mission, TX 78573-8707

Dear Property Owner/Occupant:

A visual exterior inspection was conducted of a property located **614 Ramirez Ln., Mission, TX**, bearing a legal description of **Mayberry Gardens Lot 7**, which according to the real property records of Hidalgo County, you own. After conducting the inspection, it is noted that the construction that took place on the property without first obtaining the required permits. This is a violation of **City of Mission Code of Ordinance; Chapter 18 – Buildings and Building Regulations**.

Under the provisions of City of Mission Code of Ordinance; **Chapter 18 – Building and Building Regulations – Section 18-32 – Residential Code adopted; 2021 International Residential Code (IRC). Section 105 Permits; R105.1 Required**. Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert, or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit. Since a permit was not acquired, a **double permit fee** will be assessed pending approval of the building permit application by the Planning and Inspection Department.

You have **(10) calendar days** from date of notice to make contact with the **Code Enforcement Department at (956) 580-8697** to discuss the options available to comply. If you fail to make contact within the timeframe provided herein then other enforcement measures may be taken, including but not limited to, the assessment of fines and court costs.

As a property owner, you may file an application for a variance with the Zoning Board of Adjustments. We thank you for your understanding and prompt attention to this matter.

Respectfully,

Angel Garcia Jr.
 Code Enforcement Officer

Attachment XII



CITY OF
MISSION

Irasema Dimas, Code Enforcement Supervisor
Arturo Lerma, Senior Code Enforcement Officer
Nancy Chavira, Code Enforcement Officer
Joseph Flores, Code Enforcement Officer
Angel Garcia Jr., Code Enforcement Officer
Yvette Villarreal, Code Enforcement Clerk

February 5, 2025

Case# 25-02-G-007

Jeffery D. Miller
 614 Ramirez Lane
 Mission, TX 78573-8707

Dear Property Owner/Occupant:

A visual exterior inspection was conducted of a property located **614 Ramirez Ln., Mission, TX**, bearing a legal description of **Mayberry Gardens Lot 7**, which according to the real property records of Hidalgo County, you own. After conducting the inspection, it is noted that **the carport was built within the setback lines**. This is a violation of **City of Mission Code of Ordinance; Appendix A – Zoning, Article VIII – Use Districts and Conditional Uses**.

Under the provisions of City of Mission Code of Ordinance; **Appendix A – Zoning, Article VIII-Use Districts and Conditional Uses; Section 1.371 R-1 Single Family Residential; 4-Prohibited Uses - c)** Any use of property that does not meet the required minimum lot size; front, side and rear yard dimension; and/or lot width; or exceeds the maximum height, building coverage or density per gross acre as required.

You have **(10) calendar days** from date of notice to contact the **Code Enforcement Department at (956) 580-8697** to discuss the options available to comply. If you fail to make contact within the timeframe provided herein then other enforcement measures may be taken, including but not limited to, the assessment of fines and court costs.

As a property owner, you may file an application for a variance with the Zoning Board of Adjustments. We thank you for your understanding and prompt attention to this matter.

Respectfully,

Angel Garcia Jr.
 Code Enforcement Officer

Attachment XIII

PROP_ID	Property Owner	addrDeliveryLine	addrCity	addrState	addrZip
717008	LOPEZ CYNTHIA ELIZABETH	406 E 28TH ST	MISSION	TX	78574-2157
717011	PORTILLO JULIO C & SASHA M	613 RAMIREZ LANE	MISSION	TX	78573-8706
716988	CASTANEDA ERICA NICOLE HERRERA	608 RAMIREZ LN	MISSION	TX	78573-8707
717010	ESTEVIS ARTURO & RUBY	611 E RAMIREZ LN	MISSION	TX	78573-8706
716987	MANDES SAN JUANITA M	610 RAMIREZ LN	MISSION	TX	78573-8707
716989	GONZALEZ JORGE & BEATRIZ ADRIANA SALINAS	606 RAMIREZ LN	MISSION	TX	78573-8707
716985	MILLER JEFFERY D & MELISSA Y	614 RAMIREZ LANE	MISSION	TX	78573-8707
716986	BUENTELLO REYNALDO & YOLANDA	612 RAMIREZ LN	MISSION	TX	78573-8707
717009	DE LA CRUZ HUGO & YADIRA MARQUEZ & MA DE SAN JUANA HERNANDEZ	609 RAMIREZ LN	MISSION	TX	78573-8706
717013	MUNOZ LILIANA & OSIEL A	701 RAMIREZ LN	MISSION	TX	78573-8710
717014	CAMPOS SANDRA	PO BOX 914	MISSION	TX	78573-0015
716984	VERA RACHEL & MICHAEL AMBERS	616 RAMIREZ LN	MISSION	TX	78573-8707
716983	MORALES CRYSTAL LEE	618 RAMIREZ LN	MISSION	TX	78573-8707
716982	RAMIREZ ROLANDO & LETICIA MORALES	700 RAMIREZ LN	MISSION	TX	78573
716981	LUNA ROLANDO RICARDO & AYISSA ANNETTE SALINAS	702 RAMIREZ LN	MISSION	TX	78573-8709
717012	CONFIDENTIAL	<Null>	<Null>	<Null>	<Null>
658540	PUEBLO DE PAZ APARTMENTS	175 POWDER FOREST DR	WEATOGU	CT	06089-7902
693136	LABASTIDA CUAUHEMOC S & LUISANA B	3210 N KERALUM AVE	MISSION	TX	78573-2106
693137	GUTIERREZ JOSE A & MARIA S	3212 KERALUM AVE	MISSION	TX	78573
693138	CRABTREE JOSHUA A & SANDRA SEGUNDO	1009 SUNRISE LN	MISSION	TX	78574-2382
693141	PENA MARISOL G	1725 W MILE 4 RD	MISSION	TX	78573-4100
693139	VALADEZ MARIA E	611 BENJAMIN ST	MISSION	TX	78573-2107
693140	CORONA GABRIELA M & JOSE A CASTILLO	3216 BLACK OAK LN	MISSION	TX	78573-1314
317274	MORENO LUIS A	3221 N MAYBERRY RD	MISSION	TX	78573-1595

Attachment XIV**STAFF RECOMMENDATION:**

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;
2. The carport was built without a permit, and
3. This is a self-imposed hardship.



CITY OF MISSION

AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: May 8, 2025

PRESENTED BY: Xavier Cervantes, Director of Planning

AGENDA ITEM: Consider a variance request to allow a total of 4,428 square feet instead of the maximum 2,802 square feet, which equals 40 percent allowed for an accessory structure for an enclosed Storage/Garage building, being Lot 33B, Southwind Estates Unit II Subdivision, located at 1907 Royal Palm Drive. Applicant: Carlos Lerma - Cervantes

NATURE OF REQUEST:

Project Timeline:

- March 26, 2025 – Application for Variance Request submitted to the City.
- April 11, 2025 - Under state and local law, a notice of required public hearings was mailed to all property owners within 200 feet of the subject tract.
- April 23, 2025 – Public hearing and consideration of requested variance by the Zoning Board of Adjustments. Due to no quorum, the meeting was cancelled and rescheduled for May 8, 2025.
- May 8, 2025 - Public hearing and consideration of requested variance by the Zoning Board of Adjustments.

Summary:

- The request is for a variance not to comply with Section 1.371 (2)(d) of the Mission Code of Ordinances, which states:
- Any non-living accessory structures, such as a carport or a garage, whether as an addition or as a detached building, shall not exceed a maximum size equal to 40% of the primary structure's living area; and shall not exceed the primary structure's total height, as measured to the top of its roof. However, if the primary structure's living area totals less than 2,000 square feet, the accessory structure may be constructed to a maximum size of 800 square feet. No carport, whether temporary or not, shall have a roof composed of tarp, canvas, or other similar fabric-like material.
- The site is located at the Northwest corner of Terrace Drive and Royal Palm Drive.
- The applicant is requesting a variance to construct a Garage/Storage Building for a total of 4,428.00 square feet instead of the maximum allowed of 2,802 square feet.
- There is currently an existing 7,005-square-foot single-family residence on the property. The applicant is proposing to build a garage and a storage building.
- The Planning Staff has not received any objections to the request from the surrounding property owners. Staff mailed out (30) legal notices to surrounding property owners.
- The applicant would like the Board to consider the above-mentioned variance to allow the construction of the accessory structure.

- The City of Mission Code of Ordinances Appendix A – Zoning, Section 1.17 states ZBA may:
 - “Permit the reconstruction, extension, or enlargement of a building occupied by a non-conforming use on the lot tract occupied by such building, provided such reconstruction does not prevent the return of such property to a conforming use,” and
 - Authorize in specific cases a variance from the terms of a zoning ordinance if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the ordinance is observed and substantial justice is done.”

STAFF RECOMMENDATION:

Staff recommends denial of the request, subject to compliance with the following conditions:

Must comply with the required maximum of 40 percent, 2,125.60 square feet.

RECORD OF VOTE:

APPROVED: _____

DISAPPROVED: _____

TABLED: _____

_____ AYES

_____ NAYS

_____ DISSENTING _____

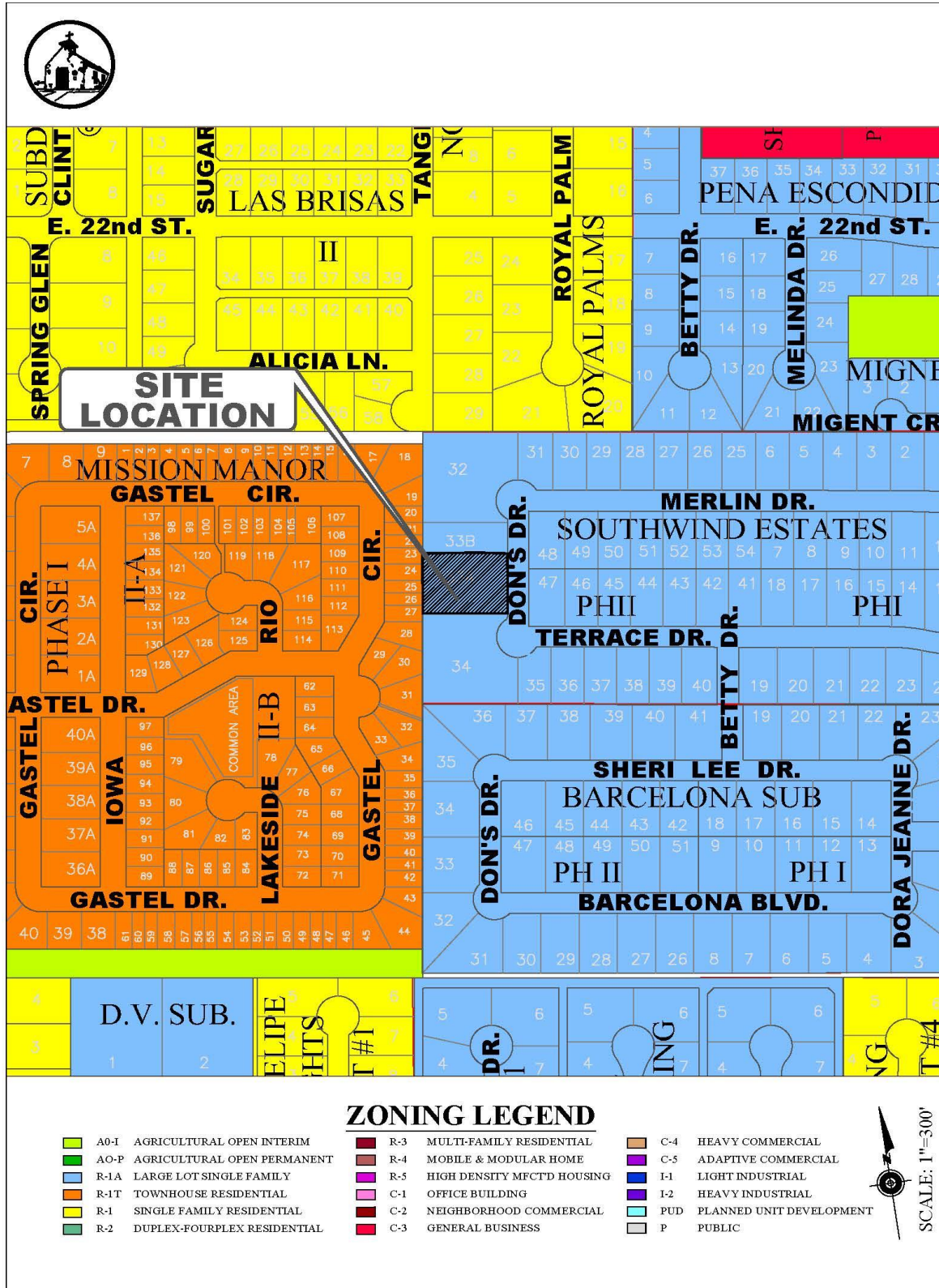
VICINITY MAP



ARIEL MAP



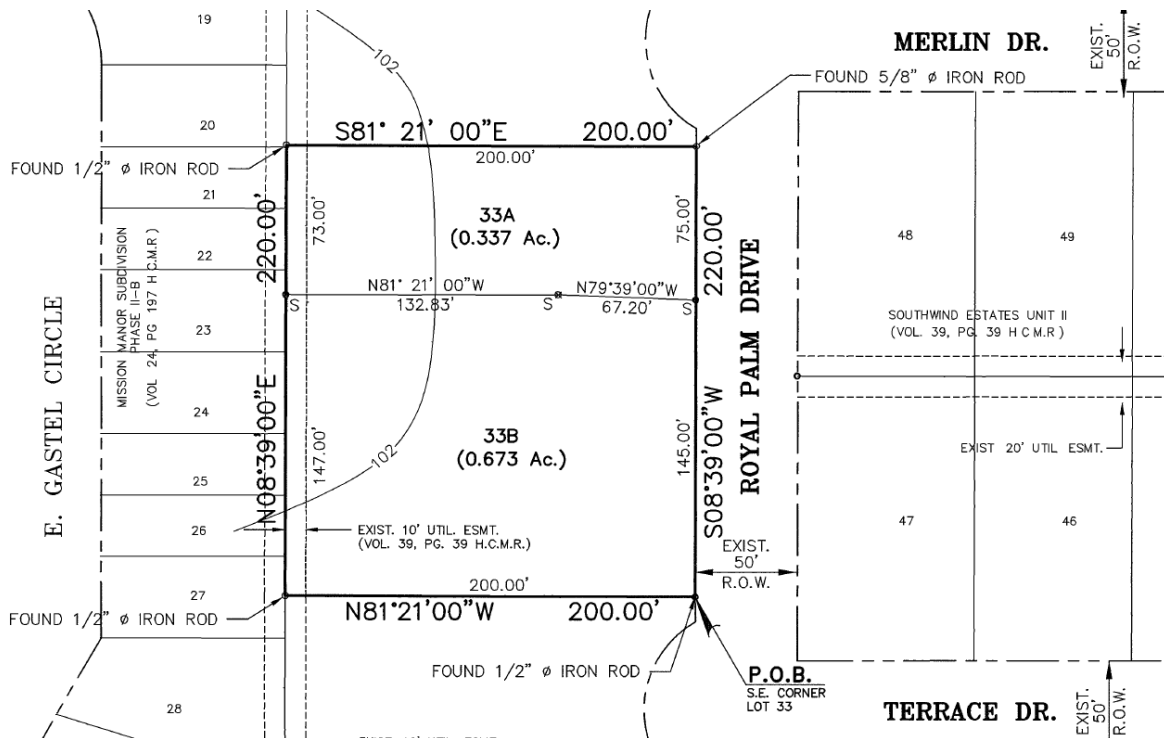
ZONING MAP



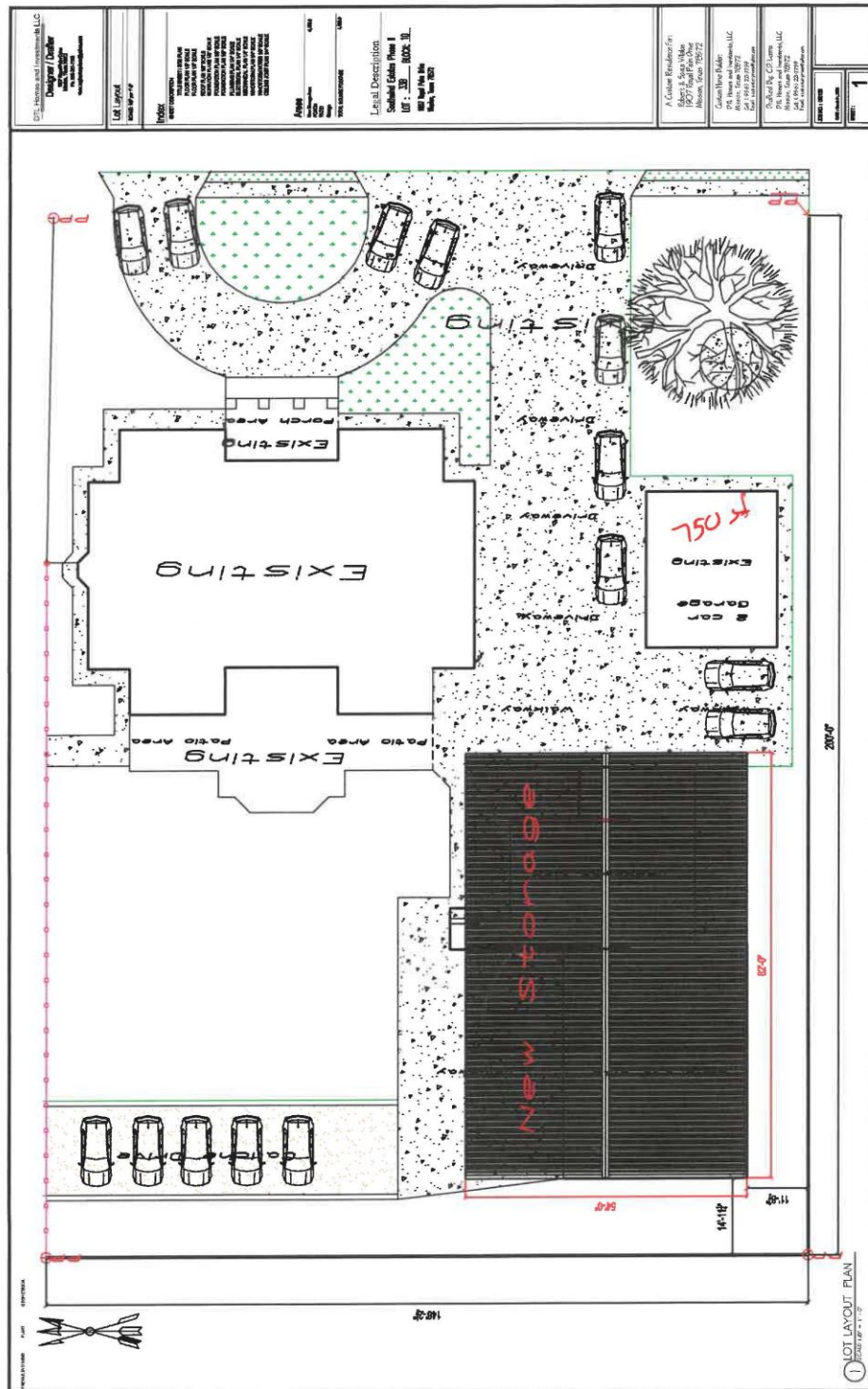
RECORDED PLAT AND NOTES

GENERAL NOTES

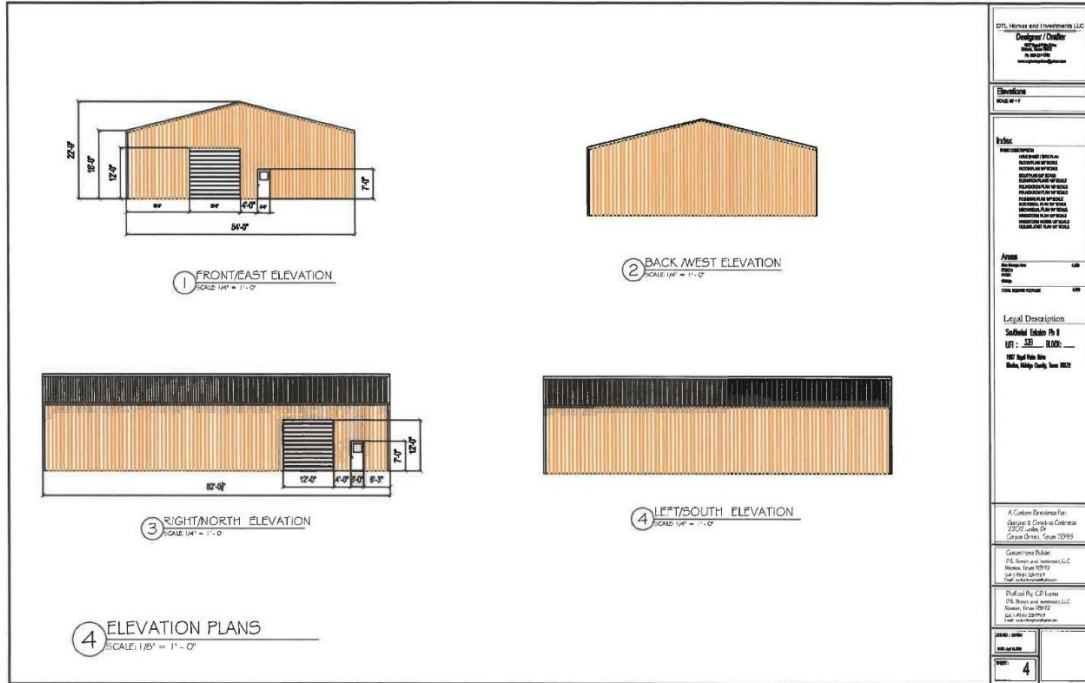
1. THE FLOOD DESIGNATION FOR THIS PROPERTY IS ZONE "X" WHICH ARE "AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOOD-PLAIN" AS PER F.E.M.A.'s FLOOD INSURANCE RATE MAP - COMMUNITY PANEL NO. 480345 0005C, REVISED NOVEMBER 20, 1991.
2. MINIMUM FINISHED FLOOR ELEVATION SHALL BE EIGHTEEN (18) INCHES ABOVE THE TOP OF CURB AS MEASURED AT THE CENTER OF THE LOT.
3. MINIMUM BUILDING SETBACK LINES SHALL BE AS FOLLOWS:
 FRONT: 25 FEET EXCEPT 18' FOR UNENCLOSED CARPORT ONLY,
 OR GREATER FOR EASEMENTS.
 REAR: 10 FEET OR GREATER FOR EASEMENT
 INTERIOR SIDES: 6 FEET OR GREATER FOR EASEMENT
 CORNER: 10 FEET OR GREATER FOR EASEMENT
 GARAGE: 18 FEET EXCEPT WHERE GREATER SETBACK IS REQUIRED; GREATER SETBACK APPLIES.
4. A 4' WDE SIDEWALK IS REQUIRED ALONG THE WEST SIDE OF ROYAL PALM DRIVE AT TIME OF BUILDING PERMIT.
5. NO BUILDING OR BUILDING STRUCTURES SHALL BE CONSTRUCTED OVER ANY EASEMENT.
6. BENCH MARK: ELEV=132.65 (TOP OF IRON PIN AT THE SOUTH EAST CORNER OF LOT 33)
7. A TOTAL OF 3,023 CUBIC FEET (0.069 Ac.Ft.) OF STORM WATER DETENTION IS REQUIRED FOR THIS SUBDIVISION BASED ON THE 10-YEAR STORM FREQUENCY. LOT 33A WILL BE REQUIRED TO DETAIN 1,004 CUBIC FEET (0.023 Ac.Ft.) AND LOT 33B WILL BE REQUIRED TO DETAIN 2,019 CUBIC FEET (0.046 Ac.Ft.). A INDIVIDUALIZED DETENTION PLAN SHALL BE SUBMITTED TO THE CITY OF MISSION AS PART OF THE BUILDING PERMIT.



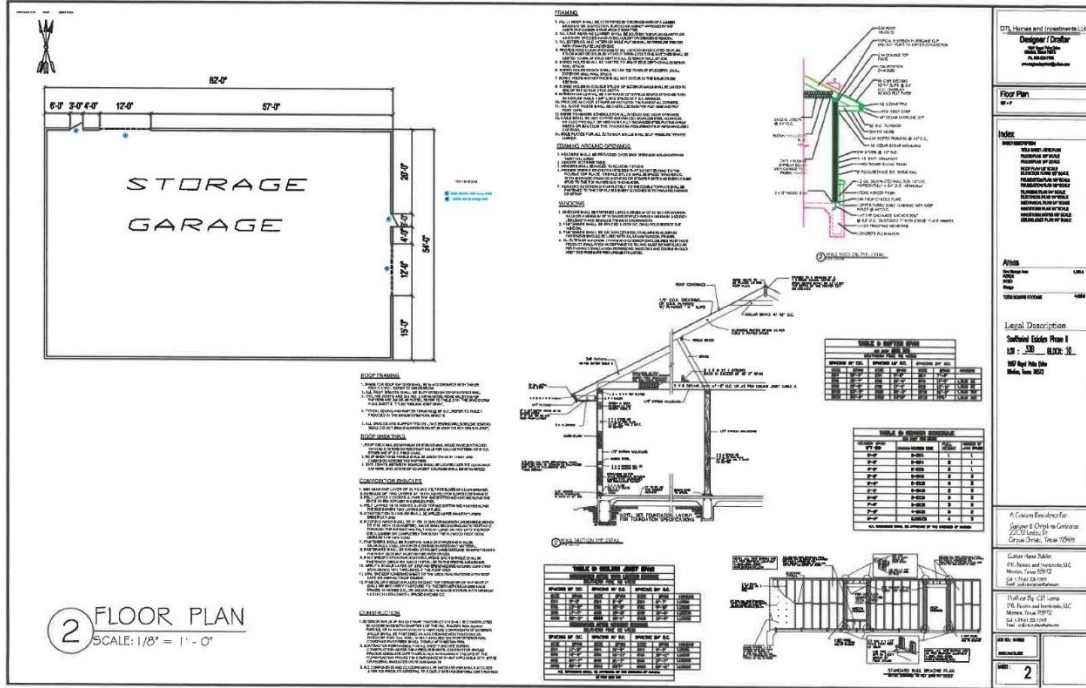
ATTACHEMENTS (PICTURES)



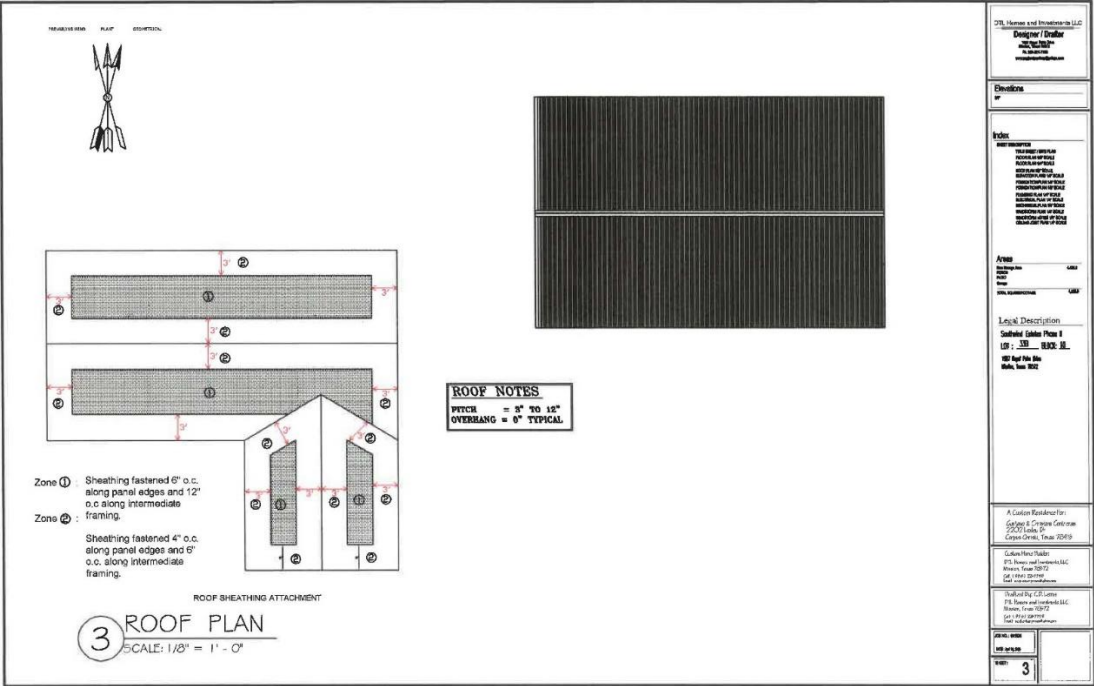
ATTACHEMENTS (PICTURES)



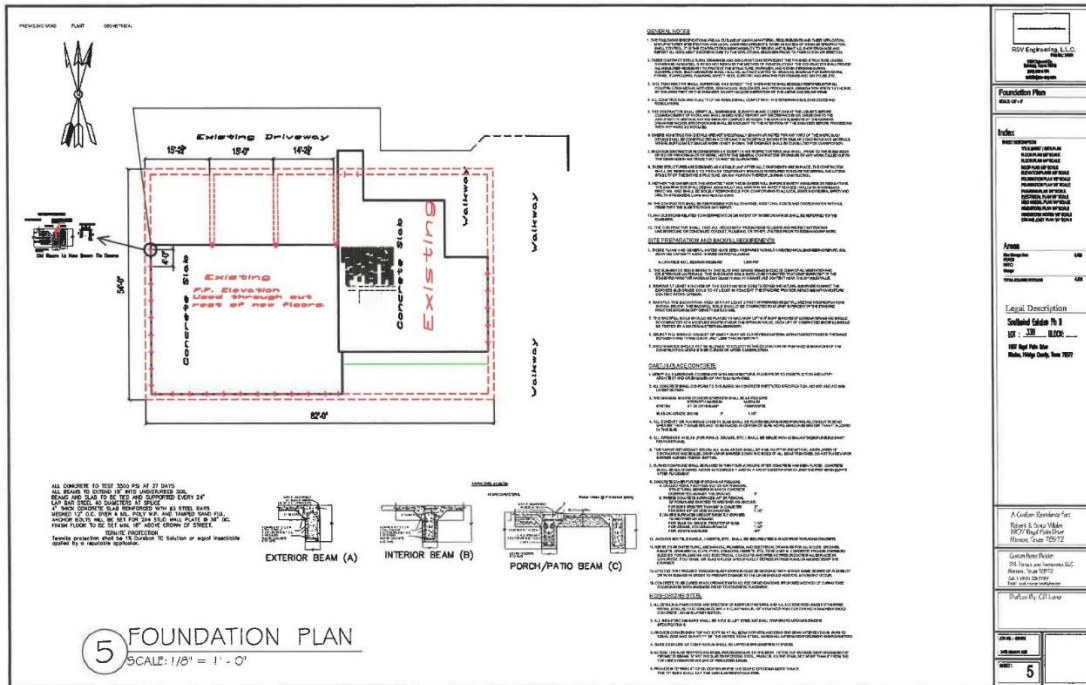
ATTACHEMENTS (PICTURES)



ATTACHEMENTS (PICTURES)	



ATTACHEMENTS (PICTURES)



ATTACHEMENTS (PICTURES)



900 W Expressway 83 La Feria TX 78559 Phone: (866) 613-3483

CUSTOMER: Carlos Lerma
ADDRESS: 1907 Royal Palm Dr
 Mission, TX 78572

DATE 3/12/2025
QUOTE # 99890507
SALES Loida Leal

BUILDING TYPE

52' - 0" wide x 84' - 0" long x 16' - 0" high building
 with roof pitch of 3:12

BUILDING OPTIONS

(2) Roll up door openings
 (2) Personnel door openings
 Frame Finish: Galvanized
 Roof Finish: 26G Galvalume
 Wall Finish: 26G painted

STAMPED ENGINEERING PLANS

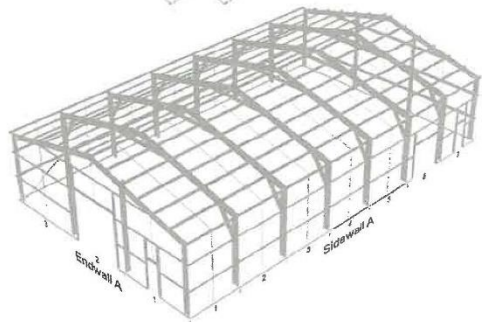
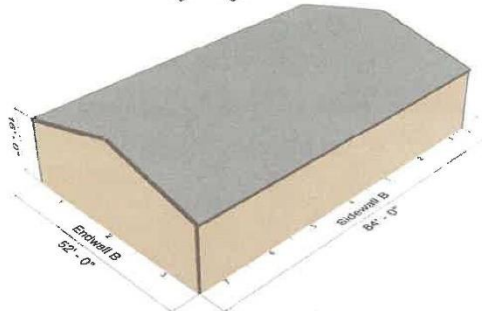
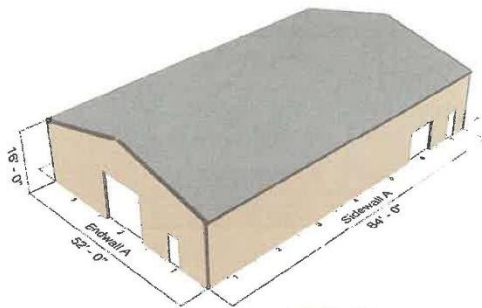
Building Layout Plans
 No snow load
 126 mph wind speed, exposure 'C'
 2018 IBC

TOTAL PRICE

\$50,424.47

Tax and Delivery NOT Included

- Quoted prices will be honored for 14 days unless specified otherwise by Mueller.
- Any Change Orders issued or incurred by Customer may delay Mueller's performance and will incur price adjustments.
- Order pricing will be subject to price of steel increases if Customer delays Mueller's performance by 30 days or if Customer does not take receipt of the materials within 30 days of the ready-to-ship or pick-up date.
- Pricing will not be affected if delivery schedule cannot be met by Mueller.
- Concrete slab & foundation engineering are the customer's responsibility; please check local codes and/or ordinances for project requirements, if any.



ATTACHEMENTS (PICTURES)



BUILDING SPECIFICATIONS

Building Site Address:

1907 Royal Palm Dr, Mission, TX, 78572

Building Site Details:

Ground Snow Load: N/A
Wind Load/Exposure: 126 mph C
Building Code: 2018 IBC
Building Occupancy Category: II

Building Dimensions:

Width: 52' - 0" Length: 84' - 0"
Eave Height: 16' - 0" Roof Pitch: 3:12
Sidewall Bays: 7 # Endwall Bays: 3

Leanto A Details:

Span: N/A Bays: N/A
Drop: N/A Roof Pitch: N/A
Eave Height: N/A

Leanto B Details:

Span: N/A Bays: N/A
Drop: N/A Roof Pitch: N/A
Eave Height: N/A

Mezzanine Details:

Floor Height: N/A Bays: N/A
Live Load: N/A Joist Spacing: N/A

Sheeting and Trim Details:

Roof Type: PBR 26GA GVL PLUS #1 3.22' RUN
Roof Color: Galvalume Plus
Wall Type: RPN 26GA LST AK #1 3.22' RUN
Wall Color: Lt. Stone
Eave Trim/Gutter Type: Sculptured Eave #0810
Trim Color: Cocoa Brown

Opening Details:

Personnel doors: (2) Two - 3'x7' Wind rated Walk Doors

Drive Doors: (1) One - 12'x12' Wind rated RUD W350 BWH
(1) One - 8'x8' Wind rated RUD W350 BWII

Windows: None

Framed Openings: (1) One - 12'x12' framed opening Roll Up Door
(1) One - 8'x8' framed opening Roll Up Door
(2) Two - 3'x7' framed openings Personnel Door

Open Bays: None

Skylights: None

Insulation Details:
None

Extra Options:
N/A

Purchaser: Carlos Lerma

Mailing Address: 1907 Royal Palm Dr
Mission, TX, 78572
Phone: 956-221-7759
Email: scgkenterprises@yahoo.com

Total Building Price: \$50,424.47

Accessories: \$5,621.00

Estimated Delivery: \$350.00

Estimated Tax: \$4,652.63

FINAL Total Price: \$61,048.10

Down Payment: \$15,262.02 (due at signing)

Final Balance: \$45,786.08 (due at or prior to delivery)

Purchaser approves the Design Specifications contained in this Purchase Agreement and the Construction Package drawings provided:

Signature & Date

STAFF RECOMMENDATION

Staff recommends denial of the request, subject to compliance with the following conditions:

Must comply with the required maximum of 40 percent, 2,125.60 square feet.

MAILOUT LIST

PROP_ID	Property Owner	addrDeliveryLine	addrCity	addrState	addrZip
238488	FARRELL CHRISTIAN & DEBBIE	1710 E GASTEL CIR	MISSION	TX	78572
238491	SOLIS DAVID RENE	1702 EAST GASTEL CIRCLE	MISSION	TX	78572-3054
644234	RODRIGUEZ IRENE A	1910 W 42 1/2 ST	MISSION	TX	78573-5006
644235	IBARRA ADRIAN & LETICIA	1913 ROYAL PALM DR	MISSION	TX	78572-3243
644237	HOWELL MICHAEL & SONIA M TREVINO	1901 ROYAL PALM DR	MISSION	TX	78572-3243
644238	GARCIA MONETTE	1400 TERRACE DRIVE	MISSION	TX	78572-3203
644251	GAMEZ FATIMA	716 DIPPER AVE	PHARR	TX	78577-9096
644252	OMOSO MARQUITA S & LEOPOLDO JR	1402 MERLIN DR	MISSION	TX	78572-3362
644233	URIBE CARLOS & DEBORAH	1403 MERLIN DR	MISSION	TX	78572-3215
644240	MARTINEZ ISAAC J & DIANA L	1404 TERRACE DR	MISSION	TX	78572-3203
644249	MUNIZ LUZ ELENA	1403 TERRACE DR	MISSION	TX	78572-3204
238485	ROSENBLUM MICHAEL S & ANTOINE KHOURI	1716 E GASTEL CIR	MISSION	TX	78572
238486	MYERS CLIFFORD S	1712 GASTEL CIR	MISSION	TX	78572
644239	GONZALEZ MARCELA	1402 TERRACE DR	MISSION	TX	78572-3203
644250	ZAMORA RENE JAVIER	1401 TERRACE DR	MISSION	TX	78572-3204
238490	LUJAN RENE MEDINA & SAN JUANA E MORALES	1705 E GASTEL CIR	MISSION	TX	78572-3055
238492	GARZA ANABELIA	1700 E GASTEL CIR	MISSION	TX	78572-3054
238483	WRIGHT C GORDON & LOUISE S	1720 E GASTEL CIR	MISSION	TX	78572-3054
238484	MORENO ANGELINA CRISTINA	1718 E GASTEL CIRCLE	MISSION	TX	78572-3054
238493	RODRIGUEZ MANUEL & BEATRIZ P	1624 GASTEL CIR	MISSION	TX	78572
238495	RETKA THOMAS & SALLY RETKA LIVING TRUST	1622 E GASTEL CIR	MISSION	TX	78572-3052
238562	GUERRA ERNESTO	PO BOX 1231	KALAHEO	HI	96741-1231
238563	VILLARREAL RUBEN	PO BOX 4106	MCALLEN	TX	78502-4106
238564	BRINGAS MARGARITA	1709 GASTEL CIR	MISSION	TX	78572
238565	SALINAS JESUS G & BEATRIZ A	1707 E GASTEL CIR	MISSION	TX	78572-3055
238566	QUINTANILLA SONIA LOPEZ	1705 E GASTEL CIR	MISSION	TX	78572-3055
238567	ALMAGUER CHRISTINA & MARIA GUADALUPE	1703 E GASTEL CIR	MISSION	TX	78572-3055
1641225		1907 ROYAL PALM ST	MISSION	TX	78572-3243
1641224		1907 ROYAL PALM ST	MISSION	TX	78572-3243



CITY OF MISSION

AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: May 8, 2025

PRESENTED BY: Xavier Cervantes, Director of Planning

AGENDA ITEM: Consider a variance to allow a 6' rear setback instead of the required 10' for a 26' by 28' detached rear patio structure, being Lot 20, Hillcrest Valley Subdivision, located at 3106 Hillcrest Drive, Applicant: Blanca Morin - Cervantes

NATURE OF REQUEST:

Project Timeline:

- March 19, 2025 – Application for Variance Request submitted to the City
- April 11, 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.
- April 23, 2025 – Public hearing and consideration of requested variance by the Zoning Board of Adjustments. Due to no quorum, the meeting was cancelled and rescheduled for May 8, 2025.
- May 8, 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) (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.
- Where a building setback has been established by plat or ordinance and such setback requires a greater or lesser rear yard setback than is prescribed by this article for the district in which the building is located, the required rear yard setback shall comply with the building line so established by such plat or ordinance.
- The site is located along the East side of Hillcrest Drive approximately 360 feet South of 2 Mile Road.
- The applicant is requesting a variance to keep an already-constructed detached roof patio structure.
- The Hillcrest Valley Subdivision was recorded on November 24, 2020. The subject property has a depth of 120.46 feet and a width of 60 feet.
- City officials from the Code Enforcement Division noticed the detached roof patio structure in the backyard and gave the property owner a notice of violation for the construction of the structure without a building permit.
- The eastern edge of the structure metal posts are located six (6) feet from the rear property line.
- 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 16 legal notices to surrounding property owners.

STAFF RECOMMENDATION:

Staff recommends denial. The structures need to be modified or removed to comply with the required setbacks within 60/90 days. 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 the structure is ever removed, the prevailing setbacks shall be complied with thereafter, with an acknowledgment of the utility easement 2) obtaining a building permit fee, and 3) accessing a double permit fee.

RECORD OF VOTE:**APPROVED:** _____**DISAPPROVED:** _____**TABLED:** _____

_____ AYES

_____ NAYS

_____ DISSENTING _____

APPLICATION FORM

ZONING BOARD OF ADJUSTMENTS
APPLICATION

NAME: Blanca Morin PHONE: (956) 445-9851
 ADDRESS: 3106 Hillcrest Dr RECEIVED BY: _____
 CITY: Mission DATE: 3/13/2025

SUBDIVISION: _____ LOT: _____ BLOCK: _____

APPROX. LOCATION: _____

ZONE: _____

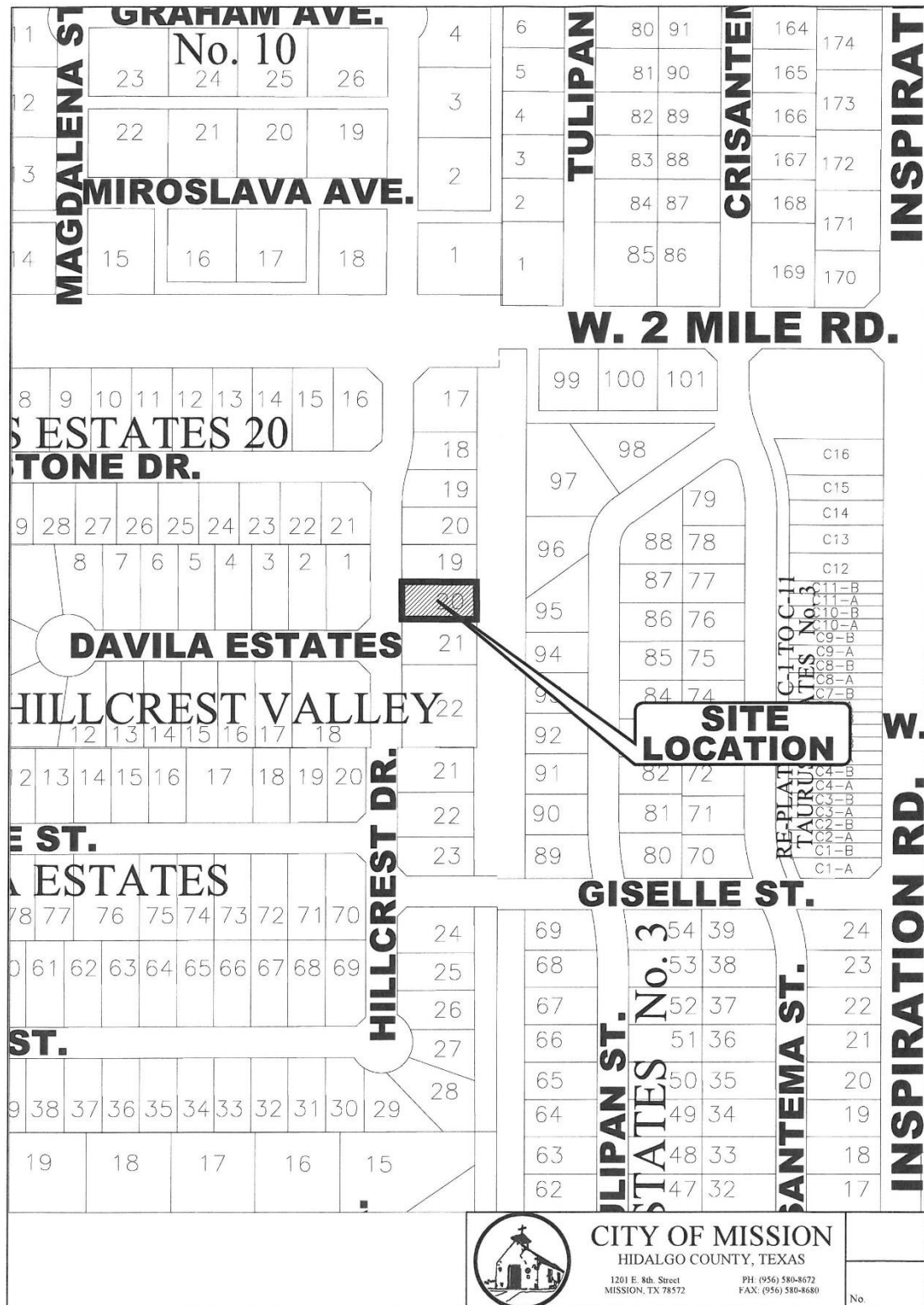
PURPOSE: Keep my existing porch, please.

OFFICE USE ONLY	

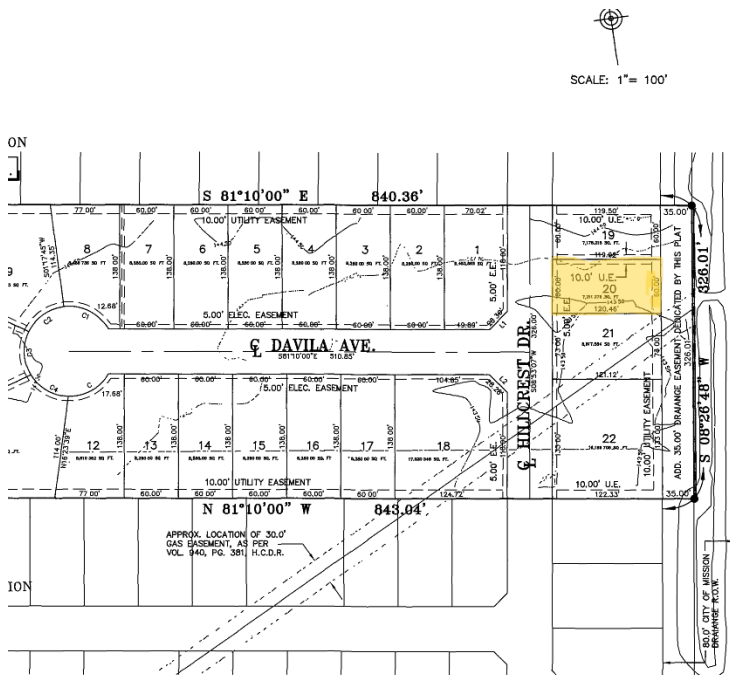
ZBA ACTION: _____ PASSED _____ TABLED _____ FAILED _____	DATE: _____
COMMENTS: _____	
LETTERS MAILED: _____ FILING FEE: <u>\$250.00</u> RECEIPT NO.: <u>20250221</u>	

APPLICANT'S SIGNATURE: Blanca Morin

LEGAL NOTICE MAP



RECORDED PLAT WITH SUBJECT PROPERTY HIGHLIGHTED



I (WE) THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS VALLEY SUBDIVISION TO THE CITY OF MISSION, COUNTY OF HIDALGO, DOES (DO) HEREBY SUBDIVIDE SUCH PROPERTY AND DEDICATE TO IT PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES TO CONSIDERATION THEREIN EXPRESSED.

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSON ME TO BE THE PERSON WHOSE NAMES IS SUBSCRIBED TO THE FC THAT HE EXECUTED THE SAME FOR PURPOSES AND CONSIDERATIC
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 02 DAY OF



[Signature]
NOTARY PUBLIC
COUNTY OF HIDALGO

CITY OF MISSION
CERTIFICATE OF APPROVAL

UNDER LOCAL GOVERNMENT CODE 212.0115(B) WE THE UNDERSIGNED
DAVILA'S SUBDIVISION WAS REVIEWED AND APPROVED BY THE CITY

[Signature]
MAYOR OF CITY OF MISSION

ATTEST: *[Signature]*
CITY SECRETARY



AERIAL WITH SETBACKS

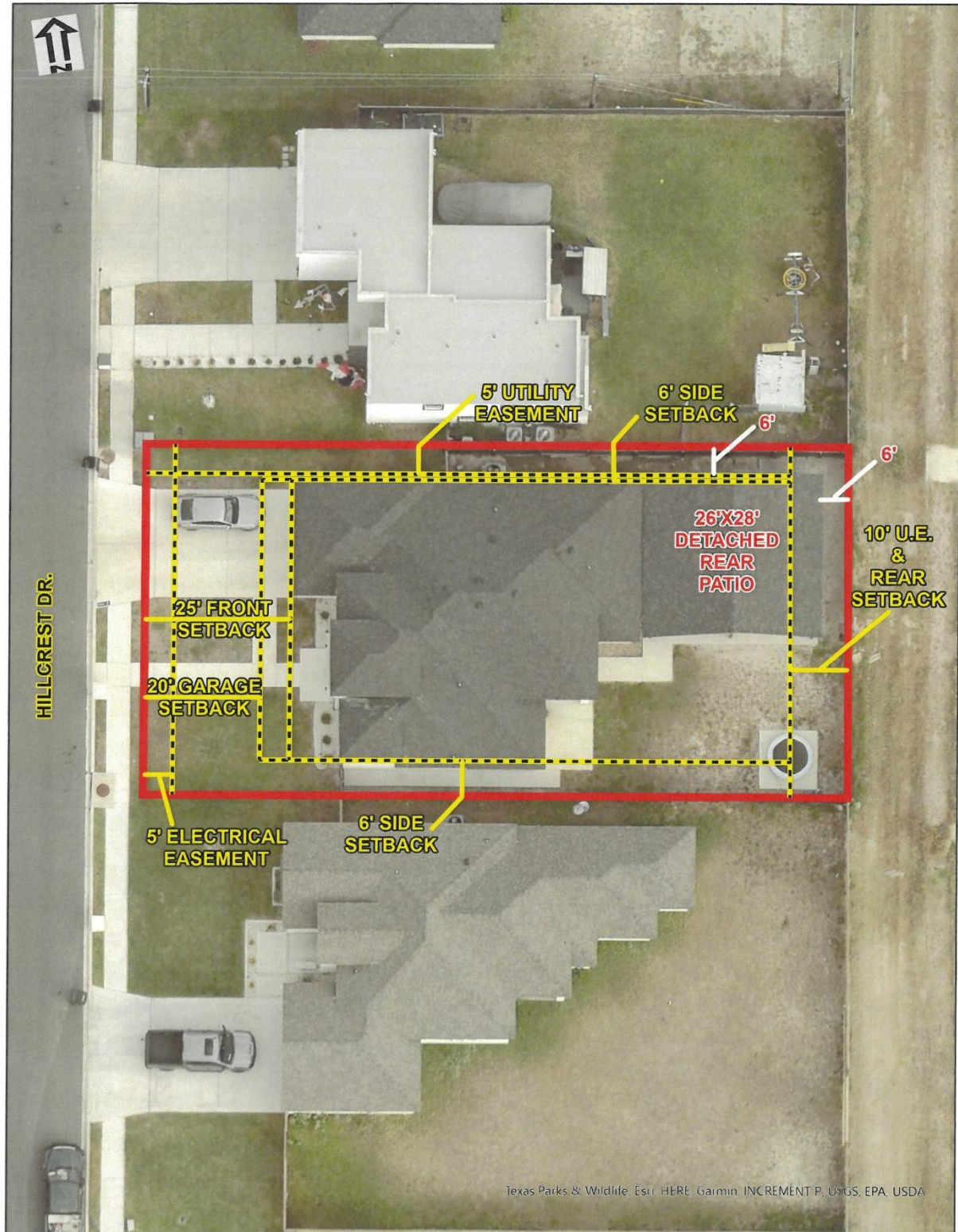



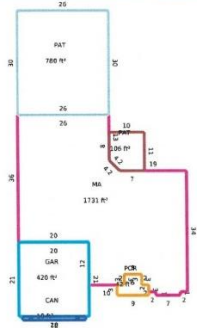
PHOTO OF THE DETACHED ROOF PATIO STRUCTURE



PHOTO OF THE DETACHED ROOF PATIO STRUCTURE



APPRAISAL DISTRICT INFORMATION

Hidalgo County Appraisal District		PUBLIC CARD WITH SKETCH 2025-0-0		Valuation Method: cost-local		April 08, 2025																																																																																																																																																																																											
PROPERTY ID AND LEGAL DESCRIPTION 1313107 3106 HILLCREST DR, MISSION TX HILLCREST VALLEY LOT 20 TYPE: R DBA: GEO ID: H3575-00-000-0020-00 Ref ID: Subtype: RES Legal Acreage:		OWNER ID, NAME, AND ADDRESS MORIN BLANCA ESTELA & RAUL HERNANDEZ III 1233208 100.000000 3106 HILLCREST DR MISSION TX US 78574-5710 AGENT: EFF DATE:		EXEMPTIONS HS TAXING UNITS CAD 100.00 CMS 100.00 DR1 100.00 GHD 100.00 JCC 100.00 SLJ 100.00 SST 100.00		VALUES 2024 2025 IMPROVEMENTS 254,701 239,031 LAND MARKET 43,268 43,268 MARKET VALUE 297,969 282,299 SPECIAL USE EXCL 0 0 APPRAISED VALUE 297,969 282,299 HS VALUE LIMIT 30,436 0 CIRCUIT BRKR LIMIT 0 0 NET APPRAISED 267,533 282,299																																																																																																																																																																																											
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MAILOUT LIST

PROP_ID	Property Owners	addrDeliveryLine	addrCity	addrState	addrZip
817090	RODRIGUEZ DAVID	2009 W SANDSTONE DR	MISSION	TX	78574-0090
817087	DE LA CRUZ JOSE & MICHELE MARROQUIN	3114 HILLCREST DR	MISSION	TX	78574-4328
817086	ADAME LUIS L ESQUIVEL	SEPTIMA 101	MEXICO	NULL	NULL
817089	RODRIGUEZ MOISES & MELISSA CANO	2102 RAMIREZ LN	MISSION	TX	78573-3978
817107	CITY OF MISSION	1201 E 8TH ST	MISSION	TX	78572-5812
592400	GUAJARDO ANAYA ERICK	3107 TULIPAN ST	MISSION	TX	78574-8299
592399	GONZALEZ JOSE H & MARIE DEL SOCORRO	1504 VIEJO LN	MISSION	TX	78572-7889
592402	I & A INVESTMENTS LLC	5114 N INSPIRATION RD	MISSION	TX	78573-9313
592398	PEREZ HIRAM	3103 TULIPAN ST	MISSION	TX	78574-8299
592397	PONCE JORGE A GUTIERREZ &	3101 TULIPAN ST	MISSION	TX	78574-8299
592401	RODRIGUEZ EUGENIA	3111 TULIPAN ST	MISSION	TX	78574-8299
1313105	ESPINOZA MARCO A & SANDRA VALDEZ	1200 REFUGIO ST	ALTON	TX	78573-0487
1313104	GONZALEZ ALAN ISAI & GRECIA EVELYN SANCHEZ	2007 DAVILA AVE	MISSION	TX	78574-5704
1313090	GRIMALDO UBALDO RODRIGUEZ & BLANCA ALICIA OZUNA	2008 DAVILA AVE	MISSION	TX	78574-5704
1313089	RAMIREZ AALIYAH NICOLE	2004 DAVILA AVE	MISSION	TX	78574-5704
1313088	OCHOA GUILLERMO III & ARACELI RAMIREZ	2004 DAVILA AVENUE	MISSION	TX	78574-5704
1313106	MARTINEZ SANDY M HERREJON & ALEJANDRO DURAN TELLEZ	3108 HILLCREST DR	MISSION	TX	78574-5710
1313107	MORIN BLANCA ESTELA & RAUL HERNANDEZ III	3106 HILLCREST DR	MISSION	TX	78574-5710
1313108	RIOS ALFREDO	3104 HILLCREST DR	MISSION	TX	78574-5710
1313109	GARCIA ZACARIAS JR & MELISSA PEREZ	3100 HILLCREST DR	MISSION	TX	78574
1313087	CITY OF MISSION	1201 E 8TH ST	MISSION	TX	78572-5812
592414	BAZAN LEONEL	1108 LA PALMA DR	PALMVIEW	TX	78572-7611