



AGENDA

Pursuant to V.T.C.A. Gov. Code Section 551.001, et. Seq., the Accommodations Review Board of the City of Mission, Texas will hold a Regular Meeting on **Wednesday October 28, 2026 at 4:45 p.m.** in the **City Hall's Council Chamber, 1201 E. 8th Street** at this meeting, the Board may deliberate, conduct public hearings, receive public comments and evidence, consider appeals, variances, special exceptions, interpretations, requests, applications, and any other matters within the jurisdiction of the Accommodations Review Board, and may take action on any subject listed on this agenda. The Chairperson may change the order of items listed below for the convenience of the meeting.

REGULAR MEETING

1. Call to Order
2. Disclosure of Conflict of Interest
3. Citizens Participation

APPROVAL OF MINUTES

4. Approval of minutes for ARB meeting - August 26, 2026

PUBLIC HEARING

5. Public hearing and take action to consider a special accommodation request to allow a 10' 5" front setback instead of the required 30' for a 19' x 20' existing carport, being Lot 39, Villa de Roma Subdivision located at 2111 Clavele Drive, Applicant: Myrna Madrigal – Cervantes

Notice Regarding Executive Session: The City of Mission Accomodations Review Board may convene in a closed meeting, also known as Executive Session, at any time during the course of this meeting for any posted item, as authorized by the Texas Open Meetings Act, Tex. Gov't Code Chapter 551, including, but not limited to, Tex. Gov't Code §§ 551.071, 551.072, 551.073, 551.074, 551.076, 551.087, 551.089, and Tex. Gov't Code §§ 418.175–.182, as applicable. Any final action, decision, or vote on a matter deliberated in Executive Session will be made only in open session in accordance with law.

ADJOURNMENT

Signed this the **22nd** day of October, 2026

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 22nd day of October, 2026 and will remain posted continuously for at least three business days preceding the scheduled date of said meeting, in compliance with Chapter 551 of the Government Code.

Anna Carrillo, City Secretary

**ACCOMODATIONS REVIEW BOARD
AUGUST 26, 2026
CITY HALL'S COUNCIL CHAMBERS**

ARB PRESENT

Alberto Salazar
Humberto Garza
Heraclio Flores
Dolly Elizondo
William Ueckert Jr

ARB ABSENT**STAFF PRESENT**

Xavier Cervantes
Susie De Luna
Alex Hernandez
Jessica Munoz
Elisa Zurita

GUESTS PRESENT

Mariaelia Gutierrez

CALL TO ORDER

Chairman Salazar called the meeting to order at 5:10 p.m.

APPROVAL OF MINUTES FOR MARCH 25, 2026

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

ITEM #2

PUBLIC HEARING AND TAKE ACTION TO CONSIDER A SPECIAL ACCOMMODATION REQUEST TO ALLOW A 6' FRONT SETBACK INSTEAD OF THE REQUIRED 25' FOR A 15' 10" X 15' 10" EXISTING PATIO STRUCTURE, BEING LOT 176, FRONTIER ESTATES PHASE 3 SUBDIVISION, LOCATED AT 907 E. SANDSTONE DRIVE, AS REQUESTED BY MARIAELIA GUTIERREZ

Ms. Jessica Munoz stated that the request is for a variance not to comply with Section 1.371 – R-1 (Single Family Residential District), which states: Minimum Front Setback: 25 feet; Minimum Side Setback: 6 feet; Minimum Rear Setback: 10 feet; 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 site is located at 907 E. Sandstone Drive. The applicant is seeking the Board's consideration to keep a 15'10" x 15'10" existing patio within the front setbacks. The patio was constructed without obtaining a building permit. The patio was constructed to provide Mrs. Gutierrez with protection from inclement weather. Mrs. Gutierrez has several medical conditions, including blindness in her left eye, hearing loss, and the need for regular dialysis treatment. Frontier Estates was recorded on June 26, 2001. The lots measure 60' in width by 106.69' in depth for a total of 6,401 square feet. The Planning Department has not received any objections to the request from the surrounding property owners. Staff mailed a notice to the property owner. No variances have been processed in this subdivision. The City of Mission Code of Ordinances Appendix A – Zoning, Article IV-A, Section 1.08 states ARB may: Review the application and issue a ruling that grants, grants with conditions, or denies the application, Hear and consider evidence offered by an interested person. The board's decision must be by a majority vote. Impose reasonable conditions on any reasonable accommodation granted consistent with the purpose of this article. Must be consistent with the FHAA (Fair Housing Amendment Act) and the determination of whether a request for an accommodation is reasonable is based on a consideration of the following factors: (a) whether the housing that is the subject of the request will be used by one (1) or more individuals with a disability

(b) whether the requested accommodation is necessary to make specific housing available to one or more individuals with a disability. (c) whether the requested accommodation would impose an undue financial or administrative burden to the city. (d) whether the requested reasonable accommodation would require a fundamental alteration in the nature of a city requirement. The Board's determination is final and filed with the Planning Department's office. Nothing herein shall prohibit the applicant, or person on whose behalf a specific application was filed, from reapplying for a reasonable accommodation based on additional grounds or changed circumstances. Nor shall this provision be construed to affect in any way the rights of a person to challenge the denial of a request for reasonable accommodation as violating the Fair Housing Act, the ADA or other applicable state, federal or local law.

STAFF RECOMMENDATION:

Staff recommends approval subject to: 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 or the need is longer there, the prevailing setbacks shall be complied with thereafter, 2) obtaining a building permit and assessing a double permit fee, 3) if the property is sold in the future, the applicant must disclose to the buyer that the carport structure must be removed prior to the sale.

Chairman Salazar asked if the applicant was present in the audience.

Ms. Mariaelia Gutierrez stated she did not understand English.

Chairman Salazar stated Good afternoon, your name please.

Ms. Mariaelia Gutierrez.

Chairman Salazar asked Ms. Gutierrez if she was the owner of the house.

Ms. Gutierrez stated yes.

Ms. Mariaelia Gutierrez explained that her 88-year-old mother was involved in an accident involving an ambulance, which resulted in an injury to the left side of her head. Her mother later suffered a stroke and is now unable to walk. She stated that her mother has lost a significant amount of weight and muscle, decreasing from approximately 120 pounds to 100 pounds over the past two years. Ms. Gutierrez explained that she traveled from Sacramento, California, to care for her mother. She requested permission to provide a suitable living space with enough room for her mother to move her legs and maintain mobility, along with proper nutrition and care. She described her desired home as having two to four bedrooms, a living room, a kitchen, a garage, and adequate hallways or corridors. She expressed concerns about the quality of the homes in the neighborhood and asked the board to consider her mother's medical condition and need for a comfortable living environment. Ms. Gutierrez stated that she does not have knowledge of construction requirements or Texas laws, although she previously worked in immigration in Sacramento, California, where she became familiar with the laws applicable to her department. She respectfully asked the board to allow her request, explaining that any mistakes were not intentional and that her primary goal was to provide her elderly mother with a suitable place to live and receive care for as long as possible. She asked if she could sit down?

Chairman Salazar stated Yes.

Chairman Salazar asked if there was anyone in favor or against the request.

There was none.

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

There being no further discussion, Chairman Salazar entertained a motion. Mr. Flores moved to approve the variance request with staff recommendation. Ms. Elizondo seconded the motion. Upon a vote, the motion passed unanimously.

4 ADJOURNMENT

There being no further business, Chairman Salazar entertained a motion. Ms. Elizondo moved to adjourn meeting. Mr. Ueckert seconded the motion. Upon a vote, the motion passed unanimously at 5: 24 p.m.

Alberto Salazar, Chairman
Accommodations Review Board



CITY OF MISSION

AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: October 28, 2026

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

AGENDA ITEM: Public hearing and take action to consider a special accommodation request to allow a 10' 5" front setback instead of the required 30' for a 19' x 20' existing carport, being Lot 39, Villa de Roma Subdivision located at 2111 Clavele Drive, Applicant: Myrna Madrigal – Cervantes

NATURE OF REQUEST:

Project Timeline:

- September 10, 2026 – Application for Accommodations Review Board submitted to the city.
- October 7, 2026 – In accordance with State and local law, notice of the required public hearings was mailed to the property owner of the subject tract.
- October 28, 2026 – Public hearing and consideration of the requested special accommodation by the Accommodations Review Board.

Summary:

- The request is for a variance not to comply with Section 1.371(5) (e & g) of the Mission Code of Ordinances, which states:
 - Minimum Front Setback: 30 feet,
 - Minimum width of side setback:
 - Internal lot: 6 feet
 - 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: 20 feet.
 - Where a building setback has been established by plat or ordinance and such setback requires a greater or lesser setback than is prescribed by this article for the district in which the building is located, the required setback shall comply with the building line so established by such plat or ordinance.
- The site is located at 2111 Clavele Drive
- The applicant is requesting the Board's consideration and approval to keep a 19' x 20' carport structure within the front setback. The carport was constructed without obtaining a building permit.
- Mrs. Myrna G. Madrigal is seeking approval to keep the carport to provide her protection from the sun. Mrs. Madrigal has a skin condition that requires protection from the sun.
- Villa De Roma Subdivision was recorded on August 17, 1998. The lot measures 61'; in width by 130' in depth for a total of
- The lots to the east, west, north, and south are developed as Single-Family Residences.
- No variances or special accommodation have been processed in this subdivision.
- Staff mailed out 1 legal notice to the property owner.
- The City of Mission Code of Ordinances Appendix A – Zoning, Article IV-A, Section 1.08 states ARB may:
 - Review the application and issue a ruling that grants, grants with conditions, or denies the application,

- Hear and consider evidence offered by an interested person. The board's decision must be by a majority vote.
- Impose reasonable conditions on any reasonable accommodation granted consistent with the purpose of this article.
- Must be consistent with the FHAA (Fair Housing Amendment Act) and the determination of whether a request for accommodation is reasonable is based on a consideration of the following factors:
 - (a) whether the housing that is the subject of the request will be used by one (1) or more individuals with a disability.
 - (b) whether the requested accommodation is necessary to make specific housing available to one (1) or more individuals with a disability.
 - (c) whether the requested accommodation would impose an undue financial or administrative burden to the city.
 - (d) whether the requested reasonable accommodation would require a fundamental alteration in the nature of a city requirement.
- The Board's determination is final and filed with the Planning Department's office.
- Nothing herein shall prohibit the applicant, or person on whose behalf a specific application was filed, from reapplying for reasonable accommodation based on additional grounds or changed circumstances. Nor shall this provision be construed to affect in any way the rights of a person to challenge the denial of a request for reasonable accommodation by violating the Fair Housing Act, the ADA or other applicable state, federal or local law.

STAFF RECOMMENDATION:

Staff recommends approval subject to: 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 or the need is longer there, the prevailing setbacks shall be complied with thereafter, 2) obtaining a building permit and assessing a double permit fee, 3) if the property is sold in the future, the applicant must disclose to the buyer that the carport structure must be removed prior to the sale

RECORD OF VOTE:

APPROVED: _____

DISAPPROVED: _____

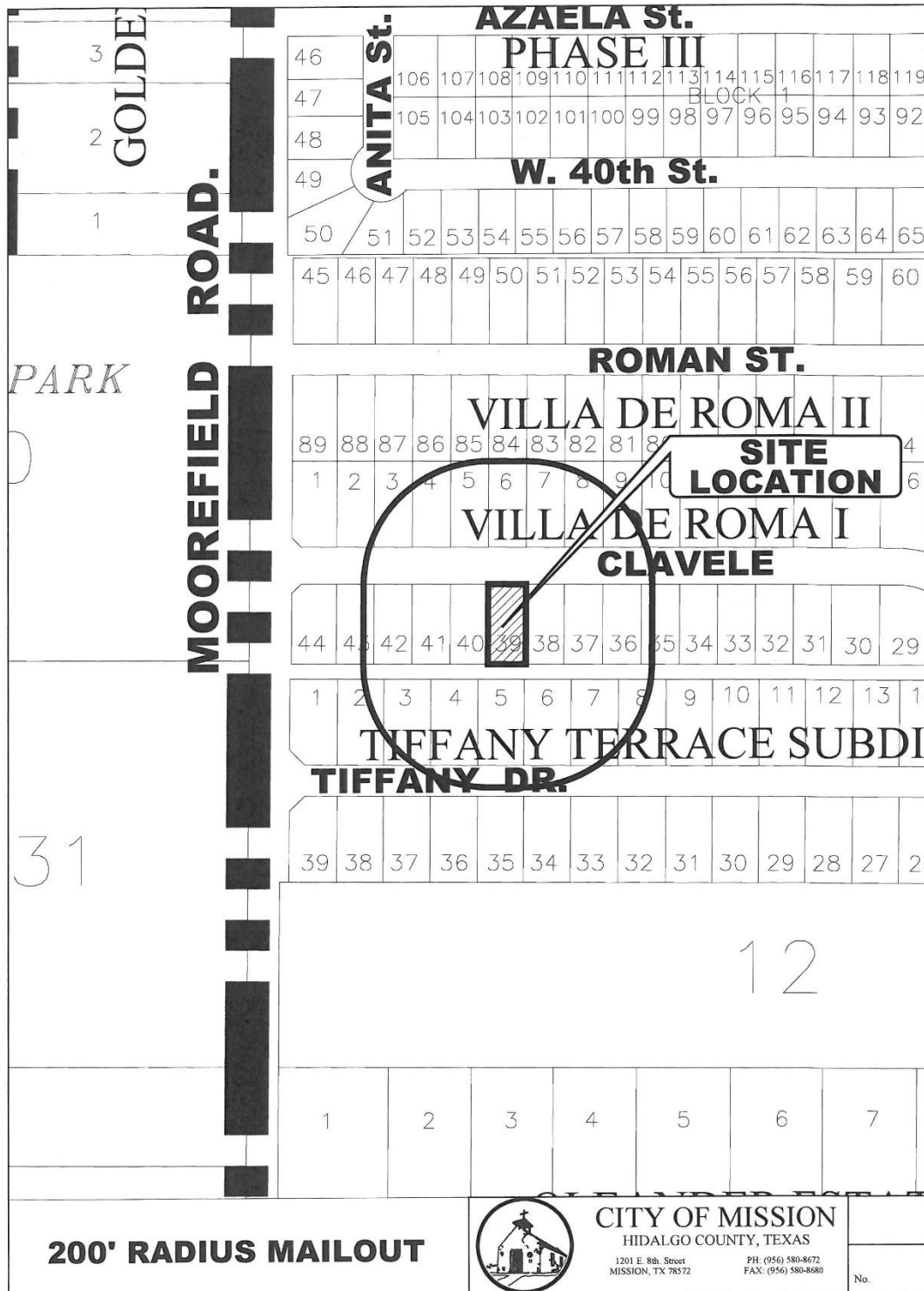
TABLED: _____

_____ AYES

_____ NAYS

_____ DISSENTING _____

LEGAL NOTICE MAP



AERIAL MAP



AERIAL WITH GRAPHICS



PHOTO

10/20/26, 3:55 PM

Inbox - Jessica Munoz - Outlook



<https://outlook.office.com/mail/inbox/Id/AAQkAGM4MzMzMyY2lyLTczM2EtNGUZYy05YjM0LTJmYjY0ZGZhNTAxNAQAQAE0u7wKHRvVBoE%2FPqJusfWI%3D/sxs/AAkALgAAAAAHYQDEapmEc2byACq...> 1/1

PHOTO

10/20/26, 3:55 PM

Inbox - Jessica Munoz - Outlook



<https://outlook.office.com/mail/inbox/id/AAQkAGM4MzMyY2lyLTczM2EiNGU2Yy05YjM0LTJmYjY0ZGZhNTAxNAAQAE0u7wkHRvVBoE%2FPqJusfWl%3D/sxs/AAkALgAAAAAHYQDEapmEc2byACq...> 1/1

PHOTO

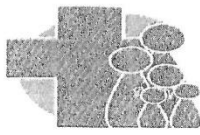
10/20/26, 3:55 PM

Inbox - Jessica Munoz - Outlook



<https://outlook.office.com/mail/inbox/Id/AAQkAGM4MzMyY2lyLTczM2EiNGU2Yy05YjM0LTJmYjY0ZGZhNTAxNAAQAE0u7wKHRvVB0E%2FPqJusfWl%3D/sxs/AAkALgAAAAAAHYQDEapmEc2byACq...> 1/1

ATTACHMENTS



Dr. Agustin Mego, M.D.

Emmanuel Clinic
Children & Adults

Phone: (956) 686-6346

Fax: (956) 686-6347

3601 Buddy Owens Blvd, Suite 300

McAllen, TX 78504

{09/15/2026}

MYRNA MADRIGAL 02/20/1970

To Whom It May Concern:

I am writing on behalf of my patient, who has a documented history of rosacea with recurrent facial and neck rash that is provoked or exacerbated by sun exposure.

Because exposure to sunlight can trigger or worsen her skin symptoms, minimizing direct and prolonged sun exposure is an important component of managing her condition. Providing covered parking at her residence would help reduce her routine exposure to direct sunlight when entering and exiting her vehicle and may assist in minimizing sun-related exacerbations of her skin condition.

The patient also reports a family history of cancer and has expressed concern regarding the potential health effects of sun exposure. While family history is noted as part of her medical history, this letter is primarily intended to document her medically diagnosed sun-provoked skin condition and the potential benefit of reducing direct sun exposure.

This documentation is provided at the patient's request for consideration by the appropriate city permitting authority regarding her request to construct a carport on her property.

Please contact our office if additional medical documentation is required.

Sincerely,

Thank You,

Agustin Mego M.D.

Emmanuel Clinic
Children & Adults
Agustin B. Mego MD PA BDA Emmanuel Clinic
3601 Buddy Owens Blvd Suite 100
McAllen, TX 78504-6447

ATTACHMENTS



2412 N Conway Ave Mission, Tx 78574
Phone: 956-833-5437 Fax: 956-833-5444

To Whom It May Concern:

I am writing on behalf of my patient, Maria Guadalupe Madrigal DOB: 10/30/1966, who has a history of a left fibular fracture and continues to experience pain associated with this prior injury. As a result, the patient has limited mobility and experiences difficulty with prolonged walking, standing, and other weight-bearing activities.

The patient also has a medical diagnosis of Type 2 Diabetes Mellitus, which requires ongoing medical management and consideration of the patient's overall functional needs.

Given the patient's ongoing pain and limited mobility, the patient would greatly benefit from having access to a porch at their residence. A porch would provide a safe and convenient area for the patient to sit and rest, particularly when transitioning in and out of the home or when prolonged standing and walking are difficult.

Please take the patient's medical conditions and functional limitations into consideration when evaluating their housing needs. Providing this accommodation would be beneficial to the patient's comfort, safety, and ability to manage their daily activities.

Sincerely,

Roberto Acevedo FNP-C

PLAT WITH LOT HIGHLIGHTED

