

ZONING BOARD OF ADJUSTMENTS VIA TELECONFERENCE AUGUST 27, 2025 at 4:30 PM

AGENDA

The Public Dial Information to Participate Via Zoom/Telephone Meeting is as Follows: Time: August 27, 2025 04:30 PM Central Time (US and Canada)

Meeting ID: 819 4979 9877

Passcode: 751131

Or Dial by Telephone +13462487799 Meeting ID 819 4979 9877 Password: 751131

Pursuant to V.T.C.A. Gov. Code Section 551.001, et. Seq., the Zoning Board of the City of Mission, Texas will hold a Regular Meeting on **Wednesday**, **August 27**, **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:

REGULAR MEETING

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

PUBLIC HEARING

- 1. Public hearing and consideration of a variance to allow a 2' rear setback instead of the required 10' and a 4' side setback instead of the required 6' for a 27' by 19' Patio Structure and to allow a 1' rear setback instead of the required 10' and a 1' side setback instead of the required 6' for a 10' by 8' Shed and to allow a 0' garage setback instead of the required 18' for a 18' by 21' Carport, being Lot 37, Montecristo Subdivision, located at 1909 W. 26th Street, Applicant Craig King Cervantes
- 2. Public hearing and consideration of a variance to allow a 6' 2" rear setback instead of the required 18' and a 5' 9" corner side setback instead of the required 10' for a 30' x 20' 2" carport, being Lot 6, Georgeanna Estates Subdivision, located at 101 Alberto Trevino Drive, Applicant Javier Salinas Cervantes
- <u>3.</u> Public hearing and consideration of a variance to allow a 0' front carport and garage setback instead of the required 18', being Lot 7, Block 52, Mission Original Townsite Subdivision, located at 203 Oblate Avenue, Applicant Delmiro & Maria Garcia Cervantes
- <u>4.</u> Public hearing and consideration of a variance to allow a 0' front setback instead of the required 20' front setback for a 21'x18'-5" carport, being Lot 73, Tabasco Subdivision, located at 611 W. 30th Street, Applicant Juana Rodriguez Cervantes
- <u>5.</u> Public hearing and consideration of a variance request to allow a 4 foot front setback instead of the required 20 feet, and a 1 foot side setback instead of the required 6 feet for a 25' x 30' carport, being Lot 81, Tabasco Subdivision, located at 707 W. 30th Street, Applicant: Roberto Gamez Cervantes

- 6. Public hearing and consideration of a variance request to allow a 4 foot front setback instead of the required 30 feet, and a 1 foot side setback instead of the required 6 feet for a 25' x 22' carport, being Lot 9, Block B, Eagle Heights UT 3 Subdivision, located at 931 Bowen Street, Applicant: Jorge Adame Cervantes
- 7. Public hearing and consideration of a variance to allow a 13'-11" rear setback instead of the required 20' rear setback for a swimming pool, being Lot 3, Concho Estates Subdivision, located at 1102 Kickapoo Creek Street, Applicant George & Sylvia Padilla Cervantes
- 8. Public hearing and consideration of a variance to allow a 15' rear setback instead of the required 20' off Glasscock Road for a pool house structure, being Lot 36, Shary Palms Unit No. 7 Subdivision, located at 2004 E. 20th Street, Applicant Guillermo Guerrero Cervantes
- 9. Public hearing and consideration of a variance request to allow a 0 foot west side setback instead of the required 6 foot side setback, being Lot 2, Holland Terrace Subdivision, located at 723 W. 25th Street, Applicant: Steve Spoor Cervantes
- 10. Public hearing to reconsider a variance to allow a 6' rear setback instead of the required 10' for a 21' x 21' outdoor patio structure, being Lot 92, The Legends at Cimarron Subdivision, located at 1713 Audrey Drive, Applicant Conne A. Gomez Cervantes

OTHER BUSINESS

UNFINISHED BUSINESS

XADJOURNMENT

Signed this the <u>21st</u> day of August, 2025	
	Xavier Cervantes, Director of Planning

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I, the undersigned City Secretary do certify that the above no bulletin board of City Hall, 1201 E. 8th Street, Mission, Tex 2025 at a.m/p.m.	<u> </u>
	Anna Carrillo, City Secretary

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

ZBA PRESENT

ZBA ABSENT

STAFF PRESENT
Xavier Cervantes
Susie De Luna
Jessica Munoz
Patricio Martinez

GUESTS PRESENT

Dolores Ueckert Fidela Elsa Covarrubias

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

CALL TO ORDER

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

CITIZENS PARTICIPATION

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

There was none.

APPROVAL OF MINUTES FOR MAY 28, 2025

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

ITEM # 5

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

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

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

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

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

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

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

Ms. Elizondo asked if the gate was the buffer?

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr. William Ueckert abstained from voting on item #6

ITEM #6

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

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

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

STAFF RECOMMENDATION:

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

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

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

There was none.

Chairman Flores asked if the applicant was present.

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

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

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

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

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

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

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

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

OTHER BUSINESS

There was none.

ADJOURNMENT

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

Heraclio Flores, Chairman Zoning Board of Adjustments



AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: August 27, 2025

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

AGENDA ITEM: Public hearing and consideration of a variance to allow a 2' rear setback instead

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

Cervantes

NATURE OF REQUEST:

Project Timeline:

- June 1, 2025 Application for Variance Request submitted to the City
- August 17, 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.
- <u>August 27, 2025</u> Public hearing and consideration of the requested variance by the Zoning Board of Adjustments.

Summary:

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

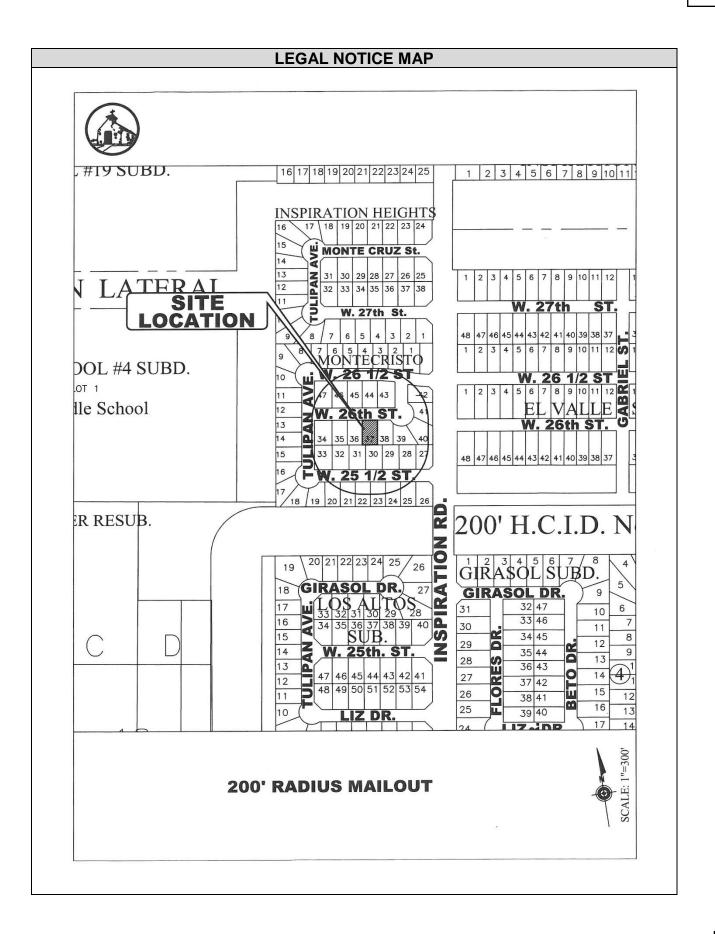
 The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out 27 legal notices to the surrounding property owners.

STAFF RECOMMENDATION:

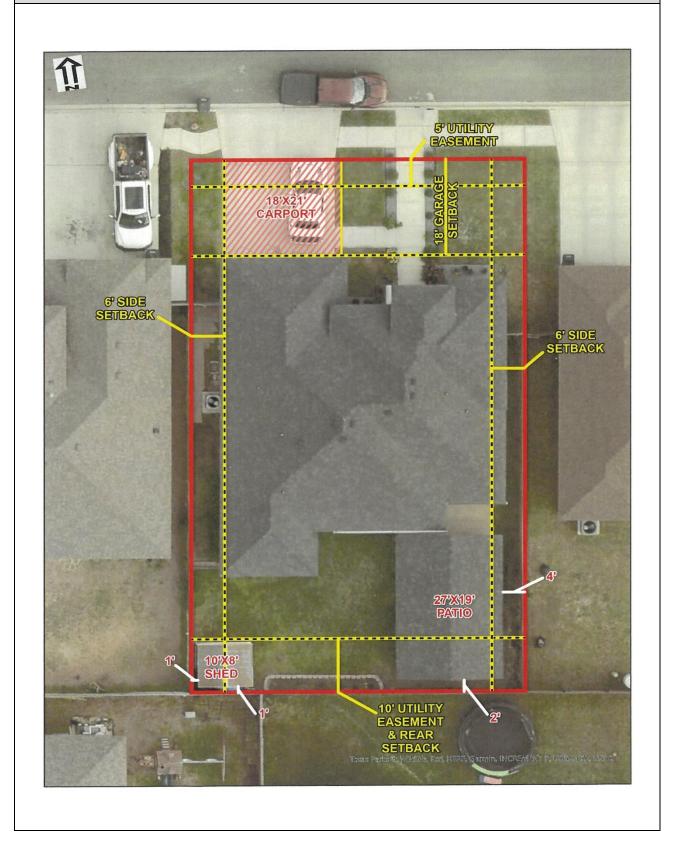
Staff recommends denial. The structures need to be modified or removed to comply with the required setbacks.

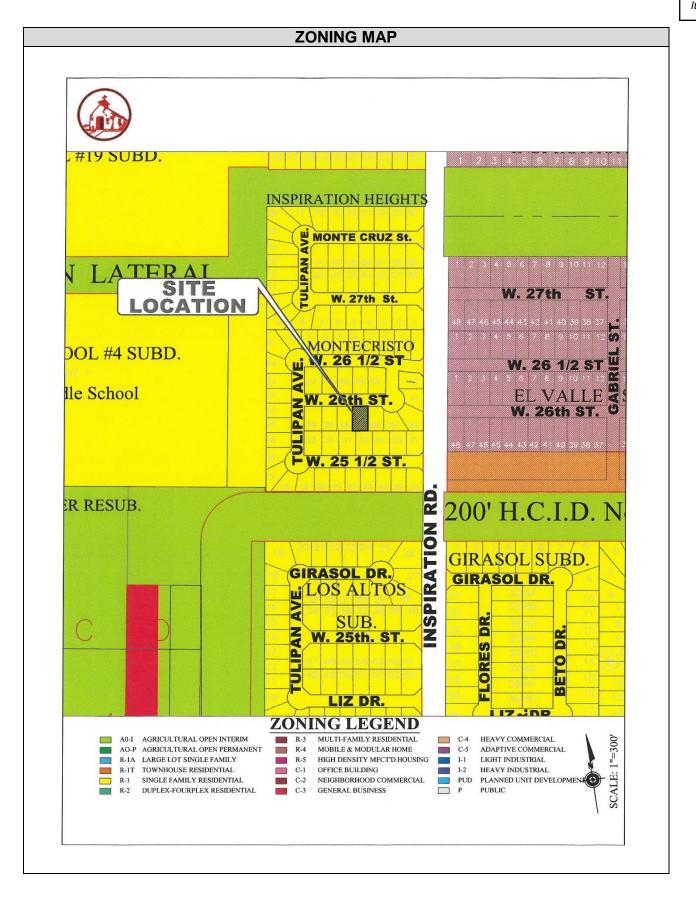
However, if the ZBA is inclined to approve this variance request then the applicant would need to comply with the following: 1) Sign a hold harmless agreement stating that the structures will remain perpetually "open and to its footprint" and if the structures are ever removed, the prevailing setbacks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

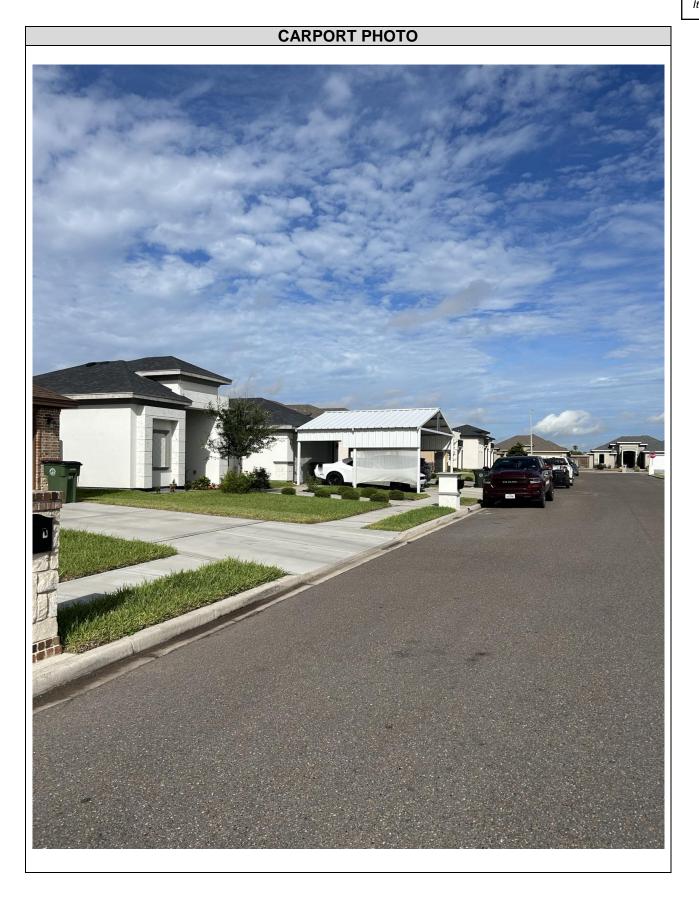
RECORD OF VOTE:	APPROVED: DISAPPROVED: TABLED:	
AYES		
NAYS		
DISSENTING		

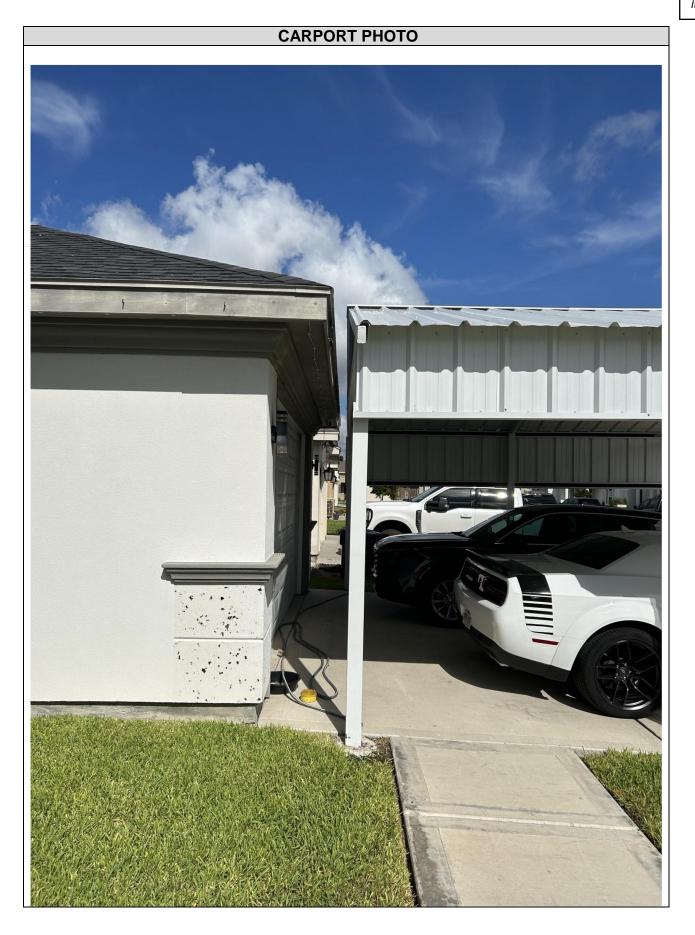


AERIAL MAP



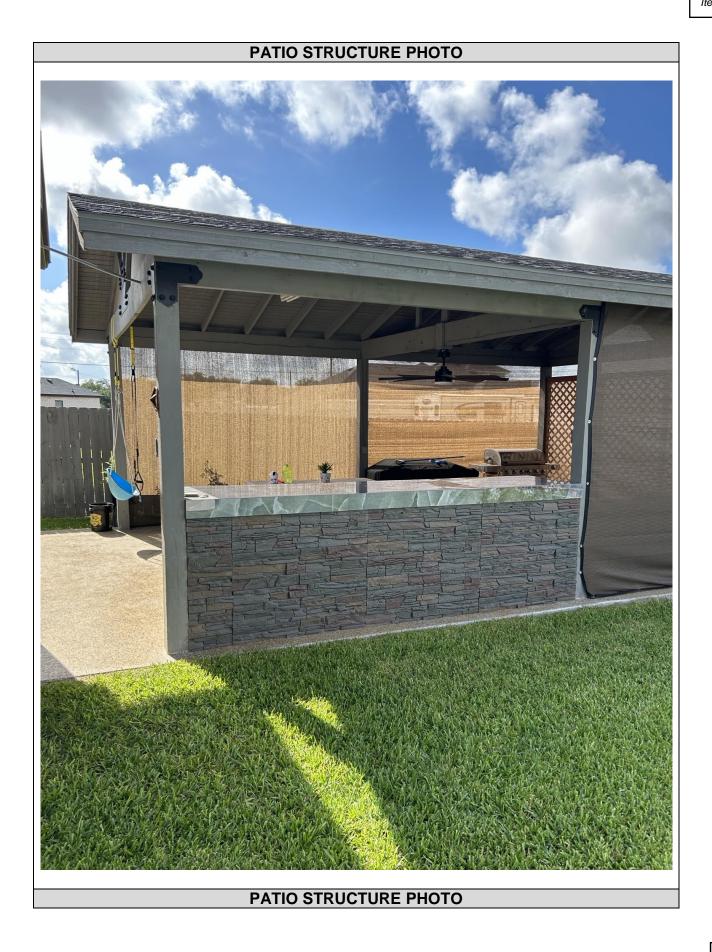


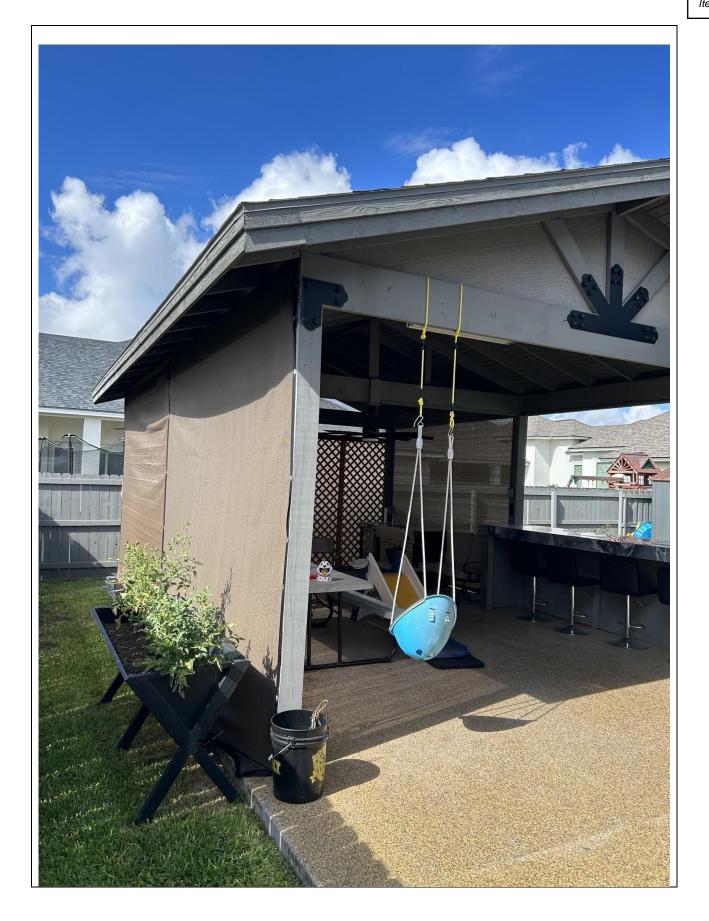


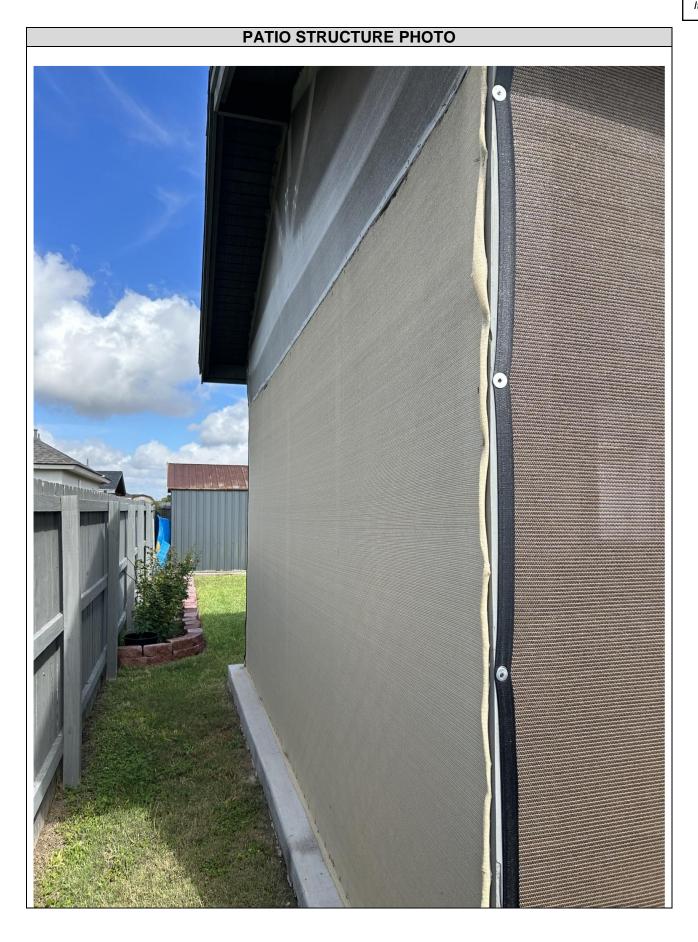


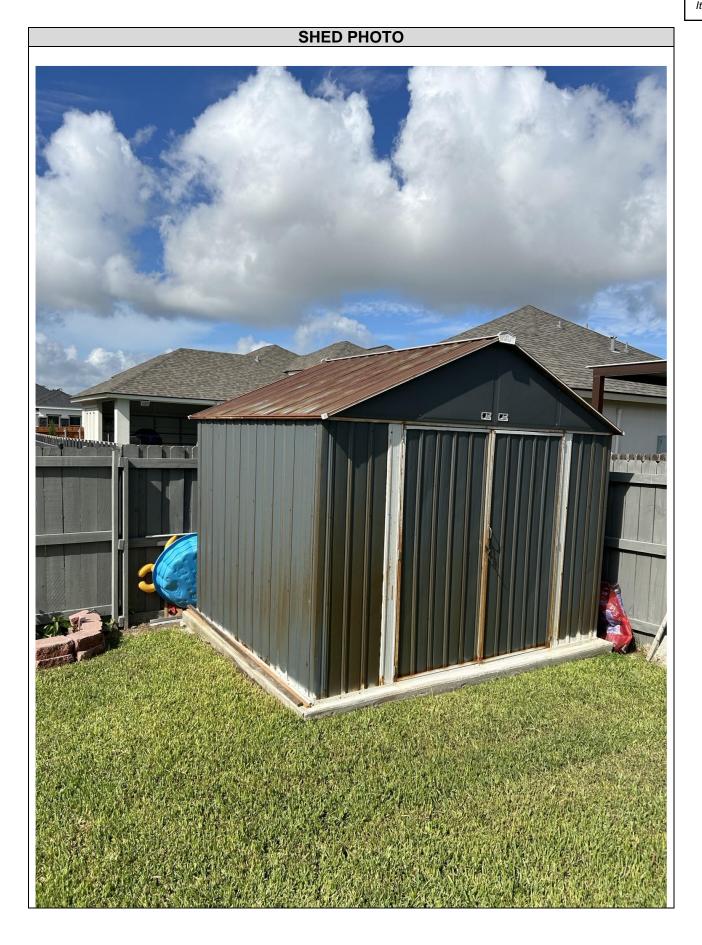
CARPORT PHOTO

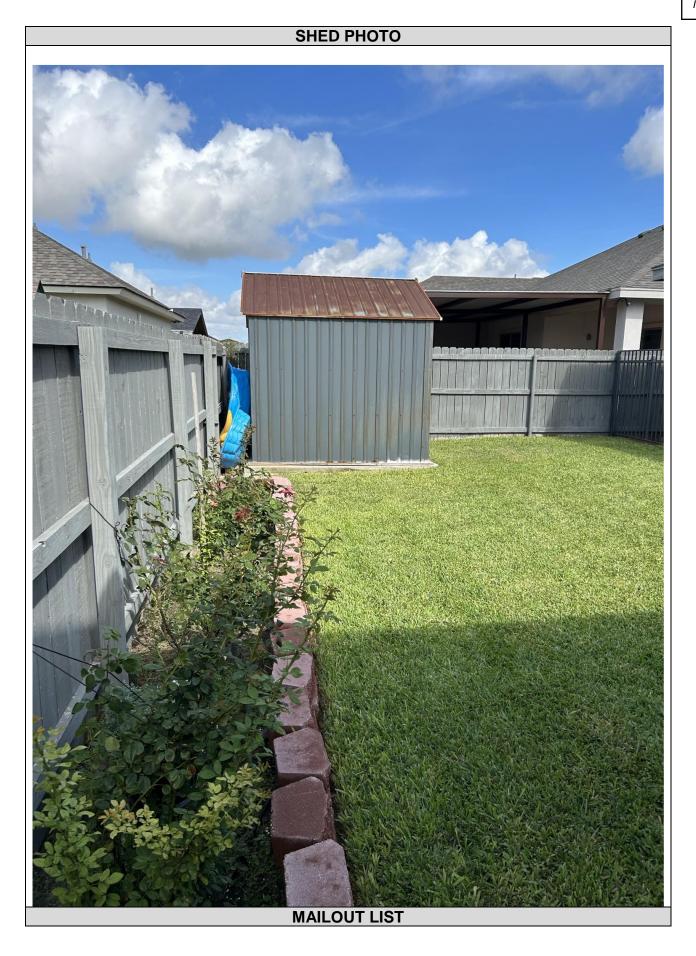












PROP_ID	geoID	name	addrDelive	addrCity	addrState	addrZip
1180718	M5795-00-000-0047-00	PORTILLO ALEJANDRO	4105 HILLCREST DR	MISSION		78573-6737
1180716	M5795-00-000-0045-00	CERVANTES ARTURO	1908 W 26TH ST	MISSION	TX	78574
1180714	M5795-00-000-0043-00	TARBUTTON CHRISTOPHER LEE	1904 W 26TH ST	MISSION	TX	78574-8300
1180713	M5795-00-000-0042-00	LUCERO ERIKA	2316 PARIS ST	MISSION	TX	78574-5729
1180712	M5795-00-000-0041-00	HINOJOSA JESUS E JR	2600 CRISANTEMA ST	MISSION	TX	78574
1180711	M5795-00-000-0040-00	AYALA JORGE JR & YTZEL HINOJOSA	1903 W 26TH ST	MISSION	TX	78574-8300
1180710	M5795-00-000-0039-00	SALINAS CLAUDIA JEANNETTE	2508 E BUSINESS HWY 83 APT #10	MISSION	TX	78572-9120
1180709	M5795-00-000-0038-00	BALDERAS CYNTHIA LORENA	1907 W 26TH ST	MISSION	TX	78574-8300
1180708	M5795-00-000-0037-00	KING CRAIG DAVID & OLGA TERESITA	1909 W 26TH ST	MISSION	TX	78574-8300
1180707	M5795-00-000-0036-00	GUAJARDO BRIANDA & ELOY GUAJARDO JR	1911 W 26ST	MISSION	TX	78574
1180706	M5795-00-000-0035-00	GARCIA ADRIAN & LAURA PRADO	1913 W 26TH ST	MISSION	TX	78574-8300
1180705	M5795-00-000-0034-00	ALAFFA NANCY	1915 W 26TH ST	MISSION	TX	78574-8300
1180704	M5795-00-000-0033-00	GONZALEZ JUAN A & KARINA Y	1912 W 25TH 1/2 ST	MISSION	TX	78574
1180703	M5795-00-000-0032-00	CASTILLO ANGEL E & ALEJANDRO MUNIZ	1910 W 25TH 1/2 ST	MISSION	TX	78574-7619
1180702	M5795-00-000-0031-00	CHAPA SERGIO ALBERTHO	1908 W 25TH 1/2 ST	MISSION	TX	78574-7619
1180701	M5795-00-000-0030-00	CANTU KAREN LILIANA	1726 W 20TH ST	MISSION	TX	78572-7327
1180700	M5795-00-000-0029-00	MARTINEZ ABRAN	1726 W 20TH ST	MISSION	TX	78572-7327
1180699	M5795-00-000-0028-00	MISKIN ALAN STEPHEN & ROSIO TANGUMA	1902 W 25TH 1/2 ST	MISSION	TX	78574-7619
1180698	M5795-00-000-0027-00	GALLARDO PRISCILLA & JOSE EDWARDO HERNANDEZ	1900 W 25TH 1/2 ST	MISSION	TX	78574-7619
1180696	M5795-00-000-0025-00	GAYTAN ERIK & ASHLEY M FLORES	2610 LINCOLN AVE	MISSION	TX	78574-0505
1180695	M5795-00-000-0024-00	CORTEZ KEVIN & SHEILA SAENZ	1905 W 25TH 1/2	MISSION	TX	78574
1180694	M5795-00-000-0023-00	URTEAGA JOAQUIN JACOB	1907 W 25TH 1/2 ST	MISSION	TX	78574-7619
1180693	M5795-00-000-0022-00	VASQUEZ ROBERT	1909 W 25TH 1/2 ST	MISSION	TX	78574-7619
1180692	M5795-00-000-0021-00	GUZMAN LINDSEY IMELDA & CHRISTIAN ARMANDO	1911 W 25TH 1/2 ST	MISSION	TX	78574-7619
1180691	M5795-00-000-0020-00	BARBOZA JAIME ROEL & NORIE GARZA	1913 W 25TH 1/2 ST	MISSION	TX	78574-7619
1180715	M5795-00-000-0044-00	CANTU MIRTHALA FLORES & MANUEL	1906 W 26TH ST	MISSION	TX	78574
1180717						
1180668						



AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: August 27, 2025

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

AGENDA ITEM: Public hearing and consideration of a variance to allow a 6' 2" rear setback

instead of the required 18' and a 5' 9" corner side setback instead of the required 10' for a 30' x 20' 2" carport, being Lot 6, Georgeanna Estates Subdivision, located at 101 Alberto Trevino Drive, Applicant – Javier Salinas - Cervantes

NATURE OF REQUEST:

Project Timeline:

June 1, 2025 – Application for Variance Request submitted to the City

- August 15, 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.
- <u>August 27, 2025</u> Public hearing and consideration of the requested variance by the Zoning Board of Adjustments.

Summary:

- The request is for a variance not to comply with Section 1.371 (5) (h) of the Mission Code of Ordinances, which states:
 - Minimum distance from the public right-of-way to the entrance to a garage or enclosed carport, unless otherwise approved by the Zoning Board of adjustments: 18 feet.
- The site is located at the Northwest corner of Alberto Trevino Drive and Paseo Encantado.
- The applicant is requesting a variance to keep an already-constructed carport in the property's backyard.
- The Georgeanna Subdivision was recorded on January 18, 1994. The subject property is an irregular-shaped lot that has a depth of 120.92 feet and a width of 96.6 feet along Alberto Trevino Drive and 81.67 feet along the back alley.
- City officials from the Code Enforcement Division noticed the carport structure and gave the property owner notice of violation for the construction of the structure without a building permit.
- The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out 27 legal notices to the surrounding property owners.

STAFF RECOMMENDATION:

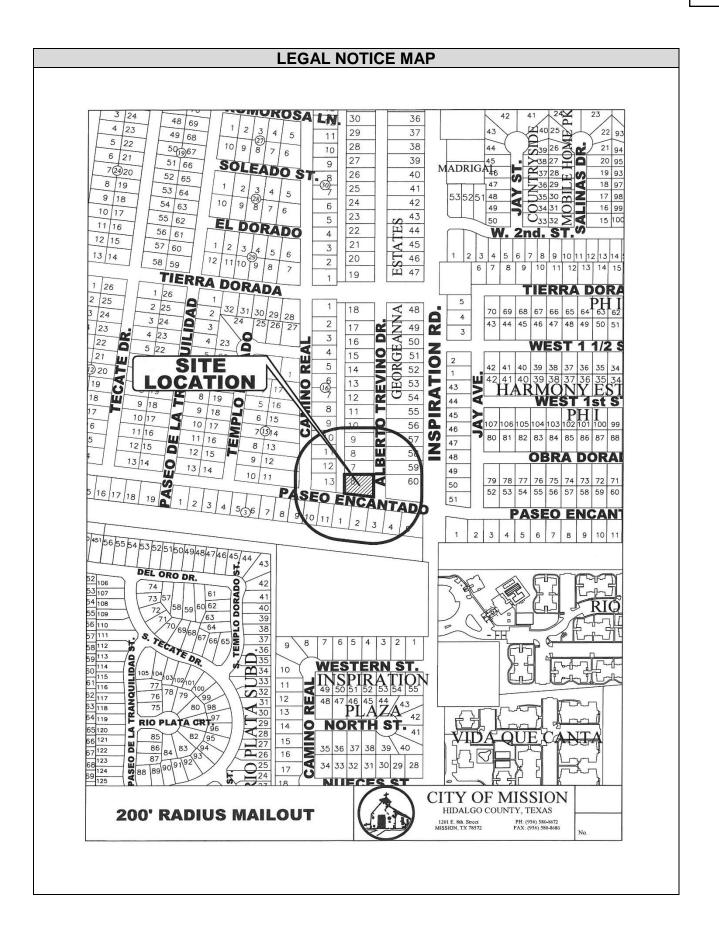
Staff recommends denial. The structures need to be modified or removed to comply with the required setbacks.

However, if the ZBA is inclined to approve this variance request then the applicant would need to comply with the following: 1) Sign a hold harmless agreement stating that the structures will remain

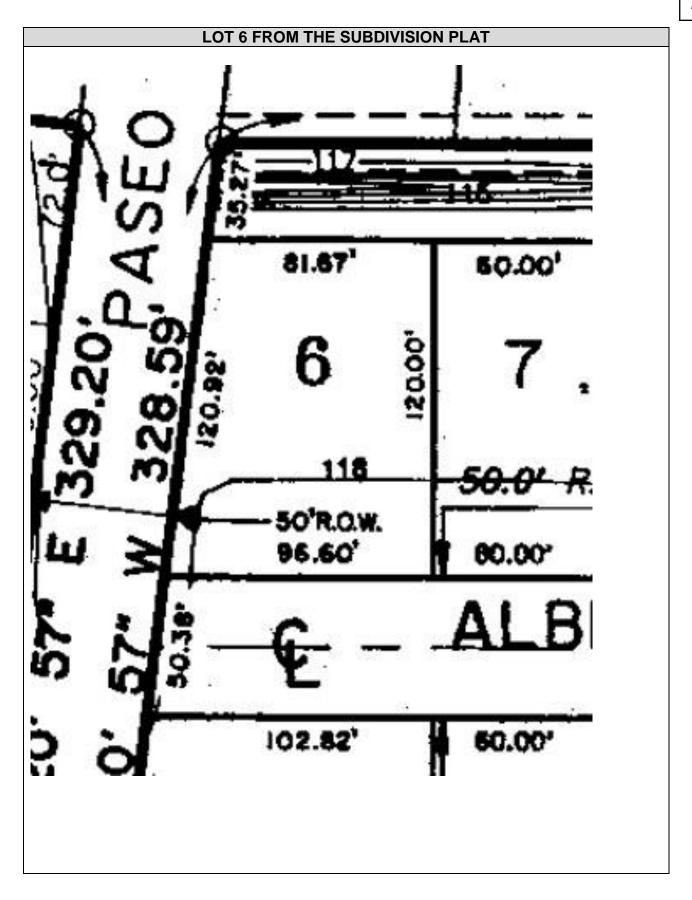
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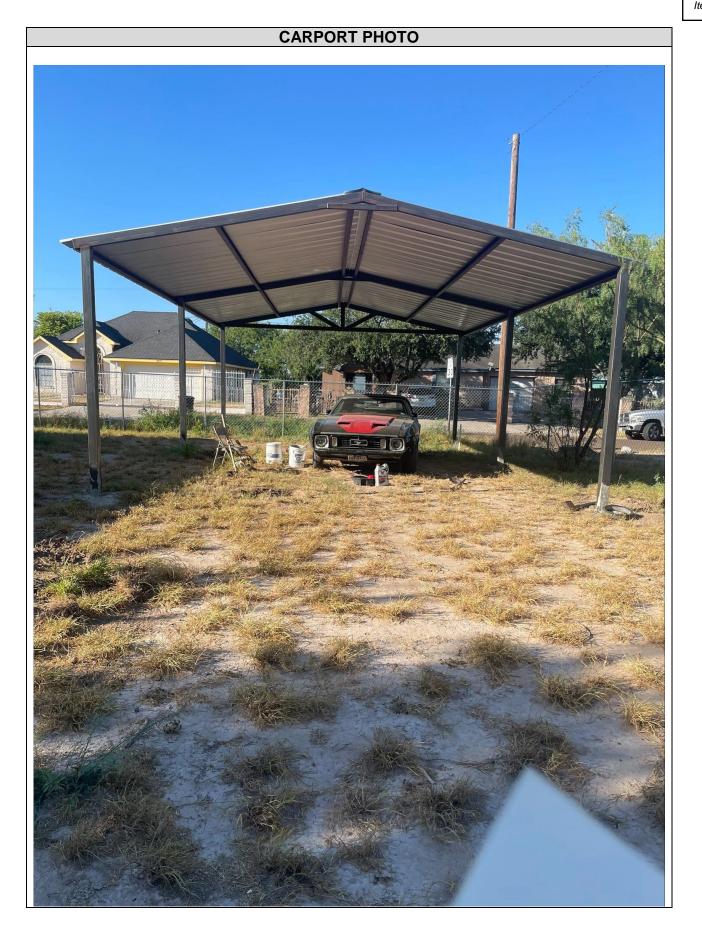
perpetually "open and to its footprint" and if the structures are ever removed, the prevailing setbacks shall be complied with thereafter, and 2) obtaining a building permit and paying a double fee.

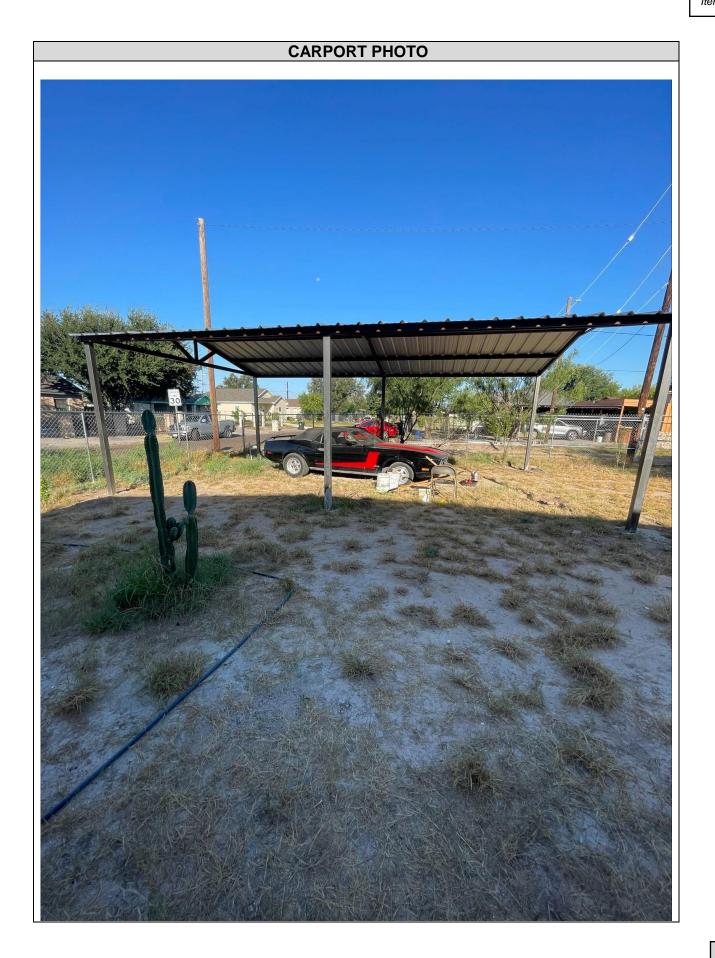
RECORD OF VOTE:	APPROVED: DISAPPROVED: TABLED:	
AYES		
NAYS		
DISSENTING		



AERIAL WITH STRUCTURE ENCROACHMETS 6' SIDE SETBACK 18' GARAGE SETEAGK 25' FRONT SETBACK 10' CORNER SIDE SETBACK PASEO ENCANTADO









MAILOUT LIST

PROP_ID	geoID	name	addrDelive	addrCity	addrState	addrZip
303382	T5250-00-003-0009-00	PEREZ EDGAR A ETAL	200 N TECATE DR	MISSION	TX	78572-6722
303384	T5250-00-003-0011-00	GARZA ISABEL & JUAN DAVID	11855 N MAYBERRY AVE	MISSION	TX	78573-4191
303575	T5250-00-016-0012-00	CANTU CANDELARIO C & ENEDELIA R	102 CAMINO REAL	MISSION	TX	78572-6701
303573	T5250-00-016-0010-00	GONZALEZ SANDRA	106 N CAMINO ST	MISSION	TX	78572
303574	T5250-00-016-0011-00	VILLARREAL ONORIO G & GABRIELA	104 CAMINO REAL	MISSION	TX	78572-6701
303576	T5250-00-016-0013-00	GUERRA RUBEN & ANGELA BURCIAGA	100 CAMINO REAL	MISSION	TX	78572-6701
534557	G3185-00-000-0056-00	TORRES DAFNE	PO BOX 1193	ALAMO	TX	78516-1193
534559	G3185-00-000-0058-00	GONZALEZ JESUS JR & NORMA	104 ALBERTO TREVINO ST	MISSION	TX	78572-6785
534499	G3185-00-000-0007-00	PEREZ RENE & ERICA VERONICA Q	103 ALBERTO TREVINO ST	MISSION	TX	78572-6788
534498	G3185-00-000-0006-00	SALINAS JAVIER JR	101 ALBERTO TREVINO ST	MISSION	TX	78572
534560	G3185-00-000-0059-00	DELGADILLO MIGUEL & LYDIA	102 ALBERTO TREVINO ST	MISSION	TX	78572-6785
534561	G3185-00-000-0060-00	VEGA MARTIN & MINERVA	100 ALBERTO TREVINO ST	MISSION	TX	78572-6785
534501	G3185-00-000-0009-00	MALDONADO RODOLFO & MIRTA C	107 ALBERTO TREVINO ST	MISSION	TX	78572-6788
534502	G3185-00-000-0010-00	PENA GRISEL	PO BOX 635	MISSION	TX	78573-0011
303572	T5250-00-016-0009-00	GARCIA VALDEMAR JR & ELIA	108 CAMINO REAL	MISSION	TX	78572-6701
534497	G3185-00-000-0005-00	CANO LUIS CLEMENTE	2201 PASEO ENCANTADO ST	MISSION	TX	78572-6789
534558	G3185-00-000-0057-00	RIOS LUIS ANGEL & ANDREA Z	106 ALBERTO TREVINO ST	MISSION	TX	78572-6785
534500	G3185-00-000-0008-00	RAMIREZ MARIANA & MELINDA MARIE RAMIREZ BAUTISTA	105 ALBERTO TREVINO DR	MISSION	TX	78572-6788
534493	G3185-00-000-0001-00	BARBOSA LEONARDO & NORMA L	2209 PASEO ENCANTADO ST	MISSION	TX	78572-6789
534494	G3185-00-000-0002-00	FLORES-ZAEDOW ESMERALDA	2000 S 39TH ST	MCALLEN	TX	78503-8413
534495	G3185-00-000-0003-00	SEGOVIA ELLIANA J	2514 PASEO ENCANTADO ST	MISSION	TX	78572-6784
534496	G3185-00-000-0004-00	GAMEZ JOSE & MA DEL CARMEN	2203 PASEO ENCANTADO ST	MISSION	TX	78572-6789
795712	T5250-00-000-0000-01	HIDALGO CO DRAIN DIST #1	902 N DOOLITTLE RD	EDINBURG	TX	78542-7470
303383	T5250-00-003-0010-00	PEREZ HERMINA	2303 PASEO ENCANTADO ST	MISSION	TX	78572-6712
303557	T5250-00-015-0011-00	RIOS REYNALDO & NOELIA	101 CAMINO REAL	MISSION	TX	78572-6702
303558	T5250-00-015-0012-00	LOPEZ EDGARDO & DALILA	103 CAMINO REAL	MISSION	TX	78572-6702
303559	T5250-00-015-0013-00	PENA NEYDA & JORGE A	105 N CAMINO REAL	MISSION	TX	78572-6702



AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: August 27, 2025

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

AGENDA ITEM: Public hearing and consideration of a variance to allow a 0' front carport and

garage setback instead of the required 18', being Lot 7, Block 52, Mission Original Townsite Subdivision, located at 203 Oblate Avenue, Applicant – Delmiro & Maria

Garcia - Cervantes

NATURE OF REQUEST:

Project Timeline:

- <u>June 1, 2025</u> Application for Variance Request submitted to the City
- August 15, 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.
- August 27, 2025 Public hearing and consideration of the requested variance by the Zoning Board of Adjustments.

Summary:

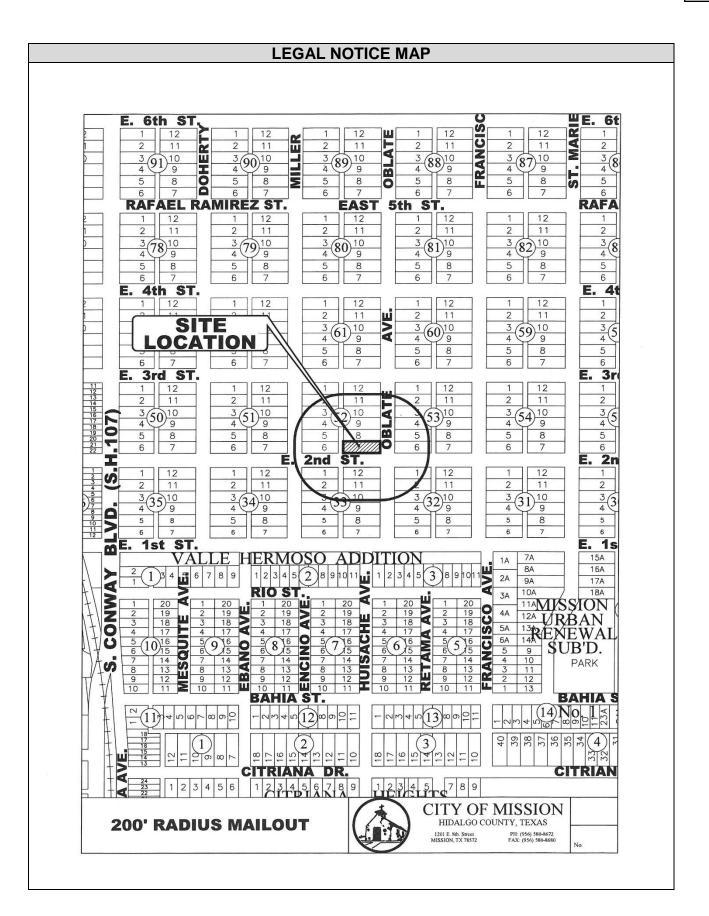
- The request is for a variance not to comply with Section 1.371 (5) (h) of the Mission Code of Ordinances, which states:
 - Minimum distance from the public right-of-way to the entrance to a garage or enclosed carport, unless otherwise approved by the Zoning Board of adjustments: 18 feet.
- The site is located at the Northwest corner of Oblate Avenue and E. 2nd Street.
- The applicant is requesting a variance to keep an already-constructed carport located in the front driveway of the house.
- The subject property is a rectangular-shaped lot that has a depth of 150 feet and a width of 50 feet.
- City officials from the Code Enforcement Division noticed the carport structure and gave the
 property owner notice of violation for the construction of the structure without a building permit.
- The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out 26 legal notices to the surrounding property owners.

STAFF RECOMMENDATION:

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

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

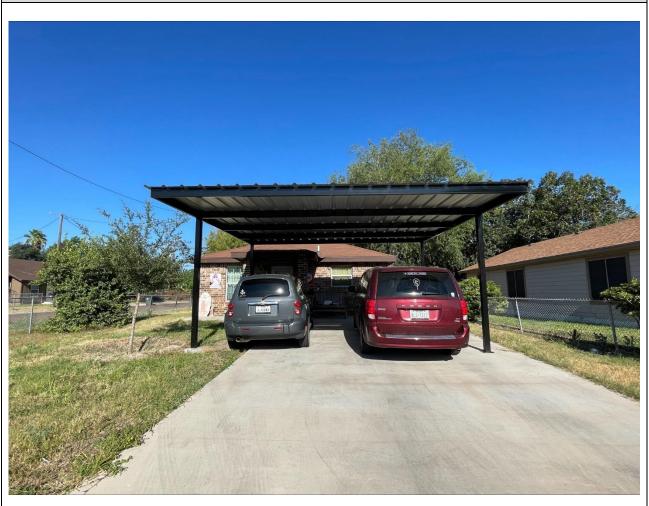
RECORD OF VOTE:	APPROVED: DISAPPROVED: TABLED:	
AYES		
NAYS		
DISSENTING		



AERIAL WITH STRUCTURE ENCROACHMENTS

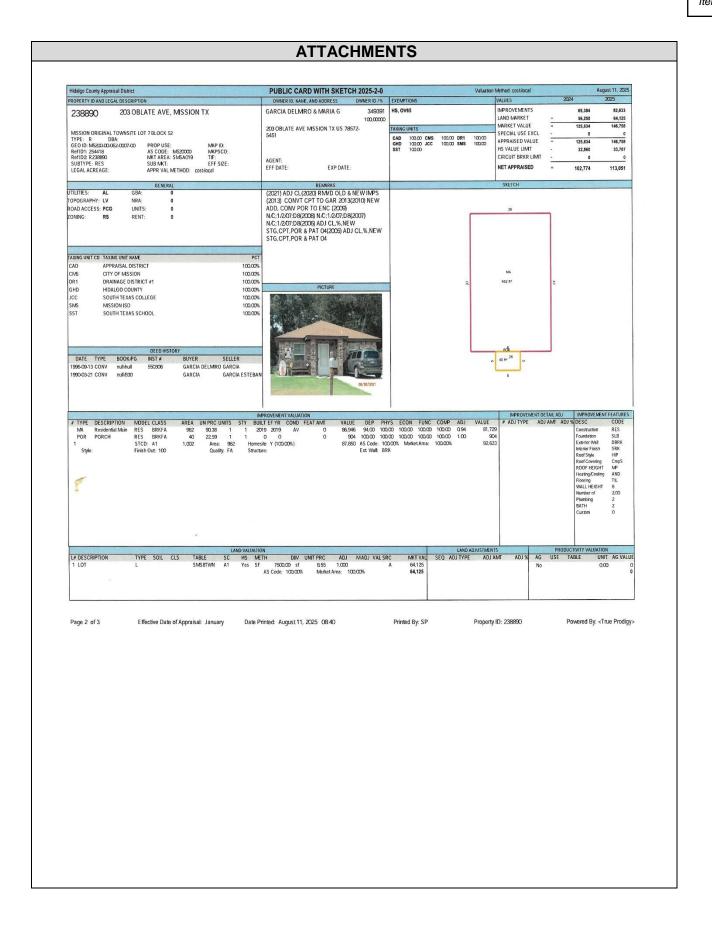


CARPORT PHOTO



CARPORT PHOTO





MAILOUT LIST

PROP_ID	geoID	name	addrDelive	addrCity	addrState	addrZip
238884	M5200-00-052-0002-00	LOZANO MARIA A & JESUS SR	218 MILLER AVE	MISSION	TX	78572-5444
238895	M5200-00-052-0012-00	LOZANO LIZETT M	322 E 3RD ST	MISSION	TX	78572-5422
238885	M5200-00-052-0003-00	GONZALEZ ELIZABETH ANNE & GABRIEL SR	214 MILLER AVE	MISSION	TX	78572-5444
238894	M5200-00-052-0011-00	DURAN DINORA & JOSE A GARCIA JR	217 OBLATE AVE	MISSION	TX	78572-5451
238897	M5200-00-053-0002-00	MARTINEZ AURORA	216 OBLATE AVE	MISSION	TX	78572-5452
238899	M5200-00-053-0004-00	ARRIAGA GERARDO D & NANCY V LOPEZ	210 OBLATE AVE	MISSION	TX	78572-5452
238805	M5200-00-033-0002-00	FLORES JOSEFINA	118 MILLER	MISSION	TX	78572-5442
238815	M5200-00-033-0012-00	SUN VISTA LAND DEVELOPMENT LLC	1358 GARDEN DR	MISSION	TX	78572-6299
238898	M5200-00-053-0003-00	LIMON MARIA DEL JESUS	214 OBLATE ST	MISSION	TX	78572-5452
238806	M5200-00-033-0003-00	MARTINEZ TRINIDAD	116 MILLER AVE	MISSION	TX	78572-5442
238804	M5200-00-033-0001-00	RODRIGUEZ SANTOS GERARDO	2304 LILAC AVE	MISSION	TX	78574-2431
238814	M5200-00-033-0011-00	CANTU MERCEDES & CARMELA R	119 OBLATE AVE	MISSION	TX	78572-5449
238813	M5200-00-033-0010-00	KITTENS DRIVE THRU LLC	2702 ALAMEDA CIR	MISSION	TX	78574-1703
238890	M5200-00-052-0007-00	GARCIA DELMIRO & MARIA G	203 OBLATE AVE	MISSION	TX	78572-5451
238892	M5200-00-052-0009-00	DE RAMIREZ EMMA ANTONIO VALDIVIESO	109 VANSHIRE RD E	LAKESIDE	TX	76108-9462
238893	M5200-00-052-0010-00	HERNANDEZ ESTER	215 OBLATE AVE	MISSION	TX	78572-5451
238891	M5200-00-052-0008-00	ESPERICUETA SUSANA C	205 OBLATE AVE	MISSION	TX	78572-5451
238900	M5200-00-053-0005-00	MARIN MARIO & GRISELDA	204 OBLATE AVE	MISSION	TX	78572-5452
238886	M5200-00-052-0004-00	ANZALDUA URBANO	208 MILLER AVE	MISSION	TX	78572-5444
238889	M5200-00-052-0006-00	NAVEJAR MELINDA & RAUL JOSE	305 E 2ND ST	MISSION	TX	78572-5413
238887	M5200-00-052-0005-00	VELA DEHRA ET AL	1107 PAMELA DR STE B	MISSION	TX	78572
238888	M5200-00-052-0005-10	HERRERA LUIS TAMEZ	303 E 2ND ST	MISSION	TX	78572-5413
238794	M5200-00-032-0003-00	MAGALLAN FRANCISCA DE JESUS	116 OBLATE AVE	MISSION	TX	78572-5450
238793	M5200-00-032-0002-00	RAMIREZ MARTIN & CONSUELO	118 OBLATE AVE	MISSION	TX	78572-5450
238792	M5200-00-032-0001-00	SALCE RAQUEL	122 OBLATE AVE	MISSION	TX	78572
238901	M5200-00-053-0006-00	VEGA MARIA DE JESUS E	202 OBLATE AVE	MISSION	TX	78572-5452
<null></null>	<null></null>	<null></null>	<null></null>	<null></null>	<null></null>	<null></null>



AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: August 27, 2025

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

AGENDA ITEM: Public hearing and consideration of a variance to allow a 0' front setback instead of

the required 20' front setback for a 21'x18'-5" carport, being Lot 73, Tabasco Subdivision, located at 611 W. 30th Street, Applicant – Juana Rodriguez - Cervantes

NATURE OF REQUEST:

Project Timeline:

August 07, 2025 – Application for Variance Request submitted to the City

- August 15, 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.
- <u>August 27, 2025</u> Public hearing and consideration of the requested variance by the Zoning Board of Adjustments.

Summary:

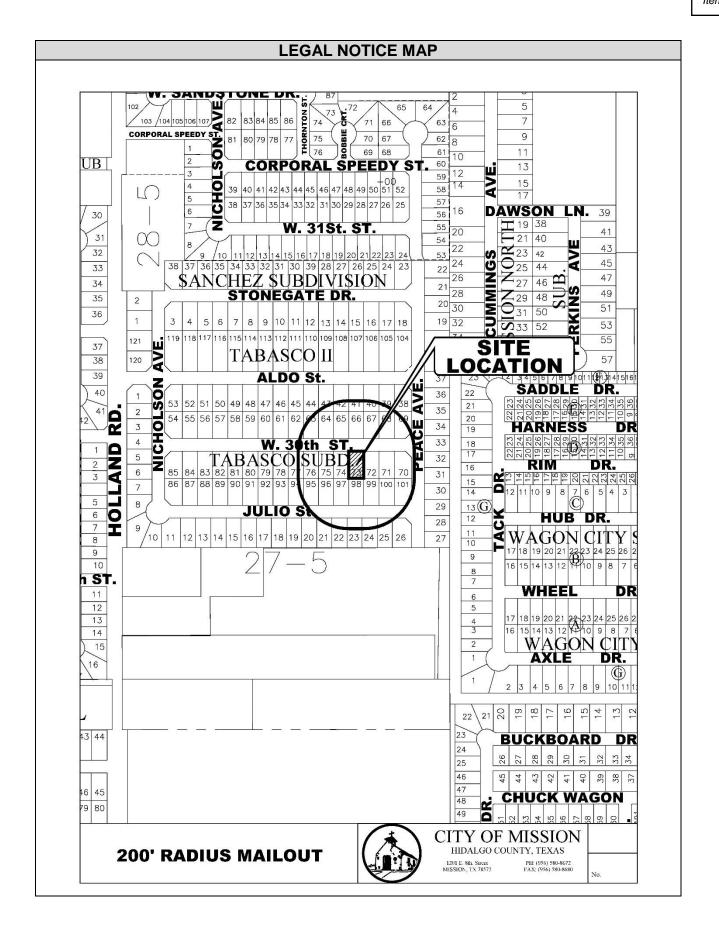
- The request is for a variance not to comply with Section 1.371 (5) (e) of the Mission Code of Ordinances, which states:
 - Minimum depth of front setback: 20 feet.
 - Where a building setback has been established by plat or ordinance and such setback requires a greater or lesser front yard setback 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 along the South side of W. 30th Street approximately 190 feet West of Peace Avenue.
- The applicant is requesting a variance to keep a 21' by 18'-5" carport within the 20' front setback.
- The Tabsaco Subdivision was recorded on May 14, 2003. The subject property is a regular lot with a depth of 107.50 feet and a width of 60 feet along West 30th Street.
- The subject lot has a total area of 6,450 square feet.
- The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out 36 legal notices to surrounding property owners.
- No variances have been processed in this subdivision.

STAFF RECOMMENDATION:

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

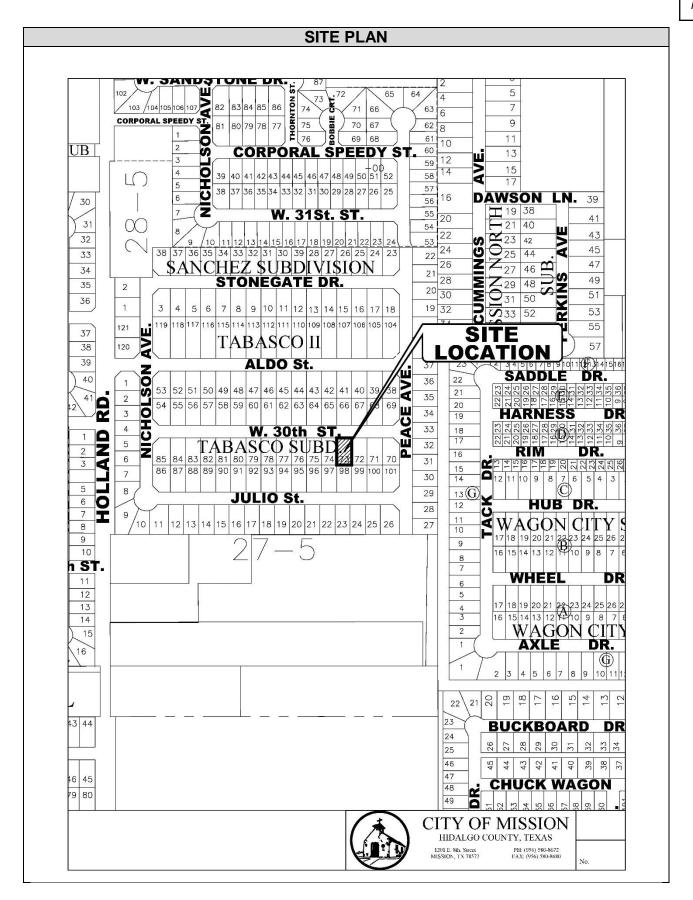
However, if ZBA is inclined to approve this variance request then the applicant would need to comply with the following: 1) Sign a hold harmless agreement stating that the structure will remain perpetually "open and to its footprint" and if structure is ever removed, the prevailing setbacks shall be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

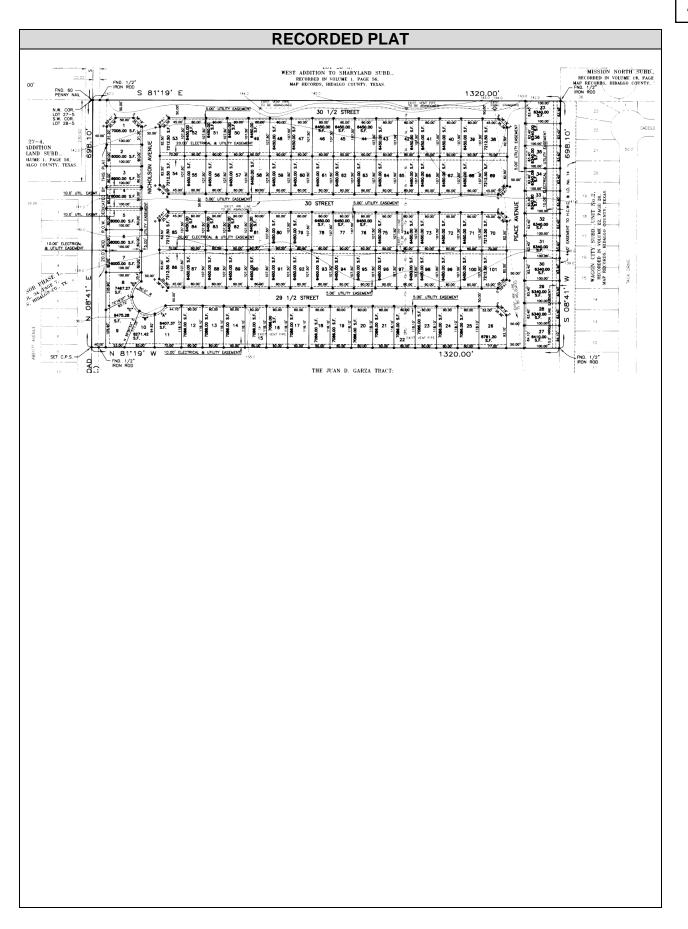
RECORD OF VOTE:	APPROVED: DISAPPROVED:	
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NAYS		
DISSENTING_		

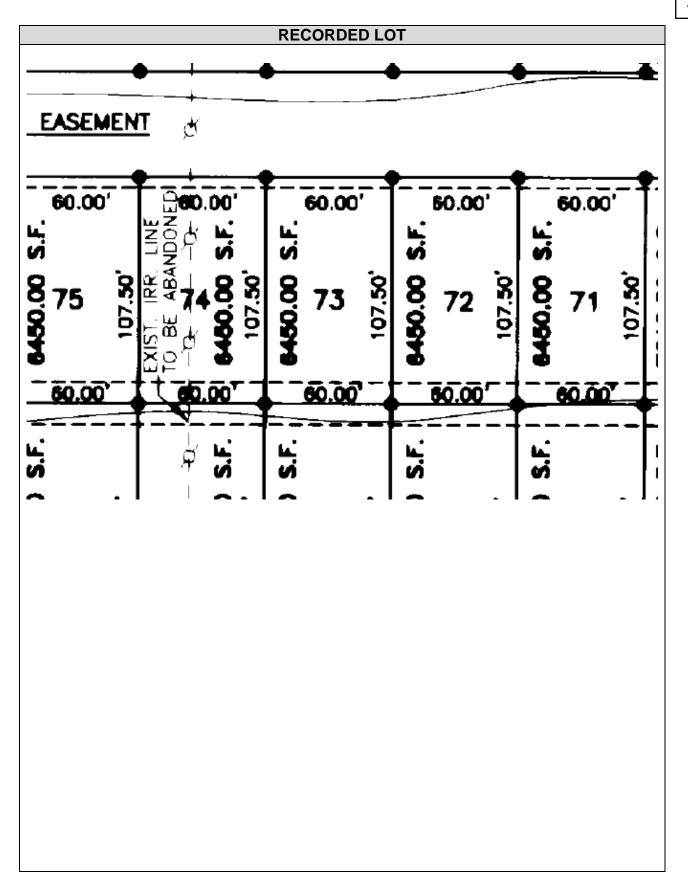


AERIAL MAP









PLAT NOTES

PLAT NOTES AND RESTRICTIONS:

1.- FLOOD ZONE DESIGNATION: ZONE "C"
AREAS OF MINIMAL FLOODING. (NO SHADING)
COMMUNITY-PANEL NUMBER 480334 0400 C
EFFECTIVE DATE: NOV. 16, 1982.

EFFECTIVE DATE: NOV. 16, 1982

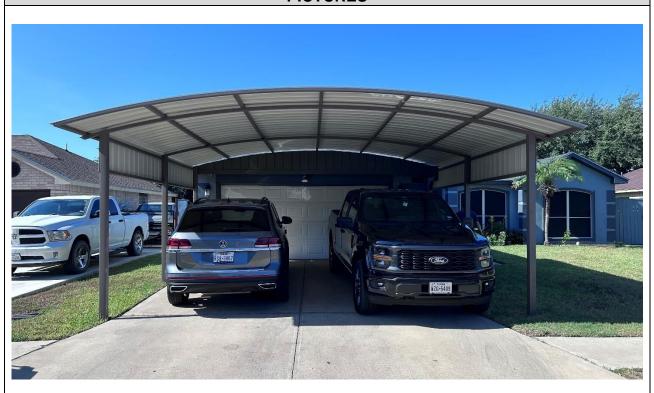
THE AREAS WITHIN THE DRAINAGE EASEMENTS AND THE PROPOSED STREET RIGHT—OF—WAY ARE WITHIN THE 100—YEAR FLOODPLAIN. COMMUNITY PANEL No. 480334 0400 C (NOV. 16, 1982) OF THE FEDERAL EMERGENCY MANAGEMENT ACENCY MAPS FOR HIDIALGO COUNTY SHOWS NO OTHER AREA WITHIN THE PROPOSED SUBDIMISION TO BE IN THE 100—YEAR FLOODPLAIN. CONSTRUCTION OF RESIDENTIAL HOUSING WITHIN ANY AREA OF THE SUBDIMISION THAT IS IN THE 100—YEAR FLOODPLAIN IS PROHIBITED UNLESS THE HOUSING QUALIFIES FOR INSURANCE UNDER THE NATIONAL FLOOD INSURANCE ACT OF 1968 (42 U.S.C. SECTIONS 4001 THROUGH 4127).

- 2.- NO MORE THAN ONE SINGLE FAMILY DETACHED DWELLING SHALL BE LOCATED PER LOT (THERE SHALL BE NO OTHER USE, OTHER THAN A SINGLE FAMILY DWELLING UNLESS IT IS SPECIFIED ON THE PLAT THAT A LOT CAN BE USED FOR SOMETHING OTHER THAN A RESIDENCE.)
- 3.- MINIMUM FINISH FLOOR ELEVATION: 18" ABOVE THE CENTERLINE OF THE STREET.
- 4.- LEGEND - DENOTES 1/2" IRON ROD SET UNLESS OTHERWISE NOTED.
- 5.— THERE ARE NO WATER WELLS WITHIN 150 FEET FROM THE BOUNDARIES OF THIS SUBDIVISION.
- 6.- MINIMUM BUILDING SETBACK LINES:

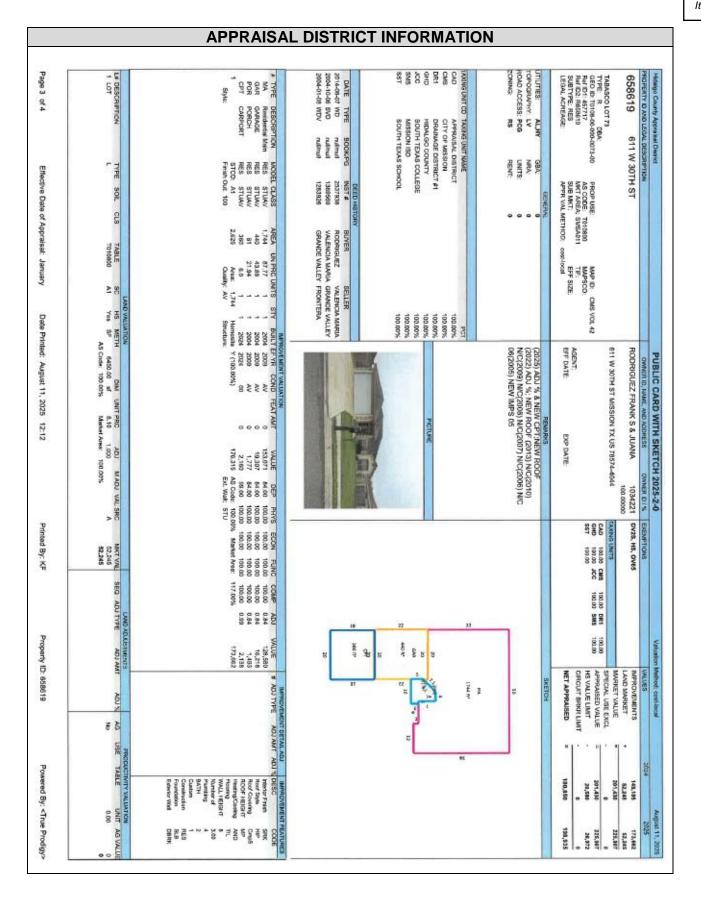
٠	MINIMUM BUILDING SETBACK LINES:	
	FRONT	20.00'
	GARAGE DOOR	20.00*
	SIDE	6.00'
	CORNER SIDE	10.00"
	SIDE ABUTTING TROSPER RD.	15.00' WITH BUFFER FENC
	REAR	10.00'
	OR TO GREATER EASEMENT BOUNDARY	

- 7.- NO BUILDINGS SHALL BE CONSTRUCTED OVER ANY EASEMENT OR LOT LINE.
- 8.- DRAINAGE RETENTION PER LOT IS: 628.85 C.F.

- 9.— NO FILL OR PERMANENT STRUCTURES SHALL BE ALLOWED WITHIN ANY SWALE OR UTILITY EASEMENTS. EACH DRAINAGE EASEMENT SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, PLANTINGS, AND OTHER OBSTRUCTIONS THAT WOULD INTERFERE WITH THE OPERATION AND MAINTENANCE OF THE DRAINAGE SWALES.
- 10.— BENCH MARK= 60 PENNY NAIL FOUND AT NORTHWEST CORNER OF PROPOSED SUBDIMISION. ELEV. 141.00 (NAVD 88 DATUM)
- 11.- NO FILL OR PERMANENT STRUCTURES SHALL BE ALLOWED WITHIN DRAINAGE SWALE EASEMENT AND LOT OWNERS SHALL BE RESPONSIBLE FOR MAINTENANCE OF SWALE.
- 12.— ALL IRRIGATION EASEMENTS ARE EXCLUSIVE TO UNITED IRRIGATION DISTRICT, AND NO OTHER UTILITIES OR USE IS ALLOWED WITHOUT EXPRESS APPROVAL BY THE DISTRICT.
- 13.— NO UTILITY COMPANY OR OTHER PERSON IS ALLOWED TO CROSS ABOVE OR BELOW GROUND ANY DISTRICT EASEMENT OR RIGHT OF WAY WITH LINES, POLES, OPEN DITCHES OR OTHER USE WITHOUT FIRST OBTAINING A CROSSING PERMIT FROM THE DISTRICT
- 14.- NO PERMANENT STRUCTURES, (EXAMPLE, FENCES OF ANY CONSTRUCTION WILL BE ALLOWED TO BE CONSTRUCTED OR EXIST ON ANY DISTRICT EASEMENT OR RIGHT OF WAY WITHOUT WRITTEN APPROVAL BY THE DISTRICT. ANY UNAUTHORIZED STRUCTURE IN THE EASEMENT AREA IS SUBJECT TO REMOVAL.
- 15.- THE FRONT YARD SETBACK SHALL NOT BE FENCED.
- 16.- 5.0° SIDEWALK IS REQUIRED ALONG TROSPER BY THE DEVELOPER; 4.0° SIDEWALKS ALONG ALL OTHER STREETS SHALL BE REQUIRED DURING THE BUILDING PERMIT.
- 17.- NO DRIVEWAYS INTO OR OUT OF TROSPER ROAD INTO ANY LOT SHALL BE PERMITTED.
- 18.- 6.0' FENCE BUFFER SHALL BE REQUIRED OF THE DEVELOPER ALONG TROSPER AND ALONG THE WEST LINE OF THE UNITED IRRIGATION DIST. EASEMENT.







MAILOUT LIST

PROP_ID geoID	name	addrDelive	addrCity	addrState	addrZip
658567 T0108-00-000-0021-00	MARTINEZ JUAN & MARIA	615 JULIO ST	MISSION	TX	78574
658568 T0108-00-000-0022-00	RIVERA JUAN JR	2703 E MILE 3 RD	PALMHURST	TX	78573-0731
658584 T0108-00-000-0038-00	FERRO KARLA JACQUELINE	1405 DONS DR	MISSION	TX	78572
658615 T0108-00-000-0069-00	AVILA IRMA R	604 W 30TH ST	MISSION	TX	78574-4009
658616 T0108-00-000-0070-00	ROSALES STEPHANIE SCARLLET & BRYAN K	605 W 30TH ST	MISSION	TX	78574-4044
658617 T0108-00-000-0071-00	RODRIGUEZ RODOLFO B & MARIA T	607 W 30TH ST	MISSION	TX	78574-4044
658618 T0108-00-000-0072-00	GONZALEZ ARTURO	609 WEST 30TH STREET	MISSION	TX	78574-4044
658569 T0108-00-000-0023-00	ZENDEJAS MYRNA	9932 VIRGINIA AVE APT L	SOUTH GATE	CA	90280-6068
658571 T0108-00-000-0025-00	CORTINAS GUILLERMO GUADALUPE II & EGLAEN LERMA	607 JULIO ST	MISSION	TX	78574-4011
658585 T0108-00-000-0039-00	GONZALEZ ALFREDO	1003 GRANITE ST	PENITAS	TX	78576-7224
658587 T0108-00-000-0041-00	FLORES JANETTE FKA JANETTE GUERRERO	611 ALDO DR	MISSION	TX	78574-4043
658589 T0108-00-000-0043-00	OROZCO BENJAMIN MIRAMONTES & GRACIELA	615 ALDO ST	MISSION	TX	78574-4043
658610 T0108-00-000-0064-00	GALVAN OSVALDO & CLAUDIA Y	614 W 30TH ST	MISSION	TX	78574-4009
658612 T0108-00-000-0066-00	CARAVEO ANDREA	610 W 30TH ST	MISSION	TX	78574-4009
658619 T0108-00-000-0073-00	RODRIGUEZ FRANK S & JUANA	611 W 30TH ST	MISSION	TX	78574-4044
658621 T0108-00-000-0075-00	GUERRA ORLANDO	615 W 30TH	MISSION	TX	78574-4044
658644 T0108-00-000-0098-00	ZENDEJAS MYRNA	2221 HACKBERRY AVE	MISSION	TX	78572-3395
658646 T0108-00-000-0100-00	VASQUEZ LUCIA	1702 N OAK ST	ALTON	TX	78573-4051
658570 T0108-00-000-0024-00	FUENTES ARTURO & FLORENCIA T	609 JULIO ST	MISSION	TX	78574-4011
658572 T0108-00-000-0026-00	FLORES ROBERTO Q	605 JULIO ST	MISSION	TX	78574-4011
658586 T0108-00-000-0040-00	RADA JOSE JR & MELISSA ANN	609 ALDO DR	MISSION	TX	78574-4043
658588 T0108-00-000-0042-00	BARBA ANA C GUERRA	613 ALDO DR	MISSION	TX	78574-4043
658611 T0108-00-000-0065-00	GARCIA JOSE ESTEBAN	612 W 30TH ST	MISSION	TX	78574-4009
658613 T0108-00-000-0067-00	CAZARES JOSE G & ANA MARIA	606 W 30TH ST	MISSION	TX	78574-4009
658620 T0108-00-000-0074-00	RIOS BERNICE N & ABEL M	613 W 30TH ST	MISSION	TX	78574-4044
658622 T0108-00-000-0076-00	ESPINOZA ONEIDA P	617 W 30TH STREET	MISSION	TX	78574-4044
658645 T0108-00-000-0099-00	FERNANDEZ ANGEL ERNESTO	608 JULIO ST	MISSION	TX	78574-4008
658647 T0108-00-000-0101-00	HERRERA JAZMIN & MARTIN	2105 WESTWAY AVE	MCALLEN	TX	78501-6169
658590 T0108-00-000-0044-00	ENRIQUEZ JOSE ANTONIO Jr	617 ALDO DR	MISSION	TX	78574-4043
658608 T0108-00-000-0062-00	VILLARREAL CECILIA H	618 W 30TH ST	MISSION	TX	78574-4009
658609 T0108-00-000-0063-00	ORTIZ LAURA LYNN	616 W 30TH ST	MISSION	TX	78574-4009
658623 T0108-00-000-0077-00	CANTU RUPERTO O	619 W 30TH ST	MISSION	TX	78574-4044
658640 T0108-00-000-0094-00	MARTINEZ NANCY	618 JULIO ST	MISSION	TX	78574-4008
658641 T0108-00-000-0095-00	RAMIREZ MARIA T	616 JULIO ST	MISSION	TX	78574-4008
658642 T0108-00-000-0096-00	APARICIO MOISES R & ENEREYDA R	1404 TIFFANY DR	MISSION	TX	78573-0175
658643 T0108-00-000-0097-00	ZENDEJAS MYRNA	2221 HACKBERRY AVE	MISSION	TX	78572-3395



AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: August 27, 2025

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

AGENDA ITEM: Public hearing and consideration of a variance request to allow a 4 foot front

setback instead of the required 20 feet, and a 1 foot side setback instead of the required 6 feet for a 25' x 30' carport, being Lot 81, Tabasco Subdivision, located

at 707 W. 30th Street, Applicant: Roberto Gamez – Cervantes

NATURE OF REQUEST:

Project Timeline:

• July 28, 20255 – Application for Variance Request submitted to the City.

- August 15, 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 and notice of public hearing was published in the Progress Times.
- August 27, 2025 Public hearing and consideration of the requested variance by the Zoning Board of Adjustments (ZBA).

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:
 - o Minimum depth of front setback: 20 feet, and
 - o Minimum width of side setback:
 - Internal lot: 6 feet
 Corner lot: 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 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 applicant is requesting a variance to keep a 25'x30' carport within the front and side setback.
- Tabasco Subdivision was recorded on May 14, 2003. The regular lot measures 60 feet in width by 107.50 feet in length for a total of 6,450 square feet. The site is located approximately 260 feet east of Nicholson Avenue along the south side of W. 30th Street.
- There is currently an existing 1,021 square foot single-family residence on the property. The applicant constructed the carport without obtaining the proper permits.
- The lots to the east, west, north, and south are developed as Single-Family Residences.
- City officials from the Code Enforcement Division noticed the carport and gave the property owner a notice of violation for the construction of the structure without a building permit.

- The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out 40 legal notices to surrounding property owners.
- Staff notes that ZBA has considered the following variance within this subdivision.

Subdivision	Variance	Date	Recommendation
Lot 26	1.9' Corner side setback	7/18/18	Approval

- 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 nonconforming 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 state law, HB 1475, 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 complying 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 nonconforming.

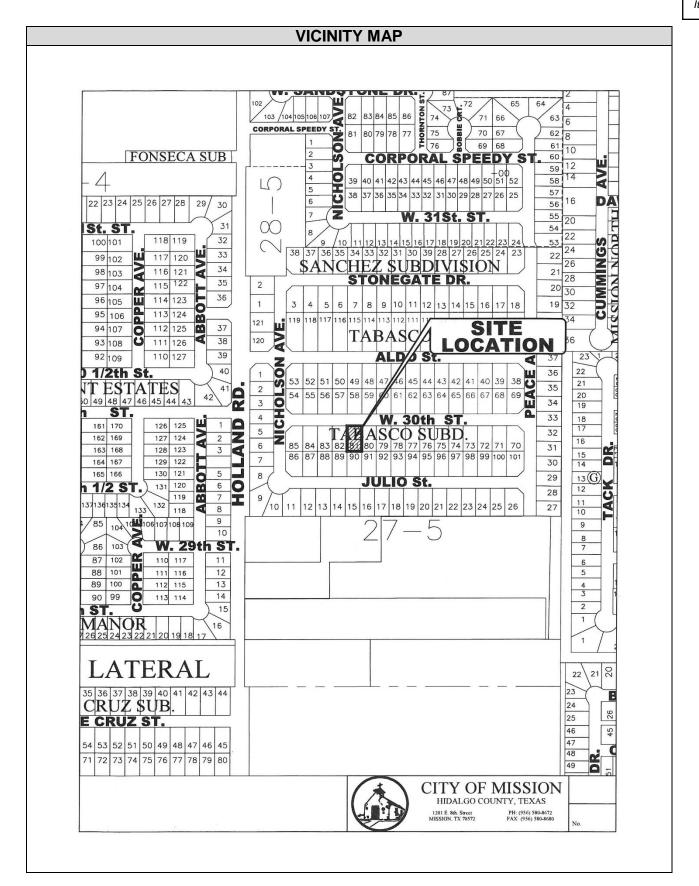
STAFF RECOMMENDATION:

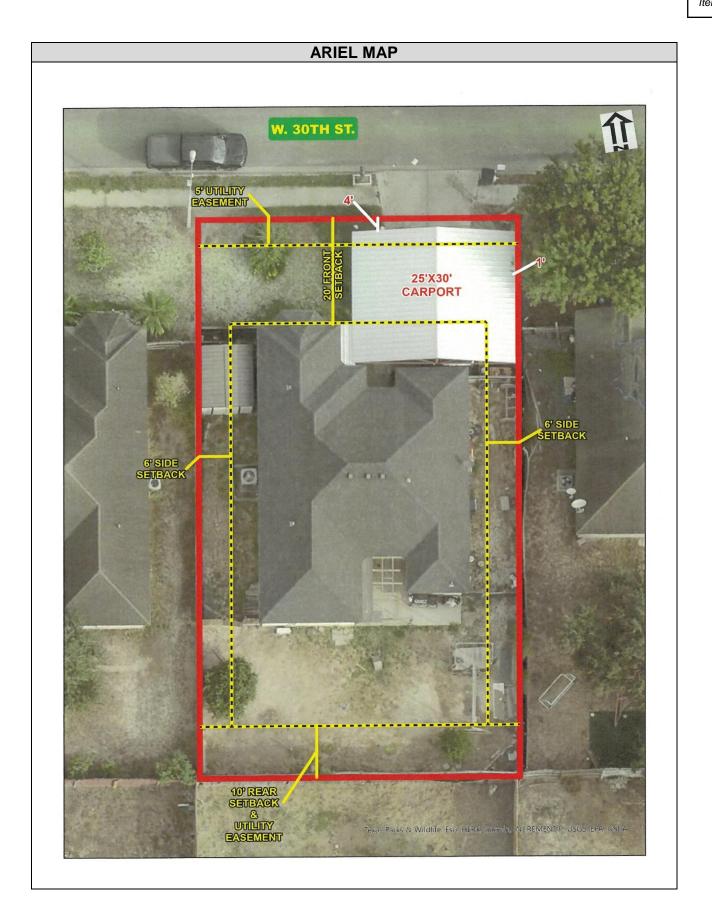
Staff recommends disapproval of the variance request as:

- 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 structure was built without a permit, and
- 3. This is a self-imposed hardship.

However, if ZBA is inclined to approve this variance request then the applicant would need to comply with the following: 1) Sign a hold harmless agreement stating that the structure will remain perpetually "open and to its footprint" and if the structure is ever removed, the prevailing setbacks shall be complied with thereafter, 2) obtaining a building permit, and 3) paying a double permit fee.

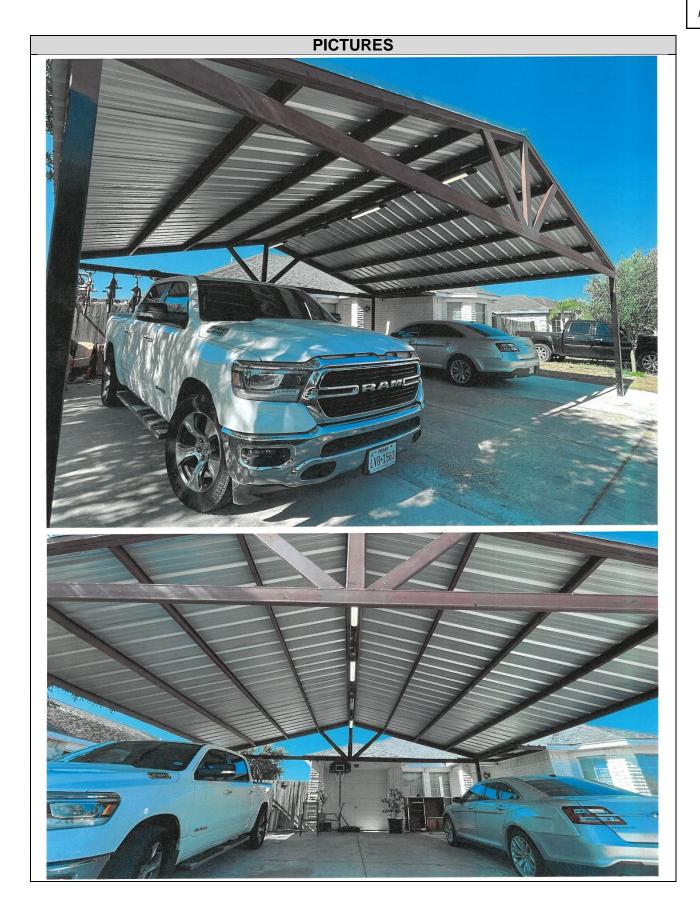
RECORD OF VOTE:	APPROVED: DISAPPROVED:		
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NAYS			
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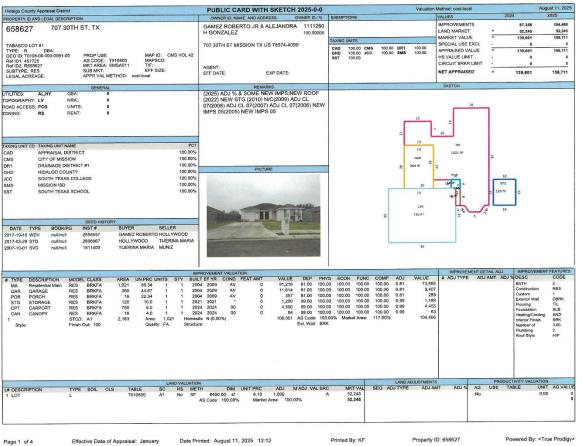


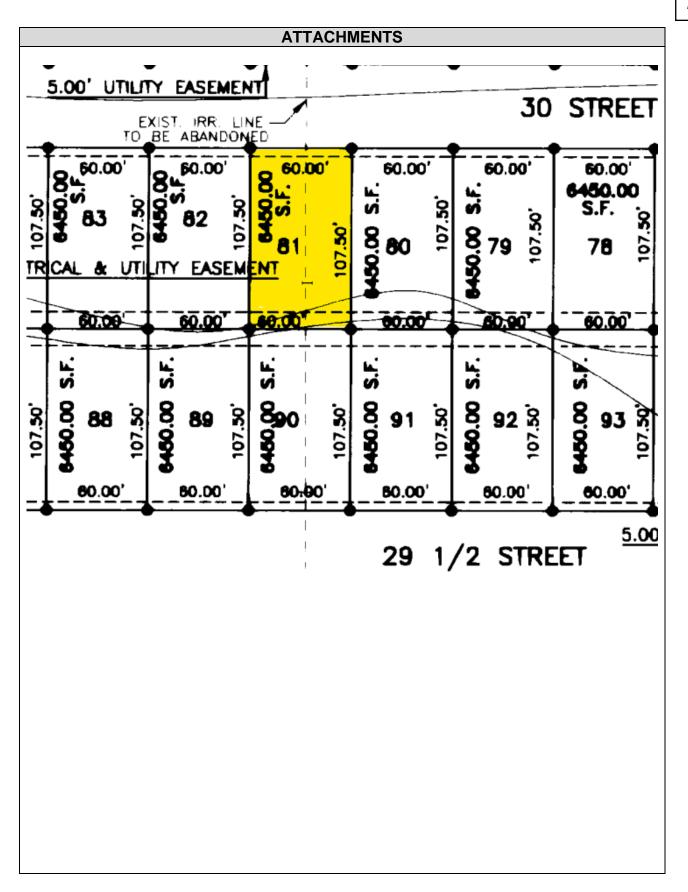


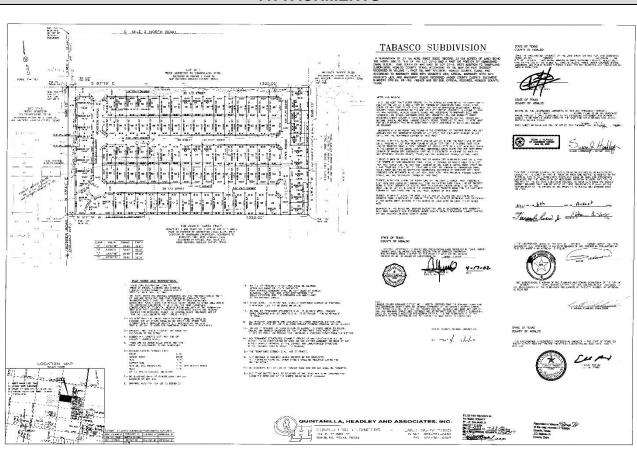


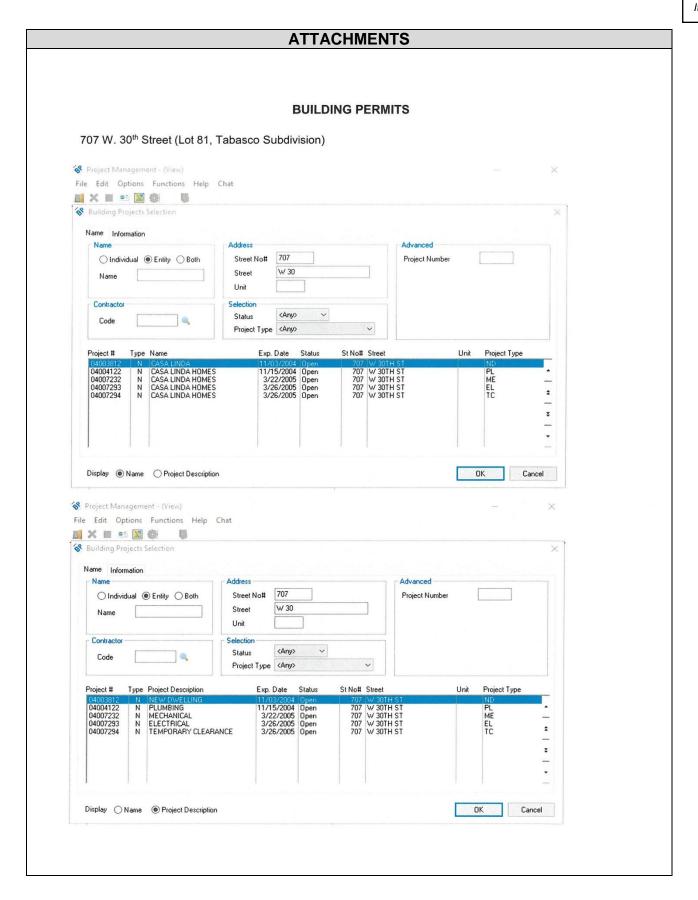














Irasema Dimas, Code Enforcement Supervisor Arturo Lerma, Senior Code Enforcement Officer Nancy Chavira, Code Enforcement Officer Joseph Flores, Code Enforcement Officer Angel Garcia Jr., Code Enforcement Officer Yvette Villarreal, Code Enforcement Clerk

June 27, 2025

Case# 25-06-G-007

Roberto Gamez Jr. 707 W. 30th St. Mission, TX 78574-4099

Dear Property Owner/Occupant:

A visual exterior inspection was conducted of a property located 707 W. 30th St. Mission, TX, bearing a legal description of Tabasco Lot 81, 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

117 E Tom Landry St. | Mission, Texas 78572 | (956)580-8697 | codeenforce@missiontexas.us



PROPERTY INFORMATON:	ZONE R-L DATE	7/11/25 STAFF GR	FXDOT PERMIT
Project Address 707 w 304h	St Mission Tx	78574 GEO ID#	
Lot Block	Subdivision Name_		
Description of Work Porch .			
(example: new single family dwelling, remodel existing			
Square Footage of Living Area	_ Patio/Porch	Garage/Carport	
OWNER/CONTRACTOR INFORMATION:	the second secon		
General Contractor	Contact Name _		Phone
Email Address (for project corresponden			
Property Owners Name Roberto Gam	noza Alyandra Prope	ty Owners Address <u>70</u>	7 w 30th St Mission IX.
(THE ABOVE INFORMATION MUST BE CORRECT.	IT IS REQUIRED THAT THE C	ERTIFICATE OF OCCUPANCY HA	AVE THIS INFORMATION)
Estimated Project Cost: \$	_		

SUBMITTAL CHECKLIST

Please submit the following items along with the completed application above.

UNDER NO CIRCUMSTANCES WILL AN INCOMPLETE AND/OR PARTIAL SUBMITTAL BE ACCEPTED.

Effective immediately, <u>NO</u> application will be accepted without a 2024 REScheck Compliance Report (www.energycodes.gov), Manual J (A/C Report), an engineered sealed Windstorm Plan and a complete set of plans in the size of 11x17.

Complete set of plans is to include the following:

- Site Plan
- Foundation Plan
- Floor Plan
- Mechanical, Electrical and Plumbing Plans
- Elevation Plan
- Driveway and Sidewalk

SPECIAL CONDITIONS: Must comply with all 2024 IBC, IRC, IFC, IPC, IMC, IFGG, IECC, ISPSC, IPMC, 2023 NEC Code Requirements, State Law, Local Ordinances & Setback Requirements

FOR OFFICE NOTES ONLY

DENIED NEW CONSTRUCTION

- * MED DERMIT REQUIRED
- * COMPLY WITH ALL SETBACKS NOTED
- * COMPLY WITH ALL NOTES AND

ATTACHMENTS

- * CALL IN ALL NECESSARY INSPECTIONS
- * CALL IN A FINAL INSPECTION
- *PF: ()

406

A pre-pour survey by a licensed surveyor and/or civil engineer will be required to ensure setback/easement compliance on any cul-de-sac lots and/or irregular lots, if the house is placed on the exact setback allowed on a regular lot .

Please allow 3-5 business days to pick up permit or you may inquire at (956) 580-8691 or (956) 580-8687.

NO BUILDING SHOULD COMMENCE WITHOUT A BUILDING PERMIT.

MAILOUT LIST

PROP_ID	geoID	name	addrDelive	addrCity	addrState	addrZip
658564	T0108-00-000-0018-00	SANTIAGO MIRNA E & LUIS C PEREZ NARRO	701 JULIO ST	MISSION	TX	78574-4007
658598	T0108-00-000-0052-00	SACKEY-WALKER EVELYN NAA & ELIAS KOJJO	713 ALDO DR	MISSION	TX	78574-4098
658600	T0108-00-000-0054-00	SANCHEZ REYNDALDO JR & ZAIDA RUBI	601 S 6TH ST APT B	MCALLEN	TX	78501-2878
658601	T0108-00-000-0055-00	FLORES MINU E	712 W 30TH ST	MISSION	TX	78574-4010
658561	T0108-00-000-0015-00	RODRIGUEZ JOSE JR	707 JULIO ST	MISSION	TX	78574-4007
658631	T0108-00-000-0085-00	GONZALEZ CONSTANTINO P & OLGA	715 W 30TH ST	MISSION	TX	78574-4099
658632	T0108-00-000-0086-00	CHAVEZ JESUS A	714 JULIO ST	MISSION	TX	78574-4006
658633	T0108-00-000-0087-00	RODRIGUEZ MARISSA	3912 W HACKBERRY AVE	MCALLEN	TX	78501-8181
658634	T0108-00-000-0088-00	WADE LORON TALBOTT & RUTH ANN	1101 E PECAN BLVD NO 87	MCALLEN	TX	78501-5716
658560	T0108-00-000-0014-00	SANCHEZ JUAN JOSE	709 JULIO ST	MISSION	TX	78574-4007
658562	T0108-00-000-0016-00	RICHARDS ELMA A & BRADLEY	705 JULIO ST	MISSION	TX	78574-4007
658594	T0108-00-000-0048-00	SEPULVEDA JUAN A & ROSALBA GARCIA	705 ALDO DR	MISSION	TX	78574-4098
658596	T0108-00-000-0050-00	GONZALEZ GERARDO	709 ALDO DR	MISSION	TX	78574-4098
658603	T0108-00-000-0057-00	GUTIERREZ ESEQUIEL Jr	708 W 30TH ST	MISSION	TX	78574-4010
658605	T0108-00-000-0059-00	DOMINGUEZ FELICIANO V	704 W 30TH ST	MISSION	TX	78574-4010
658628	T0108-00-000-0082-00	MORALES JESUS IVAN	709 W 30TH ST	MISSION	TX	78574-4099
658630	T0108-00-000-0084-00	LUENGAS DIEGO J & DANIA M LOPEZ MELGAR	713 W 30TH ST	MISSION	TX	78574-4099
658635	T0108-00-000-0089-00	SALINAS JUAN JR & LETICIA C	708 JULIO ST	MISSION	TX	78574-4006
658637	T0108-00-000-0091-00	DICKINSON LYUDMYLA	1908 W 41 1/2 ST	MISSION	TX	78573-5001
658639	T0108-00-000-0093-00	RODRIGUEZ ROSA ELVIA	700 JULIO ST	MISSION	TX	78574-4006
658563	T0108-00-000-0017-00	PERALTA ANNE	703 JULIO ST	MISSION	TX	78574-4007
658595	T0108-00-000-0049-00	GARCIA BELINDA	707 ALDO DR	MISSION	TX	78574-4098
658597	T0108-00-000-0051-00	AVILA VANESSA SANCHEZ & OLGA SANCHEZ BRAGA	711 ALDO ST	MISSION	TX	78574-4098
658602	T0108-00-000-0056-00	CANTU LUCIANO	710 W 30TH ST	MISSION	TX	78574-4010
658604	T0108-00-000-0058-00	CANTU JOEL M & LAURA M	706 W 30TH ST	MISSION	TX	78574-4010
658627	T0108-00-000-0081-00	GAMEZ ROBERTO JR & ALEJANDRA H GONZALEZ	707 30TH ST	MISSION	TX	78574-4099
658629	T0108-00-000-0083-00	COHAB LLC	6114 N 3RD LANE	MCALLEN	TX	78504-2855
658636	T0108-00-000-0090-00	TIJERINA STEPHANY LISSBETH	706 JULIO ST	MISSION	TX	78574-4006
658638	T0108-00-000-0092-00	MORFIN CHRISTIAN	702 JULIO ST	MISSION	TX	78574-4006
658559	T0108-00-000-0013-00	CASTRO BEATRIZ & JORGE ANTONIO	711 JULIO ST	MISSION	TX	78574-4007
658592	T0108-00-000-0046-00	SOLIS GERARDO G & MAYRA V CRUZ PADRON	701 ALDO DR	MISSION	TX	78574-4098
658593	T0108-00-000-0047-00	SOLIS ALYSSA	703 ALDO DR	MISSION	TX	78574-4098
658606	T0108-00-000-0060-00	NARVAEZ MELISSA BECHO & RICARDO NARVAEZ AGUAYO	702 W 30TH ST	MISSION	TX	78574-4010
658607	T0108-00-000-0061-00	TIJERINA YOLANDA	2106 SUNRISE LN	MISSION	TX	78574-8384
658608	T0108-00-000-0062-00	VILLARREAL CECILIA H	618 W 30TH ST	MISSION	TX	78574-4009
658623	T0108-00-000-0077-00	CANTU RUPERTO O	619 W 30TH ST	MISSION	TX	78574-4044
658624	T0108-00-000-0078-00	AVENDANO JOSE CORTEZ & MARISSA	701 W 30TH ST	MISSION	TX	78574-4099
658625	T0108-00-000-0079-00	GARCIA JOSE L JR & ERICA G	703 W 30TH ST	MISSION	IX	/85/4-4099
658626	T0108-00-000-0080-00	MORALES MARIA O MARTINEZ	705 W 30TH ST	MISSION	TX	78574-4099
658640	T0108-00-000-0094-00	MARTINEZ NANCY	618 JULIO ST	MISSION	IX	78574-4008



AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: August 27, 2025

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

AGENDA ITEM: Public hearing and consideration of a variance request to allow a 4 foot front

setback instead of the required 30 feet, and a 1 foot side setback instead of the required 6 feet for a 25' x 22' carport, being Lot 9, Block B, Eagle Heights UT 3

Subdivision, located at 931 Bowen Street, Applicant: Jorge Adame -

Cervantes

NATURE OF REQUEST:

Project Timeline:

• July 24, 20255 – Application for Variance Request submitted to the City.

- August 15, 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 and notice of public hearing was published in the Progress Times.
- August 27, 2025 Public hearing and consideration of the requested variance by the Zoning Board of Adjustments (ZBA).

Summary:

- The request is for a variance not to comply with Subdivision Plat 35' front setback, and Section 1.371(5)(e & g) of the Mission Code of Ordinances, which states:
 - Minimum depth of front setback: 20 feet, and
 - Minimum width of side setback:
 - 1. Internal lot: 6 feet
 - 2. Corner lot: 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 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 applicant is requesting a variance to keep a 25'x22' carport within the front and side setback.
- Eagle Heights UT 3 Subdivision was recorded on March 26, 1979. The regular lot measures 62 feet in width by 115 feet in length for a total of 7,130 square feet. The site is located at the northwest corner of Jones Avenue and Bowen Street.
- There is currently an existing 2,035 square foot single-family residence on the property. The applicant constructed the carport without obtaining the proper permits.
- The lots to the east, west, north, and south are developed as Single-Family Residences.
- City officials from the Code Enforcement Division noticed the carport and gave the property owner a notice of violation for the construction of the structure without a building permit and violation of setbacks.

- The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out 40 legal notices to surrounding property owners.
- Staff notes that ZBA has considered the following variances for Eagle Heights Units 1 & 2 but none for Unit 3.

Subdivision	Variance	Date	Recommendation
Lot 1, UT 2	2' Rear & 8' Corner Side Setback	9/9/97	Approval
Lot 2, Blk. 3, UT 1	28' Front Setback	4/20/05	Approval
Lot C, UT 2	15' Front & 11' Rear Setback	10/19/05	Denied Front/Approved Rear setback
Lot 1, Blk., 3 UT 1	28' Front Setback	12/13/05	Approval

- 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 nonconforming 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 state law, HB 1475, 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 complying 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 nonconforming.

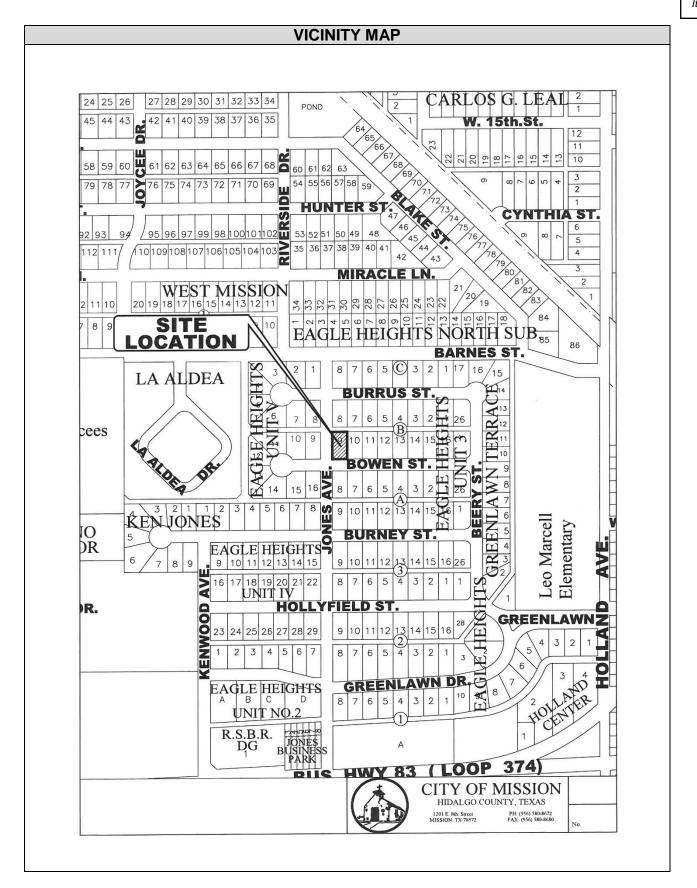
STAFF RECOMMENDATION:

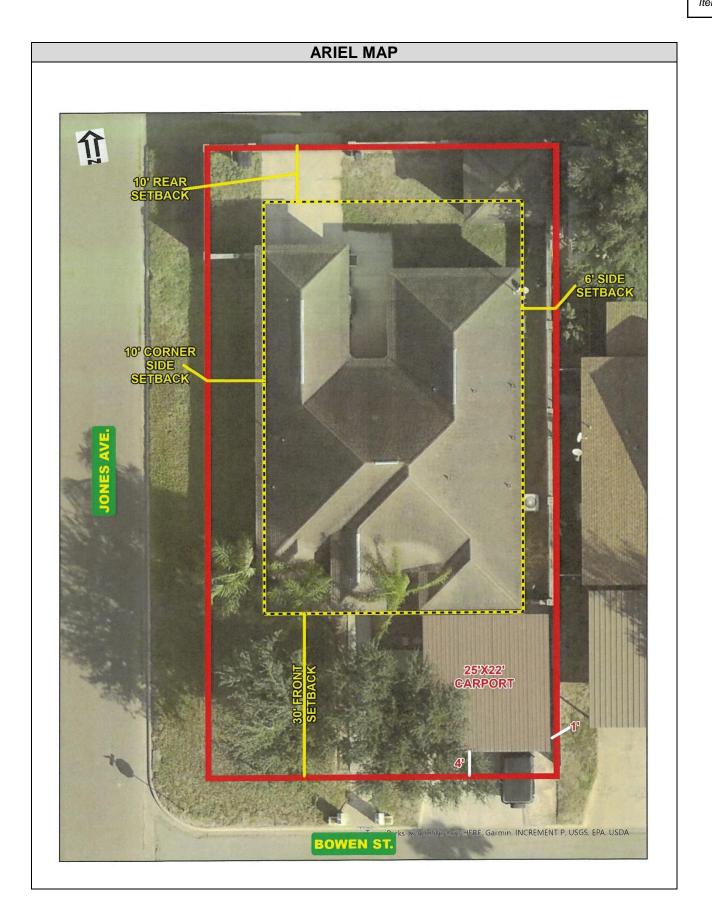
Staff recommends disapproval of the variance request as:

- 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 structure was built without a permit, and
- 3. This is a self-imposed hardship.

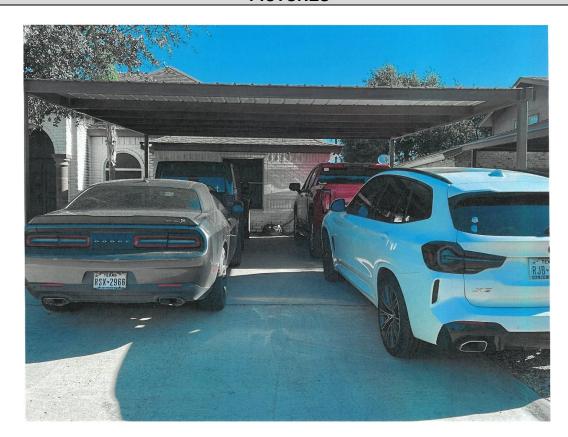
However, if ZBA is inclined to approve this variance request then the applicant would need to comply with the following: 1) Sign a hold harmless agreement stating that the structure will remain perpetually "open and to its footprint" and if the structure is ever removed, the prevailing setbacks shall be complied with thereafter, 2) obtaining a building permit, and 3) paying a double permit fee.

RECORD OF VOTE:	APPROVED: DISAPPROVED:	
	TABLED:	
AYES		
NAYS		
DISSENTING		





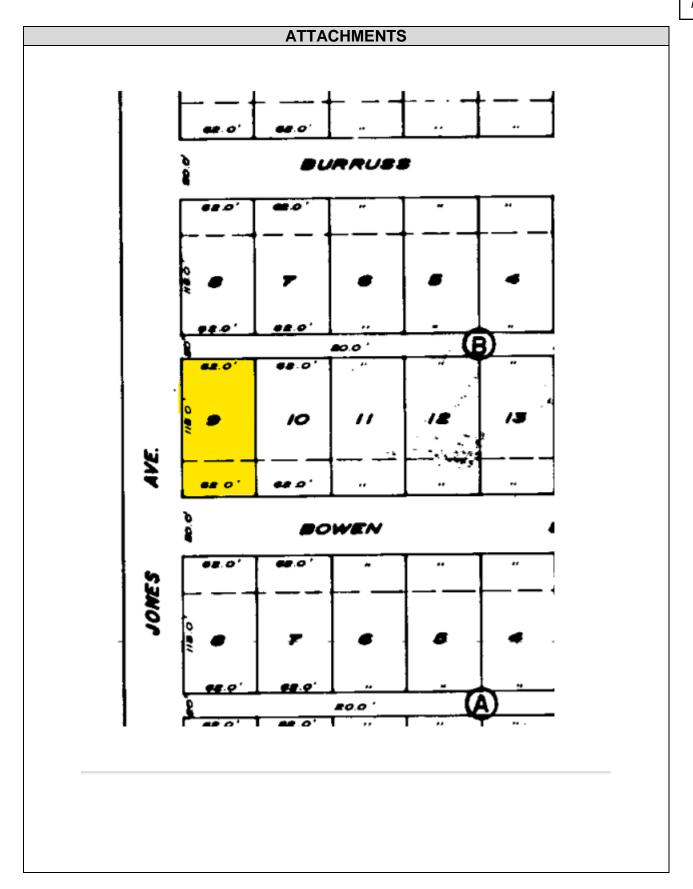


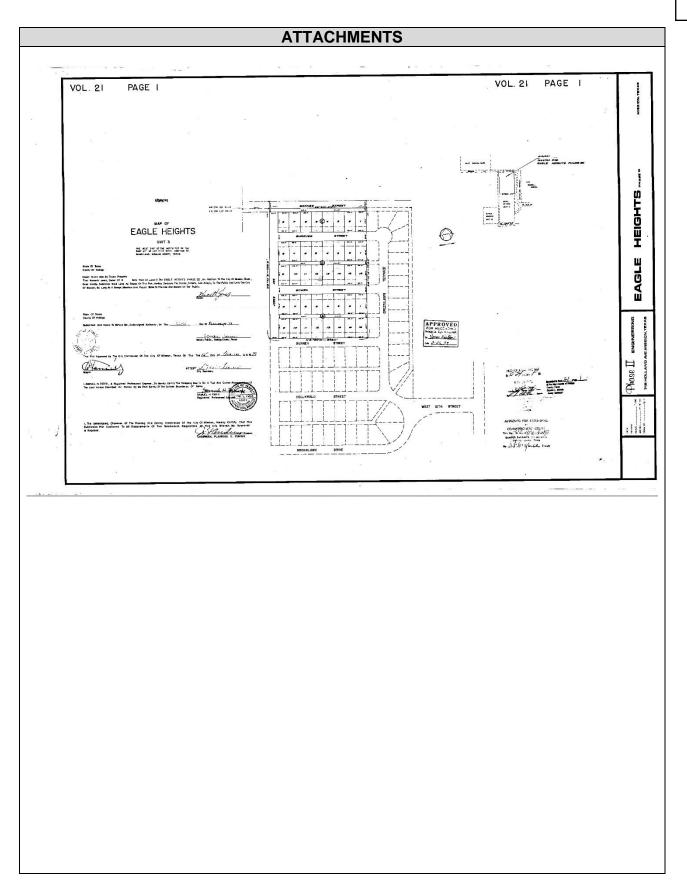


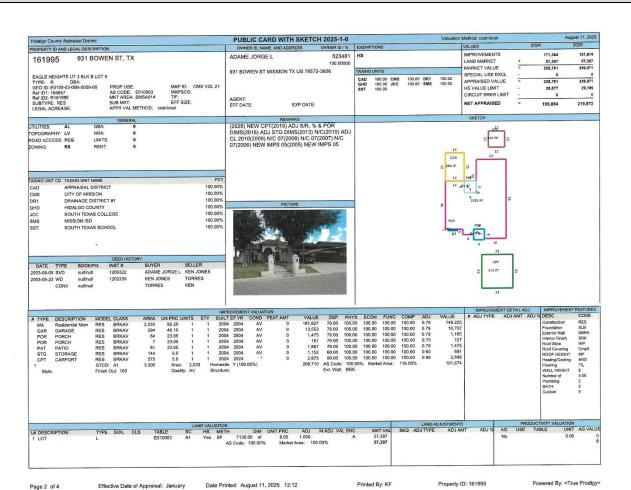


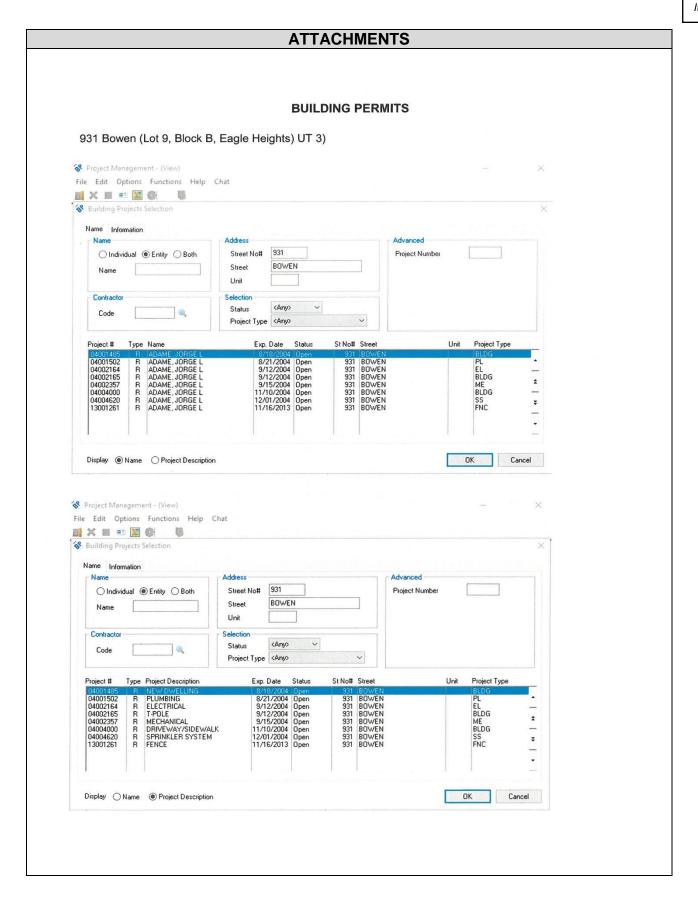














Irasema D , Code Enforcement Supervisor
Arturo Lem. mior Code Enforcement Officer
Nancy Chavira, Code Enforcement Officer
Joseph Flores, Code Enforcement Officer
Angel Garcia Jr., Code Enforcement Officer
Yvette Villarreal, Code Enforcement Clerk

December 16, 2024

Case# 24-12-C-022

Jorge L. Adame 931 Bowen St. Mission, TX 78572-3606

Dear Property Owner/Occupant:

A visual exterior inspection was conducted of a property located 931 Bowen St., Mission, TX, bearing a legal description of Eagle Heights UT 3 BLK B Lot 9, which according to the real property records of Hidalgo County, you own. After conducting the inspection, it is noted that the construction taking 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 contact the Code Enforcement Department at (956) 580-8697 to discuss the options available to comply. Should no response to this notice be evident after this tenure, other enforcement measures could be procedurally activated. Please be advised that if the case is filed in Municipal Court, you could be liable for court cost and possibly fines.

We thank you for your understanding and prompt attention to this matter.

Respectfully,

Nancy Chavira

Code Enforcement Officer

Nursey Chauria

1201 E. 8th St. | Mission, Texas 78572 | (956)580-8697 | codeenforce@missiontexas.us



Irasema I s, 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

December 16, 2024

Case# 24-12-C-023

Jorge L. Adame 931 Bowen St. Mission, TX 78572-3606

Dear Property Owner/Occupant:

A visual exterior inspection was conducted of a property located at 931 Bowen St., Mission, TX, Eagle Heights UT 3 BLK B Lot 9, 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. Should no response to this notice be evident after this tenure, other enforcement measures could be procedurally activated. Please be advised that if the case is filed in Municipal Court, you could be liable for court cost and possibly fines.

We thank you for your understanding and prompt attention to this matter.

Respectfully,

Nancy Chavira

Code Enforcement Officer

Nerry Chauria

1201 E. 8th St. | Mission, Texas 78572 | (956)580-8697 | codeenforce@missiontexas.us

MAILOUT LIST

PROP_ID	geoID	name	addrDelive	addrCity	addrState	Action to the second
161999	E0100-03-00B-0013-00	GARZA CAMILO C & MARIA C	923 BOWEN ST	MISSION	TX	78572-3606
161997	E0100-03-00B-0011-00	CANALES RODOLFO	927 BOWEN ST	MISSION	TX	78572-3606
162009	E0100-03-00C-0007-00	VILLEGAS RUBEN & SAN JUANITA	929 BURRUS ST	MISSION	TX	78572-3633
161990	E0100-03-00B-0004-00	GARZA FRANK	922 BURRUS ST	MISSION	TX	78572-3632
161992	E0100-03-00B-0006-00	VILLAFUERTE MARIA D & FERNANDO H	926 BURRUS ST	MISSION	TX	78572-3632
161991	E0100-03-00B-0005-00	CANALES SERVANDO	924 BURRUS ST	MISSION	TX	78572-3632
161998	E0100-03-00B-0012-00	CANALES RUDY	927 BOWEN ST	MISSION	TX	78572-3606
162008	E0100-03-00C-0006-00	SOLIS GREG & IRMA D	927 BURRUS ST	MISSION	TX	78572-3633
161975	E0100-03-00A-0005-00	HERNANDEZ NELIA G & BERNABE	924 BOWEN ST	MISSION	TX	78572-3650
161974	E0100-03-00A-0004-00	SANCHEZ NOE JR	922 BOWEN ST	MISSION	TX	78572-3650
162045	E0100-05-000-0006-00	CORTEZ JUAN GERARDO	1004 BURRUS ST	MISSION	TX	78572-3634
161978	E0100-03-00A-0008-00	GARZA REYNALDO R & BEATRIZ P	1202 JONES ST	MISSION	TX	78572
161993	E0100-03-00B-0007-00	RETA ALBERT & BERTHA LETICIA RETA	1005 BOWEN	MISSION	TX	78572-3631
161977	E0100-03-00A-0007-00	FLORES ABRAHAM JR & ROSALINDA	928 BOWEN ST	MISSION	TX	78572-3650
161979	E0100-03-00A-0009-00	HINOJOSA OFELIA	PO BOX 2263	MISSION	TX	78573
161994	E0100-03-00B-0008-00	SARABIA MONICO & IDALIA	930 BURRUS ST	MISSION	TX	78572-3632
162010	E0100-03-00C-0008-00	SAUCEDA MARTHA	931 BURRUS ST	MISSION	TX	78572-3633
162040	E0100-05-000-0001-00	CORONA JUANITA & ROLANDO	1001 BURRUS ST	MISSION	TX	78572-3635
161980	E0100-03-00A-0010-00	DUBERNEY JAIME OMAR & ESMERALDA	929 BURNEY ST	MISSION	TX	78572-3627
161981	E0100-03-00A-0011-00	BOYD MYRNA	206 STONEGATE DR	MISSION	TX	78574-3363
161995	E0100-03-00B-0009-00	ADAME JORGE L	931 BOWEN ST	MISSION	TX	78572-3606
161996	E0100-03-00B-0010-00	CANALES ARNULFO JR & ARMANDINA	929 BOWEN ST	MISSION	TX	78572-3606
162055	E0100-05-000-0016-00	HERNANDEZ ALDO	1000 BOWEN ST	MISSION	TX	78572-3630
162017	E0100-04-000-0007-00	RETA ALBERT & BERTHA LETICIA RETA	1005 BOWEN	MISSION	TX	78572-3631
162054	E0100-05-000-0015-00	ANZALDUA LIBRADO	1002 BOWEN ST	MISSION	TX	78572-3630
162048	E0100-05-000-0009-00	SINGLETERRY GREGORIO A & ARLENE R	1205 JONES AVE	MISSION	TX	78572-3659
162049	E0100-05-000-0010-00	RETA ALBERTO & BERTHA L	1005 BOWEN	MISSION	TX	78572-3631
162050	E0100-05-000-0011-00	RETA ALBERT & BERTHA L	1005 BOWEN ST	MISSION	TX	78572-3631
161976	E0100-03-00A-0006-00	CHAPA ELIZABETH	926 BOWEN ST	MISSION	TX	78572-3650
162046	E0100-05-000-0007-00	CHAPA SAHIRA & JULIO A RAMOS	1000 BURRUS ST	MISSION	TX	78572-3634



AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: August 27, 2025

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

AGENDA ITEM: Public hearing and consideration of a variance to allow a 13'-11" rear setback

instead of the required 20' rear setback for a swimming pool, being Lot 3, Concho Estates Subdivision, located at 1102 Kickapoo Creek Street, Applicant – George &

Sylvia Padilla - Cervantes

NATURE OF REQUEST:

Project Timeline:

- August 07, 2025 Application for Variance Request submitted to the City
- <u>August 15, 2025</u> 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.
- <u>August 27, 2025</u> Public hearing and consideration of the requested variance by the Zoning Board of Adjustments.

Summary:

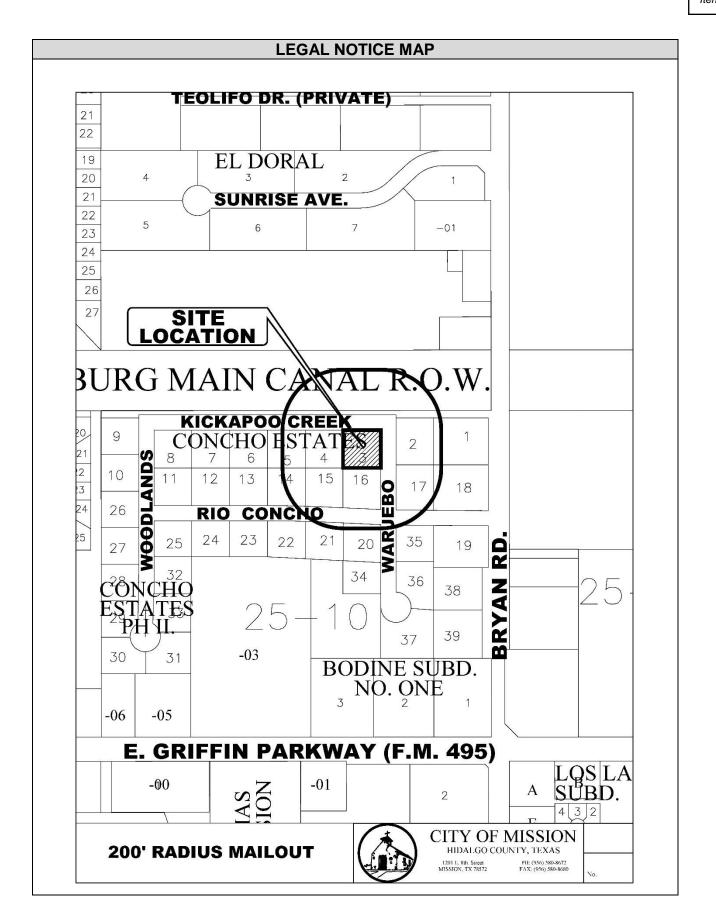
- The request is for a variance not to comply with Section 1.371 (5) (f) of the Mission Code of Ordinances, which states:
 - Minimum depth of the rear setback or to the easement line, whichever is greater.
 - Where a building setback has been established by plat or ordinance and such setback requires 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 at the corner of Kickapoo Creek and Warjebo Street.
- The applicant is requesting a variance to construct a 14' x 30' Swimming Pool within the 20' rear setback.
- The Concho Estates Subdivision was recorded on January 6, 1994. The subject property is a regular lot.
- The subject lot has a total area of 15,798 square feet.
- The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out 12 legal notices to surrounding property owners.

STAFF RECOMMENDATION:

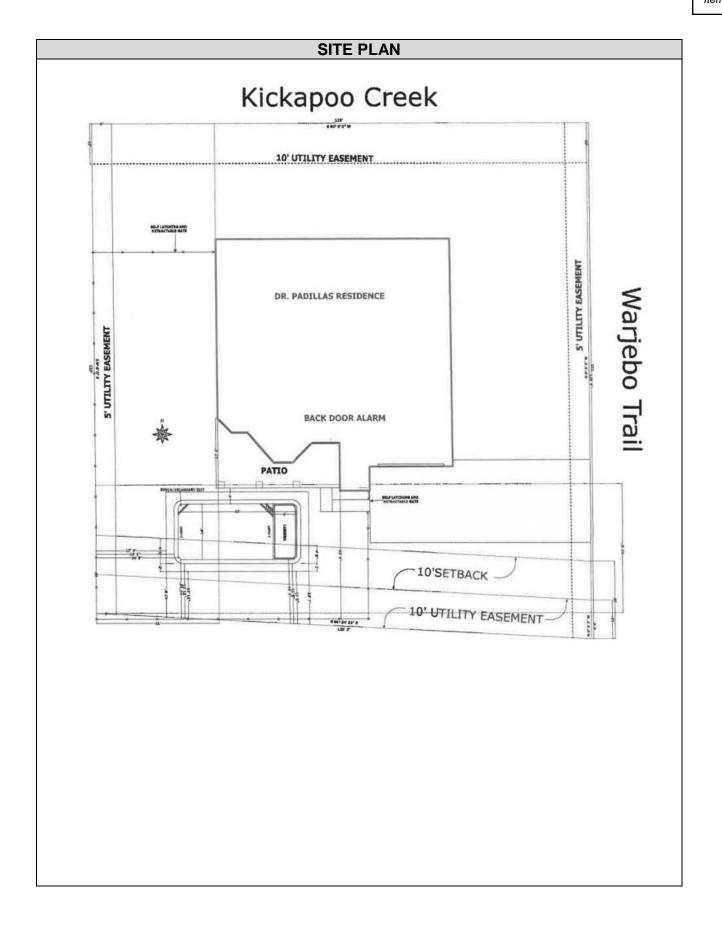
Staff recommends denial.

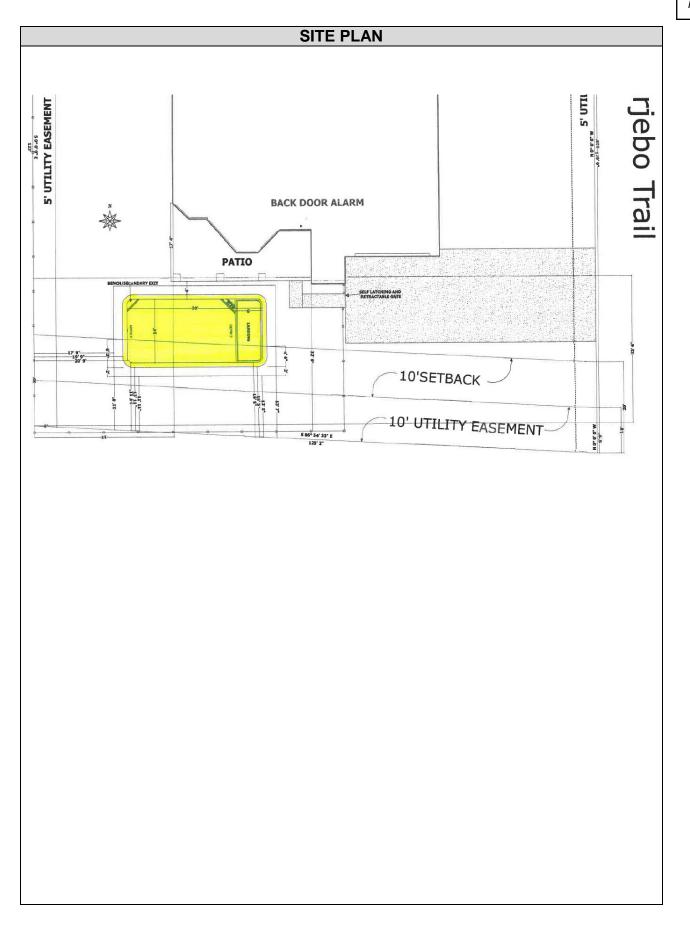
Item 7.

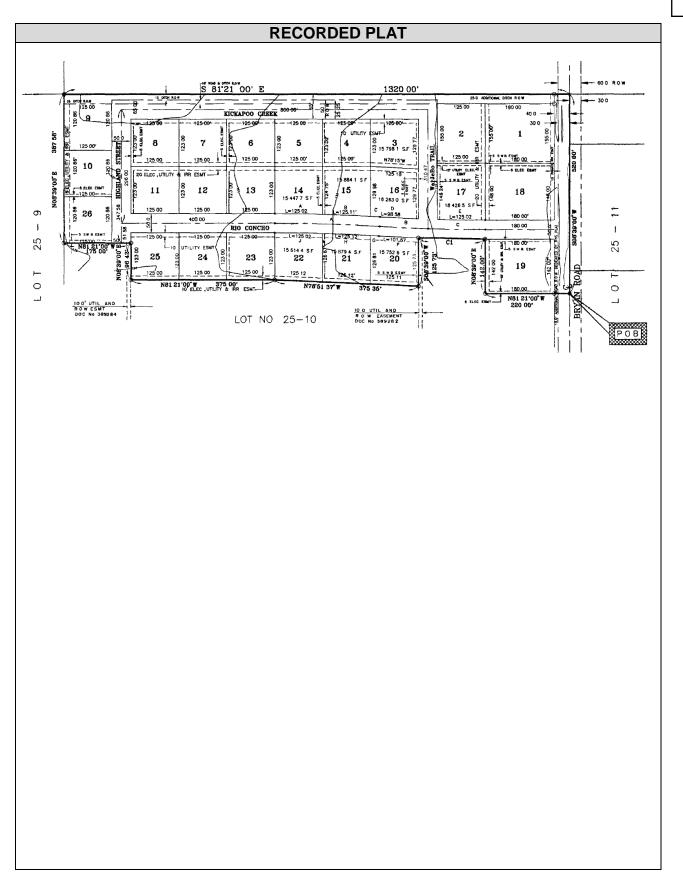
RECORD	OF VOTE:	APPROVED:	
		DISAPPROVED:	
		TABLED:	
	AYES		
	NAYS		
	DISSENTING		











82

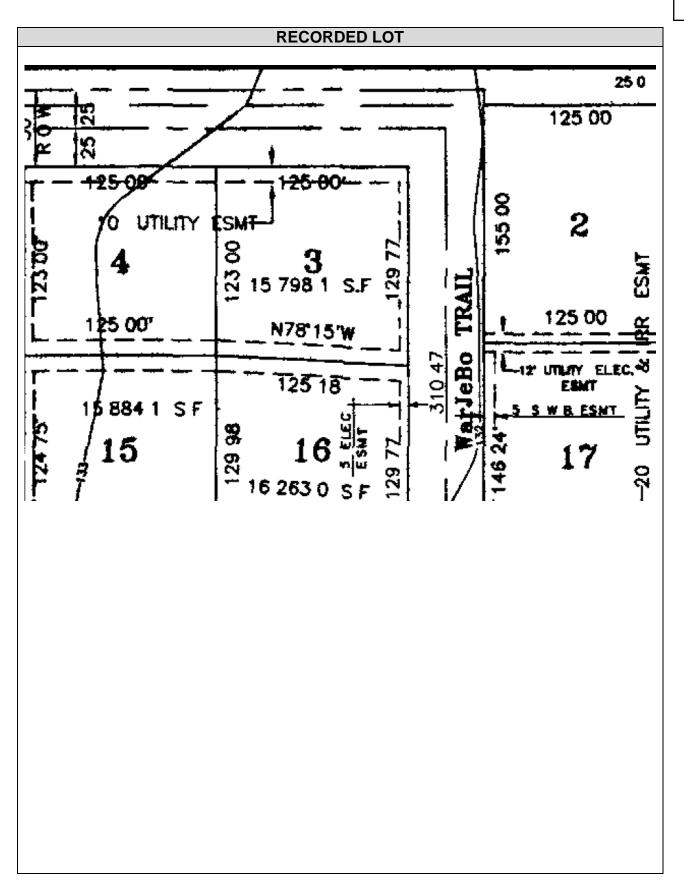
RECORDED PLAT NOTES

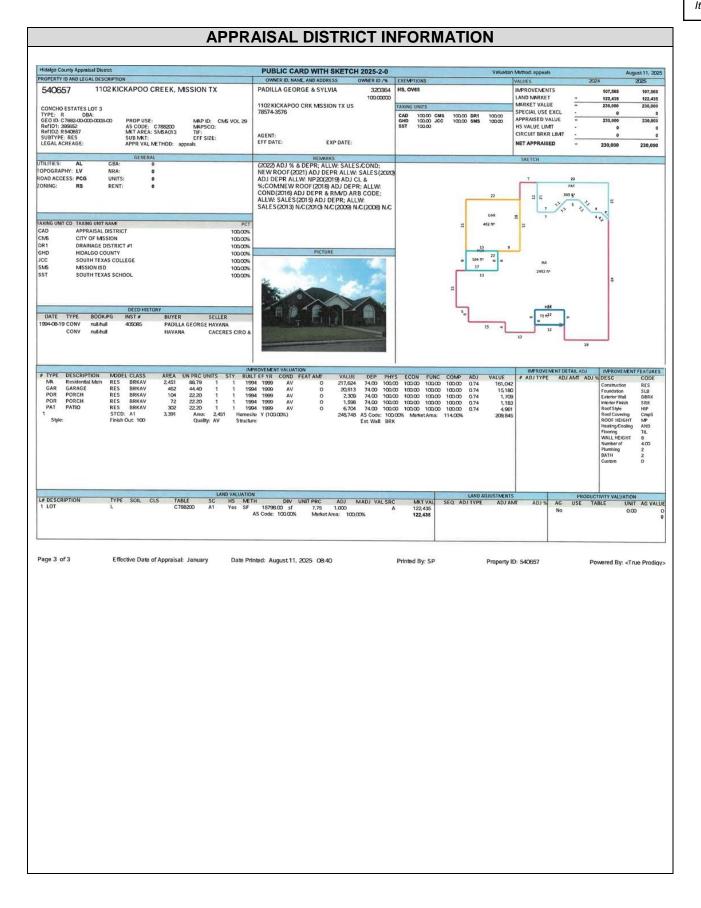
NOTES.

- 1 PROPOSED SETBACKS FRONT 30 FEET
 - REAR 20 FEET SIDE 6 FEET SIDE CORNER 30 FEET BRYAN ROAD 35 FEET

GARAGE DOOR 18 EXCEPT WHERE GREATER REQUIRED-

- 2 MINIMUM PERMISSIBLE FINISHED FLOOR ELEVATIONS FOR ALL BUILDING IMPROVEMENTS IS 15" ABOVE TOP OF CURB
- 3 ANTICIPATED HIGH WATER CREATED BY A 100 YEAR STORM WILL NOT, POND IN THIS SUBDIVISION THE SUBDIVISION IS IN ZONE "C" ON FEMA'S FLOOD INSURANCE RATE MAP COMM PANEL NO 480345 0005C NOV 20, 1991
- 4 BENCH MARK SQUARE CUT AT SW COR OF BRIDGE ELEVATION = 134 67
- 5 THIS SUBDIVISION SHALL BE REQUIRED TO RETAIN 1323 CF PER LOT
- 6 NO SIDEWALKS WILL BE REQUIRED
- 7 NO BUILDING PREMITTED OVER ANY EASEMENT
- 8 6 BUFFER FENCE REQUIRED ALONG THE NORTH SIDE OF LOTS 1 2 & 9
- 9 DITCH EASEMENT SHALL NOT BE FENCED OR HAVE OTHER IMPEDING STRUCTURES/IMPROVEMENTS
- 10 NO STRUCTURES OR FENCES BEYOND STREET SIDE SETSACK LINES ON ALL LOTS





MAILOUT LIST

PROP_ID	geoID	name	addrDelive	addrCity	addrState	addrZip
540676	C7882-00-000-0018-00	GARZA MIRIAM LIZETH	2175 E ADAM ST	ROMA	TX	78584-8779
540655	C7882-00-000-0001-00	SOTELO GILBERTO X & JESSICA A	2322 WARJEBO TRL	MISSION	TX	78574-2435
540680	C7882-00-000-0021-00	CARRILLO APOLINAR & MARIA E	1100 RIO CONCHO	MISSION	TX	78574-3514
540679	C7882-00-000-0020-00	SEPULVEDA MIREYA & HERIBERTO	1102 RIO CONCHO	MISSION	TX	78574-3514
674244	C7882-02-000-0035-00	CANALES EDMUNDO & ANN M	1106 RIO CONCHO	MISSION	TX	78574-3514
540675	C7882-00-000-0017-00	NUNEZ JUAN JOSE & MELISSA KING	2320 WARJEBO TRAIL	MISSION	TX	78574-2435
0						
540673	C7882-00-000-0015-00	OLIVARES RICARDO R	1101 RIO CONCHO	MISSION	TX	78574-3575
540657	C7882-00-000-0003-00	PADILLA GEORGE & SYLVIA	1102 KICKAPOO CRK	MISSION	TX	78574-3576
540672	C7882-00-000-0014-00	LOZANO EDUARDO & MELBA	1011 RIO CONCHO	MISSION	TX	78574-2433
540659	C7882-00-000-0005-00	GUTIERREZ MARIA M	1010 KICKAPOO CRK	MISSION	TX	78574-2400
540658	C7882-00-000-0004-00	VELA EDUARDO G & IDA	PO BOX 1993	MISSION	TX	78573-0032
540674	C7882-00-000-0016-00	AREVALO JOSE LUIS & DIANA L	1103 RIO CONCHO	MISSION	TX	78574-3575



AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: August 27, 2025

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

AGENDA ITEM: Public hearing and consideration of a variance to allow a 15' rear setback instead

of the required 20' off Glasscock Road for a pool house structure, being Lot 36, Shary Palms Unit No. 7 Subdivision, located at 2004 E. 20th Street, Applicant –

Guillermo Guerrero - Cervantes

NATURE OF REQUEST:

Project Timeline:

- August 07, 2025 Application for Variance Request submitted to the City
- <u>August 15, 2025</u> 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.
- <u>August 27, 2025</u> Public hearing and consideration of the requested variance by the Zoning Board of Adjustments.

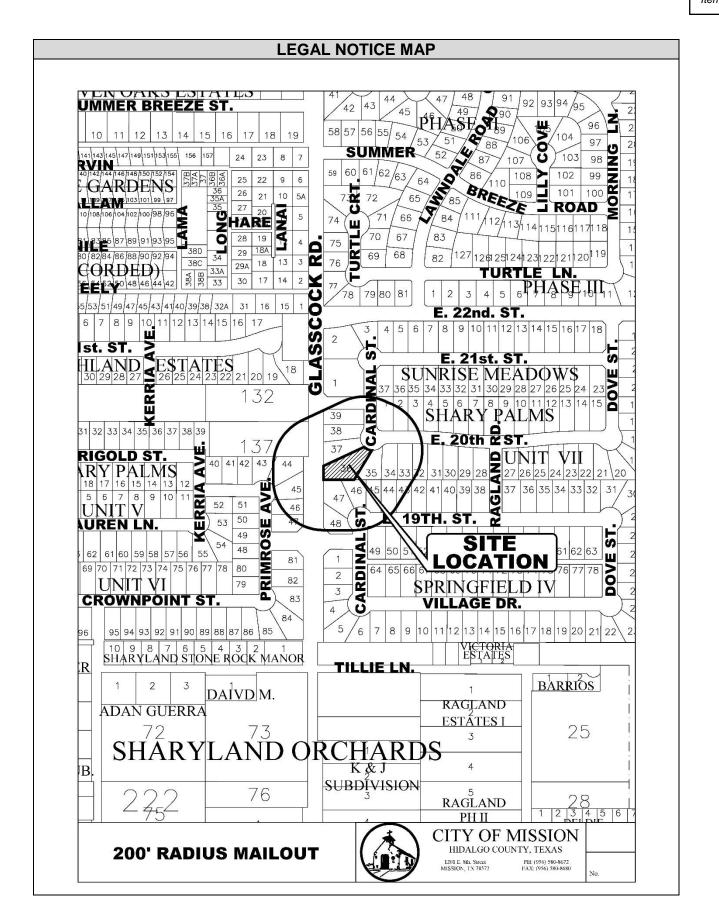
Summary:

- 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 off Glasscock Road: 20 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 at the cul-de-sac of Cardinal Street and E. 20th Street...
- The applicant is requesting a variance to construct a 790 square feet pool house within the 20' rear setback off Glasscock Road.
- The Shary Palms Unit 7 Subdivision was recorded on August 17, 1998. The subject property is irregular.
- The subject lot has a total area of 14,493 square feet.
- Section 1.37-2 (d), 1.371-2 (d), 1.372-2 (d), and 1.38-2 (h) of Appendix A of the Code of Ordinance
 of the City of Mission, Texas,
 - O An accessory use customarily related to a principal use authorized in this district. 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 a maximum size of 800 square feet.
 - The applicant's main living space is 2,780 square feet, with 40% of 1,112 square feet for non-living accessory structures.
 - The applicant's existing non-living area is 956 square feet

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Item	8.

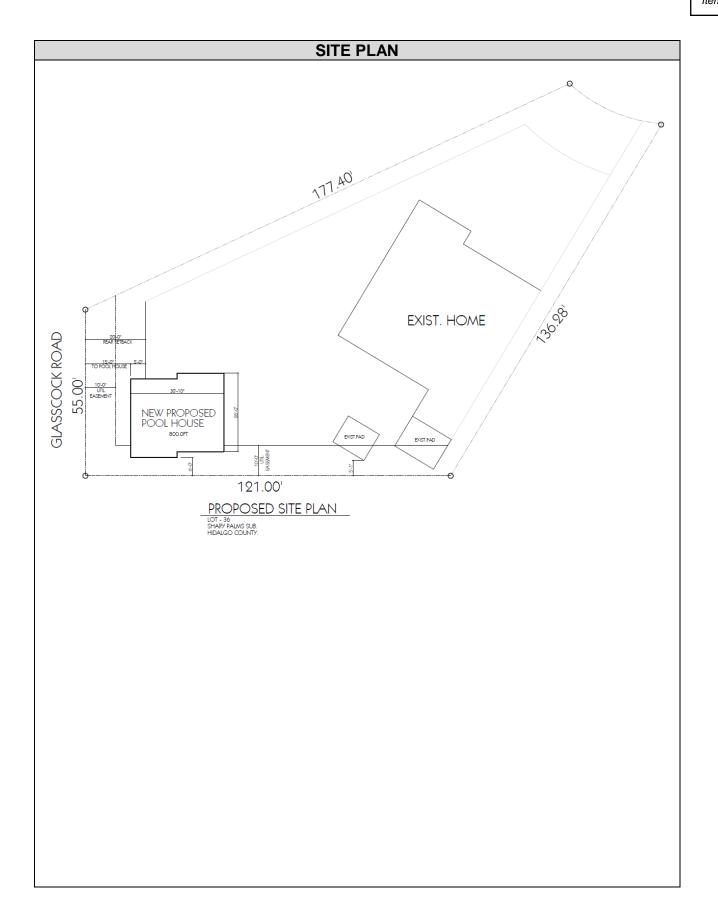
- The applicant is proposing a non-living structure of 790 square feet, which the total for non-living structure will be 1,746 square feet.
- The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out 27 legal notices to surrounding property owners.

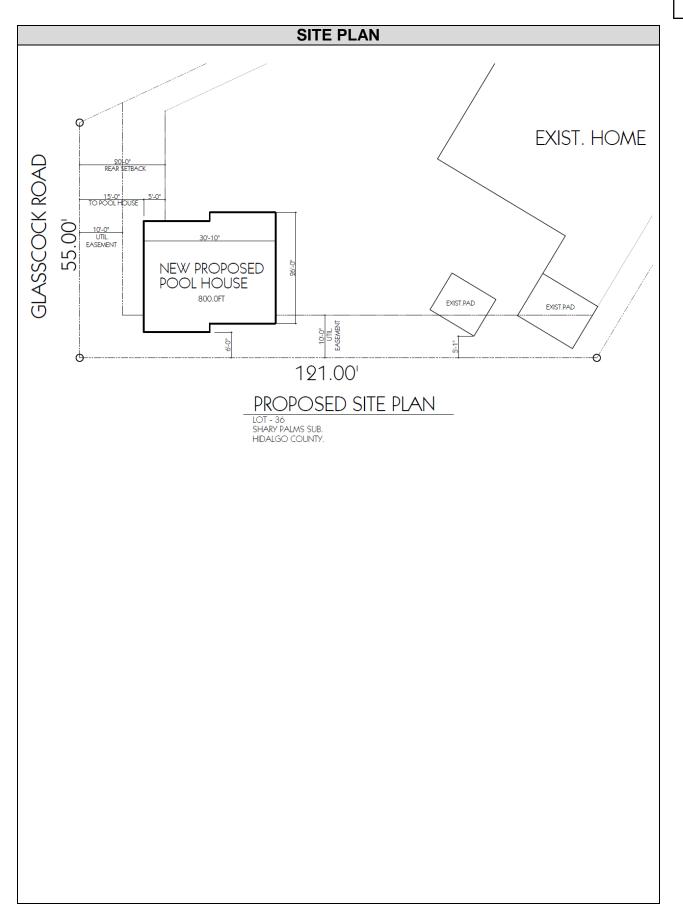
STAFF RECOMMENDATION Staff recommends denial.	ON:		
RECORD OF VOTE:	APPROVED: DISAPPROVED: TABLED:		
AYES			
NAYS			
DISSENTING			

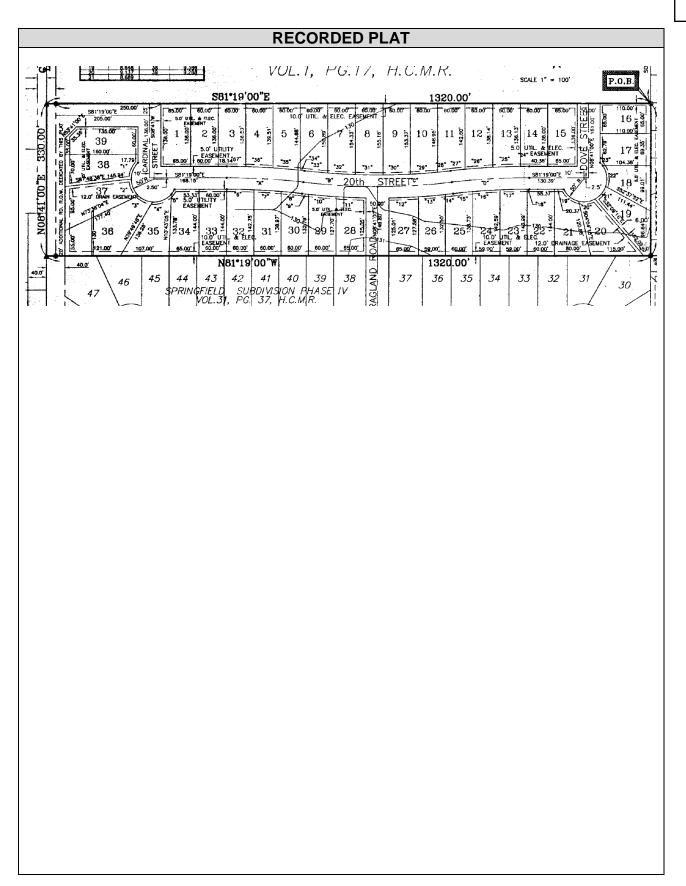


AERIAL MAP









RECORDED PLAT NOTES

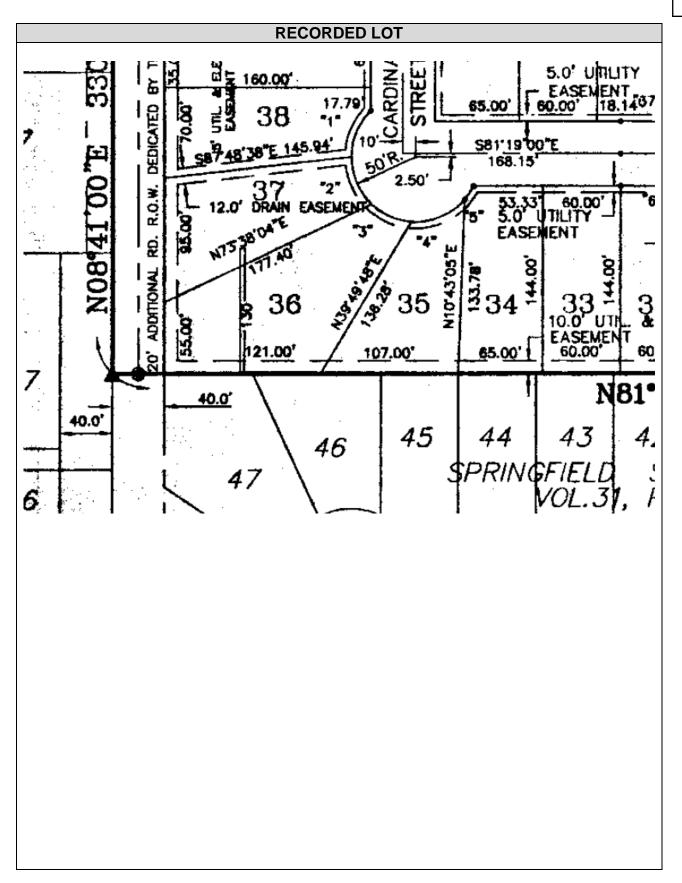
GENERAL NOTES:

The second ANTICIPATED WATER CREATED BY A 100 YEAR STORM WILL NOT POND IN THIS SUBDIVISION, THIS SUBDIVISION IS IN ZONE "X" ON FEMA'S FLOOD INSURANCE RATE MAP COMMUNITY PANEL No. 480345 0005C MAP REVISED NOVEMBER 20, 1991. ZONE "X" AREAS OF 500-YEAR FLOOD; AREAS OF 100-YEAR FLOOD WITH AMERICE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE LESS THAN 1 SQUARE MILE: AND AREAS PROTECTED BY LEVEES FROM 100-YEAR FLOOD

2. SETBACKS ARE AS FOLLOWS:

> GLASSCOCK: 20' FRONT: 20 FEET; 10 FEET AT CUL-DE-SAC, GARACE 18 FEET EXCEPT WHERE GREATER SETBACK IS REQUIRED REAR: 10 FEET SIDE: 8 FEET. AT STREET SHALL BE 10 FEET.

- MINIMUM PERMISSIBLE FINISHED FLOOR ELEVATIONS FOR ALL BUILDING IMPROYEMENTS IS 18" ABOVE NATURAL GROUND.
- BENCH MARK: "X" CUT SET ON TOP OF THE EAST SIDE BULT OF FIRE HYDRANT, FIRE HYDRANT LOCATED 20.50' WEST, & 55.00' NORTH OF THIS SUBDIMISION ELEY. = 133.18
- NO STRUCTURES PERMITTED OVER ANY EASEMENTS.
- EACH LOT SHALL BE REQUIRED TO RETAIN __1071_ CF. 그만 00 5.0' SIDEWALK REQUIRED ALONG GLASSCOCK RD. BY DEVEL 7. ALL OTHERS DURING PERMIT STAGE. ᄺᄑ D Ð ď. < Ω. n 可医 9 NO ENTRY TO LOTS 36-39 FROM CLASSCOCK ROAD. --TB: ut boo 6.0' FENCE BUFFER REQUIRED ALONG THE WEST SIDE_OF TOTS 2-39. 000 C to O ONLY ONE RESIDENCE PER LOT. 10. o z **∌** Di



APPRAISAL DISTRICT INFORMATION PUBLIC CARD WITH SKETCH 2025-1-0 PROPERTY ID AND LEGAL DESCRIPTION IMPROVEMENTS LAND MARKET MARKET VALUE SPECIAL USE EXCL APPRAISED VALUE HS VALUE LIMIT CIRCUIT BRIKR LIMIT 582186 2004 E 20TH ST, MISSION TX 78572 GUERRERO GUILLERMO & REBECCA 475154 HS 235,157 208,929 SHARY PALMS UT 7 LOT 36 TYPE: R DBA: GEO ID: S2973-000-0036-00 Ref ID1: 419909 Ref ID2: R582106 SUBTYPE: RES LEGAL ACREAGE: GAD 100.00 CMS 100.00 DR1 100.00 GHD 100.00 JCC 100.00 SSL 100.00 SST 100.00 PROP USE: MAP ID: CMS VOL 33 AS CODE: S297397 MAPSCO: MKT AREA: SSLA010 TIF: SUB MKT: EFF SIZE: FFF SIZE: NET APPRAISED EXP DATE: 303,747 300,235 (2025) CONV GAR TO ENC (2022) NEW STG & CAN (2017) ADJ MA DIMS: NEW CAN & DECK: (2013) ADJ % & RAWD DEPR 2013; NEWER ROOF(2010) ADJ CL & DEPR 2010; ALLW: SALES(2009) ADJ CL 09(2008) ADJ CL 07(2007) ADJ CL 07(2006) NEW IMPS 05(2005) NEW IMPS 05 GENERAL UTILITIES: AL,HY TOPOGRAPHY: LV ROAD ACCESS: PCG ZONING: RS TAXING UNIT CD TAXING UNIT NAME CAD APPRAISAL DISTRICT CMS CITY OF MISSION DR1 DRAINAGE DISTRICT #1 GHD HIDALGO COUNTY 100.00% 100.00% 100.00% 100.00% SOUTH TEXAS COLLEGE SHARYLAND ISD SOUTH TEXAS SCHOOL DATE TYPE BOOK/PG SELLER GUERRERO RODRIGUEZ DIZDAR & YANCY RODRIGUEZ DIZDAR & YANCY CACERES CIRO & 2001-11-21 WDV 1999-07-30 SVD CONV null/null null/null null/null 1027381 794896 # TYPE DESCRIPTION MODEL CLASS MA Residential Main RES MKYAV ENC ENCLOSED ADD RES MKYAV POR PORCH RES MKYAV CAN CANOPY RES MKYAV CAN CANOPY RES MKYAV CAN CANOPY RES MKYAV STO STORAGE RES MKYAV SKWE: FINISH OUT. 100 DEP 80,00 99,00 80,00 99,00 99,00 98,00 99,00 AS Code: Ext. Wall: VALUE 196,736 35,107 2,120 1,148 392 2,160 5,415 243,078 ECON 100.00 100.00 100.00 100.00 100.00 100.00 100.00 FUNC 100.00 100.00 100.00 100.00 100.00 100.00 COMP 100.00 100.00 100.00 100.00 100.00 100.00 100.00 AREA UN PRC UNITS PHYS 100.00 100.00 100.00 100.00 100.00 100.00 100.00 100.00 94.80 76.32 21.20 4.5 3.5 9.0 15.0 Area: Quality: 1 2004 1 2004 1 2004 1 2004 1 2016 1 2016 1 2019 1 2020 Homesite Structure: 157,389 34,756 1,696 1,137 388 2,117 5,361 208,929 TYPE SOIL CLS TABLE S297307 L# DESCRIPTION LOT L T6 ALLW 19;ALLW:CUL-DE-SAC Date Printed: August 11, 2025 12:12 Printed By: KF Property ID: 582186 Powered By: <True Prodigy>

MAILOUT LIST

PROP_ID	geoID	name	addrDelive	addrCity	addrState	addrZip
684222	\$7355-00-000-0001-00	RAMIREZ JAIME & ANGELICA	1822 N GLASSCOCK RD	MISSION	TX	78572-3127
582152	S2973-07-000-0002-00	DREUMONT GLADYS CARLA	2009 E 20TH ST	MISSION	TX	78572-3224
582153	S2973-07-000-0003-00	LEVECK MATTHEW	2011 E 20TH ST	MISSION	TX	78572-3224
582151	\$2973-07-000-0001-00	AYALA MINERVA	2007 E 20TH ST	MISSION	TX	78572-3224
582188	\$2973-07-000-0038-00	ESPARZA FERNANDA	2001 CARDINAL ST	MISSION	TX	78572-3459
556895	\$5451-04-000-0049-00	GALLOSO LILLIE MARIE	2006 E 19TH	MISSION	TX	78572-3285
582189	\$2973-07-000-0039-00	GUZMAN JUAN F	2003 CARDINAL ST	MISSION	TX	78572-3459
556889	\$5451-04-000-0043-00	BERRONES VICTOR A & SYLVIA A	2011 E 19TH ST	MISSION	TX	78572-3286
556890	\$5451-04-000-0044-00	WESTON ROBERT H & CRISTA A	2009 E 19TH ST	MISSION	TX	78572-3286
582187	S2973-07-000-0037-00	PEREZ EVANGELINA SALDANA	2002 EAST 20TH STREET	MISSION	TX	78572-3201
563559	\$2973-05-000-0044-00	VERA MARIA G DE HURTADO	1823 LAUREN LN	MISSION	TX	78572-3158
563561	\$2973-05-000-0046-00	VILLANUEVA ERICK A ALONSO	1704 PRIMROSE AVE	MISSION	TX	78572-3149
563560	\$2973-05-000-0045-00	CHAVEZ FIDEL JR & IRMA	1706 PRIMROSE AVE	MISSION	TX	78572
563558	\$2973-05-000-0043-00	HICKS THOMAS A & LORI M	3045 LADOGA AVE	LONG BEACH	CA	90808-4017
563562	\$2973-05-000-0047-00	RODRIGUEZ CASEY JEREMIAH	13919 N 34TH LN	MCALLEN	TX	78504-6717
283535	S3000-00-000-0137-00	BON GEORGE & SUE	1811 N GLASSCOCK RD	MISSION	TX	78572-3128
556894	\$5451-04-000-0048-00	MARTINEZ JENNY G & LAZARO	PO BOX 720189	MCALLEN	TX	78504-0189
556893	\$5451-04-000-0047-00	GALVAN CLAUDIO ALEJANDRO	1903 CARDINAL ST	MISSION	TX	78572-3472
556892	\$5451-04-000-0046-00	VARELA ALEJANDRO	2005 E 19TH ST	MISSION	TX	78572-3286
556891	\$5451-04-000-0045-00	SALINAS FERNANDO & BRIANA RODRIGUEZ	2007 E. 19TH ST.	MISSION	TX	78572
556888	\$5451-04-000-0042-00	PENA SERGIO & BEATRIZ GONZALEZ	2013 E 19TH ST	MISSION	TX	78572-3286
582184	\$2973-07-000-0034-00	MALDONADO JESUS E LEAL	2008 E 20TH ST	MISSION	TX	78572-3201
582183	\$2973-07-000-0033-00	MAYORGA GUADALUPE A LEAL & SILVIA TREVINO E	2010 E 20TH ST	MISSION	TX	78572-3201
582185	\$2973-07-000-0035-00	MARTINEZ MOISES & PAULA	2006 E 20TH ST	MISSION	TX	78572-3201
582186	\$2973-07-000-0036-00	GUERRERO GUILLERMO & REBECCA	2004 E 20TH ST	MISSION	TX	78572-3201
582182	S2973-07-000-0032-00	GARZA JESUS J J R & CRISELDA C	2012 E 20TH ST	MISSION	TX	78572-3201
283532	53000-00-000-0132-00	BORREGO ELIBORIO JR & MARIA MAGDALENA	1815 N GLASSCOCK RD	MISSION	TX	78572-3128



AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: August 27, 2025

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

AGENDA ITEM: Public hearing and consideration of a variance request to allow a 0 foot west side

setback instead of the required 6 foot side setback, being Lot 2, Holland Terrace Subdivision, located at 723 W. 25th Street, Applicant: Steve Spoor – Cervantes

NATURE OF REQUEST:

Project Timeline:

July 30, 2025 – Application for Variance Request submitted to the City.

- August 15, 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 and notice of public hearing was published in the Progress Times.
- August 27, 2025 Public hearing and consideration of the requested variance by the Zoning Board of Adjustments (ZBA).

Summary:

- The request is for a variance not to comply with Plat Note #2, which states: Lot 2 West Side 6 feet, and Section 1.372(5)(g) of the Mission Code of Ordinances, which states:
 - Minimum width of side setback:

Internal lot: 6 feet
 Corner lot: 10 feet

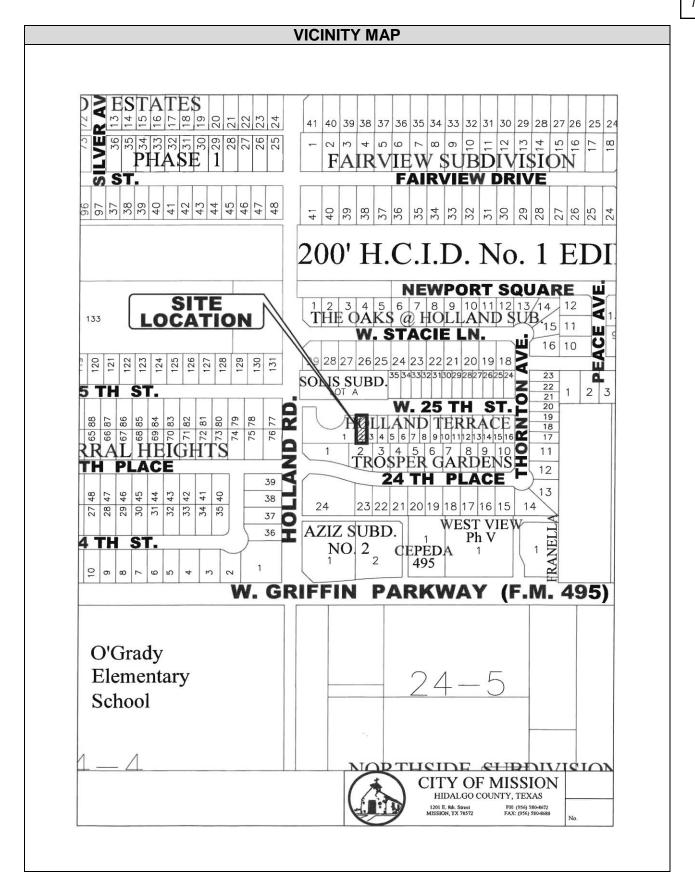
- Minimum distance from the public right-of-way to the entrance to a garage or enclosed carport, unless otherwise approved by the Zoning Board of Adjustments: 18 feet.
- Where a building setback has been established by plat or ordinance and such setback requires a greater or lesser setback than is prescribed 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 applicant is requesting a variance to allow a 0 foot side setback on the west side of Lot 2 in order to match the ordinance setback for the adjacent Lot 3. Lot 1 is a stormwater detention area and will not have a building on it.
- Holland Terrace Subdivision was recorded on May 15, 2025. The regular lot measures 36 feet in width by 100 feet in length for a total of 3,600 square feet. The site is located approximately 200 feet east of Holland Road along the south side of W. 25th Street.
- The lot is currently vacant. The applicant would like to construct a townhome.
- The lots surrounding the subdivision are developed as Single-Family Residences.
- The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out 19 legal notices to surrounding property owners.
- Staff notes that this is a fairly new subdivision, and no variances have been considered nor granted by ZBA.

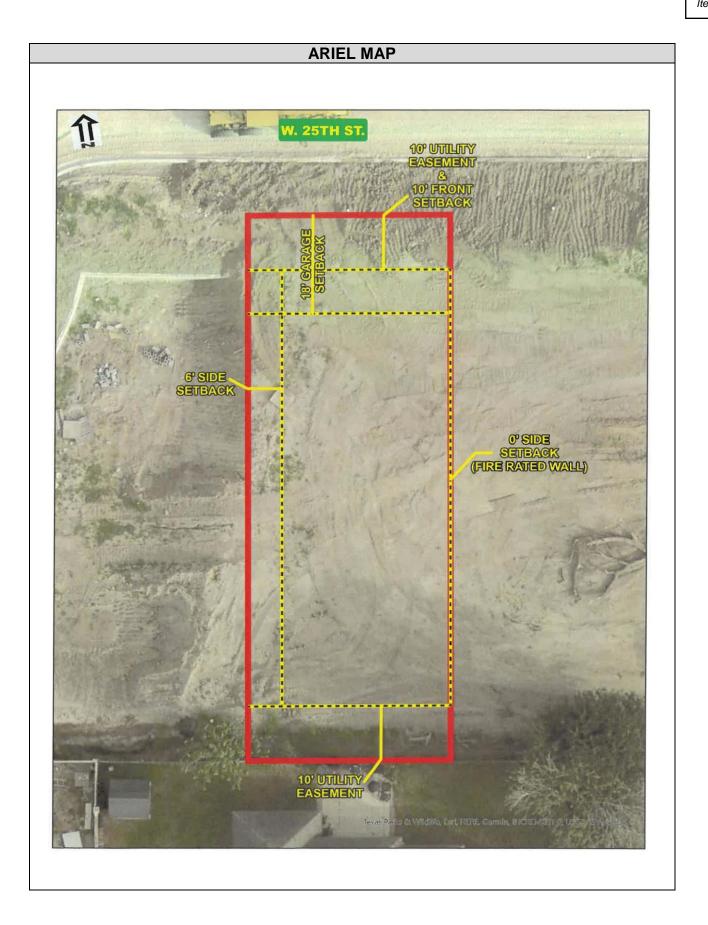
- The City of Mission Code of Ordinances Appendix A Zoning, Section 1.17 states ZBA may:
 - "Permit the reconstruction, extension, or enlargement of a building occupied by a nonconforming use on the lot or tract occupied by such building provided such reconstruction does not prevent the return of such 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 state law, HB 1475, 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:

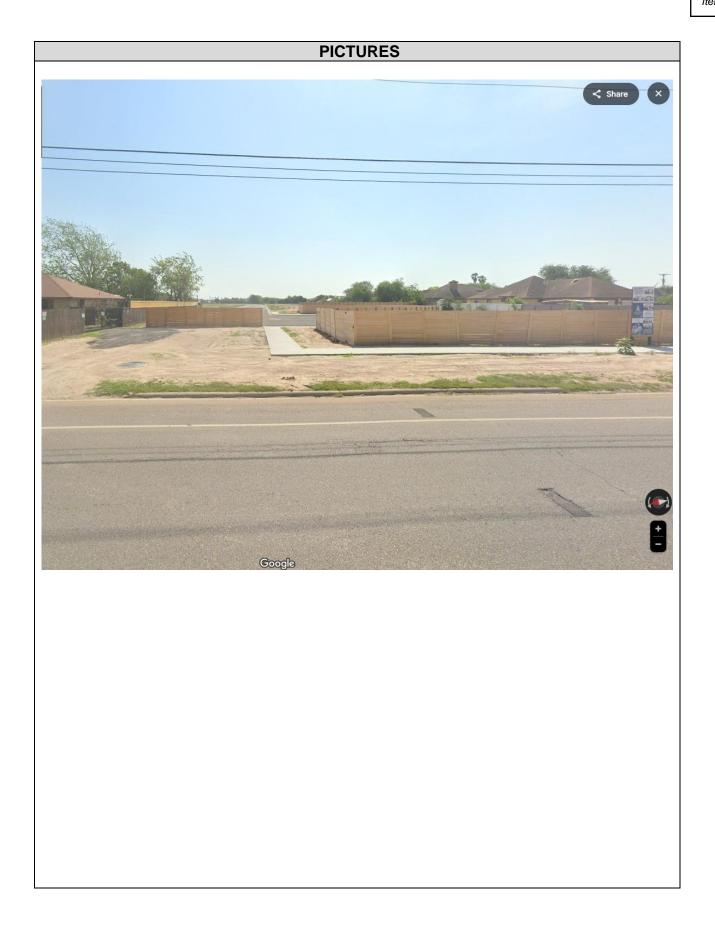
Staff recommends approval of the variance request.

RECORD OF VOTE:	APPROVED: DISAPPROVED: TABLED:	
AYES		
NAYS		
DISSENTING		









PROJECT DIRECTORY

OWNER:

OWNER: Leopoldo Perez 3009 San Rodrigo Mission, TX 78572 Phone: 956-343-6061 Email: rachel25319@gmail.com

DESIGNER:

DESIGNER: Jaclyn Duncan 804 Pecan Boulevard, #113 McAllen, TX 78501 Phone: 956-443-3910 Email: jaclyn1713@gmail.com

STRUCTURAL ENGINEER: Contact: Atlas Engineering Consultants 2820 Gull Ave. McAllen, TX 78504 Phone: 956-379-3857 Email: lcastillo.atlas@gmail.com

DONGE	TRUE 9-65T
(21)6)	DIFA: SITEM
2200	SURVEY BY OTHERS
3716	TENT 11-TARRECUSE
SELLY	FLOOR PLANT : FARMHOUSE
5117	TORNELLE PLAY 1 - EXBM-00.05
A1123	PLAY: ROF-FARMANIAG
SHIP	TRESPORTED AND THE
45128	PLAY BY BOOK ELEMINA FOR STORY
A2423	PLANTS CHORS-THEM COSE
5119	PLANT MALL SECTIONS FARMING IS.
With	REMARK
AZI .	CHAIS
WEE.	PURE INFRERE INSIDES
4EE	PLANTISCHEDULES - FARMHOUSE
EHICE	ELECTRICAL PLANT - FARV ROUSE

PROJECT DESCRIPTION

BUILDING NOTES

CONDITIONED AREA:	1,155 SF
GARAGE AREA:	240 SF
TOTAL AREA:	1,395 SF
STORIES:	1
MAX BUILDING HEIGHT:	20'-0"
CONSTRUCTION TYPE:	V
OCCUPANCY TYPE/LOADS:	R-3

EXISTING LAND USE: VACANT PROPOSED USE: RESIDENTIAL FLOOD ZONE: SITE AREA:

BUILDING SETBACKS: SEE SITE PLAN

FIRE SPRINKLER/ALARM: NO

APPLICABLE CODES

2021 INTERNATIONAL RESIDENTIAL CODE

ALL CURRENT CITY OF MISSION, TX CREINANCES

HOLLAND TERRACE RESIDENCES LOT 2 - PLAN 1 - FARMHOUSE



HOLLAND TERRACE SUBDIVISION 723 W. 25TH STREET MISSION, TX 78574 A CONTRACTOR DESCRIPTION DATE

GENERAL NOTES

SENERAL NOTES

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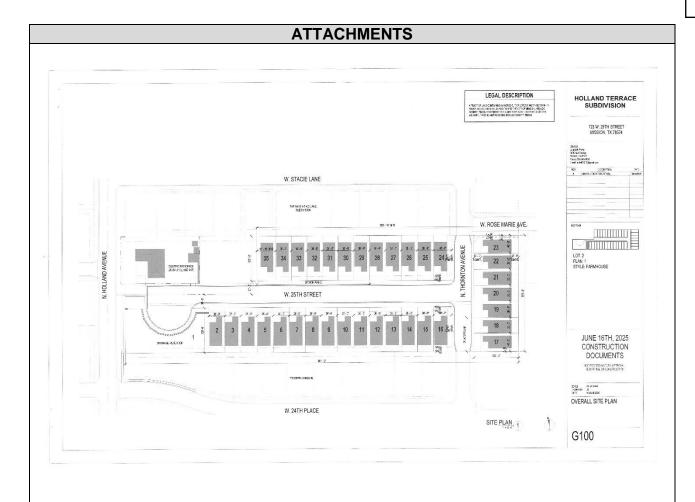
1. THE CONTROL OF THE

JUNE 16TH 2025 CONSTRUCTION

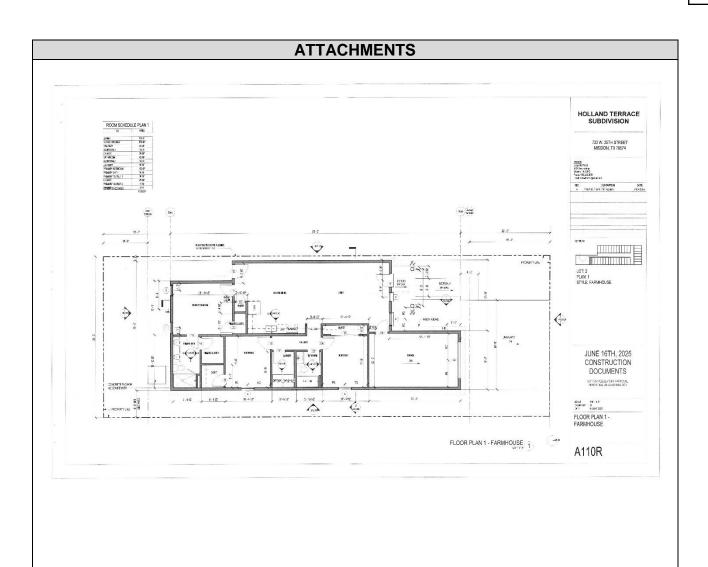
DOCUMENTS NOT FOR RECEIVED BY GENERAL POINTING OR CONSTRUCTION

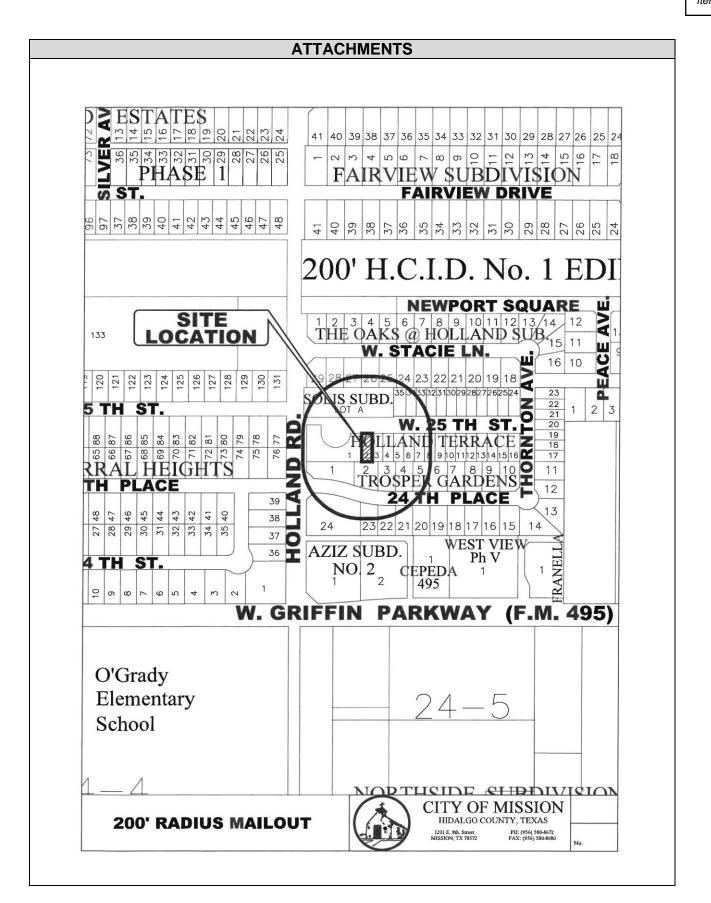
TITLE SHEET PLAN 1 -FARMHOUSE

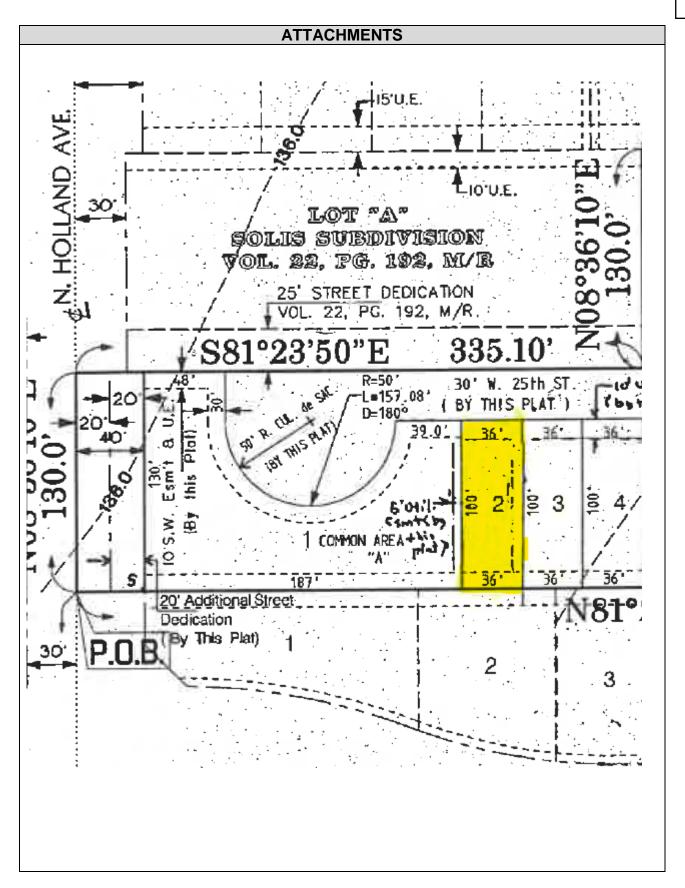
G010R



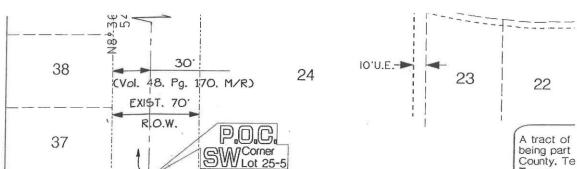
ATTACHMENTS NOLINE MARIE AVE. THE DAKS AT HOLLAND 23 22 21 20 FASSMENT S 81°23'50" E 19 18 85 27 26 25 585.90 8°36'10"E 15.0' IRRIGATION EASEMENT J LOT "A" SOLIS SUBBIVISION 15.0' IRRIGATION EASEMENT _ (VOL. 22, PG. 193, H.C.M.R.) 280 N08°36'10"E-18.00' HOLLAND AVENUE \$81°23'50"E 2 2 S81°23'50"E □ 185.10° 4.44 ACRES CORNELTO PEREZ JR. (VOL. 1766, PG. 290, HC.D.R.) SO STREET DEDICATION ONDT OPEN (VOL. 22, PG 193, HCMR) N 81°23'50" W THORNTON AVE. 921.00 P.O.B. 11 10 2 TROSPER GARDENS 10.0" UTILITY _ NOTES: 1. THIS SUPPLY HAS PREPARED IN CONNECTION WITH FIREINT NATIONAL TITLE INSLANCE COMPANY OF IN. SHASTR, AND DOES NOT CUMPANTY ITTLE, THIS SUPPLY IS TON THE EXCLUSIVE OF THE CHILD THE COPY. 1. THIS SUPPLY HAND FREECH AND MAY NOT BE COPYED ON TRANSFERRED TO ANOTHER PARTY WITHOUT THE COPY. 1. THIS SUPPLY HAND FREECH AND MAY NOT BE COPYED ON TRANSFERRED TO ANOTHER PARTY WITHOUT THE COPY. 1. THIS SUPPLY HAND FREECH AND MAY NOT BE COPYED ON TRANSFERRED TO ANOTHER PARTY WITHOUT THE COPY. 1. THIS SUPPLY HAND FREECH AND MAY NOT BE COPYED ON TRANSFERRED TO ANOTHER PARTY WITHOUT THE COPY. 1. THIS SUPPLY HAND FREECH AND MAY NOT BE COPYED ON TRANSFERRED TO ANOTHER PARTY WITHOUT THE COPY. 1. THIS SUPPLY HAND FREECH AND MAY NOT BE COPYED ON TRANSFERRED TO ANOTHER PARTY WITHOUT THE COPY. 1. THIS SUPPLY HAND FREECH AND MAY NOT BE COPYED ON TRANSFERRED TO ANOTHER PARTY WITHOUT THE COPY. 1. THIS SUPPLY HAND FREECH AND MAY NOT BE COPYED ON TRANSFERRED TO ANOTHER PARTY WITHOUT THE COPY. 1. THIS SUPPLY HAND FREECH AND MAY NOT BE COPYED ON THE PARTY WITHOUT THE COPY. 1. THIS SUPPLY HAND FREECH AND MAY NOT BE COPY. 1. THIS SUPPLY HAND FREECH AND MAY NOT BE COPY. 1. THIS SUPPLY HAND FREECH AND MAY NOT BE COPY. 1. THIS SUPPLY HAND FREECH AND MAY NOT BE COPY. 1. THIS SUPPLY HAND FREECH AND MAY NOT BE COPY. 1. THIS SUPPLY HAND FREECH AND MAY NOT BE COPY. 1. THIS SUPPLY HAND FREECH AND MAY NOT BE COPY. 1. THIS SUPPLY HAND FREECH AND MAY NOT BE COPY. 1. THIS SUPPLY HAND FREECH AND MAY NOT BE COPY. 1. THIS SUPPLY HAND FREECH AND MAY NOT BE COPY. 1. THIS SUPPLY HAND FREECH AND MAY NOT BE COPY. 1. THIS SUPPLY HAND FREECH AND MAY NOT BE COPY. 1. THIS SUPPLY HAND FREECH AND MAY NOT BE COPY. 1. THIS SUPPLY HAND FREECH AND MAY NOT BE COPY. 1. THIS SUPPLY HAND FREECH AND MAY NOT BE COPY. 1. THIS SUPPLY HAND FREECH AND MAY NOT BE COPY. 1. THIS SUPPLY HAND FREECH AND MAY NOT BE COPY. 1. THIS SUPPLY HAND FREECH AND MAY NOT BE COPY. 1. THIS SUPPLY HAND FREECH AND MAY NOT BE COPY. 1. THIS SUPPLY HAND FREECH AND MAY NOT First survey <u>does not</u> been an <u>decorm.</u> Seal and scontupe, if is <u>invalid</u> as per section 643.10 of the 'the professional land surveying practices act' directly under anticle space, vermon's toxes one stratures. 3. THIS CERTIFICATION IS MODE TO THE HEIREN NAMED CLIENT, IT IS NOT TRANSFERMILE NOR, CERTIFIED TO ANY OWNER OR FUTURE OWNER OR FUTURE LENDING INSTITUTIONS, CERTIFICATION HEIREN WILL EXPINE 8 MONTHS FROM THIS DATE AS NOTED, ON THIS PLAT AND MAY NOT BE UTILIZED FOR ANY SPECIFIC FUTURE TRANSACTION OF THIS HEREN HAMED REAL ESTATE. HEREN WILL LIPPINE S MISHING TROM HIS DATE AS HOUTDON HIS PLAN HOW WIN HOT WE VILLAGE. 4. ELECTRON, RALES, REQUALATIONS AND ROUTES IN FANCE OF WHITE DIFFERENCE OF SERVICE PROBLEMATION. FEEDOD DESIGNATION. FEEDOD DESI This plot is a true and correct representation of a survey made on the ground of the property located of 2401 N. HOLLAND. AVENUE. MISSION. HIGHORY COURTY CASES. THE STANDING MEMORY COUNTY THE STANDING MEMORY COUNTY THE STANDING MEMORY THE STANDIN Flood Zone is determined by graphic plotting only. We do not assume responsibility for exact determination.







ATTACHMENTS



NOTES:

1. FLOOD ZONE STATEMENT: FLOOD ZONE DESIGNATION: ZONE "X" (SHADE) - COMMUNITY

PANEL NUMBER 480 345 0005C MAP REVISED NOVEMBER 20, 1991. "X" (SHADE) IS DESCRIBED AS " AREA OF MODERATE FLOOD HAZARD, USUALLY THE AREA BETWEEN THE LIMITS OF 100-YEAR AND 500-YEAR FLOODS."

2. MIN. BUILDING SETBACK LINES TO BE IN ACCORDENCE WITH CITY OF MISSION ORDINANCE REQUIREMENTS, EXCEPT AS FOLLOWS:

LOT 2 WEST SIDE - 6 FEET;

LOT 17 SOUTH SIDE - 6 FEET;

LOT 23 NORTH SIDE - 6 FEET:

LOT 35 WEST SIDE - 6 FEET.

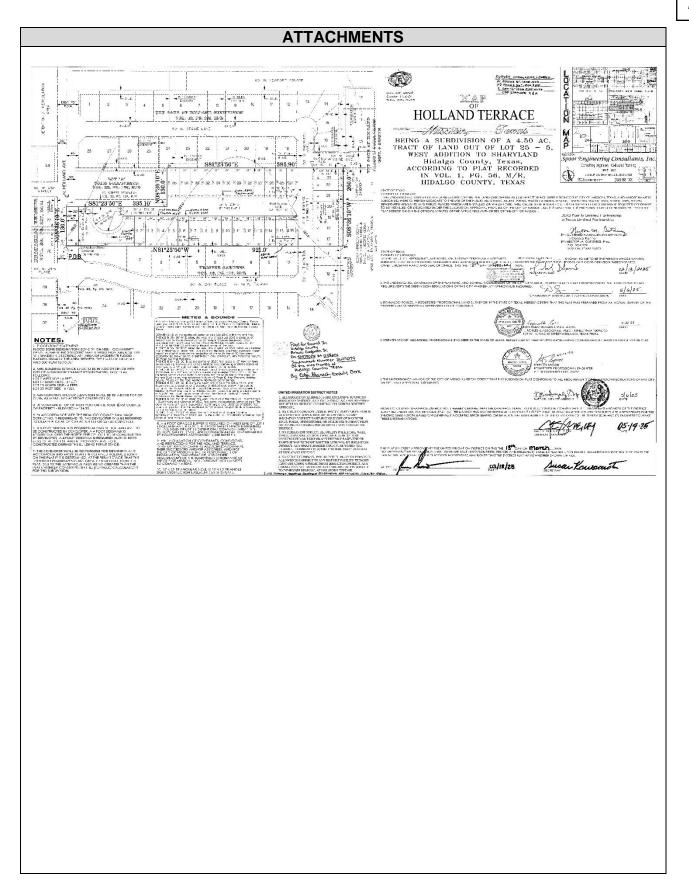
- 3. MINIMUM FINISH FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB. AS MEASURED AT FRONT CENTER OF LOT.
- 4. BENCHMARK IS TOP OF IRON ROD ON THE SOUTHEAST CORNER OF PROPERTY - ELEVATION=134.53
- 5. IN ACCORDANCE WITH THE HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 REQUIREMENTS, THIS DEVELOPER WILL BE REQUIRED TO DETAIN A TOTAL OF 0.54 ACRE-FEET OR 23,560 CUBIC FEET.
- 6. A 5 FOOT SIDEWALK IS REQUIRED ALONG N. HOLLAND AVE. TO BE CONSTRUCTED BY DEVELOPER. A 4 FOOT SIDEWALK IS REQUIRED ALONG THE NORTH LINE OF LOT 1 TO BE CONSTRUCTED BY DEVELOPER. A 4 FOOT SIDEWALK IS REQUIRED ALONG BOTH SIDES OF W. 25TH ST. AND N. THORNTON AVE. TO BE CONSTRUCTED DURING THE BUILDING PERMIT STAGE.
- 7. THE DEVELOPER SHALL BE RESPONSIBLE FOR DETAINING AND ACCOMODATING MORE THAN THE DETAINED VOLUME SHOWN ON THIS PLAT IF IT IS DETERMINED, AT THE PERMIT STAGE, THAT THE DETENTION REQUIREMENTS ARE GREATER THAN STATED ON THIS PLAT, DUE TO THE IMPERVIOUS AREA BEING GREATER THAN THE PLAT ENGINEER CONSIDERED IN THE HYDRAULIC CALCULATIONS FOR THIS SUBDIVISION.

being part County, Te Texas.

COMMENCI THENCE N 540.00 fee reference: ' POINT OF THENCE N Ave. a dist hereof, said dedication 22, Page 19 THENCE S on the east 335.1 feet, THENCE N 130.00 feet. northeast c Holland Sut County, Tex THENCE'S Subdivision corner of T Number 203 of 585,90 f Subdivision. THENCE S II Subdivision comer of sa distance of Trosper Gai THENCE N : Subdivision acres of lar

- 8. A 6 FC (HOLLA ON ALL: **BUFFERS** BY HOM
- 9. THE DI AND RES DEVELO THEIR SU THE CITY INSTALLA REQUIRE THE CITY TO COM

10. 15' x SIGHT OF



MAILOUT LIST

PROP_ID name	addrDelive	addrCity	addrState	addrZip
316980 JJAB FAMILY LIMITED PARTNERSHIP	PO BOX 279	MISSION	TX	78573-0005
693057 GALLEGOS JUAN MANUEL	713 W 24TH PL	MISSION	TX	78574-2743
693056 GUTIERREZ SILVIA & RUBEN	711 W 24TH PL	MISSION	TX	78574-2743
693034 CANALES ARNULFO	929 BOWEN ST	MISSION	TX	78572-3606
693035 PINA JAIME & IDANIA	716 W 24TH PL	MISSION	TX	78574
693036 GARZA GUALBERTO JR & JESENIA LEE GOMEZ	712 W 24TH PL	MISSION	TX	78574-2751
693055 OLIVAREZ ROSA ANA	709 W 24TH PL	MISSION	TX	78574-2743
709961 RAMIREZ DANIEL A & GRACIELA	917 BURRUS ST	MISSION	TX	78572-3633
709962 ORNELAS SAHAID EDUARDO	717 W STACIE LN	MCALLEN	TX	0
286036 PEREZ CORNELIO JR & SANDRA	2406 N HOLLAND AVE	MISSION	TX	78574-2249
693040 PADILLA ROBERTO	704 W 24TH PLACE	MISSION	TX	78574-2751
693039 SALINAS MARIO S & MARTINA L	706 W 24TH PL	MISSION	TX	78574-2751
693037 MARTINEZ JOSE S	710 W 24TH PL	MISSION	TX	78574-2751
693038 BIRES RENTAL PROPERTIES LLC	3809 N 8TH COURT UNIT #4	MCALLEN	TX	78501-1777
709960 SOLIS JOSE L & CYNTHIA E	713 STACIE LN	MISSION	TX	78574-2745
286037 PEREZ CORNELIO JR & SANDRA	2404 N HOLLAND AVE	MISSION	TX	78574-2249
709959 OZUNA MARIA	711 STACIE LN	MISSION	TX	78574-2745
709958 LABOY CARMEN	709 W STACIE LN	MISSION	TX	78574-2745
709957 ALFARO HUGO & ELSA	707 STACIE LN	MISSION	TX	78574-2745



AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: August 27, 2025

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

AGENDA ITEM: Public hearing to reconsider a variance to allow a 6' rear setback instead of the

required 10' for a 21' x 21' outdoor patio structure, being Lot 92, The Legends at Cimarron Subdivision, located at 1713 Audrey Drive, Applicant – Conne A. Gomez

- Cervantes

NATURE OF REQUEST:

Project Timeline:

- June 1, 2025 Application for Variance Request submitted to the City
- August 15, 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.
- <u>August 27, 2025</u> Public hearing and consideration of the requested variance by the Zoning Board of Adjustments.

Summary:

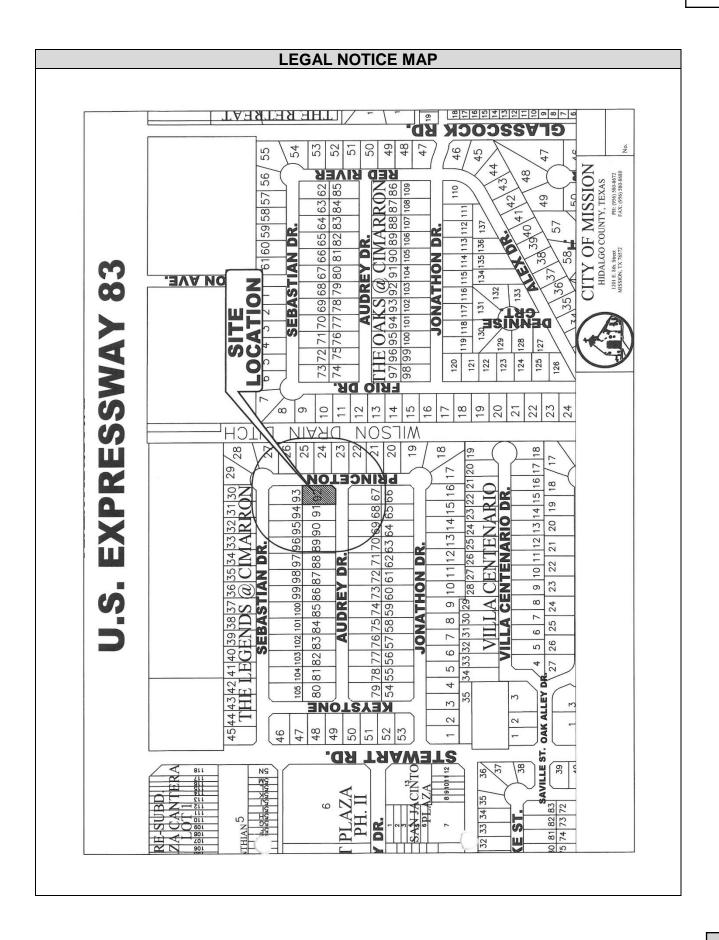
- The request is for a variance not to comply with Section 1.371 (5) (f) of the Mission Code of Ordinances, which states:
 - Minimum depth of the rear setback: 10 feet or to the easement line, whichever is greater.
- The site is located at the Northwest corner of Princeton and Audrey Drives.
- The applicant is requesting a variance to keep an already-constructed patio structure with outdoor kitchen.
- The Legends at Cimarron Subdivision was recorded on 9/22/2003. The subject property is a rectangular-shaped lot that has 10,451.21 square feet in area.
- The applicant recently modified the patio with outdoor kitchen without obtaining a permit.
- A variance was denied on March 13, 2025 for both the outdoor patio structure and a canopy structure encroaching on the side setback. The variances were denied due to opposition from the property owner to the west.
- The encroachment to the side setback has been cleared by the applicant and he is now requesting reconsideration of the variance for the outdoor patio structure rear setback encroachment.
- The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out 27 legal notices to the surrounding property owners.

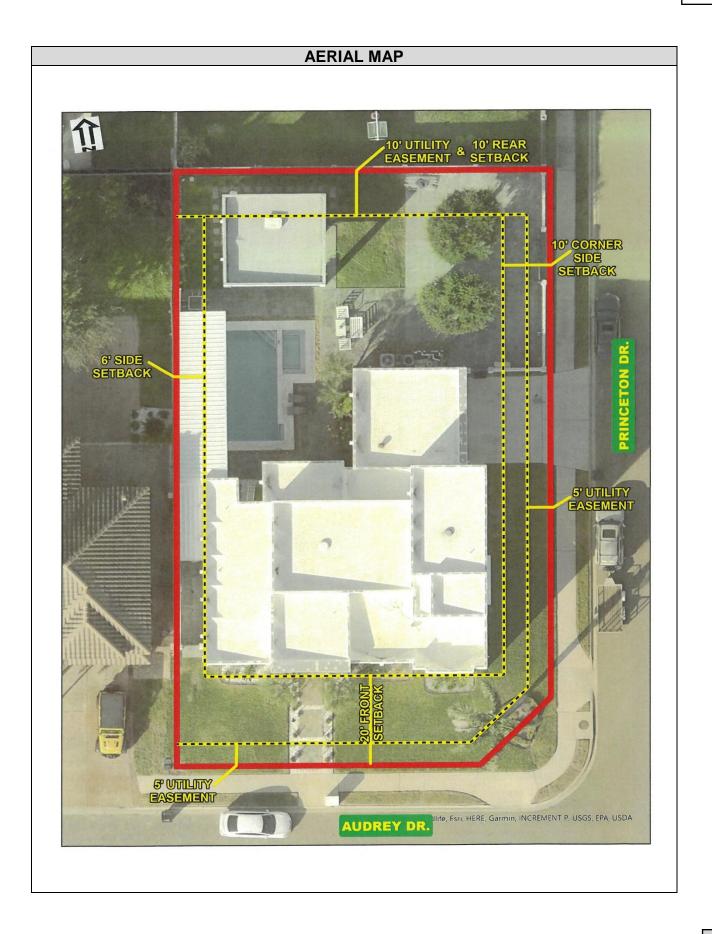
STAFF RECOMMENDATION:

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

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

RECORD OF VOTE:	APPROVED: DISAPPROVED: TABLED:	
AYES		
NAYS		
DISSENTING_		





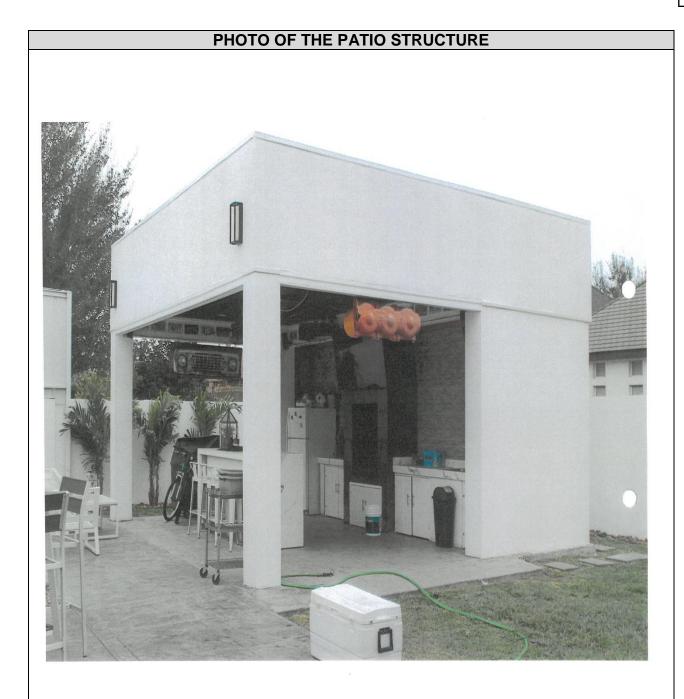
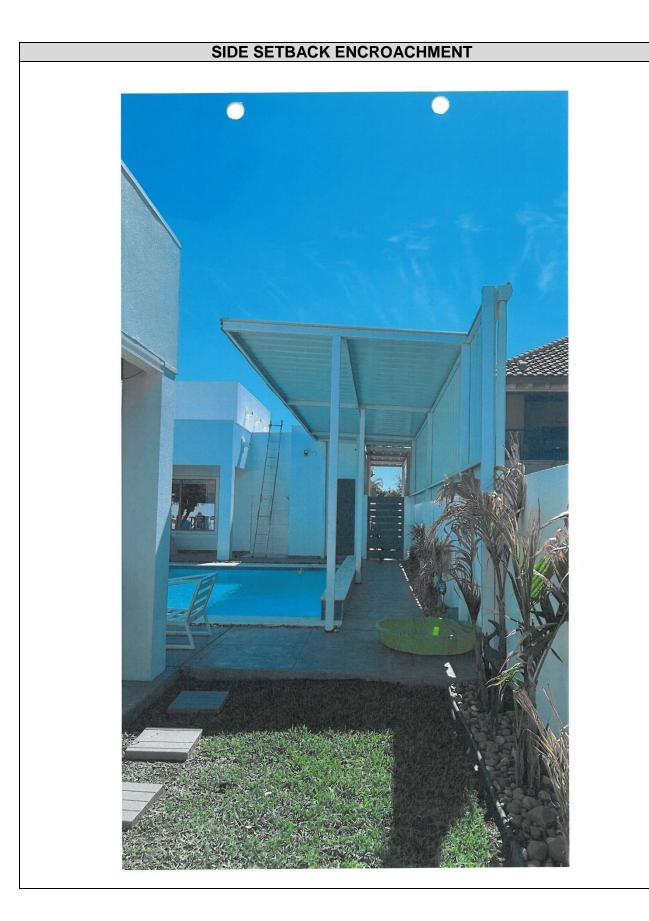


PHOTO OF THE PATIO STRUCTURE







MAILOUT LIST

PROP_ID	geoID	name	addrDelive	addrCity	addrState	addrZip
668026	T3510-00-000-0023-00	CASTILLO JESUS D JR	904 PRINCETON DR	MISSION	TX	78572-6070
668027	T3510-00-000-0024-00	TELLO JOSE & LUZ XOCHIL	2549 POMERAY AVE	LOS ANGELES	CA	90033
720213	\$2950-00-000-0162-10	CITY OF MISSION	1201 E 8TH ST	MISSION	TX	78572-5812
668029	T3510-00-000-0026-00	LOPEZ EMMANUEL & NATALIA P	812 PRINCETON DRIVE	MISSION	TX	78572-6075
668031	T3510-00-000-0028-00	CAMARA ARTURO & BLANCA E SADA	1717 SEBASTIAN DR	MISSION	TX	78572-6068
668069	T3510-00-000-0066-00	RUIZ MARIA MAGDALENA	1713 JONATHON DR	MISSION	TX	78572-8562
668071	T3510-00-000-0068-00	TAMEZ BENJAMIN J & MYRNA I GOMEZ	1710 AUDREY DR	MISSION	TX	78572-6069
668094	T3510-00-000-0091-00	CANTU JOSE MANUEL	1711 AUDREY DR	MISSION	TX	78572-6069
668096	T3510-00-000-0093-00	GUTIERREZ COSME H & CLAUDIA M GARZA ELIZONDO	1712 SEBASTIAN ST	MISSION	TX	78572-6066
668097	T3510-00-000-0094-00	JIMENO FERNANDO	1710 SEBASTIAN ST	MISSION	TX	78572-6066
668098	T3510-00-000-0095-00	VILLARREAL GUILLERMINA & BENITO GONZALEZ	1708 SEBASTIAN DR	MISSION	TX	78572-6066
668099	T3510-00-000-0096-00	VILLARREAL MARCOS	1706 SEBASTIAN ST	MISSION	TX	78572-6066
668033	T3510-00-000-0030-00	TIJERINA JAQUELYN & RAYMUNDO G MORENO REYES	1713 SEBASTIAN DR	MISSION	TX	78572-6068
668034	T3510-00-000-0031-00	RODRIGUEZ AARON ROEL	1711 SEBASTIAN DR	MISSION	TX	78572-6068
668035	T3510-00-000-0032-00	CARDENAS JUAN M & KARINA L	1709 SEBASTIAN DR	MISSION	TX	78572-6068
668073	T3510-00-000-0070-00	CAVAZOS ANITA C	1706 AUDREY DR	MISSION	TX	78572-6069
668093	T3510-00-000-0090-00	GUTIERREZ HUMBERTO	1709 AUDREY DR	MISSION	TX	78572-6069
668095	T3510-00-000-0092-00	GOMEZ CONNE A & PATRICIA L	1713 AUDREY DR	MISSION	TX	78572-6069
668070	T3510-00-000-0067-00	MARTINEZ ARMANDO & YAHAIRA SUKEY LAM	1712 AUDREY DR	MISSION	TX	78572-6069
668072	T3510-00-000-0069-00	CABELLO JOSE LUIS	1708 AUDREY DR	MISSION	TX	78572-6069
668028	T3510-00-000-0025-00	FUENTES JOSE LUIS & ISABEL CRISTINA	900 PRINCETON AVE	MISSION	TX	78572-6070
668030	T3510-00-000-0027-00	CALDERON NADJA ANAHI & GUILLERMO OSORNIO CALDERON	810 PRINCETON DR	MISSION	TX	78572-6075
668067	T3510-00-000-0064-00	SALINAS VIOLETA	1709 JONATHON DR	MISSION	TX	78572-8562
668068	T3510-00-000-0065-00	ELIZALDE JOSE LUIS BLANCO	1700 JONATHON DR	MISSION	TX	78572-8564
668092	T3510-00-000-0089-00	BAYONA JUAN PABLO & DANIELA ALEJANDRA	1707 AUDREY DR	MISSION	TX	78572
668025	T3510-00-000-0022-00	LEAL VERONICA	906 PRINCETON DR	MISSION	TX	78572-6070
668024	T3510-00-000-0021-00	REYES EVA MARIA AKA REYES & ARTURO ANDRES LERMA III	908 PRINCETON DR	MISSION	TX	78572-6070