

ZONING BOARD OF ADJUSTMENTS MEETING MISSION CITY HALL SEPTEMBER 24, 2025 at 4:30 PM

AGENDA

Pursuant to V.T.C.A. Gov. Code Section 551.001, et. Seq., the Zoning Board of the City of Mission, Texas will hold a Regular Meeting on **Wednesday September 24, 2025** at **4:30 p.m**. in the **City Hall's Council Chamber, 1201 E. 8th Street** to consider the following matters:

REGULAR MEETING

- 1. Call to Order
- 2. Disclosure of Conflict of Interest
- 3. Citizens Participation
- 4. Approval of Minutes for ZBA Meeting August 27, 2025

PUBLIC HEARING

1. Public hearing and consideration of a variance to allow a 1-foot rear setback instead of the required 10-foot and a 4-foot side setback instead of the required 5-foot for a 14'-4"x14'-4" purgula, being Lot 54, Sharyland Plantation Village Los Cabos Phase 2 Subdivision, located at 2503 San Esteban Street, Applicant – Moulay Omar Hadroune - Cervantes

OTHER BUSINESS

UNFINISHED BUSINESS

- 2. Tabled: Public hearing and consideration of a variance request to allow a 15 foot rear setback instead of the required 20 feet for a pool house, being Lot 36, Shary Palms UT 7 Subdivision, located at 2004 E. 20th Street, Applicant: Guillermo Guerrero Cervantes
- 3. Tabled: Public hearing and consideration of a variance 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, being Lot 37, Montecristo Subdivision, located at 1909 W. 26th Street, Applicant Craig King Cervantes

ADJOURNMENT

Signed this the 18th day of September, 2025

Xavier Cervantes, Director of Planning

CERTIFICATE

I, the undersigned City Secretary do certify that the above notice of meeting was posted on the bulletin board of City Hall, 1201 E. 8th Street, Mission, Texas on this the 18th day of September, 2025 at 4:45 p.m.

Anna Carrillo,	City Secretary
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ZONING BOARD OF ADJUSTMENTS August 27, 2025 CITY HALL'S COUNCIL CHAMBERS

ZBA PRESENT

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

ZBA ABSENT

Xavier Cervantes
Susie De Luna
Jessica Munoz
Alejandro Hernandez

GUESTS PRESENT

Raudel Garcia
Delmiro & Maria G.
Garcia
Roberto Gamez
Juana Rodriguez
Guillermo Guerrero
Javier Salinas
Conne A. Gomez
Hector M. Gutierrez

CALL TO ORDER

Chairman Flores called the meeting to order at 4:30 p.m.

CITIZENS PARTICIPATION

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

There was none.

APPROVAL OF MINUTES FOR JUNE 25, 2025

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

ITEM #1

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 AT 1909 W. 26TH STREET, BEING LOT 37, MONTECRISTO SUBDIVISION AS REQUESTED BY CRAIG KING.

Mr. Cervantes stated that the subject site was 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. In this case, a carport was built without a permit, and when inspecting the property, we found structures in the backyard that were built without permits and encroachments on the setbacks. He added that staff didn't receive any calls in opposition, but received several calls in support from Mr. King's neighbors.

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

- Mr. Cervantes replied that it was built several months ago.
- Ms. Elizondo stated that both easements were being encroached on.
- Mr. Cervantes replied on the sides, rear, and front.
- Ms. Elizondo asked if it was a neighborhood sweep.
- Mr. Cervantes replied that code enforcement officers noticed the carport, since it was the only one in that neighborhood. He mentioned that it was a relatively new subdivision with very nice houses.
- Ms. Elizondo asked if any variances were approved or denied for that subdivision.
- Mr. Cervantes replied no.
- Ms. Elizondo stated that Mr. Garza mentioned that the shed had been there for a long time.
- Mr. Garza stated the shed looks old.
- Mr. Cervantes replied that the subdivision is not that old.
- Chairman Flores asked if the applicant was present.

The applicant, Mr. Craig King, was present. He mentioned that two years ago, there was a bad hailstorm that damaged his cars. He stated that he built the carport to protect his vehicles. The back shed is just rusted from all the rain. The utility company came a month ago and ran a line in my backyard for the neighbor's cable.

- Ms. Elizondo asked if Mr. King had use for his garage.
- Mr. King replied that there was enough room for one car. He mentioned that he had two old dogs in the garage with an air conditioner running constantly.
- Mr. Salazar asked who built the carport.
- Mr. King replied that he didn't remember the name of the company.
- Mr. Christopher Tarbutton resides at 1904 West 26th Street. He mentioned that he lived right in front of Mr. King's home. He stated that he speaks highly of Mr. King and understood that there was an ordinance to be followed. He said he had no problem with what Mr. King built for himself and his family.

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

- Mr. Ueckert asked if there was a homeowner's association.
- Mr. Cervantes replied no.
- Mr. Garza asked if there was no opposition from the utility companies to the easements. Is there any documentation in case something comes up?
- Ms. Elizondo stated that the back patio was not discussed. We are talking about the front part, and I have the same concern that Mr. Garza has about the utility easement.
- Ms. De Luna stated that we were asked not to target structures older than three years. She added that the only thing we would consider would be the carport.
- Ms. Elizondo stated that Jessica mentioned that the shed was from 2023. Is the shed on concrete?
- Mr. King replied Yes.
- Chairman Flores entertained a motion. Mr. Ueckert moved to deny the variance request for the carport, and Ms. Elizondo seconded it. Upon a vote, the motion passed unanimously.
- Ms. Elizondo stated that she would like to table the shed until Mr. King gets utility clearance or at least does the utility locator.
- Chairman Flores entertained a motion. Ms. Elizondo moved to table the variance request for the shed until a utility locator is done, and Mr. Salazar seconded it. Upon a vote, the motion passed unanimously.

ITEM # 2

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, AT 101 ALBERTO TREVINO DRIVE, BEING LOT 6, GEORGEANNA ESTATES SUBDIVISION, AS REQUESTED JAVIER SALINAS.

Mr. Cervantes stated that the site was 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.

Staff recommends denial. The structures must 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.

Chairman Flores asked if there was an alley in the back.

Mr. Cervantes replied Yes.

Chairman Flores asked if the applicant was present.

Mr. Javier Salinas, who resides at 101 Alberto Trevino, was present. He mentioned that he had two antique Mustangs and would use the carport to protect them. He stated that the contractors were from the Facebook marketplace and that his dad helped him hire them.

Ms. Elizondo stated, "So you're in a corner, where there's an alley behind you and a street next to you."

Mr. Salinas replied Yes.

Mr. Ueckert asked How do you get your vehicle under the carport?

Mr. Salinas replied I drive through the side.

Ms. Elizondo asked if there was a car parked in front of where it would say ten-foot corner.

Mr. Salinas replied yes, he mentioned that the car was the one that he was fixing up.

Mr. Ueckert asked when the carport was built.

Mr. Salinas replied three months ago.

Mr. Garza stated he had a question for Mr. Cervantes and the planning staff. If he adjusted the pole, could the overhang stay there?

Mr. Cervantes replied that the entire structure could be moved so that it won't encroach on the setback.

Ms. Elizondo stated that Mr. Salinas didn't have a cement pad.

Mr. Garza stated that he could move the poles to clear the setbacks.

Mr. Cervantes stated that the overhang cannot encroach on the setbacks; it is considered airspace.

Ms. Elizondo asked the staff a question. Are we no longer publishing previous approvals or denials in the neighborhood?

Ms. De Luna replied Yes.

Ms. Elizondo asked, so there isn't any in this neighborhood.

Ms. De Luna replied no.

Chairman Flores asked if the lot was considered an irregular lot.

Mr. Cervantes replied Yes.

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

There being no further discussion, Chairman Flores entertained a motion. Mr. Salazar moved to approve the variance request to the footprint, and Mr. Garza seconded it. Upon a vote, the motion passed unanimously.

ITEM #3

TO ALLOW A 0' FRONT CARPORT AND GARAGE SETBACK INSTEAD OF THE REQUIRED 18', AT 203 OBLATE AVENUE, BEING LOT 7, BLOCK 52, MISSION ORIGINAL TOWNSITE SUBDIVISION. AS REQUESTED BY DELMIRO & MARIA GARCIA.

Mr. Cervantes stated that the site was 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.

Staff recommends denial. The structures must 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.

Chairman Flores asked if the applicant was present.

Mrs. Maria Garcia, who resides at 203 Oblate Avenue, was present. She mentioned that when she was approached to build the carport, the man who did her paperwork said that it was taken care of. But when she came to the city, they said, "You should have taken care of it and not taken his word for it.".

Ms. Elizondo asked what the reason was for building the carport?

Mrs. Garcia replied to protect the cars.

Mr. Salazar stated that the person who told you it was okay was from the city. Who was it?

Mrs. Garcia replied that he was from Dream Homes.

Mr. Salazar asked if he was affiliated with the City of Mission or anybody in any official capacity.

Mrs. Garcia stated No.

Ms. Elizondo stated that she had a comment. We continue to take the citizens of Mission's vulnerability and put them in the back seat, and not go after builders and contractors who take advantage of the elderly. I still think that there needs to be some kind of monetary punishment for contractors who behave this way.

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

There being no further discussion, Chairman Flores entertained a motion. Mr. Garza moved to approve the variance request to its footprint and sign a hold harmless agreement, and Ms. Elizondo seconded it. Upon a vote, the motion passed unanimously.

TEM#4

TO ALLOW A 0' FRONT SETBACK INSTEAD OF THE REQUIRED 20' FRONT SETBACK FOR A 21'X18'-5" CARPORT AT 611 W. 30TH STREET, BEING LOT 73, TABASCO SUBDIVISION, AS REQUESTED BY JUANA RODRIGUEZ.

Mr. Cervantes stated that the site was 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.

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 the structure is ever removed, the prevailing setbacks shall be complied with thereafter, and 2) obtain a building permit fee.

Chairman Flores asked if the applicant was present.

Mrs. Juana Rodriguez, who resides at 611 West 30th Street, was present. She mentioned that she requested a permit but was denied because she didn't have the plans for the carport, she only had the measurements. She added that she found someone building a carport and they advised her to build the carport and eventually the city will just charge you a fee for building it.

Ms. Elizondo asked how much Mrs. Rodriguez paid for the carport.

Mrs. Juana Rodriguez replied \$3,600.

Mr. Garza asked if the variance could be approved if Mrs. Rodriguez removed what was on the right-of-way.

Ms. Elizondo stated that the plat had a note that stated any unauthorized structure will be removed. She added that you can't go against what the entity records and signs.

Mr. Cervantes stated that the plat note was for the irrigation district, right, Alex?

Mr. Salazar asked if it was standard verbiage for planning?

Mr. Cervantes replied that it could be something that the irrigation department may have asked for with the city. Sometimes the city council approves licenses to encroach. So, if this was approved today the remaining portion could be approved by the city council through a license to encroach on the right of way.

Ms. Elizondo stated that she agreed with Mr. Cervantes, however it could be the irrigation district that had that note inserted there. If they abandon the easement, then we could proceed.

Mr. Garza stated that the carport was in the front and the irrigation easement was in the rear.

Mr. Salazar stated that he noticed that no other variances had been approved in this subdivision.

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

There being no further discussion, Chairman Flores entertained a motion. Ms. Elizondo moved to deny the variance request due it not being an undue hardship, and Mr. Ueckert seconded it. Upon a vote, the motion passed unanimously.

ITEM#5

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 AT 707 W. 30^{TH} STREET, BEING LOT 81, TABASCO SUBDIVISION, AS REQUESTED BY ROBERTO GOMEZ.

Mr. Cervantes stated that the site was located approximately 260 feet east of Nicholson Avenue along the south side of W. 30th Street. The applicant is requesting a variance to keep a 25'x30' carport within the front and side setback.

Staff recommends disapproval of the variance request as follows: 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.

Chairman Flores asked if the applicant was present.

Mr. Roberto Gomez who resides at 707 W 30th Street was present. He mentioned that the reason he made the carport for three cars was to prevent his third car from being in the sidewalk. He added that his kids play on there bikes on the sidewalk and instead of building the carport over the sidewalk he decided to extend it to one side. He stated that he was not the only one with a carport that there were several in the neighborhood.

Ms. Elizondo asked if Mr. Gomez knew the addresses of the other carports?

Mr. Gomez replied that one of the houses was on 30th Street. He stated that he thinks it was lot 60 or 61.

Ms. Elizondo asked if a variance was approved for any of those lots.

Ms. De Luna replied that the only variance that she was aware of was lot 26.

Ms. Elizondo asked who built the carport?

Mr. Gomez replied that it was him and his friend.

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

There was none.

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

Mr. Cervantes stated that the previous variance request that was just denied was in the same street and same subdivision.

Ms. Elizondo mentioned that it was self-inflicted, because there was an awareness of a letter from a neighbor previously and he moved forward with building the carport.

Mr. Cervantes stated that there was a five-foot utility easement in the front.

There being no further discussion, Chairman Flores entertained a motion. Mr. Ueckert moved to deny the variance request, and Mr. Salazar seconded it. Upon a vote, the motion passed unanimously.

ITEM#6

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 AT 931 BOWEN STREET, BEING LOT 9, BLOCK B, EAGLE HEIGHTS UT 3 SUBDIVISION AS REQUESTED BY JORGE ADAME

Mr. Cervantes stated that the site was located at the northwest corner of Jones Avenue and Bowen Street. The applicant is requesting a variance to keep a 25'x22' carport within the front and side setback.

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.

Mr. Cervantes stated that the next-door neighbor had a carport but wasn't sure if they got a variance or it was past the three years.

Ms. De Luna stated that the carport next door was passed the three years. She mentioned that the house in the back applied for a permit back in 2020, but the city of mission had different setback requirements, which allowed it at ten feet.

Mr. Salazar asked what was time frame for that city ordinance, and what was the reason for it?

Ms. De Luna replied for a year and it was to comply with the front setback. She added but they reverted the ordinance back to its original setback.

Ms. Elizondo stated that she was going to recuse herself from this item, because she owns a property on Bowen Street.

Chairman Flores asked if the applicant was present.

Representing the applicant was the applicant's daughter Ms. Jacqueline Adame. She mentioned that there was a big storm that damaged all their cars and the main reason for building the carport was to protect all her vehicles. She stated that there was a garage in the back, but it was for one car only and they are a family of six.

Mr. Ueckert stated that he noticed that the driveway is concrete, and the other side is gravel.

Ms. Adame replied that it was concrete, but its damaged. I would need to ask my dad but he is working out of town.

Chairman Flores asked if the front of the house was where the carport was built?

Ms. Adame replied Yes.

Chairman Flores asked if the carport meets the front setbacks?

Mr. Cervantes replied that the front setback was thirty feet.

Mr. Salazar asked who built the carport?

Ms. Adame replied no, it was a contractor.

Mr. Salazar asked how much did the carport cost?

Ms. Adame replied forty-five hundred.

Mr. Ueckert asked when was the carport built?

Ms. Adama replied 2021.

Mr. Salazar asked if the neighbor to the east requested a variance.

Ms. De Luna replied that the carport complies with the three years, the home on Burris Street requested a variance and was approved.

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

There being no further discussion, Chairman Flores entertained a motion. Mr. Garza moved to approve the variance request, subject to signing a hold harmless agreement stating that the structure will remain open and within to footprint. Ms. Elizondo abstained. Mr. Salazar seconded it. Upon a vote, the motion passed unanimously.

Board Member, Mr. Humberto Garza, left the meeting.

Ms. Elizondo asked if there was a quorum if Mr. Garza left the meeting.

Mr. Cervantes replied that there was quorum, but any remaining agenda items all four board members would need to approve. The applicant can request to table the item until all five board members are present.

Ms. Elizondo stated that she would make the announcement for the record.

ITEM#7

TO ALLOW A 13'-11" REAR SETBACK INSTEAD OF THE REQUIRED 20' REAR SETBACK FOR A SWIMMING POOL, BEING LOT 3, CONCHO ESTATES SUBDIVISION AT 1102 KICKAPOO CREEK STREET BEING LOT 3, CONCHO ESTATES SUBDIVISION, AS REQUESTED BY GEORGE & SYLVIA PADILLA

Mr. Cervantes stated that the site was 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.

Mr. Cervantes mentioned that the swimming pool was outside of the utility easements but within the setbacks, and that it was a proposed new swimming pool.

Staff recommends denial.

Chairman Flores asked if the applicant was present.

Mr. Jorge Padilla and Raul Garcia were present. Mr. Padilla mentioned that he wants to built a pool for his family. He stated that as they get older, they want different kinds of exercise nothing that puts pain on their ankles.

Chairman Flores stated if the variance would be approved, it would only be for the pool, not for improvements.

Mr. Padilla replied ok.

Ms. Elizondo asked if Mr. Garcia was the contractor?

Mr. Garcia replied yes, I'm the contractor. I advised Mr. Padilla that the pool was within the setbacks and advised him to apply for the variance.

Mr. Salazar asked if there was anywhere else on the lot where the pool could be built?

Mr. Padilla replied that it was the best place he had. He stated we have good visibility to ensure we can see from the inside out.

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

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

ITEM#8

TO ALLOW A 15' REAR SETBACK INSTEAD OF THE REQUIRED 20' OFF GLASSCOCK ROAD FOR A POOL HOUSE STRUCTURE AT 2004 E. 20^{TH} STREET, BEING LOT 36, SHARY PALMS UNIT NO. 7 SUBDIVISION, AS REQUESTED BY GUILLERMO GUERRERO

Mr. Cervantes stated that the site was 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 proposed pool is going to encroach on the setbacks but not on the utility easement. When I spoke to the applicant, he mentioned he would apply for a permit for both the pool house and the swimming pool, but desires to build the pool house first and then the swimming pool.

Chairman asked if the applicant was present.

Mr. Guillermo Guerrero, who resides at 2004 E. 20th Street. He mentioned that he was asking for a five-foot variance. He stated that he had been saving money to build a pool and a pool house for guests or anyone to use.

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

Mrs. Olga Galvan, who resides at 1903 Cardinal Street, was present. She mentioned that her backyard was connected to Mr. Guerrero back backyard. She stated that Mr. Guerrero had an above-ground pool, and the motor would make a lot of noise, which affected her lifestyle. She added that she didn't understand the letter she received and wanted to ensure that Mr. Guerrero complied with the six-foot side setback with whatever he was proposing to build.

Mr. Guerrero stated that after meeting with his contractor, who is building the pool, he advised me that the motor for the pool will be on the opposite side of Mrs. Galvan.

Ms. Elizondo stated that the board was addressing the pool house and not the pool.

Mr. Guerrero replied Yes, but her concern was the noise of the motor.

Chairman Flores asked if most motors were on the side of the house.

Ms. Elizondo replied that motors need electricity.

Mr. Salazar asked Mr. Guerrero what the reason was for the variance request.

Mr. Guerrero replied that it was an irregularly shaped lot.

Mr. Salazar asked Why do you want the pool house there.

Mr. Guerrero replied that it was the best place where the pool house could fit.

Mr. Salazar stated You can reduce it, right? The pool house could be reduced, or your pool house could be smaller.

Mr. Guerrero replied, Yeah.

- Mr. Salazar stated it wouldn't kill your project. It would just have to be moved or modified to fit within the setbacks.
- Ms. Elizondo asked if Mr. Guerrero had a site plan for the future pool.
- Mr. Guerrero replied no.

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

Mr. Salazar stated that it seems like the board wants to see the schematic in the drawings.

Chairman Flores replied that the variance request was for the pool house. We can't stop machines from being on easements. Everyone has machines on easements. But that's not the issue here.

- Mr. Salazar stated Mr. Galvan wants her setback to be respected.
- Mr. Cervantes stated that the variance was for the rear setback, not the side.
- Mr. Salazar asked to see the subdivision plat showing Mrs. Galvan's property. He asked if Mrs. Galvan's property was on the south side.
- Mr. Cervantes replied yes, and the variance that was being requested was on the west side.

There being no further discussion, Chairman Flores entertained a motion. Ms. Elizondo moved to approve the variance request, and Mr. Flores seconded it. Upon a vote, the motion died with a 3/1 vote.

- Mr. Cervantes mentioned that the applicant could request a full board.
- Mr. Salazar said he would like to review the site plan, including the swimming pool.

Chairman Flores entertained a motion. Ms. Elizondo rescinded her first motion and motioned to table item #8; Mr. Ueckert seconded it. Upon a vote, the motion passed.

ITEM#9

TO ALLOW A 0 FOOT WEST SIDE SETBACK INSTEAD OF THE REQUIRED 6 FOOT SIDE SETBACK AT 723 W. 25TH STREET, BEING LOT 2, HOLLAND TERRACE SUBDIVISION, AS REQUESTED BY STEVE SPOOR

Mr. Cervantes stated that the property was approximately 200 feet east of Holland Road along the south side of W. 25th Street. 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. The lot is currently vacant, and the applicant would like to construct a townhome.

Ms. Elizondo asked if the plat was recorded?

Mr. Cervantes replied Yes.

Chairman Flores asked if the applicant was present.

Mr. Gutierrez was present but had no comments.

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

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

ITEM#10

TO ALLOW A 6' REAR SETBACK INSTEAD OF THE REQUIRED 10' FOR A 21' X 21' OUTDOOR PATIO STRUCTURE AT 1713 AUDREY DRIVE, BEING LOT 92, THE LEGENDS AT CIMARRON SUBDIVISION, AS REQUESTED BY CONNE A. GOMEZ

Mr. Cervantes stated that the property was located at the Northwest corner of Princeton and Audrey Drives. The applicant is requesting a variance to keep an already-constructed patio structure with an outdoor kitchen. 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.

Chairman Flores asked if the applicant was present.

Mr. Conne A. Gomez, who resides at 1713 Audrey Drive, was present. He mentioned that he was requesting a variance to keep his back patio. He stated that he asked for an 811-dig test, and the test indicated that there were no utility lines in the back of his property. He added that he would sign a document stating that if, in the future, utility lines needed to be installed on his property, he would be ok with that.

Chairman Flores asked if the board had any questions.

There was none.

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

There was none.

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

There being no discussion, Chairman Flores entertained a motion. Mr. Ueckert moved to approve the variance request subject to signing a hold harmless agreement, and Ms. Elizondo seconded it. 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 5:15 p.m.

Heraclio Flores, Chairman Zoning Board of Adjustments



AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: September 24, 2025

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

AGENDA ITEM: Public hearing and consideration of a variance to allow a 1-foot rear setback instead

of the required 10-foot and a 4-foot side setback instead of the required 5-foot for a 14'-4"x14'-4" purgula, being Lot 54, Sharyland Plantation Village Los Cabos Phase 2 Subdivision, located at 2503 San Esteban Street, Applicant – Moulay Omar

Hadroune - Cervantes

NATURE OF REQUEST:

Project Timeline:

- August 27, 2025 Application for Variance Request submitted to the City
- September 11, 2025 In accordance with State and local law, notice of the required public hearings mailed to all property owners within 200 feet of the subject tract.
- <u>September 24, 2025</u> Public hearing and consideration of the requested variance by the Zoning Board of Adjustments.

Summary:

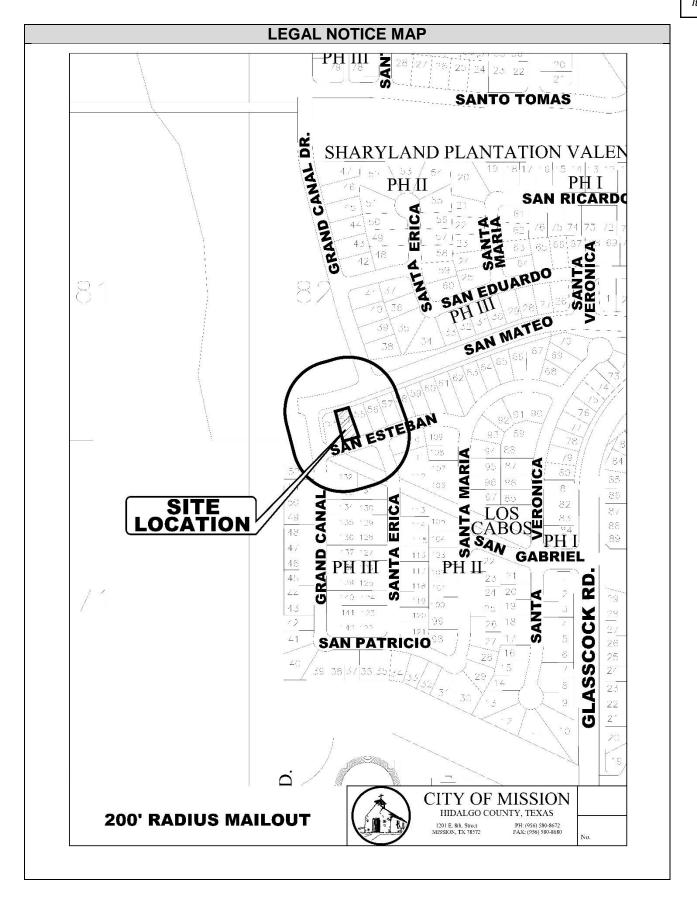
- The request is for a variance not to comply with subdivision plat general notes (3), which states:
 - Minimum depth of rear setback: 10 feet.
 - Minimum depth of side setback: 5 feet
 - Where a building setback has been established by plat or ordinance and such setback requires a greater or lesser 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 North side of San Esteban Street, approximately 65 feet East of Grand Canal.
- The applicant is requesting a variance to keep a 14'-4" by 14'-4" purgula within the 10' rear setback and 5' side setback. The purgula was constructed without a building permits.
- The Sharyland Village Los Cabos Phase 2 Subdivision was recorded on November 12, 2012. The subject property is an irregular shaped lot with a depth of 127.00 feet, a front width of 60.58 feet, and a rear width of 54.00 feet.
- The subject lot has a total area of 7,276 square feet.
- The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out 17 legal notices to surrounding property owners.
- No variances have been processed in this subdivision.
- There is a 10-foot utility easement along the rear of the property.
- Colored and flags mean: Red; electrical power, and Orange; cable, and telephone.

STAFF RECOMMENDATION:

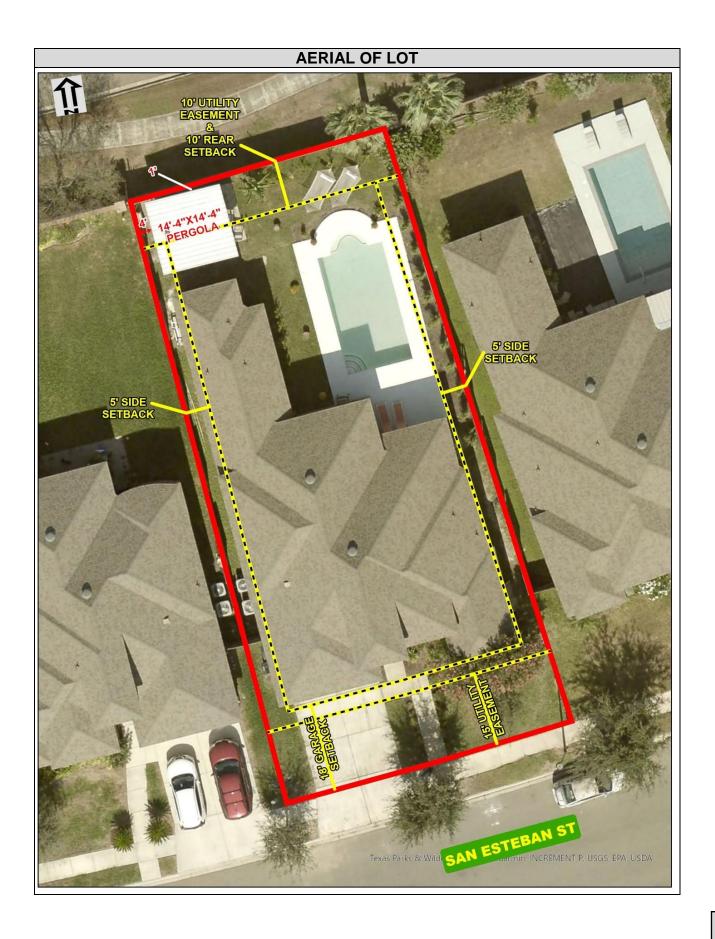
Staff recommends denial. this request does not qualify as an undue hardship.

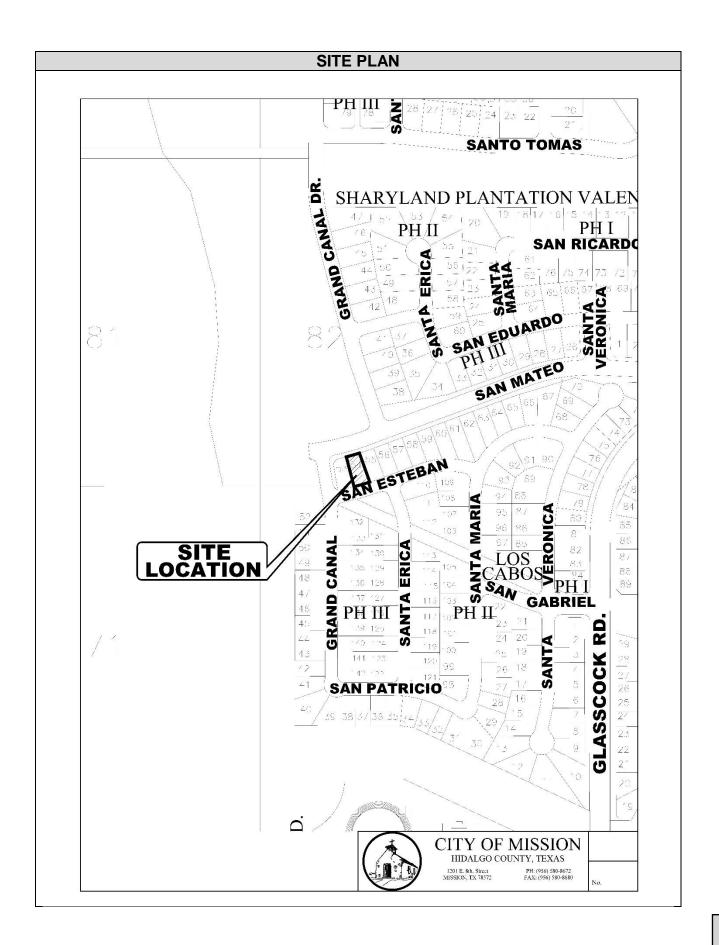
However, if ZBA is inclined to approve this variance request then the applicant would need to comply with the following: 1) Sign a hold harmless agreement stating that the structure will remain perpetually "open and to its footprint" and if the structure is ever removed, the prevailing setbacks shall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

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

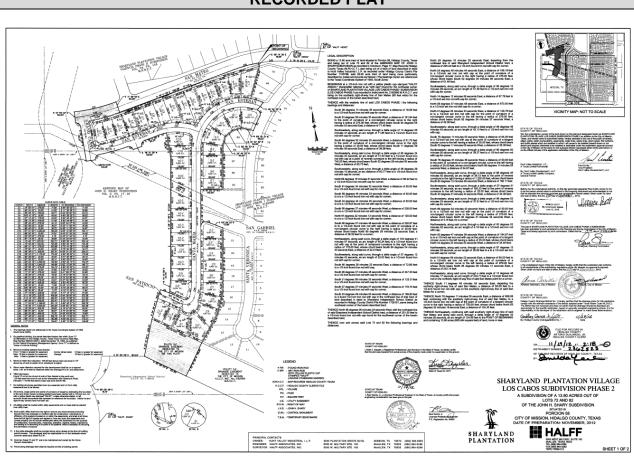


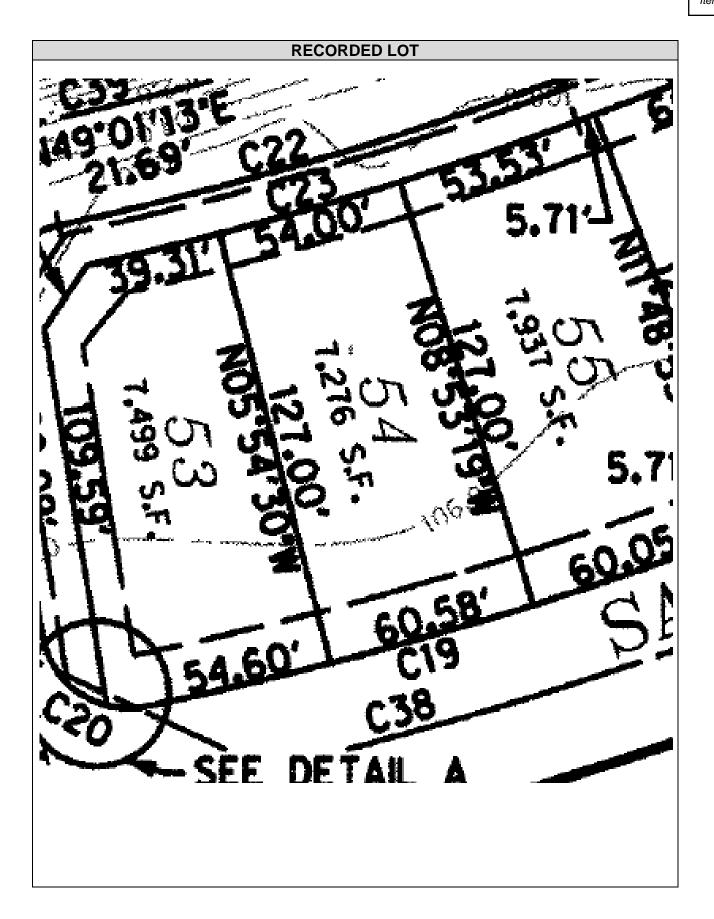






RECORDED PLAT





PLAT NOTES

GENERAL NOTES

- The bearings herein are referenced to the Texas Coordinate System of 1983, South Zone (4205).
- By graphical plotting, the parcel described hereon lies within Zone "C" as delineated on the Hidalgo County, Texas Flood Insurance Rate Map, Map Number 480334 0400 C, dated November 16, 1982, as published by the Federal Emergency Management Agency. Zone "C" is defined as "areas of minimal flooding."
- 3. Minimum building setback lines shall be:

Front: 15 feet or greater for easement

Corner (street side): 10 feet or greater for easement

Rear: 10 feet or greater for easement Side: 5 feet or greater for easement Garage: 18 feet or greater for easement

 Minimum finish floor elevation: 105.50 feet above mean sea level or 18" above top of curb at center of lot, whichever is higher.

- Storm water detention required for this development shall be on a regional basis. 0.91 ac-ft shall be detained within the drainage R.O.W. and easements.
- 6. TBM Information:

Found 'X' cut on top of end of curb of San Gabriel to the south and 1.50 feet east from end of curb at the intersection with Glasscock Road. Elevation = 103.65 feet above mean sea level (NAVD 88).

- No building structures permitted over any easement and no front utility easements are to be fenced.
- 8. All corners, angle points and points of curvature or tangency delineating the boundary of the land shown herein as being platted have been marked with a 1/2-inch iron rod with a yellow plastic cap stamped "HALFF", unless otherwise stated, or left as found those monuments that represent or reference the boundary. Interior lot and right-of-way corners have not been set.
- All utilities shall be located within utility easements and no trees shall be planted over utility lines.
- 10. Each public utility shall have the right to remove any improvements (including fences) that may endanger or interfere with the construction, maintenance or efficiency of its systems located on or within the easements, and shall at all times have the full right of ingress and egress to, from and upon the easements and private property (not to include residences) within the subdivision for the purpose of constructing, reconstructing, inspecting, patrolling, reading meters, maintaining and adding to or removing all or parts of its systems, without necessity of procuring the permission of anyone.
- 4 foot wide sidewalks shall be provided along minor streets at the time of building permit process. The developer shall be responsible for a 5 foot sidewalk where common areas abut street R.O.W.
- Common Areas 'C' and 'D' are to be maintained and owned by the Home Owner's Association.
- Fence along drainage ditch shall be required at time of building permit.

PICTURES

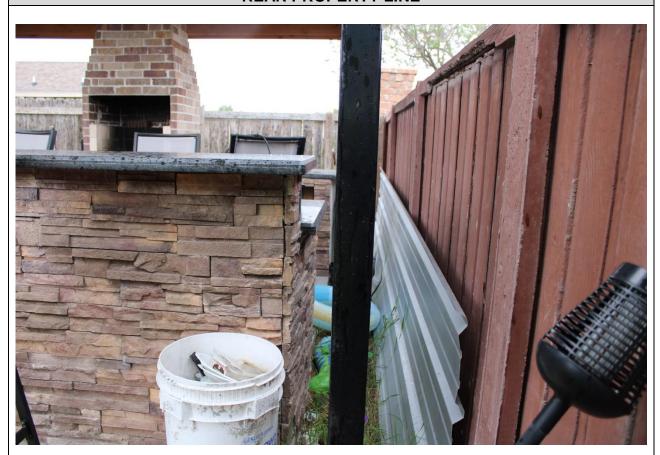




SIDE PROPERTY LINE

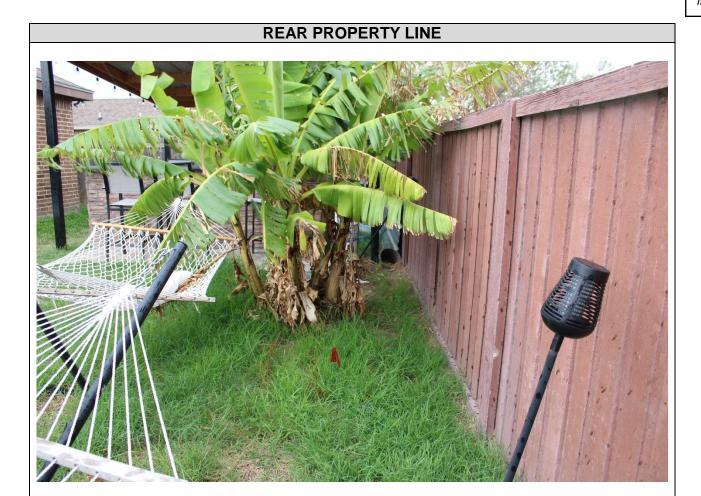


REAR PROPERTY LINE



REAR PROPERTY LINE





APPRAISAL DISTRICT INFORMATION PUBLIC CARD WITH SKETCH 2026-0-0 Hidalgo County Appraisal District Valuation Method: cost-local er 10, 2025 PROPERTY ID AND LEGAL DESCRIPTION 2026 1241744 HS IMPROVEMENTS 2503 SAN ESTEBAN, MISSION TX HADROUNE MOULAY OMAR 261,056 258,188 846492 LAND MARKET 2503 SAN ESTEBAN ST MISSION TX US 78572 MARKET VALUE SPECIAL USE EXCL 100.00 CMS 100.00 DR1 100.00 JCC 100.00 SSL 100.00 330,948 APPRAISED VALUE HS VALUE LIMIT CIRCUIT BRKR LIMIT 333.816 PROP USE: MAP ID: 2362523 AS CODE: L581302 MAPSCO: MKT AREA: SSLAOO! TIF: SUB MKT: APPR VAL METHOD: cost-local AGENT: EFF DATE: EXP DATE: NET APPRAISED 333,816 330.948 GENERA REMARKS (2023) ADJ DEPR-ALLW-COND (2022) RM/D DEPR (2023) ADJ NBHD CODE (2019) ADJ MA & ENC DIMS;E&C(2018) ADJ DEPR. ENC GAR & RM/D % COMP-ALLW-COND (2017) NEW IMPS; RECH % COMP 2018(2013) VAC TOPOGRAPHY: LV ROAD ACCESS: PCG NRA: UNITS: RENT: TAXING UNIT CD TAXING UNIT NAME CAD APPRAISAL DISTRICT CMS CITY OF MSSION DR1 DRAINAGE DISTRICT #1 GHD HIDALGO COUNTY 100.00% 100.00% 100.00% CAD CMS DR1 GHD JCC SSL SST 100.00% SOUTH TEXAS COLLEGE 100,00% SHARYLAND ISD 100,00% SOUTH TEXAS SCHOOL 100.00% DATE TYPE BOOK/PG SELLER 3461277 3114667 CHIA ANDREW W 2023-06-29 WDV null/hull HADROUNE 2020-05-22 SVD null.hull CHIA ANDREW W BRITO 2016-04-06 DWW 2701406 BRITO MVMLTD IMPROVEMENT DETAIL ADJ IMPROVEMENT FEATURES # ADJ TYPE ADJ AMT ADJ % DESC CODE # TYPE DESCRIPTION MA Residential Main ENC ENCLOSED ADD POR PORCH PAT PATIO CAN CANOPY AREA UN PRC UNITS STY 2,324.5 86.37 1 1 462 77.73 1 1 66 21.59 1 1 131.5 21.59 1 1 6 22.59 1 1 2,990 Area: 2,786 Hi Quality: AV S1 MODEL CLASS VALUE MODEL CLASS RES BRKAV RES BRKAV RES BRKAV RES BRKAV RES BRKAV STCD: A1 Finish Out 100 9000 100.00 1 9000 100.00 1 9000 100.00 1 9000 100.00 1 9000 100.00 1 9000 100.00 1 AS Code: 100.00% Ext Wall: BRK 100.00 100.00 100.00 100.00 100.00 119.00% 100.00 100 100.00 100 100.00 100 100.00 100 100.00 100 100.00 100.00 100.00 100.00 100.00 180,690 32,320 1,283 2,555 117 258,188 Style: SEQ ADJ TYPE ADJ AMI PRODUCTIVITY VALUATION AG USE TABLE UNIT AG VALUE TYPE SOIL CLS ON ETH DIN UNIT PRC 7276.00 sf 10.00 1. AS Code: 100.00% Market Area ADJ MADJ VAL SRC 1,000 A Area: 100,00% MKT VAL 72,760 72,760

MAILOUT LIST

PROP_ID	geoID	name	addrDelive	addrCity	addrState
640280	S2950-00-000-0072-10	CHARCO LAND SALES LLC	4320 UNIVERSITY BLVD	LAREDO	TX
730482	V0515-02-000-000B-00	SHARYLAND RESIDENTIAL COMMUNITY PROPERTY	3500 LOS MILAGROS	MISSION	TX
638523	S2950-00-000-0082-10	CHARCO LAND SALES LLC	4320 UNIVERSITY BLVD	LAREDO	TX
846491	L5813-02-000-0053-00	ESCAMILLA JAVIER	2501 SAN ESTEBAN ST	MISSION	TX
846493	L5813-02-000-0055-00	ORTIZ RIVERA IRIAM A	3309 SAN SEBASTIAN ST	MISSION	TX
846494	L5813-02-000-0056-00	HWANG HEUI	2507 SAN ESTEBAN	MISSION	TX
846495	L5813-02-000-0057-00	VILLEGAS DANIELA GARCIA	1008 E PECAN BLVD # D- 570	MCALLEN	TX
846496	L5813-02-000-0058-00	ALANIS GENARO MAURICO FLORES & CHANEZ DIAZ	2511 SAN ESTEBAN	MISSION	TX
846527	L5813-02-000-000A-00	SHARYLAND RESIDENTAL COMMUNITY PROPERTY	3500 LOS MILAGROS	MISSION	TX
846492	L5813-02-000-0054-00	HADROUNE MOULAY OMAR	2503 SAN ESTEBAN ST	MISSION	TX
1129357	L5813-03-000-0131-00	REYNA EFRAIN JR & KELLY ANN	3904 SANTA ERICA	MISSION	TX
1129359	L5813-03-000-0133-00	VIGAR PROPERTIES LLC	1008 E PECAN BLVD D-570	MCALLEN	TX
1129358	L5813-03-000-0132-00	DE LA PAZ DANIEL RICARDO MARTINEZ &	3901 GRAND CANAL DR	MISSION	TX
1129370	L5813-03-000-000F-00	SHARYLAND RESIDENTIAL COMMUNITY PROPERTY OWNER ASSOCIATION INC	3500 LOS MILAGROS	MISSION	TX
1129338	L5813-03-000-0112-00	CARRARA JOAO LUIS & MARIANA COELHO	3903 SANTA ERICA ST	MISSION	TX
1129337	L5813-03-000-0111-00	MIERS TRUMAN WINSTON & ANNIE LOUISE COAN	3901 SANTA ERICA ST	MISSION	TX
1129336	L5813-03-000-0110-00	CHEZ EDDY E BERGES & SAMIA J DIAZ	3815 SANTA ERICA	MISSION	TX



AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: September 24, 2025

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

AGENDA ITEM: Tabled: Public hearing and consideration of a variance request to allow a 15 foot

rear setback instead of the required 20 feet for a pool house, being Lot 36, Shary Palms UT 7 Subdivision, located at 2004 E. 20th Street, Applicant: Guillermo

Guerrero - Cervantes

NATURE OF REQUEST:

Project Timeline:

August 7, 20255 – Application for Variance Request submitted to the City.

- August 19, 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). The item was tabled.
- September 24, 2025 Public hearing and reconsideration of the requested variance by the Zoning Board of Adjustments (ZBA).

Summary:

- This item was previously considered by ZBA on August 27, 2025 and was tabled. The board requested a revised site plan showing the location of the proposed pool within the property in order to make a determination. The applicant submitted a revised site plan
- The request is for a variance not to comply with Subdivision Plat Note #2, which states:
 - Setbacks are as follows:

Glasscock: 20' Rear: 10 feet

 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 plat or ordinance.

&

- Section 1.371(2)(d) of Appendix A of the Code of Ordinances of the City of Mission, Texas, which states:
 - An accessory use customarily related to a principal use authorized in this district. Furthermore, any non-living accessory structure such as a carport or a garage, whether as an addition or as a detached building, shall not exceed 800 square feet, and shall not exceed 15 feet in total height as measured to the top of its roof. No carport, whether temporary or not, shall have a roof composed of tarp or canvas. Fabric-like material will be allowed with the stipulation that it has to be maintained at all times. However, if the

primary structure's living area total more than 2,000 square feet, the 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. The applicant's main living space is 2,780 square feet, 40% of that is 1,112 square feet for non-living accessory structures. The applicant's existing non-living area is 956 square feet.

- The applicant is requesting a variance to construct an 800 square foot pool house within the 20' rear setback to Glasscock Road.
- Shary Palm UT 7 Subdivision was recorded on August 17, 1998. The irregular lot measures a total of 14,493 square feet. The subject site is located at the cul-de-sac of Cardinal and E. 20th Street
- The lots to the east, west, north, and south 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 27 legal notices to surrounding property owners.
- Staff notes that ZBA granted a variance for this lot to have a 0' side setback for a shade porch and a 1.9' rear setback for a palapa on November 17, 2021.
- ZBA has considered the following variance within this subdivision.

Subdivision	Variance	Date	Recommendation
Lot 35	4' side setback	11/9/99	Approval
Lot 25	4.8' side setback	8/13/02	Approval
Lot 36	0' side &1.9' rear setbacks	11/17/21	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.

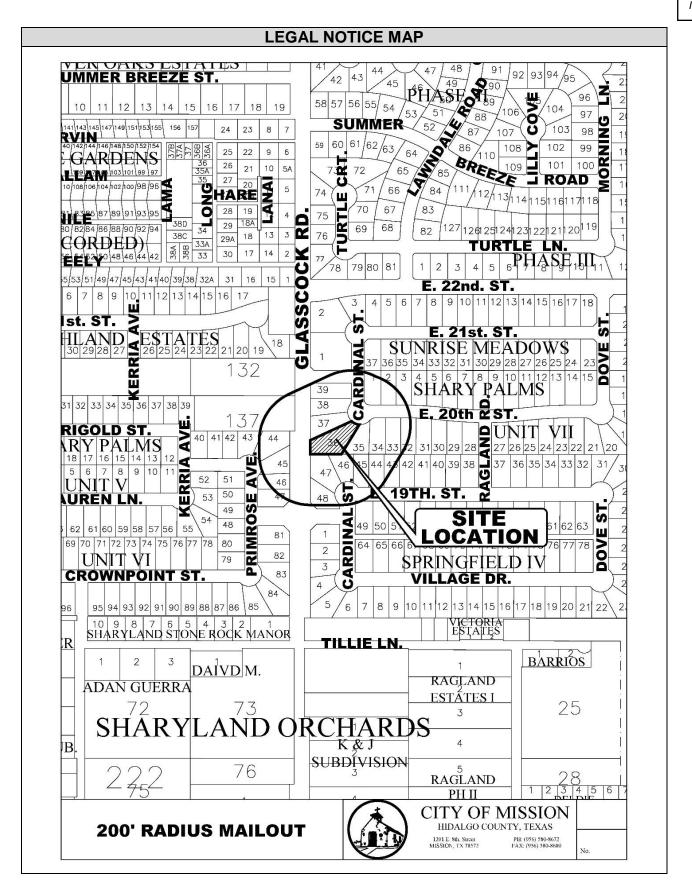
STAFF RECOMMENDATION:

Staff recommends disapproval of the variance request as:

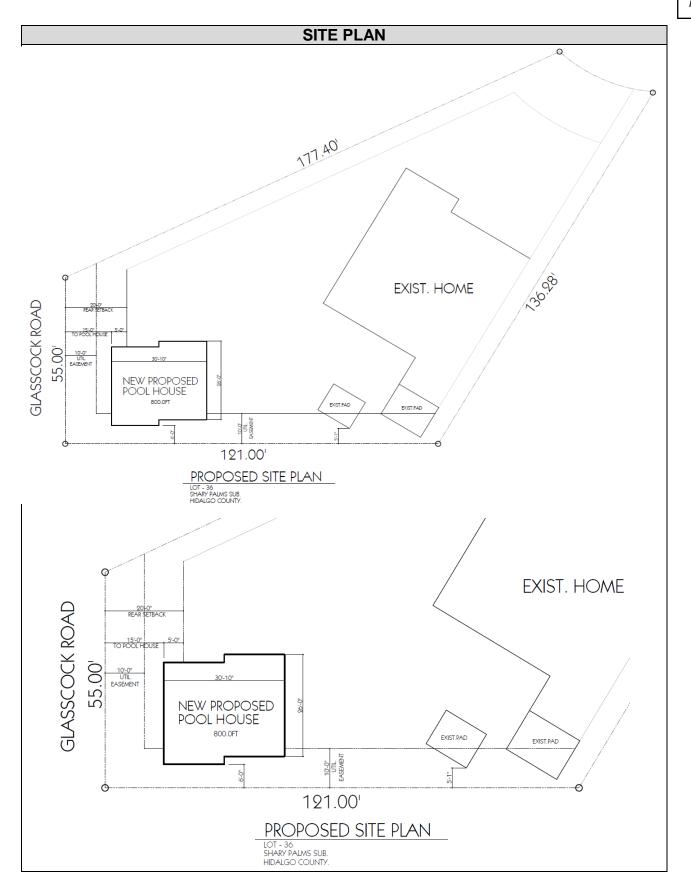
- 1. The request does not meet the standards for the issuance of a variance as described in the City of Mission Code of Ordinances;
- 2. The structure was built without a permit, and
- 3. This is a self-imposed hardship.

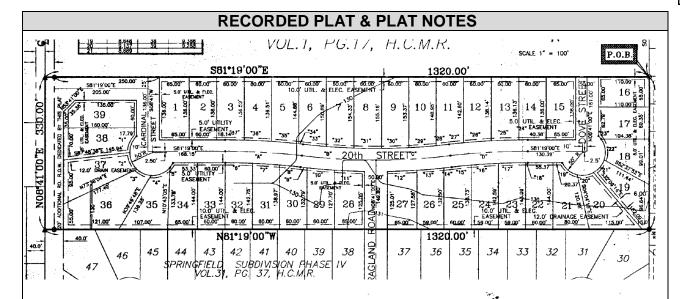
However, if ZBA is inclined to approve this variance request then the applicant would need to comply with the following: 1) Sign a hold harmless agreement stating that the structure will remain perpetually "open and to its footprint" and if the structure is ever removed, the prevailing setbacks shall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









GENERAL NOTES:

1. 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 ENERGY 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'

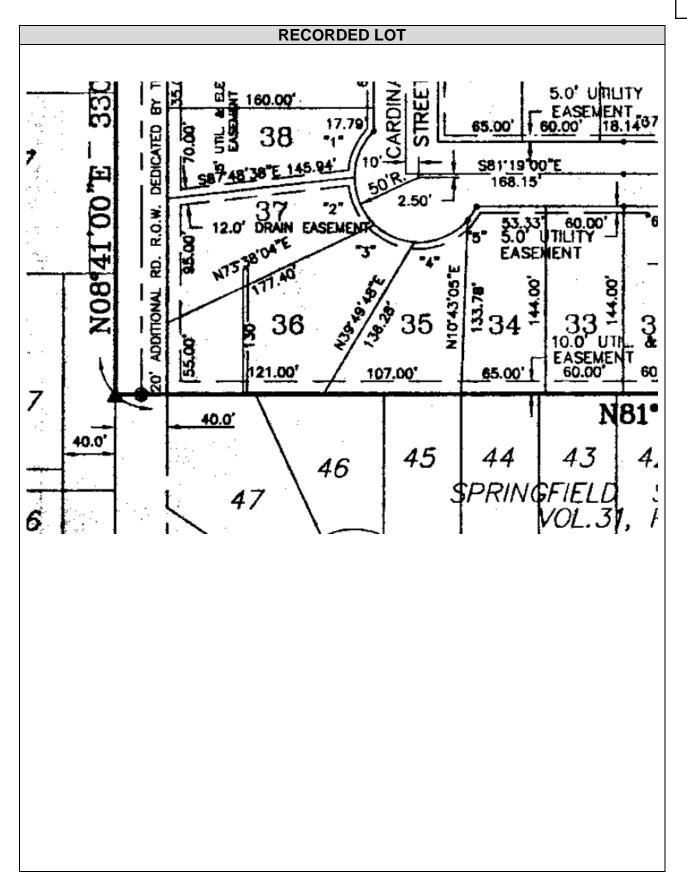
FRONT: 20 FEET; 10 FEET AT CUL-DE-SAC,

GARACE 18 FEET EXCEPT WHERE GREATER SETBACK IS REQUIRED

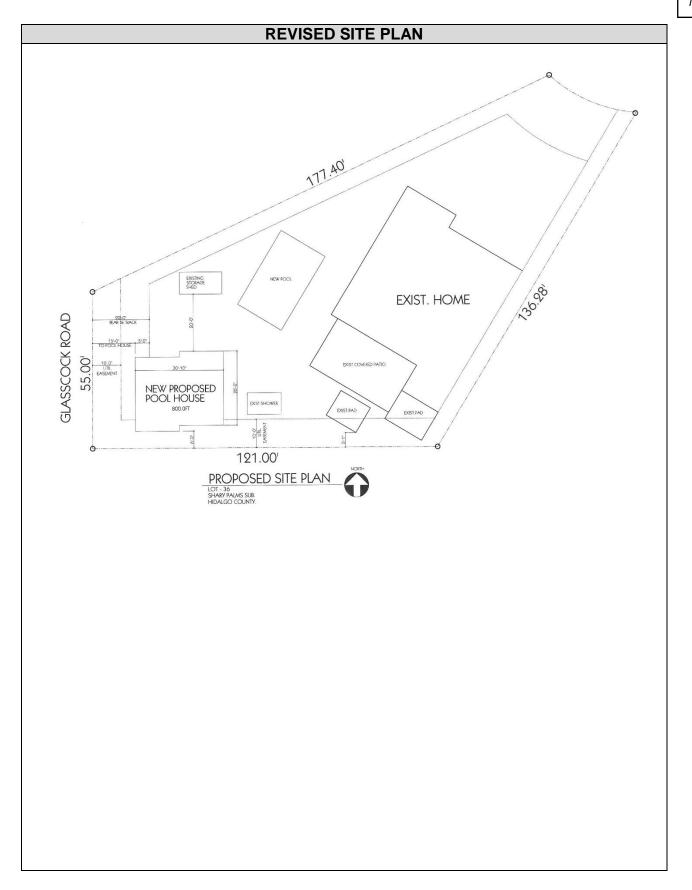
REAR: 10 FEET

SIDE: 8 FEET, AT STREET SHALL BE 10 FEET.

- MINIMUM PERMISSIBLE FINISHED FLOOR ELEVATIONS FOR ALL BUILDING IMPROVEMENTS IS 18" ABOVE NATURAL GROUND.
- 4. 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. ᄪᆖ T) \mathbf{D} ıπ. ₹0. n NO ENTRY TO LOTS 36-39 FROM CLASSCOCK ROAD. H-1 8. TE: UD DE 8.0' FENCE BUFFER REQUIRED ALONG THE WEST SIDE OF HOTE 000 9. 医电台 ゴゆ ONLY ONE RESIDENCE PER LOT. 10. Þ.D O o, z



APPRAISAL DISTRICT INFORMATION Hidalgo County Appraisal Dis PUBLIC CARD WITH SKETCH 2025-1-0 IMPROVEMENTS LAND MARKET MARKET VALUE SPECIAL USE EXCL APPRAISED VALUE HS VALUE LIMIT CIRCUIT BRKR LIMIT 2004 E 20TH ST, MISSION TX 78572 GUERRERO GUILLERMO & REBECCA 475154 HS 235,157 208,929 582186 SHARY PALMS UT 7 LOT 36 TYPE: R DBA: GEO ID: S2973-07-000-0036-00 Ref ID1: 419999 Ref ID2: R582186 SUBTYPE: RES LEGAL ACREAGE: 2004 E 20TH ST MISSION TX US 78572-3201 CAD 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: S297307 MAPSCO: MKT AREA: SSLA010 TIF: SUB MKT: EFF SIZE: APPR VAL METHOD: cost-local NET APPRAISED EXP DATE: 303,747 300,235 UTILITIES: AL,HY TOPOGRAPHY: LV ROAD ACCESS: PCG ZONING: RS (2025) CONV GAR TO ENC (2022) NEW STG & CAN (2017) ADJ MA DIMS: NEW CAN A DECK: (2013) ADJ % & RMVD DEPR 2013; NEWER ROCE(2010) ADJ CL & DEPR 2013; NEWER ROCE(2010) ADJ CL 9(2006) ADJ CL 07(2007) ADJ CL 07(2006) NEW IMPS 05(2005 NEW IMPS 05 NRA: UNITS: RENT: TAXING UNIT CD TAXING UNIT NAME CAD APPRAISAL DISTRICT CMS CITY OF MISSION DR1 DRAINAGE DISTRICT SI OHD HIDALGO COUNTY JCC SOUTH TEXAS COLLEGE SSL SHARVLAND SO SST SOUTH TEXAS SCHOOL 100.00% 100.00% 100.00% 100.00% 100.00% 100.00% DATE TYPE BOOK/PG 2001-11-21 WDV 1999-07-30 SVD CONV GUERRERO RODRIGUEZ RODRIGUEZ DIZDAR & YANCY DIZDAR & YANCY CACERES CIRO & AREA UN PRC UNTS STY BUTTEY R. 2,320 84.80 1 1 2004 2003 640 76.22 1 1 2004 2003 100 21.20 1 1 2004 2003 255 4.5 1 1 2016 2016 112 3.5 1 1 2016 2016 112 3.6 1 1 2016 2016 3,548 Area: 2,780 Horneste Y (1004 Castley, AV # TYPE DESCRIPTION MODEL CLASS MA Readsontial Main RES MRYAV BNO RESCRIPTION RES MRYAV CAN CANOPY RES MRYAV DCX DECK RES MRYAV CAN CANOPY RES MRYAV CAN FOR CANOPY RES MRYAV CAN FOR CANOPY RES MRYAV STO STORE RES MRYAV STO STORE RES MRYAV STORE STORE RES MRYAV STORE STORE RES MRYAV STORE STORE RES MRYAV VAC # ADJ TYPE ADJ AMT ADJ % DESC COND FEAT AMT AV 0 AV 0 - 0 - 0 - 0 - 0 ECON 100.00 100.00 100.00 100.00 100.00 100.00 FUNC COMP 100.00 100.00 100.00 100.00 100.00 100.00 100.00 100.00 100.00 100.00 100.00 100.00 100.00 100.00 100.00 100.00 100.00 100.00 PHYS 100.00 100.00 100.00 100.00 100.00 100.00 100.00 MRY 84.80 76.32 21.20 4.5 3.5 9.0 15.0 Area: Quality Y BUILT EF YR CONI 1 2004 2025 A' 1 2004 2025 A' 1 2004 2025 A' 1 2016 2016 1 2016 2016 1 2019 2019 1 2020 2020 Homesile Y (100.00%) VALUE 196,736 35,107 2,120 1,148 392 2,160 5,415 243,078 DEP 80.00 99.00 80.00 99.00 99.00 99.00 AS Code: Ext. Wall: 157,389 34,756 1,698 1,137 388 2,117 5,361 208,929 PRODUCTIVITY VALUATION ADJ % AG USE TABLE UNIT AG VALUE SEQ ADJ TYPE ADJ AMT L# DESCRIPTION TYPE SOIL CLS Property ID: 582186 Effective Date of Appraisal: January Printed By: KF Powered By: <True Prodigy> Page 4 of 4



MAILOUT LIST PROP_ID 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 S2973-07-000-0001-00 AYALA MINERVA 2007 E 20TH ST MISSION TΧ 78572-3224 582188 S2973-07-000-0038-00 ESPARZA FERNANDA 2001 CARDINAL ST MISSION TΧ 78572-3459 556895 \$\$4\$1-04-000-0049-00 GALLOSO LILLIE MARIE 2006 F 19TH MISSION TX 78572-3285 582189 S2973-07-000-0039-00 GUZMAN JUAN F 2003 CARDINAL ST MISSION 78572-3459 TX 556889 S5451-04-000-0043-00 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 TΧ 78572-3201 563559 S2973-05-000-0044-00 VERA MARIA G DE HURTADO 1823 LAUREN LN MISSION TX 78572-3158 S2973-05-000-0046-00 VILLANUEVA ERICK A ALONSO 1704 PRIMROSE AVE MISSION 78572-3149 563561 TX 563560 S2973-05-000-0045-00 CHAVEZ FIDEL JR & IRMA 1706 PRIMROSE AVE MISSION 78572 TX 563558 \$2973-05-000-0043-00 HICKS THOMAS A & LORI M 3045 LADOGA AVE LONG BEACH CA 90808-4017 \$2973-05-000-0047-00 RODRIGUEZ CASEY JEREMIAH 13919 N 34TH LN MCALLEN 78504-6717 563562 283535 \$3000-00-000-0137-00 BON GEORGE & SUE 1811 N GLASSCOCK RD MISSION TX 78572-3128 PO BOX 720189 556894 \$5451-04-000-0048-00 MARTINEZ JENNY G & LAZARO MCALLEN 78504-0189 TX 556893 S5451-04-000-0047-00 GALVAN CLAUDIO ALEJANDRO 1903 CARDINAL ST 78572-3472 MISSION 556892 S5451-04-000-0046-00 VARELA ALEJANDRO 2005 E 19TH ST MISSION TX 78572-3286 S5451-04-000-0045-00 SALINAS FERNANDO & BRIANA RODRIGUEZ 2007 E. 19TH ST. 556891 MISSION TX 78572 556888 S5451-04-000-0042-00 PENA SERGIO & BEATRIZ GONZALEZ 2013 E 19TH ST MISSION TX 78572-3286 582184 S2973-07-000-0034-00 MALDONADO JESUS E LEAL 2008 E 20TH ST MISSION 78572-3201 TX MISSION 582183 S2973-07-000-0033-00 MAYORGA GUADALUPE A LEAL & SILVIA TREVINO E 2010 E 20TH ST TX 78572-3201 582185 S2973-07-000-0035-00 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 S2973-07-000-0032-00 GARZA JESUS J J R & CRISELDA C 2012 E 20TH ST MISSION TX 78572-3201 283532 S3000-00-0032-00 BORREGO ELIBORIO JR & MARIA MAGDALENA 1815 N GLASSCOCK RD MISSION TX 78572-3128



AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: September 24, 2025

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

AGENDA ITEM: Tabled: Public hearing and consideration of a variance 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, 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
- <u>August 17, 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.
- <u>August 27, 2025</u> During the public hearing the Zoning Board of Adjustments votes to table the request.
- September 24, 2025 Consideration of requested variance by the Zoning Board of Adjustments.

Summary:

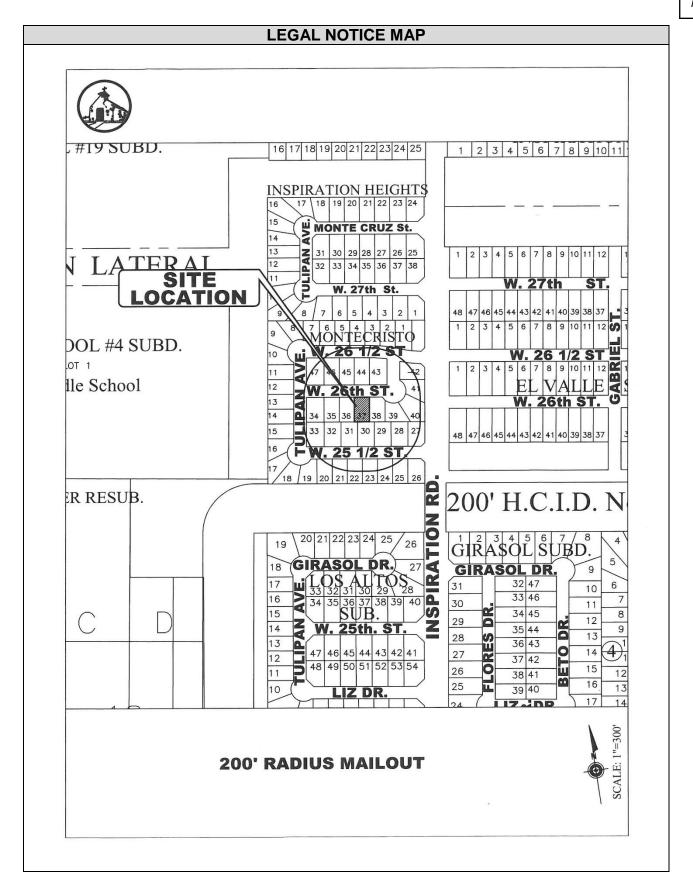
- The request is for a variance not to comply with Section 1.371 (5) (h) of the Mission Code of Ordinances, which states:
 - Minimum distance from the public right-of-way to the entrance to a garage or enclosed carport, unless otherwise approved by the Zoning Board of adjustments: 18 feet.
- The request 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:

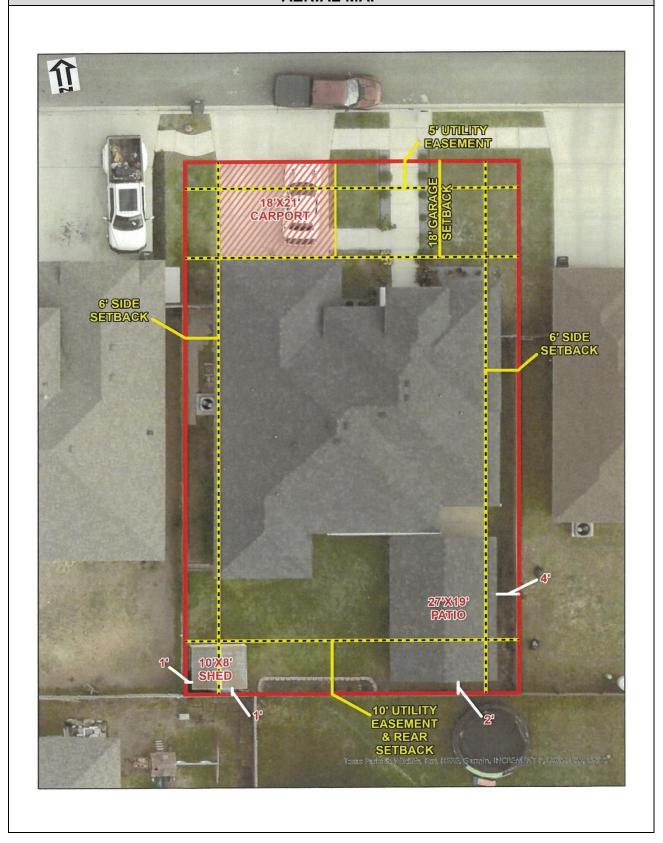
Staff recommends denial. The structures need to be modified or removed to comply with the required setbacks.

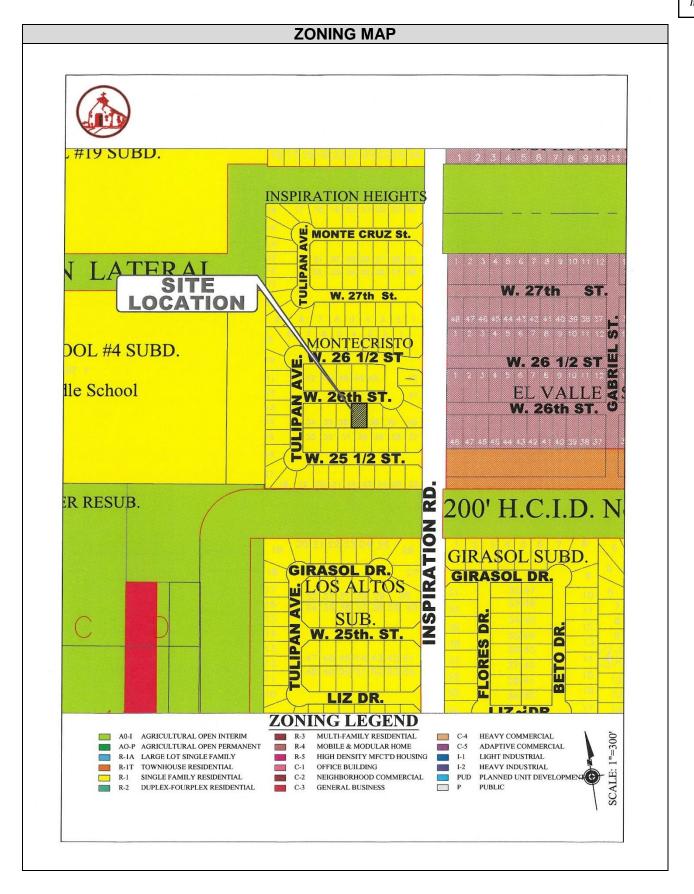
However, if the ZBA is inclined to approve this variance request then the applicant would need to comply with the following: 1) Sign a hold harmless agreement stating that the structures will remain perpetually "open and to its footprint" and if the structures are ever removed, the prevailing setbacks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

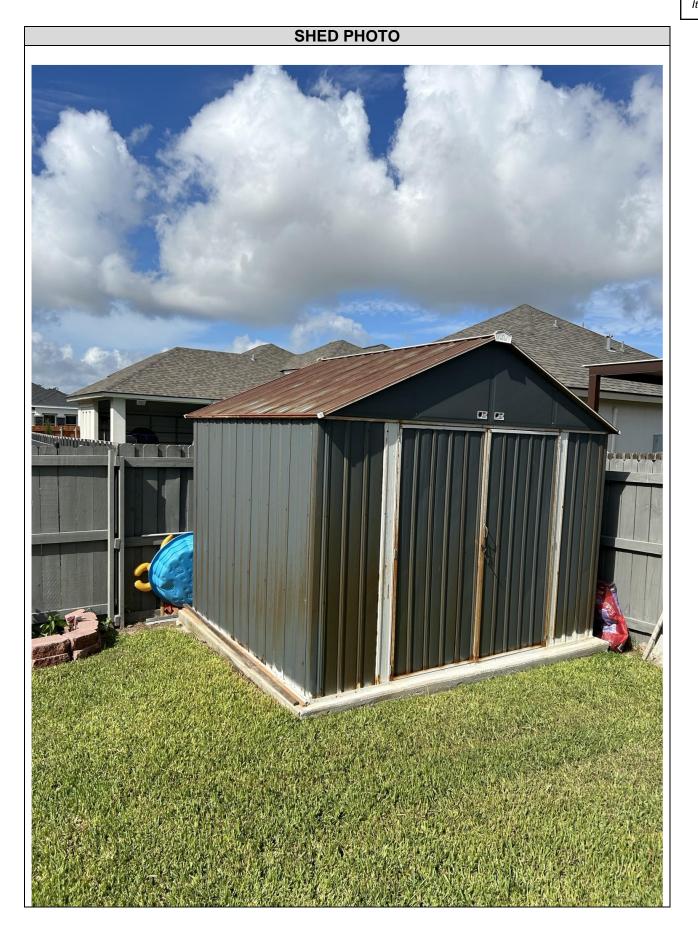
RECORD OF VOTE:	APPROVED: DISAPPROVED: TABLED:	
AYES		
NAYS		
DISSENTING		

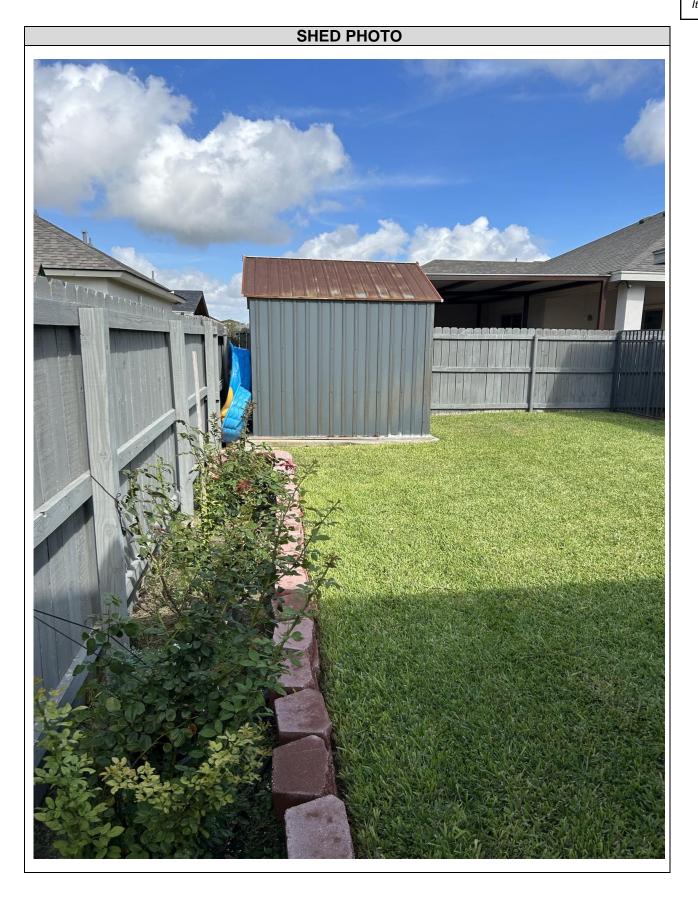


AERIAL MAP













TEXAS 811 LOCATE REQUEST

2:59











texas811locates@texa... 2:55 PM

To: cdklv@yahoo.com >

Locate Message

To update or view a map of the dig location click here to go to the Texas811 Portal Site.

Texas811 Locate Request

Old 2576123607

2575283770

Ticket Number:

Ticket:

Hours 48

Source: Voice

Notice:

Type: Recall

9/18/2025 Taken Date: 2:55:21 PM

Seq Num: 1

Company Information

Excavator:	CRAIG KING	Type:	Homeowner
Address:	1909 W 26TH ST	Contact:	CRAIG KING
City, St, Zip:	MISSION, TX 78574	Contact Phone:	(702) 272-4907
Phone:	(702) 272-4907	Caller:	CRAIG KING
Fax:		Caller Phone:	(702) 272-4907
Callback:			
Caller Email:	CDKLV@YA HOO.COM		
Contact Email:	CDKLV@YA HOO.COM		

Work Information

9/22/2025









MAILOUT LIST 2:59 100 **Locate Message** Work Information 9/22/2025 TX Work Date: State: 3:00:00 PM Work Zip **HIDALGO** 78574 County: Code: City: MISSION Work Done **CRAIG KING Duration:** UNKNOWN For: 1909 W Deeper Address: Unknown **26TH ST** Than 16in: **TULIPAN** Intersection: Explosives: No **AVE** Remove-Nature of Sidewalk/ White Lined: No Work: Driveway Excavation Map Book: Depth: Excavation Directional No Length: Boring: Equipment None Type: **Excavator Supplied GPS Driving Directions to Work Site** Work Site Locate Instructions LOCATE THE REAR FENCE OF THE PROPERTY Additional Information Recall-2575283770, SHED ** RECALL -**CORRECTION TO EMAIL** Interactive Ticket Link https://txgc.texas811.org/ui/ticket/2576123607 **Excavator Requested Positive Response**

MAILOUT LIST

2:59







Locate Message



Excavator Requested Positive Response Method

Members

<u>Code</u>	<u>Name</u>
AC2	Aep Texas
CCTXS	Spectrum
	City of Mission -

MSN City of Mission - Public Works

Department

MVE Magic Valley Electric Coop. Inc.

TXS1 At&t

Please be advised that water, slurry, sewage, service lines and privately owned facilities in the area of the proposed excavation may not be located even after contacting the 811 Center. If your facility is not listed or marked by the utility company you will need to contact the company directly or get private locates by an authorized party.

Work Location Bounding Box

Latitude:	26.237177	Longitude:	-98.347777
Second Latitude:	26.237774	Second Longitude:	-98.347187

In the future you can submit your tickets quick and easy online at the <u>Texas811 Portal Site</u>.

Call 811 to report all damages.

Under Railroad Commission Damage Prevention rules, Texas Administrative Code, Chapter 18, Title 16, Part 1, Rule 18.1, this locate request expires after 14 working days.









MAILOUT LIST

PROP_ID geoID	name	addrDelive	addrCity	addrState	addrZip
1180718 M5795-00-000-0047-00	PORTILLO ALEJANDRO	4105 HILLCREST DR	MISSION	TX	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					