



AGENDA

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

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

Meeting ID: 821 7674 2582

Passcode: 242441

One tap mobile

+13462487799, Meeting ID: 82176742582 # Password: 242441

REGULAR MEETING

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

[1.1](#) Approval of Minutes for ZBA Meeting – March 13, 2025 - Cervantes

PUBLIC HEARING

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

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

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

[1.4](#) Consider a variance request to allow a 2.3' side setback instead of the required 6' and a 4' front/garage setback instead of the required 18' for a proposed replacement of a carport at 1601 Mission Avenue, being Lot 1, Block 7, Fiesta Village. Applicant: Jeffrey Horne – Cervantes

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

[1.6](#) Consider a variance request to allow a 6' rear setback instead of the required 10' for a 26' by 28' detached rear patio structure, located at 3106 Hillcrest Drive, being Lot 20, Hillcrest Valley Subdivision, Applicant – Blanca Morin - Cervantes

ADJOURNMENT

Signed this the 17th day of April, 2025

Xavier Cervantes, Director of Planning

C E R T I F I C A T E

I, the undersigned City Secretary do certify that the above notice of meeting was posted on the bulletin board of City Hall, 1201 E. 8th Street, Mission, Texas on this the 17th day of April, 2025 at 4:30 p.m.

Anna Carrillo, City Secretary

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

Notice is hereby given that on the **23rd day of April, 2025** the Zoning Board of Adjustments of the City of Mission will hold a regular meeting at 4:30 p.m. at 1201 E. 8th Street, Mission, Texas to consider the following matters. The subjects to be discussed are listed on the agenda, which is attached to and made a part of this Notice.

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

Texas Government Code Section:

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

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

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

On this the **17th day of April, 2025** this Notice was emailed to news media who had previously requested such Notice and an original copy was posted on the bulletin board at City Hall, 1201 E. 8th Street at 4:30 p.m. on said date.

Anna Carrillo, City Secretary

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

ZBA PRESENT

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

ZBA ABSENT

Humberto Garza

STAFF PRESENT

Susie De Luna
Irasema Dimas
Jessica Munoz
Alex Hernandez
Patricio Martinez

GUESTS PRESENT

Maria Botello
Conne A. Gomez
Patricia Gomez
Anna Silva Cantu

CALL TO ORDER

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

CITIZENS PARTICIPATION

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

There was none.

APPROVAL OF MINUTES FOR FEBRUARY 22, 2025

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

ITEM #1.1

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

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

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

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

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

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

Item 1.1

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

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

RECOMMENDATION: Denial.

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

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

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

Mr. Carlos Rainha replied yes.

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

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

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

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

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

Ms. Dolly Elizondo stated limit the accessory structures.

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

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

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

ITEM #1.2

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

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

Item 1.1

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

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

RECOMMENDATION: Denial.

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

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

Chairman Heraclio Flores asked if the cement had a permit.

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

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

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

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

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

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

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

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

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

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

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

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

ITEM #1.3

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

No Action was taken.

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

TABLED ITEM #1.4

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

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

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

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

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

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

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

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

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

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

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

Item 1.1

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

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

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

2.0 OTHER BUSINESS

There was none.

3.0 ADJOURNMENT

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

Heraclio Flores, Chairman
Zoning Board of Adjustments



CITY OF MISSION

AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: April 23, 2025

PRESENTED BY: Xavier Cervantes, Director of Planning

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

NATURE OF REQUEST:

Project Timeline:

- March 14, 2025 – Application for Variance Request submitted to the City.
- March 14, 2025 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- March 26, 2025 - Public hearing and consideration of requested variance by the Zoning Board of Adjustments.

Summary:

- The request is for a variance not to comply with Section 1.371 (5)(f) of the Mission Code of Ordinances, which states:
 - Minimum depth of the rear setback :10 feet or to the easement line, whichever is greater.
 - Where a building setback has been established by plat or ordinance and such setback requires a greater or lesser rear yard setback than is prescribed by this article for the district in which the building is located, the required rear yard setback shall comply with the building line so established by such plat or ordinance.
- The site is located along the South side of E. 20th Street approximately 600 feet East of N. Shary Road (F.M. 494).
- The applicant is requesting a variance to construct a swimming pool in the rear of the property.
- Shary Villas Subdivision was recorded on October 30, 2003. The subject property fronts E. 20th Street with a width of 72 feet and a length of 128 feet on one side and 112 feet on the other side.
- The Planning Staff has not received any objections to the request from surrounding property owners. Staff mailed out (16) legal notices to surrounding property owners.
- The applicant would like for the Board to consider the above-mentioned variance for construction of the swimming pool.
- On July 19, 2023 at 2408 E. 20th Street the applicant requested a variance to keep a 1.8 feet side setback instead the required 6 feet and a 7.11 feet rear setback instead the required 15 feet for a 18feet by 30 feet open patio. The Zoning Board of Adjustments voted to approve the variance request subject to obtaining a building permit.

- The City of Mission Code of Ordinances Appendix A – Zoning, Section 1.17 states ZBA may:
 - “Permit the reconstruction, extension, or enlargement of a building occupied by a non-conforming use on the lot tract occupied by such building provided such reconstruction does not prevent the return of such property to a conforming use”, and
 - Authorize in specific cases a variance from the terms of a zoning ordinance if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the ordinance is observed and substantial justice is done.”
 - There is a new state law, HB1475, that allows variances to be granted if:
 - The financial cost compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessors for the municipality under Section 26.01, Tax Code;
 - Compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur;
 - Compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other department; Compliance would result in the unreasonable encroachment on an adjacent property or easement; or
 - The municipality considers the structure to be a nonconforming structure.

STAFF RECOMMENDATION:

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

1. Must comply with the required easement and setbacks.

RECORD OF VOTE:

APPROVED: _____

DISAPPROVED: _____

TABLED: _____

_____ AYES

_____ NAYS

_____ DISSENTING _____

Attachment I



ZONING BOARD OF ADJUSTMENTS APPLICATION

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

SUBDIVISION: Shary Villas LOT: 58 BLOCK: _____

APPROX. LOCATION: _____

ZONE: _____

PURPOSE: Building 15X30 swimming pool

OFFICE USE ONLY

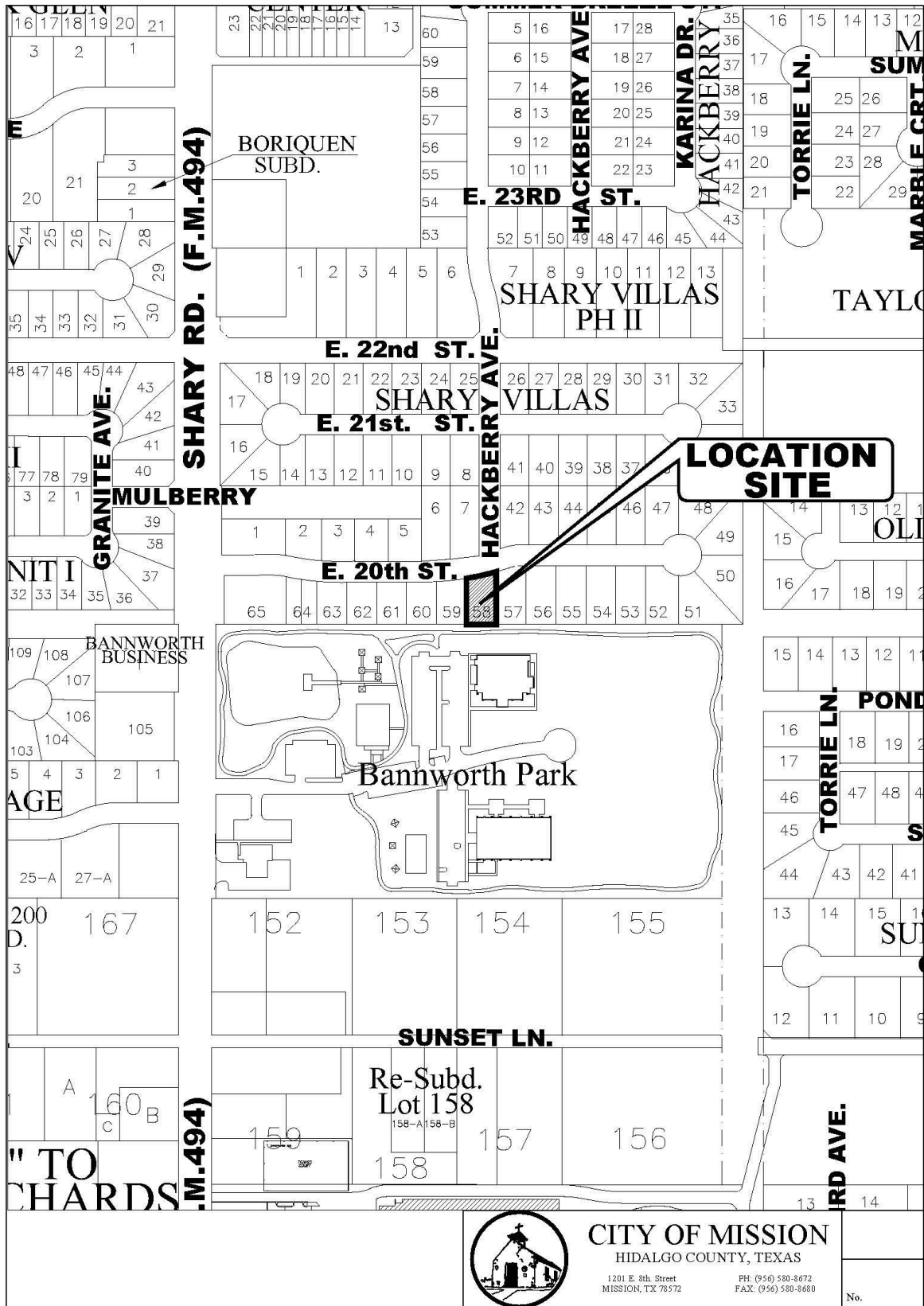
ZBA ACTION: _____ PASSED _____ TABLED _____ FAILED DATE: _____

COMMENTS: _____

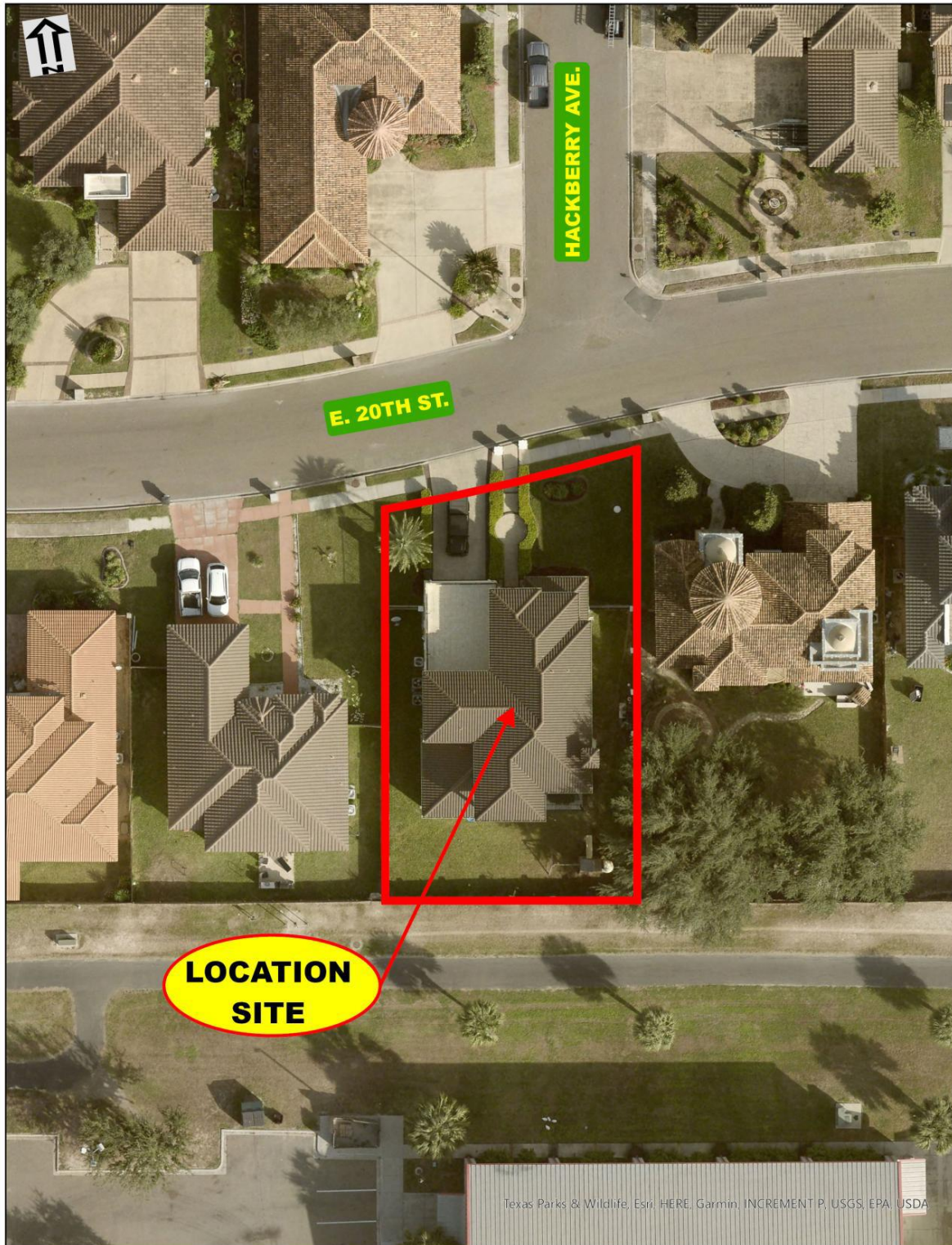
LETTERS MAILED: _____ FILING FEE: \$250.00 RECEIPT NO.: 20250224

APPLICANT'S SIGNATURE: Yuliana Salinas

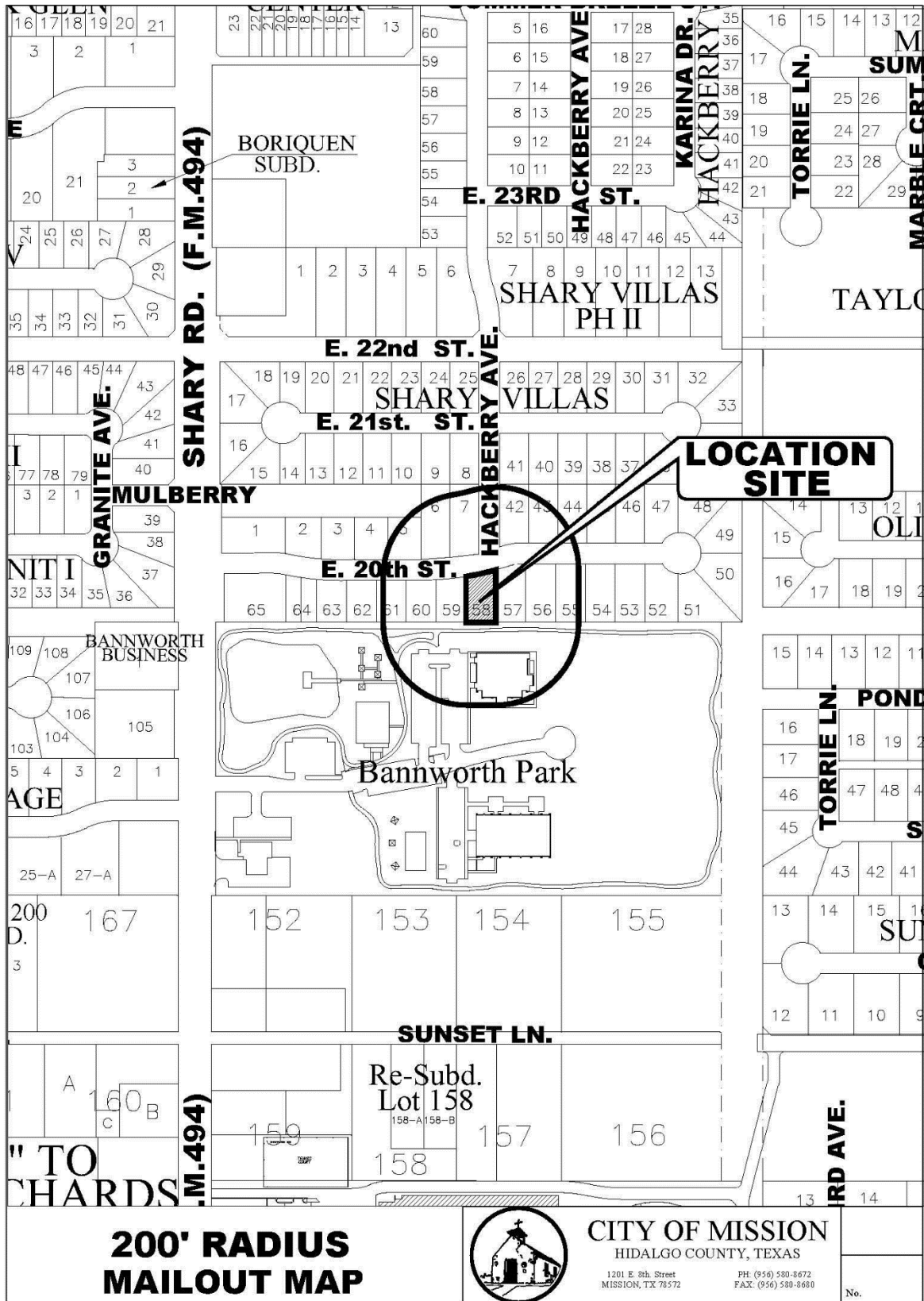
Attachment II



Attachment III



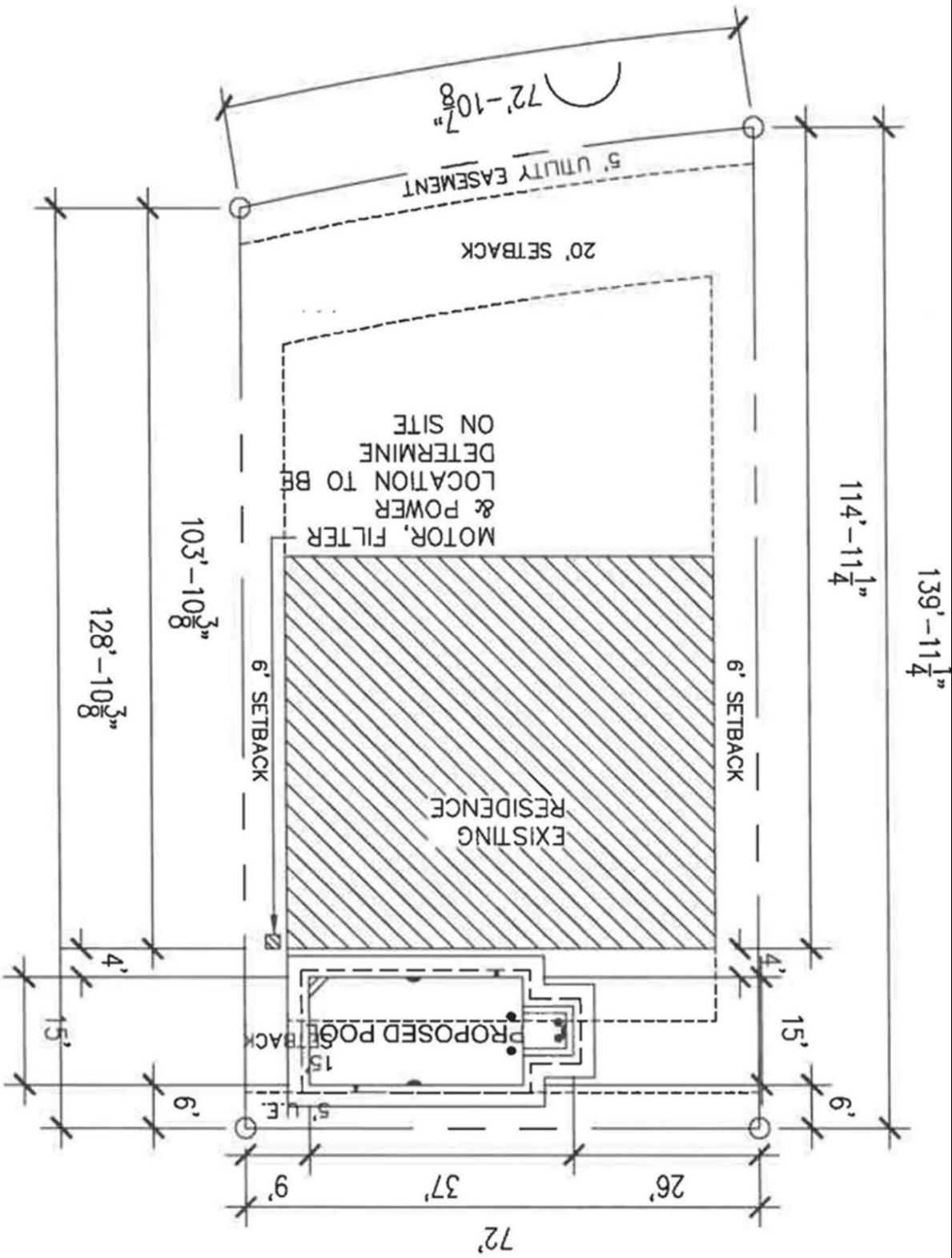
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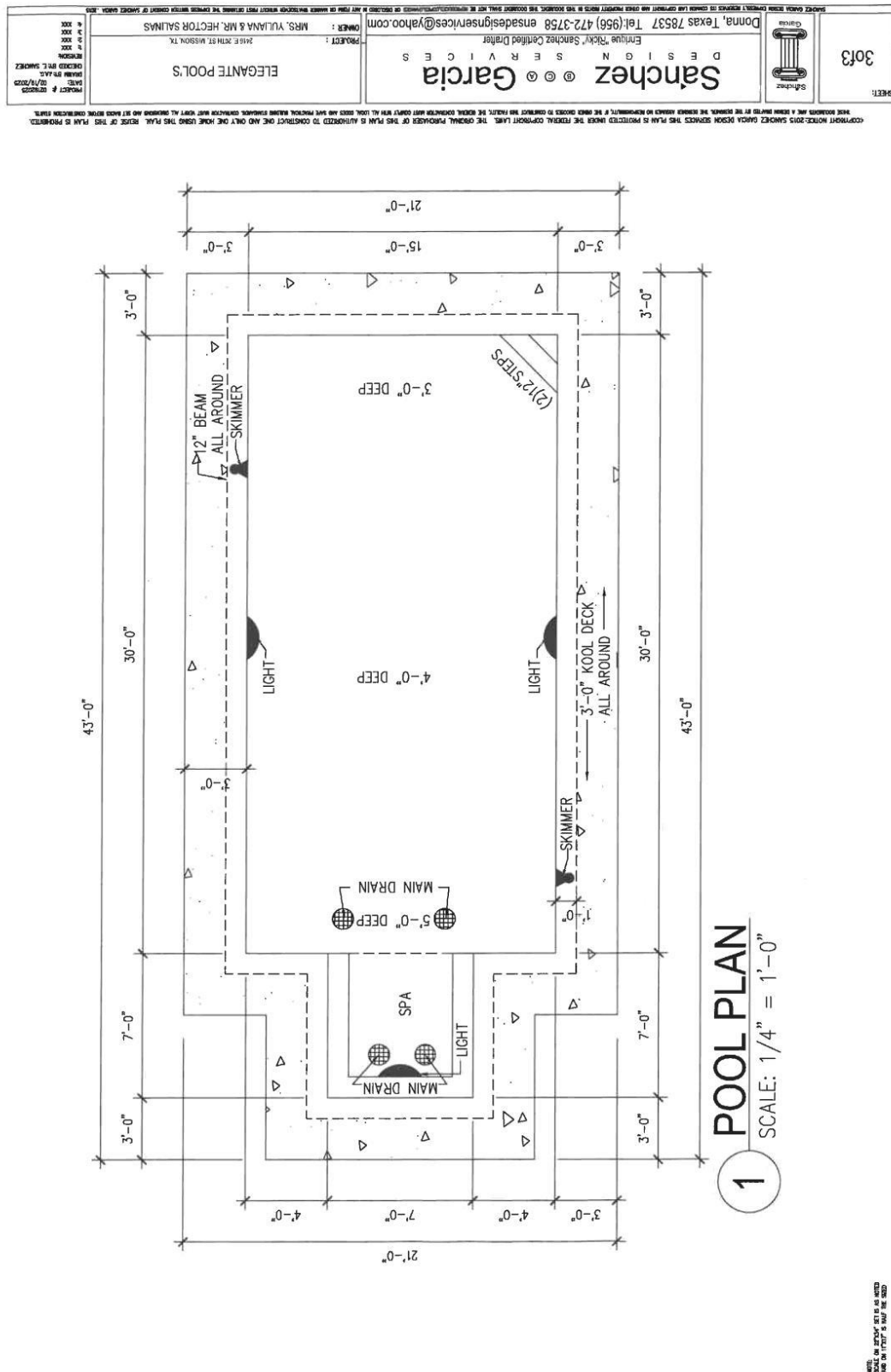
Page 1 of 1 Effective Date of Appraisal: January 1 Date Printed: March 14, 2025 13:48 Printed By: SP Property ID: 672861 Powered By: <True Prodigy>

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Attachment VI



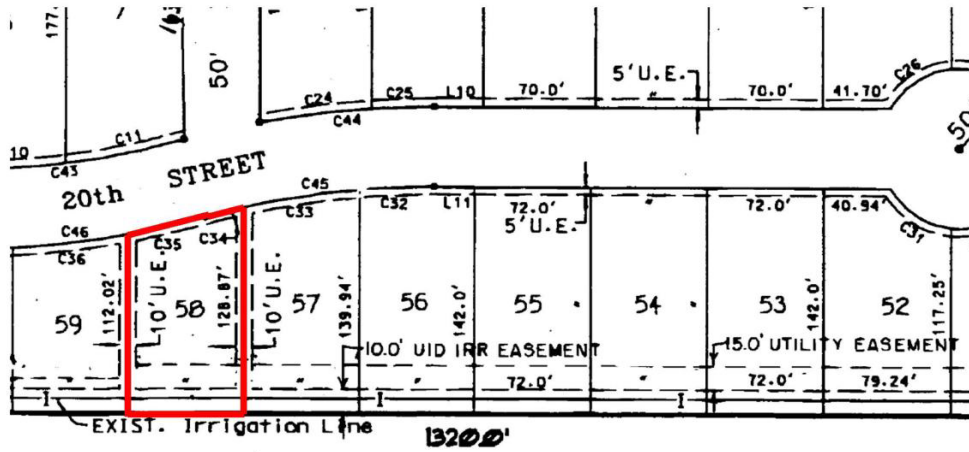
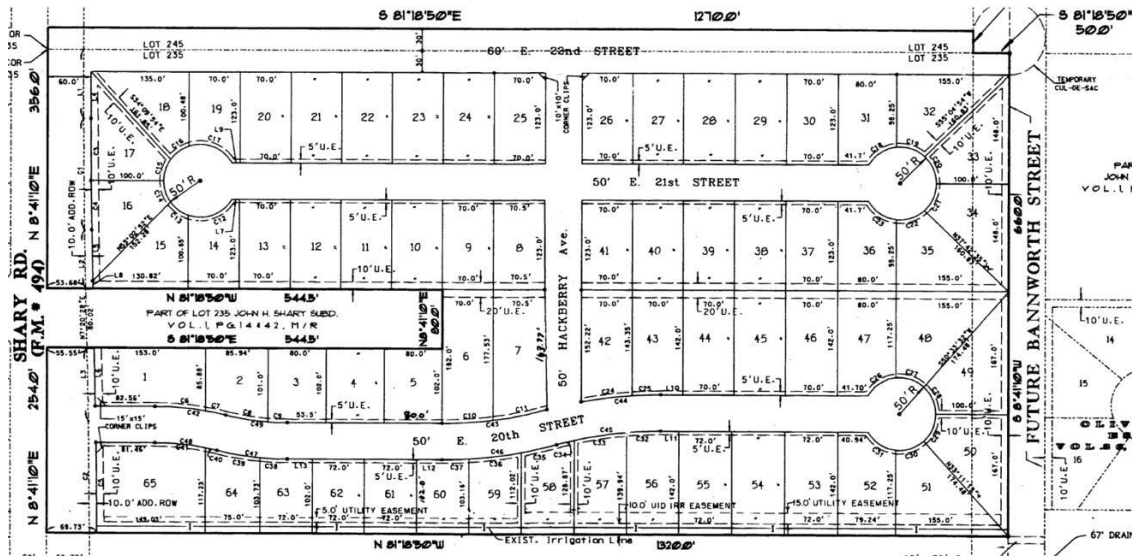
Attachment VII



Attachment VII

Sanchez DESIGN SERVICES Enrique "Ricky" Sanchez Certified Drafter Donna, Texas 78537 Tel: (956) 472-3758 ensadesignservices@yahoo.com		SHEET: 20f3
PROJECT: ELEGANTE POOLS 2416 E. 27TH ST. MISSION, TX OWNER: MRS. YULIANA & MR. HECTOR SALINAS		1/4" = 1'-0" 1/8" = 1'-0" 1/16" = 1'-0" 1/32" = 1'-0" 1/64" = 1'-0" 1/128" = 1'-0" 1/256" = 1'-0" 1/512" = 1'-0" 1/1024" = 1'-0" 1/2048" = 1'-0" 1/4096" = 1'-0" 1/8192" = 1'-0" 1/16384" = 1'-0" 1/32768" = 1'-0" 1/65536" = 1'-0" 1/131072" = 1'-0" 1/262144" = 1'-0" 1/524288" = 1'-0" 1/1048576" = 1'-0" 1/2097152" = 1'-0" 1/4194304" = 1'-0" 1/8388608" = 1'-0" 1/16777216" = 1'-0" 1/33554432" = 1'-0" 1/67108864" = 1'-0" 1/134217728" = 1'-0" 1/268435456" = 1'-0" 1/536870912" = 1'-0" 1/1073741824" = 1'-0" 1/2147483648" = 1'-0" 1/4294967296" = 1'-0" 1/8589934592" = 1'-0" 1/17179869184" = 1'-0" 1/34359738368" = 1'-0" 1/68719476736" = 1'-0" 1/137438953472" = 1'-0" 1/274877906944" = 1'-0" 1/549755813888" = 1'-0" 1/1099511627776" = 1'-0" 1/2199023255552" = 1'-0" 1/4398046511104" = 1'-0" 1/8796093022208" = 1'-0" 1/17592186044416" = 1'-0" 1/35184372088832" = 1'-0" 1/70368744177664" = 1'-0" 1/140737488355328" = 1'-0" 1/281474976710656" = 1'-0" 1/562949953421312" = 1'-0" 1/1125899906842624" = 1'-0" 1/2251799813685248" = 1'-0" 1/4503599627370496" = 1'-0" 1/9007199254740992" = 1'-0" 1/18014398509481984" = 1'-0" 1/36028797018963968" = 1'-0" 1/72057594037927936" = 1'-0" 1/144115188075855872" = 1'-0" 1/288230376151711744" = 1'-0" 1/576460752303423488" = 1'-0" 1/1152921504606846976" = 1'-0" 1/2305843009213693952" = 1'-0" 1/4611686018427387904" = 1'-0" 1/9223372036854775808" = 1'-0" 1/18446744073709551616" = 1'-0" 1/36893488147419103232" = 1'-0" 1/73786976294838206464" = 1'-0" 1/147573952589676412928" = 1'-0" 1/295147905179352825856" = 1'-0" 1/590295810358705651712" = 1'-0" 1/1180591620717411303424" = 1'-0" 1/2361183241434822606848" = 1'-0" 1/4722366482869645213696" = 1'-0" 1/9444732965739290427392" = 1'-0" 1/18889465931478580854784" = 1'-0" 1/37778931862957161709568" = 1'-0" 1/75557863725914323419136" = 1'-0" 1/151115727451828646838272" = 1'-0" 1/302231454903657293676544" = 1'-0" 1/604462909807314587353088" = 1'-0" 1/1208925819614629174706176" = 1'-0" 1/2417851639229258349412352" = 1'-0" 1/4835703278458516698824704" = 1'-0" 1/9671406556917033397649408" = 1'-0" 1/19342813113834066795298816" = 1'-0" 1/38685626227668133590597632" = 1'-0" 1/77371252455336267181195264" = 1'-0" 1/154742504910672534362390528" = 1'-0" 1/309485009821345068724781056" = 1'-0" 1/618970019642690137449562112" = 1'-0" 1/1237940039285380274899124224" = 1'-0" 1/2475880078570760549798248448" = 1'-0" 1/4951760157141521099596496896" = 1'-0" 1/9903520314283042199192993792" = 1'-0" 1/19807040628566084398385987584" = 1'-0" 1/39614081257132168796771975168" = 1'-0" 1/79228162514264337593543950336" = 1'-0" 1/158456325028528675187087900672" = 1'-0" 1/316912650057057350374175801344" = 1'-0" 1/633825300114114700748351602688" = 1'-0" 1/1267650600228229401496703205376" = 1'-0" 1/2535301200456458802993406410752" = 1'-0" 1/5070602400912917605986812821504" = 1'-0" 1/10141204801825835211973625643008" = 1'-0" 1/20282409603651670423947251286016" = 1'-0" 1/40564819207303340847894502572032" = 1'-0" 1/81129638414606681695789005144064" = 1'-0" 1/162259276829213363391578010288128" = 1'-0" 1/324518553658426726783156020576256" = 1'-0" 1/649037107316853453566312041152512" = 1'-0" 1/1298074214633706907132624082305024" = 1'-0" 1/2596148429267413814265248164610048" = 1'-0" 1/5192296858534827628530496329220096" = 1'-0" 1/10384593717069655257060992658440192" = 1'-0" 1/20769187434139310514121985316880384" = 1'-0" 1/41538374868278621028243970633760768" = 1'-0" 1/83076749736557242056487941267521536" = 1'-0" 1/166153499473114484112975882535043072" = 1'-0" 1/332306998946228968225951765070086144" = 1'-0" 1/664613997892457936451903530140172288" = 1'-0" 1/132

Attachment IX



ANNWORTH PARK

P

Attachment X

NOTES:

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

Attachment XI

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



CITY OF MISSION

AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: April 23, 2025

PRESENTED BY: Xavier Cervantes, Director of Planning

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

NATURE OF REQUEST:

Project Timeline:

- March 14, 2025 – Application for Variance Request submitted to the City.
- March 14, 2025 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- March 26, 2025 - Public hearing and consideration of requested variance by the Zoning Board of Adjustments.

Summary:

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

- The City of Mission Code of Ordinances Appendix A – Zoning, Section 1.17 states ZBA may:
 - “Permit the reconstruction, extension, or enlargement of a building occupied by a non-conforming use on the lot tract occupied by such building provided such reconstruction does not prevent the return of such property to a conforming use”, and
 - Authorize in specific cases a variance from the terms of a zoning ordinance if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the ordinance is observed and substantial justice is done.”
 - There is a new state law, HB1475, that allows variances to be granted if:
 - The financial cost compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessors for the municipality under Section 26.01, Tax Code;
 - Compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur;
 - Compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other department; Compliance would result in the unreasonable encroachment on an adjacent property or easement; or
 - The municipality considers the structure to be a nonconforming structure.
- Staff notes that ZBA has considered the following variance in this site:
- Previous property owner requested a variance to keep a 2 feet side setback instead of the required 6 feet side setback.

STAFF RECOMMENDATION:

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

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

RECORD OF VOTE:

APPROVED: _____

DISAPPROVED: _____

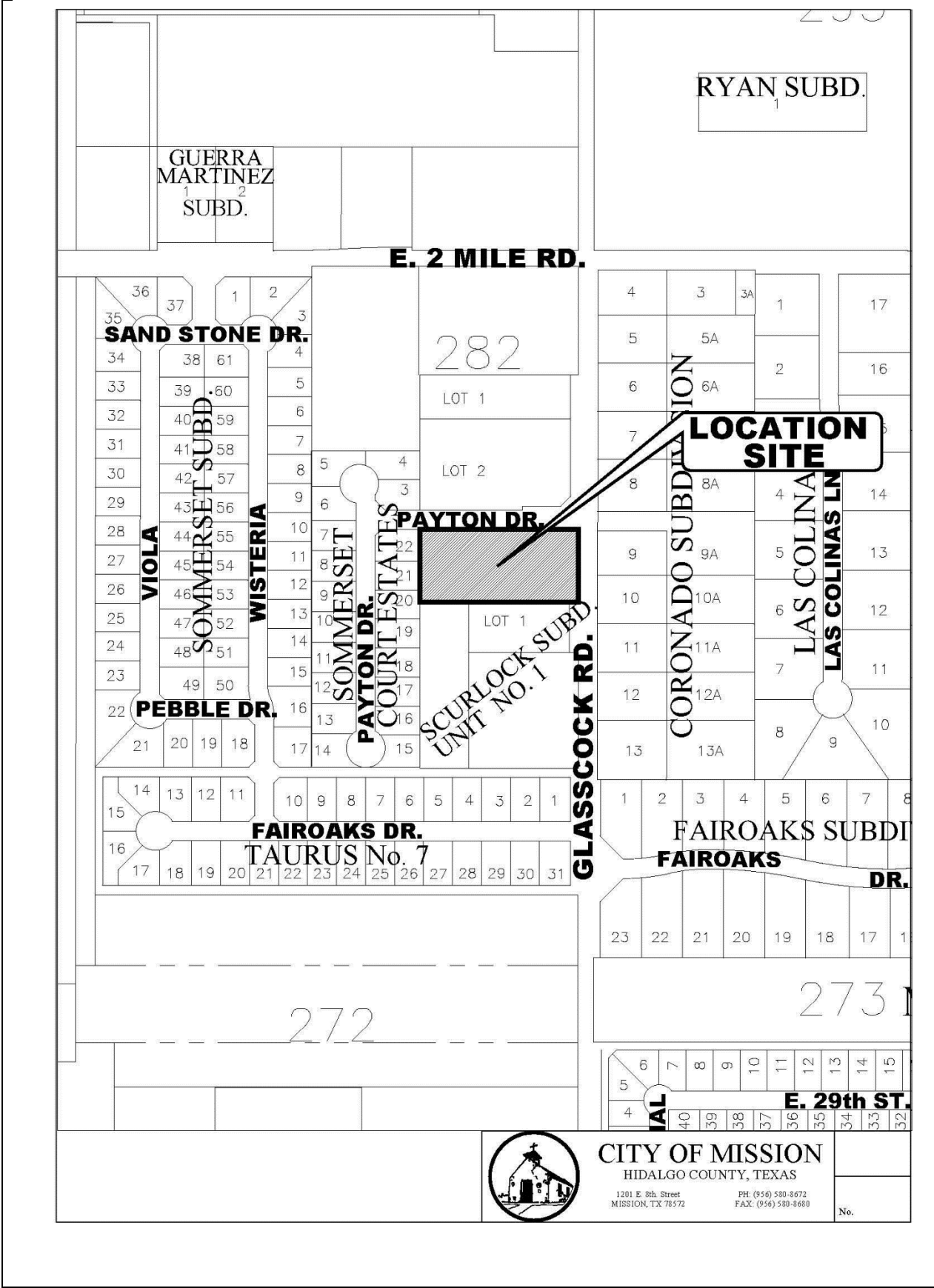
TABLED: _____

_____ AYES

_____ NAYS

_____ DISSENTING _____

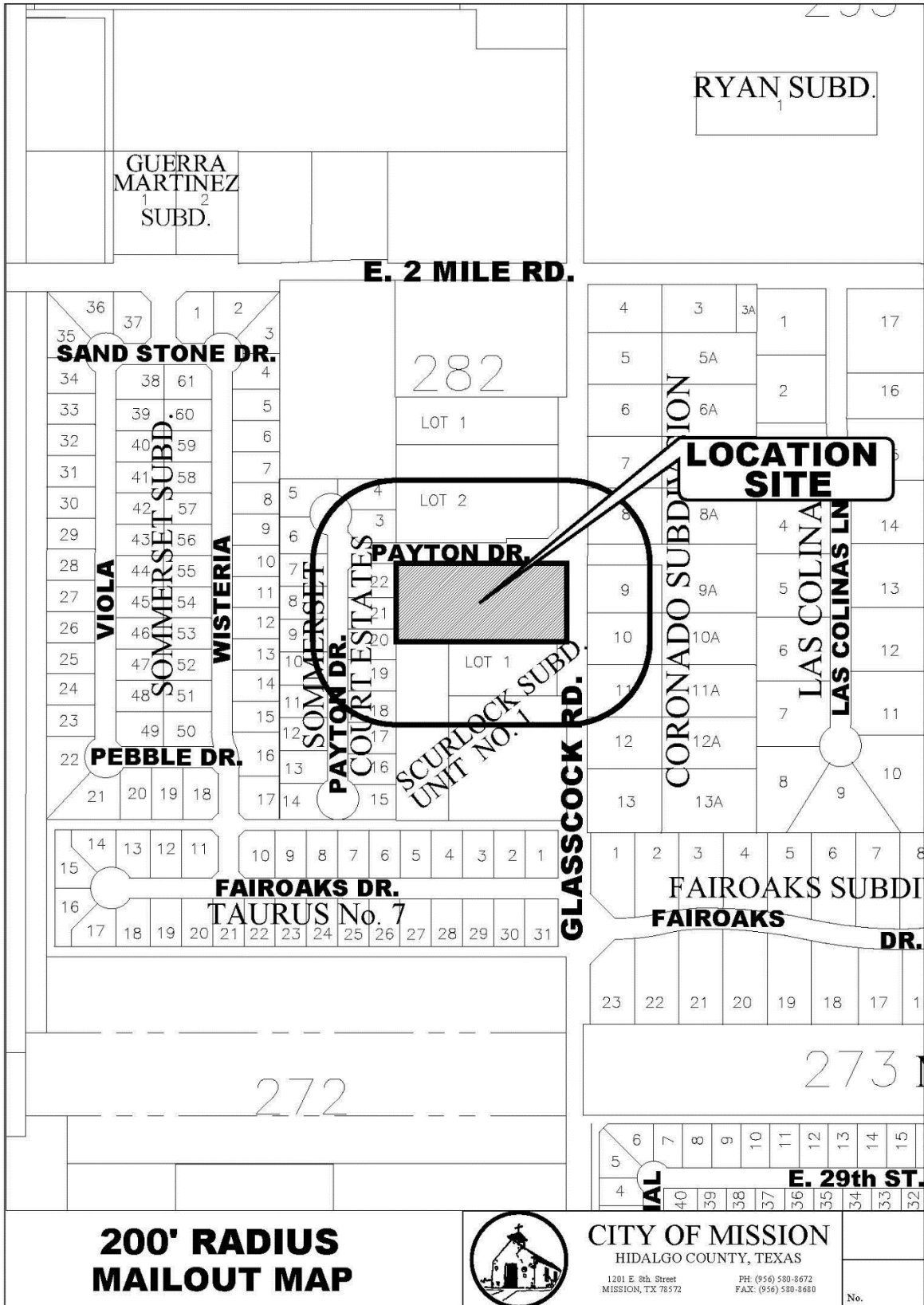
Attachment I



Attachment II



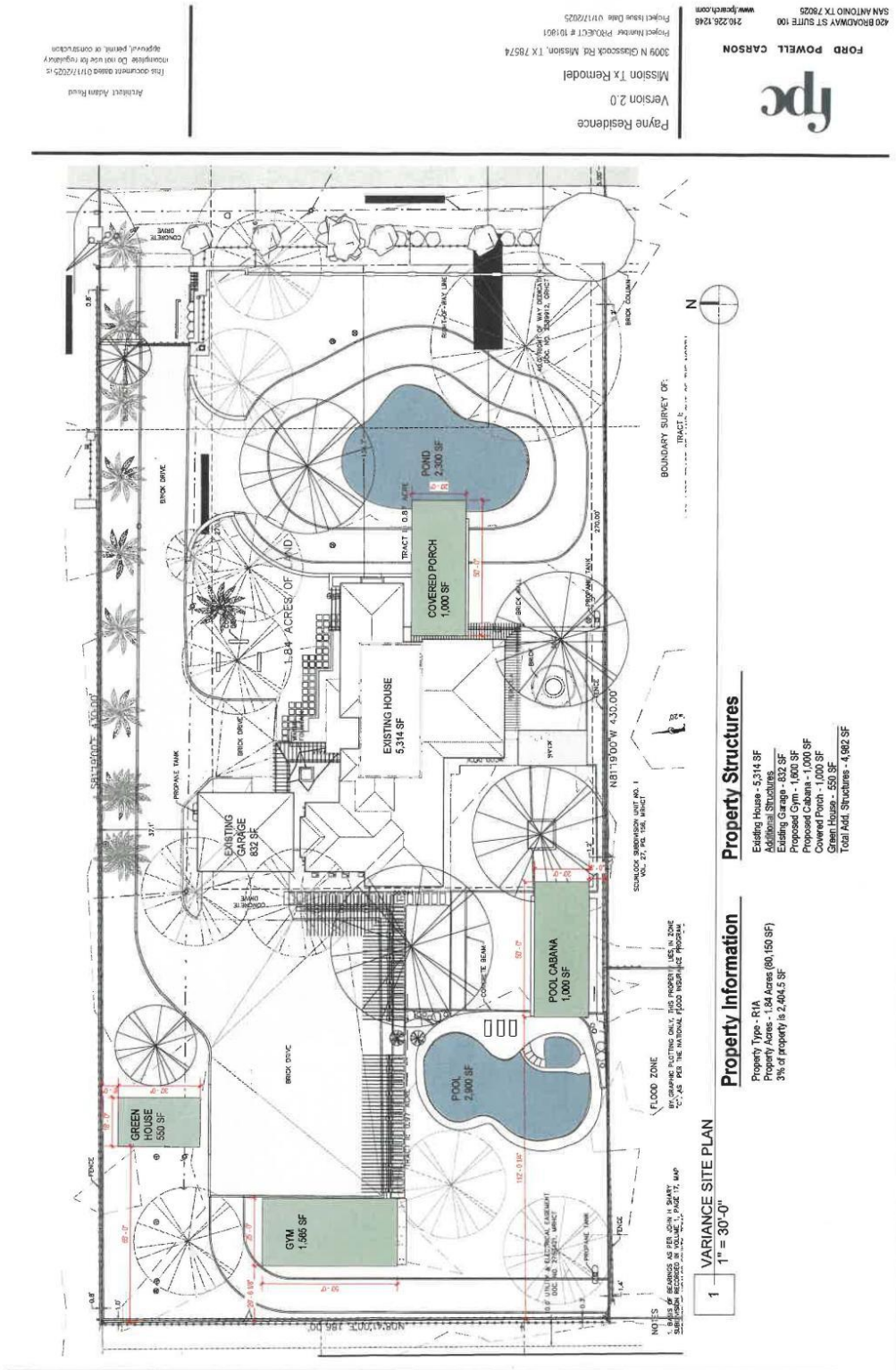
Attachment III



Attachment IV



Attachment V



Attachment VI

Hidalgo County Appraisal District		PROPERTY FIELD REVIEW CARD 2025-0-0		Valuation Method: cost-local		March 14, 2025	
281448 3009 N GLASSCOCK, TX		OWNER ID / NAME AND ADDRESS		OWNER ID / %		2024 2025	
JOHN H SHARY E300-NY86-S0161 LOT 202 & E100' X 186' ABND CNL ROW 1.84AC GR 1.87AC NET		PAYNE MARK M & DEEDRE		1296096 100.00%		IMPROVEMENTS 571,278 646,011 LAND MARKET 113,730 113,730 MARKET VALUE 685,000 761,741 SPECIAL USE EXCL 0 0 APPRAISED VALUE 685,000 761,741 HS VALUE LIMIT 0 0 CIRCUIT BRKR LIMIT 0 0 NET APPRAISED 685,000 761,741	
TYPE: R DBA: MAP ID: CMS Ref ID: 287349 AS CODE: S295000 SUBTYPE: RES MAPSCO: SUB MKT: TIF: MKT AREA: S21A071 EFF. SIZE: LEGAL ACRAGE: 1.6700 ac APPR VAL METHOD: cost-local		3009 N GLASSCOCK RD MISSION TX 78574-2041		TAXING UNITS CAD 100.00 CMS 100.00 DR1 100.00 GHD 100.00 JOC 100.00 SBL 100.00 SST 100.00			
REMARKS (2025) ADJ CL & M43 SPECS (2022) ADJ DEPR ALL W/SALES(2017) ADJ DIMS A/C & RMVD % COMP: AP BPT(2019) NEW IMPS; RECH % COMP 2016(2014) RMVD IMPS 2014(2013) ADJ CL & DEPR 2013; ALL W/ BASED ON DAMAGE PICS PROVIDED; RECH 2014(2010) ADJ % & RMVD DEPR 10(2009) RMVD DEPR 2014(2010) ADJ % & RMVD DEPR 10(2009) RMVD DEPR 08.COM ALLOWHOLD DAMAGE		EXP DATE:		EXP DATE:			
GENERAL		REMARKS		REMARKS			
UTILITIES: AL ZONING: RS LEGACY APPR TOPOGRAPHY: LV TAGS: AG MSRD APPR ROAD ACCESS: PCG LAST APPR DT: 2024-11-18 GR NEXT INSP COMP DT: NEXT INSP DT: 2017-01-01 NEXT REASON: RECHECK REASON NOTES: PMT18 W4		2024-11-18		2024-11-18			
BUILDING PERMITS		BUILDING PERMITS		BUILDING PERMITS			
BW ISSUE DT PERM # TYPE ACTIVE EST VAL APPR BUILDER COMMENT		BUILDING PERMITS		BUILDING PERMITS			
GBA: 0 UNITS: 0 MRA: 0 RENT: 0		INCOME APPROACH DATA		INCOME APPROACH DATA			
YEAR APPEAL ID TYPE STATUS PROTESTER 2023 50774 0 FC1 OSCAR ENRIQUEZ 2022 124682 0 FC2 OSCAR ENRIQUEZ		FINL DATE 2023-06-07 2022-07-18		FINL DATE 2023-06-07 2022-07-18			
SALES HISTORY		SALES HISTORY		SALES HISTORY			
DATE TYPE QUALITY SGRATIO PRICE BUYER		DATE TYPE BOOK/PG INST # BUYER		DATE TYPE BOOK/PG INST # BUYER			
2024-09-20 SFR Qualified Sewer S/W 1,371.09 KAZEM ADRIENNE 2024-07-12 SFR Qualified Sewer S/W 313.05 KAZEM ADRIENNE 2012-07-12 PAniduradit 10 REYES MARIA DEL		2024-08-18 WD null null 2024-08-18 WD null null 2012-12-28 GWD null null		3592568 KAZEM ADRIENNE 3592568 KAZEM ADRIENNE 2366886 FOX CHARLES REYES MARIA			
IMPROVEMENT VALUATION		IMPROVEMENT VALUATION		IMPROVEMENT VALUATION			
# TYPE DESCRIPTION MODEL GLASS AREA UN PRG UNITS STY BUILT FT YR COND VALUE DEP PHYS ECON FUNG COMP ADJ VALUE		# TYPE DESCRIPTION MODEL GLASS AREA UN PRG UNITS STY BUILT FT YR COND VALUE DEP PHYS ECON FUNG COMP ADJ VALUE		# TYPE DESCRIPTION MODEL GLASS AREA UN PRG UNITS STY BUILT FT YR COND VALUE DEP PHYS ECON FUNG COMP ADJ VALUE			
GAR GARAGE RES BRKVG 632 58.92 1 1 2015 2016 AV 46,689 92.00 100.00 100.00 100.00 0.92 44,784		GAR GARAGE RES BRKVG 632 58.92 1 1 2015 2016 AV 46,689 92.00 100.00 100.00 100.00 0.92 44,784		GAR GARAGE RES BRKVG 632 58.92 1 1 2015 2016 AV 46,689 92.00 100.00 100.00 100.00 0.92 44,784			
POR PORCH RES BRKVG 497 23.26 1 1 2015 2016 AV 14,592 92.00 100.00 100.00 100.00 0.92 13,379		POR PORCH RES BRKVG 497 23.26 1 1 2015 2016 AV 14,592 92.00 100.00 100.00 100.00 0.92 13,379		POR PORCH RES BRKVG 497 23.26 1 1 2015 2016 AV 14,592 92.00 100.00 100.00 100.00 0.92 13,379			
PAT PATIO RES BRKVG 444 23.26 1 1 2015 2016 AV 7,895 92.00 100.00 100.00 100.00 0.92 7,079		PAT PATIO RES BRKVG 444 23.26 1 1 2015 2016 AV 7,895 92.00 100.00 100.00 100.00 0.92 7,079		PAT PATIO RES BRKVG 444 23.26 1 1 2015 2016 AV 7,895 92.00 100.00 100.00 100.00 0.92 7,079			
BRZ BREZZEWAY RES BRKVG 264 23.26 1 1 2015 2016 AV 5,091 92.00 100.00 100.00 100.00 0.92 4,684		BRZ BREZZEWAY RES BRKVG 264 23.26 1 1 2015 2016 AV 5,091 92.00 100.00 100.00 100.00 0.92 4,684		BRZ BREZZEWAY RES BRKVG 264 23.26 1 1 2015 2016 AV 5,091 92.00 100.00 100.00 100.00 0.92 4,684			
BLL BALCONY RES BRKVG 174 23.26 1 1 2015 2016 AV 702 92.00 100.00 100.00 100.00 0.92 646		BLL BALCONY RES BRKVG 174 23.26 1 1 2015 2016 AV 702 92.00 100.00 100.00 100.00 0.92 646		BLL BALCONY RES BRKVG 174 23.26 1 1 2015 2016 AV 702 92.00 100.00 100.00 100.00 0.92 646			
SWP69 SWP69 CL 94-AP RES BRKVG 164 0.00 1 1 2003 2000 * 0 100.00 100.00 100.00 100.00 1.00 0		SWP69 SWP69 CL 94-AP RES BRKVG 164 0.00 1 1 2003 2000 * 0 100.00 100.00 100.00 100.00 1.00 0		SWP69 SWP69 CL 94-AP RES BRKVG 164 0.00 1 1 2003 2000 * 0 100.00 100.00 100.00 100.00 1.00 0			
HC HIGH CEILING RES BRKVG 1,020 29.26 1 1 2015 2016 AV 29,845 92.00 100.00 100.00 100.00 0.92 27,457		HC HIGH CEILING RES BRKVG 1,020 29.26 1 1 2015 2016 AV 29,845 92.00 100.00 100.00 100.00 0.92 27,457		HC HIGH CEILING RES BRKVG 1,020 29.26 1 1 2015 2016 AV 29,845 92.00 100.00 100.00 100.00 0.92 27,457			
MA Residential Main RES BRKVG 3,725 117.05 1 1 2015 2016 AV 436,011 92.00 100.00 100.00 100.00 0.92 401,130		MA Residential Main RES BRKVG 3,725 117.05 1 1 2015 2016 AV 436,011 92.00 100.00 100.00 100.00 0.92 401,130		MA Residential Main RES BRKVG 3,725 117.05 1 1 2015 2016 AV 436,011 92.00 100.00 100.00 100.00 0.92 401,130			
MA2 MAIN 2ND FL RES BRKVG 1,589 53.84 1 1 2015 2016 AV 148,794 92.00 100.00 100.00 100.00 0.92 136,660		MA2 MAIN 2ND FL RES BRKVG 1,589 53.84 1 1 2015 2016 AV 148,794 92.00 100.00 100.00 100.00 0.92 136,660		MA2 MAIN 2ND FL RES BRKVG 1,589 53.84 1 1 2015 2016 AV 148,794 92.00 100.00 100.00 100.00 0.92 136,660			
1 Style: STCD: A1 Area: 5,314 Homestead Y(100.00%) 704,360 AS Code: 100.00% Market Area: 100.00% Ext. Wall: BRK Finish Out: 100 Quality: VG Structure:		STCD: A1 Area: 5,314 Homestead Y(100.00%) 704,360 AS Code: 100.00% Market Area: 100.00% Ext. Wall: BRK Finish Out: 100 Quality: VG Structure:		STCD: A1 Area: 5,314 Homestead Y(100.00%) 704,360 AS Code: 100.00% Market Area: 100.00% Ext. Wall: BRK Finish Out: 100 Quality: VG Structure:			
LAND VALUATION		LAND VALUATION		LAND VALUATION			
TYPE SOIL GLS TABLE SC HS METH DIM UNIT PRC ADJ M ADJ VAL SRC		TYPE SOIL GLS TABLE SC HS METH DIM UNIT PRC ADJ M ADJ VAL SRC		TYPE SOIL GLS TABLE SC HS METH DIM UNIT PRC ADJ M ADJ VAL SRC			
1 ACREAGE AC STS35000 A1 Yes AC 1.6700 ac 68102.00 1.000 A		1 ACREAGE AC STS35000 A1 Yes AC 1.6700 ac 68102.00 1.000 A		1 ACREAGE AC STS35000 A1 Yes AC 1.6700 ac 68102.00 1.000 A			
CONT W-35: Market Area: 100.00%		CONT W-35: Market Area: 100.00%		CONT W-35: Market Area: 100.00%			
PRODUCTIVITY VALUATION		PRODUCTIVITY VALUATION		PRODUCTIVITY VALUATION			
# ADJ TYPE ADJ AMT ADJ % AG USE TABLE UNIT AG VALUE		# ADJ TYPE ADJ AMT ADJ % AG USE TABLE UNIT AG VALUE		# ADJ TYPE ADJ AMT ADJ % AG USE TABLE UNIT AG VALUE			
JALZZI JALZZI Construction 3 Custom 3 22,289.11 11 18 20		JALZZI JALZZI Construction 3 Custom 3 22,289.11 11 18 20		JALZZI JALZZI Construction 3 Custom 3 22,289.11 11 18 20			
RES RES Exterior Wall 3 4,684 0.92 0		RES RES Exterior Wall 3 4,684 0.92 0		RES RES Exterior Wall 3 4,684 0.92 0			
DEBRX DEBRX Flooding 3 646 0.92 0		DEBRX DEBRX Flooding 3 646 0.92 0		DEBRX DEBRX Flooding 3 646 0.92 0			
TIL TIL Foundation 3 27,457 0.92 0		TIL TIL Foundation 3 27,457 0.92 0		TIL TIL Foundation 3 27,457 0.92 0			
SLB SLB Heating/Cooling 3 401,130 0.92 0		SLB SLB Heating/Cooling 3 401,130 0.92 0		SLB SLB Heating/Cooling 3 401,130 0.92 0			
AND AND Interior Finish 3 136,660 0.92 0		AND AND Interior Finish 3 136,660 0.92 0		AND AND Interior Finish 3 136,660 0.92 0			
SRK SRK Number of 3 646,011 0.92 0		SRK SRK Number of 3 646,011 0.92 0		SRK SRK Number of 3 646,011 0.92 0			
5.00 5.00 Hip 2 646,011 0.92 0		5.00 5.00 Hip 2 646,011 0.92 0		5.00 5.00 Hip 2 646,011 0.92 0			
Hip 2 BATI Construction 3 646,011 0.92 0		Hip 2 BATI Construction 3 646,011 0.92 0		Hip 2 BATI Construction 3 646,011 0.92 0			
RES RES Custom 3 646,011 0.92 0		RES RES Custom 3 646,011 0.92 0		RES RES Custom 3 646,011 0.92 0			
Sketch		Sketch		Sketch			

Attachment VII



Attachment VII



Attachment IX



Attachment X

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



CITY OF MISSION

AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: April 23, 2025

PRESENTED BY: Xavier Cervantes, Director of Planning

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

NATURE OF REQUEST:

Project Timeline:

- March 4, 2025 – Application for Variance Request submitted to the City.
- March 14, 2025 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- March 26, 2025 - Public hearing and consideration of requested Variance application by the Zoning Board of Adjustments (ZBA).

Summary:

- The request is for a variance not to comply with Section 1.371(5)(h) of the Mission Code of Ordinances, which states:
 - Minimum distance from the public right-of-way to the entrance to a garage or enclosed carport, unless otherwise approved by the Zoning Board of Adjustments: 18 feet.
 - Where a building setback has been established by plat or ordinance and such setback requires a greater or lesser front yard setback than is prescribed by this article for the district in which the building is located, the required front yard setback shall comply with the building line so established by such plat or ordinance.
- The applicant is requesting a variance to allow an accessory structure (carport) to encroach eight (8) feet into the required eighteen (18) foot front yard setback for carports to allow for protection of his vehicles during inclement weather.
- Mayberry Gardens Subdivision was recorded on April 26, 2007. The subject property is located along the south side of Ramirez Lane approximately 386' west of Mayberry Road. The subject property fronts Ramirez Lane with a width of 60.79 feet and a length of 127.30 feet. The subject lot has an area of 7,327 square feet.
- There is currently an existing 2,060 square foot single-family residence on the property. The applicant constructed a 20'x20' carport without obtaining the proper building permit. The applicant shared that he asked the builder several times if a permit was required for the proposed carport and was told all the times that no permit was required. The applicant is a 100% disabled veteran and federal officer and didn't mean to break any rules. He was just not aware that a permit was needed until he was told by a Code Enforcement Officer.
- The lots the north, south, east and west are developed as Single-Family Residences.
- Staff has not received any calls regarding the variance request. Staff mailed out 24 notices to the surrounding property owners.

- Staff notes that ZBA has considered and approved the following variance within this subdivision: 10' front yard setback for Lot 19 on 3/16/11.
- The City of Mission Code of Ordinances Appendix A – Zoning, Section 1.17 states ZBA may:
 - “Permit the reconstruction, extension, or enlargement of a building occupied by a non-conforming use on the lot or tract occupied by such building provided such reconstruction does not prevent the return of such property to a conforming use”, and
 - “Authorize in specific cases a variance from the terms of a zoning ordinance if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the ordinance is observed and substantial justice is done.”
- There is a new state law, HB1475, that allows variances to be granted if:
 - The financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessors for the municipality under Section 26.01, Tax Code;
 - Compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur;
 - Compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other department; Compliance would result in the unreasonable encroachment on an adjacent property or easement; or
 - The municipality considers the structure to be a nonconforming structure.

STAFF RECOMMENDATION:

Staff recommends disapproval of the variance request as:

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

RECORD OF VOTE:

APPROVED: _____

DISAPPROVED: _____

TABLED: _____

_____ AYES

_____ NAYS

_____ DISSENTING _____

Attachment I



ZONING BOARD OF ADJUSTMENTS APPLICATION

NAME: Jeffery Miller PHONE: 956-579-3326
 ADDRESS: 614 Ramirez Lane RECEIVED BY: _____
 CITY: Mission, TX 78573 DATE: 4 Mar 2025

SUBDIVISION: Mayberry Garden LOT: _____ BLOCK: _____
 APPROX. LOCATION: 2 Mile / 2 mile / Mayberry
 ZONE: _____

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

OFFICE USE ONLY

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

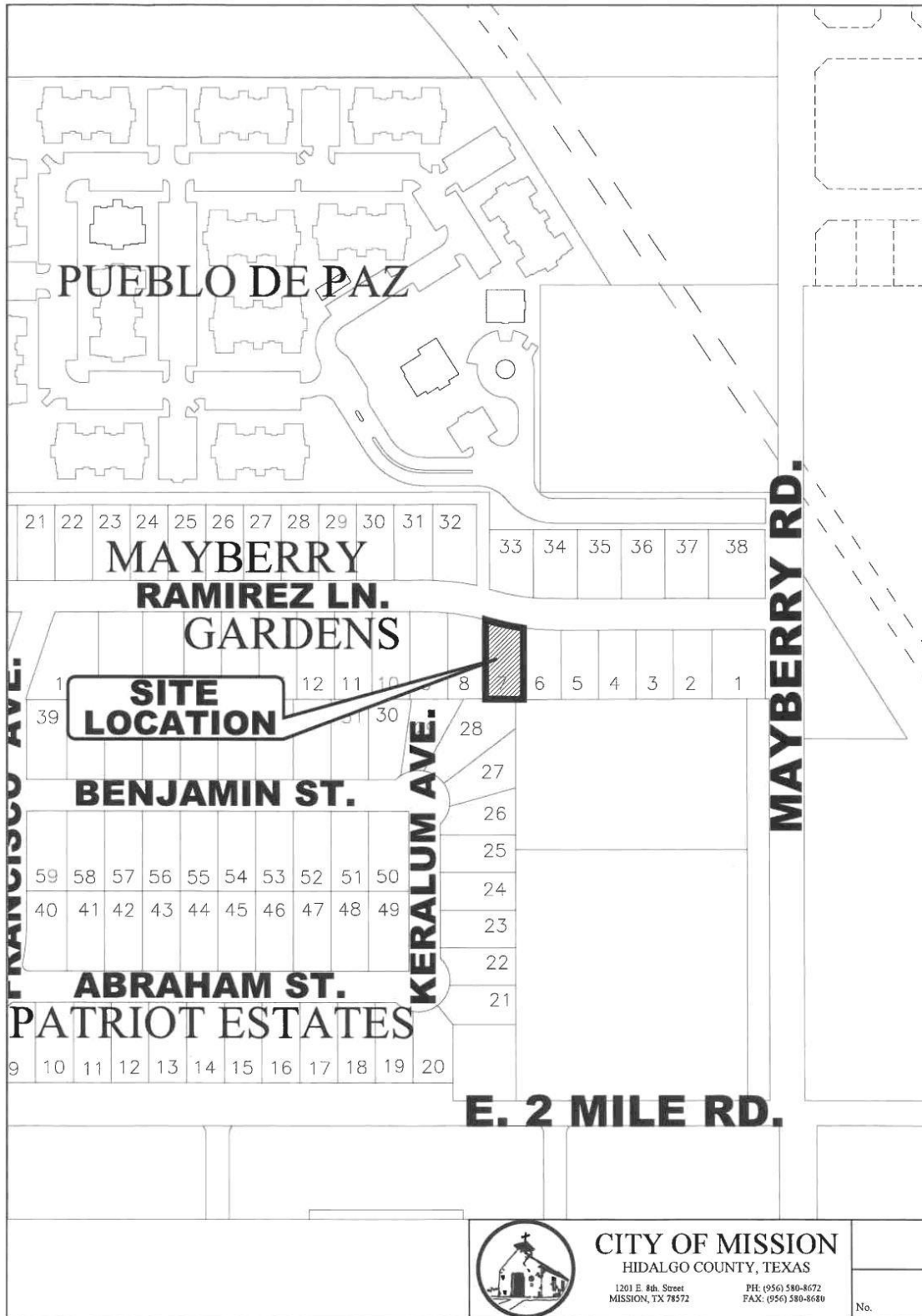
COMMENTS: _____

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

APPLICANT'S SIGNATURE: _____

Jeffery Miller
Jeffery Miller

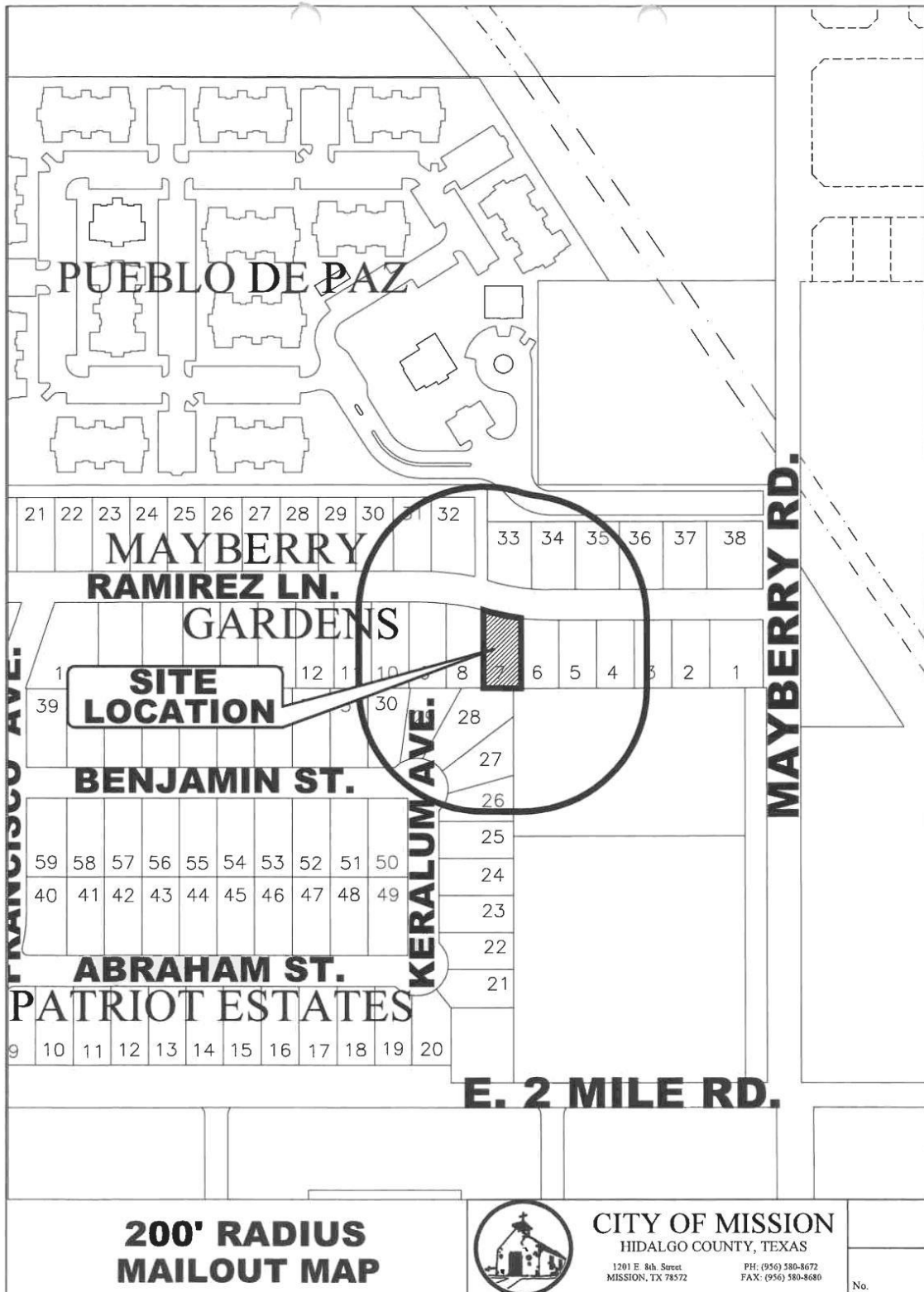
Attachment II



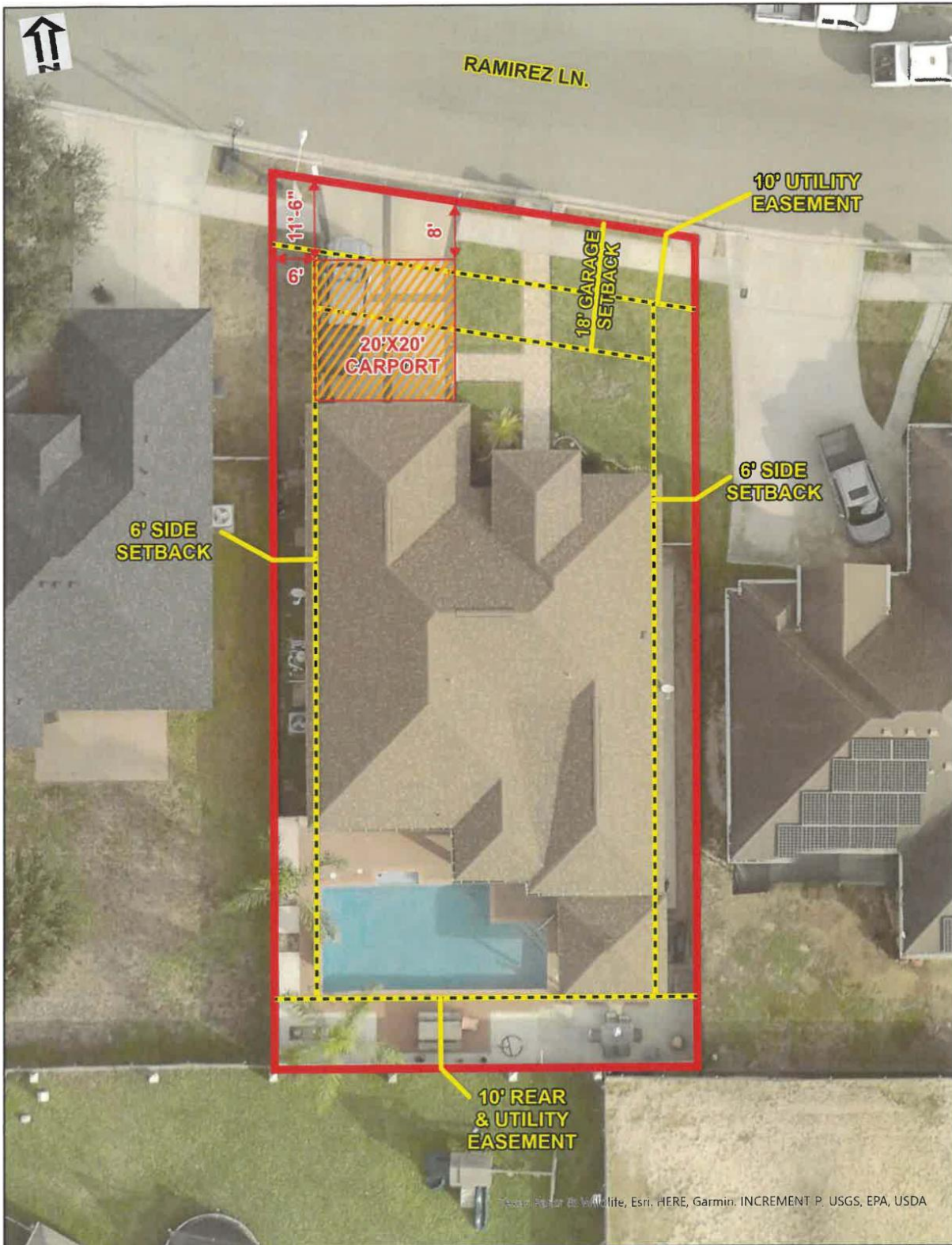
Attachment III



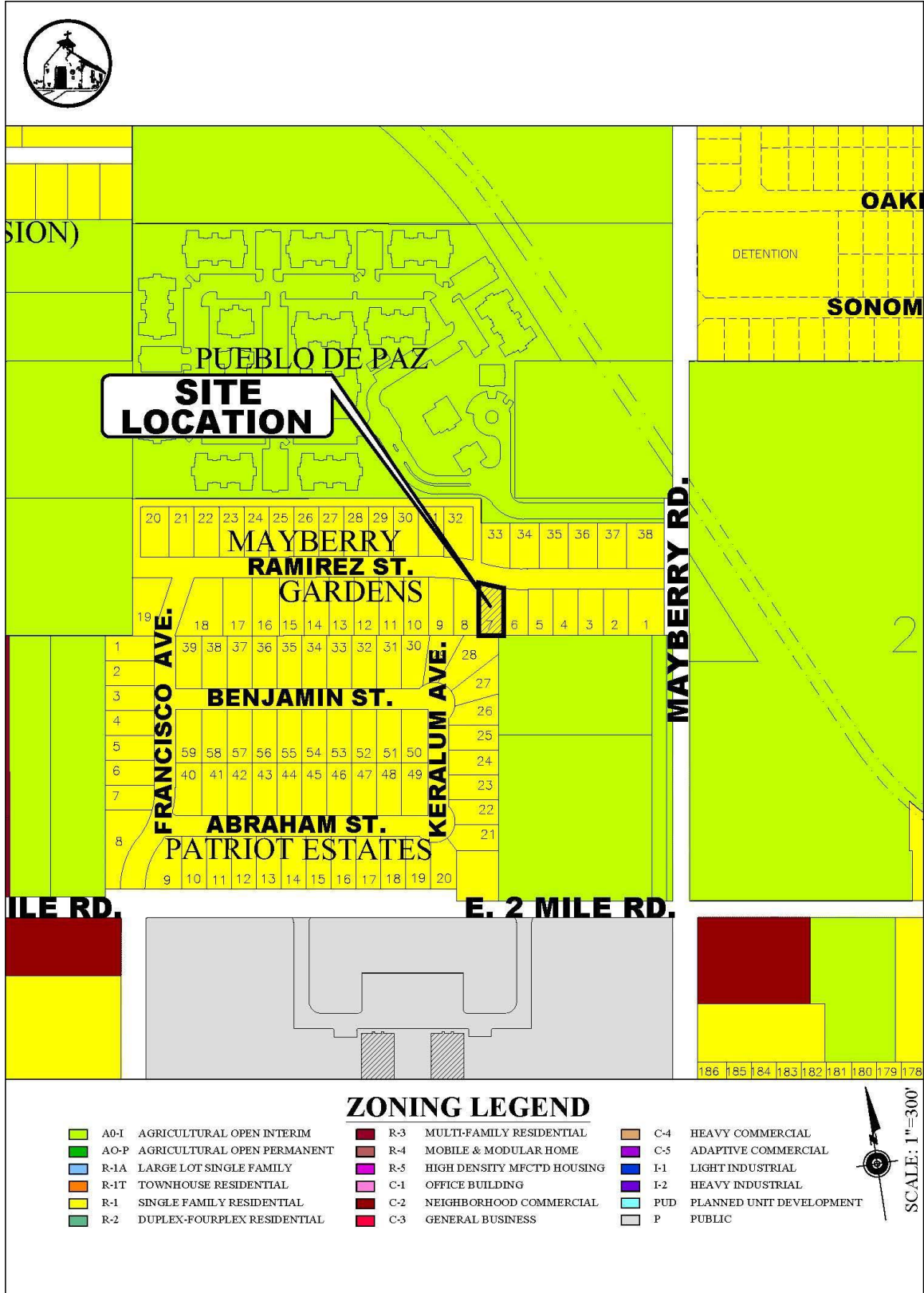
Attachment IV



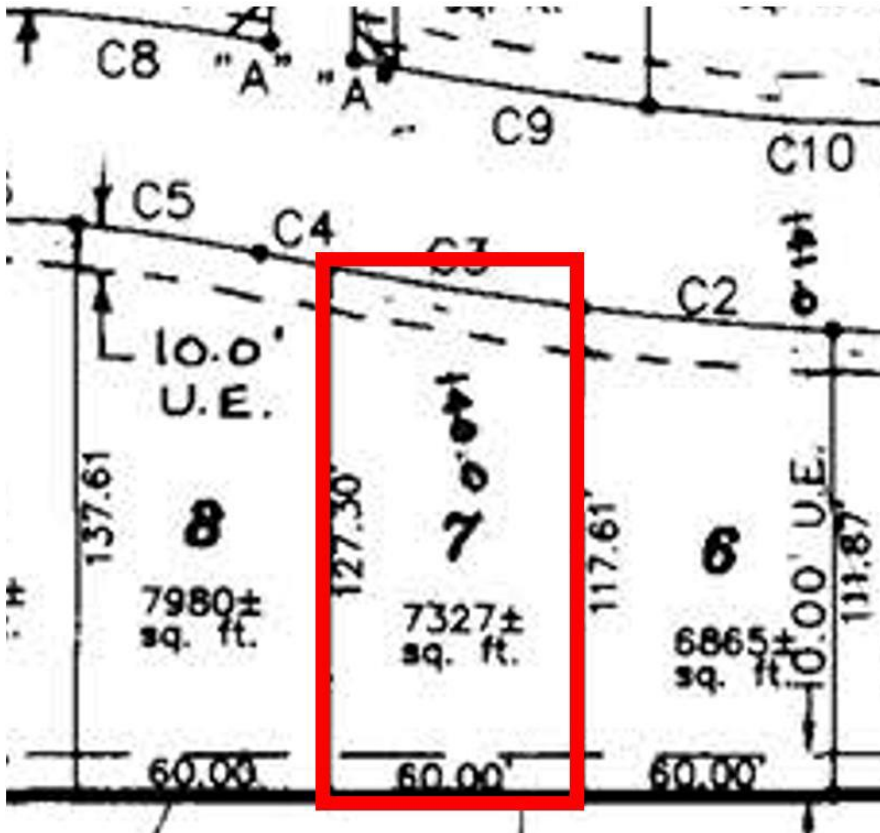
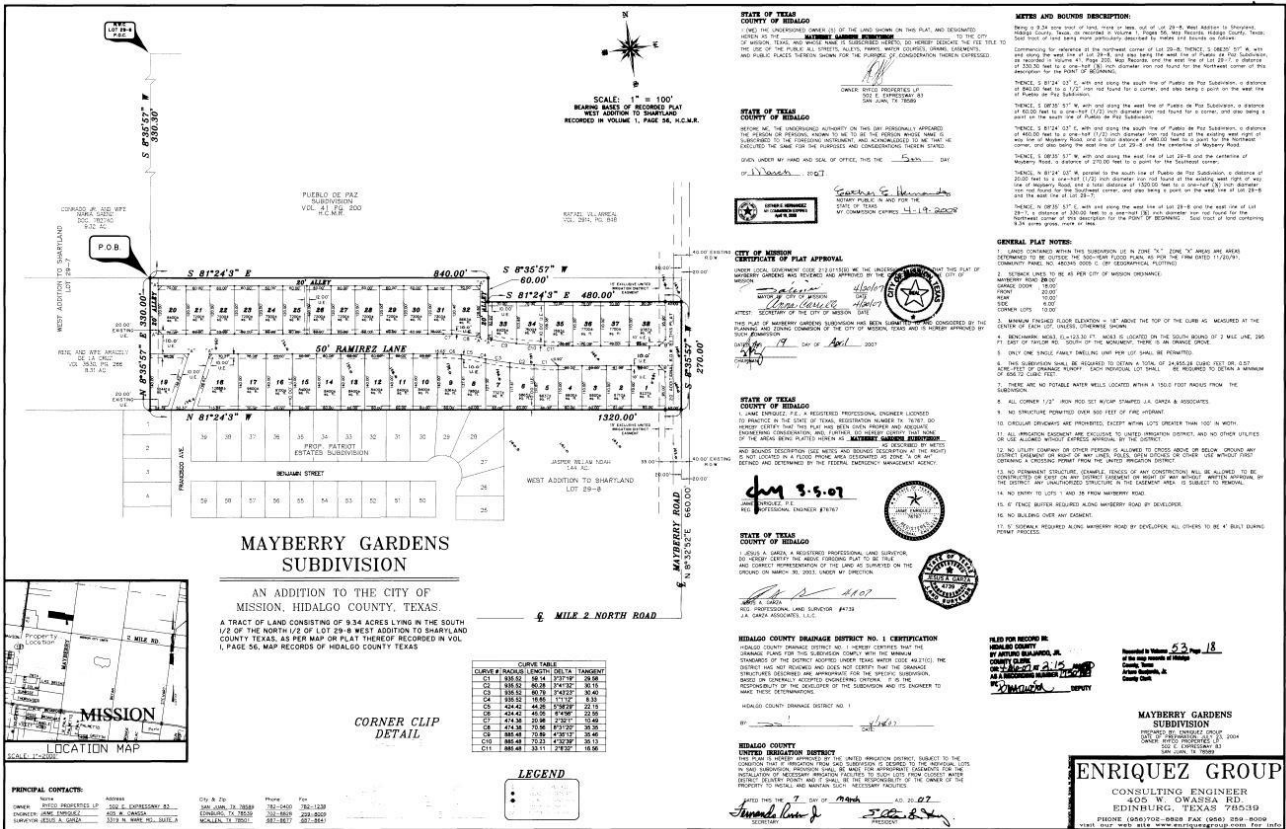
Attachment V



Attachment VI



Attachment VII



Attachment VIII



Attachment IX



Attachment X

Hidalgo County Appraisal District		PROPERTY FIELD REVIEW CARD 2025-0-0		Valuation Method: cost-local		March 17, 2025	
PROPERTY ID AND LEGAL DESCRIPTION		OWNER ID, NAME, AND ADDRESS		EXEMPTIONS		VALUES	
716985 614 RAMIREZ LN, MISSION TX		MILLER JEFFERY D & MELISSA Y 1177176		DWS, HS		2024 2025	
MYBERRY GARDENS LOT 7 TYPE: R DBA: GEO ID: M1855-000-000-000-00 Ref ID1: 528670 AS CODE: M185500 MIP ID: CMS VOL 53 Ref ID2: R715985 SUBTYPE: RES MAPSCO: TIF: MKT AREA: 5M6A012 SUB MKT: EFF SIZE: LEGAL ACREAGE: APPR VAL METHOD: cost-local		614 RAMIREZ LANE MISSION TX US 78573-8707		TAXING UNITS CAD 100.00 CMS 100.00 DR1 100.00 GHD 100.00 JCC 100.00 SMS 100.00 SST 100.00		IMPROVEMENTS 211,451 199,357 LAND MARKET 48,358 48,358 MARKET VALUE 259,809 247,715 SPECIAL USE EXCL 0 0 APPRAISED VALUE 259,809 247,715 HS VALUE LIMIT 8 0 CIRCUIT BRKR LIMIT 0 0 NET APPRAISED 259,809 247,715	
UTILITIES: AL ZONING: RS LEGACY APPR EL: (2025) Adj d TOPOGRAPHY: LV TAGS: (2019) ADJ 56 CL (2019) NEW PATS & SWP (2013) ADJ CL ROAD ACCESS: PCO LAST APPR. DT: 2021-10-12 RES AV LAST INSP COMPT DT: TMT LAND COMM APPR NEXT INSP. DT: SUBSET: NEXT REASON: REASON NOTES:		REMARKS		SKETCH			
BUILDING PERMITS B# ISSUE DT PERM # TYPE ACTIVE EST VAL APPR BUILDER COMMENT		PICTURE					
INCOME APPROACH DATA CBA: 0 UNITS: 0 NRA: 0 RENT: 0							
APPEAL HISTORY YEAR APPEAL ID TYPE STATUS PROTESTER FINL DATE							
SALES HISTORY DATE TYPE QUAL SRC RATIO PRICE BUYER DATE TYPE BOOK PG INST # BUYER SELLER 2020-05-12 A1 null null 186,004 MILLER JEFFERY D 3111871 MILLER JEFFERY SOTO EZEQUIEL 2011-05-03 PA1 null null 10 GOMEZ JOSE & 2993362 SOTO EZEQUIEL GOMEZ JOSE & 2009-01-27 null null null 10 CASTILLO 2206693 GOMEZ JOSE & S & Z		DEED HISTORY					
IMPROVEMENT VALUATION # TYPE DESCRIPTION MODEL CLASS AREA UN PRC UNITS STY BUILT EF YR COND VALUE DEP PHYS ECON FUNC COMP ADJ VALUE MA Residential Main RES BRKAV 2,060 91.96 1 1 2009 2009 AV 189,438 84.00 100.00 100.00 100.00 0.84 169,128 GAR GARAGE RES BRKAV 441 45.98 1 1 2009 2009 AV 23,277 84.00 100.00 100.00 100.00 0.84 17,033 POR PORCH RES BRKAV 64 91.96 1 1 2009 2009 AV 5,865 84.00 100.00 100.00 100.00 0.84 4,943 PAT PATIO RES BRKAV 66 91.96 1 1 2009 2009 AV 6,059 84.00 100.00 100.00 100.00 0.84 5,059 SWPAG-SWP AVG CL 6M RES BRKAV 96 0.00 1 1 2010 2010 * 0 100.00 100.00 100.00 100.00 1.00 0 PAT PATIO RES BRKAV 154 91.96 1 1 2010 2010 * 14,162 85.00 100.00 100.00 100.00 0.85 12,038 PAT PATIO RES BRKAV 186 91.96 1 1 2010 2010 * 1,176 85.00 100.00 100.00 100.00 0.85 1,117 1 Style: STCD: A1 3,077 Area: 2,060 Homesite: Y (100.00%) 237,007 AS Code: 100.00% Market Area: 100.00% 199,357 Finish Out: 100 Quality: AV Structure: Ext Wall: BRK		IMPROVEMENT DETAIL ADJ # ADJ TYPE ADJ AMT ADJ % BATH Construction RES 2 Custom 1 Exterior Wall DBRK Flooring TIL Foundation SLB Heating/Cooling AND Interior Finish SRK Number of 3.00 Plumbing 2 Roof Style HRP					
LAND VALUATION LF DESCRIPTION TYPE SOIL CLS TABLE SC HS METH D/V UNIT PRC ADJ MADJ VAL SRC MKT VAL 1 LOT L M185500 A1 Yes SF 7321.00 sf 6.00 1.00 48,358 A AS Code: 100.00% Market Area: 100.00% 48,358		LAND ADJUSTMENTS SEQ ADJ TYPE ADJ AMT ADJ % No		PRODUCTIVITY VALUATION AG USE TABLE UNIT AG VALUE No 0.00 0			



Attachment XI



CITY OF
MISSION

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

February 5, 2025

Case# 25-02-G-006

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

Dear Property Owner/Occupant:

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

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

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

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

Respectfully,

Angel Garcia Jr.
 Code Enforcement Officer

Attachment XII



CITY OF
MISSION

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

February 5, 2025

Case# 25-02-G-007

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

Dear Property Owner/Occupant:

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

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

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

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

Respectfully,

Angel Garcia Jr.
 Code Enforcement Officer

Attachment XIII

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

Attachment XIV**STAFF RECOMMENDATION:**

Staff recommends disapproval of the variance request as:

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



CITY OF MISSION

AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: April 23, 2025

PRESENTED BY: Xavier Cervantes, Director of Planning

AGENDA ITEM: Consider a variance request to allow a 2.3' side setback instead of the required 6' and a 4' front/garage setback instead of the required 18' for a proposed replacement of a carport at 1601 Mission Avenue, being Lot 1, Block 7, Fiesta Village. Applicant: Jeffrey Horne – Cervantes

NATURE OF REQUEST:

Project Timeline:

- March 20, 2025 – Application for Variance Request submitted to the City.
- April 11, 2025 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract and notice of public hearings was published in the Progress Times.
- April 23, 2025 – Public hearing and consideration of requested Variance by the Zoning Board of Adjustments (ZBA).

Summary:

- The request is for a variance not to comply with Section 1.40(5)(g)(1) of the Mission Code of Ordinances, which states:
 - Minimum width of side setback:
 - (1) Internal: 6 ft.
 - (2) Corner: 10 ft.;
 - & Section 1.40(5)(i) of the Mission Code of Ordinances, which states:
 - Minimum distance from the public right-of-way to the entrance to a garage or enclosed carport, unless otherwise approved by the Zoning Board of Adjustments: 18 feet.
 - Where a building setback has been established by plat or ordinance and such setback requires a greater or lesser front yard setback than is prescribed by this article for the district in which the building is located, the required front yard setback shall comply with the building line so established by such plat or ordinance.
- The applicant is requesting a variance to allow a 2.3' side setback instead of the required 6' and a 4' front setback instead of the required 18' to replace a 10'x31' aluminum carport along the southside of the manufactured home. The purpose of the carport is for protection of his vehicles during inclement weather.

- Fiesta Village Subdivision was recorded on January 23, 1978. The property is located on the cul-de-sac of Mission Avenue and Laredo Boulevard. The irregular lot measures 3,050 sq. ft.
- There is currently an existing manufactured home on the property. On March 18th the applicant applied for a building permit with the Fiesta Village HOA. Fiesta Village HOA approved the permit as submitted. According to the contractor's letter attached they had been told that no other permit was needed. The contractor proceeded to start the work and removed the existing carport to later learn that a permit from the city was required. The applicant applied for a permit, however, it was denied due to not meeting the setbacks. The applicant did explain that he was only trying to replace the existing carport. Staff did some research and found no construction permits for that property.
- The applicant submitted a letter of support from the adjoining manufactured home owner who resides at 1600 San Juan.
- Staff has not received any calls regarding the variance request. Staff mailed out 46 notices to the surrounding property owners.
- Staff notes that ZBA has considered and approved other variances within this subdivision shown on the attachments.
- The City of Mission Code of Ordinances Appendix A – Zoning, Section 1.17 states ZBA may:
 - “Permit the reconstruction, extension, or enlargement of a building occupied by a non-conforming use on the lot or tract occupied by such building provided such reconstruction does not prevent the return of such property to a conforming use”, and
 - “Authorize in specific cases a variance from the terms of a zoning ordinance if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the ordinance is observed and substantial justice is done.”

STAFF RECOMMENDATION:

Staff recommends disapproval of the variance request as:

1. The carport that was built prior to being removed was built without any permits nor meeting the setbacks.
2. The request does not meet the standards for the issuance of a variance as described in the City of Mission Code of Ordinances.

RECORD OF VOTE:

APPROVED: _____

DISAPPROVED: _____

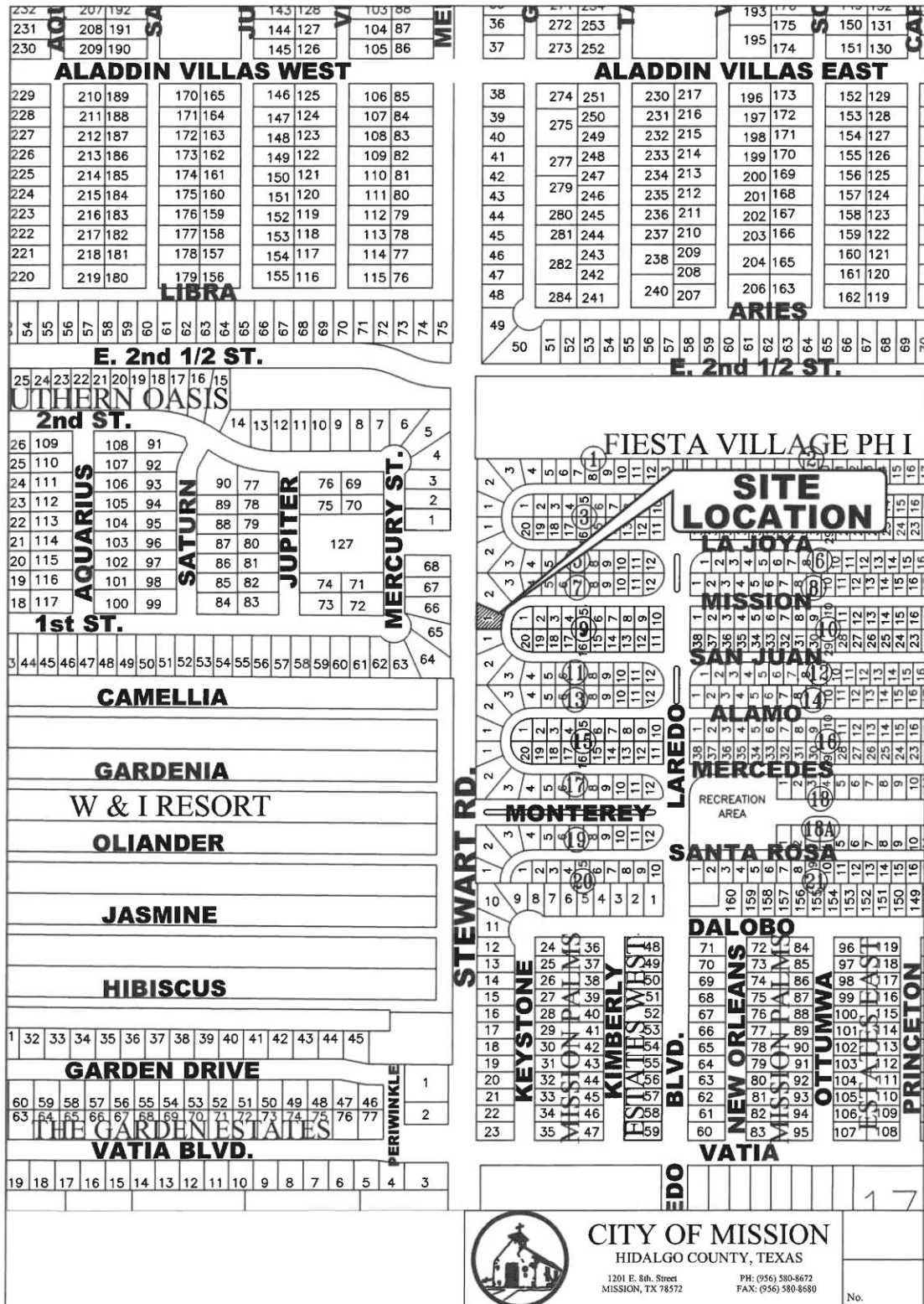
TABLED: _____

_____ AYES

_____ NAYS

_____ DISSENTING _____

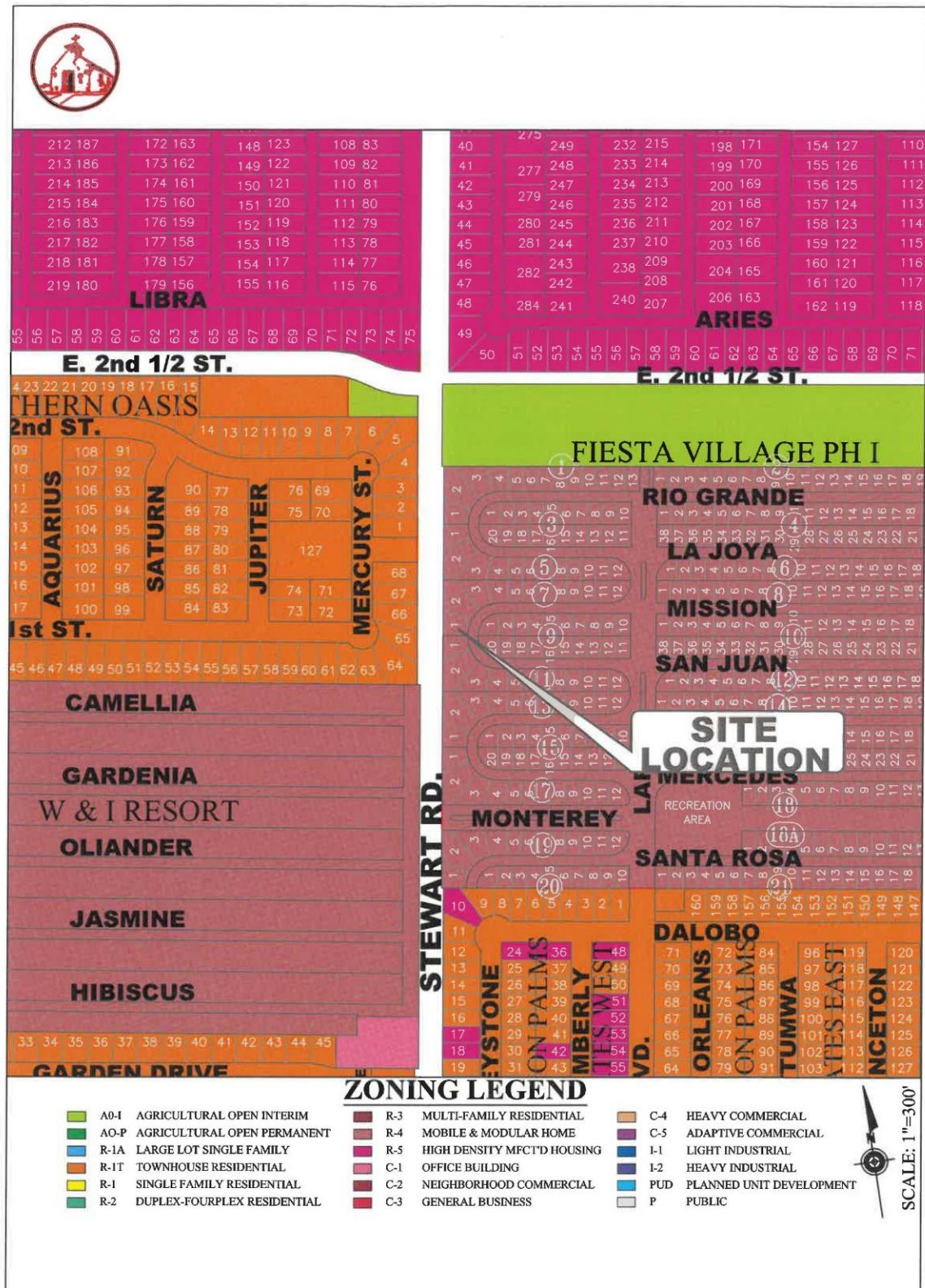
VICINITY MAP



ARIEL MAP



ZONING MAP



ATTACHMENTS



ZONING BOARD OF ADJUSTMENTS APPLICATION

NAME: JEFFREY HORNE PHONE: 909-569-2604
 ADDRESS: 1205 S. Stewart Rd. RECEIVED BY: _____
 CITY: MISSION DATE: 3-20-25

SUBDIVISION: FIESTA VILLAGE LOT: 1 BLOCK: 7

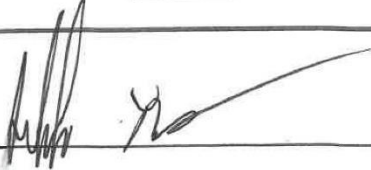
APPROX. LOCATION: _____

ZONE: _____

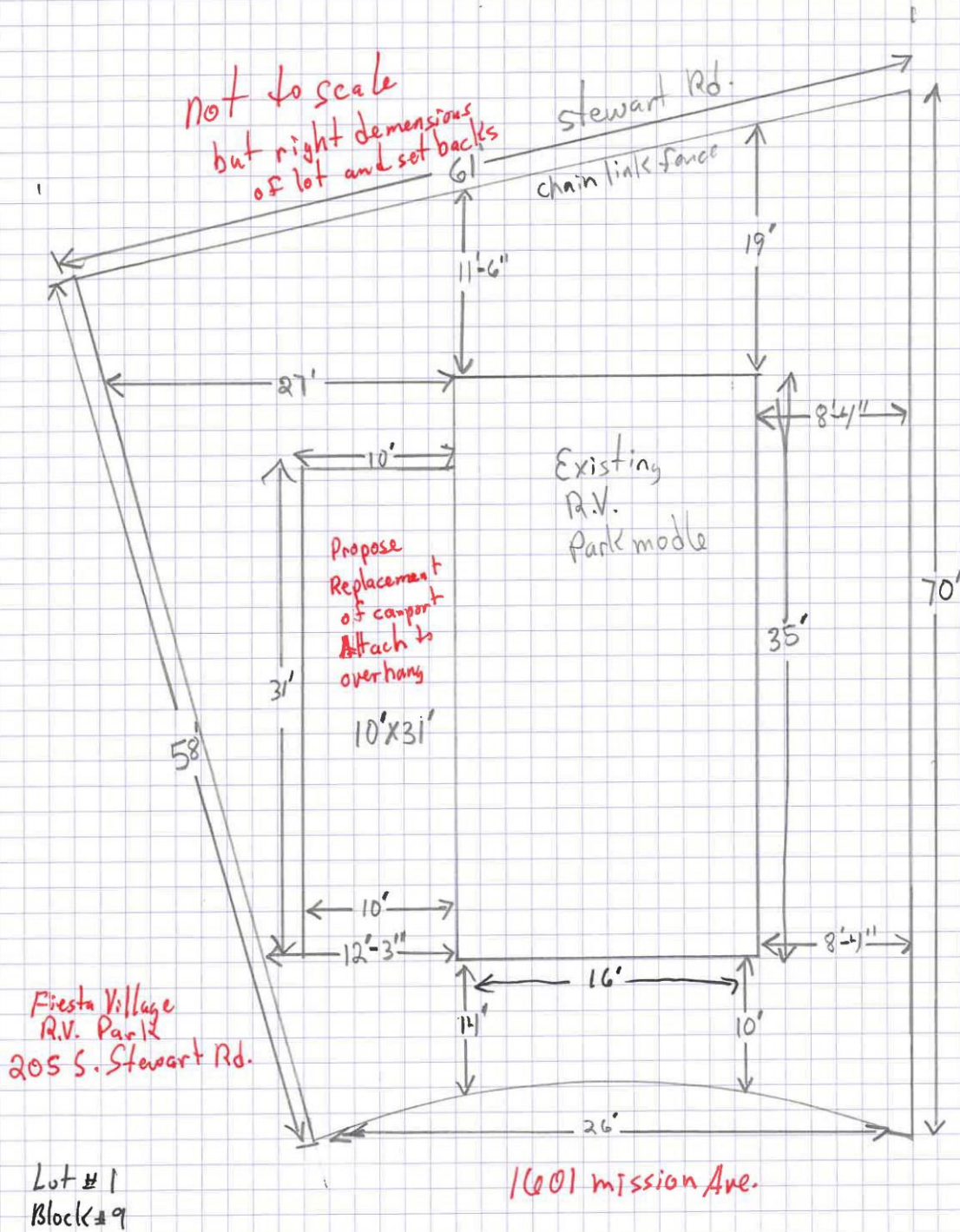
PURPOSE: VARIANCE

OFFICE USE ONLY		

ZBA ACTION:	____ PASSED ____	TABLED ____ FAILED DATE: ____
COMMENTS:	_____ _____ _____	
LETTERS MAILED:	FILING FEE: <u>\$250.00</u>	RECEIPT NO.: <u>20250236</u>

APPLICANT'S SIGNATURE: 

SITE PLAN



PICTURES



ATTACHMENTS

Building Permit Request



Fiesta Village 205 S Stewart Rd Mission, TX 78572 Phone: 956.585.9264

Date: 3-18-2025

Location of work:

Block: _____ Lot: _____ Park Street Address: _____

City Building Permit # _____

City final inspection date: _____ City Inspector: _____

Description of Work (Circle Choice) Canopy Replace Awning Siding
 Windows/Doors Shed Trailer
 Rock Addition Cement
 Other: _____

Brief description of what you want to do:

Replace attach carport aluminium on south side of RV.
approximately size 10'x31'

Owner: Jeff Horne Address: _____ Phone: _____

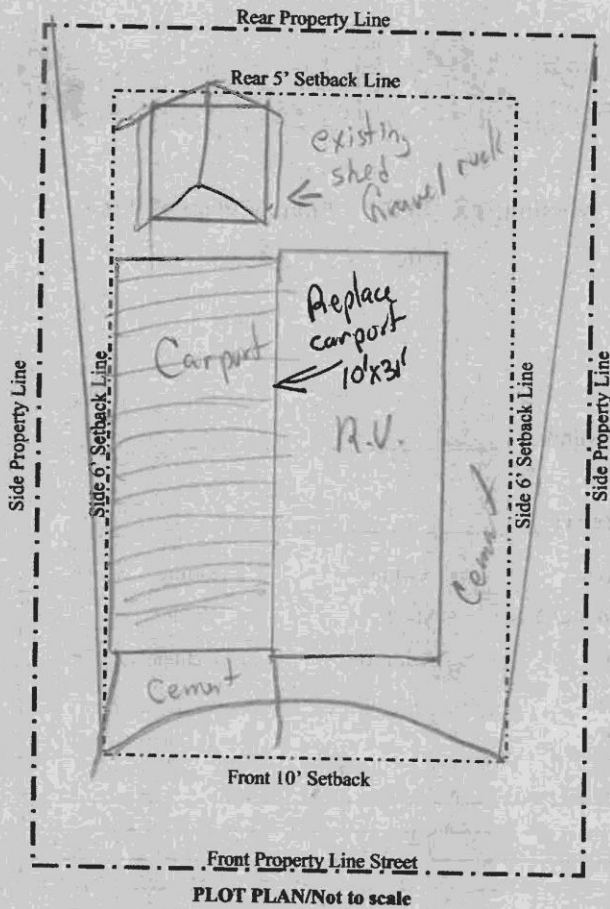
Contractor: J.P. Construction Address: 2815 melania dr Phone: (956) 655-1548
Jose P. Cervantes Mission, TX 78577

Lot Size: Front: _____ Side: _____ Rear: _____ Lot Area (Sq. Ft.): _____

Proposed Design Building Distance from Property Line:

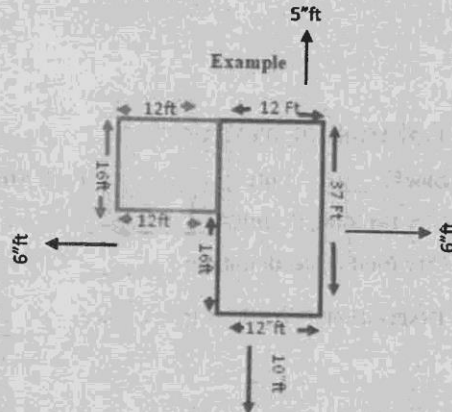
Front: _____ Side: _____ Rear: _____ Side: _____

ATTACHMENTS



Show existing structures (trailer, park model, shed, canopies and posts, all concrete areas. Drawing must show dimensions of the current structure.

Show proposed construction. Drawing must also show all dimensions of proposed construction including the height.



Note: If you have a irregular shaped lot ... use page 5 to sketch it out showing all dimensions and info.

REQUIRED PROCEDURE FOR OBTAINING PERMIT FOR ACTUAL CONSTRUCTION

Step 1. Three current Rules Committee member signatures required for approval. (Current FV board member signatures can be substituted if necessary.) Each signature attests a good faith effort to inform the applicant (FV resident) of pertinent FV building rules and a good faith assessment of conformance with these rules based upon the description and drawings provided. It remains the sole responsibility of the applicant (FV resident) to ensure this conformance throughout the construction process."

1. Jim Dang 2. Lynette 3. 3-18-25 Raymond
 Date 3-18-25 Date 3-18-25 Date 3-18-25

Step 2 Presentation of this application to the City of Mission for construction permit.

Step 3. No work will start until the city permit has been granted and a copy is presented to a committee member and has signed that a permit is granted and a copy.

Step 4. When the work is underway, display the Building Request and the City of Mission permit on the property and in plain view from the street.

Step 5. The owner will need to provide any in-progress inspections and call for final city inspection.

Step 6. Return page 1 to a FV Committee member with a (legible) signature of the inspector name and the date of inspection.

Page 2

Revision 1 March 22, 2022

ATTACHMENTS

Agreement for Resident

Page 1

CONSTRUCTION AND APPROVALS from FV Covenants Documents

4.07 APPROVAL OF SPECIFICATIONS OF CONSTRUCTION AND IMPROVEMENTS PLANS-
-Prior to any construction of improvements on any Lot, the Park Rules Committee must review and approve in writing all of the following projects on the Property:

- a. Construction of any building, fence, wall, or other structure.
- b. Change in orientation of an existing structure where the structure is moved within the Lot.
- c. Installation of an existing structure moved from another Lot within the park, or from outside the park. (Copies of the City of Mission permit, inspection report, and approval are required if the structure is a park model trailer.)
- d. Any notable exterior addition, change, or alteration in any building, fence, wall or other permanent structure.
- e. Lot landscaping or grading that involves concrete, concrete block, or stone work on the Lot or any easement area on the Lot.
- f. Nothing herein is to be considered as a waiver or change in the stated purpose of this Subdivision as a motor home, travel trailer, recreational vehicle, or park model subdivision. Any additions or similar improvements must only be made to a travel trailer, recreational vehicle, or park model, and the structural integrity of such must be maintained. The construction of improvements around a bare chassis or axles is not permitted. The Park Rules Committee is the sole arbiter of compliance with this Section, subject to appeal to the Board.

LOT USE RESTRICTIONS AND STANDARDS

5.01. No Owner shall occupy or use his lot or residence and such outbuildings as are customarily appurtenant thereto or permit the same or any part thereof to be occupied or used for any purpose other than as a Private Residence of the Owner, his family, guest, and tenants.

5.02. All Lots may be used only for travel trailers, motor homes, recreational vehicles or park model trailers.

- a. No more than one travel trailer, motor home, recreational vehicle, or park model trailer may be placed on a Lot, whether such is occupied or not, except if one is used as the sole means of transportation.
- b. Travel trailers, motor homes, park model trailers, recreational vehicles, storage sheds, and room additions must at the time of installation be situated on the Lot as required by the ordinances and regulations of the City of Mission, Texas this Declaration, and the By-Laws and regulations of Fiesta Village, Inc.
- c. Travel trailers, motor homes, recreational vehicles, and park model trailers must be self-contained when used as a residence.
- d. Two-story sheds or additions are not allowed on any Lot.
- e. The maximum size for a detached storage shed or building on a Lot is twelve (12) feet by twelve (12) feet (or a total of 144 square feet total floor area) by nine (9) feet in height.
- f. Structural additions or sheds must not extend into the space required for a travel trailer, motor home, recreational vehicle, or park model trailer and one off-street automobile parking space on the Lot.
- g. Canopies must not extend beyond the lot lines. Canopy posts must not be positioned inside the required setback area as described in Section 5.04 below. Canopy overhangs must not extend over the utility and drainage easement areas.

Revised Covenant Plan 2022

Page 3

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Agreement for Resident

Page 2

5.03 All permanent driveways, car parking spaces and patios must be of concrete. When developing or redeveloping a Lot, all required driveways, car parking spaces, patios and utilities must be installed prior to the installation of any recreation vehicle or park model on a Lot.

5.04 **SETBACKS**—No motor home, travel trailer, recreational vehicle, or park model trailer, shed, or permanent improvement of any kind is to be located on any Lot nearer to the front lot line, the side lot line, or the rear lot line than the minimum building setback lines as defined as follows:

- a. Side building setback lines must be located at least Six (6) feet from the lot line as measured from the side lot line. Front building setback lines must be located at least Ten (10) feet from the front lot line as measured from the front lot line. Setbacks are as shown on the plat of Fiesta Village, recorded in Hidalgo County Map Records Book Vol. 20, Page 64 on January 23, 1978. (Information: The front lot line in Fiesta Village is typically the edge of the street curb.)
- b. The rear setback line and some side setback lines are established by the total depth of the utility easement and drainage easement areas as they affect each lot, as shown on the plat of Fiesta Village, recorded in Hidalgo County Map Records Book Vol. 20, Page 64 on January 23, 1978. (Information: Required rear setbacks could be either five feet, ten feet, or twenty feet depending on the location of the property within the Fiesta Village Subdivision.) Permanent structures must not be constructed on any utility easement, or drainage easement area. These easements are recorded and benefit the utility companies serving Fiesta Village and the City of Mission and are subject to construction and maintenance activities without notice. (Information: All improvements, including patios, flower beds, shrubs, trees, buildings and building additions, sheds, canopies, etc., located in utility easement and drainage easement areas are subject to removal without notice or recompense when it is necessary to clear the easement area for maintenance or construction activity.) (Information: Utility and drainage easement areas are not subject to abrogation through
- c. For purposes of this covenant, eaves are not considered to be a part of the building; provided, however, that this is not to be construed to permit any portion of a building or eve on any Lot to extend over another Lot or the street. Also, building eaves must not extend over the utility or drainage easement areas.

Revised Covenant Plan 2022

Page 4

Revision 1 March 22, 2022

ATTACHMENTS

Agreement for Contractor

Page 1

CONSTRUCTION AND APPROVALS

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Revision 1 March 22, 2022

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Agreement for Contractor

Page 2

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ZONING SETBACK REQUIREMENTS

	FRONT	REAR	SIDE INTERNAL	SIDE CORNER	LOT SIZE (IN SQUARE FEET)
R-4					
Mobile & Modular Homes					
Spaces in park for Mobile Homes	10'	5'	6'	10'	(INNER CORNER)
Lots for M.H. & RV's	15'	5'	6'	10'	5000/6000

RECORDED

JUL 13 1988

Zone	Minimum Lot Size (Square Ft)	Exist. Ord. Max. Bldg. Coverage (% of lot area)	Permitted Maximum Imp. Area (% of lot area)	Resulting Required Open Space (% of lot area)
8. R-4	mh spaces-2450	50%	60	40
	rv spaces-1500	50%	60	40
	mh lots-5000	40%	60	40
	common areas thereto	N/A	90	10

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ATTACHMENTS

Agreement for Contractor *Page 3*

City of Mission, Texas and Hidalgo County building codes and or restriction take precedence over Fiesta Village Covenants, Rules or Restrictions unless Fiesta Village is more stringent in which case Fiesta Village will take precedence.

Contractors who do not abide by the City of Mission, Hidalgo County or the Fiesta Village covenants and or restriction will make all changes to bring such work into compliance at contractors expense and could lose the privilege of contracting work within the Fiesta Village Park.

Contractor: I have read and understand and agree to the statement standards and restriction above.

Company Name _____

Signature: _____

Printed Name _____

Phone Number _____

Date: _____

Witness:

Signature: _____

Printed Signature: _____

Date: _____

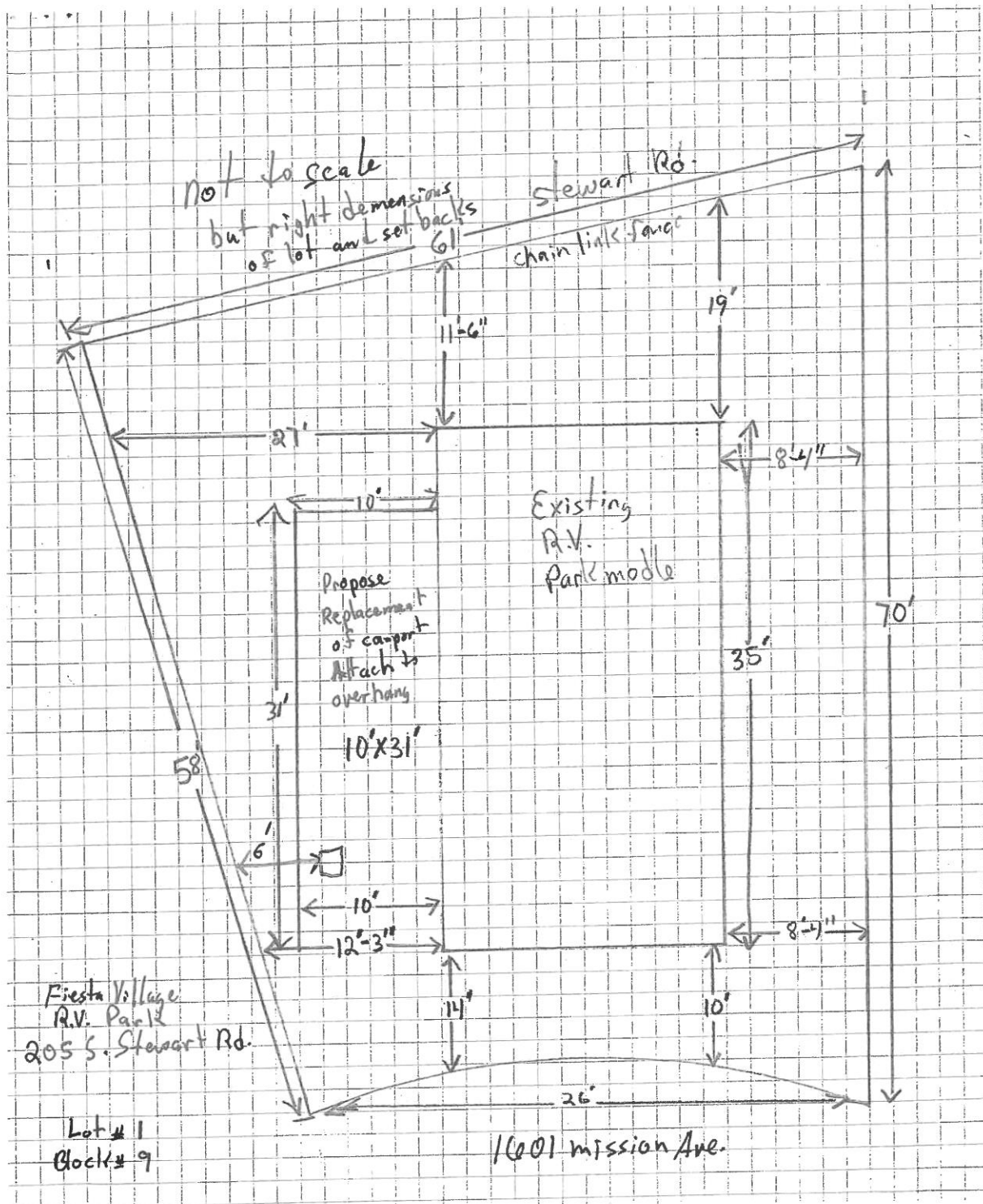
Signature: _____

Printed Signature: _____

Date: _____

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Page 7

ATTACHMENTS



ATTACHMENTS

03/21/2025

Phillip L Martin

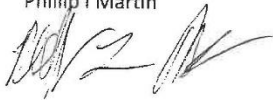
205 S Stewart Rd # 164

Mission TX 78572

To whom it may concern

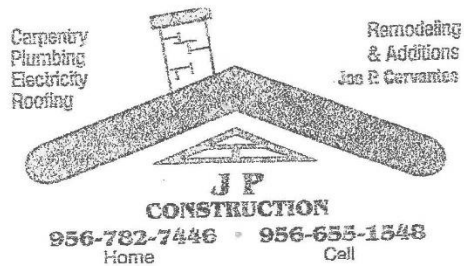
I have no objections to Jeffery Horne at 1601 Mission, Mission Texas rebuilding his carport in its original location which joins my property at 1600 San Juan Mission Texas.

Phillip L Martin



RECEIVED
3/26/25

ATTACHMENTS



3-20-2025

To whom it may concern, customer Mr. Jeff Horne, would like to apply for a variance, because of a misunderstanding, of the board at Fiesta Village, 205 S. Stewart Rd. They said he didn't need a permit to replace a carport that was attached approximately 10'x31', all we needed was a blue sheet with three signatures, which he got. so we started to take it out completely, and then they said, that now the posts needed to be move 6' towards the inside, so now there will not be a parking space, because of the shape of the lot, I have attached drawing of setbacks of lot and structures in it.

There's a lot of misunderstanding in Fiesta Village, people apply for the board, without any knowledge of the rules and regulations, and one person will say one thing and others, a different one, so there's a lot of confusion in the park

J.P. Construction
 Joe R. Cervantes
 (956) 655-1548

ATTACHMENTS

174472

1601 MISSION AVE, MISSION TX

FIESTA VILLAGE BLK 7 LOT 1

GEN ID: F300000-001-0001-00

Ref ID: R174472

SUBTYPE: RES

LEGAL ACREAGE:

PROF USE: F300000

AS CODE: F300000

MAP ID: F300000

MAPSCO: F300000

TIF: F300000

EFF SIZE:

APPR VAL METHOD: cost-local

UTILITIES: WRS,SELEL, GBA:

TOPOGRAPHY: LV

ROAD ACCESS: PCG

ZONING: MH

RENT:

TAXING UNIT CD

TAXING UNIT NAME

PCT

CAD

CMS

DR1

GHD

JCC

SSL

SST

DEED HISTORY

DATE

TYPE

BOOK/PG

INST #

BUYER

SELLER

2024-11-25

GWD

null/null

3600960

1

HORNE JEFFREY

HACKBARTH

2022-03-08

WD

null/null

3318462

1

BURGE CLINTON

BURGE CLINTON

2012-05-09

SWD

null/null

2306781

1

BURGE CLINTON

BURGE CLINTON

OWNER ID / %

1298042

100.00000

OWNER NAME AND ADDRESS

1711 MERCEDES AVE MISSION TX 78572

EXP DATE:

EXP DATE:

REMARKS

(2025) ADJ % EFF YR, RE ROOF

(2023) ADJ % (2019) ADJ ADDN & UTLY

CL-HB1928(2013) NC-HB1928(2010) SOME IMPS

@ NV 2010-HB1928(2009) ADJ IMPS @ NV/ 2009-

2010-HB1928(2008) NEW CANA 07(2007) NEW

CANA 07(2006) NEW STGV 04(2005) NEW STGV

04HOLIDAY-PD \$16,500 IN

PICTURE

VALUES

IMPROVEMENTS

LAND MARKET

SPECIAL USE EXCL

APPROASSED VALUE

HS VALUE LIMIT

CIRCUIT BRKR LIMIT

NET APPRAISED

4,891

10,364

30,536

35,427

40,900

0

0

35,427

40,900

EXEMPTIONS

TAXING UNITS

CAD

CMS

GHD

JCC

SST

100.00

100.00

100.00

100.00

100.00

100.00

100.00

100.00

100.00

100.00

SKETCH

IMPROVEMENT VALUATION

#

TYPE

STY

BUILT

EF YR

COND

AV

VALUE

DEP

PHYS

ECON

FUNC

COMP

ADJ

VALUE

1

STCD, A2

1988

2002

1

1988

2002

AV

10,470

58.00

100.00

100.00

100.00

100.00

0.58

0

2

ADN

1989

2002

1

1989

2002

AV

11,779

58.00

100.00

100.00

100.00

100.00

0.58

6,832

3

CANA

1989

1987

1

1989

1987

*

4,307

49.00

100.00

100.00

100.00

100.00

0.49

0

4

UTLY

1989

1989

1

1989

1989

*

6,545

45.00

100.00

100.00

100.00

100.00

0.45

2,945

5

SKRT

1989

1989

1

1989

1989

*

62

45.00

100.00

100.00

100.00

100.00

0.45

0

6

STOR

2003

2003

1

2003

2003

*

1,586

60.00

100.00

100.00

100.00

100.00

0.60

0

7

CANA

2005

2005

1

2005

2005

*

783

65.00

100.00

100.00

100.00

100.00

0.65

0

8

STCD, A2

2005

2005

1

2005

2005

*

35,562

65.00

100.00

100.00

100.00

100.00

0.65

10,364

AS Code: 100.00%

Market Area: 106.00%

Ext. Wall:

LAND VALUATION

TYPE

SOIL

CLS

TABLE

SC

HS

METH

Dim

Unit

Prc

Adj

M Adj

Val

Src

Mkt Val

Seq

Adj Type

Land Adj

Adj Amt

Adj %

Productivity

Valuation

Unit

Table

Unit

AS Value

1

L

F300000

A2

No

SF

2867.27

SF

10.95

1,000

100.00%

Market Area:

30,536

A

30,536

No

0.00

0

Page 1 of 1

Effective Date of Appraisal: January

Date Printed: April 08, 2025 15:57

Printed By: KF

Property ID: 174472

Powered By: <True Prodigy>

ATTACHMENTS



ATTACHMENTS

Database of Variances

<u>Legal Description</u>	<u>Variance Request</u>	<u>Date of Meeting</u>	<u>Recommendation</u>
Lot 5, Blk. 5	4' inner side setback	1/14/97	Approved
Lot 13, Blk. 1, Lot 1, Blk. 2, Lots 10 & 11, Blk. 3, Lots 1 & 38-39, Blk. 4, Lot 12, Blk. 5, Lot 1, Blk. 6, Lot 12, Blk. 7, Lot 1, Blk. 8, Lots 10 & 11, Blk. 9, Lots 1 & 38- 39, Blk. 10, Lot 12, Blk. 11, Lot 12, Blk. 13, Lot 1, Blk. 12, Lot 12, Blk. 13, Lot 1, Blk. 14, Lots 10 & 11, Blk. 15, Lots 1 & 38, Blk. 16, Lot 12, Blk. 17, Lot 12, Blk. 19, Lot 10, Blk. 20, Lot 1, Blk. 21,	5' corner setbacks	4/10/01	Approved
Lot 13, Block 18 ^a	3' side setback	1/19/05	Approved

MAILOUT LIST

PROP_ID	file_as_na	addrDeliveryLine	addrCity	addrState	addrZip
613884	SILVANOVICH GLEN	1524 E 1ST ST	MISSION	TX	78572-6416
613885	JONES KENNETH R & CAROLE J	101 MERCURY ST	MISSION	TX	78572-6395
613886	RUPPLE JUDITH A & DIANNA L SMITH	103 MERCURY ST	MISSION	TX	78572-6395
613887	SOSBEE GERALD & MARISOL	PO BOX 3834	MCALLEN	TX	78502-3834
613817	GERARDY ARMINDA	109 MERCURY	MISSION	TX	78572-6395
174525	OLSON JUDY & DENNIS L	2272 500TH ST	NORTHWOOD	IA	50459-8635
174477	DALLMANN GERALD TRUSTEE	10840 RIVERBEND LN NW	ORONOCO	MN	55960-2038
174524	LOWREY GUY ROY & MARY KATHRYN CO TRUSTEES	52939 740TH ST	ANITA	IA	50020-8904
174507	KREMER LLOYD J	5408 N 30TH ST	MCALLEN	TX	78504-5107
174508	HOFF VANE & SHERYL	6672 HIGHWAY 61	SILVER BAY	MN	55614-4222
174478	DALLMANN GERALD L TRUSTEE REVOCABLE LIVING TRUST	10804 RIVERBEND LN NW	ORONOCO	MN	55960-2038
174442	SCHAAP RODGER E JR	4373 WEATHERBY LN	TRAVERSE CITY	MI	49685-9628
174444	BERG RICHARD L & LOIS K & SHELLEY ANN GABLE	3120 DALE RD	EAU CLAIRE	WI	54703-1105
174445	CLARK KENT LEROY	24481 DUTCHSETTLEMENT ST	CASSOPOLIS	MI	49031-9763
174563	MARTIN PHILLIP & CHERYL A	205 S STEWART RD UNIT 164	MISSION	TX	78572-6348
174566	RUSSMANN JERALDINE TRUSTEE GRAMMA JERRY LIVING TRUST	205 S STEWART RD UNIT 259	MISSION	TX	78572-6337
174599	KLOSSNER HARVEY	6871 220TH ST	SILVER LAKE	MN	55381-6400
174601	HENDEL ROBERT L & KATHLEEN A	205 S STEWART RD UNIT 244	MISSION	TX	78572-6337
174600	SWARTZ DELILA	431 S E GOSNELL LN	SHELTON	WA	98584-8384
174598	GONZALEZ VICENTE & SHERYL TRSTS	123 MAIN ST N	SAUK CENTRE	MN	56378-1109
174441	LOWREY GUY ROY & KATHRYN CO-TRUSTEES FAMILY REVOCABLE LIVING TRUST	52939 740TH ST	ANITA	IA	50020-8904
174443	RANNEY JOSEPH W III & PAULA J	21218 FEATHER RIDGE LN NE	POULSBO	WA	98370-8927
174506	HUDDLESTUN MONTE & RHEA	205 S STEWART RD	MISSION	TX	78572
174472	HACKBARTH ELIZABETH J	1711 MERCEDES AVE	MISSION	TX	78572
174564	MARTIN PHILLIP L & CHERYL A CO TRUSTEES	205 S STEWART RD UNIT 164	MISSION	TX	78572-6348
174565	MITCHELL DAVID W & TRACY L MITCHELL	205 S STEWART RD UNIT 228	MISSION	TX	78572-6336
174569	FURST MARTIN A II & RITA J	845 W 3RD ST	GARNER	IA	50438-1206
174597	ADAMS GEOFFREY J & SANDRA J LIVING TRUST	205 S STEWART RD NO 336	MISSION	TX	78572-6386
174510	FINER EUNICE M IRRVCBL TRST	602 UNION ST	EMMETSBURG	IA	50536-2451
174521	LOLAND DENNIS W & GERALDINE RUSSMANN	29270 330TH ST	NEOLA	IA	51559-6036
174473	MELAND JAMES R & BRENDA L & MARK A &	4885 PARTRIDGE AVE	NORTHWOOD	IA	50459-8628
174474	SCOTT FLORENCE M	205 S STEWART RD NO 338	MISSION	TX	78572-6386
174475	BARBER MARY ANN	205 S STEWART RD UNIT 365	MISSION	TX	78572-6329
174476	EBNET LAVOY G & MARY A EBNET	219 1ST ST N W	NEW RICHLAND	MN	56072
174439	BARBEE IRENE N & JANE B CROWLEY	205 S STEWART RD UNIT 76	MISSION	TX	78572-6332
174440	CODDINGTON CURTIS K TRUSTEE	21218 FEATHER RIDGE LN NE	POULSBO	WA	98370
174568	DE NOON ROGER EDWARD	7310 CORONADO AVE	DALLAS	TX	75214-4213
174567	VALDEZ ARTURO JR	PO BOX 279	HIDALGO	TX	78557-0279
174509	RUSSMANN GERALDINE TRUSTEE	29270 300TH ST	NEOLA	IA	51559
174522	THOENNES RALPH & JOYCE	811 4TH AVE NE	BARNESVILLE	MN	56514-3327
174400	LAMBERT DELORES & MARK	205 S STEWART RD # 133	MISSION	TX	78572-6345
174523	THOENNES MARK C & SHARON M	525 WEST ST SOUTH	MILTONA	MN	56354-8188
174401	LOWREY GUY ROY & MARY K CO TRSTS	52939 740TH ST	ANITA	IA	50020-8904
613881	PENA FERNANDO XAVIER & ALICIA CASAS PENAS	1518 E 1ST ST	MISSION	TX	78572-6416
613882	SCHRIEVER MARK ALAN & Wantha L	1522 E 1ST ST	MISSION	TX	78572-6416
316674	W & I LEASEHOLDERS ASSOC	206 S STEWART RD #234	MISSION	TX	78572-6392

STAFF RECOMMENDATION

Staff recommends disapproval of the variance request as:

1. The carport that was built prior to being removed was built without any permits nor meeting the setbacks.
2. The request does not meet the standards for the issuance of a variance as described in the City of Mission Code of Ordinances.



CITY OF MISSION

AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: April 23, 2025

PRESENTED BY: Xavier Cervantes, Director of Planning

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

NATURE OF REQUEST:

Project Timeline:

- March 26, 2025 – Application for Variance Request submitted to the City.
- April 11, 2025 - Under state and local law, a notice of required public hearings was mailed to all property owners within 200 feet of the subject tract.
- April 23, 2025 - Public hearing and consideration of requested variance by the Zoning Board of Adjustments.

Summary:

- The request is for a variance not to comply with Section 1.371 (2)(d) of the Mission Code of Ordinances, which states:
- Any non-living accessory structures, such as a carport or a garage, whether as an addition or as a detached building, shall not exceed a maximum size equal to 40% of the primary structure's living area; and shall not exceed the primary structure's total height, as measured to the top of its roof. However, if the primary structure's living area totals less than 2,000 square feet, the accessory structure may be constructed to a maximum size of 800 square feet. No carport, whether temporary or not, shall have a roof composed of tarp, canvas, or other similar fabric-like material.
- The site is located at the Northwest corner of Terrace Drive and Royal Palm Drive.
- The applicant is requesting a variance to construct a Garage/Storage Building for a total of 4,428.00 square feet instead of the maximum allowed of 2,802 square feet.
- There is currently an existing 7,005-square-foot single-family residence on the property. The applicant is proposing to build a garage and a storage building.
- The Planning Staff has not received any objections to the request from the surrounding property owners. Staff mailed out (30) legal notices to surrounding property owners.
- The applicant would like the Board to consider the above-mentioned variance to allow the construction of the accessory structure.
- The City of Mission Code of Ordinances Appendix A – Zoning, Section 1.17 states ZBA may:
 - "Permit the reconstruction, extension, or enlargement of a building occupied by a non-conforming use on the lot tract occupied by such building, provided such

reconstruction does not prevent the return of such property to a conforming use,” and

- Authorize in specific cases a variance from the terms of a zoning ordinance if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the ordinance is observed and substantial justice is done.”

STAFF RECOMMENDATION:

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

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

RECORD OF VOTE:

APPROVED: _____

DISAPPROVED: _____

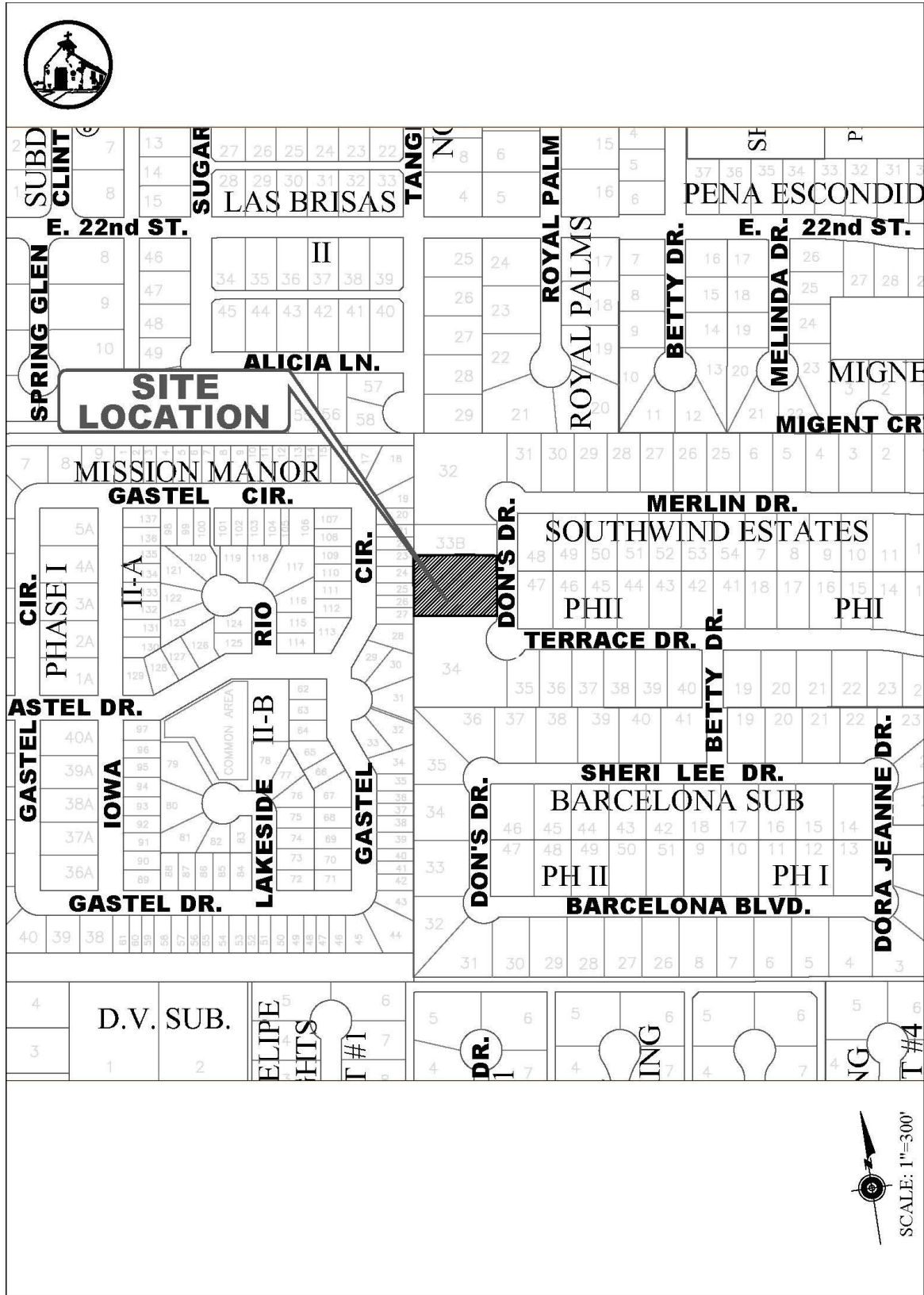
TABLED: _____

_____ AYES

_____ NAYS

_____ DISSENTING _____

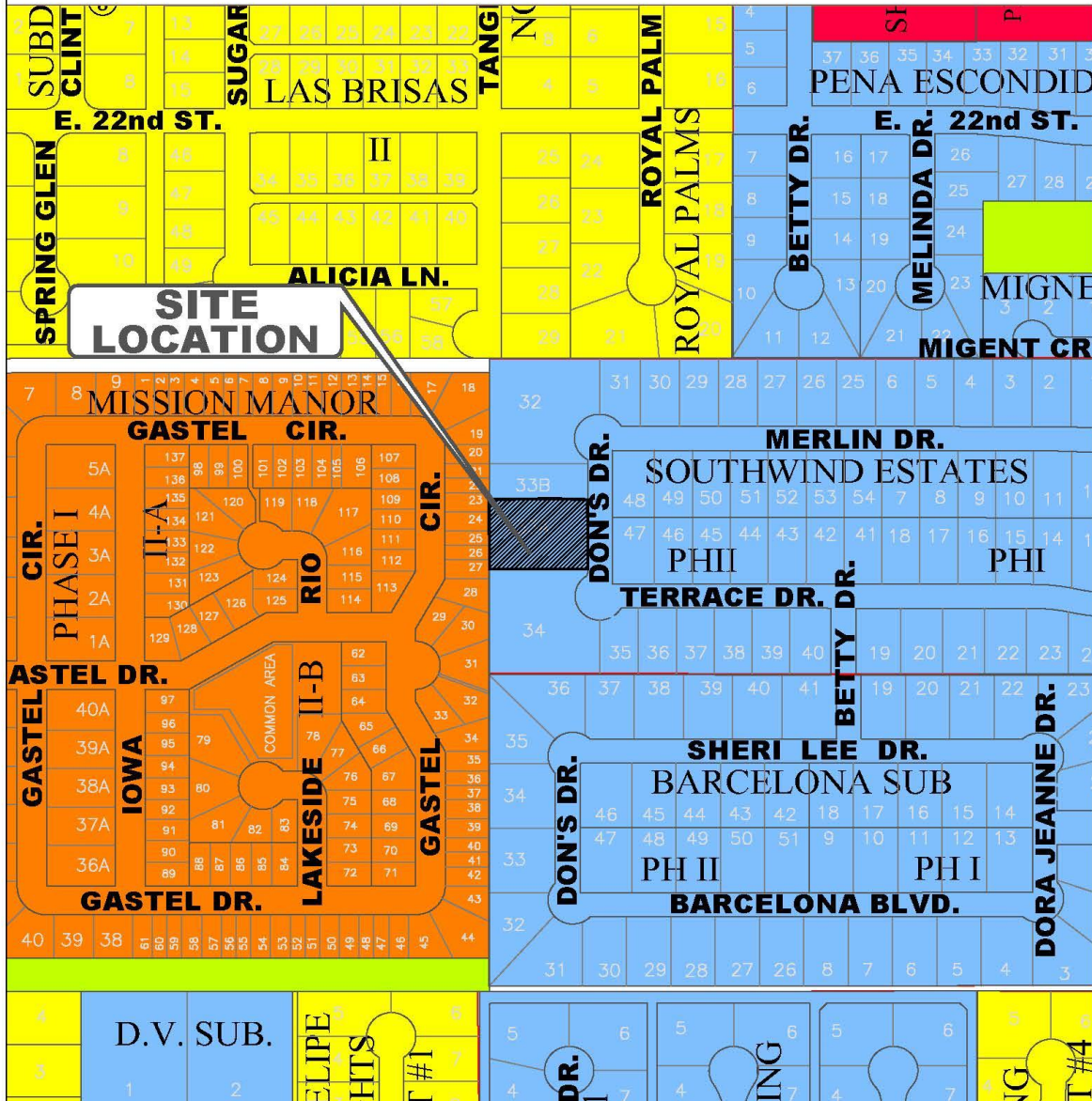
VICINITY MAP



ARIEL MAP



ZONING MAP



ZONING LEGEND

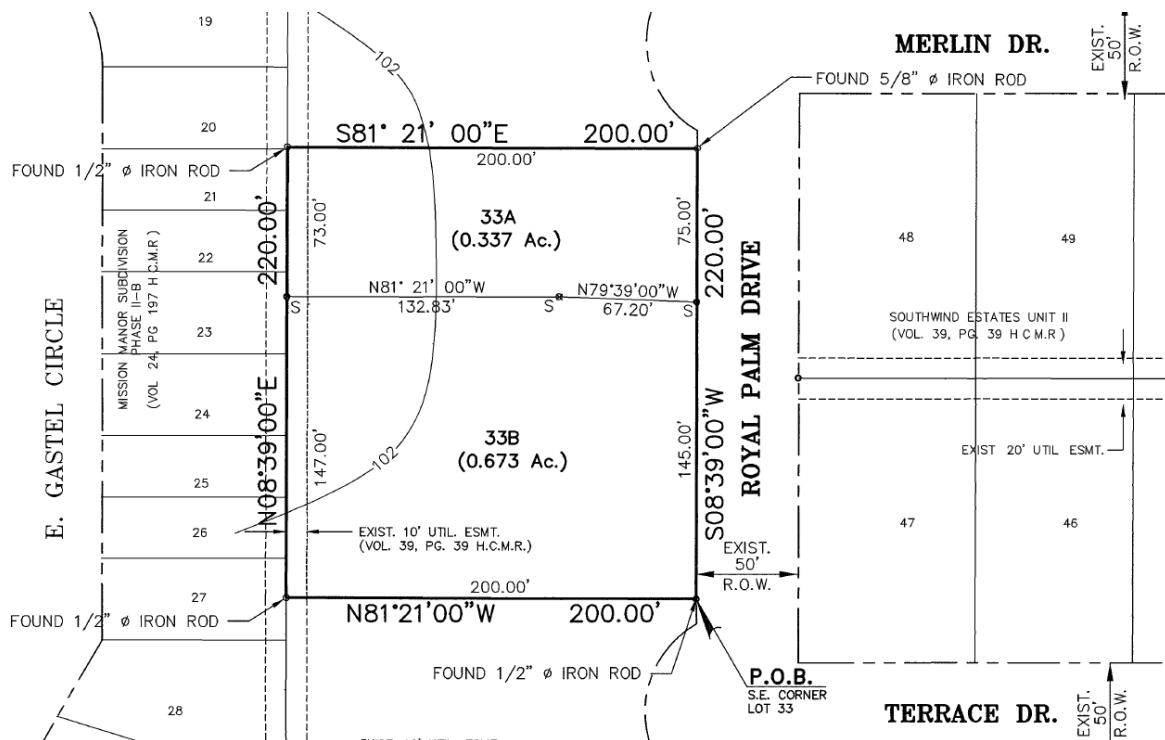
	A0-I AGRICULTURAL OPEN INTERIM		R-3 MULTI-FAMILY RESIDENTIAL		C-4 HEAVY COMMERCIAL
	AO-P AGRICULTURAL OPEN PERMANENT		R-4 MOBILE & MODULAR HOME		C-5 ADAPTIVE COMMERCIAL
	R-1A LARGE LOT SINGLE FAMILY		R-5 HIGH DENSITY MFCTD HOUSING		I-1 LIGHT INDUSTRIAL
	R-1T TOWNHOUSE RESIDENTIAL		C-1 OFFICE BUILDING		I-2 HEAVY INDUSTRIAL
	R-1 SINGLE FAMILY RESIDENTIAL		C-2 NEIGHBORHOOD COMMERCIAL		PUD PLANNED UNIT DEVELOPMENT
	R-2 DUPLEX-FOURPLEX RESIDENTIAL		C-3 GENERAL BUSINESS		P PUBLIC



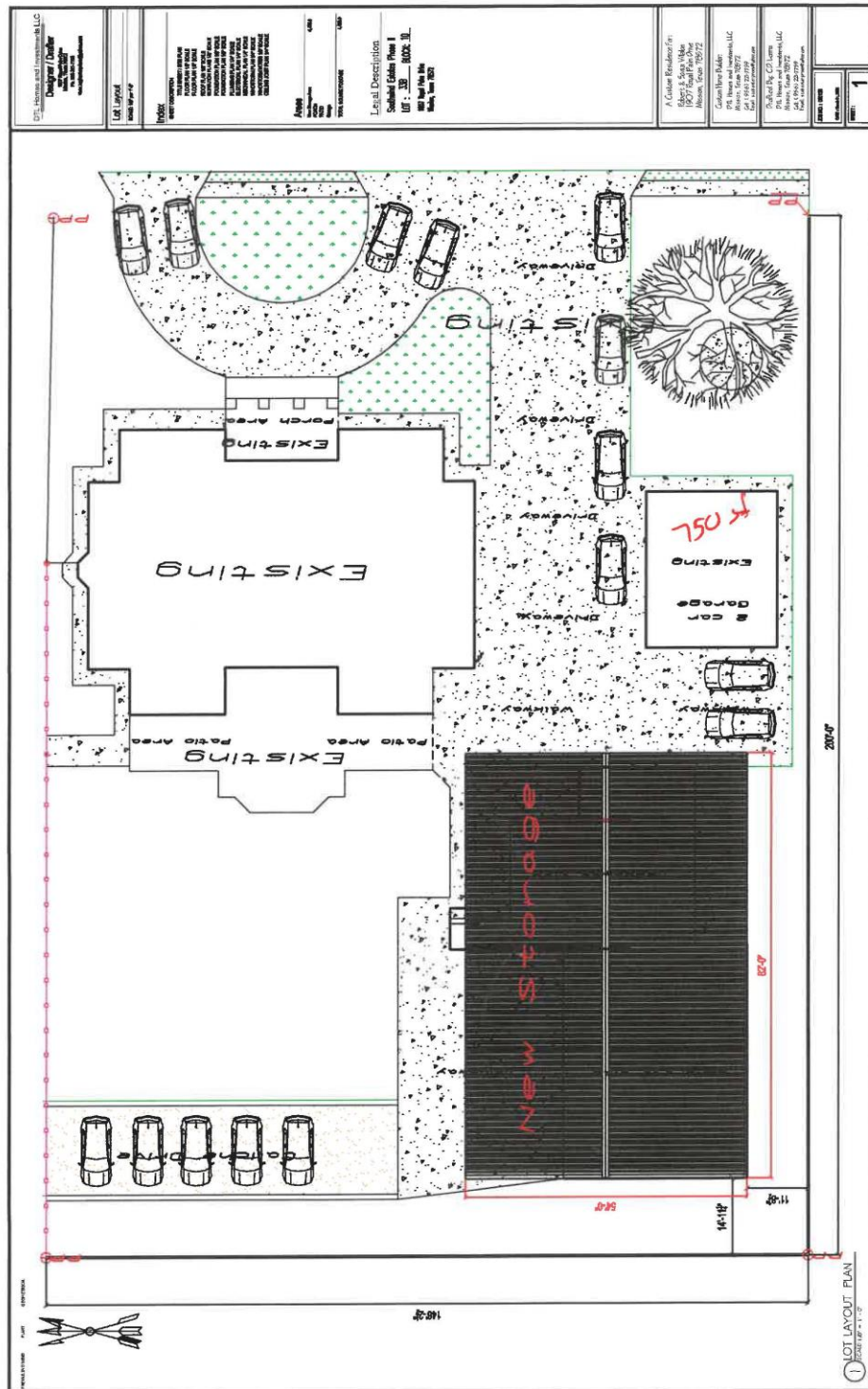
RECORDED PLAT AND NOTES

GENERAL NOTES

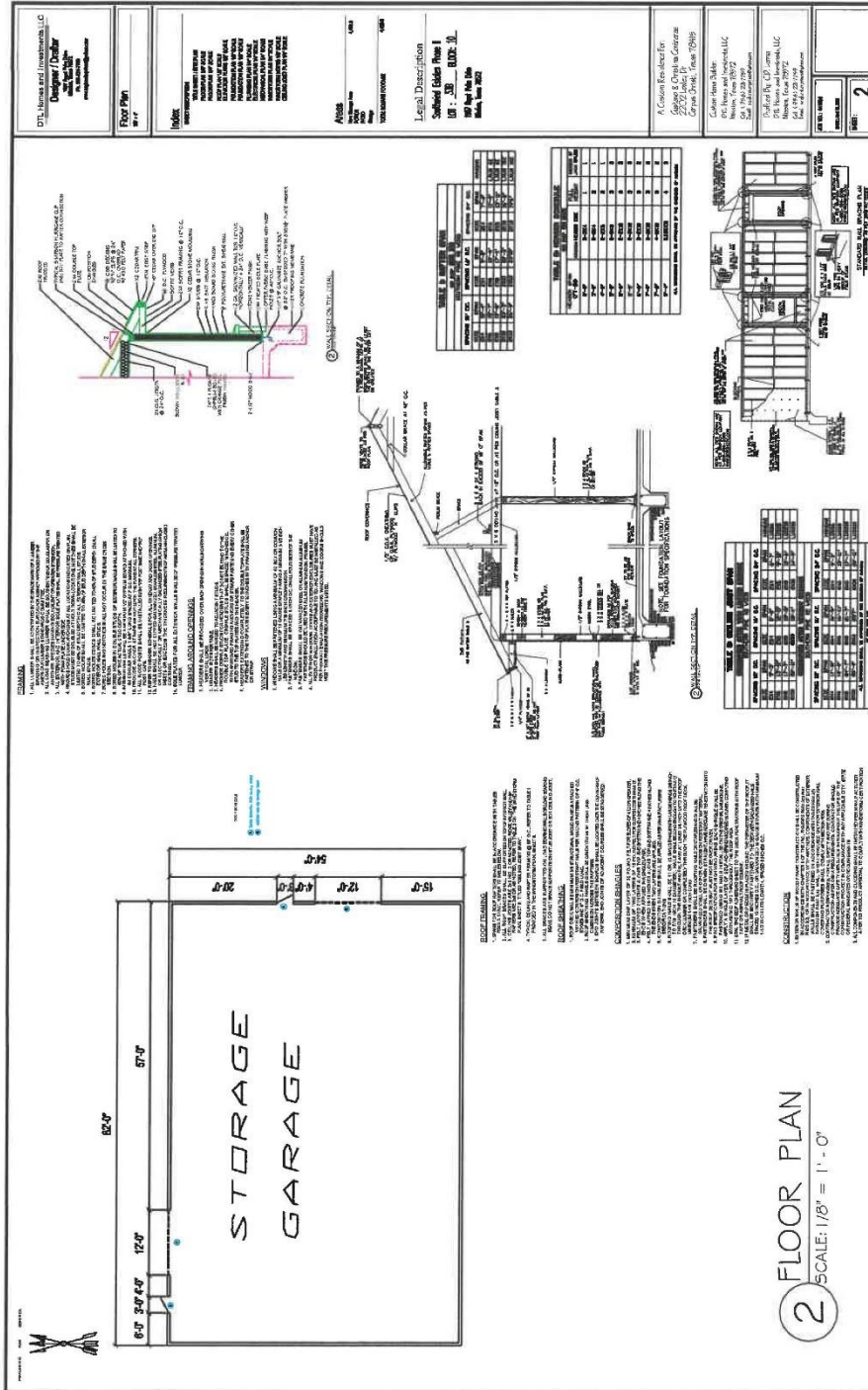
1. THE FLOOD DESIGNATION FOR THIS PROPERTY IS ZONE "X" WHICH ARE "AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOOD-PLAIN" AS PER F.E.M.A.'s FLOOD INSURANCE RATE MAP - COMMUNITY PANEL NO. 480345 0005C, REVISED NOVEMBER 20, 1991.
2. MINIMUM FINISHED FLOOR ELEVATION SHALL BE EIGHTEEN (18) INCHES ABOVE THE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



ATTACHEMENTS (PICTURES)



ATTACHEMENTS (PICTURES)

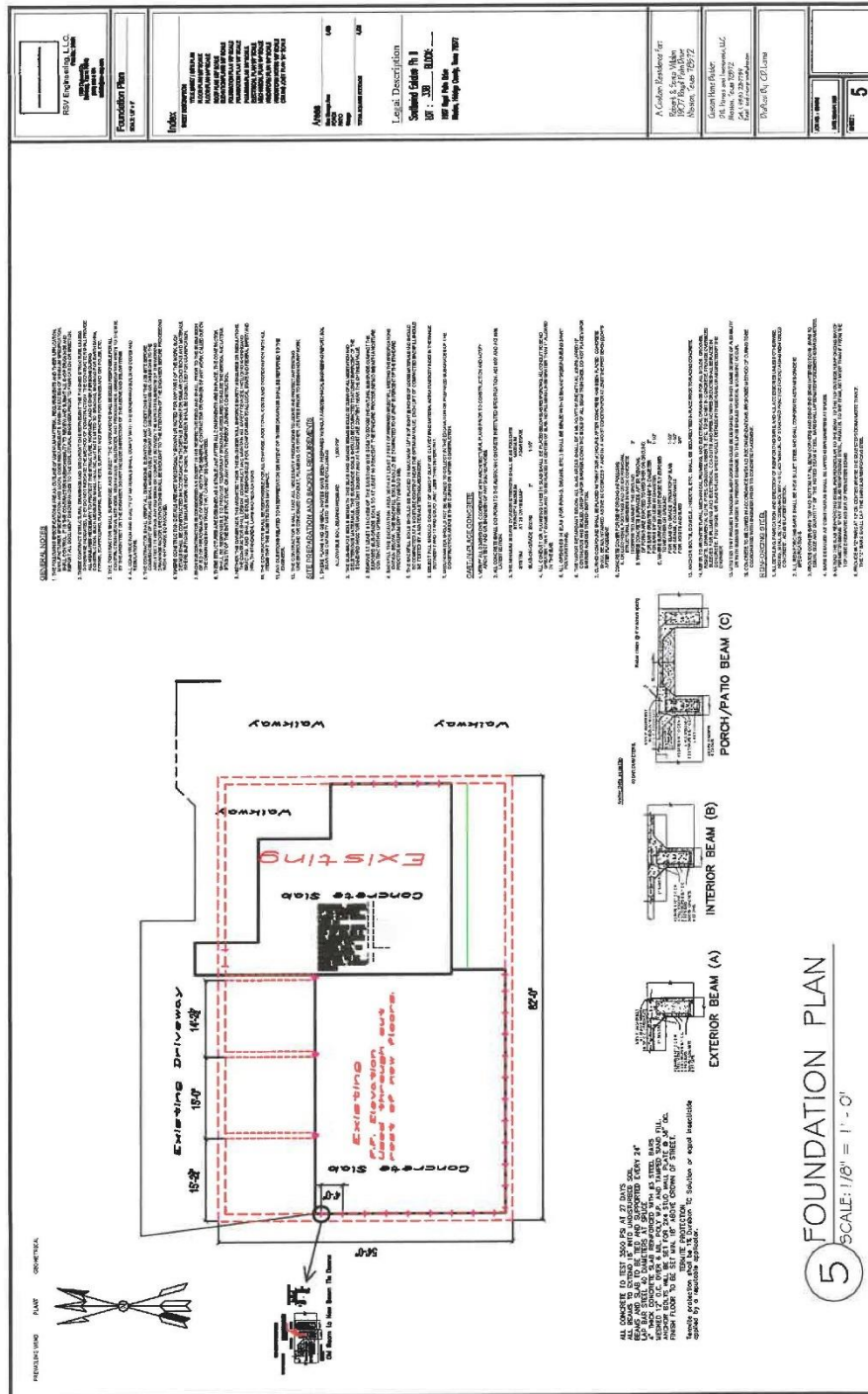


THE ROOFING AND SHEATHING CO. LLC
 10000 Highway 100
 Suite 100
 Houston, TX 77055
 Tel: 281-460-1000
 Fax: 281-460-1001
 www.roofingandsheathing.com

Drawings
 No.
 Date

Notes
 1. See notes on page 10000.
 2. See notes on page 10001.
 3. See notes on page 10002.
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ATTACHEMENTS (PICTURES)



ATTACHEMENTS (PICTURES)



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

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

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

BUILDING TYPE

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

BUILDING OPTIONS

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

STAMPED ENGINEERING PLANS

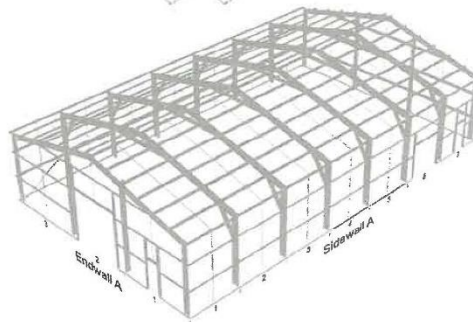
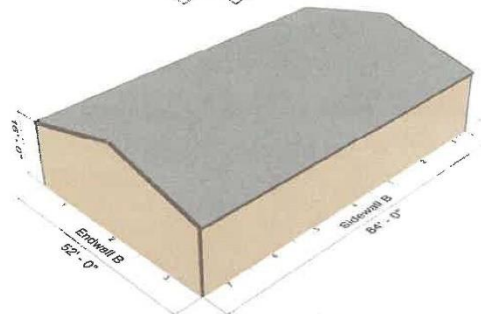
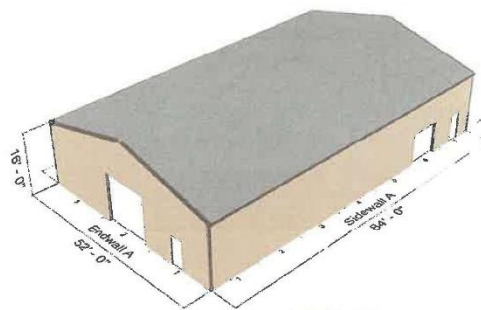
Building Layout Plans
 No snow load
 126 mph wind speed, exposure 'C'
 2018 IBC

TOTAL PRICE

\$50,424.47

Tax and Delivery NOT Included

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



ATTACHEMENTS (PICTURES)



BUILDING SPECIFICATIONS

Building Site Address:

1907 Royal Palm Dr, Mission, TX, 78572

Building Site Details:

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

Building Dimensions:

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

Leanto A Details:

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

Leanto B Details:

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

Mezzanine Details:

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

Sheeting and Trim Details:

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

Opening Details:

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

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

Windows: None

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

Open Bays: None

Skylights: None

Insulation Details:

None

Extra Options:

N/A

Purchaser: Carlos Lerma

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

Total Building Price: \$50,424.47

Accessories: \$5,621.00

Estimated Delivery: \$350.00

Estimated Tax: \$4,652.63

FINAL Total Price: \$61,048.10

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

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

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

 Signature & Date

STAFF RECOMMENDATION

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

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

MAILOUT LIST

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



CITY OF MISSION

AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: April 23, 2025

PRESENTED BY: Xavier Cervantes, Director of Planning

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

NATURE OF REQUEST:

Project Timeline:

- March 19, 2025 – Application for Variance Request submitted to the City
- April 11, 2025 – In accordance with State and local law, notice of the required public hearings mailed to all property owners within 200 feet of the subject tract.
- April 23, 2025 – Public hearing and consideration of the requested variance by the Zoning Board of Adjustments.

Summary:

- The request is for a variance not to comply with Section 1.371 (5) (f) of the Mission Code of Ordinances, which states:
 - Minimum depth of the rear setback: 10 feet or to the easement line, whichever is greater.
 - Where a building setback has been established by plat or ordinance and such setback requires a greater or lesser rear yard setback than is prescribed by this article for the district in which the building is located, the required rear yard setback shall comply with the building line so established by such plat or ordinance.
- The site is located along the East side of Hillcrest Drive approximately 360 feet South of 2 Mile Road.
- The applicant is requesting a variance to keep an already-constructed detached roof patio structure.
- The Hillcrest Valley Subdivision was recorded on November 24, 2020. The subject property has a depth of 120.46 feet and a width of 60 feet.
- City officials from the Code Enforcement Division noticed the detached roof patio structure in the backyard and gave the property owner a notice of violation for the construction of the structure without a building permit.
- The eastern edge of the structure metal posts are located six (6) feet from the rear property line.
- There is no history of variances in this subdivision.
- The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out 16 legal notices to surrounding property owners.

STAFF RECOMMENDATION:

Staff recommends denial. The structures need to be modified or removed to comply with the required setbacks within 60/90 days. However, if ZBA is inclined to approve this variance request then the applicant would need to comply with the following: 1) Sign a hold harmless agreement stating that the

structure will remain perpetually “open and to its footprint” and if the structure is ever removed, the prevailing setbacks shall be complied with thereafter, with an acknowledgment of the utility easement 2) obtaining a building permit fee, and 3) accessing a double permit fee.

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

_____ AYES

_____ NAYS

_____ DISSENTING _____

APPLICATION FORM

ZONING BOARD OF ADJUSTMENTS
APPLICATION

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

SUBDIVISION: _____ LOT: _____ BLOCK: _____

APPROX. LOCATION: _____

ZONE: _____

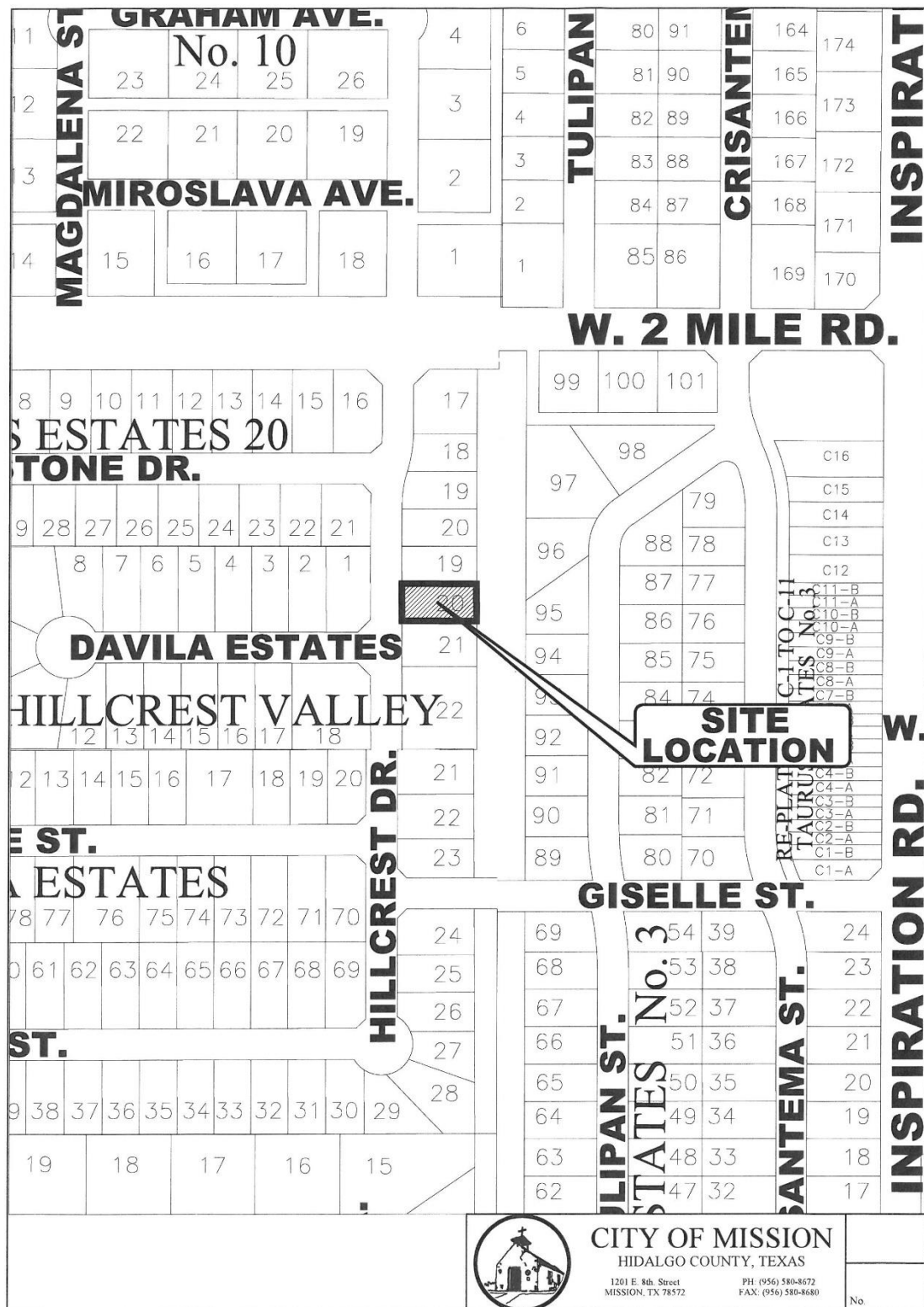
PURPOSE: Keep my existing porch, please.

OFFICE USE ONLY	

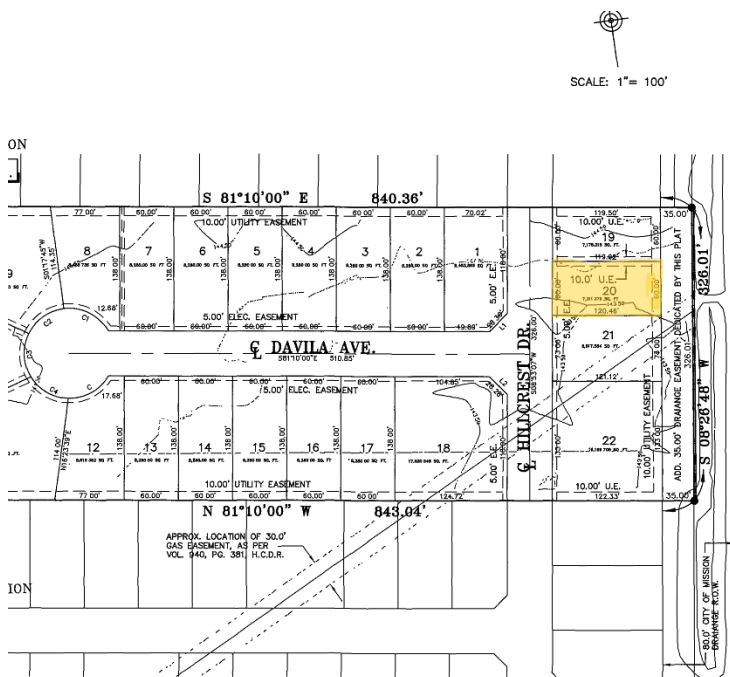
ZBA ACTION: _____ PASSED _____ TABLED _____ FAILED _____	DATE: _____
COMMENTS: _____	
LETTERS MAILED: _____ FILING FEE: <u>\$250.00</u> RECEIPT NO.: <u>20250221</u>	

APPLICANT'S SIGNATURE: Blanca Morin

LEGAL NOTICE MAP



RECORDED PLAT WITH SUBJECT PROPERTY HIGHLIGHTED



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

STATE OF TEXAS
COUNTY OF HIDALGO

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



[Signature]
NOTARY PUBLIC
COUNTY OF HIDALGO

CITY OF MISSION
CERTIFICATE OF APPROVAL

UNDER LOCAL GOVERNMENT CODE 212.0115(B) WE THE UNDERSI
DAVILA"S SUBDIVISION WAS REVIEWED AND APPROVED BY THE C

[Signature]
MAYOR OF CITY OF MISSION

ATTEST: *[Signature]*
CITY SECRETARY



AERIAL WITH SETBACKS

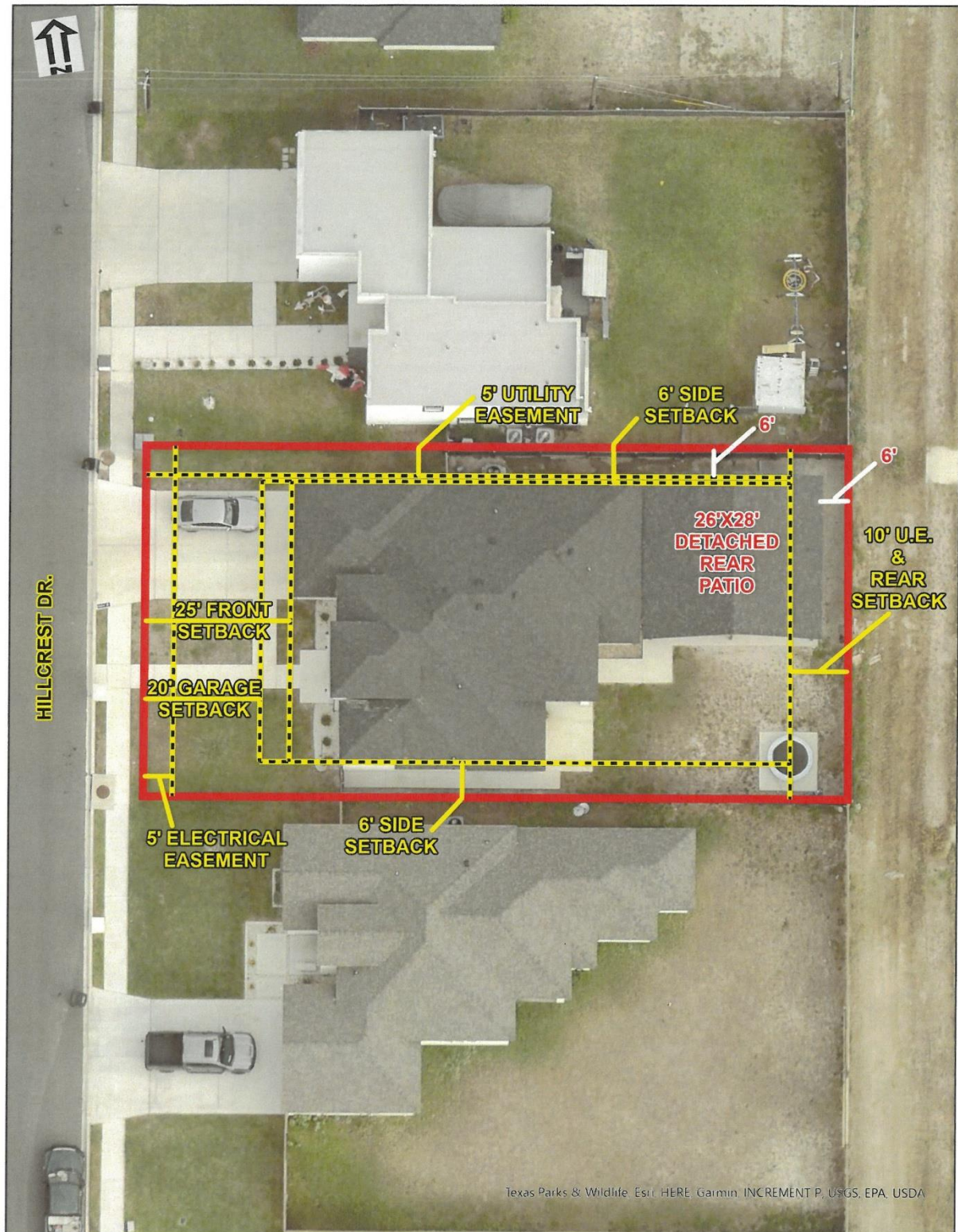


PHOTO OF THE DETACHED ROOF PATIO STRUCTURE



PHOTO OF THE DETACHED ROOF PATIO STRUCTURE



Page 1 of 1

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MAILOUT LIST

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