

ZONING BOARD OF ADJUSTMENTS MEETING

JUNE 25, 2025 at 4:30 PM

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**, **June 25**, **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: June 25, 2025 04:30 PM Central Time (US and Canada)

Meeting ID: 820 5819 8748

Passcode: 632660

Or Dial by Telephone +13462487799 Meeting ID 820 5819 8748 Password: 632660

REGULAR MEETING

- 1. Call to Order
- 2. Disclosure of Conflict of Interest
- 3. Citizens Participation
- 4. Approval of Minutes for ZBA Meeting May 28, 2025

PUBLIC HEARING

- <u>5.</u> Public hearing and consideration of a variance request to allow a 3-foot rear setback instead of the required 15 feet rear setback and a 1 foot 6 inch side setback instead of the required 6 foot side setback, being Lot 26, Block 1, Meadow Creek Country Club Subdivision Phase I-B, located at 2219 Lake View Drive, Applicant: Elsa Covarrubias Cervantes
- <u>6.</u> Public hearing and consideration of a variance to allow a 2.1' rear setback instead of the required 10' for a 9' by 12' gazebo structure, being Lot 11, Olive Tree Estates Subdivision, located at 2601 E. 20th Street, Applicant William Ueckert Cervantes

ADJOURNMENT

Signed this the 20th day of June, 2025	
	Xavier Cervantes, Director of Planning

CERTIFICATE

I, the undersigned City Secretary do certify that the above notice of meeting was pos	sted on t	the
bulletin board of City Hall, 1201 E. 8th Street, Mission, Texas on this the 20th day of	June, 20)25
at 8:45 a.m.		

Anna	Carrillo,	City	Secretary

ZONING BOARD OF ADJUSTMENTS MAY 28, 2025 CITY HALL'S COUNCIL CHAMBERS

ZBA PRESENT

Alberto Salazar Humberto Garza Heraclio Flores William Ueckert Jr. **ZBA ABSENT**

Dolly Elizondo

STAFF PRESENT Susie De Luna

Jessica Munoz Elisa Zurita Alex Hernandez **GUESTS PRESENT**

Yuliana Salinas Raymundo Moreno Daniel Garza

CALL TO ORDER

Chairman Flores called the meeting to order at 4:34p.m.

CITIZENS PARTICIPATION

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

There was none.

APPROVAL OF MINUTES FOR MAY 28, 2025

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

ITEM #2

TO ALLOW A 6 FOOT 11 INCHES REAR SETBACK INSTEAD OF THE REQUIRED 15 FEET AT 1713 SEBASTIAN DRIVE, BEING LOT 30, THE LEGEND AT CIMARRON SUBDIVISION AS REQUESTED BY RAYMUNDO MORENO

Mr. Cervantes stated that the subject site is located at the beginning of the cul-de-sac of Princeton and Sebastian Drive. The applicant constructed a roof patio structure without obtaining the proper building permits.

City officials from the Code Enforcement Division noticed the 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.

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

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

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

There was none.

Chairman Flores asked if the applicant was present.

Mr. Raymundo Moreno was present during the meeting. He stated that he understood the conditions if the board would approve his variance.

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

Mr. Salazar asked if staff new what utilities ran through the back of the property.

Mr. Cervantes replied it could be power or cable.

Chairman Flores asked if staff knew what was in back of the property.

Mr. Cervantes replied that it was a vacant lot.

Mr. Garza asked if Mr. Moreno submitted an 811 report.

Mr. Cervantes replied no. He mentioned that if a utility company needed to go into the property to do repairs, and would damage the structure they wouldn't be responsible to fix it.

There being no further discussion. Chairman Flores entertained a motion. Mr. Garza moved to approve the variance request as per staff's recommendation. Mr. Ueckert seconded the motion. Upon a vote, the motion passed unanimously.

ITEM #3

TO KEEP A 9-FOOT-8-INCH FRONT SETBACK INSTEAD OF THE REQUIRED 10-FOOT FRONT SETBACK AND A 13-FOOT-2-INCH GARAGE SETBACK INSTEAD OF THE REQUIRED 18 FEET. SETBACK, AT 2703 HARMONY LANE, BEING LOT 30, GARDEN PATH SUBDIVISION, AS REQUESTED SKUADRA CONSTRUCTION

Mr. Cervantes stated that the site is located at the Southwest corner of Harmony Lane and E. Solar Drive along the west side of Harmony Lane. The applicant is requesting a variance to keep the 9 feet 8 inches front setback instead of the required 10 feet front setback and the 13 feet 2 inches garage setback instead of the required 18 feet.

Mr. Cervantes mentioned that there was an error when setting the foundation of the townhome. He added that the second error was the garage and the mistake was made when the building permit was processed. He mentioned that the setback for a garage was 18 feet from the property line, and the site plan reflected 18 feet but not the floor plan. He stated that 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.

Staff recommends denial, but the board can consider HB 1475 in approving the variance request.

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

There was none.

Chairman Flores asked if the variance would set precedence for the other homes in the subdivision.

Mr. Cervantes replied no.

Chairman Flores asked if the applicant was present.

The applicant was not present.

Mr. Salazar asked if the applicant was the builder.

Mr. Cervantes replied yes. He added that in Harlingen where he comes from, a pre-pour survey for new construction permits was required to avoid mistakes before the pouring of the foundation.

Mr. Salazar asked if the city of mission required a pre-pour survey?

Mr. Cervantes replied that it was required when the lot was an irregular shaped lot but not a regular shaped lot.

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

There being no further discussion. Chairman Flores entertained a motion. Mr. Garza moved to approve the variance request under house bill 1475. Mr. Ueckert seconded the motion. Upon a vote, the motion passed unanimously.

Chairman Flores entertained a motion to remove item #4 from the table. Mr. Garza moved to un-table item #4. Mr. Salazar seconded the motion. Upon a vote, the motion passed unanimously.

TABLED

ITEM # 4

TO ALLOW A 6 FOOT REAR SETBACK INSTEAD OF THE REQUIRED 25 FEET REAR SETBACK FOR A SWIMMING POOL AT 2416 E. 20TH STREET, BEING LOT 58, SHARY VILLAS SUBDIVISION, AS REQUESTED BY YULIANA SALINAS

Mr. Cervantes stated that 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. He added that unfortunately there was no room for a swimming pool because the property had a 10-foot irrigation easement and a 15-foot utility easement.

Vice Chairman Flores asked if the applicant was present.

Mr. Hector Pena was present. He mentioned that he wanted to build a swimming pool in the back of my property. He added that it was not a fire hazard and the subdivision did not have an HOA. He stated that other properties within the same subdivision had been granted variances but for structures.

Item 1.

Mr. Salazar asked if he was building the standard 6 feet deep swimming pool.

Mr. Pena replied that it was not going to be that deep that he had small kids.

Chairman Flores asked if a site plan of the proposed pool was submitted to staff?

Mr. Cervantes replied that a site plan was submitted to staff, but was wrong.

Mr. Garza asked Mr. Pena if he contacted the irrigation company, to ask if it was ok for them to build a pool over the easement.

Mr. Pena replied that the contractor was in charge of that, but was not able to be present.

Mr. Garza asked who was the contractor?

Mr. Pena replied Elegante Pools. He added that what needed to be revised on the site plan, so the variance could be approved.

Mr. Cervantes replied that the property had a 10-foot irrigation easement and a 15-foot utility easement. He stated that the back yard was all easement.

Mr. Garza stated that he had no problem approving a utility easement, but to approve an irrigation district easement was tough. He added that if the applicant would provide a letter from the irrigation district then maybe he would consider it.

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

Chairman Flores entertained a motion. Mr. Garza moved to table the variance request. Mr. Salazar seconded the motion. Upon a vote, the motion passed unanimously.

OTHER BUSINESS

There was none.

ADJOURNMENT

There being no further business, Mr. Salazar moved to adjourn. Mr. Ueckert seconded the motion. Upon a vote, the motion passed unanimously at 5:10 p.m.

Heraclio Flores, Chairman Zoning Board of Adjustments



AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: June 25, 2025

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

AGENDA ITEM: Public hearing and consideration of a variance request to allow a 3-foot rear setback

instead of the required 15 feet rear setback and a 1 foot 6 inch side setback instead of the required 6 foot side setback, being Lot 26, Block 1, Meadow Creek Country Club Subdivision Phase I-B, located at 2219 Lake View Drive, Applicant: Elsa

Covarrubias - Cervantes

NATURE OF REQUEST:

Project Timeline:

- May 23, 2025 Application for Variance Request submitted to the City.
- June 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 and notice of public hearing was published in the Progress Times.
- June 25, 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 rear setback: 10 feet or greater if easement &

Section 1.371(5)(g)(1), which states:

- o Minimum width of side setback:
 - 1. Internal lot: 6 feet
 - 2. Corner lot: 10 feet
- Minimum distance from the public right-of-way to the entrance to a garage or enclosed carport, unless otherwise approved by the Zoning Board of Adjustments: 18 feet.
- Where a building setback has been established by plat or ordinance and such setback requires a greater or lesser setback than is prescribed by this article for the district in which the building is located, the required setback shall comply with the building line so established by such plat or ordinance.
- The applicant is requesting a variance to keep an already constructed 17' x 40' roof structure partly located within the rear setback.
- Meadow Country Club Phase 1B was recorded on March 17, 1987. The regular lot measures a total of 8,394 square feet. The site is located approximately 450 feet north of River Bend Drive along the west side of Lake View Drive.
- There is currently an existing 1,357 square foot single-family residence on the property. The applicant constructed a roof structure without obtaining the property building permits.
- City officials from the Code Enforcement Division noticed the roof structure in the backyard and gave the property owner notice of the violation.

- The lots to the north, east, and west have been developed as single-family residences.
- Staff notes that the applicant applied for a building permit on April 7, 2025, but it was denied due to not meeting the setbacks. A revised application was submitted on April 11, 2025 indicating that she was proposing a 10' rear setback, but it was also denied. The required rear setback is 15' due to a utility easement. The applicant was advised that the 15' requirement needed to be met. The applicant signed the application, indicating that the structure would be constructed meeting setbacks. The permit was issued on April 23, 2025, however that was not what was done at the site.
- The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out 20 legal notices to surrounding property owners.
- Staff notes that ZBA has considered the following variances within this subdivision.

Subdivision	Variance	Date	Recommendation
Lot 10, Blk. 11	2.9 rear setback	3/21/07	Approved
Lot 33, Blk. 13	4' rear setback	4/11/95	Approved
Lot 2, Blk. 11	3' side setback	4/19/06	Denied
Lots 6 & 7, Blk. 8	7' 1.5" rear setback	11/18/09	Denied

- 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 state law, HB 1475, that allows variances to be granted if:
 - The financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessors for the municipality under Section 26.01, Tax Code;
 - Compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur;
 - Compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other department;
 - Compliance would result in the unreasonable encroachment on an adjacent property or easement; or
 - o The municipality considers the structure to be a nonconforming structure.

STAFF RECOMMENDATION:

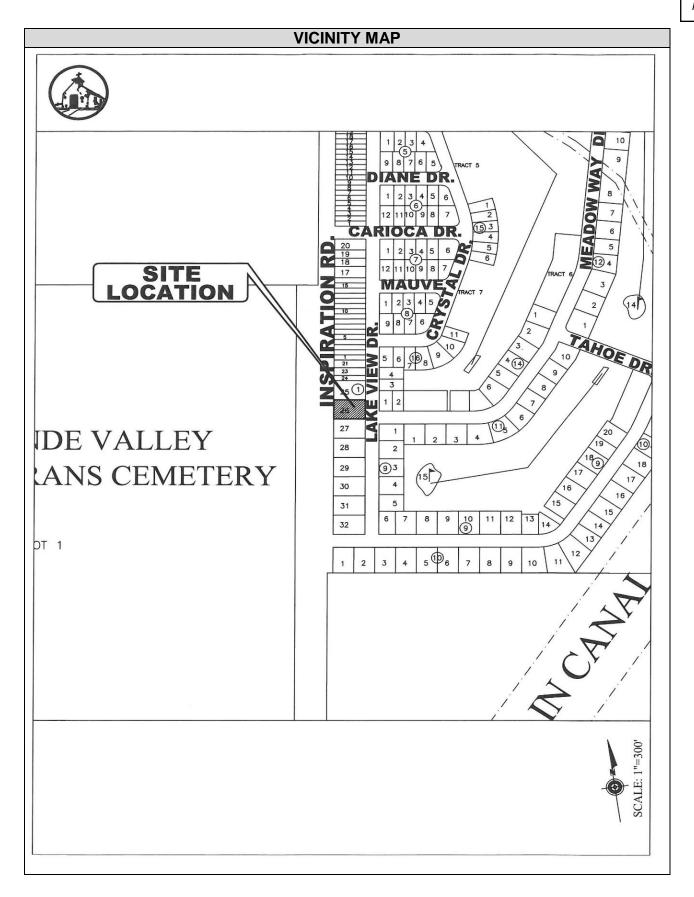
Staff recommends disapproval of the variance request as:

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

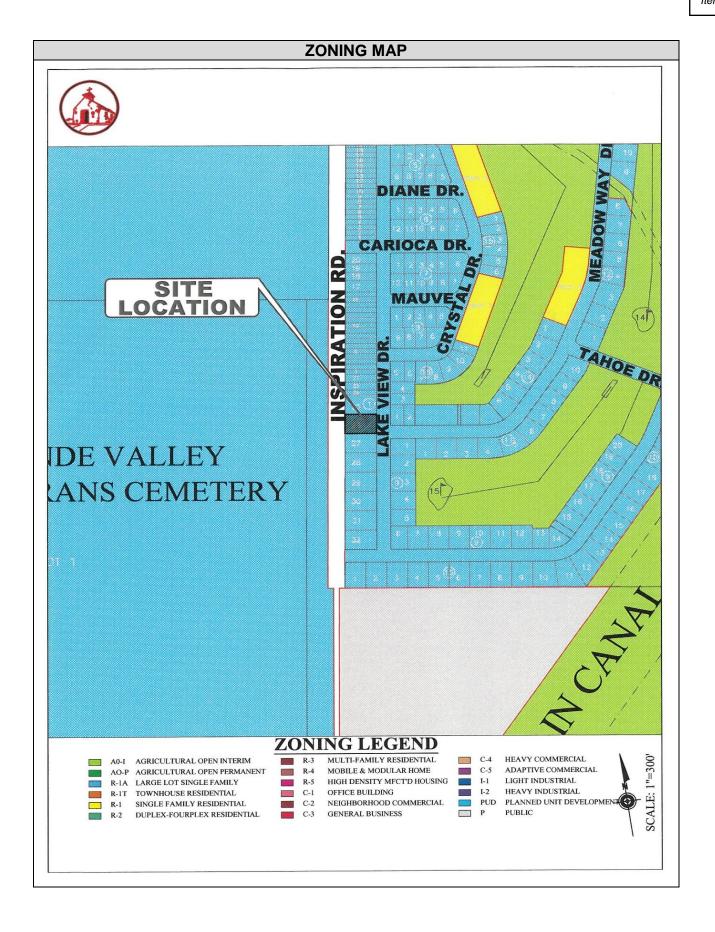
However, if ZBA is inclined to approve this variance request, then staff would recommend that the applicant comply with the following:

- 1. Sign a hold harmless agreement stating that the structure will remain perpetually "open and to its footprint" and if the structure is ever removed, the prevailing setbacks shall be complied with thereafter, with an acknowledgement of the utility easement and no access from Inspiration Road, and
- 2. The vehicle access gate must be modified to a pedestrian gate.

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



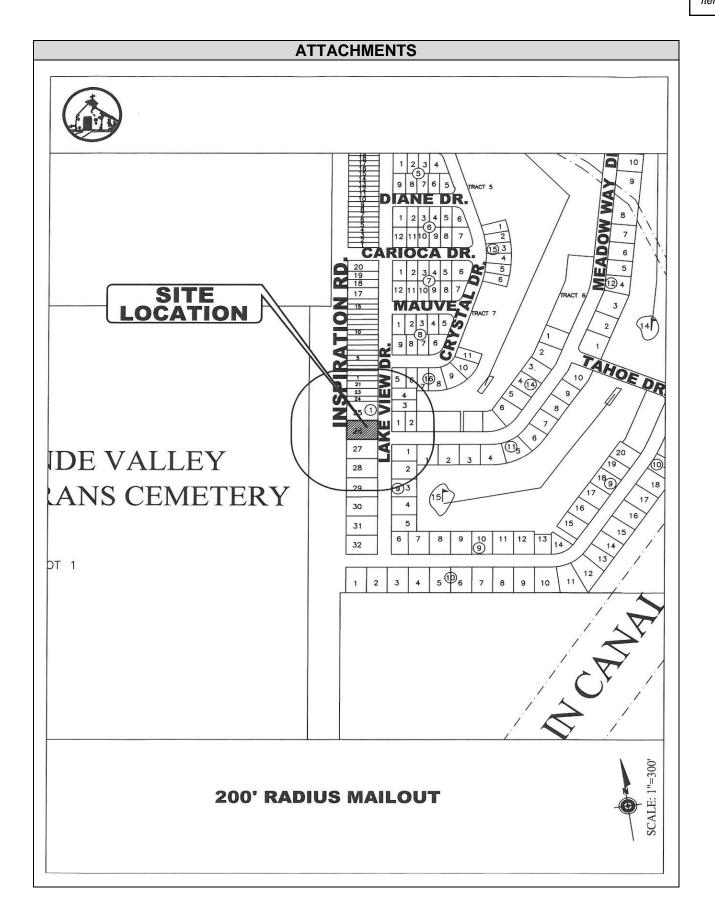


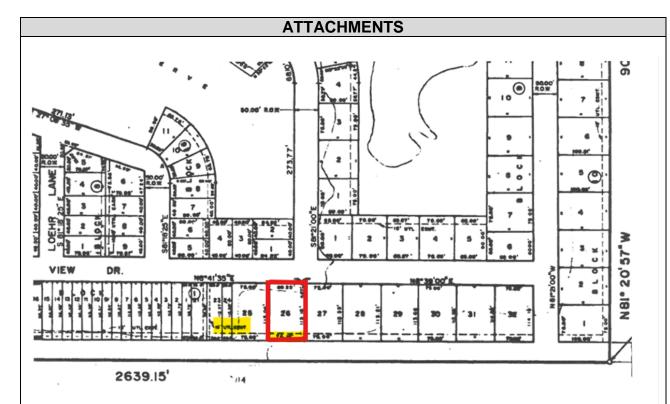






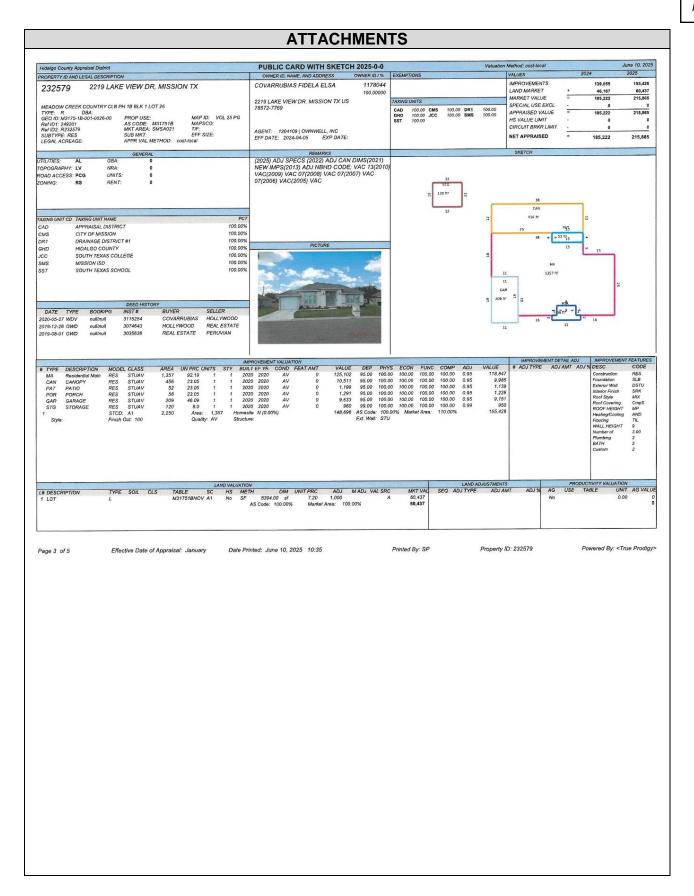






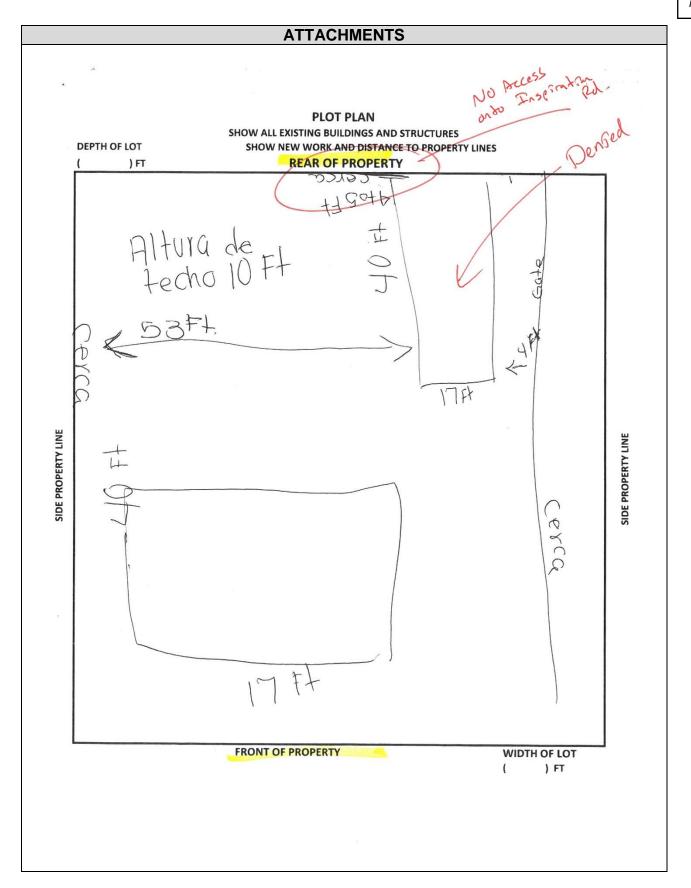
REEK COUNTRY CLUB PHASE 1-B OF LOTS 13-1,132,12-1, AND 12-2, WEST ADDITION TO

00 DBA 23736



ATTACHMENTS CITY OF MISSION 1201 EAST 8TH STREET DATE PERMIT ISSUED: PERMIT #: MISSION, TEXAS 78572 (956) 580-8691 (956) 584-5161 - RECORDER SUBDIVISION: =====APPLICATION FOR PERMIT======= DESCRIPTION OF WORK: PLEASE CHECK MINIMUM FLOOR ELEVATION BEFORE STARTING CONSTRUCTION Techo FOR OFFICE USE 2219 Lake View Dr ZONE Misson TX 78572 313-3240 TELEPHONE ADDRESS DATE Sanchez STAFF **ADDRESS** CONTRACTOR: TXDOT PERMIT ARCHITECT OR ENGINEER: ADDRESS: TELEPHONE BUILDING CLASSIFICATION AND USE: SIDE SIDE LOT AREA FRONT REAR BUILDING DISTANCE FROM PROPERTY LINES SIZE SQ. FT. BLDG. HEIGHT TOTAL FOR OFFICE NOTES ONLY NO. STORIES FLOOR AREA DENIED FOUNDATION CONSTRUCTED INTERIOR WALLS * MEP Permits required FLOORS CONSTRUCTED * Must comply with all setbacks noted CEILINGS EXTERIOR WALLS CONST. CONST. * Must comply with all notes and attachments MINIMUM 18 INCHES MANUAL J REPORT FIRST FLOOR ELEVATION * Call in all necessary inspection(s) OTHER WINDSTORM ELECTRICIAN PLUMBER * Call in a Final Inspection MECHANICAL CONTRACTOR INSTALLING AN ALARM SYSTEM TOTAL COST OF \$ 4 NO No Access onto Inspiration Pd Arop. Rost Not Meetry setlondes SEPARATE PERMITS ARE REQUIRED FOR A/C, ELECTRICAL AND PLUMBING WORK. SPECIAL CONDITIONS: MUST COMPLY WITH ALL 2021 IBC, IRC, IFC, IPC, IMC, IFGC, ACCUMULATIONS OF BRICK, LUMBER AND OTHER DEBRIS SHALL BE DISPOSED OF IMMEDIATELY BY AND AT THE EXPENSE OF THE OWNER. IECC, ISPSC, IPMC, 2020 NEC CODE REQUIREMENTS, STATE LAWS, LOCAL ORDINANCES AND SETBACK REQUIREMENTS. The foregoing is a true and correct description of the improvements contemplated by the undersigned applicant, and the applicant states that he will have full authority over the construction of same, and herby agrees to comply with all ordinances of the City of Mission and assumes all responsibility for such compliance. It is understood that the improvements shall not be used until Certificate of Occupancy has been issued SIGNATURE OF OWNER OR AUTHORIZED AGENT Time Limitation of Application: An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for

additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.





ATTACHMENTS INSPECTIONS DIVISION FIRE MARSHAL'S OFFICE 580-8691 580-8711 (Final Approval is deemed not officially approved unless all the requiements as set forth are fully complied with. Inititals: Date: ___ Any revised plans may need additional requirements). 4/8/25 Pending: ____ Approved: ____ Denied: ___ Inititals: Date: See Attachments for additional requirements/comments Pending: _ _ Approved: __ _ Denied: __\v Fire Hydrant Required: _____ Yes ____ Special Requirements: Fire Lane to be Painted: ___ Yes MUST COMPLY WITH ALL APPLICABLE BUILDING CODES, STATE LAWS, AND LOCAL CITY HEALTH DEPARTMENT ORDINANCE REQUIREMENTS, AND 2018 ENERGY 580-8741 Inititals: ____ Date: ___ PLANNING DIVISION Pending: _____ Approved: ____ Denied: _____ Grease Trap: _____ Yes _____ No 580-8672 Inititals: _ Date: 4-8-25 Comments: Pending: Approved: Denied: Yes No 2 Car Driveway: Other: — MFE: ______ Via Plat Note # : ____ Flood Zone _____ STREETS/ENGINEERING DEPARTMENT Elevation Certificate Required: ____ Yes ____No 580-8780 4' _____ 5' ____ Sidewalk along ____ Asbestos Report Req'd: ____Yes ____No Inititals: Date: _____ No Occupancy w/out Bus. License: Yes No Pre-Pour Survey Required Yes No Pending: ____ Approved: ____ Denied: _ Detention/Retention Requirement ___ Yes ___ No Min. Setback Requirements Berms Required: _____ Yes _____ No Front: 10 Comments: Cul-de-sac Lot: Rear: (5'0.E. Side: 6' Side: Corner Side: Garage: 🎋 WATER & WASTEWATER UTILITY DEPT. 580-8780 Inititals: ___ Date: _____ __ Approved: ___ __ Denied: _ Plat's Utilities Approved: ____ Yes ____ No Cross Connection Prevention: ____ Yes ____ No PCC Required: _____ Yes ___ Comments: **NOTES:** 1. Must call for all inspections at 584-5161 2. Do not call Inspectors directly for any Inspections. A Building Permit is granted for the proposed Improvements 3. Keep all inspection Tags for your records. specifically conditioned upon the terms and reg, set forth above 4. A Certificate of Occupancy will NOT be and on any other supplementary review and requirements sheets. issued if inspections are not completed,

i.e. missing or work is covered before being

Inspected by the City.

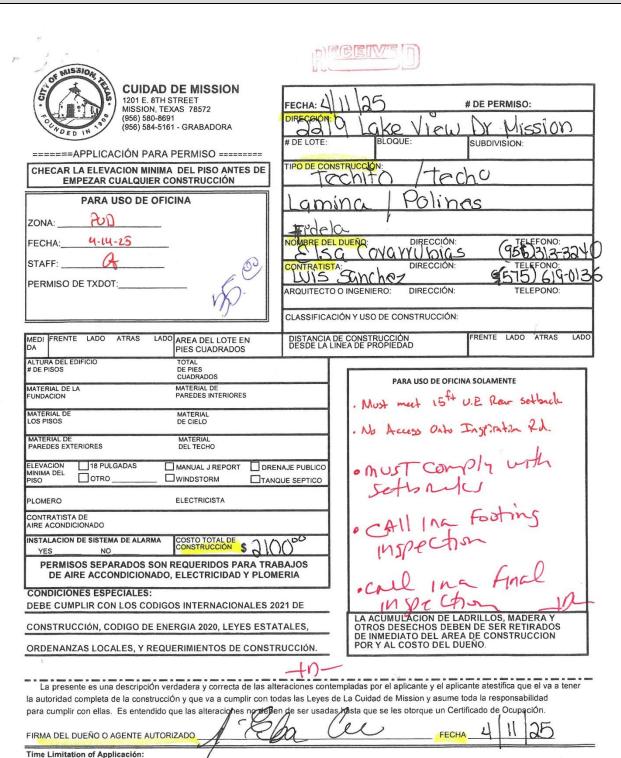
The individuals whose signature appears below has the authority

by the owner and/or other applicant to agree to the City's

conditions, and further attests that he/she has read said conditions and agress to fully comply therewith.

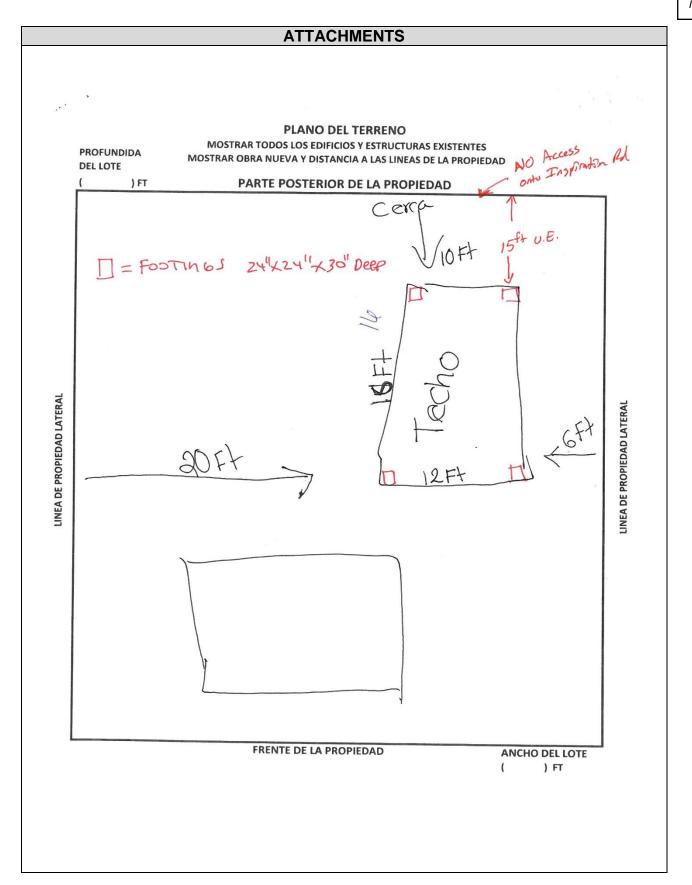
Signature of authorized agent

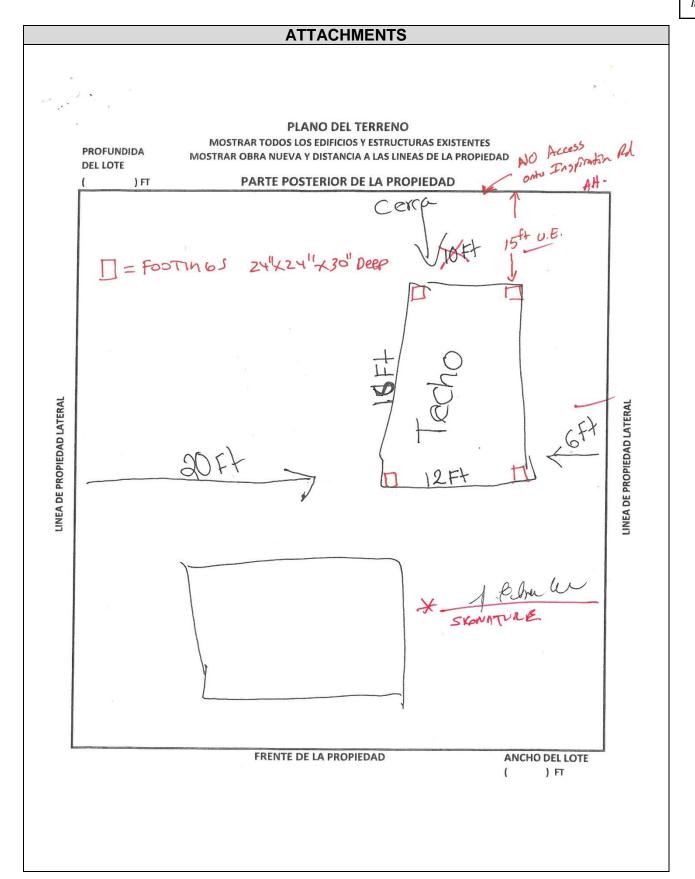
ATTACHMENTS



La aplicación para permiso de cualquier tipo de trabajo se considera cancelada despues de 180 dias despues del dia que aplicaron, amenos que la aplicación haya sido de buena fe o que el permiso se haya dado; excepto que un Inspector or un Oficial haya autorizado una o mas extensiones de tiempo adicional que no exceda mas de 180 dias. La extension debe ser pedida por escrito con una casua justificada y demostrada.

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ATTACHMENTS INSPECTIONS DIVISION FIRE MARSHAL'S OFFICE 580-8691 580-8711 (Final Approval is deemed not officially approved unless all the requiements as set forth are fully complied with. Inititals: Date: ___ Any revised plans may need additional requirements). Pending: Approved: Denied: See Attachments for additional requirements/comments Fire Hydrant Required: Yes No Fire Lane to be Painted: Yes No Pending: _ _ Approved: _ Special Requirements: MUST COMPLY WITH ALL APPLICABLE BUILDING CODES, STATE LAWS, AND LOCAL CITY HEALTH DEPARTMENT ORDINANCE REQUIREMENTS, AND 2018 ENERGY 580-8741 CODE Date: _____ PLANNING DIVISION __ Approved: ____ 580-8672 Pending: ___ _ Denied: _____ Grease Trap: ___ ____ Yes __ Comments: Pending: Approved: Denied: Zone CUP req'd: Yes No Other: 2 Car Driveway: ____ Via Plat Note # : __ Flood Zone STREETS/ENGINEERING DEPARTMENT Elevation Certificate Required: ____ Yes ___No 580-8780 4' _____ 5' ____ Sidewalk along _____ Asbestos Report Req'd: ____Yes ____No No Occupancy w/out Bus. License: ___Yes ___No Date: ___ Inititals: _ Pre-Pour Survey Required _____ Yes _____No __ Approved: ____ Denied: _

Min. Setback Requirements Front: (ひ) Cul-de-sac Lot: Rear: (ち)ひた Side: (少) Corner Side: Garage: パタ

NOTES:

- 1. Must call for all inspections at 584-5161
- Do not call inspectors directly for any inspections.
- 3. Keep all inspection Tags for your records.
- A Certificate of Occupancy will <u>NOT</u> be issued if inspections are not completed, i.e. missing or work is covered before being inspected by the City.

nititals:	_	Date: _	
ending:	Approved: _	Der	nied:
lat's Utilities A	pproved:	Yes	No
Cross Connectio	n Prevention:	Yes _	No
CC Required:	Yes	No	
Comments:			

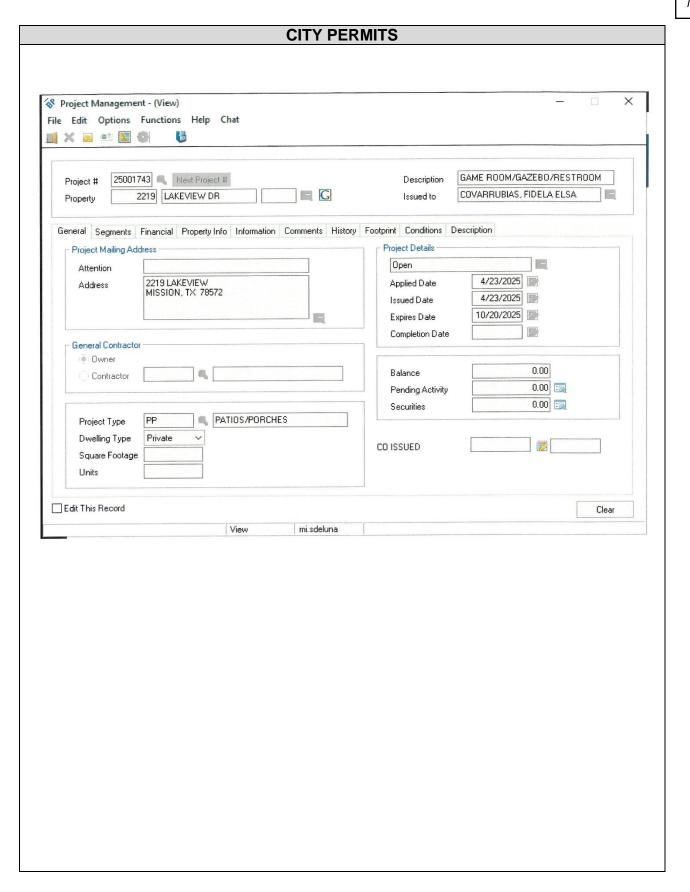
Detention/Retention Requirement ___ Yes ___ No
Berms Required: ____ Yes ___ No

Comments:

A Building Permit is granted for the proposed Improvements specifically conditioned upon the terms and req. set forth above and on any other supplementary review and requirements sheets. The individuals whose signature appears below has the authority by the owner and/or other applicant to agree to the City's conditions, and further attests that he/she has read said conditions and grees to fully comply therewith.

Signature of authorized agent

Date



MAILOUT LIST

PROP ID	file_as_na	addrDeliveryLine	addrCity	addrState	addrZip
232579	COVARRUBIAS FIDELA ELSA	2219 LAKE VIEW DR.	MISSION	TX	78572-7769
232576	PATINO JOSE LUIS & JOVITA	595 CASTILLE DR	HEMET	CA	92543
232803	RIVERA CARMEN M D	2204 LAKE VIEW DR	MISSION	TX	78572-7762
232805	ORNELAS MARICELA TORRES	2127 CRYSTAL DR	MISSION	TX	78572-7782
232675	LONGORIA JOSUE ANTONIO & ALEJANDRA RUIZ	2302 LAKEVIEW DR	MISSION	TX	78572-9628
232674	BENAVIDES ERICA L	2111 MEADOW WAY DR	MISSION	TX	78572-1149
232676	SAENZ MARIA ROSALINDA	PO BOX 1581	RIO GRANDE CITY	TX	78582-1581
232580	NAVARRO AMY	2301 LAKE VIEW DRIVE	MISSION	TX	78572
232578	VELA DANIEL & BILMA Y MUNOZ	2217 LAKE VIEW DR	MISSION	TX	78572-7769
232582	GARCIA DANIA	2305 LAKE VIEW DR	MISSION	TX	78572-8040
232581	BEJERANO MARK JASON & NANCY	2303 LAKE VIEW DR	MISSION	TX	78572
232807	GARCIA SEVERIANO MORALES	2119 CRYSTAL DR	MISSION	TX	78572-7782
232801	RODRIGUEZ RODNEY & YADIRA YUNES	2206 LAKE VIEW DR	MISSION	TX	78572-7762
232804	CANTU VALDEMAR	1304 LAKE VIEW DR.	MISSION	TX	78572-8588
232806	GONZALEZ CHARLES	2123 CRYSTAL DR	MISSION	TX	78572-7782
232555	FARIAS EDDIE J & YANIRA	7750 W MILITARY RD	MISSION	TX	78572-1406
232556	WEST PATRICIA L	2207 LAKE VIEW DR	MISSION	TX	78572-7769
232729	TREVINO YESENIA	2109 MEADOW WAY DR	MISSION	TX	78572-1149
699988	VETERANS LAND BOARD	1700 CONGRESS AVE	AUSTIN	TX	78701-1496
232354	CAFA REAL ESTATE LLC	5105 N 10TH ST STE B	MCALLEN	TX	78504-2835



AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: June 25, 2025

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

AGENDA ITEM: Public hearing and consideration of a variance to allow a 2.1' rear setback instead

of the required 10' for a 9' by 12' gazebo structure, being Lot 11, Olive Tree Estates Subdivision, located at 2601 E. 20th Street, Applicant - William Ueckert - Cervantes

NATURE OF REQUEST:

Project Timeline:

• June 6, 2025 – Application for Variance Request submitted to the City

- June 11, 2025 In accordance with State and local law, notice of the required public hearings mailed to all property owners within 200 feet of the subject tract.
- <u>June 25, 2025</u> Public hearing and consideration of the requested variance by the Zoning Board of Adjustments.

Summary:

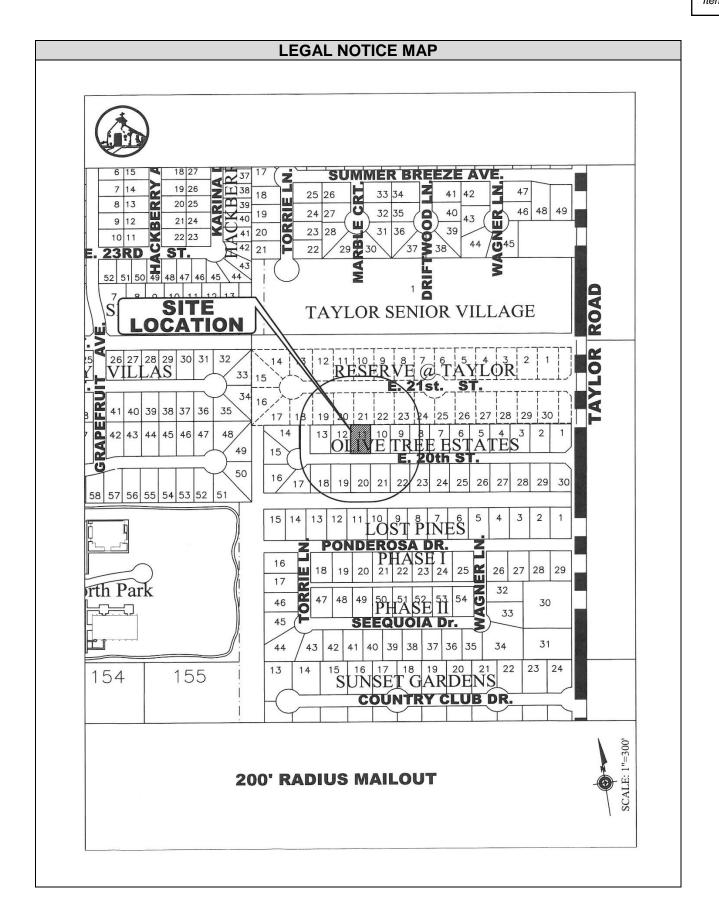
- The request is for a variance not to comply with Section 1.371 (5) (f) of the Mission Code of Ordinances, which states:
 - Minimum depth of the rear setback: 10 feet or to the easement line, whichever is greater.
 - Where a building setback has been established by plat or ordinance and such setback 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 North side of E. 20th Street approximately 880 feet West of Taylor Road.
- The applicant is requesting a variance to construct a 9' by 12' gazebo partly within the 10' rear setback.
- The Olive Tree Estates Subdivision was recorded on November 1, 2000. The subject property is a rectangular lot that has a depth of 118.55 feet and a width of 80 feet along 20th Street.
- The subject lot has a total area of 9,484 square feet.
- The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out 14 legal notices to surrounding property owners.
- No variances have been processed in this subdivision.

STAFF RECOMMENDATION:

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

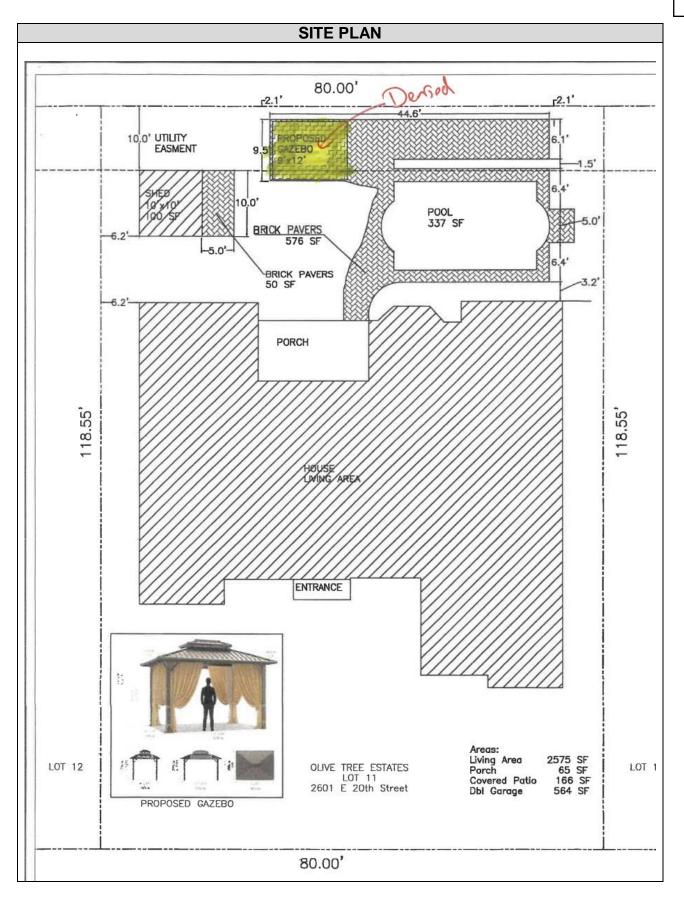
However, if ZBA is inclined to approve this variance request then the applicant would need to comply with the following: 1) Sign a hold harmless agreement stating that the structure will remain perpetually "open and to its footprint" and if structure is ever removed, the prevailing setbacks shall be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

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

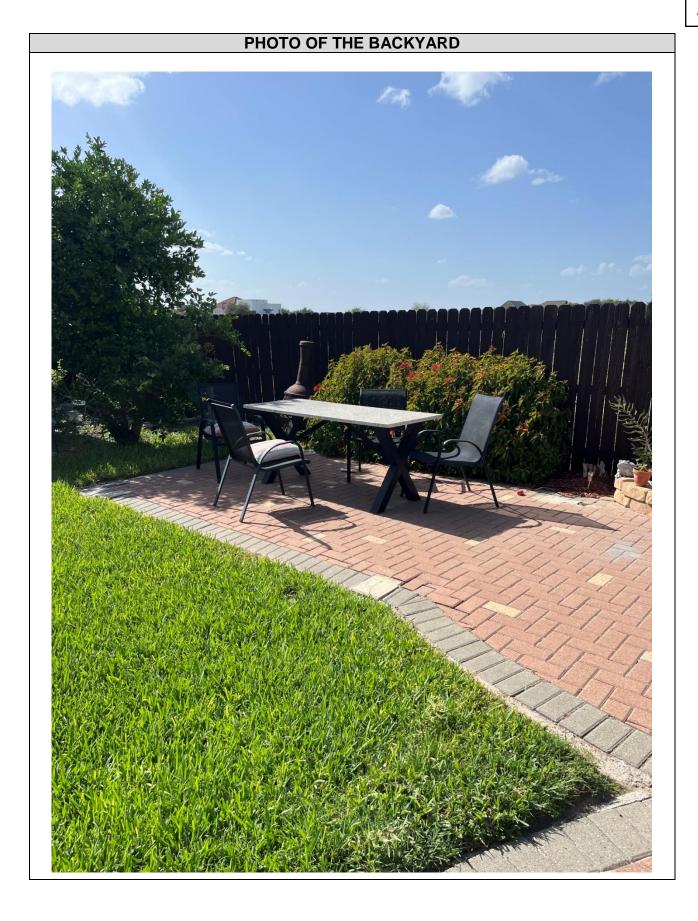


AERIAL MAP









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LETTER FROM THE PROPERTY OWNERS

William F. Ueckert Jr. 2601 E 20th St. Mission, TX, 78572 956-655-2372 wueckert@rgv.rr.com

May 21, 2025

To: City of Mission Building Department 1201 E 8th St. Mission, TX, 78572

RE: Hold Harmless Agreement for Construction within Utility Easement

Dear City of Mission,

I, William F. Ueckert Jr. and Dolores G. Ueckert, the owners of the property located at 2601 E 20th Street, acknowledge that a portion of my property is subject to a recorded utility easement as shown on the plat or deed records.

I am requesting permission to construct Metal Gazebo (9'x12') within this easement area. I understand that this easement is reserved for utility use and that the utility company or its agents may need to access this area for maintenance, repair, or installation purposes at any time.

Accordingly, I agree to the following:

- 1. I will hold harmless and indemnify City of Mission and any other Utility Company, its employees, agents, contractors, and assigns from all claims, damages, or liability resulting from or related to the construction, presence, or removal of said structure within the easement area.
- I acknowledge that if access is required for utility purposes, the structure may be removed or damaged, and I will not be entitled to any reimbursement, compensation, or damages.
- 3. I accept full responsibility for relocating or removing the structure at my own expense if required by the utility or governing entity.

This letter shall serve as a formal agreement and acknowledgment of the terms under which the encroachment is permitted.

Sincerely,

William F. Ueckert Jr.

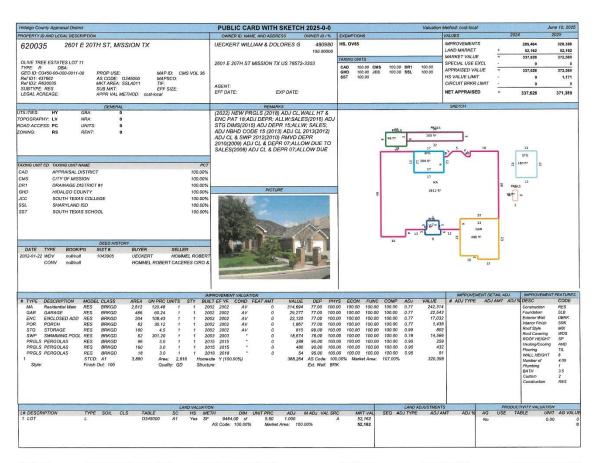
Dolores G. Ueckert

Odores B. Weckert

EMAILS FROM UTILITY COMPANIES SUBMITTED BYTHE APPLICANT

Subjec	
	t: Ticket 2563310613 - Response to 811 Dig Request
Date:	Tuesday, May 13, 2025 at 10:04:08 PM Central Daylight Time
From: To:	agt_comm@irth.com <agt_comm@irth.com></agt_comm@irth.com>
10.	wueckert@rgv.rr.com <wueckert@rgv.rr.com></wueckert@rgv.rr.com>
==== Го: V	/illiam Ueckert Attn: William Ueckert
	9566552372 Fax:
Re: R	esponse to 811 Dig Request
Charter	Communications/Spectrum is replying to your request to locate our
	round facilities, per the dig site information provided on the one call
enter t	icket our underground plant is not in conflict.
Ticket:	2563310613
	HIDALGO Place: MISSION
Addres	s: 2601 E 20TH ST
CCTXS	
	ave determined that the information provided from the One Call center is
not in	conflict with our facilities.
Fo dow	
10 dow	aload attachments and related items, navigate to the LDL below.
nttps://s	nload attachments and related items, navigate to the URL below: yww.irth.com/IRTHNet/public/GetAttachmentDownloadAnonymous/146c6a1f-3ea4-4d98-9266-
and the second second	nload attachments and related items, navigate to the URL below: www.irth.com/IRTHNet/public/GetAttachmentDownloadAnonymous/146c6a1f-3ea4-4d98-9266- 088dd6
Maria Carlo	www.irth.com/IRTHNet/public/GetAttachmentDownloadAnonymous/146c6a1f-3ea4-4d98-9266-
and the second second	www.irth.com/IRTHNet/public/GetAttachmentDownloadAnonymous/146c6a1f-3ea4-4d98-9266-
58855c	www.irth.com/IRTHNet/public/GetAttachmentDownloadAnonymous/146c6a1f-3ea4-4d98-9266- 088dd6
8855c	www.irth.com/IRTHNet/public/GetAttachmentDownloadAnonymous/146c6a1f-3ea4-4d98-9266-
58855c	www.irth.com/IRTHNet/public/GetAttachmentDownloadAnonymous/146c6a1f-3ea4-4d98-9266- 088dd6
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APPRAISAL DISTRICT INFORMATION



Page 1 of 5 Effective Date of Appraisal: January Date Printed: June 10, 2025 10:35 Printed By: SP Property ID: 620035 Powered By: <True Prodigy>

MAILOUT LIST

PROP_ID	file_as_na	addrDeliveryLine	addrCity	addrState	addrZip
453963	ELITE DEVELOPMENT 786 LLC	3244 TURQUIA	BROWNSVILLE	TX	78520
620041	RIOS NADYA	2502 E 20TH ST	MISSION	TX	78572-4714
620035	UECKERT WILLIAM & DOLORES G	2601 E 20TH ST	MISSION	TX	78572-3303
620042	CURA JOEL	2504 E 20TH ST	MISSION	TX	78572-4714
620033	MARTINEZ ROLANDO	2605 E 20TH ST	MISSION	TX	78572-3303
620032	VAUGHAN EUGENE III & ELVIRA A	2607 E 20TH ST	MISSION	TX	78572-3303
620034	PEREZ MARCOS & NORMA	2603 E 20TH ST	MISSION	TX	78572-3303
620046	RODRIGUEZ NELDA	2604 E 20TH ST	MISSION	TX	78572-3354
620043	RODRIGUEZ DANIEL O & PAOLA TORRES	2506 E 20TH ST	MISSION	TX	78572-4714
620044	QUINTANILLA JUAN & OLIVIA	2600 E 20TH ST	MISSION	TX	78572-3354
620045	FLORES LETICIA	2602 E 20TH ST	MISSION	TX	78572-3354
620037	AMADOR ROBERT D JR & MARIBEL	2505 E 20TH ST	MISSION	TX	78572-4722
620036	CARREON ESTHER NELLY & INES	3407 MARLA DR	PALMVIEW	TX	78572-2242
620047	CONFIDENTIAL	2606 E 20TH ST	MISSION	TX	78572
620060	CITY OF MISSION	1201 E 8TH ST	MISSION	TX	78572-5812