AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: June 30, 2026

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

AGENDA ITEM: Public hearing and consideration of a variance request to allow a 2-foot side setback instead of the required 6 feet, for a proposed 40' x 15' carport, being Lot 91, Fairmont Estates Subdivision, located at 3007 Silver Avenue, Applicant: Erik Rodriguez – Cervantes

NATURE OF REQUEST:

Project Timeline:

- March 27, 2026 – Application for Variance Request submitted to the City.
- June 19, 2026 – In accordance with State and local law, notice of the required public hearings was mailed to all property owners within 200 feet of the subject tract, and notice of public hearing was published in the Progress Times.
- June 30, 2026 – Public hearing and consideration of the requested variance by the Zoning Board of Adjustments (ZBA).

Summary:

- The request is for a variance not to comply with Section 1.371.- R-1 (Single Family Residential District), which states:
- Minimum Front Setback: 20 feet
- Minimum Side Setback: 6 feet
- Minimum Garage/Carport Setback: 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 property is located at 3007 Silver Ave, being Lot 91, Fairmont Estates Subdivision
- The applicant is requesting a variance to construct a 40'x15' carport within the side setback.
- Fairmont Estates Subdivision was recorded on November 2, 2001.
- The regular lot measures 72 feet in width by 103.00 feet in length for a total of 7,416 square feet.
- There is currently an existing 1,600 square foot single-family residence on the property.
- The lots to the east, west, north, and south are developed as Single-Family Residences.
- The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out 32 legal notices to surrounding property owners.
- Staff notes that Z.B.A. has considered the following variances in this subdivision.

Legal Description	Variance Request	Date of Meeting	Action
LOT 44	4.4' REAR;1' SIDE	5/17/2006	DENIED
LOT 42	2' REAR	2/1/2012	APPROVED
LOT 47	0' CARPORT; 4 SIDE AND 5' REAR	6/26/2024	DENIED

LOT 38	2’ CARPORT; 0’ SIDE TO THE SOUTH; 1’ SIDE TO THE NORTH; 4.6’ REAR	6/26/2024	DENIED
LOT 50	7’ CARPORT; 4.6’ SIDE TO THE WEST; 2.6’ TO THE EAST; & 4.6’ REAR	6/26/2024	DENIED
LOT 108	0’ SIDE SETBACK TO THE SOUTH 1’ SIDE SETBACK TO THE NORTH & 1’ REAR	6/26/2024	DENIED

STAFF RECOMMENDATION:

Staff recommends denial.

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

RECORD OF VOTE: **APPROVED:** _____

DISAPPROVED: _____

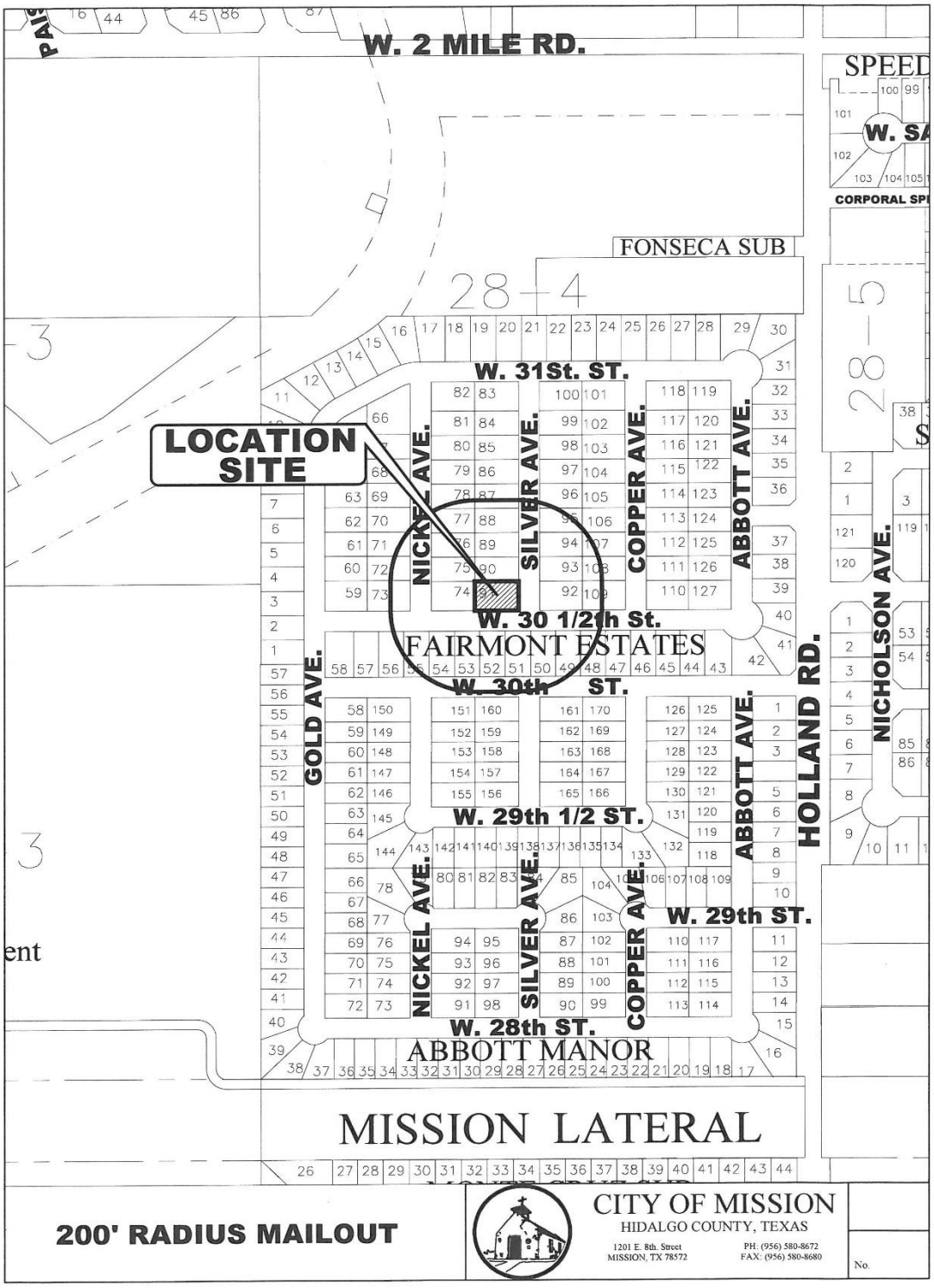
TABLED: _____

_____ AYES

_____ NAYS

_____ DISSENTING_____

VICINITY MAP

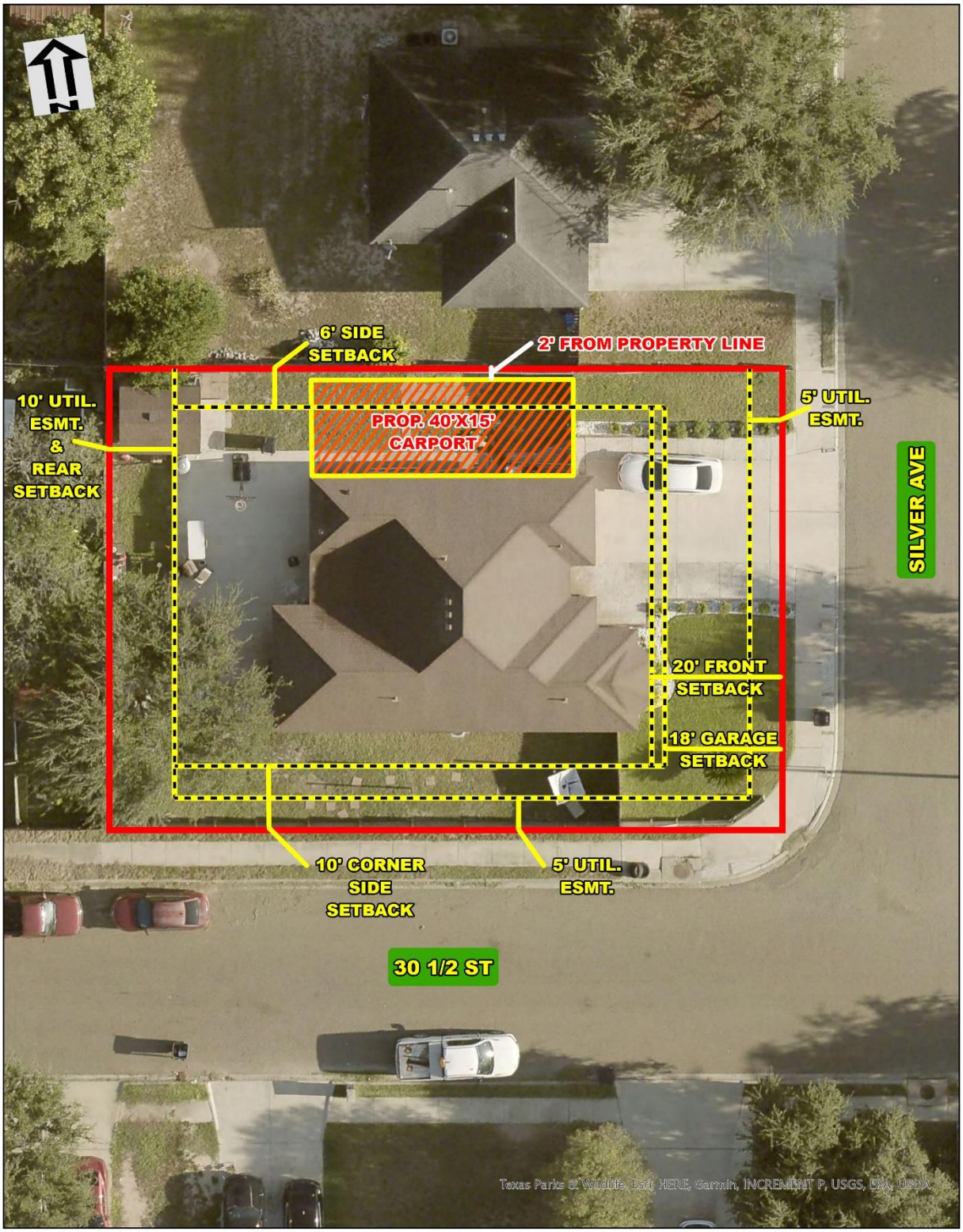


ARIEL MAP

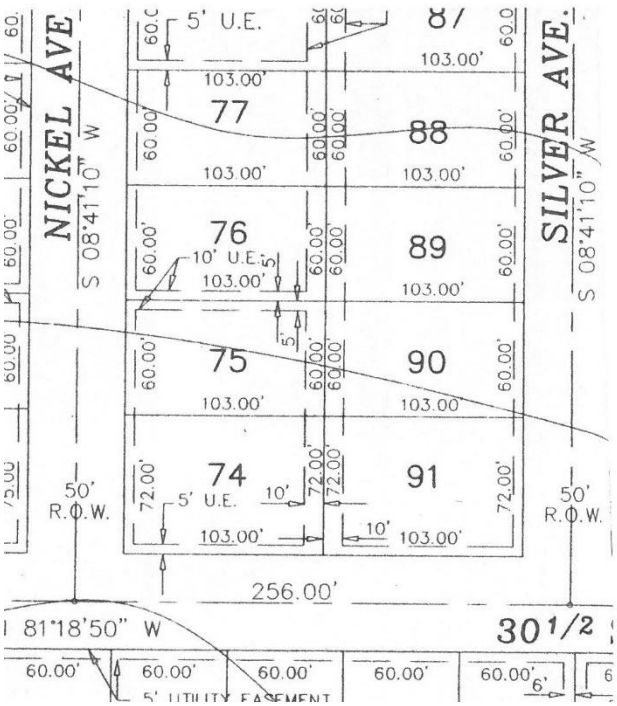
SITE LOCATION
30 1/2 ST
SILVER AVE
Texas Parks & Wildlife, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

PICTURES

ARIEL WITH SETBACKS



ATTACHMENTS



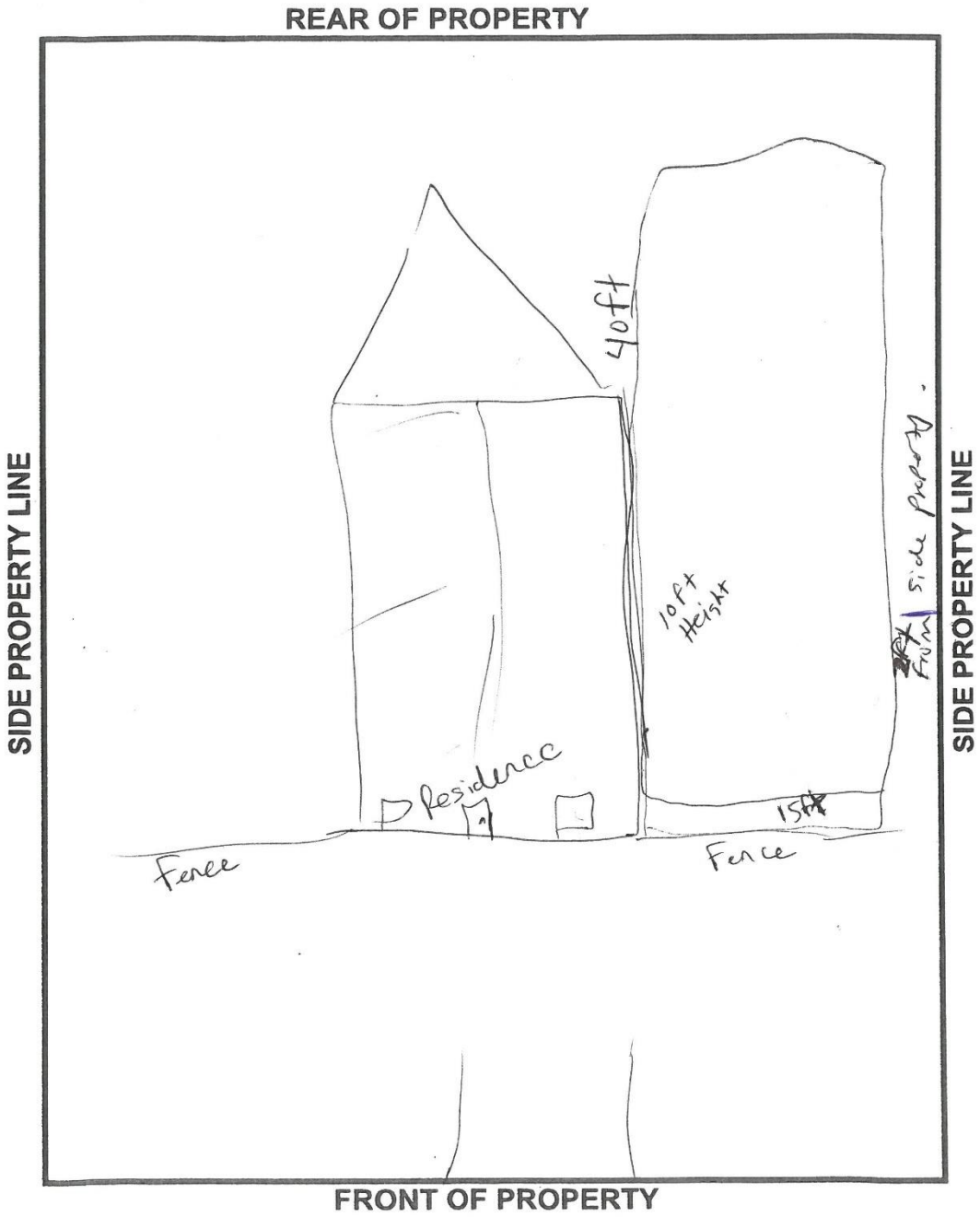
GENERAL NOTES:

1. THIS PROPERTY IS LOCATED IN ZONES "C" ON A FLOOD INSURANCE RA. MAP – COMMUNITY PANEL No. 480334 0400 C; REVISED NOV. 20, 1991.
2. FINISHED FLOOR ELEVATION SHALL BE T/C +18" AS MEASURED FROM THE CENTER OF EACH LOT.
3. A TOTAL OF 1.92 ACRE FEET OF STORMWATER DETENTION IS REQUIRED FOR THIS SUBDIVISION. A TOTAL OF 665 CUBIC FEET OF STORMWATER DETENTION IS REQUIRED FOR EACH LOT.
4. NO BUILDINGS SHALL BE CONSTRUCTED ON ANY EASEMENTS.
5. MINIMUM BUILDING SETBACKS SHALL BE AS FOLLWS:
   FRONT:.....20 FEET
   REAR:.....10 FEET OR GREATER FOR EASEMENT
   SIDE:.....6 FEET
   SIDE CORNER:.....10 FEET
   FRONT CUL-DE-SAC:.....10 FEET
   GARAGE.....18 FEET
6. CENTRAL POWER AND LIGHT CO. IS HEREBY GRANTED AN EASEMENT AND RIGHT-OF-WAY ON EACH LOT IN SAID SUBDIVISION FOR AN UNDERGROUND ELECTRIC SERVICE LATERAL TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH PURPOSE AT THE RIGHT LOCATION WHERE SUCH SERVICE LATERAL IS TO BE OR IS INSTALLED AND MAINTAINED FROM TIME TO TIME.
7. THE CITY OF MISSION SHALL HAVE A 15' x 15' CORNER CLIP EASEMENT AT ALL STREET INTERSECTIONS.
8. NO LOT ACCESS OR FRONTAGE SHALL BE ALLOWED FOR LOTS 30 THRU 41 FROM HOLLAND AVENUE.
9. NO LOT ACCESS OR FRONTAGE SHALL BE ALLOWED FOR LOTS 41-57 FROM 30TH STREET.
10. A 5' WIDE SIDEWALK IS REQUIRED ALONG THE WEST SIDE OF HOLLAND AVENUE BY THE DEVELOPER.
11. A 4' WIDE SIDEWALK REQUIRED ALONG BOTH SIDES OF ALL INTERIOR STREETS AT TIME OF BUILDING PERMIT.
12. A 6' BUFFER REQUIRED ALONG THE NORTH SIDE OF LOTS 11-16 AND EAST SIDE OF LOTS 30-41 BY THE DEVELOPER.
13. A WOOD FENCE BUFFER MUST BE CONSTRUCTED ON SOUTH SIDE OF LOT 1

ATTACHMENTS

PLOT PLAN

SHOW ALL EXISTING BUILDINGS AND STRUCTURES SHOW NEW WORK AND DISTANCE TO PROPERTIES



APPRAISAL DISTRICT INFORMATION

Hidalgo County Appraisal District

PUBLIC CARD WITH SKETCH 2026-0-0

Valuation Method: cost-local

April 06, 2026

PROPERTY ID AND LEGAL DESCRIPTION

635386 3007 SILVER AVE, MISSION TX

FAIRMONT ESTATES LOT 91
TYPE: R DBA:
GEO ID: F0457-00-000-0091-00 PROP USE: MAP ID: CMS VOL 38
Ref ID1: 446233 AS CODE: F045700 MAPSCO:
Ref ID2: R635386 MKT AREA: SMSA011 TIF:
SUBTYPE: RES SUB MKT: EFF SIZE:
LEGAL ACREAGE: APPR VAL METHOD: cost-local

OWNER ID, NAME, AND ADDRESS

OWNER ID	OWNER ID / %
RODRIGUEZ ERIK	1072759
	100.00000

3007 SILVER AVE
MISSION TX 78574-1547

AGENT: 1204109 | OWNWELL, INC
EFF DATE: 2025-04-26 EXP DATE:

EXEMPTIONS

HS

TAXING UNITS

CAD	100.00	CMS	100.00	DR1	100.00
GHD	100.00	JCC	100.00	SMS	100.00
SST	100.00				

VALUES

		2025	2026
IMPROVEMENTS		118,771	115,261
LAND MARKET	+	60,070	60,070
MARKET VALUE	=	178,841	175,331
SPECIAL USE EXCL	-	0	0
APPRAISED VALUE	=	178,841	175,331
HS VALUE LIMIT	-	457	0
CIRCUIT BRKR LIMIT	-	0	0
NET APPRAISED	=	178,384	175,331

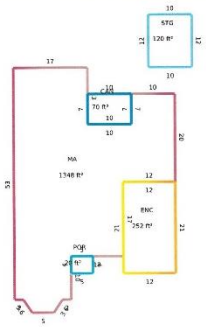
GENERAL

UTILITIES:	AL_HY	GBA:	0
TOPOGRAPHY:	LV	NRA:	0
ROAD ACCESS:	PCG	UNITS:	0
ZONING:	RMH	RENT:	0

REMARKS

(2025) NEW STG; ENC GAR
(2022) AJD %,RE ROOF (2020) ADJ NBHD CODE (2016) ADJ DEPR & NEW CAN; ALLW: FEE APPR (2013) N/C (2010) N/C (2009) ADJ CL 07(2008) ADJ CL 07(2007) ADJ CL 07(2006) N/C (2005) N/C

SKETCH



TAXING UNIT CD / TAXING UNIT NAME

TAXING UNIT CD	TAXING UNIT NAME	PCT
CAD	APPRAISAL DISTRICT	100.00%
CMS	CITY OF MISSION	100.00%
DR1	DRAINAGE DISTRICT #1	100.00%
GHD	HIDALGO COUNTY	100.00%
JCC	SOUTH TEXAS COLLEGE	100.00%
SMS	MISSION ISD	100.00%
SST	SOUTH TEXAS SCHOOL	100.00%

PICTURE

DEED HISTORY

DATE	TYPE	BOOK/PG	INST #	BUYER	SELLER
2016-03-30	SVD	null/null	2699147	RODRIGUEZ ERIK	PANIAGUA MARIA
2008-08-15	WD	null/null	1919527	PANIAGUA MARIA	PANIAGUA MARIA
2003-05-22	SVD	null/null	1201748	PANIAGUA MARIA	GRANDE VALLEY

IMPROVEMENT VALUATION

#	TYPE	DESCRIPTION	MODEL	CLASS	AREA	UN PRC	UNITS	STY	BUILT	EF YR	COND	FEAT AMT	VALUE	DEP	PHYS	ECON	FUNC	COMP	ADJ	VALUE
	MA	Residential Main	RES	BRKFA	1,348	81.45	1	1	2003	2007	AV	0	109,795	77.00	100.00	100.00	100.00	100.00	0.77	84,542
	ENC	ENCLOSED ADD	RES	BRKFA	252	73.31	1	1	2003	2007	AV	0	18,474	77.00	100.00	100.00	100.00	100.00	0.77	14,225
	POR	PORCH	RES	BRKFA	20	20.36	1	1	2003	2007	AV	0	407	77.00	100.00	100.00	100.00	100.00	0.77	313
	CAN	CANOPY	RES	BRKFA	70	3.5	1	1	2014	2014	*	0	245	96.00	100.00	100.00	100.00	100.00	0.96	235
	STG	STORAGE	RES	BRKFA	120	8.0	1	1	2020	2020	00	0	960	95.00	100.00	100.00	100.00	100.00	0.95	912
1			STCD: A1		1,810	Area:	1,600		Homesite	Y (100.00%)			129,881	AS Code:	100.00%	Market Area:		115.00%		115,261
	Style:		Finish Out: 100			Quality: FA			Structure: C					Ext Wall: BRK						

IMPROVEMENT DETAIL ADJ

#	ADJ TYPE	ADJ AMT	ADJ %

IMPROVEMENT FEATURES

DESC	CODE
Roof Style	HIP
Heating/Cooling	AND
Plumbing	1
Roof Covering	CmpS
Custom	O
BATH	2
WALL HEIGHT	8
Number of	3.00
ROOF HEIGHT	MP
Flooring	TIL
Interior Finish	SRK
Construction	RES
Exterior Wall	DBRK
Foundation	SLB

LAND VALUATION

L#	DESCRIPTION	TYPE	SOIL	CLS	TABLE	SC	HS	METH	DIV	UNIT PRC	ADJ	MADJ	VAL SRC	MKT VAL
1	LOT	L	.		F045700	A1	Yes	SF	7416.00 sf	8.10	1.000		A	60,070
								AS Code: 100.00%		Market Area:	100.00%			**60,070**

LAND ADJUSTMENTS

SEQ	ADJ TYPE	ADJ AMT	ADJ %

PRODUCTIVITY VALUATION

AG	USE	TABLE	UNIT	AG VALUE
No			0.00	0
				0

MAILOUT LIST

PROP_ID	geoID	name	addrDelive	addrCity	addrState	addrZip
635346	F0457-00-000-0051-00	RAMIREZ MAURICIO A & YVETTE	1001 WEST 30TH 1/2 ST	MISSION	TX	78574-7794
635348	F0457-00-000-0053-00	TOMELGLO LLC	1207 E 29TH ST	MISSION	TX	78574-3745
635403	F0457-00-000-0108-00	MONTOYA JUAN PABLO & JULIA S	3009 COPPER AVE	MISSION	TX	78574-7790
635389	F0457-00-000-0094-00	RIOS JUDY	1210 W SOUTH DAKOTA ST	MISSION	TX	78573-0995
635384	F0457-00-000-0089-00	TORRES FRANK & MELVA	3011 SILVER AVE	MISSION	TX	78574-1547
635373	F0457-00-000-0078-00	GARCIA JOSE G & OLGA B CANTU	3014 NICKEL AVE	MISSION	TX	78574-1543
635347	F0457-00-000-0052-00	MERCADO ZENAIDA T	1003 W 30 1/2 ST	MISSION	TX	78574-7794
635401	F0457-00-000-0106-00	MARTIN MARY ANN	3013 COPPER AVE	MISSION	TX	78574-7790
635402	F0457-00-000-0107-00	GUERRA CYNTHIA	3011 COPPER AVE	MISSION	TX	78574-7790
635388	F0457-00-000-0093-00	HILARIO MARGARITA A & MATILDE R	3008 SILVER AVE	MISSION	TX	78574-1547
635385	F0457-00-000-0090-00	RODRIGUEZ FERNANDO	3009 SILVER AVE	MISSION	TX	78574-1547
635350	F0457-00-000-0055-00	GUAJARDO CYNTHIA	1009 W 30TH 1/2 ST	MISSION	TX	78574-7794
635349	F0457-00-000-0054-00	MARTINEZ CLAUDIA A	6600 LIMA LN	MISSION	TX	78574-3656
635351	F0457-00-000-0056-00	CONDES ANDYS L & LISSETTE DOMIGUEZ SANCHEZ	1101 W 30TH 1/2 ST	MISSION	TX	78574-7272
635382	F0457-00-000-0087-00	RODRIGUEZ JOSE LUIS & EVA AMELIA GARCIA	3015 SILVER AVE	MISSION	TX	78574-1547
635386	F0457-00-000-0091-00	RODRIGUEZ ERIK	3007 SILVER AVE	MISSION	TX	78574-1547
635345	F0457-00-000-0050-00	SIERRA RICARDO	909 W 30TH 1/2 ST	MISSION	TX	78574
635344	F0457-00-000-0049-00	KADER OMAR	15046 SAN FELICIANO DR	LA MIRADA	CA	90638-4542
635343	F0457-00-000-0048-00	BECERRA-GALVAN ARNOLDO	905 W 30TH 1/2 ST	MISSION	TX	78574-7793
635391	F0457-00-000-0096-00	ROSELLO ERIC & KARINA	3014 SILVER AVE	MISSION	TX	78574-1547
635390	F0457-00-000-0095-00	PEREZ YVONNE T	3012 SILVER AVE	MISSION	TX	78574-1547
635387	F0457-00-000-0092-00	GALVAN MICHELLE	3006 SILVER AVE	MISSION	TX	78574-1547
635366	F0457-00-000-0071-00	CANTU ELIANA & JOSE P	3011 NICKLE AVE	MISSION	TX	78574-7850
635367	F0457-00-000-0072-00	GARCIA RONNIE & MARISOL GUERRA	3009 NICKEL AVE	MISSION	TX	78574-7850
635368	F0457-00-000-0073-00	VARGAS-AYALA JAVIER A	3007 NICKEL AVE	MISSION	TX	78574-7850
635365	F0457-00-000-0070-00	HERNANDEZ JOSE A & MARGARITA	3013 NICKEL AVE	MISSION	TX	78574-7850
635404	F0457-00-000-0109-00	VASQUEZ MONICA	3007 COPPER AVE	MISSION	TX	78574-7790
635372	F0457-00-000-0077-00	PEREZ JOEL	3012 NICKEL AVE	MISSION	TX	78574-1543
635383	F0457-00-000-0088-00	RODRIGUEZ JUAN M & DALIA J	3013 SILVER AVE	MISSION	TX	78574-1547
635370	F0457-00-000-0075-00	OCANAS ERIK H & VERONICA C	3008 NICKEL AVE	MISSION	TX	78574-1543
635371	F0457-00-000-0076-00	MORENO RENE LEAL	3010 NICKEL AVE	MISSION	TX	78574-1543
635369	F0457-00-000-0074-00	GONZALEZ STEPHANIE M & JORGE L COLUNGA JR	3006 NICKEL AVE	MISSION	TX	78574-1543