



MEETING DATE: May 8, 2025

PRESENTED BY: Xavier Cervantes, Director of Planning

AGENDA ITEM: 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.
- 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.
- April 23, 2025 – Public hearing and consideration of requested variance by the Zoning Board of Adjustments. Due to no quorum, the meeting was cancelled and rescheduled for May 8, 2025.
- May 8, 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

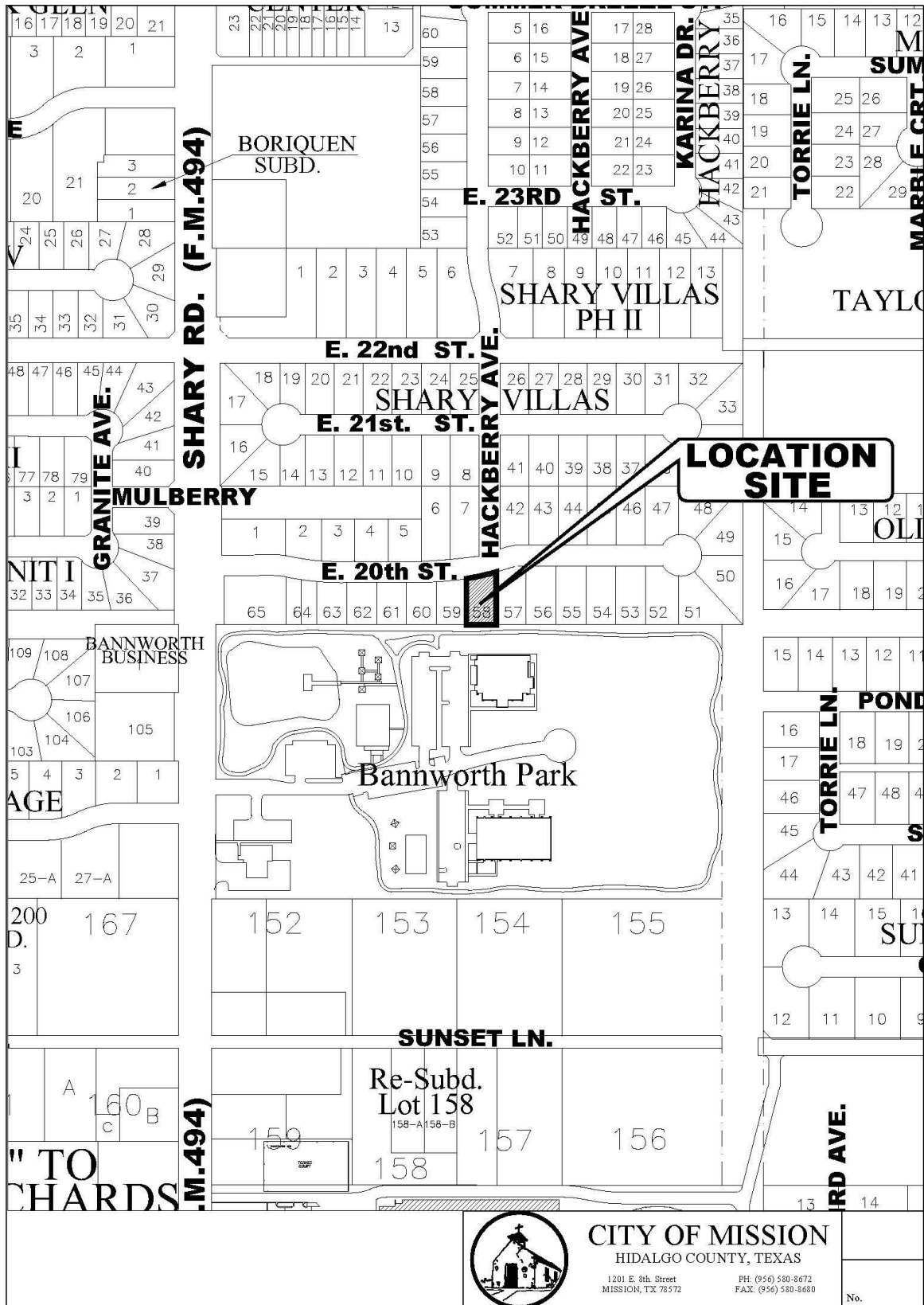
OFFICE USE ONLY		

ZBA ACTION:	<input type="checkbox"/> PASSED	<input type="checkbox"/> TABLED <input type="checkbox"/> FAILED DATE: _____
COMMENTS:	_____ _____ _____	
LETTERS MAILED:	<input type="checkbox"/>	FILING FEE: <u>\$250.00</u> RECEIPT NO.: <u>20250224</u>

APPLICANT'S SIGNATURE: Yuliana Salinas

March 19

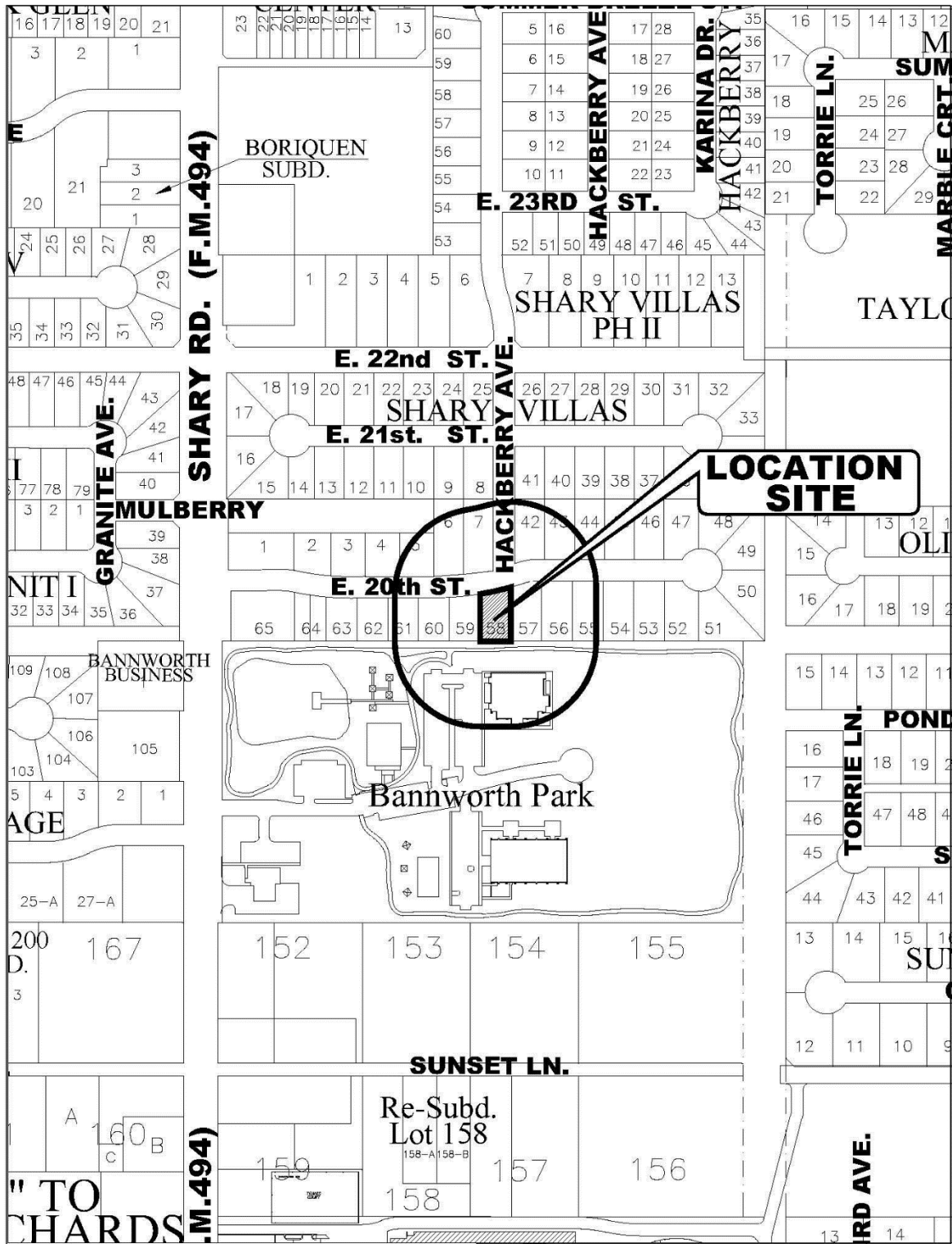
Attachment II



Attachment III



Attachment IV



**200' RADIUS
MAILOUT MAP**



CITY OF MISSION
HIDALGO COUNTY, TEXAS

1301 E. 2nd Street
MISSION, TX 78572

PH: (956) 580-8672
FAX: (956) 580-6680

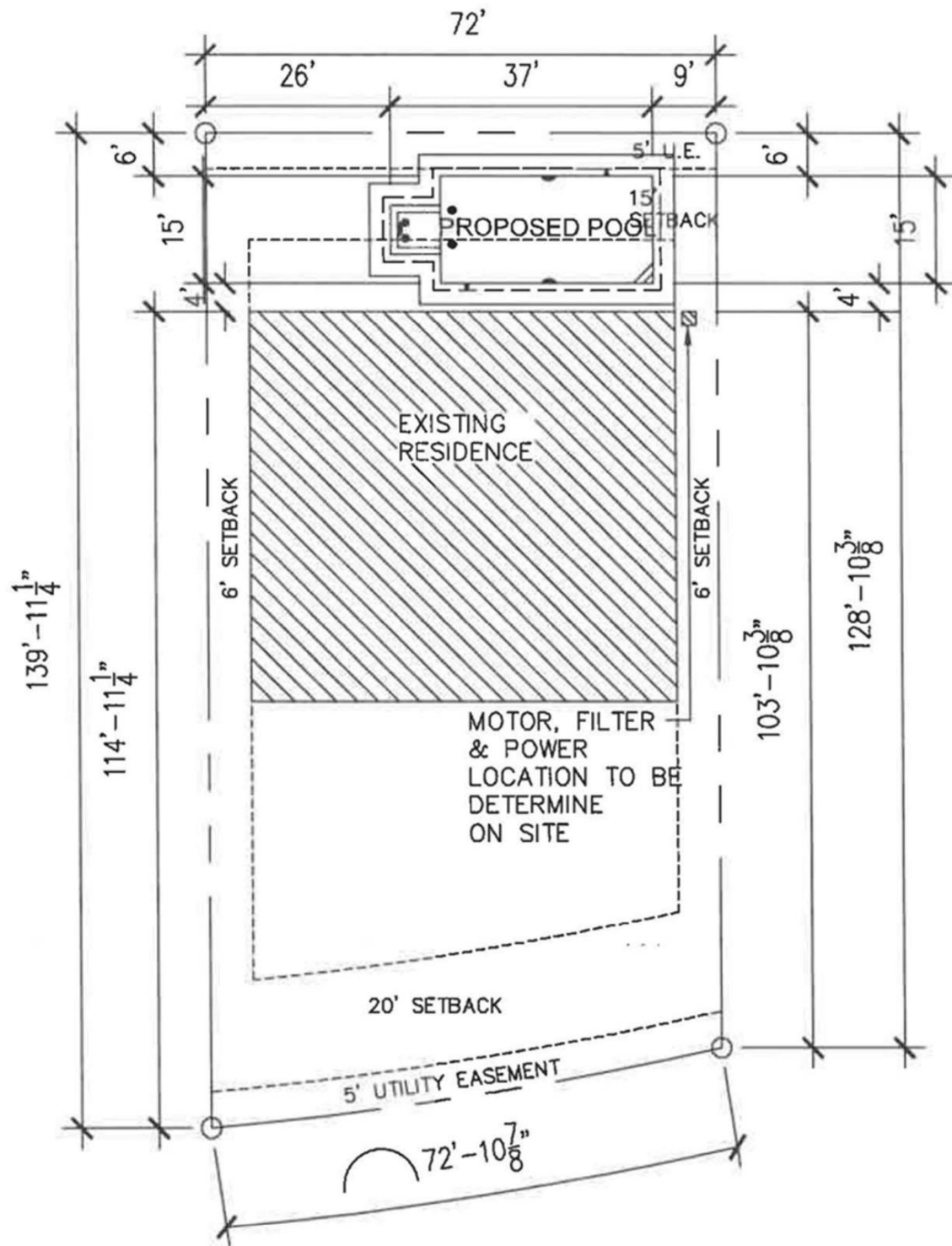
No.

Attachment V

Hidalgo County Appraisal District										PROPERTY FIELD REVIEW CARD 2025-0-0										Valuation Method: cost+local										March 14, 2025																													
PROPERTY ID AND LEGAL DESCRIPTION										OWNER ID, NAME, AND ADDRESS										EXEMPTIONS										VALUES																													
672861 2416 20TH ST										SALINAS YULIANA										1298654										2024										2025																			
SHARY VILLAS LOT 56 TYPE: R DBA: GEO ID: S3011-00-000-0059-00 Ref ID: 453785 Ref ID: R672861 MKT AREA: S3LAD11 LEGAL ACREAGE:										2416 E 20TH ST MISSION TX US 78572										100.00%										IMPROVEMENTS LAND MARKET MARKET VALUE SPECIAL USE EXCL APPRAISED VALUE HS VALUE LIMIT CIRCUIT BRKR LIMIT NET APPRAISED										452,008 97,279 504,279 0 504,279 92,267 0 452,008										403,719 97,279 500,998 0 500,998 3,799 0 487,209									
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2022 117073 0 FC1 BENICE PROPERTY TAX 2022-04-08																																																											
2021 185756 0 FC1 BENICE PROPERTY TAX 2021-04-14																																																											
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2007-12-28 SVD null/null										1840713 GONZALEZ																																																	
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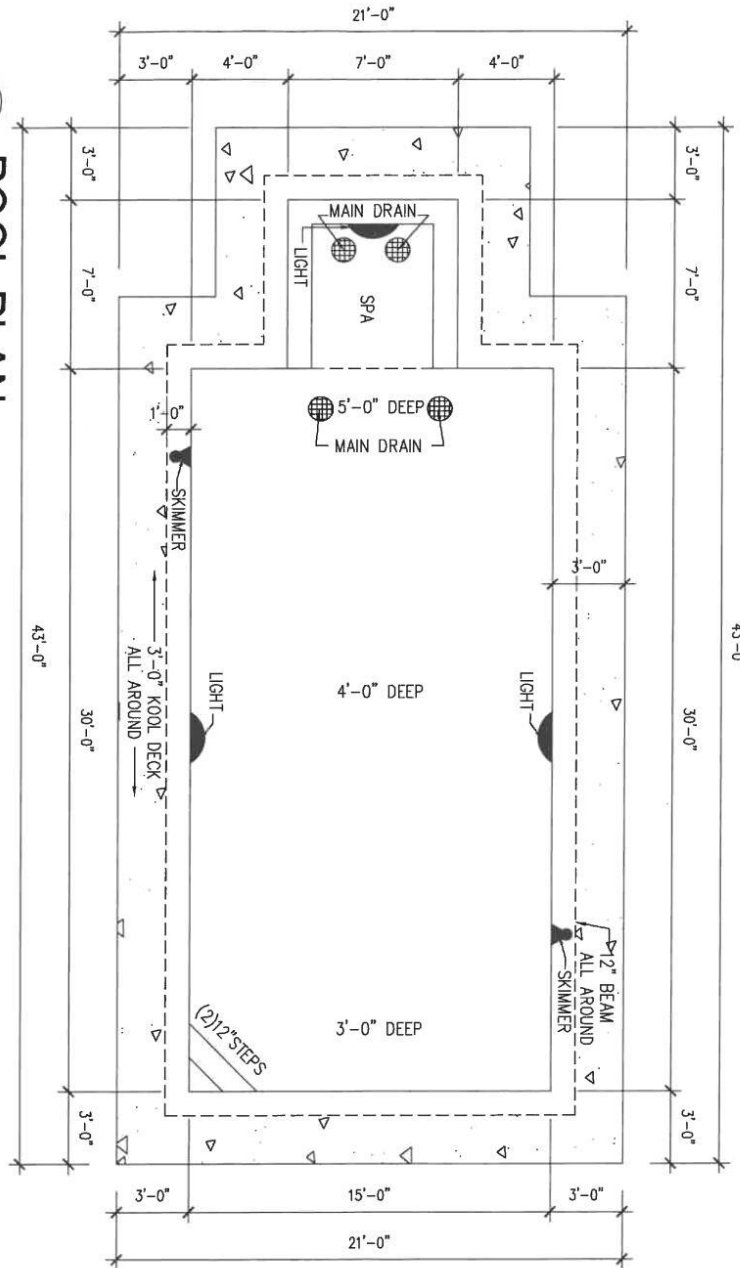
Attachment VI



Attachment VII

NOTES:
1. SEE ALL NOTES ON SHEET 30f2
2. SEE ALL NOTES ON SHEET 30f3

1 POOL PLAN SCALE: 1/4" = 1'-0"

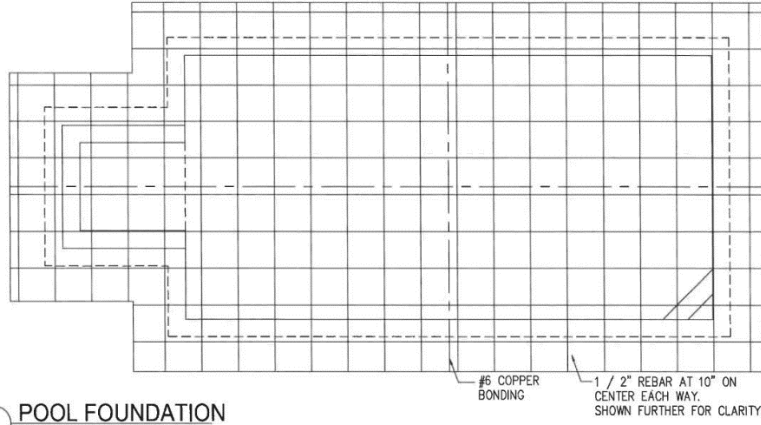


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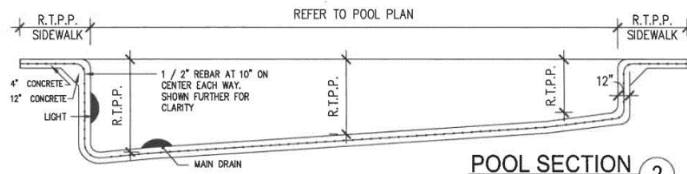
<p>SHEET: 30f3</p>	<p>Sánchez Garcia DESIGN SERVICES Enrique "Ricky" Sanchez Certified Drafter Donna, Texas 78537 Tel: (956) 472-3758 ensadesignservices@yahoo.com</p>	<p>ELEGANTE POOL'S PROJECT : 2416 F. 26TH ST. MISSION, TX. OWNER : MRS. YULIANA & MR. HECTOR SALINAS</p>	<p>PROJECT # 102855 DATE: 10/16/2022 DRAWN BY: AAS CHECKED BY: E. SANCHEZ REVISION: 1. XXX 2. XXX 3. XXX 4. XXX</p>
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Attachment VII



1 POOL FOUNDATION
SCALE: 1/4" = 1'-0"



2 POOL SECTION
NOT TO SCALE SCALE: 2

NOTES:
SCALE: 1/4" = 1'-0"
1/4" = 1'-0"

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Sánchez **DESIGN SERVICES**
 ELEGANTE POOLS
 2013
 2013

DORNA, TEXAS 79537
 TEL: (800) 447-7538
 EMAIL: info@sanchezdesign.com
 WWW: www.sanchezdesign.com

PROJECT: MRS. YULIANA & MR. HECTOR SALINAS
 SHEET: 2013

SHARY RD. 254.0' (P.M. # 490) N 8°41'00"E

60' E 20th STREET

60' E 21st STREET

50' HACKBERRY AVE.

50' E 20th STREET

50' E 21st STREET

50' E 22nd STREET

50' E 23rd STREET

50' E 24th STREET

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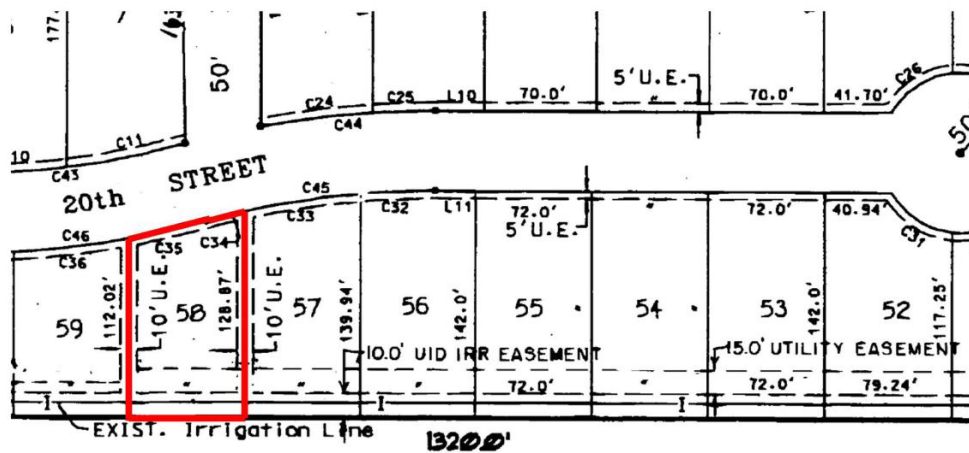
50' E 263rd STREET

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50' E 267th STREET</



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 HARLANY 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