

**ACCOMODATIONS REVIEW BOARD
AUGUST 26, 2026
CITY HALL'S COUNCIL CHAMBERS**

ARB PRESENT

Alberto Salazar
Humberto Garza
Heraclio Flores
Dolly Elizondo
William Ueckert Jr

ARB ABSENT

STAFF PRESENT

Xavier Cervantes
Susie De Luna
Alex Hernandez
Jessica Munoz
Elisa Zurita

GUESTS PRESENT

Mariaelia Gutierrez

CALL TO ORDER

Chairman Salazar called the meeting to order at 5:10 p.m.

APPROVAL OF MINUTES FOR MARCH 25, 2026

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

ITEM #2

PUBLIC HEARING AND TAKE ACTION TO CONSIDER A SPECIAL ACCOMMODATION REQUEST TO ALLOW A 6' FRONT SETBACK INSTEAD OF THE REQUIRED 25' FOR A 15' 10" X 15' 10" EXISTING PATIO STRUCTURE, BEING LOT 176, FRONTIER ESTATES PHASE 3 SUBDIVISION, LOCATED AT 907 E. SANDSTONE DRIVE, AS REQUESTED BY MARIAELIA GUTIERREZ

Ms. Jessica Munoz stated that the request is for a variance not to comply with Section 1.371 – R-1 (Single Family Residential District), which states: Minimum Front Setback: 25 feet; Minimum Side Setback: 6 feet; Minimum Rear Setback: 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 front yard setback than is prescribed by this article for the district in which the building is located, the required front yard setback shall comply with the building line so established by such plat or ordinance. The site is located at 907 E. Sandstone Drive. The applicant is seeking the Board's consideration to keep a 15'10" x 15'10" existing patio within the front setbacks. The patio was constructed without obtaining a building permit. The patio was constructed to provide Mrs. Gutierrez with protection from inclement weather. Mrs. Gutierrez has several medical conditions, including blindness in her left eye, hearing loss, and the need for regular dialysis treatment. Frontier Estates was recorded on June 26, 2001. The lots measure 60' in width by 106.69' in depth for a total of 6,401 square feet. The Planning Department has not received any objections to the request from the surrounding property owners. Staff mailed a notice to the property owner. No variances have been processed in this subdivision. The City of Mission Code of Ordinances Appendix A – Zoning, Article IV-A, Section 1.08 states ARB may: Review the application and issue a ruling that grants, grants with conditions, or denies the application, Hear and consider evidence offered by an interested person. The board's decision must be by a majority vote. Impose reasonable conditions on any reasonable accommodation granted consistent with the purpose of this article. Must be consistent with the FHAA (Fair Housing Amendment Act) and the determination of whether a request for an accommodation is reasonable is based on a consideration of the following factors: (a) whether the housing that is the subject of the request will be used by one (1) or more individuals with a disability.

(b) whether the requested accommodation is necessary to make specific housing available to one (1) or more individuals with a disability. (c) whether the requested accommodation would impose an undue financial or administrative burden to the city. (d) whether the requested reasonable accommodation would require a fundamental alteration in the nature of a city requirement. The Board's determination is final and filed with the Planning Department's office. Nothing herein shall prohibit the applicant, or person on whose behalf a specific application was filed, from reapplying for a reasonable accommodation based on additional grounds or changed circumstances. Nor shall this provision be construed to affect in any way the rights of a person to challenge the denial of a request for reasonable accommodation as violating the Fair Housing Act, the ADA or other applicable state, federal or local law.

STAFF RECOMMENDATION:

Staff recommends approval subject to: 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 or the need is longer there, the prevailing setbacks shall be complied with thereafter, 2) obtaining a building permit and assessing a double permit fee, 3) if the property is sold in the future, the applicant must disclose to the buyer that the carport structure must be removed prior to the sale.

Chairman Salazar asked if the applicant was present in the audience.

Ms. Mariaelia Gutierrez stated she did not understand English.

Chairman Salazar stated Good afternoon, your name please.

Ms. Mariaelia Gutierrez.

Chairman Salazar asked Ms. Gutierrez if she was the owner of the house.

Ms. Gutierrez stated yes.

Ms. Mariaelia Gutierrez explained that her 88-year-old mother was involved in an accident involving an ambulance, which resulted in an injury to the left side of her head. Her mother later suffered a stroke and is now unable to walk. She stated that her mother has lost a significant amount of weight and muscle, decreasing from approximately 120 pounds to 100 pounds over the past two years. Ms. Gutierrez explained that she traveled from Sacramento, California, to care for her mother. She requested permission to provide a suitable living space with enough room for her mother to move her legs and maintain mobility, along with proper nutrition and care. She described her desired home as having two to four bedrooms, a living room, a kitchen, a garage, and adequate hallways or corridors. She expressed concerns about the quality of the homes in the neighborhood and asked the board to consider her mother's medical condition and need for a comfortable living environment. Ms. Gutierrez stated that she does not have knowledge of construction requirements or Texas laws, although she previously worked in immigration in Sacramento, California, where she became familiar with the laws applicable to her department. She respectfully asked the board to allow her request, explaining that any mistakes were not intentional and that her primary goal was to provide her elderly mother with a suitable place to live and receive care for as long as possible. She asked if she could sit down?

Chairman Salazar stated Yes.

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

There was none.

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

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

4 ADJOURNMENT

There being no further business, Chairman Salazar entertained a motion. Ms. Elizondo moved to adjourn meeting. Mr. Ueckert seconded the motion. Upon a vote, the motion passed unanimously at 5: 24 p.m.

Alberto Salazar, Chairman
Accommodations Review Board