



MEETING DATE: August 27, 2025

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

AGENDA ITEM: Public hearing and consideration of a variance to allow a 0' front carport and garage setback instead of the required 18', being Lot 7, Block 52, Mission Original Townsite Subdivision, located at 203 Oblate Avenue, Applicant – Delmiro & Maria Garcia - Cervantes

NATURE OF REQUEST:

Project Timeline:

- June 1, 2025 – Application for Variance Request submitted to the City
- August 15, 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.
- August 27, 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) (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.
- The site is located at the Northwest corner of Oblate Avenue and E. 2nd Street.
- The applicant is requesting a variance to keep an already-constructed carport located in the front driveway of the house.
- The subject property is a rectangular-shaped lot that has a depth of 150 feet and a width of 50 feet.
- City officials from the Code Enforcement Division noticed the carport structure and gave the property owner notice of violation for the construction of the structure without a building permit.
- The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out 26 legal notices to the surrounding property owners.

STAFF RECOMMENDATION:

Staff recommends denial. The structures need to be modified or removed to comply with the required setbacks.

However, if the 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 structures will remain perpetually “open and to its footprint” and if the structures are ever removed, the prevailing setbacks shall be complied with thereafter, and 2) obtaining a building permit and paying a double fee.

RECORD OF VOTE:

APPROVED:

DISAPPROVED:

TABLED:

_____ AYES

_____ NAYS

_____ DISSENTING _____

LEGAL NOTICE MAP



AERIAL WITH STRUCTURE ENCROACHMENTS



CARPORT PHOTO



CARPORT PHOTO



ATTACHMENTS

Hidalgo County Appraisal District		PUBLIC CARD WITH SKETCH 2025-2-0		Valuation Method: cost-local		August 11, 2025																						
PROPERTY ID AND LEGAL DESCRIPTION		OWNER ID, NAME, AND ADDRESS		EXEMPTIONS		VALUES																						
238890 203 OBLATE AVE, MISSION TX		GARCIA DELMRO & MARIA G		HS, OV65		2024 2025																						
MISSION ORIGINAL TOWNSITE LOT 7 BLOCK 52		203 OBLATE AVE MISSION TX US 78572-5451		TAXING UNITS		IMPROVEMENTS 69,384 82,833																						
TYPE: R DBA:		349391		CAD 100.00 CMS 100.00 DR1 100.00		LAND MARKET 56,250 64,125																						
GEO ID: M5200-00-052-0007-00		100.0000		GHD 100.00 JCC 100.00 SMS 100.00		MARKET VALUE 125,634 146,758																						
Ref ID: 254418		AS CODE: M520000		SST 100.00		SPECIAL USE EXCL 0 0																						
Ref ID: R238890		MKT AREA: SWSA019				APPRaised VALUE 125,634 146,758																						
SUBTYPE: RES		SUB MKT:				HS VALUE LIMIT 22,860 33,787																						
LEGAL ACREAGE:		APPR VAL METHOD: cost-local				CIRCUIT BRKR LIMIT 0 0																						
		AGENT:				NET APPRAISED 102,774 113,851																						
		EFF DATE:																										
		EXP DATE:																										
GENERAL		REMARKS		SKETCH																								
UTILITIES: AL GBA: 0		(2021) ADJ CL (2020) RMVD OLD & NEW IMPS																										
TOPOGRAPHY: LV NRA: 0		(2013) CONV CPT TO GAR 201.3(2010) NEW																										
ROAD ACCESS: PCG UNITS: 0		ADD, CONV POR TO ENC (2009)																										
ZONING: RS RENT: 0		N.C. 1/207.D8(2006) N.C. 1/207.D8(2007)																										
		N.C. 1/207.D8(2006) ADJ CL %, NEW																										
		STG, CPT, POR & PAT 04(2005) ADJ CL %, NEW																										
		STG, CPT, POR & PAT 04																										
TAXING UNIT CD TAXING UNIT NAME		PICTURE																										
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%																												
DEED HISTORY																												
DATE	TYPE	BOOK/PG	INST #	BUYER	SELLER																							
1995-09-13	CONV	null/full	55006	GARCIA DELMRO	GARCIA																							
1990-03-21	CONV	null/630		GARCIA	GARCIA ESTEBAN																							
IMPROVEMENT VALUATION																												
#	TYPE	DESCRIPTION	MODEL CLASS	AREA	UN	PRC	UNITS	STY	BUILT	EF	YR	COND	FEAT	AMT	VALUE	DEP	PHYS	ECOM	FUNC	COMP	ADJ	VALUE	#	ADJ TYPE	ADJ AMT	ADJ %	DESC	CODE
1	MA	Residential Main	RES BRKFA	962	90.38	1	1	1	2019	2019	AV	0	0	0	86,946	94.00	100.00	100.00	100.00	100.00	0.94	81,729						
	POR	PORCH	RES BRKFA	40	22.59	1	1	0	0	0	0	0	0	0	904	100.00	100.00	100.00	100.00	100.00	1.00	904						
		Style:	STCD: A1	1,002	Area:	962	Homesite:	Y (100.00%)							87,850	AS Code:	100.00%	Market Area:	100.00%			82,633						
		Finish Out:	100		Quality:	FA	Structure:																					
LAND VALUATION								LAND ADJUSTMENTS								PRODUCTIVITY VALUATION												
L#	DESCRIPTION	TYPE	SOIL	CLS	TABLE	SC	HS	METH	DIV	UNIT	PRC	ADJ	MADJ	VAL	SRC	MKT VAL	SEQ	ADJ TYPE	ADJ AMT	ADJ %	AG	USE	TABLE	UNIT	AG VAL	AG VAL		
1	LOT	L			SMSBTWN	A1	Yes	SF	7500.00	sf	8.55	1.000			A	64,125						No			0.00	0	0	
									AS Code:	100.00%	Market Area:	100.00%																

MAILOUT LIST	
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[illegible]