

# AGENDA ITEM & RECOMMENDATION SUMMARY

**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:**

- <u>June 1, 2025</u> Application for Variance Request submitted to the City
- <u>August 15, 2025</u> 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>August 27, 2025</u> Public hearing and consideration of the requested variance by the Zoning Board of Adjustments.

### Summary:

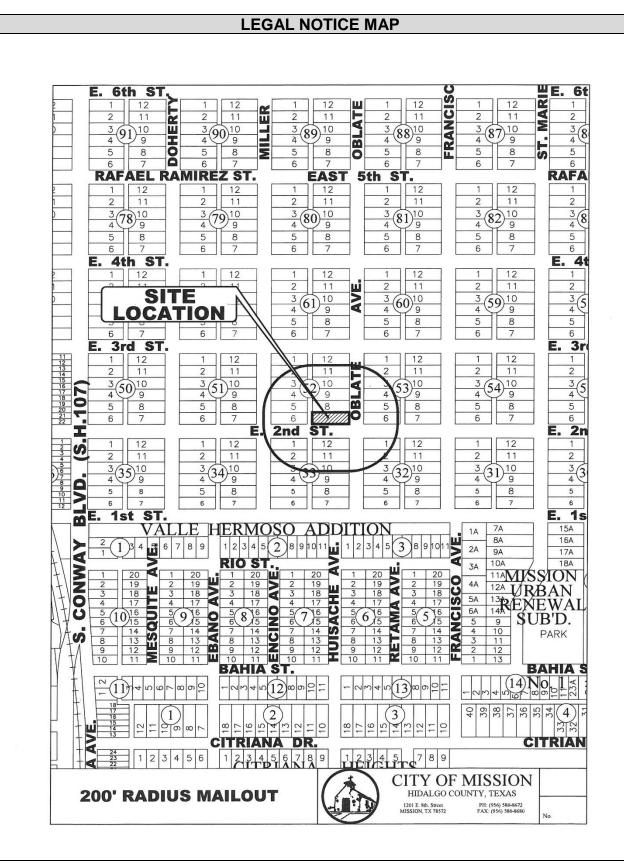
- The request is for a variance not to comply with Section 1.371 (5) (h) of the Mission Code of Ordinances, which states:
  - Minimum distance from the public right-of-way to the entrance to a garage or enclosed carport, unless otherwise approved by the Zoning Board of adjustments: 18 feet.
- The site is located at the Northwest corner of Oblate Avenue and E. 2<sup>nd</sup> 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.

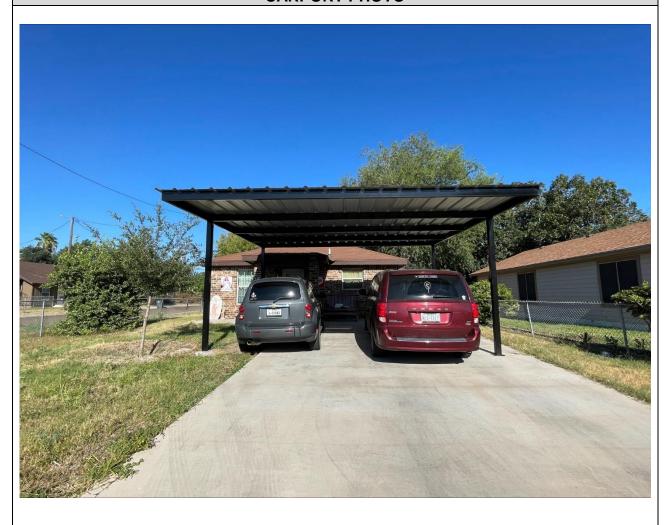
| RECORD OF VOTE: | APPROVED:<br>DISAPPROVED: |   |
|-----------------|---------------------------|---|
|                 |                           |   |
|                 | TABLED:                   |   |
| AYES            |                           |   |
| NAYS            |                           |   |
| DISSENTING      |                           | _ |



# **AERIAL WITH STRUCTURE ENCROACHMENTS**



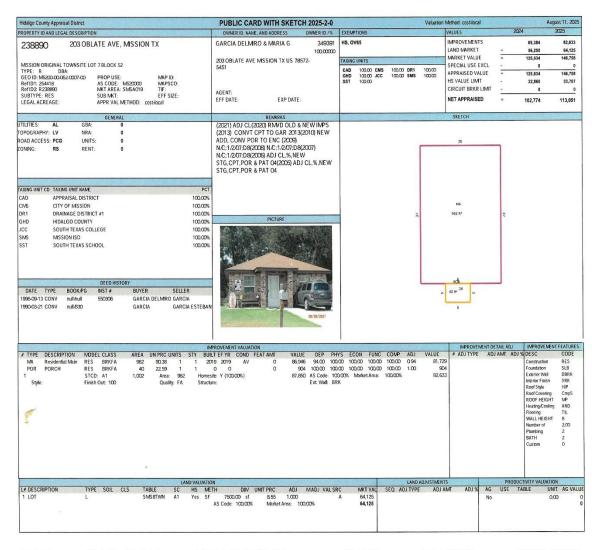
### **CARPORT PHOTO**



### **CARPORT PHOTO**



### **ATTACHMENTS**



Page 2 of 3 Effective Date of Appraisal: January Date Printed: August 11, 2025 0840 Printed By: SP Property ID: 238990 Powered By: <True Prodigys

## MAILOUT LIST

| PROP_ID       | geoID                | name                                 | addrDelive           | addrCity      | addrState     | addrZip       |
|---------------|----------------------|--------------------------------------|----------------------|---------------|---------------|---------------|
| 238884        | M5200-00-052-0002-00 | LOZANO MARIA A & JESUS SR            | 218 MILLER AVE       | MISSION       | TX            | 78572-5444    |
| 238895        | M5200-00-052-0012-00 | LOZANO LIZETT M                      | 322 E 3RD ST         | MISSION       | TX            | 78572-5422    |
| 238885        | M5200-00-052-0003-00 | GONZALEZ ELIZABETH ANNE & GABRIEL SR | 214 MILLER AVE       | MISSION       | TX            | 78572-5444    |
| 238894        | M5200-00-052-0011-00 | DURAN DINORA & JOSE A GARCIA JR      | 217 OBLATE AVE       | MISSION       | TX            | 78572-5451    |
| 238897        | M5200-00-053-0002-00 | MARTINEZ AURORA                      | 216 OBLATE AVE       | MISSION       | TX            | 78572-5452    |
| 238899        | M5200-00-053-0004-00 | ARRIAGA GERARDO D & NANCY V LOPEZ    | 210 OBLATE AVE       | MISSION       | TX            | 78572-5452    |
| 238805        | M5200-00-033-0002-00 | FLORES JOSEFINA                      | 118 MILLER           | MISSION       | TX            | 78572-5442    |
| 238815        | M5200-00-033-0012-00 | SUN VISTA LAND DEVELOPMENT LLC       | 1358 GARDEN DR       | MISSION       | TX            | 78572-6299    |
| 238898        | M5200-00-053-0003-00 | LIMON MARIA DEL JESUS                | 214 OBLATE ST        | MISSION       | TX            | 78572-5452    |
| 238806        | M5200-00-033-0003-00 | MARTINEZ TRINIDAD                    | 116 MILLER AVE       | MISSION       | TX            | 78572-5442    |
| 238804        | M5200-00-033-0001-00 | RODRIGUEZ SANTOS GERARDO             | 2304 LILAC AVE       | MISSION       | TX            | 78574-2431    |
| 238814        | M5200-00-033-0011-00 | CANTU MERCEDES & CARMELA R           | 119 OBLATE AVE       | MISSION       | TX            | 78572-5449    |
| 238813        | M5200-00-033-0010-00 | KITTENS DRIVE THRU LLC               | 2702 ALAMEDA CIR     | MISSION       | TX            | 78574-1703    |
| 238890        | M5200-00-052-0007-00 | GARCIA DELMIRO & MARIA G             | 203 OBLATE AVE       | MISSION       | TX            | 78572-5451    |
| 238892        | M5200-00-052-0009-00 | DE RAMIREZ EMMA ANTONIO VALDIVIESO   | 109 VANSHIRE RD E    | LAKESIDE      | TX            | 76108-9462    |
| 238893        | M5200-00-052-0010-00 | HERNANDEZ ESTER                      | 215 OBLATE AVE       | MISSION       | TX            | 78572-5451    |
| 238891        | M5200-00-052-0008-00 | ESPERICUETA SUSANA C                 | 205 OBLATE AVE       | MISSION       | TX            | 78572-5451    |
| 238900        | M5200-00-053-0005-00 | MARIN MARIO & GRISELDA               | 204 OBLATE AVE       | MISSION       | TX            | 78572-5452    |
| 238886        | M5200-00-052-0004-00 | ANZALDUA URBANO                      | 208 MILLER AVE       | MISSION       | TX            | 78572-5444    |
| 238889        | M5200-00-052-0006-00 | NAVEJAR MELINDA & RAUL JOSE          | 305 E 2ND ST         | MISSION       | TX            | 78572-5413    |
| 238887        | M5200-00-052-0005-00 | VELA DEHRA ET AL                     | 1107 PAMELA DR STE B | MISSION       | TX            | 78572         |
| 238888        | M5200-00-052-0005-10 | HERRERA LUIS TAMEZ                   | 303 E 2ND ST         | MISSION       | TX            | 78572-5413    |
| 238794        | M5200-00-032-0003-00 | MAGALLAN FRANCISCA DE JESUS          | 116 OBLATE AVE       | MISSION       | TX            | 78572-5450    |
| 238793        | M5200-00-032-0002-00 | RAMIREZ MARTIN & CONSUELO            | 118 OBLATE AVE       | MISSION       | TX            | 78572-5450    |
| 238792        | M5200-00-032-0001-00 | SALCE RAQUEL                         | 122 OBLATE AVE       | MISSION       | TX            | 78572         |
| 238901        | M5200-00-053-0006-00 | VEGA MARIA DE JESUS E                | 202 OBLATE AVE       | MISSION       | TX            | 78572-5452    |
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