



MEETING DATE: August 27, 2025

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

AGENDA ITEM: Public hearing to reconsider a variance to allow a 6' rear setback instead of the required 10' for a 21' x 21' outdoor patio structure, being Lot 92, The Legends at Cimarron Subdivision, located at 1713 Audrey Drive, Applicant – Conne A. Gomez - 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) (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.
- The site is located at the Northwest corner of Princeton and Audrey Drives.
- The applicant is requesting a variance to keep an already-constructed patio structure with outdoor kitchen.
- The Legends at Cimarron Subdivision was recorded on 9/22/2003. The subject property is a rectangular-shaped lot that has 10,451.21 square feet in area.
- The applicant recently modified the patio with outdoor kitchen without obtaining a permit.
- A variance was denied on March 13, 2025 for both the outdoor patio structure and a canopy structure encroaching on the side setback. The variances were denied due to opposition from the property owner to the west.
- The encroachment to the side setback has been cleared by the applicant and he is now requesting reconsideration of the variance for the outdoor patio structure rear setback encroachment.
- The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out 27 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: _____

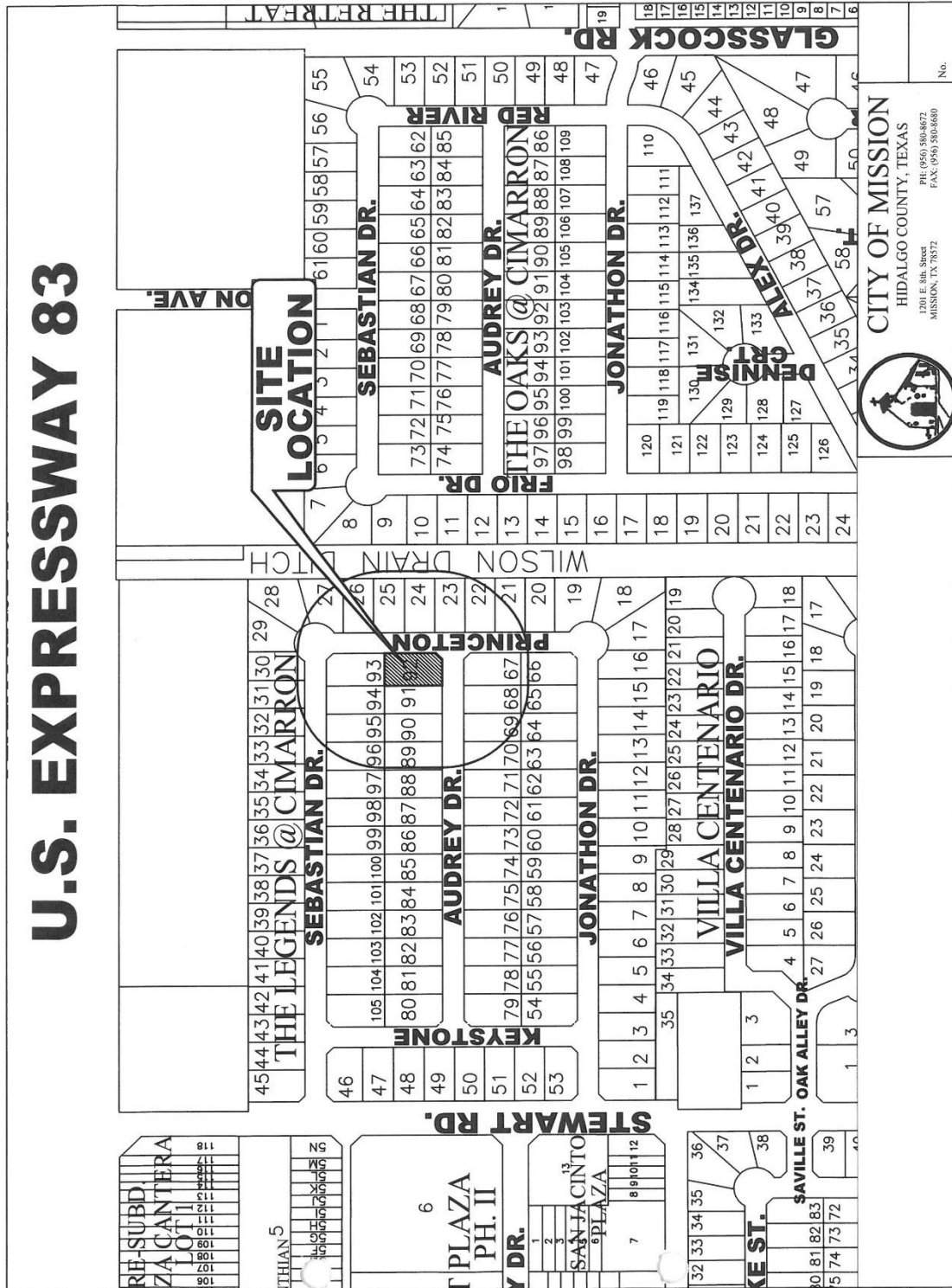
TABLED: _____

_____ AYES

_____ NAYS

_____ DISSENTING _____

U.S. EXPRESSWAY 83



AERIAL MAP

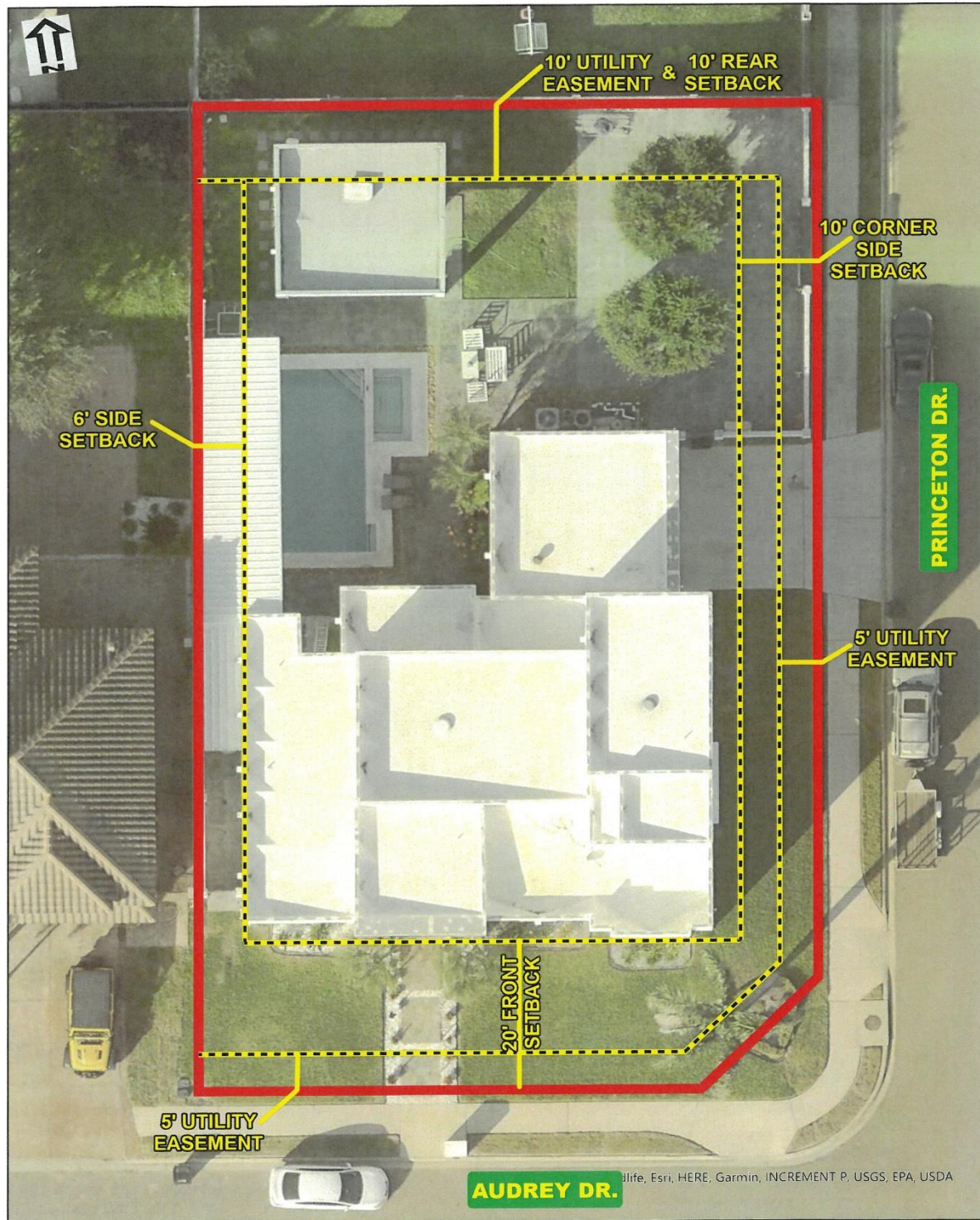
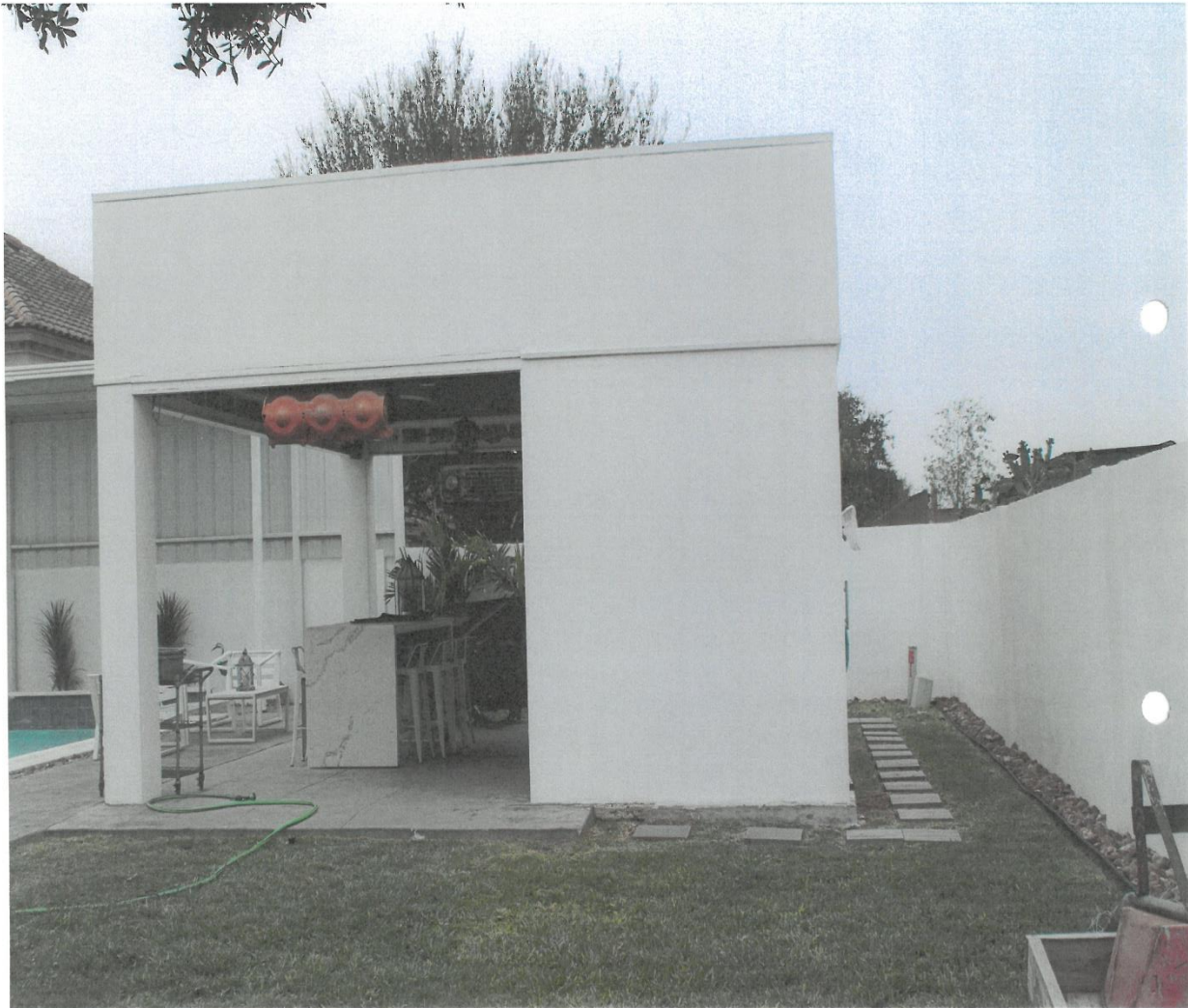


PHOTO OF THE PATIO STRUCTURE



PHOTO OF THE PATIO STRUCTURE



SIDE SETBACK ENCROACHMENT



SIDE SETBACK ENCROACHMENT CLEARED



MAILOUT LIST

PROP_ID	geolD	name	addrDelive	addrCity	addrState	addrZip
668026	T3510-00-000-0023-00	CASTILLO JESUS D JR	904 PRINCETON DR	MISSION	TX	78572-6070
668027	T3510-00-000-0024-00	TELLO JOSE & LUZ XOCHIL	2549 POMERAY AVE	LOS ANGELES	CA	90033
720213	S2950-00-000-0162-10	CITY OF MISSION	1201 E 8TH ST	MISSION	TX	78572-5812
668029	T3510-00-000-0026-00	LOPEZ EMMANUEL & NATALIA P	812 PRINCETON DRIVE	MISSION	TX	78572-6075
668031	T3510-00-000-0028-00	CAMARA ARTURO & BLANCA E SADA	1717 SEBASTIAN DR	MISSION	TX	78572-6068
668069	T3510-00-000-0066-00	RUIZ MARIA MAGDALENA	1713 JONATHON DR	MISSION	TX	78572-8562
668071	T3510-00-000-0068-00	TAMEZ BENJAMIN J & MYRNA I GOMEZ	1710 AUDREY DR	MISSION	TX	78572-6069
668094	T3510-00-000-0091-00	CANTU JOSE MANUEL	1711 AUDREY DR	MISSION	TX	78572-6069
668096	T3510-00-000-0093-00	GUTIERREZ COSME H & CLAUDIA M GARZA ELIZONDO	1712 SEBASTIAN ST	MISSION	TX	78572-6066
668097	T3510-00-000-0094-00	JIMENO FERNANDO	1710 SEBASTIAN ST	MISSION	TX	78572-6066
668098	T3510-00-000-0095-00	VILLARREAL GUILLERMINA & BENITO GONZALEZ	1708 SEBASTIAN DR	MISSION	TX	78572-6066
668099	T3510-00-000-0096-00	VILLARREAL MARCOS	1706 SEBASTIAN ST	MISSION	TX	78572-6066
668033	T3510-00-000-0030-00	TIJERINA JAQUELYN & RAYMUNDO G MORENO REYES	1713 SEBASTIAN DR	MISSION	TX	78572-6068
668034	T3510-00-000-0031-00	RODRIGUEZ AARON ROEL	1711 SEBASTIAN DR	MISSION	TX	78572-6068
668035	T3510-00-000-0032-00	CARDENAS JUAN M & KARINA L	1709 SEBASTIAN DR	MISSION	TX	78572-6068
668073	T3510-00-000-0070-00	CAVAZOS ANITA C	1706 AUDREY DR	MISSION	TX	78572-6069
668093	T3510-00-000-0090-00	GUTIERREZ HUMBERTO	1709 AUDREY DR	MISSION	TX	78572-6069
668095	T3510-00-000-0092-00	GOMEZ CONNE A & PATRICIA L	1713 AUDREY DR	MISSION	TX	78572-6069
668070	T3510-00-000-0067-00	MARTINEZ ARMANDO & YAHAIRA SUKEY LAM	1712 AUDREY DR	MISSION	TX	78572-6069
668072	T3510-00-000-0069-00	CABELLO JOSE LUIS	1708 AUDREY DR	MISSION	TX	78572-6069
668028	T3510-00-000-0025-00	FUENTES JOSE LUIS & ISABEL CRISTINA	900 PRINCETON AVE	MISSION	TX	78572-6070
668030	T3510-00-000-0027-00	CALDERON NADJA ANAHI & GUILLERMO OSORNIO CALDERON	810 PRINCETON DR	MISSION	TX	78572-6075
668067	T3510-00-000-0064-00	SALINAS VIOLETA	1709 JONATHON DR	MISSION	TX	78572-8562
668068	T3510-00-000-0065-00	ELIZALDE JOSE LUIS BLANCO	1700 JONATHON DR	MISSION	TX	78572-8564
668092	T3510-00-000-0089-00	BAYONA JUAN PABLO & DANIELA ALEJANDRA	1707 AUDREY DR	MISSION	TX	78572
668025	T3510-00-000-0022-00	LEAL VERONICA	906 PRINCETON DR	MISSION	TX	78572-6070
668024	T3510-00-000-0021-00	REYES EVA MARIA AKA REYES & ARTURO ANDRES LERMA III	908 PRINCETON DR	MISSION	TX	78572-6070