



MEETING DATE: May 28, 2025

PRESENTED BY: Xavier Cervantes, Director of Planning

AGENDA ITEM: Tabled: Conduct a public hearing and consideration of a variance request to allow a 6 foot rear setback instead of the required 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.
- May 8, 2025 – During the public hearing the Zoning Board of Adjustment voted to table the variance request.
- May 28, 2025 – 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: | ____ PASSED ____ | TABLED ____ FAILED DATE: _____ |
| COMMENTS: | _____ _____ _____ | |
| LETTERS MAILED: | ____ | FILING FEE: <u>\$250.00</u> RECEIPT NO.: <u>20250224</u> |

APPLICANT'S SIGNATURE: Yuliana Salinas

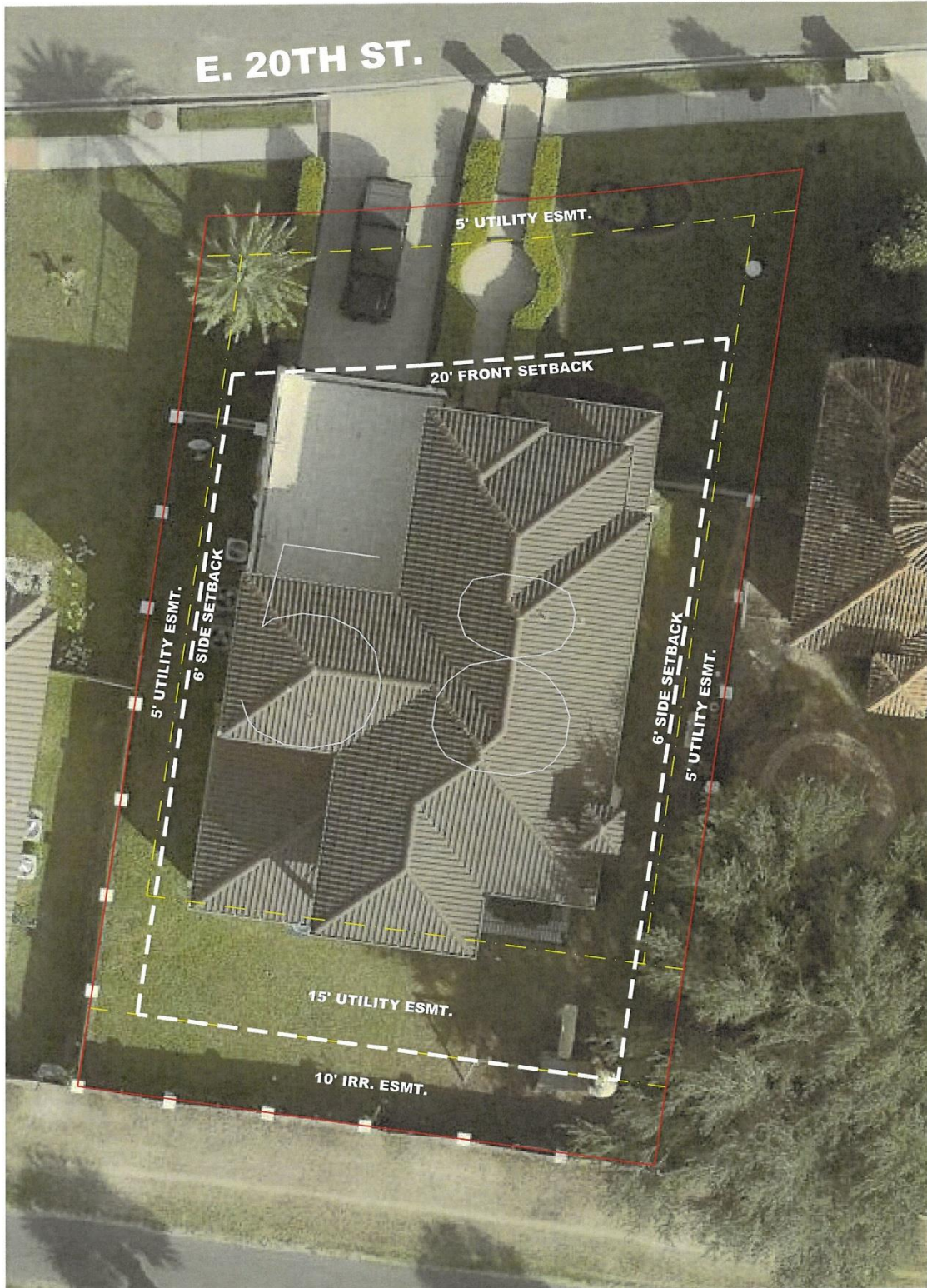
March 14

Attachment II

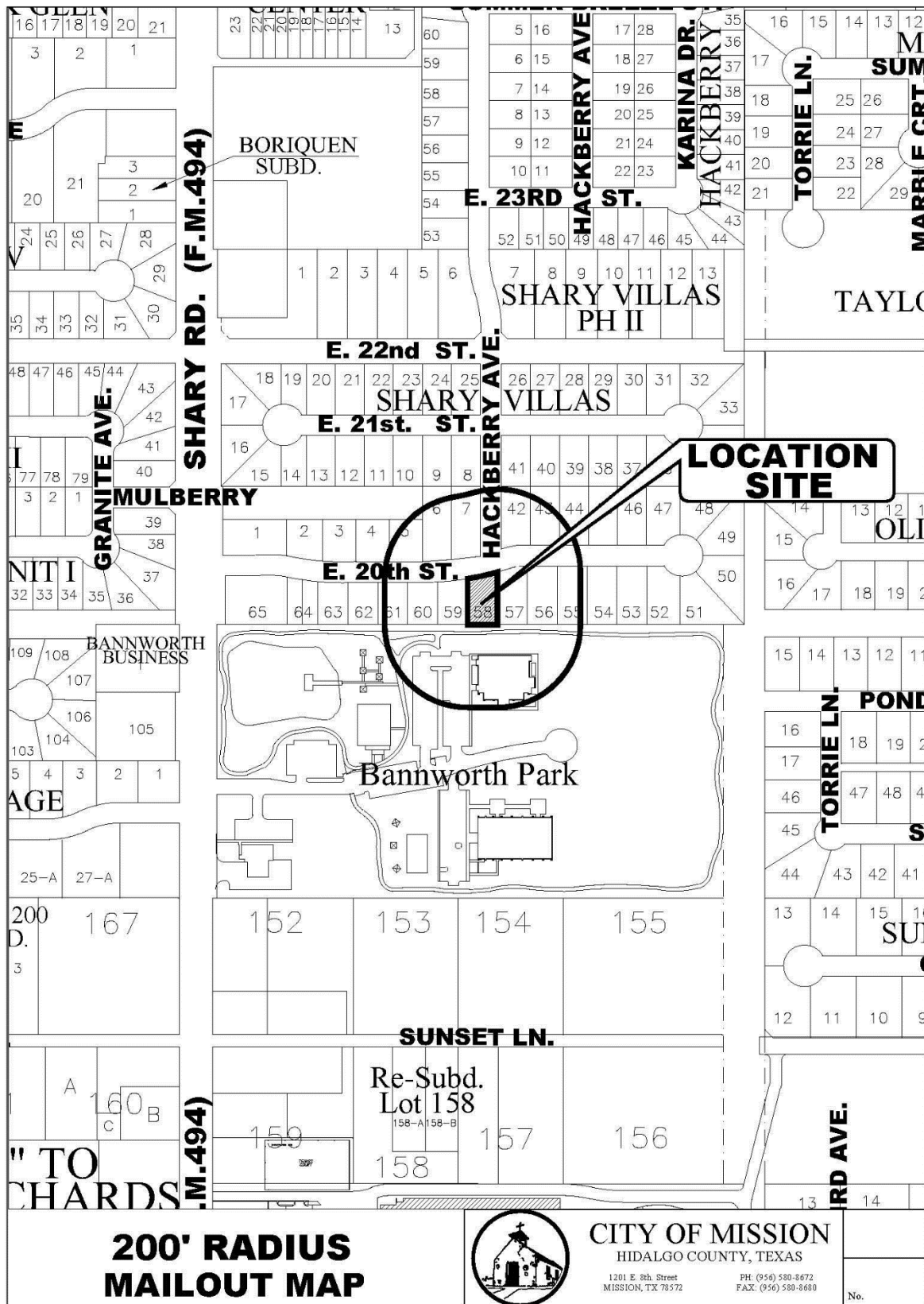




Attachment IV



Attachment V



**200' RADIUS
MAILOUT MAP**



CITY OF MISSION
HIDALGO COUNTY, TEXAS

1201 E 9th Street
MISSION, TX 78572

PH: (956) 580-8472
FAX: (956) 580-8680

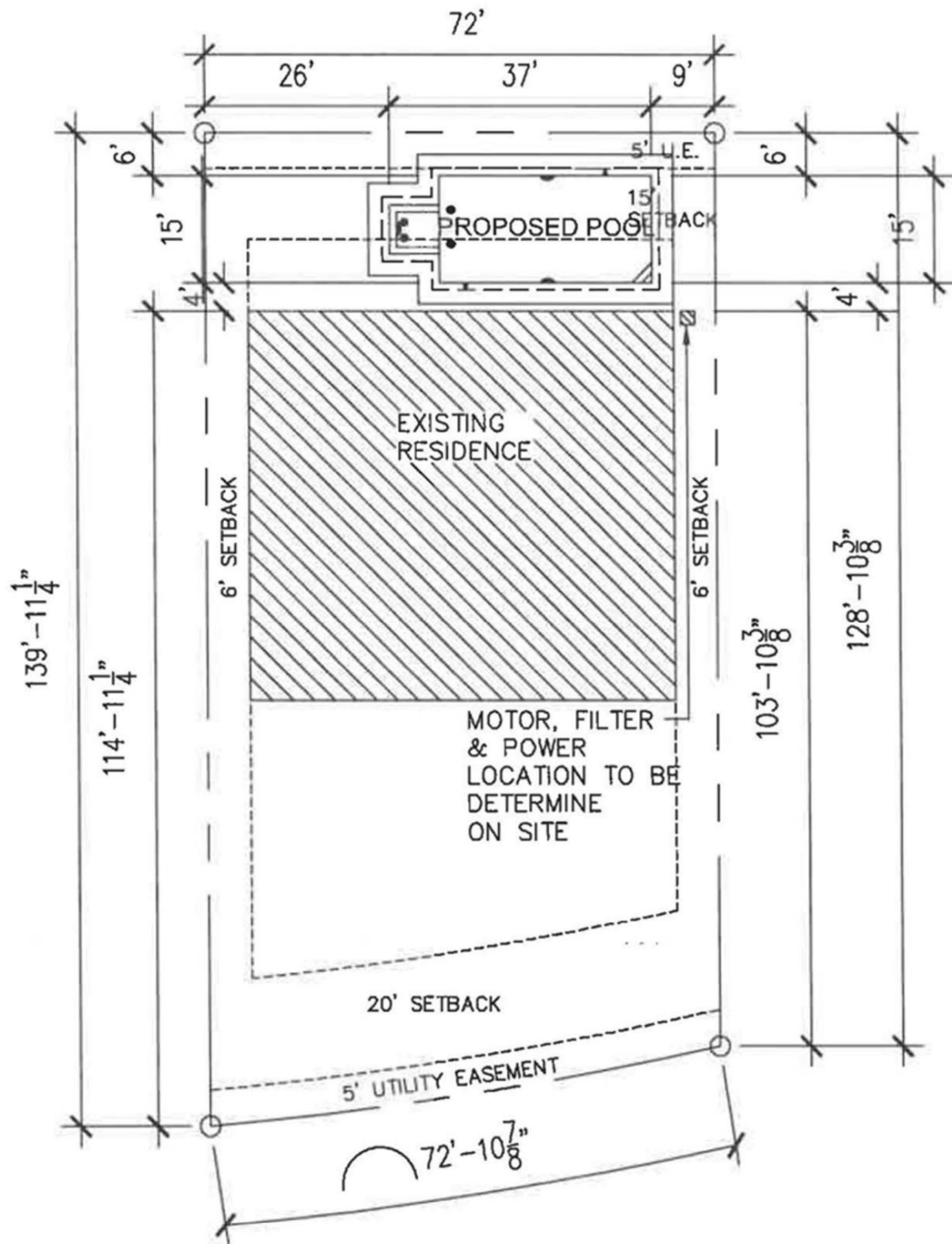
No.

Attachment VI

| 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 | | OWNER ID / % | EXEMPTIONS | VALUES | | 2024 | 2025 |
| 672861 2416 20TH ST | | SALINAS YULIANA | | 1298654 | HS | IMPROVEMENTS | | 406,996 | 403,719 |
| SHARY VILLAS LOT 58 | | 2416 E 20TH ST MISSION TX US 78572 | | 100.00% | | LAND MARKET | | 97,279 | 97,279 |
| TYPE: R DBA: | | | | | | MARKET VALUE | | 504,275 | 500,998 |
| GEO ID: S3011-00-000-0059-00 | | PROP USE: S301100 MAP ID: CMS VOL 43 | | | | SPECIAL USE EXCL | | 0 | 0 |
| Ref ID1: 465785 | | AS CODE: S301100 MAPSCO: | | | | APPRAISED VALUE | | 504,275 | 500,998 |
| Ref ID2: R672861 | | SUBTYPE: RES TIF: | | | | HS VALUE LIMIT | | 62,267 | 3,789 |
| MKT AREA: S3LA011 | | SUB MKT: EFF SIZE: | | | | CIRCUIT BRKR LIMIT | | 0 | 0 |
| LEGAL ACREAGE: | | APPR VAL METHOD: cost-local | | | | NET APPRAISED | | 452,008 | 497,209 |
| AGENT: | | EXP DATE: | | | | | | | |
| REASON NOTES: 1 | | REMARKS | | SKETCH | | | | | |
| UTILITIES: AL, HY ZONING: RS LEGACY APPR FR RES RS | | TOPOGRAPHY: LV TAGS: LAST APPR DT: 2024-11-05 | | | | | | | |
| ROAD ACCESS: PCG | | NEXT INSP DT: 2011-01-01 | | | | | | | |
| LAST INSP COMP DT: | | SUBSET: | | | | | | | |
| NEXT REASON: RECHECK | | | | | | | | | |
| BUILDING PERMITS | | PICTURE | | | | | | | |
| B# ISSUE DT PERM # TYPE ACTIVE EST VAL APPR BUILDER COMMENT | | | | | | | | | |
| INCOME APPROACH DATA | | | | | | | | | |
| GBA: 0 UNITS: 0 | | | | | | | | | |
| NRA: 0 RENT: 0 | | | | | | | | | |
| APPEAL HISTORY | | DEED HISTORY | | | | | | | |
| YEAR APPEAL ID TYPE STATUS PROTESTER FINL DATE | | DATE TYPE BOOK/PAGE INST # BUYER SELLER | | | | | | | |
| 2024 6917 O FC1 BENCE PROPERTY TAX 2024-05-24 | | 2025-01-13 SWD / 3613159 SALINAS YULIANA SOLIS JAIME | | | | | | | |
| 2023 69357 O FC1 BENCE PROPERTY TAX 2023-06-28 | | 2009-07-21 WDV null/null 2018640 SOLIS JAIME GONZALEZ | | | | | | | |
| 2022 117075 O FC1 BENCE PROPERTY TAX 2022-04-08 | | 2007-12-28 SVD null/null 1840713 GONZALEZ LONE STAR | | | | | | | |
| 2021 159736 O FC1 BENCE PROPERTY TAX 2021-04-14 | | | | | | | | | |
| 2020 233637 O FC1 BENCE PROPERTY TAX 2020-06-15 | | | | | | | | | |
| SALES HISTORY | | DEED HISTORY | | | | | | | |
| DATE TYPE/QUAL/SRGRATIO PRICE BUYER | | DATE TYPE BOOK/PAGE INST # BUYER SELLER | | | | | | | |
| 2025-01-13 SWD / 3613159 SALINAS YULIANA SOLIS JAIME | | 2009-07-21 WDV null/null 2018640 SOLIS JAIME GONZALEZ | | | | | | | |
| 2007-12-28 SVD null/null 1840713 GONZALEZ LONE STAR | | | | | | | | | |
| IMPROVEMENT VALUATION | | IMPROVEMENT DETAIL ADJ | | IMPROVEMENT FEATURES | | | | | |
| # TYPE DESCRIPTION MODEL CLASS AREA UN PRC UNITS STY BUILT EF YR COND VALUE DEP PHYS ECON FUNC COMP ADJ VALUE # ADJ TYPE ADJ AMT ADJ % DESC CODE VALUE | | | | | | | | | |
| MA Residential Main RES STUVG 2,191 117.52 1 1 2009 2009 AV 257,496 87.00 100.00 100.00 100.00 100.00 0.87 224,013 | Construction RES | | | | | | | | |
| MA2 MAIN 2ND FL RES STUVG 1,825 94.02 1 1 2009 2009 AV 171,597 87.00 100.00 100.00 100.00 100.00 0.87 148,281 | Foundation SLB | | | | | | | | |
| GAR GARAGE RES STUVG 440 58.76 1 1 2009 2009 AV 25,854 87.00 100.00 100.00 100.00 100.00 0.87 22,453 | Exterior Wall DSTU | | | | | | | | |
| PAT PATIO RES STUVG 128 29.38 1 1 2009 2009 AV 3,761 87.00 100.00 100.00 100.00 100.00 0.87 3,272 | Interior Finish SRK | | | | | | | | |
| POR PORCH RES STUVG 27 29.38 1 1 2009 2009 AV 793 87.00 100.00 100.00 100.00 100.00 0.87 690 | Roof Style HIP | | | | | | | | |
| BAL BALCONY RES STUVG 128 29.38 1 1 2009 2009 AV 3,761 87.00 100.00 100.00 100.00 100.00 0.87 3,272 | Roof Covering TIL | | | | | | | | |
| PRGLS PERGOLAS RES STUVG 98 0.00 1 1 2017 2017 * 720 97.00 100.00 100.00 100.00 100.00 0.97 696 | ROOF HEIGHT MP | | | | | | | | |
| 1 RESIDENTIAL STCD: A1 Area: 4,018 Quality: VG Structure: 463,992 AS Code: 100.00% Market Area: 100.00% 403,719 | Heating/Cooling AND | | | | | | | | |
| Style: Finish Out: 100 | Flooring TIL | | | | | | | | |
| | WALL HEIGHT 9 | | | | | | | | |
| | Number of Plumbing 5.00 | | | | | | | | |
| | BATH 4.5 | | | | | | | | |
| | Custom 3 | | | | | | | | |
| | Exterior Wall DSTU | | | | | | | | |
| LAND VALUATION | | LAND ADJUSTMENTS | | PRODUCTIVITY VALUATION | | | | | |
| L# DESCRIPTION TYPE SOIL CLS TABLE SC HS METH DIM UNIT PRC ADJ M ADJ VAL SRC MKT VAL SEQ ADJ TYPE ADJ AMT ADJ % AG USE TABLE UNIT AG VALUE | | | | | | | | | |
| 1 LOT L S301100 A1 Yes SF 8647.00 sf 11.25 1.000 A 97,279 | No 0.00 0 | | | | | | | | |
| AS Code: 100.00% Market Area: 100.00% | | | | | | | | | |

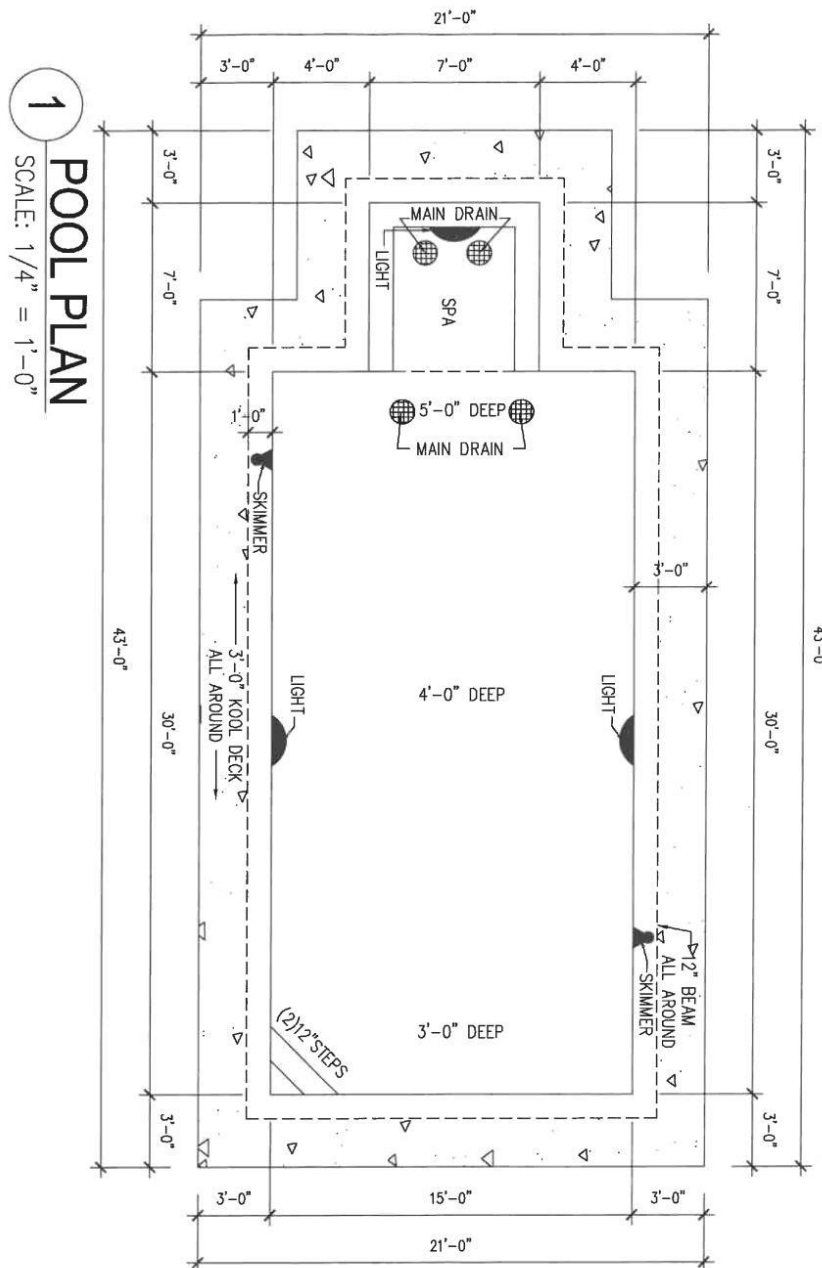


Attachment VII



Attachment VIII

NOTE:
SCALE ON ZEPHYR SET IS AS NOTED
AND ON "IT" IS HALF THE SCALE



©COPYRIGHT NOTICE: 2015 SANCHEZ GARCIA DESIGN SERVICES THIS PLAN IS PROTECTED UNDER THE FEDERAL COPYRIGHT LAWS. THE ORIGINAL PURCHASER OF THIS PLAN IS AUTHORIZED TO CONSTRUCT ONE AND ONLY ONE HOME USING THIS PLAN. REUSE OF THIS PLAN IS PROHIBITED. THESE DOCUMENTS ARE A DESIGN CREATED BY THE DESIGNER. THE DESIGNER ASSUMES NO RESPONSIBILITY IF THE OWNER CHOOSES TO CONSTRUCT THIS FACILITY. THE ORIGINAL CONTRACTOR MUST COMPLY WITH ALL LOCAL, COUNTY AND STATE APPLICABLE BUILDING STANDARDS. CONTRACTOR MUST VERIFY ALL DIMENSIONS AND SET BACKS BEFORE CONSTRUCTION STARTS.

SHEET:

3of3



Sánchez  **Garcia**
DESIGN SERVICES

Enrique "Ricky" Sanchez Certified Drafter

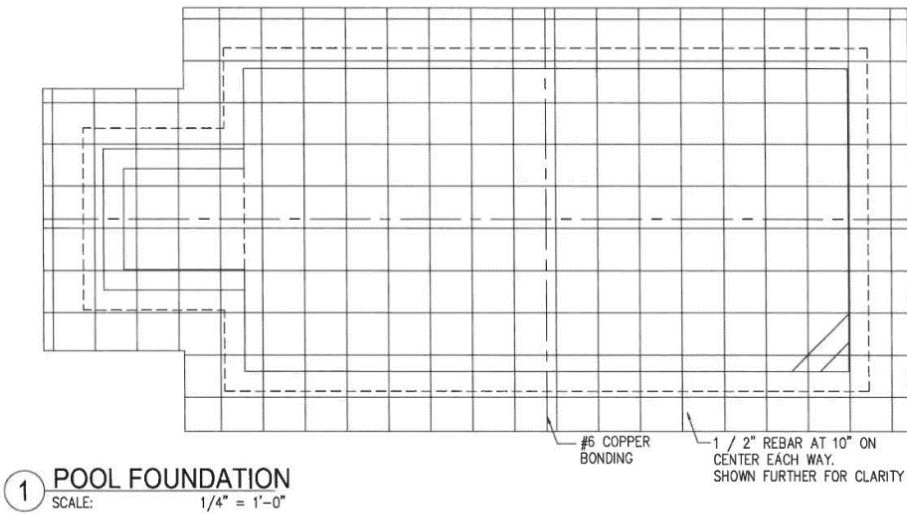
Donna, Texas 78537 Tel:(956) 472-3758 ensadesignservices@yahoo.com

ELEGANTE POOL'S

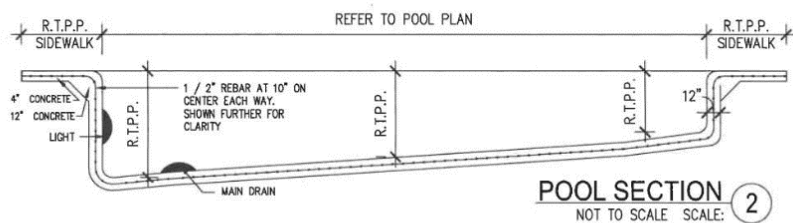
| | |
|-----------|-----------------------------------|
| PROJECT : | 2416 E. 26TH ST. MISSION, TX. |
| OWNER : | MRS. YULIANA & MR. HECTOR SALINAS |

PROJECT # 02192025
DATE: 02/19/2025
DRAWN BY: J.A.G.
CHECKED BY: E. SANCHEZ
REVISION:
1: XXX
2: XXX
3: XXX
4: XXX

Attachment IX



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



POOL SECTION (2)
NOT TO SCALE SCALE:

NOTE:
SCALE ON 22"x34" SET IS AS NOTED
AND ON 11"x17" IS HALF THE SIZE.

THE ORIGINAL PURCHASER OF THIS PLAN IS AUTHORIZED TO CONSTRUCT ONE AND ONLY ONE HOME UNDER THIS PLAN. REFUSE OF THIS PLAN IS PROHIBITED.



Sánchez
DESIGN SERVICES

Estimate #001, Sánchez Certified Dealer

Donna, Texas 78537 Tel: (361) 472-7158 designservices@yahoo.com

2013

MEETS



































































































































































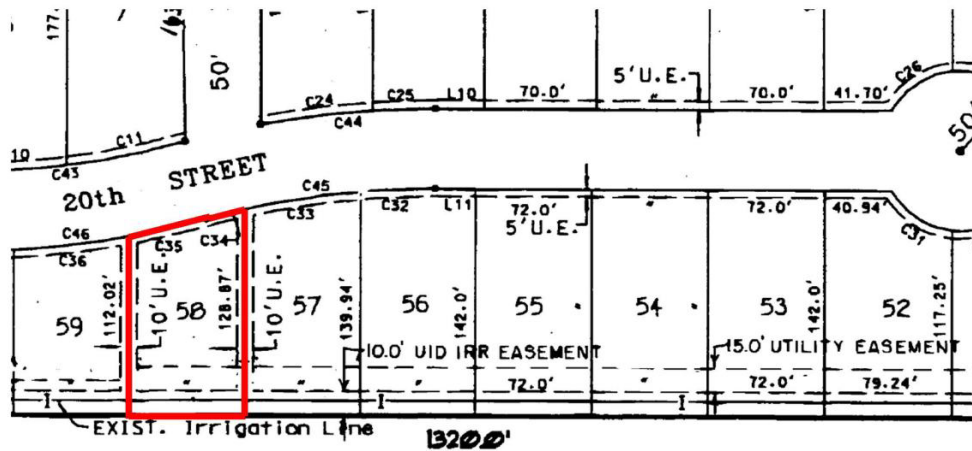
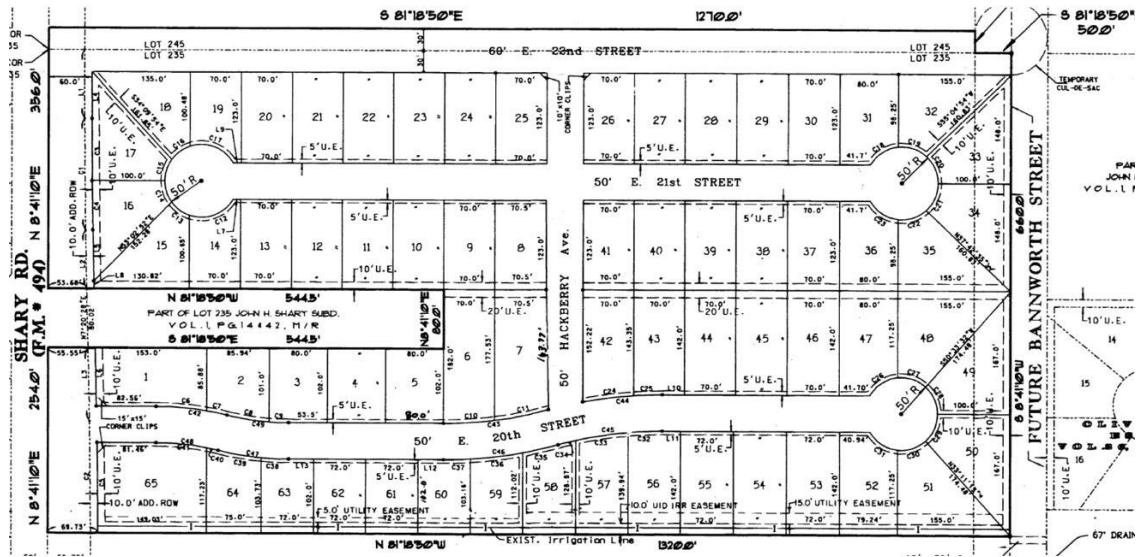








Attachment X



ANNWORTH PARK

P

Attachment XI

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.

MAILOUT LIST

| 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 HARLAN 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 |