



MEETING DATE: October 22, 2025

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

AGENDA ITEM: Public hearing and consideration of a variance to allow a 1' 5" side setback instead of the required 10' for an existing 19' x 25' house addition (storage sheds) and a 3' side setback instead of the required 6' and a 1' rear setback instead of the required 10' for a 30'x22' existing outdoor kitchen, being Lot 132, Taurus Estates No. 9 Subdivision Phase III, located at 1901 Azalea Street, Applicant – Raul Orozco - Cervantes

NATURE OF REQUEST:

Project Timeline:

- September 26, 2025 – Application for Variance Request submitted to the City
- October 9, 2025 – In accordance with State and local law, notice of the required public hearings was mailed to all property owners within 200 feet of the subject tract.
- October 22, 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 the subdivision plat general notes (1), which states:
 - Minimum depth of rear setback: 10 feet.
 - Minimum depth of side setback: 6 feet
 - Minimum depth of corner side: 10 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.
- Section 1.371(2)(d) of Appendix A of the Code of Ordinances of the City of Mission, Texas, which states:
 - An accessory use customarily related to a principal use authorized in this district. Furthermore, any non-living accessory structure, such as a carport or a garage, whether as an addition or as a detached building, shall not exceed 800 square feet, and shall not exceed 15 feet in total height as measured to the top of its roof. No carport, whether temporary or not, shall have a roof composed of tarp or canvas. Fabric-like material will be allowed with the stipulation that it has to be maintained at all times. However, if the primary structure's living area total more than 2,000 square feet, the building shall not exceed a maximum size equal to 40% of the primary structure's living area, and shall not exceed the primary structure's total height, as measured to the top of its roof. The applicant's main living space is 2,780 square feet; 40% of that is 1,112 square feet for non-living accessory structures. The applicant's existing non-living area is 956 square feet.
- The site is located along the southwest corner of Azalea Street and Chrisantema Street.

- The applicant is requesting a variance to keep an already-constructed 19' x 25' house addition (storage sheds) within the 10' corner side setback; and a 30' x 22' outdoor kitchen within the 10' rear setback and the 6' side setback. The existing structures were constructed without building permits.
- The Taurus Estates No. 9 Subdivision Phase III was recorded on January 16, 2003. The subject property is a regularly shaped lot with a depth of 100.00 feet, a front width of 71.88 feet.
- The subject lot has an area of 7,188 square feet.
- There is no history of variances in this subdivision.
- Staff mailed out 27 legal notices to the surrounding property owners. The Planning staff has not received any objections to the request from the surrounding property owners
- City officials from the Code Enforcement Division noticed the outdoor kitchen and the house addition (storage sheds) and gave the property owner notice of violation for the construction of the structures without 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 or 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 complying 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 nonconforming.

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: _____

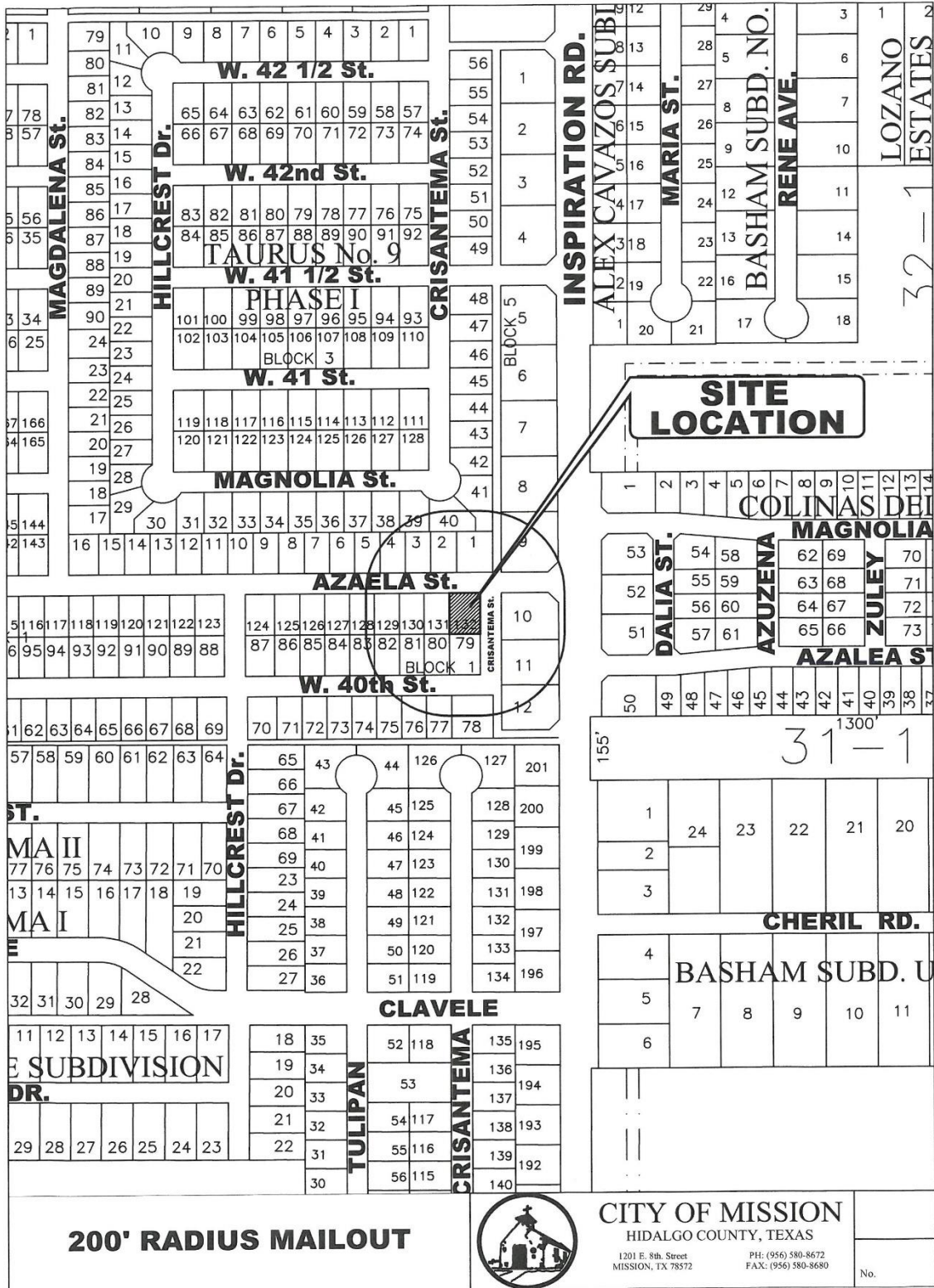
TABLED: _____

_____ AYES

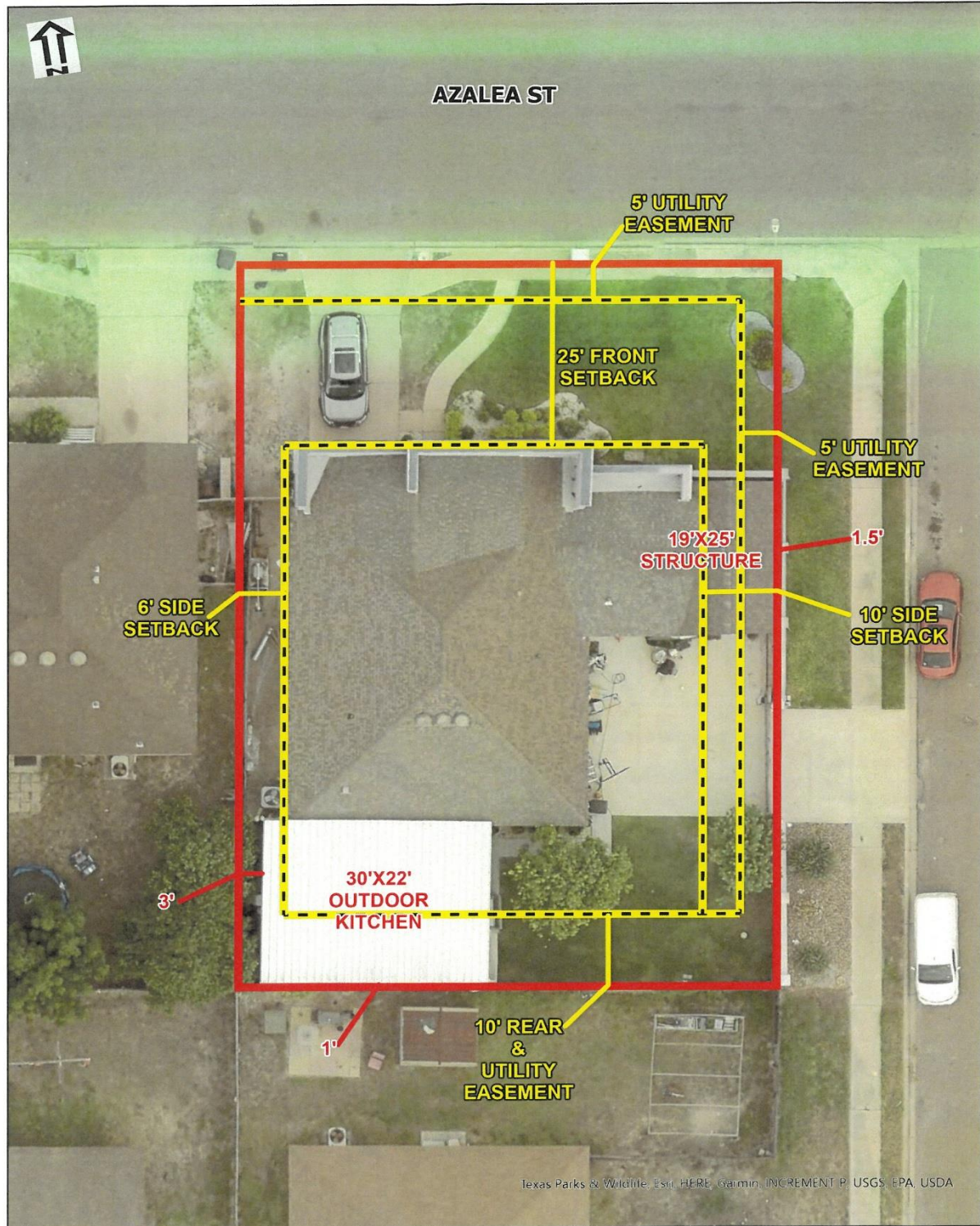
_____ NAYS

_____ DISSENTING _____

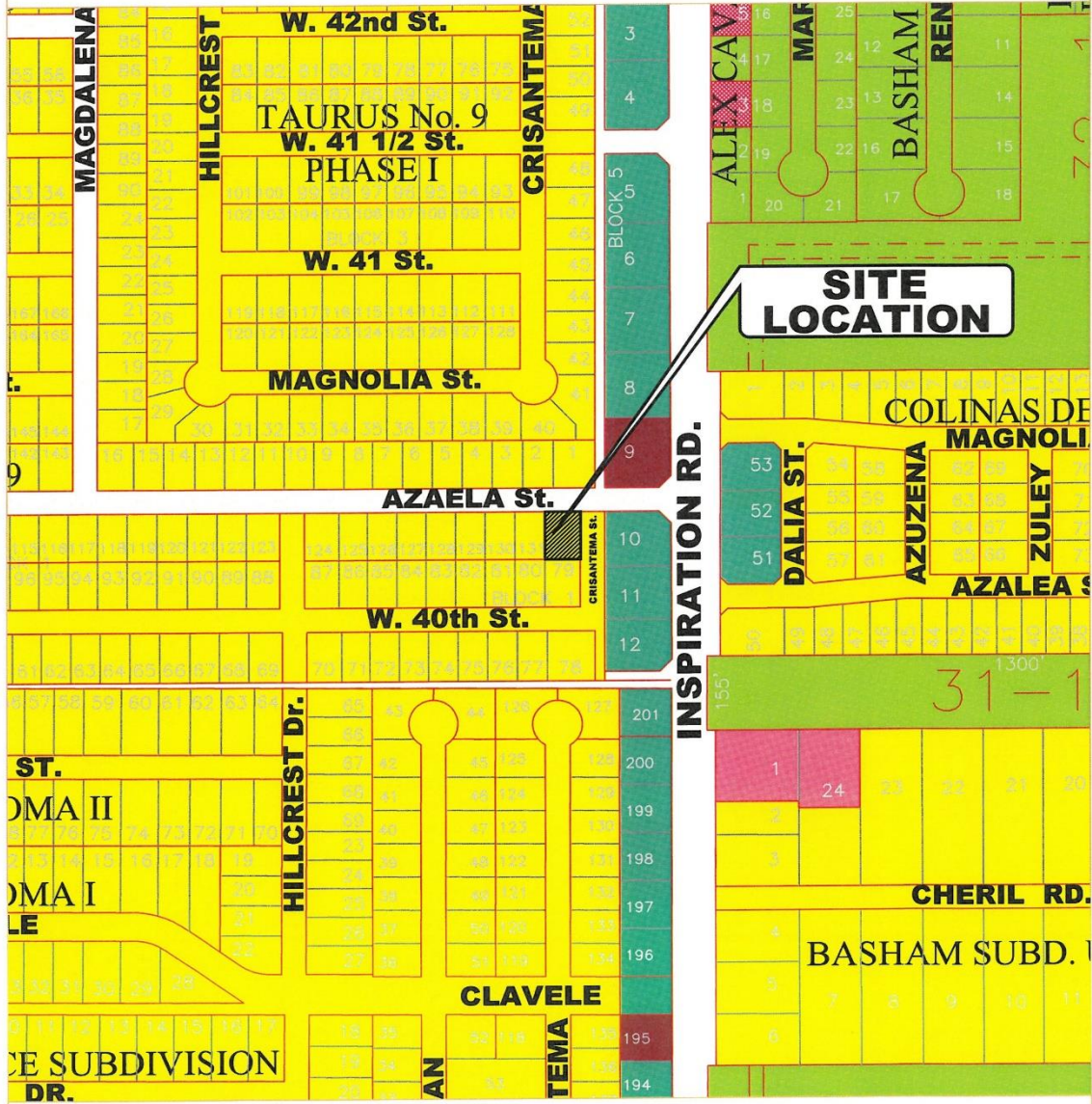
LEGAL NOTICE MAP



AERIAL MAP



ZONING MAP



ZONING LEGEND

	A0-I AGRICULTURAL OPEN INTERIM		R-3 MULTI-FAMILY RESIDENTIAL		C-4 HEAVY COMMERCIAL
	AO-P AGRICULTURAL OPEN PERMANENT		R-4 MOBILE & MODULAR HOME		C-5 ADAPTIVE COMMERCIAL
	R-1A LARGE LOT SINGLE FAMILY		R-5 HIGH DENSITY MFCT'D HOUSING		I-1 LIGHT INDUSTRIAL
	R-1T TOWNHOUSE RESIDENTIAL		C-1 OFFICE BUILDING		I-2 HEAVY INDUSTRIAL
	R-1 SINGLE FAMILY RESIDENTIAL		C-2 NEIGHBORHOOD COMMERCIAL		PUD PLANNED UNIT DEVELOPMENT
	R-2 DUPLEX-FOURPLEX RESIDENTIAL		C-3 GENERAL BUSINESS		P PUBLIC

STORAGE SHED



INSIDE OF STORAGE SHED



OUTDOOR KITCHEN



SUBDIVISION PLAT



GENERAL NOTES:

- BUILDING SETBACK LINES AS PER BLOCK 1 TO BE:
 - FRONT: 25.00'
 - SIDE: 5.0' OR EASEMENT WIDTH; WHICHEVER IS GREATER.
 - REAR: 10.0' OR EASEMENT WIDTH; WHICHEVER IS GREATER.
 - CORNER SIDE - 10.0'
 - CORNER SIDE YARD SETBACK: 15.00' WHEN BUFFER EXIST. IF NO BUFFER EXIST THEN 20.00' SHALL BE IMPOSED.
- NO STRUCTURE SHALL BE PERMITTED OVER ANY EASEMENT.
- FLOOD ZONE "C" - AREAS OF MINIMAL FLOODING.
COMMUNITY-PANEL No. 480334 0400 C
MAP REVISED NOV. 16, 1982
- MINIMUM FINISH FLOOR ELEVATION TO BE 18" ABOVE TOP OF CURB
- BENCHMARK DESCRIPTION: ELE: 187.84
LOCATION: A No. 4 REBAR FOUND IN THE INTERSECTION OF MILE 3 NORTH AND MOORE FIELD ROAD.
- 5.0' SIDEWALK REQUIRED BY DEVELOPER ALONG MOOREFIELD
4.0' SIDEWALK REQUIRED ALONG ALL OTHER STREET SIDES DURING THEIR PERMIT STAGE.
- ALL INTERNAL STREET INTERSECTION SHALL HAVE A 15.0' X 15.0' CORNER CLIP EASEMENT.
- ALL IRRIGATION EASEMENTS ARE EXCLUSIVE TO HIDALGO COUNTY IRRIGATION DISTRICT #6 AND NO OTHER UTILITIES OR USE IS ALLOWED WITHOUT EXPRESS APPROVAL BY THE DISTRICT.

ATTACHMENTS



CITY OF
MISSION

*Irasema Dınas, Code Enforcement Supervisor
Arturo Lemma, Senior Code Enforcement Officer
Nancy Chavira, Code Enforcement Officer
Joseph Flores, Code Enforcement Officer
Angel Garcia Jr., Code Enforcement Officer
Yvette Villarreal, Code Enforcement Clerk*

October 7, 2024

Case# 24-10-C-007

Raul Orozco
1901 Azalea St.
Mission, TX 78573-6739

Dear Property Owner/Occupant:

A visual exterior inspection was conducted of a property located 1901 Azalea St., Mission, TX, bearing a legal description of **Taurus Estates No. 9 PH 3 Lot 132**, which according to the real property records of Hidalgo County, you own. After conducting the inspection, it is noted that **the construction taking place on the property without first obtaining the required permits.** This is a violation of City of Mission Code of Ordinance; Chapter 18 – Buildings and Building Regulations.

Under the provisions of City of Mission Code of Ordinance; Chapter 18 – Building and Building Regulations – Section 18-32 – Residential Code adopted; 2021 International Residential Code (IRC). Section 105 Permits; R105.1 Required. Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert, or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit. Since a permit was not acquired, a **double permit fee** will be assessed pending approval of the building permit application by the Planning and Inspection Department.

You have **(10) calendar days** from date of notice to contact the **Code Enforcement Department at (956) 580-8697** to discuss the options available to comply. Should no response to this notice be evident after this tenure, other enforcement measures could be procedurally activated. Please be advised that if the case is filed in Municipal Court, you could be liable for court cost and possibly fines.

We thank you for your understanding and prompt attention to this matter.

Respectfully,

Nancy Chavira
Code Enforcement Officer

ATTACHMENTS	
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Irasema Dimas, Code Enforcement Supervisor
Arturo Lerma, Senior Code Enforcement Officer
Nancy Chavira, Code Enforcement Officer
Joseph Flores, Code Enforcement Officer
Angel Garcia Jr., Code Enforcement Officer
Yvette Villarreal, Code Enforcement Clerk

CASE NOTES

CASE NUMBER: 24-10-C-007

INSPECTOR: NANCY

ADDRESS: 1901 AZALEA ST

VIOLATION: CONST/W/O/PERMIT

[illegible]

HCAD CARD

Hidalgo County Appraisal District		PUBLIC CARD WITH SKETCH 2025-0-0		Valuation Method: cost-local		October 06, 2025																									
PROPERTY ID AND LEGAL DESCRIPTION		OWNER ID, NAME, AND ADDRESS		EXEMPTIONS		VALUES																									
671106 1901 AZALEA ST, TX		OROZCO RAUL 983775				<table border="1"> <tr> <td>IMPROVEMENTS</td> <td>155,618</td> <td>161,083</td> </tr> <tr> <td>LAND MARKET</td> <td>59,301</td> <td>59,301</td> </tr> <tr> <td>MARKET VALUE</td> <td>214,919</td> <td>220,384</td> </tr> <tr> <td>SPECIAL USE EXCL</td> <td>0</td> <td>0</td> </tr> <tr> <td>APPRAISED VALUE</td> <td>214,919</td> <td>220,384</td> </tr> <tr> <td>HS VALUE LIMIT</td> <td>0</td> <td>0</td> </tr> <tr> <td>CIRCUIT BRKR LIMIT</td> <td>0</td> <td>0</td> </tr> <tr> <td>NET APPRAISED</td> <td>214,919</td> <td>220,384</td> </tr> </table>		IMPROVEMENTS	155,618	161,083	LAND MARKET	59,301	59,301	MARKET VALUE	214,919	220,384	SPECIAL USE EXCL	0	0	APPRAISED VALUE	214,919	220,384	HS VALUE LIMIT	0	0	CIRCUIT BRKR LIMIT	0	0	NET APPRAISED	214,919	220,384
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Taurus Estates No. 9 PH 3 LOT 132 TYPE: R DBA GEO ID: T0943-09-000-0132-00 Ref ID: 464851 Ref ID: R671106 SUBTYPE: RES LEGAL ACREAGE:		1901 AZALEA ST MISSION TX 78573-6739 AS CODE: T094309 MAPSCO: SLJA025 SUB MKT: TIF: APPR VAL METHOD: cost-local		CAD 100.00 CMS 100.00 DR1 100.00 GHD 100.00 JCC 100.00 SLJ 100.00 SST 100.00																											
GENERAL UTILITIES: AL, HY GBA: 0 TOPOGRAPHY: LV NRA: 0 ROAD ACCESS: PCG UNITS: 0 ZONING: RS RENT: 0		REMARKS (2024) RMVD PAT & NEW ADD & CAN (2021) ADJ % NEW ROOF: CONV CAN TO PAT; ADJ CL; CONV GAR TO POR(2018) CONV ENC TO GAR(2015) ADJ CL, NEW STG & CAN 2015(2013) ENC GAR 13(2012) ADJ CL 2012(2010) ADJ CL, ENC GAR 09(2009) ADJ CL, ENC GAR 09(2008) NEW IMPS 06(2007) NEW IMPS 06(2008) NEW		SKETCH 																											
TAXING UNIT CD TAXING UNIT NAME PCT 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% SLJ LA JOYA ISD 100.00% SST SOUTH TEXAS SCHOOL 100.00%		PICTURE 																													
DEED HISTORY DATE TYPE BOOK/PG INST # BUYER SELLER 2012-06-21 SVD null/null 2319048 OROZCO RAUL RAY AUDIE 2012-05-04 SWD null/null 2305491 RAY AUDIE DEUTSCHE BANK 2011-12-16 STD null/null 2265683 DEUTSCHE BANK CERDA MARIO A																															
IMPROVEMENT VALUATION # TYPE DESCRIPTION MODEL CLASS AREA UN PRC UNITS STY BUILT EF YR COND FEAT AMT VALUE DEP PHYS ECON FUNC COMP ADJ VALUE MA Residential Main RES BRKFA 1,574 78.38 1 1 2005 2010 AV 0 123,370 83.00 100.00 100.00 100.00 0.83 102,357 GAR GARAGE RES BRKFA 320 39.19 1 1 2007 2010 * 0 12,541 83.00 100.00 100.00 100.00 0.83 10,409 POR PORCH RES BRKFA 24 19.59 1 1 2005 2010 AV 0 470 83.00 100.00 100.00 100.00 0.83 390 STG STORAGE RES BRKFA 120 8.0 1 1 2014 2014 * 0 960 50.00 100.00 100.00 100.00 0.50 480 ADD ADDITION RES BRKFA 384 78.38 1 1 2023 2023 * 0 30,098 98.00 100.00 100.00 100.00 0.98 29,496 CAN CANOPY RES BRKFA 660 5.0 1 1 2023 2023 * 0 3,300 99.00 100.00 100.00 100.00 0.99 3,267 1 Style: Finish Out: 100 Area: 1,958 Homesite: N (0.00%) Structure: Ext. Wall: BRK COM. MOD		IMPROVEMENT DETAIL ADJ # ADJ TYPE ADJ AMT ADJ % DESC CODE Exterior Wall DBRK Interior Finish SRK Roof Style MIX Roof Covering CmpS ROOF HEIGHT MP Heating/Cooling AND Flooring TIL WALL HEIGHT 8 Number of 3.00 Plumbing 2 BATH 2 Custom 0 Construction RES Foundation SLB Construction RES																													
LAND VALUATION L# DESCRIPTION TYPE SOIL CLS TABLE SC HS METH DIM UNIT PRC ADJ M ADJ VAL SRC MKT VAL 1 LOT L T094309R A1 No SF 7188.00 sf 8.25 1,000 A 59,301 AS Code: 100.00% Market Area: 100.00%		LAND ADJUSTMENTS SEQ ADJ TYPE ADJ AMT ADJ % No		PRODUCTIVITY VALUATION AG USE TABLE UNIT AG VALUE No 0.00 0																											

MAILOUT LIST

PROP_ID	name	addrDelive	addrCity	addrState	addrZip
649668	CHAPA JOSE M & ALMA D	802 PARADISE CIR	PALMVIEW	TX	78572-7921
649555	MARTINEZ NORMA A	1903 MAGNOLIA ST	MISSION	TX	78573
649556	GUTIERREZ GUADALUPE & SUSANA	1901 MAGNOLIA ST	MISSION	TX	78573-6750
649557	VASQUEZ FLORENTINO JR & DULCE CRUZ	4010 CRISANTEMA ST	MISSION	TX	78573-5045
649558	ALANIS JOSE R & RITA M RIOS	4012 CRISANTEMA ST	MISSION	TX	78573-5045
671106	OROZCO RAUL	1901 AZALEA ST	MISSION	TX	78573-6739
671104	BARRERA NORBERTO III	3301 HARVEY DR	MCALLEN	TX	78501-5816
671051	VALDEZ SYLVIA A & ENNIO E BARILLAS	1903 W 40TH ST	MISSION	TX	78573-5009
671050	PERALES DEANA	1905 40TH ST	MISSION	TX	78573-5009
671054	DE LA CRUZ MELISSA	1902 W 40TH ST	MISSION	TX	78573-5009
670978	FUENTES JESUS ANTONIO	1906 AZALEA ST	MISSION	TX	78573-6701
670975	PEREZ GONZALO HUGO	1900 AZAELEA ST	MISSION	TX	78573-6701
671049	WEDIG CINDY	2310 WILDFLOWER DR	EDINBURG	TX	78539
671052	GARCIA RODOLFO & ANTONIA G	1901 W 40TH ST	MISSION	TX	78573-5009
670977	RAMOS JOSUE P	3408 SAN ESTEBAN ST	MISSION	TX	78572-7499
670976	NAVARRO JENNY RAE & MARGARITO NOYOLA ET AL	1902 AZALEA ST	MISSION	TX	78573-6701
649665	LEAL SAUL C & NORMA I	4009 N INSPIRATION RD	MISSION	TX	78573-7791
649666	CHAPA JOSE M & ALMA D	802 PARADISE CIR	PALMVIEW	TX	78572-7921
649667	CHAPA JOSE M & ALMA D	802 PARADISE CIR	PALMVIEW	TX	78572-7921
671057	FUENTES LIZETTE	505 FROST PROOF DR	WESLACO	TX	78599-4739
671102	OLVERA JUAN M	14525 WOOD RD	RIVERSIDE	CA	92508-9000
671105	HOYUELA MARIA ESTHER & ERIK	301 N JO BETH ST	ALTON	TX	78573-5843
671103	HERNANDEZ JOSE N & HILDA L	1907 AZALEA ST	MISSION	TX	78573-6739
671056	GUAJARDO FRANCISCO JAVIER	1906 W 40TH ST	MISSION	TX	78573-5009
671055	GUEVARA ALDO H ZAPATA	1904 W 40TH ST	MISSION	TX	78573-5009
671053	DELGADO IGNACIO & BELINDA S	1900 W 40TH ST	MISSION	TX	78573-5009
670979	ALVARADO CARMEN JR	1908 AZALEA ST	MISSION	TX	78573-6701