



MEETING DATE: January 28, 2026
PRESENTED BY: Xavier Cervantes, AICP, CPM – Director of Planning
AGENDA ITEM: Public hearing and consideration of a variance request to allow a 0-foot rear setback instead of the required 10 feet and a 0' corner side setback instead of the required 10 feet for a 12'x12'-6" existing storage shed, being Lot 18, Crystal Estates Phase 1 Subdivision, located at 1504 Rebecca Street, Applicant: Luis A. Rodriguez – Cervantes

NATURE OF REQUEST:

Project Timeline:

- November 14, 2025 – Application for Variance Request submitted to the City.
- January 15, 2026 – 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, and notice of public hearing was published in the Progress Times.
- January 28, 2026 – Public hearing and consideration of the requested variance by the Zoning Board of Adjustments (ZBA).

Summary:

- The request is for a variance not to comply with Section 1.371.- R-1 (Single Family Residential District), which states:
 - Minimum Corner Side Setback: 10 feet
 - Minimum Rear Setback: 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.
- The property is located at the Northwest corner of Rebecca Street along Truman Avenue.
- The applicant is requesting a variance to keep a 12'x12'-6" shed within the rear and side setback.
- Crystal Estates Phase 1 Subdivision was recorded on July 30, 2008. The regular lot measures 70 feet in width by 126.50 feet in length, totaling 8,855 square feet. There is currently an existing 1,511 square foot single-family residence on the property. The applicant constructed the shed without obtaining the proper permits.
- The lots to the east, west, north, and south are developed as Single-Family Residences.
- City officials from the Code Enforcement Division noticed the shed and gave the property owner a 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 27 legal notices to surrounding property owners.
- There is no history of variances in this subdivision.

- 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 state law, HB 1475, that allows variances to be granted if:
 - The financial cost of 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:

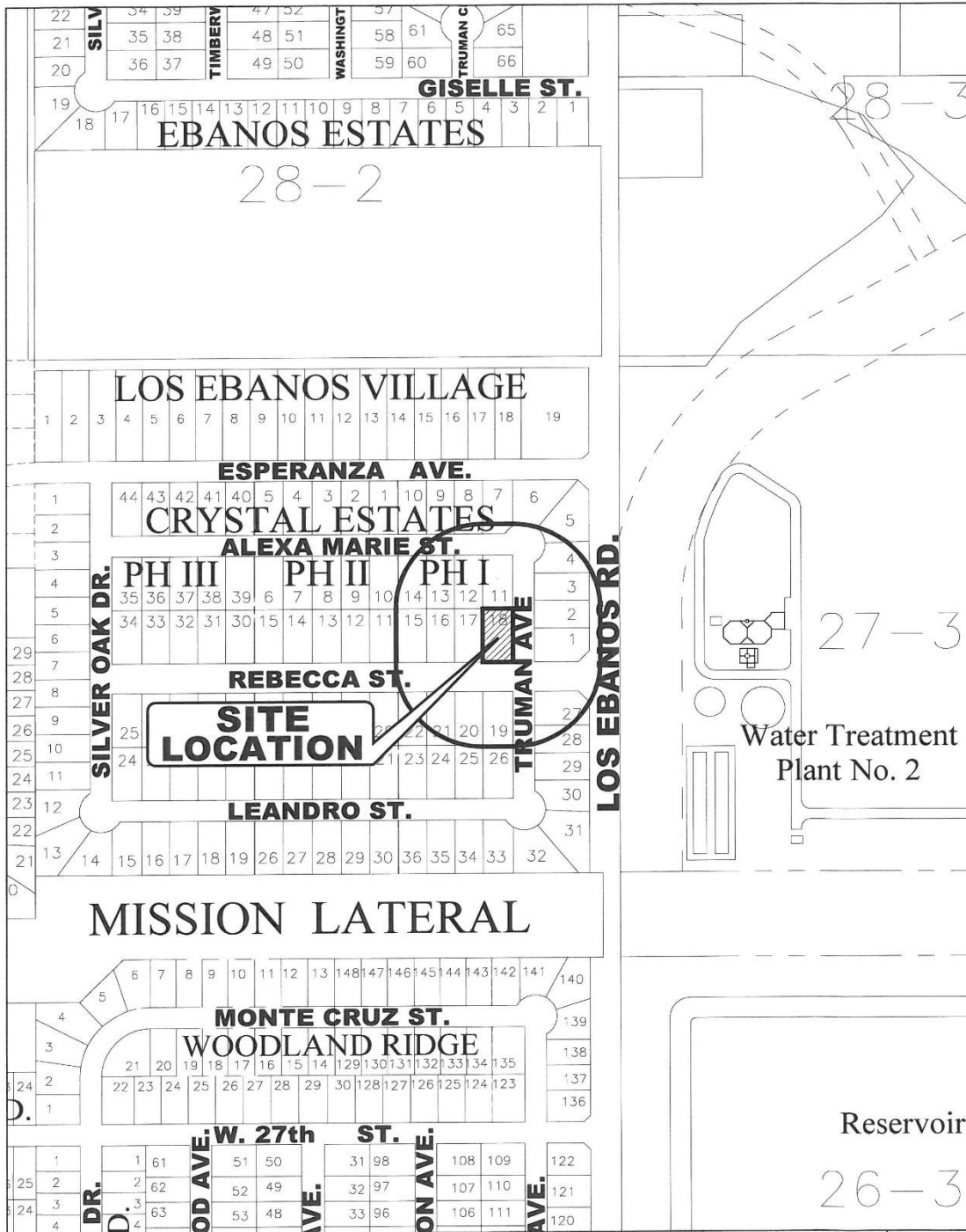
Staff recommends disapproval of the variance request as:

1. The request does not meet the standards for the issuance of a variance as described in the City of Mission Code of Ordinances.
2. The structure was built without a permit, and
3. This is a self-imposed hardship.

However, if 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 structure will remain perpetually “open and to its footprint” and if the structure is ever removed, the prevailing setbacks shall be complied with thereafter, 2) obtaining a building permit, and 3) paying a double permit fee.

RECORD OF VOTE:	APPROVED:	_____
	DISAPPROVED:	_____
	TABLED:	_____
_____ AYES		
_____ NAYS		
_____ DISSENTING _____		

VICINITY MAP



200' RADIUS MAILOUT



CITY OF MISSION
HIDALGO COUNTY, TEXAS

1201 E 8th Street
MISSION, TX 78572

PH (956) 580-8672
FAX (956) 580-8680

No.

ARIEL MAP



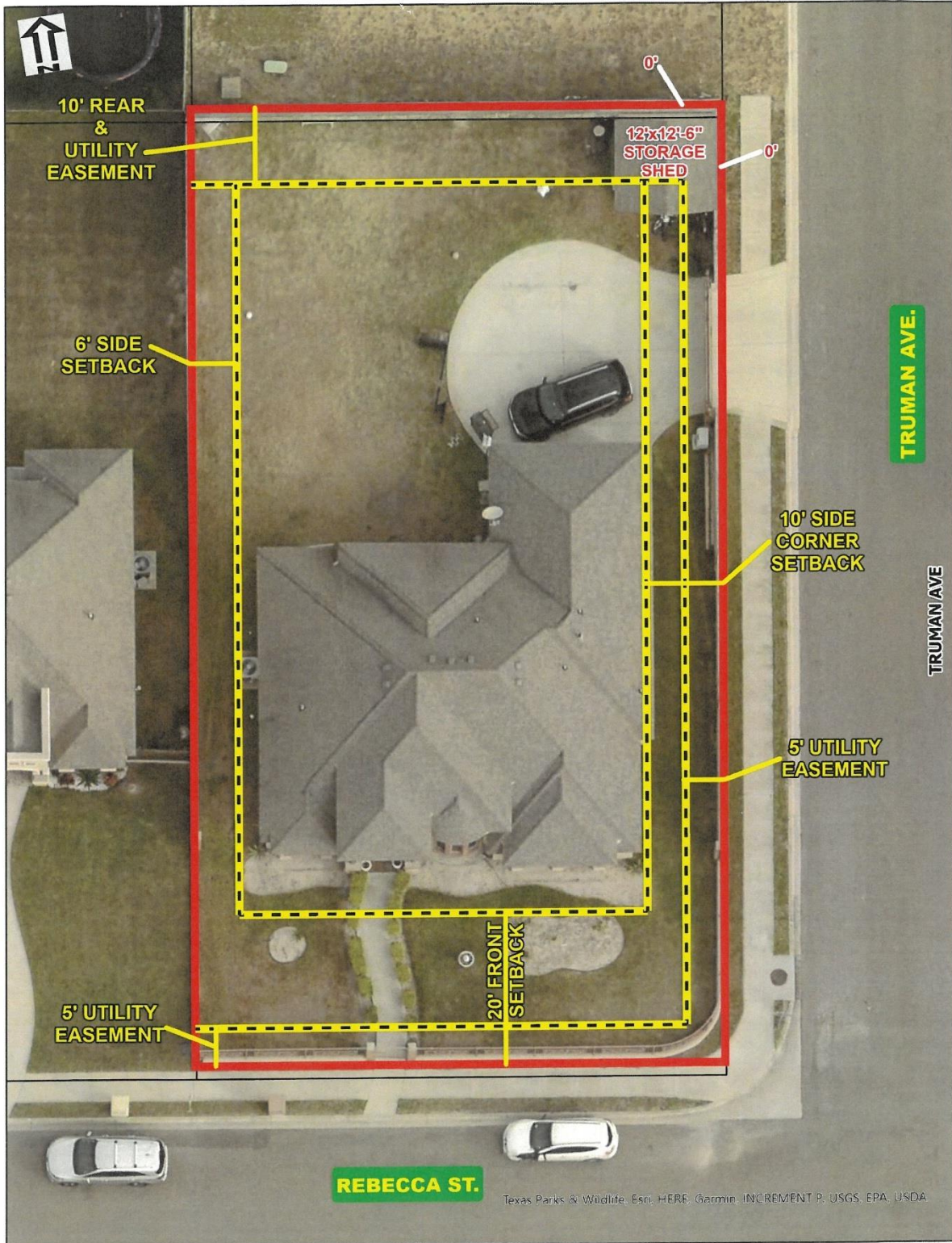
PICTURES




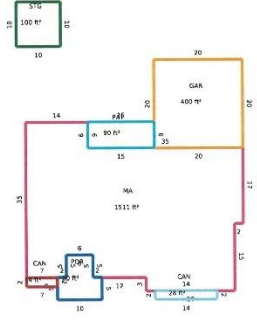
PICTURES



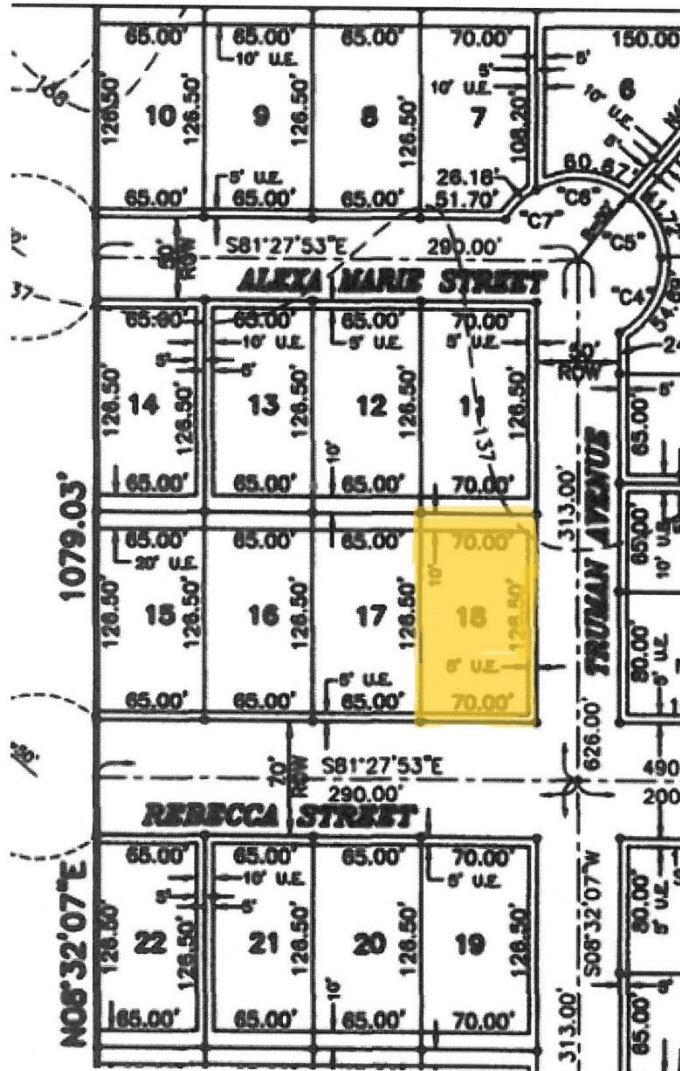
ARIEL MAP



ATTACHMENTS

PUBLIC CARD WITH SKETCH 2026-0-0										Valuation Method: cost-local		November 19, 2025																									
PROPERTY ID AND LEGAL DESCRIPTION				OWNER ID, NAME, AND ADDRESS				EXEMPTIONS		VALUES		2025		2026																							
726153 1504 REBECCA ST. MISSION TX				RODRIGUEZ LUIS A & CRISTINA ESQUIVERA 1072522 100.00000				HS		IMPROVEMENTS		182,885		189,884																							
CRYSTAL ESTATES PH 1 LOT 18 TYPE: R DBA: GEO ID: C9639-01-000-001B00 REF ID1: 162932 REF ID2: R726153 SUBTYPE: RES LEGAL ACREAGE:				1504 REBECCA ST MISSION TX 78744-0223				TAKING UNITS		LAND MARKET		66,413		66,413																							
TOPOGRAPHY: LV ROAD ACCESS: PCG ZONING: RS				AGENT: 1204109 OWNWELL, INC EFF DATE: 2024-05-14 EXP DATE:				CAD 100.00 CMB 100.00 DR1 100.00 GHD 100.00 JCC 100.00 SMS 100.00 SST 100.00		MARKET VALUE		249,399		247,367																							
GENERAL				REMARKS						SPECIAL USE EXCL		0		0																							
JTLITE: AL GBA: 0 TOPOGRAHY: LV NRA: 0 ROAD ACCESS: PCG UNITS: 0 ZONING: RS RENT: 0				(2022) NEW STG (2019) ADJ CL (2017) RMVD NBHD 17 (2013) NEW IMP'S 2013 COMEST DIMS GATED LOCKED (2010) VAC (2009) VAC						APPRAISED VALUE		249,399		247,367																							
TAXING UNIT CD: TAXING UNIT NAME				PICTURE						HS VALUE LIMIT		0		0																							
CAD APPRAISAL DISTRICT 100.00% CMB 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%										CIRCUIT BRKR LIMIT		0		0																							
DEED HISTORY				SKETCH						NET APPRAISED		249,399		247,367																							
DATE TYPE BOOK # PG INST # BUYER SELLER																																					
2016-03-21 WDV null null 2696076 RODRIGUEZ LUIS GARZA IGNACIO																																					
2015-11-16 WD null null 2952784 GARZA IGNACIO GARZA LORENA																																					
2013-07-10 AWD null null 2429421 GARZA LORENA GALVAN JOSE L																																					
IMPROVEMENT VALUATION										IMPROVEMENT DETAIL ADJ		IMPROVEMENT FEATURES																									
#	TYPE	DESCRIPTION	MODEL CLASS	AREA	UN	PRC	UNITS	STY	BUILT	EF	YR	COND	FEAT	AMT	VALUE	DEP	PHYS	ECOM	FUNG	COMP	ADJ	VALUE	#	ADJ	TYPE	ADJ	AMT	ADJ	%	DESC	CODE						
1	MA	Residential Main	RES STUAV	1,511	90.90	1	1	2012	2012	AV	D	136,746	86.00	100.00	100.00	100.00	100.00	100.00	100.00	0.86	117,602																
	GAR	GARAGE	RES STUAV	400	45.25	1	1	2012	2012	AV	D	18,100	86.00	100.00	100.00	100.00	100.00	100.00	100.00	0.86	15,565																
	PAT	PATIO	RES STUAV	90	22.63	1	1	2012	2012	AV	D	2,037	86.00	100.00	100.00	100.00	100.00	100.00	100.00	0.86	1,752																
	POR	PORCH	RES STUAV	80	22.63	1	1	2012	2012	AV	D	1,910	86.00	100.00	100.00	100.00	100.00	100.00	100.00	0.86	1,551																
	CAN	CANOPY	RES STUAV	28	22.63	1	1	2012	2012	AV	D	634	86.00	100.00	100.00	100.00	100.00	100.00	100.00	0.86	545																
	CAN	CANOPY	RES STUAV	14	22.63	1	1	2012	2012	AV	D	317	86.00	100.00	100.00	100.00	100.00	100.00	100.00	0.86	273																
	STG	STORAGE	RES STUAV	100	8.0	1	1	2020	2020	*	D	800	99.00	100.00	100.00	100.00	100.00	100.00	100.00	0.99	792																
	1		STGD: A1	2,223	Area:	1,511	Quality:	AV	Structure:						160,444	AS Code:	100.00%	Market Area:	131.00%		180,894																
		Style:	Finish Out:	100																																	
LAND VALUATION										LAND ADJUSTMENTS		PRODUCTIVITY VALUATION																									
LF	DESCRIPTION	TYPE	SOIL	CLS	TABLE	SC	HS	METH	DIV	UNIT	PRC	ADJ	MADJ	VAL	SRG	MKT	VAL	SEQ	ADJ	TYPE	ADJ	AMT	ADJ	%	AG	USE	TABLE	UNIT	AG	VALUE							
1	LOT	L			C563001	A1	Yes	SF	8855.00	SF	7.50	1.000		66,413	A	66,413									No			G00	0	0							

ATTACHMENTS



MAILOUT LIST

PROP_ID	geolD	name	addrDelive	addrCity	addrState	addrZip
726163	C9539-01-000-0028-00	MONTES RAMON A MENDEZ	2806 TRUMAN AVE	MISSION TX		78574-7672
726162	C9539-01-000-0027-00	TOSCANO MARIA ELVIA	2808 TRUMAN AVENUE	MISSION TX		78574
726160	C9539-01-000-0025-00	LEON KRystal L & KELLY JO GARCIA	1506 LEONARDO ST	MISSION TX		78574
726161	C9539-01-000-0026-00	MELLENDEZ RICARDO	1504 LEANDRO ST	MISSION TX		78574-0022
726154	C9539-01-000-0019-00	GARCIA MIGUEL ANGEL ET AL	1503 REBECCA ST	MISSION TX		78574
726155	C9539-01-000-0020-00	MUNOZ CYNTHIA B	1505 REBECCA ST	MISSION TX		78574-0024
726156	C9539-01-000-0021-00	RAMOS JASEN M & CRISTINA C	1507 REBECCA ST	MISSION TX		78574-0024
726157	C9539-01-000-0022-00	CHAPA ANA G DE IBARRA	1509 REBECCA ST	MISSION TX		78574-0024
726149	C9539-01-000-0014-00	MORENO MATEO RODRIGUEZ & JESSICA	1509 ALEXA MARIE ST	MISSION TX		78574-0020
726150	C9539-01-000-0015-00	DE LA GARZA LUIS A	1907 SUMMER BREEZE RD APT C	MISSION TX		78572-3335
726151	C9539-01-000-0016-00	GUZMAN ALEJANDRA & NATIVIDAD VASQUEZ	1508 REBECCA ST	MISSION TX		78574-0023
726148	C9539-01-000-0013-00	FLORES ARMANDO JR	1507 ALEXA MARIE ST	MISSION TX		78574
726147	C9539-01-000-0012-00	HANDY MARCO & IRENE	1505 ALEXA MARIE ST	MISSION TX		78574
726152	C9539-01-000-0017-00	SOLIS ADOLFO JR & ADOLFO SOLIS SR	1506 REBECCA ST	MISSION TX		78574-0023
726153	C9539-01-000-0018-00	RODRIGUEZ LUIS A & CRISTINA ESQUIVERA	1504 E REBECCA ST	MISSION TX		78574-0023
726146	C9539-01-000-0011-00	RAMIREZ PATRICIA A	1503 ALEXA MARIE ST	MISSION TX		78574-0020
726133	C9539-01-000-0001-00	BALDERAS JUAN ALBERTO	2902 TRUMAN AVE	MISSION TX		78574-7671
726137	C9539-01-000-0002-00	AGUILLON ALEJANDRO & MARISOL	2904 TRUMAN AVE	MISSION TX		78574-7671
726138	C9539-01-000-0003-00	PENA JAVIER H & ERIKA	2906 TRUMAN AVE	MISSION TX		78574-7671
726139	C9539-01-000-0004-00	CRUZ JOSE FRANCISCO	2908 TRUMAN AVE	MISSION TX		78574-7671
726140	C9539-01-000-0005-00	BERCHELMANN ALANN & MARCELA A GARZA	2910 TRUMAN AVE	MISSION TX		78574-7671
726141	C9539-01-000-0006-00	MONTEMAYOR MARICELA GONZALEZ & GERARDO GONZALEZ	1502 ALEXA MARIE ST	MISSION TX		78574-0019
726142	C9539-01-000-0007-00	GARZA DAVID JR & CLAUDIA YVETTE GARZA	1504 ALEXA MARIE ST	MISSION TX		78574-0019
726143	C9539-01-000-0008-00	ALANIZ GUADALUPE	1506 ALEXA MARIE ST	MISSION TX		78574
726144	C9539-01-000-0009-00	CHAIRE GABRIELA & ANGEL	1508 ALEXA MARIE ST	MISSION TX		78574-0019
1074458	C9539-02-000-0011-00	GARCIA ITZAMARA & CARLOS E C RODRIGUEZ	1512 REBECCA ST	MISSION TX		78574-0023
1074457	C9539-02-000-0010-00	GARZA RICARDO A	1511 ALEXA MARIE	MISSION TX		78574-0020