



**MEETING DATE:** September 24, 2025

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

**AGENDA ITEM:** Tabled: Public hearing and consideration of a variance to allow a 1' rear setback instead of the required 10' and a 1' side setback instead of the required 6' for a 10' by 8' Shed, being Lot 37, Montecristo Subdivision, located at 1909 W. 26<sup>th</sup> Street, Applicant – Craig King - Cervantes

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**NATURE OF REQUEST:**

Project Timeline:

- June 1, 2025 – Application for Variance Request submitted to the City
- August 17, 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.
- August 27, 2025 – During the public hearing the Zoning Board of Adjustments votes to table the request.
- September 24, 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) (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 request is for a variance not to comply with Section 1.371 (5) (g) of the Mission Code of Ordinances, which states:  
Minimum width of side setback: (1) Internal lot: 6 feet
- 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 along the South side of 26<sup>th</sup> Street approximately 230 feet West of Inspiration Road.
- The applicant is requesting a variance to keep an already-constructed carport, patio structure and shed.
- The Montecristo Subdivision was recorded on May 30, 2018. The subject property is a rectangular-shaped lot that has a depth of 100 feet and a width of 60 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.
- There is no history of variances in this subdivision.
- 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.

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**RECORD OF VOTE:****APPROVED:** \_\_\_\_\_**DISAPPROVED:** \_\_\_\_\_**TABLED:** \_\_\_\_\_

\_\_\_\_\_ AYES

\_\_\_\_\_ NAYS

\_\_\_\_\_ DISSENTING \_\_\_\_\_

# LEGAL NOTICE MAP



#19 SUBD.

16 17 18 19 20 21 22 23 24 25

1 2 3 4 5 6 7 8 9 10 11

INSPIRATION HEIGHTS

16 17 18 19 20 21 22 23 24

15 14 13 12 11

**MONTE CRUZ St.**

31 30 29 28 27 26 25

32 33 34 35 36 37 38

**W. 27th St.**

9 8 7 6 5 4 3 2 1

9 8 7 6 5 4 3 2 1

**MONTECRISTO**

**W. 26 1/2 ST.**

47 46 45 44 43 42

34 35 36 37 38 39 40

33 32 31 30 29 28 27

**W. 25 1/2 ST.**

18 19 20 21 22 23 24 25 26

17 16 15 14 13 12 11 10

19 20 21 22 23 24 25 26

18 17 16 15 14 13 12 11 10

**GIRASOL DR.**

33 32 31 30 29 28

34 35 36 37 38 39 40

**W. 25th. ST.**

47 46 45 44 43 42 41

48 49 50 51 52 53 54

**LIZ DR.**

19 20 21 22 23 24 25 26

18 17 16 15 14 13 12 11 10

19 20 21 22 23 24 25 26

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**W. 27th ST.**

48 47 46 45 44 43 42 41 40 39 38 37

1 2 3 4 5 6 7 8 9 10 11 12

**W. 26 1/2 ST.**

1 2 3 4 5 6 7 8 9 10 11 12

**EL VALLE**

**W. 26th ST.**

48 47 46 45 44 43 42 41 40 39 38 37

1 2 3 4 5 6 7 8 9 10 11 12

**GABRIEL ST.**

48 47 46 45 44 43 42 41 40 39 38 37

1 2 3 4 5 6 7 8 9 10 11 12

**200' H.C.I.D. N**

**GIRASOL SUBD.**

1 2 3 4 5 6 7 8 9 10 11 12

**GIRASOL DR.**

31 30 29 28 27 26 25 24

32 47 33 46 34 45 35 44 36 43 37 42 38 41 39 40

**FLORES DR.**

1 2 3 4 5 6 7 8 9 10 11 12

**BETO DR.**

1 2 3 4 5 6 7 8 9 10 11 12

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**SITE LOCATION**

N LATERAL

DOL #4 SUBD.

LOT 1

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ER RESUB.

C

D

**200' RADIUS MAILOUT**



**AERIAL MAP**

Diagram illustrating the setbacks and easements for a property, overlaid on an aerial photograph. The property is bounded by a red line. Key features and setbacks are labeled:

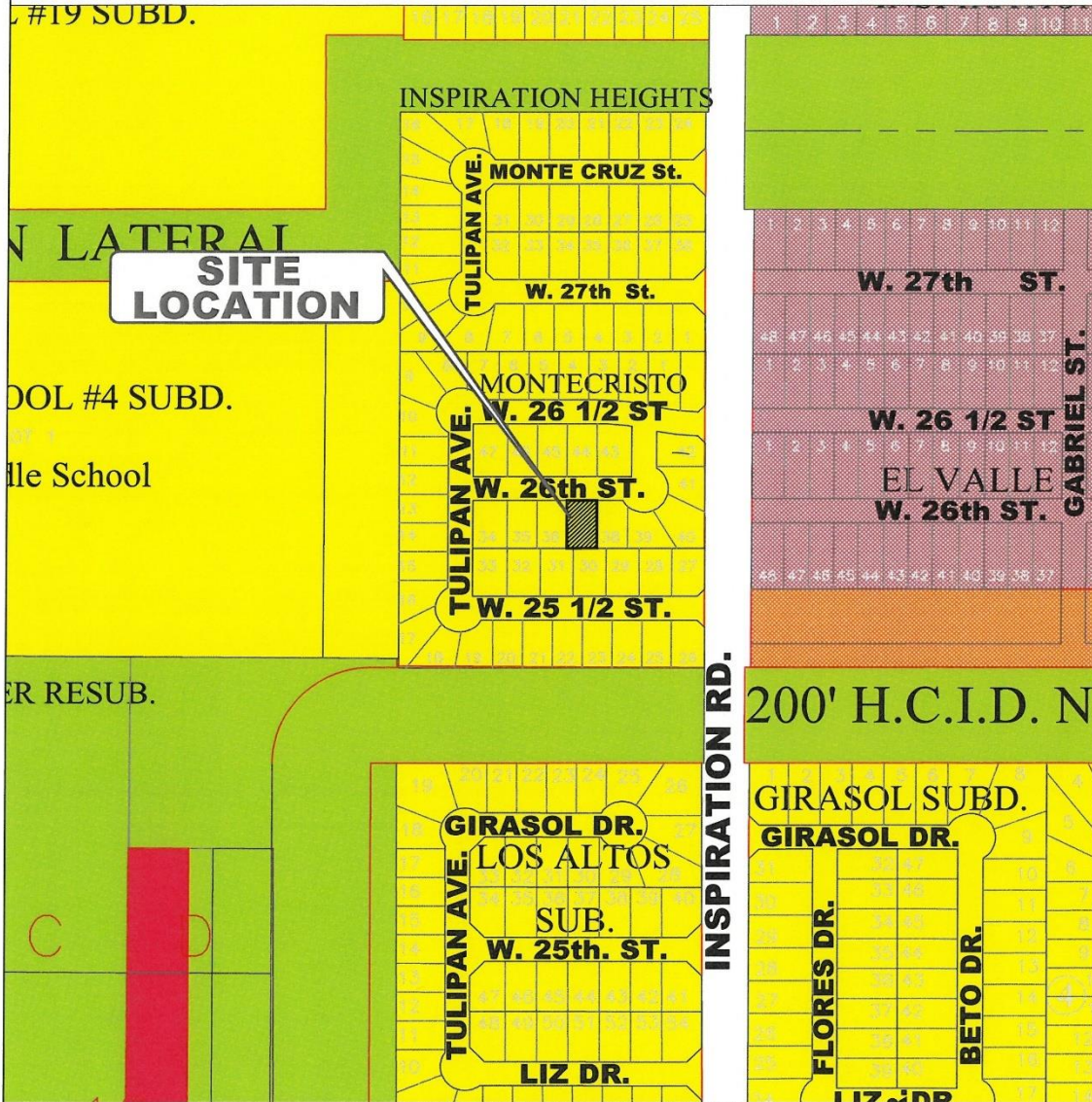
- 18'X21' CARPORT** (Hatched area)
- 5' UTILITY EASEMENT** (Yellow dashed line)
- 18' GARAGE SETBACK** (Yellow dashed line)
- 6' SIDE SETBACK** (Yellow dashed line)
- 27'X19' PATIO** (Red dashed line)
- 10'X8' SHED** (Red dashed line)
- 10' UTILITY EASEMENT & REAR SETBACK** (Yellow dashed line)
- 4'** (Red arrow pointing to the rear setback line)
- 2'** (Red arrow pointing to the rear setback line)
- 1'** (Red arrow pointing to the rear setback line)

Source: Photos by Wildlife, Karl HERE, Garmin, INCREMENT P, USGS, EPA, USGS

Texas Parks & Wildlife, Fort HARRIS, Garmin, INCREMENT P, USGS FPA, USDA



# 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





SHED PHOTO





SHED PHOTO





SHED PHOTO






## TEXAS 811 LOCATE REQUEST

2:59

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**texas811locates@texas...** 2:55 PM  
To: [cdklv@yahoo.com](mailto:cdklv@yahoo.com) >

### Locate Message

To update or view a map of the dig location click [here](#) to go to the Texas811 Portal Site.

#### Texas811 Locate Request


Ticket Number:	2576123607	Old Ticket:	2575283770
Source:	Voice	Hours Notice:	48
Type:	Recall	Taken Date:	9/18/2025 2:55:21 PM
Seq Num:	1		


#### Company Information


Excavator:	CRAIG KING	Type:	Homeowner
Address:	1909 W 26TH ST	Contact:	CRAIG KING
City, St, Zip:	MISSION, TX 78574	Contact Phone:	(702) 272-4907
Phone:	(702) 272-4907	Caller:	CRAIG KING
Fax:		Caller Phone:	(702) 272-4907
Callback:			
Caller Email:	CDKLV@YAHOO.COM		
Contact Email:	<a href="mailto:CDKLV@YAHOO.COM">CDKLV@YAHOO.COM</a>		


#### Work Information

9/22/2025









## MAILOUT LIST

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Locate Message

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Work Information

State:	TX	Work Date:	9/22/2025 3:00:00 PM
County:	HIDALGO	Work Zip Code:	78574
City:	MISSION		
Work Done For:	CRAIG KING	Duration:	UNKNOWN
Address:	1909 W 26TH ST	Deeper Than 16in:	Unknown
Intersection:	TULIPAN AVE	Explosives:	No
Nature of Work:	Remove-Sidewalk/ Driveway	White Lined:	No
Map Book:		Excavation Depth:	
Excavation Length:		Directional Boring:	No
Equipment Type:	None		

Excavator Supplied GPS

Driving Directions to Work Site

Work Site Locate Instructions

LOCATE THE REAR FENCE OF THE PROPERTY

Additional Information

Recall-2575283770, SHED \*\* RECALL - CORRECTION TO EMAIL

Interactive Ticket Link

<https://txgc.texas811.org/ui/ticket/2576123607>

Excavator Requested Positive Response



## MAILOUT LIST

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Locate Message

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Excavator Requested Positive Response Method

Members

Code	Name
AC2	Aep Texas
CCTXS	Spectrum
MSN	City of Mission - Public Works Department
MVE	Magic Valley Electric Coop. Inc.
TXS1	At&t

Please be advised that water, slurry, sewage, service lines and privately owned facilities in the area of the proposed excavation may not be located even after contacting the 811 Center. If your facility is not listed or marked by the utility company you will need to contact the company directly or get private locates by an authorized party.

Work Location Bounding Box

Latitude:	26.237177	Longitude:	-98.347777
Second Latitude:	26.237774	Second Longitude:	-98.347187

In the future you can submit your tickets quick and easy online at the [Texas811 Portal Site](#).

**Call [811](#) to report all damages.**

Under Railroad Commission Damage Prevention rules, Texas Administrative Code, Chapter 18, Title 16, Part 1, Rule 18.1, this locate request expires after 14 working days.

## MAILOUT LIST

PROP_ID	geolD	name	addrDelive	addrCity	addrState	addrZip
1180718	M5795-00-000-0047-00	PORTILLO ALEJANDRO	4105 HILLCREST DR	MISSION	TX	78573-6737
1180716	M5795-00-000-0045-00	CERVANTES ARTURO	1908 W 26TH ST	MISSION	TX	78574
1180714	M5795-00-000-0043-00	TARBUTTON CHRISTOPHER LEE	1904 W 26TH ST	MISSION	TX	78574-8300
1180713	M5795-00-000-0042-00	LUCERO ERIKA	2316 PARIS ST	MISSION	TX	78574-5729
1180712	M5795-00-000-0041-00	HINOJOSA JESUS E JR	2600 CRISANTEMA ST	MISSION	TX	78574
1180711	M5795-00-000-0040-00	AYALA JORGE JR & YTZEL HINOJOSA	1903 W 26TH ST	MISSION	TX	78574-8300
1180710	M5795-00-000-0039-00	SALINAS CLAUDIA JEANNETTE	2508 E BUSINESS HWY 83 APT #10	MISSION	TX	78572-9120
1180709	M5795-00-000-0038-00	BALDERAS CYNTHIA LORENA	1907 W 26TH ST	MISSION	TX	78574-8300
1180708	M5795-00-000-0037-00	KING CRAIG DAVID & OLGA TERESITA	1909 W 26TH ST	MISSION	TX	78574-8300
1180707	M5795-00-000-0036-00	GUAJARDO BRIANDA & ELOY GUAJARDO JR	1911 W 26ST	MISSION	TX	78574
1180706	M5795-00-000-0035-00	GARCIA ADRIAN & LAURA PRADO	1913 W 26TH ST	MISSION	TX	78574-8300
1180705	M5795-00-000-0034-00	ALAFFA NANCY	1915 W 26TH ST	MISSION	TX	78574-8300
1180704	M5795-00-000-0033-00	GONZALEZ JUAN A & KARINA Y	1912 W 25TH 1/2 ST	MISSION	TX	78574
1180703	M5795-00-000-0032-00	CASTILLO ANGEL E & ALEJANDRO MUNIZ	1910 W 25TH 1/2 ST	MISSION	TX	78574-7619
1180702	M5795-00-000-0031-00	CHAPA SERGIO ALBERTHO	1908 W 25TH 1/2 ST	MISSION	TX	78574-7619
1180701	M5795-00-000-0030-00	CANTU KAREN LILIANA	1726 W 20TH ST	MISSION	TX	78572-7327
1180700	M5795-00-000-0029-00	MARTINEZ ABRAN	1726 W 20TH ST	MISSION	TX	78572-7327
1180699	M5795-00-000-0028-00	MISKIN ALAN STEPHEN & ROSIO TANGUMA	1902 W 25TH 1/2 ST	MISSION	TX	78574-7619
1180698	M5795-00-000-0027-00	GALLARDO PRISCILLA & JOSE EDUARDO HERNANDEZ	1900 W 25TH 1/2 ST	MISSION	TX	78574-7619
1180696	M5795-00-000-0025-00	GAYTAN ERIK & ASHLEY M FLORES	2610 LINCOLN AVE	MISSION	TX	78574-0505
1180695	M5795-00-000-0024-00	CORTEZ KEVIN & SHEILA SAENZ	1905 W 25TH 1/2	MISSION	TX	78574
1180694	M5795-00-000-0023-00	URTEAGA JOAQUIN JACOB	1907 W 25TH 1/2 ST	MISSION	TX	78574-7619
1180693	M5795-00-000-0022-00	VASQUEZ ROBERT	1909 W 25TH 1/2 ST	MISSION	TX	78574-7619
1180692	M5795-00-000-0021-00	GUZMAN LINDSEY IMELDA & CHRISTIAN ARMANDO	1911 W 25TH 1/2 ST	MISSION	TX	78574-7619
1180691	M5795-00-000-0020-00	BARBOZA JAIME ROEL & NORIE GARZA	1913 W 25TH 1/2 ST	MISSION	TX	78574-7619
1180715	M5795-00-000-0044-00	CANTU MIRTHALA FLORES & MANUEL	1906 W 26TH ST	MISSION	TX	78574
1180717						
1180668						