



MEETING DATE: April 23, 2025

PRESENTED BY: Xavier Cervantes, Director of Planning

AGENDA ITEM: Public hearing and take action to consider a variance to allow a 6' rear setback instead of the required 10' for a 26' by 28' detached rear patio structure, being Lot 20, Hillcrest Valley Subdivision, located at 3106 Hillcrest Drive, Applicant – Blanca Morin - Cervantes

NATURE OF REQUEST:

Project Timeline:

- March 19, 2025 – Application for Variance Request submitted to the City
- April 11, 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.
- April 23, 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.
 - 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 East side of Hillcrest Drive approximately 360 feet South of 2 Mile Road.
- The applicant is requesting a variance to keep an already-constructed detached roof patio structure.
- The Hillcrest Valley Subdivision was recorded on November 24, 2020. The subject property has a depth of 120.46 feet and a width of 60 feet.
- City officials from the Code Enforcement Division noticed the detached roof patio structure in the backyard and gave the property owner a notice of violation for the construction of the structure without a building permit.
- The eastern edge of the structure metal posts are located six (6) feet from the rear property line.
- 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 16 legal notices to surrounding property owners.

STAFF RECOMMENDATION:

Staff recommends denial. The structures need to be modified or removed to comply with the required setbacks within 60/90 days. 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, with an acknowledgment of the utility easement 2) obtaining a building permit fee, and 3) accessing a double permit fee.

RECORD OF VOTE:

APPROVED:

DISAPPROVED:

TABLED:

_____ AYES

_____ NAYS

_____ DISSENTING _____

APPLICATION FORM



ZONING BOARD OF ADJUSTMENTS APPLICATION

NAME: Blanca Morin PHONE: (956) 445-9851
ADDRESS: 3106 Hillcrest Dr RECEIVED BY: _____
CITY: Mission DATE: 3/13/2025

SUBDIVISION: _____ LOT: _____ BLOCK: _____

APPROX. LOCATION: _____

ZONE: _____

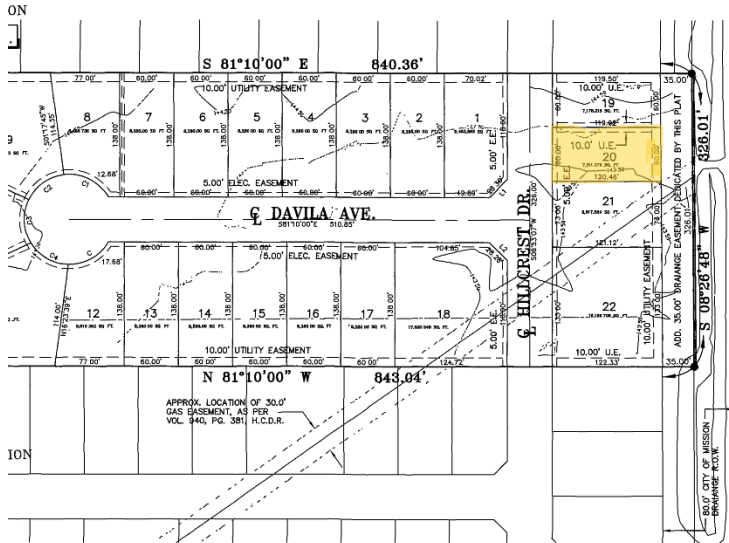
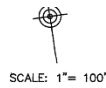
PURPOSE: Keep my existing porch, please.

OFFICE USE ONLY	

ZBA ACTION:	____ PASSED ____ TABLED ____ FAILED DATE: _____
COMMENTS:	_____ _____ _____
LETTERS MAILED:	____ FILING FEE: <u>\$250.00</u> RECEIPT NO.: <u>20250221</u>

APPLICANT'S SIGNATURE: Blanca Morin

RECORDED PLAT WITH SUBJECT PROPERTY HIGHLIGHTED



I (WE) THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS VALLEY SUBDIVISION TO THE CITY OF MISSION, COUNTY OF HIDALGO, DOES (DO) HEREBY SUBDIVIDE SUCH PROPERTY AND DEDICATE TO IT PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES TO CONSIDERATION THEREIN EXPRESSED.

NOR

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSON ME TO BE THE PERSON WHOSE NAMES IS SUBSCRIBED TO THE FC THAT HE EXECUTED THE SAME FOR PURPOSES AND CONSIDERATIC
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 02 DAY OF



[Signature]
NOTARY PUB
COUNTY OF 1

CITY OF MISSION
CERTIFICATE OF APPROVAL

UNDER LOCAL GOVERNMENT CODE 212.0115(B) WE THE UNDERSI
DAVILA"S SUBDIVISION WAS REVIEWED AND APPROVED BY THE C

[Signature]
MAYOR OF CITY OF MISSION

ATTEST: *[Signature]*
CITY SECRETARY



AERIAL WITH SETBACKS

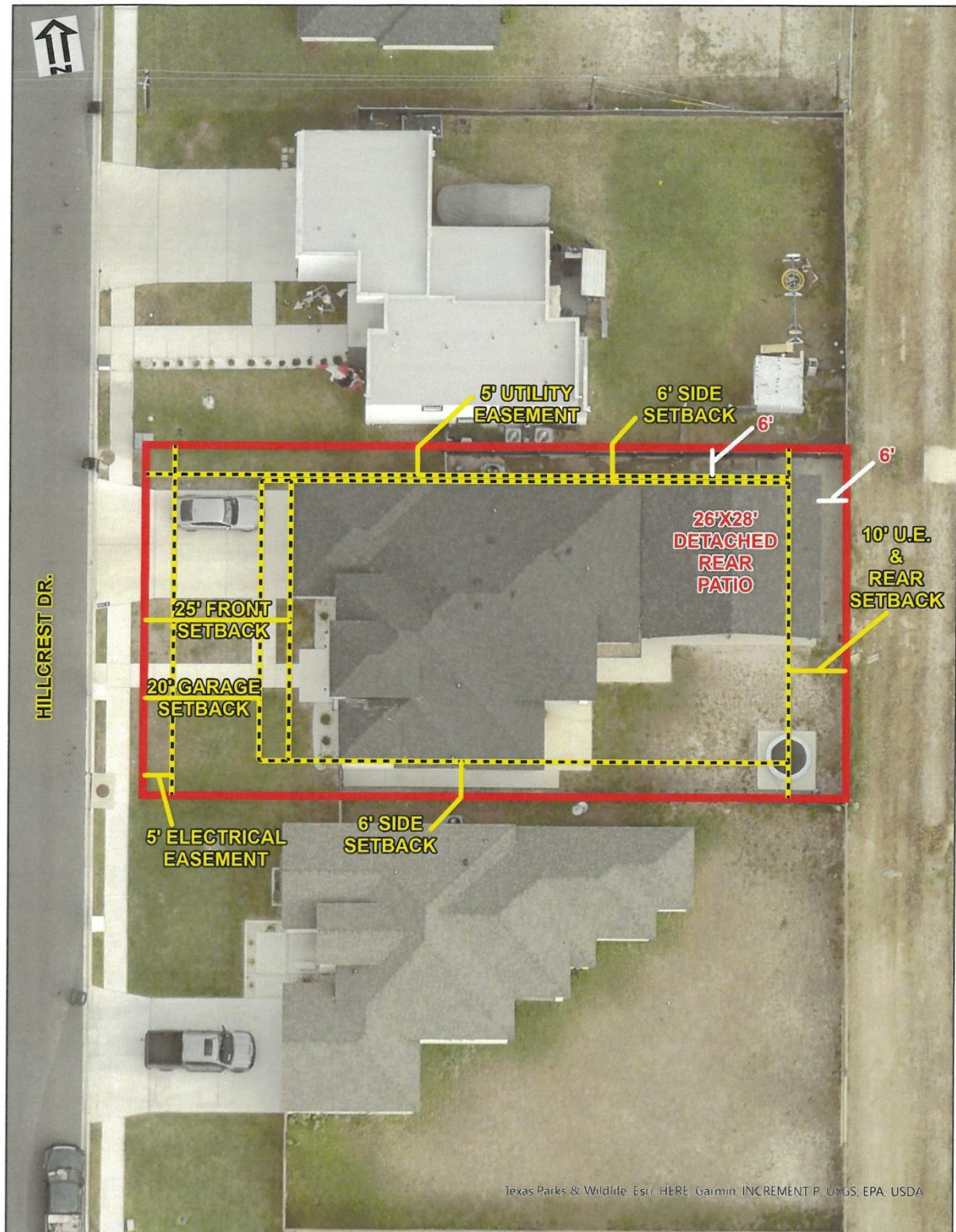


PHOTO OF THE DETACHED ROOF PATIO STRUCTURE



PHOTO OF THE DETACHED ROOF PATIO STRUCTURE



[illegible]

MAILOUT LIST

PROP_ID	Property Owners	addrDeliveryLine	addrCity	addrState	addrZip
817090	RODRIGUEZ DAVID	2009 W SANDSTONE DR	MISSION	TX	78574-0090
817087	DE LA CRUZ JOSE & MICHELE MARROQUIN	3114 HILLCREST DR	MISSION	TX	78574-4328
817086	ADAME LUIS L ESQUIVEL	SEPTIMA 101	MEXICO	NULL	NULL
817089	RODRIGUEZ MOISES & MELISSA CANO	2102 RAMIREZ LN	MISSION	TX	78573-3978
817107	CITY OF MISSION	1201 E 8TH ST	MISSION	TX	78572-5812
592400	GUAJARDO ANAYA ERICK	3107 TULIPAN ST	MISSION	TX	78574-8299
592399	GONZALEZ JOSE H & MARIE DEL SOCORRO	1504 VIEJO LN	MISSION	TX	78572-7889
592402	I & A INVESTMENTS LLC	5114 N INSPIRATION RD	MISSION	TX	78573-9313
592398	PEREZ HIRAM	3103 TULIPAN ST	MISSION	TX	78574-8299
592397	PONCE JORGE A GUTIERREZ &	3101 TULIPAN ST	MISSION	TX	78574-8299
592401	RODRIGUEZ EUGENIA	3111 TULIPAN ST	MISSION	TX	78574-8299
1313105	ESPINOZA MARCO A & SANDRA VALDEZ	1200 REFUGIO ST	ALTON	TX	78573-0487
1313104	GONZALEZ ALAN ISAI & GRECIA EVELYN SANCHEZ	2007 DAVILA AVE	MISSION	TX	78574-5704
1313090	GRIMALDO UBALDO RODRIGUEZ & BLANCA ALICIA OZUNA	2008 DAVILA AVE	MISSION	TX	78574-5704
1313089	RAMIREZ AALIYAH NICOLE	2004 DAVILA AVE	MISSION	TX	78574-5704
1313088	OCHOA GUILLERMO III & ARACELI RAMIREZ	2004 DAVILA AVENUE	MISSION	TX	78574-5704
1313106	MARTINEZ SANDY M HERREJON & ALEJANDRO DURAN TELLEZ	3108 HILLCREST DR	MISSION	TX	78574-5710
1313107	MORIN BLANCA ESTELA & RAUL HERNANDEZ III	3106 HILLCREST DR	MISSION	TX	78574-5710
1313108	RIOS ALFREDO	3104 HILLCREST DR	MISSION	TX	78574-5710
1313109	GARCIA ZACARIAS JR & MELISSA PEREZ	3100 HILLCREST DR	MISSION	TX	78574
1313087	CITY OF MISSION	1201 E 8TH ST	MISSION	TX	78572-5812
592414	BAZAN LEONEL	1108 LA PALMA DR	PALMVIEW	TX	78572-7611