



**MEETING DATE:** April 23, 2025

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

**AGENDA ITEM:** Public hearing and take action to consider a variance request to allow a 6 foot rear setback instead of the required 10 feet utility plus a 15 feet irrigation easement for a total of 25 feet rear setback for a swimming pool, being Lot 58, Shary Villas Subdivision, located at 2416 E. 20th Street. Applicant: Yuliana Salinas - Cervantes

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**NATURE OF REQUEST:**

Project Timeline:

- March 14, 2025 – Application for Variance Request submitted to the City.
- March 14, 2025 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- March 26, 2025 - Public hearing and 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.

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**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:	<input type="checkbox"/> PASSED	<input type="checkbox"/> TABLED <input type="checkbox"/> FAILED DATE: _____
COMMENTS:	_____ _____	
LETTERS MAILED:	<input type="checkbox"/>	FILING FEE: <u>\$250.00</u> RECEIPT NO.: <u>20250224</u>

APPLICANT'S SIGNATURE: Yuliana Salinas

March 19

Attachment II

**LOCATION SITE**

**BANNWORTH BUSINESS**

**Bannworth Park**

**Re-Subd. Lot 158**  
158-A 158-B

**CITY OF MISSION**  
HIDALGO COUNTY, TEXAS  
1201 E. 8th Street  
MISSION, TX 78572  
PH: (956) 580-8672  
FAX: (956) 580-8680



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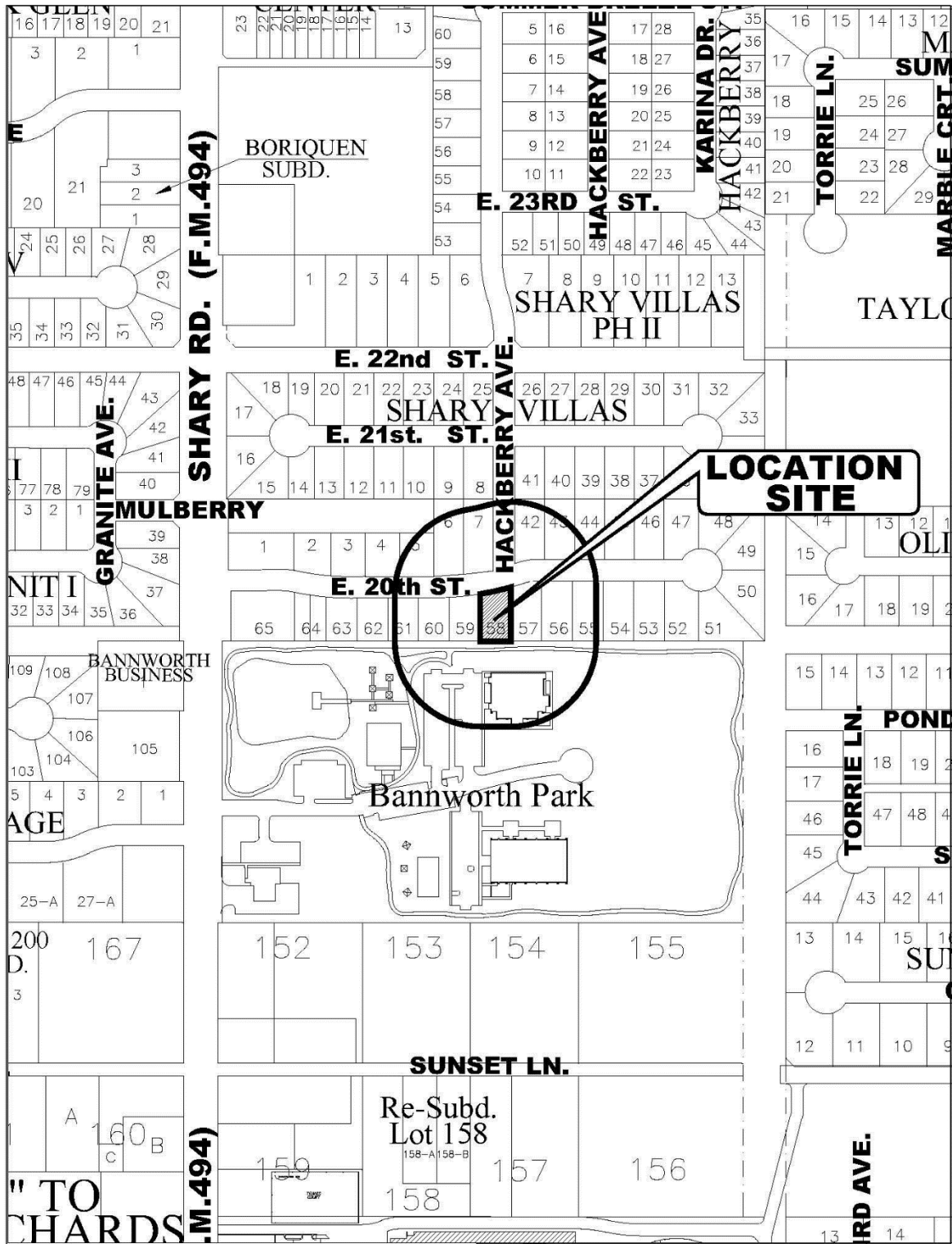
No.



Attachment III



# Attachment IV



**200' RADIUS  
MAILOUT MAP**



**CITY OF MISSION**  
HIDALGO COUNTY, TEXAS


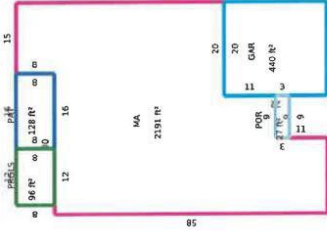
1301 E. 2nd Street  
MISSION, TX 78572

PH: (956) 580-8672  
FAX: (956) 580-6680

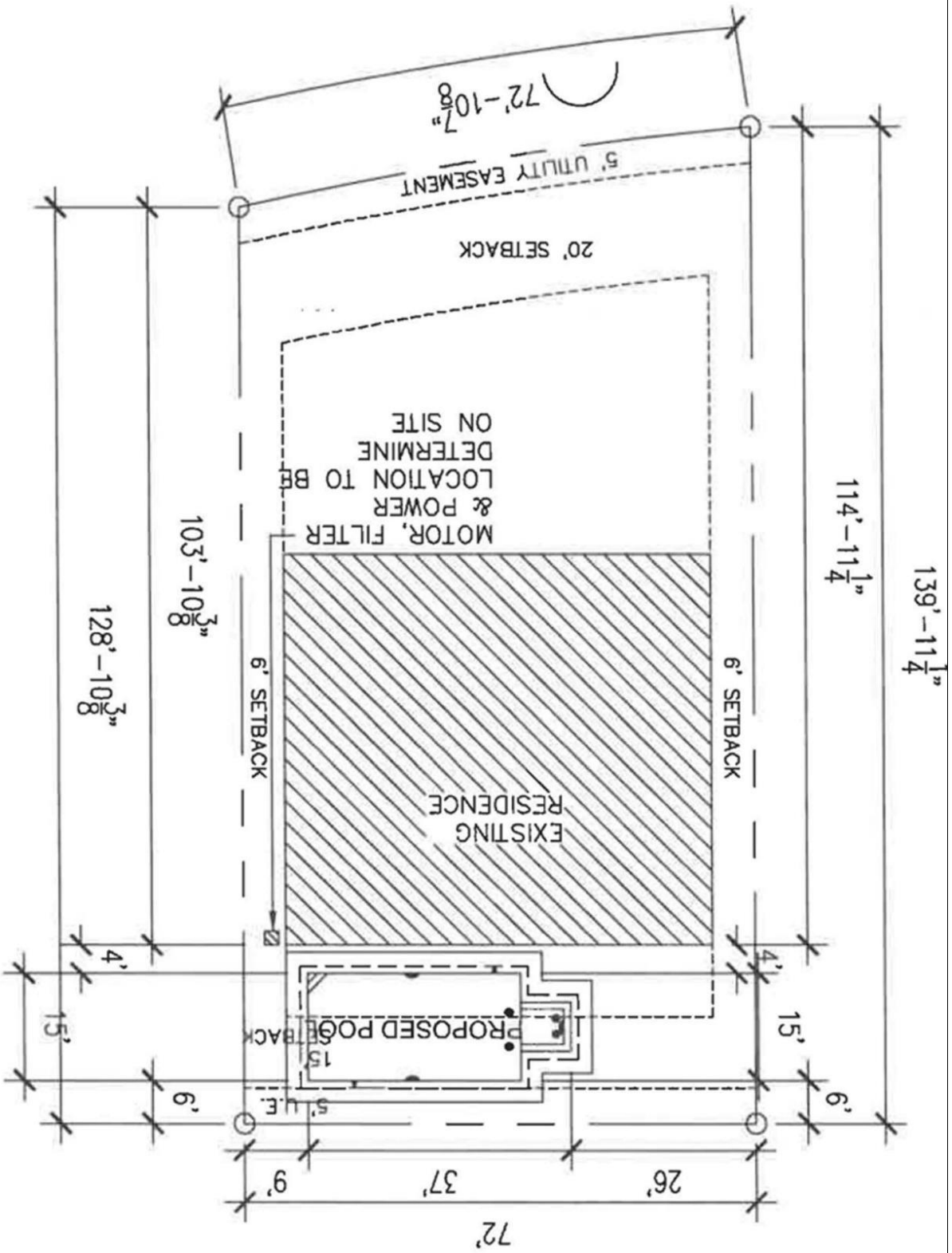
No.



## Attachment V

Hidalgo County Appraisal District										PROPERTY FIELD REVIEW CARD 2025-0-0									
PROPERTY ID AND LEGAL DESCRIPTION					OWNER ID, NAME, AND ADDRESS					EXEMPTIONS					VALUES				
672861 2416 20TH ST					SALINAS YULIANA					HS					2024 2025				
SHARY VILLAS LOT 58 TYPE: R DBA: GEO ID: S3011-00-000-0098-00 Ref ID: 465785 RPT DATE: 03/14/2025 SUB MKT: 03/14/2025 LEGAL ACRES: 0.0000					2416 E 20TH ST MISSION TX US 78572					100.00%					406,996 403,719 LAND MARKET 97,279 97,279 MARKET VALUE 504,275 500,996 SPECIAL USE EXCL 0 0 APPRAISED VALUE 504,275 500,996 HS VALUE LIMIT 52,267 3,789 CIRCUIT BRKR LIMIT 0 0 NET APPRAISED 452,008 497,209				
UTILITIES: AL-WY ZONING: RS LEGACY APPR FR TOPOGRAPHY: LV TAGS: RES RS ROAD ACCESS: PGC LAST APPR DT: 2024-11-05					REMARKS (2020) ADJ DEPR: ALLW: NP20(2018) ADJ DEPR: ALLW: EQUITY & NEW PRGLS(2018) ADJ DEPR 18-ALLW: SALES(2016) ADJ DEPR & RMD ARB CODE: ALLW: SALES(2019) ADJ DEPR: ALLW: SALES(2013) NCI(2011) ADJ AC & RMD % COMP 2011(2010) NEW MPIS 2010(RECH 2017(2009) VAC(2008) VACRECH 08(2007) VAC 07 RECH 08					AGENT: EXP DATE: EFF DATE:					SKETCH				
																			
BH ISSUE DT PERM# TYPE BUILDING PERMITS					PICTURE														
GBA: 0 UNITS: 0 RENT: 0 INCOME APPROACH DATA YEAR APPEAL ID TYPE STATUS PROTESTER FINL DATE 2024 6817 0 FC1 BENICE PROPERTY TAX 2024-08-24 2023 66857 0 FC1 BENICE PROPERTY TAX 2023-08-26 2022 117075 0 FC1 BENICE PROPERTY TAX 2022-04-08 2021 220337 0 FC1 BENICE PROPERTY TAX 2021-08-15					SALES HISTORY DATE TYPE EQUAL SRC RATIO PRICE BUYER 2025-01-13 SVD / 3613159 SALSINAS YULIANA SOLIS JAIME 2009-07-21 MDV null null SOLIS JAIME 2007-12-28 SVD null null GONZALEZ LONE STAR					DEED HISTORY INST # BUYER SELLER 3613159 SALSINAS YULIANA SOLIS JAIME 2018640 GONZALEZ 1940713 LONE STAR					IMPROVEMENT VALUATION STY BUILT EFFY COND 1 1 2009 2009 AV 1 1 2009 2009 AV 1 1 2009 2009 AV 1 1 2009 2009 AV 1 1 2009 2009 AV 1 1 2009 2009 AV 1 1 2017 2017 * Area: 4,016 Quality: VG Finish Out: 100				
# TYPE DESCRIPTION MODEL CLASS AREA UN PRG UNITS MA Residential Main 11732 1 GAR 2-195 1 GAR 1-195 1 PAT C/PAGE 440 59 76 1 POR PORCH 128 29 38 1 BAL BALCONY 27 29 38 1 PRGLS PERGOLAS 128 29 38 1 1 STCD: A1 96 0 0 1 Style:					IMPROVEMENT DETAIL ADJ # ADJ TYPE ADJ AMT ADJ % Construction 224,013 Construction 149,281 Exterior Wall 22,493 Interior Finish 3,272 Roof Style 690 Roof Covering 3,272 ROOF HEIGHT 698 Heating/Cooling 403,719 Plumbing 5,00 Bath 4,5 Custom 3 Exterior Wall 3,789					IMPROVEMENT FEATURES CODE Construction PCS Construction SLU Exterior Wall DSTU Interior Finish SRK Roof Style HRP Roof Covering TIL ROOF HEIGHT MP Heating/Cooling AND Plumbing TIL Bath 5,00 Custom 3 Exterior Wall DSTU									
L# DESCRIPTION 1 LOT					LAND VALUATION SC HS METH S301100 A1 Yes SF AS Code: 100.00%					LAND ADJUSTMENTS SEQ ADJ TYPE ADJ AMT A 97,279					PRODUCTIVITY VALUATION AG USE TABLE UNIT AG VALUE No 0.00 0				

# Attachment VI



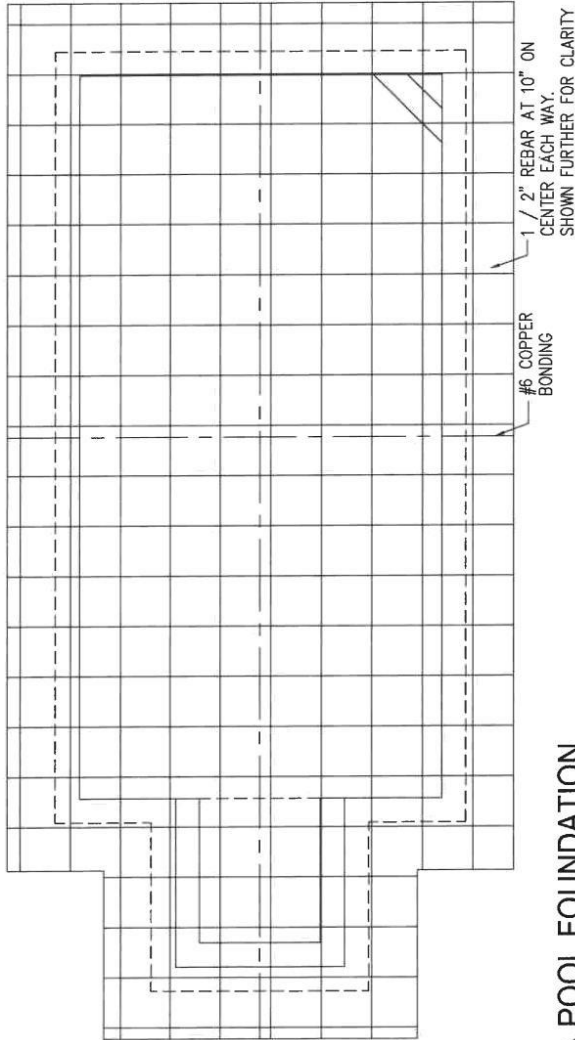




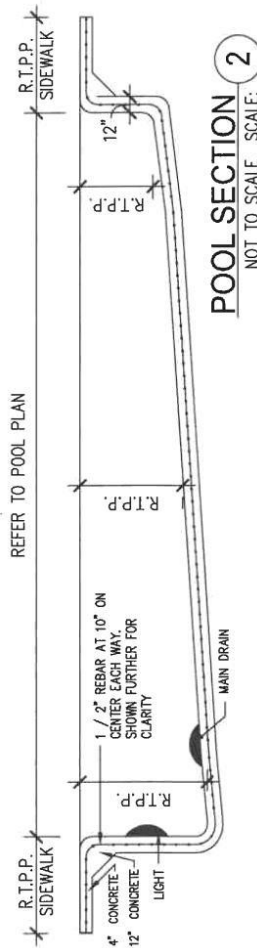
# Attachment VII

<b>2013</b> SHEET		Donna, Texas 78537 Tel: (956) 472-3758 Enrrique "Ricky" Sanchez Certified Drafter <b>Sánchez</b> DESIGN SERVICES
PROJECT : CLIENT : MRS. JULIANA & MR. HECTOR SALINAS 2414 E. 20TH ST. MCKINNEY, TX 75069		PROJECT # : DATE : DRAWN BY : CHECKED BY : APPROVED BY : ELEGANTE POOLS

THIS DOCUMENT IS THE PROPERTY OF SANCHEZ DESIGN SERVICES. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFIC FOR WHICH IT WAS PREPARED. IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF SANCHEZ DESIGN SERVICES. ANY UNAUTHORIZED USE OF THIS DOCUMENT IS PROHIBITED AND WILL BE PROSECUTED TO THE FULL EXTENT OF THE LAW.



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



2 POOL SECTION  
NOT TO SCALE

NOTE:  
SCALE ON SECTION 2 IS AS NOTED  
AND ON SECTION 1 IS AS NOTED



## Attachment X

### 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.



## Attachment XI

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