



MEETING DATE: April 23, 2025

PRESENTED BY: Xavier Cervantes, Director of Planning

AGENDA ITEM: Consider a variance request to allow a total of 4,982.00 square feet, instead of the maximum 2,125.60 square feet which equals to 40 percent allowed for accessory structures at a .87 acre tract of land out of the north 600 feet of the south 1,016.00 feet and a .97 acre tract of land out of the north 600 feet of the south 1,016.00 feet of the east 330 feet both out of Lot 282, John H. Shary Subdivision, located at 3009 N. Glasscock Road, Applicant: Mark M. & Deedre Payne - Cervantes

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 (2)(d) of the Mission Code of Ordinances, which states:
 - any non-living accessory structures, such as a carport or a garage, whether as an addition or as a detached 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. However, if the primary structure's living area totals less than 2,000 square feet, the accessory structure may be constructed to a maximum size of 800 square feet. No carport, whether temporary or not, shall have a roof composed of tarp, canvas, or other similar fabric-like material.
- The site is located at the Southwest corner of N. Glasscock Road and Payton Drive.
- The applicant is requesting a variance to construct a gym, cabana, covered porch, and greenhouse for a total of 4,982.00 square feet instead of the maximum 40 percent being 2,125.60 square feet.
- There is currently an existing 5,314 square foot single-family residence on the property. The applicant is proposing to build a gym, cabana, covered porch and a greenhouse.
- The Planning Staff has not received any objections to the request from surrounding property owners. Staff mailed out (25) legal notices to surrounding property owners.
- The applicant would like the Board to consider the above-mentioned variance for construction of the accessory structures.

- 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 notes that ZBA has considered the following variance in this site:
- Previous property owner requested a variance to keep a 2 feet side setback instead of the required 6 feet side setback.

STAFF RECOMMENDATION:

Staff recommends denial of the request subject to compliance with the following conditions:

1. Must comply with required maximum 40 percent being 2,125.60 square feet.

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

Attachment I

GUERRA MARTINEZ
1
2
SUBD.

RYAN SUBD.
1

E. 2 MILE RD.

SAND STONE DR.

VIOLA

SOMMERSET SUBD.

WISTERIA

PAYTON DR.

LOT 1

LOT 2

282

LOCATION SITE

SCURLOCK SUBD. UNIT NO. 1

GLASSCOCK RD.

CORONADO SUBD.

LAS COLINAS LN.

PEBBLE DR.

FAIROAKS DR.

TAURUS No. 7

272

273

E. 29th ST.

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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HIDALGO COUNTY, TEXAS

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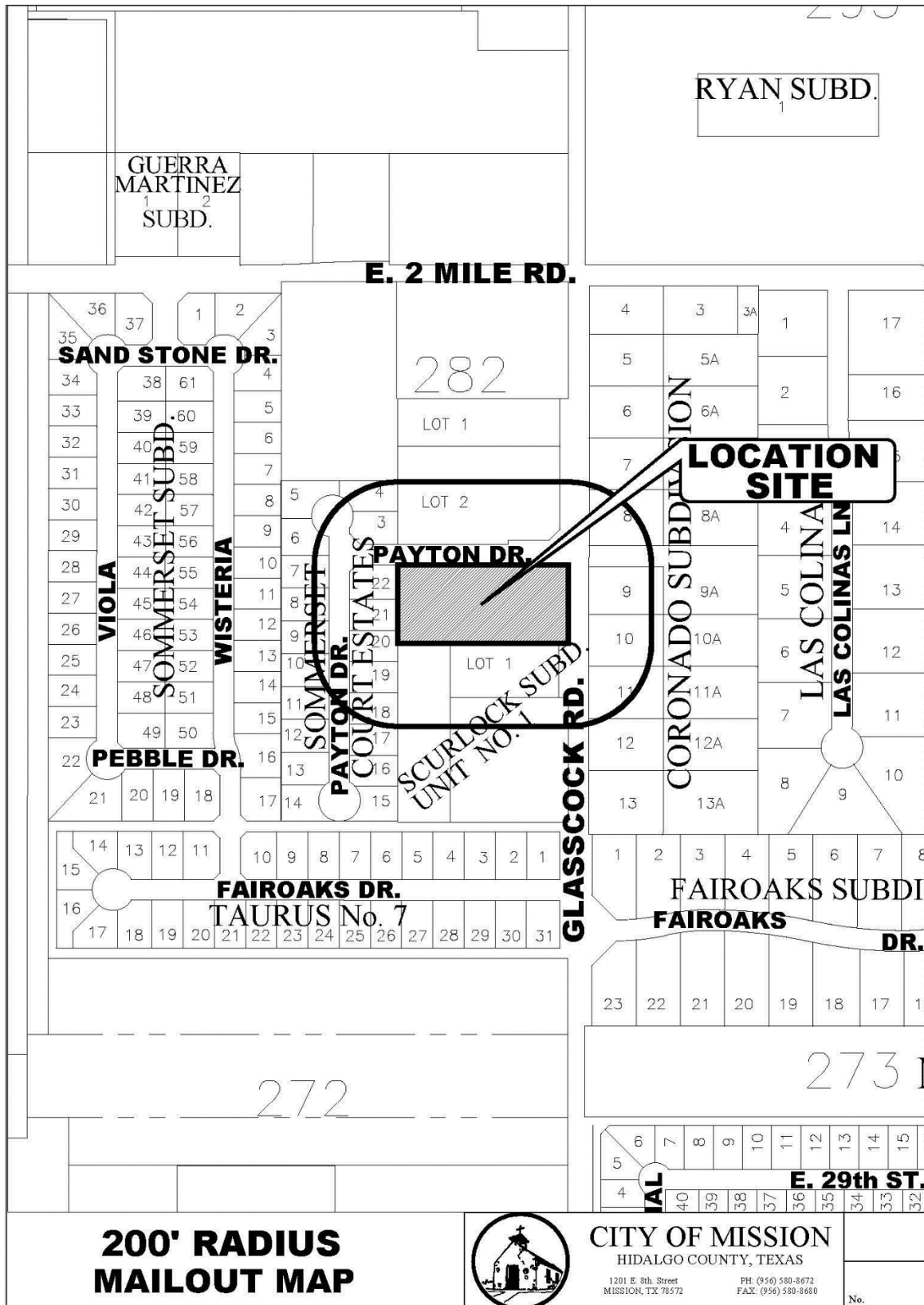
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No.

Attachment II



Attachment III



**200' RADIUS
MAILOUT MAP**



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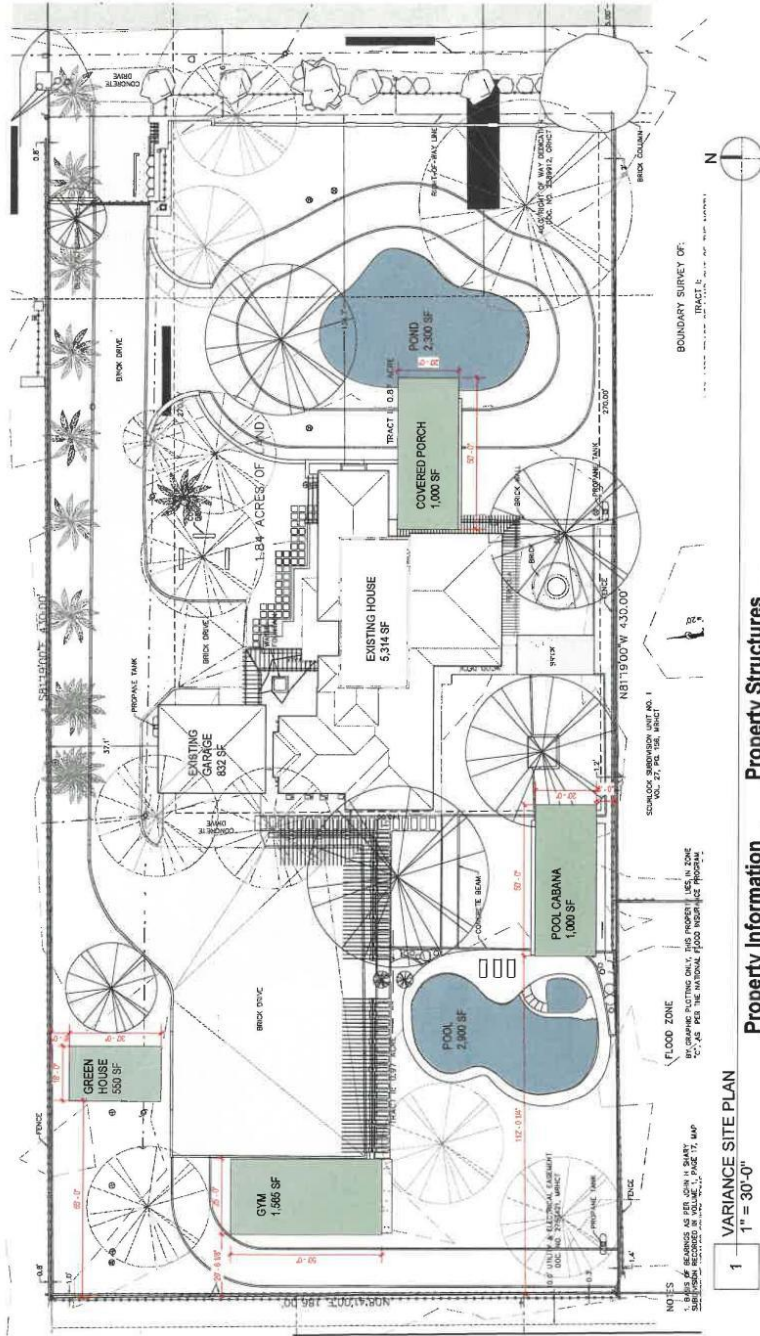
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No.

Attachment IV



Payne Residence
Version 2.0
Mission Tx Remodel
3009 N Glasscock Rd, Mission, TX 78574
Project Number: PROJECT # 101801
Project Issue Date: 01/17/2025



Property Information

Property Type - R1A	Existing House - 5,314 SF
Property Acres - 1.84 Acres (80,150 SF)	Additional Structures
3% of property is 2,404.5 SF	Existing Garage - 832 SF
	Proposed Gym - 1,000 SF
	Proposed Cabana - 1,000 SF
	Covered Porch - 1,000 SF
	Green House - 550 SF
	Total Add. Structures - 4,962 SF

1 VARIANCE SITE PLAN
1" = 30'-0"

[illegible]

Attachment VII



Attachment VII



Attachment IX



Attachment X

PROP_ID	Property Owners	addrDeliveryLine	addrCity	addrState	addrZip
154053	CRUZ DAVID & TEODULA T	2900 S 23RD ST	MCALLEN	TX	78503-5605
154045	CANTU JESUS & DIANA C	3100 N GLASSCOCK RD	MISSION	TX	78574-2022
154047	HINOJOSA NORMA	3006 N GLASSCOCK RD	MISSION	TX	78574-2021
154051	MANCHA MARIA LUISA	3004 N GLASSCOCK RD	MISSION	TX	78574-2021
154048	HINOJOSA NORMA	3006 N GLASSCOCK RD	MISSION	TX	78574-2021
281442	ROJAS CRISTOBAL & MARIA R	3003 N GLASSCOCK RD	MISSION	TX	78574-2041
542017	LOPEZ CARLOS E & NORMA	3301 N SHARY RD TRLR 3	MISSION	TX	78573-8437
281448	KAZEMI ADRIENNE & JOSHUA STEWART	3009 N GLASSCOCK RD	MISSION	TX	78574-2041
517003	LOPEZ MIGUEL & ERICKA	3005 N GLASSCOCK RD	MISSION	TX	78574-2041
1070796	HUERTA PABLO PEREZ & MARIA I	3014 PAYTON DR	MISSION	TX	78574-3523
1070795	TREVINO LAURA MARIA O & FERNANDO GARZA	3010 PAYTON DR	MISSION	TX	78574-3523
1070794	FRAIRE MEREDITH ALEXIS & RICARDO JAMES	3008 PAYTON DR	MISSION	TX	78574-3523
1070793	RIOS JOAQUIN	3006 PAYTON	MISSION	TX	78574-3523
1070792	HUERTA PABLO PEREZ & MARIA IRENE	1100 E JASMINE AVE	MCALLEN	TX	78501-4393
1070786	OVIEDO VERONICA CASTRO	3700 PAYTON DR	MISSION	TX	78574
1070784	LONGORIA JONATHAN J & MY TRANG	3011 PAYTON DR	MISSION	TX	78574-3523
1070783	LOPEZ GUADALUPE B SANCHEZ	3013 PAYTON	MISSION	TX	78574-3523
1070782	GODINEZ MIGUEL A & ALYSSA M CANTU	3015 PAYTON	MISSION	TX	78574-3523
1070779	RODRIGUEZ GABRIEL G & LIZBET A	3102 PAYTON	MISSION	TX	78574-3512
1070778	GALVAN CLAUDIO ALEJANDRO	3100 PAYTON DR	MISSION	TX	78574-3512
1070777	CHANDLER ESPERANZA	PO BOX 536	MCALLEN	TX	78505
1070781	CONFIDENTIAL	<Null>	<Null>	<Null>	<Null>
1070775	RGV VILLA HOMES LLC	519 E 9TH STREET STE B	MISSION	TX	78572-4271