



MEETING DATE: June 25, 2025

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

AGENDA ITEM: Public hearing and consideration of a variance request to allow a 3-foot rear setback instead of the required 15 feet rear setback and a 1 foot 6 inch side setback instead of the required 6 foot side setback, being Lot 26, Block 1, Meadow Creek Country Club Subdivision Phase I-B, located at 2219 Lake View Drive, Applicant: Elsa Covarrubias – Cervantes

NATURE OF REQUEST:

Project Timeline:

- May 23, 2025 – Application for Variance Request submitted to the City.
- June 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 and notice of public hearing was published in the Progress Times.
- June 25, 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 rear setback: 10 feet or greater if easement &
- Section 1.371(5)(g)(1), which states:
 - Minimum width of side setback:
 1. Internal lot: 6 feet
 2. Corner lot: 10 feet
 - 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.
 - Where a building setback has been established by plat or ordinance and such setback requires a greater or lesser setback than is prescribed by this article for the district in which the building is located, the required setback shall comply with the building line so established by such plat or ordinance.
- The applicant is requesting a variance to keep an already constructed 17' x 40' roof structure partly located within the rear setback.
- Meadow Country Club Phase 1B was recorded on March 17, 1987. The regular lot measures a total of 8,394 square feet. The site is located approximately 450 feet north of River Bend Drive along the west side of Lake View Drive.
- There is currently an existing 1,357 square foot single-family residence on the property. The applicant constructed a roof structure without obtaining the property building permits.
- City officials from the Code Enforcement Division noticed the roof structure in the backyard and gave the property owner notice of the violation.

- The lots to the north, east, and west have been developed as single-family residences.
- Staff notes that the applicant applied for a building permit on April 7, 2025, but it was denied due to not meeting the setbacks. A revised application was submitted on April 11, 2025 indicating that she was proposing a 10’ rear setback, but it was also denied. The required rear setback is 15’ due to a utility easement. The applicant was advised that the 15’ requirement needed to be met. The applicant signed the application, indicating that the structure would be constructed meeting setbacks. The permit was issued on April 23, 2025, however that was not what was done at the site.
- The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out 20 legal notices to surrounding property owners.
- Staff notes that ZBA has considered the following variances within this subdivision.

Subdivision	Variance	Date	Recommendation
Lot 10, Blk. 11	2.9 rear setback	3/21/07	Approved
Lot 33, Blk. 13	4’ rear setback	4/11/95	Approved
Lot 2, Blk. 11	3’ side setback	4/19/06	Denied
Lots 6 & 7, Blk. 8	7’ 1.5” rear setback	11/18/09	Denied

- 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 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 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; and
2. This is a self-imposed hardship.

However, if ZBA is inclined to approve this variance request, then staff would recommend that the applicant 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 acknowledgement of the utility easement and no access from Inspiration Road, and
2. The vehicle access gate must be modified to a pedestrian gate.

RECORD OF VOTE: **APPROVED:** _____

DISAPPROVED: _____

TABLED: _____

_____ AYES

_____ NAYS

_____ DISSENTING _____

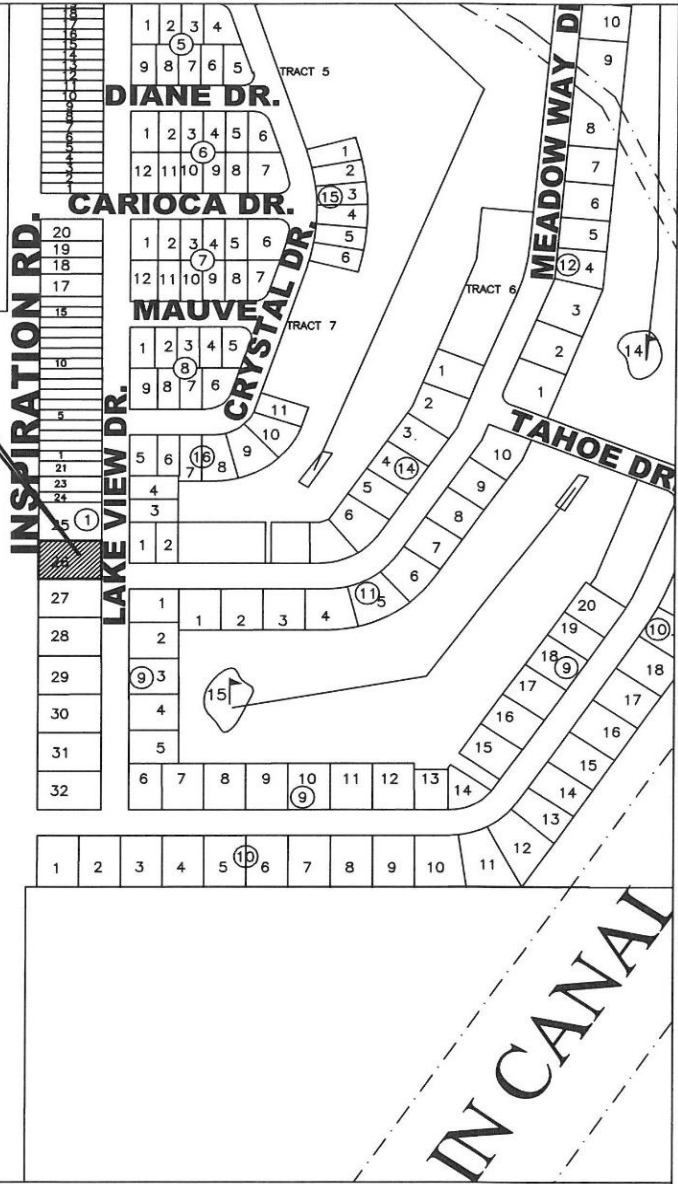
VICINITY MAP



**SITE
LOCATION**

IDE VALLEY
CANS CEMETERY

OT 1



SCALE: 1"=300'

ARIEL MAP



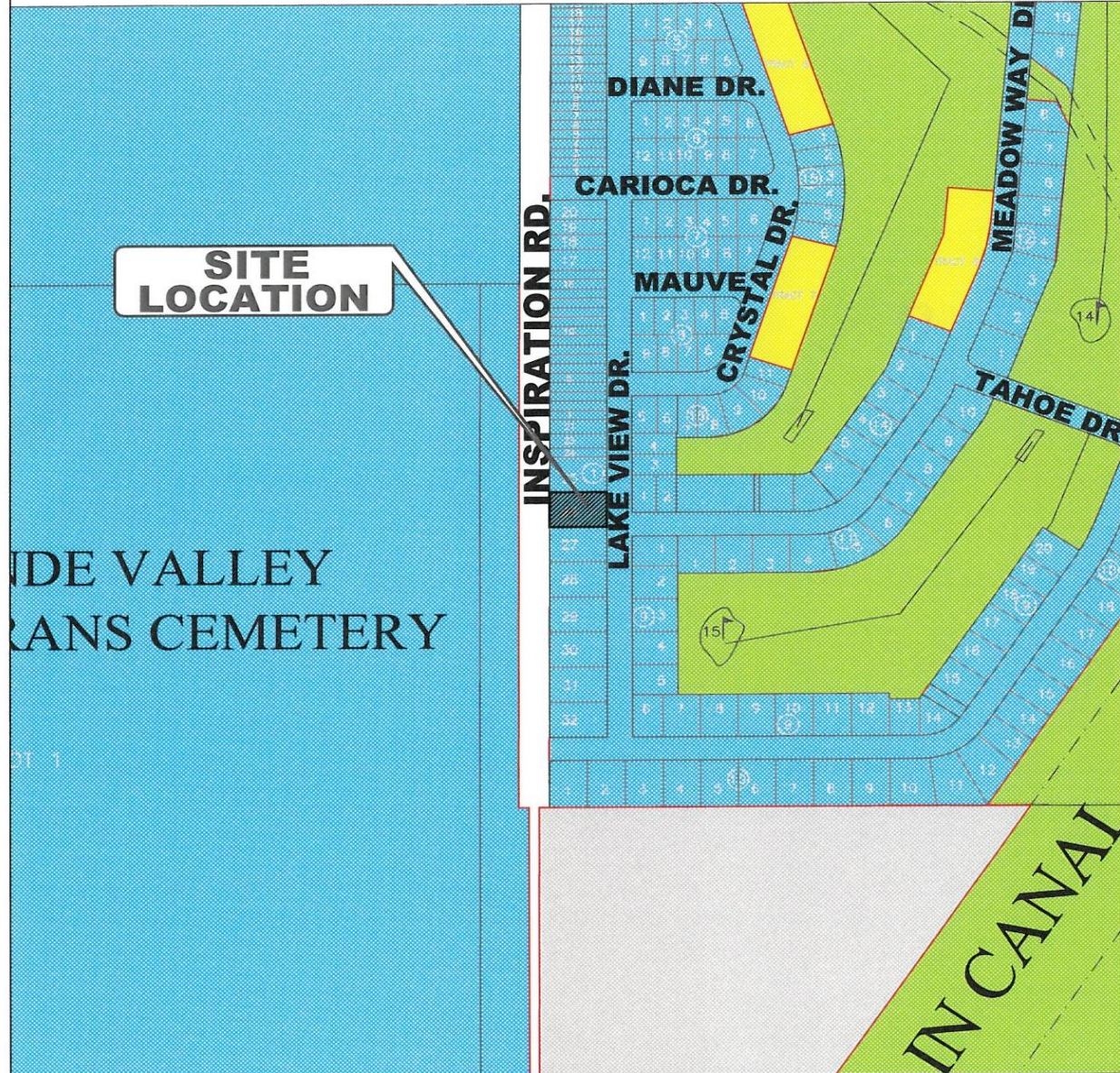
N. INSPIRATION RD.

**SITE
LOCATION**

LAKE VIEW DR.

MEADOW WAY DR.

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

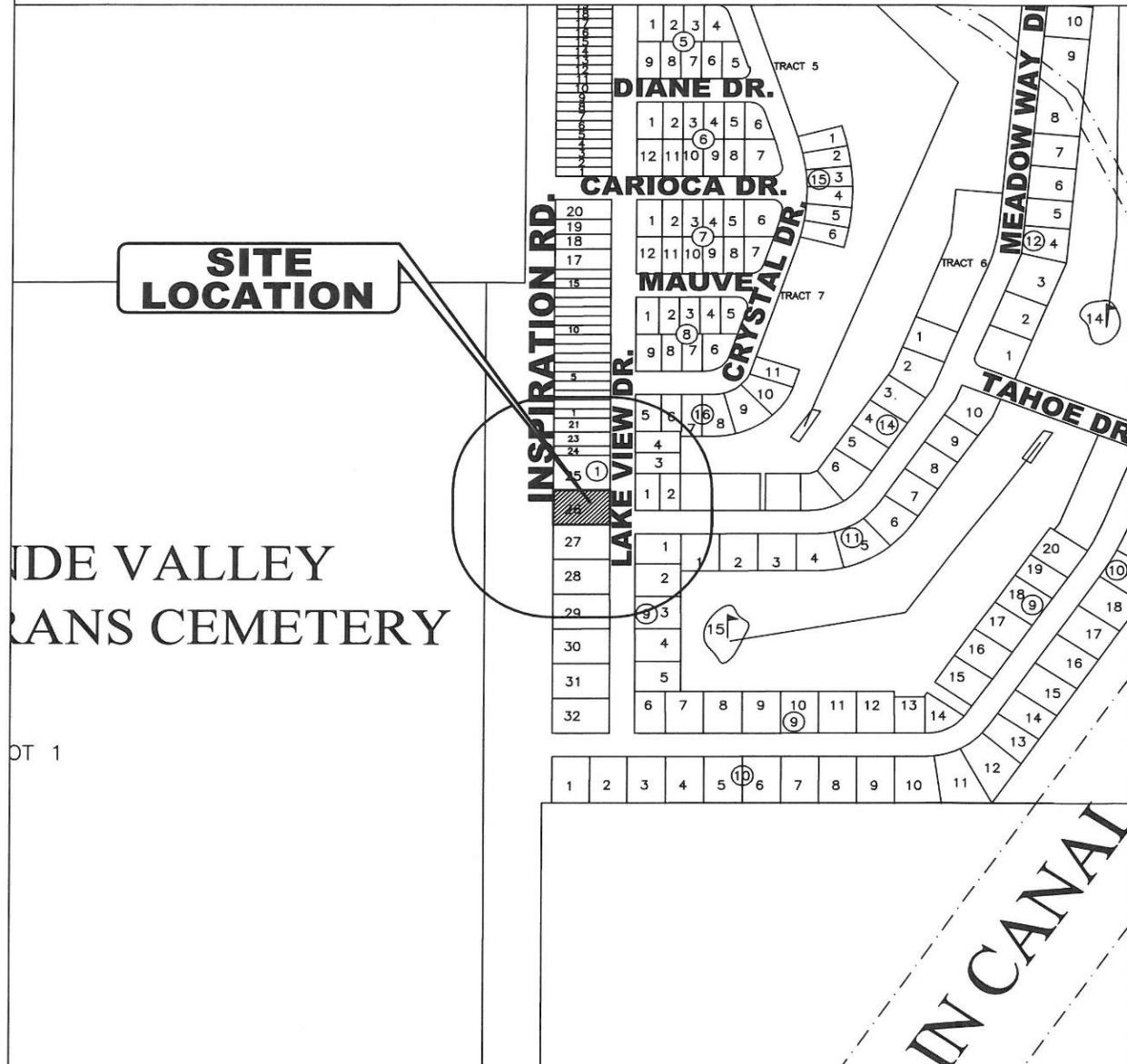


SCALE: 1"=300'

PICTURES



ATTACHMENTS



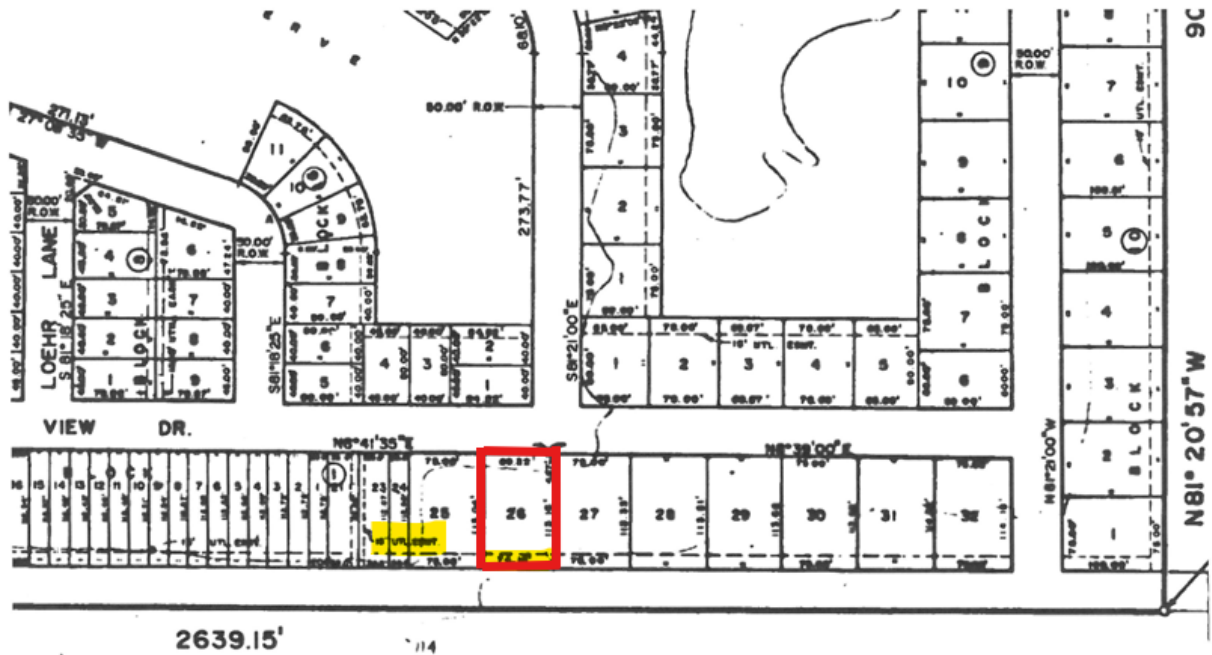
IDE VALLEY
ANS CEMETERY

OT 1

200' RADIUS MAILOUT



ATTACHMENTS



REEK COUNTRY CLUB
 PHASE 1-B
 OF LOTS 13-1, 13-2, 12-1, AND 12-2. WEST ADDITION TO

NETS AND SO
 MEASUREMENT

ATTACHMENTS

Hidalgo County Appraisal District										PUBLIC CARD WITH SKETCH 2025-0-0										Valuation Method: cost-local		June 10, 2025																																																																																																																																																																																																																																																																					
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ATTACHMENTS

RECEIVED
4/7/25



CITY OF MISSION
1201 EAST 8TH STREET
MISSION, TEXAS 78572
(956) 580-8691
(956) 584-5161 - RECORDER

=====APPLICATION FOR PERMIT=====

**PLEASE CHECK MINIMUM FLOOR ELEVATION
BEFORE STARTING CONSTRUCTION**

FOR OFFICE USE	
ZONE	POD
DATE	4-8-25
STAFF	A
TXDOT PERMIT	

DATE PERMIT ISSUED:		PERMIT #:
STREET ADDRESS: 2219 Lake View Dr.		
LOT:	BLOCK:	SUBDIVISION:
DESCRIPTION OF WORK: Techo		
OWNER: Elsa Covarrubias	ADDRESS: 2219 Lake View Dr Mission TX 78572	TELEPHONE: 986 313-3240
CONTRACTOR: Luis Sanchez	ADDRESS:	TELEPHONE: (575) 619-0136
ARCHITECT OR ENGINEER:	ADDRESS:	TELEPHONE:
BUILDING CLASSIFICATION AND USE:		

LOT SIZE	FRONT	SIDE	REAR	SIDE	LOT AREA SQ. FT.	BUILDING DISTANCE FROM PROPERTY LINES	FRONT	SIDE	REAR	SIDE	
BLDG. HEIGHT NO. STORIES ETC					TOTAL FLOOR AREA						
FOUNDATION CONSTRUCTED OF					INTERIOR WALLS						
FLOORS CONSTRUCTED OF					Ceilings						
EXTERIOR WALLS CONST. OF					ROOF CONST. OF						
MINIMUM FIRST FLOOR ELEVATION					<input type="checkbox"/> 18 INCHES	<input type="checkbox"/> MANUAL J REPORT					
					<input type="checkbox"/> OTHER _____	<input type="checkbox"/> WINDSTORM					
PLUMBER					ELECTRICIAN						
MECHANICAL CONTRACTOR											
INSTALLING AN ALARM SYSTEM					TOTAL COST OF CONSTRUCTION	\$ 4000.00					
YES					NO						

DENIED

- * MEP Permits required
- * Must comply with all setbacks noted
- * Must comply with all notes and attachments
- * Call in all necessary inspection(s)
- * Call in a Final Inspection

PF= Denied

- No Access onto Inspiration Pk.
- Prop. Roof Not Meeting setbacks

-1a

ACCUMULATIONS OF BRICK, LUMBER AND OTHER DEBRIS SHALL BE DISPOSED OF IMMEDIATELY BY AND AT THE EXPENSE OF THE OWNER.

SPECIAL CONDITIONS:
MUST COMPLY WITH ALL 2021 IBC, IRC, IFC, IPC, IMC, IFGC, IECC, ISPSC, IPMC, 2020 NEC CODE REQUIREMENTS, STATE LAWS, LOCAL ORDINANCES AND SETBACK REQUIREMENTS.

The foregoing is a true and correct description of the improvements contemplated by the undersigned applicant, and the applicant states that he will have full authority over the construction of same, and hereby agrees to comply with all ordinances of the City of Mission and assumes all responsibility for such compliance. It is understood that the improvements shall not be used until Certificate of Occupancy has been issued

SIGNATURE OF OWNER OR AUTHORIZED AGENT

[Handwritten Signature]

DATE 4-7-25

Time Limitation of Application:

An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

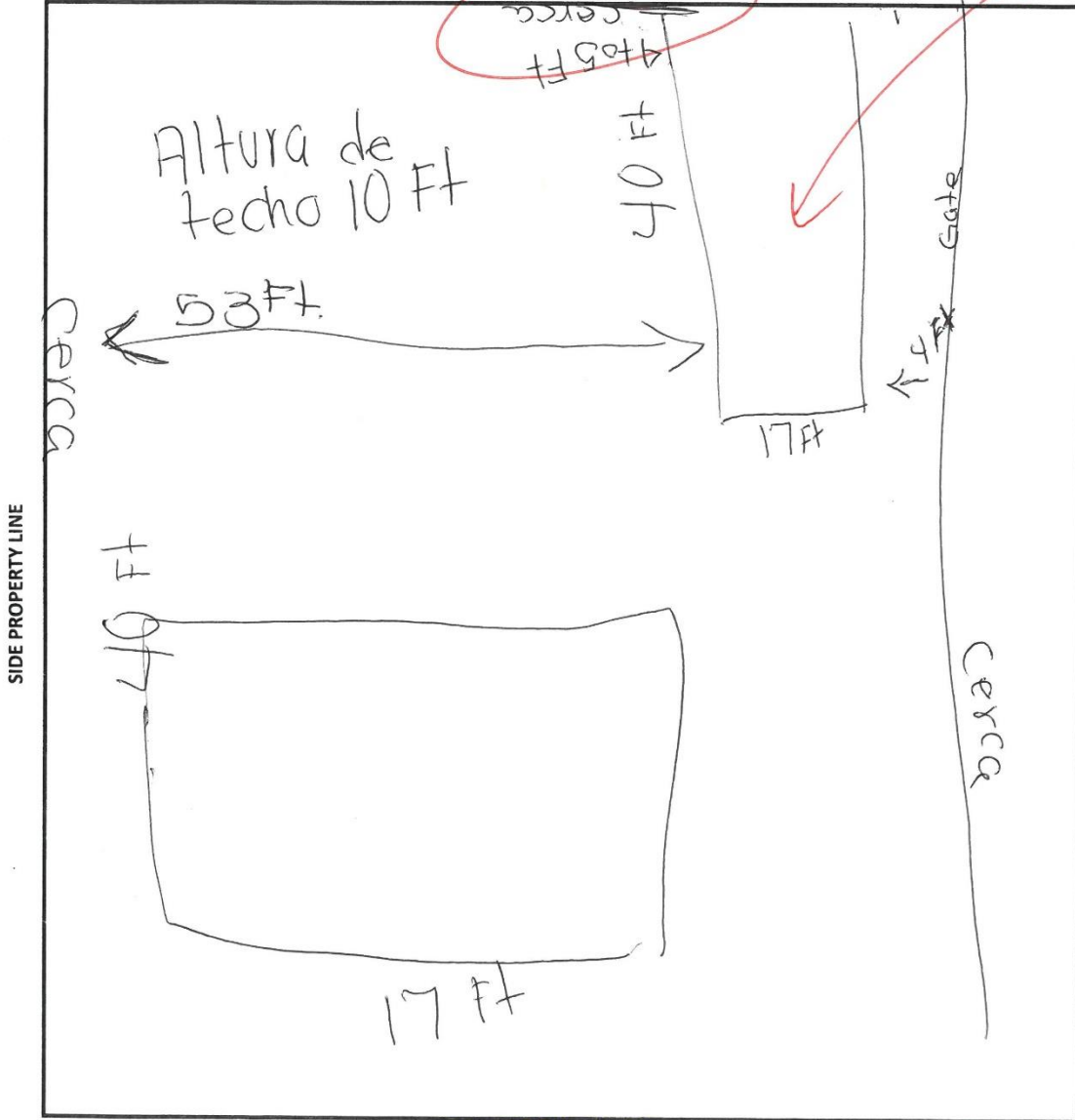
ATTACHMENTS

PLOT PLAN

SHOW ALL EXISTING BUILDINGS AND STRUCTURES
SHOW NEW WORK AND DISTANCE TO PROPERTY LINES

DEPTH OF LOT
() FT

REAR OF PROPERTY



FRONT OF PROPERTY

WIDTH OF LOT
() FT

NO Access onto Inspiration Rd.

Densad

ATTACHMENTS



Lake View Dr.

no Access
Inspiration Rd.

Inspiration Rd

08/15/2024 - 12/09/2024

ATTACHMENTS

RECEIVED



CUIDAD DE MISSION
 1201 E. 8TH STREET
 MISSION, TEXAS 78572
 (956) 580-8691
 (956) 584-5161 - GRABADORA

=====APLICACIÓN PARA PERMISO =====

CHECAR LA ELEVACION MINIMA DEL PISO ANTES DE EMPEZAR CUALQUIER CONSTRUCCIÓN

PARA USO DE OFICINA	
ZONA:	<u>POD</u>
FECHA:	<u>4-14-25</u>
STAFF:	<u>A</u>
PERMISO DE TXDOT:	_____

FECHA: <u>4/11/25</u>		# DE PERMISO:
DIRECCIÓN: <u>2019 Lake View Dr Mission</u>		
# DE LOTE:	BLOQUE:	SUBDIVISION:
TIPO DE CONSTRUCCIÓN: <u>Techito / Techo</u>		
<u>Lamina / Polinas</u>		
<u>Fidela</u>		
NOMBRE DEL DUENO:	DIRECCIÓN:	TELEFONO:
<u>Elsa Covarrubias</u>		<u>(956) 313-3240</u>
CONTRATISTA:	DIRECCIÓN:	TELEFONO:
<u>Luis Sanchez</u>		<u>(515) 619-0136</u>
ARQUITECTO O INGENIERO:	DIRECCIÓN:	TELEFONO:
CLASSIFICACIÓN Y USO DE CONSTRUCCIÓN:		

MEDI DA	FRENTE	LADO	ATRAS	LADO	AREA DEL LOTE EN PIES CUADRADOS	DISTANCIA DE CONSTRUCCIÓN DESDE LA LINEA DE PROPIEDAD	FRENTE	LADO	ATRAS	LADO	
ALATURA DEL EDIFICIO # DE PISOS					TOTAL DE PIES CUADRADOS						
MATERIAL DE LA FUNDACION					MATERIAL DE PAREDES INTERIORES						
MATERIAL DE LOS PISOS					MATERIAL DE CIELO						
MATERIAL DE PAREDES EXTERIORES					MATERIAL DEL TECHO						
ELEVACION MINIMA DEL PISO		<input type="checkbox"/> 18 PULGADAS	<input type="checkbox"/> OTRO _____	<input type="checkbox"/> MANUAL J REPORT	<input type="checkbox"/> WINDSTORM	<input type="checkbox"/> DRENAJE PUBLICO	<input type="checkbox"/> TANQUE SEPTICO				
PLOMERO					ELECTRICISTA						
CONTRATISTA DE AIRE ACONDICIONADO											
INSTALACION DE SISTEMA DE ALARMA					COSTO TOTAL DE CONSTRUCCIÓN						
YES					NO	<u>\$ 2100⁰⁰</u>					

PARA USO DE OFICINA SOLAMENTE

- Must meet 15ft U.E Rear setback
- No Access onto Inspiration Rd.
- MUST comply with setbacks
- CALL IN a Footing inspection
- call in a final inspection

LA ACUMULACION DE LADRILLOS, MADERA Y OTROS DESECHOS DEBEN DE SER RETIRADOS DE INMEDIATO DEL AREA DE CONSTRUCCION POR Y AL COSTO DEL DUENO.

CONDICIONES ESPECIALES:
 DEBE CUMPLIR CON LOS CODIGOS INTERNACIONALES 2021 DE CONSTRUCCIÓN, CODIGO DE ENERGIA 2020, LEYES ESTATALES, ORDENANZAS LOCALES, Y REQUERIMIENTOS DE CONSTRUCCIÓN.

-----+D-----
 La presente es una descripción verdadera y correcta de las alteraciones contempladas por el aplicante y el aplicante atestifica que el va a tener la autoridad completa de la construcción y que va a cumplir con todas las Leyes de La Ciudad de Mission y asume toda la responsabilidad para cumplir con ellas. Es entendido que las alteraciones no deben de ser usadas hasta que se les otorgue un Certificado de Ocupación.

FIRMA DEL DUEÑO O AGENTE AUTORIZADO: [Signature] FECHA: 4/11/25

Time Limitation of Aplicación:
 La aplicación para permiso de cualquier tipo de trabajo se considera cancelada despues de 180 dias despues del dia que aplicaron, amenos que la aplicación haya sido de buena fe o que el permiso se haya dado; excepto que un Inspector o un Oficial haya autorizado una o mas extensiones de tiempo adicional que no exceda mas de 180 dias. La extension debe ser pedida por escrito con una casua justificada y demostrada.

ATTACHMENTS

PLANO DEL TERRENO

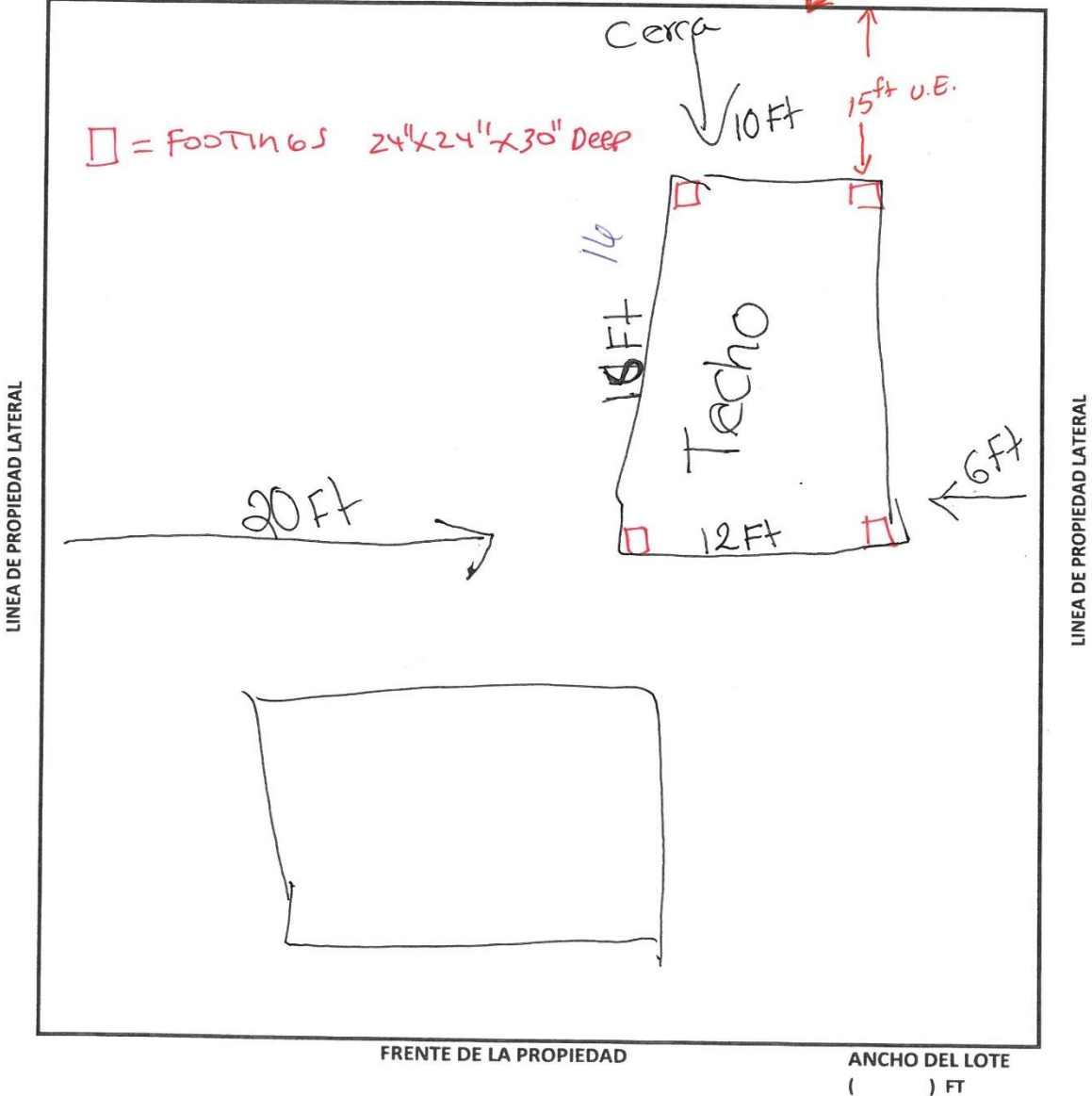
MOSTRAR TODOS LOS EDIFICIOS Y ESTRUCTURAS EXISTENTES
MOSTRAR OBRA NUEVA Y DISTANCIA A LAS LINEAS DE LA PROPIEDAD

PROFUNDIDA
DEL LOTE

() FT

PARTE POSTERIOR DE LA PROPIEDAD

NO Access onto Inspiration Rd



ATTACHMENTS

PLANO DEL TERRENO

MOSTRAR TODOS LOS EDIFICIOS Y ESTRUCTURAS EXISTENTES
MOSTRAR OBRA NUEVA Y DISTANCIA A LAS LINEAS DE LA PROPIEDAD

PROFUNDIDA
DEL LOTE

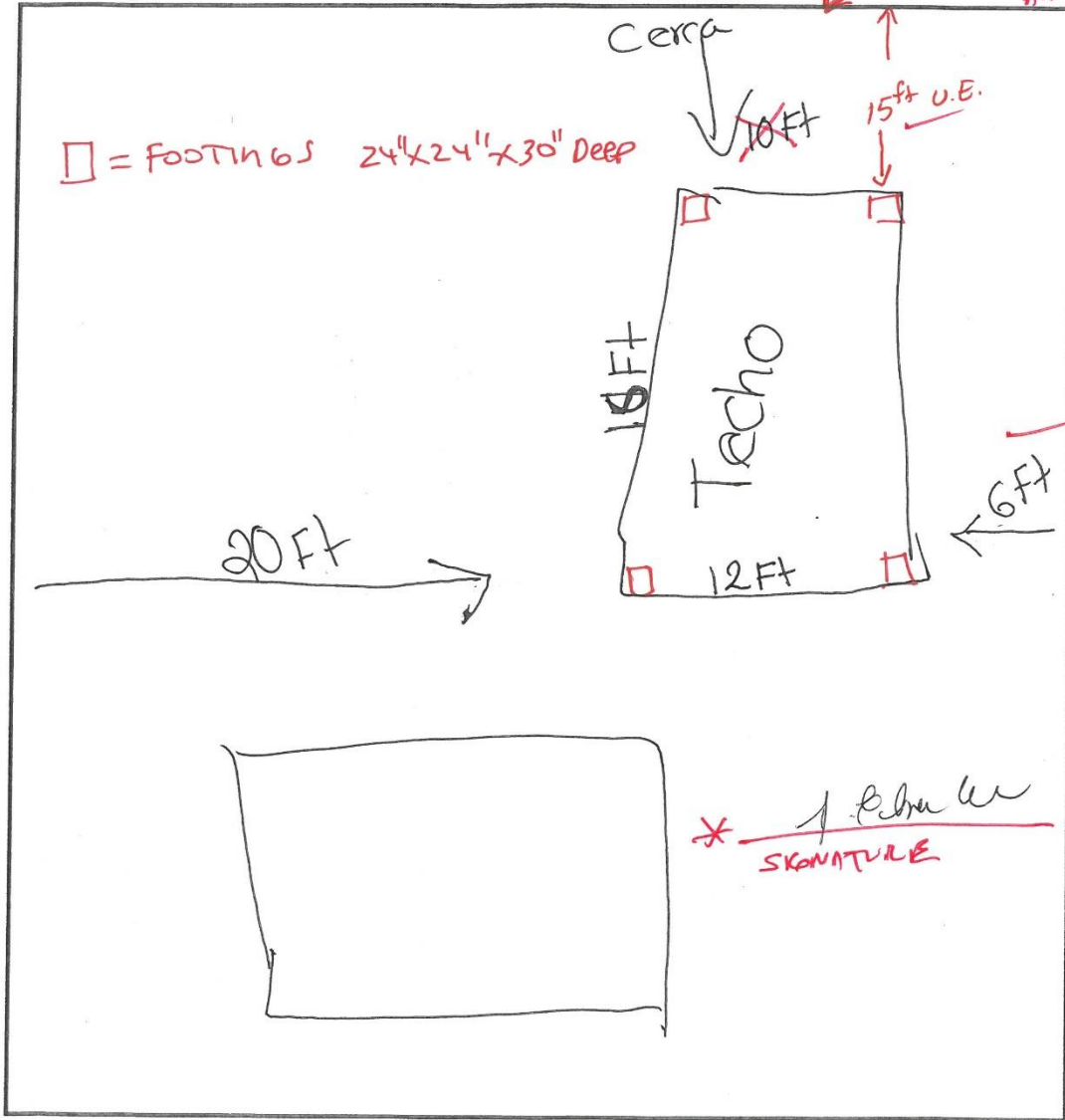
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PARTE POSTERIOR DE LA PROPIEDAD

NO Access onto Inspiration Rd AH-

LINEA DE PROPIEDAD LATERAL

LINEA DE PROPIEDAD LATERAL



FRENTE DE LA PROPIEDAD

ANCHO DEL LOTE

() FT

CITY PERMITS

Project Management - (View) [Close] [Maximize] [Refresh]

File Edit Options Functions Help Chat

Project # 25001743 Next Project # [Next Project #]

Property 2219 LAKEVIEW DR [Address]

Description GAME ROOM/GAZEBO/RESTROOM

Issued to COVARRUBIAS, FIDELA ELSA [Issued to]

General Segments Financial Property Info Information Comments History Footprint Conditions Description

Project Mailing Address

Attention [Attention]

Address 2219 LAKEVIEW MISSION, TX 78572 [Address]

Project Details

Open [Open]

Applied Date 4/23/2025 [Applied Date]

Issued Date 4/23/2025 [Issued Date]

Expires Date 10/20/2025 [Expires Date]

Completion Date [Completion Date]

General Contractor

Owner

Contractor [Contractor] [Contractor]

Project Type PP PATIOS/PORCHES [Project Type]

Dwelling Type Private [Dwelling Type]

Square Footage [Square Footage]

Units [Units]

Balance 0.00 [Balance]

Pending Activity 0.00 [Pending Activity]

Securities 0.00 [Securities]

CO ISSUED [CO ISSUED]

Edit This Record [Clear]

View mi.sdeluna

MAILOUT LIST

PROP_ID	file_as_na	addrDeliveryLine	addrCity	addrState	addrZip
232579	COVARRUBIAS FIDELA ELSA	2219 LAKE VIEW DR.	MISSION	TX	78572-7769
232576	PATINO JOSE LUIS & JOVITA	595 CASTILLE DR	HEMET	CA	92543
232803	RIVERA CARMEN M D	2204 LAKE VIEW DR	MISSION	TX	78572-7762
232805	ORNELAS MARICELA TORRES	2127 CRYSTAL DR	MISSION	TX	78572-7782
232675	LONGORIA JOSUE ANTONIO & ALEJANDRA RUIZ	2302 LAKEVIEW DR	MISSION	TX	78572-9628
232674	BENAVIDES ERICA L	2111 MEADOW WAY DR	MISSION	TX	78572-1149
232676	SAENZ MARIA ROSALINDA	PO BOX 1581	RIO GRANDE CITY	TX	78582-1581
232580	NAVARRO AMY	2301 LAKE VIEW DRIVE	MISSION	TX	78572
232578	VELA DANIEL & BILMA Y MUNOZ	2217 LAKE VIEW DR	MISSION	TX	78572-7769
232582	GARCIA DANIA	2305 LAKE VIEW DR	MISSION	TX	78572-8040
232581	BEJERANO MARK JASON & NANCY	2303 LAKE VIEW DR	MISSION	TX	78572
232807	GARCIA SEVERIANO MORALES	2119 CRYSTAL DR	MISSION	TX	78572-7782
232801	RODRIGUEZ RODNEY & YADIRA YUNES	2206 LAKE VIEW DR	MISSION	TX	78572-7762
232804	CANTU VALDEMAR	1304 LAKE VIEW DR.	MISSION	TX	78572-8588
232806	GONZALEZ CHARLES	2123 CRYSTAL DR	MISSION	TX	78572-7782
232555	FARIAS EDDIE J & YANIRA	7750 W MILITARY RD	MISSION	TX	78572-1406
232556	WEST PATRICIA L	2207 LAKE VIEW DR	MISSION	TX	78572-7769
232729	TREVINO YESENIA	2109 MEADOW WAY DR	MISSION	TX	78572-1149
699988	VETERANS LAND BOARD	1700 CONGRESS AVE	AUSTIN	TX	78701-1496
232354	CAFA REAL ESTATE LLC	5105 N 10TH ST STE B	MCALLEN	TX	78504-2835