



**MEETING DATE:** June 25, 2025

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

**AGENDA ITEM:** Public hearing and consideration of a variance to allow a 2.1' rear setback instead of the required 10' for a 9' by 12' gazebo structure, being Lot 11, Olive Tree Estates Subdivision, located at 2601 E. 20<sup>th</sup> Street, Applicant - William Ueckert - Cervantes

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**NATURE OF REQUEST:**

Project Timeline:

- June 6, 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.
- 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 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 North side of E. 20<sup>th</sup> Street approximately 880 feet West of Taylor Road.
- The applicant is requesting a variance to construct a 9' by 12' gazebo partly within the 10' rear setback.
- The Olive Tree Estates Subdivision was recorded on November 1, 2000. The subject property is a rectangular lot that has a depth of 118.55 feet and a width of 80 feet along 20<sup>th</sup> Street.
- The subject lot has a total area of 9,484 square feet.
- The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out 14 legal notices to surrounding property owners.
- No variances have been processed in this subdivision.

**STAFF RECOMMENDATION:**

Staff recommends denial. This request does not qualify as an undue hardship.

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 structure is ever removed, the prevailing setbacks shall be complied with thereafter, and 2) obtaining a building permit fee.

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**RECORD OF VOTE:**

**APPROVED:**

\_\_\_\_\_

**DISAPPROVED:**

\_\_\_\_\_

**TABLED:**

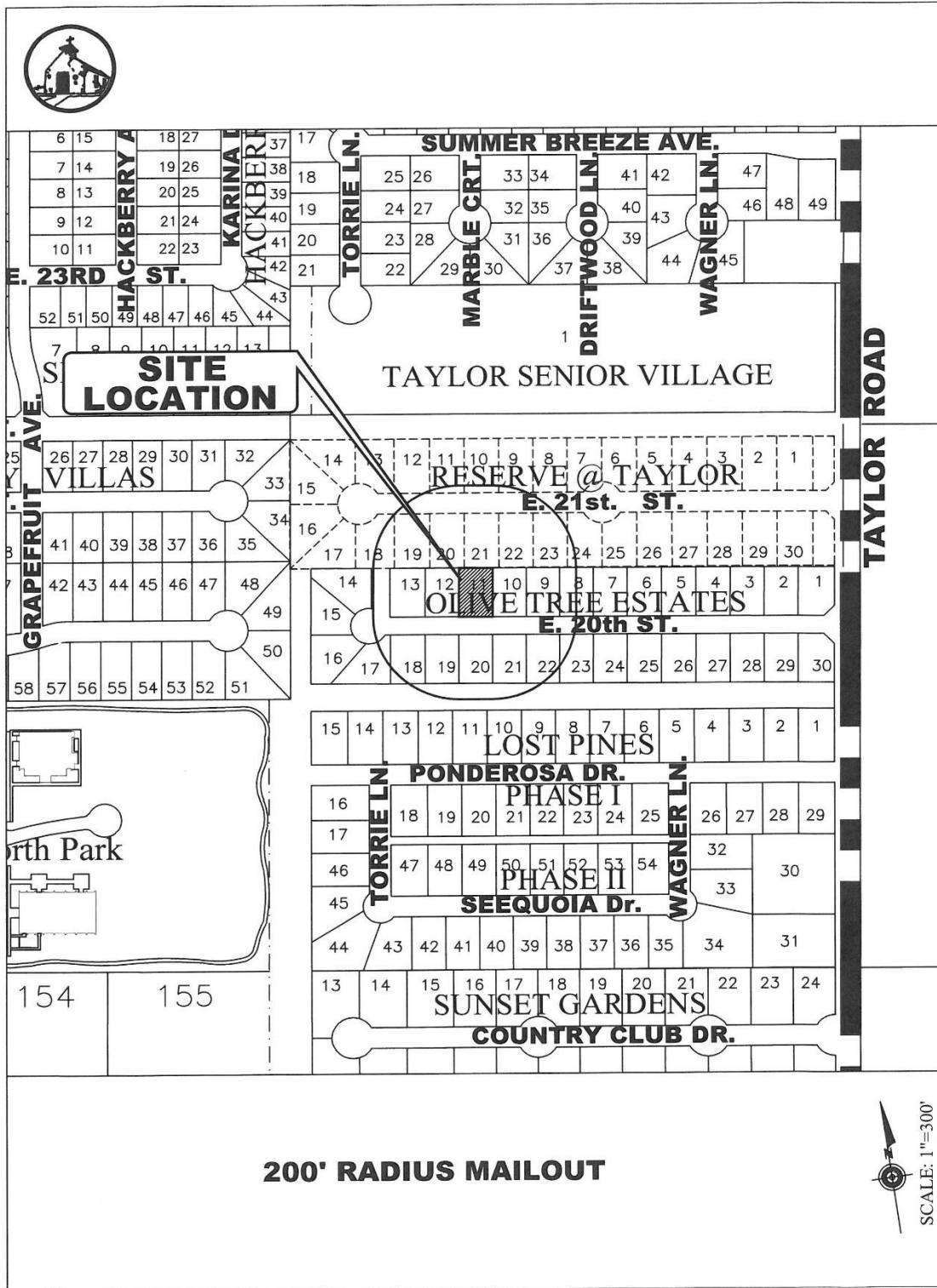
\_\_\_\_\_

\_\_\_\_\_ AYES

\_\_\_\_\_ NAYS

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

# LEGAL NOTICE MAP

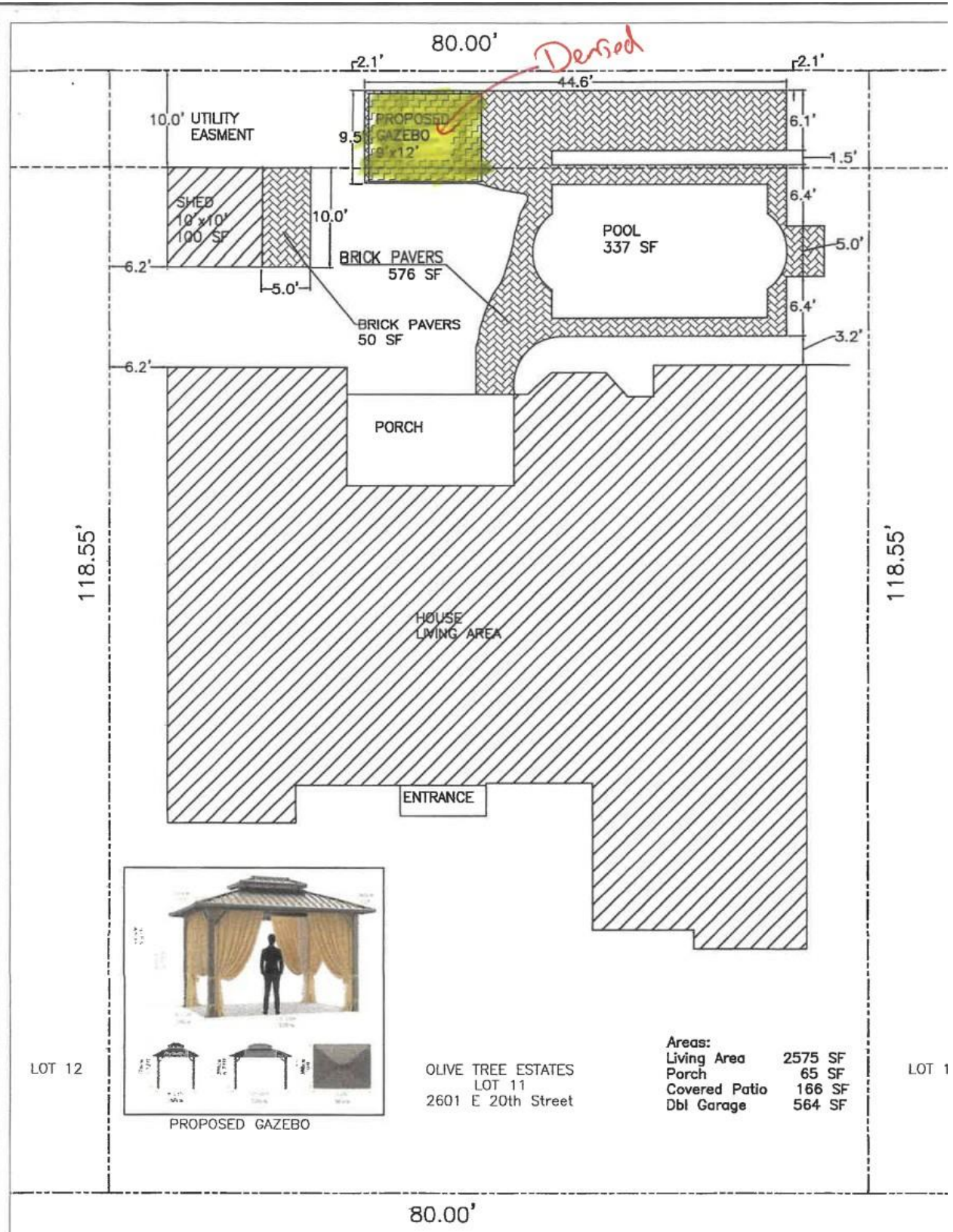


## AERIAL MAP





# SITE PLAN





**PHOTO OF THE EXTERIOR OF THE APPLICANT'S HOUSE**





PHOTO OF THE BACKYARD



## LETTER FROM THE PROPERTY OWNERS

William F. Ueckert Jr.  
2601 E 20<sup>th</sup> St.  
Mission, TX, 78572  
956-655-2372  
wueckert@rgv.rr.com

May 21, 2025

To:  
City of Mission  
Building Department  
1201 E 8<sup>th</sup> St.  
Mission, TX, 78572

**RE: Hold Harmless Agreement for Construction within Utility Easement**

Dear City of Mission,

I, William F. Ueckert Jr. and Dolores G. Ueckert, the owners of the property located at 2601 E 20<sup>th</sup> Street, acknowledge that a portion of my property is subject to a recorded utility easement as shown on the plat or deed records.

I am requesting permission to construct Metal Gazebo (9'x12') within this easement area. I understand that this easement is reserved for utility use and that the utility company or its agents may need to access this area for maintenance, repair, or installation purposes at any time.

Accordingly, I agree to the following:

1. I will hold harmless and indemnify City of Mission and any other Utility Company, its employees, agents, contractors, and assigns from all claims, damages, or liability resulting from or related to the construction, presence, or removal of said structure within the easement area.
2. I acknowledge that if access is required for utility purposes, the structure may be removed or damaged, and I will not be entitled to any reimbursement, compensation, or damages.
3. I accept full responsibility for relocating or removing the structure at my own expense if required by the utility or governing entity.

This letter shall serve as a formal agreement and acknowledgment of the terms under which the encroachment is permitted.

Sincerely,

  
William F. Ueckert Jr.

  
Dolores G. Ueckert



## EMAILS FROM UTILITY COMPANIES SUBMITTED BY THE APPLICANT

Wednesday, May 21, 2025 at 2:08:13 PM Central Daylight Time

**Subject:** Ticket 2563310613 - Response to 811 Dig Request  
**Date:** Tuesday, May 13, 2025 at 10:04:08 PM Central Daylight Time  
**From:** agt\_comm@irth.com <agt\_comm@irth.com>  
**To:** wueckert@rgv.rr.com <wueckert@rgv.rr.com>

=====  
**To:** William Ueckert                      **Attn:** William Ueckert  
**Voice:** 9566552372                      **Fax:**  
**Re:** Response to 811 Dig Request

Charter Communications/Spectrum is replying to your request to locate our underground facilities, per the dig site information provided on the one call center ticket our underground plant is not in conflict.

=====  
Ticket: 2563310613  
County: HIDALGO                      Place: MISSION  
Address: 2601 E 20TH ST

**CCTXS:**

We have determined that the information provided from the One Call center is not in conflict with our facilities.

To download attachments and related items, navigate to the URL below:  
<https://www.irth.com/IRTHNet/public/GetAttachmentDownloadAnonymous/146c6a1f-3ea4-4d98-9266-58855c088dd6>

=====  
If you have any questions please contact us at [DamageClaims@charter.com](mailto:DamageClaims@charter.com).  
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# APPRAISAL DISTRICT INFORMATION

Hidalgo County Appraisal District										PUBLIC CARD WITH SKETCH 2025-0-0										Valuation Method: cost-local										June 10, 2025																																																																																																																																																																																											
<b>PROPERTY ID AND LEGAL DESCRIPTION</b> <b>620035 2601 E 20TH ST, MISSION TX</b> OLIVE TREE ESTATES LOT 11 TYPE: R DBA: GEO ID: 03450-00-000-0011-00 Ref ID: 437662 Ref ID: R020035 SUBTYPE: RES LEGAL ACREAGE:										<b>OWNER ID, NAME, AND ADDRESS</b> UECKERT WILLIAM & DOLORES G 490980 100.00000 2601 E 20TH ST MISSION TX US 78572-3303 AGENT: EFF DATE: EXP DATE:										<b>EXEMPTIONS</b> <b>HS, OV65</b> <b>TAKING UNITS</b> CAD 100.00 CMS 100.00 DR1 100.00 GHD 100.00 JCC 100.00 SSL 100.00 SST 100.00										<b>VALUES</b> 2024 2025 IMPROVEMENTS LAND MARKET MARKET VALUE SPECIAL USE EXCL APPRAISED VALUE HS VALUE LIMIT CIRCUIT BRKR LIMIT <b>NET APPRAISED</b>																																																																																																																																																																																											
<b>GENERAL</b> UTILITIES: WY GBA: 0 TOPOGRAPHY: LV NRA: 0 ROAD ACCESS: PC UNITS: 0 ZONING: RS RENT: 0										<b>REMARKS</b> (2022) NEW PRGLS (2018) ADJ CL WALL HT & ENC PAT 18; ADJ DEPR: ALLW; SALES (2016) ADJ STG DIMS (2015) ADJ DEPR 15; ALLW; SALES; ADJ NBHD CODE 15 (2013) ADJ CL 2013 (2012) ADJ CL & SWP 2010 (2010) RMVD DEPR 2010 (2009) ADJ CL & DEPR 07; ALLOW DUE TO SALES (2008) ADJ CL & DEPR 07; ALLOW DUE										<b>SKETCH</b> 																																																																																																																																																																																																					
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<b>DEED HISTORY</b> DATE TYPE BOOK/PG INST # BUYER SELLER 2002-01-22 WDV null/null 1043905 UECKERT HOMMEL ROBERT CONV null/null HOMMEL ROBERT CACERES CIRO &																																																																																																																																																																																																																									
<b>IMPROVEMENT VALUATION</b> <table border="1"> <thead> <tr> <th>#</th> <th>TYPE</th> <th>DESCRIPTION</th> <th>MODEL CLASS</th> <th>AREA</th> <th>UN PRC UNITS</th> <th>STY</th> <th>BUILT EF YR</th> <th>COND</th> <th>FEAT AMT</th> <th>VALUE</th> <th>DEP</th> <th>PHYS</th> <th>ECON</th> <th>FUNC</th> <th>COMP</th> <th>ADJ</th> <th>VALUE</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>MA</td> <td>Residential Main</td> <td>RES BRKGD</td> <td>2,612</td> <td>120.48</td> <td>1</td> <td>2002</td> <td>2002</td> <td>AV</td> <td>0</td> <td>314,694</td> <td>77.00</td> <td>100.00</td> <td>100.00</td> <td>100.00</td> <td>0.77</td> <td>242,314</td> </tr> <tr> <td></td> <td>GAR</td> <td>GARAGE</td> <td>RES BRKGD</td> <td>486</td> <td>60.24</td> <td>1</td> <td>2002</td> <td>2002</td> <td>AV</td> <td>0</td> <td>29,277</td> <td>77.00</td> <td>100.00</td> <td>100.00</td> <td>100.00</td> <td>0.77</td> <td>22,543</td> </tr> <tr> <td></td> <td>ENC</td> <td>ENCLOSED ADD</td> <td>RES BRKGD</td> <td>204</td> <td>108.43</td> <td>1</td> <td>2002</td> <td>2002</td> <td>AV</td> <td>0</td> <td>22,120</td> <td>77.00</td> <td>100.00</td> <td>100.00</td> <td>100.00</td> <td>0.77</td> <td>17,032</td> </tr> <tr> <td></td> <td>POR</td> <td>PORCH</td> <td>RES BRKGD</td> <td>62</td> <td>30.12</td> <td>1</td> <td>2002</td> <td>2002</td> <td>AV</td> <td>0</td> <td>1,867</td> <td>77.00</td> <td>100.00</td> <td>100.00</td> <td>100.00</td> <td>0.77</td> <td>1,438</td> </tr> <tr> <td></td> <td>STG</td> <td>STORAGE</td> <td>RES BRKGD</td> <td>160</td> <td>4.5</td> <td>1</td> <td>2002</td> <td>2002</td> <td>AV</td> <td>0</td> <td>810</td> <td>99.00</td> <td>100.00</td> <td>100.00</td> <td>100.00</td> <td>0.99</td> <td>802</td> </tr> <tr> <td></td> <td>SWP</td> <td>SWIMMING POOL</td> <td>RES BRKGD</td> <td>62</td> <td>301.20</td> <td>1</td> <td>2003</td> <td>2003</td> <td>*</td> <td>0</td> <td>16,674</td> <td>78.00</td> <td>100.00</td> <td>100.00</td> <td>100.00</td> <td>0.78</td> <td>14,566</td> </tr> <tr> <td></td> <td>PRGLS</td> <td>PERGOLAS</td> <td>RES BRKGD</td> <td>96</td> <td>3.0</td> <td>1</td> <td>2015</td> <td>2015</td> <td>*</td> <td>0</td> <td>288</td> <td>90.00</td> <td>100.00</td> <td>100.00</td> <td>100.00</td> <td>0.90</td> <td>259</td> </tr> <tr> <td></td> <td>PRGLS</td> <td>PERGOLAS</td> <td>RES BRKGD</td> <td>160</td> <td>3.0</td> <td>1</td> <td>2015</td> <td>2015</td> <td>*</td> <td>0</td> <td>480</td> <td>90.00</td> <td>100.00</td> <td>100.00</td> <td>100.00</td> <td>0.90</td> <td>432</td> </tr> <tr> <td></td> <td>PRGLS</td> <td>PERGOLAS</td> <td>RES BRKGD</td> <td>18</td> <td>3.0</td> <td>1</td> <td>2018</td> <td>2018</td> <td>*</td> <td>0</td> <td>54</td> <td>95.00</td> <td>100.00</td> <td>100.00</td> <td>100.00</td> <td>0.95</td> <td>51</td> </tr> <tr> <td>1</td> <td>Style:</td> <td>STCD: A1</td> <td>Finish Out: 100</td> <td>3,880</td> <td>Area: 2,816</td> <td>HomeSite</td> <td>Y (100.00%)</td> <td></td> <td></td> <td>388,264</td> <td>AS Code: 100.00%</td> <td>Market Area: 107.00%</td> <td></td> <td></td> <td></td> <td></td> <td>320,398</td> </tr> </tbody> </table>										#	TYPE	DESCRIPTION	MODEL CLASS	AREA	UN PRC UNITS	STY	BUILT EF YR	COND	FEAT AMT	VALUE	DEP	PHYS	ECON	FUNC	COMP	ADJ	VALUE	1	MA	Residential Main	RES BRKGD	2,612	120.48	1	2002	2002	AV	0	314,694	77.00	100.00	100.00	100.00	0.77	242,314		GAR	GARAGE	RES BRKGD	486	60.24	1	2002	2002	AV	0	29,277	77.00	100.00	100.00	100.00	0.77	22,543		ENC	ENCLOSED ADD	RES BRKGD	204	108.43	1	2002	2002	AV	0	22,120	77.00	100.00	100.00	100.00	0.77	17,032		POR	PORCH	RES BRKGD	62	30.12	1	2002	2002	AV	0	1,867	77.00	100.00	100.00	100.00	0.77	1,438		STG	STORAGE	RES BRKGD	160	4.5	1	2002	2002	AV	0	810	99.00	100.00	100.00	100.00	0.99	802		SWP	SWIMMING POOL	RES BRKGD	62	301.20	1	2003	2003	*	0	16,674	78.00	100.00	100.00	100.00	0.78	14,566		PRGLS	PERGOLAS	RES BRKGD	96	3.0	1	2015	2015	*	0	288	90.00	100.00	100.00	100.00	0.90	259		PRGLS	PERGOLAS	RES BRKGD	160	3.0	1	2015	2015	*	0	480	90.00	100.00	100.00	100.00	0.90	432		PRGLS	PERGOLAS	RES BRKGD	18	3.0	1	2018	2018	*	0	54	95.00	100.00	100.00	100.00	0.95	51	1	Style:	STCD: A1	Finish Out: 100	3,880	Area: 2,816	HomeSite	Y (100.00%)			388,264	AS Code: 100.00%	Market Area: 107.00%					320,398	<b>IMPROVEMENT DETAIL ADJ</b> # ADJ TYPE ADJ AMT ADJ % Construction RES Foundation SLB Exterior Wall DBRK Interior Finish SOK Roof Style MDX Roof Covering WDS ROOF HEIGHT SP Heating/Cooling AND Flooring TL WALL HEIGHT 9 Number of Plumbing 4.00 1 BATH 3.5 Custom 2 Construction RES									
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## MAILOUT LIST

PROP_ID	file_as_na	addrDeliveryLine	addrCity	addrState	addrZip
453963	ELITE DEVELOPMENT 786 LLC	3244 TURQUIA	BROWNSVILLE	TX	78520
620041	RIOS NADYA	2502 E 20TH ST	MISSION	TX	78572-4714
620035	UECKERT WILLIAM & DOLORES G	2601 E 20TH ST	MISSION	TX	78572-3303
620042	CURA JOEL	2504 E 20TH ST	MISSION	TX	78572-4714
620033	MARTINEZ ROLANDO	2605 E 20TH ST	MISSION	TX	78572-3303
620032	VAUGHAN EUGENE III & ELVIRA A	2607 E 20TH ST	MISSION	TX	78572-3303
620034	PEREZ MARCOS & NORMA	2603 E 20TH ST	MISSION	TX	78572-3303
620046	RODRIGUEZ NELDA	2604 E 20TH ST	MISSION	TX	78572-3354
620043	RODRIGUEZ DANIEL O & PAOLA TORRES	2506 E 20TH ST	MISSION	TX	78572-4714
620044	QUINTANILLA JUAN & OLIVIA	2600 E 20TH ST	MISSION	TX	78572-3354
620045	FLORES LETICIA	2602 E 20TH ST	MISSION	TX	78572-3354
620037	AMADOR ROBERT D JR & MARIBEL	2505 E 20TH ST	MISSION	TX	78572-4722
620036	CARREON ESTHER NELLY & INES	3407 MARLA DR	PALMVIEW	TX	78572-2242
620047	CONFIDENTIAL	2606 E 20TH ST	MISSION	TX	78572
620060	CITY OF MISSION	1201 E 8TH ST	MISSION	TX	78572-5812