



MEETING DATE: July 22, 2026

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

AGENDA ITEM: Public hearing and consideration of a variance request to allow a 2.5' rear setback instead of the required 10' and a 2.5' side setback instead of the required 6' for a 15' x 20' proposed patio, being Lot 21, Hillcrest Valley Subdivision, located at 3104 Hillcrest Drive, Applicant: Alfredo Rios

NATURE OF REQUEST:

Project Timeline:

- June 25, 2026 – Application for Variance Request submitted to the City.
- July 10, 2026 – 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 hearings was published in the Progress Times.
- July 22, 2026 – Public hearing and consideration of the requested variance by the Zoning Board of Adjustments (ZBA).

Summary:

- The request is not to comply with the subdivision plat notes for the side and rear setbacks, which state the following:
 - Front setback: 25 feet
 - Rear setback: 10 feet or greater for easement
 - Interior side setback: 6 feet or greater for easement
 - Corner side setback: 10 feet
 - Garage: 20 feet
- The applicant is proposing to construct a 15' x 20' patio. He would like the board to consider allowing him to have reduced setbacks.
- The Hillcrest Valley Subdivision was recorded on November 24, 2020. The lot measures 73 feet by 121.12 feet and has a total area of 8,817.58 square feet. The property is located near the Davila Estates and Hillcrest Drive intersection.
- There is currently an existing 1,574 square foot single-family residence on the property.
- The lots to the north, south, east, and west are vacant.
- Staff has not received any calls regarding this variance request. Staff mailed out 25 notices to the surrounding property owners.
- Staff notes that no other variances have been considered in this subdivision.
- 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 new state law, HB1475, 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 denial of the variance request.

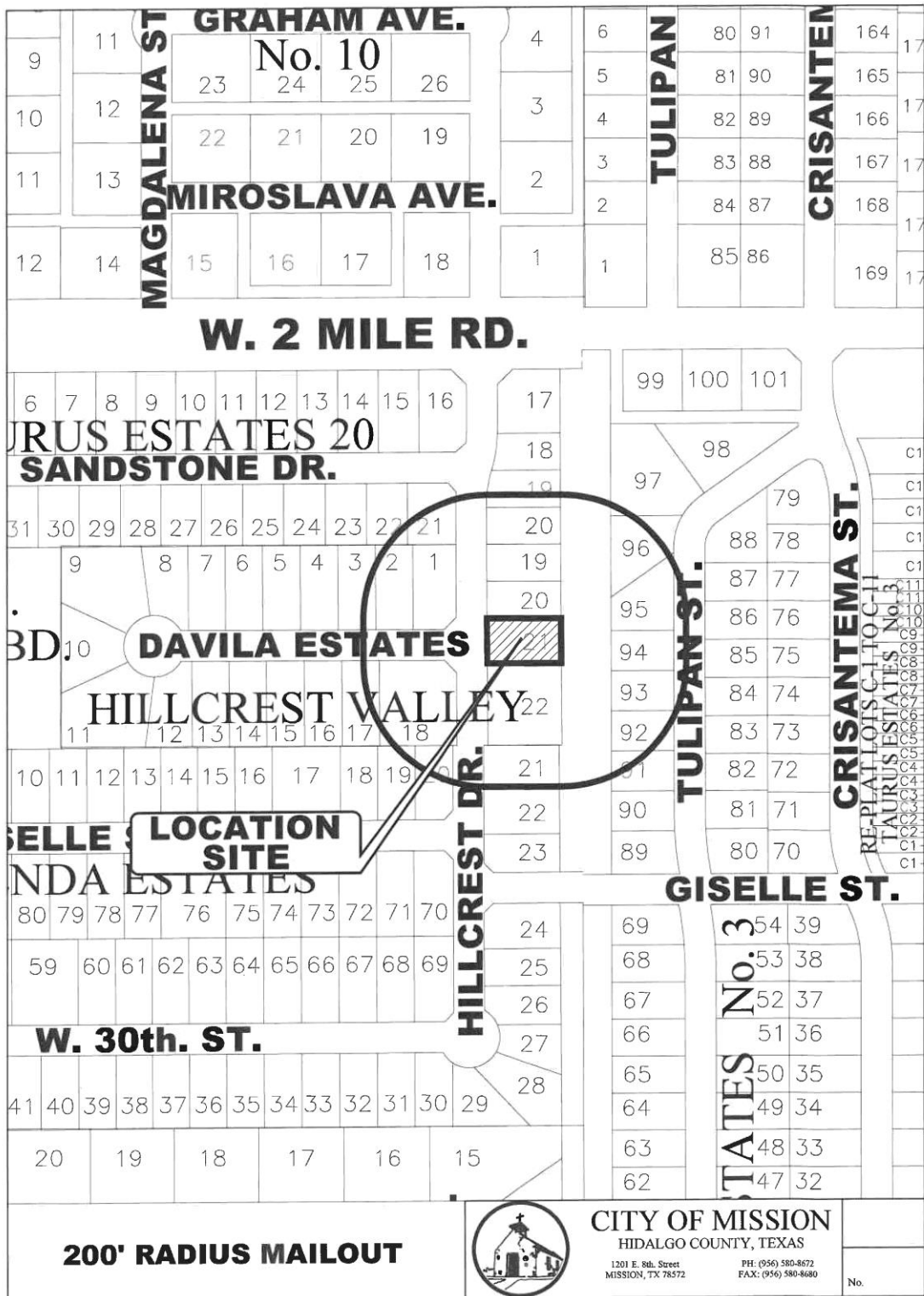
RECORD OF VOTE:	APPROVED:	_____
	DISAPPROVED:	_____
	TABLED:	_____

_____ AYES

_____ NAYS

_____ DISSENTING _____

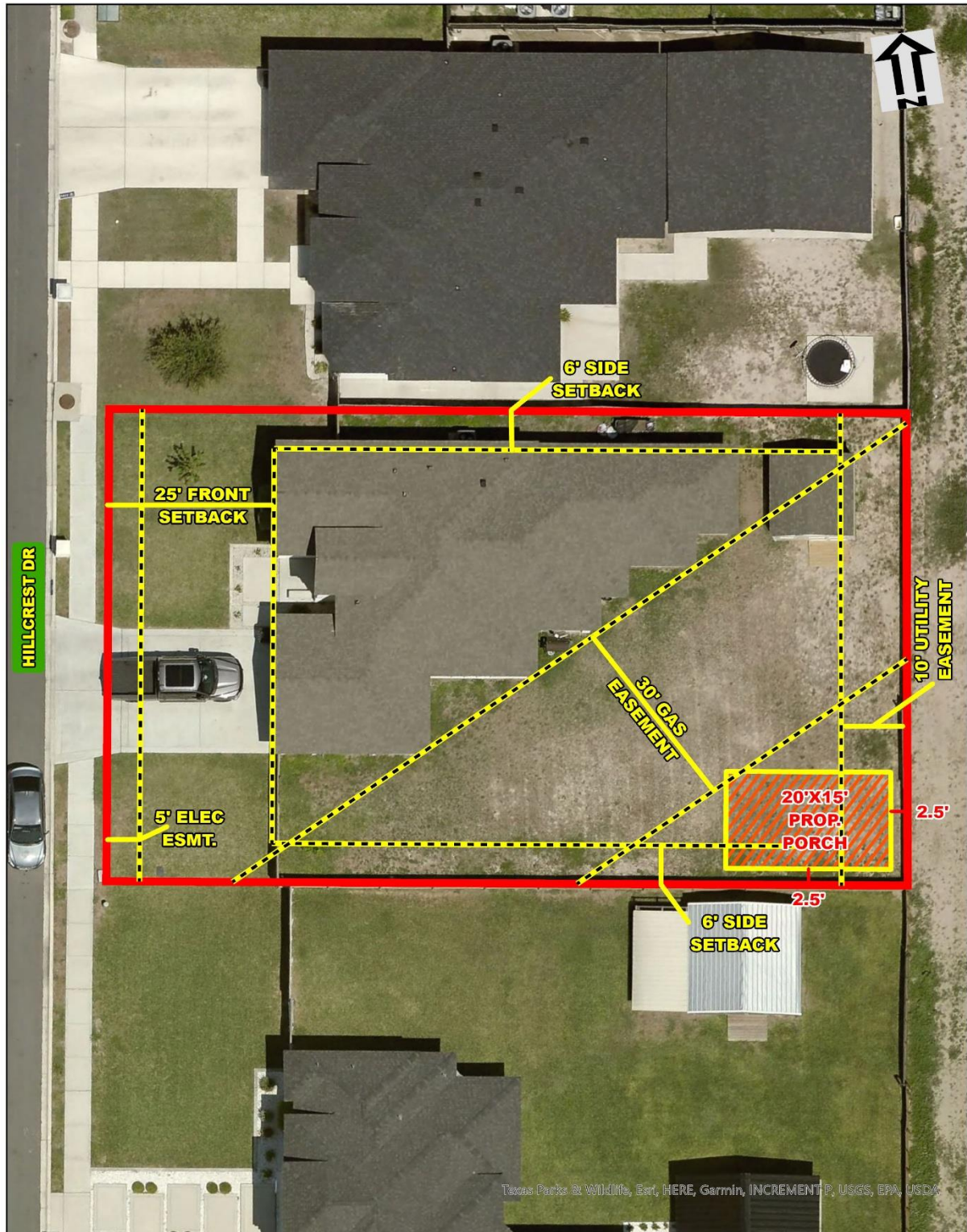
VICINITY MAP



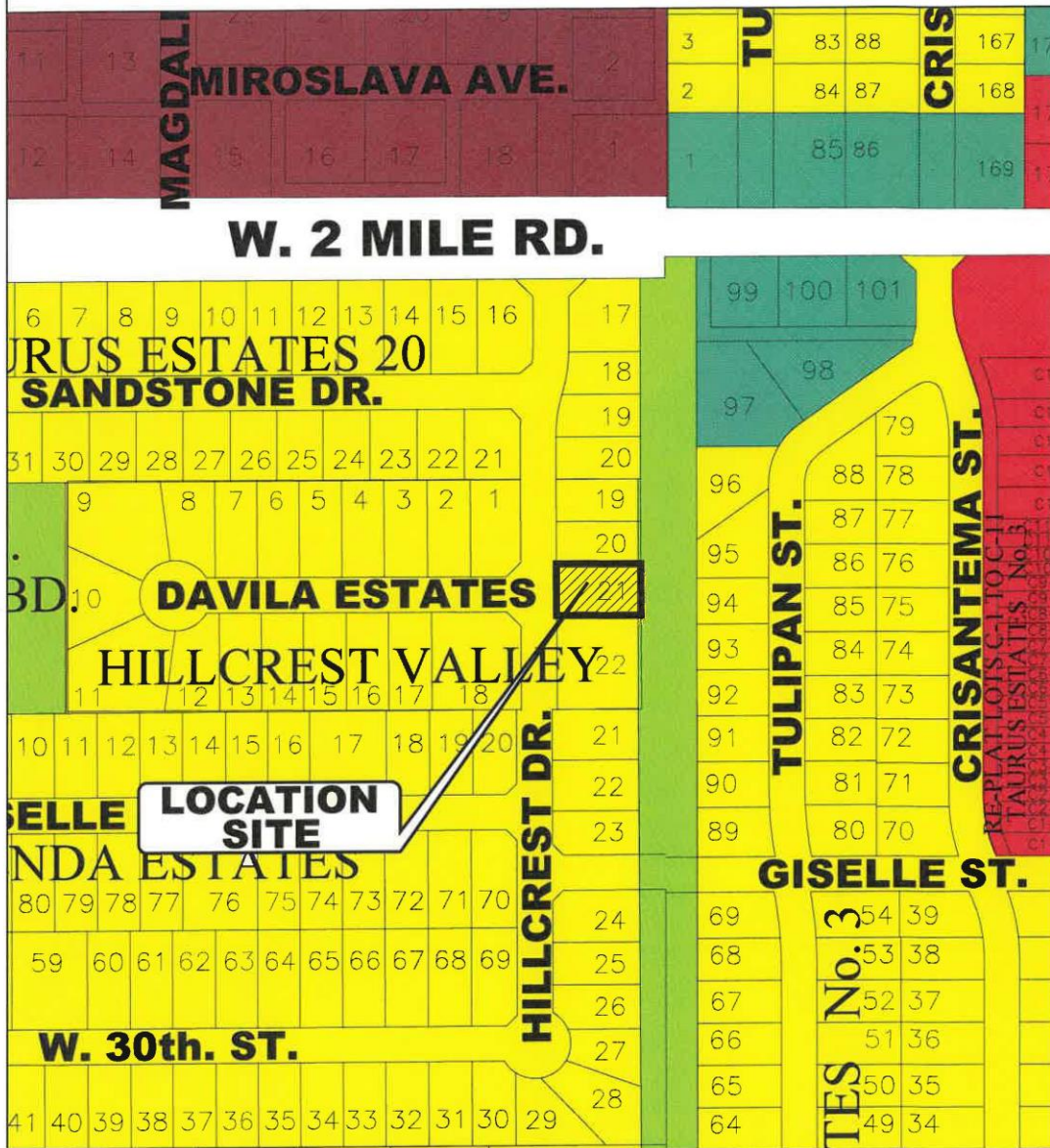
AERIAL MAP



AERIAL MAP



ZONING MAP



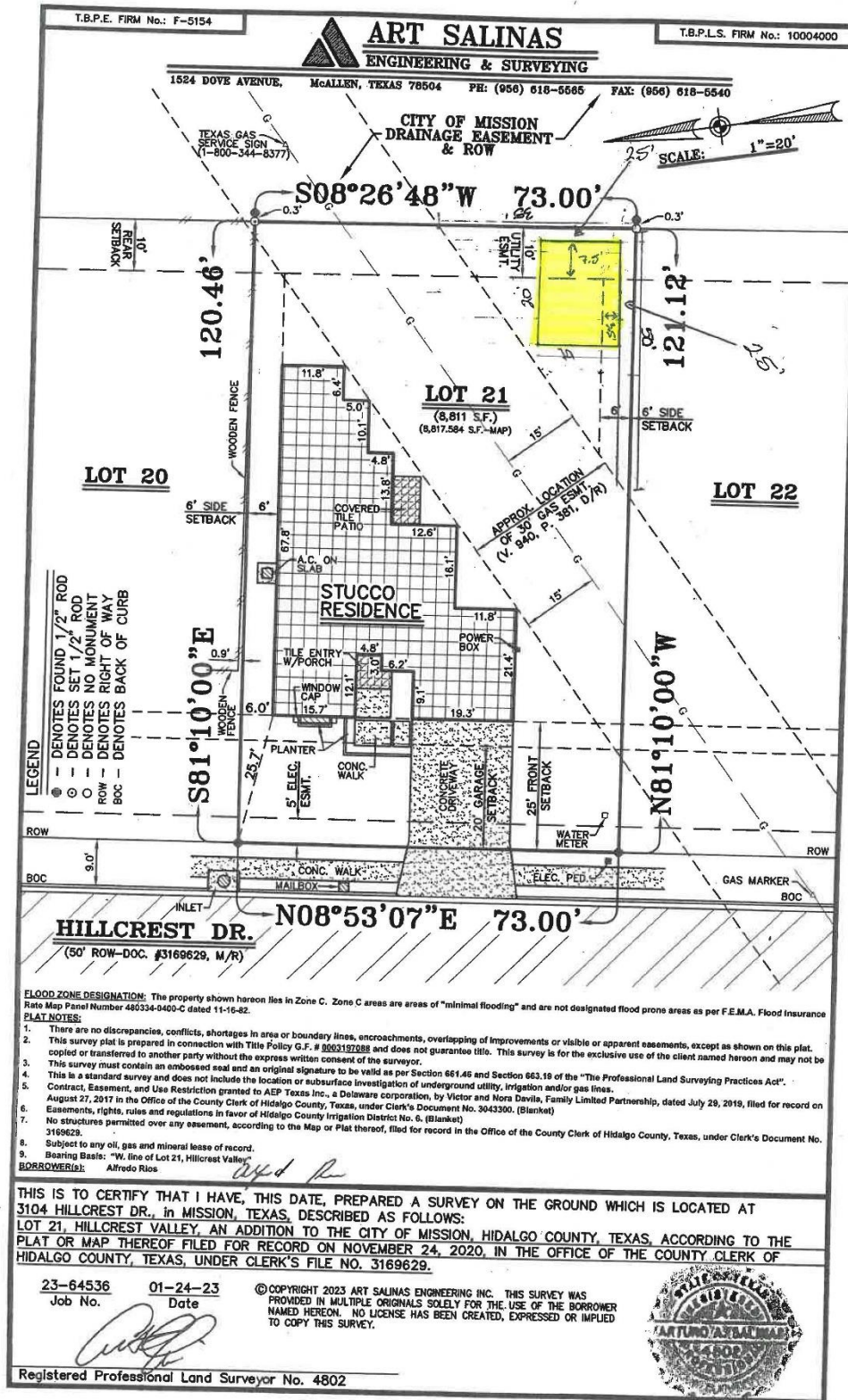
ZONING LEGEND

A-0-I AGRICULTURAL OPEN INTERIM	R-3 MULTI-FAMILY RESIDENTIAL	C-4 HEAVY COMMERCIAL
A-0-P AGRICULTURAL OPEN PERMANENT	R-4 MOBILE & MODULAR HOME	C-5 ADAPTIVE COMMERCIAL
R-1A LARGE LOT SINGLE FAMILY	R-5 HIGH DENSITY MFC'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

ATTACHMENTS



ATTACHMENTS

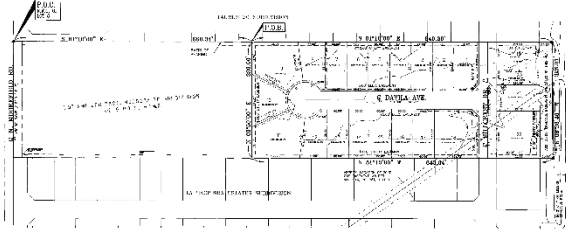


ATTACHMENTS

DATE: 12-09-2020 10:00 AM

NO.	DATE	REVISION
1	12-09-2020	ISSUED FOR PERMIT

NO.	DATE	REVISION
1	12-09-2020	ISSUED FOR PERMIT



NO.	DATE	REVISION
1	12-09-2020	ISSUED FOR PERMIT

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DATE: 12-09-2020
 BY: [Signature]
 TITLE: [Title]

12-09-2020
 12-09-2020
 12-09-2020

HILLCREST VALLEY

10000 N. HILLCREST VALLEY, SUITE 100, DALLAS, TEXAS 75243
 TEL: (214) 416-1234 FAX: (214) 416-1235
 WWW.HILLCRESTVALLEY.COM

STATE OF TEXAS
 COUNTY OF DALLAS

I, [Name], being duly sworn, depose and say that the foregoing is a true and correct copy of the original as the same appears in my possession and control, and that I am a duly qualified and licensed Professional Engineer in the State of Texas, and that I am the author of the foregoing plan.

[Signature]
 [Name]

STATE OF TEXAS
 COUNTY OF DALLAS

BEFORE ME, the undersigned authority, on this day personally appeared [Name], known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.



NOTARY PUBLIC
 STATE OF TEXAS

DATE: 12-09-2020
 BY: [Signature]
 TITLE: [Title]

DATE: 12-09-2020
 BY: [Signature]
 TITLE: [Title]

DATE: 12-09-2020

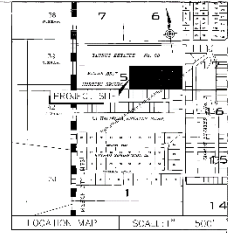
HILLCREST VALLEY, SUITE 100, DALLAS, TEXAS 75243

DATE: 12-09-2020
 BY: [Signature]
 TITLE: [Title]

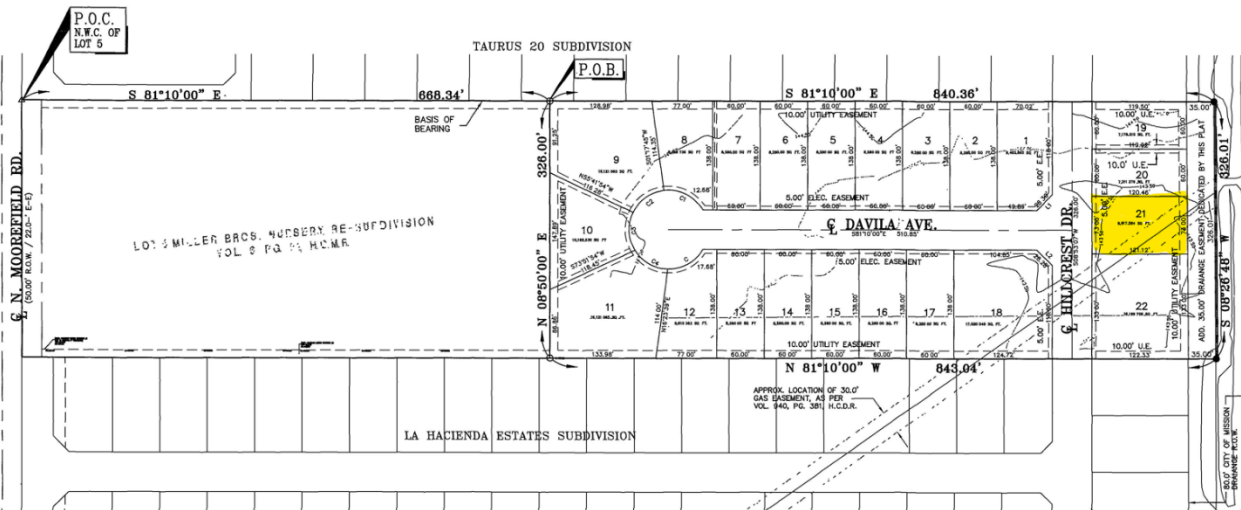
DATE: 12-09-2020
 BY: [Signature]
 TITLE: [Title]



RODRIGUEZ ENGINEERING
 CONSULTING ENGINEER - SURVEYOR
 P.E. RODRIGUEZ ENGINEERING, TEXAS - TEXAS
 P.O. BOX 1000, DALLAS, TEXAS 75201
 (214) 416-1234



SCALE: 1"= 100'



1. FLOOD ZONE STATEMENT:

FLOOD ZONE DESIGNATION: ZONE "C" AREAS OF MINIMAL FLOODING (NO SHADING)
COMMUNITY PANEL NUMBER: 4800334 0400 C.
MAP REVISED: NOVEMBER 16, 1982.

2. MINIMUM SETBACKS SHALL BE AS FOLLOWS

FRONT: 25 FT.
REAR: 10 FT. OR GREATER FOR EASEMENT
INTERIOR SIDE: 6 FT. OR GREATER FOR EASEMENT
SIDE CORNER: 10 FT.
GARAGE: 20 FT.

3. MINIMUM FINISH FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB OF DAVILA AVE.

4. LEGEND - O DENOTES 1/2 " IRON ROD SET UNLESS OTHERWISE NOTED.

5. MINIMUM BUILDING SETBACKS LINES SHALL COMPLY WITH CITY OF MISSION ZONING ORDINANCE.

6. NO STRUCTURE SHALL BE PERMITTED OVER ANY EASEMENT. EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, SHEDS, SHRUBS, TREES, AND OTHER PLANTINGS (EXCEPT LOW, LESS THAN 18 INCHES MATURE HEIGHT, GROUND COVER, GRASS, OR FLOWERS) AND OTHER OBSTRUCTIONS THAT WOULD INTERFERE WITH THE OPERATIONS AND MAINTENANCE OF THE EASEMENT.

7. STORM WATER DETENTION IS REQUIRED FOR THIS PROPERTY. THE ENGINEER OF RECORD FOR THIS SUBDIVISION PLAT HAS ESTIMATED THAT AN AREA OF APPROXIMATELY 0.46 ACRES AND A VOLUME OF APPROXIMATELY 19.998 ACRE FEET WILL BE REQUIRED FOR THIS USE. THIS IS AN ESTIMATED ONLY AND DETAILED ANALYSIS MAY REVEAL DIFFERENT REQUIREMENTS.

NO BUILDING PERMIT SHALL BE ISSUED FOR THIS PLATTED PROPERTY UNTIL A STORM WATER DETENTION SYSTEM DESIGN HAS BEEN APPROVED BY THE CITY OF MISSION FOR THIS RESIDENTIAL DEVELOPMENT.

8. THERE ARE NO WATER WELLS WITHIN 150 FEET FROM THE BOUNDARIES OF THE SUBDIVISION.

9. A 5.0' SIDEWALK WILL BE REQUIRED ALONG DAVILA AVE. AND HILLCREST DR. AT BUILDING PERMIT STAGE.

10. WHEELCHAIR RAMPS AND LANDING PER ADA REQUIREMENTS TO BE CONSTRUCTED AT SUBDIVISION CONSTRUCTION STAGE.

11. ALL DETENTION AREAS TO BE MAINTAINED BY OWNERS.

ATTACHMENTS

3104 Hillcrest Drive (Lot 21, Hillcrest Valley Subdivision)

Building Projects Selection

Name Information

☐ Individual ☒ Entity ☐ Both

Name

Address

Street No#

Street

Unit

Advanced

Project Number

Contractor

Code

Selection

Status

Project Type

Project #	Type	Name	Exp. Date	Status	St No#	Street	Unit	Project Type
22003737	R	ELIZONDO, JULIO	2/13/2023	Open	3104	HILLCREST DR		ND
22003926	R	ELIZONDO, JULIO	2/22/2023	Open	3104	HILLCREST DR		PL
22004505	R	ELIZONDO, JULIO	4/01/2023	Open	3104	HILLCREST DR		ME
22004583	R	ELIZONDO, JULIO	4/04/2023	Open	3104	HILLCREST DR		EL
22005011	R	ELIZONDO, JULIO	5/01/2023	Open	3104	HILLCREST DR		TC
22005601	R	ELIZONDO, JULIO	6/12/2023	Open	3104	HILLCREST DR		SS

Display ☒ Name ☐ Project Description

OK Cancel

Building Projects Selection

Name Information

☐ Individual ☒ Entity ☐ Both

Name

Address

Street No#

Street

Unit

Advanced

Project Number

Contractor

Code

Selection

Status

Project Type

Project #	Type	Project Description	Exp. Date	Status	St No#	Street	Unit	Project Type
22003737	R	NEW DWELLING	2/13/2023	Open	3104	HILLCREST DR		ND
22003926	R	PLUMBING	2/22/2023	Open	3104	HILLCREST DR		PL
22004505	R	MECHANICAL	4/01/2023	Open	3104	HILLCREST DR		ME
22004583	R	ELECTRICAL	4/04/2023	Open	3104	HILLCREST DR		EL
22005011	R	TEMPORARY CLEARANCE	5/01/2023	Open	3104	HILLCREST DR		TC
22005601	R	SPRINKLER SYSTEM	6/12/2023	Open	3104	HILLCREST DR		SS

Display ☐ Name ☒ Project Description

OK Cancel

MAILOUT LIST

PROP_ID	name	addrDelive	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
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 MANUEL GONZALEZ	3105 TULIPAN ST	MISSION	TX	78574
592402	PREXOT SERVICES LLC	3726 TREASURE ISLAND DR	MONTGOMERY	TX	77356
592396	PENA ALEJANDRO	3013 TULIPAN ST	MISSION	TX	78574-7842
592398	LARA HUMBERTO & MARIA SILVIA RAMOS	3103 TULIPAN ST	MISSION	TX	78574
592397	PONCE JORGE A GUTIERREZ &	3101 TULIPAN ST	MISSION	TX	78574-8299
700263	GARCIA VICKY	2004 GISELLE ST	MISSION	TX	78574-6706
700264	ZUNIGA JOSE H	3012 HILLCREST DR	MISSION	TX	78574-5779
700262	MALDONADO AGUSTIN JR & GABRIELA G MALDONADO	2006 GISELLE ST	MISSION	TX	78574-6706
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	MARROQUIN JUAN ANTONIO	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