



MEETING DATE: July 22, 2026

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

AGENDA ITEM: Public hearing and consideration of a variance request to allow a 2-foot side setback instead of the required 6 feet, for a proposed 40' x 15' carport, being Lot 91, Fairmont Estates Subdivision, located at 3007 Silver Avenue, Applicant: Erik Rodriguez – Cervantes

NATURE OF REQUEST:

Project Timeline:

- March 27, 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 was mailed to all property owners within 200 feet of the subject tract, and notice of public hearing 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 for a variance not to comply with Section 1.371.- R-1 (Single Family Residential District), which states:
- Minimum Front Setback: 20 feet
- Minimum Side Setback: 6 feet
- Minimum Garage/Carport Setback: 18 feet
- Where a building setback has been established by plat or ordinance and such setback requires a greater or lesser front yard setback than is prescribed by this article for the district in which the building is located, the required front yard setback shall comply with the building line so established by such plat or ordinance.
- The property is located at 3007 Silver Ave, being Lot 91, Fairmont Estates Subdivision
- The applicant is requesting a variance to construct a 40'x15' carport within the side setback.
- Fairmont Estates Subdivision was recorded on November 2, 2001.
- The regular lot measures 72 feet in width by 103.00 feet in length for a total of 7,416 square feet.
- There is currently an existing 1,600 square foot single-family residence on the property.
- The lots to the east, west, north, and south are developed as Single-Family Residences.
- The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out 32 legal notices to surrounding property owners.
- Staff notes that Z.B.A. has considered the following variances in this subdivision.

<u>Legal Description</u>	<u>Variance Request</u>	<u>Date of Meeting</u>	<u>Action</u>
LOT 44	4.4' REAR;1' SIDE	5/17/2006	DENIED
LOT 42	2' REAR	2/1/2012	APPROVED
LOT 47	0' CARPORT; 4 SIDE AND 5' REAR	6/26/2024	DENIED

LOT 38	2' CARPORT; 0' SIDE TO THE SOUTH; 1' SIDE TO THE NORTH; 4.6' REAR	6/26/2024	DENIED
LOT 50	7' CARPORT; 4.6' SIDE TO THE WEST; 2.6' TO THE EAST; & 4.6' REAR	6/26/2024	DENIED
LOT 108	0' SIDE SETBACK TO THE SOUTH 1' SIDE SETBACK TO THE NORTH & 1' REAR	6/26/2024	DENIED

STAFF RECOMMENDATION:

Staff recommends denial.

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

RECORD OF VOTE:

APPROVED:

DISAPPROVED:

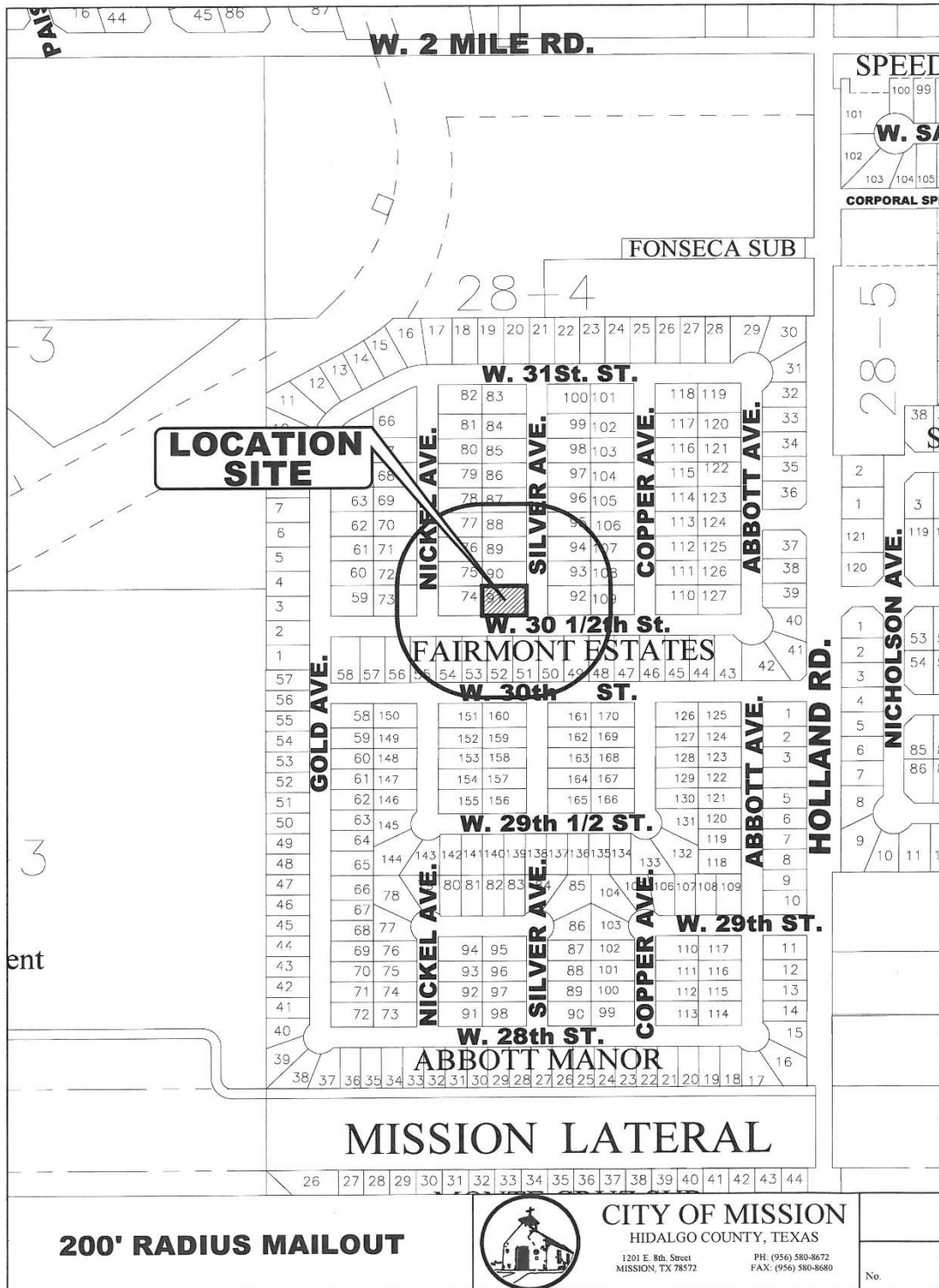
TABLED:

_____ AYES

_____ NAYS

_____ DISSENTING _____

VICINITY MAP



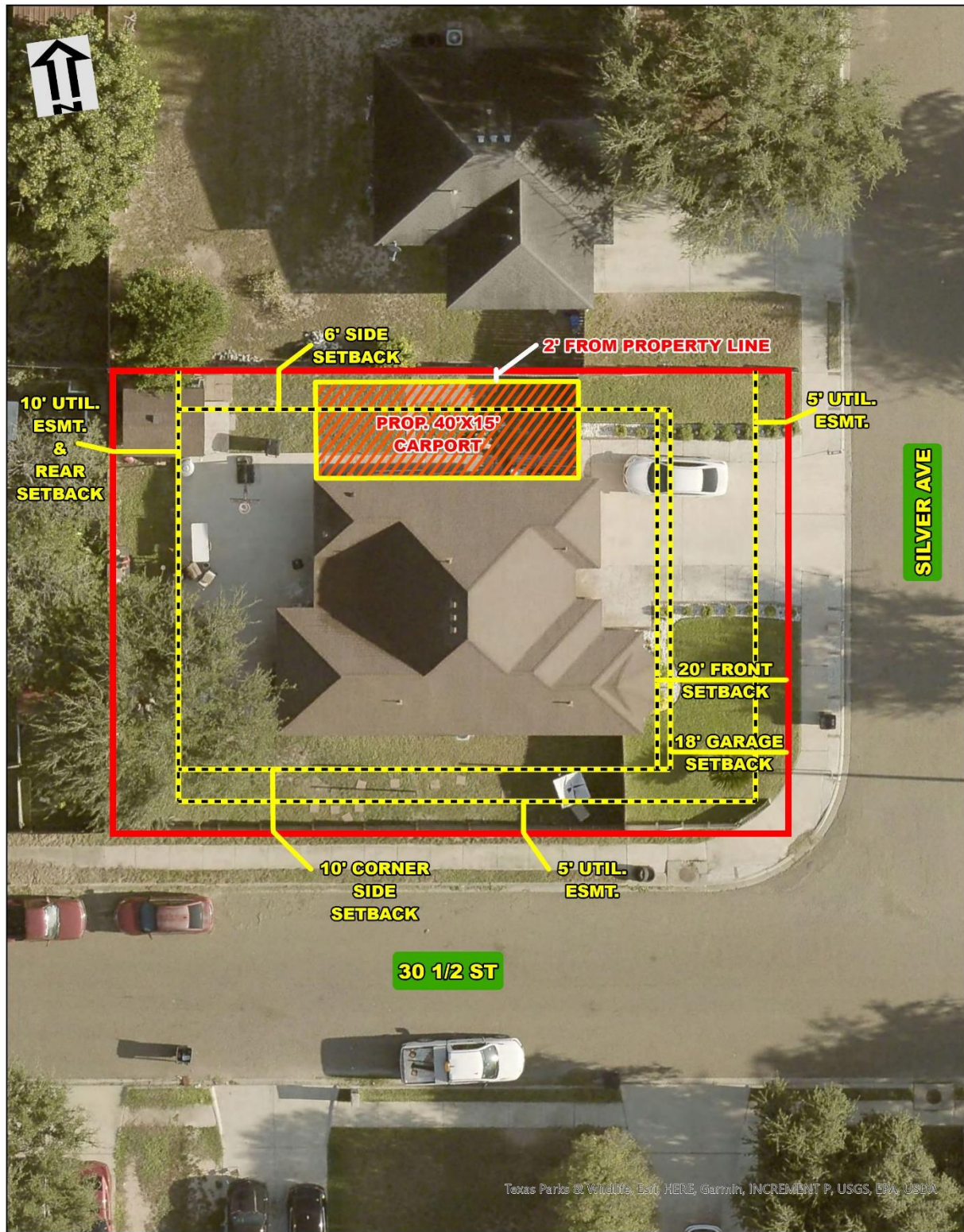
ARIEL MAP



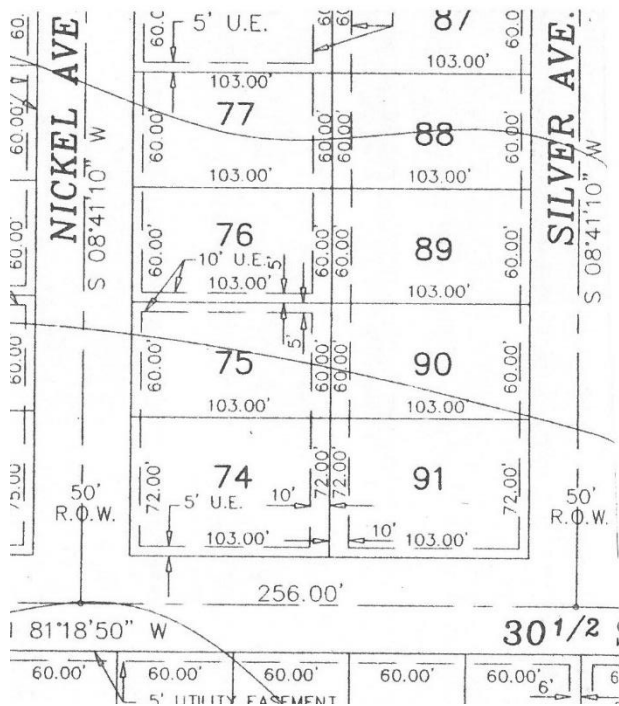
PICTURES



ARIEL WITH SETBACKS



ATTACHMENTS



GENERAL NOTES:

1. THIS PROPERTY IS LOCATED IN ZONES "C" ON A FLOOD INSURANCE RATE MAP - COMMUNITY PANEL No. 480334 0400 C; REVISED NOV. 20, 1991.
2. FINISHED FLOOR ELEVATION SHALL BE T/C +18" AS MEASURED FROM THE CENTER OF EACH LOT.
3. A TOTAL OF 1.92 ACRE FEET OF STORMWATER DETENTION IS REQUIRED FOR THIS SUBDIVISION. A TOTAL OF 665 CUBIC FEET OF STORMWATER DETENTION IS REQUIRED FOR EACH LOT.
4. NO BUILDINGS SHALL BE CONSTRUCTED ON ANY EASEMENTS.
5. MINIMUM BUILDING SETBACKS SHALL BE AS FOLLOWS:
 FRONT:.....20 FEET
 REAR:.....10 FEET OR GREATER FOR EASEMENT
 SIDE:.....6 FEET
 SIDE CORNER:.....10 FEET
 FRONT CUL-DE-SAC:.....10 FEET
 GARAGE:.....18 FEET
6. CENTRAL POWER AND LIGHT CO. IS HEREBY GRANTED AN EASEMENT AND RIGHT-OF-WAY ON EACH LOT IN SAID SUBDIVISION FOR AN UNDERGROUND ELECTRIC SERVICE LATERAL TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH PURPOSE AT THE RIGHT LOCATION WHERE SUCH SERVICE LATERAL IS TO BE OR IS INSTALLED AND MAINTAINED FROM TIME TO TIME.
7. THE CITY OF MISSION SHALL HAVE A 15' x 15' CORNER CLIP EASEMENT AT ALL STREET INTERSECTIONS.
8. NO LOT ACCESS OR FRONTAGE SHALL BE ALLOWED FOR LOTS 30 THRU 41 FROM HOLLAND AVENUE.
9. NO LOT ACCESS OR FRONTAGE SHALL BE ALLOWED FOR LOTS 41-57 FROM 30TH STREET.
10. A 5' WIDE SIDEWALK IS REQUIRED ALONG THE WEST SIDE OF HOLLAND AVENUE BY THE DEVELOPER.
11. A 4' WIDE SIDEWALK REQUIRED ALONG BOTH SIDES OF ALL INTERIOR STREETS AT TIME OF BUILDING PERMIT.
12. A 6' BUFFER REQUIRED ALONG THE NORTH SIDE OF LOTS 11-16 AND EAST SIDE OF LOTS 30-41 BY THE DEVELOPER.
13. A WOOD FENCE BUFFER MUST BE CONSTRUCTED ON SOUTH SIDE OF LOT 1

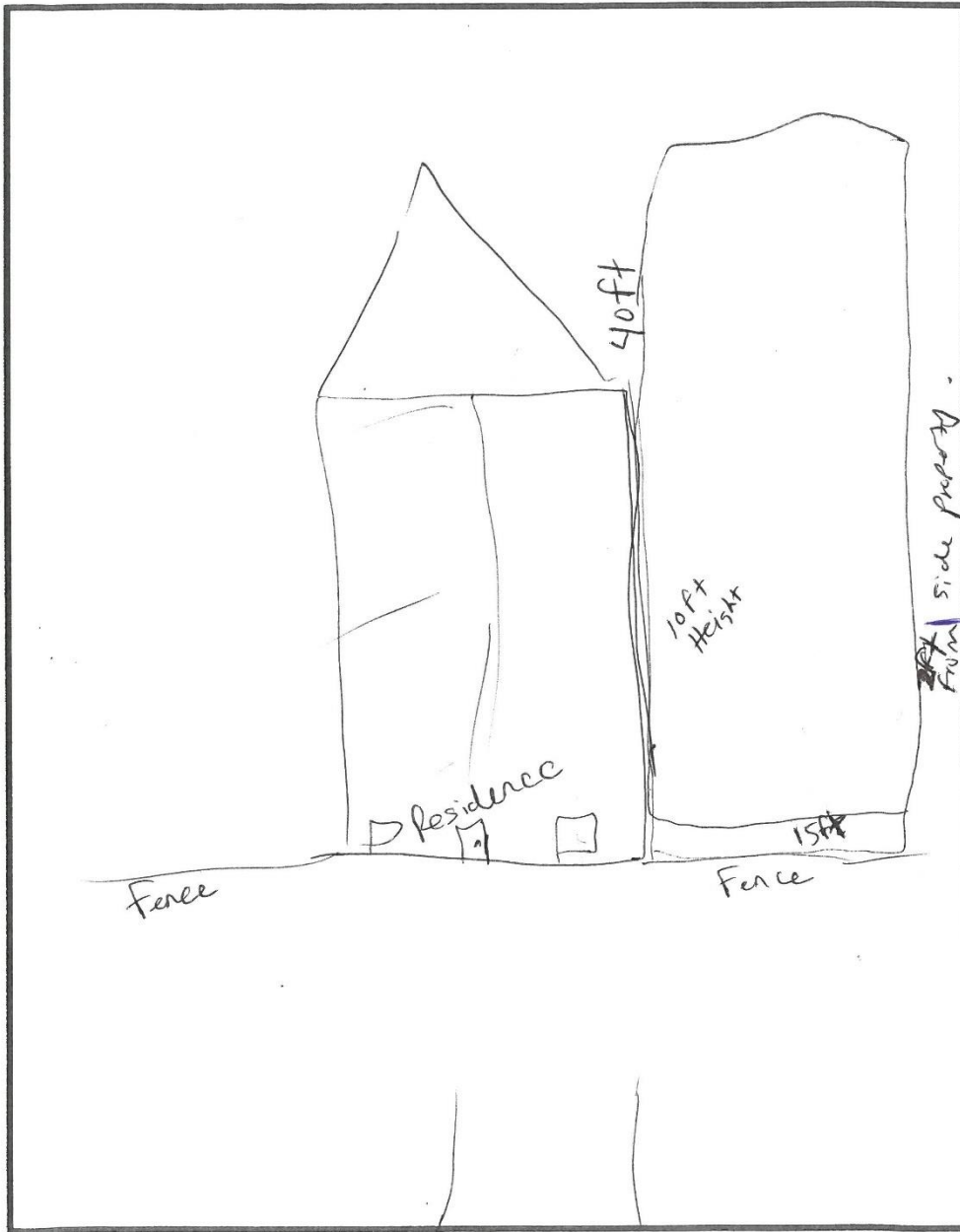
ATTACHMENTS

PLOT PLAN

SHOW ALL EXISTING BUILDINGS AND STRUCTURES SHOW
NEW WORK AND DISTANCE TO PROPERTIES

REAR OF PROPERTY

SIDE PROPERTY LINE



SIDE PROPERTY LINE

FRONT OF PROPERTY

APPRAISAL DISTRICT INFORMATION

Hidalgo County Appraisal District		PUBLIC CARD WITH SKETCH 2026-0-0		Valuation Method: cost4local		April 06, 2026	
PROPERTY ID AND LEGAL DESCRIPTION		OWNER ID, NAME, AND ADDRESS		EXEMPTIONS		VALUES	
635386 3007 SILVER AVE, MSSION TX		RODRIGUEZ ERIK		1072759		2025 2026	
FAIRMONT ESTATES LOT 01 TYPE: R DBA: GEO ID: F0457-00-000-0001-00 Ref ID1: 446233 Ref ID2: R030388 SUBTYPE: RES LEGAL ACREAGE:		3007 SILVER AVE MISSION TX 78574-1547 AGENT: 1204109 OWENWELL, INC EFF DATE: 2025-04-26 EXP DATE:		HIS TANKING UNITS CAD 100.00 CMS 100.00 DR1 100.00 GHD 100.00 JCC 100.00 SMC 100.00 SST 100.00		IMPROVEMENTS LAND MARKET MARKET VALUE SPECIAL USE EXCL APPRAISED VALUE HS VALUE LIMIT CIRCUIT BREAK LIMIT NET APPRAISED	
PROP USE: AS CODE: F045700 MPT ID: CMS VOL 38 MPTSCO: TIF: SUB NKT: EFF SIZE: APPR VAL METHOD: cost4local						119,771 115,261 60,070 60,070 178,841 175,331 0 0 178,841 175,331 487 0 0 0 178,364 175,331	
UTILITIES: ALMY GBA: 0 TOPOGRAPHY: LV NRA: 0 ROAD ACCESS: PGD UNITS: 0 ZONING: RMH RENT: 0		REMARKS (2025) NEW STG; ENC GAR (2022) ADJ % RE ROOF (2020) ADJ NBHD CODE (2016) ADJ DEPR & NEW CAN; ALLW: FEE APPR (2013) N/C (2013) N/C (2008) ADJ CL 07 (2008) ADJ CL 07 (2007) ADJ CL 07 (2005) N/C (2005) N/C		SKETCH 			
TAXING UNIT CD TAXING UNIT NAME PCT CAD APPRAISAL DISTRICT 100.00% CMS CITY OF MISSION 100.00% DR1 DRAINAGE DISTRICT #1 100.00% GHD HIDALGO COUNTY 100.00% JCC SOUTH TEXAS COLLEGE 100.00% SMC MISSION ISD 100.00% SST SOUTH TEXAS SCHOOL 100.00%		PICTURE 					
DEED HISTORY DATE TYPE BOOK PG INST # BUYER SELLER 2016-03-30 SVD null/full 2699147 RODRIGUEZ ERIK PANIAGUA MARIA 2008-06-15 WD null/full 1919527 PANIAGUA MARIA PANIAGUA MARIA 2003-05-22 SVD null/full 1201748 PANIAGUA MARIA GRANDE VALLEY							
		IMPROVEMENT VALUATION # TYPE DESCRIPTION MODEL CLASS AREA UN PRG UNITS STY BUILT EFF YR COND FEAT AMT MA Residential Main RES BRKFA 1,348 81.45 1 1 2003 2007 AV 0 100,795 77.00 100.00 100.00 100.00 0.77 84,542 ENC ENCLOSED ADD RES BRKFA 252 73.31 1 1 2003 2007 AV 0 18,474 77.00 100.00 100.00 100.00 0.77 14,225 POR PORCH RES BRKFA 20 20.36 1 1 2003 2007 AV 0 407 77.00 100.00 100.00 100.00 0.77 313 CAN CANOPY RES BRKFA 70 3.5 1 1 2014 2014 * 0 245 95.00 100.00 100.00 100.00 0.96 235 STG STORAGE RES BRKFA 120 8.0 1 1 2020 2020 00 0 960 95.00 100.00 100.00 100.00 0.95 912 1 Style: Finish Out 100 Area: 1,600 Homesite: Y (100.00%) 129,881 AS Code: 100.00% Market Area: 115.00% 115,261 Quality: FA Structure: C Ext Wall: BRK		IMPROVEMENT DETAIL ADJ # ADJ TYPE ADJ AMT ADJ % 1 ADJ TYPE ADJ AMT ADJ %		IMPROVEMENT FEATURES DESC CODE Roof Style HRP Heating/Cooling AND Plumbing 1 Roof Covering CmpS Custom 0 BATH 2 WALL HEIGHT 8 Number of 3.00 ROOF HEIGHT MP Flooring TL Interior Finish SRK Construction RES Exterior Wall DBRK Foundation SLB	
LAND VALUATION LP DESCRIPTION TYPE SOIL CLS TABLE SC HS M/TH DIV UNIT PRG ADJ MADJ VAL SRC M/ET VAL 1 LOT L F045700 A1 Yes SF 7416.00 sf 8.10 1.000 A 60,070 AS Code: 100.00% Market Area: 100.00% 60,070		LAND ADJUSTMENTS SEQ ADJ TYPE ADJ AMT ADJ % No		PRODUCTIVITY VALUATION AG USE TABLE UNIT AG VALUE No 0.00 0			

MAILOUT LIST

PROP_ID	geolD	name	addrDelive	addrCity	addrState	addrZip
635346	F0457-00-000-0051-00	RAMIREZ MAURICIO A & YVETTE	1001 WEST 30TH 1/2 ST	MISSION	TX	78574-7794
635348	F0457-00-000-0053-00	TOMELGLO LLC	1207 E 29TH ST	MISSION	TX	78574-3745
635403	F0457-00-000-0108-00	MONTOYA JUAN PABLO & JULIA S	3009 COPPER AVE	MISSION	TX	78574-7790
635389	F0457-00-000-0094-00	RIOS JUDY	1210 W SOUTH DAKOTA ST	MISSION	TX	78573-0995
635384	F0457-00-000-0089-00	TORRES FRANK & MELVA	3011 SILVER AVE	MISSION	TX	78574-1547
635373	F0457-00-000-0078-00	GARCIA JOSE G & OLGA B CANTU	3014 NICKEL AVE	MISSION	TX	78574-1543
635347	F0457-00-000-0052-00	MERCADO ZENAIDA T	1003 W 30 1/2 ST	MISSION	TX	78574-7794
635401	F0457-00-000-0106-00	MARTIN MARY ANN	3013 COPPER AVE	MISSION	TX	78574-7790
635402	F0457-00-000-0107-00	GUERRA CYNTHIA	3011 COPPER AVE	MISSION	TX	78574-7790
635388	F0457-00-000-0093-00	HILARIO MARGARITA A & MATILDE R	3008 SILVER AVE	MISSION	TX	78574-1547
635385	F0457-00-000-0090-00	RODRIGUEZ FERNANDO	3009 SILVER AVE	MISSION	TX	78574-1547
635350	F0457-00-000-0055-00	GUAJARDO CYNTHIA	1009 W 30TH 1/2 ST	MISSION	TX	78574-7794
635349	F0457-00-000-0054-00	MARTINEZ CLAUDIA A	6600 LIMA LN	MISSION	TX	78574-3656
635351	F0457-00-000-0056-00	CONDES ANDYS L & LISSETTE DOMIGUEZ SANCHEZ	1101 W 30TH 1/2 ST	MISSION	TX	78574-7272
635382	F0457-00-000-0087-00	RODRIGUEZ JOSE LUIS & EVA AMELIA GARCIA	3015 SILVER AVE	MISSION	TX	78574-1547
635386	F0457-00-000-0091-00	RODRIGUEZ ERIK	3007 SILVER AVE	MISSION	TX	78574-1547
635345	F0457-00-000-0050-00	SIERRA RICARDO	909 W 30TH 1/2 ST	MISSION	TX	78574
635344	F0457-00-000-0049-00	KADER OMAR	15046 SAN FELICIANO DR	LA MIRADA	CA	90638-4542
635343	F0457-00-000-0048-00	BECERRA-GALVAN ARNOLDO	905 W 30TH 1/2 ST	MISSION	TX	78574-7793
635391	F0457-00-000-0096-00	ROSELLO ERIC & KARINA	3014 SILVER AVE	MISSION	TX	78574-1547
635390	F0457-00-000-0095-00	PEREZ YVONNE T	3012 SILVER AVE	MISSION	TX	78574-1547
635387	F0457-00-000-0092-00	GALVAN MICHELLE	3006 SILVER AVE	MISSION	TX	78574-1547
635366	F0457-00-000-0071-00	CANTU ELIANA & JOSE P	3011 NICKLE AVE	MISSION	TX	78574-7850
635367	F0457-00-000-0072-00	GARCIA RONNIE & MARISOL GUERRA	3009 NICKEL AVE	MISSION	TX	78574-7850
635368	F0457-00-000-0073-00	VARGAS-AYALA JAVIER A	3007 NICKEL AVE	MISSION	TX	78574-7850
635365	F0457-00-000-0070-00	HERNANDEZ JOSE A & MARGARITA	3013 NICKEL AVE	MISSION	TX	78574-7850
635404	F0457-00-000-0109-00	VASQUEZ MONICA	3007 COPPER AVE	MISSION	TX	78574-7790
635372	F0457-00-000-0077-00	PEREZ JOEL	3012 NICKEL AVE	MISSION	TX	78574-1543
635383	F0457-00-000-0088-00	RODRIGUEZ JUAN M & DALIA J	3013 SILVER AVE	MISSION	TX	78574-1547
635370	F0457-00-000-0075-00	OCANAS ERIK H & VERONICA C	3008 NICKEL AVE	MISSION	TX	78574-1543
635371	F0457-00-000-0076-00	MORENO RENE LEAL	3010 NICKEL AVE	MISSION	TX	78574-1543
635369	F0457-00-000-0074-00	GONZALEZ STEPHANIE M & JORGE L COLUNGA JR	3006 NICKEL AVE	MISSION	TX	78574-1543