



AGENDA

Pursuant to V.T.C.A. Gov. Code Section 551.001, et. Seq., the Zoning Board of the City of Mission, Texas will hold a Regular Meeting on **Wednesday, March 25 2026 at 4:30 p.m.** in the **City Hall's Council Chamber, 1201 E. 8th Street** to consider the following matters:

REGULAR MEETING

1. Call to Order
2. Disclosure of Conflict of Interest
3. Citizens Participation

APPROVAL OF MINUTES

1. Approval of Minutes for ZBA Meeting - 2/25/26

PUBLIC HEARING

2. Public hearing and consideration of a variance to allow a 35-foot and 10-inch rear setback instead of the required 50-foot rear setback for a proposed swimming pool, being Lot 24, Sharyland Plantation Village San Miguel Phase I Subdivision, located at 2402 Santa Clara Street, Applicant – Adrian Hernandez and Jose A. Cantu - Cervantes

ADJOURNMENT

Signed this the 19th day of March, 2026

Xavier Cervantes, Director of Planning

C E R T I F I C A T E

I, the undersigned City Secretary do certify that the above notice of meeting was posted on the bulletin board of City Hall, 1201 E. 8th Street, Mission, Texas on this the 19th day of March, 2026 and will remain posted continuously for at least three business days preceding the scheduled date of said meeting, in compliance with Chapter 551 of the Government Code.

Anna Carrillo, City Secretary

**ZONING BOARD OF ADJUSTMENTS
FEBRUARY 25, 2026
CITY HALL'S COUNCIL CHAMBERS**

ZBA PRESENT

Alberto Salazar
Humberto Garza
Heraclio Flores
William Ueckert Jr.

ZBA ABSENT

Dolly Elizondo

STAFF PRESENT

Xavier Cervantes
Susie De Luna
Jessica Munoz
Alex Hernandez
Elisa Zurita
Ana Bazaldua

GUESTS PRESENT

Rebecca Martinez
Ray Garcia
Heron Alexis Lugo
Anthony Malone

CALL TO ORDER

Chairman Salazar called the meeting to order at 4:36 p.m.

CITIZENS PARTICIPATION

Chairman Salazar asked if there was anyone in the audience who had anything to present or express that was not on the agenda.

There was none.

APPROVAL OF MINUTES FOR JANUARY 28, 2026

Chairman Salazar asked if there are any corrections to the minutes. Mr. Garza moved to approve the minutes as presented. Mr. Flores seconded the motion. Upon a vote, the motion passed unanimously.

ITEM # 1

TO ALLOW A 0' REAR SETBACK INSTEAD OF THE REQUIRED 10' REAR SETBACK/UTILITY EASMENT AND TO ALLOW A 0' SIDE SETBACK ALONG THE SOUTH SIDE OF THE PROPERTY INSTEAD OF THE REQUIRED 4.5' AND TO ALLOW A 0' SIDE SETBACK, ALONG THE NORTHSIDE OF THE PROPERTY INSTEAD OF THE REQUIRED 1.5' SETBACK FOR A 12'x30' AND 15'x19' PATIO, BEING LOT 12, BLOCK 1, AT SHARY GARDENS SUBDIVISION, LOCATED AT 2310 GARDEN VIEW DRIVE REQUESTED BY REBECCA MARTINEZ.

Mr. Hernandez stated that the subject site was located along the East side of Garden View Drive, approximately 635 feet North of E. Griffin Parkway (F.M. 495). The applicant is requesting a variance to keep two patio structures 12' by 30' and 15' by 19' within the 10' rear and the 4.5' and 1.5' side setbacks. The Sunrise Meadows Subdivision was recorded on March 18, 1997. The subject property is a regular lot with a depth of 100.00 feet and a width of 48.8 feet along Garden View Drive. The subject lot has a total area of 4,880 square feet. The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out 35 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 Z 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) obtaining a building permit fee.

Chairman Salazar asked Mr. Hernandez if there had previously been variances in the neighborhood.

Mr. Hernandez replied No.

Chairman Salazar asked if the applicant was present in the audience and requested for Ms. Martinez to step forward and to state her full name and address for the record.

Rebecca Martinez, who resides at address 2310 Garden View Drive, stated that when she worked on the project, she did not realize that she wasn't in compliance with the setbacks and since she is planning on selling the house she wants to make sure she does things right by soliciting a variance authorization from the City to avoid any problems in the process of selling her house.

Chairman Salazar asked Mrs. Martinez if she is under contract?

Mrs. Martinez replied "Not Yet, because I needed to do all this stuff before, well that was the recommendation"

Chairman Salazar asked the board if there were any question for the applicant.

Mr. Garza asked when was the structure built.

Ms. Martinez stated she did not have exact dates but that it was an old structure.

Chairman Flores asked if she had come forth on her own.

Ms. Martinez replied she had been advised by her real state agent to apply for the variance.

Mr. Flores asked the applicant if she has talked to utility companies.

Ms. Martinez stated 811 had conducted a dig test and a Spectrum line was located along the East side of the property and along the South side of the property she had an ATT line that she does not use since they are land lines that are no longer in use.

Chairman Salazar asked about the recommendations from the real state agent in regards to the structure.

Ms. Martinez stated her real estate agent recommended for the structure to remain as is to avoid the costs that come with taking the structure down.

There being no further discussion, Chairman Salazar entertained a motion to close the public hearing. Mr. Garza moved to close the public hearing. Ms. Ueckert Jr. seconded the motion. Upon a vote, the motion passed unanimously.

There being no further discussion. Chairman Salazar entertained a motion. Mr. Garza moved to the variance request. Mr. Ueckert Jr. seconded the motion. Upon a vote, the motion passed unanimously.

ADJOURNMENT

There being no further business, Chairman Salazar entertained a motion, Mr. Flores moved to adjourn. Mr. Garza seconded the motion. Upon a vote, the motion passed unanimously at 4:42 p.m.

Alberto Salazar, Chairman
Zoning Board of Adjustments



AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: March 25, 2026

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

AGENDA ITEM: Public hearing and consideration of a variance to allow a 35-foot and 10-inch rear setback instead of the required 50-foot rear setback for a proposed swimming pool, being Lot 24, Sharyland Plantation Village San Miguel Phase I Subdivision, located at 2402 Santa Clara Street, Applicant – Adrian Hernandez and Jose A. Cantu - Cervantes

NATURE OF REQUEST:

Project Timeline:

- February 25, 2026 – Application for Variance Request submitted to the City
- March 03, 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.
- March 25, 2026 – 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 1.46 (3) (b) of the Mission Code of Ordinances, which states:
 - Any use of property that does not meet the required minimum lot size, front, side, and rear yard dimensions, and or lot width; or exceeds the maximum height, building coverage, or density per gross acre as shown in the recorded development plan, and approved by the planning and zoning commission.
- The site is located at the Cul-De-Sac of Santa Clara Street and San Miguel Street.
- The applicant is requesting a variance to construct a swimming pool with a 35-foot and 10-inch rear setback instead of the required 50-foot side setback.
- Sharyland Plantation Village San Miguel Phase I Subdivision was recorded on May 28, 2004.
- The subject lot has a total area of 33,807.46 square feet.
- The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out 11 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>Recommendation</u>
Lots 23-32, Phase I	30-foot rear	11-16-05	Approved
Lot 40, Phase II	33.9-foot rear	11-08-06	Approved
Lot 8, Phase II	45-foot front	02-06-07	Denied
Lot 16, Phase VI	10-foot side	01-28-26	Approved

STAFF RECOMMENDATION:

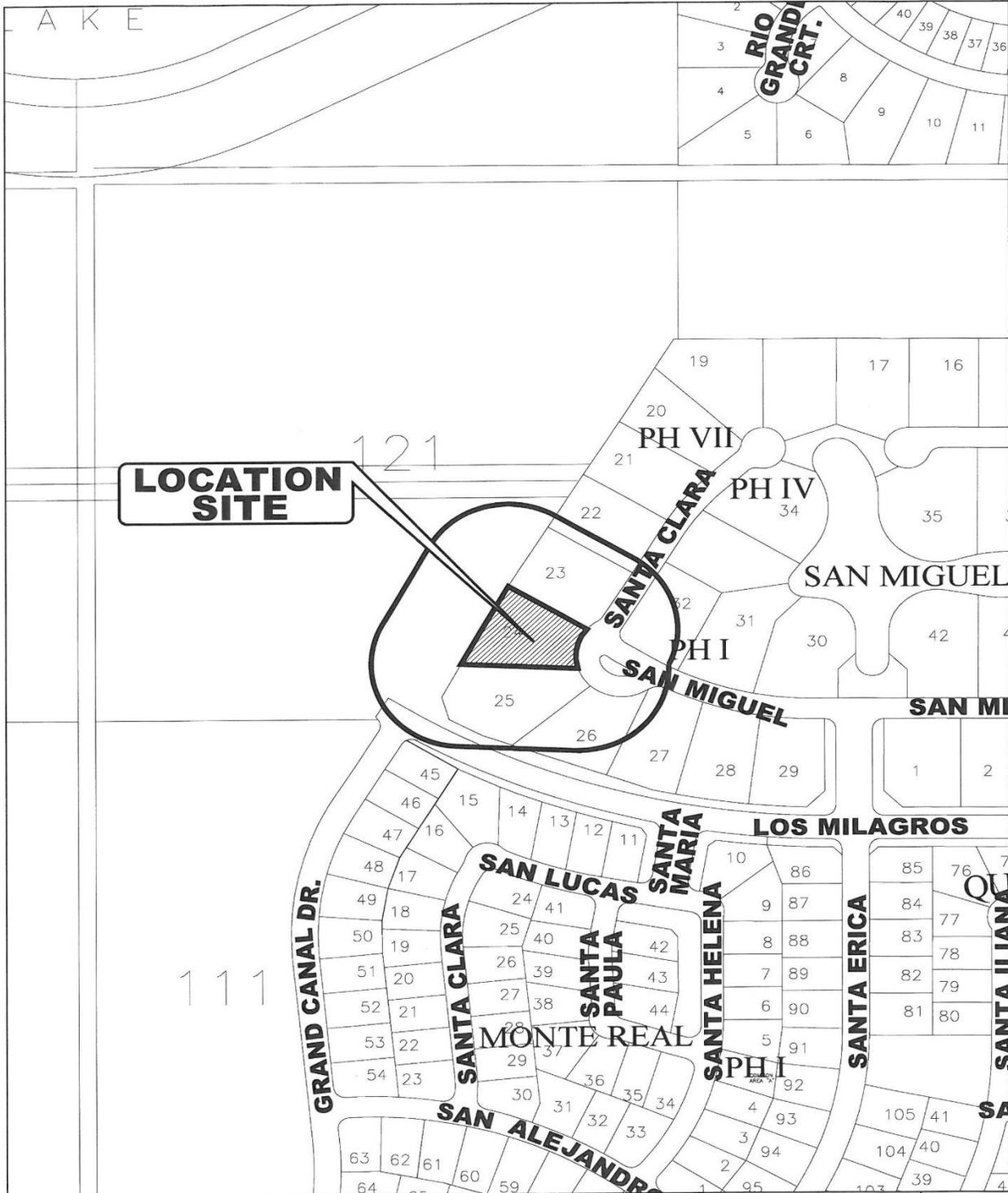
Staff recommends approval.



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

_____ AYES
_____ NAYS
_____ DISSENTING _____

LEGAL NOTICE MAP



200' RADIUS MAILOUT



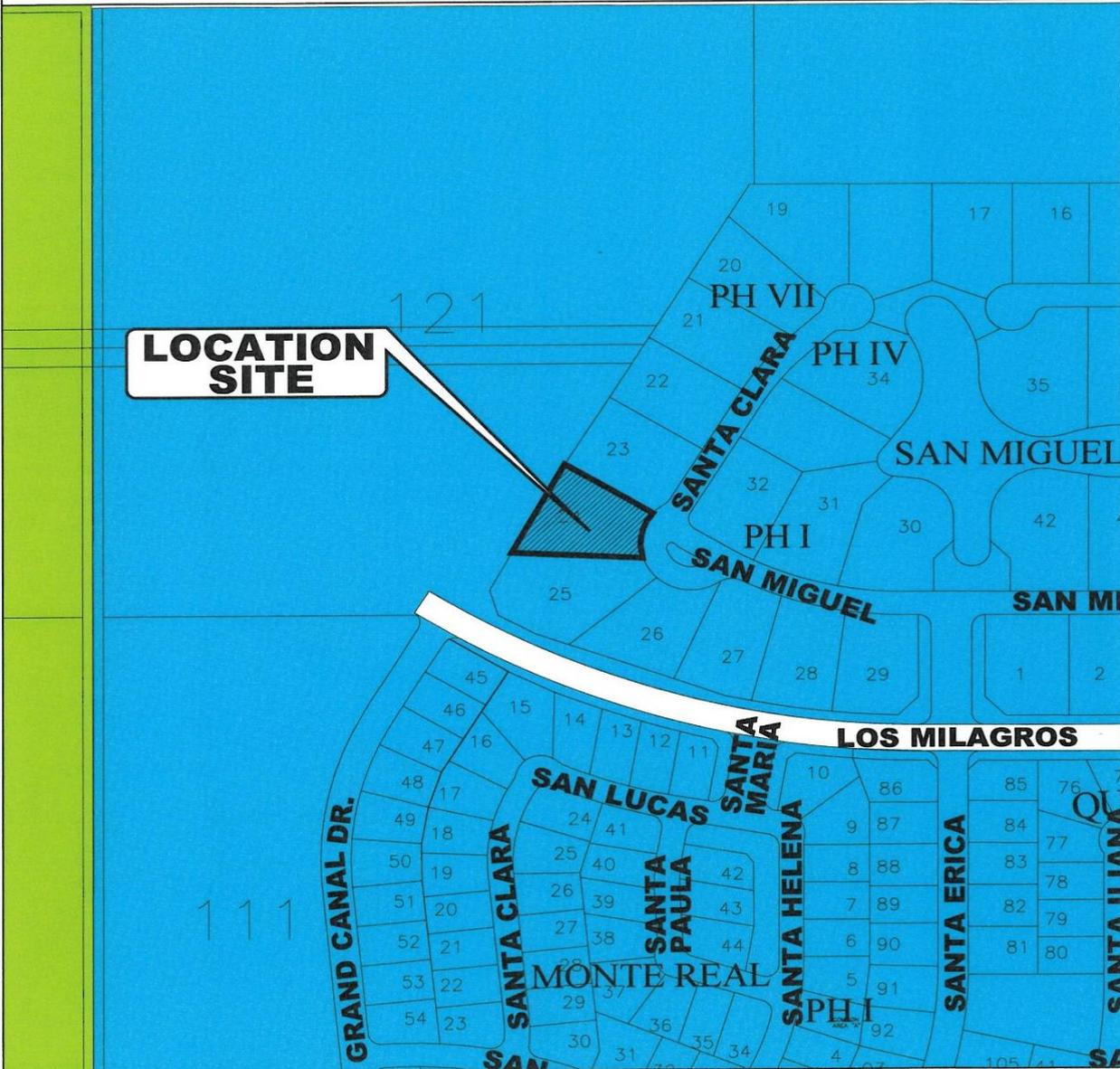
CITY OF MISSION
 HIDALGO COUNTY, TEXAS
 1201 E. 8th Street
 MISSION, TX 78572
 PH: (956) 580-8672
 FAX: (956) 580-8680

No.

AREIAL MAP



ZONING MAP

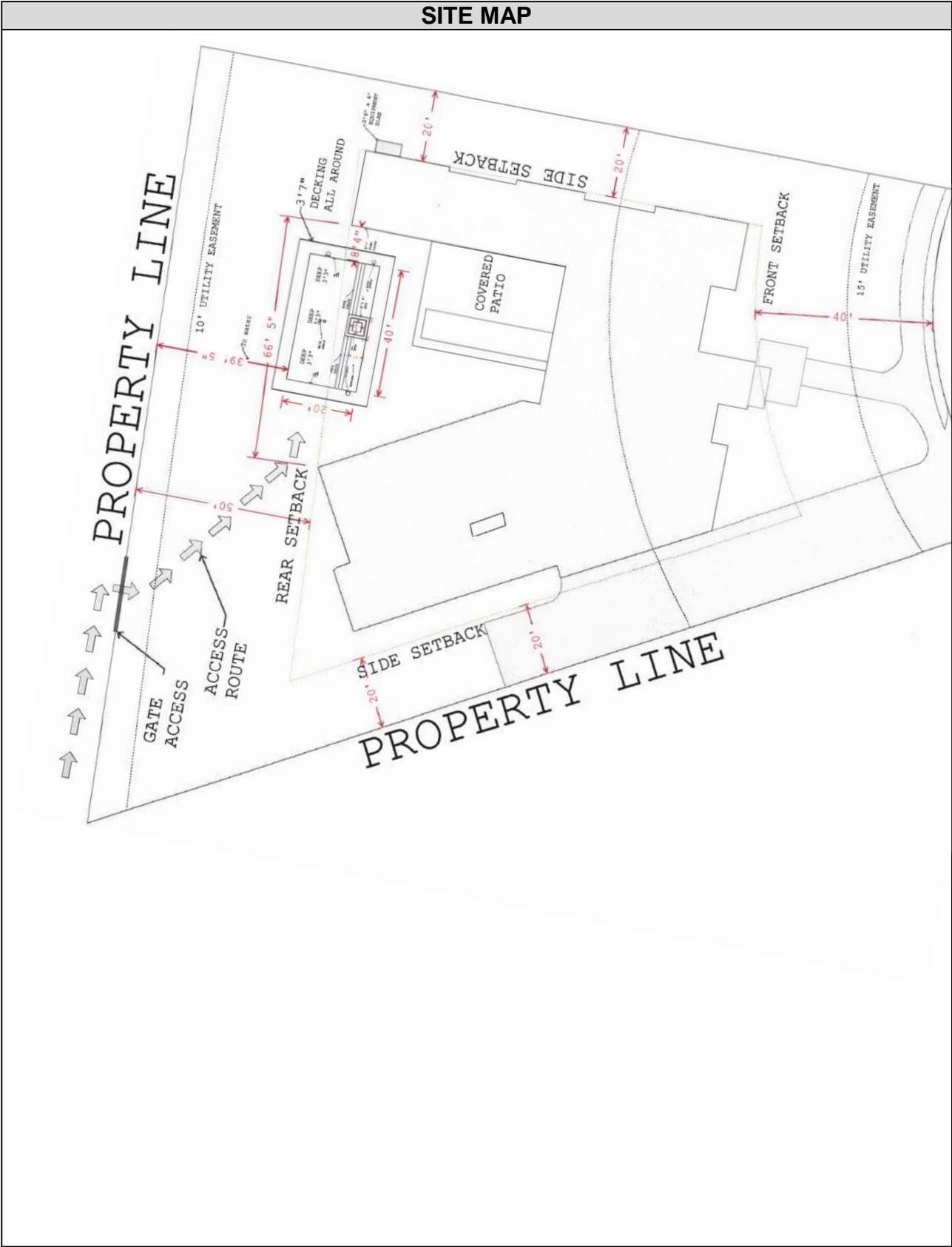


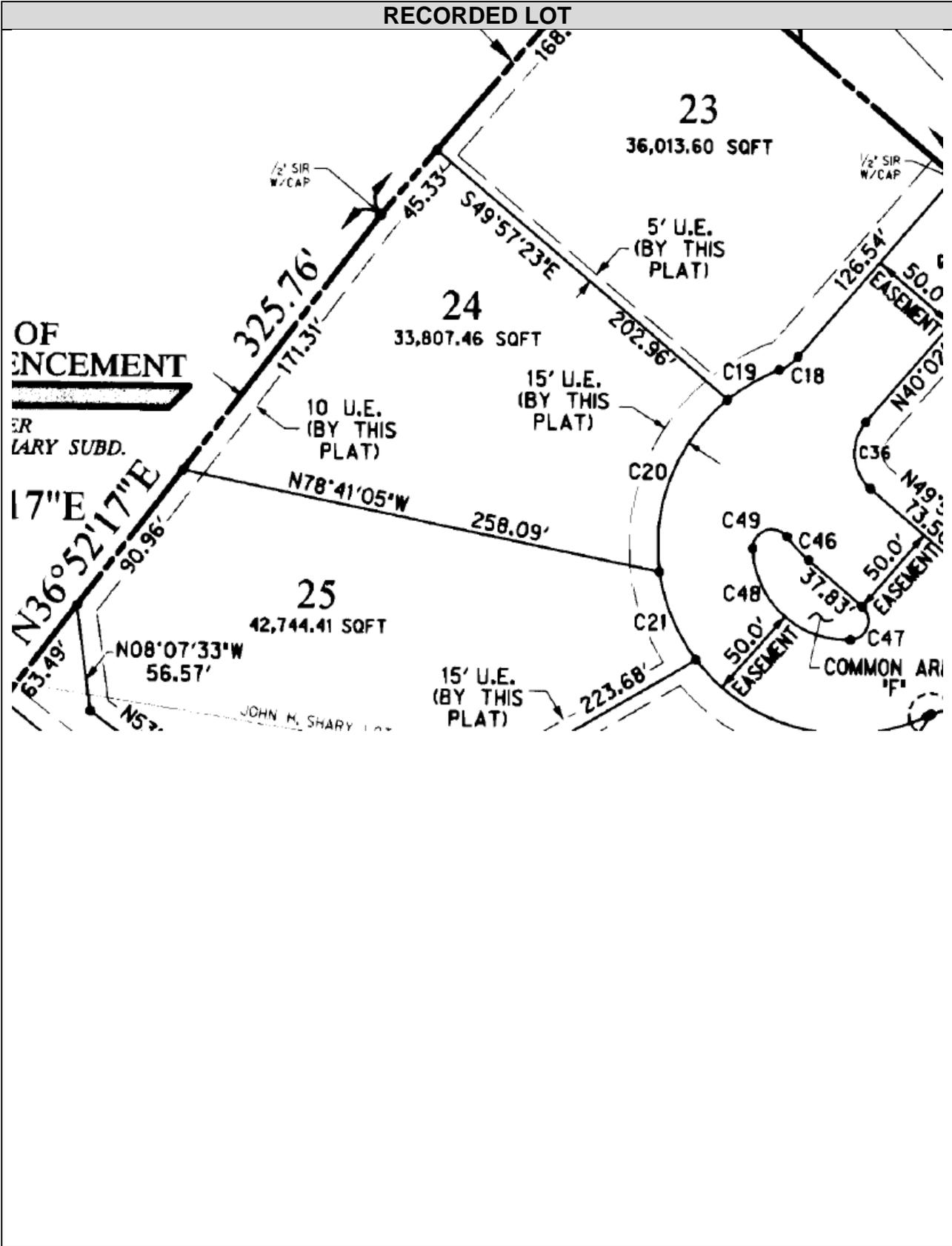
LOCATION SITE

ZONING LEGEND

- | | | |
|----------------------------------|---------------------------------|------------------------------|
| A0-I AGRICULTURAL OPEN INTERIM | R-3 MULTI-FAMILY RESIDENTIAL | C-4 HEAVY COMMERCIAL |
| A0-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 |

SITE MAP





PLAT NOTES

GENERAL NOTES

1. BASIS OF BEARING BEING S81°18'50"E, ALONG THE NORTH LINE OF LOT 112, JOHN H. SHARY SUBDIVISION AS RECORDED ON VOL. 1, PG. 17, M.R.H.C.T.
2. BY THE PARCEL DESCRIBED HEREON LIES WITHIN ZONE 'C' AS DELINEATED ON THE HIDALGO COUNTY, TEXAS FLOOD INSURANCE RATE MAP, PANEL NUMBER 480334 0400 C, DATED NOVEMBER 16, 1982, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ZONE 'C' IS DEFINED AS 'AREAS OF MINIMAL FLOODING.'
3. MINIMUM BUILDING SETBACK LINES SHALL BE:

FRONT:	50 FEET (LOTS 23, 25, 27-32)
	40 FEET (LOTS 24, 26)
	80 FEET (GARAGE)
REAR:	50 FEET
SIDE:	20 FEET (INTERIOR)
	30 FEET (CORNER)
4. MINIMUM FINISH FLOOR ELEVATION: 105.50 FEET ABOVE MEAN SEA LEVEL OR 18" ABOVE TOP OF CURB AT CENTER OF LOT, WHICHEVER IS HIGHER.
5. STORM WATER DETENTION REQUIRED FOR THIS DEVELOPMENT SHALL BE ON A REGIONAL BASIS. 1.19 AC-FT SHALL BE DETAINED WITHIN THE DRAINAGE R.O.W.
6. BENCHMARK INFORMATION: '□' CUT ON INLET LOCATED ON THE WESTSIDE OF GLASSCOCK RD., APPROX. 275' NORTH OF SAN EFRAIN RD. ELEVATION= 102.49 FEET ABOVE MEAN SEA LEVEL (NAVD 88)
7. 4 FT. SIDEWALKS SHALL BE PROVIDED ALONG LOTS 30, 31 AND 32 DURING THE BUILDING PERMIT PROCESS. DEVELOPER WILL ESCROW OR PAVE A 4FT. SIDEWALK ALONG COMMON AREA C AND A 6 FT. SIDEWALK ALONG THE NORTH SIDE OF LOS MILAGROS AND COMMON AREA E.
8. NO BUILDING PERMITTED OVER ANY PUBLIC EASEMENT.
9. ALL P.C.'S, P.T.'S AND LOT CORNERS ARE A 1/2-INCH SET IRON ROD WITH A CAP STAMPED 'HALFF ASSOC. INC.' UNLESS OTHERWISE NOTED.
10. NO LOT ACCESS SHALL BE ALLOWED FROM LOS MILAGROS ROAD
11. ALL UTILITIES SHALL BE LOCATED WITHIN UTILITY EASEMENTS. NO TREES SHALL BE PLANTED OVER UTILITY LINES.
12. EACH PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE ANY IMPROVEMENTS (INCLUDING FENCES) THAT MAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS SYSTEMS LOCATED ON OR WITHIN THE EASEMENTS, AND SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO, FROM AND UPON THE EASEMENTS AND PRIVATE PROPERTY WITHIN THE SUBDIVISION FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, READING METERS, MAINTAINING AND ADDING TO OR REMOVING ALL OR PARTS OF ITS SYSTEMS, WITHOUT NECESSITY OF PROCURING THE PERMISSION OF ANYONE.
13. COMMON AREAS A, B, C, D, E, F & G, TOGETHER WITH THE PRIVATE STREETS AND ALLEYS WILL BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
14. THE PAVING AND MAINTENANCE OF STREETS AND ALLEYS IS THE RESPONSIBILITY OF THE HOMEOWNER'S ASSOCIATION.

MAILOUT LIST

PROP_ID	name	addrDelive	addrCity	addrState	addrZip
689909	SHARYLAND RESIDENTIAL COMMUNITY PROPERTY	3500 LOS MILAGROS	MISSION	TX	78572-7905
280791	CHARCO LAND SALES LLC	4320 UNIVERSITY BLVD	LAREDO	TX	78041-1934
689902	CHAPA RODOLFO D & EVELIA	2402 SAN MIGUEL	MISSION	TX	78572-8610
689903	GOMEZ FAMILY LIVING TRUST	2404 SAN MIGUEL	MISSION	TX	78572-8610
689915	SHARYLAND RESIDENTIAL COMMUNITY PROPERTY OWNERS ASSOC INC	3500 LOS MILAGROS	MISSION	TX	78572-7905
689908	MOI & MAT LLC	1513 SAN PATRICIA STE B	PHARR	TX	78577-2181
689913	SHARYLAND RESIDENTIAL COMMUNITY	3500 LOS MILAGROS	MISSION	TX	78572-7905
730555	GUTIERREZ JORGE ANDRES	2301 S 49TH ST	MCALLEN	TX	78503-8120
689899	RODRIGUEZ ROGELIO LOZANO	2400 SANTA CLARA	MISSION	TX	78572
689901	LEAL MARIA D	2400 SAN MIGUEL	MISSION	TX	78572-8610
689900	HERNANDEZ ADRIAN &	5012 SWEETWATER AVE	MCALLEN	TX	78503