



MEETING DATE: August 26, 2026

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

AGENDA ITEM: Public hearing and consideration of a variance to allow a 0' garage setback instead of the required 18' for a 19' x 22' proposed carport, being Lot 18, Sunterra Estates Subdivision, located at 1402 Las Brisas Drive, Applicant – Olaak Vargas - Cervantes

NATURE OF REQUEST:

Project Timeline:

- July 27, 2026 – Application for Variance Request submitted to the City
- August 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.
- August 26, 2026 – Public hearing and consideration of the requested variance by the Zoning Board of Adjustments.

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 or greater for easement
 - Garage: 18 feet
- The applicant is proposing to construct a 19'x22' Carport that will encroach into the garage setback.
- The lot measures 124.67 feet by 75 feet and has a total area of 9,350 square feet. The Sunterra Estates Subdivision was recorded on August 23, 2006.
- The site is located at 1402 Las Brisas Drive
- There is currently an existing 2,263 square foot single-family residence on the property.
- The Planning staff received one call in opposition to the request. Staff mailed out 21 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 the structure is ever removed, the prevailing setbacks shall be complied with thereafter, and 2) obtain a building permit fee.

RECORD OF VOTE:

APPROVED:

DISAPPROVED:

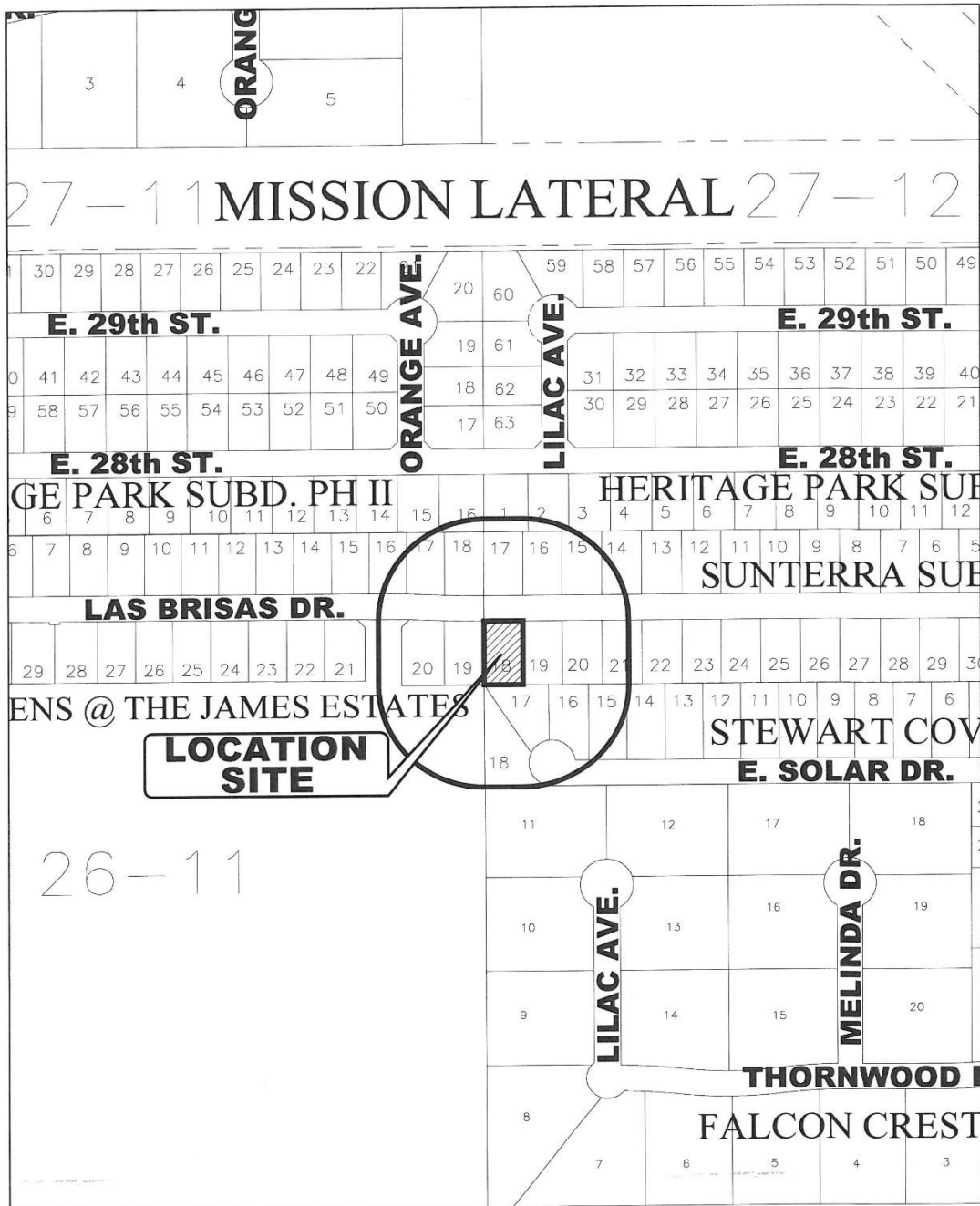
TABLED:

_____ AYES

_____ NAYS

_____ DISSENTING _____

LEGAL NOTICE MAP



200' RADIUS MAILOUT



CITY OF MISSION
HIDALGO COUNTY, TEXAS

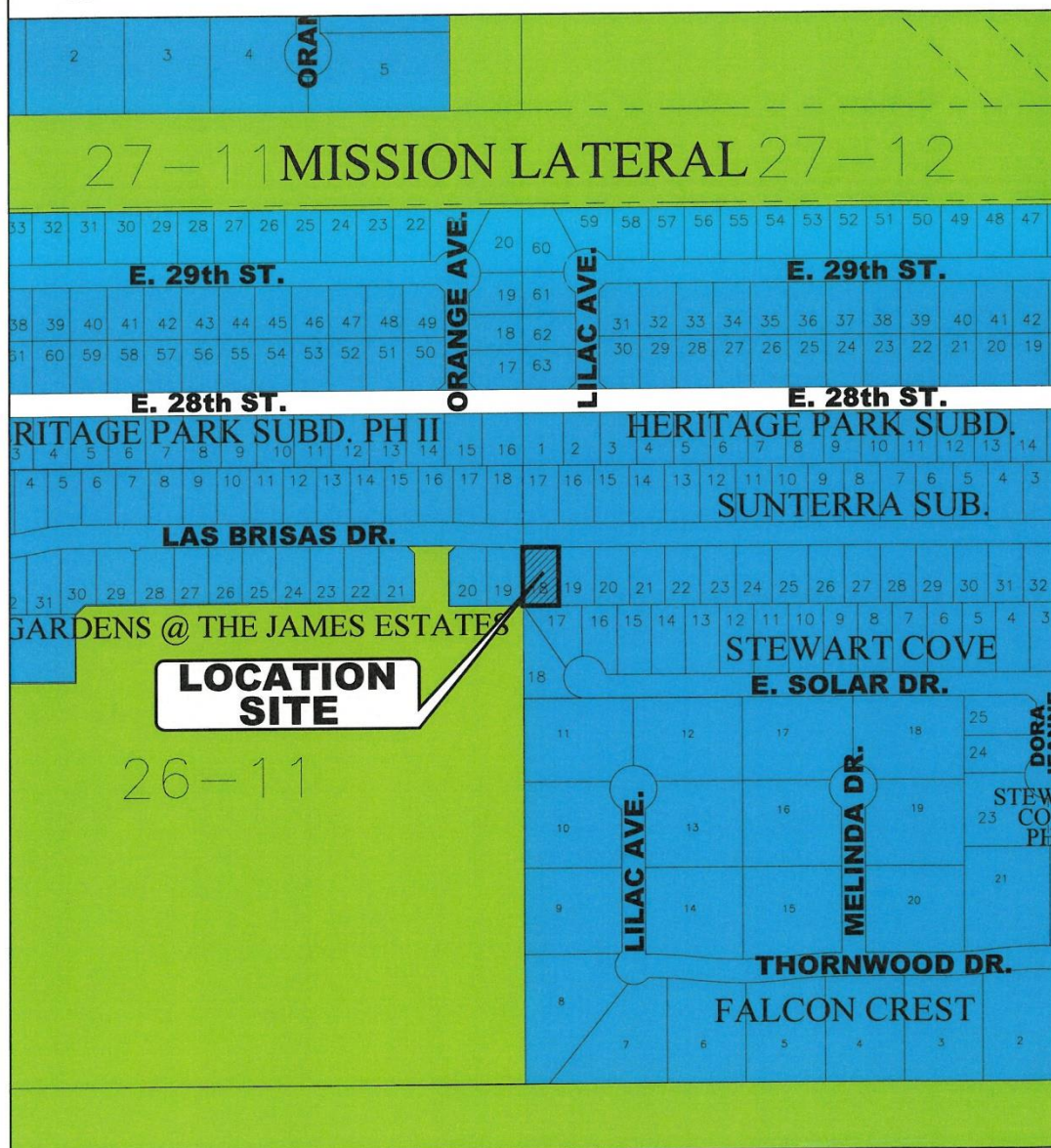
1201 E. 8th Street
MISSION, TX 78572

PH: (956) 580-8672
FAX: (956) 580-8680

No.

AERIAL MAP





	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 MFCTD 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

RECORDED LOT



PLAT NOTES

GENERAL NOTES:

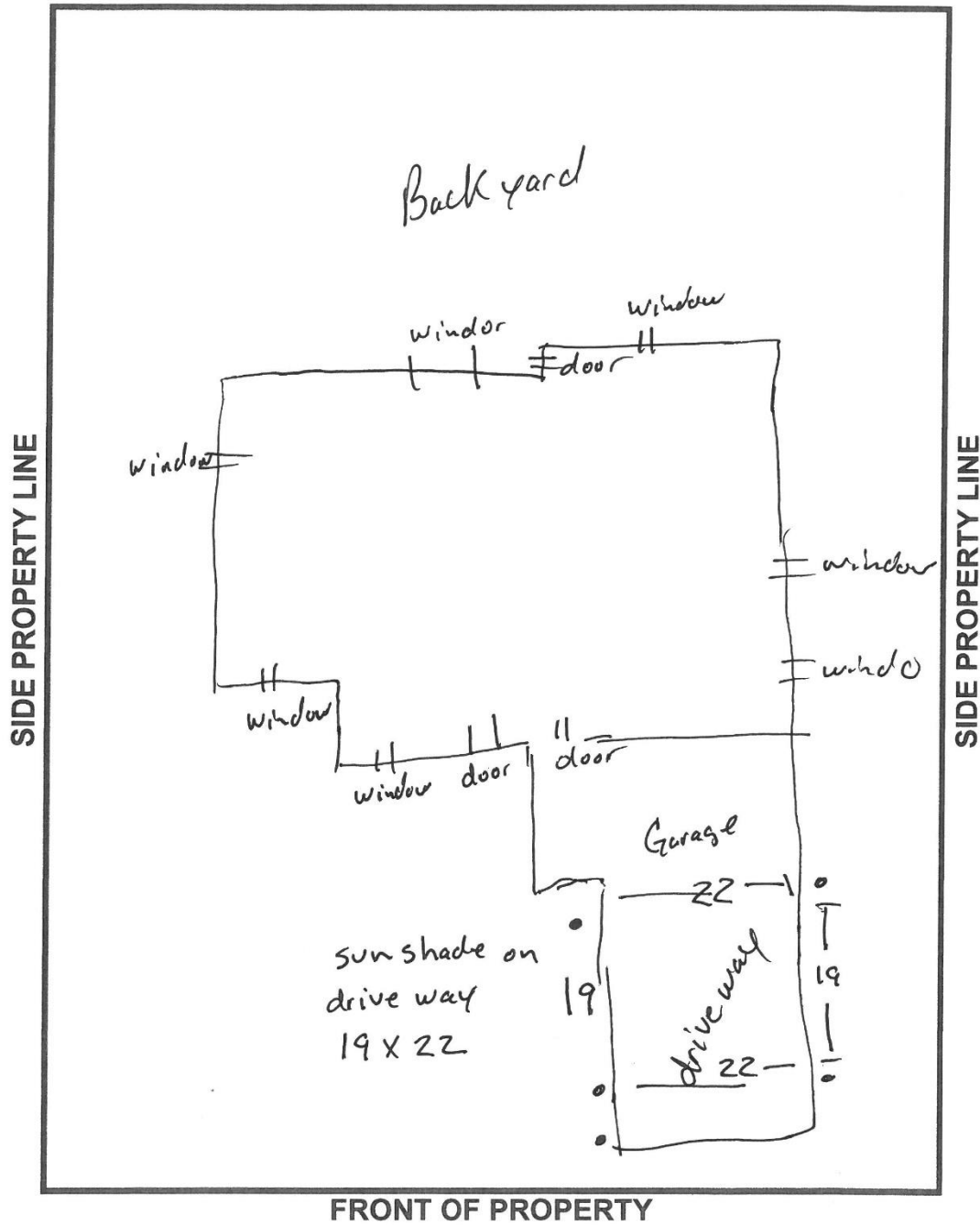
1. ONLY SINGLE FAMILY DWELLING PER LOT.
2. A 4.0 FOOT SIDEWALK IS REQUIRED ALONG INTERNAL STREETS DURING THE BUILDING PERMIT STAGE AND PRIOR TO OCCUPANCY.
A 5.0 FOOT SIDEWALK BY DEVELOPER ALONG STEWART ROAD PRIOR TO PLAT RECORDING
3. NO STRUCTURE SHALL BE PERMITTED OVER ANY EASEMENT.
4. SETBACK LINES TO BE AS PER CITY OF MISSION ORDINANCE:
A) FRONT - 25.0 FEET
B) SIDE (INTERIOR) - 6.00 FEET OR EASEMENT WIDTH, WHICHEVER IS GREATER.
C) SIDE CORNER (STREET) - 10.00 FEET OR EASEMENT WIDTH, WHICHEVER IS GREATER
D) GARAGE - 8.00 FEET OR EASEMENT WIDTH, WHICHEVER IS GREATER
E) REAR - 10 FEET OR EASEMENT WIDTH, WHICHEVER GREATER
F) STEWART RD - 15 FEET
5. MINIMUM FINISH FLOOR ELEVATION TO BE 18" ABOVE TOP OF CURB, AS MEASURED AT FRONT AND CENTER OF EACH LOT
6. A TOTAL OF 26,377 CUBIC FEET (776 CUBIC FEET PER LOT) OF DETENTION IS REQUIRED FOR THIS SUBDIVISION

PLANS

PLOT PLAN

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

REAR OF PROPERTY



OPPOSITION MESSAGE

From: Susan Kawamoto <skawamoto2@gmail.com>

Sent: Thursday, August 20, 2026 9:22 AM

To: Xavier Cervantes <xcervantes@missiontexas.us>

Cc: Alex Hernandez <ahernandez@missiontexas.us>

Subject: Variance - 1402 Las Brisas Drive

Mr. Cervantes,

I am very much AGAINST the granting of a variance allowing an open carport to be built on the driveway of this residence. As the developer of the adjacent 10 acre property, The Orchards at the James Estates, I have 34 lots which are required by our HOA Architectural Committee to have front facing garages which match in appearance to the Las Brisas homes to Stewart Rd.

I originally designed the subdivision to be a gated community, but in my efforts to work with the City of Mission who wanted through passage to Stewart Rd, I consented to having this a through street and blend with the existing homes on Las Brisas.

I would very much like to have the appearance of the street akin to the existing homes that all currently have two car garages set back. Driving by the above residence today, I took note that 4 vertical metal supports have already been installed along the sides of the driveway prior to the Public Hearing next week.

Thank you,
Susan Kawamoto, President
Earth Works Development, Inc.

MAILOUT LIST

PROP_ID	name	addrDelive	addrCity	addrState	addrZip
665405	CORTEZ FEDERICO RAMON JR	PO BOX 5673	MCALLEN	TX	78502-5673
598854	CHIAMPOU MARK WILLAIM & JENNIFER GEISER	2509 LILAC AVE	MISSION	TX	78574-1976
665406	CRUZ JOSE LEROY & CINTHYA JAMILETH DE LA GARZA DECUIR	1404 E 28TH ST	MISSION	TX	78574
709976	MILES STEVEN D & BONNIE W	1407 LAS BRISAS DR	MISSION	TX	78574-2782
709978	KLIPPEL ERIC J & ANNALEE SANCHEZ	3405 DAFFODIL AVE	MCALLEN	TX	78501-5807
709982	GARIBAY GABRIELA P & JORGE A RIOS	1406 LAS BRISAS DR	MISSION	TX	78574-2784
709983	MARIN ALEX	1408 LAS BRISAS DR	MISSION	TX	78574-2784
709977	ALVAREZ SUE ELLEN	25910 ECHO MTN	SAN ANTONIO	TX	78260-6297
709980	VARGAS OLA AK ADONEY & LAURA MARI	1402 LAS BRISAS DR	MISSION	TX	78574-2784
709981	LOPEZ CHARLES E	1404 LAS BRISAS DR	MISSION	TX	78574-2784
1371361	PAZ ARMANDO MARIANO ALVARADO	1401 E SOLAR DR	MISSION	TX	78574
1371360	SARINANA ROBERT & KELLY ELIZABETH	1403 E SOLAR DR	MISSION	TX	78574-0566
1371359	OSORIO RAYMUNDO JR	1405 E SOLAR DR	MISSION	TX	78574-0566
1371358	SALINAS LEONEL JR & ROXANA	1407 E SOLAR DR	MISSION	TX	78574
1371357	ZUNIGA CARLOS JR	1409 E SOLAR DR	MISSION	TX	78572-4504
665403	GONZALEZ JAVIER	1400 E 28TH ST	MISSION	TX	78574-2105
710331	EBEN EMMANUEL E	1314 E 28TH ST	MISSION	TX	78574-2800
710330	BELEN ANGEL R RAMOS	1312 E 28TH ST	MISSION	TX	78574-2800
709979	IZAGUIRRE DULCE KARINA	1401 LAS BRISAS DR	MISSION	TX	78574-2782
317081	J.S. KAWAMOTO LLC	2602 N BRYAN RD	MISSION	TX	78574-3553
359672	EARTH WORKS DEVELOPMENT	2602 N BRYAN RD	MISSION	TX	78574