

**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 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) 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 deny 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