



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

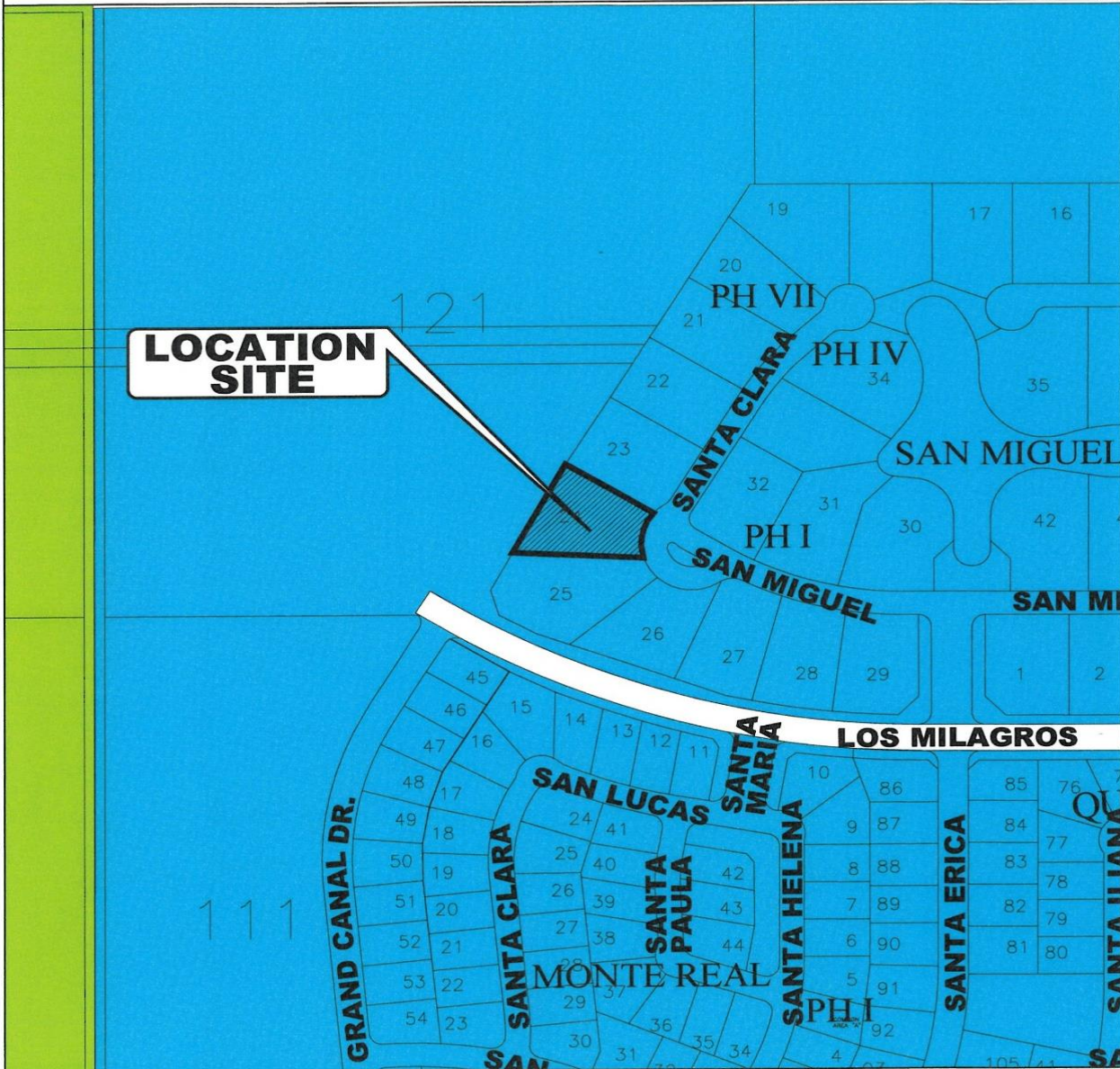
_____ NAYS

_____ DISSENTING _____



















AREIAL MAP



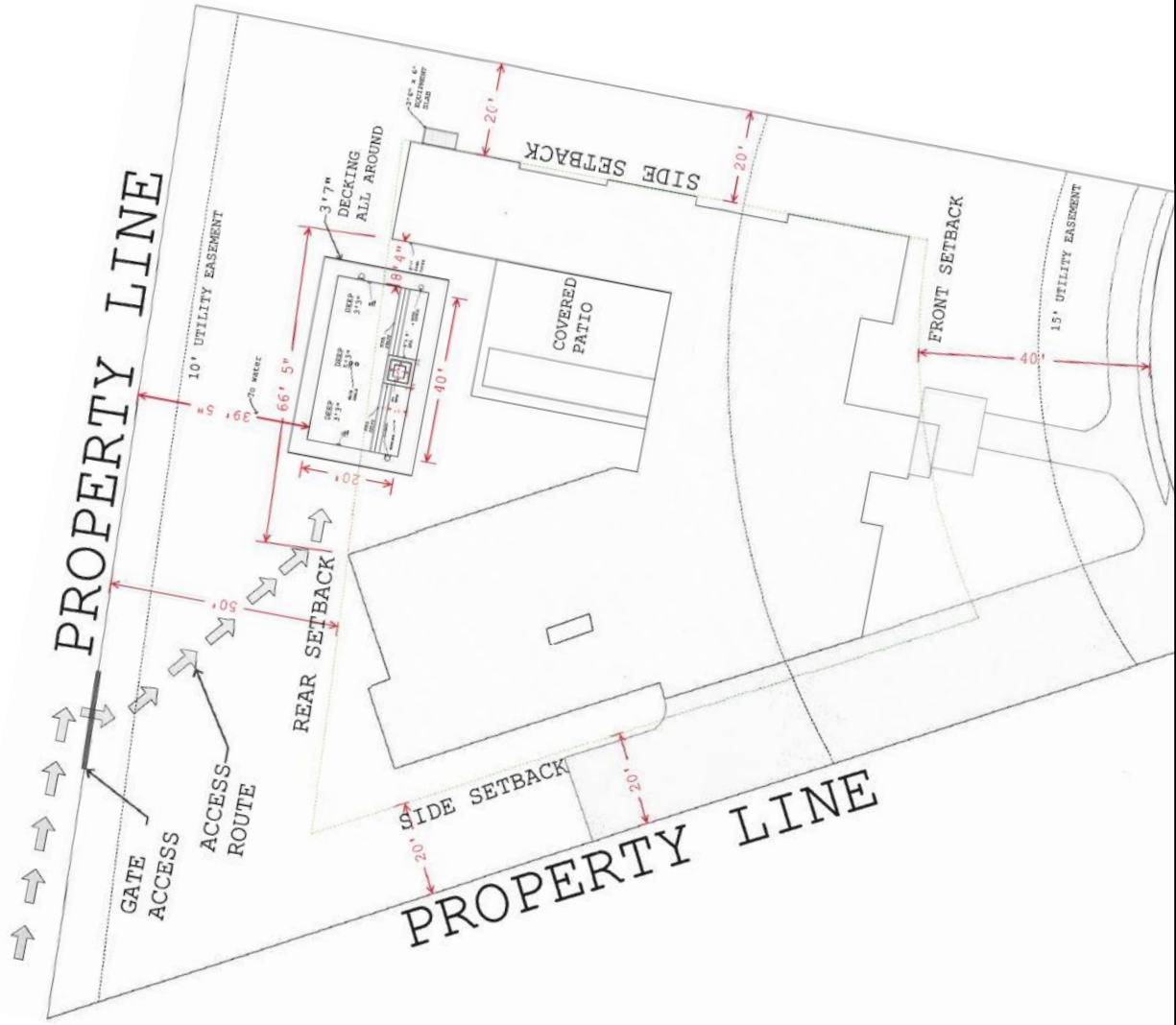
ZONING MAP



ZONING LEGEND

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



RECORDED LOT



OF
ENCEMENT

ER
ARY SUBD.

$17''E$

$N36^{\circ}52'17''E$

$63.49'$

$N08^{\circ}07'33''W$

$56.57'$

$325.76'$

$171.31'$

10 U.E.
(BY THIS
PLAT)

$N78^{\circ}41'05''W$

$258.09'$

25

$42,744.41$ SQFT

$15'$ U.E.
(BY THIS
PLAT)

$223.68'$

$202.96'$

$15'$ U.E.
(BY THIS
PLAT)

$5'$ U.E.
(BY THIS
PLAT)

$45.33'$

$S49^{\circ}57'23''E$

$168'$

$126.54'$

$50.0'$
EASEMENT

$50.0'$
EASEMENT

$50.0'$
EASEMENT

$37.83'$

COMMON AREA
 $15'$

23

$36,013.60$ SQFT

$5'$ U.E.
(BY THIS
PLAT)

$15'$ U.E.
(BY THIS
PLAT)

10 U.E.
(BY THIS
PLAT)

$5'$ U.E.
(BY THIS
PLAT)

$50.0'$
EASEMENT

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JOHN M. SHARY

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