



**MEETING DATE:** April 22, 2026

**PRESENTED BY:** Xavier Cervantes, ACIP, CPM – Director of Planning

**AGENDA ITEM:** Public hearing and consideration of a variance request to allow a 10' rear setback instead of the required 15' for a proposed commercial building, being Lot 1, Pediatrics at Sharyland Subdivision, located at 2403 Colorado Street, Applicant: Jose De Leon – Cervantes

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**NATURE OF REQUEST:**

Project Timeline:

- March 25, 2026 – Application for Variance Request submitted to the City.
- April 8, 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 and notice of public hearings was published in the Progress Times.
- April 22, 2026 – Public hearing and consideration of the requested variance by the Zoning Board of Adjustments (ZBA).

Summary:

- The request is not to comply with subdivision plat note #3 rear setback, which states the following:
  - Front setback: 30 feet along Colorado Street
  - Rear setback: 15 feet or greater for easement
  - Side Setback: 0 feet or greater for easement
- Mr. De Leon is proposing to construct a 6,825 square foot commercial plaza. He would like the board to consider the proposed adjustment to provide sufficient space for the required site operations and to ensure a functional, efficient site layout. The requested reduction is limited in scope and intended only to accommodate the property's operational needs.
- Pediatrics at Sharyland Subdivision was recorded on May 26, 2011. The subject property is located approximately 294' east of Shary Road along the north side of Colorado Street. The lot fronts Colorado Street with a width of 120.87 feet and a length of 192.53' for a total of 23,271.10' square feet.
- The property is currently vacant. The lots to the north, south and west are vacant; and the lot to the east has a commercial building.
- Staff has not received any calls regarding this variance request. Staff mailed out 9 notices to the surrounding property owners.
- Staff notes that no other variances have been considered in this subdivision.

- The City of Mission Code of Ordinances Appendix A – Zoning, Section 1.17 states ZBA may:
  - “Permit the reconstruction, extension, or enlargement of a building occupied by a non-conforming use on the lot or tract occupied by such building provided such reconstruction does not prevent the return of such property to a conforming use”, and
  - “Authorize in specific cases a variance from the terms of a zoning ordinance if the variance is not contrary to the public interest, and due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the ordinance is observed and substantial justice is done”.
- There is a new state law, HB1475, that allows variances to be granted if:
  - The financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessors for the municipality under Section 26.01, Tax Code;
  - Compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur;
  - Compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other department;
  - Compliance would result in the unreasonable encroachment on an adjacent property or easement; or
  - The municipality considers the structure to be a nonconforming structure.

**STAFF RECOMMENDATION:**

Staff recommends approval of the variance request.

**RECORD OF VOTE:**      **APPROVED:** \_\_\_\_\_  
                                          **DISAPPROVED:** \_\_\_\_\_  
                                          **TABLED:** \_\_\_\_\_

\_\_\_\_\_ AYES

\_\_\_\_\_ NAYS

\_\_\_\_\_ DISSENTING \_\_\_\_\_



**ARIEL MAP**



Texas Parks & Wildlife, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

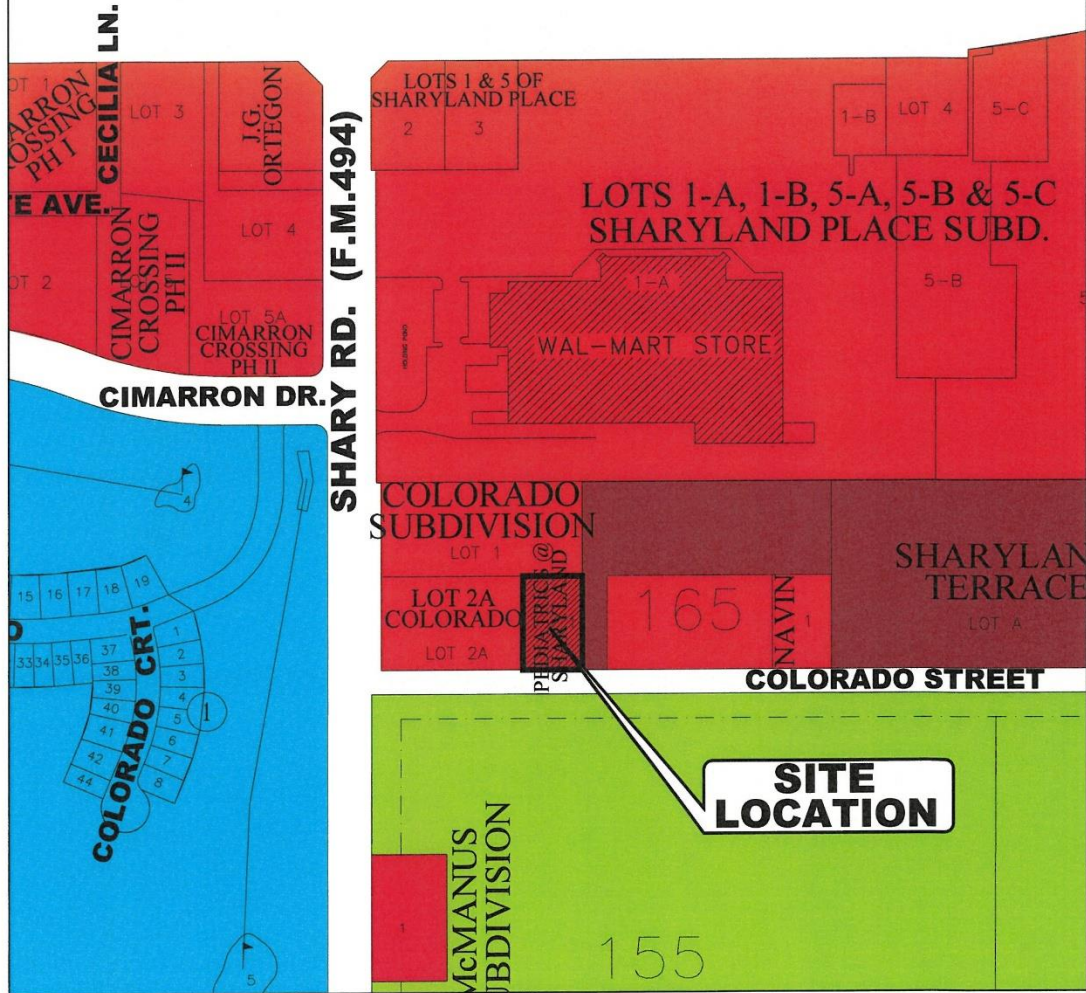
# AERIAL MAP



# ZONING MAP



## U.S. EXPRESSWAY 83

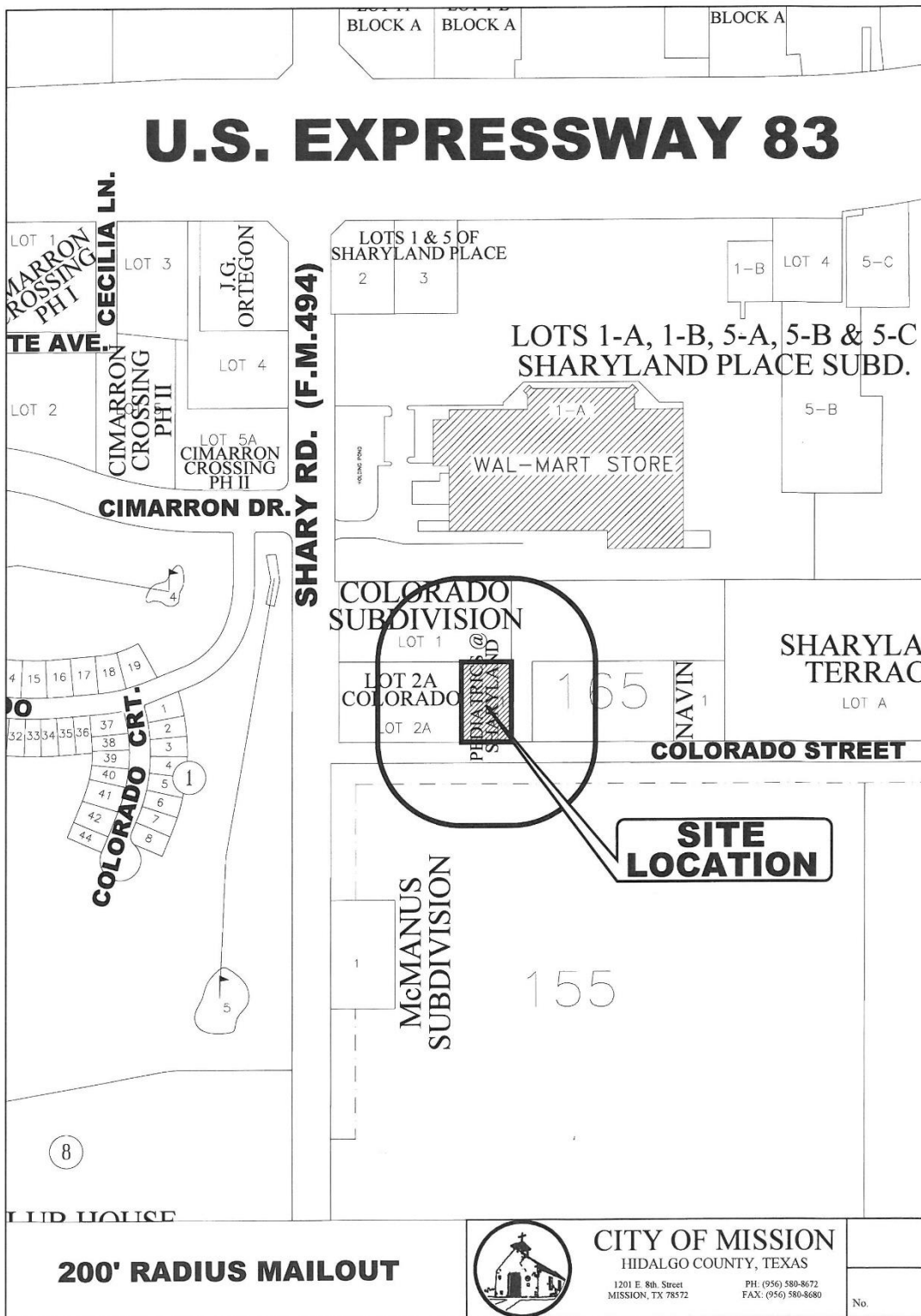


### ZONING LEGEND

<span style="color: green;">■</span> A0-I AGRICULTURAL OPEN INTERIM	<span style="color: brown;">■</span> R-3 MULTI-FAMILY RESIDENTIAL	<span style="color: orange;">■</span> C-4 HEAVY COMMERCIAL
<span style="color: darkgreen;">■</span> A0-P AGRICULTURAL OPEN PERMANENT	<span style="color: darkred;">■</span> R-4 MOBILE & MODULAR HOME	<span style="color: purple;">■</span> C-5 ADAPTIVE COMMERCIAL
<span style="color: blue;">■</span> R-1A LARGE LOT SINGLE FAMILY	<span style="color: darkblue;">■</span> R-5 HIGH DENSITY MFCT'D HOUSING	<span style="color: darkblue;">■</span> I-1 LIGHT INDUSTRIAL
<span style="color: lightblue;">■</span> R-1T TOWNHOUSE RESIDENTIAL	<span style="color: pink;">■</span> C-1 OFFICE BUILDING	<span style="color: darkblue;">■</span> I-2 HEAVY INDUSTRIAL
<span style="color: yellow;">■</span> R-1 SINGLE FAMILY RESIDENTIAL	<span style="color: darkred;">■</span> C-2 NEIGHBORHOOD COMMERCIAL	<span style="color: lightblue;">■</span> PUD PLANNED UNIT DEVELOPMENT
<span style="color: darkgreen;">■</span> R-2 DUPLEX-FOURPLEX RESIDENTIAL	<span style="color: red;">■</span> C-3 GENERAL BUSINESS	<span style="color: white;">■</span> P PUBLIC

**ATTACHMENTS**

**U.S. EXPRESSWAY 83**



**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.





## ATTACHMENTS

**Jose De Leon**

Owner, La Ganadera Meat Market  
2515 Colorado St., Suite 8  
Mission, TX  
Phone: 956-340-7397

Mar 25, 2026

**City of Mission Zoning Board of Adjustments**  
Mission, TX

**Re: Variance Request for Rear Setback Reduction**

To the Honorable Members of the Zoning Board of Adjustments,

My name is Jose De Leon, owner of La Ganadera Meat Market, and I respectfully submit this request to reduce the required rear setback from 15 feet to 10 feet for the subject property. This adjustment is needed to provide sufficient space for the required site operations and to allow for a functional and efficient site layout.

The requested reduction is limited in scope and is intended only to accommodate the operational needs of the property. I also hereby authorize **Tomas Gutierrez** to act as my representative in connection with this variance request and to communicate with the City of Mission and the Zoning Board of Adjustments on my behalf regarding this matter.

**Authorized Representative:**

Tomas Gutierrez  
Email: [tgtz@mdmco.net](mailto:tgtz@mdmco.net)  
Phone: 956-445-7631

Thank you for your time and consideration of this request.

Sincerely,



**Jose De Leon**  
Owner  
**La Ganadera Meat Market**

## MAILOUT LIST

PROP_ID	geoID	name	addrDelive	addrCity	addrState	addrZip
722791	S3003-00-000-001A-00	WAL-MART REAL ESTATE BUSINESS	PO BOX 8050	BENTONVILLE	AR	72712-8055
280827	S2950-00-000-0155-00	SHIN FOUNDATION INC	410 S MAIN ST	MCALLEN	TX	78503-7339
280828	S2950-00-000-0155-10	SHIN FOUNDATION INC	410 S MAIN ST	MCALLEN	TX	78503-7339
280845	S2950-00-000-0165-20	SUSTAITA EVERARDO M	9100 S AUSTIN DR	PHARR	TX	78577-9775
816067	S2950-00-000-0165-15 0	SUSTAITA EVERARDO PICENO	9100 S AUSTIN DR	PHARR	TX	78577-9775
816344	P5327-00-000-0001-00	ORFANOS G ATHANASI MD & RICARDO OCHOA MD	3013 LAKE SHORE DR	EDINBURG	TX	78539-7715
790017	C7860-00-000-002A-00	CARMANT LLC	1522 WOODS ST	MISSION	TX	78572-1440
629938	C7860-00-000-0001-00	SIMRAN HOSPITALITY LLC	901 S SHARY RD	MISSION	TX	78572-9106
280843	S2950-00-000-0165-00	CITY OF MISSION	1201 E 8TH ST	MISSION	TX	78572-5812