

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

ZBA PRESENT

Alberto Salazar
Humberto Garza
Heraclio Flores
Dolly Elizondo

ZBA ABSENT

William Ueckert Jr.

STAFF PRESENT

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

GUESTS PRESENT

Adrian Hernandez
Maria Elizabeth M.
Eddie Tapuro
Leonel Perez

CALL TO ORDER

Chairman Salazar called the meeting to order at 4:34 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 FEBRUARY 25, 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 35' AND 10" REAR SETBACK INSTEAD OF THE REQUIRED 10' REAR SETBACK FOR A PROPOSED SWIMMING POOL, BEING LOT 24, AT SHARYLAND PLANTATION VILLAGE SAN MIGUEL PHASE I SUBDIVISION, LOCATED AT 2402 SANTA CLARA STREET, REQUESTED BY ADRIAN HERNANDEZ AND JOSE A. CANTU

Mr. Hernandez 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.

Legal Description Variance Request Date of Meeting Recommendation

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.

Chairman Salazar asked Mr. Hernandez is this was a proposed construction?

Mr. Hernandez replied Yes

Ms. Elizondo asked if this property was under HOA?

Mr. Hernandez replies Yes

Ms. Elizondo asked if the HOA has been notified?

Mr. Hernandez replied Yes and stated reply from HOA is pending.

Mr. Flores asked if the HOA had previously approved similar proposals.

Mr. Hernandez replied yes, for pools.

Chairman Salazar asked if there was an idea of why at the time of recording in 2004 there was a request for a 50' setback.

Mr. Hernandez replied the size of the lots is pretty substantial at measuring over 33,000 sq. ft. but due to the uniqueness of the shape of the lots it limits the space to construct in the rear area of the property, closing with the statement that other than the variance request everything else is in compliance.

Ms. Elizondo stated that proper supporting documentation must be turned in, pending approval from HOA, since the board can override any regulation set by the HOA.

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

Mr. Adrian Hernandez stated his name for the record and address to be 2402 Santa Clara Street.

Ms. Elizondo asked if Mr. A. Hernandez had contacted his HOA.

Mr. A. Hernandez stated his construction company did on his behalf.

Ms. Elizondo asked if he had a meeting set up.

Mr. A. Hernandez replied no and asked his construction company representatives that were present in the meeting for the status of the HOA request.

Chairman Salazar asked if M. A. Hernandez was the owner of the property.

Mr. A. Hernandez replied yes.

Chairman Salazar asked if the subdivision was pretty developed.

Mr. A Hernandez replied yes, only a few lots left.

Chairman Salazar requested the construction company representative to step to the podium and his name and address for the record.

Mr. Tapuro stated his name as Eddie Tapuro and noted they were the ones handling the construction of the pool; adding that their previous project was also located within the same vicinity and it was a pool with a pool house.

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

There being no further discussion. Chairman Salazar entertained a motion. Ms. Elizondo moved to approve the variance request with the condition that there must be an approval from the HOA before releasing the permit. Mr. Flores 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 4:43 p.m.

Alberto Salazar, Chairman
Zoning Board of Adjustments