



MEETING DATE: February 25, 2026

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

AGENDA ITEM: Public hearing and consideration of a variance to allow a 0' rear setback instead of the required 10' rear setback/utility easement 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 North side of the property instead of the required 1.5' setback for 12'x30' and 15'x19' patio, being Lot 12, Block 1, Shary Gardens Subdivision, located at 2310 Garden View Drive, Applicant – Rebecca Martinez - Cervantes

NATURE OF REQUEST:

Project Timeline:

- November 05, 2025 – Application for Variance Request submitted to the City
- February 12, 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.
- February 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 1.372 (5) (f) (g) of the Mission Code of Ordinances, which states:
 - Where a building setback has been established by plat or ordinance and such setback requires a greater or lesser rear and side yard setback than is prescribed by this article for the district in which the building is located, the required setback shall comply with the building line so established by such plat or ordinance.
- The site is 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 12' by 30' and 15' by 19' patio structures 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.

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



GARDEN VIEW DR.

10' FRONT
SETBACK

CATV CABLE 10"
FROM SIDE SETBACK

1.5' SIDE
SETBACK

18' GARAGE
SETBACK

0'

7'

28'-1"

PATIO

0'

15'-4"

17'-5"

4.5' SIDE
SETBACK

10' REAR
&
UTILITY
EASEMENT

LEGEND

-  CATV CABLE
-  AT&T FIBER OPTIC

RECORDED PLAT

MISSION NORTH MAIN DRAIN R.O.W.

S81°18'50"E 363.93'

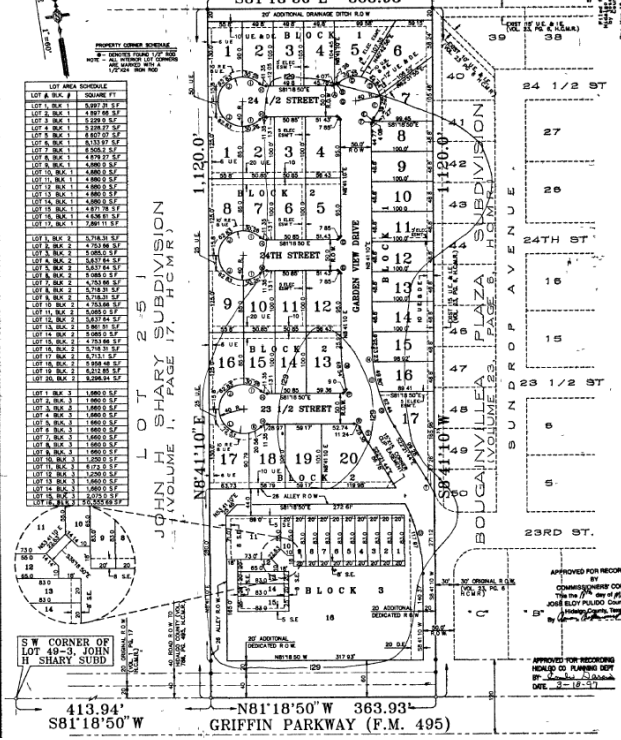


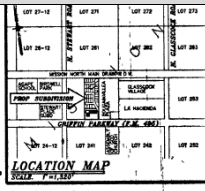
Table with columns: LOT AREA SCHEDULE, LOT #, AREA, and SCHEDULE. Lists lots 1 through 20 with their respective areas and schedules.

SW CORNER OF LOT 49-3, JOHN H. SHARY SUBD.

413.94' S81°18'50'W N81°18'50'W 363.93' GRIFFIN PARKWAY (F.M. 495)

CURVE DATA table with columns: CURVE NUMBER, BEARING, CURVE RADIUS, CHORD, CHORD BEARING, CHORD LENGTH, and CHORD BEARING.

APPROVED FOR RECORDING... [Signature]



STATE OF TEXAS... [Legal text regarding the plat and its recording]

BEFORE ME, THE UNDERSIGNED... [Notary text]

WITNESSES MY HAND AND SEAL OF OFFICE... [Notary signature and seal]

I, THE UNDERSIGNED... [Notary text]

APPROVED FOR RECORDING... [Signature]

STATE OF TEXAS... [Notary text]

APPROVED FOR RECORDING... [Signature]

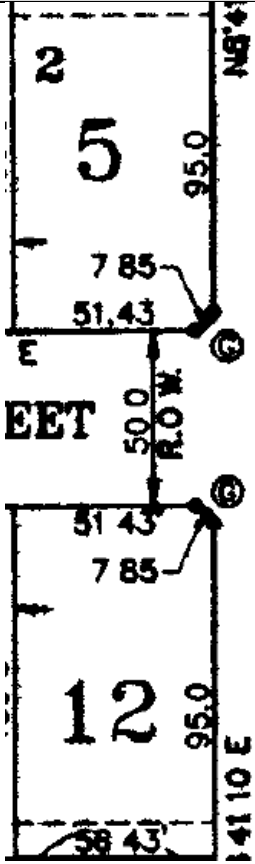
BEING A RESUBDIVISION OF THE EAST 363.93 FEET OF THE WEST 775 FEET OF THE SOUTH 1,120 FEET OF LOT 251, JOHN H. SHARY SUBDIVISION... [Legal text]

DATED THIS 10th DAY OF December, A.D. 1968. ATTEST [Signature]

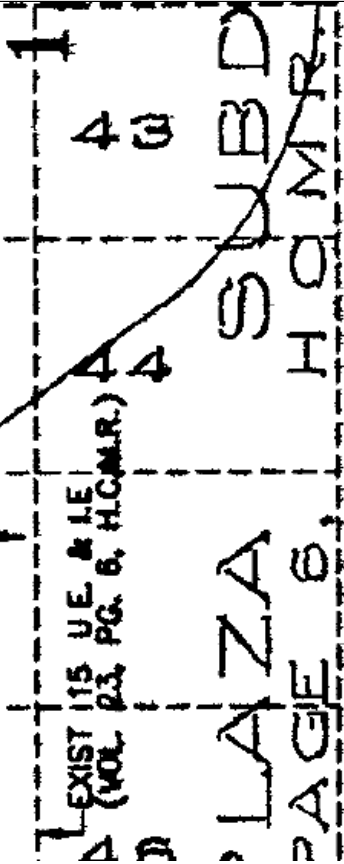
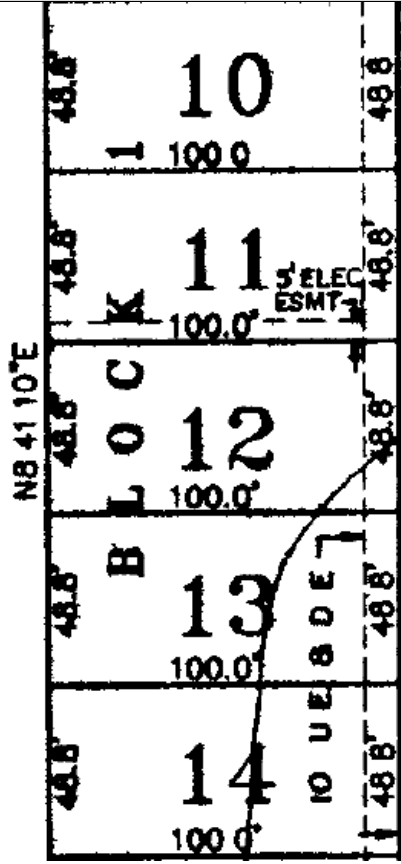
GENERAL NOTES... [List of notes regarding the plat, including references to other plats and legal requirements]

NOTES AND EARLY DESCRIPTION... [Detailed description of the land and its location]

ART SALINAS ENGINEERING & SURVEYING logo and contact information: 1524 DOFFER AVENUE, MCKINNEY, TEXAS, TEL: (972) 618-6661, FAX: (972) 618-6662



GARDEN VIEW DRIVE



P A V E N U E

PLAT NOTES

GENERAL NOTES:

- SCALE: 1" = 1,320'
1. MINIMUM BUILDING SETBACKS SHALL BE AS FOLLOWS:
RESIDENTIAL BLOCKS 1 & 2:
FRONT ALONG ALL INTERIOR STREETS: 10 FEET MIN.; GARAGE: 18 FEET MIN.
ALONG THE REAR OF ALL LOTS: 10 FEET MIN.
LOTS 1-5 BLK. 1 & LOTS 1-20 BLK. 2: EAST SIDE 4.5 FT. MIN.; CORNER 10' MIN.
" " " " " " : WEST SIDE 1.5 FT. MIN.
LOTS 6-16 BLK. 1: SOUTH SIDE 4.5 FT. MIN.; LOT 17, BLK 1: NORTH 1.5 FEET MIN.
" " " " " " : NORTH SIDE 1.5 FT. MIN. " " " : FRONT 10 FEET MIN.
COMMERCIAL BLOCK 3:
FRONT, LOTS 1-9 & 13-15: 5 FEET MIN.
LOTS 10-12: 0 FEET MIN.
REAR, LOTS 1-10 & 12-15: 5 FEET MIN.
LOT 11: NORTH SIDE 5 FEET MIN.
" : WEST SIDE 8 FEET MIN.
SIDE; LOTS 1-14: 0 FEET MIN.
LOT 15: NORTH SIDE 0 FEET MIN.
" : SOUTH SIDE 5 FEET MIN.
 2. MINIMUM FINISH FLOOR ELEVATION FOR NEW CONSTRUCTION SHALL BE 18" ABOVE TOP OF CURB MEASURED AT THE CENTER OF THE LOT.
 3. THE FLOOD ZONE DESIGNATION FOR THIS PROPERTY IS ZONE "X". ZONE "X" AREAS ARE AREAS DETERMINED TO BE OUTSIDE THE 500 YEAR FLOOD PLAIN AS PER F.E.M.A. FLOOD INSURANCE RATE MAP PANEL NO. 480345-0005-C DATED NOVEMBER 20, 1991.
 4. THIS SUBDIVISION SHALL DETAIN 33,916 C.F. (0.78 AC.-FT.) OF RAINFALL.
 5. THERE ARE NO VISIBLE WATER WELLS WITHIN 150 FEET OF THIS PROPOSED SUBDIVISION.
 6. BENCH MARK ELEVATION=130.00. BENCH MARK IS LOCATED AT N.E. BOLT OF FIRE HYDRANT LOCATED 225 FEET EAST OF THE SOUTHEAST CORNER OF PROPOSED SUBDIVISION.
 7. NO RESIDENCE OR PERMANENT STRUCTURE SHALL BE PERMITTED OVER ANY EASEMENT.
 8. COMMERCIAL PARKING SHALL BE HELD IN COMMON.
 9. LOT 16, BLOCK 3, SHALL BE RESERVED FOR COMMERCIAL PARKING AREA.
 10. A DRAINAGE DETENTION PLAN APPROVED BY THE CITY OF MISSION MUST BE SUBMITTED PRIOR TO BUILDING PERMIT STAGE ON BLOCK 3.
 11. 6' BUFFER REQUIRED BETWEEN COMMERCIAL AND RESIDENTIAL USES AS MAY BE APPLICABLE. AND ALSO ALONG THE NORTH SIDE OF LOTS 1-8, BLOCK 1.
 12. EACH RESIDENTIAL LOT SHALL DETAIN 333 C.F. OF ADDITIONAL RUNOFF.
 13. 5' SIDEWALK REQUIRED ALONG EAST SIDE OF BLOCK 3 AND ALONG F.M. 495.

PICTURES NORTH SIDE OF PROPERTY



PICTURES



PICTURES OF THE REAR PROPERTY



PICTURES SOUTH SIDE OF PROPERTY



PICTURES OF THE UTILITY



PICTURES OF THE UTILITY



PICTURES OF THE UTILITY



APPRAISAL DISTRICT INFORMATION

Hidalgo County Appraisal District		PUBLIC CARD WITH SKETCH 2026-0-0			Valuation Method: cost/local		November 19, 2025		
PROPERTY ID AND LEGAL DESCRIPTION		OWNER ID, NAME, AND ADDRESS		OWNER ID %	EXEMPTIONS	VALUES		2025	2026
574134 2310 GARDEN VIEW DR		MARTINEZ REBECCA E		302621	HS	IMPROVEMENTS	142,467	140,564	
SHARY GARDENS LOT 12 BLK 1		2310 GARDEN VIEW DR		100.00000		LAND MARKET	= 58,560	58,560	
TYPE: R DBA		MISSION TX 78574-7941				MARKET VALUE	= 201,027	199,124	
GEO ID: S2780-00-001-200		PROP USE:	MFP ID: CMS VOL 32			SPECIAL USE EXCL	= 0	0	
Ref ID: 415178		AS CODE: S278000	MAPSCO:			APPRAISED VALUE	= 201,027	199,124	
Ref ID: R574134		MNT AREA: S5LA012	TIF:			HS VALUE LIMIT	= 5,893	0	
SUBTYPE: RES		SUB MKT:	EFF SIZE:			CIRCUIT BRKR LIMIT	= 0	0	
LEGAL ACREAGE:		APPR VAL METHOD: cost/local	AGENT:			NET APPRAISED	= 195,334	199,124	
			EXP DATE:						

GENERAL	
UTILITIES: ALJY	GBA: 0
TOPOGRAPHY: LV	NRA: 0
ROAD ACCESS: PCG	UNITS: 0
ZONING: RS	RENT: 0

REMARKS
(2019) NEW STG (2016) ENC PAT & NEW CAN (2013) N/C (2013) N/C (2009) N/C (2006) N/C (2007) N/C (2009) ADJ CL & RMVD DEPR 04 (2005) ADJ CL & RMVD DEPR 04

SKETCH	

TAXING UNIT CD	TAXING UNIT NAME	PCT
CAD	APPRAISAL DISTRICT	100.00%
CMS	CITY OF MISSION	100.00%
DR1	DRAINAGE DISTRICT #1	100.00%
GHD	HIDALGO COUNTY	100.00%
JCC	SOUTH TEXAS COLLEGE	100.00%
SSL	SHARYLAND ISD	100.00%
SST	SOUTH TEXAS SCHOOL	100.00%

PICTURE



DEED HISTORY					
DATE	TYPE	BOOK/PG	INST #	BUYER	SELLER
1996-12-07	W/DV	null/null	728975	MARTINEZ	J & L
1997-06-18	CONV	null/null	606375	J & L	B F G
	CONV	null/null		B F G	CACERES CIRO &

IMPROVEMENT VALUATION														IMPROVEMENT DETAIL ADJ			IMPROVEMENT FEATURES											
#	TYPE	DESCRIPTION	MODEL CLASS	AREA	UN	PRC	UNITS	STY	BUILT	EF	YR	COND	FEAT	AMT	VALUE	DEP	PHYS	ECON	FUNC	COMP	ADJ	VALUE	#	ADJ TYPE	ADJ AMT	ADJ %	DESC	CODE
MA	RESIDENTIAL	Main	RES BRKAV	1,256	99.78	1	1	1908	1908		AV			0	125,324	72.00	100.00	100.00	100.00	100.00	0.72	90,233					Heating/Cooling	AND
GAR	RES	GARAGE	RES BRKAV	572	48.99	1	1	1998	1998		AV			0	28,537	72.00	100.00	100.00	100.00	100.00	0.72	21,547					Roof Style	MX
ENC	RES	ENCLOSED ADD	RES BRKAV	168	85.80	1	1	1998	1998		AV			0	15,096	72.00	100.00	100.00	100.00	100.00	0.72	10,862					Custom	1
POR	RES	PORCH	RES BRKAV	36	24.95	1	1	1998	1998		AV			0	898	72.00	100.00	100.00	100.00	100.00	0.72	647					Plumbing	2
CAN	RES	CANOPY	RES BRKAV	600	5.0	1	1	2012	2012		*			0	3,000	95.00	100.00	100.00	100.00	100.00	0.95	2,850					Roof Covering	CmpS
STG	RES	STORAGE	RES BRKAV	48	8.0	1	1	2017	2017					0	384	95.00	100.00	100.00	100.00	100.00	0.95	365					Flooring	8
1	RESIDENTIAL		Finish Out: 100	2,680	Area: 1,424			Quality: AV	Structure: Homesite: Y (100.00%)					173,229	AS Code: 100.00%	Market Area: 112.00%						140,564					WALL HEIGHT	8
																											Number of	3.00
																											Flooring	TIL
																											Interior Finish	SRK
																											Construction	RES
																											Exterior Wall	DBRK
																											Foundation	SLB
																											ROOF HEIGHT	SP
																											Heating/Cooling	AND

LAND VALUATION										LAND ADJUSTMENTS				PRODUCTIVITY VALUATION										
LP DESCRIPTION	TYPE	SOIL	CLS	TABLE	SC	HS	METH	DIV	UNIT	PRC	ADJ	MADJ	VAL	SRC	MKT VAL	SEQ	ADJ TYPE	ADJ AMT	ADJ %	AG	USE	TABLE	UNIT	AG VALUE
1 LOT	L			S278000	A1	Yes	SF	4880.00	sf	12.00	1.000			A	58,560						No		0.00	0
								AS Code: 100.00%		Market Area: 100.00%					58,560									0

MAILOUT LIST

PROP_ID	geoID	name	addrDelive	addrCity	addrState	addrZip
574139	S2780-00-001-0017-00	RODRIGUEZ ALEXA DANIELA	2300 GARDEN VIEW DR	MISSION	TX	78574-7941
574138	S2780-00-001-0016-00	CAVAZOS LAURA I	2302 GARDEN VIEW DR	MISSION	TX	78574-7941
127118	B3770-00-000-0041-00	DE LA GARZA JUAN JAVIER	2407 SUNDROP AVE	MISSION	TX	78574-7909
574129	S2780-00-001-0007-00	GONZALEZ FRANCISCO X PEREZ	2408 GARDEN VIEW DR	MISSION	TX	78574-7919
574130	S2780-00-001-0008-00	MARTINEZ CHRISTIE	PO BOX 12404	FORTH WORTH	TX	76110-8404
574133	S2780-00-001-0011-00	DE LA GARZA GUILLERMO & ALEJANDRA H	2400 GARDEN VIEW DR	MISSION	TX	78574-7919
574152	S2780-00-002-0003-00	GUTIERREZ LILLY A	1608 E 24TH 1/2 ST	MISSION	TX	78574-7939
574154	S2780-00-002-0005-00	SALAZAR NATHAN & BRENDA PALACIOS	1611 E 24TH ST	MISSION	TX	78574-7944
574161	S2780-00-002-0012-00	OLIVAREZ RENE G JR	1610 E 24TH ST	MISSION	TX	78574-7933
574162	S2780-00-002-0013-00	ESQUIVEL SOILA A/K/A SOILA MATA	1611 E 23RD 1/2 STREET	MISSION	TX	78574-7917
574153	S2780-00-002-0004-00	SANCHEZ EDUARDO & ANTONIA	1610 E 24TH 1/2 ST	MISSION	TX	78574-7939
574151	S2780-00-002-0002-00	HERNANDEZ HUGO O & BLANCA A	1606 E 24TH 1/2 ST	MISSION	TX	78574-7939
574163	S2780-00-002-0014-00	DAVIS CLIFTON E & MARIA E	1609 E 23RD 1/2 ST	MISSION	TX	78574-7917
574131	S2780-00-001-0009-00	VALDEZ SANDRA L	2404 GARDEN VIEW DR	MISSION	TX	78574-7919
574134	S2780-00-001-0012-00	MARTINEZ REBECCA E	2310 GARDEN VIEW DR	MISSION	TX	78574-7941
574135	S2780-00-001-0013-00	VILLARREAL ROMEO & MARIBEL	2308 GARDEN VIEW DR	MISSION	TX	78574-7941
574136	S2780-00-001-0014-00	SALINAS-QUINTANILLA FELIX	2306 GARDEN VIEW DR	MISSION	TX	78574-7941
574132	S2780-00-001-0010-00	GARCIA JUAN E & MARIA E	105 W HIBISCUS AVE	MCALLEN	TX	78501-9446
574137	S2780-00-001-0015-00	VN & E CONSULTANTS LLC	205 S STEWART RD	MISSION	TX	78572
127092	B3770-00-000-0015-00	GARCIA ISIDRA	1703 E 23RD PL	MISSION	TX	78574-7902
127093	B3770-00-000-0016-00	PETERSON RICHARD & BARBARA	1702 E 24TH ST	MISSION	TX	78574-7906
574155	S2780-00-002-0006-00	VILLALOBOS ARTURO & MARIA DEL C	1609 E 24TH ST	MISSION	TX	78574
574156	S2780-00-002-0007-00	GARCIA ERNESTINA G	1607 E 24TH ST	MISSION	TX	78574-7944
574159	S2780-00-002-0010-00	MARCELUS DAVID & FLOR	1606 E 24TH ST	MISSION	TX	78574
574160	S2780-00-002-0011-00	ADAME JOSE RUBEN II & KERRI	1608 E 24TH ST	MISSION	TX	78574-7933
574164	S2780-00-002-0015-00	GARCIA JUAN E & MARIA E	105 W HIBISCUS AVE	MCALLEN	TX	78501-9446
127104	B3770-00-000-0027-00	HERNANDEZ SHELLI	1702 E 24TH PL	MISSION	TX	78574-3635
127122	B3770-00-000-0045-00	MENDEZ RUBEN	417 N 9TH ST	MCALLEN	TX	78501-2757
127123	B3770-00-000-0046-00	BAROCIO LINA	2315 SUNDROP AVE	MISSION	TX	78574-7908
127119	B3770-00-000-0042-00	GARZA GERARDO JR	103 ALTO VISTA DR	RIO GRANDE CITY	TX	78582-9391
127120	B3770-00-000-0043-00	GARCIA CARLOS	2403 SUNDROP AVE	MISSION	TX	78574-7909
127103	B3770-00-000-0026-00	RAMIREZ UVALDO JR	3025 E 24TH ST	BROWNSVILLE	TX	78521-1302
127125	B3770-00-000-0048-00	SAENZ RENE & CRISTINA R	2311 SUNDROP AVE	MISSION	TX	78574-7908
127124	B3770-00-000-0047-00	VELAZQUEZ FELIX G	2313 SUNDROP AVE	MISSION	TX	78574-7908
127121	B3770-00-000-0044-00	TANGUMA ANGEL G	2401 SUNDROP AVE	MISSION	TX	78574-7909