



**MEETING DATE:** August 27, 2025

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

**AGENDA ITEM:** Public hearing and consideration of a variance request to allow a 0 foot west side setback instead of the required 6 foot side setback, being Lot 2, Holland Terrace Subdivision, located at 723 W. 25<sup>th</sup> Street, Applicant: Steve Spoor – Cervantes

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**NATURE OF REQUEST:**

Project Timeline:

- July 30, 2025 – Application for Variance Request submitted to the City.
- August 15, 2025 – 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 hearing was published in the Progress Times.
- August 27, 2025 – Public hearing and consideration of the requested variance by the Zoning Board of Adjustments (ZBA).

Summary:

- The request is for a variance not to comply with Plat Note #2, which states: Lot 2 West Side 6 feet, and Section 1.372(5)(g) of the Mission Code of Ordinances, which states:
  - Minimum width of side setback:
    1. Internal lot: 6 feet
    2. Corner lot: 10 feet
  - Minimum distance from the public right-of-way to the entrance to a garage or enclosed carport, unless otherwise approved by the Zoning Board of Adjustments: 18 feet.
  - Where a building setback has been established by plat or ordinance and such setback requires a greater or lesser 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 applicant is requesting a variance to allow a 0 foot side setback on the west side of Lot 2 in order to match the ordinance setback for the adjacent Lot 3. Lot 1 is a stormwater detention area and will not have a building on it.
- Holland Terrace Subdivision was recorded on May 15, 2025. The regular lot measures 36 feet in width by 100 feet in length for a total of 3,600 square feet. The site is located approximately 200 feet east of Holland Road along the south side of W. 25<sup>th</sup> Street.
- The lot is currently vacant. The applicant would like to construct a townhome.
- The lots surrounding the subdivision are developed as Single-Family Residences.
- The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out 19 legal notices to surrounding property owners.
- Staff notes that this is a fairly new subdivision, and no variances have been considered nor granted by ZBA.

- 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 state law, HB 1475, 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:**

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**DISAPPROVED:**

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**TABLED:**

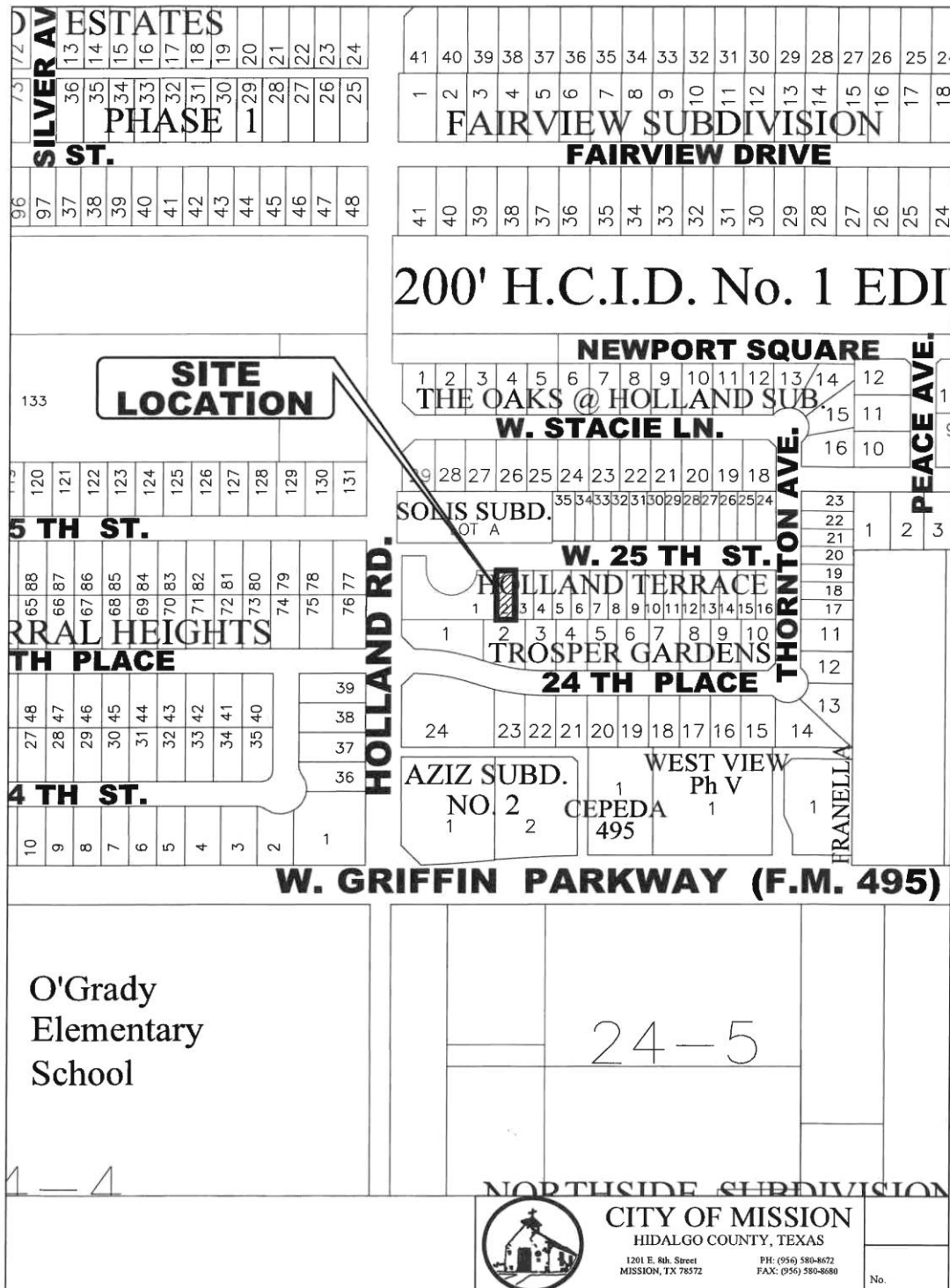
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\_\_\_\_\_ AYES

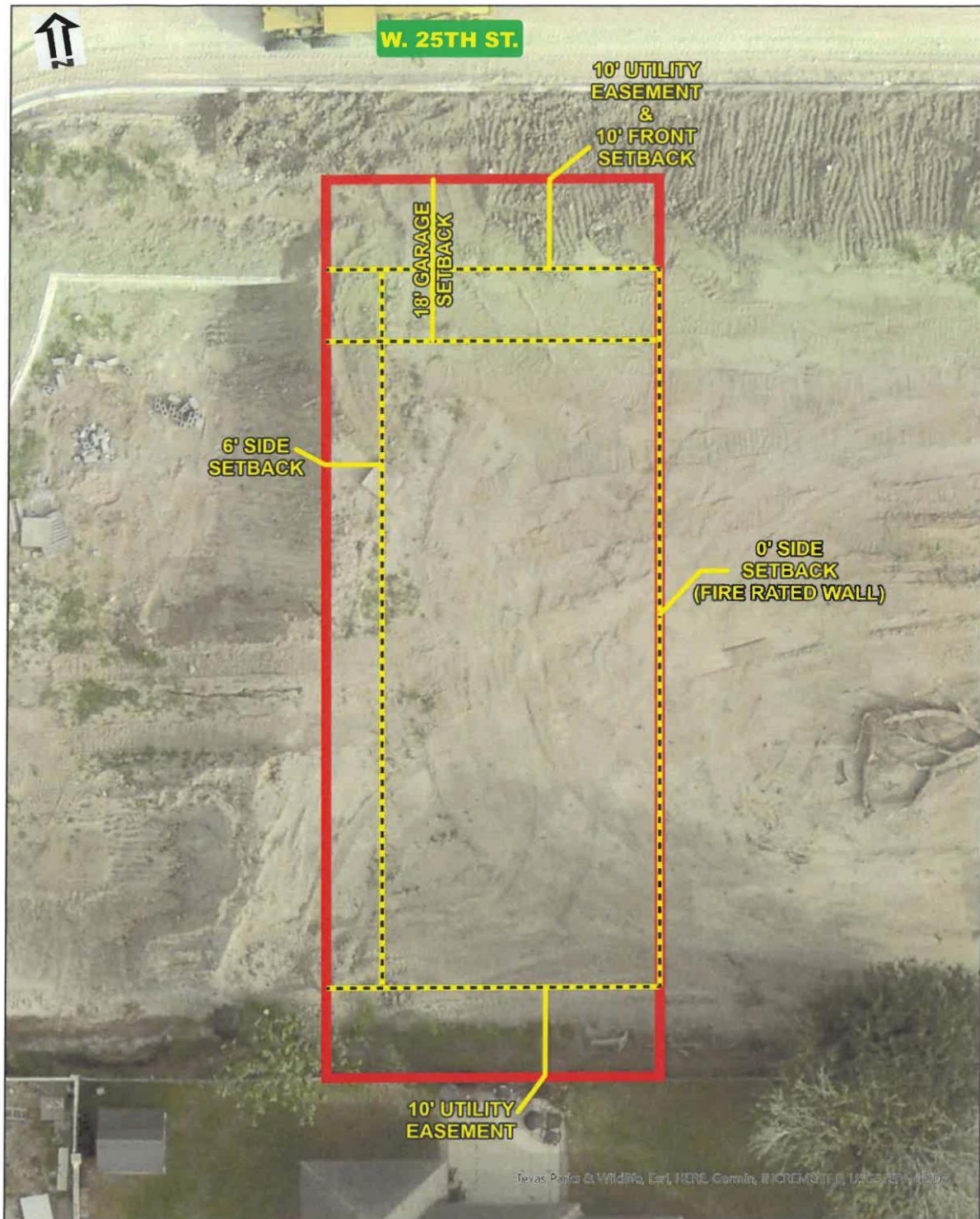
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\_\_\_\_\_ DISSENTING \_\_\_\_\_

# VICINITY MAP



# ARIEL MAP





## ATTACHMENTS



## PICTURES



## G010R

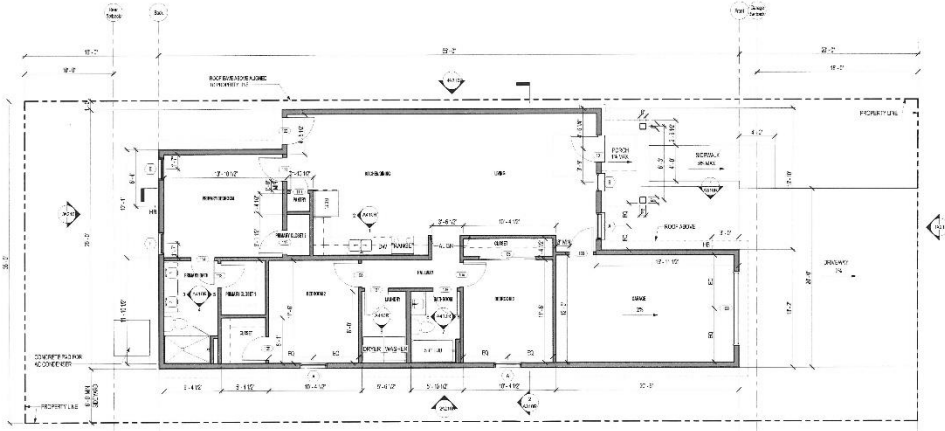
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# ATTACHMENTS

# ATTACHMENTS

ROOM SCHEDULE PLAN 1	
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FLOOR PLAN 1 - FARMHOUSE

## HOLLAND TERRACE SUBDIVISION

723 W. 25TH STREET  
MISSION, TX 78574

DATE: 2/28/2025  
BY: J. L. LEE  
CHECKED: J. L. LEE  
SCALE: 1/8" = 1'-0"

NO.	DESCRIPTION	DATE
1	REVISION: 1. 2/28/2025	2/28/2025



LOT 2  
PLAN 1  
STYLE FARMHOUSE

JUNE 16TH, 2025  
CONSTRUCTION  
DOCUMENTS

NOT FOR CONSTRUCTION PURPOSES  
RIGHT RESERVED

SCALE: 1/8" = 1'-0"

DATE: 2/28/2025

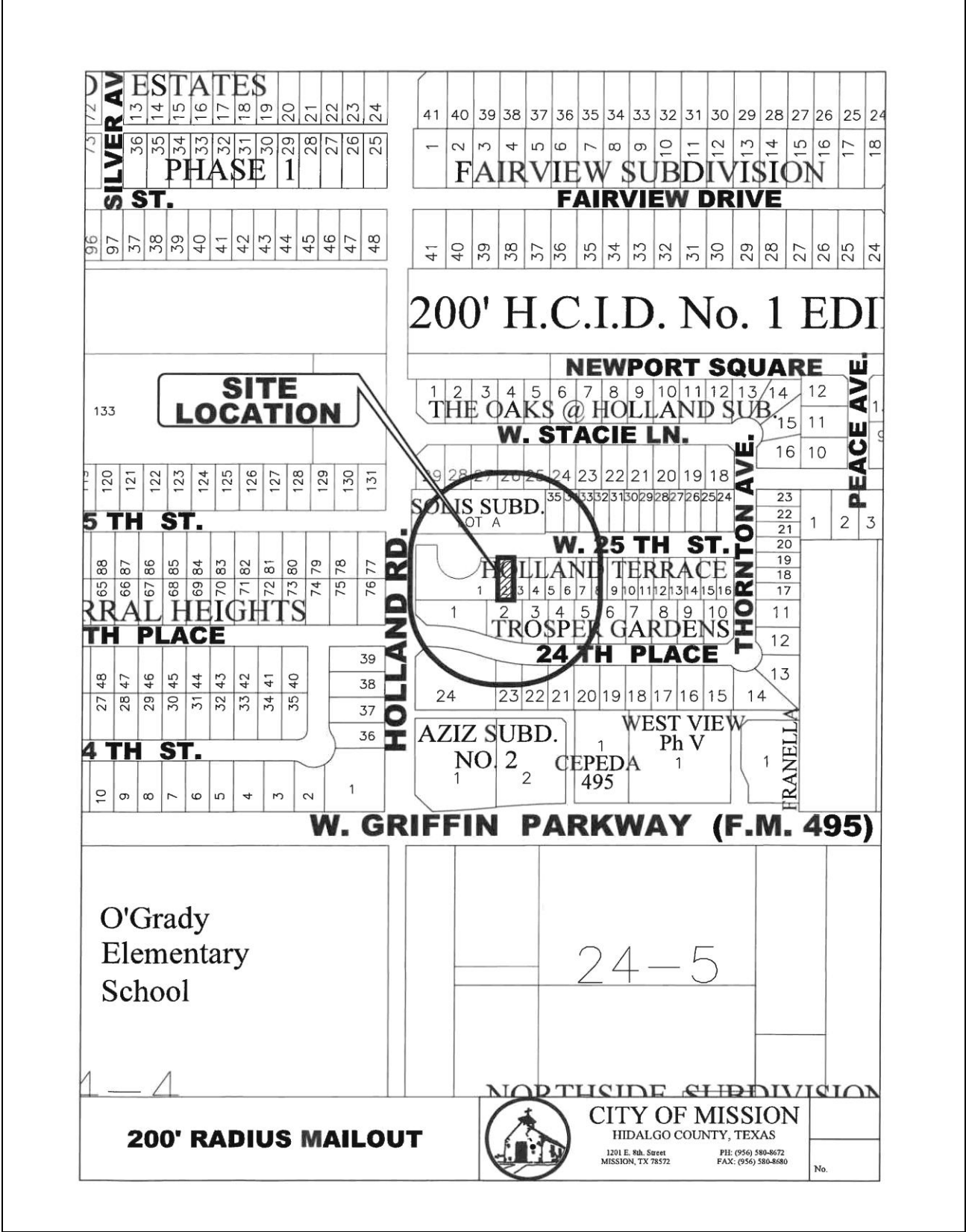
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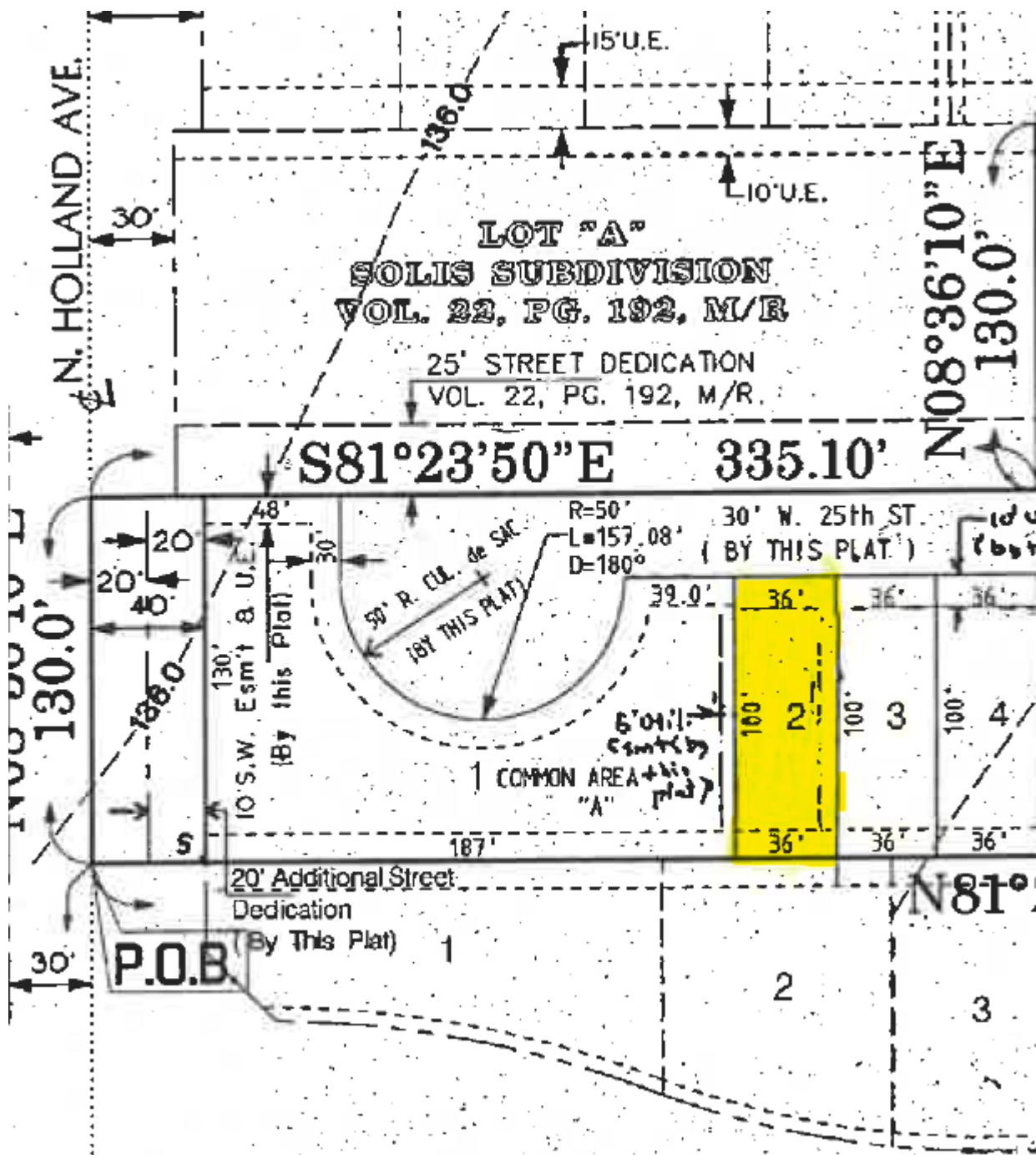
FLOOR PLAN 1 - FARMHOUSE

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ATTACHMENTS
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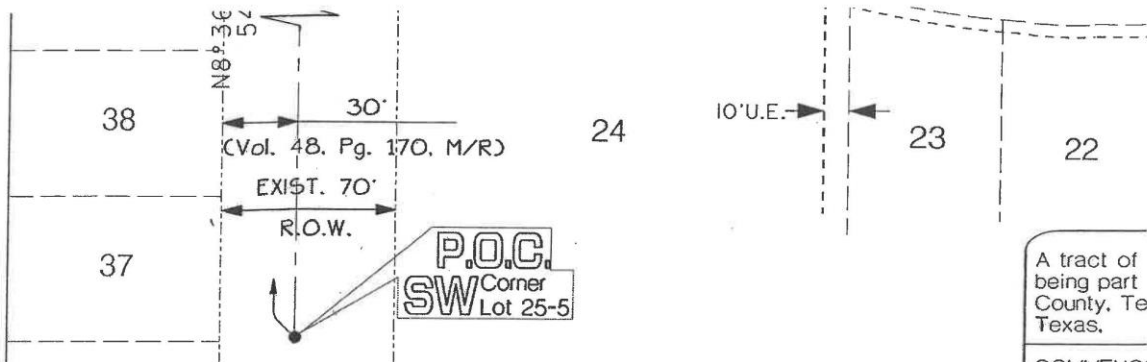


<b>ATTACHMENTS</b>
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## ATTACHMENTS



### NOTES:

1. FLOOD ZONE STATEMENT:  
FLOOD ZONE DESIGNATION: ZONE "X" (SHADE) - COMMUNITY PANEL NUMBER 480 345 0005C MAP REVISED NOVEMBER 20, 1991. "X" (SHADE) IS DESCRIBED AS "AREA OF MODERATE FLOOD HAZARD, USUALLY THE AREA BETWEEN THE LIMITS OF 100-YEAR AND 500-YEAR FLOODS."
2. MIN. BUILDING SETBACK LINES TO BE IN ACCORDENCE WITH CITY OF MISSION ORDINANCE REQUIREMENTS, EXCEPT AS FOLLOWS:  
 LOT 2 WEST SIDE - 6 FEET;  
 LOT 17 SOUTH SIDE - 6 FEET;  
 LOT 23 NORTH SIDE - 6 FEET;  
 LOT 35 WEST SIDE - 6 FEET.
3. MINIMUM FINISH FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB, AS MEASURED AT FRONT CENTER OF LOT.
4. BENCHMARK IS TOP OF IRON ROD ON THE SOUTHEAST CORNER OF PROPERTY - ELEVATION=134.53
5. IN ACCORDANCE WITH THE HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 REQUIREMENTS, THIS DEVELOPER WILL BE REQUIRED TO DETAIN A TOTAL OF 0.54 ACRE-FEET OR 23,560 CUBIC FEET.
6. A 5 FOOT SIDEWALK IS REQUIRED ALONG N. HOLLAND AVE. TO BE CONSTRUCTED BY DEVELOPER. A 4 FOOT SIDEWALK IS REQUIRED ALONG THE NORTH LINE OF LOT 1 TO BE CONSTRUCTED BY DEVELOPER. A 4 FOOT SIDEWALK IS REQUIRED ALONG BOTH SIDES OF W. 25TH ST. AND N. THORNTON AVE. TO BE CONSTRUCTED DURING THE BUILDING PERMIT STAGE.
7. THE DEVELOPER SHALL BE RESPONSIBLE FOR DETAINING AND ACCOMODATING MORE THAN THE DETAINED VOLUME SHOWN ON THIS PLAT IF IT IS DETERMINED, AT THE PERMIT STAGE, THAT THE DETENTION REQUIREMENTS ARE GREATER THAN STATED ON THIS PLAT, DUE TO THE IMPERVIOUS AREA BEING GREATER THAN THE PLAT ENGINEER CONSIDERED IN THE HYDRAULIC CALCULATIONS FOR THIS SUBDIVISION.

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## MAILOUT LIST

PROP_ID	name	addrDelive	addrCity	addrState	addrZip
316980	JJAB FAMILY LIMITED PARTNERSHIP	PO BOX 279	MISSION	TX	78573-0005
693057	GALLEGOS JUAN MANUEL	713 W 24TH PL	MISSION	TX	78574-2743
693056	GUTIERREZ SILVIA & RUBEN	711 W 24TH PL	MISSION	TX	78574-2743
693034	CANALES ARNULFO	929 BOWEN ST	MISSION	TX	78572-3606
693035	PINA JAIME & IDANIA	716 W 24TH PL	MISSION	TX	78574
693036	GARZA GUALBERTO JR & JESENIA LEE GOMEZ	712 W 24TH PL	MISSION	TX	78574-2751
693055	OLIVAREZ ROSA ANA	709 W 24TH PL	MISSION	TX	78574-2743
709961	RAMIREZ DANIEL A & GRACIELA	917 BURRUS ST	MISSION	TX	78572-3633
709962	ORNELAS SAHAID EDUARDO	717 W STACIE LN	MCALLEN	TX	0
286036	PEREZ CORNELIO JR & SANDRA	2406 N HOLLAND AVE	MISSION	TX	78574-2249
693040	PADILLA ROBERTO	704 W 24TH PLACE	MISSION	TX	78574-2751
693039	SALINAS MARIO S & MARTINA L	706 W 24TH PL	MISSION	TX	78574-2751
693037	MARTINEZ JOSE S	710 W 24TH PL	MISSION	TX	78574-2751
693038	BIRES RENTAL PROPERTIES LLC	3809 N 8TH COURT UNIT #4	MCALLEN	TX	78501-1777
709960	SOLIS JOSE L & CYNTHIA E	713 STACIE LN	MISSION	TX	78574-2745
286037	PEREZ CORNELIO JR & SANDRA	2404 N HOLLAND AVE	MISSION	TX	78574-2249
709959	OZUNA MARIA	711 STACIE LN	MISSION	TX	78574-2745
709958	LABOY CARMEN	709 W STACIE LN	MISSION	TX	78574-2745
709957	ALFARO HUGO & ELSA	707 STACIE LN	MISSION	TX	78574-2745