

**SPECIAL ZONING BOARD OF ADJUSTMENTS
JANUARY 6, 2026
CITY HALL'S COUNCIL CHAMBERS**

ZBA PRESENT

Alberto Salazar
Humberto Garza
Heraclio Flores
Dolly Elizondo

ZBA ABSENT

William Ueckert Jr.

STAFF PRESENT

Alex Hernandez
Patricio Martinez
Jessica Munoz
Elisa Zurita

GUESTS PRESENT

Luis D. Waldo

CALL TO ORDER

Chairman Heraclio Flores called the meeting to order at 4:35 p.m.

CITIZENS PARTICIPATION

Chairman Heraclio Flores asked if there was anyone in the audience that had anything to present or express that was not on the agenda.

There was none.

APPROVAL OF MINUTES FOR OCTOBER 22, 2025

Chairman Heraclio Flores asked if there were any corrections to the minutes. Ms. Elizondo moved to approve the minutes as presented. Mr. Garza seconded the motion. Upon a vote, the motion passed unanimously.

ITEM #2

TO ALLOW A 10'-1 9/16" FRONT SETBACK INSTEAD OF THE REQUIRED 25-FOOT AND A 6-FOOT REAR SETBACK INSTEAD OF THE REQUIRED 10-FOOT AT 1212 POST OAK STREET, BEING LOT 103, BRYAN'S LANDING SUBDIVISION BY LUIS D. WALDO

Mr. Hernandez stated that the request is for a variance not to comply with Section 1.37 (5) (e) (f) of the Mission Code of Ordinances, which states: Minimum depth of front setback: 25 feet, Minimum depth of rear setback: 10 feet. The site is located at the southwest corner of N. Bryan Road and Post Oak Street. The applicant is requesting a variance to construct a new dwelling facing N. Bryan Road with a 10'-1 9/16" front setback instead of the required 25-foot setback and a 6-foot rear setback instead of the required 10-foot setback. Bryan's Landing Subdivision was recorded on May 16, 2025. The subject property is a lot outside the subdivision walls.

Ms. Elizondo asked if the lot was outside of the subdivision walls but platted within the subdivision.

Mr. Hernandez stated yes, the lot is outside of the subdivision walls since the subdivision needed a distance away for the key gate is further in on the actual lot line so the subdivision could have good stacking distance to the gate key. He mentioned the subject lot has a total area of 6,661 square feet. The tenants have not received any objections to this request. Staff noted that 21 notices to the surrounding property owners. The proposed house measures 2,633 square feet and a 510 square feet garage.

STAFF RECOMMENDATION:

Staff recommends denial. This request does not constitute an undue hardship.

Ms. Elizondo asked whether the lot is subject to subdivision restrictions despite its location outside the gate.

Mr. Hernandez stated that the restrictions are identical to the rest of the subdivision and that the lot remains subject to the HOA. He noted that while the HOA requires a certain occupancy percentage to be active building permits are currently reviewing plans.

Chairman Heraclio Flores asked if the fence is part of the subdivision.

Mr. Hernandez replied "yes".

Mr. Salazar asked if the applicant's access would be located before the gate.

Mr. Hernandez explained that the main access is on Post Oak Street, but the gate was positioned west of the property line to satisfy right-of-way distance requirements from Bryan Road. He clarified that although the gate was moved inward, the property remains within the subdivision and must follow all setbacks.

Ms. Elizondo asked if the applicant is going to have his front door facing Bryan.

Mr. Hernandez stated the applicant proposes to face the front door toward Bryan Road instead of Post Oak Street.

Chairman Flores asked if a variance was being requested due to the keypad intruding into the parking area.

Mr. Hernandez clarified that was not the case.

Ms. Elizondo asked if the garage is on Post Oak Street.

Mr. Hernandez confirmed that a gap exists between the keypad and the gate to allow lot access. He further explained that while all lots were originally designed to face internal streets, the applicant intends to face the house toward Bryan Road while keeping the garage facing Post Oak.

Ms. Elizondo expressed concern regarding traffic flow, asking if the garage exit constitutes an ingress or egress for the subdivision.

Mr. Hernandez replied that it serves as both.

When Ms. Elizondo pointed out that the exit gate might swing toward the applicant's garage door.

Mr. Hernandez explained that the exit gate swings into the center island and away from the lot though it does align with the applicant's fence.

Mr. Salazar asked if the subdivision was originally designed with these lot issues.

Mr. Hernandez replied that the layout changed when the gate was pushed back to accommodate Bryan Road.

Ms. Elizondo noted that the plat labels Lot 78 as "exit only," suggesting another gate.

Mr. Hernandez confirmed there is a gate on the south side, but clarified that the Post Oak access allows for both entry and exit.

Chairman Flores asked if any other permits had been submitted for the north side.

Mr. Hernandez stated this is the first home on a corner lot; while other internal homes met setbacks, this is the only one requesting a front setback toward Bryan Road.

Chairman Flores asked if the applicant is present.

Mr. Luis Waldo, representing Waldo Homes, identified himself as the builder and explained that he intends to rotate the house facade to face Bryan Road to enhance curb appeal. He noted that the site plan includes a block fence and that the design aims to preserve four mature oak trees on the lot. Because the subdivision's plan requires an oak tree on every lot, he explained that the side setback must exceed 10 feet to accommodate these existing trees. Mr. Waldo stated that there is already a designated block entrance where he plans to install a sliding gate, pending board approval, and offered to extend the driveway if necessary. He observed that the subdivision gates currently remain open, allowing him to navigate the area easily even in a large truck. He further clarified the gate mechanics, noting that the north side entrance opens inward while the exit opens outward; he added that the other side serves as an exit only and does not feature a keypad. According to Mr. Waldo, the developer originally intended for the homes to face Bryan Road, though he believes this was not officially specified or approved during the platting process. He mentioned that the engineer holds several lots for investment rather than construction, and concluded by stating his intention to build the house as a spec home for himself.

Mr. Salazar asked the applicant if this is a spec home and if he has any plans .

Mr. Waldo addressed the board regarding his development plans, emphasizing his commitment to constructing high-quality homes to improve curb appeal, specifically noting the desire for quality homes in the areas of Bryan Road, Glasscock, and Mile 2 Road. He presented project plans, acknowledging that while the main entrance poses visibility issues, he could accommodate a secondary entrance for better access. He also mentioned working with the developer, OG Construction (omar), and noted that approval from an architectural control committee would be needed, though he expressed confidence in obtaining it.

Ms. Elizondo inquired if Mr. Waldo was the current owner of the lot.

Mr. Waldo confirmed he was not yet the owner.

Ms. Elizondo raised concerns about approving a variance request without written authorization from the owner of record.

Mr. Waldo explained that he had been in contact with his representative, Eddie, who provided verbal blessing, but he lacked written authorization.

Ms. Elizondo pointed out a plat note restricting access/curb cuts from Bryan Road, noting the proposed garage faces that direction.

The board discussed the inability to move forward without official documentation. They clarified that, although the developer favored the project, a formal authorization letter was required. The board

noted that the owner of record was not represented and that they could not vote on the variance request .

Mr. Hernandez stated the requested variance noted that the plan required a 14-foot, 11-and-a-half-inch variance from the required 25-foot setback and a 4 foot side setback.

The board decided to table the item due to the lack of written authorization from the property owner and concerns regarding the HOA approval the board concluded that they could not make a decision.

Mr. Waldo agreed that he had not yet closed on the property and the need for authorization.

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

There being no further discussion, Chairman Flores entertained a motion. Mr. Garza to table the item until the next meeting on January 28, pending proper documentation. Mr. Salazar seconded the motion. Upon a vote, the motion passed unanimously.

ADJOURNMENT

There being no further business, Chairman Flores entertained a motion. Ms. Elizondo moved to adjourn the meeting. Mr. Salazar seconded the motion. Upon a vote, the motion passed unanimously at 5:00 p.m.

Heraclio Flores, Chairman
Zoning Board of Adjustments