



Setback Variance Request  
PZ-2025-10  
7408 Linkwood Street

Susana Huerta, AICP  
Planning and Zoning Director  
Board of Adjustment Meeting  
May 5, 2025

# Summary

- Question
  - Should the Board Grant a Rear yard Setback Variance to Allow a 13.5-Foot Encroachment into the Minimum 30-foot Rear Setback, Located at 7408 Linkwood Street, Lot 2, Block F, CB 4446A, Linkwood Addition Subdivision, on Approximately 0.17 Acres of Land.
- Options
  - Grant the variance
  - Deny
  - Other
- Declaration
  - Staff recommends denial

# Background

- Applicant: Leticia Chapa
- Request: A variance to LVCC Chapter 15 Zoning, Division 6 Districts, Boundaries, and Use Regulations, Section 15.02.306, (c) (2) Rear Yard
- To build a new home with a back porch that would encroach 13.5 feet into the required rear yard

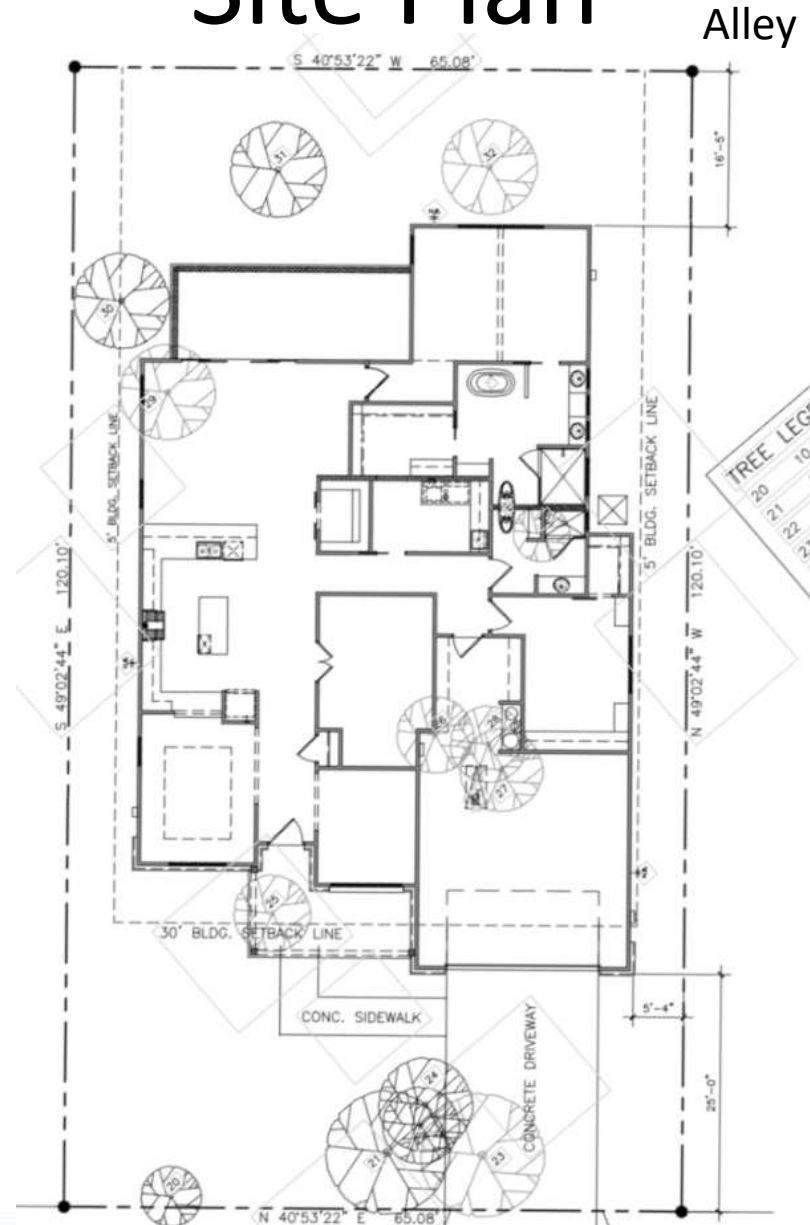
# Background

- The applicant is the owner of the property located at 7408 Linkwood Street
- They would like to construct a new home that would encroach into the 30-foot rear yard setback by 13.5 feet
- The property is zoned R-1 Single Family Dwelling and is vacant

# Background

- **Similar variance applications:**
- 7717 Linkside – Rear yard setback Request
  - 2024 – Approved
- 7477 Linkwood – Rear yard setback Request
  - 2015 - Denied
- 7303 Linkwood – Side yard setback Request
  - 2007 – Approved (1.5 feet for home)
- 7303 Linkwood – Side yard setback Request
  - 2018 – Denied – (2 feet for carport)
- 7608 Linkwood – Rear yard setback Request
  - 2007 – Denied

# Site Plan



Linkwood Street

# Front Elevation





# Aerial





# Code Requirements

- The City's Zoning Code has established criteria for the evaluation of variances to zoning regulations. Section 15.02.722(bb) of the Zoning Code, states this criteria as the basis for providing statements of findings in granting or denying a variance.
- **Granting a Variance:**
- (2) Variances: To prevail in receiving a variance, the applicant must demonstrate that a literal enforcement of the ordinance would result in unnecessary hardship. The applicant must show that the hardship is:

# Code Requirements

- (A) Unique, oppressive, not common to other property, and not against the public interest;
- **Staff Finding:** This is not a unique situation. As stated earlier, lots in Linkwood do not meet the minimum area requirements but most property owners have built homes without applying for variances.
- (B) Not merely that the property cannot be utilized for its highest and best use;
- **Staff Finding:** Reasonable use can be made of the property without the variance.

# Code Requirements

- (C) Not self-imposed; and
- **Staff Finding:** This is a proposed new home and therefore, this variance request is self-imposed.
- (D) Not simply a hinderance to the developer's goals.
- **Staff Finding:** This is simply a hinderance to the applicant's goals. The applicant could build a smaller home or consider a second story.

# Notification

- 24 Letters were mailed to property owners within 200' of the subject site
  - No letters were received in opposition or in favor
  - None were returned undeliverable

# Staff Analysis

- Staff has reviewed this request and objects for the following reason(s):
  - The hardship is self-imposed
  - Reasonable use can be made of the property within the setback limitations