



# Setback Variance Request

PZ-2025-18

7500 Linkside Street

Susana Huerta, AICP

Planning and Zoning Director

Board of Adjustment Meeting

August 12, 2025

# Summary

- Question
  - Should the Board Grant a Rear yard Setback Variance to Allow an 8.5-Foot Encroachment into the Minimum 30-foot Rear Setback, Located at 7500 Linkside Street, Lot 41, Block D, CB 4446A, Amending Subdivision Plat of Linkwood Addition Subdivision, on Approx. 0.427 Acres of Land.
- Options
  - Grant the variance
  - Deny
  - Other
- Declaration
  - Staff recommends denial

# Background

- Applicant: Jim Garcia
- 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 an addition to an existing residential structure and a detached garage that would encroach 8.5 feet into the required rear yard setback

# Background

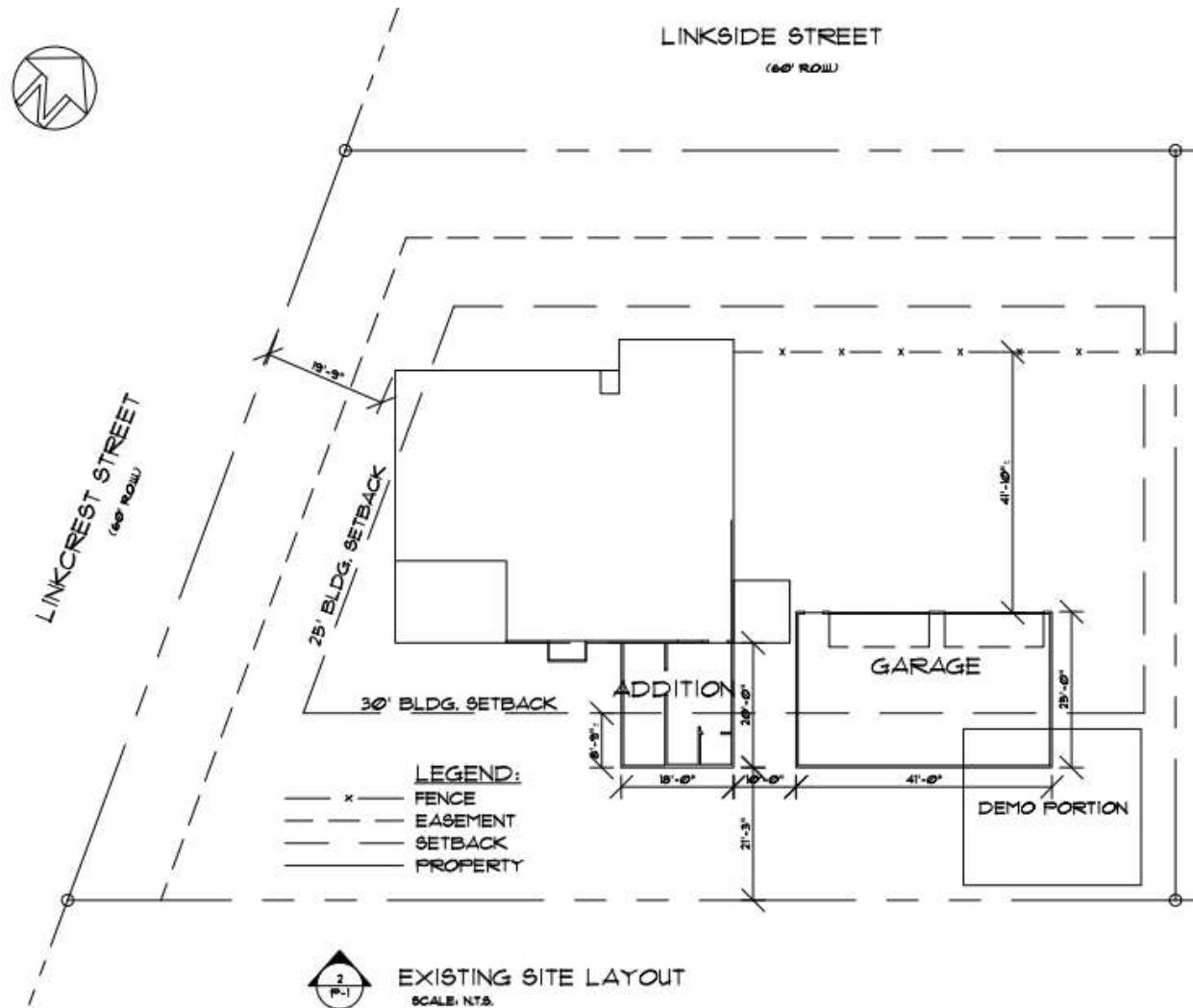
- The applicant is the owner of the property located at 7500 Linkside Street
- They would like to construct a new addition and detached garage that would encroach into the 30-foot rear yard setback by 8.5 feet
- The property is zoned R-1 Single Family Dwelling and has an existing single-family residential structure that was built in 1971.

# Background

## Similar variance applications

- 7408 Linkwood – Rear yard setback Request
  - May 2025 - Approved
- 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



# Front Elevation



# Rear 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. The property owner benefits from having a larger lot from the merging of two smaller lots.
- (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 addition 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.

# Notification

- 23 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