



# CITY OF LEON VALLEY

## NOTICE OF MEETING

Board of Adjustment

**6:30 PM – August 12, 2025**

Leon Valley City Council Chambers  
6400 El Verde Road, Leon Valley, TX 78238

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### AGENDA

#### 1. CALL TO ORDER AND ROLL CALL

#### 2. APPROVAL OF MINUTES

1. Discussion and Possible Action of the Board of Adjustment Meeting Minutes of May 5, 2025

#### 3. NEW BUSINESS

1. Susana Huerta, Planning and Zoning Director, Notary Public will Administer the Oath of Office to the Board of Adjustment Members
2. Discussion and Possible Action on a Request for a Variance to Chapter 15, Zoning, Article 15.02 Zoning Ordinance, Division 6. Districts, Boundaries, and Use Regulations, Sec. 15.02.306 - "R-1" Single-Family Dwelling, (c) Setback Requirements, (2) Rear Yard, 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, Linkwood Addition Subdivision, on Approximately 0.427 Acres of Land - S. Huerta, Planning and Zoning Director

#### 4. ANNOUNCEMENTS BY MEMBERS AND CITY STAFF

In accordance with Section 551.0415 of the Government Code, topics discussed under this item are limited to expressions of thanks, congratulations or condolence; information regarding holiday schedules; recognition of a public official, public employee or other citizen; a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial or community event; and announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.

#### 5. ADJOURNMENT

**Executive Session.** The City of Leon Valley Board of Adjustment reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on the posted agenda, above, as authorized by the Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about

gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.087 (economic development).

**Sec. 551.0411. MEETING NOTICE REQUIREMENTS IN CERTAIN CIRCUMSTANCES:** (a) Section does not require a governmental body that recesses an open meeting to the following regular business day to post notice of the continued meeting if the action is taken in good faith and not to circumvent this chapter. If an open meeting is continued to the following regular business day and, on that following day, the governmental body continues the meeting to another day, the governmental body must give written notice as required by this subchapter of the meeting continued to that other day.

**Attendance by Other Elected or Appointed Officials:** It is anticipated that members of other City boards, commissions and/or committees may attend the open meeting in numbers that may constitute a quorum. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of any other boards, commissions and/or committees of the City, whose members may be in attendance in numbers constituting a quorum. These members of other City boards, commissions, and/or committees may not deliberate or act on items listed on the agenda. [Attorney General Opinion – No. GA-0957 (2012)].

I hereby certify that the above **NOTICE OF PUBLIC MEETING(S) AND AGENDA OF THE LEON VALLEY BOARD OF ADJUSTMENT** was posted at the Leon Valley City Hall, 6400 El Verde Road, Leon Valley, Texas, and remained posted until after the meeting(s) hereby posted concluded. This notice is posted on the City website at <https://www.leonvalleytexas.gov>. This building is wheelchair accessible. Any request for sign interpretive or other services must be made 48 hours in advance of the meeting. To arrange for assistance, call (210) 684-1391, Extension 212.



SAUNDRA PASSAILAIGUE, TRMC  
City Secretary  
AUGUST 7, 2025 09:55 AM



# CITY OF LEON VALLEY

## NOTICE OF MEETING

Board of Adjustment

**6:30 PM – May 5, 2025**

Leon Valley City Council Chambers  
6400 El Verde Road, Leon Valley, TX 78238

### MINUTES

#### 1. CALL TO ORDER AND ROLL CALL

Board Member Power called the meeting to order at 6:30 P.M.

##### PRESENT

Board Member	Drew Power
Board Member	Danielle Bolton
Board Member	Don Friedeck
Board Member	Teresa Moser

Also in attendance was Planning and Zoning Director Susana Huerta

#### 2. APPROVAL OF BOA MINUTES

1. Discussion and Action to Consider Possible Approval of the Board of Adjustment Meeting Minutes of January 22, 2025 - BOA Members

Board Member Bolton made a motion to approve the minutes as presented, which was seconded by Board Member Moser. The motion carried unanimously 4 to 0.

#### 3. NEW BUSINESS

1. Presentation, Discussion, and Consider Approval of a Request for a Variance to Chapter 15, Zoning, Article 15.02 Zoning Ordinance, Division 6. Districts, Boundaries, and Use Regulations, Sec. 15.02.306 – “R-1” Single-Family Dwelling, (c) Setback Requirements, (2) Rear Yard, 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 Vacant Land - S. Huerta, Planning and Zoning Director.

Board Member Bolton made a motion to approve the variance request, which was seconded by Board Member Moser. The motion carried unanimously 4 to 0.

#### 4. ANNOUNCEMENTS BY MEMBERS AND CITY STAFF

There were no announcements.

## 5. ADJOURNMENT

Board Member Bolton made a motion to adjourn, which was seconded by Board Member Moser. The motion carried unanimously 4 to 0. The meeting was adjourned at 7:02 p.m.

*These minutes were approved by the Leon Valley Board of Adjustment on the 12th of August 2025.*

APPROVED

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**DREW POWER**  
CHAIR

ATTEST: \_\_\_\_\_  
**SUSANA HUERTA**  
PLANNING AND ZONING DIRECTOR

## **BOARD OF ADJUSTMENT COMMUNICATION**

**DATE:** August 12, 2025

**TO:** Board of Adjustment

**FROM:** Susana Huerta, AICP, Planning and Zoning Director

**THROUGH:** Crystal Caldera, Ph.D., City Manager

**SUBJECT:** Consider Approval of a Request for a Variance to Chapter 15, Zoning, Article 15.02 Zoning Ordinance, Division 6. Districts, Boundaries, and Use Regulations, Sec. 15.02.306 – “R-1” Single-Family Dwelling, (c) Setback Requirements, (2) Rear Yard, 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, Linkwood Addition Subdivision, on Approximately 0.427 Acres of Land.

### **PURPOSE**

**Applicant/Property Owner:** Jim Garcia

**Site:** 7500 Linkside Street, Lot 41, Block D, CB 4446A, Amending Subdivision Plat of Linkwood Addition Subdivision, on Approximately 0.427 Acres of Land.

### **Background:**

There is an existing single-family residential structure that was built in 1971. The applicant proposes building an addition to the existing structure and a detached two-car garage. The property owner recorded an amending plat in May to remove a lot line between two adjoining lots and establish one larger lot. The City Council granted a variance to sidewalk requirements at their March 18, 2025, regular meeting. The newly created lot measures 132.88 feet wide by 120 feet long and it is zoned R-1 Single Family Dwelling District. They are requesting a variance to the minimum 30-foot rear yard setback requirement and are proposing an 8.5-foot rear setback.

The property was originally platted in 1956 as part of the Linkwood Subdivision. The lot conforms to the minimum 8,400 square foot lot area requirements (18,600 square feet).

### **CRITERIA FOR EVALUATION**

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:

(A) Unique, oppressive, not common to other property, and not against the public interest;

**Staff Finding:** This is not a unique situation. The property owners benefit from a larger lot since they merged 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.

(C) Not self-imposed; and

**Staff Finding:** This is a proposed 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.

## **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

## **NOTIFICATION**

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

**RECOMMENDATION**

Staff has reviewed this request and objects for the following reasons:

- The hardship is self-imposed, and
- Reasonable use can be made of the property within the setback limitations

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

APPROVED WITH THE FOLLOWING AMENDMENTS:

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ATTEST:

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**Susana Huerta, AICP**  
**Planning and Zoning Director**



**CITY OF LEON VALLEY  
A REAR SETBACK VARIANCE**

**Jim Garcia, applicant,** Project Number PZ-2025-18, is hereby granted a variance to the Leon Valley Code of Ordinances, Chapter 15, Zoning, Article 15.02 Zoning Ordinance, Division 6. Districts, Boundaries, and Use Regulations, Sec. 15.02.306 – “R-1” Single-Family Dwelling, (c) Setback Requirements, (2) Rear Yard to Allow a 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 Approximately 0.427 Acres of Land.

The Board of Adjustment of the City of Leon Valley voted approval of the above variance on the 12th day of August 2025.

\_\_\_\_\_  
Chairperson

Attest:

\_\_\_\_\_  
Susana Huerta, AICP  
Planning and Zoning Director





# 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

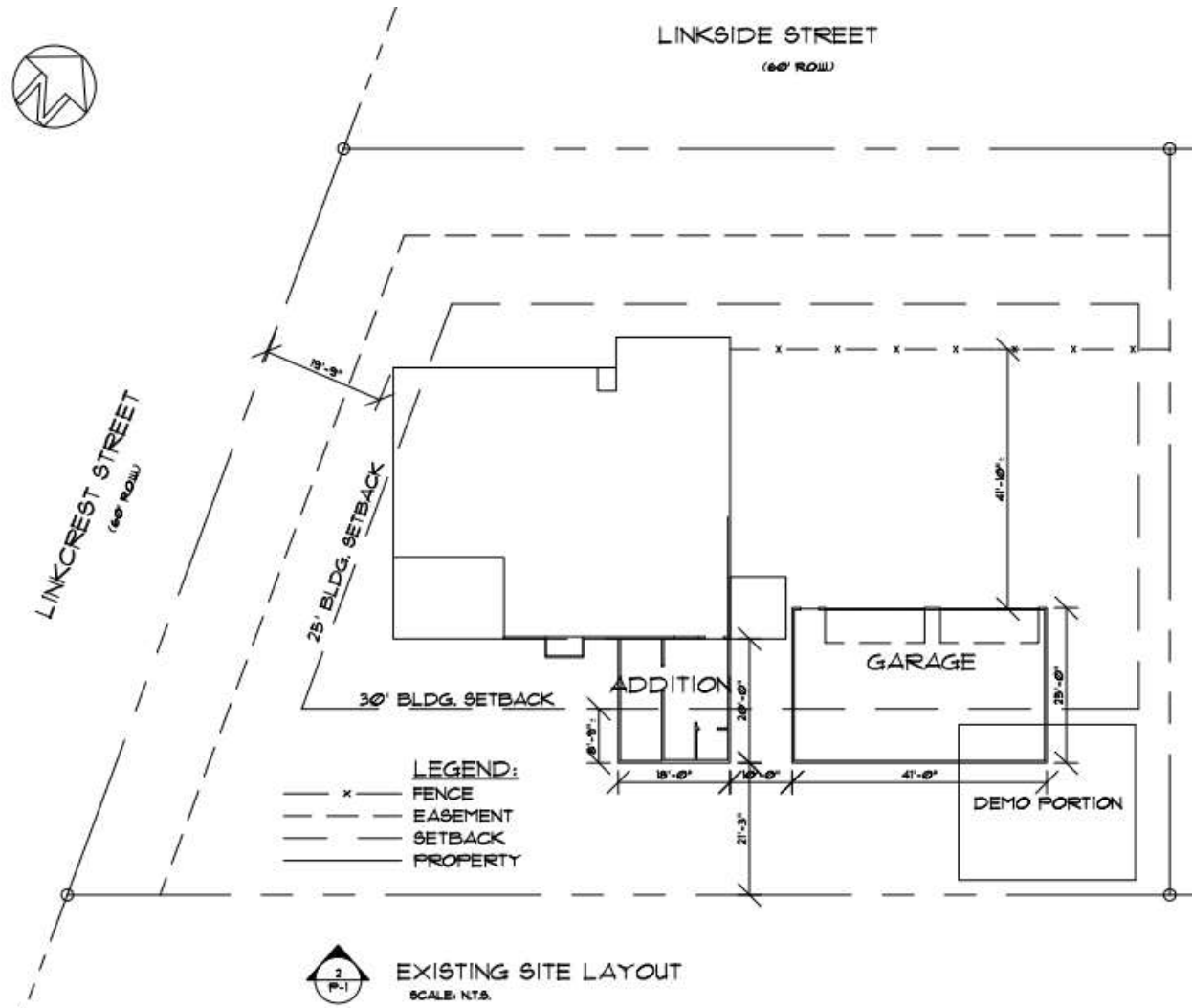
## Similar variance applications

- 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

Item 2.



# Front Elevation

Item 2.





# Rear Elevation

Item 2.





# Aerial

Item 2.



# 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