

**City of Lockhart  
Planning and Zoning Commission  
February 10, 2021**

**MINUTES**

**Members Present:** Philip Ruiz, Philip McBride, Rick Arnic, Manuel Oliva, Chris St. Leger, Bradley Lingvai (via phone)

**Member Absent:** Dr. Ronald Peterson

**Staff Present:** Dan Gibson, Christine Banda, Kevin Waller

**Visitors/Citizens Addressing the Commission:**

1. Call meeting to order. Chair Ruiz called the meeting to order at 7:01 p.m.
2. Citizen comments not related to an agenda item. None
3. Consider the Minutes of the January 27, 2021, meeting.

*Commissioner Arnic moved to approve the January 27, 2021 minutes. Commissioner St. Ledger seconded, and the motion passed by a vote of 6-0.*

4. Hold a PUBLIC HEARING and consider a proposed ordinance amending Chapter 64 "Zoning", of the Lockhart Code of Ordinances, Article I "In General", Section 64-2 "Definitions", and Article VII "Zoning Districts and Standards", Section 64-196 "Establishment of Zoning Districts", to define and regulate Accessory Dwelling Units.

Mr. Gibson explained that there have been numerous e-mails and phone calls from people inquiring about whether or not the City allows accessory dwelling units, also known as ADU's. He said many cities allow them and with appropriate standards, and they could be an asset to the community. The proposed amendment to the zoning ordinance defines two classifications of ADU's – Limited and General, and designates which residential districts allow them by-right or as a specific use. He summarized the major provisions, which he said were a result of research into how other cities regulate accessory dwelling units.

Chair Ruiz opened the public hearing.

Leonard Gabbay, of 420 W. Prairie Lea Street, said he bought his home in 2019. The home originally had a detached three-car garage with a floor area over 1,100 square feet that had been converted to living quarters by the previous owners. After buying the home, Mr. Gabbay and

his wife decided to live in the garage apartment while remodeling the main home. When they applied to get utilities connected it was determined that only one dwelling unit could have service because two complete dwelling units were not allowed in the RMD district unless they were attached to make a duplex. They were given the option to construct a breezeway connecting the garage apartment to the main home, but Mr. Gabbay felt like such a connection would detract from the desired appearance of the property. He stated that approval of the zoning amendment would allow the dwelling units to remain separate, but because his garage apartment was over 1,000 square feet in floor area it still wouldn't qualify for even the General accessory dwelling unit classification unless the definition were changed to allow the floor area to be whichever is greater, instead of whichever is less, than either 1,000 square feet or one-half of the floor area of the primary dwelling unit.

Robert Steinbomer, of 321 San Jacinto Street, said he is familiar with the 420 West Prairie Lea Street property. He believes that the City should make their own standard for ADU's and not necessarily copy what other cities do. The property on Prairie Lea is beautiful and has enough space for both structures.

Donna Blair, of 831 W. San Antonio Street, said she owns several Airbnb houses in town and owns the gallery downtown. She supports the proposed zoning amendments providing for ADU's in Lockhart.

Tamara Carlisle, of 617 W San Antonio Street, said she is familiar with the property, and also supports the proposed zoning amendments providing for ADU's in Lockhart.

Chair Ruiz asked for any other speakers and, seeing or hearing from none, he closed the public hearing and asked for the staff recommendation.

Mr. Gibson said that city staff has been working with the owners of the property at 420 W. Prairie Lea Street, but had made no promises to accommodate their situation. The 1,000 square-foot limitation for the General ADU classification seemed to be a generally accepted standard according to staff's research, and it probably should not be changed just to suit the circumstances of an individual property owner. He recommended approval of the draft as presented.

Commissioner St. Leger asked if the term "less" could be changed to "greater" where the definitions refer to the floor area of the primary dwelling.

Mr. Gibson replied that the Commission could certainly add that recommendation to the motion, and staff would not object to it.

*Commissioner McBride moved to approve the proposed definitions and regulations for Accessory Dwelling Units to Chapter 64 "Zoning", of the Lockhart Code of Ordinances subject to changing the word "less" to "greater" in both definitions. Commissioner St. Ledger seconded, and the motion passed by a vote of 6-0.*

5. PV-21-01. Consider a request by Hinkle Surveyors on behalf of Scott Cowan for a Variance to Chapter 52 "Subdivision Regulations", Section 52-31(a) "Plat Required", to waive the subdivision plat requirement for a two-lot family land grant conveying one acre out of a 21.43-acre tract in the James George Survey, Abstract No. 9, and located at 2325 FM 20 in the Lockhart Extraterritorial Jurisdiction.

Kevin Waller explained that the property owner wants to convey a one-acre parcel out of 21.43 acres in the Lockhart ETJ. Because their intent is to construct a home for family members on the parcel, it would be eligible for a family land grant if it were under the County's jurisdiction. Because it's in the City's ETJ, it's under the City's subdivision authority, but approval of the variance to waive the City's plat requirement would allow the applicant to follow the County family land grant provisions, instead.

Chair Ruiz asked for any speakers to come forward.

Scott Cowan said he would like to move a new manufactured home onto the property near his family.

Chair Ruiz asked for the staff recommendation.

Mr. Waller said that staff recommended approval if the Commission finds that the variance meets the applicable criteria.

*Commissioner Oliva moved to approve PV-21-01. Commissioner St. Ledger seconded, and the motion passed by a vote of 6-0.*

6. Discuss the date and agenda of next meeting, including Commission requests for agenda items.

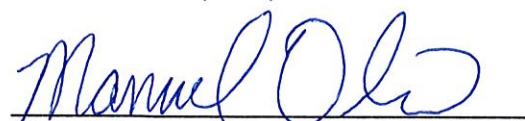
Mr. Gibson stated that the next regular meeting date was February 24, 2021.

7. Adjourn.

*Commissioner Arnic moved to adjourn, and Commissioner McBride seconded. The motion passed by a unanimous vote, and the meeting adjourned at 8:20 p.m.*

Approved: 3-10-2021  
(date)

  
Christine Banda, Recording Secretary

  
Philip Ruiz, Chair  
Vice Chair