

PUBLIC NOTICE

**City of Lockhart
Planning and Zoning Commission
7:00 PM, Wednesday, April 22, 2020
Municipal Building – Glosserman Room
308 W. San Antonio St.**

COMMISSION MEMBER AUDIO CONFERENCE PARTICIPATION

One or more members of the Lockhart Planning and Zoning Commission may participate in a meeting remotely. The member of the Commission presiding over the meeting will be physically present at the above public location. Audio conference equipment providing two-way audio communication with each member participating remotely will be made available, and each portion of the meeting held by audio conference that is required to be open to the public can be heard by the public at the location specified.

CITIZEN AUDIO CONFERENCE PARTICIPATION

- *Call-in number: 1-408-418-9388. Attendee Access Code: 626-304-323#.*
- *Citizens wishing to listen or participate must call in prior to the start of the meeting, and should identify themselves. Attendees may call in to listen only, if desired.*
- *Those wishing to speak will be called upon to address the Commission.*
- *Planning and Zoning Commission agenda packets can also be viewed on-line at www.lockhart-tx.org starting two days before the meeting. Navigate from the Departments tab at the top to Development Services – Meeting Minutes/Schedules (on left side) – Agendas & Minutes – Planning & Zoning Commission Agendas & Minutes – Agenda Packets.*

AGENDA

1. Call meeting to order.
2. Citizen comments not related to an agenda item.
3. Consider the Minutes of the March 25, 2020, meeting.
4. SUP-20-05. Hold a PUBLIC HEARING and consider a request by Ajmal Anar for a Specific Use Permit to allow a DF-2 Duplex-Family Development Type on Lots 1, 2, 3, and 4, Block 1, Olive Grove Subdivision, zoned RMD Residential Medium Density District, and located at 315 and 321 West Olive Street, and at 901 and 905 North Blanco Street.
5. PV-20-01. Consider a request by Hinkle Surveyors on behalf of Luis and Alicia G. Gutierrez 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 five acres out of a 10.01-acre tract in the James George Survey, Abstract No. 9, and located at 1960 Old Kelley Road in the Lockhart Extraterritorial Jurisdiction.
6. Discuss the date and agenda of next meeting, including Commission requests for agenda items.
7. Adjourn.

Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, at 2:00 PM on the 15th day of April, 2020.

**City of Lockhart
Planning and Zoning Commission
March 25, 2020**

MINUTES

Members Present: Philip Ruiz, Philip McBride, Chris St. Leger, Rick Arnic, Bradley Lingvai

Member Absent: Paul Rodriguez, Manuel Oliva

Staff Present: Dan Gibson, Christine Banda

Visitors/Citizens Addressing the Commission: Edgar Gutierrez, Breanne Schafer, Anna Kieler, David Raschke, Natalie Douga, William Anderson, Elvira Saldierra, Jason Balsler, David Jevas

1. Call meeting to order. Chair Ruiz called the meeting to order at 7:00 p.m.
2. Citizen comments not related to an agenda item. None.
3. Consider the Minutes of the March 11, 2020, meeting.

Commissioner McBride moved to approve the March 11, 2020 minutes. Commissioner Arnic seconded, and the motion passed by a vote of 4-0.

4. ZC-20-05. Hold a PUBLIC HEARING and consider a request by Edgar Gutierrez on behalf of Maria G. Moreno for a Zoning Change from RMD Residential Medium Density District to CHB Commercial Heavy Business District, on Lot 7, Block 2, South Heights Addition, including the South 7.5' of an abandoned alley along the north boundary, and the west 7.5' of an abandoned alley along the east boundary, and located at 1012 South Main Street.

Mr. Gibson explained that the applicant plans to remove the existing manufactured home on the subject property and combine the lot with the adjacent property along South Colorado Street for future redevelopment. He mentioned that CHB zoning already abuts the subject property on two sides, and presented maps and photos of the subject lot and the surrounding area.

Chair Ruiz opened the public hearing and asked the applicant to come forward.

Edgar Gutierrez, of 273 Old Luling Road, said that they would like to eventually redevelop the property along South Colorado Street where the existing hair salon is located, and be able to use the subject property for more parking or just to provide a larger area for development.

Commissioner McBride asked Mr. Gutierrez if he knew if a different type of business would replace the hair salon.

Mr. Gutierrez replied that they were not sure yet, but it might be a food business or a new hair salon.

Commissioner McBride asked if the subject property was affected by flooding after the South Colorado Street project was completed.

Mr. Gutierrez replied that the property still has drainage issues, but the proposed redevelopment would be an opportunity to address that problem.

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

Mr. Gibson said that staff recommended approval.

Commissioner McBride moved to recommend approval of ZC-20-05 to City Council. Commissioner Lingvai seconded, and the motion passed by a vote of 5-0.

5. ZC-20-06. Hold a PUBLIC HEARING and consider a request by Balser Custom Homes on behalf of Alan Balser for a Zoning Change from AO Agricultural-Open Space District and RLD Residential Low Density District to RMD Residential Medium Density District, on 17.228 acres in the Byrd Lockhart Survey, Abstract No. 17, located at 1107 Silent Valley Road (FM 2001).

Mr. Gibson explained that the applicant would like to develop a subdivision for duplexes on the subject property, and that requires at least the RMD zoning classification because duplexes are not allowed in the current RLD and AO zoning classifications of the property. He discussed the characteristics of the property which include a private road that leads to a house on the subject property and also provides access to the adjacent nonconforming land-locked lots. There is also a pond on the property with a dam. He noted that the requested RMD zoning classification is not consistent with the future land use plan, which designates the area as low density residential. He said that any redevelopment of this tract would benefit the area because it provides the opportunity to replace a nonconforming private drive with a public street to serve the nonconforming land-locked lots. In addition, no development can occur without the extension of wastewater service to the area with the help of the developer of this tract, which could also serve other vacant land along the wastewater line route. If the development does not replace the private road with a public street, the new street access for the subdivision will have to meet the TxDOT standards for spacing along Silent Valley Road. Mr. Gibson reiterated that the development could not necessarily solve all existing issues in the area such as drainage, but it could not make them worse than they currently are. He presented maps and photos of the subject property and the surrounding area.

Chair Ruiz opened the public hearing and asked the applicant to come forward.

Jason Balser, of 724H W SW Loop 323 in Tyler, Texas, said his idea was to provide a new community of modern farmhouse duplexes on the subject property. He understood there is a need for rental property in Lockhart. The duplexes would be two-story with double garages, large back yards, and a variety of exterior designs. The front portion of the subject property would be subdivided into 35 residential lots for the first phase.

Commissioner McBride asked Mr. Balsler if he knew about the history of the property and what rental price range he anticipated for the duplexes.

Mr. Balsler replied that he did not know much about the history of the property, and that the rental price would be based on the prevailing market in Lockhart.

Chair Ruiz asked if he had considered building single-family homes instead of duplexes.

Mr. Balsler replied that they own other property that they may develop later for single family residential dwellings, but that this property would be better suited for the duplexes they are proposing. He mentioned again that there is a need for rental property in Lockhart.

Chair Ruiz asked for any other speakers.

Natalie Douga, of 1111 Silent Valley Road, said that she opposes the zoning change request and listed her reasons. Her first issue was the access easement that provided access to her and the three other lots. It is a privately owned access easement which is not for public use. Their utilities also run along the private access easement. There are concerns that the entrance to the new development would cause more traffic along an already busy Silent Valley Road. The second issue was drainage. The current pond on the subject property was built so that it could collect water flowing from the neighboring lots and then drains into a secondary pond that is located in the front portion of the subject property along Silent Valley Road. She stated that any new development on the subject property could potentially increase flooding of her home and her neighbors' homes, which already flood numerous times a year. Ms. Douga's third issue was that Mr. Balsler owns other property that is more suited for new development where there are already City services available, and where it would not negatively impact their property. The fourth issue was that any new development would add additional stress to the water supply. The existing 1.5-inch water line serving the existing houses provides inadequate water pressure. The fifth issue is that the house located on the subject property had two new septic tanks installed behind the home, and a new addition was added to the home, without permits. Ms. Douga stated that if the owner does things without following the rules, she would be concerned about his proposed new development meeting the City standards. Another point was that the neighbors are concerned about their privacy being taken away with the new development. She added that there could be endangered species on the subject property, and asked if an environmental study would be done. She claimed that the new development would likely cause their property taxes to go up, while lowering their property values because of the development being duplexes instead of single-family homes.

Breanne Schafer, of 1117 Silent Valley Road, said she opposed the proposed zoning change. She reiterated that Mr. Balsler owned more property with City services available. She mentioned that she used to lease the subject property for livestock, and there are different wildlife species located on it. She said that the property floods multiple times a year, and she is concerned with the increase density. She expressed her concern about Mr. Balsler not obtaining permits for the home located at 1107 Silent Valley Road, and asked what would keep him from doing this again.

Anna Kieler, of 1109 Silent Valley Road, said she bought her home 20 years ago and loves the privacy of her location. They named the private road Meadow Lake because of the beautiful meadow on the subject property. The ponds were built to keep their homes from flooding. She mentioned that they love their privacy and they look out for one another. She works nights and the construction from the new development would harm her health because of the lack of sleep during the day needed for her to do her job well. She, too, mentioned that Mr. Balsler owns other land where a new development would be beneficial. She said she opposed the zoning change.

Bill Anderson, of 1111 Silent Valley Road, said he opposes the zoning change. He wanted to know who would be responsible when their homes are flooded from stormwater flowing off the new development. He asked about the required separation of streets and driveways along Silent Valley Road.

Mr. Gibson replied that TxDOT requires minimum distances between access points along the highways that they maintain, and the spacing is based on the speed limit. He added that the subdivision construction plans would be subject to review and approval by the city engineer, and that the stormwater drainage system would have to meet City standards.

David Raschke, of 1100 Silent Valley Road, opposed the zoning change. He asked the commissioner's why they wouldn't see a plan before rezoning the property. He mentioned that inadequate stormwater detention was provided when SH 130 was constructed, and much of Lockhart was flooded along Town Branch Creek, including the former city manager's property, after heavy storms. He believed that this development would cause even more drainage problems for Lockhart.

Elvira Saldierra, of 1011 Silent Valley Road, said she opposed the zoning change. She was upset to hear that the new development would have city sewer service when she just paid \$11,000 for a septic system for her newly built home. She also was also concerned about her safety considering that the occupants of the duplex development would all be renters. She asked if there would be background checks.

David Jevas, of 900 Silent Valley Road, said he opposed the zoning change and agreed with his neighbors' comments.

Mr. Balsler spoke again to say that he understands everyone's concerns and will be a good neighbor. The drainage would be addressed in the engineering drawings, and that there would be background checks on all tenants. The duplexes would have privacy fencing, which would also shield the development from the neighboring lots.

Chair Ruiz closed the public hearing and asked for the staff recommendation.

Mr. Gibson said that there were a lot of arguments heard which are very common when new developments are proposed, but the area will inevitably be developed some day. The City is currently constructing a new water tower to support development in this part of the city. He noted that if the developer constructed single family residences, they too, could be used as rental property since the City had no control over whether residents owned or leased properties. He presented three options to the Commission. The first option is to approve the zoning change as requested. The second option would be to suggest a different zoning change to RLD instead of RMD. And the third option would be to deny the zoning change request.

Commissioner Lingvai moved to recommend approval of ZC-20-06 to City Council. Commissioner St. Leger seconded, and the motion passed by a vote of 4-1 with Chair Ruiz against.

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

Mr. Gibson said that the next regular Commission meeting date would be April 8th, but that it might be cancelled due to a lack of agenda items.

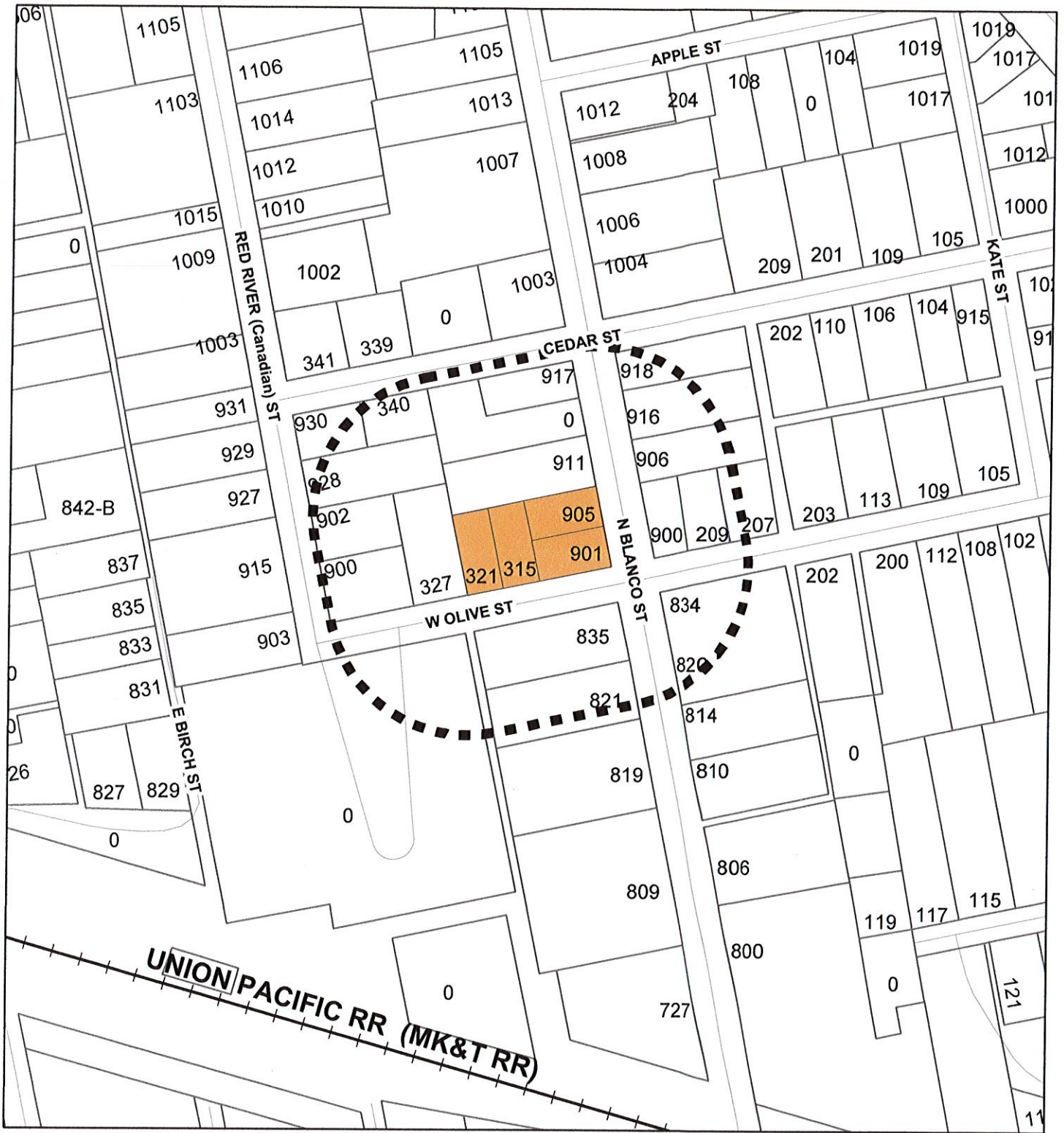
7. Adjourn.

Commissioner McBride moved to adjourn, and Commissioner Lingvai seconded. The motion passed by a unanimous vote, and the meeting adjourned at 8:35 p.m.

Approved: _____
(date)

Christine Banda, Recording Secretary

Philip Ruiz, Chair






SUP-20-05

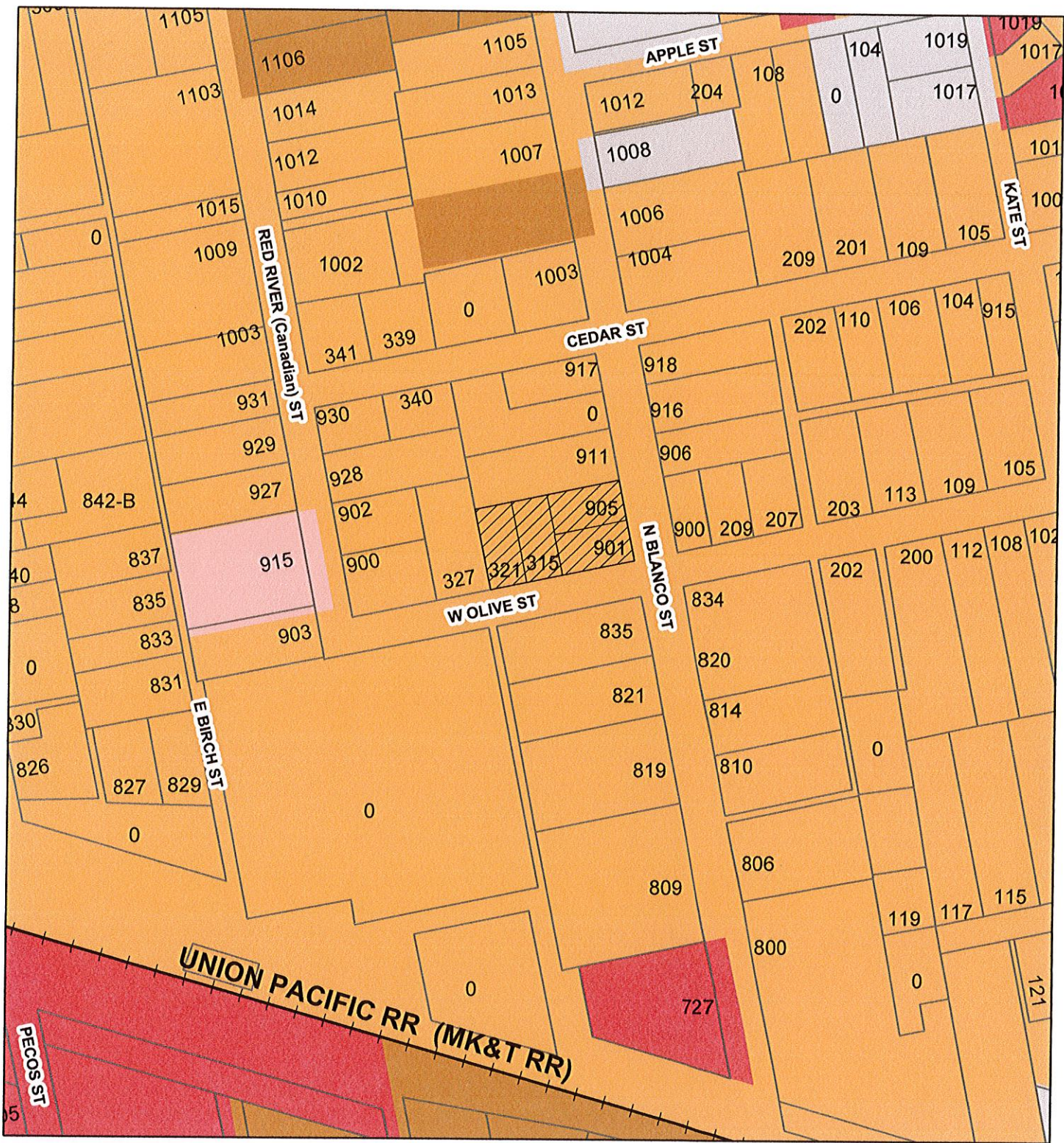
315 and 321 W OLIVE ST
 901 and 905 N BLANCO ST

DF-2 DUPLEX FAMILY



scale 1" = 200'

-  Subject Property
-  Zoning Boundary
-  200 Ft Buffer



SUP-20-05

315 and 321 W OLIVE ST
 901 and 905 N BLANCO ST

DF-2 DUPLEX FAMILY



scale 1" = 200'

ZONING DISTRICTS

- COMMERCIAL HEAVY BUSINESS
- COMMERCIAL LIGHT BUSINESS
- INDUSTRIAL LIGHT
- RESIDENTIAL HIGH DENSITY
- RESIDENTIAL MEDIUM DENSITY



CASE SUMMARY

STAFF CONTACT: Dan Gibson, City Planner

CASE NUMBER: SUP-20-05

REPORT DATE: April 14, 2020

PUBLIC HEARING DATE: April 22, 2020

APPLICANT'S REQUEST: DF-2 Residential Development Type

STAFF RECOMMENDATION: **Approval.**

SUGGESTED CONDITIONS: Exclude Lot 2, on the corner.

BACKGROUND DATA

APPLICANT(S): Ajmal Anar

OWNER(S): Same

SITE LOCATION: 315 & 321 W. Olive St., 901 & 905 N. Blanco St.

LEGAL DESCRIPTION: Lots 1-4, Block 1, Olive Grove Subdivision

SIZE OF PROPERTY: 0.555 acre

EXISTING USE OF PROPERTY: Four vacant lots

ZONING CLASSIFICATION: Residential Medium Density District

ANALYSIS OF ISSUES

CHARACTERISTICS OF PROPOSED USE: The owner recently platted the subject property into four lots of sufficient dimensions and area to accommodate duplexes of the DF-2 development type. The RMD district allows duplexes of the DF-1 development type by-right on larger lots, but requires an SUP for lots of this size. Each dwelling unit in the proposed duplexes will have a double-car garage.

NEIGHBORHOOD COMPATIBILITY: The neighborhood consists primarily of single-family dwellings of a variety of sizes and conditions. The property directly across Olive Street to the south is vacant. The nearest duplexes are the eight duplex-style buildings in the public housing complex at the intersection of West Olive Street and Red River Street, just southwest of the subject property, and duplexes at 915 and 902 Red River Street (the one at 915 looks like a single-family home at first glance). There are other duplexes, some of the DF-2 development type, scattered throughout the neighborhood. So, in general, duplexes are already well integrated into the residential character of the area.

COMPLIANCE WITH STANDARDS: The lots are large enough for the DF-2 development type, but there is a problem with the overall density. As provided in Appendix I, the maximum gross density for the DF-2 development type is 14 units per acre. The proposed eight dwelling units on a total of 0.555 acre is equivalent to a density of 14.4 units per acre. The solution to this, which was agreed to by the applicant after the public hearing notices were mailed, is for one of the lots to contain a single-family dwelling instead of a duplex. In such case, the density would be 12.6 units per acre. Staff has suggested, and the applicant has agreed, that the single-family dwelling should be on the corner lot (Lot 2) since the greater corner side setback along Olive Street leaves less buildable area than on the other lots. Also, it is the more visible lot to the homes on the east side of Blanco Street. Two of those owners have submitted letters of protest.

ADEQUACY OF INFRASTRUCTURE: All required utilities are currently available.

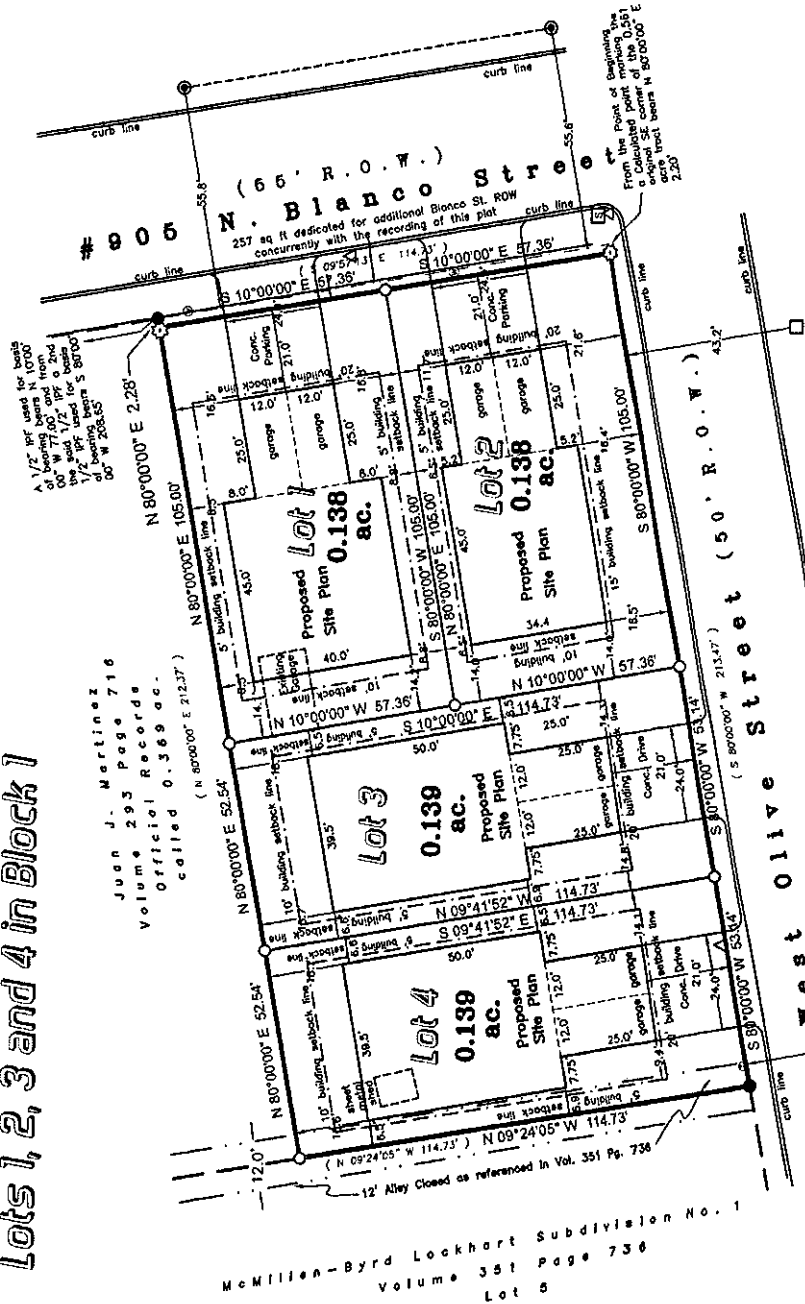
ALTERNATIVES: If the requested DF-2 development type is denied for all four lots, the applicant's only alternative is to construct single-family dwellings instead of duplexes.

RESPONSE TO NOTIFICATION: The two attached letters of opposition were received as of the date of this report. One of the properties protesting is on the east side of Blanco Street, and the other is on the north side of Olive Street, east of Blanco Street.

City of Lockhart Caldwell County, Texas
Olive Grove Subdivision
Lots 1, 2, 3 and 4 in Block 1



Scale 1"=30'



Juan J. Martinez
 Volume 293 page 716
 Official Records
 called 0.369 ac.
 (N 80°00'00" E 212.37')

A 1/2" lot used for both
 parking bears N 100°
 0' 0" W 77.00' 0" 2nd
 the said 1/2" lot for both
 1/2" lot bears S 80°00'
 0' 0" W 208.65'

From the Point of Beginning the
 corner of the 0.561
 acre tract bears N 89°00'00" E
 2.20'

McMillen-Byrd Lockhart Subdivision No. 1
 Volume 351 Page 736
 Lot 5

12' Alley Closed as referenced in Vol. 351 Pg. 736

City of Lockhart
Planning and Zoning Commission
P.O. Box 239
Lockhart, TX 78644

Re: SUP-20-05
Public Hearing

Dear Mr. Gibson:

We received a letter recently from The Lockhart Planning commission regarding a request to build a DF-2 Duplex Family Development Type at the corner of N Blanco and W Olive Streets.

Our family has owned our house on W Olive Street for many years. All our neighbors know each other and keep an eye on each others property to make sure that we have a safe, quiet neighborhood.

I feel that the single family dwelling requirement for our area helps preserve this quality. I do not agree with allowing Mr. Anar the exception to our zoning ordinance.



Adela Recio
209 W Olive St
Lockhart, TX 78644

City of Lockhart
Planning and Zoning Commission
P.O. Box 239
Lockhart, TX 78644

Re: SUP-20-05
Public Hearing

Dear Planning Committee:

We received a letter recently from The Lockhart Planning commission regarding a request to build a DF-2 Duplex Family Development Type across the street from our property.

My wife Anna and I are from Houston. We lived in a circa 1896 house once owned by Anna's grandmother just north of Downtown Houston. It is a gentrification neighborhood that was relatively late in development. We could see high density 3 story townhomes going up all around our neighborhood and knew something had to be done to prevent it from happening in our neighborhood. We were instrumental in organizing a movement to get our neighbor designated in the National Register of Historic Places. While this protected the neighborhood from I-45 expansion it did not address density. Next we were instrumental in getting Minimum Lot Size designation for The Near Northside area, to date the largest square block area in Houston with Minimum Lot Size designation.


Anna's Grandmother and Grandfather lived in Lockhart, and her Aunt Mary and Uncle Victor here born here. We fell in love with Lockhart and decided to buy a house and a few lots around that house. We have worked hard (mostly Anna) over the last 5 year to convert an area that was once a eyesore to an area we are proud to call home.

The East Side of N Blanco St has made improvements in recent years. I wish I could say the same for the West Side of N Blanco. The property that this public hearing is about had an old house surrounded by a jungle of trees. The house has been removed but the jungle of trees remain. The property at the other corner of N Blanco and W Olive at 835 N Blanco has never been mowed and has fallen trees. Does the City of Lockhart have a program to mow empty lots that are not maintained and send a bill to the property owner? I must admit that the overgrown property is a convenient spot for our Tarantula Relocation Program.

I noticed that Lockhart zoning commission has designated our area Medium Density. I have not read the zoning regulations, but I am assuming that it designates Single Family Dwellings only, and the purpose of this hearing is to grant a variance to the zoning regulations.

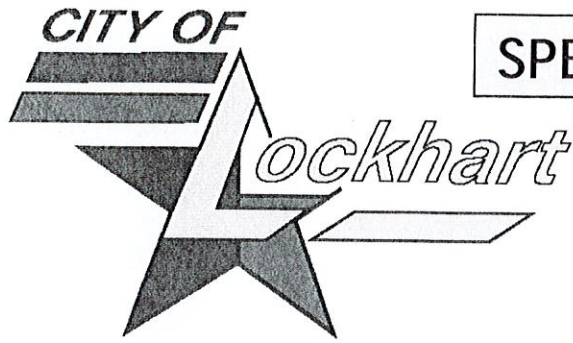
I feel the City of Lockhart passed their zoning regulations for a reason, to preserve the integrity of the neighborhood. Please deny Mr. Anar's request for aDF-2 Duplex.

Kenneth Price



Anna Bermudez





SPECIFIC USE PERMIT APPLICATION

(512) 398-3461 • FAX (512) 398-3833
P.O. Box 239 • Lockhart, Texas 78644
308 West San Antonio Street

APPLICANT/OWNER

APPLICANT NAME Ajmal Anar ADDRESS P.O. Box 36146
DAY-TIME TELEPHONE (713) 894-4319 Houston, TX 77236
E-MAIL ajmalFede@gmail.com
OWNER NAME Ajmal Anar ADDRESS P.O. Box 36146
DAY-TIME TELEPHONE (713) 894-4319 Houston, TX 77236
E-MAIL ajmalFede@gmail.com

PROPERTY

ADDRESS OR GENERAL LOCATION 315 E 321 W, Olive St., 901 E 903 N. Blanco St.
LEGAL DESCRIPTION (IF PLATTED) Lots 1-4, Olive Grove Subdivision
SIZE 0.555 ACRE(S) ZONING CLASSIFICATION RLD
EXISTING USE OF LAND AND/OR BUILDING(S) Vacant

REQUESTED SPECIFIC USE

PROPOSED USE REQUIRING PERMIT DF-2 Developing Type in the RMD district

CHARACTERISTICS OF PROPOSED USE, INCLUDING INDOOR AND OUTDOOR FACILITIES, ANTICIPATED OCCUPANCY (NUMBER OF DWELLING UNITS, RESIDENTS, EMPLOYEES, SEATS, OR OTHER MEASURE OF CAPACITY, AS APPLICABLE), GROSS FLOOR AREA, HOURS OF OPERATION, AND ANY OTHER RELEVANT INFORMATION. ATTACH ADDITIONAL SHEETS, IF NECESSARY.

4 Duplex BUILDINGS ON 4 RECENTLY SUBDIVIDED LOTS

SUBMITTAL REQUIREMENTS

IF THE APPLICANT IS NOT THE OWNER, A LETTER SIGNED AND DATED BY THE OWNER CERTIFYING THEIR OWNERSHIP OF THE PROPERTY AND AUTHORIZING THE APPLICANT TO REPRESENT THE PERSON, ORGANIZATION, OR BUSINESS THAT OWNS THE PROPERTY.

N/A ~~IF NOT PLATTED~~, A METES AND BOUNDS LEGAL DESCRIPTION OF THE PROPERTY.

SITE PLAN, SUBMITTED ON PAPER NO LARGER THAN 11" X 17", SHOWING: 1) Scale and north arrow; 2) Location of site with respect to streets and adjacent properties; 3) Property lines and dimensions; 4) Location and dimensions of buildings; 5) Building setback distances from property lines; 6) Location, dimensions, and surface type of off-street parking spaces and loading areas; 7) Location, dimensions, and surface type of walks and patios; 8) Location, type, and height of free-standing signs; fences, landscaping, and outdoor lighting; 9) utility line types and locations; and, 10) any other proposed features of the site which are applicable to the requested specific use.

APPLICATION FEE OF \$ 150.00 PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

1/4 acre or less	\$125
Between 1/4 acre and one acre	\$150
One acre or greater	\$170 plus \$20.00 per each acre over one acre

TO THE BEST OF MY KNOWLEDGE, THIS APPLICATION AND ASSOCIATED DOCUMENTS ARE COMPLETE AND CORRECT, AND IT IS UNDERSTOOD THAT I OR ANOTHER REPRESENTATIVE SHOULD BE PRESENT AT ALL PUBLIC MEETINGS CONCERNING THIS APPLICATION.

SIGNATURE _____



DATE 3.31.2020

OFFICE USE ONLY

ACCEPTED BY Dan Gibson

RECEIPT NUMBER 929913

DATE SUBMITTED 4-2-20

CASE NUMBER SUP - 201 - 05

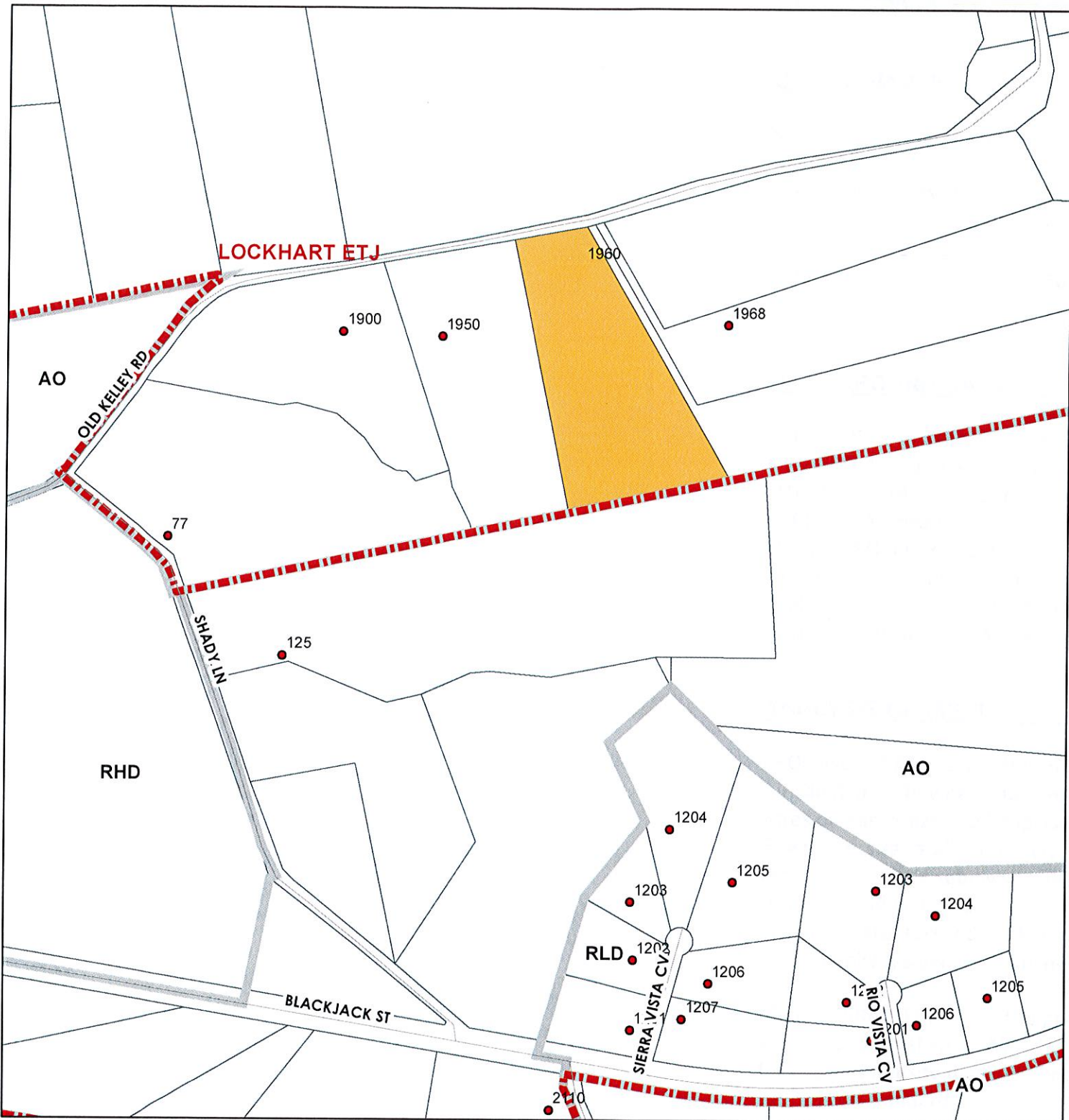
DATE NOTICES MAILED 4-7-2020

DATE NOTICE PUBLISHED 4-09-2020

PLANNING AND ZONING COMMISSION MEETING DATE 4-22-2020

DECISION _____

CONDITIONS _____



PV-20-01

1960 OLD KELLEY RD



scale 1" = 500'

 Subject Property

 Zoning

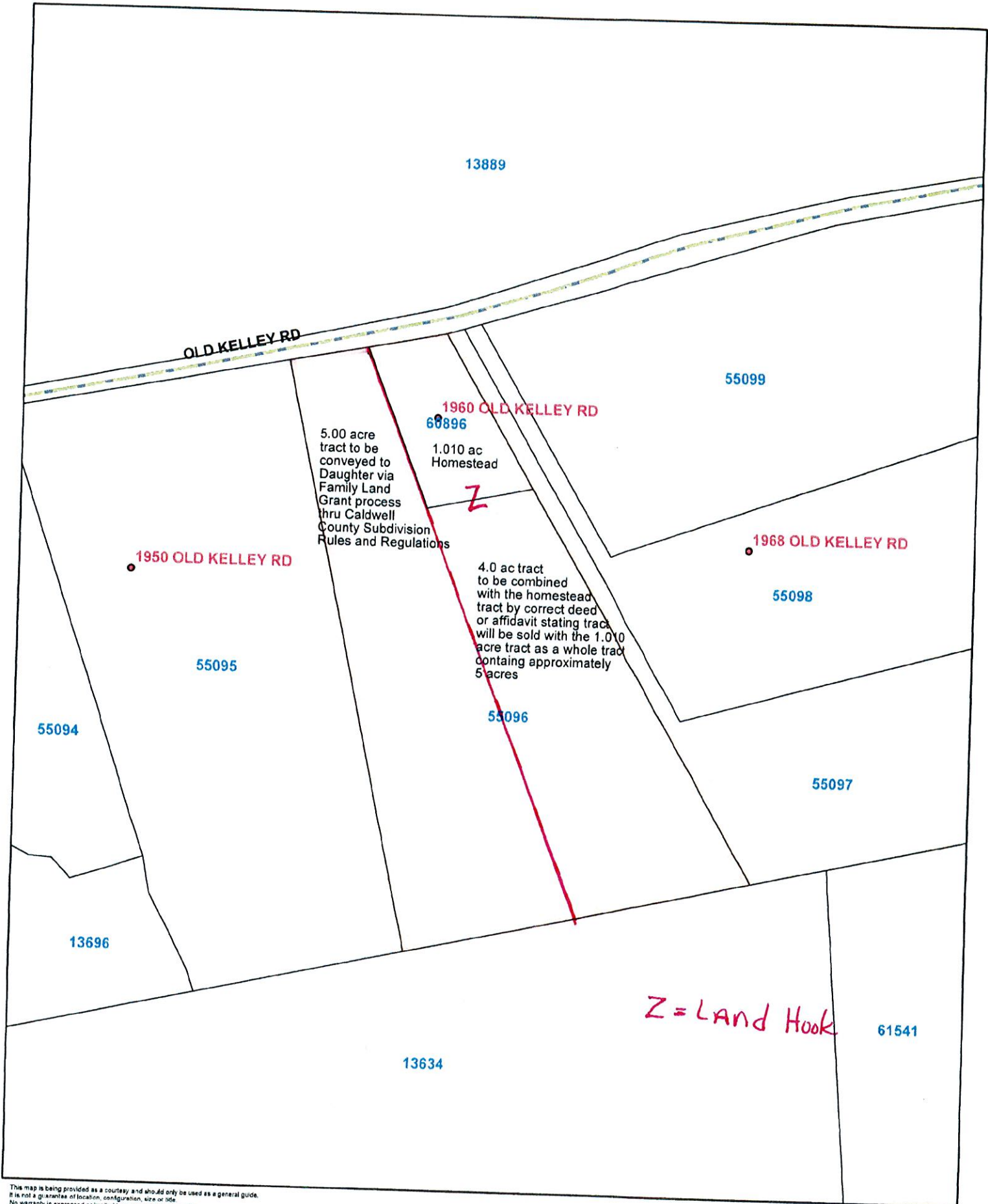
 Lockhart City Limits

PLAT VARIANCE TO ALLOW CALDWELL COUNTY TO PROCESS FAMILY LAND GRANT

EFFECT ON SURROUNDING PROPERTY AND PUBLIC SAFETY: The planned construction of a single-family residence on the proposed five-acre lot will have negligible impacts in a rural residential area outside the City limits.

EFFECT ON ORDERLY SUBDIVISION OF OTHER LAND: Since the land division will include the construction of only one single-family residence and not create landlocked parcels, the variance will not limit the potential for subdivision or development of other land in the area.

ALTERNATIVES: The applicant could submit a subdivision plat as an alternative to the proposed variance. The Subdivision Regulations do require such features, where applicable, as sidewalks, paved streets, parkland obligation, and City-standard water/wastewater supply systems, among others. However, variances to some of these requirements would be necessary for the proposed land division, which would make the platting process onerous for an otherwise straightforward two-lot division.



This map is being provided as a courtesy and should only be used as a general guide. It is not a guarantee of location, configuration, size or site. No warranty is expressed or implied to any user for any purpose.

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Additionally, neither this document nor any other document provided by the Caldwell County Appraisal District purports to authorize entry onto privately owned property.



Printed by Caldwell County Appraisal District
Date Printed: Tuesday, April 14, 2020

Submittal Req.

Luis & Alicia S. Tutek

1. My Wife & I own the land in question. My daughter has growing concern with our health as we grow old, she request this property to be of assistance to us. We are in the ETS of the City of Lockport and we would like to allow my daughter to purchase this property! We get no services and don't see any in the future. Caldwell County allows for Family Land Grants under the Local Government and we are asking the City to allow us to go thru the County for processing our wishes to be able to keep the land in our family.
2. The variance is necessary for the preservation and enjoyment of our family to keep our land within the family. A variance would allow this.
3. The variance will not be detrimental to the Public, Health, Safety, or welfare, and will not be injurious to other property in the area as we are family and take of each other.
4. The variance will not have the effect of preventing the orderly subdivision of other land in the area as ~~the~~ Caldwell County will handle the process thru their County Subdivision Rules and Regulations thru a Family Land Grants process.

Thank you time!

Tutek Family

SUBDIVISION PLAT APPLICATION

CITY OF
Lockhart
TEXAS

(512) 398-3461 • FAX (512) 398-3833
P.O. Box 239 • Lockhart, Texas 78644
308 West San Antonio Street

APPLICANTS

SURVEYOR NAME JERRY HINKLE ADDRESS 1109

DAY-TIME TELEPHONE 512-398-2000 LOCKHART, TX

E-MAIL Contact@hinklesurveyors.com 78644

ENGINEER NAME NONE ADDRESS \$

DAY-TIME TELEPHONE _____

E-MAIL _____

OWNER NAME Luis + Alicia G. GUTIERREZ ADDRESS 1960 Old KELLEY Rd

DAY-TIME TELEPHONE 512 227 0138 LOCKHART, TX

E-MAIL ALICIA Ali 7018@yahoo.com 78644

TYPE OF APPLICATION

____ SUBDIVISION DEVELOPMENT PLAN ____ REPLAT/RESUBDIVISION VARIANCE
____ PRELIMINARY PLAT ____ AMENDING PLAT ____ MINOR PLAT ____ FINAL PLAT
____ DEVELOPMENT PLAT

PROPERTY

SUBDIVISION NAME N/A KELLEY Rd N/A

ADDRESS OR GENERAL LOCATION 1960 Old V Lockhart, TX 78644

LOCATED IN _____ CITY LIMITS Kelley Rd. ETJ (COUNTY) _____ PDD

TOTAL LAND AREA 10.01 ACRE(S) PROPOSED NUMBER OF LOTS 2

ZONING CLASSIFICATION(S) Unzoned- ETJ

PROPOSED USE OF LAND Build home (SELLING TO DAUGHTER)

SUBMITTAL REQUIREMENTS

NAME(S) AND ADDRESS(ES) OF PROPERTY LIEN HOLDERS, IF ANY.

IF THE APPLICATION IS FOR AN AMENDING PLAT OR REPLAT/RESUBDIVISION – A COPY OF EXISTING DEED RESTRICTIONS OR RESTRICTIVE COVENANTS, IF ANY.

IF THE APPLICATION IS FOR A FINAL PLAT INVOLVING PUBLIC IMPROVEMENTS – THREE COPIES OF THE ENGINEERING PLANS.

IF THE APPLICATION IS FOR, OR INCLUDES, A SUBDIVISION CODE VARIANCE – COMPLETED VARIANCE SECTION ON NEXT PAGE AND REQUIRED STATEMENT NOTED THEREIN.

PLAT DOCUMENTS, AS FOLLOWS, CONTAINING THE INFORMATION REQUIRED IN ARTICLE 23-6. (Amending Plats, Replat/Resubdivision Plats, and Minor Plats are considered the same as Final Plats for the purpose of content and format).

Seven copies for initial staff review.

Twelve copies after initial staff review for preliminary plats, final plats, and replats/resubdivisions

Two copies after initial staff review for amending and minor plats.

Two signed and sealed mylar reproducibles (three if applicant wants to keep one) of approved amending plat, replat/resubdivision, final plat, or minor plat, for recording. One recorded reproducible is filed at the County Clerk's office, and the other is returned to the City.

FEE, AS FOLLOWS (NO FEE FOR VARIANCES, APPEALS, SUBDIVISION DEVELOPMENT PLANS, OR DEVELOPMENT PLATS):

Preliminary Plat	\$600.00 payable to the City of Lockhart
Final Plat or Replat/Resubdivision	\$400.00 plus \$20.00 per acre, payable to the City of Lockhart
Amending plat, Minor plat, or Minor replat not requiring a public hearing	\$100.00 payable to the City of Lockhart
Recording fee for Amending Plat, Replat/Resubdivision, Final Plat, or Minor Plat	\$71.00 for the first sheet, and \$50.00 for each additional sheet, payable to the Caldwell County Clerk

To the best of my knowledge, this application and associated documents conform to all requirements of the City of Lockhart Subdivision Regulations. By signing below I agree that if any part of this plat and/or associated construction plans is found to be incorrect, incomplete, or otherwise deficient with regard to applicable City standards, the deadline imposed by the Texas Local Government Code, Section 212.009 for approval or denial of the plat and/or associated construction plans by the City within 30 days of the date of this application is automatically extended for an additional 30 days. I further agree that if any part of this plat and/or associated construction plans remains deficient at such time that the plat and/or associated construction plans cannot be approved prior to the expiration of the second 30 days, the plat or construction plans will be subject to denial by the approval authority. It is understood that I or another representative should be present at all public meetings concerning this application.

SIGNATURE Luis Gutierrez

DATE 3-23-20

PRINTED NAME Luis Gutierrez

TELEPHONE 512-227-0138

PLAT APPROVAL PERIODS

A preliminary plat approval period expires if a final plat for one or more sections is not submitted within 12 months of approval. Upon written request received prior to the expiration, a maximum of two six-month extensions may be considered by the Planning and Zoning Commission.

A final plat approval period expires if any required infrastructure construction is not begun within 12 months of approval. Upon written request received prior to the expiration, one six-month extension may be considered by the City Planner.

SUBDIVISION VARIANCE (for variance applications, only)

VARIANCE TO SECTION(S) 52-31(a) OF THE SUBDIVISION REGULATIONS
CURRENT ORDINANCE REQUIREMENT(S) Plat required for a two-lot division in the ETJ.

REQUESTED VARIANCE(S) Variance to allow Caldwell County to process a Family Land Grant, to include a division of the 10.02 acre property resulting in a 5-acre parcel for the applicant's daughter and the balance to be retained by the applicant.

SUBMIT A WRITTEN STATEMENT DOCUMENTING THE REASON FOR THE VARIANCE(S), INCLUDING EVIDENCE THAT THE REQUEST COMPLIES WITH THE FOLLOWING CRITERIA AS REQUIRED FOR APPROVAL OF A VARIANCE.

1. Special circumstances or conditions affect the land involved such that strict application of the provisions of the Code would deprive the applicant reasonable use of the land;
2. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant;
3. The variance will not be detrimental to the public health, safety, or welfare, and will not be injurious to other property in the area; and,
4. The variance will not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of the Code.

OFFICE USE ONLY

ACCEPTED BY Kevin Waller

RECEIPT NUMBER N/A - No Fee

DATE SUBMITTED 3/23/20

CASE NUMBER PV 20-01

DATE NOTICES MAILED N/A

DATE NOTICE PUBLISHED N/A

(For certain Replats/Resubdivisions without vacating preceding plat)

PLANNING AND ZONING COMMISSION MEETING DATE 4/22/20

DECISION _____

CONDITIONS _____

UTILITY SERVICE FORM

THIS FORM SHOULD BE COMPLETED BY THE APPLICANT, AFTER CONSULTING WITH THE UTILITY SERVICE PROVIDERS LISTED BELOW, FOR ALL PLATS, EXCEPT AMENDING PLATS, AND FINAL PLATS THAT ARE CONSISTENT WITH APPROVED PRELIMINARY PLATS. THE FOLLOWING UTILITY SERVICE CODES ARE TO BE INDICATED, AS APPLICABLE, IN THE SPACE PROVIDED BELOW.

- A Adequate service is currently available to the proposed subdivision.
 - B Adequate service is not currently available, but arrangements *have* been made to provide it.
 - C Adequate service is not available, and arrangements have *not* been made to provide it from the utility.
 - D Additional easements are needed for the utility within the subject property.
-

NAME OF WATER SERVICE PROVIDER WUC

APPLICABLE UTILITY SERVICE CODE(S) _____

WASTEWATER SERVICE

APPLICABLE UTILITY SERVICE CODE(S) septic (OSSF)

TEXAS GAS SERVICE GAS COMPANY

APPLICABLE UTILITY SERVICE CODE(S) None

NAME OF ELECTRIC SERVICE PROVIDER BLUE BONNET

APPLICABLE UTILITY SERVICE CODE(S) _____

UNDERGROUND Yes No