

## **PUBLIC NOTICE**

**City of Lockhart  
Zoning Board of Adjustment  
6:30 PM, Monday, November 7, 2022  
Municipal Building — Glosserman Room  
308 W. San Antonio St.**

## **AGENDA**

1. Call meeting to order.
2. Citizen comments not related to a public hearing item.
3. Consider the minutes of the August 29, 2022 meeting.
4. **SE-22-04.** Hold a PUBLIC HEARING and consider a request by Tamara Carlisle on behalf of The Lumberyard Lockhart, LLC, for a Special Exception as provided in Section 64-130(c)(5), Chapter 64 "Zoning", Lockhart Code of Ordinances, to preclude an essentially inadvertent taking of property due to an existing nonconforming lot depth on part of Lot 20, A.R. Chews Addition, consisting of a total of 0.135 acre, zoned CMB (Commercial Medium Business) District and located at 500 West Market Street.
5. Discuss the date and agenda of the next meeting.
6. Adjourn.

**Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas at 10:15 a.m. on the 31<sup>st</sup> day of October, 2022.**

**CITY OF LOCKHART  
ZONING BOARD OF ADJUSTMENT  
AUGUST 29, 2022**

**MINUTES**

**Members Present:** Wayne Reeder, Mike Annas, Shawn Martinez, Laura Cline, Kirk Smith, Anne Clark

**Member Absent:** Lori Rangel

**Staff Present:** Christine Banda, Kevin Waller, David Fowler

**Others Present:** Clayton Penn (applicant, Agenda Item 4), Lisa Rincon, Sylvester Castillo

1. Call meeting to order. Chair Cline called the meeting to order at 6:46 p.m.
2. Citizen comments not related to a public hearing item. None
3. Consider the minutes of the June 6, 2022, meeting.

*Member Clark moved to approve the June 6, 2022, minutes. Member Reeder seconded, and the motion passed by a vote of 6-0.*

4. SE-22-03. Hold a PUBLIC HEARING and consider a request by Clayton Penn on behalf of Ahasuerus Properties, LLC, for a Special Exception as provided in Section 64-130(c)(5), Chapter 64 "Zoning", Lockhart Code of Ordinances, to preclude an essentially inadvertent taking of property due to an existing nonconforming lot width on 0.159-acre in the Byrd Lockhart Survey, Abstract No. 17, zoned RMD Residential Medium Density District and located at 1015 Red River Street.

Planning Staff Kevin Waller presented Staff's report to the Board. He explained that the applicant wishes to relocate an existing 900 square-foot house from Austin to the subject property. According to the site plan, the house will meet the minimum-required building setbacks for the RMD zone. Since the applicant does not propose covered parking, a variance to that requirement must be obtained from the Board, prior to the issuance of permits. Mr. Waller stated that Staff recommends approval.

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

Applicant Clayton Penn of 505 South Guadalupe stated that he would like to be able to relocate a house from Austin onto the subject property. Mr. Penn mentioned that he was not affiliated with the name Ahasuerus Properties, LLC, listed as the owner on the notice and agenda.

Lisa Rincon of 1003 Red River Street inquired as to the timeframe for the house's relocation onto the subject property.

Mr. Penn replied that the relocation would occur within a year's time.

Sylvester Castillo stated that he owns the property next door to the subject property, and was curious about the company name associated with the property. He is in favor of the proposal.

Chair Cline closed the public hearing, and asked Staff to investigate the company name listed on the notice and agenda, and its relationship to the property.

*Member Clark moved to approve SE-22-03 as submitted. Member Annas seconded, and the motion passed with a vote of 6-0.*

5. Discuss the date and agenda of the next meeting.

Mr. Waller stated that the next regularly scheduled meeting would be held Monday, October 3, 2022, if applications are received by the September 12 deadline.

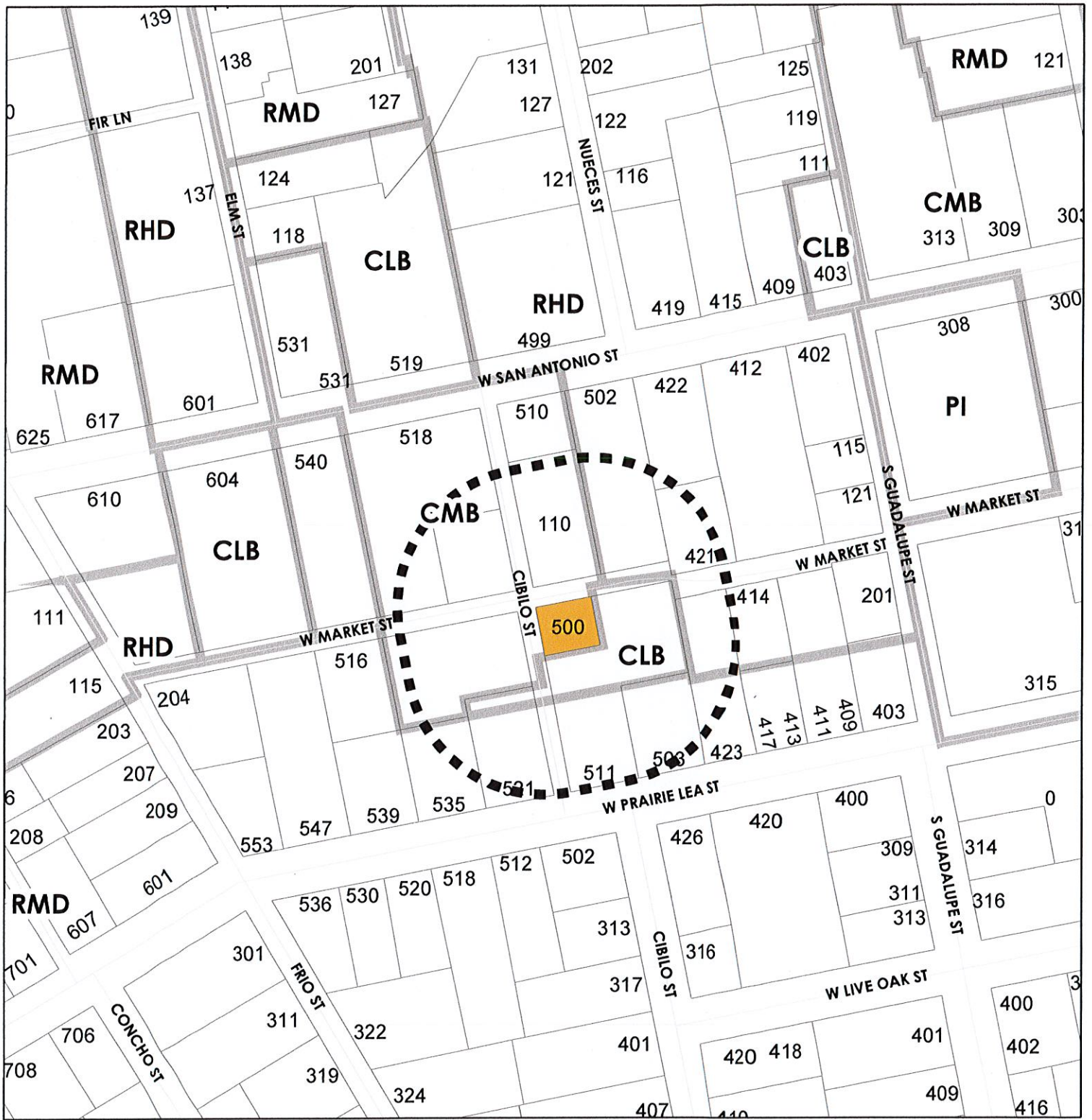
6. Adjourn.

*Member Clark moved to adjourn the meeting, and Member Smith seconded. The motion passed unanimously (6-0), and the meeting adjourned at 7:00 p.m.*

Approved: \_\_\_\_\_  
(Date)

\_\_\_\_\_  
*Christine Banda, Recording Secretary*

\_\_\_\_\_  
*Laura Cline, Chair*



**SE-22-04**

500 W MARKET ST

TO PRECLUDE AN ESSENTIALLY  
INADVERTENT TAKING OF PROPERTY



 SUBJECT PROPERTY

 ZONING BOUNDARY

 200 FT BUFFER

scale 1" = 200'





PLUM ST



## CASE SUMMARY

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STAFF CONTACT: Kevin Waller, Senior Planner *KW*

CASE NUMBER: SE-22-04

REPORT DATE: November 1, 2022

PUBLIC HEARING DATE: November 7, 2022

APPLICANT'S REQUEST: Special Exception, as provided in Section 64-130(c)(5), to preclude an inadvertent taking of property due to a 71.50-foot nonconforming parcel depth

STAFF RECOMMENDATION: **Approval**

CONDITIONS: None

## BACKGROUND DATA

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APPLICANT AND OWNER: Tamara Carlisle, c/o The Lumberyard Lockhart, LLC

SITE LOCATION: 500 West Market Street

LEGAL DESCRIPTION: Part of Lot 20, A.R. Chews Addition

SIZE OF PROPERTY: 0.135 acre

EXISTING USE OF PROPERTY: Commercial shed structure

ZONING CLASSIFICATION: RMD (Residential Medium Density) District

## ANALYSIS OF ISSUES

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REASON FOR REQUESTED SPECIAL EXCEPTION: The applicant proposes to construct a single-family residence on the subject property. A zoning change to RMD was approved by the City Council on October 18, 2022, to allow for the property to be developed as proposed. In order for the property to be developed, any use must meet certain dimensional standards, including a 50-foot minimum lot width and a 105-foot minimum depth for the SF-2 development type in the RMD zoning district, or receive approval of a Variance, or a Special Exception, in order to preclude an inadvertent taking of the property. In this instance, the Special Exception application seemed more appropriate. The property is 0.135 acre in size, or approximately 5,881 square feet, and measures 82 feet wide by 71.50 feet deep, thereby nonconforming with respect to the minimum required depth. According to the enclosed site plan, the proposed residence will meet the required setbacks for the RMD zone.

AREA CHARACTERISTICS: The adjacent property to the east and south is zoned Commercial Light Business (CLB), and is developed with a single-family residence. The property to the west, across Cibilo Street, recently received approval of a zoning change to RMD, is currently developed with commercial storage buildings, and is proposed to be redeveloped with residential uses. The property to the north, across West Market Street, is zoned Commercial Medium Business (CMB), contains two existing commercial buildings and one storage shed, and is proposed to be redeveloped with a mixed-use building containing both residential and commercial uses. No residential properties nearby appear to be substandard with regard to the required minimum parcel width, depth, or area.

EFFECT ON PUBLIC HEALTH AND SAFETY: The addition of one dwelling unit will have negligible impact in an area transitioning from residential to commercial uses as one moves eastward, with proposed nearby redevelopment that will ultimately result in the property being fully surrounded by residential uses and a mixed-use building.

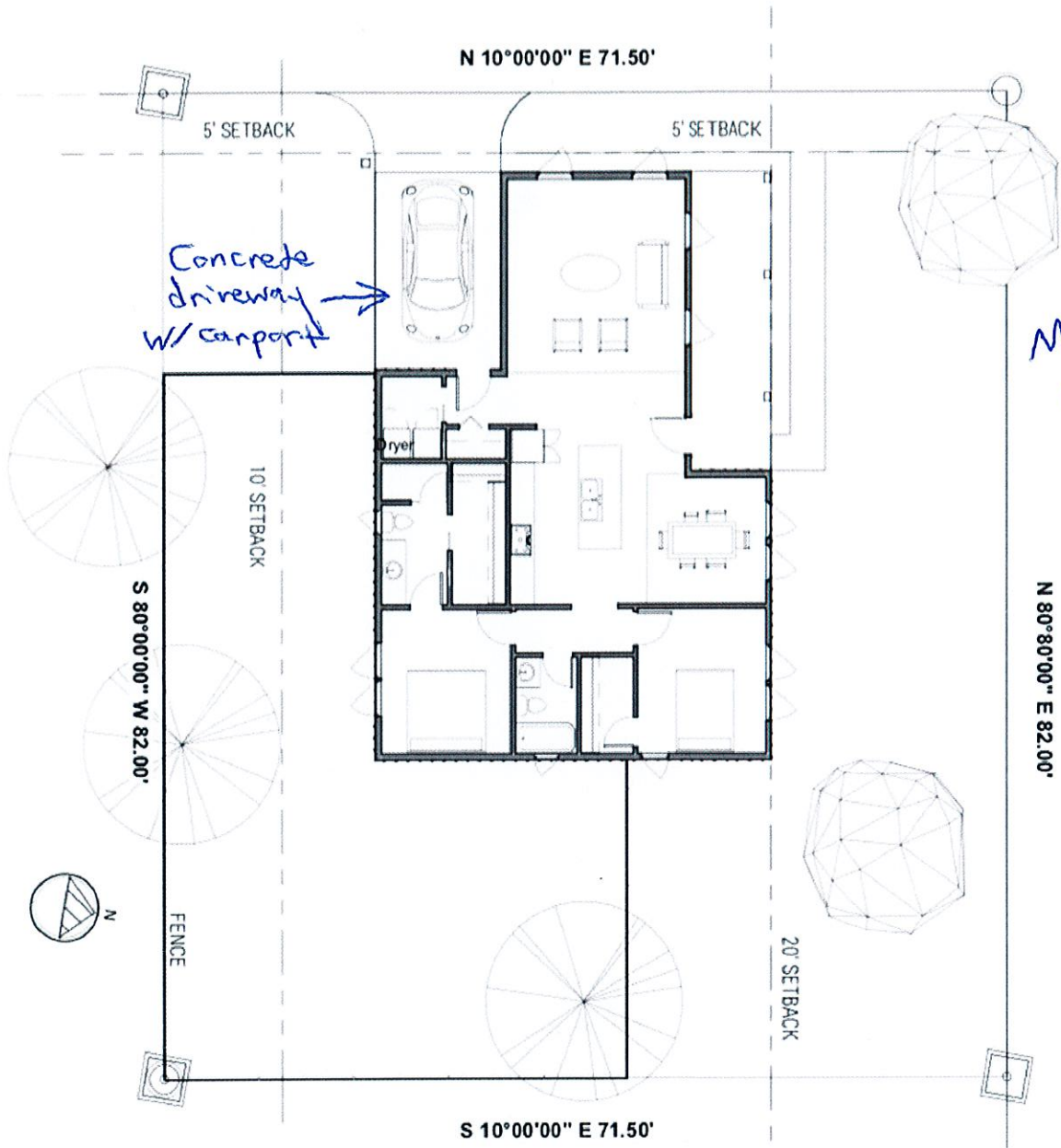
EFFECT ON THE CHARACTER OF THE ZONING DISTRICT WHERE LOCATED: The addition of one dwelling unit is consistent with the character of the RMD zoning district.

EFFECT ON SURROUNDING PROPERTY: Due to the facts that approval of the special exception would not change the size or configuration of the lot, the property is already zoned for residential use, and required setbacks will be maintained, there would be no adverse impact on surrounding properties.

RESPONSE TO NOTIFICATION: None, as of the date of this report.

← CIBOLO STREET →

LOT 20



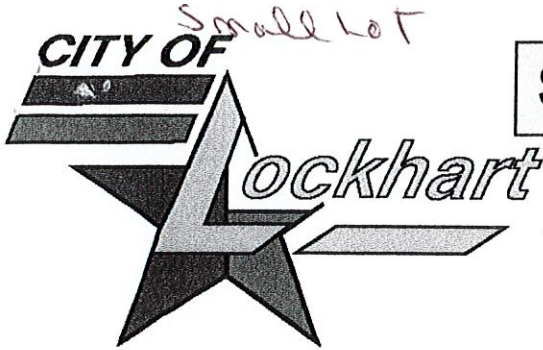
Concrete driveway w/ carport

Market St.

1" = Approx. 15'







# SPECIAL EXCEPTION APPLICATION

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

## APPLICANT/OWNER

APPLICANT NAME The Lumberyard Lockhart LLC ADDRESS 110 Cibola St

DAY-TIME TELEPHONE 512 657 1850 Lockhart 78644

E-MAIL TAMARA K CARLISLE @ gmail

OWNER NAME TAMARA CARLISLE ADDRESS 102 S Commerce

DAY-TIME TELEPHONE 512 657 1850 78644

E-MAIL TAMARA K CARLISLE @ gmail

## PROPERTY

ADDRESS OR GENERAL LOCATION (500 W. Market St.) South East corner of Cibola + Market

LEGAL DESCRIPTION (IF PLATTED) Being all of Lot 20 A.R. Chew's Addition ... SEE ATTACH  
- A.R. Chew's Part of Lot 20 -

SIZE .135 ACRE(S) ZONING CLASSIFICATION RMD

EXISTING USE OF LAND AND/OR BUILDING(S) shed

## REQUESTED SPECIAL EXCEPTION

AUTHORIZED BY SECTION GA-130(d)(5) OF THE ZONING ORDINANCE

EXPLANATION OF OR REASON FOR REQUEST, INCLUDING DESCRIPTION FOR PROPOSED USE AND/OR BUILDING AND SITE IMPROVEMENTS, AS APPLICABLE TO THE REQUESTED SPECIAL EXCEPTION.

We would like to build one 2 story home  
Under 2,000 sq ft

- To preclude an inadvertent taking of property  
due to a nonconforming lot depth.



## 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.

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; and, 7) any other proposed features of the site which are applicable to the requested special exception.

APPLICATION FEE OF \$ 125 PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

<input checked="" type="checkbox"/> 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

Tanner Caldwell

DATE

7/6/22

## OFFICE USE ONLY

ACCEPTED BY Kevin Walker

RECEIPT NUMBER R01176757

DATE SUBMITTED 9/15/22

CASE NUMBER SE - 22 - 04

DATE NOTICES MAILED 10-24-2022

DATE NOTICE PUBLISHED 10-27-2022

BOARD OF ADJUSTMENT MEETING DATE 11/7/22

DECISION \_\_\_\_\_

CONDITIONS \_\_\_\_\_

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\_\_\_\_\_