

**CITY OF LOCKHART  
ZONING BOARD OF ADJUSTMENT  
JUNE 6, 2016**

**MINUTES**

**Members Present:** Mike Annas, Anne Clark, Wayne Reeder, Stephanie Juarez-Ramirez, Nic Irwin, Laura Cline, Kirk Smith

**Members Absent:** Lori Rangel, Severo Castillo

**Staff Present:** Dan Gibson, Christine Banda, Laura DeVore

**Others Present:** Tom Earnest

1. Call meeting to order: Chair Cline called the meeting to order at 6:32p.m.
2. Citizen comments not related to a public hearing item. None
3. Consider the minutes of the May 2, 2016 meeting.

*Member Clark moved to approve the May 2, 2016 minutes. Member Annas seconded, and the motion passed by a vote of 6-0.*

4. ZV-16-02. A request by Ferris Joseph for a Variance to Appendix II, Chapter 64 "Zoning", Lockhart Code of Ordinances, to allow a reduction in the minimum off-street parking requirement from 18 spaces to eight regular spaces and one handicapped space on Lot 1, Revised Bufkin Commercial Addition, zoned CHB Commercial Heavy Business District and located at 113 Bufkin Lane.

Laura DeVore presented the zoning variance case to the members.

Ms. DeVore said that the applicant is in the process of relocating their existing produce business from its current location on Trinity Street to the subject property on Bufkin Lane. She said that the applicant presented a preliminary site plan which indicated a loading dock and parking area in front of the building facing Bufkin Lane. She noted that the applicant was requesting a variance to reduce the parking requirement from 18 spaces to eight regular spaces and with one ADA-accessible space. Ms. DeVore stated that the preliminary site plan submitted showed no screening for the loading dock, which she noted is a requirement under ordinance Section 64-206(5). She said that this section is part of the nonresidential appearance standards and most of the landscape area is located behind the building.

Ms. DeVore said that staff believes that the applicant could have options to re-orient the building on the subject property. She noted that the applicant could consider inverting the site plan which would provide screening for the loading dock and put the majority of the landscape area in front of the building, which would improve the appearance of the site and building from the street. She said that re-orienting the building this way might, then, create a hardship for the applicant regarding the parking because they would need to maintain the turning radius in the back of the building. She said that the hardship would be that the applicant has to provide for screening of the loading dock and that in doing so, the site may be too tight to meet the minimum off-street parking requirements. She stated that staff recommends denial of the variance as it was submitted; unless the applicant presented a revised site plan showing that the

loading dock screening created the hardship or was able to demonstrate to the satisfaction of the Board why the site plan submitted met the hardship criteria.

Chair Cline opened the public hearing and asked for those in favor to come forward.

Tom Earnest said he is the architect for the project. He said that Mr. Joseph's produce business had been in the area since the 1930's and they have been located on Trinity Street since 1968. He stated that the business would like to relocate to the subject property and two years ago, Mr. Joseph had drawn up a possible site plan to consider and study feasibility. Mr. Earnest said that the site plan before the Board was the 2<sup>nd</sup> revision of the plan. He said that he had to modify the plan to make more room for the trucks to come in and turn around to back up into the loading docks. He added that Mr. Joseph's produce business would never need that much parking. Mr. Earnest added that Ms. DeVore brought up the screening requirement during a later discussion. He stated that he is frustrated with the process for approval to his site plan. He added that he is certain that he should get approval for the parking variance first and have the Board consider the screening requirement at a later time. He said that he had discussed the loading dock area with Mr. Joseph and that they decided to move forward with the site plan as submitted and not to make any changes at this time.

Discussion ensued about the parking and screening requirements and the timing of consideration of variances. The Board expressed to the applicant that it would be in his best interest to work with city staff to come to an agreement regarding the outstanding site plan issues and to come back to the Board with solutions so the Board could consider the site plan and necessary variance requests all at one time.

*Member Clark moved to table ZV-16-02 until their next meeting of July 11, 2016. Member Reeder seconded, the motion passed with a vote of 6-0.*

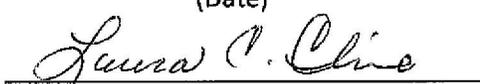
5. Discuss date and agenda of next meeting.

Ms. DeVore reiterated that their next meeting would be July 11, 2016 and that no other applications had been received but noted that the deadline for submission had not yet passed.

6. Adjourn.

*Member Clark moved to adjourn the meeting, and Member Annas seconded. The motion passed by a vote of 6-0, and the meeting adjourned at 7:39 p.m.*

  
Christine Banda, Recording Secretary

Approved: 7/11/16  
(Date)  
  
Laura Cline, Chair