

**CITY OF LOCKHART
ZONING BOARD OF ADJUSTMENT
MARCH 6, 2017**

MINUTES

Members Present: Mike Annas, Anne Clark, Wayne Reeder, Nic Irwin, Laura Cline, Kirk Smith, John Juarez, Severo Castillo,

Members Absent: Lori Rangel

Staff Present: Dan Gibson, Christine Banda

Others Present: Conley Covert, Sallie Ann Satagaj

1. Call meeting to order. Chair Cline called the meeting to order at 6:35 p.m.
2. Citizen comments not related to a public hearing item. None
3. Consider the minutes from the February 6, 2017 meeting.

Member Clark moved to approve the February 6, 2017 minutes. Member Annas seconded, and the motion passed by a vote of 7-0.

4. ZV-17-01. Hold a PUBLIC HEARING and consider a request by Conley A. Covert on behalf of Jim Smith Rentals, LLC, 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 39 spaces to 29 spaces, including two handicapped spaces, on Lots 1 and 6, Block 10, Original Town of Lockhart, consisting of 0.531 acre zoned CMB Commercial Medium Business District and located at 319 South Church Street.

Chair Cline and Member Annas excused themselves from participation in this item due to work relationships with the owner of the subject property.

Vice-Chair Clark called for the staff presentation.

Mr. Gibson explained that the applicant planned to purchase the property and use the larger building facing Church Street for warehouse and wholesale distribution purposes, possibly with a small retail/office component. The smaller building would be demolished to allow a larger area for the parking lot. The primary use is classified as "Warehousing for local sales and distribution", which requires a specific use permit that was to be considered by the Planning and Zoning Commission on March 8. Based on the floor area of the building and anticipated number of employees, a minimum of 39 off-street parking spaces are required. However, there is not enough space in the rear of the property to provide the required number of parking spaces, even after the smaller building is removed. The site plan shows an efficient layout of 29 parking spaces, including two handicapped spaces.

Mr. Gibson stated that there is a hardship imposed by the size of the lot in relation to the size of the larger building, and that it was not caused by any action of the applicant or owner. He recommended approval of the variance to allow a reduction in the minimum number of off-street parking spaces from 39 to 29.

Vice-Chair Clark opened the public hearing and asked the applicant to come forward.

Conley Covert, of 901 West 9th Street, Suite 110, in Austin, said he agreed with Mr. Gibson's summary of the case, and that he was present to answer any questions from board members.

Member Irwin asked what other uses are proposed in the building.

Mr. Covert replied that he has a signed lease with the Culinary Factory for storage of their food products, and that there are two office spaces that may also be utilized.

Vice-Chair Clark asked if there was anyone else who wished to speak and, seeing none, closed the public hearing and asked for Board discussion.

Member Irwin moved to approve ZV-17-01. Member Reeder seconded, and the motion passed by a vote of 6-0, with regular members Annas and Cline abstaining.

5. SV-17-01. Hold a PUBLIC HEARING and consider a request by Conley A. Covert, on behalf of 119 West San Antonio Street, LLC, for a Variance to Section 46-10(i)(2) of Chapter 46 "Signs", Lockhart Code of Ordinances, to allow five instead of a maximum of three flag poles attached to the building wall facing San Antonio Street, on Part of Lot 1, Block 22, in the Original Town of Lockhart, consisting of 0.115 acre zoned CCB Commercial Central Business District and located at 119 West San Antonio Street (SH 142).

Mr. Gibson explained that the applicant proposes to mount five flag poles, or flagstaffs, in a row across the front of the Masur building between the second floor windows. The sign ordinance limits the number of flag poles to no more than three per lot. The proposed flags would be historical state flags that have represented Texas over the years, including the current Texas flag. Regardless of how many flags are allowed, the flag poles are an exterior building modification in the historic district, and the Historical Preservation Commission was scheduled to consider a Certificate of Alteration for the flag poles at their March 15 meeting. He stated that there is evidence lacking that all six criteria for a variance are met, and therefore the Board may find that the variance is not justified.

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

Conley Covert, of 901 West 9th Street, Suite 110, in Austin, said that he is trying to make the location attractive for a hotel use, and that many historic hotels use flags as part of their image. The five proposed flags that represent Texas would help promote the building as a hotel.

Chair Cline asked there was anyone else who wished to speak.

Sallie Ann Satagaj, of 715 Grapevine Trail in Lockhart, distributed a written statement to the Board members and said that it contained her reasons for requesting that the variance be denied. She stated that she enjoyed her town and the historic district, and that the unique character should be preserved. She said she didn't object to Mr. Covert's financial endeavors, but she did not agree with the flags. She believed that more flags would be a distraction for such a historic building. She agreed with staff that there is not enough evidence to grant the variance.

Mr. Covert added that perhaps the sign ordinance should be rewritten so that the number of flag poles allowed is based on the size of the building façade, rather than just a single standard for the entire lot.

Chair Cline closed the public hearing and asked for Board discussion.

Member Clark moved to deny SV-17-01. Member Castillo seconded, and the motion passed by a vote of 7-0.

6. Discuss date and agenda of next meeting.

Mr. Gibson said that the next regular scheduled meeting date is Monday, April 3, if any applications are received by the deadline.

7. Adjourn.

Member Clark moved to adjourn the meeting, and Member Cline seconded. The motion passed by a vote of 7-0, and the meeting adjourned at 7:05 p.m.

Approved: 4/3/2017
(Date)


Christine Banda, Recording Secretary


Laura Cline, Chair