

## PUBLIC NOTICE

**City of Lockhart  
Zoning Board of Adjustment  
6:30 PM, Monday, April 6, 2020  
Municipal Building — Glosserman Room  
308 W. San Antonio St.**

### AGENDA

#### BOARD MEMBER AUDIO CONFERENCE PARTICIPATION

*Pursuant to Section 551.127 of the Texas Government Code, one or more members of the Lockhart Zoning Board of Adjustment may participate in a meeting remotely, following certain guidelines and notice requirements. The member of the Board 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#.
  - Citizen speakers must call in prior to the start of the meeting in order to speak.
  - Those wishing to speak will be called upon to address the Zoning Board of Adjustment.
  - Attendees may call in to listen only, if desired.
  - Zoning Board of Adjustment agendas can also be viewed at: [http://lockhart-tx.org/page/dev\\_services\\_minutes%20schedules](http://lockhart-tx.org/page/dev_services_minutes%20schedules).
1. Call meeting to order.
  2. Election of Officers for 2020.
  3. Citizen comments not related to a public hearing item.
  4. Consider the minutes of the February 3, 2020 meeting.
  5. **SE-20-01.** Hold a PUBLIC HEARING and consider a request by Jacqueline Williams 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 that is less than the minimum threshold to be grandfathered on Lot 1, Block 3, San Fernando Addition, consisting of 0.062 acre zoned RMD (Residential Medium Density District) and located at 808 Mora Street.
  6. Discuss the date and agenda of the next meeting.
  7. Adjourn.

**Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas at 9:00 a.m. on the 1<sup>st</sup> day of April, 2020.**



**CITY OF LOCKHART  
ZONING BOARD OF ADJUSTMENT  
FEBRUARY 3, 2020**

**MINUTES**

**Members Present:** Wayne Reeder, Mike Annas, Anne Clark, Severo Castillo, Laura Cline, Kirk Smith

**Members Absent:** Lori Rangel, John Juarez

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

**Others Present:** Thomas Barr and Arthur Palacios (Applicants, Agenda Item 4), Barry Norwood

1. Call meeting to order. Chair Cline called the meeting to order at 6:30 p.m.
2. Citizen comments not related to a public hearing item. None
3. Consider the minutes of the December 2, 2019 meeting.

*Member Clark moved to approve the December 2, 2019 minutes. Member Annas seconded, and the motion passed by a vote of 6-0.*

4. ZV-20-01. Hold a PUBLIC HEARING and consider a request by Paul Thomas Barr and Arthur Palacios, on behalf of the Estate of T.C. Holland, for a Variance to Appendices I and II of Chapter 64 "Zoning", Lockhart Code of Ordinances, to allow a reduction in the minimum off-street parking requirement from 12 regular spaces and one handicap space to seven regular spaces and one handicap space, and for a Variance to Section 64-197(g)(1)(b) of the Zoning Ordinance to allow two existing regular spaces to back into the street, on part of Lot 4, Block 3, Original Town of Lockhart, consisting of 0.154 acre zoned CMB (Commercial Medium Business District) and located at 400 South Main Street.

Planning Staff Kevin Waller presented the case to the Board. He mentioned that the property is surrounded by single-family residences and commercial businesses. The applicant is asking for a variance to the required number of regular parking spaces and to have two of those back into the street. Mr. Waller stated that the applicant has applied for a Specific Use Permit to convert the existing building on the property to a mixed-use building, to be considered at the next Planning and Zoning Commission meeting. Mr. Waller continued with his presentation, which included photos of nearby properties with non-conforming parking situations. He stated that if the Board denies the variances, the applicant could potentially use existing parking spaces on a property within 300 feet of the subject property, provided that the applicant obtains a written agreement from the nearby property owner. Mr. Waller stated that Staff recommends approval of the variances.

Applicant Paul Barr of 802 Westbrook Drive, Austin, stated that he has worked on older buildings before and enjoys bringing them back to life. The uses they are proposing for the building are two residences and two small offices, which should not have too much foot traffic. He would like approval to put the building to good use.

Barry Norwood of 421 South Church, Lockhart, stated that most of the commercial buildings near the subject property, and including the subject property, were built long ago and prior to today's parking requirements. He feels Lockhart is growing and believes that the proposed use of the property would benefit the community. He is in favor of the variances.

Applicant Arthur Palacios stated that he is partners with Mr. Barr on this project. He is excited about the project and looks forward to a positive outcome.

Chair Cline asked for any other speakers; seeing none, she closed the public hearing.

*Member Clark moved to approve ZV-20-01. Member Annas seconded, and the motion passed by a vote of 6-0.*

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

Chair Cline mentioned that staff should put the election of officers on their next agenda.

Mr. Waller indicated that the next regularly scheduled meeting will be held March 2nd, if applications are received by the deadline.

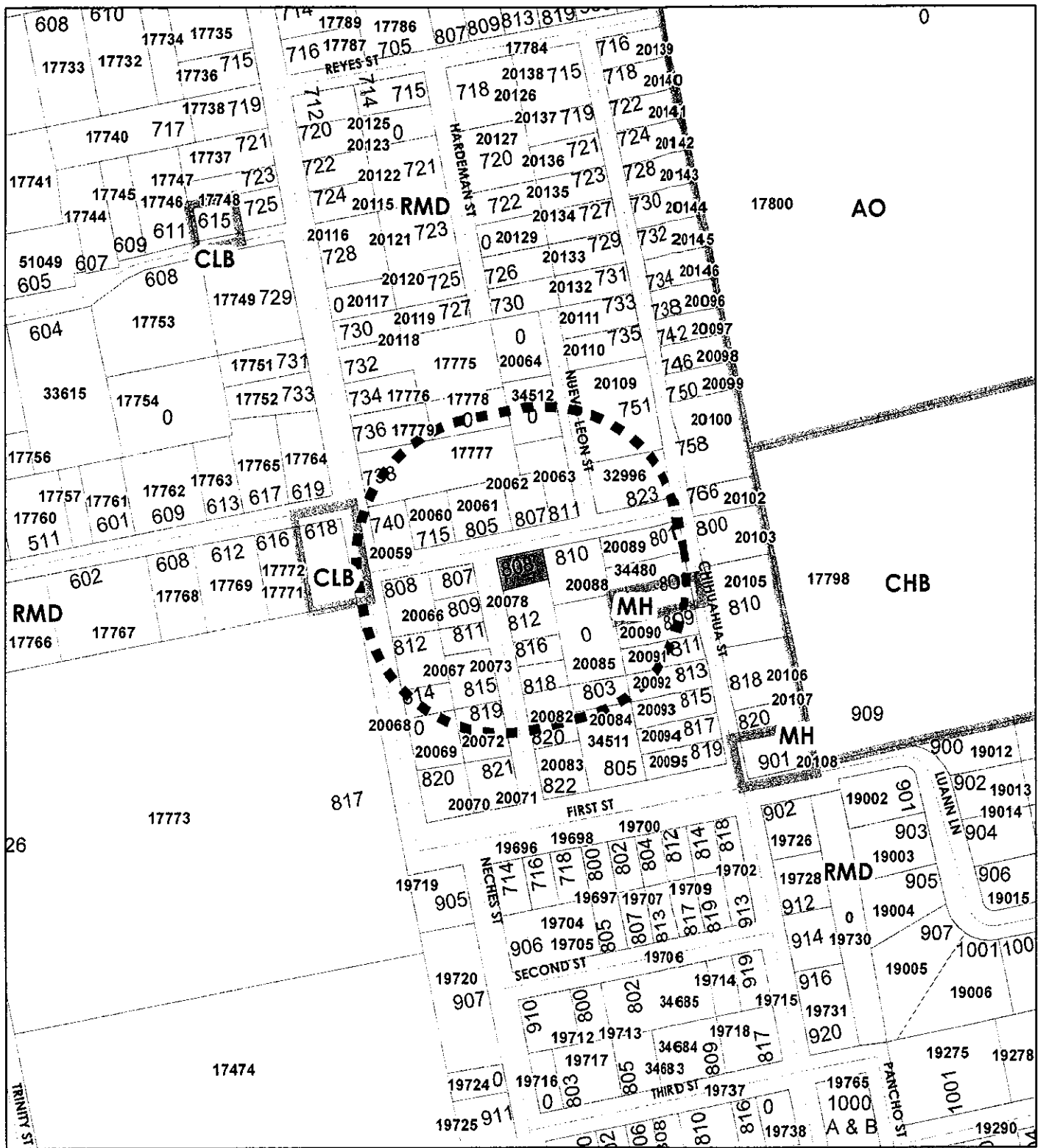
6. Adjourn.

*Member Clark moved to adjourn the meeting, and Member Smith seconded. The motion passed by a vote of 6-0, and the meeting adjourned at 6:50 p.m.*

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

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

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



**SE-20-01**

808 MORA ST

TO PRECLUDE AN INADVERTENT  
 TAKING OF THE PROPERTY WHERE IT  
 WAS NOT CAUSED BY ANY ACTION OF  
 THE PROPERTY OWNER



Subject Property



Zoning Boundary

scale 1" = 200'

## CASE SUMMARY

STAFF CONTACT: Kevin Waller, Assistant City Planner *KW* CASE NUMBER: SE-20-01  
REPORT DATE: March 31, 2020  
PUBLIC HEARING DATE: April 6, 2020  
APPLICANT'S REQUEST: Special Exception, as provided in Section 64-130(c)(5), to preclude an inadvertent taking of property due to an existing 67.5-foot nonconforming lot depth that is less than the minimum threshold to be grandfathered.  
STAFF RECOMMENDATION: **Approval**  
CONDITIONS: None

## BACKGROUND DATA

APPLICANT: Jacqueline Williams  
OWNER: Same  
SITE LOCATION: 808 Mora Street  
LEGAL DESCRIPTION: Lot 1, Block 3, San Fernando Addition  
SIZE OF PROPERTY: 0.062 acre (40 feet wide by 67.5 feet deep)  
EXISTING USE OF PROPERTY: Single-Family Residence (Unoccupied)  
ZONING CLASSIFICATION: RMD (Residential Medium Density District)

## ANALYSIS OF ISSUES

**REASON FOR REQUESTED SPECIAL EXCEPTION:** The applicant proposes to demolish the existing single-family dwelling on the property and replace it with a new single-family dwelling. In order for the property to be redeveloped, 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 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 parcel measures 40 feet wide by 67.5 feet deep. While neither the lot's width, nor its depth, conforms to the required dimensions in the RMD district, the 40-foot width is grandfathered, since the property is within a platted subdivision and the width is at least 70 percent of the required minimum width for the RMD district (Zoning Ordinance Section 64-63(b)). The property's depth, however, falls below the 70-percent threshold, hence the request for a Special Exception. According to the submitted application and site plan, the new residence will meet the required setbacks for the RMD district.

**AREA CHARACTERISTICS:** The properties to the north and west, across Monterrey Street and Mora Street, respectively, are developed with single-family dwellings. The property to the east is currently being developed with a replacement dwelling (Building Permit #B-14455). The property to the south is undeveloped. The neighborhood in general consists primarily of older single-family dwellings of varying physical condition on small lots. Although the lots on either side of Mora Street vary noticeably in width, their depths are the same as the subject property.

**EFFECT ON PUBLIC HEALTH AND SAFETY:** Other substandard lots in the neighborhood have been developed with no adverse impacts on public health and safety.

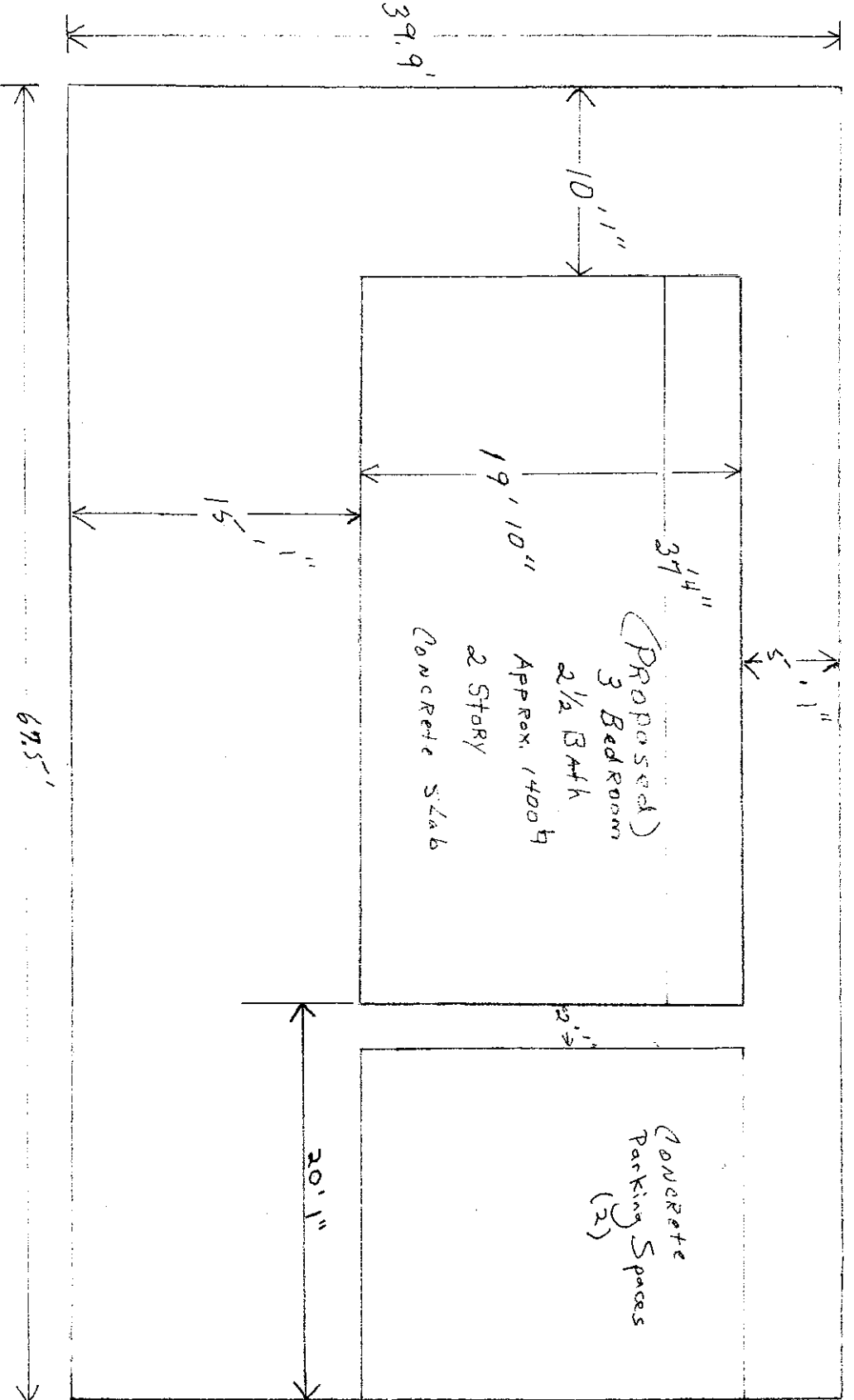
**EFFECT ON THE CHARACTER OF THE ZONING DISTRICT WHERE LOCATED:** The character of the area already includes homes on substandard-sized properties similar to the subject parcel.

**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.

808 MORA ST.  
LOCKHART, TX.  
99' 1/2"

18'



MONTEREY ST.

— Proposed House —

MORA ST.







**SPECIAL EXCEPTION APPLICATION**

CITY OF

**Lockhart**  
TEXAS

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

**APPLICANT/OWNER**

APPLICANT NAME JACQUELINE WILLIAMS

ADDRESS 917 MERRITT DR.

DAY-TIME TELEPHONE 512-284-1646

LOCKHART, TX 78644

E-MAIL jwilliams91752@yahoo.com

OWNER NAME SAME

ADDRESS \_\_\_\_\_

DAY-TIME TELEPHONE \_\_\_\_\_

E-MAIL \_\_\_\_\_

**PROPERTY**

ADDRESS OR GENERAL LOCATION 808 MORA ST.

LEGAL DESCRIPTION (IF PLATTED) SAN FERNANDO BLK 3, LOT 1, CALDWELL CITY

SIZE .06 ACRE(S)

ZONING CLASSIFICATION MEDIUM DENSITY RESIDENTIAL  
<sup>-RMD-</sup>

EXISTING USE OF LAND AND/OR BUILDING(S) SINGLE FAMILY RESIDENCE

**REQUESTED SPECIAL EXCEPTION**

AUTHORIZED BY SECTION 64-130(C)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.

REQUESTING TO BUILD A NEW SINGLE FAMILY  
RESIDENCE ON A NON-CONFORMING LOT WITH  
A CURRENT/PREVIOUS SINGLE FAMILY RESIDENCE.  
NEW HOME WILL CONFORM TO REQUIRED SETBACKS.  
IT WILL BE 2 STORY AND HAVE 2 PARKING SPACES.

**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 \$125.00 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 Jacqueline Williams DATE 3/13/2020

**OFFICE USE ONLY**

ACCEPTED BY Christine Bander RECEIPT NUMBER 926974

DATE SUBMITTED 3-13-2020 CASE NUMBER SE - 20 - 01

DATE NOTICES MAILED 3-23-2020 DATE NOTICE PUBLISHED 3-26-2020

BOARD OF ADJUSTMENT MEETING DATE April 6 2020

DECISION \_\_\_\_\_

CONDITIONS \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_