

## PUBLIC NOTICE

City of Lockhart  
Planning and Zoning Commission  
7:00 PM, Wednesday, June 12, 2024  
Municipal Building – Glosserman Room  
308 W. San Antonio St.

## AGENDA

1. Call meeting to order.
2. Citizen comments not related to an agenda item.
3. Consider the Minutes of the May 8, 2024 meeting.
4. **ZC-24-04.** Hold a PUBLIC HEARING and consider a request by Charlotte Hodges of Carlson, Brigance & Doering, Inc. on behalf of Cerulean Dog Investments for a **Zoning Change** from AO Agricultural-Open Space District to RHD Residential High Density District on a total of 8.6442 acres in the Cornelius Crenshaw Survey, Abstract No. 68, located at 351 City Line Road.
5. **RP-24-01.** Consider a request by Hally Thacher of 506, LLC for approval of House Port Addition, a **Resubdivision Plat** of Lots 8, 9, and 10, Block 5, F&S Annex, and 2.0 acres in the James George Survey, Abstract No. 9, zoned RMD (Residential Medium Density), and located at 1414 5<sup>th</sup> Street and 1308 Torres Street, including a Variance to Chapter 52, "Subdivision Regulations", Section 52-75(d), to allow a lot ratio beyond the maximum 4:1 ratio established in this section for one of the proposed lots, being an approximately 5:1 ratio.
6. Discuss the date and agenda of the next meeting, including Commission requests for agenda items.
7. Adjournment.

Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, at 10:00 a.m. on the 5<sup>th</sup> day of June, 2024.

**City of Lockhart  
Planning and Zoning Commission  
May 8, 2024**

**MINUTES**

**Members Present:** Philip Ruiz, Phil McBride, Bradley Lingvai, Julia Haug, Manuel Oliva, Ron Peterson, Rick Arnic

**Members Absent:** None

**Staff Present:** David Fowler, Evan Olszewski, Christine Banda

**Visitors/Citizens Addressing the Commission:** Ben and Jen Hodges, Ronda Reagan, Donna Blair, Taylor Burge, Tamara Carlise, Michael Cernoch, Crystal Moody, Amy Coddington, Susan Petty, Kaye Askins

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 April 24, 2024, meeting.

*Commissioner Oliva moved to approve the April 24, 2024, minutes. Commissioner Lingvai seconded, and the motion passed by a vote of 7-0.*

4. SUP-24-03. Hold a PUBLIC HEARING and consider a request by Ben and Jen Hodges on behalf of Fiddler's Green Music Shop, LLC, for a Specific Use Permit to allow a Bar use on 0.44 acres in the O.T. Lockhart, Block 23, Lot Pt 6, zoned CCB Commercial Central Business District and located at 108 North Main Street.

Evan Olszewski presented the staff report. He gave an overview of the location of the subject property. The applicant would like to convert the back-room portion of the existing Fiddler's Green music store building into a bar, tavern or lounge use covering about 732 square feet of space. Access would be through the music store during business hours but after 5:00 p.m. access would only be from the alleyway accessed from North Commerce Street. The maximum occupancy would be 25 and they would like to place a picnic table in the outdoor area to the rear of the property. The proposed business hours would be 5:00 p.m. to 12:00 a.m., Thursday through Sunday. There is a pocket park nearby used for live events and for pass-through foot traffic, but it does not provide legal access for the proposed bar because it is located on private property. Evan stated there is no additional parking required for the bar because of the CCB zoning district. He said staff received one letter of support.

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

Ben and Jenn Hodges of 501 Ash Street said they would like to use the 732 square foot space to the rear of the property for a cocktail bar and lounge with live jamming music in the evenings. They are big supporters of the entertainment district downtown. They will add signage for their patrons to use only the alley as public access for the bar and not to park in the alley. The main entrance to the bar will be from the alley.

Donna Blair of 831 West San Antonio Street said she owns 107 West San Antonio Street said she believes the business would be a terrific addition to the block and is in support of the SUP.

Ronda Reagan of 412 West San Antonio Street said she supports the new business and that historically the rear of this building was a bar with a café in front.

Taylor Burge of 406 South Church Street said she owns two businesses downtown, Chaparral Coffee and Good Things Grocery. She has hosted events with the Hodges before which have been great and knows they will be good neighbors. She also presented support for the SUP from Sara Barr who owns Lockhart Arts and Crafts downtown.

Tamara Carlisle of 1700 Rabb Road, Austin, came forward and said that she has worked with the couple on other projects and has seen that they are community oriented and will respect the other downtown businesses, so she supports the sup.

Jenn Hodges came forward to express her thanks for the support shown this evening.

Chair Ruiz closed the public hearing and moved to staff recommendations.

Mr. Olszewski said that staff recommends approval of the SUP.

*Commissioner Oliva moved to approve SUP-24-03. Commissioner Haug seconded, and the motion passed with a vote of 7-0.*

5. SUP-24-04. Hold a PUBLIC HEARING and consider a request by Tamara Carlise and Donna Blair on behalf of 2120 Enterprises, LLC, for a Specific Use Permit to allow a Special Events Center use on 0.63 acres in the A. R. Chews Addition, Lots 1 and 2, zoned RHD Residential High Density and located at 502 West San Antonio Street.

Mr. Olszewski presented the staff report. He said that the applicant wishes to have a SUP for a special events center at the subject property which has an approved SUP for lodging or boarding house use. Staff discovered that they did not have the property approval to host events, so they are here to add that capacity. They will use the property for special events like small weddings, rehearsal dinners, birthday parties and baby showers with a maximum attendance of 75 people and not more than eight– ten times per year. The applicant owns property next door, formerly the site of Wilson-Riggin Lumber, with a parking lot to provide additional parking spaces for the events center. The applicant informed staff that they have patrons turn off all outside music by 9:45 p.m. which meets the city's requirements from 11: p.m. – 7 a.m. He said one letter each of opposition and support were received.

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

Donna Blair and Tamara Carlise said they came to Lockhart seven years ago and opened their first business downtown, which was a gallery. They saw at that time the need for lodging with visitors coming downtown. They purchased their first residential building for the purpose of providing lodging. She stated initially this property was zoned commercial, but they requested it to be changed to residential so that the primary use could be for lodging. The home is called The Carolyn, and they wish for folks to enjoy it. They will have between eight and ten events per calendar year with no more than 75 people in attendance. They wish to be good neighbors. They are here most of the time and can keep a close eye on what happens at the subject property. We did have complaints in the very beginning, but all were resolved.

Kaye Askins of 1009 Fannin St said she owns the Best Little Wine and Books on West San Antonio Street. She had catering events with Donna and Tamara where she can attest to their professionalism. They have brought in customers to the downtown businesses. They deeply care about the Lockhart community.

Jenn Hodges of 501 Ash Street said she first worked with Donna Blair as her real estate agent in finding a home in Lockhart. They have since worked on several events which have all been good experiences. She is in support of their sup.

Michael Cernoch of 422 West San Antonio Street said he is right next door to the subject property and has no issues with noise or disturbances. He is in support of the events center.

Crystal Moody of 1314 Woodlawn said she has worked with the applicants on plenty of events, which have been successful. They care about their community and will follow all the rules in place.

Amy Coddington of 414 W Market Street says she is located behind the subject property and so far, does not have any issues with the events they have had at the location.

Ronda Reagan said she lives two houses down and that there was one incident in the very beginning and Tamara took care of it immediately. She said the lodging provided a great need and helped make downtown walkable for visiting folks. She is in favor of the SUP.

Taylor Burge of 406 South Church Street said she worked as wedding coordinator before at their location and there was excellent communication with the owners. The events usually use local businesses for all their needs which helps the Lockhart economy.

Ben Hodges said he is in favor of the SUP and agrees with what everyone else has said about the owners being good neighbors and for the Lockhart community.

Susan Petty of 419 West San Antonio Street agrees that they are great neighbors but has concerns with their clients parking along Nueces Street where they sometimes block her driveway. She does not believe the parking on the subject property and the neighboring parking lot is enough parking for their events.

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

Mr. Olszewski said staff recommends approval of the SUP with some additional conditions if the Commission wishes to add them. Staff would like to limit attendance to a maximum of 75, establish a curfew time of midnight and allow no parking on West San Antonio Street.

There was additional discussion amongst the commission with staff on other conditions.

*Commissioner Oliva moved to approve SUP-24-04 with the staff's recommended conditions but changing the time for outdoor music to stop at 10:00 p.m. plus adding no parking on Nueces Street. Commissioner Lingvai seconded, and the motion passed with a vote of 6-1 with Commissioner Peterson's abstention.*

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

Mr. Fowler stated that the next meeting would be held on Wednesday, May 22<sup>nd</sup>, with a plat if it is ready. He explained that due to some software issues the impact fee report will not be ready until June.

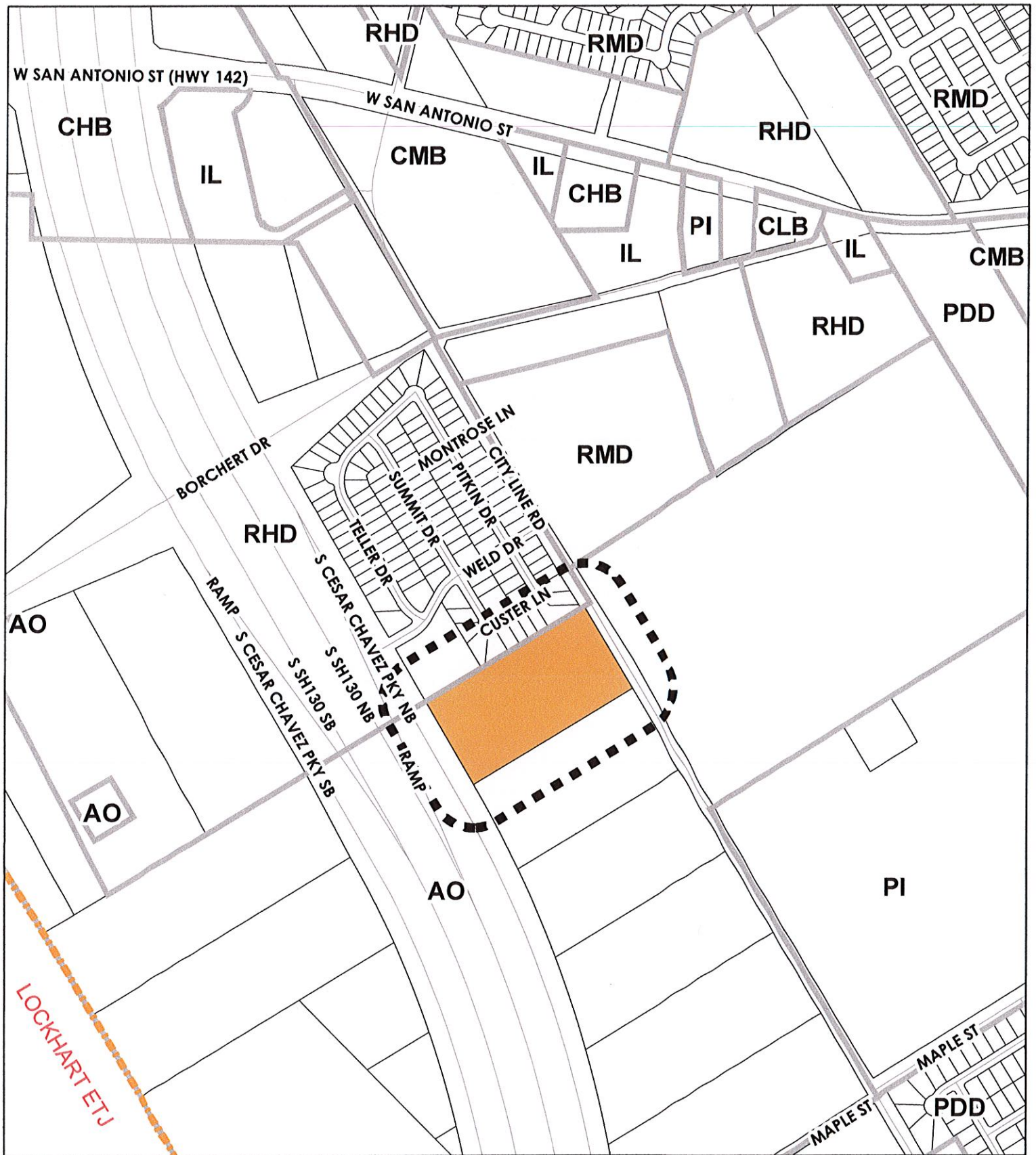
7. Adjourn.

*Commissioner Haug moved to adjourn, and Commissioner Oliva seconded. The motion passed by a unanimous vote, and the meeting adjourned at 7:56 p.m.*

Approved: \_\_\_\_\_  
(date)

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

\_\_\_\_\_  
Philip Ruiz, Chair



**ZC-24-04**

AO TO RHD

351 CITY LINE RD



scale 1" = 600'

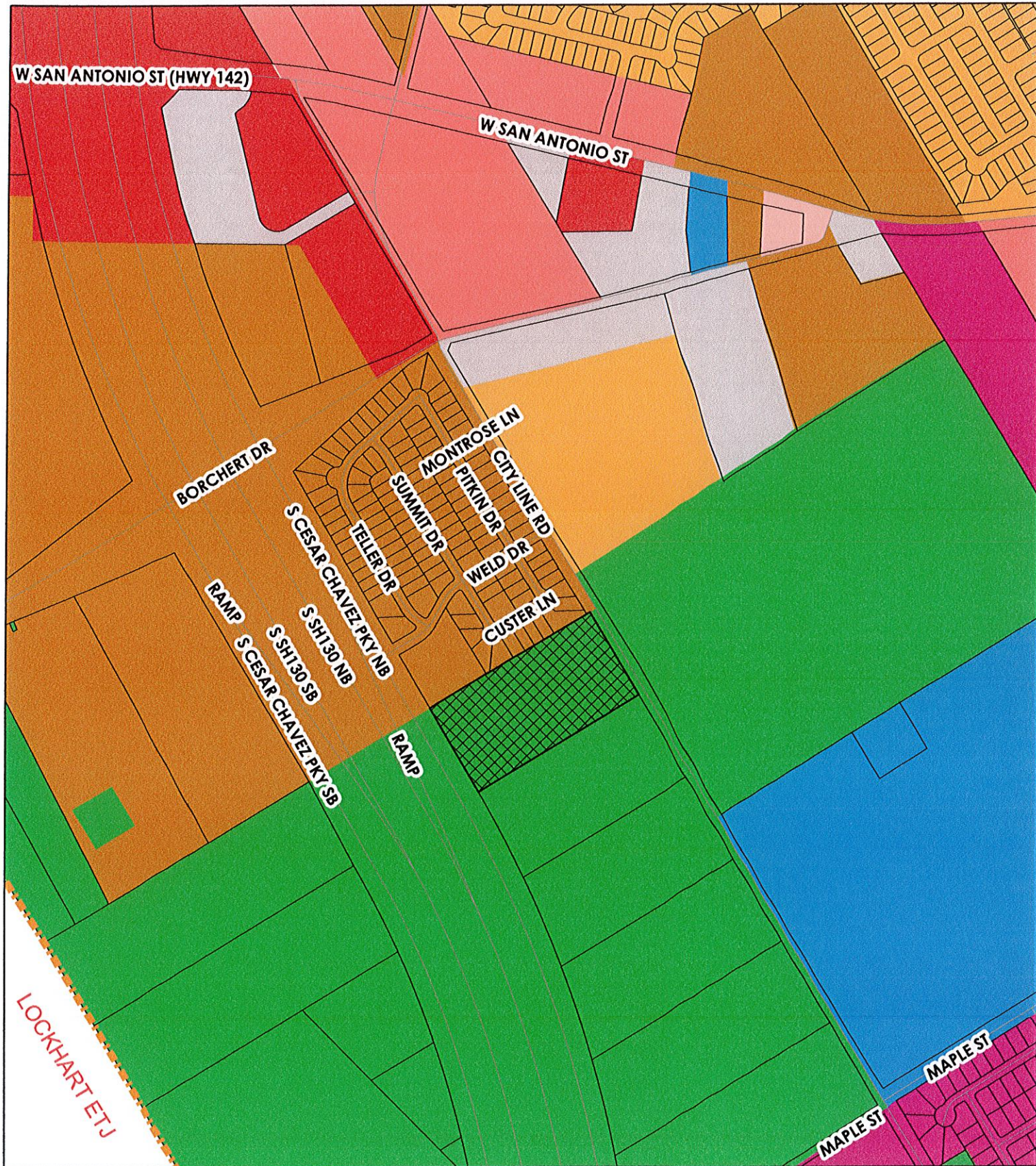
- SUBJECT PROPERTY
- ZONING BOUNDARY
- CITY LIMITS
- 200 FT BUFFER





LOCKHART ETJ





**ZC-24-04**

AO TO RHD

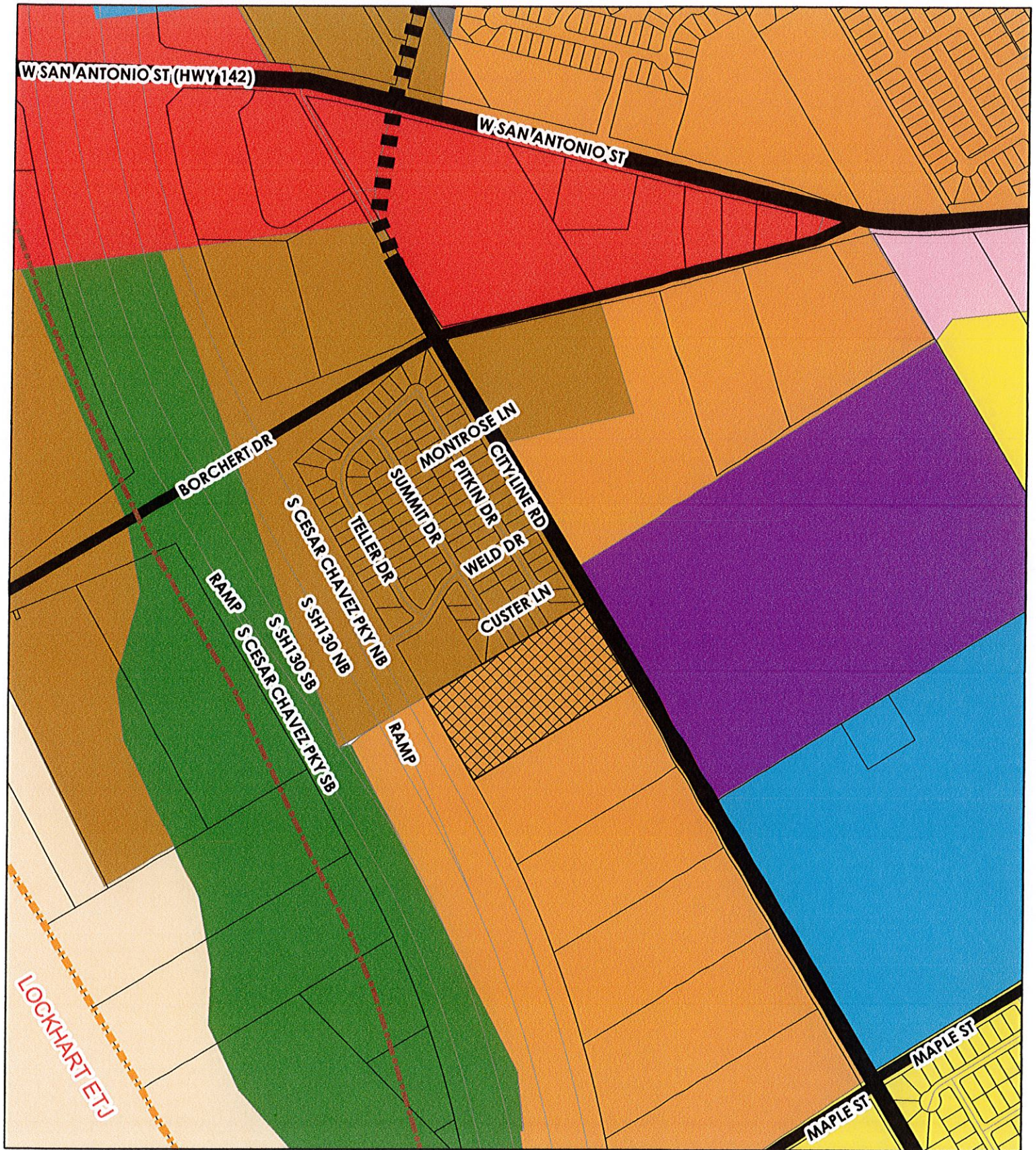
351 CITY LINE RD



scale 1" = 600'

ZONING DISTRICTS	
<span style="color: green;">■</span>	AGRICULTURAL-OPEN SPACE
<span style="color: red;">■</span>	COMMERCIAL HEAVY BUSINESS
<span style="color: pink;">■</span>	COMMERCIAL LIGHT BUSINESS
<span style="color: lightcoral;">■</span>	COMMERCIAL MEDIUM BUSINESS
<span style="color: lightgrey;">■</span>	INDUSTRIAL LIGHT
<span style="color: magenta;">■</span>	PLANNED DEVELOPMENT
<span style="color: blue;">■</span>	PUBLIC AND INSTITUTIONAL
<span style="color: brown;">■</span>	RESIDENTIAL HIGH DENSITY
<span style="color: yellow;">■</span>	RESIDENTIAL LOW DENSITY
<span style="color: orange;">■</span>	RESIDENTIAL MEDIUM DENSITY





# **FUTURE LANDUSE & THOROUGHFARES**

AO TO RHD

351 CITY LINE RD



scale 1" =600'

- |                   |                    |                                   |
|-------------------|--------------------|-----------------------------------|
| HIKE/BIKE TRAIL   | EXISTING COLLECTOR | AGRICULTURE/RURAL DEVELOPMENT     |
| EXISTING ARTERIAL | FUTURE ARTERIAL    | GENERAL-HEAVY COMMERCIAL          |
|                   |                    | INDUSTRY                          |
|                   |                    | LIGHT-MEDIUM COMMERCIAL           |
|                   |                    | MIXED RETAIL, OFFICE, RESIDENTIAL |
|                   |                    | PARKS AND OPEN SPACE              |
|                   |                    | PUBLIC AND INSTITUTIONAL          |
|                   |                    | RESIDENTIAL, HIGH DENSITY         |
|                   |                    | RESIDENTIAL, LOW DENSITY          |
|                   |                    | RESIDENTIAL, MEDIUM DENSITY       |



## CASE SUMMARY

STAFF: Evan Olszewski, Planner

CASE NUMBER: ZC-24-04

REPORT DATE: June 5, 2024

PLANNING AND ZONING COMMISSION HEARING DATE: June 12, 2024

CITY COUNCIL HEARING DATE: June 18, 2024

REQUESTED CHANGE: Agricultural-Open Space AO to Residential High Density RHD

STAFF RECOMMENDATION: **Approval**

## BACKGROUND DATA

APPLICANT: Charlotte Hodges, Carlson, Brigance & Doering, Inc.

OWNER: Cerulean Dog Investments

SITE LOCATION: 351 City Line Road

LEGAL DESCRIPTION: Metes and bounds within the Cornelius Crenshaw Survey, Abstract No. 58

SIZE OF PROPERTY: 8.6442 acres

EXISTING USE OF PROPERTY: Agricultural

LAND USE PLAN DESIGNATION: *Residential Medium Density*

## ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: The Applicant seeks a zoning change to Residential High Density for a multifamily residential development. The site's current Agricultural-Open Space zoning district does not allow this use.

### AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
<b>North</b>	Residential subdivision	RHD	<i>Residential High Density</i>
<b>East</b>	Vacant land	AO	<i>Mixed Retail, Office, Commercial</i>
<b>South</b>	Vacant land	AO	<i>Residential Medium Density</i>
<b>West</b>	South Cesar Chavez Parkway, SH 130	AO/ROW	<i>Residential Medium Density/ROW</i>

TRANSITION OF ZONING DISTRICTS: The surrounding properties are agricultural or residential in nature. The area immediately to the north of the subject parcel is the Centerpoint Meadows subdivision, zoned Residential High Density and developed with single-family dwellings. The area to the south of the property is zoned Agricultural-Open Space and designated for Residential Medium Density uses on the Future Land Use Map. The area across City Line Road to the east is also zoned Agricultural-Open Space, but is designated for Mixed Retail, Office, Residential uses. To the west, the property abuts the South Cesar Chavez Parkway's northbound frontage road.

The residential subdivision to the north of the property is zoned with the requested Residential High Density zoning district. Currently, there is no conflict between the existing Residential High Density zone and the surrounding parcels zoned Agricultural-Open Space. Staff receives frequent inquiries about the area south of Borchert Drive, east of South Cesar Chavez Parkway, and north of Maple Street from developers interested in high density residential or commercial mixed-use products. The proposed Residential High Density zone would connect to a collection of similarly-zoned properties to the north and northwest across South Cesar Chavez Parkway.



The Applicant proposes to build a multifamily development on the site, and has indicated that they will likely request an SUP for the MF-2 development type. This use does not create a transition issue between the subject property and Centerpoint Meadows. The subject property will be required to construct a buffer wall per Section 64-197(f)(1) of the City Code of Ordinances, which states: "Buildings having more than four dwelling units per structure within the residential high density district (RHD) shall provide for an opaque wall, screen, or fence at least six feet high along each line adjoining any other development type structure or any other residential district, except along any line which is also a street line." There is an existing fence at the southern boundary of Centerpoint Meadows.

**ADEQUACY OF INFRASTRUCTURE:** All City utilities are available and adequate. Vehicular access is available from City Line Road and from the northbound South Cesar Chavez Parkway access road. Any driveway onto a state road will require TxDOT approval.

**POTENTIAL NEIGHBORHOOD IMPACT:** Considering the mixture of existing land uses, zoning classifications, and future land use designations on the Land Use Plan map in the area around the property, the characteristics of multi-family residential would not have unusually adverse impacts. Zoning standards will require the development to be screened with an opaque fence or wall where it abuts the existing RHD zoning on the north side.

Regarding the proximity of the site to amenities, the nearest schools are Bluebonnet Elementary, Lockhart Junior High, and Lockhart High School. The closest park is Maple Street Park to the southeast. There are sidewalks connecting the Centerpoint Meadows subdivision to the north with the City Line Road and Borchert Drive intersection, but no further connections into town. Maple Street to the south has sidewalks beginning at the Maple Street and City Line Road intersection.

**CONSISTENCY WITH COMPREHENSIVE PLAN:** The proposed Residential High Density zoning classification is not consistent with the Future Land Use Plan, which designates the subject property Residential Medium Density. However, the two zoning classifications are only one step apart in terms of allowed density. There are several areas designated for High Density Residential nearby, both along West San Antonio Street and northeast around the Borchert Drive and South Cesar Chavez Parkway intersection.

**ALTERNATIVE CLASSIFICATIONS:** Residential Medium Density zoning would be consistent with the Future Land Use Plan map but would not permit the intended apartment use.

**RESPONSE TO NOTIFICATION:** None.

**STAFF RECOMMENDATION:** Staff believes that the proposed rezoning to RHD is an acceptable solution for the subject property based on the fact it borders a preexisting Residential High Density tract to the north and the residential designation of the property on the Future Land Use Map. Additionally, the property's location along the South Cesar Chavez Parkway frontage makes it an ideal location for higher-density housing in a transition zone east toward other residential or mixed-use zones.

CITY OF  
**Lockhart**  
TEXAS

**ZONING CHANGE APPLICATION**

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

**APPLICANT/OWNER**

APPLICANT NAME Charlotte Hodges  
DAY-TIME TELEPHONE 512-280-5160  
E-MAIL charlotte@cbdeng.com

ADDRESS 5501 W William Cannon Drive  
Austin, TX 78749

OWNER NAME Jim Gallegos, Cerulean Dog Inv.  
DAY-TIME TELEPHONE 512-413-9494  
E-MAIL jgallegos@cccarter.com

ADDRESS 3102 Bee Caves Road  
#200  
Austin, TX 78746

**PROPERTY**

351 City Line Rd  
ADDRESS OR GENERAL LOCATION E of SH 130/ S of SH 142  
LEGAL DESCRIPTION (IF PLATTED) Cornelius Crenshaw Survey, Abs. 68  
SIZE 8.6442 ACRE(S) LAND USE PLAN DESIGNATION RMD Residential Medium Density  
EXISTING USE OF LAND AND/OR BUILDING(S) Ag  
PROPOSED NEW USE, IF ANY Multi-Family

**REQUESTED CHANGE**

FROM CURRENT ZONING CLASSIFICATION Agricultural- Open Space  
TO PROPOSED ZONING CLASSIFICATION Residential High Density  
REASON FOR REQUEST Owner is looking to develop this parcel as a multi-family site.



## 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.

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

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

**APPLICATION FEE OF \$250, PLUS \$150 PER ACRE, MAXIMUM OF \$10,000, PLUS ADDITIONAL \$1,000 FOR PLANNED DEVELOPMENT DISTRICT.**

APPLICATION FEE OF \$ 1,546.63 PAYABLE TO THE CITY OF LOCKHART.

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 0e363007-322a-4d12-82cb-1ce59fa1b6dd  
Digitally signed by 0e363007-322a-4d12-82cb-1ce59fa1b6dd  
DN: cn=0e363007-322a-4d12-82cb-1ce59fa1b6dd  
Reason: I am the author of this document  
Location: Charlotte Hodges  
Date: 2024.05.22 07:57:53  
Foxit Reader PDF Version: 9.7.0

DATE 5/15/24

## OFFICE USE ONLY

ACCEPTED BY D. Fowler

RECEIPT NUMBER 01297750

DATE SUBMITTED 5/22/24

CASE NUMBER ZC - 24 - 04

DATE NOTICES MAILED 5-24-2024

DATE NOTICE PUBLISHED 5-30-2024

PLANNING AND ZONING COMMISSION MEETING DATE 6-12-2024

PLANNING AND ZONING COMMISSION RECOMMENDATION \_\_\_\_\_

CITY COUNCIL MEETING DATE \_\_\_\_\_

DECISION \_\_\_\_\_







EAST MLK Jr INDUSTRIAL

0 200 400 Feet

VALDEZ ST

FOURTH ST

FIFTH ST

TORRES ST

BLACKJACK ST

LEE LN

LUANN LN

FOURTH ST

FIFTH ST

PANCHO ST



# PLANNING DEPARTMENT REPORT

# RESUBDIVISION PLAT

## CASE SUMMARY

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STAFF CONTACT: Kevin Waller, Senior Planner *KW*

CASE NUMBER: RP-24-01

REPORT DATE: June 5, 2024

PLANNING & ZONING COMMISSION DATE: June 12, 2024

STAFF RECOMMENDATION: ***Approval of both the Plat and Subdivision Variance request***

SUGGESTED CONDITIONS: None

## BACKGROUND DATA

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APPLICANT: Hally Thacher

OWNER: 506, LLC, c/o Hally Thacher

SURVEYOR: Jerry Hinkle, P.L.S., Hinkle Surveyors

ENGINEER: N/A

SITE LOCATION: 1414 Fifth St. and 1308 Torres St.

SUBDIVISION NAME: **House Port Addition**

SIZE OF PROPERTY: 2.239 acres

NUMBER OF PROPOSED LOTS: Four single-family residential lots

EXISTING USE OF PROPERTY: Single-family residential

ZONING CLASSIFICATION: RMD (Residential Medium Density)

## ANALYSIS OF ISSUES

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**PROPOSED DEVELOPMENT:** The proposal includes the reconfiguration of four existing parcels of land, including three platted lots (F&S Annex, Block 5, Lots 8, 9, and 10) and one unplatted parcel of land into four newly configured lots. Since there are both platted and unplatted lots involved with the proposal, the request is categorized as a Resubdivision, which must be considered by the Commission. A single-family residence and several accessory buildings are currently located on the subject property, and are proposed to be removed with the development of the subdivision. Each of the four proposed lots will feature a "house port"-style single-family residence, typified by several cube-shaped living chambers under a large, secondary roof, which heavily incorporates outdoor living space alongside the indoor sections. Sidewalks will be constructed along the property's Fifth Street and Torres Street frontages. A cash-in-lieu of parkland dedication payment will be made prior to the recordation of the plat, as specified in Surveyor's Note 3 and in accordance with Subdivision Regulations Section 52-113(b).

**NEIGHBORHOOD COMPATIBILITY:** The adjacent property to the east of the subject property is currently vacant land zoned RHD (Residential High Density) and CHB (Commercial Heavy Business), with a plat application currently under review to allow for future multifamily and commercial development. The two adjacent properties to the south are each developed with single-family residences. Of the four properties to the west, two are vacant and two are in single-family residential use, with one of the residential properties across Torres Street from the subject property. The property to the north, across Fifth Street, contains the Mason Lone Oak Missionary Baptist Church.

**FORM AND CONTENT:** The plat conforms to all minimum requirements for form and content.



COMPLIANCE WITH STANDARDS: The plat complies with all applicable subdivision standards, including the provision for public sidewalks and a fee in lieu of parkland dedication to be paid, prior to recordation of the plat. Utilities already exist to serve the proposed lots, including water, wastewater, and overhead electric lines. In addition, the plat has been reviewed and determined acceptable by the Caldwell County Appraisal District's GIS division.

CONCURRENT VARIANCES REQUESTED: A Subdivision Variance is requested with this application to the maximum 4:1 lot ratio specified in Section 52-75(d) of the Subdivision Regulations to allow for a lot ratio of approximately 5:1 for the proposed Lot 4. In the applicant's attached written statement addressing the variance criteria, it is explained that the proposed lot layout, including the longer Lot 4, is practical due to the subject property's odd, reverse "L" shape with street frontage at each end of the "L". It should also be noted that one of the adjacent properties to the south, being 1310 Torres Street, already has a lot ratio exceeding 4:1, with 1312 Torres Street further south appearing to have a ratio of 4:1.

The criteria for granting variances is set forth in Subdivision Regulations Section 52-3(a), as follows:

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;
4. The variance shall not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of the Code.

Upon review of the variance request, Staff believes that it warrants approval, as the shape of the subject property and the two street frontages at opposite ends of the reverse "L"-shape is a condition unique to the property, and leaves limited options for the proposed lot configurations. The proposed lot layout is practical and makes good use of the property's shape, including providing street frontage for two of the proposed lots at Torres Street, and for the other two lots at Fifth Street.

# House Port Addition Lots 1, 2, 3, and 4 in Block 1

Showing a part of Lots 8, 9, and 10 in Block 5 of F & S Annex recorded in Volume 272  
Page 578 of the Deed Records of Caldwell County, Texas and a part of 2.019 acres  
of land in the James George Survey A-9 in the City of Lockhart, Caldwell County, Texas

STATE OF TEXAS  
COUNTY OF CALDWELL

We, the undersigned owners of the land shown on this plat designated as part of Lots 8, 9, and 10 in Block 5 of F & S Annex according to the map or plat recorded in Volume 272 Page 578 of the Deed Records of Caldwell County, Texas and conveyed to S06, LLC by deed recorded in Instrument #2024-001985 of the Official Public Records of Caldwell County, Texas and also being a part of a tract of land called 2.019 acres and conveyed to the above mentioned S06, LLC by deed recorded in Instrument #2024-001984 of the said Official Public Records of Caldwell County, Texas, do hereby authorize such property and jobs, approve and consent to all calculations and plat or survey made hereon and reserve to the public all easements for the mutual use of all public utilities desiring to use the same, that any public utility shall have the right to remove and keep removed all or any part of any growth or construction for maintenance or efficient use of its respective system in such easements, and further shall have full uninterrupted access along such easements and said division of land is to be known as:

## HOUSE PORT ADDITION

DATE

REPRESENTATIVE FOR:  
S06, LLC  
302 A WEST 12<sup>th</sup> #295  
NEW YORK, NEW YORK 10014

STATE OF TEXAS  
COUNTY OF CALDWELL

Before me, the undersigned authority, personally appeared \_\_\_\_\_, known to me to be the representative whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and consideration stated herein.

Notary Public in and for the State of Texas

STATE OF TEXAS  
COUNTY OF CALDWELL

I, Phil Tulp, Chairman of the Planning and Zoning Commission of the City of Lockhart, do hereby certify that this plat was approved by the City of Lockhart on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

CHAIRMAN

STATE OF TEXAS  
COUNTY OF CALDWELL

I, Jerry L. Hinkle, registered professional land surveyor, State of Texas, hereby certify that this plat is a true and correct representation of a survey made on the ground under my supervision and all monuments and markers were properly placed under my direct supervision and is true and correct to the best of my knowledge.

IN WITNESS THEREOF, my hand and seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**NOT FOR PUBLIC RELEASE**

Jerry L. Hinkle  
Registered Professional  
Land Surveyor #5455

## SURVEYOR'S NOTES:

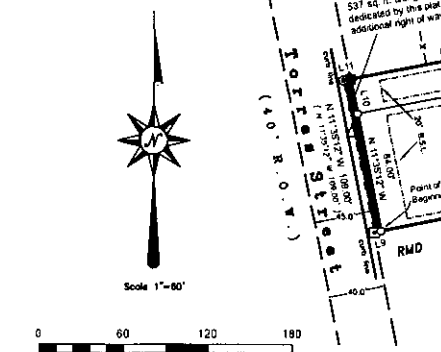
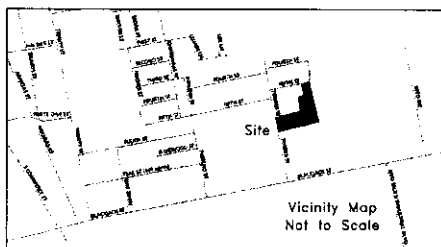
- The lots shown lie in Flood Zone "X". The City of Lockhart has adopted Zone "X" to be no special flood hazard, according to FEMA Panel #480530125E effective date June 19, 2012.
- Lots 1, 2, 3, and 4 in Block 1 are zoned RMD (Residential Medium Density). Surrounding properties are zoned and labeled RMD (Residential Medium Density) and RHD (Residential High Density).
- According to Section 52-113(b) of the Subdivision Regulations of the City of Lockhart a fee, in lieu of parkland dedication, in the amount of \$11,839.00 shall be paid to the City of Lockhart by the subdivider prior to the recording of this plat.
- RECORD OWNERS OF LAND:  
S06, LLC  
DESIGNER OF PLAT: Hinkle Surveys  
PO Box 1027 Lockhart, TX 78644  
(512) 398-2000  
DATE OF PREPARATION: April 2024
- SURVEYOR: Jerry L. Hinkle, R.P.L.S. #5455  
PO Box 1027 Lockhart, TX 78644 (512) 398-2000
- A four-foot wide public sidewalk shall be constructed along the property's Torres Street frontage and the Fifth Street frontage by individual lot owners, prior to issuance of a Certificate of Occupancy for any new structure on each lot.
- Building setback lines shall be in accordance with the City of Lockhart Zoning Ordinance.
- Lot Closure: Lot 1-1' in 155725'; Lot 2-1' in 286624'; Lot 3-1' in 250794'; Lot 4-1' in 190435'  
Boundary Closure: 1' in 60469'

## LEGEND

- CAPPED 1/2" IRON PIN SET STAMPED "HINKLE SURVEYORS"
- 1/2" IRON PIN FOUND
- CAPPED IRON PIN FOUND
- STAMPED "HINKLE SURVEYORS"
- ORANGE CAPPED IRON PIN FOUND
- 5/8" IRON ROD FOUND
- TELEPHONE FINDER
- WATER METER
- G. POLE
- CONCRETE MONUMENT FOUND
- ORIGINAL LOT LINE (ALL) & ORIGINAL TRACT LINE (ALL)
- BUILDING SETBACK LINE (ALL)
- (---) ORIGINAL SETBACK LINES
- X- FENCE MONITOR
- STREET RIGHT OF WAY OR EASEMENT UNLESS OTHERWISE NOTED

## LINE TABLE

LINE	BEARING	DISTANCE
L1	N 10°51'45" W	85.00'
L2	N 79°04'12" E	25.00'
L3	S 10°51'45" E	84.73'
L4	N 10°51'45" W	84.73'
L5	N 79°04'12" E	15.79'
L6	S 79°04'12" W	15.79'
L7	N 11°06'55" W	5.00'
L8	N 79°04'12" E	10.00'
L9	S 79°04'12" W	5.00'
L10	N 11°06'55" W	25.00'
L11	S 79°04'12" W	5.00'
L12	N 10°51'45" W	84.72'



## LEGAL DESCRIPTION

All of a certain tract or parcel of land, situated in the City of Lockhart, Caldwell County, Texas and being a part of the James George Survey A-9 and being also a part of Lots 8, 9, 10 in Block 5 of F & S Annex as recorded in Volume 272 Page 578 of the Deed Records of Caldwell County, Texas and conveyed to S06, LLC by deed recorded in Instrument #2024-001985 of the Official Public Records of Caldwell County, Texas and being also a part of a tract of land called 2.019 acres and conveyed to S06, LLC by deed recorded in Instrument #2024-001984 of the said Official Public Records and being more particularly described as follows:

**BEGINNING**, at capped 1/2" iron pin set stamped HINKLE SURVEYORS in the newly dedicated East line of Torres Street and in the South line of the above mentioned 2.019 acre tract and in the apparent North line of a tract of land called 0.25 acres and conveyed to A.M.R. Investments by deed recorded in Instrument #2019-000179 of the said Official Public Records and further described in Volume 523 Page 351 of the said Deed Records for the SW corner this tract and from which point a capped iron pin found stamped HINKLE SURVEYORS marking the original SW corner of the said 2.019 acre tract bears S 79°42'25" W 50.00 feet.

**THENCE** N 11°35'12" W with the newly dedicated East line of Torres Street and over and across the said 2.019 acre tract 106.00 feet, to a concrete monument found in the North line of the said 2.019 acre tract and the apparent SW corner of Lot 2 in Block 1 of Holly's Acres according to the map or plat recorded in Plat Caldwell C Side 9 of the Plat Records of Caldwell County, Texas 2003.37 feet, to a capped iron pin found stamped HINKLE SURVEYORS in the SE corner of the said Lot 2 and in the corner of the said 2.019 acre tract for an all corner this tract.

**THENCE** N 79°07'26" E with a North line of the said 2.019 acre tract and partially along the South line of Lot 2 in Block 1 of Holly's Acres and recorded in Plat Caldwell C Side 9 of the Plat Records of Caldwell County, Texas 2003.37 feet, to a capped iron pin found stamped HINKLE SURVEYORS in the NE corner of the said Lot 1 and the South line of Lot 6 in the said Block of F & S Annex and the most Northern NW corner of the said 2.019 acre tract for the most Northern NW corner this tract.

**THENCE** N 11°39'43" W with the East line of the said Lot 2 and the East line of said Lot 1 of the said Holly's Acres 209.99 feet, to a 5/8" iron pin found in the NE corner of the said Lot 1 and the South line of Lot 6 in the said Block of F & S Annex and the most Northern NW corner of the said 2.019 acre tract for the most Northern NW corner this tract.

**THENCE** N 79°05'54" E with the North line of the said 2.019 acre tract and the South line of Lots 6 and 7 of the said F & S Annex 75.72 feet, to a 1/2" iron pin found in the NE corner of the above mentioned Lot 3 for an all corner this tract.

**THENCE** N 10°51'45" W with the West line of the said Lot 8 and the East line of Lot 7 94.72 feet, to a capped 1/2" iron pin set in the newly dedicated South line of Fifth Street for the most Northern NW corner this tract.

**THENCE** N 79°04'12" E over and across the said Lots 8, 9, and 10 119.14 feet, to a capped 1/2" iron pin set stamped HINKLE SURVEYORS in the East line of Lot 10 and the apparent West line of a tract of land called 6.549 acres and conveyed to ASM Venture Capital, LLC by deed recorded in Instrument #2023-011813 of the said Official Public Records for the most Northern NE corner this tract.

**THENCE** S 11°40'58" E with the East line of the said Lot 10 and the apparent West line of the said 6.549 acre tract 84.78 feet, to a capped iron pin found stamped HINKLE SURVEYORS in the SE corner of the said Lot 10 and an exterior corner of the said 6.549 acre tract and the North line of the said 2.019 acre tract for an all corner this tract.

**THENCE** N 79°05'54" E with a North line of the said 2.019 acre tract and a South line of the said 6.549 acre tract, 10.80 feet, to a capped iron pin found stamped HINKLE SURVEYORS (GPS OBSERVATION NAD83 SPC ZONE 4204 BEARING BGSS N 13868113.34 E 2303788.16 LAT 29°52'28.739" LONG 97°39'28.339") in the NE corner of the said 2.019 acre tract and an exterior corner of the above mentioned 6.549 acre tract for the NE corner this tract.

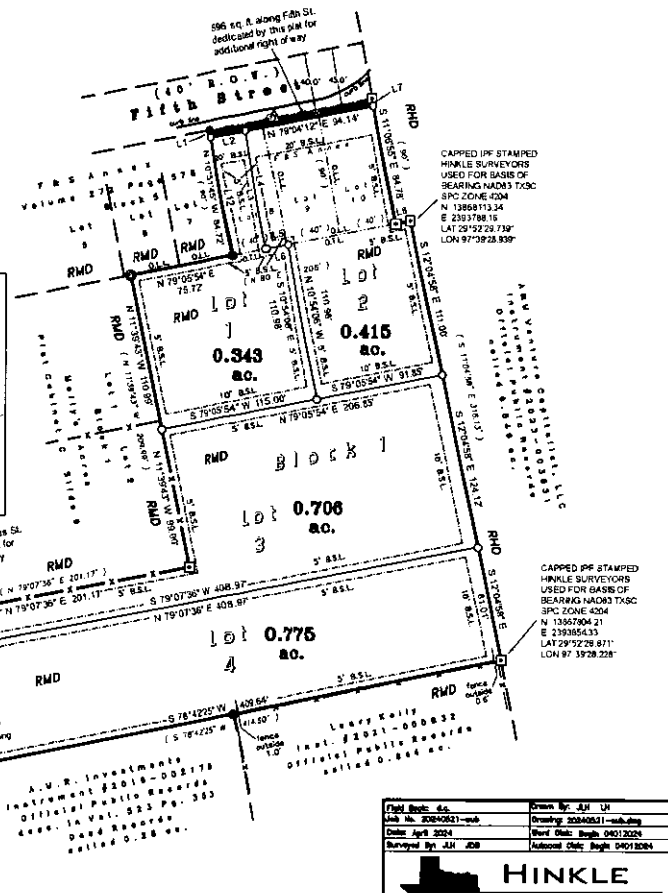
**THENCE** S 12°04'38" E with the East line of the said 2.019 acre tract and the apparent West line of the said 6.549 acre tract 316.13 feet, to a capped iron pin found stamped HINKLE SURVEYORS (GPS OBSERVATION NAD83 SPC ZONE 4204 BEARING BGSS N 13868113.34 E 2303788.16 LAT 29°52'28.739" LONG 97°39'28.339") in the NE corner of the said 2.019 acre tract and the apparent NE corner of a tract of land called 0.944 acres and conveyed to Luby Realty by deed recorded in Instrument #2021-000032 of the said Official Public Records for the SE corner this tract.

**THENCE** S 79°04'12" W with the South line of the said 2.019 acre tract with the North line of the above mentioned 0.944 acre tract and the North line of the said 0.25 acre tract 403.64 feet, in the corner of the above mentioned 6.549 acres of land more or less.

STATE OF TEXAS  
COUNTY OF CALDWELL

I, Teresa Rodriguez, County Clerk in and for Caldwell County, Texas do hereby certify that the foregoing instrument with its certificates of authentication was filed for record in my office this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and duly recorded on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in the Plat Records of Caldwell County, Texas in Plat Caldwell \_\_\_\_\_ at \_\_\_\_\_ Side \_\_\_\_\_.

Teresa Rodriguez  
County Clerk, Caldwell County, Texas



Field Book: 46  
Job No. 20240021-001  
Drawn: 20240021-001.dwg  
Date: April 2024  
Surveyed By: J.L.H. JSH  
Plotted: April 2024  
Checked: April 2024  
Reviewed: April 2024  
Autocad: Chris Beagle 04012024

**HINKLE SURVEYORS**  
P.O. Box 1027 1109 S. Main Street Lockhart, TX 78644  
Ph: (512) 398-2000 Fax (512) 398-7683 Email: contact@hinklesurveyors.com  
Firm Registration No. 100868-00

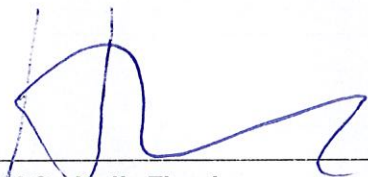


## **Request for a variance for the "HOUSE PORT ADDITION" subdivision plat.**

**TO: City of Lockhart**

**506 LLC / Hally Thacher is requesting a variance for the subdivision section 52-75 (d).**

1. Special circumstances or conditions affect the land involved such that strict application of the provisions of the Code would deprive the applicant of reasonable use of the land.  
**The parent tract is shaped such that the property is very deep. Changing the shape of the tracts would not correct the situation, rather it would create more oddly shaped lots. In addition the developer intends to build her personal home on this lot and the shape works best for what she wants to build and to have a nice yard in the back.**
2. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.  
**In order to build the homes she wants on the other lots and her personal home on the subject tract, the layout would need to remain the same as currently presented.**
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.  
**One of the tracts adjoining to the south (1312 Torres St) is a large lot that has approximately a 7:1 ratio of (55') width to (410') depth, so the current layout is similar to adjoining property already.**
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.  
**This is a minor plat of a lot that is not feasible for dense lot development and should not prevent other lands ability for orderly subdivision at all.**

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**506 LLC / Hally Thacher**



# 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 Hinkle Surveyors

DAY-TIME TELEPHONE 512-398-2000

E-MAIL contact@hinklesurveyors.com

ENGINEER NAME \_\_\_\_\_

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

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

OWNER NAME 506 LLC by Hally Thacher

DAY-TIME TELEPHONE 917-273-8754

E-MAIL houseport@gmail.com

ADDRESS 1109 S Main St

Lockhart, TX 78644

ADDRESS \_\_\_\_\_

ADDRESS 302A W 12TH ST

NEW YORK, NY 10014-790

## TYPE OF APPLICATION (check all that apply)

\_\_\_\_ PRELIMINARY PLAT

\_\_\_\_ SUBDIVISION DEVELOPMENT PLAN

\_\_\_\_ FINAL PLAT

\_\_\_\_ MINOR PLAT

\_\_\_\_ REPLAT

\_\_\_\_ MINOR REPLAT

☒ RESUBDIVISION

\_\_\_\_ AMENDING PLAT

\_\_\_\_ DEVELOPMENT PLAT

☒ VARIANCE

## PROPERTY

SUBDIVISION NAME House Port Addition

ADDRESS OR GENERAL LOCATION 1414 Fifth St and 1308 Torres St

LOCATED IN ☒ CITY LIMITS

\_\_\_\_ ETJ (COUNTY)

\_\_\_\_ PDD

TOTAL LAND AREA 2.239 ACRE(S)

PROPOSED NUMBER OF LOTS 4

ZONING CLASSIFICATION(S) RMD

PROPOSED USE OF LAND Residential Use (single-family)



## **SUBMITTAL REQUIREMENTS**

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

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

IF THE APPLICATION IS FOR A FINAL PLAT INVOLVING PUBLIC IMPROVEMENTS – TWO FULL-SIZE PAPER 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, Replats, Resubdivision Plats, Minor Plats, and Minor Replats are considered the same as Final Plats for the purposes of content and format). All plat copies shall be full-size paper copies.

One copy for staff's completeness review; six copies after plat is deemed complete.

12 copies after initial staff reviews above (preliminary plats, final plats, replats, and resubdivisions).

Two copies after initial staff reviews (amending plats, minor plats, and minor replats).

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

**APPLICATION FEE OF \$ 1223.90 PAYABLE TO THE CITY OF LOCKHART**  
(NO FEE FOR SUBDIVISION DEVELOPMENT PLANS OR APPEALS):

Preliminary Plat or Development Plat	\$1,500.00, plus \$100.00 per acre
Final Plat, Replat, or Resubdivision	\$1,000.00, plus \$100.00 per acre
Amending Plat, Minor Plat, or Minor Replat not requiring a public meeting	\$750.00, plus \$100.00 per acre
Subdivision Variance	\$750.00 per variance requested
Recording fee for Final Plat, Replat, Resubdivision, Amending Plat, Minor Plat, or Minor Replat	\$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 this application is deemed complete can be voluntarily extended for an additional 30 days upon mutual agreement by the applicant and the City. 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



DATE 4/30/2024

PRINTED NAME

Hally Thacher

TELEPHONE 917-273-8754

## PLAT APPROVAL PERIODS

*A preliminary plat approval period expires if a final plat and the engineering plans 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 the construction of any required public improvements has not commenced within 12 months of approval. Upon written request received prior to the expiration, one six-month extension may be considered by the Planning Director.*

## SUBDIVISION VARIANCE (for variance applications, only)

VARIANCE TO SECTION(S) 52-75(2) OF THE SUBDIVISION REGULATIONS

CURRENT ORDINANCE REQUIREMENT(S) Maximum of 4:1 ratio for lots

REQUESTED VARIANCE(S) Maximum of 5:1 ratio be allowed for one of the lots. (Lot 4, Block 1)

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 Kerin Waller RECEIPT NUMBER R01293152 & R01296617

DATE SUBMITTED 4/30/24 (up-to-date application submitted 5/15/24) CASE NUMBER RP - 24 - 01

DATE APPLICATION IS DEEMED COMPLETE 5/2/24

DATE NOTICES MAILED \_\_\_\_\_ DATE NOTICE PUBLISHED N/A

(For certain Replats or Resubdivisions without vacating preceding plat)

PLANNING AND ZONING COMMISSION MEETING DATE 6/12/24 DECISION \_\_\_\_\_

CONDITIONS (IF ANY) \_\_\_\_\_