

## **PUBLIC NOTICE**

**City of Lockhart  
Planning and Zoning Commission  
7:00 PM, Wednesday, March 26, 2025  
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 March 12, 2025 meeting.
4. **FP-25-01.** Consider a request by Cindy Whitley for approval of a **Final Plat** for Trammell Addition Revised Unit No. 1, Block 4, Lot 1 and the East ½ of Lot 2, consisting of 0.585 acre, zoned RLD (Residential Low Density), and located at 1100 Maple Street, including a Variance to Chapter 52, "Subdivision Regulations", Section 52-72(e), to allow for no right-of-way dedication along the property's Maple Street and Navidad Street frontages where 5 feet would normally be required for each street.
5. Discuss the date and agenda of the next meeting, including Commission requests for agenda items.
6. Adjournment.

**Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, at 9:30 a.m. on the 19<sup>th</sup> day of March, 2025.**

**City of Lockhart  
Planning and Zoning Commission  
March 12, 2025**

**MINUTES**

**Members Present:** Philip Ruiz, Phil McBride, Ron Peterson, Julia Haug

**Members Absent:** Manuel Oliva, Bradley Lingvai, Rick Arnic

**Staff Present:** David Fowler, Andrew Devaney, Doug Patrick, Joseph Resendez, Christine Banda, Romy Brossman

**Visitors/Citizens Addressing the Commission:**

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 February 26, 2025 meeting.

*Commissioner Haug moved to approve the February 26, 2025, minutes. Commissioner McBride seconded, and the motion passed by a vote of 4 - 0.*

4. Hold a PUBLIC HEARING and consider text amendments to Chapter 64, "Zoning" Article VII, Section 64-205, "Portable Food Establishments" of the Lockhart Code of Ordinances.

Building Official Andrew Devany came to the podium to make the presentation. He explained that Lockhart Staff seeks to update the definition of a portable food establishment. This includes removing verbiage regarding the location and duration to be considered a portable food establishment. This would ensure that all portable food truck establishments who wish to conduct business are properly permitted and inspected prior to serving consumers.

He stated he also recommended amending Subsection (b)(1) to update the requirement for a mobile food unit permit. This would make it a requirement for portable food establishments to be inspected by the City health inspector and have a current mobile food unit permit issued by the Texas Department of State Health Services, Retail Foods Division. This update would ensure compliance with City inspections as well as meet the minimum requirements of the State Health Code.

Lastly, he also recommended deleting Subsection (e) in its entirety. This section is not applicable for portable food establishments. Portable food establishments used in conjunction with outdoor events within the City of Lockhart shall meet the requirements set forth in Chapter 26-Health and Sanitation and/or Chapter 42-Transient Retail Businesses. Building staff also plans to revise the sections of Chapter 26 relevant to portable food establishments at the same City Council meeting at which the proposed amendments to Chapter 64 will be heard.

The Commission asked questions regarding the proposed changes including *any* versus *sanctioned* events, weekend enforcement, the original reasoning for Subsection (e) and fees.

Douglas Patrick, Health and Code Enforcement Officer, came forward to discuss the purpose of the proposed updates and to address a specific question regarding the regulation of mobile ice cream trucks. He also discussed "cottage food" (small home-based food production) permits and the sale of fundraiser plates by non-profit organizations.

Staff members Devaney, Patrick and Fowler recommended approval.

*Commissioner McBride moved to approve the text amendments to Chapter 64, "Zoning" Article VII Section 64-205, "Portable Food Establishments." Commissioner Haug seconded, and the motion passed with a vote of 4 - 0.*

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

Mr. Fowler confirmed there may be one or two plats presented at the next meeting which is scheduled for March 26, 2025.

6. Adjournment.

*Commissioner Peterson moved to adjourn, and Commissioner Haug seconded. The motion passed by a unanimous vote, and the meeting adjourned at 7:26 p.m.*

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

\_\_\_\_\_  
Romy Brossman, Recording Secretary

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



# Caldwell CAD Web Map



3/19/2025, 9:36:08 AM

Parcels

Road Centerlines

Lot Lines

Street County Road - Paved



Caldwell County Boundary

1:2,257

0 0.01 0.03 0.05 0.06 mi

0 0.03 0.05 0.1 km

Maxar, Microsoft

Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.

Caldwell County Appraisal District, BIS Consulting - [www.bisconsulting.com](http://www.bisconsulting.com)



# PLANNING DEPARTMENT REPORT

# FINAL PLAT

## CASE SUMMARY

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STAFF CONTACT: Kevin Waller, Senior Planner *KW*

CASE NUMBER: FP-25-01

REPORT DATE: March 18, 2025

PLANNING & ZONING COMMISSION DATE: March 26, 2025

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

SUGGESTED CONDITIONS: None

## BACKGROUND DATA

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APPLICANT: Cindy Whitley

OWNER: Whitley Family Properties, LLC

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

SITE LOCATION: 1100 Maple St.

PROPOSED SUBDIVISION NAME: **Trammell Addition Revised Unit No. 1, Block 4, Lot 1 and the East ½ of Lot 2**

SIZE OF PROPERTY: 0.585 ac.

NUMBER OF LOTS: Three single-family residential lots

EXISTING USE OF PROPERTY: Residential

ZONING CLASSIFICATION: RLD (Residential Low Density)

## ANALYSIS OF ISSUES

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**PROPOSED DEVELOPMENT:** The Trammell Addition Revised Unit No. 1, Block 4, Lot 1 and the East ½ of Lot 2 Final Plat includes three proposed single-family residential lots on property located at the southwest corner of the intersection of Maple Street and Navidad Street. The applicant is required to remove the existing single-family residence and accessory structures from the subject property, prior to the recording of the plat, as addressed in Plat Note 5. Sidewalks are not required for this subdivision according to Subdivision Regulations Section 52-77(d)(3), since sidewalks were not required when the original subdivision was platted in 1939 and the proposal involves just one and a half lots from the original plat (Lot 1 and the east ½ of Lot 2, Block 4). It should also be noted that no sidewalks currently exist along the street frontages for any of the 8 lots within Block 4 of the original plat. Restrictive covenants apply to the subject property, as recorded in Volume 223, Page 498 of the Deed Records of Caldwell County (Plat Note 3), which establish such restrictions as residential use only, setbacks, and that noxious and offensive trades and activities are prohibited. A Subdivision Variance to the right-of-way dedication requirement for both Maple and Navidad Streets has been requested with the application, as discussed below. The plat is considered a Final Plat due to the variance request, and would have otherwise been classified as an administratively-reviewed minor replat. The proposed subdivision has been reviewed and deemed acceptable by the Caldwell County Appraisal District's GIS Division.

**NEIGHBORHOOD COMPATIBILITY:** The subject property is entirely surrounded by properties zoned RLD, primarily on large lots in an established single-family residential neighborhood.

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

COMPLIANCE WITH STANDARDS: Existing 6-inch water mains are located both along Maple and Navidad Streets, according to a March 19, 2025 email correspondence with the Water and Wastewater Supervisor. A 6-inch sewer main is located within the alley abutting the subject property's south boundary. With water and sewer available to serve the proposed lots, the plat will meet all applicable subdivision standards.

CONCURRENT VARIANCES REQUESTED: A Subdivision Variance is requested with this application to the right-of-way dedication requirement specified in Section 52-72(e) of the Subdivision Regulations to: (1) allow for no dedication along the property's Maple Street frontage where 5 feet would normally be required; and (2) allow for no dedication along the Navidad Street frontage where 5 feet would also normally be required. The 5-foot dedication requirement for each of the two streets is half of the 10-foot deficiency for the 60-foot Collector Street right-of-way requirement identified in the City's 2045 Thoroughfare Plan. In the applicant's attached written statement addressing the variance criteria, it is explained that the variance is being requested in order to allow the proposed lots to have conforming depths and areas, which without the variance would result in substandard lots. The applicant also notes that when she purchased the property and initiated the platting work with Hinkle Surveyors, both streets were confirmed by Planning Staff in October 2024 as local streets, with a 50-foot-wide right-of-way requirement. However, when the subdivision plat application was submitted in February 2025, Staff informed the applicant that the new Comprehensive Plan adopted in November 2024 changed the functional classification of both streets to Collector Streets, thereby now requiring a 60-foot-wide right-of-way for each street. Were the applicant to dedicate half of the 10-foot right-of-way deficiency (5 feet) for each street as required, the proposed lots would become substandard with respect to the depth and area requirements of the RLD zoning district. In a February 26, 2025 email discussion with Public Works Director Sean Kelley, Mr. Kelley informed Staff that he is in favor of the variance request. A similar Subdivision Variance was approved by the Commission in August 2024 for a two-lot plat, along the property's China Street frontage, in that instance reducing the required right-of-way dedication from 3.35 feet to 2.88 feet. In the case of the current request, it should be noted that even if one-half foot of right-of-way dedication were hypothetically proposed in place of the required five feet, the one-half foot would be enough to result in substandard areas for each of the three proposed lots.

The criteria for granting variances is set forth in Subdivision Regulations Section 52-50(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, due to the above input received from the Public Works Director, the intervening change in functional classification for both Maple and Navidad Streets to Collector Streets, and which would allow the proposed lots to conform to the minimum area and dimensional standards set forth in Subdivision Regulations Appendix I.

# Trammell Addition Revised Unit No. 1 RePlat of Lot 1 & the East 1/2 of Lot 2 in Block 4

RePlat of Lot 1 and the East 1/2 of Lot 2 in Block 4 of Trammell  
Addition Revised Unit No. 1 recorded in Volume 193 Page 322 of the Deed Records  
Records of Caldwell County, Texas 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 Lot 1 and the East 1/2 of Lot 2 in Block 4 of the TRAMMELL ADDITION REVISED UNIT NO. 1 according to the map or plat thereof recorded in Volume 193 Page 322 of the Deed Records of Caldwell County, Texas and further conveyed in Instrument #2024-009205 of the Official Public Records of Caldwell County, Texas and is now to be designated as TRAMMELL ADDITION REVISED UNIT NO. 1 MINOR REPLAT OF LOT 1 & THE EAST 1/2 OF LOT 2 IN BLOCK 4, LOTS 1-A, 1-B, AND 1-C IN BLOCK 4 of the City of Lockhart, do hereby subdivide such property and join, approve and consent to all plat or surveyor note requirements shown 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

DATE

REPRESENTATIVE FOR:  
WHITLEY FAMILY PROPERTIES, LLC  
13215 W. RICKS CIRCLE  
DALLAS, TEXAS 75230

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 purpose and considerations stated herein.

Notary Public in and for the State of Texas

STATE OF TEXAS  
COUNTY OF CALDWELL

I, Steve Lewis, City Manager of the City of Lockhart, do hereby certify that this plat was approved by the City of Lockhart, Caldwell County, Texas, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

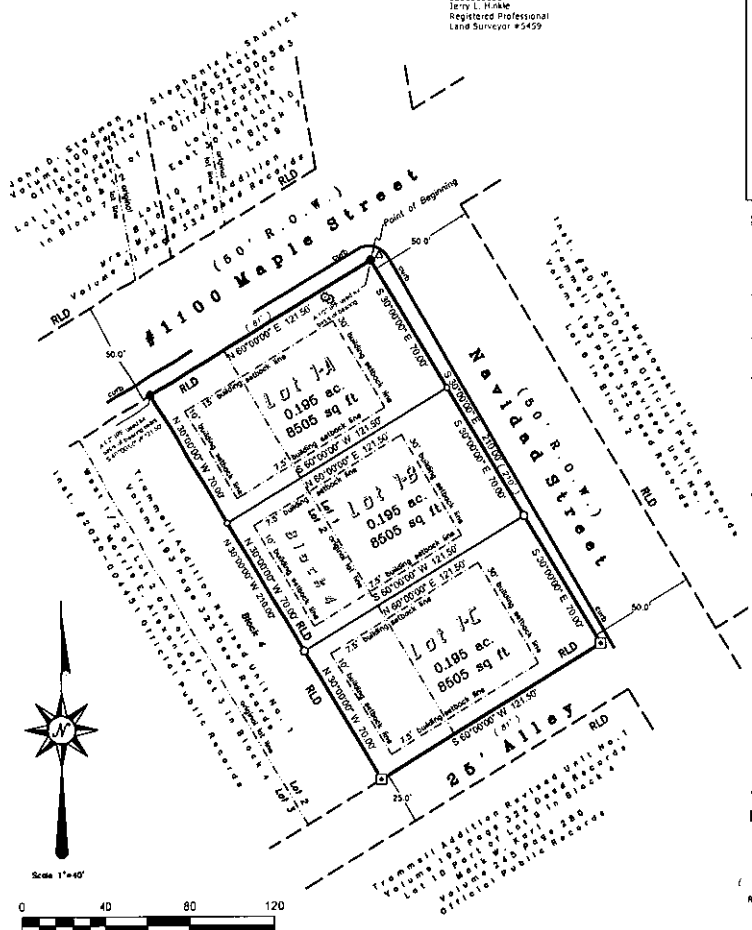
STEVE LEWIS  
CITY OF LOCKHART, MANAGER

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 the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

JERRY L. HINKLE  
Registered Professional  
Land Surveyor #5459



## LEGAL DESCRIPTION

All of a certain tract or parcel of land situated in the City of Lockhart, Caldwell County, Texas and being Lot 1 and the East 1/2 of Lot 2 in Block 4 of Trammell Addition Revised Unit No. 1 as recorded in Volume 193 Page 322 of the Deed Records of Caldwell County, Texas and also described in Instrument #2024-009205 of the Official Public Records of Caldwell County, Texas and being more particularly described as follows:

**BEGINNING** at a 1/2" iron pin found used for basis of bearing in the intersection of the SW line of Navidad Street and the SE line of Maple Street and in the North corner of the said Lot 1 and the North corner of the said Block 4 for the North corner this tract.

**THENCE** S 30° 00' 00" E with the NE line of the said Lot 1 and Block 4 and the SW line of Navidad Street 210.00 feet, to a capped iron pin found stamped HINKLE SURVEYORS in the East corner of the said Lot 1 and the intersection of the NW line of a 25' Alley and the SW line of Navidad Street for the East corner this tract.

**THENCE** S 60° 00' 00" W with the SE line of the said Lots 1 and 2 and the NW line of the said 25' Alley 121.50 feet, to a capped iron pin found stamped HINKLE SURVEYORS in the South corner of the above mentioned Instrument #2024-009205 and the East corner of a tract of land conveyed to Morris E. Alexander by deed recorded in Instrument #2020-004451 of the said Official Public Records for the South corner this tract.

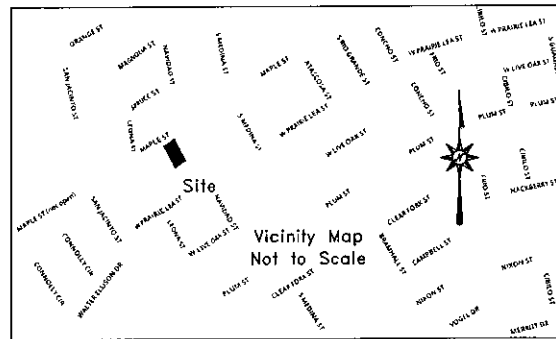
**THENCE** N 30° 00' 00" W with the SW line of the said Instrument #2024-009205 and the NE line of the above mentioned Alexander tract and over and across the said Lot 2 210.00 feet, to a capped 1/2" iron pin found in the NW line of the said Lot 2 and the SE line of Maple Street for the West corner this tract and from which point a 1/2" iron pin found used for basis of bearing bears S 60° 00' 00" W 121.50 feet.

**THENCE** N 60° 00' 00" E with the NW line of the said Lots 2 and 1 and the SE line of Maple Street 121.50 feet, to the place of beginning containing 0.585 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 the \_\_\_\_\_ 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 Cabinet \_\_\_\_\_ at Side \_\_\_\_\_.

TERESA RODRIGUEZ  
County Clerk, Caldwell County, Texas



## 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 #4805SC0115E effective date June 19, 2012.
- Lots 1-A, 1-B, and 1-C is zoned RLD (Residential Low Density). Surrounding properties are zoned and labeled RLD (Residential Low Density).
- The restrictive covenants of record recorded in Volume 223 Pg. 498 of the Deed Records of Caldwell County, Texas, could apply.
- RECORD OWNER OF LAND: Whitley Family Properties, LLC  
DESIGNER OF PLAT: Hinkle Surveyors, PO Box 1027, Lockhart TX 78644 (512) 398-2000  
DATE OF PREPARATION: January 2025  
SURVEYOR: Jerry L. Hinkle, R.P.L.S. #5459 PO Box 1027, Lockhart TX 78644 (512) 398-2000
- The existing residence and accessory structures on the subdivision property shall be removed, prior to the recording of this plat.
- A Subdivision Variance to the right-of-way dedication requirement in Subdivision Regulations Section 52-72(e), allowing for no right-of-way dedication for both Maple Street and Navidad Street, was approved by the Planning and Zoning Commission with this plat on \_\_\_\_\_.
- Boundary Closure: 1' in 0000' Lot Closures: Lot 1-A—1' in 0000'; Lot 1-B—1' in 0000'; Lot 1-C—1' in 0000'

## LOT SUMMARY TABLE

LOT #	SQ FT	ACREAGE	USE
1-A	8505	0.195	RESIDENTIAL
1-B	8505	0.195	RESIDENTIAL
1-C	8505	0.195	RESIDENTIAL
TOTALS	2551.50	0.585	

## LEGEND

- CAPPED 1/2" IRON PIN SET
- ◻ STAMPED "HINKLE SURVEYORS"
- ◻ CAPPED IRON PIN FOUND
- ◻ STAMPED "HINKLE SURVEYORS"
- 1/2" IRON PIN FOUND
- VALVE
- △ E.L. POLE
- (---) ORIGINAL DEEDED CALLS
- RLD RESIDENTIAL LOW DENSITY
- UNLESS OTHERWISE NOTED

**HINKLE SURVEYORS**  
 P.O. Box 1027, 1109 S. Main Street, Lockhart TX 78644  
 Tel: (512) 398-2000 Fax: (512) 398-7531 Email: jhinkle@hinklesurveyors.com  
 Internet: www.hinklesurveyors.com

# 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** Jerry Hinkle RPLS 5459 **ADDRESS** P O Box 1027  
**DAY-TIME TELEPHONE** 512-398-2000 Lockhart TX 78644  
**E-MAIL** contact@hinklesurveyors.com Perm Reg No: 100886-00  
**ENGINEER NAME** none **ADDRESS** \_\_\_\_\_  
**DAY-TIME TELEPHONE** \_\_\_\_\_  
**E-MAIL** \_\_\_\_\_  
**OWNER NAME** Whitley Family Properties LLC **ADDRESS** 11215W Ricks Circle  
**DAY-TIME TELEPHONE** 972-742-4758 Dallas TX 75230  
**E-MAIL** cindy.whitley@att.net

## 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** Trammell Addition Revised Unit 1, Block 4, Lot 1 and E 1/2 of Lot 2  
**ADDRESS OR GENERAL LOCATION** Maple and Navidad Street - 1100 Maple St.  
**LOCATED IN** ☒ CITY LIMITS      \_\_\_\_ ETJ (COUNTY)      \_\_\_\_ PDD  
**TOTAL LAND AREA** 0.585 ACRE(S)      **PROPOSED NUMBER OF LOTS** 3  
**ZONING CLASSIFICATION(S)** RLD  
**PROPOSED USE OF LAND** Residential



## **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).

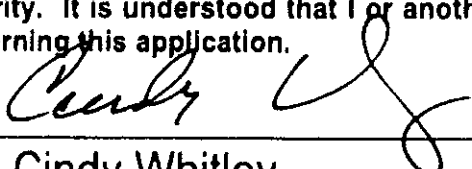
Two signed and sealed mylar reproducibles (three if applicant wants to keep one) of approved amending plat, replat, resubdivision, final plat, minor plat, or minor replat, for recording. One recorded reproducible is filed at the County Clerk's office, and the other is returned to the City.

**APPLICATION FEE OF \$1,808.50 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

1/30/2025

PRINTED NAME

Cindy Whitley

TELEPHONE

972-742-4758

## **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) 52-72(e) OF THE SUBDIVISION REGULATIONS  
CURRENT ORDINANCE REQUIREMENT(S) Dedication of half of right-of-way deficiency, being 5' for both Maple & Navidad Streets.  
REQUESTED VARIANCE(S) No right-of-way dedication for either street.

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 R01351501  
DATE SUBMITTED 2/4/25 CASE NUMBER FP 25-01  
DATE APPLICATION IS DEEMED COMPLETE 2/5/25  
DATE NOTICES MAILED \_\_\_\_\_ DATE NOTICE PUBLISHED \_\_\_\_\_  
(For certain Replats or Resubdivisions without vacating preceding plat)  
PLANNING AND ZONING COMMISSION MEETING DATE 3/26/25 DECISION \_\_\_\_\_  
CONDITIONS (IF ANY) \_\_\_\_\_

## UTILITY SERVICE FORM

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THIS FORM SHOULD BE COMPLETED BY THE APPLICANT, AFTER CONSULTING WITH THE UTILITY SERVICE PROVIDERS LISTED BELOW, FOR ALL PLATS, EXCEPT AMENDING PLATS, AND FINAL PLATS THAT ARE CONSISTENT WITH APPROVED PRELIMINARY PLATS. THE FOLLOWING UTILITY SERVICE CODES ARE TO BE INDICATED, AS APPLICABLE, IN THE SPACE PROVIDED BELOW.

- A** Adequate service is currently available to the proposed subdivision.
- B** Adequate service is not currently available, but arrangements *have* been made to provide it.
- C** Adequate service is not available, and arrangements have *not* been made to provide it from the utility.
- D** Additional easements are needed for the utility within the subject property.

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NAME OF **WATER SERVICE** PROVIDER City of Lockhart

APPLICABLE UTILITY SERVICE CODE(S) \_\_\_\_\_

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### WASTEWATER SERVICE

APPLICABLE UTILITY SERVICE CODE(S) City of Lockhart

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### TEXAS GAS SERVICE **GAS COMPANY**

APPLICABLE UTILITY SERVICE CODE(S) Texas Gas

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NAME OF **ELECTRIC SERVICE** PROVIDER City of Lockhart

APPLICABLE UTILITY SERVICE CODE(S) \_\_\_\_\_

UNDERGROUND    Yes \_\_\_\_\_    No \_\_\_\_\_



March 4, 2025

To whom it may concern;

- 1) Special circumstances or conditions affect the land involved such that strict application of the provisions of the Code will deprive the applicant reasonable use of the land;

***We purchased this lot with the intent of remodeling the current home and or re-platting the lot into 3 lots, due to the expense in repairing the house and its current location we decided to remove and or tear down that structure. Prior to buying the parcel we checked with the Planning Department about being able to divided the lots into 3 parcels and at that time the 2020 plan was referred to and no dedication of right of way was required and since we were re-platting less than 4 lots no sidewalks were required either. We felt very comfortable with the fact that we met the required 8500 sq ft and the 120' of depth and 65 ft of width for RLD Zoning. After the survey was completed and turned into the Planning Department it appears that the 2045 plan was adopted, we has gone to great lengths to be sure before buying the lot and spending money on the survey work that we were in a good position to move forward with this project.***

***We are asking that you accept the 2020 plan allowing the 3 lots without ROW dedication to be approved, it is really a burden for us to have to move to the 2045 plan that was adopted after the efforts we went to making sure we could move forward.***

***We have chosen to re-plat the lot into 3 parcels. We have gone to great lengths prior to deciding to do this to be sure we had either option to proceed. We have chosen to re-plat the lot. We feel that we made every effort to rely on the information we obtained and the time it took in preparation and planning for this to come together.***

***It would be impossible to meet the requirements for even 2 lots using the 2045 plan.***

- 2) The variance is necessary for the preservation and enjoyment of a substantial property right of the Applicant;

***We do want to see that nice homes are built on the parcels this is our goal. Again we are hoping to be allowed to proceed doing the 3 lots after having done our best to plan ahead.***

- 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;

***The variance will not be detrimental to any one or thing in the area. We want to see the area improved to the best of its potential.***

- 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;

***Most all lots in Block 2 in the original Revised Plat of Unit No: 1 of the Trammell Addition in this block are all parts of lots being larger and or smaller than their original platted sizes.***

Thanks for your time in this matter,

Cindy Whitley