

**NOTICE OF MEETING
OF THE ZONING BOARD OF ADJUSTMENT OF THE CITY OF LAMPASAS
CALVERT MUNICIPAL BUILDING
CITY COUNCIL CHAMBERS
302 E THIRD STREET
TUESDAY, MAY 17, 2022
6:00 P.M.**

Notice is hereby given that a meeting will be held by the Zoning Board of Adjustment of the City of Lampasas, Texas, at 6:00 p.m. on Tuesday, May 17, 2022 in the Calvert Municipal Building City Council Chambers, 302 E Third Street, Lampasas, Texas. The Zoning Board of Adjustment reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed, as authorized by the Texas Government Code sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.087 (economic development).

REGULAR SESSION

- I. Call to Order
- II. Discussion and possible action regarding the approval of the minutes dated May 18, 2021.

PUBLIC HEARING

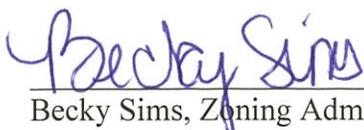
- III. Public Hearing to consider a variance to the Multi-Family Parking Requirements for property generally located at 2032 S. US Highway 281, Lampasas Texas, Lampasas County; specifically, being 5.22 acres of the LHW Johnson for a reduction in parking spaces from the required 75 spaces to one (1) space per unit for a total of 42 spaces.

REGULAR SESSION

- IV. Discussion and possible action to consider granting a variance to the Multi-Family Parking Requirements for property generally located at 2032 S. US Highway 281, Lampasas Texas, Lampasas County; specifically, being 5.22 acres of the LHW Johnson for a reduction in parking spaces from the required 75 spaces to one (1) space per unit for a total of 42 spaces.

- V. Adjourn

I, Becky Sims, Zoning Administrator/City Secretary of the City of Lampasas, Texas, do hereby certify that this Notice of Meeting was posted on the bulletin board/front window of City Hall, 312 East Third Street, Lampasas, Texas, at a place readily accessible to the general public at all times, on the 11 day of May 2022 at 5:45pm


Becky Sims, Zoning Administrator/City Secretary

**MINUTES OF MEETING
OF THE ZONING BOARD OF ADJUSTMENT OF THE CITY OF LAMPASAS
CITY COUNCIL CHAMBERS
302 E THIRD STREET
TUESDAY, MAY 18, 2021
6:00 P.M.**

The Zoning Board of Adjustment of the City of Lampasas met in regular session on the above date with Co-Chair Butts presiding.

ZBA Members Present:
Charley Kennington
Jack Harrell
Danielle Shepard

ZBA Members Absent:
Jason Hamilton
Bob Caughron

City Staff Present:
Becky Sims, City Secretary

REGULAR SESSION

I. Open Zoning Board of Adjustment meeting

Co-Chair Butts called the meeting to order at 6:00 p.m.

II. Announcements

There were no announcements

III. Discussion and possible action regarding the approval of the minutes dated December 15, 2020.

Board member Harrell moved to approve the minutes, Board member Kennington seconded the motion and with a unanimous vote; the motion carried (Hamilton & Caughron absent)

PUBLIC HEARING

IV. Public Hearing to consider granting a variance to the Single Family Residential -6 "SF-6" Zoning requirements for property generally located at 1107 East Cloud Street, Lampasas Texas, Lampasas County; specifically, being E ½ of Lot 1, Block 8 of the East Lampasas Addition, to request a reduction in lot size from 6,000 sq ft to 5,400 sq ft and a reduction in lot depth from 110' to 103'.

Co-Chair Butts opened the Public Hearing to receive citizen comments.

Becky Sims, Zoning Administrator advised of the following:

- *Applicant is requesting a reduction in lot size and lot depth
 - *Reduction in lot size from 6,000 sq foot to 5,400 sq foot*
 - *Reduction in lot depth from 110' to 103'**
- *The property is currently zoned Single Family Residential-6 "SF-6". The surrounding area is Single Family Residential.*
- *The property owner is wanting to subdivide the lot into two parcels and build a new house in Lot 1A as shown in Exhibit A. The existing lot is 10,800 sq ft; the minimum lot size is 6,000 square foot. The subdivision would create two lots with approximate lot sizes of 5,400 sq ft which does not meet the minimum lot size.*

- *As shown in the exhibit the existing home was built in the southeast corner; which leaves a substantial amount of property undeveloped.*
- *All notifications and publications, as required by Ordinance and Statute, have been made. The City sent a total of twenty-four (24) notices to property owners within 200 feet of the applicant's property. At the time of preparing this report, the City received one (1) letter protesting and two (2) approving the request.*

Board member Shepard recommended the build line be moved up to allow more of a back yard.

With no additional discussion Co-Chair Butts closed the Public Hearing.

REGULAR SESSION

V. Discussion and possible action to consider granting a variance to the Single Family Residential -6 "SF-6" Zoning requirements for property generally located at 1107 East Cloud Street, Lampasas Texas, Lampasas County; specifically, being E ½ of Lot 1, Block 8 of the East Lampasas Addition, to request a reduction in lot size from 6,000 sq ft to 5,400 sq ft and a reduction in lot depth from 110' to 103'.

Board member Harrell moved to approve the variance, Board member Shepard seconded the motion and with a unanimous vote the motion carried. (Hamilton & Caughron absent)

VI. Adjourn- *Meeting was adjourned at 6:14 p.m.*

PASSED AND APPROVED this _____ day of _____, 2022

Brandon Butts, Co-Chairman

ATTEST:

Becky Sims, Zoning Administrator/City Secretary

**NOTICE OF PUBLIC HEARINGS
OF THE ZONING BOARD OF ADJUSTMENT**

Notice is hereby given that the Zoning Board of Adjustment of the City of Lampasas, Texas under Sections 9.6 of the City of Lampasas Zoning Ordinance, will hold the following Public Hearing in the Calvert Municipal Building, City Council Chambers of the City of Lampasas, Texas located at 302 E Third Street, at 6:00 p.m. on Tuesday, May 17, 2022.

To hear a request to grant a variance to the Multi-Family Parking Requirements for property generally located at 2032 S. US Highway 281, Lampasas Texas, Lampasas County; specifically, being 5.22 acres of the LHW Johnson Survey for the following:

- *Reduction in parking spaces from the required 75 spaces to one (1) space per unit for a total of 42 spaces.***

All persons interested in the above referenced request are invited to attend the public hearing and to provide their comments at that time. Comments may also be submitted in writing to the City Secretary's office prior to noon Tuesday, May 17, 2022 at the following address: 312 East Third Street, Lampasas Texas 76550. For additional information, please contact Becky Sims, City Secretary, at (512) 556-6831 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

Application for Variance to the Zoning Ordinance

Please check the appropriate box below to indicate the type of variance you are requesting, and provide all information required to process your request.

- Minimum Setback Standards
 Lot Width and/or Lot Depth
 Off Street Parking or Loading
 Non-conforming Use
 Other: _____

Request Information

Location 2032 S U.S. Highway 281

*Subdivision Outlot 30 of the L.H.W. Johnson Survey Abstract No. 419 Lot No. _____ Block No. _____

Existing Zoning R Proposed Case _____

Copy of current appraisal card, showing legal description of property is required to process request, available from Lampasas County Appraisal District. Copy of current survey may be required after initial review.

* A metes and bounds description must be attached if the request is for property not platted. Stated

Hardship: (May not be self-created or personal hardship, nor for financial reasons only.)

We are requesting a reduction of the required number of parking spaces for the proposed apartment buildings. The proposed apartments are age restricted to those that are 65 and older. Please see attached letter for more information.

Applicant/Owner Information

Key Contact Jeremy Dillon Telephone No. (512)259-4175 FAX No. (512)259-4604

Address 305 W. Willis St., Suite 101

City Leander State TX Zip Code 78641

Contact's Status: (check one)
 Owner
 Representative
 Tenant
 Prospective Buyer

- The owner's signature is required on this application. This is to certify that I/We the undersigned, am/are the sole owner(s) of the property described above on the date of this application.

Failure of the applicant or his/her representative to appear before the Zoning Board of Adjustments (ZBA), shall constitute sufficient grounds for the ZBA to deny the application unless the City is notified in writing by the applicant at least 72 hours prior to the scheduled hearing and meeting

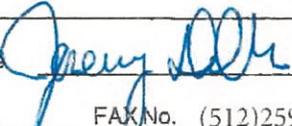
Owner (please print) Hitesh Patel Signature 

Address 2501 E. Hebron Parkway, Ste 100C Telephone No. (214)952-1649 FAX No. _____

City Carrollton State TX Zip Code 75010

Corporation, Partnership or Joint Venture Ownership Name Lampasas 2 Investments, LLC

Authorized Representative (please print name) Jeremy Dillon

Title Project Manager Signature 

Address 305 W. Willis St., Suite 101 Telephone No. (512)259-4175 FAX No. (512)259-4604

City Leander State TX Zip Code 78641

FOR OFFICE USE ONLY

Case No:	Fee:	ZBA Hearing:	ZBA Date



April 13, 2022

Becky Sims
City of Lampasas
312 E. Third Street
Lampasas, TX 76550

Re: Request to Reduce Parking Requirements for Proposed Age Restricted Apartments

Ms. Sims,

We are requesting to reduce the total number of required parking spaces for the proposed apartments. The current required number of parking spaces for the apartments are 75 spaces. We are requesting to reduce the required number of spaces to 1 space per unit for a total of 42 spaces for the apartments.

Although the building is multi-family in nature the clientele of this building has significantly different parking requirements as compared to traditional nonage multi-family housing. The average age of these residents are around 75 years old and are often married couples that are active for their age but not significantly mobile. The reasons for moving to a facility like this is to downsize and to be close to activities and a community which allows for the decrease in mobility. Therefore, we typically provide one parking space per unit for this type of building. In fact, some cities are now recognizing this clientele and adding this type of parking requirement to their ordinances. We are currently working on projects in Conroe and Saginaw that allow one space per unit as the measure of parking for age restricted multi-family.

If you have any further questions, please don't hesitate to reach out.

Thank you,

Jeremy Dillon
Project Manager

City of Lampasas
Zoning Board of Adjustment
Staff Report (SCAL)

Subject Property	The property is described as the 5.22 acres of the LHW Johnson Survey commonly known as Lampasas 2 Investments 2032 S. US Highway 281, Lampasas, Texas, Lampasas County.
Request	Hitesh Patel, <u>Owner</u> , Jeremy Dillon, <u>Representative</u> is asking that the City's Zoning Board of Adjustment provide variance(s) to the City's Zoning Ordinance; specifically, Multi-Family Parking Requirements as follows: <ul style="list-style-type: none">• <i>Reduction in required parking spaces from 75 spaces to one (1) space per unit for a total of 42 spaces.</i>
Current Zoning	The property is currently zoned Retail with a Specific Use Permit to allow for an Assisted Living Facility. The area surrounding the property is Retail and Agriculture.
Character	The property owner is wanting to add two (2) 4-story multi-family age restricted complexes each with 20 apartments and one (1) two-story apartment building with two (2) apartments for a total of 42 units. Proposed Floor Plans: <ul style="list-style-type: none">• 14 Studios (requires 1.75 for each=24.5 spaces)• 24 One Bedrooms (requires 1.75 for each=42 spaces)• 4 Two Bedrooms- (requires 2 for each= 8 spaces)<ul style="list-style-type: none">○ Requirement = 75 parking spaces.• The proposed request would be one parking space for each unit (42)
Notification	All notifications and publications, as required by Ordinance and Statute, have been made. The City sent a total of five (5) notices to property owners within 200 feet of the applicant's property. At the time of preparing this report, the City has received no letters in favor or in protest of the request.
Consideration	Per Section 9.4 Authority of Board. The Board of Adjustment may authorize a variance, <i>providing the variance is not contrary to public interest, and due to special conditions, the literal enforcement of the regulation would result in unnecessary hardship</i> ; and so that the spirit of the Regulation is observed and substantial justice is done. <i>Findings of Undue Hardship (9.6-D) - In order to grant a variance, the Board must make written findings that an undue hardship exists, using the following criteria:</i> <ul style="list-style-type: none">• <i>That literal enforcement of the controls will create an unnecessary hardship or practical difficulty in the development of the affected property; and</i>• <i>That the situation causing the hardship or difficulty is neither self-imposed nor generally affecting all or most properties in the same zoning district; and</i>• <i>That the relief sought will not injure the permitted use of adjacent conforming property; and</i>• <i>That the granting of a variance will be in harmony with the spirit and purpose of these regulations.</i>

(9.6 E) A variance shall not be granted to relieve a self-created or personal hardship, nor shall it be based solely on economic gain or loss, nor shall it permit any person the privilege in developing a parcel of land not permitted by this Ordinance to other parcels of land in the particular zoning district. No variance may be granted which results in undue hardship on another parcel of land.

Per Section 9.5 Limitations on Authority of Board

The Board shall have no power to grant a zoning amendment. In the event that a request for a *zoning amendment is pending* before the Planning and Zoning Commission or the City Council, the Board shall neither hear nor grant any variances with respect to the subject property until final disposition of the zoning amendment.

The Board shall not grant a variance (except as stated in Subsection E below- (non-conforming lot)) for any parcel of property or portion thereof upon which a *site plan*, preliminary plat or final plat, where required, is *pending* on the agenda of the Planning and Zoning Commission and, where applicable, by the City Council. All administrative remedies available to the applicant shall have been exhausted prior to hearing by the Zoning Board of Adjustments.

Recommendation

If the Board finds all conditions of Section 9.6, Variances A - C., are met, a concurring vote of four members is required to grant the variance.

If the Board finds all conditions of Section 9.6, Variances A - C, are not met, a motion may be made to deny the variance.



Sulphur Creek

Nature Rd

Nature

American Legion Memorial Hwy

2032 US-281

