

**MINUTES OF MEETING
OF THE ZONING BOARD OF ADJUSTMENT OF THE CITY OF LAMPASAS
CALVERT MUNICIPAL BUILDING
CITY COUNCIL CHAMBERS
302 E THIRD STREET
TUESDAY, JUNE 21, 2022
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
Jack Harrell
Danielle Shepard
Bob Caughron
Charley Kennington

ZBA Members Absent
Jason Hamilton

Staff Present
Becky Sims, City Secretary/Zoning Administrator
Lupe Charping, Administrative Assistant/Permit Technician
Frank Ellett, Building Official

REGULAR SESSION

I. Call to Order

Co-Chair Butts called the meeting to order at 6:00 pm

II. Discussion and possible action regarding the approval of the minutes dated May 17, 2022.

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

PUBLIC HEARING

III. Public Hearing to consider a variance to the Single Family Residential-6 "SF-6" Zoning for property generally located at 304 E. 7th Street, Lampasas Texas, Lampasas County; specifically, Lot 5, Block 58, being 0.176 acres of the AH Barnes Addition for a reduction in lot size from 6,000 sq ft to 3,200 sq ft and a reduction in depth from 110' to 50.03'

Mr. Butts opened the public hearing for discussion.

Becky Sims, City Secretary/Zoning Administrator advised of the following:

- *Luis Ramon Canada, Owner, is asking that the City's Zoning Board of Adjustment to grant a variance(s) to the City's Zoning Ordinance; specifically, Single Family Residential-6 "SF-6" as follows:*
 - *Reduction in lot size from 6,000 sq ft to 3,200 sq ft.*
 - *Reduction in depth from 110' to 50.03'*
- *The property is currently zoned Retail. The area surrounding the property is Retail. If the variance is approved the property owner will go before the Planning Commission for consideration to a change in zoning and for plat approval.*
- *The property owner is wanting to replat Lot 5, 0.176 into two lots and build a new home on the corner of 7th and Main Street.*
- *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 has received no letters in favor or in protest of the request.

Per Section 9.4 Authority of Board.

The Board of Adjustment may authorize a variance, 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; and so that the spirit of the Regulation is observed and substantial justice is done.

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:

- That literal enforcement of the controls will create an unnecessary hardship or practical difficulty in the development of the affected property; and
- 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
- That the relief sought will not injure the permitted use of adjacent conforming property; and
- That the granting of a variance will be in harmony with the spirit and purpose of these regulations.

(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.

It is Staff's recommendation to deny request by finding the request does not meet the requirements of 9.6 D Findings of Undue Hardship and 9.6 E based on the significant size reduction in lot size and lot depth; which would result in self-imposed hardship

REGULAR SESSION

- IV. Discussion and possible action to consider granting a variance to the Single Family Residential-6 "SF-6" Zoning for property generally located at 304 E. 7th Street, Lampasas Texas, Lampasas County; specifically, Lot 5, Block 58, being 0.176 acres of the AH Barnes Addition for a reduction in lot size from 6,000 sq ft to 3,200 sq ft and a reduction in depth from 110' to 50.03'

Board member Shepard moved to deny the variance request to the Single Family Residential-6 "SF-6" Zoning for property generally located at 304 E. 7th Street, Lampasas Texas, Lampasas County; specifically, Lot 5, Block 58, being 0.176 acres of the AH Barnes Addition for a reduction in lot size from 6,000 sq ft to 3,200 sq ft and a reduction in depth from 110' to 50.03' due to request not meeting requirements of 9.6 D Findings of Undue Hardship and 9.6 E based on the significant size reduction in lot size and lot depth would result in self-imposed hardship, the motion was seconded by Board member Kennington and with a unanimous vote, the motion carried. (Hamilton absent)

- V. Adjourn- Business concluded and meeting was adjourned at 6:20 pm.

PASSED AND APPROVED this _____ day of _____, 2022.

Brandon Butts, Co-Chairman

ATTEST:

Becky Sims, Zoning Administrator/City Secretary