

**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, JULY 26, 2022
6:00 P.M.**

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

ZBA Members Present

Jack Harrell
Danielle Shepard
Laurie Henderson

ZBA Members Absent

Bob Caughron
Charley Kennington
Brandon Butts

Staff Present

Becky Sims, City Secretary/Zoning Administrator
Lupe Charping, Administrative Assistant/Permit Technician

REGULAR SESSION

I. Call to Order

Chair Hamilton called the meeting to order at 6:05 pm

II. Discussion and possible action regarding the approval of the minutes dated June 21, 2022.

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

PUBLIC HEARING

III. Public Hearing to consider a variance to the Single Family Residential-6 "SF-6" Zoning for property described as pt. of Lot 2, Block 30, Matthews and Wilkes Addition, proximity of Standifer and Northington for a reduction in lot depth from 110' to 105' and reduction in width from 55'-50' to 45'

Chair Hamilton opened the public hearing for discussion.

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

- *Daniel K Johnson, 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 depth from 110' to 105'*
 - *Reduction in width from 50' to 45'*
- *The property is currently zoned Single Family Residential-6 "SF-6". The area surrounding the property is Single Family Residential-6 "SF-6".*
- *The lot is irregular, it requires a variance to the width and depth to make it buildable. The lot does comply with the 25 ft front yard setback and 6 ft side & rear setback.*
- *All notifications and publications, as required by Ordinance and Statute, have been made. The City sent a total of seventeen (17) notices to property owners within 200 feet of the applicant's property. At the time of preparing this report, the City has received one letter in favor of the request and none in protest.*

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.

REGULAR SESSION

- IV. Discussion and possible action to consider granting a variance to the Single Family Residential-6 "SF-6" Zoning for property described as pt. of Lot 2, Block 30, Matthews and Wilkes Addition, proximity of Standifer and Northington for a reduction in lot depth from 110' to 105' and reduction in width from 55' 50' to 45'

Board member Shepard moved to approve reduction in lot depth from 110' to 105' and reduction in width from 55' 50' to 45', the motion was seconded by Board member Henderson and with a unanimous vote, the motion carried. (Butts, Kennington & Caughron absent)

PUBLIC HEARING

- V. Public Hearing to consider a variance to the Single Family Residential-10- "SF-10" Zoning for property described as Block 76, Lots 5R, 6R and 7R, Lampasas Springs Addition, 200 block of North Summer Street for a reduction in front yard setback from 25 feet to 10 feet on all three lots.

Chair Hamilton opened the public hearing for discussion.

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

- *Tom Lancaster Homes, Inc., 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-10 "SF-10" as follows:*
 - *Reduction in front yard setback from 25 ft to 10ft on all three lots.*
- *The property is currently zoned Single Family Residential-10. The area surrounding the property is Single Family Residential-10 "SF-10"*
- *The property owner is planning to build three new homes on these lots. The curb sits a little over 30 feet to the property line. With the front yard setback at 25ft, the build line will sit approximately 55-60 ft from the curb, the reduction in front yard setback will not adversely affect the area, the build line will be in harmony with the neighbors as shown on Exhibit.*
- *All notifications and publications, as required by Ordinance and Statute, have been made. The City sent a total of twenty (20) notices to property owners within 200 feet of the applicant's property. At the time of preparing this report, the City received one letter in protest and none in favor 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.

REGULAR SESSION

- VI. Discussion and possible action to consider granting a variance to the Single Family Residential-10- "SF-10" Zoning for property described as Block 76, Lots 5R, 6R and 7R, Lampasas Springs Addition, 200 block of North Summer Street for a reduction in front yard setback from 25 feet to 10 feet on all three lots. (Butts, Kennington, & Caughron absent)

Board member Henderson moved to approve reduction in front yard setback from 25 feet to 10 feet on all three lots, the motion was seconded by Board member Harrell and with a unanimous vote, the motion carried.

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

PASSED AND APPROVED this _____ day of _____, 2022.

Jason Hamilton, Chairman

ATTEST:

Becky Sims, Zoning Administrator/City Secretary