

**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, MARCH 19, 2024
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, March 19, 2024 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 August 15, 2023

PUBLIC HEARING

- III. Public hearing to receive citizen comments to consider granting a variance to the Single Residential Family-8 "SF-8" Zoning Regulations specifically, the side yard setback from 6 feet to 0 feet on Lot 58, Stone Valley Subdivision; commonly known as 1017 Fieldstone.

REGULAR SESSION

- IV. Discussion and possible action to consider granting a variance to the Single Residential Family-8 "SF-8" Zoning Regulations specifically, the side yard setback from 6 feet to 0 feet on Lot 58, Stone Valley Subdivision; commonly known as 1017 Fieldstone.

PUBLIC HEARING

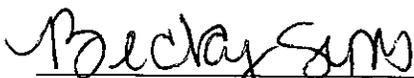
- V. Public hearing to receive citizen comments to consider granting a variance to the Single Residential Family-8 "SF-8" Zoning Regulations specifically, the front build line from 25 feet to 15 feet on Lot 59, Stone Valley Subdivision; commonly known as 1036 Fieldstone.

REGULAR SESSION

- VI. Discussion and possible action to consider granting a variance to the Single Residential Family-8 "SF-8" Zoning Regulations specifically, the front build line from 25 feet to 15 feet on Lot 59, Stone Valley Subdivision; commonly known as 1036 Fieldstone.

- 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 March 2024 at 3:10pm



Becky Sims, Zoning Administrator/City Secretary

**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, AUGUST 15, 2023
6:00 P.M.**

The Zoning Board of Adjustment of the City of Lampasas met in regular session on the above date with Board member Shepard presiding

ZBA Members Present
Bob Caughron
Charley Kennington
Tim Hefley
Jack Harrell

ZBA Members Absent
Jason Hamilton

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

REGULAR SESSION

I. Call to Order

Board member Shepard called the meeting to order at 6:00 pm

I. Discussion and possible action regarding the approval of the minutes dated February 21, 2023

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

PUBLIC HEARING

- II. Public Hearing to consider granting a variance to the City of Lampasas Zoning Regulations, Section 36 Off-Street Parking and Loading Requirements. 36.3 Nonresidential and Multi-Family Districts- Special Off-Street Parking Provisions. (C) All off-street parking, maneuvering, loading and storage areas shall be paved in accordance with the parking lot paving requirements in the City's Code of Ordinances (i.e., no parking shall be permitted on grass, within landscaped areas, or on other unimproved surfaces) for property generally located at 402 E Avenue J, Lampasas, Texas, described as 1.07 acres of the William S Hotkiss Survey *to allow for compacted road base to be used as improved surface for the off-street parking and loading for the new addition of mini storages to the existing property.*

Board member Shepard opened the public hearing for discussion.

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

- Mike Hail, MW Hail Construction, (Applicant/Contractor), Drew Sans, Sensational Storage, (Property Owner) has requested that the Zoning Board of Adjustment to consider granting a variance to Section 36 Off-Street Parking and Loading Requirements. 36.3 Non-residential and Multi-Family Districts- Special Off-Street Parking Provisions. (C) All off-street parking, maneuvering, loading and storage areas shall be paved in accordance with the parking lot paving requirements in the City's Code of Ordinances (i.e., no parking shall be permitted on grass, within landscaped areas, or on other unimproved surfaces)

○ *To allow for compacted road base to be used as improved surface for the off-street parking and loading for the new addition of mini storages to the existing property.*

- The property is currently zoned Commercial. The area surrounding the property is Commercial and Single Family Residential-6 “SF-6”
- The property is currently used as a mini storage facility. The owner is adding additional storage units to the property.
- All notifications and publications, as required by Ordinance and Statute, have been made. The City sent a total of fifteen (15) notices to property owners within 200 feet of the applicant’s property. At the time of preparing this report, the City has not received any notices in favor or in opposition of the request.

Mrs. Sims referred to the following pages in the packet.

Page 11- layout of lot improvements

Page 12-13-sampling from Section 36 of the Zoning Ordinance (parking requirements)

- Highlighted a few items that relate to paving

Page 14- parking lot definition- paved in accordance with city standards

Page 15- City of Lampasas Code- of Ordinances

Chapter 66-36 Paving Specifications –

City of Lampasas website

- City Design Criteria-
- Standards & Specifications
 - Roadway & Pavement
 - General Paving Notes
 - Page 16- General Paving Notes

Consideration

Per Section 9.4 (c) 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

Recommendation

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

Joe England, Engineer presented a copy of an email between him and Mr. Ward, ACM regarding parking lot requirements, city paving specifications and definitions.

Board member Shepard inquired about striping on compacted base material. Mr. England advised of temporary curb stops that will identify parking spaces.

Mrs. Sims advised of the following definitions in response to Mr. England's testimony

- *Improved surface means any surface, which has been improved with pavement, asphalt, cement, brick, interlocking pavers or other similar material and maintained in such a manner as to provide for a mud-free and dustless surface.*
- *Paving- to lay or cover with material (such as asphalt or concrete) that forms a firm level surface for travel.*
- *One of the primary functions of road base is to provide strong structural support for the road surface, enabling it to withstand heavy traffic and weather conditions. Road base also provides a stable platform for the pavement, reducing the risk of settlement and heaving.*

Board member Harrell commented that paving is defined within the intent of the required and regulated code and standards.

Mr. Hail advised that the existing parking lot is not paved.

Mrs. Sims advised that the site plan does call for paved surface.

Jonathan Hail addressed the board and advised that after approval from the Building Official, he spoke with the Fire Marshall and was allowed an improved surface in lieu of paved surface.

Mrs. Sims advised per the exhibit provided, paved surface was marked off and signed by Jonathan Hail, the Building Official signed off on the plans in December 2022, and the Fire Marshal in January 2023. The plans call for striping and fire lanes, which cannot be done on base material.

Mr. Hail advised that parking spaces are not required. The traffic at the Storage Building will be minimal and access is through a gate with access code.

Mrs. Sims advised the board that parking spaces are required for Storage Facilities as defined within the Zoning Regulations.

With no additional comments or discussion Board member Shepard closed the public hearing.

REGULAR SESSION

- I. Discussion and possible action to consider granting a variance to the City of Lampasas Zoning Regulations, Section 36 Off-Street Parking and Loading Requirements. 36.3 Nonresidential and Multi-Family Districts- Special Off-Street Parking Provisions. (C) All off-street parking, maneuvering, loading and storage areas shall be paved in accordance with the parking lot paving requirements in the City's Code of Ordinances (i.e., no parking shall be permitted on grass, within landscaped areas, or on other unimproved surfaces) for property generally located at 402 E Avenue J, Lampasas, Texas, described as 1.07 acres of the William S Hotkiss Survey ***to allow for compacted road base to be used as improved surface for the off-street parking and loading for the new addition of mini storages to the existing property.***

Mrs. Sims advised that if the board finds that the conditions have been met for the variance request, a concurring vote of four members is required to grant the variance.

Board member Caughron moved to allow for compacted road base to be used as improved surface for the off-street parking and loading for the new addition of mini storages to the existing property, the motion was seconded by board member Kennington, with no additional votes in favor of the variance the motion failed.

Board member Hefley moved to deny the variance to allow for compacted road base as an improved surface for the off-street parking and loading for the new addition of mini storages to the existing property, the motion was seconded by Board member Harrell, with Board member Shepard in favor, and Caughron and Kennington in opposition, the motion carried.

IV. Adjourn

The meeting was adjourned at 6:45 p.m.

PASSED AND APPROVED this _____ day of _____, 2023.

Danielle Shepard, Board Member

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 at 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, March 19, 2024

To consider granting a variance to the Single Residential Family-8 "SF-8" Zoning Regulation specifically, the side yard setback from 6 feet to 0 feet on Lot 58, Stone Valley Subdivision; commonly known as 1017 Fieldstone.

To consider granting a variance to the Single Residential Family-8 "SF-8" Zoning Regulation specifically, the front build line from 25 feet to 15 feet on Lot 59, Stone Valley Subdivision; commonly known as 1036 Fieldstone.

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, March 19, 2024 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.

I, Becky Sims, City Secretary of the City of Lampasas, Texas, do hereby certify that this Notice of Public Hearing 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 2024 March at 12:15p

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 1017 FIELDSTONE DR
 *Subdivision STONE VALLEY Lot No. 58 Block No. 2

Existing Zoning SF-8 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.)

FOR CUSTOM BUILD - HOUSE THAT REQUESTED IS TOO WIDE.
HOUSE WIDTH IS 65'

Applicant/Owner Information

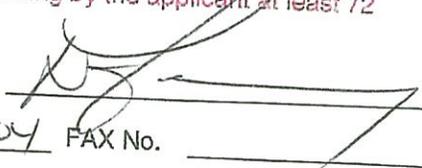
Key Contact DEORLA FINNEY Telephone No. 512 913 0604 FAX No. _____

Address Box 988

City LAMPASAS State TX Zip Code 76550

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) DEORLA FINNEY Signature 

Address Box 988 Telephone No. 512 913 0604 FAX No. _____

City LAMPASAS State TX Zip Code 76550

Corporation, Partnership or Joint Venture Ownership Name _____

Authorized Representative (please print name) _____

Title _____ Signature _____

Address _____ Telephone No. _____ FAX No. _____

City _____ State _____ Zip Code _____

FOR OFFICE USE ONLY

Case No:	Fee:	ZBA Hearing:	ZBA Date

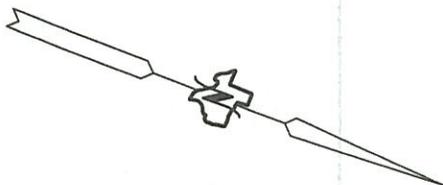


GOODSON SURVEYORS

RETAINING THE HISTORY OF JERRY M. GOODSON, SURVEYOR
 411 S. WESTERN AVE. (P.O. BOX 349) LAMPASAS, TX 76550
 512-556-6885 FAX 512-556-6261 jerry@texps.com
 TBPLS FIRM REGISTRATION NO. 10068100
 A SUBSIDIARY OF MITCHELL AND ASSOCIATES, INC., KILLEEN, TEXAS



PLOT PLAN SHOWING PROPOSED HOUSE AND VARIANCE ON LOT 58, FINAL PLAT STONE VALLEY, PHASE ONE, FINAL REPLAT OF ALL OF LOT 1, BLOCK 2, AND A PART OF LOT 2, BLOCK 2, AND AN ABANDONED PORTION OF RICE STREET OF GOFORTH ADDITION, IN CABINET 1, SLIDE 349-353, PLAT RECORDS OF LAMPASAS COUNTY, TEXAS, IN THE CITY OF LAMPASAS, LAMPASAS COUNTY, TEXAS, ACCORDING TO THE PLAT OF RECORD IN CABINET 2, SLIDE 229-230, PLAT RECORDS OF LAMPASAS COUNTY, TEXAS.



L. H. W. Johnson Survey
 Abstract No. 419
 LOT 68

DRAINAGE

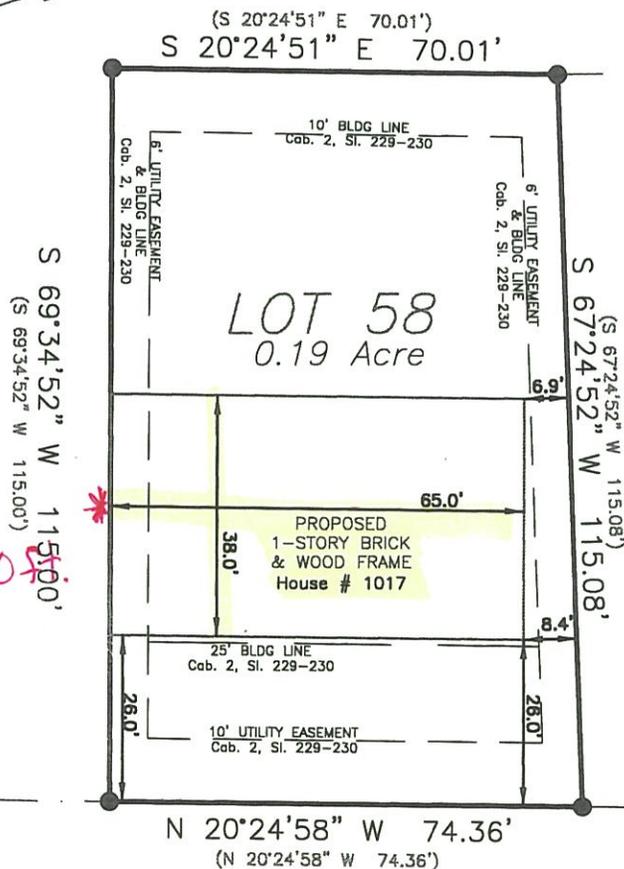


Left to 0 ft.

LEGEND

- = IRON PIN FOUND
- = LOT LINE
- (RECORD DATA)

0 30 60



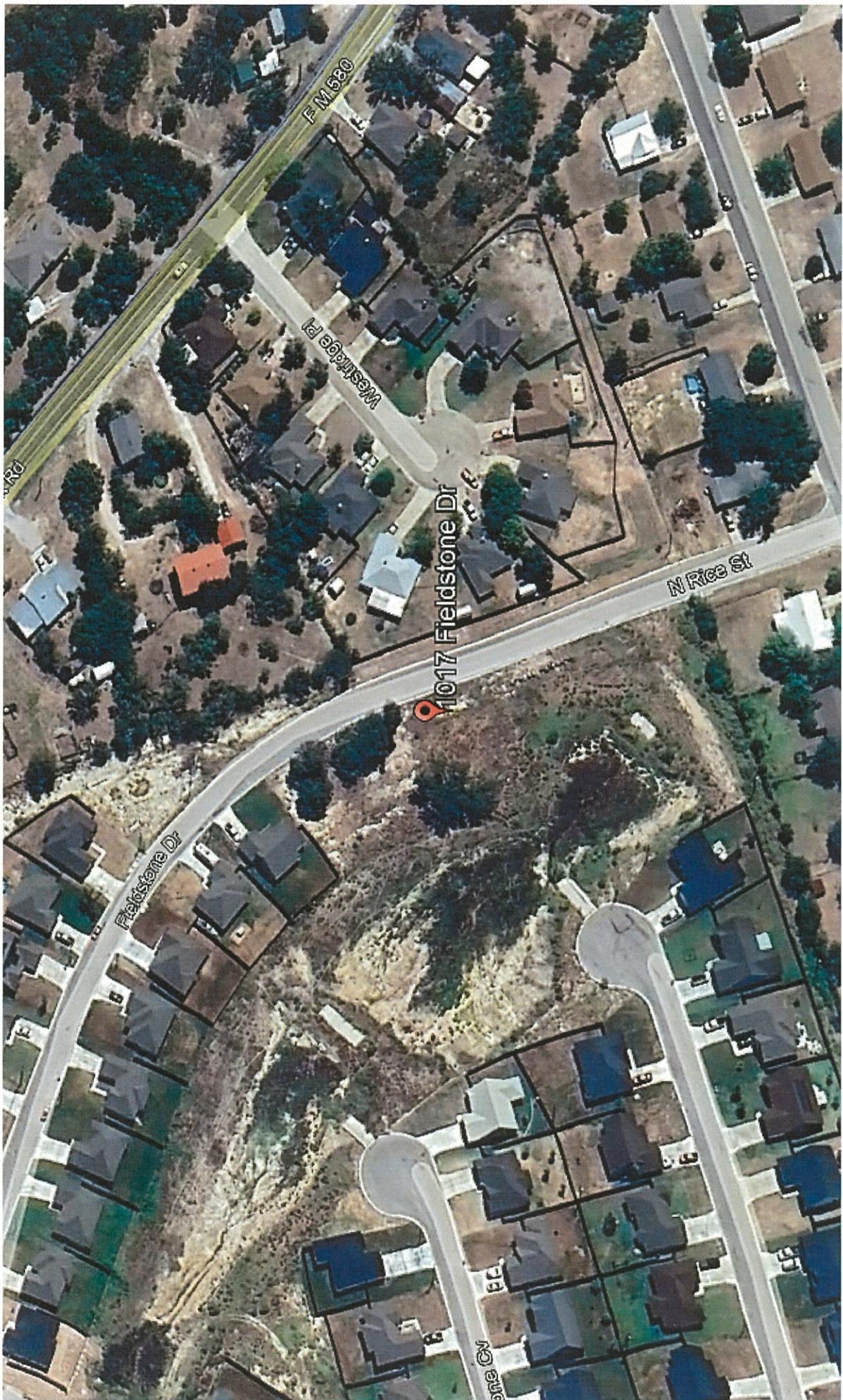
LOT 57

Asphalt Public Maintained Roadway

1017 FIELDSTONE DR.

City of Lampasas
Zoning Board of Adjustment
Staff Report (Stone Valley)

Subject Property	The property is described as .19 acres, Stone Valley Addition, Phase 1 Final Replat LT 1& LT 2 Block 2, Lot 58; commonly known as 1017 Fieldstone Drive Lampasas Texas, Lampasas County
Request	Mr. Finney is asking for consideration of a variance to the Single Residential Family-8 “SF-8” Zoning Regulation specifically, the side yard setback from 6 feet to 0 feet to accommodate a custom home floor plan.
Current Zoning	The property is zoned Single Residential Family-8 “SF-8”. The area surrounding the property is Single Residential Family-8 “SF-8”, Single Residential Family-10 “SF-10”, Single Residential Family-20 “SF-20”.
Notification	All notifications and publications, as required by Ordinance and Statute, have been made. The City sent a total of twelve (12) notices to property owners within 200 feet of the applicant’s property. At the time of preparing this report, the City has not received any notices in favor or in opposition of the request.
Consideration	<p>Per Section 9.4 (c) 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.</p> <p>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:</p> <ul style="list-style-type: none">• 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. <p>(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.</p>
Recommendation	<p>If the Board finds all conditions of Section 9.6, Variances D - E., are met, a concurring vote of four members is required to grant the variance.</p> <p>If the Board finds all conditions of Section 9.6, Variances D - E, are not met, a motion may be made to deny the variance.</p>



FM 630

Westlodge Pl

1017 Fieldsstone Dr

N Rice St

Fieldsstone Dr

one Ct

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

Request Information

Location 1036 FIELDSTONE DR.
 *Subdivision STONE VALLEY Lot No. 59 Block No. 2
 Existing Zoning SF-8 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.)

BUILDING AREA TOO SMALL FOR HOUSE FOOTPRINT BECAUSE OF SLOPE OF ROCK IN BACK + SIDE YARD.

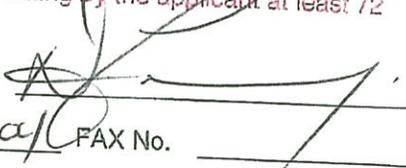
Applicant/Owner Information

Key Contact DEORALD FINNEY Telephone No. 512 913 0604 FAX No. _____
 Address P.O. Box 988

City LAMPASAS State TX Zip Code 76550

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) DEORALD FINNEY Signature 

Address Box 988 Telephone No. 512 913 0604 FAX No. _____

City LAMPASAS State TX Zip Code 76550

Corporation, Partnership or Joint Venture Ownership Name _____

Authorized Representative (please print name) _____

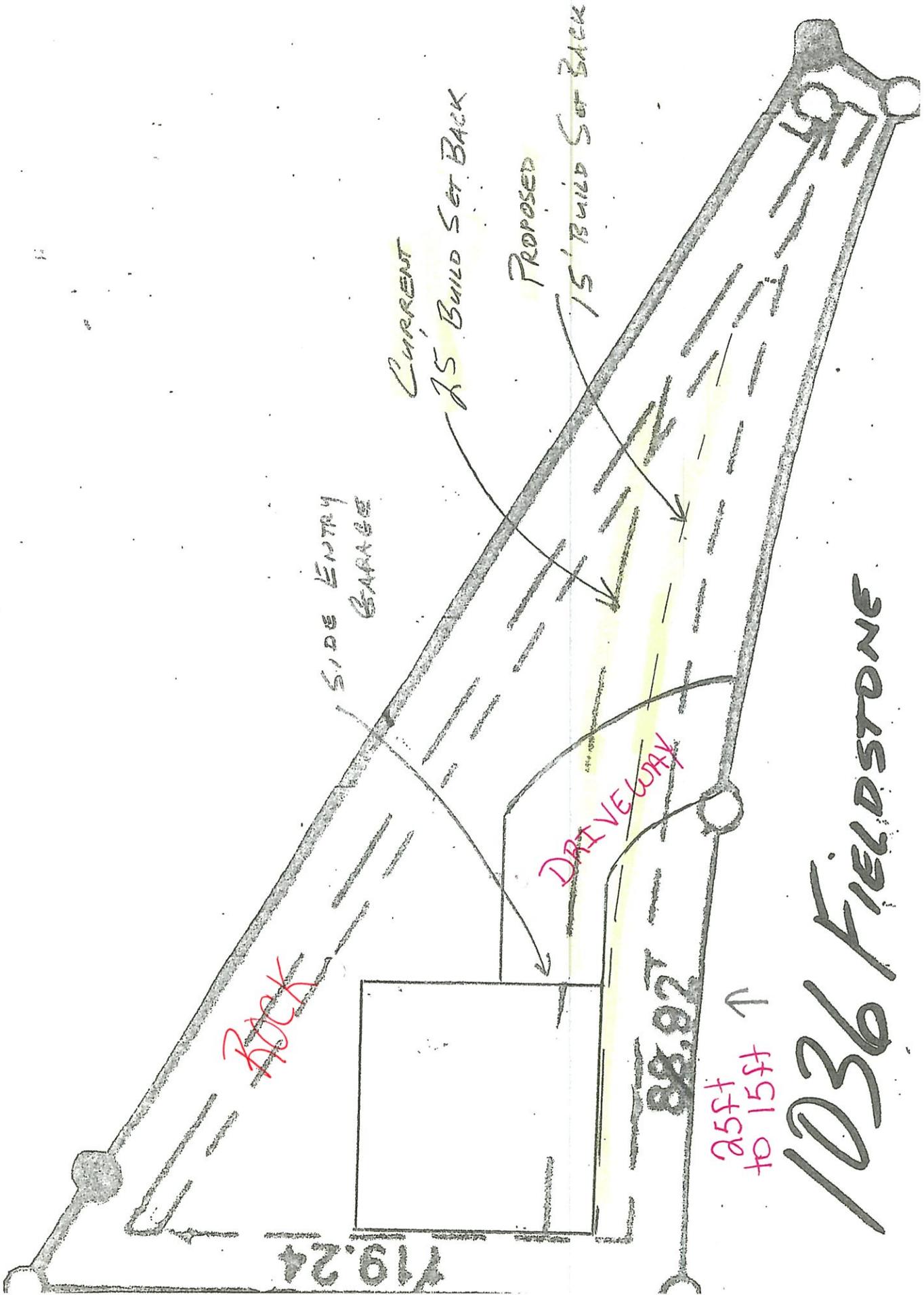
Title _____ Signature _____

Address _____ Telephone No. _____ FAX No. _____

City _____ State _____ Zip Code _____

FOR OFFICE USE ONLY

Case No:	Fee:	ZBA Hearing:	ZBA Date



1036 FIELDSTONE

City of Lampasas
Zoning Board of Adjustment
Staff Report (Stone Valley)

Subject Property	The property is described as .33 acres, Stone Valley Addition, Phase 1 Final Replat LT 1 & LT 2 Block 2, Lot 59; commonly known as 1036 Fieldstone Drive Lampasas Texas, Lampasas County
Request	Mr. Finney is asking for consideration of variance to the Single Residential Family-8 “SF-8” Zoning Regulation specifically, the front build line from 25 feet to 15 feet to accommodate the terrain to the side and rear of the property.
Current Zoning	The property is zoned Single Residential Family-8 “SF-8”. The area surrounding the property is Single Residential Family-8 “SF-8”, Single Residential Family-10 “SF-10”, Single Residential Family-20 “SF-20”.
Notification	All notifications and publications, as required by Ordinance and Statute, have been made. The City sent a total of nineteen (19) notices to property owners within 200 feet of the applicant’s property. At the time of preparing this report, the City has not received any notices in favor or in opposition of the request.
Consideration	<p>Per Section 9.4 (c) 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.</p> <p>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:</p> <ul style="list-style-type: none">• 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. <p>(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.</p>
Recommendation	<p>If the Board finds all conditions of Section 9.6, Variances D - E., are met, a concurring vote of four members is required to grant the variance.</p> <p>If the Board finds all conditions of Section 9.6, Variances D - E, are not met, a motion may be made to deny the variance.</p>



Nix Rd

Westgate Pl

1036 Fieldstone Dr

Fieldstone Dr