

**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, JUNE 18, 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, June 18, 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 April 16, 2024

PUBLIC HEARING

- III. Public hearing to receive citizen comments to consider granting a variance to the Single Residential Family-10 "SF-10" Zoning Regulation as follows for consideration of replat of lots 1 and 2; for properties generally located at 703 W. Avenue C and 408 N. Spring Street.

Lot 1B (closest to alley)

- Reduction in lot width from 80' to 65'
- Reduction in front yard setback from 25' to 2' to accommodate house & carport
- Reduction in side yard setback from 6' to 0' to accommodate shed and carport

Lot 1A (closest to Spring Street)

- Reduction in lot width from 80' to 65'
- Reduction in front yard setback from 25' to 4' to accommodate carport

REGULAR SESSION

- IV. Discussion and possible action to consider granting a variance to the Single Residential Family-10 "SF-10" Zoning Regulation as follows for consideration of replat of lots 1 and 2; for properties generally located at 703 W Avenue C and 408 N Spring Street.

Lot 1B (closest to alley)

- Reduction in lot width from 80' to 65'
- Reduction in front yard setback from 25' to 2' to accommodate house & carport
- Reduction in side yard setback from 6' to 0' to accommodate shed and carport

Lot 1A (closest to Spring Street)

- Reduction in lot width from 80' to 65'
- Reduction in front yard setback from 25' to 4' to accommodate carport

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 13th day of June 2024 at 12:00 p.m.


Becky Sims

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, APRIL 16, 2024
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	ZBA Members Absent
Tim Hefley	Jason Hamilton
Jack Harrell	Charley Kennington
	Bob Caughron

Staff Present
Becky Sims, City Secretary/Zoning Administrator
Kayleigh Stanley, Executive Secretary

REGULAR SESSION

I. Call to Order

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

II. Discussion and possible action regarding the approval of the minutes dated March 19, 2024

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

PUBLIC HEARING

III. Public hearing to receive citizen comments to consider granting a variance to the to the Single Residential Family-6 "SF-6" Zoning Regulation specific to the front yard setback from 25 feet to 3 feet for lot 3 of the Santa Fe Depot Development for a workshop; commonly known as 105 S. Liveoak.

Board member Shepard opened the Public Hearing.

Becky Sims, Zoning Administrator advised of the following:

- Mr. Hardin is proposing the replat of Block 10, Old Town of Lampasas into 3 lots. Lot 1 is .0449 acres; Lot 2 is 0.834 acres and Lot 3 is 0.900. The variance request is specific to Lot 3 only.*
- Mr. Hardin is asking for consideration of variance to the Single Residential Family-6 "SF-6" Zoning Regulation specifically, the front build line from 25 feet to 3 feet to build a workshop.*
- The workshop will align with the Santa Fe Depot footprint to maintain appearance standards along Live Oak and to keep with the aesthetics of the current development of Block 10.*
- The property is currently zoned Central Business District. The area surrounding the property is Single Residential Family-6 "SF-6", Central Business District "CBD" and Retail "R"*
- All notifications and publications, as required by Ordinance and Statute, have been made. The City sent a total of eighteen (18) 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. Since that time, the city has received 2 in favor and none in protest.

- *The area is defined as downtown transitional in the Comprehensive Plan. These areas are intended to conserve the existing gridded lot and block pattern of development. These areas are intended to be developed with an urban character, meaning redevelopment requires a build-to-line, on-street parking, and a focus on walkability.*
 - *Single Family Residential-6 would be one of many compatible zoning districts.*
 - *The highest priority for street improvements is on the pedestrian and maintaining the quality of the existing street character.*
 - *As such, all new development and redevelopment requires the establishment of on-street parking (if needed), sidewalks (either new or replacement, if needed) and the planting of street trees between the edge of payment and the sidewalk.*

Christina Marez, 105 S Western addressed the Commission regarding drainage in the area.

With no further comments, the public hearing was closed.

REGULAR SESSION

- IV. Discussion and possible action to consider granting a variance to the to the Single Residential Family-6 “SF-6” Zoning Regulation specific to the front yard setback from 25 feet to 3 feet for lot 3 of the Santa Fe Depot Development for a workshop; commonly known as 105 S. Liveoak.

Board member Harrell moved to grant the variance to the front yard setback from 25 feet to 3 feet for Lot 3 of the Santa Fe Depot Development for a workshop, the motion was seconded by Board member Hefley and with a unanimous vote, the motion carried.

- V. Adjourn

Board member Hefley moved to adjourn the meeting at 6:15 pm, the motion was seconded by Board member Harrell and with a unanimous vote, the motion carried.

PASSED AND APPROVED this _____ day of _____, 2024.

Danielle Shepard, Board Member

ATTEST:

Becky Sims, Zoning Administrator/City Secretary

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 ① 703 W. Ave C. # ② 408 N. Spring

*Subdivision _____ Lot No. ① Lot 4 B/C Block No. ② Lot 1,2,3

Existing Zoning _____ 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.)

Request variance to accommodate sale of 703 W. Ave C.

Applicant/Owner Information

Key Contact N. Victor Felan Telephone No. 210-240-7046 FAX No. NONE

Address 501 Scott Street

City San Marcos State Texas Zip Code 78666

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.

Owner (please print) _____ Signature _____

Address _____ Telephone No. _____ FAX No. _____

City _____ State _____ Zip Code _____

Corporation, Partnership or Joint Venture Ownership Name Noel Texas, LLC

Authorized Representative (please print name) N. Victor Felan

Title Member Signature NVF

Address 501 Scott Street Telephone No. _____ FAX No. _____

City San Marcos State Texas Zip Code 78666

FOR OFFICE USE ONLY

Case No:	Fee:	ZBA Hearing:	ZBA Date
Zoning Map:	Tax Map:	Check by:	Check by:
Date Submitted:			

2024 Notice of Appraised Value

LAMPASAS CENTRAL APPRAISAL DISTRICT
PO BOX 175
109 E 5TH ST
LAMPASAS, TX 76550
 Phone: 512-556-8058 Fax: 512-556-4660

Account #: 1594
 Ownership %: 100.00
 Geo ID: 10180-078-001-00
 Legal: LOT: LOTS 1-2-3 BLK: 78 ADDN: L S C 1ST LocCd:94
 Legal Acres: 0.618
 Situs: 408 N SPRING ST LAMPASAS, TX 76550
 Owner ID: 77310
 EFile PIN: aVYvca

DATE OF NOTICE: May 6, 2024

THIS IS NOT A BILL.
WEBSITE: WWW.LAMPASASCAD.COM
EMAIL: INFO@LAMPASASCAD.COM



Property ID: 1594 - 10180-078-001-00
 NOEL TEXAS LLC
 ATTN VICTOR FELAN
 501 SCOTT ST
 SAN MARCOS, TX 78666

Dear Property Owner,
 We have appraised the property listed above for the tax year 2024. As of January 1, our appraisal is outlined below.

Appraisal Information	Last Year - 2023	Proposed - 2024
Market Value of Improvements (Structures / Buildings, etc.)	226,390	280,590
Market Value of Non Ag/Timber Land	48,440	56,510
Market Value of Ag/Timber Land	0	0
Market Value of Personal Property/Minerals	0	0
Total Market Value	274,830	337,100
Productivity Value of Ag/Timber Land	0	0
Appraised Value	274,830	329,796
Homestead Cap Value/Circuit Breaker Limitation	0	329,796
Exemptions (DV - Disabled Vet; DP-Disabled Person; HS-Homestead; OV65-Over 65)		

2023 Exemption Amount	2023 Taxable Value	Taxing Unit	2024 Proposed Appraised Value	2024 Exemption Amount	2024 Taxable Value
0	274,830	LAMPASAS COUNTY	329,796	0	329,796
0	274,830	ROAD & BRIDGE	329,796	0	329,796
0	274,830	LAMPASAS ISD	329,796	0	329,796
0	274,830	CITY OF LAMPASAS	329,796	0	329,796

The difference between the 2019 appraised value and the 2024 appraised value is 119.95%.

An (*) next to the Taxing Unit name indicates a tax ceiling exists for the taxing unit.

The Texas Legislature does not set the amount of your local taxes. Your property tax burden is decided by your locally elected officials, and all inquiries concerning your taxes should be directed to those officials.

If you qualified your home for an age 65 or older or disabled person homestead exemption, the school taxes on that property cannot increase as long as you own and live in that home. The tax ceiling is the amount you pay in that year that you qualified for the age 65 or older or disabled person exemption. The school taxes on your home may not go above the amount of the ceiling, unless you improve the home (other than normal repairs or maintenance).

The governing body of each taxing unit decides whether taxes on the property will increase, and the appraisal district only determines the property's value.

LOCAL PROPERTY TAX DATABASE

Visit [Texas.gov/PropertyTaxes](https://www.texas.gov/PropertyTaxes) to find a link to your local property tax database on which you can easily access information regarding your property taxes, including information regarding the amount of taxes that each entity that taxes your property will impose if the entity adopts its proposed tax rate. Your local property tax database will be updated regularly during August and September as local elected officials propose and adopt the property tax rates that will determine how much you pay in property taxes.

A property owner may request from the county assessor-collector for the county in which the property is located or, if the county assessor-collector does not assess taxes for the county, the person who assesses taxes for the county under Section 6.24(b), contact information for the assessor for each taxing unit in which the property is located, who must provide the information described by this subsection to the owner on request.

A property owner may register on the appraisal district's internet website, if the appraisal district maintains an internet website, to have notifications regarding updates to the property tax database delivered to the owner by e-mail.

You may qualify for the real property other than residence homestead circuit breaker limitation if your property's appraised value is not more than the amount determined under Tax Code Section 23.231 Subsection (j) for the tax year in which the property first qualified. Under Section 23.231, Tax Code, for the 2024, 2025, and 2026 tax years, the appraised value of real property other than a residence homestead for ad valorem tax purposes may not be increased by more than 20 percent each year, with certain exceptions. The circuit breaker limitation provided under Section 23.231, Tax Code, expires December 31, 2026. Unless this expiration date is extended by the Texas Legislature, beginning in the 2027 tax year, the circuit breaker limitation provided under Section 23.231, Tax Code, will no longer be in effect and may result in an increase in ad valorem taxes imposed on real property previously subject to the limitation.

Visit the appraisal district's website to elect to exchange communications with a tax official electronically under Subsection (a-2) of Tax Code Section 1.085.

To file a protest, complete the notice of protest form following the instructions included in the form and no later than the deadline below, mail or deliver the form to the appraisal review board at the following address: 109 E. FIFTH STREET, LAMPASAS, TX 76550

Deadline for filing a protest: June 6, 2024
Location of Hearings: 109 E. FIFTH STREET, LAMPASAS, TX 76550
ARB will begin hearings: May 15, 2024

Enclosed are copies of the following documents published by the Texas Comptroller of Public Accounts: (1) Taxpayer Assistance Pamphlet and (2) notice of protest. Property owners who file a notice of protest with the appraisal review board (ARB) may request an informal conference with the appraisal district to attempt to resolve a dispute prior to a formal ARB hearing. In counties with populations of 1 million or more, property owners may request an ARB special panel for certain property protests. Contact your appraisal district for further information.

CHIEF APPRAISER

00.0152914008976 5/7 31172

This is NOT a Tax Statement

2024 Notice of Appraised Value

Do Not Pay From This Notice

LAMPASAS CENTRAL APPRAISAL DISTRICT
PO BOX 175
109 E 5TH ST
LAMPASAS, TX 76550
Phone: 512-556-8058 Fax: 512-556-4660

Account #: 1595
Ownership %: 100.00
Geo ID: 10180-078-004-00
Legal: LOT: 4 BLK: 78 ADDN: L S C 1ST LocCd:94
Legal Acres: 0.206
Situs: 703 WAVE C LAMPASAS, TX 76550
Owner ID: 77310
EFile PIN: aYVvca

DATE OF NOTICE: May 6, 2024

8974 1 AB 0.547***AUTO**ALL FOR AADC 786 AADC 2 FT 30



Property ID: 1595 - 10180-078-004-00

NOEL TEXAS LLC
ATTN VICTOR FELAN
501 SCOTT ST
SAN MARCOS TX 78666-4348

THIS IS NOT A BILL.
WEBSITE: WWW.LAMPASASCAD.COM
EMAIL: INFO@LAMPASASCAD.COM

Dear Property Owner,
We have appraised the property listed above for the tax year 2024. As of January 1, our appraisal is outlined below.

Appraisal Information			Last Year - 2023		Proposed - 2024	
Market Value of Improvements (Structures / Buildings, etc.)			59,790		116,750	
Market Value of Non Ag/Timber Land			16,150		18,840	
Market Value of Ag/Timber Land			0		0	
Market Value of Personal Property/Minerals			0		0	
Total Market Value			75,940		135,590	
Productivity Value of Ag/Timber Land			0		0	
Appraised Value			75,940		91,128	
Homestead Cap Value/Circuit Breaker Limitation			0		91,128	
Exemptions (DV - Disabled Vet; DP-Disabled Person; HS-Homestead; OV65-Over 65)						
2023 Exemption Amount	2023 Taxable Value	Taxing Unit	2024 Proposed Appraised Value	2024 Exemption Amount	2024 Taxable Value	
0	75,940	LAMPASAS COUNTY	91,128	0	91,128	
0	75,940	ROAD & BRIDGE	91,128	0	91,128	
0	75,940	LAMPASAS ISD	91,128	0	91,128	
0	75,940	CITY OF LAMPASAS	91,128	0	91,128	

The difference between the 2019 appraised value and the 2024 appraised value is 158.23%.

An (*) next to the Taxing Unit name indicates a tax ceiling exists for the taxing unit.

The Texas Legislature does not set the amount of your local taxes. Your property tax burden is decided by your locally elected officials, and all inquiries concerning your taxes should be directed to those officials.

If you qualified your home for an age 65 or older or disabled person homestead exemption, the school taxes on that property cannot increase as long as you own and live in that home. The tax ceiling is the amount you pay in that year that you qualified for the age 65 or older or disabled person exemption. The school taxes on your home may not go above the amount of the ceiling, unless you improve the home (other than normal repairs or maintenance).

The governing body of each taxing unit decides whether taxes on the property will increase, and the appraisal district only determines the property's value.

LOCAL PROPERTY TAX DATABASE

Visit [Texas.gov/PropertyTaxes](https://www.texas.gov/PropertyTaxes) to find a link to your local property tax database on which you can easily access information regarding your property taxes, including information regarding the amount of taxes that each entity that taxes your property will impose if the entity adopts its proposed tax rate. Your local property tax database will be updated regularly during August and September as local elected officials propose and adopt the property tax rates that will determine how much you pay in property taxes.

A property owner may request from the county assessor-collector for the county in which the property is located or, if the county assessor-collector does not assess taxes for the county, the person who assesses taxes for the county under Section 6.24(b), contact information for the assessor for each taxing unit in which the property is located, who must provide the information described by this subsection to the owner on request.

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You may qualify for the real property other than residence homestead circuit breaker limitation if your property's appraised value is not more than the amount determined under Tax Code Section 23.231 Subsection (j) for the tax year in which the property first qualified. Under Section 23.231, Tax Code, for the 2024, 2025, and 2026 tax years, the appraised value of real property other than a residence homestead for ad valorem tax purposes may not be increased by more than 20 percent each year, with certain exceptions. The circuit breaker limitation provided under Section 23.231, Tax Code, expires December 31, 2026. Unless this expiration date is extended by the Texas Legislature, beginning in the 2027 tax year, the circuit breaker limitation provided under Section 23.231, Tax Code, will no longer be in effect and may result in an increase in ad valorem taxes imposed on real property previously subject to the limitation.

Visit the appraisal district's website to elect to exchange communications with a tax official electronically under Subsection (a-2) of Tax Code Section 1.085.

To file a protest, complete the notice of protest form following the instructions included in the form and no later than the deadline below, mail or deliver the form to the appraisal review board at the following address: 109 E. FIFTH STREET, LAMPASAS, TX 76550

Deadline for filing a protest: June 5, 2024

Location of Hearings: 109 E. FIFTH STREET, LAMPASAS, TX 76550

ARB will begin hearings: May 15, 2024

Enclosed are copies of the following documents published by the Texas Comptroller of Public Accounts: (1) Taxpayer Assistance Pamphlet and (2) notice of protest. Property owners who file a notice of protest with the appraisal review board (ARB) may request an informal conference with the appraisal district to attempt to resolve a dispute prior to a formal ARB hearing. In counties with populations of 1 million or more, property owners may request an ARB special panel for certain property protests.

Contact your appraisal district for further information.

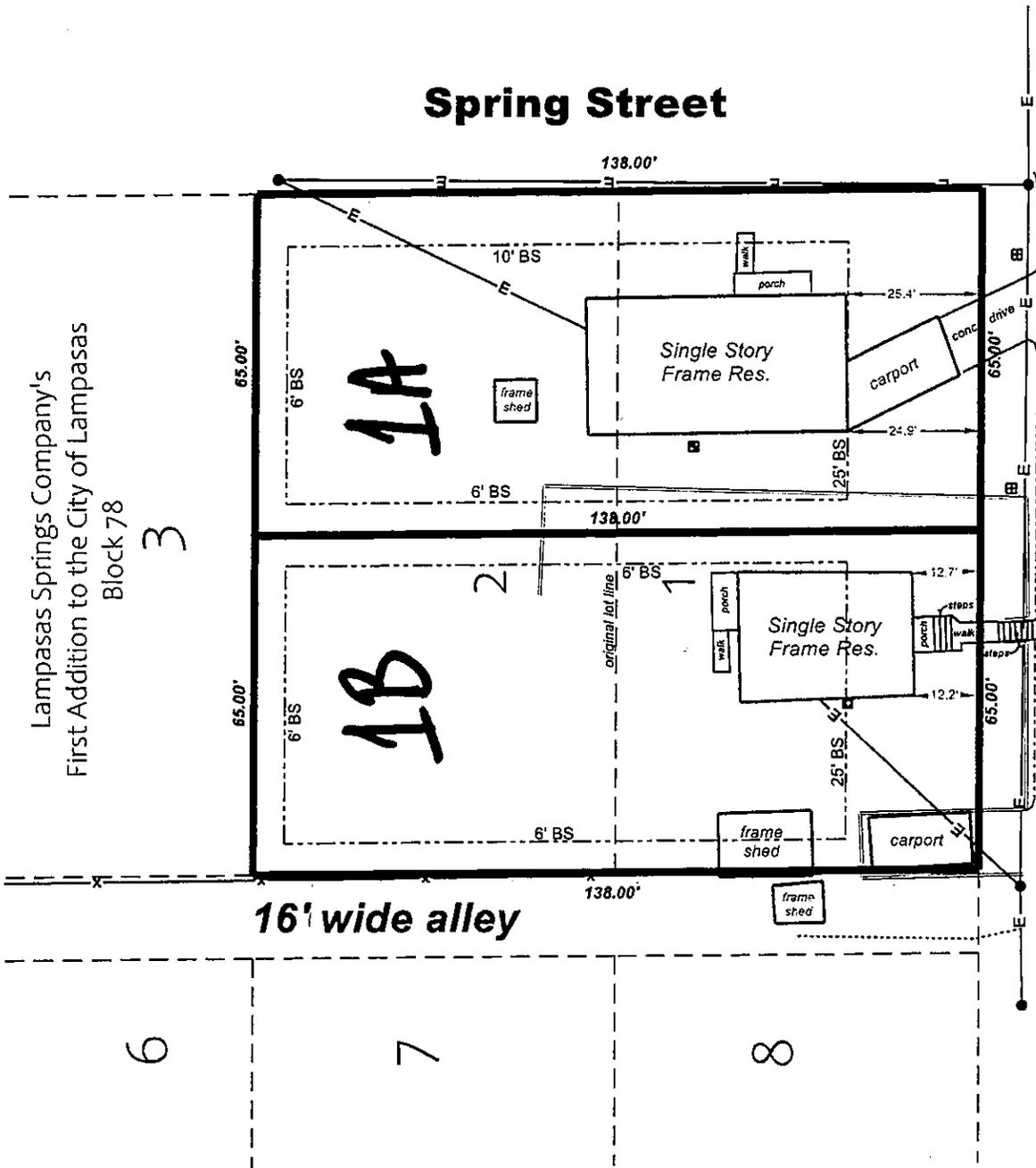
CHIEF APPRAISER

Lampas Springs Company's
First Addition to the City of Lampasas
Block 78

3

Spring Street

Avenue C



6

7

8

16' wide alley



PRELIMINARY SKETCH

This document shall not be recorded for any purpose.

LEGEND	
	Gas Meter
	Water Meter
	A/C Unit
	Retaining Wall
	Overhead Electric Lines
	Power Pole
	Back of Curb
	Edge of Asphalt
	Building Setback Lines

**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, June 18, 2024*

To consider granting a variance to the Single Residential Family-10 "SF-10" Zoning Regulation as follows for consideration of replat of lots 1 and 2; for properties generally located at 703 W Avenue C and 408 N Spring Street.

Lot 1B (closest to alley)

- Reduction in lot width from 80' to 65'
- Reduction in front yard setback from 25' to 2' to accommodate house & carport
- Reduction in side yard setback from 6' to 0' to accommodate shed and carport

Lot 1A (closest to Spring Street)

- Reduction in lot width from 80' to 65'
- Reduction in front yard setback from 25' to 4' to accommodate carport

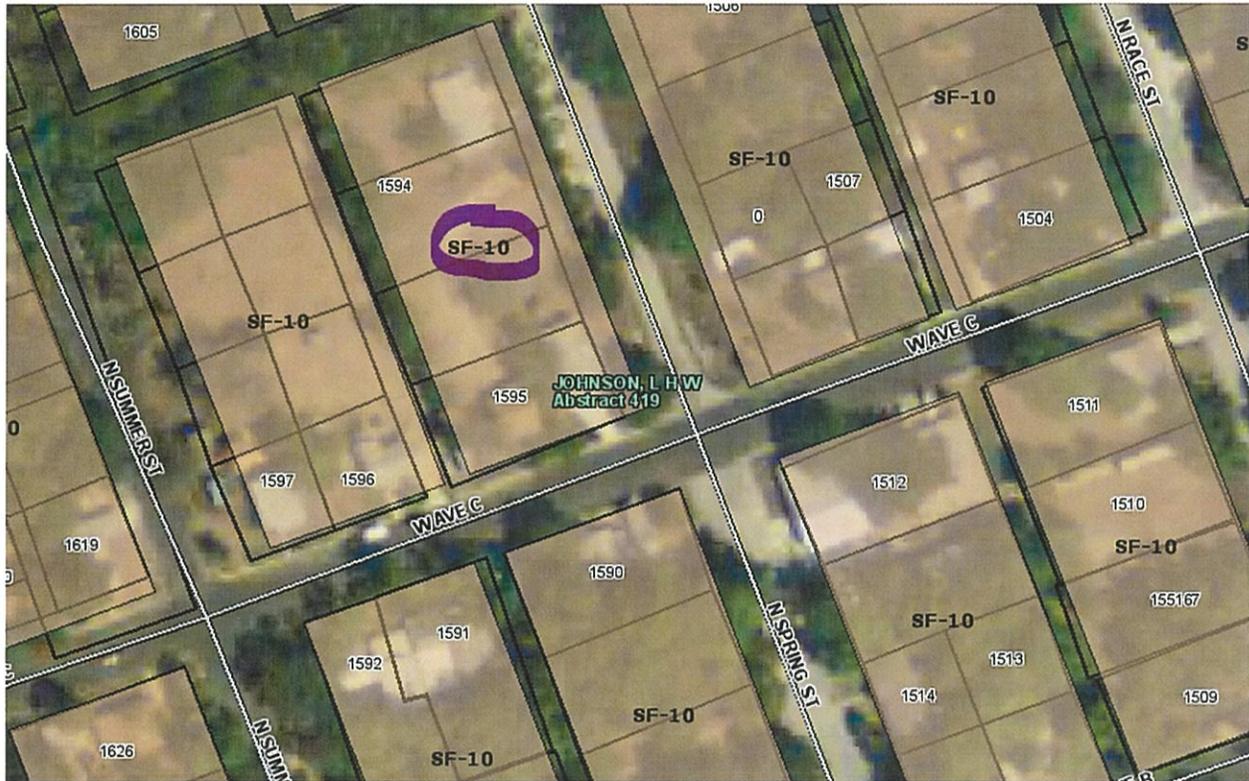
All persons interested in the above referenced request are invited to attend the public hearing and to provide their comments at that time. Comments may also be submitted in writing to the City Secretary's office prior to noon *Tuesday, June 18, 2024* at the following address: 312 East Third Street, 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 13th day of June 2024 at 11:45 am.

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

Subject Property

The lots are zoned Single Residential Family-10 "SF-10". The property is described as lots 1-4, block 78, LSC 1st Addition, commonly known at 703 W. Ave C and 408 N. Spring Street. The parcels are 1594 and 1595.



Request

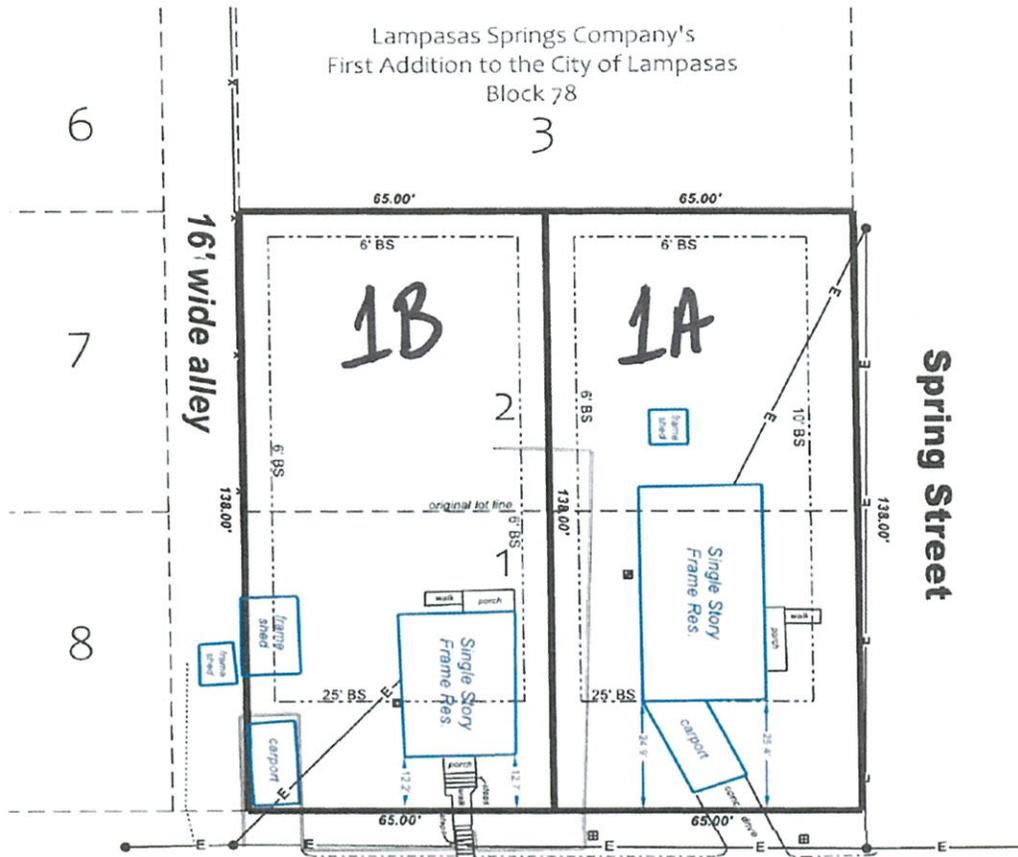
Mr. Victor Felan is asking for consideration of variances to the Single Residential Family-10 "SF-10" Zoning Regulation as shown below:

Lot 1B (closest to alley)

- Reduction in lot width from 80' to 65'
- Reduction in front yard setback from 25' to 2' to accommodate house & carport
- Reduction in side yard setback from 6' to 0' to accommodate shed and carport

Lot 1A (closest to Spring Street)

- Reduction in lot width from 80' to 65'
- Reduction in front yard setback from 25' to 4' to accommodate carport



Notification

All notifications and publications, as required by Ordinance and Statute, have been made. The City sent a total of eighteen (18) 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

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.