

PUBLIC NOTICE

**City of Lockhart
Planning and Zoning Commission
7:00 PM, Wednesday, January 8, 2020
Municipal Building – Glosserman Room
308 W. San Antonio St.**

AGENDA

1. Call meeting to order.
2. Citizen comments not related to an agenda item.
3. Consider the Minutes of the December 11, 2019, meeting.
4. FP-19-03. Consider a request by Ajmal Anar for approval of a Final Plat of Olive Grove Subdivision consisting of 0.561 acre zoned RMD Residential Medium Density District and located at 905 North Blanco Street, including a Variance to waive the requirement of Section 52-77(b) of the Subdivision Regulations for construction of a four-foot wide public sidewalk along North Blanco Street and West Olive Street.
5. Discuss the date and agenda of next meeting, including Commission requests for agenda items.
6. Adjourn.

Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, at 9:00 a.m. on the 2nd day of January, 2020.

**City of Lockhart
Planning and Zoning Commission
December 11, 2019**

MINUTES

Members Present: Philip Ruiz, Manuel Oliva, Philip McBride, Rick Arnic, Paul Rodriguez

Member Absent: Christina Black

Staff Present: Dan Gibson, Christine Banda

Visitors/Citizens Addressing the Commission:

1. Call meeting to order. Chair Ruiz called the meeting to order at 7:02 p.m.
2. Citizen comments not related to an agenda item. None.
3. Consider the Minutes of the November 13, 2019, meeting.

Commissioner Oliva moved to approve the November 13, 2019 minutes. Commissioner Arnic seconded, and the motion passed by a vote of 5-0.

4. ZC-19-11 and PDD-19-02. Hold a PUBLIC HEARING and consider a request by Jonathan McNamara of Matkin Hoover Engineering & Surveying, on behalf of Dane Braun, for a Zoning Change from RMD Residential Medium Density District to PDD Planned Development District, including a Planned Development District Development Plan for Heritage Place PDD, a mixed residential subdivision on 8.465 acres in the Francis Berry Survey, Abstract No. 2, located at 1501 Clear Fork Street. [WITHDRAWN]

There was no discussion or action.

5. SUP-19-15. Hold a PUBLIC HEARING and consider a request by Juan G. Campos-Huitron for a Specific Use Permit to allow a Manufactured Home on 0.317 acre in the Byrd Lockhart Survey, Abstract No. 17, zoned RMD Residential Medium Density District and located at 1304 Hondo Street.

Mr. Gibson explained that the applicant had previously applied for a specific use permit for a different home that was approved by the Commission on August 11, 2016. That home was never installed, and the owner was now proposing a new manufactured home that is slightly larger than the other one. He displayed maps and photos of the subject property and surrounding neighborhood.

Commissioner Oliva and Commissioner Arnic asked why the applicant had to reapply if a specific use permit was already approved.

Mr. Gibson explained that the application was submitted to other staff before he was aware of it, but since the home was larger than the one previously approved it was enough to justify a new application.

Chair Ruiz opened the public hearing and asked the applicant to come forward.

Juan Campos said he was the son of the applicant, Ernesto Campos, and that he was present to translate for his father. He said that his father requested approval to place the double-wide home on his property as shown on the site plan.

Chair Ruiz asked for any other speakers.

Carol Scheffler, of 1310 Hondo Street, asked if the home would be anchored to the ground.

Mr. Gibson said that it would have to comply with the standards for any new manufactured home placed within the city limits, which does include foundation piers and anchor straps.

Chair Ruiz closed the public hearing and asked for the staff recommendation.

Mr. Gibson said that staff recommended approval.

Commissioner McBride moved to approve SUP-19-15. Commissioner Rodriguez seconded, and the motion passed by a vote of 3-1-1 with Commissioner Ruiz against and Commissioner Oliva abstaining.

6. Discuss the date and agenda of next meeting, including Commission requests for agenda items.

Mr. Gibson said that the next Commission meeting date would be January 8, 2020.

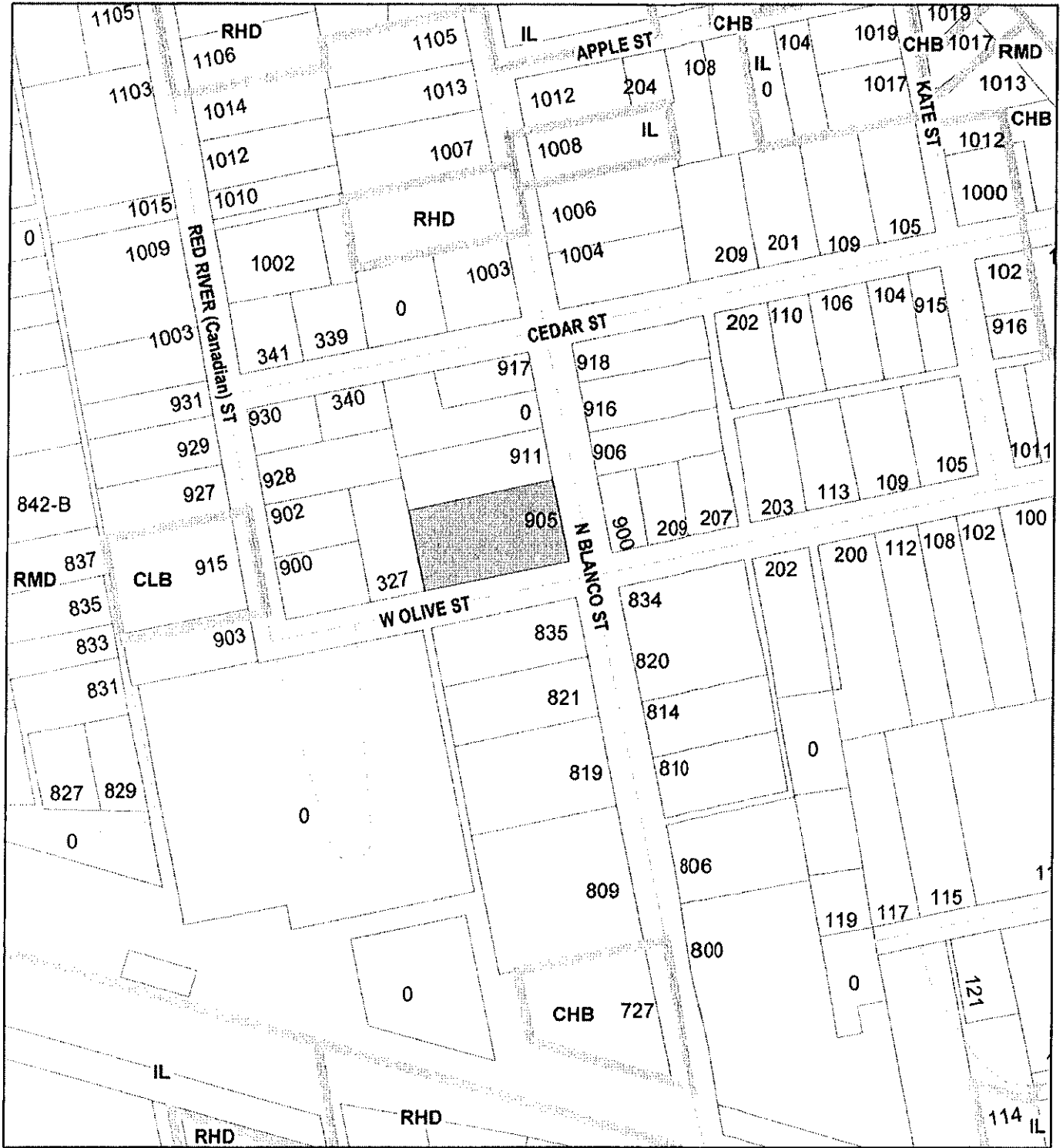
7. Adjourn.

Commissioner Oliva moved to adjourn, and Commissioner McBride seconded. The motion passed by a unanimous vote, and the meeting adjourned at 7:21 p.m.

Approved: _____
(date)

Christine Banda, Recording Secretary

Philip Ruiz, Chair





FP-19-03

OLIVE GROVE SUBDIVISION
 LOTS 1,2,3 AND 4 BLOCK 1

FINAL PLAT



-  Subject Property
-  Zoning

scale 1" = 200'

CASE SUMMARY

STAFF CONTACT: Kevin Waller, Assistant City Planner

CASE NUMBER: FP-19-03

REPORT DATE: December 30, 2019

PLANNING & ZONING COMMISSION DATE: January 8, 2020

STAFF RECOMMENDATION: Approval of both the Plat and Variance Request

SUGGESTED CONDITIONS: None

BACKGROUND DATA

SURVEYOR: Jerry Hinkle, P.L.S., Hinkle Surveyors

OWNER: Ajmal Anar

SITE LOCATION: 905 North Blanco Street

SUBDIVISION NAME: Olive Grove

SIZE OF PROPERTY: 0.561 acre (prior to proposed right-of-way dedication for North Blanco Street) and 0.555 acre (after dedication)

NUMBER OF PROPOSED LOTS: Four duplex lots (upon approval of an SUP for DF-2)

EXISTING USE OF PROPERTY: One single-family residence

ZONING CLASSIFICATION: RMD (Residential Medium Density District)

ANALYSIS OF ISSUES

PROPOSED DEVELOPMENT: The subject property is located on the northwest corner of the intersection of North Blanco and West Olive Streets. The property currently consists of one unplatted parcel with one existing single-family residence. The applicant proposes to remove the existing residence, along with the existing detached garage and sheet-metal shed, prior to recordation of the subdivision plat. With this application, the applicant proposes to create three new lots, for a total of four lots, each to contain a proposed duplex. Due to the size and dimensions of the proposed lots, the duplexes are subject to the DF-2 development type provisions, which in the RMD District require approval of a Specific Use Permit from the Commission in a Public Hearing. This subdivision request would normally follow an administrative process as a Minor Plat. However, the applicant is seeking a variance to the requirement to provide sidewalks along the North Blanco Street and West Olive Street frontages, which requires consideration by the Planning and Zoning Commission in a Public Meeting.

NEIGHBORHOOD COMPATIBILITY: The surrounding area consists of a mixture of single-family and duplex development. Eight duplex buildings, totaling 16 units, are located one block to the west, at the south end of Red River Street. The four proposed duplex lots, for a total of eight new dwelling units, would have minimal adverse impacts to a residential area with existing duplexes in proximity.

FORM AND CONTENT: The proposed plat conforms to all minimum requirements for form and content.

COMPLIANCE WITH STANDARDS: The plat complies with all applicable standards, with the exception of public sidewalks along North Blanco and West Olive Streets, as detailed in the Variance section below. An additional two and a half feet of right-of-way dedication is proposed along North Blanco Street, since the right-of-way width is shown as 55 feet on the plat and a total of 60 feet is needed for a Collector Street. The subdivider will contribute half of the five-foot deficiency, in accordance with Section 52-72(e) of the Subdivision Regulations.

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CONCURRENT VARIANCE REQUESTED: A variance is requested to Section 52-77(b) of the Subdivision Regulations, which requires four-foot wide public sidewalks along the property's North Blanco Street and West Olive Street frontages. Specifically, the applicant proposes no sidewalks along these two frontages, primarily citing the lack of sidewalks on surrounding properties that are already developed and a desire to maximize the property's open space as the reasons for the request. Since the surrounding properties are already developed, they are unlikely to be platted; therefore, sidewalk requirements cannot be enforced thereon.

The Commission must consider this variance request, based upon the criteria set forth in Subdivision Regulations Section 52-3(a), as follows:

1. Special circumstances or conditions affect the land involved such that strict application of the provisions of the Code would deprive the applicant reasonable use of the land;
2. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant;
3. The variance will not be detrimental to the public health, safety, or welfare, and will not be injurious to other property in the area;
4. The variance shall not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of the Code.

Olive Grove Subdivision Lots 1, 2, 3 and 4 in Block 1

A subdivision of 0.561 acres out of the Byrd Lockhart Survey A-17 in the City of Lockhart, Caldwell County, Texas

STATE OF TEXAS
COUNTY OF _____

I, the undersigned owner of the land shown on this plat recorded in Instrument #141934 of the Official Records of Caldwell County, Texas, and described and designated as OLIVE GROVE SUBDIVISION in the City of Lockhart, Caldwell County, Texas do hereby subdivide such property in accordance with Lockhart City standards and regulations.

DATE _____

AJMAL ANAR
P.O. Box 36146
Houston, TX 77236

STATE OF TEXAS
COUNTY OF _____

Before me, the undersigned authority, personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and considerations stated herein.

Given under my hand and seal of office this the _____ day of _____, 20____.

Notary Public in and for the State of Texas

STATE OF TEXAS
COUNTY OF CALDWELL

I, Philip Ruiz, Chairman of the Planning and Zoning Commission of the City of Lockhart, do hereby certify that this plat was approved by the City of Lockhart, Caldwell County, Texas, on the _____ day of _____, 20____.

PHILIP RUIZ
CHAIRMAN

SURVEYORS NOTES:

- The Lots shown lie in Flood Zone "X". The City of Lockhart has adopted Zone "X" to be no special flood hazard, according to FEMA Panel #48055C0120E effective date June 19, 2012.
- Lots 1, 2, 3 and 4 Block 1 are zoned RMD (Residential Medium Density District) and the surrounding lots are zoned RMD (Residential Medium Density District).
- Existing structures crossing proposed property lines are to be removed from the subject property, prior to the recording of this plat.
- A Variance from Section 52-77(b) of the Subdivision Regulations, to waive the required four-foot public sidewalks along the subdivision frontages with West Olive Street and North Blanco Street, was approved by the Planning and Zoning Commission on _____.
- RECORD OWNERS OF LAND: Ajmal Anar
DESIGNER OF PLAT: Hinkle Surveyors, PO Box 1027, Lockhart TX 78644
(512) 398-2000
DATE OF PREPARATION: October 2019
SURVEYOR: Jerry L. Hinkle, R.P.L.S. #5459 PO Box 1027, Lockhart TX 78644
(512) 398-2000
- Building setback lines other than those shown on this plat shall be in accordance with the City of Lockhart Zoning Ordinance.
- Boundary Closure: 1' in 70580' Lot Closure: Lot 1—perfect rectangle; Lot 2—perfect rectangle; Lot 3—1' in 61918'; Lot 4—1' in 41780'

LEGAL DESCRIPTION

All of a certain tract or parcel of land situated in the City of Lockhart, Caldwell County, Texas and being a part of the Byrd Lockhart Survey A-17 and being also all of a tract of land called 0.561 acres and conveyed to Ajmal Anar by deed recorded in Instrument #141934 of the Official Records of Caldwell County, Texas and being more particularly described as follows:

BEGINNING at a concrete monument set in the South line of the above mentioned 0.561 acre tract and in the intersection of the North line of Olive Street and the (now dedicated by this plat) West right of way line of N. Blanco Street for the SE corner of this tract and from said monument a calculated point marking the original SE corner of the said 0.561 acre tract bears N 80 degrees 00 minutes 00 seconds E 2.20 feet.

THENCE S 89 degrees 00 minutes 00 seconds W with the South line of the said 0.561 acre tract and the North line of Olive Street **211.28 feet** to a 1/2" iron pin found in the SW corner of the said 0.561 acre tract and the centerline of a 12' Alley referenced as does in Volume 351 Page 736 of the Deed Records of Caldwell County, Texas for the SW corner of this tract.

THENCE N 09 degrees 24 minutes 05 seconds W with the West line of the said 0.561 acre tract and the centerline of the said 12' Alley **114.73 feet** to a capped 1/2" iron pin set stamped "HINKLE SURVEYORS" in the NW corner of the said 0.561 acre tract and the apparent SW corner of a tract of land called 0.369 acres and conveyed to Juan J. Martinez by deed recorded in Volume 293 Page 716 of the said Official Records for the NW corner this tract.

THENCE N 80 degrees 00 minutes 00 seconds E with the North line of the said 0.561 acre tract and the apparent South line of the above mentioned 0.369 acre tract **210.08 feet** to a concrete monument set in the (now dedicated by this plat) West right of way line of N. Blanco Street for the NE corner this tract.

THENCE S 10 degrees 00 minutes 00 seconds E with the (now dedicated by this plat) West line of N. Blanco Street **114.72 feet** to the place of beginning containing **0.555 acres** of land more or less.

STATE OF TEXAS
COUNTY OF CALDWELL

I, Jerry L. Hinkle, registered professional land surveyor, State of Texas, hereby certify that this plat is a true and correct representation of a survey made on the ground and all monuments and markers were properly placed under my direct supervision and is true and correct to the best of my knowledge.

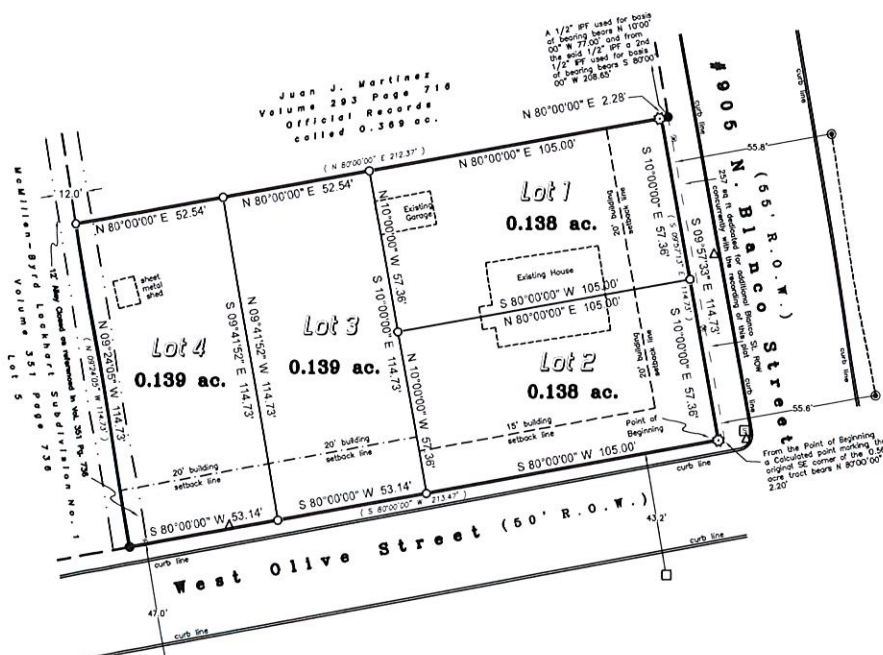
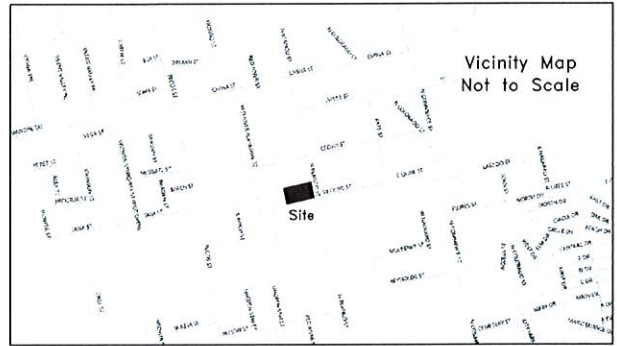
IN WITNESS THEREOF, my hand and seal, this the _____ day of _____, 20____.

Jerry L. Hinkle
Registered Professional
Land Surveyor #5459

STATE OF TEXAS
COUNTY OF CALDWELL

I, Teresa Rodriguez, County Clerk in and for Caldwell County, Texas do hereby certify that the foregoing instrument with its certificates of authentication was filed for record in my office the _____ day of _____, 20____, at _____ o'clock _____ M., and duly recorded on the _____ day of _____, 20____, in the Plat Records of Caldwell County, Texas in Plat Cabinet _____ at Side _____.

Teresa Rodriguez
County Clerk, Caldwell County, Texas



- LEGEND**
- CAPPED 1/2" IRON PIN SET STAMPED "HINKLE SURVEYORS"
 - 1/2" IRON PIN FOUND
 - ⊕ TELEPHONE PEDISTAL
 - ⊕ WATER METER
 - ⊕ 3/4" IRON PIN FOUND
 - ⊕ EL. POLE
 - ⊕ STOP SIGN
 - ⊕ CONCRETE MONUMENT SET
 - ⊕ 8" TREATED FENCE POST FOUND
 - (---) ORIGINAL DEEDED CALLS



Field Book: 466
Sht. No.: 20183011-1
Date: October 2018
Surveyed By: J.L.H. J.O.B.

Drawn By: J.L.H. J.O.B.
Drawing: 20183011-1.dwg
Word Date: Begin 10012018
AutoCAD Date: Begin 10012018

HINKLE SURVEYORS
P.O. Box 1027, 1109 S. Main Street, Lockhart, TX 78644
Ph: (512) 398-2000 Fax: (512) 398-7683 Email: contact@hinklesurveyors.com Firm Registration No. 100885-00



SUBDIVISION PLAT APPLICATION

(512) 398-3461 • FAX (512) 398-3833
P.O. Box 239 • Lockhart, Texas 78644
308 West San Antonio Street

APPLICANTS

SURVEYOR NAME Claude Hinkle Surveyors ADDRESS 1109 S. Main Street
DAY-TIME TELEPHONE (512) 398-2000 Lockhart, TX 78644
E-MAIL contract@claudehinklesurveyors.com
ENGINEER NAME N/A ADDRESS _____
DAY-TIME TELEPHONE _____
E-MAIL _____
OWNER NAME Ajmal ANAR ADDRESS P.O. Box 36146
DAY-TIME TELEPHONE (713) 894-4319 Houston, TX 77236
E-MAIL AjmalFEDE@gmail.com

TYPE OF APPLICATION

____ SUBDIVISION DEVELOPMENT PLAN ____ REPLAT/RESUBDIVISION VARIANCE
____ PRELIMINARY PLAT ____ AMENDING PLAT ____ MINOR PLAT FINAL PLAT
____ DEVELOPMENT PLAT

PROPERTY

SUBDIVISION NAME Olive Grove
ADDRESS OR GENERAL LOCATION 905 N. Blanco
LOCATED IN CITY LIMITS ____ ETJ (COUNTY) ____ PDD
TOTAL LAND AREA 0.561 ACRE(S) PROPOSED NUMBER OF LOTS 4
ZONING CLASSIFICATION(S) RMD
PROPOSED USE OF LAND Duplexes

SUBMITTAL REQUIREMENTS

NAME(S) AND ADDRESS(ES) OF PROPERTY LIEN HOLDERS, IF ANY.

IF THE APPLICATION IS FOR AN AMENDING PLAT OR REPLAT/RESUBDIVISION – A COPY OF EXISTING DEED RESTRICTIONS OR RESTRICTIVE COVENANTS, IF ANY.

IF THE APPLICATION IS FOR A FINAL PLAT INVOLVING PUBLIC IMPROVEMENTS – THREE COPIES OF THE ENGINEERING PLANS.

IF THE APPLICATION IS FOR, OR INCLUDES, A SUBDIVISION CODE VARIANCE – COMPLETED VARIANCE SECTION ON NEXT PAGE AND REQUIRED STATEMENT NOTED THEREIN.

PLAT DOCUMENTS, AS FOLLOWS, CONTAINING THE INFORMATION REQUIRED IN ARTICLE 23-6. (Amending Plats, Replat/Resubdivision Plats, and Minor Plats are considered the same as Final Plats for the purpose of content and format).

Seven copies for initial staff review.

Twelve copies after initial staff review for preliminary plats, final plats, and replats/resubdivisions

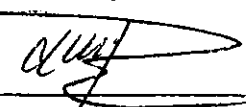
Two copies after initial staff review for amending and minor plats.

Two signed and sealed mylar reproducibles (three if applicant wants to keep one) of approved amending plat, replat/resubdivision, final plat, or minor plat, for recording. One recorded reproducible is filed at the County Clerk's office, and the other is returned to the City.

FEE, AS FOLLOWS (NO FEE FOR VARIANCES, APPEALS, SUBDIVISION DEVELOPMENT PLANS, OR DEVELOPMENT PLATS):

Preliminary Plat	\$600.00 payable to the City of Lockhart
Final Plat or Replat/Resubdivision	\$400.00 plus \$20.00 per acre, payable to the City of Lockhart <i>411,22</i>
Amending plat, Minor plat, or Minor replat not requiring a public hearing	\$100.00 payable to the City of Lockhart
Recording fee for Amending Plat, Replat/Resubdivision, Final Plat, or Minor Plat	\$71.00 for the first sheet, and \$50.00 for each additional sheet, payable to the Caldwell County Clerk

To the best of my knowledge, this application and associated documents conform to all requirements of the City of Lockhart Subdivision Regulations. By signing below I agree that if any part of this plat and/or associated construction plans is found to be incorrect, incomplete, or otherwise deficient with regard to applicable City standards, the deadline imposed by the Texas Local Government Code, Section 212.009 for approval or denial of the plat and/or associated construction plans by the City within 30 days of the date of this application is automatically extended for an additional 30 days. I further agree that if any part of this plat and/or associated construction plans remains deficient at such time that the plat and/or associated construction plans cannot be approved prior to the expiration of the second 30 days, the plat or construction plans will be subject to denial by the approval authority. It is understood that I or another representative should be present at all public meetings concerning this application.

SIGNATURE 

DATE 10/22/19

PRINTED NAME Ajmal Anwar

TELEPHONE 713 894-4319

SUBDIVISION VARIANCE (for variance applications, only)

VARIANCE TO SECTION(S) 52-77 (b) OF THE SUBDIVISION REGULATIONS

CURRENT ORDINANCE REQUIREMENT(S) Four-foot wide public sidewalks required along N. Blanco St. & W. Olive St. frontages.

REQUESTED VARIANCE(S) No sidewalks are proposed to be provided for this subdivision.

SUBMIT A WRITTEN STATEMENT DOCUMENTING THE REASON FOR THE VARIANCE(S), INCLUDING EVIDENCE THAT THE REQUEST COMPLIES WITH THE FOLLOWING CRITERIA AS REQUIRED FOR APPROVAL OF A VARIANCE.

1. Special circumstances or conditions affect the land involved such that strict application of the provisions of the Code would deprive the applicant reasonable use of the land;
2. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant;
3. The variance will not be detrimental to the public health, safety, or welfare, and will not be injurious to other property in the area; and,
4. The variance will not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of the Code.

OFFICE USE ONLY

ACCEPTED BY Kevin Waller

RECEIPT NUMBER 904020

DATE SUBMITTED 11/15/19

CASE NUMBER FP .19 .03

DATE NOTICES MAILED _____
(For certain Replats/Resubdivisions without vacating preceding plat)

DATE NOTICE PUBLISHED _____

PLANNING AND ZONING COMMISSION MEETING DATE 1/8/20

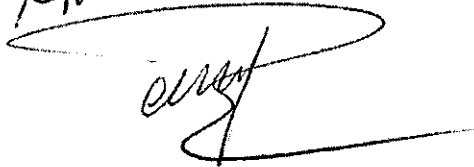
DECISION _____

CONDITIONS _____

REASONS FOR THE VARIANCE

The VARIANCE REQUESTED IS NECESSARY FOR THE FOLLOWING:

1. Preservation of the natural beauty, trees, and topography & greenspace along the property will be beneficial to the AREA & Lockhart.
2. The area is already developed and there are no sidewalks for it to adjoin to and never will be.
3. This variance will pose no detriment to the public health, safety or welfare nor injure other property in the AREA, in fact it will be beneficial to the AREA by preserving the natural beauty & greenspace.
4. The variance will NOT have the effect of preventing any orderly subdivision of other lands within the AREA.

MICHAEL ANTON


10.22.2019