



## Zoning Board of Adjustment

March 21, 2022 at 5:30 PM  
Breckenridge City Offices Commission Chambers  
105 North Rose Avenue  
Breckenridge, Texas 76424

---

### AGENDA

#### CALL TO ORDER

#### PUBLIC COMMENT

*This is an opportunity for the public to address the Board on any matter of public business, except public hearings. Comments related to public hearings will be heard when the specific hearing begins.*

#### APPROVAL OF MINUTES

1. Consider approval of the February 22, 2022, meeting minutes as recorded.

#### ACTION ITEMS

2. Consider nomination of Bonnie Robbins to be presented to City Commission for Board of Adjustment Place 1.
3. Conduct a public hearing concerning a requested variance from the minimum side yard setback requirement of five (5') feet for the property at 1201 E. Walker, Breckenridge, Texas (BOA 22-02).
4. Conduct a public hearing concerning a requested variance from the minimum side yard setback requirement of five (5') feet for the property at 400 Ridge Road, Breckenridge, Texas (BOA 22-03).

#### ADJOURN

I certify that this notice was posted at the City Offices, 105 North Rose Avenue, Breckenridge, Texas by 5:00 P.M., Wednesday, March 16, 2022.

\_\_\_\_\_  
Jessica Sutter, City Secretary

This facility is wheelchair accessible, and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (254)559-8287 for further information.

---

**ZONING BOARD OF ADJUSTMENT  
STAFF MEMO**

**Meeting**

**Date:** March 21, 2022

**To:** Chairman and Members of the Planning and Zoning Commission

**From:**

**Subject:** Approval of Minutes

**Purpose:**

Consider approval of the February 22, 2022, meeting minutes of the Breckenridge Zoning Board of Adjustments.

**Background Information:**

The minutes of the ZBA are recorded by the City Secretary and presented for approval at the next scheduled meeting.

**Staff Recommendation:**

City staff forwards the recorded minutes to the board for approval.

**Attachments:**

Minutes of February 22, 2022, meeting

FEBRUARY 22, 2022

**REGULAR ZONING BOARD OF ADJUSTMENT MEETING OF THE TOWN OF BRECKENRIDGE, TEXAS,  
HELD ON THIS DATE WITH THE FOLLOWING MEMBERS PRESENT:**

COMMISSIONER, PLACE 3  
COMMISSIONER, PLACE 5  
ALTERNATE DIRECTOR  
ALTERNATE DIRECTOR

LESLIE HOWK  
MICHAEL ELLIS  
BO ASHER  
MARK REYES

CITY MANAGER

ERIKA MCCOMIS

**ABSENT**

COMMISSIONER, PLACE 2  
COMMISSIONER, PLACE 4  
COMMISSIONER, PLACE 1

TURNER BAUGH  
BRYAN WOOD  
VACANT

**CALL MEETING TO ORDER**

City Manager McComis called the meeting to order at 5:35 p.m.

**OPEN FORUM**

This is an opportunity for the public to address the Board on any matter of business, except public hearings.

No speakers.

**APPROVAL OF MINUTES**

1. Consider approval of the November 24, 2020, meeting minutes as recorded.

Director Asher moved to approve the minutes as presented; seconded by Director Howk.

**The motion passed 4-0.**

**ACTION ITEMS**

2. Conduct a public hearing for a requested variance from the minimum front yard setback adjacent to street requirement of twenty-five (25') feet and a variance from the minimum rear yard setback requirement of fifteen (15) feet for the property located at 813 N. Payne, Breckenridge, Texas.

City Manager McComis presented the information on the variance request from the petitioner (not present). Directors present discussed the need for the variance and were informed the city received no opposition from neighboring properties. McComis reminded the board that the petitioner must apply for a building permit and initiate construct within two years otherwise the variance will expire per the city's ordinance. The board was reminded that in accordance with the Section 2-32 (c) in order to grant a variance, the board

of adjustment must make specific, written findings that all of the following conditions have been met: (1) That there are special circumstances or conditions affecting the property involved such that the strict application of the provisions of the zoning ordinance would (a) deprive the applicant of the reasonable use of the property; and (b) create an unnecessary hardship in the development of the property; (2) That such circumstances or conditions are (a) not self-imposed; (b) not based solely on economic gain or loss; and (c) do not generally affect most properties in the vicinity of the property; (3) The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; (4) The variance, if granted, will not: a. Adversely affect the public health, safety, or welfare; b. Be contrary to the public interest; and c. Be injurious to or adversely affect the orderly use of other property within the area. (5) The property involved is otherwise in compliance with all other applicable city ordinances, rules, and regulations; and (6) The granting of the variance will be in harmony with the spirit and purpose of chapter 22.

The public hearing was open and closed at 5:42 p.m. with no members of the public present.

Director Asher moved to approve the variance stipulating that it did meet the guidelines in Section 2-32(c); seconded by Director Howk.

**The motion passed 4-0.**

#### **ADJOURN**

There being no further business, the meeting was adjourned at 5:48 p.m.

---

Commissioner

---

## ZONING BOARD OF ADJUSTMENT STAFF MEMO

**Meeting**

**Date:** March 21, 2022

**To:** Chairman and Members of the Zoning Board of Adjustment

**From:**

**Subject:** Request for variance at 1201 E. Walker – 4' side yard setback to the east.

**Purpose:**

Conduct a public hearing for a requested variance from the minimum side yard setback requirement of five (5') feet for the property at 1201 E. Walker, Breckenridge, Texas.

**Existing Condition of Property:**

Single family home.

**Adjacent Existing Land Uses and Zoning:**

North: Zoned R-3, single family homes

South: Zoned R-3, Stephens Memorial Hospital

East: Zoned R-3, single family home

West: Zoned R-3, single family home

**Development Review Analysis:**

The property owner at 1201 E. Walker is wanting to build a carport and place a storage building at this location. Property owner needs more room to build and place storage building on the east side of her lot. The proposed request is to construct a covered carport within four (4) feet of the setback therefore one (1) foot of side yard setback would remain.

**Staff Recommendation:**

City staff forwards this request for your consideration.

**Attachments:**

BA request application

Aerial view map

Proposed plans for carport and storage building



CITY OF BRECKENRIDGE  
105 N. Rose Ave.  
Breckenridge, TX 76424  
254-559-8287

APPLICATION FOR:  Planning & Zoning  Board of Adjustments

DATE: 3-1-22

APPLICANT: Davlyn Speer PHONE #: [REDACTED]

AGENT: \_\_\_\_\_ PHONE #: \_\_\_\_\_

MAILING ADDRESS: 1201 E Walker St. Breck, TX 76424

LEGAL DESCRIPTION: East Breck

Block H

Lot 1-2 + 19 + 20

PROPERTY ZONED: R3

LOCATION / PROPERTY ADDRESS: 1201 E. Walker

PRESENT USE OF PROPERTY: Residential home

DESIRED USE OF PROPERTY: add carport + cover + storage building

WHAT IS THE SPECIFIC REQUEST? \_\_\_\_\_

4' of variance to the east side yard to build carport + storage building

**APPLICANT AND/OR AGENT MUST BE PRESENT FOR APPLICATION TO BE CONSIDERED  
FILING FEE: \$75.00 (Make check payable to the City of Breckenridge)**

The undersigned has read the above application and does hereby certify that all information contained therein is true and correct; and does hereby request that all necessary legal steps be taken to submit such request to the proper Commission at its next regular meeting.

  
Signature of property owner or authorized agent

\*\*\*\*\*

(FOR OFFICE USE ONLY)

CASE #: 22-02

CONSIDERATION DATE: 3/21/22

RECEIPT #: \_\_\_\_\_

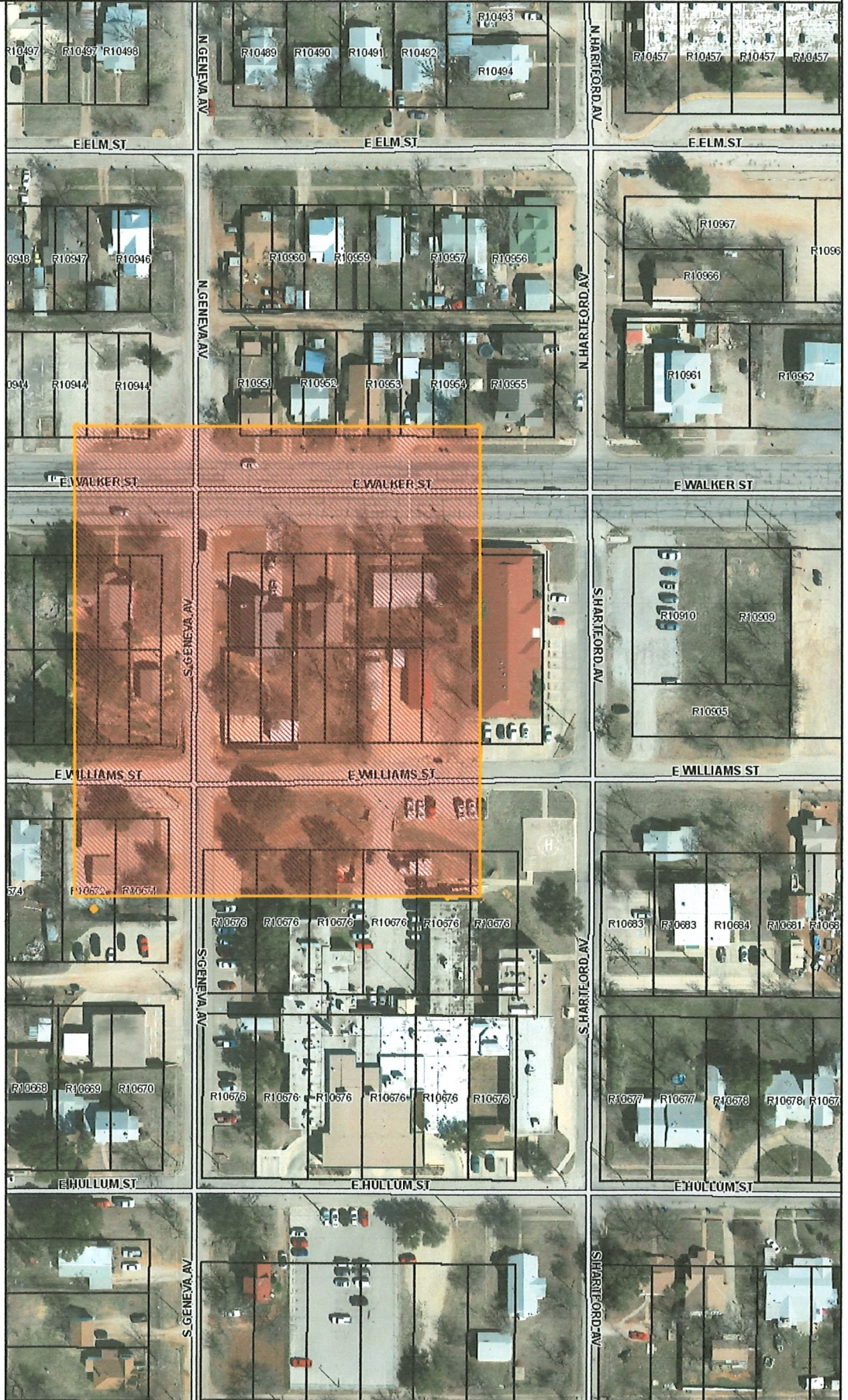
ACTION: \_\_\_\_\_



# Map

### Local Road Labels

- Local Roads
- Extra-territorial Jurisdiction
- City Limits
- Stephens CAD Parcels



Data displayed were gathered by the City of Breckenridge for municipal purposes. No guarantee is made regarding suitability for any other use or purpose.



03/02/22 15:50

---

## ZONING BOARD OF ADJUSTMENT STAFF MEMO

**Meeting**

**Date:** March 21, 2022

**To:** Chairman and Members of the Zoning Board of Adjustment

**From:**

**Subject:** Request for variance at 400 Ridge Rd. – 10’ side yard variance to the north and 10’ side yard setback to the south.

**Purpose:**

Conduct a public hearing for a requested variance from the minimum side yard setback requirement of five (5’) feet for the property at 400 Ridge Rd., Breckenridge, Texas.

**Existing Condition of Property:**

Vacant lot

**Adjacent Existing Land Uses and Zoning:**

North: Zoned R-1, single family home

South: Zoned R-1, single family homes

East: Zoned R-1, single family home and vacant lot

West: Zoned R-1, single family home

**Development Review Analysis:**

The property owner at 400 Ridge Road is wanting to build a home with attached garage at this location. Property owner needs more room for the side yards to meet the required setbacks. The proposed request would leave the required 5’ side yard setback. Staff is waiting on requestor to provide further information on this request. If it is not received prior to the meeting staff will need to table this item until a future meeting.

**Staff Recommendation:**

City staff forwards this request for your consideration.

**Attachments:**

BA request application

Aerial view map

Property survey

Proposed plans for carport and storage building





CITY OF BRECKENRIDGE  
105 N. Rose Ave.  
Breckenridge, TX 76424  
254-559-8287

APPLICATION FOR:

Planning & Zoning

Board of Adjustments

DATE: 3-2-2022

APPLICANT: Kurtis & Nicole Whealy PHONE #: \_\_\_\_\_

AGENT: Michael A. Chrus PHONE #: \_\_\_\_\_

MAILING ADDRESS: 122 Sunset Blvd, Breckenridge, Tx, 76424

LEGAL DESCRIPTION: Lakeview Hills Unit 3, Block 1, Lot 16

PROPERTY ZONED: R1

LOCATION / PROPERTY ADDRESS: 400 Ridge Rd, Breckenridge, Tx, 76424

PRESENT USE OF PROPERTY: Empty Lot

DESIRED USE OF PROPERTY: New Home Construction

WHAT IS THE SPECIFIC REQUEST? Allow 10' Set Backs on North and South Sides of Property

APPLICANT AND/OR AGENT MUST BE PRESENT FOR APPLICATION TO BE CONSIDERED

FILING FEE: \$75.00 (Make check payable to the City of Breckenridge)

The undersigned has read the above application and does hereby certify that all information contained therein is true and correct; and does hereby request that all necessary legal steps be taken to submit such request to the proper Commission at its next regular meeting.

Michael A. Chrus  
Signature of property owner or authorized agent

\*\*\*\*\*

(FOR OFFICE USE ONLY)

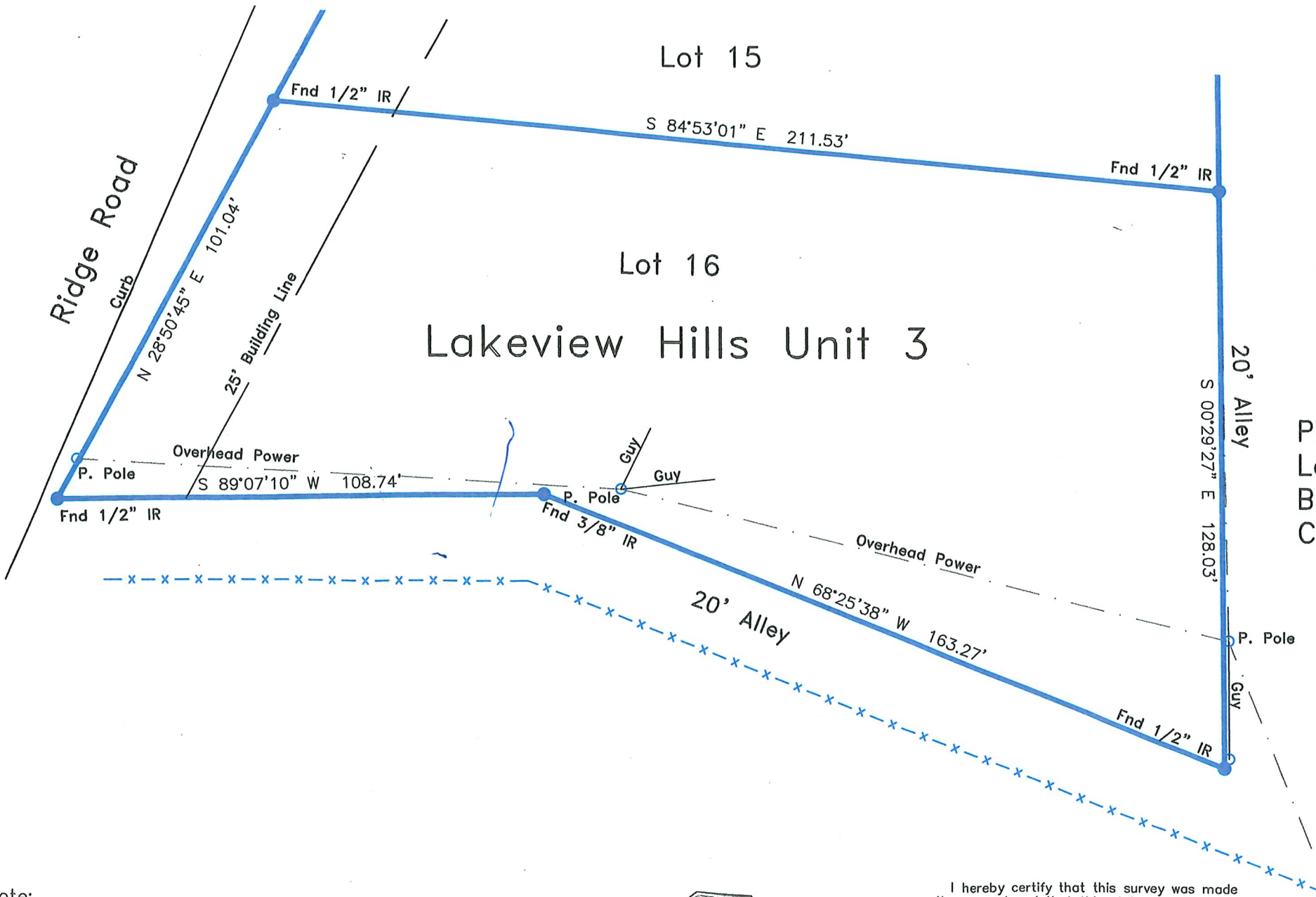
CASE #: 22-03

CONSIDERATION DATE: 3/21/22

RECEIPT #: \_\_\_\_\_

ACTION: \_\_\_\_\_





Plat showing Lot 16,  
Lakeview Hills Unit 3,  
Breckenridge, Stephens  
County, Texas



Note:  
Easements not shown on plat  
unless otherwise noted.  
Bearings based on G.P.S. NAD  
1983 coordinates.

SCALE: 1" = 30'  
DATE: 07-04-2021  
FILE: AKERS MICHAEL (2)



I hereby certify that this survey was made  
on the ground and that this plat correctly  
represents the facts found at the time of the  
survey.

*William K. Heatley*

William K. Heatley  
Registered Professional Land Surveyor #4015  
Firm #10079500

**SURVEY PLAT IN  
STEPHENS COUNTY  
TEXAS**  
**HEATLEY SURVEYING**  
P.O. BOX 1  
BRECKENRIDGE, TX 76424  
(254) 559-8914  
Print Number: s-2212 I