

City Hall Council Chambers, 298 W. Washington Thursday, August 08, 2024 at 4:00 PM

AGENDA

CALL TO ORDER

CITIZENS GENERAL DISCUSSION

MINUTES

1. Consider Approval of June 13, 2024 Minutes

PUBLIC HEARING

2. Case No.: SE2024-001

Applicant Chris Brooks with Erath County Emergency Management, representing Erath County Annex II Tax Office, is requesting a special exception from Section 154.74.E.12, related to 500' Buffer radius to install a radio tower on a non-residential zoned parcel, for property located at 320 W College, being Parcel R29285, S2600 CITY ADDITION,; BLOCK 24,; LOTS 1, 3, 4, TAX OFFICE of the City of Stephenville, Erath County, Texas.

3. Case No.: SE2024-002

Applicant Chris Brooks with Erath County Emergency Management, representing Erath County Annex II Tax Office, is requesting a special exception from Section 154.74.E.2 related to radio tower height requirements for property located at 320 W College, being Parcel R29285, S2600 CITY ADDITION,; BLOCK 24,; LOTS 1, 3, 4, TAX OFFICE of the City of Stephenville, Erath County, Texas.

4. Case No.: SE2024-003

Applicant Chris Brooks with Erath County Emergency Management, representing Erath County Annex II Tax Office, is requesting a special exception from Section 154.74.E.4, related to radio tower setback requirements for property located at 320 W College, being Parcel R29285, S2600 CITY ADDITION,; BLOCK 24,; LOTS 1, 3, 4, TAX OFFICE of the City of Stephenville, Erath County, Texas.

5. Case No.: V2024-016

Applicant Jay Emory is requesting a hearing pursuant to Section 154.21.3.C – Variance for the Construction of a Carport for property located at 2190 Woodland, Parcel R29015, being BLOCK E; LOT 10 of the S2500 Chamberlin Addition, City of Stephenville, Erath County, Texas.

6. Case No.: V2024-018

Applicant Joseph Borges representing CJW Partners, LLC is requesting a variance from Section Sec.154.12-37 – Variance from Sign Regulations for property located at 200 W Washington, Parcel R29202, being BLOCK 7; LOT H of the S2600 City Addition of the City of Stephenville, Erath County, Texas.

7. Case No.: V2024-019

Applicant Carol Gibson is requesting a variance from Section 154.05.3.D(3) "Minimum Lot Width" for property located at 210 Davis, being Parcel R32654 of S5200 MCALISTER SECOND, Block 5, Lots 16 & 17 of the City of Stephenville, Erath County, Texas.

8. Case No.: V2024-020

Applicant Dylan Davis is requesting a variance from Section Sec.154.12-50 – Variance from Sign Regulations for property located at 899 W Washington, Parcel R29577, being BLOCK 62; LOT 1 of the S2600 City Addition of the City of Stephenville, Erath County, Texas.

ADJOURN

In accordance with the Americans with Disabilities Act, persons who need accommodation to attend or participate in this meeting should contact City Hall at 254-918-1287 within 48 hours prior to the meeting to request such assistance.



BOARD OF ADJUSTMENT MEETING

City Hall Council Chambers, 298 W. Washington Thursday, June 13, 2024 at 4:00 PM

MINUTES

The Board of Adjustment of the City of Stephenville, Texas, convened on Thursday, June 13, 2024 at 4:00 PM, in the City Hall Council Chambers, 298 W. Washington, for the purpose of a Board of Adjustment Meeting, with the meeting being open to the public and notice of said meeting, giving the date, time, place and subject thereof, having been posted as prescribed by Chapter 551, Government Code, Vernon's Texas Codes Annotated, with the following members present, to wit:

MEMBERS PRESENT: Moumin Quazi, Chairperson

JJ Conway, Vice-Chairperson

Robert Nimmo

Mary Beach-McGuire

MEMBERS ABSENT: None

<u>OTHERS ATTENDING:</u> Steve Killen, Director of Development Services

Tina Cox, Board Secretary

CALL TO ORDER

Chairman Quazi called the meeting to order at 4:00 p.m.

CITIZENS GENERAL DISCUSSION

No discussion at this meeting.

MINUTES

1. Consider Approval of May 9, 2024 Minutes

MOTION by Robert Nimmo, second by Mary Beach-McGuire, to approve minutes as amended. MOTION CARRIED by unanimous vote of Board Members who were present at the May 9, 2024 meeting.

PUBLIC HEARING

2. Case No.: V2024-014

Applicant Paxton Wooley representing JDW Consulting Company is requesting a variance from Section 154.06.3.D(A)(3) "Minimum Lot Width" for property located at 231 Crow, being Parcel R29385 of S2600 CITY ADDITION, Block 40, Lot 7 of the City of Stephenville, Erath County, Texas.

Steve Killen, Director of Development Services, informed the Board that the applicant wished to address the Board.

Applicant Paxton Wooley rescinded his variance request from the agenda.

3. Case No.: V2024-015

Applicant Paxton Wooley representing JDW Consulting Company is requesting a variance from Section 154.06.3.D(A)(3) "Minimum Lot Width" for property located at 251 Crow, being Parcel R29384 of S2600 CITY ADDITION, Block 40, Lot 6 of the City of Stephenville, Erath County, Texas.

Steve Killen, Director of Development Services, informed the Board that the applicant wished to address the Board.

Applicant Paxton Wooley rescinded his variance request from the agenda.

ADJOURN		
The meeting was adjourned at 4:07 p.m.		
APPROVED:	ATTEST:	
		-
Moumin Quazi, Chair	Tina Cox, Board Secretary	

STAFF REPORT



SUBJECT: Case No.: SE2024-001

Applicant Chris Brooks with Erath County Emergency Management, representing Erath County Annex II Tax Office, is requesting a special exception from Section 154.74.E.12, related to 500' Buffer radius to install a radio tower on a non-residential zoned parcel, for property located at 320 W College, being Parcel R29285, S2600 CITY ADDITION,; BLOCK 24,; LOTS 1, 3, 4, TAX OFFICE

of the City of Stephenville, Erath County, Texas.

MEETING: Board of Adjustment – July 11, 2024

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen

BACKGROUND:

The applicant is requesting a variance to referenced regulation.

APPLICABLE LAND USE REGULATION:

Sec. 154.74. Wireless communication facilities.

- E. Nonresidential districts ((B-1), (B-2), (B-3), (B-4), (B-5), (I). Radio, television, microwave broadcast relay, receiving towers, transmission and re-transmission facilities, satellite receiving only earth stations (home dish antenna), and any electronic emission equipment of a commercial nature shall be allowed in the nonresidential zoning districts if it complies with the following regulations:
 - 12. Distance from residential properties: No part of an antenna facility and antennas or any attachment thereto may be constructed within 500 feet of a residential property without a special exception obtained from the board of adjustment.

SPECIAL EXCEPTION:

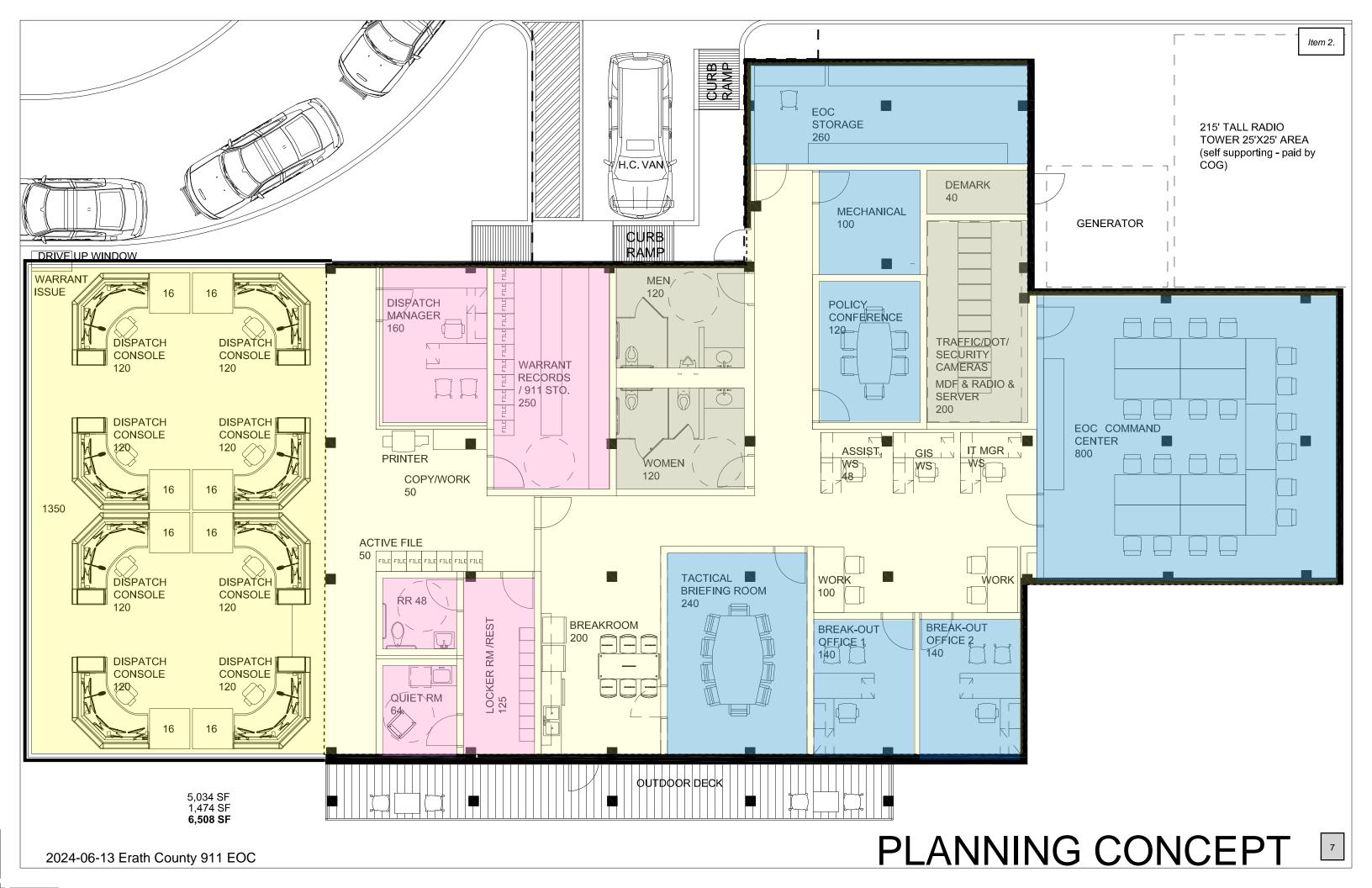
- G. Special exception relief from regulations. A special exception must be obtained from the board of adjustments for any antenna, tower, and/or satellite receive-only antenna which does not comply with the regulations specified in this section. In considering whether to grant a special exception from the regulations specified above, the board of adjustment shall consider the following factors:
 - 1. The effect on the value of the surrounding property;
 - 2. The potential for interference with the enjoyment of surrounding properties;
 - 3. Aesthetics;
 - 4. The necessity of the special exception for the public health, safety, and welfare of the citizens or for governmental purposes;
 - 5. The zoning district and the adjoining zoning districts of the property for which the special exception is sought;
 - 6. The provisions of 47 C.F.R. § 25.104 which preempt local zoning or other regulations that differentiate between satellite receive-only antennas and other types of antenna facilities unless such regulations:

- (a) Have a clearly defined health, safety or aesthetic objective; and
- (b) Further the stated health, safety, or aesthetic objectives without unnecessarily burdening the federal interest in ensuring access to satellite services and in promoting fair and effective competition among competing communications service providers;
- 7. To properly evaluate all applications to locate commercial antennas or towers which do not comply with the regulations specified above, the following information must be provided by the applicant:
 - (a) Describe the nature of the antenna site. Indicate whether the proposed structure is a monopole or mounted to a self-supporting structure. Indicate the proposed height;
 - (b) Provide photos or drawings of all equipment, structures and antenna;
 - (c) Describe why the antenna or tower is necessary;
 - (d) Address whether or not the applicant has made an effort to co-locate the facilities proposed for this antenna or tower on existing towers or facilities in the same general area and, if so, identify the location of these existing sites. If yes, describe in detail these efforts and explain in detail why these existing sites were not feasible. Attach all studies or tests performed which demonstrate why the existing sites will not provide sufficient signal coverage. Provide written documentation from existing sites' owners and/or operators, which confirm the statements provided. Indicate whether or not the existing sites allow or promote co-location and, if not, describe why not;
 - (e) If the requested location is in a residential district the applicant shall address whether or not the applicant has made an effort to locate the facility in a commercial or industrial district and identify the location of these commercial and or industrial district sites. Describe in detail these efforts and explain in detail why these commercial or industrial district sites were not feasible. Attach all studies or tests performed which demonstrate why the commercial or industrial sites will not provide sufficient signal coverage. Provide written documentation from commercial or industrial district sites' owners and/or operators which confirm the statements provided;
 - (f) Indicate the proposed provider's current coverage area for the city. Attach maps showing the areas the proposed provider's existing antennas currently cover, the areas the applicant's existing sites and other existing sites would cover, and the areas the applicant's existing sites and the requested site would cover;
 - (g) Describe the applicant's master antenna and tower plan for the city. Attach maps and other related documentation. Provide information indicating each phase of the plan;
 - (h) Describe the applicant's plan to minimize the number of telecommunications antenna and towers needed to cover the city;
- H. Written report upon denial of request. The administrative official and/or the board of adjustment shall document any denial of a request to place, construct, or modify an antenna facility in writing. Such documentation shall be supported by substantial evidence within the written record.

(Ord. 2018-O-03, 1-2-2018; Am. Ord. 2018-O-27, 8-7-2018)

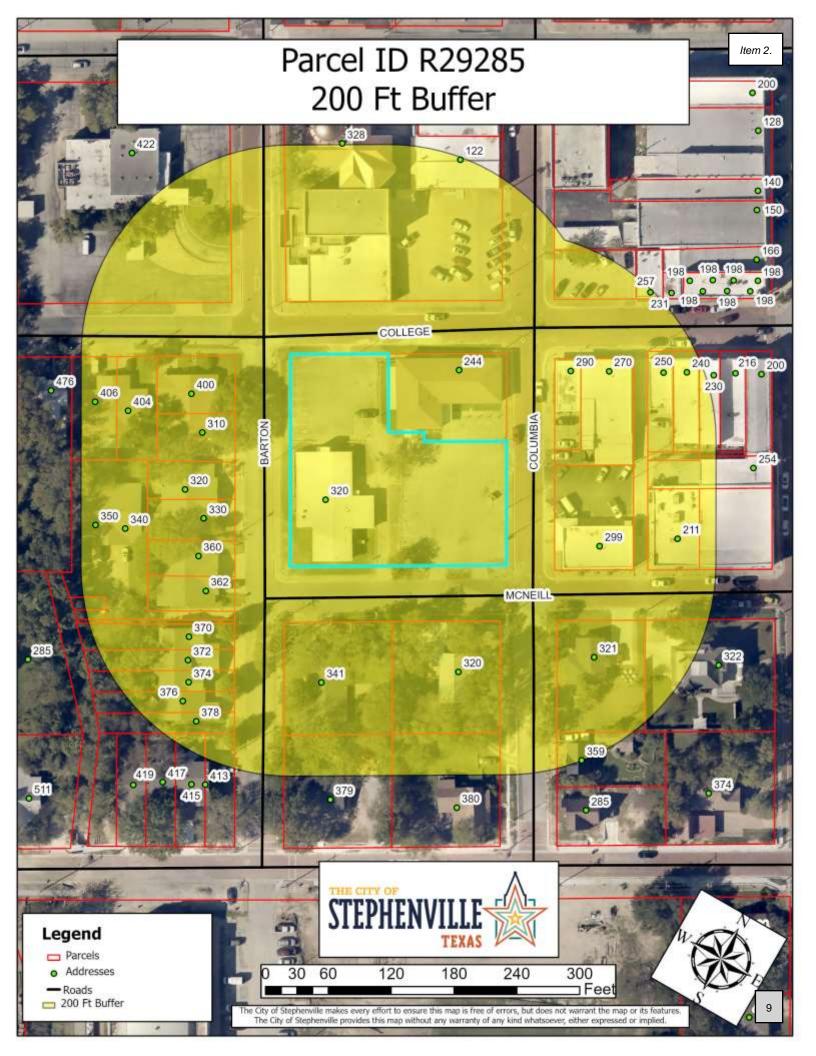
ALTERNATIVES:

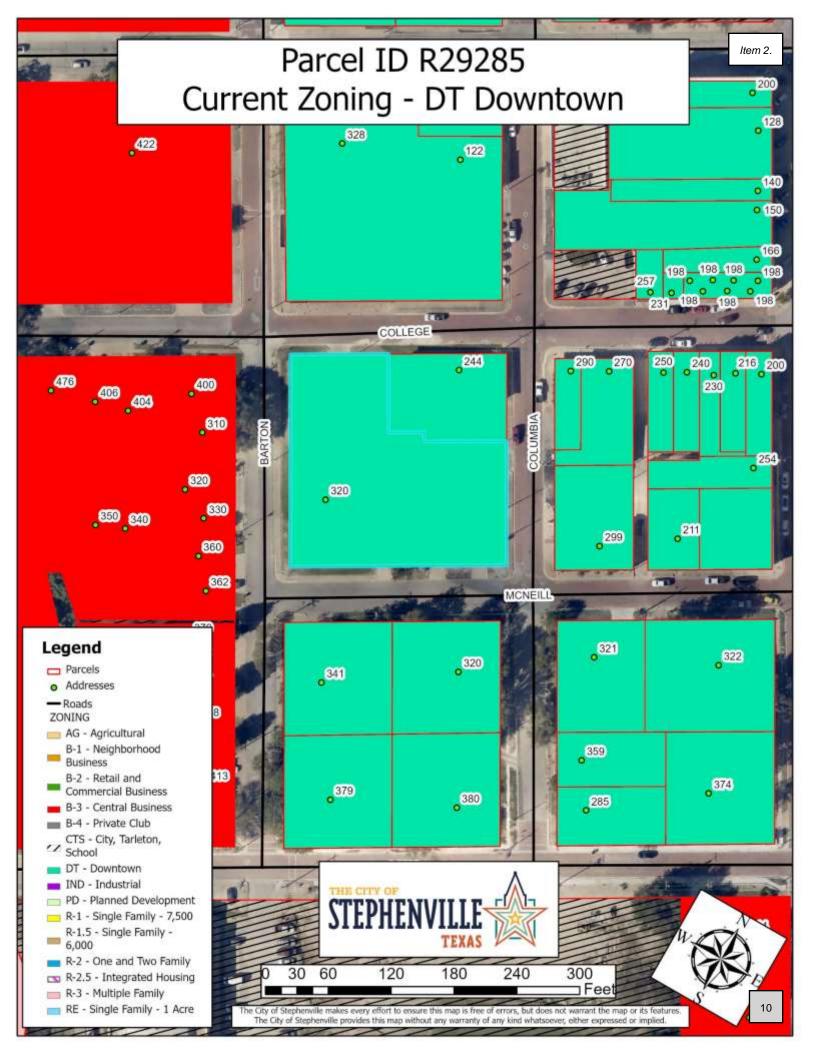
- 1. Approve the Special Exception Request.
- 2. Deny the Special Exception Request.

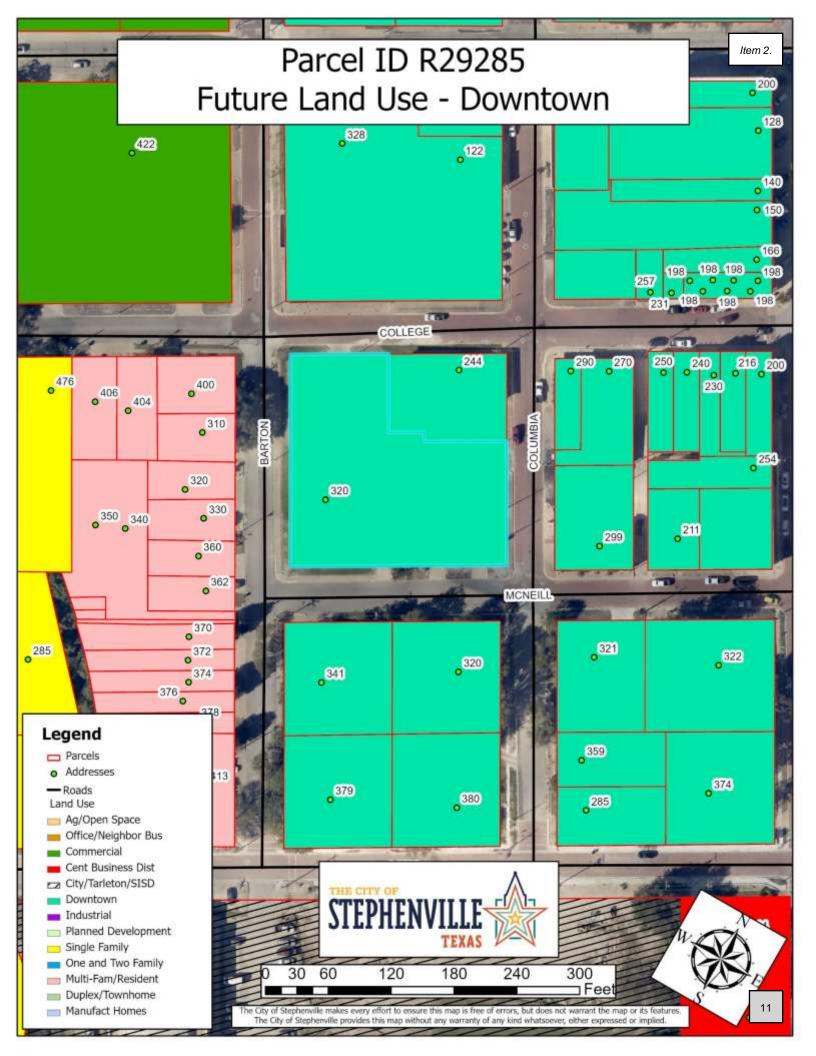


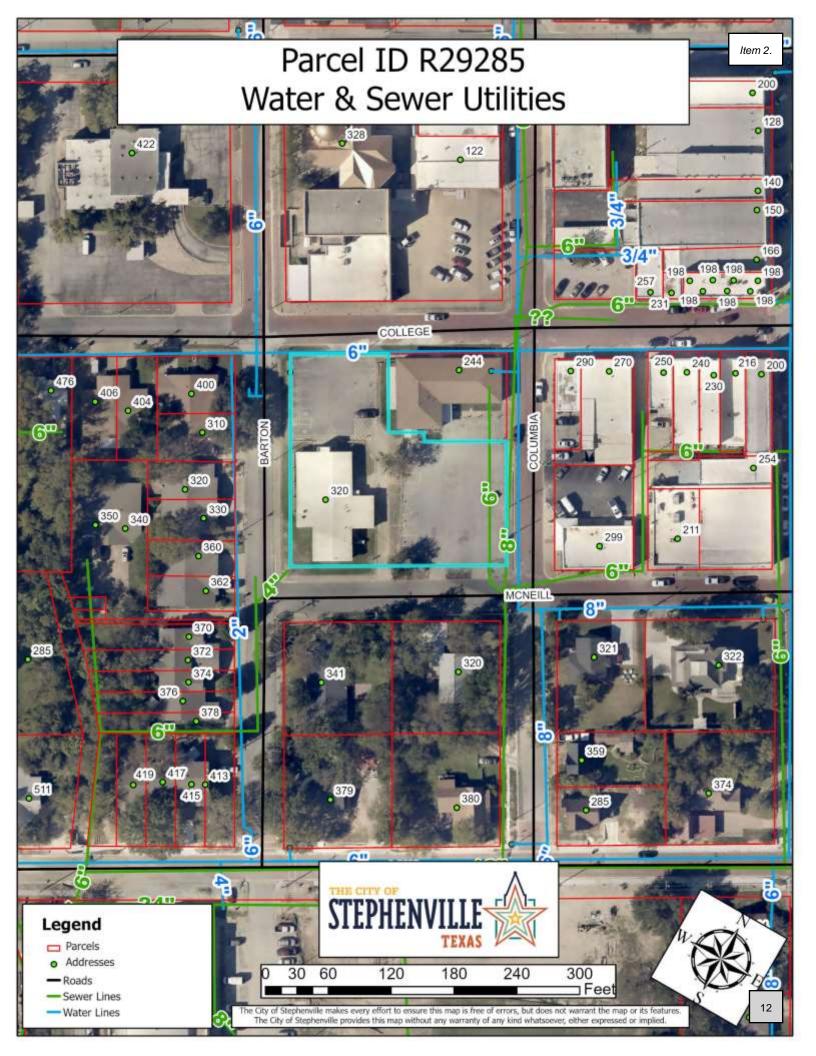






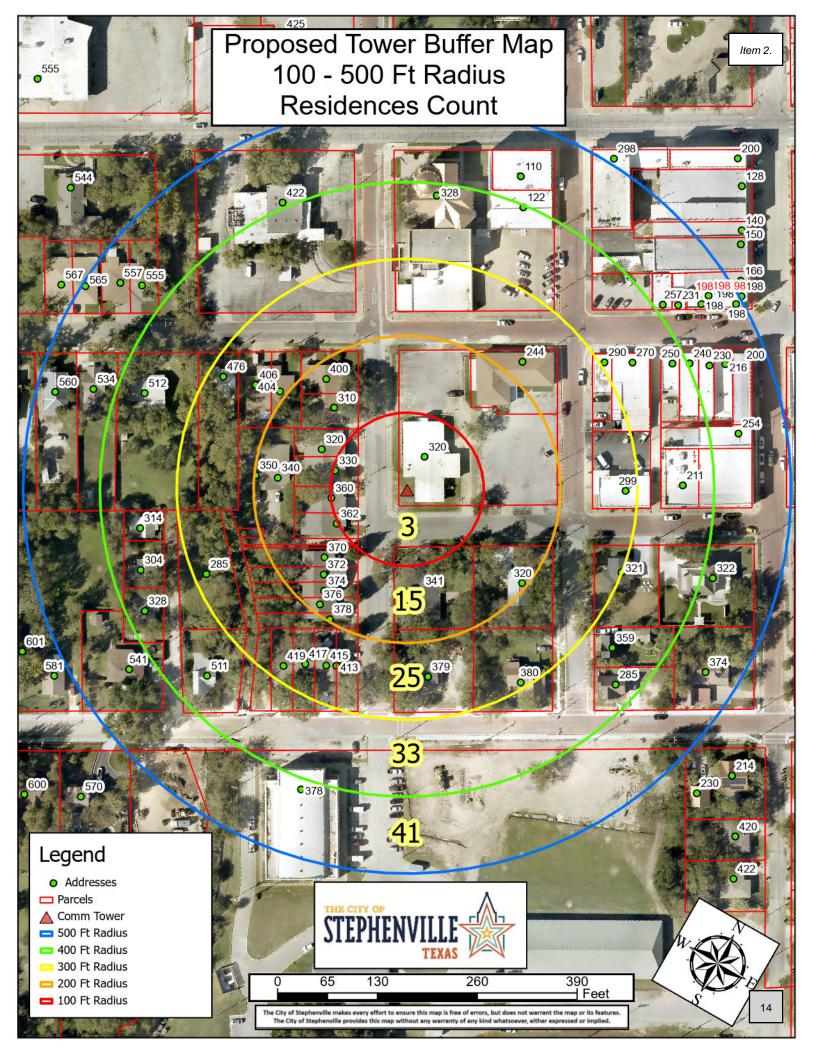






Parcel R29285 200 ft Buffer Addresses

Parcel ID	Parcel Address	Parcel Owner	Owner Address	City	State	Zip Code
R000030139	400 COLLEGE	BLEDSOE CYNTHIA A	400 W COLLEGE	STEPHENVILLE	TX	76401
R000029217	272 S BELKNAP	BMF PROPERTIES LLC	115 N GRAHAM ST #202	STEPHENVILLE	TX	76401
R000029218	211 W MCNEILL	BMF PROPERTIES LLC	115 N GRAHAM ST #202	STEPHENVILLE	TX	76401
R000029206	257 W COLLEGE	BOONE SHARON	9603 MUIRFIELD DR	GRANBURY	TX	76049-4478
R000029223	321 COLUMBIA	BRAMLETT PATRICIA & BARBIE GRAHAM &	1423 CR257	STEPHENVILLE	TX	76401
R000029209	254 S BELKNAP	CARPENTER DARREN R & JAMES F KIMBEL	200 W COLLEGE	STEPHENVILLE	TX	76401
R000030145	340 BARTON	CARTWRIGHT LOUIS A & JANIS H	3921 EDGEROCK DR	AUSTIN	TX	78731
R000029205	0 W COLLEGE	CITY OF STEPHENVILLE	298 W WASHINGTON	STEPHENVILLE	тх	76401-4257
R000030149	300 BARTON	CITY OF STEPHENVILLE TRUSTEE	320 W COLLEGE	STEPHENVILLE	тх	76401-0000
R000030570	370 BARTON	COATS JAMES ROSEBURRA JR & PATSY GERDENE	1187 AZALEA LANE	STEPHENVILLE	тх	76401
R000030572	372 BARTON	COATS JIM & PATSY	1187 AZALEA LN	STEPHENVILLE	TX	76401-0000
R000030571	376 S BARTON	COATS JIM & PATSY	1187 AZALEA LN	STEPHENVILLE	тх	76401
R000030568	378 BARTON	COATS JIM & PATSY		STEPHENVILLE	TX	76401-0000
R000030565	413 N LONG	COATS JIM & PATSY	1187 AZALEA LN	STEPHENVILLE	TX	76401-0000
R000030567	415 LONG	COATS JIM & PATSY	1187 AZALEA LN	STEPHENVILLE	TX	76401-0000
R000030564	417 LONG	COATS JIM & PATSY	1187 AZALEA LN	STEPHENVILLE	TX	76401-0000
R000030140	310 BARTON	COATS JIM & PATSY	1187 AZALEA LN	STEPHENVILLE	TX	76401-0000
R000030571	376 S BARTON	COATS JIM & PATSY	1187 AZALEA LN	STEPHENVILLE	TX	76401
R000030572	372 BARTON	COATS JIM & PATSY	1187 AZALEA LN	STEPHENVILLE	TX	76401-0000
R000030144	362 BARTON	COATS JIM & PATSY	1187 AZALEA LN	STEPHENVILLE	TX	76401-0000
R000030569	374 BARTON	COATS PATSY G	1187 AZALEA LN	STEPHENVILLE	TX	76401
R000029285	320 W COLLEGE	ERATH COUNTY ANNEX II TAX OFFICE	100 W WASHINGTON	STEPHENVILLE	TX	76401-0000
R000030089	422 W WASHINGTON	FIRST UNITED METHODIST CHURCH OF STEPHENVILLE	P O BOX 173	STEPHENVILLE	TX	76401-0000
R000029276	328 W WASHINGTON	FIRST UNITED METHODIST CHURCH-STEPH	P O BOX 173	STEPHENVILLE	TX	76401-0000
R000030143	360 S BARTON	HAMPTON 17X ENTERPRISES LLC	2291 NORTHWEST LOOP	STEPHENVILLE	TX	76401
R000030138	404 W COLLEGE	HOOVER JOEL B	5907 YACHT CLUB DR	ROCKWALL	TX	75032
R000030137	406 COLLEGE	HOOVER JOEL B	5907 YACHT CLUB DR	ROCKWALL	TX	75032
R000072607	359 S COLUMBIA	LITKE GRAHAM ROSS	359 S COLUMBIA ST	STEPHENVILLE	TX	76401
R000029212	240 W COLLEGE	LIVINGSTON MARTIN	288 E MATHER ST	NEW BRAUNFELS	TX	78130
R000029224	322 BELKNAP	MAYO BEAU & LAURA	2699 CR223	STEPHENVILLE	TX	76401
R000029213	250 W COLLEGE	MCDONALD RICHARD & JANE MCDONALD FAMILY TRUST	PO BOX 1783	STEPHENVILLE	TX	76401-0000
R000029214	299 S COLUMBIA	MCKETHAN & BEAM PROPERTIES LLC	115 N GRAHAM ST #201	STEPHENVILLE	TX	76401
R000029211	230 W COLLEGE	MIB CELLAR LLC	115 N GRAHAM	STEPHENVILLE	TX	76401
R000029215	290 W COLLEGE	PENDLETON ENTERPRISES LLC	PO BOX 483	STEPHENVILLE	TX	76401
R000029216	270 W COLLEGE	PENDLETON ENTERPRISES LLC	PO BOX 483	STEPHENVILLE	TX	76401
R000029219	341 BARTON	PRICE KIMBERLY & RILEY PRICE	335 SPRING CREEK CT	STEPHENVILLE	TX	76401
R000030141	320 BARTON	SCHOUTEN TOM & NANCY C JONES	802 PRAIRIE WIND BLVD	STEPHENVILLE	TX	76401-1809
R000030142	330 BARTON	SCHOUTEN TOM & NANCY JONES	802 PRAIRIE WIND BLVD	STEPHENVILLE	TX	76401-1809
R000029220	320 COLUMBIA	SMITHEAL JACOB	4823 TIMBERLANE DR	AUSTIN	TX	78746
R000029283	244 S COLUMBIA	STEPHENVILLE LODGE NO 267	244 S COLUMBIA	STEPHENVILLE	TX	76401-0000
R000029221	380 COLUMBIA	SUMPTER KIMBERLY JOYCE & WILLIAM SHANNON	1000 SAN BENITO DR	BROWNWOOD	TX	76801
R000029198	166 S BELKNAP	THEMIS INVESTMENT PROPERTIES LLC AND	166 S BELKNAP	STEPHENVILLE	TX	76401
R000029222	379 LONG	THORP KATHY AND WYATT THORP	PO BOX 156	THROCKMORTON	TX	76483



STAFF REPORT



SUBJECT: Case No.: SE2024-002

Applicant Chris Brooks with Erath County Emergency Management, representing Erath County Annex II Tax Office, is requesting a special exception from Section 154.74.E.2 related to radio tower height requirements for property located at 320 W College, being Parcel R29285, S2600 CITY ADDITION,; BLOCK 24,; LOTS 1, 3, 4, TAX OFFICE of the City of Stephenville, Erath County,

Texas.

MEETING: Board of Adjustment – July 11, 2024

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen

BACKGROUND:

The applicant is requesting a special exception to the referenced regulation.

APPLICABLE LAND USE REGULATION:

Sec. 154.74. Wireless communication facilities.

E. Nonresidential districts ((B-1), (B-2), (B-3), (B-4), (B-5), (I). Radio, television, microwave broadcast relay, receiving towers, transmission and re-transmission facilities, satellite receiving only earth stations (home dish antenna), and any electronic emission equipment of a commercial nature shall be allowed in the nonresidential zoning districts if it complies with the following regulations:

2. Height:

- a) With the exception of stealth facilities, an antenna facility, exclusive of the height of any attached antenna, shall not exceed 35 feet in height. Provided, however, that an antenna facility shall be permitted additional height at the ratio of one added foot in height for each additional foot of setback beyond the minimum setback required of an accessory building in the zoning district where the antenna facility is located. Regardless of the above, with the exception of stealth facilities, the maximum height for an antenna facility permitted without a special exception in any nonresidential district shall be 80 feet;
- b) With the exception of stealth facilities, the height of an antenna, including the height of any antenna facility to which they may be fastened or attached, shall not exceed 65 feet in height without a special exception;
- c) With the exception of stealth facilities, an antenna shall not extend more than fifteen feet above a building on which it is attached;

SPECIAL EXCEPTION:

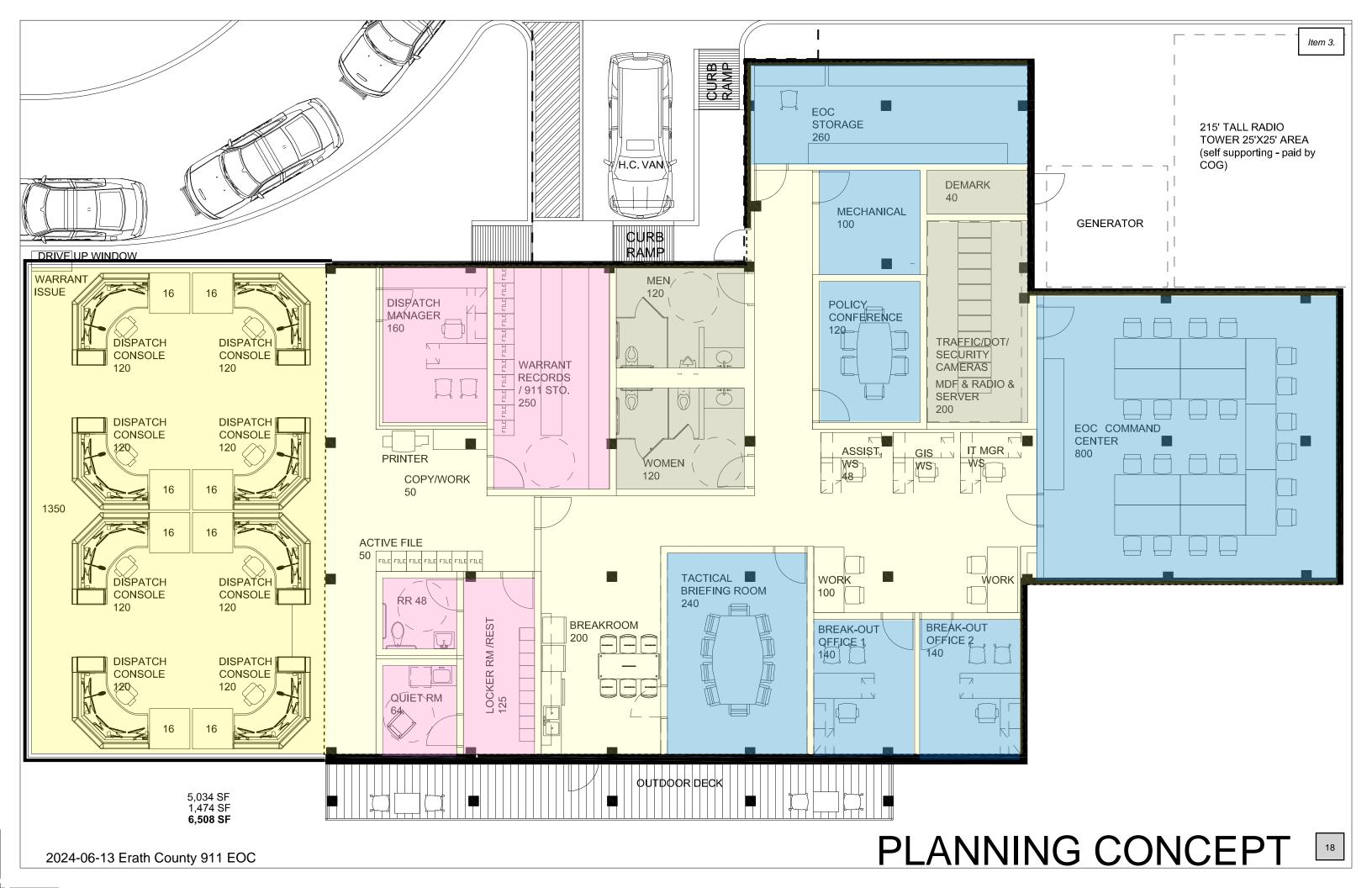
G. Special exception relief from regulations. A special exception must be obtained from the board of adjustments for any antenna, tower, and/or satellite receive-only antenna which does not comply with the regulations specified in this section. In considering whether to grant a special exception from the regulations specified above, the board of adjustment shall consider the following factors:

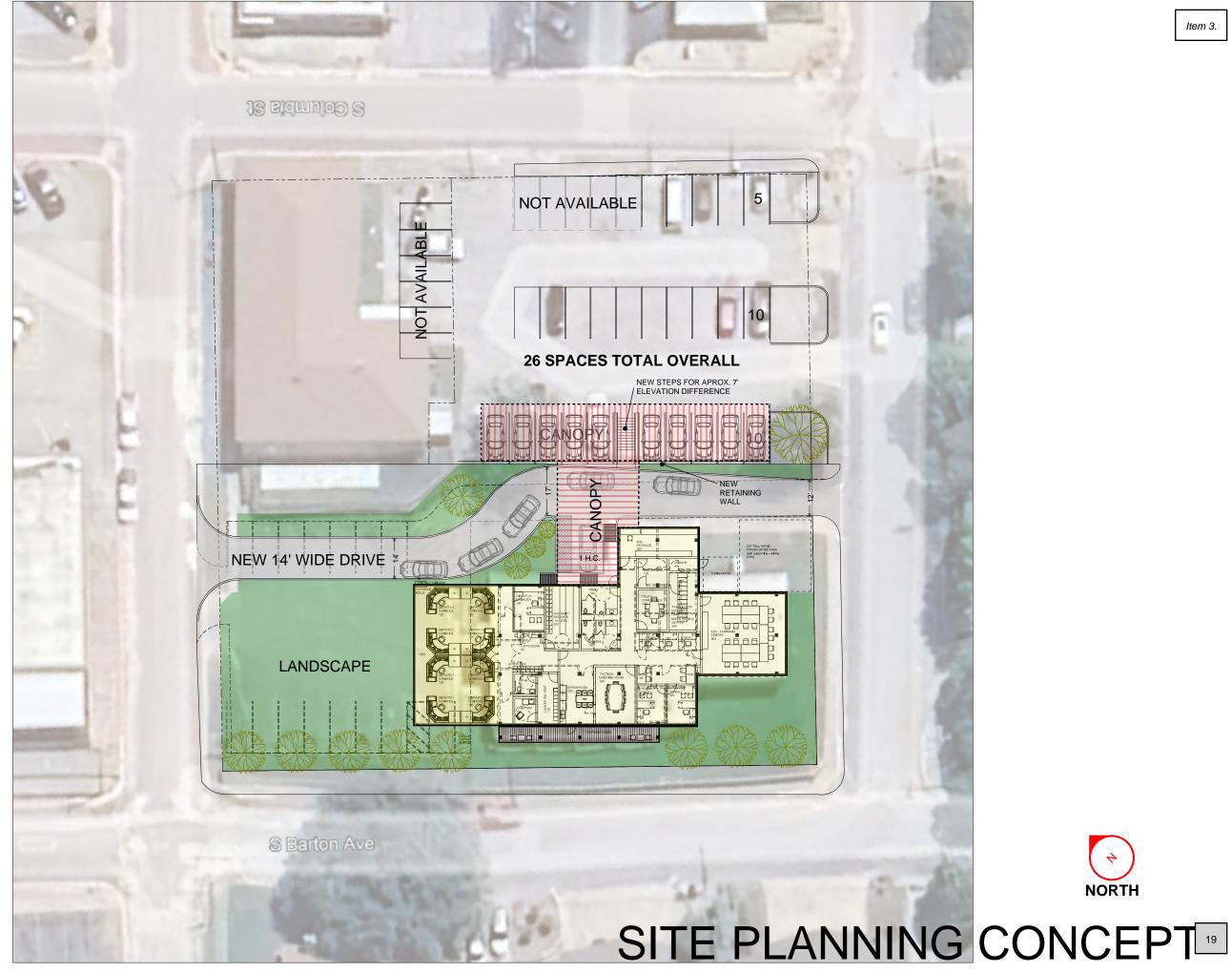
- 1. The effect on the value of the surrounding property;
- 2. The potential for interference with the enjoyment of surrounding properties;
- 3. Aesthetics;
- 4. The necessity of the special exception for the public health, safety, and welfare of the citizens or for governmental purposes;
- 5. The zoning district and the adjoining zoning districts of the property for which the special exception is sought;
- 6. The provisions of 47 C.F.R. § 25.104 which preempt local zoning or other regulations that differentiate between satellite receive-only antennas and other types of antenna facilities unless such regulations:
 - (a) Have a clearly defined health, safety or aesthetic objective; and
 - (b) Further the stated health, safety, or aesthetic objectives without unnecessarily burdening the federal interest in ensuring access to satellite services and in promoting fair and effective competition among competing communications service providers;
- 7. To properly evaluate all applications to locate commercial antennas or towers which do not comply with the regulations specified above, the following information must be provided by the applicant:
 - (a) Describe the nature of the antenna site. Indicate whether the proposed structure is a monopole or mounted to a self-supporting structure. Indicate the proposed height;
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- H. Written report upon denial of request. The administrative official and/or the board of adjustment shall document any denial of a request to place, construct, or modify an antenna facility in writing. Such documentation shall be supported by substantial evidence within the written record.

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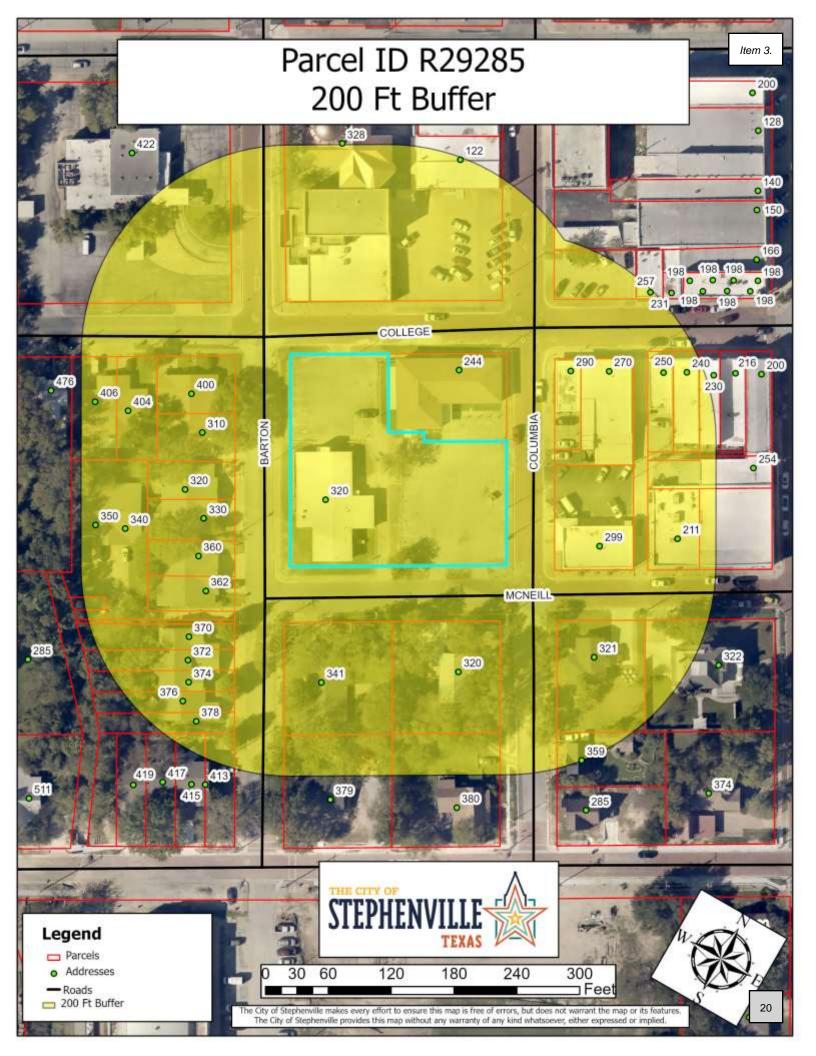
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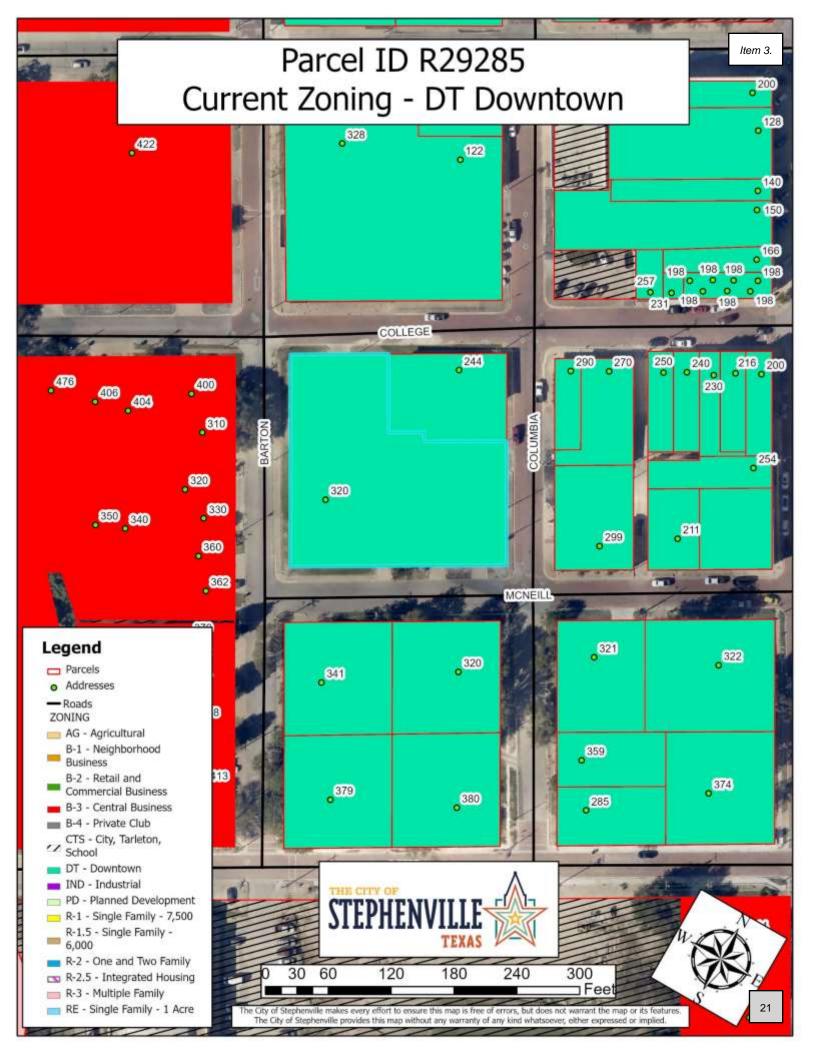
- 1. Approve the Special Exception Request.
- 2. Deny the Special Exception Request.

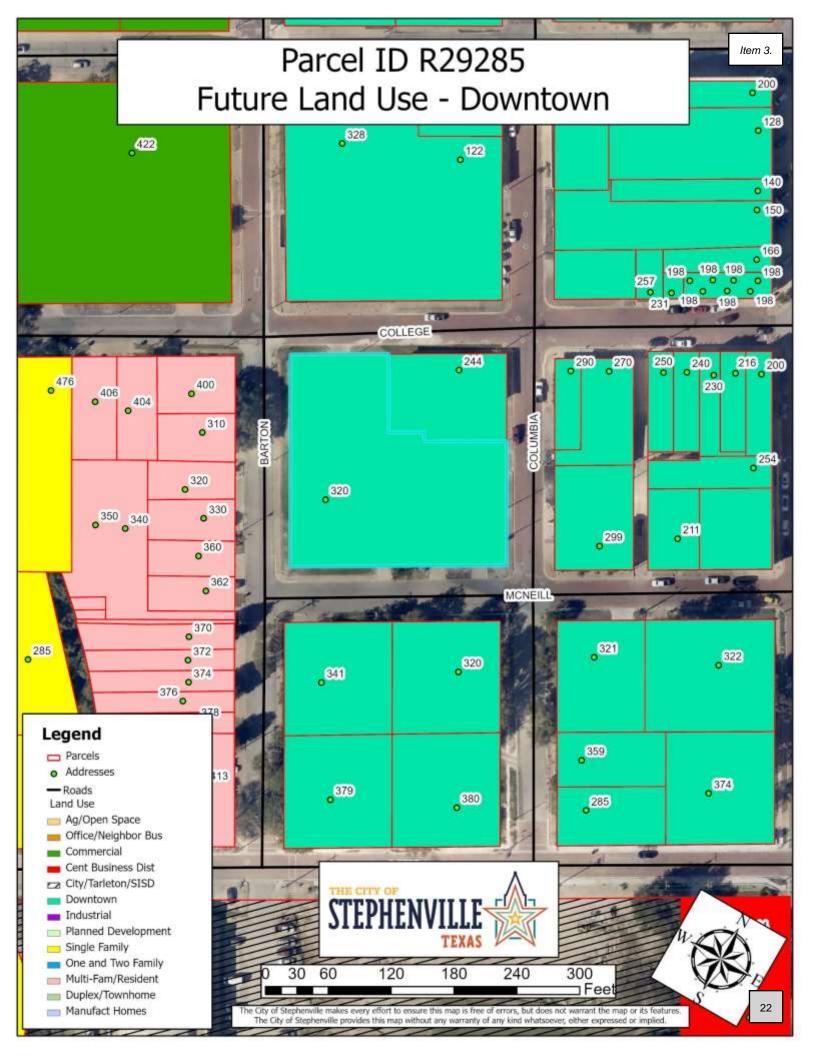


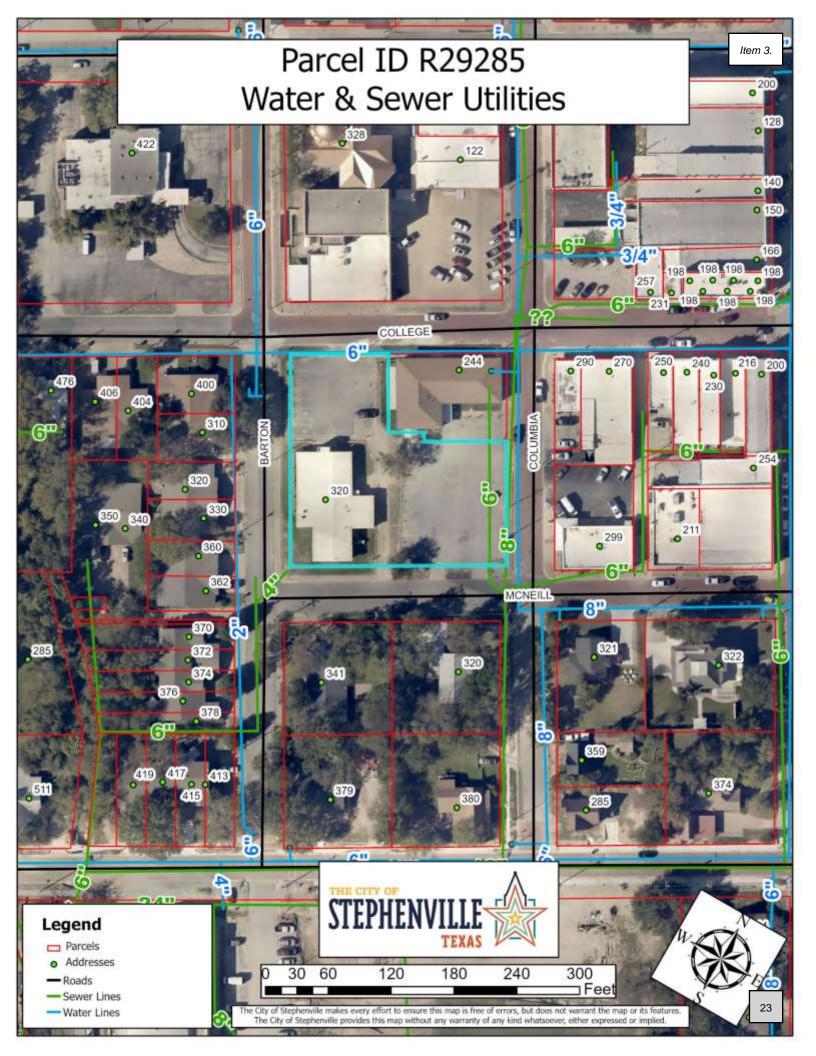






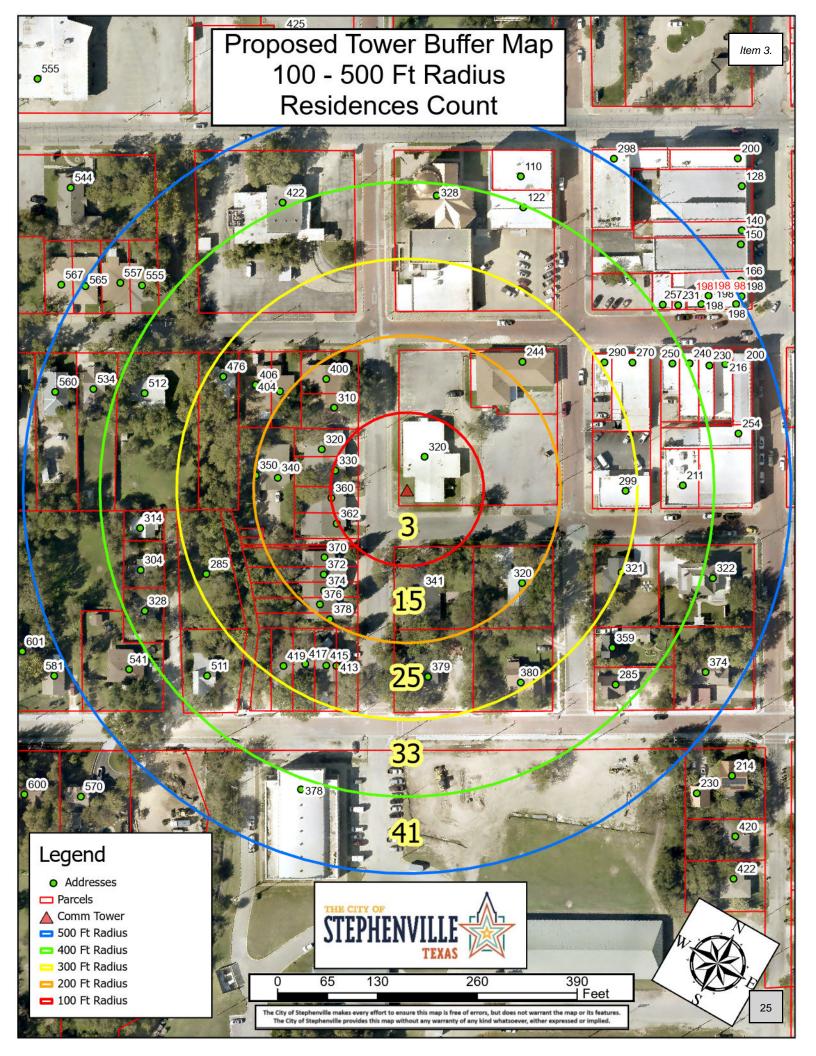






Parcel R29285 200 ft Buffer Addresses

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R000029209	254 S BELKNAP	CARPENTER DARREN R & JAMES F KIMBEL	200 W COLLEGE	STEPHENVILLE	TX	76401
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R000029205	0 W COLLEGE	CITY OF STEPHENVILLE	298 W WASHINGTON	STEPHENVILLE	тх	76401-4257
R000030149	300 BARTON	CITY OF STEPHENVILLE TRUSTEE	320 W COLLEGE	STEPHENVILLE	тх	76401-0000
R000030570	370 BARTON	COATS JAMES ROSEBURRA JR & PATSY GERDENE	1187 AZALEA LANE	STEPHENVILLE	тх	76401
R000030572	372 BARTON	COATS JIM & PATSY	1187 AZALEA LN	STEPHENVILLE	TX	76401-0000
R000030571	376 S BARTON	COATS JIM & PATSY	1187 AZALEA LN	STEPHENVILLE	тх	76401
R000030568	378 BARTON	COATS JIM & PATSY		STEPHENVILLE	TX	76401-0000
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R000030567	415 LONG	COATS JIM & PATSY	1187 AZALEA LN	STEPHENVILLE	TX	76401-0000
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R000030569	374 BARTON	COATS PATSY G	1187 AZALEA LN	STEPHENVILLE	TX	76401
R000029285	320 W COLLEGE	ERATH COUNTY ANNEX II TAX OFFICE	100 W WASHINGTON	STEPHENVILLE	TX	76401-0000
R000030089	422 W WASHINGTON	FIRST UNITED METHODIST CHURCH OF STEPHENVILLE	P O BOX 173	STEPHENVILLE	TX	76401-0000
R000029276	328 W WASHINGTON	FIRST UNITED METHODIST CHURCH-STEPH	P O BOX 173	STEPHENVILLE	TX	76401-0000
R000030143	360 S BARTON	HAMPTON 17X ENTERPRISES LLC	2291 NORTHWEST LOOP	STEPHENVILLE	TX	76401
R000030138	404 W COLLEGE	HOOVER JOEL B	5907 YACHT CLUB DR	ROCKWALL	TX	75032
R000030137	406 COLLEGE	HOOVER JOEL B	5907 YACHT CLUB DR	ROCKWALL	TX	75032
R000072607	359 S COLUMBIA	LITKE GRAHAM ROSS	359 S COLUMBIA ST	STEPHENVILLE	TX	76401
R000029212	240 W COLLEGE	LIVINGSTON MARTIN	288 E MATHER ST	NEW BRAUNFELS	TX	78130
R000029224	322 BELKNAP	MAYO BEAU & LAURA	2699 CR223	STEPHENVILLE	TX	76401
R000029213	250 W COLLEGE	MCDONALD RICHARD & JANE MCDONALD FAMILY TRUST	PO BOX 1783	STEPHENVILLE	TX	76401-0000
R000029214	299 S COLUMBIA	MCKETHAN & BEAM PROPERTIES LLC	115 N GRAHAM ST #201	STEPHENVILLE	TX	76401
R000029211	230 W COLLEGE	MIB CELLAR LLC	115 N GRAHAM	STEPHENVILLE	TX	76401
R000029215	290 W COLLEGE	PENDLETON ENTERPRISES LLC	PO BOX 483	STEPHENVILLE	TX	76401
R000029216	270 W COLLEGE	PENDLETON ENTERPRISES LLC	PO BOX 483	STEPHENVILLE	TX	76401
R000029219	341 BARTON	PRICE KIMBERLY & RILEY PRICE	335 SPRING CREEK CT	STEPHENVILLE	TX	76401
R000030141	320 BARTON	SCHOUTEN TOM & NANCY C JONES	802 PRAIRIE WIND BLVD	STEPHENVILLE	TX	76401-1809
R000030142	330 BARTON	SCHOUTEN TOM & NANCY JONES	802 PRAIRIE WIND BLVD	STEPHENVILLE	TX	76401-1809
R000029220	320 COLUMBIA	SMITHEAL JACOB	4823 TIMBERLANE DR	AUSTIN	TX	78746
R000029283	244 S COLUMBIA	STEPHENVILLE LODGE NO 267	244 S COLUMBIA	STEPHENVILLE	TX	76401-0000
R000029221	380 COLUMBIA	SUMPTER KIMBERLY JOYCE & WILLIAM SHANNON	1000 SAN BENITO DR	BROWNWOOD	TX	76801
R000029198	166 S BELKNAP	THEMIS INVESTMENT PROPERTIES LLC AND	166 S BELKNAP	STEPHENVILLE	TX	76401
R000029222	379 LONG	THORP KATHY AND WYATT THORP	PO BOX 156	THROCKMORTON	TX	76483



STAFF REPORT



SUBJECT: Case No.: SE2024-003

Applicant Chris Brooks with Erath County Emergency Management, representing Erath County Annex II Tax Office, is requesting a special exception from Section 154.74.E.4, related to radio tower setback requirements for property located at 320 W College, being Parcel R29285, S2600 CITY ADDITION,; BLOCK 24,; LOTS 1, 3, 4, TAX OFFICE of the City of Stephenville, Erath County,

Texas.

MEETING: Board of Adjustment – July 11, 2024

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen

BACKGROUND:

The applicant is requesting a special exception to the referenced regulation.

APPLICABLE LAND USE REGULATION:

Sec. 154.74. Wireless communication facilities.

- E. Nonresidential districts ((B-1), (B-2), (B-3), (B-4), (B-5), (I). Radio, television, microwave broadcast relay, receiving towers, transmission and re-transmission facilities, satellite receiving only earth stations (home dish antenna), and any electronic emission equipment of a commercial nature shall be allowed in the nonresidential zoning districts if it complies with the following regulations:
 - 4. Setbacks: With the exception of stealth facilities, antennas and antenna facilities shall not be permitted in front or side yards;

SPECIAL EXCEPTION:

- G. Special exception relief from regulations. A special exception must be obtained from the board of adjustments for any antenna, tower, and/or satellite receive-only antenna which does not comply with the regulations specified in this section. In considering whether to grant a special exception from the regulations specified above, the board of adjustment shall consider the following factors:
 - 1. The effect on the value of the surrounding property;
 - 2. The potential for interference with the enjoyment of surrounding properties;
 - 3. Aesthetics;
 - 4. The necessity of the special exception for the public health, safety, and welfare of the citizens or for governmental purposes;
 - 5. The zoning district and the adjoining zoning districts of the property for which the special exception is sought;
 - 6. The provisions of 47 C.F.R. § 25.104 which preempt local zoning or other regulations that differentiate between satellite receive-only antennas and other types of antenna facilities unless such regulations:
 - (a) Have a clearly defined health, safety or aesthetic objective; and

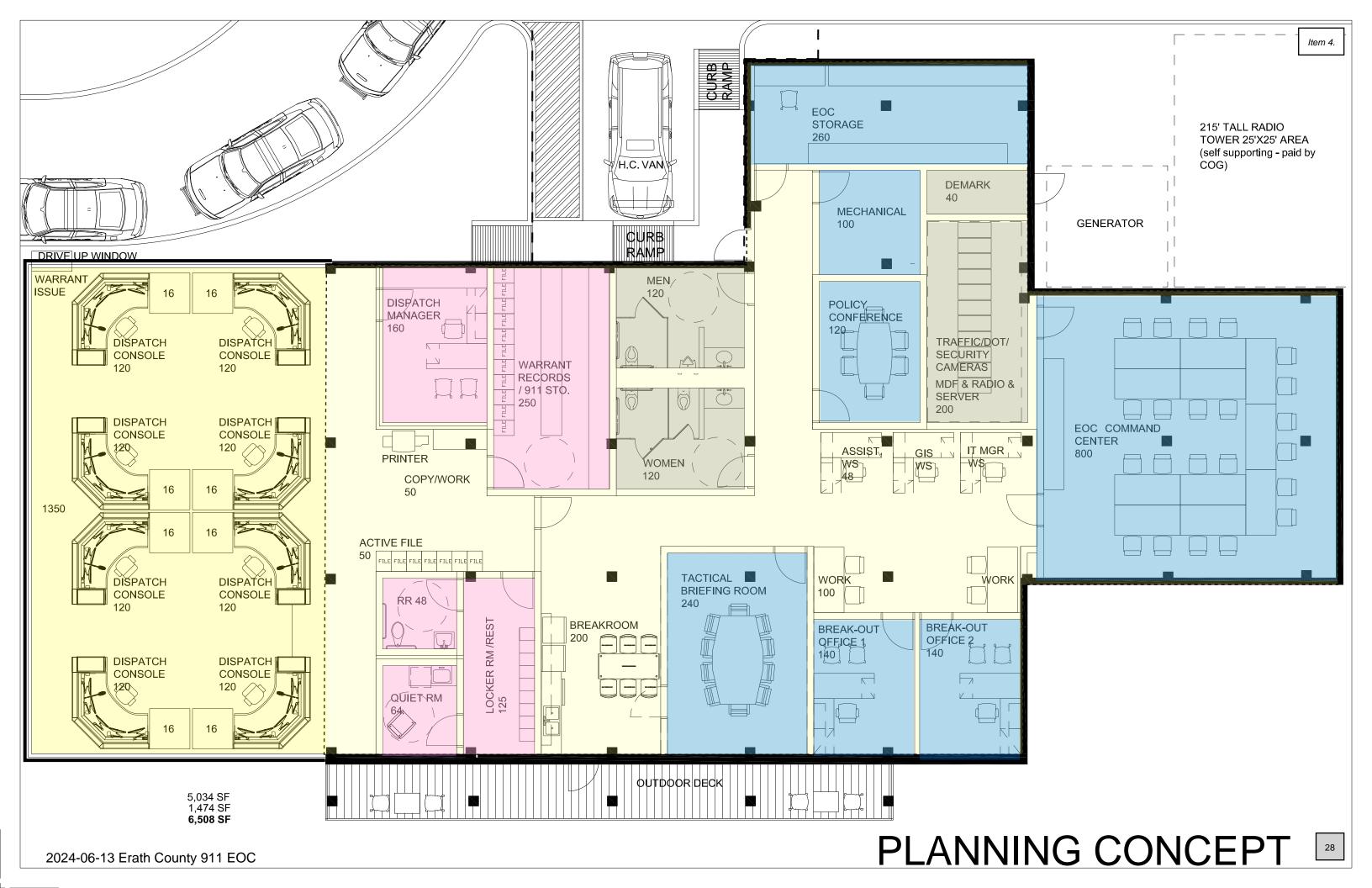
Item 4.

- (b) Further the stated health, safety, or aesthetic objectives without unnecessarily burdening the fede interest in ensuring access to satellite services and in promoting fair and effective competition among competing communications service providers;
- 7. To properly evaluate all applications to locate commercial antennas or towers which do not comply with the regulations specified above, the following information must be provided by the applicant:
 - (a) Describe the nature of the antenna site. Indicate whether the proposed structure is a monopole or mounted to a self-supporting structure. Indicate the proposed height;
 - (b) Provide photos or drawings of all equipment, structures and antenna;
 - (c) Describe why the antenna or tower is necessary;
 - (d) Address whether or not the applicant has made an effort to co-locate the facilities proposed for this antenna or tower on existing towers or facilities in the same general area and, if so, identify the location of these existing sites. If yes, describe in detail these efforts and explain in detail why these existing sites were not feasible. Attach all studies or tests performed which demonstrate why the existing sites will not provide sufficient signal coverage. Provide written documentation from existing sites' owners and/or operators, which confirm the statements provided. Indicate whether or not the existing sites allow or promote co-location and, if not, describe why not;
 - (e) If the requested location is in a residential district the applicant shall address whether or not the applicant has made an effort to locate the facility in a commercial or industrial district and identify the location of these commercial and or industrial district sites. Describe in detail these efforts and explain in detail why these commercial or industrial district sites were not feasible. Attach all studies or tests performed which demonstrate why the commercial or industrial sites will not provide sufficient signal coverage. Provide written documentation from commercial or industrial district sites' owners and/or operators which confirm the statements provided;
 - (f) Indicate the proposed provider's current coverage area for the city. Attach maps showing the areas the proposed provider's existing antennas currently cover, the areas the applicant's existing sites and other existing sites would cover, and the areas the applicant's existing sites and the requested site would cover;
 - (g) Describe the applicant's master antenna and tower plan for the city. Attach maps and other related documentation. Provide information indicating each phase of the plan;
 - (h) Describe the applicant's plan to minimize the number of telecommunications antenna and towers needed to cover the city;
- H. Written report upon denial of request. The administrative official and/or the board of adjustment shall document any denial of a request to place, construct, or modify an antenna facility in writing. Such documentation shall be supported by substantial evidence within the written record.

(Ord. 2018-O-03, 1-2-2018; Am. Ord. 2018-O-27, 8-7-2018)

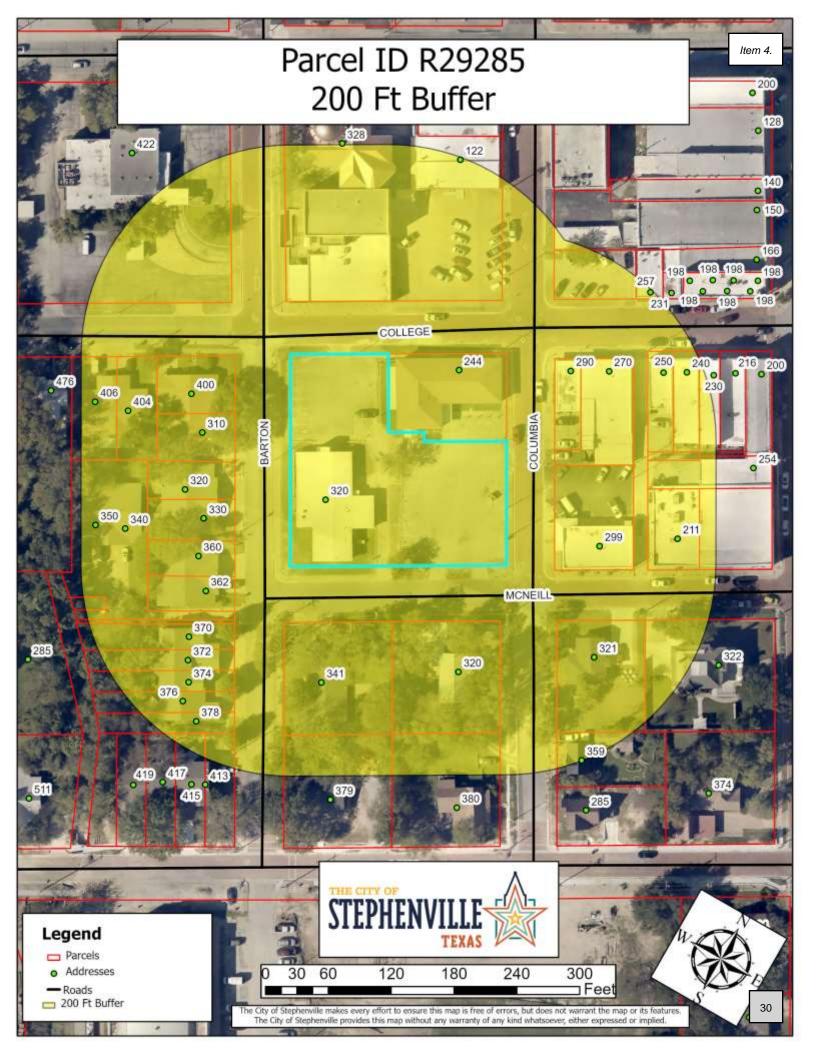
ALTERNATIVES:

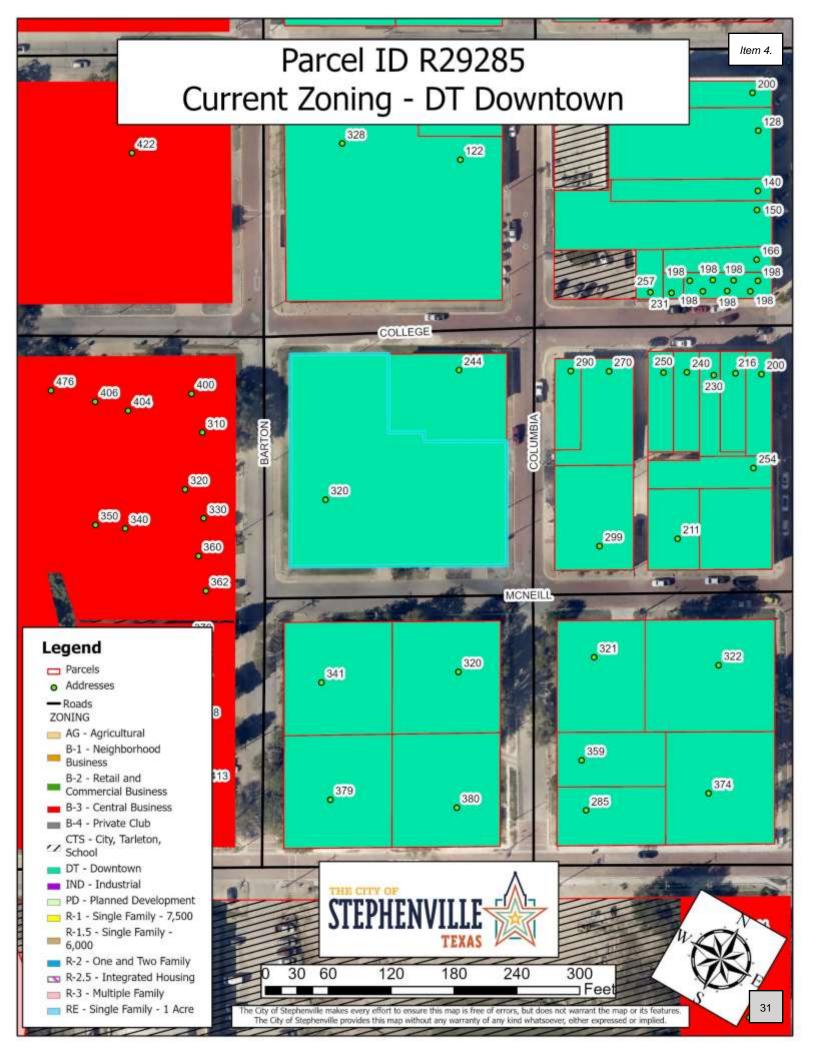
- 1. Approve the Special Exception Request
- 2. Deny the Special Exception Request

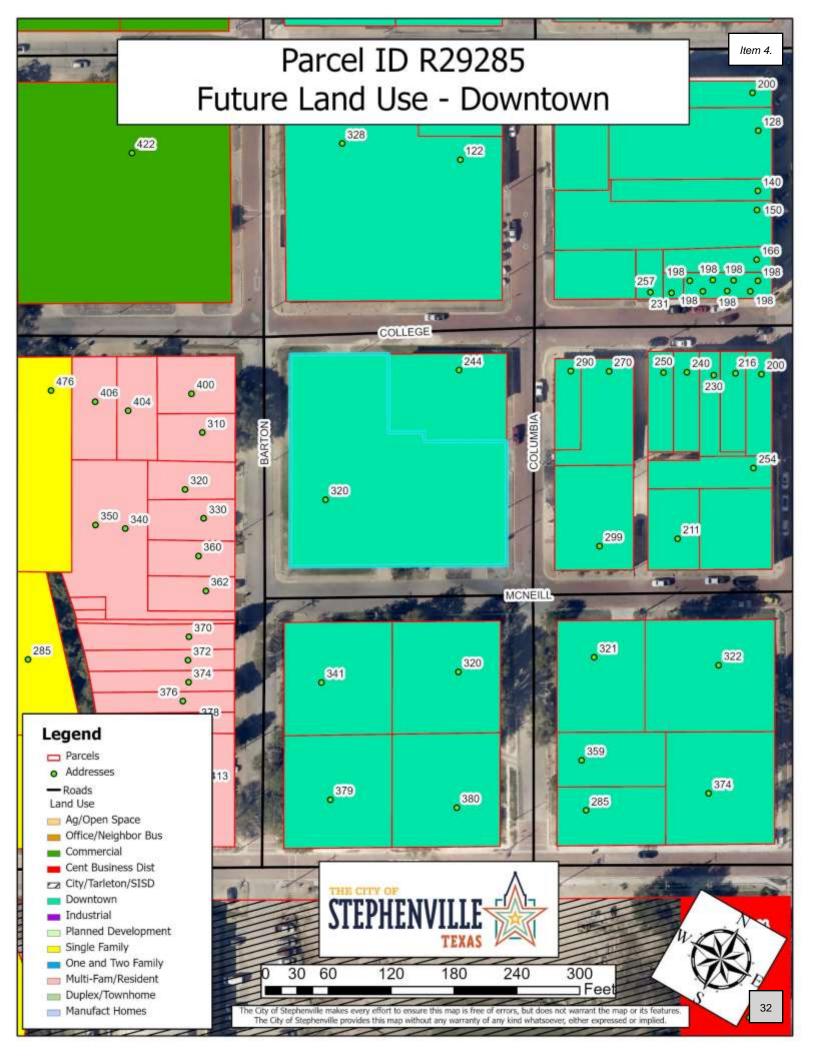


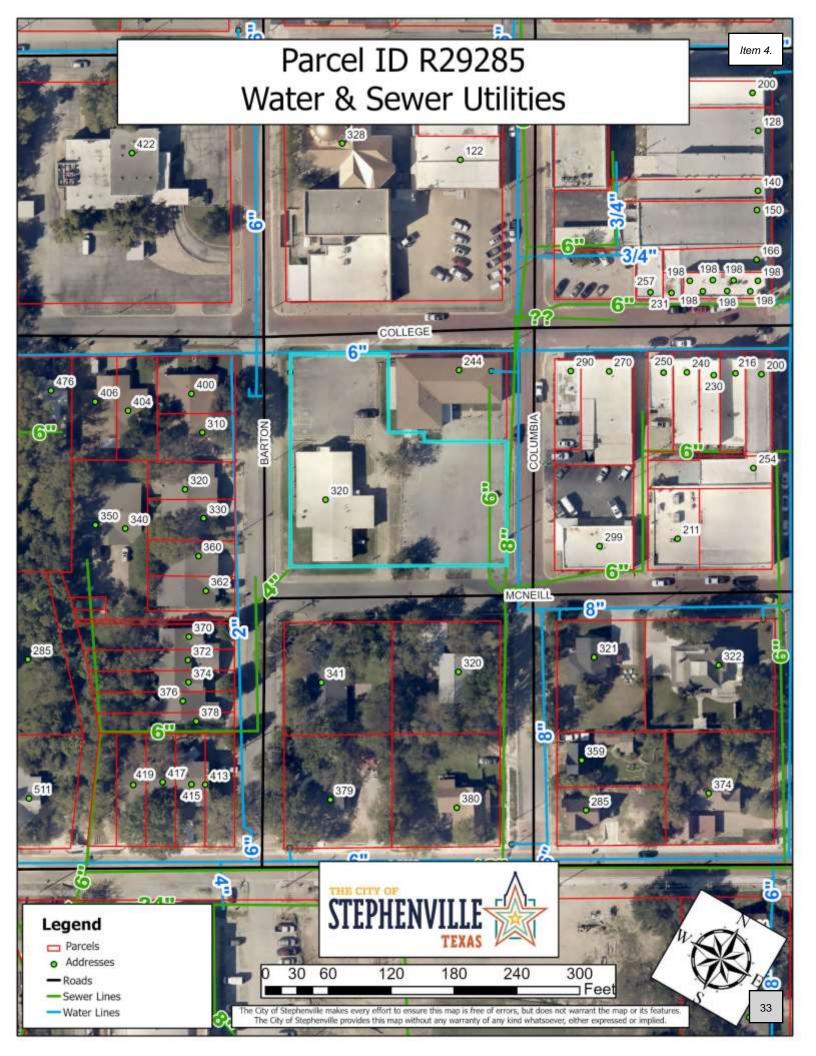






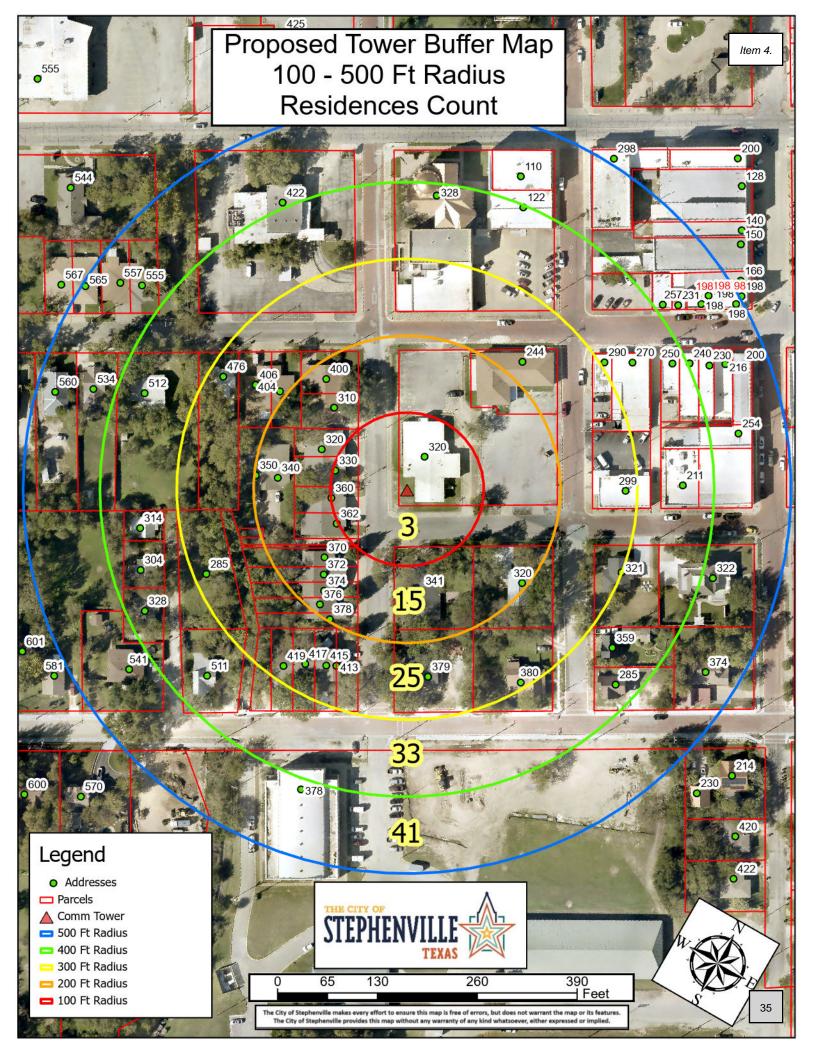






Parcel R29285 200 ft Buffer Addresses

Parcel ID	Parcel Address	Parcel Owner	Owner Address	City	State	Zip Code
R000030139	400 COLLEGE	BLEDSOE CYNTHIA A	400 W COLLEGE	STEPHENVILLE	TX	76401
R000029217	272 S BELKNAP	BMF PROPERTIES LLC	115 N GRAHAM ST #202	STEPHENVILLE	TX	76401
R000029218	211 W MCNEILL	BMF PROPERTIES LLC	115 N GRAHAM ST #202	STEPHENVILLE	TX	76401
R000029206	257 W COLLEGE	BOONE SHARON	9603 MUIRFIELD DR	GRANBURY	TX	76049-4478
R000029223	321 COLUMBIA	BRAMLETT PATRICIA & BARBIE GRAHAM &	1423 CR257	STEPHENVILLE	TX	76401
R000029209	254 S BELKNAP	CARPENTER DARREN R & JAMES F KIMBEL	200 W COLLEGE	STEPHENVILLE	TX	76401
R000030145	340 BARTON	CARTWRIGHT LOUIS A & JANIS H	3921 EDGEROCK DR	AUSTIN	TX	78731
R000029205	0 W COLLEGE	CITY OF STEPHENVILLE	298 W WASHINGTON	STEPHENVILLE	тх	76401-4257
R000030149	300 BARTON	CITY OF STEPHENVILLE TRUSTEE	320 W COLLEGE	STEPHENVILLE	тх	76401-0000
R000030570	370 BARTON	COATS JAMES ROSEBURRA JR & PATSY GERDENE	1187 AZALEA LANE	STEPHENVILLE	тх	76401
R000030572	372 BARTON	COATS JIM & PATSY	1187 AZALEA LN	STEPHENVILLE	TX	76401-0000
R000030571	376 S BARTON	COATS JIM & PATSY	1187 AZALEA LN	STEPHENVILLE	тх	76401
R000030568	378 BARTON	COATS JIM & PATSY		STEPHENVILLE	TX	76401-0000
R000030565	413 N LONG	COATS JIM & PATSY	1187 AZALEA LN	STEPHENVILLE	TX	76401-0000
R000030567	415 LONG	COATS JIM & PATSY	1187 AZALEA LN	STEPHENVILLE	TX	76401-0000
R000030564	417 LONG	COATS JIM & PATSY	1187 AZALEA LN	STEPHENVILLE	TX	76401-0000
R000030140	310 BARTON	COATS JIM & PATSY	1187 AZALEA LN	STEPHENVILLE	TX	76401-0000
R000030571	376 S BARTON	COATS JIM & PATSY	1187 AZALEA LN	STEPHENVILLE	TX	76401
R000030572	372 BARTON	COATS JIM & PATSY	1187 AZALEA LN	STEPHENVILLE	TX	76401-0000
R000030144	362 BARTON	COATS JIM & PATSY	1187 AZALEA LN	STEPHENVILLE	TX	76401-0000
R000030569	374 BARTON	COATS PATSY G	1187 AZALEA LN	STEPHENVILLE	TX	76401
R000029285	320 W COLLEGE	ERATH COUNTY ANNEX II TAX OFFICE	100 W WASHINGTON	STEPHENVILLE	TX	76401-0000
R000030089	422 W WASHINGTON	FIRST UNITED METHODIST CHURCH OF STEPHENVILLE	P O BOX 173	STEPHENVILLE	TX	76401-0000
R000029276	328 W WASHINGTON	FIRST UNITED METHODIST CHURCH-STEPH	P O BOX 173	STEPHENVILLE	TX	76401-0000
R000030143	360 S BARTON	HAMPTON 17X ENTERPRISES LLC	2291 NORTHWEST LOOP	STEPHENVILLE	TX	76401
R000030138	404 W COLLEGE	HOOVER JOEL B	5907 YACHT CLUB DR	ROCKWALL	TX	75032
R000030137	406 COLLEGE	HOOVER JOEL B	5907 YACHT CLUB DR	ROCKWALL	TX	75032
R000072607	359 S COLUMBIA	LITKE GRAHAM ROSS	359 S COLUMBIA ST	STEPHENVILLE	TX	76401
R000029212	240 W COLLEGE	LIVINGSTON MARTIN	288 E MATHER ST	NEW BRAUNFELS	TX	78130
R000029224	322 BELKNAP	MAYO BEAU & LAURA	2699 CR223	STEPHENVILLE	TX	76401
R000029213	250 W COLLEGE	MCDONALD RICHARD & JANE MCDONALD FAMILY TRUST	PO BOX 1783	STEPHENVILLE	TX	76401-0000
R000029214	299 S COLUMBIA	MCKETHAN & BEAM PROPERTIES LLC	115 N GRAHAM ST #201	STEPHENVILLE	TX	76401
R000029211	230 W COLLEGE	MIB CELLAR LLC	115 N GRAHAM	STEPHENVILLE	TX	76401
R000029215	290 W COLLEGE	PENDLETON ENTERPRISES LLC	PO BOX 483	STEPHENVILLE	TX	76401
R000029216	270 W COLLEGE	PENDLETON ENTERPRISES LLC	PO BOX 483	STEPHENVILLE	TX	76401
R000029219	341 BARTON	PRICE KIMBERLY & RILEY PRICE	335 SPRING CREEK CT	STEPHENVILLE	TX	76401
R000030141	320 BARTON	SCHOUTEN TOM & NANCY C JONES	802 PRAIRIE WIND BLVD	STEPHENVILLE	TX	76401-1809
R000030142	330 BARTON	SCHOUTEN TOM & NANCY JONES	802 PRAIRIE WIND BLVD	STEPHENVILLE	TX	76401-1809
R000029220	320 COLUMBIA	SMITHEAL JACOB	4823 TIMBERLANE DR	AUSTIN	TX	78746
R000029283	244 S COLUMBIA	STEPHENVILLE LODGE NO 267	244 S COLUMBIA	STEPHENVILLE	TX	76401-0000
R000029221	380 COLUMBIA	SUMPTER KIMBERLY JOYCE & WILLIAM SHANNON	1000 SAN BENITO DR	BROWNWOOD	TX	76801
R000029198	166 S BELKNAP	THEMIS INVESTMENT PROPERTIES LLC AND	166 S BELKNAP	STEPHENVILLE	TX	76401
R000029222	379 LONG	THORP KATHY AND WYATT THORP	PO BOX 156	THROCKMORTON	TX	76483



STAFF REPORT



SUBJECT: Case No.: V2024-016

Applicant Jay Emory is requesting a variance from Section 154.21.3.C – Variance for the Construction of a Carport for property located at 2190 Woodland, Parcel R29015, being BLOCK E; LOT 10 of the S2500 Chamberlin Addition of the City of Stephenville, Erath County, Texas.

MEETING: Board of Adjustment – July 11, 2024

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen

BACKGROUND:

Mr. Emory is requesting a variance for the construction of a carport that will encroach into the 12' minimum depth from the edge of the main building that is a R-1 zoning district, Single Family Residential requirement. If approved, the 12 ft. requirement will be reduced to 5 foot in order for the applicant to have access between buildings. The applicant is also requesting a 4 ft. side setback variance which if approved, will reduce that setback to 1 foot.

ZONING REQUIREMENTS:

5.3. D Height, Area, Yard and Lot Coverage Requirements.

- (9) Accessory buildings:
 - (a) Maximum accessory buildings coverage of rear yard: 30%.
 - (b) Maximum number of accessory buildings: two.
 - (c) Minimum depth of side setback: five feet.
 - (d) Minimum depth of rear setback: five feet.
 - (e) Minimum depth from the edge of the main building: 12 feet.

Section 154.21.3.C

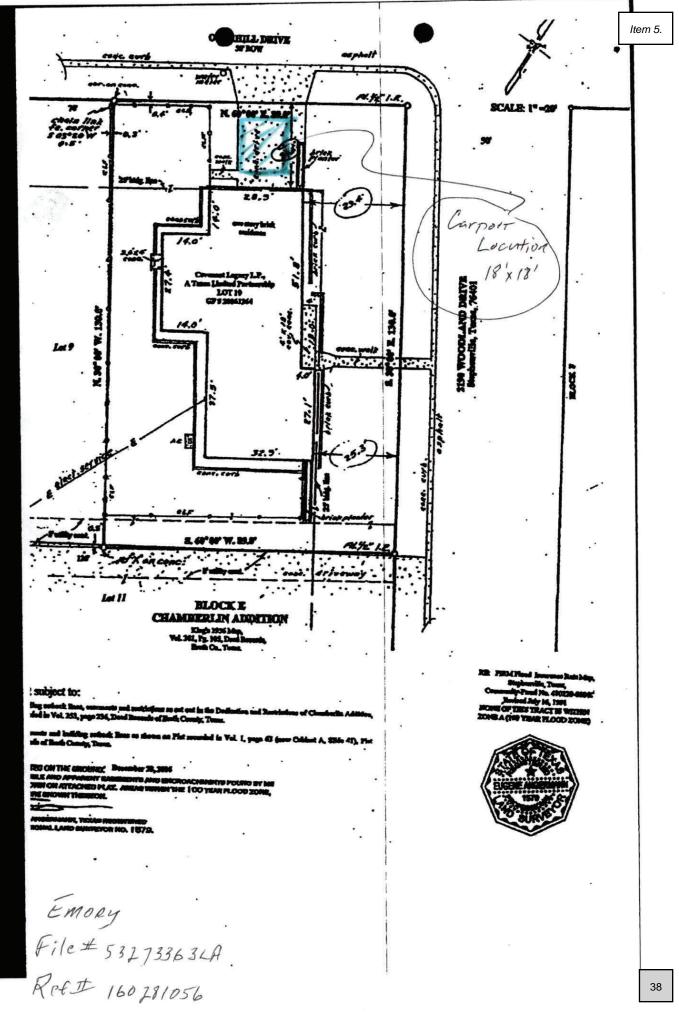
Variance for the Construction of a Carport

- (1) Granting a Variance without a Public Hearing:
 - a. Upon receipt of an application to construct a carport, the city manager or his designee shall determine the following:
 - i. The carport is compatible with the existing home and other homes in the neighborhood.
 - ii. The carport is within the minimum setbacks.
 - iii. The carport is no larger than 25 feet in width by 30 feet in length.
 - b. If the above criteria are met, the city manager or his designee will mail notice of the proposed carport to every property owner within 200 feet of the property. The letter must include the procedure and time limits for protest.
 - c. Within 14 days from the date of the notification letter, a petition with signatures from 35% of the property owners within the notification area must be returned to the city manager or his designee or the special exception is considered granted without a hearing before the board of adjustment.
- (2) Granting a Variance with a Public Hearing:

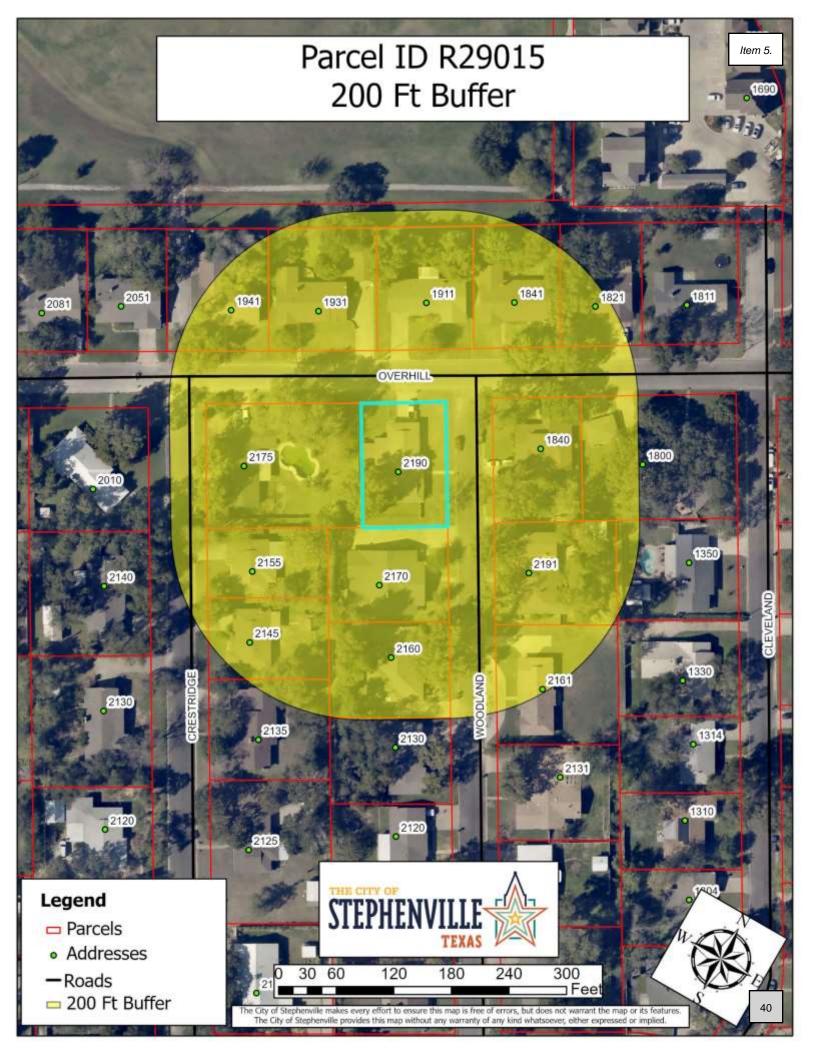
Item 5.

- a. If the criteria listed above are not met, or if a petition is filed with the city manager or his designee as descril above, a public hearing will be scheduled by the board of adjustment to determine if a variance will be granted.
- b. Notice of a public hearing to allow the construction of a carport shall be mailed to every property owner within 200 feet of the property for which the special exception is requested at least ten days prior to the meeting date.
- c. Notice of the public hearing shall be published in the newspaper of record at least ten days prior to the meeting date.
- d. The concurring vote of 75% of the members of the board will be required to grant the special exception.
- (3) The city manager or his designee shall issue to the applicant appropriate documentation showing the grant of the special exception. Such documentation and grant may contain restrictions, use limitations, building requirements, and other matters determined to be appropriate and/or necessary to meet the terms of this section.

- 1. Approve the Variance Request
- 2. Deny the Variance Request



overnill Property Line Chain link fence Chairlink fence Side Walk 1. · Concrete ... drive way Structure (House)









Parcel R29015 200 ft Buffer Addresses

Parcel ID	Parcel Address	Parcel Owner	Owner Address	City	State	Zip Code
R000029029	1350 CLEVELAND	ARNOLD STAN & LOU ANN	1350 CLEVELAND	STEPHENVILLE	TX	76401-0000
R000029011	2145 CRESTRIDGE	BAREFOOT EQUITY PARTNERS, LLC	189 RETA ST	STEPHENVILLE	TX	76401
R000029025	2161 WOODLAND	BOUCHER JUDY CAROLE & JENNIFER BOUCHER	PO BOX 643	STEPHENVILLE	TX	76401
R000029144	1931 OVERHILL DR	CASTLEBERRY CHARLES M & BETTY F CASTLEBERRY	1931 OVERHILL DR	STEPHENVILLE	TX	76401
R000029149	0 OVERHILL DR	CHAMBERLIN HEIRS		STEPHENVILLE	TX	76401-0000
R000029141	1821 OVERHILL DR	DEARING AUTHER M & PHELAN J	1821 OVERHILL DR	STEPHENVILLE	TX	76401-0000
R000029017	2160 WOODLAND	DEBUSK KATHRYN	2160 N WOODLAND	STEPHENVILLE	TX	76401
R000029142	1841 OVERHILL DR	ELLIOTT PENNY T	1841 OVERHILL	STEPHENVILLE	TX	76401
R000029012	2155 CRESTRIDGE	EMERSON MARY E	2155 CRESTRIDGE	STEPHENVILLE	TX	76401
R000029015	2190 WOODLAND	EMORY JAY E & TOMMIE S	2190 N WOODLAND ST	STEPHENVILLE	TX	76401-2052
R000029143	1911 OVERHILL DR	EVATT BETTY (REVOCABLE LIFE ESTATE)	1911 OVERHILL DR	STEPHENVILLE	TX	76401
R000029145	1941 OVERHILL DR	HOLSTEIN MELISSA & MITCHELL	1941 W OVERHILL DR	STEPHENVILLE	TX	76401
R000029028	1800 OVERHILL DR	KILCOYNE KATHERINE L & CLANCEY M KILCOYNE	1800 W OVERHILL DR	STEPHENVILLE	TX	76401
R000029016	2170 WOODLAND	KYLE JAMES A & SUSAN E	2170 N WOODLAND ST	STEPHENVILLE	TX	76401
R000029026	2191 WOODLAND	LEACH PATRICIA GAYLEEN & NINA PATRICIA MCCAIN	2191 WOODLAND	STEPHENVILLE	TX	76401
R000029027	1840 OVERHILL DR	MCGOWAN ROBERT J & REBA D	1840 W OVERHILL DR	STEPHENVILLE	TX	76401
R000029013	2175 CRESTRIDGE	RONCK CATHERINE L	2175 CRESTRIDGE	STEPHENVILLE	TX	76401
R000029010	2135 CRESTRIDGE	STEPHENS DENA M & RICHARD BRISBON 2017 REV TRUST	1504 WHISPERING OAKS CT	GRANBURY	TX	76049
R000029018	2130 WOODLAND	THE WRINKLE FAMILY TRUST	1005 CHARLOTTE	STEPHENVILLE	TX	76401

Board of Adjustment

STAFF REPORT



SUBJECT: Case No.: V2024-018

Applicant Joseph Borges representing CJW Partners, LLC is requesting a variance from Section Sec.154.12-37 – Variance from Sign Regulations for property located at 200 W Washington, Parcel R29202, being BLOCK 7; LOT H of the S2600 City Addition of the City of Stephenville,

Erath County, Texas.

MEETING: Board of Adjustment – August 8, 2024

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen

BACKGROUND:

Mr. Borges is requesting variances from the sign ordinance to place an additional projection sign on the property. This building is the former Rexall Drugstore. The existing sign will remain in place.

The drawing and subsequent email submitted by Signs Express Plus indicate the sign will be 7' in diameter. It is unknown at this time how many additional feet will be added from the materials used to attach the sign to the building.

Known variances needed at this time are:

- 1. Requesting more than one sign per façade.
- 2. Requesting to extend beyond the 4' limitation.
- 3. Requesting to protrude the TxDOT Right-of-way.

Sec. 154.12. Sign regulations.

12-37 Projection sign.

- (a) Location.
 - (1) Signs must be premises signs.
 - (2) Sign shall be attached to the building and extending in whole or part between 12 inches and four feet beyond the exterior surface of the building but not protruding into the ROW or another property.
- (b) Area. The surface area of the sign where text and graphics are displayed shall not exceed a maximum of 30 percent of the area of the building elevation to which it is attached.
- (c) Number of signs. One per building elevation.

Section 12-12 Variances

- (a) Variance authorized. The Board of Adjustment (BOA) may authorize a variance to any restriction set forth in this chapter, including, but not limited to, the number, type, area, height or setback of signs, or any other aspect involved in the sign permitting process.
- (b) Approval standards. In granting any variance, BOA shall consider the following criteria and shall grant the variance only if:

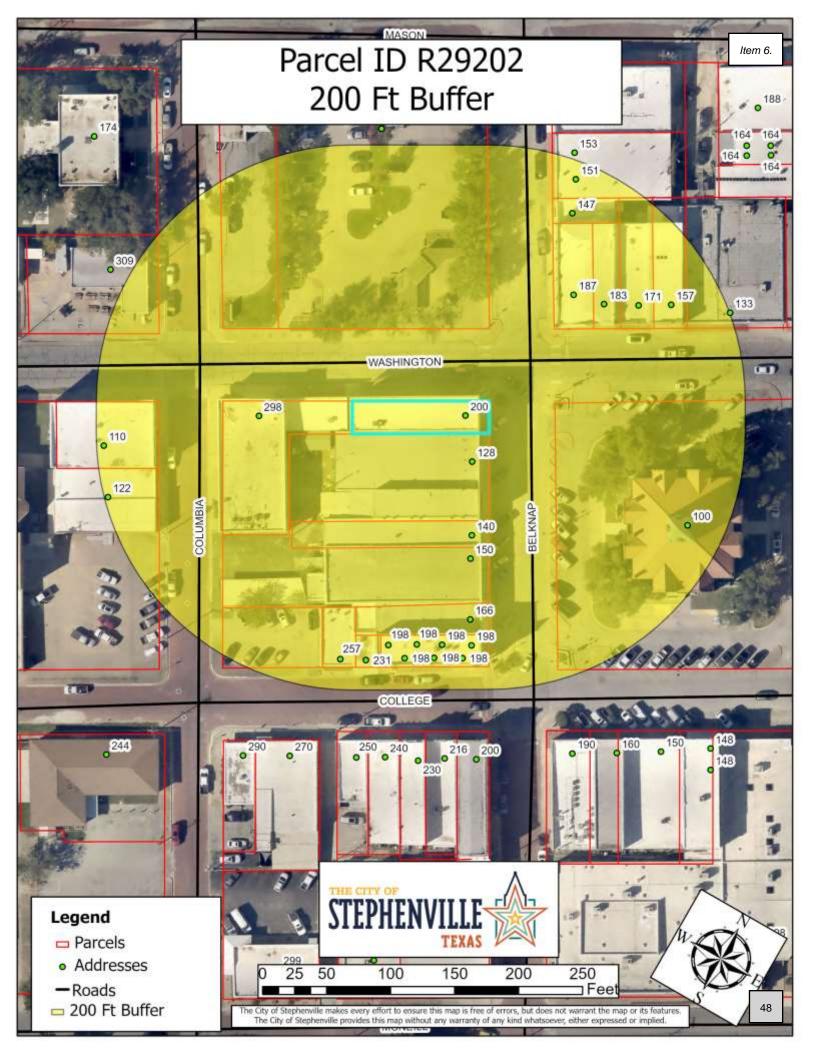
Item 6.

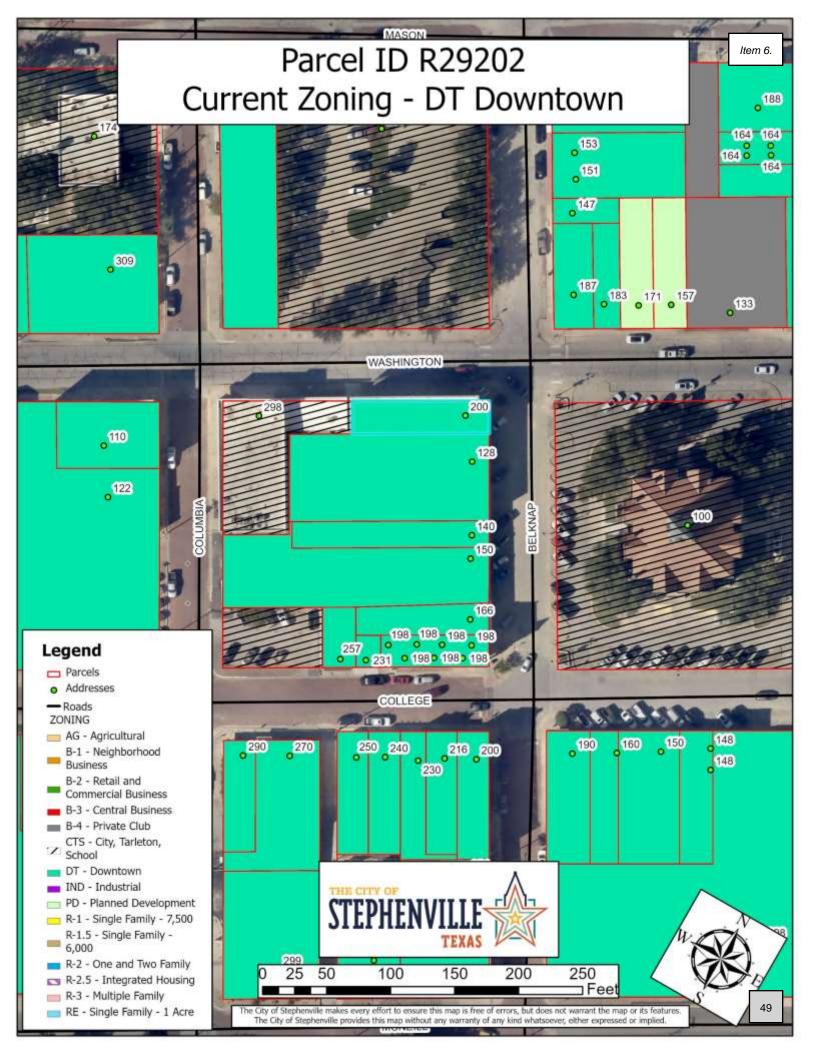
- (1) Special conditions exist which are peculiar to the land, structure or building involved and are not applicable other lands, buildings or structures in the same vicinity. The city may attach such conditions to granting all or a portion of any variance necessary to achieve the purpose of this chapter; and
- (2) The strict interpretation of the provisions of the chapter would deprive the applicant of rights commonly enjoyed by other properties in the vicinity under the terms of the chapter; and
- (3) The special conditions and circumstances do not result from the actions of the applicant and such conditions and circumstances do not merely constitute pecuniary hardship or inconveniences; and
- (4) Granting the variance will meet the objectives of the chapter and not be injurious to the adjoining property owners or otherwise detrimental to the public welfare; and
- (5) The request will be the minimum variance necessary to alleviate the special hardship or practical difficulties faced by the applicant in meeting the requirements of this chapter; and
- (6) Granting of the variance will be in harmony with the spirit and purpose of this chapter.
- (7) In granting special exceptions under this section, the Board of Adjustment may impose such conditions as are necessary to protect adjacent property owners and to ensure the public health, safety and general welfare, including but not limited to conditions specifying the period during which the nonconforming use may continue to operate or exist before being conformed to the standards of the Zoning Ordinance.

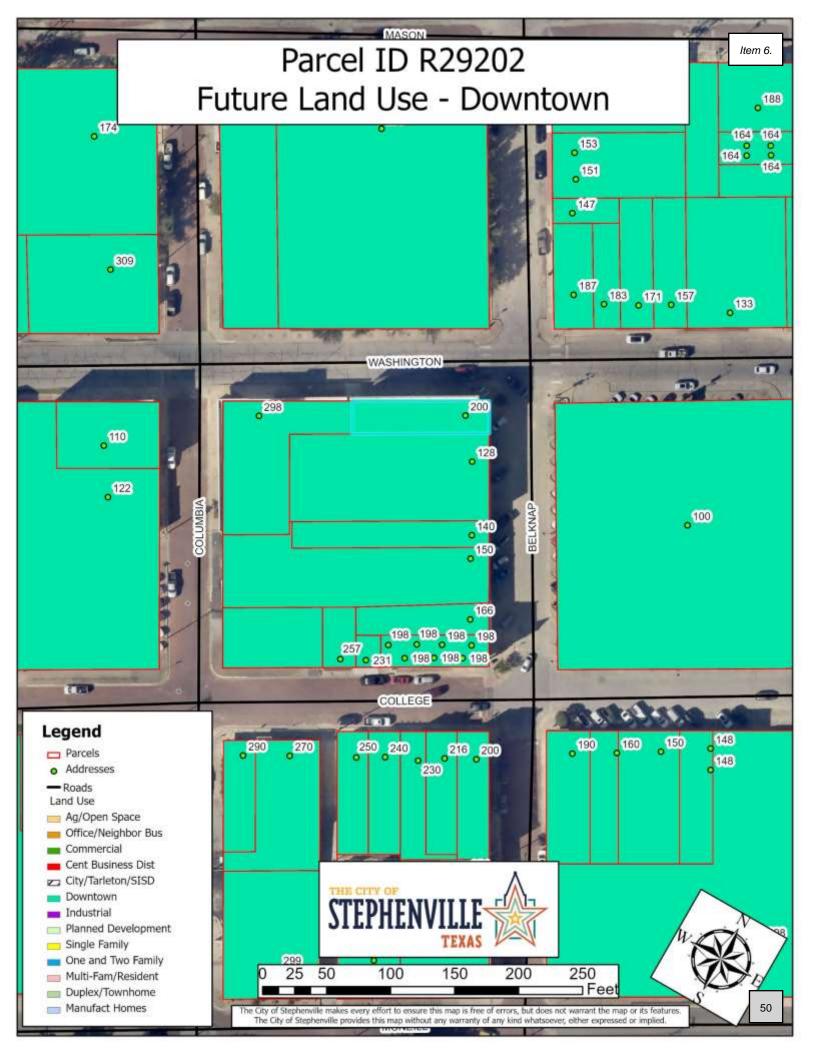
- 1. Approve the Variance Request.
- 2. Deny the Variance Request.

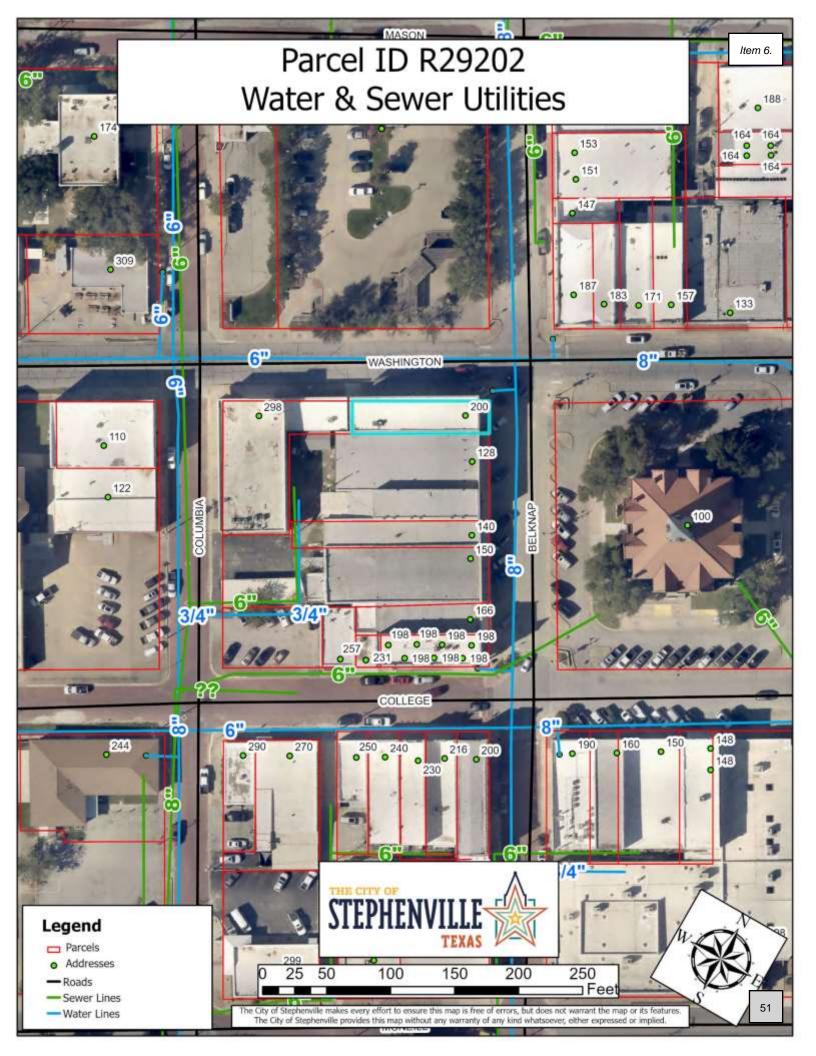
Applicants Request is as follows:

I am requesting an additional sign permit. The existing Rexall sign cannot be removed, and we believe that having an additional sign will enhance visibility and promote our services/products to potential customers.









Parcel R29202

200 ft Buffer Addresses

Parcel ID	Parcel Address	Parcel Owner	Owner Address	City	State	Zip Code
R000029206	257 W COLLEGE	BOONE SHARON	9603 MUIRFIELD DR	GRANBURY	TX	76049-4478
R000029207	231 W COLLEGE	BOONE SHARON	9603 MUIRFIELD DR	GRANBURY	TX	76049-4478
R000029189	153 N BELKNAP	BURDICK RENEE W	702 PRAIRIE WIND	STEPHENVILLE	TX	76401
R000029205	0 W COLLEGE	CITY OF STEPHENVILLE	298 W WASHINGTON	STEPHENVILLE	TX	76401-4257
R000029204	298 W WASHINGTON	CITY OF STEPHENVILLE	298 W WASHINGTON	STEPHENVILLE	TX	76401-4257
R000029273	174 N COLUMBIA	CITY OF STEPHENVILLE	298 W WASHINGTON	STEPHENVILLE	TX	76401-4257
R000029191	200 MASON	CITY OF STEPHENVILLE	298 W WASHINGTON	STEPHENVILLE	TX	76401-4257
R000029202	200 W WASHINGTON	CJW PARTNERS LLC	PO BOX 909	STEPHENVILLE	TX	76401
R000029201	128 S BELKNAP	COATS JIM & PATSY	1187 AZALEA LN	STEPHENVILLE	TX	76401-0000
R000029190	147 N BELKNAP	DOUBLE W INVESTMENTS LLC	6440 N. CENTRAL EXPRESSWAY	DALLAS	TX	75206
R000029150	100 W WASHINGTON	ERATH COUNTY	100 W WASHINGTON	STEPHENVILLE	TX	76401-0000
R000029199	150 S BELKNAP	EVATT INVESTMENTS	1425 PECAN HILL RD	STEPHENVILLE	TX	76401-9656
R000029276	328 W WASHINGTON	FIRST UNITED METHODIST CHURCH-STEPH	P O BOX 173	STEPHENVILLE	TX	76401-0000
R000029197	166 BELKNAP	FOUR ARROWS MANAGEMENT LLC	503 LYDIA LANE	GRANBURY	TX	76048
R000029274	309 W WASHINGTON	HARMONY CJC LLC	PO BOX 341	STEPHENVILLE	TX	76401
R000029277	110 S COLUMBIA	KNIGHTS OF PYTHIAS	122 S COLUMBIA	STEPHENVILLE	TX	76401-0000
R000029196	198 S BELKNAP	RED FENCES LLC	PO BOX 267	STEPHENVILLE	TX	76401
R000029181	133 W WASHINGTON	ROCKIN P STEPHENVILLE LLC	1042 TERRA VISTA DRVIE	ALLEN	TX	75013
R000029194	199 N COLUMBIA	STEPHENVILLE BANK & TRUST	PO BOX 998	STEPHENVILLE	TX	76401-0000
R000029177	187 W WASHINGTON	STEPHENVILLE CHAMBER OF COMMERCE IN	PO BOX 306	STEPHENVILLE	TX	76401-0000
R000043723	183 W WASHINGTON	STEPHENVILLE CHAMBER OF COMMERCE INC	187 WEST WASHINGTON	STEPHENVILLE	TX	76401
R000029178	171 W WASHINGTON	STEPHENVILLE RENTALS LLC	181 S GRAHAM	STEPHENVILLE	TX	76401
R000029179	157 W WASHINGTON	STEPHENVILLE RENTALS LLC	181 S GRAHAM	STEPHENVILLE	TX	76401
R000029198	166 S BELKNAP	THEMIS INVESTMENT PROPERTIES LLC AND	166 S BELKNAP	STEPHENVILLE	тх	76401



Board of Adjustment

STAFF REPORT



SUBJECT: Case No.: V2024-019

Applicant Carol Gibson is requesting a variance from Section 154.05.3.D(3) "Minimum Lot Width" for property located at 210 Davis, being Parcel R32654 of S5200 MCALISTER SECOND, Block 5,

Lots 16 & 17 of the City of Stephenville, Erath County, Texas.

MEETING: Board of Adjustment – August 8, 2024

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen

BACKGROUND:

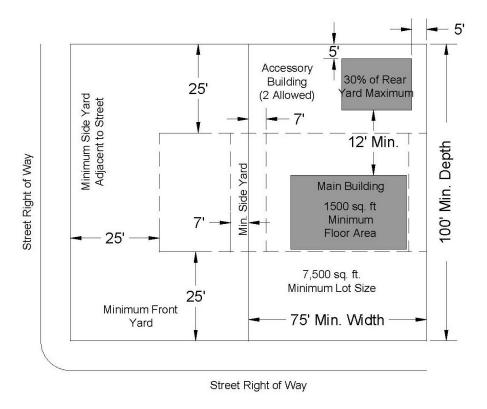
Ms. Gibson has recently purchased Lot 16 of parcel R32654 and is requesting a 4.46-foot variance relating to the lot width of 75' in order to build a single-family residential structure. The survey that has been submitted shows that the newly acquired lot is platted at approximately 70.54' of frontage along Davis. The current land use regulation requires 75' of frontage. The single-family home on lot 17 is currently 4.98 feet from the common boundary of lot 16 and 17. If approved, the new home constructed on Lot 16 will be required to meet the setbacks required of R-1 zoning.

5.3.D Height, Area, Yard and Lot Coverage Requirements.

- Maximum density: one dwelling unit per lot.
- (2) Minimum lot area: 7,500 ft².
- (3) Minimum lot width and lot frontage: 75 feet.
- (4) Minimum lot depth: 100 feet.
- (5) Minimum depth of front setback: 25 feet.
- (6) Minimum depth of rear setback: 25 feet.
- (7) Minimum width of side setback:
 - (a) Internal lot: seven feet.
 - (b) Corner lot: 25 feet from intersecting side street.
- (8) Building size:
 - (a) Maximum main building coverage as a percentage of lot area: 40%.
 - (b) Minimum area of main building: 1,500 ft².
- (9) Accessory buildings:
 - (a) Maximum accessory buildings coverage of rear yard: 30%.
 - (b) Maximum number of accessory buildings: two.
 - (c) Minimum depth of side setback: five feet.
 - (d) Minimum depth of rear setback: five feet.
 - (e) Minimum depth from the edge of the main building: 12 feet.
- (10) Maximum height of structures: 35 feet.

Item 7.

(11) Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.



VARIANCE:

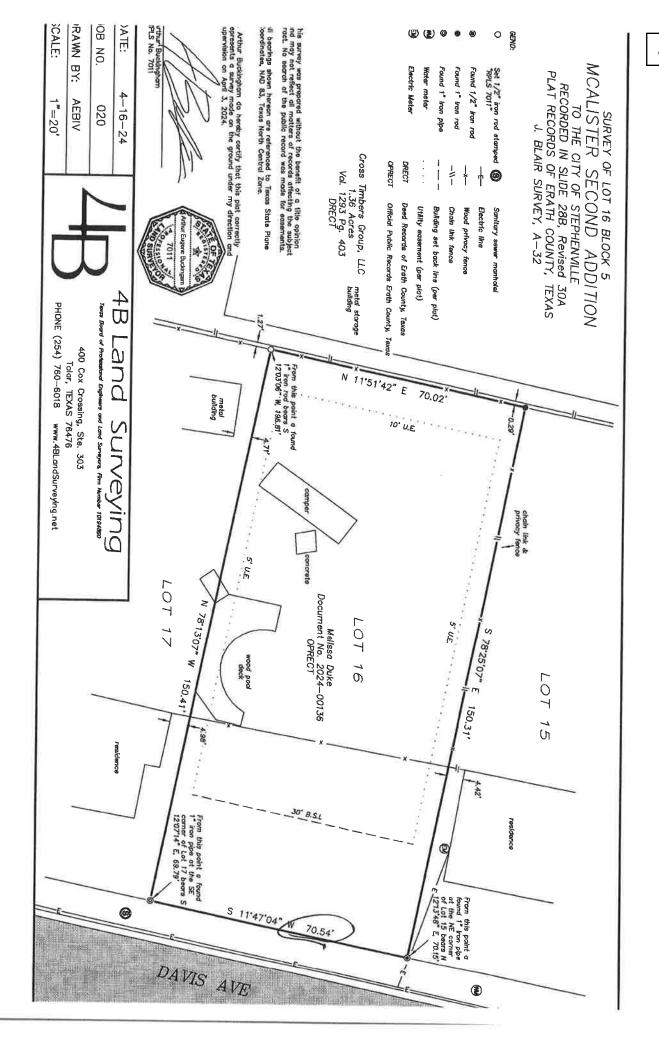
Section 154.21.1.I

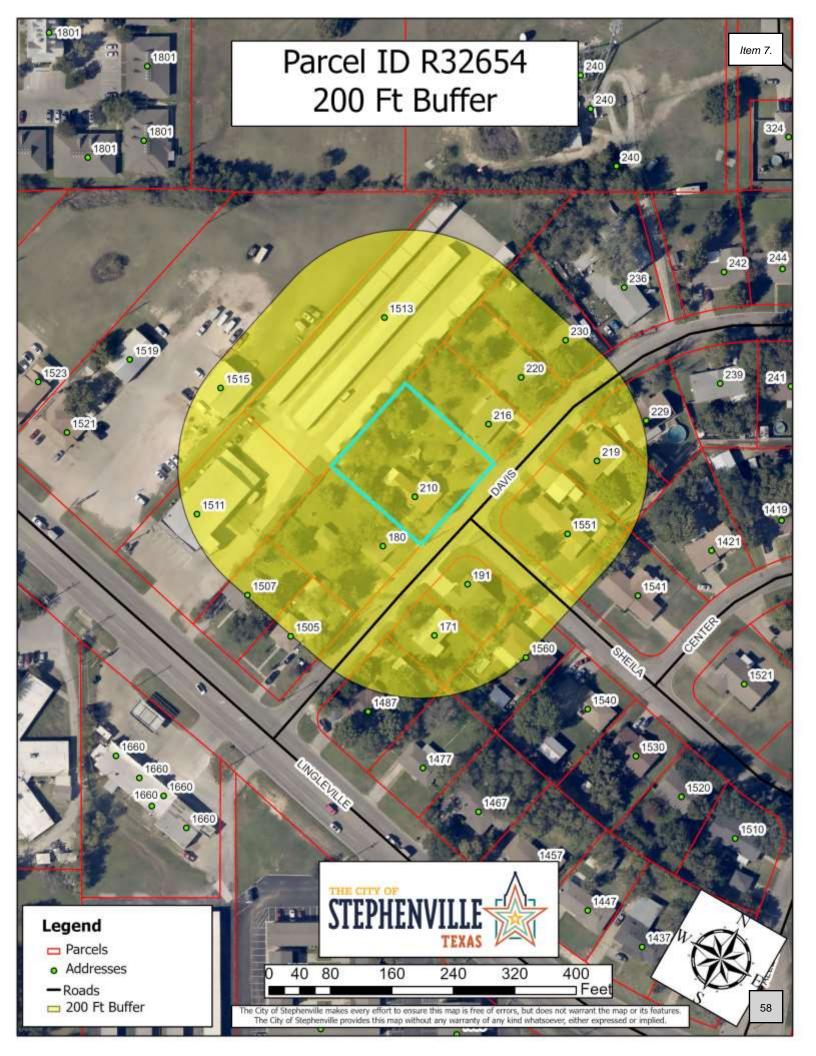
- 1. A variance from the literal enforcement of the Zoning Ordinance in order to achieve a reasonable development of the property. Whenever owning to exceptional and extraordinary conditions, the literal enforcement of the zoning regulations will result in unnecessary hardship in the development of the property, an appeal for a variance may be filed with the Board of Adjustment.
- 2. When a property owner can show that a strict application of the terms of this ordinance relating to the use, construction or alteration of buildings or structures or the use of land will impose upon him or her practical difficulties or particular hardship, the Board may consider and allow variations of the strict application of the terms of this ordinance if the variation are in harmony with the general purpose and intent of this ordinance, and the Board is satisfied, under the evidence heard by it, that a granting of the variation will not merely serve as a convenience to the applicant, but will alleviate some demonstrable hardship or difficulty so great as a to a warrant a variation from the Zoning Regulations.
- 3. The Board may authorize a variance where by reason of exceptional narrowness, shallowness, or shape of specific piece of property of record at the time of the adoption of this ordinance, or by reason of exceptional situation or condition of a specific piece of property, the strict application of a provision of this ordinance would result in peculiar and exceptional practical difficulties and particular hardship upon the owner of the property and amount to a practical confiscation of the property as distinguished from a mere inconvenience to the owner, provided the variation can be granted without substantial detriment to the public good, and without substantially impairing the general purpose and intent of the comprehensive plan as established by the regulations and provisions contained in this ordinance.
 - (a) Papers required. An appeal for a variance shall include:

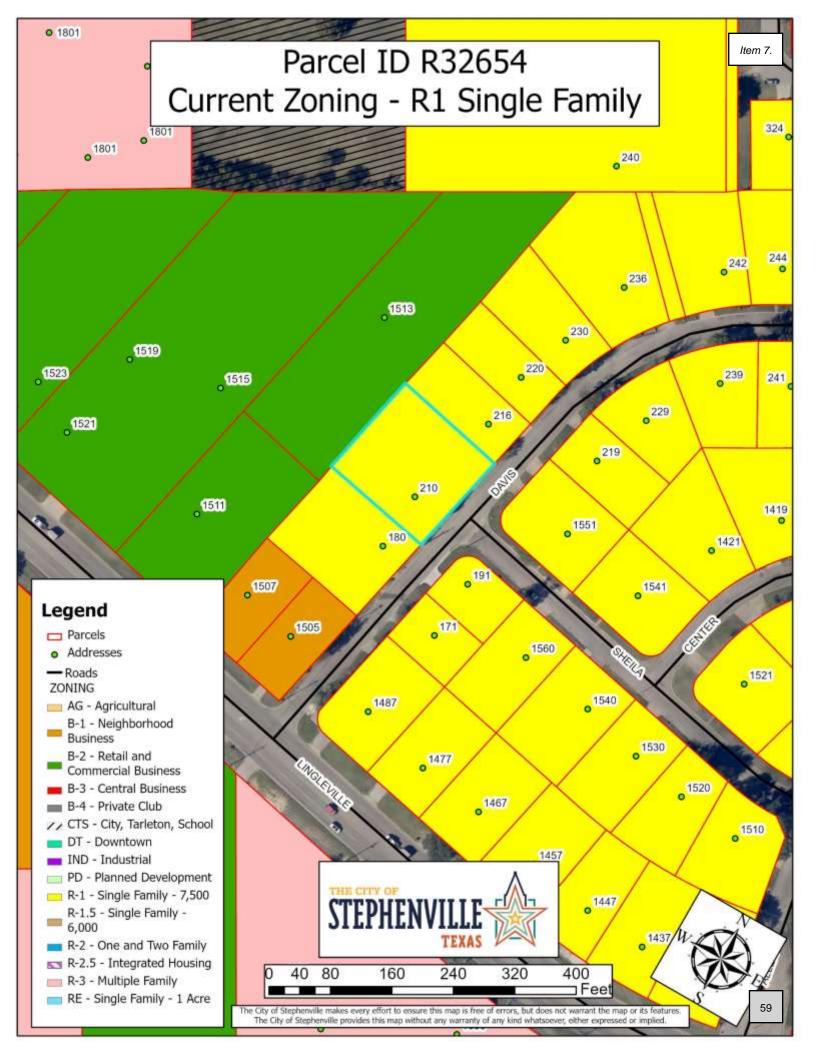
Item 7.

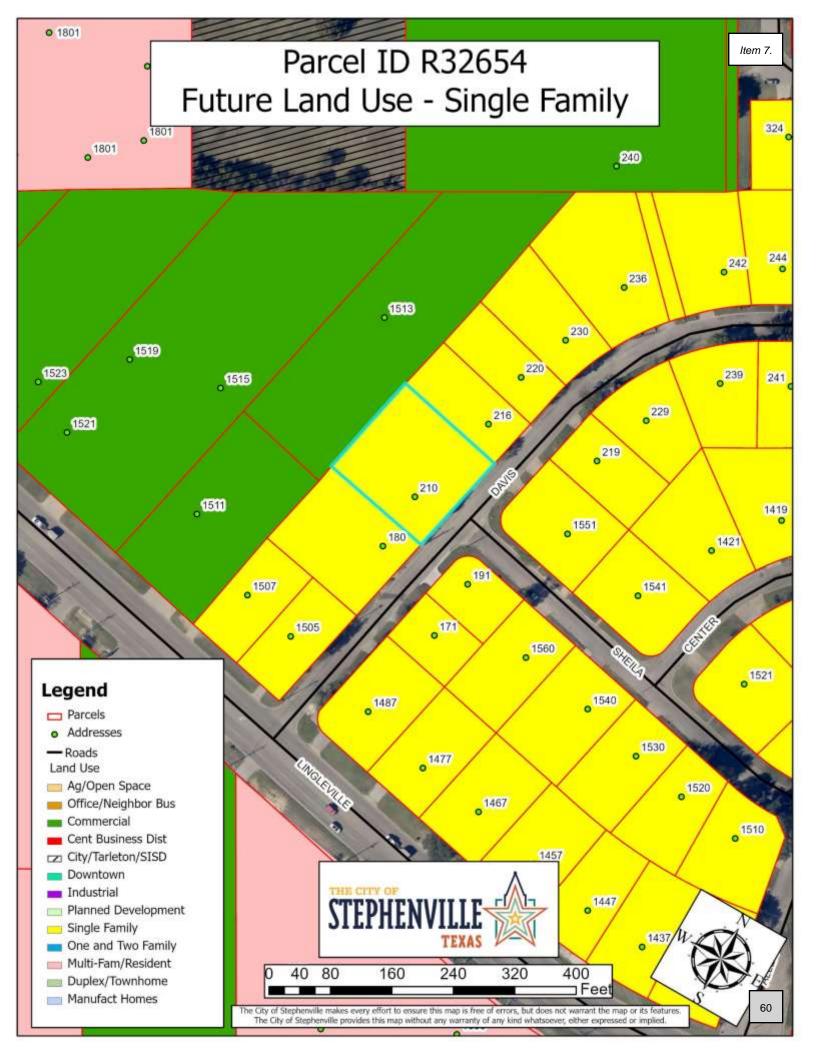
- 1. A site plan, drawn to scale, showing the location and dimension of the lot and of all existing and proposi improvements:
 - a. When an appeal is based upon hardship resulting from sharp changes in topography or unusual terrain features, the site plan shall include topographic information related to known base points of surveys, and profiles of the particular problem involved, including relationship to topographic features of adjoining properties.
 - b. When an appeal is submitted for variance of side yard or rear yard requirements, the applicant shall provide the same information for the properties adjoining the common lot line as may be applicable to the appealed requirements.
 - c. When an appeal is submitted for a variance from front yard setback, or for side yard setback on aside street, the applicant shall furnish a strip map showing the setback of main walls of all buildings on the same side of the street within a distance of 200 feet of the applicant's property.
- 2. A statement of facts and reasons why the Zoning Regulations should not be applied to the property in question and how the standards governing the Board's action would be satisfied; and
- 3. A statement by the Enforcing Officer citing the reasons for refusing to issue a permit under the plans submitted.
- (b) Basis for action.
 - (1) Before acting on an appeal for variance the Board shall consider:
 - a. The facts filed with the application;
 - b. The testimony presented at the public hearing on the appeal;
 - c. The City Staff's technical report on the appeal; and d. The Board's findings in its field inspection of the property.
 - (2) The Board may grant an appeal, subject to such terms and conditions as it may fix, provided

- 1. Approve the Variance Request
- 2. Deny the Variance Request











Parcel R32654 200 ft Buffer Addresses

Parcel ID	Parcel Address	Parcel Owner	Owner Address	City	State	Zip Code
R000032655	180 DAVIS AVE	BROWN CARRIE	180 DAVIS AVE	STEPHENVILLE	TX	76401
R000032625	219 DAVIS AVE	CONNELLY DENNIS D & GARRY G	219 DAVIS AVE	STEPHENVILLE	TX	76401
R000065148	1513 W LINGLEVILLE RD	CROSS TIMBERS GROUP LLC	PO BOX 863	STEPHENVILLE	TX	76401
R000032654	210 DAVIS AVE	DUKE MELISSA KAY	210 DAVIS AVE	STEPHENVILLE	TX	76401
R000032580	1477 LINGLEVILLE RD	HARGROVE ERIC & NATASHA	14777 N US281	STEPHENVILLE	TX	76401
R000032658	1507 LINGLEVILLE RD	HARRIS DALE & DEBORAH	102 WILLOW LANE	STEPHENVILLE	TX	76401
R000032656	1505 LINGLEVILLE RD	LUCAS ROBERT PAUL & FRIEDA LINDA	1505 LINGLEVILLE	STEPHENVILLE	TX	76401-0000
R000032583	1560 SHEILA	MORALES JULIAN & JOEY DEANN MORALES	1560 SHEILA	STEPHENVILLE	TX	76401
R000032623	1541 SHEILA	MORALES JULIAN & JOEY MORALES	1541 SHEILA ST	STEPHENVILLE	TX	76401
R000032651	220 DAVIS AVE	MORRIS WILLIAM	220 DAVIS AVE	STEPHENVILLE	TX	76401
R000032660	1515 W LINGLEVILLE RD	NAN OPERATING LLC	PO BOX 157	LINGLEVILLE	TX	76461
R000032652	216 DAVIS AVE	NELSON KAREN E	455 PR1093	STEPHENVILLE	TX	76401-0000
R000032624	1551 SHEILA	RAMSEY JANUS DON	1551 SHEILA DR	STEPHENVILLE	TX	76401-0000
R000032581	1487 W LINGLEVILLE RD	SHELL JOHN	1487 W LINGLEVILLE ROAD	STEPHENVILLE	TX	76401-2123
R000032626	229 DAVIS AVE	THE MCMASTER LIVING TRUST	229 DAVIS AVE	STEPHENVILLE	TX	76401
R000076719	191 DAVIS	TOOF DANIEL & DANIELLE	1121 PRAIRIE WIND	STEPHENVILLE	TX	76401
R000032659	1511 W LINGLEVILLE RD	TOOF DANIEL & DANIELLE	1121 PRAIRIE WIND	STEPHENVILLE	TX	76401
R000032582	171 DAVIS AVE	TOOF DANIEL & DANIELLE	1121 PRAIRIE WIND	STEPHENVILLE	TX	76401
R000032622	1421 CENTER	WADE MICHAEL R & LINDA G	1421 CENTER DR	STEPHENVILLE	TX	76401-0000
R000032649	230 DAVIS AVE	WHALEY DAVID & KATHY FAMILY TRUST	31890 ROAD 166	VISALIA	CA	93292

Board of Adjustment

STAFF REPORT



SUBJECT: Case No.: V2024-020

Applicant Dylan Davis is requesting a variance from Section Sec.154.12-50(a) - Variance from Sign Regulations for property located at 899 W Washington, Parcel R29577, being BLOCK 62;

LOT 1 of the S2600 City Addition of the City of Stephenville, Erath County, Texas.

MEETING: Board of Adjustment – August 8, 2024

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen

BACKGROUND:

Ms. Davis is requesting a variance from the sign ordinance. The applicant is requesting a seven-foot variance to place a monument sign three feet off the property line. Monument signs are categorized as Free-Standing Signs and are required to be 10 feet from the property line.

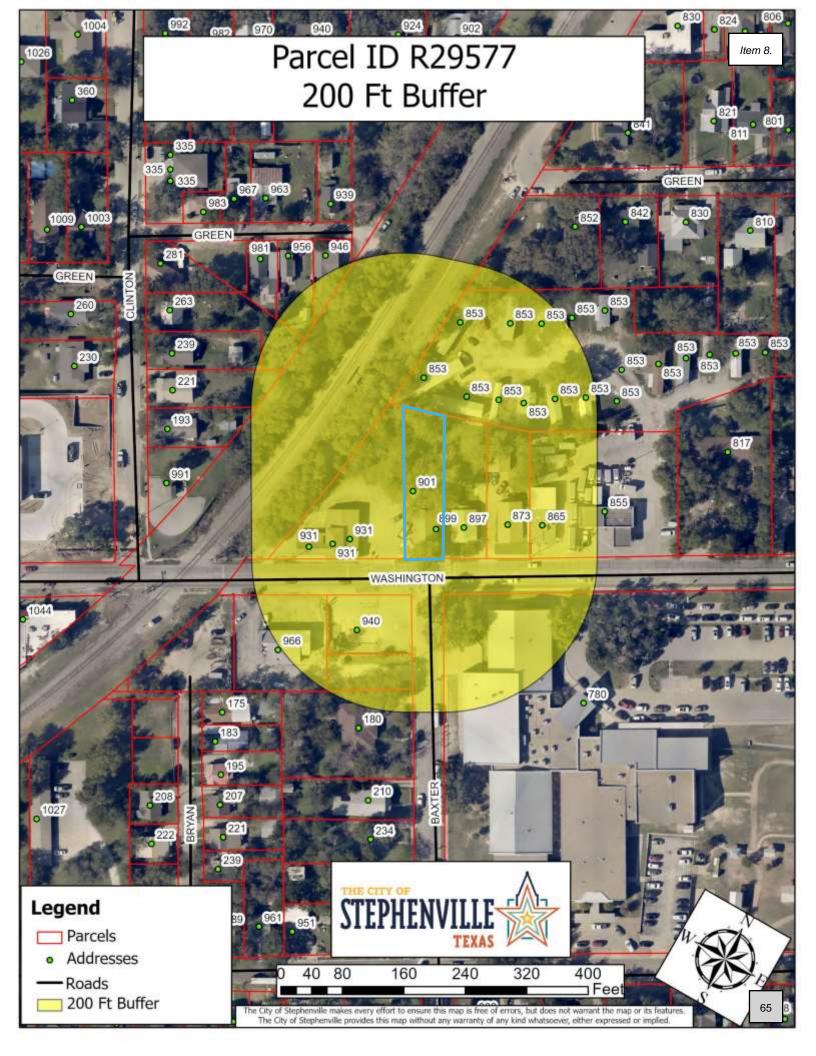
12-50 Generally.

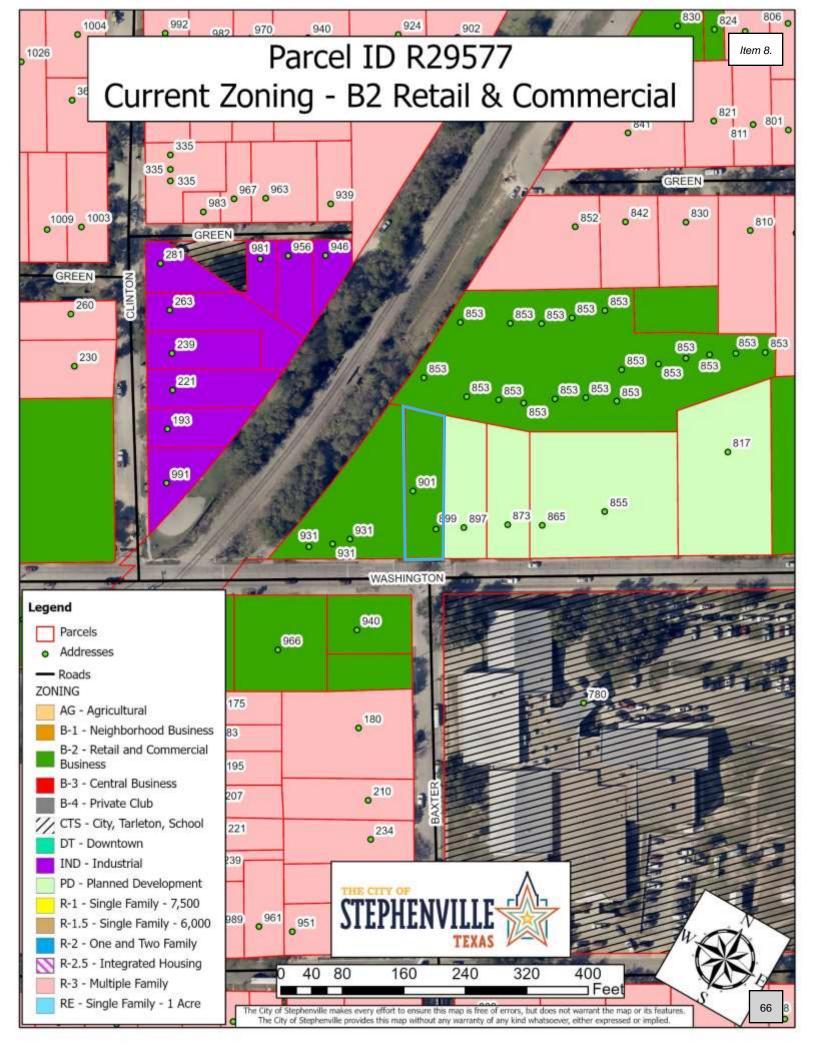
(a) All freestanding signs shall be setback a minimum ten feet from the property line.

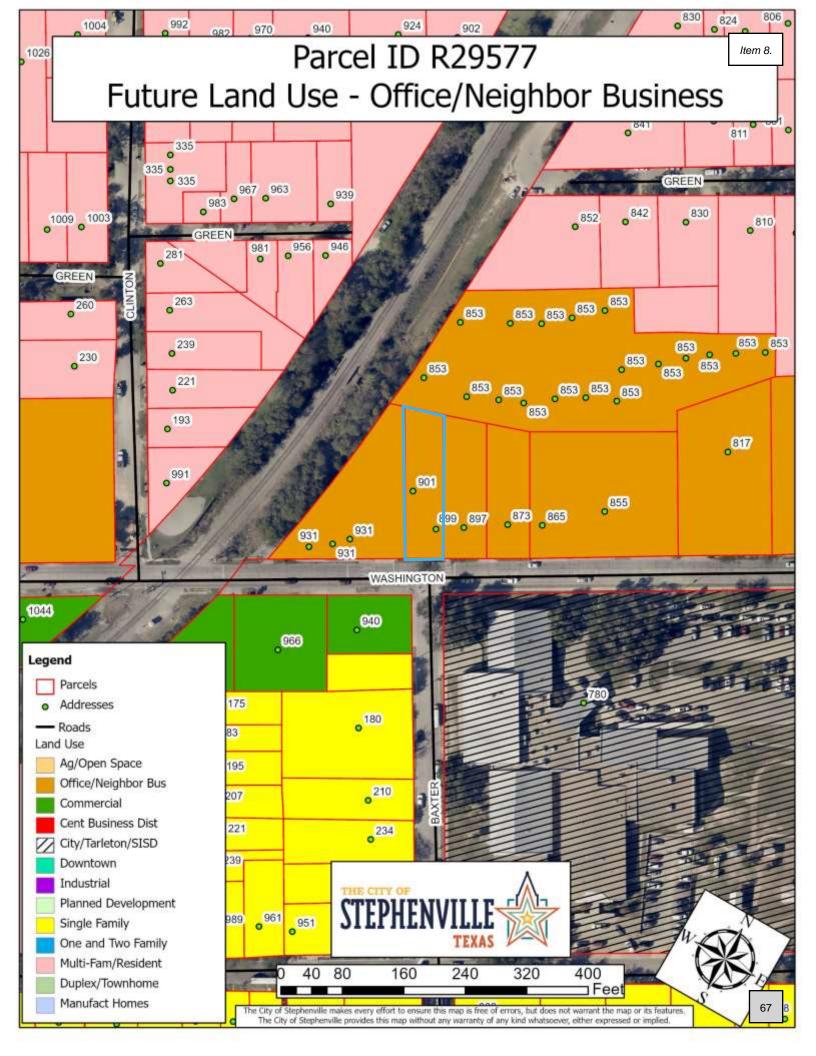
Section 12-12 Variances

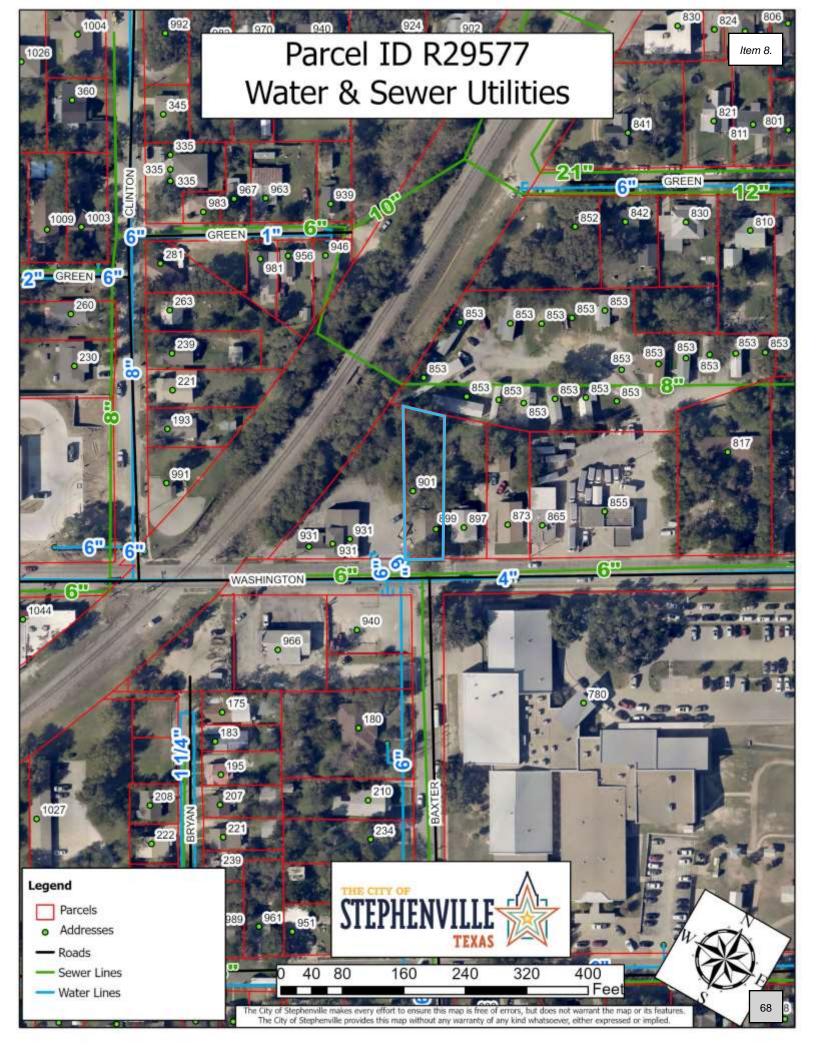
- (a) Variance authorized. The Board of Adjustment (BOA) may authorize a variance to any restriction set forth in this chapter, including, but not limited to, the number, type, area, height or setback of signs, or any other aspect involved in the sign permitting process.
- (b) Approval standards. In granting any variance, BOA shall consider the following criteria and shall grant the variance only if:
 - (1) Special conditions exist which are peculiar to the land, structure or building involved and are not applicable to other lands, buildings or structures in the same vicinity. The city may attach such conditions to granting all or a portion of any variance necessary to achieve the purpose of this chapter; and
 - (2) The strict interpretation of the provisions of the chapter would deprive the applicant of rights commonly enjoyed by other properties in the vicinity under the terms of the chapter; and
 - (3) The special conditions and circumstances do not result from the actions of the applicant and such conditions and circumstances do not merely constitute pecuniary hardship or inconveniences; and
 - (4) Granting the variance will meet the objectives of the chapter and not be injurious to the adjoining property owners or otherwise detrimental to the public welfare; and
 - (5) The request will be the minimum variance necessary to alleviate the special hardship or practical difficulties faced by the applicant in meeting the requirements of this chapter; and
 - (6) Granting of the variance will be in harmony with the spirit and purpose of this chapter.
 - (7) In granting special exceptions under this section, the Board of Adjustment may impose such conditions as are necessary to protect adjacent property owners and to ensure the public health, safety and general welfare, including but not limited to conditions specifying the period during which the nonconforming use may continue to operate or exist before being conformed to the standards of the Zoning Ordinance.

- 1. Approve the Variance Request.
- 2. Deny the Variance Request.



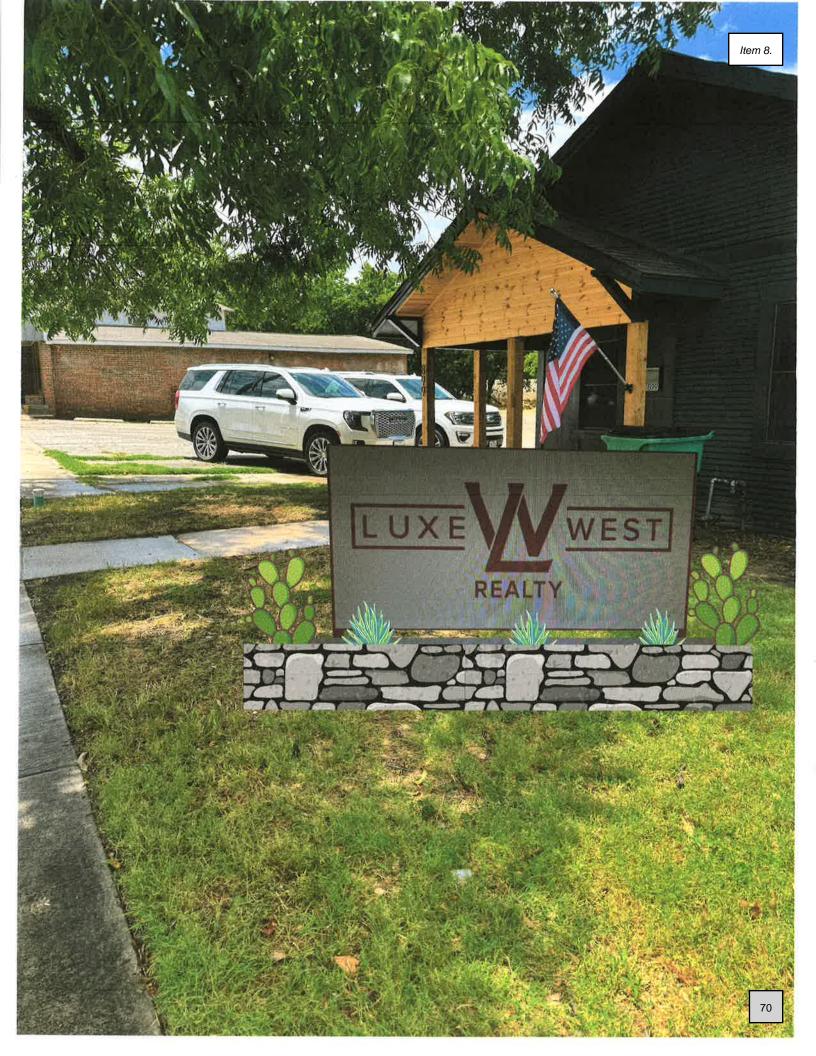






Parcel R29577 200 ft Buffer Addresses

Parcel ID	Parcel Address	Parcel Owner	Owner Address	City	State	Zip Code
R000029580	873 W WASHINGTON	598 WESTWOOD LLC	PO BOX 12324	FORT WORTH	TX	76110
R000029581	855 W WASHINGTON	598 WESTWOOD LLC	PO BOX 12324	FORT WORTH	TX	76110
R000030191	956 GREEN	ALVARADO FELIX F & JONNA MARIA ALVARADO	981 W GREEN	STEPHENVILLE	TX	76401
R000032777	946 GREEN	BAR S INVESTMENTS LLC	906 TIMBERBROOK DR	STEPHENVILLE	TX	76401
R000030187	239 CLINTON	BAR S INVESTMENTS LLC	906 TIMBERBROOK DR	STEPHENVILLE	TX	76401
R000029579	897 W WASHINGTON	COWTOWN PROPERTIES LLC	3745 BELLAIRE DR SOUTH	FORT WORTH	TX	76109
R000014966	0 N PADDOCK & VANDERBILT	FORT WORTH & WESTERN RAILROAD	6300 RIDGLEA PLACE STE 1200	FORT WORTH	TX	76116-5738
R000030924	180 BAXTER	GARNER MARK E & CAROLYN F	180 S BAXTER ST	STEPHENVILLE	TX	76401-4804
R000030189	193 CLINTON	JIMENEZ BLANCA (TOD)	193 N CLINTON	STEPHENVILLE	TX	76401
R000067212	0 BAXTER AVE	MASCORRO VENIGNO	1090 NORTH RACE	STEPHENVILLE	TX	76401
R000030947	940 W WASHINGTON	MASCORRO VENIGNO	1090 NORTH RACE	STEPHENVILLE	TX	76401
R000030946	966 W WASHINGTON	MASCORRO VENIGNO	1090 NORTH RACE	STEPHENVILLE	TX	76401
R000072968	931 W GREEN	MILLS JERRY J & DALTON GRIFFIN	PO BOX 2408	STEPHENVILLE	TX	76401
R000032755	852 W GREEN	PACK CHANCE L & KANDICE R ACKERMANN-PACK	2995 S US281	STEPHENVILLE	тх	76401
R000030188	221 CLINTON	ROJAS ARTURO (ESTATE) & MARIA	221 N CLINTON	STEPHENVILLE	TX	76401-0000
R000029578	853 W WASHINGTON	SAUCEDO CESAR & JANA	PO BOX 1737	STEPHENVILLE	TX	76401-0017
R000029585	931 W WASHINGTON	SONNAMAKER WESLEY W	PO BOX 123947	FORT WORTH	тх	76121
R000068117	780 W WASHINGTON	STEPHENVILLE ISD	2655 W OVERHILL DR	STEPHENVILLE	тх	76401-0000
R000029577	899 W WASHINGTON	THE DYLAN AND CHLOE TEAM, LLC	899 W WASHINGTON	STEPHENVILLE	тх	76401
R000030186	263 CLINTON	VARGAS MANUEL	281 N CLINTON	STEPHENVILLE	TX	76401









Concrete