



SPECIAL CITY COUNCIL MEETING

via Videoconference
Wednesday, April 21, 2021 at 5:30 PM

AGENDA

CALL TO ORDER

PLANNING AND ZONING COMMISSION

1. PUBLIC HEARING

Case No.: RZ2021-001R

Applicant is Requesting a Rezone a Property Located at 751 Miller, being Parcel R32531, Lot 9B, Block 2, Miller Addition, to the City of Stephenville, Erath County, Texas, from Neighborhood Business District (B-1) to Single-Family Residential District (R-1.5).

2. Consider Approval of an Ordinance Rezoning a Property Located at 751 Miller, being Parcel R32531, Lot 9B, Block 2, Miller Addition, to the City of Stephenville, Erath County, Texas, from Neighborhood Business District (B-1) to Single-Family Residential District (R-1.5).

3. PUBLIC HEARING

Case No.: RZ2021-002R

Applicant is Requesting a Rezone of the Property Located at 751 Miller, being Parcel No. R32529, Lot 8, Block 2, Miller Addition, to the City of Stephenville, Erath County, Texas, from (B-1) Neighborhood Business District (B-1) to Single-Family Residential District (R-1.5).

4. Consider Approval of an Ordinance Rezoning a Property Located at 751 Miller, being Parcel No. R32529, Lot 8, Block 2, Miller Addition, to the City of Stephenville, Erath County, Texas, from Neighborhood Business District (B-1) to Single-Family Residential District (R-1.5)

ADJOURN

Notice is hereby given that members of the Stephenville City Council may participate in this meeting via teleconference or videoconference as allowed by Governor's Order due to the COVID-19 pandemic. As allowed by this Order, a quorum may not be present in a physical location.

Those wishing to address the Stephenville City Council may do so in person. Written correspondence may also be mailed to City Hall or emailed to Staci King, City Secretary, at slking@stephenvilletx.gov. Written correspondence must be received by 3:00 p.m. on April 21, 2021. For alternate arrangements, please contact Ms. King at least 48 hours prior to the meeting.

The meeting is available for viewing via livestream on the City's Facebook Page (City of Stephenville – City Hall).

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.



STAFF REPORT

SUBJECT: Case No.: RZ2021-001r

Applicant Keewaydin Development, Taylor Kanute, is requesting a rezone of properties located at 751 Miller, Parcel R32531, Lot 9B, Block 2, Miller Addition, to the City of Stephenville, Erath County, Texas, from (B-1) Neighborhood Business to (R-1.5) Single Family.

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen

RECOMMENDATION:

The Comprehensive Plan for future land use designates this property to be Single Family.

BACKGROUND:

APPLICANT REQUEST:

The intended project for the requested zoning is for the construction of a single family dwelling. The previous submittal was for B-3 (Central Business District) which authorizes a single family residence as a permitted use. The Commission recommended approval of B-3 with hesitation after discussing the need for a residential zoning for smaller parcels. However, after further research, it was discovered that the R-1.5 zoning district is already in place. Consequently, the City Council directed staff to return to the Commission for review and consideration of the R-1.5 zoning.

The applicant does not currently own the property; but, received authorization from the current owner to make the request.

CURRENT ZONING:

B-1 – Neighborhood Business

FUTURE LAND USE:

Single Family

DESCRIPTION OF REQUESTED ZONING

Sec. 154.05.4. Single-family residential district (R-1.5) (6,000 ft²).

5.4.A Description. This residential district provides for a neighborhood development of medium density. The primary land use allows for single-family dwelling development on smaller lots. Recreational, religious and educational uses normally appropriate to such a residential neighborhood are also permitted to contribute to the natural elements of a convenient, balanced and attractive neighborhood. Development within this district is intended to be separate from and protected from the encroachment of land activities that do not contribute to the esthetic and functional well being of the intended district environment.

5.4.B Permitted Uses.

- (1) Single-family detached dwelling, limited to occupancy by a family having no more than three individuals who are unrelated by blood, legal adoption, marriage or conservatorship. The owner and any agent of the owner shall be legally responsible for directly or indirectly allowing, permitting,

causing or failing to prohibit residential use of a dwelling in this district by more than three unrelated individuals;

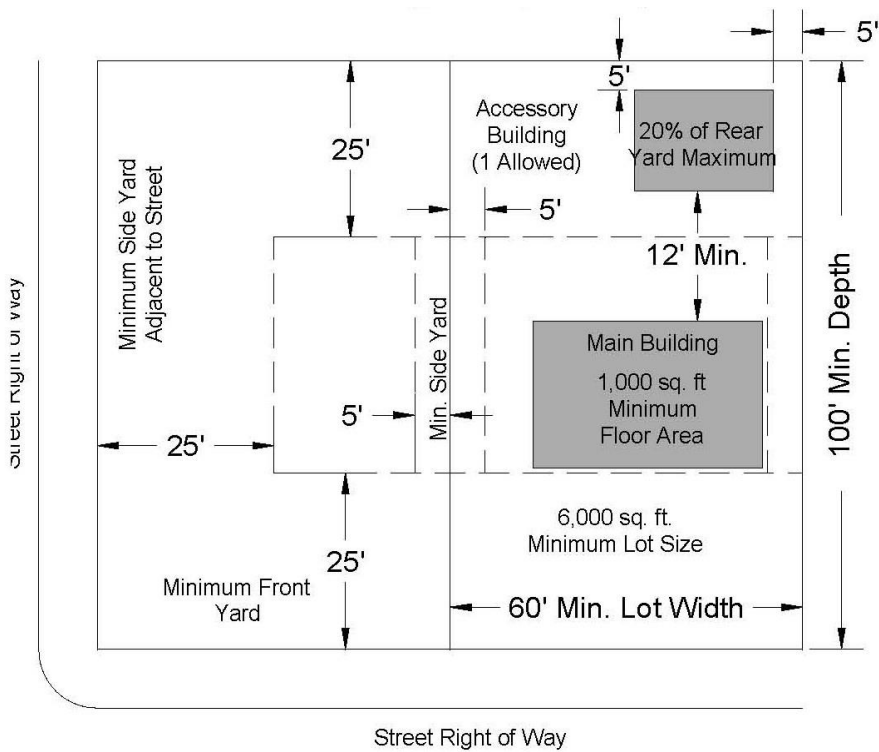
- (2) Accessory building;
- (3) Churches, temples, mosques and related facilities;
- (4) Community home;
- (5) Park or playground; and
- (6) SISD school—public.

5.4.C Conditional Uses.

- (1) Home occupation;
- (2) Common facilities as the principal use of one or more platted lots in a subdivision; and
- (3) Child care—registered family home and group day care home.

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

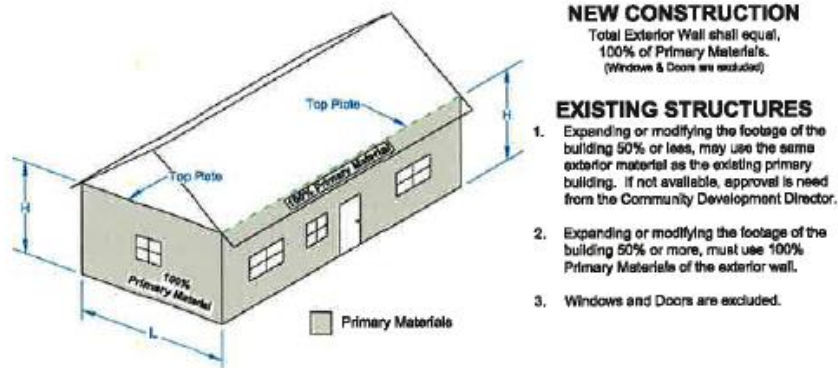
- (1) Minimum lot area: single-family dwelling: 5,000 ft².
- (2) Minimum lot width and lot frontage: 50 feet.
- (3) Minimum lot depth: 100 feet.
- (4) Minimum depth of front setback: 25 feet.
- (5) Minimum depth of rear setback: 25 feet.
- (6) Minimum width of side setback:
 - (a) Internal lot: five feet.
 - (b) Corner lot: 25 feet from intersecting side street.
- (7) Building size:
 - (a) Maximum main building coverage as a percentage of lot area: 40%.
 - (b) Minimum area of main building: 1,000 ft².
- (8) Accessory buildings:
 - (a) Maximum accessory building coverage of rear yard: 20%.
 - (b) Maximum number of accessory buildings: one.
 - (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.
- (9) Maximum height of structures: 35 feet.
- (10) 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.



5.4.E Parking Regulations. A Single-Family, R-1.5 District lot shall provide a minimum of two vehicle parking spaces, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in this ordinance, Section 11, Parking Regulations of this ordinance.

5.4.F Type of Construction.

- (1) The exterior walls of all new dwellings to the top plate, shall be constructed exclusively of primary materials, excluding doors, windows, and porches. See Section 10.E(1): Exterior Building Material Standard—Primary Materials.
- (2) Existing dwellings expanding the total square footage of the building 50% or less, or modifying the exterior walls, may use the same exterior construction material as the existing primary building. If the material is not available, similar material may be used if approved by the Community Development Director.
- (3) Existing dwellings expanding the total square footage of the building by more than 50%, or proposing to use a material consistent with the primary structure for any expansion must use primary materials, Section 10.E(1): Exterior Building Material Standard—Primary Materials, for the expansion area.



(Ord. 2011-26, passed 12-6-2011; Ord. 2018-O-22 , § 1, 6-12-2018)

WATER:

The property is served by a 2” city water main in Miller.

SEWER:

The property is served by a 6” sanitary sewer main in Miller.

STREET:

The property is served by a city street (Miller).

ZONING AND LAND USE:

Location	Zoning	Future Land Use
Subject Site	(B-1) Neighborhood Business	Single Family
North	(B-2) Retail and Commercial	Single Family
South	(B-1) Neighborhood Business	Single Family
East	(B-1) Neighborhood Business	Single Family
West	(B-2) Retail and Commercial	Commercial

FACTORS TO CONSIDER:

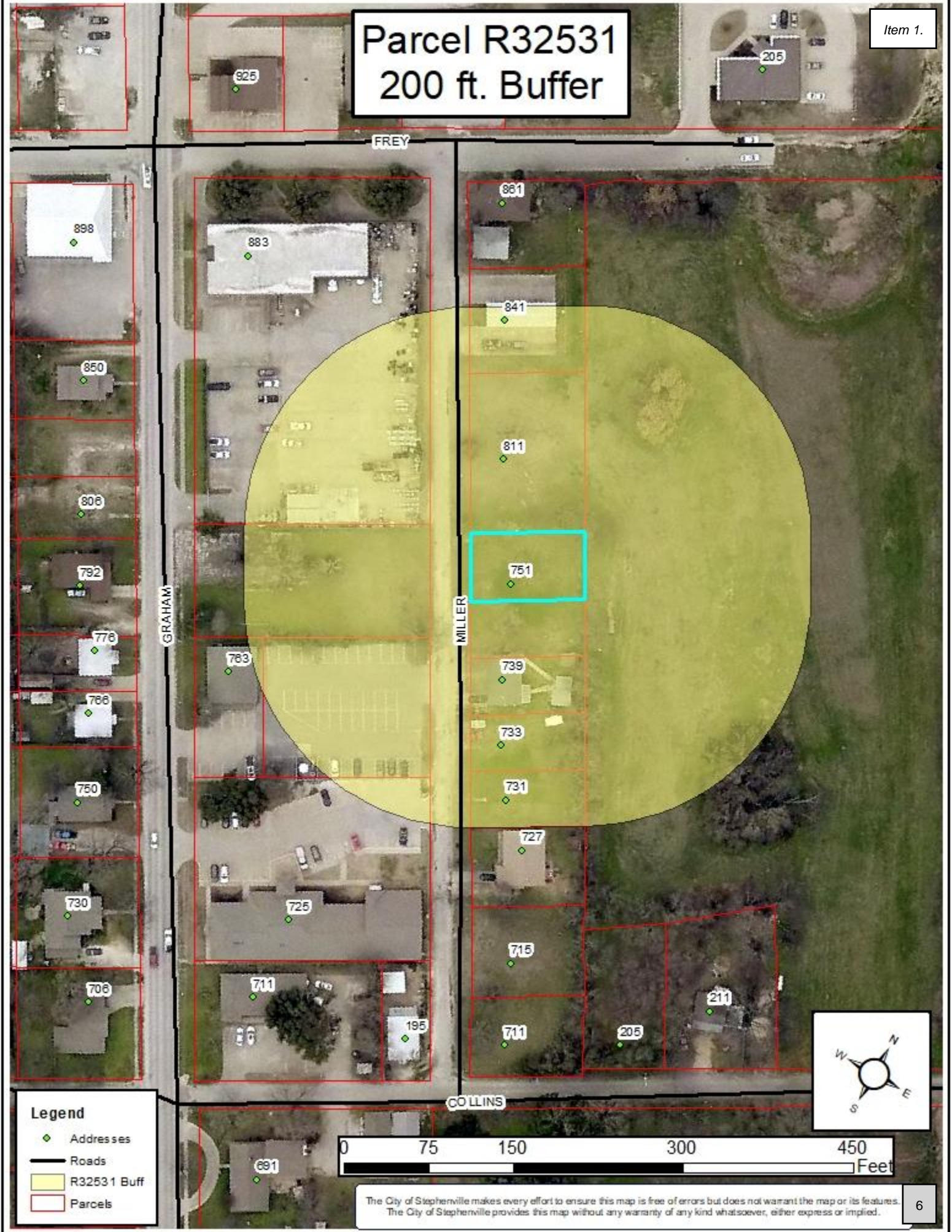
- Compliance with Comprehensive Plan?
- Is application consistent with Plan?
- If not, have conditions changed or new information been offered to support change?
- Surrounding Zoning and Land Use
- Infrastructure Impacts
- Size and Location of Parcel - is land large enough and in proper location for proposed use?
- Reasonable Use of Property - does proposed change provide reasonable use of property?
- Zoning has great discretion - deny if applicant has not proven it is in the best interest of City to rezone

ALTERNATIVES

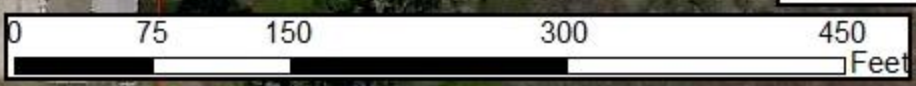
- 1) Recommend the City Council approve the rezoning request.
- 2) Recommend the City Council approve zoning other than requested.
- 3) Recommend the City Council deny the request for rezoning.

Parcel R32531 200 ft. Buffer

Item 1.



- Legend**
- ◆ Addresses
 - Roads
 - R32531 Buff
 - Parcels



The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

Parcel R32531

Current Zoning - B1- Neighborhood Business

Item 1.



Legend

- ◆ Addresses
- Roads
- Parcels

ZONING

- AG - Agricultural
- B-1 - Neighborhood Business
- B-2 - Retail and Commercial Business
- B-3 - Central Business
- B-4 - Private Club
- CTS - City, Tareyton, School
- DT - Downtown
- IND - Industrial
- PD - Planned Development
- R-1 - Single Family - 7,500
- R-1.5 - Single Family - 6,000
- R-2 - One and Two Family
- R-3 - Multiple Family
- RE - Single Family - 1 Acre

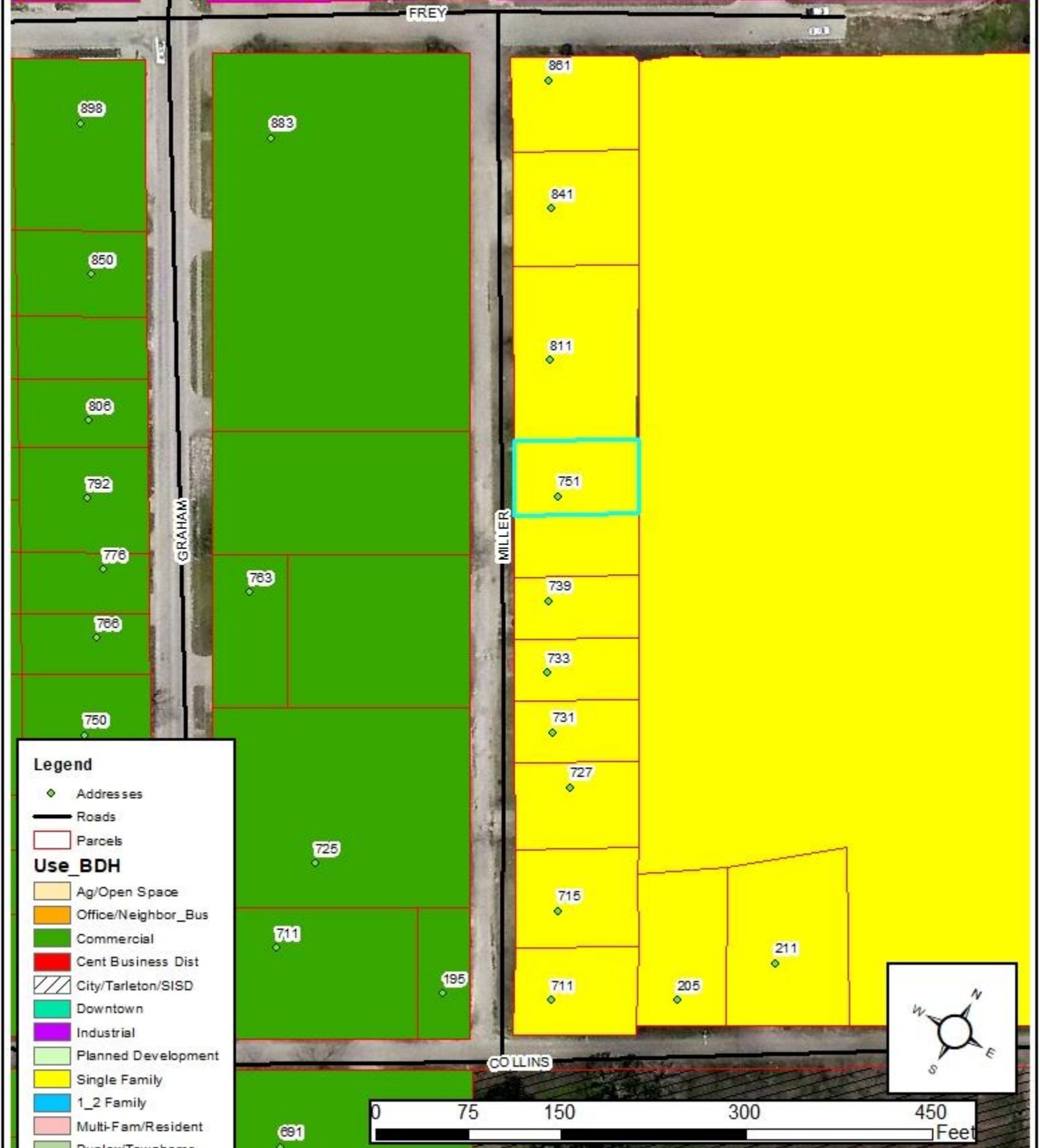


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Parcel R32531

Future Use - Single Family

Item 1.

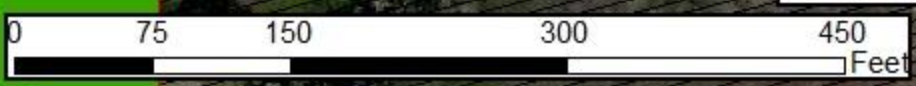


Legend

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Use_BDH

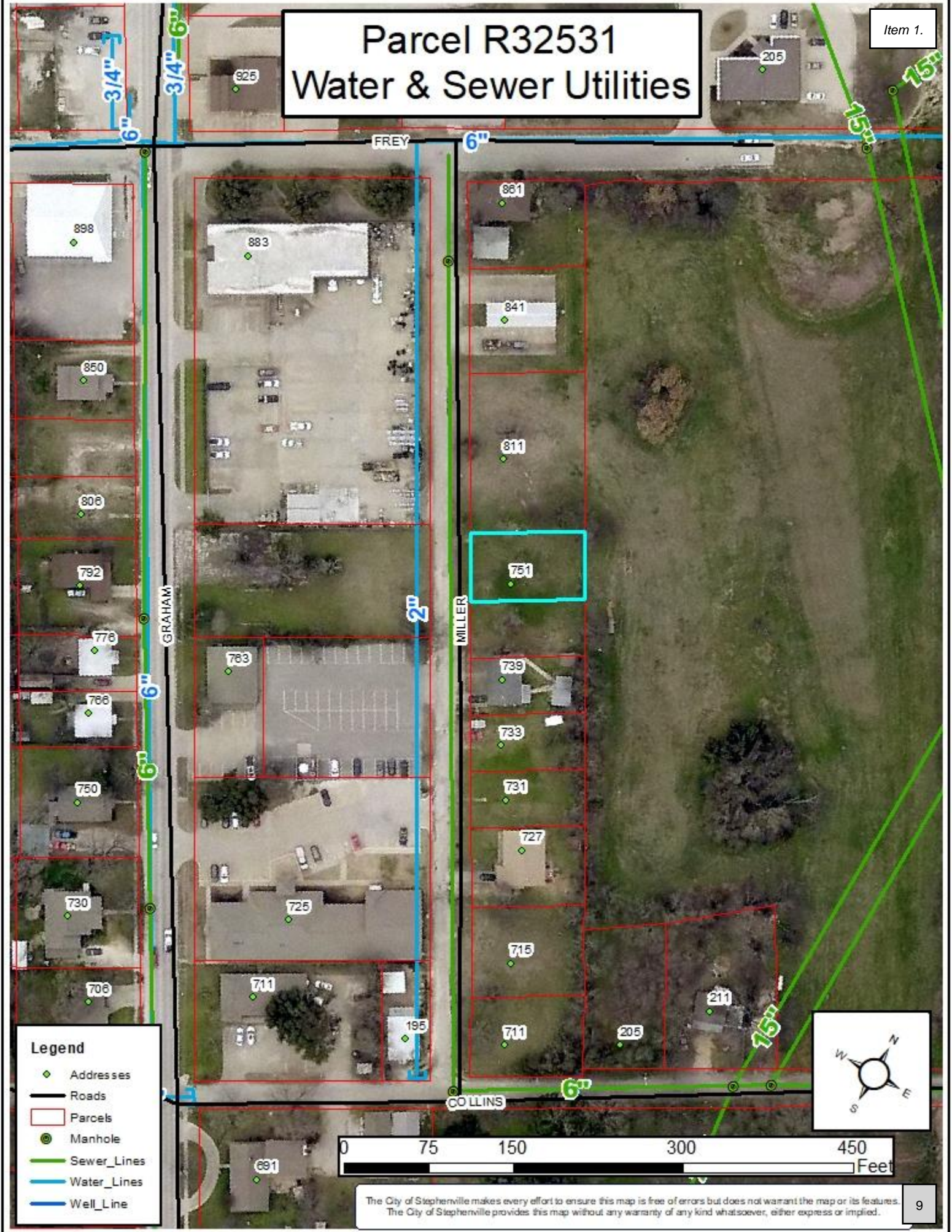
- Ag/Open Space
- Office/Neighbor_Bus
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- Cent Business Dist
- City/Tarleton/SISD
- Downtown
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- Single Family
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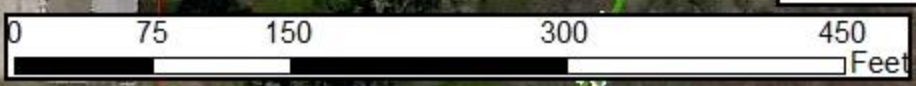
Parcel R32531 Water & Sewer Utilities

Item 1.



Legend

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Parcel R32531 Addresses

Parcel ID	Parcel Address	Parcel Owner	Owner Address	City	State	Zip Code
R000032525	727 N MILLER	BENHAM WANDA	553 TIMBERWOLF TRAIL	STEPHENVILLE	TX	76401
R000029629	0 E COLLINS ST	GOODMAN EDWIN D	PO BOX 1713	STEPHENVILLE	TX	76401-0000
R000032532	841 MILLER	HARRIS DALE & DEBBY	102 WILLOW LANE	STEPHENVILLE	TX	76401
R000032518	725 N GRAHAM	HARRIS METHODIST ERATH CO	611 RYAN PLAZA DR SUITE 660	ARLINGTON	TX	76011
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R000032530	811 MILLER	MATAI MAURO CONCEICAO	1361 ROSE DR	STEPHENVILLE	TX	76401
R000032529	751 MILLER	MLE INVESTMENT INSIGHTS LLC	PO BOX 1314	STEPHENVILLE	TX	76401
R000032531	751 MILLER	MLE INVESTMENT INSIGHTS LLC	PO BOX 1314	STEPHENVILLE	TX	76401
R000032528	739 MILLER	NAVARRO JOSE JUIS, RAUL, & MARIA TERESA VILLAREAL	739 N MILLER ST	STEPHENVILLE	TX	76401
R000062852	763 N GRAHAM	OAK LAWN MEDICAL PROPERTIES LP	1951 FORT WORTH HWY STE 105	WEATHERFORD	TX	76086
R000032522	883 N GRAHAM	ONCOR ELECTRIC DELIVERY CO LLC	PO BOX 219071	DALLAS	TX	75221-9071
R000032526	731 MILLER	VILLAREAL RAUL NAVARRO	739 N MILLER ST	STEPHENVILLE	TX	76401
R000032527	733 MILLER	VILLAREAL RAUL NAVARRO	739 N MILLER ST	STEPHENVILLE	TX	76401



STAFF REPORT

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DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen

RECOMMENDATION:

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BACKGROUND:

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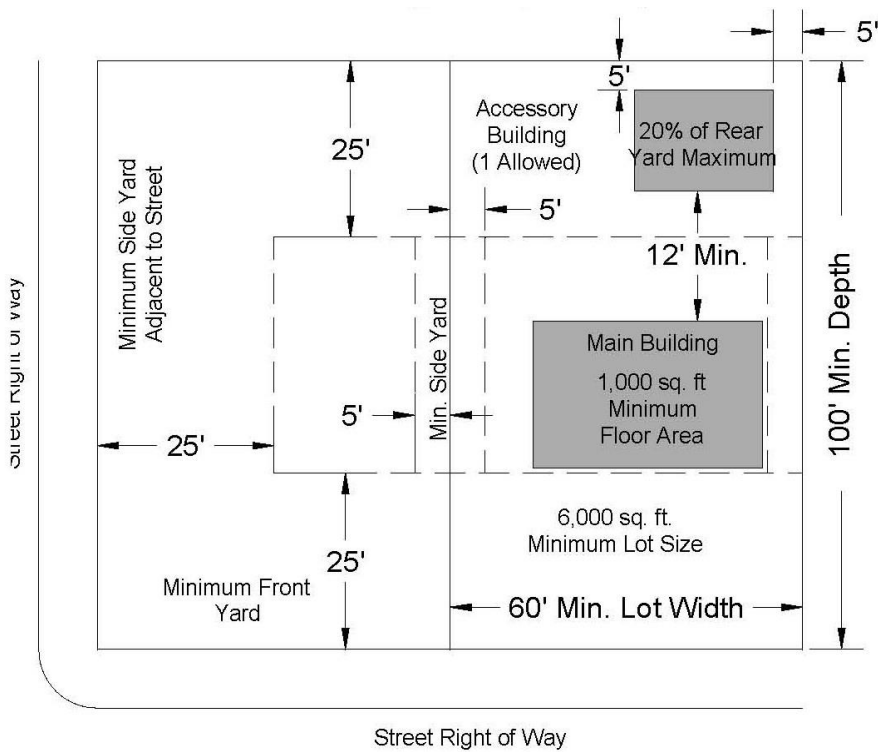
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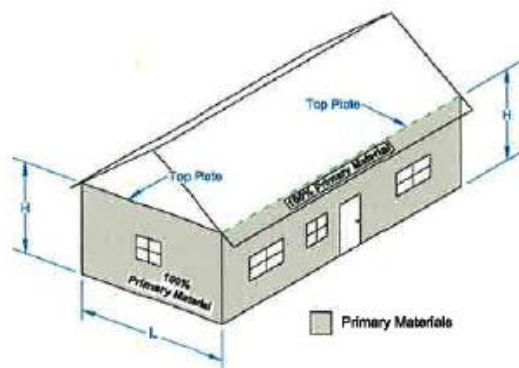
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NEW CONSTRUCTION

Total Exterior Wall shall equal, 100% of Primary Materials. (Windows & Doors are excluded)

EXISTING STRUCTURES

- 1. Expanding or modifying the footage of the building 50% or less, may use the same exterior material as the existing primary building. If not available, approval is need from the Community Development Director.
- 2. Expanding or modifying the footage of the building 50% or more, must use 100% Primary Materials of the exterior wall.
- 3. Windows and Doors are excluded.

(Ord. 2011-26, passed 12-6-2011; Ord. 2018-O-22 , § 1, 6-12-2018)

WATER:

The property is served by a 2” city water main in Miller.

SEWER:

The property is served by a 6” sanitary sewer main in Miller.

STREET:

The property is served by a city street (Miller).

ZONING AND LAND USE:

Location	Zoning	Future Land Use
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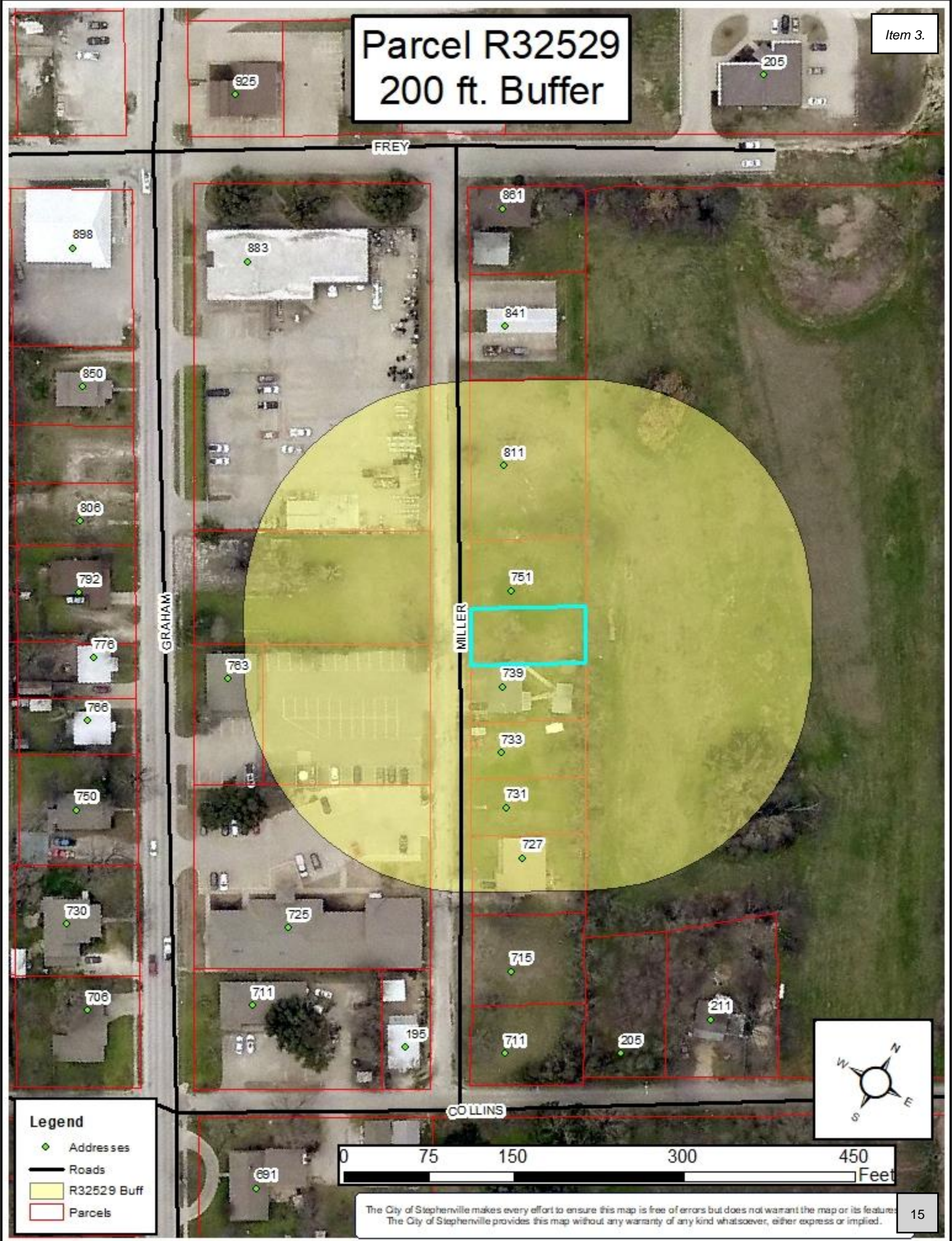
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ALTERNATIVES

- 1) Recommend the City Council approve the rezoning request.
- 2) Recommend the City Council approve zoning other than requested.
- 3) Recommend the City Council deny the request for rezoning.

Parcel R32529 200 ft. Buffer

Item 3.



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Parcel R32529

Current Zoning - B1 Neighborhood Business

Item 3.



Legend

- ◆ Addresses
- Roads
- ▭ Parcels

ZONING

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Parcel R32529

Future Land Use - Single Family

Item 3.

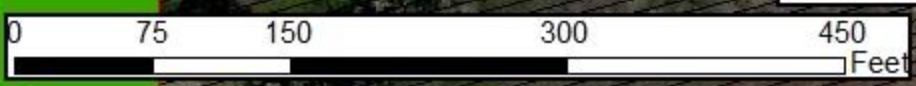


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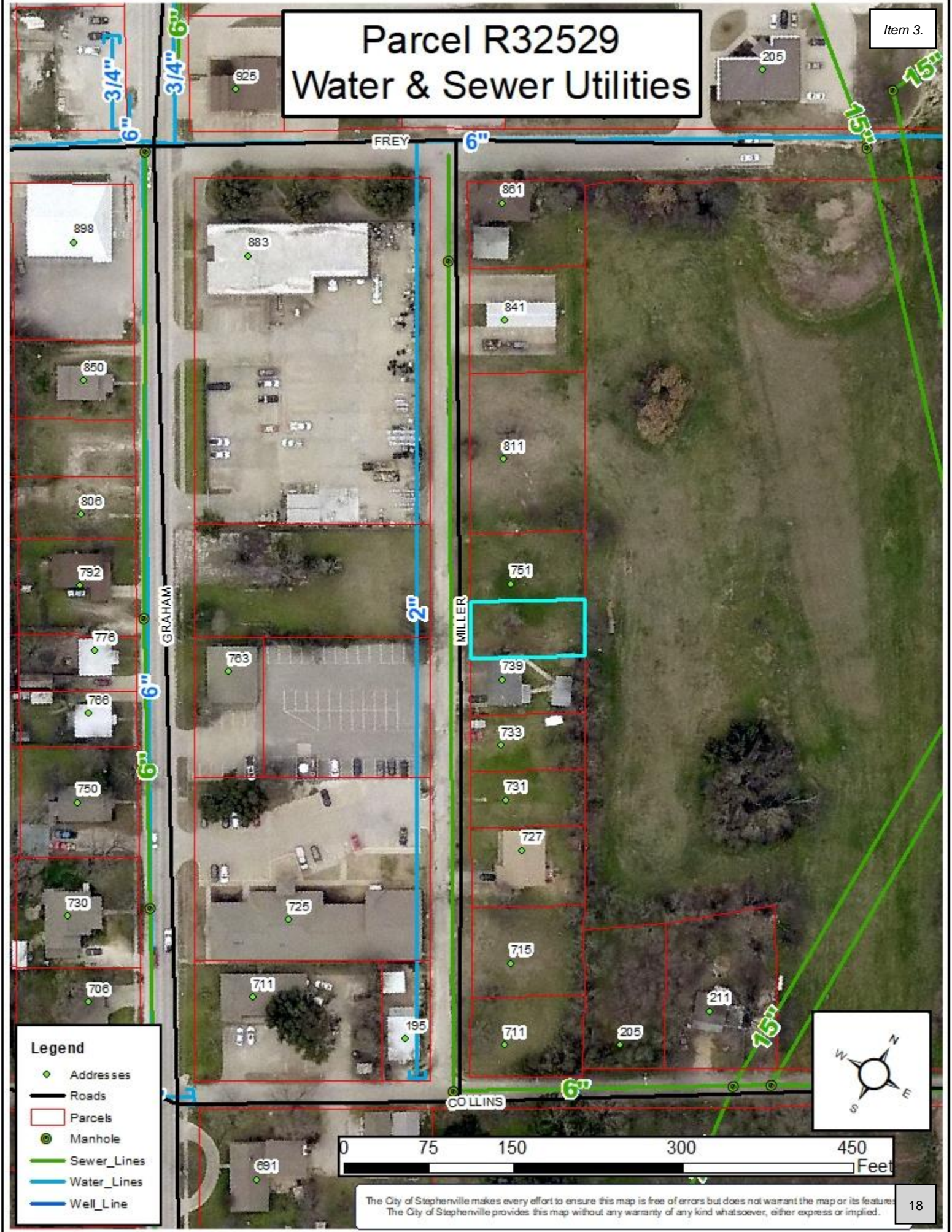
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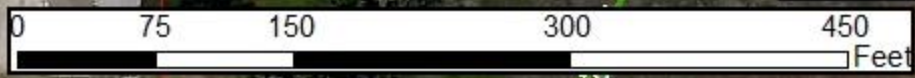
Parcel R32529 Water & Sewer Utilities

Item 3.



Legend

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R000062853	0 MILLER	HARRIS PROFESSIONAL BUILDING CORP	611 RYAN PLAZA DR SUITE 660	ARLINGTON	TX	76011
R000032521	787 N GRAHAM	HARRIS PROFESSIONAL BUILDING CORP	611 RYAN PLAZA DR SUITE 660	ARLINGTON	TX	76011
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