



BOARD OF ADJUSTMENT MEETING

City Hall Council Chambers, 298 W. Washington, Stephenville, Texas 76401
Thursday, February 11, 2021 at 4:00 PM

AGENDA

CALL TO ORDER

OATH OF OFFICE

1. Administer Oath of Office to Board of Adjustment Members

MINUTES

2. Consider Approval of Minutes for December 10, 2020

PUBLIC HEARING

3. Public Hearing; Case No.: SV2021-001

Applicants Eric and Jamie Hayden are requesting a Subdivision Waiver from Section 154.05.5.(D) to be constructed at Parcel 74232, Lot 1, Block G, of the Lakewood Estates to the City of Stephenville, Erath County, Texas. This property is also known as 932/934 Sundown.

4. Public Hearing - Case No.: SV2021-002

Applicant Beau Mayo is requesting a Subdivision Waiver from Section 154.06.3.D for a project to be constructed at Parcel 29531, Lot 4A, Block 56, of the City Addition, to the City of Stephenville, Erath County, Texas. This property is also known as 314 Floral.

ADJOURN

Notice is hereby given that members of the Board of Adjustment 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.

Pursuant to Section 418.108(g) of the Texas Government Code, a Declaration of Local Disaster issued on April 22, 2020, and in the interest of public health, the city has exercised its right to limit ingress and egress in public buildings. As such, the public will be allowed into city facilities to attend the meeting on a limited basis.

Those wishing to address the Board of Adjustment may do so in person. Written correspondence may also be mailed to City Hall or emailed to Steve Killen, Director of Development Services, at skillen@stephenvilletx.gov. Written correspondence must be received by 2:00 p.m. on February 11, 2021. For alternate arrangements, please contact Steve at least 48 hours prior to the meeting.

Persons wishing to testify must dial (346) 248-7799 and enter Meeting ID: 959 6602 7750 and Password: 874860. You will be required to provide information relating to your identity prior to testimony. To participate in the meeting by videoconference, please visit:
<https://zoom.us/j/95966027750?pwd=SIY1ZEFYM0FKejF1RnpOVldzSE9CZz09>

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.



BOARD OF ADJUSTMENT MEETING

via Videoconference
Thursday, December 10, 2020 at 4:00 PM

MINUTES

The Board of Adjustment of the City of Stephenville, Texas, convened on Thursday, December 10, 2020 at 4:00 PM, for the purpose of a Regular Business 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:

BOARD MEMBERS

PRESENT:

Chairman Dr. Moumin Quazi
Board Member Cecila Willett
Board Member Janette Cochran
Board Member Robert Nimmo
Board Member Ron Henry

BOARD MEMBERS ABSENT:

OTHERS ATTENDING:

Steve Killen, Director of Development Services

CALL TO ORDER

Chairman Quazi called the meeting to order.

MINUTES

1. Consider approval of minutes for November 12, 2020

MOTION by Janette Cochran, second by Robert Nimmo, to approve the minutes for November 12, 2020.
MOTION CARRIED by unanimous vote.

PUBLIC HEARING

2. Case No.: V2020-007

Applicant Andres Betancur is requesting a Subdivision Waiver from Section 154.05.6.D.(A)(6)(b) Minimum Setback of four feet (setback will be 21 feet) to be constructed at 1210 N Isla, Lot 6, Block 1, of the Sloan First Addition to the City of Stephenville, Erath County Texas.

Steve Killen, Director of Development Services, presented the case to the board. Applicant Andres Betancur is renovating the property and is requesting a four-foot variance to the side setback requirement of 25 feet. If granted, the setback along Park Street will be reduced from 25 feet to 21 feet.

Andres Betancur addressed the board stating that he would like to clarify the setback to 16 feet. He stated that currently the fence is 10 feet from the street and he would like to push the fence back six feet to give more visibility at the corner. There will be 16 feet from the street to the fence and four feet from the fence to the house, where the new addition would be.

Chairman Quazi asked about the height of the new construction. Mr. Betancur stated that it would be 20 feet tall for a two story.

Chairman Quazi opened the public hearing:

Those speaking in favor of Case No. V2020-007:

Katherine Horak-Smith, 1185 N. Isla and Brenda Strong, lives at 1465 Blackjack, both expressed their support for Mr. Betancur improving the property

Those not in favor of Case No. V2020-007:

There were none.

Chairman Quazi closed the public hearing.

MOTION by Robert Nimmo, second by Janette Cochran, to approve Case No. V2020-007.

Mr. Betancur asked for clarification on the distance of the variance. The request was for an additional four feet for the variance, which would be a nine-foot variance in total.

After discussion, Janette Cochran rescinded her second.

MOTION FAILED for lack of a second.

MOTION by Ron Henry, second by Robert Nimmo to approve Case No. V2020-007, modified to allow for a nine-foot variance. MOTION CARRIED by unanimous vote.

ADJOURN

MOTION by Robert Nimmo, second by Janette Cochran, to adjourn. MOTION CARRIED by unanimous vote.

APPROVED

Moumin Quazi, Chair

ATTEST

Staci L. King, City Secretary

SUBJECT: Case No.: V2021-001
MEETING: Board of Adjustment – 11 February 2021
DEPARTMENT: Development Services
STAFF CONTACT: Steve Killen

BACKGROUND:

Applicants Eric and Jamie Hayden are requesting a Subdivision Waiver from Section 154.05.5.(D) to be constructed at Parcel 74232, Lot 1, Block G, of the Lakewood Estates to the City of Stephenville, Erath County, Texas. This property is also known as 932/934 Sundown.

Mr. and Mrs. Hayden are requesting a 9' side setback reduction from 25 ft. to 9 ft. on the north side of the property and a 2' reduction on the setback requirement from 7' to 5' on the south side of the property. The current lot dimensions are 85' x 110' based on GIS data. The intended project is a two-family residential structure. The variance request, if granted, will increase the options available in regards to the footprint and floor plan of the structure.

CURRENT ZONING:

(R-2) One and Two Family

FUTURE LAND USE:

Single Family

WATER:

The property is served by a 6" city water main.

SEWER:

The property is served by an 8" sanitary sewer main.

Sec. 154.05.5. - One- and two-family residential district (R-2).

5.5.A Description. This residential district provides for a neighborhood development of medium density. The primary land use allows for single-family dwellings, along with two family dwelling units. 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.

5.5.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) Two-family dwelling units, with each family limited as in division (1) above;
- (3) Accessory buildings;
- (4) Churches, temples, mosques and related facilities;
- (5) Community home;
- (6) Park or playground; and

- (7) SISD school—public.

5.5.C Conditional Uses.

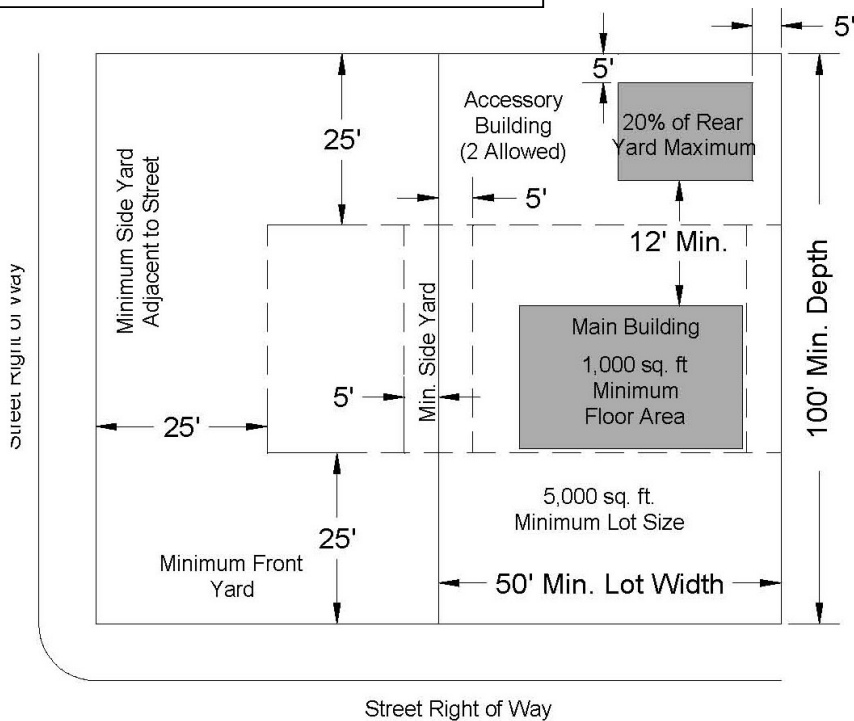
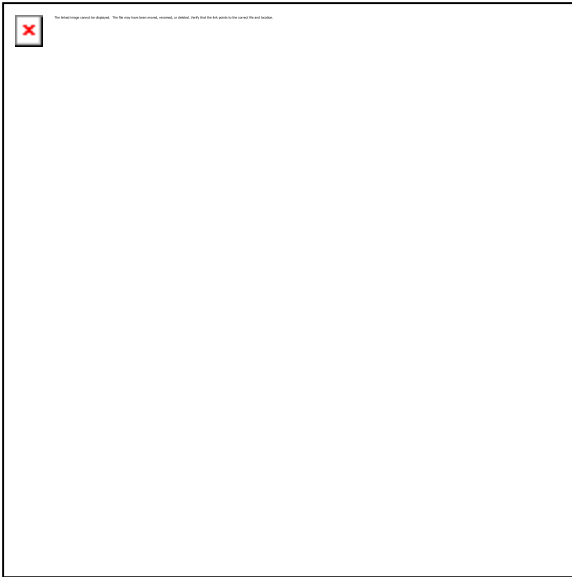
- (1) Home occupation;
- (2) Common facilities as the principal use of one or more platted lots in a subdivision;
- (3) Child care—registered family home and group day care home; and
- (4) Foster group home.

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

(A) *Single family.*

- (1) Minimum lot area: 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 buildings 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.

*Height, Area, Yard and Lot Coverage Requirements
Single-Family Dwelling*



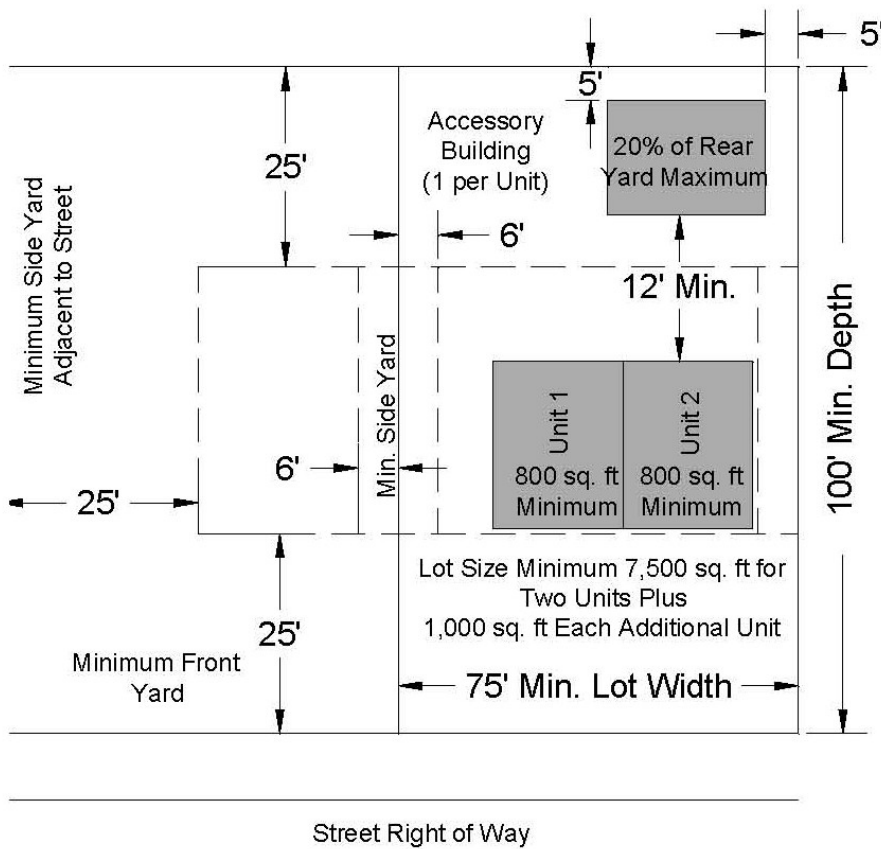
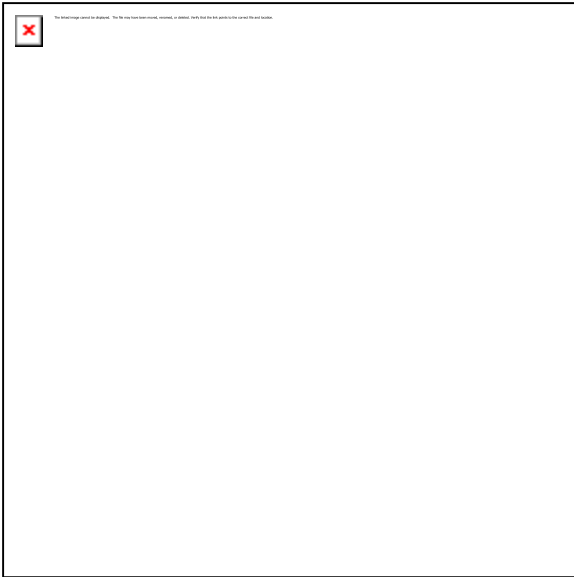
5.5.E Parking Regulations. A Single-Family, R-2 District lot shall provide a minimum of two vehicle parking spaces, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in this ordinance, Section 11, Parking Regulations of this ordinance.

(B) *Two-family.*

- (1) Minimum lot area: minimum of 7,500 ft² for two-family dwelling unit.
- (2) Minimum lot width and lot frontage: 75 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: six 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 each dwelling unit: 800 (two-family unit = 1,600 ft²; two units of 800 ft² each).
- (8) Accessory buildings:
- (a) Maximum accessory building coverage of rear yard: 20%.
 - (b) Maximum area of each accessory building: 200 ft².
 - (c) Maximum number of accessory buildings: one per unit.
 - (d) Minimum depth of side setback: five feet.
 - (e) Minimum depth of rear setback: five feet.
 - (f) 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.

*Height, Area, Yard and Lot Coverage Requirements
Two-Family Dwelling*



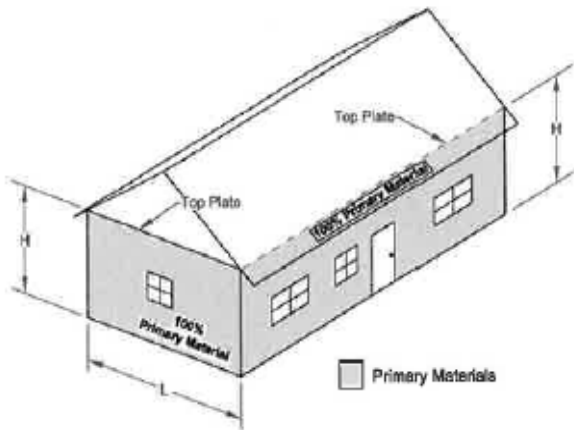
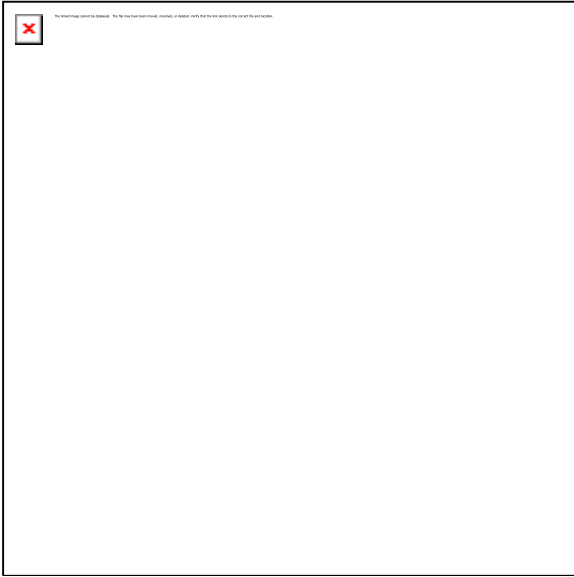
A Two-Family, R-2 District lot shall provide a minimum of two vehicle parking spaces, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in this ordinance, Section 11, Parking Regulations of this ordinance.

5.5.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 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.

5.4.F Exterior Building Material Standards



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)

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 owing 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 to 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:

1. A site plan, drawn to scale, showing the location and dimension of the lot and of all existing and proposed 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

ALTERNATIVES:

1. Approve the Variance Request
2. Approve the Variance Request with modifications
3. Deny the Variance Request

ATTACHMENTS:

BOARD OF ADJUSTMENT APPEAL APPLICATION

1. APPLICANT/OWNER: Eric + Jamie (Stephenville Properties) Hayden
First Name Last Name
- ADDRESS: PO Box 275 254-485-5950
Street/P.O. Box Phone No
- Stephenville TX 76401
City State Zip Code
2. PROPERTY DESCRIPTION: Lot 1, Block G, Sundown
Street Address
3. LEGAL DESCRIPTION: 1 G
Lot(s) Block(s) Addition
- Lakewood Estates Add Phase 1
4. PRESENT ZONING: One & Two Family R-2
Zoning District Title

APPLICANTS REQUEST FOR AN APPEAL PERTAINS TO THE FOLLOWING:

- () FOR INTERPRETATION of the meaning or intent of the Zoning Ordinance.
- () FOR A SPECIAL EXCEPTION for use or development of property.
- () A VARIANCE from the literal enforcement of the Zoning Ordinance in order to achieve a reasonable development of property.

5. APPLICANTS REQUEST IS AS FOLLOWS: Reduce side setback on N side from 25' to 16'. There is no street & the next lot is the trailer park. Reduce other side setback from 7' to 5', if possible.
(Attach an additional sheet if necessary). We are trying to reduce in order to have a better footprint to build on. Thank you!

Jamie Hayden
Signature of Applicant

1-25-21
Date

Karen Wickman
Signature of City Official Received

01/25/2021
Date Received by
Community Dev. Dept.

FOR OFFICE USE ONLY

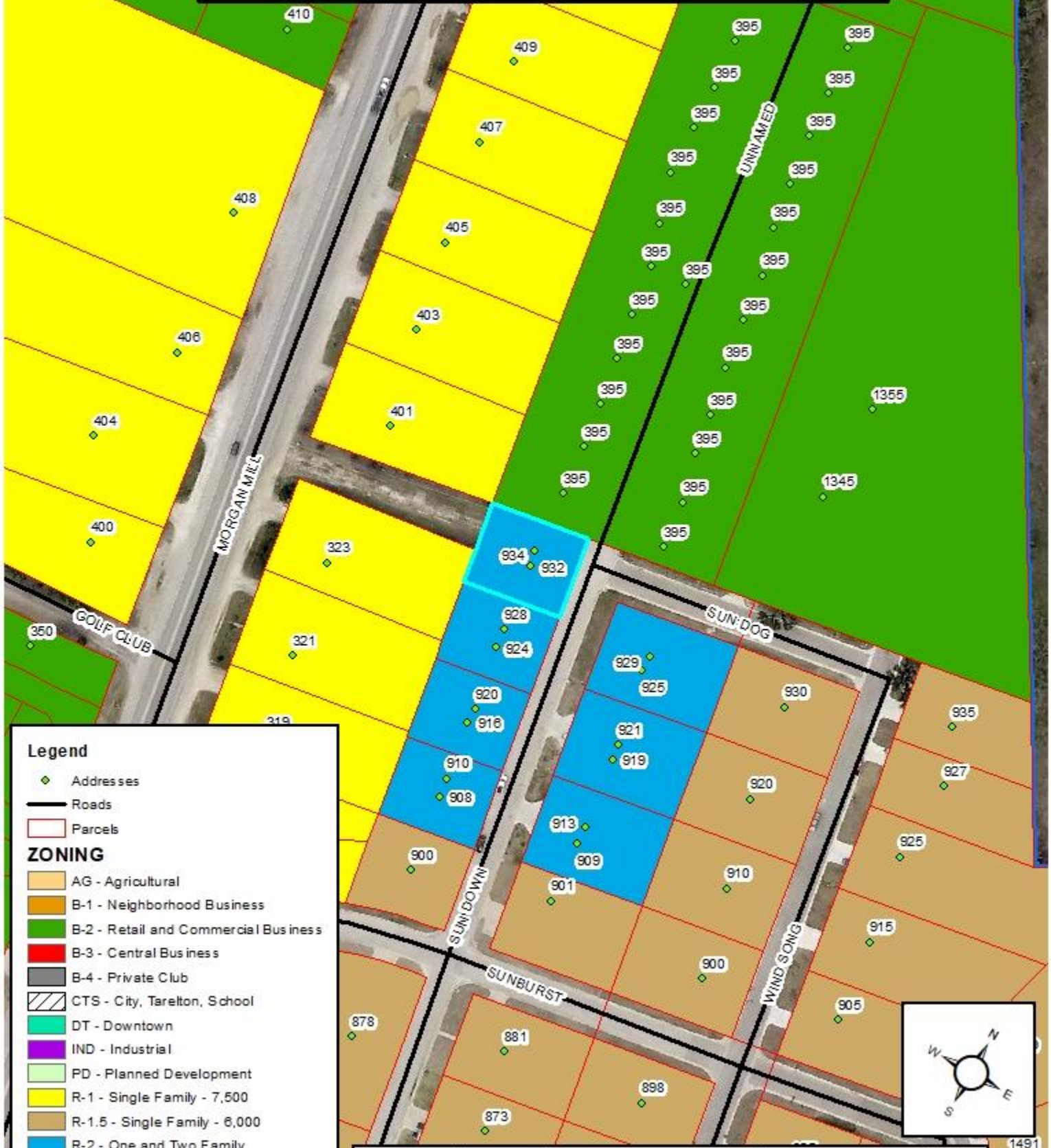
CHECKLIST

| | <i>Initial(s)</i> | <i>Date</i> |
|---|-------------------|-------------|
| 1. Application Received: | _____ | _____ |
| 2. Application Reviewed as Follows: | | |
| a. General Description of Location (Street, address, or "Northwest Corner of Avenue C and Avenue E"). | _____ | _____ |
| b. Legal Description of Property (Lot and Block Number/Metes and bounds, Survey and Abstract). | _____ | _____ |
| c. Size of Tract by Dimensions and Area. (Shown on Plat drawn to scale). | _____ | _____ |
| d. Present Zoning Classification | _____ | _____ |
| 3. Applicant's Fee \$_____, ____ received. | _____ | _____ |
| 4. Site Plan Attached. | _____ | _____ |
| 5. Property owners of record within 200 feet notified by mail. | _____ | _____ |
| 6. Notice of public hearing posted. | _____ | _____ |
| 7. Notice of public hearing delivered to newspaper. | _____ | _____ |
| 8. Application reviewed by city officials: (Initial where applicable) | | |
| a. Community Development Dept. | _____ | _____ |
| b. Public Works Department | _____ | _____ |
| c. Fire Department | _____ | _____ |
| d. Police Department | _____ | _____ |
| e. Other Departments (Specify) | _____ | _____ |
| 9. Agenda packet mailed to board members. | _____ | _____ |

Parcel R74232

Current Zoning - R2 - 1 & 2 Family

Item 3.



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
- City Limits

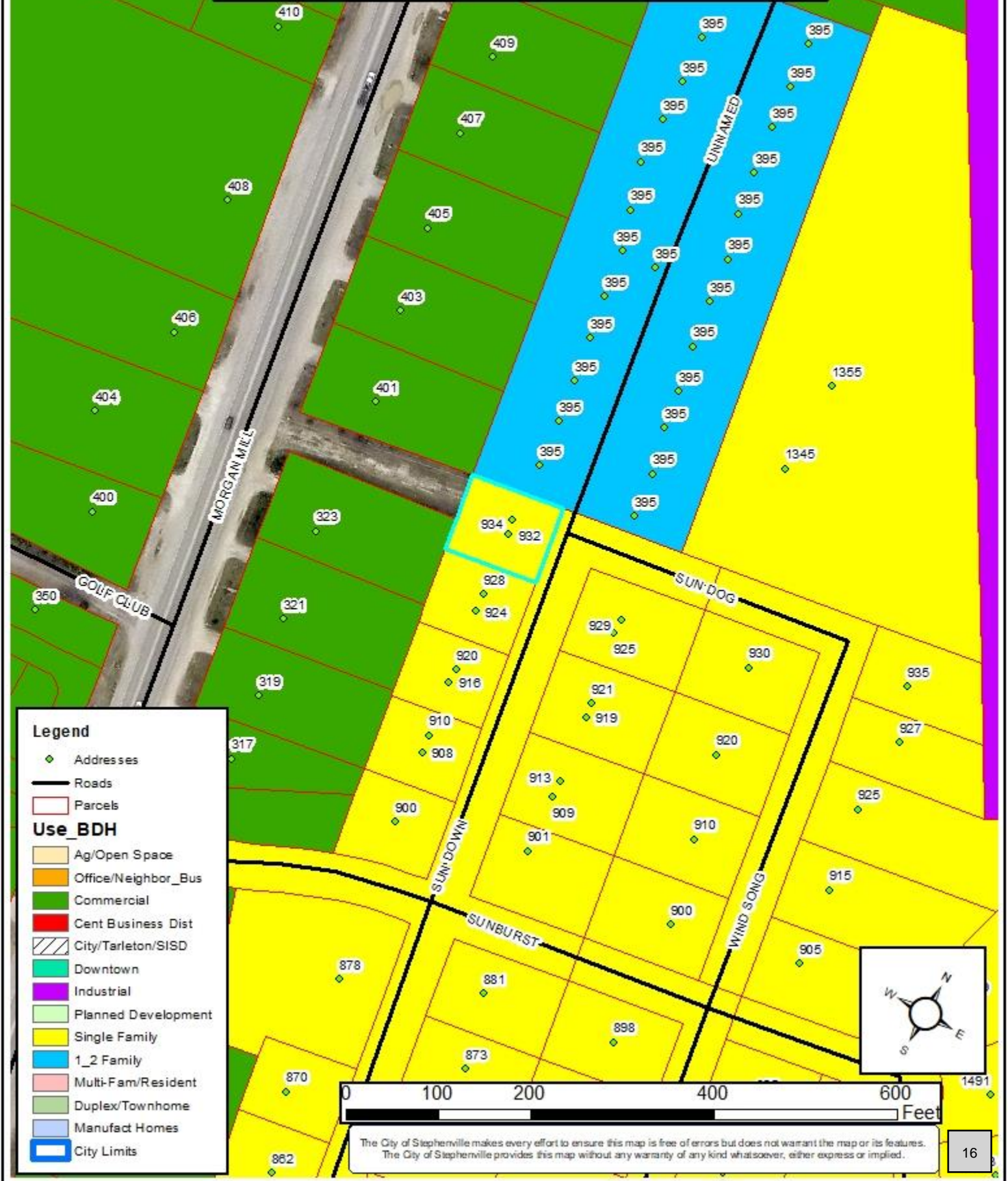


The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

Parcel R74232

Future Land Use - Single Family

Item 3.



Legend

- ◆ Addresses
- Roads
- ▭ Parcels

Use_BDH

- Ag/Open Space
- Office/Neighbor_Bus
- Commercial
- Cent Business Dist
- City/Tarleton/SISD
- Downtown
- Industrial
- Planned Development
- Single Family
- 1_2 Family
- Multi-Fam/Resident
- Duplex/Townhome
- Manufact Homes
- City Limits



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Parcel R74232 Addresses

| Parcel ID | Parcel Address | Parcel Owner | Owner Address | City | State | Zip Code |
|------------|----------------------|-----------------------------|----------------------|--------------|-------|------------|
| R000033356 | 405 MORGAN MILL ROAD | BUTLER ELIZABETH ANN | 5729 W FM8 | STEPHENVILLE | TX | 76401-9776 |
| R000033358 | 401 MORGAN MILL ROAD | CHRISTENSON LEVI C | 401 MORGAN MILL ROAD | STEPHENVILLE | TX | 76401 |
| R000074237 | 0 SUN DOWN | CITY OF STEPHENVILLE | 298 W WASHINGTON | STEPHENVILLE | TX | 76401-4257 |
| R000074081 | 0 WIND SONG | CITY OF STEPHENVILLE | 298 W WASHINGTON | STEPHENVILLE | TX | 76401-4257 |
| R000033350 | 1355 SUN DOG | GARRISON PROPERTIES LLC | 740 W COLLEGE | STEPHENVILLE | TX | 76401 |
| R000033362 | 319 MORGAN MILL ROAD | KRESTA JOHN | 2000 BROOKVILLE LN | FLOWER MOUND | TX | 75028 |
| R000074235 | 908 SUN DOWN | MADER INVESTMENTS LLC | 925 STONE GATE | STEPHENVILLE | TX | 76401 |
| R000074206 | 909 SUN DOWN | MADER INVESTMENTS LLC | 925 STONE GATE | STEPHENVILLE | TX | 76401 |
| R000074233 | 924 SUN DOWN | MADER INVESTMENTS LLC | 925 STONE GATE | STEPHENVILLE | TX | 76401 |
| R000033359 | 323 MORGAN MILL ROAD | MAYFIELD LARRY D | 323 MORGAN MILL RD | STEPHENVILLE | TX | 76401 |
| R000033360 | 321 MORGAN MILL ROAD | MEDINA ARNOLDO & AMY | 321 MORGAN MILL RD | STEPHENVILLE | TX | 76401 |
| R000075669 | 930 WIND SONG | MORRISON LONNIE G | 930 WIND SONG | STEPHENVILLE | TX | 76401 |
| R000073697 | 395 MORGAN MILL ROAD | MOTES DAVID W | PO BOX 332 | TOLAR | TX | 76476-0332 |
| R000075668 | 920 WIND SONG | SANCHEZ PEDRO & ROSA | 920 WIND SONG | STEPHENVILLE | TX | 76401 |
| R000074232 | 0 SUN DOWN | STEPHENVILLE PROPERTIES LLC | PO BOX 275 | STEPHENVILLE | TX | 76401 |
| R000074234 | 916 SUN DOWN | STEPHENVILLE PROPERTIES LLC | PO BOX 275 | STEPHENVILLE | TX | 76401 |
| R000074204 | 0 SUN DOWN | STEPHENVILLE PROPERTIES LLC | PO BOX 275 | STEPHENVILLE | TX | 76401 |
| R000074205 | 919 SUN DOWN | STEPHENVILLE PROPERTIES LLC | PO BOX 275 | STEPHENVILLE | TX | 76401 |
| R000033357 | 403 MORGAN MILL ROAD | TURNER DAVID LANE | 6067 S US281 | STEPHENVILLE | TX | 76401 |

Board of Adjustment

STAFF REPORT



SUBJECT: Case No.: V2021-002
MEETING: Board of Adjustment – 11 February 2021
DEPARTMENT: Development Services
STAFF CONTACT: Steve Killen

BACKGROUND:

Applicant Beau Mayo is requesting a Subdivision Waiver from Section 154.06.3.D for a project to be constructed at Parcel 29531, Lot 4A, Block 56, of the City Addition, to the City of Stephenville, Erath County, Texas. This property is also known as 314 Floral.

Mr. Mayo is requesting a variation relating to the width and overall lot size requirements for a two family structure in a B-3 zoned district. The current lot dimensions are 50' x 110' based on GIS data. Therefore, the applicant's request, if granted, will result in a variance of an approximate 25' reduction on the minimum width requirement and an overall reduction of minimum lot size by approximately 2,000 sqft.

CURRENT ZONING:

(B-3) Central Business

FUTURE LAND USE:

Central Business

WATER:

The property is served by a 6" city water main in Floral.

SEWER:

The property is served by a 8" sanitary sewer main in Floral.

Sec. 154.06.3. - Central business district (B-3).

6.3.A Description. The Central Business District is intended to encourage the redevelopment of the downtown business area, which includes the historic courthouse, all types of offices, retail business and residences. The varying land uses included in the Central Business District are compatible with existing uses to preserve the integrity of the Central Business District and deter urban deterioration. This district also facilitates the maintenance of the area and provides for the vibrant interaction between retail, service, residential and citizens citywide.

6.3.B Permitted Uses.

- (1) Accessory building to main use;
- (2) Antique shop/art gallery—sales in building;
- (3) Auto parking lot or building (commercial);
- (4) Bakery and confectionery shop;
- (5) Banks or other financial institutions;
- (6) Bed and breakfast/boarding house;
- (7) Church, temple or mosque;

- (8) Civic or community center;
- (9) Cleaning and pressing—small shop, pickup and delivery;
- (10) College or university;
- (11) Condominium;
- (12) Convenience/grocery store (without pumps);
- (13) Department store;
- (14) Drapery, needlework or weaving shop;
- (15) Farmers market;
- (16) Florist;
- (17) Fraternal organization, lodge or civic club;
- (18) Furniture or appliance store;
- (19) Handcraft shop;
- (20) Health club, weight and aerobic center;
- (21) Home occupation;
- (22) Hotels and motels;
- (23) Household appliance service and repair (no outside storage);
- (24) Kiosk;
- (25) Laboratory (medical);
- (26) Micro brewery;
- (27) Multi-family dwelling (five more units);
- (28) Municipal facilities/state facilities/federal facilities;
- (29) Office—professional and general administration;
- (30) Park, playground, public community recreation center;
- (31) Personal service shop (beauty/barber shop and the like);
- (32) Pet shop—small animals within building (no boarding);
- (33) Railroad or bus passenger station;
- (34) Registered family home (six + six children);
- (35) Restaurant or cafeteria—without drive-in service;
- (36) Retail shops;
- (37) Retirement housing complex;
- (38) Schools—private/parochial;
- (39) Schools—public;
- (40) Single family dwelling;
- (41) Studio for photographer, musician, artist and the like;
- (42) Studio for radio and television;
- (43) Theater—indoor;
- (44) Townhouse; and
- (45) Two-four family dwelling.
- (46) Restaurant with alcoholic beverage service.

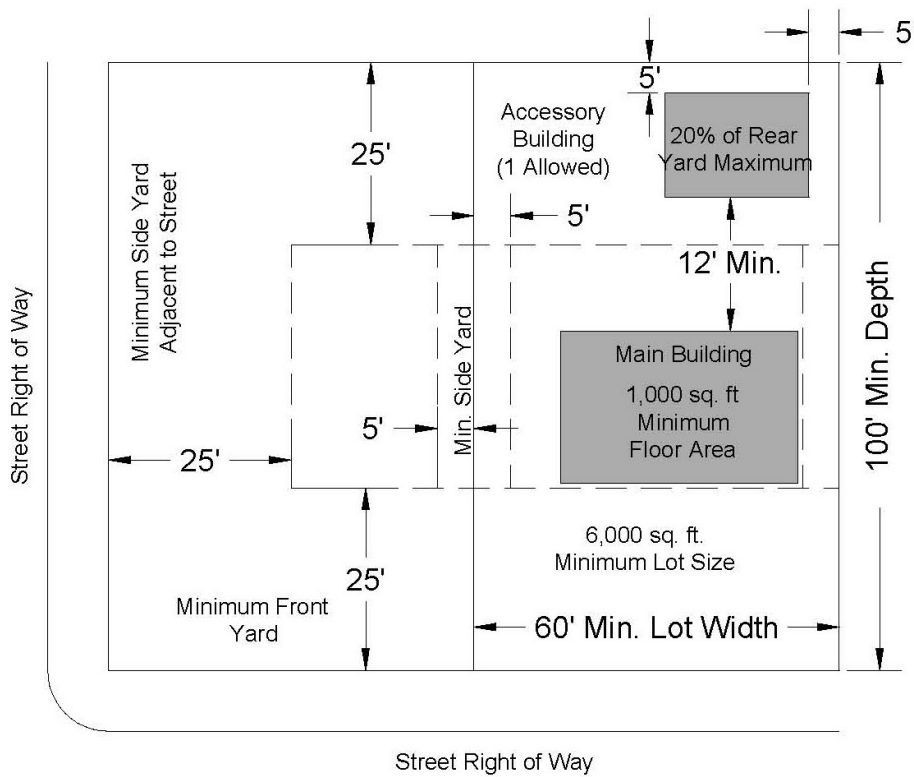
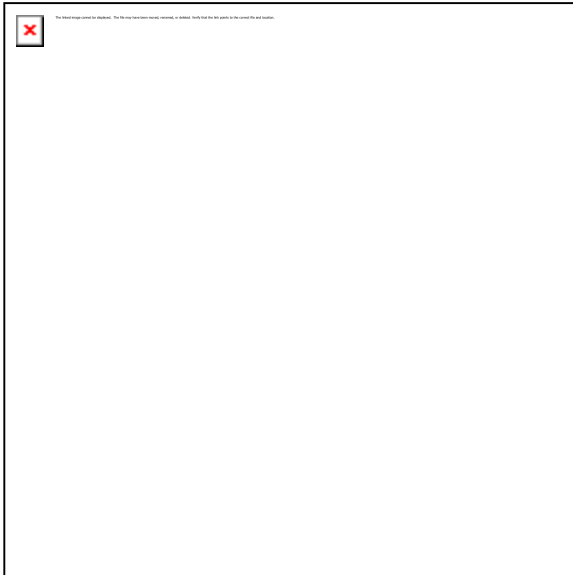
6.3.C Conditional Uses (Special Use Permit required).

- (1) Assisted living center;

- (2) Auto parts sales;
- (3) Automobile service station and car care center;
- (4) Clinic;
- (5) Day care center (12 or more children);
- (6) Hospital—general acute care (human);
- (7) Printing;
- (8) Plumbing shop;
- (9) Scientific and research laboratories;
- (10) Storage, sale or repair of furniture and appliances (inside building);
- (11) Tobacco shop;
- (12) Tool and equipment rental shop; and
- (13) Trade and commercial schools.

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

- (A) *Single family dwelling.*
 - (1) Maximum density: one dwelling unit per lot.
 - (2) Minimum lot area: 6,000 ft².
 - (3) Minimum lot width and lot frontage: 60 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: five feet.
 - (b) Corner lot: 25 feet from intersecting side street.
 - (8) Building size:
 - (a) Maximum coverage as a percentage of lot area: 40%.
 - (b) Minimum area of main building: 1,000 ft².
 - (9) 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.
 - (10) Maximum height of structures: 35 feet.
 - (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.

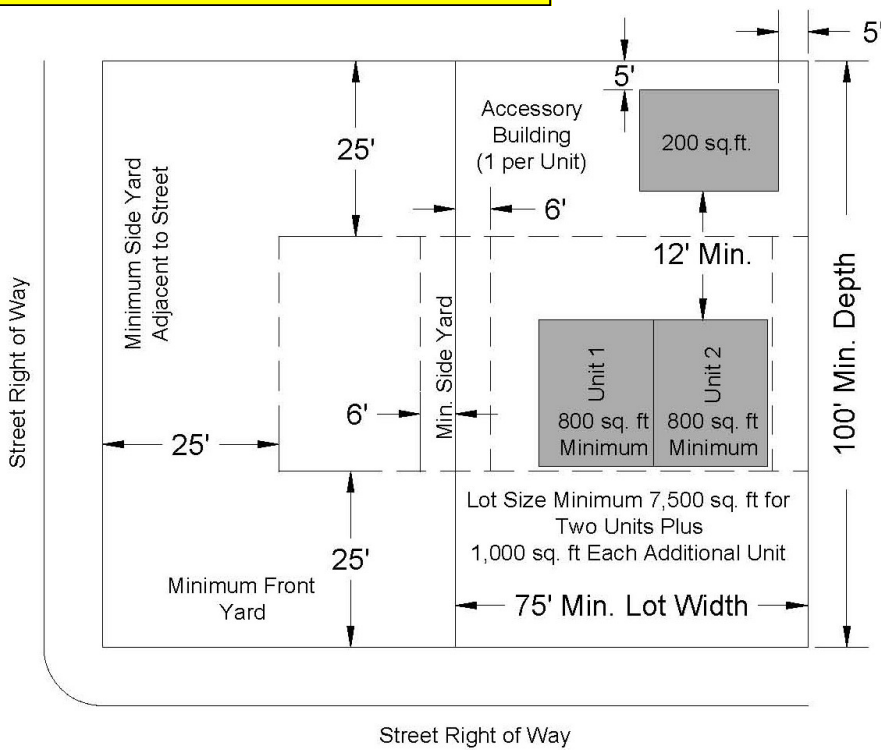
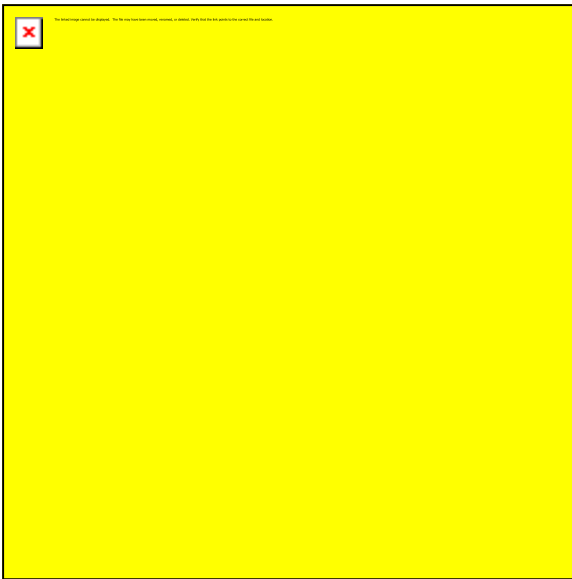


(B) Two-four family dwelling.

- (1) Minimum lot area: 7,500 ft for two dwelling units, plus 1,000 ft for each additional dwelling unit.
- (2) Minimum lot width and lot frontage: 75 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: six feet.
 - (b) Corner lot: 25 feet from intersecting side street.
- (7) Building size:

- (a) Maximum coverage as a percentage of lot area: 40%. NOTE: (maximum of 2200 sqft for building footprint for this lot)
- (b) Minimum area of each dwelling unit: 800 ft².
- (8) Accessory buildings:
- (a) Maximum accessory building coverage of rear yard: 20%.
- (b) Maximum area of each accessory building: 200 ft².
- (c) Maximum number of accessory buildings: one per unit.
- (d) Minimum depth of side setback: five feet.
- (e) Minimum depth of rear setback: five feet.
- (f) 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.

*Height, Area, Yard and Lot Coverage Requirements
Two-Four Family Dwellings*



6.3.E Parking Regulations.

- (1) A Single-Family, B-3 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 Section 11 the Parking Regulations of this ordinance.
- (2) A Two-Four-Family, B-3 District lot shall provide a minimum of two vehicle parking spaces per dwelling unit and meet all the pertinent requirements contained in Section 11 the Parking Regulations of this ordinance.
- (3) A Townhouse/Condominium, B-3 District lot shall provide a minimum of two vehicle parking spaces per dwelling unit and meet all the pertinent requirements contained in Section 11 the Parking Regulations of this ordinance.
- (4) A Multiple Family, B-3 District lot shall provide a minimum of two vehicle parking spaces per dwelling unit and meet all the pertinent requirements contained in Section 11 the Parking Regulations of this ordinance.
- (5) All uses permitted in the B-3 District: See Section 11 for Parking Regulations.

VARIANCE:

Section 154.21.1.1

1. A variance from the literal enforcement of the Zoning Ordinance in order to achieve a reasonable development of the property. Whenever owing 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 to 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:

1. A site plan, drawn to scale, showing the location and dimension of the lot and of all existing and proposed 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

ALTERNATIVES:

- 1. Approve the Variance Request
- 2. Approve the Variance Request with modifications
- 3. Deny the Variance Request

ATTACHMENTS:

BOARD OF ADJUSTMENT APPEAL APPLICATION

1. APPLICANT/OWNER: Beav Mayo
First Name Last Name

ADDRESS: 2699 CR 223 254-592-2759
Street/P.O. Box Phone No

Stephenville TX 76461
City State Zip Code

2. PROPERTY DESCRIPTION: 314 Floral
Street Address

3. LEGAL DESCRIPTION: 4A 56 City
Lot(s) Block(s) Addition

4. PRESENT ZONING: B3 Central Business
Zoning District Title

APPLICANTS REQUEST FOR AN APPEAL PERTAINS TO THE FOLLOWING:

- FOR INTERPRETATION of the meaning or intent of the Zoning Ordinance.
- FOR A SPECIAL EXCEPTION for use or development of property.
- A VARIANCE from the literal enforcement of the Zoning Ordinance in order to achieve a reasonable development of property.

5. APPLICANTS REQUEST IS AS FOLLOWS: Requesting a waiver on the
minimum lot area and minimum lot width for
construction of a duplex.
(Attach an additional sheet if necessary).

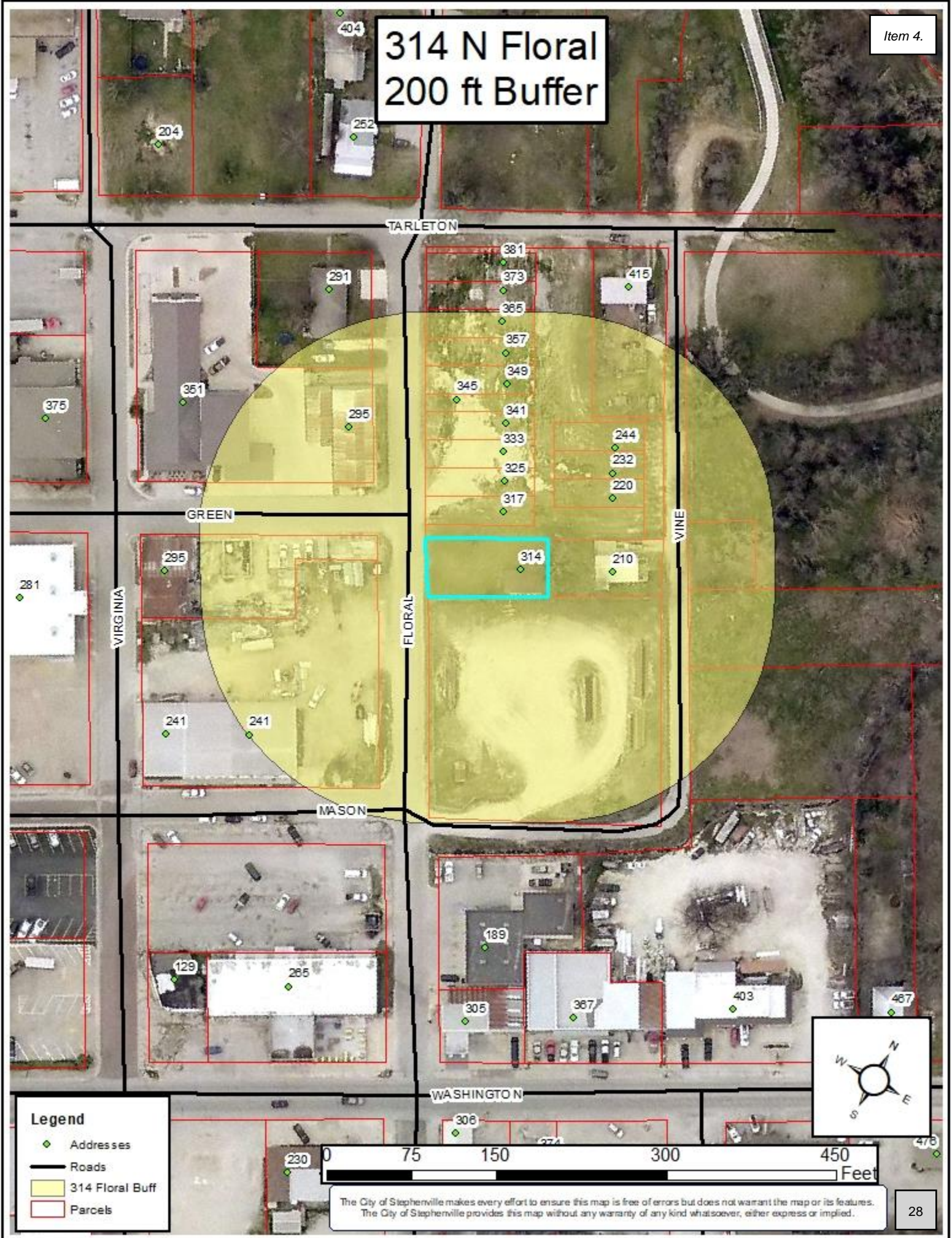
Beav Mayo
Signature of Applicant

1-21-21
Date

Signature of City Official Received

Date Received by
Community Dev. Dept.

314 N Floral 200 ft Buffer



Legend

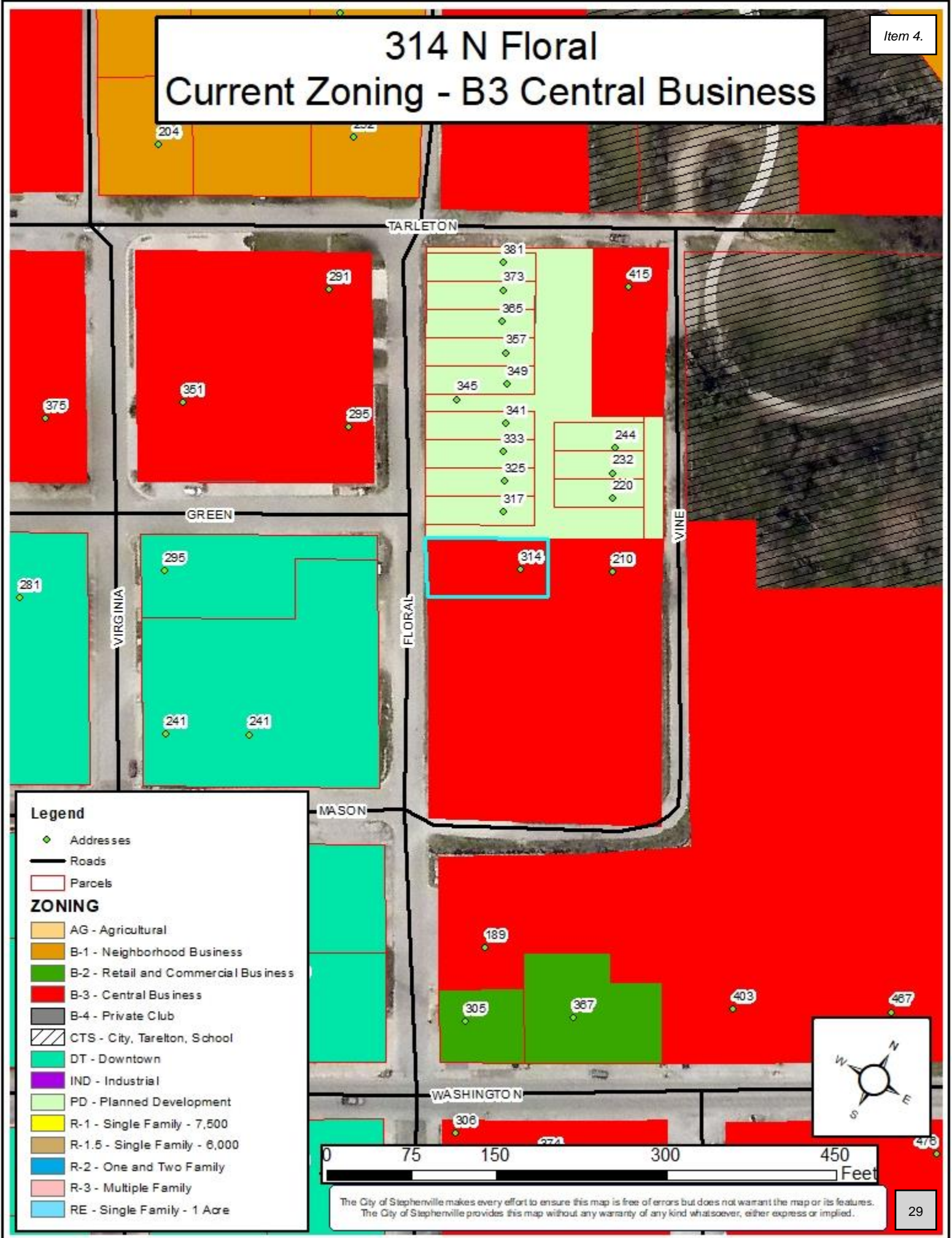
- ◆ Addresses
- Roads
- 314 Floral Buff
- Parcels



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.

314 N Floral Current Zoning - B3 Central Business

Item 4.



Legend

- ◆ Addresses
- Roads
- ▭ Parcels

ZONING

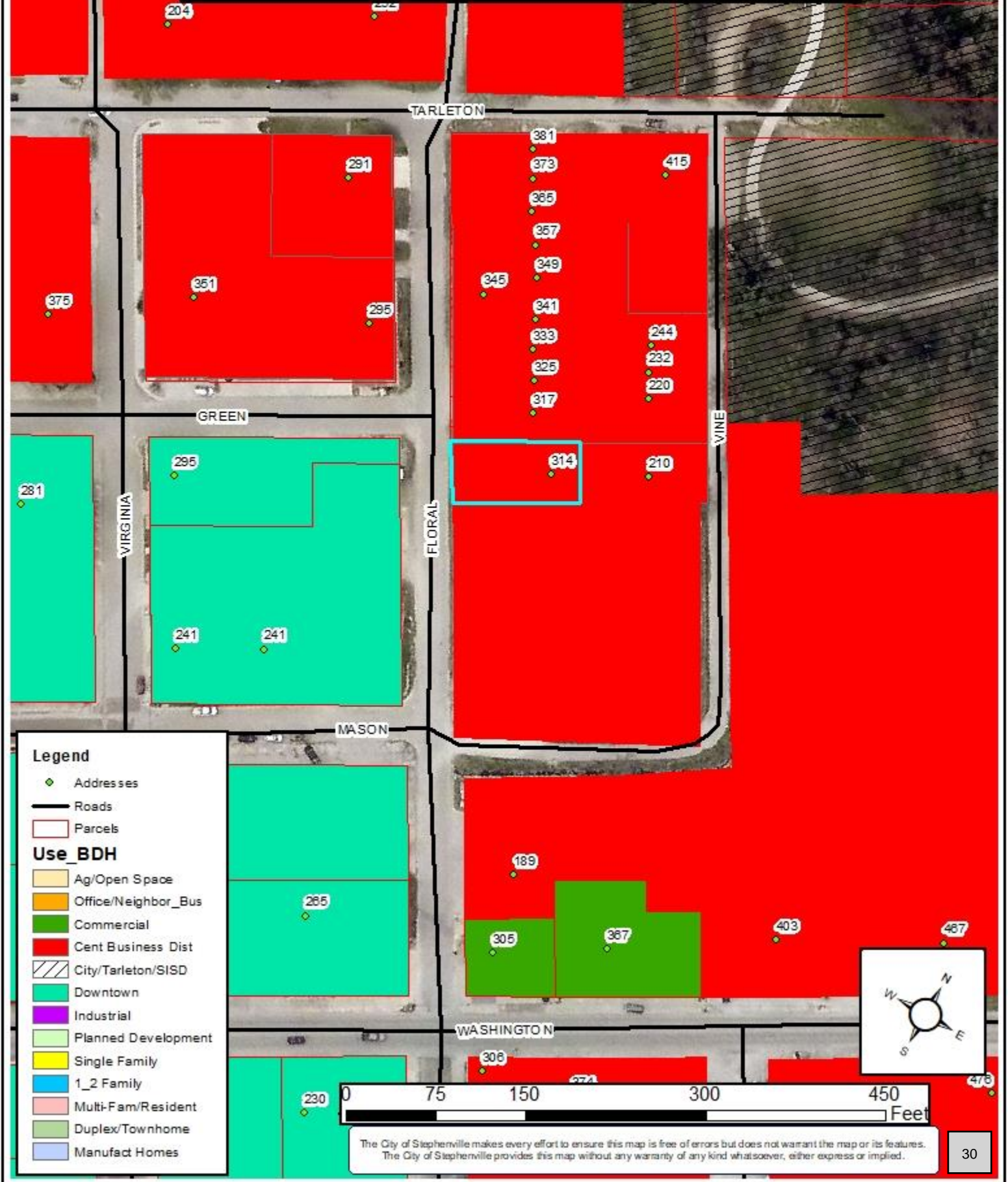
- AG - Agricultural
- B-1 - Neighborhood Business
- B-2 - Retail and Commercial Business
- B-3 - Central Business
- B-4 - Private Club
- ▨ CTS - City, Tareyton, School
- DT - Downtown
- IND - Industrial
- PD - Planned Development
- R-1 - Single Family - 7,500
- R-1.5 - Single Family - 6,000
- R-2 - One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



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314 N Floral Future Land Use - Central Business

Item 4.



Legend

- ◆ Addresses
- Roads
- ▭ Parcels

Use_BDH

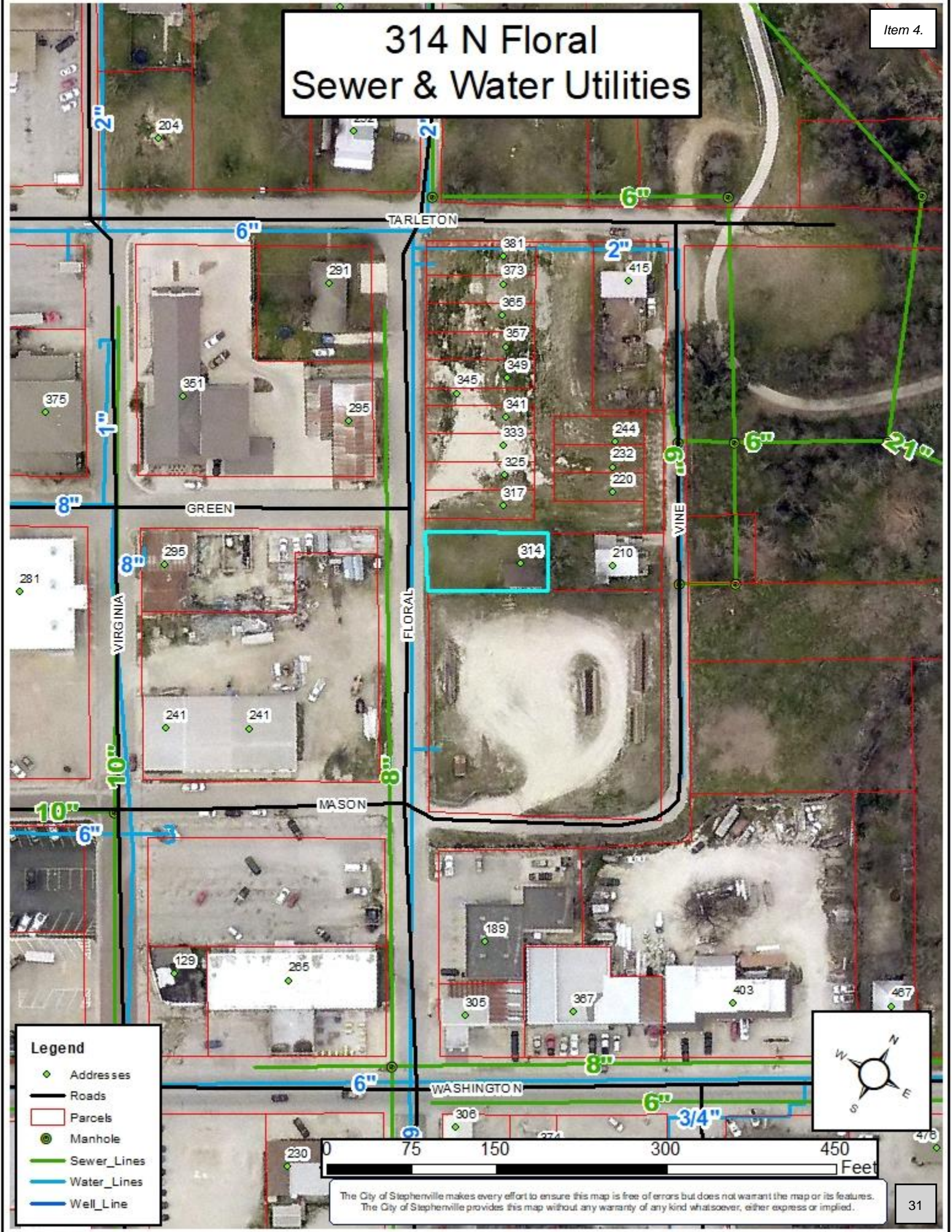
- Ag/Open Space
- Office/Neighbor_Bus
- Commercial
- Cent Business Dist
- City/Tarleton/SISD
- Downtown
- Industrial
- Planned Development
- Single Family
- 1_2 Family
- Multi-Fam/Resident
- Duplex/Townhome
- Manufact Homes



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314 N Floral Sewer & Water Utilities

Item 4.



Legend

- ◆ Addresses
- Roads
- ▭ Parcels
- Manhole
- Sewer_Lines
- Water_Lines
- Well_Line



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314 N Floral Addresses

| Parcel ID | Parcel Address | Parcel Owner | Owner Address | City | State | Zip Code |
|------------|----------------|--------------------------------------|-------------------|--------------|-------|------------|
| R000029250 | 241 MASON | BRAGG DAVID W | PO BOX 263 | STEPHENVILLE | TX | 76401-0263 |
| R000029249 | 351 N VIRGINIA | BRAGG DAVID WAYNE | PO BOX 263 | STEPHENVILLE | TX | 76401 |
| R000052980 | 0 VINE | CITY OF STEPHENVILLE | 298 W WASHINGTON | STEPHENVILLE | TX | 76401-4257 |
| R000029535 | 0 E TARLETON | CITY OF STEPHENVILLE | 298 W WASHINGTON | STEPHENVILLE | TX | 76401-4257 |
| R000076696 | 0 VINE | CITY OF STEPHENVILLE | 298 W WASHINGTON | STEPHENVILLE | TX | 76401-4257 |
| R000029531 | 314 N FLORAL | ERATH CAPITAL INVESTMENTS LLC | 2699 CR223 | STEPHENVILLE | TX | 76401 |
| R000076799 | 232 VINE | FRETER JUSTIN & ABIGAIL FRETER | 232 N VINE ST | STEPHENVILLE | TX | 76401 |
| R000076693 | 317 N FLORAL | HUAHULU CYNTHIA & AVONITEILA HUAHULU | 7216 WESTOVER DR | GRANBURY | TX | 76049 |
| R000076694 | 325 N FLORAL | HUAHULU CYNTHIA & AVONITEILA HUAHULU | 7216 WESTOVER DR | GRANBURY | TX | 76049 |
| R000076695 | 333 N FLORAL | HUAHULU CYNTHIA & AVONITEILA HUAHULU | 7216 WESTOVER DR | GRANBURY | TX | 76049 |
| R000076792 | 341 N FLORAL | HUAHULU CYNTHIA & AVONITEILA HUAHULU | 7216 WESTOVER DR | GRANBURY | TX | 76049 |
| R000029529 | 415 E TARLETON | LANDERS JUSTIN D & TERESA A | 415 E TARLETON ST | STEPHENVILLE | TX | 76401 |
| R000029528 | 345 FLORAL | LK CAPITAL INVESTMENTS LLC | 159 SOUTH GRAHAM | STEPHENVILLE | TX | 76401 |
| R000076793 | 349 FLORAL | LK CAPITAL INVESTMENTS LLC | 159 SOUTH GRAHAM | STEPHENVILLE | TX | 76401 |
| R000076794 | 357 FLORAL | LK CAPITAL INVESTMENTS LLC | 159 SOUTH GRAHAM | STEPHENVILLE | TX | 76401 |
| R000076795 | 365 FLORAL | LK CAPITAL INVESTMENTS LLC | 159 SOUTH GRAHAM | STEPHENVILLE | TX | 76401 |
| R000076798 | 220 VINE | MARTIN ROXANA B | 220 N VINE ST | STEPHENVILLE | TX | 76401 |
| R000029532 | 210 VINE | MLE INVESTMENT INSIGHTS LLC | PO BOX 1314 | STEPHENVILLE | TX | 76401 |
| R000029518 | 0 N FLORAL | ONCOR ELECTRIC DELIVERY COMPANY | PO BOX 139100 | DALLAS | TX | 75313 |
| R000029534 | 0 VINE | RED FENCES LLC | P.O. BOX 267 | STEPHENVILLE | TX | 76401 |
| R000029512 | 201 VINE | RED FENCES LLC | P.O. BOX 267 | STEPHENVILLE | TX | 76401 |
| R000029328 | 351 E TARLETON | VANDEN BERGE KEVIN & KERI | PO BOX 2576 | STEPHENVILLE | TX | 76401 |
| R000076800 | 244 VINE | VIERRA JARON & CARA VIERRA | 244 VINE | STEPHENVILLE | TX | 76401 |
| R000029329 | 291 TARLETON | WAGNER JASEN W | 1505 GLENWOOD DR | STEPHENVILLE | TX | 76401 |