



BOARD OF ADJUSTMENT MEETING

City Hall Council Chambers, 298 W. Washington
Thursday, December 12, 2024 at 4:00 PM

AGENDA

CALL TO ORDER

CITIZENS GENERAL DISCUSSION

MINUTES

1. Consider Approval of Minutes from November 14, 2024

REGULAR AGENDA

2. Case No.: V2024-023

Applicant Robert McGowan is Requesting a Hearing Pursuant to Section 154.21.3.C – *Variance for the Construction of a Carport* for Property Located at 1840 Overhill Dr., Parcel R29027, Being BLOCK F; LOT 8 of the Chamberlin Addition, City of Stephenville, Erath County, Texas

3. PUBLIC HEARING

Case No.: V2024-023

4. Consider Approval of Variance for the Construction of a Carport for Property Located at 1840 Overhill Dr., Parcel R29027, Being BLOCK F; LOT 8 of the Chamberlin Addition, of the City of Stephenville, Erath County, Texas

5. Case No.: V2024-024

Applicant Court Cole, Representing Pendleton Enterprises, LLC., is Requesting a Variance from Section Sec.154.12-37 – Variance from Sign Regulations for Property Located at 270 W College, Parcel R29216, Being BLOCK 8; LOT F2H of the City Addition of the City of Stephenville, Erath County, Texas

6. PUBLIC HEARING

Case No.: V2024-024

7. Consider Approval of Variance from Section Sec.154.12-37 – Variance from Sign Regulations for Property Located at 270 W College, Parcel R29216, Being BLOCK 8; LOT F2H of the 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 STAFF REPORT

SUBJECT: Case No.: V2024-023

Applicant Robert McGowan is requesting a variance from Section 154.21.3.C – Variance for the Construction of a Carport, for property located at 1840 Overhill, Parcel R29027, being BLOCK F; LOT 8 of the S2500 Chamberlin Addition of the City of Stephenville, Erath County, Texas.

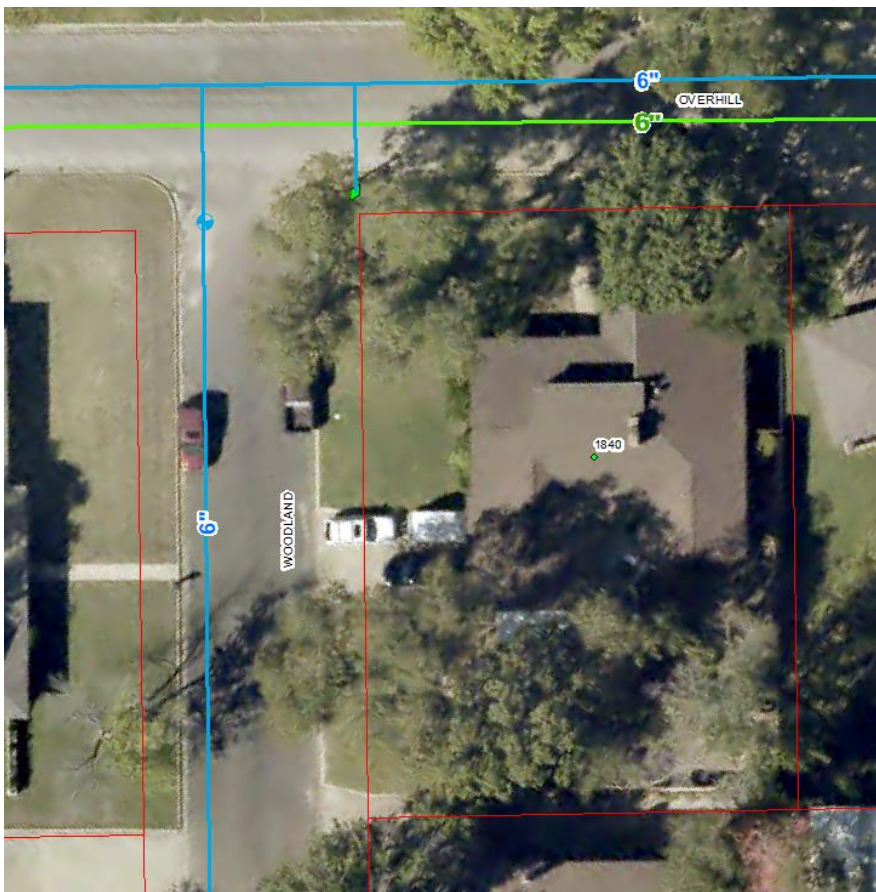
MEETING: Board of Adjustment – August 8, 2024

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen

BACKGROUND:

Mr. McGowan is requesting a variance for the construction of a carport. If approved, the side setback will be reduced to 0' feet based on GIS imagery and the provided site plan. If approved, staff recommends the Board grant conditional approval, with the condition being that the carport not extend into the City ROW. An image of the GIS map is below. Exact dimensions will require a survey.





Steve,

As requested, please see attached revised sketch showing distance from face of curb to end of carport dimension (pink line). Also, (as you can see per green line) the carport actually extends past and into the roof-space of the house although I was going to span directly above the roof. If that needs to be attached in some specific way, please let me know...

Thanks,

Robert McGowan

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:
- a. If the criteria listed above are not met, or if a petition is filed with the city manager or his designee as described 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.

ALTERNATIVES:

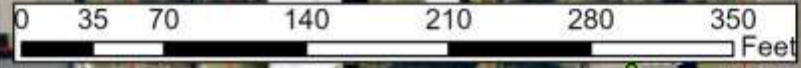
1. Approve the Variance Request
2. Deny the Variance Request

Parcel R29027 200 ft Buffer



Legend

- Addresses
- Roads
- ▭ Parcels
- 200 ft Buffer



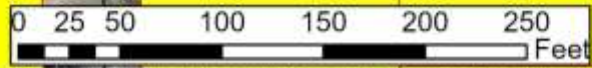
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Parcel R29027 Current Zoning - R1 Single Family

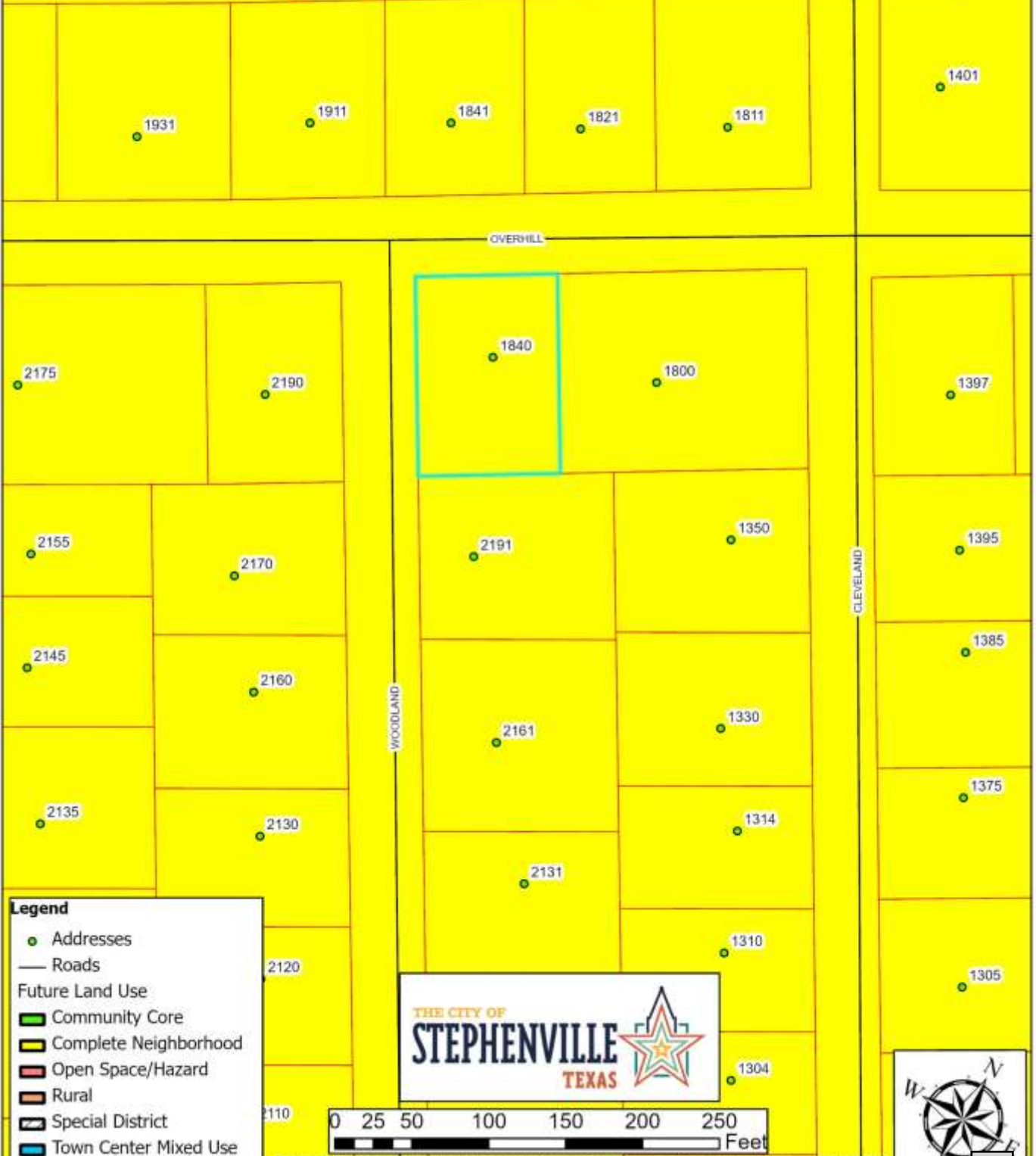


- Legend**
- Addresses
 - Roads
 - ZONING**
 - AG - Agricultural
 - B-1 - Neighborhood Business
 - B-2 - Retail and Commercial Business
 - B-3 - Central Business
 - B-4 - Private Club
 - CTS - City, Tarleton, School
 - DT - Downtown
 - IND - Industrial
 - PD - Planned Development
 - R-1 - Single Family - 7,500
 - R-1.5 - Single Family - 6,000
 - R-2 - One and Two Family
 - R-2.5 - Integrated Housing
 - R-3 - Multiple Family
 - RE - Single Family - 1 Acre
 - Parcels



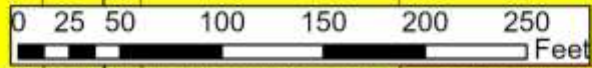
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Parcel R29027 Future Land Use - Complete Neighborhood



Legend

- Addresses
- Roads
- Future Land Use
 - Community Core
 - Complete Neighborhood
 - Open Space/Hazard
 - Rural
 - Special District
 - Town Center Mixed Use
- ▭ Parcels



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Parcel R29027 Water & Sewer Utilities

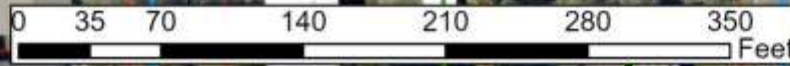
Item 2.



Legend

- Addresses
- Roads
- Sewer Lines
- Water Lines
- ▭ Parcels

THE CITY OF
STEPHENVILLE
TEXAS



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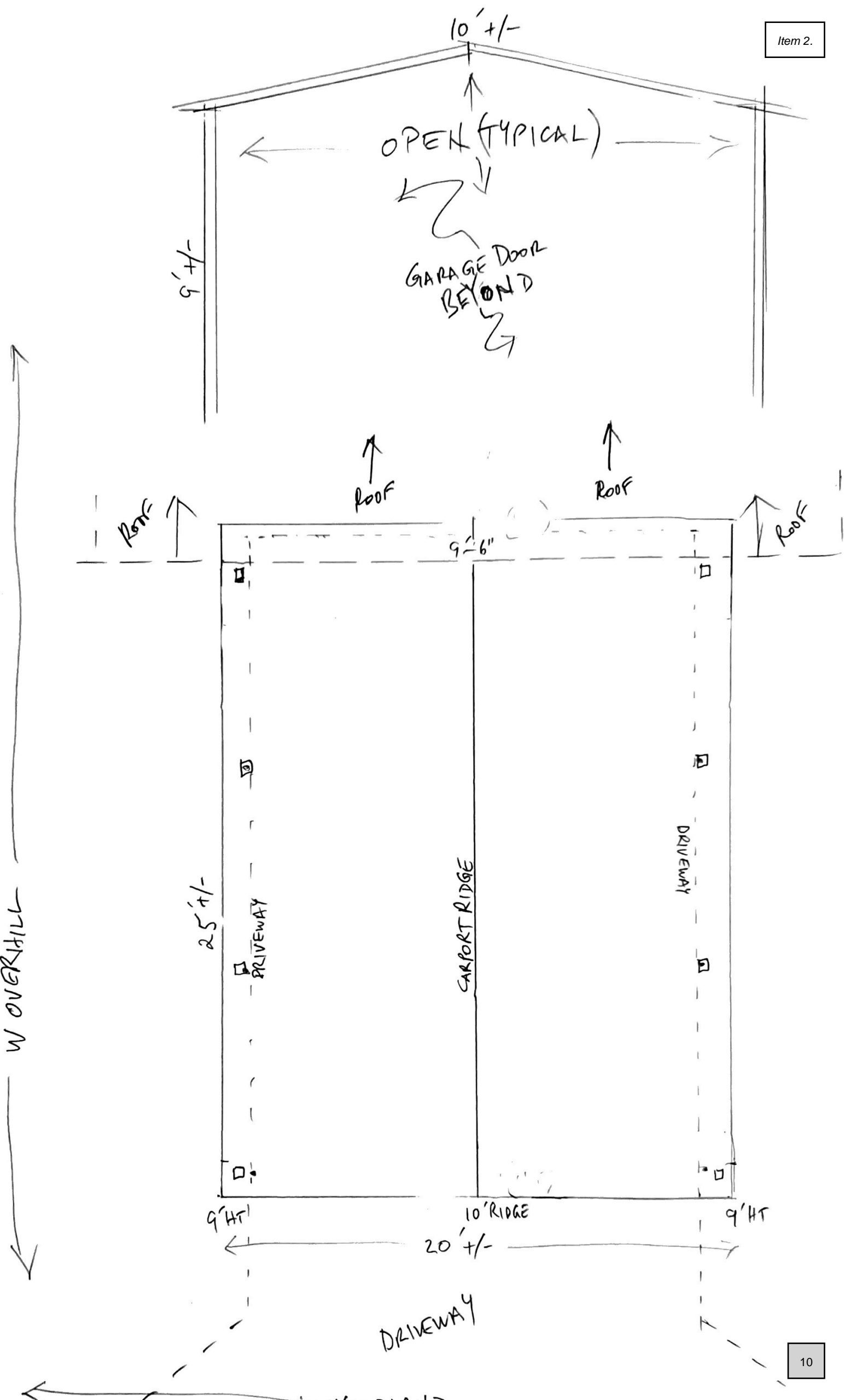
Parcel ID R29027

200 Ft Buffer

Addresses

Item 2.

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
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
R000029140	1811 OVERHILL DR	SMITH HANNAH R	1811 W OVERHILL	STEPHENVILLE	TX	76401
R000046547	1690 W LINGLEVILLE RD	TRAFALGAR HOMES INC	PO BOX 65	STEPHENVILLE	TX	76401
R000029030	1330 CLEVELAND	TURKNETT RAY F (ESTATE)	PO BOX 1392	GRAPEVINE	TX	76099-1392



Board of Adjustment STAFF REPORT



SUBJECT: Case No.: V2024-024

Applicant Court Cole, representing Pendleton Enterprises, LLC., is requesting a variance from Section Sec.154.12-37 – Variance from Sign Regulations for property located at 270 W College, Parcel R29216, being BLOCK 8; LOT F2H of the City Addition of the City of Stephenville, Erath County, Texas.

MEETING: Board of Adjustment – November 14, 2024

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen

BACKGROUND:

The requested variance from the sign ordinance is to place an additional sign on the property at the Southeastern Corner of the building adjacent to the City alley. The sign will protrude into the City Right-of-Way, extending 40” from the building. The height at the bottom of the sign will be 14’. Per the sign company, Waste Connections has indicated this will allow clearance for safe passage.

Image provided:



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.

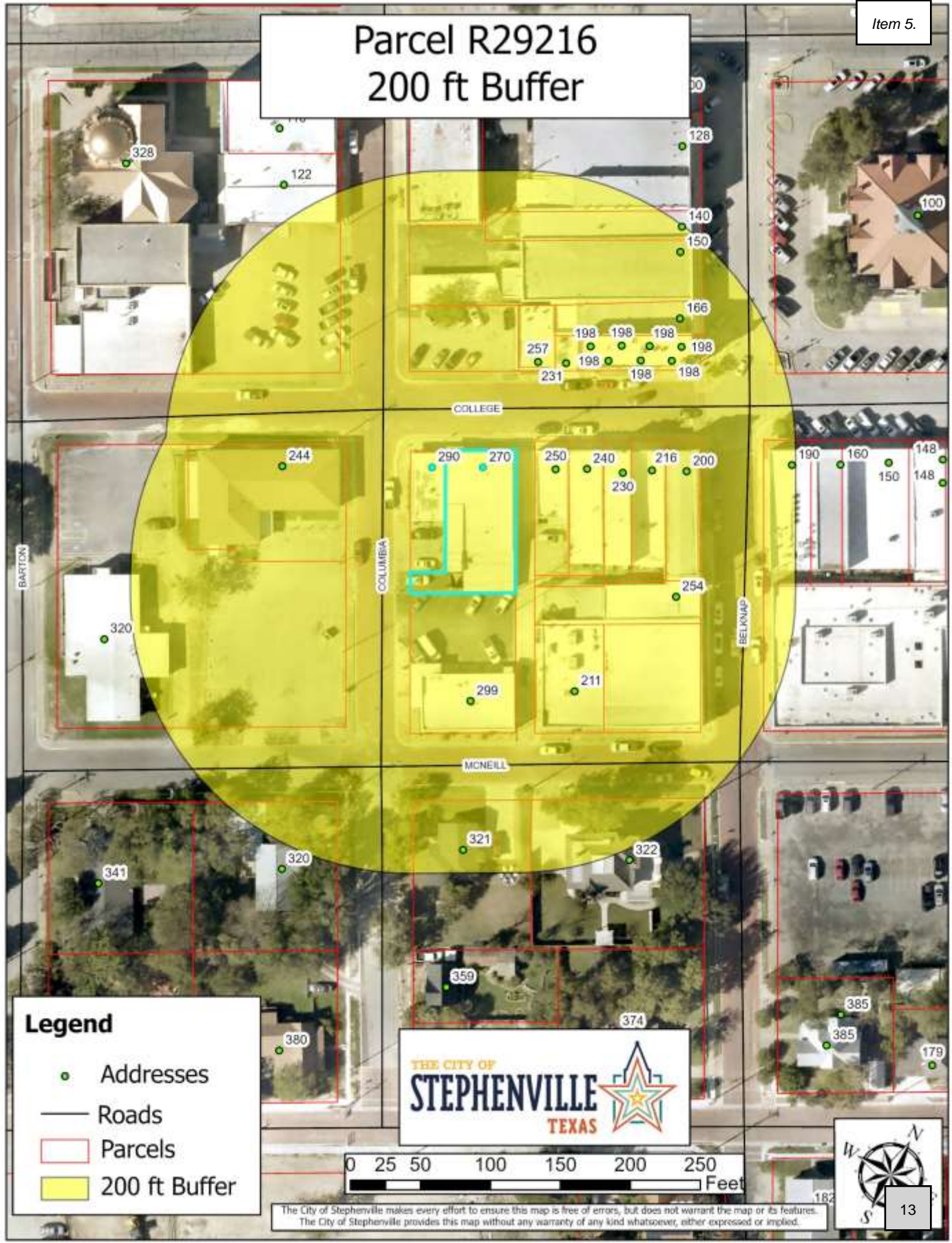
Section 12-12 Variances

- (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.

ALTERNATIVES:

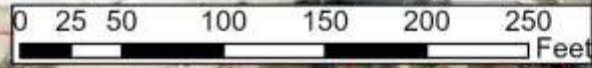
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Parcel R29216 200 ft Buffer



Legend

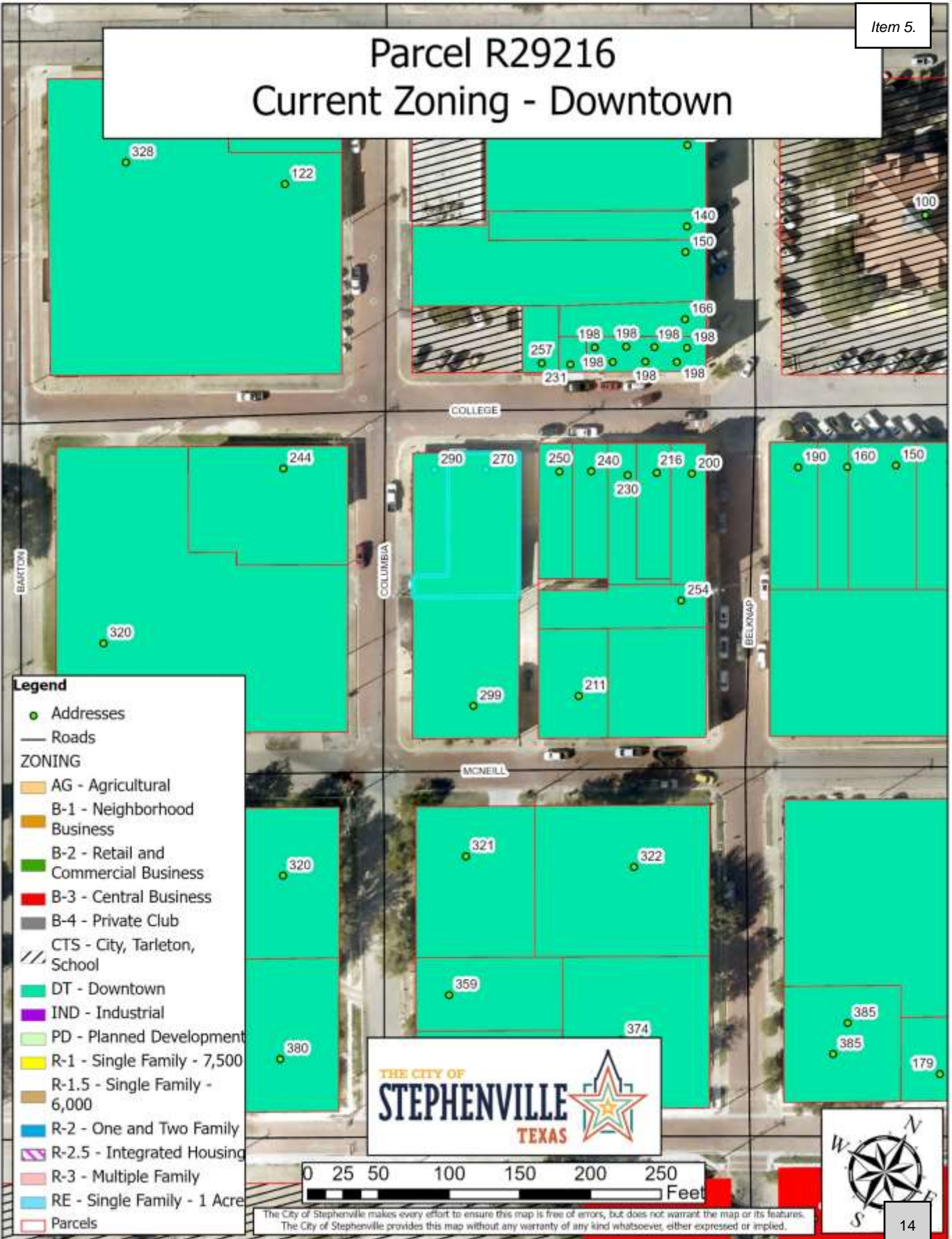
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Parcel R29216 Current Zoning - Downtown

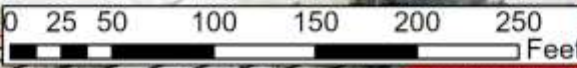


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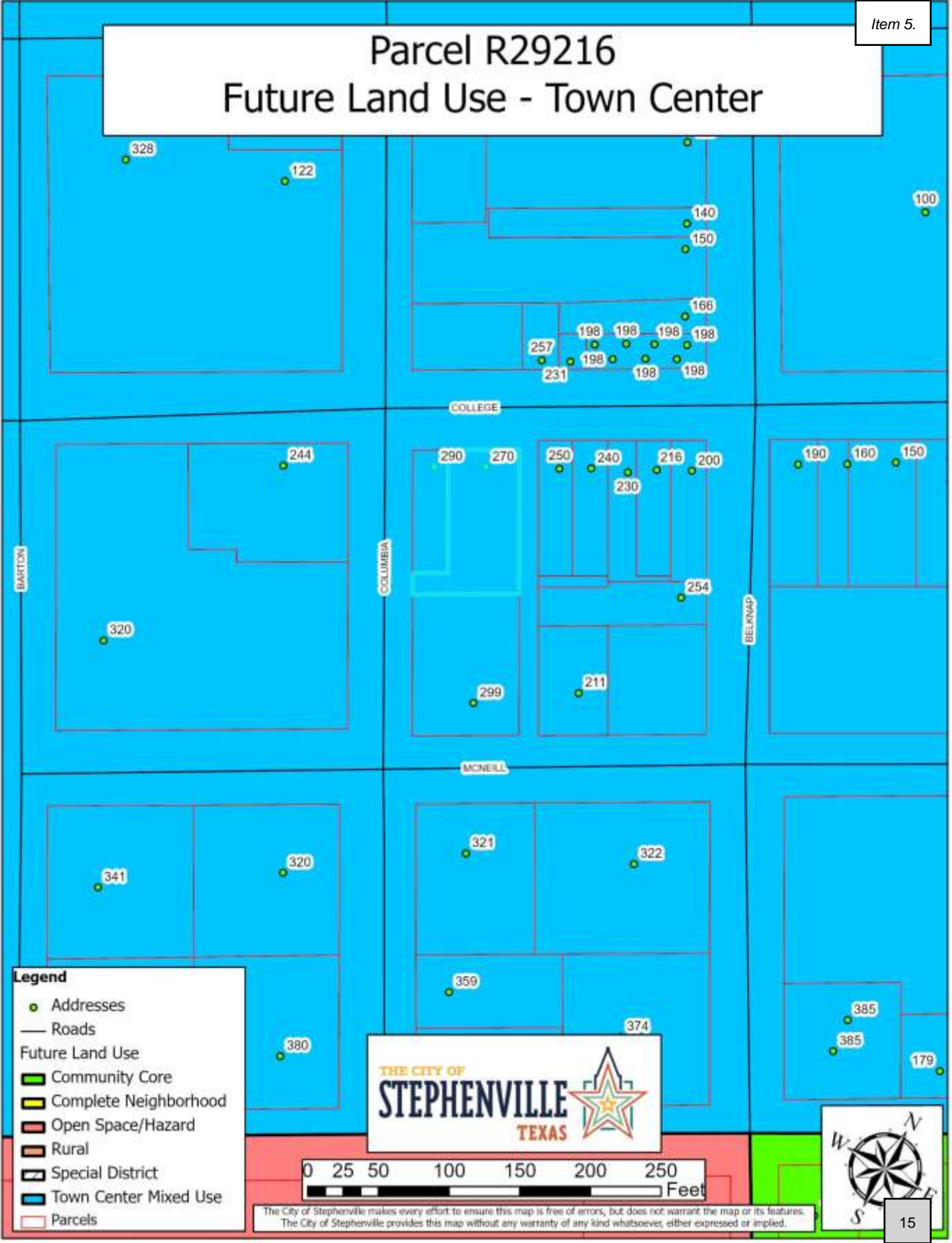
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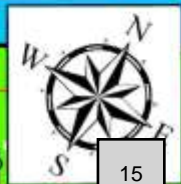
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Parcel R29216 Future Land Use - Town Center



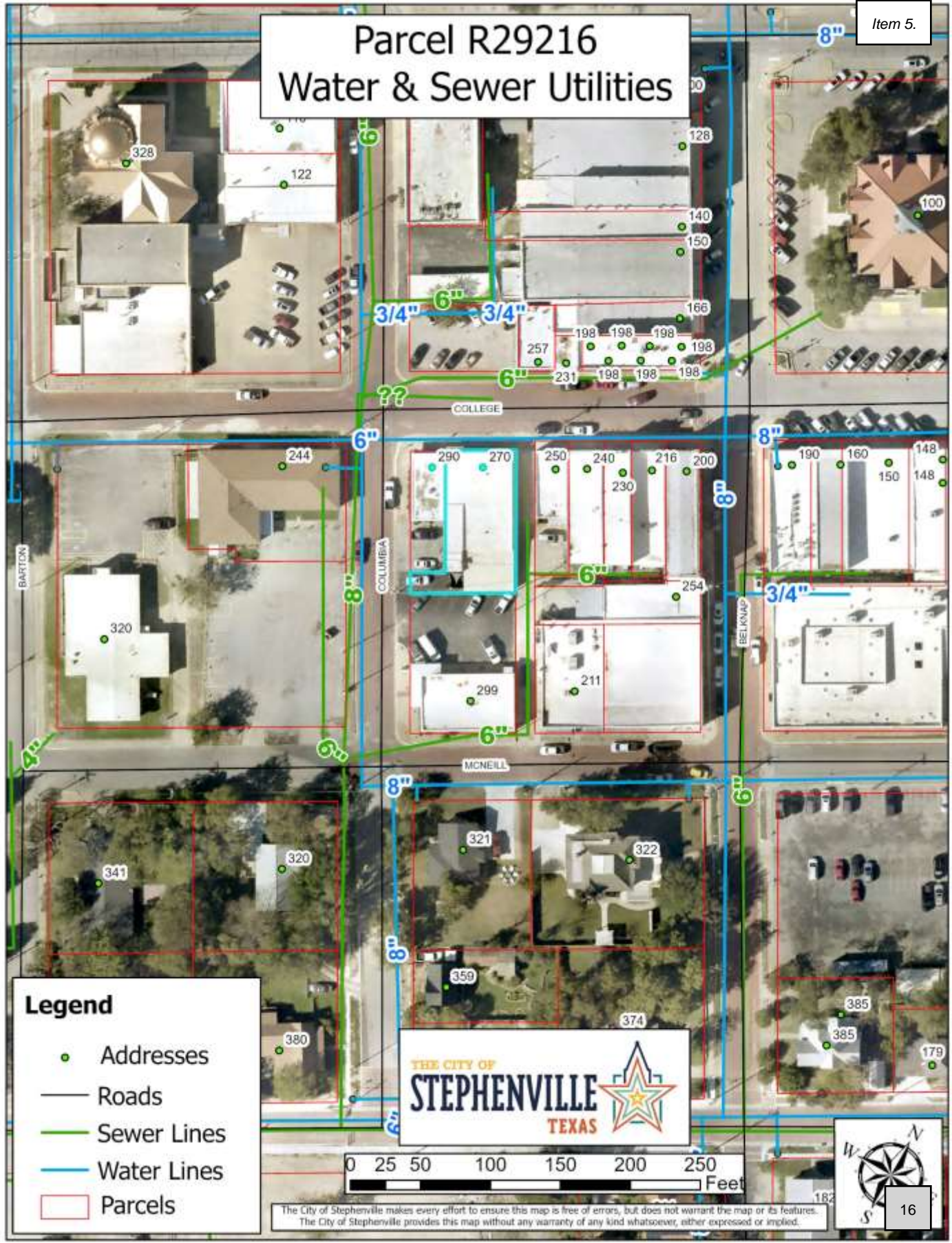
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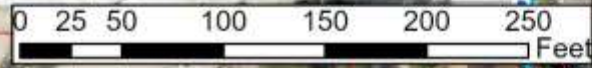
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Parcel R29216 Water & Sewer Utilities



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Parcel ID R29216

200 Ft Buffer

Addresses

Item 5.

Parcel ID	Parcel Address	Parcel Owner	Owner Address	City	State	Zip Code
R000029151	190 W COLLEGE	BMF PROPERTIES LLC	115 N GRAHAM ST #202	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
R000029207	231 W COLLEGE	BOONE SHARON	9603 MUIRFIELD DR	GRANBURY	TX	76049-4478
R000029223	321 COLUMBIA	BRAMLETT PATRICIA & BARBIE GRAHAM &	1423 CR257	STEPHENVILLE	TX	76401
R000029208	200 W COLLEGE	CARPENTER DARREN R & JAMES F KIMBEL	200 W COLLEGE	STEPHENVILLE	TX	76401
R000029209	254 S BELKNAP	CARPENTER DARREN R & JAMES F KIMBEL	200 W COLLEGE	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
R000029201	128 S BELKNAP	COATS JIM & PATSY	1187 AZALEA LN	STEPHENVILLE	TX	76401-0000
R000029154	298 S GRAHAM	ERATH COUNTY	100 W WASHINGTON	STEPHENVILLE	TX	76401-0000
R000029150	100 W WASHINGTON	ERATH COUNTY	100 W WASHINGTON	STEPHENVILLE	TX	76401-0000
R000029285	320 W COLLEGE	ERATH COUNTY ANNEX II TAX OFFICE	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
R000029212	240 W COLLEGE	LIVINGSTON MARTIN	288 E MATHER ST	NEW BRAUNFELS	TX	78130
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
R000029196	198 S BELKNAP	RED FENCES LLC	PO BOX 267	STEPHENVILLE	TX	76401
R000029210	216 W COLLEGE	RENFIELD LLC	115 N GRAHAM ST #202	STEPHENVILLE	TX	76401
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
R000029224	322 BELKNAP	STEPHENVILLE TYPE B ECONOMIC DEVELOPMENT AUTHORITY	1050 AIRPORT RD	STEPHENVILLE	TX	76401
R000029198	166 S BELKNAP	THEMIS INVESTMENT PROPERTIES LLC AND	166 S BELKNAP	STEPHENVILLE	TX	76401