



## BOARD OF ADJUSTMENT MEETING

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Virtual Meeting  
Thursday, November 12, 2020 at 4:00 PM

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### AGENDA

DUE TO COVID-19

PLEASE NOTE: Pursuant to Section 418.108(g) of the Texas Government Code, a Declaration of Local Disaster issued by the Stephenville City Council, 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 not be admitted into city facilities to attend the meeting. The meeting is available for viewing via livestream on the City's Facebook Page (City of Stephenville – City Hall) and on the City's YouTube Channel.

APPLICANTS AND MEMBERS OF THE PUBLIC WILL NOT BE ADMITTED IN THE COUNCIL CHAMBERS/CITY HALL, DUE TO COVID-19 PRECAUTIONS. YOU WILL BE REQUIRED TO PRESENT YOUR CASE/TESTIMONY VIA TELECONFERENCE. Persons wishing to testify must dial (346) 248-7799 and enter Meeting ID: 920 8668 7489 and Password: 747572. You will be required to provide information relating to your identity prior to testimony. For more information on the teleconference, please visit:

<https://zoom.us/j/92086687489?pwd=SGYzbTVtNHMybjB1VnZWZUZVNzVEUT09>

### CALL TO ORDER

### MINUTES

1. Approval of Minutes from August 13, 2020

### PUBLIC HEARING

2. Case No.: V2020-006

**Applicant Sheri Nichols is requesting a Variance from Section 154.05.3.D.8.b of the Stephenville Zoning Ordinance, for property located at 102 Byron, being Lot 2, Block 2, of the Spring Branch Addition to the City of Stephenville, Erath County, Texas.**

### ADJOURN

I certify that the above notice of meeting was posted on the bulletin board at City Hall, 298 West Washington Street, Stephenville, Texas, at 9:00 a.m. on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_, in accordance with Chapter 551, Government Code, Vernon's Texas Civil Statutes.

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Steve Killen, Director of Development Services

***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.***



**MINUTES**  
**City of Stephenville**  
**Board of Adjustment**

Thursday, August 13, 2020 at 4:00 PM

The Board of Adjustment of the City of Stephenville, Texas, convened on Thursday, August 13, 2020, at 4:00 PM, via teleconference, 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:** Janette Cochran, Vice Chair  
 Janet Cole  
 Robert Nimmo  
 Moumin Quazi, Chair  
 Cecilia Willett

**BOARD MEMBERS ABSENT:** Adam Cash  
 Ron Henry

**OTHERS ATTENDING:** Steve Killen, Director of Development Services  
 Karen Wilkerson, Secretary

**I. CALL TO ORDER**

Moumin Quazi called the meeting to order at 4:10 p.m.

**II. CONSIDER APPROVAL OF MINUTES**

**1. Minutes for June 11, 2020.**

Cecilia made the motion to approve the minutes with the correction of changing Commission Present to Board Present and moving the members absent to the Board Absent. Janet seconds that motion. Motion carried unanimously.

**III. PUBLIC HEARING**

**1. Case No.: V2020-003**

**Applicant Sarah Kupelian is requesting a Subdivision Waiver from Section 154.05.6.D(8)(C) – Side Setback Requirements to be constructed at 550 West Minnie, Lot 1C, Block 1, of the Frey First Addition to the City of Stephenville, Erath County, Texas.**

Steve Killen presented Case No. V2020-003 to the board. The request is for a side setback of one foot.

Sarah Kupelian was present to address the board and stated that if I were to abide with the five (5) foot from the side, it would not look good and I want my property to look good. There is currently no shed at this location.

Moumin Quazi opened the public hearing.

**Those in favor of Case No. V2020-003:**

There were none

**Those not in favor of Case No. V2020-003:**

There were none

Moumin Quazi closed the public hearing.

Janette made a motion to approve Case No. V2020-003. Robert seconds that motion. Motion carried unanimously.

2. **Case No.: V2020-004**

**Applicant Sarah Kupelian is requesting a Subdivision Waiver from Section 154.05.6.D(8)(D) – Rear Setback Requirements to be constructed at 550 West Minnie, Lot 1C, Block 1, of the Frey First Addition to the City of Stephenville, Erath County, Texas.**

Steve Killen presented Case No. V2020-004 to the board and the applicant is asking for a two (2) foot setback.

Moumin Quazi opened the public hearing.

**Those in favor of Case No. V2020-004:**

There were none.

**Those not in favor of Case No. V2020-004:**

There were none.

Moumin Quazi closed the public hearing.

Janet made a motion to approve Case No. V2020-004. Robert seconds that motion. Motion carried unanimously.

3. **Case No.: V2020-005**

**Applicant Sarah Kupelian is requesting a Subdivision Waiver from Section 154.05.6.D(8)(E) – Minimum Depth from Edge of Main Building Requirements to be constructed at 550 West Minnie, Lot 1C, Block 1, of the Frey First Addition to the City of Stephenville, Erath County, Texas.**

Steve Killen presented Case No. V2020-005 to the board and stated that the applicant is asking for a six (6) foot setback from the main building.

Moumin Quazi opened the public hearing.

**Those in favor of Case No. V2020-005:**

There were none.

**Those not in favor of Case No. V2020-005:**

There were none.

Moumin Quazi closed the public hearing.

Janette made a motion to approve Case No. V2020-005. Janet seconds that motion.  
Motion carried unanimously.

**IV. ADJOURN**

Meeting adjourned at 4:33 p.m.

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Moumin Quazi, Chair

Board of Adjustment  
**STAFF REPORT**



Item 2.

**SUBJECT:** Case No.: V2020-006

Applicant Sheri Nichols is requesting a Variance from Section 154.05.3.D.8.b of the Stephenville Zoning Ordinance, for property located at 102 Byron, being Lot 2, Block 2, of the Spring Branch Addition to the City of Stephenville, Erath County, Texas.

**MEETING:** Board of Adjustment - 12 November 2020

**DEPARTMENT:** Board of Adjustment

**STAFF CONTACT:** Karen Wilkerson

**BACKGROUND:**

Applicant Sheri Nichols is purchasing the property and is requesting a variance of an approximate 200 square foot reduction. The adjacent property, built in 1985, has a main area of 1,183 square feet. 107 Byron, built in 1987, has a main area of 1,602 square feet. 109 Byron, built in 1987, has a main area of 1,180 square feet.

**CURRENT ZONING:**

(R-1) Single-Family Residential District

**FUTURE LAND USE:**

(R-1) Single-Family Residential District

**WATER:**

The property is served by a 16" city water main.

**SEWER:**

The property is served by a 6" sanitary sewer main.

**HEIGHT, AREA, YARD AND LOT COVERAGE REQUIREMENTS:**

1. **Maximum density:** One dwelling unit per lot
2. **Minimum lot area:** 7,500 sq. ft.
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:** (7) 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 sq. ft.
9. **Accessory buildings:**
  - a. **Maximum accessory buildings coverage of rear yard:** 30%
  - b. **Maximum number of accessory buildings:** two (2)

- c. **Minimum depth of side setback:** five (5) feet
  - d. **Minimum depth of rear setback:** five (5) feet
  - e. **Minimum depth from the edge of the main building:** 12 feet
10. **Maximum height of structure:** 35 feet

**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. Recommend approval of Variance Request to city council
2. Recommend approval of Variance Request with modification to city council
3. Recommend denial of Variance Request to city council

**ATTACHMENTS:**



**BOARD OF ADJUSTMENT  
APPEAL APPLICATION**

1. APPLICANT/OWNER: Sheri Nichols  
First Name Last Name

ADDRESS: PO Box 1882 254 979-4299  
Street/P.O. Box Phone No

Stephenville Tx 76401  
City State Zip Code

2. PROPERTY DESCRIPTION: 102 Byron Stephenville Tx 76401  
Street Address

3. LEGAL DESCRIPTION: \_\_\_\_\_  
Lot(s) Block(s) Addition

4. PRESENT ZONING: \_\_\_\_\_  
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: to build a little smaller  
sqft house than zoned

(Attach an additional sheet if necessary).

Sheri Nichols  
Signature of Applicant

\_\_\_\_\_  
Date

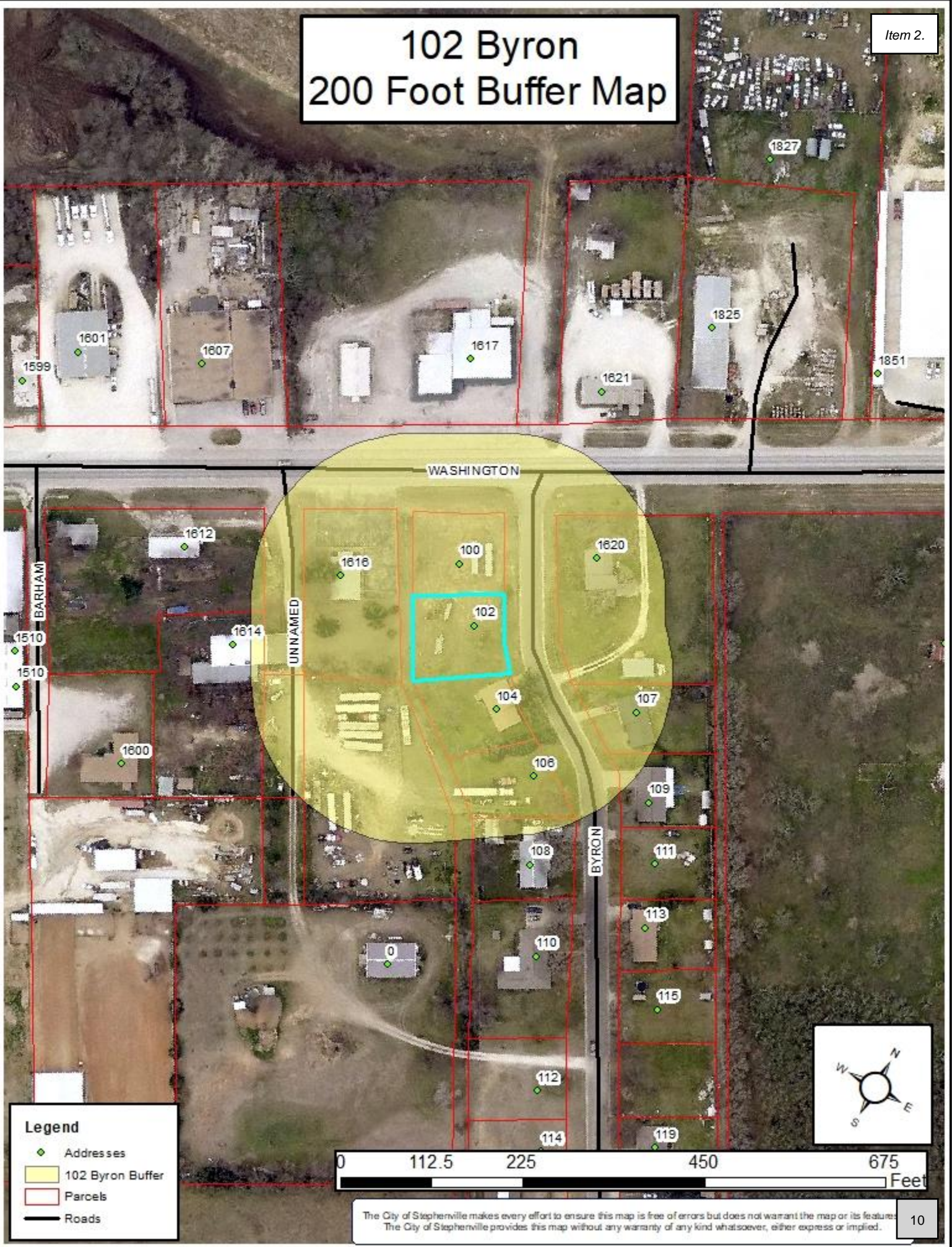
Karen Wickson  
Signature of City Official Received

10/28/2020  
Date Received by  
Community Dev. Dept.



# 102 Byron 200 Foot Buffer Map

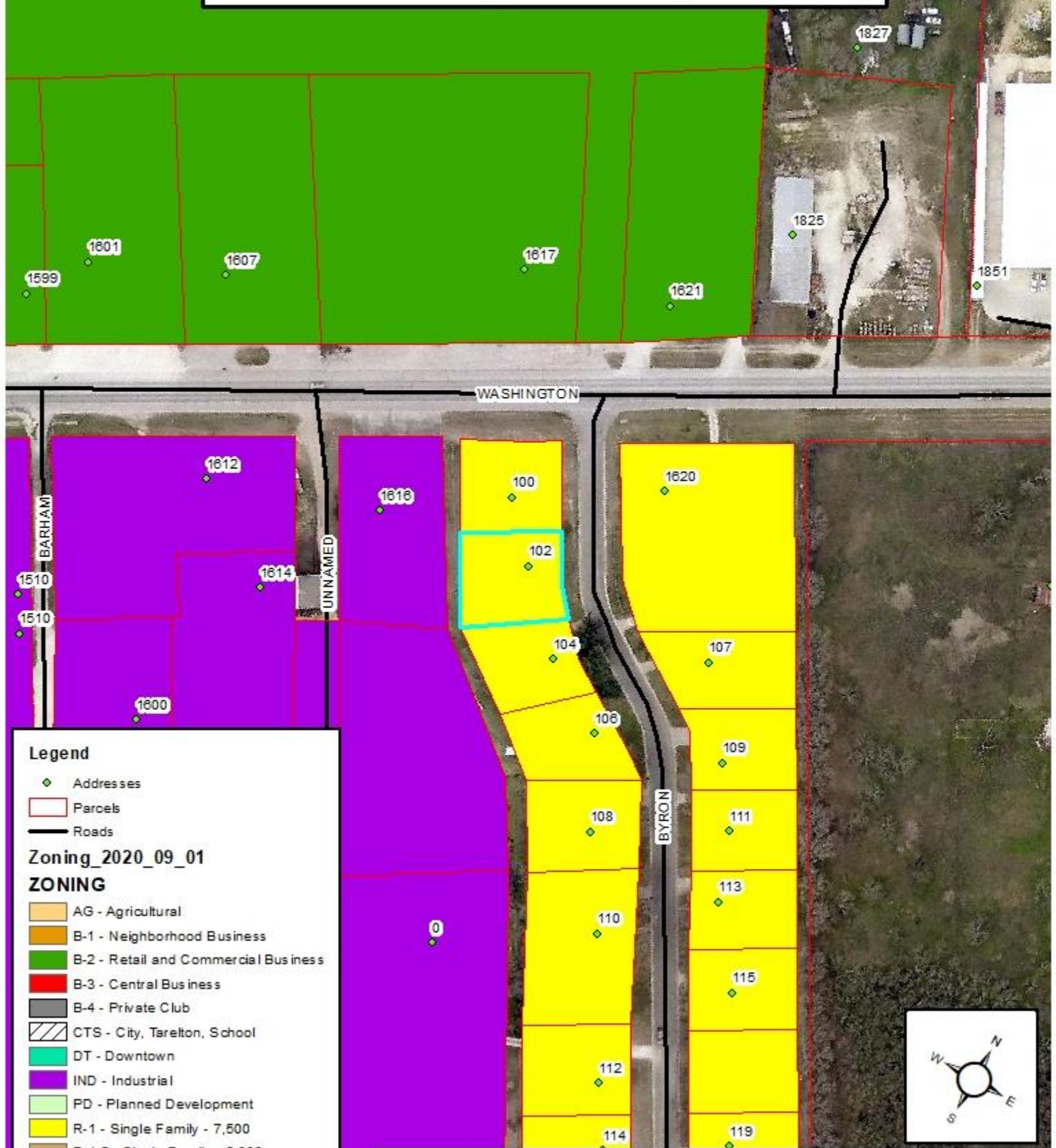
Item 2.





# 102 Byron Current Zoning - R1 Single Family

Item 2.



**Legend**

- ◆ Addresses
- ▭ Parcels
- Roads

**Zoning\_2020\_09\_01**

**ZONING**

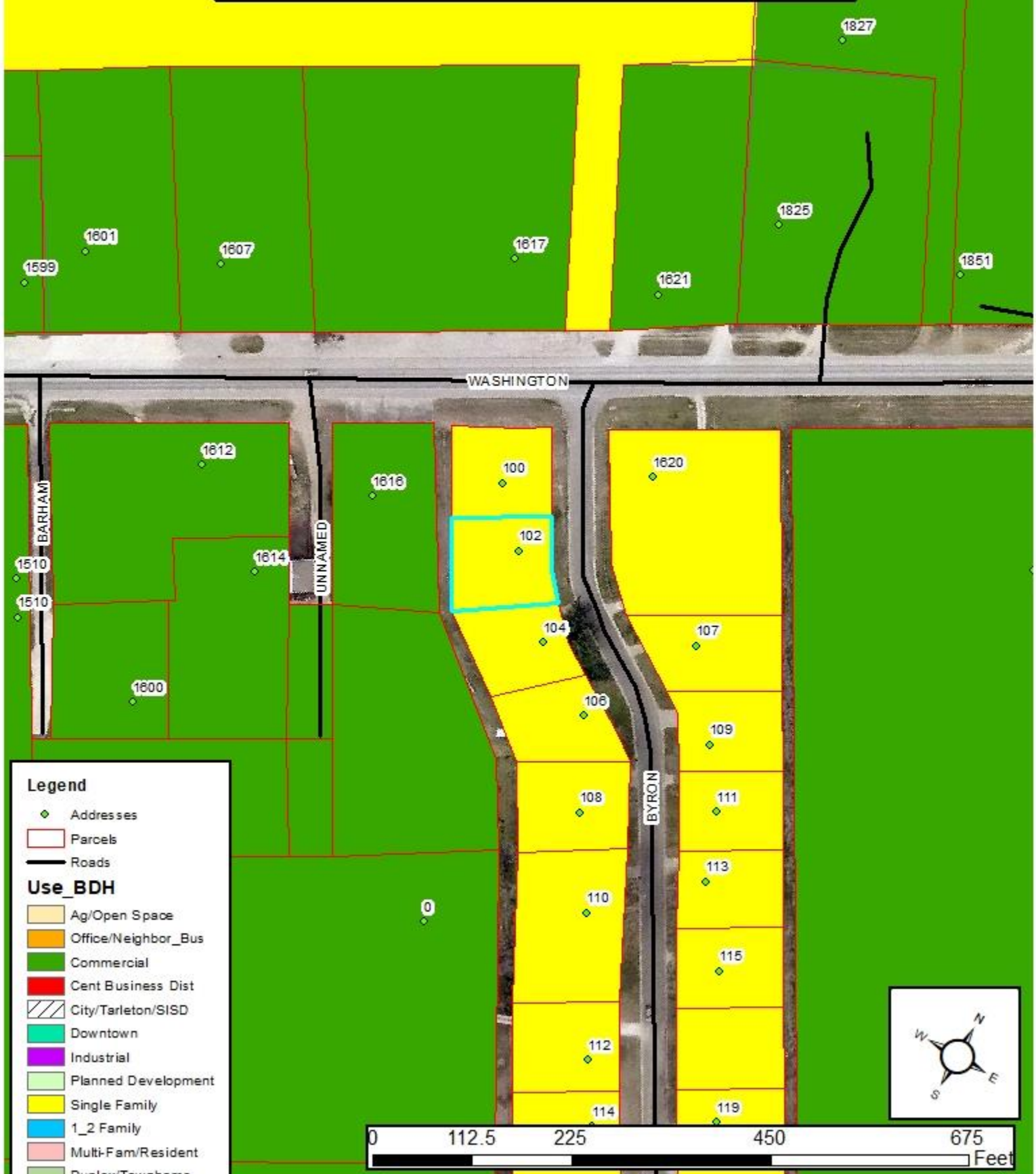
- AG - Agricultural
- B-1 - Neighborhood Business
- B-2 - Retail and Commercial Business
- B-3 - Central Business
- B-4 - Private Club
- CTS - City, Tareyton, School
- DT - Downtown
- IND - Industrial
- PD - Planned Development
- R-1 - Single Family - 7,500
- R-1.5 - Single Family - 6,000
- R-2 - One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



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.

# 102 Byron Future Land Use - Single Family

Item 2.

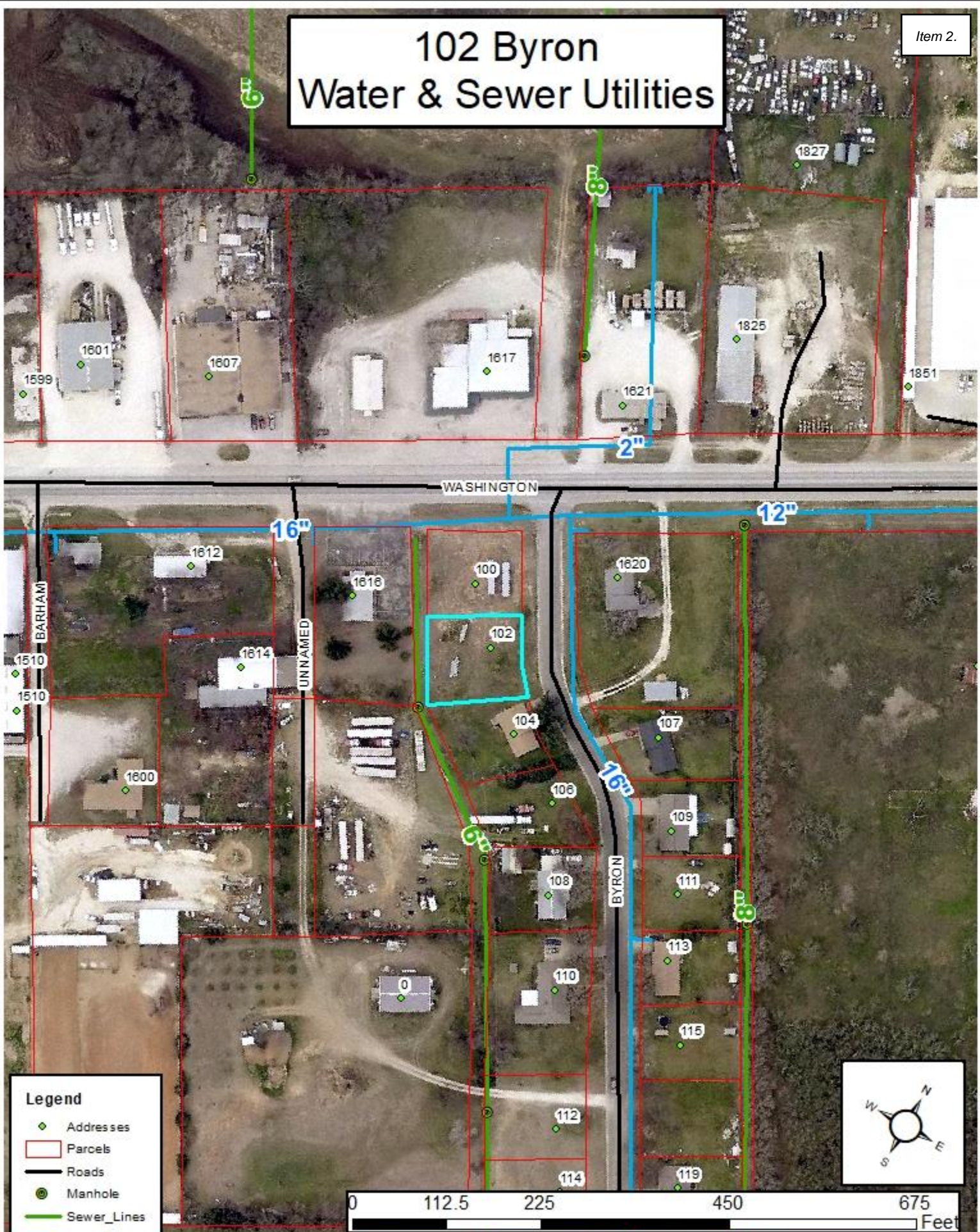


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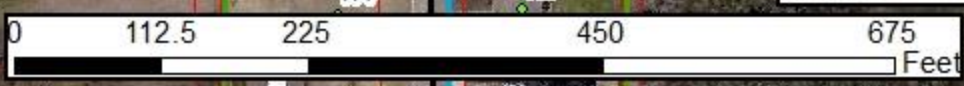


# 102 Byron Water & Sewer Utilities

Item 2.



- Legend**
- ◆ Addresses
  - ▭ Parcels
  - Roads
  - Manhole
  - Sewer\_Lines
  - Water\_Lines
  - Well\_Line



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## 102 Byron Addresses

Parcel ID	Parcel Address	Parcel Owner	Owner Address	City	State	Zip Code
R000025233	1616 E WASHINGTON	CHURCH OF CHRIST BLUFF DALE	1221 CR340	DUBLIN	TX	76446
R000033881	108 BYRON	GEORGE TOMMY R & REBA D	108 BYRON	STEPHENVILLE	TX	76401
R000033880	106 BYRON	GEORGE TOMMY R & REBA D	108 BYRON	STEPHENVILLE	TX	76401
R000025064	108 BYRON (BEHIND)	GEORGE TOMMY R & REBA D	108 BYRON	STEPHENVILLE	TX	76401
R000033861	107 BYRON	GURROLA ARACELY	107 BYRON	STEPHENVILLE	TX	76401
R000033860	1620 E WASHINGTON	PEREZ EUGENIO & GRACIELA SOTO CERVANTES	317 WHITE	STEPHENVILLE	TX	76401
R000040178	104 BYRON	RATLIFF VICKIE L	104 BYRON ST	STEPHENVILLE	TX	76401-0000
R000025125	1612 E WASHINGTON	RUBIO JOSE T	1612 E WASHINGTON	STEPHENVILLE	TX	76401
R000055422	1612 E WASHINGTON	RUBIO JOSE T	1612 E WASHINGTON	STEPHENVILLE	TX	76401
R000033879	102 BYRON	STONE RANDY	PO BOX 10	STEPHENVILLE	TX	76401
R000033878	100 BYRON	STONE RANDY	PO BOX 10	STEPHENVILLE	TX	76401-0010
R000025240	0 E WASHINGTON	THE WRINKLE FAMILY TRUST	1005 CHARLOTTE	STEPHENVILLE	TX	76401
R000076177	0 E WASHINGTON	THE WRINKLE FAMILY TRUST	1005 CHARLOTTE	STEPHENVILLE	TX	76401
R000033862	109 BYRON	VAUGHN SAMMIE J	1344 N DALE	STEPHENVILLE	TX	76401-0000