



## BOARD OF ADJUSTMENT MEETING

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City Hall Council Chambers, 298 W. Washington  
Thursday, March 09, 2023 at 4:00 PM

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### AGENDA

#### CALL TO ORDER

#### MINUTES

- [1.](#) Consider Approval of January 12, 2023 Minutes

#### PUBLIC HEARING

- [2.](#) Case No.: V2023-002

Applicant Tom Hines, representing Christopher Family Living Trust is requesting a Variance from Section 154.21.3.C – *Variance for the Construction of a Carport* for property located at 945 Mockingbird, Parcel R33898, being BLOCK A; LOT 6 (N 88 OF) of the TANGLEWOOD ADDITION, City of Stephenville, Erath County, Texas.

#### ADJOURN

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



## BOARD OF ADJUSTMENT MEETING

City Hall Council Chambers, 298 W. Washington  
Thursday, January 12, 2023 at 4:00 PM

### MINUTES

The Board of Adjustment of the City of Stephenville, Texas, convened on Thursday, January 12, 2023 at 4:00 PM, in the City Hall Council Chambers, 298 W. Washington, for the purpose of a Board of Adjustment Meeting, with the meeting being open to the public and notice of said meeting, giving the date, time, place and subject thereof, having been posted as prescribed by Chapter 551, Government Code, Vernon's Texas Codes Annotated, with the following members present, to wit:

**MEMBERS PRESENT:** Moumin Quazi, Chairperson  
Darrell Brown, Vice-Chairperson  
Ben Tackett  
Alan Nix  
Dean Parr  
JJ Conway, Alternate 1

**OTHERS ATTENDING:** Steve Killen, Director of Development Services  
Tina Cox, Board Secretary

#### CALL TO ORDER

Chairman Quazi called the meeting to order at 4:02 p.m.

#### OATH OF OFFICE

Oath of Office administered by Notary Public, Tina Cox, to Alan Nix, Darrell Brown, Dean Parr, and JJ Conway.

#### ELECTION OF OFFICERS

Nomination for Chair. MOTION by Alan Nix, second by Darrell Brown to nominate Moumin Quazi for Chair. MOTION CARRIED by unanimous vote.

Nomination for Vice Chair. MOTION by Alan Nix, second by Dean Parr to nominate Darrell Brown for Vice Chair. MOTION CARRIED by unanimous vote.

#### MINUTES

##### 1. Consider Approval of June 9, 2022 Minutes

MOTION by Darrell Brown, second by Ben Tackett, to approve the minutes with an amendment requested by Chairman Quazi. MOTION CARRIED by unanimous vote.

**PUBLIC HEARING**

**2. Case No.: V2023-001**

**Applicant Ryan Studdard, representing Prescher Custom Homes, LLC, is requesting a variance from Section 154.05.3.D relating to corner lot setback requirements for property located at 1255 Groesbeck, being parcel R72133 of South Side Addition, Block 24, Lot 22 of the City of Stephenville, Erath County, Texas.**

Steve Killen, Director of Development Services, gave the following report:

Mr. Studdard is requesting a variance to allow for the construction of a single-family home with a two-vehicle garage. The reduced setback will enable construction of the improvements as illustrated in the site plan. The request is to reduce the 25’ corner lot side setback by 10’, resulting in a 15’ setback. Mr. Killen showed aerial maps of corner lot properties in the vicinity revealing structures at an approximate 15’ setback. Mr. Killen concluded his presentation to the Board that staff had no objections to the variance request.

Applicant Ryan Studdard along with Michael Easter, owner of Prescher Homes, shared with the Board that the reason why they are asking for the variance is in order to add a two-car garage onto a brand-new home that they are proposing to build on the site in the hopes of preventing street parking in the neighborhood.

Chairman Quazi opened the public hearing at 4:16 PM.

No one came forward to speak in favor of the variance.

Renee Jackson, 1245 Groesbeck, spoke in opposition to the variance request due to drainage concerns.

Board member Parr asked about drainage and driveway placement; Michael Easter responded to those questions with a confirmation that a drainage plan will be provided during the review process and that the driveway will be placed on Groesbeck.

Chairman Quazi closed the public hearing at 4:21

Alan Nix voiced his concerns regarding drainage, right of way egress, utilities, and sight restrictions. Mr. Killen stated that those issues will be resolved within the development stage of the proposed project.

MOTION by Alan Nix, second by Ben Tackett, to approve Case No. V2023-001 as presented. MOTION CARRIED with a unanimous vote.

**ADJOURN**

The meeting was adjourned at 4:25 p.m.

APPROVED:

ATTEST:

\_\_\_\_\_  
Moumin Quazi, Chair

\_\_\_\_\_  
Tina Cox, Board Secretary

Board of Adjustment  
**STAFF REPORT**



Item 2.

**SUBJECT:** Case No.: V2023-002

Applicant Tom Hines, representing the Christopher Family Living Trust, is requesting a variance from Section 154.21.3.C – Variance for the Construction of a Carport for property, at 945 Mockingbird, being Parcel R33898 of Tanglewood Addition, Block A; Lot 6 (N 88 OF) of the City of Stephenville, Erath County, Texas.

**MEETING:** Board of Adjustment – March 9, 2023

**DEPARTMENT:** Development Services

**STAFF CONTACT:** Steve Killen

**BACKGROUND:**

Mr. Hines is requesting a variance for the construction of a carport that will extend 11.5 feet into the required front setback for R-1 zoning districts, Single Family Residential. If approved, the 25 ft. setback requirement will be reduced to 13.5 feet.

**ZONING REQUIREMENTS:**

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

- (1) Maximum density: one dwelling unit per lot.
- (2) Minimum lot area: 7,500 ft<sup>2</sup>.
- (3) Minimum lot width and lot frontage: 75 feet.
- (4) Minimum lot depth: 100 feet.
- (5) Minimum depth of front setback: 25 feet.
- (6) Minimum depth of rear setback: 25 feet.
- (7) Minimum width of side setback:
  - (a) Internal lot: seven feet.
  - (b) Corner lot: 25 feet from intersecting side street.

**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.

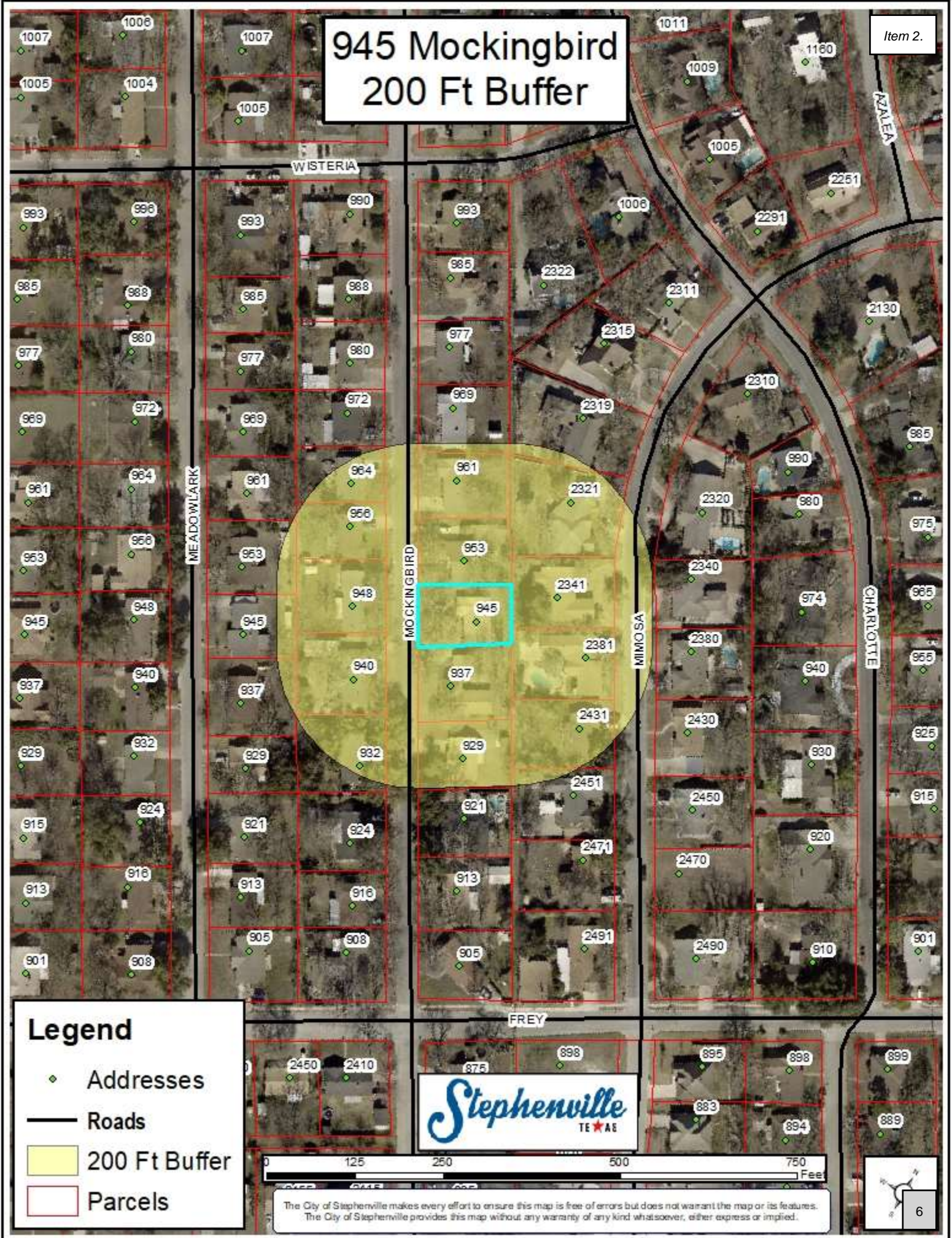
(3) The city manager or his designee shall issue to the applicant appropriate documentation showing the grant of the special exception. Such documentation and grant may contain restrictions, use limitations, building requirements, and other matters determined to be appropriate and/or necessary to meet the terms of this section.

**ALTERNATIVES:**

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

# 945 Mockingbird 200 Ft Buffer

Item 2.



# 945 Mockingbird Current Zoning - R1 Single Family

Item 2.

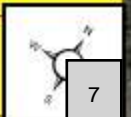


**Legend**

- ◆ 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, Tarellon, 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



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.



# 945 Mockingbird Future Land Use - Single Family

Item 2.



**Legend**

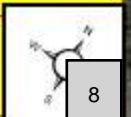
- ◆ Addresses
- Roads
- ▭ Parcels

**Future Use**

- 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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# 945 Mockingbird Water & Sewer Utilities

Item 2.

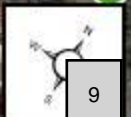


## Legend

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

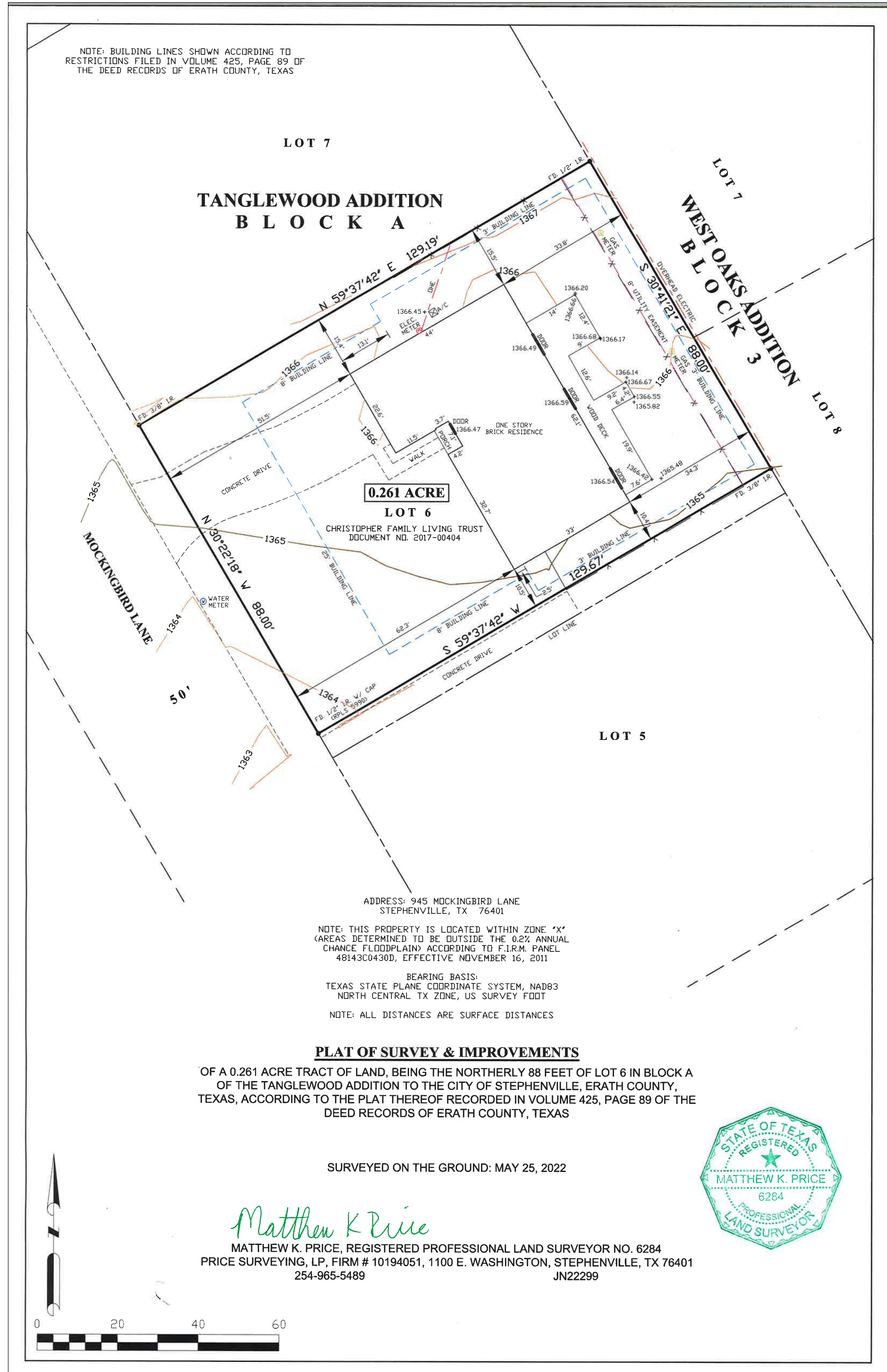


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## 945 Mockingbird 200 ft Buffer Addresses

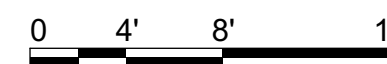
Parcel ID	Parcel Address	Parcel Owner	Owner Address	City	State	Zip Code
R000034600	2341 MIMOSA	ABLES MICHAEL S	2341 MIMOSA LANE	STEPHENVILLE	TX	76401
R000033901	969 MOCKINGBIRD	ALFORD RENTALS LLC	PO BOX 178	STEPHENVILLE	TX	76401
R000034603	2451 MIMOSA	BARTON HAROLD DARIN & KATE E	2451 W MIMOSA LN	STEPHENVILLE	TX	76401-2043
R000033911	953 MEADOWLARK	BATES WILMA D	953 MEADOWLARK	STEPHENVILLE	TX	76401-0000
R000033897	937 MOCKINGBIRD	BOUCHER JANEY CHARLENE FORNES	937 MOCKINGBIRD LANE	STEPHENVILLE	TX	76401
R000033898	945 MOCKINGBIRD	CHRISTOPHER FAMILY LIVING TRUST	945 MOCKINGBIRD	STEPHENVILLE	TX	76401
R000034601	2381 MIMOSA	DAHL JEFF & SHELLY	2381 W MIMOSA LN	STEPHENVILLE	TX	76401-2041
R000033923	948 MOCKINGBIRD	HARGROVE ERIC & NATASHA	14777 N US281	STEPHENVILLE	TX	76401
R000034599	2321 MIMOSA	HEIER ERIC A & MICHELLE L HEIER	2321 MIMOSA	STEPHENVILLE	TX	76401
R000033925	932 MOCKINGBIRD	ISHAM RONNIE(ESTATE) & GAYTHA	932 MOCKINGBIRD LANE	STEPHENVILLE	TX	76401-0000
R000033912	961 MEADOWLARK	LEGACY TRUST	PO BOX 1827	STEPHENVILLE	TX	76401
R000033921	964 MOCKINGBIRD	MANGRUM TIMOTHY CHAD & SARAH ANNE	964 MOCKINGBIRD LANE	STEPHENVILLE	TX	76401
R000033924	940 MOCKINGBIRD	MAY ROBERT K & LISA	940 MOCKINGBIRD ST	STEPHENVILLE	TX	76401
R000034602	2431 MIMOSA	NOLAND JAMES W TESTAMENTARY TRUST	570 CR510	STEPHENVILLE	TX	76401
R000034598	2319 MIMOSA	RAMMING ARNOLD D & CYNTHIA L	2319 MIMOSA	STEPHENVILLE	TX	76401
R000033900	961 MOCKINGBIRD	RILEY TOMMY JOE JR & LISA A	453 PR1105	STEPHENVILLE	TX	76401
R000033899	953 MOCKINGBIRD	ROBERSON CHARLES A (LIFE ESTATE)	953 MOCKINGBIRD	STEPHENVILLE	TX	76401
R000033909	937 MEADOWLARK	SMITH BERENDA JANESE	937 MEADOWLARK	STEPHENVILLE	TX	76401
R000033896	929 MOCKINGBIRD	SMITH SIMON D & SONCEE HEARD	929 MOCKINGBIRD	STEPHENVILLE	TX	76401
R000033910	945 MEADOWLARK	STEWART MICHAEL J & SHAY	945 MEADOWLARK LANE	STEPHENVILLE	TX	76401
R000033922	956 MOCKINGBIRD	TERRILL JOHN E & MARY	2594 CR498	STEPHENVILLE	TX	76401-9309



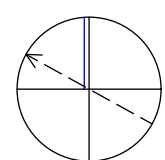
01 Price Survey



02 Site Plan



PLAN NORTH



BOA Meeting - February 9, 2023

Existing Conditions



01

02

01 Front View - Mockingbird St.

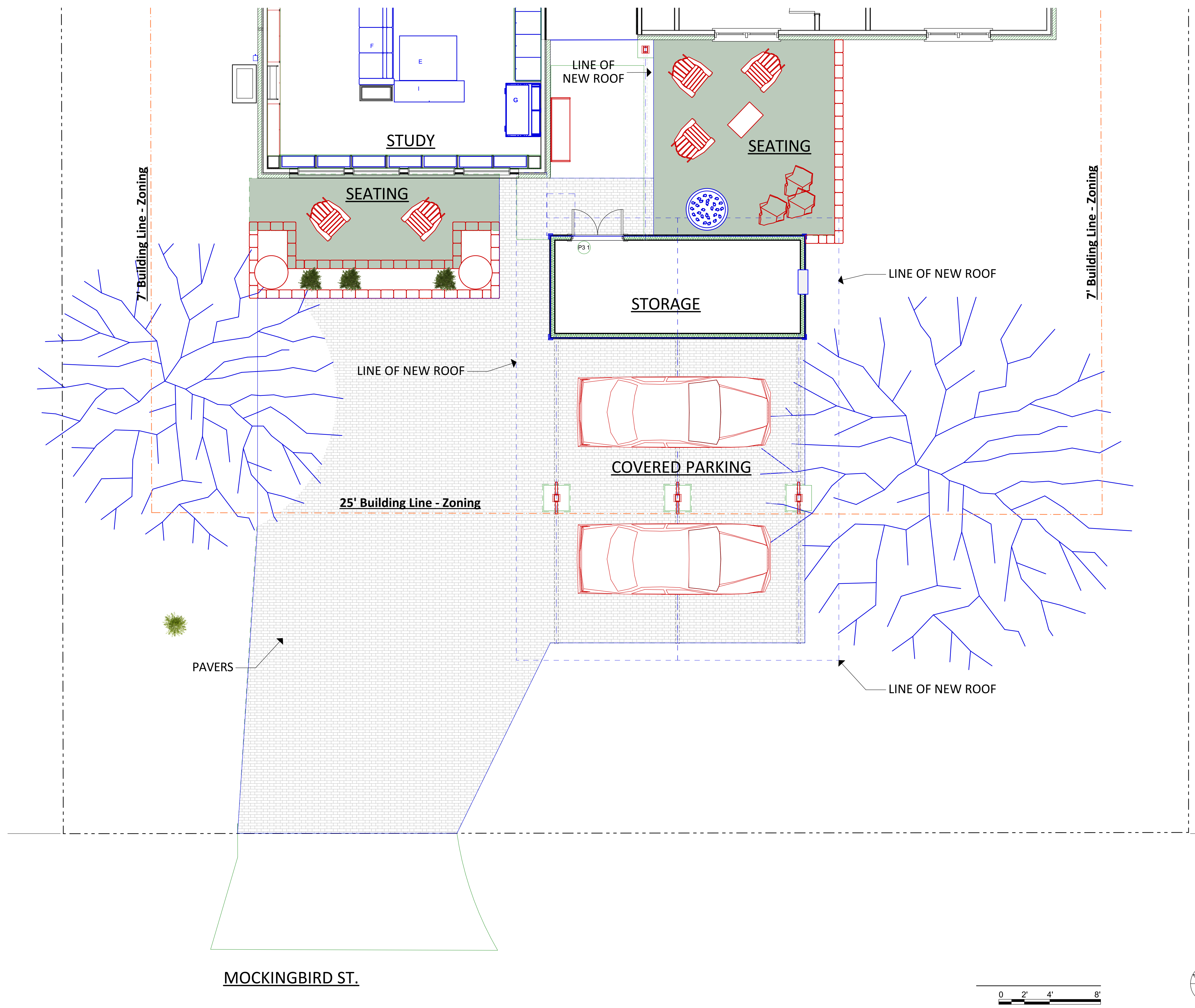
KEY NOTES - 02

- 01. THE PREVIOUS OWNER CONVERTED THE GARAGE SOME TIME BEFORE SELLING THE HOUSE.
- 02. THE BROKEN CONCRETE PAVEMENT SHALL BE REPLACED.
- 03. THE CONCRETE WALK SHALL BE REPLACED WITH A RAMP.



03

02 Front Entry

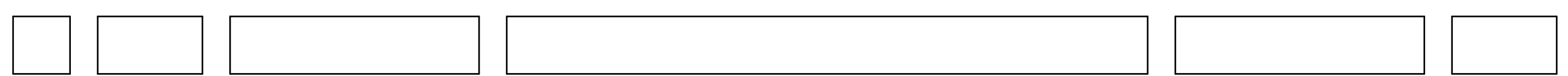
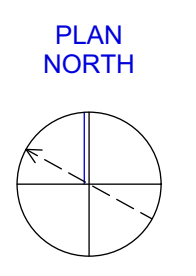
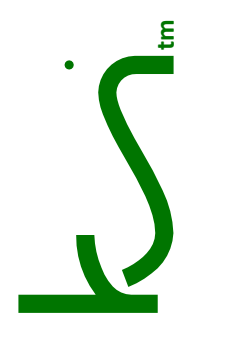


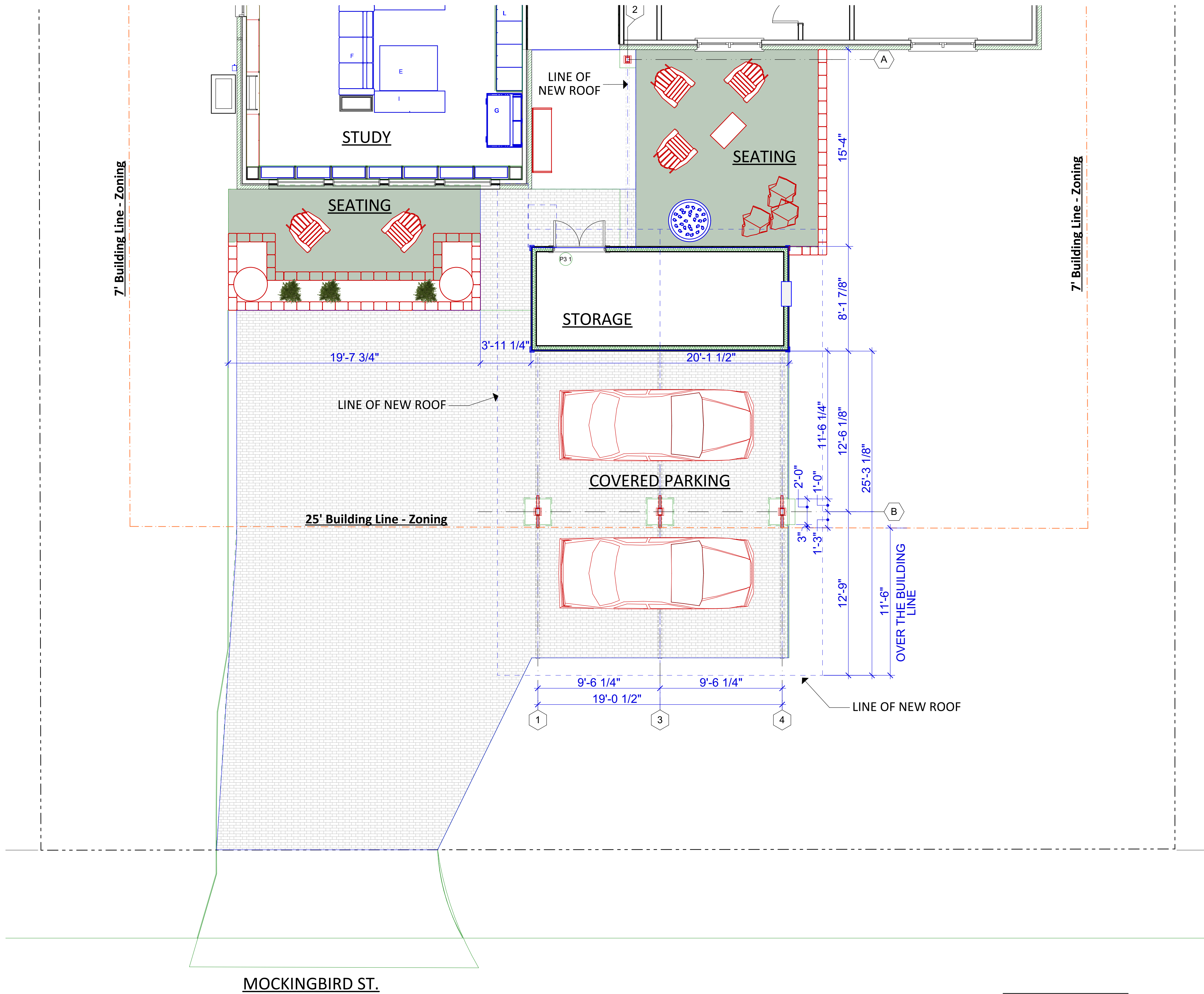
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Saturday, January 21, 2023

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**Stephenville Texas 76401**

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Stephenville, TX 76401  
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TBAE Firm No. BR-49  
thines@architecthines.com

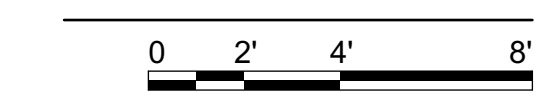
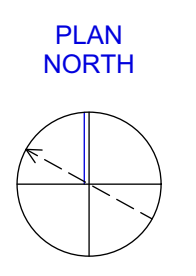
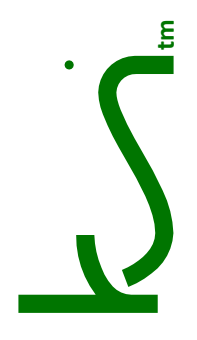




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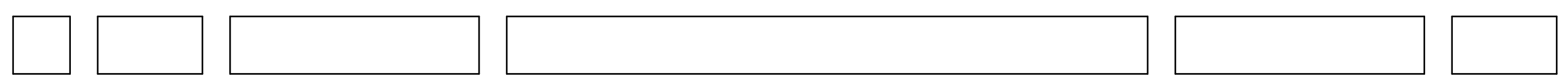
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**Dimensions Plan**

**BOA Meeting - February 9, 2023**





01 View from the Southwest Corner



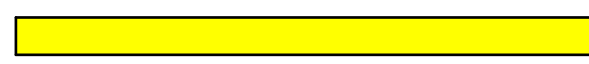
02 Closer View from the Southwest



03 View from Southeast Corner



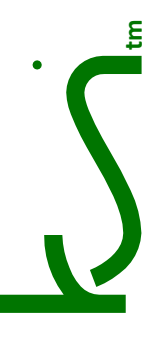
04 View from Mockingbird St.

BUILDING LINE   
PROPERTY LINE 

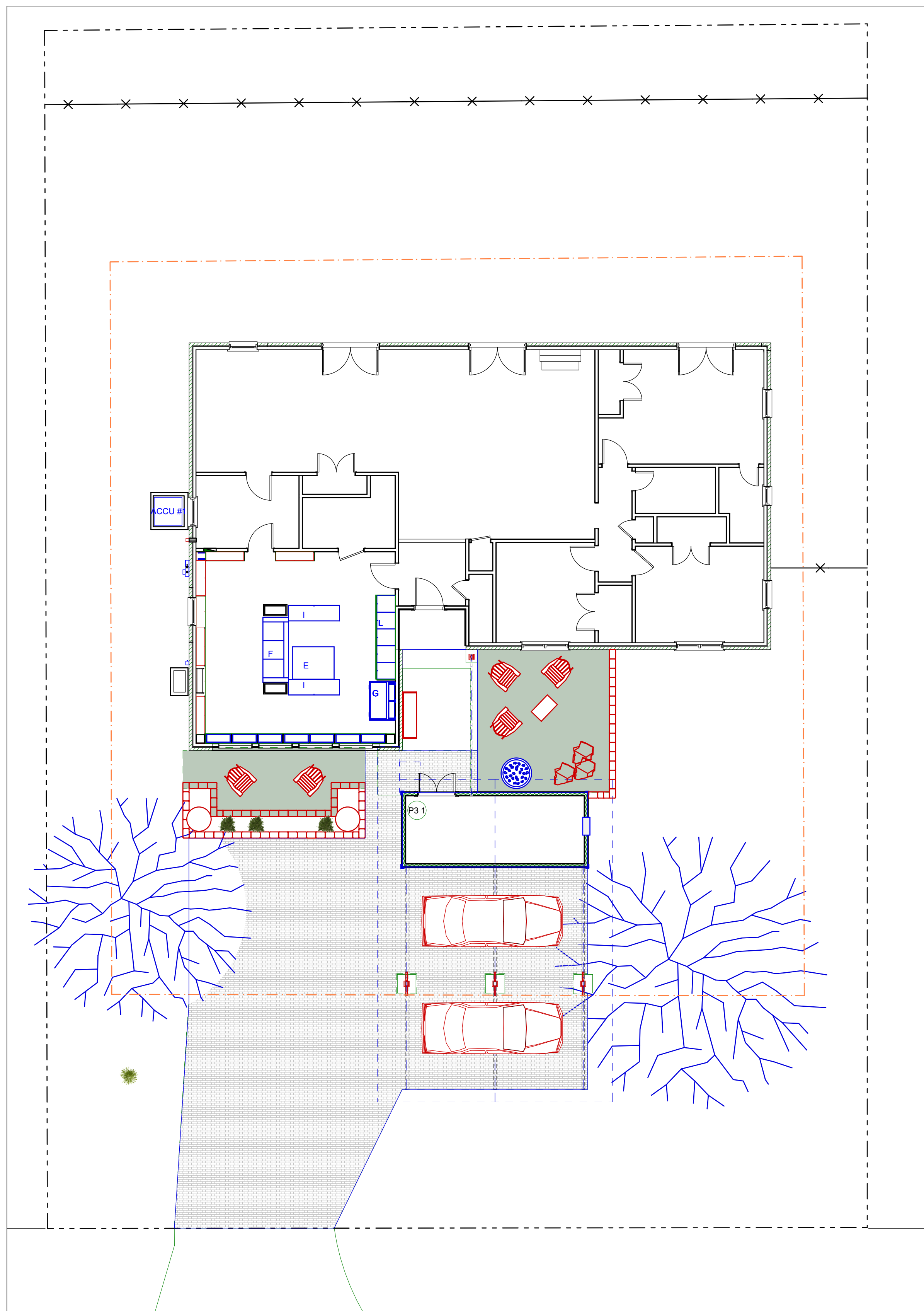
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Stephenville Texas 76401

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Stephenville TX 76401  
TBALE Firm No. BR-49  
thines@architecttomhines.com



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03 Proposed Site Plan

BUILDING LINE

PROPERTY LINE



01 View from the East



02 Arial View of the Proposed Site Plan

