



BOARD OF ADJUSTMENT MEETING

Virtual Meeting
Thursday, December 10, 2020 at 4:00 PM

AGENDA

CALL TO ORDER

MINUTES

1. Consider approval of minutes for November 12, 2020

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 4 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.

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 3:00 p.m. on **Thursday, December 10, 2020**. For alternate arrangements, please contact Steve at least 48 hours prior to the meeting.*

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

Notice is hereby given that members of the Planning and Zoning Commission will 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 will not be present in a physical location.

Those wishing to address the Planning and Zoning Commission may call in by dialing (346) 248-7799 or via the Zoom app using the following information:

Meeting ID: 946 1613 6072

Password: 625648

Persons wishing to address the Planning and Zoning Commission will be required to provide information relating to their identity prior to testimony.

*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 3:00 p.m. on **Thursday, December 10, 2020**.*

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

For more information on the teleconference technology, please visit:
<https://zoom.us/j/94916136072?pwd=MG1mM1dwdEFSTUdNSitkcFdLM2kzQT09>

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

Virtual Meeting

Thursday, November 12, 2020 at 4:00 PM

MINUTES

BOARD MEMBERS PRESENT:

Moumin Quazi, Chair

Janette Cochran, Vice-Chair

Janet Cole, Board Member

Robert Nimmo, Board Member

CALL TO ORDER

Moumin Quazi, Chair, called the meeting to order

MINUTES

Janet made a motion to approve the minutes as presented. Robert second that motion. Motion carried unanimously.

PUBLIC HEARING

Case No.: V2020-006

Moumin opened the public hearing

Steve Killen presented Case No. V2020-006 stating that Sheri Nichols is purchasing the property at 102 Byron and is requesting a variance for the minimum square footage of the home by 200 feet. The Ordinance requirement is a minimum of 1500 square feet of the main building.

Sheri Nichols addressed the board stating that the home would be 1150 to 1200 living area with attached garage with a total square footage would be 1466, with the patio it would be over 1500 square foot.

Moumin closed the public hearing

Those in favor of Case No.: V2020-006

There were none.

Those not in favor of Case No.: V2020-006

Mr. and Mrs. Wrinkles said that they believe that the applicant should have to follow the rules as stated in the ordinance.

Janet made a motion to approve 34 feet reduction in square footage. Janette second that motion.

Yea: none

Nay: Moumin, Robert, Janette and Janet

Motion failed

Robert made a motion to deny Case No. V2020-006. Janet seconds that motion. Motion carried unanimously.

ADJOURN

Robert made a motion to adjourn. Janet seconds that motion. Motion carried unanimously.

Moumin Quazi, Chair

Board of Adjustment

STAFF REPORT



SUBJECT: Case No.: V2020-007

Applicant Andres Betancur is requesting a Variance from Section 154.05.6.D.A.6.b of the Stephenville Zoning Ordinance, for property located at 1210 Isla, being Block 1, Lot 6, of the Spring Branch Addition to the City of Stephenville, Erath County, Texas.

MEETING: Board of Adjustment - 10 December 2020

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen

BACKGROUND:

Applicant Andres Betancur is renovating the property and is requesting a four foot variance to the side setback requirement of 25'. If granted, the setback along Park street will be reduced from 25' to 21'.

CURRENT ZONING:

(R-3) Multifamily

FUTURE LAND USE:

(R-1) Single-Family

WATER:

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

SEWER:

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

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

(A)Single family.

(1)Minimum lot area: 5,000 ft

(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.

Multiple family dwellings.

(1)Minimum lot area: maximum density of 24 dwelling units per acre, which includes parking, access and all other area improvements.

(2)Minimum lot depth: 100 feet.

- (3) Minimum depth of front setback: 25 feet.
- (4) Minimum depth of rear setback: 20 feet.
- (5) Minimum width of side setback:
 - (a) Internal lot: ten feet.
 - (b) Corner lot: 25 feet from intersecting side street.

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: ANDRES BETANLUR
First Name Last Name

ADDRESS: 1210 N. ISLA ST. 254.977.2876
Street/P.O. Box Phone No

Stephenville TX 76401
City State Zip Code

2. PROPERTY DESCRIPTION: 1210 N. ISLA STREET
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: 154.5.6.D.(A)(6)(B)
4' variance (park street)

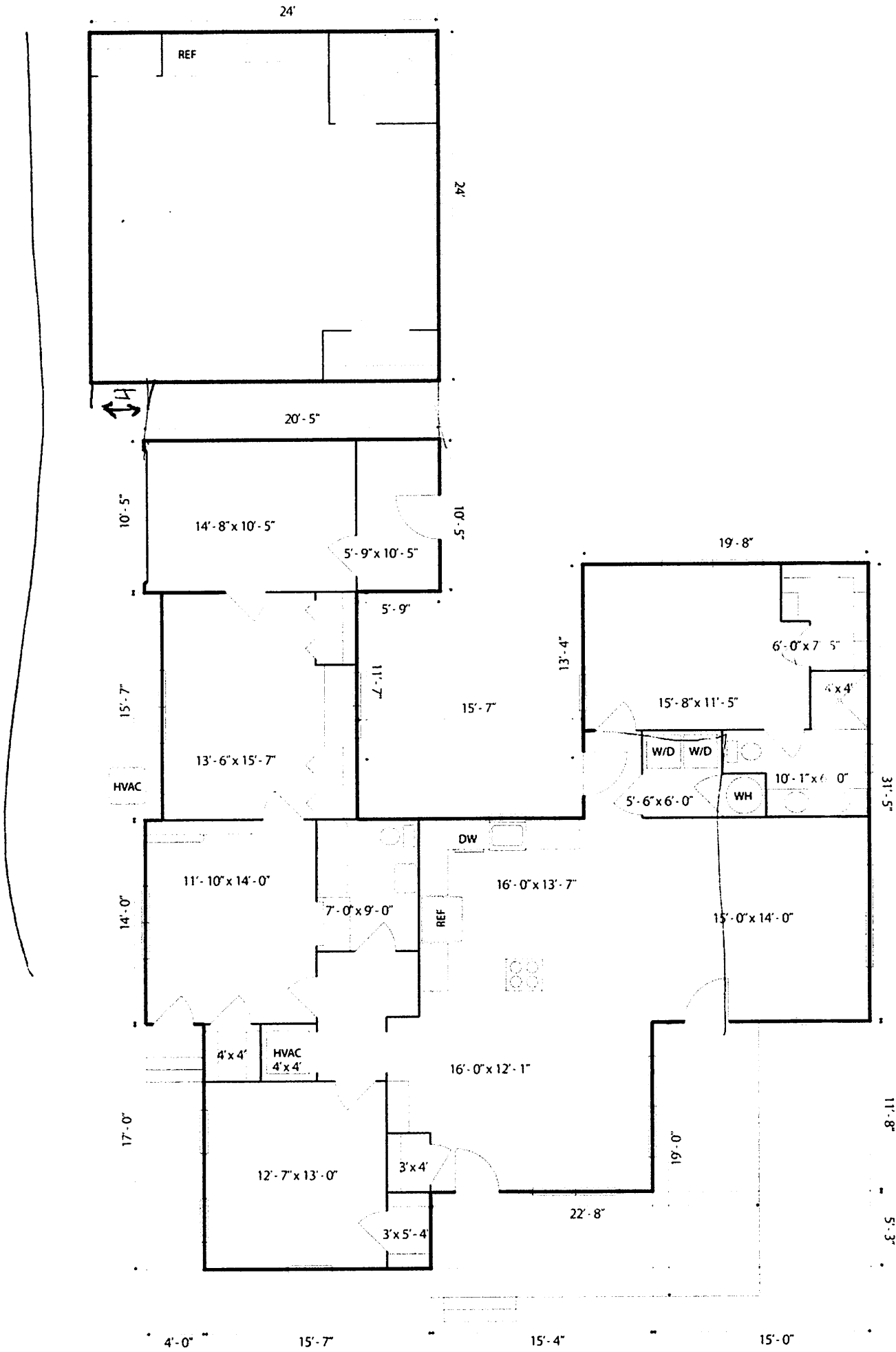
(Attach an additional sheet if necessary).

[Signature]
Signature of Applicant

11.16.20
Date

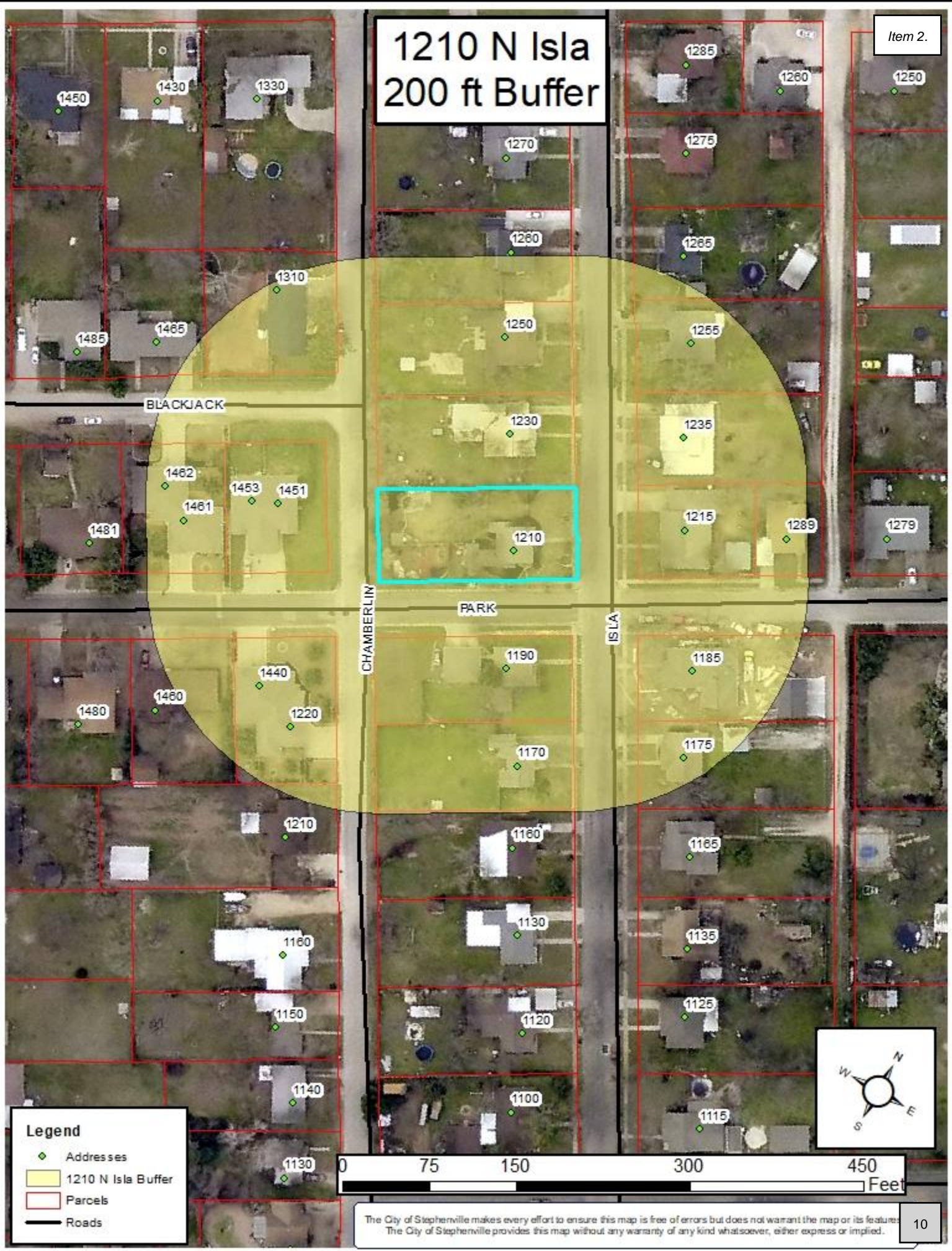
[Signature]
Signature of City Official Received

11-16-2020
Date Received by
Community Dev. Dept.



1210 N Isla 200 ft Buffer

Item 2.



1210 N Isla Current Zoning - R3 Multi-Family

Item 2.

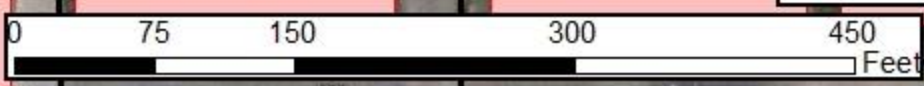


Legend

- ◆ Addresses
- ▭ Parcels
- Roads

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.

1210 N Isla Future Land Use - Single Family

Item 2.

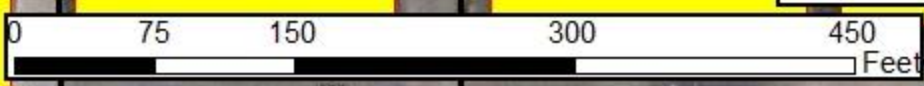


Legend

- ◆ Addresses
- Parcels
- Roads

Use_BDH

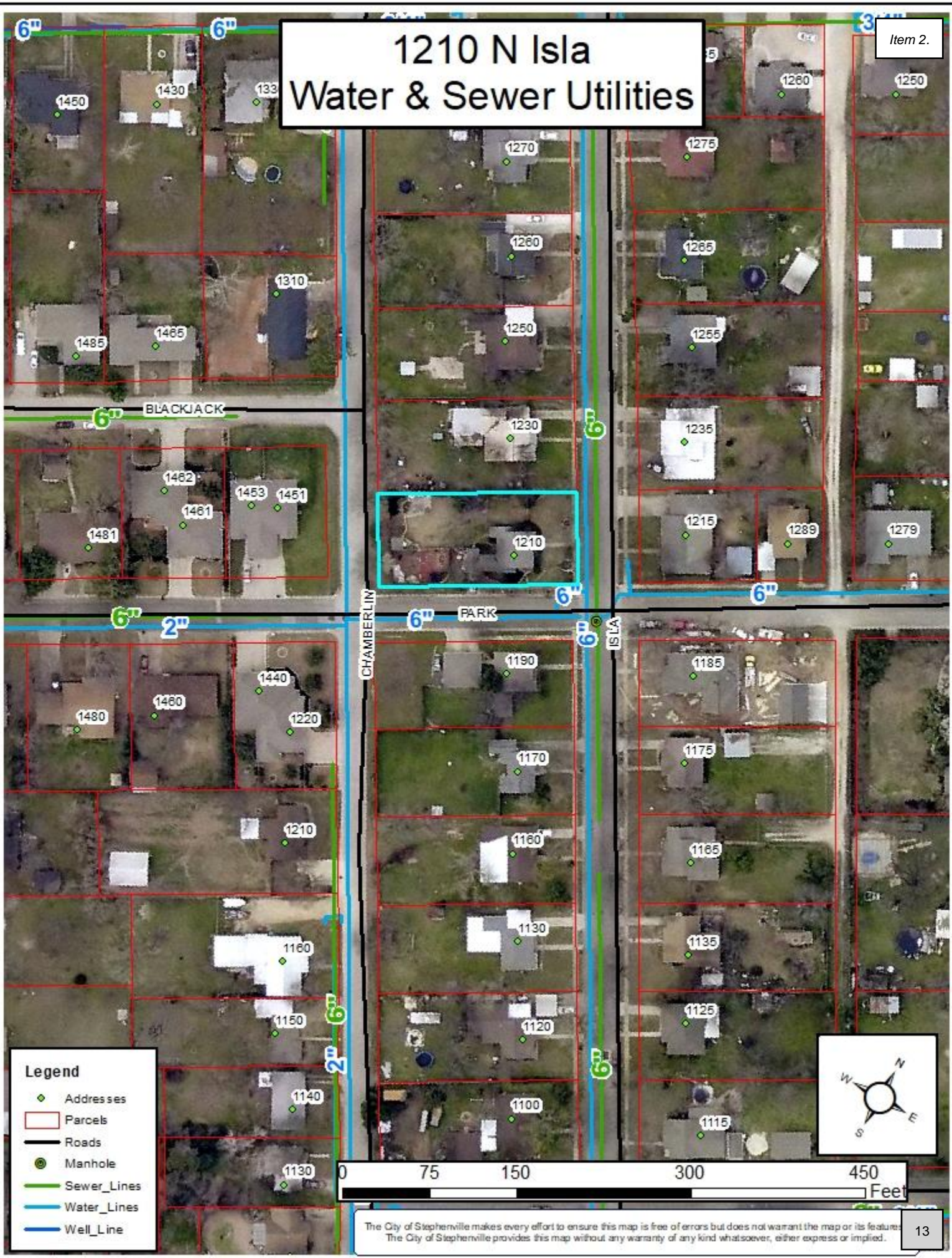
- Ag/Open Space
- Office/Neighbor_Bus
- Commercial
- Cent Business Dist
- City/Tarleton/SISD
- Downtown
- Industrial
- Planned Development
- Single Family
- 1_2 Family
- Multi-Fam/Resident
- Duplex/Townhome
- Manufact Homes



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1210 N Isla Water & Sewer Utilities

Item 2.



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1210 N Isla Addresses

Parcel ID	Parcel Address	Owner Name	Owner Address	City	State	Zip Code
R000034254	1460 PARK STREET	ARPIN KIMISE	1460 W PARK	STEPHENVILLE	TX	76401
R000033433	1160 ISLA	ARPIN TIM & STACI	229 MAPLE LN	STEPHENVILLE	TX	76401
R000033401	1210 ISLA	BETANCUR ANDRES T & LAUREN E	1210 ISLA ST	STEPHENVILLE	TX	76401
R000033398	1260 ISLA	BURCH LUCAS	1260 ISLA	STEPHENVILLE	TX	76401
R000033400	1230 ISLA	CASON SCOTTY & JANIE	1230 ISLA	STEPHENVILLE	TX	76401-0000
R000033404	1235 ISLA	COLE STEVEN LEE	1235 ISLA	STEPHENVILLE	TX	76401-0000
R000033431	1190 ISLA	DAB PROPERTIES AND INVESTMENTS	1015 S US281	STEPHENVILLE	TX	76401
R000033432	1170 N ISLA	FANNING KARI E	1170 N ISLA ST	STEPHENVILLE	TX	76401
R000034250	1210 CHAMBERLIN	HARRIS BRENNAN & KYLEE	1210 CHAMBERLAIN	STEPHENVILLE	TX	76401
R000033441	1175 ISLA	HAYES AMY	106 FLAT FOOT	STEPHENVILLE	TX	76401
R000033405	1255 ISLA	HOFFMAN SHAYLA	1255 ISLA	STEPHENVILLE	TX	76401
R000034248	1310 CHAMBERLIN	HOLLAND CLINTON JOE & MICHELLE MARIE	1310 CHAMBERLIN	STEPHENVILLE	TX	76401
R000034259	1451 PARK STREET	HOLLAND SUSAN	3700 MCKINNEY AVE APT 1603	DALLAS	TX	75204
R000033403	1289 PARK STREET	JEFFUS CRAIG	1753 ALEX WAY	TURLOCK	CA	95382-9142
R000034258	1461 PARK STREET	KORNEGAY MICHAEL O	2201 ABERDEEN DR	ROANOKE	TX	76262-3408
R000034255	1440 PARK STREET	KORNEGAY MICHAEL O	2201 ABERDEEN DR	ROANOKE	TX	76262-3408
R000033406	1265 N ISLA	ODOM DERRICK	1265 N ISLA ST	STEPHENVILLE	TX	76401-2344
R000033399	1250 ISLA	PUNCHES ANNA THERESA & STACEY D & MARY JULIE	1250 ISLA	STEPHENVILLE	TX	76401
R000033442	1185 ISLA	SMITH KATHERINE HORAK	PO BOX 2480	STEPHENVILLE	TX	76401
R000034249	1465 BLACKJACK	STRONG BRENDA LEE	1465 BLACKJACK	STEPHENVILLE	TX	76401
R000033402	1215 N ISLA	WILSON GLYNN A & DEBORAH K	1215 N ISLA	STEPHENVILLE	TX	76401