



BOARD OF ADJUSTMENT

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

AGENDA

CALL TO ORDER

MINUTES

- [1.](#) Consider Approval of September 14, 2023 Minutes

PUBLIC HEARING

- [2.](#) Case No.: V2023-015

Applicant Richard Frank is requesting a variance from Section 154.05.3.D relating to setback requirements for property located at 1431 W Ash, being Parcel R34269 pf Tarleton Heights Addition, Block 18, Lots 7C & 7D (PTS OF) of the City of Stephenville, Erath County, Texas.

- [3.](#) Case No.: V2023-016

Applicant Colby Pack is requesting a variance from Section 154.05.6.D(B)(2) – Minimum Lot Width: 50' for property located at 1136 Shirley, being Parcel R30831 being BLOCK 7; LOT 10 of the S2800 COLLEGE HEIGHTS of the City of Stephenville, Erath County, Texas.

- [4.](#) Case No.: V2023-017

Applicant Colby Pack is requesting a variance from Section 154.05.6.D(A)(6)(a) Minimum Width of Side Setback for an Internal Lot for property located at 1136 Shirley, being Parcel R30831 being BLOCK 7; LOT 10 of the S2800 COLLEGE HEIGHTS 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 MEETING

City Hall Council Chambers, 298 W. Washington
Thursday, September 20, 2023 at 4:00 PM

MINUTES

The Board of Adjustment of the City of Stephenville, Texas, convened on Thursday, September 20, 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
Dean Parr
Ben Tackett
JJ Conway
John Traweek – Alternate 1

MEMBERS ABSENT: Alan Nix, Vice-Chairperson

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

CALL TO ORDER

Chairman Quazi called the meeting to order at 4:00 p.m.

MINUTES

1. Consider Approval of July 13, 2023 Minutes

MOTION by Dean Parr, second by JJ Conway, to approve minutes as presented. MOTION CARRIED by unanimous vote.

PUBLIC HEARING

2. Case No.: V2023-012

Applicant Ryan Young is requesting a variance from Section 154.05.6.D(A)(6)(b) Minimum Width of Side Setback for a Corner Lot for property located at 707 W Tarleton, being parcel R32735 of S5400 PARK PLACE ADDITION; BLOCK 4; LOT 12 of the City of Stephenville, Erath County, Texas.

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

Mr. Young is requesting a variance relating to the requirement of a 25' Corner Lot Side Setback for an addition to an existing single-family home. Mr. Killen concluded his presentation to the Board that staff had no objections to the variance request.

Chairman Quazi had some questions in regard to the 5' variance request.

Chairman Quazi opened the public hearing at 4:07 PM.

Applicant Ryan Young was present to answer questions and give insight into his request.

No one came forward to speak for or against the variance.

Chairman Quazi closed the public hearing at 4:10 PM

MOTION by Ben Tackett, second by John Traweek, to approve Case No. V2023-012 as presented.

MOTION PASSED with a unanimous vote.

3. Case No.: V2023-013

Applicant Ryan Young is requesting a variance from Section 154.05.6.D(7)(a) - Maximum Coverage as a Percentage of Lot Area – 40% for property located at 707 W Tarleton, being parcel R32735 of S5400 PARK PLACE ADDITION; BLOCK 4; LOT 12 of the City of Stephenville, Erath County, Texas.

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

Mr. Young is requesting a variance relating to the requirement of the 40% maximum coverage of lot area to build an addition to an existing single-family home. The lot dimensions are 50x100. Existing structures currently meet the 40% limitation with the main structure alone estimated at 33% coverage). Mr. Killen concluded his presentation to the Board that staff had no objections to the variance request.

Chairman Quazi confirmed that the percentage that Mr. Young was requesting would equal out to an additional 12% of space in order to complete his intended project.

Chairman Quazi opened the public hearing at 4:21 PM.

Applicant Ryan Young was present to answer questions and informed the Board that the addition will be to the second story of the home with open floor space underneath. When Board Member Parr asked about drainage, Mr. Young assured him that French drainage will be installed.

No one came forward to speak for or against the variance.

Chairman Quazi closed the public hearing at 4:23 PM

MOTION by Dean Parr, second by Ben Tackett, to approve Case No. V2023-013 as presented.

MOTION PASSED with a unanimous vote.

4. Case No.: V2023-014

Applicant Niraj Patel, representing DNJ Investment, LLC is requesting a variance from Section 154.06.2.D(9) Height, Area, Yard and Lot Coverage Requirements – Maximum height of structures: 35 feet for property located at 3015 Northwest Loop, being parcel R63719 of S2600 CITY ADDITION; BLOCK 161; LOT 1 of the City of Stephenville, Erath County, Texas.

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

Mr. Patel is requesting a variance relating to the building height requirement of 35'. Mr. Patel would like to build a four-story hotel with an overall height of 46'-3" and an entry height of 54'-2". Mr. Killen concluded his presentation to the Board that staff had no objections to the variance request.

Chairman Quazi opened the public hearing at 4:28 PM.

Mr. Patel was not present to answer questions, however his representative Charles Merritt with Merritt Engineering was available to answer the Board's questions and presented the Board with handouts of the proposed hotel and went into detail explaining the need for the variance request.

Chairman Quazi requested clarification to the specific height request in which Mr. Killen responded that the variance request would be for the total height of the structure.

No one came forward to speak for or against the variance.

Chairman Quazi closed the public hearing at 4:30 PM.

MOTION by JJ Conway, second by Dean Parr, to approve Case No. V2023-014 as presented.

MOTION PASSED with a unanimous vote.

ADJOURN

The meeting was adjourned at 4:31 p.m.

APPROVED:

ATTEST:

Moumin Quazi, Chair

Tina Cox, Board Secretary

Board of Adjustment
STAFF REPORT



Item 2.

SUBJECT: Case No.: V2023-015

Applicant Richard Frank is requesting a variance from Section 154.05.6.D relating to setback requirements for property located at 1431 W Ash, being parcel R34269 of Tarleton Heights Addition, Block 18, Lots 7C & 7D (PTS OF) of the City of Stephenville, Erath County, Texas.

MEETING: Board of Adjustment – November 9, 2023

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen

BACKGROUND:

Mr. Frank is requesting a variance to allow for the construction of a (2) unit four-bedroom duplex. The reduced setback will enable construction of the improvements as illustrated in the site plan. The request is to reduce the 25' rear lot setback by 10'1", resulting in a 14'11" setback.

ZONING REQUIREMENTS:

- (B) *Two-to-four family.*
 - (1) Minimum lot area: 7,500 ft² for two dwelling units, plus 1,000 ft² 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.



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 a side 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.

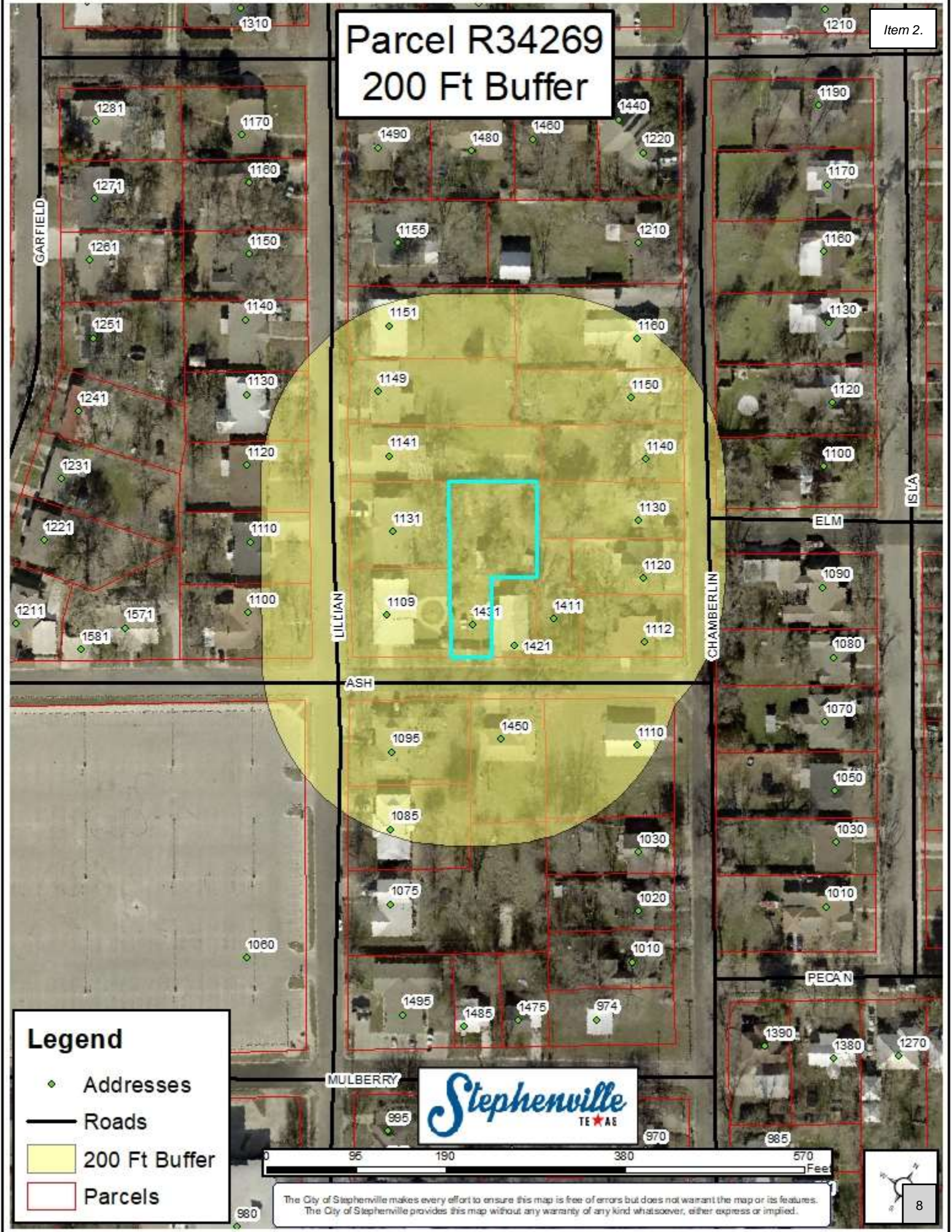
- (1) Before acting on an appeal for variance the Board shall consider:
 - a. The facts filed with the application;
 - b. The testimony presented at the public hearing on the appeal;
 - c. The City Staff's technical report on the appeal; and
 - d. The Board's findings in its field inspection of the property.
- (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. Deny the Variance Request

Parcel R34269 200 Ft Buffer

Item 2.



Legend

- ◆ Addresses
- Roads
- 200 Ft Buffer
- Parcels



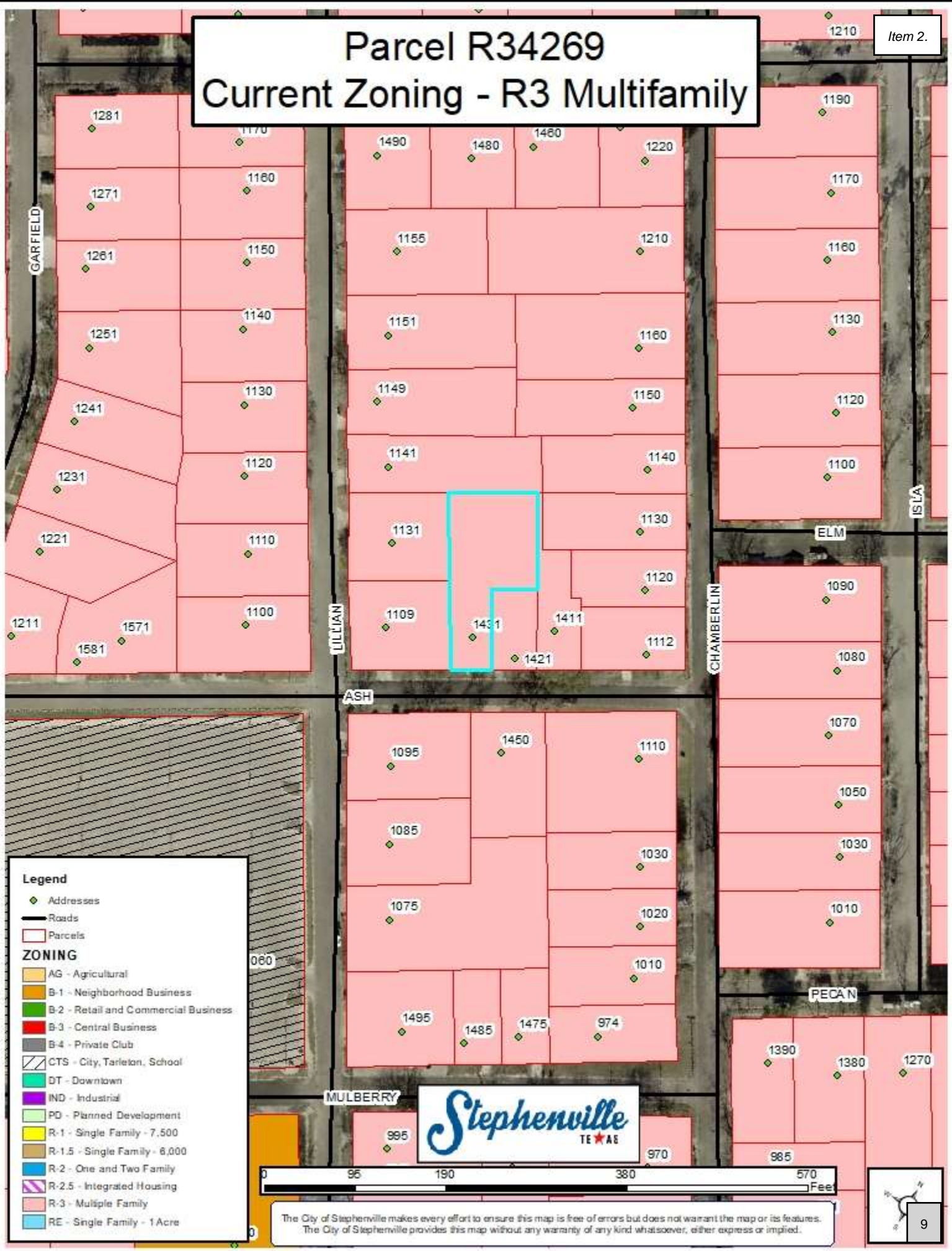
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Parcel R34269

Current Zoning - R3 Multifamily

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, 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

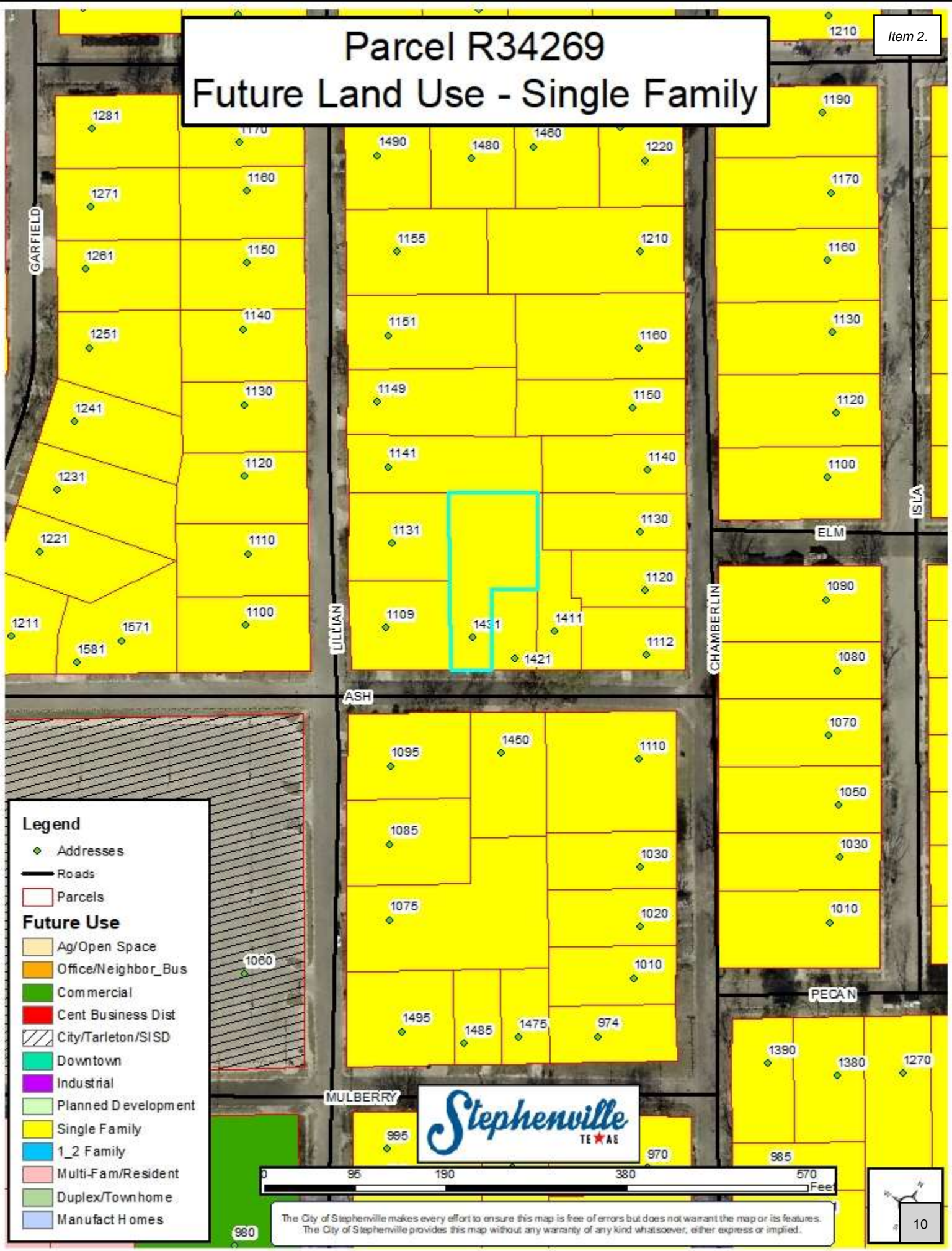


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Parcel R34269

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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Parcel R34269 Water & Sewer Utilities

Item 2.



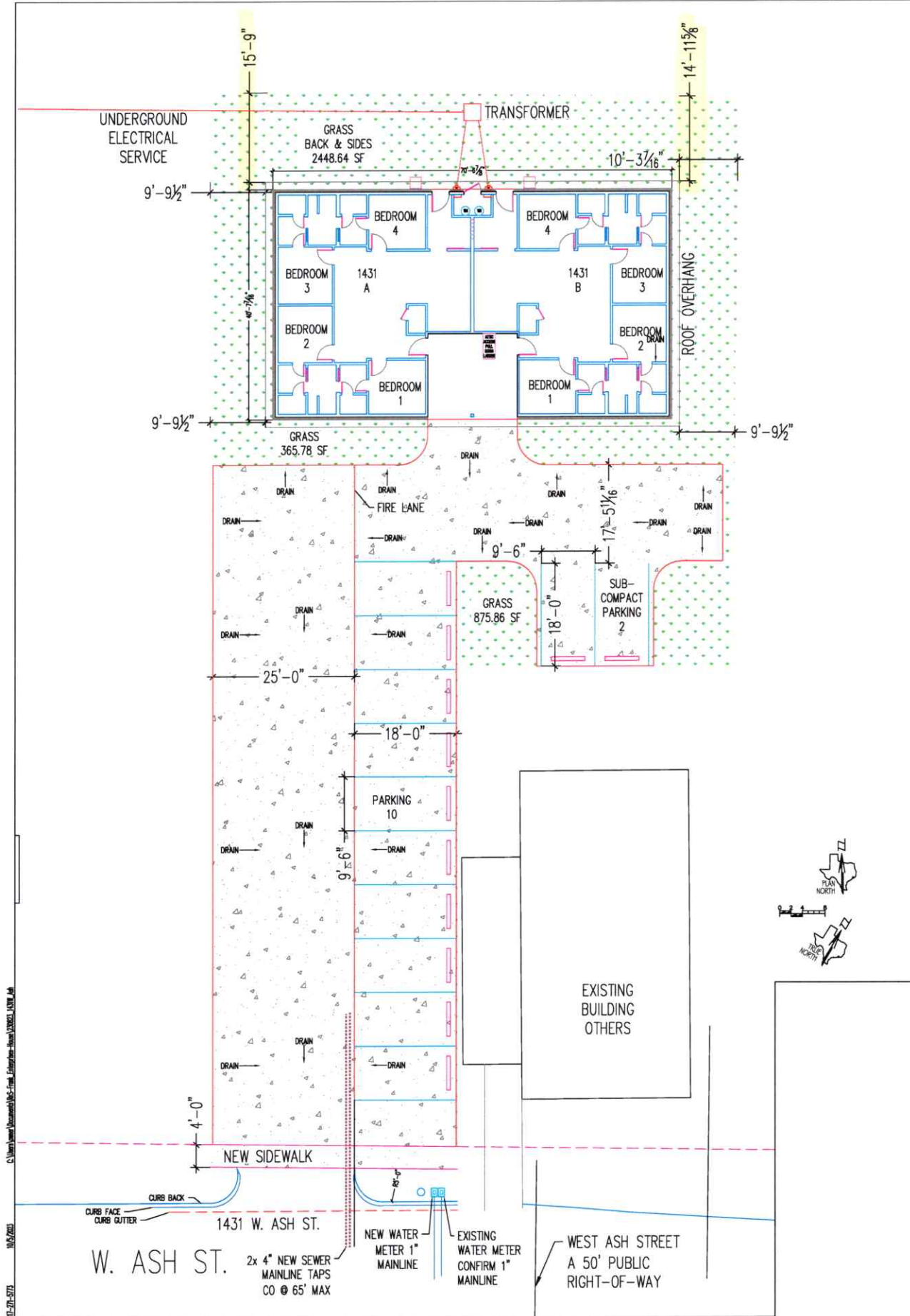
- Legend**
- ◆ Addresses
 - Roads
 - ▭ Parcels
 - Sewer Lines
 - Water Lines



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Parcel R34269 200 ft Buffer Addresses

Parcel ID	Parcel Address	Parcel Owner	Owner Address	City	State	Zip Code
R000029116	1120 LILLIAN	BAD DEVL, LLC	103 RALEY RD	CEDAR PARK	TX	78613
R000032946	1080 ISLA	BLEDSONE KELLY BRENT & BRIANNA BLEDSONE &	1495 N GRAHAM	STEPHENVILLE	TX	76401
R000034274	1060 GARFIELD	BOARD OF REGENTS OF THE TX A&M UNIVERSITY SYSTEM	301 TALLOW STREET 6TH FLOOR	COLLEGE STATION	TX	77840-7896
R000033436	1100 N ISLA	BRADY MATTHEW SCOTT	2790 CR 351	STEPHENVILLE	TX	76401-9624
R000034265	1150 CHAMBERLIN	BURCH STEVE R	1150 N CHAMBERLAIN	STEPHENVILLE	TX	76401-2335
R000034279	1110 CHAMBERLIN	CHURCH OF CHRIST	644 CR136	STEPHENVILLE	TX	76401
R000034264	1140 CHAMBERLIN	FENNER CARESA A	1931 CR195	DUBLIN	TX	76446
R000034269	1431 W ASH	FRANK RICHARD JAMES & SHELBY A FRANK	143 COLDWATER CREEK LANE	WEATHERFORD	TX	76088
R000034272	1131 LILLIAN	FRANK RICHARD JAMES & SHELBY A FRANK	143 COLDWATER CREEK LANE	WEATHERFORD	TX	76088
R000029115	1130 LILLIAN	GAZAWAY MARJORIE	1130 N LILLIAN	STEPHENVILLE	TX	76401
R000034263	1130 CHAMBERLIN	GIBSON CRYSTAL	1130 CHAMBERLIN ST	STEPHENVILLE	TX	76401
R000034283	1450 ASH	GONZALES MARY LANELL ET AL	1450 ASH	STEPHENVILLE	TX	76401
R000034278	1030 CHAMBERLIN	HALE RICKY	150 N HARBIN DR SUITE 430	STEPHENVILLE	TX	76401-2800
R000029117	1110 N LILLIAN	HEATH KEVIN JEROME	18460 CR442	LINDALE	TX	75771
R000034273	1141 LILLIAN	HERRERA SHIOMARA	410 CENTER ST	HICO	TX	76457
R000029118	1100 LILLIAN	HOWELL CHRISTOPHER MANUELL	1100 N LILLIAN ST	STEPHENVILLE	TX	76401
R000034262	1120 CHAMBERLIN	HUTCH PROPERTIES LLC	501 W BAKER ST	BROWNWOOD	TX	76801
R000033435	1120 ISLA	KOLB LAND MANAGEMENT, LLC	12071 RACHEL LEA LANE	FORT WORTH	TX	76179
R000029114	1140 LILLIAN	MERIDIAN CAR WASH LLC	PO BOX 695	MERIDIAN	TX	76665
R000034285	1095 LILLIAN	MMH REAL ESTATE LLC	14001 W STATE HWY 29, SUITE 102	LIBERTY HILL	TX	78642-2251
R000034268	1149 LILLIAN	MOORE MOZELLE	1149 LILLIAN	STEPHENVILLE	TX	76401-0000
R000032947	1090 ISLA	NANCE JERRY C & KELIJON W	PO BOX 1726	STEPHENVILLE	TX	76401-0000
R000034284	1085 LILLIAN	NISTLER ANTHONY LAMAR	24596 STATE HWY 210	MCGREGOR	MN	55760
R000034270	1109 LILLIAN	NISTLER TONY	PO BOX 33	MCGREGOR	MN	55760
R000034286	1075 N LILLIAN	NISTLER TONY	PO BOX 33	MCGREGOR	MN	55760
R000034267	1151 LILLIAN	NOLEN COLTON	1151 N LILLIAN	STEPHENVILLE	TX	76401
R000034260	1112 CHAMBERLIN	PRATER BONNIE L (LIFE ESTATE)	1112 CHAMBERLAIN	STEPHENVILLE	TX	76401
R000034261	1411 ASH	RONALDER PARICK & CATHERINE RONALDER	1411 W ASH	STEPHENVILLE	TX	76401
R000034271	1421 ASH	TOAL SHANNA CRAY	708 DOVE CREEK TRAIL	SOUTHLAKE	TX	76092
R000034266	1160 CHAMBERLIN	TXW HOLDINGS LLC	PO BOX 386	BUELLTON	CA	93427



C:\Users\james\Documents\1431 West Ash St - Final.dwg
 10/2/2023
 10/2/2023

Board of Adjustment

STAFF REPORT



SUBJECT: Case No.: V2023-016
Applicant Colby Pack is requesting a variance from Section 154.05.6.D(B)(2) – Minimum Lot Width: 75’ for property located at 1136 Shirley, being Parcel R30831 being BLOCK 7; LOT 10 of the S2800 COLLEGE HEIGHTS of the City of Stephenville, Erath County, Texas.

MEETING: Board of Adjustment – November 09, 2023

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen

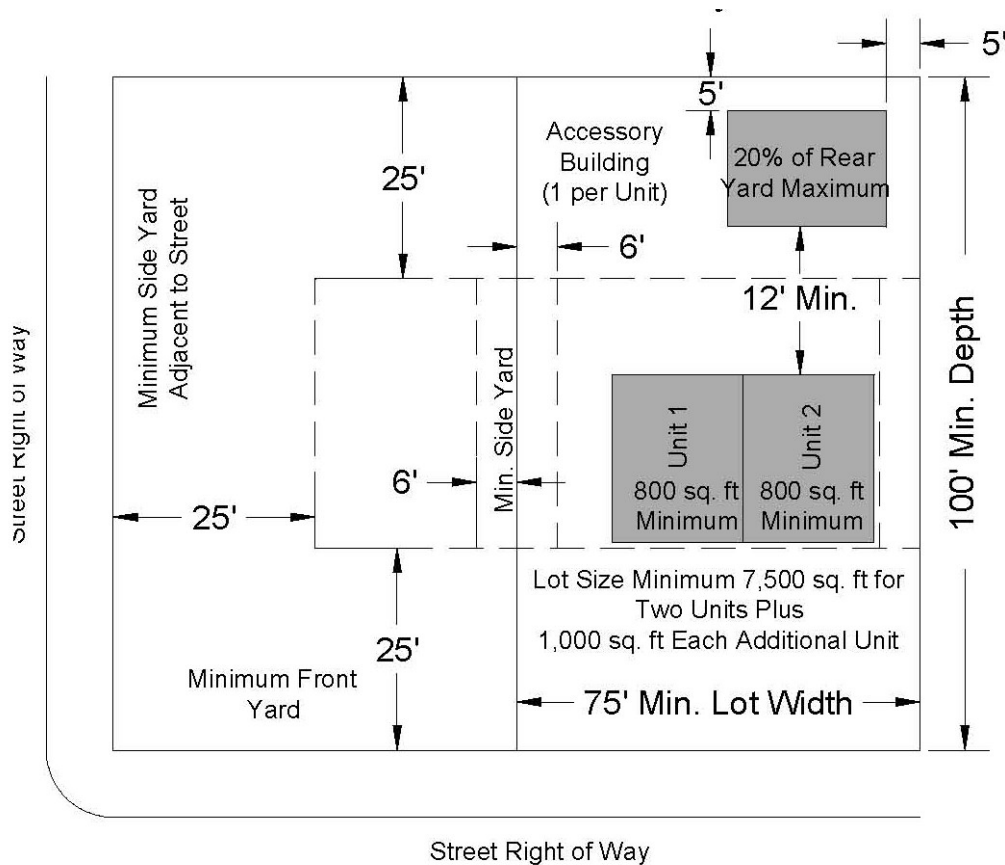
BACKGROUND:

Mr. Pack is requesting a variance relating to the minimum lot width and lot frontage in order to build a duplex. The current lot width is 45’. Mr. Pack is requesting a 30’ variance.

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

(B) *Two-to-four family.*

- (1) Minimum lot area: 7,500 ft² for two dwelling units, plus 1,000 ft² 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%.
 - (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.



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 variations 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.

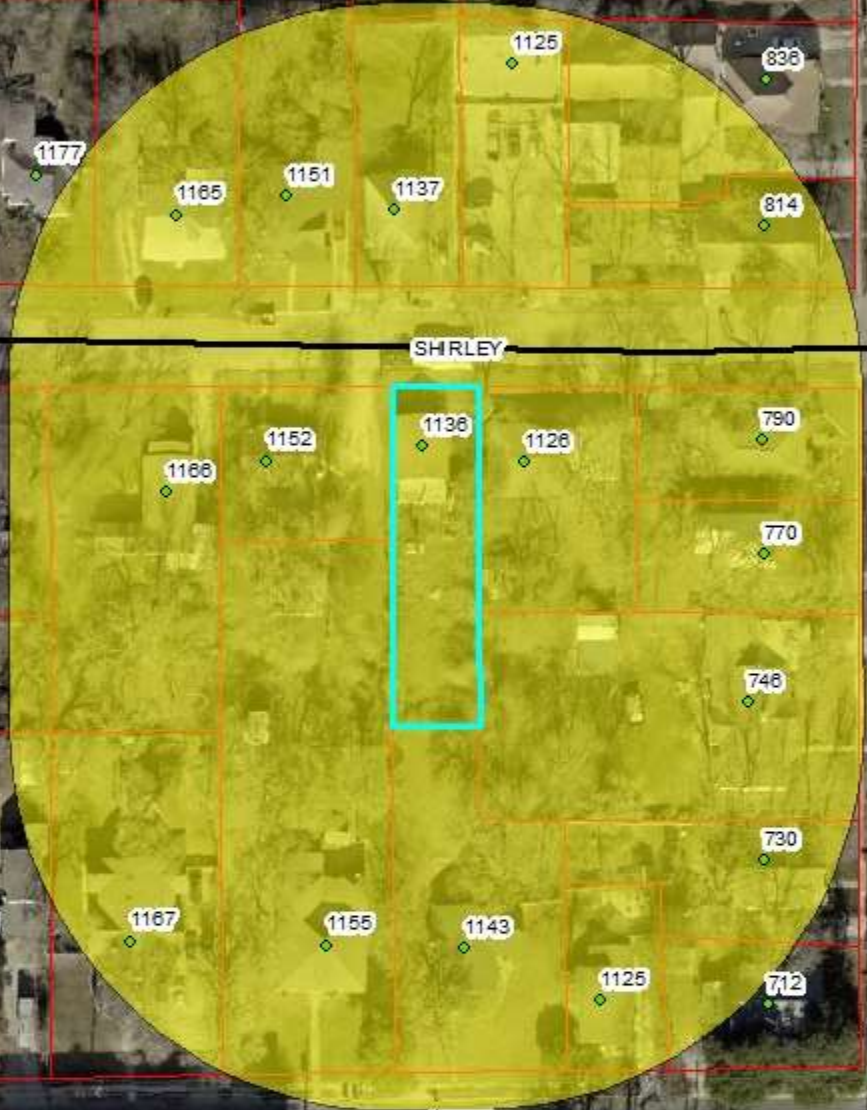
(2) The Board may grant an appeal, subject to such terms and conditions as it may fix, provided

ALTERNATIVES:

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

Parcel R30831 200 Ft Buffer

Item 3.



Legend

- ◆ Addresses
- Roads
- 200 Ft Buffer
- Parcels

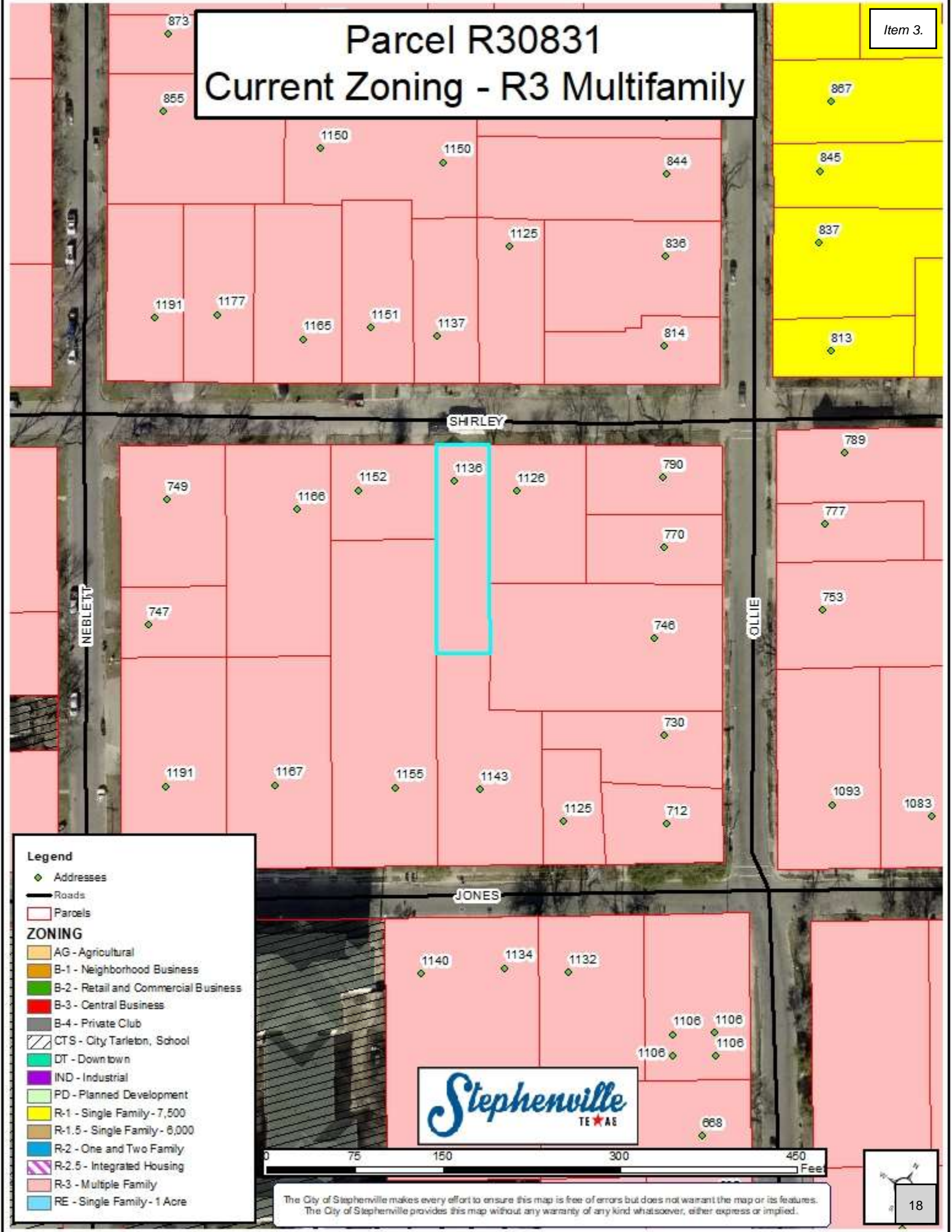


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Parcel R30831

Current Zoning - R3 Multifamily

Item 3.



Legend

- ◆ Addresses
- Roads
- ▭ Parcels

ZONING

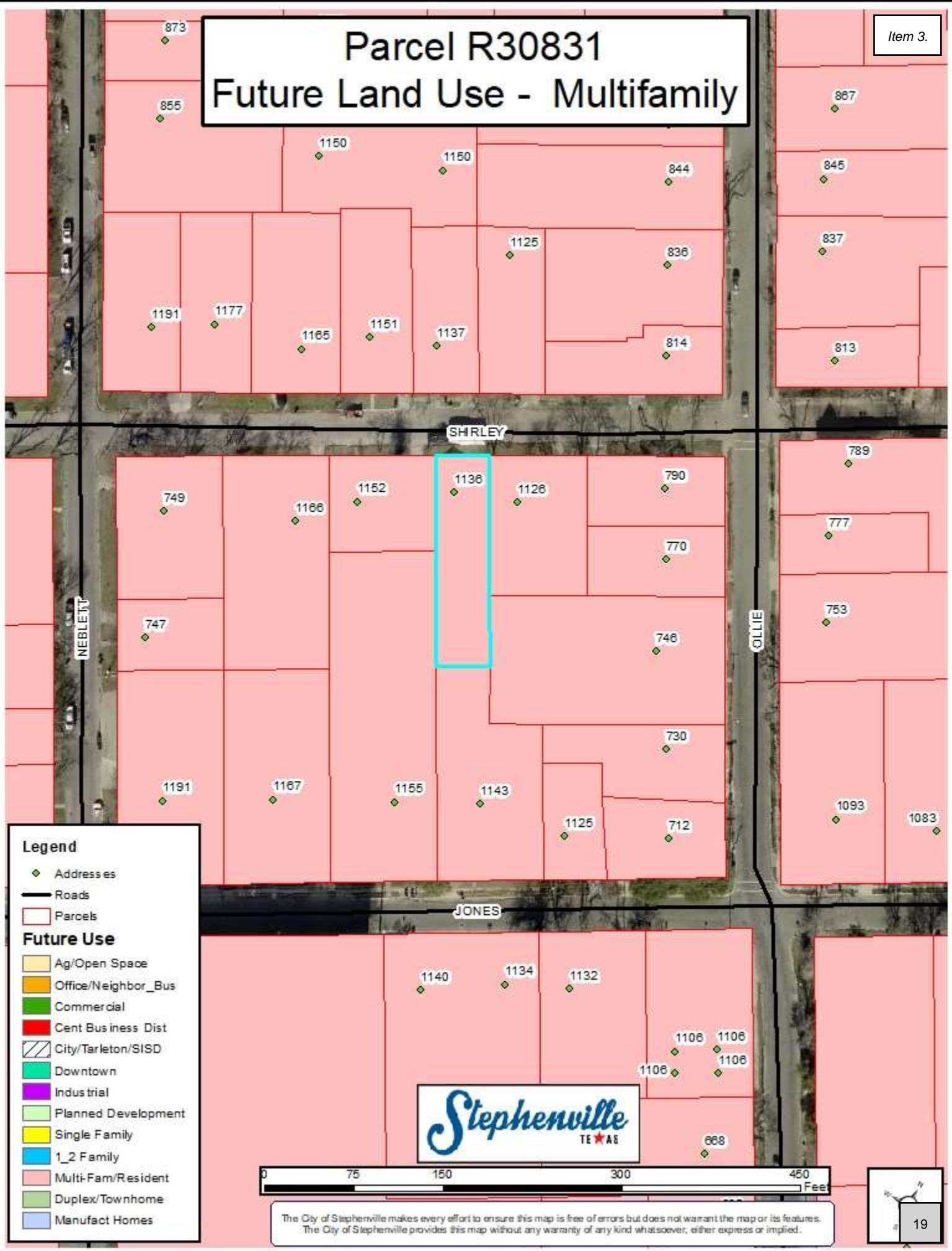
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- B-2 - Retail and Commercial Business
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- B-4 - Private Club
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- DT - Down town
- IND - Industrial
- PD - Planned Development
- R-1 - Single Family - 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



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Parcel R30831 Future Land Use - Multifamily

Item 3.



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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Parcel R30831 Water & Sewer Utilities

Item 3.



Legend

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

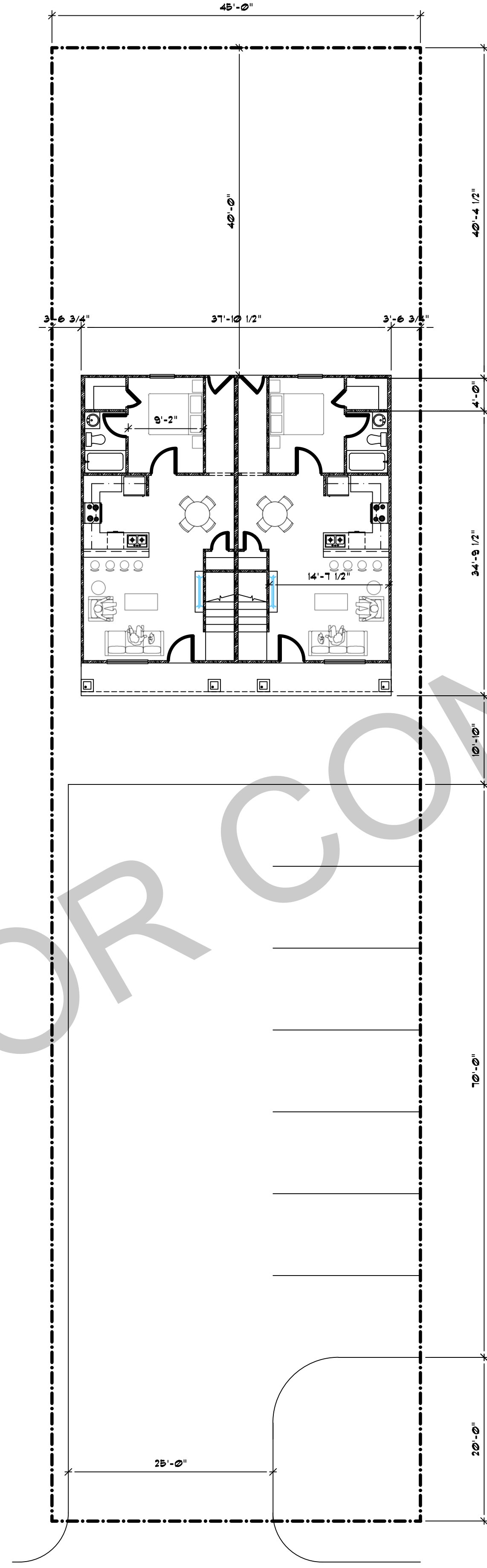


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Parcel R30831 Addresses

Parcel I+1:26I	Parcel Address	Parcel Owner	Owner Address	City	State	Zip Code
R000074006	770 OLLIE	ASAKURA IWAO	PO BOX 305	STEPHENVILLE	TX	76401-0004
R000030833	1191 JONES	BETA SIGMA ALUMNI ASSOC OF ALPHA GAMMA RHO	710 CR 513	STEPHENVILLE	TX	76401
R000060648	1150 SHIRLEY	BLEDSON BRENT	1495 N GRAHAM	STEPHENVILLE	TX	76401
R000030824	1155 W JONES	BLEDSON BRENT	1495 N GRAHAM	STEPHENVILLE	TX	76401
R000030828	730 OLLIE	COMMUNITY OUTREACH HOUSING	670 FORT GRAHAM RD	WHITNEY	TX	76692
R000030757	814 OLLIE	CROFT CHRIS & STACIE	336 CR568	STEPHENVILLE	TX	76401
R000030771	1150 W FREY	ELT INVESTMENTS LLC	1040 CR154	BLUFF DALE	TX	76433
R000030821	749 NEBLETT	FRAZIER O HOWARD MD	2241 CHILTON	HOUSTON	TX	77019-0000
R000030761	1137 SHIRLEY	GODWIN LEONOR ELENA	412 E FIRST ST	HICO	TX	76457
R000030822	747 NEBLETT	HOOVER BOBBY	2059 CR512	STEPHENVILLE	TX	76401
R000030826	790 OLLIE	JACKSON MORGAN L & GENEVA HILLHOUSE	790 N OLLIE	STEPHENVILLE	TX	76401
R000030764	1177 SHIRLEY	JONES JAMES RICHARD	753 HUERTA VERDE RD	GLENDORA	CA	71741-2240
R000030825	1143 JONES ST	JONES WESLEY A & MARY KACI	544 N CLINTON	STEPHENVILLE	TX	76401
R000030763	1165 SHIRLEY	MCLEAN SETH	127 PARK DR	STEPHENVILLE	TX	76401
R000030832	1126 SHIRLEY	MILOTTE JOSEPH R	3913 CR801	CLEBURNE	TX	76031
R000030831	1136 SHIRLEY	NEWTON JEFF AND RASHEEDA BROWN	1155 W JONES	STEPHENVILLE	TX	76401
R000030753	844 OLLIE	RICHLINE TAMARA KAY	844 N OLLIE	STEPHENVILLE	TX	76401
R000030762	1151 W SHIRLEY	RUSSELL JACOB RYAN	1151 W SHIRLEY ST	STEPHENVILLE	TX	76401-3046
R000030830	1125 JONES	SCHOONIE REAL ESTATE II LLC	816 HYATT DR	COPPER CANYON	TX	75077
R000030829	712 OLLIE	STEPHENS JAMES R & ANITA	3604 SAN BAR LANE	COLLEYVILLE	TX	76034
R000030754	836 OLLIE	TATUM RICKY G & ROBIN L	4360 CR456	STEPHENVILLE	TX	76401
R000030756	1125 W SHIRLEY	TRAFALGAR HOMES OF TEXAS LLC	PO BOX 65	STEPHENVILLE	TX	76401
R000030827	746 N OLLIE	VADEN PROPERTIES, LLC	12061 NATIVE DR	FORT WORTH	TX	76179
R000030823	1166 SHIRLEY	VAUGHN KELLY LORRAINE	1166 W SHIRLEY	STEPHENVILLE	TX	76401
R000030834	1167 JONES	WHITE DANE R & MARNI M WHITE	1167 W JONES ST	STEPHENVILLE	TX	76401

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SHEET NO.
A-1

JOB NO.
1300ABC

DATE OF REVISIONS:

SITE PLAN

SHIRLEY STREET DUPLEX

STEPHENVILLE, TEXAS

PARKER & ASSOCIATES
 ARCHITECTS & PLANNERS

FRED B. PARKER • ARCHITECT
 280 N. COLUMBIA
 STEPHENVILLE, TEXAS 76401
 PH. (254)965-5358
 FAX. (254)965-5393

Board of Adjustment

STAFF REPORT



SUBJECT: Case No.: V2023-017
Applicant Colby Pack is requesting a variance from Section 154.05.6.D(A)(6)(a) Minimum Width of Side Setback for an Internal Lot for property located at 1136 Shirley, being Parcel R30831 being BLOCK 7; LOT 10 of the S2800 COLLEGE HEIGHTS of the City of Stephenville, Erath County, Texas.

MEETING: Board of Adjustment – November 9, 2023

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen

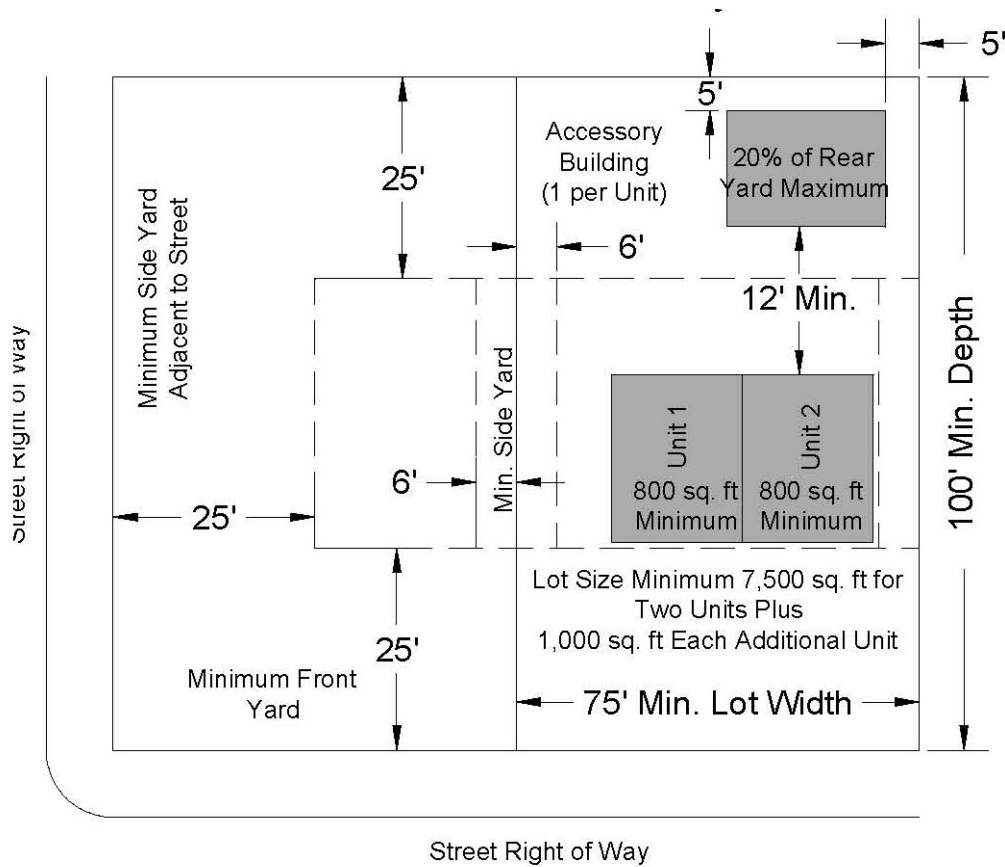
BACKGROUND:

Mr. Pack is requesting a variance relating to the internal lot width side setback of 6' in order to build a duplex.

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

(B) *Two-to-four family.*

- (1) Minimum lot area: 7,500 ft² for two dwelling units, plus 1,000 ft² 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%.
 - (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.



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.

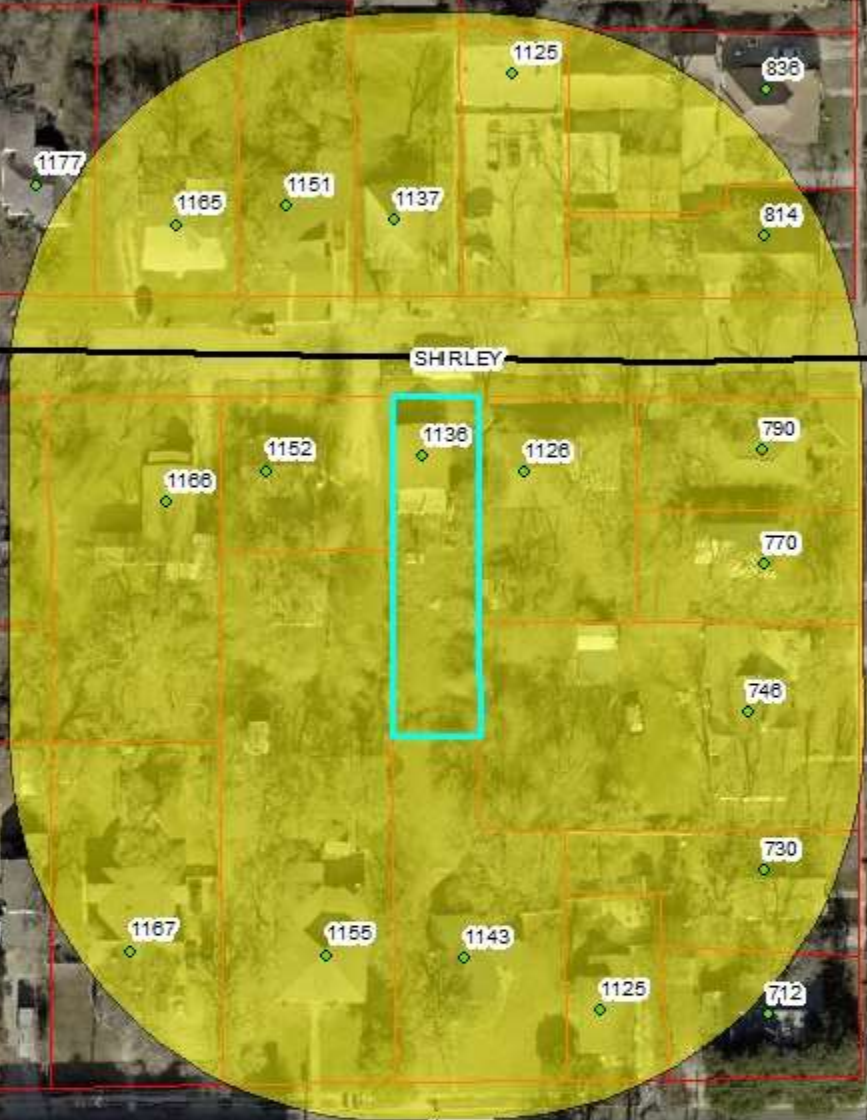
(2) The Board may grant an appeal, subject to such terms and conditions as it may fix, provided

ALTERNATIVES:

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

Parcel R30831 200 Ft Buffer

Item 4.



Legend

- ◆ Addresses
- Roads
- 200 Ft Buffer
- Parcels

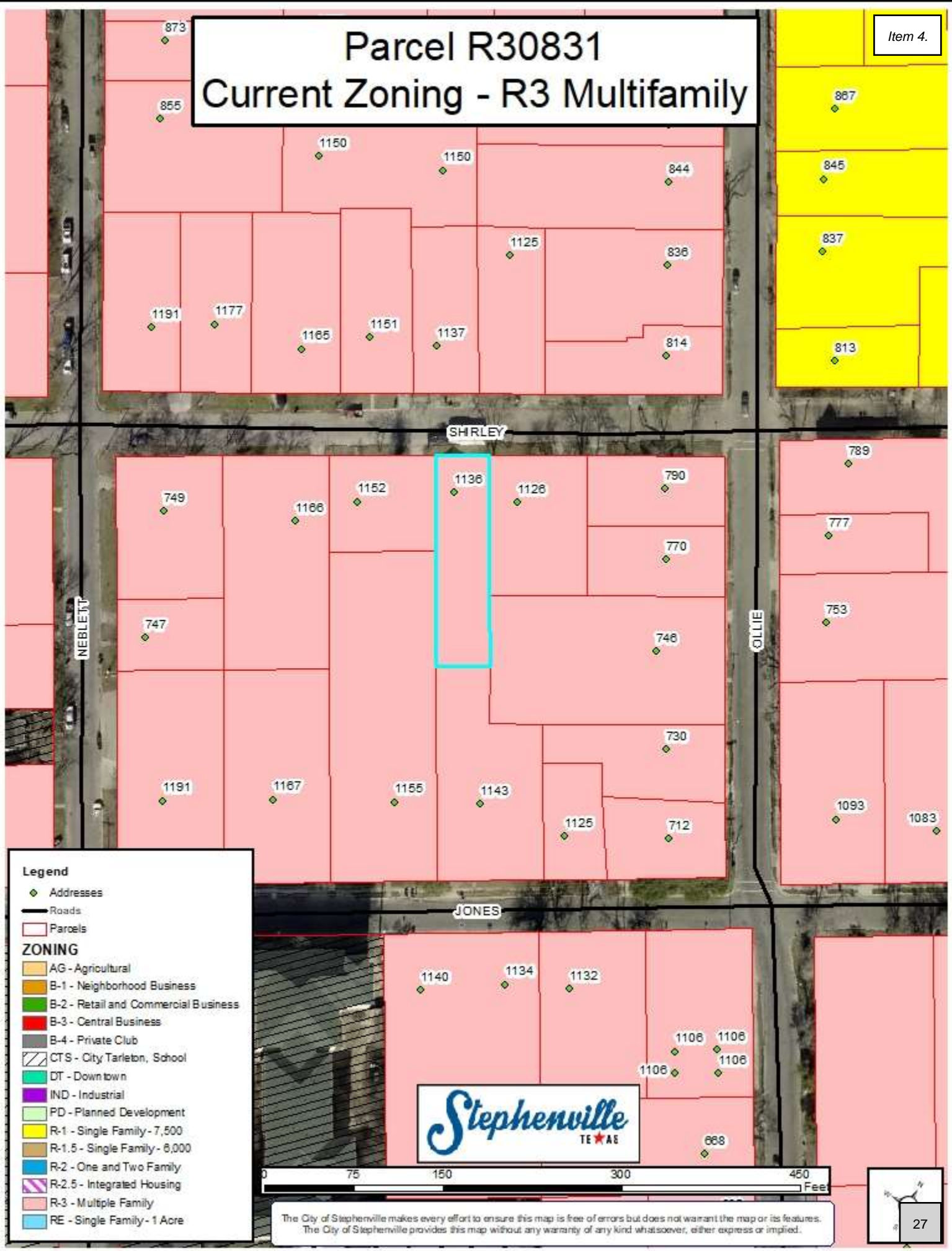


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Parcel R30831

Current Zoning - R3 Multifamily

Item 4.



Legend

- ◆ Addresses
- Roads
- Parcels

ZONING

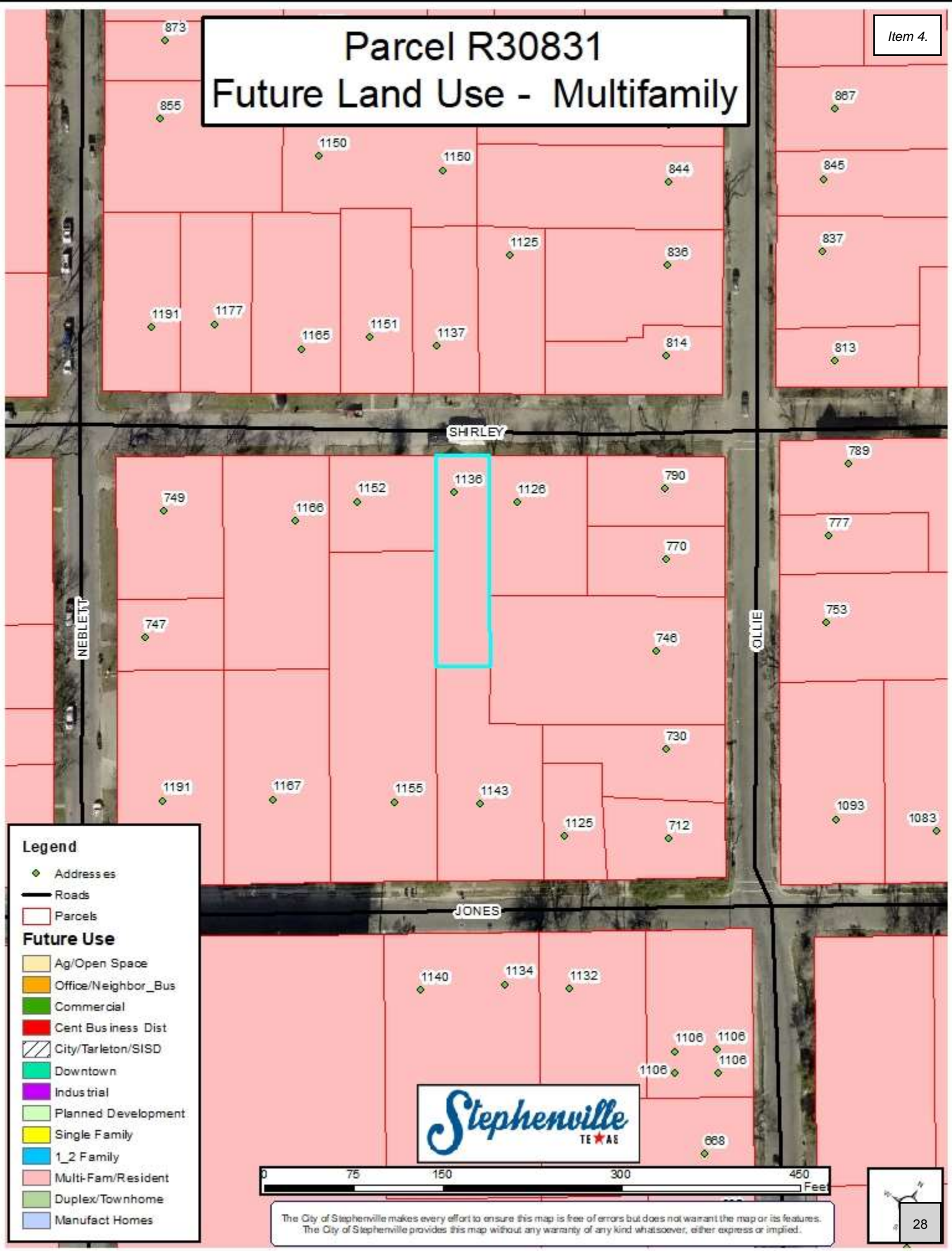
- AG - Agricultural
- B-1 - Neighborhood Business
- B-2 - Retail and Commercial Business
- B-3 - Central Business
- B-4 - Private Club
- CTS - City Tarleton, School
- DT - Down town
- IND - Industrial
- PD - Planned Development
- R-1 - Single Family - 7,500
- R-1.5 - Single Family - 6,000
- R-2 - One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



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Parcel R30831 Future Land Use - Multifamily

Item 4.



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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Parcel R30831 Water & Sewer Utilities

Item 4.



Legend

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

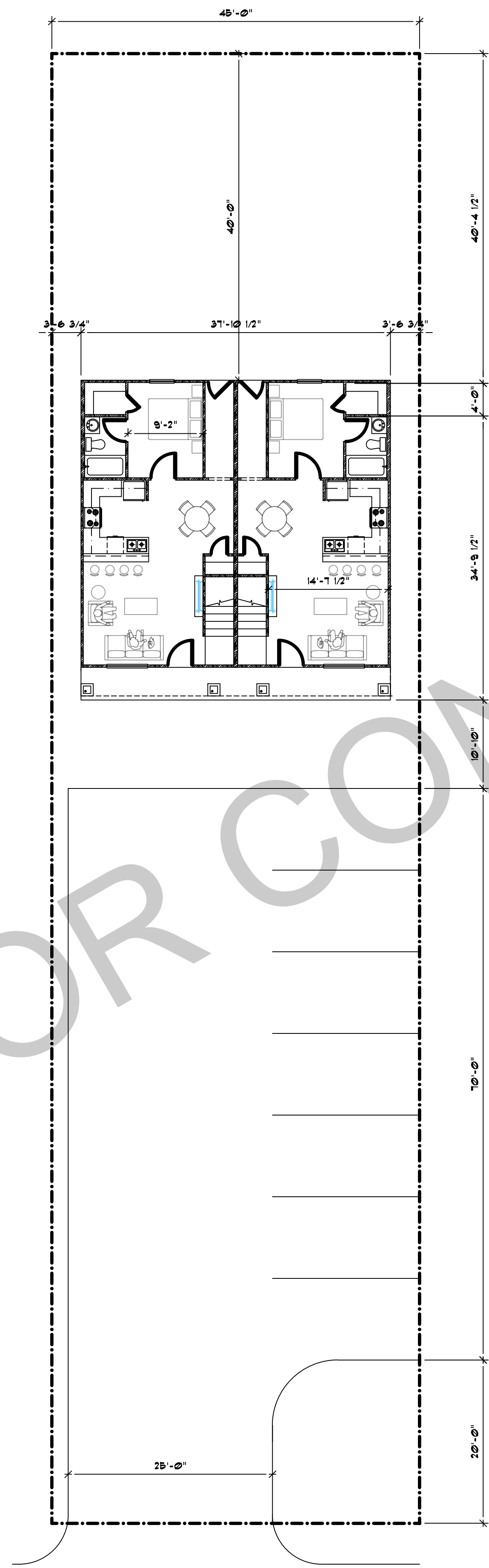


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Parcel R30831 Addresses

Parcel I+1:26I	Parcel Address	Parcel Owner	Owner Address	City	State	Zip Code
R000074006	770 OLLIE	ASAKURA IWAO	PO BOX 305	STEPHENVILLE	TX	76401-0004
R000030833	1191 JONES	BETA SIGMA ALUMNI ASSOC OF ALPHA GAMMA RHO	710 CR 513	STEPHENVILLE	TX	76401
R000060648	1150 SHIRLEY	BLEDSON BRENT	1495 N GRAHAM	STEPHENVILLE	TX	76401
R000030824	1155 W JONES	BLEDSON BRENT	1495 N GRAHAM	STEPHENVILLE	TX	76401
R000030828	730 OLLIE	COMMUNITY OUTREACH HOUSING	670 FORT GRAHAM RD	WHITNEY	TX	76692
R000030757	814 OLLIE	CROFT CHRIS & STACIE	336 CR568	STEPHENVILLE	TX	76401
R000030771	1150 W FREY	ELT INVESTMENTS LLC	1040 CR154	BLUFF DALE	TX	76433
R000030821	749 NEBLETT	FRAZIER O HOWARD MD	2241 CHILTON	HOUSTON	TX	77019-0000
R000030761	1137 SHIRLEY	GODWIN LEONOR ELENA	412 E FIRST ST	HICO	TX	76457
R000030822	747 NEBLETT	HOOVER BOBBY	2059 CR512	STEPHENVILLE	TX	76401
R000030826	790 OLLIE	JACKSON MORGAN L & GENEVA HILLHOUSE	790 N OLLIE	STEPHENVILLE	TX	76401
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