



Board of Adjustment
Regular Meeting

Thursday, May 8, 2025, 4:00 PM
City Hall Council Chambers
298 W Washington
Stephenville, Texas 76401

AGENDA

CALL TO ORDER

CITIZENS GENERAL DISCUSSION

APPROVAL OF MINUTES

1. Consider Approval of Minutes from April 10th, 2025.

REGULAR AGENDA

2. Application No.: V 8826

Applicant Danny Phillips, representing Mr. Richard D Coan, is requesting a *Variance from Section 154.06.3.D(A)(5)(6)(7)(b) Minimum Depth of front, rear and side setback:15 feet* for property located at 575 College, Parcel R30092, being Block 112, Lot 6 of the S2600 CITY ADDITION, City of Stephenville, Erath County, Texas.

3. Public Hearing

Application No: V 8826

4. Consider Approval of Variance from Section 154.06.3.D(A)(5)(6)(7)(b) Minimum Depth of front, rear and side setback:15 feet for property located at 575 College, Parcel R30092, being Block 112, Lot 6 of the S2600 CITY ADDITION, City of Stephenville, Erath County, Texas.

5. Application No.: V 8688 (replatting to BLK 14, Lots 14R-16R)

Applicant Jason Nitschke, representing Horton Commercial Properties is requesting a *Variance from Section 154.05.8.D(B)(5) Minimum depth of rear setback:15 feet for property located at 791 N Clinton*, Parcel R33319 of S5700 Shapard & Collins, Block 14, Lots 12 & 13, of the City of Stephenville, Erath County, Texas.

6. Public Hearing

Application No.: V 8688

7. Consider Approval of Variance from Section 154.05.8.D(B)(5) Minimum depth of rear setback:15 feet for property located at 791 N Clinton, Parcel R33319 of S5700 Shapard & Collins, Block 14, Lots 12 & 13, 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 MINUTES
REGULAR MEETING
APRIL 10, 2025

CALL TO ORDER

The Board of Adjustment of the City of Stephenville, Texas, convened on Thursday, April 10, 2025, in the City Hall Council Chambers, 298 West Washington Street, 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:

Commissioners Present:

Dr. Moumin Quazi, Chairperson
JJ Conway
Robert Nimmo
Tina Virgin

Commissioners Absent:

Mary Beach McGuire

Others Attending:

Robert Turk, Building Official of Development Services
Jan Strahan, Commission Secretary

Commission Chair Dr. Moumin Quazi called the Board of Adjustment to order at 4:00 PM.

OATH OF OFFICE

Oath of Office administered by Jan Strahan, to JJ Conway.

ELECTION OF OFFICERS

Nomination for Vice Chair. MOTION by Dr. Moumin Quazi, second by Robert Nimmo to nominate JJ Conway as Vice Chair. MOTION CARRIED by unanimous vote.

CITIZENS GENERAL DISCUSSION

No one addressed the commission at this time.

APPROVAL OF MINUTES

1. **Approval of January 30, 2025 Meeting Minutes**

MOTION by Tina Virgin, second by JJ Conway, to approve the minutes as presented.
MOTION CARRIED unanimously.

REGULAR AGENDA

2. **Application No.: V 8717**

Rick Richardson is requesting a Variance from Section 154.05.3.D(9)(e) - *Minimum Depth from Edge of the Main Building: 12 feet*, for property located at 2320 Mimosa, Parcel R34593, being Block 2, Lots 14 and 15 of the S7000 West Oaks Addition of the City of Stephenville, Erath County, Texas.

Robert Turk, Building Official of Development Services, presented this item to the commission.

Mr. Richardson is requesting a variance relating to the depth of setback requirement for a detached garage for the property located at 2320 W. Mimosa Lane, Parcel R34593, being BLK 2, LOT 14 and 15, of West Oaks Addition of the City of Stephenville, Erath County, Texas.

3. **PUBLIC HEARING**
Application No.: V 8717

Chairman Quazi opened the public hearing at 4:08PM.

Applicant Rick Richardson was present to give an overview of his project and to answer questions.

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

Chairman Quazi closed the public hearing at 4:08PM.

4. **Consider approval of a variance for property location at 2320 Mimosa, Parcel R34593, being Block 2, Lots 14 and 15 of the S7000 West Oaks Addition of the City of Stephenville, Erath County, Texas.**

MOTION by Robert Nimmo, second by Tina Virgin, to approve Application No.:V8717 as presented.

MOTION CARRIED unanimously.

5. **Application No.: V 8748**

Applicant Colby Pack, representing Dally and Jacob T Hasbrouck, is requesting a Variance from Section 154.05.1.D(9)(a) - *Maximum Accessory Building Coverage of 30% of Main Dwelling*, for property located at 1124 Forest Lane, Parcel R51835, being Block II, Lot 1A & 1B of the S7220 PEACOCK ESTATES II of the City of Stephenville, Erath County, Texas.

Robert Turk, Building Official of Development Services, presented this item to the commission.

Applicants Jake and Dally Hasbrouk are requesting a variance relating to the 30% limitation for the construction of an accessory building for property located at 1124 Forest Lane, Parcel

R51835, being BLK. II, LOT 1A and 1B of PEACOCK ESTATES II of the City of Stephenville, Erath, County, Texas.

6. **PUBLIC HEARING**
Application No.: V 8748

Chairman Quazi opened the public hearing at 4:20PM.

Applicants Jake and Dally Hasbrouk were present to give an overview of their project and to answer questions.

Colby Pack was present to answer questions from the commission and also spoke in favor.

Letters of support were received from the following:

Scott Squires

Donald Keith

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

7. **Consider approval of a variance for property located at 1124 Forest Lane, Parcel R51835, being Block II, Lot 1A & 1B of the S7220 PEACOCK ESTATES II of the City of Stephenville, Erath County, Texas.**

MOTION by Robert Nimmo, second by Tina Virgin, to approve Application No.: V8748 as presented. MOTION CARRIED unanimously.

ADJOURN

Chairman Dr. Moumin Quazi adjourned the Board of Adjustment meeting at 4:23PM.

Moumin Quazi, Chair

ATTEST:

Jan Strahan, Commission Secretary

Board of Adjustment STAFF REPORT



SUBJECT: V2025-8826
Applicant Danny Phillips, representing Richard D. Coan, is requesting a variance from Section 154.06.3.D.A.5, 154.06.3.D.A.6 and 154.06.3.D.A.7.b, relating to the minimum setback requirements for the Front, Rear and Corner Lot, respectively, for property known as 575 College, Parcel R30092, being Blk 112, Lot 6 of City Addition. The applicant is requesting a reduction to 15' for each section.

MEETING: Board of Adjustment – May 8, 2025
DEPARTMENT: Development Services
STAFF CONTACT: Steve Killen

BACKGROUND:

Three variances are requested, reducing the setbacks from 25' to 15'. NOTE; Each request must be acted on separately.

6.3.DHeight, Area, Yard and Lot Coverage Requirements.

- (A) *Single family dwelling.*
- (1) Maximum density: one dwelling unit per lot.
 - (2) Minimum lot area: 6,000 ft².
 - (3) Minimum lot width and lot frontage: 60 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: five feet.
 - (b) Corner lot: 25 feet from intersecting side street.

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;

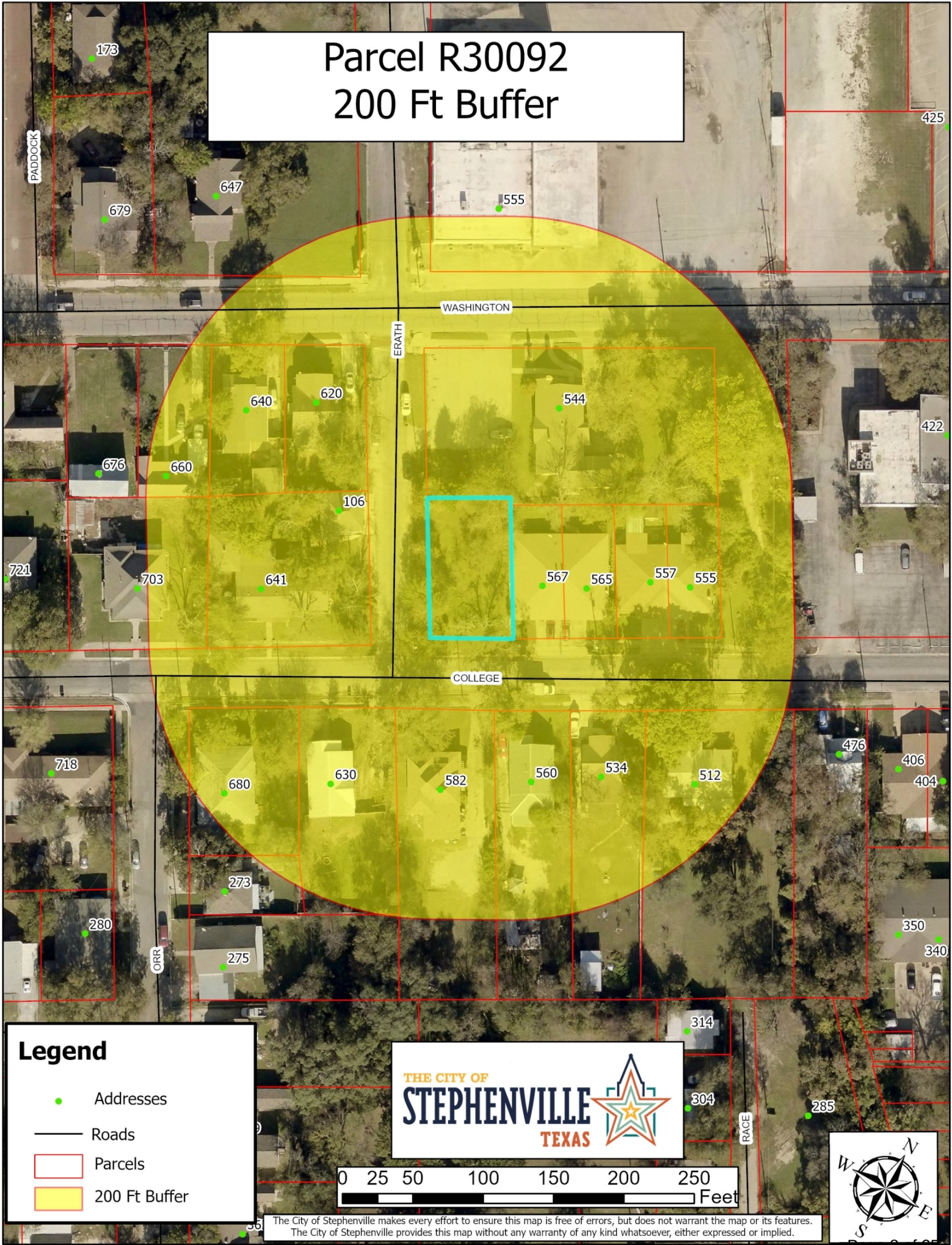
c. The City Staff's technical report on the appeal; and d. The Board's findings in its field inspection of the property.

(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 R30092 200 Ft Buffer



Legend

- Addresses
- Roads
- Parcels
- 200 Ft Buffer



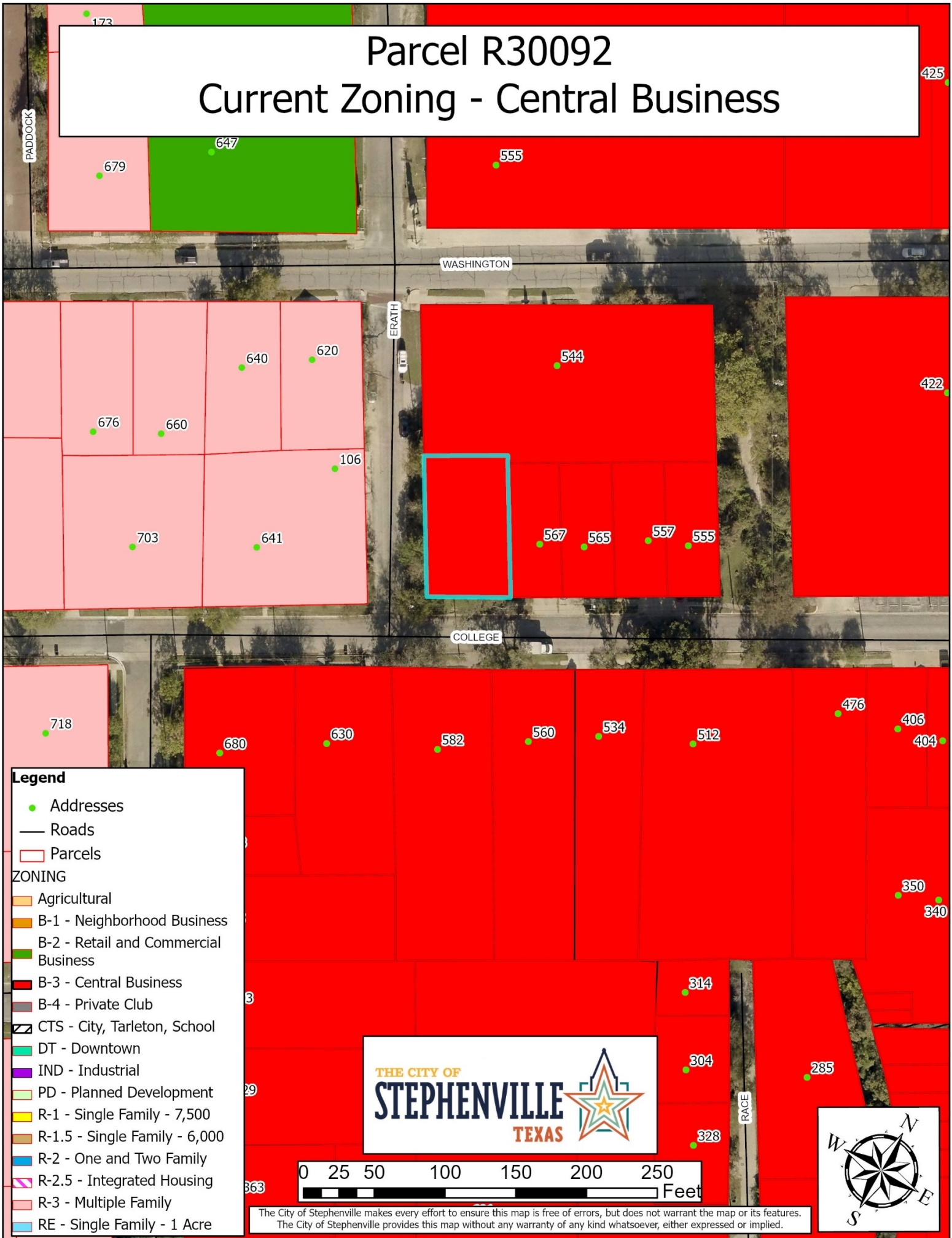
0 25 50 100 150 200 250 Feet



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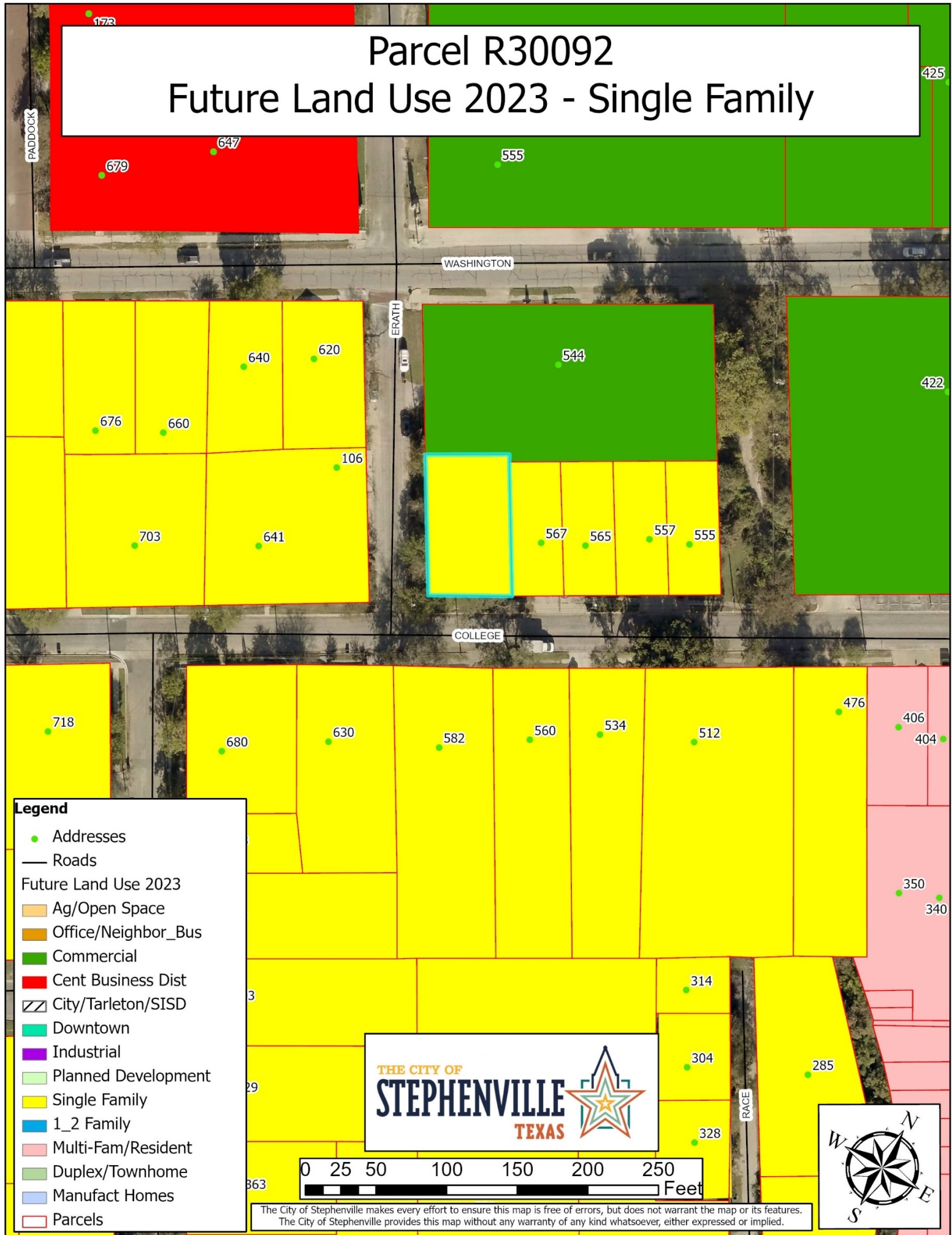
Parcel R30092

Current Zoning - Central Business



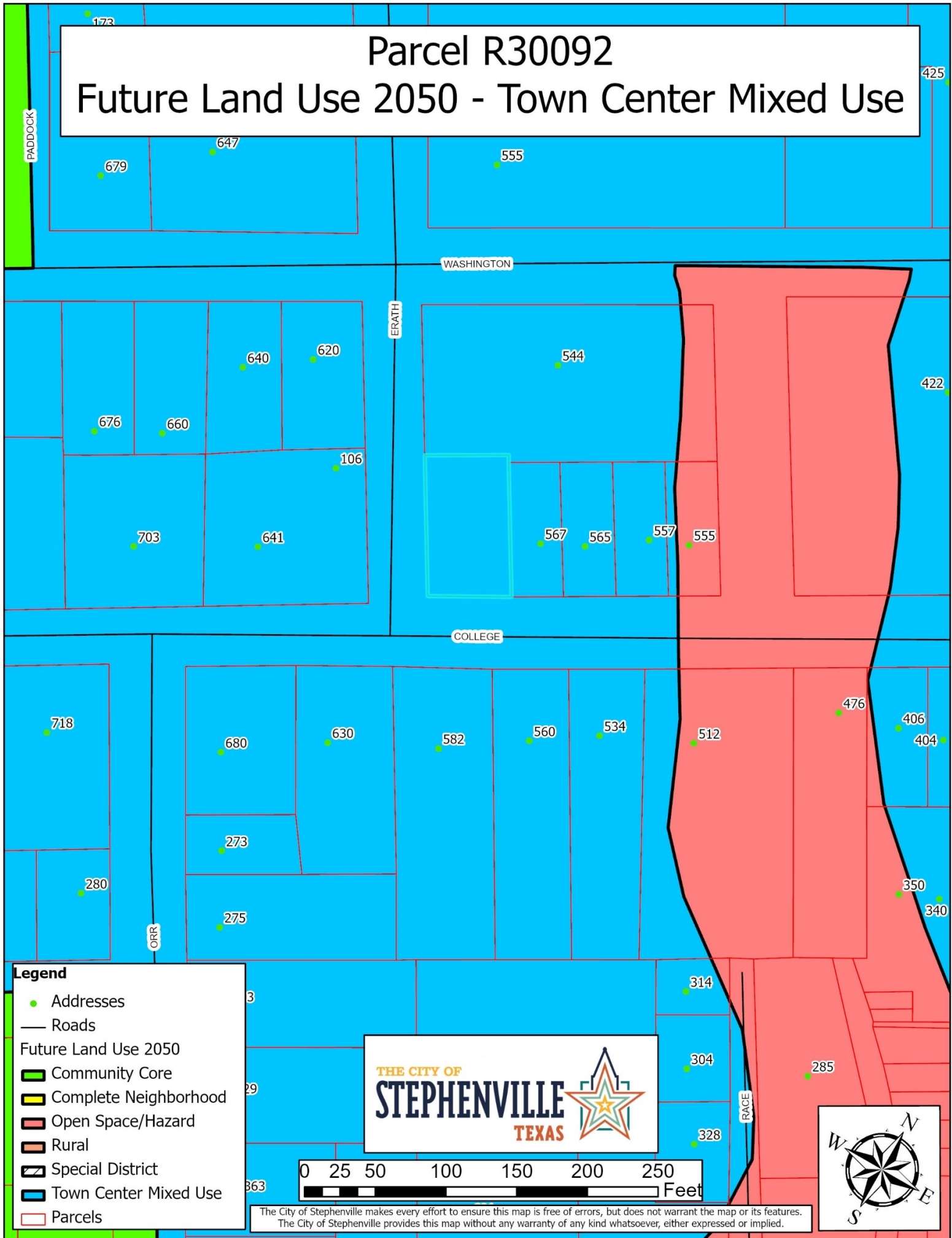
Parcel R30092

Future Land Use 2023 - Single Family

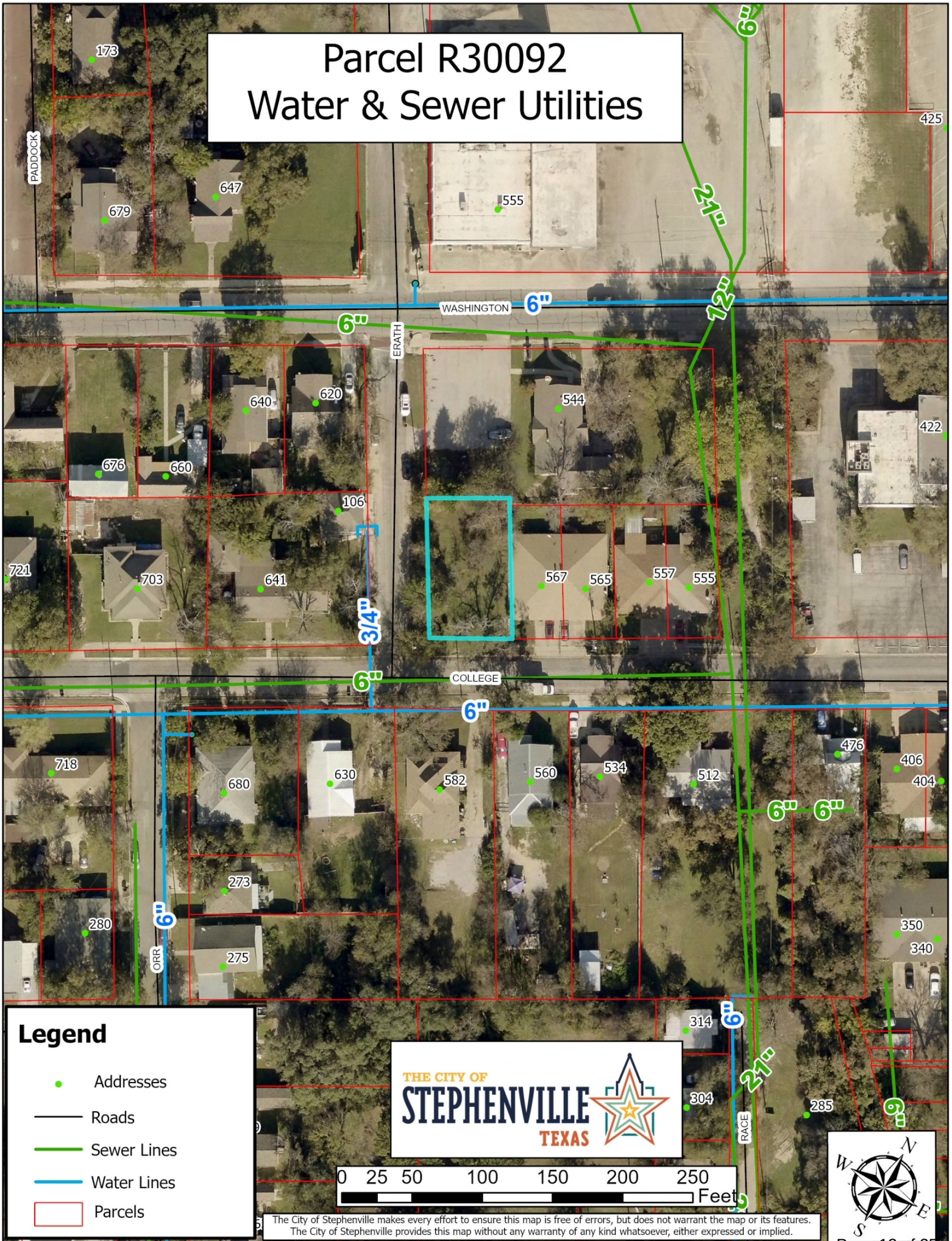


Parcel R30092

Future Land Use 2050 - Town Center Mixed Use



Parcel R30092 Water & Sewer Utilities



Legend

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

THE CITY OF
STEPHENVILLE
TEXAS

0 25 50 100 150 200 250 Feet

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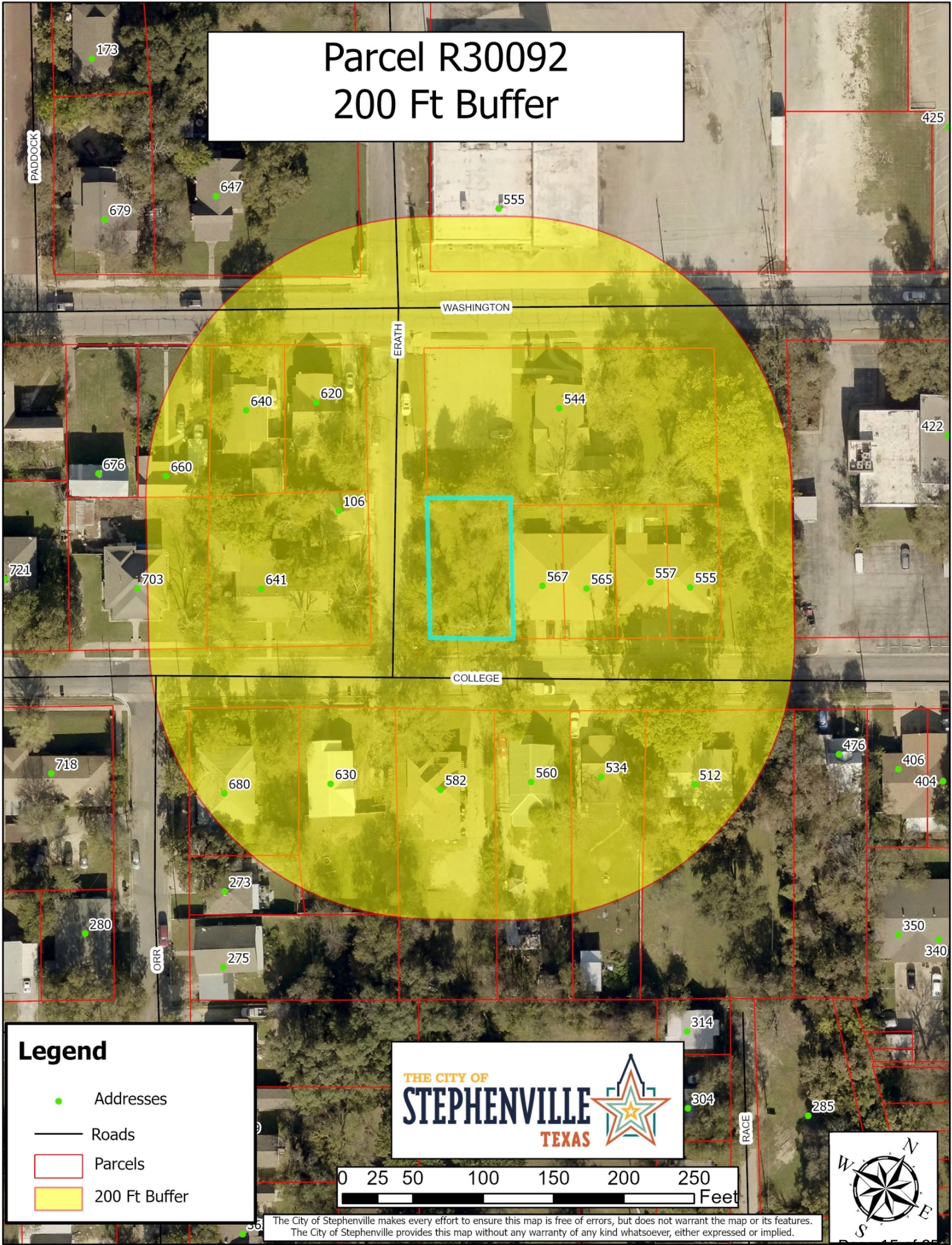


Parcel R30092

200 ft Buffer Addresses

Parcel ID	Parcel Address	Parcel Owner	Owner Address	City	State	Zip Code
R000030136	534 COLLEGE	AUVENSHINE TREY	534 COLLEGE	STEPHENVILLE	TX	76401
R000041197	544 W WASHINGTON	BACHUS JAMES O FAMILY TRUST	PO BOX 552	STEPHENVILLE	TX	76401-0552
R000030096	703 COLLEGE	BIRGE JOHN DOW & PHYLLIS	703 W COLLEGE ST	STEPHENVILLE	TX	76401
R000030090	557 W COLLEGE	BURCHETT TINA	557 W COLLEGE	STEPHENVILLE	TX	76401
R000030131	680 W COLLEGE	CHAVARRIA JOSE JUAN & MARIA C	680 W COLLEGE	STEPHENVILLE	TX	76401
R000030092	575 COLLEGE	COAN RICHARD D	PO BOX 71	STEPHENVILLE	TX	76401-0000
R000030091	567 COLLEGE	COAN STEVEN STONE & LESLIE COAN ROCHA	1909 ASHTON CT	COLLEYVILLE	TX	76034
R000042016	565 COLLEGE	COAN STEVEN STONE & LESLIE COAN ROCHA	1909 ASHTON CT	COLLEYVILLE	TX	76034
R000030088	555 W WASHINGTON	FIRST BAPTIST CHURCH-STEPHENVILLE	334 W GREEN	STEPHENVILLE	TX	76401
R000030089	422 W WASHINGTON	FIRST UNITED METHODIST CHURCH OF STEPHENVILLE	P O BOX 173	STEPHENVILLE	TX	76401-0000
R000030098	640 W WASHINGTON	KIPPERMAN TATE	933 W GEORGE ST APT 1N	CHICAGO	IL	60657
R000030094	620 W WASHINGTON	KOLB LAND MANAGERMENTS LLC	12071 RACHEL LEA LANE	FORT WORTH	TX	76179
R000030135	560 COLLEGE	MEEKS JEREMIAH & SARAH	560 COLLEGE	STEPHENVILLE	TX	76401
R000041422	555 COLLEGE	NORRIS MARCIA ANN EDGAR & ARLEN L EDGAR	6263 FM2303	STEPHENVILLE	TX	76401-7265
R000030097	660 W WASHINGTON	PATTERSON JESSE & KAY	5502 FM914	STEPHENVILLE	TX	76401-9689
R000030087	647 W WASHINGTON	RENFIELD LLC	115 N GRAHAM ST #202	STEPHENVILLE	TX	76401
R000030130	630 COLLEGE	ROE GARY & LISA ROE	240 AUTUMNWOOD	MINERAL WELLS	TX	76067
R000030133	275 ORR	ROLLING HILLS CAPITAL, LLC D/B/A 275 ORR, LLC	190 FOREST CT	ALEDO	TX	76008
R000030132	273 ORR	SAUNDERS BRAD & SHELLY	273 ORR	STEPHENVILLE	TX	76401
R000030134	512 COLLEGE	SMITH DONALD PAUL & RUTH NELL(ESTATE)	512 WEST COLLEGE	STEPHENVILLE	TX	76401
R000030129	582 W COLLEGE	SUMMER MOON EQUITY, LP	189 RETA	STEPHENVILLE	TX	76401
R000030095	641 COLLEGE	YATES ANGIE	1702 W SOUTH LOOP	STEPHENVILLE	TX	76401

Parcel R30092 200 Ft Buffer



Legend

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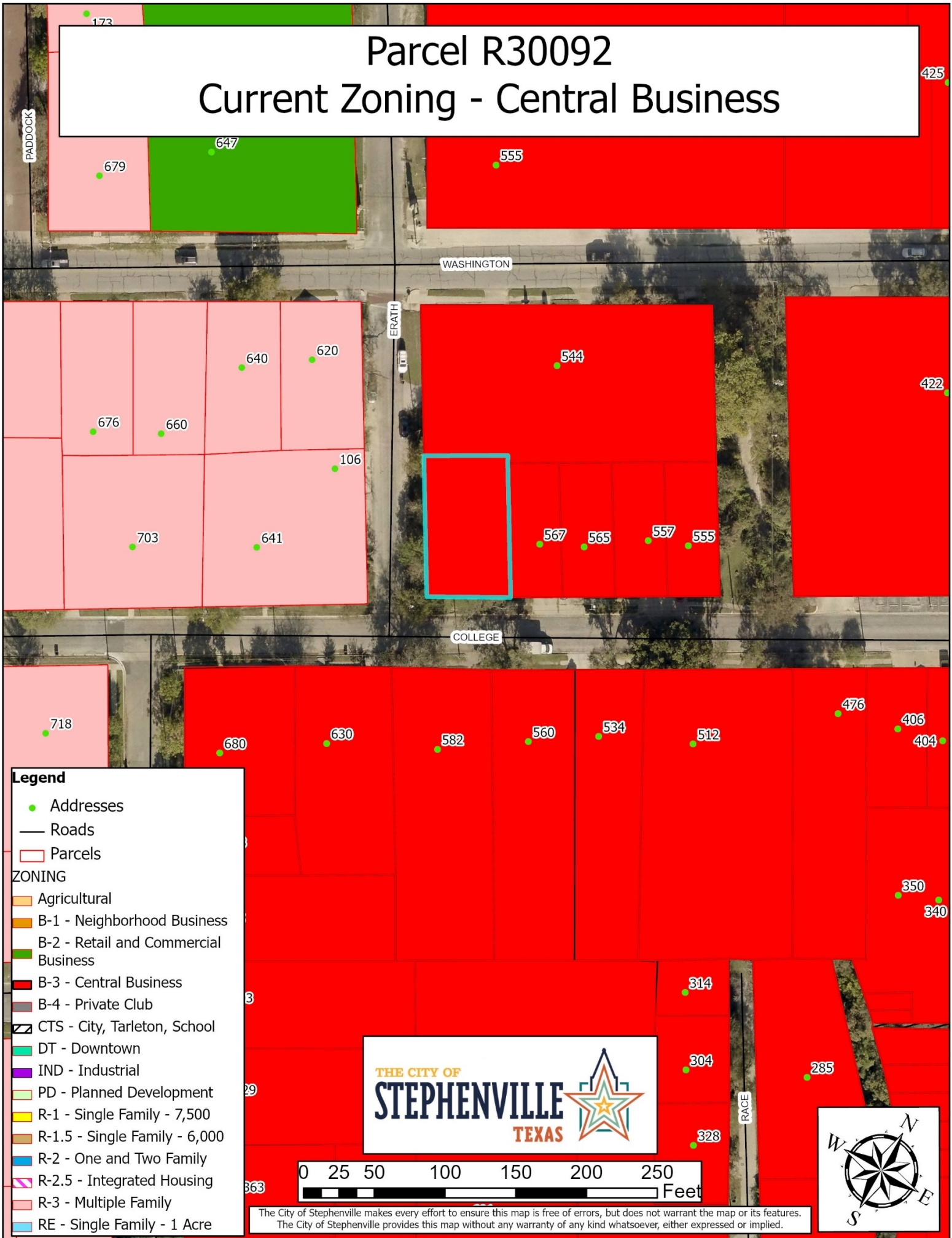
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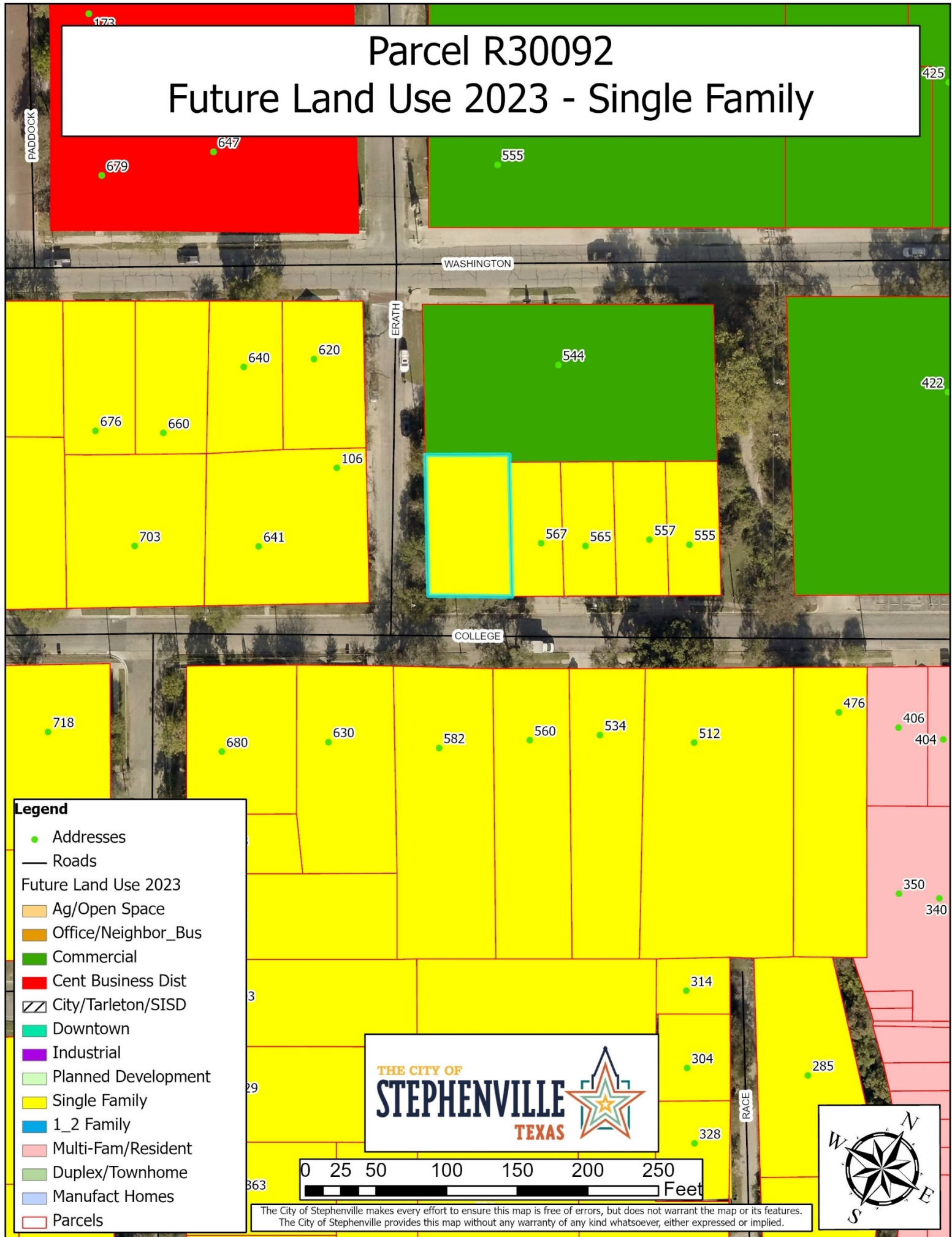
Parcel R30092

Current Zoning - Central Business



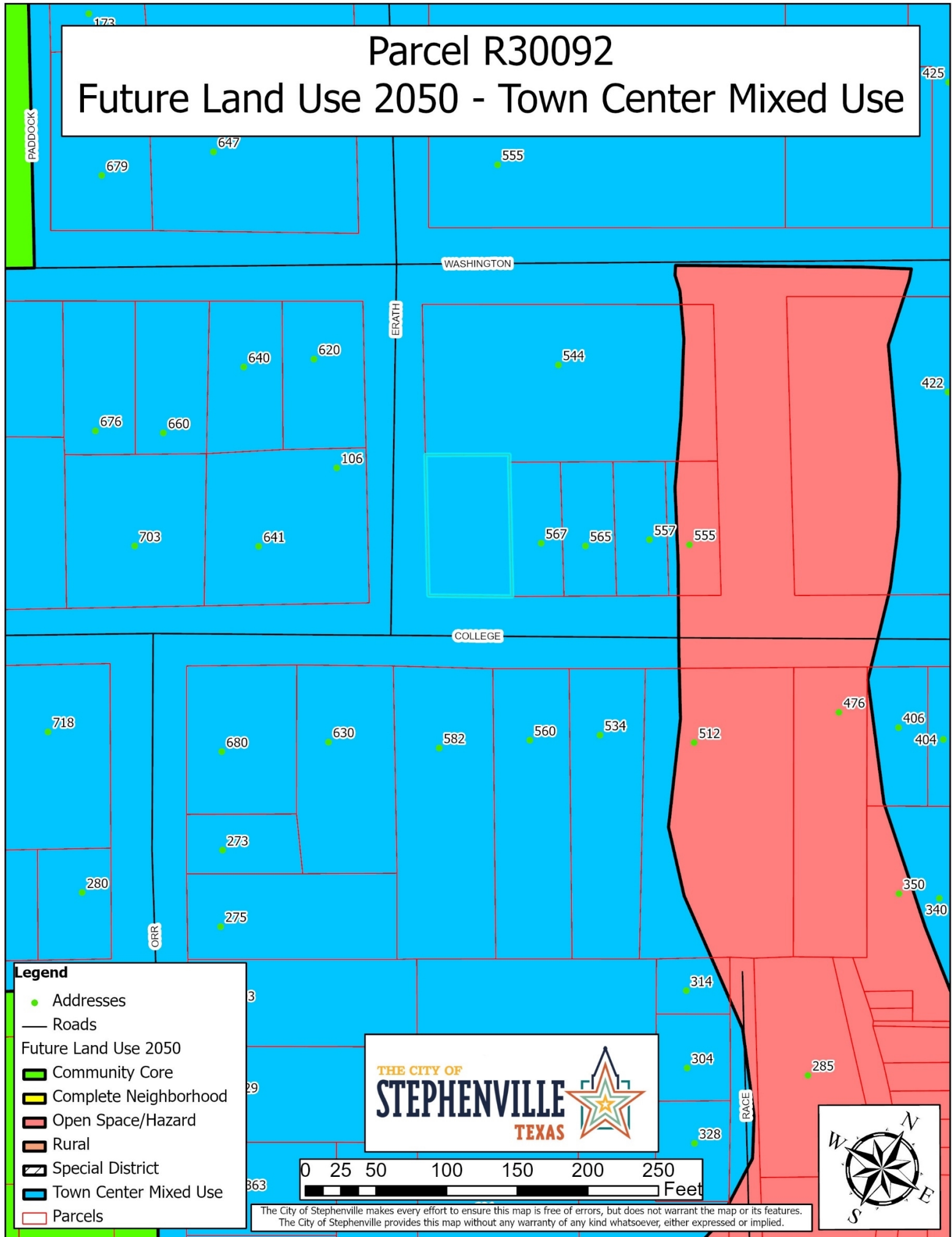
Parcel R30092

Future Land Use 2023 - Single Family



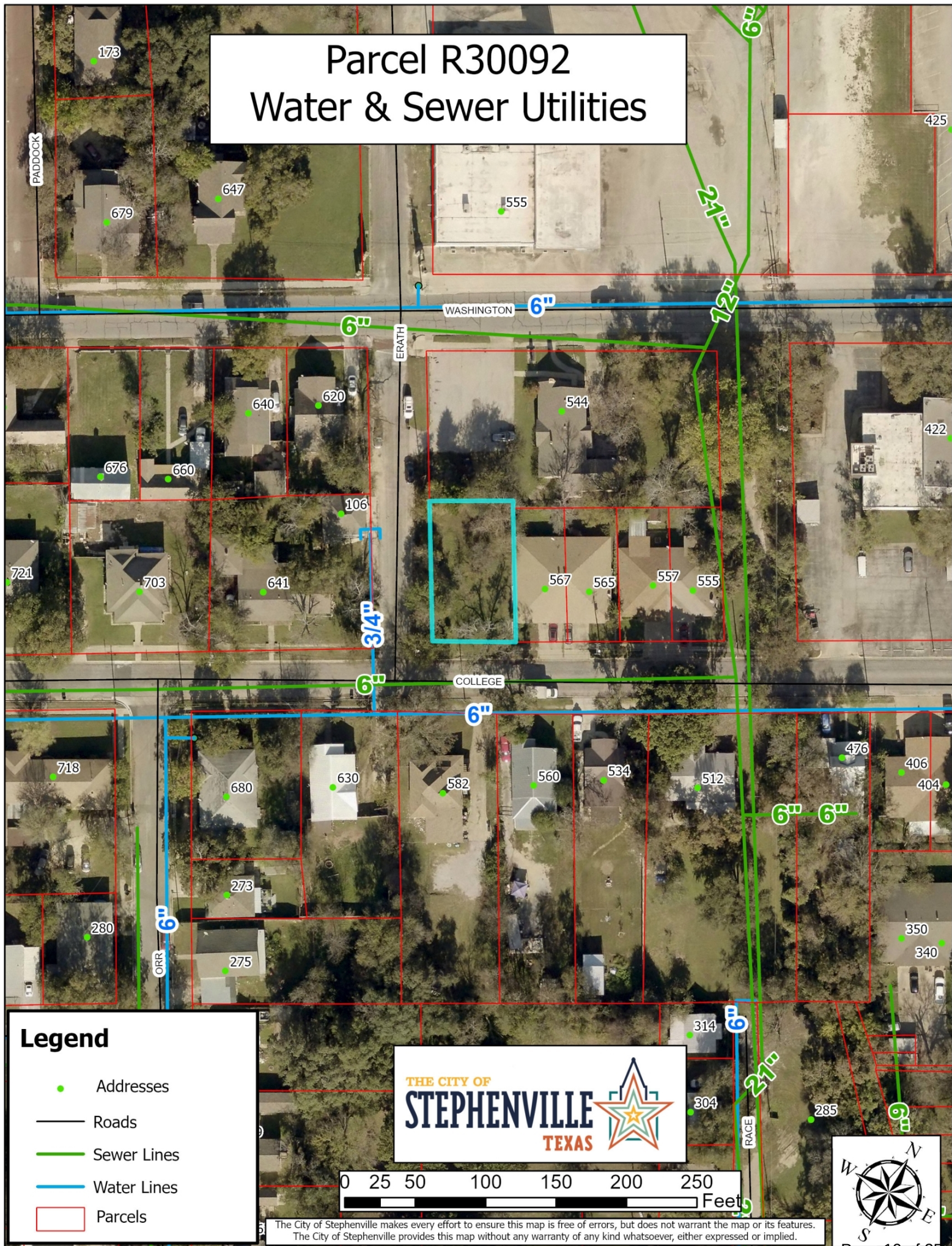
Parcel R30092

Future Land Use 2050 - Town Center Mixed Use



Parcel R30092

Water & Sewer Utilities



Parcel R30092

200 ft Buffer Addresses

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R000030095	641 COLLEGE	YATES ANGIE	1702 W SOUTH LOOP	STEPHENVILLE	TX	76401

Board of Adjustment STAFF REPORT



SUBJECT: Case No.: V2025-001

Applicant Jason Nitschke is requesting a variance from Section 154.05.8.D relating to minimum lot dimensions for property located at 791 N. Clinton, being Parcel R33319 of S5700 Shapard & Collins, Block 14, Lots 12 & 13 of the City of Stephenville, Erath County, Texas.

MEETING: Board of Adjustment – May 2, 2025

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen

BACKGROUND:

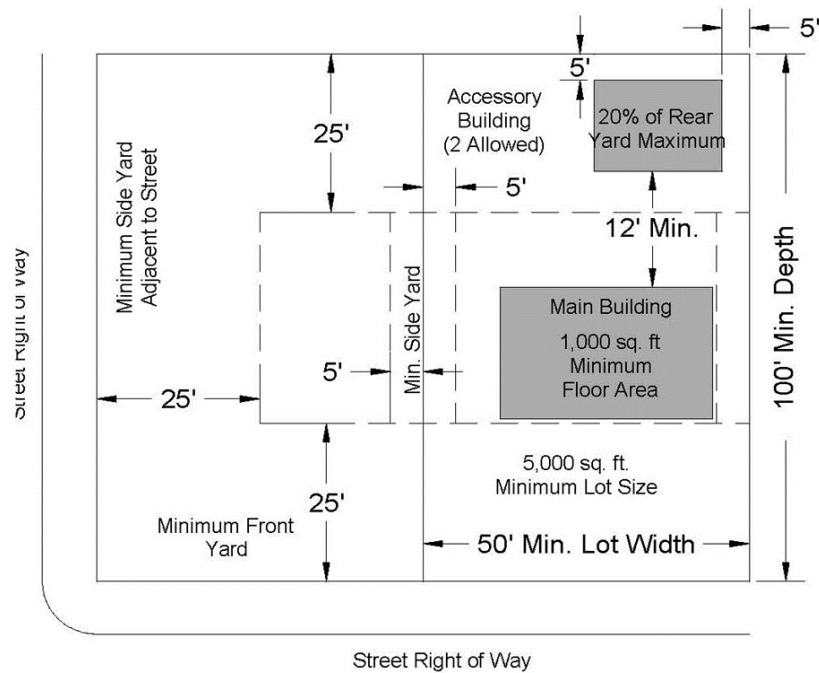
Mr. Nitschke was previously granted a variance for lot dept requirements to build townhome structures. His conceptual plan met lot width requirements, but, because of the existing configuration of the property, did not meet the depth requirements as the structures will front Shirley Street.

On April 16, 2025, the Planning and Zoning Commission provided a Conditional Approval of a Preliminary Plat that, in essence, creates a three-lot subdivision from the existing lots of 12 and 13. The Condition placed on the approval the Preliminary Plat was that the Board of Adjustment extend the variances to the lots specified on the Preliminary Plat.

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

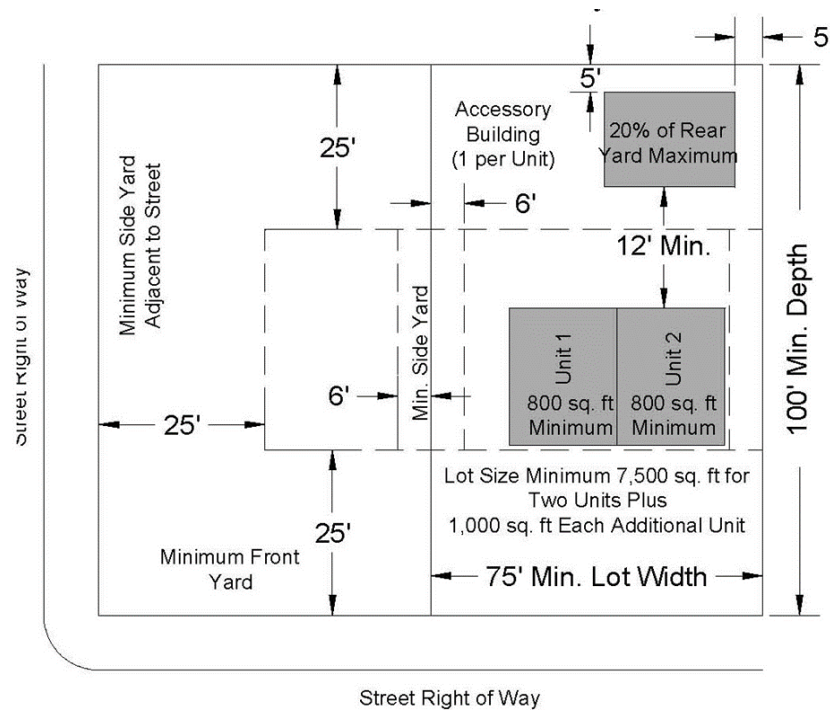
- A. Single family dwelling.
 - 1. Minimum lot area: 3,000 ft².
 - 2. Minimum lot width and lot frontage: 50 feet.
 - 3. Minimum lot depth: 60 feet.
 - 4. Minimum depth of front setback: 15 feet.
 - 5. Minimum depth of rear setback: 15 feet.
 - 6. Minimum width of side setback:
 - a. Internal lot: five feet.
 - b. Corner lot: 15 feet from intersecting side street.
 - 7. Building size:
 - a. Maximum coverage as a percentage of lot area: 40%.
 - b. Single family dwelling: 1,000 ft².
 - 8. Accessory buildings:
 - a. Maximum accessory buildings coverage of rear yard: 20%.
 - b. Maximum number of accessory buildings: one.
 - 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.
 - 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.



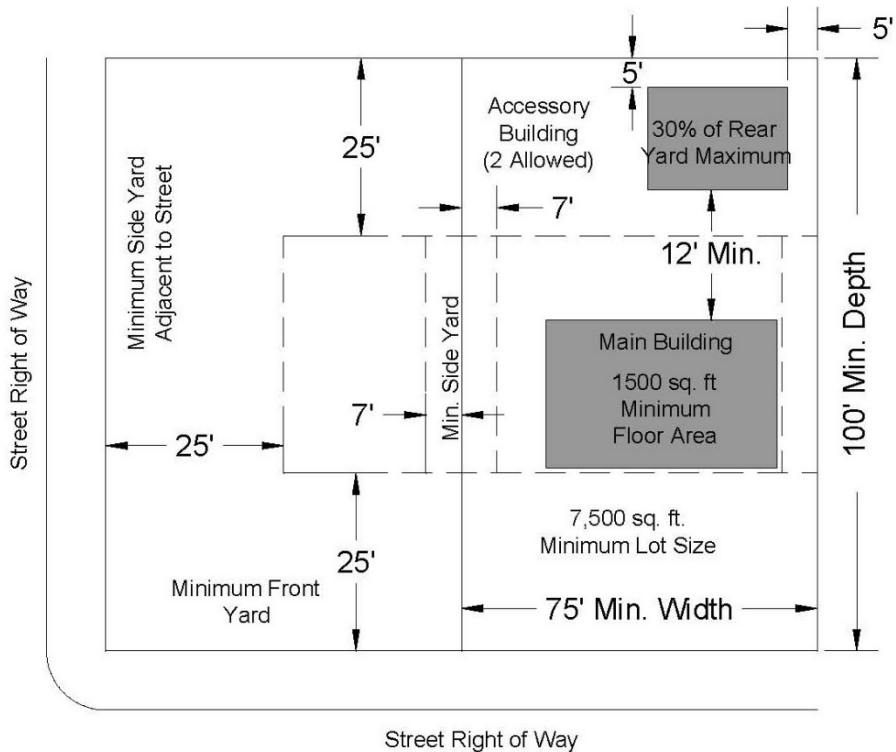
B. Two-to-four family.

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: 15 feet.
5. Minimum depth of rear setback: 15 feet.
6. Minimum width of side setback:
 - a. Internal lot: six feet.
 - b. Corner lot: 15 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.



C. Townhouse/Condominium.

1. Minimum lot area: 3,000 ft² per unit.
2. Minimum average lot width and lot frontage: 30 feet.
3. Minimum lot depth: 100 feet.
4. Minimum depth of front setback: 15 feet.
5. Minimum depth of rear setback: 15 feet.
6. Minimum width of side setback:
 - a. Internal lot: five feet.
 - b. Corner lot: 15 feet from intersecting side street.
7. Building size:
 - a. Maximum building coverage as a percentage of lot area: 40%
 - b. Minimum area of each Townhouse dwelling unit: 800 ft².
 - c. Minimum area of each Condominium of each dwelling unit: 500 ft² for one bedroom or less, plus 125 ft² of floor area for each additional bedroom.
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.



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