



Board of Adjustment
Regular Meeting

Thursday, July 10, 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 May 8, 2025

REGULAR AGENDA

2. **Application No.: V 8893**

Applicant Walter Latham is requesting a Variance from Section 154.21.3.C – Variance for the Construction of a Carport, for property located at 1630 Overhill, Parcel R29067, being BLOCK H; LOT 14 of the S2500 Chamberlin Addition of the City of Stephenville, Erath County, Texas.

3. **Public Hearing**

Application No.: V 8893

4. Consider Approval of Variance from Section 154.21.3.C – Variance for the Construction of a Carport, for property located at 1630 Overhill, Parcel R29067, being BLOCK H; LOT 14 of the S2500 Chamberlin Addition of the City of Stephenville, Erath County, Texas.

5. **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.

6. **Public Hearing**

Application No. V 8826

7. 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.

8. **Application No.: V 9004**

Applicant Nancy Barnhart is requesting a variance from Section 154.21.3.C – Variance for the Construction of a Carport, for property located at 906 Park St, Parcel R29984, being BLOCK 94; LOT 3 of the S2600 CITY ADDITION of the City of Stephenville, Erath County, Texas

9. **Public Hearing**

Application No.: V 9004

10. Consider Approval of variance from Section 154.21.3.C – Variance for the Construction of a Carport, for property located at 906 Park St, Parcel R29984, being BLOCK 94; LOT 3 of the S2600 CITY ADDITION 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
MAY 8, 2025

CALL TO ORDER

The Board of Adjustment of the City of Stephenville, Texas, convened on Thursday, May 8, 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
Mary Beach McGuire
Tina Virgin

Commissioners Absent:

Robert Nimmo

Others Attending:

Steve Killen, Director of Development Services
Jan Strahan, Commission Secretary

Chairman Quazi called the meeting to order at 4:00pm

Oath of Office administered by Jan Strahan, to Mary Beach McGuire

CITIZENS GENERAL DISCUSSION

No discussion at this meeting.

APPROVAL OF MINUTES

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

MOTION by JJ Conway, second by Mary Beach McGuire, to approve the Minutes from April 10th, 2025. MOTION CARRIED by unanimous vote.

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.

The applicant was not present for the request to be considered. The item was tabled.

3. Public Hearing

Application No: V 8826

Item was tabled.

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.

Item was tabled.

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.*

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

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.

6. Public Hearing

Application No.: V 8688

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

Applicant Jason Nitschke spoke in favor of the request.

Chairman Quazi closed the public hearing at 4:07pm.

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.**

MOTION by Mary Beach McGuire, second by JJ Conway to approve Application No. V 8688 as presented. MOTION CARRIED by unanimous vote.

ADJOURN

Chairman Dr. Moumin Quazi adjourned the Board of Adjustment meeting at 4:11pm.

APPROVED:

Moumin Quazi, Chair

ATTEST:

Jan Strahan, Commission Secretary

Board of Adjustment STAFF REPORT



SUBJECT: Application No.: V 8893

Applicant Walter Latham is requesting a variance from Section 154.21.3.C – Variance for the Construction of a Carport, for property located at 1630 Overhill, Parcel R29067, being BLOCK H; LOT 14 of the S2500 Chamberlin Addition of the City of Stephenville, Erath County, Texas.

MEETING: Board of Adjustment – July 10, 2025

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen

BACKGROUND:

Mr. Latham is requesting a variance for the construction of a carport over the property driveway. The driveway approach is on Rose Dr. If approved, the side setback will be reduced to 0' feet based on GIS imagery and the possibility that the carport could encroach the city Right-of-Way. Staff recommends if approved, the Board grant conditional approval, with the condition being that the carport not extend into the City ROW. An image of the GIS map is below. Exact dimensions cannot be determined with the documents provided. A new survey showing the property line and current setbacks would be necessary. By GIS mapping, the home is roughly 15' from the property line without the addition of the carport.



OVERHILL DR

ROSE DR

30'

APPROX PROP LINE

← 24' →

↑ 23' ↓

23' x 24' CARPORT

31'

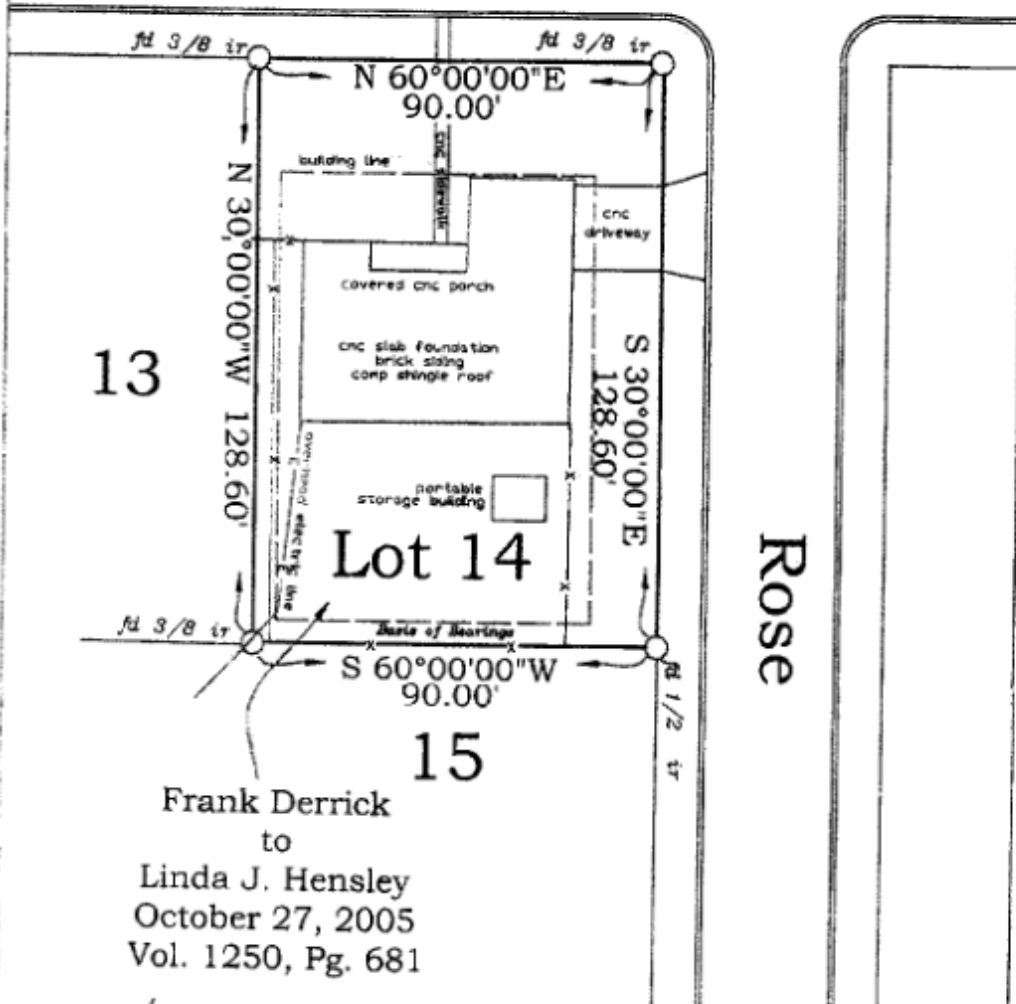
18'

SIDEWALK

OVERHANG HOUSE

1630 W. OVERHILL

Overhill



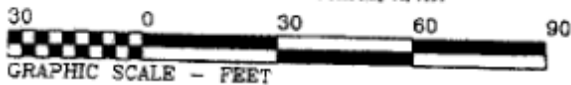
Survey of
Lot 14, Block H
 in the
Chamberlin Addition of the City of Stephenville, Texas
 by Kenneth D. Leatherwood

384 PR 829
 Stephenville, Texas 76401

Registered Professional Land Surveyor No. 5531

(254) 968-5539
 Fax (254) 968-6960

I, Kenneth D. Leatherwood, Registered Professional Land Surveyor No. 5531 of the State of Texas, certify that these field notes and accompanying plat are correct to the best of my knowledge and represent a survey made on the ground by me personally on 26 July 2011, and that there are no visible encroachments, encroachments, or protrusions, except as shown and that the improvements shown do not appear to be affected by the 100 year flood zone as shown on the U.S. Department of Housing and Urban Development Flood Insurance Rate Map, Community Panel No. 480220 0004 C, effective date July 16, 1991.



2/13/14 JHP

ZONING REQUIREMENTS:

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

- (9) Accessory buildings:
 - (a) Maximum accessory buildings coverage of rear yard: 30%.
 - (b) Maximum number of accessory buildings: two.
 - (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.

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

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 – July 10, 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.D Height, 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.

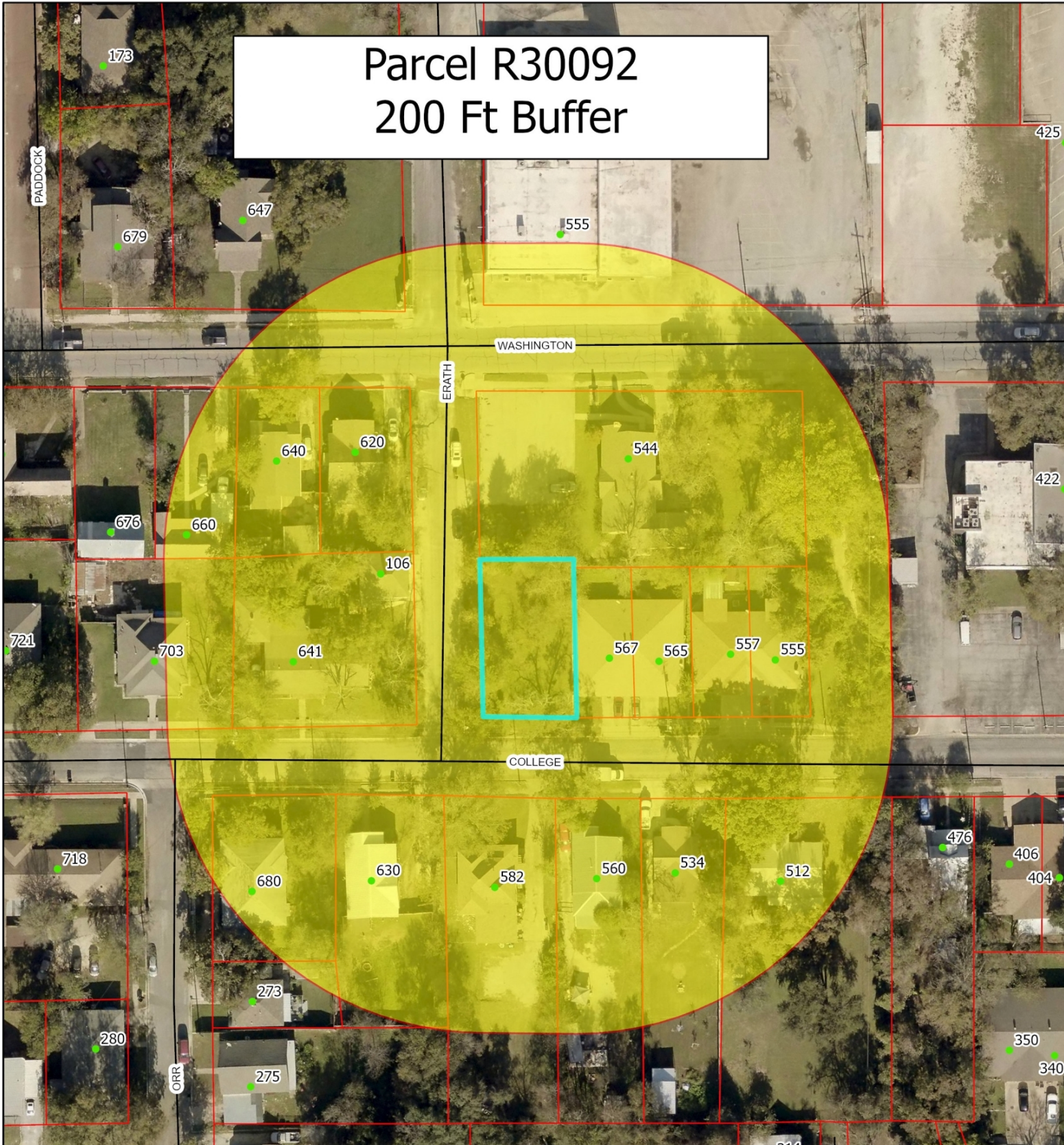
(b) Basis for action.

- (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:

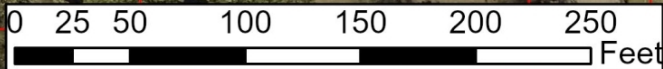
1. Approve the Variance Request
2. Deny the Variance Request

Parcel R30092 200 Ft Buffer



Legend

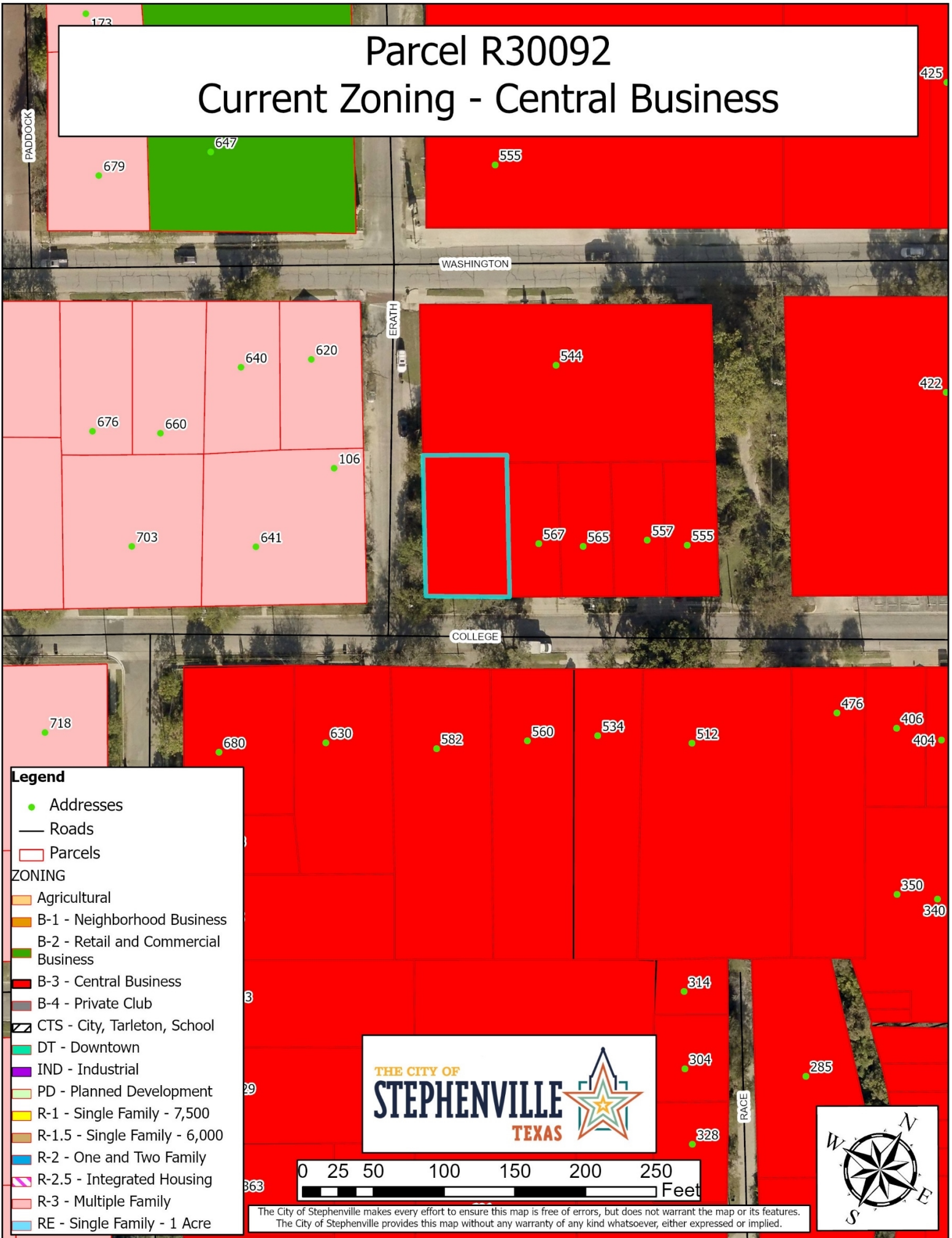
- Addresses
- Roads
- ▭ Parcels
- ▭ 200 Ft Buffer



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 expressed or implied.

Parcel R30092

Current Zoning - Central Business



Legend

- Addresses
- Roads
- ▭ Parcels

ZONING

- 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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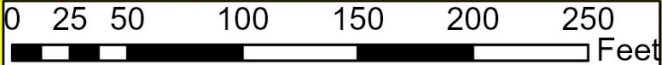
Parcel R30092

Future Land Use 2023 - Single Family



Legend

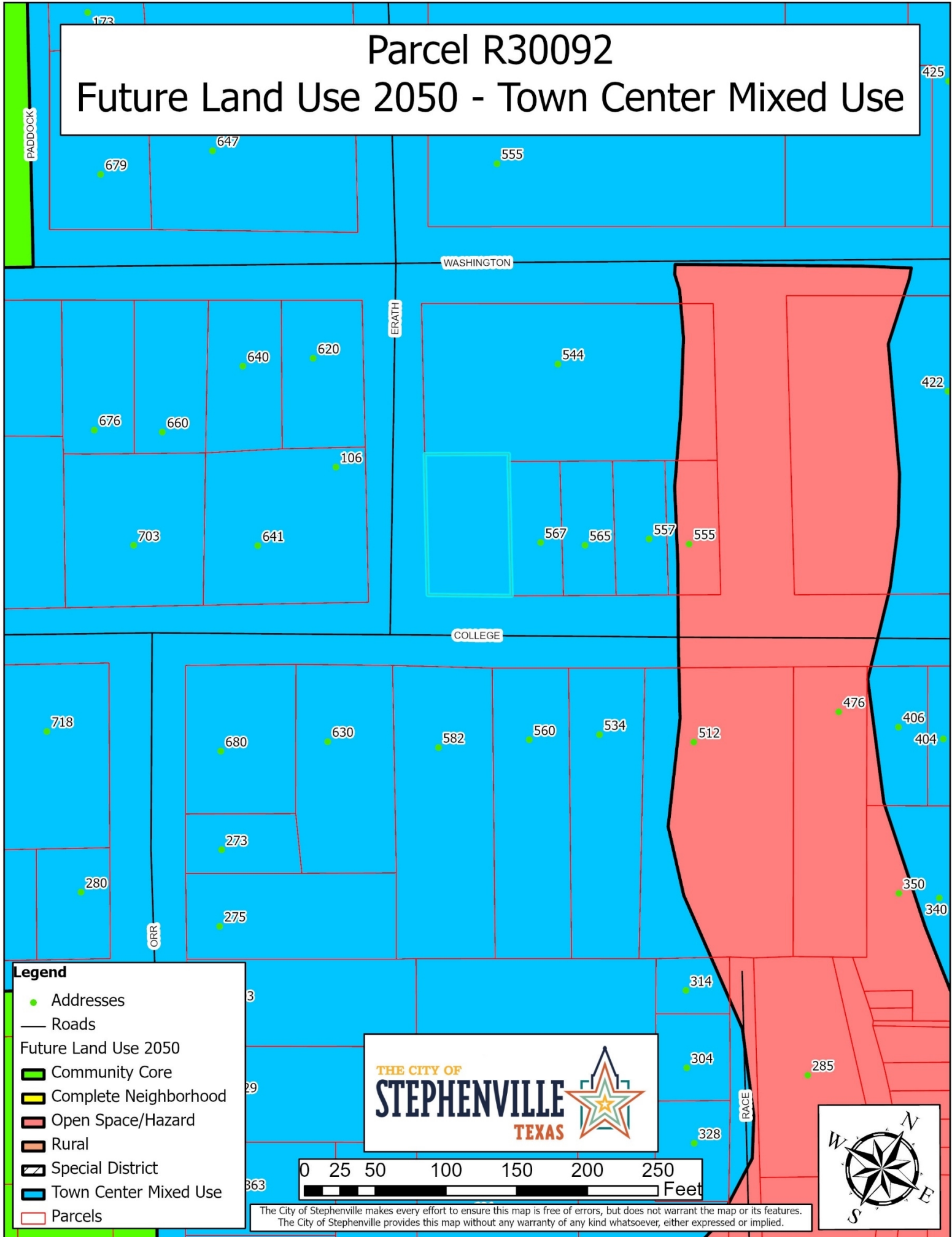
- Addresses
- Roads
- Future Land Use 2023
- Ag/Open Space
- Office/Neighbor_Bus
- Commercial
- Cent Business Dist
- City/Tarleton/SISD
- Downtown
- Industrial
- Planned Development
- Single Family
- 1_2 Family
- Multi-Fam/Resident
- Duplex/Townhome
- Manufact Homes
- Parcels



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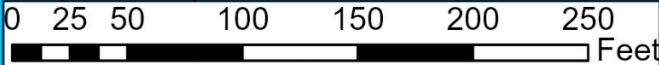
Parcel R30092

Future Land Use 2050 - Town Center Mixed Use



Legend

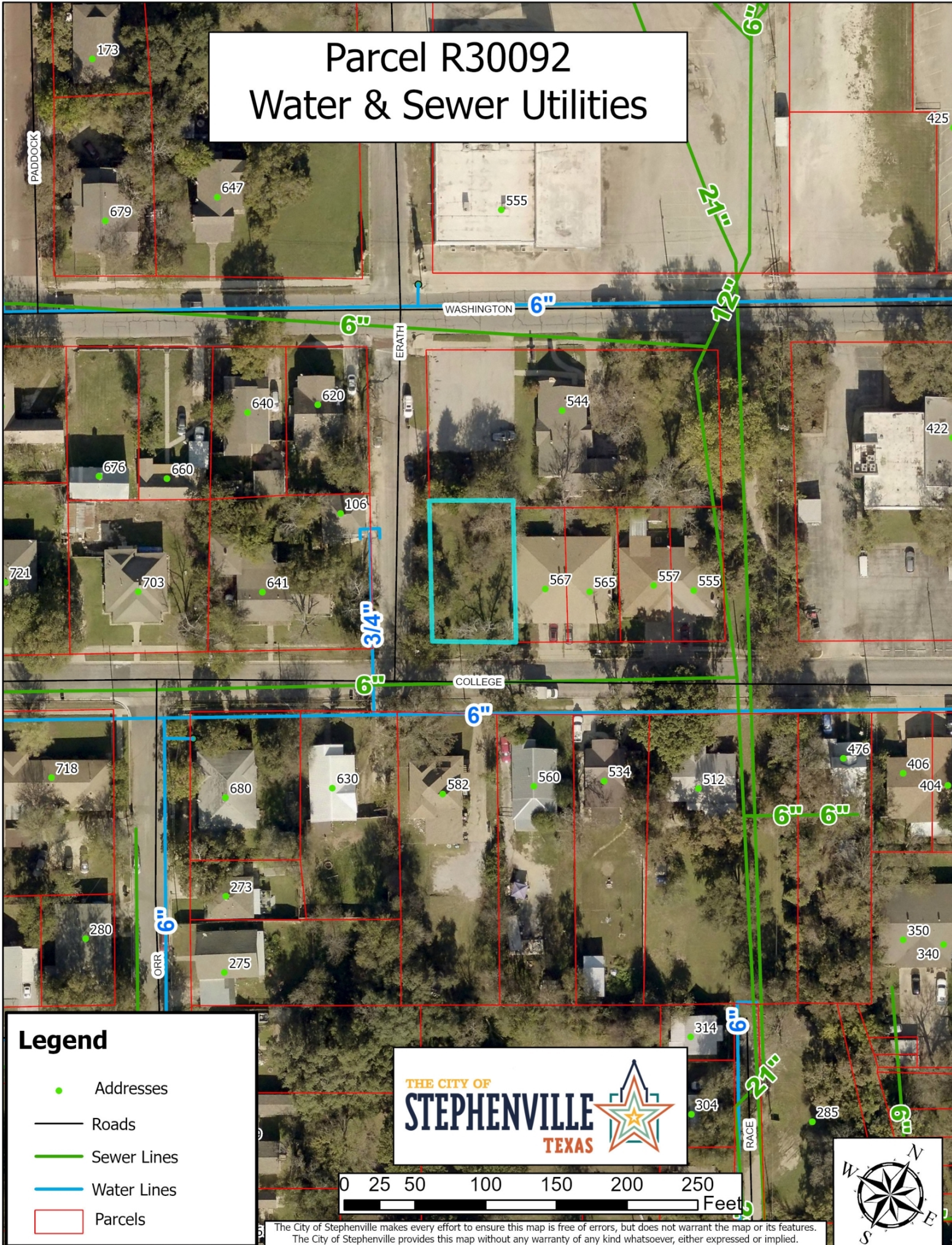
- Addresses
- Roads
- Future Land Use 2050
- Community Core
- Complete Neighborhood
- Open Space/Hazard
- Rural
- Special District
- Town Center Mixed Use
- Parcels



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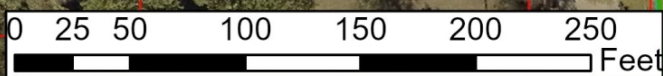


Parcel R30092 Water & Sewer Utilities



Legend

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



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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

Board of Adjustment STAFF REPORT



SUBJECT: Application No.: V 9004

Applicant Nancy Barnhart is requesting a variance from Section 154.21.3.C – Variance for the Construction of a Carport, for property located at 906 Park St, Parcel R29984, being BLOCK 94; LOT 3 of the S2600 CITY ADDITION of the City of Stephenville, Erath County, Texas.

MEETING: Board of Adjustment – July 10, 2025

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen

BACKGROUND:

Ms. Barnhart is requesting a variance for the construction of a 14x20 carport “inside the 25’ setback approximately 7’ from the road.” If approved, the carport would extend into the city Right-of-Way. Staff recommends if approved, the Board grant conditional approval, with the condition being that the carport not extend into the ROW. By GIS mapping, the home is roughly 15’ from the property line without the addition of the carport. The property line is approximately 10’ from the curb.



ZONING REQUIREMENTS:

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

- (9) Accessory buildings:
 - (a) Maximum accessory buildings coverage of rear yard: 30%.
 - (b) Maximum number of accessory buildings: two.
 - (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.

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