

# STAFF REPORT



**SUBJECT:** Case No.: RZ2021-013

Applicant Tim Trotter, is requesting a rezone of property at located at 0 Choctaw Rd, Parcel R34558, of WEST GATE ADDITION, BLOCK G (PART OF), of the City of Stephenville, Erath County, Texas, from (Ind.) Industrial to (R-1) Single Family.

**DEPARTMENT:** Development Services

**STAFF CONTACT:** Steve Killen

## RECOMMENDATION:

The Comprehensive Plan for future land use designates this property to be Single Family.

## BACKGROUND:

The intended project for the requested zoning is for single family residential construction. Mr. Trotter has completed the civil work and filed for a minor replat leading to the discovery of BLK G being zoned industrial. Mr. Trotter will be subdividing two parcels into four parcels via the minor replat process upon the approval of this rezone request.

The Planning and Zoning Commission will convene on July 21, 2021 and it is anticipated that the Commission will recommend approval of the rezoning request to the City Council.

### CURRENT ZONING:



### FUTURE LAND USE:



**Location**

Subject Site

**Zoning**

(I) Industrial

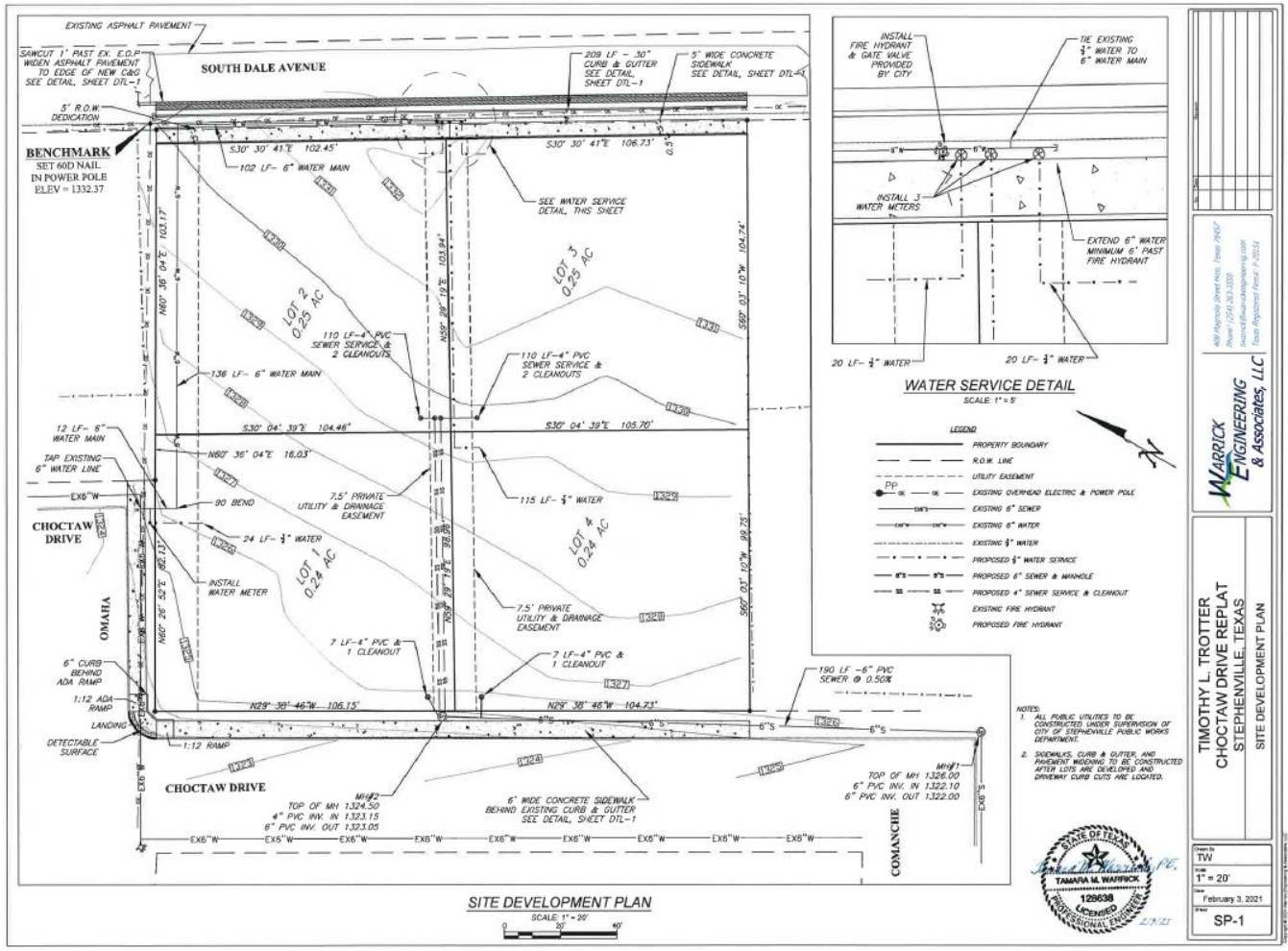
**Future Land Use**

Single Family

North	(R-1) Single Family	Single Family
South	(I) Industrial	Commercial/Single Family
East	(R-1) Single Family	Commercial
West	(R-1) Single Family	Single Family

**WATER, SEWER AND STREET DETAIL:**

The property is served by a 12" city water main in Hwy 377 and in Swan in Street.



**DESCRIPTION OF REQUESTED ZONING:**

**Sec. 154.05.3. Single-family residential district (R-1) (7,500 ft<sup>2</sup>).**

**5.3.A Description.** This residential district provides for a generally lesser density city neighborhood development. The primary land use allows for single-family dwelling development appropriate to a city-style neighborhood. Other uses within this district shall contribute to the nature of the neighborhood. Development within this district is intended to

be separate from and protected from the encroachment of land activities that do not contribute to the esthetic and functional well being of the intended district environment.

### **5.3.B Permitted Uses.**

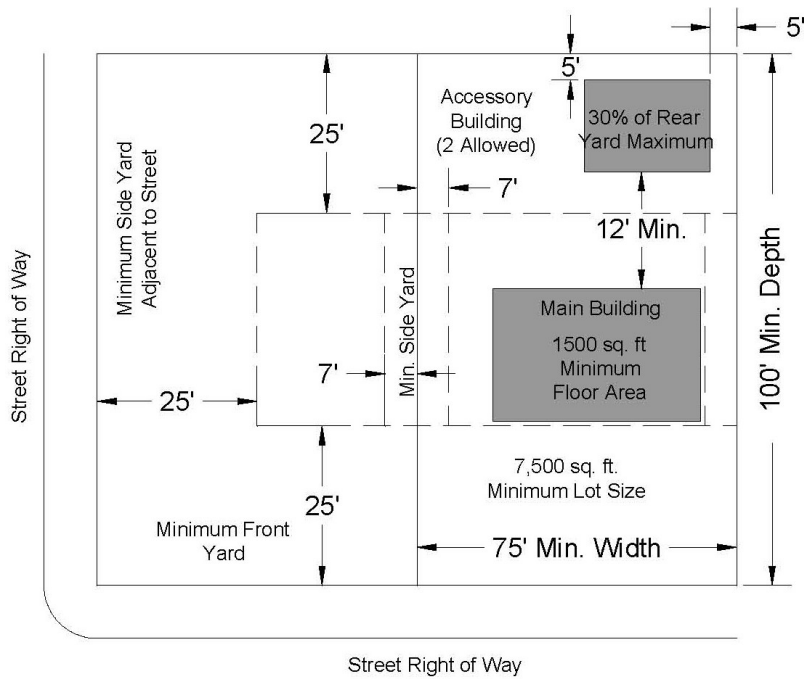
- (1) Single-family detached dwelling, limited to occupancy by a family having no more than three individuals who are unrelated by blood, legal adoption, marriage or conservatorship. The owner and any agent of the owner shall be legally responsible for directly or indirectly allowing, permitting, causing or failing to prohibit residential use of a dwelling in this district by more than three unrelated individuals;
- (2) Accessory buildings;
- (3) Churches, temple, mosques and related facilities;
- (4) Community home;
- (5) Park or playground; and
- (6) SISD school—public.

### **5.3.C Conditional Uses.**

- (1) Home occupation;
- (2) Common facilities as the principal use of one or more platted lots in a subdivision; and
- (3) Child care—registered family home.

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

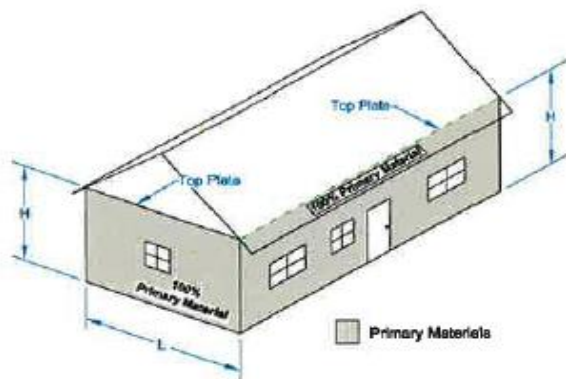
- (1) Maximum density: one dwelling unit per lot.
- (2) Minimum lot area: 7,500 ft<sup>2</sup>.
- (3) Minimum lot width and lot frontage: 75 feet.
- (4) Minimum lot depth: 100 feet.
- (5) Minimum depth of front setback: 25 feet.
- (6) Minimum depth of rear setback: 25 feet.
- (7) Minimum width of side setback:
  - (a) Internal lot: seven feet.
  - (b) Corner lot: 25 feet from intersecting side street.
- (8) Building size:
  - (a) Maximum main building coverage as a percentage of lot area: 40%.
  - (b) Minimum area of main building: 1,500 ft<sup>2</sup>.
- (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.
- (10) Maximum height of structures: 35 feet.
- (11) 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.



**5.3.E Parking Regulations.** A Single-Family, R-1 District lot shall provide a minimum of two vehicle parking spaces, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in this ordinance, Section 11, Parking Regulations of this ordinance.

**5.3.F Type of Construction.**

- (1) The exterior walls of all new dwellings to the top plate, shall be constructed exclusively of primary materials, excluding doors, windows, and porches. See Section 10.E(1): Exterior Building Material Standard—Primary Materials.
- (2) Existing dwellings expanding the total square footage of the building 50% or less, or modifying the exterior walls, may use the same exterior construction material as the existing primary building. If the material is not available, similar material may be used if approved by the Community Development Director.
- (3) Existing dwellings expanding the total square footage of the building by more than 50%, or proposing to use a material consistent with the primary structure for any expansion must use primary materials, Section 10.E(1): Exterior Building Material Standard—Primary Materials, for the expansion area.



**NEW CONSTRUCTION**

Total Exterior Wall shall equal 100% of Primary Materials. (Windows & Doors are excluded)

**EXISTING STRUCTURES**

- 1. Expanding or modifying the footage of the building 50% or less, may use the same exterior material as the existing primary building. If not available, approval is need from the Community Development Director.
- 2. Expanding or modifying the footage of the building 50% or more, must use 100% Primary Materials of the exterior wall.
- 3. Windows and Doors are excluded.

(Ord. 2011-26, passed 12-6-2011)

## **FACTORS TO CONSIDER:**

- Compliance with Comprehensive Plan?
- Is application consistent with Plan?
- If not, have conditions changed or new information been offered to support change?
- Surrounding Zoning and Land Use
- Infrastructure Impacts
- Size and Location of Parcel - is land large enough and in proper location for proposed use?
- Reasonable Use of Property - does proposed change provide reasonable use of property?
- Zoning has great discretion - deny if applicant has not proven it is in the best interest of City to rezone

## **ALTERNATIVES**

- 1) Accept the recommendation from the Planning and Zoning Commission and deny the rezoning request.
- 2) Modify the recommendation of the Planning and Zoning Commission and approve the rezoning request designating an alternate zoning classification.
- 3) Over-rule the recommendation of the Planning and Zoning Commission and approve the rezoning request.