

# STAFF REPORT



**SUBJECT:** Case No.: RZ2024-010

Applicant Ishmael Calvillo is requesting a rezone of property located at 1125 Alexander Rd, being Parcel R17553, Acres 1.380, A0196 DUPUY JOHN B; & HOUSE of the City of Stephenville, Erath County, Texas from (R-1) Single Family Residential to (R-2) One- and Two-Family Residential District.

**DEPARTMENT:** Development Services

**STAFF CONTACT:** Steve Killen, Director of Development Services

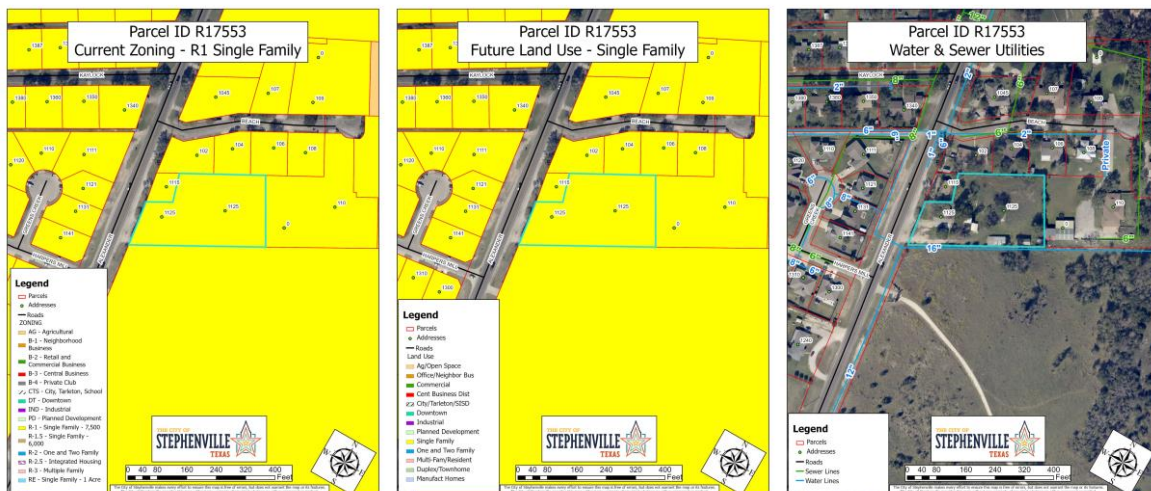
## RECOMMENDATION:

The Planning and Zoning Commission convened on August 21, 2024, and by unanimous vote, recommended the City Council deny the rezone request.

## BACKGROUND:

The property has current and future zoning of Single Family Residential. The applicant is requesting the rezone to build duplex homes. R-2 zoning includes single-family and two-family dwellings as permitted uses. Duplex style housing will require 75x100 lot dimensions. Water and sewer is available in the vicinity.

## PROPERTY PROFILE:



### Sec. 154.05.5. One- and two-family residential district (R-2).

**5.5.A Description.** This residential district provides for a neighborhood development of medium density. The primary land use allows for single-family dwellings, along with two family dwelling units. Recreational, religious and educational uses normally appropriate to such a residential neighborhood are also permitted to contribute to the natural elements of a convenient, balanced and attractive 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.

### 5.5.B Permitted Uses.

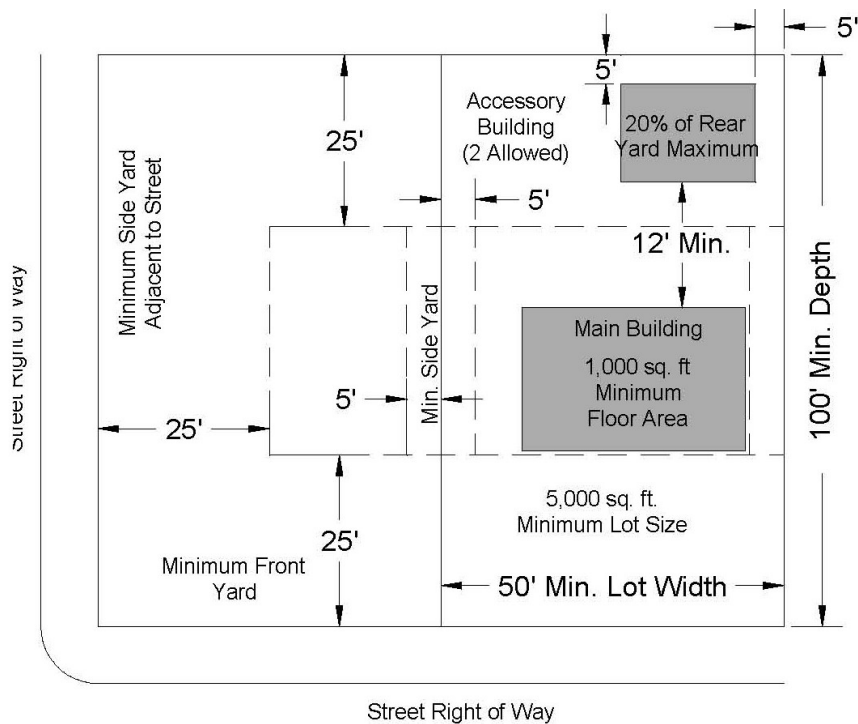
- (1) Single-family detached dwelling, limited to occupancy by a family having no more than three individuals who are unrelated by blood, legal adoption, marriage or conservatorship. The owner and any agent of the owner shall be legally responsible for directly or indirectly allowing, permitting, causing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

#### **5.5.C Conditional Uses.**

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

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

- (A) *Single family.*
  - (1) Minimum lot area: 5,000 ft<sup>2</sup>.
  - (2) Minimum lot width and lot frontage: 50 feet.
  - (3) Minimum lot depth: 100 feet.
  - (4) Minimum depth of front setback: 25 feet.
  - (5) Minimum depth of rear setback: 25 feet.
  - (6) Minimum width of side setback:
    - (a) Internal lot: five feet.
    - (b) Corner lot: 25 feet from intersecting side street.
  - (7) Building size:
    - (a) Maximum main building coverage as a percentage of lot area: 40%.
    - (b) Minimum area of main building: 1,000 ft<sup>2</sup>.
  - (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.

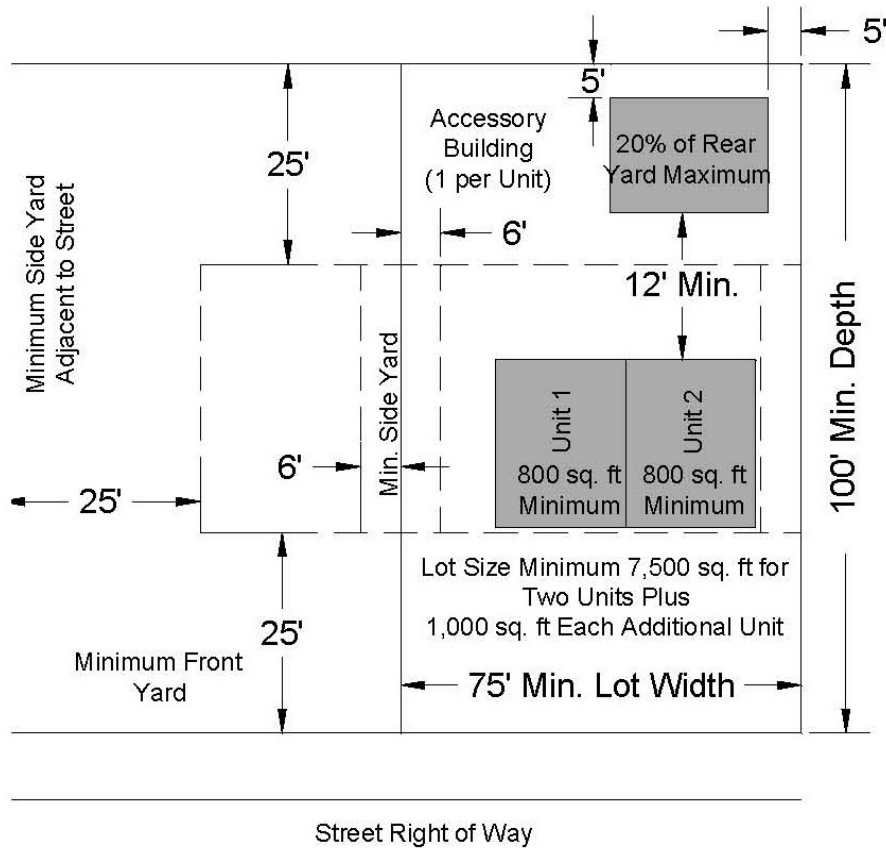


**5.5.E Parking Regulations.** A Single-Family, R-2 District lot shall provide a minimum of two vehicle parking spaces, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in this ordinance, Section 11, Parking Regulations of this ordinance.

(B) *Two-family.*

- (1) Minimum lot area: minimum of 7,500 ft<sup>2</sup> for two-family 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 main building coverage as a percentage of lot area: 40%.
  - (b) Minimum area of each dwelling unit: 800 (two-family unit = 1,600 ft<sup>2</sup>; two units of 800 ft<sup>2</sup> each).
- (8) Accessory buildings:
  - (a) Maximum accessory building coverage of rear yard: 20%.
  - (b) Maximum area of each accessory building: 200 ft<sup>2</sup>.
  - (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.

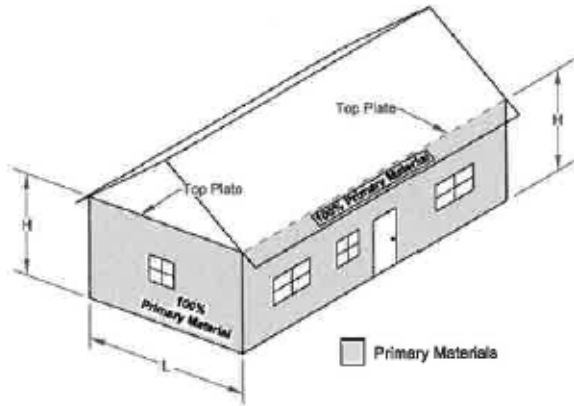
- (10) Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.



A Two-Family, R-2 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.

#### 5.5.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 property 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 approve.

#### ALTERNATIVES:

- 1) Accept the recommendation of the Planning and Zoning Commission and deny the rezoning request.
- 2) Approve the rezoning request.