



BOARD OF ADJUSTMENT MEETING

City Hall Council Chambers, 298 W. Washington
Thursday, May 9, 2024 at 4:00 PM

MINUTES

The Board of Adjustment of the City of Stephenville, Texas, convened on Thursday, May 9, 2024 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
JJ Conway, Vice-Chairperson
Dean Parr
Robert Nimmo
Mary Beach-McGuire

MEMBERS ABSENT: None
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.

CITIZENS GENERAL DISCUSSION

No discussion at this meeting.

MINUTES

1. Consider Approval of February 15, 2024 Minutes

MOTION by JJ Conway, second by Mary Beach-McGuire, to approve minutes as presented. MOTION CARRIED by unanimous vote of Board Members who were present at the February 15, 2024 meeting.

PUBLIC HEARING

2. Case No.: V2024-008

Applicant Darris Diaz is requesting a hearing pursuant to Section 154.21.3.C – Variance for the Construction of a Carport for property located at 1490 W Park, being Parcel R34252, being BLOCK 12; LOT 2A of the Tarleton Heights Addition of the City of Stephenville, Erath County, Texas.

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

Ms. Diaz is requesting a variance for the construction of a carport that will extend into the required rear yard setback for R-3 zoning districts, Multi-Family Residential. If approved, the 25 ft. setback requirement will be reduced to 18 feet.

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

Applicant Darris Diaz spoke in favor of the request and informed the Board that she is requesting a 6'5" setback in order to construct a carport on her property.

One letter of support was received from Martha Vazquez.

No one came forward to speak against the variance request.

Chairman Quazi closed the public hearing at 4:09 PM.

MOTION by Dean Parr, second by Mary Beach-McGuire, to approve Case No. V2024-008 as presented.

MOTION PASSED with a unanimous vote.

3. Case No.: V2024-009

Applicant Rock Creek Property No.1, LLC, is requesting a variance from Section 154.05.6.B(3) Student Living Occupancy Requirements for property located at 0 W Cedar St, being Parcel R78345, A0342 HUDSON H C of the City of Stephenville, Erath County, Texas.

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

The applicant is requesting a variance from R-3 Multi-Family occupancy requirements for student housing. They are requesting to have more than three unrelated persons per dwelling unit. Mr. Killen reminded the Board members that there are existing student housing complexes that have four bedrooms in their units. The variances will be necessary for the development to move forward. If approved, the applicant will be requesting a rezone of the property. Mr. Killen concluded his brief by stating that staff would be comfortable with the variance due to the fact that it is not unique to the community since there are similar structures in the city.

Board members Beach-McGuire, Nimmo, and Chairman Quazi posed numerous questions to Director Killen regarding the nature of the variance request, clarification on the type of project being presented and concerns related to student housing. Director Killen responded to each question separately and concisely.

Property owners of Rock Creek Property No. 1, LLC, Jeff and Gwyn Schneck were present to answer any questions that the Board may have.

Developer Landon Darwin with Lackland Holdings presented to the Board a preliminary site plan for a proposed student housing project. Mr. Darwin stated that the developers plan on building an institutional level student housing project in Stephenville for Tarleton State University. Mr. Darwin continued on conveying to the Board that the developers are planning to extend Harbin to meet the development as well as Caporal. As Mr. Darwin referred to the site plan he said that the project would have a total of 672 units with 1,960 beds with 40% of the units having four bedrooms, 30% having three bedrooms concluding with 30% of the units being two bedrooms. He concluded his presentation by explaining that the variance request would essentially be for the four-bedroom units.

Chairman Quazi inquired to the phases that were shown on the drawing and Mr. Darwin answered in the affirmative that the project would be built in two phases. Mr. Quazi also asked Mr. Darwin what the urgency for the variance requests were. Mr. Darwin replied that the urgency stemmed from the decision on whether to complete the contract with the landowners that is slated to close July 2024.

Chairman Quazi opened the public hearing at 4:25 PM.

One letter of support was received from Greg Bruner.

Two letters of opposition were received from Kenneth and Dereece Howell and Nick Robinson.

Nathan Collier, 1620 Cedar Street spoke in opposition to the variance request.

Ross McAngus, 891 Private Road 1424 spoke in opposition to the variance request.

Joan Boucher, 863 Private Road 1424 spoke in opposition to the variance request.

No one came forward to speak for the variance request.

Chairman Quazi closed the public hearing at 4:44 PM.

MOTION by Dean Parr, second by JJ Conway, to deny Case No. V2024-009 as presented.

Members Beach-McGuire and Nimmo expressed their concerns regarding the urgency and the lack of due process.

Member Conway expressed her desire that the project be presented as a Planned Development instead of a variance request.

Director Killen added that if the variance is approved then the developers will move forward with the rezone request of R-3 where they will present their case before the Planning and Zoning Commission and the City Council. A development review and Traffic Impact Analysis would likely be required of the developer.

MOTION to deny variance request PASSED with a 3/2 vote.

AYES: Robert Nimmo, Jj Conway, and Dean Parr

NOES: Mary Beach-McGuire and Moumin Quazi

4. Case No.: V2024-010

Applicant Rock Creek Property No.1, LLC, is requesting a variance from Section 154.05.6.E, related to student living parking requirements, for property located at 0 W Cedar St, being Parcel R78345, A0342 HUDSON H C of the City of Stephenville, Erath County, Texas.

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

The applicant is requesting a variance to reduce R-3 student housing parking requirements from 1.5 spaces per bed to 1.1 spaces per bed. Mr. Killen concluded his report by informing the Board that Mr. Darwin, with Lackland Holdings, has multiple site plans with different parking ratios for the Board's consideration.

Property owners of Rock Creek Property No. 1, LLC, Jeff and Gwyn Schneck were present to answer any questions that the Board may have.

Developer Landon Darwin with Lackland Holdings presented to the Board an alternative parking narrative. Mr. Darwin explained to the Board how developers made their calculations based on the desire for the student parking to reflect 1.1 spaces per bed. Mr. Darwin shared an exhibit with the

Board that provided examples of other cities' student housing parking requirements. He continued by stating that under the 1.1 parking space variance request, the total number of parking spaces for a 1,960-bed complex would be 2,162 which would break down to each bed having a parking spot with 196 guest parking spaces. Mr. Darwin presented other optional layouts with 1.22 and 1.35 parking ratios for the Board to review.

Board member Parr voiced his concern regarding transportation issues.

Chairman Quazi opened the public hearing at 5:06 PM.

One letter of support was received from Greg Bruner.

Two letters of opposition were received from Kenneth and Dereece Howell and Nick Robinson.

James Smola, owner of South Loop Pawn & Hobby Shop spoke in opposition to the variance request.

Nathan Collier, 1620 Cedar Street spoke in opposition to the variance request.

Ross McAngus, 891 Private Road 1424 spoke in opposition to the variance request.

Applicant/owner Gwen Bruner Schneck spoke in support of the variance request.

Chairman Quazi closed the public hearing at 5:37 PM.

MOTION by Mary Beach-McGuire, second by Dean Parr, to approve a variance to reduce R-3 parking requirements for student housing from 1.5 spaces to 1.35 spaces per bed.

After much discussion regarding density and parking needs, Chairman Quazi made a friendly amendment to —the motion which was accepted.

MOTION by Moumin Quazi, second by Robert Nimmo, to approve the amended motion for a variance to reduce R-3 parking requirements for student housing from 1.5 spaces to 1.22 spaces per bed.

MOTION PASSED with a unanimous vote.

5. Case No.: V2024-011

Applicant Rock Creek Property No.1, LLC, is requesting a variance from Section 154.05.6.D.D.7 related to the maximum height of structures for property located at 0 W Cedar St, being Parcel R78345, A0342 HUDSON H C of the City of Stephenville, Erath County, Texas.

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

The applicant is requesting a variance from the 35' height limitation to allow for the construction of multifamily buildings to a height of 40'. Director Killen clarified for the Board that the buildings will be kept to a three-story limit, however the developers are requesting the 40' height limit for the building to allow higher ceilings, not for a fourth floor.

Property owners of Rock Creek Property No. 1, LLC, Jeff and Gwyn Schneck were present to answer any questions that the Board may have.

Developer Landon Darwin with Lackland Holdings informed the Board that the height variance request was for being able to raise the ceilings from 8 feet to 9 feet with purely aesthetic purposes in mind.

Chairman Quazi opened the public hearing at 5:35 PM.

One letter of support was received from Greg Bruner.

Two letters of opposition were received from Kenneth and Dereece Howell and Nick Robinson.

Nathan Collier, 1620 Cedar Street spoke in opposition to the variance request.

No one came forward to speak for the variance request.

Chairman Quazi closed the public hearing at 5:37 PM.

MOTION by Robert Nimmo, second by JJ Conway, to approve Case No. V2024-011 as presented.

MOTION PASSED with a unanimous vote.

6. Case No.: V2024-013

Colby Pack representing Solid Ace Holdings, LLC, is requesting a variance from Section 154.05.6.D(B)(2) "Minimum Lot Width" for property located at 485 First, being Parcel R33557 of South Side Addition, Block 12, Lot 5A;6A of the City of Stephenville, Erath County, Texas.

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

Mr. Pack is requesting a 12' variance relating to the lot width of 75' in order to build a two-unit residential structure. The property is platted at approximately 63' of frontage along First. The current land use regulation requires 75' of frontage. Multiple parcels in the area do not meet the 75' requirement.

Chairman Quazi opened the public hearing at 5:45 PM.

Applicant Colby Pack spoke in favor of the request and had no additional information.

One letter of opposition was received from Cindy Kennedy.

No one came forward to speak for the variance request.

Chairman Quazi closed the public hearing at 5:47 PM.

MOTION by Mary Beach-McGuire, second by Robert Nimmo, to approve Case No. V2024-013 as presented.

MOTION PASSED with a unanimous vote.

7. Case No.: V2024-012

Applicant Renee White is requesting a hearing pursuant to Section 154.21.3.C – Variance for the Construction of a Carport for property located at 898 Charlotte, being Parcel R32011, being BLOCK 4; LOT 58 of the S3900 Groesbeck Addition of the City of Stephenville, Erath County, Texas.

Director Killen stated that the applicant, Renee White, was not present.

MOTION by Chairman Quazi, second by JJ Conway, to table Case No. V2024-012.

MOTION PASSED with a unanimous vote.

ADJOURN

The meeting was adjourned at 5:52 p.m.

APPROVED:

ATTEST:

Moumin Quazi, Chair

Tina Cox, Board Secretary