

STAFF REPORT



SUBJECT: Request for a Variance from the City of Stephenville Code of Ordinances, Section 130.16 Sale of Alcoholic Beverages for The Shack, located at 309 W. Washington

DEPARTMENT: Administration

STAFF CONTACT: Sarah Lockenour, City Secretary

BACKGROUND:

On October 30, 2023, the City Secretary's Office was contacted in reference to alcohol sales at **The Shack**, located at 309 W. Washington. Chapter 130.16 of the City of Stephenville Code of Ordinances prohibits the sale of alcohol within 300 feet of a school, hospital, or church. It further states that "The measurement of the distance between the place of business where alcoholic beverages are sold and the church or public hospital shall be along the property lines of the street fronts and from front door to front door, and in a direct line across intersections." The GIS Manager prepared a map measuring the distance from The Shack to the First United Methodist Church using the parameters of the ordinance; The Shack was found to be 290 feet from the First United Methodist Church.

Section 16.4 of the Ordinance allows for the City Council to grant a variance to the distance requirements "if it determines that the enforcement of the regulations in a particular instance is not in the best interest of the public, constitutes waste or inefficient use of land or other resources, creates an undue hardship on the applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or, for any other reason the City Council determines, after consideration of the health, safety, and welfare of the public and the equities of the situation, that the variance is in the best interest of the community."

Colbe Stoker, owner, has requested that the Council consider granting a variance in accordance with Chapter 130.16(4) to allow for the sale of alcohol.

A variance for the sale of alcohol in accordance with Chapter 130.16(4) was approved for The Shack, owned by Luke Sims and Craig Allen, at this same location on February 1, 2023.