

# STAFF REPORT



**SUBJECT:** Case No.: RZ2021-004

Applicant Jeff Brady is requesting a rezone of properties located at 1270 Hyman, Parcel R33799, Lot 5, Block 35, South Side Addition, to the City of Stephenville, Erath County, Texas, from (R-1) Single Family to (R-3) Multi-Family.

**DEPARTMENT:** Development Services

**STAFF CONTACT:** Steve Killen

## RECOMMENDATION:

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

## BACKGROUND:

### APPLICANT REQUEST:

The intended project for the requested zoning is for the future construction of a multifamily dwelling. The applicant states that the property is surrounded on three sides by multifamily zoning.

### CURRENT ZONING:

R-1 – Single Family

### FUTURE LAND USE:

Single Family

### DESCRIPTION OF REQUESTED ZONING

Sec. 154.05.6. - Multiple family residential district (R-3).

5.6.A **Description.** This residential district provides for medium to high-density city neighborhood development. The primary land use allows for single-family dwellings, two-to-four family dwelling units, and multiple family housing buildings and complexes. All R-3 zoning will be appropriate to a city-style neighborhood. Recreational, religious and educational uses are also permitted so as to contribute to the natural elements of a convenient, balanced and attractive neighborhood. Development within this district is intended to be protected from the encroachment of land activities that do not contribute to the esthetic and functional well being of the intended district environment.

### 5.6.B **Permitted Uses.**

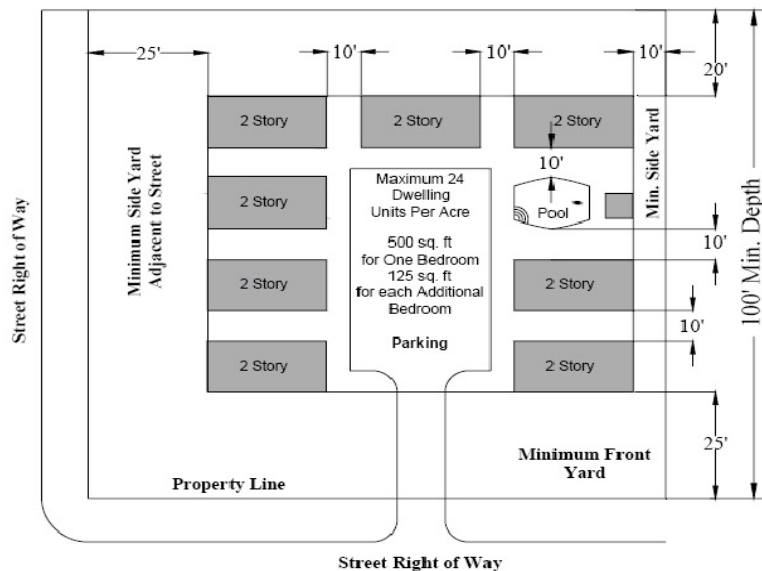
- (5) Multiple family dwellings, with each family limited as in division (1) above;
- (D) *Multiple family dwellings.*
  - (1) Minimum lot area: maximum density of 24 dwelling units per acre, which includes parking, access and all other area improvements.
  - (2) Minimum lot depth: 100 feet.
  - (3) Minimum depth of front setback: 25 feet.

- (4) Minimum depth of rear setback: 20 feet.
- (5) Minimum width of side setback:
  - (a) Internal lot: ten feet.
  - (b) Corner lot: 25 feet from intersecting side street.
- (6) Building size: Minimum area of each dwelling unit: 500 ft<sup>2</sup> for one bedroom or less plus 125 ft<sup>2</sup> of floor area for each additional bedroom.
- (7) Maximum height of structures: 35 feet.
- (8) 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.

*Height, Area, Yard and Lot Coverage Requirements*

**5.6.D Height, Area, Yard and Lot Coverage Requirements**

**Multiple Family Dwelling**



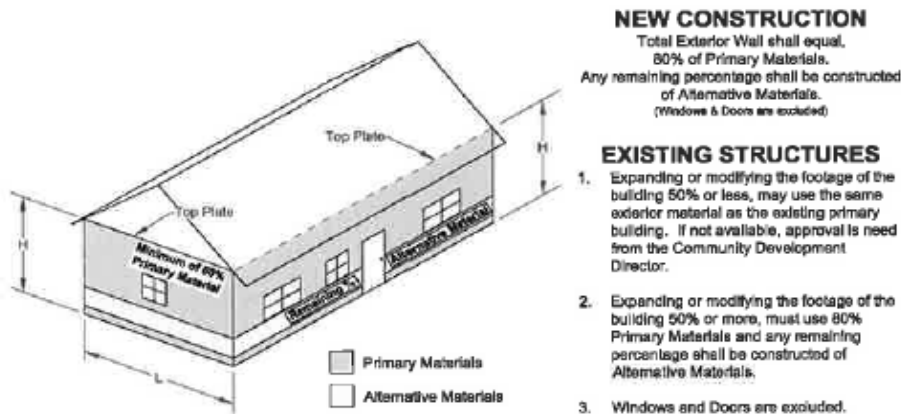
*Multiple-Family Dwelling*

A Multiple-Family, R-3 District lot shall provide a minimum of two vehicle parking spaces per dwelling unit, 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.

**5.6.F Type of Construction.**

- (1) The exterior walls of all new dwellings to the top plate, shall be constructed of at least 80% of the total exterior walls of primary materials, excluding doors, windows, and porches. See Section 10.E(1): Exterior Building Material Standard—Primary Materials.
- (2) Any remaining exterior walls of all new dwellings shall construct the remaining exterior walls of alternative materials. See Section 10.E(2): Exterior Building Material Standard—Alternative Materials.
- (3) 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.
- (4) Existing dwellings expanding the total square footage of the building more than 50%, or proposing to use a material inconsistent with the primary structure for any expansion, must meet the 80% minimum primary

materials, Section 10.E: Exterior Building Material Standard, for the total exterior walls of the structure. 5.



(Am. Ord. 2007-24, passed 12-4-2007; Am. Ord. 2008-13, passed 7-1-2008; Ord. 2011-26, passed 12-6-2011)

**WATER:**

The property is served by a 6" city water main in Hyman.

**SEWER:**

The property is served by a 6" sanitary sewer main in Hyman.

**STREET:**

The property is served by a city street (Miller).

**ZONING AND LAND USE:**

Location	Zoning	Future Land Use
Subject Site	(R-1) Single Family	Single Family
North	(R-3) Multifamily	Multifamily
South	(R-3) Multifamily	Single Family
East	(R-1) Single Family	Single Family
West	(R-3) Multifamily	Multifamily

**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) Recommend the City Council approve the rezoning request.
- 2) Recommend the City Council approve zoning other than requested.
- 3) Recommend the City Council deny the request for rezoning.