

# STAFF REPORT



**SUBJECT:** Case No.: RZ2024-009

Applicant Zane Cole is requesting a rezone of property located at 185 W Park, being Parcel R31466, S3500 FREY FIRST ADDITION, BLOCK 35;, LOT 7;8, of the City of Stephenville, Erath County, Texas from (R-1) Single Family Residential to (R-2.5) Integrated Housing District.

**DEPARTMENT:** Development Services

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

## RECOMMENDATION:

The Planning and Zoning Commission convened on July 17, 2024. The motion to approve the rezone request failed by a vote of 4-3. Therefore, pursuant to the Rules and Procedures, the case is forwarded to the City Council with no recommendation.

## BACKGROUND:

The property has current zoning of Single Family Residential with Future Land Use being Retail and Commercial. The applicant is requesting a rezone to construct an additional single-family home. R-2.5 zoning includes single-family homes as permitted use with lot dimension requirements being 50'x60'. Currently, this area is predominantly legal, non-conforming residential use.

## PROPERTY PROFILE:



## **Sec. 154.05.8 Integrated housing district (R-2.5).**

**5.8.A Description.** This integrated residential housing district provides for medium-density city neighborhood development. The primary land use allows for single-family dwellings, two-to-four family dwelling units, patio homes, condominiums and townhomes. Generally, this district is for developments resulting in individually platted homes or dwelling units and generally, owner occupied. 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 aesthetic and functional well-being of the intended district environment. The Integrated Housing District will be applicable to all Residential Districts, B-1 Neighborhood Business District (B-1), Central Business District (B-3), and Downtown District (DT).

### **5.8.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-to-four family dwellings, with each family limited as in division (1) above;
3. Townhouse dwellings, with each family limited as in division (1) above;
4. Condominium dwellings, with each family limited as in division (1) above;

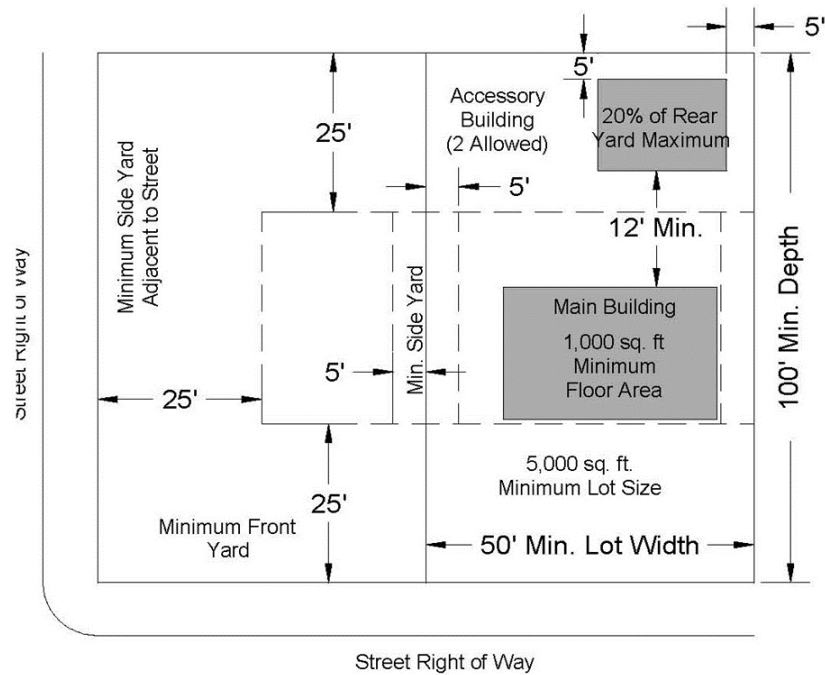
### **5.8.C Conditional Uses.**

1. Home occupation;
2. Common facilities as the principal use of one or more platted lots in a subdivision;
3. Adult and/or children's day care centers;
4. Foster group home; and
5. Residence hall.

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

- A. Single family dwelling.
  1. Minimum lot area: 3,000 ft<sup>2</sup>.
  2. Minimum lot width and lot frontage: 50 feet.
  3. Minimum lot depth: 60 feet.
  4. Minimum depth of front setback: 15 feet.
  5. Minimum depth of rear setback: 15 feet.
  6. Minimum width of side setback:
    - a. Internal lot: five feet.
    - b. Corner lot: 15 feet from intersecting side street.
  7. Building size:
    - a. Maximum coverage as a percentage of lot area: 40%.
    - b. Single family dwelling: 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.

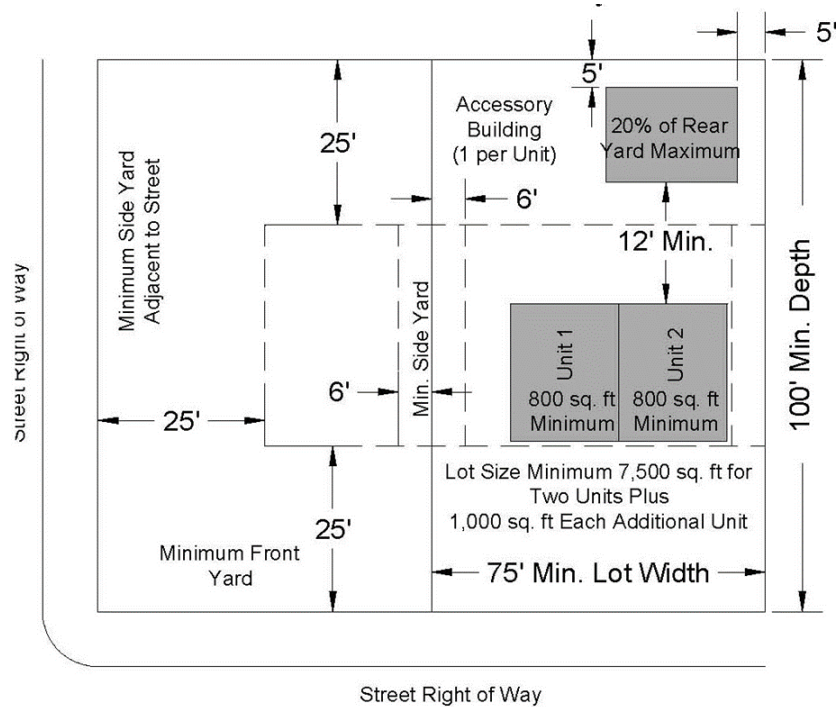
- c. Minimum depth of side setback: five feet.
  - d. Minimum depth of rear setback: five feet.
  - e. Minimum depth from the edge of the main building: 12 feet.
9. Maximum height of structures: 35 feet.
10. Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed 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.



B. Two-to-four family.

1. Minimum lot area: 7,500 ft<sup>2</sup> for two dwelling units, plus 1,000 ft<sup>2</sup> for each additional dwelling unit.
2. Minimum lot width and lot frontage: 75 feet.
3. Minimum lot depth: 100 feet.
4. Minimum depth of front setback: 15 feet.
5. Minimum depth of rear setback: 15 feet.
6. Minimum width of side setback:
  - a. Internal lot: six feet.
  - b. Corner lot: 15 feet from intersecting side street.
7. Building size:
  - a. Maximum coverage as a percentage of lot area: 40%.
  - b. Minimum area of each dwelling unit: 800 ft<sup>2</sup>.
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.

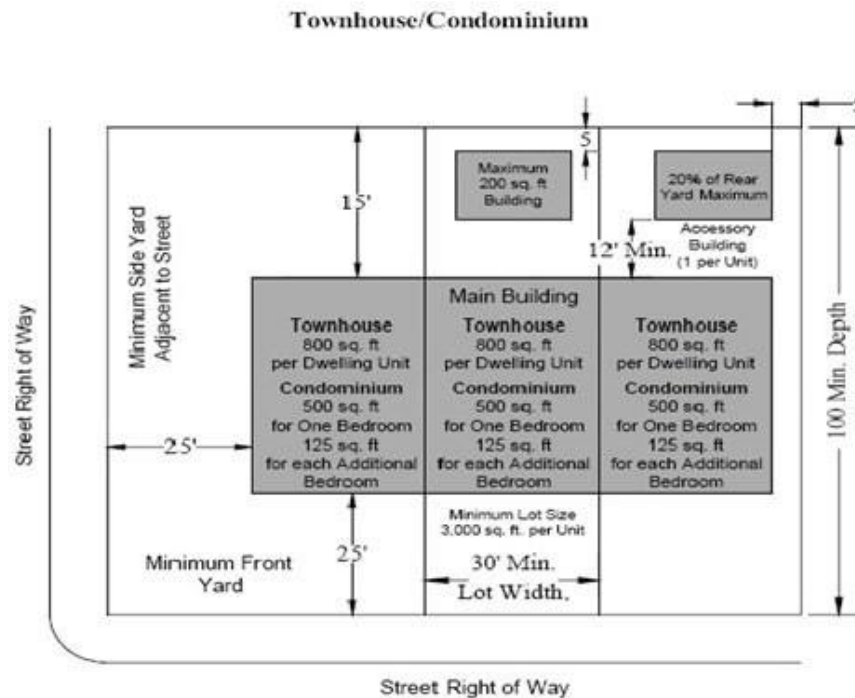
- f. Minimum depth from the edge of the main building: 12 feet.
- 9. Maximum height of structures: 35 feet.
- 10. Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.



C. Townhouse/Condominium.

- 1. Minimum lot area: 3,000 ft<sup>2</sup> per unit.
- 2. Minimum average lot width and lot frontage: 30 feet.
- 3. Minimum lot depth: 100 feet.
- 4. Minimum depth of front setback: 15 feet.
- 5. Minimum depth of rear setback: 15 feet.
- 6. Minimum width of side setback:
  - a. Internal lot: five feet.
  - b. Corner lot: 15 feet from intersecting side street.
- 7. Building size:
  - a. Maximum building coverage as a percentage of lot area: 40%
  - b. Minimum area of each Townhouse dwelling unit: 800 ft<sup>2</sup>.
  - c. Minimum area of each Condominium 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.
- 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.
11. Maximum density of Townhome or Condominium Housing within the R-2.5 District shall not exceed 14 units per acres with each unit platted separately.
12. Deviations from the required standards within the R-2.5 district will be subject to site plan review by the Planning and Zoning Commission and subsequent approval by City Council. Site plans should include renderings with elevations, a finish schedule and incorporate architectural designs that complement the existing structures of the area of integration.



**5.8. EParking Regulations.** Lots in this District 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 Section 154.11 *Parking spaces for vehicles* of this ordinance.

( Ord. No. 2021-O-28 , § 1, passed 9-7-2021)

**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) Approve the rezoning request.
- 2) Deny the rezoning request.