

STAFF REPORT



SUBJECT: Case No.: RZ2023-005

Applicant Ryan Studdard, representing Aaron Caulder, is requesting a rezone of property located at 711 Miller, Parcel R32523, being Acres 0.177, S5000 J.W. MILLER ADDITION; BLOCK 2; LOT 1 of the City of Stephenville, Erath County, Texas

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen, Director of Development Services

RECOMMENDATION:

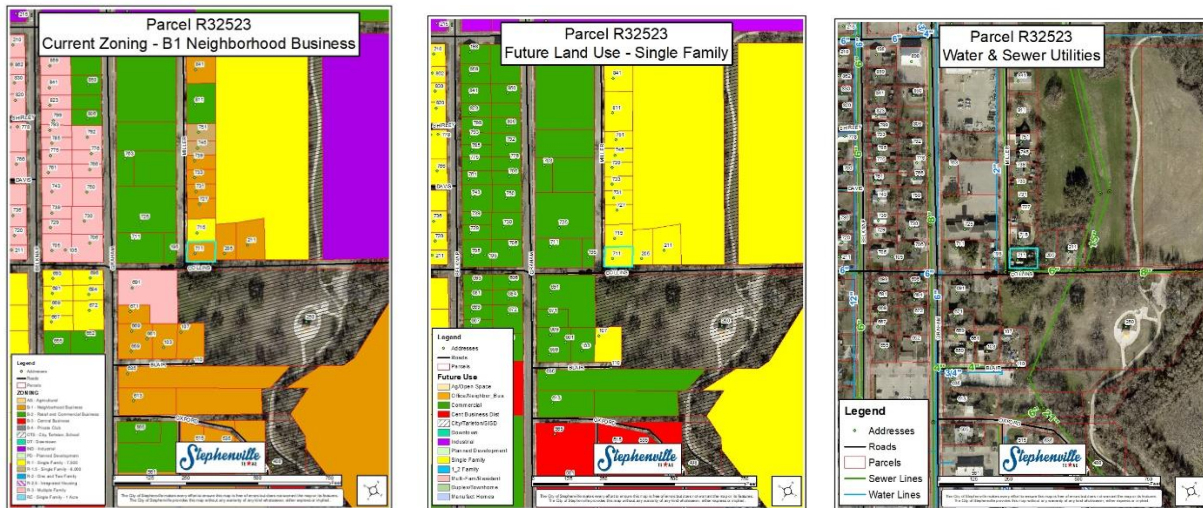
The Planning and Zoning Commission convened on June 21, 2023, and by a unanimous vote of 7:0, recommended the City Council approve the rezone request from (B-1) Neighborhood Business to (R-1.5) Single-Family Residential District.

BACKGROUND:

The property has a current zoning of Neighborhood Business District (B-1). The Future Land Use for this property is designated as Single Family.

The applicant is requesting a rezone which conforms to the future land use designation in respect to residential use, however, R-1.5 allows a smaller lot dimension of 50x100 and the construction of a single-family home no less than 1,000 square feet. The adjacent property located at 715 Miller was recently rezoned to R-1 Single-Family Residential District and the properties at 745 and 751 Miller have been rezoned to R-1.5, Single-Family Residential District (6,000 ft).

PROPERTY PROFILE:



Sec. 154.05.4. Single-family residential district (R-1.5) (6,000 ft²).

5.4.A Description. This residential district provides for a neighborhood development of medium density. Primary land use allows for single-family dwelling development on smaller lots. 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.

5.4.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) Accessory building;
- (3) Churches, temples, mosques, and related facilities;
- (4) Community home;
- (5) Park or playground; and
- (6) SISD school—public.

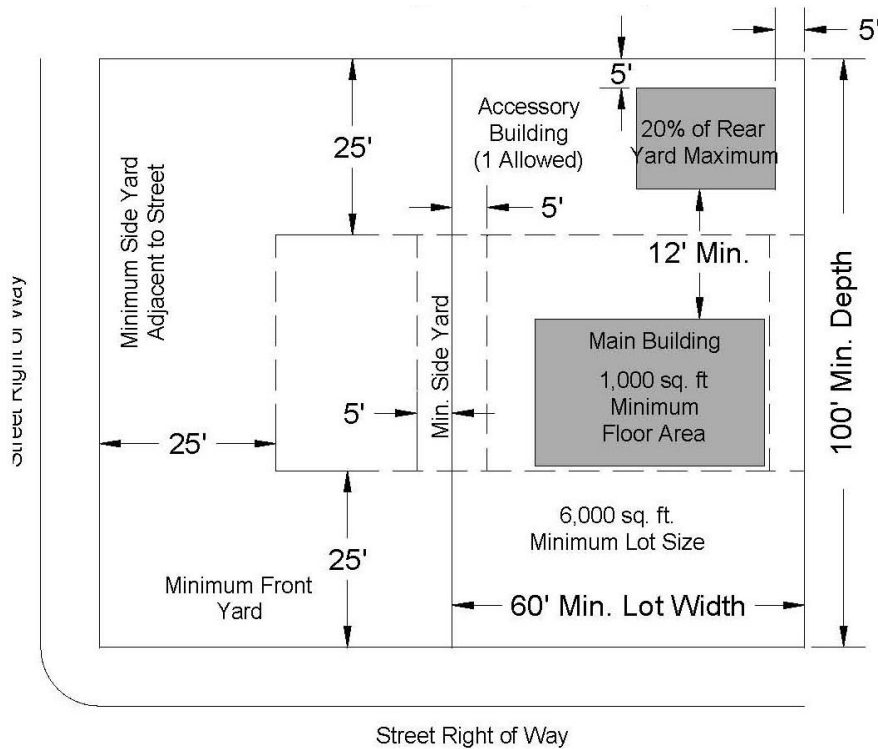
5.4.C Conditional Uses.

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

5.4.D Height, Area, Yard and Lot Coverage Requirements.

- (1) Minimum lot area: single-family dwelling: 5,000 ft².
- (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 ft².
- (8) Accessory buildings:
 - (a) Maximum accessory building 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.

Height, Area, Yard and Lot Coverage Requirements
Single-Family Dwelling

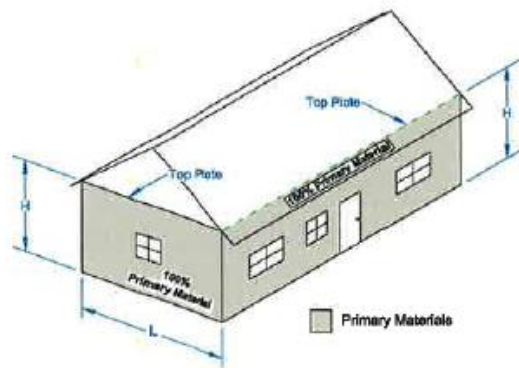


5.4.E Parking Regulations. A Single-Family, R-1.5 District lot shall provide a minimum of two vehicle parking spaces, with a driveway connecting the parking spaces with a street or alley and meet all the pertinent requirements contained in this ordinance, Section 11, Parking Regulations of this ordinance.

5.4.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.

5.4.F Exterior Building Material Standards



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; Ord. 2018-O-22 , § 1, 6-12-2018)

ALTERNATIVES:

- 1) Accept the recommendation of the Planning and Zoning Commission and approve the rezone request.
- 2) Overrule the recommendation of the Planning and Zoning Commission and deny the rezone request.