

Board of Adjustment STAFF REPORT



SUBJECT: Case No.: V2024-023

Applicant Robert McGowan is requesting a variance from Section 154.21.3.C – Variance for the Construction of a Carport, for property located at 1840 Overhill, Parcel R29027, being BLOCK F; LOT 8 of the S2500 Chamberlin Addition of the City of Stephenville, Erath County, Texas.

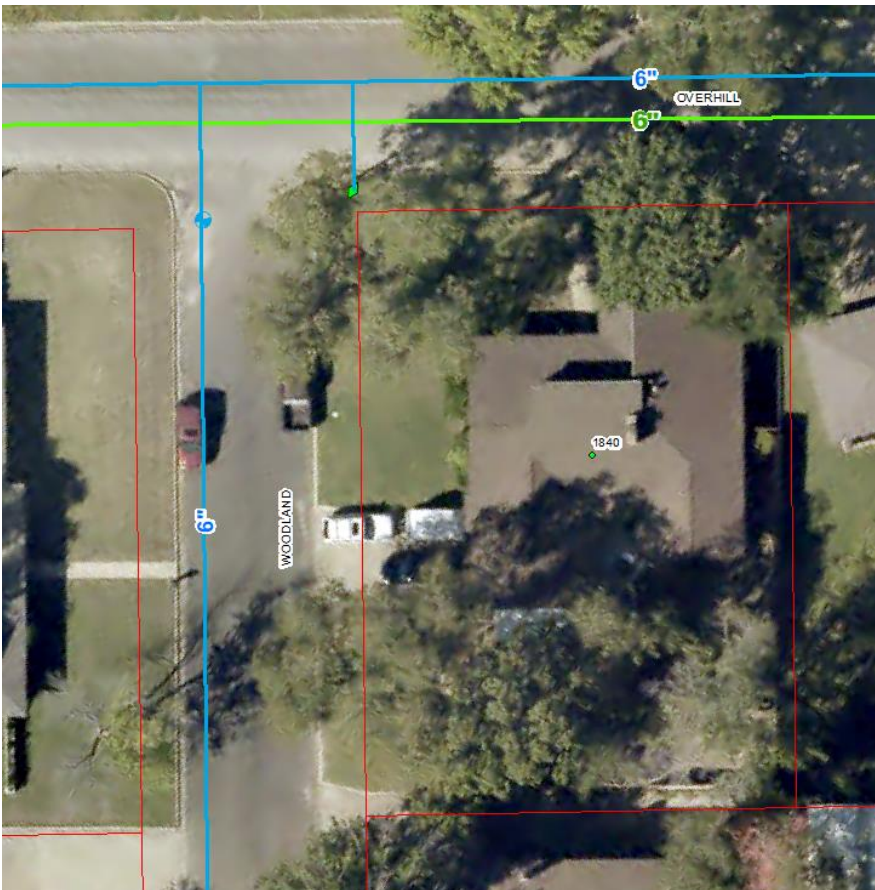
MEETING: Board of Adjustment – August 8, 2024

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen

BACKGROUND:

Mr. McGowan is requesting a variance for the construction of a carport. If approved, the side setback will be reduced to 0' feet based on GIS imagery and the provided site plan. If approved, staff recommends the Board grant conditional approval, with the condition being that the carport not extend into the City ROW. An image of the GIS map is below. Exact dimensions will require a survey.





Steve,

As requested, please see attached revised sketch showing distance from face of curb to end of carport dimension (pink line). Also, (as you can see per green line) the carport actually extends past and into the roof-space of the house although I was going to span directly above the roof. If that needs to be attached in some specific way, please let me know...

Thanks,

Robert McGowan

ZONING REQUIREMENTS:

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

- (9) Accessory buildings:
 - (a) Maximum accessory buildings coverage of rear yard: 30%.
 - (b) Maximum number of accessory buildings: two.
 - (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.

Section 154.21.3.C

Variance for the Construction of a Carport

- (1) Granting a Variance without a Public Hearing:

- a. Upon receipt of an application to construct a carport, the city manager or his designee shall determine the following:
 - i. The carport is compatible with the existing home and other homes in the neighborhood.
 - ii. The carport is within the minimum setbacks.
 - iii. The carport is no larger than 25 feet in width by 30 feet in length.
 - b. If the above criteria are met, the city manager or his designee will mail notice of the proposed carport to every property owner within 200 feet of the property. The letter must include the procedure and time limits for protest.
 - c. Within 14 days from the date of the notification letter, a petition with signatures from 35% of the property owners within the notification area must be returned to the city manager or his designee or the special exception is considered granted without a hearing before the board of adjustment.
- (2) Granting a Variance with a Public Hearing:
- a. If the criteria listed above are not met, or if a petition is filed with the city manager or his designee as described above, a public hearing will be scheduled by the board of adjustment to determine if a variance will be granted.
 - b. Notice of a public hearing to allow the construction of a carport shall be mailed to every property owner within 200 feet of the property for which the special exception is requested at least ten days prior to the meeting date.
 - c. Notice of the public hearing shall be published in the newspaper of record at least ten days prior to the meeting date.
 - d. The concurring vote of 75% of the members of the board will be required to grant the special exception.
- (3) The city manager or his designee shall issue to the applicant appropriate documentation showing the grant of the special exception. Such documentation and grant may contain restrictions, use limitations, building requirements, and other matters determined to be appropriate and/or necessary to meet the terms of this section.

ALTERNATIVES:

1. Approve the Variance Request
2. Deny the Variance Request