



# CITY OF DECATUR, TEXAS

Development Services ★ 1601 S. State Street ★ Decatur, TX 76234 ★ (940) 393-0250 voice ★ (940) 626-4629

## AGENDA

**(Zoning) Board of Adjustment Meeting**  
**Decatur City Hall – 201 E. Walnut St., Decatur, TX**  
**Wednesday, June 21, 2023, at 3:30 P.M.**

**AND VIA VIDEOCONFERENCE/TELECONFERENCE**

### Call to Order

**ITEM 1:** Discuss and take appropriate action regarding March 20, 2023, Minutes.

### *General Agenda Comments*

*This is an in person and videoconference meeting. Videoconferencing is being used to allow staff and members of the public to join the meeting in the following manner\*\*:*

**Anyone may join the meeting via videoconference at [www.zoom.us/join](http://www.zoom.us/join) or via telephone by calling **1-346-248-7799**; meeting ID **912 5595 2930**; and Password **976527**.**

*If you join the meeting via videoconferencing and want to address the Board on an agenda item, you will need to have your camera on and hold up your hand when the Chairman calls for public comment and you will be recognized by the Chairman to address the Board and will be allowed a total of three (3) minutes to provide comments regarding the posted agenda item for which the request to speak was submitted and you may speak during this item or during the Board's consideration of individual items in accordance with City Council Rules of Procedure. The three (3) minute time period will be extended to six (6) minutes if a translator is required for a non-English speaker to communicate his/her comments regarding the posted agenda item for which the request to speak was filed. You may also email your comments to be read at the meeting to: [wsmith@decaturtx.org](mailto:wsmith@decaturtx.org) or [cfuss@decaturtx.org](mailto:cfuss@decaturtx.org) before and during the meeting on Wednesday, June 21<sup>st</sup>. Please provide your name, address and the agenda item number.*

### Public Hearing Items:

**ITEM 2:** The Board to hold a public hearing, consider and take action on a request for a setback encroachment special exception from the City of Decatur's Zoning Ordinance regarding front yards for the property identified as Lot 2, Block 22, South Decatur Addition and more commonly referred to as 107 E. Hallsell St., City of Decatur, Wise County, Texas. The request is for a special exception to the City of Decatur Code of Ordinances, Appendix B., "Zoning," Article 5, "Zoning Districts," Section 5.1, "Zoning Districts Established," Subsection 5.1.3, "SF-2, Single Family Residential District," D., "Area Regulations," (1), "Size of Yards," (a), "Minimum Front Yard," to allow an existing residential structure, as identified in Attachment 3A of the staff report, to encroach six and one tenth feet (6.1') into the required twenty-five foot (25') front yard setback along east Hallsell Street. **(ZBA Application 2023-06 – Lory Ruiz, on behalf of property owner Jeffery Harrison)**

**ITEM 3:** The Board to hold a public hearing, consider and take action on a request for a setback encroachment special exception from the City of Decatur's Zoning Ordinance regarding front yards for the property identified as Lot 2, Block 22, South Decatur Addition and more commonly referred to as 107 E. Hallsell St., City of Decatur, Wise County, Texas. The request is for a special exception to the City of Decatur Code of Ordinances, Appendix B., "Zoning," Article 7, "Development Standards," Section 7.6, "Accessory Structure Regulations," Subsection 7.6.1, "Accessory Structures in Residential Districts," Item C, "Rear Yard." The provision states "there shall be a rear yard for accessory buildings not less than three (3) feet from any lot line, alley line or easement line, except that if no alley exists, the rear yard shall not be less than ten (10) feet as measured from the rear lot line." Applicant is requesting a setback encroachment special exception from the City's Zoning

Ordinance to allow an existing detached accessory structure, as identified in Attachment 3B of the staff report, to encroach four and six tenths feet (4.6') into the required ten foot (10') rear yard setback along northern property line. **(ZBA Application 2023-07 – Lory Ruiz, on behalf of property owner Jeffery Harrison)**

**ITEM 4:** The Board to hold a public hearing, consider and take action on a request for a variance from the City of Decatur's Zoning Ordinance regarding parking for the property identified as Lot 15R, Block 1, Lipsey Addition and more commonly referred to as 2806 S. FM 51, City of Decatur, Wise County, Texas. The request is for a variance to the City of Decatur Code of Ordinances, Appendix B, "Zoning," Article 7, "Development Standards," Section 7.3, "Off Street Parking and Loading Regulations," Subsection 7.3.3, "Parking Requirements Based Upon Use." The parking requirements for a Convenience Store with or without Gasoline Sales is one (1) space for each two hundred (200) square feet of Floor Area. Parking in front of pump stations shall be counted towards the required parking; however, a minimum of six (6) parking spaces shall be provided adjacent to the main building. Applicant is requesting to reduce the minimum calculated parking space requirement from twenty-three (23) parking spaces to eighteen (18) parking spaces, as identified in Attachment 3B of the case staff report. **(ZBA Application 2023-08 – Jose Nieto, on behalf of Great Abode Investment, LLC)**

**For Your Information Items:**

**ITEM 5:** New and/or future business items.

- a. As of agenda posting, the July 17, 2023, meeting currently has no (0) ZBA Planning applications. Application submittal deadline is Tuesday, June 20, 2023, by 5 p.m. **(The meeting will be an in person meeting with potential virtual attendance of staff and members of the public unless otherwise determined.)**

**Adjournment:**

Prepared and posted this 16<sup>th</sup> day of June 2023, in accordance with Chapter 551, Texas Government Code.



Dedra D. Ragland, AICP  
Director of Planning and Development

**PURSUANT TO SECTION 551.127, TEXAS GOVERNMENT CODE, ONE OR MORE COMMISSIONERS OR EMPLOYEES MAY ATTEND THIS MEETING REMOTELY USING VIDEOCONFERENCING TECHNOLOGY. THE VIDEO AND AUDIO FEED OF THE VIDEOCONFERENCING EQUIPMENT CAN BE VIEWED AND HEARD BY THE PUBLIC AT THE ADDRESS POSTED ABOVE AS THE LOCATION OF THE MEETING.**

**\*NOTE: THE (ZONING) BOARD OF ADJUSTMENT RESERVES THE RIGHT TO ADJOURN INTO A CLOSED MEETING AT ANY TIME REGARDING ANY ITEM ON THE AGENDA FOR WHICH IT IS LEGALLY PERMISSIBLE UNDER THE TEXAS OPEN MEETINGS ACT PURSUANT TO LGC 551.071.**