
AGENDA

**Board of Adjustment Regular Meeting
Decatur City Hall – 201 E. Walnut St., Decatur, TX**

MONDAY, March 16, 2026, at 3:30 P.M.

IN PERSON AND VIA VIDEOCONFERENCE/TELECONFERENCE

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 or via telephone by calling [1-346-248-7799](tel: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: planning@decaturtx.org before and during the meeting. Please provide your name, address, and the agenda item number.

CALL TO ORDER AND ANNOUNCE A QUORUM

ITEM 1: Discuss and take appropriate action regarding February 18, 2026, BOA Minutes.

ITEM 2: **BOA-26-0001** – A request by Cheryl Walters, on behalf of Deborah Cashen-Lusk, property owner, pursuant to the City of Decatur Code of Ordinances, Appendix B, "Zoning," Section 4.3.6, "Variances." The request is for a variance to the City of Decatur Code of Ordinances, Appendix B, "Zoning," Article 5, "Zoning Districts," Section 5.1.9, "C-1, Restricted Business District," Subsection D, "Area Regulations," (1)Size of Yards, (d) Minimum Rear Yard: Ten Feet (10'), to allow an existing, non-conforming concrete block building to encroach 9.78 feet and 9.52 feet, respectively, into the required ten (10) foot rear yard setback at the property located at 1900 W US Hwy 380 Business, Decatur, Texas. **(Cashen-Lusk)**

Open Public Hearing at: _____ Close Public Hearing at: _____

Discussion items:

- ITEM 3:** Carports
- a. Setbacks
 - i. Intent of code
 - b. Storm damage

- ITEM 4:** Infill Development projects
- a. Special Exceptions/Variances
 - i. Lot sizes
 - ii. Parking
 - iii. Setbacks

For Your Information Items:

- ITEM 5:** New and/or future business items.
- a. As of the agenda posting, the meeting on **Monday, April 13, 2026**, currently has no (0) BOA applications. The application deadline is Monday, March 16, 2026, 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 on this 10th day of March, 2026, in accordance with Chapter 551, Texas Government Code.



Lisa Hannon
Assistant Director Development Services

MINUTES
BOARD OF ADJUSTMENT MEETING
Wednesday, February 18, 2026, at 3:30 P.M.
REGULAR MEETING and VIA - VIDEOCONFERENCING

A regular meeting of the City of Decatur Board of Adjustment was held at 3:30 p.m. on February 18, 2026, via in-person and videoconferencing with the following in attendance:

MEMBERS PRESENT:

Mark Duncum, Chairman
Danny Cross, Vice-Chairman
Mason Clinesmith
Jay Featherston

MEMBERS ABSENT:

Cecil “Buster” Chandler

Others present were: Planning Director Lisa Hannon; Building Official Wayne Smith; City Attorney Pam Liston and Assistant Planner Cheryl Fuss, representing Staff.

Call to Order: Chairman Duncum called the meeting to order at 3:34 p.m.

Chairman Duncum announced that there are four (4) members present and there is a quorum.

ITEM 1: Consider and take appropriate action regarding approval of the Board of Adjustment Meeting Minutes from December 15, 2025.

Board Member Clinesmith made a motion to approve the December 15, 2025, Board of Adjustment Meeting Minutes. Board Member Cross seconded the motion. The motion passed 4-0, Board Member Chandler absent.

ITEM 2: BOA-25-0012 - A request by Christopher Evan and Madalynn Renee Vanover, property owners, pursuant to the City of Decatur Code of Ordinances, Appendix B, “Zoning,” Section 4.3.7, “Special Exceptions.” 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 District,” D, “Area Regulations,” (1), “Size of Yards,” (a), “Minimum Front Yard,” to allow the existing single-family structure to encroach 7.1 feet into front setback along S Trinity Street; and a Special Exception request to the City of Decatur Code of Ordinances, Article 7, “Development Standards,” Subsection 7.6.1, “Accessory Buildings and Structures in Residential Districts,” (B), “Side Yard,” to allow an existing shed structure to encroach 3.0 feet into the side yard along E Ward Street; and (C), “Rear Yard,” to allow an existing shed structure to encroach 6.5 feet into the rear yard along S Market Street; and to allow a new garage building (accessory structure) in the rear of the property to encroach five (5) feet into the rear street yard along S Market Street, for the property located at 401 S Trinity Street, Decatur, Texas. **(Vanover)**

Planning Director Hannon presented the item BOA-25-0012. She stated twenty-six (26) property owners were notified. Staff has received no (0) responses in favor of, opposed to, or neutral to the request.

Chairman Duncum opened the public hearing for BOA-25-0012 at 3:39 p.m.

Chairman Duncum asked if there is anyone in the audience wishing to speak. There was none. The public hearings were closed at 3:39 p.m.

Chairman Duncum asked if there are any additional questions or comments by the Board Members.

Chairman Duncum asked for a motion for BOA-25-0012.

Board Member Clinesmith made a motion that the Board grant request BOA-25-0012, to approve the existing and proposed structures and their various setbacks along each of the respective streets. The minimum front yard setback to remain twenty-five feet (25') and rear yard setback to remain ten feet (10'). Board Member Featherston seconded the motion. The motion passed 4-0, Board Member Chandler absent.

For Your Information Items:

ITEM 3: New and/or future business items.

- a. As of agenda posting, the meeting on Monday, March 16, meeting currently has one (1) BOA Planning application. Application submittal deadline was Tuesday, February 17, 2026, 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.)**

Planning Director Hannon stated there is one (1) pending application currently on the next BOA, She stated that could change based on submittal deadlines, advertising deadlines and the sufficiency of the application.

Chairman Duncum adjourned meeting at 3:43 p.m.

Mark Duncum, Chairman

ATTEST:

Minutes Prepared by:

Lisa Hannon, Planning Director

Cheryl Fuss, Assistant Planner



VARIANCE STAFF REPORT

TO: Board of Adjustments
 FROM: Lisa Hannon, Planning Director
 PUBLIC HEARING DATE: March 16, 2026
 RE: BOA-26-0001 – 1904 W US Hwy 380 Business

Applicant Request:

BOA-26-0001 – A request by Cheryl Walters, on behalf of Deborah Cashen-Lusk, property owner, pursuant to the City of Decatur Code of Ordinances, Appendix B, “Zoning,” Section 4.3.6, “Variances.” The request is for a variance to the City of Decatur Code of Ordinances, Appendix B, “Zoning,” Article 5, “Zoning Districts,” Section 5.1.9, “C-1, Restricted Business District,” Subsection D, “Area Regulations,” (1)Size of Yards, (d) Minimum Rear Yard: Ten Feet (10’), to allow an existing, non-conforming concrete block building to encroach 9.78 feet and 9.52 feet, respectively, into the required ten (10) foot rear yard setback at the property located at 1900 W US Hwy 380 Business, Decatur, Texas. **(Deborah Cashen-Lusk)**

Summary of Applicant’s Request:

Cheryl Walters, on behalf of the property owner, is requesting a variance for an existing non-conforming structure.

Findings:

- Finding #1.** Based on Google Map imagery, it appears that the non-conforming building, located in the rear of the property, has been there since approximately 1995, which is before the current owner purchased the property in 2023.
- Finding #2.** The property owner has submitted platting applications, which led to the discovery of the non-conforming structure.
- Finding #3.** There is an existing sewer line that crosses the property lines of both proposed lots. An easement encroachment agreement is required before approval of the variance.

Conclusion(s):

- Conclusion #1: Legality:** According to the Texas Local Government Code, the Board of Adjustment may legally authorize variations to the City’s Zoning Ordinance subject to the conditions listed below (§211.008 010). Each case before the Board must be heard by at least 75 percent of its members (§211.008.d), and the Board may only authorize a variation from the terms of the Zoning Ordinance with a concurring vote of 75 percent (§211.009.c).
- Conclusion #2: Deciding Factors:** The Board of Adjustment reviews the application and the response to the four conditions listed below, and then hears the case to determine if the applicant qualifies. If the Board feels that the applicant has met the stated conditions, then the Board may approve the variation as long as it meets the criteria (§211.009.a.3):
 1. The variation is not contrary to the public interest;
 - a. *The non-conforming building has been in existence since approximately 1995. There is no expansion proposed for the existing non-conforming structure; therefore, the variation is not contrary to the public interest.*
 2. The variation is due to special conditions.
 - a. *The property owner has submitted platting applications, which is when the non-conforming structure was discovered.*

3. A literal enforcement of the ordinance would result in undue hardship; *and*
 - a. *The non-conforming structure has been in place since approximately 1995; it would be burdensome to the property owner to require the building to be moved or demolished, due to the non-conforming setback.*
4. The spirit of the ordinance is observed and substantial justice is done.
 - a. *The building is existing, non-conforming. There are no plans to demolish or expand the non-conforming structure.*

Conclusion #3: The application is in order, and statutory and code requirements have been met.

Condition(s):

- Condition #1.** An easement encroachment agreement is required because the existing sewer line crosses both property lines.
- Condition #2.** The easement encroachment agreement will need to be approved by Public Works, filed, and recorded before the variance and plats are recorded.

Staff Recommendations - based on the aforementioned findings & conclusions:

Based on the above-referenced Findings and Conditions, the Development Services staff recommends approval of BOA-26-0001, with the above-stated conditions.

Attachments:

1. Aerial Map
2. Site plan/plat exhibit
3. 200' Property Owner Notification and Response Map
4. Property Owner Response Letters
5. Current conditions

Exhibit "1" Aerial Map

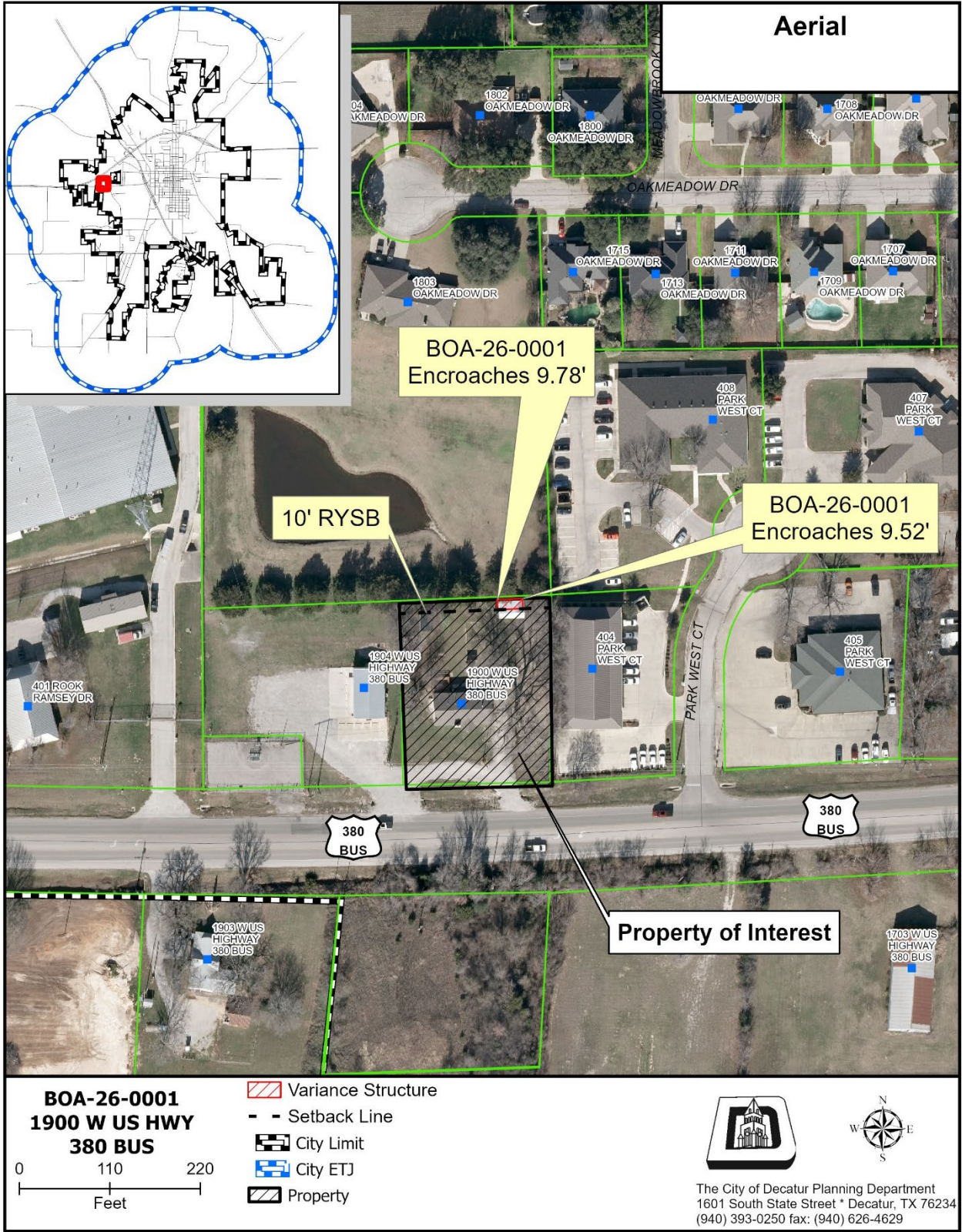


Exhibit "2" Site Plan/Plat Exhibit

J. B. WILLIAMS SURVEY A-880 MEADOWBROOK PHASE TWO

VICINITY MAP LOT 15-16

STATE OF TEXAS **COUNTY OF WISE**

BEFORE ME, the undersigned authority, on this _____ day of _____, 2015, personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, acknowledged to me that he executed the same for the purposes and consideration therein expressed.

My Commission Expires: _____

Notary Public

PLAT OF LOT 15 & LOT 16 - BLOCK 1

CASHEN-LURK ADDITION

BEING 1.57 ACRES IN THE

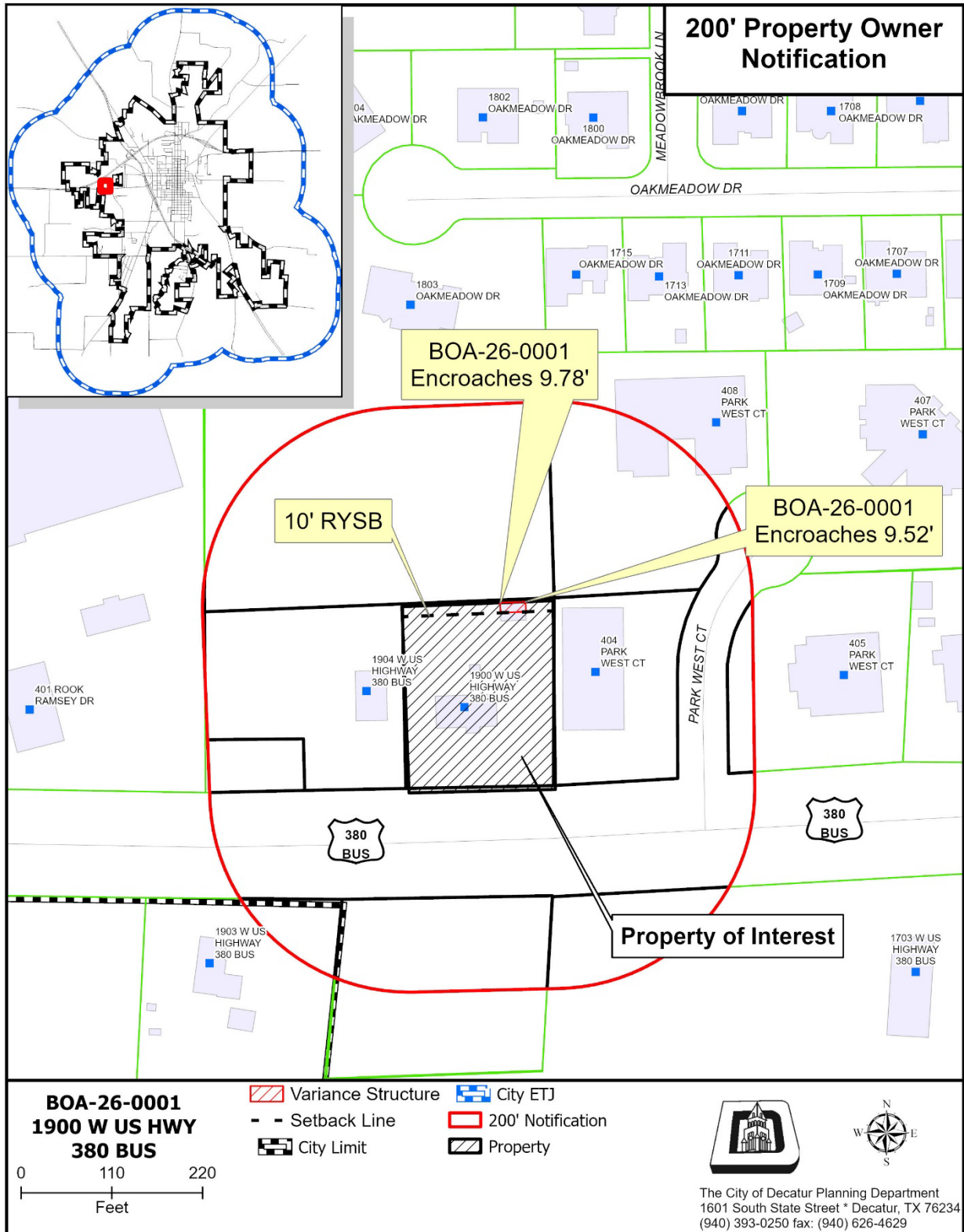
J. B. WILLIAMS SURVEY A-880

CITY OF DECATUR - WISE COUNTY - TEXAS

DATE: _____

BY: _____

Exhibit "3" PON Map



**Exhibit “4”
Property Owner Responses**

**NO FORMAL RESPONSES
RECEIVED AS OF
MARCH 9, 2026**

Existing Conditions

