
AGENDA

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

WEDNESDAY, February 18, 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 December 15, 2025, BOA Minutes.

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)**

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

For Your Information Items:

ITEM 3: New and/or future business items.

- a. As of the agenda posting, the meeting on Monday, March 16, 2026, currently has one (1) BOA application. The application deadline was Monday, February 9, 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 11th day of February, 2026, in accordance with Chapter 551, Texas Government Code.



Lisa Hannon
Assistant Director Development Services

MINUTES
BOARD OF ADJUSTMENT MEETING
Monday, December 15, 2025, 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 December 15, 2025, via in-person and videoconferencing with the following in attendance:

MEMBERS PRESENT:

Mark Duncum, Chairman
Danny Cross, Vice-Chairman
Mason Clinesmith
Cecil “Buster” Chandler
Jay Featherston

MEMBERS ABSENT:

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 3:50 p.m.

Chairman Duncum announced that there are five (5) members present and there is a quorum.

City Attorney Liston asked Chairman Duncum if she could have a quick moment of recognition for Samer Mohamed. She said he is in the room today, but he has been appointed to Planning and Zoning Commissioner. City Attorney Liston stated he has served this body so well that she wanted to take a moment to thank him for his service and congratulate him on his appointment.

ITEM 1: Consider and take appropriate action regarding approval of the Board of Adjustment Meeting Minutes from November 17, 2025.

Board Member Chandler made a motion to approve the November 17, 2025, Board of Adjustment Meeting Minutes. Board Member Clinesmith seconded the motion. The motion passed 4-0, Chairman Duncum absent.

ITEM 2: BOA-25-0010 - Board to hold a public hearing, consider and take action on a request pursuant to the City of Decatur Code of Ordinances, Appendix B, “Zoning,” Section 4.3.7, “Special Exceptions,” regarding existing front yard setbacks for the property located at 801 S Trenchard Street, 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 District,” D, “Area Regulations,” (1), “Size of Yards,” (a), “Minimum Front Yard,” to allow the existing single-family structure to encroach 7.9 feet into front setback along S Trenchard Street and to Article 7 “Development Standards,” Subsection 7.6.5 “Carports” A, “Residential Uses,” (1), “Front Yard,” to allow an existing carport to encroach 0.8 feet into the front setback along S Trenchard Street. **(BOA Application 25-0010 Sandra Barrera, on behalf of property owner, Jorge Alberto Garcia Ramirez)**

Planning Director Hannon presented the item BOA-25-0010. She stated eighteen (18) 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-25-0010 at 3:55 p.m.

Chairman Duncum asked if there is anyone in the audience wishing to speak. There was none. The public hearings were closed at 3:57 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-25-0010.

Vice-Chairman Cross made a motion that the Board grant request BOA-25-0010, to allow special exceptions, specifically granting an existing residential structure to encroach 7.9 feet into front setback along S Trenchard Street, and an existing carport to encroach 0.8 feet into the front setback along S Trenchard Street, as identified in Attachment 2 of the case staff report, into the required twenty-five foot (25') front yard setback along south Trenchard Street, with the condition that permits are obtained and inspections approved for the carport before recording the Special Exceptions. The minimum front yard setback to remain twenty-five feet (25'). Board Member Chandler seconded the motion. The motion passed 5-0.

ITEM 3: BOA-25-0011 - Board to hold a public hearing, consider and take action on a request pursuant to the City of Decatur Code of Ordinances, Appendix B, "Zoning," Section 4.3.7, "Special Exceptions," regarding an existing front yard setback for the property located at 603 N Lane Street, 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 District," D, "Area Regulations," (1), "Size of Yards," (a), "Minimum Front Yard," to allow the existing single-family structure to encroach 9.8 feet into front setback along N Lane Street. **(BOA Application 25-0011 – Rogelio Delgado, property owner)**

Planning Director Hannon presented the item BOA-25-0011. She stated fifteen (15) 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-25-0011 at 4:00 p.m.

Chairman Duncum asked if there is anyone in the audience wishing to speak. There was none. The public hearings were closed at 4:02 p.m.

Chairman Duncum asked if there are any additional questions or comments by the Board Members. There were none.

Chairman Duncum asked for a motion for BOA-25-0011.

Board Member Chandler made a motion that the Board grant request BOA-25-0011, to allow a special exception, specifically granting an existing residential structure to encroach 9.8 feet along N. Lane Street, as identified in Attachment 2 of the case staff report, into the required twenty-five foot (25') front yard setback along north Lane Street. The minimum front yard setback to remain twenty-five feet (25') with the condition that the two (2) nonconforming sheds on the rear of the property are removed before the plat is recorded. Board Member Clinesmith seconded the motion. The motion passed 5-0.

Non-Public Hearing Items:

ITEM 4: Discuss and approve 2026 Meeting Schedule.

Discussion between Staff and Board Members was held.

Board Member Clinesmith made a motion to approve the 2026 Meeting Schedule. Vice-Chairman Cross seconded the motion. The motion passed 5-0.

For Your Information Items:

ITEM 5: New and/or future business items.

- a. As of agenda posting, the meeting on Wednesday, January 21, 2026, meeting currently has one (1) BOA Planning application. Application submittal deadline was Monday, December 15, 2025, 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 4:05 p.m.

Mark Duncum, Chairman

ATTEST:

Minutes Prepared by:

Lisa Hannon, Planning Director

Cheryl Fuss, Assistant Planner



SPECIAL EXCEPTION STAFF REPORT

TO: Members of the Board of Adjustments
 FROM: Lisa Hannon, Planning Director
 PUBLIC HEARING DATE: February 18, 2026
 RE: BOA-25-0012 – 401 S Trinity Street – front yard, side yard, rear yard

Applicant Request:

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 – 401 S Trinity Street)**

Summary of Applicant’s Request:

A request by Christopher and Madalynn Vanover, property owners, for Special Exceptions for a front yard encroachment, for the existing residence, side and rear yard encroachment for the existing shed structure, and a rear yard encroachment for a proposed new garage on the property located at 401 S Trinity Street.

Criteria:

- Criteria #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).
- Criteria #2. Special Exception Defined.** A Special Exception is differentiated from a variance because a Special Exception is a form of relief permitted expressly by this Ordinance under specified conditions, a finding of hardship is not required before it may be granted, and a Special Exception is only allowed for those circumstances and in those cases as set forth in C(2) and as otherwise specifically provided in this Ordinance.
- Criteria #3. [Code excerpt]:** Circumstances for which Special Exceptions are Authorized. When in the Board of Adjustment’s judgment, the public convenience and welfare will be substantially served and the appropriate use of the neighboring property will not be substantially injured, the Board of Adjustment may, in specific cases, after public notice and public hearing and subject to conditions and safeguards as the BOA determines appropriate, authorize the following special exceptions to the regulations herein established.
- Criteria #4. [Code Excerpt]:** Residential Setback Encroachments. For existing single-family residential and duplex (two-family) structures that were legally constructed prior to the effective date of this Ordinance, the Board of Adjustment may authorize a Special

Exception for any Structure that was constructed over a setback line established by this Ordinance.

Criteria #5. The application is in order, and statutory and code requirements have been met.

Findings:

- Finding #1.** The existing single-family structure was built in approximately 1940.
- Finding #2.** Staff cannot determine when the existing shed structure was constructed or installed.
- Finding #3.** The property owner is proposing to construct a new garage accessory structure in the southwest corner of the property.
- Finding #4.** The property owner is working on submitting a replat application for the property; however, sought to work through the special exceptions before platting.
- Finding #5.** The existing structure has a covered porch that encroaches 7.1 feet into the front yard setback along S Trinity Street.
- Finding #6.** The existing shed structure encroaches:
 - a. 3.0 feet along E Ward Street, the side of the property
 - b. 6.5 feet along S Market Street, the rear of the property
- Finding #7.** The proposed new garage accessory structure will encroach 5 feet into the rear setback along S Market Street.

Condition(s):

- Condition #1.** The property is required to be platted prior to the submittal of any building permits for new construction on the property and before the Special Exception is recorded.

Staff Recommendations - based on the findings & conclusions:

Development Services staff recommends approval of all three special exception requests with BOA-25-0012.

Action required:

Approve or deny the Special Exception requests to allow:

- 1. The existing single-family residential structure to encroach:
 - a. 7.1 feet into the front yard setback along S Trinity Street;
- 2. The existing shed structure to encroach:
 - a. 3.0 feet into the side yard along E Ward Street; and
 - b. 6.5 feet into the rear yard along S Market Street
- 3. The proposed new garage accessory structure to encroach:
 - a. 5.0 feet into the rear yard along S Market Street

Attachments:

- 1. Aerial Map
- 2. Location Map
- 3. 200' Property Owner Notification and Response Map
- 4. Property Owner Responses
- 5. Survey/site plan

Exhibit "1" Aerial

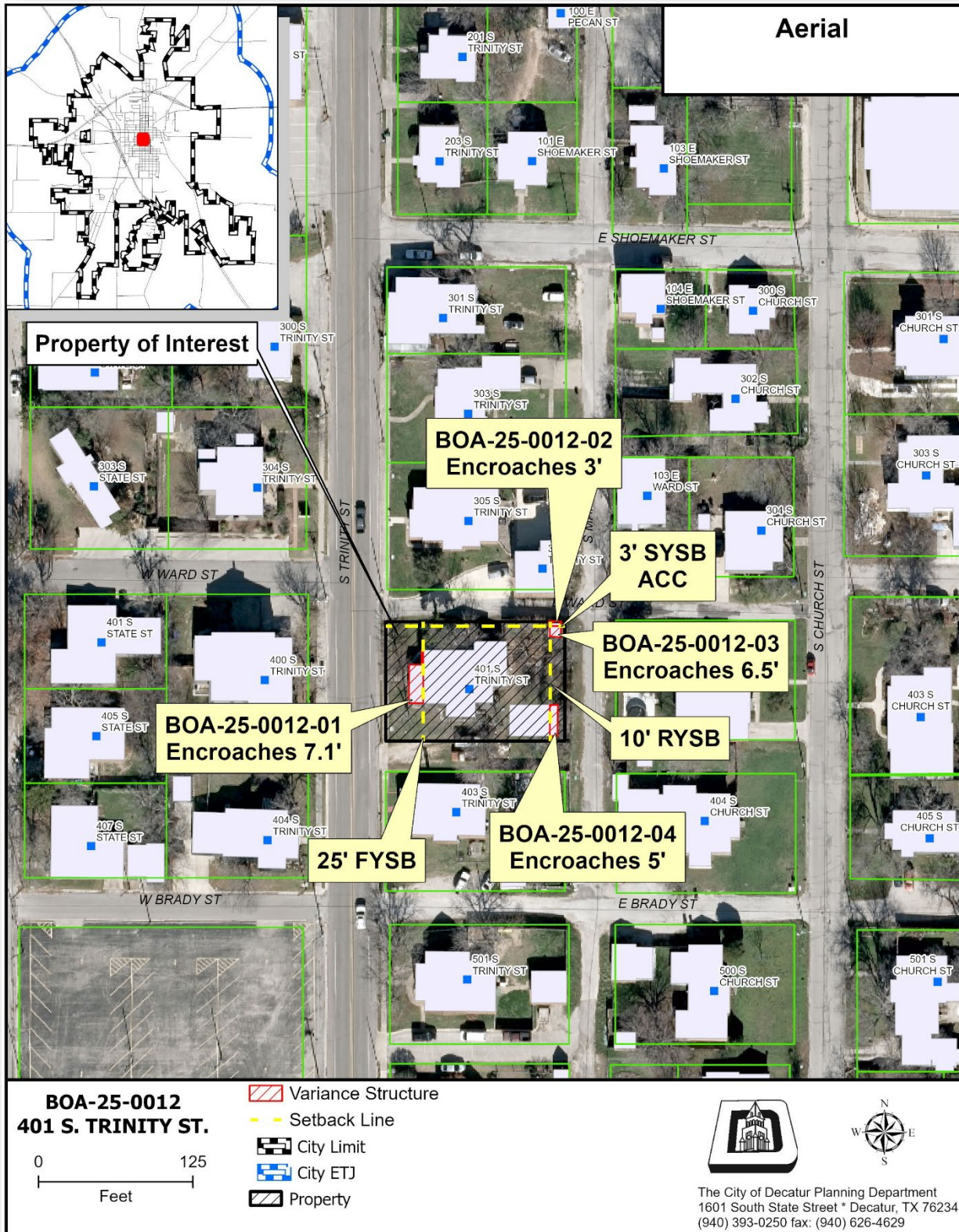


Exhibit "2" Location Map

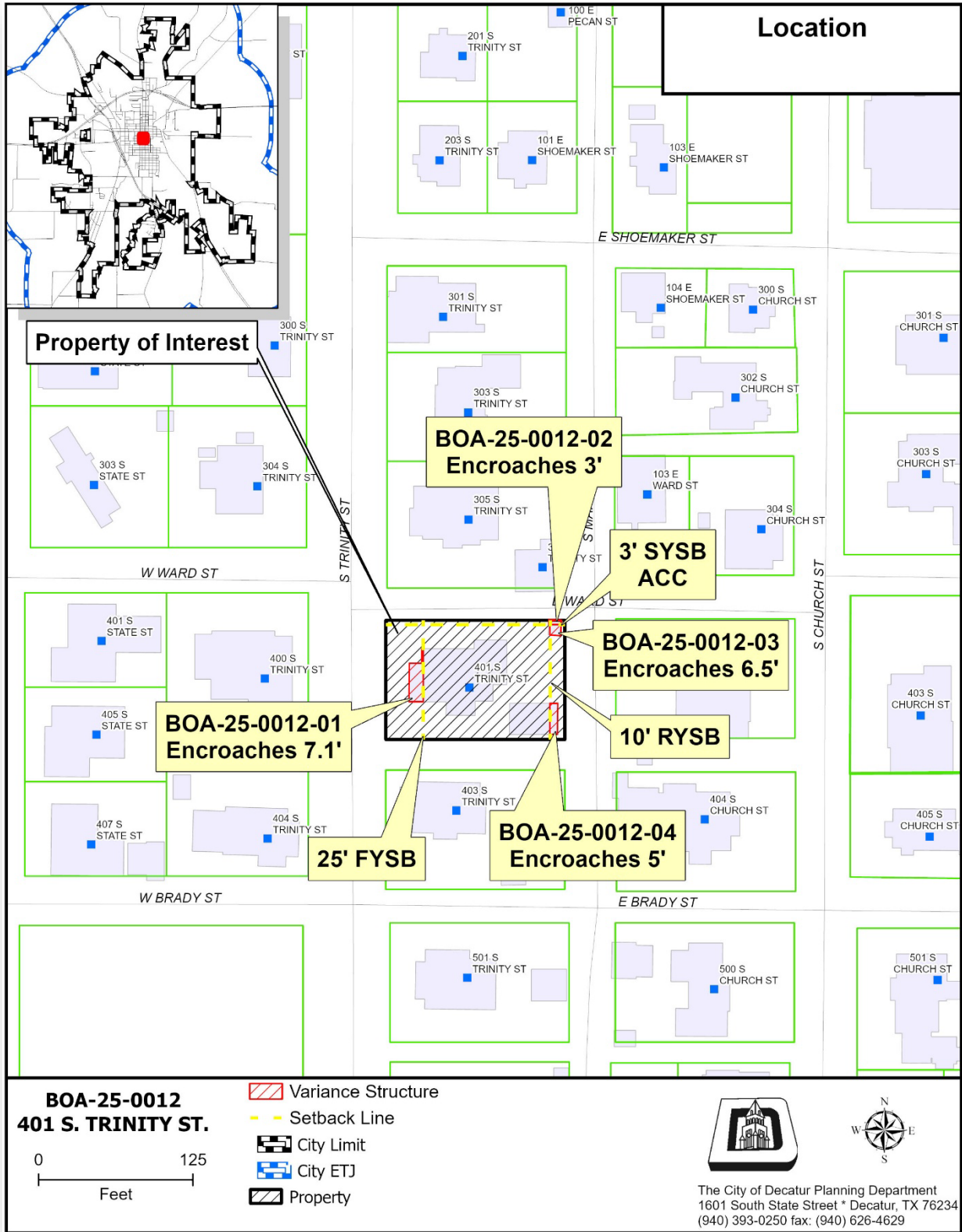
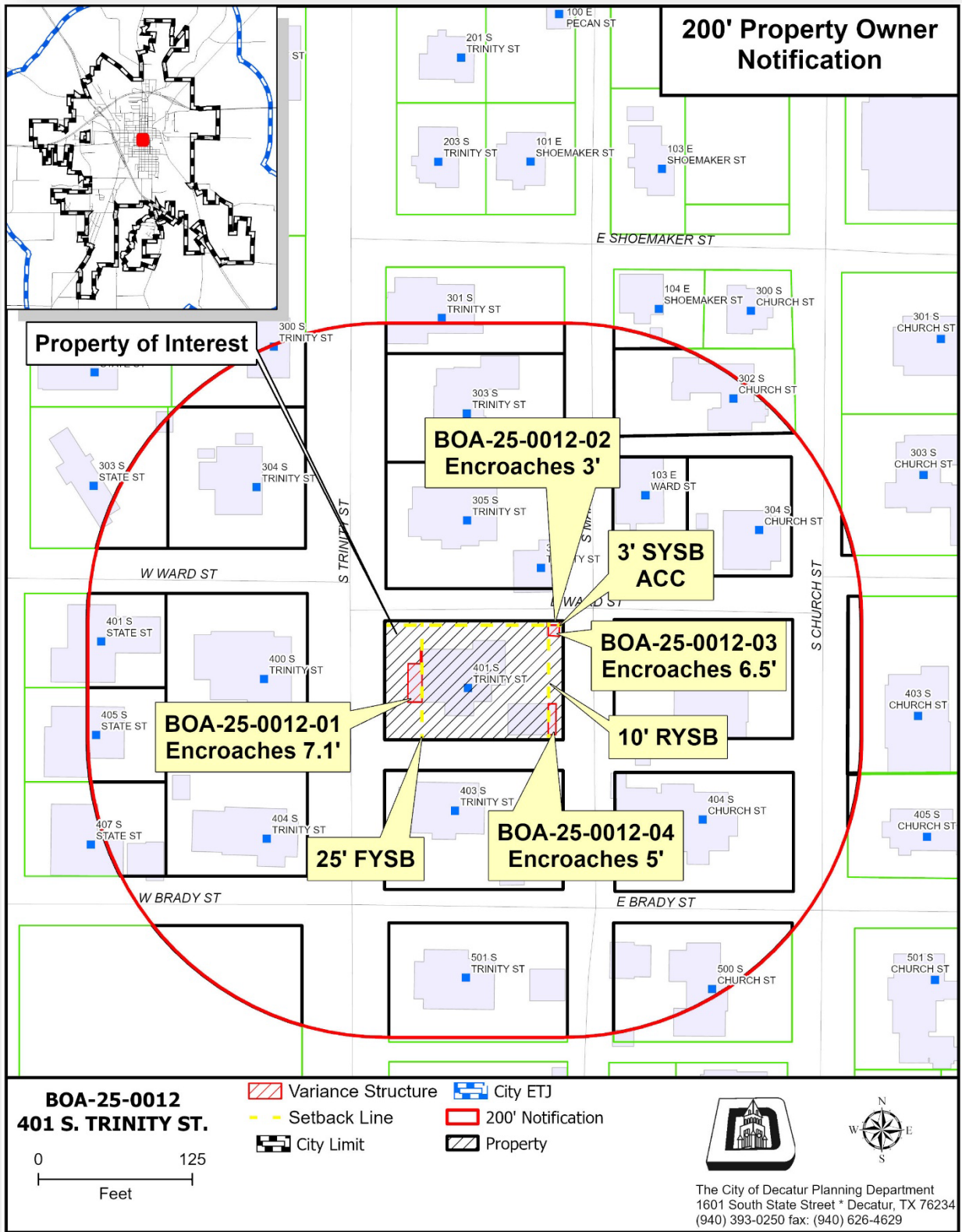


Exhibit "3"

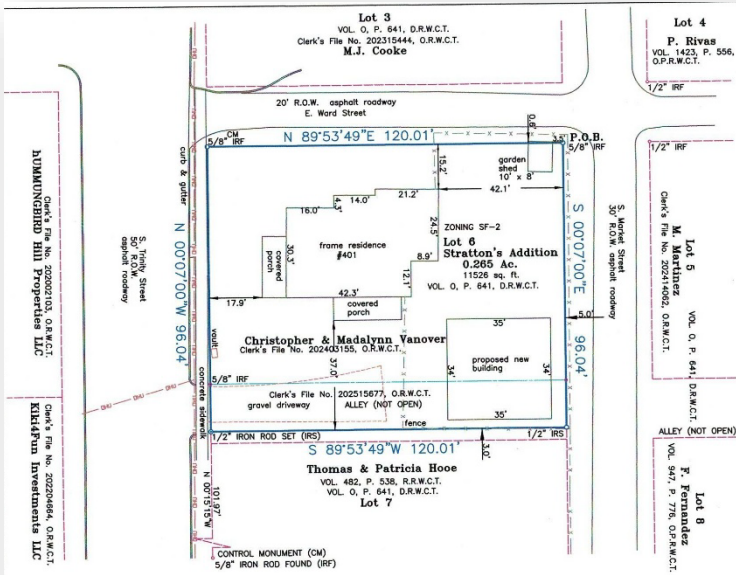
Property Owner Notification Map



**Exhibit “4”
Property Owner Responses**

**No responses received as
of February 11, 2026**

Exhibit "5" Survey/Site Plan



FIELD NOTES:

Being a 0.265 acre tract in the Stratton's Addition in the City of Decatur, Wise County, Texas, being all of Lot 6 of said Stratton's Addition described in Clerk's File Number 202403155, Official Records, Wise County, Texas and the North 16 feet of an alley as described in Clerk's File Number 202515677, Official Records, Wise County, Texas and being described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod found in the South right-of-way of East Ward Street and the West right-of-way of South Market Street for the Northeast corner of said Lot 6, Stratton's Addition according to the plat recorded in Volume 0, Page 641, Deed Records, Wise County, Texas; THENCE South 00°07'00" East with the West right-of-way of South Market Street, passing the Southeast corner of said Lot 6 and the North line of said alley at a distance of 80.04 feet, in all a distance of 96.04 feet to a 1/2" capped iron rod stamped "MDH RPLS 5947" set for the Southeast corner of the tract herein described;

THENCE South 89°53'49" West a distance of 120.01 feet to a 1/2" capped iron rod stamped "MDH RPLS 5947" set in the East right-of-way of South Trinity Street for the Southwest corner of the tract herein described;

THENCE North 00°07'00" West with said East right-of-way passing a 5/8" iron rod found for the Northwest corner of said alley and the Southwest corner of said Lot 6 at a distance of 16.00 feet, in all a distance of 96.04 feet to a 5/8" iron rod found in said East right-of-way and the South right-of-way of said East Ward Street for the Northwest corner of said Lot 6;

THENCE North 89°53'49" East with the South right-of-way of said East Ward Street a distance of 120.01 feet to the POINT OF BEGINNING and containing 0.265 acres of land.

Notes:

Contact 811 for exact location of pipelines and/or underground utilities.

According to a copy of the Flood Insurance Rate Map for Wise County, Texas and incorporated Areas, Map Number 484970350 D effective date December 16, 2011 no part of subject property appears to be in the 100 year flood zone, said property is in Zone "X".

Bearings referenced to NAD-83 North Central Texas Zone (4202)

All iron rods set are 1/2" iron rods with an orange plastic cap stamped MDH RPLS 5947.

This survey is provided exclusively for the use of the current parties and no license has been created, expressed or implied to copy this survey except as necessary in conjunction with this original transaction.
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I certify this description was prepared from a survey made on the ground under my personal supervision on November 18, 2025 and is subject to any and all easements, reservations, and restrictions that may be of record and there are no visible protrusions or encroachments except as shown.

M.D. Herrlugers
M.D. Herrlugers R.P.L.S. 5947



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11-21-2025
Proposed building added: 12-16-2025 2025172