



City of Fredericksburg

Zoning Board of Adjustment Meeting Agenda
Wednesday, February 18, 2026 ~ 5:30 PM
New City Hall at East Campus
2818 E. U.S. Hwy. 290
Fredericksburg, Texas 78624

Clay Sears, Chair
Eric Hammersen, Vice Chair
Jennifer Eggleston, Member
Adam Luton, Member

Mike Mahoney, Member
Jim McAfee, Alternate Member
Jimmy Culp, Alternate Member

The City of Fredericksburg Zoning Board of Adjustment will meet in a regular session on February 18, 2026, at 5:30PM. The meeting will be available within 24 hours to re-watch on the City's website: fredericksburgtx.portal.civicclerk.com.

Written Comments: to be submitted remotely:

1. Must be received by 2 p.m. on February 18, 2026.
2. Complete the Citizen Comment Form online at www.fbgtx.org; or
3. Email your comments to jmusgrove@fbgtx.org

Verbal Comments:

1. Sign up in-person between 5:00 p.m. and 5:30 p.m. New City Hall at East Campus
2818 E. U.S. Hwy. 290, Fredericksburg, Texas 78624

You will be limited to 3 minutes to speak.

1. ROLL CALL

2. CALL TO ORDER

3. APPROVAL OF MINUTES

- A. January 21, 2026, Regular Meeting Minutes

4. PUBLIC HEARING

- A. **ZBA2026-01** - Request by C3 Development Services to consider a variance per sec. 5.600 "Variance Procedure" for property located at 106 W. Peach Street for relief from the provisions of section 3.100 for the minimum lot size requirement of 7,500 square feet within the R1- Single Family Residential District.

5. ACTION ITEMS

6. DISCUSSION ITEMS

A. Director's Report

7. ADJOURN

CERTIFICATION

This is to certify that I, Jan Musgrove, posted this Agenda before 4:30PM on February 11, 2026, on the bulletin board of the City of Fredericksburg City Hall, 126 W. Main St., Fredericksburg, Texas.

Jan Musgrove

Jan Musgrove
Planner 1

**STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG**

**ZONING BOARD OF ADJUSTMENT
JANUARY 21, 2026
MEETING MINUTES
5:30 P.M.**

On the 21ST day of January 2026, the Zoning Board of Adjustment convened in regular session in the Conference Room of City Hall at 126 West Street, Fredericksburg, Texas 78624 with the following members present to constitute a quorum.

PRESENT: CLAY SEARS
ERIC HAMMERSEN
MIKE MAHONEY
ADAM LUTON
JIM MCAFEE
JIMMY CULP

ABSENT: JENNIFER EGGLESTON

ALSO PRESENT: CLIFF CROSS – Director of Development Services
JAN MUSGROVE – Planner 1

SWEARING IN OF A NEW BOARD MEMBER:

Jan Musgrove, Planner, swore in Mr. Jimmy Culp as a new Alternate member of the Zoning Board of Adjustment.

The meeting was called to order at 5:33 P.M. by Clay Sears.

Minutes:

Jim McAfee made a motion to approve the November 19, 2025, Regular Meeting Minutes with Eric Hammerson confirming a correction had been made to Leonard Benth's name. Second by Mike Mahoney. All voted in favor and the motion carried.

Procedures for Alternate Board Member Participation:

Cliff Cross addressed briefly the procedural rules regarding alternate member participation and voting, ultimately designating Jim McAfee as the voting alternate for the meeting and clarifying that Jimmy Culp, the new alternate member would observe but not participate as a voting member at the meeting.

Action Item:

ZBA2025-11 - 209 N Elk St. By Kristina Seracen, To Consider A Special Exception per Sec.5.500 - Board of Adjustment Subsection 1, to Allow for a STR-Unoccupied Permit For the Property Located at 209 North Elk Street, Fredericksburg, Texas.:

Applicant:

Christina Saracen presented her request for a special exception to allow a short-term rental (STR) unoccupied permit at 209 N Elk St., she described her history with the property, the surrounding prevalence of STRs, and her intent to secure an STR unoccupied permit to facilitate the sale of her home, noting increased traffic and noise from nearby National Museum of the Pacific War’s Combat Zone where attractions made the house less attractive to buyers.

Staff Summary:

The property is located within a location that has several STR properties. Of the 11 STRS located in the neighborhood, 2 have an occupancy of 2, 1 an occupancy of 4, 1 an occupancy of 5, 1 an occupancy of 6, 1 an occupancy of 7, 1 an occupancy of 8, 2 an occupancy of 10, 1 an occupancy of 12 and 1 has an occupancy of 16, creating an average occupancy of 7.5. The property consists of a 3,417 sq ft house that consists of 5 bedrooms. The property provides 5 parking spaces on a 10,890 sq ft lot.

Public Hearing opened and closed at 6:09PM

Board Discussion:

Board members examined the property's parking capacity, confirming at least six spaces including garage spots, and discussed how occupancy limits are determined based on bedrooms, square footage, and city code, ultimately agreeing on a maximum occupancy of 10. The board also reviewed the public comments, noting three protests and one approval from within the 200-foot radius, and discussed the implications of STR owners protesting additional STRs, as well as the process for redacting personally identifiable information in public records. Debate about the impact on neighborhood character, property values, and public interest concluded the discussion of this application.

Mike Mahoney made a motion to approve with an occupancy of 10.

Eric Hammersen seconded the motion.

A Roll Call Vote was called:

Clay Sears – Aye	Eric Hammersen – Aye	Adam Luton – Aye
Jim McAfee – Aye	Mike Mahoney – Aye	

Unanimously approved with an occupancy of ten (10). Motion Carried

Director’s Report:

Cliff Cross informed the board about the city's progress on the new Unified Development Code (UDC), including the high number (13) of RFQ responses and the plans to involve the board in code development and potential subcommittees for input.

Data Privacy and Public Information Handling:

Mr. Cross explained to the board members the city's evolving approach to handling personally identifiable information (PII) in public records, prompted by concerns about AI-driven data misuse and the lack of clear state or federal directives. He explained the recent practice of

redacting addresses, phone numbers, and emails from public documents due to concerns about AI scraping and fraudulent activity.

Board request:

Board members requested access to unredacted application data during meetings for decision-making purposes, and staff discussed potential solutions such as confidential packets and in-meeting review, pending further legal guidance.

Mr. Cross discussed ongoing and future amendments to city ordinances, including tree preservation, sound ordinances, time limits on reapplications, and the need for initiative-taking updates in anticipation of the UDC. He stressed the need for the Board members to be engaged in an in-depth discussion about the city's STR ordinance, addressing occupancy calculations, inspection protocols, code amendments, and the need for clearer definitions and processes for STRs and ADUs.

Board request:

The board discussed the current method of determining STR occupancy—two persons per bedroom plus two guests—debated its enforceability and considered amending the code to base occupancy strictly on bedroom square footage and egress requirements. Members reviewed the city's inspection process for STRs, noting that annual scheduled inspections verify compliance, but random checks are not conducted unless complaints are received, and discussed the challenges of enforcing occupancy and parking requirements.

Mr. Cross clarified the distinction between STR unoccupied units and ADUs, highlighted inconsistencies in property records, and discussed the need for a master permit system for multi-unit facilities to streamline administration and compliance.

Board request:

Board members proposed several amendments to the STR ordinance, including revising occupancy formulas, clarifying treatment of corner lots within the Special Exceptions process, and allowing the board to recommend text amendments directly to staff or council based on recurring variance requests.

ADJOURN

With nothing further to come before the Board. The meeting was adjourned at 6:50 PM

PASSED AND APPROVED this the 18th day of February 2026.

JAN MUSGROVE, PLANNER 1

CLAY SEARS, CHAIRPERSON



HISTORIC REVIEW BOARD AGENDA MEMO

DEPARTMENT: Development Services

TO: Historic Review Board

MEETING DATE: February 18, 2026

CATEGORY: PUBLIC HEARING

CAPTION: ZBA2026-01 - Request by C3 Development Services to consider a variance per sec. 5.600 "Variance Procedure" for property located at 106 W. Peach Street for relief from the provisions of section 3.100 for the minimum lot size requirement of 7,500 square feet within the R1- Single Family Residential District.

SUMMARY:

A variance has been requested pertaining to the minimum lot size requirements of buildable lots within the R1 - Single Family Residential District that requires a minimum lot width of 70 feet and a minimum square footage of 7,500 square feet. The applicant is requesting the ability to subdivide the existing 14,925 square foot lot into two lots totaling 7400.33 square feet and 7525.00 square feet. The newly created lot 1 (7,400.33 sq. ft) will house the existing single-family residence and lot 2 will be a 7.525.00 sq ft vacant buildable lot.

RELEVANT ORDINANCE AND DESIGN GUIDELINES/STANDARDS:

Sec. 6.110. - Continuance of a Nonconforming Use.

Residential Districts

Enlargement. A non-conforming use may be enlarged, expanded, extended or changed within the boundary of the lot in which the non-conforming use has legally operated, upon approval of a Conditional Use Permit (section 5.400). Any enlargement or extension, whether requiring a Conditional Use Permit or not, shall be required to come into in compliance with all city ordinances, codes, or policies and development regulations which may apply to the property (examples without limitation: landscape, parking, curb cuts, setbacks).

Conversions. A non-conforming use may be continued as the same classification, or may be changed to a use of a more restricted classification upon approval of a conditional use permit. If it is changed to a use in a more restricted classification or to a conforming use, it cannot be changed back to its original non-conforming use. For purpose of this paragraph, the phrase "same classification" means: uses permitted in the same district; a "more restricted classification" means: use in a district having more restricted use (i.e., C-2 vs. C-1); and provided that:

The new use is similar to or less intensive than that of the old use in terms of noise generated, outdoor storage, customer activity and impact on other conforming uses in the area, and that the new use comply with the parking requirements of this ordinance as applicable to newly established uses.

Termination.

If a non-conforming use or any portion thereof is voluntarily discontinued for a period of 90 days, any future use of such land or portion thereof shall be in conformity with the regulations of the district in which such land or portion thereof is located.

Non-conforming use is terminated upon a change in use other than as provided herein.

Non-conforming use is terminated upon destruction of a structure occupied by a non-conforming use unless it is permitted to be rebuilt as provided herein.

Replacement. If a structure occupied by a nonconforming use is destroyed by fire, the elements or other cause, it may not be rebuilt except to conform to the provisions of this Ordinance. In the case of partial destruction of a nonconforming use not exceeding 75 percent of its tax roll assessed value, reconstruction will be permitted but the size or function of the nonconforming use shall not be expanded.

Sec. 3.100. - R-1: Single Family Residential.

Site Development Regulations

Each site in the R-1 district shall be subject to the following site development regulations:

Feature	Regulation
Lot Size	Minimum Lot Area, 7500 Square feet; or 10,000 square feet for guest houses and short-term rental, accessory uses
Lot Width	Minimum Lot Width, 70 feet
Height	Maximum Building Height, 2½ stories, 28 feet
Front Yard	Minimum Required Setback, 25 feet
Street Side Yard	Minimum Required Setback, 15 feet
Interior Side Yard	Minimum Required Setback, 5 feet
Rear Yard	Minimum Required Setback, 10 feet
Residential Density	Maximum Dwelling Units per Lot, 1 per Lot Minimum Dwelling Areas
(Living Area Only)	750 Square feet
Maximum Building Coverage	Percent of Lot Area, 40%
Impervious Cover	Percent of Lot Area, 55%
Nonconforming Uses	Section 6.100
Special Yard Regulations	Section 7.300
Fences, Walls and Visibility	Section 7.530
Parking	Section 7.800
Temporary/Accessory Building	Section 8.000
Home Occupations	Section 8.300

Sec. 5.650. - Findings.

Basic Criteria. The Board of Adjustment may grant a Variance if it makes affirmative findings of fact on each of the following criteria:

The Zoning Regulations applicable to the property do not allow for a reasonable use.

The plight of the owner of the property is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to or the result of general conditions in the zoning district in which the property is located.

The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property and will not impair the purposes or regulations to the Zoning District in which the property is located.

STAFF RECOMMENDATION:

In evaluating the request the area in general has a distinct pattern of development. It contains various lot sizes and building locations creating a range of existing setbacks and building placements. A determination that unique circumstances exist for the property, and not created by the owner, would need to be identified within the findings of fact for approval.

ATTACHMENTS:

1. New 106 Location Arial
2. 106 W Peach Notification Map
3. New 106 Zoning
4. ZBA-2026-01_106 W Peach_Variance Application_1.6.2025_Redacted
5. ZBA-2026-01_106 W Peach_Lot Configuration_1.6.2025



LEGEND
 □ GCAD Parcels

FIGURE 1
 City of Fredericksburg
 ZBA-2026-01 106 W. Peach
 Page 9 of 17

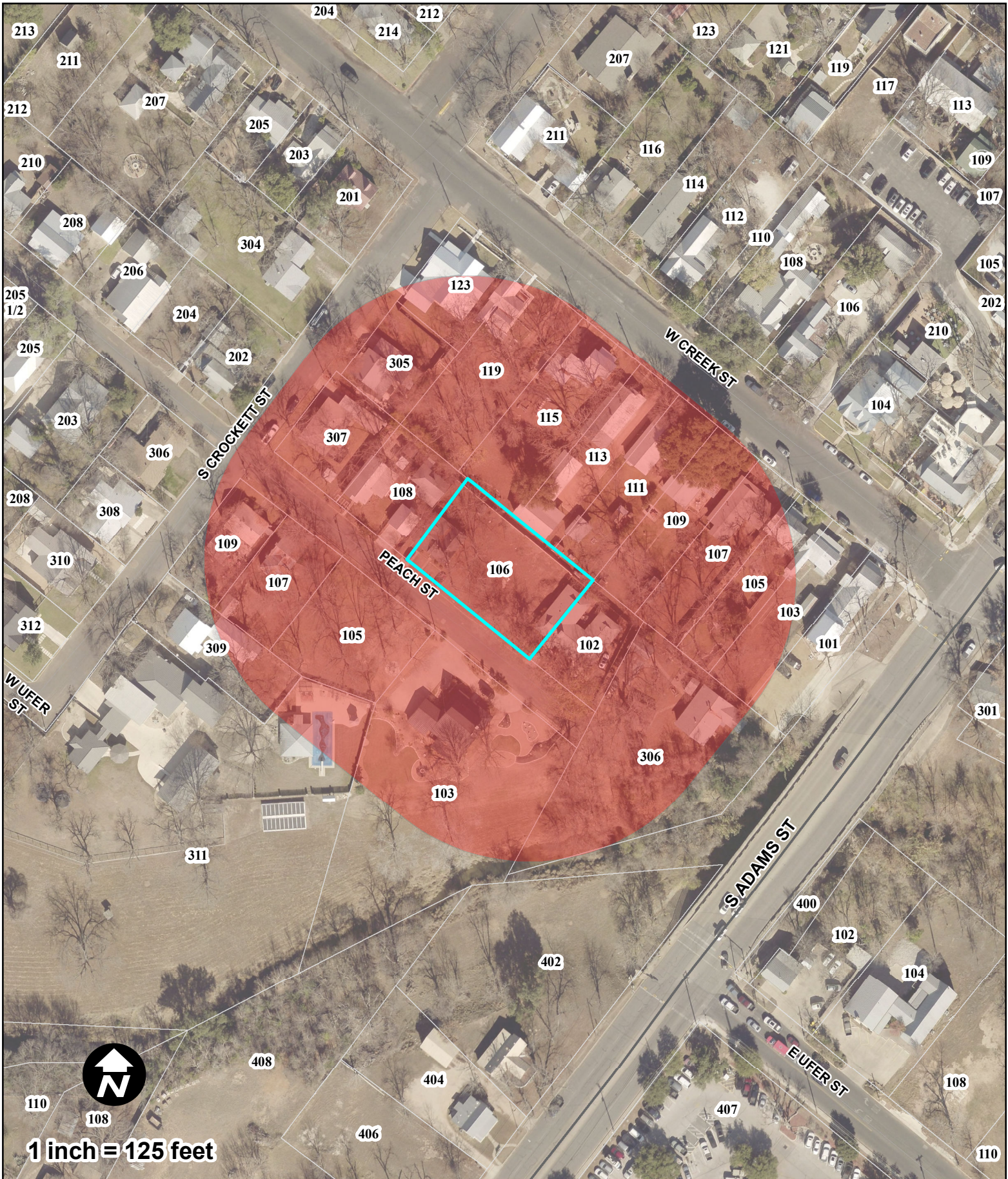
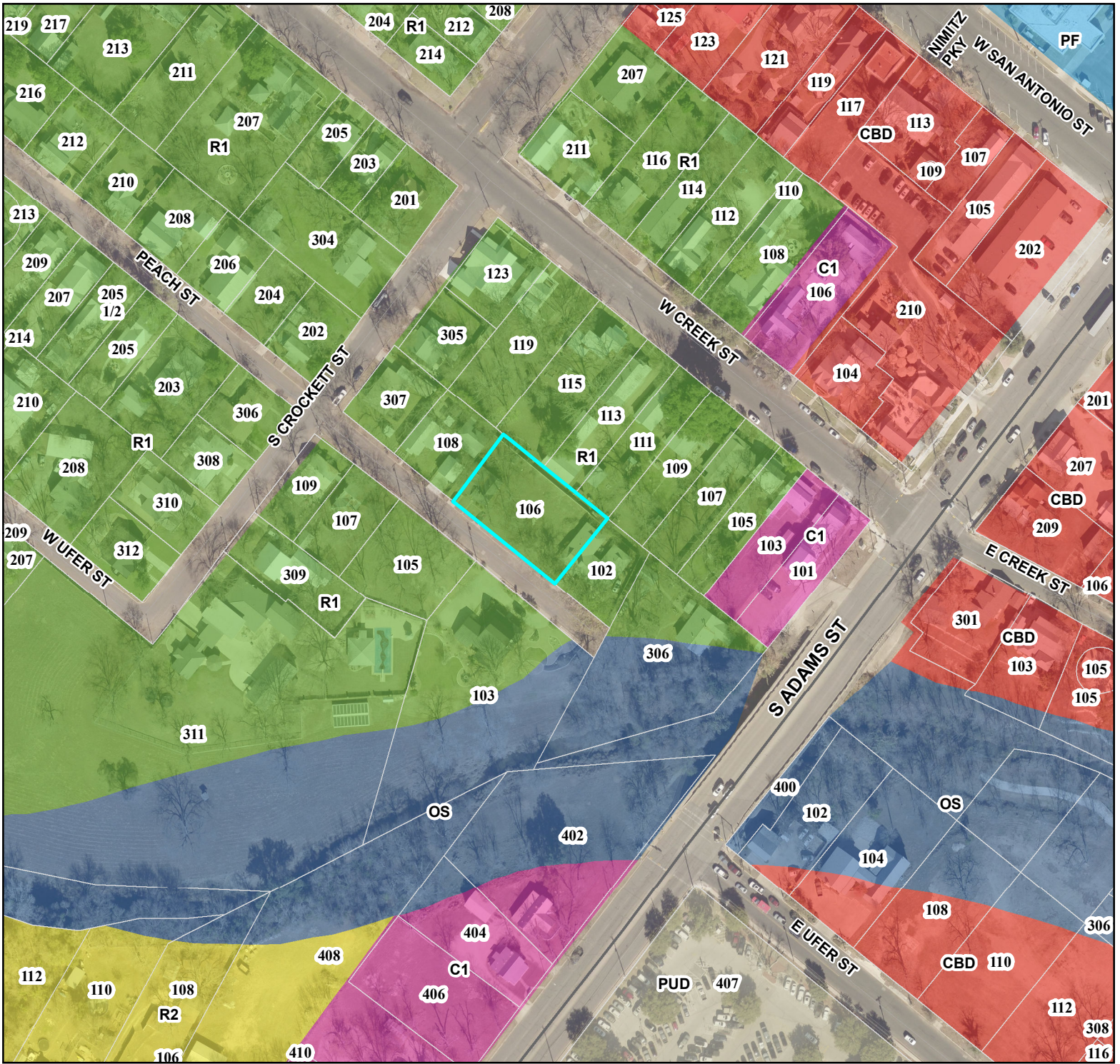


FIGURE 1
 City of Fredericksburg
 Z-2026-01 106 W. Peach

LEGEND

- 200' Foot Notification Buffer
- GCAD Parcels



LEGEND

- | | |
|---------------------------------|---|
| GCAD Parcels | PF - Public Facilities |
| Zoning | PUD - Planned Unit Development |
| ZONED | R1 - Single Family Residential |
| C1 - Neighborhood Commercial | R1A - Single Family Residential - Small Lot |
| C1.5 - Medium Commercial | R2 - Mixed Residential |
| C2 - Commercial | R3 - Multi-Family Residential |
| CBD - Central Business District | R4 - Manufactured Home Residential |
| M1 - Light Manufacturing | R5 - Patio Home Residential |
| M2 - Medium Manufacturing | |
| M3 - Industrial Park | |
| OS - Open Space | |



FIGURE 1
City of Fredericksburg
ZBA-2026-01 106 W. Peach



VARIANCE APPLICATION TO BOARD OF ADJUSTMENT

City of Fredericksburg - Development Services Department
126 W. Main St., Fredericksburg, TX 78624 – (830)997-7521

-
1. Applicant: C3 Development Services - Shelby Collier
 2. Owner: John & Lynn Robinson
 3. Phone: 830-889-5873 Email: shelby@c3developmentsservices.com

 4. Description of property involved in this request.
Address: 106 W Peach Street Fredericksburg, TX 78624
Legal Description: G E CO #613 .34, ALSO PT LOT 3 STEHLING
Lot Size: 14,925 sq ft Zoning District: R1, Single Family Residential

 5. Request is made to the Board of Adjustment that a variance be granted to the following provisions of the Zoning Ordinance.
Section: 3.100 Subsection: Lot Size
Item: Lot Size Relating To: _____
Requiring: 3.100 requires 7,500 sq ft lots with 70 ft of front age. We request a variance that would allow for the creation of Lot 1, resulting in a 7,400 sq ft lot that is 74.25 ft wide, which does not meet the 7,500 sq ft minimum requirement for size.

 6. INFORMATION TO BE SUBMITTED BY THE APPLICANT:
 - A. Site plans, preliminary building elevations, preliminary improvement plans, or other maps or drawings, sufficiently dimensioned as required to illustrate the following, to the extent related to the Variance application:
 - i. Existing and proposed location and arrangement of uses on the site, and on abutting sides within 50-feet.
 - ii. Existing and proposed site improvements, buildings, and other structures on the site, and any off-site improvements related to or necessitated by the proposed use. Building elevations shall be sufficient to indicate the general height, bulk, scale, and architectural character.
 - iii. Existing and proposed topography, grading, landscaping, and screening, irrigation facilities, and erosion control measures.

- iv. Existing and proposed parking, loading, and traffic and pedestrian circulation features, both on the site and any off-site facilities or improvements related to or necessitated by the proposed use.

The Board of Adjustment may grant a variance if it makes affirmative findings of **FACT** on EACH of the criteria. The applicant shall give a reason why the request complies with the following criteria:

1. The Zoning Regulations applicable to the property do not allow for a reasonable use.

This neighborhood was first developed prior to existing zoning regulations and the existing development clearly planned to subdivide in the future given the addition of another access point for the vacant portion of land. It is also important to note that this parcel would not qualify for a secondary access on its own per the Subdivision Ordinance.

2. The plight of the owner of the property is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial and are not due to or the result of general conditions in the zoning district in which the property is located.

The owner purchased the property in 2016. The previous owner had planned for future subdivision, the City of Fredericksburg assisted with installation of another access. 109 W Peach is a lot within this neighborhood that is approximately 7,212 sq ft in size

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purposes or regulations to the Zoning District in which the property is located.

The variance will not alter the character of the area and will not impair the purpose of the Zoning Ordinance as smaller lots already exist in the neighborhood (109 W Peach) and visually, the property appears to be two lots, given the vacant land and additional access.

- B. **PARKING : ADDITIONAL CRITERIA**-The Board may grant a Variance to a regulation prescribed by this ordinance with respect to the number of off-street spaces required if it makes findings of fact that the following additional criteria are also satisfied:

Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specified regulation.

N/A

The granting of the Variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets.

N/A

The granting of the Variance will not create a safety hazard or any other condition inconsistent with the objectives of this ordinance.

N/A

The Variance shall run with the use or uses to which it pertains and shall not run with the site.

N/A

- c. **SIGNS: ADDITIONAL CRITERIA**-The Board may grant a Variance to a regulation prescribed by the Sign Ordinance with respect to the placement of signs, the height of signs or the area of signs if it affirmatively finds each of the following.

That a sign is being replaced. For the purposes of this Section, replacement shall include the erection of a new or different sign due to the removal of another sign for any reason, including the change of name of a business, whether from change of ownership, business being conducted, or otherwise, the change of a sign for a continuing business containing the same or different information as the sign being replaced, and the replacement of signs due to damage or vandalism.

N/A

That all structures on the property for which the sign is proposed that would impede the replacement of a sign were constructed prior to February 17, 1986.

N/A

That it is impractical to abide by existing placement, height or area regulations due to the placement, size of construction of existing structures in relationship to the physical characteristics of the site. For purposes of illustration, physical characteristics may include topography of the site or the surrounding sites, structures on surrounding sites, traffic conditions, street layouts and existing natural vegetation.

N/A

That the other types of signs which are permitted by this Ordinance cannot practically be used. In making this determination of practicality, the Board may consider

- A. The undesirability of altering a historic site to accommodate a sign which would be permitted with no variance under this Ordinance; or
- a. That alternatives permitted by this Ordinance would involve extensive reconstruction of structures; or
 - 1. That alternatives permitted by this Ordinance are prohibitively expensive; or
 - 2. That alternatives permitted by this Ordinance will not effectively identify the subject of the sign.

N/A

ii. That the proposed sign has been reviewed by the Historic Review Board if applicable.

N/A

iii. That the proposed variance is as close to the requirements of the sign ordinance as is feasible.

N/A

Staff Use Only

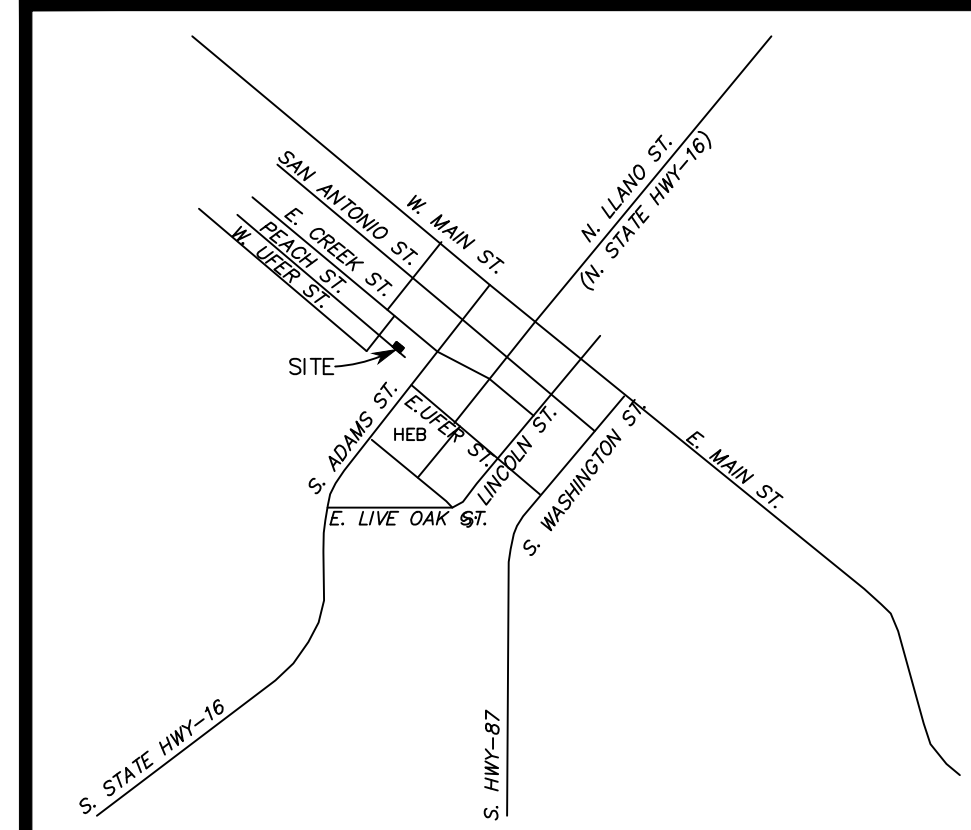
Application No: ZBA-2026-01

Date: [REDACTED]

Payment Type: [REDACTED]

MINOR PLAT ESTABLISHING
PEACH STREET
SUBDIVISION
 CITY OF FREDERICKSBURG,
 GILLESPIE COUNTY, TEXAS

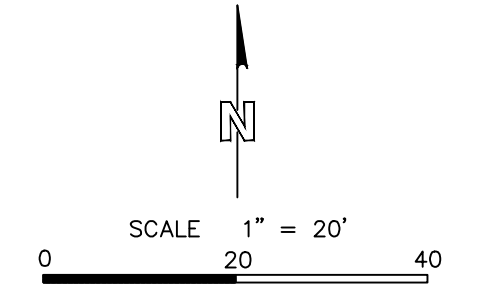
BEING PART OF OUTLOT NO. 613 AS SAID OUTLOT IS SHOWN ON THE MAP OF FREDERICKSBURG, TEXAS, AND ENVIRONS BY THE GERMAN EMIGRATION COMPANY, AND BEING PART OF LOT NO. 3, STEHLING ADDITION, PLAT FOUND OF RECORD IN VOLUME 61, PAGES 226-227 OF THE DEED RECORDS OF GILLESPIE COUNTY, TEXAS, AND BEING 0.34 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED TO JOHN ROBINSON, ET AL. BY ADOLF TUPA, ET AL, DATED DECEMBER 1, 2016, FOUND OF RECORD IN INSTRUMENT NO. 20165971 OF THE OFFICIAL PUBLIC RECORDS OF GILLESPIE COUNTY, TEXAS.



NOTES

- BUILDING SETBACKS ARE SUBJECT TO CHANGES IN PROPERTY ZONING. ALL FUTURE CONSTRUCTIONS ADHERE TO CURRENT ZONING AND DEVELOPMENT ORDINANCES, UNLESS VARIANCES ARE GRANTED AT THE TIME OF PERMIT APPLICATION.
- FEMA FIRM PANEL 48171C0269C WITH AN EFFECTIVE DATE OF OCTOBER 19, 2001 SHOWS THE SUBJECT PROPERTY TO LIE WITHIN FLOOD ZONE 'X', WHICH IS NOT A SPECIAL FLOOD HAZARD AREA. PENDING FLOOD STUDIES IN THE SURROUNDING AREA, WHICH ARE NOT AS OF YET PUBLISHED BY FEMA, MAY AFFECT THIS TRACT.
- UNDERGROUND UTILITIES, SPRINKLER SYSTEM AND HEADS, VALVES, HAND-HOLES AND OTHER IMPROVEMENTS MAY EXIST THAT ARE NOT SHOWN HEREON. THE SURVEYOR MAKES NO GUARANTY OR WARRANTY AS TO THE EXACT LOCATION OF UNDERGROUND UTILITIES.
- COORDINATES, BEARINGS, DISTANCES AND AREA SHOWN HEREON ARE 'GRID' DERIVED FROM G.N.S.S. R.T.K. (GPS) POSITIONING TECHNIQUES REPORTED IN THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE OF THE NORTH AMERICAN DATUM 1983 (NAD83(2011)), WITH THE HORIZONTAL DISTANCES EXPRESSED IN U.S. SURVEY FEET. 'NORTH' IS REFERENCED TO GRID NORTH (UNLESS NOTED OTHERWISE).
- A 10-FOOT-WIDE UTILITY EASEMENT ALONG THE REAR, FRONT, AND SIDE LINES OF ALL INTERIOR LOT LINES, AND 20-FOOT-WIDE UTILITY EASEMENT ALONG THE ENTIRE PERIMETER OF THE SUBDIVISION IS RESERVED. PER THIS PLAT. REFER TO THE ENTIRETY OF THE 'UTILITY EASEMENT' NOTE ON THIS PLAT.
- THIS SURVEY DOES NOT CONSTITUTE AN ABSTRACT OF TITLE BY THE SURVEYOR AND THE SURVEYOR MAKES NO REPRESENTATION AS TO THE CONDITION OF TITLE.
- MONUMENTS AS SHOWN. ALL CORNERS SET ARE 1/2" DIA. REBAR WITH CAP STAMPED 'WAYMAKER 10194626' (UNLESS OTHERWISE NOTED).
- REFER TO SHEET 1 OF 2 FOR ALL NOTES CONCERNING EASEMENTS, DEDICATIONS, ETC.

PRELIMINARY
 THIS DOCUMENT HAS BEEN RELEASED FOR REVIEW ONLY AND SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.
 DATE: 08 / 21 / 2025



- LEGEND**
- 1/2" DIA. REBAR FOUND (EXCEPT AS NOTED)
 - REBAR FOUND (PASSING CALL, AS NOTED)
 - 1/2" DIA. REBAR SET
 - UNMARKED POINT (EXCEPT AS NOTED)
 - ⊗ 3/8" DIA. REBAR FOUND (CAPPED: 4542)
 - × FENCE
 - ⊘ UTILITY POLE
 - ⊙ STORM MANHOLE
 - ⊗ SEWER MANHOLE
- P.O.B. POINT OF BEGINNING
 O.P.R. OFFICIAL PUBLIC RECORDS
 R.P.R. REAL PROPERTY RECORDS
- OVERHEAD ELECTRIC (UTILITY) LINE
 - ADJONER/TRACT LINE
 - TOWNLOT/OUTLOT LINE
 - EASEMENT OR SETBACK LINES

WAYMAKER
 LAND ADVISORS & SURVEYORS
 1788 W. Live Oak St. | Fredericksburg, Texas 78624
 830-997-3884 | TBPELS Firm No. 10194626
 Waymakerland.com

SURVEYOR'S PROJECT NO. 2506-16