



City of Fredericksburg

Zoning Board of Adjustment Meeting Agenda
Wednesday, June 17, 2026 ~ 5:30 PM
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 Wednesday, June 17, 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 June 17, 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. March 18, 2026, Regular Meeting Minutes

4. PUBLIC HEARING

- A. **ZBA2026-03:** Request by 3L Land Holdings (Rick LaPlante) to consider an administrative appeal regarding the applicability of Chapter 29 (29-4(A) & 29-4(B) of the Fredericksburg Code of Ordinances pertaining to the installation of a construction sign for property located at 1505 S. Creek Street, Fredericksburg.

- B. **DEV-2026-20-ADP:** Request by C3 Development Services (Shelby Collier) to consider an appeal of the Decision of the Historic Review Board in accordance with Section 23-66 (Appeal), pertaining to the denial of a Certificate of Appropriateness to construct a proposed 36' x 60' building at the property commonly known as 109 N. Orange Street, Fredericksburg, Texas.
- C. **DEV-2026-44-SE:** By Absolute Charm (Catherine Calomeni) to consider a Special Exception Per Sec. 5.500 – Board of Adjustment Subsection A (2) To allow for an increase in occupancy for a STR permit for property located at 103 E. Hackberry Street, Fredericksburg, Texas. The current occupancy is 4 and the applicant is requesting an occupancy of 6.
- D. **DEV-2026-47-ZVAR:** By Mary Ann Williams to request a setback Variance Per Sec. 5.600 – “Variance Procedure” For property located at 216 Riley Lane, Fredericksburg, Texas. The applicant is requesting an eighteen-and one-half-foot (18.5) front yard garage setback to the underlying R1-A, Single Family Residential-Small Lot requiring Twenty (20) Foot Setback Per Sec. 3.101 of the Zoning Ordinance.
- E. **DEV-2026-53-SE:** By Kordzik Haus (Sara Aaronson) To consider a Special Exception Per Sec. 5.500 – Board of Adjustment Subsection A (2) To allow for an increase in occupancy for a STR Permit for property located at 415 E College Street, Fredericksburg, Texas. The current occupancy is 4 and the applicant is requesting an occupancy of 5.

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 Wednesday, June 10, 2026, on the bulletin board of the City of Fredericksburg, New City Hall at East Campus, 2818 E. U.S. Hwy. 290, Fredericksburg, Texas 78624.

Jan Musgrove

Jan Musgrove
Planner 1

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

**ZONING BOARD OF ADJUSTMENT
MARCH 18, 2026
MEETING MINUTES
5:30 P.M.**

On the 18th day of March 2026, the Zoning Board of Adjustment convened in regular session in the City Chambers Room at 2818 E US Highway 290, Fredericksburg, Texas 78624, with the following members present to constitute a quorum.

PRESENT: ERIC HAMMERSEN
 MIKE MAHONEY
 ADAM LUTON
 JIM MCAFEE
 JIMMY CULP
 JENNIFER EGGLESTON

ABSENT: CLAY SEARS

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

The meeting was called to order at 5:30 P.M. by Eric Hammersen.

Minutes:

February 18, 2026, Regular Meeting Minutes were approved. All voted Aye and the motion carried.

Action Item:

ZBA2026-02 - Request by Cindy Heifner to consider a variance per sec. 5.600 "Variance Procedure" for property located at 205 E Hackberry Street for relief from the provisions of section 3.100 for the minimum lot width requirement of seventy (70) feet within the R1- Single Family Residential District.

Applicant: Ms. Heifner was sworn in at 5:44PM.

Cindy Heifner explained that she was the owner of the property and that she wanted to subdivide the 22,326 square foot lot into two lots but discovered the frontage for each lot did not have the required seventy (70) feet for each lot required in the R1 zoning district. She mentioned that she would either like to sell the lot so that a home could be built on it or that she might like to sell her current home and build herself a home on the vacant lot. She confirmed that neither lot would contain a Short-term rental.

Staff Summary: Cliff Cross

Cliff outlined the criteria for granting a variance, emphasizing the need for unique circumstances not created by the owner, and clarified that approval of the subdivision variance would not automatically make the new lot buildable, a separate variance would be required to construct a home due to setback and width constraints. Discussion between Cliff and the board continued around historical maps and legal records, noting that the lot may have originally been two separate lots, with two curb cuts and a lot pattern consistent with neighboring properties, but no formal record of consolidation was found, prompting a recommendation for further surveyor investigation.

Public Hearing opened at 5:56PM and closed at 5:56PM

Board Discussion:

Eric Hammersen provided guidance on the complexities of building on a substandard (non-buildable) lot, including the need for additional variances and the logistical challenges posed by setbacks and driveway access for the new build. After extensive discussion, the board, with Cindy's agreement, decided to table the variance request for approximately two months to allow her to prepare a combined application for both subdivision and buildability, with the understanding that approval of the current request alone would not guarantee the ability to build on the new lot.

Mike Mahoney made a motion to table the motion so the applicant could return with a more complete application. Jim McAfee seconded the motion. All voted Aye and the motion carried.

Director's Report:

Cliff provided the board with updates on the initiation of the Unified Development Code (UDC) process, recent adoption of the 2021 ICC building codes, and the implementation of a new fee structure for building permits, plan reviews, and engineering services. An anticipated project duration of 18 to 24 months, during which input will be sought from various boards, business representatives, and community members.

ADJOURN

With nothing further to come before the Board. The meeting was adjourned at 6:21PM

PASSED AND APPROVED this on the 20th day of May 2026.

JAN MUSGROVE, PLANNER 1

CLAY SEARS, CHAIRPERSON



ZONING BOARD OF ADJUSTMENT AGENDA MEMO

DEPARTMENT: Development Services

TO: Zoning Board of Adjustment

FROM:

MEETING DATE: June 17, 2026

CATEGORY: PUBLIC HEARING

CAPTION: **ZBA2026-03:** Request by 3L Land Holdings (Rick LaPlante) to consider an administrative appeal regarding the applicability of Chapter 29 (29-4(A) & 29-4(B) of the Fredericksburg Code of Ordinances pertaining to the installation of a construction sign for property located at 1505 S. Creek Street, Fredericksburg.

SUMMARY:

The applicant is requesting an administrative appeal of staff's interpretation that the identified "Construction Sign" is exempt from the regulations of both sections 29.4 and 29.7 and are exempt from obtaining a permit and exempt from the permanent sign provisions of permanent signs within an underlying zoning district.

In summary, the applicant is seeking relief that would exempt the "construction sign" from obtaining a permit and allow its continued placement on two existing posts exceeding the maximum 5' foot in height requirement.

FINDINGS:

Sec. 5.700. ADMINISTRATIVE APPEALS PROCEDURES.

This procedure is intended to afford review of administrative actions taken pursuant to the Zoning Regulations where such actions may be in error.

Appeals to the Board of Adjustment may be taken by any person aggrieved, or by any officer, department, or board of the City affected by any administrative decision of the Director of Planning and Building. Such appeal shall be taken within 30 days after the decision, by filing with the Director of Planning and Building, and with the Board of Adjustment a notice of appeal, which shall specify the grounds thereof. The Director of Planning and Building shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

Sec. 29-4. Permit required.

(a) No person shall erect, construct, alter, repair, or relocate a sign without first obtaining a permit from the building official. The signs described in section 29-5 shall be an exception to the requirement.

Sec. 29-5. Signs exempted from certain regulations.

The signs described in the following subsections are exempt from the regulations provided for in this chapter. However, such signs shall remain subject to the construction and electrical standards of the city codes:

(5) One sign per street frontage of a building which is under construction, structural alteration or repair announcing the character of the building or enterprise or the purpose for which the building is intended, including

names of architects, engineers, contractors, developers, financiers, owners, and others, provided the area of such signs does not exceed 32 square feet in nonresidential districts, and 16 feet in residential districts. Individual contractor signs (one per contractor), not exceeding three square feet in area, are allowed in addition to the construction sign described earlier in this subsection. All such contractor or construction signs shall be removed within 30 days after the completion of the construction project. All such signs which are larger than three square feet in area shall be set back from the property line to the normal building setback line required in the applicable zoning district. For the purposes of this subsection, the term "under construction" means under active construction and before substantial completion. Such signs shall not be erected, placed or allowed to remain in the absence or lapse of a building permit for the property to which it relates, or if a certificate of occupancy has been issued for such property. Trade repair or improvement signs (e.g., landscape and air conditioner repair signs) are limited to four square feet and may be placed only for the length of time the active repair or installation is underway not to include any maintenance period.

Sec. 29-7. Permanent signs permitted by district.

All signs listed in this section shall be required to meet any applicable standards as listed in this section and a construction permit shall be required prior to the erection of any signs described in this section:

(5) The following signs shall be permitted in industrial (M-1, M-2 and M-3) districts:

a. Banners/temporary signs as permitted in subsection (3)b of this section.

b. Areas zoned for industrial uses shall have the same regulations for wall signs and ground signs as permitted in subsections (3)d and e, respectively, of this section.

(3) The following signs shall be permitted in commercial (C-2) districts:

b. Banners/temporary signs.

1. Banners shall be permitted for each business property provided they do not exceed either two square feet per lineal foot of business building frontage or 80 square feet maximum in area. This applies to C-2 and industrial districts only.

2. Temporary signs shall be permitted for each business property provided they are not more than 16 square feet in area.

3. A permit shall be issued for a 20-day period.

4. The number of permits shall be limited to six per calendar year per property.

5. Each permit may be linked together for a consecutive period (e.g., 20, 40, 60, 80, 100 or 120 days). Each 20-day period, even if linked together, shall carry a separate permit fee.

6. Temporary signs shall be mounted as wall signs on a building in accordance with subsection (3)d of this section or as freestanding or ground signs in accordance with subsection (3)e of this section, or erected as medallion or shield signs in accordance with subsection (7)b of this section.

7. Banners shall be mounted wholly within the business property on either the building entirely, or on an existing freestanding sign entirely, and shall not be attached to any utility pole or structure within the right-of-way.

d. Wall signs.

1. Wall signs are permitted for each business with a maximum total sign area of 1½ square feet for each linear foot of building frontage.

2. No wall signs shall project above the roof line of the building to which they are attached.

3. Wall signs shall not extend outward more than two feet from the building wall to which they are attached.

e. Ground signs.

1. One ground sign is permitted for each 125 feet of business frontage. A business must have 250 feet of business frontage in order to erect a second sign.

2. The maximum total sign area per sign shall not exceed 50 square feet.

3. The height of the sign, including the sign structure, shall not exceed five feet above the adjacent ground and the lowest point of the sign face shall not exceed two feet above the ground.

STAFF RECOMMENDATION:

Not Applicable / Administrative Appeal

ATTACHMENTS:

1. 1505 S Creek Notification Map
2. Zoning Board of Adjustment Administrative Appeal Application Fillable_Redacted
3. ZBA2026-03_Redacted
4. may 20th sign 1
5. may 20th version of the sign - 2
6. may 31, 2026
7. New sign verbage - May 31, 2026

APPROVAL/REVIEW:



Date: May 15, 2026

Cliff Cross, Director of Development Services

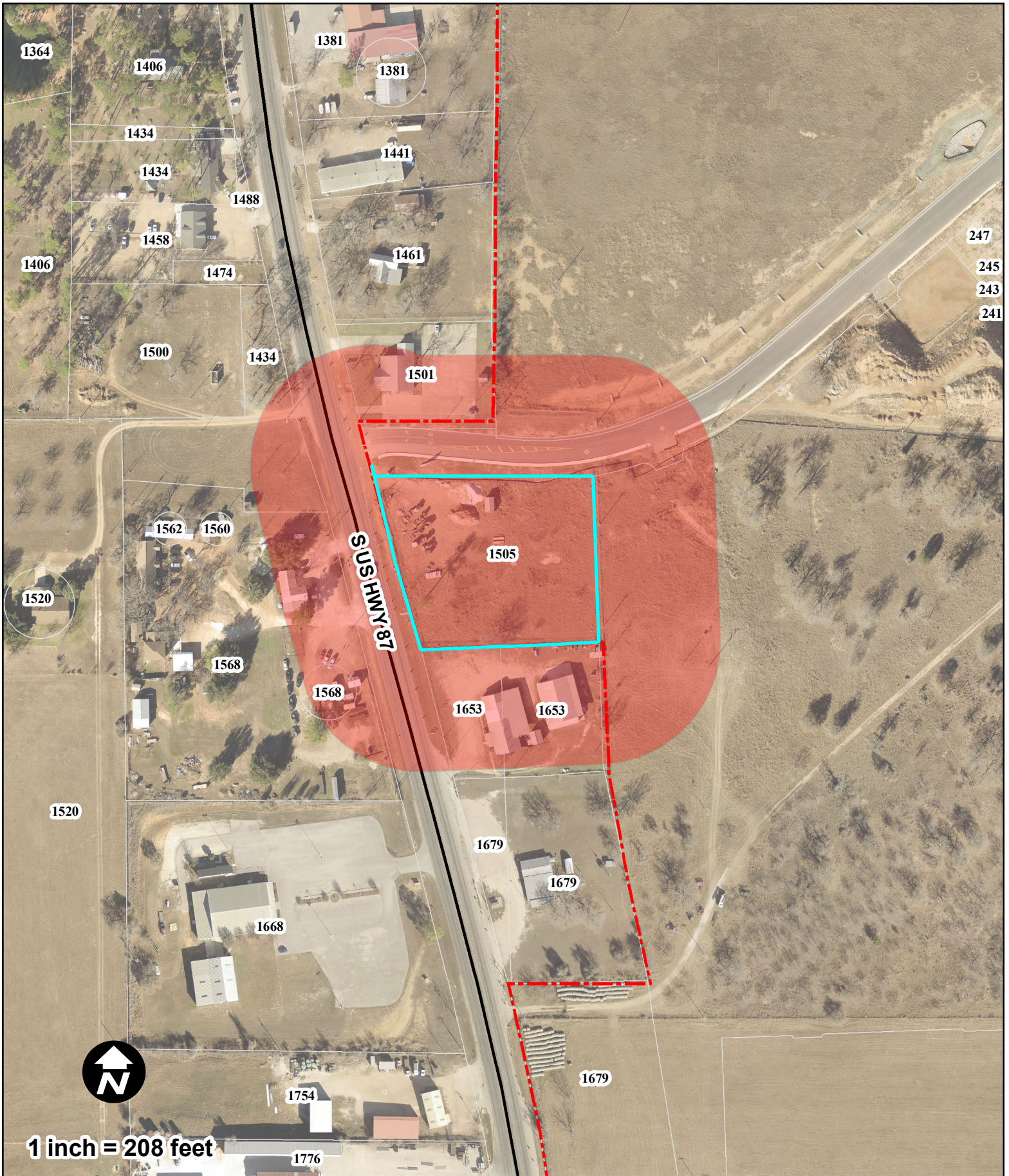


FIGURE 1
 City of Fredericksburg
 Z-2026-03 1505 S. Creek St.

LEGEND

- 200' Notification Buffer
- GCAD Parcels



ZONING BOARD OF ADJUSTMENT APPEAL OF AN ADMINISTRATIVE DECISION

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

Applicant: _____

Phone: [REDACTED] _____

Email: [REDACTED] _____

Owner: _____

Phone: [REDACTED] _____

Email: [REDACTED] _____

Appeal Fee: \$300 Legal Notice Fee: \$100 Public Hearing Notice Fee: \$150

Total of \$550.00

Please mail a check for the fees, application and any supporting documentation to 126 W Main, Fredericksburg, Texas 78624.

Address: 1505 S Creek St _____

Legal Description: _____

Lot Size: 2.33 acres _____ Zoning District: M-1 _____

Administrative Decision being appealed: Requirement for sign permit and height restrictions

Section of Code to be appealed: Chapter 29, specifically 29-4(a) and 29-5(5)

Date of Decision: 3/26/26 _____

The Zoning Board of Adjustment will consider the same criteria and standard of review considered by Director of Development Services.

The Zoning Board of Adjustment may overturn the Administrative decision if it makes affirmative findings of fact on each of the following criteria.

Explain how your appeal meets these requirements.

- **The administrative decision set forth herein, or findings of the Staff do not allow for a reasonable use.** [The staff position is unreasonable, and prevents a reasonable use as defined by 29-5\(5\) which explicitly allows a temporary construction sign without permit \(see 29-4\(a\)\) and no height requirements, only sqft/area ones.](#)
- **The action of City Staff was not based upon the preponderance of the evidence presented.** [The attached letter clearly shows the basis for our temporary construct sign, which meets any requirement specified in 29-5\(5\). The city actually agrees that our sign is permitted under 29-5\(5\), they are simply applying additional rules without any evidence in the code for such additional constraints and which directly contradict the plain language of the code section 29.](#)
- **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 reversal of Staff's decision 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 of this article or regulations to the Zoning District in which the property is located.**
- **In addition, or alternately, other legal precedent or established law or is challenging or requesting a change to a rating.**
[See attached letter which provides clear legal reading of the code section 29](#)
- **The Board may apply conditions for its decision or modification of the Staff's decision.**

Staff Use Only

Application No: _____ Date: _____

Payment Type: _____ ZBA Hearing Date: _____

Formal Appeal Letter

March 26, 2026

Board of Adjustment
City of Fredericksburg
126 W. Main Street
Fredericksburg, TX 78624

Re: Appeal of Administrative Interpretation – Chapter 29 Sign Regulations (Section 29-5 vs. 29-7)

Dear Members of the Board:

I am writing to formally appeal an administrative interpretation made by City staff regarding the applicability of Chapter 29 of the Fredericksburg Code of Ordinances as it relates to a construction sign installed at our project site for **Pour Choices Brewing Company**.

This appeal is made pursuant to Section 5.700 of the Zoning Code.

Background

Our project is currently under active construction and has a valid building permit. In connection with this activity, we installed a sign intended to:

- Announce the character of the enterprise
- Communicate the purpose of the building
- Increase public awareness during the construction phase

This sign was installed in reliance on **Section 29-5(5)** of the Code, which expressly permits:

“One sign per street frontage of a building which is under construction... announcing the character of the building or enterprise or the purpose for which the building is intended...”

The sign exists in a “freestanding frame” that has existing on the property for decades with a height of under 12’. The sign is not illuminated in any way and sits within the building setback. The sign (including existing freestanding frame) is a temporary construction sign and will be completely removed within 5 months.

Areas of Agreement

Initially code enforcement determined that the sign had no basis and therefore had to be removed. Upon discussion with the Assistant Director and Director of the Planning Department it was agreed upon by staff that in fact the sign falls under the exemption provisions identified under section 29-5 subsection (5), and that it complies with the stated requirements of this subsection, including size and timing. Further, staff agree that 29-5(5) does not explicitly provide any height requirements, unlike other subsections of 29-5.

Basis of Appeal

The disagreement with staff centers on two key interpretations:

1. Whether a Sign Permit Is Required

Staff have indicated that a sign permit is still required under Section 29-5. However, directly prior to Section 29-5, Section 29-4(a) clearly states:

“No person shall erect, construct, alter, repair, or relocate a sign without first obtaining a permit from the building official. **The signs described in section 29-5 shall be an exception to the requirement [for a permit].**”

Section 29-4(a) expressly exempts signs described in Section 29-5 from permit requirements. No additional permitting requirement is stated or implied.

Staff offered the following text from 29-5(5) which they believe implies that a sign permit is still required:

“...Such signs shall not be erected, placed or allowed to remain in the absence or lapse of a building permit **for the property** to which it relates, or if a certificate of occupancy has been issued **for such property.**”

This language does not authorize or require a sign permit. In both instances, the clause is tied to the **status of the property** — specifically the existence of a building permit — **not to the sign itself**. Rather, it establishes a **timeline** for when Section 29-5(5) construction signs may be displayed: beginning with the issuance of a building permit “for the property to which it relates” and ending upon issuance of a certificate of occupancy for that property.

Interpreting this provision otherwise would **render the timing language meaningless**, allowing such signs to be placed well before construction begins and to remain indefinitely thereafter.

Our interpretation is that:

- Section 29-5 clearly establishes, and in fact exists solely for the purpose of establishing a category of **permit-exempt signs**
- The specific text referenced by staff governs the timing of the sign—limiting its display to the period of active construction between building permit issuance and either a lapse or delivery of the Certificate of Occupancy —and does not create a requirement for a sign permit. **Reading this clause otherwise would conflict with the explicit exemption established in Section 29-4(a) and remove any limits on timing for such signs.**

2. Applicability of the 5-Foot Height Restriction

Staff have further interpreted that a **5-foot maximum height** applies to this sign by referencing Section 29-7 (permanent sign standards).

The evidence offered for this interpretation from staff in email is:

“Although the height restrictions are not specifically identified within that section, the interpretation of the code is that the 5' max height for any ground erected sign would fall under and be consistent with the permanent sign provisions identified within section 29-7...”

Staff's interpretation relies on provisions outside Section 29-5, specifically Section 29-7. However, Section 29-5 begins with this sentence:

“The signs described in the following subsections are *exempt from the regulations provided for in this chapter (29)*”

Accordingly, the regulations set forth in Section 29-7—which govern permitted permanent signs—do not apply to signs authorized under Section 29-5. Any other interpretation **is contrary to the structure and language of the Code.**

Given that:

- Section 29-5(5) includes **no height limitation**, only area and timing restrictions
- Other subsections of 29-5 (see subsections 1, 11, and 15) including height restrictions explicitly is evidence that had there been desire for a height restriction intended for subsection (5), **it would have been explicitly stated.**
- Signs under 29-5 are exempt from all other requirements of Chapter 29

Our interpretation is that:

- Staff interpretation **improperly expands regulatory requirements** beyond those authorized by the ordinance and **contradicts the plain language** of the ordinance.

Summary of Position

We respectfully assert that:

1. Signs authorized under Section 29-5(5) are **exempt from permit requirements** pursuant to Section 29-4(a);
2. Such signs are **not subject to other provisions** of Chapter 29, including Section 29-7 pursuant to Section 29-5;
3. Section 29-5(5) **imposes no height limitation**; and
4. The installed **sign complies with all applicable provisions** of Section 29-5.

Good Faith and Cooperation

We want to emphasize that we are committed to being good partners with the City of Fredericksburg and respectful of community standards.

If the Board ultimately determines that a height limitation is required by Code, we are willing to modify the sign accordingly. However, we believe it is important to obtain a clear and consistent interpretation of the ordinance for both this project and future applicants.

Requested Action

We respectfully request that the Board of Adjustment:

- Reverse or clarify the administrative interpretation made by staff
- Confirm that signs permitted under Section 29-5(5):
 - Do not require a sign permit
 - Are not subject to Section 29-7 height restrictions

Thank you for your time and consideration. I would be happy to attend the hearing and provide any additional information needed.

Sincerely,



Rick LaPlante
Managing Member
Pour Choices Brewing Company

Exhibit A – Interpretation Comparison

Issue	Staff Interpretation	Ordinance Language
Permit Requirement	Sign permit required	29-4(a): 29-5 signs exempt from permit
Applicability of 29-7	Permanent sign rules apply	29-5: exempt from all Chapter 29 requirements
Height Restriction	5-ft limit applies	29-5(5): no height limit
Building Permit Clause	Creates permit requirement	Only limits timing (construction phase)



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we can
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ZONING BOARD OF ADJUSTMENT AGENDA MEMO

DEPARTMENT: Development Services

TO: Zoning Board of Adjustment

FROM:

MEETING DATE: June 17, 2026

CATEGORY: PUBLIC HEARING

CAPTION: DEV-2026-20-ADP: Request by C3 Development Services (Shelby Collier) to consider an appeal of the Decision of the Historic Review Board in accordance with Section 23-66 (Appeal), pertaining to the denial of a Certificate of Appropriateness to construct a proposed 36' x 60' building at the property commonly known as 109 N. Orange Street, Fredericksburg, Texas.

SUMMARY:

An appeal has been requested to a decision by the Historic Review Board (HRB) regarding the denial of a Certificate of Appropriateness (COA) to construct a 36' x 60' building on a property located within the Historic Shopping District. The applicant would like to build this 2,160 square foot structure on a property with a "High" rated historic structure. The HRB approved a COA to demolish two previously existing accessory structures but denied the request to build a significantly larger building in their place. The Board based their decision on the mass and scaling of the proposed new construction in comparison to the much smaller existing primary and contributing structure. The existing primary structure is 923.67 square feet.

FINDINGS:

Fredericksburg Historic District Design Guidelines and Standards

New Commercial Construction

Fredericksburg's Commercial Viability

Fredericksburg boasts one of the most consistently active and viable commercial Main Streets in Texas. The physical characteristics of Fredericksburg's commercial district substantially contribute to its success. The uniform front setbacks along the sidewalk help create a consistent look and feel that draws pedestrians along the street. The canopies and awnings create shade and protection from the rain, which helps keep pedestrians comfortable despite the weather. These standards recommend and encourage maintaining these features, in keeping with the City of Fredericksburg's commitment to keeping its Main Street commercially vital.

Use of Standards

- (a) Follow commercial guidelines for all new construction within historically commercial sections of the historic district, regardless of use or zoning. (Refer to map in *Appendix C*.)

Preservation

- (b) Avoid demolishing a historic building to accommodate new construction; the limited circumstances where demolition is permitted are set forth in the Historic Preservation Ordinance in *Appendix G*.
- (c) Avoid relocating a designated historic building to construct a new building.

- (d) Protect significant streetscape features from damage during construction, as well as delayed damage due to root compaction or chemical spills during construction activities.

Orientation

- (e) **New construction must have the same street-front orientation as the contributing buildings on the same block.**

Setbacks

- (f) Appropriate setbacks must be consistent with the surrounding context: on the historic Main Street east of Milam Street, the front wall must be flush with the property line; new commercial resources within the historic district west of Milam Street must have front setbacks within 5 feet of the average setbacks of contributing buildings on the same block, which may allow setbacks that are deeper or shallower than the base zoning. (Refer to the map in *Appendix C.*)

Height and Massing

- (g) Appropriate heights for new infill construction depend on the surrounding context: for the front 15 feet of the building, the height must be within 5 feet of the average height of contributing buildings on block; after a stepback of 15 feet; the building’s height can rise to a maximum of 28 feet; after a stepback of 30 feet, the building can rise to a maximum of 30 feet (if allowed by zoning).

- (h) **New construction must have floor-to-floor heights similar to those of contributing buildings on the block.**

Design

- (i) **Design new buildings to be subordinate and not visually overpower the surrounding contributing historic buildings.**

- (j) Design new buildings to be compatible with the surrounding contributing historic buildings but differentiated enough so that they communicate their actual date of construction and do not create a false sense of history.
 - (k) Balance compatibility with differentiation among the following aspects of the new building’s design: roof form, footprint shape, fenestration pattern (wall versus window, solid versus void), materials, stylistic elements, and color palette.
 - (l) Avoid using a historical style not found among the contributing primary buildings in the district.
 - (m) Contemporary architectural styles are appropriate provided that compatibility is retained among other building aspects; for example, a new building may have contemporary materials, fenestration pattern, and style, if it maintains a compatible

Accessory Buildings

Accessory Building Types

An accessory building is any building other than the primary building on a property. It almost always is smaller than the primary building and located behind the primary building. Accessory buildings may be residential (commonly referred to as “Accessory Dwelling Units” or ADUs), or utilitarian – such as garages, carports, and sheds.

Understanding historic accessory building types can help inform and inspire design and construction of new accessory buildings. For definitions and descriptions of historic accessory building types in Fredericksburg, refer to *Section 2.2.6.*

Priority Rankings and Lot Coverage

If a property includes an existing historic building, lot coverage standards are affected by the property’s priority ranking. For the purposes of lot coverage standards, **previously empty lots are treated as Low Priority-properties.**

Preservation

- (n) Avoid impacting significant historic resources or site features when constructing new accessory buildings.

High Priority	Medium Priority	Low Priority
Required	Required	Required

Setbacks and Lot Coverage

- ☒ Follow lot coverage standards as required in *Section 3.4.1.*

High Priority	Medium Priority	Low Priority
Required	Required	Required

Height and Massing

- ☒ Design new buildings to be subordinate and not visually overpower the surrounding historic buildings; The maximum height for an accessory building on a historically designated parcel relates to the preservation priority assigned to the primary building on the parcel. (Note that previously empty lots are considered Low-Priority properties.)

Required; maximum of one story, 18 feet in height	Required; maximum of two stories, 28 feet in height	Required; maximum of two stories, 28 feet in height
---------------------------------------------------	-----------------------------------------------------	-----------------------------------------------------

Design

- ☒ Applied architectural ornament or stylistic detailing of any kind is not appropriate for new accessory buildings.

High Priority	Medium Priority	Low Priority
Required	Required	Recommended

- ☒ Consistent with historical lot-development patterns, new ADUs should be designed to look like a single, consistent dwelling unit – even if there are multiple units on the interior. The appearance of multiple ADUs on a single property is not consistent with historical development patterns in the district.

High Priority	Medium Priority	Low Priority
Required if visible from the public ROW	Required if visible from the public ROW	Recommended

- (f) Exterior walls, roof features, and window or door openings must authentically communicate the structural system of the new construction. Application of false structural elements is prohibited. The size and placement of window and door openings must accurately correspond to the bays of the structural system. Lintels should reflect the structural system.

High Priority	Medium Priority	Low Priority
Recommended	Recommended	Recommended

- ☒ Revealing structural elements—like true load-bearing posts and beams—is encouraged.

High Priority	Medium Priority	Low Priority
Recommended	Recommended	Recommended

Materials

- ☒ If a wood-frame structural system is used, wood siding or fiber-cement siding is encouraged. Use of true load-bearing masonry walls with stone, brick, or stucco also is encouraged.

High Priority	Medium Priority	Low Priority
Recommended	Recommended	Recommended

- (i) The palette of exterior materials for new accessory buildings should not use more than two different primary siding materials; a third material may be added if used for trim only. At least one exterior material on the accessory building must match the primary building on the property.

High Priority	Medium Priority	Low Priority
Required	Required	Recommended

- (j) Modern materials, such as fiber-cement siding and corrugated metal, may be appropriate for new accessory buildings.

High Priority	Medium Priority	Low Priority
Appropriate	Appropriate	Appropriate

☐ The exterior color palette for new accessory buildings must generally be in the same range as the primary building on the property.

High Priority	Medium Priority	Low Priority
Required	Required	Recommended

Sec. 23-66. - Appeal.

(a)

An applicant or owner may appeal any decision of the Board to the City's Board of Adjustment under the following conditions:

(1)

That a written notice of appeal by the applicant or owner be received by the Historic Preservation Officer within ten days following the decision to be appealed. The application shall follow the form required for a variance request under the City's Zoning Ordinance.

(2)

The Board of Adjustment may overturn the Board's decision or requirement if it makes affirmative findings of fact on each of the following criteria:

a.

The historic review regulations set forth herein, or findings of the Board do not allow for a reasonable use.

b.

The action of the Board was not based upon the preponderance of the evidence presented to the Board.

c.

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.

d.

The reversal of the Board's decision or requirement 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 of this article or regulations to the Zoning District in which the property is located.

e.

In addition, or alternately, other legal precedent or established law or is challenging or requesting a change to a rating.

f.

The Board of Adjustment may apply conditions to its decision or modification of the Board's decision or requirement.

(3)

The Board of Adjustment shall schedule a hearing on such appeal within 30 days after the receipt of the notice of appeal, or as soon thereafter as is reasonably practicable. Notice of such hearing shall be published in the City's official newspaper not less than the tenth day before the date of the hearing. At the hearing, the applicant, owner and all interested parties, including local preservation groups, will have the opportunity to be heard. The Board of Adjustment shall uphold, reverse or modify the decision or requirement of the Historic Review Board or the Historic Preservation Officer within 30 days of the appeal hearing unless a continuance is agreed to by the owner. The Board of Adjustment will consider the same criteria and standard of review considered by the Historic Review Board or the Historic Preservation Officer.

(b)

Only one appeal shall be allowed.

Prior to an appeal to judicial authorities or institution of suit, and as a mandatory prerequisite thereof, the applicant must file a written notice of appeal with the City secretary within ten days following the adverse Board of Adjustment decision, as applicable, stating specifically grounds for such appeal, and the resultant appeal or suit shall be had on that ground or those grounds.

STAFF RECOMMENDATION:

In evaluating this request, the subject property has a contributing structure with a High rating. A determination that unique circumstances exist on the property and not created by the property owner; and that the reversal of the Board's decision will not alter the character of the area adjacent to the property or impair the purposes of the Historic Design Guidelines and Standards, would need to be identified within the findings of fact for approval.

ATTACHMENTS:

- 1. 109 N. Orange Street View
- 2. Minutes for 109 N Orange
- 3. DEV-2026-20-ADP-how we got here_109 n orange
- 4. DEV-2026-20-ADP-2026-176-109 n orange_new building elevationspdf
- 5. DEV-2026-20-ADP-city staff email correspondence
- 6. DEV-2026-20-ADP-2026-176-109 n orange - narrative (1)

APPROVAL/REVIEW:



Date: June 12, 2026

Cliff Cross, Director of Development Services



Request 2026-176 - 109 N. Orange St. - Consideration and possible action on a request for a Certificate of Appropriateness (COA) to re-rate from High to Low, two accessory structures, and allow demolition; construction of a new metal building, bearing the legal description of Fredericksburg Addition, Block 34, Lot 102-PT, located at 109 N. Orange St.

Gilbert Gonzalez recused himself from the application.

Applicant Presentation: Shelby Collier with C3 Development
Mrs. Collier presented a request to re-rate two ancillary buildings from high to low, demolish them, construct a new metal accessory building, replace siding, repaint the main structure, and add a perimeter fence to the property located at 109 N Orange.

Board Review:

The board discussed the historical significance, size, and compliance with ordinances, and discussed the size of the new building at length.

Sharon Joseph made a motion to approve the re-rating of the outbuildings and allow for demolition, approval of the painting of the main house with repairs to all rotten siding, painting of the main door to Tanner Brown and the placement of the wire fence and deny the construction of the new building due to mass and scale.

How We Got Here

The applicant initially submitted a Certificate of Appropriateness (COA) requesting approval to construct a new building measuring 36' x 60' (2,160 square feet), oriented toward North Orange Street. This request was denied by the Historic Review Board on Tuesday, April 14, 2026, based on the Historic Review Board's interpretation that the proposed structure would be considered an "accessory building."

In response, the applicant submitted a revised COA proposing a new building measuring 35' x 55' (1,925 square feet), reoriented to face West Austin Street. The revised application also clarified that the proposed structure was intended to function as a primary (main) building, not an accessory building.

City Staff denied the revised COA from being considered by the Historic Review Board, citing Section 23-60, and determined that the changes to the original application were not "significant," thereby prohibiting resubmittal within a 12-month period.

However, the revised application included both a reorientation of the building and a reduction in size of more than 10 percent, representing a substantial change from the original proposal.

The applicant contacted City Staff to further explain the modifications and requested that the revised COA be allowed to proceed to the Historic Review Board for consideration under the appropriate sections of the code. This request was denied, and the applicant was advised that the only available path forward was to file an appeal with the Zoning Board of Adjustment.

Request# APP-8412 **Denied** [Open](#)

Address 109 N Orange Fredericksburg TX 78631	Jurisdiction Fredericksburg, TX
Request Type Certificate of Appropriateness Application	Submitted Date 04/20/2026 09:50 PM
Last Comment From Jurisdiction Application Denied: Application is not eligible for reconsideration. It is not a significant change from what was previously denied. You have the option to submit an appeal to the Board of Adjustment.	Created Date 04/20/2026 09:50 PM

[Delete](#)

- Overview
- Address or Location
- Contacts
- Questionnaire
- File Upload
- Comments**

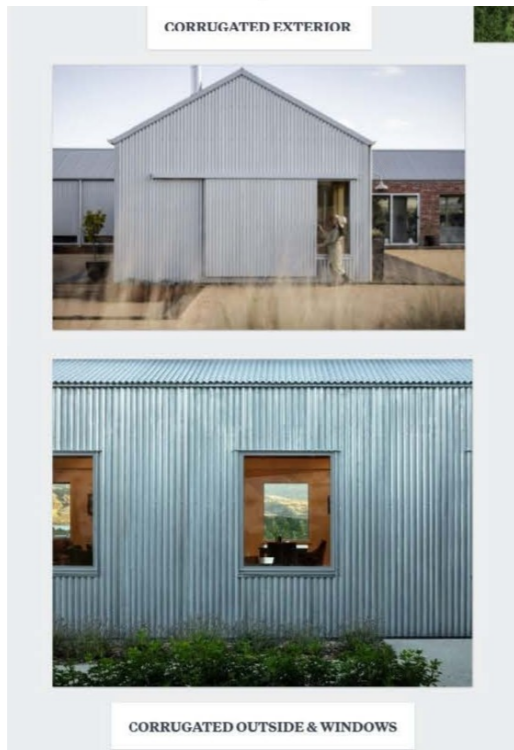
Request

APP-8412

Denied

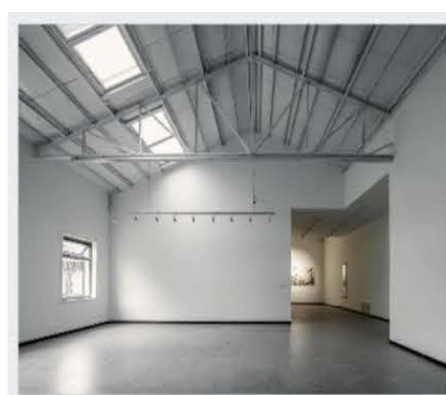
Date	Author	Comment
Comments (2)		
04/21/2026 03:03 PM	Susana Huerta	Application Denied: Application is not eligible for reconsideration. It is not a significant change from what was previously denied. You have the option to submit an appeal to the Board of Adjustment.
04/21/2026 03:00 PM	Susana Huerta	<p>Your application is not eligible for reconsideration. You have the option to submit an appeal to the Board of Adjustment.</p> <p>Sec. 23-60. - Certificate of Appropriateness (4) An application for certificate of Appropriateness shall not be resubmitted for review sooner than 12 months following its initial review unless it is submitted with a significant change, or if the originally approved plans have changed significantly as determined by the Historic Preservation Officer with an additional fee.</p>

[← Back](#)



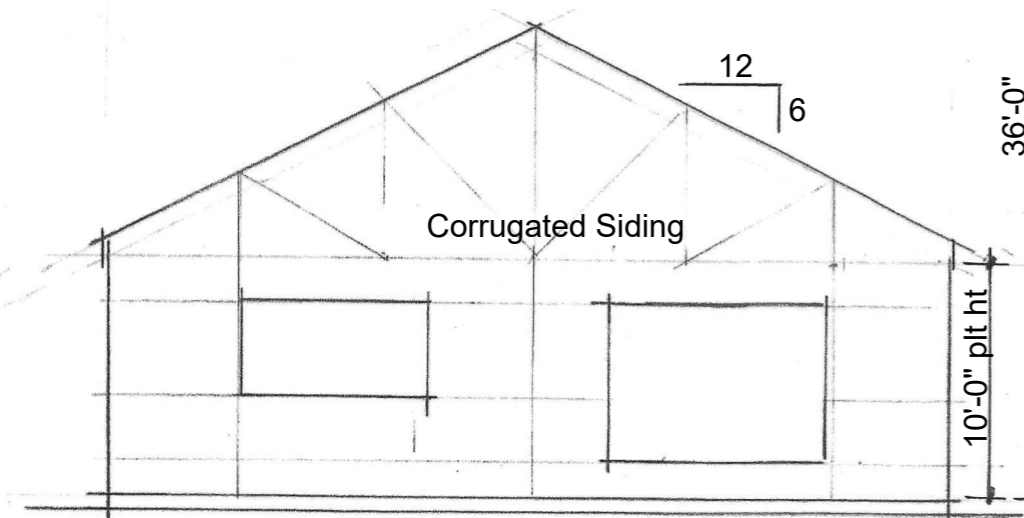
CORRUGATED EXTERIOR

CORRUGATED OUTSIDE & WINDOWS

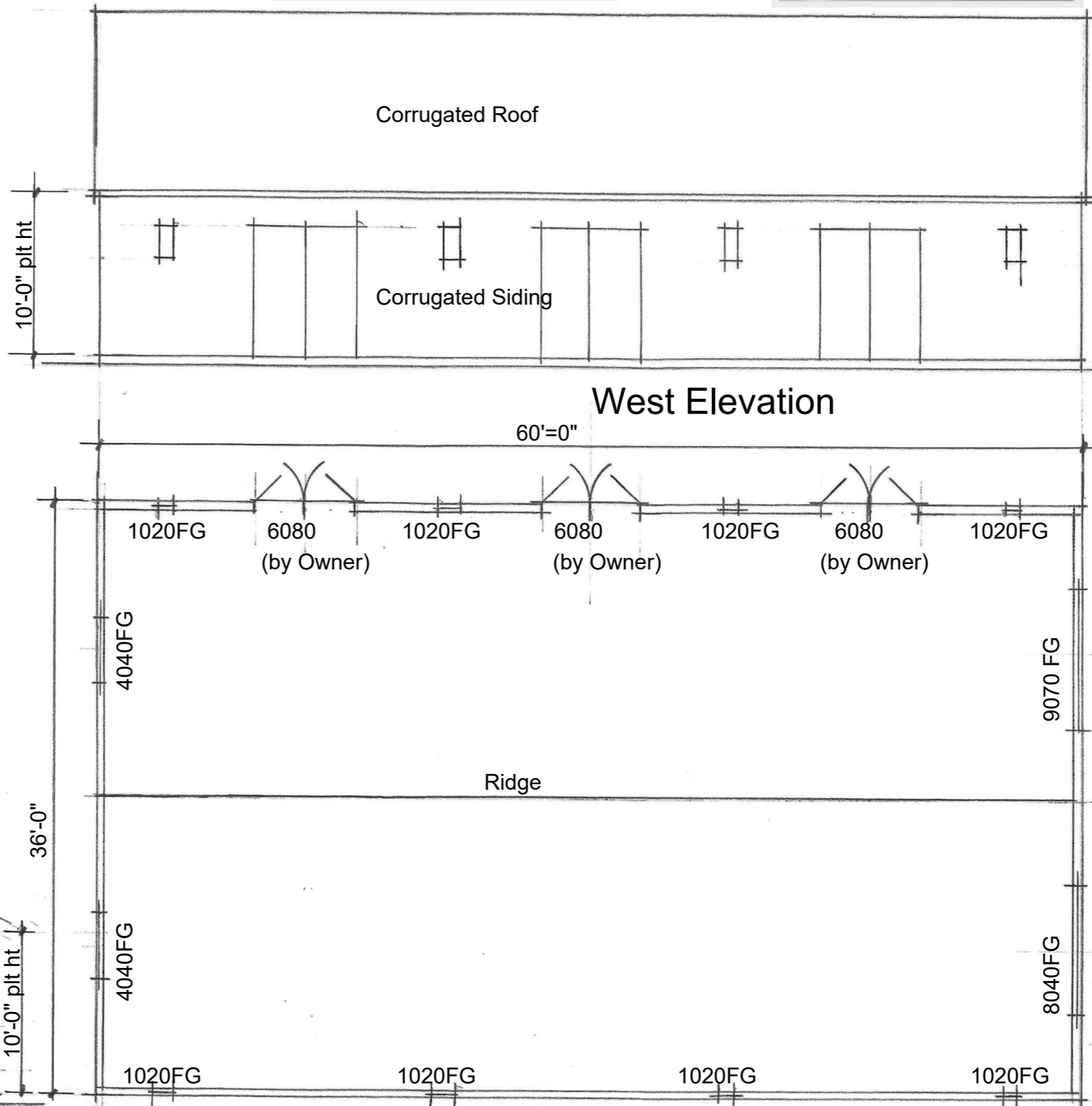


Key Structural & Finish Requirements

- Primary Structure: Steel Framing** Use a **pre-engineered metal building (PEMB)** system or custom **steel I-beam/column framing** (not wood framing). This provides the open spans, high ceilings, and strength needed for the exposed look.
 - No dropped ceiling or soffits—everything stays open.
 - Steel members (beams, purlins, girts) remain fully visible and exposed—no covering with drywall or panels unless for specific insulation sections.
 - This matches the raw, historical vibe of a barn conversion.
- Exterior: Corrugated Metal Siding** Install **corrugated (ribbed) metal panels** as the primary exterior cladding (e.g., 26- or 29-gauge galvanized or Galvalume steel with a factory finish and letting it rust over time).
 - Profile: Standard sinusoidal or similar ribbed style for that classic barn texture.
 - Color: Neutral industrial tones. Would prefer white or silver to keep it modern.
 - Trim and flashings should be matching or contrasting metal—no wood or stucco accents unless specified later. This creates the rugged, low-maintenance shell seen in many Texas metal buildings and modern barns.
- Interior Insulation** Insulate the walls and roof for energy efficiency.
 - Use **fiberglass batts**, or **rigid board insulation** between the steel girts/purlins.
 - Cover the insulated cavities with a **vapor barrier** if needed, then finish interior walls with a clean, minimal material (e.g., white painted drywall or OSB to keep the "insulated but raw" feel).
 - Do **not** leave walls uninsulated or exposed to the exterior metal.
- Floors: Raw Concrete** Pour a **monolithic slab** (or polished if budget allows) with no additional flooring overlays.
 - Finish: Broom finish or lightly polished/troweled concrete for durability and the industrial raw look—no tile, wood, or epoxy coating unless sealed for dust control.



North Elevation



Floor Plan

1/8"=1'-0"

These documents, ideas and designs are an instrument of professional service and are the property of Gilbert Gonzalez, Designer, and may not be used in whole or in part without the written authorization of Gilbert Gonzalez, Designer. Copyright 2026

Plans for Webber's, The Showroom 109 N. Orange Fredericksburg, Texas 78624	FIDAE Custom Homes, LLC 1201 Jennifer lane Fredericksburg, Texas 78624 (281) 798-5937	Gilbert Gonzalez, Designer 1201 Jennifer lane Fredericksburg, Texas 78624 (281) 798-5937
2/21/2026		

P-A1.1

Subject: Re: COA Resubmitted - 109 N Orange
Date: Wednesday, April 22, 2026 at 3:21:06 PM Central Daylight Time
From: Susana Huerta
To: Shelby Collier, Cliff Cross, John Webber
CC: Jan Musgrove, Gilbert Gonzalez
Attachments: image002.jpg

Shelby,

I understand your insistence and admire your tenacity. However, the guidelines in Section 3.4.2.2 (Commercial Infill Construction) further reinforce that the HRB made an appropriate decision of Denial. Please reference "Height and Massing" - (h) New construction must have floor-to-floor heights similar to those of **contributing buildings** on the block and "Design" - (i) Design new buildings to be subordinate and not visually overpower the surrounding **contributing historic buildings**.

The appeal is still your only remaining option.

Best regards,

Susana Huerta, AICP

Assistant Director of Development Services
City of Fredericksburg
126 W. Main Street
Fredericksburg, TX 78624
Direct: (830) 990-2013 | shuerta@fbgtx.org

From: Shelby Collier <Shelby@C3developmentsservices.com>
Sent: Wednesday, April 22, 2026 10:39 AM
To: Susana Huerta <shuerta@fbgtx.org>; Cliff Cross <ccross@fbgtx.org>; John Webber <jwebber@the-garten.com>
Cc: Jan Musgrove <jmusgrove@fbgtx.org>; Gilbert Gonzalez <gilbert.fidaecustomhomesllc@gmail.com>
Subject: Re: COA Resubmitted - 109 N Orange

Susana,

Thank you for confirming the commercial designation of the property and the Board's understanding of that classification—I appreciate your feedback.

I want to clarify that Section 3.4.2.2 (Commercial Infill Construction) was not included in the Staff report or discussed during the Board's review. Instead, City Staff identified and reviewed the structure as an "Accessory Building Type," and the application was evaluated under Section 3.4.1 (Lot Coverage), where accessory buildings are limited to 800 square

feet. This does not align with the intent or scope of our project.

For reference, I've included the Staff report below:

<https://fredericksburgtx.portal.civicclerk.com/event/1410/files/report/1621>

As noted, we are prepared to bring this forward to the Zoning Board of Adjustment and reference comparable commercial projects that have been approved under the current Design Guidelines and Standards.

However, doing so would require an additional \$550 fee and result in an estimated 60+ day delay, which creates a meaningful impact to both the project and our client.

If there is an opportunity to revisit the application under the appropriate section at this stage, we would greatly appreciate that consideration.

In the meantime, we will move forward with the Appeal per Sec. 23-66.

Thank you again for your time and attention.

From: Shelby Collier <Shelby@C3developmentsservices.com>

Date: Wednesday, April 22, 2026 at 10:10 AM

To: Susana Huerta <shuerta@fbgtx.org>, Cliff Cross <ccross@fbgtx.org>, John Webber <jwebber@the-garten.com>

Cc: Jan Musgrove <jmusgrove@fbgtx.org>

Subject: Re: COA Resubmitted - 109 N Orange

Good morning Susana,

Thank you for your response and time researching our request.

We will be sure to submit an Appeal per Sec. 23-66.

https://library.municode.com/tx/fredericksburg/codes/code_of_ordinances?nodeId=PTIICOOR_CH23PL_ARTIIIIHIPR_S23-66AP

Have a blessed day.

From: Susana Huerta <shuerta@fbgtx.org>

Date: Wednesday, April 22, 2026 at 10:05 AM

To: Shelby Collier <Shelby@C3developmentsservices.com>, Cliff Cross

<ccross@fbgtx.org>, John Webber <jwebber@the-garten.com>

Cc: Jan Musgrove <jmusgrove@fbgtx.org>

Subject: Re: COA Resubmitted - 109 N Orange

Good morning Shelby,

It is staff's interpretation that the Historic Review Board fully understood that the property was within a commercial district. I advised them of that when they asked for my recommendation. You yourself articulated that point to them very clearly. The Board's denial of the application took into consideration maintaining the original building's character and making sure that the redevelopment of the site complements the existing historic fabric. I discussed this with Cliff and we are in agreement that the appropriate next step if you want to pursue this application is in the form of an appeal to the Board of Adjustment.

Best regards,

Susana Huerta, AICP

Assistant Director of Development Services

City of Fredericksburg

126 W. Main Street

Fredericksburg, TX 78624

Direct: (830) 990-2013 | shuerta@fbgtx.org

From: Shelby Collier <Shelby@C3developmentsservices.com>

Sent: Tuesday, April 21, 2026 3:50 PM

To: Cliff Cross <ccross@fbgtx.org>; Susana Huerta <shuerta@fbgtx.org>; John Webber <jwebber@the-garten.com>

Subject: COA Resubmitted - 109 N Orange

Good afternoon,

I am writing regarding the previously denied Certificate of Appropriateness (COA) for the proposed construction of a 36' x 60' building at 109 N. Orange.

At the Historic Review Board meeting held on Tuesday, April 14, the application was denied on the basis that the structure was considered an "accessory building," which would exceed the 800 square foot limitation outlined in Section 3.4.1(h). During my presentation, I requested clarification from Staff regarding the commercial designation of the property, specifically in relation to Section 3.4.2.2; however, this review or confirmation was not addressed.

Given the commercial nature of the property and the lack of evaluation under the applicable section of code, it appears the structure may have been misclassified as an accessory building rather than a primary structure, and therefore evaluated under an incorrect standard.

As part of the resubmittal on Monday, April 20, the revised COA clearly identifies the proposed structure as a “main” building and references Section 3.4.2.2 accordingly. Additionally, the building footprint has been reduced from 2,160 square feet (36’ x 60’) to 1,710 square feet (30’ x 57’).

In light of these clarifications, I respectfully request that the revised COA be accepted for consideration, allowing the Historic Review Board the opportunity to evaluate the project as a primary structure under the appropriate code provisions, rather than requiring a formal appeal of the prior determination.

Please let me know if any additional information is needed to facilitate this review.

Thank you for your time and consideration.

109 N. Orange – Development

The owner of 109 N. Orange has been steadily working towards the Commercial Development of this tract for several years. While the property is zoned CBD, the City of Fredericksburg had it listed as a residence and the owner submitted a Site Plan allowing for a change of use from Residential to Commercial which required the installation of sidewalks and other site upgrades. This occurred sometime between 2018-2022.

The owner is now ready to continue preservation of the main structure and requests to re-rate from High to Low, 2 ancillary structures located at the rear of the property. Both structures appear to have been constructed from 1940 – 1950 and have deteriorated significantly.

The Site has been reviewed by local builder Gilbert Gonzalez regarding the age and condition of the ancillary structures who also finds them to not be historically significant. If approved for demolition (or relocation) the plan would be to construct a 36x60 metal building that has 10 ft walls with a 6/12 pitch resulting in 18-19 ft in height.

In addition, the owner would like to repaint the main building with incidental repair of rot found in the siding as well as paint the front door. There is also a desire to construct a 6 ft tall, wire fence with wooden posts.

The specific COA request is as follows:

- Re-rate 2 ancillary buildings from High to Low
- Demolish 2 ancillary buildings
- Build new metal 36 x 60 metal building
- Replace siding on main structure as needed
- Repaint main structure – Dove White
- Paint front door of main structure – Tanners Brown
- Build 4 ft tall perimeter wire fence with wooden posts

High Medium Low

109 N. Orange



2002 Re-evaluation

High Medium Low

Site ID No. 560

Address 109 N. Orange

Date 1880

Stylistic Influence vernacular

GCAD Hyperlink [R25346](#)

Owner WEST, DEBORAH LINDA

Historic District Yes Historic District

Assessment An outstanding, unique, or good representative example of architecture with only minor alterations or no alterations.

Notes

1983 Historic Resources Survey

Previous Site No. 590

Previous Ranking 2

Previous Photo References

Roll 29

Frame 25

2 Ancillary Buildings



Building 1









Building 2



Main Building







ZONING BOARD OF ADJUSTMENT AGENDA MEMO

DEPARTMENT: Development Services

TO: Zoning Board of Adjustment

FROM:

MEETING DATE: June 17, 2026

CATEGORY: PUBLIC HEARING

CAPTION: DEV-2026-44-SE: By Absolute Charm (Catherine Calomeni) to consider a Special Exception Per Sec. 5.500 – Board of Adjustment Subsection A (2) To allow for an increase in occupancy for a STR permit for property located at 103 E. Hackberry Street, Fredericksburg, Texas. The current occupancy is 4 and the applicant is requesting an occupancy of 6.

SUMMARY:

The applicant is requesting a Special Exception to increase the occupancy for property located at 103 East Hackberry Street. The current occupancy is 4 the requested occupancy is 6.

FINDINGS:

Sec. 20-223 - Special Exceptions Available To permit short-term rental operations with an expanded occupancy maximum or exception to parking requirements. The subject property has 19 properties within 200 ft. 5 of those properties are permitted Short-Term Rentals with an average occupancy of 6.

Application Number: DEV-2026-44-SE

Address: 103 E. Hackberry St.

Size of Lot: 15,725 sq ft

Size of House: 1,337 sq ft

Bedrooms: 2 bedrooms

Parking Spaces: 2 Spaces

Zoning: R1, Single Family Residential

Response to Public Hearing: 2 protest received

Sec. 5.500 of the Zoning Ordinance: In hearing an application for a Special Exception for Short-Term Rental operations, the board may consider factors such as the following:

Whether such an operation is likely to disrupt adjacent owners' right to the quiet enjoyment of their property (for example, by considering whether lot sizes are small enough that noise is likely to affect neighboring property owners); **The subject property has a lot size of 15,725 sq. ft. which is consistent with the lot sizes in this area.**

Whether operation as a short-term rental in the property's zoning district is compatible with the quality of the

surrounding area; **Of the 20 properties, within 200 feet, 4 are operating as an STR with 14 operating as residences and 2 operating as businesses, meaning that approximately 70% of the properties in the neighborhood are homes.**

Whether such an operation will substantially impact nearby streets, including whether the property provides only limited off-street parking; **The property provides 2 onsite parking spaces able to accommodate vehicles.**

Which type of short-term rental, as defined in section 20-220, the applicant seeks to operate; STR-Unoccupied For a short-term rental existing prior to the effective date of chapter 20, article VII of the code, the duration of that short-term rental's operations and the number and type of complaints and/or citations related to that short-term rental; **The property obtained an STR-Unoccupied permit on 08/19/21 and has maintained the permit in good standing.**

Whether operation with the terms of the special exception will adversely impact the residential quality of the surrounding neighborhood; **Staff has not identified any negative impacts that the proposed increased occupancy would have on the surrounding properties. The total occupants allowed is consistent with the surrounding properties and there is adequate onsite parking and square footage to accommodate the proposed increase.**

Whether any properties located within a two-hundred (200) foot radius of the property are operating with public or private primary or secondary educational facility uses; and Specific property characteristics of the short-term rental like lot size or large square footage of the structure." **NA**

STAFF RECOMMENDATION:

The property is located in a neighborhood that consists mainly of residences. Of the 4 STRS located in the neighborhood, 2 have an occupancy of 6 and 2 have an occupancy of 8. The current property has an occupancy of 4. The current occupancy average is 6.4 and with the 2 additional occupants the average would become 6.8. The new average would not greatly increase the total occupancy average within the 200-foot radius area.

ATTACHMENTS:

1. 103 E Hackberry Notification Map
2. DEV-2026-44-SE-buffer_200ft_26974
3. DEV-2026-44-SE-
Explanation_of_why_103_E_Hackberry_Owners_want_an_increase_in_occupancy_
4. DEV-2026-44-SE-front3
5. Driveway Pic
6. DEV-2026-44-SE-back4
7. DEV-2026-44-SE-back5
8. DEV-2026-44-SE-livingb
9. DEV-2026-44-SE-kitchen
10. DEV-2026-44-SE-laundry
11. DEV-2026-44-SE-bed1
12. DEV-2026-44-SE-bed2
13. DEV-2026-44-SE-bath1
14. DEV-2026-44-SE-bath2
15. PROTEST - MCCONNELL - 103 E HACKBERRY

APPROVAL/REVIEW:

A handwritten signature in black ink, consisting of a large, stylized 'C' followed by a horizontal line that tapers to the right.

Date: June 12, 2026

Cliff Cross, Director of Development Services

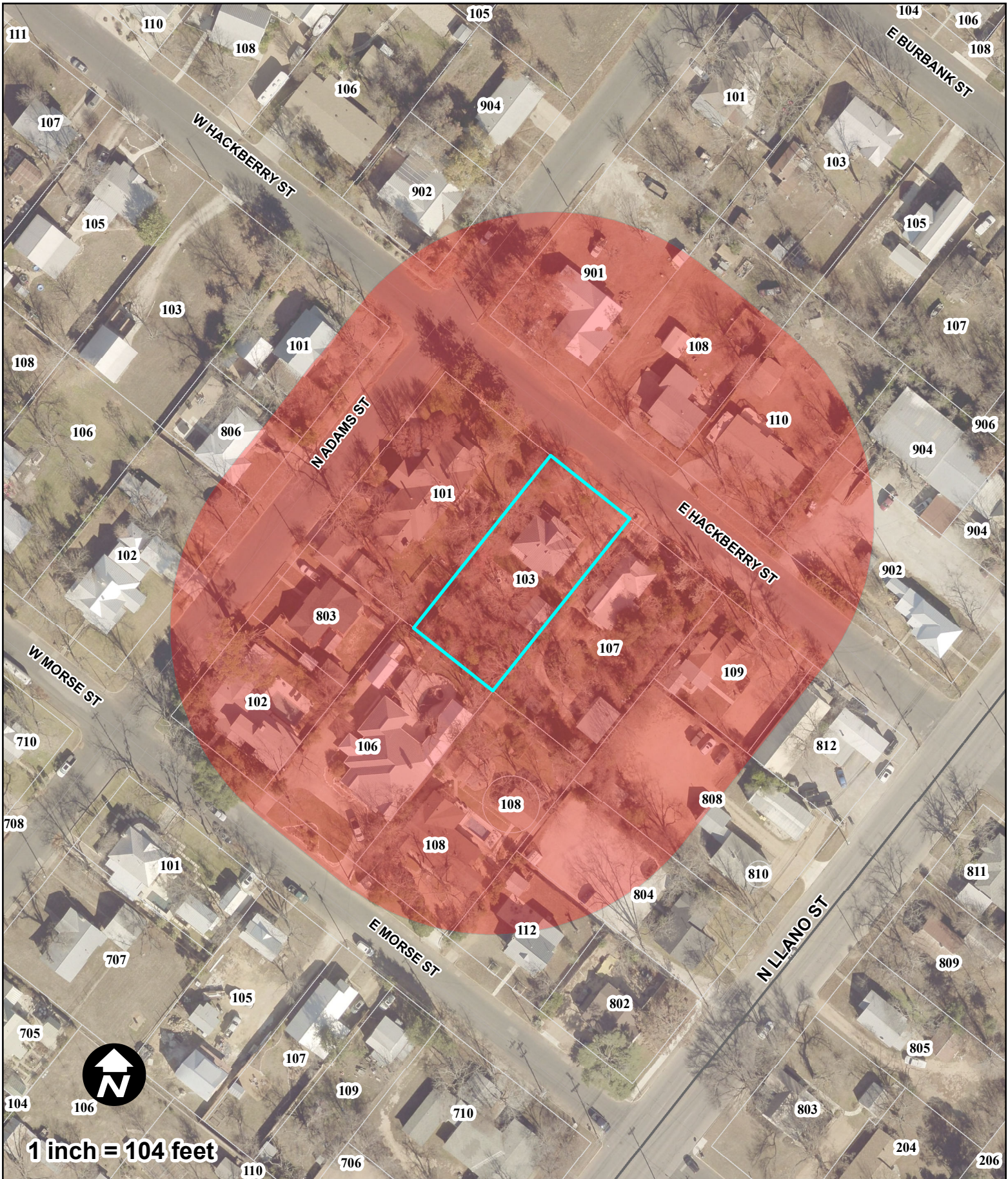


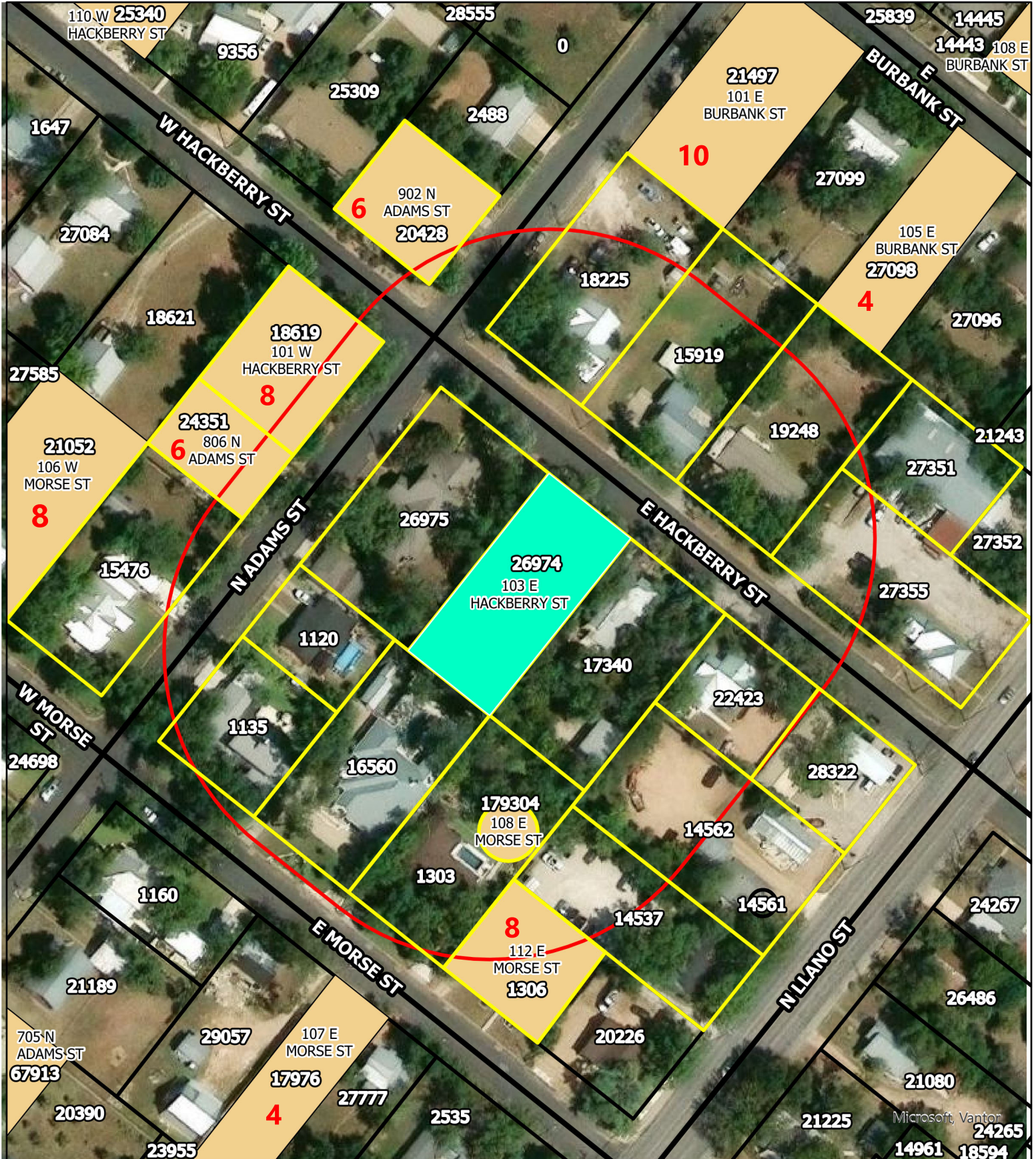
FIGURE 1

City of Fredericksburg
 DEV-2026-44-SE 103 E. HackberrySt.

LEGEND

- 200' Notification Buffer
- GCAD Parcels

Short Term Rental Parcel Report



- GCAD Parcel
- GCAD Road
- STR Parcel
- Parcels within 200 feet
- Buffer Zone
- Target STR Parcel

Explanation of why 103 E Hackberry Owners want an increase in occupancy:

We would like to request an increase in occupancy from 4 guests to 6 guests, since the home is 1337 square feet and currently has three beds. We feel the increase in occupancy would allow families with more than two children to stay.

Chris and Catherine Calomeni























If you wish to comment on the request, please detach the response form below and return it to the City of Fredericksburg, 2818 East U.S. Highway 290, Fredericksburg, TX 78624. All protests must be submitted in writing or email jmusgrove@fbgtx.org

SPECIAL EXCEPTION NO: DEV-2026-44-SE (103 E. Hackberry Street)

As an interested property owner, I Mary McConnell (Protest) (Approve) the requested Special Exception represented by the above file number because:

The house is a small 2 bed / 2 bath home. It is in an established neighborhood of residents that do not wish to see "over-crowded" properties that could invite short term renters to take their parties

Mary D McConnell
Signature

6-10-26
Date

MARY MCCONNELL
Printed Name

106 E. Morse St.
Address

outside because the available inside space can only accomadate small groups of 4.

The property shares our back fence, therefore, we tend to hear just about every conversation & party hosted at the rental. We think 4 adults is reasonable and should remain that way.

Sincerely,
Mary + James McConnell



ZONING BOARD OF ADJUSTMENT AGENDA MEMO

DEPARTMENT: Development Services

TO: Zoning Board of Adjustment

FROM:

MEETING DATE: June 17, 2026

CATEGORY: PUBLIC HEARING

CAPTION: DEV-2026-47-ZVAR: By Mary Ann Williams to request a setback Variance Per Sec. 5.600 – “Variance Procedure” For property located at 216 Riley Lane, Fredericksburg, Texas. The applicant is requesting an eighteen-and one-half-foot (18.5) front yard garage setback to the underlying R1-A, Single Family Residential-Small Lot requiring Twenty (20) Foot Setback Per Sec. 3.101 of the Zoning Ordinance.

SUMMARY:

The applicant is requesting an eighteen-and one-half-foot (18.5) front yard garage setback to the underlying R1-A, Single Family Residential-Small Lot requiring Twenty (20) Foot Setback Per Sec. 3.101 of the Zoning Ordinance. The owner is requesting the variance based upon the title commitment incorrectly identifying a 15' setback upon purchase which is not in compliance with the applicable regulations. The applicant is seeking to sale the home and the non-conforming status could create issues associated with the sale of the property.

FINDINGS:

A variance has been requested pertaining to the required front yard garage setback of 20 feet per section 3.101 of the zoning ordinance. Section 5.600 sets the variance procedure to make an application and appear before the ZBA for consideration and determination of findings per section 5.650. The findings of fact are as follows:

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, staff has confirmed that adjustments to the final surveying contributed to the 18.5 foot setback after the construction of the home was completed. As a result, the current status of the property was not created by the applicant. 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. 216 Riley Notification Map
2. 216 Aerial For Packet
3. DEV-2026-47-SVAR-216 riley survey

APPROVAL/REVIEW:



Date: June 12, 2026

Cliff Cross, Director of Development Services

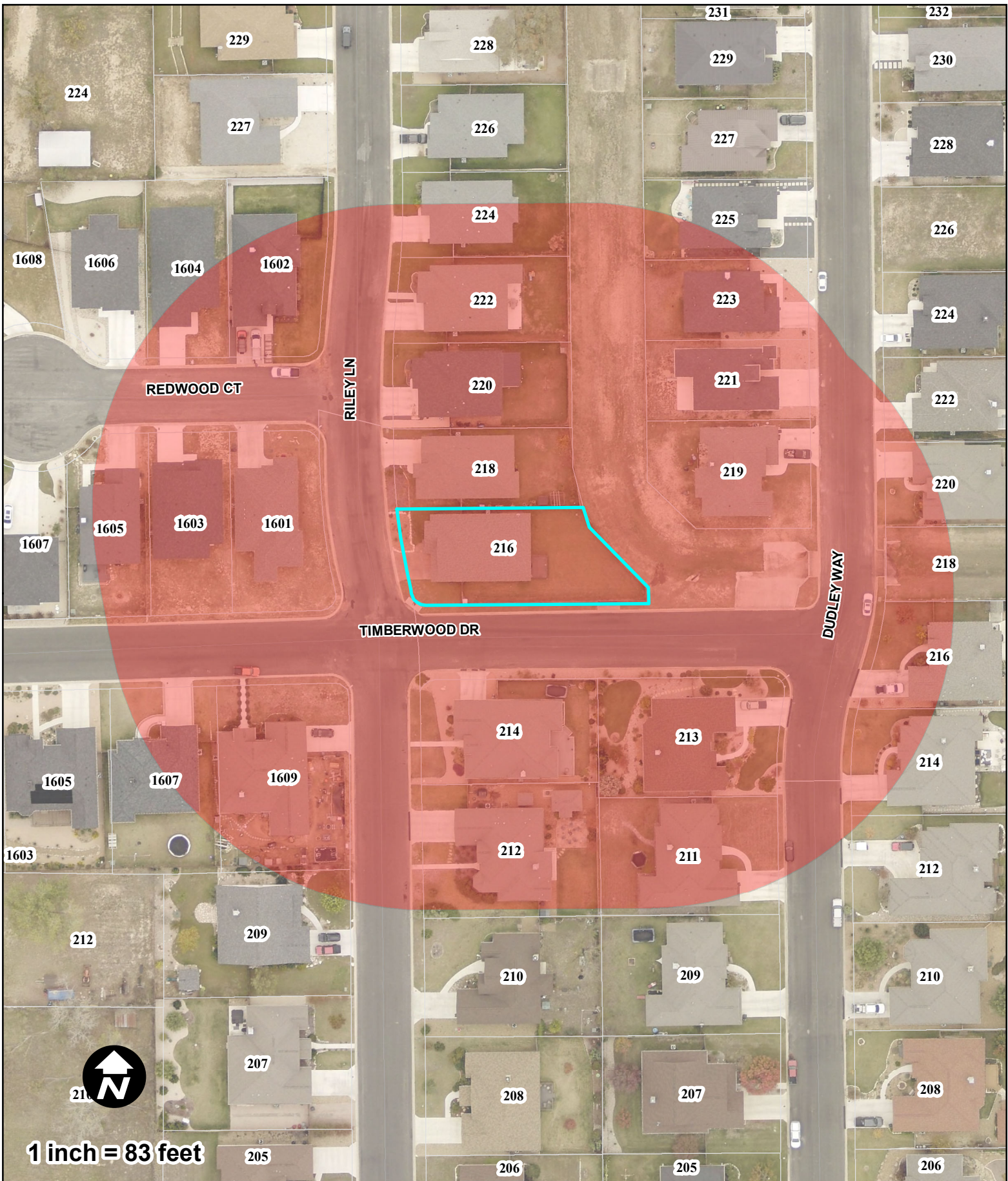




FIGURE 1
 City of Fredericksburg
 DEV-2026-47-VAR 216 Riley Ln.

LEGEND	
	200' Notification Buffer
	GCAD Parcels



FLOOD ZONE INTERPRETATION: IT IS THE RESPONSIBILITY OF ANY INTERESTED PERSONS TO VERIFY THE ACCURACY OF FEMA FLOOD ZONE DESIGNATION OF THIS PROPERTY. WITH FEMA AND STATE ENGINEERS. ANY CHANGES TO THE FLOOD ZONE DESIGNATION OF THIS PROPERTY WILL BE THE RESPONSIBILITY OF THE PROPERTY OWNER. THIS SURVEY IS THE SUBJECT OF THIS SURVEY AND IS TO BE INCLUDED IN A FEMA Flood Insurance Rate Map (FIRM) Identified as Community No. 400262, Panel No. 0986C, which is Dated 10/19/2000. BY scaling from that FIRM, it appears that all or a portion of the property may be in Flood Zone(s) X. This flood zone identification is this surveyor's interpretation, which may or may not agree with the interpretations of FEMA or state or local officials, and which may not agree with the tract's actual conditions. More information concerning FEMA's Special Flood Hazard Areas and Zones may be found at <http://www.fema.gov/n-devel.htm>.

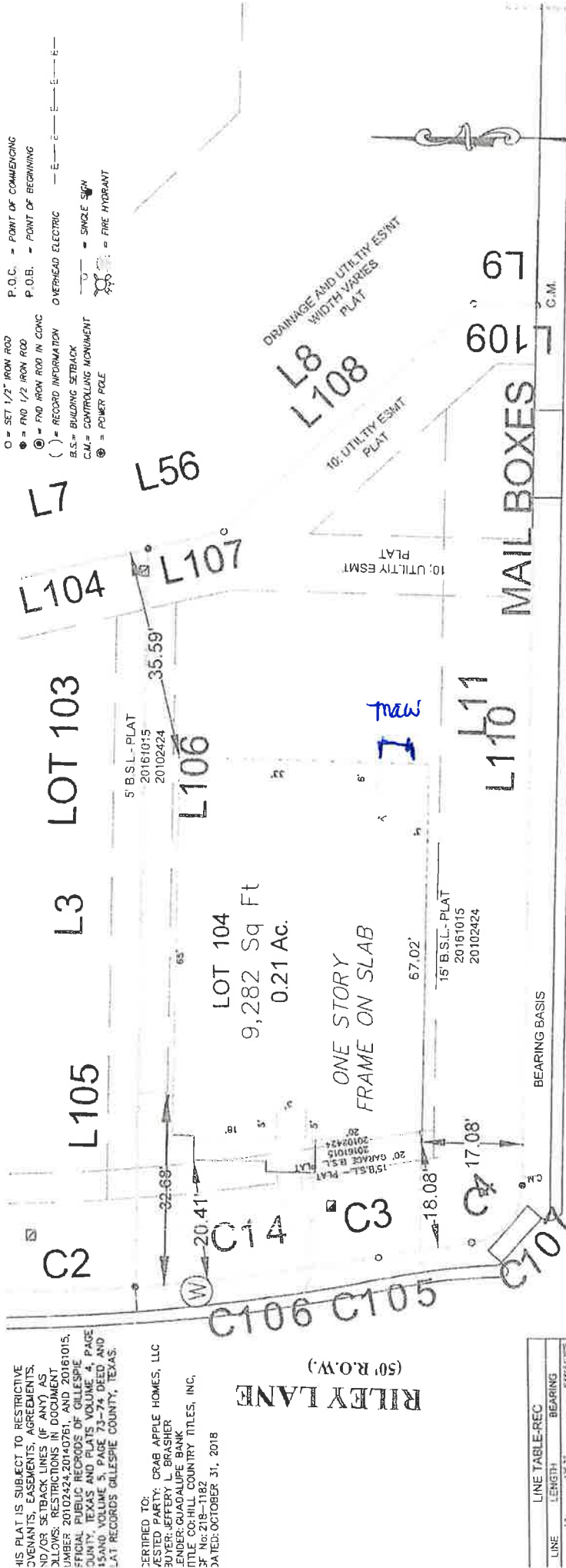
NOTE:
BEARINGS SHOWN HEREON ARE BASED ON RECORD PLAT INDICATED HEREIN AS ROTATED TO TEXAS STATE PLANE COORDINATES OBSERVED BY CFS.
THE GARAGE PROTRUDES ONTO FRONT GARAGE SET BACK LINE(20'). HOUSE DOES NOT PROTRUDE FRONT SET BACK LINE FOR HOUSE.(15')

J. TREVINO SURVEYOR
TBPLS FIRM NO. 10180000
241 J.E. BROWN LANE
JARRELL, TX. 76537
PH: (210)657-2189

THIS PLAT IS SUBJECT TO RESTRICTIVE COVENANTS, EASEMENTS, AGREEMENTS, AND/OR SETBACK LINES (IF ANY) AS SHOWN ON RECORD PLATS AND PLATS VOLUME 5, PAGE 15 AND PLATS VOLUME 4, PAGE 15 AND RECORDS GILLESPIE COUNTY, TEXAS.

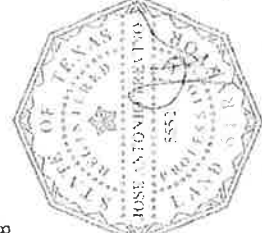
CERTIFIED TO:
VESTED PARTY: CRAB APPLE HOMES, LLC
BUYER: JEFFERY L BRASHER
LENDER: GUADALUPE BANK
TITLE CO: HILL COUNTRY TITLES, INC.
3F No. 218-1182
DATED: OCTOBER 31, 2018

LEGEND
○ = SET 1/2" IRON ROD
● = FINO 1/2 IRON ROD
⊙ = FINO IRON ROD IN CONC
○ = RECORD INFORMATION
B.S. = BUILDING SETBACK
C.M. = CONTROLLING MONUMENT
⊙ = POWER POLE
○ = FIRE HYDRANT
P.O.C. = POINT OF COMMENCING
P.O.B. = POINT OF BEGINNING
○ = OVERHEAD ELECTRIC
○ = SINGLE SIGN
⊙ = FIRE HYDRANT



TIMBERWOOD DRIVE
(50' R.O.W.)

DATE: NOVEMBER 15, 2018
Property Address: 216 Riley Lane
Fredericksburg, TX 78624
Property Description:
BEING Lot No. 104, Amending Plat Crabapple Grove,
Unit 2, a subdivision in the City Of Fredericksburg,
Gillespie County, Texas, according to the map or Plat of record in
Volume 5, Pages 73 Plat Records of Gillespie County, Texas.
Vested Party:
CRABAPPLE HOMES LLC



JOSE ANTONIO TREVINO, Registered Professional Land Surveyor, State of Texas, do hereby certify that the above plat represents an actual survey made on the ground under my supervision, and there are no discrepancies, conflicts, shortages in area or boundary lines, or any encroachment or overlapping of improvements to the best of my knowledge and belief, except as shown herein.

JOSE ANTONIO TREVINO
Registered Professional Land Surveyor
Texas Registration No. 5552

SCALE: 1" = 20'

LINE	LENGTH	BEARING
L103	128.51	S89°44'00"
L104	13.58	S13°20'00"
L105	67.26	S42°00'00"
L106	19.06	S41°00'00"
L107	192.32	N60°54'20"W
L108	178.84	S89°20'00"
L109	13.15	S13°20'00"
L110	37.29	S42°00'00"
L111	15.77	S00°00'00"W
L112	19.06	N60°54'20"W

IRVE	LENGTH	RADIUS	CHORD DIR	CHORD	DELTA
C103	15.83	277.27	N02°14'00"W	72.93	2°24'15"
C104	14.11	10.03	N40°24'00"W	42.97	00°31'20"
C105	41.49	377.69	S02°20'00"W	41.97	0°17'31"
C106	15.83	277.27	N02°14'00"W	13.89	2°24'15"
C107	41.48	446.51	S02°20'00"W	41.84	1°17'11"
C108	14.11	10.03	N40°24'00"W	13.94	00°31'20"



ZONING BOARD OF ADJUSTMENT AGENDA MEMO

DEPARTMENT: Development Services

TO: Zoning Board of Adjustment

FROM:

MEETING DATE: June 17, 2026

CATEGORY: PUBLIC HEARING

CAPTION: DEV-2026-53-SE: By Kordzik Haus (Sara Aaronson) To consider a Special Exception Per Sec. 5.500 – Board of Adjustment Subsection A (2) To allow for an increase in occupancy for a STR Permit for property located at 415 E College Street, Fredericksburg, Texas. The current occupancy is 4 and the applicant is requesting an occupancy of 5.

SUMMARY:

The applicant is requesting a Special Exception to increase the occupancy for property located at 415 E. College Street. The current occupancy is 4 the requested occupancy is 5.

FINDINGS:

Sec. 20-223 - Special Exceptions Available To permit short-term rental operations with an expanded occupancy maximum or exception to parking requirements. The subject property has 20 properties within 200 ft. 5 of those properties are permitted Short-Term Rentals with an average occupancy of 5 when including the subject property.

Application Number: DEV-2026-53-SE

Address: 415 E. College St.

Size of Lot: 14,810 sq ft

Size of House: 1,188 sq ft

Bedrooms: 3 bedrooms

Parking Spaces: 2 Spaces

Zoning: R1, Single Family Residential

Response to Public Hearing: 1 approval received

Sec. 5.500 of the Zoning Ordinance: In hearing an application for a Special Exception for Short-Term Rental operations, the board may consider factors such as the following:

Whether such an operation is likely to disrupt adjacent owners' right to the quiet enjoyment of their property (for example, by considering whether lot sizes are small enough that noise is likely to affect neighboring property owners); **The subject property has a lot of size of 14,810 sq ft which is consistent with the lot sizes in this area.**

Whether operation as a short-term rental in the property's zoning district is compatible with the quality of the

surrounding area; **Of the 20 properties, within 200 feet, 4 are operating as an STR, 1 as an ADU STR, 1 church and 14 operating as residences, meaning that approximately 70% of the properties in the neighborhood are homes.**

Whether such an operation will substantially impact nearby streets, including whether the property provides only limited off-street parking; **The property provides 2 onsite parking spaces able to accommodate vehicles.**

Which type of short-term rental, as defined in section 20-220, the applicant seeks to operate; STR-Unoccupied For a short-term rental existing prior to the effective date of chapter 20, article VII of the code, the duration of that short-term rental's operations and the number and type of complaints and/or citations related to that short-term rental; **The property obtained an STR-Unoccupied permit on 12/30/22 and has maintained the permit in good standing.**

Whether operation with the terms of the special exception will adversely impact the residential quality of the surrounding neighborhood; **Staff has not identified any negative impacts that the proposed increased occupancy would have on the surrounding properties. The total occupants allowed is consistent with the surrounding properties and there is adequate onsite parking and square footage to accommodate the proposed increase.**

Whether any properties located within a two hundred (200) foot radius of the property are operating with public or private primary or secondary educational facility uses; and Specific property characteristics of the short-term rental like lot size or large square footage of the structure." **NA**

STAFF RECOMMENDATION:

The property is located in a neighborhood that consists mainly of residences. Of the 4 unoccupied STRS located in the neighborhood, 1 has an occupancy of 4, 2 have an occupancy of 6 and 1 has an occupancy of 8. The current property has an occupancy of 4. The current occupancy average is 5.6 and with the 1 additional occupant the average would become 5.8. The new average would not greatly increase the total occupancy average within the 200-foot radius area.

ATTACHMENTS:

1. 415 E. College St Notification Map
2. DEV-2026-53-SE-buffer_200ft_20578
3. DEV-2026-53-SE-Special Exception Narrative
4. DEV-2026-53-SE-Front of building
5. DEV-2026-53-SE-Backyard
6. DEV-2026-53-SE-Firepit with seating
7. DEV-2026-53-SE-Living area
8. DEV-2026-53-SE-Bedroom #1
9. DEV-2026-53-SE-Bedroom #2
10. DEV-2026-53-SE-Bedroom 33
11. DEV-2026-53-SE-Enclosed sunroom

APPROVAL/REVIEW:



Date: June 12, 2026

Cliff Cross, Director of Development Services

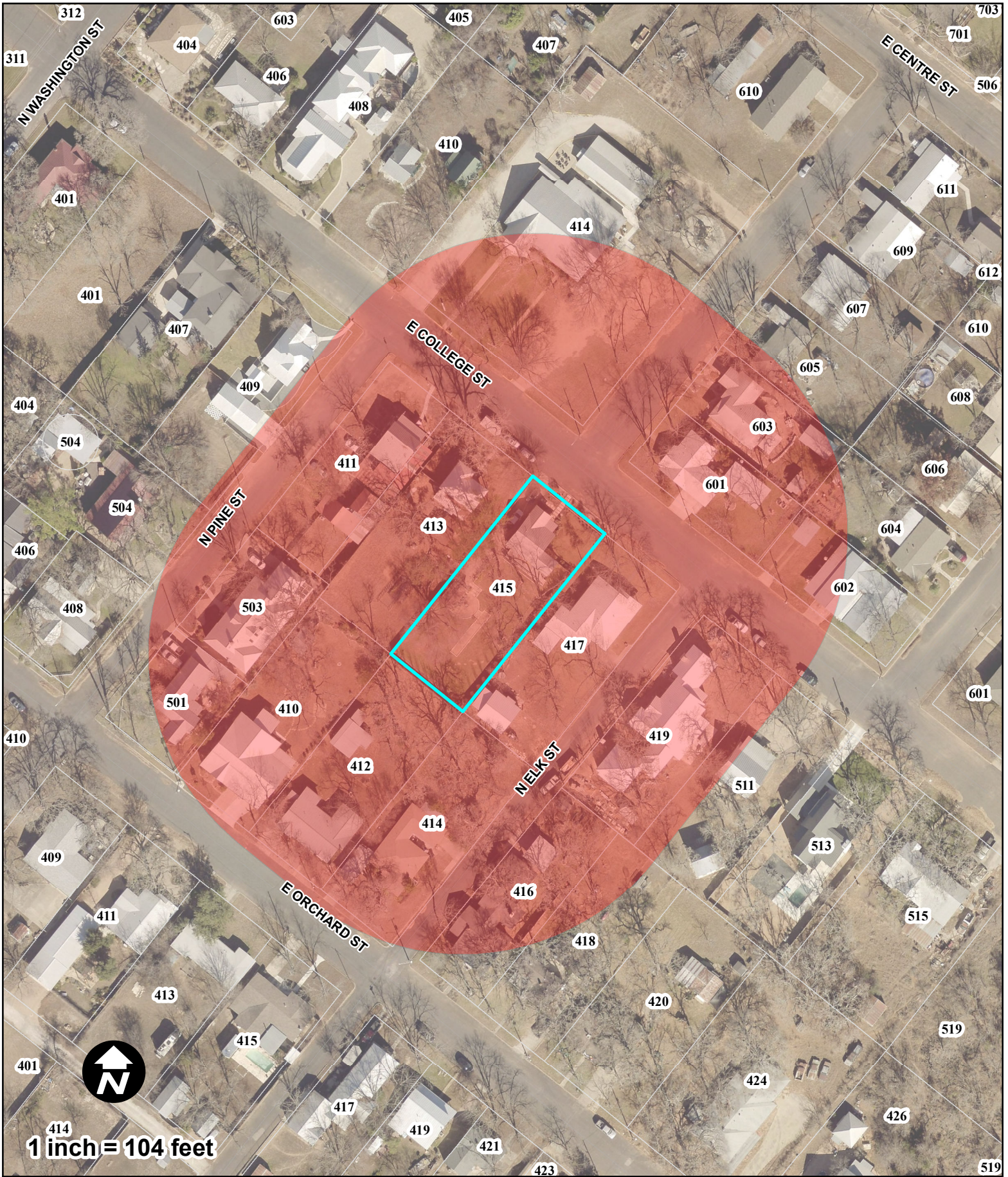


FIGURE 1
 City of Fredericksburg
 DEV-2026-53-SE 415 E. College St.

LEGEND

- 200' Notification Buffer
- GCAD Parcels

Short Term Rental Parcel Report



- GCAD Parcel
- GCAD Road
- STR Parcel
- Parcels within 200 feet
- Buffer Zone
- Target STR Parcel

Special Exception Narrative/Explanation

Address: 415 E College St.

Owner: Sara Pape

Email: scpape@gmail.com

STR Permit # 8056001960

Development Special Exception # DEV-2026-53-SE

I am not trying to do anything to my property currently besides increasing the maximum capacity from four to five people as the house has always been three bedrooms and all those details

Details of Requested Special Exception:

1. Nature and Basis of the Request The subject property is zoned R1 and is improved with a single-family residential dwelling. The dwelling has historically contained three (3) bedrooms; however, prior to the remodel, access to the upper-level bedroom was provided by stairs that did not comply with applicable building code requirements. As part of the remodel, the Applicant lawfully reconstructed the stairway to bring it into compliance with current code requirements and to provide safe and lawful access to the existing third bedroom. The remodel did not expand the footprint of the home or materially increase its residential intensity, but rather improved the safety and habitability of an already-existing portion of the dwelling. 2. Consistency with Applicable Standards The requested occupancy of five (5) persons is consistent with and directly proportional to the dwelling's existing three-bedroom configuration. While the prior occupancy limitation of four (4) persons reflected the practical inability to lawfully access and utilize the third bedroom, the remodel corrected the stairway deficiencies and enabled safe, code-compliant access to that bedroom. 3. No Adverse Impact on Surrounding Properties The requested Special Exception will not adversely affect neighboring properties or the character of the surrounding R1 neighborhood. The property will continue to be used exclusively as a single-family residence. The increase of one (1) additional permitted occupant is de minimis and will not generate materially increased traffic, noise, parking demand, or any other impact beyond that typically associated with a three-bedroom single-family home in an R1 district. No change in use, density, or lot configuration is proposed. 4. Infrastructure and Utility Adequacy The existing utilities serving the property — including water, wastewater, and electrical service — are adequate to support the requested occupancy of five (5) persons. The remodel was completed with proper permits, and all mechanical, plumbing, and electrical systems were reviewed and approved as part of the permitting process. The addition of one permitted occupant will not materially burden any municipal infrastructure or utility system serving the property or the surrounding neighborhood. 5. Compliance with Section 5.500 Special Exception Criteria The Applicant submits that this request satisfies each of the criteria for a Special Exception under Section 5.500 of the zoning ordinance: (i) The exception is warranted by the lawful improvement of the property through reconstruction of the stairway to provide safe, code-compliant access to the home's existing third

bedroom (ii) The exception is the minimum necessary to afford relief consistent with the dwelling's existing three-bedroom configuration, and the Applicant requests only one (1) additional occupant to accommodate reasonable family use of the residence (iii) Granting the exception will not be contrary to the public interest, as the requested occupancy is proportionate, reasonable, and consistent with the standard residential use of a three-bedroom single-family home; and (iv) Granting the exception will not alter the essential character of the R1 zoning district, will not be injurious to adjacent properties, and will not impair the use or enjoyment of neighboring properties.















