



BOARD OF ADJUSTMENT MEETING AGENDA

The Board of Adjustment of the City of Gun Barrel City, Texas will meet in a Special Meeting in City Hall Council Chambers, located at 1716 W. Main Street Gun Barrel City, Texas, on Tuesday, June 9, 2026 at 4:00 PM.

1. CALL TO ORDER

2. CHAIRMAN'S EXPLANATION OF PROCEDURES

It takes four affirmative votes in order for a variance to be granted. If a variance is denied, the only course of action for the requestor is to file an appeal in the Henderson County District Court.

3. NEW BUSINESS

3.A Consider and take action to approve the April 2, 2026 meeting minutes.

3.B Conduct a public hearing and consider and take action on a request for a variance for property located at 239 Whispering Trail, Gun Barrel City, Texas, legally described as Lot 480 located in the Tamarack Subdivision, Abstract 59 J.P. Brown Survey. The applicant is requesting a variance to Section 156.032(E)(1)(d) of the Gun Barrel City Code of Ordinances, Single-Family Detached Residential District (R-6C), which requires a twenty-five-foot (25') building setback.

4. ADJOURNMENT

Attest:

Approved:

Janet Dillard, City Secretary

Dr. Angela Smith, City Manager

I certify that this Notice of Meeting was posted in a glass-enclosed case in front of City Hall at 1716 West Main Street, Gun Barrel City, Texas, and available for viewing by the public three business days prior to the meeting, as well as at the City's website at www.gunbarrelcity.gov.

Janet Dillard, City Secretary

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary Office at (903) 887-1087 for further information.

STATE OF TEXAS
COUNTY OF HENDERSON
CITY OF GUN BARREL CITY

The Board of Adjustment of the City of Gun Barrel City, Texas met in a Regular Meeting in City Hall Council Chambers, located at 1716 W. Main Street Gun Barrel City, Texas, on Thursday, April 2, 2026 at 2:00 PM.

1. CALL TO ORDER

City Secretary, Janet Dillard called the meeting to order at 2:00 p.m. Roll was called and a quorum established. Members in attendance included Kate Weller, Linda Tracy, Sue Alexander and Tiffani Bayless.

2. CHAIRMAN'S EXPLANATION OF PROCEDURES

The City Secretary read the Chairmans explanation of procedures stating, *"It takes four affirmative votes in order for a variance to be granted. If a variance is denied, the only course of action for the requestor is to file an appeal in the Henderson County District Court."*

3. NEW BUSINESS

3.A Consider and take action to approve the July 28, 2025, meeting minutes.

Kate Weller made a motion to approve the minutes, Sue Alexander seconded and all members voted yes to approve. Motion carries.

3.B Consider and take action to elect a Chairperson.

Kate Weller volunteered for the Chairperson position and Sue Alexander made a motion to nominate Kate Weller for the Chairperson position. Linda Tracy seconded and all members voted yes to approve. Motion carries.

3.C Consider and take action to elect a Vice Chairperson.

Linda Tracy volunteered to serve as vice chair. Sue Alexander made a motion to elect Linda Tracy as Vice Chairperson, Tiffani Bayless seconded and all members voted yes to approve. Motion carries.

3.D Conduct a public hearing and consider and take action on a request for a variance for property located at 141 Seaside Drive, Gun Barrel City, Texas, legally described as Lot 173 located in Eastwood Islands Subdivision, Abstract 488 T.S. Mitchell Survey. The applicant is requesting a variance to Section 156.031(C)(1)(g) of the Gun Barrel City Code of Ordinances, Single-Family Detached Residential District (R-2), which limits maximum lot coverage to thirty percent (30%). The applicant proposes to construct a 12-foot by 42-foot deck addition (504 square feet), resulting in total lot coverage of approximately 3,704

square feet (50.02%), exceeding the permitted 30% maximum lot coverage requirement.

City Planner Brittany Anderson gave a timeline of events for the request. Anderson gave further information regarding the R-2 zoning district that allows up to 30% of the lot's maximum coverage. Under Texas Local Government Code Section 211.009 and the City's ordinance, the Board must determine whether strict enforcement of the ordinance would result in unnecessary hardship. That hardship must be due to unique physical conditions of the land, must not be self-created, and cannot grant a special privilege. The variance must also be the minimum necessary and not detrimental to public health, safety, or welfare. Anderson stated it's important to note that hardship must be land-based and not based on personal circumstances.

Staff did not identify a land-based hardship unique to the property therefore; and recommended denial of the variance request.

Anderson further explained the property already exceeds the 30% lot coverage requirement, currently at approximately 43%.
The proposed deck would increase that to approximately 50.02%.
Staff did not find a unique physical hardship related to the land that would justify granting the variance.
Additionally, approval would further increase the property's nonconformity beyond what is permitted by ordinance.

Owner of the property Kyoko McDonald advised she purchased the house in 2019 and did a remodel to the home in 2021 however there was no expansion of the footprint during the remodel. Discussion regarding leveling the house to allow for outdoor access for her elderly father was had. It was also noted that homes directly across the street exceeded this maximum lot requirement and it just didn't seem fair. Weller confirmed that zoning is different throughout the city and homes on the water hold different requirements than ones not.

Linda Tracy made a motion to deny stating the property already exceeds lot coverage limits, there's no unique land-based hardship identification, lot dimension are typical of surrounding properties and approval would include non-conformity to 50.02% lot coverage. Sue Alexander seconded and all members voted yes to deny. Motion for variance is denied.

4. ADJOURNMENT

The meeting was adjourned at 2:35 p.m.

Attest:

Approved:

Janet Dillard, City Secretary

Kate Weller, Chairperson



BOARD OF ADJUSTMENT
VARIANCE APPLICATION FORM

Variance Request Fee: \$300.00

Karisa Rueb

Property Owner

239 Whispering Trl Gbc, TX

Property Address

480

Lot #s

(903) 288-1487

Phone Number

Karisarueb@gmail.com

Email Address

Tamarack Venture

Subdivision Name

5/13/26

Date Submitted

Subject/Request: 2.25" hardship variance

(As it should appear on the agenda)

Information Regarding Request: (Be specific)

We are requesting a variance of approximately 2.25ft for the setback along the gravel road bordering the property. This request is minimal and would remain fully within my property lines. Due to the unique layout of the lot and the application of an additional 25ft setback from the gravel road, the remaining buildable area is extremely limited for placement of my new manufactured home. Prior to purchase, I researched setback requirements understanding them to be 25ft from main road, 5ft on each side, and 10ft from the back. Due to this, I proceeded in good faith through the home purchase process, including signing a purchase

(More space on 2nd page if needed)

Agreement, paying past POA fees, approval of title documents, and completion of the home currently being built. The requested variance would not create a safety issue, interfere with neighboring properties, or negatively affect the surrounding area. The POA has also indicated they do not object to the proposed placement.

Without the requested variance, the lot is unnecessarily restricted for reasonable residential use. I respectfully request approval of this minimal variance.

CRITERIA FOR A VARIANCE

Criteria for variances: Applicants should understand that variances are exceptions to the uniform provisions and application of the zoning Ordinance, and are to be granted only in extraordinary circumstances. The Board exercises the power to grant variances sparingly, with great caution, and only in exceptional instances. Applicants should understand that the Board cannot amend or set aside the zoning Ordinance under the guise of a variance. By law, the Board may grant a variance only if the evidence submitted in a specific case supports a finding that a special condition or conditions exist to the degree that a literal enforcement of the provisions of the Ordinance will result in an unnecessary hardship, and that granting such variance will be contrary neither to the public interest nor the spirit and intent of the Ordinance.

Listed below are factors which the Board may consider in determining whether to grant a variance. Applicants should expect to present evidence addressing these factors and to answer questions the Board members may have regarding them.

If you have any further questions concerning your Variance request, please feel free to contact the City Planner at (903) 887-1087.

1. **Limitations of Property:** Limitations on the use of the property due to physical, topographical and geological features.

The subject property is a corner lot, which creates additional setback restrictions and limits the available buildable area for placement of the manufactured home.

2. **No special privilege:** Granting the Variance shall not result in a special advantage or benefit beyond what is available to others – subject to the same provisions.

The requested variance would not create a special privilege or unfair advantage. The request is minimal and is necessary to allow reasonable residential use of the property. The request is well within my property lines.

3. **No other remedy:** There is no mean, other than the requested Variance by which the hardship can be avoided or remedied while still allowing a reasonable use of the property.

Due to the corner lot configuration, setback requirements, and utility placement, there is no other practical location on the property that would allow placement of the home while fully complying with the current setback ordinance.

4. **Not exclusively for financial gain:** The purpose of the Variance is not based exclusively upon a desire to increase financial gain from the property.

This request is not for financial gain, but to allow reasonable placement of my manufactured home on the property line while remaining in my property lines.

5. **Hardship not self-created:** The previously described unique condition existed at the time of the enactment of the provisions of this Ordinance and has not been created by the current property owner.

the hardship is due to the lot layout and setback requirements caused by the adjoining gravel road, not actions created by current property owner.

6. **Minimum Variance necessary:** The variance requested is the minimum variance necessary to allow reasonable use of the property.

I am requesting approximately 2.25ft, which is the minimum variance necessary for reasonable placement of the home.

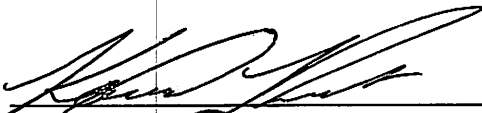
7. **Not detrimental:** Granting the Variance will not be detrimental to the public welfare or to the enjoyment, use, or development of property in the vicinity; nor will it substantially diminish or impair property values in the vicinity.

Granting this variance will not create a safety issue, negatively affect neighboring properties, or impact surrounding property values.

8. **Unique characteristics:** The subject property is unique or unusual as compared to other properties subject to the same provisions. Conditions peculiar to and inherent in the property in question and which relate to or arise out of the property rather than the personal situation of the current owner of the property; and which amount to more than a mere inconvenience to the owner.

The property is unique due to its corner/duaroad layout and the application of multiple 25ft setbacks, which significantly limits the buildable area compared to surrounding properties.

As owner and applicant, I hereby request approval of the above described request as provided for by the International Zoning Code adopted by the City of Gun Barrel City.

Owner's Signature: 

Printed Name: Karisa Rueb

Date: 5/13/26

(If different from above)

Applicant/Agent's Signature: _____

Printed Name: _____

Date: _____

Office Use Only:

Fee Paid:

Date Rcvd:

Applicant given variance guide:

City of Gun Barrel City, Texas

1716 W. Main Street * 903-887-1087 * Fax 903-887-6666 * www.gunbarrelcity.gov



Planning & Zoning Commission Report

June 09, 2026

Title:

Consider and act upon a request for a variance to the required building setback in the R-6C Single-Family Detached Residential District for property located at 239 Whispering Trail, Gun Barrel City, Texas.

Executive Summary:

The property owner has submitted a request for a variance to allow placement of a new manufactured home at 239 Whispering Trail.

The property is zoned R-6C, Single-Family Detached Residential District. HUD manufactured homes, modular homes, and industrialized housing are permitted within the R-6C district; however, all principal and accessory structures are required to comply with the dimensional requirements of Sec. 156.035(E) of the Gun Barrel City Code of Ordinances.

The applicant is requesting a variance to Sec. 156.035(E)(1)(d), which establishes minimum yard setback requirements for the R-6C district. The applicant proposes to place a manufactured home on the property that would encroach into the required building setback by approximately three feet.

The applicant states the request is due to the unique corner lot layout, the existing gravel roadway bordering the property, and the limited buildable area created by the setback requirements and utility/building lines.

Pursuant to Texas Local Government Code § 211.009 and Sec. 156.137 and Sec. 156.140 of the City Code, the Board may grant a variance only when an unnecessary hardship exists due to special conditions of the property, literal enforcement of the ordinance would result in unnecessary hardship, the variance is not contrary to the public interest, and the spirit of the ordinance is observed with substantial justice done.



Planning & Zoning Commission Report

Background Information:

Owner: Karisa Rueb

Property Address: 239 Whispering Trail

Zoning: R-6C– Single-Family Detached Residential

Request: Variance to the required building setback to allow placement of a new manufactured home

Public Notices:

- May 19, 2026 – Public hearing notice sent to the newspaper.
- May 21, 2026 – Letters mailed to property owners within 200 feet.
- May 24, 2026 – Public hearing notice published in the newspaper.

Meeting Date:

- June 9, 2026 – Board of Adjustments Meeting.

Applicable Ordinance:

Sec. 156.035(E) – Single-Family Detached Residential District (R-6C)

The R-6C district establishes the following dimensional requirements for residential uses:

- Minimum lot area: 5,000 square feet
- Minimum lot width at building line: 50 feet
- Minimum lot depth: 100 feet
- Minimum yard setbacks:
 1. Front: 25 feet
 2. Side, interior: 5 feet
 3. Side, street: 8 feet
 4. Rear: 7.5 feet
- Minimum building floor space of principal structures: 800 square feet
- Maximum building height of principal structures: 35 feet
- Maximum lot coverage: 50%



Planning & Zoning Commission Report

Property and Setback Analysis:

The subject property is identified as Lot 480 in the Tamarack Subdivision and contains approximately 0.15 acres. The lot is located at or near the corner of Whispering Trail and Kevin Circle.

The submitted survey shows existing platted utility easements and building lines on the property, including a 25-foot building line and utility/building line areas that reduce the available buildable area. Due to the shape and configuration of the lot, the adjoining gravel roadway, and the location of the required setbacks and easements, the applicant states that the remaining buildable area is limited for placement of the manufactured home.

The applicant is requesting a variance of approximately three feet to allow the manufactured home to encroach into the required building setback. The proposed manufactured home would remain within the property lines. No variance is being requested to allow a different land use.

Approval of this request would allow the new manufactured home to be placed as shown on the submitted survey/drawing, subject to compliance with all other applicable City requirements, building requirements, utility easements, and inspection requirements.

Hardship Criteria Review

(As Presented in the Application):

1. Limitations on the Use of the Property Due to Physical, Topographical, or Geological Features

Applicant Statement:

The applicant states that the subject property is a corner lot, which creates additional setback restrictions and limits the available buildable area for placement of the manufactured home.

Staff Analysis:

The property has a unique corner lot configuration with multiple setback and building line limitations. The submitted survey shows that the buildable area is affected by the lot layout, the adjoining roadway, and utility/building line areas.

Staff finds that the lot configuration creates practical difficulty for placement of the manufactured home while fully complying with the required setbacks.



Planning & Zoning Commission Report

2. No Special Privilege

Applicant Statement:

The applicant states that the requested variance would not create a special privilege or unfair advantage. The request is minimal and is necessary to allow reasonable residential use of the property. The proposed home would remain within the property lines.

Staff Analysis:

The request is limited to a setback encroachment of approximately three feet for placement of a manufactured home, which is a permitted residential use in the R-6C district.

Approval would not authorize a use that is otherwise prohibited. If approved, the variance should be limited to the placement shown on the submitted survey/drawing and should not allow any additional encroachments or future structures within the required setback without separate approval.

3. No Other Remedy / Reasonable Use Without Variance

Applicant Statement:

The applicant states that due to the corner lot configuration, setback requirements, and utility placement, there is no other practical location on the property that would allow placement of the home while fully complying with the current setback ordinance.

Staff Analysis:

Based on the submitted application and survey, the property is constrained by the lot layout and building line areas. The variance requested appears to be limited to the minimum relief necessary to allow placement of the manufactured home.

Staff finds that the application presents a practical difficulty related to the physical layout of the property rather than a request based only on preference or convenience.

4. Not Based Solely on Economic Reasons

Applicant Statement:

The applicant states that the request is not for financial gain, but to allow reasonable placement of the manufactured home on the property.

Staff Analysis:

Staff does not find that the request is based solely on economic reasons. The request relates to the placement of a permitted residential structure on a lot with physical and setback limitations.



Planning & Zoning Commission Report

5. Hardship Not Self-Created

Applicant Statement:

The applicant states that the hardship is due to the lot layout and setback requirements caused by the adjoining gravel road, not actions created by the current property owner.

Staff Analysis:

The hardship presented appears to result from the existing lot configuration, roadway location, platted building lines, and setback requirements.

Staff finds that these conditions existed prior to the current request and are not solely self-created by the applicant.

6. Minimum Variance Necessary

Applicant Statement:

The applicant is requesting an approximately three-foot variance, which the applicant states is the minimum variance necessary for reasonable placement of the manufactured home.

Staff Analysis:

The requested variance is limited in scope and appears to be the minimum necessary to allow the proposed placement shown on the submitted drawing.

Staff recommends that, if approved, the variance be limited to the location and encroachment shown on the submitted survey and shall not authorize any additional setback encroachments.

7. Not Detrimental to Public Health, Safety, or Welfare

Applicant Statement:

The applicant states that granting the variance will not create a safety issue, negatively affect neighboring properties, or impact surrounding property values.

Staff Analysis:

Staff does not find evidence that the requested setback variance would be detrimental to public health, safety, or welfare, provided the manufactured home remains within the property lines, outside required utility easements, and complies with all applicable building, inspection, and permitting requirements.



Planning & Zoning Commission Report

8. Unique Characteristics

Applicant Statement:

The applicant states that the property is unique due to its corner lot layout and the application of multiple setback requirements, which significantly limits the buildable area compared to surrounding properties.

Staff Analysis:

The property's corner configuration, roadway relationship, and building/utility line layout create a unique condition affecting placement of the home. Staff finds that the request is tied to the physical characteristics of the lot and the application of the setback requirements to this specific property.

Conclusion

The applicant is requesting a variance of approximately three feet from the required building setback to allow placement of a new manufactured home at 239 Whispering Trail.

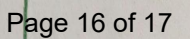
The property is zoned R-6C, and the proposed use as a manufactured home is permitted within the district. The request is limited to the placement of the home within the required setback due to the property's corner lot layout, adjoining gravel roadway, and limited buildable area created by the applicable setback and building/utility line requirements.

Staff finds that the application presents a unique property condition and practical difficulty related to the physical layout of the lot. The variance request is limited in scope and does not appear to be contrary to the public interest, provided the Board limits the approval to the placement shown on the submitted survey/drawing and requires compliance with all remaining applicable regulations.

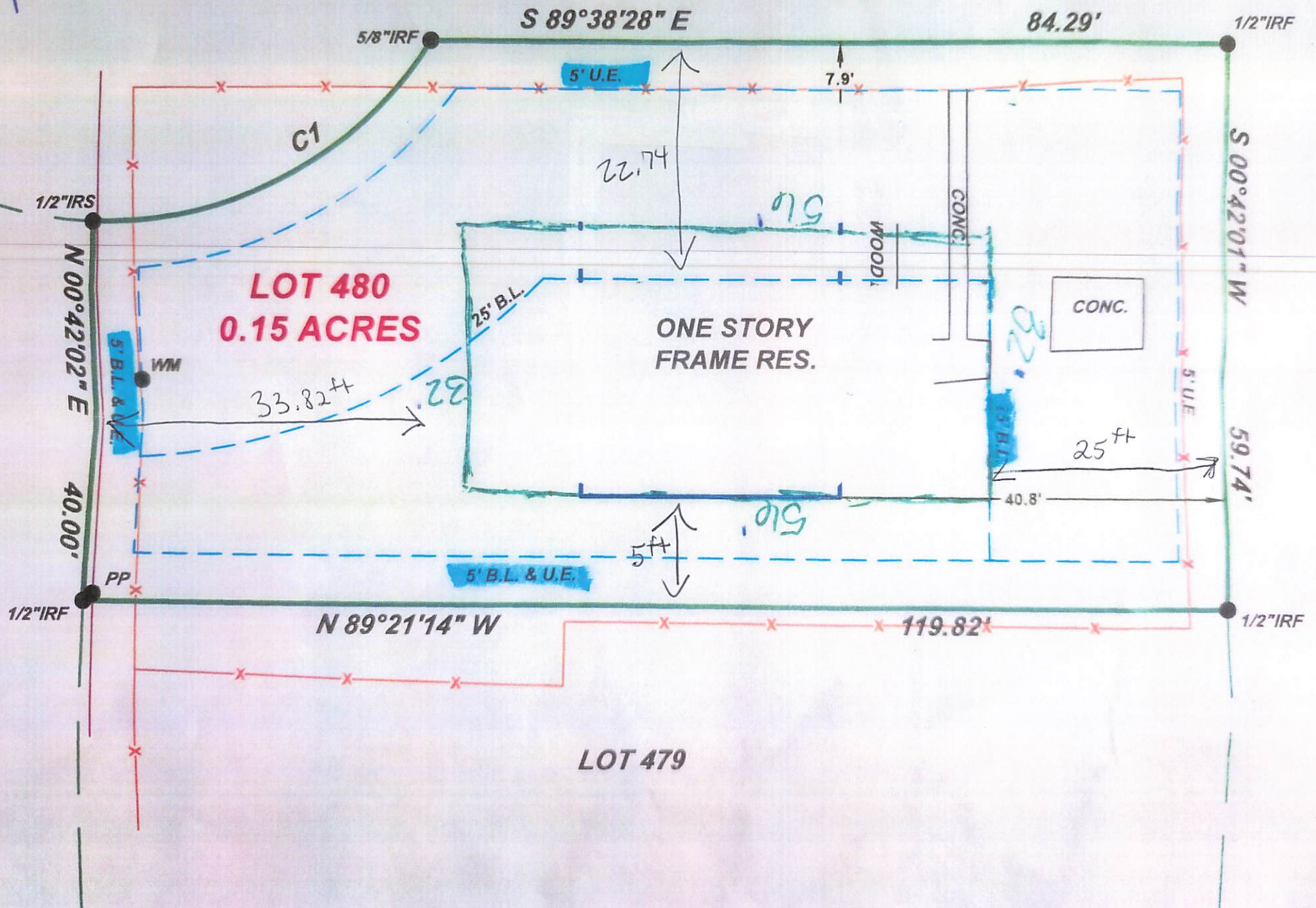
Staff Recommendation:

Based on the findings above, staff recommends approval of the requested variance for 239 Whispering Trail. The request is limited to an approximate three-foot encroachment into the required building setback for placement of the manufactured home as shown on the submitted survey/drawing. The proposed manufactured home would remain within the property lines, and the variance would not authorize any additional encroachments, future expansions, additions, accessory structures, or work not shown on the submitted survey/drawing without separate review and approval, if required by ordinance. The applicant will still be required to comply with all remaining applicable City ordinances, building requirements, permitting requirements, inspection requirements, and any applicable utility easement requirements. Because the requested variance is minimal, tied to the physical configuration of the property, and necessary to allow reasonable placement of a permitted residential use, staff recommends approval.

WHISPERING TRAIL



KEVIN CIRCLE



WHOLE EXHIBIT 1 KAIL