

### **Planning and Zoning Commission Report**

#### ZC 02-25

A request for Zoning Change 02-25 from Single Family Residential (R-1) to Duplex High Density (DP-2) for property located at 805 N. Olive Street, was considered during a public hearing at the Public Planning & Zoning Commission meeting on March 11, 2025.

Melissa Zwicke presented the staff report. She stated the property is currently Single Family Residential. The applicant is proposing to rezone the lot to Duplex High Density (DP-2). With the approval of the zone change, the applicant would like to construct a duplex. The property is lot 21 in Blumberg Subdivision, platted in 1912. The lot has its original zoning from 1989.

Ms. Zwicke added that the lot is in an established neighborhood, with most of the properties being zoned Single Family Residential. Ms. Zwicke also remarked that there are at least 6 existing non-conforming duplexes in the area as well as four other properties zoned DP-1.

Ms. Zwicke noted that the property does meet the criteria for a zone change request. The future land use plan puts much of the area in the Traditional Residential District of the FLUP. Traditional Residential zoning is supportive of a range of housing types and densities, including duplexes. The property is compatible and follows a logical and orderly pattern, given the other non-conforming and conforming duplexes in the area. There are no adverse impacts, public health, or safety concerns identified for the property.

Ms. Zwicke stated that according to the UDC Section 3.6.2 Standards, the standard lot requirements for DP-2 zoning requires there be a minimum lot area of 6,750 square feet, minimum lot frontage of 60 feet, and a minimum lot depth of 90 feet. The property located at 805 N. Olive St. meets the standard requirements with a lot area of 12,061 square feet, lot frontage of 70 feet, and a lot depth of 178 feet.

Ms. Zwicke explained the lot frontage of 70 feet restricts the number of units that can be placed on the property to two units, which is one duplex. The off-street parking requirements are two parking spaces for each dwelling. Therefore, four parking spaces will be required for one duplex.

Staff received 5 letters of opposition to the request. All the letters stated that they did not feel duplex zoning is compatible with the area. They are concerned that property owners of other vacant lots in the area may consider duplex zoning as well. They also felt that the integrity of the roads and drainage could be compromised. Ms. Zwicke verified that duplex zoning is compatible with the current surrounding land and uses as well as the FLUP. The traffic generated from DP-2 zoning will not have a significant impact on the street, nor will the drainage. DP-2 standards allow for a maximum of 60% impervious cover, which is the same allowable amount for Single Family Residential.

The Commission asked about the facade of the duplex and if it was in the Historical district. The Commission also asked how many vacant lots are in the area.

The regular meeting recessed, and a public hearing was held. The property owners, Paul and Rachel Reese, were present. They stated that they would like to build a duplex to live in and possibly rent the other unit or keep it open for visiting family.

Property owner Henry Deangelis, who resides at 922 E. Humphreys St. spoke on the zoning change. He stated he opposes the request because he feels a duplex or rental would not be compatible with the area. Resident Kenny Smith, who will soon be residing at 766 N. Olive St., spoke on the zoning change request as well. He opposes the request because he also feels that a duplex would not be compatible with the area.

There being no additional responses from the public, the regular meeting reconvened for action.

After consideration of the staff report and all information given regarding Zoning Change (ZC 02-25), Commissioner Pedigo moved that the Planning and Zoning Commission recommend approval of the zoning change from Single Family Residential (R-1) to Duplex High Density (DP-2) for the property located at 805 N. Olive Street. Commissioner Hernandez seconded the motion. The following vote was recorded:

RECOMMENDATION TO APPROVE THE ZONING CHANGE TO DUPLEX HIGH DENSITY (DP-2)

MOTION PASSED 7-1-0

Francis Serna, Planning Assistant

ATTEST: Melissa Zwicke, Planner



# PLANNING & CODES

#### Applicant:

Paul & Rachel Reese 1002 Alderwood Way Niceville, FL 32578

Property Owner: Paul & Rachel Reese

Property Address/Location: 805 Olive St. Seguin, TX 78155

#### Legal Description:

LOT: 21 BLK: 414 ADDN: W J BLUMBERG SUB Property ID: 16480

Lot Size/Project Area: .28 acres

Future Land Use Plan: Traditional Residential

#### Notifications:

Mailed: February 27, 2025 Newspaper: February 23, 2025

Comments Received: None

## Staff Review:

Melissa Zwicke Planner

#### Attachments:

- Location Map
- Existing Zoning Map
- Future Land Use Plan Map

REQUEST:

A Zoning Change request from Single-Family Residential (R-1) to Duplex High Density (DP-2).

#### ZONING AND LAND USE:

	Zoning	Land Use	
Subject Property	R-1	Vacant lot	
N of Property	R-1	Single Family Residential	
S of Property	R-1	Single Family Residential	
E of Property	R-1	Single Family Residential	
W of Property	R-1	Single Family Residential	

#### SUMMARY OF STAFF ANALYSIS:

805 Olive St. is currently zoned Single-Family Residential (R-1). The applicant is proposing to rezone this lot to Duplex High Density (DP-2) to allow for the construction of a duplex on the lot. The proposed duplex zoning is consistent with the Future Land Use Plan.

#### **CRITERIA FOR ZONING CHANGE:**

Consistency with the future land use plan- Traditional Residential is supportive of duplex zoning. Along with single family residences, the Traditional Residential classification of the FLUP encourages the integration of different housing types to allow for individuality within the guidelines of the regulations.

Compatible with existing and permitted uses of surrounding property – This is an area of low residential density. Though DP-2 zoning is higher density than Single Family, it would still retain the traditional neighborhood feel of the area because the available lot frontage will limit this property to two units (1 duplex).

Adverse impact on surrounding properties or natural environment - None identified

Proposed zoning follows a logical and orderly pattern – There is one existing nonconforming multi-family structure in the neighborhood and 3 other properties zoned DP-1 in the area.

Other factors that impact public health, safety, or welfare - None identified

# PLANNING DEPARTMENT ANALYSIS

#### SITE DESCRIPTION

This property is lot 21 of Blumberg Subdivision, platted in 1912. This lot has its original zoning designation from 1989.

#### **CODE REQUIREMENTS:**

The applicant is proposing to place a duplex on this lot. Standard lot requirements for DP-2 zoning require there be a lot area of at least 6,750 SF, with a minimum lot frontage of 60' and minimum lot depth of 90'. This property meets the standard lot requirements with a lot area of 12,061 SF., lot frontage of 70' and lot depth of 178'.

#### COMPATIBILITY WITH SURROUNDING LAND USE & ZONING:

This lot is located on Olive St. This is an existing neighborhood, Blumberg Subdivision. Most properties are zoned R-1, however, there are some non-conforming residential uses in the area, as well as several properties zoned DP-1 (duplex low density).

**HEALTH, SAFETY, AND GENERAL WELFARE:** (Protection & preservation of historical, cultural, and environmental areas.) No health, safety and general welfare issues have been identified.

#### COMPREHENSIVE PLAN (The Future Land Use Plan):

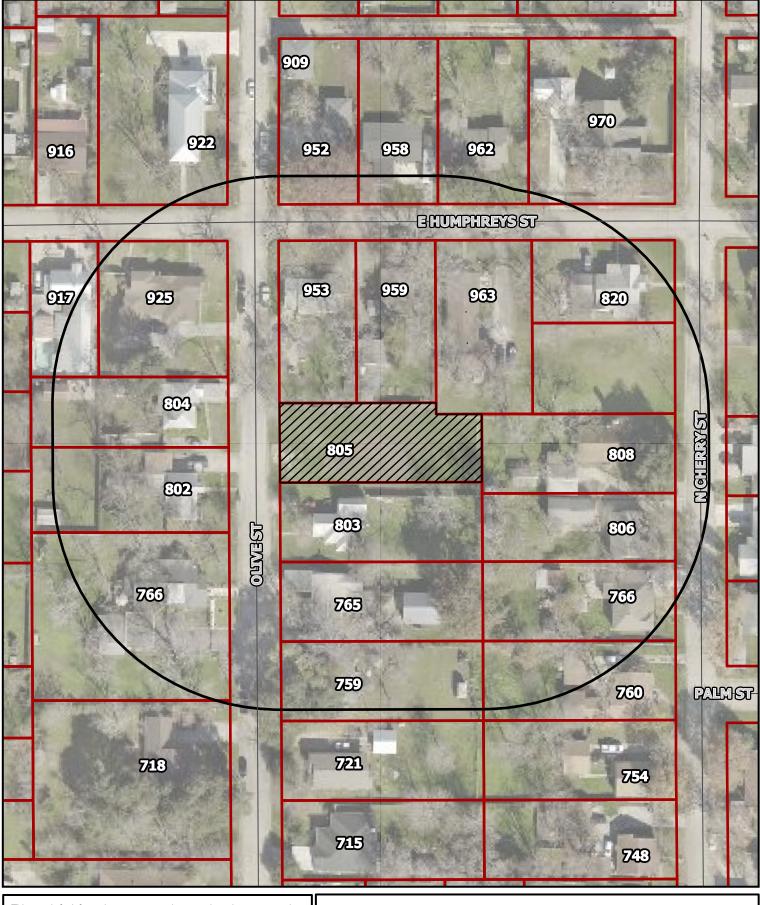
The property is in the Traditional Residential district of the City's future Land Use Plan. Development within Traditional Residential areas should consist of low- to medium density residential homes facing local streets. Housing within this designation can consist of a range of housing types and densities, including detached single-family homes and duplexes.

#### TRAFFIC (STREET FRONTAGE & ACCESS):

The lot has 70'of frontage on Olive Street, a city right-of-way. The lot frontage restricts the number of units that can be placed on the property to two units, which is one duplex. The off-street parking requirement is two parking spaces for each dwelling, therefore, four parking spaces will be required for one duplex.

# LOCATION MAP

# ZC 02-25 805 N. Olive St.



This map is for information purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The City of Seguin assumes no liability for errors on this map or use of this information.



1 inch = 85 feet Printed: 2/19/2025 **ZONING MAP R-1 R-1 R-1 R-1 R-1 R-1 HUMPHREYSSF R-1 R-1 R-1 R-1 R-1 R-1 R-1 R-1** RM **R-1 UEVEO R-1 R-1** Agricultural - Ranch Light Industrial Manufactured Home Park Single Family Residential 1 Zero Lot Lines Commercial Manufactured-Residential Neighborhood Commercial Single Family Residential 2 Corridor Overlay Districts Duplex 1 MultiFamily 1 None Rural Residential Downtown Historical District Duplex 2 MultiFamily 2 Public ROW Industrial MultiFamily 3 Planned Unit Development Suburban Residential This map is for information purposes and may not have been prepared 1 inch = 70 feet Site Location for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate

Parcel

Printed: 2/19/2025

relative location of property boundaries. The City of Seguin assumes no liability for errors on this map or use of this information.

# ZC 02-25 805 N. Olive St.



for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The City of Seguin assumes no liability for errors on this map or use of this information.

**Site Location Parcel** 

Printed: 2/19/2025

Please be advised that under the Open Records Act, Public Information is Available to All Members of the Public. Section 552.023 of the Government Code provides that a governmental body may not deny access to information to the person, or the person's representative, to whom the information relates. Public information includes correspondence, comments relevant to public issues and other information received from the public regardless of the medium in which it is received, collected or retained.

### REPLY

	805 Olive St. Property ID 16480 (ZC 02-25)	RECEIVED
Name: Douglas Bode	2	
Mailing Address:		
Phone No.:		
Physical Address of property (if difference of p	rent from the mailing):	
If "In Favor" or "Opposed" please e	explain why in space allo	tted below:
In Favor Opposed		
Reasons and/or comments As dreetly nex to the My renders more the	is one it wi	perties Il affect

Planning and Codes Department City of Seguin P.O. Box 591 Seguin, TX 78156

RE: Zoning Case ZC 02-25 805 Olive St Property ID 16480

Name:Henry DeAngelis	Jr and John Frederick Fitz	
Mailing Address:	St, Seguin TX. 78155	
Phone No.:		
Physical Address: _(same	as mailing address)	

In favor\_\_\_

# Opposed\_X\_

Reasons and Comments:

l oppose the proposed zoning change for the property at 805 Olive St, Property ID 16480, from current R-1 Single Family Residential to DP-2 Duplex High Density. The surrounding neighborhood is entirely R-1 Single Family in every direction. This zoning change will introduce the only DP-2 High Density property in the neighborhood.

This requested zoning change goes against several of the city's criteria for approving zoning changes:

- 1. The change is not compatible with existing and permitted use of surrounding properties. All surrounding properties are R-1 single family. A DP-2 high density property will introduce duplexes and fundamentally change the character of the neighborhood.
- 2. The change should not merely be intended to create an economic benefit for the property owner. The current R-1 Single Family zoning already permits residential use of this property. It is certain that either one or both duplex units will be rentals, and represent economic benefit to the property owner. Has the owner provided any other justification for this rezoning, other than providing them with rental income?
- 3. This change does not result in logical and orderly development. All surrounding properties are R-1 single family for many blocks in each direction. Inserting a new DP-2 high density in the middle of R-1 is not logical or orderly

One reason I built my home in this neighborhood in 2023 is because it is a single family neighborhood. The requested zoning change to include high density duplexes will reduce my property value. Also, if this change is approved, other R-1 single family properties will reasonably request and receive a similar zoning change to DP-2. This will further change the fundamental character of one of Seguin's oldest neighborhoods.

Sincerely,

Henry DeAngelis and John Fitz

Please be advised that under the Open Records Act, Public Information is Available to All Members of the Public. Section 552.023 of the Government Code provides that a governmental body may not deny access to information to the person, or the person's representative, to whom the information relates. Public information includes correspondence, comments relevant to public issues and other information received from the public regardless of the medium in which it is received, collected or retained.

#### REPLY

805 Olive St. Property ID 16480 (ZC 02-25)Name: Kobert + + tsy moore Mailing Address: Phone No.:

Physical Address of property (if different from the mailing):

# If "In Favor" or "Opposed" please explain why in space allotted below:

In Favor Opposed 🜙 Reasons and/or comments up moved to this area becau old storic part of Sequin () proposed 0 this Could But the vacant 000 Lenny apon to the same sort of deselopment. is not and drainers sparierto bas multiple living areas to be added.

Please be advised that under the Open Records Act, Public Information is Available to All Members of the Public. Section 552.023 of the Government Code provides that a governmental body may not deny access to information to the person, or the person's representative, to whom the information relates. Public information includes correspondence, comments relevant to public issues and other information received from the public regardless of the medium in which it is received, collected or retained.

## REPLY

	live St. ID 16480 2-25)
Name: Merian Brooke Muell	er
Mailing Address:	<u>v</u>
Phone No.:	
Physical Address of property (if different from the second s	ne mailing):
If "In Favor" or "Opposed" please explain why	y in space allotted below:
In Favor	RECEIVED
Opposed X	
Reasons and/or comments Opposed - Do clearence my property value should stay as single homes this area special. This duple my livingroom window and I that.	That is what makes that is what makes would be seen from dunt want to luck at

Please be advised that under the Open Records Act, Public Information is Available to All Members of the Public. Section 552.023 of the Government Code provides that a governmental body may not deny access to information to the person, or the person's representative, to whom the information relates. Public information includes correspondence, comments relevant to public issues and other information received from the public regardless of the medium in which it is received, collected or retained.

### REPLY

	805 Olive St. Property ID 16480 (ZC 02-25)	RECEIVED
Name: Terry + Sueller	Schnathorst	
Mailing Address:	<u> </u>	
Phone No.:		
Physical Address of property (if diffe	erent from the mailing):	

If "In Favor" or "Opposed" please explain why in space allotted below:

In Favor \_\_\_\_

Opposed X

There are already 2 dupleyes next to our property - I in need of repair. These	Reasons and/or comments Lower property Values,
our opportu = I to need of repair, these	There are already 2 dupleyes next to
i con i i la la contra lugita ha d	our property = I to need of repair, these
Jupleyes bring undesirable tenants - were had	dupleyes bring undesirable tenants - we're had
drug dealers, houd tenants that fight, etc.,	drug dealers, houd tenants that fight, etc.,