



PLANNING & CODES

Planning and Zoning Commission Report ZC 28-21

A request for Zoning Change 28-21 from Agricultural Ranch (A-R) to Single Family Residential 1 (R-1) located at 1910 E. Martindale Road, Property ID 52760 was considered during a public hearing at the Public and Virtual Planning & Zoning Commission meeting on November 9, 2021.

Helena Schaefer presented the staff report. She stated that the property and the area were annexed in 2009 and have the original zoning designation. Ms. Schaefer said that the applicant also owns the vacant lot directly to the west. The property to the west is zoned Single-Family Residential. The applicant has a barn dominium on the property located at 1910 E. Martindale Road. The applicant wants to construct another residential structure. In order for the applicant to build another structure, the property owner can either plat the lots as one or enter into a unity of title agreement with the city. She explained that the Unity of Title Agreement "binds" the two tracts as one for the present, and then a release of the agreement will separate the tracts. Both properties are required to be zoned Single Family Residential 1.

Ms. Schaefer stated that the area is primarily agricultural ranch and residential. The proposed use and zoning are compatible with the existing uses and zoning. The property is in the Emergent Residential future land use district and Single-Family Residential is an appropriate use for the district.

Staff received one letter in support of the request. Staff recommended approval of the zoning designation to R-1.

Mr. Jones, the applicant stated he wants to build a home on the property and use the bar dominium as an accessory dwelling. He said a zoning change is required prior to filing a Unity of Title Agreement.

The regular meeting recessed, and a public hearing was held. John Kiser, 1850 E. Martindale Road stated he has known Mr. Jones for twenty years. Mr. Kiser spoke in support of the request. There being no additional response from the public the regular meeting reconvened for action.

After consideration of the staff report and all information given regarding Zoning Change (ZC 28-21), Commissioner Kirchner moved that the Planning and Zoning Commission recommended approval of the zoning change from Agricultural Ranch (A-R) to Single Family Residential 1 (R-1) for property located at 1910 E. Martindale Road. Commissioner DePalermo seconded the motion. The following vote was recorded:

RECOMMENDATION TO APPROVE THE ZONING CHANGE TO SINGLE FAMILY RESIDENTIAL 1 (R-1)

**MOTION PASSED
9-0-0**

A handwritten signature in dark ink, appearing to read "Francis Serna", written over a horizontal line.

Francis Serna, Planning Assistant

A handwritten signature in dark ink, appearing to read "H. Schaefer", written over a horizontal line.

ATTEST: Helena Schaefer
Planning Supervisor



PLANNING & CODES

ZC 28-21 Staff Report
1910 E Martindale Rd
Zoning Change A-R to R-1

Applicant:

Bobby & Amy Jones
1910 E Martindale Rd
Seguin, TX 78156

Property Owner:

Same as applicant

Property Address/Location:

1910 E Martindale Rd

Legal Description:

Abs: 10 Sur: M Cherino
2.3810 ac
Property ID: 52760

Lot Size/Project Area:

2.3810 acres

Future Land Use Plan:

Emergent Residential

Notifications:

Mailed: Oct. 30, 2021
Newspaper: Oct. 24, 2021

Comments Received:

None

Staff Review:

Helena Schaefer
Senior Planner

Attachments:

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

REQUEST:

A Zoning Change request from Ag-Ranch (A-R) to Single-Family Residential (R-1).

ZONING AND LAND USE:

	Zoning	Land Use
Subject Property	A-R	Residential
N of Property	R-1	Residential
S of Property	None - OCL	Residential/Farmland
E of Property	A-R	Residential
W of Property	R-1	Farmland

SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:

The property located at 1910 E Martindale Rd is currently zoned Agricultural-Ranch, but existing land use is Single-Family Residential. Staff recommends approval of the zoning change to Single-Family Residential (R-1). A zoning change would be compatible with the current use and the future land use district.

Planning Department Recommendation:

X	Approve as submitted
	Approve with conditions or revisions as noted
	Alternative
	Denial

PLANNING DEPARTMENT ANALYSIS

SITE DESCRIPTION

The property is currently zoned Agricultural-Ranch. There is a “barndominium” on the lot and is being used as a residential dwelling. The property owner is planning to construct another residential structure and wants to apply for a “Unity of Title”, as they also own the property directly to the west. A Unity of Title agreement temporarily “binds” two residentially zoned lots under common ownership; the agreement allows the City to recognize the two lots as one, so as to not cause a zoning violation. Although the agreement doesn’t take the place of replatting, it can act similarly to a plat, especially if the two lots might be sold individually in the future.

CODE REQUIREMENTS:

Although A-R zoning allows for a single-family residential dwelling, the property owner wants a Unity of Title agreement. This agreement is only allowed for single-family or two-family residential zoning.

COMPATIBILITY WITH SURROUNDING LAND USE & ZONING:

This area is primarily zoned Single-Family Residential 1 and Ag-Ranch, and the uses are also primarily single-family residential uses and agricultural uses. Rezoning 1910 E Martindale Rd to R-1 would be compatible with both the zoning and existing uses.

COMPREHENSIVE PLAN:

This property is located in the Emergent Residential. The intent of this district is to provide a place for a variety of standard residential development forms. As such, residential use is an acceptable use in this district.

HEALTH, SAFETY, AND GENERAL WELFARE: (Protection & preservation of historical, cultural, and environmental areas.)

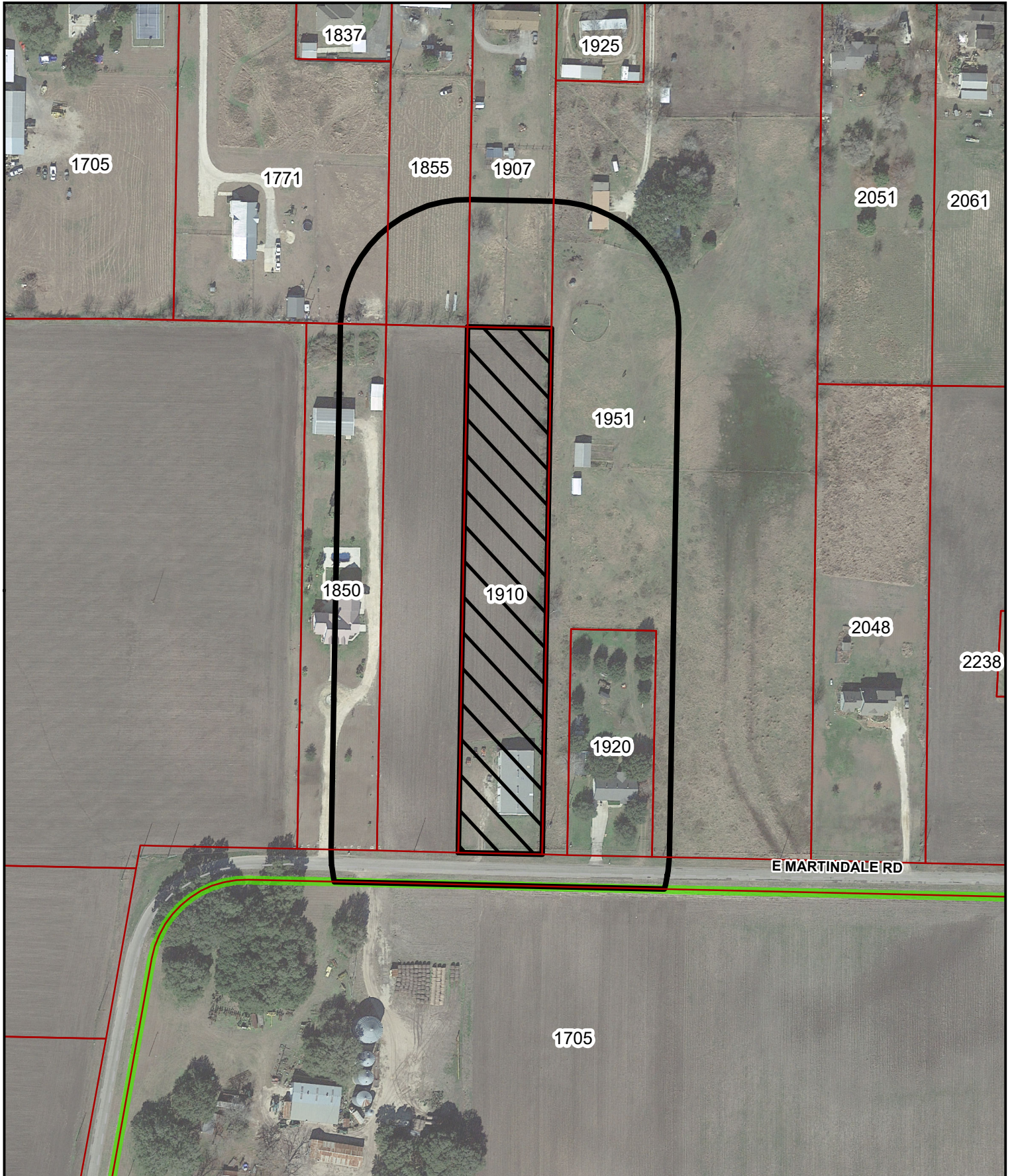
No health, safety or environmental issues have been identified for these properties.

TRAFFIC (STREET FRONTAGE & ACCESS):

The property takes access from E Martindale Rd with an existing driveway.

LOCATION MAP

ZC28-21 1910 E. Martindale Rd



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.



Lot Lines



Site Location



200' Notification Buffer





















1 inch = 200 feet

Printed: 10/22/2021

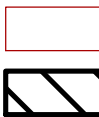
ZONING MAP

ZC 28-21 1910 E. Martindale Rd



	Agricultural - Ranch		Single Family Residential 2		MultiFamily 1		Manufactured Home Park		Industrial
	Rural Residential		Zero Lot Lines		MultiFamily 2		Neighborhood Commercial		Public
	Suburban Residential		Duplex 1		MultiFamily 3		Commercial		Planned Unit Development
	Single Family Residential 1		Duplex 2		Manufactured-Residential		Light Industrial		ROW

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Ownership

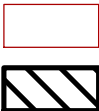
Site Location

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Ownership
Site Location

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