



PLANNING & CODES

ZC 01-18 Staff Report 116 W Krezdorn St Zoning Change from C to R-1

Applicant:

Linda Y Patterson
116 W Krezdorn St
Seguin, TX 78155

Property Owner:

Same as applicant

Property Address/Location:

116 W Krezdorn St

Legal Description:

Lot: 24 W Pt Blk: 249 Addn:
Farm, Prop ID: 22757

Lot Size/Project Area:

Approx. 0.210 acres

Future Land Use Plan:

Town Core

Notifications:

Mailed Dec 29, 2017
Newspaper Dec 24, 2017

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 Commercial to Single Family Residential 1.

ZONING AND LAND USE:

	Zoning	Land Use
Subject Property	C	Residence
N of Property	R-1	Residences
S of Property	P	First United Methodist Church
E of Property	C	Insurance Business
W of Property	R-1	Residences

SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:

The property located at 116 W. Krezdorn St is currently zoned Commercial, but the existing land use is single-family residential. There is commercial to the east along N Austin St, but to the west, it is almost all single family residential. Staff recommends approval of the zoning change to Single-Family Residential 1 in order to allow the primary use of the property to be single-family residential and to be developed as such. The configuration of the lot does not lend itself to commercial development.

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 Commercial and is located on the north side of W Krezdorn St. The existing residence on the lot is a legal non-conforming land use. The property retains its original zoning from 1989. The lot is 60 ft by 145 ft, making it a deep lot, making it difficult to develop as a commercial lot.

CODE REQUIREMENTS:

According to the UDC's Section 3.4.3 Land Use Matrix, Commercial zoning district only allows the use of an existing single family dwelling with the approval of a Specific Use Permit. Currently the structure is a legal non-conformity, but the owner wishes to add a carport; this would increase the non-conformity. Enlarging a non-conformity requires a zoning change or a Specific Use Permit. The applicant is requesting a zoning change to allow for the development of this property as primarily single-family residential.

COMPATIBILITY WITH SURROUNDING LAND USE & ZONING:

The property is located just off of N Austin St a major corridor through the City. This corridor is mostly zoned commercial and consist of businesses. However, the streets off of N Austin St are zoned for single-family residential use. Rezoning this property would be compatible with the properties along the side streets of N Austin St.

COMPREHENSIVE PLAN:

The property is located within the Town Core 2. This is the future land district to encourage economic revitalization and redevelopment in the downtown area of the City. Commercial use would typically be more appropriate for this district, but existing residential neighborhoods encroach into the Town Core district. Residential uses are acceptable in this district especially in areas already developed as neighborhoods.

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):

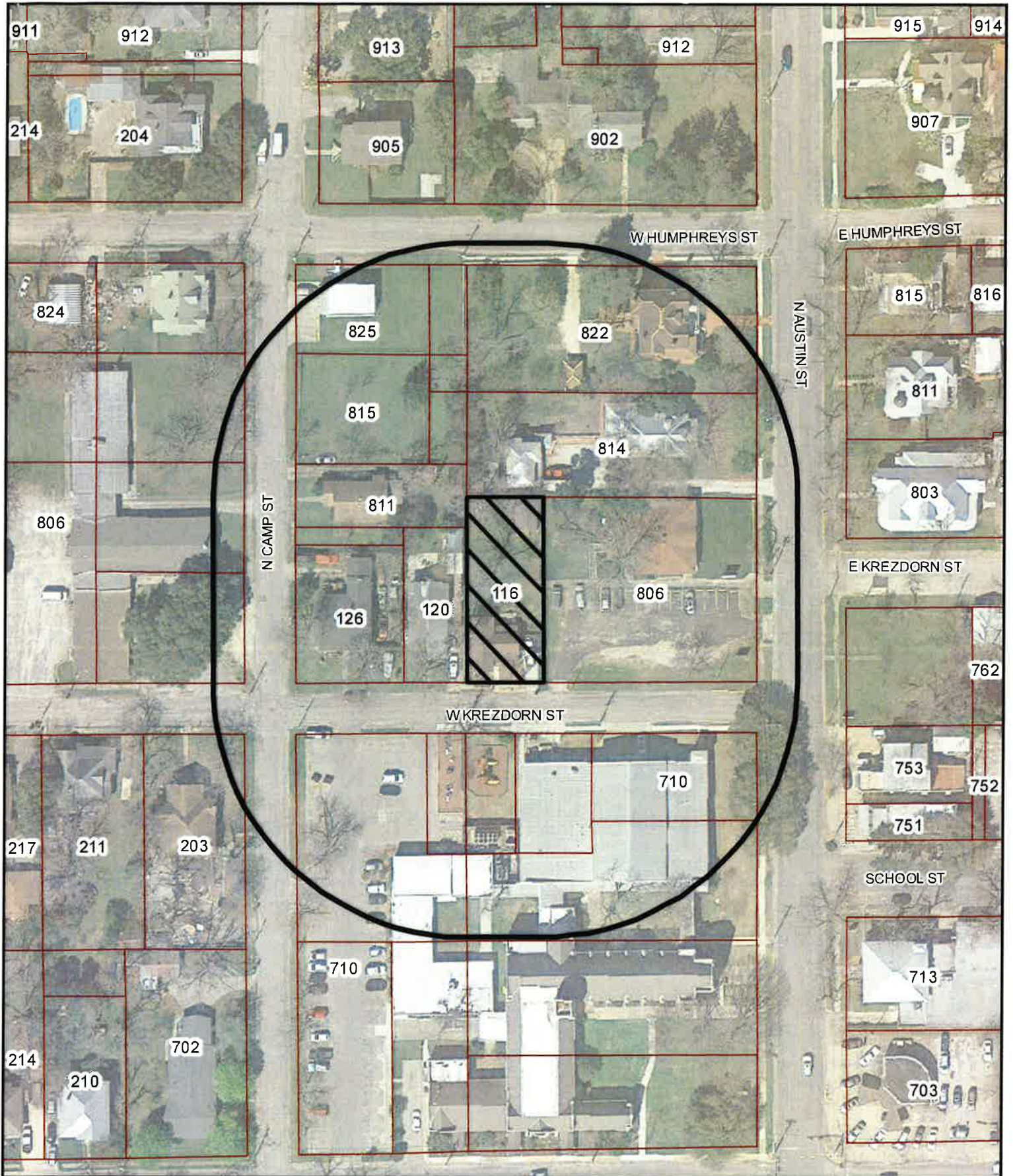
The property fronts and takes access from W Krezdorn St, a City Right-of-way.

OTHER CONSIDERATIONS:

The current residential use of this property is regarded as a legal non-conforming use. Commercial zoning does not permit new single-family residential structures and requires existing residential structures to obtain a Specific Use Permit (if vacant for more than 6 months). If the structure is damaged or destroyed to an extent of 50% or more of its assessed valuation, it cannot be rebuilt without a rezoning. As well, financial institutions may hesitate to provide residential loans for commercial zoned properties and insurance companies may not provide coverage.

LOCATION MAP

ZC 1-18: 116 W Krezdorn 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.



Site Location



200' Notification Buffer



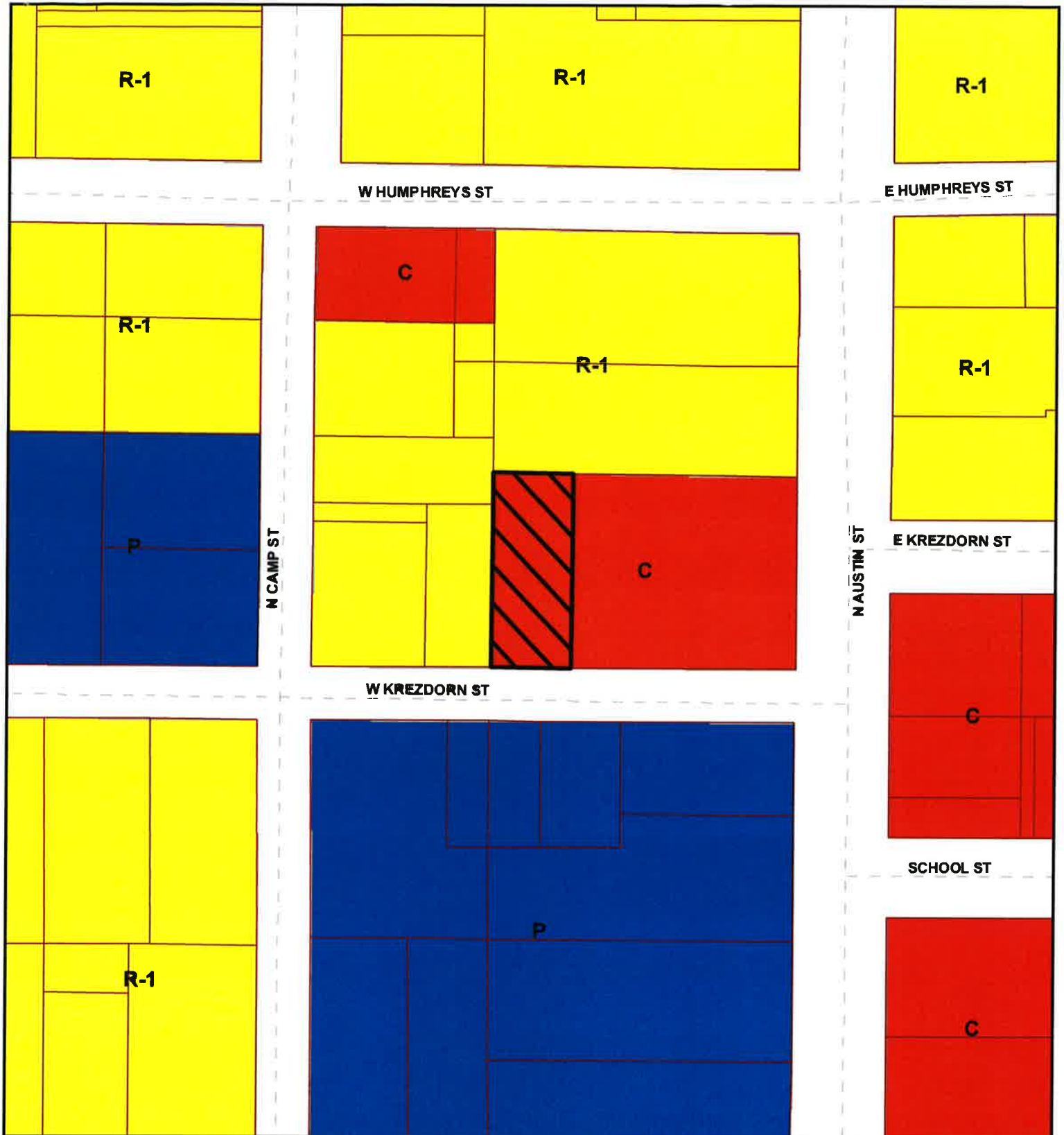
Lot Lines

1 inch = 100 feet

Printed: 12/19/2017

ZONING MAP

ZC 0-18: 116 W Krezdorn St



A-R Agricultural Ranch
R-R Rural Residential
S-R Suburban Residential
R-1 Single Family Residential

ZL Zero Lot Lines
DP-1,2 Duplex
MF-1,2,3 Multi-Family
M-R Manufactured Residential

MHP Manufactured Home Park
NC Neighborhood Commercial
C Commercial
LI Light Industrial

I Industrial
P Public
PUD Planned Unit Development

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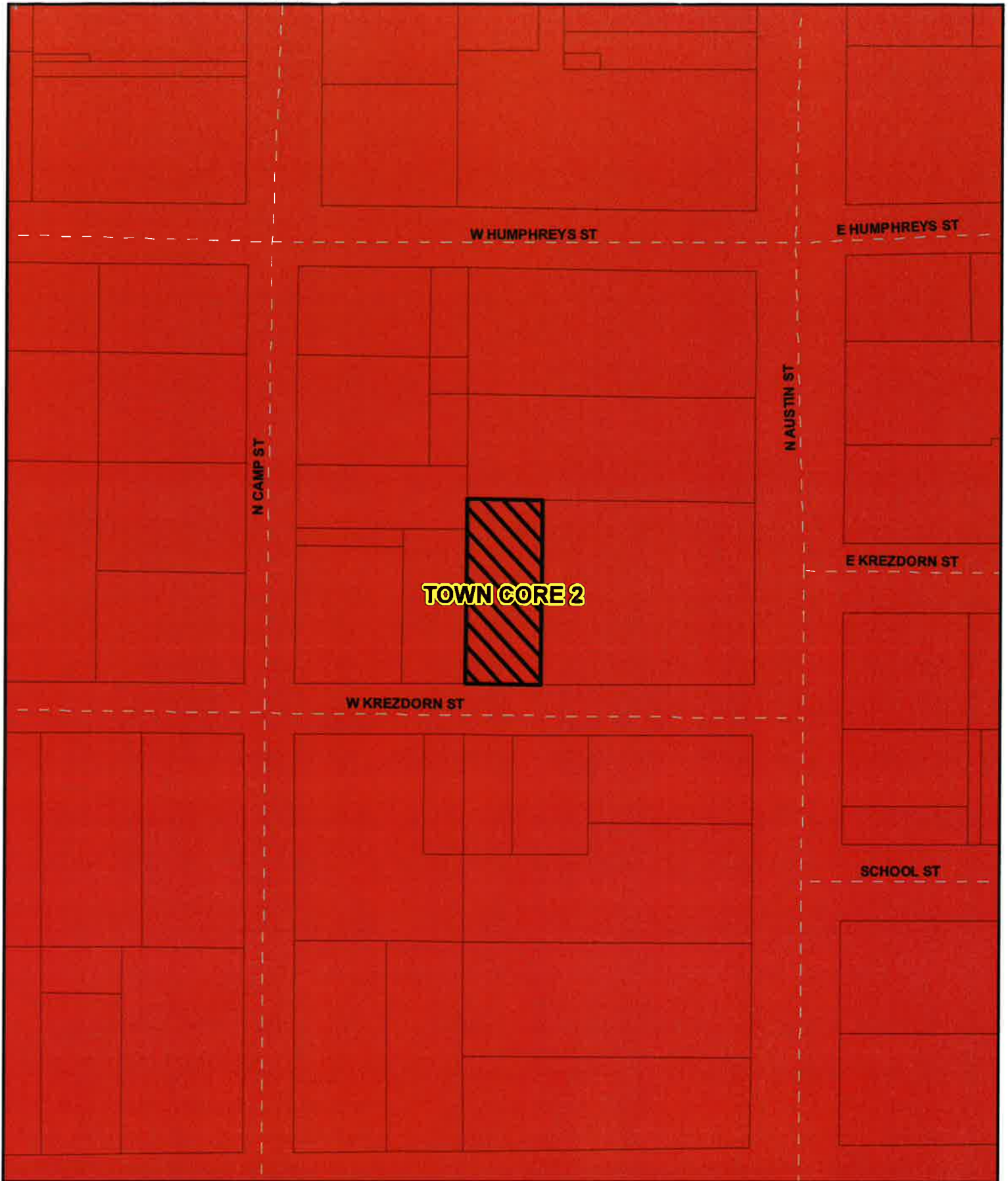
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Site Location



Lot Lines

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PLANNING & CODES

Planning and Zoning Commission Report ZC 01-18

A request for Zoning Change 01-18 was considered during a public hearing at the Planning & Zoning Commission meeting on January 9, 2018:

ZONING CHANGE request from Commercial to Single Family Residential (R-1) for property located at 116 W. Krezdorn Street.

Helena Schaefer presented the staff report. She stated that the zoning change request is from Commercial to Single Family Residential 1 for 416 W. Krezdorn. The existing residence on the lot is a legal non-conforming use also known as grandfathered with its original zoning from 1898. The lot is 60 ft. by 145 ft., making it difficult to develop as a commercial lot. Ms. Schaefer said that the owner wishes to add a carport which increases the non-conformity. Enlarging a non-conformity requires a zoning change or a Specific Use Permit. The applicant is requesting the zoning change to allow the development of this property as primarily single-family residential. Rezoning the property would be compatible with the properties along the side streets of N. Austin Street. She explained that a commercial use would be more appropriate for the Town Core 2 District, although existing residential neighborhoods encroach into the Town Core District. Residential uses are acceptable in the district especially in areas with established neighborhoods. No health, safety, or environmental issues have been identified for the property. In addition, if the structure was destroyed or damaged to an extent of 50% or more of its assessed valuation, the structure could not be rebuilt without a zoning change. Staff recommended approval of the zoning change to Single Family Residential in order to allow the primary use of the property to be Single-Family Residential and to be developed as such. The configuration of the lot does not lend itself to commercial development.

Public notifications were mailed on December 29, 2017 and published in the newspaper on December 24, 2017. No comments were received.

Lynda Patterson, 116 W. Krezdorn advised the Commission that when she purchased the property she did not get a mortgage for the property, therefore did not get a survey. She explained that within the last few month she was informed that the property is zoned Commercial. Ms. Patterson added that to make improvements to her property a rezoning is necessary. She explained that she knows where the property lines are and the carport will be built six feet from the property line and zoning variances will not be required for setbacks.

Ms. Leos-Smith advised Ms. Patterson that if a zoning change is approved she will not be able to open a restaurant. Ms. Patterson stated that she does not have any intention of opening a restaurant. Pamela Centeno advised that she does not know the reason for zoning the property to commercial in 1989. She stated that the property does not meet the requirements for a restaurant.

The regular meeting was then recessed and a public hearing was held. There being no responses from the public the regular meeting reconvened.

After consideration of the staff report and all information given regarding Zoning Change 01-18 Commissioner Gettig moved that the Planning and Zoning Commission recommend to City Council approval of the Zoning Change Request to Single Family Residential 1. Commissioner Kirchner seconded the motion. The following vote was recorded:

RECOMMENDATION TO APPROVE ZONING CHANGE TO SINGLE FAMILY RESIDENTIAL 1

MOTION PASSED

9-0-0



Francis Serna
Planning Assistant



ATTEST: Helena Schaefer, Senior Planner