



## **PLANNING & CODES**

### **Planning and Zoning Commission Report ZC 10-19**

A request for Zoning Change 10-19 was considered during a public hearing at the Planning & Zoning Commission meeting on May 14, 2019:

A Zoning Change from Manufactured Home Park (MHP) to Single Family Residential (R-1) on a request for property located 760 Mitchell Avenue, Property ID 46032

Helena Schaefer presented the staff report. She stated that the applicant is requesting a zoning change from Manufactured Home Park (MHP) to Single Family Residential. She explained that the current use of MHP restricts the use of a single-family home. The single-family home was a legal non-conforming or grandfathered use but became vacant for a time period greater than six months. A structure loses its grandfathered status if vacant for more than six months. The applicant is restoring the structure to be able to live in it again. Ms. Schaefer gave an overview of the surrounding land use and zonings. Rezoning the property to single family residential will make it more compatible with the existing zoning and land uses. She said the property is located within the Central Township future land use district. The district's intent is to enhance the quality of residential developments. Single family residential is compatible use in the Comprehensive Plan and appropriate with the surrounding land uses. The property has the original zoning from 1989. Ms. Schaefer added that the property is a legal non-conforming use and rebuilding the structure will not be possible if the structure is damaged or destroyed to an extent of 50% or more without a rezoning. Notifications were mailed and staff received several responses against the proposed zoning change. Ms. Schaefer explained that after speaking with an adjacent property owner, there was a misunderstanding of the notices mailed out. It was explained that the zoning was going to match the use of the property. Staff recommended approval of the zoning change to allow the applicant to remodel the vacant structure as a residential dwelling. The zoning change removes the MHP zoning as the property is too small to redevelop.

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 (ZC 10-19), Commissioner Spahn moved that the Planning and Zoning Commission recommend approval of the zoning change from Mobile Home Park to Single Family Residential. Commissioner Kirchner seconded the motion. The following vote was recorded:

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

**MOTION PASSED**

**8 -0-0**



Francis Serna  
Planning Assistant



ATTEST: Helena Schaefer  
Senior Planner



## PLANNING & CODES

**Applicant:**

Esmeralda Karn  
945 Zaragoza  
Seguin, TX 78156

**Property Owner:**

Same as Applicant

**Property Address/Location:**

760 Mitchell Ave

**Legal Description:**

Lot: 70x125, Blk: 1029,  
Addn: West, Prop ID: 46032

**Lot Size/Project Area:**

Approx. 0.1875 acres

**Future Land Use Plan:**

Central Township

**Notifications:**

Mailed May 3, 2019  
Newspaper April 28, 2019

**Comments Received:**

None

**Staff Review:**

Helena Schaefer  
Senior Planner

**Attachments:**

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

## ZC 10-19 Staff Report

760 Mitchell Ave

## Zoning Change from MHP to R-1

**REQUEST:**

A Zoning Change request from Manufactured Home Park to Single Family Residential.

**ZONING AND LAND USE:**

	Zoning	Land Use
<b>Subject Property</b>	MHP	Residential dwelling
<b>N of Property</b>	MHP	Residential dwellings/Manufactured Homes
<b>S of Property</b>	R-1	Residential dwellings
<b>E of Property</b>	MHP	Residential dwelling
<b>W of Property</b>	R-1	Residential dwelling

**SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:**

The property located at 760 Mitchell is currently zoned Manufactured Home Park, but the existing land use is single-family residential. Staff recommends approval of the zoning change to Single Family Residential 1 in order to allow the existing, but vacant single-family residential structure as a residential dwelling. Single-Family Residential is compatible with the comprehensive plan.

**Planning Department Recommendation:**

<b>X</b>	Approve as submitted
	Approve with conditions or revisions as noted
	Alternative
	Denial

## **PLANNING DEPARTMENT ANALYSIS**

### **SITE DESCRIPTION**

The property is currently zoned Manufactured Home Park and is located on the north side of Mitchell Ave. According to the Guadalupe County Appraisal District, the existing structure is 818 sq ft in size with a porch and classified as residential. The property has the original zoning classification from the 1989 zoning process and the structure was a legal non-conforming land use. The property owner is fixing the house to be able to live in it again.

### **CODE REQUIREMENTS:**

According to the UDC's Section 3.4.3 Land Use Matrix, the Manufactured Home Park zoning district does not allow for an existing single-family residential structure. The only type of residential dwelling allowed for this zoning district is a manufactured home. The structure was a non-conforming use, but lost its grandfathered status when it became vacant for over 6 months.

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

The properties to the north and east of the property are also zoned Manufactured Home Park. The property adjacent to the east is also a non-conforming use; it is a single-family residential structure, but it has not been vacant for more than six months, thus retaining its grandfathered status. To the north, there is a manufactured home park. To the west and south, the properties are zoned single-family residential and have residential structures on them. Rezoning the property to Single-Family Residential will make it more compatible with the existing zoning and land uses.

### **COMPREHENSIVE PLAN:**

The property is located within the Central Township future land use district. This district's intent is to enhance quality of residential developments, see more residential diversity, and maintain a higher density of single family fabric within a distinctive landscape. Single-family residential is an appropriate use.

### **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):**

This property is accessible from Mitchell Ave and has an existing driveway.

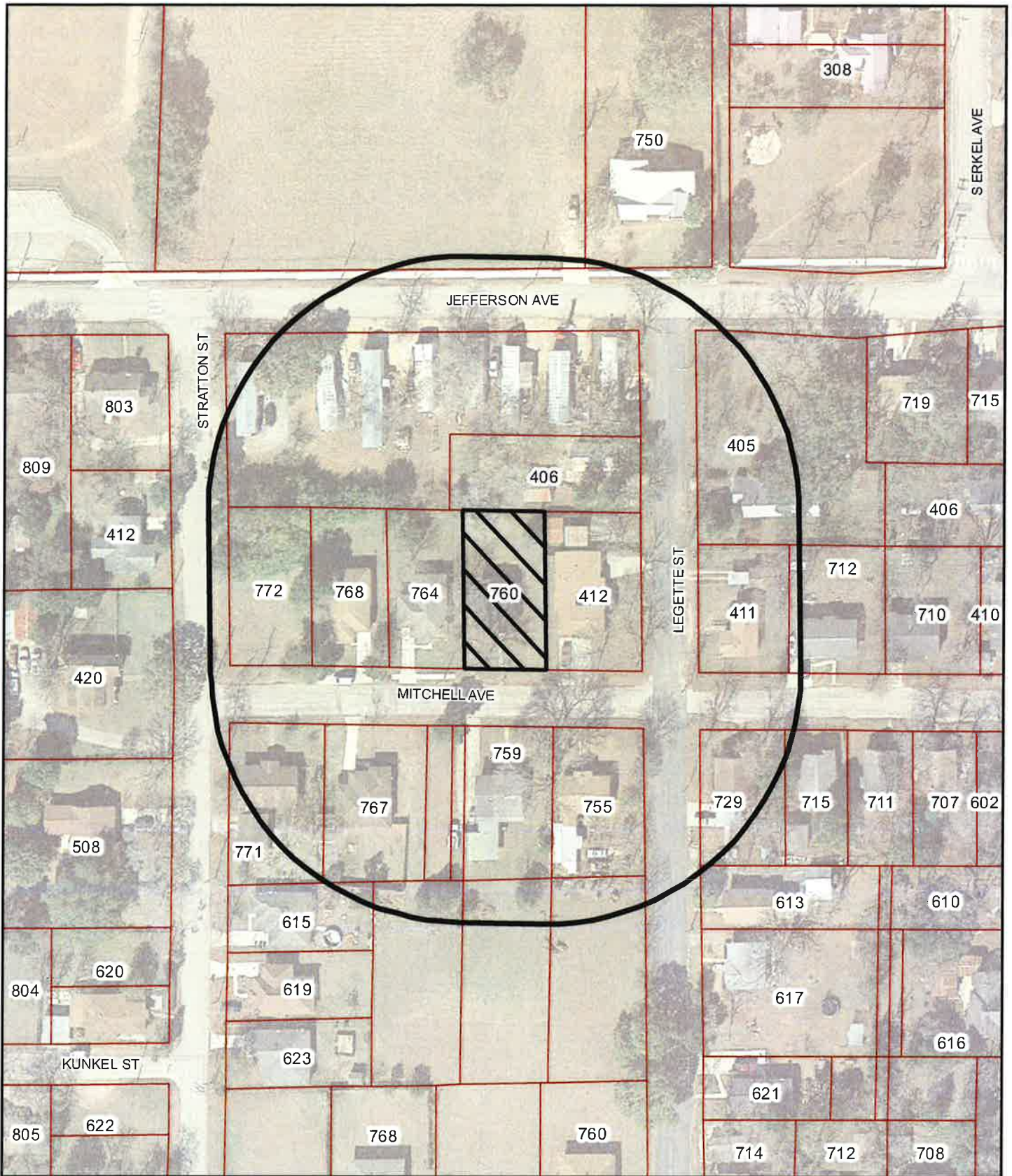
### **OTHER CONSIDERATIONS:**

The current residential use of this property is regarded as a legal non-conformity. Manufactured Home Park zoning does not permit single-family residential structures. 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 non-conforming zoned properties and insurance companies may not provide coverage.






# LOCATION MAP


ZC 10-19: 760 Mitchell Ave



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

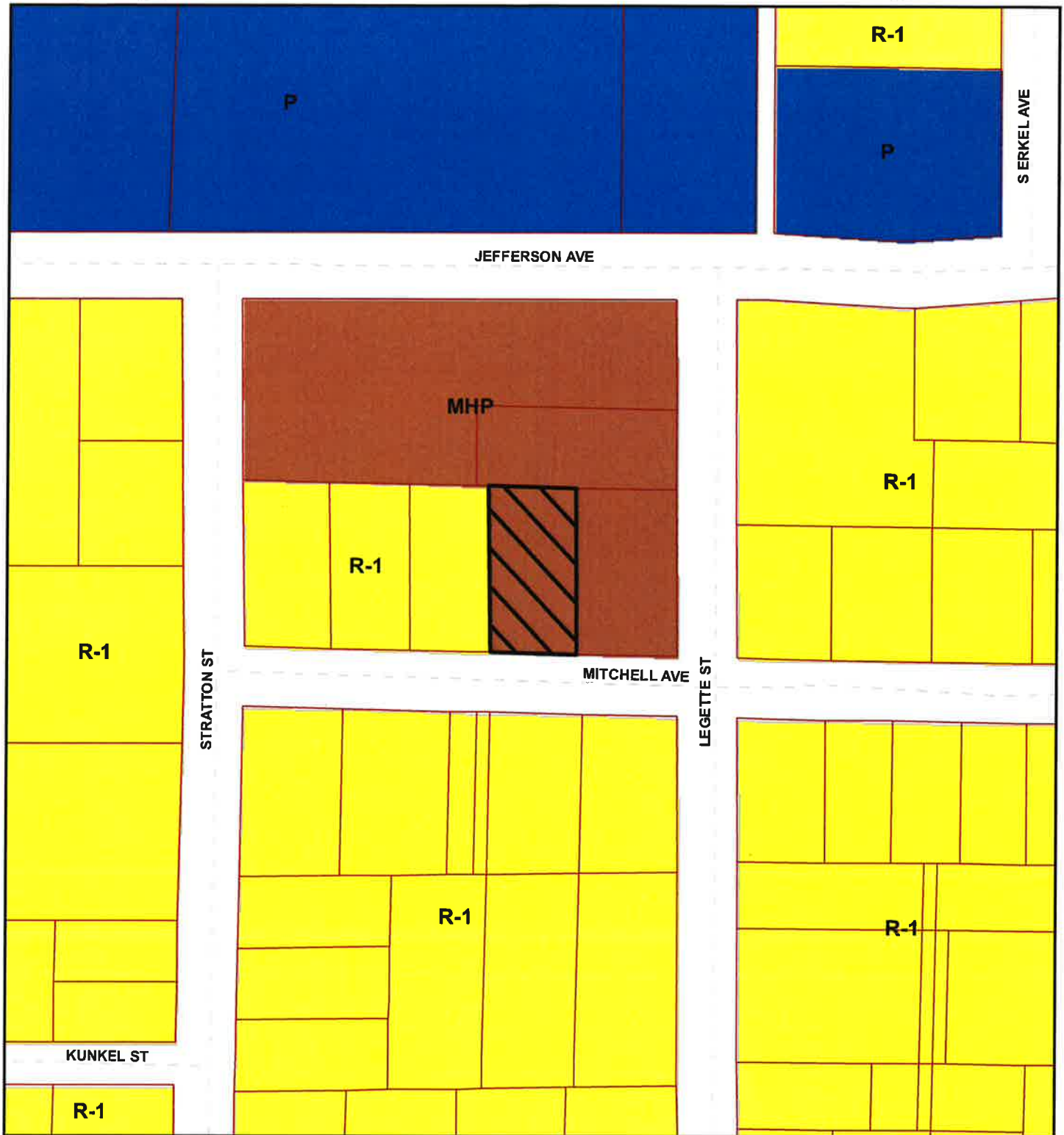

200' Notification Buffer


Lot Lines

1 inch = 100 feet  
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# ZONING MAP

ZC 10-19: 760 Mitchell Ave



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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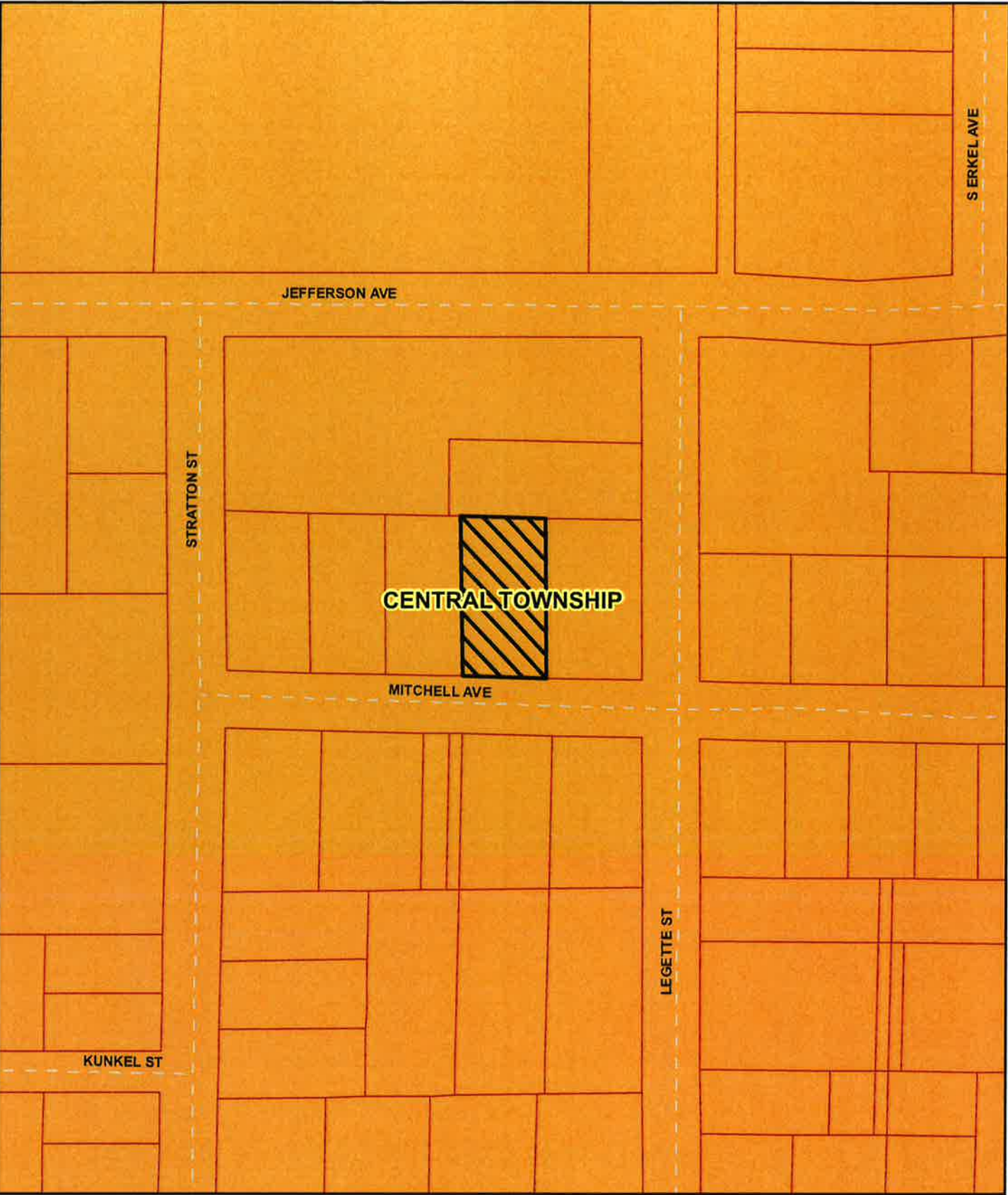
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**FUTURE LAND USE MAP**

**ZC 10-19: 760 Mitchell Ave**



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Site Location

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