

**SEGUIN**  
TEXAS  
**PLANNING & CODES**

**Planning and Zoning Commission Report**  
**ZC 20-21**

A request for Zoning Change 20-21 from Commercial (C) to Single Family Residential 1 (R-1) located at the 1214 N. Milam Street, Property ID 23132 was considered during a public hearing at the Public and Virtual Planning & Zoning Commission meeting on September 14, 2021.

Armando Guerrero presented the staff report. He explained that the existing structure on the property is a legal non-conforming use. A Commercial zoning will require a Specific Use Permit if the structure was vacant for more than six months, damaged or destroyed to an extent of 50% of its assessed valuation. Rezoning the property to R-1 should remove the need for a Specific Use Permit. The property is located on the outer portion of the Town Core with acceptable uses of retail, office, institutional, conservation and residential use. He gave a brief overview of the surrounding properties and said the request is compatible with the area. Staff recommended approval of the zoning change request from Commercial (C) to Single Family Residential 1 (R-1).

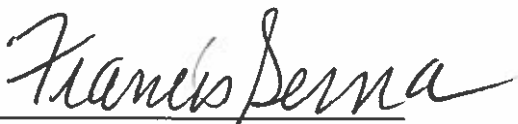
Melanie Johnson, the applicant stated they are looking to purchase the property. They will remodel the home and sell it. She added that with financing it is difficult to finance a home with commercial zoning.

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

After consideration of the staff report and all information given regarding Zoning Change (ZC 20-21), Commissioner Lievens moved that the Planning and Zoning Commission recommended approval of the zoning change from Commercial (C) to Single Family Residential (R-1) for property located at 1214 N. Milam Street. Commissioner Felty seconded the motion. The following vote was recorded:

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

**MOTION PASSED**  
**5-0-0**



Francis Serna, Planning Assistant



ATTEST: Armando Guerrero, Planner



## PLANNING & CODES

ZC 20-21 Staff Report  
1214 N. Milam St  
Zoning Change from C to R-1

**Applicant:**

Always Simple LLC  
PO Box 828  
Seguin, TX 78155

**Property Owner:**

Silvia & Miguel Guzman  
1308 N. Austin St  
Seguin, TX 78155

**Property Address/Location:**

1214 N. Milam St

**Legal Description:**

Lot: 6 Blk: 292 Addn: Farm  
0.1970 Ac.  
Property ID: 23132

**Lot Size/Project Area:**

0.1970 acres

**Future Land Use Plan:**

Town Core 2

**Notifications:**

Mailed: September 2, 2021  
Newspaper: August 29, 2021

**Comments Received:**

None

**Staff Review:**

Armando Guerrero  
Planner

**Attachments:**

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

**REQUEST:**

A Zoning Change request from Commercial (C) to Single-Family Residential (R-1).

**ZONING AND LAND USE:**

	Zoning	Land Use
<b>Subject Property</b>	C	Residential
<b>N of Property</b>	C	Commercial (Rent to own sales center)
<b>S of Property</b>	R-1	Residential
<b>E of Property</b>	C	Residential
<b>W of Property</b>	C	Residential

**SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:**

The property located at 1214 N. Milam St is currently zoned Commercial, but existing land use is Single-Family Residential. Given the current lot size and location it would be difficult to redevelop the property as Commercial. 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 existing residential zoning seen to the south.

**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 Commercial and is located on north Milam near the intersection of east Kingsbury. According to the Guadalupe County Appraisal District, this lot has an area of 8,581 square feet, with an existing structure of 1,168 square feet. The property has the original zoning classification from the 1989 zoning process and the structure is a legal non-conforming land use.

### **CODE REQUIREMENTS:**

According to the UDC's Section 3.4.3 Land Use Matrix, the Commercial zoning district allows for an existing single-family residential structure with a Specific Use Permit. This would be triggered if the structure was vacant for more than 6 months. However, the Single-Family Residential (R-1) zoning does allow the use of either an existing or new single-family residential structure. Rezoning to R-1 would remove the need for an approved Specific Use Permit.

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

The area to the north of this property is zoned Commercial and is operating as an appliance and furniture rental shop, the area to the east is zoned Commercial with residential use on the portion not fronting Kingsbury St. To the south, (R-1) zoning with existing residential use, and to the west Commercial zoning with residential homes occupying the lots.

### **COMPREHENSIVE PLAN:**

This property is located on the outer portion of the Town Core area. Acceptable uses within this district include retail, office, institutional, conservation, and residential 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 accessed from N Milam St.

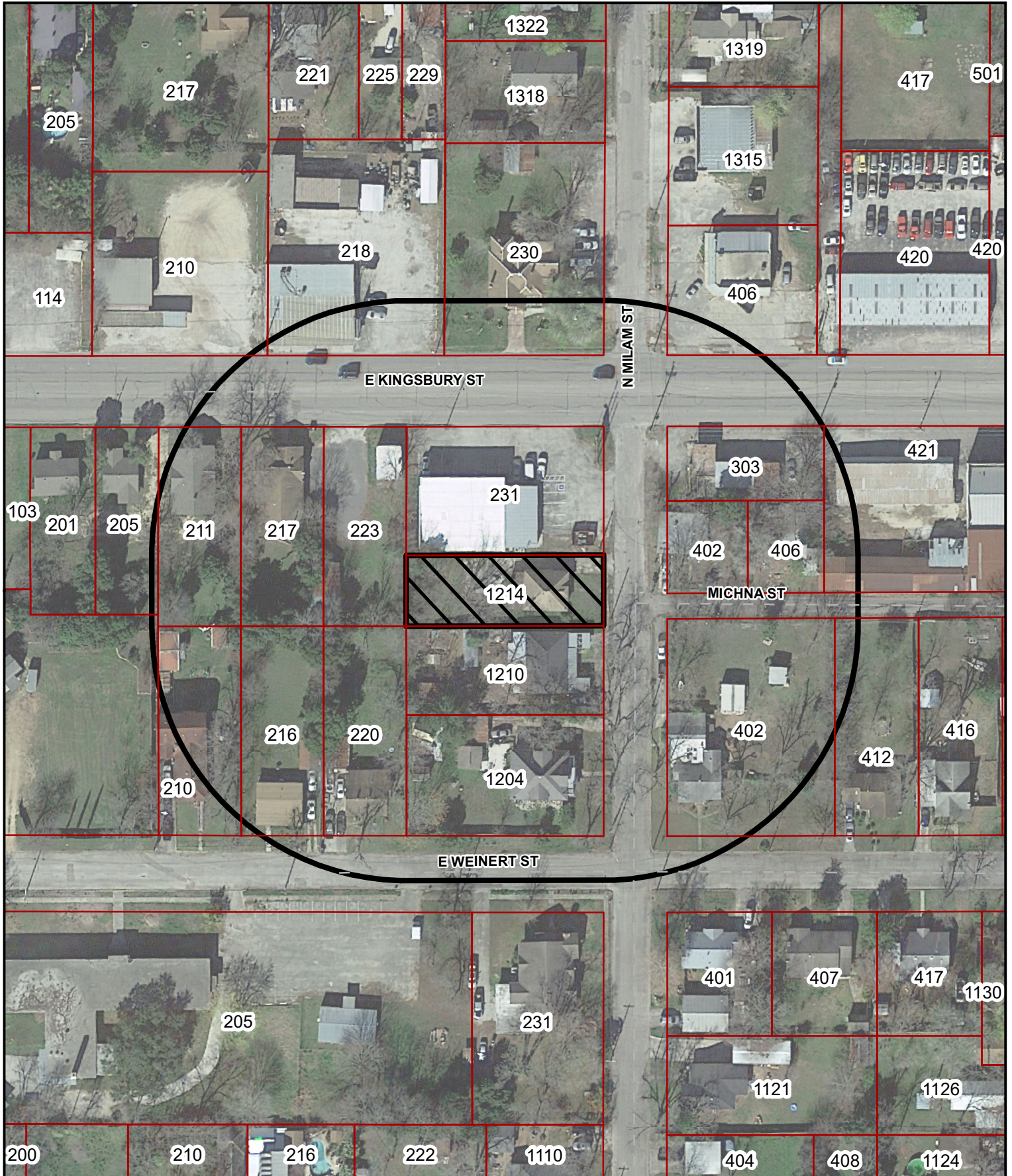
### **OTHER CONSIDERATIONS:**

The current residential use of this property is regarded as a legal non-conformity. Commercial zoning does not permit new single-family residential structures and requires a Specific Use Permit for an existing structure 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 20-21 1214 N. Milam St



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Lot Lines



Site Location



200' Notification Buffer

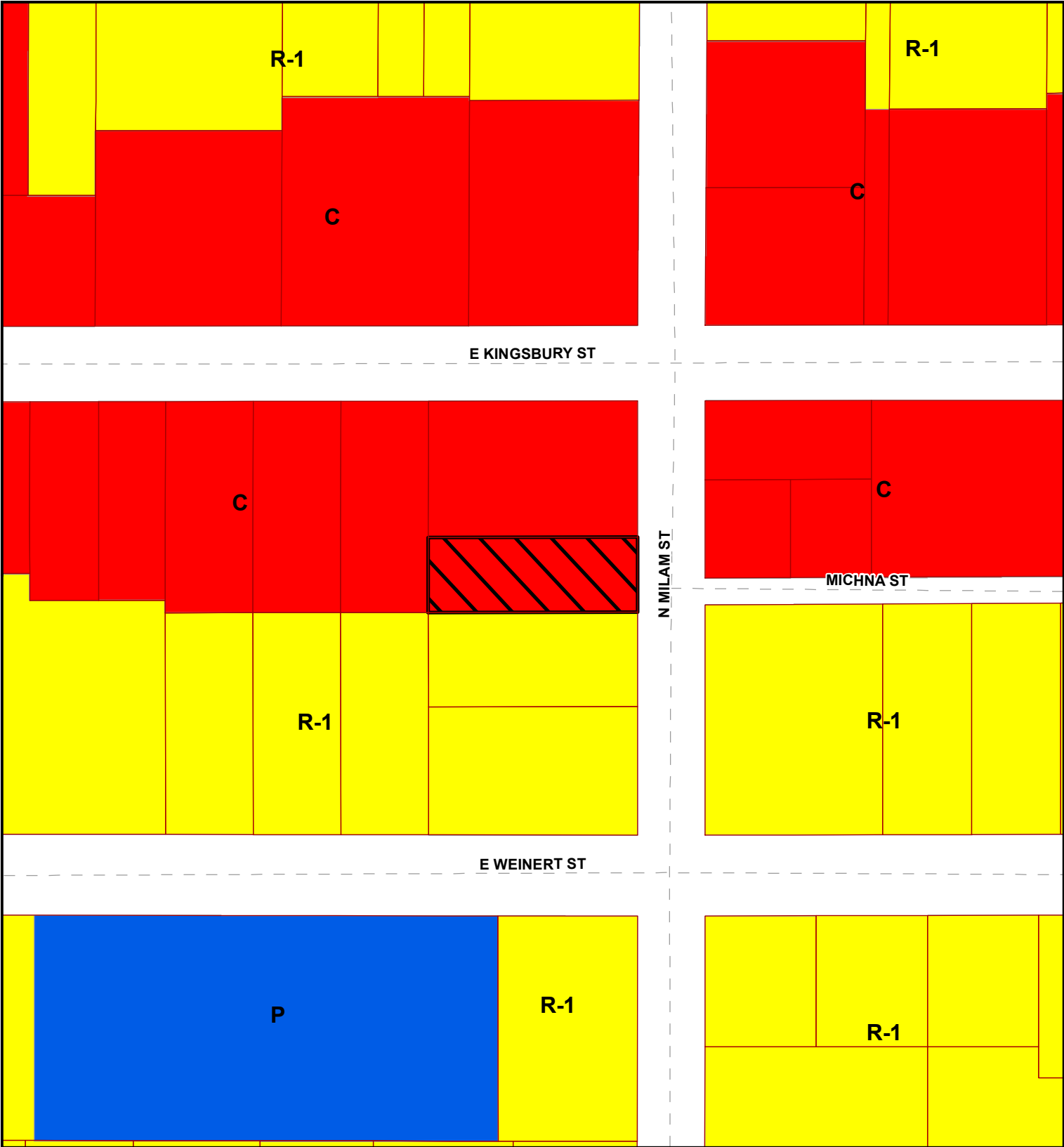
1 inch = 100 feet

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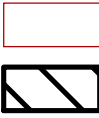
ZONING MAP

ZC 20-21 1214 N. Milam St



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

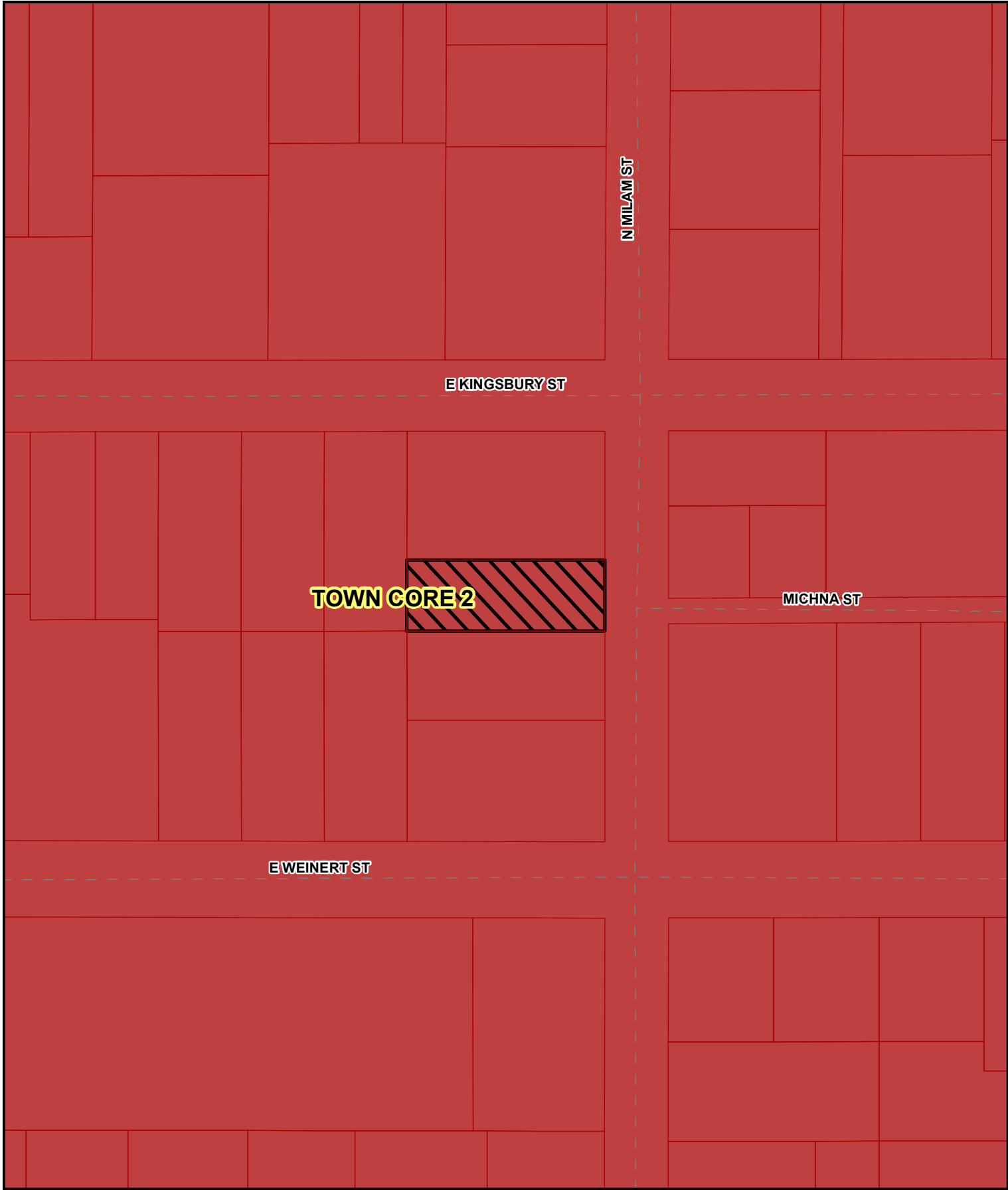
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Ownership  
Site Location

1 inch = 100 feet

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