

SEGUIN ZONING BOARD OF ADJUSTMENTS
MEETING AGENDA
CITY HALL COUNCIL CHAMBERS
210 E. GONZALES STREET, SEGUIN, TEXAS
April 11, 2019 at 5:30 P.M.

1. Call to order.
2. Roll Call.
3. Approval of the Minutes of the January 10, 2019 Meeting.
4. Public Hearing and Possible Action on a Variance to the City of Seguin Unified Development Code, Section 3.6 Lot Dimensional and Development Standards requiring conformance to lot front and rear setbacks for property located at 208 Harper Street, Property ID 361634 (VAR 02-19)
5. Adjourn.

CERTIFICATE

I certify that the above notice of meeting was posted in the display case at the Municipal Building, 210 East Gonzales Street, of the City of Seguin, Texas on the 5th day of April, 2019 at 11:00 am.



Francis Serna
Planning Assistant

The City of Seguin is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal access to communications will be provided to those who provide notice to the City Secretary at (830) 401-2468 at least 48 hours in advance. This meeting site is accessible to disabled persons as there are two (2) parking spaces reserved for the disabled on the east side of the Municipal Building.

**ZONING BOARD OF ADJUSTMENTS
REGULAR MEETING
MINUTES
January 10, 2019**

1. The City of Seguin, Zoning Board of Adjustments held a regular meeting on January 10, 2019 at 5:30 p.m., in the City Hall Council Chambers. Wayne Windle called the meeting to order. Wayne Windle presided over the meeting. A quorum was present:

2. Roll Call:

Members Present: Wayne Windle
 Paul Quello
 Eric Aufderhaar
 Andrew Nelson
 Bill Odom

Members Absent:

Staff: Ismael Segovia, Assistant Director of Planning & Codes
 Francis Serna, Planning Assistant

3. Approval of the Minutes of the November 15, 2018 Regular Meeting.

Eric Aufderhaar made a motion to approve the minutes. Andrew Nelson seconded the motion. The following vote was recorded:

Aye: Windle, Quello, Wallace, Aufderhaar, Odom,

Nay:

Abstain:

Motion Carried: 5-0-0

4. Public Hearing and Possible Action on a request by Ranlem Scott LLC for a Plat Variance to Section 3.6.2-Lot Dimensional and Development Standards of the Unified Development Code (UDC) for property for located at 515 and 517 Dibrell, Property ID 46343. (VAR 10-18)

Ismael Segovia presented the staff report. He explained that the applicant is requesting a variance from the required lot frontage and lot depth in a Single-Family Residential District for subdividing one lot into two. He explained there are two single family houses exiting on one lot which conflicts with the UDC. If the lot is divided as requested, the potential lots would not meet the lot requirements of lot frontage of fifty (50) feet and lot depth of one hundred (100) feet. The property is located with the Historic Center which has many lots in various methods prior to existence of the zoning laws with the UDC. This request will assist in correcting the issue of having two homes on one lot. Both structures are grandfathered to their existing setbacks as one lot. The request is for the lot width and lot depth for lot 517 Dibrell and lot depth for 515 Dibrell.

Based on the older configuration of the lots in the area staff does find that there is a unique circumstance and hardship as existing structures were built prior to the adoption of zoning and recommends approval of the variance request.

Paul Quello expressed concerns about the future and someone being able to build a home on the lots with the current configurations and able to meet the current building codes. Ismael Segovia explained that the future owners would require variances to rebuild.

Shawn Melnar, Ranlem Scott LLC, 109 Paseo Del Rio, Seguin, Tx explained that they have the rezoning complete, now requesting the variance followed by replatting the property to be able to begin renovations on the second home. His intent is to have quality and affordable housing in the community.

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

Paul Quello made a motion to approve the variance request. Bill Odom seconded the motion. The following vote was recorded:

Aye: Windle, Quello, Wallace, Nelson, Odom

Nay: Aufderhaar

Abstain: 0

Motion Carried: 5-0-0

The chairman declared the meeting adjourned at 5:45 p.m.

Wayne Windle, Chair

Francis Serna, Recording Secretary



PLANNING & CODES

**Front and Rear Yard Setback Requirements
208 Harper Street
VAR 02-19 Staff Report**

Applicant:

Lynda J. Redix
208 Harper St.
Seguin, TX 78155

Property Owner(s):

Lynda J. Redix
208 Harper St.
Seguin, TX 78155

Property Address/Location:

208 Harper Street

Legal Description:

Lot:106, Block: 16, ADDN: JC
Pape

Lot Size/Project Area:

0.1284 acres

Future Land Use Plan:

Central Township

Notifications:

Newspaper:
Mailed:

Comments Received:

1 in Favor

Staff Review:

Ismael B. Segovia
Asst. Dir. of Planning & Codes

Attachments:

- Notification/Aerial Map
- Zoning Map
- FLUP Map

REQUEST:

The applicant is requesting a variance from the required front and rear yard setback in a R-1 zoning district to replace an existing 1987 manufactured home with a 2018 manufactured home.

ZONING AND LAND USE:

	Zoning	Land Use
Subject Property	R-1	Single-family residential
N of Property	R-1	Single-family residential
S of Property	R-1	Vacant Single-family residential
E of Property	R-1	Single-family residential
W of Property	R-1	Church

SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:

Staff finds that there are unique circumstances in this case:

- The existing home has existing building setback encroachments.
- The property values in the neighborhood would be consistent w/ the proposed new 2018 model manufactured home.
- State law allows the replacement of this home if the model is newer and no smaller than the existing.
- The lot to the west is nonresidential (church).

Staff received one comment from a neighbor in favor of the variance. No opposition has been returned to date. Given the above factors, staff is recommending approval of the variance request with the following conditions:

1. The replacement manufactured home model must be no older than 2018.
2. The replacement manufactured home must be of equal size or larger than the existing model.
3. The manufactured home must be skirted with metal, masonry, pressure-treated wood, or other non-degradable material which is compatible with the structure's exterior siding.
4. The replacement manufactured home must meet a front setback no less than 15' from the front property line.

Planning Department Recommendation:

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

PLANNING DEPARTMENT ANALYSIS

BACKGROUND:

The property owners are seeking to replace their existing manufactured home with a newer 2018 manufactured home. The existing manufactured home is registered on the Guadalupe Country Appraisal District as a 1987 model that measures 16' x 76'. The property owner is seeking to replace the existing, occupied manufactured home with a 2018 model that measures 16' x 78'.

CODE REQUIREMENTS:

State of Texas Occupations Code:

Section 1201.008 requires municipalities to allow an existing manufactured home to be replaced with another manufactured home if the replacement is a new model of the same size or larger.

Zoning:

The property is zoned R-1 Residential. The existing manufactured home is grandfathered. Manufactured homes that are abandoned for a period of 6 months or more removed from a property lose their status as an existing manufactured home. When this occurs, the property reverts to the assigned zoning and the State exemptions for replacing existing homes are no longer valid. In this case the manufactured house is still occupied and can therefore be replaced per the State law as long as the new model is newer and the same size or larger.

Building Setbacks:

While staff has determined that the existing manufactured homes can be replaced, the new home must meet all other City requirements, which includes building setbacks. The required front and rear yard setbacks that must be met by the new manufactured home are:

- **Front Yard Setback:** The required front yard setback is twenty-five (25) feet.
- **Rear Yard Setback:** The required rear yard setback for the primary structure is fifteen (15) feet.

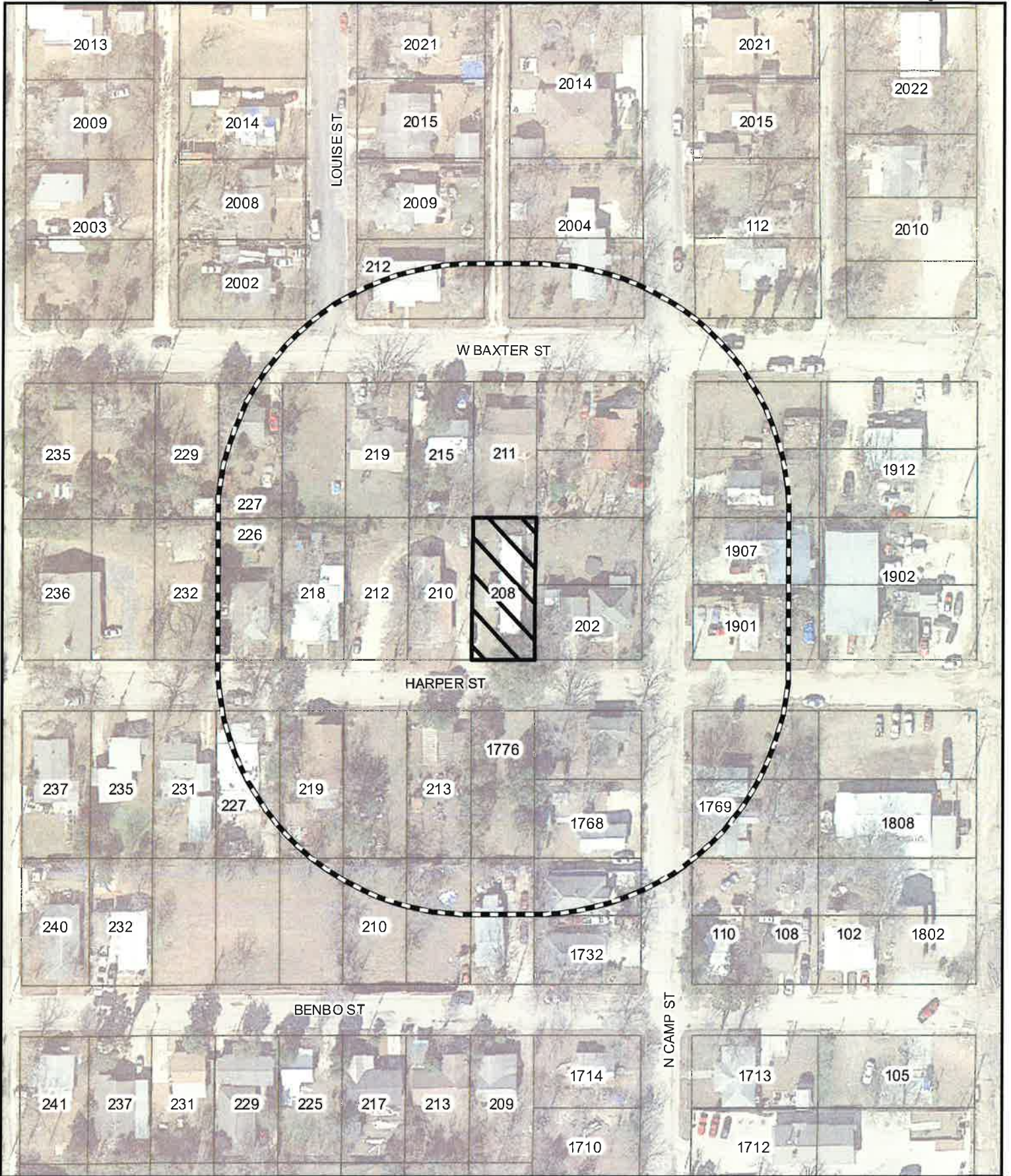
STAFF RECOMMENDATION:

The lot is approximately 50' x 108'. The current manufactured home encroaches the front yard setback by five (5) feet and the rear yard setback by three (4) feet. The new manufactured house is longer and will therefore encroach into the setbacks an additional two (2) feet. While most of the homes in the neighborhood are site-built homes, the property values of the existing homes are consistent with the average cost for a 2018 model manufactured home.





Given the existing encroachments, the State law that allows existing (occupied) manufactured homes to be replaced, and the nonresidential use to the west (church); staff recommends approval of the variance with conditions.

LOCATION MAP

VAR 02-19: 208 Harper St



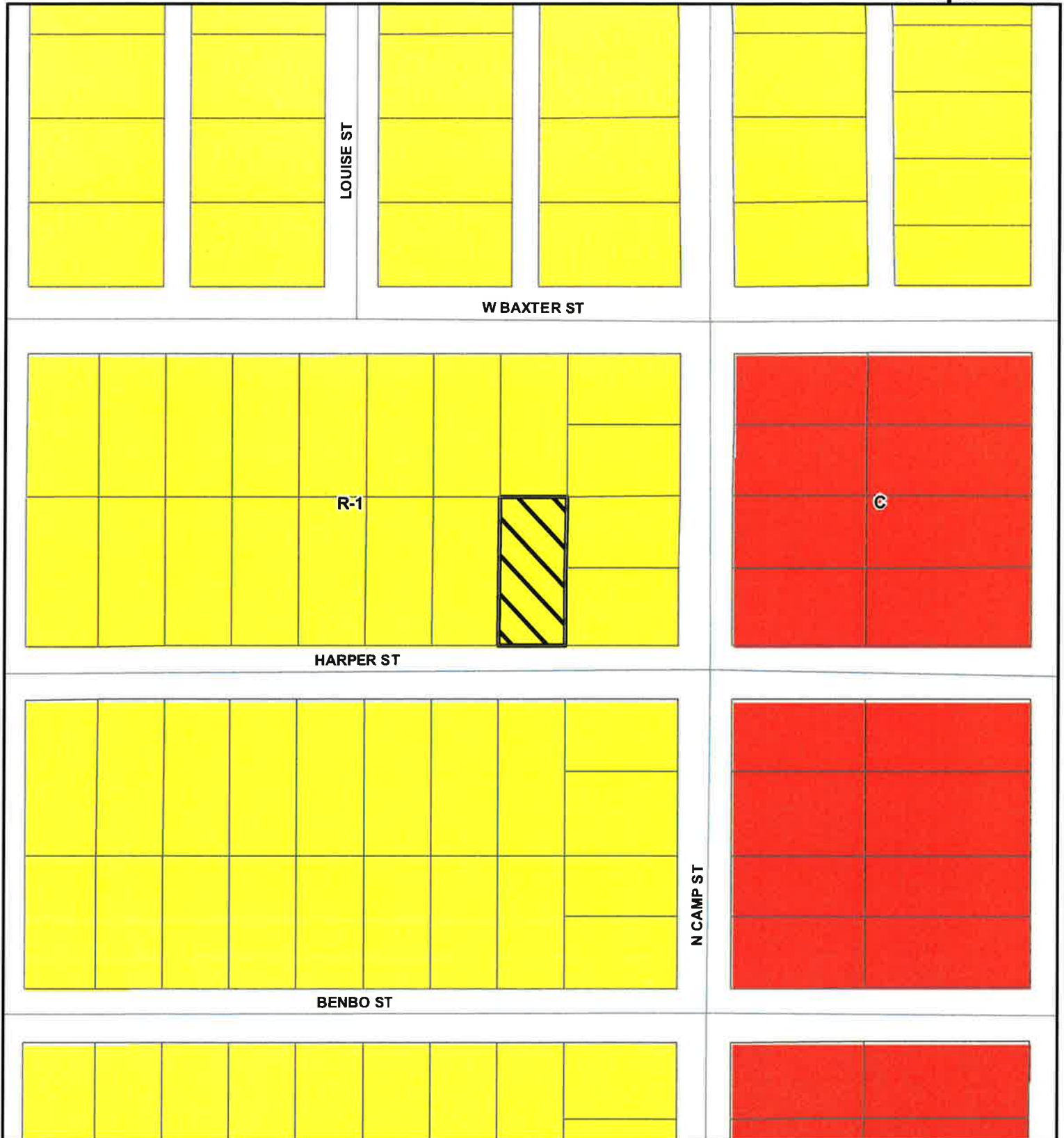
This map is for information purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The City of Seguin assumes no liability for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

Site Location 200' Notification Buffer
 Lot Lines 1 inch = 100 feet
 Printed: 3/5/2019

ZONING MAP

VAR 02-19: 208 Harper St



- | | | | |
|-------------------------------|------------------------------|----------------------------|------------------------------|
| A-R Agricultural Ranch | ZL Zero Lot Lines | MHP Manufactured Home Park | I Industrial |
| R-R Rural Residential | DP-1,2 Duplex | NC Neighborhood Commercial | P Public |
| S-R Suburban Residential | MF-1,2,3 Multi-Family | C Commercial | PUD Planned Unit Development |
| R-1 Single Family Residential | M-R Manufactured Residential | LI Light Industrial | |

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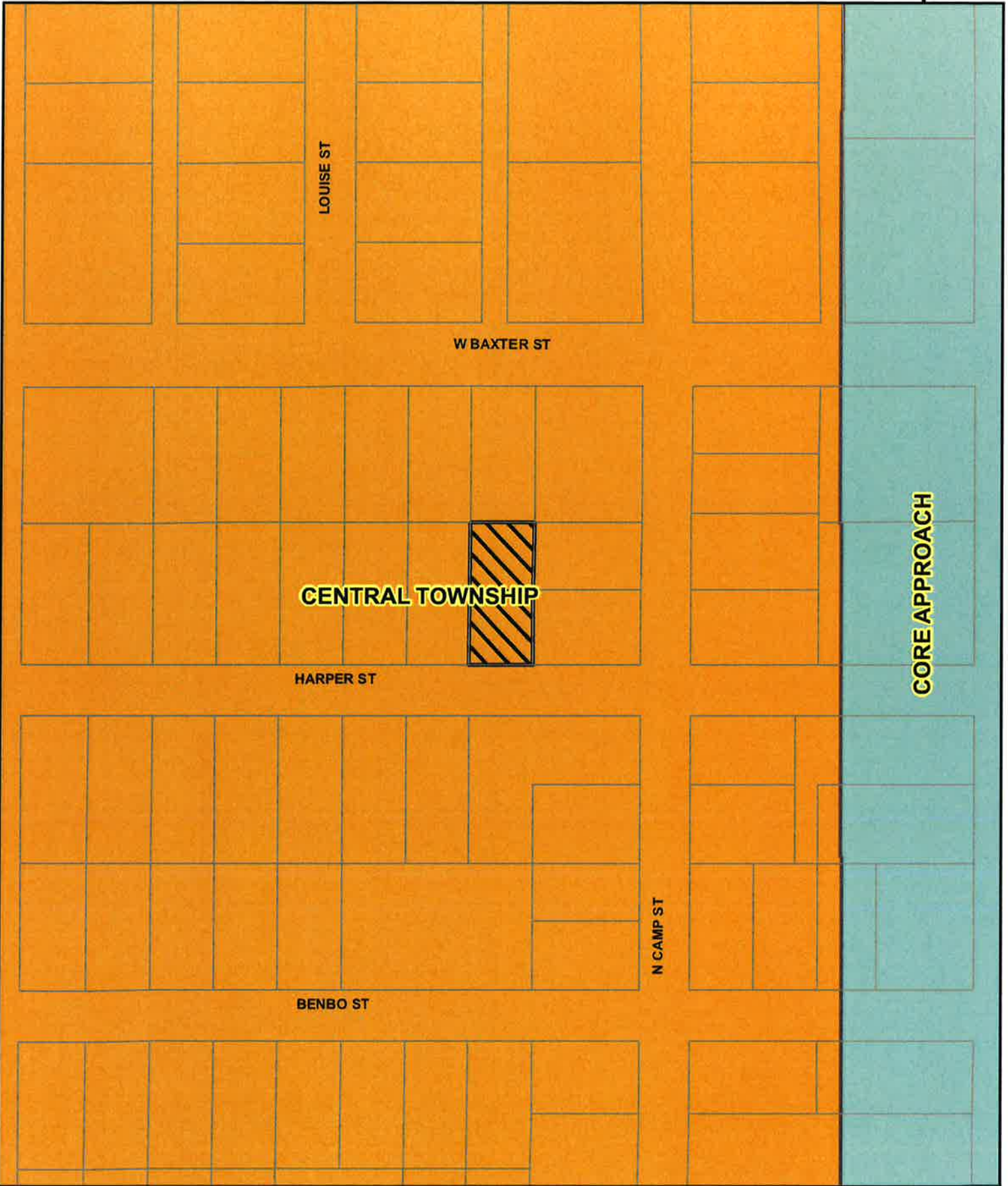
Site Location



Corridor Overlay Districts

1 inch = 100 feet

Printed: 3/5/2019



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Parcels



Site Location

1 inch = 100 feet

Printed: 3/5/2019

In order to be on record, this form may be filled out and mailed to the Planning and Zoning Department, City of Seguin, P. O. Box 591, Seguin, Texas 78156.

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

Re: A Variance to the City of Seguin Unified Development Code Section 3.6.2 Lot Dimensional and Development Standards for Residential Districts to the Rear Yard Setbacks to allow a storage building.

For property located at: **208 Harper Street, Property ID 36164. (VAR 02-19)**

Name: Lillian & Sue Jackson

APR 03 2019

Address: 218 Harper St Seguin Texas 78155

Phone No.: 830-372-1116

Property Address (if different from mailing): _____

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

In Favor

Opposed

Reasons and/or comments Because we feel everybody needs extra space for storage, overtime things build up and you don't have the space inside your home to store things. So that's what having extra storage space comes in handy. We totally are in favor of the request for extra storage space