



AGENDA ITEM SUMMARY REPORT

MEETING DATE: May 1, 2025

PREPARED BY: Otis T. Spriggs, AICP, Director of Development Services

AGENDA CONTENT: Conduct a public hearing, discussion, and take possible action on a request for approval of an ordinance rezoning approximately 0.36 acres from the Single Family Residential 6.3 Zoning District to a Two-Family Residential (Duplex) Zoning District at 627 E. Locust St. and a Garage ADU located at 415 N. Rock Island, Angleton, TX, Brazoria County.

AGENDA ITEM SECTION: Public Hearing and Action Item

BUDGETED AMOUNT: N/A

FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

This is a request from Dennis Gafford to rezone 0.36 acres from Single Family Residential 6.3 to Two-Family Residential (Duplex) Zoning District. The applicant's primary purpose is to rezone the property for financial institution requirements only, and to follow up with a minor plat to consolidate the lots into one tract as demanded by said mortgage. Note that the owner has made vast improvements to the property and has no plans to remove or add additional density to the preexisting rental arrangement.

Property Location/Legal Description: Lots Six (6), Seven (7), and Eight (8), In Block One Hundred Twelve (112), of High School Addition to the City of Angleton, an addition in Brazoria County, Texas, according to the map or plat thereof recorded In Volume 2, Page 109, as corrected In Volume 2, Page 111, of the Plat Records of Brazoria County, Texas. Brazoria CAD shows that the original home was built in 1922.

Review Criteria and Findings of Fact:

In determining a requested zoning change, the Planning and Zoning Commission and the City Council shall consider the following factors:

- a. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned, and their relationship to the general area and to the city as a whole. *(Staff concurs the property is more appropriate for the duplex zoning district being under the same ownership and used as an accessory dwelling unit arrangement has been in place for quite some time).*

- b. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area; **(There will be no negative impact on said capacity of public improvements the accessory dwelling unit (ADU) is pre-existing).**
- c. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the city, and any special circumstances which may make a substantial part of such vacant land unavailable for development. **(The structures are preexisting and would have no negative impact on public services and infrastructure).**
- d. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change. **The duplex district is one block removed where a number of rental properties seem to exist.** How other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved. **(This rezoning will provide for infill commercial reinvestment, and pose no negative impact on the surrounding area if restrictions are placed and density is limited).**
- e. Any other factors that will substantially affect the public health, safety, morals, or general welfare. **(No factors will negatively affect the public health, safety, morals or general welfare if developed as proposed).**

Surrounding Conditions:

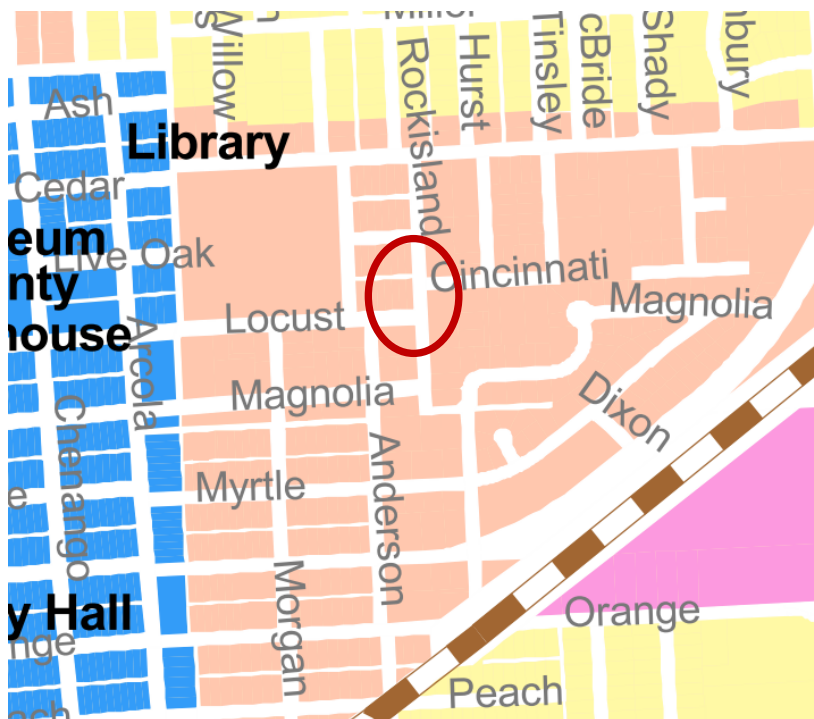
Existing Land Use and Zoning

North: SF 6.3 Residential

East: Two-Family Residential/SF 7.2 Residential.

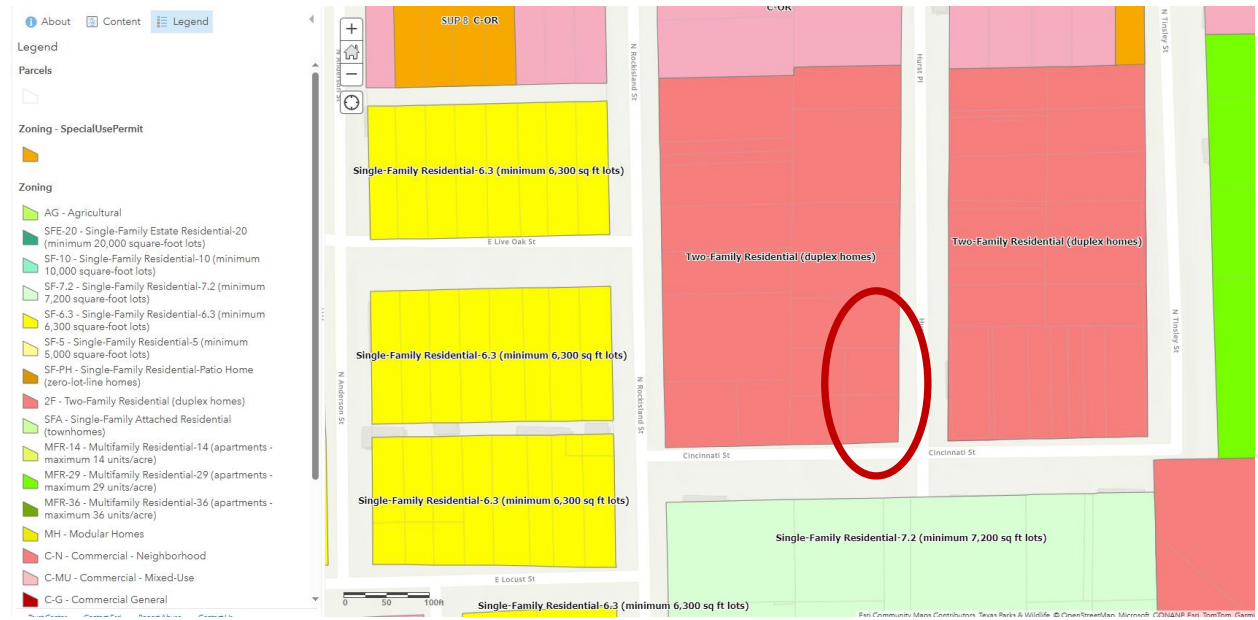
West: SF 6.3 Residential

South: SF 6.3 Residential.



Future Land Use Map

The Future Land Use Plan from the City of Angleton Comprehensive Plan Update designates the subject property as an **Office/Retail/Multi-family Residential Category**.



Zoning Map



Aerial Map

STAFF REVIEW:

Staff cautions the Commission and Council that conditions should be placed that would restrict any creation of additional units or density in the future on the property. The proposed ordinance, as written, will limit the uses to the principal structure and the accessory dwelling in the rear only. The property will also be consolidated into "1" parcel at the request of the bank; therefore, the 2F-Zoning District will not allow for an increase in density of more duplexes on this one lot.

Current General Bulk Requirements for Two-Family Residential (Duplex) District are as follows:

Size of lot:

Area regulations:

(1) Size of lots for two-family/duplex homes:

- *Minimum lot area: 10,000 square feet per pair of dwelling units; 5,000 square feet per dwelling unit.*
- *Minimum lot width: 80 feet.*
- *Minimum lot depth: 100 feet.*

Size of yards for two-family/duplex homes:

- Minimum front yard: 35 feet; 35 feet to the garage door face for front-entry homes.
- Minimum side yard: Five feet required with 15 feet required on corner lots adjacent to a residential or collector street, and 20 feet required on corner lots adjacent to an arterial street; 25 feet for key corner lot on any street.
- Minimum rear yard: 25 feet for the main building and any accessory building(s); 25 feet for rear entry garage. (See section 28-103 for exceptions.)

STAFF RECOMMENDATION:

The Planning and Zoning Commission should adopt this as its final report and recommend approval of the ordinance rezoning 0.36 acres from the Single Family Residential 6.3 Zoning District to a Two-Family Residential (Duplex) Zoning District and forward this item to the City Council for final action with the following conditions:

1. The uses permitted on the property shall be restricted to one (1) single-family principal structure and one (1) accessory dwelling unit in the rear garage only.
2. The owner shall file a minor subdivision plat, consolidating the tracts into one (1) lot or parcel.

SUGGESTED MOTION:

I move we find that for the Review Criteria, findings of fact are established, and we approve the ordinance rezoning 0.36 acres from Single Family Residential 6.3 Zoning District to the Two-Family Residential (Duplex) Zoning District and forward this item to the City Council for the final action with the following conditions:

1. The uses permitted on the property shall be restricted to one (1) single-family principal structure and one (1) accessory dwelling unit in the rear garage only.
2. The owner shall file a minor subdivision plat, consolidating the tracts into one (1) lot or parcel.