



PLANNING

To: Mayor and Town Council

From: David Hoover, Director of Development Services

Through: Mario Canizares, Town Manager
Chuck Ewings, Assistant Town Manager

Re: 209 East Fifth Street Rezoning

Town Council Meeting – October 24, 2023

Strategic Visioning Priority: 2. Development of Downtown as Destination

Agenda Item:

Conduct a public hearing and consider and act upon a request to rezone 0.3± acres from Single Family-15 (SF-15) to Downtown Single-Family (DTSF), for Hillside Addition, Block 2, Lot 4, located north of East Fifth Street and west of North Church Street. (ZONE-23-0018)

Description of Agenda Item:

The zoning and land use of the surrounding properties are as follows:

	Zoning	Current Land Use	Future Land Use Plan
Subject Property	Single Family-15	Residential	Old Town District
North	Single Family-15	Residential	Old Town District
East	Single-Family 15	Residential	Old Town District
South	Single Family-15	Residential	Old Town District
West	Single Family-15	Residential	Old Town District

Requested Zoning:

The purpose of this request is to rezone the property from Single Family-15 (SF-15) to Downtown Single-Family (DTSF). Currently, no home exists on the property; however, the intent is to construct a new single-family home. The setback regulations for the Downtown Single-Family District are more desirable to the applicant than the Single Family-15 District. The existing lot does

not conform to the lot area requirement for the Single Family-15 District; however, it conforms to all the Downtown Single-Family District lot dimension regulations.

	Single Family-15	Downtown Single-Family
Min. Lot Area (Ft. ²)	15,000	6,000
Min. Lot Width (Ft.)	100	50
Min. Lot Depth (Ft.)	135	120
Min. Front Setback (Ft.)	35	25
Min. Side Setback (Ft.)	10	5
Min. Rear Setback (Ft.)	25	10
Max. Lot Coverage (%)	45	55

Budget Impact:

There is no budgetary impact affiliated with this item.

Legal Obligations and Review:

Terrence Welch of Brown & Hofmeister, L.L.P., has approved the attached documents as to form and legality. Notification was provided as required by the Zoning Ordinance and state law. Staff has received 1 reply form in support of the proposed zoning request to date.

Attached Documents:

1. Aerial and Zoning Maps
2. Zoning Exhibit
3. Letter of Intent
4. Elevations
5. Building Materials List
6. Reply Form

Town Staff Recommendation:

Town Staff recommends approval of the request to rezone 0.3± acres from Single Family-15 (SF-15) to Downtown Single-Family (DTSF), for Hillside Addition, Block 2, Lot 4, located north of East Fifth Street and west of North Church Street. Although the surrounding properties are all zoned Single Family-15, this zoning change would not be seen as out of character with the existing neighborhood. As previously stated, the lot in question does not meet the lot dimension regulations for the Single Family-15 District. Additionally, a fair number of properties to the north (East Sixth Street), west (East Fifth Street), and south (East Fifth Street) do not meet the lot dimension requirements for the Single Family-15 (SF-15) District either. However, the lot in question and the surrounding lots do meet the lot dimension regulations for the Downtown Single-Family District. Further, the residential downtown areas are the only places where Downtown Single-Family zoning makes sense. The Town would not support this zoning in a residential area outside of the downtown; therefore, the only feasible option for Downtown Single-Family zoning is in downtown residential areas. The Planning & Zoning Commission recommended approval of this item (5-0) at their meeting on October 3, 2023.

Proposed Motion:

I move to approve/deny the request to rezone 0.3± acres from Single Family-15 (SF-15) to Downtown Single-Family (DTSF), for Hillside Addition, Block 2, Lot 4, located north of East Fifth Street and west of North Church Street.