



# AGENDA MEMO

## Business of the City Council

### City of Sweeny, Texas

<b>Meeting Date</b>	03/19/2024	<b>Agenda Item</b>	
<b>Approved by City Manager</b>		<b>Presenter(s)</b>	
<b>Reviewed by City Attorney</b>		<b>Department</b>	Zoning; Developmental Services
<b>Subject</b>	Discussion and possible action to variance requests to the Zoning Ordinance Section 110, Exhibit A; 402 & 404 Pecan Street		
<b>Attachments</b>	Building Plans		
<b>Financial Information</b>	Expenditure Required:	-	
	Amount Budgeted:	-	
	Account Number:	-	
	Additional Appropriation Required:	-	
	Additional Account Number:	-	

#### Executive Summary

Property owner of 402/404 Pecan Street is requesting several variances to the R4, multifamily residence in order to combine properties with a future replat. Variances requested are listed below:

- Minimum Living Area variance for residence 1: proposed is 280 sq. ft.; required is 450 sq.ft.
- Depth of lot variance: proposed replat to combine both properties still lie within established lines with the depth of 100 feet; required is 120 feet.
- Minimum Site area: proposed replat to combine would be 10,000.00 sq.ft.; required is 1 acre or 43,560 sq.ft.
- Variances to minimum yard setbacks:
  - Side, 25 feet; Closest to 5<sup>th</sup> Street/406 Pecan is Currently on the property line
  - Rear, 25 feet; Currently on property line
  - Side Street, 15 feet; at 4<sup>th</sup> Street 7-8 feet off of property line

Meeting Specified Requirements of R-4; multifamily residence:

- Minimum living area for home onsite and proposed residence 2
- Maximum Height of 2 ½ stories or 35 feet; highest proposed to be 30 feet
- Minimum frontage of site; 100 feet
- Minimum yard setback; front of 25 feet

We did not feel this should be listed under R3; two family dwelling, as there is a home onsite. Owners at the time were not sure if it will be torn down and/or possibly rebuilt; it is currently not a duplex as this zone states. If it were to be rebuilt, he would need to have this zoned R4, due to future usage. If it were to be rezoned to R3, it would have needed variances to the minimum living area and side, rear, and side street setbacks.

Current structure in progress is sitting approximately 12 inches from structure already established on the Commercial property neighboring; known as Old Ocean Lodge.

While variances are completed by City Council solely, it is recommended that BOC hear and make any recommendations pertaining.



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#### **Sec. 110.-71. R-4, multifamily residence.**

The following regulations shall be applicable to the R-4, multifamily residence, zoning district:

- (1) *Description and purpose:* A medium density zone for garden apartments, group housing and courts.
- (2) *Permitted uses:* One-family dwelling, apartment houses, duplexes, condominiums.
- (3) *Maximum percentage of lot to be used for building:* Fifty (50) percent.
- (4) *Minimum living area per family:* Four hundred fifty (450) square feet.
- (5) *Maximum height of building:* Two and one-half (2 1/2) stories or thirty-five (35) feet.
- (6) *Maximum density:* Twenty (20) units per acre
- (7) *Minimum frontage of site:* One hundred (100) feet.
- (8) *Minimum site depth:* One hundred twenty (120) feet.
- (9) *Minimum site area:* One (1) acre.
- (10) *Minimum yard setback:*
  - a. Front, twenty-five (25) feet.
  - b. Side, twenty-five (25) feet.
  - c. Rear, twenty-five (25) feet.
  - d. Side street, fifteen (15) feet

Pictures Below show map depicting location prior to construction, images from the front (Pecan Street), side street view (4<sup>th</sup> Street), and Rear of property (closest to Main/Masonic Lodge).



Google Earth, Prior to construction



Street View, Pecan Street



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Side View; 4<sup>th</sup> Street



Structure to Structure/Masonic Lodge/ 4<sup>th</sup> Street



Additional Images; Structure to Structure/Masonic Lodge



Underneath/Rear of Property



Rear of Property



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#### **Recommended Action**

Council Discretion- does not necessarily need recommendations from BOC.

Recommended motion if approving:

Move to approve variances requested to the Zoning Ordinance, Exhibit A, Section 110-71, R4 multifamily residence, at the addresses of 402 & 404 Pecan Street, to include: a variance to the minimum living area for residence one, variance to the decreased footage of the lot depth, variance to the minimum site area, and variances to the minimum yard setbacks with the exception of a finalized replat to combine properties and adherence to required plan review and permitting as established.