



MINUTES
for the
SEAGOVILLE PLANNING AND ZONING COMMISSION

**Meeting scheduled to begin at
6:30 p.m. on Tuesday, November 13, 2018**
in the City Hall Council Chambers
at 702 North U.S. Highway 175; Seagoville, Texas

Chairman Mike Dupuis called the meeting to order at 6:34 p.m.

Commissioners present: Commissioner & Chairman Mike Dupuis
Commissioner & Vice-Chairman Scott Englert
Commissioner Howard Sanders
Commissioner David Grimes

Commissioners absent: Commissioner James Sudduth
Commissioner Lowell Sherman
Position 3 is vacant.

City Staff present: Community Development Director Ladis Barr
Jr. Planner/P&Z Liaison Jennifer Bonner

Vice Chair Scott Englert gave the invocation and then led those present in the Pledge of Allegiance.

1. Approval of Minutes:

Commissioner David Grimes moved to accept the minutes of the regular P&Z meeting on Tuesday, October 9, 2018. Commissioner Howard Sanders seconded the motion. The commissioners voted unanimously (four to zero) to accept the minutes as presented.

Junior Planner Jennifer Bonner informed the Commission that planned development amendment at that meeting has been withdrawn by the new property owner who wishes to review the project before moving forward with the amendment. This decision also affects the construction plat for the same planned development. Once the new owner has reviewed and determined if they would like any additional changes, those 2 items will come back to the Planning and Zoning Commission before moving forward to City Council.

2. Discussion:

Chairman Dupuis stated that the next item of business was remanded to the P&Z by the City Council at their meeting on November 5. The business is for the P&Z to review and/or draft

new language for side yard/setback in all detached single-family residential zoning districts. He then asked Junior Planner Bonner for her staff report.

Planner Bonner began by stating that they have been no legal notices at this time because this is the beginning of the process. Tonight we are only deciding if we need to hold a series of workshops and/or set a date for a future public hearing on the actual language change. Exhibit 2 provides subsections (a) and (b) of each of the detached single-family residential zoning districts. Each subsection (a) provides reference front yard information. Each subsection (b) has the existing language with suggested mark-ups from Staff. The staff report summarizes what is in Exhibit 2. R-1 and R-2 districts currently call for 10-foot side yard/setbacks but only R-1 refers to lots with more than one street frontage. R-3, R-4, and R-5 each call for 10-feet or 10% of the average lot width for their side yard/setbacks but should not be smaller than 8-feet for R-3 and 6-feet for R-4 and R-5 districts. All three districts also refer to lots needing a side yard of 30-feet when the structure has more than one "front". Really the intent of the changes is to make the language cleaner and easier to read in addition to more consistent between districts. She stated that she also summarized the front yards for these districts even though that is not the intent of tonight's discussion unless the P&Z wants to add it to it. The request for this language change does come from one of the City Council members.

Chairman Dupuis asked Planner Bonner and Community Development Director Ladis Barr about the 10% or 6-feet. This would help alleviate some of the variance requests that come to the City? Planner Bonner returned to her seat while Director Barr replied yes. Director Barr expanded by stating that there has recently been a resident who owns a piece of property zoned R-2 that wanted to put in a storage building and did not have the room between his house and the side property line to allow for the building he wanted, the required distance between the main and accessory structures, and the 10-foot side yard/setback. Not getting the permit approval that he wanted from Community Development, the resident contacted one of the City Council members who then asked the rest of the Council to send this language change request to Planning and Zoning Commission so that all detached single-family residential zoning districts would have the same 6-foot setback.

Vice Chair Englert stated that he was alright with changing the distance to 6-feet because it still leaves 12-feet between structures. Chairman Dupuis agreed and said that today most folks do not want a yard because they do not want to have to make time to maintain the yard on weekends. Commissioner Grimes stated that he is seeing increases in his yard business. Director Barr stated he also sees this as a person who owns a larger lot that is landscaped and is now having to find time to either maintain himself or pay someone else to maintain for him. The trend for lots really is going smaller lots that are 40- to 50-feet wide. The vice chair asked about whether these setbacks would be on each side because some of the recommended changes have the word "each" with a line drawn through it. The chairman stated that if you read ...

Planner Bonner said that she took the "intent language" that came from City Council and

she tried to come up with a single statement that met that intent. After that, she marked-up each existing code subsection to match that statement so the language you see tonight is Staff's recommendation on a place to start the discussion. If the P&Z wants to use the word "side" instead of "portion", that needs to be their recommendation to City Council. The problem is that none of the existing subsections (b) use the same words and she was attempting to come up with a consistent language that also met the City's Council's intent. The commissioners all agreed that the language does need cleaned up as well as be consistent before it is sent back to City Council. Commissioner Grimes then said we are trying to come up with language that is essentially identical for all of the (b) subsections. All agreed. Planner Bonner further explained that she took the "intent" statement that she got from City Council and then used the red and blue language to achieve the same statement in each subsection (b). The red text has a line drawn through to show it would be removed. The underlined blue text would be added. If the red is removed and the blue is changed to black, each subsection (b) should be identical. Chairman Dupuis said he liked seeing it like this because he could read the old text while at the same time looking to see how the new would read – all in one set of text. Planner Bonner said it takes a while to create the language this way – figuring out the pattern is the hardest part. Director Barr said the only differences then become where another street goes down another side of the lot. Vice Chair Englert asked about the 10%. Director Barr responded that the amount is to be 10%, but not to exceed 6-feet. Planner Bonner said not smaller than: 10% or not smaller than 6-feet. For example, if an applicant wanted to do a planned development with 70-foot wide lots then the default side setback would be 7-feet. However, that development's applicant could ask for the setback to be reduced to 6-feet in their negotiations with City Council. Commissioner Grimes said that if the code is changed to say 6-feet, then everyone gets 6-feet unless otherwise spelled out in some existing language somewhere. Director Barr said yes.

Chairman Dupuis asked about a motion to set the public hearing date. Planner Bonner said that November 27th cannot be the public hearing date because the legal notice in the newspaper would have had to be published yesterday. The earliest date the P&Z can select is their first scheduled meeting in December – the 11th. She reminded everyone that they had previously decided to only have one meeting in December since the second scheduled meeting date is on Christmas Day. If the Commission wanted to delay the public hearing to January, they could. She could not make a recommendation for a public hearing date until the commissioners had tonight's discussion.

Vice Chair Englert moved to set a public hearing on the proposed replacement language on December 11, 2018, for the side yard/setbacks replacing current code subsection (b) of code section 25.02.063 for R-1, section 25.02.083 for R-2, section 25.02.103 for R-3, section 25.02.123 for R-4, and section 25.02.153 for R-5. Commissioner Grimes seconded the motion. The commission voted unanimously (4 to 0) to approve by a show of hands. Planner Bonner asked if the Commissioners want subsections (a) left for reference in the language. The commissioners asked for the subsection (a) references to remain.

Planner Bonner then mentioned the next several city meetings of Planning and Zoning

Commission as well as City Council. Whether there will be a second meeting on City Council in December has not yet been decided. Hopefully that decision is made by the November 27th P&Z meeting as there are at least 3 public hearing items that night which will also need to be heard by City Council. Chairman Dupuis said that he will likely not be able to attend the meeting on the 27th as he has a medical procedure on the day before.

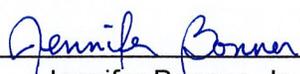
Commissioner Howard Sanders said he had a question for Director Barr not related to P&Z business that he would like to discuss with him after the meeting.

Chairman Dupuis adjourned the meeting at 6:46 pm.



MICHAEL DUPUIS Scott Englert
Planning and Zoning Commission Vice-Chairman

ATTEST:



Jennifer Bonner, Jr. Planner and
Planning and Zoning Commission Liaison