

CITY OF GONZALES
PLANNING AND ZONING COMMISSION
GONZALES MUNICIPAL BUILDING 820 ST. JOSEPH STREET
VIA TELEPHONE CONFERENCE
AGENDA –OCTOBER 15, 2020 5:30 P.M.

NOTICE is hereby given that, pursuant to Section 551.045 of the Texas Government Code and the March 16, 2020 order by the Governor of the State of Texas, the Planning and Zoning Commission will hold a meeting on Thursday, October 15, 2020 at 5:30 p.m., via teleconference in accordance with Governor Abbott's order.

This meeting notice, agenda and agenda packet are posted online at www.gonzales.texas.gov.

On March 16, 2020, Governor Abbott suspended several provisions of the Texas Open Meetings Act for the duration of his statewide declaration of disaster, including the new requirement (added by H.B. 2840 last legislative session) that the public has a right to speak on agenda items. This DOES NOT apply to statutorily-mandated public hearings, such as zoning and similar hearings.

This meeting will be closed to in person attendance by the public. A temporary suspension of certain provisions of the Open Meetings Act to allow telephone or videoconference public meetings has been granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code.

The public toll-free dial in number to participate in the telephone conference is hosted through FreeConferenceCall.com.

Toll-free call in number: **1-844-854-2222**

When asked for an access code enter **348787#**

It is not necessary to announce yourself when you join the teleconference.

A recording of the telephone conference will be made, and will be available to the public in accordance with the Open Meetings Act upon written request.

CALL TO ORDER

Call the meeting to order and certify quorum is present.

- Item # 1. Consider Nomination of Officers:
- a. Chairperson
 - b. Vice Chairperson

- Item #2. Consider Approval of May 18, 2020 Planning & Zoning Commission Meeting Minutes.

Item #3. Conduct a public hearing and consider a recommendation to the City Council regarding a request to rezone a tract of land from R-1 Residential to R-2 Residential.

Note: Individuals will be able to speak during the public hearing via teleconference. Please email citysecretary@gonzales.texas.gov to participate.

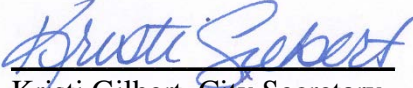
PROPERTY OWNER: Verle and Mary Williams
LEGAL DESCRIPTION: Lot 2, Henry C. Schmidt, III Subdivision
PARCEL: 28627

Item #4. Discuss and consider setting a regular meeting day and time for Planning and Zoning Commission meetings.

Item #5 Staff update on the status of amendments to the City of Gonzales development regulations.

ADJOURN

CERTIFIED as posted by 5:30 p.m. on October 12, 2020. I further certify that the following News Media were properly notified of the above stated meeting: Gonzales Inquirer.



Kristi Gilbert, City Secretary

**CITY OF GONZALES, TEXAS
PLANNING AND ZONING MEETING
MINUTES –MAY 18, 2020**

A meeting of the Gonzales Planning and Zoning Commission was held on **May 18, 2020** at 5:30 p.m. via teleconference **pursuant to Section 551.045 of the Texas Government Code and in accordance with the March 16, 2020 order by the Governor of the State of Texas.**

The meeting notice, agenda and agenda packet were posted online at www.gonzales.texas.gov.

On March 16, 2020, Governor Abbott suspended several provisions of the Texas Open Meetings Act for the duration of his statewide declaration of disaster, including the new requirement (added by H.B. 2840 last legislative session) that the public has a right to speak on agenda items. This DOES NOT apply to statutorily-mandated public hearings, such as zoning and similar hearings.

This meeting will be closed to in person attendance by the public. A temporary suspension of certain provisions of the Open Meetings Act to allow telephone or videoconference public meetings has been granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code.

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CALL TO ORDER

Chairperson Gescheidle called the meeting to order at 5:35 p.m. and a quorum was certified.

Attendee Name	Title	Status
Tim Gescheidle	Chairperson	Present via phone
Roland Martinez		Present via phone
Charles Patterson		Present in person
Paul Frenzel		Present in person
Paul Neuse		Present in person
Johnnie Edwards		Present via phone
Gilbert Perez		Absent

STAFF PARTICIPATING:

Interim City Secretary Kristi Gilbert

Item # 1. Consider Nomination of Officers:

a. Chairperson

b. Vice Chairperson

Member Neuse moved to appoint Tim Gescheidle as Chairperson. Member Martinez seconded the motion. The motion passed 5-0-1 with Chairperson Gescheidle abstaining.

Member Frenzel moved to appoint Paul Neuse as Vice Chairperson. Member Martinez seconded the motion. The motion passed 5-0-1 with abstaining.

Item #2. Consider Approval of April 8, 2019 Planning & Zoning Commission Meeting Minutes

Member Frenzel moved to approve the minutes as presented. Member Patterson seconded the motion. The motion passed unanimously.

Item #3. Conduct a public hearing and consider a recommendation to the City Council regarding a request to rezone two tracts of land that are partially zoned C-2 Heavy Commercial and R-1 Single Family Residential to zone both tracts as C-2 Heavy Commercial in their entirety.

Note: Individuals will be able to speak during the public hearing via teleconference. Please email citysecretary@gonzales.texas.gov to participate.

PROPERTY OWNER: Jajal Jagdish

LEGAL DESCRIPTION: N/2, Lots 8-9, Kings Second Addition

PARCEL: 12997

PROPERTY OWNER: Jajal Jagdish

LEGAL DESCRIPTION: Lot 7, and S/2 Lots 8-9, Kings Second Addition

PARCEL: 12992

Chairperson Gescheidle opened the hearing to public comment.

Ms. Gilbert provided the staff report and stated the application was consisted with the 2013 Comprehensive Plan and the existing use of the property. Ms. Gilbert stated there were two property owners that filed letters of objection and one property owner that filed a letter of no objection.

Applicant Mr. Jajal Jagdish stated he was seeking the zoning change so all of his property was zoned with the same designation so he can continue the use of a hotel.

Member Patterson moved to recommend to the City Council the approval of the rezoning request. Vice Chairperson seconded the motion. The motion passed unanimously.

Item #4. Conduct a public hearing and consider a recommendation to the City Council regarding proposed amendments to the City of Gonzales Zoning Regulations to amend the following Sections: Section 14.202 Definitions by amending the definitions for manufactured homes, mobile homes and modular homes; Section 14.308 Mobile Home District (M-H) to amend the general requirements and

parking requirements; and Section 14.503 Cessation of Nonconforming Use to include manufactured homes in the provisions.

Note: Individuals will be able to speak during the public hearing via teleconference. Please email citysecretary@gonzales.texas.gov to participate.

Chairperson opened the hearing to public comment.

Ms. Gilbert stated staff was asking that the item be continued at a future meeting.

Ms. Amy Tibideaux, 2100 Water Street, asked questions regarding the next agenda item related to manufactured homes.

Member Edwards moved to recommend to table the item to the next meeting. Member Martineze seconded the motion. The motion passed unanimously.

ADJOURN

On a motion by Member Patterson and a second by Member Martinez, the meeting was adjourned at 6:03 p.m.

Approved this 15th day of October 2020.

Tim Gescheidle, Chairperson

Kristi Gilbert, City Secretary

PLANNING & ZONING AGENDA ITEM BRIEFING DATA



AGENDA ITEM

Conduct a public hearing and consider a recommendation to the City Council regarding a request to rezone a tract of land from R-1 Residential to R-2 Residential.

DATE: October 15, 2020

BACKGROUND:

On September 14, 2020 the City of Gonzales received an application for a zoning change (Case 2020-02) for a 2.25 acre tract of land located between 1543 and 1619 Seydler Street. The property is currently zoned R-1 Residential 1 District and the applicant is seeking to change the zoning to R-2 Residential 2 District for the stated purpose of allowing apartments or townhomes. The subject property is described as follows:

<u>PROPERTY OWNER:</u>	Verle and Mary Williams
<u>LEGAL DESCRIPTION:</u>	Lot 2, Henry C. Schmidt, III Subdivision
<u>PARCEL:</u>	28627

A notice was published in the newspaper on September 24, 2020 and notices were mailed to property owners within 200' of the subject property on September 29, 2020. Eight property owners were notified of the zoning change. As of preparation of the staff report, one property owners filed a letter of objection to the change and no property owners filed a letter of no objection. One letter was returned unable to forward.

Surrounding property:

North:	R-1 Residential 1 District – Single family home
East:	C-2 Heavy Commercial – High School field and metal buildings
South:	R-1 Residential 1 District – Single family home, further south small warehouse
West:	R-1 Residential 1 District – Vacant land

The 2013 City of Gonzales Comprehensive Plan contemplates the property to be single family residential and has a separate multi-family residential district called out within the plan.

ATTACHMENTS:

Application
Public Hearing Notice to Property Owners and Exhibit
Objection/No Objection letters
Proposed Ordinance

STAFF RECOMMENDATION:

The request is not in compliance with 2013 City of Gonzales Comprehensive Plan, as such, staff recommends the applicant submit an application to amend the Comprehensive Plan prior to approving the zoning change.

Zoning & Variance Application

Planning

☐ Specific Use ☐ Special Exceptions ☒ Rezoning ☐ Variance
☐ PDD Application ☐ PDD Amendment Other _____

Project Name: _____
Address: Seydler ST (between 1543+1619) No. of lots: one Acreage: 2.25
Legal Description: All of Lot No 2 of Henry C. Schmidt III Subdivision
Subdivision Name: Henry C. Schmidt III Block: _____ Lot: 2
Current Zoning: R1 Parcel 28627 Proposed Zoning (if applicable): R2

OWNER AND AUTHORIZATION

Owner Name: Verle Williams
Address: 1714 Gardien ST
City, State, Zip: Gonzales Tx 78629 Fax: _____
Phone: 361 648-0135 Email: VerleWilliams@yahoo.com
Agent Name: _____
Address: _____
City, State, Zip: _____ Fax: _____
Phone: _____ Email: _____

I hereby certify that I am the owner of the property and further certify that the information provided on this development application is true and correct. I hereby designate the aforementioned agent to act on my behalf for submittal, processing, representation, and/or presentation of this development application. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this application.

Signature Owner: Verle Williams Date: 9-14-2020

FOR OFFICE USE ONLY

Received: 9/14/20 Fee: \$ 300.- Receipt Key
Case No.: _____ Reviewed By: _____

Zoning & Variance Application

RECOMMENDATIONS

The Planning & Zoning Commission (P&Z) and the City Council look to staff to make a recommendation for the approval or disapproval of this application. We will make every effort to notify you of our recommendation at least one (1) week in advance of the scheduled meeting of the P&Z Commission. In the case of a rezoning, and when the public interest requires it, we may recommend a rezoning to a Planned Development District (PDD) or a classification other than the classification requested. We will notify you of our decision to propose a PDD as soon as possible after the application is filed to give you time to prepare a site plan.

PUBLIC NOTIFICATION

The public is entitled to examine this application and participate in the decision-making process. In most cases, we are required to notify all property owners within two hundred feet (200') of the boundaries of your property. To ensure the fullest possible consideration, we may also notify neighborhood groups, organizations or individuals that have a special interest in a particular issue. Except for matters that the staff have expressly agreed not to disclose (and provided the law allows us to hold the matter in confidence), then all information that we deem relevant to the review and processing of this application may become public knowledge.

PLEASE READ BEFORE SIGNING

The undersigned has read the above application and hereby certifies that the information contained therein is complete, true and correct; and does hereby request that said application be submitted to the Planning & Zoning Commission at the earliest available meeting.

I understand and acknowledge that it is my responsibility to furnish an accurate and precise legal description of the property, and only the property, that is subject of this application, and that failure to furnish such information prior to the application deadline date will delay the processing of this application. I also understand that the City must notify affected property owners of this application. In the event that I fail to submit in a timely manner any information that the City deems necessary to transmit this application to the Planning & Zoning Commission or City Council, then in lieu of dismissal I hereby request that this application be temporarily withdrawn from further consideration until such information is submitted. I have been informed of the tentative date and time that the Planning & Zoning Commission and City Council will hear this application, and I understand that hearings may be continued from time to time at the discretion of the Commission or Council to allow for full consideration or when the public interest requires a continuation.

SIGNED: _____



DATE: _____

9-14-2010

Zoning & Variance Application

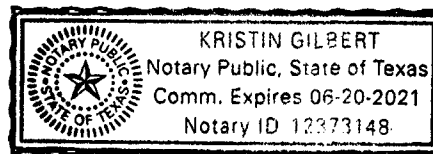
THE STATE OF TEXAS)

COUNTY OF GONZALES)

Know all men by these presents that the undersigned owner of the real property described on the reverse side hereof, has made, constituted and appointed, and by these presents does make, constitute and appoint, my true and lawful attorney, for me in my name, place and stead, to (1) file an application for a zone change, plat, street closure, alley closure, (appeal to the Board of Adjustment)* concerning such property and (2) appear on my behalf at all necessary meetings of the appropriate board or commission or City Council, as the case may be; and the undersigned further agrees that this power of attorney may be voluntarily revoked only by written revocation filed with the City Secretary/Zoning Administrator for the City of Gonzales, Texas.

Witness my hand this day of 14th September, 2020

Kristin Gilbert
Notary



Zoning & Variance Application



ZONING IMPACT ANALYSIS

Please answer these questions in order to assist Staff with the processing of your Zoning request.

- 1 Does the proposed zoning map amendment implement the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use and Development Plan map, as amended?

I would change the zoning class to include 10-12 units of apartments or town houses for affordable rent on spacious property with building more than 200 ft from the school zone. This would be the first Multi family buildings in a block with over 20 acres of open land around it and plenty of water drainage away from the street.

- 2 Are the uses permitted by the proposed change in zoning district classification and the standards applicable to such uses appropriate in the immediate area of the land to be reclassified?

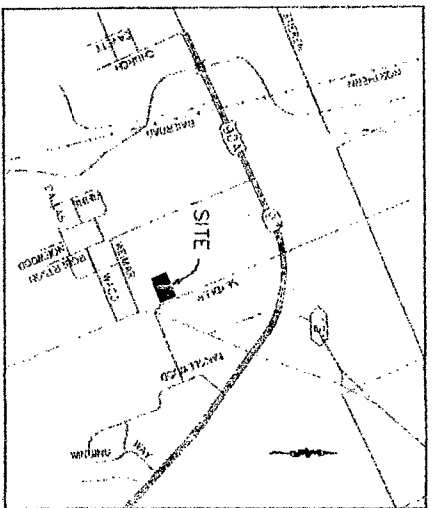
The LaPasada Apartments complex is about 500 ft north of this lot and there is an 8 unit townhouse complex south across the street intersection.

- 3 Is the proposed change in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area?

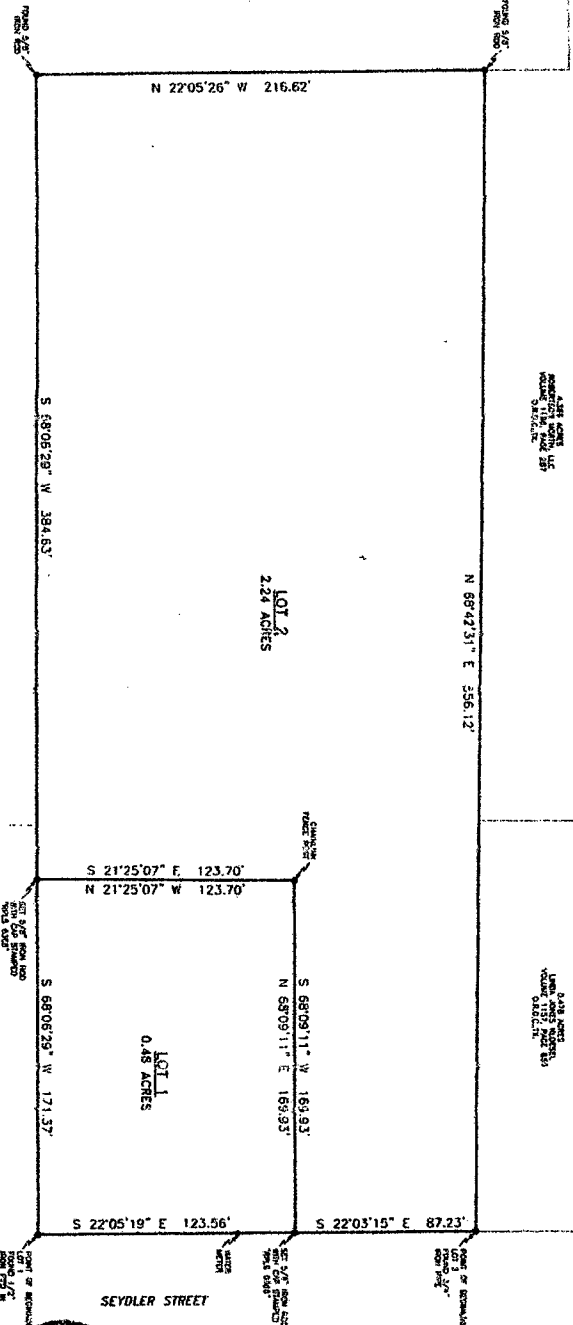
I believe that there is adequate public services and utilities near by. There is a 6 inch sewer line on the street side and an 8 inch sewer line on the street down hill from the property.

- 4 Are there other factors which will substantially affect the public health, safety, morals, or general welfare?

A properly constructed and well maintained property would add Value to the area.



AMENDED PLAT OF HENRY C. SCHMIDT, III SUBDIVISION



11.18 ACRES
11.18 ACRES
11.18 ACRES

2.24 ACRES
2.24 ACRES
2.24 ACRES

0.45 ACRES
0.45 ACRES
0.45 ACRES

11.18 ACRES
11.18 ACRES
11.18 ACRES

GENERAL NOTES:
THIS PLAT DOES NOT AFFECT, ALTER, REVERSE OR OTHERWISE AFFECT ANY
EXISTING EASEMENTS OR RIGHTS OF WAY OR OTHER EASEMENTS FOR UTILITIES
TO SUCH ONE SHOWN HEREON.
BEARING SHOWN ARE ALSO AND ARE BASED ON THE TEXAS STATE PLANE
COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83.



STATE OF TEXAS
COUNTY OF DALLAS
HENRY C. SCHMIDT, III
SUBDIVISION
BY: [Signature]
DATE: 7/19/17



STATE OF TEXAS
COUNTY OF DALLAS
BY: [Signature]
DATE: 7/19/17
BY: [Signature]
DATE: 7/19/17



EASTON
SURVEYING & MAPPING, L.L.C.
11111 EASTON DRIVE, SUITE 100
DALLAS, TEXAS 75243
PHONE: 214-343-1111
FAX: 214-343-1112
WWW.EASTONSURVEYING.COM

HENRY C. SCHMIDT, III SUBDIVISION
AMENDED PLAT
DATE: 7/19/17
SCALE: 1" = 40 FEET
SHEET: 57/18

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

General Warranty Deed

Date: September 3, 2020

I hereby certify that this
is a true and correct copy.
BURCHARD ABSTRACT COMPANY

Grantor: Abiding Word Lutheran Church of Gonzales, Texas

Grantor's Mailing Address:

1310 St. Louis Street
Gonzales, Texas 78629
Gonzales County, Texas

Grantee: Verle Williams and wife, Mary Williams

Grantee's Address:

1714 Gardien Street
Gonzales, Texas 78629
Gonzales County, Texas

Consideration: Ten and No/100 Dollars, and other good and valuable consideration, the sufficiency is hereby acknowledged by Grantor.

Property (including any improvements): Being all that certain lot or parcel of land, lying and being situated in Gonzales County, Texas, within the Corporate Limits of the City of Gonzales, being **ALL OF LOT NO. 2, of HENRY C. SCHMIDT, III SUBDIVISION**, according to the map or plat of said subdivision, as the same appears of record in Plat Cabinet Slide 131-A, of the Gonzales County Plat Records.

Reservations from Conveyance: NONE

Exceptions to Conveyance and Warranty:

This conveyance is expressly made by Grantor and accepted by Grantee subject to the following matters, but only to the extent the same are validly existing and applicable to the Property, and the reference to any of such matters shall not serve to revive or ratify any such items by the Grantor or Grantee:

Rules and regulations of any governmental agency including Gonzales County, Texas Subdivision Regulations;

Gonzales County Water Control and Improvement District No. 1, as recorded in Volume 292, Page 263 and in Volume 293, Page 597 of the Gonzales County Deed Records;

Oil and Gas Lease dated October 27, 1981, executed by Alfred B. Spohler, Jr. and wife, Bille Jean Spohler, to Superior Minerals, recorded in Volume 509, Page 587, of the Deed Records of Gonzales County, Texas;

Lease being pooled with others to form the McCaskill Oil Unit, et al. by Unit Designation filed for record September 2, 1983 recorded in Volume 547, Page 458 of the Deed Records of Gonzales County, Texas;

Lease being pooled with others to form the Southern Clay Unit, et al. by Unit Designation filed for record April 25, 1984 recorded in Volume 556, Page 742 of the Deed Records of Gonzales County, Texas;

All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records of Gonzales County, Texas;

Any visible and apparent roadway or easement over or across the Property the existence of which does not appear of record;

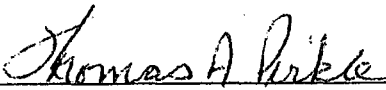
Any portion of the Property which falls within the boundaries of any road or roadways; and

Taxes for the year 2020 are prorated to the date of closing and Grantee assumes and agrees to pay said taxes, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person

whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.


Thomas A. Pirkle, President


Shirley Frazier, Secretary

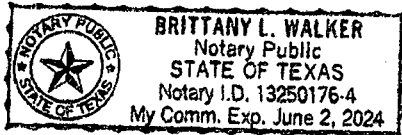
STATE OF TEXAS)

COUNTY OF GONZALES)

This instrument was acknowledged before me on September 3, 2020 by Thomas A. Pirkle, as President of Abiding Word Lutheran Church of Gonzales, Texas.

Brittany L. Walker

Notary Public, State of Texas



STATE OF TEXAS)

COUNTY OF GONZALES)

This instrument was acknowledged before me on September 3, 2020 by Shirley Frazier, as Secretary of Abiding Word Lutheran Church of Gonzales, Texas.

Brittany L. Walker

Notary Public, State of Texas



PREPARED IN THE LAW OFFICE OF:
Ortman Fullilove Law, PLLC
Christie Ortman Fullilove
403 St. George Street
Gonzales, TX 78629
(830) 672-9535

AFTER RECORDING RETURN TO:
GRANTEE:
Verle Williams, and wife Mary Williams
1714 Gardien Street
Gonzales, Texas 78629

PUBLIC HEARING NOTICE

CITY OF GONZALES PLANNING & ZONING COMMISSION & CITY COUNCIL

The Planning & Zoning Commission & City Council of the City of Gonzales, by this instrument, notifies the public of a PUBLIC HEARING on a request that has been presented for Planning and Zoning recommendation and City Council action on the following project:

The below listed property is zoned R-1 Residential District and the property owner is seeking to change the zoning to R-2 Residential District.

PROPERTY OWNER: Verle and Mary Williams

LEGAL DESCRIPTION: Lot 2, Henry C. Schmidt, III Subdivision

PARCEL: 28627

The Planning & Zoning Commission will hold a **Public Hearing October 15, 2020 at the Gonzales City Hall, 820 St. Joseph St. at 5:30 p.m.**, to allow for public comment on the application to rezone the listed property. After consideration and recommendation by Planning & Zoning Commission and the Public Hearing, the application for rezoning will be presented to **City Council for a Public Hearing and possible approval on November 12, 2020 at 6:00 p.m. at the Gonzales City Hall, 820 St. Joseph St.**

The City Council encourages citizens to participate in the public comment and public hearing process for all applications for zoning or rezoning before the Planning & Zoning Commission and City Council. Citizens unable to attend meetings may submit their views to Kristi Gilbert, City Secretary for the City of Gonzales, by mailing them to P.O. Drawer 547, Gonzales, TX 78629. For additional information, contact the City Secretary office at (830)-672-2815.

CITY OF GONZALES



820 St. Joseph Street
P.O. Drawer 547
Gonzales, Texas 78629
Phone (830) 672-2815
www.gonzales.texas.gov

September 29, 2020

[Address]

NOTICE IS HEREBY GIVEN THAT: Your property located at [Site] has been identified as a property owner within 200 feet of an area being considered for a rezoning.

The below listed property is zoned R-1 Residential District and the property owner is seeking to change the zoning to R-2 Residential District. The stated purpose of the request is to allow for apartments or townhouses. A location map of the property is included on the reverse of this letter.

PROPERTY OWNER: Verle and Mary Williams
LEGAL DESCRIPTION: Lot 2, Henry C. Schmidt, III Subdivision
PARCEL: 28627

The Planning & Zoning Commission will hold a **Public Hearing October 15, 2020 at the Gonzales City Hall, 820 St. Joseph St. at 5:30 p.m.**, to allow for public comment on the application to rezone the listed property. After consideration and recommendation by Planning & Zoning Commission and the Public Hearing, the application for rezoning will be presented to **City Council for a Public Hearing and possible approval on November 12, 2020 at 6:00 p.m. at the Gonzales City Hall, 820 St. Joseph St.**

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Any property owner having any objections or comments to this change may so state his/her objections or comments in writing and return this form to the City of Gonzales, P.O. Box 547, Gonzales, Texas 78629 or citysecretary@gonzales.texas.com by the **October 14, 2020**. A property owner may appear before the commission and verbally state any objections or comments at 820 St. Joseph, Gonzales, Texas 78629 at the date and time of the meeting stated below. For additional information, contact the City Secretary's office at (830)-672-2815.

PLEASE CHECK ONE OF THE FOLLOWING AND RETURN:

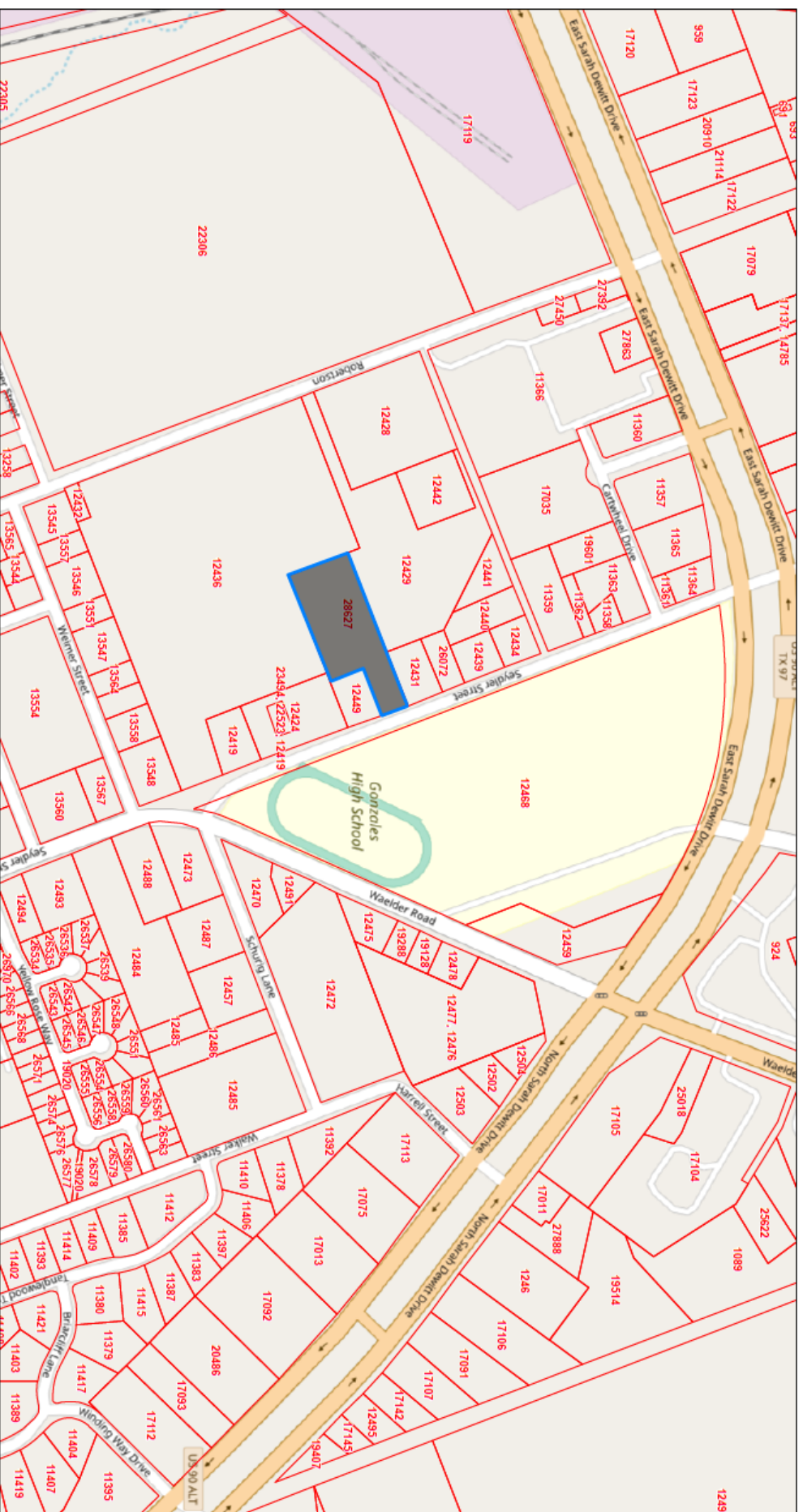
☐ **NO OBJECTION** ☐ **OBJECTIONS AND COMMENTS**

Signature

Date

In God We Trust

Zoning Case 2020-02



9/29/2020, 4:44:29 PM

Seydler Street Between 1543 Seydler and 1619 Seydler Street
Application to Rezone Parcel 28627 From R-1 Residential to
R-2 Residential

1:4,514
0 265 530 1,060 ft
0 80 160 320 m
© OpenStreetMap (and) contributors, CC-BY-SA

Easy Peel® Labels
Use Avery® Template 5160®

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expose Pop-Up Edge™

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Charles David & Ester Louise Jones
Life Estate
PO Box 505
Gonzales, TX 78629

David & Sherri Koepp
1543 Seydler St
Gonzales, TX 78629

Mark Hagen
163 Lone Oak
Seguin, TX 78155

Tony John & Patricia Ann
Fitzsimmons
1611 Seydler St
Gonzales, TX 78629

Kardosz Investments LLC &
Immortal 32 LLC
403 Saint George Street
Gonzales, TX 78629

Mark Hagen
163 Lone Oak
Seguin, TX 78155

Robertson North LLC
5900 Balcones Suite 160
Austin, TX 78731

Gonzales ISD Trustee
PO Box 157
Gonzales, TX 78629

mailed
9/30/20
Hager

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CITY OF GONZALES



COME AND TAKE IT

820 St. Joseph Street
P.O. Drawer 547
Gonzales, Texas 78629
Phone (830) 672-2815
www.gonzales.texas.gov

September 29, 2020

Tony John & Patricia Ann Fitzsimmons
1611 Seydler St
Gonzales, TX 78629

NOTICE IS HEREBY GIVEN THAT: Your property located at 1611 Seydler has been identified as a property owner within 200 feet of an area being considered for a rezoning.

The below listed property is zoned R-1 Residential District and the property owner is seeking to change the zoning to R-2 Residential District. The stated purpose of the request is to allow for apartments or townhouses. A location map of the property is included on the reverse of this letter.

PROPERTY OWNER: Verle and Mary Williams
LEGAL DESCRIPTION: Lot 2, Henry C. Schmidt, III Subdivision
PARCEL: 28627

The Planning & Zoning Commission will hold a **Public Hearing October 15, 2020 at the Gonzales City Hall, 820 St. Joseph St. at 5:30 p.m.**, to allow for public comment on the application to rezone the listed property. After consideration and recommendation by Planning & Zoning Commission and the Public Hearing, the application for rezoning will be presented to **City Council for a Public Hearing and possible approval on November 12, 2020 at 6:00 p.m. at the Gonzales City Hall, 820 St. Joseph St.**

The City Council encourages citizens to participate in the public comment and public hearing process for all applications for zoning or rezoning before the Planning & Zoning Commission and City Council. Citizens unable to attend meetings may submit their views to Kristi Gilbert, City Secretary for the City of Gonzales, by mailing them to P.O. Drawer 547, Gonzales, TX 78629. For additional information, contact the City Secretary office at (830)-672-2815.

Any property owner having any objections or comments to this change may so state his/her objections or comments in writing and return this form to the City of Gonzales, P.O. Box 547, Gonzales, Texas 78629 or citysecretary@gonzales.texas.com by the **October 14, 2020**. A property owner may appear before the commission and verbally state any objections or comments at 820 St. Joseph, Gonzales, Texas 78629 at the date and time of the meeting stated below. For additional information, contact the City Secretary's office at (830)-672-2815.

PLEASE CHECK ONE OF THE FOLLOWING AND RETURN:

☐ NO OBJECTION

☒ OBJECTIONS AND COMMENTS

This is a quiet neighborhood at night with elderly people. We have enough noise & high traffic during the day with the High School & the apartment complex by Farm Bureau

Tony & Patsy [Signature]

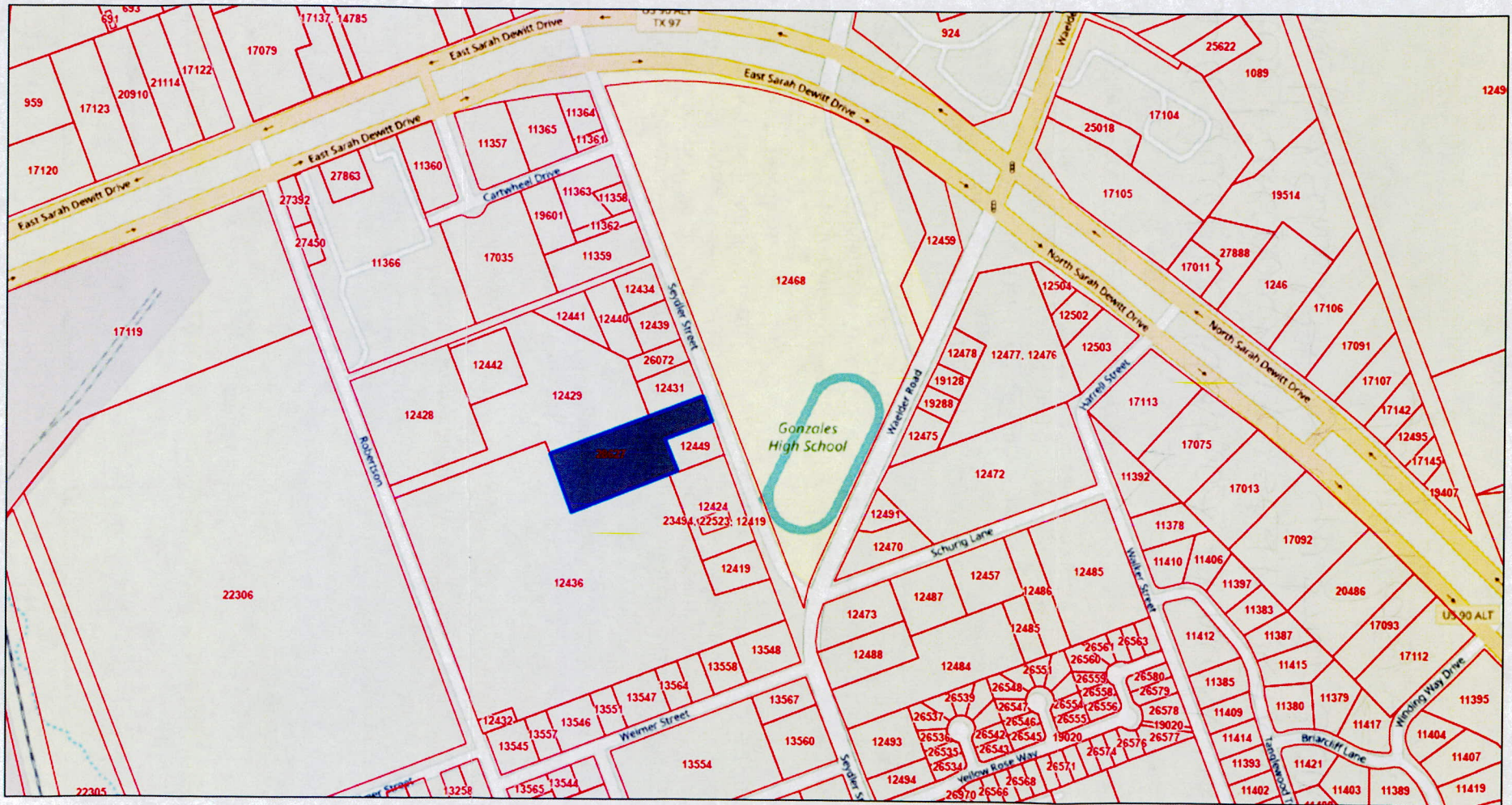
Signature

Date

10-5-2020

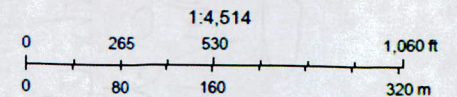
In God We Trust

Zoning Case 2020-02



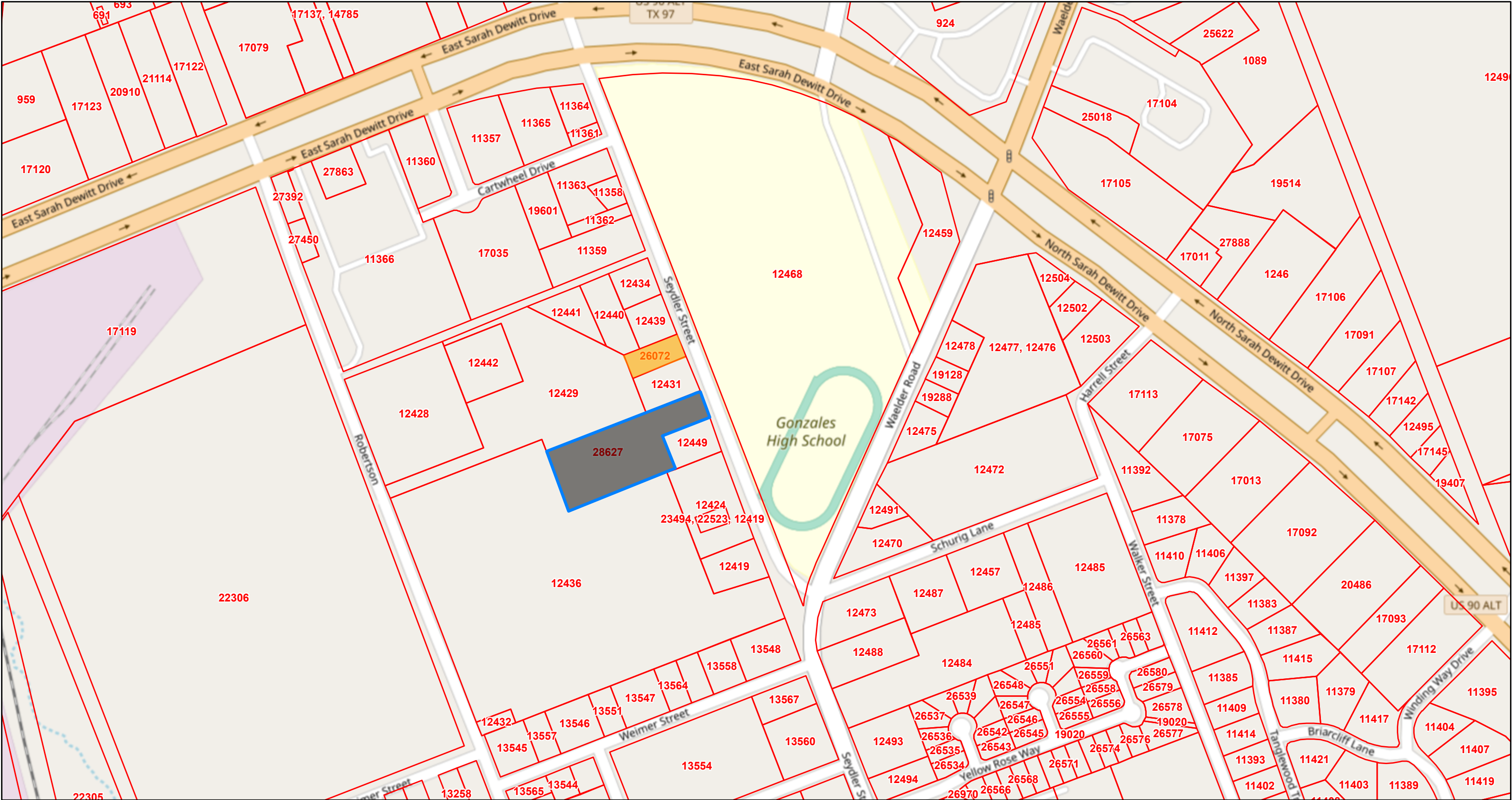
9/29/2020, 4:44:29 PM

Seydler Street Between 1543 Seydler and 1619 Seydler Street
Application to Rezone Parcel 28627 From R-1 Residential to
R-2 Residential



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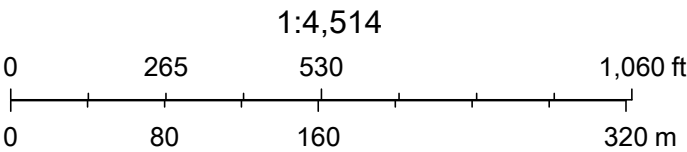
Zoning Case 2020-02 Exhibit of Property Owner Responses



9/29/2020, 4:44:29 PM

Seydler Street Between 1543 Seydler and 1619 Seydler Street
Application to Rezone Parcel 28627 From R-1 Residential to
R-2 Residential

- OPPOSED TO REQUEST**
- NO OBJECTION TO REQUEST**



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ORDINANCE NO. 2020-

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS AMENDING THE OFFICIAL ZONING MAP BY ZONING LOT 2 OF THE HENRY C. SCHMIDT III SUBDIVISION, GONZALES, TEXAS FROM R-1 RESIDENTIAL DISTRICT TO R-2 RESIDENTIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR PROPER NOTICE AND MEETING; REPEALING ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Gonzales, Texas as previously created and appointed a Planning and Zoning Commission as authorized by the Texas Local Government Code; and,

WHEREAS, the Texas Local Government Code authorizes a municipality to adopt zoning districts after compliance with statutory notice provisions; and,

WHEREAS, an application to rezone from R-1 Residential District to R-2 Residential District was received on September 14, 2020. The Planning and Zoning Commission took action to recommend _____ at a meeting on October 15, 2020. The item was considered and _____ by the City Council on November 12, 2020; and,

WHEREAS, on October 15, 2020, the Planning and Zoning Commission conducted a public hearing on the potential rezoning application and after considering the testimony and evidence, hereby makes a recommendation of _____ of the rezoning application; and,

WHEREAS, on November 12, 2020 the City Council conducted a public hearing and after considering the testimony, evidence and recommendation by the Planning and Zoning Commission, determined it to be in the public interest to amend the City's Comprehensive Zoning Ordinance and Zoning Map, which in its best judgment promotes the health, safety, morals, and general welfare and protect the use and enjoyment of property throughout the City.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GONZALES, TEXAS:

Section 1. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 2. The property described as Lot 2 of the Henry C. Schmidt, III Subdivision, Gonzales, Texas as shown and more particularly described in the attached exhibit A, is hereby zoned from R-1 Residential District to R-2 Residential District.

Section 3. The Official Zoning Map of the City of Gonzales, Texas shall be revised to reflect the above amendment.

Section 4. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 5. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 7. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 8. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

Section 9. This Ordinance shall be cumulative of all other ordinances of the City of Gonzales, and this Ordinance shall not operate to repeal or affect any other ordinances of the City of Gonzales except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, are hereby repealed.

PASSED, ADOPTED, APPROVED, AND EFFECTIVE THE 12th DAY of NOVEMBER 2020.

By: _____
Connie Kacir, Mayor

ATTEST:

Kristi Gilbert, City Secretary

EXHIBIT A

The below listed property is rezoned from R-1 Residential District to R-2 Residential District:

PROPERTY OWNER:

Verle and Mary Williams

LEGAL DESCRIPTION:

Lot 2, Henry C. Schmidt, III Subdivision

PARCEL:

28627

DRAFT