



CITY OF DEL RIO, TEXAS
PLANNING & ZONING COMMISSION
COUNCIL CHAMBERS - CITY HALL
109 WEST BROADWAY
AUGUST 14, 2019 - 5:30 P.M.

AGENDA

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF MINUTES

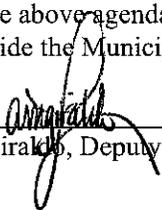
OPEN PUBLIC HEARING

- a. Conduct a Public Hearing and Consider a Request for Zoning Change Appeal #19-01 by Xavier Curiel who is requesting a Zoning Change from Residential Single-Family District (R-S) to Residential Multiple-Family District (R-M). Property Description: Lot: W5 of Lot 5 & All of Lot 6, Block 16, 4th Railroad Addition (201 Central).

OTHER BUSINESS

6. ADJOURNMENT

I, Ana Maria Giraldo, Deputy City Secretary, hereby certify that the above agenda was posted on the bulletin board in the Municipal Building and on the bulletin board immediately outside the Municipal Building on or before 5:30 p.m. on the 9th day of August 2019.



Ana Maria Giraldo, Deputy City Secretary

Meeting Date: 08/14/2019

Submitted By: Janice Pokrant, Public Works

Information

SUBJECT:

Conduct a Public Hearing and Consider a Request for Zoning Change Appeal #19-01 by Xavier Curiel who is requesting a Zoning Change from Residential Single-Family District (R-S) to Residential Multiple-Family District (R-M). Property Description: Lot: W'5 of Lot 5 & All of Lot 6, Block 16, 4th Railroad Addition (201 Central).

BACKGROUND:

Applicant: Xavier Curiel

Address: 201 Central

Requested Action: A change in zoning from R-S to R-M to allow for three dwellings on the property.

Zoning History: The Board of Adjustment approved a Special Permit in September 2018 to allow for a two-family dwelling on the property.

ADJACENT LAND USES

Direction	Zoning	Land Use
North	R-S	Single family dwellings
South	R-S	Single family dwellings
East	R-S	Single family dwellings
West	R-S	Single family dwellings

Notifications

Property Owner Notices Mailed: 36

Opposition: None received to date

Support: None received to date

No Comment: None received to date

Returned to Sender: 1

DISCUSSION:

The property and the surrounding properties are all zoned Residential Single-Family District. The main house is located on the corner of Central and Borroum Street and a garage apartment in the rear of the main house. The property owner has rented out the front dwelling and received Special Approval from the Board of Adjustment for a second dwelling to be located in the garage apartment. This special approval has allowed him the ability to separate the utilities and electrical between the front house and the car garage apartment. He would now like to have the utilities separated from the garage area and the apartment on top of the garage to allow for two separate living areas or a possible office use in one of the areas.

ARTICLE VI. - R-M MULTIPLE-FAMILY DISTRICT

Sec. 30-81. - Use regulations.

A building or premises shall be used only for the following purposes:

Any use permitted in the R-S District regulations. Residential use of temporary structures and mobile homes is prohibited, except as provided in sections [30-176](#) and [30-177](#).

Two-family dwellings or duplexes.

Professions, occupations and activities carried on by resident members of families where:

1. There is no sign other than one sign (nonilluminated) no larger than four (4) square feet in area;

- (2) Nothing is done to make the building appear as other than a dwelling;
- (3) No products but those made on the premises are sold;
- (4) Mechanical equipment used is that normally used in a dwelling; and
- (5) Only one person, other than a member of the family is employed.

Lodging houses.

Hospital or clinic (other than for tubercular, liquor, narcotic, insane or feeble minded patients, or hospitals or clinic of a veterinarian).

Religious, educational and philanthropic institutions, but not animal care.

Clubs, lodges, fraternities and sororities where the chief activity is not a business.

Apartment hotels.

Office buildings.

Personal service shops such as beauty shops and barber shops.

Studios of artists and photographers.

Nursery, pre-kindergarten, kindergarten, play, special and other private schools.

Convalescent or rest homes.

Row houses or townhouses.

Multiple-family dwellings.

Greenhouses and nurseries not primarily engaged in retail trade.

(Code 1962, § 11-5-1)

ARTICLE IV. - R-S SINGLE-FAMILY DISTRICT

Sec. 30-51. - Use regulations.

A building or premises shall be used only for the following purposes:

Single-family dwellings. Residential use of temporary structures and mobile homes is prohibited, except as provided in sections [30-176](#) and [30-177](#) of this chapter.

Public parks, public libraries, public elementary and high schools and public buildings.

Private schools with a curriculum similar to public elementary and secondary schools.

Churches.

Golf courses, but not miniature courses or driving tees, such telephone facilities are provided for in the

Fire station, police station, artesian well, pumping station, lake, boat docks, boathouse, water supply reservoir, filter bed, water tank, tower or standpipe.

Railroad right-of-way, railroad tracks, bridges, water tanks, signals and other railroad appurtenances, but not including railroad yards, classification tracks, storage tracks, passenger station, freight stations, coaling facilities, fuel oil tanks or roundhouses.

Electrical facilities and electrical energy facilities, transformers, relay and substations, poles, wires and electrical transmission and/or distribution lines and distributions appurtenances, but not including office buildings or storage facilities.

Transitional uses as may be permitted by the board of adjustment.

Two-family dwellings provided that not less than one-third of the block frontage of that side of the block in which the two-family dwelling is proposed or of the block frontage directly opposite thereto is, at the time of request for a building permit, comprised of lots used for two-family, multiple-family, commercial and/or industrial purposes.

Two-family dwellings by special permit as provided in Article XII of this chapter.

Home occupations.

(Code 1962, § 11-3-1)

PROS:

Approving this requested zoning change would allow the applicant to use the property as requested.

CONS:

The change in zoning could allow for some uses that are not compatible with other uses on this property or surrounding properties.

RECOMMENDATION:

Staff does not recommend approval of the requested zoning change due to the following reasons:

1. The proposed zoning is not consistent with the zoning of the adjacent properties and not consistent with the Future Land Use Map.
2. There could be an adverse impact to the neighboring lands as the requested zoning of R-M has uses that when developed on this particular property could be a compatibility concern to the surrounding neighbors. Parking for all three of the proposed separate dwellings is also a concern as the garage on the bottom of the rear structure is the only parking for these buildings.
3. The present zoning with the special permit already given by the Board of Adjustment allows the property owner the flexibility to use the property for two dwellings.
4. If the property is rezoned and the owner (or future owners) redevelop the property for office or medical uses, then there will be an increased traffic that could result from these uses and as such could cause some safety issues.

Attachments

Zoning App

CITY OF DEL RIO, TEXAS
PLANNING AND ZONING COMMISSION
ZONING APPLICATION
114 WEST MARTIN
DEL RIO, TEXAS 78840
FAX (830) 703-5305
(830) 774-8553

Appeal No. 19-01
Deadline 7-10-19
Date of Hearing 7-14-19
Date Received _____
Filing Fee _____
Date of Action _____
Action _____

Purpose:

The application process is the initial stage for requesting a change in zoning classification to the Planning and Zoning Commission and the Del Rio City Council as defined by Section 30-273 of the Code of Ordinances for the City of Del Rio, Texas.

Applicant:

Name Xavier Curiel
Address 200 Central
City Del Rio, Tx 78840
Phone (830) 765-9233
E-Mail N/A

Representing:

Name Self
Address _____
City _____
Phone _____
E-Mail _____

Request:

Zoning Change from RSO to RM
Proposed Use Front is Rental Rear personal

Property Description:

Street Address 201 Central St
Lot Number W 5' of 58' all 6
Block Number 16
Addition 4th Railroad
Lot Size 65.00 E.P. Front E.P. Depth 135.00
Zoning District _____

Lienholders (if any)

Applicant

AFFIDAVIT OF OWNERSHIP

THE STATE OF TEXAS) (

COUNTY OF VAL VERDE) (

Before me, the undersigned authority,

Xavier Curiel
Name of Applicant

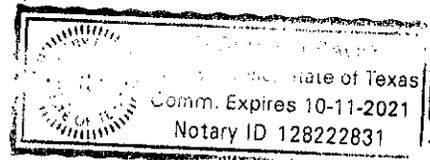
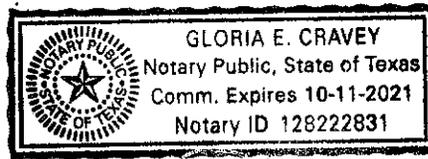
Personally appeared, and upon being duly sworn by me, stated and deposed under oath that he/she is the true owner of the above described real property, or is the duly authorized agent for the true owner of the above described real property and have filed this application on behalf of said owner.

SUBSCRIBED AND SWORN to before me this
Signature of Applicant

5 day of July, 2019

Gloria E. Cravey
Notary Public

My Commission Expires: 10-11-2021



FEES

Zoning Changes	
Less than 1 acre to 25 acres	\$200.00
25 acres and above	\$400.00

Zoning Applicants will not be entitled to a refund if notice has been published in the newspaper as required by the City of Del Rio Code of Ordinances

FOR CITY USE ONLY

Date _____ Invoice Number _____ Check or Money Order Number: _____

Application _____ Approved _____ Denied Date _____

Property

Account

Property ID: 26689 Legal Description: RAILROAD 4TH BLOCK 16 LOT W5' OF 5 & ALL 6
 Geographic ID: 5970-0160-0060 Zoning: R-S-O
 Type: Real Agent Code:
 Property Use Code:
 Property Use Description:

Location

Address: 201 CENTRAL Mapsco:
 Neighborhood: RAILROAD 4TH Map ID: 75
 Neighborhood CD: 5970

Owner

Name: CURIEL XAVIER Owner ID: 65551
 Mailing Address: 200 CENTRAL % Ownership: 100.0000000000%
 DEL RIO, TX 78840

Exemptions:

Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$85,930	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$10,400	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$96,330	
(-) Ag or Timber Use Value Reduction:	-	\$0	
<hr/>			
(=) Appraised Value:	=	\$96,330	
(-) HS Cap:	-	\$0	
<hr/>			
(=) Assessed Value:	=	\$96,330	

Taxing Jurisdiction

Owner: CURIEL XAVIER
 % Ownership: 100.0000000000%
 Total Value: \$96,330

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	Central Appraisal District	0.000000	\$96,330	\$96,330	\$0.00
CD	CITY OF DEL RIO, TEXAS	0.715159	\$96,330	\$96,330	\$688.92
G233	VAL VERDE COUNTY	0.500200	\$96,330	\$96,330	\$481.84
HOS	VAL VERDE REGIONAL MEDICAL CENTER	0.106400	\$96,330	\$96,330	\$102.50
RFM	FARM-TO-MARKET	0.023500	\$96,330	\$96,330	\$22.64
SD	SAN FELIPE DEL RIO CISD	1.159800	\$96,330	\$96,330	\$1,117.24
Total Tax Rate:		2.505059			
Taxes w/Current Exemptions:					\$2,413.14
Taxes w/o Exemptions:					\$2,413.12

Improvement / Building

Improvement #1: RESIDENCE State Code: A1 Living Area: 1555.0 sqft Value: \$70,280

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
MA	MAIN AREA	F3		0	1555.0
OP	OPEN PORCH	*		0	198.0
PC	PATIO COVERED	*		0	60.0
DGF2	DETACHED GARAGE FINISHED 2 CAR	*			560.0

Improvement #2: RESIDENCE State Code: A1 Living Area: 560.0 sqft Value: \$15,650

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
MA	MAIN AREA	F3		0	560.0

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	UL	OTHER	0.0000	0.00	65.00	135.00	\$10,400	\$0

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2019	\$85,930	\$10,400	0	96,330	\$0	\$96,330
2018	\$79,230	\$10,400	0	89,630	\$0	\$89,630
2017	\$79,230	\$10,400	0	89,630	\$0	\$89,630
2016	\$79,230	\$10,400	0	89,630	\$0	\$89,630
2015	\$72,470	\$10,400	0	82,870	\$0	\$82,870
2014	\$68,900	\$10,400	0	79,300	\$0	\$79,300
2013	\$65,850	\$10,400	0	76,250	\$0	\$76,250
2012	\$68,970	\$10,400	0	79,370	\$0	\$79,370
2011	\$68,970	\$10,400	0	79,370	\$0	\$79,370
2010	\$68,850	\$10,400	0	79,250	\$0	\$79,250
2009	\$96,510	\$10,400	0	106,910	\$0	\$106,910
2008	\$88,750	\$10,400	0	99,150	\$0	\$99,150
2007	\$86,090	\$10,400	0	96,490	\$0	\$96,490
2006	\$61,170	\$12,900	0	74,070	\$0	\$74,070
2005	\$52,180	\$12,900	0	65,080	\$0	\$65,080

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	12/14/2016	WD	WARRANTY DEED	LEE JANIS LYNN	CURIEL XAVIER			00299046
2	11/1/2013	WDVL	WARRANTY DEED WITH VENDOR'S LIEN	WILLARD BILLY J &	LEE JANIS LYNN			00280387
3	8/29/1994	OT	Other	MERRILL KEVIN J	WILLARD BILLY J &	604	643	

Tax Due

Property Tax Information as of 07/05/2019

Amount Due If Paid on:

Year	Taxing Jurisdiction	Taxable Value	Base Tax	Base Taxes Paid	Base Tax Due	Discount / Penalty & Interest	Attorney Fees	Amount Due
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NOTE: Penalty & Interest accrues every month on the unpaid tax and is added to the balance. Attorney fees may also increase your tax liability if not paid by July 1. If you plan to submit payment on a future date, make sure you enter the date and RECALCULATE to obtain the correct total amount due.

Questions Please Call (830) 774-4602



**PLAN DETAILED REPORT RZNE-000697-2019
FOR CITY OF DEL RIO, TX**

Plan Type: Rezone	Project:	App Date: 07/08/2019
Work Class: Text Amendment	District:	Exp Date: 01/04/2020
Status: In Review	Square Feet: 0.00	Completed: NOT COMPLETED
Valuation: \$0.00	Assigned To: Janice Pokrant	Approval
Description: ZONING CHANGE FROM R-S-O TO R-M		Expire Date:

Parcel:	Address: 201 Central Del Rio, TX 78840	Main	Zone:
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Applicant
XAVIER CURIEL

Invoice No.	Fee	Fee Amount	Amount Paid
INV-00003959	Zoning Changes Fee - Del Rio	\$100.00	\$100.00
Total for Invoice INV-00003959		\$100.00	\$100.00
Grand Total for Plan		\$100.00	\$100.00

PUBLIC HEARING NOTICE

Notice is hereby given that a Public Hearing will be conducted by the City of Del Rio Planning and Zoning Commission in the Council of Chambers at City Hall, 109 West Broadway on **Wednesday, the 14th of August 2019 at 5:30 p.m.**, and by the City Council on **Tuesday, the 27th of August 2019 at 6:30 p.m.**, for the purpose of hearing comments on the following requests:

Zoning Change Appeal # 19-01 Xavier Curiel is requesting a Zoning Change from Residential Single-Family District (R-S) to Residential-Multiple Family District (R-M). Property Description: Lot: W'5 of 5 & All of 6, Block 16, 4th Railroad Addition (201 Central).

HANDICAPPED ACCESSIBLE LOCATION

- **Please publish once Sunday, July 28, 2019.**

CITY OF DEL RIO, TEXAS
PLANNING & ZONING COMMISSION
109 West Broadway
Del Rio, TX 78840

FOR ANY QUESTIONS OR COMMENTS PLEASE CALL (830) 774-8524 OR (830) 703-5309

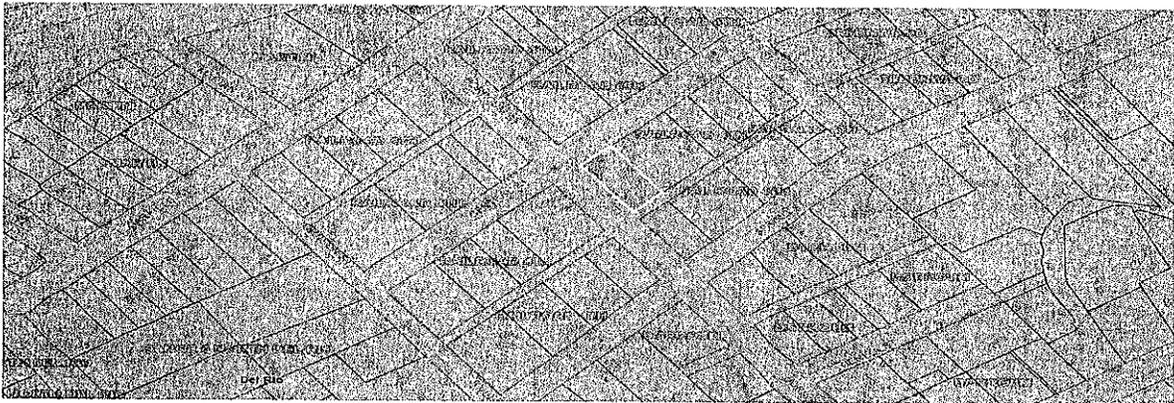
August 1, 2019

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RE: **Planning & Zoning Commission Notice**
Zoning Change Appeal # 19-01

Xavier Curiel made an appeal to the Planning & Zoning Commission to request a Zoning Change from **Residential Single-Family District (R-S-)** to **Residential Multiple-Family District (R-M)**. Property Description: W5' of 5 all of 6, Block 16, 4th Railroad Addition (201 Central) Proposed Use: Multi Family

According to our Zoning Ordinance we are required to notify property owners within Three Hundred feet from the property in question. According to our records you are the owner of «legal_desc». This letter is to notify you that a Public Hearing will be held on the requested appeal on **Wednesday, the 14th of August 2019 at 5:30 p.m.** by the Planning & Zoning Commission and on **Tuesday, the 27th of August 2019 at 6:30 p.m.** by the City Council in the Council Chambers in City Hall (109 West Broadway). The purpose of these hearings is to give you the opportunity to express your views with respect to the requested appeal.



Anyone interested in the appeal, either for or against, may address a letter no later than five days prior to the hearing to the members of the **Planning and Zoning Commission, 109 West Broadway, Del Rio, TX 78840**, which letter or letters will be presented at the hearing.

- _____ I am **FOR** the appeal.
- _____ I am **AGAINST** the appeal.
- _____ I have **NO COMMENTS** either for or against the appeal.
- _____ Other Comments (attach sheet if necessary).

Signature

Sincerely,
Planning and Zoning Commission

**PUBLIC HEARINGS ARE HELD AT CITY HALL
A HANDICAPPED ACCESSIBLE LOCATION**