

JESSICA KUYKENDALL

Place 2

JAMES HOPPER

Place 3

RONALD LEWIS

Place 4

DREW WILSON

Place 1 - Chair

MICHAEL WALKER

Place 5

KELSEY HAZARD

Place 6

TONY BOVINICH

Place 7 - Vice Chair



Planning & Zoning Commission

SPECIAL CALLED MEETING

Monday, August 9, 2021 at 6:30 p.m.

Venus Civic Center

210 South Walnut Street

Venus, Texas 76084

SPECIAL CALLED AGENDA

Page

1. Call to Order, Roll Call, Invocation, Pledge of Allegiance

2. Public Comment Period

3. Consent Agenda

- 3.1. Consider and approve minutes for regular called P&Z meeting on July 22, 2021.

I make a motion to approve consent agenda.

4. Public Hearings:

- 4.1. Conduct public hearing to approve or deny to change Code of Ordinances, Chapter 34-Zoning, ARTICLE II- DISTRICTS, Section 34-62.- Schedule of district regulations, changing the Minimum building size (sq. ft.) in the R-1, R-2 and MH-1 districts from 1250 sq. ft. to 1400 sq. ft.

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[1-Change minimum house size.docx](#)

[VENUS Amending Zoning Ordinance minimum building size.pdf](#)

Open Public Hearing:

Close Public Hearing:

5. Discussion & consideration Items:

- 5.1. Discuss and consider approval or denial to change Code of Ordinances, Chapter 34-Zoning, ARTICLE II- DISTRICTS, Section 34-62.- Schedule of district regulations, changing the Minimum building size (sq. ft.) in the R-1, R-2 and MH-1 districts from 1250 sq. ft. to 1400 sq. ft.

I make a motion to recommend or deny changing the Code of Ordinances, Chapter 34-Zoning, ARTICLE II- DISTRICTS, Section 34-62.- Schedule of district regulations, changing the Minimum building size (sq. ft.) in the R-1, R-2 and MH-1 districts from 1250 sq. ft. to 1400 sq. ft.

6. Adjournment

In accordance with TEXAS GOVERNMENT CODE §551.001, et seq. the Planning and Zoning Commission may recess into Executive Session (closed meeting) at any time during this meeting to discuss matters listed on the agenda or if any of the following matters should arise during the course of the meeting: §551.071 Consultation with Attorney; §551.072 Deliberation regarding Real Property, §551.074 Personnel Matters, §551.076 Deliberation regarding Security Devices, §551.087 Deliberation regarding Economic Development Negotiations.

This is to certify that a copy of this Notice of Meeting was posted on the bulletin board of City Hall, 700 W Hwy 67, Venus TX, at a place readily accessible to the general public at all times, and to the City's website, **www.cityofvenus.org**, not less than 72 hours prior to the meeting.

Callie Green,
City Secretary

If you plan to attend the public meeting and have a disability requiring accommodation, please make your request at least 48 hours in advance of the meeting, if possible. To make arrangements call (972) 366-3348 and leave a message if it is after hours. Thank you.



*Case Report – Zoning Text Change-Minimum House Size
Planning and Zoning Commission – August 9, 2021
City Council - August 9, 2021*

To: Planning and Zoning Commission
Mayor and City Council

From: David R. Gattis, FAICP

Request: Consider a Zoning text amendment to change the minimum house size to 1,400 SF

Applicant: City of Venus (Mayor)

Analysis: The Mayor has requested that the minimum house size be increased to 1,400 square feet in the R-1 and R-1S single family residential zoning districts. A comparison of the current and proposed house sizes is:

Zoning District	Current Minimum	Proposed Minimum
R-1 District	1,250 SF	1,400 SF
R-1S small lot District	1,250 SF	1,400 SF

The proposed change would not affect any existing homes but would affect any existing single-family lots and all future single-family lots.

The effect of the proposed change would be to increase the price of a single-family house by as much as \$22,500 (from \$187,500 to \$210,000), assuming an average of \$150/square foot. Staff is not aware of any health or safety improvements that would be gained from requiring a larger house. In fact, some cities are doing away with minimum house sizes to avoid discrimination suits based on income.

Staff

Recommendation:

Staff has no recommendation on the proposed zoning text amendment.

Sample

Motion:

I move to approve/deny the Ordinance amending the text of the Zoning Ordinance to revise the minimum house size to fourteen hundred square feet (1,400 SF).

ORDINANCE NO. 731-2021-08

AN ORDINANCE OF THE CITY OF VENUS, TEXAS AMENDING THE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED, BY CHANGING THE MINIMUM BUILDING SIZE (SQ. FT.) IN THE R-1, R-2 AND MH-1 [S] DISTRICTS USE TABLE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, notices of the proposed zone change were mailed to owners of real property, if any, lying within two hundred (200) feet of the property for which the change is requested; and

WHEREAS, the Planning and Zoning Commission and the City Council published notices of public hearings of the proposed zoning regulation change and conducted such full and fair hearings in compliance with the Zoning Ordinance and State law, at which time parties in interest and citizens were given an opportunity to speak and be heard; and

WHEREAS, the Planning and Zoning Commission provided its report and recommendation to the City Council approving the zoning regulation change to the City's Zoning Ordinance; and

WHEREAS, after due deliberation and consideration of the information submitted during the public hearings and the recommendation of the Planning and Zoning Commission, the City Council has concluded that approval of this zoning regulation change from 1250 sq. ft. to 1400 sq. ft. for the referenced property would be in the best interest of the citizens of Venus.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VENUS, TEXAS.

SECTION 1. That the Zoning Ordinance and Map of the City of Venus, Texas, duly passed by the governing body of the City of Venus, Texas, as heretofore amended, be and the same is hereby amended by amending Chapter 34 – Zoning, Article II. – Districts, Section 34-62 – Schedule of District Regulations Use Table by changing the minimum building size (sq. ft.) in the R-1, R-2, and MH-1 [S] districts from 1250 sq. ft. to 1400 sq. ft.

SECTION 2. That the Zoning Ordinance of the City of Venus, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 3. This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Venus, Texas and the Venus Zoning Ordinance, as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such codes, in which event the conflicting provision of such ordinance and such codes are hereby repealed.

SECTION 4. It is hereby declared that it is the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

SECTION 5. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 6. That all recitals contained in this Ordinance are fully incorporated herein as if fully written.

SECTION 7. This ordinance shall be in full force and effect from this and after its passage and publication as required by law, and it is so ordained.

DULY PASSED and approved by the City Council of the City of Venus, Texas on this the 9th day of August 2021.

APPROVED:

James L. Burgess, Mayor

ATTEST:

Callie Green, City Secretary