



ZONING CASE #Z21-02: “B-3” TO “R-2”

PH-21-015

April 6, 2021

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- ❑ This request is submitted by Michael Linnemann on behalf of Rivadel Rivera Ortego to rezone Lot Pt. 2, Block 1, Rivera Addition from “B-3” (Local Business District) to “R-2” (Two-Family Residential District).
- ❑ The property is addressed as 5105 Westcliff Road, Killeen, Texas.

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- The property consists of an existing two-family residential dwelling.
- Surrounding land uses are as follows:
 - ▣ To the east is an undeveloped tract owned by the First Church of God in Christ, zoned “B-3.”
 - ▣ To the west is an existing (legal nonconforming) single-family residence, zoned “B-3.”
 - ▣ To the north is the parking lot for First Church of God in Christ, zoned “R-1.”
 - ▣ To the south (on the opposite side of Westcliff Dr.) is an existing single-family subdivision, zoned “R-1.”



Attachment #3
Council District: 1
1 inch = 112 feet
Subject Property Legal Description: 5105 WESTCLIFF RD.

Zoning Map
Zoning Case 2021-02

- Legend**
-  Citylimits
 -  Production.GISADMIN.ZoningCases2021 selection

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- The purpose of this request is to rezone the property to “R-2” in order to bring the existing use into conformance with the zoning ordinance.
- Prospective buyers have had difficulty securing financing for the property due to the nonconforming nature of the existing two-family dwelling.

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- The subject property is designated as ‘Suburban Commercial’ (SC) on the Future Land Use Map (FLUM) of the Comprehensive Plan.
- Although the applicant’s request is not consistent with the Future Land Use Map (FLUM), staff is of the determination that an amendment to the FLUM is not warranted at this time.
- The property is already developed as a duplex, and no new development of this site is contemplated.
- In addition, with a new Comprehensive Plan already underway, staff finds that a Future Land Use Map to accommodate an existing use is not needed.

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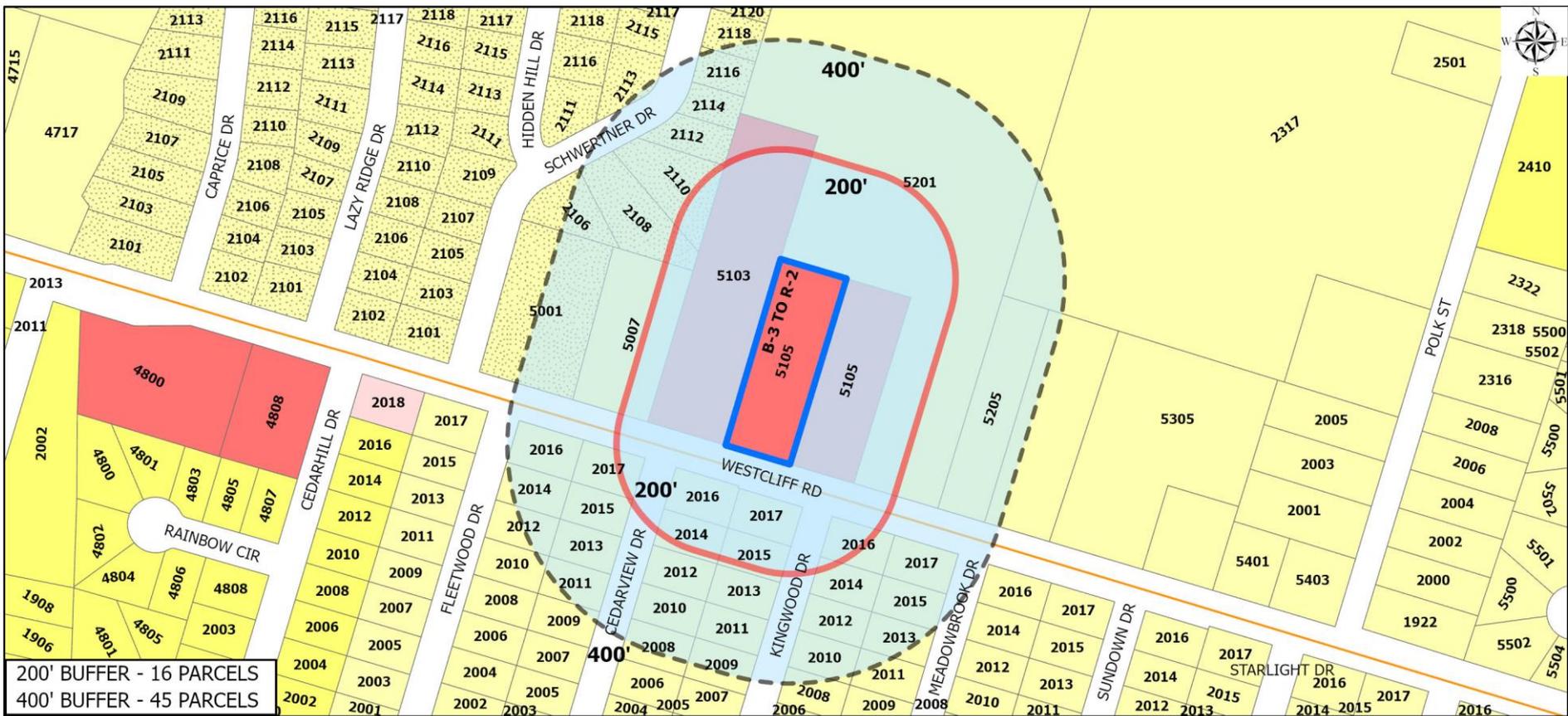
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- ❑ Staff notified forty-four (44) surrounding property owners within 400 feet of the subject property regarding this request.
- ❑ Staff has received one (1) response in support of the request.



200' BUFFER - 16 PARCELS
 400' BUFFER - 45 PARCELS

Attachment #2

Council District: 1

1 inch = 294 feet

Subject Property Legal Description: 5105 WESTCLIFF RD.

Zoning Map

Zoning Case 2021-02

Legend	Current Zoning
	B-1
	B-3
	R-1
	R-1X
	R-3

Alternatives

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- ❑ The City Council has three (3) alternatives:
 - ❑ Disapprove the applicant's zoning request;
 - ❑ Approve a more restrictive zoning district than requested by the applicant; or
 - ❑ Approve the applicant's zoning request.

Commission Recommendation

- At their meeting on March 15, 2021, the Planning & Zoning Commission recommended approval of the applicant's request by a vote of 6 to 0.

Staff Recommendation

- Staff finds that approval of the requested “R-2” zoning will bring the existing two-family residential dwelling use into compliance with the zoning ordinance.
- Although the request is not consistent with the Future Land Use Map, staff is if the determination that a FLUM amendment to accommodate an already existing land use is not necessary.
- Therefore, staff recommends approval of the request as presented.