

## MEMORANDUM

**DATE:** November 12, 2019

**TO:** Mayor & City Council  
**CC:** Mercy Rushing, City Manager

**FROM:** David Madsen

**SUBJECT:** **Council Meeting Agenda Item:** Public Hearing for rezoning of property.

### **Background Information:**

In the October Council meeting, the council approved a replat of property on Meredith Street. The owners have requested a rezoning of the property to SF-7 with intensions of building a house. As research was done on the property for the Planning & Zoning public hearing, it was noticed that several properties in that area were zoned MF-18 (Multi-Family) but were used as single family homes. The Planning & Zoning Commission decided that all of these properties should be rezoned to SF-7 (Single Family). This would make the zoning compatible with the use and would allow the property owners to utilize there property better. The property to be rezoned is **Hart & Meredith Addition: Block 2 Lot 2, Block 2 Lot 1, Block 1 Lot 1, Block 1 Lot 2, Block 1 Lots 28-30, and Block 1 Lots 3-15.** 20 notices were sent to property owners within 200 feet of the affected properties. Most of the owners are Hispanic, so all of the notices were sent in Spanish and English. None were in attendance.

### **Recommendation:**


Planning & Zoning recommends approval of the rezoning of the properties.

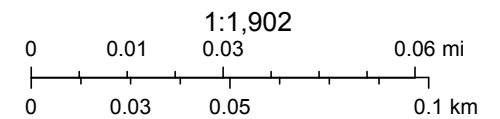
### **Final Disposition:**

# Properties Aerial



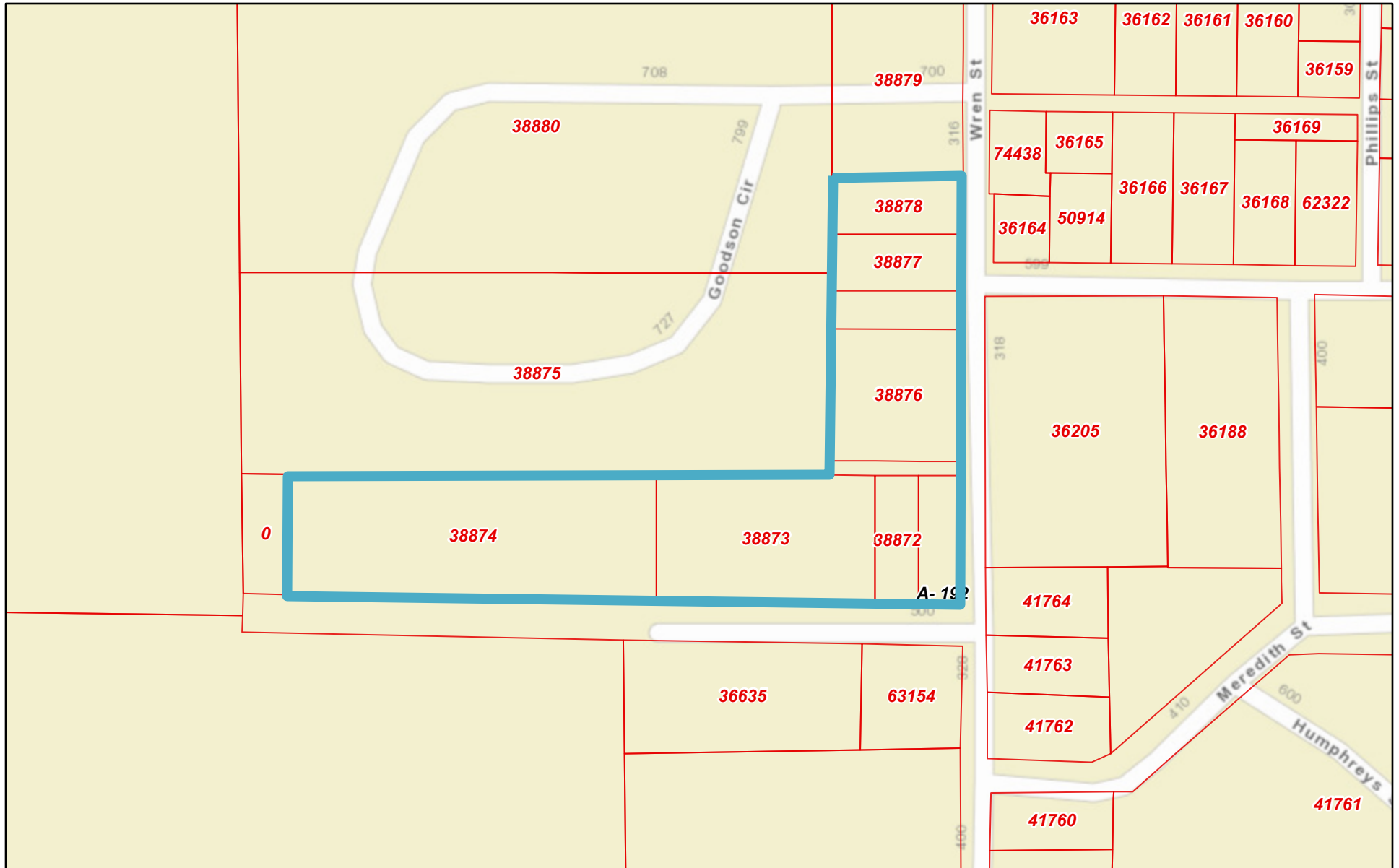
10/9/2019, 8:51:09 AM

-  Abstracts
-  Parcels




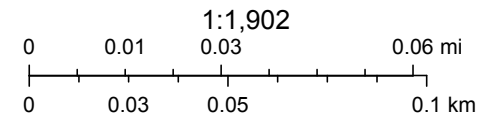
Beacon Aviation

# Properties Map



10/9/2019, 8:53:24 AM

-  Abstracts
-  Parcels



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),

Wood County Appraisal District, BIS Consulting - [www.bisconsulting.com](http://www.bisconsulting.com)

Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF MINEOLA, TEXAS AMENDING THE CITY ZONING ORDINANCE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City of Mineola, as an incorporated municipality in the State of Texas, has been given the authority by Chapter 211 of the Local Government Code to establish zoning and amend zoning in accordance with Chapter 211; and

**WHEREAS**, the City Council of the City of Mineola has heretofore adopted zoning ordinances for the City of Mineola, Texas, which regulates and restricts the location and use of buildings, structures, and land for trade, industry, residence, and other purposes, and provides for the establishment of zoning districts of such number, shape, and area as may be best suited to carry out these regulations; and

**WHEREAS**, all requirements of Chapter 211 of the Local Government Code, and all other laws dealing with notice, publication, and procedural requirements for zoning of property have been complied with; and

**WHEREAS**, a public hearing was held by the City Council of the City of Mineola on November 25, 2019 and a recommendation has been received from the Planning and Zoning Board with respect to the amendments described herein; and

**WHEREAS**, the City Council of the City of Mineola does hereby deem it advisable and in the public interest to amend the Zoning Ordinances of the City of Mineola, Texas, so that henceforth and hereafter the Zoning Ordinance is amended;

**THEREFORE, BE IT ORDAINED** by the City Council of the City of Mineola, Texas, as follows:

**Section 1**

The following described area is hereby declared to be SF-7 (Single Family Detached):  
Hart & Meredith Addition: Block 2 Lot 2, Block 2 Lot 1, Block 1 Lot 1, Block 1 Lot 2, Block 1  
Lots 28-30, Block 1 Lots 3-15.

**Section 2**

The City Zoning Map shall be updated to properly demonstrate the property rezoned in Section 1.

### **Section 3**

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Mineola, and this ordinance shall not operate to repeal or affect the Code of Ordinances of the City of Mineola or any other ordinances 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, in such Code of Ordinances or any other ordinances are hereby repealed.

### **Section 4**

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

### **Section 5**

Any person, firm, association of persons, corporation, or other organization violating the provisions of this ordinance shall be deemed to be guilty of a misdemeanor and, upon conviction, shall be fined an amount not to exceed \$2000.00 per offense. Each day that a violation occurs shall be deemed a separate offense.

### **Section 6**

This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the laws of the State of Texas.

Passed and approved by the Mineola City Council on the 25th day of November, 2019 and effective upon passage.

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Mayor, Kevin White

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Cindy Karch, City Secretary, Finance Director