MEMORANDUM

DATE: **June 24, 2024**

TO: Planning & Zoning

FROM: David Madsen

SUBJECT: **Meeting Agenda Item:** Public Hearing for Rezoning of Property

Background Information: The property is Lot 7A Block 31 Ham Addition, ID# 38834. The property is 11.16 acres with a small portion located within the floodplain. It is zoned SF-7. The request is to rezone from SF-7 to MF-24.

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 July 22, 2024 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 MF-24: Lot 7A Block 31 Ham Addition.

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 22nd day of July 22, 2024 and effective upon passage.

_____
Mayor, Jayne Lankford

_____
Cindy Karch, City Secretary, Finance Director

LOT 7A BLK 31 HAM ADD

A-120

38738 38736
38737 38811
62151 38735 38812
54856 38810
38733
W Patten St
38828 38743 38734 38751 38748
36566 38731
50567
52672
52673
36569
38728 387
38726
Smith Creek
38829 38686 38690
104819 38831 53555 38685 38687 38691
38830
0
100984 Potter St Dubose St
38834 38835 38838 38677 38675 38
38836 38678 38680
36570 38839
38833 38832 107533 W McDonald St
38865 38840 139544 74537 782
66128 38842 38644 38646 74539 3865
20409451 71277 56368 38650
W Blair St 38841
121254 38849 W Blair St
142521 38848 38847 38641 38637 38632 38629
38868 38864 38857 38630
38861 38859 38854 38850 38852 38846 38643 38634 38627 3
W Kilpatrick St
W Broad St 36106
107553 36104 36101 36100 36128 36123 36119
36109 36094
Railroad 36105 80 W Broad St
W FM 564
564
University St
Peques St
Creek

6/4/2024, 3:51:35 PM

1:4,514

0   0.03   0.07   0.13 mi

0   0.05   0.1   0.2 km

☐ Parcels

☐ Abstracts