

MEMORANDUM

DATE: January 21, 2025

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

FROM: David Madsen

SUBJECT: Council Meeting Agenda Item: Rezoning of Property

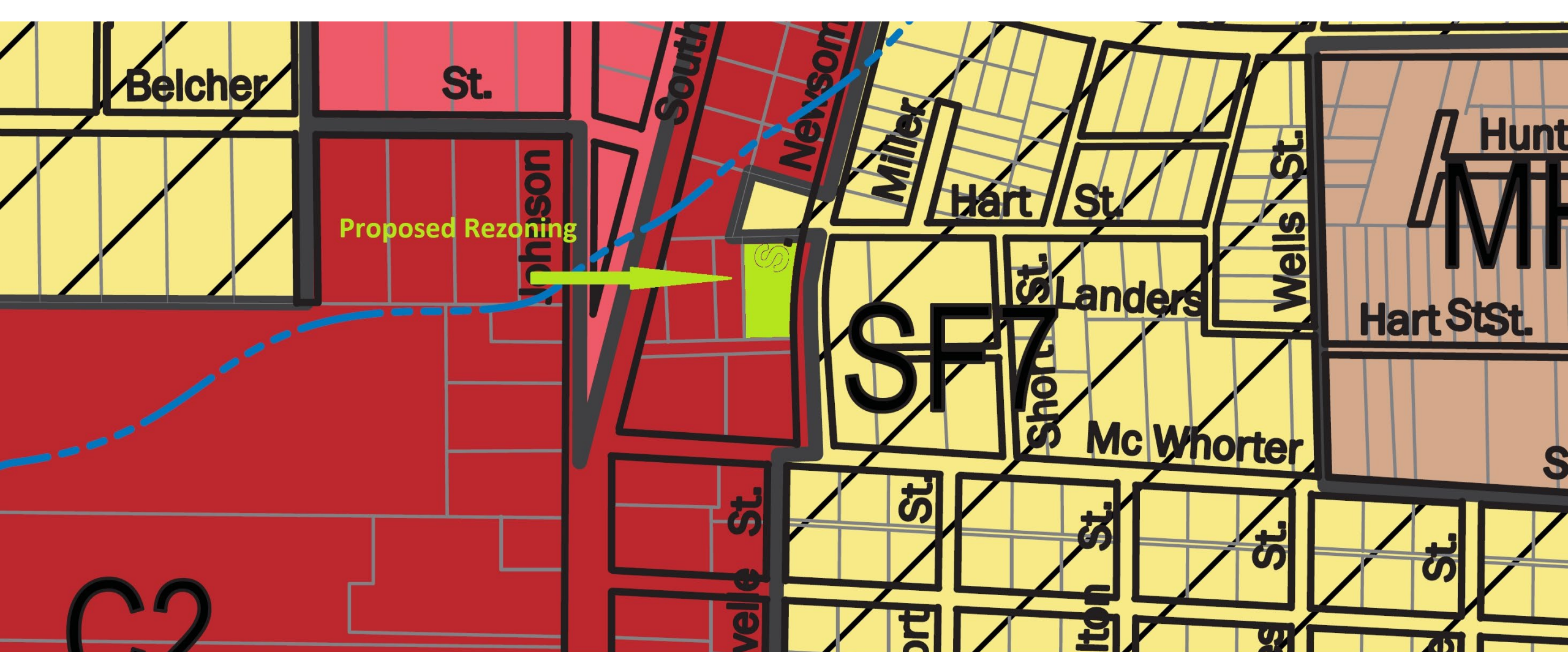
Background Information: The purpose of the hearing is to hear a request from Brady Chambers to rezone Lot 7 Block 160-1 Mineola Townsites. The property is in the 800 block of South Newsom. The request is to rezone the properties from SF-7 (Single Family) to MD (Medium Density) for the purpose of building Single Family Attached Dwellings. 15 notices were sent to surrounding property owners within 200 feet. No property owners were opposed to the request. This request could be considered spot zoning which is illegal in Texas unless certain criteria is met for the approval. This property is actually next to a single-family zoned lot which would be easier to allow for the MD request.

Recommendation: Planning & Zoning recommended unanimously the approval of the request.

Final Disposition:

To avoid an illegal spot zoning, we have to satisfy a few factors:

1. There must be a change in conditions to the property that warrant a zoning change;
2. The rezone should not cause a substantial detriment to the surrounding area;
3. The rezone can't be substantially different than the zoning of the surrounding area;
4. The current zoning is not suitable for the property.



Belcher

St.

Proposed Rezoning

Johnson

South

Newsom

Miller

Hart

St.

Wells St.

Hunt

MF

Hart St.

S

Short St.

Landers

Mc Whorter

Wells St.

St.

Hilton St.

St.

St.

3

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 January 27, 2025 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 MD Medium Density: Lot 7 Block 160-1 Mineola Townsites

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 27th day of January, 2025 and effective upon passage.


Mayor, Jayne Lankford

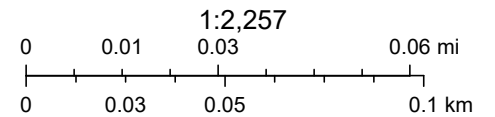
Cindy Karch, City Secretary, Finance Director

Wood CAD Web Map



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-  Parcels
-  Abstracts

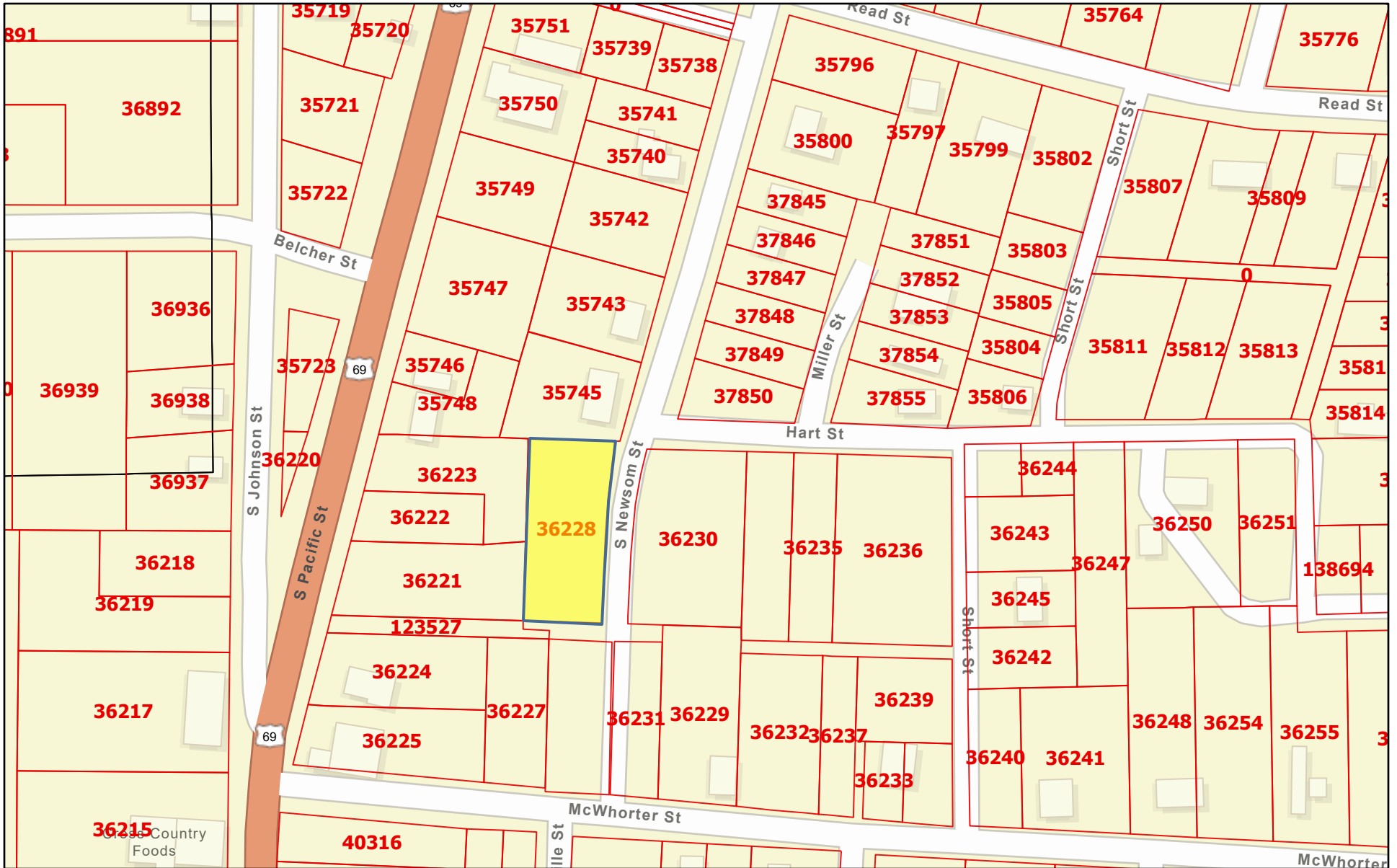


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
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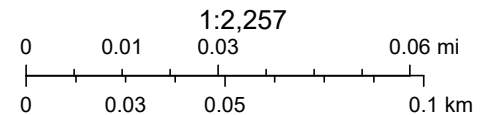
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Wood CAD Web Map



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-  Parcels
-  Abstracts



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