

Montgomery City Council
AGENDA REPORT

Meeting Date: July 11, 2023	Budgeted Amount: N/A
Department: Admin	Prepared By: Dave McCorquodale

Subject

Public Hearing and consideration and possible action on:

AN ORDINANCE OF THE CITY OF MONTGOMERY, TEXAS, GRANTING A SPECIAL USE PERMIT TO EVAN BALLEW FOR USE OF 14640 LIBERTY STREET, MONTGOMERY, TEXAS 77356 FOR A PROFESSIONAL REAL ESTATE OFFICE; ESTABLISHING CERTAIN TERMS, CONDITIONS AND LIMITATIONS; PROVIDING FOR PENALTY, SEVERABILITY, AND EFFECTIVE DATE.

Recommendation

This item requires 2 steps:

1. Hold the Public Hearing.
2. Approve the Special Use Permit with proposed conditions or add additional conditions that will further protect the character and development of the neighborhood.

Discussion

As you are aware, the rezoning request for this property from R1-Single Family Residential to B-Commercial was denied by City Council in April. The property owner has submitted a Special Use Permit application to request that the property be used as a real estate office without changing the underlying zoning.

The P&Z considered the SUP at their June 6, 2023 meeting and recommended approval with the following conditions:

- This permit is issued only to Evan Ballew and is not assignable without City Council permission.
- Require the same buffer, setbacks, and other regulations that pertain to commercial properties that abut residential areas in the city.
- Allow the existing accessory shed within the rear setback to remain.

Legal notice was published on June 23, 2023. State and local law requires publication of the notice once in the newspaper of record. Unlike the rezoning process, notification letters are not required because there is not a permanent change to the zoning classification. While I anticipated sending courtesy notification letters to surrounding property owners, time constraints did not allow for it.

Approved By

Assistant City Administrator & Planning & Development Director	Dave McCorquodale	Date: 07/07/2023
City Administrator	Gary Palmer	Date: 07/07/2023