

City Council Agenda Item Data Sheet

Meeting Date: September 18, 2023

Topic:

Consideration to Approve **Re-Zoning Case Z23-12**: Request by Paul & Delphine Michna to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 0.29 acres of land legally described as being Lot 200, Block 10 of Sansom Plaza from Single Family Residential – 6 (SF-6) to Old Town & Mixed Use (OT & MU). The property is located at 611 N. Cherry Street, within the City of Tomball, Harris County, Texas.

Conduct Public Hearing on **Re-Zoning Case Z23-12**

Adopt, on First Reading, Ordinance No. 2023-32, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 0.29 acres of land legally described as being Lot 200, Block 10 of Sansom Plaza from Single Family Residential – 6 (SF-6) to Old Town & Mixed Use (OT & MU). The property is located at 611 N. Cherry Street, within the City of Tomball, Harris County, Texas; providing for the amendment of the Official Zoning Map of the City; providing for severability; providing for a penalty of an amount not to exceed \$2,000 for each day of violation of any provision hereof, making findings of fact; and providing for other related matters.

Background:

The subject property has been within the city limits of Tomball since at least 1909. Harris County Appraisal District records suggest that the commercial structure which occupies the property was constructed in 1979. The property was placed within a Single Family – 6 (SF-6) zoning district when the City of Tomball initially adopted zoning in 2008, this created a legally non-conforming commercial use of the property. Currently, the existing commercial structure is vacant. As per the applicant, the subject property has always been used for various commercial uses. The applicant’s request is to rezone the subject property to Old Town and Mixed-Use (OT & MU) to bring the commercial use of this property into legal conformity and allow the “highest & best” use of this property according to the applicant.

Origination:

Recommendation:

City staff recommends Approval of **Re-Zoning Case Z23-12**. Planning and Zoning Commission recommends Approval (3 Votes Aye, 1 Commissioner Abstained).

Party(ies) responsible for placing this item on agenda: Craig Meyers (Community Development Director)

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____

If yes, specify Account Number: _____

