



City Commission Agenda Information Sheet

January 12, 2017

Agenda Item

Z-16-07 – Conduct a public hearing and consider an ordinance amending the zoning map regarding a rezoning request for a 0.241 acre tract of land from R-3 (Single Family Residential) to MH (Mobile/Manufactured Home). The subject property is generally located on the east side of Boone Street, and on the north side of East Teddy Street, specifically defined as 802 Boone Street.

Planning & Zoning Commission recommended approval of the request.

Background & Summary of Request:

The subject property is currently vacant with a single tree located at the rear of the lot. The table below outlines the surrounding zoning and land uses:

	Zoning Classification	Land Use
North of the Property	R-3 (Single Family Residential)	Vacant lot
East of the Property	R-3 (Single Family Residential)	Vacant lot
South of the Property	R-3 (Single Family Residential)	Vacant lot
West of the Property	R-3 (Single Family Residential)	Single Family Home

The mobile home district was designed to provide adequate space and site diversification for residential purposes designed to accommodate the design criteria unique to mobile homes and manufactured houses.

Water service to the site is provided by an existing 4” water line running along Boone Street and a 6” sewer line running along Boone Street as well.

The following questions should be answered when determining if a zoning change is appropriate:

- 1.) Will the proposed change be in compliance with the goals of the General Plan and the Comprehensive Plan Map?

The City of Marshall's General Plan encourages the creation of more housing types, specifically meaning traditional single family homes, attached single family homes, duplexes, and multifamily housing. The General Plan does not encourage or discourage the use of MH (Mobile Home) as a housing type.

- 2.) Will there be an adverse impact on surrounding property if the request is approved?

The subject property is bordered by residential zoning districts that are largely vacant. Around 60 ft. to the North West of the property is a C-2 (Retail Business) zoned lot. There are two non-conforming abandoned mobile homes within a 300 ft. radius of the vicinity and it does not appear that the requested change will have an adverse impact on the community as it currently stands, however it may set a precedent for further mobile home development in the area which is something the Commission may want to consider.

- 3.) Is the property suitable for use as it is currently zoned or does the zoning need to be changed to allow the property to be put to use in a way that is in keeping with the surrounding activities?

The property is not currently suitable for use with a mobile home because the current zoning prohibits the use of mobile and manufactured homes. The zoning will need to be changed from the R-3 (Single Family Detached) to MH (Mobile Home) in order to allow for the use of a mobile home on the lot. The surrounding neighborhood contains lots that are majority vacant R-3 (Single-Family Detached) with C-2 (Retail Business) and C-3 (General Business) lots in the surrounding area. There are two non-conforming mobile homes within 300 ft. of the proposed property and it appears that the proposed change will be in keeping with the surrounding area as it currently stands.

- 4.) What is the relationship of the proposed change to the health, safety and welfare of the general community? In other words, will the change make the community better or is it merely for the convenience of the owner? Will surrounding property owners suffer or lose any enjoyment in the area of their property as a result of this change? Does the proposed change seem to be a logical extension of similar types of development?

The requested change from an R-3 (Single Family Detached) lot to an MH (Mobile Home) lot is to allow for the applicant to live closer to her family. Therefore the change requested is largely for the convenience of the applicant but it does address the need to reduce the number of vacant lots and to create in-fill housing, which is encouraged by the General Plan. It does not appear that any of the surrounding property owners would lose any enjoyment or use of their property because of this proposed change, many of the lots are currently vacant. As to whether or not this is a logical extension of similar types of development, it is likely not in the areas interest to increase the number of mobile homes but it is in their interest to reduce the number of vacant lots.

Attachments:

1. Aerial of Site
2. Pictures of the Site
3. Proposed Ordinance

Aerial/ Existing Zoning Map
Z16-07



Site Photographs
Z-16-07



Subject Property



Vacant Lot to the South



Vacant Lot to the north



Residential Use to the west



Vacant Lot to the east

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 0-87-13 TO REZONE APPROXIMATELY 0.241 ACRES FROM R-3 (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO MH (MOBILE HOME DISTRICT), OUT OF THE TW MARSHALL ADDITION AND GENERALLY LOCATED ON THE EAST SIDE OF BOONE STREET AND ON THE NORTH SIDE OF EAST TEDDY STREET, MORE SPECIFICALLY DEFINED AS 802 BOONE STREET, IN THE CITY OF MARSHALL, TEXAS.

WHEREAS, the City of Marshall enacted zoning on December 13, 1951 and amended said ordinance on July 7, 1963 and on March 26, 1987 repealed and replaced all ordinance with Ordinance No. 0-87-13 amending the Code of Ordinances of the City of Marshall to add Chapter 32 regarding Zoning; and

WHEREAS, a Zoning District Map was adopted as a part of Ordinance No. 0-87-13; and

WHEREAS, Chapter 32, Section 14 of the Code of Ordinances established a procedure for a property owner, his agent, or the City to request zoning district map amendments; and

WHEREAS, the Planning & Zoning Commission, after due and proper notice in the manner and for the length of time required by law, held a public hearing for the purpose of considering proposed changes to the Zoning District Map; and

WHEREAS, after the close of said public hearing and pursuant thereto, the Planning & Zoning Commission filed a written report with the City Commission, recommending changes in the Zoning District Map; and

WHEREAS, pursuant to said report and after notice in the manner and for the length of time required by law, the City Commission held a public hearing in Marshall, Texas at City Hall on the 12th day of January, at 6:00pm for the purpose of considering the requested Zoning Map change, and at which hearing all property owners, interested parties, and interested citizens had an opportunity to be heard; and

WHEREAS, the City Commission, after considering the proposed changes and after hearing all parties and citizens desiring to be heard, deems that the following changes are necessary and for the best interest of the general welfare of the citizens of the City of Marshall, Texas.

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF MARSHALL, TEXAS THAT:

Section 1. The facts and opinions in the preamble of this ordinance are true and correct.

Section 2. The approximately 0.241 acres from R-3 (Single-Family Residential District) to MH (Mobile Home District), out of the TW Marshall Addition and generally located on the east side of Boone Street and on the north side of East Teddy Street, more specifically defined as 802 Boone Street.

Section 3. All ordinances and agreements and parts of ordinances and agreements in conflict herewith are hereby repealed to the extent of the conflict only.

PASSED on first reading the 12th day of January, 2017.

AYES: ___

NOES: ___

ABSTAINED: ___

PASSED on second reading the 26th day of January, 2017.

AYES: ___

NOES: ___

ABSTAINED: ___

CHAIRMAN OF THE CITY COMMISSION
OF THE CITY OF MARSHALL, TEXAS

ATTEST:

CITY SECRETARY