

ORDINANCE NO. 20250513-026

AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, REZONING APPROXIMATELY 0.36 ACRES FROM THE SINGLE FAMILY RESIDENTIAL 6.3 ZONING DISTRICT TO A TWO-FAMILY RESIDENTIAL (DUPLEX) ZONING DISTRICT AT 627 E. LOCUST ST./ 415 N. ROCK ISLAND, ANGLETON, TX, WITH A GARAGE ACCESSORY DWELLING UNIT (ADU), PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND PROVIDING FOR REPEAL AND EFFECTIVE DATE, AND FINDINGS OF FACT.

WHEREAS, on May 1, 2025, the City of Angleton Planning & Zoning Commission held a public hearing, considered and approved the rezoning of approximately 0.36 acres from the Single Family Residential 6.3 Zoning District to a Two-Family Residential (Duplex) Zoning District at 627 E. Locust St. and a Garage ADU, located at 415 N. Rock Island, Angleton, TX, Brazoria County; and

WHEREAS, on May 1, 2025, the City of Angleton Planning & Zoning Commission, after conducting a public hearing, discussed and considered the written recommendation of staff, responses to questions of the applicant regarding the proposed rezoning; and

WHEREAS, on May 13, 2025, the City of Angleton City Council conducted a public hearing, discussed and considered the written recommendation of the Planning and Zoning Commission and staff, responses to questions of the applicant regarding the proposed rezoning; and

WHEREAS, the City considered the factors and provisions set forth in the City of Angleton Code of Ordinances, Chapter 28 Zoning, Sec. 28-24, Amendments to zoning ordinance and districts, and considered the proposed rezoning located at 627 E. Locust St. and 415 N. Rock Island, Angleton, TX, for the 0.36 depicted in Exhibit A (attached); and

WHEREAS, the Planning and Zoning Commission and the City Council have made findings of fact that support the rezoning request, and desire to grant the rezoning submitted by Dennis Gafford on behalf of Legacy VIP Investments & Properties of Texas, LLC, with the conditions set forth below.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS:

SECTION 1. That all of the facts recited in the preamble to this Ordinance are hereby found by the City Council to be true and correct and are incorporated herein by this reference and expressly made a part hereof, as if copied herein verbatim.

SECTION 2. City Council approves the Rezoning in accordance with Chapter 28 Zoning, Sec. 28-24, Amendments to zoning ordinance and districts, with the following conditions:

1. The uses permitted on the property shall be restricted to one (1) single-family principal structure and one (1) accessory dwelling unit in the rear garage only.
2. The owner shall file a minor subdivision plat, consolidating the tracts into one (1) lot or parcel.

SECTION 3. Penalty. Any person who violates or causes, allows, or permits another to violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than Two Thousand and No/100 Dollars (\$2,000.00). Each occurrence of any such violation of this Ordinance shall constitute a separate offense. Each day on which any such violation of this Ordinance occurs shall constitute a separate offense.

SECTION 4. Repeal. All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

SECTION 5. Severability. In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Angleton, Texas declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

SECTION 6. Effective date. That this Ordinance shall be effective and in full force immediately upon its adoption.

SECTION 7. Proper Notice & Meeting. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED, APPROVED and ADOPTED this 13th day of May, 2025.

CITY OF ANGLETON, TEXAS

John Wright
Mayor

ATTEST:

Michelle Perez, TRMC, CMC
City Secretary