

ORDINANCE NO. 20230124-007

AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, TO AMEND THE "ZONING MAP OF THE CITY OF ANGLETON" BY CHANGING THE ZONING MAP DISTRICT DESIGNATION AND PROVIDING FOR A ZONING CHANGE TO A TRACT OF LAND CONTAINING 0.4213 ACRE, LOCATED AT 425 N. WALKER ST., ANGLETON, TEXAS; PROVIDING FOR A PENALTY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission conducted a public hearing on January 5, 2023; and

WHEREAS, the City Council conducted a public hearing on January 24, 2023; and

WHEREAS, notice of the public hearings was published in *The Facts* and mailed to property owners within 200 feet of the zoning request; and

WHEREAS, the Planning and Zoning Commission, on January 5, 2023, made findings of fact that rezoning of the property from the Commercial- Office Retail (C-OR) District to the 2F, Two-Family Residential District (Duplex) be approved.

WHEREAS, the City Council, on January 24, 2023, adopted the final report by reference the findings of fact made by the Planning and Zoning Commission.

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

SECTION 1. That the foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part of this Ordinance for all purposes as findings of fact.

SECTION 2. That the tract of land containing 0.4213 Acre, being Lot 163A20 in the Jose De Jesus Valderas Survey, Abstract 380 in the City of Angleton, Brazoria County, Texas. being the same tract recorded in the name of Kevin Manzano under Brazoria County Clerk's File (B.C.C.F.) No. 2016041486 of the Official Records of Brazoria County, Texas (O.R.B.C.T.), being further described in Volume 1718, Page 9 of the Brazoria County Deed records (B.C.D.R.), and being more particularly described by metes and bounds in Exhibit A, be rezoned from the Commercial- Office Retail (C-OR) District to the 2F, Two-Family Residential District (Duplex).

SECTION 3. That the Official Zoning Map of the City of Angleton is hereby amended in

accordance with the provisions of this Ordinance to show the change in zoning district classification.

SECTION 4. That any person or corporation violating any of the provisions of this Ordinance shall upon conviction be fined any sum not exceeding \$2,000 and each and every day that the provisions of this Ordinance are violated shall constitute a separate and distinct offense.

SECTION 5. That should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity of such section, or part shall in no way affect, impair or invalidate the remaining portion thereof, but as to such remaining portion, the same shall remain in full force and effect.

SECTION 6. That it is hereby found and determined that the meetings at which this Ordinance is considered are open to the public and that notice of the time, place and purpose thereof was given in accordance with the provisions of the Texas Government Code - Chapter 551, as amended, and that a quorum of the City Council was present.

SECTION 7. That this Ordinance shall be effective and in full force immediately upon its adoption.

PASSED AND APPROVED THIS 24TH DAY OF JANUARY, 2023.

CITY OF ANGLETON, TEXAS

Jason Perez
Mayor

ATTEST:

Michelle Perez, TRMC
City Secretary

Exhibit A
Legal Description

A tract of land containing 0.4213 Acre, being Lot 163A20 in the Jose De Jesus Valderas Survey, Abstract 380 in the City of Angleton, Brazoria County, Texas. being the same tract recorded in the name of Kevin Manzano under Brazoria County Clerk's File (B.C.C.F.) No. 2016041486 of the Official Records of Brazoria County, Texas (O.R.B.C.T.), being further described in Volume 1718, Page 9 of the Brazoria County Deed records (B.C.D.R.), and being more particularly described by metes and bounds as follows: (Bearings based on Volume 1718, Page 9 of the B.C.D.R.)

BEGINNING at a ½ inch iron rod with a "Precision" cap set at the intersection of the south right-of-way line of West Live Oak Street (60 Feet wide), and the west right-of-way of North Walker Street, being the southeast corner of Washington Terrace Subdivision. Section 1 as recorded in Volume 8, Page 15 of the Brazoria County Plat Records, being the northeast corner of this tract;

THENCE, SOUTH 02° 32' 57" EAST, with said west right-of-way line, a distance of 166.10 Feet to a 5/8 Inch iron rod found at the southeast corner of this tract;

THENCE, with lines of a tract recorded in the name of Community Service Company in Volume 1467, Page 234 of the B.C.D.R., the following two (2) courses:

1. SOUTH 86° 53' 17" WEST, a distance of 110.49 Feet to a point at the southwest corner of this corner of this tract (from which a fence post bears South 30° 56' 06" East, a distance of 2.14 Feet);
2. NORTH 02° 32' 57" WEST, a distance of 166.10 Feet to a ½ Inch rod with a "Precision" cap set on the aforementioned south right-of-way line of West Live Oak Street at the northwest corner of this tract (from which a ½ Inch rod found bears South 86° 53' 17" West, a distance of 58.34 Feet, from said a 1/2 Inch rod found a 3/8 Iron rod found bears South 86° 53' 17" West, a distance of 101.92 Feet, From said 3/8 Inch iron found a second ½ Inch iron rod found bears South 86° 30' 46" West, a distance of 287.37 Feet, from said second 1/2 Inch Iron rod found a third 1/2 Inch Iron rod found bears South 86o 30' 46" West, A distance of 60.37 Feet, from said third 1/2 Inch iron rod found a fourth 1/2 Inch iron rod found bears South 86° 30' 46" West, a distance of 54.91 Feet);

THENCE, NORTH 86° 53' 17" East, with said south right-of-

way line, being the south line of the aforementioned Washington Terrace Subdivision, Section 1, a distance of 110.49 Feet to the POINT OF BEGINNING and containing 0.4213 Acre of land, more or less.

Property commonly known as: 425 N. Walker, Angleton, TX 77515