

**ORDINANCE NO. 20210413-027**

**AN ORDINANCE BY THE CITY COUNCIL CITY OF ANGLETON, TEXAS REZONING 1.00 ACRE FROM CHAPTER 28 ZONING ARTICLE III ZONING DISTRICTS SECTION 28-60 LI LIGHT INDUSTRIAL DISTRICT TO ARTICLE III ZONING DISTRICTS SECTION 28-43 SFE-20 SINGLE FAMILY ESTATE RESIDENTIAL 20 DISTRICT OF THE CODE OF ORDINANCES CITY OF ANGLETON, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND PROVIDING FOR REPEAL AND AN EFFECTIVE DATE.**

**WHEREAS**, the City is authorized by Chapter 211 of the Texas Local Government Code to promulgate rules and regulations governing regulation of land use, structures, businesses, and related activities; and

**WHEREAS**, the City Council further finds that the rules and regulations governing land use, structures, and related activities within the territorial limits of the City promote the safe, orderly, and healthful development of the City; and

**WHEREAS**, on April 1, 2021 the Angleton Planning and Zoning Commission conducted a public hearing regarding a request by Tony and Emily Liles to rezone 1.00 acre from Chapter 28 Zoning Article III Zoning Districts Section 28-60 Light Industrial District to the Article III Zoning Districts Section 28-43 SFE-20 Single Family Estate Residential 20 District of the Code of Ordinances City of Angleton, Texas following lawful publication of the notice of said public hearing; and

**WHEREAS**, on April 1, 2021 after considering the public testimony received at such hearing, if any, the Planning and Zoning Commission has recommended that the request by Tony and Emily Liles to rezone 1.00 acre from Chapter 28 Article III Zoning Districts Section 28-60 Light Industrial District to the Article III Zoning Districts Section 28-43 SFE-20 Single Family Estate Residential 20 District be approved; and

**WHEREAS**, on April 13, 2021 the City Council of the City of Angleton conducted a public hearing regarding a request by Tony and Emily Liles to rezone 1.00 acre from Chapter 28 Zoning Article III Zoning Districts Section 28-60 Light Industrial District to the Article III Zoning Districts Section 28-43 SFE-20 Single Family Estate Residential 20 District of the Code of Ordinances City of Angleton, Texas following lawful publication of the notice of said public hearing; and

**WHEREAS**, on April 13, 2021 the City Council of the City of Angleton, Texas approved the request by Tony and Emily Liles to rezone 1.00 acre from Chapter 28 Article III Zoning Districts Section 28-60 Light Industrial District to the Article III Zoning Districts Section 28-43 SFE-20 Single Family Estate Residential 20 District of the Code of Ordinances City of Angleton, Texas following lawful publication of the notice of said public hearing; and

**WHEREAS**, each and every applicable requirement set forth in Chapter 211, Subchapter A, Texas Local Government Code and the Code of Ordinance of the City of Angleton, Texas, concerning public notices, hearings and other procedural matters have been fully met; and

**WHEREAS**, the City Council desires to rezone 1.00 acre from Chapter 28 Zoning Article III Zoning Districts Section 28-60 Light Industrial District to the Article III Zoning Districts Section 28-43 SFE-20 Single Family Estate Residential 20 District of the Code of Ordinances, City of Angleton, Texas;

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

**SECTION 1.** 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.** The request by Tony and Emily Liles, as described and depicted in Exhibit “A,” from Chapter 28 Zoning Article III Zoning Districts Section 28-60 Light Industrial District to the Article III Zoning Districts Section 28-43 SFE-20 Single Family Estate Residential 20 District of the Code of Ordinances, City of Angleton, Texas be approved.

**SECTION 3.** 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 the Ordinance occurs shall constitute a separate offense.

**SECTION 4.** 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.** 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 on or more parts.

**SECTION 6.** This ordinance shall be effective and in full force immediately upon its adoption.

**SECTION 7.** 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 AND APPROVED THIS THE 13<sup>TH</sup> DAY OF APRIL 2021.**

CITY OF ANGLETON, TEXAS

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Jason Perez  
Mayor

ATTEST:

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Frances Aguilar, TRMC, CMC  
City Secretary

EXHIBIT A





County: Brazoria  
Project: Buchta  
Job No.: 13725

#### FIELD NOTES FOR 1.000 ACRE

Being a tract of land containing 1.000 acres (43,560 square feet), located within I.T. Tinsley Survey, Abstract Number (No.) 375, in Brazoria County, Texas; Said 1.000 acre being a portion of Tracts 42 and 43 of the Bryan and Kiber Subdivision recorded in Volume 29, Page 75 of the Brazoria County Deed Records and a portion of a called 16.81 acre tract recorded in the name of John D. Hundl and wife, Donna M. Hundl under Brazoria County Clerk's File (B.C.C.F.) No. 2001053021; Said 1.000 acres being more particularly described by metes and bounds as follows (bearings are based on the Texas Coordinate System of 1983, (NAD83) South Central Zone, per GPS observations):

**COMMENCING** at a 1/2-inch iron pipe found in the east the right-of-way (R.O.W.) line of County Road 428 (AKA Buchta Road, sixty feet wide per Volume 29, Page 75 Brazoria County Deed Records), at the southwest corner of a called 1.00 acre tract recorded in the name of John D. Hundl Jr. under B.C.C.F. No. 2000046783, at a westerly corner of said 16.81 acre tract, from which a 1/2-inch iron rod found at the southeast corner of said 1.00 acre tract, being an interior corner of said 16.81 acre tract bears North 87 degrees 04 minutes 47 seconds East, a distance of 348.64 feet;

**THENCE**, with the east R.O.W. line of said County Road 428, being the west line of said 16.81 acre tract, South 02 degrees 55 minutes 33 seconds East, a distance of 215.45 feet to a 5/8-inch iron rod with cap stamped "Baker & Lawson" set for the **POINT OF BEGINNING** and northwest corner of the herein described tract;

**THENCE**, through and across said 16.81 acre tract the following three (3) courses:

1. North 87 degrees 04 minutes 27 seconds East, a distance of 264.00 feet to a 5/8-inch iron rod with cap stamped "Baker & Lawson" set for the northeast corner of the herein described tract;
2. South 02 degrees 55 minutes 33 seconds East, a distance of 165.00 feet to a 5/8-inch iron rod with cap stamped "Baker & Lawson" set for the southeast corner of the herein described tract;
3. South 87 degrees 04 minutes 27 seconds West, a distance of 264.00 feet to a 5/8-inch iron rod with cap stamped "Baker & Lawson" set on the east R.O.W. line of said County Road 428, being the west line of said 16.81 acre tract, for the southwest corner of the herein described tract;

**THENCE**, with the east R.O.W. line of said County Road 428, being the west line of said 16.81 acre tract, North 02 degrees 55 minutes 33 seconds West, a distance of 165.00 feet to the **POINT OF BEGINNING** and containing 1.000 acres of land.

This description is based on the standard land survey and plat made by Devin Royal, Texas Registration No. 6667 Registered Professional Surveyor.

*Devin Royal* 2-28-2020  
Devin R. Royal  
Registered Professional Land Surveyor  
Texas Registration No. 6667

