

## **A RESOLUTION**

### **A RESOLUTION OF THE CITY OF FAIR OAKS RANCH ADOPTING THE RULES OF PROCEDURE OF THE FAIR OAKS RANCH ZONING BOARD OF ADJUSTMENT; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the Fair Oaks Ranch City Council, under Ordinance 2019-03, adopted a Unified Development Code (UDC); and,

**WHEREAS**, Section 2.3 of the UDC established the Zoning Board of Adjustments; and

**WHEREAS**, Local Government Code 211.08 (e), states that The Zoning Board of Adjustment, by majority vote is tasked with adopting Rules of Procedure. These rules must then be approved by the governing body; and

**WHEREAS**, on March 14, 2022 the Zoning Board of Adjustments recommended approval of the Rules of Procedure; and,

**WHEREAS**, the City Council deems it is necessary to adopt these Rules of Procedures as necessary.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS THAT:**

- Section 1. The Fair Oaks Ranch Zoning Board of Adjustment Rules of Procedure shall be adopted as set forth in the attached, as “**Exhibit A**”.
- Section 2. That the recitals contained in the preamble hereto are hereby found to be true and such recitals are hereby made a part of this Resolution for all purposes and are adopted as part of the judgment and findings of the Council.
- Section 3. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Resolution be severable, and, if any phrase, clause, sentence, paragraph, or section of this Resolution shall be declared invalid by judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Resolution and the remainder of this Resolution shall be enforced as written
- Section 4. That it is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.
- Section 5. This Resolution shall take effect immediately.
- Section 6. The repeal or amendment of any Resolution or part of Resolutions effectuated by the enactment of this Resolution shall not be construed as abandoning any action now pending under or by virtue of such Resolution or as discontinuing, abating, modifying, or altering any penalty, accruing or to accrue or as affecting any rights of the City of Fair Oaks Ranch under any section or provisions of any Resolutions in effect at the time of passage of this Resolution.

Section 7. The provisions of this Resolution shall be cumulative of all Resolutions not repealed by this Resolution and Resolutions governing or regulating the same subject matter as that covered herein.

**PASSED, APPROVED and ADOPTED on this 17<sup>th</sup> day of March, 2022.**

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Gregory C. Maxton, Mayor

ATTEST:

APPROVED AS TO FORM:

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Christina Picioccio, TRMC, City Secretary

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Denton Navarro Rocha Bernal & Zech, P.C.,  
City Attorney