

ORDINANCE NO. 2021_____

AN ORDINANCE OF THE CITY OF GLEN ROSE, TEXAS, AMENDING THE ZONING ORDINANCE AND ZONING MAP TO CHANGE THE EXISTING ZONING CLASSIFICATION FROM A SPLIT “R-1” SINGLE FAMILY RESIDENTIAL ZONE/ “B-1” RESTRICTED COMMERCIAL ZONE TO SOLELY AN “R-1” SINGLE FAMILY RESIDENTIAL ZONE, FOR THE PROPERTY IDENTIFIED AS .430, TRACT 32 (WALKER ADD BLK A) ABST A136, A136 MILAM CO SCH LD, LOCATED AT 509 HEREFORD STREET, PROVIDING SAVINGS/REPEALING, SEVERABILITY, AND PROPER NOTICE, MEETING, AND QUORUM CLAUSES; AND, ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Glen Rose (City) is a Type A General Municipality; and

WHEREAS, Chapter 211 of the Texas Local Government Code grants the governing body of a municipality the authority to adopt zoning regulations for the municipality and to zone, or rezone as the case may be, property located within the municipality; and

WHEREAS, on May 10, 2021 the City received an application from Lionel Scott and Joni Lynn Nevils, owners and owner’s representative, Marilyn Phillips, for a zone change request for the property identified as .430, Tract 32 (Walker Add Blk A) Abst A136, A136 Milam Co Sch Ld, located at 509 Hereford Street, from R-1 (Single Family Residential)/ B-1 (Restricted Commercial) zoning districts to R-1 (Single Family Residential) zoning district;

WHEREAS, it is unclear why a small portion of a single family residential property was zoned as B-1 (Restricted Commercial);

WHEREAS, all the notices required by the City’s Ordinances and State Law have been mailed and published;

WHEREAS, on the City’s Future Land Use Map the Property is identified as a “R-1” Single Family Residential;

WHEREAS, after conducting a Public Hearing on June 1, 2021, the City’s Planning and Zoning Commission acted upon the rezoning request, voting to recommend that the City Council approve said request;

WHEREAS, after conducting a Public Hearing on June 8, 2021, the City Council determined for the good government, peace, and order of the City to approve the request to rezone the subject property;

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

SECTION 1. Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2. Description of the Subject Property. A .430, Tract 32 (Walker Add Blk A) Abst A136, A136 Milam Co Sch Ld, located at 509 Hereford Street, Glen Rose, Somervell County, Texas.

SECTION 3. Zoning Reclassification Granted. Glen Rose's Zoning Ordinance is hereby amended to reflect that the Subject Property is hereby rezoned from a split "R-1" Single-Family Residential Zone/"B-1" Restricted Commercial Zone to solely an "R-1" Single Family Residential Zone. The Zoning Map of the City shall be amended to reflect this zoning reclassification. The Property shall be developed and used in accordance with all applicable City, State, and federal laws, as they exist or maybe in the future amended, including but not limited to building codes, fire codes, and all accessibility standards as required by law.

SECTION 4. Savings/Repealing Clause. Chapter 14 "Zoning" of the City's Code of Ordinances shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 5. Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional, illegal or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Glen Rose hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof irrespective of the fact that anyone or more sections, subsections sentences, clauses, and phrases be declared unconstitutional or invalid.

SECTION 6. Proper Notice, Meeting, and Quorum. It is hereby officially found and determined that the meeting at which this Ordinance was adopted by a majority vote of the City Council of the City of Glen Rose, Texas was open to the public; that public notice of the time, place, and purpose of the meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code; and, that a quorum was present pursuant to §22.039 of the Texas Local Government Code.

SECTION 7. Effective Date. This Ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED this the 8th day of June, 2021.

APPROVED:

Julia Douglas, Mayor

ATTEST:

Stephanie Ritchie, City Secretary