

ORDINANCE NO. 2021.09.28B

AN ORDINANCE OF THE CITY OF GLEN ROSE, TEXAS, AMENDING THE ZONING ORDINANCE AND ZONING MAP TO CHANGE THE EXISTING ZONING CLASSIFICATION FROM A “B-2” GENERAL COMMERCIAL DISTRICT TO A “R-2M” SINGLE AND TWO-TO-FOUR FAMILY RESIDENTIAL AND MULTI-BUILDING RESIDENTIAL DISTRICT, FOR THE PROPERTY IDENTIFIED AS ACRES 0.637, ABST A135, MILAM CO SCH LD, LOT 1 BLOCK 1 CHEYNE WEST CHEYNE CENTER AT 407 LAKEVIEW DRIVE, 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 July 30, 2021 the City received an application from Jeff Finn, claiming authority to represent owner Cheyne, West, Cheyne LLC by providing a sales contract on the subject property, for a zone change request for the property identified as Acres 0.637, Abst A135, Milam Co Sch Ld, Lot 1 Block 1 Cheyne West Cheyne Center at 407 Lakeview Drive, from “B-2” (General Commercial District) to “R-2m” (Single and Two-to-Four Family Residential and Multi-Building Residential District;

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 “B-2” General Commercial, but nearby properties on the same side of Lakeview Drive are identified as “R-2m”;

WHEREAS, after conducting a Public Hearing on September 16, 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 September 28, 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. Acres 0.637, Abst A135, Milam Co Sch Ld, Lot 1 Block 1 Cheyne West Cheyne Center at 407 Lakeview Drive, 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 "B-2" (General Commercial District) to an "R-2m" (Single and Two-to-Four Family Residential and Multi-Building Residential District). 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 28th day of September 2021.

APPROVED:

Julia Douglas, Mayor

ATTEST:

Stephanie Ritchie, City Secretary