

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF IOWA COLONY, TEXAS  
GRANTING A WAIVER AND VARIANCE TO CERTAIN  
TRANSPARENCY REQUIREMENTS AT 2002 MERIDIANA PARKWAY;  
WITH RELATED PROVISIONS**

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY  
OF IOWA COLONY, TEXAS:**

**SECTION 1. Findings of Fact**

- a.** The Planning and Zoning Commission has made a written report to the City Council concerning this variance.
- b.** The City Council has determined that a waiver or variance should be granted as herein provided, because the criteria in Section 1.3.4.3 of the Unified Development Code have been satisfied.
- c.** All requirements of law concerning this ordinance and the waiver and variance herein granted have been satisfied.

**SECTION 2. Legal Requirements**

Section 3.5.3.12(b) of the Iowa Colony Unified Development Code provides:

“(b) Transparency – Each exterior wall of a commercial/retail/office building facing a public street must contain at least sixty-five (65) percent transparent material to allow visual penetration of at least three (3) feet into the building. Transparency includes stationary glass, windows, and the glass area of doors.”

**SECTION 3. Background**

The City has received an application for a variance from the above provision for a structure to be located at 2002 Meridiana Parkway. The background is more fully stated in the Staff Report attached hereto and incorporated herein in full.

**SECTION 4. Grant of Waiver and Variance**

Accordingly, the City Council hereby grants a waiver and variance to the requirements of Sections 3.5.3.12(b) of the Uniform Development Code concerning transparency for the proposed structure at 2002 Meridiana Parkway; provided, however, that this variance is granted:

- a.** only to the extent shown in the **attached drawing(s)**;

- b. but only to the extent stated in the **Staff Report attached hereto**;
- c. in reliance upon the statements of fact in the **attached Application for Variance Request or Appeal** filed in this matter; and
- d. subject to any conditions or limitations stated in the Staff Report.

**SECTION 5. Savings Clause**

The Unified Development Code and all other ordinances of the City shall remain in full force and effect except as specifically provided herein.

**SECTION 6. Severance Clause**

If any part of this ordinance, of whatever size, is ever declared invalid or unenforceable for any reason, the remainder of this ordinance shall remain in full force and effect.

**SECTION 7. Effective Date**

This ordinance shall be effective immediately upon its passage and approval.

PASSED AND APPROVED ON OCTOBER 16, 2023.

**CITY OF IOWA COLONY**

By: \_\_\_\_\_  
**WIL KENNEDY, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**KAYLEEN ROSSER, CITY SECRETARY**

APPLICATION  
AND  
STAFF REPORT

ATTACHMENTS TO ORDINANCE GRANTING  
VARIANCE TO CERTAIN PROVISIONS OF  
UNIFIED DEVELOPMENT CODE FOR  
2002 MERIDIANA PARKWAY