

ORDINANCE NO. 2023-633

AN ORDINANCE OF THE CITY OF SMITHVILLE, TEXAS AMENDING THE ZONING FOR THE AREA GENERALLY KNOWN AS 1502 WOODRESS LANE (BUNTE ADDITION BLOCK 9 LOT 2) AND THE ENTIRE BLOCK WHICH INCLUDES 1504 WOODRESS LANE (BUNTE ADDITION BLOCK 9 LOT 3-4), AND 1600 WOODRESS LANE (BUNTE ADDITION BLOCK 9 LOT 1) FROM SINGLE FAMILY & DUPLEX ZONING DISTRICT TO MIXED RESIDENTIAL ZONING DISTRICT; DIRECTING THE AMENDMENT OF THE ZONING MAP; REPEALING CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Irene Leonard C/O Stephanie Hoffman has filed an application, attached hereto as Exhibit A and incorporated herein for all purposes (the “*Application*”), requesting that zoning for the subject property located at 1502 Woodress Lane (ID #21592) and the entire block which includes 1504 Woodress Lane (ID #21596), and 1600 Woodress Lane (ID #21588), depicted and described in the Application (the “*Property*”), be changed from Single Family & Duplex District (SF2) to Mixed Residential (MR); and

WHEREAS, the Planning and Zoning Commission of the City of Smithville, Texas, and the City Council of the City of Smithville, Texas, in compliance with State law with reference to the zoning ordinance and zoning map of the City of Smithville, Texas, have given requisite notices by publication and otherwise, and after holding a due hearing and affording a full and fair hearing to all the property owners, generally and to the persons interested, situated in the affected area and in the vicinity thereof, the City Council, having received the final report of the Planning and Zoning Commission and having determined that the proposed zoning change will be harmonious with existing buildings, structures, and uses on abutting and nearby properties in the vicinity of the Property in accordance with the current zoning regulations of the City, has determined that changing the zoning of the Property as set forth herein will promote the health, safety and welfare of the public and is of the opinion that the Property should be zoned as set forth herein; and

WHEREAS, the City Council finds and determines that the meeting at which this Ordinance was passed was open to the public, that public notice of the time, place and purpose of said meeting was given as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code;

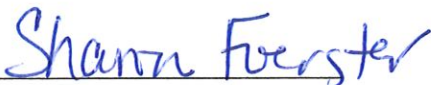
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SMITHVILLE, TEXAS THAT:

- 1. Findings of Fact.** The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.
- 2. Enactment.** The Property is hereby zoned Mixed Residential (MR).

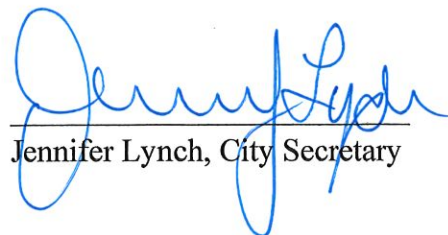
3. **Amendment of Zoning Map.** The City Manager is hereby ordered and directed to cause the Zoning Map of the City of Smithville to be amended to establish zoning for the Property in conformance with this ordinance.
4. **Repealer.** All ordinances, resolutions, or parts thereof, that are in conflict or are inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict or inconsistency, and the provisions of this Ordinance shall be and remain controlling as to the matter regulated herein.
5. **Severability.** Should any section, subsection, sentence, provision, clause, or phrase be held to be invalid for any reason, such holding shall not render invalid any other section, subsection, sentence, provision, clause, or phrase of this ordinance, and same are deemed severable for this purpose.
6. **Effective Date.** This Ordinance shall be effective as of the date of adoption.

PASSED, APPROVED AND ADOPTED THIS 12th DAY OF JUNE, 2023.

APPROVED:


Sharon Foerster, Mayor

ATTEST:


Jennifer Lynch, City Secretary