

## ORDINANCE No. 2022-122

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROANOKE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF ROANOKE, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM OAK STREET CORRIDOR ZONING DISTRICT – NEIGHBORHOOD TRANSITION ZONE TO OAK STREET CORRIDOR ZONING DISTRICT – NEIGHBORHOOD TRANSITION ZONE – SPECIFIC USE PERMIT (SUP) TO ALLOW SINGLE-FAMILY RESIDENTIAL ATTACHED DWELLING UNIT (TOWNHOMES) FOR LOTS 4, 5, AND 6, BLOCK A OF MORNINGSIDE ADDITION, AN ADDITION LOCATED WITHIN THE CITY OF ROANOKE, DENTON COUNTY, TEXAS, AND WHICH IS MORE PARTICULARLY DESCRIBED AND/OR DEPICTED IN EXHIBIT “A” WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES; PROVIDING A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS,** after public notice and public hearing as required by law, the Planning and Zoning Commission for the City of Roanoke, Texas, has recommended that the official zoning map of the City of Roanoke, Texas, be amended to reflect that the zoning on Lots 4, 5, and 6, Block A of the Morningside Addition, an addition located within the City of Roanoke, Denton County, Texas, and being more particularly described and/or depicted in **Exhibit A** of this Ordinance, which is attached hereto and incorporated herein for all purposes, be changed from Oak Street Corridor Zoning District – Neighborhood Transition Zone to Oak Street Corridor Zoning District – Neighborhood Transition Zone – Specific Use Permit (SUP) to allow single-family residential attached dwelling unit (townhomes) use; and

**WHEREAS,** the Planning and Zoning Commission of the City of Roanoke, Texas, and the City Council of the City of Roanoke, Texas, in compliance with the laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested, and the City Council of the City of Roanoke, Texas, is of the opinion and finds that said changes should be granted and that the Comprehensive Zoning Ordinance should be amended.

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

### **Section 1.** FINDINGS INCORPORATED

That the findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

### **Section 2.**

That the Comprehensive Zoning Ordinance and official zoning map of the City of Roanoke, Texas, be and the same is hereby amended to reflect that the zoning on Lots 4, 5, and 6, Block A of the Morningside Addition, an addition located within the City of Roanoke, Denton County, Texas, and being more particularly described and/or depicted in **Exhibit A** of this Ordinance, which is attached hereto and incorporated herein for all purposes, is changed from Oak Street Corridor Zoning District – Neighborhood Transition Zone to Oak Street Corridor Zoning District – Neighborhood Transition Zone – Specific Use Permit (SUP) to allow single-family residential attached dwelling unit (townhomes) use.

**Section 3.**

The City Secretary is directed to engross and enroll this Ordinance in the Code of Ordinances of the City of Roanoke and to reflect this change of zoning on the official zoning map of the City of Roanoke, Texas.

**Section 4. PENALTY CLAUSE**

Any person, firm, or corporation violating any of the provisions or terms of this Ordinance shall be guilty of a misdemeanor and upon conviction, shall be fined a sum not to exceed \$2,000.00 for each offense, and each and every violation or day such violation shall continue or exist, shall be deemed a separate offense.

**Section 5. SEVERABILITY CLAUSE**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**Section 6. EFFECTIVE DATE**

This Ordinance shall become effective immediately upon its passage and publication as required by law.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Roanoke, Texas, on this the 23<sup>rd</sup> day of August, 2022.

**APPROVED:**



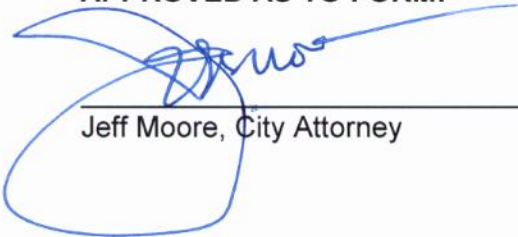
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Carl E. Gierisch, Jr., Mayor

**ATTEST:**



\_\_\_\_\_  
April S. Hill, City Secretary

**APPROVED AS TO FORM:**



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Jeff Moore, City Attorney





***Exhibit A***

Legal Description and/or Depiction  
of the  
Property

**LOTS 4, 5, AND 6, BLOCK A OF MORNINGSIDE ADDITION, AN  
ADDITION LOCATED WITHIN THE CITY OF ROANOKE,  
DENTON COUNTY, TEXAS**