

ORDINANCE No. 2023-110

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROANOKE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROANOKE, TEXAS, FOR AN APPROXIMATELY 1.00 ACRE TRACT OF LAND LOCATED IN THE M.E.P. & P.R.R. COMPANY SURVEY, ABSTRACT NO. 923, CITY OF ROANOKE, DENTON COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED AND OR DEPICTED IN EXHIBIT "A" WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES, AND GENERALLY LOCATED AT 105 DORMAN STREET, ROANOKE, TEXAS, BY CHANGING THE ZONING ON SAID TRACT OR TRACTS FROM SINGLE FAMILY-7 (SF-7) DISTRICT TO RETAIL (R) DISTRICT; PRESCRIBING THE PERMISSIBLE USES THEREOF; 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 the approximately 1.00 acres tract or tracts located in the M.E.P. & P.R.R. Company Survey, Abstract No. 923, City of Roanoke, Denton County, Texas, and being more particularly described and depicted in **Exhibit A** of this Ordinance, which is attached hereto and incorporated herein for all purposes, be changed from Single Family-7 District (SF-7) to Retail District (R); 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, THAT:

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.

The approximately 1.00 acres tract or tracts located in the M.E.P. & P.R.R. Company Survey, Abstract No. 923, City of Roanoke, Denton County, Texas, and being more particularly described and depicted in **Exhibit A** of this Ordinance, which is attached hereto and incorporated herein for all purposes, and presently zoned Single Family- 7 District (SF-7) is changed to Retail District (R).

Section 3.

The property shall be developed in strict accordance with the allowable land uses for the property being more particularly described and depicted in **Exhibit A** of this Ordinance, which is attached hereto and incorporated herein for all purposes.

Section 4.

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 5. 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 6. SEVERABILITY CLAUSE

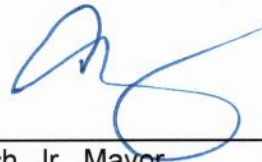
It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of 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 7. 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 21st day of August, 2023.

APPROVED:



Carl E. Gierisch, Jr., Mayor

ATTEST:



April S. Hill, City Secretary

APPROVED AS TO FORM:

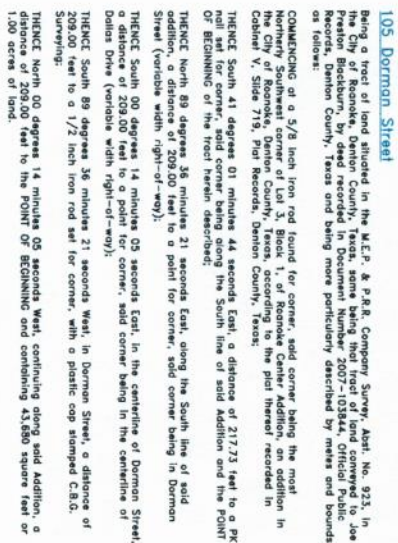


Jeff Moore, City Attorney



Exhibit A

Property Description and Depiction
of the
Approximately 1.00 Acre Tract of Land



The undersigned Registered Professional Land Surveyor, Thomas W. Meach, hereby certifies to the accuracy of the foregoing information and that the same was obtained from the Oldenwood Investment Partners and Independence Title, in connection with the transaction described in C.F. 151.9900-SGD, that: (a) this survey and all necessary descriptions set forth herein were prepared by the undersigned, or under his direct supervision, and were actually conducted by the Surveyor, or under his direction; (c) all measurements have been actually made on the date of the survey, and the location, size and type of natural threat are correctly shown; Use of this survey by any other parties and/or for other purposes shall be at their own peril, and any loss resulting from use of this survey shall be the responsibility of the user; and (d) the survey is not intended to constitute a representation of ownership or interest in the land shown, and no warranty is made by the Surveyor as to the accuracy of property lines and dimensions are as indicated; location and type of buildings are as shown; and EXCEPT AS SHOWN, all improvements are located within the boundaries of the land shown; and that the survey was made for the purposes indicated and there are no visible and apparent encroachments or perturbations on the ground.

Executed this 27th day of July, 2015

Thomas W. Mouk
Registered Professional Land Surveyor No. 5119

1.00 ACRES

M.E.P. & P.R.R. COMPANY SURVEY, ABST. NO. 923

CITY OF ROANOKE, DENTON COUNTY, TEXAS

105 DORMAN STREET