

ORDINANCE NO. 785

AN ORDINANCE OF THE CITY OF KYLE, TEXAS, AMENDING ORDINANCE 438, ARTICLE II-ZONING DISTRICTS AND REGULATIONS (SECTION 53-33.GENERAL REQUIREMENTS AND LIMITATIONS) TO EXEMPT PROPERTIES WITHIN THE ORIGINAL TOWN OF KYLE FROM THE RESIDENTIAL REQUIREMENT OF CONSTRUCTION OF A GARAGE. AUTHORIZING THE CITY SECRETARY TO AMEND ORDINANCE 438 OF THE CITY OF KYLE SO AS TO REFLECT THIS CHANGE; PROVIDING FOR PUBLICATION DATE; PROVIDING FOR SEVERABILITY; AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW

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

SECTION 1. Ordinance 438 amended as set forth in Exhibit A. Added text is indicated by underlining. Deleted text is indicated by strikethroughs. In codifying the changes authorized by this ordinance, paragraphs, sections and subsections may be renumbered and reformatted as appropriate and consistent with the existing numbering and formatting of the existing ordinance.

SECTION 2. That the City Secretary is hereby authorized and directed to update the City of Kyle code to reflect the changes made in Exhibit A and by proper endorsement indicate the authority for said notation.

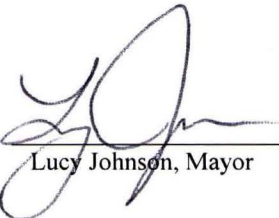
SECTION 3. If any provision, section, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid (or for any reason unenforceable), the validity of the remaining portions of this Ordinance or the application to such other persons or sets of circumstances shall not be affected hereby, it being the intent of the City Council of the City of Kyle in adopting this Ordinance, that no portion hereof or provision contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion or provision.

SECTION 4. This Ordinance shall be published according to law and shall be and remain in full force and effect from and after the date of publication.

SECTION 5. It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law.

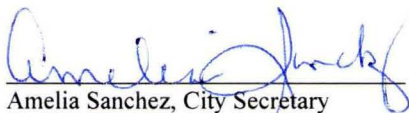
READ, CONSIDERED, PASSED AND APPROVED ON FIRST READING by the City Council of Kyle at a regular meeting on the 4 day of Mar., 2014, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

APPROVED this 18th day of March, 2014.



Lucy Johnson, Mayor

ATTEST:



Amelia Sanchez, City Secretary

PART II - CODE OF ORDINANCES

Chapter 53 - ZONING

ARTICLE I. IN GENERAL

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Sec. 53-1. Authority.

Sec. 53-2. Title.

Sec. 53-3. Purpose and intent.

Sec. 53-4. Jurisdiction and intent.

Sec. 53-5. Definitions.

Sec. 53-6. Application.

Sec. 53-7. Exemptions.

Sec. 53-8. Enforcement of regulations.

Secs. 53-9—53-32. Reserved.

Sec. 53-7. Exemptions.

The provisions of this chapter shall not:

- (1) Prohibit the continuation of plans, construction or designed use of a building for which a building permit was lawfully issued and which:
 - a. Is completed in its entirety within one year from the effective date of the ordinance from which this chapter is derived; and
 - b. For which construction shall have been started within 90 days after the effective date of the ordinance from which this chapter is derived; provided that any such building, construction or use that is not in compliance with this chapter shall be a nonconforming use; or
- (2) Apply to permits or commitments given by the city with reference to construction of public utility buildings prior to the passage of the ordinance from which this chapter is derived shall be observed.
- (3) Residential development located within the Original Town of Kyle shall be exempt from constructing a garage. Should a garage be constructed the garage location requirements of the zoning district shall be observed.

(Ord. No. 438, § 7, 11-24-2003)