

**ORDINANCE NO. 725-2021-05**

**AN ORDINANCE OF THE CITY OF VENUS, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION OF THREE TRACTS OF LAND WITH APPROXIMATELY 1.15 TOTAL ACRES OF LAND, LEGALLY DESCRIBED AS TRACTS ABST 26 TR 9D R BERRY, ABST 26 TR 9E R BERRY, ABST 26 TR 9G R BERRY, WITHIN THE CITY OF VENUS, JOHNSON COUNTY, TEXAS, FROM RESIDENTIAL ("R1") DISTRICT TO THE COMMERCIAL RETAIL ("CR") DISTRICT; SAID TRACTS BEING GENERALLY LOCATED NORTH OF US HWY 67, EAST OF US HWY 157, AND SOUTH OF CR 620 WITH LEGAL DESCRIPTIONS OF TRACTS ABST 26 TR 9D R BERRY, ABST 26 TR 9E R BERRY, ABST 26 TR 9G R BERRY AND WHICH ARE INCORPORATED HAEC VERBA; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF, MAKING FINDINGS OF FACT; AND PROVIDING FOR OTHER RELATED MATTERS.**

**WHEREAS**, Adel Sebita ("Applicant") has requested that approximately 1.15 acres of land, legally described as **TRACTS ABST 26 TR 9D R BERRY, ABST 26 TR 9E R BERRY, ABST 26 TR 9G R BERRY**, generally located **NORTH OF US HWY 67, EAST OF US HWY 157, AND SOUTH OF CR 620**, within the City of Venus, Johnson County, Texas, (the "Property"), be rezoned; and

**WHEREAS**, at least fifteen (15) days after publication in the official newspaper of the City of the time and place of two public hearings and at least thirty (30) days after written notice of that hearing was mailed to the owners of land within two hundred feet of the Property pursuant to Sec. 211.006(b) of the Texas Local Government Code; and

**WHEREAS**, at least fifteen (15) days after publication in the official newspaper of the City of the time and place of a public hearing for the requested rezoning, the City Council held the second public hearing for the requested rezoning, on May 14<sup>th</sup>, 2018, and the City Council deems it appropriate to grant the requested rezoning.

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

**SECTION 1.** The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

**SECTION 2.** The zoning classification of the Property is hereby changed from the residential ("R-1") District to the Commercial/Retail ("CR") District subject to the regulations, restrictions, and conditions hereafter set forth.

**SECTION 3.** The Official Zoning Map of the City of Venus, Texas shall be revised and amended to show the designation of the Property as Commercial/Retail District, with the appropriate reference thereon to the number and effective date of this Ordinance and a brief description of the nature of the change.

**SECTION 4.** This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City of Venus, save and except the change in zoning classification for the Property to the Light Industrial District as described above.

**SECTION 5.** In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of Venus, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

**SECTION 6.** Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

**DULY PASSED** by the City Council of the City of Venus, Texas, this the 10<sup>th</sup> day of May 2021.

**APPROVED.**

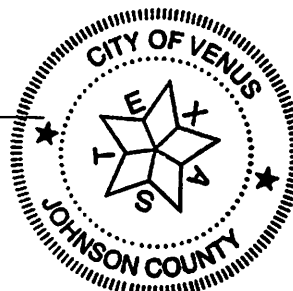
By: \_\_\_\_\_

James L. Burgess, Mayor

**ATTEST:**

By: \_\_\_\_\_

Callie Green, City Secretary





\*VG-93-2021-18175\*

Johnson County  
Becky Ivey  
Johnson County Clerk

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Instrument Number: 18175

Real Property Recordings

Recorded On: May 19, 2021 04:01 PM

Number of Pages: 3

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" Examined and Charged as Follows: "

Total Recording: \$30.00

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\*\*\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\*

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY  
because of color or race is invalid and unenforceable under federal law.

**File Information:**

Document Number: 18175  
Receipt Number: 20210519000196  
Recorded Date/Time: May 19, 2021 04:01 PM  
User: Heidi P  
Station: ccl15

**Record and Return To:**  
CITY OF VENUS  
ATTN CALLIE GREEN  
700 W HWY 67  
VENUS TX 76084



**STATE OF TEXAS  
Johnson County**

**I hereby certify that this Instrument was filed in the File Number sequence on the date/time  
printed hereon, and was duly recorded in the Official Records of Johnson County, Texas**

Becky Ivey  
Johnson County Clerk  
Johnson County, TX

*Becky Ivey*