

**ORDINANCE NO. 2020-04**

**AN ORDINANCE AMENDING ORDINANCE NO. 2018-02, AS AMENDED, THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ANNETTA NORTH, TEXAS, BY CHANGING THE ZONING CLASSIFICATION ON APPROXIMATELY 2.12 ACRES OF LAND, DESCRIBED AS LOT 1, MEYER RESIDENCE, AN ADDITION OF THE TOWN OF ANNETTA NORTH, PARKER COUNTY, TEXAS, FROM ITS PRESENT CLASSIFICATION OF "AG" AGRICULTURAL DISTRICT TO "R-2" SINGLE-FAMILY RESIDENTIAL DISTRICT—2.0 ACRE LOTS, AND REVISING THE OFFICIAL ZONING MAP IN ACCORDANCE THEREWITH; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Annetta North, Texas is a Type A general law municipality located in Parker County, and created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, the Town Council of the Town of Annetta North heretofore adopted Ordinance No. 2018-02, as amended, the Comprehensive Zoning Ordinance of the Town of Annetta North, which Ordinance regulates and restricts the location and use of buildings, structures and land for trade, industry, residence and other purposes, and provides for the establishment of zoning districts of such number, shape and area as may be best suited to carry out these regulations; and

**WHEREAS**, in accordance with Section 7 of Ordinance No. 2018-02, as amended, the owner of property consisting of approximately 2.12 acres of land, described as Lot 1 Meyer Residence, an Addition of the Town of Annetta North, Parker County, Texas, and known locally as : 2001 Underwood Road (the "Property") has filed an application to amend the zoning on the Property from its present classification of "AG" Agricultural District to "R-

2" Single-Family Residential District—2.0 Acre Lots; and

**WHEREAS**, the Town Council of the Town of Annetta North, Texas, held a public hearing on April 14, 2020, with respect to the zoning change described herein; and

**WHEREAS**, the Town has complied with all requirements of Chapter 211 of the Local Government Code, and Ordinance No. 2018-02, and all other laws dealing with notice, publication and procedural requirements for the approval of a zoning change on the property.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ANNETTA NORTH, TEXAS, THAT:**

**SECTION 1.**

Ordinance No. 2018-02, as amended, is hereby amended by rezoning the Property consisting of approximately 2.12 acres of land located at 2001 Underwood Road, and being more fully described as:

Lot 1 Meyer Residence, an Addition of the Town of Annetta North, Parker County, Texas, from its present classification of "AG" Agricultural District to "R-2" Single-Family Residential District—2.0 Acre Lots.

**SECTION 2.**

The zoning district, as herein established, has been made in accordance with a Comprehensive Land Use Plan for the purpose of promoting the health, safety, morals and general welfare of the community.

**SECTION 3.**

The official map of the Town of Annetta North is amended and the Town Secretary is directed to revise the official zoning map to reflect the approved zoning classification as set

forth above.

#### **SECTION 4.**

This Ordinance shall be cumulative of all provisions of ordinances of the Town of Annetta North, Texas, as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

#### **SECTION 5.**

It is hereby declared to be the intention of the Town Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase 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 sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the Town Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

#### **SECTION 6.**

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00). Each day that a violation is permitted to exist shall constitute a separate offense.

#### **SECTION 7.**

All rights and remedies of the Town of Annetta North are expressly saved as to any and all violations of the provisions of Ordinance No. 2018-02, as amended, or any

ordinances governing zoning that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.


**SECTION 8.**

The Town Secretary of the Town of Annetta North is hereby directed to publish this ordinance or its caption and penalty in the official Town newspaper as required by Section 52.011 of the Texas Local Government Code.

**SECTION 9.**

This Ordinance shall be in full force and effect from and after the date of its passage and publication as required by law, and it is so ordained.

**PASSED AND APPROVED ON THIS 9<sup>th</sup> DAY OF JUNE 2020.**

  
*Robert Schmidt*  
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MAYOR

ATTEST:

*Shirley Emore*  
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TOWN SECRETARY