

City of Cottonwood Shores

ORDINANCE 14008

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES, TEXAS, REZONING 0.153 ACRES OF LAND OUT OF THE F. ENGLEKING SURVEY NO. 611 IN BURNET COUNTY, TEXAS, AND MORE COMMONLY REFERRED TO AS THE BWD PROPERTY IN THE COTTONWOOD SHORES BLUFFVIEW SECTION AS RECORDED IN VOLUME 1, PAGE 200, OF THE PLAT RECORDS OF BURNET COUNTY, TEXAS, TO ZONING CLASSIFICATION C-1, LIGHT COMMERCIAL; AUTHORIZING THE MAYOR AND THE CITY SECRETARY OF THE CITY OF COTTONWOOD SHORES, TEXAS, TO EXECUTE AND ATTEST, RESPECTIVELY, A NEWLY UPDATED OFFICIAL ZONING MAP OF THE CITY OF COTTONWOOD SHORES, TEXAS, REFLECTING SUCH REZONING FOR SUBSEQUENT FILING WITH THE CITY SECRETARY, BUILDING OFFICIAL, AND PLANNING AND ZONING OFFICIAL IN ACCORDANCE WITH THE RULES AND REGULATIONS PROMULGATED IN ORDINANCE 14000

History: November 15, 2012 – Repealed Ordinance 092106-C and Adopted Ordinance 14008.

WHEREAS, the City Council of the City of Cottonwood Shores, Texas has previously adopted Ordinance 14000 establishing zoning districts and zoning regulations within the City of Cottonwood Shores, Texas; and

WHEREAS, Article IV, Section 75, Administration, Amendments, of Ordinance 14000 of the City of Cottonwood Shores, Texas provides that said zoning ordinance may be amended by the City Council of the City of Cottonwood Shores, Texas after public hearing, due notice of which shall be given as required by law; and

WHEREAS, on July 20, 2006, the City Council of the City of Cottonwood Shores, Texas held a public hearing on the rezoning of 0.153 acres of land out of the F. Engleking Survey No. 611 in Burnet County, Texas and more commonly known as the BWD property in the Cottonwood Shores Bluffview Section, as recorded in Volume 1, Page 200 of the Plat Records of Burnet County, Texas (the "Property") to C-1, Light Commercial; and

WHEREAS, due and proper notice of said public hearing on the rezoning of the Property

was given in accordance with the requirements of law and any and all persons desiring to speak at said public hearing concerning the rezoning were afforded an opportunity to do so; and

WHEREAS, the City Council of the City of Cottonwood Shores, Texas finds that the rezoning of the Property to C-1, Light Commercial, is consistent with the current use of the Property in that the City currently leases the Property for commercial purposes; and

WHEREAS, the City Council of the City of Cottonwood Shores, Texas finds that the rezoning of the Property to C-1, Light Commercial, is consistent with the development plans of the adjoining property owners; and

WHEREAS, the City Council of the City of Cottonwood Shores, Texas finds that all of the requirements of state law related to the rezoning of the Property to C-1, Light Commercial, have been satisfied and that such rezoning is proper and appropriate.

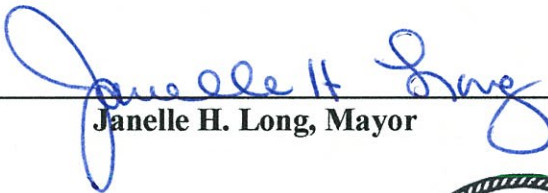
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES, TEXAS:

1. **That** the recitals set forth above are found to be true and correct and are hereby adopted as the finding of fact of the City Council of the City of Cottonwood Shores, Texas.
2. **That** the Property described as 0.153 acres of land out of the F. Engleking Survey No. 611 in Burnet County, Texas and more commonly known as the BWD property in the Cottonwood Shores Bluffview Section, as recorded in Volume 1, Page 200 of the Plat Records of Burnet County, Texas is hereby rezoned to C-1, Light Commercial, and to the extent necessary, Ordinance 14000 is hereby amended to effectuate such rezoning.
3. **That** the Mayor and City Secretary of the City of Cottonwood Shores, Texas, are hereby authorized to execute and attest, respectively, an addendum to the Official Zoning Map of the City of Cottonwood Shores, Texas, dated as of September 21, 2006, to record the rezoning of the Property and to file such map and addendum with the City Secretary, the City Building Official and the Planning and Zoning Official of the City of Cottonwood Shores, Texas in accordance with the Rules and Regulations promulgated in Ordinance 14000.
4. **That** if any word, phrase, clause, sentence, paragraph, section or other part of this ordinance, or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of this ordinance and the application of such word, phrase, clause, sentence, paragraph, section or other part of this ordinance to any other persons or circumstances shall not be affected thereby. All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict only.

5. **That** the City Council officially finds, determines and declares that sufficient written notice of the date, hour, place and subject of each meeting at which this ordinance was discussed, considered or acted upon was given in the manner required by the Open Meetings Law, Chapter 551, Texas Government Code, as amended, and that such meeting has been open to the public as required by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof.
6. **That** this Ordinance shall be effective immediately upon its passage and adoption.

ORIGINAL ORDINANCE PASSED, APPROVED and ADOPTED this the 21st day of September, 2006.

PASSED THIS THE 15th DAY OF NOVEMBER 2012, AT A MEETING OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES, TEXAS, THERE BEING A QUORUM PRESENT, BY 5 YEAS AND 0 NAYS.



Janelle H. Long, Mayor



ATTEST:



Sheila C. Moore, City Secretary