

ORDINANCE NO. 571

**AN ORDINANCE OF THE CITY OF GLEN ROSE, TEXAS, AMENDING THE ZONING ORDINANCE AND ZONING MAP TO CHANGE THE EXISTING ZONING CLASSIFICATION FROM “R-1” SINGLE FAMILY RESIDENTIAL ZONE TO “B-2” GENERAL COMMERCIAL ZONE, LEGALLY DESCRIBED IN EXHIBIT A, MORE COMMONLY KNOWN AS THE HOSPITAL DISTRICT, PROVIDING SEVERABILITY, REPEALING AND SAVINGS CLAUSES; PROVIDING A PENALTY OF A FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000) FOR EACH AND EVERY OFFENSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.**

**WHEREAS**, the City Council of the City of Glen Rose, ("City Council"), has investigated and determined the City of Glen Rose, Texas ("Glen Rose" or "City") should amend the zoning map as provided herein and pursuant to a notice being duly posted according to law, conducted a public hearing wherein a request was made by The Code Enforcement Officer, of Glen Rose, Texas, ("Applicant") to change the existing “R-1” Single Family Residential Zone of the Hospital District” to “B-2” General Commercial Zone and

**WHEREAS**, the tracts of land are in the City of Glen Rose, Somervell County, Texas, being legally described in Exhibit A, more commonly known as The Hospital District, (the "Property"); and

**WHEREAS**, the City Council has investigated and determined that it would be advantageous and beneficial to the citizens of Glen Rose to grant the zoning change, and that such grant will not be detrimental to the public welfare, safety or health; and

**WHEREAS**, the Planning and Zoning Commission of the City on October 19, 2015, and the City Council on November 9, 2015, in compliance with the laws of the State of Texas and the ordinances of the City, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and in the exercise of its legislative discretion have concluded that the Zoning Ordinance and Zoning Map of the City should be amended.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GLEN ROSE, TEXAS:**

**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. Zoning Reclassification Granted.** Glen Rose's Zoning Ordinance is hereby amended to reflect that the Property, is hereby rezoned from an "R-1" Single Family Residential zoning to a "B-2" General Commercial Zone. The Zoning Map of the City shall be amended to reflect this zoning reclassification. The Property shall be developed and used in accordance with all applicable City, state and federal laws, as they exist or may be in the future amended, including but not limited to building codes, fire codes and all accessibility standards as required by law.

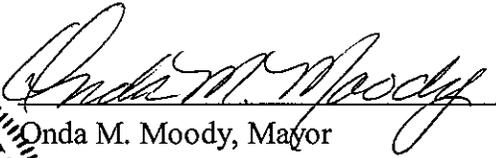
**SECTION 3. Savings/Repealing Clause.** Glen Rose's Zoning Ordinance, Code of Ordinances shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

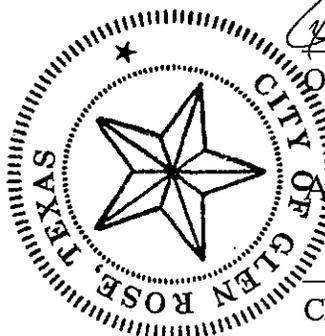
**SECTION 4. Severability.** Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional, illegal or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Glen Rose hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

**SECTION 5. Penalty Provision.** Any person, firm, corporation or entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined a sum not exceeding Two Thousand Dollars (\$2,000.00). Each occurrence in violation of this Ordinance and/or each day the violation continues shall constitute a separate and distinct offense. The penal provisions imposed under this Ordinance shall not preclude Glen Rose from filing suit to enjoin the violation nor shall it preclude Glen Rose from taking such other lawful action as is necessary to prevent or remedy any violation. Glen Rose retains all legal rights and remedies available to it pursuant to local, state and federal law.

**SECTION 6. Effective Date.** This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases require.

**DULY ADOPTED** by the City Council of the City of Glen Rose, Texas on the 9<sup>th</sup> day of November, 2015.

  
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Onda M. Moody, Mayor

The seal of the City of Glen Rose, Texas, is circular with a five-pointed star in the center. The words "CITY OF GLEN ROSE, TEXAS" are written around the perimeter of the seal.

ATTEST:  
  
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Christy Badilla, TRMC, City Secretary

The Property, commonly known as the "Hospital District" encompasses the following properties:

- a. Subd: R0700, Roden, Lot 7,8,9,10 more commonly known as 419 Glenwood Street, (CAD ID R1355)
- b. Subd: R0700, Roden, Lot 11 & 12, Glenwood Street (CAD ID R1475)
- c. Acres: 0.660, Tract: C5-27, Abst: A136, A136 Milam Co Sch LD, Tract C5-27, Acres .66, SN 101540261R, more commonly known as 306 S Gaither Street, (CAD ID R1503)
- d. Acres: 1.130, Tract C5-5-1, Abst: A136, A136 Milam Co Sch LD, Tract C5-5-1, Acres 1.13, more commonly known as 300 S Gaither Street (CAD ID R2039)
- e. Acres: 5.136, Tract C5-28, Abst, A136 Milam Co Sch LD, Tract C5-28, Acres 5.136, more commonly known as 1019 Holden Street, (CAD ID R2750)
- f. Acres: 0.281, Tract: C5-23, Abst: A136, A136 Milam Co Sch LD, Tract C5-23, more commonly known as 908 Embrey Lane (CAD ID R2968)
- g. Acres: 3.000, Subd: C6-13, C6-13 John Parker MH Park Abst 136 Milam Co Sch LD, Tract C6-13 Parker MH Park, Acres 3.0, more commonly known as 1033 College Avenue (CAD ID R3285)
- h. Acres: 0.539, Tract C6-18, Abst: A136, A136 Milam Co Sch LD, Tract C6-18 .539 Acres, more commonly known as 407 Glenwood Street (CAD ID R3750)
- i. Acres: 0.190, Tract: C5-22, Abst: A136, A136 Milam Co Sch LD, Tract C5-22, more commonly known as 906 Embrey Lane (CAD ID R4086)
- j. Tract: D7-28, Abst: A136 Milam Co Sch LD, Tract D7-28, more commonly known as 1021 Holden Street (CAD ID R4809)
- k. Acres: 0.390, Tract: C6-20-1, Abst: A136, A136 Milam Co Sch LD, Tract C6-20-1, Acres .39, more commonly known as Hwy 67 (CAD ID R9521)