

ORDINANCE NO. 814

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOWE, TEXAS, AMENDING HOWE'S ZONING ORDINANCE, AS AMENDED, TO REZONE A TRACT OF LAND, CONSISTING OF 30.06± ACRES OF LAND LOCATED IN THE MARCUS C MCKINNEY SURVEY, ABSTRACT NO. 831, GRAYSON COUNTY, TEXAS, IN THE CITY OF HOWE, GRAYSON COUNTY, TEXAS, HERETOFORE ZONED SF-1; PROVIDING THAT THE TRACT IS HEREBY REZONED AS C-2; DESCRIBING THE TRACT TO BE REZONED; PROVIDING A PENALTY CLAUSE, SAVINGS AND REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City of Howe has received a request to change the zoning on the subject property from Single-Family-1 (SF-1) zoning district to a General Commercial District (C-2) zoning district;

WHEREAS, the property is currently zoned SF-1;

WHEREAS, the Planning and Zoning Commission and the City Council, in compliance with state laws and the City of Howe zoning ordinance, have given the required notices and held the required public hearings regarding the rezoning of the subject property; and

WHEREAS, the City Council finds that it is in the public interest to grant this change in zoning.

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

SECTION 1. The subject property ("Property") is described as being located at US HIGHWAY 75, Howe, Texas, and further identified as: GCAD Property ID # 132240, THOMPSON MICHELLE FOSTER TRUST, A TRACT OF LAND, CONSISTING OF 30.06± ACRES OF LAND LOCATED IN THE MARCUS C MCKINNEY SURVEY, ABSTRACT NO. 831, GRAYSON COUNTY, TEXAS, IN THE CITY OF HOWE, GRAYSON COUNTY, TEXAS, to wit:

TRACT TWO:

Beginning at the southeast corner of Lot 1 of Abbington Meadows Apartments as recorded in Volume 22 Page 152 O.R.G.C.T.;

Thence with the west right-of-way line of U.S. Highway 75 the following calls:

1. SOUTH 00°38'40" EAST, a distance of 201.00 feet;
2. SOUTH 01°45'16" EAST, a distance of 800.18' feet from which a broken concrete monument bears SOUTH 48°22'08" EAST, a distance of 15.09 feet;
3. SOUTH 04°57'31" EAST, a distance of 200.60 feet;
4. SOUTH 00°40'31" EAST, a distance of 860.80 feet to the northeast corner of the tract described in the deed to David L Carson recorded in Volume 1716 Page 393 O.R.G.C.T.

Thence SOUTH 89°47'57" WEST, a distance of 649.99 feet to the southwest corner of said David L Carson tract;

Thence NORTH 00°28'43" WEST, a distance of 2069.43 feet to a 1/2 inch iron rod found at the south west corner of said Lot 1;

Thence SOUTH 89°28'04" EAST, a distance of 613.06 feet returning to the Point of Beginning and enclosing 30.06 acres 1,309,572 square feet.

See attached Exhibit 1 for further depiction of Tract Two (the "Property"). Exhibit 1 is hereby incorporated by reference.

SECTION 2.

The zoning classification for the Property is hereby changed from SF-1 to C-2 Zoning District. The City of Howe Zoning Ordinance, as amended, is further amended by approving a change of zoning for the Property from SF-1 to C-2 (General Commercial District). Update of the City zoning map is hereby authorized.

SECTION 3. All ordinances, or portions thereof, of the City of Howe in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed; otherwise, they shall remain in full force and effect.

SECTION 4. The Property described in Section 1 of this ordinance shall be used only in the manner and for the purposes provided for by the City of Howe Zoning Ordinance, as amended.

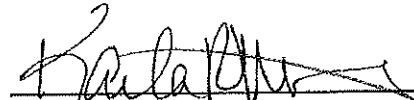
SECTION 5. The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. Should any word, sentence, clause, paragraph, or provision of this ordinance be held to be invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 6. Any violation of the provisions or terms of this Ordinance by any person, partnership or entity shall be deemed a Class C Misdemeanor criminal offense, and upon conviction thereof, shall be subject to a penalty of fine, or any other general penalties, as provided in the City of Howe Zoning Ordinance, or successor and as amended.

SECTION 7. This Ordinance shall be published in the City's official newspaper.

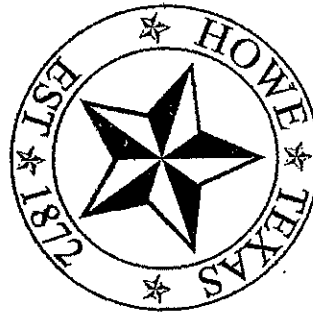
SECTION 8. This Ordinance shall take effect and be in force from and after publication.

DULY PASSED AND APPROVED by the City Council of the City of Howe, Texas, on the 20th day of February, 2024.


Karla McDonald, Mayor

ATTEST:


Joy Stevens, Interim City Secretary



APPLICATION FOR ZONE CHANGE

TO THE CITY COUNCIL AND PLANNING & ZONING COMMISSION
CITY OF HOWE

Application is hereby made to the City Council to amend the Zoning Ordinance and to change the Zoning District Map of the City of Howe as hereinafter set forth and in support of such request the following facts are shown:

APPLICANT Michelle Foster Thompson Trustee Phone Number: 817-688-3967

MAILING ADDRESS 3814 Travis Blvd

Hansfield, Tx 76065

STREET ADDRESS Same

DESCRIPTION OF PROPERTY 30.06 acres - Abstract 831

LOT Tract 2 BLOCK _____ ADDITION Marcus C. McKinney Survey

CURRENT ZONE Residential REQUESTED ZONE Commercial C-2

FRONTAGE IN FEET 1,861.45' ON Highway 75 Frontage STREET Including Heavy Equipment

DEPTH IN FEET 649.99'

Applicants interest in property Owner
(Owner, agent, lease option, etc.)

Reason for request Commercial use

Proposed use of property 5-10 acres nearest Carson Auction - Heavy Equipment Sales - Concrete Drives

Set backs, parking spaces, etc., proposed _____

Michelle Foster Thompson 1/31/2014
Signature Trustee Date