

ORDINANCE NO. 18- 06

AN ORDINANCE RELATING TO A CONDITIONAL USE PERMIT AUTHORIZING MAYOR TO EXECUTE SAID ORDINANCE, AND AUTHORIZING CITY SECRETARY TO AUTHENTICATE MAYOR'S SIGNATURE TO SAID ORDINANCE, GRANTING AUTHORITY TO THE CITY MANAGER OR HIS DESIGNATE TO AUTHORIZE ZONING CHANGE, AND AUTHORIZING CITY SECRETARY TO AUTHENTICATE CITY MANAGER'S SIGNATURE TO ANY AND ALL INSTRUMENTS REQUISITE IN IMPLEMENTING THIS ORDINANCE.

A regular meeting of the City Council of the City of Commerce, Texas, was held in Commerce, Texas, at City Hall, on the 21st day of August 2018 at 6:00 p.m., a majority of Council Members being present and constituting a quorum, the following Ordinance was adopted:

WHEREAS, the owners of the property located at 225 Brookhaven Terrace, in the City of Commerce, reference is made thereto for all purposes, said owners have made application for a conditional use permit in a R10 Single-Family Dwelling District for duplex use, for the use of said premises being more particularly described in said application, as well as in the minutes of the City of Commerce, Texas, Planning and Zoning Commission meeting of August 7, 2018, and which minutes are attached hereto, marked Exhibit "A" and made a part hereof just as if copied herein verbatim; and

WHEREAS, the Planning and Zoning Commission of the City of Commerce, Texas, in accordance with Section 19 of the Zoning Ordinance of the City of Commerce, Texas, after conducting a public hearing on said request and all other prerequisites relating thereto, and after consideration of the grounds for a conditional use permit in a R10 Single-Family Dwelling District for duplex use, voted unanimously to deny the conditional use permit application; and

WHEREAS, the City Council, after having reviewed the action of the Planning and Zoning Commission and its recommendation, as well as having complied with all prerequisites of the Zoning Ordinance of the City of Commerce, Texas, relative to a conditional use permit in a R10 Single-Family Dwelling District for duplex use, deems it in the best interest and general welfare of the City of Commerce that said application for a conditional use permit allowing duplex use should be authorized for the owners of the property, attached hereto and marked Exhibit "B", as provided for in Section 10, Subsection 10-201, Duplex Use and Subsection 10-400 through 10-415 of the Zoning Ordinance of the City of Commerce, Texas.

NOW, THEREFORE, BE IT RESOLVED that the Mayor of the City of Commerce, Texas, be authorized and he is hereby authorized to execute this Ordinance, and the City Manager or his designate in accordance with this Ordinance be authorized and he is hereby authorized to approve zoning change on such property described in said application.

BE IT FURTHER RESOLVED that the City Secretary be authorized and she is hereby authorized to attest to the signature of the Mayor to this Ordinance, and to attest to the signature of the City Manager to any instruments requisite to implementing this Ordinance.

PASSED AND APPROVED on the FIRST READING at a regular meeting of the City Council of the City of Commerce, Texas, on the 21st day of August, 2018.

PASSED AND APPROVED on the SECOND READING at a regular meeting of the City Council of the City of Commerce, Texas on this the 18th day of September, 2018.

ATTEST:

CITY OF COMMERCE, TEXAS

Molly Jacobsen, City Secretary

Wyman Williams, Mayor

(seal)

APPROVED:

Patricia Adams, City Attorney

I, Molly Jacobsen, City Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of an Ordinance, and that the same has not been repealed and is in full force and effect.

(seal)

Molly Jacobsen, City Secretary
City of Commerce, Texas

Sworn to and subscribed before me, on this the _____ day of _____, 2018 to certify which witness my hand and seal of office.

(Seal)

Notary Public, State of Texas