

ORDINANCE #: 2016-08-18A

AN ORDINANCE AMENDING ORDINANCE NO. 2014-10-07A CHAPTER 96 CITY OF OVERTON ZONING ORDINANCE; SECTION 6; DISTRICT "SF" SINGLE FAMILY RESIDENTIAL AND SECTION 7; DISTRICT "MF" MULTI-FAMILY RESIDENTIAL, BY ADDING MINIMUM AREA PER DWELLING UNIT STANDARDS; PROVIDING FOR A PENALTY OF UP TO \$500.00 AS DEFINED IN APPENDIX B "SCHEDULE OF FINES" OF THE OVERTON CODE OF ORDINANCES, A REPEALER, A SEVERABILITY CLAUSE, PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, application has been properly made to amend the Zoning Ordinance of the City of Overton, Texas, requesting that a minimum living area square foot per dwelling unit be set in Single Family Residential and Multi-Family Residential Zoning Districts; and

WHEREAS, said application has been properly heard by the Planning and Zoning Commission of the City of Overton, Texas, as required by State statutes and the Zoning Ordinance of said City; and

WHEREAS, notice of a public hearing before the Planning and Zoning Commission was published in a newspaper of general circulation in Overton at least ten (10) days before such public hearing and said application has been properly heard by the Planning and Zoning Commission; and

WHEREAS, notice of a public hearing before City Council was published in a newspaper of general circulation in Overton at least 15 days before such hearing and said application has been properly heard by the Planning and Zoning Commission; and said application has been properly heard by the Overton City Council; and,

WHEREAS, public hearings to amend the text of the Comprehensive Zoning Ordinance herein described were held before both the Planning and Zoning Commission and the City Council as required by State statutes and the Zoning Ordinance of said City, and the Planning and Zoning Commission has heretofore made a recommendation concerning such amendment; and

WHEREAS, said Planning and Zoning Commission has made a recommendation to APPROVE the amendment adding Minimum Area per Dwelling Unit to Section 6. District "SF" Single Family Residential and Section 7. District "MF" Multi-Family Residential, and all legal requirements, conditions and prerequisites having been complied with, the case having come before the City Council of said City, after all legal notices, requirements, conditions and prerequisites having been complied with; and

WHEREAS, the City Council is of the opinion that the zone change amendment herein effectuated furthers the purpose of zoning as set forth in the Comprehensive Zoning Ordinance and is in the best interest of the citizens of the city of Overton;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OVERTON, TEXAS THAT

SECTION 1: ADDITIONS AND AMENDMENTS

That Section 2.34 of the Comprehensive Zoning Ordinance of the City of Overton shall hereby be amended to the following

“Section 2 – Definitions”

“34. Dwelling, Multiple-Family. A “multiple-family dwelling” is a building or portion thereof constructed for and/or occupied by two or more families and containing two or more dwelling units.”

That Section 6.05 of the Comprehensive Zoning Ordinance of the City of Overton shall be hereby amended to add the following:

“Section 6.05 – MINIMUM AREA PER DWELLING UNIT”

Zoning District	Lot Size	Minimum Sq. Ft. of Living Area	Maximum Building(s) Footprint
SF	Lots with 6,000 sq. ft. or more	1,000 sq. ft.	40% lot coverage
SF	Lots with less than 6,000 sq. ft.	750 sq. ft.	40% lot coverage

That Section 7.05 of the Comprehensive Zoning Ordinance of the City of Overton shall be hereby amended to add the following:

“Section 7.05 – MINIMUM AREA PER DWELLING UNIT”

Zoning District	Lot Size	Minimum Sq. Ft. of Living Area	Maximum Building(s) Footprint
MF	Lots with 6,000 sq. ft. or more	600 sq. ft. per dwelling unit (each additional bedroom must be a minimum of 100 additional sq. ft.)	40% lot coverage
MF	Lots with less than 6,000 sq. ft.	500 sq. ft. per dwelling unit; (each additional bedroom must be a minimum of 100 additional sq. ft.)	40% lot coverage

SECTION 2: PENALTY

Any person, firm or corporation violating any provision of this ordinance shall be deemed guilty of a misdemeanor and upon final conviction thereof fined in an amount not to exceed Five Hundred Dollars (\$500.00). Each day any such violations shall be allowed to continue shall constitute a separate violation and punishable hereunder.

SECTION 3: PUBLICATION

The City Secretary is hereby authorized and directed to cause the publication of the descriptive caption and penalty clauses of this Ordinance as an alternative method of publication provided by law.

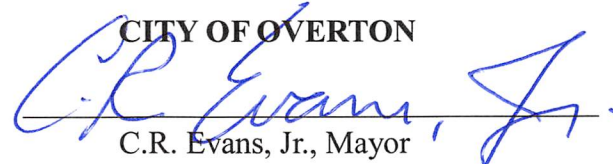
SECTION 4: EFFECTIVE DATE

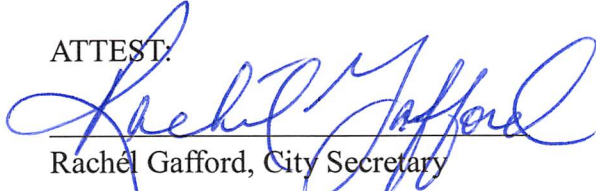
This Ordinance shall become effective from and after the date of its approval and adoption as provided by law.

**PRESENTED ON FIRST READING ON THE 14th DAY OF July, 2016
 AT A SPECIAL CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF
OVERTON, TEXAS.**

AND IT IS SO ORDAINED.

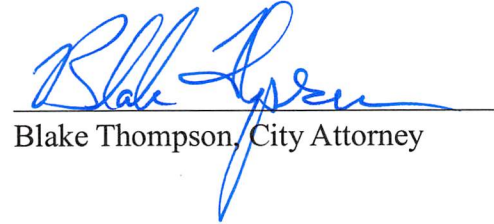
**PRESENTED ON SECOND READING AND APPROVED ON THIS 18th DAY
OF August, 2016 BY A VOTE OF 4 AYES, NAYS
ABSTENTIONS, AT A REGULAR CALLED MEETING OF THE CITY COUNCIL OF
THE CITY OF OVERTON, TEXAS.**

CITY OF OVERTON

C.R. Evans, Jr., Mayor

ATTEST:

Rachel Gafford, City Secretary



APPROVED AS TO FORM AND LEGALITY:


Blake Thompson, City Attorney