

**ORDINANCE NO. 2017-07-20A**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCE OF THE CITY OF OVERTON BY AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF OVERTON, GRANTING A ZONING CHANGE FROM A SINGLE FAMILY RESIDENTIAL (SF) ZONING DISTRICT TO A HEAVY INDUSTRIAL (HI) ZONING DISTRICT ON APPROXIMATELY 2.296 ACRES OF LAND BEING LEGALLY DESCRIBED AS LOT 1, BLOCK 5, WARREN ADDITION, OVERTON, RUSK COUNTY, TEXAS. THE SUBJECT PROPERTY IS LOCATED NORTH OF EAST CORNER OF THE INTERSECTION OF WARREN AND MCKAY STREETS AND IS MORE COMMONLY REFERRED TO AS 601 E. MCKAY STREET, OVERTON, RUSK COUNTY, TEXAS. (ZC2017-01)**

**WHEREAS**, the current zoning of the tract of land is Single Family Residential (SF); and

**WHEREAS**, application has been properly made to amend the Official Zoning Map of the City of Overton, Texas, requesting that the current zoning of such properties be changed to Heavy Industrial (HI) Zoning; and

**WHEREAS**, said applications have 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**, said Planning and Zoning Commission has recommended that the change of land use classification and zoning classification as requested be APPROVED, 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 of the City of Overton, Texas, at a called public hearing did consider all appropriate factors in determining whether to grant such requested changes; and

**WHEREAS**, the City Council of the City of Overton, Texas does find that the requested changes are in the public interest and that the zoning change does not unreasonably invade the rights of adjacent property owners;

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

**SECTION 1.** The Zoning Ordinance of the City of Overton, Texas, be, and the same is hereby amended and changed in that the use of the properties described upon the attached Exhibit "B" (which Exhibit is made a part hereof for all purposes) is hereby changed and assigned a Heavy Industrial (HI) Zoning classification.

**SECTION 2.** The Community Development Coordinator is hereby directed to correct the official zoning map of the City of Overton, Texas, to reflect the herein change in zoning.

**SECTION 3.** In all other respects, the use of the tract or tracts of land hereinabove described shall be subject to all the applicable regulations contained in said City of Overton Zoning Ordinance and all other applicable and pertinent ordinances of the City of Overton, Texas.

**SECTION 4.** This ordinance shall be cumulative of all other ordinances of the City of Overton and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

**SECTION 5.** This ordinance shall take effect on its final passage, and it is so ordained.

**PRESENTED ON FIRST READING THIS 15<sup>th</sup> DAY OF JUNE, 2017**

**PRESENTED ON SECOND READING AND APPROVED THIS 20<sup>TH</sup> DAY OF JULY, 2017**

**BY A VOTE OF 4 AYES, 0 NAYS, 0 ABSTENTIONS, AT A REGULAR 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 CONTENT AND FORM:**

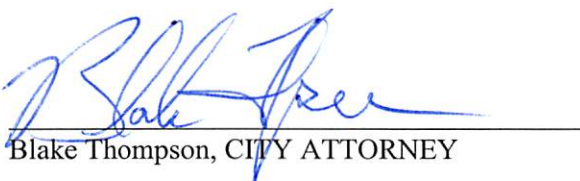
  
Blake Thompson, CITY ATTORNEY

Exhibit "A"

