

ORDINANCE O-140-19

AN ORDINANCE AMENDING THE ZONING MAP DESCRIBED IN CHAPTER I, SECTION 3 OF THE ZONING ORDINANCE OF THE CITY OF ATHENS, TEXAS, BY APPROVING AND ALLOWING A SPECIFIC USE PERMIT FOR THE INSTALLATION OF A MANUFACTURED HOME, PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, on the 2nd day of December 2019, the Planning and Zoning Commission of the City of Athens, Texas after due notice and hearing did hereby vote to recommend approval of the Specific Use Permit for a manufactured home for the following described property, owned by Carnell Jackson and Lavinia Russell:

Lot 24, Block 1
Fairview Addition
Abstract 797 of the B. C. Walters Survey
also known as 400 St. Joseph Street

WHEREAS, on the 9th day of December 2019, the City Council of the City of Athens, Texas after due notice as required by law, held a public hearing for said specific use permit approval and heard from those opposed to said modification and those in favor of same. After the close of the public hearing, the ordinance amendment was read aloud for the first time as required by the City of Athens Charter, Article III, Section 3.11.

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

Section 1. The Zoning Map described in Chapter I, Section 3 of the City of Athens Zoning Ordinance is hereby amended to grant a Specific Use Permit for a manufactured home for the above described property.

Section 2. Should any clause, phrase, sentence or section of this Ordinance be deemed invalid or unconstitutional by a court of competent jurisdiction, said finding shall not affect the remaining clauses, phrases, sentences or sections of this Ordinance.

Section 3. Any ordinance, resolution or order previously passed and/or adopted by the City Council, or any part thereof, if found to be in conflict with the provisions of this Ordinance, shall be resolved in favor of the terms and conditions of this Ordinance, and any prior conflicting ordinance, resolution or order or any part thereof, is hereby repealed to the extent of said conflict.

Section 4. This ordinance shall be and become effective from and after its adoption and publication in accordance with the provisions of the Charter of the City of Athens, Texas.

PASSED, APPROVED and ADOPTED this the **23rd** day of **December 2019** at a regular meeting of the City Council of the City of Athens, Texas, with the following record vote:

| | |
|-----------------------------|-----|
| Monte Montgomery, Mayor | Aye |
| Ed McCain, Mayor Pro Tem | Aye |
| Aaron Smith, Councilmember | Aye |
| Toni Clay, Councilmember | Aye |
| Robert Gross, Councilmember | Aye |

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| Voted in favor of the motion | 5 |
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| Voted against the motion | 0 |
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| Motion carried | 5-0 |
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Monte Montgomery, Mayor

ATTEST:

Bonnie Hambrick, City Secretary