

ORDINANCE O-91-19

AN ORDINANCE AMENDING THE CITY OF ATHENS,  
TEXAS ZONING ORDINANCE O-12-01, ADOPTED APRIL 23,  
2001.

WHEREAS, heretofore, on the 5<sup>th</sup> day of August 2019, the Planning and Zoning Commission of the City of Athens, Texas after due notice and hearing did hereby vote to approve the Specific Use Permit for a 105-foot monopole communication tower to be located in the following described property zoned as **Retail (R)**, owned by Kelly and Sara Smith:

Lots 23A and 23B, Block 1; and  
Lots 11-14 and 14A of Block 3  
Abstract 171 of the R. A. Clark Survey  
also known as 852 East Corsicana Street

WHEREAS, the City Council of the City of Athens, Texas gave due notice as required by law that the City Council of the City of Athens, Texas would have a hearing upon said request for said specific use permit approval and did thereafter at the time and place specified in said notice have said hearing at which time the City Council heard from those opposed to said modification and change and those in favor of same.

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

That the Specific Use Permit for a 105-foot monopole communication tower is hereby granted in the Retail (R) zoning district in the above described property with the stipulation that there shall be a 65 foot building setback from the base of the tower in which no structures shall be erected, and

First reading this the 12<sup>th</sup> day of August 2019.

**PASSED, APPROVED and ADOPTED** this the 26<sup>th</sup> day of **August, 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, Councilmember/Mayor Pro Tem	Aye
Aaron Smith, Councilmember	Aye
Toni Clay, Councilmember	Aye
Robert Gross, Councilmember	Nay

4 voted in favor of the motion and

1 voted against the motion.

Motion carried 4-1

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Monte Montgomery, Mayor

ATTEST:

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Bonnie Hambrick, City Secretary