ORDINANCE NO. 2023-07

AN ORDINANCE AMENDING ORDINANCE NO. 2002-04, AS AMENDED, THE ZONING REGULATIONS OF THE CITY OF SAGINAW, TEXAS, BY APPROVING A SPECIFIC USE PERMIT TO ALLOW THE CONSTRUCTION AND USE OF A CARPORT ON CERTAIN PROPERTY LOCATED AT 1145 WEST HILLS TERRACE IN SAGINAW, TEXAS; REVISING THE OFFICIAL ZONING MAP IN ACCORDANCE THEREWITH; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE SUBJECT TO ALL APPLICABLE ZONING REGULATIONS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Saginaw, Texas ("City"), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council of the City heretofore adopted Ordinance No. 2002-04, as amended, the Zoning Regulations of the City of Saginaw, which Ordinance regulates and restricts the location and use of buildings, structures, and land for trade, industry, residence, and other purposes, and provides for the establishment of zoning districts of such number, shape, and area as may be best suited to carry out these regulations; and

WHEREAS, in accordance with Sections 1-3 and 5-4 of the Zoning Regulations of the City, the owner of the property located at 1145 West Hills Terrace, Saginaw, Texas, has filed an application for a Specific Use Permit to allow the construction and use of a carport; and

WHEREAS, the Planning and Zoning Commission of the City held a public hearing on February 14, 2023, and the City Council of the City held a public hearing on February 21, 2023, with respect to the Specific Use Permit described herein; and

WHEREAS, the City Council has determined that the requested specific use is compatible with adjacent property use and consistent with the character of the neighborhood, and deems it advisable and in the public interest to grant such permit on the terms and conditions described herein; and

WHEREAS, the City has complied with all requirements of the City Zoning Regulations, Chapter 211 of the Local Government Code, and all other laws dealing with notice, publication, and procedural requirements for granting a Specific Use Permit for the property.

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

SECTION 1.

Ordinance No. 2002-04, Appendix A of the City Code, as amended, is hereby amended by approving the following specific use on the hereinafter described property and area, subject to all applicable zoning regulations:

Applicant: Julie A. Mankins

Property Address: 1145 West Hills Terrace, Saginaw, Texas 76179

Legal Description: Lot 26, Block 11, Parkwest Addition, an addition to the City of Saginaw, Tarrant County, Texas, as recorded in Volume 388-141, Page 81, of the Tarrant County Deed Records.

Zoning Change: The property shall remain located in the Single Family (SF2) Zoning District, and a Specific Use Permit to allow the construction and use of a carport is hereby granted subject to the terms and conditions provided herein.

SECTION 2.

The Specific Use Permit as herein established has been made in accordance with the Comprehensive Land Use Plan for the purpose of promoting the health, safety, morals, and general welfare of the community.

SECTION 3.

The official Zoning Map of the City is amended and the City Secretary is directed to revise the official Zoning Map to reflect the approved Specific Use Permit as set forth above.

SECTION 4.

The use of the property described above shall be subject to all applicable regulations contained in the Zoning Regulations and all other applicable and pertinent ordinances of the City of Saginaw.

SECTION 5.

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Saginaw, Texas, as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 6.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause, or phrase.

SECTION 7.

Any person, firm or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars ($2,000.00). Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 8.

All rights and remedies of the City of Saginaw are expressly saved as to any and all violations of the provisions of Ordinance No. 2002-04, as amended, or any ordinances governing zoning that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance, but may be prosecuted until final disposition by the courts.

SECTION 9.

The City Secretary of the City of Saginaw is hereby directed to publish in the official newspaper of the City of Saginaw, the caption and the penalty clause of this ordinance in accordance with Section 52.013(b) of the Texas Local Government Code.

SECTION 10.

This Ordinance shall be in full force and effect from and after the date of its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED ON THIS 21st DAY OF FEBRUARY, 2023.

_____

MAYOR, TODD FLIPPO

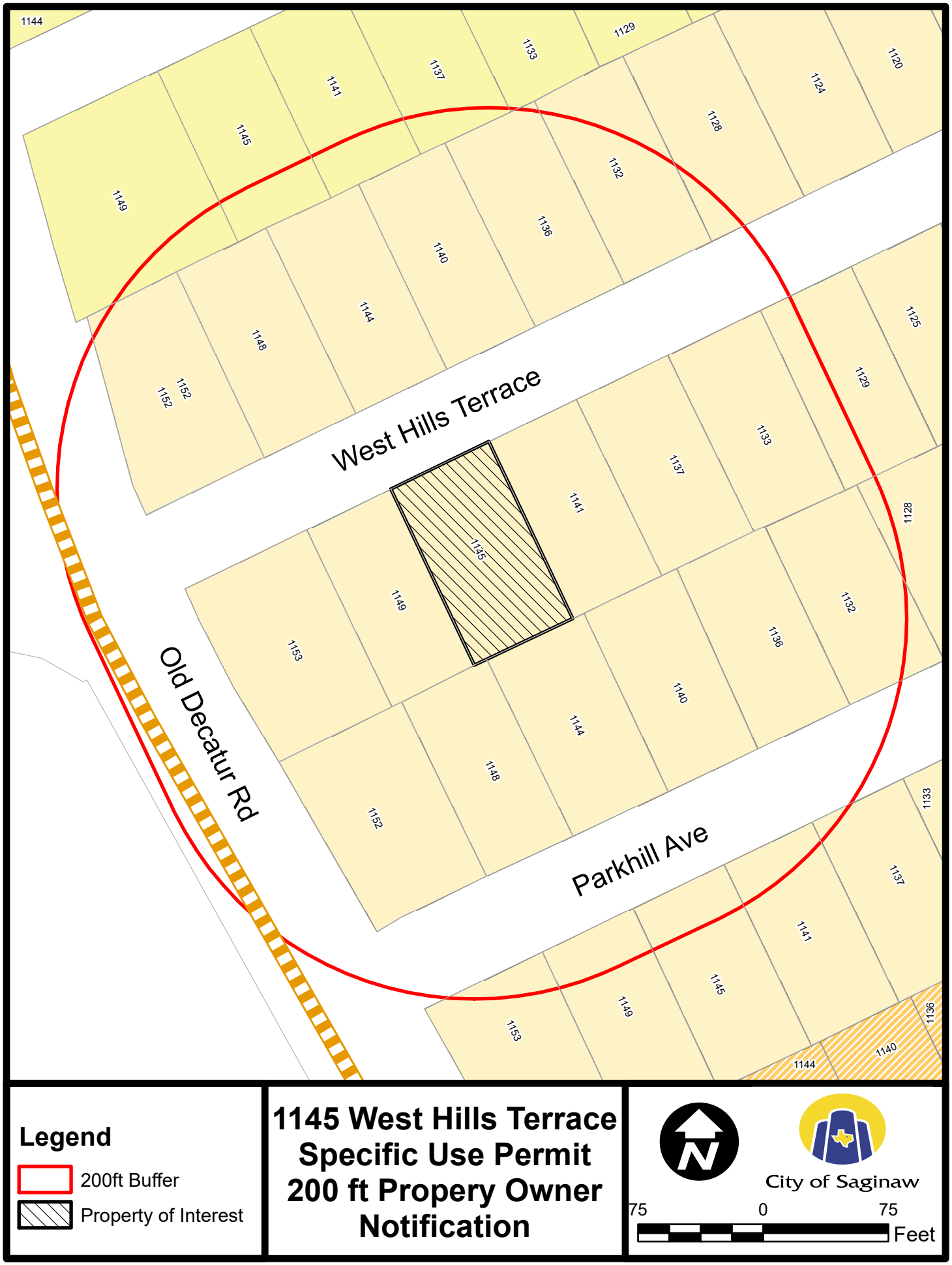
ATTEST:

_____
CITY SECRETARY, JANICE ENGLAND

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

_____
CITY ATTORNEY, BRYN MEREDITH



Legend

200ft Buffer

Property of Interest

1145 West Hills Terrace Specific Use Permit 200 ft Propery Owner Notification

City of Saginaw

75 0 75 Feet