

ORDINANCE NO. 185 F

AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING ARTICLE III OF ORDINANCE NO. 185, THE CITY'S ZONING ORDINANCE SECTION 64(c)(i), TO PROVIDE EXCEPTIONS FOR NON-CONFORMING SINGLE FAMILY RESIDENCES IN COMMERCIAL DISTRICTS; PROVIDING FOR OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS.

Whereas, the Planning & Zoning Commission held a public hearing on the proposed amendments to Ordinance No. 185, the City's Zoning Ordinance, and forwarded its recommendation on the amendments to the City Council;

Whereas, after publishing notice of the public hearing at least fifteen days prior to the date of such hearing, the City Council at a public hearing has considered the proposed amendments to the City's Zoning Ordinance and finds that the amendments are reasonable and necessary to protect the health, safety, and welfare of the present and future residents of the City;

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

Section 1. Findings. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact. The City Council hereby further finds and determines that the rules, regulations, terms, conditions, provisions and requirements of this ordinance are reasonable and necessary to protect the public health, safety and quality of life.

Section 2. Amend Section 64(c)(i), Ordinance No. 185. That Ordinance No. 185 at Section 64(c)(i) be amended in its entirety so that such section shall read as follows:

(i) No existing structure devoted to a non-conforming use shall be enlarged, extended, constructed or reconstructed. Notwithstanding this requirement, single family residential use in existence prior to establishment of a commercial district zone in which the single family residential use is located and caused to be non-conforming through rezoning, may be enlarged or extended up to ten percent (10%) of the floor area of the structure existing at the time of adoption of the commercial district; provided that any enlargement or reconstruction must comply with height, setback, and impervious cover requirements for the applicable commercial district. Cumulative increases in the floor area of the structure may not exceed ten percent (10%) in any five year period.

Section 6. Amendment of Conflicting Ordinances. Article III, Section 64(c)(i) of Ordinance No. 185, the City's Zoning Ordinance, is hereby amended as provided in this ordinance. All ordinances and parts of ordinances in conflict with this Ordinance are amended to the extent of such

conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the city, the terms and provisions of this ordinance shall govern.

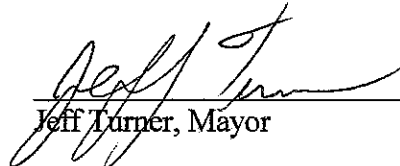
Section 4. Savings Clause. All rights and remedies of the City of Manor are expressly saved as to any and all violations of the provisions of any ordinances affecting zoning within the City which have accrued at the time of the effective date of this ordinance; and as to such accrued violations and all 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 5. Effective Date. This ordinance shall take effect immediately from and after its passage.

Section 6. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't. Code.*

PASSED AND APPROVED on this 20 day of September, 2006.

THE CITY OF MANOR, TEXAS



Jeff Turner, Mayor

ATTEST:



Delia M. Luna, City Secretary