



**CITY OF LEONARD, TEXAS
ORDINANCE NO. 021423-2**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEONARD, TEXAS, AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF LEONARD, THE SAME BEING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF LEONARD, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY BY ESTABLISHING THE INITIAL ZONING CLASSIFICATION OF SF-1, "SINGLE-FAMILY RESIDENTIAL DISTRICT-1," ON A CERTAIN ±3.485 ACRES OF LAND LEGALLY DESCRIBED AS FANNIN COUNTY APPRAISAL DISTRICT PROPERTY ID 80375, SITUATED IN THE M. MOORE SURVEY ABSTRACT NO. A0780, CITY OF LEONARD, FANNIN COUNTY, TEXAS, AND COMMONLY KNOWN AS 16660 S HWY 78, LEONARD, TEXAS; PROVIDING THAT THE PROPERTY SHALL BE USED IN ACCORDANCE WITH THE REQUIREMENTS OF THE COMPREHENSIVE ZONING ORDINANCE AND ALL OTHER APPLICABLE ORDINANCES OF THE CITY; PROVIDING REPEALING, SEVERABILITY, AND SAVINGS CLAUSES; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS ADOPTED SHALL BE OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City of Leonard, Texas (the "City") is a type A general-law municipality located in Fannin County operating pursuant to its Code of Ordinances and provisions of the state law including the Texas Local Government Code; and

WHEREAS, the City Council of the City (the "City Council") adopted Chapter 14 of its Code of Ordinances, the same being the Comprehensive Zoning Ordinance of the City, which governs the zoning of land in the City (the "Zoning Ordinance"); and

WHEREAS, the owner of the property has requested to establish an initial zoning classification of SF-1, "Single-Family Residential – 1," on a certain ±3.485 acres of land legally described as Fannin County Appraisal District Property ID 80375, situated in the M. Moore Survey Abstract no. A0780, City of Leonard, Fannin County, Texas, and commonly known as 16660 S Hwy 78, Leonard, Texas, further described and depicted in the map in **Exhibit "A"** attached hereto and incorporated herein (the "Property"); and

WHEREAS, after public notices were given in compliance with Texas law and a public hearing was conducted, and after considering the information submitted at the public hearing and all other relevant information and materials, the Planning and Zoning Commission of the City has considered Owner's application for SF-1, "Single-Family Residential-1" zoning district and has



recommended the City Council approve the initial zoning district SF-1, "Single-Family Residential-1" on the Property; and

WHEREAS, after complying with all legal notices, requirements, and conditions, a public hearing was held before City Council at which the City Council considered, the recommendation of the Planning and Zoning Commission, and among other things, the character of the land and its suitability for particular uses, and compatibility with surrounding uses, with a view of encouraging the most appropriate use of land in the City, and the City Council does hereby find that the requested zoning accomplishes such objectives.

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

SECTION 1. Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein and are found to be true.

SECTION 2. Findings. After due deliberation and consideration of the recommendation of the Planning and Zoning Commission and the information and other materials received at the public hearing, the City Council has concluded that the adoption of this Ordinance is in the best interests of the City, and of the public health, safety, and welfare.

SECTION 3. Zoning Amendments. Chapter 14 of the Code of Ordinances of the City, the same being the City's Comprehensive Zoning Ordinance, is hereby amended in the following particulars, and all other articles, chapters, sections, paragraphs, sentences, phrases, and words not expressly amended hereby are hereby ratified and affirmed.

The zoning district classification on the Property is hereby amended to establish an initial zoning classification of SF-1, "Single-Family Residential – 1," on the Property. The Property shall be subject to all applicable City ordinances and regulations governing the SF-1 District.

SECTION 4. Zoning Map. The Zoning Map of the City, adopted by Chapter 14 Section 4 of the Code of Ordinances, and on file City Hall, is hereby amended to reflect the foregoing zoning use changes herein made.

SECTION 5. Severability Clause. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 6. Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a



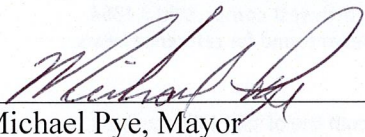
prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 7. Penalty. Any person, firm, entity or corporation who violates any provision of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined in a sum not exceeding two thousand dollars (\$2,000.00). Each continuing day's violation shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 8. Publication and Effective Date. This Ordinance shall become effective immediately upon its adoption and its publication as required by law.

SECTION 9. Open Meeting. That it is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law, and that public notice of the time, place, and purpose of said meeting was given all as required by Section 551.041 of the Texas Government Code.

PASSED, APPROVED, and ADOPTED by the City Council of the City of Leonard, Texas, on this the 14th day of February 2023.



Michael Pye, Mayor



Melissa Verde, City Secretary



Exhibit A
Property Description

Whereas, Derrel R. Stanley, is the owner of all that certain 3.4854 acre tract of land situated in the Martin Moore Survey, Abstract Number 780, Fannin County, Texas and said tract being a portion out of a called 42.5 acre tract described in a deed to Derrel R. Stanley and Bonnie June Stanley in Volume 489, Page 293, of the Official Public Records of said county and being more particularly described by meets and bounds as follows;

COMMENCING at the northeast corner of a called 1.02 acre tract described in a deed to James Ray & Sarah Ann Fielden recorded in Volume 1544, Page 414, of The Official Public Records of said county, and in the west right of way line of North Westlake Drive, a 50 foot wide right-of-way;

THENCE South 01°12'50" West a distance of 99.94 feet to a found 5/8 Inch iron rebar for the **POINT OF BEGINNING** and of also the northwest corner of said 3.4854 acre tract;

THENCE South 01°12'50" West, with the east line of said 3.4854 acre tract and said west right of way line of North Westlake Drive, a distance of 215.50 feet to a 1/2 inch iron rebar with a plastic cap stamped "RPLS 6484" set for the southeast corner and in the north right-of-way line of South State Highway 78, an 80 foot wide right-of-way;

THENCE North 89°25'21" West, with the south line of said 3.4854 acre tract and said north right-of-way line of South State Highway 78, a distance of 345.76 feet to a 1/2 inch iron rebar with a plastic cap stamped "RPLS 6484" set for the southeast corner of said 3.4854 acre tract and the southwest corner of a called 53.705 acre tract described in a deed to David and Jean Johnson, recorded in Volume 1550, Page 470, of The Official Public Records of said county, from which a 1/2 inch iron rebar found for reference bears North 89°25'21" West 724.97 feet;

THENCE North 01°12'21" East, with the west line of said 3.4854 acre tract and said 53.705 acre tract a distance of 438.70 feet to a 1/2 inch iron rebar with a plastic cap stamped "RPLS 6484" set for the northwest corner, said 3.4854 acre tract and the southwest corner of said 1.02 acre tract, from which a 1/2 inch iron rebar found for reference bears North 01°12'21" East a distance of 199.87 feet;

THENCE South 44°41'26" East, with the the north line of said 3.4854 acre tract and the south line of said 1.02 acre tract, a distance of 345.83 feet to the **POINT OF BEGINNING** and containing 3.485 acres or 151,828 square feet of land.



Depiction of Property

