

CITY OF LEONARD, TEXAS

RESOLUTION NO. 250121-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEONARD, FANNIN COUNTY, STATE OF TEXAS, APPROVING THE CITY ADMINISTRATOR'S LIST OF IDENTIFIED LAWFUL NONCONFORMING BUSINESS OPERATORS LISTED IN EXHIBIT "A" AND AUTHORIZE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Leonard, Texas is a Type A General-Law Municipality ("City") organized and operating under the laws of the State of Texas; and

WHEREAS, pursuant to Chapters 211 and 212 of the Texas Local Government Code, the City has the legal authority to adopt regulations governing the subdivision, zoning, land use and development of land within its corporate limits; and

WHEREAS, in 2017, pursuant to Section 39 of the City's Zoning Ordinance, the City Council of the City of Leonard (the "City Council") authorized an amendment to Section 38.6 "Certificates for Nonconforming Uses" of the City's Zoning Ordinance ("Section 38.6") that required all individuals or entities engaged in a lawful nonconforming use of land or buildings to apply for and secure a certificate of occupancy for the nonconforming use; and

WHEREAS, a subsequent search of City records revealed no evidence that notice of the zoning change and obligation to apply for a certificate of occupancy for lawful nonconforming uses was issued to property owners or business operators at that time; and

WHEREAS, the City has identified the property owners and business operators currently operating lawful nonconforming uses of land or buildings (the "Business Operators") that are not in compliance with Section 38.6; and

WHEREAS, the City Council requires all Business Operators to comply with Section 38.6.

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

SECTION 1. Incorporation Of Recitals. The findings recited above are incorporated as if fully set forth in the body of this Resolution

SECTION 2. Approval of Identified Lawful Nonconforming Uses. The list of individuals and entities identified by City Administrator as Business Operators currently operating lawful nonconforming uses of land or buildings as set forth in **Exhibit "A"**, attached hereto and incorporated herein for all purposes, is hereby approved.

SECTION 3. Authority to Issue Certificate of Occupancy. The City Administrator is hereby authorized to issue Certificate of Occupancy for Nonconforming Uses to each individual or entity listed in **Exhibit "A"**.

SECTION 4. Future Lawful Nonconforming Uses. The City Administrator is further directed to notify any business entity or property owner similarly affected by a future amendment to the Zoning Code of its obligation to apply for and secure a Certificate of Occupancy for an identified lawful nonconforming use as required by Section 38.6.

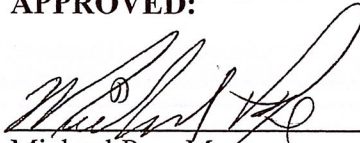
SECTION 5. Severability. If any section, paragraph, sentence, clause, phrase or word of this Resolution or the application thereof to any person or circumstance is held invalid or unconstitutional, such holding shall not affect the validity of the remaining portions of this Resolution, and the City Council hereby declares that it would have passed such remaining portions despite invalidity or unconstitutionality.

SECTION 6. Effective Date. This Resolution shall be effective immediately upon its passage.


DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEONARD, FANNIN COUNTY, STATE OF TEXAS THIS 21st DAY OF January, ~~2024~~ 2025

CITY OF LEONARD, TEXAS

APPROVED:


Michael Pye, Mayor

ATTEST:


Melissa Verde, City Secretary

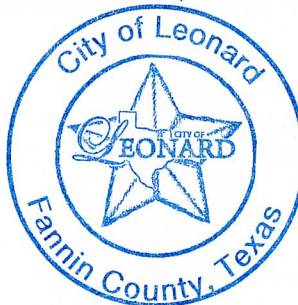


Exhibit A
Identified Lawful Nonconforming Uses

Type of Business	Address	Zone	Use: Permitted/Prohibited/SUP required
Office	650 N Hwy 69	C-2	Permitted
Convenience Store	305 N Hwy 69	C-2	Permitted
Secondhand Store	507 N Hwy 69 Ste 102	C-2	SUP
Office Center	104 & 106 W Collin St	C-1	Permitted
Feed & Farm Supply- Inside & Outside	201 W Fannin	C-1	Prohibited
Food/Grocery Store	121 W Fannin	C-1	Permitted
Community Center- Private	105 W Fannin	C-1	Prohibited
Beauty Shop	105 N Main STE 102	C-1	Permitted
Auto Repair	202 S Main	C-1	Prohibited
Office/Business Services	303 N Hwy 69	C-2	Permitted
Retail	703 N Crossroads	C-2	SUP
Bus Terminal	408 N Hwy 69	C-2	Permitted
Auto Part Sales-Inside & Auto Repair	304 N Hwy 69	C-2	Inside-Permitted/ Auto Repair-Prohibited
Business Services	507 E Mulberry	C-2	Permitted
Wholesale Warehouse-Light	601 S Cedar	MH-1/M-1	Permitted in M-1 only
Office	115 W Fannin	C-1	Permitted
Food/Grocery Store	420 S US Hwy 69	C-2	Permitted
Bank	100 N Hwy 69	C-2	Permitted
Business Services	107 W Fannin	C-1	Permitted
Auto Service Sation, Car Wash	296 N Hwy 69	C-1	SUP
Restaurant with drive-through	607 US 69 Ste 500	C-2	Permitted
Laundry & Cleaning- Self Service	703 N Crossroads	C-2	Permitted
Building Materials- Inside and Outside	209 N Hwy 69	C-2	Inside-Permitted - Outside-Prohibited
Restaurant with drive-through	401 N Hwy 69	C-2	Permitted
Nothing There	118 W Collin	C-1	
Nothing There	116 S Main	C-1	
General Merchandise	703 E Fannin	C-2	Permitted
General Merchandise	207 N Hwy 69	C-2	Permitted
Restaurant with dine-in service only	562 S Hwy 69	C-2	Permitted
Nothing There	103 S Connett	C-1	
Studio	121 S Connett St Unit D	C-1	Prohibited
Service Yard of Government Agency	500 N Hwy 69	C-2	Permitted
Bank	200 W Collin	C-1	Permitted
Travel Trailer Park	555 S Hwy 69	C-2	Permitted
Restaurant with dine-in service only	507 N Hwy 69	C-2	Permitted
Office	204 W Collin	C-1	Permitted
Restaurant with dine-in service only	715 N Crossroads	C-2	Permitted
Doctor office	700 E Hwy 78	C-2	Permitted
Laundry & Cleaning- Self Service	507 N Hwy 69	C-2	Permitted
Retail	117 S Connett St	C-1	Permitted
Cabinet Shop	101 E Fannin	C-1	Prohibited
Office	209 S Main	M-1	Permitted
Nothing There	509 N Hwy 69	C-2	
Office	507 N Hwy 69	C-2	Permitted
Retail	562 S HWY 69 SUITE 200	C-2	SUP
Restaurant with dine-in service only	303 N Hwy 69	C-2	Permitted
Office	100 & 102 W Collin	C-1	Permitted
Shopping Center	703 N Crossroads	C-2	Permitted
Convenience Store	308 N Hwy 69	C-2	Permitted
Auto Parts Sales, Inside	105 W Fannin	C-1	Permitted
Multiple- Family Residence	411 NW Hwy 69	MF	Permitted
Restaurant with dine-in service only	701 N Crossroads	C-2	Permitted
Veterinarian Clinic- Inside & Outside pens	400 S Hwy 69	C-2	Inside-SUP - Outside-Prohibited
Restaurant with dine-in service only	118 S Main #100	C-1	SUP
Clinic- Dentist	113 S Connett St	C-1	Permitted
Duplex	0 Collin, 400 E Travis	TF	Permitted
Museum	111 S Connett	C-1	Permitted
Pharmacy	122 W Collin	C-1	Permitted
Dentist	570 S US HWY 69	C-2	Permitted
Shopping Center	507 N Hwy 69	C-2	Permitted
Office	301 N Hwy 69	C-2	Permitted
Auto Parts Sales, Inside	553 S Hwy 69	C-2	Permitted
Office	101 S Connett	C-1	Permitted
Nail salon	562 S HWY 69 SUITE 106	C-2	Permitted
Furniture/ Appliance Store	3701 N Hwy 69	SF-1	Prohibited
Multiple- Family Residence	402 & 418 N Pecan	TF	Permitted
Office	104 N Pecan	C-2	Permitted

Auto Sales- Inside	578 US 69	C-2	Permitted
Florist	206 E Fannin	C-1	Permitted
Restaurant with drive-through	205 N Hwy 69	C-2	Permitted
Restaurant with dine-in service only	551 S Hwy 69	C-2	Permitted
Office	505 E Mulberry	C-2	
Office	100 E Collin	C-1	Permitted
Retail	115 S Connett	C-1	SUP
Multiple- Family Residence	118 S Main St #101	C-1	Prohibited
Restaurant with dine-in service only	117 W Fannin	C-1	SUP
Mortuary/ Funeral Home	703 N Cedar	SF-1	Prohibited
Service Yard of Government Agency	600 N Hwy 69	C-2	Permitted
Office/General Admin	108 W Collin	C-1	Permitted
Beauty Shop	121 S Connett St Unit A	C-1	Permitted
Metal Dealer- Secondhand	600 S Sycamore	C-2	Prohibited
TOTAL : 80			
PROHIBITED - 9			
NOTHING AT LOCATION - 4			
SUP NEEDED - 7			
SUP ISSUED - 1			
SUP & PROHIBITED - 1			
PERMITTED IN ONE ZONE (DOUBLE ZONED)- 1			
PERMITTED & PROHIBITED - 2			