

VILLAGE OF VOLENTE

ORDINANCE NO. 2015-O-11

AN ORDINANCE OF THE VILLAGE OF VOLENTE, TEXAS REPEALING ORDINANCE NO. 2015-O-10, WHICH AMENDED ORDINANCE NO. 2004-O-36, SITE DEVELOPMENT REGULATIONS AND EXEMPTED EXISTING SINGLE AND TWO FAMILY LOTS FROM COMPLIANCE WITH THE SITE DEVELOPMENT REGULATIONS AND EXEMPTED EXISTING SINGLE AND TWO FAMILY LOTS FROM OBTAINING A SITE DEVELOPMENT PERMIT; PROVIDING FOR SEVERABILITY, EFFECTIVE DATE, AND OPEN MEETINGS CLAUSES.

WHEREAS, the City Council of the Village of Volente finds that Ordinance No. 2015-O-10 was passed without establishing a rational basis for distinguishing between lots legally platted before the passage of Article 33.300 of Ordinance 2004-O-36; and

WHEREAS, the City Council of the Village of Volente finds that the passage of Ordinance No. 2015-O-10 was in contradiction of the desired goals of the City Council; and

WHEREAS, the City Council of the Village of Volente has begun review of the Site Development Ordinance, Ordinance No. 2004-O-36 and has found that a different approach to amending the ordinance can alleviate some of the hardships applicants face when obtaining a Site Development Permit for single family and two family residential use.

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

Section 1: Findings of Facts.

After review of Ordinance No. 2015-O-10, the City Council of the Village of Volente finds that the ordinance lacks clarity and does not achieve the desired result of lessening the hardships applicants face when building a single family or two family residence in the incorporated limits. Village of Volente Ordinance No. 2015-O-10, passed and approved on October 20, 2015 which amended Ordinance No. 2004-O-36, the Site Development Regulations of the Village of Volente, is hereby repealed.

Section 2: Severability.

In the event that any provision of this Ordinance shall be found by a court of competent jurisdiction to be void or unenforceable, such void or unenforceable provision shall be severed as though it never formed a part of this Ordinance, and all other provisions hereof shall remain in full force and effect.

Section 3: Public Notice and Open Meetings Requirements.

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 as given as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't. Code.*

PASSED AND APPROVED this 15 day of December, 2015, by a vote of the City Council of the Village of Volente with 5 in favor, to 0 opposed, and with 0 abstentions.

VILLAGE OF VOLENTE, TEXAS

Ken Beck, Mayor

Julia Vicars, City Secretary