

TOWN OF WESTLAKE

ORDINANCE NO 719

AN ORDINANCE AMENDING THE TOWN OF WESTLAKE CODE OF ORDINANCES, SECTION 102-31 ZONING MAP, TO BE ATTACHED HERETO AS EXHIBIT "B" TO REFLECT A CHANGE OF ZONING FOR APPROXIMATELY 1.4 ACRES OF LAND, DESCRIBED AS THE FOLLOWING: RUTH BAKER SURVEY – A 108 TRACTS 1C1B6D, 1C1B6F1, AND 1C01B6F, FURTHER DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PREVIOUSLY ZONED R-1, REZONED BY THIS ORDINANCE TO A RESIDENTIAL PD (PD5) WITH RELATED CONCEPT PLAN, ATTACHED HERETO AS EXHIBIT "C"; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A PENALTY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 24, 1992, the Town Council of the Town of Westlake, Texas adopted a Comprehensive Plan for the Town; and

WHEREAS, on November 13, 1992, the Town Council of the Town of Westlake, Texas adopted a Comprehensive Zoning Ordinance; and

WHEREAS, an analysis of the Town's codes and regulations has determined that amendments to these codes and regulations are required in order to protect the health, safety, and welfare of the Town and to comply with the development goals for quality low density residential development; and

WHEREAS, the Council, at a public hearing called by the Council, did consider the following factors in making a determination as to whether the requested changes should be granted or denied: safety of the motoring public and the pedestrians using the facilities in the areas immediately surrounding the effected zoning districts; safety from fire hazards and measures for fire control, protection of adjacent property from flood or water damages, noise producing elements and glare of the vehicular and stationary lights and effect of such lights on established character of the neighborhoods, location, lighting and types of signs and relation of signs to traffic control and adjacent property, street size and adequacy of width for traffic reasonably expected to be generated by the proposed uses around the effected zoning districts and in the immediate neighborhoods, adequacy of parking, location of ingress and egress points for parking, and protection of public health and the general welfare, effect on light and air, the effect on the transportation, water, sewerage, schools, parks and other facilities; and

WHEREAS, the Town Council has determined that there is a necessity and need for these changes in the zoning ordinance; and therefore, feels that changes in the zoning ordinance are called for, and are in the best interest of the public at large, the citizens of the Town, and help promote the general health, safety, and welfare of this community.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS:

SECTION 1: All matters stated in the preamble are found to be true and correct and are incorporated herein as if copied in their entirety.

SECTION 2: That the property shown on attached **Exhibit "A"** is hereby rezoned from R-1 to PD5.

SECTION 3: That the Comprehensive Zoning Ordinance of the Town of Westlake, Texas be amended by amending ARTICLE II. DISTRICTS AND MAPS, *Section 102-31 Zoning Map*, to read as follows:

Sec. 102-31. Zoning map.

(a) *Designated; rezoning of property.* **Exhibit "B"** to be attached to this Ordinance is hereby adopted as the Official Zoning Map of the Town of Westlake and shall be identified and maintained by the town in accordance with the provisions of this chapter, as amended from time to time. The Official Zoning Map incorporates the rezoning of properties in the town to conform with the Comprehensive Plan and this chapter

SECTION 4: That the Concept Plan attached hereto as **Exhibit "C"** be attached to this Ordinance and recorded in Appendix A of the Town of Westlake Code of Ordinances as an approved PD.

SECTION5: This Zoning District will be subject to the same regulations that apply to R-0.5 zoned property except for the following:

1. Accessory use buildings are allowed as accessory uses to a home constructed on site or on an adjacent property.
2. Accessory use buildings are allowed to be a maximum of 3,600 sq. ft. and may be constructed with non-masonry materials, or may be all metal with a baked-on pre-painted surface.
3. Wildflowers, when cultivated, are allowed to grow to any height during the time between the first day of February and first day of August, provided a ten (10) foot setback is maintained from adjacent property lines.

SECTION 6: It is hereby declared to be the intention of the Town Council of the Town of Westlake, Texas, that sections, paragraphs, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section 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 phrases, clauses, sentences, paragraphs or sections of this Ordinance since the same would have been enacted by the Town Council of the Town of Westlake without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 7: That all provisions of Ordinance not hereby amended shall remain in full force and effect.

SECTION 8: That this Ordinance shall be cumulative of all other Town Ordinances and all other provisions of other Ordinances adopted by the Town which are inconsistent with the terms or provisions of this Ordinance are hereby repealed.

SECTION 9: That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the Town of Westlake, and upon conviction shall be punishable by a fine not to exceed the sum of Two-Thousand (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 10: This ordinance shall take effect immediately from and after its passage as the law in such case provides.

**PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF
WESTLAKE, TEXAS, ON THIS 28th DAY OF OCTOBER 2013.**

ATTEST:

Laura Wheat
Laura Wheat, Mayor

Kelly Edwards
Kelly Edwards, Town Secretary

Thomas E. Brymer
Thomas E. Brymer, Town Manager

APPROVED AS TO FORM:

Cathy Cunningham
for L. Stanton Lowry, Town Attorney



EXHIBIT "A"

Lots commonly known as:

1. 5944 Stagecoach Circle, Town of Westlake, TX
2. 5960 Stagecoach Circle, Town of Westlake, TX



3.

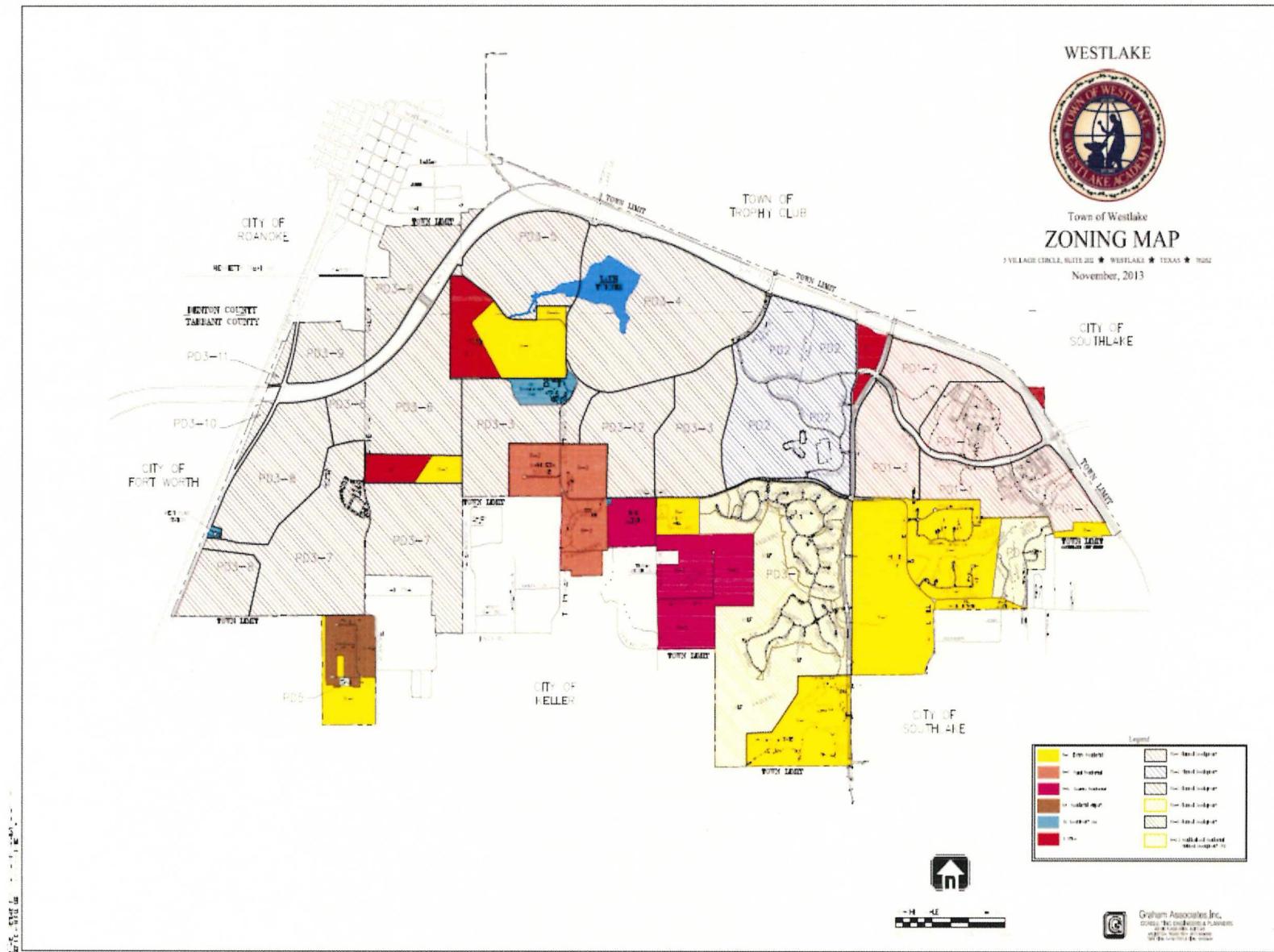
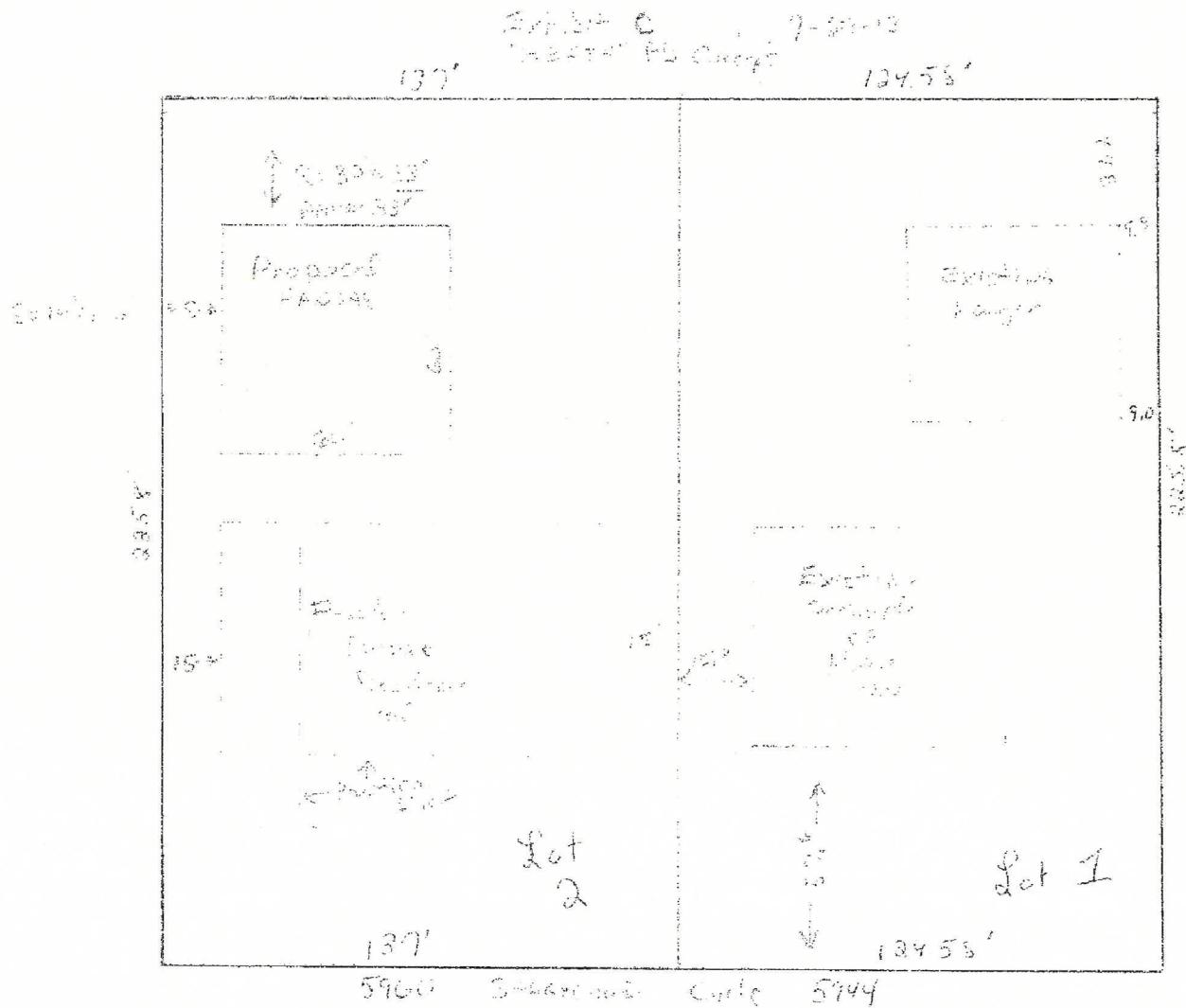


Exhibit "C" Concept Plan



INVOICE

Star-Telegram

808 Throckmorton St.
FORT WORTH, TX 76102
(817) 390-7761
Federal Tax ID 26-2674582

Bill To:

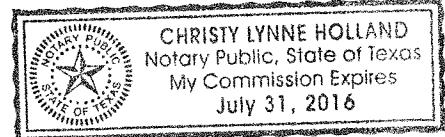
TOWN OF WESTLAKE
3 VILLAGE CIR STE 202
WESTLAKE, TX 76262-7940

Customer ID: TOW27
Invoice Number: 327740771
Invoice Date: 11/1/2013
Terms: Net due in 21 days
Due Date: 11/30/2013
PO Number:
Order Number: 32774077
Sales Rep: 043
Description: TOWN OF WESTLAKE
Publication Dates: 10/31/2013 - 11/1/2013

Description	Location	Col	Depth	Linage	MU	Rate	Amount
TOWN OF W	I3580	1	38	38	LINE	\$6.13	\$465.56
Misc Fee							\$10.00

Net Amount: \$475.56

RECEIVED NOV 19 2013



THE STATE OF
County of Tarrant
Before me, a Notary Public in the State of Texas,
on this 7th day of November, 2013,
and State, this day personally appeared Deborah Baylor, Bid and Legal Coordinator for the Star-Telegram, published by the Star-Telegram, Inc. at Fort Worth, in Tarrant County, Texas; and who, after being duly sworn, did depose and say that the attached clipping of an advertisement was published in the above named paper on the listed dates: BIDS & LEGAL DEPT. STAR TELEGRAM
(817) 215-2323

Signed

SUBSCRIBED AND SWORN TO BEFORE ME, THIS Thursday, November 07, 2013.

Notary Public

Thank You For Your Payment

Remit To: Star-Telegram
P.O. BOX 901051
FORT WORTH, TX 76101-2051

Customer ID: TOW27
Customer Name: TOWN OF WESTLAKE
Invoice Number: 327740771
Invoice Amount: \$475.56
PO Number:
Amount Enclosed: \$