

**ORDINANCE NO. 2008-O-7C**

**AN ORDINANCE AMENDING ORDINANCE NO. 854, REZONING A TRACT OF LAND LOCATED AT STATE HIGHWAY 35 AND BELK ROAD FROM R-1 TO C-3, SPECIAL USE PERMIT OF RETAIL ONLY, IN THE CITY OF ANGLETON, TEXAS, AND FOR OTHER PURPOSES RELATED THERETO.**

**WHEREAS:** the City has received a request from the property owner to rezone said tract of land from R-1 residential to C-3 commercial; and

**WHEREAS:** the Planning and Zoning Commission conducted a public hearing on July 1, 2008, at which time interested residents were given an opportunity to express their views; and

**WHEREAS:** the Planning and Zoning Commission recommended that the rezone request be approved with limited use on July 1, 2008;

**WHEREAS:** the City Council conducted a public hearing on July 23, 2008, at which time interested residents were given an opportunity to express their views.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS, DULY ASSEMBLED:**

**SECTION 1:**

That the 27.452 acre tract of land located at the intersection of State Highway 35 and Belk Road, being the Patel Subdivision, Angleton, Texas more particularly described in "Exhibit A" attached hereto and incorporated herein for all purposes, be rezoned from R-1 residential to C-3 commercial for special use of "Retail Only"; if the owner develops the property for any use other than "Retail Only" this rezoning ordinance will be null and void and the property shall revert back to R-1 residential. "Retail Only" shall mean any business that pays sales tax.

**SECTION 2:**

That the zoning map of the City of Angleton is hereby ordered to be amended in accordance with the provisions of this Ordinance.

**SECTION 3:**

Should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity of such section, or part shall in no wise affect, impair or invalidate the remaining

portion thereof, but as to such remaining portion, the same shall remain in full force and effect.

**SECTION 4:**

Except for this amendment, City Ordinance 854, as previously amended, shall remain in full force and effect.

**SECTION 5:**

This Ordinance shall be effective from and after its passage and approval.

**PASSED AND ADOPTED THIS 22<sup>nd</sup> day of July, 2008.**

**THE CITY OF ANGLETON  
BY:**

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J. PATRICK HENRY, MAYOR

Approved as to Form:

ATTEST:

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Keith Vaughn, City Attorney

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AMANDA DAVENPORT,  
City Secretary