

**ORDINANCE NO. 1040-09-14**

**AN ORDINANCE OF THE CITY OF HONDO TO AMEND THE HONDO ZONING ORDINANCE FOR A ZONE CHANGE FROM TEMPORARY RESIDENTIAL ESTATE (“RE”) TO RESIDENTIAL ONE (“R1”) ON 5.298 ACRES OF LAND OUT OF SURVEY NO. 183, ABSTRACT NO. 889, F. SYBELLE, ORIGINAL GRANTEE, BEING 0.030 ACRE OUT OF THAT CERTAIN 1.758 ACRES OF LAND, MORE OR LESS, DESCRIBED IN A DEED TO DANIEL VINCENT DAY TESTAMENTARY TRUST FROM THE ESTATE OF DANIEL VINCENT DAY, DECEASED, DATED JANUARY 25, 2005, AS RECORDED IN VOLUME 566 ON PAGE 228 OF THE OFFICIAL PUBLIC RECORDS OF MEDINA COUNTY, TEXAS, AND 5.268 ACRES OUT OF THAT CERTAIN 36.650 ACRES OF LAND, MORE OR LESS, DESCRIBED IN A DEED TO DANIEL VINCENT DAY TESTAMENTARY TRUST FROM THE ESTATE OF DANIEL VINCENT DAY, DECEASED, DATED JANUARY 25, 2005, AS RECORDED IN VOLUME 566 ON PAGE 225 OF THE OFFICIAL PUBLIC RECORDS OF MEDINA COUNTY, TEXAS.**

**WHEREAS**, the property was recently annexed and is situated southeast of Avenue L and 34<sup>th</sup> Street in Hondo, Texas;

**WHEREAS**, pursuant to Article 25.1800, Section 25.1801 of the Code of Ordinances for the City of Hondo, territory annexed into the City of Hondo shall be temporarily classified as Residential Estate Zoning District (“RE”) until permanent zoning is established by the City Council;

**WHEREAS**, Residential One (“R1”) allows dwellings that are designed and constructed for occupancy by one family and located on a lot having a minimum of 7,500 square feet;

**WHEREAS**, notices of public hearings on the proposed zoning change was duly published, posted and mailed to owners of property in the affected property and within a 200’ radius of the affected property;

**WHEREAS**, the Planning and Zoning Commission and the City Council of the City of Hondo conducted said public hearings in accordance with the Hondo Zoning Ordinance and State law; and

**WHEREAS**, after due deliberation and consideration of the information submitted during the public hearings and the recommendation of the Planning and Zoning Commission, the City Council has determined that the change from Temporary Residential Estate (“RE”) to Residential One (“R1”) on 5.298 acres of land out of Survey No. 183, Abstract No. 889, F. Sybelle, original Grantee, being 0.030 acre out of that certain 1.758 acres of land, more or less, described in a Deed to Daniel Vincent Day Testamentary Trust from The Estate of Daniel Vincent Day, Deceased, dated January 25, 2005, as recorded in Volume 566 on Page 228 of the Official Public Records of Medina County, Texas, and 5.268 acres out of that certain 36.650 acres of land, more or less, described in a Deed to Daniel Vincent Day Testamentary Trust from The Estate of Daniel Vincent Day, Deceased, dated January 25, 2005, as recorded in Volume 566 on Page 225 of the Official Public Records of Medina County, Texas would be in the best interest of the citizens of Hondo.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HONDO, TEXAS THAT:**

The City of Hondo Zoning Ordinance is hereby amended as follows:

**SECTION 1.** To change from Temporary Residential Estate (“RE”) to Residential One (“R1”) on 5.298 acres of land out of Survey No. 183, Abstract No. 889, F. Sybelle, original Grantee, being 0.030 acre out of that certain 1.758 acres of land, more or less, described in a Deed to Daniel Vincent Day Testamentary Trust from The Estate of Daniel Vincent Day, Deceased, dated January 25, 2005, as recorded in Volume 566 on Page 228 of the Official Public Records of Medina County, Texas, and 5.268 acres out of that certain 36.650 acres of land, more or less, described in a Deed to Daniel Vincent Day Testamentary Trust from The Estate of Daniel Vincent Day, Deceased, dated January 25, 2005, as recorded in Volume 566 on Page 225 of the Official Public Records of Medina County, Texas. (situated southeast of Avenue L and 34<sup>th</sup> Street)

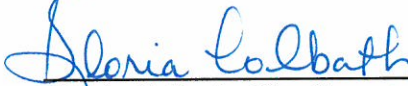
**SECTION 2.** All other provisions of the Zoning Ordinance and Zoning District Map, except those expressly amended by this ordinance, shall remain in full force and effect.

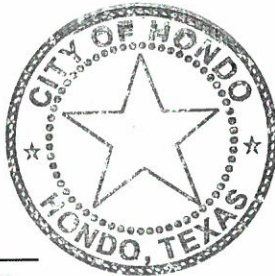
**SECTION 3.** Should any word, sentence, clause, paragraph, or provision of this ordinance be held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part or provision so decided to be unconstitutional, illegal, or invalid and shall not affect the validity of the remainder of the Zoning Ordinance, the Zoning District Map, or any of other provision of the City’s Code of Ordinances.

**SECTION 4.** This ordinance shall take effect immediately from and after its passage and it is so duly ordained.

**PASSED AND APPROVED THIS 8th DAY OF SEPTEMBER, 2014.**

ATTEST:

  
Gloria Colbath, City Secretary



JAMES W. DANNER, MAYOR