

**Ordinance No. 2013.08.14
Village of Salado
County of Bell
State of Texas**

ZONING ORDINANCE AMENDMENT

AN ORDINANCE OF THE VILLAGE OF SALADO, TEXAS, AMENDING THE ZONING ORDINANCE, SECTION 2.1: NONCONFORMING USES AND STRUCTURES; PROVIDING FOR SPECIAL EXCEPTION OF NONCONFORMING LOTS; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; SEVERABILITY; REPEALER; CODIFICATION; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, the Board of Aldermen of the Village of Salado, Texas (“Board”), seeks to amend the Zoning Ordinance; and

WHEREAS, the Board finds that the community contains lots that were lawfully platted prior to the adoption of the Zoning Ordinance and do not conform to minimum area standards set forth in the Zoning Ordinance; and

WHEREAS, the Board strives to further the community’s future development by allowing construction to occur on nonconforming lots; and

WHEREAS, the Board seeks to protect the health, safety and general welfare of the public by enforcing zoning regulations; and

WHEREAS, pursuant to Chapter 51 of the Texas Local Government Code, the Board has determined that the authority granted through this Ordinance is reasonable and necessary;

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Village of Salado, Texas, that:

1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

2. ENACTMENT

Ordinance No. 2013.08 is hereby amended so to read in accordance with **Exhibit A**, which is attached hereto and incorporated into this Ordinance for all intents and purposes. Any underlined text shall be inserted into the Ordinance and any struck-through text shall be deleted from the Ordinance, as stated on **Exhibit A**.

3. REPEALER

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

4. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

5. CODIFICATION

The Village Secretary is hereby directed to record and publish the attached rules, regulations and policies in the Village's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

6. EFFECTIVE DATE

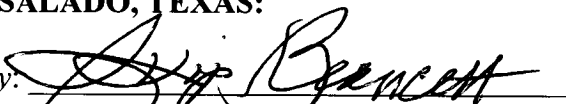
This Ordinance shall be effective immediately upon passage and publication of caption.

7. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED this the 18th day of June 2015, by a 4 (ayes) to 0 (nays) to 0 (abstentions) vote of the Board of Aldermen of the Village of Salado, Texas.

THE VILLAGE OF SALADO, TEXAS:

by: 
Mayor Skip Blancett

ATTEST:

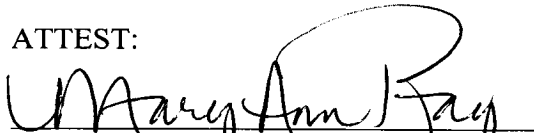

Mary Ann Ray, Village Secretary

Exhibit A

VILLAGE OF SALADO

VILLAGE ORDINANCES

Section 2.1: Nonconforming Uses and Structures

A. Intent of Provisions:

1. Within the districts established by this Ordinance or amendments thereto, there may exist lots, structures, uses of land and structures, and characteristics of use which were lawfully in existence and operating before this Ordinance was enacted, amended or otherwise made applicable to such lots, structures or uses, but which do not now conform to the regulations of the district in which they are located. It is the intent of this Ordinance to permit such nonconforming uses to continue, as long as the conditions within this Section and other applicable sections of the Ordinance are met, except as otherwise provided herein.
2. Lots platted prior to the adoption of this Ordinance do not have to meet minimum lot size as set out in applicable sections of this Ordinance provided that on-site sanitary facilities or public wastewater is approved. The lots set out in this subsection shall meet a minimum twenty-five feet (25') front yard setback, where applicable.
3. Nonconforming uses shall not be enlarged upon, expanded or extended, and shall not be used as a basis for adding other structures or uses prohibited elsewhere in the same district, except as otherwise provided herein.
4. Nonconforming uses are hereby declared to be incompatible with the permitted uses in the districts involved.
5. Other than in the case of a fire or natural disaster, the owner of a manufactured home may remove the manufactured home from its location and place another manufactured home on the same property only once, provided that the replacement is a newer manufactured home and the new manufactured home is at least as large in living space as the prior manufactured home.