

ORDINANCE NO. 101199

AN ORDINANCE AMENDING ORDINANCE NO. 072798 , THE ZONING ORDINANCE OF THE CITY OF MERKEL, TEXAS, TO ESTABLISH MANUFACTURED HOUSING DISTRICTS BY OVERLAY ZONING, SPECIFICALLY CREATING MANUFACTURED HOUSING OVERLAY DISTRICTS # 6.

WHEREAS, the City Council of the City of Merkel, Texas, has established zoning regulations by ordinance: and

WHEREAS, it has become necessary for the welfare of the citizens of the city to establish districts allowing placement of manufactured housing in areas where otherwise such housing would violate the zoning ordinance, and

WHEREAS, the Zoning Ordinance allows the City Council to establish zoning rules and regulations by Overlay Zoning; now therefore

BE IT ORDAINED by the City Council of the City of Merkel, Texas that

- PART 1:** Zoning Ordinance No. 07-27-98 is amended to establish overlay zoning which will allow manufactured housing in the districts set forth in Exhibit 1, attached hereto and incorporated by reference herein for all purposes.
- PART 2:** The requirements for placing manufactured housing in the districts identified above are set forth in Exhibit 2, attached hereto and incorporated by reference herein for all purposes.
- PART 3:** That any person, firm, or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a class "C" misdemeanor, and upon conviction thereof shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper.
- PART 4:** Upon passage of this Ordinance upon first reading, the City Secretary be, and is hereby authorized and directed to have published in the *Merkel Mail*, a weekly newspaper of general circulation in the City of Merkel, a notice that a public hearing will be held in **MERKEL CITY HALL, Merkel, Texas**, at 7:00 P.M. on the 11 day of OCTOBER, 1999, to permit the public to be heard prior to consideration of the Ordinance for second and final reading, said publication to be made more than ten (10) day prior to the time designated for such public hearing, in accordance with state law.

PASSED ON FIRST READING on the 27 day of SEPTEMBER, 1999.

After passage on first reading, a notice of the time and place said Ordinance would be given a public hearing and considered for final passage was published in the *Merkel Mail*, a weekly newspaper of general circulation in the City of Merkel, the same being more than ten (10) days prior to the time designated for said hearing. After such opportunity for the public to be heard, said Ordinance was passed on its second and final reading.

PASSED ON SECOND AND FINAL READING at a public hearing on the 11 day of OCTOBER, 1999.

ATTEST

SIGNED

CITY SECRETARY

MAYOR

APPROVED

CITY ATTORNEY

EXHIBIT I

BEING 19.45 acres out of Section 12, Block 18, T & P Railroad Company and part of Lot 32, League 148, Grimes County School Land, Merkel, Taylor County Texas and being more particularly described as follows:

BEGINNING at the Southwest corner of this tract on the North Boundary Line of old U.S. Highway 80; whence the Northwest corner of said Section 12 bears $N81^{\circ}10'W$ 2155.9' and $N12^{\circ}50'W$ 317.6'

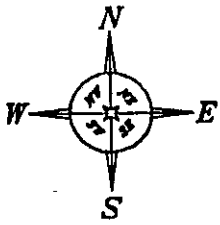
THENCE $N25^{\circ}30'E$ 528.2' and North $4^{\circ}17'W$ 54.5' to the Northwest corner on the South Boundary Line of Interstate Highway 20;

THENCE along a curve to the left with a radius of 2012.93' and along chord bearing $N67^{\circ}48'E$ 172.3' to the end of said curve;

Thence $N61^{\circ}21'E$ 186.8' and $N66^{\circ}20'E$ 764.9' along the South Boundary Line of Interstate Highway 20 to the Northeast corner;

THENCE $58^{\circ}50'w$ 1169.5' to the Southeast corner on the North Boundary Line of old U.S. Highway 80;

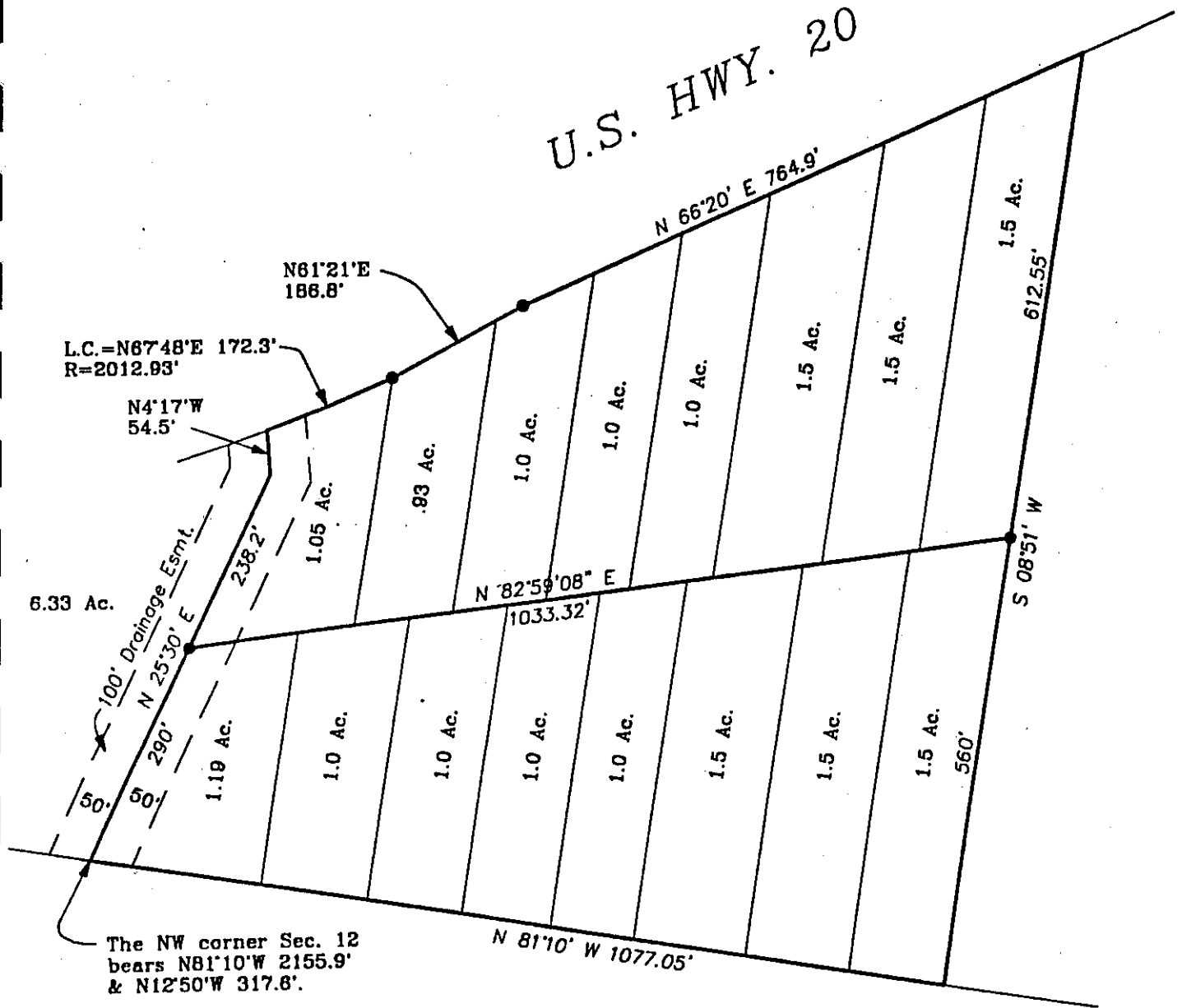
THENCE $N81^{\circ}10'W$ 1077.05' to the place of beginning and containing 19.45 acres.



NOTE: All distances & bearings as measured and match record unless shown otherwise.
NOTE: All set rebars capped and marked JLW 1620.

Scale: 1" = 200'

U.S. HWY. 20



L.C. = N67°48'E 172.3'
R = 2012.93'

N4°17'W
54.5'

N61°21'E
186.8'

N 66°20' E 764.9'

1.5 Ac.
612.55'

S 08°51' W

N 82°59'08" E
1033.32'

N 81°10' W 1077.05'

6.33 Ac.

100' Drainage Easmt.
N 25°30' E
290'

The NW corner Sec. 12
bears N81°10'W 2155.9'
& N12°50'W 317.8'.

U.S. HWY. 80

EXHIBIT 2

REQUIREMENTS FOR PLACEMENT OF MANUFACTURED HOUSING

1. Before a manufactured house may be placed in an area with appropriate overlay zoning, application for a Specific Use Permit must be made at City Hall.
2. At least 10 days before the City Council considers the application for a Specific Use Permit, notice of the time and place for a public hearing will be given to the applicant and published in the *Merkel Mail*; individual notices will not be given to residents within the area as is the process with other zoning requests.
3. If the Permit is approved, the applicant shall adhere to manufactured home standards including underpinning the unit within 60 days.
4. No tires or other weights/weighting material are allowed on roofs of approved units.
5. All units shall comply with setback and other pertinent zoning regulations in that district.