

ORDINANCE 2025-02-02

AN ORDINANCE OF THE TOWN OF WESTON, COLLIN COUNTY, TEXAS AMENDING WESTON'S ZONING ORDINANCE, AS AMENDED, TO REZONE TWO ± ACRES OF LAND SITUATED IN THE DAVID HOWARD SURVEY ABSTRACT NO. A0413, COLLIN COUNTY, TEXAS, HERETOFORE ZONED AGRICULTURAL; PROVIDING THAT THE PROPERTY IS REZONED AND PLACED IN THE RESIDENTIAL ESTATE DISTRICT ZONING CLASSIFICATION; DESCRIBING THE TRACTS TO BE REZONED; PROVIDING FOR A PENALTY CLAUSE; SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the Town of Weston, Texas is a Type A general-law municipality located in Collin County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the Town Council has previously adopted a zoning ordinance to provide for the orderly development of land; and

WHEREAS, Estep Land Investments, LLC ("Owner") initiated a request to rezone two ± acres of land, situated in the David Howard Survey, Abstract No. A0413, Collin County, Texas, more particularly described in Exhibit A, attached hereto, and incorporated herein for all purposes (the "Property"); and

WHEREAS, Owners have requested that the Zoning Ordinance be amended to rezone the Property, heretofore zoned Agricultural by placing it in the Residential Estate District 1 zoning classification; and

WHEREAS, all legal notices for rezoning have been given in the manner and form required by law; public hearings have been held on the proposed rezoning; and all other requirements of notice and completion of such zoning procedures have been fulfilled; and

WHEREAS, the Town Council has determined that this amendment is in the best interest of the public health, safety, and general welfare.

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

SECTION 1 AMENDMENT

1. The zoning map is hereby amended in order to zone approximately two ± acre tract located at 685 Weston Road from Agricultural District to Residential Estate District 1.
2. The subject property shall develop in accordance the requirements of "RED 1" Residential Estate District 1.

SECTION 2
NO VESTED INTEREST/REPEAL

No developer or property owner shall acquire any vested interest in this Ordinance or in any specific regulations contained herein. Any portion of this Ordinance may be repealed by the Town Council in the manner provided for by law.

SECTION 3
UNLAWFUL USE OF PROPERTY

It shall be unlawful for any person, firm, entity or corporation to use the Property in some manner other than as authorized by this Ordinance, and it shall be unlawful for any person, firm, entity or corporation to construct on the Property any building that is not in conformity with the permissible uses under this Ordinance.

SECTION 4
PENALTY

Any person, firm, entity violating any provision of this Ordinance, or the Zoning Ordinance, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in an amount not exceeding TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00). A violation of any provision of this Ordinance shall constitute a separate violation for each calendar day in which it occurs. The penal provisions imposed under this Ordinance shall not preclude Weston from filing suit to enjoin the violation. Weston retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 5
REPEALING/SAVINGS

The Zoning Ordinance shall remain in full force and effect, save and except as amended by this or any other Ordinance. All provisions of any ordinance in conflict with the Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 6
SEVERABILITY

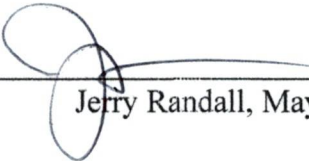
It is hereby declared to be the intention of the Town Council that the phrases, clauses, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court 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 without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section

**SECTION 7
EFFECTIVE DATE**

This Ordinance shall become effective from and after its adoption and publication as required by law.

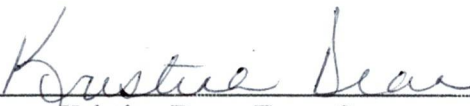
PASSED AND APPROVED by Council this, the 25 day of February 2025.

APPROVE



Jerry Randall, Mayor

ATTEST



Kristina Dean, Town Secretary



EXHIBIT A

Legal Description

Legal description for Zoning Ordinance, Estep rezoning

BEGINNING at a ½-inch iron pin set at the southwest corner of said 2.45 acre tract, in the east right of way line of Farm Road 543;

THENCE North 00°28'00"East, with the east right-of-way line of said Farm Road 543 and with the west line of said 2.45 acre tract, 180.00 feet to a ½-inch iron pin set at the west-southwest corner of the adjacent 12.4852 acre tract;

THENCE South 89°27'45" East 594.68 feet to a ½-inch iron pin set at the north-northeast corner of said 2.45 acre tract;

THENCE South 00°00'00" West 180 feet to a ½-inch iron pin set at the southeast corner of said 2.45 acre tract;

Thence Westerly North 89°30'19" West 594.68 feet to a ½-inch iron pin set at the southwest corner of said 2.45 acre tract, in the East right-of-way line of Farm Road 543 to the PLACE OF BEGINNING and containing 2.45 +/- acres.