

ORDINANCE NO. 1999-08 _____

ZONING ORDINANCE

ARTICLE 1

TITLE, PURPOSE AND GENERAL PROVISIONS

AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DIVIDING THE TOWN OF TALTY, TEXAS INTO DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN AND REGULATING THE USE AND HEIGHT OF BUILDINGS, THE SIZE OF YARDS, THE DENSITY OF POPULATION, ADOPTING A ZONING MAP SHOWING THE LOCATION AND BOUNDARIES OF THE VARIOUS DISTRICTS AND USE AREAS, AND PROVIDING FOR EXCEPTIONS, AND ISSUANCE OF LICENSES, METHODS OF ENFORCEMENT, INTERPRETATION OF ZONING MAP, A BOARD OF ADJUSTMENT, PRESCRIBING ITS DUTIES AND OPERATION, ZONING OF NEW TERRITORY UP ON EXTENSION OF TOWN LIMITS, PENALTIES FOR VIOLATION: FUTURE CHANGES AND AMENDMENTS, DEFINING VARIOUS TERMS AND WORDS USED IN THE ORDINANCE, PROVIDING A SAVING CLAUSE: AND FIXING EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF TALTY:

Section 1-101. Title

This Ordinance shall be cited as the “Zoning Ordinance” of the Town of Talty.

Section 1-102. Purpose

The purpose of this Ordinance is to zone the entire area of the Town of Talty and the districts in accordance with a comprehensive plan for the purpose of promoting health, safety, and the general welfare of the general public. The regulations and districts herein established have been

designed to lessen congestion in the streets; to provide safety from fire, panic, and other dangers; to provide adequate light and air, to prevent the overcrowding of land, to avoid undue concentration of population, to provide and facilitate adequate provisions for transportation, water, sewerage, parks, and other public requirements. Said districts have been established with reasonable consideration of the character of the district and its peculiar suitability for the particular uses, and with the view of conserving the value of buildings and encouraging the most appropriate use of land throughout the community.

The Board of Alderpersons of the Town of Talty declares that the Ordinance is additionally adopted for the following specific purposes:

- (A) To promote coordinated and sound development and to encourage innovation in residential development or renewal so that housing demands may be met by a greater variety in types and design of housing units.
- (B) To provide for higher quality in site and land planning, to conserve open space, and to provide more efficient and attractive use of open space.

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(A) The provisions of this Ordinance may be regarded as the minimum requirements for the promotion of public health, safety, comfort, convenience, prosperity and general welfare. This Ordinance is not intended interfere with or abrogate or annul any easements, covenants or agreements between parties provided, however, that wherever this Ordinance imposes a greater restriction upon use of buildings or land, upon the location or height of buildings or structures or requires larger open spaces about the structures that are imposed or required by other laws, ordinances, or easements, covenants or agreements between parties, the provisions of this Ordinance shall govern.

(B) No structure or premises shall hereafter be used or occupied, and no structure or portion thereof shall be erected, moved, constructed, reconstructed, extended, enlarged or altered contrary to the provisions of this Ordinance. No portion of a lot area, open space, off-street parking space or yard required about or in connection with any building for the purposes of complying with this Ordinance may be included as a portion of a lot area, an open space, off-street parking area or yard similarly required for any other building or its use.

Section 1-104. Zoning Map

(A) The location and boundaries of the districts designated in Article 2 are hereby established as shown on the map entitled Zoning District Map of the Town of Talty dated September 24, 1999 and signed by the Mayor and attested to by the Town Secretary and hereafter referred to as the Zoning Map.

(B) The Zoning Map and all the notations thereon are hereby made part of this Ordinance. The signed copy of the Zoning Map containing the zoning districts designated at the time of the adoption of this Ordinance shall be maintained without change on file in the Office of the Town Secretary. Changes made in district boundaries or other matter portrayed on the Official Zoning Map shall be made in accordance with the provisions of this Ordinance and Chapter 211, Local Government Code. Changes shall be entered on the Official Zoning Map promptly after the amendment has been approved by the Board of Alderpersons with an entry on the Official Zoning Map. No amendment to this Ordinance which involves matter portrayed on the Official Zoning Map shall become effective until after such change entries shall be made on said map.

(C) In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature and/or number of changes and additions, the Board of Alderpersons may, by resolution, adopt a new Official Zoning Map, which shall supersede the prior Official Zoning Map. The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such correction shall have the effect of amending the original.