

ORDINANCE _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF CERTAIN PROPERTY OUT OF THE JOHN ESSARY SURVEY, ABSTRACT 296, CITY OF KILLEEN, BELL COUNTY, TEXAS, FROM “RMH” (RESIDENTIAL MOBILE HOME DISTRICT) TO “RMH” WITH A CONDITIONAL USE PERMIT (CUP); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Eco-Site, L.L.C. has presented to the City of Killeen a request for amendment of the zoning ordinance of the City of Killeen by changing the classification of 0.058 acre out of the John Essary Survey, Abstract 296, for property generally located in the northwest corner of the property locally known as 3205 Florence Road, Killeen, Texas, from “RMH” (Residential Mobile Home District) to “RMH” with a Conditional Use Permit (CUP), said request having been duly recommended for approval by the Planning and Zoning Commission of the City of Killeen on the 18th day of September 2017, with the following conditions:

- the tower shall be set back a minimum of 50 feet from the adjacent “R-1” zoned tract to the west;
- the enclosure shall be set back 25 feet from the rear property line;
- the landscaping requirements for the enclosure shall be waived;

and due notice of the filing of said request and the date of hearing thereon was given as required by law, and hearing on said request was set for 5:00 P.M., on the 17th day of October 2017, at the City Hall, City of Killeen;

WHEREAS, the City Council at said hearing duly considered said request, the action of the Planning and Zoning Commission and the evidence in support thereof, and

the City Council being of the $\frac{3}{4}$ majority opinion that the applicant's zoning request should be approved;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KILLEEN:

SECTION I. That the zoning classification of 0.058 acre out of John Essary Survey, Abstract 296, for property locally known as 3205 Florence Road, Killeen, Texas, be changed from "RMH" (Residential Mobile Home District) to "RMH" with a Conditional Use Permit (CUP) subject to the conditions as recommended by the Planning and Zoning Commission.

SECTION II. That should any section or part of this ordinance be declared unconstitutional or invalid for any reason, it shall not invalidate or impair the validity, force, or effect of any other section or parts of this ordinance.

SECTION III. That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION IV. That this ordinance shall take effect immediately upon passage of the ordinance.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 17th day of October 2017, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 et seq.

APPROVED:

Jose L. Segarra, MAYOR

ATTEST:

Dianna Barker, CITY SECRETARY

APPROVED AS TO FORM

Kathryn H. Davis, City Attorney
Case #17-21
Ord. #17-____