

**ORDINANCE 2017- 17**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS GRANTING A CONDITIONAL USE PERMIT TO ALLOW A MANUFACTURED HOME, ON 0.289 ACRES OF BUILDING BLOCK 20, EAST OF MAIN STREET, LOCATED AT 1103 CEDAR STREET, WITHIN THE CITY LIMITS OF BASTROP, TEXAS; SETTING OUT CONDITIONS; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, Helen Juarez (hereinafter referred to as “Applicant”) submitted a request for a Conditional Use Permit (CUP) to allow manufactured home for 0.289 within a portion of Building Block 20, East of Main Street, within the City limits of Bastrop, Texas, hereinafter referred to as “the Property”; and

**WHEREAS**, a location map is attached hereto as Exhibit “A” (the “Property”); and

**WHEREAS**, the Property is currently zoned as Form-based Code Character Zone, N, Neighborhood; and

**WHEREAS**, pursuant to Section 10.4 of the City’s Zoning Ordinance, notice of the rezoning was given to all property owners located within two hundred (200) feet of the Property, and the Planning and Zoning Commission of the City of Bastrop held a public hearing on the CUP request on May 25, 2017; and

**WHEREAS**, after notice and hearing, the Planning and Zoning Commission has recommended **approval** of the proposed request, subject to certain conditions set forth herein; and

**WHEREAS**, pursuant to Section 10.4 of the City’s Zoning Ordinance, notice of the rezoning request was given as required by the Ordinance, and the City Council of the City of Bastrop held a public hearing on the Conditional Use Permit on June 13, 2017 to consider the Applicant’s request to install a manufactured house; and

**WHEREAS**, after consideration of public input received at the hearing, the information provided by the Applicant, and all other information presented, City Council finds by a majority vote of all members that it is in the public interest to approve the CUP.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS THAT:**

**Section 1:** The Property, situated in 0.289 acres within a portion of Building Block 20, East of Main Street located at 1103 Cedar Street, within the city limits of Bastrop, Texas as more particularly shown and described on attachments Exhibit “A”, shall be and is hereby approved with the following conditions to:

- a. Construction shall be in conformance with the City of Bastrop regulations.
- b. All necessary permits for the proposed development shall be acquired prior to occupying the building.
- c. A Building Permit shall be applied for and secured within fourteen (14) days from the date the Conditional Use Permit is granted (second reading of the ordinance). **(Note: The Zoning Ordinance states that a permit shall be secured within one year, but due to the current existence of the home, Staff recommends shortening this timeframe).** A building permit is issued in order to document and inspect the work required to install the home, connect utilities, and make any other improvements to the property.
- d. The accessory structures and other debris in the backyard must be cleaned up and brought into compliance with the Property Maintenance Code within three months from the date the Conditional Use Permit is granted.
- e. The roof of the home must be structurally sound and not present any health and safety issues.
- f. The skirting must be cleaned and reattached to the front and sides of the structure within six months from the date the Conditional Use Permit is granted.
- g. A covered front porch with a minimum area of 100 square feet must be added to front of the house. All other exterior exits/entryways need stairs and landing that meet the building code requirements. These conditions must be met prior to the home being occupied.
- h. Existing street facing fence must be removed within six months from the date the Conditional Use Permit is granted. If a new fence is installed, it must meet all current code requirements and be constructed after applying for and receiving a fence permit.
- i. The covered parking and landscaping requirements in Section 35.4 of the Zoning Ordinance must be installed within six months from the date the Conditional Use Permit is granted.

**Section 2:** This ordinance shall take effect upon passage and in accordance with the laws of the State of Texas.

**Section 3:** If any provision of this ordinance or application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this ordinance, which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

**Section 4:** This ordinance shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in

accordance with the City's Charter, Code of Ordinances, and the laws of the State of Texas.

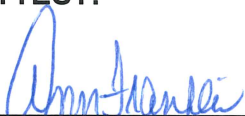
READ and ACKNOWLEDGED on First Reading on the 13<sup>th</sup> day of June 2017.

READ and APPROVED on the Second Reading on the 27<sup>th</sup> day of June 2017.

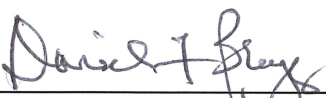
**APPROVED:**

  
\_\_\_\_\_  
Connie B. Schroeder, Mayor

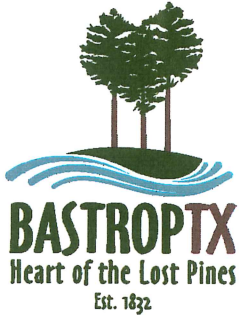
**ATTEST:**

  
\_\_\_\_\_  
Ann Franklin, City Secretary

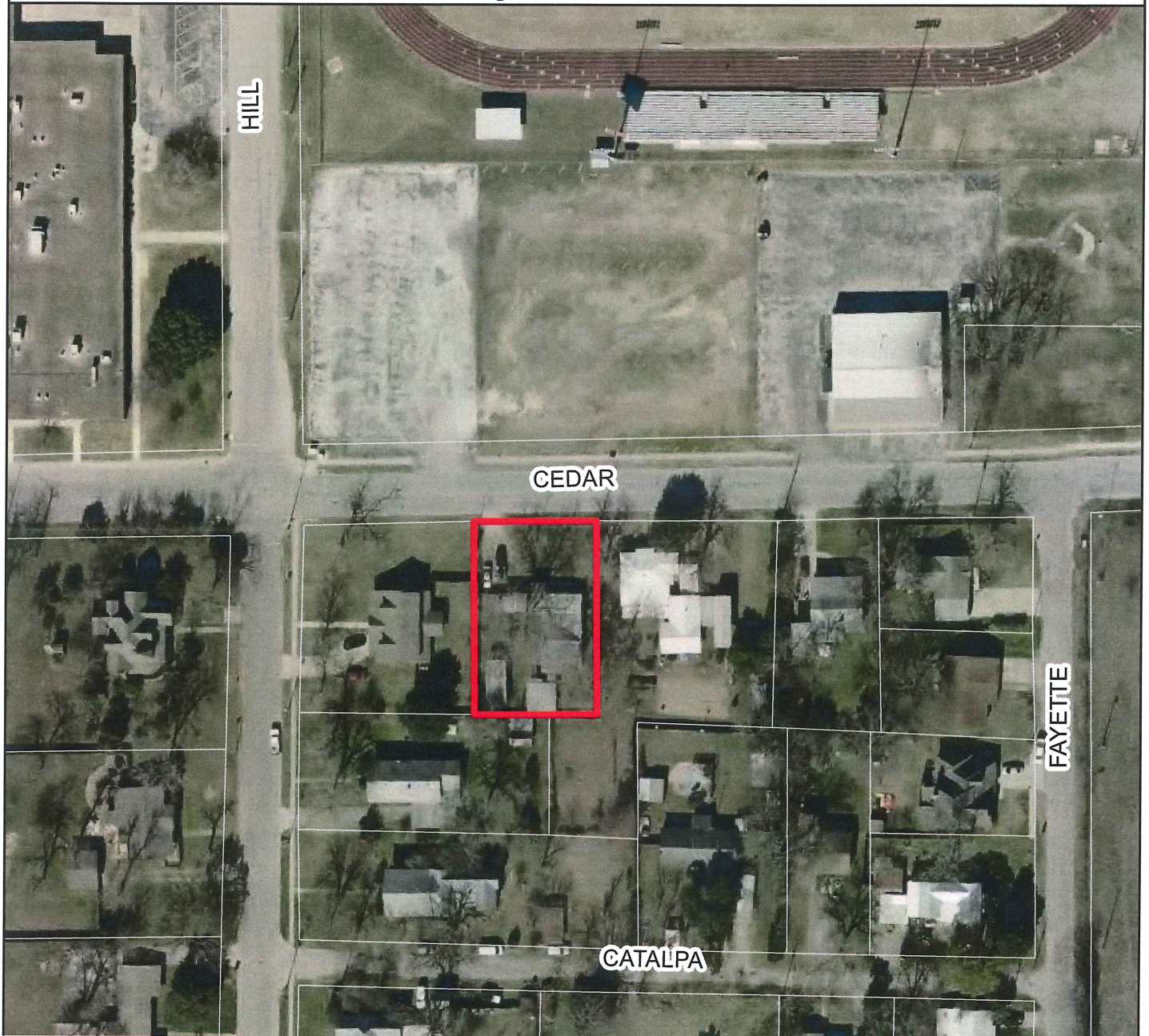
**APPROVED AS TO FORM:**

  
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David F. Bragg, City Attorney





# Property Location Map for 1103 Cedar Street



## Legend



1103 Cedar Street