

ORDINANCE NO. 238

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE TOWN OF ANNETTA, TEXAS, BY APPROVING A SPECIAL USE PERMIT FOR THE CONSTRUCTION AND USE OF AN ACCESSORY DWELLING ON A 13.5 ACRE PARCEL AT 1595 CROUSE LANE; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Annetta, Texas is a Type A general law municipality located in Parker 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, pursuant to Chapter 211 of the Local Government Code, the Town has adopted a comprehensive zoning ordinance and map regulating the location and use of buildings, other structures and land for business, industrial, residential or other purposes, for the purpose of promoting the public health, safety, morals and general welfare, all in accordance with a comprehensive plan; and

WHEREAS, a public hearing was duly held by the Planning and Zoning Commission of the Town on April 10, 2025, and by the Town Council of the Town on April 17, 2025, with respect to the zoning change described herein; and

WHEREAS, all requirements of law dealing with notice to other property owners, publication and all procedural requirements have been complied with in accordance with Town ordinances and Chapter 211 of the Local Government Code; and

WHEREAS, the Town Council of the Town of Annetta, Texas, does hereby deem it advisable and in the public interest to amend the Zoning Ordinance, as amended, as described herein.

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

SECTION 1.

A Special Use Permit (SUP) is granted in addition to the R-1 Residential Zoning for the use of an accessory dwelling on the same lot as the main dwelling unit to be used by a person or persons related to occupants of the main dwelling unit at 1595 Crouse Lane on, according to the tax records, an unplatted property of 13.5 acres in Abstract number 1814, I. & G. N. R.R. COMPANY SURVEY, Number 3, Block 8, Town of Annetta, Parker County, Texas and further described in the legal description shown as Exhibit A and in the survey of the property in Exhibit B. (The “Property”).

SECTION 2.

The Special Use Permit is approved subject to the following conditions:

1. The Accessory Dwelling may only be used by the Property owner, family member or non-paying guests of the Property owner.
2. The existing approximately 5,384 sq. ft. of living area plus 1,374 sq. ft. of basement square foot single-family residential dwelling is designated as the primary structure (hereafter the "Primary Structure"), allowing the Accessory Dwelling to be considered accessory and less than 50% of the size of the Primary Structure. The proposed 2,100 square foot dwelling on the Property is designated as the accessory dwelling (hereafter the "Accessory Dwelling").
3. The Accessory Dwelling height, area, and yard requirements shall be the same as the Primary Structure. The Accessory Dwelling will be built as shown on the attached Exhibit "C."
4. The accessory dwelling elevation as shown in the attached photo in Exhibit "D" is approved provided the color scheme and masonry shown matches or is similar to the main structure.
5. The accessory dwelling unit will be allowed to have a separate electric meter since it cannot be served by the main structure meter. An existing 2nd well may be used if approved.
6. The Accessory Dwelling unit may be constructed only with the issuance of a building permit.
7. The Accessory Dwelling may be sold only with the sale of the entire Property, including the Primary Structure. However, if the property is platted into two lots and meets the Town of Annetta platting requirements with a recorded plat, then the two separate lots may be sold separately.

SECTION 3.

The zoning changes and boundaries established herein have been made in accordance with the comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the community. They have been designed to lessen congestion in the streets, to secure safety from fire, panic, flood and other dangers, to provide adequate light and air, to prevent overcrowding of land, to avoid undue concentration of population, to facilitate the adequate provisions of transportation, water, sewerage, parks and other public requirements. They have been made after a full and complete hearing with reasonable consideration among other things of the character of the district and its peculiar suitability for the particular uses allowed and with a view of conserving the value of the buildings and encouraging the most appropriate use of land throughout the community.

SECTION 4.

The Town Secretary is hereby directed to amend the official zoning map to reflect the Special Use Permit approved herein.

SECTION 5.

This Ordinance shall be cumulative of all provisions of ordinances of the Town of Annetta, Texas, as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 6.

All rights and remedies of the Town of Annetta, Texas, are expressly saved as to any and all violations of the provisions of any ordinances governing zoning or land use that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 7.

It is hereby declared to be the intention of the Town Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the Town Council without the incorporation in this Ordinance of any such invalid or unconstitutional section, paragraph, sentence, clause or phrase.

SECTION 8.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

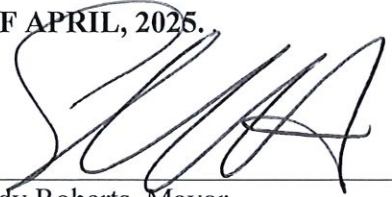
SECTION 9.

The Town Secretary is hereby directed to publish this Ordinance in compliance with state law.

SECTION 10.

This Ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED THIS 17TH DAY OF APRIL, 2025.



Sandy Roberts, Mayor

Attest:



Jamee Long
Town Secretary



EXHIBIT "A" – Legal Description

All that certain lot, tract or parcel of land lying and being situated in Parker County, Texas and being a part of the I. & G. N. R.R. COMPANY SURVEY, Number 3, Block 8, Abstract number 1814 and also being the same tract of land conveyed to Richard D. Gordon and wife, Jean F. Gordon by deed recorded in Volume 1371, Page 145, Deed Records, Parker County, Texas and being more fully described by metes and bounds as follows:

BEGINNING at a 1 inch iron rod found, same being by deed call North, 2033.05 feet and West, 965.30 feet from the Northeast corner of the R. Elkins Survey;

THENCE South 06 degrees 51 minutes 00 seconds East, 524.30 feet to a 1 inch bolt found;

THENCE South 89 degrees 58 minutes 28 seconds West, 50.16 feet to a ½ inch iron rod found;

THENCE South 06 degrees 55 minutes 26 seconds East, 174.69 feet to a ½ inch iron rod found;

THENCE South 89 degrees 55 minutes 33 seconds West, 368.00 feet to a ½ inch iron rod set;

THENCE North 00 degrees 09 minutes 12 seconds East, 176.43 feet to a ½ inch iron rod set;

THENCE South 89 degrees 29 minutes 53 seconds West, 765.56 feet to a 1 inch bolt found;

THENCE North 25 degrees 38 minutes 55 seconds East, 586.49 feet to a 5/8 inch iron rod found;

THENCE South 89 degrees 39 minutes 12 seconds East, 793.18 feet to a point for corner;

THENCE North 89 degrees 05 minutes 00 seconds East, 52.60 feet to the POINT OF BEGINNING and containing 13.464 acres of land more or less.

EXHIBIT "B" - Survey

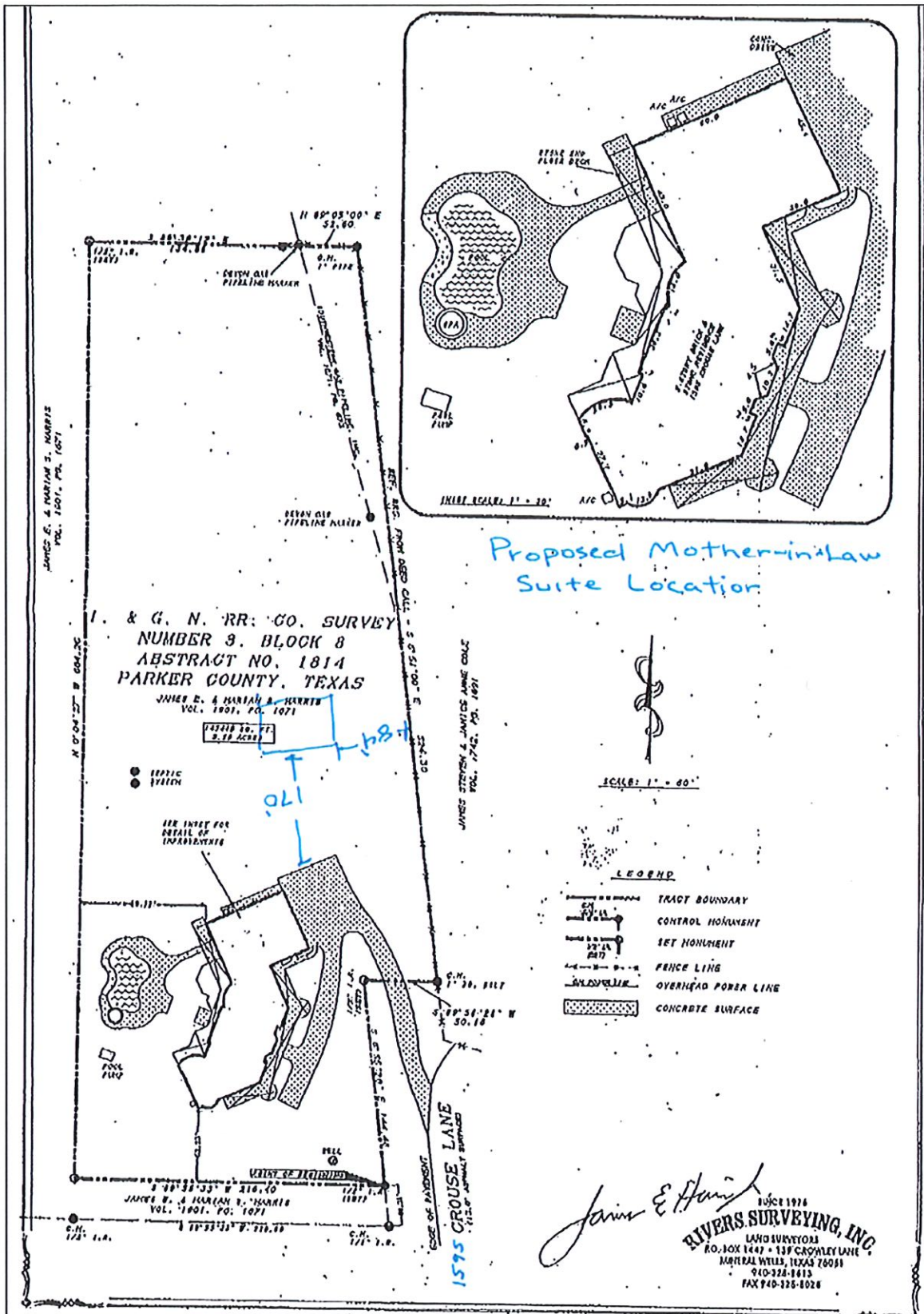
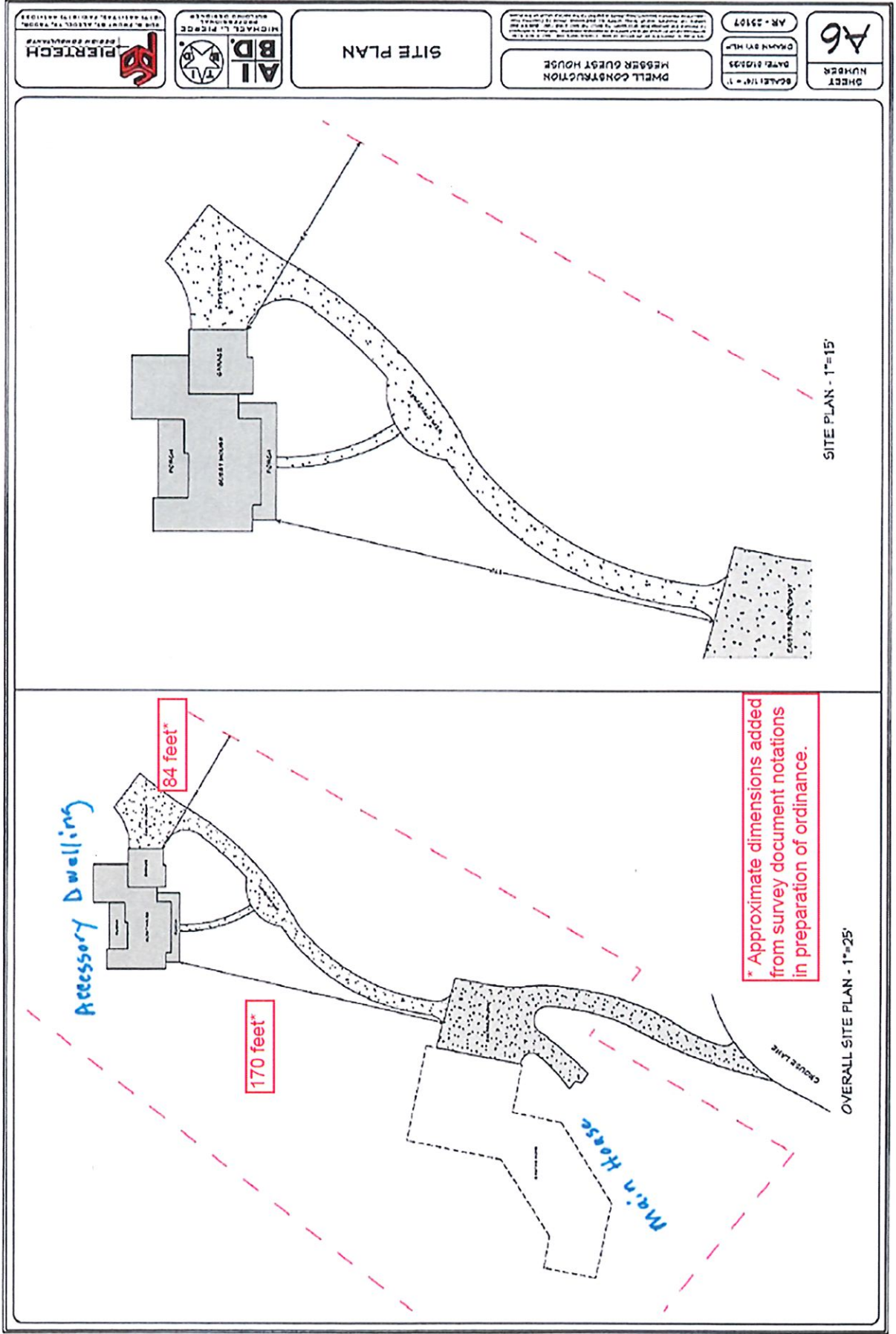


EXHIBIT "C" - Site Plan



PIERTECH
 1000 W. PEARL STREET, SUITE 100
 DENVER, COLORADO 80202

AI
 BD
 MICHAEL L. PIERCE
 PROFESSIONAL
 BUILDING DESIGNER



SITE PLAN

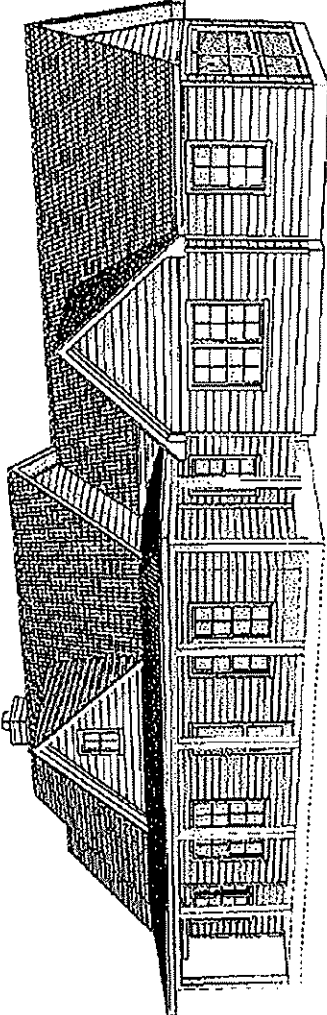
DWELL CONSTRUCTION
 HESSER GUEST HOUSE

SCALE: 1/4" = 1'
 DATE: 03/23/23
 DRAWN BY: HJM
 AN - 23107

A6
 SHEET
 NUMBER

EXHIBIT "D" – Elevation

 MICHAEL E. NICOLE ARCHITECT 1500 W. UNIVERSITY BLVD., SUITE 100 AUSTIN, TEXAS 78705	 AIA REGISTERED ARCHITECT MICHAEL E. NICOLE 1500 W. UNIVERSITY BLVD., SUITE 100 AUSTIN, TEXAS 78705	PROJECT OVERVIEW	DWELL CONSTRUCTION MESSER GUEST HOUSE	SHEET NUMBER A1	DRAWN BY: M.E.N. AR-2310
---	---	---------------------	--	-----------------------	-----------------------------



MESSER GUEST HOUSE
 1595 CROUSE LANE,
 ALEDO, TX

TABLE OF CONTENTS

- A1 - PROJECT OVERVIEW
- A2 - DIMENSIONAL FLOOR PLAN
- A3 - ELECTRICAL PLAN
- A4 - ELEVATIONS
- A5 - ROOF PLAN
- A6 - SITE PLAN

FOOTAGE CALCULATIONS	
FOOTAGE	3,110.00 SF
CEILING AREA	1,000.00 SF
WALL AREA	1,110.00 SF
TOTAL	5,220.00 SF

