

ORDINANCE NUMBER 2022-17

**AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF PAYNE SPRINGS, TEXAS RE-ZONING PROPERTY LOCATED WITHIN THE INCORPORATED LIMITS OF THE CITY OF PAYNE SPRINGS, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Payne Springs, Texas (“City”) is a Type-A general law municipality organized and existing pursuant to the laws of the State of Texas; and

WHEREAS, the City Council for the City of Payne Springs, Texas is empowered under Texas Local Government Code Chapter 54.001, et seq., to do all acts and make all regulations which may be necessary or expedient for the promotion of the public health, safety and general welfare; and

WHEREAS, Texas Local Government Code Section 211.003 empowers a municipality, by and through its City Council, to establish and amend zoning districts and classifications of land use, adopt a comprehensive plan to regulate the use of land and open spaces, adopt and amend zoning regulations, and regulate the use and location of buildings; and

WHEREAS, the City Council for the City of Payne Springs, Texas has determined that a re-zone of the tract of property the subject of this Ordinance is necessary to effectively and efficiently encourage the most appropriate use of land located within the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF PAYNE SPRINGS, TEXAS AS FOLLOWS:

**I.  
ZONING AMENDMENT**

- A. The property the subject of this zoning amendment is owned by Walid Hajer.  
Walid Hajer has previously made application for a re-zone of said property which is currently zoned residential. Walid Hajer has requested that the property currently

zoned residential be re-zoned, by way of this Ordinance, to a business zoning designation.

- B. The property the subject of Walid Hajer's application for re-zone is more particularly described as follows:

R13051 AB 484 J R Morales Sur, TR 8 (RE:PT TR8), (PT of 20.00 AC TR)  
11816 ST HWY 198 RV PARK **Exhibit A.**

- C. The property owned by Walid Hajer's, which is more particularly described in Section I.B. above and in **Exhibit A**, is, by the passage of this Ordinance, re-zoned from residential to a business designation.

- D. By the passage of this Ordinance, the property re-zoned herein shall be afforded all uses allowed by the City of Payne Springs's business zoning district designation and shall comply, in all respects, to said business district zoning designation regulations and restrictions.

## **II. PROCEDURAL COMPLIANCE FOR RE-ZONE**

- A. The City of Payne Springs has complied with all procedural requirements to effectuate this re-zone as required by local Ordinance and Texas Local Government Code Chapter 211.001, et seq.

## **III. SEVERABILITY**

If any section, clause, sentence or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

## **IV.**

**REPEALER**

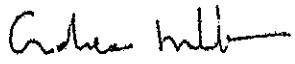
Any ordinance or section(s) of an ordinance in conflict with the provisions of this Ordinance are hereby repealed to the extent of said conflict.

**V.  
EFFECTIVE DATE**

This Ordinance shall become effective immediately upon its passage and approval of the City Council for the City of Payne Springs, Texas.

**PASSED AND APPROVED** by the City Council for City of Payne Springs, Texas this 15th day of November, 2022.

**APPROVED BY:**

  
\_\_\_\_\_  
Andrea Miller, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Beth Billings, City Secretary

EXHIBIT A

Petition/Written Request of Landowner

ANNEXATION PETITION

To: The Mayor and City Council, City of Payne Springs, County of Henderson, Texas.

GREETINGS:

I, Walid Hajer, as the owner of the property described on the attached Exhibit A which is contiguous to the municipal limits and is not more than one half (1/2) mile in width, hereby petition the City Council to extend the present municipal limits so as to annex and include said property as described in Exhibit A.

I am presenting this Petition seeking annexation of this property by the City of Payne Springs of my own volition and fully understand and acknowledge all consequences, legal and otherwise, associated with the annexation of the property.

Submitted and filed with the City Secretary of Payne Springs, Texas this 7<sup>th</sup> day of January, 2022.

PETITIONER:

[Signature]  
Printed Name: Walid Hajer

STATE OF TEXAS                   §  
  §  
COUNTY OF HENDERSON       §

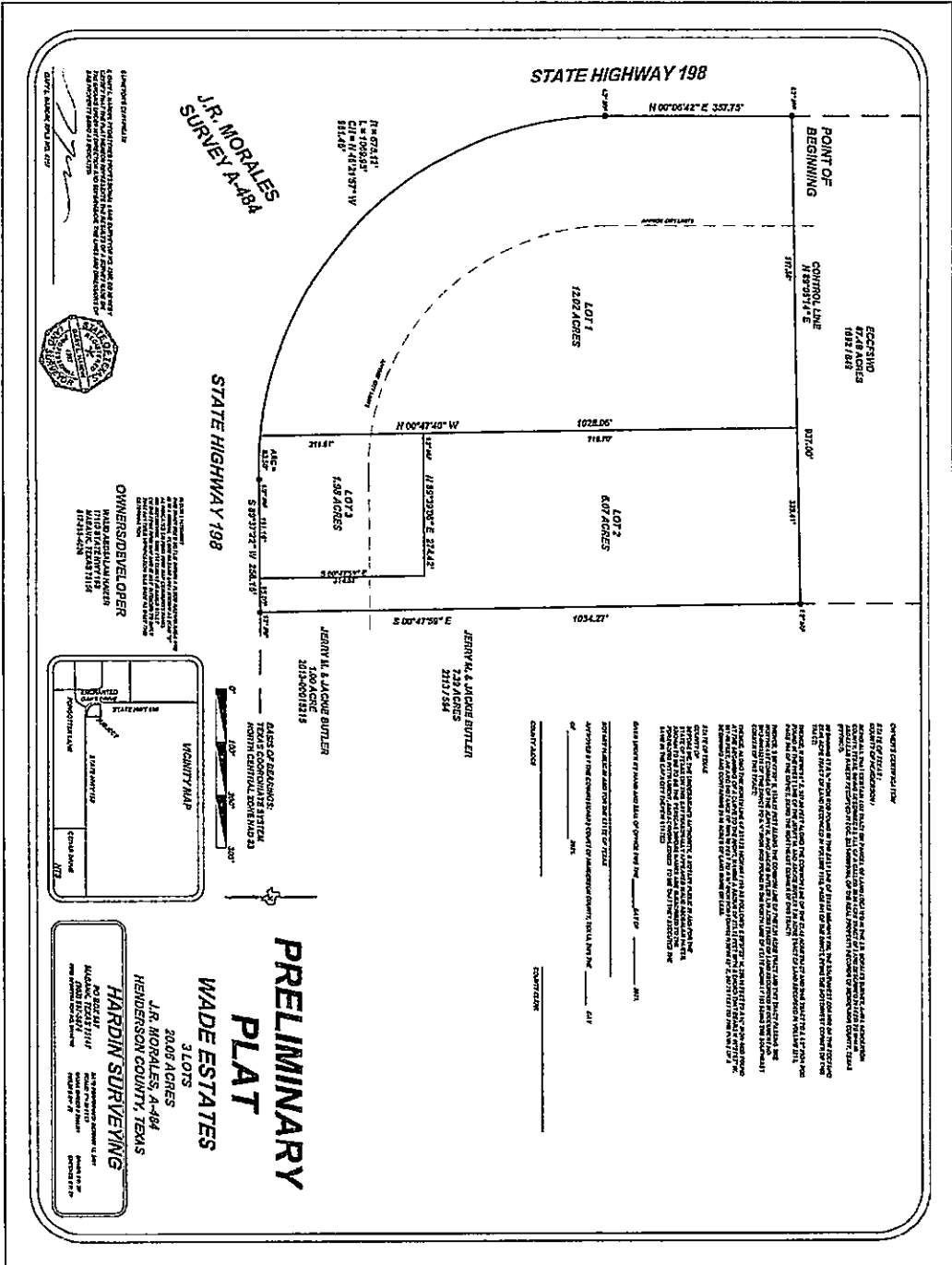
This instrument was acknowledged before me on the 7<sup>th</sup> day of January, 2022 by Walid Hajer.



[Signature]  
Notary Public, State of Texas

# EXHIBIT B

## Legal Description



PRELIMINARY PLAT

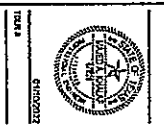
ISSUED FOR PERMIT

**C1.0**

DATE OF SURVEY	05/25/21
DATE OF PLAT	05/25/21
DATE OF RECORDING	05/25/21
DATE OF REVIEW	05/25/21
DATE OF APPROVAL	05/25/21
DATE OF CLOSURE	05/25/21

**TEXAS RV PARK**  
**WADE'S BOAT AND RV STORAGE**

11816 STATE HIGHWAY 198  
MAYBANK, TEXAS 75156



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