

**THE CITY OF MATHIS**

**ORDINANCE NO. O-22-05-05**

**AN ORDINANCE OF THE CITY OF MATHIS, SAN PATRICIO COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND THE ZONING MAP SO AS TO GIVE THE FOLLOWING DESCRIBED PROPERTY ON EXHIBIT C; A ZONING CLASSIFICATION OF B-1, BUSINESS DISTRICT USE, AND ALLOWING FOR SANITAION USE WITH RESTRICTIONS, BEING BORDERED BY N. NUECES ST, AND E. MAGNOLIA ST, IN SAN PATRICIO COUNTY, TEXAS. AMENDING THE OFFICIAL ZONING MAP OF THE CITY, PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to the Zoning Ordinance No. 06-03-13-02 of the City of Mathis, the City Manager has made recommendation to the Mathis City Council that the Zoning Ordinance be supplemented or changed; and

**WHEREAS**, the City Secretary of said City accordingly caused to be issued and published the notice required by its zoning ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation, in the City of Mathis, Texas, at least fifteen days prior to the time set for such hearing, as is shown by the publishers affidavit, attached to the original copy of this ordinance; and

**WHEREAS**, The City Council of the City of Mathis, Texas, pursuant to such notice, held its public hearing and heard all persons wishing to be heard, both for and against the aforesaid change in the Zoning Ordinance; and

**WHEREAS**, The City Council of the City of Mathis, Texas, heard all arguments for and against said change in the Zoning Ordinance and is of the opinion and finds that such reclassification would not be detrimental, but would be beneficial for the health, safety, morals, preservation of property values and the best and most orderly development of the properties affected thereby, and to be affected thereby in the City of Mathis, and as well, the owners and occupants thereof; and the City generally;

**NOW THEREFORE; BE IT ORDAINED BY THE CITY  
COUNCIL OF THE CITY OF MATHIS, TEXAS:**

**Section 1. ZONING CHANGE**

That the Comprehensive Zoning Ordinance No. 06-03-13-02 is hereby amended so as to establish the zoning on the properties listed on the attached Exhibit C, being bordered by N. Nueces St, and E. Magnolia St, in San Patricio County, Texas, a zoning classification of B-1, Business District, and allowing for sanitation use with restrictions as noted on Exhibit C. This restricts such property to the use provided under the Comprehensive Zoning Ordinance of the City of Mathis, as amended.

**Section 2. VALIDITY**

This Ordinance is declared to be valid and enforceable in all respects.

**Section 3. CONFLICT**

The repeal of any ordinance or part thereof effectuated by enactment of this Ordinance shall not be construed as abating any action now pending under or by virtue of such ordinance or as abating or modifying any penalty for violation thereof or as affecting the liability of any person, firm or corporation or waiving any right of the City of Mathis under any ordinance in effect at the time passage of this Ordinance.

**Section 4. SEVERABILITY**

It is the intention of the City Council of the City of Mathis that this Ordinance and each provision hereof shall be considered separable and the invalidity of any section, clause or provision or part thereof shall not affect the validity of any other part of this Ordinance or Ordinance No. 06-03-13-02.

**Section 5. EFFECTIVE DATE**

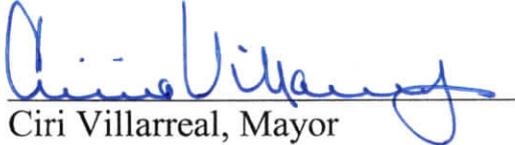
This Ordinance shall be effective upon its adoption and publication of the descriptive caption.

Section 6. READING DATES

That this ordinance was first read and approved by a majority of the City Council of the City of Mathis, Texas on May 10, 2022. The City Charter requirement for a second reading and action of any proposed ordinance was accomplished for this ordinance on May 25, 2022.

DULY PASSED AND APPROVED by the City Council of the City of Mathis, Texas this 25<sup>th</sup> day of May 2022

APPROVED

  
Ciri Villarreal, Mayor

ATTEST:

  
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Mary A. Gonzales, City Secretary

**Ordinance O-22-05-05**  
**B-1 – Exhibit C**  
**Variance for Sanitation Use, with Restrictions**

**Property Legal Description:**

Block 3, Lot 7, Mathis – Hawkins

**Variance**

Ability to continue to use as sanitation business, with the below restrictions, until the property is sold or conveyed to another owner. At such time of sale or conveyance, the property will revert back to B – 1 Business use with not variance.

**Definition**

Trash/sanitation debris – any items removed from another property with the intent of discarding the item at a designated landfill facility.

**Restrictions**

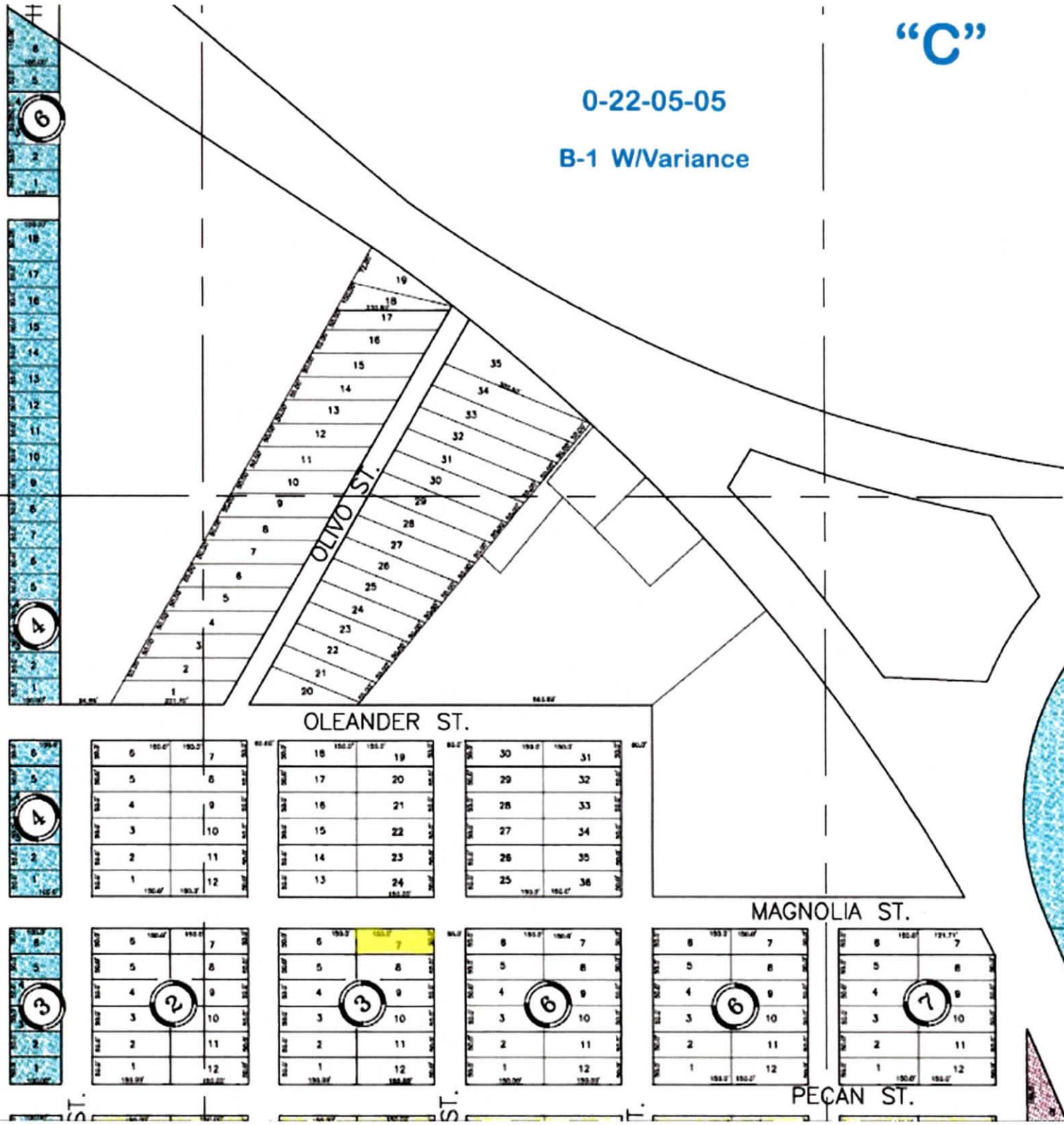
- Must not have trash/sanitation debris on property for longer than 24 hrs. Trash/sanitation debris must be taken off property and disposed of at a designated landfill facility.
- Must put a privacy fence around the entire perimeter of the property. 180-day grace period to install the fence after second reading of the ordinance.
- Must not allow for trash/sanitation debris to be spread out on the property. Trash/sanitation debris must be contained in a caged trailer or other container that will not allow dogs, cats, or other small animals to disturb and spread out the trash/sanitation debris on the property.
- Must minimize any odor from the trash/sanitation debris from creating a nuisance on the property. A nuisance may be defined as any complaint received from adjacent property owners.

"C"

0-22-05-05

B-1 W/Variance

FRONT ST.



OLEANDER ST.

MAGNOLIA ST.

PECAN ST.

OLIVO ST.