

**CITY OF LAVON**  
**ORDINANCE NO. 2021-08-02**

Zoning Change – Collin County, SH 78

**AN ORDINANCE OF THE CITY OF LAVON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF LAVON, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING DISTRICT FROM TEMPORARY AGRICULTURAL (A) TO RETAIL (R) ZONING DISTRICT ON A 2.39-ACRE TRACT OF LAND, LOCATED NEAR 1009 S. SH 78, NORTH AND WEST OF THE INTERSECTION OF SH 205 AND SH 78 AND MORE PARTICULARLY DESCRIBED HEREIN, IN THE CITY OF LAVON, COLLIN COUNTY, TEXAS; PROVIDING A PENALTY OF \$2,000 PER DAY; PROVIDING SEVERABILITY, SAVINGS, AND CUMULATIVE/ REPEALER CLAUSES; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Planning and Zoning Commission of the City of Lavon and the City Council of the City of Lavon, in compliance with the laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested, and the City Council of the City of Lavon is of the opinion and finds that said changes would provide for and would be in the best interest of the health, safety, morals and general welfare and should be granted and that the Comprehensive Zoning Ordinance and Map should be amended;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Lavon, Texas, as follows:

**SECTION 1.** That all of the above recitals are found to be true and correct and are incorporated into the body of this ordinance as if fully set forth herein.

**SECTION 2.** That the Comprehensive Zoning Ordinance and Zoning Map of the City of Lavon, Texas, heretofore duly passed by the governing body of the City of Lavon, as heretofore amended, be hereby amended by changing the Zoning District designation on the 2.39-acre tract of land more particularly described in Exhibit "A", attached hereto and incorporated herein, and herein referred to as the "Property" from temporary Agricultural (A) to Retail (R) Zoning District and amending the Official Zoning Map to reflect the approved change in zoning district.

**SECTION 3.** That the Zoning Ordinance of the City of Lavon Code of Ordinances, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

**SECTION 4.** That it is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation of this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 5.** That this ordinance shall be cumulative of all provisions of State or Federal law and other ordinances of the City of Lavon, Texas, whether codified or uncoded, 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 to the extent of such conflict.

**SECTION 6.** That any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, in the municipal court of the City of Lavon, Texas, shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 7.** Should any word, phrase, sentence or section contained herein be found to be invalid, such validity shall not affect any other portion of this ordinance.

**SECTION 8.** That 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.

**DULY PASSED AND APPROVED** by the City Council of the City of Lavon, Texas, this 3<sup>rd</sup> day of August 2021.



Vicki Sanson  
Mayor

**ATTEST:**



Rae Norton  
City Secretary



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**EXHIBIT A**

**LEGAL DESCRIPTION OF THE PROPERTY**

W.H. Moore Survey, A-0638, 2.39 acres, Tract 27  
near 1009 S. SH 78, north and west of the intersection of SH 205 and SH 78  
Lavon, Texas

