

**ORDINANCE NO. 2012-13**

**AN ORDINANCE OF THE CITY OF CANTON, TEXAS, AMENDING THE 1985 CITY OF CANTON ZONING ORDINANCE, AS HERETOFORE AMENDED, BY CHANGING THE ZONING FROM "RA" RURAL AGRICULTURAL TO "R-1" SINGLE FAMILY DETACHED RESIDENTIAL DISTRICT, ON THAT PROPERTY LOCATED AT 640 CHERRY CREEK ROAD, CANTON, TEXAS, PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, the Planning and Zoning Commission of the City of Canton and the City Council of the City of Canton, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, 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 situated in the affected area and in the vicinity thereof; and

WHEREAS, the City Council of the City of Canton is of the opinion and finds that a zoning change should be granted and that the Zoning Ordinance and Map should be amended;

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

**SECTION 1.** That the Zoning Ordinance and Map of the City of Canton, Texas, as heretofore amended, be and the same are hereby, amended by changing the property owned by Robert and Nerissa Erickson, which is approximately 1.59 acres located at 640 Cherry Creek Road, Canton, Texas, from "RA" Rural Agricultural to "R-1" Single Family Detached Residential District zoning classification.

**SECTION 2.** That the property described may be used only for the purposes set out in the Zoning Ordinance of the City of Canton, subject to the following special conditions:

- a. that the property shall be developed in accordance with the City of Canton Zoning Ordinance; and
- b. that all other regulations of the "R-1" Single Family Detached Residential District shall apply.

**SECTION 3.** That any provisions of the ordinances of the City of Canton in conflict with the provisions of this ordinance or the Zoning Ordinance and Map, as amended hereby, be, and the same are hereby, repealed.

**SECTION 4.** That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance or the Comprehensive Plan, as amended hereby, be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance or the

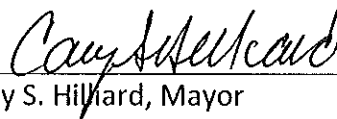
Comprehensive Plan as a whole, or any part or provision thereof, other than the part decided to be invalid, illegal or unconstitutional.

**SECTION 5.** Any violation of this Ordinance shall be a misdemeanor and each day that said violation occurs shall be a separate misdemeanor and the penalty for violating the provisions of this Ordinance shall be a fine not to exceed Two Hundred and No/100 (\$200.00) Dollars.

**SECTION 6.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption as the law in such cases provides.

**DULY PASSED** by the City Council of the City of Canton, Texas, on the 16<sup>th</sup> day of October, 2012.

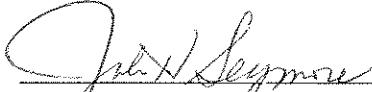
APPROVED:



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Cary S. Hilliard, Mayor

ATTEST:

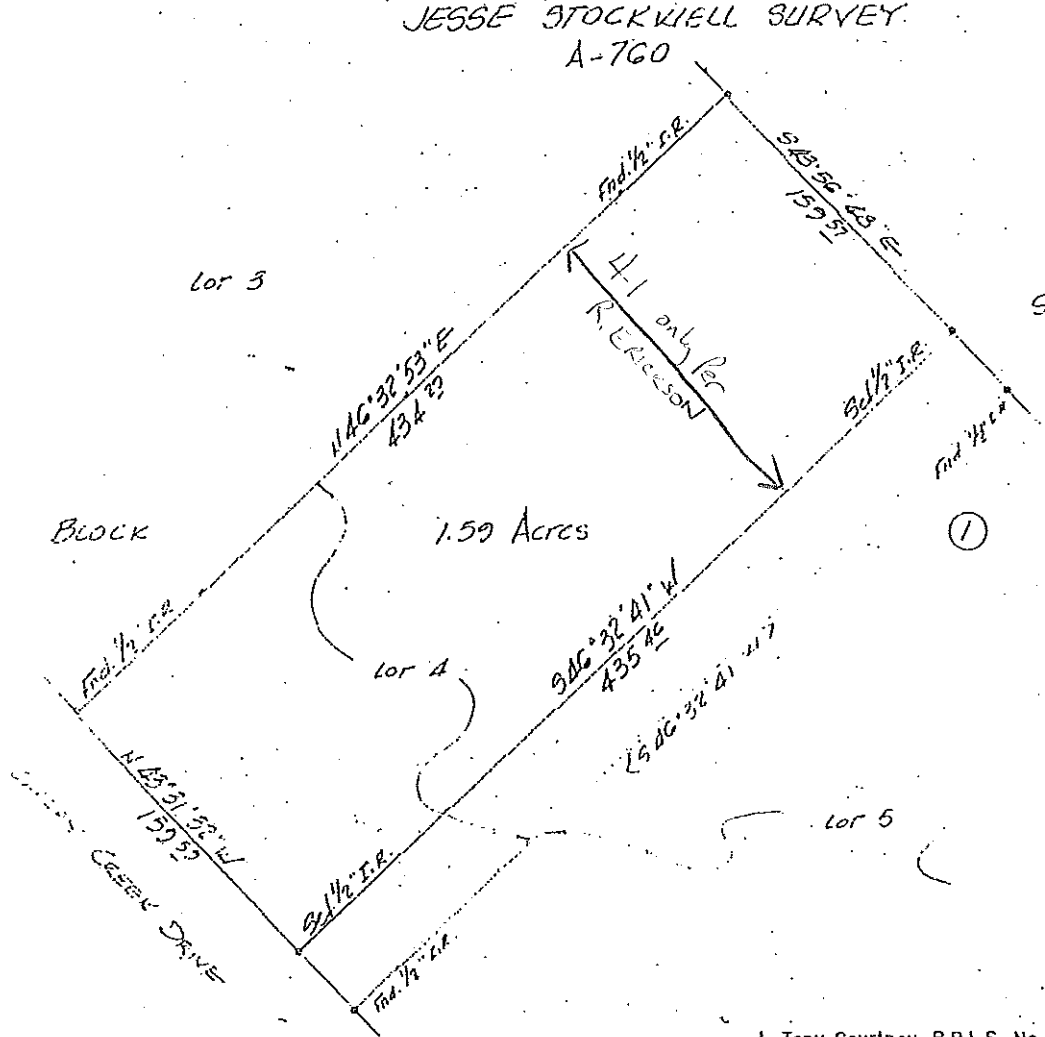


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Julie H. Seymore, City Secretary

JESSE STOCKWELL SURVEY

A-760



Scale 1" = 60'

BLOCK

1.59 Acres

Lot 3

Lot 4

Lot 5

CHERRY CREEK DRIVE

434.33  
146°32'53"E  
435.46  
906°32'41"W  
435.46  
159.92  
146°32'53"E

Survey Plat for Delbert Norrell

Plat showing survey of part of  
Lot 4 Block 1 CHERRY CREEK  
RANCHETTES as found recorded  
in Glide 119-B Plat Records  
Van Zandt County, TEXAS

Note: Easements Not Researched

I, Tony Courtney, R.P.L.S. No. 1911, declare that the plat shown hereon represents the results of an on the ground survey made under my direction and supervision, and this survey complies with the Texas Board of Professional Land Surveyors Standards effective September, 1992.

*Tony Courtney*  
TONY COURTNEY  
Registered Professional Land Surveyor #1911  
November 16, 2000

- Note: Bearings shown hereon were based on the boundary calls of *Glide 119-B* of the *Plat Records*. Bearing in < > denotes the line used for bearing control.
- Note: Reference is made to the Field Notes of survey made under my seal of even date.
- Note: "According to the Flood Map (F.I.R.M., F.H.B.M.) Community Panel Number *4810400006A*, Effective Date *January 10, 1973*, this property is situated in Zone(s) *C*
- Note: There were no encroachments or protrusions found except as shown or noted.
- Note: Some record data shown hereon was acquired or furnished by *Van Zandt County Abstract Company*.
- Note: USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR BY OTHER PARTIES SHALL BE AT THEIR OWN RISK AND THE UNDERSIGNED SURVEYOR IS NOT RESPONSIBLE FOR ANY LOSS RESULTING THEREFROM.



