

**ORDINANCE NO. 2013-24**

**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 "FMB-1" FIRST MONDAY BUSINESS 1 DISTRICT, ON THAT APPROX 19.463-ACRE PROPERTY SITUATED IN THE Q.C. NUGENT SURVEY, A-618, AND D. TOWNS SURVEY, A-845, LOCATED BY OLD MILL MARKETPLACE OFF HWY 64 AND CONNECTING WITH HWY 17 IN CANTON, TEXAS, OWNED BY CORRY-DAVIS MARKETING, INC.; 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 Corry-Davis Marketing, Inc., which is approximately 19.463 acres known as "The Mountain" located north of Hwy 64 East and west of Hwy 17, in Canton, Texas, from "RA" Rural Agricultural to "FMB-1" First Monday Business 1 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 "FMB-1" First Monday Business 1 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with the provisions of this ordinance or the Zoning Ordinance and Map, as amended hereby, be, and the same are hereby, repealed.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.

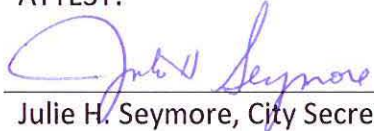
**DULY PASSED** by the City Council of the City of Canton, Texas, on the 10<sup>th</sup> day of December, 2013.

APPROVED:

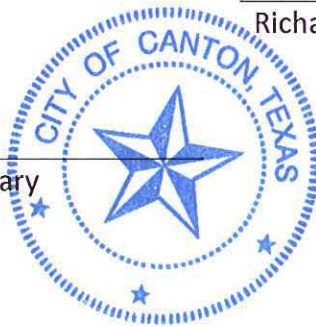


Richard W. Lawrence, Mayor

ATTEST:



Julie H. Seymore, City Secretary



**SURVEY of 20.425 ACRES**

20.425 Survey

Bill Now Tax Appr. (-) 1.660  
 (-) .356  
 = 1.304  
 To Frank

19.409  
 + .054  
 -----  
 19.463 acres  
 Zoned FMB-1

Outside City limits



Corry Davis Marketing, Inc.  
 Residue 00.60 AC.  
 1302/420

Sot 1/8" I. Rod  
 S79°50'40"W  
 280.23'  
 Sot 1/8" I. Rod  
 S120°36'39"E  
 275.46'  
 Fd. 1" Pipe  
 N120°41'39"W  
 415.73'

**Q. C. NUGENT  
 A-618**

**20.425 AC.**

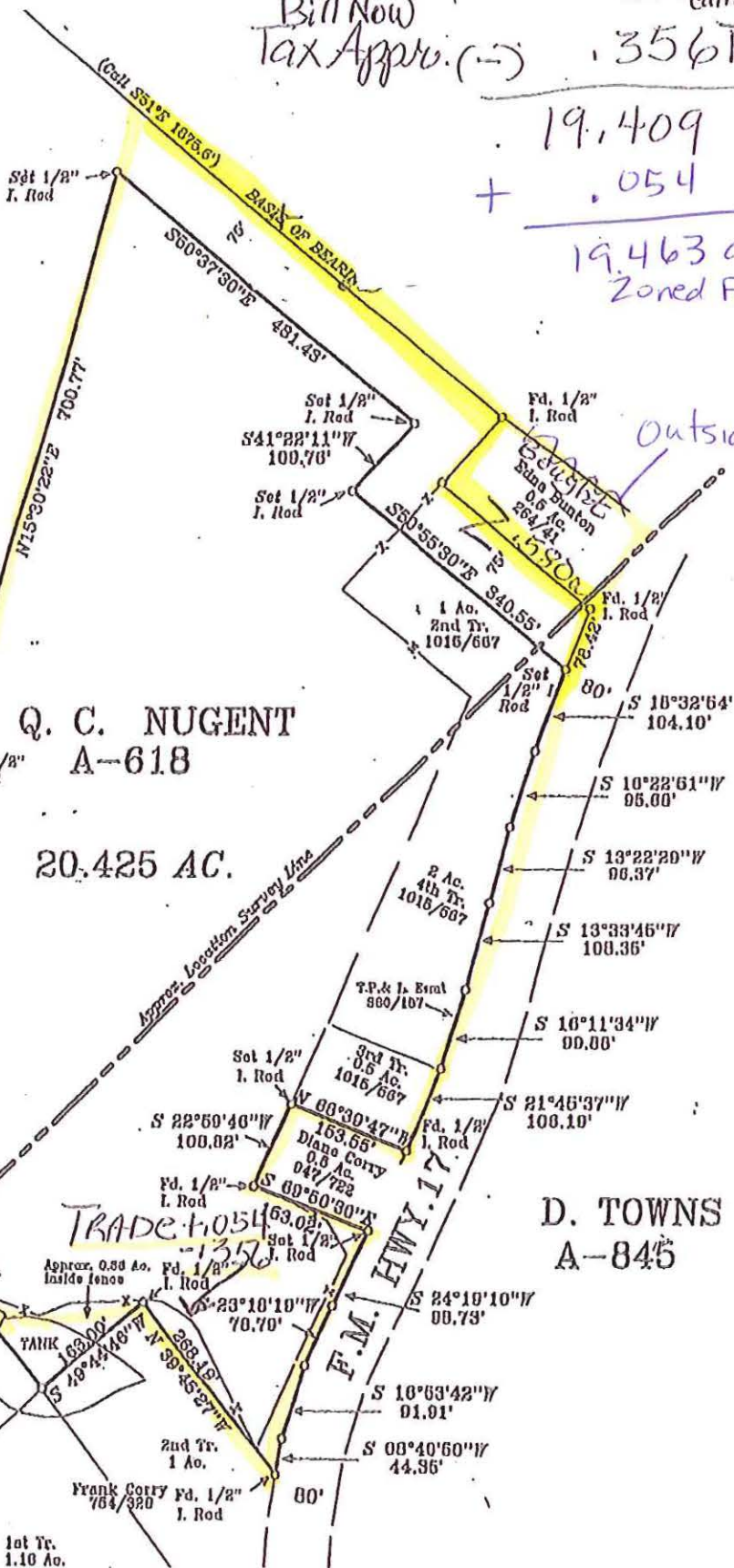
J.G. Guess  
 2 Ac.  
 289/314

Frank Corry  
 1.6 Ac.  
 430/460

TRADE 1.054  
 1350

Frank Corry  
 1.6 Ac.  
 764/320

1st Tr.  
 1.10 Ac.



**D. TOWNS  
 A-845**