



3301 CARMEN AVE, 78575

Phone 956-350-4093

Fax 956-350-4156


NOTICE OF PUBLIC MEETING
TOWN OF RANCHO VIEJO
PLANNING AND ZONING COMMISSION

MAY 6, 2013

9:00 A.M.

NOTICE is hereby given of a REGULAR MEETING of the PLANNING AND ZONING COMMISSION of the TOWN OF RANCHO VIEJO, TEXAS to be held on May 6, 2013 at 9:00 A.M. in the TOWN MUNICIPAL OFFICE, 3301 CARMEN AVENUE, RANCHO VIEJO, TEXAS to consider the following items:

1. Call to Order
2. Roll Call
3. Approval of Minutes - March 7, 2013
4. Public Hearing to Consider a Specific Use Permit Application by Arturo Garcia, Rancho Viejo Pet Club, LLC, 3470 Carmen Avenue, Rancho Viejo, Texas for Dog Boarding
5. Consideration, Discussion and Action on Final Recommendation to the Board of Aldermen on a Specific Use Permit Application by Arturo Garcia, Rancho Viejo Pet Club, LLC, 3470 Carmen Avenue, Rancho Viejo, Texas for Dog Boarding
6. Public Hearing to Consider an Ordinance of the Town of Rancho Viejo, Texas Amending the Comprehensive Zoning Ordinance, Establishing Multi Family Complex Privacy Wall Provision, Providing for an Effective Date, and Publication in Caption Form
7. Consideration, Discussion and Action on Final Recommendation to the Board of Aldermen on Ordinance of the Town of Rancho Viejo, Texas Amending the Comprehensive Zoning Ordinance, Establishing Multi Family Complex Privacy Wall Provision, Providing for an Effective Date, and Publication in Caption Form
8. Adjourn


Cheryl J. Kretz, Town Administrator

A Regular Meeting of the Planning and Zoning Commission of the Town of Rancho Viejo was held on March 7, 2013 at the Town Municipal Office, 3301 Carmen Avenue, Rancho Viejo, Texas, the same being open to the public. Mrs. Laura Partridge, Chairperson, called the meeting to order at 9:00 A.M. Roll call by made by Cheryl J. Kretz, Town Secretary.

Mrs. Partridge opened the public hearing. Mrs. Cyndie Rathbun reviewed the proposed ordinance and noted that the Strategic Planning Committee unanimously recommended approval of this ordinance. After everyone was given an opportunity to speak on the matter, the public hearing was closed.

March 7, 2013

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CONSIDERATION, DISCUSSION AND ACTION ON FINAL
RECOMMENDATION TO THE BOARD OF ALDERMEN ON AN ORDINANCE OF
THE TOWN OF RANCHO VIEJO, TEXAS AMENDING THE COMPREHENSIVE
ZONING ORDINANCE, ESTABLISHING PROCEDURE FOR OBTAINING A
SPECIFIC USE PERMIT, PROVIDING FOR AN EFFECTIVE DATE AND
PUBICATION IN CAPTION FORM:

Motion was made by Mr. Gonzalez, seconded by Mr. McGehee,
and unanimously carried, to make a final recommendation to the
Board of Aldermen to approve an Ordinance of the Town of Rancho
Viejo, Texas amending the Comprehensive Zoning Ordinance,
Establishing Procedure for Obtaining a Specific Use Permit,
Providing for an Effective Date and Publication in Caption Form.

ADJOURNMENT:

Motion was made by Mr. Gonzalez, seconded by Mr. Conde, and
unanimously carried, that the meeting be adjourned at 9:15 A.M.

BY: _____
Cheryl J. Kretz, Town Secretary

APPROVED: _____
Laura Partridge, Chairperson

DATE: _____

SPECIFIC USE PERMIT APPLICATION FORM

Town of Rancho Viejo, Texas

Planning and Zoning Commission
Board of Aldermen

Tentative Date: _____
Tentative Date: _____

Owner Information

Name: Arturo Garcia
Applicant's Name (if different from Owner): Rancho Viejo Pet Club, LLC.
Address: 3470 Carmen Ave. Ste 3
City: Rancho Viejo
State: TX
Zip Code: 78575
Telephone: (980) 380 3737 Fax: _____

Property
Property Tax ID #: 20-3064502
Property Address: 3470 Carmen Ave. Ste 3
Current Zoning: Business District Overlay District: _____
Proposed Use: Animal Boarding Gross Acreage: _____

For properties not in a recorded subdivision, submit a copy of a current survey or plat showing the properties proposed for a specific use permit, and a complete legal field note description.

Upon submitting this form to the Town of Rancho Viejo, Texas, I have enclosed the following items, which are not to be appended to the specific use ordinance, as follows:

1. No Filing fee;
2. Proof of title for each owner of record site;
3. Duly notarized authorization form of any said owner(s) who have not signed;
4. Letter describing all processes and activities involved with the proposed use;
5. Site plan drawn to scale with the information required by **Exhibit 1**; as determined by Town Hall.
6. 8 1/2" x 11" photocopy of the site plan;
7. Map showing boundaries of site covered by this application; and,
8. Concept site plan, signage plans, and elevations of the building.
9. Inspection required yearly or as determined by Town. Inspection Fee \$50.00.

Furthermore, I understand that all conditions in **Exhibit 1** must be met in order to formally request a specific use permit from the Board of Aldermen of the Town of Rancho Viejo, Texas, and that obtaining such permit is subject to formal approval by the Board of Aldermen.

Signature: _____

(X) Other

Settlement Statement

C. Note: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked ("POC") were paid outside the closing; they are shown here for information purposes and are not included in the totals.

D. Name of Borrower: DIANA INEZ SANTISO DEL RIO, 1424 WEST PRICE RD., BROWNSVILLE, TX 76520

E. Name of Seller: GIMSA, LLC., 2220 EL DORADO, RANCHO VIEJO, TX 76575 TIN:

F. Name of Lender:

G. Property Location: Unites 3,4,5,& 7 RANCHO VIEJO PLAZA CONDOMINIUMS
3470 Carmen Ave., Rancho Viejo, TX

H. Settlement Agent: Southern Texas Title Company (956) 542-6777 TIN: 74-204562
Place of Settlement: 717 N. Expressway, Brownsville, TX 78520

I. Settlement Date: 2/8/2005 **Proration Date:** 2/8/2005

6. File Number
200583391

7. Loan Number

8. Mortgage Ins. Case No.

J. Summary of Borrower's Transaction		K. Summary of Seller's Transaction	
100. Gross amount due from borrower:		400. Gross amount due to seller:	
101. Contract sales price	20.00	401. Contract sales price	
102. Personal property		402. Personal property	
103. Settlement charges to borrower (line 1400)	3.00	403.	
104.		404.	
105.		405.	
Adjustments for items paid by seller in advance of settlement		Adjustments for items paid by seller in advance of settlement	
106. City/town taxes		406. City/town taxes	
107. County taxes		407. County taxes	
108. Assessments		408. Assessments	
109. School Taxes		409. School Taxes	
110.		410.	
111.		411.	
112.		412.	
120. Gross amount due from borrower:	20.00	420. Gross amount due to seller:	
200. Amounts paid by or in behalf of the borrower:		500. Reduction in amount due to seller:	
201. Deposit or earnest money	0.00	501. Excess deposit (see instructions)	
202. Principal amount of new loan(s)		502. Settlement charges to seller (line 1400)	
203. Existing loan(s) taken subject to		503. Existing loan(s) taken subject to	
204.		504. Payoff of first mortgage loan	
205.		505. Payoff of second mortgage loan	
206.		506.	
207.		507.	
208.		508.	
209.		509.	
Adjustments for items unpaid by seller		Adjustments for items unpaid by seller	
210. City/town taxes 1/1/2005 to 2/8/2005		510. City/town taxes 1/1/2005 to 2/8/2005	
211. County taxes 1/1/2005 to 2/8/2005		511. County taxes 1/1/2005 to 2/8/2005	
212. Assessments		512. Assessments	
213. .22 ADDITIONAL REN 2/8/2005 to 2/28/2005		513. .22 ADDITIONAL REN 2/8/2005 to 2/28/2005	
214. February rent/#5 2/8/2005 to 2/28/2005		514. February rent/#5 2/8/2005 to 2/28/2005	
215. February rent/#7 2/8/2005 to 2/28/2005		515. February rent/#7 2/8/2005 to 2/28/2005	
216. SECURITY DEPOSIT UNIT 6		516. SECURITY DEPOSIT UNIT 6	
217. SECURITY DEPT. UNIT 7		517. SECURITY DEPT. UNIT 7	
218. 2/08/05 TO 2/28/05 .22 ADDIT RENT UNIT #7		518. 2/08/05 TO 2/28/05 .22 ADDIT RENT UNIT #7	
219. INS. PRO RATION 12/07/04 TO 2/08/05		519. INS. PRO RATION 12/07/04 TO 2/08/05	
220. Total paid by/for borrower:		520. Total reduction in amount due seller:	
300. Cash at settlement from borrower:		600. Cash at settlement from seller:	
301. Gross amount due from borrower (line 120)		601. Gross amount due to seller (line 420)	
302. Less amount paid by/for borrower (line 220)		602. Less total reduction in amount due seller (line 520)	
303. CASH (X) FROM () TO BORROWER		603. CASH () FROM (X) TO SELLER	

NOTIFICATIONS TITLE INSURANCE SEARCH LT-ADS DATA STATUS LOGOUT

Cameron Appraisal District
P.O. BOX 1010
2021 Amistad Dr
San Benito, Tx 78586

Cameron County
Appraisal Records

Information current as of 8/30/2011

Certified 2011 Values

Owner ID
317205
Account Number
5200840000004000
Property ID
96412
Related Information
Tax Office

DEL RIO DIANA INEZ SANTISO
1474 W PRICE RD
PMB 414
BROWNSVILLE, TX 78521

Taxing Entities

BROWNSVILLE NAVIGATION DISTRICT
CAMERON COUNTY
CC DRAINAGE DIST #1
CENTRAL APPRAISAL DISTRICT
CITY OF RANCHO VIEJO
LOS FRESNOS ISD
SOUTH TEXAS INDEPENDENT SCHOOL DISTRICT
TEXAS SOUTHMOST COLLEGE
VALLEY MUD #2

2011 Tax Rates

0.047828
0.364291
0.0314
0
0.366737
1.2
0.0492
0.162423
0.37

Subdivision



Restrictions
[7 credits]

Property Legal Description

RANCHO VIEJO PLAZA CONDOMINIUMS UNIT 4

Property Physical Address

3470 CARMEN AVE

Exemptions

Sale Information

Sale Date Deed Vol. / Inst. Type. Deed Pg. / Clerk # Deed

Property Tax Valuation

Land: \$11,610.00
Improvements: \$44,433.00
Total: \$56,043.00
Agriculture Use: \$0.00

Land

Land Type	SPTB Code	Homesite Y/N	Mkt. Value	Acre Size	SQ FT	Unit Price	Front Footage	Depth	Eff Front Footage	Eff Depth
UNKNOWN	F1	N	\$11,610.00	0.0485	2111	\$0.00			0	0

Improvements

Sketch	Picture	Type	SPTB Code	Home Site	Value	Market Modifier
	N/A	C	COMMERCIAL REAL PROPERTY	N	\$44,433.00	N/A

Improvement Segments

Seg. No.	Type	Class	Unit Price	Area	Seg. Value	Const	FNDN	Ext Wall	Int. Finish	Roof	Floor	HT/AC	Bath	Year Built
78434	MAIN AREA	VCG4	\$0.00	627	\$39,436.00									2004
277660	OPEN PORCH WOOD 1	*	\$0.00	35	\$137.00									2004
432215	CONCRETE DRIVE	*	\$0.00	1340	\$2,345.00									2004

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New Search

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NOTIFICATIONS TITLE INSURANCE SEARCH LT-ADS DATA STATUS LOGOUT

Cameron Appraisal District
P.O. BOX 1010
2021 Amistad Dr
San Benito, Tx 78586

Cameron County
Appraisal Records

Information current as of 8/30/2011

Certified 2011 Values

Owner ID
317205
Account Number
5200840000003000
Property ID
96411
Related Information
Tax Office

DEL RIO DIANA INEZ SANTISO
1474 W PRICE RD
PMB 414
BROWNSVILLE, TX 78521

Taxing Entities

BROWNSVILLE NAVIGATION DISTRICT
CAMERON COUNTY
CC DRAINAGE DIST #1
CENTRAL APPRAISAL DISTRICT
CITY OF RANCHO VIEJO
LOS FRESNOS ISD
SOUTH TEXAS INDEPENDENT SCHOOL DISTRICT
TEXAS SOUTHMOST COLLEGE
VALLEY MUD #2

2011 Tax Rates

0.047828
0.364291
0.0314
0
0.366737
1.2
0.0492
0.162423
0.37

Subdivision


Restrictions
[7 credits]

Property Legal Description

RANCHO VIEJO PLAZA CONDOMINIUMS UNIT 3

Property Physical Address

3470 CARMEN AVE

Exemptions

Sale Information

Sale Date Deed Vol. / Inst. Type. Deed Pg. / Clerk # Deed

Property Tax Valuation

Land: \$14,691.00
Improvements: \$55,728.00
Total: \$70,419.00
Agriculture Use: \$0.00

Land

Land Type	SPTB Code	Homesite Y/N	Mkt. Value	Acre Size	SQ FT	Unit Price	Front Footage	Depth	Eff Front Footage	Eff Depth
UNKNOWN	F1	N	\$14,691.00	0.0613	2671	\$0.00			0	0

Improvements

Sketch	Picture	Type	SPTB Code	Home Site	Value	Market Modifier
	N/A	C	COMMERCIAL REAL PROPERTY	N	\$55,728.00	N/A

Improvement Segments

Seg. No.	Type	Class	Unit Price	Area	Seg. Value	Const	FNDN	Ext Wall	Int. Finish	Roof	Floor	HT/AC	Bath	Year Built
78433	MAIN AREA	VCG4	\$0.00	794	\$49,430.00									2004
277659	OPEN PORCH WOOD 1	*	\$0.00	44	\$176.00									0
544514	CONCRETE DRIVE	*	\$0.00	1696	\$2,968.00									2004

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«««

New Search

»»»

Town of Rancho Viejo, Texas

March 27, 2013

To whom it may concern,

I authorized Mr. Arturo Garcia to set up a business of Pet Grooming, Boutique and Boarding in the Suites B3 and B4 of the Rancho Viejo Plaza building that I am leasing to him located on 3470 Carmen Ave.

I'd appreciate all the support that you can give him to assure a success of his company named Rancho Viejo Pet Club, LLC.

Very Truly yours,

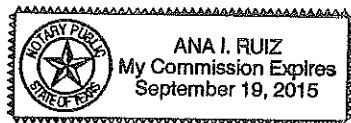
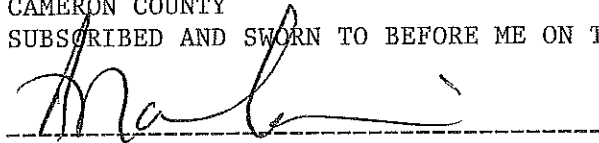


Diana del Rio

ARTURO GARCIA, OWNER
RANCHO VIEJO PET CLUB

STATE OF TEXAS
CAMERON COUNTY

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 8TH DAY OF APRIL, 2013



Rancho Viejo Pet Club, LLC.

The Pet Club has three main activities which are Grooming, Boutique and Boarding for dog and cats and following will be explained.

Grooming:

This is the bathing and hair style for the pets. We have 14 professional and first quality kennels of different sizes to keep the pets during the waiting time when they are at the Club. We count with all the grooming equipment and special dryers for this purpose and of course all the high quality products for bathing.

During the waiting time the pets should be taken out to an area in this building which is used just by the Pet Club for these purposes and a waste station is installed there to assure that the area is free of pet waste and odors. This waste station can be used by the public that are walking their dogs nearby. This area is shown in an attached plan.

All the areas are equipped with security cameras and a music system which helps significantly in maintaining the pets calmed and relaxed avoiding a nuisance ambiance.

In the Boutique area you can find all kind of apparel, food, toys, wellness products and accessories for the pets, this area is nicely decorated and also well equipped with security cameras, music system, A/C, etc.

Boarding:

The Boarding area will have kennels for boarding which are bigger than the Grooming area and where the dog can be standing and have some movement around it, the smaller kennel dimension is 3'W x 4'L x 7'H. The Boarding area will have capacity for 7 dogs, a plan is attached.

During the day the dogs are taken out to the area above mentioned where the waste station is and we take care that this space is maintained with no waste on it and odorless using products for these purposes. The dimensions of the area is 148'L x 6'W.

The customers can also ask to take their pets for a walk in periods of 20 minutes and this is given on the streets of Rancho Viejo according to the attached route.

The kennels are equipped with special plastic trays to carry the dogs waste when it happens and can be easily cleaned and disinfected and as the area has a tile floor it can

also be cleaned as many times as it requires and also disinfected and aromatized to keep the area odorless. Although it sounds like it could be a big job to do this, it is not so, even at full capacity they are not so many dogs that can make a smelly area inside or outside if we do what I mentioned and most of the dogs are trained to go outside to depose, moreover, we have had more than 10 dogs for grooming which represents almost the same problem and we have kept the area impeccable and quite, if we do not do so the boutique area would be smelly and nuisance, so, we have probed during 5 months of operation that the neighbors won't have any dogs noise nor odors.

Thanking in advance for your attention to this letter, I will be more happy than obliged to explain any doubt that you have.

Very Truly Yours,

Arturo Garcia
Rancho Viejo Pet Club
President

Rancho Viejo Town

April 12, 2013

Rancho Viejo Pet Club, LLC.

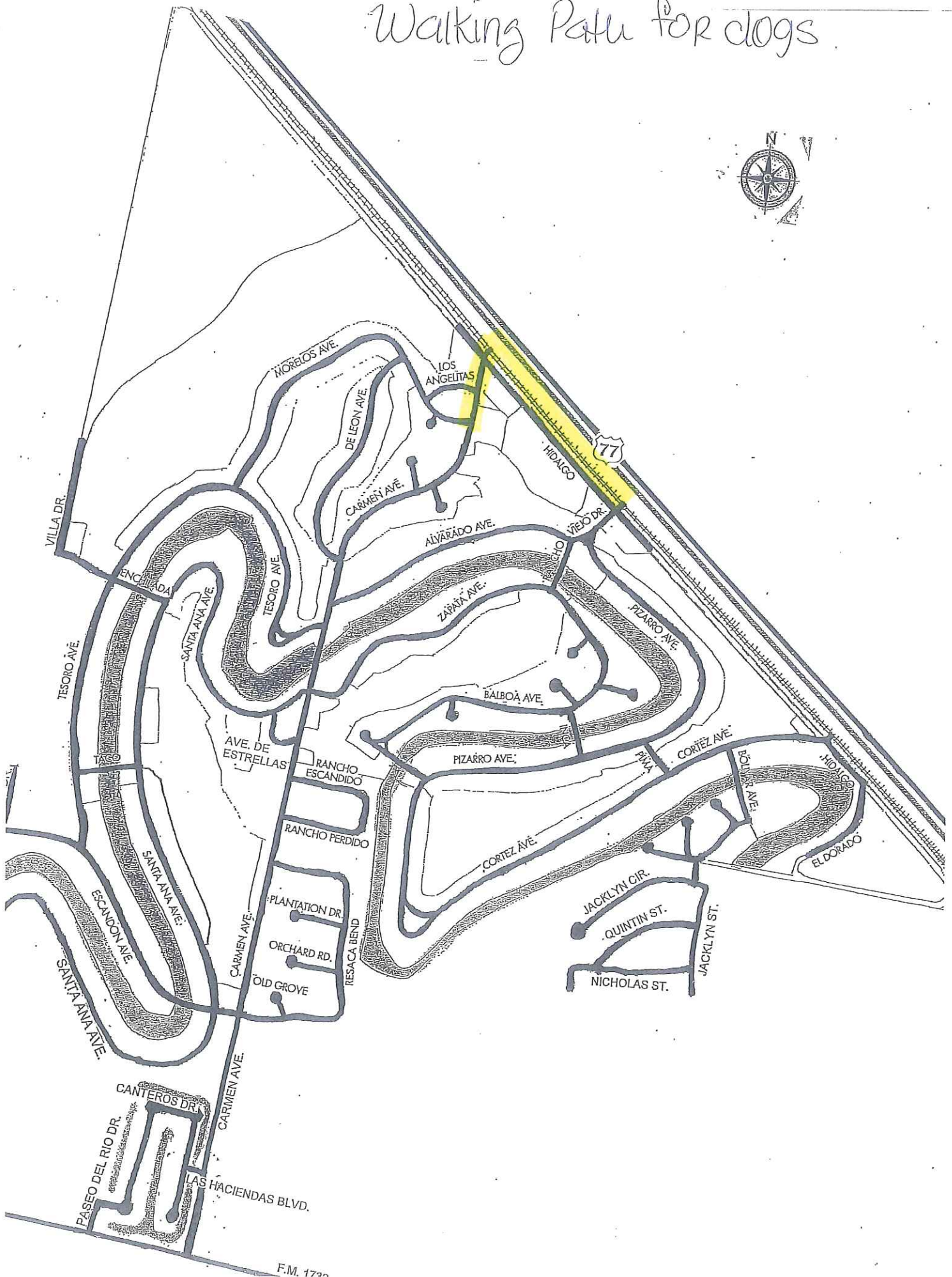
We'd like to clarify that the area where the waste station is, is big enough for this purpose because we don't take out all the dogs at once, we take one or two at a time and the area is cleaned every time is used, moreover, when we walk the dogs in the route we showed, they also used all that area which is cleaned too according to the ordinance.

If we add to the above mentioned that the capacity of boarding is 7 dogs, it is evident that there is more than enough room for the waste station.

Sincerely,

Arturo Garcia
Rancho Viejo Pet Club
President

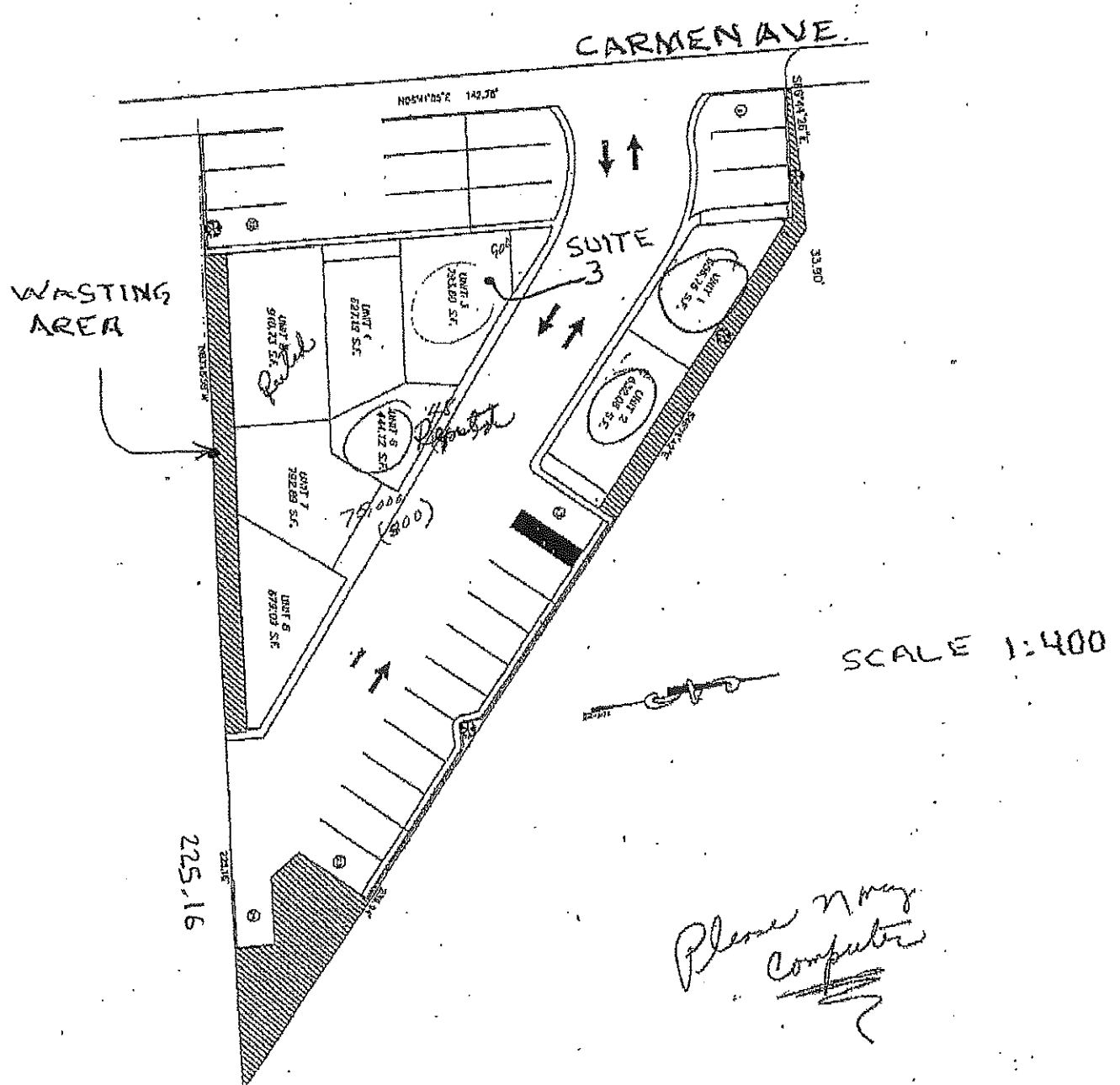
Walking Path for dogs



original make copies

RANCHO VIEJO PLAZA CONDOMINIUMS

EXHIBIT "C"



SCALE 1:40

11.50

24.40

BATHING

GROOMING

33.50

K7

K6

K5

K4

K3

K2

K1

N
2

3

4

12.75

BOARDING

2.6



ORDINANCE NO. 205

AN ORDINANCE OF THE TOWN OF RANCHO VIEJO, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, ESTABLISHING PROCEDURE FOR OBTAINING A SPECIFIC USE PERMIT, PROVIDING FOR AN EFFECTIVE DATE, AND PUBLICATION IN CAPTION FORM

WHEREAS, pursuant to Chapter 211 of the Texas Local Government Code, the Town of Rancho Viejo, Texas, has the authority to adopt a comprehensive zoning ordinance and map regulating the location and use of buildings, other structures, and land for business, industrial, residential, and other purposes; and,

WHEREAS, the Town of Rancho Viejo, Texas, adopted a comprehensive zoning ordinance and map as found in Chapter 70 of the Town's Ordinances pursuant to Chapter 211 of the Texas Local Government Code, which was made in accordance with a comprehensive plan for the purpose of promoting health, safety, peace, morals, and the general welfare of the Town of Rancho Viejo, Texas; and,

WHEREAS, section 70-1 of the Town's Ordinances provides that the comprehensive zoning ordinance is designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and, to facilitate adequate provisions for transportation, water, sewage, schools, parks, and other public requirements; and,

WHEREAS, the comprehensive zoning ordinance makes zoning regulations and districts with reasonable consideration, among other things, for the character of the district, and its peculiar suitability for the particular uses; and, with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the Town of Rancho Viejo, Texas; and,

WHEREAS, from time to time there may be a use that is sufficiently unusual in character as to not properly conform to the respective zoning districts, and may need special regulation; and,

WHEREAS, the Board of Aldermen wish to supplement Chapter 70 of the Town's Ordinances by providing authority for such special regulation in order to ensure the protection of the comprehensive plan of Chapter 70, which was adopted for the purpose of promoting health, safety, peace, morals, and the general welfare of the Town of Rancho Viejo, Texas;

NOW, THEREFORE, pursuant to the authority granted by the Constitution, laws of the State of Texas; and Chapter 211 of the Texas Local Government Code, **BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF RANCHO VIEJO, TEXAS, THAT:**

SECTION 1. All of the above premises are hereby found to be true and correct legislative and factual findings of the Town of Rancho Viejo and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. When special regulation is necessary in order to allow a use that is sufficiently unusual in character as to not properly conform to the respective zoning districts, an application may be made for a specific use permit. Any specific use permit shall not alter a zoning district classification except by adding a particular use or uses for a designated period of time, subject to conditions and regulations in addition to those of the base zoning district as the Board of Aldermen may deem necessary.

SECTION 3. In general, and subject to any regulations proposed under Section 4 herein, the following conditions must be met before a specific use permit may be issued:

- (a) The specific use shall be compatible with and not injurious to the use and enjoyment of other property, nor significantly diminish or impair property values within the immediate vicinity of the specific use;
- (b) The establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property;
- (c) Adequate utilities, access roads, drainage, and other necessary supporting facilities have been or will be provided;
- (d) The design, location, and arrangement of all driveways and parking spaces provides for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent development;
- (e) Adequate nuisance prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration;
- (f) Directional lighting will be provided so as not to disturb or adversely affect neighboring properties; and,
- (g) There are sufficient landscaping and screening to insure harmony and compatibility with adjacent property.

SECTION 4. Any application for a specific use permit must be made pursuant to the Specific Use Permit Application Form attached hereto as **Exhibit 1** and incorporated by reference. The Board of Aldermen and the Planning and Zoning Commission shall only approve a request for a specific use permit after they have each determined, after a public hearing, that the use or uses allowed will not be detrimental to the neighborhood around the area of request or to the Town of Rancho Viejo, Texas, as a whole, or comprehensive plan for the health, safety, peace, morals, and the general welfare of the Town of Rancho Viejo, Texas as set forth in the comprehensive zoning ordinance. Furthermore, in the course of considering any application for a specific use permit, the Board of Aldermen shall not grant any such application until the Planning and Zoning Commission has made a final recommendation on the advisability of said permit, and has had an opportunity to propose necessary regulations to accompany said permit. The Board of Aldermen and the Planning and Zoning Commission may require from the applicant any plans, including but not limited to site plans, information, operational data, and expert evaluation concerning the location, function, and characteristics of the proposed use or building.

SECTION 5. The Board of Aldermen when awarding a specific use permit, and the Planning and Zoning Commission when making a final recommendation concerning an application for a specific use permit, shall establish conditions and regulations, in addition to

those of the base zoning district, necessary to comply with the comprehensive plan for the health, safety, peace, morals, and the general welfare of the Town of Rancho Viejo, Texas.

SECTION 6. Failure to comply with regulations, restrictions, and conditions of a specific use permit, or with any provisions of this Ordinance, or with County, State, and Federal laws, shall constitute adequate reason for revocation of a specific use permit at the sole discretion of the Board of Aldermen, after public hearing and final recommendation of the Planning and Zoning Commission.

SECTION 7. The various guidelines approved by the Board of Aldermen, which are not part of this Ordinance, shall serve as the guidelines when establishing regulations for specific use permits for the respective uses. The Planning and Zoning Commission may recommend, and the Board of Aldermen may modify, alter, change, add to, and delete from the guidelines as they find necessary to fit the needs at the location. The conditions and regulations of the base zoning district shall apply in addition to any special conditions or regulations that the Board of Aldermen may impose.

SECTION 8. The Planning and Zoning Commission shall, prior to holding a hearing to provide, change, revise, or modify a specific use permit, send notice of the hearing to all owners of property, or persons rendering the same for taxes, within such specific use permit, and to the owners within 200 feet of the specific use permit not less than ten (10) days before the hearing is held, and must send notice by one publication in an official newspaper, or a newspaper of general circulation, in the Town of Rancho Viejo, Texas, not less than fifteen (15) days before the hearing is held. After the Board of Aldermen receive the final recommendation of the Planning and Zoning Commission, the Board of Aldermen shall, prior to holding a hearing to take action on the final recommendation, provide notice of the time and place of the hearing by publishing the notice at least fifteen (15) days prior to the date of the hearing in an official newspaper, or a newspaper of general circulation, in the Town of Rancho Viejo, Texas.

SECTION 9. Any and all ordinances, orders, resolutions, rules, regulations, policies or provisions in conflict with the provisions of this Ordinance are hereby repealed and rescinded to the extent of any conflict herewith.

SECTION 10. If any section, subsection, clause, phrase or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases or provisions of this Ordinance, or the application thereof to any person or circumstances, shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

SECTION 11. This Ordinance shall become effective from and after the date of its passage and publication, and it is accordingly so ordained.

SIGNATURE PAGE TO FOLLOW:

PASSED, ADOPTED, AND APPROVED on this th 12 day of March 2013.

Roberto Medrano
Roberto Medrano, Mayor

ATTEST:

Cheryl Kretz
Cheryl Kretz, Town Secretary

SPECIFIC USE PERMIT APPLICATION FORM

Town of Rancho Viejo, Texas

Planning and Zoning Commission
Board of Aldermen

Tentative Date: _____
Tentative Date: _____

Owner Information

Name: _____
Applicant's Name (if different from Owner): _____
Address: _____
City: _____
State: _____
Zip Code: _____
Telephone: _____ Fax: _____

Property

Property Tax ID #: _____
Property Address: _____
Current Zoning: _____ Overlay District: _____
Proposed Use: _____ Gross Acreage: _____

For properties not in a recorded subdivision, submit a copy of a current survey or plat showing the properties proposed for a specific use permit, and a complete legal field note description.

Upon submitting this form to the Town of Rancho Viejo, Texas, I have enclosed the following items, which are not to be appended to the specific use ordinance, as follows:

1. No Filing fee;
2. Proof of title for each owner of record site;
3. Duly notarized authorization form of any said owner(s) who have not signed;
4. Letter describing all processes and activities involved with the proposed use;
5. Site plan drawn to scale with the information required by **Exhibit 1**; as determined by Town Hall.
6. 8 1/2" x 11" photocopy of the site plan;
7. Map showing boundaries of site covered by this application; and,
8. Concept site plan, signage plans, and elevations of the building.
9. Inspection required yearly or as determined by Town. Inspection Fee \$50.00.

Furthermore, I understand that all conditions in **Exhibit 1** must be met in order to formally request a specific use permit from the Board of Aldermen of the Town of Rancho Viejo, Texas, and that obtaining such permit is subject to formal approval by the Board of Aldermen.

Signature: _____

Exhibit 1

EXHIBIT 1

The site plan must be drawn to scale, and must include the following information:

- ☐ 1. Boundaries of the area covered by the site plan;
- ☒ 2. The location of each existing and proposed building and structure in the area covered by the site plan and the number of stories, height, roof line, gross floor area, and location of building entrances and exits;
- ☐ 3. The location of existing and proposed drainage ways and significant natural features;
- ☐ 4. Proposed required landscaping and screening buffers;
- ☐ 5. The location and dimensions of all curb cuts, public and private streets, required parking and loading areas, pedestrian walks, lighting facilities, and outside trash storage facilities;
- ☐ 6. The location, height, and type of each existing or required wall, fence, and all other types of screening;
- ☒ 7. Off street parking, loading, and traffic circulation;
- ☒ 8. Refuse collection;
- ☒ 9. Narrative detailing the specific use, operating data, conditions of operation, and the enforceable conclusions of impact statement(s) (expert if necessary) concerning the location, function, and characteristics of any building or use to be included in the completed project; and,
- ☒ 10. The location, height, and size of all proposed signs.

The following conditions must be met before a specific use permit may be issued:

- ☐ 1. That the specific use will be compatible with and not injurious to the use and enjoyment of other property, nor significantly diminish or impair property values within the immediate vicinity;
- ☐ 2. That the establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property;
- ☐ 3. That adequate utilities, access roads, drainage, and other necessary supporting facilities have been or will be provided;
- ☐ 4. The design, location, and arrangement of all driveways and parking spaces provides for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent development;
- ☐ 5. That adequate nuisance prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration;
- ☐ 6. That directional lighting will be provided so as not to disturb or adversely affect neighboring properties;
- ☐ 7. That there are sufficient landscaping and screening to insure harmony and compatibility with adjacent property; and,
- ☐ 8. Any other conditions established by the Specific Use Ordinance, and/or by the Planning and Zoning Commission or the Board of Aldermen.

Other Comments Not Addressed: _____

ORDINANCE NO.

AN ORDINANCE OF THE TOWN OF RANCHO VIEJO, TEXAS, AMENDING SECTION 70-4 AND AMENDING DIVISION 4 OF ARTICLE III OF CHAPTER 70 OF THE TOWN OF RANCHO VIEJO, TEXAS, CODE OF ORDINANCES, PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION IN CAPTION FORM

WHEREAS, the zoning regulations and districts of the Town of Rancho Viejo, Texas, are established in accordance with a comprehensive plan for the purpose of promoting health, safety, peace, morals, and the public welfare of the residents of the Town of Rancho Viejo, Texas, and are deemed to be in the best interest of the Town of Rancho Viejo, Texas; and,

WHEREAS, the zoning regulations and districts of the Town of Rancho Viejo, Texas, have been made with reasonable consideration, among other things, for the character of the district, and its peculiar suitability for the particular uses; and, with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the Town of Rancho Viejo, Texas; and,

WHEREAS, Division 4 of Article III of Chapter 70 of the Town of Rancho Viejo, Texas, Code of Ordinances provides special regulations for structures; and,

WHEREAS, the Town of Rancho Viejo, Texas, wishes such special regulations to include provisions concerning privacy walls for multi-family complexes;

WHEREAS, section 70-4 of Chapter 70 of the Town of Rancho Viejo, Texas, provides definitions of certain words, terms, and phrases used in Chapter 70; and,

WHEREAS, the Town of Rancho Viejo, Texas, wishes section 70-4 to include a definition for "Privacy wall structure";

NOW, THEREFORE, pursuant to the authority granted by the Constitution and laws of the State of Texas, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF RANCHO VIEJO, TEXAS, THAT:

SECTION 1. All of the above premises are hereby found to be true and correct legislative and factual findings of the Town of Rancho Viejo, Texas, and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. Division 4 of Article III of Chapter 70 of the Town of Rancho Viejo, Texas, Code of Ordinances, shall be amended to include Sec. 70-335, as follows:

"Sec. 70-335. – Multi-Family Complex Privacy Walls

In a multi-family complex, each unit can have up to two horizontal cedar lap siding privacy wall structures. These structures must be attached to the main dwelling, and shall only enclose limited common elements dedicated to that unit. Total privacy wall structure height

including posts may not exceed 7 feet measured to the ground on both sides of said structure. The privacy wall structure may not exceed a total of 45 linear feet per structure, equaling a maximum of 315 square partition feet per structure. There must be a 12 ft. minimum separation between two privacy wall structures. The privacy wall structure must be constructed of cedar lap siding only, and horizontal siding must be inside and outside of the wall structure.”

SECTION 3. Section 70-4 of Chapter 70 of the Town of Rancho Viejo, Texas, Code of Ordinances, shall be amended to include a definition of “Privacy wall structure”, as follows:

“*Privacy wall structure* means the privacy wall structure described in Section 70-335 for multi-family complexes.”

SECTION 4. Any and all ordinances, orders, resolutions, rules, regulations, policies or provisions in conflict with the provisions of this Ordinance are hereby repealed and rescinded to the extent of any conflict herewith.

SECTION 5. If any section, subsection, clause, phrase or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases or provisions of this Ordinance, or the application thereof to any person or circumstances, shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

SECTION 6. This Ordinance shall become effective from and after the date of its passage and publication, and it is accordingly so ordained.

PASSED, ADOPTED, AND APPROVED on this ____ day of May 2013.

Roberto Medrano, Mayor

ATTEST:

Cheryl Kretz, Town Secretary