

OUT PROCESSING ZONING CHECKLIST

71-67
HALL, A.J.
R-1 to CUP

Left side of file:

- Original Application
- Corporate Resolution/Partnership Agreement (if needed)
- Authorization to sign/Power of Attorney (if needed)
- Deed Restrictions/Warranty Deed
- Field Notes (if applicable)
- Site Plan (if applicable)

Right side of file:

Ordinance/CC Memo (Ord. Number _____)

Owner Approval Letter/Dated _____

CC Minutes 12.13.71

CC Agenda

- CC Packet:
- CC Memo
 - Zoning Application (copy front and back)
 - Site Plan (if applicable)
 - Maps
 - SPO Responses (if any)
 - P&Z Minutes

Public Notice

P&Z Minutes (Signed Copy) 11.8.71

P&Z Agenda

- P&Z Packet:
- P&Z Memo
 - Application (copy front & back)
 - Site Plan (if applicable)
 - Maps

PVT

SPO Responses (if any)

PO/SPO Letter: Sent Support
 Opposed Undelivered

SPO Map

Copy of SPO Database

Printout of SPO's

Receipt for application fee

Plat (Engineer & Plat if applicable)

CUP (site plan if applicable)

Label made for outside folder

Copy of Ordinance given to Mapping

12/13/71

OF DWELLINGS AND ACCESSORY STRUCTURES AND PROVIDING FOR THE CONDEMNATION OF ALL BUILDINGS AND STRUCTURES DEEMED UNFIT FOR HUMAN HABITATION AND USE; AND FIXING PENALTIES FOR VIOLATIONS. Motion was made by Gilmore, second by Bonner, to approve the ordinance as read. All voted YES.

ORDINANCE, PLUMBING CODE.

The following ordinance was read: AN ORDINANCE REPEALING ALL ORDINANCES, OR PARTS OF ORDINANCES, OR AMENDMENTS THERETO, THAT CONFLICT WITH THE TERMS OR CONDITIONS OF THIS ORDINANCE AND ENACTING IN LIEU THEREOF A NEW ORDINANCE, REGULATING PLUMBING WORK IN THE CITY OF KILLEEN, TEXAS; DEFINING CERTAIN TERMS; PROVIDING FOR CERTAIN EXEMPTIONS; PROVIDING FOR THE ENFORCEMENT OF THIS ORDINANCE AND THE ISSUANCE OF PERMITS AND ESTABLISHING CERTAIN FEES; PROVIDING FOR SPECIFICATIONS, MATERIALS AND METHODS OF PLUMBING INSTALLATIONS; PROVIDING PENALTIES FOR VIOLATION OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE. Motion was made by Young, second by Bonner, to approve the ordinance as read. All voted YES.

SET PUBLIC HEARINGS, REZONING.

Request was heard by Larry Farris to rezone 2/3 acre of the J. S. Wilder Survey on Schwald Road, from R-1 (Single Family) to "Special Use". Motion made by Bonner, second by Gilmore, to set a public hearing for January 10, 1972. All voted YES.

Request was heard by Mrs. Alva Adams, for Mrs. Carrie Marshall, to rezone Lot 3, Block 3, Camp Addition, from R-2 (Two Family) to "Special Use". Motion made by Lane, second by Hooper, to set a public hearing for January 10, 1972. All voted YES.

HOLD PUBLIC HEARING, A. J. HALL.

A public hearing was called to consider the request of A. J. Hall, to rezone 46.2 acres of the John Gosline Survey, along new Hiway 190, from R-1 (Single Family) to Community Unit Plan, area to be known as Southtown Addition. Mr. Vernon Hall, living on Grandon Drive, read a petition signed by the property owners along Grandon Drive, requesting refusal of a B-3 (Business) zoning, for 100 foot strip between new Highway 190 and the rear of lots along Grandon Drive. Several other property owners made statements requesting denial of this zoning. Mr. A. J. Hall made statement to council requesting B-3 zoning of this strip since present ordinances prevent use of the area for R-1 building. After discussion, motion made by Young, second by Bonner, to approve the "Community Unit Plan", except that area designated as B-3 (Business) near Grandon Drive and this area to remain as R-1 (Single Family). Voting YES were Gilmore, Bonner, Lane and Young. Voting NO were Wells and Hooper. The motion was approved 4 to 2.

RESOLUTION, LAW ENFORCEMENT INTERLOCAL ASSISTANCE.

The following Resolution was read: A RESOLUTION AUTHORIZING THE MAYOR OR ANOTHER AUTHORIZED OFFICER TO MAKE PROVISIONS FOR ITS LAW ENFORCEMENT OFFICERS TO ASSIST, UNDER ENUMERATED CONDITIONS, ANY OTHER MUNICIPALITY OR ANY COUNTY WHEN SUCH ASSISTANCE IS REQUESTED BY ANY AUTHORIZED OFFICER OF SAID MUNICIPALITY OR COUNTY. Motion made by Bonner, second by Young, to approve the resolution as read. All voted YES.

11/8/71

CITY OF KILLEEN
REGULAR MEETING OF CITY COUNCIL
NOVEMBER 8, 1971

Presiding: Mayor James R. Lindley

Present: Councilmen Major Blair, Harold Bonner, Bob Gilmore, Sandy Hooper, John R. Lane, Kenneth Wells and Dr. Tom Young. Also present were City Manager J. J. Jones, City Attorney Glenn Michalk and City Clerk T. H. Norman.

Absent: None. Invocation given by T. H. Norman.

MINUTES:

Minutes were presented of regular council meeting of October 25. Motion by Young, second by Blair, to approve the minutes without reading. All voted YES.

ORDINANCE, LICENSING OF DOGS.

The following Ordinance was read: AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 2, SECTIONS 3, 7, 8, 9, 10, 12 AND 15 OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN, ESTABLISHING A LICENSE FEE OF ONE DOLLAR AND FIFTY CENTS (\$1.50) FOR EACH MALE DOG AND SPAYED FEMALE DOG, A LICENSE FEE OF THREE DOLLARS (\$3.00) FOR UNSPAYED FEMALE DOGS AND A LICENSE FEE OF TEN DOLLARS (\$10.00) PER KENNEL; DEFINING KENNEL AS A PLACE WHERE FOUR OR MORE DOGS ARE KEPT FOR BREEDING OR ANY OTHER PURPOSE; ESTABLISHING THAT THE LICENSE SHALL RUN FROM JANUARY 1ST TO JANUARY 1ST OF THE SUCCEEDING YEAR; DESIGNATING THE DIRECTOR OF PUBLIC WORKS AS ADMINISTRATOR OF CHAPTER 2, ARTICLE 2 INSTEAD OF THE CHIEF OF POLICE; AND ESTABLISHING AN EFFECTIVE DATE. Motion made by Hooper, second by Gilmore, to approve the ordinance as read. All voted YES.

ORDINANCE, INDUSTRIAL WASTE.

The following ordinance was read: AN ORDINANCE REGULATING THE DISCHARGE OF INDUSTRIAL WASTES INTO THE PUBLIC SEWERS OF THE CITY OF KILLEEN PROMULGATING REGULATIONS AND ESTABLISHING CHARGES FOR SERVICES RENDERED, PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE. Motion made by Bonner, second by Wells, to approve the ordinance as read. All voted YES.

AIRPORT RULES AND REGULATIONS.

Council considered certain amendments to the Killeen Municipal Airport rules and regulations. Motion made by Young, second by Bonner, to approve the amendments. All voted YES. Mr. Mark Connell and Mr. Ted Connell of Rio Airways questioned the amendments and asked that a proposed ordinance adopting the airport rules and regulations be passed until they could meet with council in workshop session to discuss the entire rules. Motion made by Blair, second by Lane, to table adopting an ordinance incorporating the rules and regulations, until the regular council meeting of November 22. All voted YES.

SET PUBLIC HEARING, REZONING, A. J. HALL.

Request was made by A. J. Hall to rezone 46.2 acres of the John Gosline Survey, from R-1 (Single Family) to Community Unit Plan, area known as Southtown Addition. Motion by Blair, second by Bonner, to set a public hearing for December 13. All voted YES, except Wells, voting No. The motion was approved 6 to 1.

STATE OF TEXAS
COUNTY OF BELL
CITY OF KILLEEN

A RESOLUTION APPROVING THE SUBDIVISION, DEDICATION AND NAMING OF ALL THE STREETS AND AVENUES IN SOUTHTOWN ADDITION, FIRST EXTENSION, AN ADDITION TO THE CITY OF KILLEEN, BELL COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF FILED WITH THE CITY CLERK AND HEREBY APPROVED.

BE IT RESOLVED BY THE CITY COUNCIL OF KILLEEN:

SECTION I. That the action of A. J. Hall and wife, Katherine Hall in subdividing, dedicating and naming the streets and avenues of Southtown Addition, First Extension, to the City of Killeen, Bell County, Texas, is hereby in all things approved by the City Council of the City of Killeen, as meeting all the requirements and provisions of Article 974a as revised of the Statutes of the State of Texas. The lots and blocks of Southtown Addition, First Extension, are fully shown on the plat on file with the City Clerk of the City of Killeen, Bell County, Texas, which plat is hereby approved as constituting the lots, blocks, streets, avenues, and utilities easements of said Southtown Addition, First Extensions.

SECTION II. BE IT FURTHER RESOLVED that the restrictions and protective covenants set forth in the dedication attached to the plat of Southtown Addition, First Extension, filed with the City Clerk as aforesaid, together with the dedication of the streets, avenues and easements for public use forever are hereby addepted and approved.

PASSED AND APPROVED on the 25 day of MARCH, 1974.

Jamie R. Buckley
Mayor

Attest:

J. H. Norman
City Secretary

I, T. H. Norman, City Secretary of the City of Killeen, Bell County, Texas, do hereby certify that the above and foregoing resolution is a true and correct exemplication of the original resolution passed and adopted by the City Council of the City of Killeen, At a regular meeting duly held, at which meeting a quorum was present, on this the 25 day of MARCH, 1974.

J. H. Norman
City Secretary



AMENDED DEDICATION OF SOUTHTOWN ADDITION
FIRST EXTENSION

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BELL

That we, A. J. Hall, and wife, Katherine Hall, being the sole owners of the following described tract of land:

Being out of and a part of the John Gosline Survey and the W. H. Cole 1/3 League Survey, Bell County, Texas, and being more fully described as follows:

Beginning at an iron pin in the South margin of Clifton Park Addition, Section 1, said iron pin bears S 72 deg. 35' 27" E, 577.39 feet, from the Northeast corner of Lot 1, Block 10, Clifton Park Addition, Section 2, to The City of Killeen, Bell County, Texas;

Thence S 72 deg. 35' 27" E, 255.27 feet, to an iron pin for a corner of this;

Thence N 16 deg. 07' 33" E, along the East margin of Clifton Park Addition, Section 1, 310.20 feet, to an iron pin for a corner of this;

Thence S 72 deg. 35' 27" E, 489.63 feet, to an iron pin for a corner of this;

Thence N 17 deg. 24' 33" E, 126.52 feet, to an iron pin for a corner of this;

Thence S 72 deg. 45' 36" E, along the South margin of Illinois Avenue, 230.76 feet, to an iron pin for the Northeast corner of this;

Thence along a curve to the left, having a radius of 1015.6 feet, a distance of 469.36 feet, to an iron pin for the Southeast corner of this;

Thence S 77 deg. 54' 57" W, 941.61 feet, to the beginning of a curve to the right;

Thence along the said curve to the right, chord bearing S 85 deg. 03' 57" W, chord distance 294.29 feet, to an iron pin for the southwest corner of this;

Thence N 16 deg. 24' 57" E, 583.89 feet to the place of beginning, containing 14.12 acres of land;

do hereby subdivide said land into lots and blocks to be known as Southtown Addition, First Extension, as shown by the plat thereof, attached hereto, made

a part hereof, and approved by the City Council of the City of Killeen, Bell County, Texas, and said A. J. Hall and wife, Katherin Hall, do hereby adopt said plat of Southtown Addition, First Extension, an addition to the City of Killeen, Bell County, Texas, and for the purposes of selling lots and blocks of land with reference thereto and for all other purposes and do hereby dedicate to the City of Killeen all streets, avenues, roads, drives and alleys shown on said plat, the same to be used as public thoroughfares and for the installation and maintenance of public utilities, which said City may elect to install and maintain or permit to be installed or maintained.

That A. J. Hall and wife, Katherine Hall, do hereby adopt the following restrictions, protective covenants and conditions which are to run with the land and shall be binding on all parties and all persons claiming under them until March 1, 1982, at which time said restrictions, protective covenants and conditions shall be automatically extended for successive periods of ten years until by the vote of the majority of the ten owners of the lots in this addition agree to change the same in whole or in part, to-wit:

(a) All lots in Block Four (4) and Five (5), Southtown Addition, First Extension, are restricted to residential uses exclusively, and there shall be no structures erected on any residential lot other than a one-family dwelling. No residences shall be erected in said addition unless at least sixty-five per cent of the perimeter of said structures is composed of brick or stone construction. No concrete block or hybite tile construction shall be used in the construction of any residence.

All lots in Block Three (3), Southtown Addition, First Extension, shall be restricted to those structures classified as R-3 under the current City of Killeen zoning ordinance.

All lots in Blocks Six (6) and Seven (7), Southtown Addition, First Extension, shall be restricted to those structures classified as B-5 under the current City of Killeen zoning ordinance.

(b) No dwelling or any part thereof shall be erected less than 25 feet from the front lot line on any residential lot in said addition; nor shall any building be erected less than 10 feet from any residential lot line, except on corner residential lots where the minimum building distance shall be 15 feet from the exterior lot line.

(c) No residential lot or lots shall be re-subdivided to provide a building space having an area less than the minimum area for the lots in the addition as originally platted.

(d) All dwellings erected in Southtown Addition, First Extension, must be equal to or better than the minimum construction requirements on file at the office of A. J. Hall, which requirements shall be all times be equal to or better than the minimum requirements of the City of Killeen, Texas, zoning ordinances. If at any time there is any dispute or misunderstanding as to the terms of meaning of said requirements, or as to the conformity of any

dwelling being built thereunder, then such matters or dispute or misunderstanding shall be submitted to a board composed of A. J. Hall, Katherine Hall and Tom A. Carlile, or their successors for determination and the decision of said board shall be final unless there be a questions of compliance with the said City zoning ordinance, in which event the question shall be submitted to the Council of the City of Killeen for determination and decision.

All one-story dwellings erected in Southtown Addition, First Extension, must have an area of not less than 1,000 square feet and all two-store dwellings must have a ground floor area of not less than 1,000 square feet. All areas shall be computed on perimeter measurements of the main building, exclusive of porches, terraces and built-in or attached garages.

(e) All dwellings erected in Southtown Addition, First Extension, must face the street in front of the lot.

(f) No trailer or trailer house, basement, tent, shack, garage, apartment or servants quarters shall ever be used as a dwelling, temporary or permanent, in evasion of these restrictive covenants and conditions.

(g) No structures, dwellings or buildings of any type shall be moved into Southtown Addition, First Extension, for permanent use therein.

(h) All restrictive covenants and conditions herein shall apply to future remodeling of buildings and to rebuilding in case of destruction by fire or the elements.

(i) An easement is reserved over portions of various lots as shown on the plat for utility installation and maintenance and no electric telephone or other service poles, guys or utility structures shall be permitted above ground on any lot, except in said easements, and except that ornamental standards for street lighting may be installed anywhere in said addition.

(j) No sign of any kind shall be displayed to the public view on any residential lot except that one professional sign of not more than one square foot may be used. A sign advertising the property for sale or rent or signs attached by a builder to advertise the property during construction and sales period shall be permitted.

(k) No animal, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept, provided that they are not kept, bred or maintained for any commercial purpose.

(l) No lot shall be used or maintained as a dumping ground and rubbish, trash, garbage or other waste shall not be kept except in sanitary containers, all incinerators or other equipment for the storage of or disposal of such material shall be kept clean and in a sanitary condition.

(m) No individual sewage disposal system shall be permitted on any lot unless such system is designated, located and constructed in accordance with the requirements, standards and recommendations of the Sanitary Engineer of Killeen, Texas, and approval of such systems as installed shall be obtained from such authority.

(n) No fence, wall, hedge or shrub planting which obstructs sight lines at elevations between 2 and 6 feet above the roadways shall be placed or permitted to remain on any corner lot within a triangle area formed by the intersection of the street lines, or in the case of a lot property corner, from the intersection of the said property lines extended.

The same sight line limitations shall apply on any lot within 10 feet from the intersection of a street property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain within such distance of such intersections unless the foilage line is maintained at sufficient heights to prevent obstruction of such sight lines.

If A. J. Hall and wife, Katherine Hall, or their heirs or assigns, shall violate or attempt to violate any of the restrictive covenants and conditions therein, it shall be lawful for the City of Killeen, Texas, or any

other owner of any property in this subdivision to prosecute any proceedings at law or in equity, against such owners violating or attempting to violate any such restrictive covenants and conditions and either to prevent him or them from doing so/and/or to recover damages or other dues for such violation.

Invalidation of any of these restrictive covenants and conditions by judgment or court order shall in no wise affect any of the other restrictive covenants and conditions which shall remain in full force and effect.

WITNESS our hands this the 21st day of March, 1974.

A. J. Hall
A. J. Hall

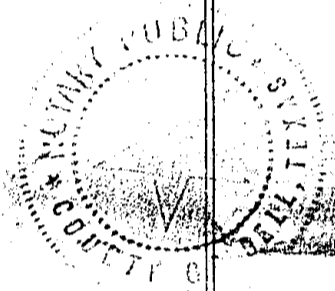
Katherine Hall
Katherine Hall

STATE OF TEXAS
COUNTY OF BELL

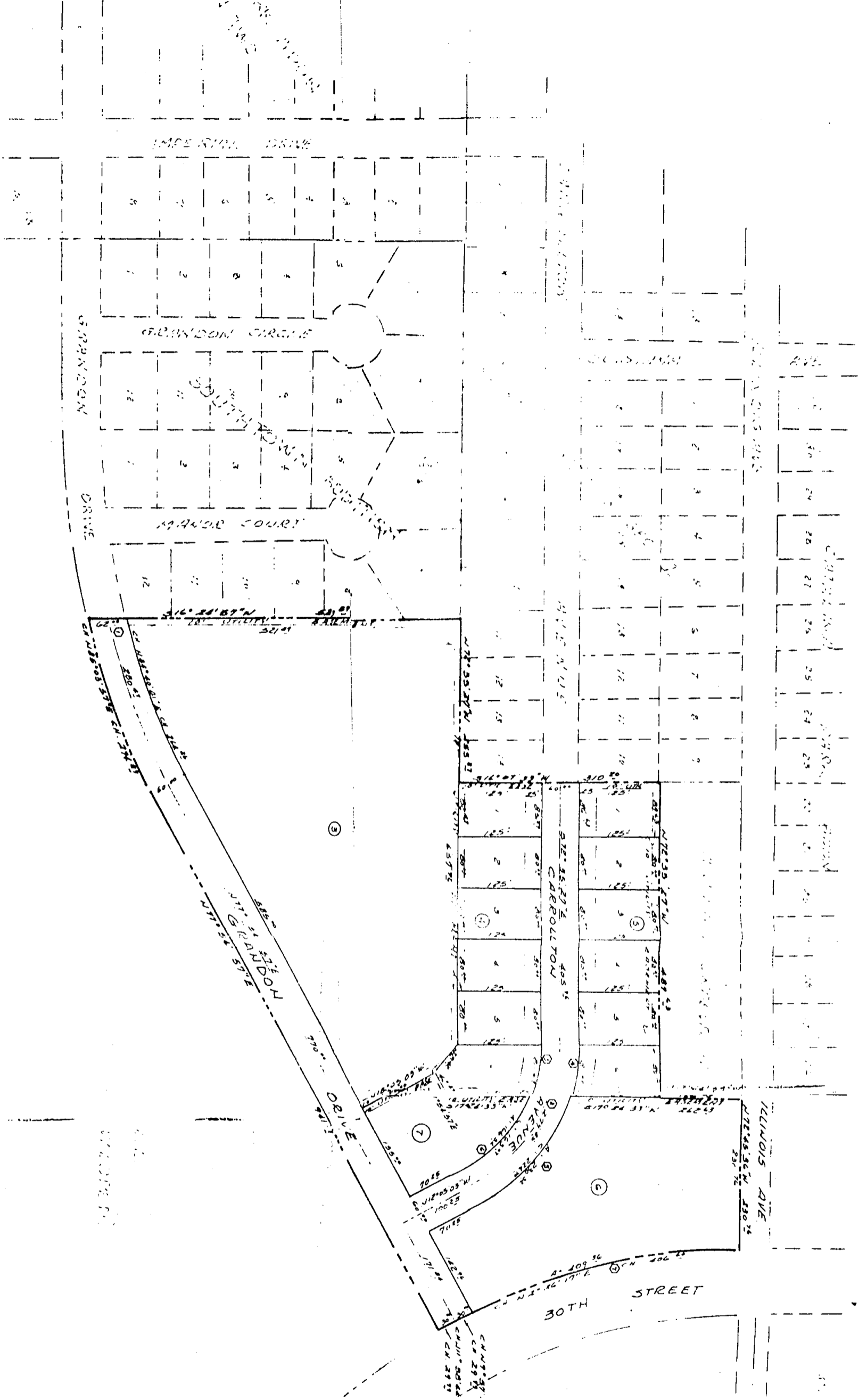
BEFORE ME, the undersigned authority, in and for said County, Texas, on this day personally appeared A. J. Hall and wife, Katherine Hall, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE the 21st day of March, 1974.

Tom Curry
Notary Public in and for
Bell County, Texas



PIAT Book 2 Page 189-K



Lot No.	Area	Notes
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M E M O R A N D U M

TO: TURLEY AND ASSOCIATES
FROM: RICHARD ROYSTON, PLANNING DIRECTOR
DATE: April 15, 1994
SUBJECT: PATRIOT ADDITION, FINAL MINOR PLAT

The City Staff has reviewed the above noted plat and has the following comments for consideration and correction.

1. The Ordinance requires that Imperial Drive be extended through the subject tract to the Service Road of the freeway. The plat should reflect the dedication of ROW and plans should be prepared for the street construction.
2. The lot created on the east side of Imperial Drive will require a minimum side yard setback of fifteen (15') along Imperial.
3. The east end of the proposed Lot 1 will also require a fifteen (15') foot side yard.
4. The water main in Imperial should be extended to the Service Road.
5. The fire hydrant spacing shown on the water plan should be referenced to the existing fire hydrant locations and measured from those existing facilities.
6. The size of the existing sanitary sewer main should be noted on the utility plans.
7. Drive access to Central Texas Expressway must be permitted through the Texas Department of Transportation.

Richard R. Royston



August 31, 1998

Mr. Kamlesh Bhakta
1601 East CTE
Killeen, Texas 76541

RE: 1601 EAST CTE, BENTLEY HOUSE

Dear Mr. Bhakta:

In response to your request for the above-referenced property, the following information is provided:

The property is presently zoned C.U.P. (Community Unit Plan). The C.U.P. zoning was approved by the City Council on December 13, 1971, City Ordinance No. 71-67. The original Ordinance No. 71-67 is missing from the City's official files. Attached is a copy of the minutes approving the C.U.P. The minutes do not list the use that would be allowed with the C.U.P.; however, the building permit issued in December 1976 was for an apartment building, which requires an R-3, Multi-family Residential District zoning, and this may have been an allowable use within the C.U.P.

Converting the structure to a motel/hotel usage, the property will require a zoning of B-3, Local Business District, which is an allowable use for a motel/hotel.

To convert the structure for a motel/hotel use, the following action must be completed:

1. Request a zoning change for the property to B-3, Local Business District, or other less restrictive zoning use.
2. The property is not platted, and a request to plat the property will be required to bring the property into compliance with the City ordinances.

If Items No. 1 and 2 above are completed and approved, you must submit an application for a certificate of occupancy for a use change from apartment to motel. At that time, an appointment will be made to conduct an inspection for compliance with the City adopted codes for the new use.

"The City Without Limits!"


Kamlesh Bhakta (Bentley House)
August 31, 1998
Page Two

In reviewing the as-built survey and other information you provided, I noted the following areas that will require corrections prior to the occupancy use change:

1. The second floor has 24 units with two exit stairways, which does not comply with code, in that the maximum travel distance is exceeded. An additional exit stairway will be required.
2. All rooms must have smoke detectors installed, electrically connected to the main (AC) power source, with a secondary battery power source.
3. Parking space dimensions must comply with City codes, and a minimum of one parking space per guest room must be provided.
4. All required fire lanes must be marked as per City code.

If I can provide further information, or if you have any questions in regard to this matter, please feel free to call me at 254-634-2191.

Sincerely,


Rudy Perras
Deputy Building Official

RP:jkw
Attachments

LETTER.BENTLEY HOUSE.1601 ECTE.RPERRAS.083198

BEST REAL ESTATE

CHARLES FRYE
REAL ESTATE CONSULTANT
224 E. AVE. D
KILLEEN, TX. 76541
E-MAIL-BESTREALTY@CENTRALTEX.NET

Telephone (254) 634-9666
Fax (254)634-2957


13 July, 1998

Mr. Rudy Perras
Deputy Building Official
City of Killeen
P.O. Box 1329
Killeen, Tx. 76540-1329

Dear Mr. Perras;

Based on our telephone conversation earlier; I am writing to ask for your assistance in obtaining information relative to the following property; currently known as the "Bentley House". I need to know if the zoning is B-5; and, the feasibility of converting the structure into Motel/Hotel usage. The property is legally known as ... 1.447 Acres Abstract 150 W.H. Cole Survey; locally known as 1601 E. Central Texas Expressway Killeen, Tx. 76543. Thank you for your time and consideration in this matter.

Sincerely;


Charles Frye



Tom Dann
F.T.T. RAL

July 14, 1998

Mr. Charles Frye
Real Estate Consultant
224 East Avenue D
Killeen, Texas 76541

RE: BENTLEY HOUSE, 1601 EAST CTE, KILLEEN, TEXAS

Dear Mr. Frye:

In response to your letter dated July 13, 1998, for the above-referenced property, the following information is provided:

The property is presently zoned C.U.P. (Community Unit Plan). The C.U.P. zoning was approved by the City Council on December 13, 1971, City Ordinance No. 71-67. The original Ordinance No. 71-67 is missing from the City's official files. Attached is a copy of the minutes approving the C.U.P. The minutes do not list the use that would be allowed with the C.U.P.; however, the building permit issued in December 1976 was for an apartment building, which requires an R-3, Multi-family Residential District, zoning, and this may have been an allowable use within the C.U.P.

Converting the structure to a motel/hotel usage, the property will require a zoning of B-3, Local Business District, which is an allowable use for a motel/hotel.

To convert the structure for a motel/hotel use, the following action must be completed:

1. Request a zoning change for the property to a B-3, Local Business District, or other less restrictive zoning use.
2. The property is not platted, and a request to plat the property will be required to bring the property into compliance with the City ordinances.

Enclosed are copies of the plat and zoning change applications. Questions concerning these items should be directed to Mr. Tom Dann, Director of Planning, 254-634-5348.

If I can provide further information to you regarding this matter, please feel free to give me a call at 254-634-2191.

Sincerely,


Rudy Ferras
Deputy Building Official

RP:jkw
Attachments

LETTER.CHARLES FRYE.BENTLEY HOUSE.1601ECTE

