

**ORDINANCE NO. 932**

**AN ORDINANCE AUTHORIZING A VARIANCE FROM CHAPTER 62 OF THE CODE OF ORDINANCES ON ACCOUNT OF THE SALE OF A PORTION OF THE PROPERTY AT 17119 SAN PEDRO AVENUE TO THE TOWN OF HOLLYWOOD PARK IN ORDER TO CONVERT AN EXISTING BILLBOARD SIGN TO A DIGITAL SIGN**

WHEREAS, the Town of Hollywood Park has entered into an Earnest Money Contract to purchase a small tract of land at 17119 San Pedro Avenue in order to convert an existing billboard sign to a digital sign owned by the city, which purchase will have the effect of subdividing the existing tract of land at 17119 San Pedro Avenue into two parcels; and

WHEREAS, Chapter 62 of the Code of Ordinances prescribes procedures for subdivisions and platting; and

WHEREAS, said procedures are generally intended to address tracts of land upon which new subdivisions will be constructed; and

WHEREAS, the City Council has determined that the sale of a small piece of land to effect the conversion of a billboard sign to a digital sign which will be owned by the town does not fall within the general purview of Chapter 62, so that a variance should be granted exempting the transaction from the requirements of Chapter 62.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HOLLYWOOD PARK, TEXAS that a variance from the requirements of Chapter 62 of the Code of Ordinances is granted as authorized in Section 62-5 of the Code of Ordinances, based upon the following findings:

1. There are special circumstances affecting the land at 17119 San Pedro Avenue in that the proposed location of a digital sign in the right-of-way of Donella at its intersection with US 281 would detrimentally affect the property at 17119 San Pedro Avenue and in the general vicinity of said intersection.

2. The variance waiving the requirements of Chapter 62 of the Code of Ordinances is necessary for the preservation and enjoyment of the property rights of the owners of 17119 San Pedro Avenue and other property owners in the vicinity of said property.

3. The public health, safety and welfare will not be damaged by the granting of this variance or result in injury to other property in the area.

4. The granting of the variance will have no effect on the orderly subdivision of other land in the vicinity or in the town.

The variance granted herein is in harmony with the general purpose and intent of Chapter 62 of the Code of Ordinances so that the public health, safety and welfare will be secured and substantial just done by such variance. Pecuniary hardship is not a factor in this variance.

PASSED AND APPROVED on the 17<sup>th</sup> day of September, 2013.

  
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MAYOR

ATTEST:

  
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CITY SECRETARY

APPROVED AS TO FORM:

  
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CITY ATTORNEY