

An Ordinance amending basic Zoning Ordinance of the City of Sachse as enacted by the City Council by permitting the property described in Exhibit A to the Ordinance to be used under Planned Development District No. ___ for single family dwellings, multiple family dwellings, retail uses, and duplex (single family attached) dwellings. That Planned Development District No. ___ for single family dwellings, multiple family dwellings, retail uses, duplex (single family attached) dwelling shall be granted with reference to the property described in Exhibit A, subject, however, to the special conditions hereinafter more fully expressed; providing for a fine of not more than Fifty Dollars (\$50.00) for each violation thereof; providing for a Severability Clause; and providing for an effective date.

WHEREAS, the City Plan Commission of the City of Sachse and the Governing Body of the City of Sachse, in compliance with the rules and regulations of the City of Sachse and the State Law, with reference to the granting of Planned Development Districts under the Zoning Ordinance Regulations, have given the requisite notices by publications and otherwise and after holding due hearing and affording a full and fair hearing to all property owners, generally, and to the persons interested situated in the affected area and in the vicinity thereof regarding the rezoning, proposed use or improvement of the property described in Exhibit A, the Governing Body of the City of Sachse is of the opinion that said Planned Development District should be granted, subject to the conditions set out therein;

Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SACHSE:

Section 1. That the basic Zoning Ordinances of the City of Sachse as enacted by the City Council be, and they are hereby amended insofar as they apply to the property described in Exhibit A which shall be used under Planned Development District No. ___ for single family dwellings, multiple family dwellings, retail uses, and duplex, (single family attached) dwellings.

Section 2. That this Planned Development District No. ___ for single family dwellings, multiple family dwellings, retail uses, duplex (single family attached) dwellings with reference to the property described in Exhibit A is approved and granted upon the following express condition, and adopted as part of the City of Sachse Zoning Ordinances.

- (1) Development Plan: There is attached and made a part of this ordinance a Development Plan composed of one (1) plat for development titled Development Plan for Brookview Estates. All development shall be in general conformance with the attached development plat.
- (2) Development Schedule: All development within the Planned Development District shall be in phases. Phase lines shown on the Development Plan are tentative, and may be required to be changed.
- (3) Subdivision Plat: A subdivision plat, meeting the requirement of the City of Sachse Subdivision Ordinances shall be submitted for each phase of development. Said plat shall be filed for record with the County Clerk, Dallas County, Texas.
- (4) Uses: Approximately 3 acres along State Highway will be used for retail services; approximately 4.8 acres will be used for multiple family dwellings; Lots 1 through 8, Block "A", Lots 1 through 8, Block "B", and Lots 1 through 5, Block "C" will be used as duplex lots; Lots 9 through 20, Block "A", Lots 6 through 20, Block "C", and Lots 1 through 16, Block "D" will be used as single family dwellings.

- (5) **Building Location:** The main part of any building shall not be located closer to the front property line than twenty-five (25') feet. The main part of any building shall be no closer to the side property line than 10% of lot width (said width measured at the building line).
- (6) **Maximum Height:** The maximum height of any building shall not exceed two stories.
- (7) **Lot Width:** The minimum lot width shall be sixty feet (60') on single family lots and sixty-five feet (65') on duplex lots. Said width to be measured at the building line.
- (8) **Lot Depth:** The minimum lot depth shall be one hundred twenty feet (120') on single family lots and one hundred thirty feet (130') on duplex lots.
- (9) **Living Area:** The minimum heated living area on any dwelling constructed on a single family lot shall be eleven hundred (1100) square feet or greater.

The minimum heated living area in either side of a duplex dwelling constructed on a duplex (single family attached lot shall be eight hundred fifty (850) square feet.
- (10) **Front Entry Garage:** Front facing or front entry garages will be permitted on all lots shown on the Development Plan. Open carports will not be allowed.
- (11) **Exterior Construction:** The exterior of any dwelling unit constructed in the Planned Development District shall be a minimum of 75% masonry construction.
- (12) **Dedications:** A minimum of fifty feet (50') wide street right-of-way shall be dedicated to the public and for public use. A minimum of ten feet (10') wide utility easement shall be dedicated touching the rear of all lots in the Planned Development District.
- (13) **Paving:** All streets within the Planned Development District shall be paved twenty-seven feet (27') wide, back to back of curb in 50' right-of-way widths and 36" back to back of curbs in 60' right-of-way widths, with 5" thick concrete pavement meeting the requirements of the City of Sachse Specifications.
- (14) **Sidewalks:** Four foot (4') wide, four inch (4") thick sidewalks are required along each side of the streets constructed in the Planned Development District.
- (15) **Utilities and Drainage:** All onsite utilities ^{& Drainage} shall be constructed to meet existing ordinances and specifications of the City of Sachse.
- (16) **Lot Coverage:** No less than thirty-five (35%) percent of the total gross land area shall be open space which is not used as building area, or for car traffic, either for maneuvering or parking. This open space shall be used for people, planting, and visual appeal.

Section 3. That all paved areas, permanent drives, streets, and drainage structures, if any, shall be constructed in a manner consistent with standard City of Sachse Specifications adopted for such purpose.

Section 4. That any person, firm, or corporation violating any of the terms and provisions of this Ordinance shall be subject to the penalties provided for herein.

EXHIBIT "A"

BEING a tract of land located in Sachse, Dallas County, Texas, on State Highway No. 78 and being out of the R. McCullough Survey, Abstract No. 928 and being parts of Blocks 29, 30, 31, and 32, and parts of Lots 1, 2, and 3 in Block 42 of the Town of Sachse as recorded in Volume 2 at Page 34 and 35 of the Map Records of Dallas County, Texas, and being a part of a 38.37 acre tract conveyed to Roland Mark Means, et ux, and Sallie Adeline Means, a widow, to Idlewild Properties, Inc. et al, as recorded in Volume 655 and Page 1118 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at the intersection of the East right-of-way of Old State Highway No. 78, Old Damascus Road, now Ben Davis Road, with the Southeast right-of-way of New State Highway No. 78; Thence North $52^{\circ} 30'$ East with the Southeast right-of-way of said New State Highway No. 78, 872.64 feet to an iron stake set in right-of-way of said State Highway No. 78, and Place of Beginning, said beginning point being the North corner of a 2 acre tract retained by Roland Mark Means, et ux, and Sallie Adeline Means, a widow;

THENCE: South $37^{\circ} 30'$ East with the Northeast line of said Means 2 acre tract, 295.16 feet to a stake located and continuing with the Northeast line of a 13 acre tract conveyed to Mullins by Idlewild Properties, continuing for a total distance of 1498.28 feet to an iron stake located for a corner;

THENCE: South $61^{\circ} 51'$ East with the Northeast line of said Mullins 13 acre tract, 565.62 feet to an iron stake located for a corner set in an old fence line, said point being a Northeast corner of said 13 acre tract;

THENCE: North $0^{\circ} 22'$ East with old line across creeks and generally with old fence, 1165.16 feet to an iron pipe located for a corner, said corner being the Northeast corner of said Idlewild Properties tract;

THENCE: North $82^{\circ} 04'$ West generally with old fence 191 feet to a bois d' arc post for a corner;

THENCE: North $36^{\circ} 48'$ West generally with old fence 665.05 feet to a bois d' arc post for a corner;

THENCE: South $54^{\circ} 14'$ West generally with old fence 337.68 feet to a bois d' arc post for a corner;

THENCE: North $38^{\circ} 31'$ West with old fence and leaving new fence 269.38 feet to a stake set for a corner in the Southeast right-of-way of State Highway No. 78;

THENCE: South $54^{\circ} 04'$ West crossing Highway marker and being on the Southeast right-of-way of State Highway No. 78, 480.42 feet to the Place of Beginning and Containing 29.55 Acres with 3.44 acres contained in streets and alleys on said recorded plat of the Town of Sachse, leaving a net of 26.11 acres of land.

Section 5. Should any section, subsection, sentence, provision, clause or phrase be held to be invalid for any reason, such holding shall not render invalid any other section, subsection, sentence, provision, clause or phrase of this Ordinance, and same are deemed severable for this purpose.

Section 6. WHEREAS, it appears that the subject property of this Ordinance is to be used under Planned Development District No. _____ for single family dwellings and duplex (single family attached) dwellings, and this Ordinance shall take effect immediately from and after its passage, in accordance with the provisions of the Charter of the City of Sachse and it is accordingly ordained.

PASSED on this _____ day of _____, 1981.

Mayor, City of Sachse

Attest: _____
City Secretary, City of Sachse

Recommended for Approval this _____ day of _____, 1981.

Chairman, Planning and Zoning Commission