

ORDINANCE NO. 1538

AN ORDINANCE OF THE CITY OF SACHSE, TEXAS AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SACHSE, TEXAS AS HERETOFORE AMENDED, SO AS TO GIVE THE HEREINAFTER DESCRIBED TRACT OF LAND "PD - PLANNED DEVELOPMENT ZONING"; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATION AND PROVIDING FOR AN EFFECTIVE DATE.

An Ordinance amending the 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. 15 for single-family dwellings, that Planned Development District No. 15 shall be granted with reference to the property described in Exhibit "A":, subject, however, to the special conditions hereinafter more fully expressed.

WHEREAS, the Planning and Zoning 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 improvements 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 herein:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SACHSE, TEXAS;

SECTION I.

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. 15, for single-family dwellings.

SECTION II.

That this Planned Development District No. 15 for single-family 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 Ordinance.

- (1). Subdivision Plat: A subdivision plat, meeting the requirements of the City of Sachse Subdivision Ordinances shall be submitted. Said plat shall be filed for record with the County Clerk.
- (2). Uses: The uses shall conform to the requirements listed in PD 8.4 zoning and Exhibit "C", as attached.

SECTION III.

That all ordinances of the City of Sachse in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other provisions of the ordinances of the City of Sachse not in conflict with the provisions of the ordinance shall remain in full force and effect.

SECTION IV.

That the provisions of this ordinance are severable, so that the invalidity of one or more provisions shall not affect the validity of those valid portions.

SECTION V.

That the above-described tract of land shall be used only in the manner and for the purpose provided by the Comprehensive Zoning Ordinance of the City of Sachse, as heretofore amended, and as amended herein by the granting of this zoning classification.

SECTION VI.

Whenever in this ordinance an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or wherever in such ordinance, the doing of an act is required or the failure to do any act is declared to be unlawful, the violation of any such provision shall be punished by a fine as provided in Chapter 1, Section 7 of the City of Sachse Code of Ordinances provided, that no penalty shall be greater or less than the penalty provided for the same or similar offense under the laws of the State. Each day any violation of this ordinance shall continue shall constitute a separate offense.

SECTION VII.

The fact that it appears that the above described property required that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare of the City of Sachse, creates an urgency and an emergency in the preservation of the public health, safety and welfare, and requires that this ordinance shall take effect immediately from and after its passage, and the publication of the caption of said ordinance, as the law in such cases provides.

DULY PASSED by the City Council on this the 5th day of January, 1998.

APPROVED:



MAYOR

ATTEST:



CITY SECRETARY

November 21, 1997

TERRY SMITH
City Secretary
City of Sachse

Subject: Rezoning 23.467 Acres AG (Agricultural) To PD 8.4 (Planned Development) on West Creek Lane and Cedar Brook Court

Dear Terry,

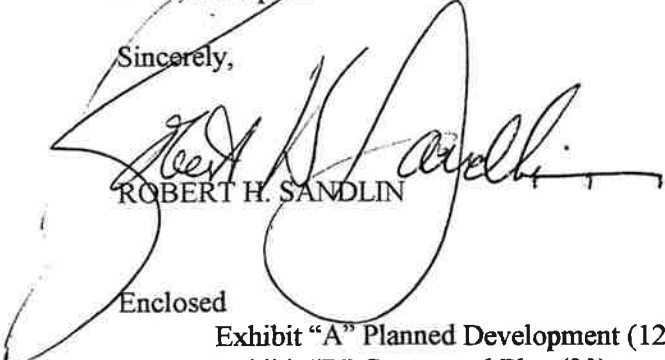
I am requesting the City of Sachse to rezone the above captioned property to PD 8.4 (Planned Development).

The reason for the Planned Development is a request for a variance as follows:

To reduce the front lot width from 70 feet to 65 feet on 26 lots out of a proposed 61-lot development. All lots will have 8400 square feet or more. This lot width reduction is needed to design residential lots around the existing Power Line Easement.

In addition, the lots at the intersection of Cedar Brook Court and West Creek Lane will be platted to 10,000 square feet lots as a buffer to the existing subdivision.

Sincerely,



ROBERT H. SANDLIN

Enclosed

Exhibit "A" Planned Development (12)
Exhibit "B" Conceptual Plan (20)

DBS/Sandlin

ORIGINAL DOCUMENT
ON FILE

DELTA
160'02'29"

102
-8133

AWN

G.

ZONING EXHIBIT "A"

ROBERT McCULLOUGH SURVEY, ABSTRACT NO. 928

CITY OF SACHSE, DALLAS COUNTY, TEXAS

Donald, & Holley Hollenshead, Earl McDaniel Jr. & Others ~ Owners
514 West Garland Ave. Garland, Texas 75040

SHEET NO.

1

1

JOB NO.

9777

LOTS UNDER 70' AT BUILDING LINE

Lot No.	Block No.	Approx. Width	Approx. Square Feet
10	A	67'	15,000
11	A	67'	10,900
12	A	67'	16,000
14	B	66'	9,550
15-20	B	66'	8,580
7	C	65'	10,200
8	C	65'	15,000
9	C	68'	11,700
10	C	65'	17,600
11	C	65'	10,200
12	C	65'	10,300
13	C	65'	9,910
14	C	65'	9,060
15	C	67'	8,480
19	C	66'	9,000
20-25	C	66'	8,580

*Original Document
on file*

CONCEPTUAL PLAN-EXHIBIT "B"

ROBERT McCULLOUGH SURVEY, ABSTRACT NO. 928

CITY OF SACHSE, DALLAS COUNTY, TEXAS

**Donald, & Holley, Hollenshead, Earl McDaniel Jr. & Others ~ Owners
514 West Garland Ave. Garland, Texas 75040**

SHEET NO.

1

1

JOB NO.

9777

7 102
9-8123

RAWN

W.C.

STATE OF TEXAS
COUNTY OF DALLAS

BEING a tract of land situated in the Robert McCullough Survey, Abstract No. 928, Dallas County, Texas and being a part of that 112.256 acre (more or less) tract of land conveyed to Donald L. Hollenshead, Holley R. Hollenshead, Earl McDaniel Jr. and Marion D. Williams IV by Deed recorded in Volume 84072, Page 5848, Deed Records, Dallas County, Texas and a part of that 23.467 acre tract of land conveyed to America Federal Bank, F. S. B. by Substitute Trustee's Deed recorded in Volume 90157, Page 4012, Deed Records, Dallas County, Texas said tract being more particularly described as follows:

BEGINNING at a 1" iron pipe found at the most Westerly Northwest corner of said 112.256 acre tract, said point also being the Southwest corner of Cedar Creek Estates, Phase One, an Addition to the City of Sachse recorded in Volume 84190, Page 2731, Deed Records, Dallas County, Texas and the Southwest corner of said 23.467 acre tract;

THENCE: North 88 deg 05' 21" East, along the South line of said Cedar Creek Estates, a distance of 322.04 feet to the West Right of Way line of West Creek Drive;

THENCE: South 01 deg 54' 39" East, along said ROW line, a distance of 8.30 feet;

THENCE: North 88 deg 05' 21" East a distance of 50.00 feet to the East Right of Way line of said West Creek Drive;

THENCE: North 01 deg 54' 39" West, along said East ROW line, a distance of 9.34 feet to the South Right of Way line of Cedar Brook Court;

THENCE: North 87 deg 06' 25" East, along said South ROW line, a distance of 320.45 feet to the beginning of a curve to the left of said ROW, said curve having a central angle of 160 deg 02' 29", a radius of 50.00 feet and a chord that bears North 75 deg 33' 00" East a distance of 98.49 feet;

THENCE: Along said curve to the left and said ROW line an arc distance of 139.66 feet to the Southwest corner of Lot 10, Block C of said Addition;

THENCE: North 85 deg 31' 45" East, along the South line of said Lot 10, a distance of 89.87 feet to the East line of said 23.467 acre tract, said point also being the Southeast corner of said Addition;

THENCE: South 02 deg 03' 33" East, along the East line of said 23.467 acre tract a distance of 61.42 feet to a 1/2" iron rod found at the inside "ell" corner of said 112.256 acre tract;

THENCE: South 03 deg 21' 45" East, traversing said 112.256 acre tract, a distance of 1092.80 feet to a 1/2" iron rod found on the South line of said 112.256 acre tract;

THENCE: South 87 deg 06' 34" West, along said South line, a distance of 898.07 feet to the Southwest corner of said 112.256 acre tract;

THENCE: North 03 deg 21' 45" West, along the West line of said 112.256 acre tract, a distance of 918.42 feet to an angle point in said line;

THENCE: North 01 deg 54' 39" West, continuing with said West line, a distance of 219.13 feet to the place of beginning and containing 23.340 acres of land.

EXHIBIT "C"

PD (R8.4), Planned Development, Single-Family Dwelling District

1.1 General Description

The principal use of land is for single-family dwellings and parks normally required to provide an orderly and attractive residential area. This residential area is intended to be defined and protected from the encroachment of uses which are not appropriate to residential environment. Internal stability, attractiveness, order and efficiency are encouraged by providing for adequate light, air and open space for dwellings and parks and through consideration of the proper functional relationship of the different uses. The PD (R8.4), Single-Family Dwelling District is further categorized in this section.

1.2 Uses Permitted

Property and buildings in PD(R8.4), Single-Family Dwelling District, shall be used only for the following purposes:

- (a) Detached one-family dwelling.
- (b) Public park and playground.
- (c) Home occupation.
- (d) Transportation and utility easements, alleys and rights-of-way.
- (e) Accessory buildings which are not a part of a main building, including one private garage, or accessory buildings which are a part of a main building, including one private garage.
- (f) A temporary bulletin board or sign, not exceeding twelve (12) square feet in area pertaining to the lease, hire or sale of a single building or premises, which board or sign shall be removed as soon as the premise is leased, hired or sold.
- (g) A temporary bulletin board sign, not exceeding fifty (50) square feet in area pertaining to the lease, hire or sale of multiple buildings or premises.
- (h) Temporary construction facilities incidental to the development of property as permitted in this district and which shall be removed when construction work is completed.
- (i) All single-family dwelling districts shall have concrete surface pavement required for all applications.

1.3 Building Regulations

(a) Minimum Size

The minimum area of the main building shall be 1800 sq. ft. air conditioned space.

(b) Height Regulations

No building shall exceed two (2) stories, or thirty feet (30') in height except as provided in Article 4, Section 3.

(c) Exterior Fire-Resistant Construction

An aggregate of the exterior walls of all main buildings and garages shall be at least 75 percent masonry excluding doors and windows.

(d) Garage Requirements

- (1) All residences shall include a private and enclosed garage for all required off street parking spaces.
- (2) The entrance to all attached garages shall not face any street. Detached garages constructed ten feet (10) behind the main building may have an entrance that faces the street.

1.4 Area Regulations

(a) Front Yard

- (1) The depth of the front yard shall be twenty-five (25) feet.
- (2) If twenty-five (25) percent or more of the lots on one side of the street between two (2) intersecting streets are improved with buildings all of which have observed an average setback line of greater than that specified above and no building varies more than six (6) feet from this average setback line, then no building shall be erected closer to the street line than the setback so established by the existing buildings; but this regulation shall not require a front yard of greater depth than the front yard setback limit specified above.
- (3) When a yard has double frontage, the front yard requirements shall be complied with on both streets.

(b) Side Yard

- (1) There shall be a side yard on each side of the lot having a width of not less than ten (10) percent of the width at the building line, except as hereinafter provided in Article 4, Section 2.
- (2) For unattached buildings of accessory use, there shall be a side yard of not less than five (5) feet; provided however, that unattached one-story buildings of accessory use shall not be required to set back more than three (3) feet from an interior side lot line when all parts of the accessory building are located more than ninety (90) feet behind the front lot line.
- (3) For dwellings and accessory buildings located on corner lots there shall be a side yard setback from the intersecting street of not less than fifteen (15) feet in case such lot is back with another corner lot, and shall conform to front yard requirements in every other cases. The interior side yard of a corner lot shall be the same as for dwellings and accessory buildings on an interior lot.

(c) Rear Yard

- (1) There shall be a rear yard for main building of not less than twenty-five (25) feet or twenty (20) percent of the depth of the lot, whichever amount is smaller. Unattached accessory buildings may be located in the rear yard of a main building.

(d) Lot Width

The minimum lot width at the front building line shall be as specified below.

6 lots	1-6 BLK B, see conceptual plan	80 feet
29 lots	see conceptual plan	70 feet
<u>26 lots</u>	see conceptual plan	65 feet
61 lots		

(e) Intensity of Use

- (1) For each dwelling and building accessory thereto, there shall be a lot area of not less than eight thousand four hundred (8,400) square feet with the exception of lots 1-6 Block B shall be (10,000) square feet. See conceptual plan.

(f) Coverage of Lot

Main and accessory buildings shall not cover a greater percentage of the lot area than forty-five (45) percent.

(g) Provisions for Irregularly Shaped Lots

- (1) In any residential zoning district, the front building line and the street frontage requirements may be amended as follows.

- (2) The provisions of this paragraph shall apply only to lots of irregular shape such as cul-de-sac lots or corner lots on irregular subdivision boundaries. It shall not be applied in general platting of subdivisions.
- (3) Except for front building line and street line, all other provisions of building construction and rear yards shall be as required in the PD(R8.4) zoning district, based on the full width requirement of the PD(R8.4) zoning district.
- (4) The width of the lot at the street right-of-way shall be thirty-five (35) feet minimum.
- (5) The minimum width of the lot at the front building line shall be at least seventy-five (75) percent of the width required in the PD(R8.4) zoning district.
- (6) An irregularly shaped lot must have the full area requirement of the PD(R8.4) zoning district.
- (7) If the width of the lot at the front building line is less than the width required in the applicable zoning district, it will count as specified in 1.4 (d).

1.5 Outside Storage

- (a) Prohibition. A person commits an offense if he or she keeps, maintains or stores, outside of a building, in the PD(R8.4) Single-Family Dwelling District, any personal property which is visible from a public street or alley, or is visible from private property which is under separate ownership, including but not limited to household items, building materials, automotive parts, equipment, etc., without proper screening and located in allowed outside storage areas only. It shall not be a defense to prosecution that such items were covered with a tarp or similar covering.
- (b) Exceptions. It is not an offense to keep, store or maintain personal property customarily found outside of a building on property zoned for single-family use such as lawn furniture, dog houses, landscape containers, etc.
- (c) Parties Responsible. The owner (or owners) and persons in control of such residentially zoned property are responsible for violations of this subsection.

1.6 Foundation

The developer shall provide a soil report for this tract of land with a minimum of six (6) borings in various locations. Subsequently, the foundation plans for all homes shall bear the seal of a Registered Professional Engineer in the State of Texas.

DELTA
160°02'29"

102
-8133
AWN
V.G.

ZONING EXHIBIT "A"

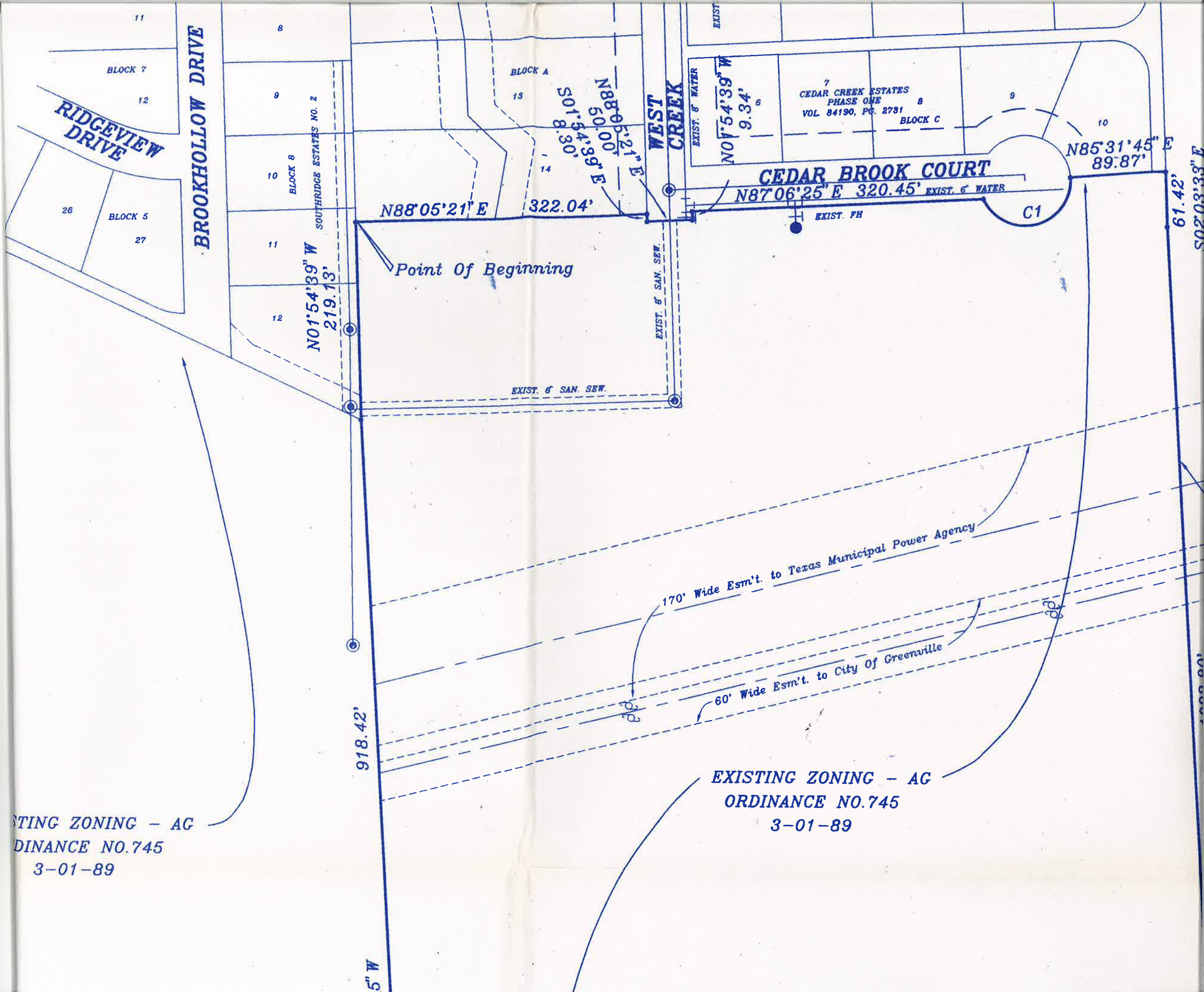
ROBERT McCULLOUGH SURVEY, ABSTRACT NO. 928

CITY OF SACHSE, DALLAS COUNTY, TEXAS

**Donald, & Holley Hollenshead, Earl McDaniel Jr. & Others ~ Owners
514 West Garland Ave. Garland, Texas 75040**

SHEET NO.
1 / 1

JOB NO.
9777



EXISTING ZONING - AG
 ORDINANCE NO. 745
 3-01-89

EXISTING ZONING - AG
 ORDINANCE NO. 745
 3-01-89

918.42'

5' W

61.42'
 S02°03'33\"/>

Point Of Beginning

170' Wide Esm't. to Texas Municipal Power Agency

60' Wide Esm't. to City Of Greenville

7
 CEDAR CREEK ESTATES
 PHASE ONE
 VOL. 84190, PG. 2731
 8
 BLOCK C

CEDAR BROOK COURT
 N87°06'25\"/>

C1

N85°31'45\"/>

N01°54'39\"/>

N88°05'21\"/>

N88°05'21\"/>

N01°54'39\"/>

RIDGEVIEW DRIVE

BROOKHOLLOW DRIVE

WEST CREEK

BLOCK 7

BLOCK 5

BLOCK A

BLOCK 8

SOUTHRIDGE ESTATES NO. 2

BLOCK 11

BLOCK 12

BLOCK 9

BLOCK 10

BLOCK 11

BLOCK 12

BLOCK 10

BLOCK 9

BLOCK 6

EXIST

EXIST. 6\"/>

EXIST. 6\"/>

EXIST. 6\"/>

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EXIST. 6\"/>

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