

ORDINANCE NO. 2232

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS, CHANGING THE ZONING FROM SINGLE FAMILY (1 F-2) AND TWO FAMILY (2F) TO PLANNED DEVELOPMENT (PD) AT PROPERTY DESCRIBED AS 5.863 ACRES BEING PARTS OF LOTS 1A AND 1B, BLOCK 591, REVISED MAP OF TERRELL, AND PARTS OF LOTS 13 AND 14, BLOCK A, WILSON TERRACE NO. 2 OF THE CITY OF TERRELL, KAUFMAN COUNTY, TEXAS; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

Be it ordained by the City Council of the City of Terrell, Texas:

ARTICLE I.

WHEREAS, The Planning and Zoning Commission of the City of Terrell held a public hearing on Monday, June 28, 2004 on a request to change the zoning from Single Family (1 F-2) and Two Family (2F) to Planned Development (PD) at property described as 5.863 acres being parts of Lots 1A and 1B, Block 591, Revised Map of Terrell, and parts of Lots 13 and 14, Block A, Wilson Terrace No. 2; and recommended approval of a zone change on this property; and

WHEREAS, the City Council of the City of Terrell, Texas, following a public hearing and recommendation by the Planning & Zoning Commission, held a public hearing on Tuesday, July 20, 2004, on a request to change the zoning from Single Family (1 F-2) and Two Family (2F) to Planned Development (PD) at property described as 5.863 acres being parts of Lots 1A and 1B, Block 591, Revised Map of Terrell, and parts of Lots 13 and 14, Block A, Wilson Terrace No. 2; and

WHEREAS, the City Council has determined that all notice requirements have been given in compliance with State Law and the ordinances of the City of Terrell; and

WHEREAS, the City Council of the City of Terrell, Texas has determined that it would be in the best interest of the citizens of Terrell to change the zoning from Single Family (1 F-2) and Two Family (2F) to Planned Development (PD) at property described as 5.863 acres being parts of Lots 1A and 1B, Block 591, Revised Map of Terrell, and parts of Lots 13 and 14, Block A, Wilson Terrace No. 2.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Terrell, Texas that:

The zoning classification be and is hereby changed at 5.863 acres being parts of Lots 1A and 1B, Block 591, Revised Map of Terrell, and parts of Lots 13 and 14, Block A, Wilson Terrace No. 2 from the current zoning of Single Family (1 F-2) and Two Family (2F) to Planned Development (PD).

Said zoning being based on the attached "Exhibit A" – Comprehensive Site Plan and being based on the following requirements:

Single-family detached homes

Square footage: minimum 1400 sq.ft. heated and cooled space

Parking: two (2) paved off street parking spots with enclosed garage

Lot coverage: 50% maximum

Front yard: minimum twenty (20) feet

Side yard: one side zero (0) feet, the other side a minimum of ten (8) feet

Rear Yard: minimum ten (10) feet

Lot depth: minimum sixty (60) feet

Lot width: minimum thirty-five (35) feet

Height: maximum two and a half (2 ½) standard stories

Common Open & Recreation Space: minimum of 8% of the net developable area (exclusive of the private street and utility easements).

This zone change shall take effect immediately from and after its passage and upon said facility complying with all terms and conditions set further herein.

ARTICLE II.

All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict hereby repealed.

ARTICLE III.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

ARTICLE IV.

This Ordinance will take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

PASSED AND APPROVED this the 3rd day of August, 2004.

PASSED AND ADOPTED this the 17th day of August, 2004.

Approved:

Frances R. Anderson, Mayor

Attest:

John Rounsavall, City Secretary

Approved as to form:

Mary Gayle Ramsey, City Attorney