

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. 02-2019

AN ORDINANCE OF THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM PLANNED DEVELOPMENT-RESIDENTIAL-2 (PD-17-03) TO PLANNED DEVELOPMENT-RESIDENTIAL - 2 AMENDED (PD-17-03A1) FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF LASATER ROAD AND STARK ROAD IN THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AND BEING LEGALLY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR AMENDED DEVELOPMENT REGULATIONS; PROVIDING FOR THE APPROVAL OF THE CONSTRUCTION PLAN, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT "B"; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Planning and Zoning Commission and the governing body of the City of Seagoville, Texas, in compliance with the laws of the State of Texas, and pursuant to the Comprehensive Zoning Ordinance of the City of Seagoville, have given requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof, the said governing body is of the opinion that Zoning Application No. Z2019-03 (PD 17-03A1) should be approved, and in the exercise of legislative discretion have concluded that the Comprehensive Zoning Ordinance and Map should be amended to reflect the zoning change.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS:

SECTION 1. That Zoning Application NO. Z2019-03 (PD 17-03A1) is hereby approved and the Comprehensive Zoning Ordinance and Map of the City of Seagoville, Texas, duly passed by the governing body of the City of Seagoville, Texas, as heretofore amended, be and the same are hereby amended by granting a change in zoning from Planned Development-Residential-2 (PD 17-03) to Planned Development-Residential - 2 Amended (PD-17-03A1) for property located at the southwest corner of Lasater Road and Stark Road in the City of Seagoville, Dallas County, Texas, and being legally described in Exhibit "A".

SECTION 2. That the property shall be developed and used in accordance with the City of Seagoville Zoning Ordinance and Construction Standards, and Ordinance No. 19-2017, except as amended herein and pursuant to the following development regulations:

- A. Amending the size of the development from 8.88 acres to 7.988 acres;
- B. Permitting Lasater Road improvements to be escrowed until the time of Final Plat, when payment will be required.
- C. The property shall be developed in accordance with the approved Construction Plan, attached hereto and made a part hereof, which is amended as follows:
 - (1) to include right-of-way dedication for future widening of Stark Road;
 - (2) to include placement of twenty-three (23) residential lots within the Seagoville portion of the subdivision;
 - (3) increased the size of each of the detention ponds;
 - (4) the minimum lot depth from 140 feet to 122 feet;
 - (5) minimum lot area from 8,400 square feet to 7,300 square feet; and
 - (6) allowing Lasater Road improvements to be escrowed until the time of Final Plat, when payment will be required.

SECTION 3. That the property shall be developed and used only in accordance with the construction plan attached as Exhibit "B" and incorporated herein for all purposes, and which is hereby approved.

SECTION 4. That the above property shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Seagoville, as heretofore amended and as amended herein.

SECTION 5. That all provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 6. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 7. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 8. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Seagoville, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 9. That this ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provide.

PASSED AND ADOPTED by the City Council for the City of Seagoville at a meeting on the 28th day of January, 2019, at which a quorum was present, and for which due notice was given.

APPROVED:



DENNIS K. CHILDRESS, MAYOR

ATTEST:



KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:



VICTORIA W. THOMAS, CITY ATTORNEY
(/edb 01.17.2019 TM105577)

EXHIBIT "A"
(Legal Property Description)

WELLINGTON FARMS EAST

BEING a 7.988-acre tract of land situated in the Herman Heider Survey, Abstract No. 541, Dallas County, Texas, and being part of a 71.573- acre tract described in deed to Shepherd Place Homes, Inc, recorded as Instrument No. 201700187004, Deed Records, Dallas County, Texas, (DRDCT) and being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for the south corner of said 71.573 acre tract and the east corner of a called 10 acre tract of land described in deed to RRW Family Limited Partnership, recorded in Volume 2002095, Page 564, DRDCT, from which a 1/2-inch iron rod found for reference bears North 46 degrees 03 minutes 54 seconds West, a distance of 5.57 feet, said corner being in the northwest right-of-way line of Stark Road, a variable width right-of-way;

THENCE North 45 degrees 14 minutes 49 seconds West, with the common line of said 71.573-acre tract and said 10-acre tract, a distance of 148.69 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for corner;

THENCE North 38 degrees 12 minutes 48 seconds East, a distance of 54.39 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for the beginning of a non-tangent curve to the right having a radius of 3129.22 feet, whose chord bears North 40 degrees 50 minutes 44 seconds East, a distance of 369.58 feet;

THENCE Northeasterly, with said curve to the right, through a central angle of 06 degrees 46 minutes 15 seconds, an arc distance of 369.80 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for the end of said curve;

THENCE North 44 degrees 18 minutes 44 seconds East, a distance of 2156.57 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for corner in the northeast boundary line of said 71.573-acre tract and the southwest right-of-way line of Lasater Road, a variable width right-of-way;

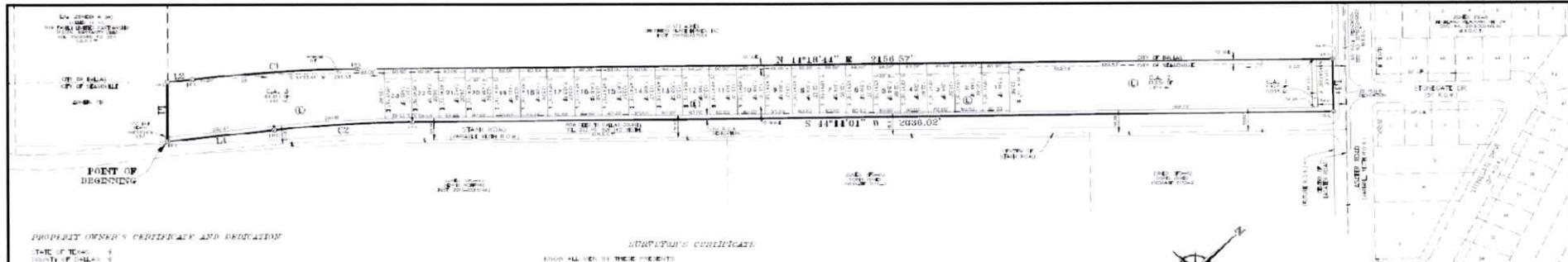
THENCE South 45 degrees 47 minutes 06 seconds East, with the common line of said Lasater Road and said 71.573-acre tract, a distance of 131.38 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for the east corner of said 71.573-acre tract, said corner being at the intersection of said Lasater Road and said Stark Road;

THENCE Southwesterly, with the common line of said Stark Road and said 71.573-acre tract, the following courses:

South 44 degrees 14 minutes 01 seconds West, a distance of 2036.02 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for the beginning of a tangent curve to the left having a radius of 2894.79 feet whose chord bears South 41 degrees 10 minutes 01 seconds West, a distance of 309.73 feet;

Southwesterly, with said curve to the left, through a central angle of 06 degrees 08 minutes 00 seconds, an arc distance of 309.88 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "RPLS 3963" set for the end of said curve;

South 38 degrees 06 minutes 01 seconds West, a distance of 237.03 feet to the PLACE OF BEGINNING and Containing 7.988 acres, or 347,959 square feet of land.

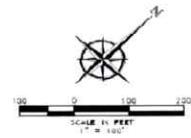


PROPERTY OWNER'S CERTIFICATE AND DECLARATION

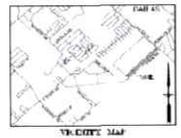
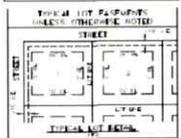
STATE OF TEXAS
COUNTY OF DALLAS
I, JAMES G. HORTON-REAS, LTD., being the owner of a 7.988 acre tract of land located in the Eastern Plaza Office Building, 1001 Ross Street, Dallas, Texas, and being part of a 10.000 acre tract described as being in Block 1, Lot 1, of the Wellington Farms East, located in Block 1, Lots 1-18, of the Wellington Farms East, Dallas County, Texas, (Said Block 1 and Lot 1 are hereinafter referred to as "Block 1, Lot 1")

Surveyor's Certificate

KNOW ALL MEN BY THESE PRESENTS, that I, JAMES G. HORTON-REAS, LTD., a Registered Professional Land Surveyor, do hereby certify that I prepared this plat from a correct and accurate survey of the land described in the foregoing certificate, above stated, and also properly placed thereon the proper monuments in accordance with the requirements of the laws of the State of Texas.



Legend table with symbols for various features like '1/2\"/>



- NOTES:
1. All lots are located in Block 1, Wellington Farms East, Dallas County, Texas, and being part of a 10.000 acre tract described as being in Block 1, Lots 1-18, of the Wellington Farms East, Dallas County, Texas.
2. Unless otherwise noted, a 5/8\"/>

APPROVAL CERTIFICATE

APPROVED BY THE CITY OF SEAGOVILLE, TEXAS, on this _____ day of _____, 2010.
ATTEST:
City Secretary _____ Date _____
ATTEST:
City Secretary _____ Date _____

PROPERTY LOCATED STATEMENT

This property is located in the corporate limits of the City of Seagoville, Dallas County, Texas.
Checked: James G. Horton-Reas, Ltd. Date: _____
City of Seagoville
ATTEST:
City Secretary _____ Date _____

Table with columns: LINE, BEARING, DISTANCE, CURVE, DATA, BEARING, DISTANCE, BEARING, DISTANCE. Contains data for lines 1 through 18.

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COUNTY OF DALLAS
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CONSTRUCTION PLAT
WELLINGTON FARMS EAST
LOTS 1-18, BLOCK 1, CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS
7.988 ACRES
SHOWN BY THE
HUBBARD HUBBARD SURVEY, PART NO. 544
CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS
UNINCORPORATED CONVEYANCE & DIVISION T-11
RECORDED IN PUBLIC RECORDS, DALLAS COUNTY, TEXAS
BOOK 108, PAGE 108
DATE RECORDED: 08/11/2009

BY SURVEYOR AND
COMMISSIONER OF LANDS
JAMES G. HORTON-REAS, LTD.
1001 ROSS STREET
DALLAS, TEXAS 75208
(214) 760-1234
JAMES G. HORTON-REAS, LTD.
A TEXAS LIMITED PARTNERSHIP
1001 ROSS STREET
DALLAS, TEXAS 75208
(214) 760-1234