

**AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS**

**ORDINANCE NO. 33-2019**

**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 AGRICULTURE (AG) TO PLANNED DEVELOPMENT-RESIDENTIAL (PD-19-02) FOR APPROXIMATELY 20.351± ACRES OF LAND DESCRIBED AS TRACT 1 OF JEREMIAH H HALFORD ABSTRACT 570, BEING LOCATED APPROXIMATELY 150± FEET NORTHWEST OF THE INTERSECTION OF LASATER ROAD AND WYNEGATE DRIVE, SEAGOVILLE, DALLAS COUNTY, TEXAS, AND BEING LEGALLY DESCRIBED AND DEPICTED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR DEVELOPMENT REGULATIONS; PROVIDING FOR THE APPROVAL OF THE CONCEPT PLAN, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT "A"; 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. Z2019-12 (PD 19-02) should be approved, and in the exercise of legislative discretion have concluded that the Comprehensive Zoning Ordinance and Map should be amended.

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

**SECTION 1.** That 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 is hereby amended by granting a change in zoning from Agriculture (AG) to Planned Development-Residential (PD-19-02) for approximately 20.351± acres of land described

as Tract 1 of Jeremiah H Halford Abstract 570, being located approximately 150± feet northwest of the intersection of Lasater Road and Wynnegate Drive, Seagoville, Dallas County, Texas, and being legally described and depicted in Exhibit “A”, attached hereto and incorporated herein.

**SECTION 2.** The property shall be developed and used in accordance with the City of Seagoville Zoning Ordinance and Construction Standards, except as amended herein, and the following development regulations:

- A. The property shall be developed in accordance with the approved Concept Plan, which is attached hereto and made a part of the ordinance
- B. Lot front yards shall have a minimum depth of not less than 20 feet
- C. Lot side yards shall have a width of not less than 5 feet
- D. Lot side yards with street frontage shall have a width of not less than 10 feet
- E. Lot rear yards shall have a minimum depth of not less than 20 feet
- F. Minimum area of each lot shall be not less than 6,100 square feet
- G. Minimum depth of each lot shall be not less than 120 feet
- H. Minimum width of each lot shall be not less than 50 feet
- I. Minimum living area of a dwelling on any lot shall be 1,700 square feet
- J. Maximum height of a dwelling on any lot shall be 35 square feet
- K. One-half of Lasater Road, that portion that runs the full length of the property abutting Lasater Road, shall be paved concrete, curb, and gutter roadway
- L. The property shall be landscaped in compliance with Division 21 of the City of Seagoville Zoning Ordinance
- M. All signage shall comply with Article 21.09 of the City of Seagoville Code of Ordinances
- N. Except as amended herein, all construction shall comply with the construction standards and ordinances of the City of Seagoville, Texas

**SECTION 3.** The property shall be developed and used only in accordance with the conceptual plan attached as Exhibit “A” 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.

**DULY PASSED** by the City Council of the City of Seagoville, Texas, this the 7<sup>th</sup> day of October 2019.

APPROVED:



\_\_\_\_\_  
DENNIS K. CHILDRESS, MAYOR

ATTEST:



\_\_\_\_\_  
KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:



\_\_\_\_\_  
VICTORIA THOMAS, CITY ATTORNEY

(/cdb 09/30/2019)



