

**THE CITY OF SEAGOVILLE, TEXAS
ORDINANCE NO. 02-2020**

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING ORDINANCE NO. 33-2019 BY CORRECTING A SCRIVENER ERROR RELATING TO THE MINIMUM LOT AREA SET FORTH IN THE DEVELOPMENT REGULATIONS UNDER SECTION 2, SUBSECTION F; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A CONFLICTS RESOLUTION CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 33-2019, approved October 7, 2019, approved the Caldwell Farms Planned Development designated as PD-19-02; and,

WHEREAS, Section 2, subsection F of Ordinance No. 33-2019, sets forth the minimum lot area for such development; and

WHEREAS, as a result of a scrivener's error, Section 2, subsection F of Ordinance No. 33-2019, approved on October 7, 2019, incorrectly provided that the minimum area of each lot shall be not less than 6,100 square feet instead of correctly providing that the minimum area of each lot shall be not less than 6,000 square feet; and

WHEREAS, the City Council finds it to be in the public interest to amend Ordinance No. 33-2019 to correct the above described scrivener's error.

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

SECTION 1. That Ordinance No. 33-2019 is amended in Section 2, subsection F, to comply with the concept plan, which is approved and attached thereto as Exhibit A, to read as follows:

"ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. 33-2019

.....

SECTION 2.

.....

F. Minimum area of each lot shall be not less than 6,000 square feet

....."

SECTION 2. That all remaining provisions of Ordinance No. 33-2019 shall remain unchanged and in full force and effect.

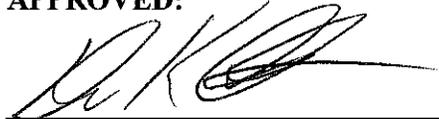
SECTION 3. That all resolutions, policies, and provisions of the Code of Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. That should any word, phrase, paragraph, section or phrase of this ordinance or of the Code of Ordinances, as amended hereby, be 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 Code of Ordinances as a whole.

SECTION 4. That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

PASSED AND ADOPTED by the City Council for the City of Seagoville, Texas at a meeting on the 6th day of January, 2020, 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:



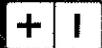
Victoria W. Thomas, City Attorney
(/cdb 12.26.2019)



Exhibit 2



DCAD Property Map



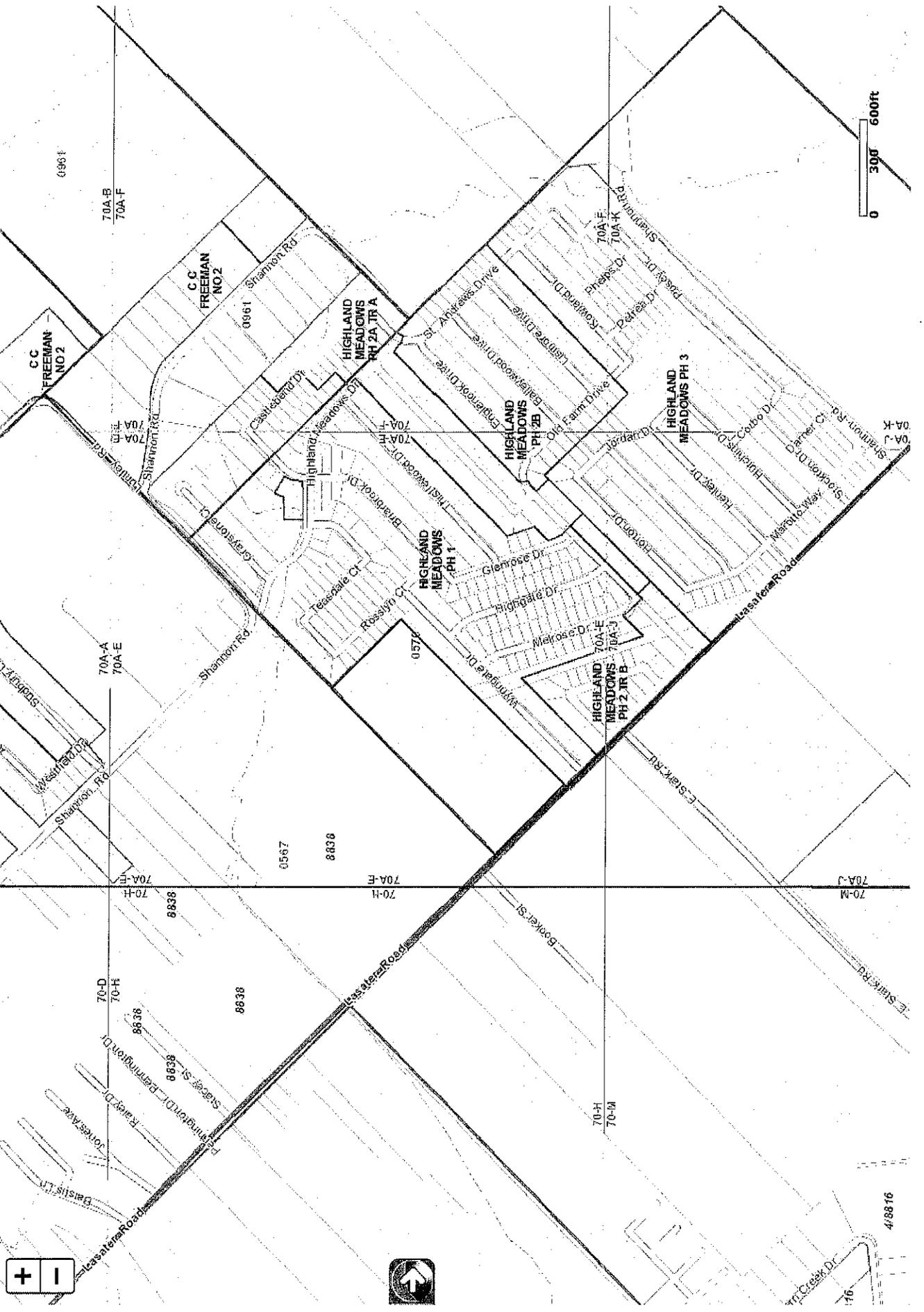
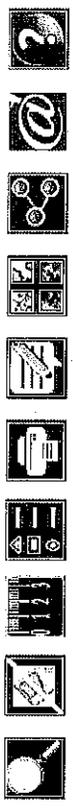


Exhibit 4



DCAD Property Map

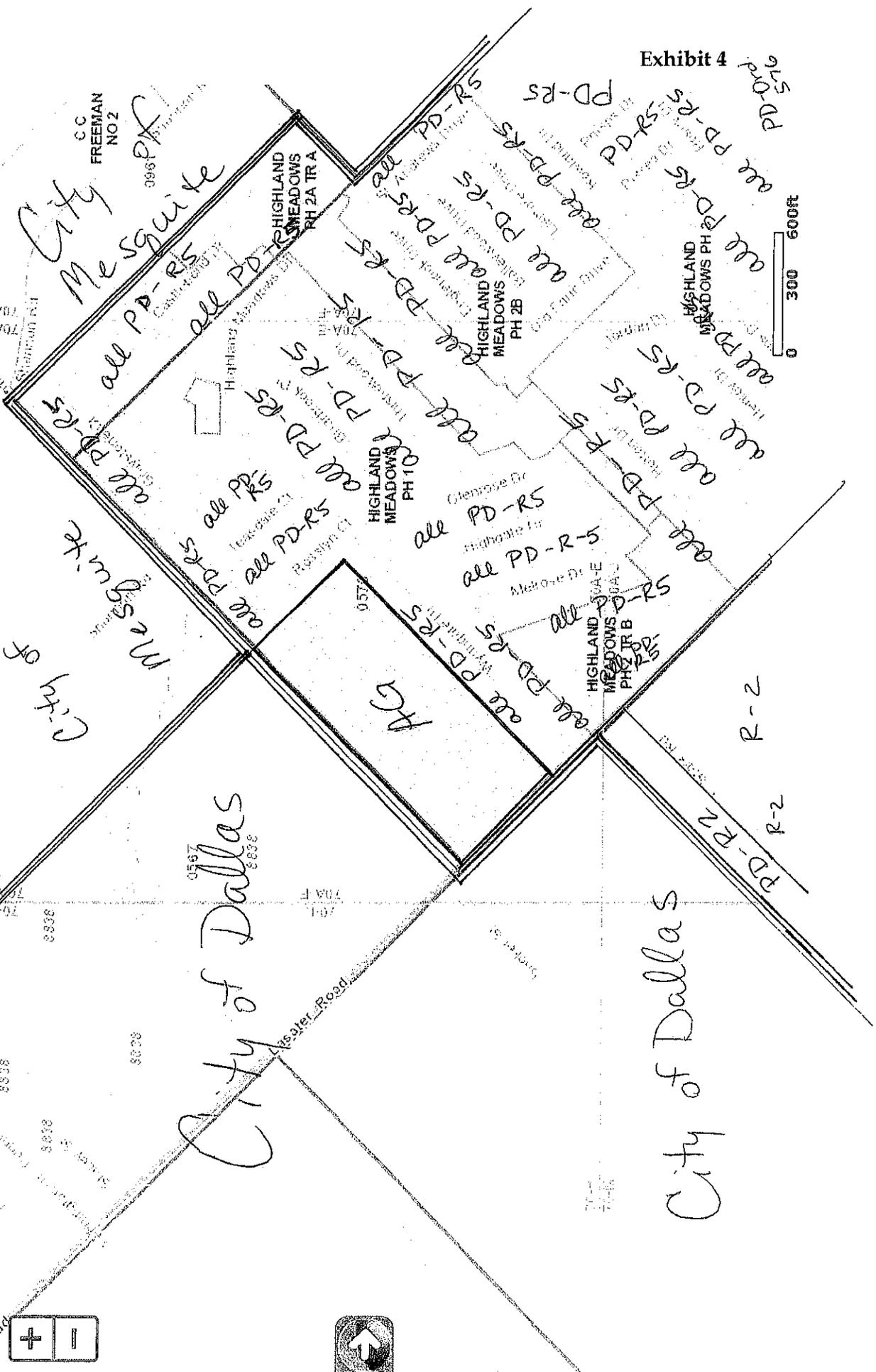
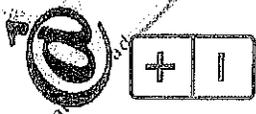
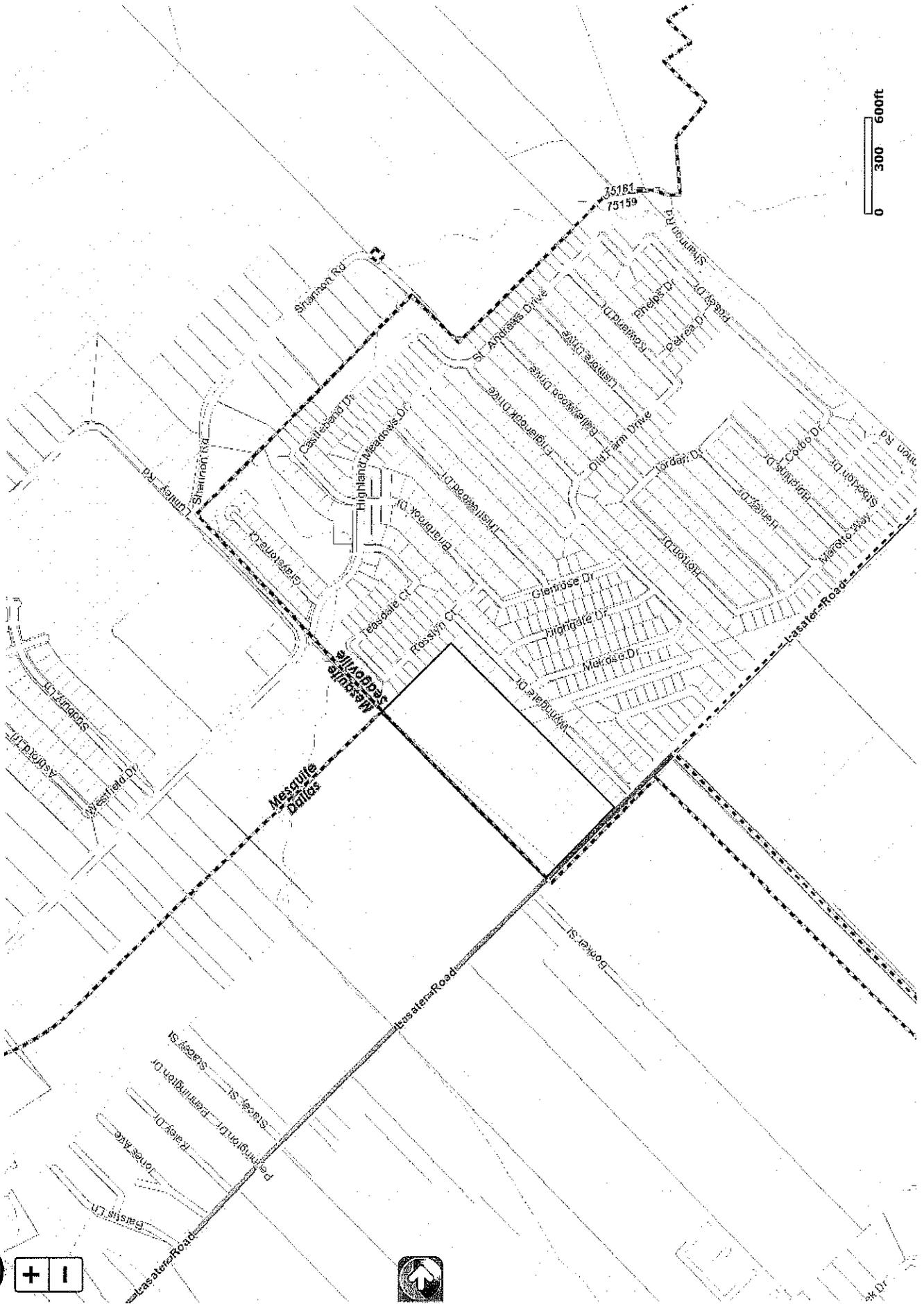
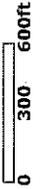
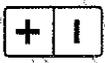


Exhibit 4

Exhibit 5



DCAD Property Map





9/10
8/27
8/13
7/23
7/9

10/7
9/16
9/12
8/19
8/5

Exhibit 6a

ZONING APPLICATION

City of Seagoville, Texas

ANTICIPATED MEETING DATES: P&Z: 6/25 City Council: 7/5
DATE OF PRE-APPLICATION CONFERENCE WITH CITY REPS & PLANNER (required): _____

Application Type:

- Initial Zoning (newly annexed or Agricultural property)
- Rezoning (property currently zoned)
- Planned Development (PD) - see Zoning Ordinance for special requirements and procedures
- Specific Use Permit (SUP) - see Zoning Ordinance for special requirements and procedures

Name of Subdivision or Project: Caldwell Farms

Physical Location of Property: Approximately 150' NW from Corner of Lasater Rd. and Wynngate Dr
(General Location - approximate distance to nearest existing street corner)

Brief Legal Description of Property (must also attach accurate Surveyor's metes and bounds description):
BEING a 20.351 acre tract of land situated in the J. Halford Survey, Abstract No. 570

(Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block)

Acreage: 20.351 Existing Zoning: AG Requested Zoning: Planned Development

(Attach a detailed description of requested zoning & development standards, if a PD)

Applicant / Owner's Name: Carl Porter Caldwell Jr., GST Trust

Applicant or Owner (circle one)

Contact Person: Carl Porter Caldwell, Jr. Title: Owner

Company Name: _____

Street/Mailing Address: 3301 SW 134TH PL. City: Miami State: FL Zip: 33175

Phone: (305) 389-9779 Fax: () Email Address: carlcaldwell@bellsouth.net

Engineer / Representative's Name: KPA Consulting Inc.

Contact Person: Pat Atkins Title: Director

Company Name: Tack Team Investments LLC

Street/Mailing Address: 3076 Hays Lane City: Rockwall State: TX Zip: 75087

Phone: (972) 388-6383 Fax: () Email Address: kpatatkins@yahoo.com

SUBMITTAL DEADLINE: 30 DAYS PRIOR TO P&Z PUBLIC HEARING DATE. (All zoning applications must be advertised in the newspaper, and notices must be mailed to all property owners within 200 feet of the subject property. Please contact City staff in advance for submittal deadlines.)

All applications must be COMPLETE before they will be scheduled for P&Z agenda. It is the applicant's responsibility to be familiar with, and to comply with, all City submittal requirements (in the Zoning & Subdivision Ordinances, and any separate submittal policies, requirements and/or checklists that may be obtained from City staff), including the number of plans to be submitted, application fees, etc. Please contact City staff in advance for submittal requirements.

All application materials (one copy) must be delivered to the City's Planner. The name, address, phone number, etc. of the City's Planner can be obtained from City staff. Failure to submit all materials to the City's Planner may result in delays scheduling the zoning application for a P&Z agenda.

Notice of Public Records. The submission of plans/drawings with this application makes such items public record, and the applicant understands that these items may be viewed by the general public. Unless the applicant expressly states otherwise in writing, submission of this application (with associated plans/drawings) will be considered consent by the applicant that the general public may view and/or reproduce (i.e., copy) such documents.

I hereby certify that I am the Owner, or the duly authorized agent of the Owner (proof of authorization attached), for the purposes of this application, and that all information submitted herein is complete, true and correct to the best of my knowledge. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.

Signed: Carl Porter Caldwell, Jr. Title: Owner Date: 5/17/19

SUBSCRIBED AND SWORN TO before me, this the 17 day of May, 1919
(Month) (Year)

Notary Public in and for the State of Florida Texas

My Commission Expires On: _____

[seal]

Office Use Only: Date Rec'd: 5/23 Fees Paid: \$ 1507 MY COMMISSION # 570381
 Zoning Case # 22019-15 Accepted By: [Signature] RECEIVED
 Date of Submittal: 5/23/19

in the John D. Merchant Survey Abstract No. 850, generally described as west of May Road and adjacent/east of Alto Road, Seagoville, Dallas County, Texas, and being legally described 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:

Caldwell Farms - Seagoville

- 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. Front yard shall have a minimum depth of not less than 20 feet
- C. Side yard shall have a width of not less than 5 feet
- D. Side yard with street shall have a width of not less than 10 feet
- E. Rear yard shall have a minimum depth of not less than 20 feet
- F. Minimum area of the lot shall be not less than ~~5,500~~ ^{6,100 S.F.} square feet
- G. Minimum depth of the lot shall be not less than ~~40~~ ^{120'} feet
- H. Minimum width of the lot shall be not less than 50 feet
- I. Minimum living area of the dwelling shall be 1,700 square feet
- J. Maximum height of the dwelling shall be 35 square feet
- K. One-half of ~~May~~ ^{Laurel} Road, that portion that runs the full length of the property ~~abutting~~ ^{Laurel} May Road, shall be paved concrete, curb, and gutter roadway
- ~~L. One-half of Alto Road, that portion that runs the full length of the property abutting Alto Road, shall be paved concrete, curb, and gutter roadway~~
- M. The property shall be landscaped in compliance with Division 21 of the City of Seagoville Zoning Ordinance
- N. All signage shall comply with Article 21.09 of the City of Seagoville Code of Ordinances

O. 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/preliminary drainage 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.

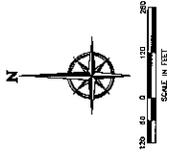
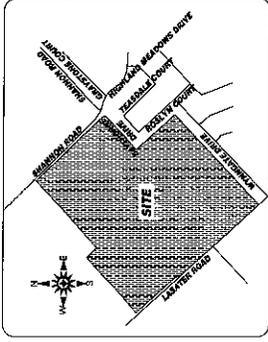
SECTION 5. That all provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

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

Exhibit 6c(f)



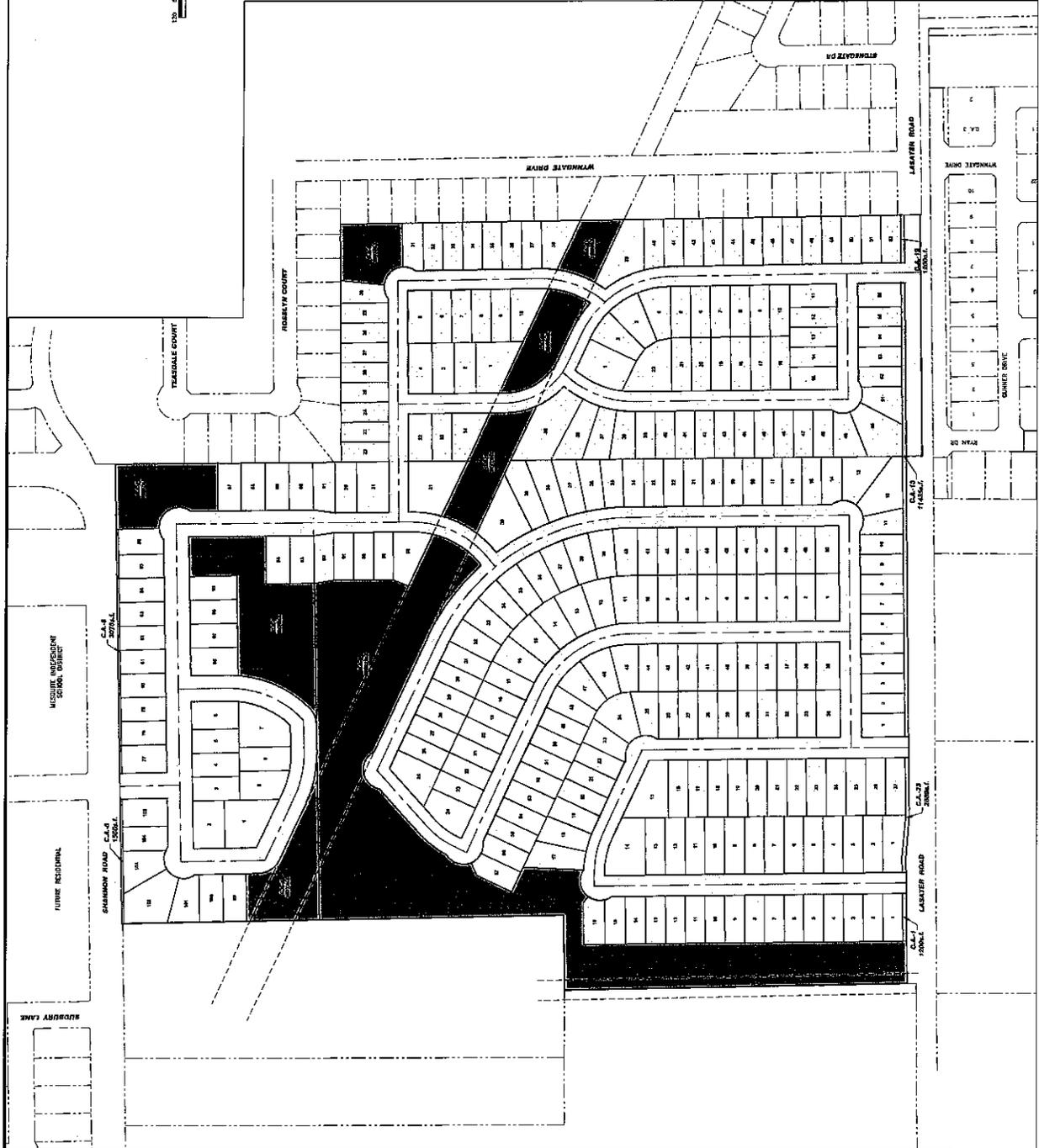
- OPEN SPACE
- TYPICAL LOT 62.5' x 120'
City of Mesquite 36 LOTS
- TYPICAL LOT 50' x 120'
City of Seagoville 88 LOTS
- TYPICAL LOT 50' x 120'
City of Dallas 173 LOTS

CONCEPT PLAN
CALDWELL FARMS
 CITY OF MESQUITE, TEXAS
 CITY OF SEAGOVILLE, TEXAS
 CITY OF DALLAS, TEXAS
 BEING A 76.687 ACRE TRACT OF LAND

Developer
 CANTONER JR CALDWELL INVESTMENTS LLC
 3301 SW 14TH PL
 MIAMI, FLORIDA 33175

Consultant:
KPA CONSULTING, INC.
 3074 HAYS LAKE ROAD, WAXAHACH, TEXAS 75087
 972-388-8283 | kpaconsulting.com

AUGUST 18, 2019



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

Exhibit 7

as Tract I 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

Exhibit 7

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

Exhibit 7

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.

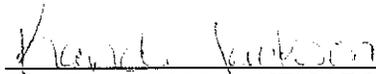
DULY PASSED by the City Council of the City of Seagoville, Texas, this the 7th day of October 2019.

APPROVED:



DENNIS K. CHILDRESS, MAYOR

ATTEST:



KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:



VICTORIA THOMAS, CITY ATTORNEY

(/cdb 09/30/2019)



