

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

**ORDINANCE NO. 06-2020**

**AN ORDINANCE OF THE CITY OF SEAGOVILLE, 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 RESIDENTIAL SINGLE FAMILY (R-5) TO PLAN DEVELOPMENT-RESIDENTIAL SINGLE FAMILY-5 (PD-20-01) FOR APPROXIMATELY 29.25± ACRES OF LAND IN THE JOHN D. MERCHANT ABSTRACT 850, LOCATED SOUTHWEST OF EAST FARMERS ROAD, BETWEEN MAY ROAD AND ALTO ROAD, SEAGOVILLE, DALLAS COUNTY, TEXAS, AND BEING LEGALLY DESCRIBED 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 “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. Z2019-32 (PD 20-01) 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, as heretofore amended, be and the same is hereby amended by granting a change in zoning from Residential Single Family (R-5) to Plan Development-Residential Single Family-5 (PD-20-01) for approximately 29.25± acres of land in the John D. Merchant Abstract 850, located southwest of East Farmers Road, between May Road and 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:

- A. Development in accordance with a submitted concept plan

- B. Minimum front yard depth of 20-feet
- C. Minimum rear yard depth of 10-feet
- D. Minimum side yard width of 5-feet
- E. Minimum lot width of 50-feet
- F. Minimum lot depth of 110-feet
- G. Minimum lot area of 5,500 square feet
- H. Minimum living area of the houses to be:
  - 15% having at least 1,600-square feet;
  - 70% having at least 1,700-square feet; and
  - 15% having at least 1,800-square feet;
- I. Maximum 35-feet height of each house
- J. A five (5') foot wide sidewalk shall be constructed for the full length of the Planned Development along East Farmers Road at the same time as its pavement improvements
- K. All new streets constructed inside the Planned Development shall have a four (4') foot sidewalk on both sides of each street, unless otherwise depicted as a five (5') walk on the approved concept plan

**SECTION 3.** The property shall be developed and used only in accordance with the conceptual 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.

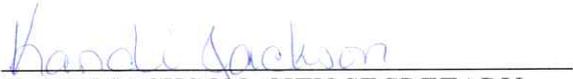
**SECTION 9.** That this ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provide.

**DULY PASSED** by the City Council of the City of Seagoville, Texas, this the 2<sup>nd</sup> day of March 2020.

APPROVED:

  
DENNIS K. CHILDRESS, MAYOR

ATTEST:

  
KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

  
VICTORIA THOMAS, CITY ATTORNEY  
(/cdb 02/25/2020)

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

BEING 29.250 acres of land situated in the John D. Merchant Survey, Abstract No. 850, Dallas County, Texas and being all of called 6.507 acre tract of land described in a Deed to Paul D. Edmonds and Rhonda Edmonds, recorded in Volume 2001055, Page 769 of the Deed Records of Dallas County, Texas (DRDCT), all of Tract 1 and part of Tract 2 described in a Deed to Paul Edmonds, recorded as Instrument No. 201300036608 (DRDCT), part of a Tract I described in a Deed to Paul D. Edmonds and Rhonda Edmonds, recorded in Volume 99066, Page 5469 (DRDCT), part of a called 20.0-acre tract of land described in a Deed to Paul Edmonds, recorded in Volume 2003184, Page 2980 (DRDCT), and this tract being more particularly described as follows:

BEGINNING at a point for corner near the center of Farmers Road at the most northern corner of said 20.0-acre tract common to the most eastern corner of Galvan Addition, an Addition to the City of Seagoville, recorded in Volume 2000220, Page 27 of the Plat Records of Dallas County, Texas (PRDCT), from which a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for reference bears South 44°52'43" West a distance of 15.00 feet;

THENCE South 44°57'34" East along and near the center of said Farmers Road and with the northeast line of said 20.0-acre tract, a distance of 482.61 feet, to a point for corner, from which a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for reference bears South 44°44'44" West a distance of 20.00 feet;

THENCE traversing across said 20.0-acre tract, said Tract I in Volume 99066, Page 5469, and said Tract 2 in Instrument No. 201300036608, the following courses:

South 44°44'44" West, a distance of 159.06 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

South 31°51'43" East, a distance of 87.38 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

South 44°44'44" West, a distance of 265.00 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

South 45°15'16" East, a distance of 18.44 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner at the beginning of a tangent curve to the right, having a radius of 325.00 feet a chord which bears South 40°01'00" East a distance of 59.34 feet;

Southeasterly with said curve to the right, having a central angle of 10°28'31", an arc distance of 59.42 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner at the beginning of a reverse curve to the left, having a radius of 275.00 feet, and a chord which bears South 40°01'00" East a distance of 50.21 feet;

Southeasterly with said curve to the left, having a central angle of 10°28'31", an arc distance of 50.28 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

South 45°15'16" East, a distance of 74.52 feet to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner at the beginning of a tangent curve to the right, having a radius of 265.00 feet and a chord which bears South 21°41'35" East a distance of 211.86 feet;

Southeasterly with said curve to the right, having a central angle of 47°07'21", an arc distance of 217.95 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner at the beginning of a non-tangent curve to the right, having a radius of 50.00 feet, and a chord which bears South 18°58'04" East a distance of 35.41 feet;

Southeasterly with said curve to the right, having a central angle of 41°28'26", an arc distance of 36.19 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

South 70°01'08" East, a distance of 132.32, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner in the southeast line of said Tract 2 of Instrument No. 201300036608 common to the northwest line of Kings Creek Addition, an Addition to the City of Seagoville, recorded in Volume 77091, Page 1075 (PRDCT);

THENCE South 44°53'10" West, along the southeast lines of last mentioned Tract 2 and Tract 1 of the same Instrument No., respectively, common to the northwest line of last mentioned Addition, a distance of 807.83, to a point for corner in the northeast line of a called 28.5361 acre tract of land described in a Deed to H.C. Tredway, Jr. and Jan Sebetka, recorded in Volume 99221, Page 5645 (DRDCT) at the most southern corner of last mentioned Tract 1 common to the most western corner of last mentioned Addition from which an Angle Iron found for reference bears South 39°19'12" West a distance of 0.64 feet;

THENCE North 62°30'29" West, along the southwest lines of last mentioned Tract 1, said 6.507 acre tract, and said 20.0-acre tract, respectively, common to the northeast lines of said 28.5361 acre tract and a called 15.723 acre tract of land described in a Deed to Shepherd Place Homes, Inc., A Texas Corporation, recorded as Instrument No. 201900026567 (DRDCT), a distance of 1170.25 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner in the northeast line of said 15.723 acre tract at the most western corner of said 20.0-acre tract common to the most southern corner of said Galvan Addition;

THENCE North 44°52'43" East, along the northwest line of said 20.0-acre tract common to the southeast line of said Galvan Addition, a distance of 510.87 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner thereof;

THENCE traversing across said 20.0-acre tract, the following courses:

South 76°55'29" East, a distance of 426.53 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

South 72°29'43" East, a distance of 54.13 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

North 44°40'11" East, a distance of 130.28 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

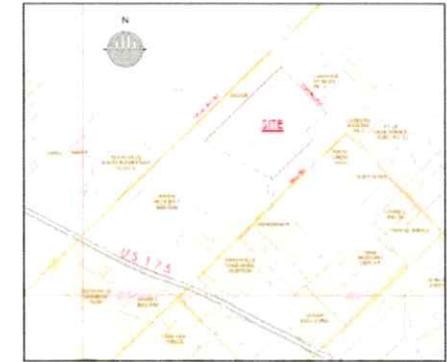
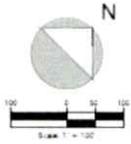
North 45°15'16" West, a distance of 240.05 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner at the beginning of a non-tangent curve to the right, having a radius of 50.00 feet and a chord which bears North 37°09'36" West a distance of 70.67 feet;

Northwesterly with said curve to the right, having a central angle of 89°55'42", an arc distance of 78.48 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

North 82°11'45" West, a distance of 125.40 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner in the northwest line of said 20.0-acre tract common to the southeast line of said Galvan Addition;

THENCE North 44°52'43" East, along the common line of last mentioned tracts and Addition, a distance of 832.20 feet, to THE POINT OF BEGINNING and containing 1,274,137 square feet, or 29.250 acres of land.

# EXHIBIT "B" CONCEPTUAL PLAN



LOCATION MAP

-  OPEN SPACE
-  TYPICAL LOT 50'x110' - 93 LOTS

29.25 ACRES  
 93 Residential Lots (18.58 Ac.)  
 50'x110' (Typ. Lot)  
 4 Common Area Lot (10.67 Ac.)

## CONCEPT PLAN EDMONDS FARMS

BEING A 29.25 ACRE TRACT OF LAND  
 CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS

Owner:  
 PAUL S. RHONDA EDMONDS  
 1207 E. Farmers Rd.  
 Irving, TX 75038

9900 Glen Rd. Suite 108-402  
 Colleyville, Texas 76034  
 462.858.8224 / 1.1.752.0040  
 Tommy Caslar - President



January 28, 2020