

NO. 1460

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 1270 SO THAT LOTS 22, 23, 26, 27 and 28 IN BLOCK A OF THE MILLIE MUSE ADDITION IN THE CITY OF MCKINNEY IS ZONED FROM "SINGLE FAMILY RESIDENCE - 6,000 SQUARE FEET PER LOT" TO "PLANNED DEVELOPMENT (4 PLEX)"; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE.

WHEREAS, the owner or owners of Lots 22, 23, 25, 26, 27 and 28 in Block A of the Millie Muse Addition have petitioned the City to rezone such property from "Single Family Residence - 6,000 Square Feet Per Lot" to "Planned Development (4 Plex)", and,

WHEREAS, after due notice of the requested zoning changes as required by law and the required public hearings held before the Planning and Zoning Commission and the City Council of the City of McKinney, the City Council is of the opinion that such zoning change should be made.

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

SECTION I: That the real estate described as Lots 22, 23, 25, 26, 27 and 28 in Block A of the Millie Muse Addition to the City of McKinney is hereby zoned Planned Development (4 Plex).

SECTION II: The property shall be developed in accordance with the specifications in the site plan attached hereto and marked Exhibit "A" with the provision that storm water drainage facilities shall be constructed to drain the additional surface runoff to U.S. Highway 380, and a landscape plan shall be submitted prior to development. Curb and gutter is to be installed on the Sherman and Coleman Street frontage. Additional fire hydrants shall be installed at the direction of the Fire Marshall.

SECTION III: That no developer or property owner shall acquire any vested interest in this Ordinance, the site plan or landscape plan. This Ordinance and the subsequent site plan and landscape plan may be amended or repealed by the City Council of the City of McKinney in the manner provided by law.

SECTION IV: If any section, subsection, paragraph, sentence, phrase or clause of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and to this end, the provisions of this Ordinance are declared to be severable.

SECTION V: It shall be unlawful for any person, firm or corporation to develop this property, or any portion thereof, in any manner other than is authorized by this Ordinance, and upon conviction therefor, shall be fined any sum not exceeding \$200.00, and each day that such violation shall continue shall be considered a separate offense. These penal provisions shall not prevent an action on behalf of the City of McKinney to enjoin any violation or threatened violation of the terms of this Ordinance, or an action for mandatory injunction to remove any previous violation hereof.

SECTION VI: The caption of this Ordinance shall be published one time in a newspaper having general circulation in the City of McKinney, and shall become effective upon such publication.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, on this the 17th day of July, 1984.

CORRECTLY ENROLLED:

  
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