

NO. 1486

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 1270 SO THAT 14.18 ACRES OF LAND IN THE W. D. THOMPSON SURVEY IS REZONED TO PLANNED DEVELOPMENT DISTRICT (GARDEN HOME) AND GENERAL RESIDENCE - 1,500 SQUARE FEET PER UNIT DISTRICT; PROVIDING FOR THE ADOPTION OF A ZONING MAP; PROVIDING FOR PLANNED DEVELOPMENT REGULATIONS; PROVIDING FOR A SITE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

THAT WHEREAS, the owner or owners of 14.18 acres of land in the W. D. Thompson Survey have petitioned the City of McKinney to zone such property "Planned Development (Garden Home) and General Residence - 1,500 Square Feet Per Unit District", 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 more fully described in the attached Exhibit A is hereby zoned according to the zoning map attached to this ordinance and marked Exhibit "B", and Ordinance No. 1270 and all other zoning ordinances are hereby amended accordingly.

SECTION II: That the planned development regulations for the garden homes area more fully set forth in the attached Exhibit "C" are hereby adopted as the Planned Development Regulations for this zoning district. That prior to the development of such Planned Development District, a complete site plan shall be submitted to and receive the approval of the City Council of the City of McKinney, Texas. The RG-15 district as set forth in the attached zoning map shall be limited to a maximum of 17 dwelling units per one acre.

EXHIBIT C

RS-45 Single Family Residence - Zero Lot Line Homes

1. Purpose: To provide single family homes on lots of moderate size.
2. Principal Permitted Uses:
 - a. Single-family detached dwellings.
 - b. Other uses allowed in the RS-60 zone.
3. Permitted Accessory Uses:
 - a. Uses allowed in the RS-60 zone.
4. Specific Use Permits:
 - a. None
5. Space Limits:
 - a. Minimum lot area: 4,500 square feet
 - b. Minimum width of lot: 40 feet.
 - c. Minimum depth of lot: 100 feet.
 - d. Maximum height of building: 35 feet.
 - e. Minimum front yard: 20 feet.
 - f. Minimum rear yard: 20 feet.
 - g. Minimum side yard: zero one side with 10 feet separation between buildings.
 - h. Minimum side yard at corner: 20 feet.
 - i. Maximum lot coverage: 50 per cent.
 - j. Maximum floor area ratio: 1:2
6. Miscellaneous Provisions:
 - a. Site Plan approval by Planning and Zoning Commission will be required prior to development.

EXHIBIT "A"

SITUATED in Collin County, Texas, in the W. D. Thompson Survey, Abstract No. 891, and being a resurvey of 20 acres described in a deed from A. J. Commons, et ux, to Tina H. Nye, dated May 1, 1920, and recorded in Volume 228, Page 608 of the Collin County Deed Records.

BEGINNING at a point in the center of Wilson Creek, said point being at the Southwest corner of the said 20 acre tract;

THENCE North 22 degrees, 15 minutes, East 268 feet up said creek to a point in the center of said creek.

THENCE North 19 degrees, 45 minutes West 122 feet up said creek to a point in the center of said creek;

THENCE East 79 feet to a stake;

THENCE North 62 feet to a stake in fence in the South line of Rock Hill Road;

THENCE North 56 degrees, 15 minutes East 138.5 feet with the South line of Rock Hill Road to a stake;

THENCE South 87 degrees, 15 minutes East 1550.5 feet with the South line of Rock Hill Road to a stake at fence corner post;

THENCE South 2 degrees East 419.2 feet with the West line of a lane to a stake at fence corner post;

THENCE West 1816.5 feet to the place of beginning.

CONTAINING 19.36 acres of land, of which 1.09 acres are located in public roads.

LESS AND EXCEPT, a tract of land situated in the W. D. Thompson Survey, Abstract No. 891 in the City of McKinney, Collin County, Texas, and being that same called 5.185 acre tract of land conveyed to Robert Dean Terrell and wife, dated May 19, 1978 recorded in Vol. 1111, page 719 of the Collin County Deed Records and being more particularly described by metes and bounds as follows:

BEGINNING at a point in the center of Wilson Creek at the Southwest corner of said 5.185 acre tract, from which an iron rod bears S 89° 30' 16" E 103.69 feet;

THENCE: Northerly up the center of said Wilson Creek as follows:

N 00° 37' W 153.7 feet;

N 42° 49' E 127.9 feet;

N 07° 35' E 31.3 feet;

N 24° 28' W 90.3 ft. to a point in said creek for corner;

THENCE: East passing an iron rod set at 25.0 feet continuing for a total distance of 75.0 feet to an iron rod for corner;

THENCE: North for a distance of 62.0 feet to a found iron rod in a fence line on the South line of Rockhill Road for corner;

THENCE: N 57° 03' 18" E along and near a fence with the South line of said Rockhill Road for a distance of 138.25 feet to a fence post for corner;

THENCE: S 86° 57' 17" E along and near a fence with the South line of said Rockhill Road for a distance of 281.98 feet to a found iron rod for corner;

THENCE: South along and near a fence for a distance of 485.79 feet to a found iron rod for corner;

THENCE: S 89° 59' 14" W along and near a fence for a distance of 186.6 feet to a found nail for an angle point;

THENCE: N 89° 30' 16" W along and near a fence passing at 234.32 feet a found iron rod next to a corner post, continuing for a total distance of 338.0 feet to the POINT OF BEGINNING; CONTAINING 5.188 acres of land more or less.

