

ORDINANCE NO. 2013-03-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING ORDINANCE NO. 1270 OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 0.28 ACRE PROPERTY, LOCATED ON THE NORTHWEST CORNER OF BARNES STREET AND GRIFFIN STREET, IS REZONED FROM “RS 60” – SINGLE FAMILY RESIDENCE DISTRICT AND “H” – HISTORIC PRESERVATION OVERLAY DISTRICT TO “PD” – PLANNED DEVELOPMENT DISTRICT AND “H” – HISTORIC PRESERVATION OVERLAY DISTRICT, GENERALLY TO ALLOW FOR A TWO FAMILY DWELLING (DUPLEX); PROVIDING FOR SEVERABILITY; PROVIDING FOR INJUNCTIVE RELIEF, PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

WHEREAS, the City of McKinney has considered the rezoning of an approximately 0.28 acre property, located on the northwest corner of Barnes Street and Griffin Street, which is more fully depicted on Exhibit “A”, attached hereto, from “RS 60” – Single Family Residence District and “H” – Historic Preservation Overlay District to “PD” – Planned Development District and “H” – Historic Preservation Overlay District, generally to allow for a two family dwelling (duplex); and,

WHEREAS, after due notice of the requested rezoning 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, Texas, the City Council is of the opinion that the change in zoning district should be made.

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

- Section 1. Ordinance No. 1270 is hereby amended in order to rezone an approximately 0.28 acre property, located on the northwest corner of Barnes Street and Griffin Street, from “RS 60” – Single Family Residence District and “H” – Historic Preservation Overlay District to “PD” – Planned Development District and “H” – Historic Preservation Overlay District.
- Section 2. Use and development of the subject property conform to “RD 30” – Duplex Residence District and “H” – Historic Preservation Overlay District, and as amended, except as follows:
- (a) The maximum density be 7.1 dwelling units per acre.
 - (b) Any two family dwelling (duplex) constructed on the subject property shall generally conform to the attached site layout exhibit (Exhibit “B”).
 - (c) The character of any two family dwelling (duplex) constructed on the subject property shall generally conform to the attached building elevations. Furthermore, any proposed structure shall receive the Historic Preservation Officer’s approval of a certificate of appropriateness in accordance with the “H” – Historic Preservation Overlay District regulations, and as amended, prior to construction (Exhibit “C”).
- Section 3. 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 4. 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 therefore, shall be fined any sum not exceeding \$2,000.00, 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 5. That no developer or property owner shall acquire any vested interest in this Ordinance or specific regulations contained herein. The ordinance, and the subsequent site plans (if any) and regulations may be amended or repealed by the City Council of the City of McKinney, Texas, in the manner provided by law.

Section 6. 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 THE 5th DAY OF MARCH, 2013.

CITY OF MCKINNEY, TEXAS

BRIAN LOUGHMILLER
Mayor

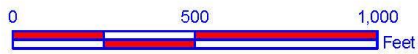
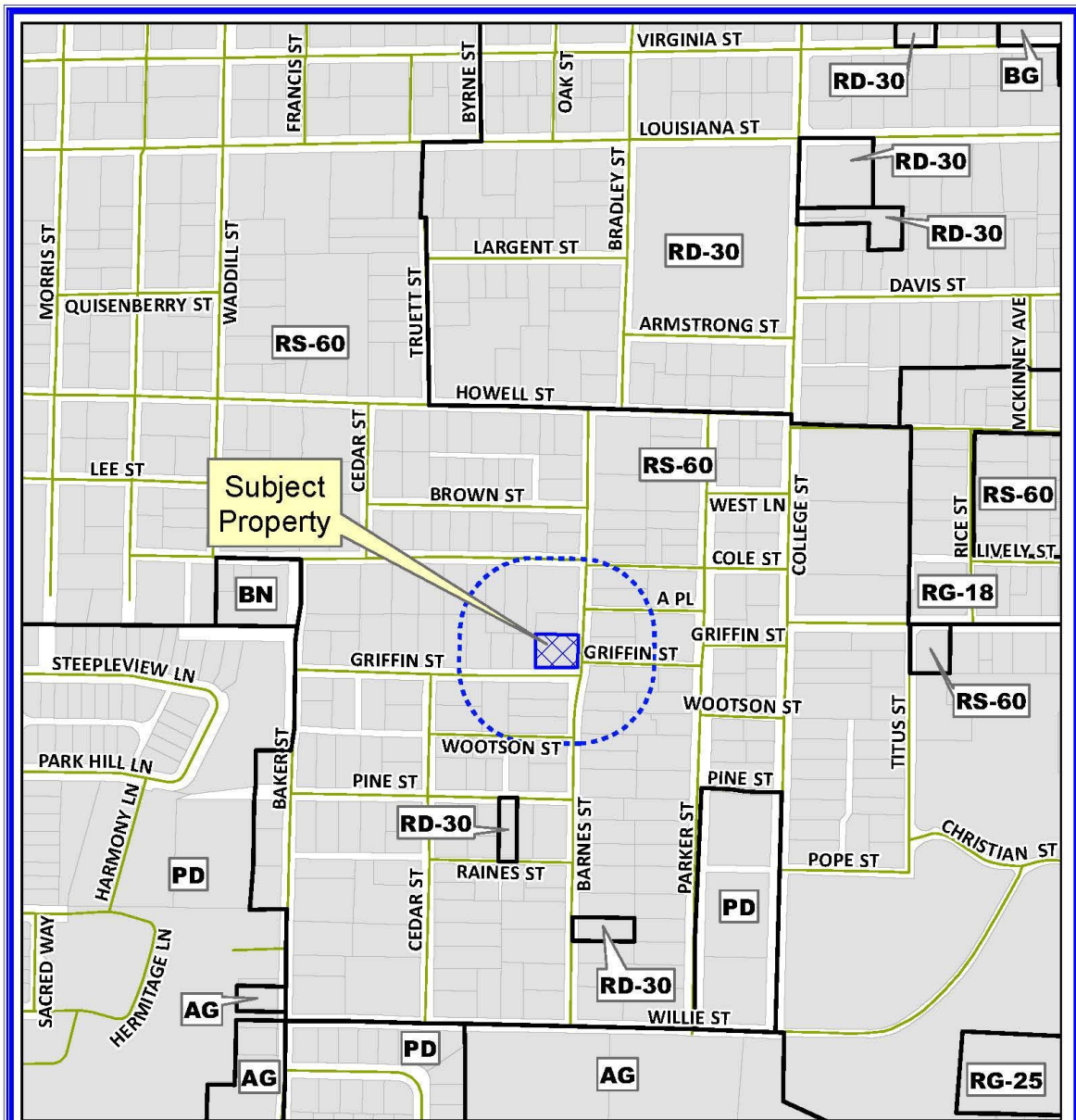
CORRECTLY ENROLLED:

SANDY HART, TRMC, MMC
City Secretary
BLANCA I. GARCIA
Assistant City Secretary

DATE: _____

APPROVED AS TO FORM:

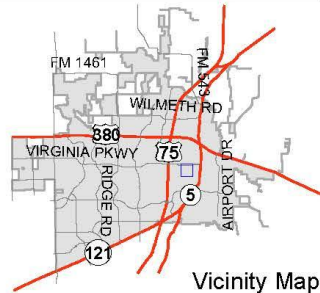
MARK S. HOUSER
City Attorney



Notification Map

Case: 12-191Z

- 200' Notification Buffer
- EXHIBIT "A"



Path: S:\MCKGIS\Notification\Projects\2012\12-191Z.mxd

DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of McKinney. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of McKinney, its officials or employees for any discrepancies, errors, or variances which may exist.

EXHIBIT A

JR ROSE DEVELOPMENT. The designs represented by these plans are copyrighted and subject to copyright infringement protection as an "Architectural Work" under 17 U.S.C. Sect. 102 known as the Architectural Works Protection Act of 1990. Unauthorized use of these plans (including form and arrangement of spaces), data, and other aspects of the design will subject the infringer to damages and/or judicial action as provided by Federal Law.

LEGEND	
	PROPERTY PIN
	WATER METER
	SANITARY SEWER TAP
	GAS RISER
	TELEPHONE RISER
	ELECTRIC METER
	POWER POLE
	TREE
	LIGHT POST
	TREE (TO BE REMOVED)
	OVERHEAD ELECTRIC
	NEW OR REQUIRED POINT ELEVATION
	EXISTING POINT ELEVATION (PLAN)
	EXISTING CONTOURS
	NEW CONTOURS
	WOOD FENCE
	TREE LINE
	100'
	100'

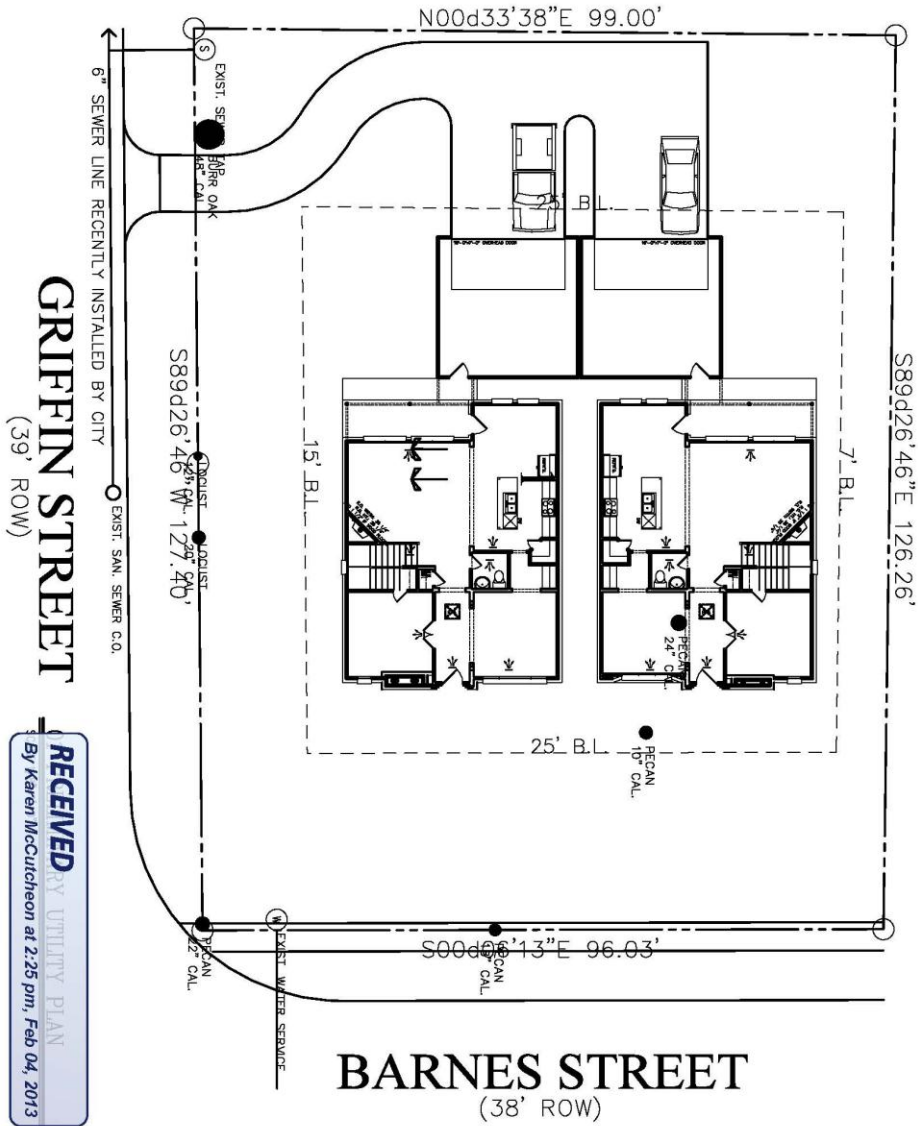


EXHIBIT "B"

JR ROSE ARCHITECTURE
 (214) 454-7895 Tel. (972) 420-0324 Fax



612 BARNES
 MCKINNEY TEXAS

Drawn By:	_____
Checked By:	_____
Date:	_____
Revisions:	_____
Notes:	_____

EXHIBIT B

SHEET
A2
 PRE UTIL.

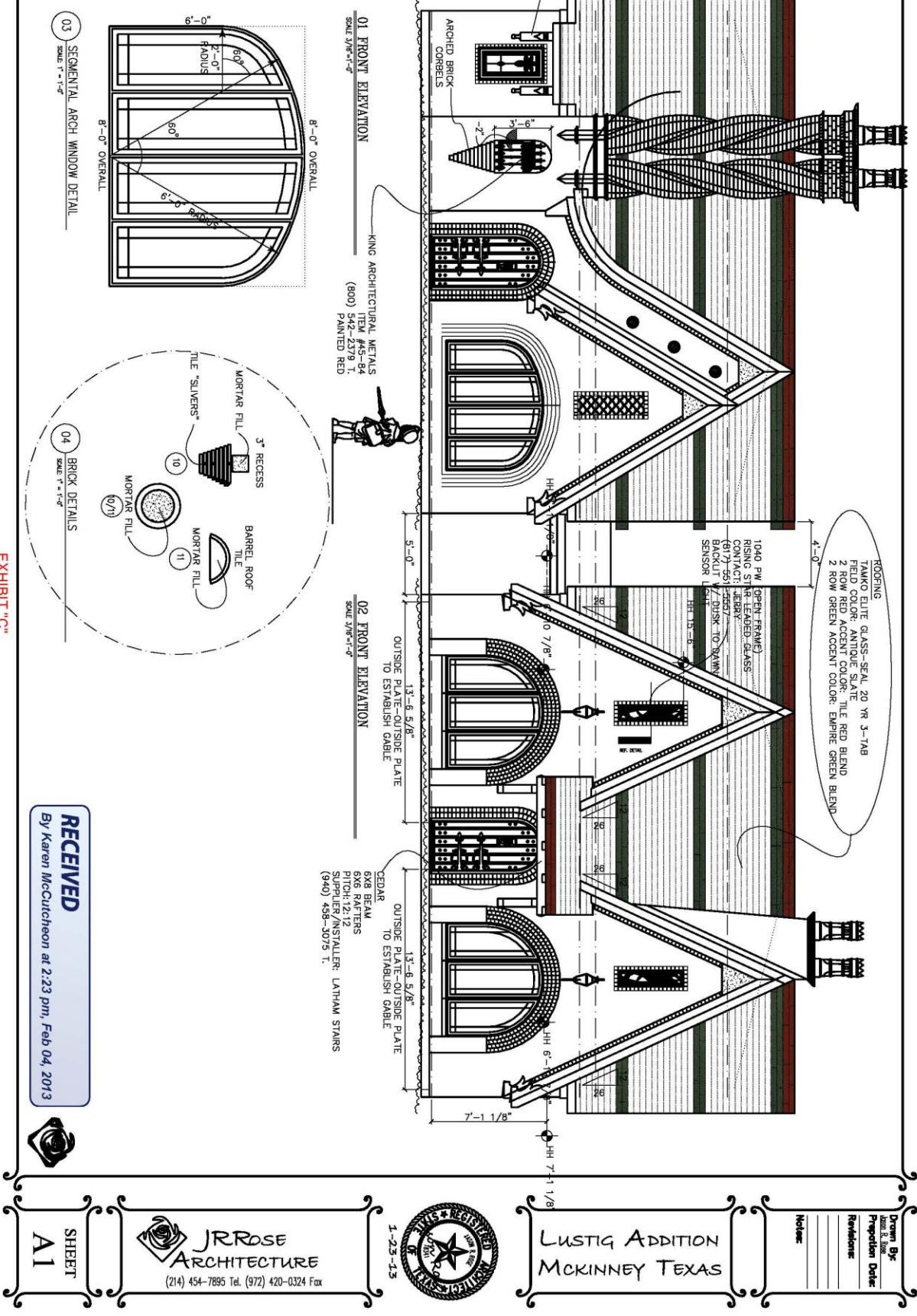


EXHIBIT "C"

RECEIVED
 By Karen McCutcheon at 2:23 pm, Feb 04, 2013



SHEET
A1

JR ROSE
ARCHITECTURE
 (214) 454-7895 Tel. (972) 420-0324 Fax



LUSTIG ADDITION
MCKINNEY TEXAS

Drawn By: _____
 Detail By: _____
 Preparation: _____
 Date: _____
 Reviewed: _____
 Date: _____

EXHIBIT C

JR ROSE DEVELOPMENT. The designs represented by these plans are copyrighted and subject to copyright infringement protection as an "Architectural Work" under 17 U.S.C. Sect. 102 known as the Architectural Works Protection Act of 1990. Unauthorized use of these plans (including form and arrangement of spaces), data, and other aspects of the design will subject the infringer to damages and/or judicial action as provided by Federal Law.

01 FRONT ELEVATION
SCALE: 3/8"=1'-0"

MASONRY EXPANSION JOINT

KING ARCHITECTURAL METALS
1040 PW (OPEN FRAME)
RISING STAR LEADED GLASS
CONTACT: JERRY
(817) 551-5557
PAINTED RED

ANTIQUE ENGLISH CHIMNEY POTTS
CONSULT ARCHITECT PRIOR TO INSTALLATION

1040 PW (OPEN FRAME)
RISING STAR LEADED GLASS
CONTACT: JERRY
(817) 551-5557
BACKLIT W/ DUSK TO DAWN
SENSOR LIGHT
HH 13'-0"

6'-10 7/8"

5'-11 5/8"

1'-1 1/8"

20" OPEN FRAME
RISING STAR LEADED GLASS
CONTACT: JERRY
(817) 551-5557

ARCHED BRICK
CORBELS

4'-0"

6'-10 7/8"

3'-0"

02 FRONT ELEVATION
SCALE: 3/8"=1'-0"

MASONRY EXPANSION JOINT

KING ARCHITECTURAL METALS
1050 PW (OPEN FRAME)
RISING STAR LEADED GLASS
CONTACT: JERRY
(817) 551-5557

HH 16'-0 1/16"

REV. METAL

20" OPEN FRAME
RISING STAR LEADED GLASS
CONTACT: JERRY
(817) 551-5557

ARCHED BRICK
CORBELS

20" OPEN FRAME
RISING STAR LEADED GLASS
CONTACT: JERRY
(817) 551-5557

HH 8'-10 7/8"

03 SEGMENTAL ARCH WINDOW DETAIL
SCALE: 1"=1'-0"

9'-0" OVERALL

9'-0" OVERALL

04 BRICK DETAILS
SCALE: 1"=1'-0"

3" RECESS

MORTAR FILL

TILE "SLIVERS"

10

BARREL ROOF
TILE


MORTAR FILL

11

0/1

RECEIVED
By Karen McCutcheon at 2:24 pm, Feb 04, 2013

1-23-13



LUSTIG ADDITION
MCKINNEY TEXAS

Drawn By:
Karen R. Rose

Prepared Date:

Revisions:

Notes:

JR ROSE ARCHITECTURE
(214) 454-7895 Tel. (972) 420-0324 Fax

SHEET
A1

EXHIBIT C

JR ROSE DEVELOPMENT. The designs represented by these plans are copyrighted and subject to copyright infringement protection as an "Architectural Work" under 17 U.S.C. Sect. 102 known as the Architectural Works Protection Act of 1990. Unauthorized use of these plans (including form and arrangement of spaces), data, and other aspects of the design will subject the infringer to damages and/or judicial action as provided by Federal Law.

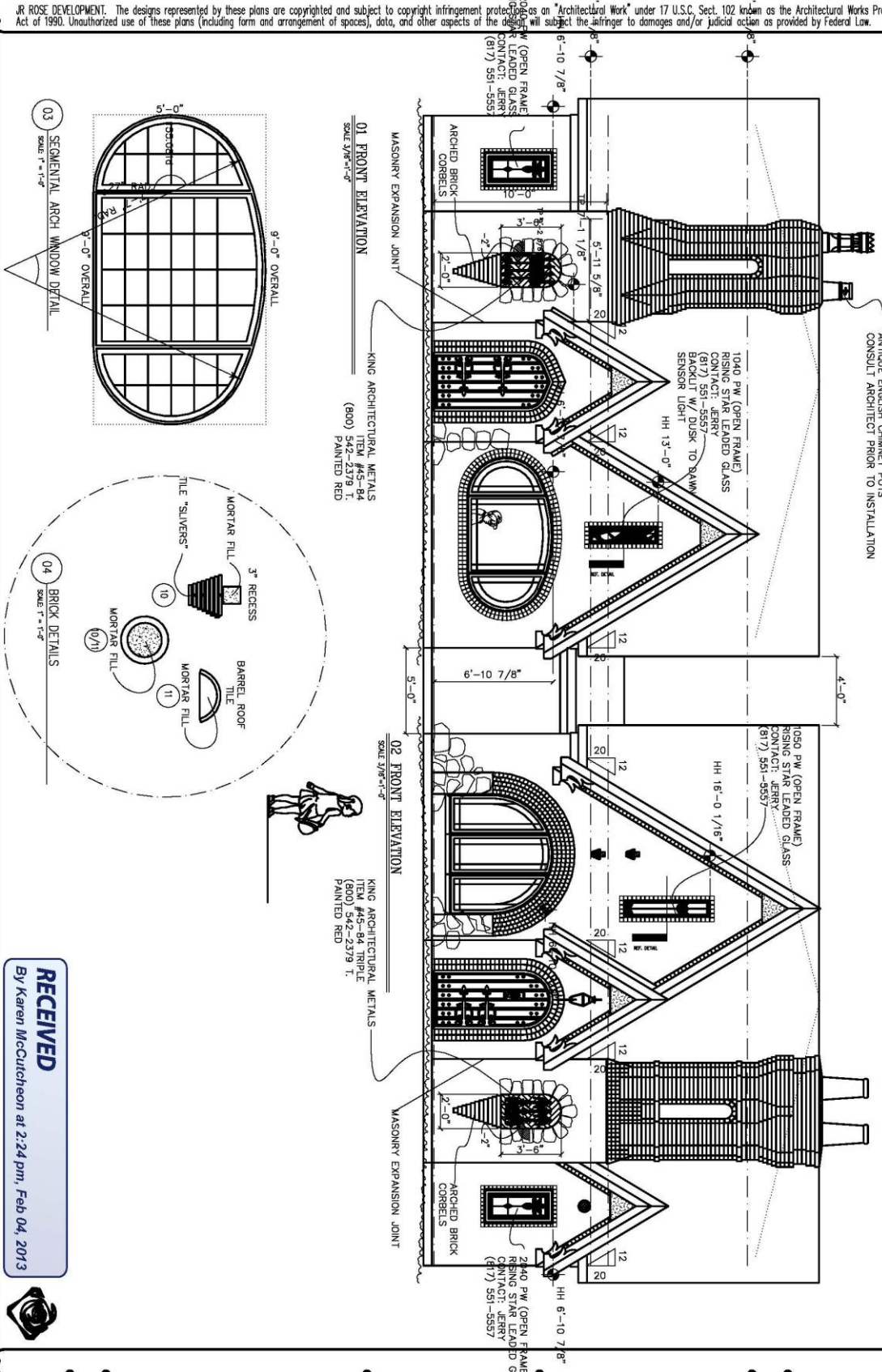


EXHIBIT "C"

RECEIVED
By Karen McCutcheon at 2:24 pm, Feb 04, 2013



 JR ROSE ARCHITECTURE (214) 454-7895 Tel. (972) 420-0324 Fax	 1-23-15	LUSTIG ADDITION MCKINNEY TEXAS	Drawn By: Karen R. Rose
			Prepped/Dated: Rendered:
SHEET A1			Notes:

EXHIBIT C