

AN ORDINANCE AMENDING ZONING ORDINANCE 1621 OF THE CITY OF MCKINNEY BY THE AMENDMENT OF SECTION IV, B.2.b(5)(g), CONCERNING MINIMUM SIDE YARDS IN SINGLE FAMILY RESIDENTIAL DISTRICT "SF-2", SECTION IV, B.2.c(5)(c), CONCERNING MINIMUM DEPTH OF LOTS IN SINGLE FAMILY RESIDENTIAL DISTRICT "SF-3", AND SECTION IV, B.2.c(5)(f), CONCERNING MINIMUM REAR YARD REQUIREMENTS IN SINGLE FAMILY RESIDENTIAL DISTRICT "SF-3"; 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 City Council of the City of McKinney has determined that a necessity exists for the amendment of the Residential Use and Regulations of Ordinance 1621.

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

SECTION I. That Section IV, B.2.b(5)(g), concerning minimum side yards is hereby amended and shall henceforth read as follows:

"Minimum Side Yard: five (5) feet".

SECTION II. That Section IV, B.2.c(5)(c), concerning minimum depth of lots is hereby amended and shall henceforth read as follows:

"Eighty (80) feet, except that this may be reduced to sixty (60) feet with Site Plan approval by the Planning and Zoning Commission and City Council which adequately addresses design quality".

SECTION III. That Section IV, B.2.c(5)(f), concerning minimum rear yard requirements is hereby amended and shall henceforth read as follows:

"Minimum Rear Yard: Twenty (20) feet from rear lot line to main structure (excluding accessory buildings, cabanas, decks, fences, pools, etc.) or may be reduced to ten (10) feet conditioned upon submission and approval of a Site Plan or Concept Plan which adequately addresses design quality unless adjacent to lake or other water body which would permit zero (0) setback".

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 19th day of May, 1987.

CORRECTLY ENROLLED:


JENNIFER G. CRAVENS, CITY SECRETARY