

**PLANNING  
DEPARTMENT  
City Of Carrollton  
Date: 05/12/2020**

**PLANNED DEVELOPMENT NO. 175  
DEVELOPMENT NAME: ESSEX PARK**

ORDINANCE NUMBER \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AMENDING ITS COMPREHENSIVE ZONING ORDINANCE BY AMENDING ORDINANCE 3867, PLANNED DEVELOPMENT NUMBER 175, PROVIDING FOR (SF-PH) SINGLE-FAMILY RESIDENTIAL TO CHANGE BUILDING SETBACKS MODIFYING CURRENT DEVELOPMENT STANDARDS ON TRACT 1, AN APPROXIMATELY 15-ACRE TRACT OF LAND LOCATED AT THE SOUTHEAST CORNER OF PLANO PARKWAY AND PARKER ROAD; AMENDING THE OFFICIAL ZONING MAP; AND PROVIDING FOR A PENALTY OF \$2,000 PER DAY, SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION.**

**WHEREAS**, at a public hearing held on the Sixth day of February, 2020, the Planning & Zoning Commission considered and made recommendation on a certain request for a Planned Development District (Case No. PLZ2020-2X1);

**WHEREAS**, this change of zoning is in accordance with the adopted Comprehensive Plan of the City of Carrollton, as amended;

**WHEREAS**, the City Council conducted a public hearing on the Twelfth day of May, 2020, at which all persons were given an opportunity to present testimony; and

**WHEREAS**, this change in zoning will distinguish development standards specially applicable to the unique nature of the approximately 15-acre tract; and

**WHEREAS**, the City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals and general welfare.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:**

Section 1.

All of the above premises are found to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this Ordinance as if copied in their entirety.

Section 2.

The regulations of Ordinance 3867 approved July 10, 2018 for Planned Development Number 175 are hereby amended for Tract 1, which occupies an approximately 15-acre tract of land, located at the southeast corner of Plano Parkway and Parker Road and including the adjacent east ½ of Plano Parkway right-of-way, and more specifically described on the attached Exhibit A, and shown on the attached Exhibit B, providing for the following uses:

**TRACT 1: Permitted Uses**

Permitted uses shall be all principal and accessory uses which are allowed by right in the (SF-PH) Single-Family Patio Home Residential District, in accordance with Article V of the Comprehensive Zoning Ordinance, as amended, and shall be developed in accordance with all applicable regulations of the (SF-PH) Single-Family Patio Home Residential District and the Comprehensive Zoning Ordinance, as amended, except as otherwise provided herein.

A Special Use Permit shall be required for all uses otherwise requiring a Special Use Permit in the (SF-PH) Single-Family Patio Home Residential District, in accordance with Article V of the Comprehensive Zoning Ordinance, as amended. Such Special Use Permit(s) shall be subject to the conditions established in Articles XXI and XXXI of the Comprehensive Zoning Ordinance, as amended, and shall be developed in accordance with all applicable regulations.

Section 3.

Development shall be in accordance with the following special conditions, restrictions and regulations:

**TRACT 1: Special Development Standards**

Development shall be in accordance with the following special conditions, restrictions and regulations:

q. Lot Development Standards:

v. Minimum Setbacks:

1) Front Yard:

- a) Except as provided in subsections (1) and (2) below, the minimum setback shall be fifteen (15) feet.

- (1) Roof covered porches and entry corridors may project into the required fifteen (15) foot setback a maximum of four (4) feet.
  - (2) A maximum of thirty percent (30%) of the residential lots may have a minimum setback of eleven (11) feet for the main structure.
- b) Notwithstanding the setback provisions in subsection a) above, the minimum setback for the garage door shall be twenty (20) feet.
- (1) The garage door shall be set back a minimum of five (5) feet from the front façade of the main structure on at least eighty percent (80%) of the homes. The balance of the homes may be setback less than one (1) foot behind the garage door.
  - (2) The intent of subsection (b)(1) above, shall be met if a roof covered porch or entry feature extends at least 5 feet in-front of the garage.
- 2) Side Yard: Minimum 5 feet for interior lots and 10 feet for side street/corner lots.
  - 3) Rear Yard: Minimum 10 feet.

#### Section 4.

The Comprehensive Zoning Ordinance and the Official Map are hereby amended to reflect the action taken herein.

#### Section 5.

Any person violating a provision of this ordinance, upon conviction, is guilty of an offense punishable by a fine of \$2000 per day as provided in Section 10.99 of the Carrollton City Code.

#### Section 6.

The provisions of this ordinance are severable in accordance with Section 10.07 of the Carrollton City Code.

#### Section 7.

Ordinance Number 3867, and Ordinance Number 1470, otherwise known as the Comprehensive Zoning Ordinance, and the Official Zoning Map, as amended, shall remain in full force and effect.

#### Section 8.

To the extent of any prior ordinance of the City of Carrollton (or any provision, clause, phrase, sentence or paragraph contained therein) conflicts with this ordinance, said conflicting ordinance, provision, clause, phrase, sentence or paragraph is hereby repealed.

Section 9.

This ordinance shall become and be effective on and after its adoption and publication.  
PASSED AND APPROVED this the Twelfth day of May 2020.

CITY OF CARROLLTON

By: \_\_\_\_\_  
Kevin W. Falconer, Mayor

ATTEST:

\_\_\_\_\_  
Laurie Wilson  
City Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Susan Keller  
Assistant City Attorney

\_\_\_\_\_  
Loren Shapiro, AICP  
Planning Manager

## **Exhibit A**

### Legal Description

Being a parcel of land located in the City of Carrollton, Denton County, Texas, a part of the Samuel B. Evans Survey, Abstract Number 397, and being a part of that called Tract A-29.469 acres described in deed to Mustang Carrollton Properties, LTD as recorded in Volume 4151, Page 1365, Real Property Records, Denton County, Texas, and being further described as follows:

BEGINNING at a five-eighths inch iron rod with yellow cap stamped "DAA" found at the northwest corner of that called 14.595 acre tract of land described in a special warranty deed to JBGL MUSTANG LLC as recorded in Document Number 2017-72191, Real Property Records, Denton County, Texas, said point also being in the east right-of-way line of Plano Parkway;

THENCE along the east right-of-way line of Plano Parkway as follows:

Northwesterly, 75.94 feet along a curve to the right having a central angle of 04 degrees 34 minutes 47 seconds, a radius of 950.00 feet, a tangent of 37.99 feet, and whose chord bears North 02 degrees 42 minutes 40 seconds West, 75.91 feet to a point for corner;

North 00 degrees 25 minutes 14 seconds West, 547.40 feet to a point for corner;

North 43 degrees 55 minutes 18 seconds East, 43.13 feet to a point for corner, said point being at the intersection of the east right-of-way line of Plano Parkway with the south right-of-way line of Parker Road;

THENCE along the south right-of-way line of Parker Road as follows:

North 77 degrees 54 minutes 03 seconds East, 23.16 feet to a point for corner;

Northeasterly, 200.63 feet along a curve to the right having a central angle of 11 degrees 44 minutes 15 seconds, a radius of 979.37 feet, a tangent of 100.67 feet, and whose chord bears North 83 degrees 45 minutes 54 seconds East, 200.28 feet to a point for corner;

North 89 degrees 22 minutes 18 seconds East, 712.11 feet to a point for corner;

THENCE South 00 degrees 07 minutes 04 seconds West, 690.69 feet to a point for corner, said point being the northeast corner of said 14.595 acre tract;

THENCE South 89 degrees 52 minutes 50 seconds East, 954.70 feet along the north line of said 14.595 acre tract to the POINT OF BEGINNING and containing 654,641 square feet or 15.028 acres of land.


And including the adjacent east ½ of Plano Parkway right of way.

# Exhibit B

## Location & Tracts



### Zoning Map

 Subject Property

0 0.0125 0.025 0.05 Miles



 **CARROLLTON**  
TEXAS