

ORDINANCE NO. 9759-2014

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AMENDING THE ZONING MAP AND ORDINANCE BY SHOWING THE LOCATION, BOUNDARY, AND USE OF A CERTAIN PROPERTY TO GRANT A ZONING CHANGE FROM SINGLE-FAMILY (SF-1) DISTRICT TO PLANNED DEVELOPMENT FOR SINGLE-FAMILY USES WITH SINGLE FAMILY (SF-1) DEVELOPMENT STANDARDS ON 2.055 ACRES LOCATED WITHIN THE W.H. BEEMAN SURVEY, ABSTRACT NUMBER 126, GRAND PRAIRIE, DALLAS COUNTY, TEXAS, AND AS MORE FULLY DESCRIBED BELOW, AND BEING ADDRESSED AS 4237 MATTHEW ROAD AND GENERALLY LOCATED SOUTH OF BARDIN ROAD AND EAST OF MATTHEW ROAD; SAID ZONING MAP AND ORDINANCE BEING NUMBERED ORDINANCE NUMBER 4779 AND PASSED ON NOVEMBER 20, 1990; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; CONTAINING A SAVINGS CLAUSE; AND TO BECOME EFFECTIVE UPON ITS PASSAGE AND APPROVAL

WHEREAS, the owners of the property described herein below filed application with the City of Grand Prairie, Texas, petitioning an amendment of the Zoning Ordinance and map of said city so as to change the zoning designation of said property **from Single Family (SF-1) to Planned Development for Single Family uses with Single Family (SF-1) District development standards;**

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on September 8, 2014 after written notice of such public hearing before the Planning and Zoning Commission on the proposed zoning change had been sent to owners of real property lying within 300 feet of the property on which the zoning change **from Single Family (SF-1) to Planned Development for Single Family uses with Single Family (SF-1) District development standards** is proposed, said Notice having been given not less than ten (10) days before the date set for hearing to all such owners who rendered their said property for City taxes as the ownership appears on the last approved City Tax Roll, and such Notice being served by depositing the same, properly addressed and postage paid, in the City Post Office;

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Grand Prairie, Texas voted 8 to 0 to recommend to the City Council of Grand Prairie, Texas, that said Zoning Ordinance and Map be amended to allow a zoning change **from Single Family (SF-1) to Planned Development for Single Family uses with Single Family (SF-1) District development standards;**

WHEREAS, Notice was given of a further public hearing to be held by the City Council of the City of Grand Prairie, Texas, in the City Hall Plaza Building at 6:30 o'clock P.M. on September 16, 2014, to consider the advisability of amending the Zoning Ordinance and Map as recommended by the Planning and Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, such Notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the Fort Worth Star Telegram, Fort Worth, Texas, a newspaper of general circulation in such municipality; and

WHEREAS, all citizens and parties at interest have been given an opportunity to be heard on all the matter of the zoning change and the City Council of the City of Grand Prairie, Texas, being informed as to the location and nature of the use proposed on said property, as well as the nature and usability of surrounding property, have found and determined that the property in question, as well as, other property within the city limits of the City of Grand Prairie, Texas, has changed in character since the enactment of the original Zoning Ordinance from its classification of **Single Family (SF-1) District** and, by reason of changed conditions, does consider and find that this amendatory Ordinance should be enacted since its provisions are in the public interest and will promote the health, safety and welfare of the community.

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

SECTION 1. THAT Ordinance Number 4779, being the Zoning Ordinance and Map of the City of Grand Prairie, Texas, showing the locations and boundaries of certain districts, and said Zoning Ordinance and Map having been made a part of an Ordinance entitled:

"THE UNIFIED DEVELOPMENT CODE OF THE CITY OF GRAND PRAIRIE, TEXAS, AS PASSED AND APPROVED BY THE CITY COUNCIL ON THE 20TH DAY OF NOVEMBER, 1990, TOGETHER WITH ALL AMENDMENTS THERETO AND ENACTING A REVISED ORDINANCE ESTABLISHING AND PROVIDING FOR ZONING REGULATIONS; CREATING USE DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN..."

being passed and approved November 20, 1990, as amended, is hereby further amended so as to change the zoning district from its classification from **Single Family (SF-1) to Planned Development for Single Family uses with Single Family (SF-1) District development standards** and described as shown on the approved zoning exhibit labeled as Exhibit A - Legal Description and Exhibit B - Location Map, which are incorporated herein by reference.

SECTION 2. Purpose and Intent

The purpose of this Planned Development District is to provide the appropriate restrictions and development controls to permit the development of single-family uses in a manner compatible with the surrounding development and zoning and in compliance with the City's Comprehensive Plan and the Unified Development Code.

SECTION 3. Development Standards

The development shall be in substantial conformance with the development standards:

1. Any zoning, land use requirements and restrictions not contained within this Planned Development Ordinance shall conform to those requirements for the **Single-Family (SF-1) District**, as established and amended in the Unified Development Code (UDC). Where there is a conflict between the UDC and this ordinance, unless explicitly contained in this ordinance, the more restrictive will prevail.

2. All development shall be in substantial conformance with the conceptual plans attached hereto as Exhibit C and Exhibit D.
3. The minimum living area of the dwelling units, as established by this ordinance, shall be as follows:
 - a. Existing dwelling unit: 1,500 square feet
 - b. Proposed main dwelling unit: 2,400 square feet
 - c. Proposed guest dwelling unit: 800 square feet
4. Notwithstanding the proposed location of the guest house as shown on the above referenced conceptual plans, the guest house may be located on either one of the two proposed lots, provided that the guest dwelling unit adheres to the dimensional standards of this ordinance.
5. The guest dwelling unit shall be considered a standalone primary use/structure with all the rights and privileges afforded a primary use/structure.
6. An enclosed garage is not required for either the existing dwelling unit or the guest dwelling unit. However, a minimum of two (2) off-street parking spaces shall be required for each dwelling unit.
7. Notwithstanding Section 6.6.2.1.A of Article 6 of the UDC, a separate carport, capable of covering, but not exceeding, up to two (2) vehicles is permissible by right (without Zoning Board of Adjustment and Appeals review and approval) via this ordinance, for the existing dwelling unit and guest dwelling unit, subject to the following conditions:
 - a. The carport will be setback a minimum of thirty (30) feet from all property lines adjacent to public rights-of-way,
 - b. The carport will be setback a minimum of three (3) feet from all internal property lines, and any projection or overhang of eaves, gutters, or other roof elements that protrude into the established building setback may not exceed twenty-four (24") inches in accordance with Section 6.5.1.A of Article 6 of the UDC,
 - d. The carport will not encroach, intrude, or overhang any easements that have been established on the subject property,
 - e. All areas beneath the roof of the carport should be paved with a city approved paving material and the poles or supports of the carport should be anchored in or to the paving,
 - f. The carport is to be constructed in a manner and design consistent in materials and color to the primary residential structure and may not be composed of any materials explicitly prohibited in Section 6.6.2.1.C of Article 6 of the UDC.
 - g. The carport does not pose a negative impact on any of the adjacent or surrounding properties based on its proposed location, design, or visual impact to the streetscape, and
 - h. The carport does not create a visual obstruction to motorists.
 - i. Proposed deviations to the above noted standards {Section III.7. (a - h)} may be appealed to the Board of Adjustment and Appeals.

SECTION 4. THAT it is further provided, that in case a section, clause, sentence, or part of this Ordinance shall be deemed or adjudged by a Court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this Ordinance.

SECTION 5. THAT all ordinances or parts of ordinances in conflict herewith are specifically repealed.

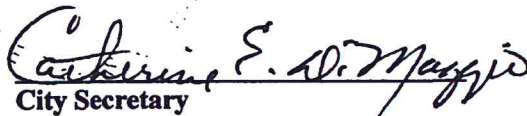
SECTION 6. THAT this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, ON THIS THE 16TH DAY OF SEPTEMBER, 2014.

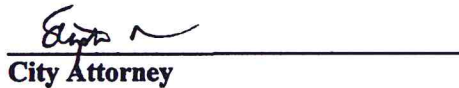
APPROVED:


Ron Jensen, Mayor

ATTEST:


Catherine S. DiMaggio
City Secretary

APPROVED AS TO FORM:


City Attorney

**ORDINANCE NO. 9759-2014
PLANNED DEVELOPMENT NO. 348
CASE NO. Z140902**

Exhibit A - Legal Description

PROPERTY DESCRIPTION

Being a tract of land situated in the W. H. Beeman Survey, Abstract Number 126, in the City of Grand Prairie, Dallas County, Texas, and being that tract of land conveyed to Donald D. Sherman by Warranty Deed as recorded in Volume 2004183, Page 9425 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod found in the east right of way line of Matthew Road (a 40' width right of way), said point being at the northwest corner of said Sherman tract and the southwest corner of a tract of land conveyed to Fred J. Conover and wife Nancy G. Conover by deed as recorded in Volume 268, Page 1675 of the Deed Records of Dallas County, Texas;

THENCE N90°00'00"E a distance of 423.50' along the common line between said Conover tract and said Sherman tract to a 1/2" iron rod set with cap stamped "Sur-Tex 2466", said point being at the northeast corner of said Sherman tract and the northwest corner of a tract of land conveyed to Fred J. Conover and Nancy Conover by deed as recorded in Volume 69126, Page 543 of the Deed Records of Dallas County, Texas;

THENCE S00°14'00"W a distance of 217.98' along the common line between second said Conover tract and said Sherman tract to an established point at the southeast corner of said Sherman tract and the southwest corner of second said Conover tract, from which a 1/2" iron rod found bears N02°01'21"E a distance of 0.13', said point being in the north line of a tract of land conveyed to Donald Dean Sherman and wife Annie Maxine Sherman by Warranty Deed as recorded in Volume 67166, Page 0838 of the Deed Records of Dallas County, Texas;

THENCE N89°45'38"W a distance of 389.97' along the common line between first said Sherman tract and second said Sherman tract to a 1/2" iron rod found for corner at the southwest corner of first said Sherman tract and the northwest corner of second said Sherman tract, said point being in the east right of way line of said Matthew Road;

THENCE N13°22'16"W a distance of 132.76' along the east line of said Matthew Road and the west line of first said Sherman tract to a 1/2" iron rod found;

THENCE N01°16'38"W a distance of 87.21' along the east line of said Matthew Road and the west line of first said Sherman tract to the POINT OF BEGINNING and containing 89,530 square feet or 2.055 acres of land.

LAND TITLE SURVEY TBPLS Act and Rules

Certification:

The undersigned does hereby certify to Donald Sherman that this survey plat represents a survey made on the ground under my supervision. The boundaries are located according to the recorded references shown. It meets the requirements of the Texas Board of Professional Land Surveying Act (effective 6-1-03) and Rules (effective 8-28-13).

CE-TEX

The Civil Engineering Company of Texas

Registration No. F-9703
204 West Nash Street
Grapevine, Texas 76051
Office (882) 223-1517
Fax (882) 223-1519

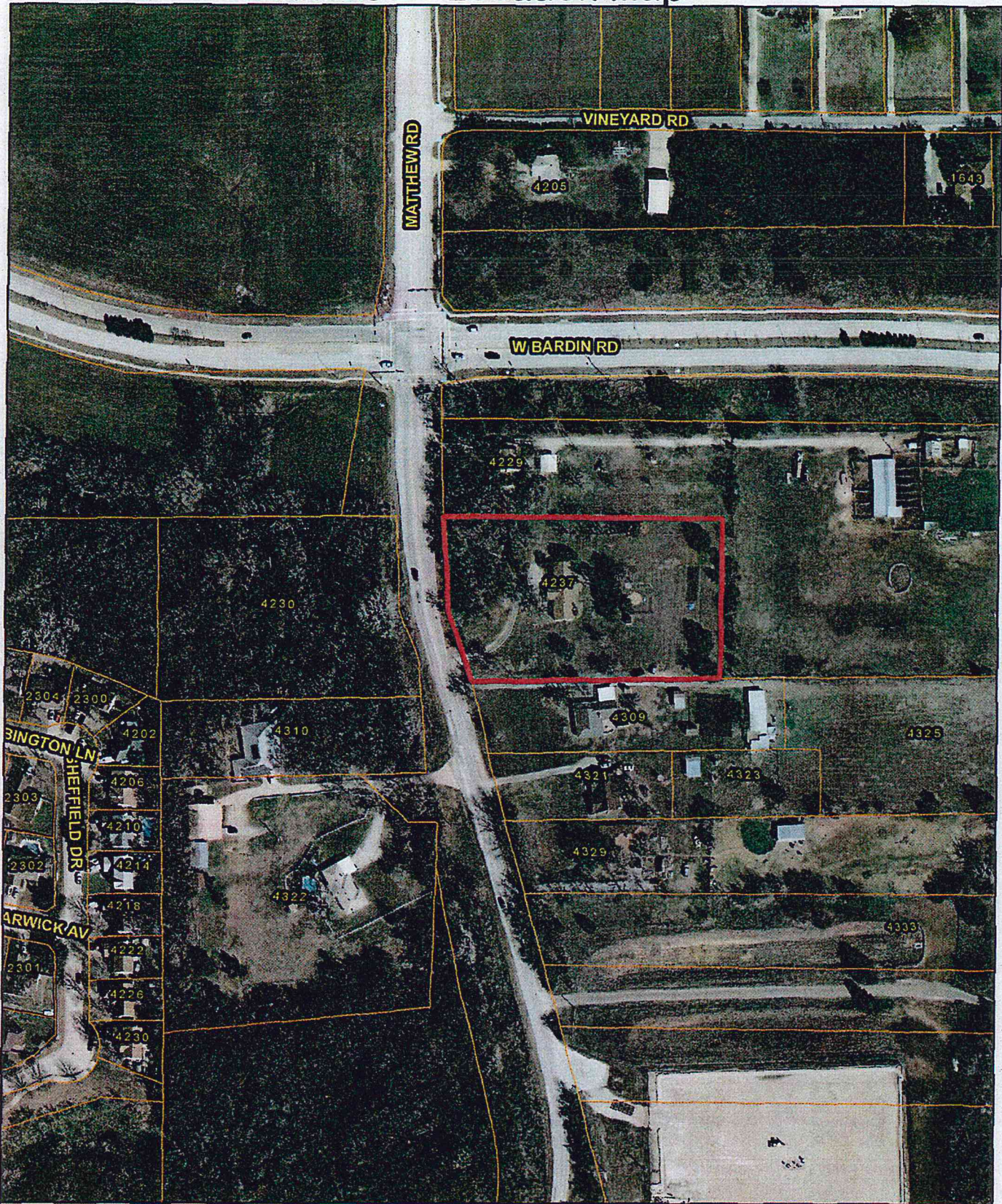


Charles G. Starnes

Charles G. Starnes
Registered Professional Land Surveyor
No. 2468
2-18-14

JOB NO.	14101	TECH:	JM
DATE:	2/18/14	FIELD:	JM
FIELD:	2/4/14	SCALE:	1" = 50'

Exhibit B - Location Map



This data has been compiled by the City of Grand Prairie IT/GIS department. Various official and unofficial sources were used to gather this information. Every effort was made to ensure the accuracy of this data, however, no guarantee is given or implied as to the accuracy of said data.



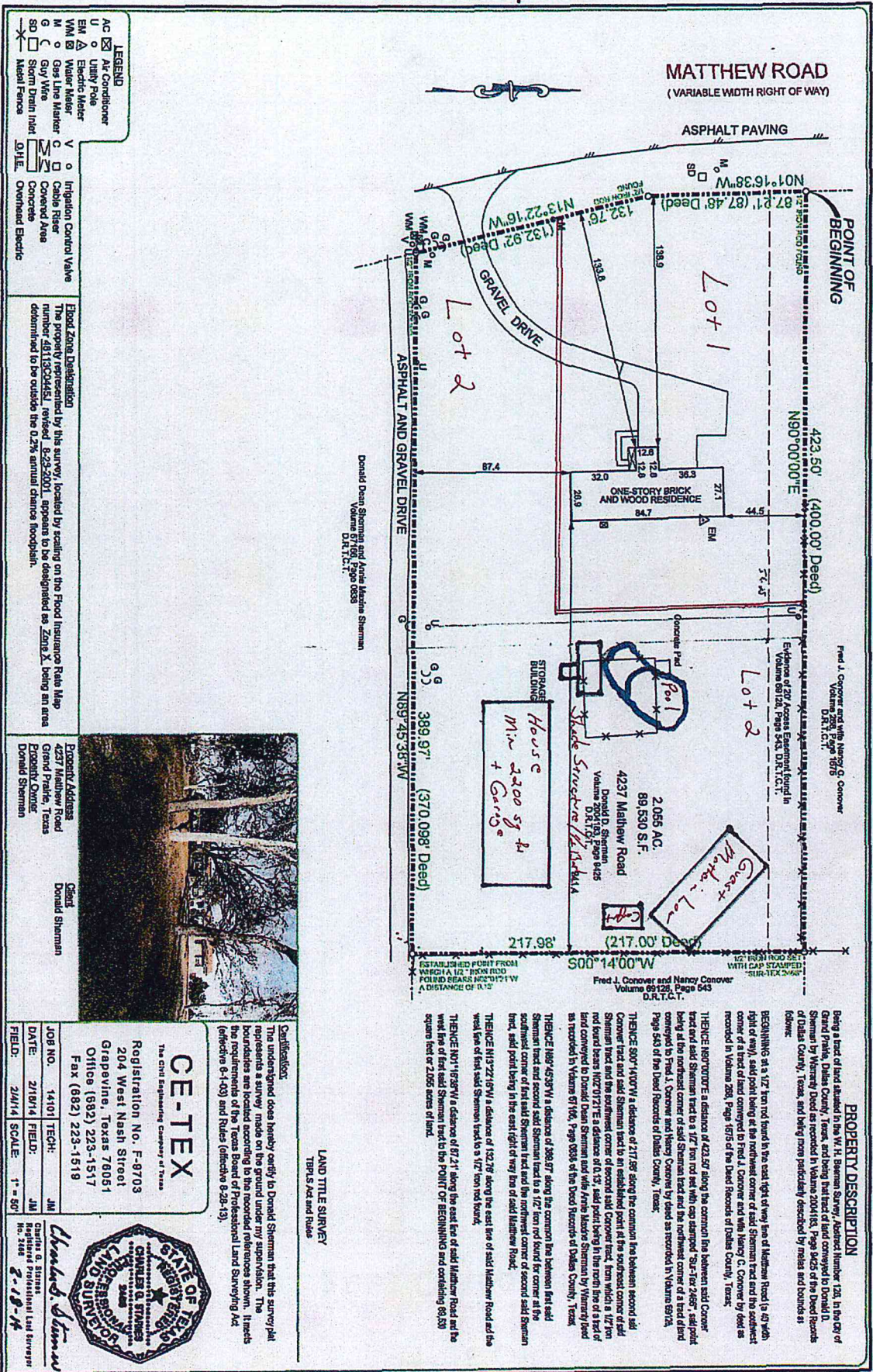
Case Location Map
Case Number Z140902
4237 Matthew Road

120 0 120 Ft

Date: 7/22/2014 Time: 2:53:43 PM



Exhibit C - Concept Plan 1



1/8 = 6.25'

LEGEND	
AC	✓ Air Conditioner
U	○ Utility Pole
EM	△ Electric Meter
WM	⊗ Water Meter
M	○ Gas Line Marker
G	○ Guy Wire
SD	⊗ Storm Drain Inlet
SD	⊗ Metal Fence
V	○ Irrigation Control Valve
C	○ Cable Riser
CA	○ Covered Aisle
CON	○ Concrete
OE	○ Overhead Electric
D.H.E.	○ Overhead Electric

E Flood Zone Designation
 The property represented by this survey, located by scaling on the Flood Insurance Rate Map number 48113C02445L, revised 8-23-2011, appears to be designated as Zone X, being an area determined to be outside the 0.2% annual chance floodplain.

Property Address
 4237 Matthew Road
 Grand Prairie, Texas
 76051
Exponent Owner
 Donald Sherman



JOB NO.	14101	TECH.	JM
DATE	2/10/14	FIELD	JM
FIELD	2/10/14	SCALE	1" = 50'

CE-TEX
 The Civil Engineering Company of Texas
 Registration No. F-9703
 204 West Nash Street
 Grapevine, Texas 76051
 Office (882) 223-1517
 Fax (882) 223-1519



Certification:
 The undersigned does hereby certify to Donald Sherman that this survey/plat represents a survey made on the ground under my supervision. The boundaries are located according to the recorded reference stonem, lines and the records of the Texas General Land Office (reference 8-1-05) and Rules (reference 8-28-15).

LAND TITLE SURVEY
 TRIPS, 1/2 and Rules

PROPERTY DESCRIPTION
 Being a tract of land situated in the W. H. Sherman Survey, Acreage Number 120, in the City of Grand Prairie, Dallas County, Texas, and being that tract of land conveyed to Donald D. Sherman by Warranty Deed as recorded in Volume 2004183, Page 5425 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEING that a 1/2 acre tract in the east right of way line of Matthew Road (a 40' wide right of way), said point being at the northeast corner of said Sherman tract and the southeast corner of a tract of land conveyed to Fred J. Conover and Nancy Conover by deed as recorded in Volume 288, Page 1979 of the Deed Records of Dallas County, Texas.

THENCE 180° 00' 00" E a distance of 423.50' along the common line between said Conover tract and said Sherman tract to 1/2" iron rod set with cap stamped "S-17-2487" said point being at the northeast corner of said Sherman tract and the northwest corner of a tract of land conveyed to Fred J. Conover and Nancy Conover by deed as recorded in Volume 59724, Page 583 of the Deed Records of Dallas County, Texas.

THENCE 800° 14' 00" W a distance of 217.98' along the common line between second add Conover tract and said Sherman tract to an established point at the southeast corner of said Sherman tract and the southwest corner of second add Conover tract, from which a 1/2" iron rod found bears 102° 01' 12" E a distance of 0.33' said point being in the north line of a tract of land conveyed to Donald Dean Sherman and wife Anita Madeline Sherman by Warranty Deed as recorded in Volume 97196, Page 8284 of the Deed Records of Dallas County, Texas.

THENCE 180° 45' 30" W a distance of 389.97' along the common line between first add Sherman tract and second add Sherman tract to a 1/2" iron rod found for corner at the southeast corner of first add Sherman tract and the northwest corner of second add Sherman tract, said point being in the east right of way line of said Matthew Road.

THENCE N13° 22' 16" W a distance of 132.78' along the east line of said Matthew Road and the west line of first add Sherman tract to a 1/2" iron rod found.

THENCE N01° 16' 38" W a distance of 87.21' along the east line of said Matthew Road and the west line of first add Sherman tract to the POINT OF BEGINNING and containing 68.530 square feet or 2.055 acres of land.

Donald Dean Sherman and Anita Madeline Sherman
 Volume 67196, Page 0838
 D.R.T.C.T.

Fred J. Conover and Nancy Conover
 Volume 59724, Page 543
 D.R.T.C.T.

