

AN ORDINANCE AMENDING THE ZONING MAP SHOWING THE LOCATION, BOUNDARY AND USE OF CERTAIN PROPERTY SO AS TO REZONE South Park Addition, Phase I

FROM SF-2 and SF-3 TO PLANNED DEVELOPMENT FOR SF-2 AND SF-3 ZONING; SAID ZONING MAP AND ORDINANCE PASSED ON JANUARY 27, 1971, AND RECORDED IN BOOK 8, PAGES 405 TO 509 OF THE ORDINANCE RECORDS OF THE CITY OF GRAND PRAIRIE, TEXAS; 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 hereinafter described property filed application with the City of Grand Prairie, Texas, petitioning an Amendment of the Zoning Ordinance and Map of said City so as to rezone and reclassify said property from its classification of SF-2 and SF-3 to planned development for SF-2 and SF-3; and

WHEREAS, the Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on July 24, 1978 after written Notice of such public hearing before the Zoning Commission on the proposed change in classification had been sent to owners of real property lying within 200 feet of the property on which the change in classification 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; and

WHEREAS, after consideration of said application, the Zoning Commission of the City of Grand Prairie, Texas voted 9 to 0 to recommend to the City Council of Grand Prairie, Texas, that the hereinafter described property be rezoned so as to change its classification from SF-2 and SF-3 to planned development for SF-2 and SF-3 zoning; and

WHEREAS, subsequent to the public hearing of the Zoning Commission, Notice was given of a further public hearing to be held by the City Council of the City of Grand Prairie, Texas, in the Municipal Building at 7:30 o'clock p.m. on August 1, 1978 to consider the advisability of amending the Zoning Ordinance and Map as recommended by the 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 Grand Prairie Daily News, Grand Prairie, 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 the matter of the proposed rezoning; and the City Council of the City of Grand Prairie, Texas, being informed as to the location and nature of the property sought to be rezoned, 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 the classification of SF-2 and SF-3 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:

I.

That 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:

"AN ORDINANCE AMENDING IN ITS ENTIRETY CHAPTER 36 OF THE CODE OF ORDINANCES KNOWN AS THE ZONING ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AS PASSED AND APPROVED BY THE CITY COUNCIL ON THE 27TH DAY OF JANUARY, 1971, 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..."

and passed and approved January 27, 1971, recorded in Ordinance Book 8, Pages 405 to 509 inclusive, as amended, so as to establish and rezone the following described area from SF-2 and SF-3 to planned development for SF-2 and SF-3 zoning:

South Park Addition, Phase I.

II.

That the following special terms and conditions are hereby imposed as a part of this ordinance:

1. The masonry content on each of the SF-2 and SF-3 type structures meet requirements.
2. There be no more than 90 SF-3 structures.
3. The screening fence stipulation remain in effect and that the fence be uniform.

III.

That the site plan as finally approved with all stipulations contained therein shall be marked Exhibit "A", attached hereto and made a part hereof as if fully set out herein.

IV.

That nothing contained herein shall be construed as relieving the owner of the land described hereinabove of compliance with all other ordinances or charter of the City of Grand Prairie, Texas, or laws of the State of Texas relating to the development of land or construction of buildings in said City, nor shall this ordinance be construed as relieving the owner of said land of compliance with all other provisions of Ordinance No. 2299 and its amendments, same being the Comprehensive Zoning Ordinance of said City, unless specifically modified by the passage of this ordinance.

V.

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.

VI.

All ordinances, or parts of ordinances in conflict herewith are specifically repealed.

VII.

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 this the 1st day of August, 1978.

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Mayor, City of Grand Prairie, Texas

ATTEST:

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City Secretary

P&Z Case No. 780707