

AN ORDINANCE OF THE CITY OF COPPELL, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF COPPELL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF COPPELL, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM PD-250R8-H (PLANNED DEVELOPMENT-250 REVISION 8-HISTORIC) & PD-250R-H (PLANNED DEVELOPMENT-250 REVISED-HISTORIC) TO PD-250R23-H (PLANNED DEVELOPMENT-250 REVISION 23-HISTORIC), TO AMEND THE CONCEPT PLAN AND ATTACH A DETAIL SITE PLAN TO ALLOW THE DEVELOPMENT OF 12 SINGLE-FAMILY LOTS FRONTING BURNS STREET, ONE COMMON AREA LOT AND DEDICATION OF RIGHT-OF-WAY ON 1.65 ACRES OF PROPERTY LOCATED AT THE NORTHWEST CORNER OF S. COPPELL ROAD AND BURNS STREET AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR THE APPROVAL OF THE AMENDED CONCEPT PLAN, SITE PLAN, LANDSCAPE PLAN, AND TYPICAL ELEVATIONS ATTACHED HERETO AS EXHIBITS "B", "C", "D" AND "E" ; PROVIDING FOR DEVELOPMENT REGULATIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Planning and Zoning Commission and the governing body of the City of Coppel, Texas, in compliance with the laws of the State of Texas and pursuant to the Comprehensive Zoning Ordinance of the City of Coppel, have given requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof, the said governing body is of the opinion that Zoning Application No. PD-250R23-H should be approved, and in the exercise of legislative discretion have concluded that the Comprehensive Zoning Ordinance and Map should be amended.

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

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Coppel, Texas, duly passed by the governing body of the City of Coppel, Texas, as heretofore amended, be and the same is hereby amended by granting a change in zoning from PD-250R8-H (Planned Development-250 Revision 8-Historic) & PD-250R-H (Planned Development-250

Revised-Historic) to PD-250R23-H (Planned Development-250 Revision 23-Historic), to amend the Concept Plan and attach a Detail Site Plan to allow the development of 12 single-family lots fronting Burns Street, one common area lot and dedication of right-of-way on 1.65 acres of property located at the northwest corner of S. Coppel Road and Burns Street, property described in Exhibit “A” attached hereto and made a part hereof for all purposes.

SECTION 2. That PD-250R23-H (Planned Development-250 Revision 23-Historic), is hereby approved subject to the following development regulations:

- a. Except as amended herein and as provided in this Ordinance, the property shall be developed and used as provided herein in accordance with PD-250-H, as set forth in Ordinance No. 91500-A-564, as amended, which is incorporated herein as set forth in full and hereby republished.
- b. Maintenance of the five foot (5') Maintenance Use & Drainage Easement located between each of the units on Lots Block G, 14R-25R, shall be the responsibility of the owner of each lot.
- c. No structures, pad sites, stairs, or other flatwork shall be constructed or maintained in the side yards on Block G, Lots 14R-25R.
- d. Grills and/or cooking appliances shall not be used, maintained or stored in the side yards on Block G, Lots 14R-25R.
- e. No outside storage shall be visible from public view on Block G, Lots 14R-25R, Burns Street, South Coppel Road, or any other public access area, and must be screened.
- f. The Property Owners’ Association shall be responsible for the maintenance of the common areas and any landscaping or amenities placed within the common

areas and maintenance of the landscaping in the right-of-way, as shown on the site plan, Exhibits “C” and “D”, respectively.

- g. Fencing shall be a maximum height of 4-feet, constructed of decorative metal, located at or behind the front building line of the primary structure. A 2-foot side yard fence setback shall be permitted on Block G, Lot 25R along Coppell Road to reflect the existing fence setback on Coppell Road on Lot 13R, Block G Old Town Addition.

SECTION 3. That the Amended Concept Plan, Site Plan, Landscape Plan, and Typical Elevations attached hereto as Exhibits “B”, “C”, “D”, and “E” and made a part hereof for all purposes, as developed regulations, are hereby approved.

SECTION 4. That the property shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Coppell, as heretofore amended, and as amended herein.

SECTION 5. That the development of the property herein shall be in accordance with building regulations, zoning ordinances, and any applicable ordinances except as may be specifically altered or amended herein.

SECTION 6. That all provisions of the Ordinances of the City of Coppell, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 7. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 8. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 9. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Coppell, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 10. That this ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Coppell, Texas, this the _____ day of _____, 2017.

APPROVED:

KAREN SELBO HUNT, MAYOR

ATTEST:

CHRISTEL PETTINOS, CITY SECRETARY

APPROVED AS TO FORM:

ROBERT E. HAGER, CITY ATTORNEY
(REH/mpm)