

**ORDINANCE # 05-10-18**

**AN ORDINANCE OF THE CITY OF SANGER, DENTON COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP AS HERETOFORE AMENDED BY AMENDING THE PLANNED DEVELOPMENT DISTRICT CREATED BY ORDINANCE 06-18-17 (PD-SF-06) TO EXTEND THE BOUNDARIES THEREOF TO INCLUDE AN APPROXIMATELY 3.634 ACRE TRACT THEREIN AND REZONE SAID TRACT FROM “A” AGRICULTURE DISTRICT TO PLANNED DEVELOPMENT DISTRICT PD-SF-06 AND AMENDING SECTION 3 “AREA REGULATIONS”; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, all Requests for Changes in Zoning Classifications were duly filed with the City of Sanger, Texas, concerning the hereinafter described properties;

WHEREAS, due notice of hearings were made in the time and manner prescribed by law and the Planning and Zoning Commission of the City of Sanger, Texas, duly covered and conducted public hearings for the purpose of assessing zoning classification changes on the hereinafter described properties located in the City of Sanger, Texas;

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SANGER, TEXAS:**

**Section 1.** That a certain approximately 3.634-acre site as described in the attached Exhibit A, and generally located on the east side of 5<sup>th</sup> Street and south side of Wayne Street is subject to this ordinance.

**Section 2.** The zoning classification on the herein above described property is hereby changed from “A” Agriculture District to Planned Development District and added to existing PD-SF-06, amending the total area of PD-SF-06 from approximately 30.59-acres to approximately 34.58-acres as described in Exhibit B.

**Section 3.** The Planned Development Single Family Residential District shall have the following permitted uses and regulations:

**1. General Purpose and Description:**

The district is intended to accommodate single-family residential development with the requirements as outlined below.

**2. Use Regulations:**

Single-family dwelling (detached).

**3. Area Regulations:**

A. Size of Yards:

Minimum Front Yard – Twenty feet (20')

Minimum Side Yard – Five feet (5'); Twenty feet (20') on corner adjacent to side street.

Minimum Rear Yard – Twenty feet (20')

B. Size of Lots:

Minimum Lot Area – Five thousand (5,000) square feet

Minimum Lot Width – Fifty feet (50')

Minimum Lot Depth – One hundred feet (100')

C. Minimum Dwelling Size:

**Sixty-nine (69) lots - minimum one thousand six hundred (1,600) square feet** as follows:

Block A: Lots 1 – 21

Block B: Lots 1 – 13

Block G: Lots 1 – 15; Lots 25 – 28

Block E: Lots 1 – 16

**Fifty-four (54) lots – minimum one thousand eight hundred (1,800) square feet** as follows:

Block B: Lots 14 – 17

Block D: Lots 5 – 19; Lots 22 – 23

Block F: Lots 5 – 14; Lots 16 – 28

Block G: Lots 16 – 21; Lots 29 – 32

**Fifty-one (51) lots – minimum two thousand (2,000) square feet** as follows:

Block B: Lots 18 – 21

Block C: Lots 1 – 18

Block D: Lots 1 – 4; Lots 20 -21; Lots 24 – 38

Block F: Lots 1 – 4; Lot 15

Block G: Lots 22 – 24

D. Maximum Lot Coverage: Forty percent (40%) by the main building; Sixty percent (60%) by the main building, accessory buildings, driveways and parking; and any other concrete work, flat work, etc.

E. Parking Regulations: An enclosed parking area of at least four hundred (400) square feet. This area does not count towards the minimum dwelling size.

F. Accessory Buildings:

- a. Minimum Front Yard – Sixty feet (60')
- b. Minimum Side Yard – Ten feet (10')
- c. Minimum Rear Yard – Three feet (3')

G. Lots may be re-allocated administratively and on a case-by-case basis by City staff at the request of the developer and/or builder as long as the total number of lots for each category of minimum dwelling unit size remains the same within the Willowood PD (PD-SF-06) as a whole, and the developer and/or builder owns the lots proposed for reallocation.

**4. Other Regulations:**

All garage door panels shall contain decorative features such as window inserts and accent hardware. Same house elevation may not be repeated within a six-lot block. All exterior facades for the first story of a new single-family residential dwelling shall be constructed of a minimum of one hundred (100) percent masonry construction including brick, stone, cast stone, granite, marble or stucco. All other floors shall be constructed of a minimum of fifty (50) percent masonry.

**5. Property Owner's Association (POA):** Shall be established prior to any final plat being approved. Lot deeds must convey membership in the association, and must provide for the payment of dues and assessments. The association cannot be dissolved without prior written consent of the City Council. The Property Owner's Association shall be responsible for the improvement and maintenance of all common areas and/or common facilities as well as any alleys and detention and/or retention structures contained within the area of the development.

**6. Common Areas:** Shall be owned and maintained by the POA including any amenities and entryway features.

**7. Detention and/or Retention Structures:** Shall be owned and maintained by the POA.

**8. Landscaping:** Shall be in compliance with the landscaping regulations as defined in Chapter 14, Article 14.100, Section 48.

**9. Street/Alley Lighting:** Shall be installed and maintained by the POA including monthly electrical charges.

**Section 4.** All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

**Section 5.** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, phrases and words of this Ordinance are severable and, if any word, phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared

unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining portions of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional word, phrase, clause, sentence, paragraph, or section.

**Section 6.** Any person, firm, or corporation who shall violate any of the provisions of this article shall be guilty of a misdemeanor and upon conviction shall be fined in an amount not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.

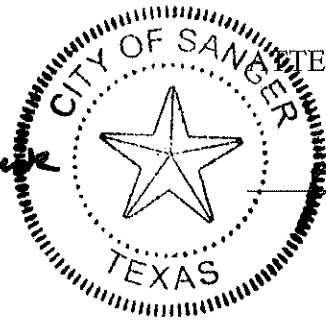
**Section 7.** This ordinance will take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

**DULY PASSED, APPROVED AND ADOPTED** by the City Council of the City of Sanger, Texas, on this 4<sup>th</sup> day of June, 2018.

APPROVED:

Thomas E. Muir

Thomas E. Muir, Mayor



TEST:

Cheryl Price

Cheryl Price, City Secretary

## EXHIBIT A

2.833 acres

Being all that certain tract of land lying in the City of Sanger, and being a part of the H. Tierwester Survey, Abstract Number 1241, Denton County, Texas, and being the remainder of a 3.00-acre tract described in a deed to Howard Ashcraft and Associates, recorded in Volume 1204, Page 853, Deed Records, Denton County, Texas, and being more particularly described by metes and bounds as follows;

BEGINNING at a 3/8 inch iron rod found in the East line of Lot 15, Block G, of Willowood Addition, recorded in Cabinet W, Page 185, Plat Records, Denton County, Texas, and being the Southwest corner of Lot 17 of said Block G, and being the Northwest corner of said 3.00-acre tract;

THENCE South 88 Degrees 07 Minutes 12 Seconds East, 381.44 feet to a capped iron rod set "KAZ", being the Northeast corner of the herein described tract and the Southeast corner of Lot 21 of said Block G;

THENCE South 03 Degrees 59 Minutes 50 Seconds East, 78.58 feet to a capped iron rod set stamped "KAZ";

THENCE South 08 Degrees 37 Minutes 40 Seconds East, 167.92 feet to a capped iron rod set stamped "KAZ";

THENCE South 03 Degrees 53 Minutes 44 Seconds East, 71.08 feet to a capped iron rod set stamped "KAZ", being the Southeast corner of the herein described tract;

THENCE North 88 Degrees 08 Minutes 25 Seconds West with the North line of Block J of Quail Run, Phase Three, recorded in Cabinet X, Page 485, of said Records, 404.60 feet to a capped iron rod set stamped "KAZ" in the North line of Lot 15 of said Block J, being the Southwest corner of the herein described tract;

THENCE North 02 Degrees 14 Minutes 52 Seconds West with the most Southerly East line of said Willowood Addition, 314.95 feet to the PLACE OF BEGINNING, containing 2.833 acres of land more or less.

0.802 acres

Being all that certain tract of land lying in the City of Sanger, and being a part of the H. Tierwester Survey, Abstract Number 1241, Denton County, Texas, and being the remainder of a 1.00-acre tract described in a deed to Howard Ashcraft and Associates, recorded in Volume 1204, Page 853, Deed Records, Denton County, Texas, and being more particularly described by metes and bounds as follows;

BEGINNING at a 3/8 inch iron rod found in the West Right-of-Way line of Atchison Topeka & Santa Fe Railroad, being the Northeast corner of said 1.00- acre tract, the Southeast corner of Lot 1, Block H, Willowood Addition, recorded in Cabinet X, Page 755, Plat Records, Denton County, Texas, and being the Northeast corner of the herein described tract;

THENCE South 03 Degrees 28 Minutes 59 Seconds East with the West Right-of-Way of said Railroad, 315.31 feet to a capped iron rod set stamped "KAZ" in the South line of said Survey Abstract Number 1241, being the Southeast corner of the herein described tract;

THENCE North 88 Degrees 08 Minutes 25 Seconds West with the North line of Lot 55, Block A, of Quail Run, Phase Three, recorded in Cabinet X, Page 485, of said Records, 106.46 feet to a capped iron rod set

stamped "KAZ", being the Northwest corner of said Lot 55, and being the Southwest corner of the herein described tract;

THENCE North 03 Degrees 53 Minutes 44 Seconds West, 78.16 feet to a capped iron rod set stamped "KAZ";

THENCE North 08 Degrees 37 Minutes 40 Seconds West, 167.96 feet to a capped iron rod set stamped "KAZ";

THENCE North 03 Degrees 59 Minutes 50 Seconds West, 71.44 feet to a capped iron rod set stamped "KAZ", being the Northwest corner of the herein described tract and the Southwest corner of said Lot 1;

THENCE South 88 Degrees 07 Minutes 12 Seconds East, 122.80 feet to the PLACE OF BEGINNING, containing 0.825 acre of land more or less.

## EXHIBIT B

All that certain lot, tract or parcel of land lying and being situated in the City of Sanger, Denton County, Texas and being a part of the H. Tierwester Survey, Abstract number 1241 and being all of Willowood Addition as shown on the Amended Final Plat of Willowood Addition, an addition to the City of Sanger, Denton County, Texas according to the plat recorded in Cabinet W, Page 185, Plat Records, Denton County, Texas and being all of the First and Second tracts as described in deed to Howard Ashcraft and Associates recorded in Volume 1204, Page 853, Deed Records, Denton County, Texas and being more fully described by metes and bounds as follows;

BEGINNING at a ½ inch iron rod found at the Southwest corner of Lot 10, Block A of said Willowood Addition;

THENCE North 02 degrees 06 minutes 28 seconds East, 889.86 feet to a capped iron rod found;

THENCE North 00 degrees 04 minutes 27 seconds East, 37.01 feet to a capped iron rod found at the Northwest corner of Lot 2, Block A of said Willowood Addition;

THENCE South 87 degrees 57 minutes 14 seconds East, 126.56 feet to a ½ inch iron rod found at the Northeast corner of said Willowood Addition;

THENCE South 02 degrees 18 minutes 35 seconds West, 38.59 feet to a capped iron rod set stamped "KAZ";

THENCE South 87 degrees 37 minutes 20 seconds East, 49.84 feet to a capped iron rod found at the Northwest corner of Lot 23, Block C of said Willowood Addition;

THENCE along a curve to the left whose long chord bears, South 83 degrees 17 minutes 57 seconds East, 289.74 feet and whose radius is 1756.00 feet and an arc length of 290.07 feet to a capped iron rod found;

THENCE South 88 degrees 04 minutes 48 seconds East, 550.01 feet to a ½ inch iron rod found;

THENCE North 03 degrees 16 minutes 24 seconds West, 32.05 feet to a ½ inch iron rod found at the Northwest corner of Lot 9, Block C of said Willowood Addition;

THENCE North 86 degrees 20 minutes 16 seconds East, 100.57 feet to a capped iron rod found at the Northeast corner of said Lot 9, Block C of said Willowood Addition;

THENCE North 85 degrees 32 minutes 27 seconds East, 49.94 feet to a ½ inch iron rod found at the Northwest corner of Lot 13, Block B of said Willowood Addition;

THENCE North 86 degrees 40 minutes 28 seconds East, 109.71 feet to a ½ inch iron rod found;

THENCE North 84 degrees 14 minutes 37 seconds East, 15.21 feet to a ½ inch iron rod found;

THENCE North 03 degrees 33 minutes 50 seconds West, 109.68 feet to a capped iron rod set stamped "KAZ";

THENCE North 16 degrees 43 minutes 23 seconds West, 139.62 feet to a ½ inch iron rod found at the Northwest corner of Lot 27, Block B of said Willowood Addition;

THENCE South 88 degrees 11 minutes 22 seconds East, 112.42 feet to a ½ inch iron rod found at the Northeast corner of said Lot 27, Block B of said Willowood Addition;

THENCE North 01 degrees 47 minutes 48 seconds West, 14.48 feet to a ½ inch iron rod found;

THENCE North 86 degrees 31 minutes 06 seconds East, 199.99 feet to a capped iron rod found at the Northeast corner of Lot 1, Block H of said Willowood Addition and being in the West line of the Atchison, Topeka & Santa Fe Railroad Right of Way;

THENCE along said West line, South 03 degrees 28 minutes 22 seconds East, 885.57 feet to a wood fence corner post found at the Southeast corner of said Lot 1, Block H of said Willowood Addition and being the Northeast corner of the aforementioned First Tract;

THENCE continuing along said West line, South 03 degrees 28 minutes 59 seconds East, 315.31 feet to a capped iron rod set stamped "KAZ" at the Southeast corner of said First Tract;

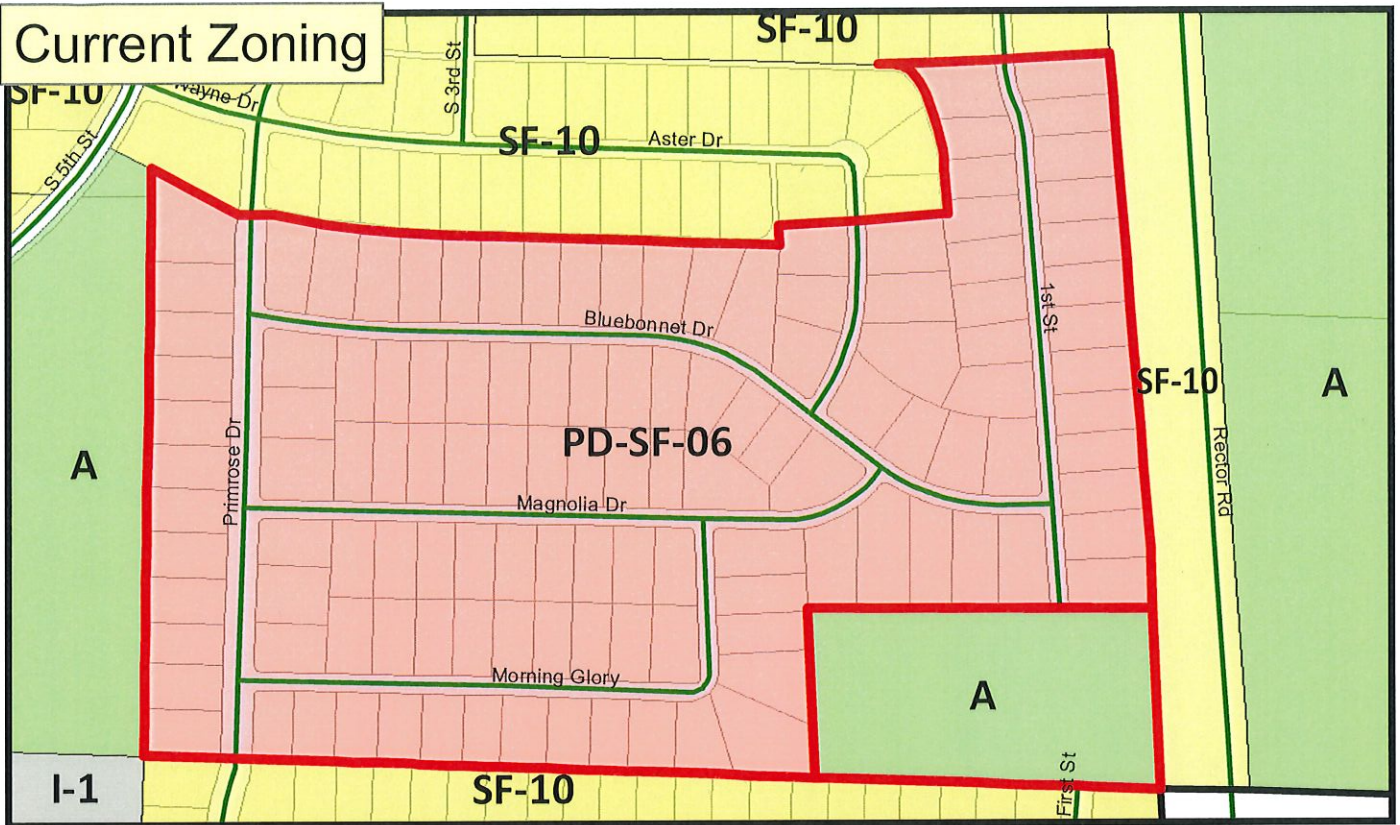
THENCE North 88 degrees 08 minutes 25 seconds West, 561.16 feet to a wood fence corner post at the Southwest corner of the aforementioned Second Tract;

THENCE North 87 degrees 58 minutes 08 seconds West, 585.69 feet to a capped iron rod set stamped "KAZ";

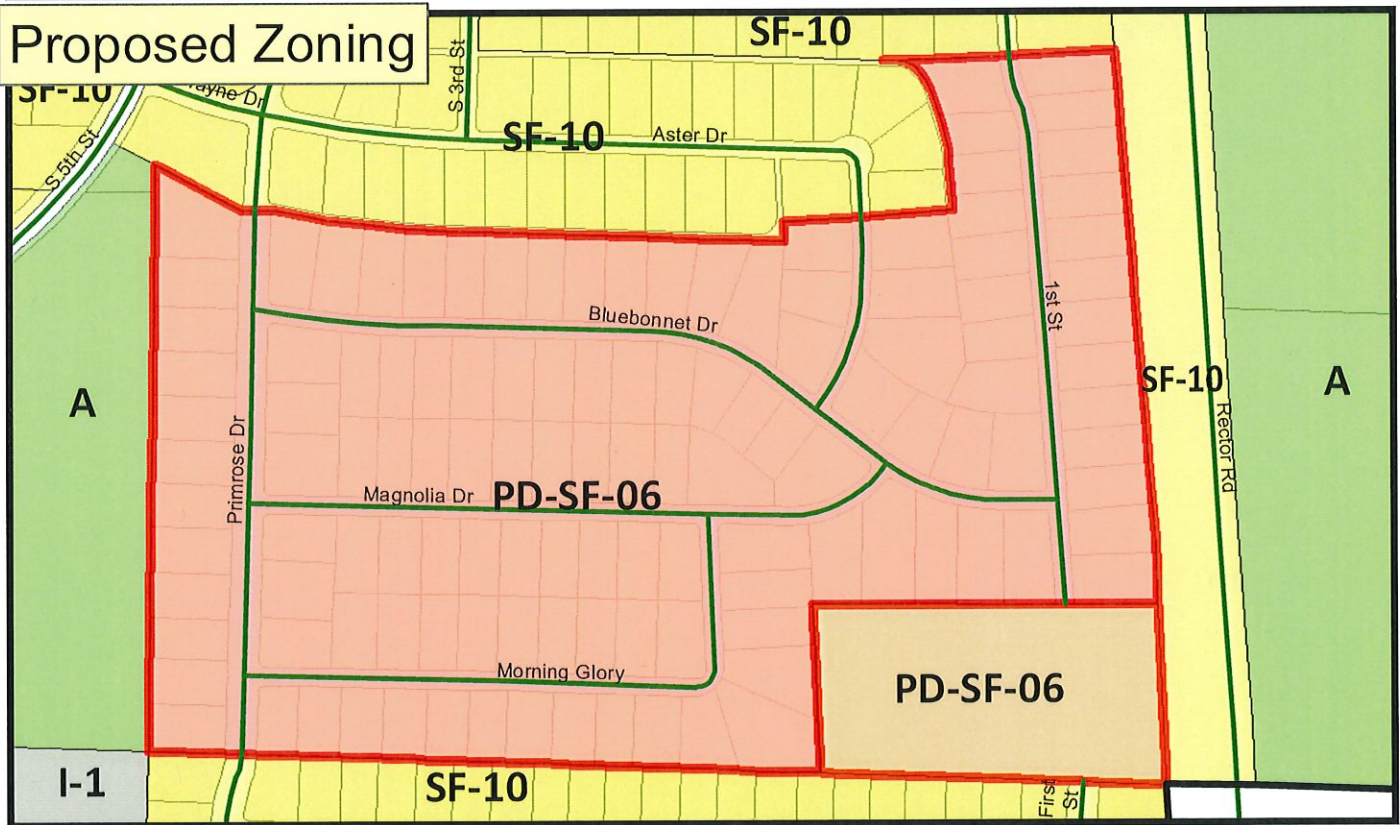
THENCE North 88 degrees 22 minutes 59 seconds West, 509.31 feet to the PLACE OF BEGINNING and containing 34.58 acres of land more or less;



# Current Zoning



# Proposed Zoning



**SANGER**  
★ TEXAS

Rezoning Exhibit: Willowood PD  
Project #: 18SANZON-0017

0 125 250 500 Feet

DISCLAIMER:  
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