

ORDINANCE NO. 3776

AN ORDINANCE OF THE CITY OF SACHSE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED; REPEALING IN THEIR ENTIRETY SPECIAL USE PERMIT ORDINANCE NO. 802, PASSED ON JULY 3, 1989, AND SPECIAL USE PERMIT ORDINANCE NO. 3052, PASSED ON APRIL 21, 2008; AND CREATING PLANNED DEVELOPMENT NO. 35 ("PD-35") WITH A BASE ZONING OF AGRICULTURAL DISTRICT ("AG") TO ALLOW THE ADDITIONAL USE OF THE FABRICATION AND RESTORATION OF SPECIALTY, CUSTOM, AND/OR CLASSIC VEHICLES, ON AN APPROXIMATE 10.00-ACRE TRACT OF LAND, LOCATED AT 3904 MILES ROAD, CITY OF SACHSE, DALLAS COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR THE APPROVAL OF THE SITE PLANS ATTACHED AS EXHIBIT "B"; 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 FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Sachse and the governing body of the City of Sachse, in compliance with state laws applying to amending the Comprehensive Zoning Ordinance and Map, have given the requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, the governing body of the City of Sachse is of the opinion that said comprehensive Zoning Ordinance should be amended as provided herein;

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

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Sachse, Texas, as heretofore amended, be and the same are hereby further amended by creating Planned Development No. 35 ("PD-35") with a base zoning of Agricultural District ("AG") to allow for the additional use of the fabrication and restoration of specialty, custom, and/or classic vehicles, on an approximate 10.00-acre tract of land located at 3904 Miles Road, City of Sachse, Dallas County, Texas (the "Property"), being more particularly described in Exhibit "A", attached hereto and incorporated herein by reference.

SECTION 2. That the property shall be developed and used only in accordance with the following development standards:

- A. **Purpose.** The purpose of this Planned Development District is to allow for the additional use of the fabrication and restoration of specialty, custom, and/or classic vehicles.

B. **Base Zoning District.** The Property shall be used and developed in accordance with the Agricultural District (“AG”) regulations of the Comprehensive Zoning Ordinance, except as otherwise provided herein:

1. Repair of vehicles outside the building is prohibited;
2. Outside storage of vehicles or excessive parts shall not exceed seventy-two (72) hours;
3. As provided on the Site Plan, one residential dwelling unit shall be permitted, to be occupied by the business owner or employee of the business owner;
4. Business shall be conducted entirely within the out buildings, including the new building expansion labeled “H” on the Site Plan;
5. Only the direct selling of parts and accessories for classic or specialty vehicles shall be permitted;
6. No equipment or materials associated with the business can be displayed or stored where visible from anywhere off the premises;
7. A monument sign for the purpose of designating the location of the shop shall be permitted on the property;
8. The Site Plans with the new building expansion “H” (max 20’ in height) shall be allowed to be constructed with like material (metal). A concrete parking surface as shown on the Site Plan shall be installed prior to the issuance of any building permits.
9. The existing storage shed may be replaced with a similar sized metal building; and
10. The applicant shall comply with all Fire, Building, Subdivision, Zoning, Engineering, and Health codes and obtain all necessary permits.

C. **Site Plans.** The Property shall be developed and used substantially in accordance with the Site Plans attached as Exhibit “B”, and which are hereby approved.

SECTION 3. That the above Property shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Sachse, as heretofore amended, and as amended herein.

SECTION 4. That Special Use Permit Ordinance 802, passed on July 3, 1989, and Special Use Permit Ordinance No. 3052, passed on April 21, 2008, shall be repealed in their entirety.

SECTION 5. That all provisions of the ordinances of the City of Sachse in conflict with the provisions of this ordinance be and the same are hereby repealed.

SECTION 6. 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 hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 7. That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.


SECTION 8. 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 Sachse, 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 9. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

PASSED AND APPROVED by the City Council of the City of Sachse, Texas on the 5 day of December, 2016.

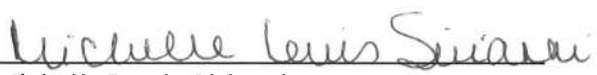


APPROVED:



Mike J. Felix
Mayor

DULY ENROLLED:



Michelle Lewis Sirianni
City Secretary

APPROVED AS TO FORM:

Peter G. Smith
City Attorney
(11-10-2016/81327)

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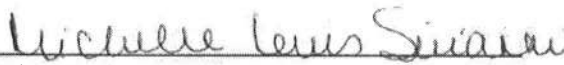
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EXHIBIT "A"

ATTACHMENT A

BEING all that certain lot, tract or parcel of land lying and being situated in the County of Dallas, State of Texas, and being a survey of 10.00 acres of land net in the MCKINNEY & WILLIAMS SURVEY, ABSTRACT NO. 1000 Dallas County, Texas; and being out of a 44.49 acre tract and said 10.00 acre tract being more particularly described as follows:

BEGINNING at a point in the East line of Miles Road (60 feet wide) that is 1681.0 ft. South, 127.7 feet South 0 Deg. 44 min. East and 30.0 ft. South 89 deg. 31 min. East from the Northwest corner of said McKinney & Williams Survey;

THENCE South 89 deg. 31 min. East, along a line 752 ft. South of and parallel to the North line of said 44.49 acre tract, 2139.9 ft. to a point in the East line of said 44.49 acre tract; same being the East line of said survey;

THENCE South along said survey line, 50.3 ft. to the Southeast corner of said 44.49 acre tract;

THENCE South 82 deg. 18 min. West 2154.7 ft. to the southwest corner of said 44.49 acre tract, a point in the East Line of Miles Road;

THENCE North 0 deg. 44 min. West, along said East line of Miles Road, 357.1 ft. to the point of beginning and containing 10.00 acres of land.

EXHIBIT "B" SITE PLAN

