

ORDINANCE NO. 85-750

AN ORDINANCE PROVIDING FOR THE AMENDMENT TO THE GENERAL ZONING ORDINANCE OF THE CITY OF CEDAR HILL, TEXAS, BEING ORDINANCE NUMBER 77-439, AND PROVIDING A ZONING CLASSIFICATION FOR A PLANNED DEVELOPMENT DISTRICT SPECIFICALLY DESCRIBED HEREIN; AND PROVIDING FOR IMMEDIATE EFFECT.

WHEREAS, a Request for Change in Zoning Classification was duly filed with the City of Cedar Hill, Texas, concerning the hereinafter described property;

WHEREAS, due notice of hearing was made in the time and manner prescribed by law and the Planning and Zoning Commission of the City of Cedar Hill, Texas, duly convened and conducted a public hearing for the purpose of assessing a zoning classification change on the hereinafter described property located in the City of Cedar Hill, Texas; and

WHEREAS, an additional opportunity for all interested persons to be heard was provided by the City Council of the City of Cedar Hill, Texas, at an opening meeting, with proper notices posted;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILL, TEXAS, THAT:

SECTION 1. The legal description of the property zoned herein is generally described as being a tract of land of approximately 113.0713 acres fronting the south side of Parkerville Road and the east line of Joe Wilson Road. Also being situated in the H. C. Jones Survey, Abstract No. 689, City of Cedar Hill, Dallas County, Texas. A complete legal description is attached hereto as Exhibit "A".

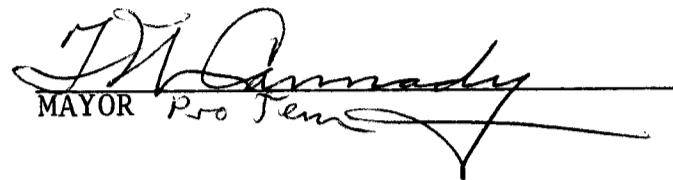
SECTION 2. The zoning classification on the hereinabove described property is hereby changed to a Planned Development District to be developed in accordance with the Zoning exhibit for Springfield Addition attached to this Ordinance as Exhibit B and in the following approximate amounts:

- a. Tract 1, PD Retail, 9.1050 acres of land;
- b. Tract 2, PD-Zero Lot Line, 26.1490 acres of land, and constructed units generally shall have at least 1,250 square feet minimum except that at least 25 percent of all of such units in this tract shall have at least 1,350 square feet, with all homes having a two car garage;
- c. Tract 3, PD-R2, 24.2291 acres of land;
- d. Tract 4, PD-R2, 9.4748 acres of land;
- e. Tract 5, PD-R1A, 39.1610 acres of land; and
- f. Tract 6, PD-R1A, 4.9525 acres of land.

SECTION 3. The property zoned as a Planned Development District herein shall have Special Conditions as set forth in Exhibit "C" hereto. Such conditions are hereby officially adopted, approved and ordered as a part of the Planned Development District zoned herein.

SECTION 4. The zoning classification of this Planned Development District will take immediate effect after the passage of this Ordinance by the City Council of the City of Cedar Hill, Texas.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Cedar Hill, Texas, on this the 8th day of January, 1985.



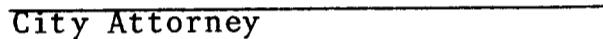
MAYOR Pro Tem

ATTEST:



Frankie Lee
City Secretary

APROVED AS TO FORM:



City Attorney

FIELD NOTES

TRACT ONE ZONING PD-RETAIL

Being a tract of land situated in the H.C. Jones Survey, Abstract No. 689, Cedar Hill, Dallas County, Texas, and being more particularly described as follows;

Beginning at a corner clip at the intersection of the South line of Parkerville Road (a 80 foot R.O.W.) with the east line of Joe Wilson Road (a 60 foot R.O.W.);

Thence N $89^{\circ}37'00''$ E, leaving said corner clip, and with the said south line of Parkerville Road a distance of 658.93 feet to a point for corner;

Thence S $00^{\circ}14'59''$ E, leaving said Parkerville a distance of 258.22' to the beginning of a curve to the right having a central angle of $69^{\circ}53'40''$, a radius of 40.00 feet, and a tangent length of 27.95 feet;

Thence in a Southwesterly direction along said curve to the right an arc distance of 48.80 feet to the end of said curve and the beginning of a reverse curve to the left having a central angle of $04^{\circ}37'19''$, a radius of 440.00 feet, and a tangent length of 17.76 feet;

Thence in a Southwesterly direction along said curve to the left an arc distance of 35.49 feet to the end of said curve and and the beginning of a reverse curve to the right having a central angle of $24^{\circ}43'38''$, a radius of 282.50 feet, and a tangent length of 61.92 feet;

Thence in a Southwesterly direction along said curve to the right an arc distance of 121.92 feet to the end of said curve;

Thence S $89^{\circ}45'01''$ W, a distance of 226.28 feet to a point for corner;

Thence S $00^{\circ}14'59''$ E, a distance of 560.00 feet to the beginning of a curve to the right having a central angle of $90^{\circ}00'00''$, a radius of 40.00 feet, and a tangent length of 40.00 feet;

Thence in a Southwesterly direction along said curve to the right an arc distance of 62.83 feet to the end of said curve.

Thence S $89^{\circ}45'01''$ W, a distance of 244.50 feet to a point for corner in the said east line of Joe Wilson Road;

Thence N $00^{\circ}14'59''$ W, along said Joe Wilson Road, a distance of 903.79 feet to a point for corner;

Thence N $43^{\circ}57'11''$ E, along said corner clip a distance of 41.69 feet to the POINT OF BEGINNING and CONTAINING 9.1050 acres of land;

FIELD NOTES

TRACT TWO ZONING PD-ZERO LOT LINE

Being a tract of land situated in the H.C. Jones Survey, Abstract No. 689, Cedar Hill, Dallas County, Texas and being more particularly described as follows:

Commencing at a corner clip at the intersection of the south line of Parkerville Road (a 80 foot R.O.W.) with the east line of Joe Wilson Road (a 60 foot R.O.W.). Thence N $89^{\circ}37'00''$ E, leaving said corner clip and with the said south line of Parkerville Road a distance of 658.93 feet to the POINT OF BEGINNING;

Thence N $89^{\circ}37'00''$ E, continuing along said Parkerville Road a distance of 723.33 feet to a point for corner;

Thence S $00^{\circ}21'16''$ E, a distance of 691.99 feet to a point for corner, and the beginning of a non-tangent curve to the right having a central angle of $22^{\circ}32'07''$, a radius of 300.00 feet, a tangent length of 59.77 feet, and a chord bearing N $79^{\circ}06'56''$ W, a distance of 117.24 feet;

Thence in a northwesterly direction along said curve to the right an arc distance of 118.00 feet to the end of said curve;

Thence S $89^{\circ}37'00''$ W, a distance of 454.56 feet to a point for corner;

Thence S $00^{\circ}14'59''$ E, a distance of 701.49 feet to a point for corner;

Thence S $89^{\circ}45'01''$ W, a distance of 843.00 feet to a point for corner in the said east line of Joe Wilson Road;

Thence N $00^{\circ}14'59''$ W, along the said east line of Joe Wilson Road, a distance of 435.00 feet to a point for corner;

Thence N $89^{\circ}45'01''$ E, a distance of 244.50 feet to the beginning of a curve to the left having a central angle of $90^{\circ}00'00''$, a radius of 40.00 feet, and a tangent length of 40.00 feet;

Thence in a northwesterly direction along said curve to the left an arc distance of 62.83 feet to the end of said curve;

Thence N $00^{\circ}14'59''$ W, a distance of 560.00 feet to a point for corner;

Thence N $89^{\circ}45'01''$ E, a distance of 226.28 feet to the beginning of a curve to the left having a central angle of $24^{\circ}43'38''$, a radius of 282.50 feet, and a tangent length of 61.92 feet;

Thence in a northeasterly direction along said curve to the left an arc distance of 121.92 feet to the end of said and the beginning of a curve to the right having a central angle of $04^{\circ}37'19''$, a radius of 440.00 feet, and a tangent length of 17.76 feet;

Thence in a northeasterly direction along said curve to the right an arc distance of 35.49 feet to the end of said curve and the beginning of a reverse curve to the left having a central angle of $69^{\circ}53'40''$, a radius of 40.00 feet, and a tangent length of 27.95 feet;

Thence in a northwesterly direction along said curve to the left an arc distance of 48.80 feet to the end of said curve;

Thence N 00°14'59" W, a distance of 258.22 feet to the POINT OF BEGINNING and
CONTAINING 26.1490 acres of land;

FIELD NOTES

TRACT 3 ZONING PD-R2

Being a tract of land situated in the H.C. Jones Survey, Abstract No. 689, Cedar Hill, Dallas County, Texas, and being more particularly described as follows;

Commencing at a corner clip at the intersection of the south line of Parkerville Road (a 80 foot R.O.W.) with the east line of Joe Wilson Road (a 60 foot R.O.W.);

Thence S $00^{\circ}14'59''$ E, leaving said corner clip, and with the east line of Joe Wilson Road a distance of 1338.79 feet;

Thence N $89^{\circ}45'01''$ E, a distance of 843.00 feet to the POINT OF BEGINNING;

Thence N $00^{\circ}14'59''$ W, a distance of 701.49 feet to a point for corner;

Thence N $89^{\circ}37'00''$ E, a distance of 454.56 feet to the beginning of a curve to the right having a central angle of $22^{\circ}32'07''$, a radius of 300.00 feet, and a tangent length of 59.77 feet;

Thence in a southeasterly direction along said curve to the right an arc distance of 118.00 feet to the end of said curve and a point for corner;

Thence N $00^{\circ}21'16''$ W, a distance of 147.47 feet to a point for corner;

Thence N $89^{\circ}37'00''$ E, a distance of 800.00 feet to a point for corner;

Thence S $00^{\circ}21'16''$ E, a distance of 775.48 feet to a point for corner;

Thence S $89^{\circ}38'44''$ W, a distance of 145.00 feet to a point for corner;

Thence S $00^{\circ}21'15''$ E, a distance of 55.21 feet to a point for corner;

Thence S $89^{\circ}49'49''$ W, a distance of 1225.84 feet to the POINT OF BEGINNING and CONTAINING 24.2291 acres of land.

FIELD NOTES
TRACT FOUR ZONING PD-R2

Being a tract of land situated in the H.C. Jones Survey, Abstract No. 689, Cedar Hill, Dallas County, Texas, and being more particularly described as follows:

Commencing at a corner clip at the intersection of the south line of Parkerville Road (a 80 feoot R.O.W.) with the east line of Joe Wilson Road (a 60 foot R.O.W.);

Thence S $00^{\circ}14'59''$ E, leaving said corner clip, and with the east line of Joe Wilson Road a distance of 1338.79 feet to the POINT OF BEGINNING;

Thence N $89^{\circ}45'01''$ E, a distance of 843.00 feet to a point for corner;

Thence S $00^{\circ}14'59''$ E, a distance of 1092.50 feet to a point for corner;

Thence S $89^{\circ}49'49''$ W, a distance of 210.10 feet to the beginning of a curve to the right having a central angle of $89^{\circ}55'12''$, a radius of 75.00 feet, and a tangent length of 74.90 feet;

Thence in a northwesterly direction along said curve to the right an arc distance of 117.71 feet to the end of said curve;

Thence N $00^{\circ}14'59''$ W, a distance of 702.21 feet to a point for corner;

Thence S $89^{\circ}45'01''$ W, a distance of 140.00 feet to a point for corner;

Thence N $00^{\circ}14'59''$ W, a distance of 175.00 feet to a point for corner;

Thence S $89^{\circ}45'01''$ W, a distance of 418.00 feet to a point for corner in the said east line of Joe Wilson Road;

Thence N $00^{\circ}14'59''$ W, continuing along the said east line of Joe Wilson Road, a distance of 140.00 feet to the POINT OF BEGINNING and CONTAINING 9.4748 acres of land;

FIELD NOTES
TRACT FIVE ZONING PD-RIA

Being a tract of land situated in the H.C. Jones Survey Abstract No. 689, Cedar Hill, Dallas County, Texas, and being more particularly described as follows:

Commencing at a corner clip at the intersection of the south line of Parkerville Road (a 80 foot R.O.W.) with the east line of Joe Wilson Road (a 60 foot R.O.W.);

Thence S $00^{\circ}14'59''$ E, leaving said corner clip, and with the ease line of Joe Wilson Road a distance of 1338.79 feet;

Thence N $89^{\circ}45'01''$ E, a distance of 843.00 feet to the POINT OF BEGINNING;

Thence N $89^{\circ}49'49''$ E, a distance of 1225.84 feet to a point for corner;

Thence N $00^{\circ}21'16''$ W, a distance of 55.21 feet to a point for corner;

Thence N $89^{\circ}38'44''$ E, a distance of 145.00 feet to a point for corner;

Thence S $00^{\circ}21'16''$ E, a distance of 1293.19 feet to a point for corner;

Thence S $89^{\circ}49'49''$ W, a distance of 1373.10 feet to a point for corner;

Thence N $00^{\circ}14'59''$ W, a distance of 1237.50 feet to the POINT OF BEGINNING and CONTAINING 39.1610 acres of land.

FIELD NOTES
TRACT SIX ZONING PD-RIA

Being a tract of land situated in the H.C. Jones Survey, Abstract No. 689, Cedar Hill, Dallas County, Texas, and being more particularly described as follows:

Commencing at a corner clip at the intersection of the south line of Parkerville Road (a 80 foot R.O.W.) with the east line of Joe Wilson Road (a 60 foot R.O.W.);

Thence S $00^{\circ}14'59''$ E, leaving said corner clip, and with the east line of Joe Wilson Road a distance of 1478.79 feet;

Thence N $89^{\circ}45'01''$ E, a distance of 200.00 feet to the POINT OF BEGINNING;

Thence N $89^{\circ}45'01''$ E, a distance of 218.00 feet to a point for corner;

Thence S $00^{\circ}14'59''$ E, a distance of 175.00 feet to a point for corner;

Thence N $89^{\circ}45'01''$ E, a distance of 140.00 feet to a point for corner;

Thence S $00^{\circ}14'59''$ E, a distance of 702.21 feet to the beginning of a curve to the left having a central angle of $89^{\circ}55'12''$, a radius of 75.00 feet, and a tangent length of 74.90 feet;

Thence in a northeasterly direction along said curve to the left an arc distance of 171.71 feet to the end of said curve;

Thence N $89^{\circ}49'49''$ E, a distance of 210.10 feet to a point for corner;

Thence S $00^{\circ}14'59''$ E, a distance of 145.00 feet to a point for corner;

Thence S $89^{\circ}49'49''$ W, a distance of 425.58 feet to a point for corner;

Thence N $00^{\circ}14'59''$ W, a distance of 896.91 feet to a point for corner;

Thence S $89^{\circ}45'01''$ W, a distance of 217.42 feet to a point for corner;

Thence N $00^{\circ}14'59''$ W, a distance of 200 feet to the POINT OF BEGINNING and CONTAINING 4.9525 acres of land;

July 31, 1984

RESTRICTIVE COVENANTS

FIRST DRAFT

That _____, being the sole owner of all lots in _____ a subdivision in the City of Cedar Hill, Dallas County, Texas, according to the map or plat of said subdivision recorded in the Plat Book _____ Page _____, Plat Records of Dallas County, Texas, here by imposes the following covenants, conditions, and restrictions upon all of said property:

1. LAND USE AND BUILDING TYPE. No lot shall be used except for residential purposes. No building shall be erected, altered, placed, or permitted to remain on any lot, other than one detached single family dwelling not to exceed two stories in height, and a private garage for not less than two cars.
2. ARCHITECTURAL CONTROL. No building shall be erected or placed on any lot in said subdivision nor shall any existing structure be altered, until the building plans and specifications and a plot plan have been submitted to and approved in writing by _____, or it's successors. If said building plans and specifications and said plot plan be not approved or disapproved within thirty days following the date on which the same are submitted for approval, or if no injunction suit shall have been commenced prior to the completion of the work, then proper approval of the building plans and specifications and of the plot plan shall be conclusively presumed to have been had and obtained.
3. DWELLING COST, QUALITY AND SIZE. The total floor area of any single family structure or dwelling exclusive of one story open porches and garages, built on any lot in said subdivision shall contain not less than:

Patio Style Lots	1250 S.F. + 25% to be 1350 S.F.
7000 to 8000 S.F. Lots	1450 S.F.
8000 to 8500 S.F. Lots	1650 S.F.
8500 and Above	1800 S.F.

and shall cost not less than the prevailing comparable costs on adjacent subdivisions and will be based upon cost levels prevailing on the date these covenants are recorded. It is the intention and purpose of this covenant to assure that all dwellings shall be of the quality of workmanship and materials substantially the same or better than that which can be produced on the date these covenants are recorded as the minimum cost herein for the minimum permitted dwelling size and shall contain fireplaces, 75% masonry, with exterior fireplace wall being masonry, average for the minimum dwelling size, and of such exterior design and landscaping to enhance the overall residential area and said subdivision...

4. MINIMUM BUILDING SETBACKS. No building shall be located any closer than the front lot line or nearer to a side street line than the minimum building setback line shown on the recorded plat. In any event no building shall be located on any lot nearer than ____ feet minimum, ____ feet maximum, to the front lot line, or nearer than ____ feet to any side street line. No building shall be located nearer than ____ feet to an interior lot line, except that no side yard shall be required for a garage or other permitted accessory building located ____ feet or more from the minimum building setbacks lines. No dwelling shall be located on any interior lot nearer than ____ feet to the rear lot line.

4. (Continued)

For the purposes of this covenant, eaves, steps and open porches ~~shall~~ not be considered as part of the building, provided, however, that ~~they~~ shall not be construed to permit any portion of a building on a ~~lot~~ to encroach upon another lot.

5. LOT AREA AND WIDTH. No dwelling shall be erected or placed on any lot having a width less than 50 feet at the minimum building set back ~~line~~ nor shall any dwelling be erected or placed on any lot having an area less than 5000 square feet, except that dwellings may be erected or placed ~~as~~ as shown on the recorded plat of said subdivision.
6. EASEMENT. Public utility easements are reserved as shown on the ~~recorded~~ plat and over the rear seven and one half feet of each lot. The ~~easements~~ are reserved for installation and maintenance of public utilities and ~~and~~ drainage facilities, and they are also reserved in each block as needed for ~~adequate~~ surface drainage of the other lots within the block. Easements ~~in~~ feet in width are also reserved on each side of all side lot lines as needed for ~~adequate~~ surface drainage of the other lots within the block. Within these easements ~~no~~ structure, planting or other material shall be placed or permitted to remain ~~which~~ may change the direction of flow in the drainage channels or swales in the ~~lots~~ or which may obstruct or retard the flow of water through the drainage channels or swales in the easements. The easement area in each lot and all improvements in it shall be maintained by the owner of the lot except for the improvements for which a public authority or utility company is responsible.
7. NUISANCE. No Noxious or offensive activity shall be carried on ~~any~~ any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood. No vehicle or motor repair other than minor emergency repair shall be conducted on any lot or in the street ~~streets~~ adjoining any lot. No "A" Frame, hoist or other device for lift ~~vehicle~~ or parts thereof, and no disable vehicle shall be stored or park ~~in~~ the open on any lot or on any street adjoining any lot.
8. TEMPORARY STRUCTURES. No structure of a temporary character, ~~tr~~, basement, tent, shack, garage, barn, or other out-building shall be placed or used on any lot at any time as a residence either temporarily or ~~permanently~~.
9. SIGNS. No sign of any kind shall be displayed to the public view ~~any~~ single family residential lot except one professional sign of ~~name~~ than one square foot, one sign of not more than five square feet advertising the property for sale or rent, or signs used by a builder to advertise property during the construction and ~~sales~~ period.
10. OIL AND MINING OPERATIONS. No oil drilling, oil development operations, oil refining, quarrying, or mining operations of any kind shall be permitted upon or in any lot, nor shall oil wells, crude tanks, tunnels, ~~excavations~~, or shafts be permitted upon or in any lot. No ~~other~~ structure designed for use in boring for oil or natural gas shall be erected, maintained, or permitted upon any lot.
11. COMMERCIAL USE. No part of any said property shall ever be used ~~for~~ a business or commercial purpose or for carrying on any trade or ~~profession~~, except that ~~it's~~ successors, ~~agents~~ may erect and maintain sales offices and exhibit houses in said subdivision.
12. RESUBDIVISION. No corner lot may be resubdivided or used so as to permit an additional dwelling to face on a side street.
13. LIVESTOCK AND POULTRY. No animals, livestock, or poultry of any ~~kind~~ shall be raised, bred or kept on any lot, except that dogs, cats ~~and~~ other household pets may be kept provided that they are not kept, bred or maintained for commercial purposes.
14. GARBAGE AND REFUSE DISPOSAL. No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall be kept ~~clean~~ in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean sanitary condition.

~~15. VIEW LIMITATIONS. All buildings, trees, shrubs, and other structures shall be limited in height and elevation from the intersection of the street property lines and a line ~~extending~~ 25 feet from the intersection of the street property lines, or the edge of a rounded property corner from the intersection of the street property lines extended. The same sightline limitations shall apply on any building 10 feet from the intersection of a street property line with the edge of a five-way or alley pavement. No tree shall be permitted to remain within such substances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sightlines.~~

16. FENCES, WALLS AND HEDGES. No fence, wall, or hedge shall be built or maintained forward of the front wall line of any house erected on any lot, except for trellises, and decorative fences included in the architectural design of the house and these shall be no more than 15 feet from the front house wall line.
17. EXISTING DWELLINGS. No existing dwellings shall be moved onto any lot in this subdivision.
18. TERM. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of thirty years from the date these covenants are recorded after which time said covenants shall be automatically extended for successive periods of ten years, unless subdivision has been recorded, agreeing to change said covenants, conditions and restrictions, in whole or in part.
19. ENFORCEMENT. Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages.
20. SEVERABILITY. Invalidation of any one of these covenants by judgment or a court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

