

**ORDINANCE NO. 7415**

**AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING A CHANGE IN ZONING FROM AGRICULTURAL (AG) DISTRICT TO SINGLE-FAMILY-10 (SF-10) DISTRICT ON A 0.45-ACRE TRACT OF LAND LOCATED AT 1009 & 1013 ROWLETT ROAD; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A NOTICE OF CONDITIONS OF COMPLIANCE CLAUSE; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** at its regular meeting held on the 13th day of February, 2023, the Plan Commission did consider and make recommendations on a certain request for a change in zoning from Agricultural (AG) District to Single-Family-10 (SF-10) District by **G. Roxana Novoa**; and

**WHEREAS,** The City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals, and general welfare:

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS, THAT:**

**Section 1**

The Garland Development Code is hereby amended by approving a change in zoning from Agricultural (AG) District to Single-Family-10 (SF-10) District and being more particularly described in Exhibit "A," attached hereto and made a part hereof.

**Section 2**

Development shall be in conformance with the conditions, restrictions, and regulations set forth in the Garland Development Code.

**Section 3**

That a violation of this Ordinance shall be a misdemeanor punishable in accordance with Section 10.05 of the Code of Ordinances, City of Garland, Texas.

**Section 4**

**NOTICE OF CONDITIONS OF COMPLIANCE:** Notwithstanding the provisions of any other ordinance of the City, the full, complete, and continuing compliance with all the conditions, restrictions, and regulations of this Ordinance is a condition to the issuance and continuation of any permit, approval, authorization or consent by the City, including without limitation the issuance or continuation of any certificate of occupancy for any building or structure located on any portion of the property described in Exhibit "A". All promises, representations, obligations and undertakings made or assumed by the applicant to the City Council at any public presentation in connection with the granting of this Ordinance are hereby incorporated into and made a part of this Ordinance as if expressly set forth herein at length. No substantial deviation from any material portion of the conditions, restrictions, and regulations contained within this Ordinance are allowed except as may be provided by the City Council after a public hearing.

**Section 5**

That the Garland Development Code, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

**Section 6**

That the terms and provisions of this Ordinance are severable and are governed by Sec. 10.06 of the Code of Ordinances of the City of Garland, Texas.

**Section 7**

That this Ordinance shall be and become effective immediately upon and after its passage and approval.

FILE NO. Z 22-71

**PASSED AND APPROVED** this 4th day of March, 2023.

**THE CITY OF GARLAND, TEXAS**

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Secretary

**Published:**

**EXHIBIT A**

**LEGAL DESCRIPTION**

**Zoning File Z 22-81**

A 2.843-acre (123,860 square feet) tract or parcel of land in the John Keene Survey, Abstract Number 744, City of Garland, Dallas County, Texas, and being all of Lot 3, Block 1, Garland Hospital & Clinic Addition, an addition to the City of Garland according to the Plat thereof recorded in Volume 89174, Page 804 of the Plat Records of Dallas County, Texas (P.R.D.C.T.) and being more particularly described by meets and bounds as follows:

BEGINNING at a 1/2-inch iron rod found in the south right-of-way line of Walnut Street (a 100-foot right-of-way), for the northwest corner of said Lot 3, same being the northeast corner of that certain tract of land described in a Special Warranty Deed to ENTRUST OC LLC, as recorded in Instrument Number 202100280694 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.);

THENCE North 89 degrees, 59 minutes, 51 seconds East, along the south right-of-way line of said Walnut Street, a distance of 95.54 feet to a 5/8-inch capped iron rod found with yellow cap stamped "ADAMS SURVEYING COMPANY LLC" (CIRF), for the beginning of a tangential curve to the right;

THENCE Northeasterly, continuing along the south right-of-way line of said Walnut Street and with said curve to the right having a radius of 5,680 feet, an arc length of 99.79 feet, a central angle of 01 degree, 00 minutes, 24 seconds, and having a chord which bears South 89 degrees, 29 minutes, 57 seconds East at a distance of 99.79 feet to a CIRF for the northeast corner of said Lot 3, same being in the southwest intersection of the south right-of-way line of said Walnut Street and the west right-of-way line of the abandoned King Lane (a 50-foot right-of-way abandoned according to the Quitclaim as recorded in Volume 89173, Page 2375 of the Deed Records of Dallas County, Texas);

ZONING FILE NUMBER Z 22-81

THENCE South 00 degrees, 03 minutes, 22 seconds East, along the east line of said Lot 3, a distance of 659.44 feet to a bolt found in the concrete apron of a bridge stamped "RPLS 6595";

THENCE Northwesterly, departing said west right-of-way line of King Lane and generally following the top of a creek bank the following three (3) calls:

North 83 degrees, 36 minutes, 40 seconds West, a distance of 16.79 feet to a bolt found in the concrete apron of a bridge stamped "RPLS 6595";

North 54 degrees, 01 minute, 40 seconds West, a distance of 95.90 feet to a 1/2-inch iron rod found;

South 54 degrees, 54 minutes, 20 seconds West, a distance of 121.87 feet to a CIRF for the southwest corner of said Lot 3;

THENCE North 00 degrees, 03 minutes, 26 seconds West, a distance of 672.17 feet to the POINT OF BEGINNING and containing 2.843 acres (or 123,860 square feet) of land, more or less.

**EXHIBIT A**