

CITY OF LAVON, TEXAS

ORDINANCE NO. 2024-02-01

Zoning Change – Collier Addition SF-1

AN ORDINANCE OF THE CITY OF LAVON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF LAVON, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING DISTRICT FROM AGRICULTURAL TO SINGLE FAMILY 1-ACRE (SF-1) DISTRICT ON THE HEREIN DESCRIBED PROPERTY IN THE CITY OF LAVON, COLLIN COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; A CUMULATIVE REPEALER CLAUSE; A SEVERABILITY CLAUSE; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lavon (hereinafter referred to as “City”) is a Home Rule municipality organized under the Constitution and laws of the State of Texas; and

WHEREAS, Chapter 211 “Municipal Zoning Authority” of the Texas Local Government Code authorizes a city to adopt ordinances regulating the zoning of property within the City; and

WHEREAS, after public notices were given in compliance with State law and public hearings were conducted, and after considering the information submitted at those public hearings and all other relevant information and materials, the Planning and Zoning Commission of the City has recommended to the City Council approval of the zoning change application; and

WHEREAS, the Planning and Zoning Commission of the City of Lavon and the City Council of the City of Lavon, in compliance with the laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested, and the City Council of the City of Lavon is of the opinion and finds that said changes would provide for and would be in the best interest of the health, safety, morals and general welfare and should be granted and that the Comprehensive Zoning Ordinance and Map should be amended.

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

SECTION 1. INCORPORATION OF PREMISES. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2. FINDINGS. After due deliberations and consideration of the recommendation of the Planning and Zoning Commission and the information and other materials received at the public hearing, the City Council has concluded that the adoption of this Ordinance is in the best interests of the City, and of the public health, safety, and welfare of its citizens.

SECTION 3. AMENDMENT. The Comprehensive Zoning Ordinance and Zoning Map of the City of Lavon, Texas, heretofore duly passed by the governing body of the City of Lavon, as heretofore amended, be hereby amended by changing the Zoning District designation on the 3.167-acre tract of land more particularly described in Exhibit “A”, attached hereto and incorporated herein, and herein referred to

as the "Property" from temporary Agricultural (A) to Single Family 1-Acre (SF-1) District and amending the Official Zoning Map to reflect the approved change in zoning district.

SECTION 4. SAVINGS/REPEALING CLAUSE. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect. This Ordinance shall not repeal, alter, or amend, or be interpreted as conflicting with any ordinance having created a planned development district prior to this Ordinance.

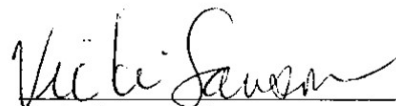
SECTION 5. SEVERABILITY. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 6. PENALTY. Any person, firm, corporation, or entity violating this Ordinance or any provision of the City's Zoning Ordinance, as it exists or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined a sum not exceeding Two Thousand Dollars (\$2000.00). Each continuing days' violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 7. PUBLICATION AND EFFECTIVE DATE. This Ordinance shall become effective immediately upon its adoption and its publication as required by law.

SECTION 8. OPEN MEETING. That it is hereby found and determined that the meeting at which this Ordinance was passed was open to the public as required by law, and that public notice of the time, place, and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

DULY PASSED AND APPROVED by the City Council of the City of Lavon, Collin County, Texas, on this the 6th day of February 2024.



Vicki Sanson, Mayor

ATTEST:



Rae Norton, City Secretary



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EXHIBIT A

State of Texas
County of Collin

Whereas, Belinda Collier is the owner of a tract of land situated in the Drury Anglin Survey, Abstract No. 2, Collin County, Texas and being part of a 38.42 acre tract of land conveyed to Belinda Collier by deed recorded in Instrument No. 20130605000772120, Official Public Records, Collin County, Texas and being more particularly described as follows:

Beginning at an X cut found on the south right-of-way line of Farm to Market Road No. 2755 (90' R.O.W.), also being on a north line of said 38.42 acre tract and at the northeast corner of Lot 1X, Block A of Lavon Farms, an addition to the City of Lavon, Collin County, Texas, according to the plat thereof recorded in Instrument No. 2019121810005510, Plat Records, Collin County, Texas;

Thence South 89°09'55" East, along the south line of Farm to Market Road No. 2755 (90' R.O.W.) and the north line of said 38.42 acre tract, a distance of 308.91 feet to a 1/2" iron pin set with yellow cap stamped "CCG INC RPLS 5129", being a northeast corner of said 38.42 acre tract;

Thence South 42°27'55" East, along a northeast line of said 38.42 acre tract, a distance of 41.15 feet to a point for corner, being a reentrant corner of said 38.42 acre tract;

Thence South 89°09'55" East, along a north line of said 38.42 acre tract, a distance of 16.41 feet to a point for corner in County Road 483;

Thence South 03°30'00" West, along County Road 483 and the east line of said 38.42 acre tract, a distance of 371.89 feet to a point for corner in County Road 483, being on the east line of said 38.42 acre tract and the northeast corner of a 2.111 acre tract of land conveyed to Fernando Sanchez and Mazen Humaidan Fatayri, by deed recorded in Instrument No. 20211011002072010, Official Public Records, Collin County, Texas

Thence North 89°16'52" West, along the north line of said 2.111 acre tract, passing a 1/2" iron pin found at a distance of 29.72 feet and continuing for an overall distance of 336.47 feet to a 1/2" iron pin set with yellow cap stamped "CCG INC RPLS 5129", being the northwest corner of said 2.111 acre tract and on the east line of Lot 14, Block A of said Lavon Farms;

Thence North 00°51'58" East, along the east line of said Lot 14 and the east line of Lots 13, 12, 11, 10, 9, 8, and 1X, Block A of said Lavon Farms a distance of 402.11 feet to the Point of Beginning and containing 137,955 square feet or 3.167 acres of land.