

ORDINANCE NO. 923

AN ORDINANCE OF THE CITY OF FORNEY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FORNEY SO AS TO CHANGE THE ZONING ON THE HEREAFTER DESCRIBED PROPERTY TO SFR-6 SINGLE FAMILY RESIDENTIAL DISTRICT CLASSIFICATION; PROVIDING FOR AMENDMENT OF THE ZONING DISTRICT MAP; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF ONE THOUSAND DOLLARS (\$1,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Planning and Zoning Commission of the City of Forney and the City Council of the City of Forney in compliance with the laws of the State of Texas and with the provisions of the Comprehensive Zoning Ordinance of the City of Forney, have given the requisite notices by publication and otherwise and have held hearings and afforded a full and fair hearing to all property owners generally and to the persons interested and situated in the affected area and in the vicinity thereof, and after such hearings, the City Council of the City of Forney is of the opinion and finds that the zoning change should be granted and the Comprehensive Zoning Ordinance amended;

NOW, THEREFORE,

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

SECTION 1:

That the Comprehensive Zoning Ordinance of the City of Forney, Texas, be, and the same is hereby, amended by amending the Zoning District Map of the City of Forney so as to change the zoning on the property described in Exhibit "A" attached hereto and made a part hereof for all purposes to "SFR-6" Single Family Residential District Classification,

Subject to the following special conditions:

1. Minimum 1800 sq ft living area homes
2. Four lots per acre, 8,000 sq ft minimum lot size

SECTION 2:

That the above described property shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City as amended herein by the granting of this zoning classification.

SECTION 3.

That all ordinances of the City of Forney in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other provisions of the ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4.

Should any paragraph, sentence, 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 thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 5.

Any person, firm or corporation violating any of the provisions or terms of this ordinance or the Comprehensive Zoning Ordinance of the City of Forney, as amended hereby, shall be subject to a penalty of fine not to exceed the sum of One Thousand Dollars (\$1,000.00) for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 6.

This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law in such cases provides.

DULY PASSED by the City Council of the City of Forney, Texas, on the 5th day of September, 1995.

APPROVED:

ATTEST:



Mayor, Don T. Cates



Odessa King, City Secretary

EXHIBIT "A"

STATE OF TEXAS
COUNTY OF KALFMAN

BEING a tract of land situated in the John Gregg Survey, Abstract No. 171, Kaufman County, Texas, and being a part of that 49.55 acre tract of land described as Second Tract in Deed recorded in Volume 262, Page 530; part of that 99.11 acre tract of land and all of that 6.7 acre tract of land described in Deed recorded in Volume 22, Page 34, and part of that 88.12 acre tract of land described in Deed recorded in Volume 299, Page 180, all in the Deed Records, Kaufman County, Texas, and being more particularly described as follows:

BEGINNING at the North right-of-way cut-back at the intersection of Lovers Lane with the Northeast line of U.S. Hwy. 80;

THENCE: South 86 deg 39' 31" West a distance of 78.33 feet with said cut-back to a point on the Northeast line of U.S. Hwy. 80, said point being on a curve to the right having a central angle of 11 deg 33' 25", a radius of 5549.58 feet, and a chord that bears North 48 deg 52' 15" West a distance of 1117.49 feet;

THENCE: Along said curve and said Northeast line an arc distance of 1119.39 feet to a point for a corner;

THENCE: North 45 deg 44' 24" West a distance of 291.08 feet continuing with said Northeast line to a point for a corner;

THENCE. Leaving said Northeast line and traversing said tracts, all to points for a corner, as follows. North 28 deg 03' 00" East a distance of 1196.28 feet; North 41 deg 43' 00" East a distance of 684.78 feet; South 59 deg 02' 10" East a distance of 1507.17 feet; North 33 deg 09' 00" East a distance of 358.88 feet; South 56 deg 51' 00" East a distance of 350.00 feet; North 33 deg 09' 00" East a distance of 250.00 feet; and South 56 deg 51' 00" East a distance of 200.00 feet to a point for a corner in the center of Lovers Lane;

THENCE: Along Lovers Lane, all to points for a corner, as follows: South 33 deg, 09' 00" West a distance of 632.00 feet; South 40 deg 09' 00" West a distance of 1471.00 feet; South 78 deg 24' 00" West a distance of 490.00 feet; and South 47 deg 54' 33" West a distance of 271.65 feet to the Point of beginning and containing 95.129 acres of land, more or less.