

**TOWN OF FLOWER MOUND, TEXAS**

**ORDINANCE NO. 34-22**

**AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE OFFICIAL ZONING MAP, EXHIBIT "A" OF SUBPART B, "LAND DEVELOPMENT REGULATIONS," OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND, TEXAS, BY CHANGING THE ZONING ON APPROXIMATELY 3.99 ACRES OF LAND SITUATED IN THE EDWIN MARSH SURVEY, ABSTRACT NO. 834, DENTON COUNTY, TEXAS, FROM A AGRICULTURAL DISTRICT USES TO PLANNED DEVELOPMENT DISTRICT-191 (PD-191) WITH SF-15 SINGLE FAMILY DISTRICT-15 USES IN ACCORDANCE WITH THE TOWN'S MASTER PLAN AND SPECIFIC REQUIREMENTS AND EXHIBITS INCORPORATED HEREIN; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Flower Mound is a home rule municipality acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and,

**WHEREAS**, the Town Council of the Town of Flower Mound heretofore adopted the Land Development Regulations of the Town of Flower Mound, as amended, which ordinance regulates and restricts the location and use of buildings, structures, and land for trade, industry, residence, and other purposes, and provides for the establishment of zoning districts of such number, shape, and area as may be best suited to carry out these regulations; and,

**WHEREAS**, in accordance with Chapter 78 of the Land Development Regulations, the owners of the property described as approximately 3.99 acres of land situated in the Edwin March Survey, Abstract No. 834, Denton County, Texas, have filed an application to change the zoning from A Agricultural District uses to Planned Development District-191 (PD-191) with SF-15 Single Family District-15 uses; and,

**WHEREAS**, the Planning and Zoning Commission of the Town of Flower Mound, Texas held a public hearing on June 13, 2022, and the Town Council of the Town of Flower Mound, Texas, held a public hearing on June 20, 2022, with respect to the proposed rezoning as described herein; and,

**WHEREAS**, the Town has complied with all requirements of Chapter 211 of the Local Government Code, Chapter 78 of the Land Development Regulations, and all other laws dealing with notice, publication, and procedural requirements for the approval of a rezoning on the property; and,

**WHEREAS**, the Town Council finds that amendment of the Zoning Map as outlined herein is in the best interest of the Town of Flower Mound and will promote the health, safety, and general welfare of the citizens of the Town of Flower Mound and the general public;

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, THAT:**

**SECTION 1**

The Land Development Regulations of the Town of Flower Mound, Texas, as amended, are hereby amended on the hereinafter described property and area to establish a Planned Development District as shown below:

Approximately 3.99 acres of land situated in the Edwin March Survey, Abstract No. 834, Denton County, Texas, and more fully described in Exhibit "A" attached hereto.

Planned Development District-191 (PD-191) with SF-15 Single Family District-15 uses.

**SECTION 2**

The Development Standards, Conceptual Site Plan, and Conceptual Landscape Plan of the proposed Planned Development District No. 191 (PD-191), attached hereto as Exhibits "B," "C," and "D" each incorporated herein for all purposes allowed by law, are hereby approved as the Development Standards, Conceptual Site Plan, and Conceptual Landscape Plan for this Planned Development District No. 191 (PD-191).

**SECTION 3**

The official Zoning Map of the Town of Flower Mound is hereby amended and the Director of Planning Services is directed to revise the official Zoning Map to reflect the approved Planned Development District No. 191 (PD-191), as set forth above.

**SECTION 4**

The use of the property described above shall be subject to all restrictions, terms, and conditions contained in Exhibits "B," "C," and "D" attached hereto, as well as the applicable regulations contained in the Land Development Regulations and all other applicable and pertinent ordinances of the Town of Flower Mound.

**SECTION 5**

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the Town of Flower Mound, Texas, as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

**SECTION 6**

It is hereby declared to be the intention of the Town Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the Town Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause, or phrase.

**SECTION 7**

Any person, firm, or corporation who violates any provision of this Ordinance as adopted by the Town Council of the Town of Flower Mound shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine as provided in Section 1-13 of the Code of Ordinances of the Town of Flower Mound. Each day any such violation or violations exist shall constitute a separate offense and shall be punishable as such.

**SECTION 8**

All rights and remedies of the Town of Flower Mound are expressly saved as to any and all violations of the provisions of the Land Development Regulations or any ordinances governing zoning that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 9**

The Town Secretary of the Town of Flower Mound is hereby directed to publish the caption in the official newspaper of the Town of Flower Mound as required by Section 3.07 of the Charter of the Town of Flower Mound.

**SECTION 10**

This Ordinance shall take effect and be in full force from and after the date of its passage and publication as required by law, and it is so ordained.

**DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, BY A VOTE OF 5 TO 0, ON THIS THE 20TH DAY OF JUNE, 2022.**

**APPROVED:**



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**Derek France, MAYOR**

**ATTEST:**



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**Theresa Scott, TOWN SECRETARY**

## Exhibit A

**Legal Description for Zoning  
2600 Waketon  
Town of Flower Mound  
Denton County, Texas**

**METES AND BOUNDS  
3.997 ACRES**

**BEING** all that certain lot, tract, or parcel of land, situated in the Edwin Marsh Survey, Abstract Number 834, Denton County, Texas, being a certain tract of land, described by deed to Manesh Sethi & Megan Pearce, recorded in Document Number 2019-69729, Deed Records, Denton County, Texas, and being more particularly described as follows:

**BEGINNING** at the southwest corner of said Sethi tract, being the southeast corner of a certain called 0.799 acre right-of-way dedication to the Town of Flower Mound, recorded in Document Number 2020-12059, Deed Records, Denton County, Texas, and being in the north line of Waketon Road;

**THENCE** N 00°29'35" W, with the west line of said Sethi tract, and the east line of said 0.799 acre right-of-way dedication, passing the northeast corner thereof, same being the southeast corner of Lot 1, Block B, Whyburn Addition, an addition to the Town of Flower Mound, according to the plat thereof, recorded in Document Number 2020-187, Plat Records, Denton County, Texas, continuing a total distance of 537.00 feet to the northwest corner of said Sethi tract, being in the east line of said Lot 1, Block B, and being the southwest corner of Lot 9, Block B, Windridge Addition, an addition to the Town of Flower Mound, according to the plat thereof, recorded in Cabinet E, Page 74, Plat Records, Denton County, Texas;

**THENCE** N 89°44'51" E, with the north line of said Sethi tract, and the south line of said Lot 9, Block B, passing the southeast corner thereof, same being the southwest corner of Windridge Lane, according to said plat of Windridge Addition, passing the southeast corner thereof, same being the southwest corner of Lot 8, Block A, of said Windridge Addition, continuing a total distance of 324.26 feet to the northeast corner of said Sethi tract, being in the south line of said Lot 8, Block A, and being the northwest corner of Lot 1, Block A, Weber Addition, an addition to the Town of Flower Mound, according to the plat thereof, recorded in Document Number 2000-12267, Plat Records, Denton County, Texas;

**THENCE** S 00°29'35" E, with the east line of said Sethi tract, same being the west line of said Lot 1, Block A, passing the southwest corner thereof, same being the northwest corner of a 30-foot right-of-way dedication, according to said plat of Weber Addition, continuing a total distance of 537.00 feet to the southwest corner thereof, same being the southeast corner of said Sethi tract, and being in the north line of Waketon Road;

**THENCE** S 89°44'51" W, with the south line of said Sethi tract, and the north line of Waketon Road, a distance of 324.26 feet to the **POINT OF BEGINNING** and containing approximately 3.997 acres of land.

## **Exhibit "B"**

### **DEVELOPMENT STANDARDS Planned Development District No. 191 (PD-191)**

#### **THE SETHI PROPERTY**

The Development depicted in Exhibit "C" shall be in accordance with the Town of Flower Mound's Master Plan and Land Development Regulations as amended, and shall be subject to the following requirements and conditions.

#### **A. Single-Family District-15 (SF-15) uses:**

Development of PD-191 designated on Exhibit "C," the Concept Plan for The Sethi Property, comprising approximately 3.99 acres, shall be in compliance with all regulations applicable to Single-Family District-15 (SF-15) uses contained in the Town's Land Development Regulations as amended, except as otherwise provided in this Ordinance.

- 1. Permitted Uses:** The following uses shall be permitted within PD-191, subject to compliance with all applicable conditions and provisions of the Town's Land Development Regulations, as amended.
  - a. Accessory use, general, subject to section 98-972;
  - b. Day care, home;
  - c. Dwelling, single-family detached;
  - d. Garage Sale, subject to section 98-982;
  - e. Home occupation, subject to section 98-984;
  - f. Model home;
  - g. Sales trailer, temporary, subject to section 98-993; and
  - h. Swimming pool, private.
- 2. Specific Uses:** No uses requiring a Specific Use Permit shall be permitted within PD-191.
- 3. Temporary Uses:** Only the following temporary uses may be permitted within PD-191 subject to approval of a Temporary Use Permit in accordance with the procedures and standards of section 78-87 of the Code, "Temporary Use Permits":
  - a. Asphalt/concrete batch plant, temporary, subject to section 98-974; and
  - b. Field office, temporary.

#### **B. Minimum and Maximum Dimensions**

The dimensional regulations listed for Single Family District-15 (SF-15) in the Town's Zoning Ordinance shall be required for this Planned Development.

#### **C. Residential Lot Requirements**

The following requirements shall apply to the residential lots within PD-191.

1. There shall be a maximum of seven (7) SF-15 residential lots.

**D. Access**

Vehicular access is prohibited to the north of the subject property except for emergency vehicles.

**E. Exceptions**

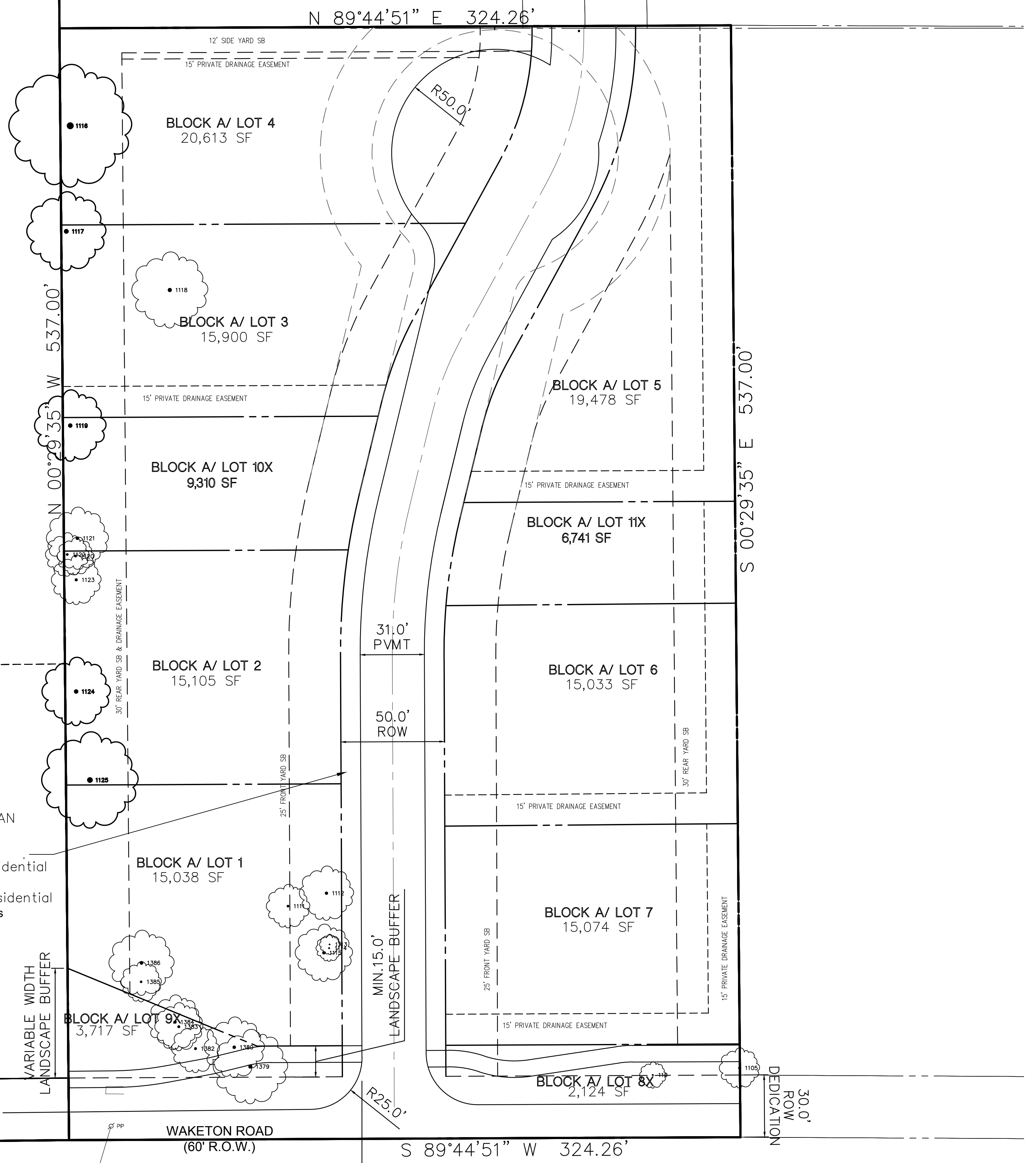
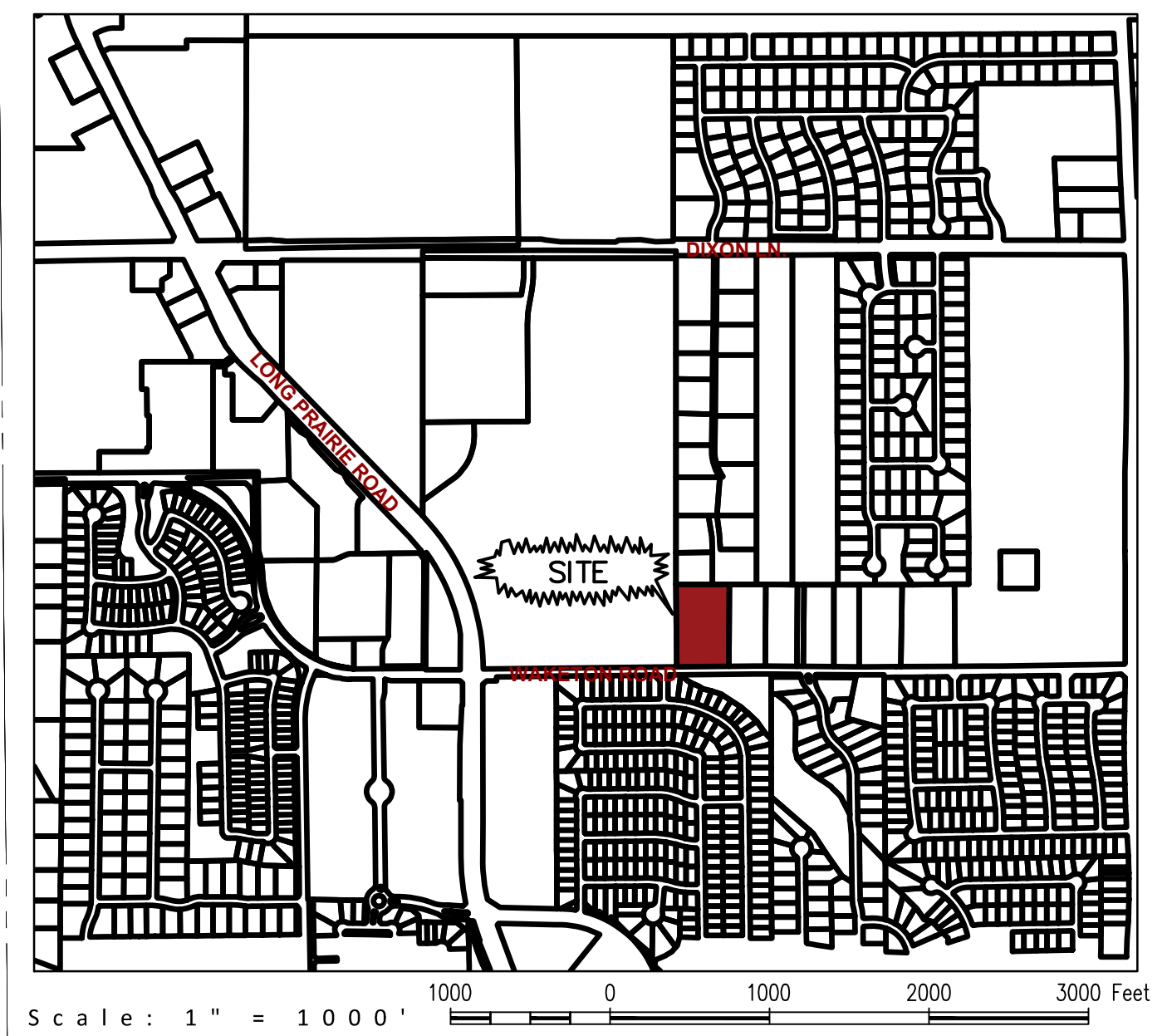
The following exceptions shall be granted with the approval of Planned Development District-191 (PD-191).

1. Driveway Spacing exception to allow the proposed driveway along Waketon Road to be located less than the required 250' from Timberway Drive as shown on Exhibit "C".
2. An exception to Sec. 90-305, "Street connections," of the Town Code is granted to permit the developer to comply with paragraph D, "Access," of these Development Standards to prohibit the connection of the street from the proposed subdivision to an existing right-of-way within Windridge Estates to the north of the subject property except for emergency vehicles.

Lot and Block Summary		
Smallest	15,033	0.35 acres
Largest	20,613	0.47 acres
Average	16,606	0.38 acres
Total Lots (Including X Lots)	11	
Total Buildable Lots (Excluding X Lots)	7	
Park Area (If Applicable)	N/A	
Floodplain (If Applicable)	N/A	

Lot and Block Analysis			
Lot	Block	Square Feet	Acreage
1	A	15,038	0.35
2	A	15,105	0.35
3	A	15,900	0.37
4	A	20,613	0.47
5	A	19,478	0.45
6	A	15,033	0.35
7	A	15,074	0.35
8X	A	2,124	0.05
9X	A	3,717	0.09
10X	A	9,310	0.21
11X	A	6,741	0.15

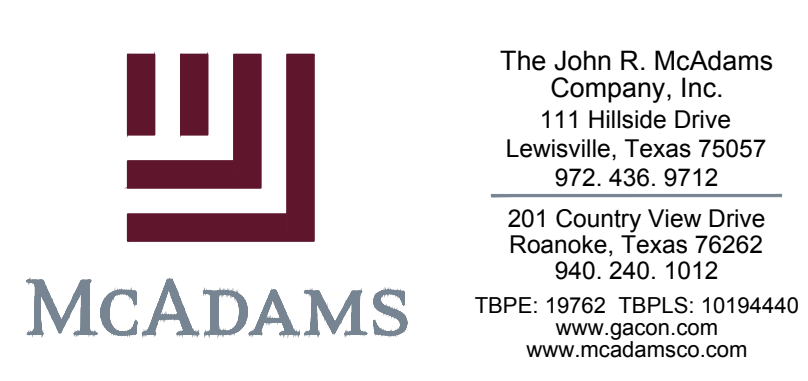
Zoning Data Table		
Development Standards	Required	Provided
Min. Lot Size	15,000 sf	15,000 sf
Min. Lot Width	80 ft	80 ft
Min. Area/Unit	1,800 sf	1,800 sf
Min. Front Yard	25 ft	25 ft
Min. Side Yard	12 ft	12 ft
Min. Rear Yard	30 ft	30 ft
Max. Lot Coverage	35%	35%
Max Height (Stories / Ft.)	3/35 ft	3/35 ft



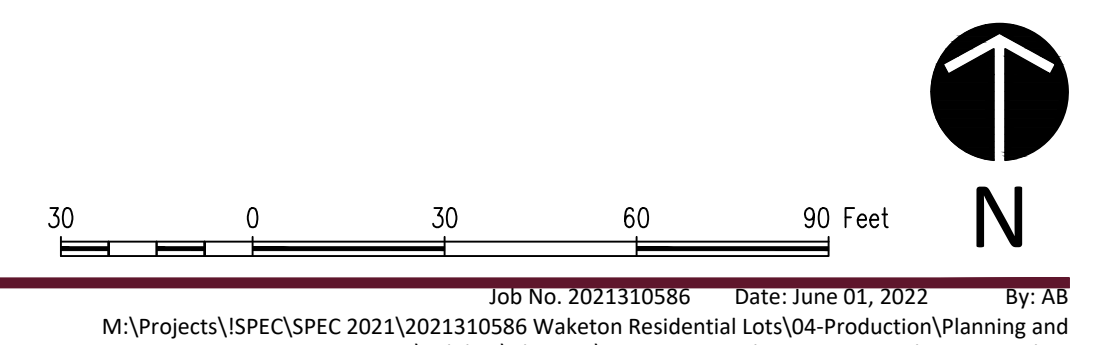
**2600 WAKETON**  
 SETHI, MANISH & PEARCE, MEGAN  
 TR 11 Abstract Number: 834  
 (3.99 AC.)  
 Existing Land Use: Low Density Residential  
 Existing Zoning: Agriculture  
 Proposed Land Use: Low Density Residential  
 Zoning: PD with SF-15 Uses

MASTER PLAN FEATURES	
Land Use Plan	Low Density Residential
Urban Design Plan	Long Prairie District
Parks and Trails	North side Waketon Rd. Proposed Multi-Use General
Open Space Plan	N/A
Thoroughfare Plan	Waketon Road 60' R.O.W
Water Plan	Water service district is Waketon EST, line size is 8", location is East R.O.W.
Wastewater Plan	Wastewater service district is Long Prairie, size is 8", location is West R.O.W.

Contact: Manish Sethi  
 Email: Manish@ManishSethi.com  
 Phone: (214)986-7660  
 Address: 620 Inglenook Ct. Coppell, TX 75019



**WAKETON RESIDENTIAL  
 CONCEPTUAL SITE PLAN**  
 +/- 3.99 AC.  
 Town of Flower Mound  
 Denton County, Texas



Job No: 2021310586 Date: June 01, 2022 By: AS  
 M:\Projects\ISPEC\SPEC 2021\2021310586 Waketon Residential Lots\04-Production\Planning and LA\Exhibits\Planning\2022.04.04 Waketon Concept Plan Master.dwg  
 This concept plan is intended for conceptual developmental use and shall not be interpreted as an official or submitted document. All aerial and map images were obtained from best available information. This plan is subject to change.

