

**AN ORDINANCE OF THE CITY OF COPPELL, TEXAS**

**ORDINANCE NO. 91500-A-785**

**AN ORDINANCE OF THE CITY OF COPPELL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF COPPELL, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM C (COMMERCIAL), R (RETAIL) AND PD-181R2-SF-12 (PLANNED DEVELOPMENT 181-REVISION 2 - SINGLE-FAMILY-12) TO PD-181R3-SF-12 (PLANNED DEVELOPMENT-181-REVISION 3 SINGLE-FAMILY - 12) TO APPROVE A DETAIL SITE PLAN FOR AN EXISTING SINGLE-FAMILY RESIDENCE WITH A 300 SQUARE FOOT ADDITION, THE CONSTRUCTION OF A 4,000 SQUARE FOOT ACCESSORY GARAGE STRUCTURE, AND MODIFICATION OF THE FRONT YARD FENCE ON 2.065 ACRES OF LAND, LOCATED ON THE NORTH SIDE OF WEST BETHEL ROAD, 325 FEET EAST OF HEARTHSTONE LANE (LOT 1R, BLOCK 1, BETHEL ROAD ESTATES), AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR THE APPROVAL OF THE DETAIL SITE PLAN; TREE SURVEY; AND BUILDING ELEVATIONS, ATTACHED HERETO AS EXHIBITS "B", "C" AND "D" RESPECTIVELY; PROVIDING FOR DEVELOPMENT REGULATIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Planning and Zoning Commission and the governing body of the City of Coppel, Texas, in compliance with the laws of the State of Texas and pursuant to the Comprehensive Zoning Ordinance of the City of Coppel, have given requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof, the said governing body is of the opinion that Zoning Application No. PD-250R26-H should be approved, and in the exercise of legislative discretion have concluded that the Comprehensive Zoning Ordinance and Map should be amended.

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

**SECTION 1.** That the Comprehensive Zoning Ordinance and Map of the City of Coppel, Texas, duly passed by the governing body of the City of Coppel zoning change from C (Commercial), R (Retail) and PD-181R2-SF-12 (Planned Development 181- Revision 2 - Single-

Family-12) to PD-181R3-SF-12 (Planned Development-181-Revision 3 Single-Family - 12), to approve a Detail Site Plan for an existing single-family residence with a 300 square foot addition, the construction of a 4,000 square foot accessory garage structure, and modification of the front yard fence on 2.065 acres of land, located on the north side of West Bethel Road, 325 feet east of Hearthstone Lane (Lot 1R, Block 1, Bethel Road Estates), and being more particularly described in Exhibit “A” attached hereto and made a part hereof for all purposes;

**SECTION 2.** That Planned Development-181-Revision 3 Single-Family – 12 shall be used and developed in accordance with the Single Family-12 Regulations, except as provided herein and subject to the following development regulations:

- A) Except as amended herein and as provided in this Ordinance, the property shall be developed and used as provided herein in accordance with SF-12, Single Family-12 District, as codified in Chapter 12, Article 11 of the Coppel Code of Ordinances.
- B) Except as amended herein and as provided in this Ordinance, the property shall be developed and used as provided herein in accordance as set forth in PD-181R2- SF-12, Ordinance No. 91500-A-533, which are incorporated herein as set forth in full and hereby republished and the exhibits attached hereto.
- C) Building permits shall be required for all proposed buildings, structures, paving and fences/walls.
- D) A washroom with a kitchenette shall be allowed in the proposed accessory garage structure.
- E) The accessory building height shall be a maximum of 30 feet (measured to the peak) as opposed to the maximum 12’ required in the Zoning Ordinance.

- F) An option of either cement plaster or stone on the accessory building will be allowed to match the existing home.
- G) A stone screening shall be constructed at the property line adjacent to Bethel Road; height not to exceed 7' ± from existing grade with ten-foot (10') columns and an eleven-foot (11') Pedestrian Gate with decorative metal elements as depicted on Exhibit B. The masonry elements to said screening wall shall match the materials of a similar wall at 280 West Bethal Road.
- H) Sustainable permeable parking surface such as Grass-crete shall be allowed as an acceptable material for the driveway south of the structure.
- I) The conversion or use of the accessory structure shall not be used as dwelling unit and may not provide habitable residence for human occupancy.

**SECTION 3.** In addition, the Detail Site Plan, Tree Survey and Building Elevations set forth therein, are hereby adopted, attached hereto as Exhibits “B”, “C” and “D”, respectively, as development regulations; and, the Property shall be redeveloped, used and maintained in accordance with said Exhibits as adopted herein as development regulations.

**SECTION 4.** That the above property shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Coppell, as heretofore amended, and as amended herein.

**SECTION 5.** That the development of the property herein shall be in accordance with building regulations, zoning ordinances, and any applicable ordinances except as may be specifically altered or amended herein.

**SECTION 6.** That all provisions of the Ordinances of the City of Coppell, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 7.** That should any sentence, paragraph, 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 decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

**SECTION 8.** An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 9.** That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Coppel, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand and No/100 Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 10.** That this ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provide.

**DULY PASSED** by the City Council of the City of Coppel, Texas, this the \_\_\_\_\_ day of \_\_\_\_\_, 2022

**APPROVED:**

Wes Mays, Mayor

**ATTEST:**

ASHLEY OWENS, City Secretary

**APPROVED AS TO FORM:**

ROBERT E. HAGER, City Attorney