



**LARKSPUR PHASE II
PLANNED DEVELOPMENT NO. 34
BASE ZONING DISTRICT: ESTATE HOMES
ORDINANCE NO. 13-09-05-20
(ADOPTED 9-5-2013)**

City of Corinth ▪ 3300 Corinth Parkway ▪ Corinth, Texas 76208
940-498-3200 ▪ www.cityofcorinth.com

ORDINANCE NO. 13-09-05-20
LARKSPUR PH II

AN ORDINANCE OF THE CITY OF CORINTH, TEXAS, AMENDING PLANNED DEVELOPMENT ORDINANCE NO. 99-12-16-44, AND THE COMPREHENSIVE ZONING ORDINANCE BEING A PART OF THE UNIFIED DEVELOPMENT CODE ORDINANCE NO. 13-05-02-08, FOR PROPERTY LEGALLY DESCRIBED AS 20.229 ACRES SITUATED IN THE A. H. SERREN SURVEY, COUNTY ABSTRACT 1198 IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS TO PROVIDE FOR ESTATE HOMES; PROVIDING A LEGAL PROPERTY DESCRIPTION; PROVIDING FOR A DETAILED SITE PLAN; PROVIDING ZONING REGULATIONS RELATED TO THE DEVELOPMENT AND PERMITTED USES IN SAID DISTRICT; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000); PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Corinth, Texas has adopted Ordinance 13-05-02-08, which adopts a Unified Development Code, which includes the Comprehensive Zoning Ordinance and which, in accordance with the City's Comprehensive Plan, establishes zoning districts and adopts a Zoning Map; and

WHEREAS, the hereinafter described property is zoned as planned Development under the City's Unified Development Code and a person having a proprietary interest in the property has requested a change in the zoning classification of said property; and

WHEREAS, the Planning and Zoning Commission of the City of Corinth and the City Council of the City of Corinth, having given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the City of Corinth City Council is of the opinion that said change in zoning should be made;

WHEREAS, the City Council considered the following factors in making a determination as to whether the requested change should be granted or denied: safety of the motoring public and the pedestrians using the facilities in the area immediately surrounding the sites; safety from fire hazards and damages; noise producing elements and glare of the vehicular and stationary lights and effect of such lights on established character of the neighborhood; location, lighting and types of signs and relation of signs to traffic control and adjacent property; street size and adequacy of width for traffic reasonably expected to be generated by the proposed use around the site and in the immediate neighborhood; adequacy of parking as determined by requirements of this ordinance for off-street parking facilities; location of ingress and egress points for parking and off-street loading spaces, and protection of public health by surfacing on all parking areas to control dust; effect on the promotion of health and the general welfare; effect on light and air; effect on the over-crowding of the land; effect on the concentration of population, and effect on transportation, water, sewerage, schools, parks and other public facilities; and,

WHEREAS, the City Council further considered among other things the character of the districts and their peculiar suitability for particular uses and the view to conserve the value of the buildings, and encourage the most appropriate use of the land throughout this City; and

WHEREAS, the City Council finds that the change in zoning promotes the health and the general welfare, provides adequate light and air, prevents the over-crowding of land, avoids undue concentration of population, and facilitates the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; and the general health, safety and welfare of the community;

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

**SECTION I – A
LEGAL PROPERTY DESCRIPTION; AMENDMENT**

That in accordance with the Unified Development Code, the Zoning Map of the City of Corinth is hereby amended for property described as hereby amended, on property legally described as 20.229 acres situated in the A. H. Serren Survey, County Abstract 1198 as described in the metes and bounds description set forth in “Exhibit A” attached and incorporated by reference herein, from Planned Development Estate Homes, as adopted by Ordinance 99-12-16-44, to Planned Development-Estate Homes as adopted by this Ordinance No. 13-09-05-20.

SECTION II – SITE PLAN

The Site Plan documents approved and described as “Exhibit B” attached hereto and made a part hereof for all purposes shall be adhered to in their entirety for the purposes of existing and proposed development of the property.

SECTION III – LAND USE REGULATIONS

A. The Zoning and Land Use Regulations set forth in “Exhibit C” attached hereto and made a part hereof for all purposes shall be adhered to in its entirety for the purposes of this Planned Development Estate Homes District.

B. That the zoning regulations and districts as herein established have been made in accordance with the Comprehensive Plan for the purpose of promoting the health, safety, morals and the general welfare of the community. They have been designed, with respect to both present conditions and the conditions reasonably anticipated to exist in the foreseeable future; to lessen congestion in the streets; to provide adequate light and air; to prevent over-crowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewerage, drainage and surface water, parks and other commercial needs and development of the community. They have been made after a full and complete hearing with reasonable consideration among other things of the character of the district and its peculiar suitability for the particular uses and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the community

SECTION IV – PENALTY FOR VIOLATIONS

Any person, firm, or corporation violating any of the provisions of this ordinance shall upon conviction be fined a sum not to exceed two thousand dollars (\$2,000.00); and each and every day that these provisions are violated shall constitute a separate and distinct offense.

SECTION V – SEVERABILITY CLAUSE

If any section, paragraph, clause, phrase or provision of this ordinance shall be adjudged invalid or held unconstitutional, 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 invalid or unconstitutional.

SECTION VI – EFFECTIVE DATE

This ordinance shall become effective after approval and publication as provided by law.

PASSED AND APPROVED THIS 5th DAY OF SEPTEMBER, 2013.

APPROVED:



Paul Ruggiere

Paul Ruggiere, Mayor

ATTEST:

Kimberly Pence

Kimberly Pence, City Secretary

APPROVED AS TO FORM:

Debra A. Drayonitch

Debra A. Drayonitch, City Attorney

EXHIBIT "A"

METES AND BOUNDS / LEGAL DESCRIPTION

BEING a parcel of land located in the City of Corinth, Denton County, Texas, a part of the Berry Merchant Survey, Abstract Number 800, a part of the A. H. Serren Survey, Abstract No. 1198, and being all of that called 20.229 acre tract of land described in a general warranty deed from Park Cities Bank to PCB Properties, LLC as recorded in Document Number 2011-52170, Denton County Deed Records, and being further described as follows:

BEGINNING at the southeast corner of said 20.229 acre tract of land, said point being the southwest corner of Larkspur at Oakmont, Phase 1, an addition to the City of Corinth as recorded in Cabinet R, Page 349, Denton County Plat Records;

THENCE along the south line of said 20.229 acre tract of land as follows:

North 75 degrees 47 minutes 02 seconds West, 101.01 feet to a point for corner;
North 80 degrees 16 minutes 01 seconds West, 670.47 feet to a point for corner;
North 81 degrees 06 minutes 30 seconds West, 301.82 feet to the southwest corner of said 20.229 acre tract of land;

THENCE along the west line of said 20.229 acre tract of land as follows:

North 09 degrees 58 minutes 07 seconds West, 109.67 feet to a point for corner;
North 11 degrees 04 minutes 49 seconds East, 95.57 feet to a point for corner;
North 46 degrees 33 minutes 01 seconds East, 102.34 feet to a point for corner;
North 14 degrees 16 minutes 46 seconds East, 214.60 feet to a point for corner;
North 18 degrees 50 minutes 46 seconds East, 286.00 feet to the northwest corner of said 20.229 acre tract of land;

THENCE along the north line of said 20.229 acre tract of land as follows:

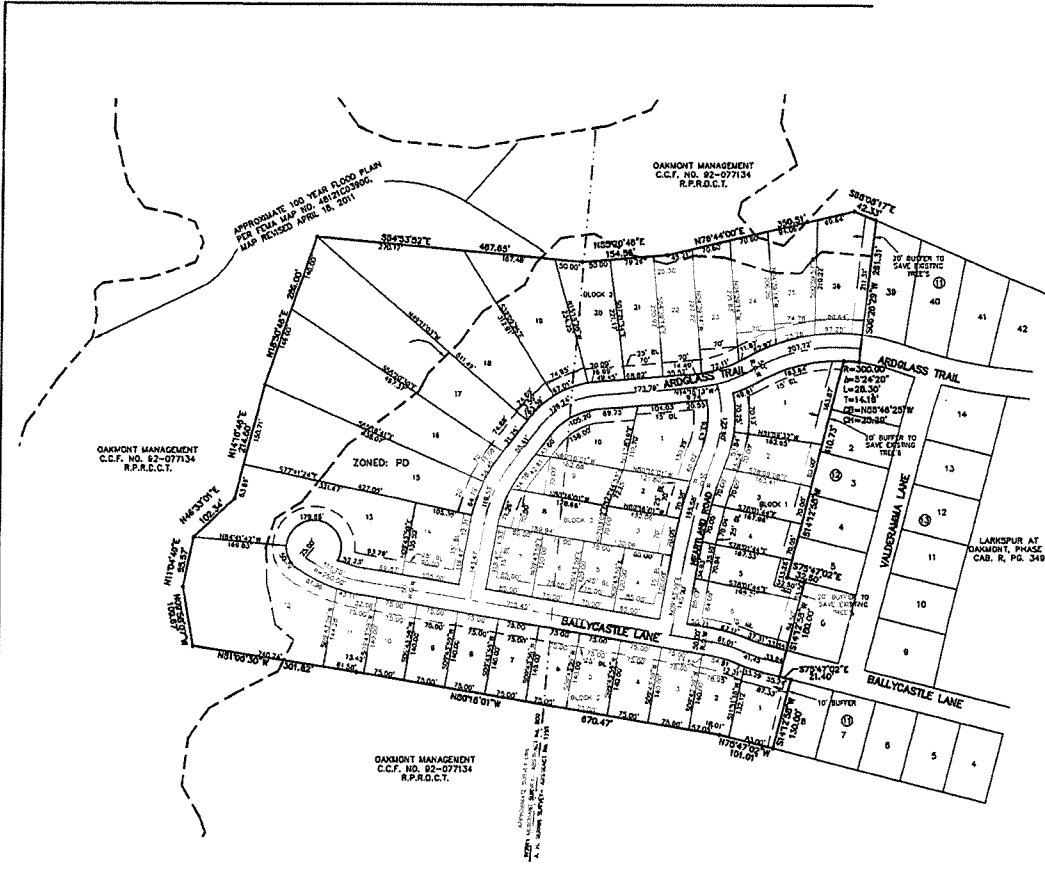
South 84 degrees 53 minutes 52 seconds East, 487.65 feet to a point for corner;
North 85 degrees 20 minutes 46 seconds East, 154.56 feet to a point for corner;
North 76 degrees 32 minutes 16 seconds East, 350.62 feet to a point for corner;
South 66 degrees 44 minutes 42 seconds East, 42.94 feet to the northeast corner of said 20.229 acre tract of land, said point being the northwest corner of said Larkspur at Oakmont, Phase 1;

THENCE along the east line of said 20.229 acre tract of land and along the west line of said Larkspur at Oakmont, Phase 1 as follows:

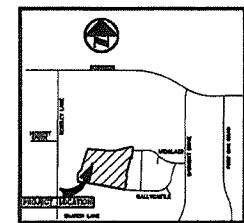
South 06 degrees 26 minutes 29 seconds West, 261.31 feet to a point for corner;
Northwesterly, 28.30 feet along a non-tangent curve to the left which has a central angle of 05 degrees 24 minutes 20 seconds, a radius of 300.00 feet, and whose chord bears North 85 degrees 46 minutes 26 seconds West, 28.29 feet to a point for corner;
South 14 degrees 12 minutes 58 seconds West, 410.73 feet to a point for corner;
South 75 degrees 47 minutes 02 seconds East, 32.50 feet to a point for corner;
South 14 degrees 12 minutes 58 seconds West, 180.00 feet to a point for corner;
South 75 degrees 47 minutes 02 seconds East, 21.40 feet to a point for corner;
South 14 degrees 12 minutes 58 seconds West, 130.00 feet to the POINT OF BEGINNING and containing 20.229 acres of land.

"This document was prepared under 22 TAC 663.23, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

EXHIBIT "B"
DETAILED SITE PLAN
SITE LAYOUT



BLOCK/LOT	SQUARE FOOT	ACRES
B1-L1	21,606	0.496
B1-L2	12,055	0.276
B1-L3	11,589	0.266
B1-L4	11,772	0.27
B1-L5	12,747	0.293
B1-L6	16,755	0.385
B2-L1	11,161	0.256
B2-L2	10,664	0.245
B2-L3	10,500	0.241
B2-L4	10,500	0.241
B2-L5	10,500	0.241
B2-L6	10,500	0.241
B2-L7	10,500	0.241
B2-L8	10,500	0.241
B2-L9	10,500	0.241
B2-L10	10,500	0.241
B2-L11	10,576	0.243
B2-L12	50,206	1.153
B2-L13	41,127	0.944
B2-L14	13,982	0.321
B2-L15	46,392	1.06
B2-L16	47,048	1.08
B2-L17	49,940	1.146
B2-L18	50,403	1.157
B2-L19	28,473	0.654
B2-L20	18,350	0.421
B2-L21	16,357	0.375
B2-L22	15,613	0.358
B2-L23	15,855	0.364
B2-L24	14,901	0.342
B2-L25	16,944	0.389
B2-L26	21,074	0.484
B3-L1	17,321	0.398
B3-L2	8,857	0.203
B3-L3	9,146	0.21
B3-L4	10,200	0.234
B3-L5	9,000	0.207
B3-L6	9,000	0.207
B3-L7	10,200	0.234
B3-L8	13,034	0.299
B3-L9	12,027	0.276
B3-L10	13,989	0.321
TOTAL AVERAGE		
42	18,147	



LOCATION MAP
N.T.S.

LEGAL DESCRIPTION:

BOND a parcel of land located in the City of Oakmont, Denton County, Texas, a part of the Berry Merchant Survey, Abstract Number 800, a part of the A. H. Sechen Survey, Abstract No. 1183, and being all of that certain 20.229 acre tract of land described in a general warranty deed from Park Cities Bank to PCB Properties, LLC as recorded in Document Number 2011-52170, Denton County Deed Records, and being further described as follows:

BEGINNING at the north-south line of said 20.229 acre tract of land, said point being the southwest corner of Larkspur at Oakmont, Phase I, in addition to the City of Oakmont as recorded in Cabinet A, Page 349, Denton County Plat Records;

THENCE along the south line of said 20.229 acre tract of land as follows:
North 75 degrees 47 minutes 02 seconds West, 101.01 feet to a one inch iron rod found for corner;

North 80 degrees 18 minutes 01 seconds West, 870.47 feet to a one inch iron rod found for corner;

North 01 degree 05 minutes 30 seconds West, 301.82 feet to a one inch iron rod found at the southwest corner of said 20.229 acre tract of land;

THENCE along the west line of said 20.229 acre tract of land as follows:
North 09 degree 58 minutes 07 seconds West, 109.34 feet to a one inch iron rod found for corner;

North 11 degree 04 minutes 48 seconds East, 85.57 feet to a one inch iron rod found for corner;

North 46 degree 23 minutes 01 seconds East, 102.34 feet to a one inch iron rod found for corner;

North 14 degree 16 minutes 48 seconds East, 214.80 feet to a one inch iron rod found for corner;

North 18 degree 20 minutes 46 seconds East, 288.00 feet to a one inch iron rod found at the northwest corner of said 20.229 acre tract of land;

THENCE along the north line of said 20.229 acre tract of land as follows:
South 84 degree 23 minutes 23 seconds East, 482.85 feet to a one inch iron rod found for corner;

North 05 degree 20 minutes 46 seconds East, 154.56 feet to a one-half inch iron rod set for corner;

North 76 degree 44 minutes 00 seconds East, 330.51 feet to a one inch iron rod found for corner;

South 89 degree 28 minutes 17 seconds East, 432.33 feet to a three-eighths inch iron rod found at the northeast corner of said 20.229 acre tract of land, said point being the northwest corner of said Larkspur at Oakmont, Phase I;

THENCE along the east line of said 20.229 acre tract of land and along the west line of said Larkspur at Oakmont, Phase I as follows:
South 02 degree 23 minutes 29 seconds West, 261.31 feet to a one-half inch iron rod set for corner;

Northwesterly, 28.53 feet along a non-tangent curve to the left which has a central angle of 03 degrees 24 minutes 20 seconds, a radius of 300.00 feet, and whose chord bears North 80 degrees 48 minutes 24 seconds West, 28.53 feet to a one-half inch iron rod set for corner;

South 14 degree 12 minutes 23 seconds West, 415.73 feet to a three-eighths inch iron rod found for corner;

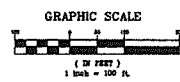
South 75 degree 47 minutes 02 seconds East, 32.50 feet to a five-eighths inch iron rod found for corner;

South 14 degree 12 minutes 23 seconds West, 169.00 feet to a one-half inch iron rod set for corner;

South 75 degree 47 minutes 02 seconds East, 21.40 feet to a three-eighths inch iron rod found for corner;

South 14 degree 12 minutes 23 seconds West, 130.00 feet to the POINT OF BEGINNING and containing 800,843 square feet and 20.224 acres of land.

"This document was prepared under 22 TAC 663.23, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the partitioned subdivision for which it was prepared."



NOTE:
TOTAL LOT AREA: 762,108 SF 17.486 AC
TOTAL RIGHT-OF-WAY AREA: 116,835 SF 2.726 AC
TOTAL FLOOD AREA: 193,823 SF 4.450 AC
TOTAL AREA: 880,943 SF 20.224 AC

LEGEND
PLANNED DEVELOPMENT
IRON ROD SET
IRON ROD FOUND
Easement LINE SETBACK
RADIUS
RIGHT-OF-WAY
UTILITY EASEMENT
GRAVIMETRIC EASEMENT

SITE PLAN
LARKSPUR AT OAKMONT
PHASE 2
LOTS 1-6, BLOCK 1, LOTS 1-28, BLOCK 2
LOTS 1-10, BLOCK 3
20.224 OUT OF THE
BERRY MERCHANT SURVEY - ABSTRACT No. 800
A. H. SECHEN SURVEY - ABSTRACT No. 1183
City of Oakmont, Denton County, Texas

PCB PROPERTIES LLC 8307 E. MacArthur Lane Unit 200 Dallas, Texas 75205	OWNER
TONY SHAW PROPERTIES 5300 W. Plano Parkway Suite 221 Plano, Texas 75093 TONY SHAW	DEVELOPER (214) 244-6009
JEI PARTNERS, INC. 16301 Quorum Drive, Suite 200 B Addicks, Texas 75001 TOM JAHN	SURVEYOR/ENGINEER (972) 738-0228

EXHIBIT "B"
 DETAILED SITE PLAN
 TREE SURVEY



Drawing: H:\Projects\11801 Larkspur 2\Plan\11801 Site Map\Tree Survey By: Joseph Shaw Date: 10/7/2013 4:46 PM
 Printed By: Joseph Shaw Date: 10/7/2013 4:46 PM

EXHIBIT
 DETAILED SITE PLAN
 TREE MITIGATION

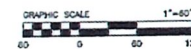


LOT TREES 42 X 3	= 126 TREES ≈ 378 CALIPER INCHES
SLOPE TREES	= 127 TREES ≈ 381 CALIPER INCHES
EXTRA TREES	= 9 TREES ≈ 27 CALIPER INCHES
TOTAL	= 262 TREES ≈ 786 CALIPER INCHES

TREE MITIGATION REQUIRES AN ADDITIONAL 262 INCHES BY SAVING EXISTING TREES OR PLANTING ADDITIONAL TREES.

LEGEND

----- RETAINING WALL



UBI PARTNERS
 18011 Quorum Drive
 Suite 200 B
 Addison, Texas 75001
 Main: 972.246.7376
 Fax: 972.246.1411
 www.ubipartners.com
 Texas Registered Engineering Firm F-416

TREE PLAN	PROJECT NO.
MITIGATION	FTH011
LARKSPUR AT OAKMONT PHASE 2	SHEET NO.
City of Corinth, Denton County, Texas	1

EXHIBIT "C"
LARKSPUR PHASE II – PLANNED DEVELOPMENT REGULATIONS

SECTION 1: Regulations set forth in this Exhibit C are the regulations which apply to the all development in the Larkspur Phase II Planned Development District. The base zoning district shall be the Estate Home subdistrict of the Oakmont Planned Development District, as amended by the Larkspur Planned Development District, adopted by Ordinance No, 99-12-16-44. To the extent that a regulation conflicts with the regulations for the Estate Home subdistrict, these regulations control. To the extent that a regulation is not addressed in the Estate Home District or modified by this Exhibit, the regulations set forth in the Unified Development Code shall be controlling.

SECTION 2: USES – No building or land shall be used and no building shall be hereinafter erected, reconstructed, enlarged, or converted unless otherwise provided in this ordinance, except for one or more of the following uses:

- (1) Single family dwellings as outlined herein;
- (2) Public or state accredited schools;
- (3) Churches;
- (4) Accessory building and uses customarily incident to the permitted uses and located on the same lot therewith;
 - (a) The total area used for accessory buildings shall not exceed twenty-five (25) percent of the total area designated for the main building.
 - (b) Accessory buildings shall not be permitted within any front yard area but shall be permitted within any portion of the side yard or rear yard of a building lot.
- (5) Real estate sales offices during the development of the residential subdivision;
- (6) Temporary buildings for uses incidental to construction work on the premises, which buildings shall be removed upon the completion or abandonment of construction work; no temporary buildings, mobile homes, travel trailers, or motor homes may be used for dwelling purposes within the district;
- (7) Fire stations and public buildings;
- (8) Golf course and recreational facilities that are compatible with residential areas; miniature golf course facilities shall not be permitted within the estate home areas; and
- (9) Uses similar to the above mentioned uses, provided that these similar uses are allowed only if approved by the City of Corinth Planning and Zoning Commission and the City Council.

SECTION 3: AREA REGULATIONS

- (1) **Front Yard:** There shall be a front yard having a depth of not less than twenty-five (25) feet.
- (2) **Side Yard:** There shall be a side yard of each side of the lot having a width of not less than seven and one-half ($7 - \frac{1}{2}$) feet. A side yard adjacent to a street shall not be less than fifteen (15) feet. The side yard depth for any portion of the building containing a side entry garage shall not be less than twenty-five (25) feet.
- (3) **Rear Yard:** There shall be a rear yard having a depth of not less than twenty (20) feet.
- (4) **Lot Area:** No building shall be constructed on any lot of less than eight-thousand four-hundred (8,400) square feet.
- (5) **Lot Width:** The average width of any lot shall not be less than seventy (70) feet at the front building line and sixty (60) feet at the property line.
- (6) **Lot Depth:** The depth of the lot shall not be less than one-hundred twenty (120) feet, except that a corner or cul-de-sac lot may have less depth provided that the minimum depth is not less than one-hundred (100) feet.
- (7) **Minimum Dwelling Size:** The floor area of any dwelling unit shall not be less than twenty-five hundred (2,500) square feet, exclusive of garages, breezeways, and porches.
- (8) **Lot Coverage:** Block B Lots B3-5 and B3-6 all have no more than fifty (50) percent of the total lot area covered by the combined area of the main building and accessory buildings. For each of the remaining lots, no more than forty (40) percent of the total lot area shall be covered by the combined area of the main building and accessory buildings.
- (9) **Garages:** Each dwelling unit shall have an enclosed garage for storage of a minimum of two cars, 20' x 20' minimum. Access shall be by means of a concrete driveway connecting the garage with an adjacent public street or alley.
- (10) **Driveways:** All dwelling units in this District shall have paved concrete driveways.
- (11) **Accessory Buildings** must meet the Accessory Building and Use Standards and requirements in effect at the time this ordinance is adopted.

SECTION 4: PARKING REQUIREMENTS

A minimum of two (2) off-street parking spaces shall be provided for each dwelling unit.

SECTION 5: BUILDING MATERIALS

Building Materials must follow the Building Façade Material Standards and requirements in effect at the time this ordinance is adopted.

SECTION 6: RESIDENTIAL DENSITY

- (1) A maximum of 3.0 dwelling units per acre is permitted.
- (2) All calculations for development intensities shall be based on the gross area for each tract as indicated on the Zoning Exhibit.

SECTION 7: TREE REQUIREMENTS

- (1) Developer may remove up to, but not more than 13,000 caliper inches of existing trees, as shown on the Site Plan, provided Developer mitigates the removal by planting at least 786 caliper inches of trees. In addition, for all lots, Developer must mitigate an additional 262 caliper inches of trees by saving existing trees, by increasing the caliper inches of new trees, or by planting new trees.
- (2) For lots that have a significant backyard slope, i.e. four to one or more, install an additional ten – 3” caliper trees per back yard.
- (3) A tree buffer area of at least 20 feet shall be preserved in a natural state, as shown on the Site Plan, for lots that back up to Larkspur Phase I Block 12, Lots 1-6.