

**TOWN OF LAKEWOOD VILLAGE, TEXAS**

**ORDINANCE NO. 24-01**

**AN ORDINANCE AMENDING LAKEWOOD VILLAGE'S COMPREHENSIVE ZONING ORDINANCE NO. 19-02; REZONING A TRACT OF LAND CONSISTING OF APPROXIMATELY 79 ACRES, MORE OR LESS, SITUATED IN THE B.C. SHAHAN SURVEY, ABSTRACT NO. 1169, W. LOFTON SURVEY, ABSTRACT NO. 750, C.C. DICKSON SURVEY, ABSTRACT NO. 339, AND WM. H. PEA SURVEY, ABSTRACT NO. 1044 IN THE TOWN OF LAKEWOOD VILLAGE, DENTON COUNTY, TEXAS; REPEALING ORDINANCES 20-08 AND 21-04; ESTABLISHING A SINGLE FAMILY DEVELOPMENT (PD-3); DESCRIBING THE TRACT TO BE REZONED; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.**

**WHEREAS**, the Town of Lakewood Village, Texas ("Lakewood Village") has received a request from Corson Cramer Development (CCD) to rezone approximately 79 acres of land, more or less, situated in the B.C. Shahan Survey, Abstract No. 1169, W. Lofton Survey, Abstract No. 750, C.C. Dickson Survey, Abstract No. 339, and Wm. H. Pea Survey, Abstract No. 1044, in Lakewood Village, Denton County, Texas; and

**WHEREAS**, the Town Council of Lakewood Village (the "Town Council") has investigated into and determined that the facts contained in the request are true and correct; and

**WHEREAS**, all legal notices required for rezoning have been given in the manner and form set forth by law, and public hearings have been held on the proposed rezoning and all other requirements of notice and completion of such zoning procedures have been fulfilled; and

**WHEREAS**, the Town Council has further investigated into and determined that it will be advantageous and beneficial to Lakewood Village and its inhabitants to repeal Ordinances 20-08 and 21-04 and amend Lakewood Village's Comprehensive Zoning Ordinance No. 19-02 and rezone this property as set forth below.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS:**

**SECTION 1: Findings Incorporated.**

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

**SECTION 2: Amendments to Lakewood Village's Comprehensive Zoning Ordinance No. 19-02 and Repealing Lakewood Village's Zoning Planned Development-01 Ordinance No. 20-08 and Lakewood Village's Zoning Planned Development-02 Ordinance No. 21-04.**

Lakewood Village Planned Development-3 Ordinance 23-12 is hereby repealed. Lakewood Village's Comprehensive Zoning Ordinance No. 19-02 is amended as follows: The zoning designation of the below-described property containing 79 acres, more or less, situated in the B.C. Shahan Survey, Abstract No. 1169, W. Lofton Survey, Abstract No. 750, C.C. Dickson Survey, Abstract No. 339, and Wm. H. Pea Survey, Abstract No. 1044, in Lakewood Village, Denton County, Texas, (the "Property") and all streets, roads and alleyways contiguous and/or adjacent thereto are hereby rezoned as Planned Development-Single Family Residential (PD-SF).

The Property as a whole is more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes.

The development plans, standards, uses and schedules for the Property in this Planned Development District shall conform to, and comply with 1) the planned development standards attached hereto as Exhibit "B", and 3) the conceptual plan attached hereto as Exhibit "C". Exhibits "B" and "C" are incorporated herein for all purposes. Except as amended by this Ordinance, the development of the Property within this Planned Development District must comply with the requirements of all ordinances, rules and regulations of Lakewood Village, as they currently exist or may be amended.

Three (3) original, official and identical copies of the zoning exhibit map are hereby adopted and shall be filed and maintained as follows:

a. Two (2) copies shall be filed with the Town Secretary and retained as the original records and shall not be changed in any manner.

b. One (1) copy shall be filed with the building inspector and shall be maintained up to date by posting thereon all changes and subsequent amendments for observation, issuing building permits, certificates of compliance and occupancy and enforcing the zoning ordinance. Reproduction for information purposes may from time-to-time be made of the official zoning district map.

### **SECTION 3: No Vested Interest/Repeal.**

No developer or property owner shall acquire any vested interest in this Ordinance, the Planned Development Zone or in any other specific regulations contained herein. Any portion of this Ordinance may be repealed by the Town Council in the manner provided for by law.

### **SECTION 4: Unlawful Use of Premises.**

It shall be unlawful for any person, firm or corporation to make use of said premises in some manner other than as authorized by this Ordinance, and it shall be unlawful for any person, firm or corporation to construct on said premises any building that is not in conformity with the permissible uses under this Zoning Ordinance.

### **SECTION 5: Penalty Provision.**

Any person, firm, corporation or business entity violating this Ordinance or any provision of Lakewood Village's Comprehensive Zoning Ordinance No. 19-02, or as amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined a sum not exceeding Two Thousand Dollars (\$2,000.00). Each continuing day's violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Lakewood Village from filing suit to enjoin the violation. Lakewood Village retains all legal rights and remedies available to it pursuant to local, state and federal law.

**SECTION 6: Savings/Repealing Clause.** Lakewood Village's Comprehensive Zoning Ordinance No. 19-02 shall remain in full force and effect, save and except as amended by this or any other Ordinance. 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.

**SECTION 7: 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. Lakewood Village 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.

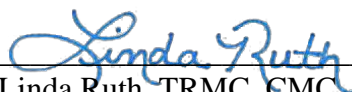
**SECTION 8: Effective Date.**

This Ordinance shall become effective from and after its adoption and publication as required by law.

**DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS on the 11<sup>th</sup> day of January 2024.**

  
\_\_\_\_\_  
Dr. Mark E. Vargus  
Mayor

ATTESTED:

  
\_\_\_\_\_  
Linda Ruth, TRMC, EMC  
Town Administrator/Town Secretary



## EXHIBIT A

# Legal Description

### LEGAL DESCRIPTION ZONING (78.963 ACRES)

Being a parcel of land located in the Town of Lakewood Village, Denton County, Texas, and being a part of the Christopher C. Dickson Survey, Abstract Number 339, and being a part of the William Loftin Survey, Abstract Number 750, and being a part of the William H. Pea Survey, Abstract Number 1044, and being a part of the Benjamin C. Shahan Survey, Abstract Number 1169, and also being all of that called Tract 1-57.827 acres and all of that called Tract 2-19.977 and all of that called Tract 3-0.161 acre tract of lands described in deed to CCD-LWV, LLC. as recorded in Document Number 2023-64438, Official Public Records of Denton County, Texas, and being all of that called 0.1162 acre tract of land described in warranty deed to Denton County, Texas as recorded in Document Number 2006-66546, Official Public Records of Denton County, Texas, and abandoned by ordinance no. \_\_\_\_\_, and quitclaim deed to FIRST TEXAS HOMES. INC. as recorded in Document Number \_\_\_\_\_, and also being a part of that 60 wide right-of-way described in deed to the Town of Lakewood Village as recorded in Volume 960, Page 824, Official Public Records of Denton County, Texas, and abandoned by ordinance no. \_\_\_\_\_, and quitclaim deed to FIRST TEXAS HOMES. INC. as recorded in Document Number \_\_\_\_\_, and being further described as follows:

BEGINNING at a Corps of Engineers monument found at the southwest corner of said 57.827 acre tract, said point being the northwest corner of Lot 23, Block A, Shores of Lakewood Village, Section 5, Phase 3, an addition to the Town of Lakewood Village as recorded in Cabinet L, Page 273, Official Public Records of Denton County, Texas, said point also being in the east line of Garza Little Elm Reservoir (Lake Lewisville);

THENCE along the west line of said 57.827 acre tract and along the east line of said Garza Little Elm Reservoir (Lake Lewisville) as follows:

North 66 degrees 02 minutes 24 seconds East, 392.13 feet to a Corp of Engineer monument found for corner;

North 36 degrees 20 minutes 21 seconds East, 187.76 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

North 75 degrees 31 minutes 16 seconds East, 119.37 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

North 34 degrees 03 minutes 43 seconds East, 350.27 feet to a Corp of Engineer monument found for corner;

North 00 degrees 15 minutes 21 seconds West, 86.20 feet to a Corp of Engineer monument found for corner;

North 72 degrees 15 minutes 48 seconds West, 140.97 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner in the east line of that called 19.4500 acre tract of land described in deed to VILLAS AT LAKEWOOD LLC, as recorded in Volume 2021, Page 193056, Official Public Records of Denton County, Texas;

THENCE continuing along the west line of said 57.827 acre tract of land and along the east line of said 19.4500 acre tract of land as follows:

North 01 degrees 01 minutes 19 seconds West, 54.96 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

North 43 degrees 58 minutes 41 seconds East, 625.68 feet to a one-half inch iron rod with yellow cap stamped "JBI" found at the southeast corner of that called 0.104 acre tract of land described in deed to VILLAS AT LAKEWOOD, LLC;

THENCE along the east and north line of said 0.104 acre tract of land as follows:

North 01 degrees 01 minutes 19 seconds West, 169.35 feet to a one-half inch iron rod with yellow cap stamped "JBI" found for corner;

South 88 degrees 58 minutes 41 seconds West, 25.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" found in the west line of said 57.827 acre tract of land, said point being in the east line of said 19.4500 acre tract of land;

THENCE continuing along the west line of said 57.827 acre tract of land and along the east line of said 19.4500 acre tract of land as follows:

North 01 degrees 01 minutes 19 seconds West, 640.49 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

North 43 degrees 58 minutes 41 seconds East, 590.32 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner, said point being in the west line of said 19.977 acre tract;

THENCE along the west line of said 19.977 acre tract and along the east line of said 19.4500 acre tract as follows:

North 00 degrees 29 minutes 04 seconds West, 119.29 feet to a one-half inch iron rod found for corner;

South 88 degrees 50 minutes 03 seconds West, 45.80 feet to a one-half inch iron rod with cap stamped "RPLS 3047" found for corner, said point also being in the east right-of-way line of Lakecrest Drive, a dedicated right-of-way described as 0.1162 acres in deed to Denton County and recorded in said Document Number 2006-66546;

THENCE South 88 degrees 43 minutes 30 seconds West, 60.17 feet to a one-half inch iron rod found at the southwest corner of said right-of-way deed described in Document Number 2006-66546, said point also being the southeast corner of said 0.161 acre tract;

THENCE South 88 degrees 35 minutes 35 seconds West, 150.01 feet to a one-half inch iron rod with cap stamped "RPLS 3047" found at the southwest corner of said 0.161 acre tract;

THENCE North 08 degrees 55 minutes 00 seconds West, 29.39 feet to a one-half inch iron rod with cap stamped "RPLS 3047" found at the northwest corner of said 0.161 acre tract, said point also being in south right-of-way line of W. Eldorado Parkway (a variable width right-of-way);

THENCE Northeasterly, 157.75 feet along a curve to the left having a central angle of 14 degrees 41 minutes 56 seconds, a radius of 614.90 feet, a tangent of 79.31 feet, and whose chord bears North 73 degrees 25 minutes 24 seconds East, 157.32 feet to a one-half inch iron rod with cap stamped "RPLS 3047" found at the northeast corner of said 0.161 acre tract, said point also being at the intersection of the south right-of-way line of W. Eldorado Parkway with the west right-of-way line of Lakecrest Drive dedicated by said description recorded in Document Number 2006-66546;

THENCE Northeasterly, 65.78 feet along a curve to the left having a central angle of 06 degrees 24 minutes 09 seconds, a radius of 588.67 feet, a tangent of 32.92 feet, and whose chord bears North 62 degrees 37 minutes 59 seconds East, 65.75 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner, said point being the northeast corner of said right-of-way dedication described and recorded in Document Number 2006-66546, said point being in the west line of said 19.977 acre tract, said point also being in the southeast right-of-way line of W. Eldorado Parkway;

THENCE continuing along the west line of said 19.977 acre tract and the southeast right-of-way line of W. Eldorado Parkway as follows:

North 03 degrees 11 minutes 05 seconds West, 23.16 feet along the west line of said 19.977 acre tract and along the southeast right-of-way line of W. Eldorado Parkway to a one-half inch iron rod with cap stamped "RPLS 3047" found for corner;

Northeasterly, 10.41 feet along a curve to the right having a central angle of 59 degrees 40 minutes 14 seconds, a radius of 10.00 feet, a tangent of 5.74 feet, and whose chord bears North 26 degrees 49 minutes 03 seconds East, 9.95 feet to a one-half inch iron rod with cap stamped "RPLS 3047" found for corner;

Northeasterly, 272.83 feet along a curve to the left having a central angle of 15 degrees 31 minutes 46 seconds, a radius of 1,006.60 feet, a tangent of 137.26 feet, and whose chord bears North 48 degrees 56 minutes 05 seconds East, 272.00 feet to a one-half inch iron rod with cap stamped "RPLS 3047" found for corner;

Northeasterly, 56.48 feet along a curve to the left having a central angle of 05 degrees 29 minutes 04 seconds, a radius of 590.00 feet, a tangent of 28.26 feet, and whose chord bears North 27 degrees 19 minutes 12 seconds East, 56.45 feet to a one-half inch iron rod with cap stamped "RPLS 3047" found for corner;

Northeasterly, 207.30 feet along a curve to the left having a central angle of 11 degrees 56 minutes 18 seconds, a radius of 994.93 feet, a tangent of 104.03 feet, and whose chord bears

North 31 degrees 51 minutes 40 seconds East, 206.93 feet to a one-half inch iron rod with cap stamped "RPLS 3047" found for corner;

North 25 degrees 55 minutes 10 seconds East, 927.87 feet to a one-half inch iron rod with cap stamped "RPLS 3047" found at the northwest corner of said 19.977 acre tract, said point being in the south line of that tract of land described in deed to Town of Little Elm as recorded in Document Number 1995-0078024, Official Public Records of Denton County, Texas, said point also being in the east right-of-way line of W. Eldorado Parkway (a variable width right-of-way);

THENCE North 89 degrees 17 minutes 47 seconds East, 175.42 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner, said point being the northeast corner of said 19.977 acre tract, said point being the southeast corner of said Town of Little Elm tract, said point also being in the west line of Block 1, Sunrise Bay at Lake Lewisville, an addition to the Denton County, as recorded in Cabinet L, Page 224, Official Public Records of Denton County, Texas;

THENCE along the east line of said 19.977 acre tract as follows:

South 00 degrees 42 minutes 14 seconds East, 1,296.43 feet to a three-eighths inch iron rod found for corner, said point being the southwest corner of said Block 1;

North 85 degrees 09 minutes 48 seconds East, 187.00 feet along the south line of Block 1 to a five-eighths inch iron rod with cap stamped "DCA INC" found for corner, said point also being the northwest corner of Lot 1, Block H, Lakewood Village, Second Section, an addition to Denton County, Texas as recorded in Cabinet J, Page 79, Official Public Records of Denton County, Texas;

South 03 degrees 47 minutes 29 seconds East, 145.41 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner, said point being the southeast corner of said 19.977 acre tract, said point being the southwest corner of said Lot 1, said point also being in the north right-of-way line of Lakecrest Drive (a 60 foot wide right-of-way) dedicated by said Lakewood Village, Second Section plat;

THENCE South 86 degrees 46 minutes 49 seconds West, 30.54 feet along the south line of said 19.977 acre tract and along the north right-of-way line of Lakecrest Drive to a one-half inch iron rod with yellow cap stamped "JBI" set for corner in the west line of said Lakewood Village, Second Section Addition, said point also being the northeast corner of a 60 foot wide right-of-way deed to the Town of Lakewood Village as recorded in Volume 960, Page 824, Official Public Records of Denton County, Texas;

THENCE South 00 degrees 31 minutes 42 seconds East, 38.21 feet along the east line of said 60 foot wide right-of-way dedication to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;



THENCE South 89 degrees 04 minutes 10 seconds West, 722.60 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner, said point being in the south line of said 19.977 acre tract, said point also being the northwest corner of that called 14.950 acre tract of land described in deed to Board of Trustees of The Little Elm Independent School District as recorded in Document Number 2021-12421, Official Public Records of Denton County, Texas;

THENCE South 00 degrees 33 minutes 48 seconds East, 419.53 feet along the west line of said 14.950 acre tract to a one-half inch iron rod with yellow cap stamped "JBI" set for corner, said point also being in the east line of said 57.827 acre tract;

THENCE along the common lines of said 57.827 acre tract and said 14.950 acre tract as follows:

Southeasterly, 452.13 feet along a curve to the left having a central angle of 31 degrees 58 minutes 54 seconds, a radius of 810.00 feet, a tangent of 232.12 feet, and whose chord bears South 16 degrees 33 minutes 15 seconds East, 446.28 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

South 32 degrees 32 minutes 42 seconds East, 147.26 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

North 57 degrees 09 minutes 47 seconds East, 112.36 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

Northeasterly, 390.08 feet along a curve to the right having a central angle of 33 degrees 06 minutes 39 seconds, a radius of 675.00 feet, a tangent of 200.66 feet, and whose chord bears North 73 degrees 43 minutes 07 seconds East, 384.67 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

North 88 degrees 50 minutes 10 seconds East, 227.07 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner, said point being in the east line of said 57.827 acre tract, said point also being the southeast corner of said 14.950 acre tract, said point also being in the west right-of-way line of High Ridge Drive (a 60 foot wide right-of-way);

THENCE along the east line of said 57.827 acre tract and along the west right-of-way line of High Ridge Drive as follows:

South 18 degrees 50 minutes 58 seconds East, 442.35 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

Southeasterly, 44.64 feet along a curve to the right having a central angle of 02 degrees 35 minutes 52 seconds, a radius of 984.48 feet, a tangent of 22.32 feet, and whose chord bears South 16 degrees 05 minutes 57 seconds East, 44.63 feet to a one-half inch iron rod found for corner, said point being the southeast corner of said 57.827 acre tract, said point also being the northeast corner of Lot 1, Block A, Shores of Lakewood Village, Section 5, an addition to the Town of Lakewood Village as recorded in Cabinet K, Page 201, Official Public Records of Denton County, Texas;



THENCE North 89 degrees 41 minutes 51 seconds West, 534.51 feet along the south line of said 57.827 acre tract to a one-half inch iron rod found for corner, said point being in the north line of Lot 3, Block A, of said Shores of Lakewood Village, Section 5 addition;

THENCE South 44 degrees 22 minutes 03 seconds West, 1,768.97 feet along the south line of said 57.827 acre tract to a one-half inch iron rod found for corner, said point being the northeast corner of Lot 16, Block A, of said Shores of Lakewood Village, Section 5, Phase 3 Addition;

THENCE North 89 degrees 31 minutes 09 seconds West, 1,066.99 feet along the south line of said 57.827 acre tract and along the north line of said Shores of Lakewood Village, Section 5, Phase 3 Addition to the POINT OF BEGINNIG and containing 3,439,623 square feet or 78.963 acres of land.

**BASIS OF BEARING:** The basis of bearing is based on the coordinate system (North Central Zone 4202 state plane coordinates, NAD83), distances shown hereon are grid distance values.

\*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.

*Mark W. Harp*

Mark W. Harp, R.P.L.S. No. 6425  
August 17, 2023



## EXHIBIT B

# Development Standards

## 1. Permitted Uses

A. Allowed Uses: Land uses allowed within this PD district are as follows:

Garage Apartment  
Guest House  
Single Family Residence  
Accessory Structure - C  
Child-Care: Home - C  
Home Occupation – C  
Homebuilder Marketing Center – C  
Municipal Uses Operated by the Town  
Public School  
Parks or Open Space  
Electrical Sub Station - S  
Telephone Exchange – S  
Temporary buildings of the builders and uses incidental to construction work on the premises, which shall be removed upon completion of such work.

\*C – specifies a conditional use which is permitted if the conditional development standards contained in the Zoning Ordinance are met.

\*S - indicates Specific Use Permit is required

## 2. Development Standards - Single-Family Residential

A. Area and building requirements: This Planned Development Ordinance permits three different single-family residential lot types: Type A, Type B, and Type C. The development standards for each lot type are outlined in the following Table 1.

**Table 1**

Development Standards	Type A	Type B	Type C
<b>Setbacks</b>			
Minimum Front Yard	25 ft	20 ft	10 ft
Minimum Front Yard for porches and swing-in garages	20 ft	20 ft	5 ft
Minimum Side Yard – Dwelling or Accessory Structure	15 ft	10 ft	5 ft
Minimum Rear Yard – Dwelling or Accessory Structure	5 ft	5 ft	5 ft
Minimum Side Yard – Pool and/or Spa	10 ft	10 ft	5 ft
Minimum Rear Yard – Pool and/or Spa	10 ft	10 ft	5 ft
Minimum Side Yard (adjacent to a street)	15 ft	15 ft	10 ft

Lot Dimensions			
Minimum Area	½ acre	1/3 acre	5,000 ft <sup>2</sup>
Minimum Width	90 ft	70 ft	50 ft
Minimum Depth	None	None	None

Dwellings			
Minimum Dwelling Area – Single Story	2,400 ft <sup>2</sup>	1,800 ft <sup>2</sup>	1,400 ft <sup>2</sup>
Minimum Ground Floor Dwelling Area – Two Story	2,400 ft <sup>2</sup>	1,800 ft <sup>2</sup>	1,200 ft <sup>2</sup>
Maximum Height / Stories	2.5	2.5	2.5
Maximum Front Yard Coverage / Impervious Surface	50%	50%	50%
Minimum Elevation (above mean sea level)	540 ft		

- B. Lot Width: The width of any lot shall not be less than as shown in Table 1 as measured at the front building line of the lot, except that lot width for lots at the terminus of a cul-de-sac or along street elbows/eyebrows may be less; provided all other requirements of the section are fulfilled.
- C. Front Yard: The minimum front yard shall be as shown in Table 1. Covered drives and porte-cocheres that are architecturally designed as an integral element of the main structure and are constructed with the same materials as the main structure, may extend an additional five (5) feet into the front yard from the minimum front yard setback. Required front yards must be open and unobstructed except for light posts and flag poles that are twenty (20) feet or less in height. Ordinary projections of windowsills, belt courses, cornices, and other architectural features may project up to twelve (12) inches into the required front yard. A fireplace chimney may project up to two (2) feet into the required front yard if its area of projection does not exceed twelve (12) square feet. Cantilevered roof eaves and balconies may project up to five (5) feet into the required front yard.
- D. Required Parking: A minimum of four (4) off-street concrete parking spaces shall be provided for each residential unit. As part of the parking requirement, at least two (2) of the off-street parking spaces shall be in an enclosed garage. Parking spaces shall be at least ten (10) feet in length, which shall not include any sidewalk.
- E. Floodplain: Any floodplain included within the limits of a single-family lot shall be designated as a no-build easement on the final plat.
- F. Architectural Standards: The following architectural standards shall apply to all single-family homes on **Type A and Type B** lots within this Planned Development District:
1. Exterior Façade Building Materials: Front elevations (including the street facing side elevation of corner lots) shall be one hundred (100) percent masonry; all other elevations shall be at least eight (80) percent masonry. Masonry shall be defined as brick, natural stone, cut stone, cast stone, hard coat or three-coat stucco (not synthetic). Glass, cement siding, or similar materials may be used for window box-outs, bay windows, roof dormers, or similar architectural features. Rough sawn wood timbers or similar materials may be used for architectural features such as columns and headers above windows and garage doors.

2. Minimum Roof Pitch: The minimum roof pitch shall be 6:12 for all structures. Exposed gutters shall be compatible with the surface to which they are attached.
3. Roof Material: Roof materials shall be composition 30-year architectural shingles, standing seam metal or copper, natural or imitation slate shingles, or natural or imitation clay shingles. Wooden shingles are prohibited.
4. Garages: For each home, at least two garage door bays must face the side property line (i.e. a J-swing garage); any additional garage doors bays may face the street. The minimum garage size is twenty (20) feet in width by twenty (20) feet in depth. Driveways may extend into the side yard setback a maximum of seven (7) feet.
5. Landscaping: Required landscaping shall include a minimum of two (2) four-inch (4") caliper shade trees in the front yard and one (1) three-inch (3") caliper shade tree in the rear yard. Additionally, at least one (1) row of shrubs with a minimum height of twenty-four inches (24") shall be planted on three-foot (3') centers along the front elevation of the home (excluding the garage and front entry). The rear yard trees shall be placed in locations that will allow installation of a swimming pool without removal of the tree(s). The front yard trees shall be offset and be either three (3) feet closer to house or street than trees in front yard of each adjacent lot, so that trees are not in a straight line down an entire block. All lots must have automatic sprinklers.
6. Fencing: Fencing must conform to Ordinance 20-02 or its successor ordinances relating to fencing.
  - a. Retaining Walls: Retaining walls must be constructed of stone.
7. Driveway, Front Walkway, and Front Porch Materials: All driveways, front walkways, and front porches must be constructed of complementary brick pavers, natural stone, interlocking pavers, stamped concrete, exposed aggregate, brushed concrete, or salt with stain finish and bordered with stone, brick, or concrete. The cumulative area of any driveway plus any impermeable surface area located between the front property line and any front building wall shall not exceed fifty (50) percent coverage or twenty-five (25) percent coverage for corner lots.
8. Patios: All front yard patios must be covered and included in the roofline of the home.
9. Chimneys: All chimneys must have decorative metal caps.
10. Screening of Air Conditioning Units and Pool Equipment: Air conditioning units and pool equipment shall be screened from the view of the street by a fence or landscaping.
11. Design Repetition: A dwelling may not be constructed with the same elevation and floor plan as another dwelling within 3 lots on each side of the street. A dwelling with the same floor plan as another dwelling, but a different elevation must be separated by a minimum of two lots. Homes with the same color exterior may not be constructed adjacent to each other

12. Minimum Front Yard Setback Reduction and Average Setback:

- a. The minimum front yard setback requirements may be reduced by a maximum of five (5) feet for all single family lots provided that at least fifty (50) percent of the structures on a given block are set back an additional five (5) feet from the original setback.
- b. The average setback along the block shall equal the original setback requirement.
- c. The purpose of this average setback is to encourage a variety of front yard setbacks along a street.
- d. In no case shall the average front yard setback be less than the minimum established in Table 1: Setbacks.

G. Architectural Standards: The following architectural standards shall apply to all single-family homes on **Type C** lots within this Planned Development District:

1. Exterior Façade Building Materials: Exterior construction materials shall consist only of brick, natural stone, cut stone, cast stone, stucco, cementitious fiber board, or any combination thereof. Glass, cement siding, or similar materials may be used for window box-outs, bay windows, roof dormers, or similar architectural features. Rough sawn wood timbers or similar materials may be used for architectural features such as columns and headers above windows and garage doors.
2. Minimum Roof Pitch: The minimum roof pitch shall be 6:12 for single-story structures and 4:12 for two-story structures. Porches, dormers, and other architectural features shall have a minimum roof pitch of 2:12.
3. Roof Material: Roof materials shall be composition 30-year architectural shingles, standing seam metal or copper, natural or imitation slate shingles, or natural or imitation clay shingles. Wooden shingles are prohibited.
4. Garages: Garages may face the street. The minimum garage size is eighteen (18) feet in width by twenty (20) feet in depth. Driveways may extend into the side yard setback a maximum of three (3) feet.
5. Landscaping: Required landscaping shall include a minimum of one (1) three-inch (3") caliper shade tree in the front yard. Two (2) ornamental trees may be planted in lieu of a shade tree. Additionally, at least one (1) row of shrubs with a minimum height of twenty-four inches (24") shall be planted on three-foot (3') centers along the front elevation of the home (excluding the garage and front entry).
6. Fencing: Fencing must conform to Ordinance 20-02 or its successor ordinances relating to fencing.
  - a. Retaining Walls: Retaining walls must be constructed of stone.
7. Driveway, Front Walkway, and Front Porch Materials: All driveways, front walkways, and front porches must be constructed of complementary brick pavers, natural stone, interlocking pavers, stamped stained concrete, exposed aggregate, brushed concrete, or

salt with stain finish and bordered with stone, brick, or stamped and stained concrete.

8. Patios: All front yard patios must be covered and included in the roofline of the home.
9. Screening of Air Conditioning Units and Pool Equipment: Air conditioning units and pool equipment shall be screened from the view of the street by a fence or landscaping. Setback requirements for air conditioning units and pool equipment shall not apply to Type C lots.
10. Design Repetition: A dwelling may not be constructed with the same elevation and floor plan as another dwelling within 3 lots on each side of the street. A dwelling with the same floor plan as another dwelling, but a different elevation must be separated by a minimum of two lots

### **3. General Conditions**

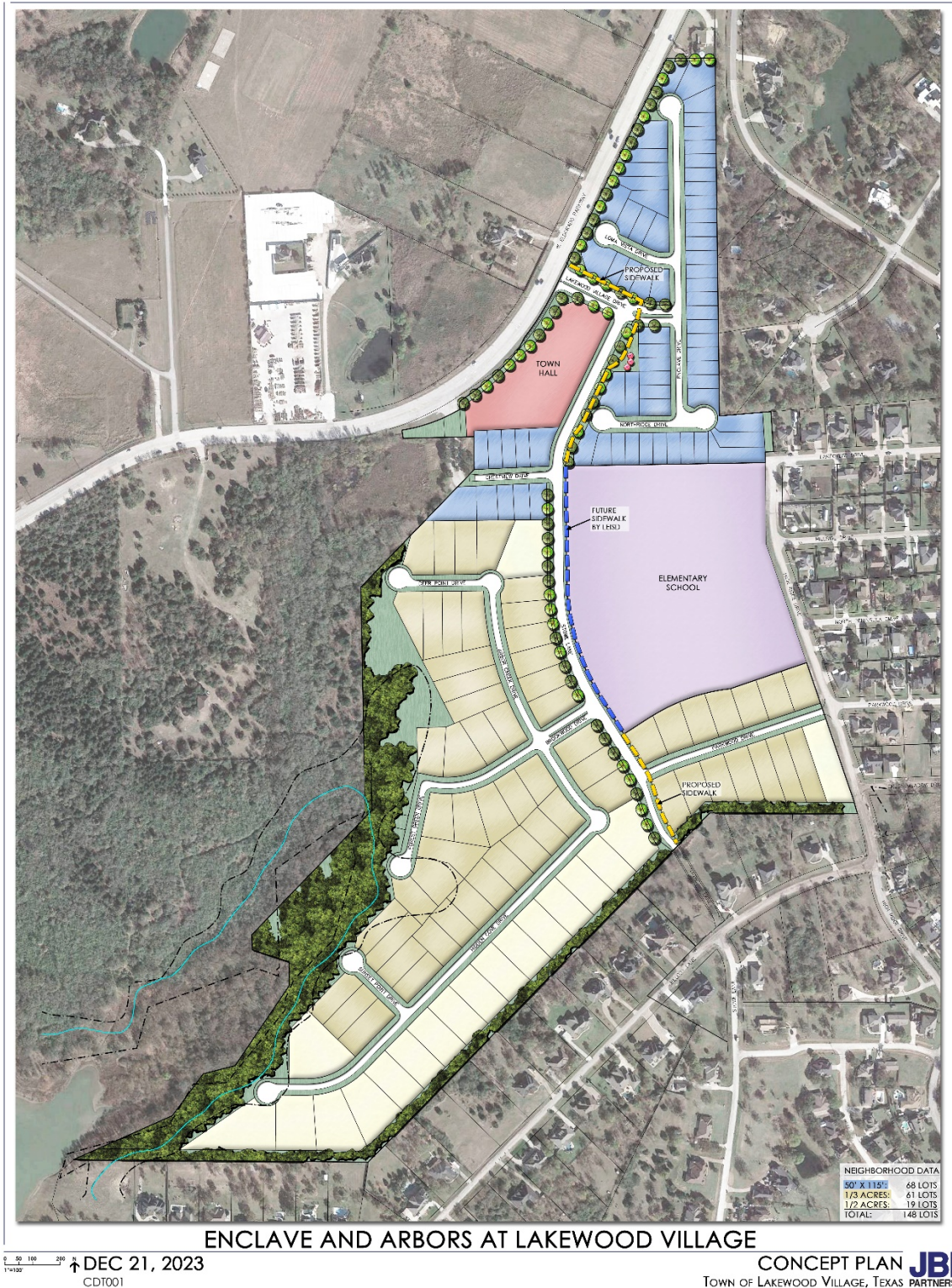
- A. Parks, Open Space, and Greenbelt Buffers: A minimum of eleven (11) acres of parks, open space, and greenbelt buffers and an additional approximately three acres to the Town for use as a town hall and park, shall be dedicated to the Town in the approximate locations depicted on the Concept Plan. The parks, open space, greenbelt buffers, and Town Hall site shall be dedicated to the Town at the time each respective area is platted. These collective dedications shall satisfy all obligations for park dedication and park fees for this Planned Development district.
- B. Screening of Lots Backing to Streets: Where single-family lots back to a street, a minimum ten (10) foot wide greenbelt buffer dedicated to the Town shall be located between the lots and the adjacent right-of-way. Within the greenbelt buffer, trees and shrubs shall be planted to screen the back of the lots from the adjacent streets. No driveway access is allowed across a greenbelt buffer. A minimum six (6) foot wrought iron or tubular steel fence shall be constructed on the greenbelt buffer adjacent to the property line of the single-family lots. Masonry columns and short sections of a masonry wall may be incorporated into the fence for visual enhancement. Where Type C lots back to Eldorado Parkway, a minimum six (6) foot masonry wall, or wooden fence, and earthen berms may be constructed in lieu of the wrought iron or tubular steel fence. The wooden fence shall be placed on the property line of the lots which are adjacent to Eldorado and ownership/responsibility of the fence shall transfer to the owner of the lot. Where lots back to Eldorado CCD shall plant trees and shrubs in a manner which entirely blocks the fence from being viewed from Eldorado. The greenbelt buffer, the fence or wall, trees, and shrubs are illustrated on the Screening Plan attached hereto as Exhibit D
- C. Landscaping of Parks, Open Space, and Trail: An effort will be made to preserve existing trees within the forty (40) foot wide greenbelt and natural open space areas identified on the Concept Plan. In addition, the developer will install trees and turf within the parks in accordance with the Planting Plan attached hereto as Exhibit E and within the greenbelt buffers in accordance with Screening Plan attached hereto as Exhibit D

- D. Sidewalks: No sidewalks are required except that the developer shall construct six-foot (6') wide sidewalks in the locations depicted on Concept Plan.
- E. Mailboxes: Cluster box units will be provided for mail delivery as required by the United States Postal Service. Cluster box units will be located within the centralized parks/open space areas or at a location otherwise designated by the Town.
- F. Applicable Regulations: Development approvals including but not limited to, the Town's approval of: (i) preliminary and final plats that are generally in accordance with the Concept Plan, and (ii) construction plans for the Properties that meet or exceed the applicable requirements of Town regulations, as they exist on the date of the adoption of these regulations, including Subdivision Ordinance No. 14-13, Zoning Ordinance No. 19-02 as amended, , Public Works Construction Standards Ordinance No. 14-11, and Lighting Ordinance No. 19-03 (collectively the "**Applicable Regulations**"), shall be granted without regard to any subsequent amendments to the Applicable Regulations for a period of six (6) years from the adoption of these regulations.



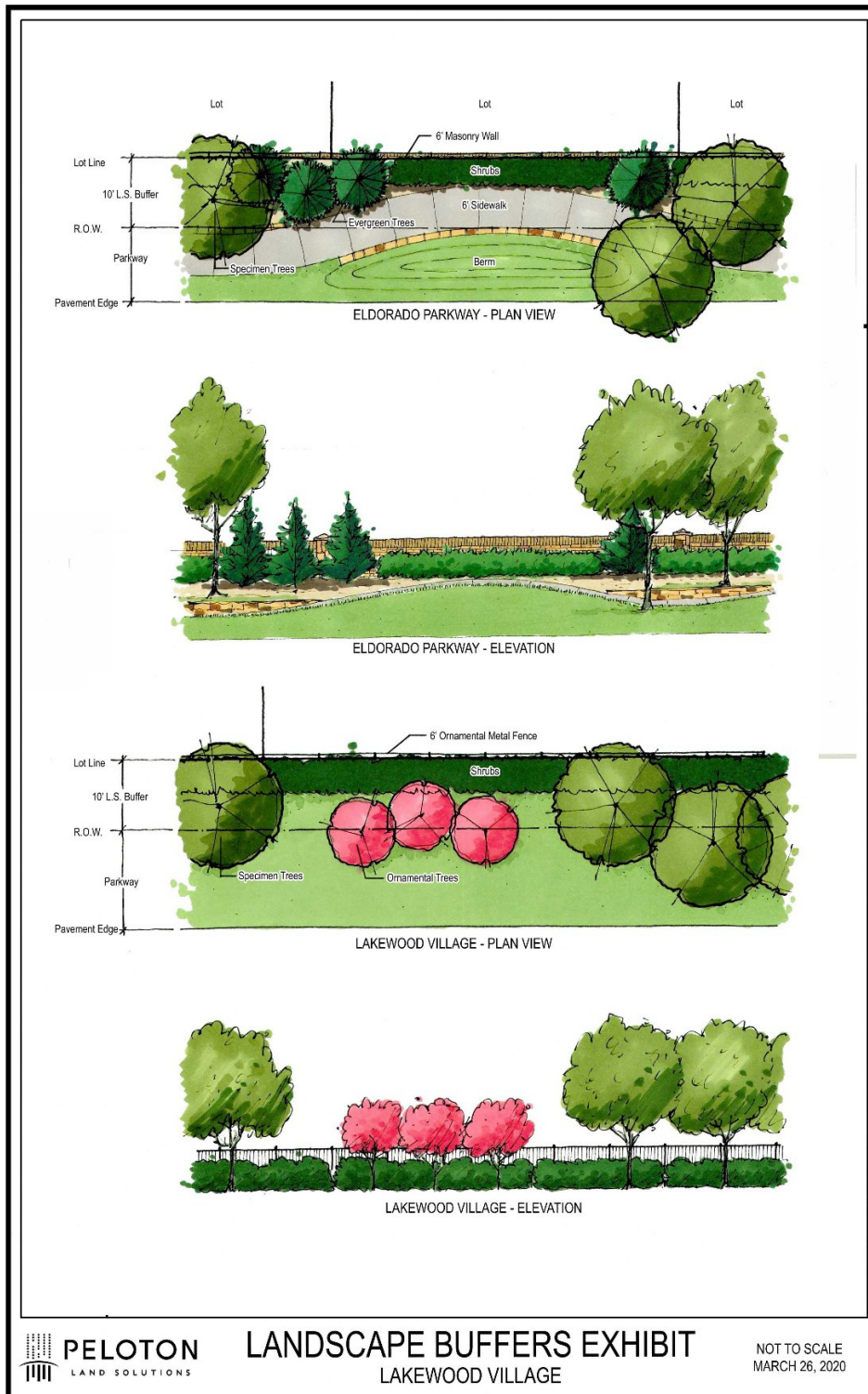
# EXHIBIT C

## Conceptual Plan





## EXHIBIT D Screening Plan



# EXHIBIT E

## Park Plan(s)

