

ORDINANCE NO. 07-12-742

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE AND MAP, ORDINANCE NO. 04-05-610 BY GRANTING A SPECIFIC USE PERMIT ON APPROXIMATELY 3.699 ACRES OUT OF THE GEORGE H. PEGUES SURVEY, ABSTRACT NO. 699, LOCATED IN THE CITY OF MURPHY, COLLIN COUNTY, TEXAS AND MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE FOR ALL PURPOSES, APPROVING SPECIFIC USE PERMIT STANDARDS HERETO AS EXHIBIT "B"; PROVIDING A SEVERABILITY CLAUSE, PROVIDING A PENALTY CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Murphy and the City Council of the City of Murphy, in compliance with the laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested, and the City Council of the City of Murphy is of the opinion and finds that said specific use permit should be granted and that the Comprehensive Zoning Ordinance should be amended;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MURPHY, TEXAS, AS FOLLOWS:

Section 1. That the Comprehensive Zoning Ordinance and Map of the City of Murphy, Texas, be, and the same are hereby, amended so as to grant a Specific Use Permit for the property described as 3.699 acres, more or less, in the George H. Pegues Survey, Abstract No. 699, in the City of Murphy, Collin County, Texas, and more particularly described in Exhibit "A" attached hereto and made part hereof for all purposes.

Section 2. That the development standards for this Specific Use Permit are attached hereto as Exhibit "B", and the same are hereby approved for said Specific Use Permit as required by Section 86-635(b), of the City of Murphy, Texas Code of Ordinances.

Section 3. That Ordinance No. 04-05-610, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 4. If any word, section, article, phrase, paragraph, sentence, clause or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect, for any reason, the validity of the remaining portions of the Comprehensive Zoning Ordinance, Ordinance No. 04-05-610, and the remaining portions shall remain in full force and effect.

Section 5. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, in the municipal court of the City of Murphy, Texas, shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day any such violation 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 and Charter in such cases provide.

PASSED, APPROVED AND ADOPTED this the 3rd day of December 2007.

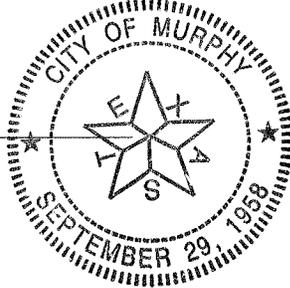


Bret M. Baldwin, Mayor
City of Murphy

ATTEST:



Aimee Nemer, City Secretary
City of Murphy



APPROVED TO FORM AND LEGALITY:

Robert Brown, City Attorney

Location Map

Zoning File 2007-06



Subject Property

Heritage Parkway

Merideth Drive

Shelby Trace

West FM 544


CITY OF MURPHY

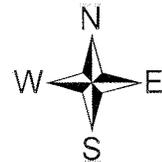


EXHIBIT B

ZONING FILE NO. 2007-06

**Northeast Corner
FM 544 and Heritage Parkway**

SPECIFIC USE PERMIT FOR AN ASSISTED LIVING FACILITY

- I. **Statement of Purpose:** The purpose of this Specific Use Permit is to allow an Assisted Living Facility compatible with the surrounding area.
- II. **Statement of Effect:** This permit shall not affect any regulation found in the City of Murphy Code of Ordinances, Ordinance No. 06-12-708, as amended, except as specifically provided herein.
- III. **General Regulations:** All regulations of the NS (Neighborhood Service) District as set forth in Chapter 86, Article III, Division 13, Ordinance No. 06-12-708 shall apply, except as otherwise specified in this ordinance.
- IV. **Specific Regulations:**
 - A. Concept Plan: Development shall be in general conformance with the approved Concept Plan (Labeled Exhibit C).
 - B. Elevations: Exterior construction shall be in general conformance with the approved architectural renderings (labeled Exhibit D).
 - C. Signage: Two monument signs shall be allowed for the assisted living facility as depicted on the concept plan and shall comply with the dimensions set forth in Section 86-965 of the Code of Ordinances. The existing sign for the Windy Hill Farms subdivision shall be allowed to remain and is considered a conforming sign as defined by Section 86-965 of the Code of Ordinances.
 - D. Maintenance: The subject property shall be maintained in a clean manner.