

## **ORDINANCE 2025-01-02**

AN ORDINANCE OF THE TOWN OF WESTON, COLLIN COUNTY, TEXAS AMENDING WESTON'S ZONING ORDINANCE, AS AMENDED, TO REZONE 15.359 ± ACRES OF LAND SITUATED IN THE ABS A0965 WILLIAM WARDEN SURVEY, TRACT 26, 15.359 ACRES SURVEY ABSTRACT NO. A0965, COLLIN COUNTY, TEXAS, HERETOFORE ZONED AGRICULTURAL; PROVIDING THAT THE PROPERTY IS REZONED AND PLACED IN THE RESIDENTIAL ESTATE DISTRICT ZONING CLASSIFICATION; DESCRIBING THE TRACTS TO BE REZONED; PROVIDING FOR A PENALTY CLAUSE; SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

**WHEREAS**, the Town of Weston, Texas is a Type A general-law municipality located in Collin County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, the Town Council has previously adopted a zoning ordinance to provide for the orderly development of land; and

**WHEREAS**, McCollum Estates Holding, LP ("Owner") initiated a request to rezone 15.359± acres of land, situated in the ABS A0965 WILLIAM WARDEN SURVEY, TRACT 26, 15.359 ACRES Survey, Abstract No. A0965, Collin County, Texas, more particularly described in Exhibit A, attached hereto, and incorporated herein for all purposes (the "Property"); and

**WHEREAS**, Owners have requested that the Zoning Ordinance be amended to rezone the Property, heretofore zoned Agricultural by placing it in the Residential Estate District 1 zoning classification; and

**WHEREAS**, all legal notices for rezoning have been given in the manner and form required by law; 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 determined that this amendment is in the best interest of the public health, safety, and general welfare.

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

### **SECTION 1 AMENDMENT**

1. The zoning map is hereby amended in order to zone approximately 15.359 ± acre tract located at 6558 West F.M. 455 from Agricultural District to Residential Estate District 1.
2. The subject property shall develop in accordance the requirements of "RED 1" Residential Estate District 1.

**SECTION 2**  
**NO VESTED INTEREST/REPEAL**

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 Any portion of this Ordinance may be repealed by the Town Council in the manner provided for by law.

**SECTION 3**  
**UNLAWFUL USE OF PROPERTY**

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

**SECTION 4**  
**PENALTY**

Any person, firm, entity violating any provision of this Ordinance, or the Zoning Ordinance, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in an amount not exceeding TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00). A violation of any provision of this Ordinance shall constitute a separate violation for each calendar day in which it occurs. The penal provisions imposed under this Ordinance shall not preclude Weston from filing suit to enjoin the violation. Weston retains all legal rights and remedies available to it pursuant to local, state and federal law.

**SECTION 5**  
**REPEALING/SAVINGS**

The Zoning Ordinance 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 the 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 6**  
**SEVERABILITY**

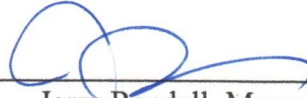
It is hereby declared to be the intention of the Town Council that the phrases, clauses, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court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

**SECTION 7  
EFFECTIVE DATE**

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

**PASSED AND APPROVED by Council this, the 15 day of January 2025.**

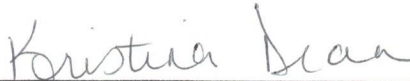
APPROVE



\_\_\_\_\_  
Jerry Randall, Mayor



ATTEST



\_\_\_\_\_  
Kristina Dean, Town Secretary



## **EXHIBIT A**

### **Legal Description**

McCollum Estate Holding, LP is the owner of a tract of land situated in the State of Texas, County of Collin, Town of Weston, being part of the William Warden Survey, Abstract No. 965, being all of a called 15.359-acre tract of land as recorded under County Clerk's File No. 2022000172525 of the Deed Records of Collin County, Texas with said premises being more particularly described as follows:

BEGINNING at a ½" iron rod found in the north right-of-way line of F.M. Highway 455, marking the southwest corner of a called 25.577-acre tract of land as recorded in County Clerk' File No. 19710127077405480 of the Deed Records of Collin County, Texas, the southeast corner of said 15.359-acre tract and the herein described premises.

THENCE with the north right of way line of F.M. Highway 455 and the south line of said 15.359-acre tract, South 87°53'00" West, 318 feet to a ½" iron rod found marking the southeast corner of a called 15.40-acre tract of land as recorded under County Clerk's File No. 20161103001498100 of the Deed Records of Collin County, Texas, the southwest corner of said 15.359-acre tract and said premises;

THENCE with the east line of said 15.40 acre tract and the west line of said 15.359 acre tract, North 00°54'29" west, 2,119.07 feet to a ½" iron rod found in the south line of a 100.00 acre tract of land as recorded in County Clerk's File No. 20200928001659370 of the Deed Records of Collin County, Texas, marking the northeast corner of said 15.40 acre tract, the northwest corner of said 15.359 acre tract and said premises;

THENCE with the south line of said 100.00 acre tract and the north line of said 15.359 acre tract, North 88°42'39" East, 314.21 feet to a ½" iron rod found marking the northwest corner of the aforementioned 25.577 acre tract, the northeast corner of said 15.359 acre tract, South 01°00'32", 2,114.46 feet to the place of beginning and containing 15.359 gross acres of land, of which 2.292 acres is dedicated for Right-of-Way for Oak Lane, leaving 13.067 net acres of land.