

TOWN OF PROSPER, TEXAS

ORDINANCE NO. 2024-11

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING A TRACT OF LAND CONSISTING OF 0.50 ACRES, MORE OR LESS, SITUATED IN THE BRYANT'S ADDITION, BLOCK 22, LOTS 7, 8, AND 9, IN THE TOWN OF PROSPER, COLLIN COUNTY, TEXAS, FROM SINGLE FAMILY-15 (SF-15) TO PLANNED DEVELOPMENT-125 (PD-125), DESCRIBING THE TRACT TO BE REZONED; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVING AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the Town Council of the Town of Prosper, Texas (the "Town Council") has investigated and determined that the Zoning Ordinance should be amended; and

WHEREAS, the Town of Prosper, Texas ("Prosper") has received a request (Case ZONE-23-0028) from Kevin & Jennifer Pittman ("Applicants"), to rezone 0.50 acres of land, more or less, Bryant's Addition, Block 22, Lots 7, 8, and 9, in the Town of Prosper, Collin County, Texas, and being more particularly described in Exhibit "A", attached hereto and incorporated herein for all purposes; and

WHEREAS, 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 Prosper and its inhabitants to rezone this property as set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, THAT:

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

Amendment to the Town's Zoning Ordinance. The Town's Zoning Ordinance is amended as follows: The zoning designation of the below described property containing 0.50 acres of land, more or less, in the Bryant's Addition, Block 22, Lots 7, 8, and 9, Town of Prosper, Collin County, Texas, and all streets, roads, and alleyways contiguous and/or adjacent thereto are hereby zoned as Planned Development-125 and being more particularly described in Exhibit "A", attached hereto and incorporated herein for all purposes as if set forth verbatim.

The development plans, standards, and uses for the Property in this Planned Development District shall conform to, and comply with (1) the Statement Intent and Purpose, attached hereto as Exhibit B; (2) the Development Standards, attached hereto as Exhibit C, all of which are incorporated herein for all purposes as if set forth verbatim, subject to the following condition of approval by the Town Council:

1. Approval of a Development Agreement, including, but not limited to, architectural building materials.

Two (2) original, official, and identical copies of the zoning exhibit map are hereby adopted and shall be filed and maintained as follows:

- a. One (1) copy shall be filed with the Town Secretary and retained as an original record and shall not be changed in any manner.
- b. One (1) copy shall be filed with the Building Official 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 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 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. Any person, firm, corporation, or business entity violating this Ordinance or any provision of Prosper's Zoning Ordinance, as amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined any 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 Prosper from filing suit to enjoin the violation. Prosper retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 6

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 all remaining portions of this Ordinance shall remain in full force and effect. Prosper 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 7

Savings/Repealing Clause. Prosper's Zoning Ordinance, as amended, 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 appeal prevent a prosecution from being commenced for any violation if occurring prior to the repealing of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 8

Effective Date. This Ordinance shall become effective from and after its adoption and publications as required by law.

DULY PASSED, APPROVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, ON THIS 9TH DAY OF JANUARY 2024.



David F. Bristol, Mayor

ATTEST:



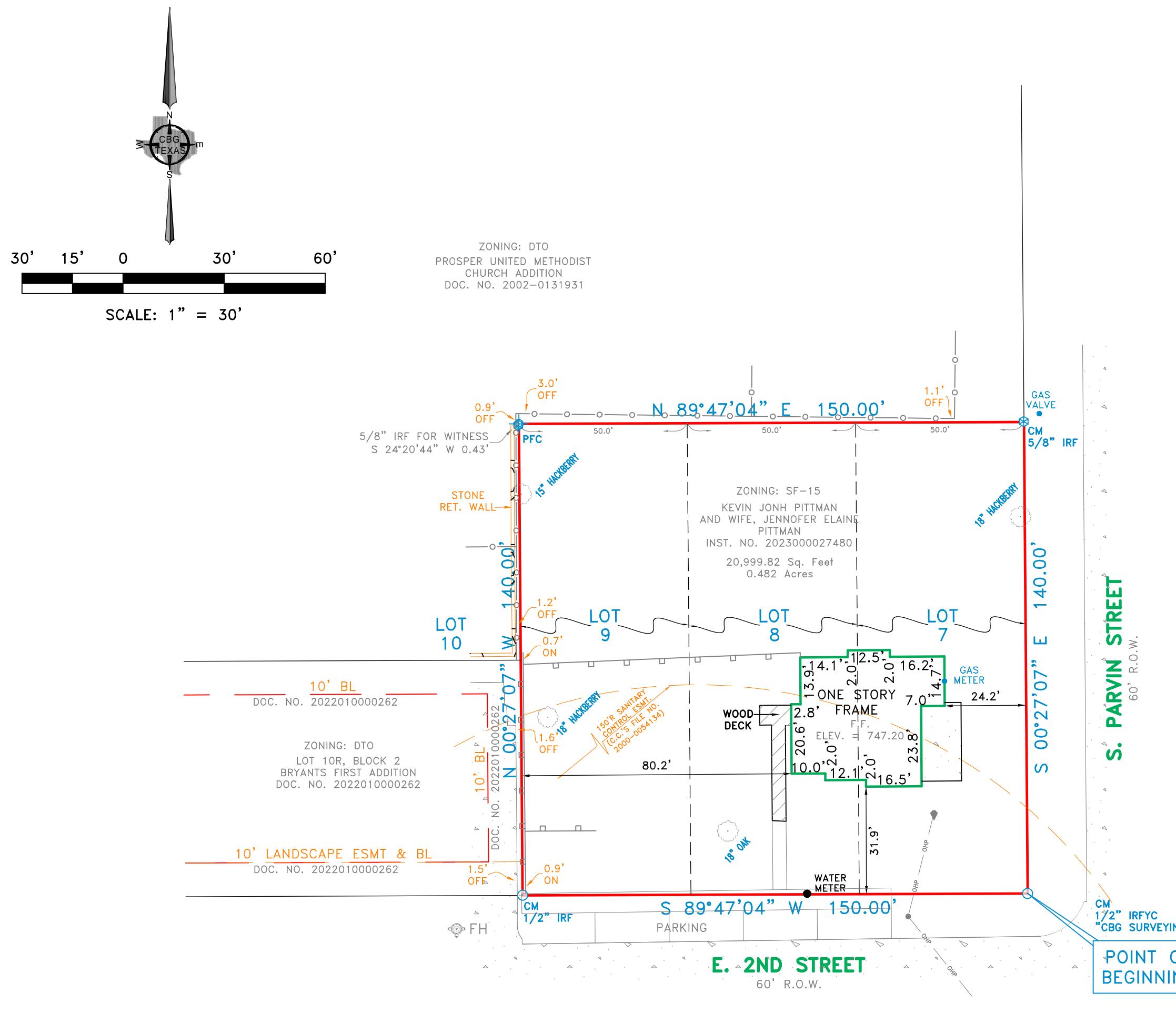
Michelle Lewis Sirianni, Town Secretary

APPROVED AS TO FORM AND LEGALITY:



Terrence S. Welch, Town Attorney





202 South Parvin Street

Being a 0.482 acres tract of land situated in the Collin CSL Survey, Abstract Number 147, Collin County, Texas, same being Lots 7, 8, and 9, Block 22, of Bryants Addition, an Addition to the City of Prosper, Collin County, Texas, according to the Plat there of recorded in Volume 116, Page 162, same being a tract of land conveyed to Kevin John Pittman and wife, Jennifer Elaine Pittman, by deed recorded in Instrument Number 2023000027480, Official Public Records, Collin County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found with yellow cap stamped "CBG Surveying" for corner, said corner being in the Intersection of the West right-of-way line of S. Parvin Street (a 60-foot right-of-way) and the North right-of-way line of E. 2nd Street (a 60-foot right-of-way);

THENCE South 89 degrees 47 minutes 04 seconds West, along the North right-of-way line of said E. 2nd Street, a distance of 150.00 feet to a 1/2-inch iron rod found for corner, said corner being along the North right-of-way line of said E. 2nd Street, same being the Southeast corner of Lot 10R, Block 2, Bryants First Addition, an Addition to the City of Prosper, Collin County, Texas, according to the Plat thereof recorded in Document Number 2022010000262, Official Public Records, Collin County, Texas;

THENCE North 00 degree 27 minutes 07 seconds West, along the East line of said Lot 10R, a distance of 140.00 feet to a point for corner, said corner being a Southeast "ELL" corner of Prosper United Methodist Church Addition, an Addition to the City of Prosper, Collin County, Texas, according to the Plat thereof recorded in Document Number 2002-0131931, Official Public Records, Collin County, Texas, from which a 5/8- inch iron rod found bears South 24 degrees 20 minutes 44 seconds West, a distance of 0.43 feet for witness;

THENCE North 89 degrees 47 minutes 04 seconds East, along a South line of said Prosper United Methodist Church Addition, a distance of 150.00 feet to a 5/8-inch iron rod found for corner, said corner being a Southeast corner of said Prosper United Methodist Church Addition, same being along the West right-of-way line of said S. Parvin Street;

THENCE South 00 degree 27 minutes 07 seconds East, along the West right-of-way line of said S. Parvin Street, a distance of 140.00 feet to the POINT OF BEGINNING and containing 20,999.82 square feet and or 0.482 acres of land.

SURVEYOR'S CERTIFICATE

The undersigned Registered Professional Land Surveyor hereby certifies to the Cilent, in connection with the transaction described in G.F.1005-376810-RTT that, (a) this survey and the property description set forth hereon were prepared from an actual on-the-ground survey; (b) such survey was conducted by the Surveyor, or under his direction; (c) all monuments shown hereon actually existed on the date of the survey, and the location, size and type of material thereof are correctly shown; Use of this survey by any other parties and/or for other purposes shall be at User's own risk and any loss resulting from other use shall not be the responsibility of the undersigned. The plat hereon is a correct and accurate representation of the property lines and dimensions are as indicated; location and type of buildings are as shown; and EXCEPT AS SHOWN, all improvements are located within the boundaries the distances indicated and there are no visible and apparent encroachments or protrusions on the ground.

Executed this 6th day of December, 2023

Bryan Connally
Registered Professional Land Surveyor



NOTE: According to the F.I.R.M. in Map No. 48085C0235J, this property does lie in Zone X and DOES NOT lie within the 100 year flood zone.

ACCEPTED BY:

LEGEND	
CM	CONTROLLING MONUMENT
○	1/2" IRON ROD FOUND
⊗	1/2" IRON ROD SET
○	1" IRON PIPE FOUND
□	FENCE POST CORNER
☒	"X" FOUND / SET
⬡	5/8" ROD FOUND
▲	UNDERGROUND ELECTRIC
△	OVERHEAD ELECTRIC
●	POWER POLE
PE	POOL EQUIPMENT
■	COLUMN
AC	AIR CONDITIONING
HY	FIRE HYDRANT
OES	OES
OHP	OHP
POINT FOR CORNER	POINT FOR CORNER
GRAVEL/ROCK ROAD OR DRIVE	GRAVEL/ROCK ROAD OR DRIVE
ASPHALT PAVING	ASPHALT PAVING
CHAIN LINK FENCE	CHAIN LINK FENCE
WOOD FENCE	WOOD FENCE
0.5" WIDE TYPICAL	0.5" WIDE TYPICAL
BARBED WIRE	BARBED WIRE
IRON FENCE	IRON FENCE
PIPE FENCE	PIPE FENCE
COVERED PORCH,DECK OR CARPORT	COVERED PORCH,DECK OR CARPORT
OVERHEAD ELECTRIC SERVICE	OVERHEAD ELECTRIC SERVICE
OVERHEAD POWER LINE	OVERHEAD POWER LINE
CONCRETE PAVING	CONCRETE PAVING
DOUBLE SIDED	DOUBLE SIDED
WOOD FENCE	WOOD FENCE



1413 E. IH-30, Ste. 7
Garland, TX 75043
P 214.349.9485
F 214.349.2216
Firm No. 10168800
www.cbtxllc.com

ZONING EXHIBIT SURVEY

COLLIN CSL SURVEY, ABSTRACT NO.147

CITY OF PROSPER, COLLIN COUNTY, TEXAS

202 SOUTH PARVIN STREET

NOTES:
BEARINGS, EASEMENTS AND BUILDING LINES ARE BY RECORDED PLAT UNLESS
OTHERWISE NOTED.

Letter of Intent

9/1/23

202 S. Parvin Prosper, TX 75078

Owners: Kevin & Jennifer Pittman

Current Zoning: Residential/Future DTO

Proposed Zoning: DTO (Downtown Office)

Description of project:

Owners purchased the historic Bounds/Webb home and intend to restore and repair it for Office use. Kevin Pittman will use the office as the primary location for Ameriprise Financial Planning Business. Keeping the aesthetic and historical components of the project is part of the focus. No square footage will be added or removed.

Property description:

Home was built circa 1912 by Dr. Robert Bounds.

Lot is adjacent to Coptic Christian Church property and Lake Point Assisted Living.

Lot is 21,000 sq ft or .48 acres. Owners are in the process of replatting with the intent to sell North parcel.

We are requesting parallel on-street parking to include ADA space.

Business will only access and utilize the 1st floor consisting of 1326 sq ft. The second floor will be restricted to storage/attic only and not accessible. They would like to keep and rope off the historic staircase original to the home for aesthetics only.

Submitted by:

Kevin & Jennifer Pittman

Bob Jameson (Project Representative/General Contractor McKinley Creek Homes)

Exhibit "C"
Development Standards

This tract shall develop under the regulation of the Downtown Office (DTO) District as outlined in the Town's Zoning Ordinance as it exists or may be amended with the following conditions:

1.0 Permitted Uses

1.1 The permitted land uses within this Planned Development District are as follows:

- Administrative/Medical and Professional Office
- Business Service
- Insurance Office

2.0 Landscaping

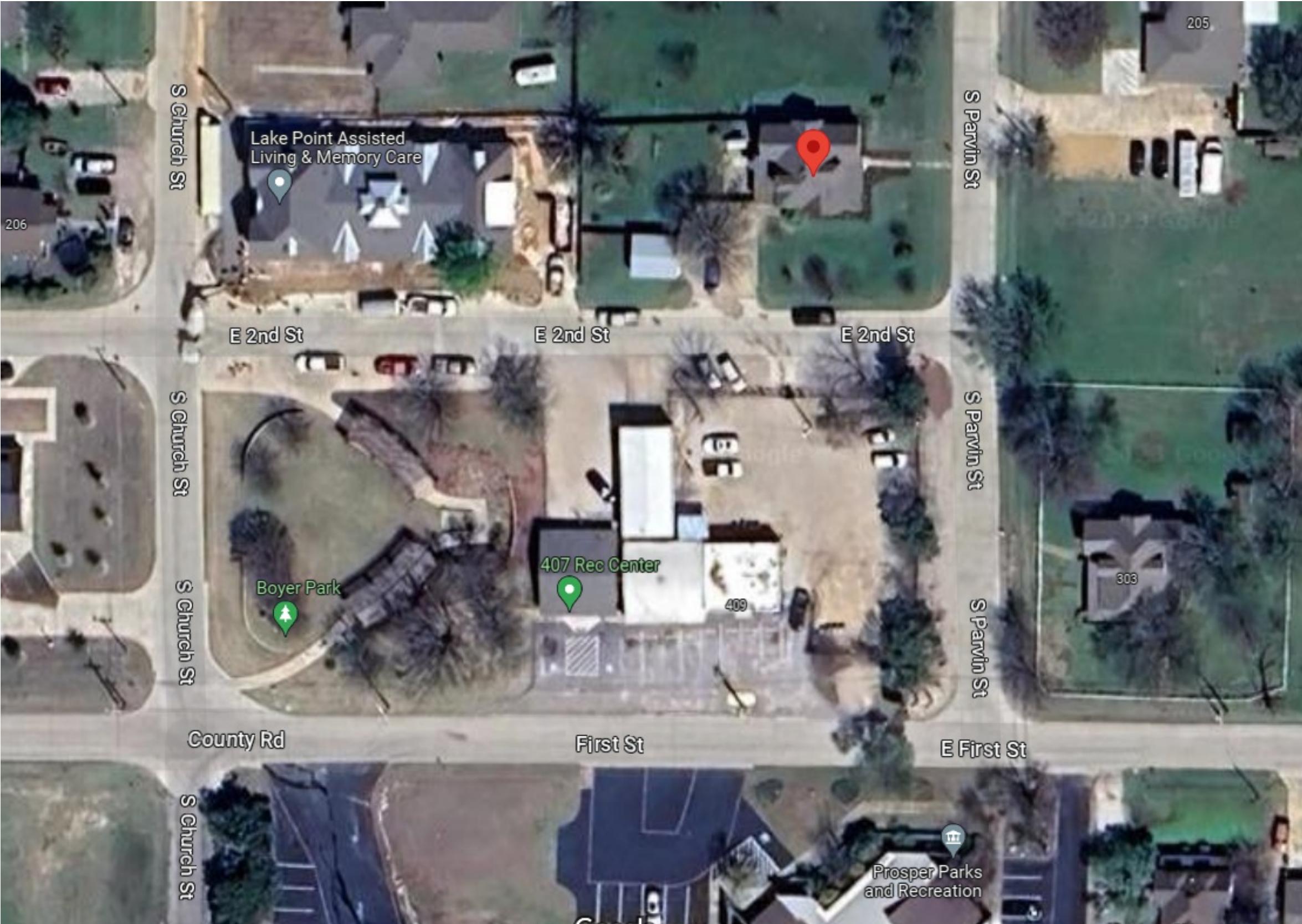
2.1 The landscaping requirements within this Planned Development District are as follows:

- 5' Landscaping Buffer around the northern, eastern, southern, and western property lines.

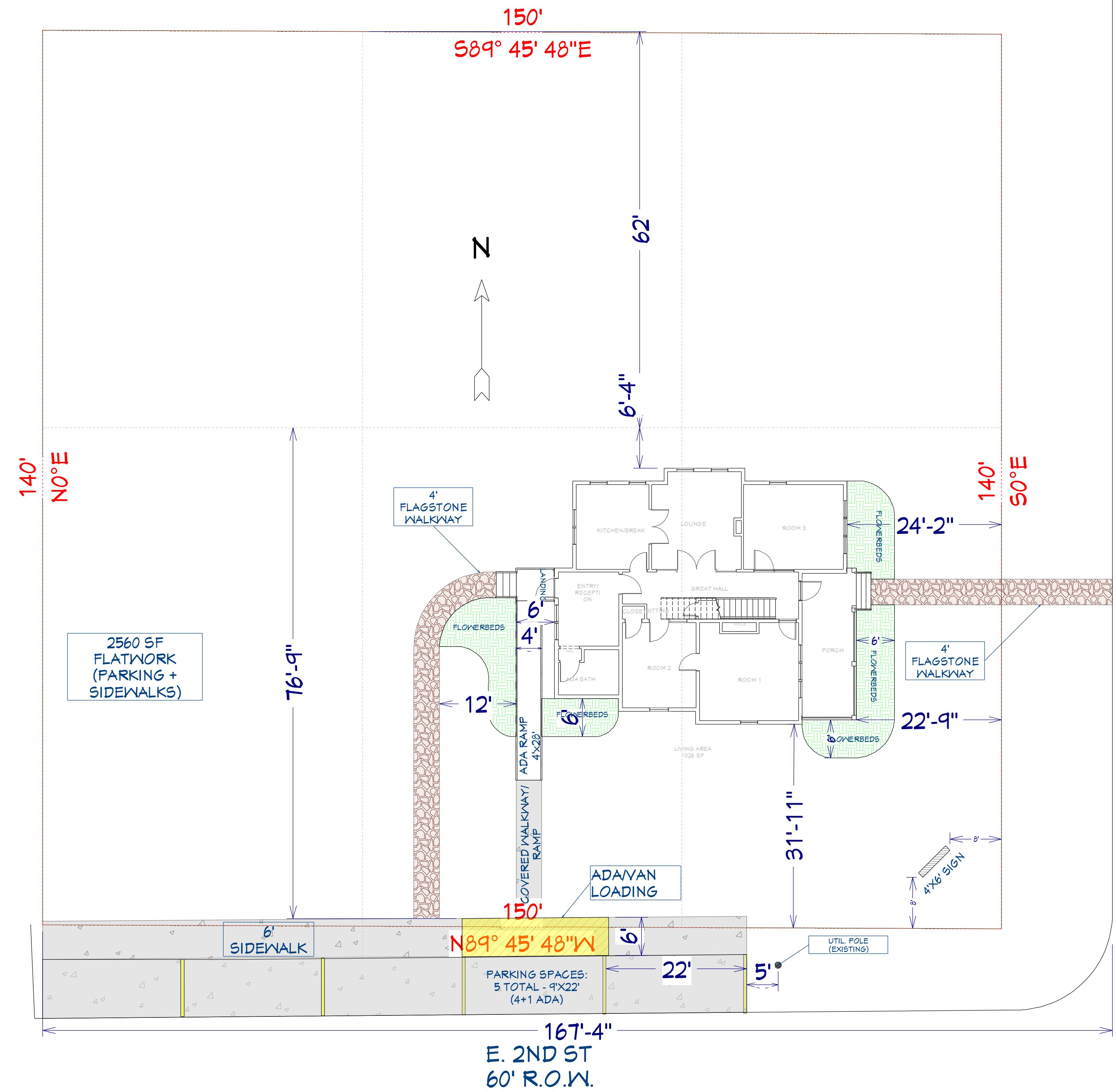
3.0 Architectural Standards

3.1 The architectural standards within this Planned Development District are as follows:

- All construction shall have an approved façade plan before issuance of a building permit.
- Structures shall incorporate covered porches into the front façade, a multiplicity of roof forms, and high pitch roof lines. The recommended architectural styles are Folk Traditional, Craftsman, and Victorian.



SUBJECT PROPERTY & VICINITY (SAT VIEW)



1"=10' SCALE

DATE:

SCALE:

$$1/4"=1'$$

SHEET:

4

1

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1000

PITTMAN FINANCIAL PLANNING 2025. PARRYIN ST BROOKLYN, NY

BLIDE

DESIGNS

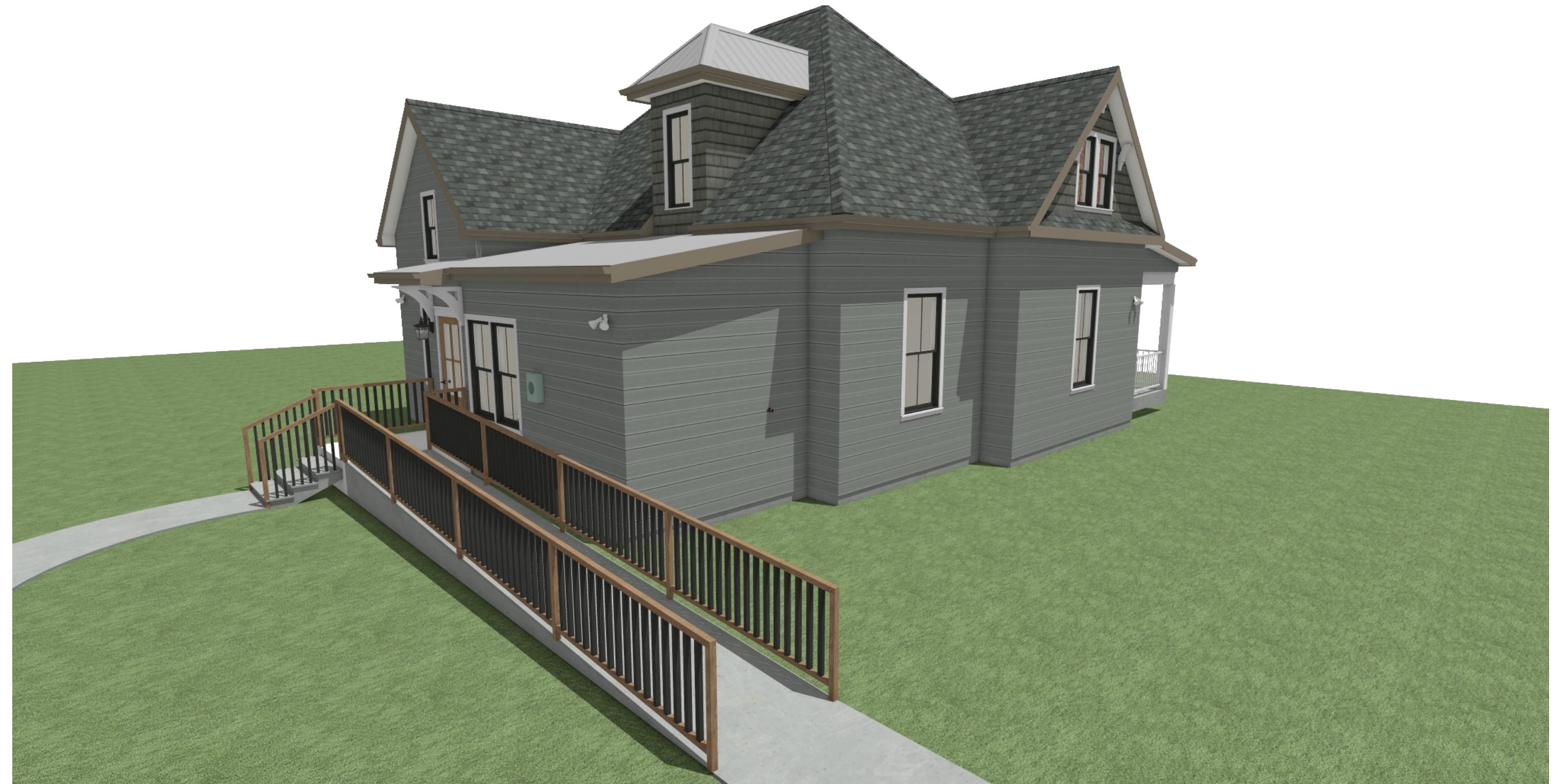
DATE:

SCALP

SCALE:

CHART

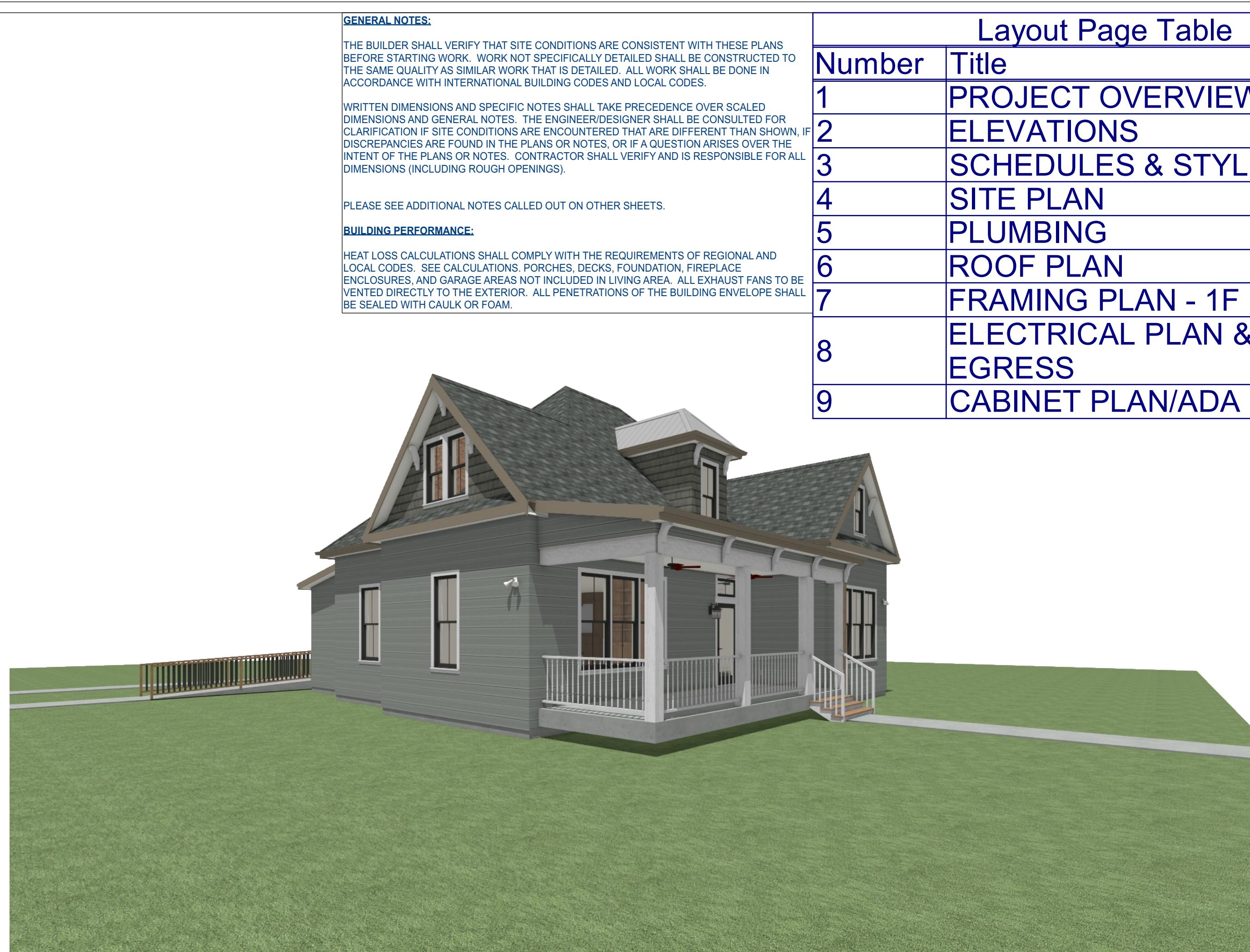
4



FRONT-LEFT



BACK-LEFT



FRONT-RIGHT



BACK-RIGHT

APPLICABLE CODES:

BUILDING CODE:

FIRE CODE:

ENERGY CODE:

PLUMBING CODE:

MECHANICAL CODE:

ELECTRIC CODE:

ALL CODES WITH LOCAL AMENDMENTS

2021 INTL BUILDING CODE (IBC)
 2021 INTL FIRE CODE
 2021 INTL ENERGY CONSERVATION CODE
 2021 INTL PLUMBING CODE
 2021 INTL MECHANICAL CODE
 2021 NATIONAL ELECTRIC CODE

TOTAL 1F CONDITIONED AREA:	1326 SF
FRONT PORCH:	197 SF
BACK PORCH:	36 SF
TOTAL 1F UNDER ROOF:	1734 SF

Revision Table			
Label	Date	Revised By	Description
REV 01	1/12/2021	AJH	INITIAL PLAN DEVELOPMENT
REV 02	3/14/2023	AJH	BID PLAN RELEASE
REV 04	7/27/2023	AJH	VARIOUS UPDATES
REV 05	8/9/2023	AJH	UPDATED PARKING, BUILDING INFO.
REV 06	10/2/2023	AJH	REVISED PARKING/WALKWAYS

<p>-INTERIOR & EXTERIOR 3D MODEL AVAILABLE (AS NEEDED) UPON REQUEST -2D ELECTRONIC CAD FILE AVAILABLE (.DWG, .DXF) UPON REQUEST -PLEASE REQUEST EITHER HOMEOWNER OR VIA DESIGNER CONTACT INFO</p> <p>To the best of my knowledge these plans are drawn to comply with owner's and/ or builder's specifications and any changes made on them after prints are made will be done at the owner's and / or builder's expense and responsibility. The contractor shall be responsible for all construction and design drawings. Hamilton Handcrafted/Abide Home Designs is not liable for errors once construction has begun. While every effort has been made in the preparation of this plan to avoid mistakes, the maker can not guarantee against human error. The contractor of the job must check all dimensions and other details prior to construction and be solely responsible thereafter.</p>
<p>BUILDING CONTRACTOR/HOME OWNER TO REVIEW AND VERIFY ALL DIMENSIONS, SPECS, LOCAL CODE/BUILDER REQUIREMENTS & CONNECTIONS BEFORE CONSTRUCTION BEGINS.</p> <p>MIN. CODE RECOMMENDATIONS: ELECTRICAL SYSTEM CODE: SEC.2701 MECHANICAL SYSTEM CODE: SEC.2801 PLUMBING SYSTEM CODE: SEC.2901 (CONSULT LOCAL/CITY BUILDING REQUIREMENTS)</p>



Exterior Elevation Front



Exterior Elevation Right



Exterior Elevation Back

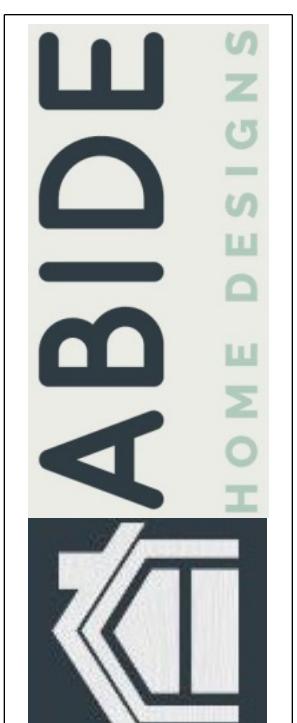


Exterior Elevation Left

EXTERIOR MATERIALS:	
SOFFIT:	HARDI PLANK TRIM AND SOFFIT
SIDING:	HARDI 5.25" LAP SIDING
ACCENT SIDING	HARDI SINGLE, STAGGERED
ROOF:	COMPOSITE SHINGLES (GRAY)
ROOF/AWNINGS:	CFS PANEL (GALVALUME)
PORCH POSTS:	8" WOOD, PAINTED
CORNER BOARD TRIM:	YES

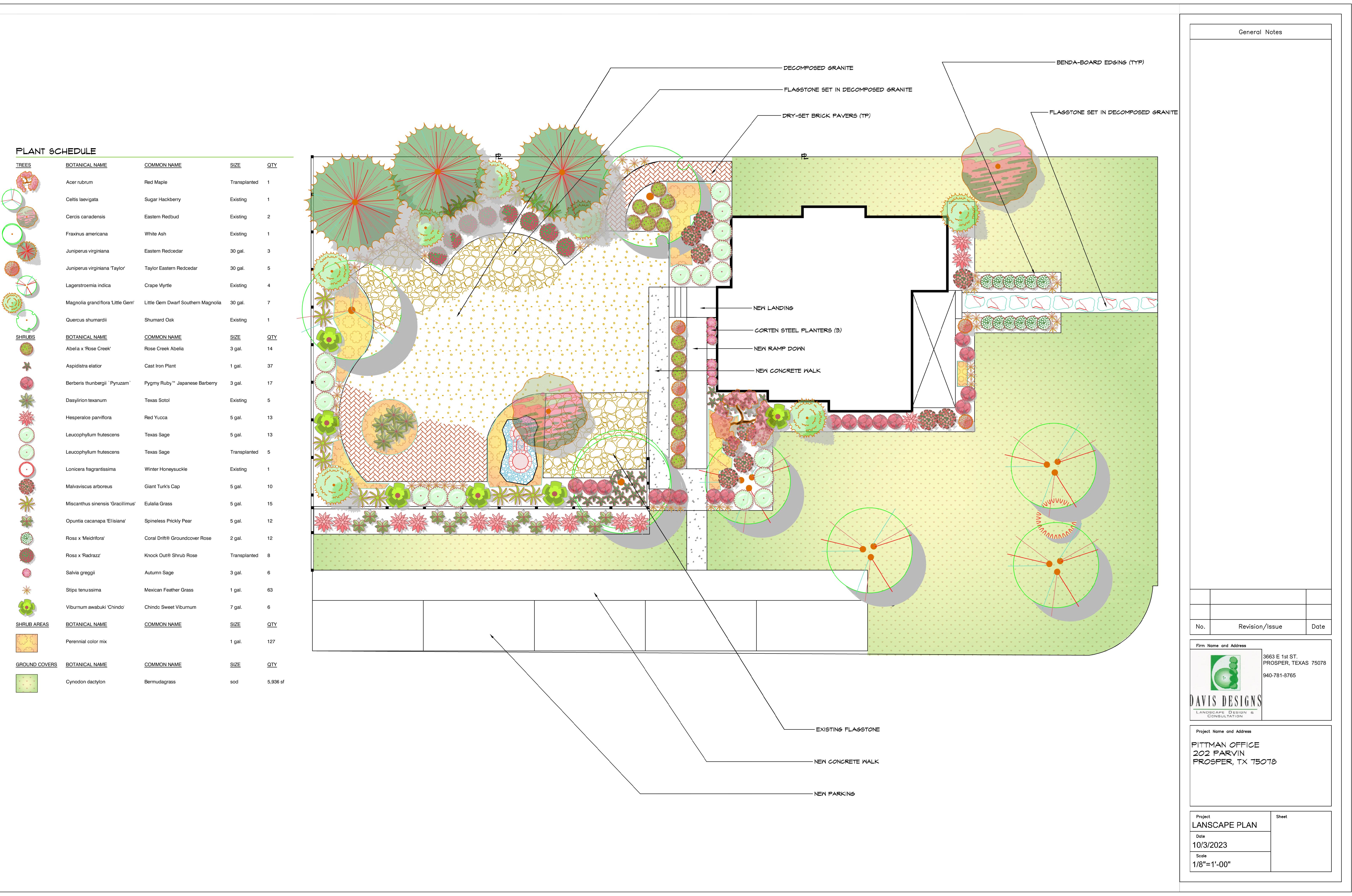
(SEE STYLE SHEET FOR ADDITIONAL INFO.)

PITTMAN FINANCIAL
202 S. PARRY ST
PROSPER, TX



DATE:
10/2/2023
SCALE:
1/4"=1'
SHEET:
2

HOME DESIGNED BY:
AARON HAMILTON
ABIDE HOME DESIGNS
ROYSE CITY, TX / 972-533-0959
AARON@ABIDEHOMEDESIGNS.COM



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9/1/23

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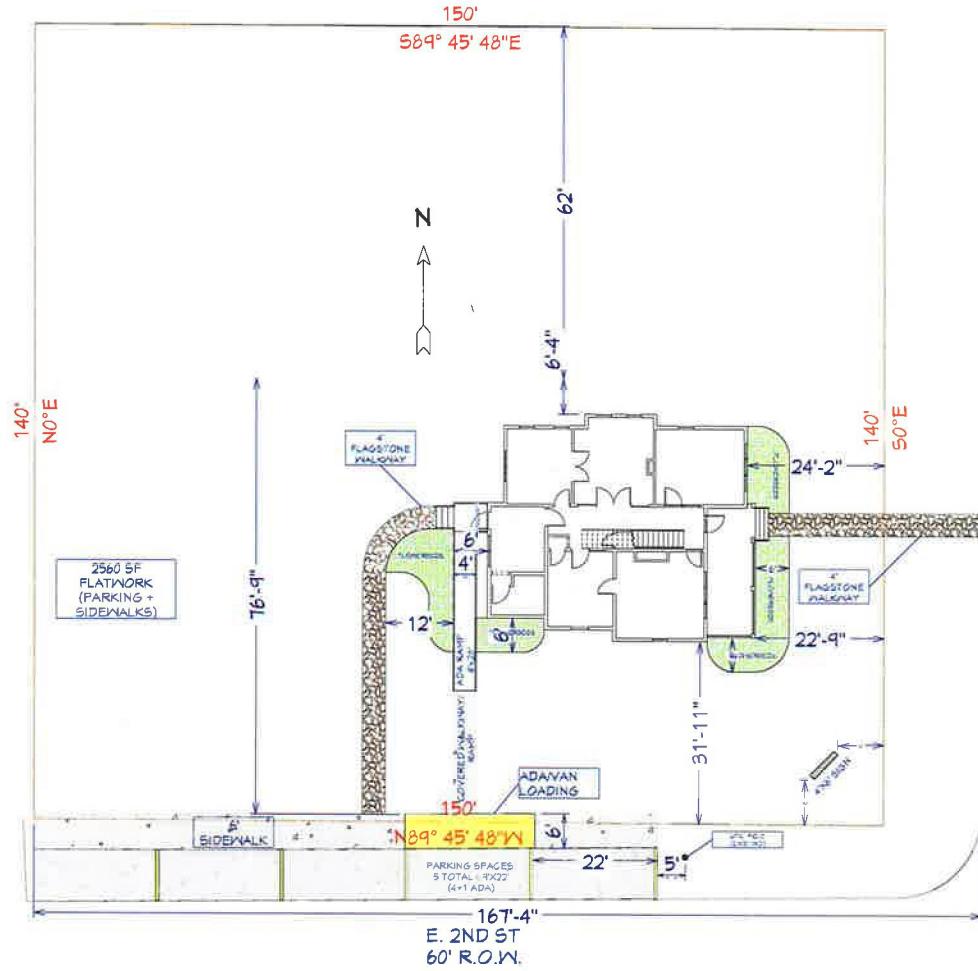
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SUBJECT PROPERTY & VICINITY
(SAT VIEW)



1"=10' SCALE

REV 05

HOME DESIGNED BY:
AARON HAMILTON
ABIDE HOME DESIGNS
ROSE CITY, TX 76593-0959
AARON@ABIDEHOMEDESIGNS.COM

SITE PLAN

PITTMAN FINANCIAL
PLANNING
202 S. PARRY ST.
PROSPER TX

ABIDE

DATE:
10/2/2023
SCALE:
1/4"=1'
SHEET:

4



Exterior Elevation Front



Exterior Elevation Right



Exterior Elevation Back



Exterior Elevation Left

EXTERIOR MATERIALS:	
SOFFIT:	HARDI PLANK TRIM AND SOFFIT
SIDING:	HARDI 25' LAP SIDING
ACCENT SIDING:	HARDI SINGLE, STAGGERED
ROOF:	COMPOSITE SHINGLES (GRAY)
ROOF/AWNINGS:	CFS PANEL (GALVALUME)
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CORNER BOARD TRIM:	YES

(SEE STYLE SHEET FOR ADDITIONAL INFO.)

