CITY OF LAVON

ORDINANCE NO. 2026-11-01

Conditional Use Permit – Automobile Service Establishment – 921 N. SH 78

AN ORDINANCE OF THE CITY OF LAVON, TEXAS, APPROVING AND GRANTING A CONDITIONAL USE PERMIT AS SPECIFIED IN THE LAKE BREEZE PLANNED DEVELOPMENT REGULATIONS FOR AN AUTOMOBILE SERVICE ESTABLISHMENT AT 921 N. SH 78 ON 1.2 ACRES ON LOT 24C-R-1, BLOCK E, LAKE BREEZE ESTATES, LOCATED SOUTHWEST OF THE INTERSECTION OF N. SH 78 AND GAGE RD., CITY OF LAVON, TEXAS; PROVIDING A PENALTY; PROVIDING SEVERABILITY, SAVINGS, AND CUMULATIVE/ REPEALER CLAUSES; PROVIDING AN EFFECTIVE DATE; FINDING AND DETERMINING THE MEETING AT WHICH THIS ORDINANCE IS ADOPTED TO BE OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING FOR PUBLICATION.

WHEREAS, the City of Lavon (hereinafter referred to as "City") is a Home Rule municipality organized under the Constitution and laws of the State of Texas; and

WHEREAS, the City Council of the City (the "**City Council**"), is authorized and empowered by law, in accordance with Chapter 211 of the Texas Local Government Code, to adopt zoning regulations governing the use of land within the City; and

WHEREAS, the City Council adopted Chapter 9, Article 9.03 of its Code of Ordinances, the same being the Comprehensive Zoning Ordinance of the City, which governs the use and development of land in the City (the "**Zoning Ordinance**"); and

WHEREAS, owners of the Property have submitted an application for a conditional use permit as specified in the Lake Breeze Planned Development regulations for an automobile service establishment at 921 N. SH 78 on 1.2 acres on Lot 24C-R-1, Block E, Lake Breeze Estates, located southwest of the intersection of N. SH 78 and Gage Rd., City of Lavon, Texas, as described in **Exhibit "A"** and depicted in **Exhibit "B"** (the "**Property**"); and

WHEREAS, this proposed application is found to be in accordance with the adopted comprehensive plan of the City; and

WHEREAS, the Planning and Zoning Commission of the City and the City Council, 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 is of the opinion and finds that said changes would provide for and would be in the best interest of the health, safety, morals and general welfare and should be granted.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lavon, Texas, as follows:

SECTION 1. Incorporation of Premises. That all of the above recitals are found to be true and correct and are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2. Definitions. Definitions shall be those contained in the Zoning Ordinance, Division 3. "Definitions", as amended, unless specifically defined herein.

SECTION 3. Zoning Amendment. The Zoning Ordinance is hereby amended by approval of a conditional use permit for an automobile service establishment at 921 N. SH 78 on 1.2 acres on Lot 24C-R-1, Block E, Lake Breeze Estates, located southwest of the intersection of N. SH 78 and Gage Rd., City of Lavon, Collin County Texas as provided in **Exhibit "C"** Plans & Conditions attached hereto and incorporated herein.

SECTION 4. Compliance Required. The Property shall be used only in the manner and for the purposes provided for in this Ordinance and the Comprehensive Zoning Ordinance of the City, as amended.

SECTION 5. Severability Clause. 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. The City hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, 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 6. Savings/Repealing Clause. 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. Penalty. It shall be unlawful for any person to violate any provision of this Ordinance, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount not less than One Dollar ($1.00) nor more than Two Thousand Dollars ($2,000.00), and a separate offense shall be deemed committed each day or part of a day during or on which a violation occurs or continues.

SECTION 8. Open Meeting. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required by law, and that public notice of the time, place, and purpose of said meeting was given all as required by Section 551.041 of the Texas Government Code.

SECTION 9. Publication and Effective Date. That this Ordinance shall be in full force and effect immediately upon its publication as required by law.

DULY PASSED and APPROVED by the City Council of the City of Lavon, Texas, on this 3rd day of November 2026.

Vicki Sanson, Mayor

ATTEST:

Rae Norton, City Secretary

CITY OF LAVON, TEXAS

ORDINANCE NO. 2026-11-01

EXHIBIT "A" - DESCRIPTION

921 N. SH 78
ON A 1.2 ACRE PORTION OF LOT 24C-R-1, BLOCK E, LAKE BREEZE ESTATES
CITY OF LAVON, TEXAS

BEING all that certain 1.222 acre tract of land situated in the Samuel M. Rainer, Abstract No. 740, City of Lavon, Collin County, Texas, same being a portion of that certain tract of land conveyed to Lavon 678 Development, LLC, by deed recorded in Instrument Number 20190522000575640, Official Public Records, Collin County, Texas, and being a portion of Lot 24C-R-1, Block E, Lake Breeze Estates, an addition to the City of Lavon, Collin County, Texas, according to the plat thereof recorded in Volume 2024, Page 1099, Official Public Records, Collin County, Texas, and being more particularly described as follows:

BEGINNING at a ½ inch iron rod with yellow plastic cap stamped "CBG" found for the southeast corner of the herein described tract, same being the southeast corner of said Lot 24C-R-1, same being the northeast corner of Lot 24C-R-2, said Block E, Lake Breeze Estates (Volume 2024, Page 1099), same being in the west right-of-way line of State Highway 78 (a variable width right-of-way);

THENCE North 89 deg. 28 min. 18 sec. West, along the common line of said Lot 24C-R-1 and said Lot 24C-R-2, a distance of 269.82 feet to a point for the southwest corner of the herein described tract;

THENCE through the interior of said Lot 24C-R-1 as follows:

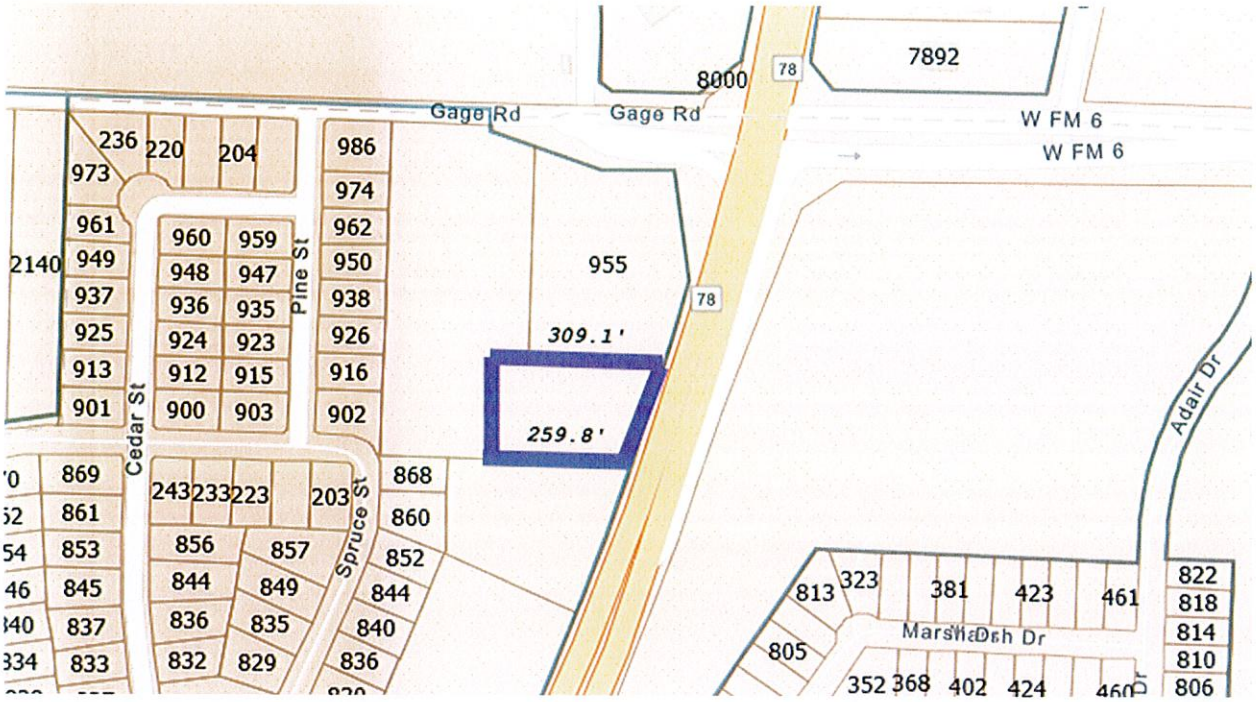
North 00 deg. 01 min. 46 sec. East, a distance of 178.88 feet to a ½ inch iron rod set for the northwest corner of the herein described tract;

South 89 deg. 28 min. 18 sec. East, passing at a distance of 80.44 feet, an internal corner of said Lot 24C-R-1, same being the southwest corner of Lot 25C-R, Block E, Lake Breeze Estates, an addition to the City of Lavon, Collin County, Texas, according to the plat thereof recorded in Volume 2024, Page 350, Official Public Records, Collin County, Texas, and continuing along the common line of said Lot 24C-R-1 and said Lot 25C-R, a total distance of 324.06 feet to a ½ inch iron rod set for the northeast corner of the herein described tract, same being the most easterly northeast corner of said Lot 24C-R-1, same being the southeast corner of said Lot 25C-R, same being in the west right-of-way line of aforesaid State Highway 78, same being the beginning of a non-tangent curve to the right, having a radius of 5,669.58 feet and a central angle of 01 deg. 53 min. 04 sec.;

THENCE along said non-tangent curve to the right, along the common line of said Lot 24C-R-1 and said State Highway 78, an arc distance of 186.48 feet and a chord bearing and distance of South 16 deg. 56 min. 22 sec. West, 186.47 feet to the POINT OF BEGINNING and containing 53,209 square feet or 1.222 acres of computed land, more or less.

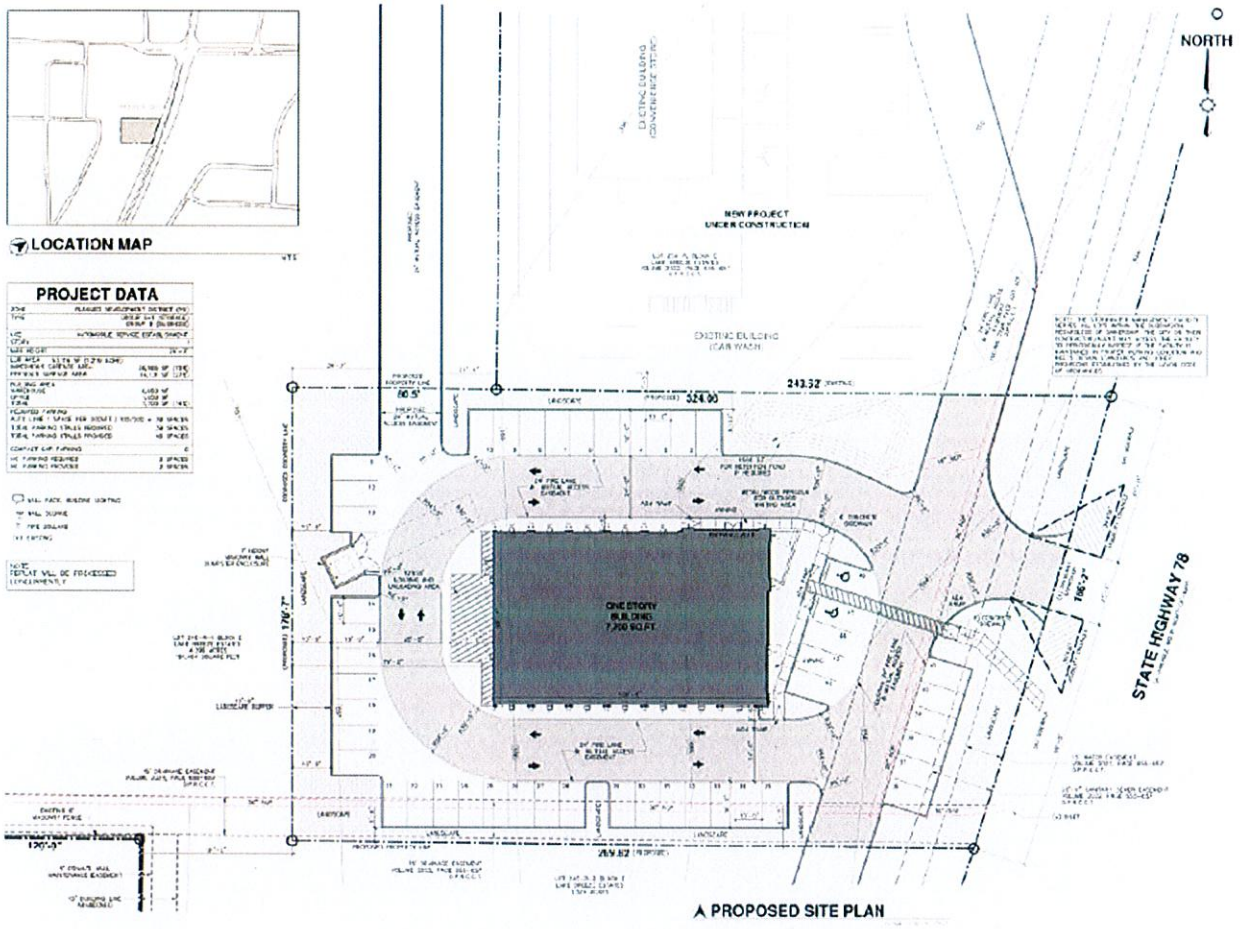
ORDINANCE NO. 2026-11-01

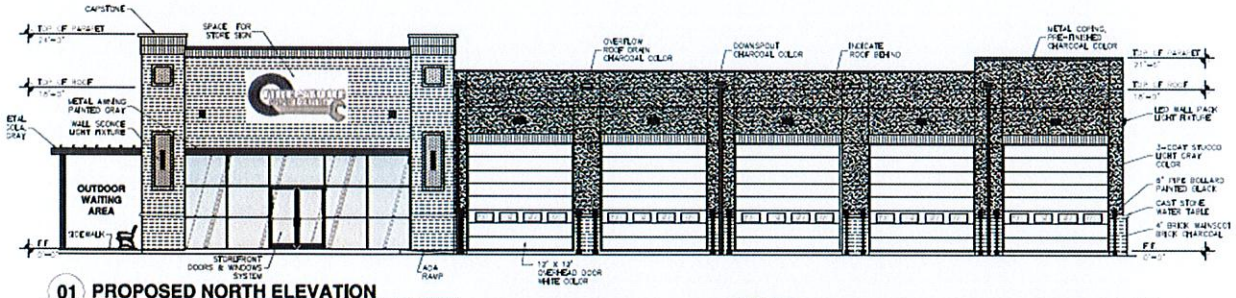
EXHIBIT "B" – DEPICTION

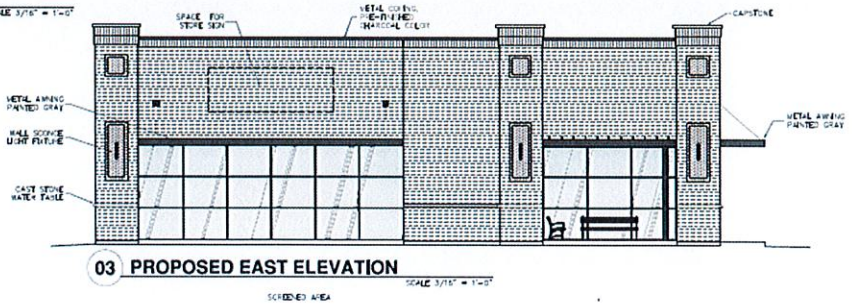


ORDINANCE NO. 2026-11-01

EXHIBIT "C" – PLANS & CONDITIONS







Conditions of Approval

1) An approved Site Plan, Landscape Plan, Building Elevations, Photometric Plan, and Replat shall be required prior to obtaining a Building Permit.

2) Enhanced landscaping will be installed on the sides of the property to screen bay doors and along the rear of the property.

3) No transmission work or engine work will be conducted.

4) Long-term or inoperable vehicle storage is prohibited.

5) Outdoor storage of automotive parts, equipment, tires, or repair materials is prohibited.

6) All repair activities shall occur within the building.

7) Related automotive repair equipment shall not exceed 55 decibels (dBA) as measured at the nearest residential property line.

    (i) The City may require field testing after opening to ensure compliance.

8) Air compressors will kept indoors with extra sound proofing, and vibration mitigation efforts will be made for any related equipment.

9) No operation of a towing business is permitted.