

CITY OF CELINA, TEXAS

ORDINANCE 2015-62

HUDDLESTON 60 PD #56

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CELINA, TEXAS, AMENDING ORDINANCE NO. 2006-57, AS HERETOFORE AMENDED, THE SAME BEING THE COMPREHENSIVE ZONING ORDINANCE, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY BY DESIGNATING THE ZONING OF LAND THAT IS AN APPROXIMATELY 60.13 ACRE TRACT OF LAND LOCATED IN THE GABRIEL CHENOWITH SURVEY, ABSTRACT NUMBER 140, COLLIN COUNTY, TEXAS; AS DESCRIBED IN EXHIBIT "A" AND DEPICTED IN EXHIBIT "B" ATTACHED HERETO AND INCORPORATED HEREIN TO BE ZONED "PD" PLANNED DEVELOPMENT DISTRICT #56; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FINDINGS; PROVIDING FOR AMENDMENT OF ZONING CLASSIFICATION; PROVIDING FOR ZONING DESIGNATION AND DEVELOPMENT STANDARDS; PROVIDING FOR REVISION OF ZONING MAP; PROVIDING FOR COMPLIANCE; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00 AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES AND INCLUDING PROVISIONS FOR THE AUTHORIZATION TO SEEK INJUNCTIVE RELIEF TO ENJOIN VIOLATIONS WHICH CONSTITUTE AN IMMINENT HAZARD OR DANGER TO PUBLIC HEALTH AND SAFETY; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Celina is a home rule municipality located in Collin, and Denton County, Texas created in accordance with the provisions of the Texas Local Government Code, The Texas Constitution and operating pursuant to the enabling legislation of the state of Texas; and

**WHEREAS**, the City Council of the City of Celina, Texas is empowered under Local Government Code 54.001 to do all acts and make all regulations which may be necessary or expedient for the promotion of the public health, safety and general welfare; and

**WHEREAS**, Title 7 Chapter 211.003 of the Texas Local Government Code, empowers a municipality to, among other things, establish and amend zoning districts, classifications of land use, adopt a comprehensive plan to regulate the use of land and open spaces, adopt and amend zoning regulations, regulate population density, and regulate the use and location of buildings; and

**WHEREAS**, the establishment of a zoning classification has been requested for the property more specifically described in Exhibit "A" attached hereto and incorporated herein; and

**WHEREAS**, the tract comprising the property has been depicted in detail in Exhibit "B" attached hereto; and incorporated herein; and

**WHEREAS**, the concept plan and development regulations set forth in Exhibit "C" and Exhibit "D" attached hereto and incorporated herein define the base zoning districts and provide for certain modifications to such district regulations.

**WHEREAS**, the City Council has considered, among other things, the character of the property and its suitability for particular uses, with a view of encouraging the most appropriate use of land in the City, and is in the interest of public health, safety, and welfare, and does hereby find that the requested zoning accomplishes such objectives and is consistent with the provisions of the 2030 Comprehensive Plan of the City of Celina; and

**WHEREAS**, the Planning and Zoning Commission of the City of Celina and the City Council of the City of Celina, in compliance with the laws of the State of Texas and the ordinances of the City of Celina, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area and in the vicinity thereof; and

**WHEREAS**, the City Council, in the exercise of its legislative discretion has concluded that the zoning classification on the tract of land described herein should be changed and the zoning map so amended.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CELINA, TEXAS**

**SECTION 1**  
**INCORPORATION OF PREMISES**

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

**SECTION 2**  
**FINDINGS**

After due deliberations the City Council has concluded that the adoption of this Ordinance is in the best interest of the City of Celina, Texas and of the public health, safety and welfare.

**SECTION 3**  
**AMENDMENT OF ZONING CLASSIFICATION**

That the zoning classification is hereby established as "PD" Planned Development District, #56 on a certain tract of land described in in Exhibit "A" and depicted in Exhibit "B".

**SECTION 4**  
**ZONING DESIGNATION AND DEVELOPMENT STANDARDS**

4.01 That Ordinance No. 2006-57 of the City of Celina, Texas, as heretofore amended, the same being the City's Comprehensive Zoning Ordinance, is hereby amended by designating the zoning on the land, depicted in Exhibit "A" attached hereto and incorporated herein, as "PD" Planned Development District #56.

4.02 This ordinance only regulates the uses allowed for the property identified above. All development and construction shall occur in accordance with the requirements of this ordinance; the concept plan set forth in Exhibit "C"; the development standards set forth in Exhibit "D" and all other applicable ordinances, rules, and regulations of the City.

**SECTION 5**  
**REVISION OF ZONING MAP**

That the City Manager for the City of Celina is hereby directed to mark and indicate on the official Zoning District Map of the City the zoning change herein made.

**SECTION 6**  
**COMPLIANCE REQUIRED**

That the property depicted on Exhibit "A" hereto shall be used only in the manner and for the purposes provided for in this ordinance and the Comprehensive Zoning Ordinance, of the City of Celina as amended.

**SECTION 7**  
**PENALTY**

7.01 Any person, firm or corporation violating any of the provisions or terms of this ordinance or of the Code of Ordinances as amended hereby, shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Celina, and upon conviction shall be punished by a fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense.

7.02 If the governing body of the City of Celina determines that a violation of this Ordinance has occurred, the City of Celina may bring suit in district court to enjoin the person, firm, partnership, corporation, or association from engaging in the prohibited activity.

**SECTION 8**  
**CUMULATIVE REPEALER CLAUSE**

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances, or parts thereof, in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such other Ordinances on this date of adoption of this Ordinance shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

**SECTION 9**  
**SAVINGS CLAUSE**

All rights and remedies of the City of Celina, Texas are expressly saved as to any and all violations of the provisions of any other ordinance affecting zoning regulations which have secured at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the court.

**SECTION 10**  
**SEVERABILITY**

The provisions of the Ordinance are severable. However, in the event this Ordinance or any procedure provided in this Ordinance becomes unlawful, or is declared or determined by a judicial, administrative or legislative authority exercising its jurisdiction to be excessive, unenforceable, void, illegal or otherwise inapplicable, in whole or in part, the remaining and lawful provisions shall be of full force and effect and the City shall promptly promulgate new revised provisions in compliance with the authority's decisions or enactment.

**SECTION 11**  
**PUBLICATION CLAUSE**

The City Secretary of the City of Celina is hereby directed to publish in the Official Newspaper of the City of Celina the Caption, Penalty and Effective Date Clause of this Ordinance as required by Section 52.011 of the Local Government Code.

**SECTION 12**  
**ENGROSSMENT AND ENROLLMENT**

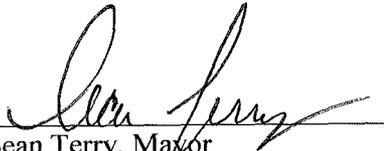
The City Secretary is hereby directed to engross and enroll this Ordinance by copying the exact Caption and Effective Date clause in the minutes of the City Council and by filing this Ordinance in the Ordinance records of the City.

**SECTION 13**  
**EFFECTIVE DATE**

This Ordinance shall become effective from and after its date of passage and publication as required by law.

**AND IT IS SO ORDAINED.**

**PASSED AND APPROVED** by the City Council of the City of Celina, Texas this 10 day of November, 2015.

  
Sean Terry, Mayor  
City of Celina, Texas

ATTEST:

  
Vicki Faulkner, City Secretary  
City of Celina, Texas



APPROVED AS TO FORM:

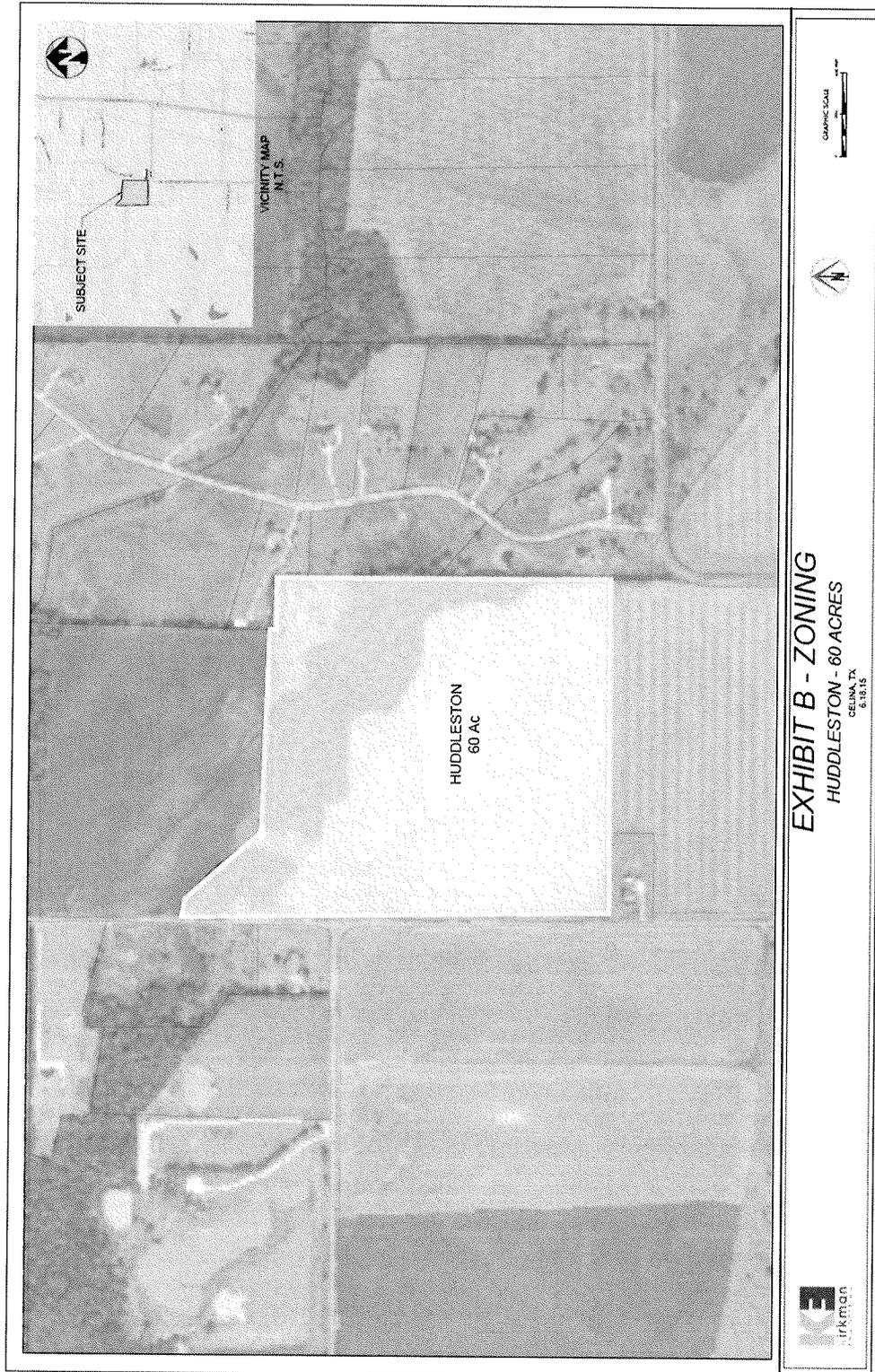
  
City Attorney  
City of Celina, Texas

Exhibit "A"

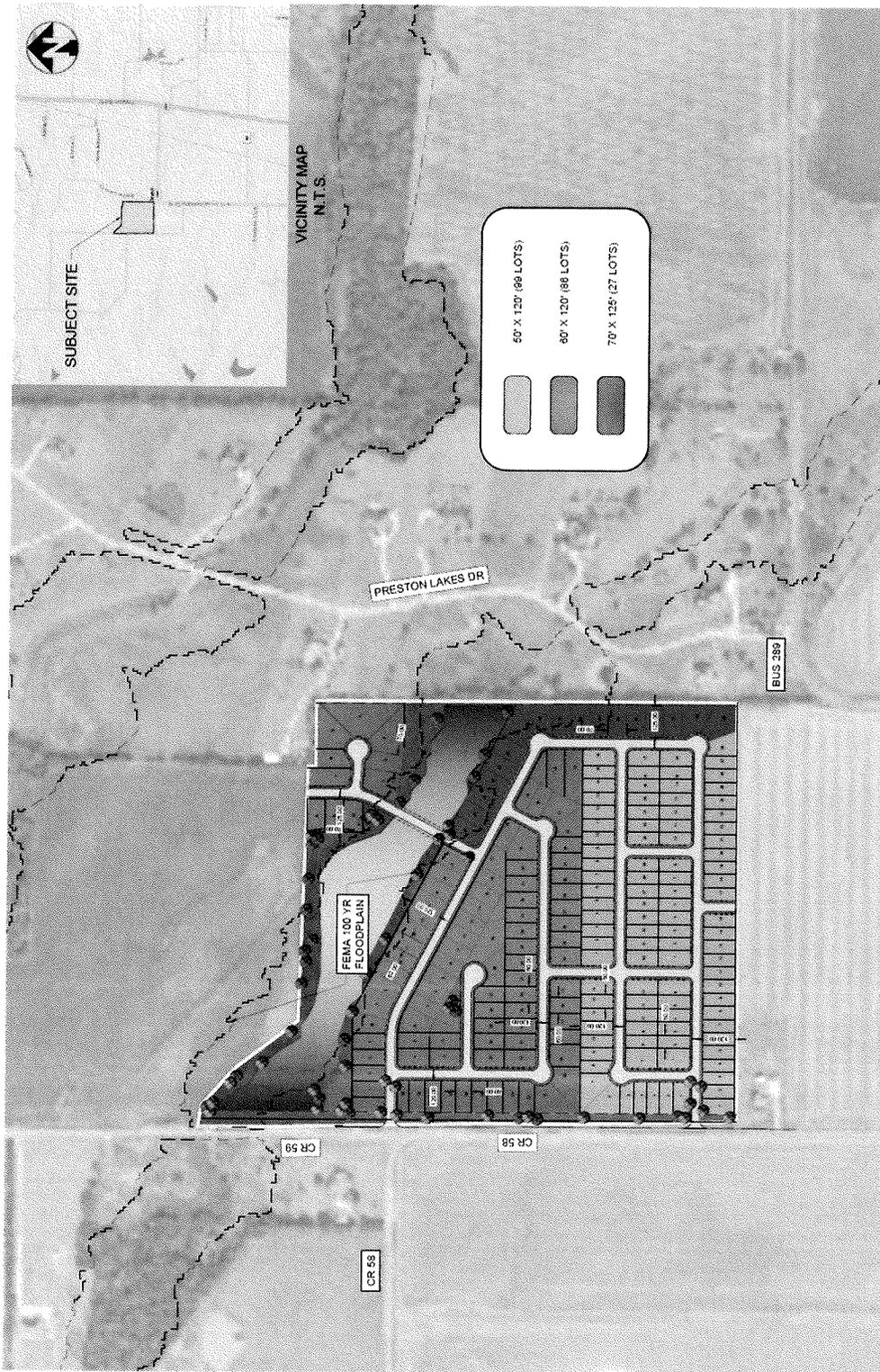
SITUATED in Collin County, Texas, a part of the G. Chenoweth Survey, Abst. No. 140, and being a re-survey of all of a 60 acre tract as described in a Deed from Bessie Collins to Marvin L. Collins, et al dated Dec. 23, 1953, and recorded in Vol. 482, Page 94, of the Collin County Deed Records, and being more fully described as follows:

BEGINNING at an iron stake by a corner post in the southeast corner of the said tract;  
THENCE NORTH 89 degs. 32 mins. West with the south line of the said tract a distance of 1634.2 feet to an iron stake in the southwest corner of the said tract and the center line of a public road;  
THENCENORTH with the west line of the said tract and the center line of the road a distance of 1592.4 feet to an iron stake in the northwest corner of the said tract;  
THENCE NORTH 89 degs. 56 mins. East with an established fence along the north line of the said tract a distance of 1638.8 feet to an iron stake by a corner post;  
THENCE SOUTH 0 deg. 10 mins. West with an established fence along the east line of the said tract a distance of 1607.7 feet to the place of beginning, containing 60.112 acres of land.

Exhibit "B"



# Exhibit "C"



# EXHIBIT "D"

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HUDDLESTON 60

PLANNED DEVELOPMENT  
STANDARDS

SEPTEMBER 2015

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Prepared By:



4821 Merlot Avenue, Suite 210 :: Grapevine, TX 76051 :: 817-488-4960

## TABLE OF CONTENTS

<b>INTRODUCTION</b>	<b>3</b>
▪ <u>SUMMARY AND INTENT</u>	
▪ <u>PROJECT LOCATION</u>	
<b>EXISTING CONDITIONS</b>	<b>3</b>
▪ <u>PHYSICAL DESCRIPTION</u>	
▪ <u>ANNEXATION/ZONING STATUS</u>	
▪ <u>EXISTING THOROUGHFARES/THOROUGHFARE MAP</u>	
<b>PROPOSED CONDITIONS</b>	<b>4</b>
▪ <u>PROPOSED LAND USES</u>	
▪ <u>PROPOSED THOROUGHFARES AND ACCESS</u>	
▪ <u>CONCEPT PLAN</u>	
<b>DEFINITIONS</b>	<b>4</b>
<b>EXHIBITS</b>	<b>5-8</b>
▪ <u>EXHIBIT A – LEGAL DESCRIPTION</u>	
▪ <u>EXHIBIT B – ZONING EXHIBIT</u>	
▪ <u>EXHIBIT C – CONCEPT PLAN</u>	
▪ <u>EXHIBIT D – DEVELOPMENT REGULATIONS</u>	

## PLANNED DEVELOPMENT – HUDDLESTON 60

### INTRODUCTION

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#### **SUMMARY AND INTENT**

This Planned Development (PD) zoning submittal encompasses approximately 60 total acres of land within the City of Celina more fully described on the legal description attached as Exhibit A (the "Property") and depicted on Exhibit B. The uses proposed for the Property are consistent with the Future Land Use Plan which identifies "Suburban Moderate-High Residential" as the use. It is the intent of this PD to offer greater flexibility and clarity for residential development.

The development has three (3) proposed lot sizes and generous areas for open space, trails and amenities. This PD will provide the zoning necessary to develop the plan as shown in Exhibit C.

This zoning submittal promotes development that will improve the balance of land uses in the area by increasing the number of single-family units and increasing the potential for retail development with the additional rooftops. The PD will provide an expanded range of housing choices through varying lot sizes of Single Family detached housing that currently is unavailable in the area and by doing so will follow current market trends observed in surrounding cities.

#### **PROJECT LOCATION**

As shown in Exhibit B, the proposed PD is located in north-central Celina. A legal description (Exhibit A) and property exhibit (Exhibit B) for the Property is provided in this document.

The property is located east of the CR 58 and CR 59 intersection west of the North Preston Lake Estates community. This proposed PD offers greater flexibility in Single Family detached development than what can be accommodated with straight "SF-R" residential zoning. Submitted as a Concept Plan, this PD will provide:

- Expanded range of housing choices through a diversity of lot sizes ranging from 50-feet in width to 70-feet in width .
- Integrated open spaces and amenities to preserve areas designated within the 100-year floodplain. This will protect existing stream corridors and other physical assets as amenities.
- High quality project with the potential to attract an experienced developer.

### EXISTING CONDITIONS

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The existing conditions surrounding the Property are primarily agricultural with sparse residential housing. The Property has recently been annexed.

#### **EXISTING THOROUGHFARES/THOROUGHFARE PLAN**

The property is accessed by CR 58. The Celina Thoroughfare Plan (CTP) shows future Business 289 near, but not adjacent to the property's southern boundary. This property is not adjacent to future Business 289 or other major roadways. The property is approximately one mile west of Preston Road.

## PROPOSED CONDITIONS

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### PROPOSED LAND USES

The proposed land use of single-family is in accordance with the proposed PD zoning ordinance. This PD proposes the following:

- Suburban Moderate-High Residential (Suburban Mix)
  - Single family detached dwellings with varying lot sizes of at least 6,000 SF
  - Typical lot sizes: 50'x120', 60'x120' and 70'x125'
- Open Space/Park Space
- Landscaped Entry Feature
- Trail System

### PROPOSED THOROUGHFARES/ACCESS

The proposed development will utilize the existing roadway infrastructure. Residential roadways will be utilized for internal traffic circulation. There are no proposed collectors or thoroughfares within or adjacent to the development.

### CONCEPT PLAN

Exhibit C identifies and locates the proposed land uses outlined within the Property. All land uses shall conform to the District Regulations in place at the time of platting unless modified herein.

## DEFINITIONS

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Any capitalized terms not defined below are per the definition as provided in the City of Celina Code of Ordinances.

Common Area: Any portion of the PD District that does not constitute a residential lot or street right-of-way and is owned by the Homeowners Association.

Covered Front Porch: An area of at least 50 square feet covered by the main roof or an architectural extension of the Main Structure.

Homeowner Association: An association governed by by-laws, deed restrictions, and architectural guidelines of the community. All lot owners will have mandatory membership in the homeowner association, which, among other things, will require financial obligations in the form of annual membership dues.

PD District Concept Plan (Exhibit C): The graphic plan for PD District that establishes and delineates the location of the respective Lot Types and is attached as Exhibit C.

Main Structure: The primary residence to be constructed on any Lot.

Open Space: Publicly accessible parks, green spaces, sports fields, amenitized flood plain, and tot lots, shall constitute Open Space.

Parkway: The area of right-of-way between the curb and the sidewalk in front of residential lots.

PD District: The land and/or lots contained within the legal boundaries identified in Exhibit A.

Shall: A term requiring compliance.

Should: A term encouraging compliance.

## DEVELOPMENT REGULATIONS

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### GENERAL

The purpose of the proposed PD is to provide greater flexibility for single family detached development than is available under straight residential zoning and the City of Celina Ordinances. This PD zoning request is in accordance with Sec. 14.03.031.

### Single-Family

The base zoning for the proposed PD shall be "SF-R" (Single-Family Residential) district as it exists or may be amended. The following regulations shall also apply.

### PERMISSIBLE USES

The following uses shall be allowed:

1. Agricultural Uses – Agricultural uses whose products are grown primarily for home consumption, such as domestic gardening, berry or bush crops, tree crops, flower gardening, orchards, and aviaries.
2. Residential Uses: Single-family detached dwellings
3. Community Facility Uses
  - A. Public and private parks;
  - B. Recreational and open space including but not limited to playgrounds, parkways, greenbelts, ponds and lakes, botanical gardens, pedestrian paths, bicycle paths, equestrian bridle trails, nature centers, bird and wildlife sanctuaries;
  - C. Amenity centers
  - D. Landscaped Entry Features
4. Temporary structure for storage of building materials and equipment used for initial residential construction, when on the same or adjoining lot, for a period not to exceed the duration of the construction of the subdivision phase. This shall include temporary trailers for construction and sales activity. Building material storage will be allowed adjacent to temporary trailers or in a lot designated for storage.

### PROHIBITED USES

The following uses shall not be allowed:

1. Manufactured and/or modular homes
2. Accessory dwellings

### RESIDENTIAL DESIGN GUIDELINES

#### I. Lot Type Regulations

The PD District will include a variety of lot types in order to achieve the goals established for the district. The lot types and requirements for each shall be as follows:

##### A. Lot Type 1:

1. Purpose: This lot type is designed to allow single family detached dwellings on lots of not less than six thousand (6,000) square feet, with front-entry garages, together with the allowed incidental and accessory uses.

2. Height Regulations: No building shall exceed forty feet (40') or two and one-half (2-1/2) stories in height to the highest point of its roof. Accessory structures shall not exceed twenty-five feet (25').
3. Area Regulations: The following minimum standards shall be required as measured from property lines:
  - Lot Size: Six thousand (6,000) square feet.
  - Lot Coverage: The maximum Lot Coverage shall not exceed sixty percent (60%).
  - Minimum Floor Area: The minimum square footage of a dwelling unit, exclusive of garages, breezeways and porches, shall be seventeen hundred (1,700) square feet.
  - Front Yard: Twenty feet (20') minimum. 25% of the lots have an increased minimum of twenty five (25'). Key lots shall have 2 front yards.
  - Covered Front Porches may extend over the front building setback line up to five feet (5'), but the garage door must remain at or behind the front setback line in all instances.
  - Rear Yard: Twenty feet (20') minimum.
  - Side Yard: Five feet (5') minimum.
  - Side Yard Adjacent to Street: Fifteen feet (15') minimum.
  - Lot Width: Fifty feet typical (50'); forty feet (40') minimum (@ right-of-way) on cul-de-sac lots.
  - Lot Depth: One hundred twenty feet (120') minimum.
  - Lot Depth (cul-de-sac lot): Eighty-five feet (85') minimum.
  - Garage Orientation & Setback: Garages may face the street or be J-swing type. For garage doors facing the front of the street, garage setback shall be flush or setback from front of building. J-swing type garages may protrude up to five feet (5') into the front setback to ensure additional variations of homes.

**B. Lot Type 2:**

1. Purpose: This lot type is designed to allow single family detached dwellings on lots of not less than seven thousand five hundred (7,200) square feet, with front-entry garages, together with the allowed incidental and accessory uses.
2. Height Regulations: No building shall exceed forty feet (40') or two and one-half (2-1/2) stories in height to the highest point of its roof.
3. Area Regulations: The following minimum standards shall be required as measured from property lines:
  - Lot Size: Seven thousand five hundred (7,200) square feet.
  - Lot Coverage: The maximum Lot Coverage shall not exceed fifty-five percent (55%).
  - Minimum Floor Area: The minimum square footage of a dwelling unit, exclusive of garages, breezeways and porches, shall be nineteen hundred (1,900) square feet.
  - Front Yard: Twenty feet (20') minimum. 25% of the lots have an increased minimum of twenty five (25'). Key lots shall have 2 front yards.
  - Covered Front Porches may extend over the front building setback line up to five feet (5'), but the garage door must remain at or behind the front setback line in all instances.
  - Rear Yard: Twenty feet (20') minimum.
  - Side Yard: Five feet (5') minimum.
  - Side Yard Adjacent to Street: Fifteen feet (15') minimum.
  - Lot Width: Sixty feet (60') typical; fifty feet (50') minimum (@ right-of-way) on cul-de-sac lots.
  - Lot Depth: One hundred twenty-five feet (120') minimum.
  - Lot Depth (cul-de-sac lot): Eighty-five feet (85') minimum.

Garage Orientation & Setback: Garages may face the street or be J-swing type. For garage doors facing the front of the street, garage setback shall be flush or setback from front of building. J-swing type garages may protrude up to five feet (5') into the front setback to ensure additional variations of homes.

**Lot Type 3:**

1. Purpose: This lot type is designed to allow single family detached dwellings on lots of not less than seven thousand five hundred (8,750) square feet, with front-entry garages, together with the allowed incidental and accessory uses.
2. Height Regulations: No building shall exceed forty feet (40') or two and one-half (2-1/2) stories in height to the highest point of its roof.
3. Area Regulations: The following minimum standards shall be required as measured from property lines:
  - Lot Size: Seven thousand five hundred (8,750) square feet.
  - Lot Coverage: The maximum Lot Coverage shall not exceed fifty-five percent (55%).
  - Minimum Floor Area: The minimum square footage of a dwelling unit, exclusive of garages, breezeways and porches, shall be nineteen hundred (1,900) square feet.
  - Front Yard: Twenty feet (20') minimum. 25% of the lots have an increased minimum of twenty five (25'). Key lots shall have 2 front yards.
  - Covered Front Porches may extend over the front building setback line up to five feet (5'), but the garage door must remain at or behind the front setback line in all instances.
  - Rear Yard: Twenty feet (20') minimum.
  - Side Yard: Five feet (5') minimum.
  - Side Yard Adjacent to Street: Fifteen feet (15') minimum.
  - Lot Width: Sixty feet (70') typical; fifty feet (50') minimum (@ right-of-way) on cul-de-sac lots.
  - Lot Depth: One hundred twenty-five feet (125') minimum.
  - Lot Depth (cul-de-sac lot): Eighty-five feet (85') minimum.
  - Garage Orientation & Setback: Garages may face the street or be J-swing type. For garage doors facing the front of the street, garage setback shall be flush or setback from front of building. J-swing type garages may protrude up to five feet (5') into the front setback to ensure additional variations of homes.

**II. Neighborhood Regulations**

The maximum number of lots permitted within the PD District shall not exceed 225 lots. The percentage of lots per Lot Type is as follows:

- Lot Type 1: Maximum 50 %
- Lot Type 2: Minimum 40 %
- Lot Type 3: Minimum 10 %

The lot types shall generally conform to the layout shown in Exhibit C.

**III. Development and Design Standards**

- A. Landscape Standards:** All development within this PD District shall comply with the City's landscape ordinance as currently adopted or may be amended at time of platting.

**B. Screening Standards:** All development within this PD District shall comply with the following minimum screening requirements:

1. Lots Adjacent to CR 58: 6' masonry wall
2. Lots adjacent to open space or park land: 4' wrought iron fence
3. 15' landscape buffer for all lots backing or siding to CR 58

**C. Amenities:** This PD District shall contain the following amenity features:

1. Landscaped Entry Feature
2. Passive Recreation Field
3. Private, Off-Street Hike/Bike Trail to connect to future public trail
4. Dog Park or Outdoor Meeting/Gathering Space

## MISCELLANEOUS

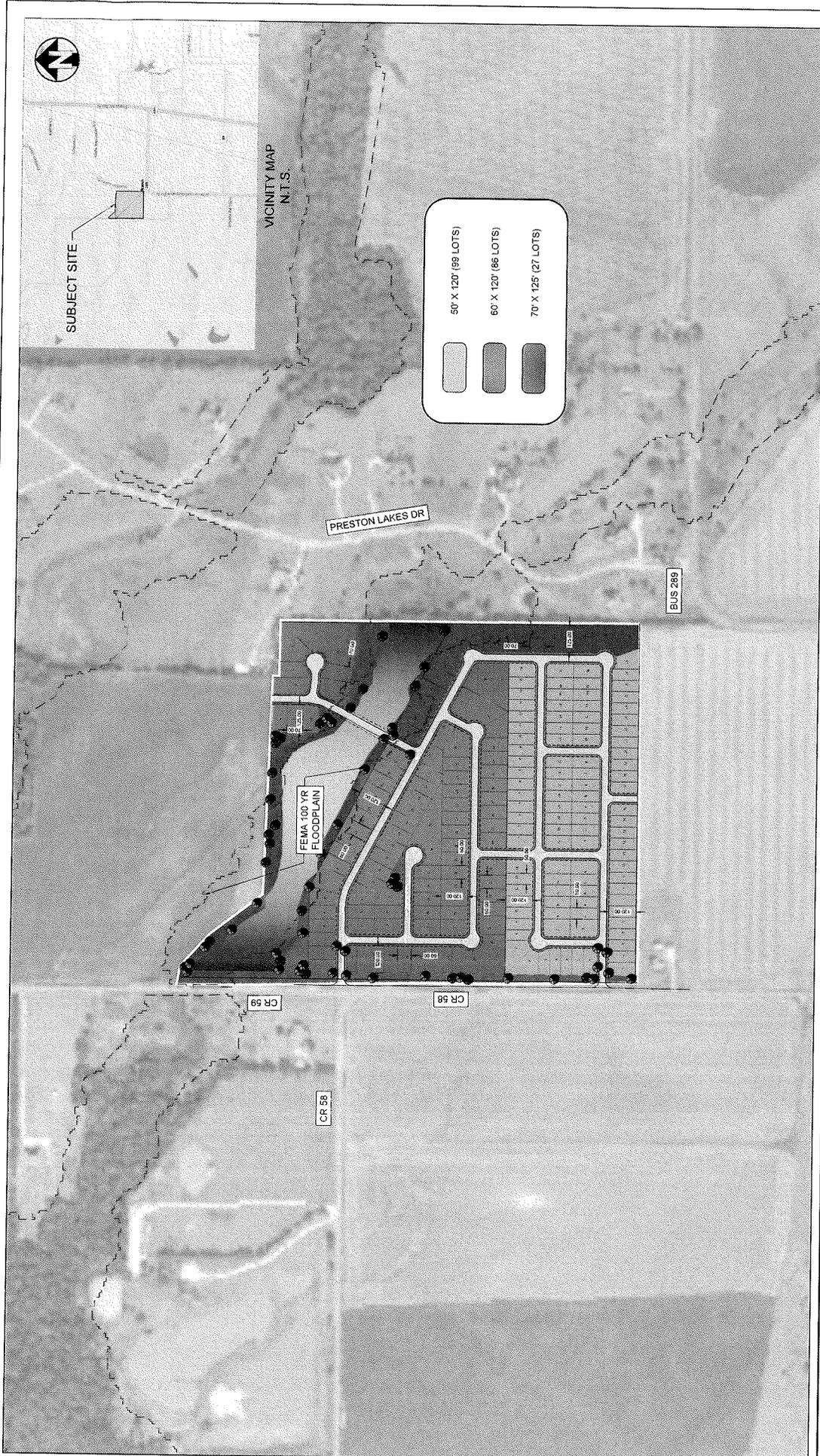
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### **HOMEOWNERS ASSOCIATION**

A Homeowner Association will be established as each residential parcel of land is developed. The PD shall contain one or multiple Homeowner Associations.

### **OPEN SPACE**

The PD will contain no less than 14 acres of open space including 11 acres of floodplain. Private open space shall be owned and maintained by the Homeowner Association(s). Flood plain areas used as open space must be amenitized on three sides.



**CONCEPT PLAN**  
 HUDDLESTON - 60 ACRES - 212 LOTS  
 CELINA, TX  
 9.10.15



GRAPHIC SCALE  
 0 100 200 FT