

ORDINANCE NO. ~~77~~ 78

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ADDISON, TEXAS, AS HERETOFORE AMENDED, SO AS TO CHANGE THE FOLLOWING DESCRIBED PROPERTY FROM "R-1" SINGLE FAMILY DWELLING DISTRICT TO "LR" LOCAL RETAIL ZONING CLASSIFICATION, SAID TRACT BEING DESCRIBED AS FOLLOWS: A TRACT OF LAND SITUATED IN THE ROBERT WILBURN SURVEY, ABSTRACT 1580, BEING MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT FOR CORNER, SAID POINT BEING LOCATED 50 FEET NORTH OF THE CENTER LINE OF BELT LINE ROAD AND 50 FEET EAST OF THE CENTER LINE OF NOEL ROAD; THENCE NORTH 3 DEGREES 12 MINUTES 30 SECONDS WEST A DISTANCE OF 1460 FEET TO A POINT FOR CORNER; THENCE EAST A DISTANCE OF 475.56 FEET TO A POINT FOR CORNER IN THE CORPORATE LIMITS OF THE CITY OF ADDISON; THENCE SOUTH 3 DEGREES 12 MINUTES 30 SECONDS EAST ALONG SAID CORPORATE LIMIT LINE A DISTANCE OF 1460 FEET TO A POINT FOR CORNER, SAID POINT BEING LOCATED 50 FEET NORTH OF THE CENTER LINE OF BELT LINE ROAD; THENCE WESTERLY ALONG A LINE 50 FEET NORTH OF AND PARALLEL TO THE CENTER LINE OF BELT LINE ROAD A DISTANCE OF 475.56 FEET TO THE PLACE OF BEGINNING; AND SO AS TO CHANGE THE FOLLOWING DESCRIBED PROPERTY FROM "R-1" SINGLE FAMILY DWELLING DISTRICT TO "A" APARTMENT ZONING CLASSIFICATION, SAID TRACT BEING DESCRIBED AS FOLLOWS: A TRACT OF LAND SITUATED IN THE ROBERT WILBURN SURVEY, ABSTRACT 1580, BEING MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 50 FEET EAST OF THE CENTER LINE OF NOEL ROAD AND 1510 FEET NORTH OF THE CENTER LINE OF BELT LINE ROAD; THENCE NORTH 3 DEGREES 12 MINUTES 30 SECONDS WEST A DISTANCE OF 1,146.17 FEET TO A POINT FOR CORNER IN THE SOUTH LINE OF THE ST. LOUIS AND SOUTHWESTERN RAILROAD RIGHT OF WAY; THENCE NORTH 65 DEGREES 44 MINUTES 30 SECONDS EAST ALONG SAID SOUTH LINE OF THE ST. LOUIS AND SOUTHWESTERN RAILROAD A DISTANCE OF 510 FEET MORE OR LESS TO A POINT FOR CORNER IN THE EAST CORPORATE LINE OF THE CITY OF ADDISON; THENCE SOUTH 3 DEGREES 12 MINUTES 30 SECONDS EAST A DISTANCE OF 1,361.20 FEET TO A POINT FOR CORNER LOCATED 1,510 FEET

NORTH OF THE CENTER LINE OF BELT LINE ROAD; THENCE WESTERLY A DISTANCE OF 475.56 FEET TO THE PLACE OF BEGINNING; PROVIDING THAT THE ABOVE DESCRIBED TRACT OF LAND SHALL BE USED ONLY FOR THE PURPOSES PROVIDED FOR BY THE COMPREHENSIVE ZONING ORDINANCE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

WHEREAS, the City Zoning Commission of the City of Addison and the governing body of the City of Addison, in compliance with the State Laws with reference to the granting of zoning classifications and regulations, have given the requisite notices by publication and otherwise and after holding due hearings and affording a fair and full hearing to all the property owners generally and to the person interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Addison is of the opinion that the said zoning classification should be granted and that the Comprehensive Zoning Ordinance should be amended in the exercise of its legislative discretion: NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Addison be, and the same is hereby amended by amending the Zoning Map of the City of Addison so as to change the following described property from "R-1" Single Family Dwelling District to "LR" Local Retail Zoning Classification:

A tract of land situated in the Robert Wilburn Survey, Abstract 1580, being more fully described as follows:

BEGINNING at a point for corner, said point being located 50 feet north of the center line of Belt Line Road and 50 feet east of the center line of Noel Road;

THENCE north 3° 12' 30" west a distance of 1460 feet to a point for corner;

THENCE east a distance of 475.56 feet to a point for corner in the corporate limits of the City of Addison;

THENCE south 3° 12' 30" east along said corporate limit line a distance of 1460 feet to a point for corner, said point being located 50 feet north of the center line of Belt Line Road;

THENCE westerly along a line 50 feet north of and parallel to the center line of Belt Line Road a distance of 475.56 feet to the place of beginning.

SECTION 2. That the Comprehensive Zoning Ordinance of the City of Addison be, and the same is hereby amended by amending the Zoning Map of the City of Addison so as to change the following described property from "R-1" Single Family Dwelling District to "A" Apartment Zoning Classification:

A tract of land situated in the Robert Wilburn Survey, Abstract 1580, being more fully described as follows:

BEGINNING at a point 50 feet east of the center line of Noel Road and 1510 feet north of the center line of Belt Line Road;

THENCE north 3° 12' 30" west a distance of 1,146.17 feet to a point for corner in the south line of the St. Louis and Southwestern Railroad right of way;

THENCE north 65° 44' 30" east along said south line of the St. Louis and Southwestern Railroad a distance of 510 feet more or less to a point for corner in the east corporate line of the City of Addison;

THENCE south 3° 12' 30" east a distance of 1,361.20 feet to a point for corner located 1,510 feet north of the center line of Belt Line Road;

SECTION 3. That all ordinances of the City of Addison in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other ordinances of the City of Addison not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. That the above described property shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Addison, as amended herein by the granting of this change of zoning classification.

SECTION 5. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalties provided for in the Comprehensive Zoning Ordinance of the City of Addison, as heretofore amended, and upon conviction shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00) for each offense and that each day such violation shall continue to exist shall constitute a separate offense.

SECTION 7. WHEREAS, it appears that the above described property requires that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare of the City of Addison and creates an urgency and an emergency for the preservation of the public health, safety and welfare and requires that this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

DULY PASSED by the City Council of the City of Addison, Texas, on the 11 day of April, 1967.

APPROVED:

M W Morris
MAYOR

DULY ENROLLED:

Edward B Lewis
CITY SECRETARY

APPROVED AS TO FORM:

H Lomis Nubels
CITY ATTORNEY