

ORDINANCE NO. 89 89

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AN ORDINANCE OF THE CITY OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ADDISON AS HERETOFORE AMENDED SO AS TO CHANGE THE HEREINAFTER DESCRIBED PROPERTY FROM "A" APARTMENT DWELLING DISTRICT CLASSIFICATION TO "LR" LOCAL RETAIL DISTRICT CLASSIFICATION; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED (\$200.00) DOLLARS 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 laws of the State of Texas with reference to the granting of zoning changes under the zoning ordinance regulations and zoning map, have given requisite notices by publication and otherwise, and, after holding due hearings and affording a full and fair hearing to all property owners generally and to the persons interested and situated in the area, the City of Addison is of the opinion that the said change of zoning (on application of Bob Folsom) should be granted and that the comprehensive zoning ordinance should be amended in the exercise of its legislative directions:

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

SECTION I. 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 give the following described property a "LR" Local Retail District Classification, said property being in the City of Addison, Dallas County, Texas, and described as follows:

A tract of land out of the Noah Good Survey, Abstract No. 520, and,

BEGINNING at a point in the east line of Marsh Lane same being 50 feet east of the center line of Marsh Lane and 734.46 feet south of the center line of Spring Valley Road, said point being situated in the present south line of the presently zoned shopping center site;

THENCE east along the south line of said shopping center site a distance of 431 feet to a point for corner;

THENCE south a distance of 741.45 feet to a point for corner in a property line;

THENCE west a distance of 431 feet to a point for corner located 50 feet east of the center line of Marsh Lane;

THENCE north a distance of 751.45 feet to the place of beginning.

SECTION 2. That all ordinances for the City of Addison in conflict with the provisions of this Ordinance be, and the same are, hereby repealed and all other ordinances of the City of Addison not in conflict with the provisions of this Ordinance be, and the same are, hereby repealed and all other ordinances of the City of Addison not to conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 3. That the above-described property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Addison, as amended herein by the granting of this zoning classification.

SECTION 4. That should any paragraph, sentence, sub-division, 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 5. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Addison, Texas, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Hundred (\$200.00) Dollars for each offense and that each day such violation shall continue to exist shall constitute a separate offense.

SECTION 6. Whereas, 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 publication of the caption as the law in such cases provides.

DULY PASSED by the City Council of the City of Addison, Texas, on the 11 day of February, 196 .

M. S. Morris
Mayor

Duly Enrolled:

Edwin B. Lewis
City Secretary

APPROVED AS TO FORM:

H. Louis Nichols
City Attorney