

AN ORDINANCE OF THE CITY
OF
ADDISON, TEXAS

103
ORDINANCE NO. ~~103~~ 103

AN ORDINANCE OF THE CITY OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ADDISON, TEXAS AS HERETOFORE AMENDED SO AS TO CHANGE THE HEREINAFTER DESCRIBED PROPERTY FROM R-1 SINGLE FAMILY 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, Texas in compliance with the laws of the State of Texas with reference to the granting of zoning changes under the zoning ordinance 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, Texas, is of the opinion that the said change of zoning on application of Robert Collins should be granted and the comprehensive zoning ordinance should be amended in the exercise of its legislative direction:

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, Texas, be, and the same is hereby amended by amending the Zoning Map of the City of Addison, so as to give the hereinafter described property the following zoning district classification, to wit: "LR" LOCAL RETAIL DISTRICT CLASSIFICATION. Said property being in the City of Addison, Dallas County, Texas, and described as follows:

TRACT A:

Being a part of the G. W. Fisher Survey, Abstract No. 482, and beginning at a point in the present West line of Noell Road, a 50 foot right-of-way, said point being West 20.00 feet from the Northeast corner of said Bonner and Dooley tracts and also being S 0 degrees 51 minutes E 1335 feet and West 20.00 feet from the Northeast corner of said Fisher Survey;

Thence S 0 degrees 51 minutes E 1026.18 feet along the said present West line of Noell Road to an iron rod for corner in an existing fence line;

Thence S 89 degrees S 31 minutes 41 seconds West 604.91 feet along an existing fence line to an iron rod for corner;

Thence N 0 degrees 34 minutes 28 seconds W 1031.10 feet along an existing fence line and along a line that is 1857 feet East of an parallel to the West line of said Fisher Survey to an iron pipe for corner in an existing fence line;

Thence East 600.00 feet along an existing fence line and along the North line of said Bonner and Dooley tracts to the place of beginning and containing 14.226 acres of land.

TRACT B:

Being part of the G. W. Fisher Survey Abstract 482, and beginning at an iron rod for corner, said point being the Northwest corner of that certain tract described in Deed to Homer H. Dooley, filed 6-16-54, Deed of Records, Dallas County, Texas, and also being S 0 degrees 51 minutes E 1310.00 feet and E 600.00 feet

from the point of intersection of the South line of Keller Springs Road, a 50 foot right-of-way, and the West line of Noell Road a 50 foot right-of-way;

Thence West 619.00 feet along the North line of said McCallum property and along an existing fence line to an iron rod for corner;

Thence S 0 degrees 34 minutes 28 seconds E 1032.00 feet along an existing fence line and along the West line of said McCallum tract to an iron pipe for corner;

Thence S 89 degrees 55 minutes E 619.01 feet along an existing fence line to an iron rod for corner, said point being the Southwest corner of said Dooley tract;

Thence N 0 degrees 34 minutes 28 seconds W 1031.10 feet along an existing fence line and along the common line between said Dooley and McCallum tracts to the point of beginning and containing 14.646 acres of land.

SECTION 2. That all ordinances of the City in conflict with the provisions of this Ordinance be, and the same are, hereby repealed and all other ordinances of the City not in 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 as amended herein by the granting of this zoning classification.

SECTION 4. That should any paragraph, sentence, 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 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 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 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 Texas, on the 12 day of May 19 70

Milton J. Foll
Mayor

Duly Enrolled:
Edwin B. Lewis
City Secretary

APPROVED AS TO FORM:
Lawrence A. Anderson
City Attorney