

ORDINANCE NO. 101 1/2

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 RESIDENCE TO "A" APARTMENT DISTRICT CLASSIFICATION WITH SPECIAL USE PERMIT FOR GOLF COURSE, AND RETAINING SPECIAL USE PERMIT FOR STABLES, SAID TRACT BEING DESCRIBED AS FOLLOWS: BEING 25.00 ACRES OF LAND NET IN THE A. J. CLARK SURVEY ABST. NO. 360, DALLAS COUNTY, TEXAS, AND BEING A PART OF A 48.17 ACRE TRACT; BEGINNING AT A POINT ON THE NORTH LINE OF KELLER SPRINGS ROAD THAT IS 25 FT. NORTH AND 624.82 FT. NORTH 89 DEG. 37' EAST OF THE S.W. CORNER OF SAID CLARK SURVEY; THENCE NORTH 0 DEG. 08' WEST PARALLEL TO THE EAST LINE OF SAID 48.17 ACRE TRACT, 1689.52 FT. TO A PIPE FOR CORNER IN A FENCE LINE ON THE NORTH LINE OF SAID CLARK SURVEY; THENCE NORTH 89 DEG. 52' EAST ALONG SAID NORTH LINE, A FENCE LINE, 645.68 FEET TO A FENCE CORNER POST; THENCE SOUTH 0 DEG. 08' EAST ALONG A FENCE 1683.7 FEET TO AN IRON PIPE IN THE NORTH LINE OF KELLER SPRINGS ROAD; THENCE SOUTH 89 DEG. 37' WEST ALONG SAID LINE OF KELLER SPRINGS ROAD, 645.68 FEET TO THE POINT OF BEGINNING AND CONTAINING 25.00 ACRES OF LAND NET, AND BEING THE SAME PROPERTY CONVEYED TO OLGA WEED, UNDER DEED FROM MILTON J. NOELL ET UX, ADELAIDE A. NOELL, DATED 5-6-53, FILED FOR RECORD 5-11-53 UNDER CLERK'S FILE 79751; 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 (\$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 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 persons interested in 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 Residence to "A" Apartment District Classification with Special Use Permit for Golf Course, and retaining Special Use Permit for Stables:

BEING 25.00 acres of land net in the A. J. Clark Survey Abst. No. 360, Dallas County, Texas, and being a part of a 48.17 acre tract;

BEGINNING at a point on the North line of Keller Springs Road that is 25 ft. North and 624.82 ft. North 89 deg. 37' East of the S.W. corner of said Clark Survey;

THENCE North 0 deg. 08' West parallel to the East line of said 48.17 acre tract, 1689.52 ft. to a pipe for corner in a fence line on the north line of said Clark Survey;

THENCE North 89 deg. 52' East along said North line, a fence line, 645.68 feet to a fence corner post;

THENCE South 0 deg. 08' East along a fence 1683.7 feet to an iron pipe in the North line of Keller Springs Road;

THENCE South 89 deg. 37' West along said line of Keller Springs Road, 645.68 feet to the point of beginning and containing 25.00 acres of land net, and being the same property conveyed to Olga Weed, under deed from Milton J. Noell et ux, Adelaide A. Noell, dated 5-6-53, filed for record 5-11-53 under Clerk's File 79751.

SECTION 2. 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 3. 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 zoning classification.

SECTION 4. That if any sentence, paragraph, 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, 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 6. The fact that the above described property should 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, creates an urgency and an emergency in the preservation of the public health, safety and welfare and requires that this ordinance 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 18 day of May, 1971.

APPROVED:

Milton J. Joell
MAYOR

DULY RECORDED:

Jack Lowrey
CITY SECRETARY

APPROVED AS TO FORM:

H. Louis Nichols
CITY ATTORNEY