

ORDINANCE NO. 166

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 "SPECIAL USE" DISTRICT CLASSIFICATION FOR A PRIVATE SCHOOL; 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 Trinity Christian Academy 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: "Special Use" District Classification for a Private School. Said property being in the City of Addison, Dallas County, Texas, and described as follows:

BEING a tract or parcel of land situated in the Levi Noble Survey, Abstract No. 1098, and the Eli Shepherd Survey, Abstract No. 1361 in Dallas County, Texas, said tract also being all of Lots 9, 10, 15 and 16, Block A, and all of Lots 9, 10, 14 and 15, Block B and a portion of abandoned Carroll Road of CARROLL ESTATES, an Addition to the County of Dallas, Texas, according to the Map thereof recorded in Volume 10 at Page 473 of the Map Records of Dallas County, Texas, and being further described by metes and bounds as follows:

BEGINNING at a point in the West line of Addison Road, a 60 foot right-of-way, said point also being the Southeast corner of said Lot 15, Block B of Carroll Estates, an iron pin for corner;

THENCE N. 89° 45' 30" W., 2595.67 feet to a point in the East line of Dooley Road, a 60 foot right-of-way, an iron pin for corner;

THENCE N. 0° 16' 10" E. 676.90 feet along the said East line of Dooley Road, an iron pin for corner;

THENCE S. 89° 43' 50" E. 2621.16 feet to a point in the said West line of Addison Road, an iron pin for corner;

THENCE S. 2° 25' 50" W., 676.12 feet along the said West line of Addison Road to the place of beginning and containing 40.495 acres of land.

SECTION 1-A. That the special use on the property described in Section 1 is hereby approved and granted upon the following expressed conditions: That the applicant, Trinity Christian Academy, shall dedicate to the City of Addison for a public road, a thirty (30') foot roadway easement running along the Southern boundary of the property in an East-to-West direction.

The above requirements shall not be construed as conditions precedent to the granting of a zoning change, but shall be construed as conditions precedent to the granting of a building permit and/or certificate of occupancy.

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.

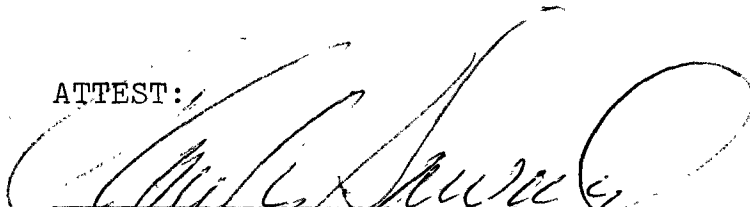
SECTION 6. Whereas, the above described property requires that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest,

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.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS, on the 21st day of January, A.D., 1974.

  
MAYOR

ATTEST:

  
Charles Howard, City Secretary

APPROVED AS TO FORM:

  
Robert L. McCallum, City Attorney