

ORDINANCE NO. 218

AN ORDINANCE AMENDING ORDINANCE NO. 66, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ADDISON, TEXAS, GRANTING A ZONING VARIANCE ON A TRACT OF LAND DESCRIBED AS: BEING A TRACT OF LAND OUT OF THE G.W. FISHER SURVEY, ABSTRACT NO. 482, DALLAS COUNTY, TEXAS, MORE FULLY AND COMPLETELY DESCRIBED IN THE BODY OF THIS ORDINANCE; ORDERING A CHANGE IN THE USE OF SAID PROPERTY FROM INDUSTRIAL DISTRICT CLASSIFICATION UNDER ORDINANCE NO. 66, AS AMENDED, TO ALLOW FOR A MASONARY FRONT ON THE BUILDING WITH A 24 FOOT WRAP AROUND ON EACH SIDE OF THE BUILDING; CORRECTING THE OFFICIAL ZONING MAP ATTACHED TO ORDINANCE NO. 66; PRESERVING ALL OTHER PORTIONS OF ZONING ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; DETERMINING THAT THE PUBLIC INTEREST, MORALS, AND GENERAL WELFARE DEMAND A ZONING CHANGE AND AMENDMENT HEREIN MADE; PROVIDING A PENALTY; 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 Moses & Cline, Inc. 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: "I-1" Variance to Industrial District Classification to allow for a masonry front on the building with a 24 foot wrap around on each side of the building. Said property being in the City of Addison, Dallas County, Texas, and described as follows:

A tract of land in the G.W. Fisher Survey, Abstract No. 482, Dallas County, Texas, being a part of a 33.16 acre tract conveyed to the St. Louis Southwestern Railway Company of Texas by Harold Star, Trustee, as recorded in Volume 3967, page 367 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point in the north boundary line of said 33.16 acre tract, said point being south eighty-nine (89) degrees, thirty-one (31) minutes east, a distance of twenty (20) feet from a railroad rail monument and being sixty (60) feet east of the center line of Addison Road;

THENCE south eighty-nine (89) degrees, thirty-one (31) minutes east, a distance of six hundred fourteen and thirty-four hundredths (614.34) feet to a point for the northeast corner; said corner being thirty-five and five-tenths (35.5) feet west from the center line of the St. Louis Southwestern Railway Company's Lead Track;

THENCE south parallel to and thirty-five and five-tenths (35.5) feet from the center line of said Lead Track, a distance of seven hundred sixty-five and twenty-four hundredths (765.24) feet to a point;

THENCE north eighty-nine (89) degrees, forty-seven (47) minutes west, a distance of six hundred twenty and seventy-three hundredths (620.73) feet to a point for the southwest corner;

THENCE north zero (0) degrees, twenty-seven (27) minutes, thirty (30) seconds east parallel to and sixty (60) feet from the center line of Addison Road, a distance of seven hundred sixty-eight and fifteen hundredths (768.15) feet to the place of beginning, containing ten and eighty-seven hundredths (10.87) acres of land, more or less.

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

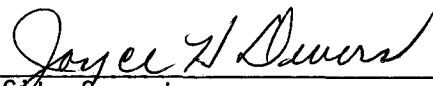
upon conviction shall be punished by a fine not to exceed the sum of Two Hundred (\$200.00) Dollars for each offense and that each day such violation shall continue to exist shall constitute a separate offense. SECTION 6. Whereas, the above described property requires that it be given the above zoning 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,

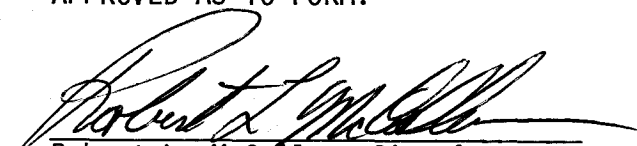
on the 12th day of August A.D., 1975.


MAYOR

ATTEST:


City Secretary

APPROVED AS TO FORM:


Robert L. McCallum, City Attorney