

ORDINANCE No. 245

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 " A " APARTMENT DISTRICT CLASSIFICATION TO " C " COMMERCIAL 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 all persons interested and situated in the area, the City of Addison, Texas is of the opinion that said change of zoning on application of Stuart Hunt 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: " C " Commercial District Classification. Said property being in the City of Addison, Dallas County, Texas, and described as follows:

All that certain property situated in Dallas County, Texas, described as follows, to-wit:

Being a tract of land situated in the Josiah Pancoast Survey, Abstract No. 1146, City of Addison, Dallas County, Texas, and being all of that certain tract of land conveyed to Claude R. McClennahan, Trustee by James E. Dennis, et

al, as recorded in Volume 67226, page 0969, Dallas County Deed Records, and being more particularly described as follows:

BEGINNING at a point in the South line of Belt Line Road (a 100' R/W), said point being in the Easterly line of the St. Louis & Southwestern Railroad 100' R/W, said point also being the Northwest corner of said McClennahan Tract; an iron stake found in place for corner;

THENCE N. 89° 53' E, with the South Line of said Belt Line Road, 894.04' to an iron stake found in the place for corner, said point being the Northwest corner of the Carroll N. Rather tract.

THENCE S. 1° 25' E, with the joint property line of said McClennahan and said Rather tracts, 2595.44' to the Southeast corner of said McClennahan tract, said point being in the North line of Anderson & White Addition to the City of Farmers Branch, Texas an iron stake found in place for corner;

THENCE N. 89° 26' W, with the South line of said McClennahan tract and the North line of said Anderson & White Addition, 60.3' to the northwest corner of said Anderson & White Addition, and continuing at N 89° 26' W along the North line of a Dallas Power & Light Company 3.68 acre tract, 104.9' making a total distance of 165.20' to the Southwest corner of said McClennahan tract, said point being in the Easterly Right of Way of the aforementioned St. Louis & Southwestern Railroad Right of Way; an iron stake set for corner;

THENCE N 17° 01' W, with the Easterly line of said Railroad Right of Way, 2709.83' to the Place of Beginning and containing 31.53 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 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 24 day of February, A.D. 1976.

ATTEST:

Joyce H. Devers
City Secretary

MAYOR

APPROVED AS TO FORM:

Jerry Redding
City Attorney