

ORDINANCE NO. 298

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, CASE 265, BEING A PART OF THE JOSIAH PANCOAST SURVEY, ABSTRACT #1146, AND BEING A PART OF THAT CERTAIN TRACT DESCRIBED IN DEED TO J. R. AND JACK MAXFIELD, FILED AUGUST 18, 1959 AND RECORDED IN THE DEED RECORDS OF DALLAS COUNTY, TEXAS, AND BEING MORE FULLY DESCRIBED IN THE BODY OF THIS ORDINANCE AND CONTAINING 1.0000 ACRE OF LAND BELONGING TO THOMAS A. O'DWYER, FROM "C" COMMERCIAL TO "LR" LOCAL RETAIL DISTRICT CLASSIFICATION; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING FOR A REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; 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 the said change of zoning on application of Thomas A. O'Dwyer, Case 265, 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:

All that certain lot, tract, or parcel of land lying and being situated in the City of Addison, Dallas County, Texas, and being described as follows:

Being a part of the JOSIAH PANCOAST SURVEY, ABSTRACT #1146 and being a part of that certain tract described in Deed to J. R. and Jack Maxfield, filed August 18, 1959 and recorded in the Deed Records of Dallas County, Texas, and being more fully described by metes and bounds as follows:

BEGINNING at an iron rod for corner in the present West line of Inwood Road, a 60 foot right-of-way, said point being North 17 degrees 15 minutes West 951.55 feet from the Southeast corner of said Maxfield tract and South 17 degrees 15 minutes East 734.95 feet from the point of intersection of the said West line of Inwood Road and the Southern most corner of the visibility clip on the South line of Belt Line Road, a 100 foot right-of-way, said point also being the Southeast corner of the Edward H. Harrison tract described in Deed filed September 22 1969 and recorded in the Deed Records of Dallas County, Texas;

THENCE South 17 degrees 15 minutes 0 seconds East 207.04 feet along the said present West line of Inwood Road, to an iron rod for corner;

THENCE West 250.99 feet to an iron rod for corner;

THENCE North 197.72 feet to an iron rod for corner in the South line of said Harrison tract;

THENCE East 189.59 feet along the South line of said Harrison tract to the point of beginning, and containing 1.0000 acre (43557.75 square feet) 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 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 Dollars (\$200.00) 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 this the 14<sup>th</sup> day of December, 1976.

APPROVED:

MAYOR



ATTEST:

  
CITY SECRETARY

APPROVED AS TO FORM:

  
CITY ATTORNEY