

ORDINANCE NO. 311

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 # 273, DAL-MAC DEVELOPMENT COMPANY, BEING A PORTION OF THAT CERTAIN TRACT OF LAND CONVEYED TO FRANCIS D. TRUMAN BY DEED FILED ON MAY 11, 1961, SITUATED IN THE JOSIAH PANCOAST SURVEY, ABSTRACT NO. 1146, DALLAS COUNTY, TEXAS AND CONTAINING 1.522 ACRES OF LAND; FROM INDUSTRIAL-1 TO LOCAL RETAIL DISTRICT CLASSIFICATION AND ALLOWING THREE VARIANCES: (1) TRANSFER AND STORAGE, (2) WAREHOUSE-STORAGE, (3) WHOLESALE HOUSE; 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 DAL-MAC DEVELOPMENT COMPANY, Case # 273 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 with three variances to allow: (1) Transfer and Storage, (2) Warehouse-storage, (3) Wholesale house. Said property being in the City of Addison, Dallas County, Texas, and described as follows:

Being a portion of that certain tract of land conveyed to Francis D. Truman by deed filed on May 11, 1961 situated in the Josiah Pancoast Survey, Abstract 1146, Dallas County, Texas and being more particularly described as follows:

Beginning at the point of intersection of the westerly line of Inwood Road with the north line of the Dallas Power & Light Company Transmission Line right of way as described in deed dated 11-30-56 DRDCT; said beginning point also being 110.0 feet southwesterly from and at right angle to the centerline of the St. Louis & Southwestern Railroad;

THENCE S. 89 degrees 49' 46" W, 200.40 feet along said north line of the D.P. & L. Co. tract to a point for corner;

THENCE N. 16 degrees 49' W, 345.23 feet to a point for corner;

THENCE N. 89 degrees 49' 46" E, 200.40 feet to a point for corner in said westerly line of Inwood Road;

THENCE S. 16 degrees 49' E, 345.23 feet along said westerly line of Inwood Road to the PLACE OF BEGINNING and containing 66,284 square feet or 1.522 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 with three variances.

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

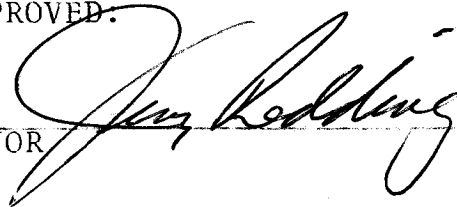
shall continue to exist shall constitute a separate offense.

SECTION 6. Whereas, the above described property requires that it be given the above zoning classification with variances 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 8th day of February, 1977.

APPROVED.

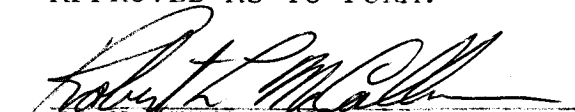
MAYOR



ATTEST:


CITY SECRETARY

APPROVED AS TO FORM:


CITY ATTORNEY