

ORDINANCE NO. 341

AN ORDINANCE OF THE CITY OF ADDISON, TEXAS AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ADDISON, AS HERETOFORE AMENDED SO AS TO GRANT A SPECIAL USE PERMIT AUTHORIZING THE LOCATION OF A DAY NURSERY KEEPING MORE THAN FOUR (4) CHILDREN, UNDER ARTICLE XII, SECTION 6 OF THE COMPREHENSIVE ZONING ORDINANCE, UNDER SPECIAL CONDITIONS, ON PROPERTY LOCATED ON 0.672 ACRES OF LAND AT 3710 SPRING VALLEY ROAD AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; PROVIDING FOR A PENALTY NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING FOR A REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR NO SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Planning Commission of the City of Addison and the Governing Body of the City of Addison, in compliance with the laws of the State of Texas and the ordinance of the City of Addison, 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 affected area and in the vicinity thereof, and in the exercise of its legislative discretion, have concluded that the Comprehensive Zoning Ordinance should be amended; 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, as heretofore amended, be, and the same is hereby amended by amending the Zoning Map of the City of Addison so as to grant a special use permit on the hereinafter described property authorizing the location of a day nursery keeping more than four (4) children, under such conditions as are hereinafter set out on the following described property to-wit:

Being a tract of land situated in the Noah Good Survey, Abstract No. 520, Dallas County, Texas and in the City of Addison, Texas, and being more particularly described as follows:

Beginning at a point in the south line of Spring Valley Road (as determined by dedication dated 13 May 1965), said point being S 89 degrees 43' 26" E 250.00 ft. from the east line of Marsh Lane (as determined by dedication dated 13 May 1965);

THENCE S 89 degrees 43' 26 E, 110.00 feet along said south line;

THENCE South 166.59 feet;

THENCE S 45 degrees 23' 34" W, 137.83 feet;

THENCE N 44 degrees 21' 43" W, 160.00 feet;

THENCE S 89 degrees 43' 26" E, 100.00 feet;

THENCE North 150.00 feet to the Place of Beginning and containing 0.672 acres of land.

SECTION 2. That the above Special Use Permit be granted subject to the following conditions, to-wit:

- a. That prior to the issuance of a Certificate of Occupancy, said property shall be constructed in accordance with the site plan and the elevation drawings showing four (4) exterior walls which are attached hereto and made a part hereof for all purposes;
- b. That the Specific Use Permit granted herein shall be limited to that particular area designated on the site plan attached hereto as being outlined in red and encompassing 8,200 square feet.

SECTION 3. That it is the intention of the City Council that this ordinance be considered in its entirety, as one ordinance, and should any portion of this ordinance be held to be void or unconstitutional, then said ordinance shall be void in its entirety, and the City Council would not have adopted said ordinance if any part of portion of said ordinance should be held to be unconstitutional or void.

SECTION 4. That any person, firm or corporation violating any of the provisions of this ordinance shall, upon commission, be deemed guilty of a misdemeanor, and shall be subject to a fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense, and each day such violation continues shall constitute a separate offense.

SECTION 5. The fact that this day nursery keeping more than four (4) children is authorized only under special use permit, as provided for in the Comprehensive Zoning Ordinance of the City of Addison, and the City Council having found that the property described herein is suitable for such uses, and that a special permit for such use should be granted, this ordinance shall become effective from and after its adoption, and publication of the caption of said ordinance, as the law in such cases provides;

SECTION 6. That all ordinances and provisions contained therein of the City of Addison in conflict with the provisions of this ordinance, be and the same are hereby repealed and all other provisions of said ordinances not in conflict with the provisions of this ordinance remain in full force and effect.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS, on this the 12 day of July, 1977.

APPROVED:

MAYOR



ATTEST:

Acting 
CITY SECRETARY

APPROVED AS TO FORM:

ATTORNEY