

ORDINANCE NO. 364

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ADDISON, AS HERETOFORE AMENDED, SO AS TO GRANT A SPECIAL USE PERMIT FOR THE INSTALLATION OF A PUBLICLY OWNED ELEVATED WATER TOWER ON THE FOLLOWING DESCRIBED PROPERTY, SAID TRACT BEING DESCRIBED AS FOLLOWS: BEING A TRACT OF LAND SITUATED IN THE G.W. FISHER SURVEY, ABSTRACT NO. 482, AS RECORDED IN THE DALLAS COUNTY PLAT BOOK AND SAME BEING IN THE CITY OF ADDISON, DALLAS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; PROVIDING THAT SUCH PROPERTY MAY BE USED UNDER SAID SPECIAL USE PERMIT FOR AN ELEVATED WATER TOWER; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR VIOLATING SAID ORDINANCE; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

WHEREAS, the City Planning Commission of the City of Addison and the governing body of the City of Addison, in compliance with the Zoning Ordinance of the City of Addison and the laws of the State of Texas with reference to the granting of change of zoning under existing zoning regulations, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to persons interested in and situated in the affected area and in the vicinity there-

of, the Governing Body of the City of Addison is of the opinion that a special use permit authorizing the location of a elevated water tower should be granted.

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 an elevated water tower, on such property which is presently zoned "R-3" Residential District zoning, the said area to be covered by said special use permit being described as follows:

Being a tract of land situated in the G.W. Fisher Survey, Abstract No. 482, as recorded in the Dallas County Plat Book and same being in the City of Addison, Dallas County, Texas and being more particularly described as follows:

BEGINNING at a point in the center of the right-of-way of Julian Avenue in the City of Addison, Texas, said point being 225 feet north of the centerline of Mildred Street;

THENCE, North 89° 20' East, 159.0 feet to a corner;

THENCE, North 200.0 feet to a corner;

THENCE, South 89° 20' West, 159.0 feet to a corner;

THENCE, South 200 feet to the Point of Beginning and containing 31,797 square feet or 0.729 acres more or less.

SECTION 2. That all ordinances 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 the ordinances

of the City of Addison, including the comprehensive zoning ordinance, not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. That the above described tract of land shall be used only in the manner and for the purposes provided for in the comprehensive zoning ordinance of the City of Addison, as heretofore amended, and as amended herein.

SECTION 4. That any person violating any provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Addison, as heretofore amended, and upon conviction shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00) for each offense, and each day said violation shall be permitted to continue shall constitute a separate offense.

SECTION 5. Whereas it appears that 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 of Addison, and creates an emergency and an urgency 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 of said ordinance one time in the official publication, as the law in such cases provide.

DULY PASSED THIS THE 11th day of October, 1977.

ATTEST:

John W. Milligan
ACTING CITY SECRETARY

[Signature]
MAYOR