

ORDINANCE NO. 373

AN ORDINANCE OF THE CITY OF ADDISON, TEXAS AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ADDISON, TEXAS, AS HERETOFORE AMENDED TO ALLOW THE MANUFACTURE OF FALSE TEETH AT A DENTAL LABORATORY IN LOCAL RETAIL ZONING AT A PROPOSED OFFICE BUILDING ON THE HEREINAFTER DESCRIBED PROPERTY; BEING SITUATED IN DALLAS COUNTY IN THE ELISHA FIKE SURVEY, ABSTRACT 478, AND ALSO BEING PART OF BELTWAY OFFICE PARK, TRACT III, CONTAINING 1.1019 ACRES OF LAND AND LIMITED TO THE AREA DESIGNATED ON THE ENCLOSED SITE PLAN; 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 variance on application of Case #317, should be granted and the Comprehensive Zoning Ordinance should be amended in the exercise of its legislative direction:

NOW, THEREFORE, BE IT RESOLVED 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 so as to grant the manufacture of false teeth at a dental laboratory in local retail zoning on the hereinafter described property. Such variance shall be noted on the official zoning map of the City of Addison. Said property being in the City of Addison, Dallas County, Texas, and described as follows:

Being a tract of land situated in the City of Addison, Dallas County, Texas; and being a part of the Elisha Fike Survey, Abstract 478 and also being part of Beltway Office Park, Tract III, an addition to the City of Addison as recorded in Volume 77086, Page 0026, of the Deed Records of Dallas County, Texas; and being more particularly described as follows:

BEGINNING at a point for corner in the north line of Beltway Drive (60 feet wide) said point being due west along the north line of Beltway Drive a distance of 199.78 feet from its intersection with the easterly line of Midway Road (as widened);

THENCE due North a distance of 240.00 feet to a point for corner;

THENCE due East along the centerline of a 20.00 foot wide utility easement a distance of 200.00 feet to a point for corner;

THENCE due South a distance of 240.00 feet to a point for corner in the northerly line of Beltway Drive;

THENCE due West along the northerly line of Beltway Drive a distance of 200.00 feet to the POINT OF BEGINNING and containing 48,000 square feet, more or less, or 1.1019 acres.

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 variance.

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.

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 of Addison as heretfore 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 this variance 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 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.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS, on this the 10<sup>th</sup> day of January, 1978.

ATTEST:

John W. Milligan  
ACTING CITY SECRETARY

MAYOR

Jerry Redding