

ORDINANCE NO. 395

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 OF LOUIS F. CANRIGHT, IN THE ORIGINAL TOWN OF ADDISON, FROM "R-3" RESIDENTIAL TO "C" COMMERCIAL DISTRICT CLASSIFICATION, WITH A VARIANCE FROM THE 80% MASONRY REQUIREMENT, AND TO ALLOW A VARIANCE TO PERMIT THE EXISTING STRUCTURE TO BE USED AS A PERMANENT DWELLING UNTIL REMOVAL FOR NEW CONSTRUCTION; PROVIDING FOR A REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

WHEREAS, the City Zoning Commission of the City of Addison, Texas, 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 zoning change with variance on application of Louis Canright, Case #344, 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 to grant a zoning change to Louis Canright for "C" Commercial District Classification with a variance from the 80% masonry requirement and a variance to permit the existing structure to be used as a permanent dwelling until removal for new construction. Such zoning change will be noted on the official zoning map of the City of Addison. Said property being in the City of Addison, Dallas County, Texas, and being described on Attachment A, and made a part hereof.

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 That all ordinances of the City in conflict with the provisions of this Ordinance be, and the same are, hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.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 hereinafter 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 granting this zoning change with 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 provisions 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 change with 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 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 13<sup>th</sup> day of June, 1978.

MAYOR James Hedding

ATTEST:

Jacque Sharp  
CITY SECRETARY

BEING all of lots 1 & 2 of Block D of the W.W. Julian Addition  
an Addition to the Town of Addison, Texas as recorded in Vol.  
1, page 538 of the map records of Dallas County, Texas.