

ORDINANCE NO. 394

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 #314-JAMES E. SAULS, AND BEING SITUATED IN DALLAS COUNTY, TEXAS, OUT OF THE EDWARD COOK SURVEY, ABSTRACT #482, AND BEING 0.774 ACRES OF LAND AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; FROM "I-1" INDUSTRIAL TO "LR" LOCAL RETAIL DISTRICT CLASSIFICATION; 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 from James E. Sauls-Case #314 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. Said property being in the City of Addison, Dallas County, Texas, and described as follows:

BEING a tract of land situated in the Edward Cook Survey, Abstract No. 326, Dallas County, Texas, located on Addison Road in the town of Addison, Texas, and being more particularly described as follows:

BEGINNING at a point on the West line of said Addison Road (a 60 foot road) said point being 314.5 + feet North from the center line of Belt Line Road (a 100 ft. road), said point also being North 2.5' from a tract deeded to J.M. Pistole recorded in Vol. 485, pg. 624 D.R.D.C.T.

THENCE S 88° 47' 56" W. 67.73' with a wood fence to iron rod for corner;

THENCE S with said fence 1.4' to iron rod for corner in the South line of J.M. Pistole tract;

THENCE S 89° 43' 30" W with the South line of said J.M. Pistole tract 134.18' to iron rod for corner in the East line of St. Louis and Southwestern railroad at the S.W. corner of said J.M. Pistole tract;

THENCE N 17° 36' 30" W with the East line of said railroad 157.13' to iron rod for corner;

THENCE N 89° 43' 30" E. 249.41' to iron rod for corner in the West line of said Addison Road;

THENCE South with said Addison Road 147.50' to point of beginning and containing 0.774 acres of 33,713 square feet.

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.

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 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 for the caption as the law in such cases provides.

