

ORDINANCE NO. 407

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 FROM "R-1" RESIDENTIAL DISTRICT CLASSIFICATION TO "A" APARTMENT DISTRICT CLASSIFICATION, CASE #347, FOLSOM INVESTMENTS, BEING SITUATED IN DALLAS COUNTY, TEXAS, OUT OF THE WILLIAM LOMAX SURVEY, ABSTRACT NO. 792, BEING 2.86 ACRES LOCATED SOUTH OF ACADEMY DRIVE AND WEST OF ADDISON 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 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 Folsom Investments-Case # 347 should be granted and the Comprehensive Zoning Ordinance should be amended to show "A" Apartment District Classification 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: "A" Apartment District Classification. Said property being in the City of Addison, Dallas County, Texas, and described as follows:

Lying and situated in Dallas County, Texas, being a part of the William Lomax Survey, Abstract No. 792 and being part of Lot 6 in Block B of Carroll Estates, an addition in Dallas County, Texas, according to the map thereof as recorded in Volume 10, page 473, Map Records of Dallas County, Texas, conveyed to Dallas Power & Light Company by a deed of record in Volume 4741, page 334, Deed Records of Dallas County, Texas, including a part of Carroll Road, as shown by the plat of said Carroll Estates Addition, which was abandoned and reverted to the adjacent and abutting lots of said Carroll Estates Addition by virtue of Commissioner's Court Order No. 15076 of record in Volume 40, page 274 of the Minutes of the Commissioner's Court of Dallas County, Texas, and more particularly described by metes and bounds as follows:

BEGINNING at an iron pin which marks the southeast corner of said Lot 6;

THENCE S 89° 57' W with the south line of said Lot 6 and the westerly prolongation thereof, a distance of 656.9 feet to a fence corner post in the center line of abandoned Carroll Road;

THENCE N 0° 05' W with the fence line along the center line of said abandoned Carroll Road, a distance of 189.2 feet to a point for corner;

THENCE N 89° 55' E, a distance of 656.4 feet to a fence along the east line of said Lot 6;

THENCE S 0° 13' E with said fence, a distance of 189.5 feet to the place of beginning; and containing 2.86 acres of land.

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.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS, on this the 11th day of July, 1978.

Jan Redding
MAYOR

ATTEST:

Jacque Sharp
CITY SECRETARY