

ORDINANCE NO. 422

AN ORDINANCE OF THE CITY OF ADDISON, TEXAS, AMENDING ARTICLE XII, SECTION 7, OF THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ADDISON, TEXAS, AS HERETOFORE AMENDED SO AS TO ALLOW A CAR WASH IN "LR" LOCAL RETAIL DISTRICT CLASSIFICATION ON PROPERTY LOCATED EAST OF MARSH LANE AND SOUTH OF SPRING VALLEY 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 variance on application of Case #361, Windham Industries, 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 Article XII, Section 7 of the Comprehensive

Zoning Ordinance of the City of Addison, Texas, be, and the same is hereby amended to allow a car wash in "LR" Local Retail District Classification on property hereinafter described which consist of less than five (5) acres of land. Such amendment 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 in the Noah Good Survey, Abstract No. 520, Addison, Dallas County, Texas, and being more particularly described as follows:

Commencing at a corner formed by the intersection of the east line of Marsh Lane and the south line of Spring Valley Road; Thence south $89^{\circ} 43' 26''$ east a distance of 150.00 feet to the place of beginning of this survey:

Thence continuing along Spring Valley Road south $89^{\circ} 43' 26''$ east a distance of 100.00 feet to a corner;

Thence south 150.00 feet to a corner;

Thence North $89^{\circ} 43' 26''$ west a distance of 100.00 ft. to a corner, Thence north 150.00 feet to the place of beginning and containing 0.344 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 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 of provision there-
of other than the part so decided to be invalid, illegal, or unconsti-
tutional, 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 pun-
ished 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 wel-
fare of the City and creates an urgency and an emergency for the pre-
servation 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.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
ADDISON, TEXAS, on this the 12th day of September, 1978.

MAYOR



ATTEST:


CITY SECRETARY