

ORDINANCE NO. 461

AN ORDINANCE OF THE CITY OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE NO. 66 OF THE CITY OF ADDISON, TEXAS, AS HERETOFORE AMENDED SO AS TO CHANGE THE HEREINAFTER DESCRIBED PROPERTY BEING SITUATED IN DALLAS COUNTY, TEXAS, AND GENERALLY LOCATED WEST OF MIDWAY ROAD AND SOUTH OF BELT LINE ROAD, BEING IN THE THOMAS L. CHENOWETH SURVEY, ABSTRACT NO. 273, AND CONTAINING 59.6144 ACRES OF LAND, WHICH IS PRESENTLY ZONED RESIDENTIAL ZONING DISTRICT CLASSIFICATION TO BE USED UNDER PLANNED DEVELOPMENT DISTRICT NO. 6, THAT PLANNED DEVELOPMENT DISTRICT NO. 6 SHALL BE GRANTED WITH REFERENCE TO THE HEREIN DESCRIBED PROPERTY SUBJECT, HOWEVER, TO THE SPECIAL CONDITIONS HEREINAFTER MORE FULLY EXPRESSED; PROVIDING FOR A PENALTY NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

WHEREAS, the City Zoning Commission of the City of Addison, Texas, and the City Council of the City of Addison, Texas, in compliance with the laws of the State of Texas with refernce 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 by McCutchin

Joint Venture #1& Corporate Realty No. 71, Case #362, should be granted and the Comprehensive Zoning Ordinance should be amended in the exercise of its legislative direction:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance No. 66 of the City of Addison, Texas, be, and the same is hereby amended to give the hereinafter described property the following zoning district classification, to-wit: Planned Development District No. 6. Said property being in the City of Addison, Dallas County, Texas, and being described as follows:

Being several tracts of land situated in the Thomas L. Chenoweth Survey, Abstract No. 273 in the City of Addison, Dallas County, Texas, and being more particularly described as follows:

FROM a point in the south line of Belt Line Road (a 100 foot R.O.W.), said point being N 89° 25' 00" W, 60.00 feet and south 50.00 feet from the intersection of the centerline of Belt Line Road with the centerline of Midway Road (a 100' R.O.W.); thence, N 89° 25' 00" W, with the south line of Belt Line Road, 855.04 feet; thence, south, 933.86 feet to the POINT OF BEGINNING;

THENCE, South, 30.00 feet to a point;

THENCE, S 00° 08' 37" E, 918.25 feet to a point;

THENCE, S 00° 26' 23" W, 715.22 feet to a point;

THENCE, S 89° 30' 25" W, 397.15 feet to a point;

THENCE, S 89° 52' 20" W, 1328.60 feet to a point;

THENCE, N 00° 11' 34" E, 1440.02 feet to a point;

THENCE, N 89° 52' 20" E, 500.00 feet to a point;

THENCE, N 00° 11' 34" E, 30.00 feet to a point;

THENCE, N 89° 52' 20" E, 478.72 feet to a point, said point being the beginning of a curve to the left having a central angle of 26° 56' 39", a radius of 480.00 feet, and a tangent length of 144.99 feet;

THENCE, along said curve to the left an arc distance of 225.73 feet to a point, said point being the beginning of

a reverse curve to the right having a central angle of 27° 04' 19", a radius of 1050.00 feet, and a tangent length of 252.78 feet;

THENCE, along said curve to the right an arc distance of 496.12 feet to its point of tangency;

THENCE, East, 50.00 feet to the POINT OF BEGINNING and containing 59.6144 acres of 2,596,802 square feet of land, more or less.

SECTION 2. In the hereinabove described land, no land shall be used and no building shall be used, erected, or converted to any other use other than: Single-family and two-family residence; the use restrictions, height restriction, and area restrictions as set forth in R-1 Single Family Dwelling District, and uses customarily incidental thereto when situated in the same dwelling, but said incidental use shall never be permitted as a principal use, rather only as a secondary use engaged in by persons of the immediate family.

- (a) As provided in Planned Development District Article of the Comprehensive Zoning Ordinance, said property shall be improved in accordance with the development plans which are attached hereto and made a part hereof for all purposes.
- (b) No more than twenty-five percent (25%) of the land contained in property as zoned through Ordinance Nos. 459 & 460 shall be developed until at least one-third of the land contained herein has a bona fide contract between the developer and contractors, approved by the city, providing for the installation of street paving, sanitary sewer, and storm sewer conforming to the requirements therefore of the City of Addison.

SECTION 3. All paved areas, permanent drives, streets and drainage structures shall be constructed in accordance with standard City of Addison specifications adopted for such purpose, and the same shall be done to the satisfaction of the Director of Public Works.

SECTION 4. This Planned Development District is established pursuant to the Comprehensive Zoning Ordinance of the City of

Addison as amended, and the provisions thereof unless directly conflict herewith, shall be applicable to the Planned Development District No. 6.

SECTION 5. 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 6. 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 7. 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.

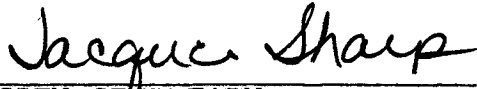
SECTION 8. Whereas, the attached described property requires that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare of the city and creates an urgency and an emergency for the preservation of the public health, safety, and welfare and requires that this ordinance shall take effect immediately

from and after its passage and publication of the caption as the law in such cases provides.

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


MAYOR

ATTEST:


CITY SECRETARY

MIDWAY MEADOWS

PROPOSED DEVELOPMENT STANDARDS

I. Zero-Lot-Line Single Family Lots

1. Typical Lot Minimum Requirements:

- a. Lot area - 5750 sq. ft.
- b. Lot depth - 115 ft.
- c. Lot width - 50 ft.
- d. Front yard - 20 ft. at front entry garages with 10 ft. at screening walls, porte-cochere, or faces of the main residential building
- e. Side yard - 3 ft. at "zero" set back lines. 7 ft. at opposite side
- f. Rear yard - 12 ft. with 20 ft. at rear entry garages
- g. Lot coverage - 50% including accessory buildings but exclusive of swimming pools and cabanas

✓ 2. Maximum building height - 2 stories

3. Minimum dwelling unit area - 1200 sq. ft. of living area
4. Exterior facade shall have a minimum of 70% masonry construction, excluding windows and doors, below the first floor ceiling plate line.
5. Two off street parking spaces shall be provided for each dwelling unit

II. Single Family Detached Lots

1. Typical Lot Minimum Requirements:

- a. Lot area - 7200 sq. ft.
- b. Lot depth - 120 ft.
- c. Lot width - 60 ft.
- d. Front yard - 25 ft.
- e. Side yard - 5 ft. with 10 ft. at street side of corner lots

- f. Rear yard - 10 ft. with 20 ft. at rear entry garages
- g. Lot coverage - 40% including accessory buildings but exclusive of swimming pools and cabanas
2. Maximum building height - 2 stories
3. Minimum dwelling unit area - 1200 sq. ft. of living area
4. Exterior facade shall have a minimum of 70% masonry construction, excluding windows and doors, below the first floor ceiling plate line.
5. Two off street parking spaces shall be provided for each dwelling unit

III. Duplex Lots

1. Typical Lot Minimum Requirements:
 - a. Lot area - 8800 sq. ft.
 - b. Lot depth - 110 ft.
 - c. Lot width - 80 ft.
 - d. Front yard - 20 ft.
 - e. Side yard - 5 ft., 10 ft. at street side of corner lots
 - f. Rear yard - 10 ft. with 20 ft. at rear entry garages
 - g. Lot coverage - 40% including accessory buildings but exclusive of swimming pools and cabanas
2. Maximum building height - 2 stories
3. Minimum dwelling unit area - 1200 sq. ft. of living area
4. Exterior facade shall have a minimum of 70% masonry construction, excluding windows and doors, below the first floor ceiling plate line.
5. Two off street parking spaces shall be provided for each dwelling unit

IV. Sidewalks

Sidewalks 5' in width will be provided in the Single Family Detached area only. The sidewalk will abut the curb of the street and will conform to City of Addison construction specifications. Sidewalks will parallel street right of way, but will not extend into circles, loops, or other irregularities in paving design.