

ORDINANCE NO. 467

AN ORDINANCE OF THE CITY OF ADDISON, TEXAS,  
AMENDING THE COMPREHENSIVE ZONING ORDINANCE  
OF THE CITY OF ADDISON, AS HERETOFORE AMENDED,  
SO AS TO CHANGE THE HEREINAFTER DESCRIBED  
PROPERTY, CASE #261, CITY OF ADDISON, BEING  
SITUATED IN DALLAS COUNTY, TEXAS, AND LOCATED  
IN THE JOSHIAH PANCOAST SURVEY, ABSTRACT NO.  
1146, CONTAINING 0.5828 ACRES OF LAND, TO  
CHANGE FROM THE ZONING CLASSIFICATION OF  
LOCAL RETAIL WITH SPECIAL USES FOR THE SALE  
OF ALCOHOLIC BEVERAGES FOR OFF-PREMISES CON-  
SUMPTION AND SPECIAL USES FOR THE SALE OF  
BEER AND WINE FOR OFF-PREMISES CONSUMPTION  
TO LOCAL RETAIL WITHOUT SPECIAL USES FOR THE  
SALE OF ALCOHOLIC BEVERAGES FOR OFF-PREMISES  
CONSUMPTION AND SPECIAL USES FOR THE SALE OF  
BEER AND WINE FOR OFF-PREMISES CONSUMPTION;  
THEREBY REVOKING AND TERMINATING THE SPECIAL  
USES AS HERETOFORE GIVEN; 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 Governing Body of the City of Addison 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, 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 of City of Addison, 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 herein after described property Local Retail Zoning without special uses for the sale of alcoholic beverages for off-premises consumption and special uses for the sale of beer and wine for off-premises consumption by revoking and terminating Ordinance No. 307 and Ordinance No. 308 granted to Thelma Rinehart on the 4th day of January, 1977. Said property being in the City of Addison, Dallas County, Texas, and being described as follows:

Being a part of the Joshiah Pancoast Survey, Abstract No. 1146, and part of that certain tract described in deed to J.R. and Jack G.S. Maxfield, filed 8-18-59 and recorded in the Deed Records of said County, and being more particularly described by metes and bounds as follows:

BEGINNING at an iron rod for corner in the present West line of Inwood Road, a 60 foot right-of-way, said point being S 17 degrees 15' E 941.99 feet from the Southern most corner of the visibility clip on the South line of Belt Line Road, a 100 foot right-of-way, point also being the southeast corner of that certain one acre tract of land conveyed to Thomas O'Dwyer by deed dated 2 May 1974 and recorded in the said Deed Records;

THENCE S 17 degrees 15" E 100.00 feet along the said present West line of Inwood Road to an iron rod for corner;

THENCE West 280.64 feet parallel to the South line of said O'Dwyer tract to an iron rod for corner;

THENCE North 95.50 feet to an iron rod for corner, the Southwest corner of said O'Dwyer tract;

THENCE East 250.99 feet along the South line of the said O'Dwyer tract to the point of beginning and containing 0.5828 acres of land.

SECTION 2. That Ordinance No. 307 and Ordinance No. 308 are hereby repealed and all other ordinances that are in conflict with the provisions of this ordinance 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 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 4. 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 5. 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 of the caption as the law in such cases provides.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY  
OF ADDISON, TEXAS, this the 13<sup>th</sup> day of February,  
1979.

*J. Kelly*  
MAYOR

ATTEST:

*Jacque Sharp*  
CITY SECRETARY