

ORDINANCE NO. 486

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ADDISON, TEXAS, AS HERETOFORE AMENDED TO ALLOW A VARIANCE FROM THE TWO AND ONE-HALF (2-1/2) STORY HEIGHT RESTRICTION TO ALLOW THREE (3) STORIES ON PROPERTY LOCATED BETWEEN DALLAS PARKWAY AND ADDISON ROAD, TO GRIFFIN DEVELOPMENTS, CASE #431, BEING SITUATED IN DALLAS COUNTY AND BEING OUT OF THE ELI SHEPHERD SURVEY, ABSTRACT NO. 1361, AND CONTAINING IN TRACT I 1.961 ACRES OF LAND, IN TRACT II 4.233 ACRES OF LAND 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, Texas, 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 Comprehensive Zoning Ordinance should be amended to grant this variance.

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

SECTION 1. That Ordinance No. 66, the Comprehensive Zoning Ordinance of the City of Addison, Texas, is hereby amended to grant a variance from the two and one half (2-1/2) story requirement in Local Retail District to allow a three (3) story building on the hereinafter described property. Such variance 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:

TRACT I

BEING a tract of land out of the Eli Shepherd Survey, Abstract No. 1361 situated in the City of Addison, Dallas County, Texas and being more particularly described as follows:

BEGINNING at a point on the east line of Addison Road (A 60 foot right-of-way), said point being S 89° 35' 11" W., 10.00 feet; Thence N 0° 22' 17" W., 1446.25 feet; Thence N. 2° 01' 34" E., 1772.69 feet from the northwest corner of Lot 1, Block 1 of Bent Tree Oaks, an Addition to the City of Addison, as recorded in Volume 78004 at Page 0007 of the Deed Records of Dallas County, Texas;

THENCE N, 2° 01' 34" E, 244.00 feet along the said east line of Addison Road to a point for corner;

THENCE S 89° 56' 59" E., 350.21 feet to a point for corner on the west line of Dallas Parkway (a 200 foot right-of-way);

THENCE S. 2° 01' 34" W., 244.00 feet along the said west line of Dallas Parkway to a point for corner;

THENCE N. 89° 56' 59" W., 350.21 feet to the Point of Beginning and containing 1.961 acres of land or 85,400 square feet.

TRACT II

BEING a tract of land out of the Eli Shepherd Survey, Abstract No. 1361 situated in the City of Addison, Dallas County, Texas and being more particularly described as follows:

BEGINNING at a point on the east line of Addison Road (a 60 foot right-of-way), said point being S 89° 35' 11" W., 10.00 feet; Thence N. 0° 22' 17" W., 1446.25 feet; Thence N. 2° 01' 34" E., 1253.13 feet from the northwest corner of Lot 1, Block 1 of Bent Tree Oaks, an Addition to the City of Addison, as recorded in Volume 78004 at Page 0007 of the Deed Records of Dallas County, Texas;

THENCE N 2° 01' 34" E., 519.56 feet along the said east line of Addison Road to a point for corner;

THENCE S 89° 56' 59" E., 350.21 feet to a point for corner on the west line of Dallas Parkway (a 200 foot right-of-way);

THENCE S 2° 01' 34" W., 531.64 feet along the said west line of Dallas Parkway to a point for corner;

THENCE N 87° 58' 26" W., 350.00 feet to the Point of Beginning and containing 4.223 acres of land, or 183,960 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 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 or provision thereof other than the part so decided to be invalid, illegal or unconstitutional and the same 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 of Addison 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 this variance 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 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 13th day of March, 1979.


MAYOR

ATTEST:


CITY SECRETARY