

ORDINANCE NO. 585

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 GRANT A VARIANCE FROM THE 80% MASONRY REQUIREMENT IN "LR" LOCAL RETAIL DISTRICT CLASSIFICATION ZONING TO ALLOW A PORTABLE BUILDING AS SHOWN ON THE SITE PLAN OF THE SPECIAL USE PERMIT GRANTED TO SALIH'S RESTAURANT, ORDINANCE NO. 295, LOCATED NORTH OF BELT LINE AND EAST OF ADDISON ROAD; 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, in compliance with the laws of the State of Texas and the ordinance of the City of Addison, 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 affected area and in the vicinity thereof, and in the exercise of its legislative direction, have concluded that the said variance on application by Salih's Restaurant should be granted and the comprehensive zoning ordinance should be amended, now, therefore,

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

SECTION 1. Amend Ordinance No. 295 to allow a 10' x 10' portable building and such building is granted a variance to the 80% masonry requirement in Local Retail Zoning.

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 That all ordinances of the City in conflict with the provisions of this Ordinance be, and the same are hereby repealed, and all other provisions of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.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 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 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 BY THE CITY COUNCIL OF THE CITY OF ADDISON,
TEXAS, this the 13 day of May, 1980.

MAYOR *J. Kelly*

ATTEST:

Jacque Sharp
CITY SECRETARY