

ORDINANCE 611

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 HEIGHT VARIANCE TO DARYL SNADON, BELTWAY DEVELOPMENT CO., TO ALLOW AN ELEVEN STORY OFFICE BUILDING NOT TO EXCEED 150 FEET IN HEIGHT IN "LR" LOCAL RETAIL ZONING LOCATED AT THE SOUTHEAST CORNER OF BELT LINE ROAD AND MIDWAY ROAD AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; PROVIDING FOR A PENALTY; 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 there, and in the exercise of its legislative direction, is of the opinion that said variance on application from Daryl Snadon 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. That the Comprehensive Zoning Ordinance of the City of Addison, Texas, be, and the same is hereby amended to grant a variance to Daryl Snadon to allow an 11 story office building

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 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 for the caption as the law in such cases provides.

in "LR" Local Retail District Classification 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:

WHEREAS, Daryl N. Snadon, Trustee, is the owner of a tract of land situated in the City of Addison, Dallas County, Texas, and being a part of the Elisha Fike Survey, Abstract 478, and also being a part of Beltway Office Park, Tract III, an addition to the City of Addison, Texas, as recorded in Volume 77086, Page 0026, of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the intersection of the southerly line of Belt Line Road with the southeasterly cut-off line between the easterly line of Midway Road (50 feet from centerline) and the southerly line of Belt Line Road;

THENCE South  $89^{\circ} 41' 54''$  East along the southerly line of Belt Line Road a distance of 249.83 feet to the beginning of a curve to the right;

THENCE in an easterly direction along the southerly line of Belt Line Road and along said curve to the right having a radius of 2814.79 feet, a central angle of  $4^{\circ} 50' 15''$  and an arc length of 237.65 feet to the end of said curve to the right;

THENCE South  $84^{\circ} 51' 39''$  East along the southerly line of Belt Line Road a distance of 80.15 feet to a point for corner;

THENCE South  $0^{\circ} 01' 24''$  East along the westerly line of a tract of land conveyed to Victoria Station a distance of 513.76 feet to a point for corner;

THENCE due West along the centerline of a 20 foot wide utility easement a distance of 574.36 feet to a point for corner in the easterly line of Midway Road (50 feet from centerline);

THENCE North  $0^{\circ} 18' 13''$  West along the easterly line of Midway Road a distance of 523.71 feet to an angle point;

THENCE North  $45^{\circ} 20' 47''$  East along the southeasterly cut-off line between the easterly line of Midway Road and the southerly line of Belt Line Road a distance of 13.98 feet to the POINT OF BEGINNING and containing 6.9875 acres.

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.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY  
OF ADDISON, TEXAS, on this the 9<sup>th</sup> day of September 1980.

MAYOR



ATTEST:

  
CITY SECRETARY