

ORDINANCE 622

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 SOUTH OF BELT LINE ROAD, WEST OF MIDWAY ROAD AND EAST OF MARSH LANE AND CONTAINING 83.7 ACRES, WHICH IS PRESENTLY ZONED APARTMENT AND RESIDENTIAL TO PLANNED DEVELOPMENT, TOWNHOUSE/CONDOMINIUM, WITH A VARIANCE TO ALLOW ZERO LOT LINE, COVERED PARKING AND THE SCREENING OF REFUSE CONTAINERS; PROVIDING FOR A REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND DECLARING AN EMERGENCY.

WHEREAS, application was made to amend the Comprehensive Zoning Ordinance of the City of Addison, Texas, by making application for the same with the Planning and Zoning Commission of the City of Addison, Texas, as required by State Statutes and the zoning ordinance of the City of Addison, Texas, and all the legal requirements, conditions and prerequisites having been complied with, the case having come before the City Council of Addison, Texas, after all legal notices, requirements, conditions and prerequisites having been complied with; and

WHEREAS, the City Council of the City of Addison, Texas does find that there is a public necessity for the zoning change, that the public demands it, that the public interest clearly requires the amendment, and it is in the best interest of the public at large, the citizens of the City of Addison, and helps promote the general welfare and safety of this community, now, there

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, be, and the same is hereby amended, so as to give the hereinafter described property the following zoning district classification, to-wit: Planned Development, Townhouse/Condominium.

SECTION 2. That Article VIII-B, Planned Development, Townhouse/Condominium is hereby amended by amending Section 7 to read as follows on the hereinafter described property:

Section 7. Permitted Uses

- A. Single-family unit on a platted lot.
- B. Two or more single family units on a platted lot.
- C. Zero Lot Line
- D. Community Center

SECTION 3. That Article VIII-B, Planned Development, Townhouse/Condominium is hereby amended by Amending Section 13.A to read as follows on the hereinafter described property.

Section 13. Parking, Garages, Carports

- A. Adequate parking space shall be provided to meet the requirements of the residents and their guests.
One (1) parking space shall be provided for each 500 square feet of air-conditioned space with a minimum of two (2) spaces per dwelling unit. A minimum of 1/2 parking space shall be provided per unit as guest parking. No unit shall be constructed with less than one (1) covered enclosed parking space. Tandem parking will be acceptable. Guest parking may be averaged throughout the development, but must be in proximity to the unit served.

SECTION 4. That Article VIII-B, Planned Development, Townhouse/Condominium is hereby amended by amending Section 19 to read as follows on the hereinafter described property.

Section 19. Refuse Collection and Storage

Individual curbside refuse collection will be required for each unit.

SECTION 5. Said property, for the above mentioned zoning change and variance, is in the City of Addison, Dallas County, Texas, and is described as follows:

Being a tract of land situated in the City of Addison, Dallas County,

Texas, and being a part of the Thomas L. Chenoweth Survey, Abstract 273, and also being a part of the tract of land conveyed to J. E. Bush by three deeds recorded in Volume 2591, Page 513; Volum 3406, Page 232; and Volume 934, Page 55, of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at the intersection of the easterly line of Marsh Lane (variable width) with the southeasterly cut-off line between the said easterly line of Marsh Lane and the southerly line of Belt Line Road (100 foot right-of-way);

THENCE South $0^{\circ}55'22''$ West along the easterly line of Marsh Lane a distance of 920.00 feet to an angle point;

THENCE South $5^{\circ}59'42''$ West along the easterly line of Marsh Lane a distance of 169.66 feet to an angle point;

THENCE South $0^{\circ}55'22''$ West along the easterly line of Marsh Lane a distance of 145.00 feet to the POINT OF BEGINNING of the herein described tract;

THENCE South $89^{\circ}04'38''$ East a distance of 82.35 feet to the beginning of a curve to the right;

THENCE in a southeasterly direction along said curve to the right having a radius of 500.00 feet, a central angle of $35^{\circ}00'00''$ and an arc length of 305.43 feet to the end of said curve to the right;

THENCE South $54^{\circ}04'38''$ East a distance of 290.76 feet to a point for corner;

THENCE South $35^{\circ}55'22''$ West a distance of 49.66 feet to the beginning of a curve to the left;

THENCE in a southwesterly, southerly and southeasterly direction along said curve to the left having a radius of 300.00 feet, a central angle of $60^{\circ}29'27''$ and an arc length of 316.73 feet to the end of said curve to the left;

THENCE South $24^{\circ}34'05''$ East a distance of 115.94 feet to the beginning of a curve to the right;

THENCE in a southeasterly, southerly and southwesterly direction along said curve to the right having a radius of 1000.00 feet, a central angle of $27^{\circ}00'00''$ and an arc length of 471.24 feet to the end of said curve to the right;

THENCE South $2^{\circ}25'55''$ West a distance of 45.00 feet to the beginning of a curve to the left;

THENCE in a southwesterly, southerly and southeasterly direction along said curve to the left having a radius of 500.00 feet, a central angle of $80^{\circ}00'00''$ and an arc length of 698.13 feet to the end of said curve to the left;

THENCE South $77^{\circ}34'05''$ East a distance of 200.00 feet to the beginning of a curve to the left;

THENCE in a southeasterly, easterly and northeasterly direction along said curve to the left having a radius 700.00 feet, a central angle of 66°00'00" and an arc length of 806.34 feet to the end of said curve to the left;

THENCE North 36°25'55" East a distance of 325.00 feet to a point for corner;

THENCE in a southeasterly direction along a curve to the left whose tangent bears South 53°34'05" East and having a radius of 800.00 feet, a central angle of 13°30'00" and an arc length of 188.50 feet to the end of said curve to the left;

THENCE 67°04'05" East a distance of 274.14 feet to the beginning of a curve to the left;

THENCE in a southeasterly, easterly and northeasterly direction along said curve to the left having a radius of 1500.00 feet, a central angle of 50°35'11" and an arc length of 1324.35 feet to the end of said curve to the left and the beginning of a curve to the right;

THENCE in a northeasterly and easterly direction along said curve to the right having a radius of 400.00 feet, a central angle of 28°16'00" and an arc length of 197.34 feet to the end of said curve to the right;

THENCE South 89°23'17" West a distance of 165.60 feet to a point for corner;

THENCE South 0°52'02" West a distance of 832.64 feet to a point for corner;

THENCE North 89°21'22" West a distance of 1748.71 feet to a point for corner;

THENCE South 2°40'08" West a distance of 47.22 feet to a point for corner;

THENCE North 88°58'49" West a distance of 1392.78 feet to an angle point;

THENCE North 89°13'31" West a distance of 1105.12 feet to a point for corner in the easterly line of Marsh Lane (variable width);

THENCE North 0°55'22" East along the said easterly line of Marsh Lane a distance of 2163.54 feet to the POINT OF BEGINNING and containing 83.7 acres, more or less.

SECTION 6. 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 7. 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 of 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 8. 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 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 9. The fact that the present ordinances and regulations of the city are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the inhabitants of the city creates an emergency for the immediate preservation of the public business, property, health, safety and general welfare of the public which requires that this ordinance shall become effective from and after the date of its passage, as provided by law, and it is accordingly so ordained,

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF ADDISON,
TEXAS on this the 14 day of October, 1980.

MAYOR 

ATTEST:


CITY SECRETARY