

ORDINANCE 623

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 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, CONTAINING 40.0 ACRES OF LAND, WHICH IS PRESENTLY ZONED RESIDENTIAL TO BE USED UNDER PLANNED DEVELOPMENT NO. 15, THAT PLANNED DEVELOPMENT NO. 15 SHALL BE GRANTED WITH REFERENCE TO THE HEREIN DESCRIBED PROPERTY SUBJECT, HOWEVER, TO THE SPECIAL CONDITIONS HEREINAFTER MORE FULLY EXPRESSED; PROVIDING FOR REPEAL; PROVIDING FOR A SEVERABILITY CLAUSE; 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, therefore

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

SECTION 1. That the Comprehensive Zoning Ordinance No. 66 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 No. 15. Said property being in the City of Addison, Dallas County, Texas, and being 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; Volume 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 westerly line of Midway Road (100 foot right-of-way) and the southerly line of a 100-foot wide D P & L Company 100-foot right-of-way, said point also being the most easterly northeast corner of said J. E. Bush tracts;

THENCE North  $89^{\circ}23'17''$  West along the southerly line of said 100-foot wide D P & L Company right-of-way a distance of 850.00 feet to the POINT OF BEGINNING of the herein described tract;

THENCE South  $0^{\circ}52'02''$  West a distance of 335.00 feet to a point for corner;

THENCE North  $89^{\circ}23'17''$  West a distance of 165.60 feet to the beginning of a curve to the left;

THENCE in a westerly and southwesterly direction along said curve to the left having a radius of 400.00 feet, a central angle of  $28^{\circ}16'00''$  and an arc length of 197.34 feet to the end of said curve to the left and the beginning of a curve to the right;

THENCE in a southwesterly, westerly and northwesterly direction along said curve to the right having a radius of 1500.00 feet, a central angle of  $50^{\circ}35'11''$  and an arc length of 1324.35 feet to the end of said curve to the right;

THENCE North  $67^{\circ}04'15''$  West a distance of 274.13 feet to the beginning of a curve to the right;

THENCE in a northwesterly, northerly and northeasterly direction along said curve to the right having a radius of 800.00 feet, a central angle of  $68^{\circ}00'00''$  and an arc length of 949.46 feet to the end of said

curve to the right;

THENCE North 0°55'55" East a distance of 248.06 feet to the beginning of a curve to the left;

THENCE in a northeasterly, northerly and northwesterly direction along said curve to the left having a radius of 250.00 feet, a central angle of 54°00'00" and an arc length of 235.62 feet to the end of said curve to the left;

THENCE North 53°14'15" West a distance of 52.11 feet to a point for corner;

THENCE in a northeasterly direction along a curve to the left whose tangent bears North 36°55'55" East having a radius of 800.00 feet, a central angle of 6°00'00" and an arc length of 83.78 feet to the end of said curve to the left;

THENCE North 30°55'55" East a distance of 398.27 feet to the beginning of a curve to the right;

THENCE in a northeasterly, easterly and southeasterly direction along said curve to the right having a radius of 400.00 feet, a central angle of 60°00'00" and an arc length of 418.88 feet to the end of said curve to the right;

THENCE South 89°04'05" East a distance of 99.06 feet to a point for corner;

THENCE 0°55'55" West a distance of 1492.52 feet to a point for corner;

THENCE South 89°23'17" East a distance of 1843.53 feet to the POINT OF BEGINNING and containing 40.0 acres, more or less.

SECTION 2. In the hereinabove described land or building no land shall be used, erected or converted to any use other than:

1. Single-family detached
2. Zero Lot Line/Patio Home

SECTION 3. The following special conditions are placed upon the hereinabove described property:

- ✓ 1) 30% of the lots would be no less than 60' x 105'.
- ✓ 2) Units per acre - five and one-half (5 1/2) maximum - Majority of the lots should not be less than 5500 sq. ft.
- 3) Zero Lot Line/Patio Homes where no alleys are necessary and front-entry garages or carports are utilized.
  - a. Minimum lot area - 3,600 sq. ft.
  - ✓ b. Minimum lot width at building line - 40 ft.
  - c. Minimum lot depth - 90 ft.
  - d. Minimum yards:

1. Front yards - none required.
  2. Rear Yards - none required.
  3. Side yards - only one required - 8 foot minimum; no accessory buildings shall be permitted within required side yard.
- e. Other minimum setbacks:
1. Front facing garage or carport - 20 feet from public rights-of-way or public easements on front property line.
  2. Side facing garage or carport - no setbacks required.
- f. Minimum floor area per dwelling unit - 1,000 gross sq. ft. of air-conditioned space, excluding garage.
- g. Maximum lot coverage - 60%
- h. Parking:
1. All residences should be provided with a two car enclosed garage.
  2. Off-street parking - one space for each dwelling will be provided on each lot, excluding required garages or carports.
- i. Maximum height - two habitable stories, with total height not to exceed 36 feet.
- j. No windows or openings will be allowed in a wall abutting a property line which abutts or is adjacent to another dwelling.
- k. Minimum maintenance easement of three (3) feet on the side yard for the adjacent lot.
1. No portion of any building shall extend beyond lot lines or into public easements or public rights-of-way.
4. Final platting of lots to be submitted.
5. A 4.6 acre park will be provided in the northern most portion of this tract.

SECTION 4. All paved areas, permanent drives, streets and drainage structures shall be constructed in accordance with standard City of Addison specifications adopted for such purpose, and the same shall be done to the satisfaction of the Director of Public Works, unless otherwise approved by the City Council.

SECTION 5. 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 pro-

visions of this ordinance shall remain in full force and effect.

SECTION 6. 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 7. 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 8. 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 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