

ORDINANCE NO. 681

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 ALLOW A VARIANCE FROM THE 80% MASONRY REQUIREMENT IN "LR" LOCAL RETAIL ZONING FOR A PROPOSED RESTAURANT LOCATED AT THE NORTHEAST CORNER OF RUNYON AND BELT LINE ROAD, CASE # 600, ON APPLICATION FROM HUNAN CHINESE RESTAURANT FOR A PENALTY NOT TO EXCEED 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, 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 said variance on application of Case #600, tax #1-20-0030, should be granted and the Comprehensive Zoning Ordinance should be amended in the exercise of its legislative direction:

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 from the 80% masonry requirement in Local Retail Zoning

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, as described on Attachment "A".

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 That all ordinances of the city in conflict with the provisions of this ordinance, be, and the same are, hereby repealed and all other ordinances of the city not in conflict with the provisions of this ordinance shall remain in full force and effect.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 26 day of May, 1981.


MAYOR

ATTEST:


CITY SECRETARY

FIELD NOTES

for
Restaurant Site
at the
Northeast Corner
of
Belt Line Road & Runyon Road

Being situated in the David Myers Survey, Abstract No. 923, Dallas County Texas, and being Duncan's Addition, an addition to the City of Addison as per the plat thereof recorded in Volume 79058, Page 1912, Map Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the intersection of the north line of Belt Line Road (100' R.O.W.) and the east line of Runyon Road (60' R.O.W.);

THENCE North $00^{\circ}08'05''$ East and along the east line of Runyon Road a distance of 175.0 feet to a point for corner;

THENCE South $89^{\circ}51'55''$ East, a distance of 230.0 feet to a point for corner;

THENCE South $00^{\circ}08'05''$ West, a distance of 175.0 feet to a point for corner;

THENCE North $89^{\circ}51'55''$ West along the north line of Belt Line Road a distance of 230.0 feet to the POINT OF BEGINNING and containing approximately 40,250 square feet or 0.924 acres of land.