

ORDINANCE NO. 703

AN ORDINANCE OF THE CITY OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ADDISON, AS HERETOFORE AMENDED, SO AS TO CHANGE THE HEREINAFTER DESCRIBED PROPERTY LOCATED AT 4811 KELLER SPRINGS ROAD, FROM THE ZONING CLASSIFICATION OF LOCAL RETAIL WITH SPECIAL USES FOR A RESTAURANT WITH THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION TO LOCAL RETAIL WITHOUT SPECIAL USES; THEREBY REVOKING AND TERMINATING ORDINANCE NO. 650 AND 326; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

WHEREAS, the City Planning Commission of the City of Addison, Texas, and the Governing Body of the City of Addison, Texas, in compliance with the Zoning Ordinance of the City of Addison and the laws of the State of Texas with reference to the granting of change of zoning under existing zoning regulations, 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 persons interested in and situated in the affected area and in the vicinity thereof, the governing body of the City of Addison is of the opinion that a special use permit authorizing location of a restaurant and the sale of alcoholic beverages for on-premises consumption located at 4811 Keller Springs, Larry Sullivan, Tax # 1-03-0023, Case #614 on application from City of Addison, should be terminated, now, therefore,

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Addison, Texas, as heretofore amended, be, and the same is hereby amended by amending the Zoning Map of the City of Addison, Texas, so as to terminate the Special Use Permit for a restaurant and the sale

of alcoholic beverages for on-premises consumption. Said special use permit shall be terminated, by revoking Ordinance No. 650 and 326 granted on the following described property, to-wit:

BEING a tract of land out of the William Lomax Survey, Abstract Number 792, County of Dallas, Texas, and in the City of Dallas Block Nos. 8234, 8235, and a part of 8236, and being more particularly described as follows:

BEGINNING at a point for a corner in the North right-of-way of Keller Springs Road (50' wide) said point being South 29 degrees 26'06"E, 941.15 feet from the Easterly right-of-way line of Addison Road (60' wide);

THENCE N 0°33'54" E, 397.53 feet to a point for corner;

THENCE S 89°26'06" E, 435.61 feet to a point for corner;

THENCE S 0°12'43" E, 397.58 feet to a point for a corner;

THENCE N 89°26'06" W, along the said North line of Keller Springs Road, 441.00 feet to the POINT OF BEGINNING AND CONTAINING 174,239.6 square feet or 4.0000 acres of land.

SECTION 2. That Ordinance No. 650 and 326 is hereby repealed and all other ordinances that are in conflict with the provisions of this ordinance 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 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 of this ordinance shall, upon commission, be deemed guilty of a misdemeanor, and shall be subject to a fine not to exceed

the sum of Two Hundred Dollars (\$200.00) for each offense, and each day said violation continues shall constitute a separate offense.

SECTION 5. The fact that the sale of alcoholic beverages in the City of Addison is authorized only under special use permits as provided for in the Comprehensive Zoning Ordinance of the City of Addison, and the City Council having found that the property described herein is not suitable for such, therefore, this ordinance shall become effective from and after its adoption, and publication of the caption of said ordinance, as the law in such cases provides.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS,
this the 25 day of August, 1981

MAYOR



ATTEST:


CITY SECRETARY