

ORDINANCE NO. 241

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 VARIANCE TO ALLOW TEN (10) STORIES IN LOCAL RETAIL ZONING LOCATED AT THE NORTHEAST CORNER OF ADDISON ROAD AND SOJOURN ROAD ON APPLICATION FROM BURNS PETROLEUM COMPANY, CASE #644; PROVIDING FOR A REPEAL CLAUSE; PROVIDING FOR A PENALTY CLAUSE; 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 Article VIII, Section 2 of the
Comprehensive Zoning Ordinance of the City of Addison, Texas, be,
and the same is hereby amended to grant a variance from the
height requirements to allow a ten (10) story building on the
hereinafter described property. Said variance shall be noted on
the official zoning map of the City of Addison. Said property is
in the City of Addison, Dallas County, Texas, and described as
follows:

BEING a tract of land situated in the Eli Shepherd Survey,
Abstract No. 1361 in the City of Addison, Dallas County, Texas
and being more particularly described as follows:

BEGINNING at a point of intersection of the east line of Addison
Road (a 60 foot right-of-way) with the north line of Sojourn
Drive (a 60 foot right-of-way);

THENCE N. 2°01'34" E, 629.76 feet along the said east line of
Addison Road to a point for corner;

THENCE S. 87°58'26" E, 350.00 feet to a point for corner on the
west line of Dallas Parkway (a 200 foot right-of-way);

THENCE S 2°01'34" W, 614.82 feet along the said west line of
Dallas Parkway to a point of intersection of the said west line
of Dallas Parkway with the said north line of Sojourn Drive;

THENCE S 89°34'56" W, 350.32 feet along the said north line of
Academy Drive to the Point of Beginning and containing 217,802
square feet or 5.000 acres of land.

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 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 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 provisions thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of this ordinance as a whole.

SECTION 5. Whereas, the above described property required that it be given the above zoning classification 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 the 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.


MAYOR

ATTEST:

Jacque Sharp
CITY SECRETARY

Approved as to form:

[Signature]
City Attorney

Effective Date:

12-2-81