

ORDINANCE NO. 799

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A VARIANCE TO LOCAL RETAIL ZONING TO ALLOW A BUILDING OR STRUCTURE TO BE LIMITED TO THE MAXIMUM HEIGHT RESTRICTIONS ALLOWED BY F.A.A. ON LAND LOCATED NORTH OF BELTWAY DRIVE AND EAST OF MIDWAY ROAD AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE, ON APPLICATION FROM DARYL SNADON, CASE #691-V; 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 Town of Addison, Texas, by making application for the same with the Planning and Zoning Commission of the Town of Addison, Texas as required by State Statutes and the zoning ordinance of the Town 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 Town 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 Town of Addison, and helps

promote the general welfare and safety of this community, now,  
therefore

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

SECTION 1. That Article VIII of the Comprehensive Zoning Ordinance is hereby amended by amending Section 2. to allow a building or structure on the hereinafter described land not to exceed a height limit that is allowable by the FAA.

SECTION 2. Said property for the above mentioned zoning variance is in the Town of Addison, Texas, and is described as follows:

WHEREAS, Beltway Development Corporation and Daryl N. Snadon, Trustee, are the owners of a tract of land situated in the City of Addison, Dallas County, Texas, and being part of the Elisha Fike Survey Abstract 478, and also being part of a 14.077 acre tract of land conveyed to Robert W. Collins, Trustee by deed dated June 29, 1973, recorded in Volume 73128, Page 0613, and all of a 26.1091 acre tract of land conveyed to Robert W. Collins, Trustee, by Deed dated June 21, 1973, and recorded in Volume 73122, Page 0836, of the Deed Records of Dallas County, and being more particularly described as follows:

BEGINNING at a point for corner at the intersection of the easterly line of Midway Road (60 feet wide) and the southeasterly cut-off line between the easterly line of Midway Road and the southerly line of Belt Line Road (100 feet wide);

THENCE North  $45^{\circ}20'47''$  East along the southeasterly cut-off line between the easterly line of Midway Road and the southerly line of Belt Line Road a distance of 41.95 feet to a point for corner in the southerly line of Belt Line Road;

THENCE South  $89^{\circ}41'54''$  East along the southerly line of Belt Line Road a distance of 249.83 feet to the beginning of a curve to the right;

THENCE in an easterly direction continuing along the southerly line of Belt Line Road and along said curve to the right having a radius of 2814.79 feet, a central angle of  $4^{\circ}50'15''$  and an arc length of 237.65 feet to the end of said curve to the right;

THENCE South 84°51'39" East continuing along the southerly line of Belt Line Road a distance of 442.05 feet to the beginning of a curve to the left;

THENCE in an easterly direction continuing along the southerly line of Belt Line Road and along said curve to the left having a radius of 2914.79 feet, a central angle of 0°28'45" and an arc length of 24.38 feet to a point for corner;

THENCE South 0°01'24" East along the westerly line of a 1.170 acre tract of land conveyed to the City of Addison by deed recorded October 4, 1971, in the Deed of Records of Dallas County a distance of 367.93 feet to a point for corner;

THENCE North 89°58'36" East along the southerly line of said City of Addison tract and a 1.153 acre tract of land conveyed to the City of Addison, by deed recorded October 4, 1971, in the Deed Records of Dallas County, a total distance of 279.99 feet to a point for corner;

THENCE North 0°01'24" West along the easterly line of said 1.153 acre, City of Addison tract a distance of 356.28 feet to a point for corner in the southerly line of Belt Line Road;

THENCE North 89°53'51" East along the southerly line of Belt Line Road a distance of 158.88 feet to a point for corner in the westerly line of Beltway Drive (variable width);

THENCE South 0°03'00" East along the westerly line of Beltway Drive (80 feet wide at this point) a distance of 233.49 feet to an angle point;

THENCE South 5°47'21" East along the west line of Beltway Drive a distance of 100.00 feet to an angle point;

THENCE South 0°03'00" East along the west line of Beltway Drive (60 feet wide at this point), passing at, 387.00 the Southwest corner of said Beltway Drive, and continuing along the westerly line of Tract II of Beltway Office Park as recorded in Volume 74095, Page 502, of the Map & Deed Records of Dallas County, a total distance of 687.50 feet to a point for corner in the northerly line of Beltwood Business Park Second installment;

THENCE due West along the northerly line of Beltwood Business Park Second Installment as recorded in Volume 72054, Page 515, of the Map & Deed Records of Dallas County a distance of 1,425.73 feet to a point for corner in the east line of Midway Road (60 feet wide).

THENCE North 0°18'13" West along the east line of Midway Road a distance of 1054.56 feet to the POINT OF BEGINNING and containing 32.1150 acres, more or less.

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. The importance of this ordinance creates an emergency and an imperative public necessity, and the ordinance shall take effect and be in force from and after its adoption.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON,  
TEXAS, this the 26 day of May, 1982.

MAYOR *Jim Kelly*

ATTEST:

*Jacque Sharp*  
CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY

EFFECTIVE DATE:

June 23, 1982