

ORDINANCE NO. 828

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AS HERETOFORE AMENDED, TO CHANGE THE ZONING FROM APARTMENT TO PLANNED DEVELOPMENT, CONDOMINIUM CONVERSION ON APPLICATION FROM BROOKTOWN APARTMENTS LOCATED EAST OF MARSH LANE AND NORTH OF BROOKHAVEN CLUB DRIVE; PROVIDING FOR A VARIANCE TO PARKING; PROVIDING FOR A VARIANCE TO FIRE WALL REGULATIONS; PROVIDING FOR A REPEAL CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; 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 the Comprehensive Zoning Ordinance of the Town of Addison, Texas, be, and the same is hereby amended by amending the zoning map so as to give the hereinafter described property the following zoning district classification, to-wit: Planned Development, Condominium-Conversion.

SECTION 2. That Article VIII-C of the Comprehensive Zoning Ordinance is hereby amended by amending Section 6. Parking Regulations, to allow 28 parking spaces less than the required amount; therefore, allowing 260 parking spaces.

SECTION 3. That Article VIII-C of the Comprehensive Zoning Ordinance is hereby amended by amending Section 13. Fire Wall Regulations to allow fire walls throughout the units except in the areas behind the bathtubs and sinks.

SECTION 4. Said property for the above mentioned zoning classification and variance is in the Town of Addison, Texas, and is described as follows:

Being a tract of land in the Noah Good Survey, Abstract 520 and being situated in the Town of Addison, Dallas County, Texas, and being more particularly described as follows:

Commencing at a point formed by the intersection of the South line of Spring Valley Road and the East line of Marsh Lane.

Thence South along said East line of Marsh Lane a distance of 1460.91 feet in the place of beginning of this tract;

Thence departing from said East line of Marsh Lane South $89^{\circ} 47' 34''$ East a distance of 490.00 ft. to a point for corner;

Thence South a distance of 451.33 ft. to a point for a corner;

Thence North $89^{\circ} 47' 34''$ West a distance of 490.0 ft. to a point for a corner in the East line of Marsh Lane;

Thence North with the said East line of Marsh Lane;

Thence North with said East line of Marsh Lane a distance of 451.33 ft. to the place of beginning and containing 5.0769 acres of land, more or less.

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 provisions 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 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 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

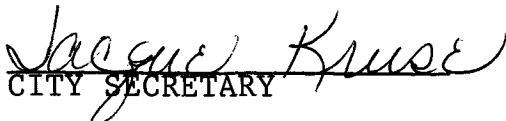
conviction shall be punished by a fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense and that each day such violation shall continue to exist shall constitute a separate offense.

SECTION 8. The 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 21 day of September, 1982.


MAYOR

ATTEST:


CITY SECRETARY

10-20-82
EFFECTIVE DATE