

ORDINANCE NO. 083-074

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM "LR" LOCAL RETAIL TO "PD" PLANNED DEVELOPMENT ON LAND LOCATED ON THE EAST SIDE OF MARSH LANE, ABOUT 800 FEET NORTH OF BROOKHAVEN CLUB DRIVE AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; ON APPLICATION FROM GOODYEAR TIRE AND SERVICE; 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, Texas, 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 of the Town of Addison, Texas, so as to give the hereinafter described property the zoning district classification, to-wit: Planned Development Zoning. Said property being in the Town of Addison, Texas, and being described as follows:

Being a tract of land situated in the Noah Good Survey, Abstract No. 520, in the City of Addison, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point in the east line of Marsh Lane, said point being south 1460.98 feet from the south line of Spring Valley Road;

THENCE NORTH 125.00 feet;

THENCE S 89° 47' 34" E, 170.00 feet;

THENCE SOUTH 125.00 feet;

THENCE N 89° 47' 34" W, 170.00 feet from the Place of Beginning and containing 0.502 acre (21,875 sq. ft.) of land.

SECTION 2. In the hereinabove described land or building no land shall be used, erected or converted to any use other than:

1. As provided in Planned Development District Article of the Comprehensive Zoning Ordinance, said property shall be improved in accordance with the development plans which are attached hereto and made a part hereof for all purposes.

SECTION 3. The following special conditions are placed on the above described property:

1. All lighting is to be directed downward and away from adjacent residential property.
2. All outside storage and trash disposal be permanently screened from view.
3. That the building maintain the following setbacks:
 - 55' front yard setback.
 - 15' side yard setback on the south.
 - 40' setback on the north.
 - 45' rear yard setback.
4. That a final landscape plan be submitted and approved by the City Council.

SECTION 4. All paved areas, permanent drives, streets and drainage structure shall be constructed in accordance with standard Town of Addison specifications adopted for such purpose.

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 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. 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. Whereas, the above described property requires 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.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 22nd day of November, 1983.

MAYOR



ATTEST:


CITY SECRETARY

CASE # 797-Z

TAX # 1-31-0017