

ORDINANCE NO. 084-007

AN ORDINANCE OF THE TONW OF ADDISON, TEXAS, AMENDING PLANNED DEVELOPMENT ORDINANCE NO. 623 ON APPLICATION FROM THE TEXAS CONTEMPORARY BUILDING CO. TO SET FORTH SPECIAL CONDITIONS ON PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF PROTON DRIVE AND WEST OF MIDWAY ROAD; 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 Ordinance No. 623 is hereby amended by
amending Section 3. to read as follows:

- 1) Units per acre - five and one-half (5 1/2) maximum - Majority of the lots should not be less than 5000 sq. ft.
- 2) Zero Lot Line/Patio Homes where no alleys are necessary and front-entry garages or carports are utilized.
 - a. Minimum lot area - 3,600 sq. ft.
 - b. Minimum lot width at building line to be (40) feet; 12 feet for all "flag" type lots to be identified by the developer on the proposed plat.
 - c. Minimum lot depth - 90 ft.
 - d. Minimum yards:
 1. Front yard - minimum front yard set back of (20) feet except for lots (67) and (68) of Block C-partial replat of Les Lacs Garden Homes which shall maintain a minimum set back of (11) feet.
 2. Rear yard - none required.
 3. Side yard - only one required - 6 foot minimum; no accessory buildings shall be permitted within the required side yard.
 - e. Other minimum setbacks:
 1. Front facing garage or carport - (20) feet from public rights-of-way or public easement or front property line, except for lots (67) and (68) of Block C - partial replat of Les Lacs Garden Homes which shall maintain a minimum setback of eleven (11) feet.
 2. Side facing garage or carport - no setbacks required.
 - f. Minimum floor area per dwelling unit - 1,000 gross sq. ft. of air-conditioned space, excluding garage.
 - g. Maximum lot coverage - 60%

- h. Parking:
 - 1. All residences should be provided with a two car enclosed garage.
 - 2. Off-street parking - open space for each dwelling will be provided on each lot, excluding required garages or carports.
- i. Maximum height - two habitable stories, with total height not to exceed 36 feet.
- j. There is to be no second story windows on the back of the proposed homes. Second story windows will be allowed on the sides of the homes, but not be allowed to overlook adjoining private areas of existing homes.
- k. Minimum maintenance easement of three (3) feet on the side yard for the adjacent lot.
 - 1. No portion of any building shall extend beyond lot lines or into public easement or public rights-of-way.
- 3. The property is to be platted in accordance with Addison Subdivision Regulations.
- 4. A 4.6 acre park will be provided in the northern most portion of this tract as identified on the proposed final plat.
- 5. All homes be equipped with electric garage door openers.
- 6. All trash storage and pick-up areas for individual homes be permanently screened from view.
- 7. The expansion of the eastern most cul-de-sac to a (50) foot radius, or the connection of this cul-de-sac to Proton Drive prior to the issuance of a building permit.

SECTION 2. 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

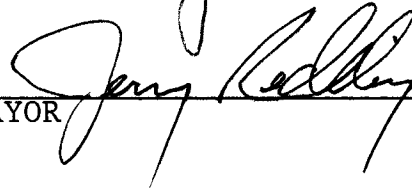
Two Hundred Dollars (\$200.00) for each offense and that each day such violation shall continue to exist shall constitute a separate offense.

SECTION 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 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 4. 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 28th day of February, 1984.

MAYOR



ATTEST:


CITY SECRETARY, ASST.

Revised
3/4/84