

ORDINANCE NO. 084-019

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS, SO AS TO CHANGE THE HEREINAFTER DESCRIBED PROPERTY (BENNIE'S RESTAURANT) FROM THE ZONING CLASSIFICATION OF LOCAL RETAIL WITH SPECIAL USES FOR A RESTAURANT AND THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION TO LOCAL RETAIL WITHOUT SPECIAL USES; THEREBY REVOKING ORDINANCE NO. 083-042; 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 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, as heretofore amended, by amending the  
zoning map of the Town of Addison, Texas, so as to terminate a  
special use permit for a restaurant and the sale of alcoholic  
beverages for on-premises consumption. Said special use permit  
shall be terminated on the following described property, to wit:

Being a tract of parcel 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  
Beltway Office Park, Tract III; and addition to the City  
of Addison as recorded in Volume 77086, Page 0026 of the  
Deed Records of Dallas County, Texas; and being more  
particularly described as follows:

BEGINNING at an iron rod for corner at the intersection of  
th southerly line of Belt Line Road (100 feet wide) and  
the westerly of Beltway Drive (80 feet wide at this  
point), said point also being the most easterly northeast  
corner of said Beltway Office Park, Tract III;

THENCE South 0° 03' 00" East along the westerly line of  
said Beltway Drive a distance of 233.49 feet to an iron  
rod at an angle point;

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

THENCE South 0° 03' 00" East along the westerly line of  
said Beltway Drive a distance of 25.49 feet to an iron rod  
for corner;

THENCE South 89° 58' 36" West along the northerly line of  
a 10 foot Utility Easement a distance of 169.05 feet to an  
iron rod for corner at the southwest corner of a 1.153  
acre tract conveyed to the City of Addison by deed dated  
October 4, 1971;

THENCE N 0° 01' 24" West along the east line of said City of Addison tract a distance of 358.26 feet to a cross cut for corner in the southerly line of said Belt Line Road;

THENCE North 89° 53' 51" East along the southerly line of said Belt Line Road a distance of 158.88 feet to the POINT OF BEGINNING, and containing 57,721 square feet, more or less, or 1.3251 acres.

SECTION 2. That Ordinance No. 083-042 is hereby repealed and all other ordinances that are in conflict with the provisions of this ordinance are hereby repealed and all other ordinances shall remain in full force and effective.

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. 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.

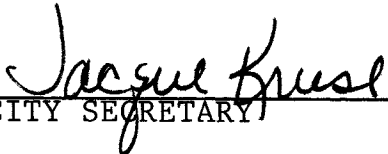
SECTION 5. The importance of this ordinance creates an emergency and an imperative public necessity, and the ordinance shall take effect and be in force from and after its adoption.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 10<sup>th</sup> day of April, 1984.

MAYOR



ATTEST:

  
CITY SECRETARY

CASE # 771-SUP-1

084-019

Revised  
4-25-84