

ORDINANCE NO. 084-066

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AS HERETOFORE AMENDED, SO AS TO GRANT A SPECIAL USE PERMIT AUTHORIZING THE LOCATION OF A NURSERY IN AN AREA PRESENTLY ZONED "PD" PLANNED DEVELOPMENT DISTRICT CLASSIFICATION, SAID PROPERTY BEING LOCATED ON THE SOUTH SIDE OF BELT LINE ROAD, WEST OF ITS INTERSECTION WITH MIDWAY ROAD AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY 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 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, be, and the same is hereby amended by amending the zoning map of the Town of Addison, Texas, so as to grant a special use permit, on the hereinafter described land, to allow a nursery on such conditions and limitations as are hereinafter set out, on such property which is presently zoned "PD" Planned Development, the said area to be covered by said special use permit on the following described land: beginning at the northwest corner of Tract A of the McCutchin Bros. J.V. I plat and run 236 ft. east, then 100 ft. south, then east 163 ft., then south 100 ft., then west 399 ft., and 200 ft. north to the beginning of the agreed area.

SECTION 2. That the tract of land described in Section 1 of this ordinance may be used for a nursery under the following conditions and limitations set out and under the special use permit granted herein:

1. The parking lot shall be covered with a hard surface paving material, concrete or asphalt paving.
2. All standard improvements with respect to water and sewer facilities shall be provided.
3. All water and sewer pro rata shall be paid.
4. All electrical service on the site shall be placed underground.
5. Proper sanitary facilities (i.e., restrooms for employees) shall be provided.
6. The property shall be platted.
7. Permanent signage, which shall meet the requirements of the city's Sign Ordinance, shall be provided.
8. The site shall be developed in accordance with the applicant's approved plan, which is on file in the office of the Zoning Administrator, with respect to the landscaping of the office and street

greenway, the split rail screening fence shown on the plan, and the alignment of the chain line fence along the

9. The applicant shall comply with all of the above conditions within six (6) months from the date of Council approval (August 28, 1984). Belt Line frontage.

SECTION 3. That should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, 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. Whereas, the above described property required 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 what 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,  
this the \_\_\_\_\_ day of \_\_\_\_\_, 1984.

MAYOR



ATTEST:

Jaquie Kunst  
CITY SECRETARY