ORDINANCE NO. 087-036

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS SO AS TO GRANT A SPECIAL USE PERMIT FOR A SATELLITE ANTENNA DISH, ON APPLICATION WITH ADDISON SQUARE GARDEN RESTAURANT, LOCATED AT 16101 ADDISON ROAD; 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, 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:

OFFICE OF THE CITY SECRETARY

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SECTION 1. That the Comprehensive Zoning Ordinance of the Town of Addison, Texas, as heretofore amended, is hereby amended so as to grant a special use permit to Addison Square Garden Restaurant for a satellite antenna dish, in accordance with the plans attached hereto and made a part hereof for all purposes. Said zoning amendment shall be noted on the official zoning map of the Town of Addison, Texas, and is situated on the following described land:

BEING a tract of land situated in the William Lomax Survey, Abstract 792 and the E. Cook Survey, Abstract 326, Dallas County, Texas, and located on Addison Municipal Airport, Addison, Texas, and said tract being more fully described as follows:

COMMENCING at the southeast corner of a tract of land conveyed to 0.J. Broughton and E.E. Ericson by deed as recorded in Volume 4350, Page 491, Dallas County Deed Records; said point also being in the west right-of-way of Addison Road (a 60-ft. ROW at that point) and the north right-of-way of Glen Curtiss Drive (a 50-ft. ROW);

THENCE, S 0 deg 14' 20" E, with said west right-of-way a distance of 213.0 ft. to the POINT OF BEGINNING;

THENCE, S 89 deg 51' 25" W, a distance of 185.85 ft. to an iron pin;

THENCE, S 31 deg 25' 31" W, a distance of 30.80 ft. to a PK Nail;

THENCE S 21 deg O4' 53" E, a distance of 338.33 ft. to a PK Nail;

THENCE N 69 deg 14'06" E, a distance of 154.34 ft. to a point on the west right-of-way of Addison Road (variable ROW at this point);

THENCE, along said west right-of-way N 20 deg 30' 18" W, a distance of 63.97 ft. to a point on a curve to the right; said curve having a chord bearing N 10 deg 22' 19" W, 231.83., a radius of 658.13 ft., central angle of 20 deg 15' 58", and an arc length of 232.79 ft. to the POINT OF BEGINNING, containing 1.275 acres of land (55559.60 sf) more or less.

SECTION 2. 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 3. 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 One Thousand Dollars (\$1,000.00) and not less than Five Hundred (\$500.00) for each offense and that each day such violation shall continue to exist shall constitute a separate offense.

SECTION 4. 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 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 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 9th day of June, 1987.

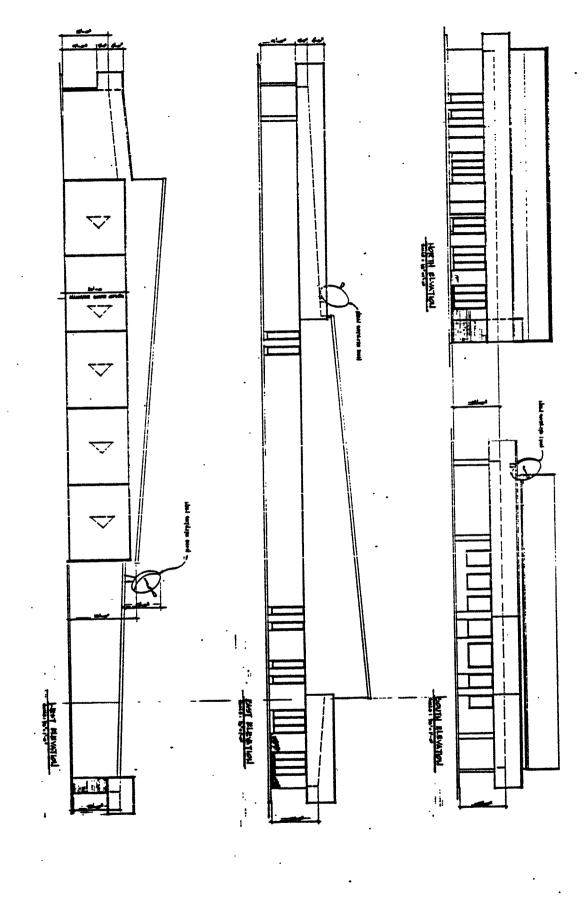
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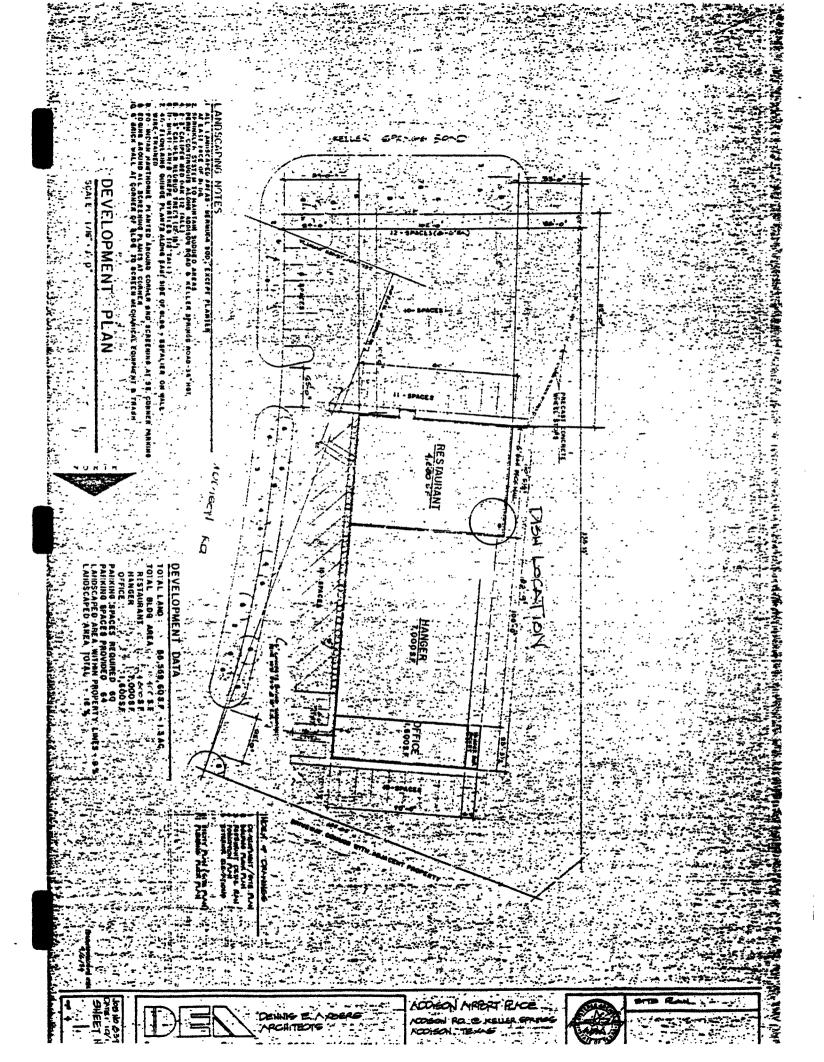
ATTEST:

CITY SECRETARY

CASE NO. 821-SUP-3

APPROVED AS TO FORM:





Q westerday