

ORDINANCE NO. 088-048

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING SPECIAL USE ORDINANCE NO. 083-041 BY AMENDING THE SITE PLAN, SQUARE FOOTAGE, AND ELEVATIONS OF THE RESTAURANT TO ADD A PATIO, ON APPLICATION WITH TIA'S TORTILLAS, LOCATED AT 14905 MIDWAY ROAD; PROVIDING FOR A REPEAL CLAUSE; PROVIDING FOR A PENALTY CLAUSE; AND PROVIDING FOR NO SEVERABILITY CLAUSE.

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. 083-041 passed by the City Council on the 28th day of June, 1983 is hereby amended by amending (Section #2 or Paragraph #2) to enlarge the square footage of the restaurant to 6,060 square feet.

SECTION 2. The following Special Conditions are placed on the property:

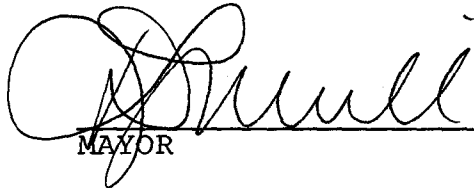
- that the applicant add a planting bed in the 20 foot greenbelt along Midway Road to provide screening for parked cars,
- that the missing cedar elm in the greenbelt along Midway Road be replaced,
- that the patio shall be developed in accordance with the plans attached hereto and made a part hereof for all purposes,
- that the sweetgums which would be removed to accommodate this proposed patio addition be replanted at another location on the site or replaced with trees of the same size,
- that all planting beds on the site be weeded,
- that all of the above conditions be met prior to the issuance of a building permit for the patio.

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

SECTION 5. It is the intention of the City Council that this ordinance be considered in its entirety, as one ordinance, and should any portion of this ordinance be held to be void or unconstitutional, then said ordinance shall be void in its entirety, and the City Council would not have adopted said ordinance if any part or portion of said ordinance should be held to be unconstitutional or void.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 8th day of November, 1988.

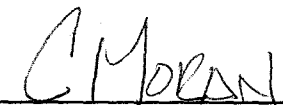
  
MAYOR

ATTEST:

  
CITY SECRETARY

CASE NO. 742-SUP-2

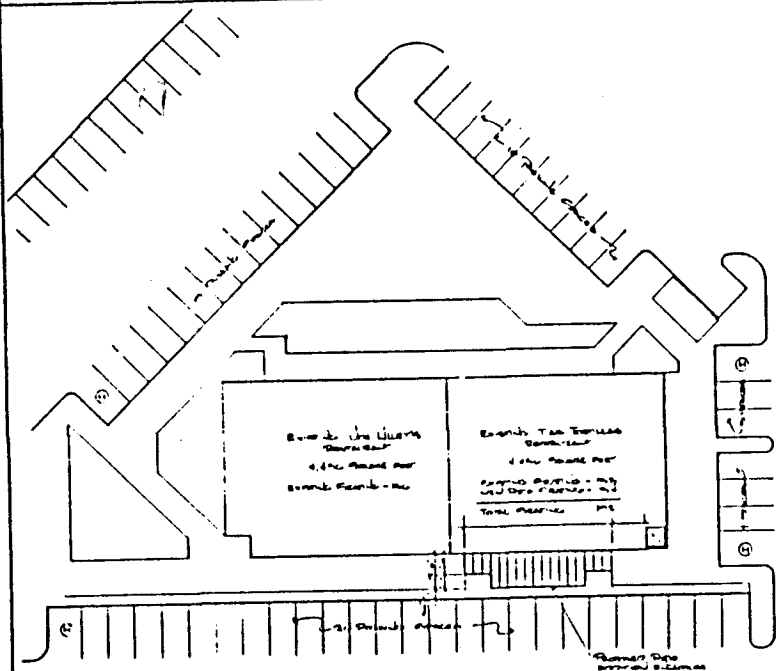
APPROVED AS TO FORM:

  
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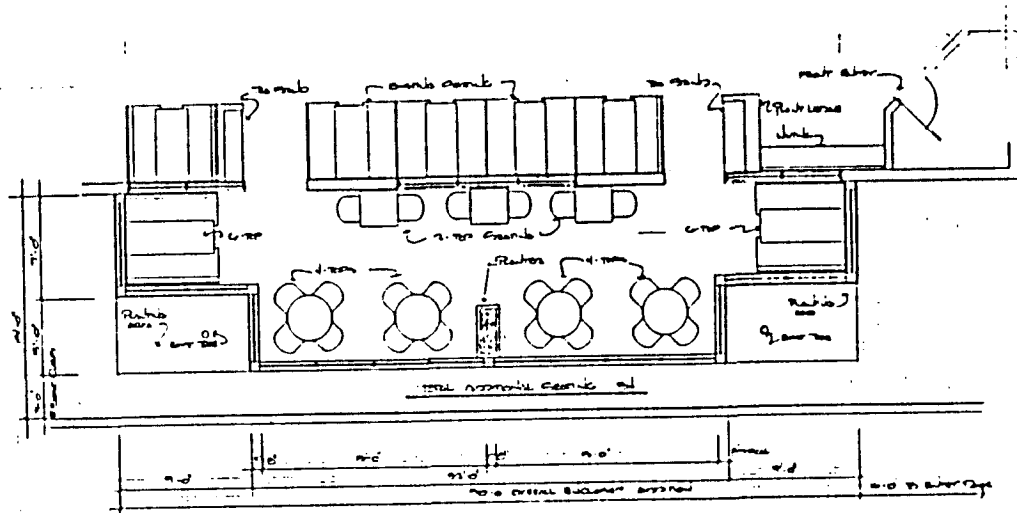
OFFICE OF THE CITY SECRETARY

ORDINANCE NO. 088-048

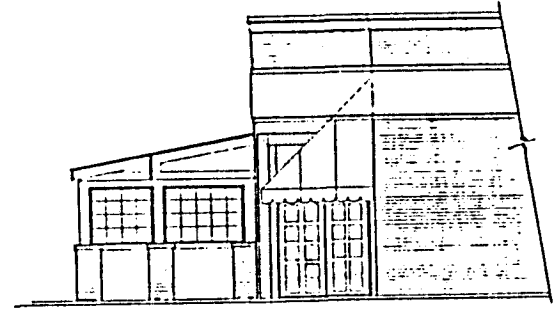
Published Nov 24, 1988



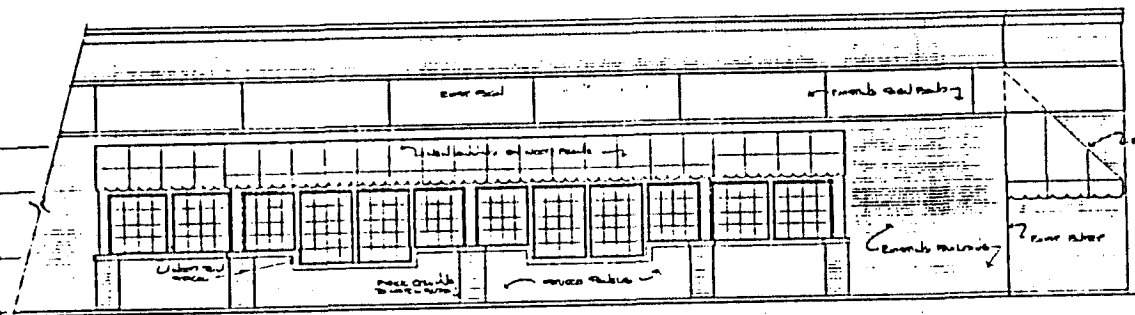
PARTIAL SITE PLAN



FLOOR PLAN      PATIO ADDITION



NORTH ELEVATION



FRONT ELEVATION ENCLOSED PATIO ADDITION

**APPROVED**

| TIA'S TORTILLAS         |   | DATE | BY |
|-------------------------|---|------|----|
| ENCLOSED PATIO ADDITION | 1 |      |    |
| ADDISON, TEXAS          | 1 |      |    |