

ORDINANCE NO. 088-049

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 CHRISTMAS TREE LOT ON APPLICATION WITH HOLIDAY PLANT COMPANY, LOCATED AT THE NORTHEAST CORNER OF BELT LINE ROAD AND QUORUM DRIVE; PROVIDING FOR A REPEAL CLAUSE; PROVIDING FOR A PENALTY CLAUSE; AND PROVIDING FOR A 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 Comprehensive Zoning Ordinance of the Town of Addison, Texas, as heretofore amended, is hereby amended so as to grant a special use permit to Holiday Plant Company. 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 certain lot, tract of parcel of land situated in Dallas County, Texas, out of the G.W. Fisher Survey, Abstract No. 482 and being a part of the same tract of land conveyed by the Dallas Independent School District to Julian Enterprises, Inc. as recorded in Volume 727, Page 2527, of the Dallas County Deeds Records, said part being more particularly described as follows:

BEGINNING at the intersection of the north line of Belt Line Road (a 100 ft. R.O.W.) with the east line of Quorum Drive (a 60 ft. R.O.W.);

THENCE N 89 deg 56' E, 150.0 feet along the north line of said Belt Line Road to a point for corner, said point bears S 89 deg 56' W, 1014.58 feet from the intersection of the north line of Belt Line Road with the west line of Dallas Parkway (a 200 ft. R.O.W.), said point also being S 89 deg 56' W, 350.00 feet from the southeast corner of the said Julian Enterprises, Inc. tract of land;

THENCE, N 0 deg 25' W, 200.00 feet to a point for corner;

THENCE S 89 deg 56' W, 150.00 feet to a point for corner in the east line of Quorum Drive;

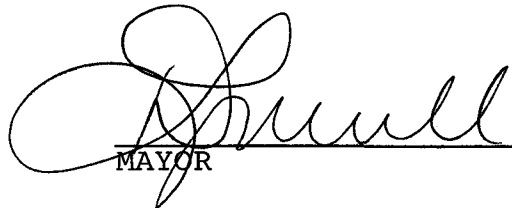
THENCE S 0 deg 25' E, 200.00 feet along the east line of said Quorum Drive to the place of beginning and containing 30,000 square feet or 0.6887 acres of land.

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 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 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.

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

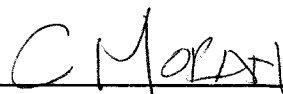

MAYOR

ATTEST:


CITY SECRETARY

CASE NO. 1023-SUP

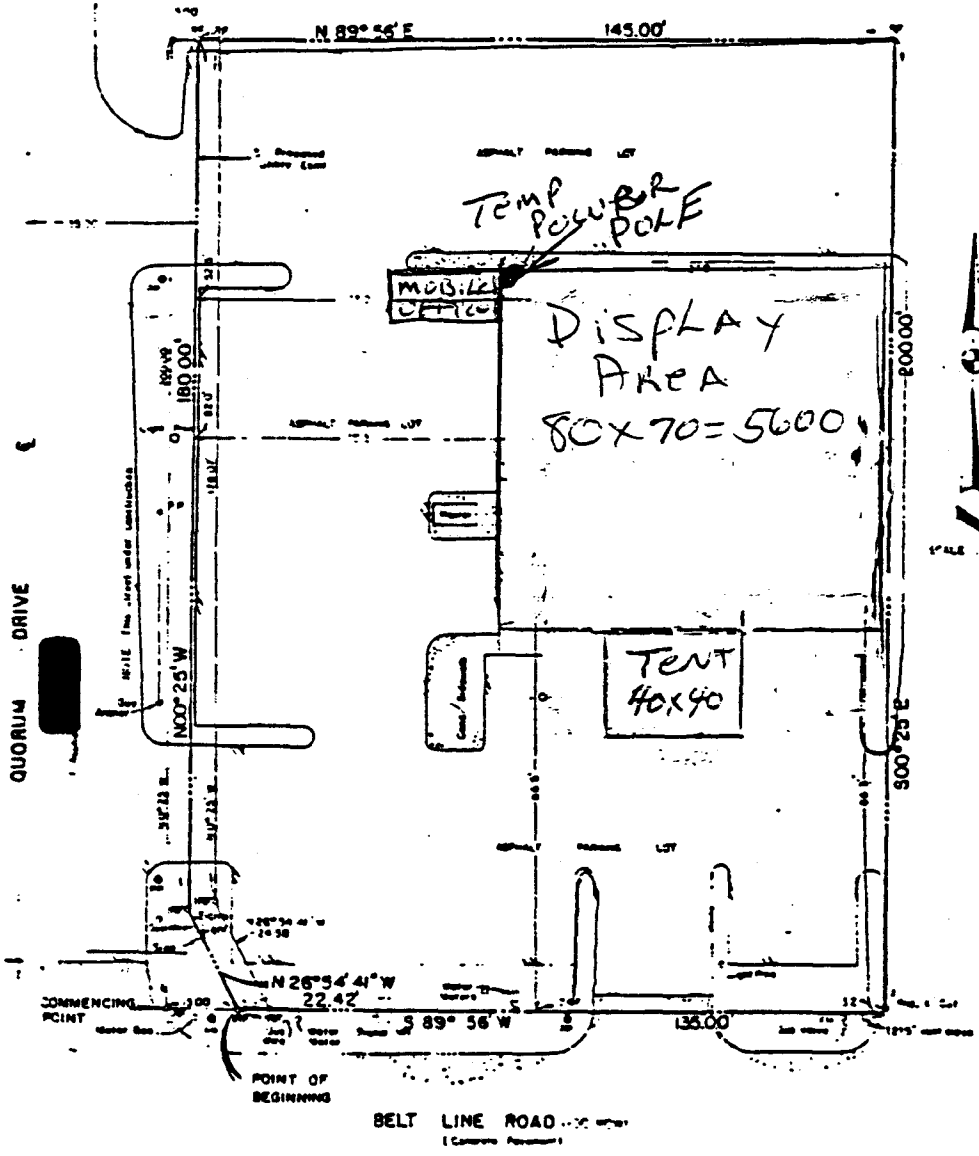
APPROVED AS TO FORM:



Published Nov 24, 1988

SITE PLAN HOLIDAY PLANT COMPANY WALTER PATTON CHRISTMAS TREE 5233 GREENVILLE

DALLAS, TX
75206.



44 PARKING
PLACES.
(Asphalt Parking)

FIELD NOTE DESCRIPTION

BEING a tract of land situated in the G. W. Fisher Survey, Abstract Number 482, in Dallas County, Texas, and being a portion of a tract of land conveyed by the Dallas Independent School District to Julian Enterprises (incorporated as recurred in Value 727, Page 1337 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

COMMENCING at an iron rod found at the intersection of the north right-of-way line of Belt Line Road to 100 feet right-of-way and the east right-of-way line of Quorum Drive to 60 feet right-of-way;

THENCE departing the east line of Quorum Drive and along the north line of Belt Line Road North 89 degrees 56 minutes East a distance of 145.00 feet to an iron rod found for the POINT OF BEGINNING of the tract of land herein described;

THENCE departing the north line of said Belt Line Road North 16 degrees 14 minutes 21 seconds West a distance of 22.42 feet to an iron rod found for corner;

THENCE North 89 degrees 23 minutes West a distance of 100.00 feet to an iron rod found for corner;

THENCE North 89 degrees 16 minutes East a distance of 145.00 feet to an iron rod found for corner;

THENCE South 89 degrees 25 minutes East a distance of 100.00 feet to an iron rod found for corner, in the north right-of-way line of Belt Line Road;

THENCE along the north line of Belt Line Road South 89 degrees 16 minutes West a distance of 133.38 feet to the POINT OF BEGINNING and containing 7.667 acres of land more or less.

SURVEYOR'S CERTIFICATE

TO THE MEMBERS AND/OR THE OWNER AND/OR PURCHASERS OF THE PREMISES SURVEYED AND TO PACIFIC TITLE COMPANY:

I hereby certify that on the 28th day of June, 1988, this survey was made on the ground as per the field notes shown on this survey and is true, correct, and accurate as to the boundaries and areas of the subject property and the area, location and use of buildings and improvements thereon, if any, and as to the other matters above recited, and correctly shows the location of all visible easements and right-of-ways of which I have knowledge or have been advised, whether or not of record, affecting the subject property.

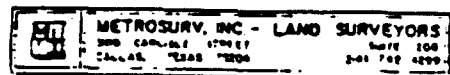
Except as shown on the survey, there are no encroachments upon the subject property by improvements on adjacent property, there are no encroachments on adjacent property, streets, or alleys or any improvements on the subject property, and there are no conflicts or discrepancies.

Adverse claims to and egress from the subject property is provided by Belt Line Road and Quorum Drive, same being paved, dedicated public right-of-ways.

0.663 Ac
BOUNDARY SURVEY
PART OF ADDISON'S CORNER ADDITION
CITY OF ADDISON, DALLAS COUNTY, TEXAS

GARY SHER
Surveyor No. 100
License No. 1994

Gary Sher
Registered Public Surveyor
Texas Reg. No. 2956



APPROVED

CASE FILE NO. 1023-SUP
RECEIVED. 10-5-88