

ORDINANCE NO. 089-024

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM COMMERCIAL, ON APPLICATION FROM BOREN MOTORSPORTS, INC. LOCATED AT 1.5 ACRES ON THE WEST SIDE OF ADDISON ROAD APPROXIMATELY 200 FEET NORTH OF THE INTERSECTION OF ADDISON ROAD AND MILDRED STREET AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR NO SEVERABILITY CLAUSE; AND PROVIDING FOR A REPEAL 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, Texas, and helps promote the general welfare and safety of this community, now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the Town of Addison, Texas, be, and the same is hereby amended by amending the zoning map of the Town of Addison, Texas, so as to give the hereinafter described property the zoning district classification, to-wit: "PD" Planned Development. Said property being in the Town of Addison, Texas, and being described as follows:

Being a tract of land situated in the G.W. Fisher Survey, Abstract No. 482, as recorded in Dallas County Deed Records and located in the Town of Addison, Dallas County, Texas, and being more particularly described as follows:

Commencing at the intersection of the east right-of-way of Addison Road and the north right-of-way of Mildred Street;

Thence, North, along said east r-o-w, a distance of 200 feet to the Point of Beginning;

Thence, continue North along said east r-o-w, a distance of 225.5 feet to a point;

Thence, East, a distance of 300.4 feet to a point;

Thence, South, a distance of 225.5 feet to a point;

Thence, West, a distance of 300.4 feet to the Point of Beginning.

SECTION 2. As provided in Planned Development District Article of the Comprehensive Zoning Ordinance, said property shall be improved in accordance with the development plans which are attached hereto and made a part hereof for all purposes.

SECTION 3. The following special conditions are placed on the above described property:

- the barriers stored on the property be screened on the end and on the west side with a screening fence made out of a material acceptable to the City Council.

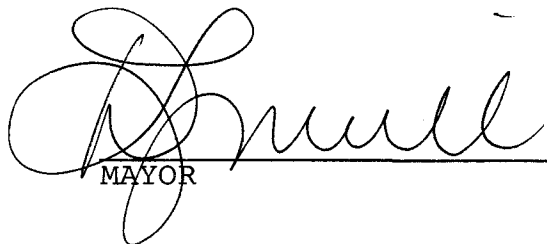
SECTION 4. All paved areas, permanent drives, streets and drainage structure shall be constructed in accordance with standard Town of Addison specifications adopted for such purpose.

SECTION 5. 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 then Five Hundred Dollars (\$500.00) for each offense and that each day such violation shall continue to exist shall constitute a separate offense.

SECTION 6. 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 7. 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.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 22nd day of August, 1989.


MAYOR

ATTEST:


CITY SECRETARY

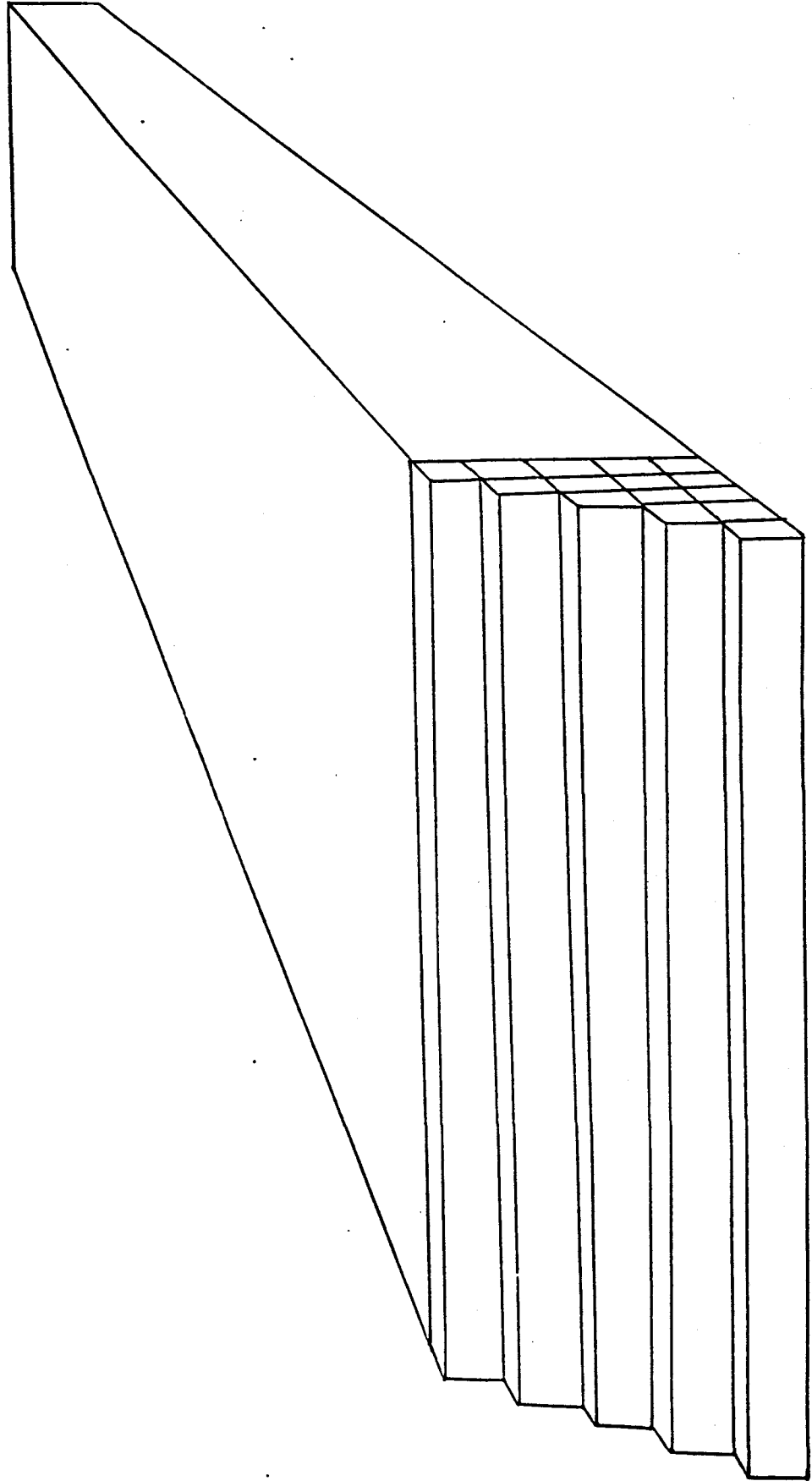
CASE 1034-Z

OFFICE OF THE CITY SECRETARY

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APPROVED



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