

ORDINANCE NO. 091-028

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 FRUIT STAND AND PLANT NURSERY, ON APPLICATION WITH ROGER FRENCH, LOCATED AT 15203 ADDISON ROAD; PROVIDING FOR SPECIAL CONDITIONS; 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 a fruit stand and plant nursery. 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 rectangular tract of .36 acres of land in the W.H. Atkins addition and measuring 55 feet on the east side against Addison Road, 285 feet on the south side, 55 feet on the west side, and 314 feet on the north side.

SECTION 2. That said Special Use Permit is approved subject to the following special conditions:

- the fruit stand should provide an impermeable surface for its drive and parking areas. Gravel is acceptable for the first year.
- the house should be able to provide running water for a hand sink and a full restroom. Portable toilets will not be permitted.
- the applicant must be able to provide sufficient equipment and facilities necessary for adequate food protection and general sanitation.
- the applicant shall use solid canopy tents as a shading structure for the produce. Black mesh or netting will not be permitted.

the applicant should be aware that temporary signage is not allowed under the Addison sign ordinance, and that a permanent sign will be required.

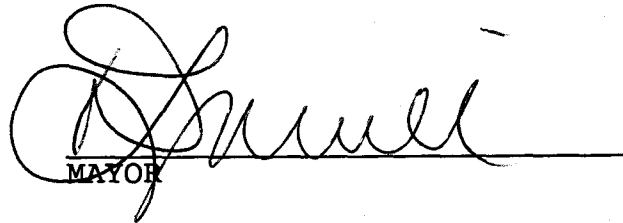
SECTION 3. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

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 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 11th day of June, 1991.



MAYOR


ATTEST:



CITY SECRETARY

CASE NO. 1068-SUP

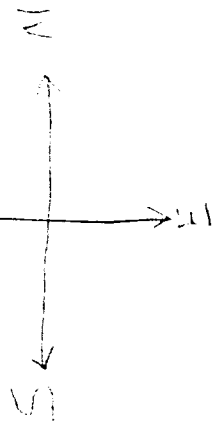
APPROVED AS TO FORM:



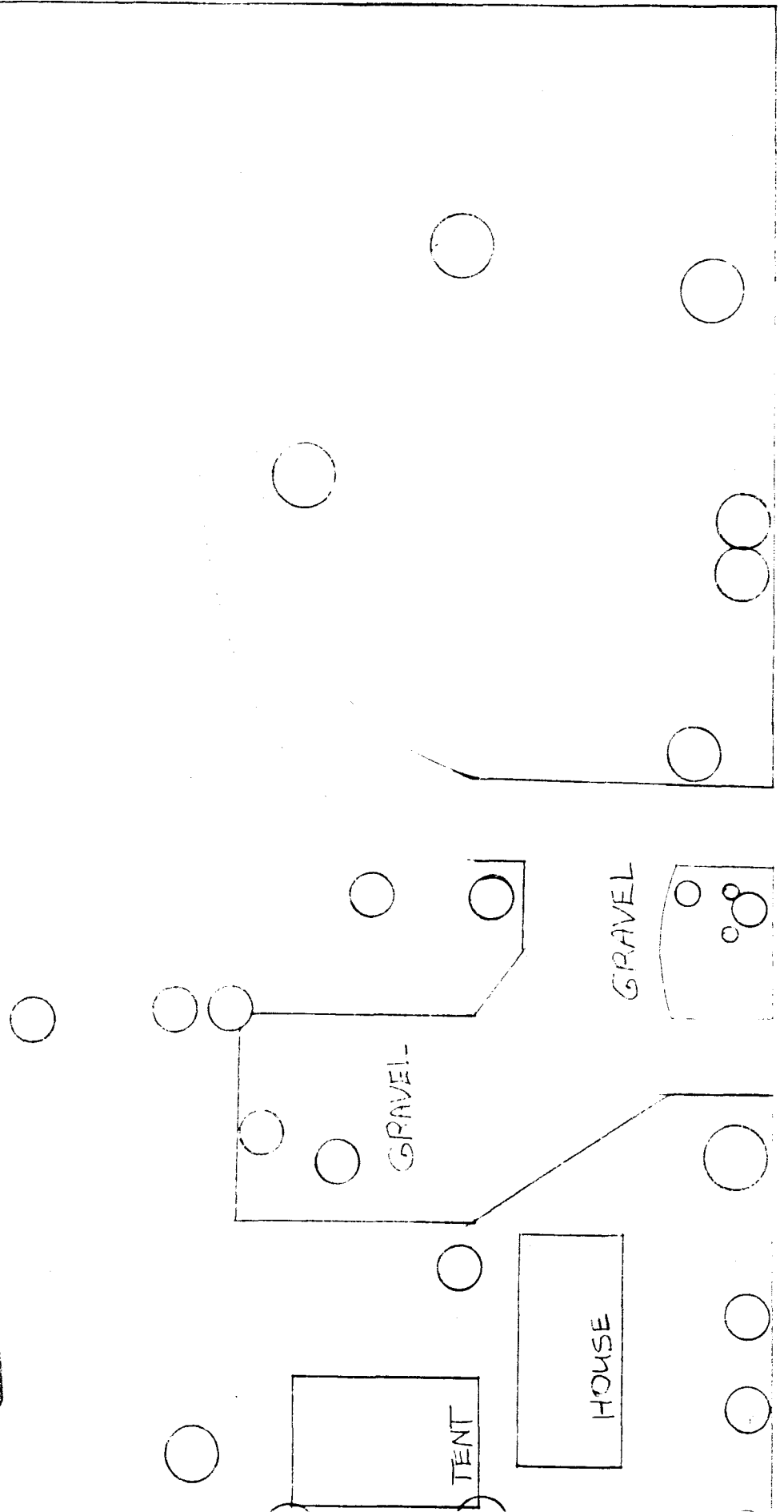
OFFICE OF THE CITY SECRETARY

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Published 8-15-91



APPROVED



ANDERSON ROAD

