

ORDINANCE NO. 091-038

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM R-16 RESIDENTIAL, ON APPLICATION FROM THE TOWN OF ADDISON, LOCATED ON THE EAST AND WEST SIDES OF WINNWOOD ROAD, AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A 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 ORDAINED 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: Planned Development. Said property being in the Town of Addison, Texas, and being described as follows:

BEING a 42.792 acre tract of land situated in the Alan Bledsoe Survey, Abstract No. 157, Town of Addison, Dallas County, Texas, said 42.792 acre tract of land being more particularly described as follows:

BEGINNING at a point for the northwest corner of that certain tract of land described by deed to the City of Addison recorded in Volume 81238, Page 1469, Deed Records of Dallas County, Texas and being in the south right-of-way line of Belt Line Road (a variable width right-of-way);

THENCE South $89^{\circ}59'53''$ East along the south right-of-way line of said Belt Line Road a distance of 725.43 feet to a brass cap in concrete found for the northeast corner of THE WOODS, an addition to the Town of Addison, as described by replat recorded in Volume 89085, Page 4815, Map Records of Dallas County, Texas;

THENCE along the easterly line of said THE WOODS, the following:

South $02^{\circ}27'03''$ West a distance of 181.76 feet to a brass cap in concrete found for corner;

South $10^{\circ}32'57''$ East a distance of 252.36 feet to a brass cap in concrete found for corner;

South $14^{\circ}12'03''$ West a distance of 191.81 feet to a brass cap in concrete found for corner;

South $26^{\circ}34'28''$ West a distance of 73.19 feet to a brass cap in concrete found for corner;

South $00^{\circ}00'34''$ West a distance of 111.80 feet to a brass cap in concrete found for corner;

South $26^{\circ}32'57''$ East a distance of 196.73 feet to a brass cap in concrete found for corner;

South $34^{\circ}54'54''$ East a distance of 138.08 feet to a brass cap in concrete found for corner;

South $29^{\circ}12'16''$ East a distance of 77.60 feet to a brass cap in concrete found for corner;

South $18^{\circ}53'03''$ West a distance of 139.67 feet to a brass cap in concrete found for the southeast corner of said THE WOODS and being in the north line of STRASSBOURG ESTATES, an addition to the Town of Addison, as described by plat recorded in Volume 86146, page 0056, Map Records of Dallas County, Texas;

THENCE along a line approximately 25 feet westerly from the west high bank of White Rock Creek, the following:

South 38°59'17" West a distance of 283.29 feet to a brass cap in concrete found for corner;

South 15°18'22" West a distance of 85.88 feet to a brass cap in concrete found for corner;

South 01°58'50" East at a distance of 207.77 feet passing the south line of said STRASSBOURG ESTATES and the north line of that certain tract of land described by judgment recorded in Volume 75026, Page 1298, Deed Records of Dallas County, Texas and conveyed to the City of Addison by City of Dallas Resolution No. 84-1963 dated October 8, 1984 and continuing in all for a total distance of 214.07 feet to a brass cap in concrete found for corner;

South 20°16'47" West a distance of 91.86 feet to a brass cap in concrete found for corner;

South 53°00'32" West a distance of 189.30 feet to a brass cap in concrete found for corner;

South 36°27'07" West at a distance of 64.70 feet passing the south line of said City of Addison tract of land and the north line of that certain tract of land described by deed to Associated Air Center, Inc. recorded in Volume 86044, Page 1510, Deed Records of Dallas County, Texas and continuing in all for a total distance of 168.82 feet to a brass cap in concrete found for corner;

South 10°55'52" West a distance of 70.52 feet to a brass cap in concrete found for corner;

South 02°59'45" East at a distance of 45.97 feet passing the south line of said Associated Air Center, Inc. tract of land and the north line of the remainder of that certain tract of land described by deed to Charles Ray Allen and wife Georgia Allen recorded in Volume 68033, Page 1015, Deed Records of Dallas County, Texas and continuing in all for a total distance of 107.25 feet to a brass cap in concrete found for corner;

South 21°30'21" East a distance of 163.87 feet to a brass cap in concrete found for corner;

South 00°01'39" West a distance of 48.09 feet to a point for corner in the center of a tributary to White Rock Creek;

THENCE South 65°41'39" West along the center of said tributary to White Rock Creek a distance of 124.24 feet to a point for corner;

THENCE South 07°25'47" East continuing along the center of said tributary to White Rock Creek a distance of 104.44 feet to a point for corner in the north right-of-way line of Celestial Road (a variable width right-of-way);

THENCE North 89°23'47" West along the north right-of-way line of said Celestial Road a distance of 175.00 feet to a 1/2 inch iron rod with plastic cap found for the point of intersection of said north right-of-way line with the east right-of-way line of Winnwood Road (a 60 foot right-of-way);

THENCE North 00°35'41" East along the east right-of-way line of said Winnwood Road a distance of 81.33 feet to the point of intersection of said east right-of-way line with the extended north right-of-way line of said Celestial Road;

THENCE North 88°20'00" West along said north right-of-way line a distance of 250.31 feet to a point for the southwest corner of that certain tract of land described by deed to Christian Chapel Church recorded in Volume 4896, Page 194, Deed Records of Dallas County, Texas;

THENCE North 01°58'01" West along the westerly line of said Church tract of land and the remains of an old fence a distance of 214.40 feet to a point for the northwest corner of said Church tract of land and being in a south line of BELLBROOK ESTATES an addition to the Town of Addison as described by corrected plat recorded in Volume 86024, Page 4884, Map Records of Dallas County, Texas;

THENCE North 82°46'25" East along a south line of said BELLBROOK ESTATES a distance of 3.46 feet to a 1/2 inch iron rod with plastic cap labeled "Espey Huston" found for the southeast corner of said BELLBROOK ESTATES;

THENCE along the easterly line of said BELLBROOK ESTATES, the following:

North 00°07'02" West a distance of 209.31 feet to a point for corner;

South 53°19'42" East a distance of 13.08 feet to a point for corner;

North 00°24'54" East a distance of 186.82 feet to a 5/8 inch iron rod found for the northwest corner of that certain tract of land described by deed to B.W. Gilpin and wife Gloria Gilpin recorded in Volume 76156, Page 2373, Deed Records of Dallas County, Texas and being the southwest corner of CHARLES E. PAINTER SUBDIVISION an addition to the Town of Addison as described by plat recorded in Volume 78162, Page 3339, Map Records of Dallas County, Texas;

North 00°33'14" East a distance of 323.93 feet to a 3/4 inch iron pipe found for the northwest corner of NAN'S LITTLE ACRE an addition to the Town of Addison as described by plat recorded in Volume 69229, Page 0038, Map Records of Dallas County, Texas and being the southwest corner of WISMER ESTATE ADDITION an addition to the Town of Addison as described by plat recorded in Volume 69195, Page 1908, Map Records of Dallas County, Texas;

North 04°08'02" East a distance of 161.61 feet to a 1/2 inch iron rod found for the northwest corner of said WISMER ESTATE ADDITION and being the southwest corner of T.J. ELLIOT ESTATE ADDITION an addition to the Town of Addison as described by plat recorded in Volume 79137, Page 3147, Map Records of Dallas County, Texas;

South 82°18'12" West a distance of 10.21 feet to a point for corner in the west line of a 10 foot alley as described by plat recorded in Volume 79137, Page 3147, Map Records of Dallas County, Texas;

North 04°08'02" East along the west line of said 10 foot alley a distance of 149.90 feet to a point for corner in the southerly right-of-way line of Bellbrook Way (a 50 foot right-of-way);

THENCE North 15°02'04" East a distance of 54.27 feet to a 3/4 inch iron pipe found in the northerly right-of-way line of said Bellbrook Way and being the southeast corner of Lot 1, Block 2 of aforementioned BELLBROOK ESTATES and the southwest corner of G.W. JOHNSEN SUBDIVISION an addition to the Town of Addison as described by plat recorded in Volume 76061, Page 1014, Map Records of Dallas County, Texas;

THENCE along the easterly line of said BELLBROOK ESTATES the following:

North 03°59'17" East a distance of 160.38 feet to a 3/4 inch iron pipe found for the northwest corner of said JOHNSEN SUBDIVISION and being in the southerly line of that certain tract of land described by deed to Stewart H. Beatty and wife Kay Beatty recorded in Volume 71122, Page 1747, Deed Records of Dallas County, Texas;

North 88°30'05" West a distance of 15.39 feet to a point for the southwest corner of said Beatty tract of land;

North 01°55'29" East a distance of 319.41 feet to a 3/4 inch iron pipe found for corner in the west line of a 15 foot alley as mentioned by deed recorded in Volume 90009, Page 0382, Deed Records of Dallas County, Texas and being the southwest corner of Lot 6, Block 2 of said BELLBROOK ESTATES;

THENCE North 17°41'37" East along the westerly line of said Lot 6 a distance of 202.31 feet to a 3/4 inch iron rod found for the northwest corner of said Lot 6 and being the southeast corner of that certain tract of land described by deed to Jeff C. Noebel recorded in Volume 85053, Page 0503, Deed Records of Dallas County, Texas;

THENCE North 20°17'09" West along the westerly line of said Noebel tract of land a distance of 212.80 feet to a 5/8 inch iron rod found for the northwest corner of said Noebel tract of land;

THENCE North 75°31'06" East along the northerly line of said Noebel tract of land a distance of 14.84 feet to a point for the southwest corner of the aforementioned tract of land described by deed to the City of Addison recorded in Volume 81238, Page 1469, Deed Records of Dallas County, Texas;

THENCE North 08°12'19" East along the westerly line of said City of Addison tract of land a distance of 415.90 feet to the POINT OF BEGINNING;

CONTAINING a computed area of 1,864,010 square feet or 42.792 acres of land.

SECTION 2. In this Planned Development District, no land shall be used and no building shall be erected for or converted to any use other than:

1. A single family residence.
2. Public park, playgrounds or neighborhood recreation center owned and operated by the City of Addison; all others by special use permit only.
3. Fire stations by Special Use Permit only.
4. Water wells, water storage and pumping facilities owned by the City of Addison; all other above ground facilities by special use permit only.
5. Private swimming pools.
6. Farm, truck, garden orchard or nursery and greenhouse for the growing of plants, shrubs, and trees, provided no retail or wholesale business is maintained on the premises.
7. Temporary buildings to be used for construction purposes only, and which shall be removed upon completion or abandonment of construction work. Field offices for the sale of real estate shall be removed upon request of the Building Inspector.
8. The uses customarily incidental to any of the above uses when situated in the same dwelling and not involving the conduct of a business, including customary home occupations engaged in by occupants of the dwelling, but said incidental use shall never be permitted as a principal use, rather only as a secondary use engaged in by persons of the immediate family.

SECTION 3. The above described property shall be developed in accordance with the following standards:

Front Yard	Winnwood, east side - 35 feet Winnwood, west side - 50 feet
Side Yard	10 feet min. or 10%
Side Yard adjacent to a side street	20 feet

Rear Yard	20 feet min. or 20%
Area of Lot	27,500 sq. ft. min.
Width of Lot	100 feet min.
Min. Lot Depth	150 feet
Min. Area of Dwelling	2,700 square feet
Height	2 1/2 story
Construction	80% masonry
Other	Side or rear facing garages only

SECTION 4. All paved areas, permanent drives, streets and drainage structures 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 set in accordance with Chapter 1, General Provisions, Section 1.10, General penalty for violations of Code; continuing violations, of the Code of Ordinances for the Town of Addison.

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 23rd day of July, 1991.


MAYOR

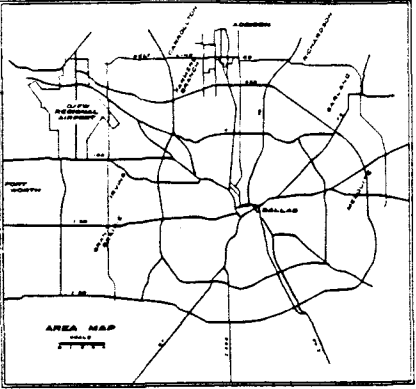
ATTEST:


CITY SECRETARY

CASE NO. 1065-Z-1

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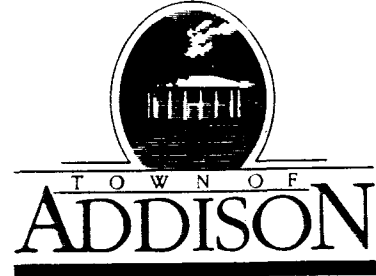
CARROLLTON

DALLAS

PD 091-038

DALLAS

FARMERS
BRANCH
APPROVED



STREET MAP

LEGEND

City Limits	1/4" = 100'
County Line	1/4" = 100'
State Line	1/4" = 100'
Water	1/4" = 100'
Proposed	1/4" = 100'
Existing	1/4" = 100'
Right of Way	1/4" = 100'
Other	1/4" = 100'