

ORDINANCE NO. 091-064

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 CELLULAR TELEPHONE TRANSMISSION AND RECEIVING FACILITY, ON APPLICATION WITH METROCELL CELLULAR AND GREENHILL SCHOOL, LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF MIDWAY ROAD AND SPRING VALLEY 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 cellular telephone transmission and receiving facility. 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:

WHEREAS, GREENHILL SCHOOL, a Texas Corporation, is the owner of a tract of land situated in the City of Addison, County of Dallas, Texas; and being a part of the Thomas L. Chenoweth Survey, Abstract No. 273; said tract of land being a part of a 83.97 acre tract of land conveyed to said Greenhill School as recorded in Volume 5320, Page 453 of the Deed Records of Dallas County, Texas; and being more particularly described as follows:

BEGINNING at an iron rod set for corner in the north right-of-way line of Spring Valley Road (100 feet wide), said road also being the most southwesterly corner of the Greenhill Park, an addition to the City of Addison as recorded in Volume 85106, Page 0243 of the Deed Records of Dallas County, Texas;

THENCE South $89^{\circ}46'00''$ West along said north line of Spring Valley Road a distance of 1,824.26 feet to an iron rod set for corner; said iron rod also being the most southeasterly corner of a tract of land conveyed to the Dallas Independent School District on August 8, 1963 as recorded in the Deed Records of Dallas County, Texas;

THENCE due North along a common line with the said Dallas Independent School District tract a distance of 1,391.88 feet to an iron rod also being the most southeasterly corner of a tract of land conveyed to the Dallas Independent School District on August 8, 1963 as recorded in the Deed Records of Dallas County, Texas;

THENCE North $89^{\circ}42'31''$ East along the southerly line of said Les Lacs Village Tract passing at 1,138.55 feet the southwesterly corner of Les Lacs Village Phase 1, an addition to the City of Addison, as recorded in Volume 83183, Page 4319 of the Deed Records of Dallas County, Texas, and passing at 1,749.60 feet the southwesterly corner of Proton Plaza, an addition to the City of Addison, as recorded in Volume 81001, Page 2042 of the Deed Records of

Dallas County, Texas, in all a total distance of 2,391.65 feet to an iron rod set for corner, said iron rod also being the most northwesterly corner of said Greenhill Park;

THENCE South 0°14'00" East along the westerly common line of said Greenhill Park a distance of 129.53 feet to an iron rod set for corner

THENCE South 44°46'00" West continuing along said common line a distance of 116.21 feet to an iron rod set for corner;

THENCE South 0°14'00" East continuing along said common line a distance of 198.79 feet to an iron rod set for corner;

THENCE South 44°46'00" West continuing along said common line a distance of 318.79 fet to an iron rod set for corner;

THENCE South 0°14'00" East continuing along said common line a distance of 131.21 feet to an iron rod set for corner;

THENCE South 44°46'00" West continuing along said common line a distance of 125.00 feet to an iron rod set for corner;

THENCE South 0°14'00" East continuing along said common line a distance of 50.00 feet to an iron rod set for corner;

THENCE South 44°46'00" West continuing along said commo line a distance of 250.00 feet to an iron rod for corner;

THENCE South 0°14'00" East continuing along said common line a distance of 240.00 feet to the POINT OF BEGINNING and containing 2,785,113 square feet or 63.9374 acres of land, more or less.

SECTION 2. That said Special Use Permit for a cellular telephone transmission and receiving facility is approved subject to the following special condition:

-that the facility and the building associated with the Tower be moved fifty (50) feet to the west.

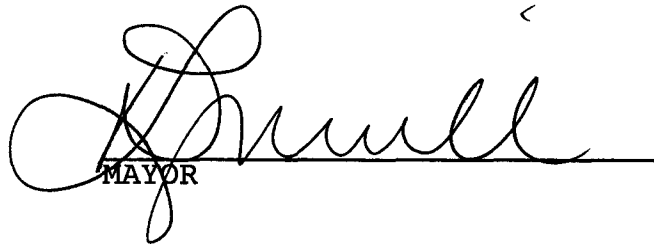
SECTION 3. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict

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. 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 12th day of November, 1992.


MAYOR

ATTEST:


CITY SECRETARY

CASE NO. 1086-SUP

APPROVED AS TO FORM:


CITY SECRETARY

OFFICE OF THE CITY SECRETARY

ORDINANCE NO. 091-064*

Published
9/20/92



GREENHILL,
SCHOOL 1988
DALLAS, TEXAS 75244

REQUEST FOR
SPECIAL USE PERMIT

HIDELL

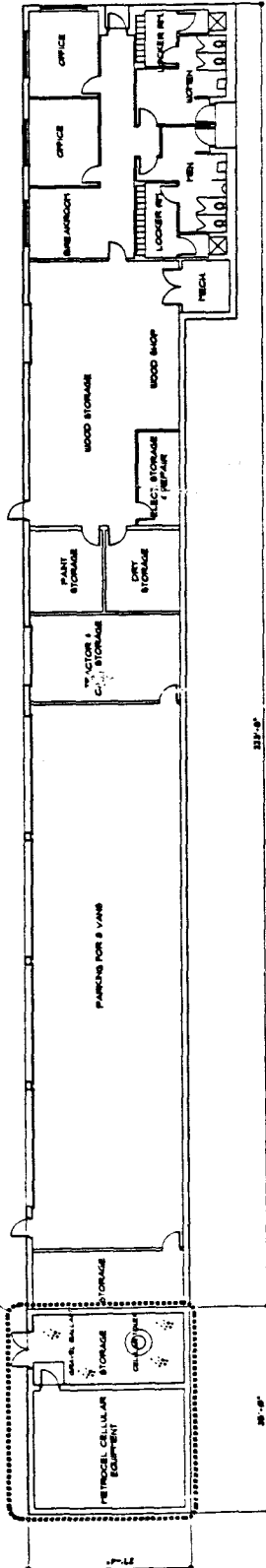
ARCHITECTS

1200 WEST 19TH STREET
DALLAS, TEXAS 75221-1200



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| Revisions | |
| 1. 08/18/88 | |
| 2. 09/21/88 | |
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Sheet No. 42



PROPOSED MAINTENANCE FACILITY for
GREENHILL SCHOOL

SCALE: 1/8" = 1'-0"

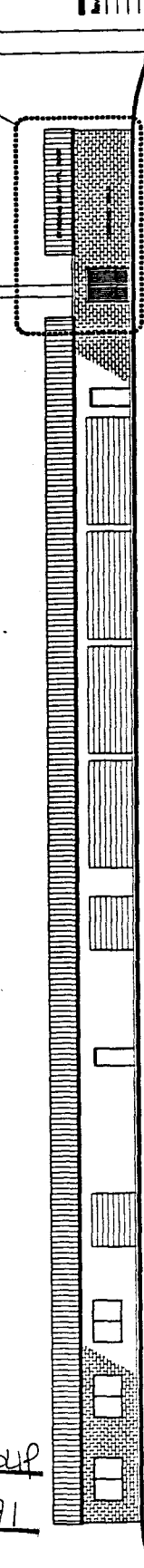


APPROVED

STATE FILE NO. 1086-SUP

RECEIVED. 10-1-91

NORTH ELEVATION
SCALE: 1/8" = 1'-0"



THESE PLANS ARE REDUCTIONS OF THE ACTUAL
"RECORD SET" OF PLANS WHICH ARE FILED IN
ZONING CASE FILE 1086-SUP

091-064