

ORDINANCE NO. 094-004

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM "I-1" INDUSTRIAL-1 TO "LR" LOCAL RETAIL, ON APPLICATION FROM SAM Y. DORFMAN, JR., LOCATED ON ONE TRACT OF .378 ACRES ON THE WEST SIDE OF ADDISON ROAD, APPROXIMATELY 450 FEET NORTH OF BELT LINE ROAD, AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; 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

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give the hereinafter described property the zoning district classification, to-wit: "LR" Local Retail. Said property being in the Town of Addison, Texas, and being described as follows:

BEGINNING at a stake on the Noell Road;

THENCE in a westerly direction Three Hundred Fourteen right-of-way of the St. Louis Southwestern Railway Company;

THENCE South along said right-of-way one hundred (100) feet;

THENCE in an easterly direction two hundred eighty five (285) feet to Noell Road;

THENCE north one hundred (100) feet to the place of beginning, situated about 13 1/2 miles north of Dallas, Texas, described in deed from S.S. Noell to J.A. Atkins recorded in Volume 360, page 36 of Deed records of Dallas County, Texas, save, except and less a parcel of land in the town of Addison, Dallas County, Texas, bounded as follows:

BEGINNING at a stake on the Noell Road at the Southeast corner of a lot owned by S. Calloway;

THENCE eastwardly parallel with the North line three hundred fourteen (314) feet to the Noell road;

THENCE northwardly along said road forty-five (45) feet to the place of beginning, said land being a part of the Edward Cook Survey and the north forty-five (45) feet of a lot deeded by S.S. Noell to J.A. Atkins and being the same land conveyed to Alberty March by J.A. Atkins and Nancy Atkins as shown by deed recorded in Volume 1260 at page 391 of the Deed records of Dallas County, Texas.

SECTION 2. As provided in Article VIII, the Local Retail District Article of the Comprehensive Zoning Ordinance, said property shall be improved in accordance with the allowed uses and development standards which are contained within Article VIII of Ordinance #66.


SECTION 3. 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 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 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 5. That should any paragraph, sentence, sub-division, 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 6. 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 11th day of January, 1994.



MAYOR

ATTEST:



CITY SECRETARY

CASE NO. 1164-Z

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