

ORDINANCE NO. 094-034

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 FRUIT STAND/PLANT NURSERY, ON APPLICATION WITH ROGER FRENCH, LOCATED ON A .984-ACRE TRACT ON THE SOUTH SIDE OF BELT LINE ROAD, APPROXIMATELY 1,200 FEET WEST OF MIDWAY ROAD 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/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 tract of land located on the south side of Belt Line Road approximately 1,100 feet west of the intersection of Belt Line Road and Midway Road, and containing approximately 42,875 square feet, more or less.

SECTION 2. That the fruit stand/plant nursery shall be developed in accordance with the site plan, floor plan, elevations, and landscaping plan attached hereto and made a part hereof for all purposes.

SECTION 3. That the Special Use Permit for the fruit stand/plant nursery shall be approved subject to the following special conditions:

-The parking lot shall be paved with either asphalt or concrete.

-The landscaping along the Belt Line Road frontage shall be improved in accordance with Addison's standards for frontage landscaping, including irrigation.

-The applicant's signs shall be of a "permanent" quality, in accordance with Addison's sign ordinance.

-The applicant will not be permitted to have a tent on the site.

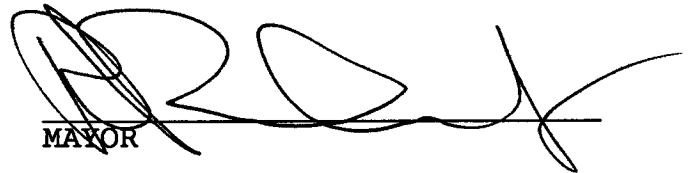
-The applicant may use the stone house on the site for two years; after two years the applicant must return to the Planning and Zoning Commission and City Council with a plan for a permanent building.

SECTION 4. That all ordinances of the City in conflict with the provisions of this ordinance, specifically Ordinance 091-042, 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 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.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 24th day of May, 1994.


MAYOR

ATTEST:


CITY SECRETARY

CASE NO. 1184-SUP

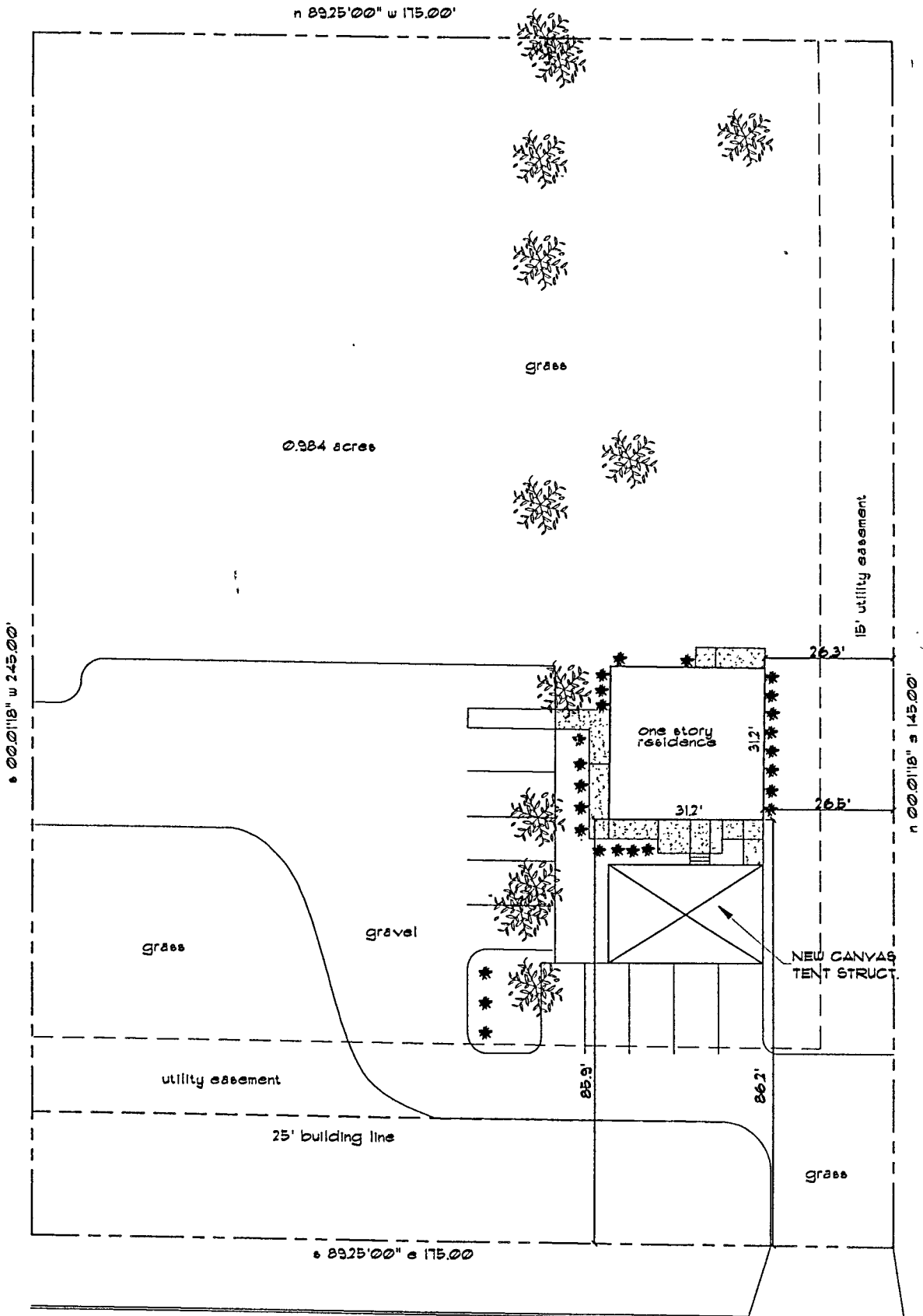
APPROVED AS TO FORM:


DIRECTOR OF DEVELOPMENT SERVICES

OFFICE OF THE CITY SECRETARY

ORDINANCE NO. 094-034

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BELTLINE ROAD

ADDISON ROAD MARKET
 ADDISON, TEXAS

094-034