ORDINANCE NO. 094-088

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING SPECIAL USE ORDINANCE NO. 083-041 BY AMENDING THE FLOOR PLAN AND ELEVATIONS TO ADD A PATIO TO AN EXISTING RESTAURANT, ON APPLICATION WITH PRIMO'S RESTAURANT, LOCATED AT 14905 MIDWAY, SUITE 101; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A REPEAL CLAUSE; PROVIDING FOR A PENALTY CLAUSE; AND PROVIDING FOR A NO 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 Ordinance No. 083-041 passed by the City Council on the 28th day of June, 1983, is hereby amended by amending Section #2, Paragraph #1 to read as follows:

1. That prior to the issuance of a Certificate of Occupancy, said property shall be improved in accordance with the floor plan and elevation drawings showing a patio addition to the restaurant which are attached hereto and made a part hereof for all purposes.

SECTION 2. That Ordinance No. 083-041 passed by the City Council on the 28th day of June, 1983, is hereby amended by amending Section #2, Paragraph #2 to read as follows:

2. That the Special Use Permit granted herein shall be limited to a restaurant and the sale of alcoholic beverages for on-premises consumption only and to that particular area designated on the final site plan as being outlined in red and encompassing a total area not to exceed 6,438 square feet.

SECTION 3. That Ordinance No. 083-041 passed b the City Council on the 28th day of June 1983, is hereby amended by amending Section #2, to add the following new paragraph:

12. All dead and missing plat material, specifically hollies along the north side of the center, shall be replaced prior to the issuance of building permit for the patio areas.

SECTION 4. 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 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.

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SECTION 6. It is the intention of the City Council that this ordinance be considered in its entirety, as one ordinance, and should any portion of this ordinance be held to be void or unconstitutional, then said ordinance shall be void in its entirety, and the City Council would not have adopted said ordinance if any part or portion of said ordinance should be held to be unconstitutional or void.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 13th day of December, 1994.

MAYOR

ATTEST:

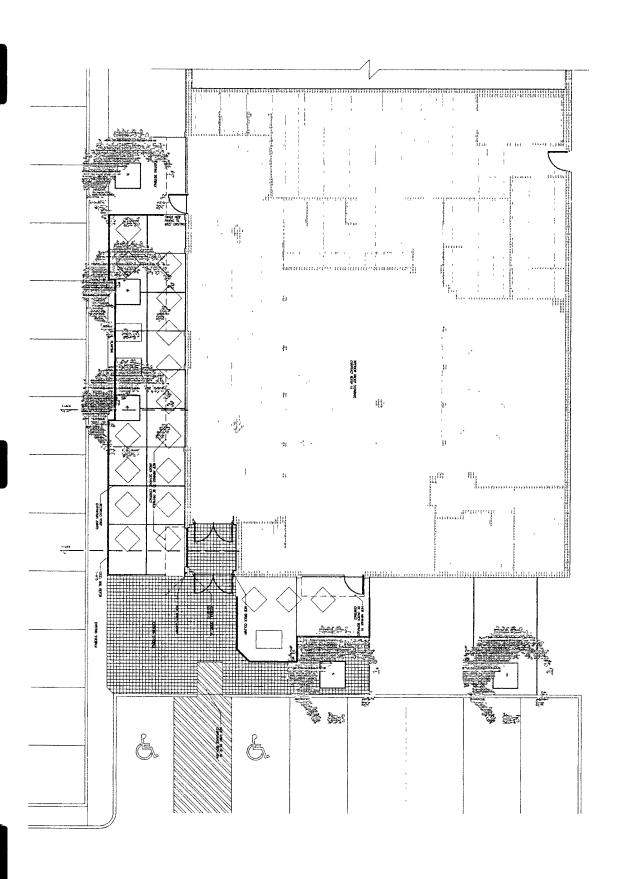
CASE NO.

742-SUP-1

APPROVED AS TO FORM:

DIRECTOR OF DEVELOPMENT SERVICES

Publisher 10/19/19



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