

ORDINANCE NO. 096-005

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 INSTALLATION BY A PRIVATE UTILITY OF A MOBILE TELEPHONE TOWER, ON APPLICATION WITH PCS PRIMECO, LOCATED ON AN EXISTING POWER POLE IN THE TU ELECTRIC RIGHT-OF-WAY ON THE NORTH SIDE OF BELT LINE ROAD BETWEEN SURVEYOR BOULEVARD AND COMMERCIAL DRIVE; 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:

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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 for an installation of a private utility, a mobile telephone tower. 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:

BEGINNING at an iron pipe at the southwest corner of the said "SECOND TRACT" in the north right of way line of Belt Line Road, being also the southeast corner of a 19.13 acre tract conveyed to J.E Bush by a deed record in Volume 3674, Page 495, Deed Records of Dallas County, Texas;

THENCE north and along the dividing line between the J.E Bush 19.13 acre tract and the said "SECOND TRACT" 1095 feet to an iron pipe at the northwest corner of the said "SECOND TRACT" in the south right of way line of the St. Louis and Southwestern Railway Company;

THENCE South 89°54' East along the said south right of way line, 100.0 feet;

THENCE South, parallel with and 100 feet easterly from the west line of the said "SECOND TRACT", 1057.5 feet to a point on a curve in the north right of way line of Belt Line Road;

THENCE southwesterly, along said curve to the right whose radius is 1860.08 feet, a distance of 105.5 feet to the place of beginning; containing 2.471 acres of land.

SECTION 2. That the property shall be developed in accordance with the site plan and elevation drawings which are attached hereto and a part hereof for all purposes.

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

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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, 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 13th day of February, 1996.



MAYOR

ATTEST:



CITY SECRETARY

CASE NO. 1246-SUP

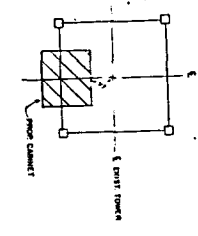
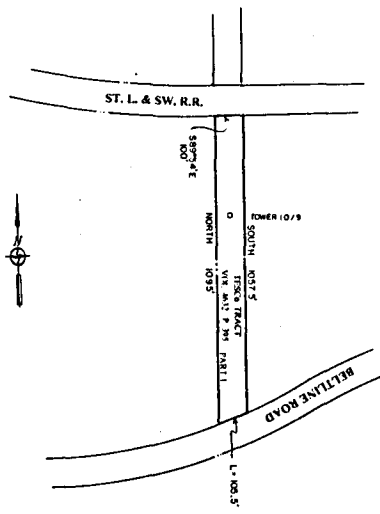
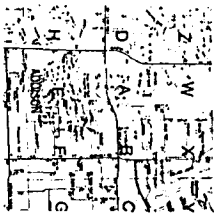
APPROVED AS TO FORM:



DIRECTOR OF DEVELOPMENT SERVICES

Published
2/2/96



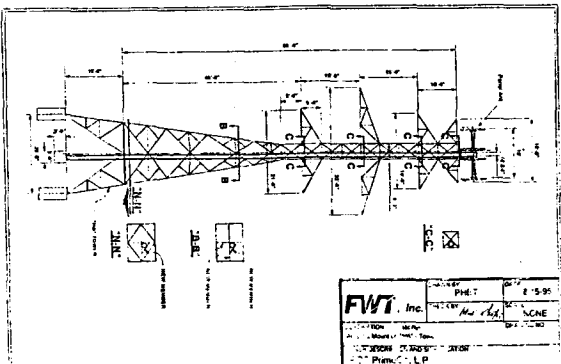
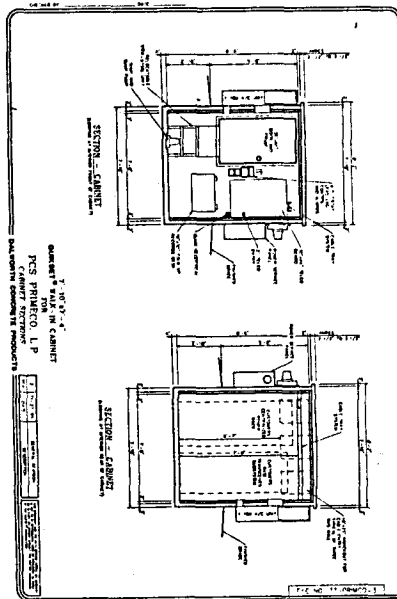


- GENERAL NOTES:**
1. THE PROPOSED UTILITY IS TO BE INSTALLED IN ACCORDANCE WITH THE CITY OF DALLAS SPECIFICATIONS FOR UNDERGROUND UTILITIES.
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LEGAL DESCRIPTION:

SECTION 10 OF BLOCK 12, TRACT 1, T. 10N. R. 10E, S. 10W., COUNTY OF TARRANT, TEXAS, BEING PART OF THE TRACT DESCRIBED AS FOLLOWS:

TRACT 1, T. 10N. R. 10E, S. 10W., COUNTY OF TARRANT, TEXAS, BEING PART OF THE TRACT DESCRIBED AS FOLLOWS:



PROJECT PLAN

FCS POWER/CO. SITE # 8060
 BELTLINE ROAD
 T.L. SITE - NORTH LAKE
 TOWNSHIP 10N, RANGE 10E, SECTION 10
 COUNTY OF TARRANT, TEXAS

PEEBLES & ASSOCIATES
 CIVIL ENGINEERS / LAND SURVEYORS
 1000 RICHARDSON ROAD
 BEAUFORT, TEXAS 76022
 METRO (817) 266-3316

DESIGNED BY: P.A.D.
 DATE: 12-23-11

PROJECT NO: 11-001
 SHEET NO: 1 OF 1

096-005