

**ORDINANCE NO. 096-053**

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AS HERETOFORE AMENDED, SO AS TO GRANT A SPECIAL USE PERMIT FOR A RESTAURANT, ON APPLICATION FROM HASTY CONVENIENCE STORE AND PERRY ROSENBERG, LOCATED AT 14603 INWOOD ROAD; PROVIDING FOR SPECIAL CONDITIONS; 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 RESOLVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

OFFICE OF THE CITY SECRETARY

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SECTION 1. The Comprehensive Zoning Ordinance of the Town of Addison, Texas, as heretofore amended, be amended, by amending the zoning map of the Town of Addison, Texas, so as to grant a Special Use Permit for a restaurant. Said Special Use Permit shall be granted subject to the special conditions on the following described property, to-wit:

BEING a tract of land situated in the Josiah Pancoast Survey, Abstract No. 1146, and being part of Lot 1 and Lot 2 of Inwood park North, an addition to the City of Addison, as recorded in Volume 79234 Page 0001, Deed Records, Dallas County, Texas and being more particularly described as follows:

BEGINNING at an iron rod found for corner situated in the Westerly line of Inwood Road (a 60' R.O.W.), said iron rod being the Southeast corner of the aforementioned Inwood Park North;

THENCE S 89 degrees 49'46" West departing said Inwood Road and along the South line of said Inwood Park North a distance of 223.15 feet to an iron rod set for corner;

THENCE N 16 degrees 49'00" West departing said South line of Inwood Park North a distance of 216.00 feet to a cross cut in concrete for corner;

THENCE S 89 degrees 49'46" West a distance of 10.00 feet to a cross cut in concrete for corner;

THENCE N 00 degrees 10'13" West a distance of 98.81 feet to an iron rod set for corner; situated in the South line of a 50 foot Access, Utility and Drainage Easement;

THENCE N 89 degrees 49'46" East along the aforementioned 50 foot Easement a distance of 203.61 feet to an iron rod set for corner situated in the Westerly line of said Inwood Road;

THENCE S 16 degrees 49'00" East along said Inwood Road a distance of 319.13 feet to the POINT OF BEGINNING and containing 1.5555 acres of land, more or less.

SECTION 2. That the Special Use Permit is granted subject to the following conditions:

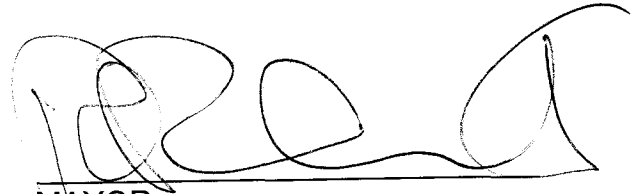
1. That prior to the issuance of a Certificate of Occupancy, said property shall be improved in accordance with the floor plan which is attached hereto and made a part hereof for all purposes.
2. That the Special Use Permit granted herein shall be limited to a restaurant only and to that particular area designated on the final site plan as outlined and encompassing a total area not to exceed 1,141 square feet.
3. The use of gaming devices, such as billiards (pool) tables, pinball machines, marble tables, and other coin operated amusement machines, other than machines for music are hereby prohibited.
4. The applicant shall submit a landscaping plan for approval, which indicates additional trees along the north side of the building, prior to the issuance of a building permit.

SECTION 3. 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 4. 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.


SECTION 5. 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 8th day of October, 1996.



MAYOR

ATTEST:



CITY SECRETARY

CASE NO. 1275-SUP

APPROVED AS TO FORM:



DIRECTOR OF DEVELOPMENT SERVICES

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