

ORDINANCE NO. 2333-A

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, SO AS TO GRANT A SPECIAL PERMIT FOR A HEALTH STUDIO IN AN LR-M(2) DISTRICT WITH A SPECIAL CONDITION ON THE FOLLOWING DESCRIBED PROPERTY, TO-WIT: BEING A TRACT OF LAND SITUATED IN THE SARAH ZACHARY SURVEY, ABSTRACT NO. 1616, DALLAS COUNTY, TEXAS, AND FURTHER BEING A PART OF LOT 27, BLOCK 1, OF THE REVISED PLAT OF TOWN NORTH PARK NO. 1 TO THE CITY OF RICHARDSON AS FILED IN VOLUME 791, AT PAGE 998 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT A POINT IN THE WEST RIGHT-OF-WAY LINE OF PLANO ROAD, (70 FEET FROM CENTERLINE OF A PROPOSED 140 FOOT RIGHT-OF-WAY), SAID POINT BEING NORTH A DISTANCE OF 381.39 FEET ALONG SAID PLANO ROAD WEST LINE FROM THE NORTH LINE OF BUCKINGHAM ROAD (A 100 FOOT RIGHT-OF-WAY), AN IRON STAKE FOR CORNER; THENCE WEST LEAVING THE SAID WEST LINE OF PLANO ROAD, A DISTANCE OF 165 FEET TO A POINT FOR CORNER; THENCE SOUTH A DISTANCE OF 231.39 FEET TO A POINT FOR CORNER; THENCE NORTH 87 DEGREES 47 MINUTES EAST, A DISTANCE OF 15.13 FEET; THENCE SOUTH A DISTANCE OF 150 FEET TO A POINT IN THE NORTH RIGHT-OF-WAY LINE OF BUCKINGHAM ROAD; THENCE SOUTH 87 DEGREES 47 MINUTES WEST, (618.46 FEET ALONG SAID NORTH LINE OF BUCKINGHAM ROAD TO A POINT FOR CORNER; THENCE LEAVING BUCKINGHAM ROAD AND GOING NORTH ALONG THE EAST LINE OF A 16 FOOT ALLEY A DISTANCE OF 840.56 FEET; THENCE NORTH 45 DEGREES EAST ALONG AN ALLEY CUTBACK LINE, 21.21 FEET; THENCE EAST, 752.88 FEET ALONG THE SOUTH LINE OF A 16 FOOT ALLEY, TO A POINT FOR CORNER IN THE WEST RIGHT-OF-WAY LINE OF PLANO ROAD; THENCE SOUTH ALONG THE WEST RIGHT-OF-WAY LINE OF PLANO ROAD, 450.84 FEET TO THE PLACE OF BEGINNING AND CONTAINING 13.437 ACRES OF LAND; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

WHEREAS, the City Planning Commission of the City of Richardson and the governing body of the City of Richardson, in compliance with the laws of the State of Texas the the Ordinances of the City of Richardson, have given the requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and in the exercise of its legislative discretion have concluded that the Comprehensive Zoning Ordinance should be amended; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended by amending the Zoning Map of the City of Richardson so as to give the following described property a Special Permit under Article XXII-A of the Comprehensive Zoning Ordinance for a Health Studio in an LR-M(2) District within the following described area, with a special condition, to-wit:

BEING a tract of land situated in the SARAH ZACHARY SURVEY, ABSTRACT NO. 1616, Dallas County, Texas, and further being a part of LOT 27, BLOCK 1, of the Revised Plat of TOWN NORTH PARK NO. 1 to the City of Richardson as filed in Volume 791, at Page 998 of the Map Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point in the West right-of-way line of Plano Road, (70 feet from centerline of a proposed 140 foot right-of-way), said point being North a distance of 381.39 feet along said Plano Road West line from the North line of Buckingham Road (a 100 foot right-of-way), an iron stake for corner;

THENCE West leaving the said West line of Plano Road, a distance of 165 feet to a point for corner;

THENCE South a distance of 231.39 feet to a point for corner;

THENCE North 87 degrees 47 minutes East, a distance of 15.13 feet;

THENCE South a distance of 150 feet to a point in the North right-of-way line of Buckingham Road;

THENCE South 87 degrees 47 minutes West, (618.46 feet along said North line of Buckingham Road to a point for corner;

THENCE leaving Buckingham Road and going North along the East line of a 16 foot alley a distance of 840.56 feet;

THENCE North 45 degrees East along an alley cutback line, 21.21 feet;

THENCE East, 752.88 feet along the South line of a 16 foot alley, to a point for corner in the West right-of-way line of Plano Road;

THENCE South along the West right-of-way line of Plano Road, 450.84 feet to the place of beginning and containing 13.437 acres of land.

SECTION 2. That the above Special Permit is granted subject to the following special condition, to-wit:

- (1) The Special Permit is granted to Jim Ewald only.

SECTION 3. That all ordinances of the City of Richardson in conflict with the provisions of this ordinance be, and the same are hereby repealed, and all other ordinances of the City of Richardson not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. That the above described tract shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Richardson, as heretofore amended, and as amended herein by the granting of this Special Permit.

SECTION 5. That should any sentence, paragraph, 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 provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

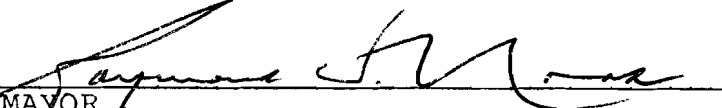
SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Richardson, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense.

SECTION 7. Whereas, it appears that the above described property requires that it be given the above zoning classification in order to permit its proper development, and in order to protect the public interest, comfort and general welfare of the City of Richardson, and creates an urgency and an emergency in the preservation of the public health, safety and welfare, and requires that this ordinance shall take effect immediately from and after its passage, and the publication of the caption of said ordinance, as the law in such cases provides.

DULY PASSED by the City Council of the City of Richardson,

Texas, on the 3rd day of January, 1983.

APPROVED:


MAYOR

DULY RECORDED:

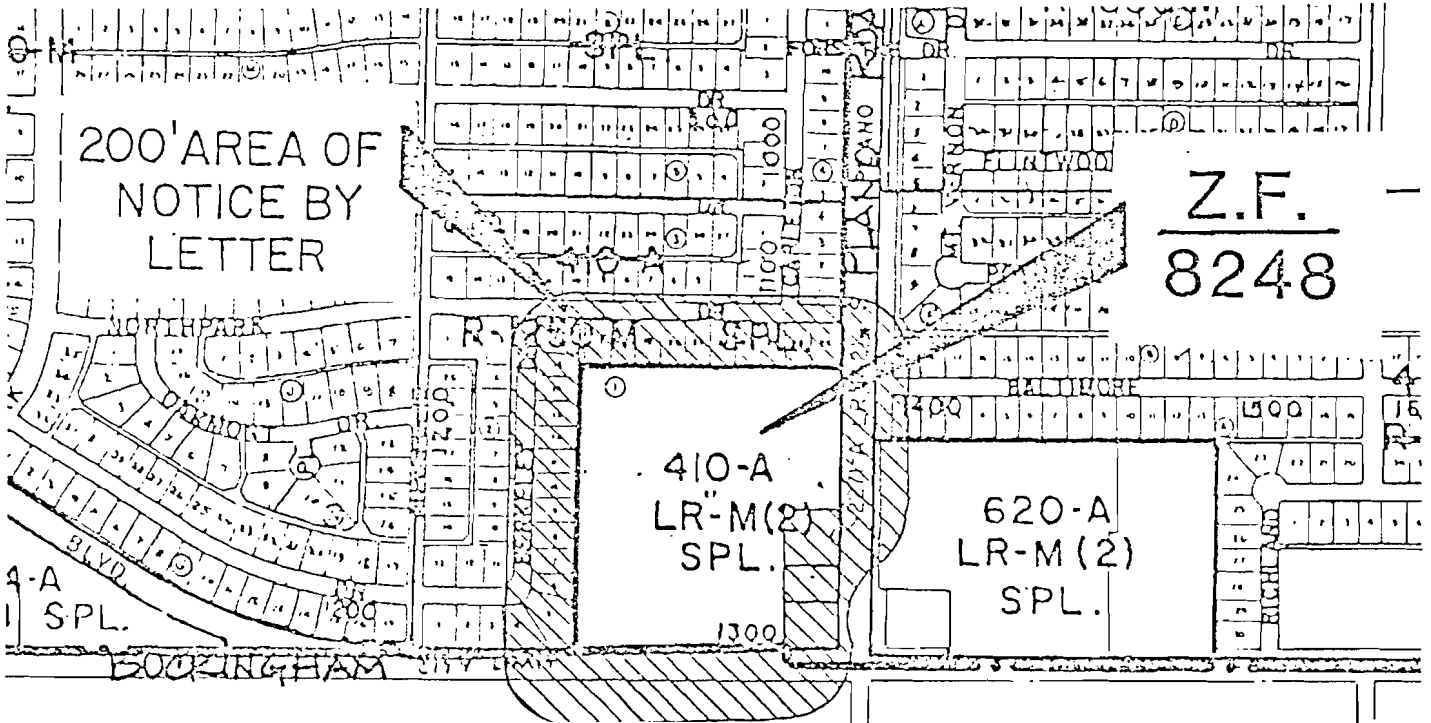

CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY

NOTICE OF PUBLIC HEARING

The City Council will hold a public hearing at 7:30 p. m., December 20, 1982, at the City Hall, 411 W. Arapaho Rd., Richardson, Texas, to consider a request by Jim Ewald for a special permit for a health studio at 1332 S. Plano Road, Buckingham Place Shopping Center. The property is presently zoned LR-M(2) Local Retail with special conditions, and is shown on the map below.



The public hearing will be held on the issue of the request for a special permit. The City Plan Commission recommends approval.

A maximum time limit of 20 minutes will be allocated to the applicant and those favoring the issue of the public hearing. The applicant may reserve any portion of the allotted 20 minutes for closing remarks following the opposition. A maximum time limit of 20 minutes will be allocated to those in opposition to the issue of the public hearing. Time required to respond to questions by the City Council is excluded from the 20 minute limitation.

As an interested property owner, it is important that you attend this hearing or notify the Council of your feelings in this matter. If you wish your opinion to be part of the record and you are unable to attend the public hearing, you may send a written reply prior to the date of the public hearing to the City Secretary, P. O. Box 309, Richardson, Texas 75080.

THE CITY OF RICHARDSON

Virginia Gruben

 Mrs. Virginia Gruben
 City Secretary