



ORDINANCE NO. 3672

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS AMENDING THE CODE OF ORDINANCES OF THE CITY OF FARMERS BRANCH CHAPTER 94 "ZONING," ARTICLE 2 "ZONING DISTRICTS AND USES" BY AMENDING SECTION 2.9 "ACCESSORY USES AND STRUCTURES", SUBSECTION 2.9A.4 "ATTACHED ACCESSORY BUILDINGS", AND SUBSECTION 2.9A.5 "DETACHED ACCESSORY BUILDING REGULATIONS"; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2000.00) FOR EACH OFFENSE; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING PUBLICATION

WHEREAS, the Planning and Zoning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the laws of the State of Texas and the ordinances of the City of Farmers Branch, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all interested persons, the governing body, in the exercise of the legislative discretion, has concluded that the Comprehensive Zoning Ordinance should be amended;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THAT:

SECTION 1. Article 2 "Zoning Districts and Uses" Section 2.9 "Accessory Uses and Structures" of Chapter 94 "Zoning" of the Code of Ordinances, City of Farmers Branch, Texas, ("the Comprehensive Zoning Ordinance") is amended by amending Subsection 2.9A.4 "Attached Accessory Buildings", and Subsection 2.9A.5 "Detached Accessory Building Regulations" to read as follows:

2.9 ACCESSORY USES AND STRUCTURES

A. R-1 to R-6 and D-1 to D-2 Districts. All accessory buildings in the R-1 through D-2 zoning districts shall comply with the following:

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4. Attached Accessory Buildings. Attached accessory buildings shall comply with the provisions of Section 2.9A.3 and the following development standards:

a. The location of an attached accessory building shall comply with the front, side, and rear setback requirements of the main building on the property;

- b. The height of an attached accessory building shall not exceed the allowable height of the main structure to which it is physically connected; and
- c. An attached accessory building shall be architecturally compatible with the main building and shall be constructed on a permanent concrete foundation.

Notwithstanding Section 2.9A.4.a, an accessory structure open on all sides other than the side attached to the main building located on a residential lot with a rear lot line adjoining property developed and used as (i) a golf course (public or private) or (ii) a park and playground (public) may observe a rear yard setback of not less than five feet (5.0').

5. Detached Accessory Building Regulations Detached accessory buildings shall comply with the provisions of Section 2.9A.3 and the following development standards:

- a. Detached accessory buildings shall be located more than 10 feet from the main structure on the property or the lot or lot of record;
- b. No equipment or appurtenances other than eaves, cornices and other architectural features normally found on the main building on the property may be located within the area between the main structure and the detached accessory building;
- c. The main building and the detached accessory building may be connected by a breezeway or covered walk provided all structures are in compliance with Section 2.9A.6;
- d. Detached accessory buildings shall observe a side yard setback measured to the wall of the building that is:
 - i. Not less than three feet (3') from an interior side lot line or easement line (except as allowed in Section 2.9A.3.m); or
 - ii. A side yard setback equal to the main structure from a street facing side lot line.

Notwithstanding Section 2.9A.5.d.ii., a detached accessory structure with a floor area of 200 square feet or less and a height of not greater than ten feet (10') may be setback not less than three feet (3.0') from the street facing side lot line (including lots that may have more restrictive platted setback), provided a solid, opaque fence of not less than six feet (6') in height is installed around the side and rear yard of the property.

- e. Except as allowed in Section 2.9A.3.m, detached accessory structures shall be set back not less than three feet (3') from the rear property line, alley line or easement line measured to the wall of the building or structure; and
- f. A detached accessory building used for vehicle storage (i.e. garage, carport or similar vehicle storage structure) with a floor area greater than 200 square feet shall not exceed a height of twenty feet (20') measured to the tallest point of the building.

SECTION 2. 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.

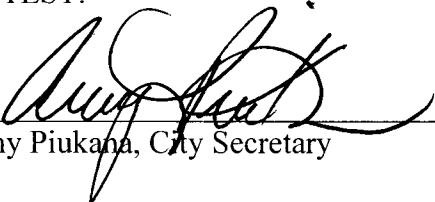
SECTION 3. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 4. 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 Farmers Branch, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 5. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such case provide.


**DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH,
TEXAS, ON THIS THE 5th DAY OF JANUARY 2021.**

ATTEST:




Amy Piukana, City Secretary

APPROVED:



Robert C. Dye, Mayor

APPROVED AS TO FORM:



Peter G. Smith, City Attorney
(kbl:12/9/2020:119627)