



ORDINANCE NO. 1298

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, AS HERETOFORE AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT FOR A NON DRIVE-IN RESTAURANT IN THE PD-8 (LR-1) ZONING DISTRICT, SAID PROPERTY BEING LOCATED AT 203 FARMERS BRANCH SHOPPING CENTER; PROVIDING A PENALTY OF FINE NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING FOR INJUNCTIVE RELIEF; AND DECLARING AN EMERGENCY.

WHEREAS, the City Plan Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the Charter of the City of Farmers Branch, and the State Law with reference to the granting of changes of zoning under the Zoning Ordinance regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the Governing Body of the City of Farmers Branch is of the opinion that said change in zoning uses should be made;

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

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, be, and the same is hereby amended by amending the Zoning Map of the City of Farmers Branch so as to grant a specific use

permit for a non drive-in restaurant without outside sales window in an area presently zoned PD-8 (LR-1). Said non drive-in restaurant without outside sales window to be more specifically located on the inside of the building at 203 Farmers Branch Shopping Center.

SECTION 2. That the above non drive-in restaurant without outside sales window shall be located as shown on Exhibit "A".

SECTION 3. That the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch, as amended herein by the granting of a specific use permit for the non drive-in restaurant without outside sales window as described herein only.

SECTION 4. 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 Farmers Branch, and upon conviction shall be punished by a fine not to exceed the sum of Two Hundred Dollars (200.00) for each offense.

SECTION 5. If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

SECTION 6. Whereas, it appears that the above described property requires that it be given the above zoning classification in order to permit its proper use and development, and in order to protect the public interest, comfort and general welfare of the City of Farmers Branch, and creates an urgency and an emergency for the preservation of

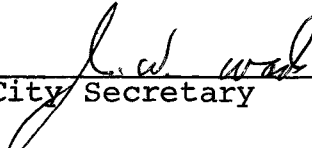
the public health, safety and welfare and requires that this ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance, as the law in such cases provides.

DULY PASSED BY THE CITY COUNCIL of the City of Farmers Branch, Texas, on this the 18th day of February, 1980.

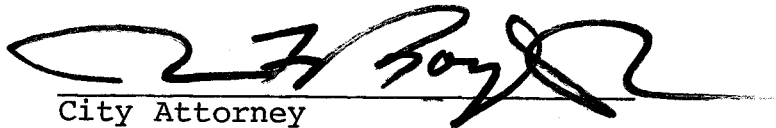
APPROVED:

  
\_\_\_\_\_  
Mayor

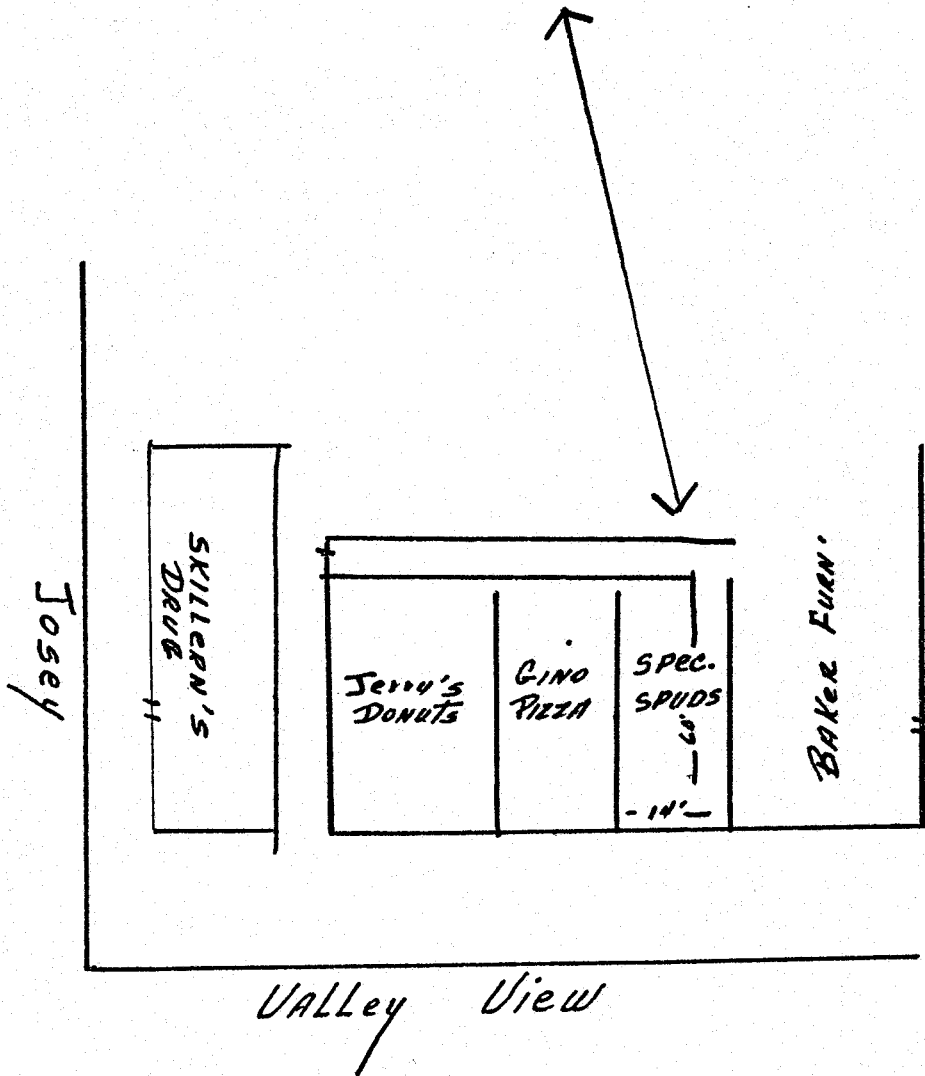
ATTEST:

  
\_\_\_\_\_  
City Secretary

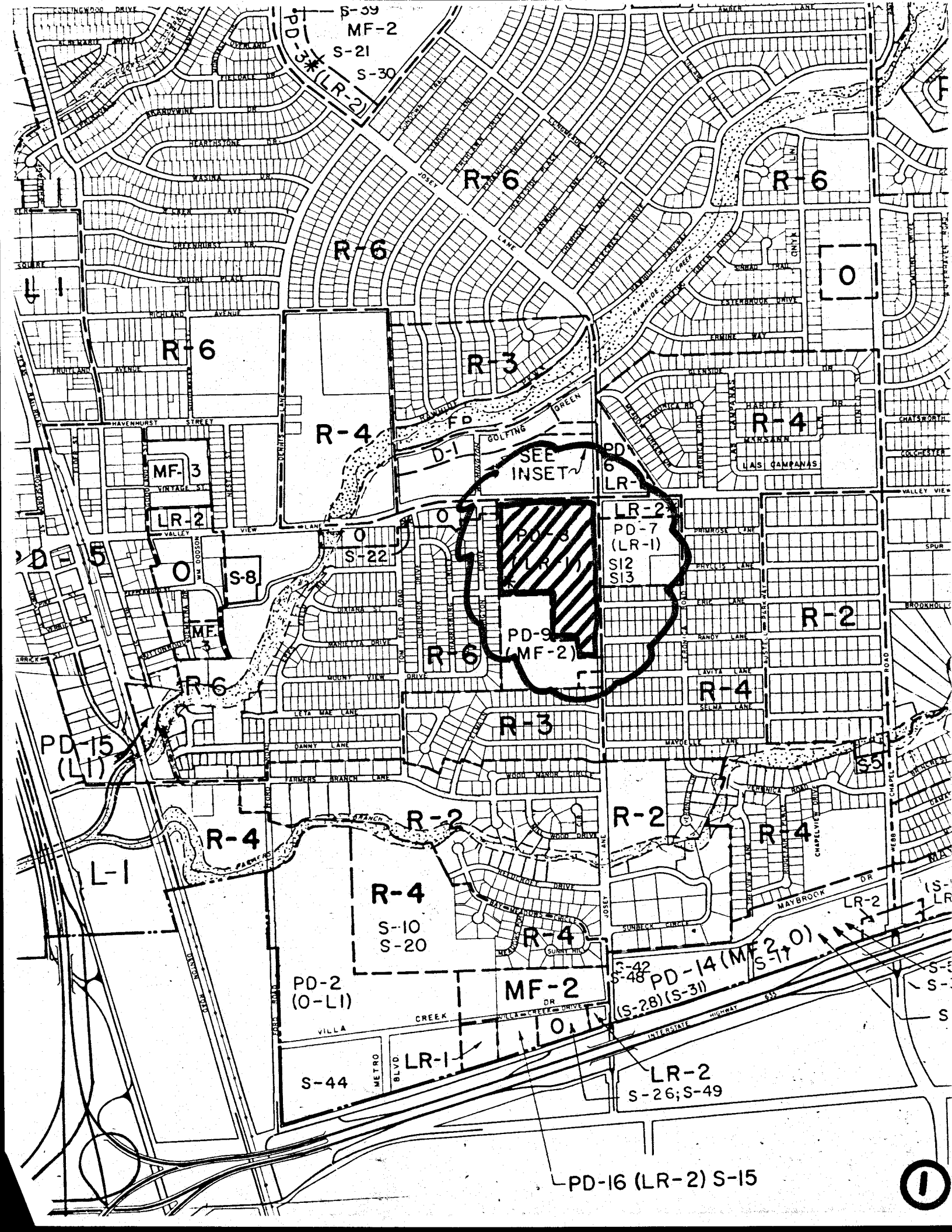
APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

203 FARMERS' BRANCH S/C



Barbara Weston  
242-6186



S-39  
MF-2  
S-21  
S-30  
PD-3 (LR-2)

R-6

R-6

R-6

R-6

R-3

R-4

MF-3

LR-2

R-4

SEE INSET

PD-6  
LR-2

S-8

S-22

PD-8  
LR-1

LR-2  
PD-7  
(LR-1)  
S12  
S13

MF-3

R-6

PD-9  
(MF-2)

R-2

PD-15  
(L1)

R-6

R-3

R-4

R-4

R-2

R-2

R-4

L-1

R-4

R-4

PD-2  
(O-LI)

MF-2

S-42  
S-48

PD-14 (MF-2, O)

S-77

S-44

LR-1

LR-2

S-26; S-49

PD-16 (LR-2) S-15

1

REQUEST FOR SPECIFIC USE PERMIT TO THE BOARD OF COMMISSIONERS AND PLANNING AND ZONING COMMISSION CITY OF FARMERS BRANCH, TEXAS

RECEIVED JAN 23 1980

Application is hereby made to the City Council to authorize the Issuance of a Specific Use Permit and to Reference this use on the Zoning District Map of the City of Farmers Branch, Texas, and in support of such request the following facts are shown:

APPLICANT Barbara Wester (name) 1811 N. Crest Conallton, Tx 75006 (mailing address)

DESCRIPTION OF PROPERTY 203 Farmers Branch Shop Center (legal description and map may be attached)

LOT BLOCK STREET NO.

STREET

FRONTAGE IN FEET ON STREET

DEPTH IN FEET 60'

APPLICANT'S INTEREST IN PROPERTY lease (owner, agent, lease, option, etc.)

PRESENT ZONING PD8 LR1

REASON FOR REQUEST Specific Use

PROPOSED USE OF PROPERTY Baked Potato Shop

ARE THERE DEED RESTRICTIONS WHICH WOULD PREVENT THIS PROPERTY BEING USED IN THE MANNER HEREIN PROPOSED? No

Barbara Wester (signature of owner)

1-23-80 (date)

The following is to be completed only if persons other than the owner is making this application.

I, Barbara Wester, do hereby certify that I am authorized to act for Charlie Townsend, owner of the above named property in making this Specific Use Permit.

Barbara Wester - 1811 N. Crest Conallton 242-6196 Signature Address Phone

#88-09

BUYING INSPECTION

PROPERTY OWNERS LIST  
CASE NO. 80-09

LOCATION: 203 Farmers Branch Shopping Center

NOTICES MAILED: 1-30-80  
Date

NO.	NAME	ADDRESS	CITY	RETURNED		
				APP.	OPP.	N. RESP.
1.	Mobil Oil Corp.	P. O. Box 900	Dallas			✓
2.	Skaggs Albertson #4205	P. O. Box 1053	Richardson			✓
3.	Wayne Clements & Co.	6060 N. Central Expwy.	Dallas	✓		
4.	S. M. Thompson	2905 Eric	F.B.			✓
5.	J. K. Shannon	2909 Eric	F.B.			✓
6.	J. O. Smith	P. O. Box 30296	F.B.			✓
7.	R. L. Irvin	2904 Eric	F.B.			✓
8.	Safeway Stores Inc.	P. O. Box 266	Dallas			✓
9.	R. S. Folsom, ET AL	P. O. Box 20955	Dallas			✓
10.	L. McDaniel	2800 Valley View	F.B.	✓		
11.	B.H. Perez	13118 Wilmington	F.B.			✓
12.	O. G. Brown	613 Cimmaron Strip	Lewisville			✓
13.	J. W. Griffith	13110 Wilmington	F.B.			✓
14.	M. L. Barnett	13016 Wilmington	F.B.			✓
15.	J. E. Russell	13010 Wilmington	F.B.			✓
16.	L. B. Deleon	13004 Wilmington	F.B.			✓
17.	W. E. Smith	12932 Wilmington	F.B.			✓
18.	H. L. Minter	12918 Wilmington	F.B.			✓
19.	J. H. Chapman	12914 Wilmington	F.B.	✓		
20.	S. W. McDowell II	12910 Wilmington	F.B.			✓
21.	S. J. Stevens	12906 Wilmington	F.B.			✓
22.	J. W. Whalen	12814 Wilmington	F.B.			✓
SUMMARY OF MAILED NOTICES						

See next page

PROPERTY OWNERS LIST  
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Date

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				APP.	OPP.	N. RESP.
23.	P. G. Harris	12818 Wilmington	F.B.			✓
24.	E. T. Knight	12822 Wilmington	F.B.			✓
25.	Wilemon Et Al 3920-02	Mer. Nat'l Bank P. O. Box 5415	Dallas			✓
26.	Texas Federal Sav. & Loan	8300 Preston Rd.	Dallas			✓
27.	First City Bank	P. O. Box 34456	F.B.			✓
28.	Richardson Sav. & Loan	101 Richardson Sav & loan	F.B.			✓
29.	M.S. Seth & D.S. Khamesra	8333 Douglas #770	Dallas			✓
30.	Brazech Properties INC.	1720 Regal Row #240	Dallas			✓
31.	MLM Investment Int.	4322 Glenaire Dr.	Dallas			✓
SUMMARY OF MAILED NOTICES				3	0	28



RETURN TO: Secretary of the Zoning Commission  
13000 Wm. Dodson Parkway  
Farmers Branch, Texas 75234

Zoning Amendment  
Request/ No. 80-09  
Date \_\_\_\_\_

As an interested property owner I (PROTEST), (APPROVE) the requested Specific Use permit represented by the above file number because:

- (1) WE DO NOT HAVE A RESTAURANT IN FARMER BRANCH
- (2) YOU HAVE GOT TO DRIVE FIVE MILES TO EAT AT A GOOD PLACE
- (3) IT WILL KEEP MORE BUSINESS IN F.B. THEN ANYWHERE OF TOWN  
(Give reason for your views)

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FEB 4 1980

BUILDING INSPECTION

Signed Judith A Chapman  
Address 12914 WILMINGTON DR  
Date 2/3/80

FEB 4 1980

BUILDING INSPECTION

Zoning Amendment  
Request No. 80-09  
Date 1/29-80



ZONING ADMINISTRATION FORM B

NOTICE OF APPLICATION  
SPECIFIC USE PERMIT  
CITY OF FARMERS BRANCH, TEXAS

A request has been received from Barbara Wester (Applicant)

For a Specific Use Permit at the following described property: 203 Farmers Branch Shopping Center in a PD-8 (LR-1) Zoning District

The Applicant proposes to use the property for non drive in restaurant without outside sales window if permit is granted

NOTE: TWO PUBLIC HEARINGS WILL BE HELD

1. The Zoning Commission of the City of Farmers Branch, Texas will hold a Public Hearing pursuant to this request on February 11, 1980 at 7:30 p.m. in Council Chambers in Police Building.

2. The City Council of the City of Farmers Branch, Texas will hold a Public Hearing pursuant to this request on February 18, 1980 at 7:30 in Council Chambers in Police Building.

AS AN INTERESTED PROPERTY OWNER YOU ARE REQUESTED TO MAKE YOUR VIEWS KNOWN BY ATTENDING THESE HEARINGS. IF YOU CANNOT ATTEND THE HEARINGS, IT IS REQUESTED THAT YOU EXPRESS YOUR VIEWS ON THIS REQUEST BY FILLING IN AND RETURNING THE FORM BELOW:

RETURN TO: Secretary of the Zoning Commission  
13000 Wm. Dodson Parkway  
Farmers Branch, Texas 75234

Zoning Amendment  
Request No. 80-09  
Date 2-1-80

As an interested property owner I (~~PROTEST~~), (APPROVE) the requested Specific Use permit represented by the above file number because:

- (1) it is my understanding that this tenant is going into an existing space within an existing shopping center and it is merely the use that has this requirement. Neighboring landlords,
- (2) in my opinion, should not have the right to dictate uses for other people's shopping centers
- (3) \_\_\_\_\_  
(Give reason for your views)

Wayne Clements Management Company  
Signed [Signature] President  
Address 6060 N. Central Expwy. #670  
Dallas, Texas 75206  
Date February 1, 1980



ZONING ADMINISTRATION FORM B

Zoning Amendment Request No. 80-09 Date 1/29-80

NOTICE OF APPLICATION SPECIFIC USE PERMIT CITY OF FARMERS BRANCH, TEXAS

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RETURN TO: Secretary of the Zoning Commission 13000 Wm. Dodson Parkway Farmers Branch, Texas 75234

Zoning Amendment Request No. 80-09 Date

As an interested property owner I (PROTEST), (APPROVE) the requested Specific Use permit represented by the above file number because:

- (1) because we need more restaurants in this area.
(2)
(3) (Give reason for your views)

RECEIVED

FEB 4 1980

BUILDING INSPECTION

Signed [Signature] Address 2800 Valley View Date 1-31-80



## COUNCIL MEMORANDUM

From: the Office of the City Manager

Date: 2-15-80

Subject: AGENDA ITEM NO. C.4

PUBLIC HEARING: CONSIDER REQUEST FOR A SPECIFIC USE PERMIT FOR A NON DRIVE IN RESTAURANT WITHOUT OUTSIDE SALES WINDOW AT 203 FARMERS BRANCH SHOPPING CENTER IN THE PD-8 (LR-1) ZONING DISTRICT.

EXPLANATION: Mrs. Barbara Wester would like to locate a non drive in restaurant without outside sales window in 203 Farmers Branch Shopping Center. The property is located within the PD-8 (LR-1) zoning district. The City's Zoning Ordinance requires a specific use permit to operate a restaurant in this zoning district.

Mrs. Wester is planning a baked potato shop. Baked potatoes with various stuffings and cold drinks will be the only items sold. The only cooking will be the baking of potatoes. Stuffings are purchased by the shop and warmed on steam tables. Mrs. Wester estimates 50% or more of the business will be take out orders. Hours of operation will tentatively be 11:00 a.m. to 10:00 p.m. For the first two months the shop will be open seven days a week. After the two month period the shop will be operated six days a week. Mrs. Wester states, hopefully the shop will be closed Sundays.

RECOMMENDATION: The Planning and Zoning Commission recommends that the request for a specific use permit be granted.

ACTION BY COUNCIL: Motion to approve request for specific use permit by adopting Ordinance No. 1298 or motion to deny request for specific use permit.

PMW:TES:DY:cjm

Attachments: 1. Sketch showing location of property.  
2. Copy of application.  
3. Summary of mailed notices.  
4. Copy of Section 8-114 of the City's Zoning Ordinance.  
5. Copy of site plan.  
6. Copy of Ordinance No. 1298.

TYPE USE	R-1	R-2	R-3	R-4	R-5	R-6	D-1	D-2	MF-1	MF-2	MF-3	MF-4	O	LR-1	LR-2	C	LI	HI	PD
Pet Shop, Small Animals and Related, No Outside Runs															X	X	X	X	X
Pet Shop - same as above With Outside Runs																S			
Barber Shop														S	X	X	X	X	X
Beauty Shop														S	X	X	X	X	X
Banks & Savings and Loan Associations														S	X	X	X	X	X
Food Processing															X	X	X	X	X
Tires, Batteries & Accessories															S	X	X	X	X
Medical & Dental Offices and Clinics														X	X	X	X	X	X
Automotive Repair Garage															X	X	X	X	X
Restaurant with Drive-In Service (47)															S	S	S	S	S
Non Drive-in Restaurant with Outside Sales Window (47)															S	S	S	S	S
Non Drive-in Restaurant w/o Outside Sales Window (47)															S	S	S	S	S
Lift Station (Sewage)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Municipal Water Tower	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Lab, Medical or Dental														S	S	X	X	X	X
Paint, Wallpaper and Related (Retail)														X	X	X	X	X	X
Rodeo																	S	X	X
Household Appliance Sales with Minor Service														X	X	X	X	X	X
Temporary Carnival or Circus														X	X	X	X	X	X
Modeling Studio																S	S	S	S